

Juvenile in Justice

Richard Ross

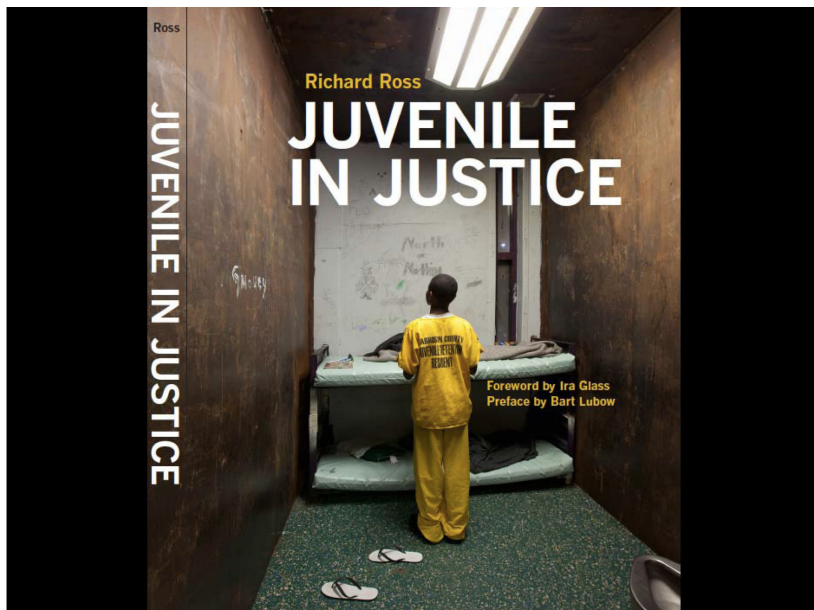
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Juvenile in Justice



"There is no keener revelation of a society's soul than the way in which it treats its children". Nelson Mandela

1. Introduction to Juvenile in Justice

Disclaimer: I am not a judge, attorney, P.O. etc. I am an artist. I am a human being.

For the past 5 years, I interviewed and photographed more than 1,000 detainees, some as young as 8 years old, in more than 350 detention facilities in 30 different states throughout the US. At the outset of this project I wanted to give a voice to those with the least amount of authority in any U.S. confinement system. This has been a difficult journey of learning about a world that is populated by administrators—a complex hierarchy of judges, staff, guards, families, and finally the juveniles. All the people in this chain, in one manner or another, had to agree to let me sit in a cell and allow me to listen to the story of the child. It has been a very long process. There are well-meaning people in this system who are doing their best to change the lives of the juveniles in their care—both, inside and outside the institution. Some institutions and people were distrustful and wary, some self-critical, some proud and defensive. Regardless, gaining access was an ongoing negotiation until the last minute, when I was outside of the cell, talking to the juvenile and asking him or her for permission to enter his or her cell and world.

During the making of this project I knew that disseminating the images I was producing would burn bridges in front of me. Since the work became public, I have been giving license to the images, free of charge, to all facilities and advocates in the field.

2. Project Goals

- Give visual tools to advocates
- Change current practice
- Frame the issues for next generation

The goal is to have an impact. I want a visual image to have an impact.

THEN THIS BECOMES A POWERFUL TOOL.

3. Art is a weapon

“The study of art that does not result in making the strong less willing to oppress the weak means little.” (Booker T. Washington)

Art is a weapon to change the future.

„This is beautiful photography, beautiful in the way it conveys the stark, simple truth of children in prison. Yet to see it as photography is to miss the point. This is sociology, and psychology and criminology and public policy, but it is also about man`s capacity to do evil to his fellow man, or in this case, the children of men.“ (John Fleming, Editor, Juvenile Justice Information Exchange.

