COVID-19: THE HEIGHTENED DANGERS OF CONFINEMENT

April 27, 2020

COALITION FOR JUVENILE JUSTICE

NATIONAL JUVENILE JUSTICE NETWORK
Overview of Condition Concerns

• **Quarantine Resulting in 23/1 Solitary**
  - As states aim to control the spread of the virus, we are seeing more kids held in cells 23 hours of the day.

• **Lack of Educational, Recreational, and Therapeutic Services**
  - With outside programming being limited, students in facilities lack educational resources or other recreational and necessary therapeutic services such as mental health services.

• **Hygiene Concerns**
  - Some states report lack of personal protective gear for kids, lack of testing for those in facilities, lack of soap and hand sanitizer.

• **Access to Families and Caregivers**
  - As facilities close to family members and volunteers, youth need more frequent access to their families via phones & video technology. This must be free of charge.
Navigating Public Health Guidance and Concerns about Youth Well-being

• Follow the advice of public health authorities and experts!
  • Centers for Disease Control and Prevention
  • National Commission on Correctional Healthcare
  • Council of Juvenile Justice Administrators COVID-19 Resources Page (including sample state plans and some information from members about steps they have taken)
  • National Partnership on Juvenile Service COVID-19 Resources Page

• Remind everyone of the harms of isolation in youth facilities, particularly during this time, so that isolation is not the default or only response (more at Stop Solitary for Kids)
  • Psychological and emotional harm, trauma, depression, anxiety, and increased risk of self-harm
  • Exacerbate mental illness and post traumatic stress responses
  • More than half of youth who commit suicide inside facilities do so in solitary confinement
  • Article on the distinction between medical isolation and solitary by AMEND at UCSF, which stresses that isolation and quarantining are not effective.
What Can You Advocate For?

• Push for release and plan for reentry.
• Expanded access to family members and other supportive individuals.
  • Unlimited phone and video visitation, free of charge
  • Ensuring families have technology and resources to participate
  • Expanding scope of visitation (not just parents or guardians)
• Ensure youth can continue their education.
  • Center for Educational Excellence in Alternative Settings (CEEAS) – Consultations for maintaining educational programs, lesson plans, and other education resources.
  • Take advantage of distance learning plans implemented by public school systems.
• Staff-led activities (Tolerance.org), consistent with social distancing guidelines.
• Volunteer classes and meetings by Zoom/videoconference.
• Opportunities to engage in recreation and other basic activities that might otherwise be prohibited.
• Thinking ahead now to plan to sustain current efforts.
Step States Can Take

Limit Harmful Effects of Solitary Conditions

Ensure youth who have tested negative or recovered have time in small managed groups. Those youth who test positive should be released to medical facilities where they can get treated without solitary conditions.

Ensure Virtual Education and Vocational Opportunities

Ensure kids have access to Chromebooks so they can download learning modules which should include vocational opportunities as legally required of the LEA.

Ensure Basic Hygiene to Limit Disease Spread

Work with your states Department of Health and other state officials to ensure access to soap, hand sanitizer, cleaning supplies, and face masks for youth and staff.

Keep Connection to Family

When possible, screen visitors for health conditions and set up visitation rooms to enable safe social distancing and protection. If visitation is banned, the state should bear the burden of preparing youth and families with technology to stay connected.
State and Local Examples
Federal Resources/Asks

$100M JJDPA FUNDING FOR COVID-19

$75m Title 2; $25m Title 5.

FLEXIBILITY FOR STATES TO SPEND JJDPA on COVID-19

With funds not expended due to pandemic, allow shift in use.

TEMPORARY EXTENSION ON ELIG. REQUIREMENTS

Allow applications from states that are out of SAG & monitoring compliance.
NAOMI SMOOT EVANS
Coalition for Juvenile Justice
evans@juvjustice.org

ALYSON CLEMENTS
National Juvenile Justice Network
clements@njjn.org

MARCY MISTRETT
Campaign for Youth Justice
mmistrett@cfyj.org

DIANE SMITH HOWARD
National Disability Rights Network
diane.smithhoward@ndrn.org

JASON SZANYI
Center for Children's Law and Policy
jszanyi@cclp.org

JENNIFER LUTZ
Center for Children's Law and Policy
jlutz@cclp.org