

The New York Times Magazine

<https://www.nytimes.com/2025/01/28/magazine/juvenile-prison-crime-rates.html>

# What Happened When America Emptied Its Youth Prisons

Document tendered by	Ms Sue Hippinson
Received by	Time Magazine
Date:	28/02/2025
Resolved to publish	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Lessons from a radical 20-year experiment and a quiet triumph of public policy.

By James Forman Jr.

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Published Jan. 28, 2025 Updated Feb. 21, 2025

David Muhammad's middle school in Oakland, Calif., labeled him "gifted and talented," but classes bored him. The streets were more appealing, and by ninth grade he had found a group of friends to skip school and sell drugs with. He remembers it as easy money: "There were a lot of people who wanted drugs in East Oakland and South Berkeley in the 1980s and early 1990s. As long as you avoided joining a crew or getting involved in neighborhood beefs, you could make money without much violence."

Muhammad's parents had little to say about how he spent his days. The couple met while registering voters in Georgia in the 1960s, but they were never as passionate about parenting as they had been about civil rights. When Muhammad was 3, his parents split up, and he was raised in a household with his mother and two older brothers. When he was 15, his mother moved to Philadelphia with her boyfriend, leaving Muhammad in the care of his brothers, ages 20 and 21, both of whom were involved in Oakland's drug scene.

This worked out pretty much the way you would expect. Over the next two years, Muhammad says, he was arrested three times — for selling drugs, attempted murder and illegal gun possession. The first two cases were dismissed; he received probation for the gun charge. "We've seen this story too many times," Muhammad reflects. "A Black kid from Oakland with absentee parents and a juvenile record. It's not supposed to end well, right?"

But for Muhammad, it did. He wound up graduating from Howard University, running a nonprofit in Oakland called the Mentoring Center and serving in the leadership of the District of Columbia's Department of Youth Rehabilitation Services. Then he returned to Oakland for a two-year stint as chief probation officer for Alameda County, in the same system that once supervised him. As Muhammad says: "I went from being on probation to the head of probation. And I went from being locked up on the second floor to a corner office on the fourth floor."

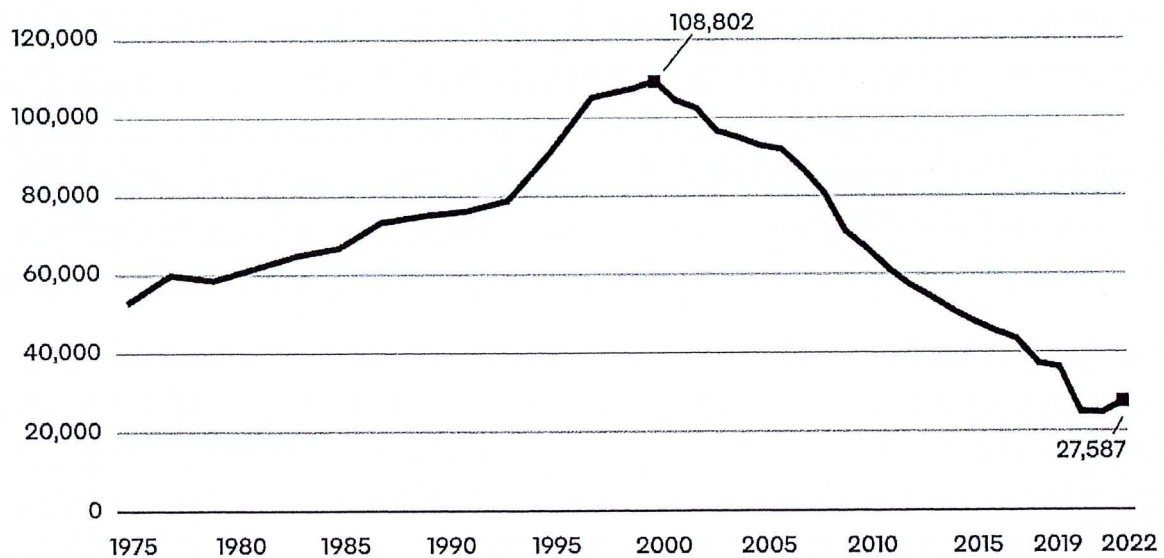


Muhammad's unlikely elevation came during a remarkable — if largely overlooked — era in the history of America's juvenile justice system. Between 2000 and 2020, the number of young people incarcerated in the United States declined by an astonishing 77 percent.

"I mean, the graph says it all," Muhammad said, when I showed him the results of an annual survey by the Office of Juvenile Justice and Delinquency Prevention. This federal agency asks states and counties around the country to report the number of young people locked up in juvenile facilities on a single day each October. While this one-day count isn't perfect — because of reporting delays, for instance, the most recent figures are almost three years old — it is the best measure we have to track juvenile incarceration rates over time.