4. The power of Words

Trauma/PTSD	Poverty	Adult Sentencing
Rape	Gun accessibility	Foster Care
States Rights	Broken Families	Trends
LGBT	Brain Development	Immigration
Clothing	Solitary Confinement	Language
Sanitation	Mandatory Sentencing	CPS
Respect	Jurisdictional	Safety
Visitation	Hierarchies	Nutrition
Sexual Exploitation	Gang Enhancement	Social Contract
Status Violation	Gangs	Health
POA-ing	Education	Sleep
Media	Substance Abuse	Tribal Cultures
	Sex Education	

Even though I came from architecture...I found all these issues. And I was overwhelmed. All of these are legit research topics

THE LANGUAGE IS THE KEY:

A person can be a prisoner—means liberty is taken away. But they may not be a convict, because they haven’t been found guilty of a crime. They are still a detainee.

This is the word they use in Guantanamo.

Terminology: prisoner, convict, detainee, offender, client.....how does this affect one's self perception???

These are kids. Look at the scale. Who are these people? How do you treat a terrorist – how do you treat a kid?

The power of words:

„Youth“ has a 7:1 positive response

„Kid“ has a 12:1 positive response

„Child“ has a 15:1 positive response

5. Examples

-Orleans Parish Prison

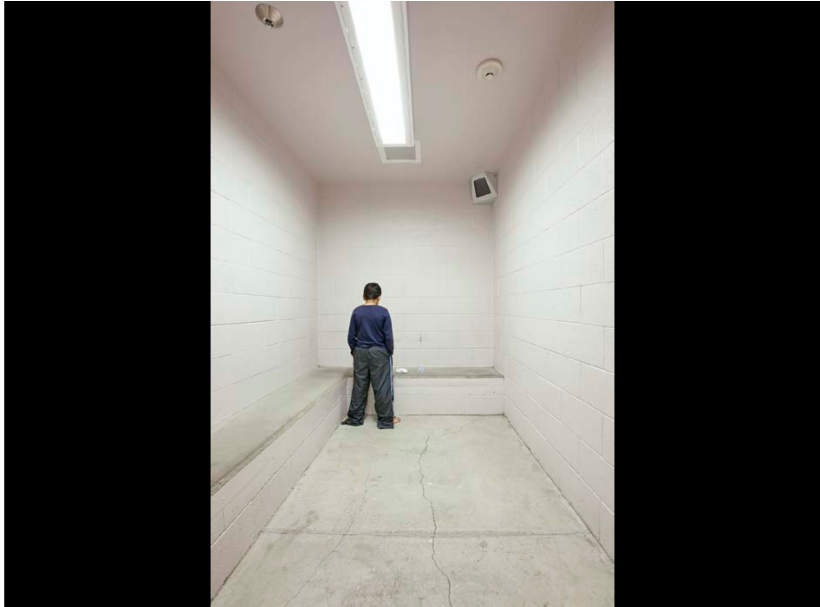
Sheriff Guzman rents out space to other parishes overcrowding his facilities. They have also closed juvenile facilities....which means they go to the same places adults are held

The future will look back on this period of mass incarceration in our history with the same disdain we presently view the shameful past of slavery in America. Your grandchildren may ask why you were oblivious to this and didn't protest.

A kid, 12 year old, sent here for getting in a fight at school, then kicking a cop car and refusing to wear his seat belt. *Now sentenced to two weeks to do his homework in a cell.*

-Washow County Nevada

Detention supervisor sent this image to all principals in her district. This is not a place for kids. He is waiting for his Mommy, who is an undocumented day worker and can't get off until 6 to get him.



-Caldwell, Idaho

The girl is a meth user, kicked out of school for truancy. This is not a drug rehabilitation center, or somewhere she can catch up on units. Prostitute? L.A. Central 2013: Prostitute vs. Sex Trafficking?!

The internal life schema reads: Parents don't parent. Caregivers don't care. Protectors don't protect. Nurturers don't nurture. Trusted adults can't be trusted. Thus, the only person I can depend on is myself. I have to be on guard. I have to protect and care for myself. I have to do whatever it takes to survive.

-Ronald Franklin-Miami Dade

Kid received 4.5 years –lives in the balance.

-Colorado - Young Offenders Program

Orientation Training Phase:

MILITARISM DOES NOT CURE TRAUMA and PTSD

Hanging sentences....what sense does that make?

