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We in the youth justice movement find ourselves in an important time of reflection and decision-making about how we will move forward in our work to create a more just future for young people. That reflection begins with a central question: what are we fighting for? Last year brought critical challenges and risks to many of the hard-fought wins of the youth justice movement. Efforts to roll back youth justice progress in places like New York and Louisiana forced many of us to rethink our approach and more clearly define our stance about what we mean when we say “youth justice.”

The call for youth justice is a call for ecosystems where young people have the resources they need to realize their full potential, including affordable and sustainable housing, access to jobs with life-supporting wages for them and their families, positive school environments, after-school enrichment activities, caring adults and mentors, abundant community health and mental health care, and opportunities for postsecondary success. Youth justice means affirming the dignity of Black, Brown and Indigenous youth who are often painted with brushes of criminalization by media portrayals. It requires a clear and definitive move away from carceral responses to youth crying out for healing and care. Youth justice demands building the leadership of youth and impacted communities so that our efforts reflect the voices of those most historically harmed by the systems we are working to transform.

Despite the alarmist narratives of rising youth crime that permeated news cycles in 2022, youth justice advocates were able to defeat attempts to blame young people for systemic failures in community safety. Now we must use every opportunity to champion public health approaches and build a new vision for youth policy; one that upholds every young person’s dignity, worth and equitable treatment. As we move forward, let us remind each other of why we show up for this work – to create a new vision of youth justice and reimagine what it means to live in community with one another. Every step we take toward realizing that vision is a step worth acknowledging and celebrating.
52 Advances, 30 States + D.C., and countless better outcomes for kids.

States in green are states that made legislative, legal, or policy advances.
Map made with Mapchart.net
In 2022, fourteen young leaders aged 17-29 from across the country with direct understanding of our nation’s youth legal systems came together to create a new youth action agenda to define what justice is and can be. In “Redesigning Justice,” these young leaders outlined a vision of justice that is:

- Grounded in ABOLITION
- Realized with PREVENTION
- Healing and RESTORATIVE
- Endless OPPORTUNITY for growth
- Achieving EQUITY

A review of legislative advances made in 2022 shows clear progress, though we still have a long way to go. Together our membership community fought on the advocacy frontlines to make this vision a reality for our children and communities. Below we explore trends based on the foundations of justice developed by our young justice leaders.

**Justice is Grounded in Abolition**

Incarcerating youth is costly, ineffective, harmful, and counterproductive - putting youth at a higher risk for reoffense than youth who were not confined. This system of punishment is disproportionately used to punish Black and Brown youth. The good news is that the number of youth in placement fell 77 percent between 2000 and 2020. However, that still left 25,014 youth confined in 2020. Last year a number of states took steps to reduce youth incarceration.

NJIN member Juvenile Justice Initiative in Illinois has been a key leader in championing the use of fiscal incentives to reduce youth incarceration and has seen substantial improvements through the Juvenile Redeploy Illinois initiative. A new report documents the success of Juvenile Redeploy Illinois’ grant of state fiscal incentives to expand community-based alternatives for youth at risk of commitment to youth prison. The program has reduced commitments to state youth prison by over 65 percent since its beginning in 2005, dramatically reducing the population in youth prisons while expanding the array of community-based programs and protecting the public through evidence-based

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approaches that address individual challenges, thereby breaking down the barriers that lead to repeat offending.

For two months this summer, the state of Hawaii maintained a substantial achievement: no minor girls were incarcerated in the entire state. This advance directly resulted from advocacy efforts in Hawaii to transform jail facilities into trauma-focused rehabilitation centers. Peer support programs, long-term care for victims of sexual abuse and exploitation, and increased alternative solutions are some of the most effective transformations Hawaii has undergone over the years.

Hawaii is not the only one with such an achievement. Santa Clara County, California (which has a total population greater than Hawaii) has not held any girls in its long-term facility for over a year and has had a population of girls in its short-term detention facility ranging from zero to two. In New York City’s youth placement facilities, there haven’t been more than two girls incarcerated since February 2021, and often they’ve been completely empty.

Other states worked to reduce youth confinement through the following legislative mechanisms:

- Four states passed legislation expanding diversion (Idaho, Louisiana, Maryland, and South Dakota).
- California passed legislation decreasing the length of time a minor serves by providing one day credit against the maximum term of confinement for each day served on electronic monitoring.
- Four states and the District of Columbia reduced extreme sentencing of youth through legislation or successful litigation (Michigan, New Jersey, North Carolina, and Tennessee).