You don't have to look at the graph for long to grasp the story. First, the part that won't surprise you, given the well-chronicled rise in incarceration rates since the 1970s: The number of young people behind bars increased steadily in the 1970s and 1980s and then rose more sharply in the 1990s. What comes next is surprising: Beginning in 2000, each year for the next two decades there was a decline in the number of young people locked up. If you think of juvenile incarceration as a mountain, we reached the summit in 2000, and until 2020 we sprinted straight downhill.

### One-Day Count of Youth Held in Juvenile Justice Facilities, 1975-2022



The Sentencing Project

In the last two years for which we have data, 2021 and 2022, the number of incarcerated juveniles rose 10 percent, which worries Muhammad. But even factoring in that increase, the country locked up 75 percent fewer juveniles in 2022 than it did in 2000.

When he speaks to public officials or community groups, Muhammad tells me, he shows them the same graph I showed him. "And whenever I do, I always tell people, 'If you had told me in the 1990s that our juvenile incarceration rate would be this low today, my first



thought would have been that you were crazy. And once I got over that, I would have said, “Great, we did it. Our work is done.” ’ ’ ”

I share Muhammad’s surprise. I represented young people in Washington’s juvenile court system in the 1990s, when incarceration rates were at their peak. I spent more hours than I can count meeting with teenage clients in the dingy visiting room at the Oak Hill Youth Center, Washington’s youth prison. Infested with rats, roaches and even snakes, it was a shameful, brutal place. Each visit left me heartbroken for my clients, furious at the judges who ordered them there and hopeless that things might change.

And yet, ever since I first saw that graph in the early 2000s, I have been watching juvenile incarceration rates decline. Red states and blue states alike lock up fewer kids than in 2000 — and in most, the drops have been precipitous: 29 states have experienced declines of 75 percent or more. As the number of young people held in juvenile facilities has gone down, so, too, has the number of youth charged as adults — by 2020, 56 percent fewer young people were transferred to adult court than in 2006.

With fewer juveniles behind bars, many states have shuttered youth facilities. Today America has 58 percent fewer of them than it did in 2000. Large facilities — those holding more than 100 juveniles — have closed at an especially rapid clip. In 2000, there were 264 youth facilities of that size; by 2020, there were just 42.

Because of these trends, says Richard Mendel, a senior research fellow at the Sentencing Project, by 2020 America incarcerated fewer young people than at any point since the 1920s. But the figures alone don’t explain *why* this happened. How can it be that a country as punitive as ours reduced its juvenile incarceration rate to a level last seen when Calvin Coolidge occupied the White House and silent movies sold out theaters? And can that progress be sustained — or is America about to reverse course and embark on another juvenile incarceration binge?

