# PUBLICATION

## Addressing Youth Homelessness and Keeping Juveniles Out of the Courtroom

**April 01, 2021**

**The National Law Center on Homelessness and Poverty (NLCHP) sought pro bono assistance from attorneys at Baker Donelson to help research and evaluate criteria to be included in its 2020 State Index on Youth Homelessness (Index). This opportunity quickly shed light on how critical a tool the Index is, to not only homeless youth, but also policy makers and advocates seeking to protect this youth population and keep them out of the juvenile justice system.**

Every year, a new state index is compiled by True Colors United and NLCHP**,** and this year Baker Donelson attorneys provided additional research assistance. The Index "measures, scores and reports on the systems, environment, and laws of all states as they relate to preventing and ending youth homelessness." *See the 2019 State Index on Youth Homelessness* here*.* The Index is illustrative of where states currently stand in these categories and how they can improve their measures to end youth homelessness.

To put the issue into perspective, in the United States, 4.2 million youth experience homelessness each year. Taking this statistic one step further, lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) youth are 120 percent more likely to experience homelessness than their non-LGBTQ peers. Thus, this Index is multi-purpose, in that it works to call attention to how individual states can better target efforts to help homeless youth, but also allows states to call attention to the LGBTQ population that is being underserved by their local legislatures.

While our attorneys researched and evaluated over 60 factors for all 50 states (plus the District of Columbia), there are a few factors that directly impact youth transitioning out of the juvenile justice system. For example, the Index asks:

- Does the state have transition planning for children exiting the juvenile justice system?

- Does the state address custody after discharge from the juvenile justice system?

- Does the state provide transportation home after discharge from the juvenile justice system?

There is a growing understanding among state advocates and policy makers that youth involved in the juvenile justice system are a vulnerable population. Failure to reintegrate youth coming out of the juvenile justice system lands youth into situations where they are abandoned by their families, end up homeless, and eventually return to the system. The Index assesses whether states currently have statutes, regulations, or legislature in the pipeline to prevent recidivism among these youth, in the hopes of opening the eyes of advocates in those states where such regulations/programs are entirely non-existent.

While the goal of the Index is to end youth homelessness altogether, it calls attention to other very important discussions that should take place, including how to keep juvenile justice offenders out of the courtroom. Many states already have programs in place, including Arizona's Project RISE (Reentry Intervention and Support for Engagement), Minnesota's MAP Project (Making a Map – Finding My Way Back) and Oregon's Project STAY OUT (Strategies Teaching Adolescent Young Offenders to Use Transition Skills). However, there are still many

states which do not. Thus, the Index allows for advocates across states to collaborate based on their own state rankings and make reducing juvenile justice recidivism a common goal.

The Index also provides a "spotlight law and policy" section, which highlights states in the study year that passed bills to address gaps in their laws and policies for youth battling homelessness.

This Index presents an opportunity for those in power to elicit change to recognize the youth battling homelessness and give them a brighter future. Whether that starts by focusing on the recidivism rates in the juvenile justice system, or by calling attention to the complete lack of policies one state has to address youth homelessness, the Index forces these important conversations.