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3 Ibid.
• Indiana and Virginia passed legislation prohibiting minors from being sentenced to boot camps.

• Maryland established a minimum age of thirteen years old for youth court jurisdiction, with an exception for children at least ten years of age that are alleged to have committed a crime of violence.

Justice is Realized with Prevention

Mental health challenges for youth have increased dramatically in recent years and were exacerbated by the pandemic, leading the U.S. Surgeon General to issue a rare Advisory on “Protecting Youth Mental Health” in 2021, proclaiming an “alarming increase” in certain youth mental health challenges.4 When there are insufficient resources and services for youth experiencing mental health challenges, the youth legal system often becomes the default mental health provider. Three states took steps this year to address student mental health concerns:

• California passed legislation to create model protocols for addressing student mental health concerns.

• Delaware passed legislation increasing mental health support and services for middle school students by establishing a mental health services unit that will increase the number of full-time school psychologists and decrease the ratio of middle school students to counselors.

• Massachusetts ensured that $2 million was directed to a grant fund to enhance behavioral health services in schools through their budgetary process.

Prevention also must address the additional reasons that schools remain a major pathway for youth into the youth legal system, including the expansion of a variety of non-violent and vague offenses in state codes, such as “ongoing open defiance,” “habitually disruptive behavior,” and “disturbing schools.” Also contributing is the dramatic growth in the use of school-based police, commonly referred to as “school resource officers (SROs),” over the last forty years. Research has found that SROs “intensify the use of suspensions, expulsions, police referrals, and arrests of students.”5


These negative impacts were consistently over two times larger for Black students than for white students.6

- Four states passed legislation addressing school issues this year, from establishing model protocols to address student mental health concerns (CA), to limiting reportable offenses (MD and VA), and requiring the use of alternatives before suspension or expulsion (MA).

**Justice is Healing and Restorative**
Restorative practices shift the framework of youth justice responses towards creating accountability through addressing the needs of those harmed while also finding solutions for the underlying reasons behind youth behaviors and helping all to heal. Key components involve incorporating values of respect, dignity, and mutual concern.7

Both Colorado and Maine provided funding this year for services that included restorative justice:

- Colorado’s CO S 145 provided $7.5 million in funding to intervention programs that apply a community-based, multidisciplinary approach in communities disproportionately impacted by crime, such as restorative justice services and early intervention teams.

- Maine’s ME 561 transferred $300,000 to the Department of Education to be used, in part, to establish and expand school-based restorative justice programs as well as mentoring services for youth involved in the youth legal system.

**Justice is Endless Opportunity for Growth**
Helping youth experiencing homelessness is one of the areas in which we can expand young people’s opportunities for growth. Too often, such youth end up in the youth legal system instead of getting the opportunities they need to succeed. In 2022, several bills passed providing assistance for youth experiencing homelessness.8


8 Thank you to Rodd Monts at SchoolHouse Connection for this information and their work on these bills.
• Alabama’s [HB 385](#) waives fees for driver’s licenses for youth experiencing homelessness.
• California’s [SB 532](#) protects the rights of students experiencing homelessness and those in foster care to accumulate the credits necessary to complete their high school education.
• Florida’s [SB 1708/HB 1577](#) helps youth experiencing homelessness get driver’s licenses and car insurance; connect to resources in college; and learn about their rights and how to access them.
• Virginia’s [HB 717](#) allows unaccompanied minors to consent to their own housing, emergency shelter and related services.

Children also grow through learning about themselves and their people. Unfortunately, attempts are being made to stifle teaching honest histories of different racial and ethnic groups in the United States. In Indiana, NJJN member, Children’s Policy and Law Initiative of Indiana helped to defeat [HB1134](#), which proposed a ban on the teaching of any concepts in public schools which makes students uncomfortable on the basis of their sex, race, ethnicity, religion, color, nation of origin, or political affiliation.