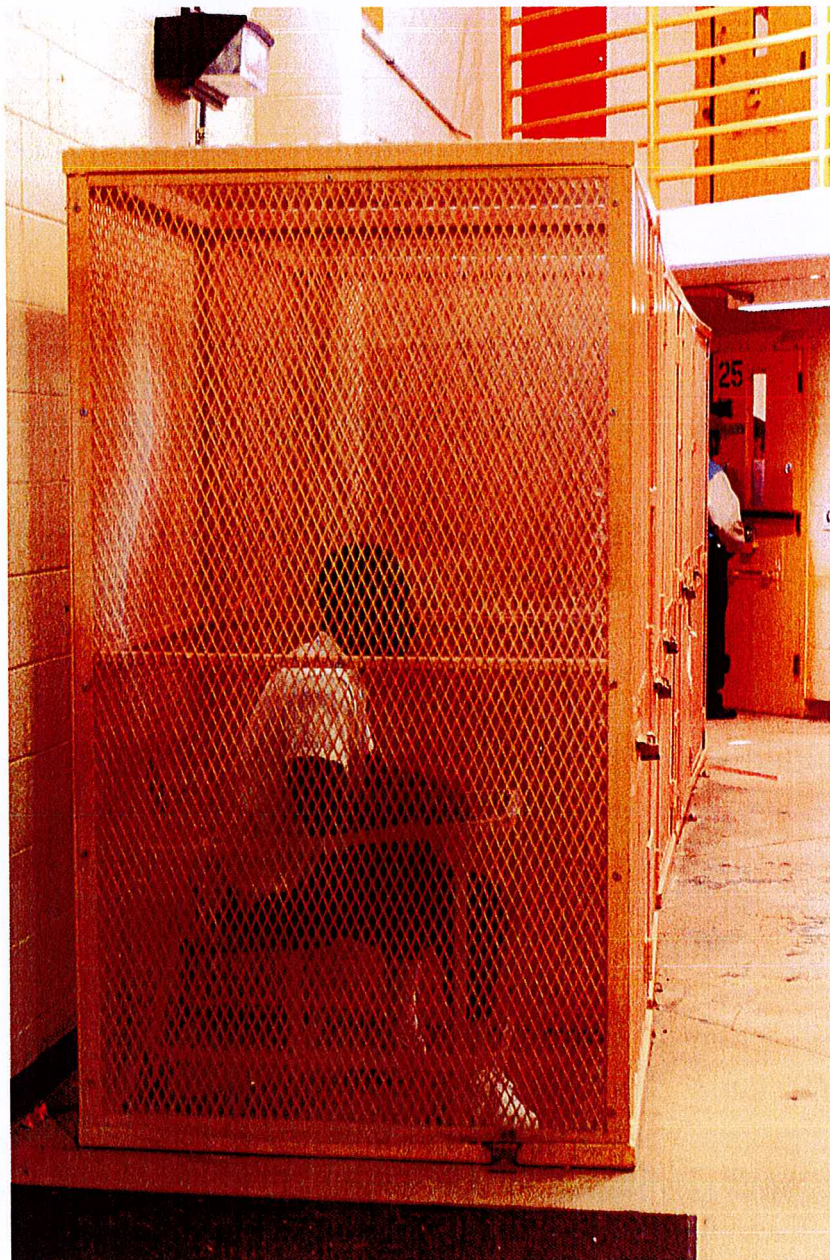
**A good place to start** looking for the answer is California, which led the race to first fill and then empty its youth prisons. In the 1970s, California’s youth system incarcerated about 5,000 of the state’s young people on any given day. By 1987, that figure had grown to over 8,000, on the way to a peak of 10,122 in 1996. Rather than build new youth prisons, the state filled existing ones beyond capacity. By the mid-1990s, California youth prisons were overcrowded and violent.

The public remained largely unaware of what was going on behind bars. This is no accident: Prison walls keep incarcerated people in, but they also keep the rest of us out. This secrecy fosters ignorance; when was the last time you thought about what life is like for people in the prison or jail nearest to where you live? Juvenile prisons are especially good at hiding their true nature — even those that feel like dungeons are festooned with pleasant names like “children’s center,” “camp” or, in Washington’s case, “youth center.”



The situation began to change in the early 2000s, as lawyers and journalists exposed horrific abuses in the system. In 2003, the California-based Prison Law Office sued the state over conditions in its juvenile facilities. In early 2004, a series of expert reports documented rampant violence and cruelty. One item in particular caught the attention of local and national media: custom-built individual cages where youth deemed violent received their school lessons. An attorney for California's Youth Law Center told The Los Angeles Times that the cages made her think of "Barnum and Bailey tiger cages" and "dog kennels." A clergyman at one of the facilities called them "demonic."

Two months after pictures of the cages came to light, video footage from a facility in Stockton showed counselors kneeling on the backs and necks of prisoners, beating and kicking the motionless young people. Six months later, The San Jose Mercury News published a multipart exposé revealing that youth were regularly tear-gassed, pepper-sprayed and forced into solitary confinement.



An incarcerated person waiting in a holding cage in the secure lockup facility at the Fred C. Nelles Youth Correctional Facility in



2004. Monica Almeida/The New York Times

While conditions in California's juvenile facilities were especially egregious, that state wasn't the only one to mistreat incarcerated youth. Texas' juvenile justice system was rocked by scandal in 2007, as revelations of sexual abuse — and cover-ups — led to the resignation of the board of directors of the Texas Youth Commission. In New York in 2009, a federal investigation revealed that excessive force by guards had left youth with concussions, broken teeth and fractured bones. By 2011, an influential Annie E. Casey Foundation report, "No Place for Kids," revealed that violence and abuse had been documented in the juvenile facilities of 39 states. As David Muhammad recalls those years, "Exposé after exposé piled up to prove to the public what many insiders already knew: The biggest recidivists in the system were the institutions."

Alongside revelations of abuse came evidence of just how much money was being spent on juvenile prisons. In 2008, the American Correctional Association estimated that it cost, on average, \$88,000 a year to incarcerate a young person. Some states spent much more than that: Costs in California, for example, exceeded \$250,000 a year. State funding for K-12 education, by contrast, was roughly \$11,000 per student. States might have been willing to tolerate such outlays when coffers were flush, but these figures came to light during the Great Recession of the late 2000s, causing more states to doubt the merits of lavishly funding abusive prisons.

