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HOW CAN ADVOCATES ENSURE THAT THE DJJ CLOSURE PROTECTS IMMIGRANT YOUTH?

California is in the midst of an historic reform of its youth prisons, known as the Division of Juvenile Justice (DJJ). **Failed DJJ facilities will close**, creating an opportunity for youth to be cared for close to home through community-based programs and services. There are many details about the closure that will be worked out only through implementation and in close coordination and collaboration with impacted stakeholders. What we know is that, as DJJ closes, it must close justly. The closure must divest from carceral solutions and invest in restorative and transformative justice rooted in community wellness and safety. The closure must address the needs of *all* impacted communities, including immigrant youth.

COMMUNITY-BASED ADVOCATES CAN PROTECT THE UNIQUE NEEDS AND RIGHTS OF IMMIGRANT YOUTH BY:

- » **Ensuring that the closure does not increase transfers of youth to the adult criminal system.**

Immigration law recognizes the rehabilitative nature of juvenile proceedings and does not treat juvenile adjudications as criminal “convictions” triggering deportation or barring people from obtaining immigration status. Thus, advocates must ensure that youth cases stay in juvenile court to protect them from the devastating immigration consequences that can be caused by contact with the adult system.

- » **Ensuring that new county-level systems developed as the successor to DJJ have strong policies that do not allow any information-sharing or collaboration with Immigration & Customs Enforcement (ICE).**

In juvenile court proceedings, a youth’s confidential information cannot be shared with federal immigration officials without prior juvenile court permission. See Cal. Welf. & Inst. Code §§ 827 & 831. As a result, unlike adults, youth are not routinely turned over to ICE in California. The strong confidentiality protections that attach to juvenile court proceedings must be incorporated into the community-based alternatives that develop in the wake of the DJJ closure.

- » **Explicitly addressing unique needs of immigrant youth and families.**

This could include, for example, local DJJ alternatives connecting youth and families with immigration legal services, providing alternative means for parents to demonstrate their support for their child if they are fearful of coming to court or a detention facility due to their own immigration vulnerabilities, creating policies on cultural humility and language access, and ensuring that juvenile defense lawyers receive training on the immigration consequences of contact with the youth justice system.

Though there are still questions about what comes next, the ILRC remains committed to ensuring that whatever develops incorporates a deep front-end understanding of the unique needs of immigrant youth. Please contact rprandini@ilrc.org for help advocating for these demands in your jurisdiction.