

SEEING

what's underneath:



A RESOURCE FOR

Understanding Behavior & Using Language

IN JUVENILE COURT

Juvenile court can be a stressful environment—for everyone. But for court-involved youth, it can also be embarrassing, confusing, and traumatic.

Youth may fail to meet adults' expectations to be respectful and compliant or to show empathy and remorse. Youth may be rude and disrespectful, talk back, refuse to make eye contact, laugh, or otherwise appear uninterested. Despite our best intentions, we may aggravate the stress and trauma that court-involved youth experience. We may misunderstand the behavior we see and use harmful language based on faulty assumptions and expectations.

It is important for us to be mindful of the developmental capacities of young people. The behaviors we may perceive as disrespect, defiance, or lack of contrition are often manifestations of normal adolescent development or trauma. Because adolescence is a complex and rapidly changing period of growth, we must consider the developmental context of each youth and identify any layers of disability and trauma the young person may face.

We bring our own experiences and biases to every interaction, including those with youth. Those biases may cause us to perceive normal adolescent behavior and body language of Black, Latinx, and Indigenous youth as more dangerous, defiant, and disrespectful than that of white youth.

The words we choose have a significant impact on the young people we serve. We may inadvertently use language laden with bias, disapproval, and negative judgment that can impact youths' perceptions of themselves. Our language can also impact our own thinking and decision-making.

In Part I of this guide, we hope to break down some of the barriers between young people who experience juvenile court and the adults who work in it. The guide can help system actors understand and respond to normal adolescent behaviors with compassion and empathy and develop strategies that validate a young person's anxiety and trauma. We suggest some self-reflection questions to consider.

In Part II we offer guidance on the language used in juvenile court and encourage system actors to adopt language that affirms the dignity and value of all youth.

An incarcerated young person noted that, "I'm a lot like that picture. I act all tough and mean, but I'm really just a scared fish. I wish when I was a kid, someone would have thought to look for the goldfish, instead of just seeing me as a shark."

We hope you will use this guide to think through your own experiences and take a moment to look for the goldfish, instead of seeing the shark.

PART I:

Responding to Normal Adolescent and Trauma-Related Behaviors in Court

"Everything we see hides another thing."

Rene Magritte

Below we offer examples of common behaviors that may be observed in juvenile court, reflect on possible causes, and offer responses. These are not answers, just sample frameworks for improving interactions with young people in juvenile court.

WHAT BEHAVIOR DO I SEE?	HOW DOES THAT MAKE ME FEEL?	WHAT MIGHT BE UNDERNEATH THE BEHAVIOR?	WHAT WILL I DO IN RESPONSE?
Negative body language (crossed arms, rolling eyes, refusal to stand/sit/make eye contact, etc.)	Disrespected	Youth may display what appears to be oppositional body language because of traumatic experiences or language deficiencies that make it difficult to appropriately express and articulate their thoughts or feelings. A youth's body language may also indicate feelings of stress, nervousness, unfairness, fear, or embarrassment, especially when the young person's peers, rivals, or family members are watching in the courtroom.	 Be patient, listen well, have empathy, and de-escalate situations as they arise. Consider saying, "I know it's hard to be here in court, we all want to ensure..." Give second and third chances for youth struggling to act appropriately in court. For instance, when a young person has an outburst, rather than escalating the situation with threatened sanctions, give youth an opportunity to step outside with their attorney to calm their emotions, and re-call the case later.
Defiance Mouthing off Talking back	Insulted	Youth do not always have the language skills to express how they feel and/or the skillset to express disagreement. They may find it difficult to appropriately express their emotions, especially in front of their peers and other people in the courtroom.	
Disruptive or distracting behavior Disassociation	Angry Frustrated	Studies show that trauma may affect a youth's ability to control impulses or perceive risks associated with their behaviors, meaning that they may be <i>unable</i> to meet adults' expectations for their behavior, rather than <i>unwilling</i> . Youth who have experienced trauma may have learned to use compliance or defiance as survival mechanisms. Punitive sanctions are unlikely to change trauma-related behaviors. Instead, treatment for underlying or ongoing trauma and supports that help youth control impulses and manage their anger may be more effective responses to disorderly conduct.	
Emotional outbursts Frustration	Irritated Frustrated	Youth are particularly sensitive to issues of fairness and respect and have yet to master tempering their emotions, controlling their impulses, and regulating their behavior, especially in the face of seemingly unfair outcomes. Youth care about procedural justice and expect to be treated with respect and impartiality and be given an opportunity to tell their side of the story and express their own views and opinions. If not given the opportunity to do so, they may express their frustration through emotional outbursts.	
Inability to show remorse Laughing Scoffing Sucking teeth	Hurt Disrespected	Youth who perceive the system as unfair, or who have diminished cognitive capacity, or who have experienced trauma, may struggle to convey contrition and remorse shortly after an arrest or adjudication. Other developmental features of adolescence, such as peer influence and teenage bravado, or simply immaturity, may further inhibit expressions of grief and remorse.	