INSTITUTIONS ARE HOARDERS OF BAD PRACTICE.

-Maryvale, California

“What percentages of girls have been sexually abused when they come here?” “What percentage?” “Everyone. All 88 girls in our custody.”

ALL the girls here have been molested and have had incomplete childhoods. 90 girls, former orphanage. Level 12 California state security.

-Postville, Iowa

Mother with ankle bracelet, waiting with baby to testify against inhumane working conditions. Some of the kids from Postville encountered in Washington and San Diego....awaiting repatriation.

Another example:

“Eyes on” for last 19 months, 24/7.

How does that help someone who is at risk of hurting themselves?

How much does it cost to keep someone idly watching a youth 24/7?

How could those funds be used to help them? For community resources?

Let’s address what facilities that detain kids are and what they mean:

These facilities are Dangerous, Ineffective, Unnecessary, Wasteful, Obsolete, Inadequate. These are the wrong facilities for the 88% and inhumane facilities for the remaining 12 %--regardless. They are ineffective.

Some institutions are under federal orders to close or change.

California is example of court order to lower pop—Jerry Brown Gov. says they’re too dangerous.

6. Newly built facilities**Hawaii/**



New facility built at \$ 160 Million Dollar for 55 kids.

As Kevin Costner, “If you build it, they will come”---or rather, they will be sentenced.

Another facility, build for \$135 million dollars, opened in 2007; the kid is the only one in this entire wing because he is 18.



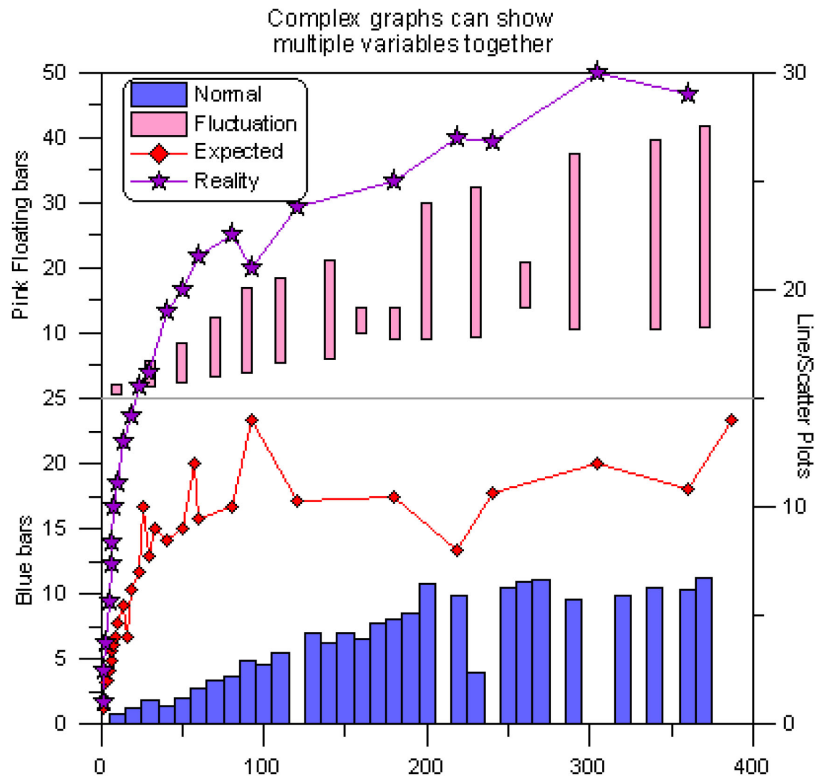
Who benefits?

