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# Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth

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*Pomona College*

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*Pomona College: Claremont, CA*

Department of Public Policy Analysis

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**Lived Legal Expertise: Mobilizing the Political Agency  
of Incarcerated Youth**

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Presented to: David J. Menefee-Libey, Ph.D., and Tessa Hicks Peterson, Ph.D.

*In partial fulfillment of the requirements for the Bachelor of Arts degree in Politics  
and Public Policy Analysis.*

28 April 2017

**Abstract**

This thesis analyzes how caring relationships and an emancipatory approach to law related education (LRE) within juvenile justice facilities can cultivate political agency. I focused specifically on Camp Afflerbaugh-Paige, an LA County juvenile probation facility, in La Verne, CA, as a case study. During three months of teaching a law related education class and embedding myself at the facility with an asset-based framework, I encountered a wealth of knowledge that incarcerated juveniles possess, not from formal education or research, but based in their own lived experiences. Los Angeles County Probation spends \$233,000 per student per year; assuming best intentions of those in charge and the actors, the students, with a wide array of expertise, should be thriving within these institutions and set up for success upon their release. Unfortunately, though, students' academic, entrepreneurial, and legal expertise are criminalized rather than cultivated by the juvenile justice system. Through a policy class, the students created reforms to address the challenges of a paramilitary camp that neglects students' emotional, physical, and mental health. The challenges in the environment complicate the political agency of students within the camp and post-release. I am making the claim that the political agency of the students is visible and the assets are tangibly cultivated by an emancipatory pedagogy, ethic of care, and the law related education curriculum.

## **Acknowledgements**

First of all, I cannot adequately express how fortunate I am to have interacted with students at Camp Afflerbaugh-Paige. Each and every student gave me much more knowledge, laughs, and memories than I will ever be able to pass on. Thank you all. While your actual names will not be written in this thesis, I hope it does a margin of the justice that your contributions deserve. May this be a dedication to your expertise, vivacity, and strength.

I am incredibly indebted to my thesis advisors and friends David Menefee-Libey and Tessa Hicks Peterson for their time, guidance, knowledge, patience, and support. I would also like to thank Hilary LaConte and my advisor Professor Worthington for their dedication to the Public Policy Analysis department, their knowledge, kindness, and incredible snacks. My other mentors like Professor Rebecca Hatkoff, Professor Gilda Ochoa, Dr. Maria Tucker, and Jenessa Flores, thank you ten-fold for modeling care, empathetic listening, and support.

I would like to extend my love and gratitude to my incredible parents Karen and Eric for supporting me on my educational journey. A special hug to my mom for listening to hours of reflection of my trips to Camp AP. Mountains of love to my younger siblings who all make me a better person every day, Jenna, Cole, Andy, and our dog, Sonny.

I want to thank the PPA Class of '17 friends for all of our long hours together and look forward to many, boring, yet strong years in the future putting it on for Claremont. Other friends in my suite and in the class of '17, and business confidante, I appreciate you all. Thank you to my writing partner, Nancy Karreman, for your help in this process. Good luck on your thesis!

Lastly, to all of the classes that I have been fortunate to volunteer in during school years through Jumpstart, summers through Para los Niños, Breakthrough, Children's Defense Fund, and other experiences; students, thank you for sharing your expertise and brilliance.

“Here, then, is the truth as I have come to understand it, after listening to hundreds of young people and their families, speaking with dozens of scholars and practitioners, and reading thousands of pages of documentation of vicious abuse, chronic neglect, and incessant failure behind walls of our nation's juvenile prisons.

We owe young people nothing less than a complete transformation in how we respond when they step outside the law: an end to isolation and a national infrastructure of community-based supports.”

**Table of Contents**

**ABSTRACT..... ii**

**ACKNOWLEDGEMENTS..... iii**

**I. INTRODUCTION..... 1**

**II. CHAPTER ONE: LAW RELATED EDUCATION & RESISTANCE PEDAGOGIES..... 5**

    LAW RELATED EDUCATION..... 5

    LEGAL EMPOWERMENT..... 10

    PEDAGOGIES OF RESISTANCE..... 12

**III. CHAPTER TWO: METHODOLOGY..... 20**

    POSITIONALITY..... 22

    ETHICAL ISSUES..... 25

    FRAMEWORK..... 26

    PERSONAL PEDAGOGY..... 28

**IV. CHAPTER THREE: IMPLEMENTATION OF LAW RELATED EDUCATION..... 31**

    TEACHING AND REALSEARCH..... 31

    LAW RELATED EDUCATION..... 36

**V. CHAPTER FOUR: STUDENTS, NATURAL BORN EXPERTS & CAMP CHALLENGES..... 40**

    STUDENTS’ LIVED EXPERTISE..... 42

*Academic Skills*..... 42

*Natural Born Hustlers*..... 44

*Legal Knowledge*..... 47

    CHALLENGES WITHIN CAMP..... 49

*Paramilitary Setting*..... 50

*Emotional, Physical, and Mental Health Challenges*..... 54

**VI. CHAPTER FIVE: A CHANGE IS GONNA COME: STUDENT POLICY RECS..... 60**

    IF KIDS RAN JUVIE..... 60

*Changing Space: Paramilitary Setting*..... 61

*A Healthier Camp*..... 64

*Empowerment and Hope*..... 64

    WHAT WOULD YOU DO WITH \$233,000?..... 65

**VII. CONCLUSION..... 69**

**REFERENCES..... 72**

**APPENDICES..... 78**

    APPENDIX A: IRB APPROVAL..... 78

    APPENDIX K: POLICY MEMORANDUM..... 85

## **I. Introduction**

*“It’s an honor to listen to the truth of someone’s life” (Bass & Davis, 1993, p. 33).<sup>1</sup>*