PART II: The Power of Words

"Words are also actions."

Ralph Waldo Emerson

Below we offer alternative language and terms to consider. As a general matter, it is almost always best to use the young person's first name when referring or talking to them. Or, you may want to ask the young person how they would like to be addressed. We hope to encourage system actors to adopt language that supports positive identity development; that promotes fairness, equality, and justice; and that affirms the dignity and value of all youth.

LANGUAGE THAT DEMEANS YOUNG PEOPLE	LANGUAGE THAT AFFIRMS & HUMANIZES	CONSIDER USING LANGUAGE THAT
Aggressive	Assertive about opinions	 Recognizes normal adolescent behavior & trauma
Defiant Non-compliant	Struggling to manage some of our expectations	
Disrespectful Oppositional	Appears to be frustrated by what is being expected Appears to be having difficulty meeting certain expectations	
Incorrigible	Requires additional support and guidance	
Loud	Impassioned response	
Manipulative	Eager for a specific outcome Trying to figure things out	
Resistant	Struggling to connect	
Bodies ("move the bodies from the holding cell")	Please escort [youth's first name] to/from the courtroom	 Accurately and respectfully talks about a youth's identity and situation
Drug addict Abuser	Youth's first name (or preferred name) Youth in need of drug treatment	
Drug dealer	Youth's first name (or preferred name) Youth adjudicated for drug distribution	
Gang member	Youth's first name (or preferred name) Youth affiliated with a group	
Illegal immigrant Alien	Youth's first name (or preferred name) Undocumented youth Youth seeking citizenship	
Inmate	Youth's first name (or preferred name) Residents/youth/ young people in the facility	
The mother The father Family member	Mr./Mrs./Ms. with family/guardian's last name	
Thug	Youth's first name (or preferred name)	

LANGUAGE THAT DEMEANS YOUNG PEOPLE	LANGUAGE THAT AFFIRMS & HUMANIZES		CONSIDER USING LANGUAGE THAT
Delinquent	Youth's first name (or preferred name) Youth adjudicated of delinquency		 Does not reduce a youth to their criminal status; avoids labeling and permanently stigmatizing
Felon Convict	Youth's first name (or preferred name) Youth with a felony adjudication		
Offender	Youth's first name (or preferred name)		
Juvenile	Youth's first name (or preferred name) Youth	Minor Young person Children Kids	 Affirms the presumption of innocence
Perpetrator Perp	Youth's first name (or preferred name) Youth adjudicated delinquent		
Respondent	Youth's first name (or preferred name)		
Dangerous neighborhoods High-risk neighborhoods	Communities experiencing high levels of [X]		 Defies stereotypes and respects youth individuality
Minorities	Identify the specific racial or ethnic group People of color		
Poor	Youth from low-income or underserved families		
Projects Section 8	Government-subsidized housing		

Other Resources & References

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