### Justice is Achieving Equity

Systemic racism underlies our youth legal system resulting in significant racial disparities in state youth legal systems across the country. States have been addressing this issue in many ways. In past years, several states and localities have passed legislation requiring racial impact statements for criminal and youth legal system bills to educate lawmakers on the negative impact such bills may have on Black and Brown youth. In 2022, two states passed laws specifically related to racial justice:

• California passed [AB 256](#), the Racial Justice Act for All, which will allow persons with convictions or judgements before January 1, 2021, to petition the court and seek relief if racial bias was proven to be present in their case. It also authorizes a petition to be filed in cases in which a juvenile disposition resulted in a commitment to the Division of Juvenile Justice.
• Connecticut passed a budget bill requiring the governor’s budget document to include an explanation of how its provisions further the governor’s efforts to ensure equity in the state.
Vermont passed **VT H 546**, which established a Division of Racial Justice Statistics and tasked the Division with collecting data on racial disparities and creating a Racial Justice Statistics Advisory Council. This council will release reports and statements on racial disparities and impacts within the youth court system.

We also know that collecting data establishing evidence of inequities is essential in reducing disparities. Two states passed laws in 2022 strengthening the collection of youth legal system data:

- **Indiana** passed **HB 1359**, creating an oversight body responsible for data collection and analysis of youth justice data; data from this oversight body will be utilized to develop a risk and needs assessment tool to be implemented into the youth justice system.
- **Wyoming** passed **House Bill 37**, requiring the Department of Family Services to collect youth justice data from state and local governments to standardize youth justice information. Compiling this data will better track outcomes, including the use of detention and commitment and the transfer of youth into adult courts.
Our members and allies nationwide continue to impact and transform the youth legal and other youth-impacting systems to treat young people and their families with dignity, humanity, and fairness. Below are details of the 2022 youth policy advances that many NJJN members and allies played leading roles in moving forward.

**Competency**

**Utah**
- **HB 277** defines competency requirements in the state and prohibits the use of any statements made during a competency evaluation except to provide an issue regarding a mental condition introduced by the minor.

**Conditions of Confinement**

**Louisiana**
- **HB 746** establishes that no child can be confined to isolation for more than eight hours without psychological evaluation by licensed professionals.

**Hawaii**
- **SB 2115** improves the conditions of confinement for minors and limits the amount of time and reasons a minor may be held in confinement. This bill also requires children in family court to be taken to the court or shelter designated by the court without unnecessary delay.

**New Hampshire**
- **NH HB 1614** requires all youth detention facilities to record and store video of every common area, excluding those with privacy regulations, to ensure appropriate procedures and conditions are being upheld.

**Philadelphia, Pennsylvania**
- Philadelphia Mayor Jim Kenney signed an executive order on December 1, 2022, officially creating the Philadelphia Office for the Youth Ombudsperson. Housed under the Office of the Inspector General, the OYO will provide additional oversight over the City of Philadelphia’s child welfare, youth legal, and behavioral health systems with respect to youth who are residing in Residential Treatment Facilities (RTFs) to continue to improve the safety and quality of services. It will exist under the Office of the Inspector General.
Confidentiality

Florida

• **HB 197** provides that a sealed or expunged nonjudicial arrest record of a minor who has successfully completed a diversion program for a qualifying offense is confidential and exempt from public disclosure.

Data

Indiana

• **HB 1359** creates an oversight body responsible for collecting and analyzing youth legal system data. Data from this oversight body will be utilized to develop a risk and needs assessment tool for the youth justice system.

Wyoming

• **House Bill 37** requires the Department of Family Services to collect youth legal system data from state and local governments to standardize information. Compiling this data will better track outcomes, including the use of detention and commitment and the transfer of youth into adult courts.

Diversion, Detention, Commitment

California

• **CA A 2658** helps decrease the length of time a minor serves by providing one day credit against the maximum term of confinement for each day served on electronic monitoring. Courts are required to hold monthly hearings to prevent excessive time periods of electronic monitoring. The Department of Justice must also include data on electronic monitoring in youth court in their public criminal statistics reports.

District of Columbia

• **DC B 589** amends the reporting requirements within the Criminal Justice Coordinating Council Establishment Act of 2001 by requiring the CJCC to provide reports on youth diversion and intervention success to the Mayor and Council.

Idaho

• **ID H 453** simplifies the diversion process for youth by removing the requirement for an informal disposition of a petition prior to diversion referral. This bill also creates certain requirements for an informal adjustment to be ordered.
**Diversion, Detention, Commitment Cont.**

**Indiana**
- **HB 1181** prohibits minors from being placed in Department of Correction boot camps and establishes end dates for all minors currently participating in a boot camp program.
- **HB 1359** raises the minimum age of detention to twelve years of age, excluding specific circumstances. This bill also creates an oversight body responsible for collecting and analyzing youth legal system data. Data from this oversight body will be utilized to create a risk and needs assessment tool to be implemented into the youth legal system.