During three months of teaching a law related education class and embedding myself at a juvenile justice facility in La Verne, CA, I uncovered students’ lived expertise within the juvenile justice system. Expertise can be gained in a number of ways. Most commonly, a person is considered to be an ‘expert’ on a topic area because they have completed a certain level of formal education or training or have extensive work and or research experience in a particular area.<sup>2</sup> Attempting to expand the limits of these definitions, I address the wealth of knowledge that incarcerated juveniles possess, not from formal education or research, but based in their own lived expertise within the facilities and the challenges that they face. If viewed with an asset based framework and given the tools through emancipatory law related education, I believe students, through their lived expertise, can become political change agents.

Unfortunately, this analysis and approach do not reflect the current system of juvenile justice. Studies have found that “the act of being arrested has a negative and statistically significant impact on almost all indicators of political efficacy” regardless of race and ethnicity.<sup>3</sup> Researchers also find that incarcerated youth are less likely to trust the government or believe in their own ability to affect the government.<sup>4</sup> Within juvenile facilities, education can be a counteracting power for youth. However, facilities report offering 26 hours per week of

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<sup>1</sup> Bass, E. & Davis, L. *Beginning to heal: A first book for survivors of child sexual abuse*. Harper Perennial: New York. (1993): p. 33.

<sup>2</sup> Regional Municipality of Waterloo. “Lived Experience as Expertise: Considerations in Development of Advisory Groups of People with Lived Experience of Homelessness and/or Poverty.” (May 2012): p. 8.

<sup>3</sup> Fairdosi, Amir. "Arrested Development: The effects of criminal justice supervision on political efficacy." University of Chicago. (2009).

<sup>4</sup> Uggen, Christopher, Jeff Manza. *Locked Out: Felon Disenfranchisement and American Democracy*. New York: Oxford University Press, (2006).

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

educational programming, in contrast to an average of 31 externally – 15% offer fewer than 20 hours per week during the school year.<sup>5</sup> Furthermore, upon examining the content of the educational programming, there is limited to no legal education for youth who could benefit most. Juvenile justice facilities, all of which have youth who are actively engaged with the criminal justice system, are in a unique position to use educational programming to provide tools for youth to become actively engaged in demanding change based off of their lived experiences.

My thesis analyzes how caring relationships and an emancipatory approach to law related education in juvenile justice facilities can cultivate political agency. My research questions are:

1. What is the lived expertise of students caught in the juvenile justice system?
2. What challenges do students face in camp?
3. In the face of challenges, to what extent can emancipatory law related education (LRE) infused with care engender legal empowerment?
4. What are the recommendations of these students for juvenile justice policy reform?

In this study, I investigate how law related education can be tied to legal empowerment. As a means of connecting legal empowerment to juvenile justice, I taught a LRE class at an LA County juvenile probation facility, Camp Afflerbaugh Paige (AP).<sup>6</sup> In addition to teaching the LRE class, I engaged Camp AP students in participatory action research. Camp AP houses male wards ages 13-18 for sentences of 6-18 months. Los Angeles County Probation operates fourteen camps and LA County Office of Education runs the nine different educational sites for the adjudicated youth there. Probation is responsible for 1,200 youth incarcerated in juvenile halls

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<sup>5</sup> U.S. Department of Education, Office for Civil Rights. Civil Rights Data Collection 2013-2014 Education in Juvenile Justice Facilities, (2016).

<sup>6</sup> Los Angeles County Office of Education. “Afflerbaugh-Paige Camp 2015-2016”, Ed-Data.org, <http://www.ed-data.org/school/Los-Angeles/Los-Angeles-County-Office-of-Education/Afflerbaugh-Paige-Camp>

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

and camps and about 10,400 supervised youth.<sup>7</sup> While incarcerated at this facility, the youth are required to attend the Camp Afflerbaugh-Paige high school, run by the LA County Office of Education (LACOE). The 2015-2016 enrollment was 112 students (99% free or reduced lunch).<sup>8</sup> Of those students, 65% are Latino, 28% are Black, and 25% of students are English Learners.<sup>9</sup> The schools at the camps had a 20% suspension rate in '15-'16, which is five times as high as the state average (4%).<sup>10</sup> As of March 2017, there are 65 students in both camps combined, which is incredibly under the approximation of a 200 student capacity.<sup>11</sup> The camp facilities are separated into two factions: Camp Afflerbaugh and Camp Paige. The camps have relatively similar looking facilities, but there are distinctions between the activities and allowances for youth at each camp. Paige youth participate in the Fire Academy which is provided in a partnership between the LA County Fire Department, Probation, and LACOE.<sup>12</sup>

