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Justicia Olvidada: Increasing Access, Quality, and Accountability Towards K-12 Education for Latino Incarcerated Youth

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Executive Summary

Latino youth disproportionately face higher rates of contact with the justice system and, when detained or placed, have less access to quality education K-12 support services. Additionally, detained or placed Latino youth face a lack of educational opportunities post release. Despite decreases in Latino youth involved with the justice system in recent years, it is crucial to bolster the educational resources youth need to succeed if and when they enter the justice system. Additionally, youth justice centers should be supported further with qualified personnel, school resources, and accountability measures to improve student outcomes. In shifting the youth justice system to one that is less punitive and more rehabilitative and resourceful, all youth, including Latino youth, will be able to increase their likelihood of succeeding during and after detention.

Background

Latino youth today make up 25% of all United States (U.S.) youth and currently make up 20% of the youth incarcerated population (Rovner, 2023). In 2011, Latino youth were 76% more likely to be placed (detained or committed) than their white peers, compared to 16% today (Rovner, 2023). Despite a historic low of Latino incarcerated youth, and youth

overall, across the country, there are still wide gaps in resources when held and after release.

The youth juvenile justice system is a complex system of courts and laws meant to address youth accused of breaking the law and coming into contact with law enforcement. Once in the system, limited data about educational services in juvenile justice facilities is available. For example, as a comparison, in many places across the country, traditional schools and districts outside of the juvenile justice system collect all kinds of data— from state assessment results to behavioral/discipline reports (IES, 2018). The combination of standards, data, and monitoring systems keeps schools/districts responsible through rigorous accountability methods. This comparison highlights the disparity in data and ability to make insightful decisions about youth education taught in juvenile justice settings vs the traditional classroom. In addition, an analysis by the Connecticut Juvenile Justice Policy and Oversight Committee found that their juvenile justice educational system lacked quality standards, monitoring, accountability, and expertise, all common among other states (Pilnik & Brand, 2018).

Today, states are evaluating shifting justice-impacted youth

towards community-based resources, which has lowered the overall number of youth in justice detention centers throughout the years. Between 2000 and 2022, there has been a 75% reduction in youth held in juvenile justice centers (Sentencing Project, 2024). Today, states like Ohio, Illinois, California, Texas, Alabama, and New York are shifting money and resources away from the youth justice system to community programs (ACLU, 2025). For instance, on average, it costs \$241 for a bed at a juvenile justice center vs less than \$75 in community support, which research also indicates is not only cheaper but more effective than institutionalizing youth due to intensive wrap around services like counseling, family engagement, and mentorship (Mendel, 2023). On average, per pupil school spending is \$17,280 a year, which equates to \$96 dollars a day on a regular 180 day school calendar (Hansen, 2024) (Desilver, 2023).

The most recent legislation passed to address youth education in juvenile justice centers was in 2018 when the Juvenile Justice Reform Act was signed, amending the Juvenile Justice and Delinquency Prevention Act (OJJDP, 2025). Specific to education, the Act aims to improve the consistency and quality of education offered by states to youth in juvenile justice

centers. However, youth of color still enter the system at disproportionate rates and need more support.

Problem Analysis:

Preventive measures are only one part of the equation. In 2021, incarcerated Latino youth made up 20%, approximately 5,000 Latino youth, of the total incarcerated youth population of 24,894 (Rovner, 2023). Latino incarcerated youth and youth of color face gaps in their educational journey before being justice-impacted. Once they enter the justice system, they often see those educational gaps grow due to fewer resources, underqualified staff, and harsher discipline (Esthappan & Lee, 2018). This low level of support continues after they are released, which results in very stark negative life outcomes (Esthappan & Lee, 2018). Despite the lower likelihood of Latino youth encountering the juvenile justice system today, Latino students are continuing to enter institutions at higher rates than their white peers. Latino students in states like Massachusetts, New Jersey, and Connecticut are four times more likely to be incarcerated (Rovner, 2023). In Connecticut, a study demonstrated that though incarcerated individuals come from all over the state, higher incarceration rates are present in denser city areas where larger populations of color are present (Widra et al, 2022). These areas often experience lower life expectancies, lower academic performance, and extensive exposure to environmental factors (Widra et al, 2022). Lastly, states with the largest Latino populations in the country, California and Texas, hold the largest Latino youth incarcerated populations by number (Rovner, 2023).

The days in the life of youth in juvenile justice centers vary. Youth

can spend as much as 23 hours in solitary confinement and not see any educational materials (McCluskey, 2017). Even when students have an educational setting available where they are, there continue to be many barriers. The facilities are usually subpar, students are separated by age and not education level, and teaching is limited, such as in science courses where many materials are off-limits (McCloskey, 2017). In addition to materials and settings, teachers play an important role in a youth's educational and life journeys. Inside juvenile justice centers, it is common for teachers to be ill-equipped, insufficiently paid, or lack sufficient training with justice-impacted youth (Superville, 2018). Long-time juvenile justice educator Randy Farmer not only highlights these barriers but also emphasizes the importance of having educators who are willing and able to create stable environments for students who come with trauma and need that before having an interest in school (Bellwether, 2020).