**Louisiana**
- **LA H 434** expands minors eligible for a deferred disposition agreement by expanding eligibility to any child who had not been convicted of a crime of violence.

**Maryland**
- **HB 459** increases diversion attempts and mandates informal adjudication for first-time crimes. The informal adjudication process has been simplified, and the role of the State’s Attorney Office has been decreased.

**South Dakota**
- **SD S 103** allocated $500,000 towards supporting the teen court grant program, a diversion program for first-time misdemeanor offenses.

**Virginia**
- **VA H 228** removes the Department of Juvenile Justice’s authority to create youth boot camps, as well as the authority of courts to sentence young people to serve time in a youth boot camp.
Drug Policy

Colorado
- Proposition 122 decriminalizes the use of certain psychedelic plants and fungi for those aged 21 and older and includes sealing provisions for related convictions.

Maryland
- Maryland Question 4 legalizes the possession, growth, and use of marijuana for individuals over twenty-one years of age.

Missouri
- Missouri Amendment 3 legalizes the recreational use of marijuana for individuals over twenty-one years of age. This bill also allowed for petitions for release or expungement to be filed from individuals convicted of marijuana-related offenses.

Rhode Island
- S. 2430 legalizes the use, possession, cultivation, and retail sale of cannabis for adults and provides a pathway for the automatic expungement of past conviction records for possession offenses made legal under the Act.

In November 2022, President Biden announced that he would pardon all prior federal offenses of simple possession of marijuana. Following this announcement, “Oregon Governor Kate Brown (D) announced that her office would issue pardons for 47,144 simple marijuana possession offenses in the state, affecting an estimated 45,000 individuals. Similarly, Connecticut Governor Ned Lamont (D) announced that marijuana possession records in approximately 44,000 cases will be automatically cleared as a result of provisions in SB 1201, legislation enacted in 2021 to legalize cannabis in Connecticut.” NACDL State Criminal Justice Network Newsletter, Vol. 10 No. 12, December 16, 2022.
**Electronic Monitoring**

**California**
- [CA A 2658](#) helps decrease the length of time a minor serves by providing one day credit against the maximum term of confinement for each day served on electronic monitoring. Courts are required to hold hearings each month to prevent excessive time periods of electronic monitoring; the Department of Justice is also required to include data on electronic monitoring in youth court in their public criminal statistics reports.

**Expungement and Sealing**

**Florida**
- [FL HB 195](#) expunges nonjudicial arrest records for minors who complete their assigned diversion program successfully; it also allows those with expunged records to deny or fail to acknowledge related information.

**Maine**
- [LD 1310](#) reestablishes a special process to seal certain criminal records of young adults that was created by Public Law 2015, chapter 354 in a statute that was repealed by its own terms on October 1, 2019.
- [LD 1904](#) makes technical corrections to the law governing the sealing of youth case records to allow for the Judicial Branch and State Bureau of Identification practice of electronic notice.

**Extreme Sentencing**

**Michigan**
- [People v Taylor](#) established that prosecutors must demonstrate a case meets a high burden of rarity in order to be sentenced to life without the possibility of parole.

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**Revised Criminal Code Act (RCCA) of 2022**, passed by the D.C. Council, would have lowered the maximum sentence available to 45 years and allowed youth who committed a crime before the age of 25 to petition for resentencing after 15 years. However, in March of 2023, Congress passed a resolution to ignore the will of the DC voters and overturn the RCCA, and President Biden refused to veto it.
Extreme Sentencing Cont.

**Michigan**
- *People v Stovall* found that life without the possibility of parole is an unconstitutional punishment for minors convicted of second-degree murder.
- *People v Boykin* established that courts must consider a young person’s youth to be a mitigating factor when considering their sentence.
- *People v Parks* established that under the Michigan Constitution, Miller’s protections against mandatory life without parole extend to 18-year-olds.