My thesis strengthens the slim research literature that exists on law related education and lived expertise and bridges the gap between policy and practice. I review the literature on law related education, legal empowerment, the best practices of correctional education, pedagogies of resistance, and the implications for the lived experiences of youth in juvenile justice camps and halls. I begin the first chapter by reviewing current literature and empirical work in the field of law related education and critical pedagogy. After reviewing literature, in chapter two, I discuss my methodology including reflections on positionality, the asset-based framework that I employ, and my personal pedagogy. The third chapter details reflections on facilitating the law related

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<sup>7</sup> Ryan, (2014).

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> Observed through interactions with staff at Camp AP.

<sup>12</sup> Los Angeles County Fire Department. "Camp has 17 graduates in first class-hybrid fire-probation" (2016). <https://www.fire.lacounty.gov/camp-17-graduates-first-class-hybrid-fireprobation-program/>



education curriculum within juvenile justice facilities through student feedback. Consequently, in chapter four, I review observed student academic, entrepreneurial, and legal expertise in the context of a paramilitary camp with health challenges. The crux of the thesis is chapter five, the range of student created juvenile justice reforms addressing challenges within the camp. To conclude, I issue a call to action to policymakers and stakeholders within the juvenile justice system in Los Angeles County; I created a policy memorandum which can be found in Appendix K. On the basis of research gathered and student recommendations, I suggest addressing the regulations, work, sleep, and paramilitary camp culture.

This is a scholarly paper and my initial audience is other academics interested in law related education, critical pedagogy, and juvenile justice. Primarily, though, I hope to permeate the minds of juvenile justice powerholders in LA County to view students within institutions with an asset-based approach, building upon their lived expertise. As an agenda setting thesis, I will attempt to reach policymakers in influential institutions to help affect change. The strategy that I utilize is centering student voices<sup>13</sup> and experiences on the ground in policy conversations; the most important voices in guiding and informing any juvenile justice reform in this country are youth who have experienced the system. “While we busy ourselves battling one another with principles in public discourse, we neglect to ask prisoners themselves about their principles.”<sup>14</sup> I listen to youth and value their voices and experiences to reach juvenile justice policymakers and implementers of policy throughout the state of California. I hope to push policymakers to listen to student voices entrapped by the criminal [in] justice system and value their lived expertise.

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<sup>13</sup> Oliver, Kimberly L., et al. “‘The sweetness of struggle’: innovation in physical education teacher education through student-centered inquiry as curriculum in a physical education methods course.” *Physical Education and Sport Pedagogy* 20, no. 1 (2015): p. 100.

<sup>14</sup> Hartnett, Stephen John, and Novek, Eleanor, eds. *Working for Justice: A Handbook of Prison Education and Activism*. Baltimore, US: University of Illinois Press, (2013). p. 69.

## **II. Chapter One: Law Related Education and Pedagogies of Resistance**

### *Law Related Education in Juvenile Justice Facilities*

The research literature conclusively speaks positively of law related education as a means of enabling students to formulate informed opinions, decide how to act and develop a variety of other critical skills. Law Related Education (LRE) is best described “as those organized learning experiences that provide students and educators with opportunities to develop the knowledge and understanding, skills, attitudes and appreciation to respond effectively to the law and legal issues in our complex and changing society.”<sup>15</sup> It attempts to equip students with knowledge and skills pertaining to the law, the legal process, and the legal system, as well as the fundamental principles and values on which they are based. LRE includes concepts of justice, power, equality, property, and liberty. With the breadth of skills that LRE entails, public education facilities should be using LRE to educate and promote law abiding, informed citizens. At the moment, though, lawyers, judges, policy makers and state actors who run the justice system have a monopoly on this knowledge; LRE is nearly non-existent within public educational facilities. The dearth of LRE implementation within schools results in a paucity of available research.

To adequately determine the intersections of LRE and juvenile justice facilities, I examined the foremost and only major resource on the topic, Professor Tim Buzzell’s *Law-Related Education and Juvenile Justice*.<sup>16</sup> For the purposes of this paper, I focus on Chapter 10, *Law-Related Education as Correctional Education in Residential Settings*.<sup>17</sup> The chapter outlines

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<sup>15</sup> Pereira, Carolyn. "Law-Related Education in Elementary and Secondary Schools." ERIC Digest. (1988): p. 1.

<sup>16</sup> Buzzell, Tim. "Law-related education and juvenile justice: promoting citizenship among juvenile offenders." Springfield, Ill.: C.C. Thomas. (1997): p. 160-173.