Proving that juvenile prisons were violent and expensive won some allies to the cause of closing them. But by itself it wouldn't have been enough. After all, adult prisons are also violent and expensive, yet it has been extraordinarily difficult to close them. (During the same period in which the juvenile prison system shrank by 75 percent, the adult prison population fell by only 12 percent.) Prison is deeply rooted in the American consciousness; as Angela Y. Davis has written, we treat it as "an inevitable fact of life, like birth and death." As a result, even officials whose instincts tend toward rehabilitation often resort to it instead of providing other options to adjudicated youth.

This was my biggest surprise working as a juvenile public defender in the 1990s. I was prepared for racism and punitive instincts. I was prepared for judges who would treat my clients as menaces, as beyond redemption. But I wasn't prepared for how often judges would tell me they were locking up teenagers because they cared about them.

In saying this, I am not referring to teenagers convicted of murder or other serious crimes, who made up less than 10 percent of my caseload. Instead, I am thinking of clients who were locked up for lesser offenses, like selling drugs or stealing cars. At their sentencing hearings, I made the best arguments I could to keep these young people out of prison. I told their stories and put their lives in context, so that judges would see them as worthy of a second chance. I pointed out how awful Oak Hill was, insisting that any time



there would only be harmful. And I presented the judges with alternatives to prison — typically a vocational, educational, mentoring or drug-treatment program. Nonetheless, I sometimes failed to persuade the sentencing judge. Why?

Most often, it was because judges believed they could help young people by sending them to prison. Washington's juvenile court was full of judges who saw young people as salvageable — and believed that they, and the juvenile system, could do the saving. A stint behind bars might scare my clients straight, the judges said, or give them a chance to reconsider their life choices.

These judges weren't easily pigeonholed. They often resisted prosecutors' efforts to transfer teenagers to adult court, and their sentences were more often measured in months than in years. They would have been appalled by people like John DiIulio Jr., who rose to prominence in the 1990s by calling for sweeping crackdowns on teenagers he called "superpredators."

But they still defaulted to prison. When my colleagues and I argued for leniency, the judges would frequently say something like: *Look, we're not talking about a decade, or even a year. We're talking about a couple of months inside to let him understand that his actions have consequences.*

Everything in moderation. It's such an appealing idea. It might be true for ice cream, bourbon and staying up till 3 a.m. But what if juvenile prison isn't like those things? Some things — heroin, say, or Russian roulette — are dangerous even in moderation. Maybe prison is too.

**Anna Aizer** started considering that question when, after college, she worked at a New York program called the Court Employment Project. The six-month program offered an alternative to incarceration for teenage offenders; Aizer's job was to evaluate them for eligibility. The youth she screened fell into two groups: Some had been jailed for a few weeks or a month, while others were allowed to go home and avoid incarceration entirely. Except for the time behind bars, the two groups looked identical to Aizer. Yet those who were locked up — even briefly — were less likely to succeed than those who were released. "Everyone in the program recognized this," Aizer recalls, "even if no one really knew why."

More than a decade later, Aizer, now an economist at Brown University, found a way to test how juvenile incarceration affected young people. She learned that another economist, Joseph Doyle, had access to an unusual data set from the Chicago court system. Confidentiality rules mean that juvenile court data is hard to get, and even if you find it, you can't typically connect it to education or adult criminal court outcomes, because that data is held by different agencies. But Doyle's data overcame those problems, allowing the two researchers to follow people from juvenile court to see whether they ever graduated from high school or were incarcerated as adults.



Aizer and Doyle were helped by one other fact: Chicago's courts randomly assigned juveniles to judges. To understand why this matters, remember Aizer's initial reaction to the disparate outcomes she saw in New York. When she noticed that the young people who were incarcerated did worse than those who were released, she *thought* the two groups were otherwise identical. But what if they weren't? Maybe those who were locked up for a month were already worse off in ways that she couldn't observe. If so, their poor outcomes might have been due to those existing disadvantages, not to prison.

The random assignment of judges let Aizer and Doyle control for that. They could compare one juvenile, assigned to a tough judge, to one with a similar background and charges who appeared before a lenient judge. Through such comparisons, involving thousands of teenagers, they could assess the impact of youth incarceration.

The young people in their study were typically locked up for just a few weeks. As a result, the researchers were able to test the hypothesis I had heard from some judges in Washington: that a relatively brief prison stint would help set a wayward youth on the right path. But, Aizer says, "we found the opposite. The kids who were locked up did worse. They were 12 percent less likely to graduate from high school. And they were 23 percent more likely to be incarcerated as adults."

