

## **Southern Poverty Law Center**

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### **Advocates condemn Florida's broken juvenile justice system, call for major reforms Response to Kids Count Essay and Juvenile Justice in Florida From David Utter, Juvenile Justice Specialist for the Southern Poverty Law Center**

Ft. Lauderdale, FL—Florida's broken juvenile justice system is plagued by troubles identified in the 2008 *Kids Count Essay*, "A Road Map for Juvenile Justice Reform." With an overreliance on incarceration, unfair racial disparities, too many youth incarcerated as adults, and unsafe facilities, Florida's juvenile justice system endangers youth, fails to advance public safety, and wastes money. The state should embrace reforms highlighted in the essay, and promote alternatives to detention for youth who could be better served in other settings.

Despite decades of research proving that detention harms young people and can contribute to future delinquency, Florida detains more children per capita than any other state in the South, and ranks third highest for pre-trial detention rates nationally. These youth are held in jail-like settings *before* their cases have been heard by a judge. Like most states, Florida's youth of color are unfairly overrepresented in the juvenile justice system. The Department of Juvenile Justice spends over \$700 million a year, with 44 percent going to programs that pull youth from their homes and communities and places them in ineffective and dangerous group homes and juvenile prisons, far from their families and communities that can help them turn their lives around.

The state's zero tolerance school discipline policies refer over 20,000 students to the juvenile justice system a year. A large majority (66 percent) of the young people are referred to the DJJ from the school system for misdemeanor offenses. High profile deaths of youth in DJJ's care, including one who was videotaped being beaten to death by guards and another who died of a burst appendix from a lack of medical treatment, caused tremendous media attention and some study, but no meaningful reform.

Florida has more children serving time in adult facilities than any other state. These youth are subject to abuse and neglect, and receive little education or rehabilitative treatment. Additionally, almost 3,500 youth were transferred to the adult court last year. With one of the most draconian transfer statutes in the nation, Florida allows for transfer of youth as young as fourteen.

A recent "Blueprint Commission" established by the state's Department of Juvenile Justice acknowledged both that Florida needs to move away from the "get tough" policies. In spite of 52 recommendations to reform the system, including increasing alternatives to detention, a bill that would have actually *increased* the use of detention sailed through one chamber of the Legislature this past session.

Florida needs to abandon its failed juvenile justice policies of the past, and implement reforms proven to support youth and help communities. The state should embrace the Juvenile Detention Alternatives Initiative, a data-driven, nationally heralded reform initiative which has safely

reduced the number of youth detained while advancing public safety. By ensuring that detention is used appropriately to contain only those youth who are a threat or otherwise would not appear for their hearings, Florida can begin to transform its juvenile justice system overall.