<sup>17</sup> *Ibid.*

ideas for overcoming hurdles in implementation of LRE in residential settings and considers what role LRE might play in the positive development of youth being held in correctional facilities. It seems intuitive that students perpetually impacted by the criminal justice system should learn about the rules that govern their existence. Through LRE, “incarcerated juveniles are capable of behaving responsibly when entrusted with participatory authority for aspects of their lives.”<sup>18</sup> In this chapter, Buzzell goes through an overview of LRE, and explains that LRE should be employed in residential facilities to “promote pro-social development”<sup>19</sup> among other things. Buzzell employs three case studies that provide “rationale for exploring the adoption of LRE programs in residential facilities”<sup>20</sup> He examines lessons learned from three LRE residential programs in Alabama, California, and Iowa with external support from now defunct agencies.<sup>21</sup> The case studies demonstrate the following benefits of LRE: it gets students involved in the class and with each other,<sup>22</sup> enhances student understanding of the legal system,<sup>23</sup> improves empathy and understanding of others,<sup>24</sup> fosters respect for diverse opinions,<sup>25</sup> and improves interpersonal communications.<sup>26</sup> Furthermore, the study of LRE in Iowa revealed a successful program demonstrating knowledge of how behavior can be changed by a study of law, rules and interpersonal skills.<sup>27</sup> The benefits of LRE cannot entirely be measured solely by examining minors’ recidivism rate; high quality LRE extends to relevant education that can be the impetus

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<sup>18</sup> Buzzell. (1997): p. 169.

<sup>19</sup> *Ibid*, p. 162.

<sup>20</sup> *Ibid*, p. 171.

<sup>21</sup> National Institute for Citizen Education and Law, Iowa Center for Law Related Education, and California Youth Authority

<sup>22</sup> Buzzell, (1997): p. 165

<sup>23</sup> *Ibid*.

<sup>24</sup> *Ibid*.

<sup>25</sup> *Ibid*, p. 166.

<sup>26</sup> *Ibid*.

<sup>27</sup> *Ibid*, p. 169.

for political agency in students within juvenile justice facilities. To increase political agency, though, students need a high quality LRE curriculum rooted in research.

High quality LRE is best seen in an examination of a curriculum called *Street Law*, developed by law students at Georgetown University to bring law out of courtrooms and into public school classrooms and alternative settings.<sup>28</sup> *Teaching Law as a Life Skill* evaluates and provides research backing to substantiate the impact of Street Law's core concepts, knowledge, skills, and community resources, in action, and determines relevant practices.<sup>29</sup> The purpose of the work is to provide guidance to practitioners and promote the adoption of different LRE programs. StreetLaw teaches students essential legal knowledge, including where rules, and laws come from, why they are essential to society, and how they can be changed.<sup>30</sup> Moreover, in the skills section of the article, it fortuitously describes an LRE lesson in a juvenile justice facility. The following is just a case study of the content in a LRE curriculum, but in no way is it representative of an entire LRE course. The review describes a lesson focusing on the difference between the adult and juvenile justice systems.<sup>31</sup> The instructor details the differences between the two systems and the different regulations that students would have within each system. Since the example is juvenile justice, if students feel comfortable, they can use their own experiences to direct their learning. After the lesson, students work in groups in a role-play mock-trial about whether to waive a series of young defendants into the criminal court system.<sup>32</sup> The attorneys present, the judge questions, and a decision is made. After arguments are deliberated, students

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<sup>28</sup> Kavanagh, Matthew M., and Bebs Chorak. "Teaching Law as a Life Skill: How Street Law Helps Youth Make the Transition to Adult Citizenship." *Journal for Juvenile Justice and Detention Services* 18, no. 1 (2003): p. 72.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*, p. 73.

<sup>31</sup> *Ibid.*, p. 74.

<sup>32</sup> *Ibid.*

collaboratively determine what they would decide in each case. Students are brought back together for a final group discussion about whether they think waivers to criminal courts are a good or bad idea and why. This activity allows students to practice their individual communication skills, decision-making abilities, and flexible thinking.<sup>33</sup> Participants must think abstractly and reflectively, communicate effectively, advocate a position, listen to others, and evaluate information.<sup>34</sup> Through this LRE curriculum, students gain skills and knowledge that will be useful in their navigation of the juvenile justice system. The work is a relevant guide for what LRE can look like within a juvenile justice facility.

To expand upon this research, I interviewed Dr. Tim Buzzell, formerly at the Center for Law and Civic Education, who wrote the seminal chapter on Law Related Education within juvenile justice facilities. Dr. Buzzell connected me to the director of StreetLaw, Dr. Lee Arbedman, whom I interviewed to assess the historical and current state of LRE. Dr. Buzzell and Dr. Arbedman both shaped my understanding of LRE; their words affirmed its importance and helped inform the direction of this project.

Dr. Arbedman provided the historical and contextual information needed to frame the necessity of LRE and Dr. Buzzell emphasized the research backing of LRE as a former practitioner within a juvenile facility in Iowa. LRE at its core is a combination of three factors:

1. Teaching practical legal content.
2. Using interactive content like mock trials to impart resiliency.
3. Incorporating actors in the legal system such as police, lawyers, and judges.<sup>35</sup>

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<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

<sup>35</sup> Arbedman, Lee. Law Related Education Interview by Ian Schiffer. Phone. (November 12, 2016).

