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Introduction

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) supports reforms that build upon the strengths, values, and diversity of families and communities because they will best serve the interests of children and youth who come into contact with the juvenile justice system.

Families of youth involved in the juvenile justice system face many challenges and require support before, during, and after their children’s contact with state, tribal, or local juvenile justice systems. Our nation’s juvenile justice systems present a complex series of legal processes that may be difficult to understand and navigate. Often, youth and families are provided little or no opportunity to ask questions or provide input into the decisionmaking processes within the system. Minority youth (both boys and girls) are disproportionately represented in the juvenile justice system, and many come from poor or disadvantaged backgrounds. Their families may find the system confusing and alienating and may lack the resources to support their system-involved children.
In listening sessions with families and youth who had direct experiences with the juvenile justice system, OJJDP heard clearly that families want improved communication with system officials; greater access to their children throughout the arrest, judicial, and correctional processes; and a more meaningful voice in the decisions that affect their children’s lives. Professionals working in the system too often are noncommunicative or provide inadequate information to families navigating the justice system. Law enforcement and other justice system officials too often treat family members in a way that commonly makes them feel ashamed and guilty. When family members engage with system representatives, it is often because of their own perseverance in spite of a lack of support from system officials.

Families have an important role to play in prevention and intervention efforts and ensuring that juvenile justice systems adopt developmentally appropriate, trauma-informed, and evidence-based and evidence-informed approaches. Family involvement can also help to ensure that the system provides youth adequate access to legal representation, medical treatment, and educational opportunities.

**OJJDP Policy Statement**

OJJDP supports a public health approach to juvenile justice that focuses on reducing risk and increasing resiliency against delinquent behavior. This approach includes actively engaging system-involved and formerly incarcerated youth and their families in planning and decision-making that affects their lives. It means giving them a voice in the development of policies, practices, and governance of the agency or systems in which they are involved. Family engagement should be a collaborative relationship where the families are considered partners in both their child’s treatment and the policies, programs, and practices of the juvenile justice system itself.

OJJDP believes that juvenile justice systems should actively engage youth and their families in culturally, linguistically, and developmentally competent and sustainable ways. This can be accomplished through elevating youth and family engagement as a principle and practice in policy and funding decisions; development and support for evidence-based models of practice; and data collection that ensures that effective, intentional, and systematic youth and family engagement is implemented and sustained across the nation.

Our goal is to create a juvenile justice system that treats all youth fairly and equally and gives youth and their families every opportunity to succeed. We can accomplish this by amplifying the voices of family and youth in policymaking and program development and assisting our stakeholders in their efforts to partner with youth and their families.

**Statement of the Problem**
The engagement of justice-involved youth and their families is key to successful outcomes for youth at all points in the juvenile justice system. Too often, families are marginalized, whether in the courts, in the development of case plans, or in the development of reentry plans. A recent survey of parents, family members, and children who had direct experience with the juvenile justice system found the following:

- More than 9 of 10 (91 percent) survey respondents said the courts should involve families more in decisions regarding children who have been found delinquent or guilty.

- Eighty-six percent of the family members surveyed reported they would like to be more involved in their child’s treatment while he or she is confined in a correctional facility or other residential placement.

- Three fourths of the respondents reported they faced serious impediments to visiting their children in placement, including lack of transportation options, living a great distance from the facility, cost, limited visiting hours, restrictive visitation rules, or losing visitation rights because their child was being disciplined.

- More than half (55 percent) of family members said it was difficult or impossible to contact staff to ask how their child was doing or to receive information about their child’s progress or safety.

- Less than one-third (32 percent) of the respondents reported discussing release plans with juvenile justice system personnel prior to their child’s release.