**New Jersey**
- The New Jersey Supreme Court ruled in *State v. Comer and State v. Zarate* that mandatory sentences of 30 years or more without parole for children under age 18 are unconstitutional under the New Jersey Constitution. The court found that these sentences do not conform to “contemporary standards of decency,” and specifically cited the recent groundswell of state legislative reforms abolishing extreme sentences for children in its reasoning. As a result of this decision, children sent to prison in New Jersey will now have their sentences reviewed after no more than 20 years. The decision will immediately impact approximately 200 people sentenced as children to lengthy terms in prison.

**North Carolina**
- In *North Carolina v. Kelliher*, the North Carolina Supreme Court struck down sentences of more than 40 years for youth, calling them unconstitutional in all but the rarest of cases. The court held that any sentence of over 40 years handed to a child qualifies as de facto life without parole because it deprives the individual of the right to a meaningful opportunity for review and possible release.

**Tennessee**
- The Tennessee Supreme Court declared mandatory 51-life sentences for youth unconstitutional in *Tennessee v. Booker*. Tennessee is among several states where nearly 10 percent of the people serving a life sentence were under 18 at the time of their crime. The state supreme court ruling impacts all persons who were under 18 at the time of their offense and sentenced to mandatory life and de facto life sentences. In each of those cases, the opinion stated, the person sentenced should receive individualized parole hearings after serving a minimum of 25 years.
Fines and Fees

Delaware
- **HB 244** reduces the burden of fines and fees by prohibiting courts from imposing fees, costs of counsel, and most fines on children. This bill also limits the imposition of fines or fees on adults and prohibits the suspension of driver’s licenses due to non-payment.

Florida
- **HB 397** establishes a payment plan for fees related to civil petitions with set minimums based on an individual’s income. This bill also creates a maximum amount for a down payment on this plan relative to the individual’s amount owed.

Indiana
- **HB 1359** repeals youth court diversion/informal adjustment fees. This was part of a larger youth justice reform bill.

New Jersey
- **S896** establishes that youth are presumed indigent for purposes of appointment of counsel and eliminates counsel fees for youth.

Oklahoma
- **OK HB 3205** eliminates certain youth court fees, such as counsel fees, supervision fees, and diversion fees.

Utah
- **UT S.B. 120** eliminates designated fines, fees, surcharges and penalties imposed in juvenile court.

Washington
- **HB 2050/SB 5535** repeals state and local “parent pay” statutes that required parents to pay for the cost of their child’s support, treatment, and confinement. The bill also cancels all outstanding debt and collections from these financial obligations.
- **WA H 1894** allows youth to request additional time to complete victim restitution requirements. This bill also allows diversion agreements to be completed at any time before termination.
Interrogation

Arizona
- **HB 2309** requires law enforcement to inform children and their parents of the child’s Miranda rights before being questioned, and law enforcement is required to make a good faith effort to notify the child’s parents or guardian that they have been taken into custody.

Delaware
- **DE HB 419** prohibits the use of false or misleading statements during interrogations of individuals under the age of eighteen. It also invalidates statements elicited as the result of false or misleading practices utilized in an interrogation.

Maryland
- **SB 53** requires that if a law enforcement officer takes a child into custody, they must immediately notify the child’s parents, guardian, or custodian, and the law enforcement officer must not conduct a custodial interrogation of the child until the child has consulted with an attorney and the law enforcement officer has notified the child’s parents, guardian, or custodian that the child will be interrogated. Any interrogation of a child must be recorded. There is a rebuttable presumption that a statement made by a child during a custodial interrogation is inadmissible if a law enforcement officer willfully failed to follow the requirements of this law.

Mental Health

California
- **CA A 309** requires the State Department of Education to create model protocols for addressing student mental health concerns. The bill requires the department to consult with various entities in developing the protocols, including current classroom teachers, administrators, pupils, and parents, and requires the department to post the model protocols on its website. These provisions are contingent upon funds being appropriated for its purpose in the annual Budget Act or other legislation or state, federal, or private funds being allocated for this purpose.
Mental Health Cont.

Delaware

- **DE HB 300** increases mental health support and services for middle school students by establishing a mental health services unit. This unit will increase the number of full-time school psychologists and decrease the ratio of middle school students to counselors. The unit is phased in over three years, beginning in FY2023, to arrive at a final unit ratio of 250 students in grades 6-8 for a full-time school counselor, school social worker, or licensed clinical social worker. Additionally, it establishes a unit ratio of 700 students for grades 6-8 for the employment of a full-time school psychologist.