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

As such, LRE cannot be a lecture course and must be thought of in the context of positive youth development which leads to empowerment. As he formed StreetLaw, Arbedman determined that empowerment must be thought of in micro-contexts within facilities whereby the students help write the rules in the classroom.<sup>36</sup> He cautioned me that policymakers may be wary when I mention “empowerment of youth in facilities” because of misunderstandings about the curriculum and viewing the “youth” as criminals.<sup>37</sup> He strongly suggested that I frame the importance of LRE as a tool to make life run smoother in a facility,<sup>38</sup> promoting long term positive, rehabilitative benefits once the student is released. Arbedman explained that although incarcerated youth are in a confined facility, they still have constitutional rights; LRE can teach them their rights through a legal life skills curriculum.<sup>39</sup> For example, LRE can aid students as they enter the workforce and teach the legal knowledge that would set them apart from others in the workplace.

Given Buzzell’s experience as a former practitioner and researcher within juvenile justice facilities throughout the Midwest, I asked for his advice as I entered a juvenile justice facility to teach. He suggested that, before teaching, I must build trust with the students. To do this, I should relationship build through “critical one on one work and cooperative learning.”<sup>40</sup> He believes that the heavy emphasis on law related education and its interactive, individualized, and cooperative-learning strategies enable all students to be validated for their contributions. To that end, law related education is one of the better curriculum programs by which to prioritize student

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<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> The irony is not lost on me here. LRE is really trying to make life run smoother for the youth, but in order to position its importance to sell it to the facility, he pushed the necessity to outline why it is in the best interest of the facility.

<sup>39</sup> *Ibid.*

<sup>40</sup> Buzzell, Tim. Law Related Education Interview by Ian Schiffer. Phone. (November 7, 2016).

### *Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

voice.<sup>41</sup> LRE presents an opportunity for “youth to come together and learn how to express oneself, how to set an agenda, and how to change the laws.”<sup>42</sup> LRE is far more dynamic and relevant to students than any other form of civic education as the students’ position within the classroom is contingent upon the law and their interactions with it. Buzzell cited the work he did in Iowa where he held a series of town hall meetings throughout different juvenile facilities for youth to discuss the issues that they care about with legal professionals and come up with solutions. Buzzell mentioned empowerment as the goal of the town hall meetings and he believes that law related education can serve as “a framework for emancipatory problem solving.”<sup>43</sup>

#### *Legal Empowerment*

Legal empowerment is a term that was coined in 2001 by the Asian Development Bank<sup>44</sup> and has been in international development as a tool in the reduction of poverty and improving access to justice. The conventional ways of defining legal empowerment come from three approaches; legal empowerment as a process of enacting rights, legal empowerment as a means for individuals improving their outcome, and legal empowerment using a policy approach.<sup>45</sup> Despite the increased interest and use of legal empowerment, as a term it has defied concrete definition for years.<sup>46</sup> Legal empowerment has been defined as the ability of individuals to use the law to solve their legal problems.<sup>47</sup> This definition relies not just on the objective existence of

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<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*

<sup>44</sup> Golub, S. and McQuay, K. “Legal Empowerment: Advancing Good Governance and Poverty Reduction.” Technical report, World Bank, Manila. (2001).

<sup>45</sup> Albright, M. K., Singh, N. C., and De Soto, H. “Commission for Legal Empowerment of the Poor: Making the Law Work for Everyone.” Technical report, United Nations Development Programme, New York. (2008).

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

that capability, but also on the self-efficacy of individuals to achieve it.<sup>48</sup> Self-efficacy is a better predictor of future behavior than previous behavior, and can affect strategies used and perseverance in achieving political goals.<sup>49</sup> Self-efficacy has been demonstrated to be a significant predictor of performance at low, medium and high levels of task complexity.<sup>50</sup> Within the context of these levels of task complexity, I review the three orders of legal empowerment to give more specificity to what legal empowerment looks like in practice.

The process approach outlines three levels of legal empowerment that can lead to change, starting with the first level, education. While not specifically calling the ‘first-order interventions’ law related education, the interventions include basic legal awareness-raising, or ‘legal literacy’ work that educates the public about its legal rights and obligations, institutional structures of the legal system, and specific mechanisms that marginalized groups can use to advance their interests.<sup>51</sup> This legal literacy is equivalent to much of the content that law related education attempts to encompass. The next level of interventions focuses on resolving legal problems and administrative challenges that are faced by marginalized groups.<sup>52</sup> Interventions are community driven and provide both formal and informal legal services, including mediation. Paralegals are a key mechanism for implementation at this level just as they are in law related education. Furthermore, paralegals are able to address informal and formal divides, understand local context, are cost-effective, and help ensure programs are in touch with communities.<sup>53</sup>

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<sup>48</sup> *Ibid.*

<sup>49</sup> Bernacki, Matthew L., Timothy J. Nokes-Malach, and Vincent Alevan. "Examining self-efficacy during learning: variability and relations to behavior, performance, and learning." *Metacognition and Learning* 10, no. 1, (2015): p. 99-117.