Published as a working paper in 2013, Aizer and Doyle's analysis is lauded for its sophisticated design. Duke University's Jason Baron told me it was "a classic read in economics"; a major national criminology organization gave it its annual award for applied research. But Aizer recalls that her mother wasn't all that impressed. "My mom asked me, 'So what are you working on?' I said, 'Oh, I'm doing a paper on whether detaining juveniles is bad in terms of their future life outcomes.' She's like: 'Do you need a Ph.D. for that? Why would it be good?'"

When I asked Aizer if she had talked to judges or juvenile justice administrators about her research, I was surprised to learn that she hadn't. "In my field," she said, "you have to stay objective. You can't be seen as having a horse in the race. You hope the right people will read it, but I'm not an advocate."

The right people did read it. Susan Burke, director of Utah's juvenile justice system from 2011 to 2018, remembers encountering Aizer's research — along with other papers that reached similar conclusions — at a conference of juvenile justice administrators. Burke was intrigued, but she also found the findings "challenging." Consider it from her perspective: Because she ran a juvenile system, part of Burke's job was to keep young people in jail. She wasn't prison's No. 1 booster, but she thought it had its place, especially if the kids weren't locked up for too long. She remembers, early in her tenure, defending the state's juvenile work camps, facilities for young people who mainly committed property crimes. She recalls, "These kids were vandalizing and stealing, and I saw the work camps as a way for them to make restitution."



So what was Burke to make of research suggesting that even a short stay in detention might make it more, not less, likely that a young person would steal or vandalize again? Burke did something that should be common but isn't: "I sat down and talked to some kids that had gone through work camp and asked them about their experience." They didn't report violence, abuse or inhumane conditions, she says. But they did remember the experience as profoundly dislocating: "They said it was difficult to go back home and try and integrate with their friends or return to their school community. People would look at them, asking: 'Well, where have you been? What did you do? Why were you there?' They were total strangers."

Shortly after these conversations, Burke confronted the same issue in her own family. Her son was struggling, and she decided to send him to a day treatment program. He was never locked up and never had to spend a night away from home. The program lasted less than three months. But even that removal, Burke recalls, was traumatic. Her son found it difficult to return to school. "He never felt like he fit in after that," she recalls. "People didn't understand him. He was somehow different now. And it just hurt his ability to make friendships and connect with people. And that was a short period of time — and he was coming home every day."

These experiences transformed Burke. She championed efforts to close the work camps. She also ended the practice — common in Utah and elsewhere — of removing kids from their homes after arrest for a period of "observation and assessment." In Utah, Burke recalls, judges would say: "Well, I'm going to send you to O&A because I can't decide whether I should lock you up, or put you on probation, or do something else with you. And they're going to do a full work-up on you, your family, everything that's going on with you, and give me information that can better inform my decision."

When Burke asked her research director what happened to juveniles after the assessment, she learned that 75 percent of them were sent home. The old Burke would have considered that a success — *Look at us, we aren't especially punitive, we send most kids home after assessment*. But the new Burke — the one who learned of Aizer's research, talked to kids from the work camps and saw her own child suffer after returning from day treatment — saw it differently. "If we're sending most kids home anyway, why remove them from their homes at all?" she asked. "Why not do observation and assessment while the kid is at home?" It took some time, but Burke eventually got her way, and Utah closed all seven of its residential observation-and-assessment programs.

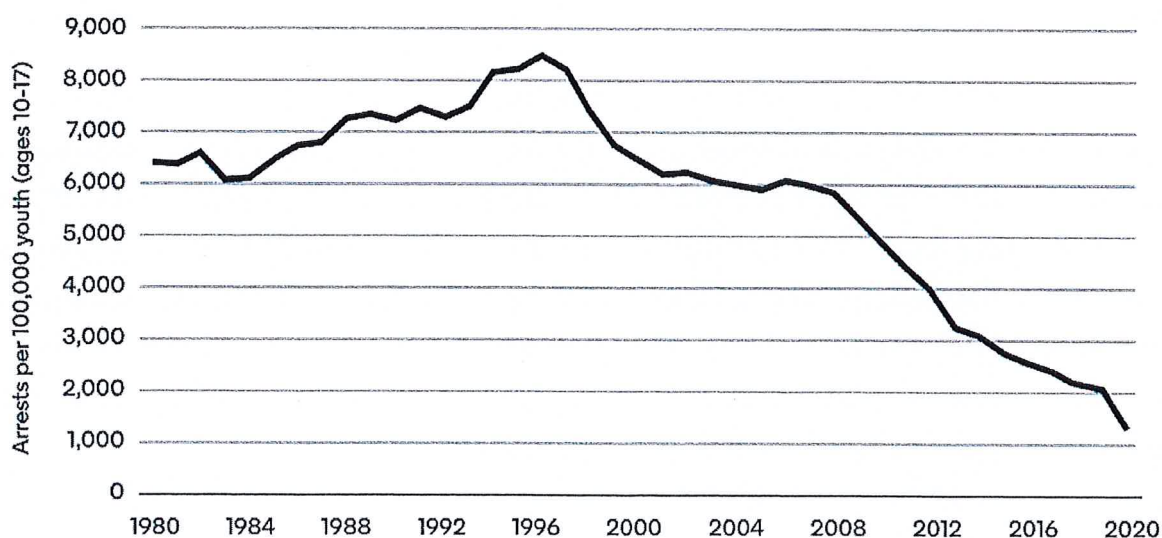
It wasn't an easy victory. Burke remembers that when word of her plans got out, "some judges were supportive, but I had to deal with many others who worried that crime would rise."



