



Youth Incarceration During the COVID-19 Pandemic: Lessons from Five Sites

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Sneak Peek

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The COVID-19 pandemic introduced an unprecedented public health crisis impacting nearly every facet of American life, including the administration of youth justice across the country. As we enter the third year of the pandemic, it is a critical time to 1) examine smart policy and practice changes that reduced reliance on incarceration and expanded community-based supports and services for youth; and 2) translate lessons learned into practical strategies to improve youth justice processes and promote public safety. An examination of five jurisdictions identified the following effective strategies.

STRATEGIES THAT WORKED

- 1. Expand Diversion Eligibility and Programming.** Successful jurisdictions used a range of strategies to shrink the flow of youth into the justice system during COVID, including ending arrest and prosecution for minor offenses, creating new categories of cases eligible for diversion, and developing new programming to hold youth accountable outside of formal court involvement.
- 2. Keep Court Cases Moving.** Though the onset of COVID temporarily shut down most juvenile courts across the country, successful jurisdictions found ways to continue processing cases —or categorically dismiss certain types of cases —to limit backlog and prevent youth from getting “stuck” in detention or placement awaiting hearings.
- 3. Safely Expedite Release from Secure Settings.** Juvenile corrections agencies in study sites implemented a range of strategies to safely expedite release from detention and commitment placements, including conducting weekly individual case reviews, developing furlough options for youth serving sentences on serious charges, and creating new release “expeditors” whose full-time job was to develop and implement plans to transition youth home.
- 4. Embrace Technology and Virtual Engagement Options.** Both courts and probation agencies in successful sites quickly pivoted to develop remote hearing and visitation capabilities, create opportunities for socially distanced community visits and virtual meetings, and acquire and provide hardware for justice-involved young people in the community to ensure continued engagement.
- 5. Get Creative and Rethink Community Supports for Kids and Families.** Given the magnitude of the crisis and the increased needs of marginalized young people and their families, many agencies directed funds to community-based organizations to help meet basic needs, including hot meals, groceries, help with rent, technology to support remote education opportunities, and medical services. In several sites, virtual treatment options also broke down geographic barriers and expanded access to effective programming in hard-to-reach communities.

ONGOING CHALLENGES

Despite progress, even states and localities that successfully pivoted away from youth incarceration in response to the pandemic struggled with similar challenges including:

- **Reducing Isolation and Increasing Supports for Kids in Congregate Care.** Jurisdictions must continually innovate to find ways to keep young people socially distanced - in safe congregate settings while limiting isolation, maintaining in-person visitation, and guaranteeing uninterrupted access to education and employment resources.
- **Expanding Placement Options Outside of Detention for Youth in Family Conflict.** Many jurisdictions need to identify or create placement alternatives for youth who need a temporary place to stay while navigating conflict with families to avoid detention.
- **Developing Alternatives to Incarceration for Serious Offenses.** Several study sites noted that they have seen an uptick in youth weapon and homicide offenses and need to identify or develop alternatives to detention for youth entering on serious offenses.
- **Implementing Strategies to Reduce Racial and Ethnic Disparities.** While several study sites noted that racial and ethnic disparities in youth incarceration were not exacerbated by pandemic policies, all sites still disproportionately detain and commit youth of color compared to white youth and must identify effective strategies to reduce disparities.
- **Formalizing Cross-Agency Collaboration and Sustainable Strategies.** The pandemic prompted unprecedented communication and collaboration between agencies and innovative problem solving. Several sites are examining what mechanisms and strategies were most effective and figuring out how to formalize and sustain them moving forward.

Youth justice jurisdictions across the country quickly and effectively pivoted away from incarceration in the face of the COVID-19 health crisis, and now is the time to document what worked and build on that foundation to transform the administration of justice for young people in the United States.

In 2020, four national research and advocacy organizations — the [Center for Children's Law and Policy](#), [Justice for Families](#), the [Justice Policy Institute](#), and the [National Juvenile Justice Network](#) — came together to study state and local policy and practice changes that effectively reduced reliance on youth incarceration during the COVID-19 pandemic. The collaborative will release a series of publications that illustrate how agencies across the country can safely reduce reliance on youth incarceration and invest in more effective community-based strategies to support justice-involved youth and families. This document is a special "sneak peek" for attendees of the Coalition for Juvenile Justice's Annual Conference in May 2022. This research was funded by the [Annie E. Casey Foundation](#). We thank them for their support but acknowledge that the findings and conclusions presented in this report are those of the author(s) alone, and do not necessarily reflect the opinions of the Foundation.