<sup>50</sup> Stajkovic, A. D. and Luthans, F. "Self-Efficacy and Work-Related performance; A Meta-Analysis." *Psychological Bulletin*, 124(2), (1998): p. 240-261.

<sup>51</sup> Robb-Jackson, Carley. "Part of the Justice Puzzle: Community-based Paralegal Programs and Sierra Leone's Legal Aid Act." *Canadian Journal of Poverty Law* 2, no. 1 (2013): p. 42-70.

<sup>52</sup> *Ibid.*

<sup>53</sup> *Ibid.*



### *Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

Activities include: legal counseling and advice; mediation and dispute resolution in communities; administrative procedures; and legal aid and representation in the formal system.<sup>54</sup>

The highest level of legal empowerment aims to have an impact on the highest-level policy constraints and systemic factors that shape the circumstances in which legal problems arise.

Activities include: public interest litigation; policy and law reform advocacy; legislation drafting; administrative advocacy; justice system reform; and corruption monitoring.<sup>55</sup> Through law related education with a critical pedagogical lens, I aimed to move from first order empowerment in legal knowledge to the highest intervention in juvenile justice reform. Highest order legal empowerment, however, is largely prospective as it is outside of the scope of a three month intervention to sustain the empowerment.

### *Pedagogies of Resistance in Juvenile Detention Facilities*

As a teacher in a correctional facility, it is essential to know the pedagogical tools and instructional practices that can counteract the institutional restrictions placed on students. In a book with Ira Shor, renowned critical pedagogue, Paolo Freire, defines liberatory<sup>56</sup> education as: “a situation where the teacher and the students both have to be learners; both have to be cognitive subjects in spite of being different.”<sup>57</sup> For Freire, “the first test of liberating education, for teachers and students is to be critical agents in the act of knowing.”<sup>58</sup> Critical pedagogy “calls for teaching as an act of love where educators comprehend their position of power and attempt to change this dynamic through praxis and liberatory pedagogy.”<sup>59</sup> Rather than teaching being a

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<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

<sup>56</sup> Also known as emancipatory.

<sup>57</sup> Shor, I., & Freire, P. *A pedagogy for liberation: Dialogues on transforming education* Bergin & Garvey. (1987): p. 4.

<sup>58</sup> *Ibid.*

<sup>59</sup> Flores, Jerry. “Jail Pedagogy: Liberatory Education inside a California Juvenile Detention Facility.” (2012): p. 28-29.

practice of knowledge depositing, in which educators bestow knowledge upon the students, critical pedagogy within the institutions, also known as jail pedagogy,<sup>60</sup> is reliant upon listening and incorporating the narratives of historically marginalized groups, such as incarcerated youth, into the classroom. Freire and other critical pedagogy scholars call for a dialogical approach to learning that counters the banking method and asks teachers and students to share their experiences and knowledge with one another. Dialogical learning emphasizes critical thought and encourages students to critique their reality in order to find ways of changing the world individually and collectively.<sup>61</sup> Adopting dialogical learning also includes teachers building solidarity with their students, especially those students that have been marginalized by society.<sup>62</sup> Furthermore, teachers interested in facilitating a class through jail pedagogy must highlight their positionality and the power structures that exist as a primer to listening to students and creating a radical dialogue. Through empathetic listening, teachers see depth and diversity in students' knowledge and expertise; the expertise would not be seen, though, from the deficit-based 'only teachers have valuable knowledge to contribute' rhetoric. To fully value students' expertise, teachers need to take on the role of student and students should be given the space to show their expertise through a compassionate, reciprocal teaching approach between student and teacher.

Jail pedagogy is a teaching approach employed within prisons that embodies a kind, compassionate, and liberatory teaching praxis in a structure that seeks to punish individuals and divorce them from their individuality and humanity. Jail pedagogy is the "commitment to bring intellectual empowerment to individuals that have been stripped of their capital, cultures, and freedom. It is a devotion to teaching students that no other instructor wants to teach and working

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<sup>60</sup> Flores, (2012).

<sup>61</sup> Darder, A. "Reinventing Paulo Freire: A pedagogy of love." Boulder, CO: Westview Press. (2002).

<sup>62</sup> Freire, Paulo. *Pedagogy of the oppressed*. Bloomsbury Publishing, (2000).

inside schools most people do not know exist.”<sup>63</sup> Teachers do not ‘empower’ their students, but they are in a position to support their process by creating the dialogical conditions, activities, and opportunities that nourish this developing process within students.”<sup>64</sup> Jail pedagogy emphasizes that education is for students and that they can succeed in a classroom even if they have not previously succeeded in the educational arena.

