



## SOLUTIONS & ACTIONS TO

# Foster an Environment for Respecting Children's Rights

It benefits all of us to rehabilitate young people who engage in crimes. They have a special capacity to change, and we're all better off if we provide them this opportunity and find ways to help them rejoin and contribute to society. However, young people are often treated like adults within the criminal justice system and subject to harsh school disciplinary practices when they are in their communities. Legislatures should ensure that the criminal justice system allows young people who commit crimes to be given a second chance and that schools foster positive relationships.

### 1. Abolish Life Without Parole

Legislatures should abolish life without parole for offenses committed before the individual was 18 years of age and reward criminal justice officials that adopt policies that ensure that young people do not languish in prison. Judges, judicial bodies and organizations, and prisons should take an active role in ensuring that people who were sentenced to life without parole for crimes they committed when younger than 18 have their sentences reviewed.

### 2. Raise the Age of Criminal Responsibility

Legislatures should raise the age of criminal responsibility in adult court to at least 18 years of age in every jurisdiction in the country, including instituting a minimum age for processing in adult criminal court where none exists.

### 3. Expand Young Adult Protections

Legislatures should progressively raise the age of juvenile court jurisdiction to at least 21 years old with additional, gradually diminishing protections for young adults up to age 25, such as allowing young age to be a mitigating factor when considering an individual's sentence.

### 4. Exempt Minors from Sex-Related Registries

Congress and state legislatures should exempt young people from registries, community notification, and residency restrictions for sex-related conduct.

### 5. Invest in Community-Based Programs

Legislatures should expand flexibility in funding, so that local jurisdictions may spend funds on community-based programs, including mediation, mentoring, and vocational programs, rather than on large, costly youth lock-ups.<sup>1</sup>

## 6. Get Rid of Ineffective Programs

Congress and the Department of Justice (DOJ) should de-incentivize ineffective programs, such as “Scared Straight” and boot camps, and eliminate the automatic transfer of young people into adult courts. Programs should comply with best practices for treatment of young people.

## 7. Create Inclusive Mental Health Services for Young People

Legislatures should require mental health services that are sensitive to various genders and gender expressions and sexualities, fund services for LGBTQ youth, youth who have left their homes, and/or who experience family rejection.

## 8. Eliminate “Zero Tolerance” Policies in Schools

Local governments and school administrations should eliminate<sup>2</sup> “zero tolerance” policies, which mandate often severe and punitive, predetermined consequences that are applied regardless of the gravity of behavior, mitigating circumstances, or situational context<sup>3</sup>; and decriminalize truancy.

## 9. Implement Restorative Justice in Schools

Local government and school administrations should mandate the repeal of overly punitive school discipline policies that push schoolchildren into the criminal justice system; and instead adopt comprehensive restorative justice programs to create safer, healthier, and more equitable places for children to learn. These practices may include peer mediation, daily wrap sessions, and the elimination of mandatory suspensions and/or expulsions for specified conduct.

## 10. Defund Police Officers in Schools

The DOJ should eliminate the funding of police officers in schools and invest in school-wide restorative justice programs to improve school safety.

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<sup>1</sup> Right on Crime, *Juvenile Justice*, <http://rightoncrime.com/category/priority-issues/juvenile-justice/>.

<sup>2</sup> Catherine Y. Kim & India Geronimo, *Policing in Schools: Developing a Governance Document for School Resource Officers in K-12 Schools*, American Civil Liberties Union, August 2009, <https://www.aclu.org/other/policing-schools-developing-governance-document-school-resource-officers-k-12-schools>.

<sup>3</sup> American Psychological Association Zero Tolerance Task Force, “Are Zero Tolerance Policies Effective in the Schools?: An Evidentiary Review and Recommendations,” <http://www.apa.org/pubs/info/reports/zero-tolerance.pdf>. The task force found that “zero tolerance” policies are largely ineffective at promoting school safety.