

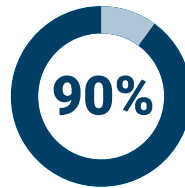
# Help Keep Kids in Foster Care Out of the Juvenile System

## The Facts

Acting out is a **known response to trauma**, it can be **mistaken for delinquent behavior**

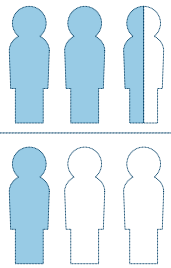
### One study found that

foster children experience PTSD **2X**  
the rate of war veterans<sup>1</sup>

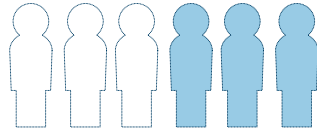


**90%**  
of foster children  
who experience  
**5 or more**  
moves will end up in the  
juvenile justice system<sup>4</sup>

### Children in congregate care are



**2.5 X**  
as likely  
to end up in the  
Juvenile  
Justice System  
than children  
placed with foster  
care families<sup>2</sup>



At least **50%** of youth  
referred to the  
juvenile justice system  
may have been involved in the  
child welfare system  
at some point.<sup>3</sup>

### In Texas, Black children who age out of foster care

have **7 placements** on average  
while they are in foster care<sup>4</sup>



## The Impact

The juvenile justice system is **not appropriate for many youth**,  
especially those with low-level offenses.



### Detention in a juvenile facility:

- Is linked to higher rates of recidivism<sup>5</sup>
- Can slow “aging out” of delinquency<sup>5</sup>
- Often does not provide youth with any rehabilitative services
- Can exacerbate pre-existing mental health conditions<sup>6</sup>

**Youth in foster care who enter the juvenile system have worse outcomes  
than their non-foster care peers.<sup>7</sup>**

<sup>1</sup>Casey Family Programs, *Foster Care Alumni Studies: Improving Foster Care*, 32 (rev. 2005), available at [https://caseyfamilypro-wpengine.netdna-ssl.com/media/AlumniStudies\\_NW\\_Report\\_FR.pdf](https://caseyfamilypro-wpengine.netdna-ssl.com/media/AlumniStudies_NW_Report_FR.pdf).

<sup>2</sup>Ryan, J. P., Marshall, J. M., Herz, D., & Hernandez, P. M., *Juvenile delinquency in child welfare: Investigating group home effects*, *Children and Youth Services Review*, 30(9), 1088-1099 (2008), available at <https://doi.org/10.1016/j.chldyouth.2008.02.004>.

<sup>3</sup>Texas Judicial Council, *Committee Report and Recommendations: Juvenile Justice* (2018), available at <https://www.txcourts.gov/media/1441880/juvenile-justice-committee-report.pdf>.

<sup>4</sup>Krinsky, Miriam Aroni, *Disrupting the Pathway from Foster Care to the Justice System—A Former Prosecutor’s Perspectives on Reform*, *Fam. Ct. Rev.*, Vol. 48 No. 2, April 322–337 (2010).

<sup>5</sup>Holman, Barry and Ziedenberg, Jason, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2008).

<sup>6</sup>Mace, D., Rohde, P., and Gnau, V. (1997). *Psychological Patterns of Depression and Suicidal Behavior of Adolescents in a Juvenile Detention Facility*, *Journal of Juvenile Justice and Detention Services* Vol. 12 No. 1 18-23.

<sup>7</sup>Nat’l Ctr. for Juv. Justice, *When Systems Collaborate: How Three Jurisdictions Improved their Handling of Dual-Status Cases* 2015, available at <http://www.ncjj.org/pdf/Juvenile%20Justice%20Geography,%20Policy,%20Practice%20and%20Statistics%202015/WhenSystemsCollaborateJGJPCCaseStudyFinal042015.pdf>.

# The Bill

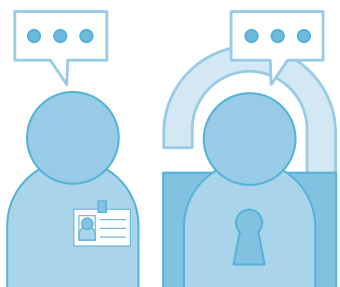
## Help youth in general residential operations (GROs) from becoming involved in the juvenile justice system

Often, misbehavior can be handled with little to no justice system involvement.

### Examples of how this bill would work

1. Maya kicked the bed because she was angry after learning difficult news.
2. AJ steals a USB drive from an RTC staff member because it contained private information he was afraid others would find out.
3. John becomes angry and threatens a staff member because he feels like he is being treated unfairly.

Maya, AJ, and John would participate in services or informal probation designed to help them work on their behavior and prevent future incidents without having a juvenile record. Upon successful completion of any services or probation, the charges would be dismissed.



**Juvenile boards would create policies designed to divert young people in GROs**



**Responses to trauma can look like misbehavior or delinquency.**



### For more information, contact:

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