Similarly, reality pedagogy, developed by Dr. Chris Emdin of Columbia University, contains a variety of instructional tools that are especially salient when applied within a juvenile justice facility. Reality pedagogy “focuses on the cultural understandings of students within a particular social space or classroom.”<sup>65</sup> Reality pedagogy is a tool that teachers can use that enables an asset-based framework to teaching. Classroom tools include co-generative dialogues: structured dialogues that build on students’ hip hop identities and familiarity with the hip hop communal tradition of cyphers. Emdin encourages teachers to employ co-teaching which enables students to be the “expert at pedagogy...while the teacher is positioned as a novice who is learning how to teach.”<sup>66</sup> The classroom setting, according to Emdin, should be viewed as cosmopolitan. A cosmopolitan classroom approaches student and teacher relationships through community based practices that aim to create a classroom family instead of privileging intelligence. Emdin holds that teachers should value context and content highly. Students are united through what James Coleman calls “dense networks,” which refers to the interconnectedness of people in groups who share the same social capital.<sup>67</sup> Emdin reveals how

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<sup>63</sup> Flores, (2012): p. 4.

<sup>64</sup> Darder, (2002): p. 110.

<sup>65</sup> Emdin, Christopher. *For white folks who teach in the hood-- and the rest of y'all too: reality pedagogy and urban education*. Boston, MA: Beacon Press, (2016): p. 27.

<sup>66</sup> Emdin. (2016): p. 288.

<sup>67</sup> Coleman, James S. "Social capital in the creation of human capital." *American journal of sociology* 94 (1988): S95-S120.

in his second year of teaching he decided to invest more in the contexts of students. This meant playing basketball with students after school in a more informal setting, attending block parties, and even attending family events. He became a part of their “dense networks;” this community engagement led him to make connections between the community (student context) and the content he taught every day. By making connections between context and content, students began to see themselves in what they were learning. Emdin writes, “[w]hen students can physically see and examine artifacts in the classrooms and in their home communities, the divides between school and their real lives are broken down.”<sup>68</sup>

Renowned sociologist and professor of education Pedro Noguera attempted to apply Freire in practice at a correctional facility in New York. During a series of visits to a school serving incarcerated youth at Rikers Island, he attempted to use Freire’s problem posing methods to get the young men, “to recognize their own capacity to free themselves from a life of institutionalization and to reject the criminality that so many of them had allowed to define and shape their identities.”<sup>69</sup> Noguera applied the emancipatory framework of Freire to the lived experience of incarcerated youth. Noguera, in reflecting upon his visits, assessed that education leading to empowerment and transformation cannot be provided in two hour lectures or occasional visits.<sup>70</sup> Clearly, it takes much more than temporary lectures and listening to and interacting with a college professor or a college student in my case. The legal empowerment sought is gradual and cannot be assumed to take place overnight. Noguera concluded that the problem with the lack of change that he saw in Rikers was not the application of Freire’s message within these facilities, but that more was needed for such a message to have meaning

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<sup>68</sup> Emdin, Christopher. (2016): p. 291.

<sup>69</sup> Noguera, Pedro. "Renewing and Reinventing Freire." *In Motion Magazine* (October 16, 2007). [http://www.inmotionmagazine.com/er/pn\\_freire.html](http://www.inmotionmagazine.com/er/pn_freire.html).

<sup>70</sup> *Ibid.*

and influence; critical pedagogy must come via a sustained credible messenger.<sup>71</sup> The additional support and resources for youth can come through law related education that centers students and their experiences.

In this paragraph, I examine student directed learning methods within correctional education. Muth and Kiser's *Radical Conversations: Cultivating social-constructivist learning methods*<sup>72</sup> strives to model and advocate social-constructivist methods in their study to transform instruction in U.S. prison classrooms through student led efforts.<sup>73</sup> Social constructivism is a theory in sociology that examines the knowledge and understandings of the world that is developed jointly by individuals. This theory assumes that understanding, significance, and meaning are developed in coordination with other human beings.<sup>74</sup> Successful social-constructivist learning experiences require social skills such as active listening, tolerance for diversity, and respect for personal boundaries.<sup>75</sup> In the paper, the authors outline the argument for social-constructivist methods and interview educators as to their experiences with social-constructivism in prison classrooms. The negative feedback from educators fell under struggles matching the methods with the curriculum, volatility of prisoners, trust issues, and barriers like staff and space.<sup>76</sup> Educators' positive feedback described social-constructivist methods fostering radical conversations, written expression and storytelling, role-playing, and mock trial.<sup>77</sup> The authors argue that the over-reliance on individualized instructional methods fosters learning

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<sup>71</sup> *Ibid.*

<sup>72</sup> Muth, Bill, and Madeline Kiser. "Radical conversations: Part two—Cultivating social-constructivist learning methods in ABE classrooms." *Journal of Correctional Education*, (2008).

<sup>73</sup> *Ibid.* p. 349.

<sup>74</sup> Leeds-Hurwitz W. "Social construction of reality." *Encyclopedia of communication theory*, (2009): p. 895.

<sup>75</sup> Muth, (2008): p. 350.

<sup>76</sup> *Ibid.*, p. 353-359.