Massachusetts

- Through the budgetary process, Massachusetts ensured that $2 million was directed to a grant fund to enhance school behavioral health services while preventing funding from being directed to threat assessment teams and other harmful school hardening models.

Policing

Utah

- **SB 126** establishes reporting requirements for law enforcement agencies, sets standards for police intervention, and requires the Peace Officer Standards and Training Council to conduct a review and outline state standards for misconduct reports.

Probation

Maryland

- **HB 459** sets time limits for youth probation terms and establishes standards for setting and lengthening a minor’s probation term. It also provides that youth are not to be detained for technical probation violations.
Racial Justice

California

- California AB 256, the Racial Justice Act for All, will allow persons with convictions or judgements prior to January 1, 2021, to petition the court and seek relief if racial bias was proven to be present in their case. It also authorizes a petition to be filed in cases in which a juvenile disposition resulted in a commitment to the Division of Juvenile Justice. AB 256 builds upon landmark legislation in 2020, the California Racial Justice Act, AB 2542, which allowed individuals to challenge racial bias in criminal charges, convictions, and sentences but was limited to cases after January 1, 2021.

Connecticut

- Connecticut’s budget bill requires the governor’s budget document to include an explanation of how its provisions further the governor’s efforts to ensure equity in the state.

Vermont

- VT H 546 establishes a Division of Racial Justice Statistics and tasks the Division with collecting data on racial disparities and creating a Racial Justice Statistics Advisory Council. This council will release reports and statements on racial disparities and impacts within the youth court system.

Raising the Minimum Age of Youth Prosecution and Confinement

Colorado

- HB 22-1131 created a 32-member Pre-Adolescent Services Task Force through the Colorado Department of Human Services. That Task Force is comprised of pediatricians, children’s behavioral health and mental health providers, child welfare professionals, rural and urban school districts, law enforcement professionals and defense attorneys who work with children, restorative justice practitioners, victims services providers, and people with lived experience as children or parents involved in the youth legal system. More than half of its members have specialized training and expertise working with children.

- Although the Pre-Adolescent Service Task Force was not charged with determining whether the state of Colorado will end prosecuting 10-12 year-olds, their combined expertise in meeting the needs of children and families without court intervention provided valuable insight to inform future efforts in this arena.
HIGHLIGHTS

Raising the Minimum Age of Youth Prosecution and Confinement Cont.

Indiana
- HB 1359 raises the minimum age of detention to twelve years of age, excluding specific circumstances. This bill also creates an oversight body responsible for data collection and analysis on youth justice data; data from this oversight body will be utilized to create a risk and needs assessment tool to be implemented into the youth justice system.

Maryland
- HB 459 establishes a minimum age of 13 for youth court jurisdiction with an exception for children at least ten years of age that are alleged to have committed a crime of violence.

Re-entry

Utah
- UT H 55 increases support for young people following release by permitting the Department of Juvenile Justice Services to continue providing educational and rehabilitative services to youth released from custody up to 25 years old.

Restorative Practices

Colorado
- CO S 145 provides $7.5 million to establish a community-based crime prevention grant program that will allocate funding to intervention programs that apply a community-based, multidisciplinary approach in communities disproportionately impacted by crime, such as restorative justice services and early intervention teams.

Maine
- CME 561-LD 756 transfers $300,000 to the Department of Education to establish and expand school-based restorative justice programs; mentoring services for youth involved in the youth legal system; and workforce development, educational, or vocation programs for youth involved in the youth legal system.
Restraint and Seclusion

**Connecticut**
- **SB 459**, the “PROTECT Act,” limits the use of isolated confinement for incarcerated persons in prisons and jails to 15 consecutive days or 30 total days within any 60-day period and improves conditions for isolated confinement. It also establishes an independent Correction Ombuds position to investigate complaints regarding the Department of Correction and establishes a Corrections Advisory Committee to oversee the work of the Correction Ombuds. The Act also requires the Department of Corrections to publish data on critical issues, including use of force, access to education and other pro-social programming, prison labor and wages, and the internal grievance system.

**Florida**
- **HB 235** prohibits school personnel from using mechanical restraint on students with disabilities. However, this does not apply to school resource officers or safety officers who may use it with students in grades 6 through 12.