- Families said court-related payments and the income they lost due to taking time off from work to visit their child inflicted substantial economic hardship on them. Approximately one in three families said they had to choose between paying for basic
necessities and making court-related payments, and nearly one in five families said they had to take out a loan to make court-related payments.6

Despite these challenges, evidence suggests that supportive family involvement can produce better outcomes for justice-involved youth. The research on family engagement in juvenile justice settings is limited, but a significant body of literature exists on parental and other family influences on child and adolescent development. It is particularly critical for adolescents and young adults to maintain social connections while they are incarcerated.7 Family visitation appears to have a positive impact on the behavior and school performance of incarcerated youth.8 Youth reoffend less and their siblings are less likely to become involved with the justice system when families are integrated into the system’s response.9

Reforming Juvenile Justice: A Developmental Approach, an OJJDP-commissioned National Research Council report, highlighted the importance of family in the lives of justice-involved youth. The study found evidence that a healthy relationship with a parent or other adult has a positive impact on youth and serves as a protective buffer against negative external influences. As the report notes, even in situations in which parental influences may contribute to the development of a young person’s antisocial behaviors, logic suggests that families still must be involved for youth to experience sustainable, positive change.10

While state and local juvenile and criminal justice systems are beginning to recognize that family engagement is essential for positive youth outcomes,11 system-involved youth and their families still face many unmet challenges:

- Insufficient access to prevention and intervention programs and services when children first show indications of trouble, particularly for youth with emotional and behavioral disorders.12,13,14,15

- The absence of legal representation and family involvement during early phases of arrest, interview, interrogation, and placement of charges.16,17,18

- Policies and practices in juvenile courts that do not encourage parental participation, which can foster distrust of both the courts and legal authorities.19,20,21,22,23

- Lack of policies and procedures that are responsive to cultural differences and a lack of culturally competent professionals serving youth within juvenile justice systems.24
Lack of developmentally appropriate treatment and services, including recreation that fosters positive peer relations and positive youth development.

Unsafe conditions for youth in custody, especially for those detained in adult facilities.\textsuperscript{25,26,27}

Difficulty obtaining information about a child’s status while he or she is incarcerated, particularly for American Indian and Alaska Native children.\textsuperscript{28}

Visitation barriers, such as limited access to communication (e.g., phone calls, Internet), long distances families often have to travel to visit a youth in out-of-home placement, limited transportation options for families, insufficient or inconvenient visiting hours, and narrow definitions of allowable “family” visitors.\textsuperscript{29,30,31}

Lack of awareness and/or consideration of unacceptable and/or potentially dangerous referral locations for youth and family members who are mandated (for instance, by a court), or are seeking, follow-up services, treatments, school placements, and other community-based alternatives to incarceration.\textsuperscript{32} Examples of this include community-based services that are located far from the youth’s home, in gang territory, or in a dangerous part of the community.

\textbf{Our Commitment}

OJJDP is committed to strengthening partnerships at the federal, state, local, and tribal levels to effectively engage youth and their families in restorative justice, trauma-informed, developmentally appropriate, and evidence-based and evidence-informed juvenile justice practices. To promote our commitment to family and youth engagement, consistent with available funding, OJJDP will provide technical assistance, grants, research, and data collection support to states, tribes, and communities as follows:
Technical Assistance

- Collaborate with family advocates, federal agencies, national organizations, and others who are developing evidence-based policies and trauma-informed responses that respond to the needs of justice-involved youth and their families (e.g., U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration’s “systems of care”33).

- Partner with youth and their families in the work of the Coordinating Council on Juvenile Justice and Delinquency Prevention and the Federal Advisory Committee on Juvenile Justice.

- Support the implementation of trauma-informed, developmentally appropriate, and evidence-based and evidence-informed approaches to juvenile justice reform that focus on youth and family engagement.

Grants

OJJDP will support innovative, community-based, trauma-informed and developmentally focused demonstration projects that are gender- and culturally responsive, promote positive youth outcomes, and increase family and youth engagement.

Research and Data Collection

OJJDP recognizes the value of participatory research processes for better engagement of family and youth involved in the juvenile justice system. To date, there has been somewhat limited research examining the outcomes associated with family engagement in the juvenile justice system; however, as noted in the National Research Council report, it is essential that OJJDP and other federal funding agencies continue to support a research agenda that addresses “the processes of family involvement in juvenile justice and methods for successfully involving parents and other family members in these processes.”34 OJJDP invites the field to identify gaps in research and data collection that will increase understanding and improve services for family and youth engagement.

Other Activities
In addition to the activities described above, OJJDP efforts include:

- Provide development and training to OJJDP staff on current efforts to incorporate youth and family voices in policy, program, and practice development and implementation.

- Present to key stakeholder groups, such as the Coordinating Council on Juvenile Justice and Delinquency Prevention, on OJJDP’s efforts to effectively engage youth and their families in restorative justice, trauma-informed, developmentally appropriate, and evidence-based and evidence-informed juvenile justice practices.