**The threat of rising crime** is, of course, at the heart of almost all opposition to justice reform — especially proposals to imprison fewer people. When Gladys Carrión, the reform-minded commissioner of New York State’s Office of Children and Family Services, set out to close juvenile justice facilities, she was opposed by Republican legislators from the communities where many of those facilities were located. One warned that “the safety of the public has been compromised” because “extremely violent and dangerous youths are being released into the community.” Another said that if Carrión got her way, “crime rates will undoubtedly increase, and the safety of our communities will be jeopardized.”

Carrión’s opponents could not have been more wrong. Beginning in 2008, New York State closed 26 juvenile jails; over the next 12 years, juvenile crime in the state declined 86 percent. The story is the same everywhere. Remember that graph showing the decline in juvenile incarceration? Well, its companion is below — and it shows an 80 percent decrease in juvenile arrest rates since 1996. Even more significant, arrests for serious violent crimes by juveniles have fallen 78 percent from their peak in 1994.

### Youth Arrest Rates, 1980-2020



The Sentencing Project

Plunging crime rates helped make reform efforts politically feasible, says Nate Balis, who heads the juvenile justice strategy group for the Annie E. Casey Foundation. “I’ve been at Casey since 2007, and I’ve had the wind at my back for much of my career,” he says.

Burke sees it similarly: “When judges worried that crime would go up if we closed the assessment centers, I could show them data that it was already dropping. Then I could go back and show them data a year later that it was still declining. At that point, what could they say?”

Falling arrest rates also reduced the incarceration rate more directly. Because most juveniles are locked up for a year or less, a big drop in the number entering the system has an immediate impact on the number locked up. In fact, the first time I looked at the



graph documenting the crime decline, I wondered: Is this the whole story?

When I suggested as much to Balis, he resisted: "Even with crime declining, it's not inevitable that we would see declines of this magnitude in incarceration rates." In the 1990s and early 2000s, he reminded me, many reform advocates said that as long as the system kept building and operating juvenile prisons, judges would continue filling them, even if that meant locking up young people charged with minor offenses. But that's not what happened: "Part of the story over the last 25 years is that those facilities were still there, and yet systems weren't filling them up with as many kids. And that's a real achievement."

I remember the "if you build it, they will fill it" argument because, for many years, I made it myself. In the early 2000s, I was part of the Close Oak Hill coalition in Washington; we fought to persuade the city to shut down the 200-bed facility and replace it with something much smaller. We prevailed, and a 60-bed facility, New Beginnings, opened in 2009. Then, judges and administrators surprised us: Although they had the power to fill this new prison, they chose not to. The number of teenagers locked up at New Beginnings dropped to as few as 12 in 2018, and for most of the past decade the facility has held only 30 to 40 residents.

Balis offers another reason to see the declining incarceration rate as more than a function of declining arrests: Crimes that once accounted for a large share of the juvenile incarceration rate are no longer prosecuted as vigorously as they were 30 or 40 years ago. This is especially true of drug offenses. In the crack-dominated early 1990s, a teenager arrested for selling drugs, or possessing enough that it was reasonable to think he planned to sell it, was just as likely to be locked up as someone charged with aggravated assault or burglary. Today, Balis says, "the odds that a kid would be locked up when they've been arrested for drugs have gone through the floor."





Jimmy Do in East Oakland, Calif. Arrested for a nonviolent felony offense, he was referred to the Neighborhood Opportunity and Accountability Board as an alternative to prosecution. Balazs Gardi for The New York Times

He points out that from July 2020 to June 2021, Baltimore authorities referred only three young people to the juvenile system in cases where a drug offense was the most serious charge. Montgomery County, Md., with over a million people, referred only four. When Balis brings up numbers like this, he says, people aren't surprised: "They treat it like, 'Well, yeah, of course we don't want to lock up kids for drugs.' But just 30 years ago, we made a very different choice about drugs — we locked people up, and we acted like doing that was the only reasonable approach."