**Louisiana**
- **LA HB 746** provides strict constraints on the use of solitary confinement. It prevents minors from being placed in solitary confinement for any reason other than a temporary response to behavior posing a serious and immediate threat of physical harm to the youth or others. The young person must be released as soon as the risk is resolved, with a mental health professional review every eight hours and no confinement longer than twenty-four hours. Parents/guardians and the youth’s attorney must be notified that the facility placed a young person in solitary confinement within two hours of such placement as well as the reason for it. The young person must be continually monitored, the facility must document specified details regarding the solitary confinement, and this information must be available to the public upon request.
School-to-Prison Pipeline

Maryland
- **MD H 146** amends the Maryland statute in the following ways:
  - Regarding "reportable offenses," law enforcement agencies are now only required to inform school officials of student arrests for offenses that occurred off-campus, did not occur at events sponsored by the school, and involved certain violent crimes.
  - The State Department of Education is required to issue a report to the Governor and the General Assembly each year containing certain information about reportable offenses, including the actions taken by the school; data on the students arrested disaggregated by race, ethnicity, gender, and disability status; and whether the student was removed from school and, if so, where they were placed.
  - The legislation stresses school compliance with any required manifestation determination review procedures.

Massachusetts
- **Mass. General Laws c. 71 § 37H 3/4** requires that when schools are determining consequences for student misbehavior, they must consider ways to re-engage the student in the learning process and shall not suspend or expel a student until alternative remedies have been employed and their use and results documented. This will ensure that students can receive therapeutic approaches rather than being subjected to an overreliance on harmful school exclusion. The law also calls on educators to implement school- or district-wide models to re-engage students in the learning process, including but not limited to: (i) positive behavioral interventions and supports models and (ii) trauma-sensitive learning models; provided, however, that school- or district-wide models shall not be considered a direct response to a specific incident.
  - Through the budget process, Massachusetts ensured that $2 million was directed to a grant fund to enhance behavioral health services in schools while preventing funding from being directed to threat assessment teams and other harmful school-hardening models.

Virginia
- **VA H 4** removes the school reporting requirements for assaults without bodily injury on a school bus or school property and provides that the school board may establish an alternative discipline process for such incidents. It also provides that a principal may, but is not required to, report school-based offenses to law enforcement when such offense is committed by a student with a disability. Lastly, it clarifies that nothing in this statute requires delinquency charges to be filed or prevents schools from using graduated sanctions or educational programming to handle school-based offenses.
**Status Offenses**

**Indiana**
- [Senate Bill 9](#) prohibits a young person charged with a status offense from being charged with felony escape for leaving secure or home detention or disrupting an electronic monitoring device.

**Youth in Adult Court**

**California**
- [CA A 2361](#) requires the youth court to consider a young person’s potential for rehabilitation and the outcome of any of their previous experiences in youth court when considering petitions to transfer minors to a criminal adult court. This bill requires substantial evidence that a minor would be unsuccessful in a rehabilitation program to approve a transfer.

**Idaho**
- [ID H 452](#) requires that before placing a minor being tried as an adult in an adult jail or lockup, a court must find, after a hearing and in writing, that such confinement is in the clear interest of justice. In order to do so, courts must consider certain enumerated factors, including the young person’s age, maturity, youth history, and the relative ability of the available adult and youth detention facilities to meet the specific needs of the young person and to protect the safety of the public as well as other detained youth.
  - The legislation also provides that the young person shall not be held in any jail or lockup for adults or permitted to have sight or sound contact with confined adults for more than one hundred eighty (180) days unless the court, in writing, determines there is good cause for an extension or the youth expressly waives this limitation.

**Utah**
- [HB 138](#) raises the age that a minor awaiting trial in a correctional facility is transferred to an adult jail and the age by which a minor can remain housed by the Division of Juvenile Justice Services to 25 years old.
The National Juvenile Justice Network leads a membership community of 63 state-based organizations and nearly 100 alumni of our Youth Justice Leadership Institute (YJLI) program across 41 states and D.C. Our work is premised on the fundamental understanding that our youth legal systems are inextricably bound with the systemic and structural racism that defines our society; as such we seek to change policy and practice through an anti-racist lens by building power with those who are most negatively affected by our youth legal systems, including young people, their families and all people of color. We also recognize that other vulnerable populations — including LGBTQIA+ youth, those with disabilities and mental health conditions, girls, and immigrants — are disparately and negatively impacted by our youth legal systems, and thus we also seek to center their concerns in our policy change work.

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