7. Statistical Data:

1996:	Today:
10,000+ kids in CYA	Today less than 800
2,000+ afro-american kids in California charged with murder	Today about 200

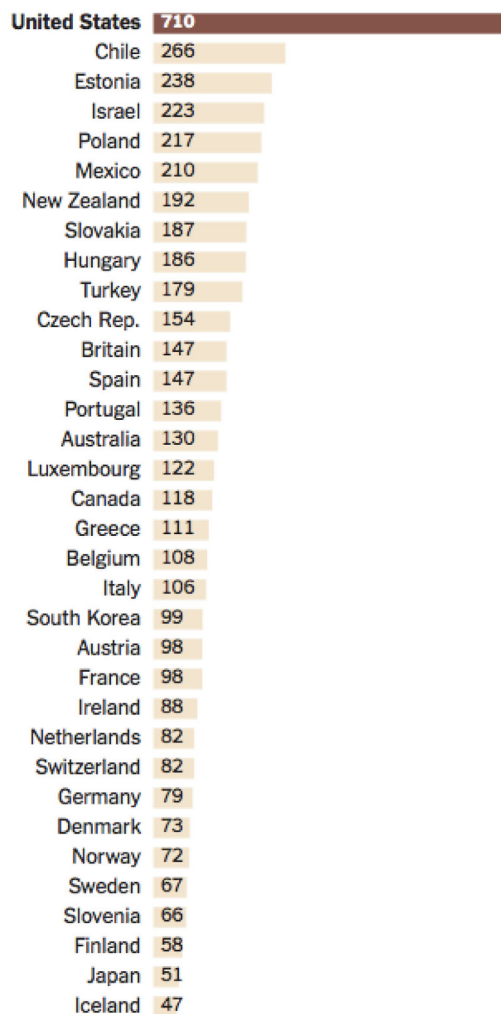
This is the safest most law abiding generation in the current era of data collection.

Why don't we read or hear about this from media or politicians?



Incarceration rates in all O.E.C.D. countries, 2013*

*Number of persons imprisoned
per 100,000 population*

**Contrary to all statistics and facts,**

a professor of politics and public affairs on the political science faculty at Princeton University, John Dilulio, created and popularized the super-predator concept. He coined the term superpredator (1995b) to call public attention to what he characterized as

a “new breed” of offenders, “kids that have absolutely no respect for human life and no sense of the future. . . . These are stone-cold predators!” (p. 23). Elsewhere, DiIulio and co-authors have described these young people as “fatherless, Godless, and jobless” and as “radically impulsive, brutally remorseless youngsters, including ever more teenage boys, who murder, assault, rob, burglarize, deal deadly drugs, join gun-toting gangs, and create serious [linked] disorders” (Bennett, DiIulio, & Walters, 1996, p. 27).

America’s reliance on juvenile incarceration is unique among the developed nations of the world. I costs an average of \$88,000 a year to hold a juvenile in detention. We have over 2 million people incarcerated in the United States.

The War on Poverty Became the War on Drugs 1987-2007 Every given day are appr. 700000 young people incarcerated or institutionalized. Research suggests that young people, who spent longer time in such facilities, do not have a lower recidivism rate than those with shorter sentences.

The average costs for a 9-12 months are \$ 66-88.000 Dollar. The State of California spends annually \$ 224.712 to house one kid in the new “green” facility in Oakland. The city of Oakland spends annually \$ 4925 per child in public schools.

This is data and the way it is visualized. And Annie E Casey is great for data. But I grew up in a world of singular images:

**Here Are All The Countries
Where Children Are
Sentenced To Die In Prison**



Children as young as 7 years old can be prosecuted and tried in adult court in 22 states and the District of Columbia.