For Balis, understanding our reaction to crime as a choice, not a given, opens a new set of possibilities. When we stopped locking young people up for drug crimes, the sky didn't fall; instead, crime kept declining. "We could make that same choice about guns," Balis says. "We could make that same choice about stolen cars and assaults. These are real problems, but we can be as creative as we are willing to be about the solutions we choose."

**If declining juvenile crime helps explain falling youth incarceration rates, could the reverse be true as well? What if closing prisons for juveniles has actually helped reduce crime?**

Most of the researchers, advocates and administrators I spoke to were hesitant to embrace this claim. The researchers were cautious because they've been trained to guard against making causal claims based on a correlation. As for the advocates, some worried about pinning their prison-closing agenda on something as unpredictable as crime rates. Others believe that locking up youth is wrong, full stop, so whether it reduces crime is simply irrelevant.

Fair enough. But I think that opponents of youth prisons — and I'm one — should take up the crime-fighting mantle. After all, some causal theories are more plausible than others. If, as Aizer and others have shown, even a short stint in juvenile prison increases a person's risk of dropping out of high school and being arrested, wouldn't *not* putting them in prison necessarily reduce those bad outcomes? If that's correct, maybe we should think of this century's first two decades as a virtuous cycle: Less crime meant fewer prisons, and fewer prisons meant less crime.

David Muhammad was one of the few reformers who volunteered the argument that closing youth prisons cuts crime. His reasons were a mix of logic ("Doing less of a harmful thing *has* to help") and personal experience. What Muhammad most remembers about his own involvement in the juvenile system is how lucky he was. None of his three arrests led to more than five days of detention. "Most kids with my charges would have been sent to camp," he recalls, referring to California's county-run prisons. "If I had, I'm not sure we'd be having this conversation. I saw what happened to my friends who got sent to camp. Same charges as me, just not as lucky. To a person, they ended up in the adult system. I flourished *because* I wasn't touched."

Can doing nothing really be enough? For some teenagers, the University of Miami criminologist Alex Piquero says, the answer is yes. Piquero ran the federal Bureau of Justice Statistics in 2022 and 2023; before that, he was an author of the landmark Pathways to Desistance study, which tracked over 1,300 teenagers who went through juvenile systems in Philadelphia and Phoenix into young adulthood. "One of the things that people don't understand is how many young people who commit delinquent acts will simply grow out of that phase on their own," Piquero says. "They mature, their brains develop, and they learn to make better decisions."



But others need help, and in the past three decades there has been a remarkable, if largely unacknowledged, explosion of initiatives designed to provide it. Some, like MST Services, with its awkwardly named Multisystemic Therapy program, provide counseling and mental health services to young people and their families, with the goal of helping them address the factors that have led them to break the law. Others, like the national Youth Advocate Programs and Boston's Roca Inc., pair young people with histories of violence or delinquency with mentors and advocates who offer therapy and connect them to education and employment services.

What these programs have in common is evidence to support their effectiveness. As the Sentencing Project's Richard Mendel explains: "The research is clear that kids who are placed in one of these programs tend to do better than those who are sent to a juvenile facility. And the group that does best of all is those who are diverted from the system entirely."

Muhammad didn't have the benefit of a formal, evidence-based program. But he found something else that for him was just as powerful. Not long after his third arrest, his girlfriend told him about a program that worked with young people in trouble. Muhammad had his doubts, but he agreed to go once. The group, the Omega Boys Club (now called Alive & Free), was founded in 1987 by a San Francisco middle-school teacher, Joe Marshall, and a school counselor, Jack Jacqua, who sought to create a haven amid the violence and turf wars of the crack epidemic. "Their motto was, 'From the jailhouse to the schoolhouse,'" Muhammad recalls learning at his first meeting. "I liked the sound of that, and I liked their energy." He returned for a second meeting, and a third, and it soon became a habit.

Omega promised college scholarships to teenagers who stuck with the program, which clinched the deal for Muhammad. He stopped selling drugs and started attending school, where an English teacher introduced him to Black studies and a football coach noticed his athleticism. By senior year, his dismal sophomore 0.6 G.P.A. had become a 3.8; Omega kept its commitment and helped pay for him to attend Howard University.

Muhammad has no doubts about whom to thank for his turnaround. Not his parents. Not his friends. Not his brothers. "I thank my English teacher, my coach and Omega."

