THE ARTS AND JUVENILE JUSTICE

ACTION NEEDED

We urge Congress to:

- Include report language directing OJJDP to incorporate the arts in its prevention, diversion, reentry, and residential juvenile justice grant programs.
- Instruct OJJDP to engage arts organizations that focus on racial justice and equity, and demonstrated experience working with youth who have been, or are at risk of, exposure to the juvenile justice system/trauma.

TALKING POINTS

- Federal investment in the arts in juvenile justice prevention and intervention programs will
  - Support state and local efforts to invest in public-private partnerships between community-based arts organizations, law enforcement, and probation and parole offices.
  - Establish national benchmarks and metrics for evaluation of local and state juvenile justice systems utilizing the arts.
  - Build the evidentiary base of promising and effective art-based and art therapy practices and model programs. Examples of successful programs include: ARTS Engage! in Scranton, Pennsylvania; Writing Our Stories in Montgomery, Alabama; and NeON Arts in Queens, New York.
  - Embrace a family-focused intervention model that includes health, education, housing, and employment guided by the arts and supported by Restorative Justice Principles and Practices and the National Center for Juvenile Justice Reform “credible messenger” strategy.
- Youth impacted by the juvenile justice system face unique challenges that limit their ability to complete their education goals:
  - 43,000 youth, largely students of color and disproportionately male, are in residential placement facilities on any given day.
  - More than two-thirds of confined youth share aspirations to continue their education, with nearly half wanting to pursue postsecondary education.
  - Youth involved in the juvenile justice system face disruption in their academic trajectory that often prevents a student from continuing their education upon reentry; 66% of youths do not return to school after leaving placement.
- The arts are effective in improving the economic, social, and mental health outcomes for youth at risk or involved with juvenile justice systems.
  - The Arts Education Partnership October 2020 report, Expanding the Arts Across the Juvenile Justice System, cited three key strategies for effective programming: opportunities for youth to tell their stories through their artwork; alternative facility and educator delivery of arts-based activities that embed the arts as a core aspect of their education; and community buy-in and resources to ensure that youth continue to have access to arts programs as they transition back to home.
  - The arts provide opportunities for youth to build self-efficacy and achieve personal goals by developing ownership of their learning, determine individual criteria for success, and track personal progress.
  - The arts have a robust history of research and practice demonstrating their effectiveness in improving outcomes for justice-involved youth to reduce trauma and risk factors. In 2016, OJJDP and NEA published a joint literature review that highlights promising arts-based and art therapy practices.
  - According to the National Endowment for the Arts’ (NEA) longitudinal study, The Arts and Achievement in At-Risk Youth, students who have access to the arts in or out of school tend to have better academic results, better workforce opportunities, higher career goals, and more civic engagement.

Arts Advocacy Day 2021
• Advance promising and evidence-based juvenile justice prevention programs now to remedy the years-long economic harm and personal trauma wrought by COVID-19.
  o The confluence of COVID’s dual crises—health and economic—has devastated communities nationwide, particularly low-income, Black, Indigenous, and Latinx populations that are already disproportionately represented in juvenile justice systems.
  o The Great Recession demonstrated that during severe economic downturns, states and local institutions must rethink their juvenile justice protocols, making better use of prevention, restorative, and rehabilitative programs. The arts can offer new and promising alternatives to incarceration.
  o Art therapy and art-based programs provide positive pathways for youth’s socio-emotional development after experiencing trauma.
  o Youth and young people have also been exposed to trauma due to the COVID-19 pandemic and its disruptions of regular life, and the hundreds of thousands of deaths of caretakers and family members.

• The arts play a consistent and outsized role in improving outcomes throughout the entire juvenile justice system.
  o From prevention-and-diversion to secure facilities, reentry, probation, and parole, there are effective and promising arts programs throughout the country that are improving the outcomes for youth and young people.

• Federal support is needed to expand these proven models and practices nationwide:
  o From prevention and intervention programs to transition, healing, and restoration, quality arts programs improve outcomes.
  o National grassroots networks such as Create Justice, Creative Youth Development National Partnership, Justice Arts Coalition, Arts for Incarcerated Youth Network, and Art for Justice Fund represent a diverse range of artists, cultural organizations, and justice professionals interested in and highly qualified to activate innovative and promising programs.

BACKGROUND
In FY 2021, Congress included instructions to the federal OJJDP to explore the use of the arts in its juvenile justice programming, with input from arts stakeholders and the National Endowment for the Arts (NEA). Additionally, Congress included new funding and programmatic flexibility, which may include the arts for Title V Delinquency Prevention Grants. Advocacy is needed to ensure Congress includes comparable funding and instructions to OJJDP in FY22.

In any given year, an estimated 2.1 million youth under the age of 18 are arrested in the United States, and approximately 1.7 million delinquency cases are resolved in juvenile courts annually. According to the National Center for Juvenile Justice Reform, nearly 90% of youth entering the juvenile justice system in this country are estimated to have experienced some type of trauma. A multisystem effort is required to ensure our nation’s children avoid the justice system and are empowered to live safe, healthy, and fulfilling lives. The arts are an effective tool for working collaboratively across sectors to achieve positive outcomes for youth. There are many points of possible engagement with the arts across the entire juvenile justice system, ranging from prevention to high-quality arts education for youth in state secure facilities to the use of arts programs as an alternative to sentencing and to support successful re-entry into communities.

OJJDP and NEA have a history of meaningful arts and justice collaborations, including the 1995 YouthArts Development Project, the publication of a 2002 Guide to Promising Practices in Arts Programs for Juvenile Offenders in Detention and Corrections, and the 2016 literature review. NEA’s national Shakespeare in American Communities program, which brings educational programs to thousands of underserved middle and high school students each year, now includes a dedicated grant opportunity for theater professionals to engage youth in the juvenile justice system. We urge further OJJDP/NEA collaboration and the exploration of other interagency collaborations, such as through the Interagency Working Group on Youth Programs (IWGYP) or the Interagency Task Force on the Arts and Human Development, to identify and disseminate promising and effective cross-sector strategies.

In addition to research, in recent years there has been a dramatic expansion of interest in local arts programs serving justice-involved youth. The Arts Education Partnership at Education Commission of the States, with support from the NEA and the U.S. Department of Education, recently published a report in 2020 on opportunities for the arts in juvenile justice at the community, state, and federal levels. This report will be shared with Congress, as well as arts and juvenile justice stakeholders, and will cite specific examples of high-quality arts programs working across the entire juvenile justice continuum.