Incarcerated youth are coming in below grade level and leaving at similar levels due to a disparity in the quality of education in carceral settings (Esthappan & Lee, 2018). For example, quality support to justice-impacted youth for future opportunities requires a basic foundation in reading and math, which is often missing (Esthappan & Lee, 2018). A significant barrier to closing gaps for students missing those fundamental skills is accountability. Accountability is difficult to measure inside carceral settings. As of 2015, 30% of states did not require juvenile detention facilities to participate in state education accountability reporting (Esthappan & Lee, 2018). That means it is unknown whether incarcerated youth in 30% of states are receiving the necessary quality support they need to succeed

(Esthappan & Lee, 2018). Moreover, 39% of juvenile detention facilities did not meet national education accreditation standards (Esthappan & Lee, 2018). Juvenile education staff is often under-resourced, understaffed, and underqualified. Even with resources available, education curricula meant to prepare students for higher education and career are taught less, with an average of 25 hours, 8 hours less than traditional public schools (Esthappan & Lee, 2018).

The juvenile justice system is falling short in assisting students during and after incarceration. According to a report by the Department of Education, it is estimated that only one third of students re-enroll back to school after being released from residential facilities (OJJJ, 2019). There are few resources post-release to provide a seamless transition for youth to continue their education and advance their career. These educational discrepancies demonstrate why incarcerated youth during and after placement require extensive assistance to help them catch up and continue succeeding after they are released.

Community based organizations that support incarcerated youth and advocates for justice system reform continue to push for a more community-based intervention approach for less serious crimes. Advocates argue that community-based support needs to be at the center of solutions and bolstered financially with equipped staff to help students during and after their release. This approach is key because youth of color are more likely to come in contact with the justice system and are more likely to suffer more negative adverse life outcomes, such as being reincarcerated as adults, reduced job opportunities/income, and

overall wealth accumulation (UnidosUS, 2011). Though the problems are clear, the government has not sufficiently prioritized the continuation of support for youth education in juvenile justice centers. The current change in administration can potentially influence an increase in Latino youth entering the system, deported, racially profiled, or separated from families. Political activists are preparing to defend the Latino population as a whole from upcoming policies that will increase the persecution of the Latino community due to rhetoric that has negatively presented Latinos as criminals.

Conclusion

These recommendations will significantly improve the state of youth incarceration. Specific to the Latino youth population, community support will greatly benefit them. As far as immediate steps:

- Organizations should research and analyze models of youth incarceration that exemplify supporting youth. The Texas Department of Juvenile Justice is an exemplary model where they not only provide holistic and K-12 educational opportunities but higher education support as well (OYCR, 2024).
- States should partner and share best practices. There is too much variation across states, centers, trained staff, and supports. If states come together, they can create a set of guidelines that leads to a quality set of education standards for justice-impacted youth during detention/placement.
- Criminal Justice and Immigration rights advocates should come together to share their work and find ways to support each other and the Latino community. With the new administration in place,

it is important to recognize the potential impacts of new immigration policies and tactics used to target the Latino community, specifically Latino youth.

- Justice-impacted youth should seek support from organizations that help them transition back into society smoothly. Released youth should ask the justice center they were placed at to recommend community organizations to provide holistic support to make sure the transition back to school is seamless.

In the long term:

- Funding towards juvenile justice centers should specifically be used to recruit staff, pay educators fairly, provide staff with professional development, provide officers with socioemotional support training, and establish partnerships with school districts so there are equal resources in and outside of the juvenile justice system.
- State education accountability systems should establish a division of youth juvenile justice education to enter centers and evaluate curriculum, teaching, resources, and outcomes for students regularly.
- State education accountability teams should establish uniform student records across institutions in their state (Beach et al, 2022).
- States should require juvenile justice centers to publish reports on aggregated student performance to show outcomes and display transparency (Beach et al, 2022).
- Juvenile justice centers should develop curricula alongside school districts so that classes are transferable.
- Juvenile justice centers should create staff teams that follow students' progress after being

released to make sure they are on track and continue school.

In conclusion, Latino youth, and youth of color as a whole, are impacted by the juvenile justice system. There must be policy changes to increase funding and support for youth in the justice system and offer post release resources that help them transition smoothly back into society and not recidivate. By shifting youth away towards community resources, there's an opportunity to increase behavioral and academic student performance which centers often lack the ability to. By increasing funding and support for juvenile justice centers, better qualified staff and educational materials can lead to better student outcomes while detained/placed. Lastly, providing support to youth after they are released can help close the gap of students who are not re-enrolling in school. The combination of these policy recommendations will greatly impact youth and improve the juvenile justice system as a whole.

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