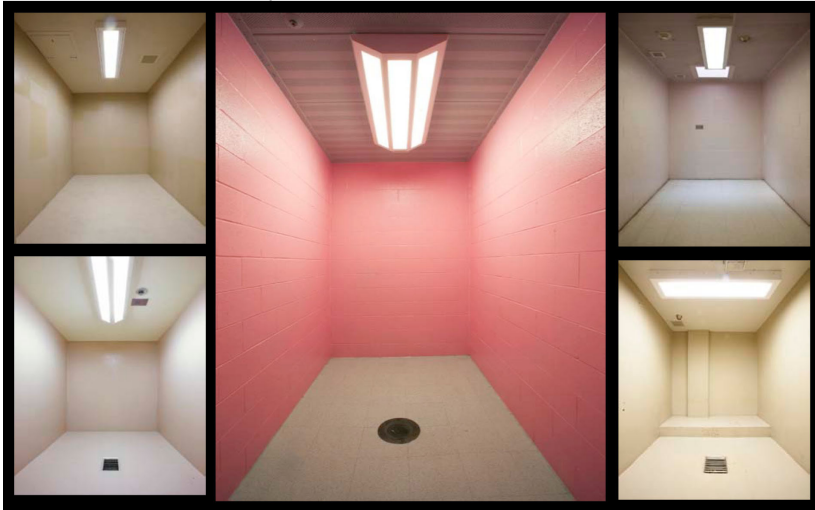
This Girl was given Meth by her mother when she was 7. Girl is doing 35 years for homicide, mother is free.

Graham vs. Florida, Miller vs Alabama Life without parole.....impact to change the world.....**Changed**...But no MANADATORY life without parole...but can be looked at case by case....and kids can get 90 years....etc.

8. Parens Patriae

“Parent of the nation,”

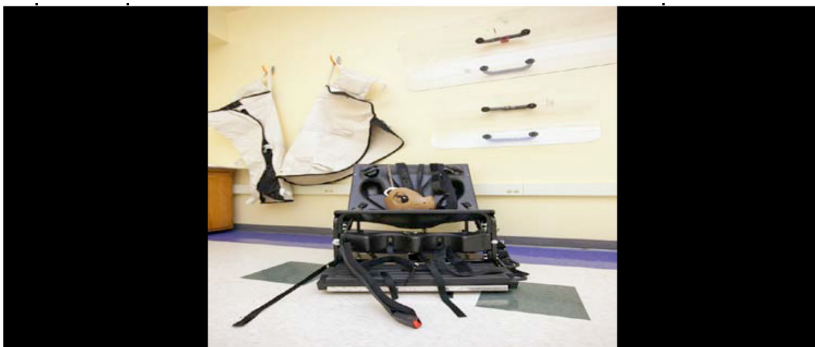
In law, refers to the power of the state to intervene against an abusive or negligent parent, legal guardian, or informal caretaker, and to act as the parent of any child or individual who is in need of protection.



If a parent put a child in a closet such as this for poor behavior would the child be removed from the family? Or would the parent be arrested?

WHEN STATE IS PARENT- how do they have authority to do what you wouldn't let a parent do? If a parent locked their child behind a door like this...would you not take action? 88 % are locked up for non-violent crimes...POA-ing

THIS IS NOT AN INDIVIDUAL OCCURRENCE---IT IS SYSTEMIC. What is the role of *parens patriae*? Institutions are the hoarders of bad practices.



Oak Creek. If a parent put a child in a device like this would the parent be taken into custody and punished?

Who do you become when your world keeps you in shackles?

7. Minorities

BUT AS A TRANSEXUAL?? – being held in isolation for protection? “It is pretty difficult being gay and Christian in a land of homophobes. Actually, it’s pretty impossible here.” 14 year old beaten up by her girl friend two weeks earlier. A.B., age 14, Tulsa, Oklahoma

Native American issues?

South Dakota 8% of the state is Native American 40% of detention and confinement is Native American. There are 26 detention centers on reservations. Jurisdiction is complex. And tribal justice frequently is at odds with “American” justice as “Justice by strangers” which is anti ethical to Native American thinking.

Racial issues?

Latino youth are 4x more likely to receive an adult sentence for the SAME crime as white children. Afro-American Kids are treated harsher than white kids, even if their charges and (offending) history are identical.

8. Outlook

There are effective solutions and interventions. If a kid does not represent a present and clear danger to the public, it is unnecessary and expensive, to remove troubled youth from their communities. The average results are not any better, but often much worse, than community based interventions and supervision. Typically, programs which include counseling and treatment reduce recidivism. Programs focusing on control and pressure are showing negative or no effect



HE IS LOOKING AT YOU. THERE IS A RESPONSE WE WANT TO GET.

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