**There are more Omegas than you know.** As Donovan X. Ramsey chronicles in "When Crack Was King," one of the least acknowledged legacies of the crack era is how many ordinary people looked at the madness and the carnage and, like Marshall and Jacqua, decided to do something about it. They started after-school tutoring programs in church basements, enlisted friends to join them as mentors to struggling teenagers, led marches and rallies and vigils against community violence and organized carwashes and cookouts to fund scholarships like the one that sent Muhammad to Howard. Some of these efforts were one-off affairs, after which people returned to their busy lives. Others blossomed into neighborhood organizations, local nonprofits and community-led schools.



Collectively, such initiatives have contributed significantly to the decrease in crime rates, says the Princeton sociologist Patrick Sharkey, who has long been interested in how violence affects young people and their communities. While conducting the research for his 2018 book, “Uneasy Peace,” Sharkey noticed the proliferation of neighborhood nonprofits beginning in the 1990s. He found that for every 10 organizations focused on community development or violence prevention, the murder rate in a community dropped by 9 percent, and violent crime dropped by 6 percent.

Sharkey’s research is never far from Muhammad’s mind. “Look, I saw it in my own life with Omega Boys Club. And Sharkey proved it wasn’t just me: If we invest in communities as relentlessly as we invest in prisons and police, we will get better outcomes. So that’s what I work on.”

At this point in the conversation, I reminded Muhammad of what the 1990s version of him would have said when confronted with a 75 percent decline in juvenile incarceration: “We’re done. Next.” But he’s not done. Muhammad left government and now directs the National Institute for Criminal Justice Reform, which provides technical assistance to nonprofits and government agencies committed to juvenile justice reform.

“So why are you still working?” I asked.

We laughed, because we both knew the answer. Despite the progress of the last quarter-century, the United States still incarcerates many more young people than most countries in Europe or Asia do. More than half of those behind bars are there for nonviolent offenses, and racial disparities are endemic: Black youth are almost five times as likely to be in custody as their white peers. Though almost 1,800 juvenile facilities have closed in the past 25 years, the remaining ones are often violent places, marked by sexual abuse, solitary confinement and woefully inadequate schooling.

Even more ominous, as The Marshall Project recently reported, some communities are rolling back reforms. North Carolina lawmakers recently made it easier to try juveniles as adults. The Louisiana State Legislature has allocated over \$100 million to build new prisons — for both adults and juveniles. Colorado prosecutors are fighting to increase the size of the state’s juvenile facilities. And no one expects the Trump administration to support any state or locality still working to reduce youth incarceration.

This is a perilous moment, and juvenile justice advocates are on edge. Is the increase in youth incarceration rates over the last two years a blip — residue from crime spikes of the Covid years? Or is it the first sign of a lasting upward trend — a return to the hyperpunitive juvenile system of the 1990s?

Muhammad remains optimistic. “Covid messed this country up in all kinds of ways, and one of them was that crime and disorder increased — not everywhere, but in some places,” he said. “But as we recover, we see the crime numbers going down again.”



When I asked him what it will take to get even more people out of juvenile prison, his answer came quickly. “Look,” he said, “zero kids behind bars is probably unrealistic. There’s always going to be that one or those two. But we can go a lot further than we’ve done. And to do it, we have to get money out of systems and into communities.

“You want to hear something wild?” Muhammad asked, and of course I did. He told me that even though incarceration numbers have plummeted, funding for juvenile justice systems in some jurisdictions is more or less the same as it was 20 years ago. To him, that makes no sense.

This is why Muhammad is an advocate of justice reinvestment — taking some of what we spend on juvenile prisons and diverting it to community-based programs. Some of these programs may focus directly on young people, while others may address larger issues in the communities where these kids are growing up. There are many more such programs than there were when I was a public defender. And because research has demonstrated their effectiveness, it is easier than before to make the case that they deserve government funding.

As I listened to Muhammad describe what it would take to continue emptying America’s juvenile prisons, I started to wonder about something else: Could this effort offer lessons for the movement to reduce our adult prison population? Incarceration rates for adults have dropped in recent years, but at nowhere near the pace of the juvenile decline. But wouldn’t the strategies that have worked for young people work equally well for adults? Can’t we arrest fewer people, starting with drug and other nonviolent offenses? For those who do enter the system, can’t we divert more of them from jail and prison into education, drug treatment and mental health programs? For those who must go to prison, can’t we shorten sentences across the board and reinvigorate parole?

I know, I know. This sounds like a fantasy to you. It does to me too. But 25 years ago, so did a 75 percent drop in the number of young people behind bars.

**Read by Prentice Onayemi   Narration produced by Krish Seenivasan   Engineered by Brian St. Pierre**

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A version of this article appears in print on , Page 20 of the Sunday Magazine with the headline: The Juvenile Justice Revolution