- Include youth and family members on specific working groups and committees to ensure that all system reform efforts include their voices.

- Develop and support effective, evidence-based, and evidence-informed youth and family engagement models of practice.

- Encourage states, localities, programs, and service providers to collect data to ensure that effective, intentional, and systematic youth and family engagement policy and practice is implemented and sustained across the nation.

Call to Action

OJJDP has identified the following focus areas for states, tribes, and communities:

1. System-involved youth and family members should be actively involved with the cases of the youth and provide input in the development of policies, practices, and governance of the agency or system in which the child is involved.

2. State advisory group juvenile justice plans should describe how the state will support family and youth engagement and expand current efforts. State advisory group membership should include current and former system-involved youth and, where
possible, youth from tribal communities, communities of color, immigrant and non-English speaking communities, communities of lesbian, gay, bisexual, transgender, questioning/queer, intersex, and gender-nonconforming (LGBTQI–GNC) youth, and children with disabilities.

3. Law enforcement leaders should create trauma-informed, developmentally appropriate, and evidence-based and evidence-informed agencywide policies and protocols that effectively engage youth and enable officers to use crisis intervention techniques that respond appropriately to youth with mental health and substance use disorders and trauma histories. Parents should receive notification of interventions/treatment needs and available resources.

4. Juvenile justice stakeholders should ensure that every youth has legal representation and enable family contact and involvement during early phases of arrest, interview, and interrogation of youth charged with offenses. Judges should divert status offending youth to the most appropriate community-based service(s) instead of issuing detention orders. Parents should receive information regarding:

- What happens to their child as he or she goes through the system and the roles of juvenile justice personnel who will be in contact with their child;

- Ways that the family, community supervision officers, and the juvenile court can work together to support the child;

- The rights and responsibilities of everyone involved, including the parent, child, community supervision officers, and courts;

- Ways for court-involved youth and their families to better understand court jargon and be more engaged in the process; and
• How to learn about and consider the full spectrum of collateral consequences associated with being adjudicated delinquent.

5. Juvenile justice facilities should train staff in effective youth and family partnership and engagement strategies and trauma-informed, developmentally oriented approaches to help create a culture that values families and partners.

6. Juvenile justice facilities should provide developmentally appropriate activities and recreation that fosters a sense of community, accountability, and a positive regard for others and allows developmentally healthy and appropriate activities and recreation for youth and family members during visitation to strengthen family bonds and minimize the trauma of separation.

7. Juvenile justice facilities should use restorative justice approaches to facilitate conflict resolution. Restorative justice is an approach based on the principle that delinquent conduct hurts victims, communities, and youth who have committed an offense. In a restorative justice context, youth are held accountable for their actions and are guided through a process in which they restore or make amends for what was lost or injured. This process introduces youth to positive social and cultural norms and values. All affected parties have a role to play in a restorative justice environment and participate fully in the resolution of the precipitating conflict. This process of restoration can lead to fundamental changes in youth, their families, and their communities.

Citations

a Includes justice-involved youth and caring adults, who may include biological, foster, or adoptive parents; legal guardians; siblings; extended family; and other individuals the youth identifies as part of their family network.

b This principle is incorporated in OJJDP’s authorizing legislation, the Juvenile Justice and Delinquency Prevention Act of 1974, which requires that each state or jurisdiction that receives formula grants from OJJDP establish and support an advisory group to participate in the “development and review of the State’s juvenile justice plan” and to review and comment on
applications for grants (subgrants of the federal funds) submitted to the state juvenile justice agency.

The Juvenile Justice and Delinquency Prevention Act mandates that one-fifth of the membership of each state advisory group (SAG) must be younger than 24 years old when appointed and each SAG must have at least three members who have been or currently are under the jurisdiction of their state’s juvenile justice system. The Act also requires representation from nonprofit organizations, including parent groups and parent self-help groups, among others juvenile justice system stakeholders.


252013. "Family engagement key to justice-involved youth with MI." Mental Health Weekly 23(40):3-5.


33https://www.samhsa.gov/health-care-health-systems-integration


http://www2.nami.org/template.cfm?section=CIT2

*Family Comes First: A Workbook to Transform the Justice System by Partnering with Families*. Campaign for Youth Justice. www.cfyj.org