<sup>77</sup> *Ibid.*, p. 359-361.

environments that silence students, encourage instrumental but not transformative learning, and creates tedious classes for both students and teachers.<sup>78</sup> The transformative collaborative learning that the authors touch on is reminiscent of the ‘dialogical approach’<sup>79</sup> at the core of Freire and Shor. Social-constructivist methods that invite learners to tap their background knowledge, reflect on their worlds, and dialogue with others to construct their learning have widespread acceptance in K-12 pedagogy and in the penology of the European Prison Rules.<sup>80</sup>

Social-constructivist learning methods would be powerful in tandem with jail pedagogy, reality pedagogy, and LRE as a means of juvenile empowerment through the law. “Institutions and educators practicing pedagogical recognition can revolutionize the role of teacher to that of transformative mentor by acting on the theories and ideas that inform transformative teaching.”<sup>81</sup> According to Yosso, we must educate minority youth as culturally rich and incorporate their culture into any education. “Curricular recognition encourages institutions and educators to examine the extent to which the expertise of marginalized students can serve as legitimate forms of cultural wealth by transforming students into true experts of their own experiences, particularly experiences that are ignored within the school context.”<sup>82</sup> Yosso’s theory of curricular recognition, typically applied in the context of Latinx youth, assumes that youth are ready to engage in rich intellectual activities, particularly when the content is directly relevant to their lives. In this case, legal knowledge is directly relevant to the lives of youth who are incarcerated and law related education is the curricular recognition that Yosso depicts. Through

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<sup>78</sup> *Ibid*, p. 363.

<sup>79</sup> Shor, and Freire, (1987): p. 1.

<sup>80</sup> Muth, (2008): p. 363.

<sup>81</sup> Rodriguez, Louie F. "Everybody grieves, but still nobody sees: Toward a praxis of recognition for Latina/o students in US schools." *Teachers College Record* 114, no. 1 (2012): p. 7.

<sup>82</sup> Yosso, Tara J. "Whose culture has capital? A critical race theory discussion of community cultural wealth." (2005), cited in Rodriguez, "Everybody grieves, but still nobody sees" (2012): p. 25.

this curricular recognition in the context of law related education, students would be able to identify key experiences in their state of incarceration and connect them to their theoretical underpinnings. Garaoian asks, what if one re-conceptualized and theorized a curriculum by struggling “to resist curricular absolutes by engaging in discourses that are contingent upon the ideas, opinions, and lived expertise of those individuals who comprise a community?”<sup>83</sup> After accumulation of theory connected to lived experience, students should be provided a platform to demonstrate their learning and expertise of the law and systems that they inhabit. This would reposition ‘delinquents’ as experts and enable them to have conversational weight in discussions with policymakers and practitioners.

Furthermore, it is essential to describe the ethic of care needed to create meaningful relationships with students and act as a counter to the typically unaccommodating schooling process. Students oppose a schooling process that disrespects them; they oppose not education, but schooling.<sup>84</sup> Youth have a hard time caring for a system that does not care for them. Valenzuela says subtractive schooling measures take away the cultural and linguistic knowledge that students need to achieve,<sup>85</sup> law related education can nurture the cultural and linguistic knowledge that students possess. Caring theory addresses the need for pedagogy to follow from and flow through relationships cultivated between teacher and student.”<sup>86</sup> Authentic caring is essential for student achievement, but it can exist outside of an additive environment or curriculum.<sup>87</sup> It views sustained, trusting, respectful, and reciprocal relationships between students and teachers as cornerstones of all learning. I attempted to build a sustained, reciprocal

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<sup>83</sup> Garoian, Charles R. *Performing pedagogy: Toward an art of politics*. SUNY Press, (1999): p. 141.

<sup>84</sup> Valenzuela, Angela. *Subtractive schooling: US-Mexican youth and the politics of caring*. SUNY Press, (2010): p. 5.

<sup>85</sup> *Ibid.*

<sup>86</sup> Valenzuela, (2010): p. 21.

<sup>87</sup> *Ibid.*

relationship with students by showing up with an ethic of care and listening to their legal expertise in law related education.

After reviewing literature on law related education, pedagogies of resistance, and an ethic of care, I am confident that, in accompaniment with observed student expertise, implementation will lead to increased political agency. The literature review serves as a tool in connecting policy to practice and substantiating the policy recommendations that students propose in chapter five. In the next section, I discuss my methodology, the steps I took to ensure it aligns with the literature, and my personal pedagogy.



### **III. Chapter Two: Methodology**

In this chapter, I discuss the methodology and research design of this study and the specifics of my involvement as a volunteer in a California juvenile correctional facility, Camp Afflerbaugh-Paige. Before I began the project, I obtained a full Pomona College Institutional Review Board approval to teach a law related education course and gather information.<sup>88</sup> Through Pitzer College's Community Engagement Center and its connection to Camp AP, I gained access to the facility, which is the closest juvenile court school to the Claremont Colleges. I received background clearance from LA County Office of Education (LACOE) to begin volunteering. Using ethnographic research, I attempted to embed myself in the facility for three months. The goal of ethnographic work is to immerse oneself in the lives of respondents and to understand what they feel is meaningful and important.<sup>89</sup> I started volunteering in an English teacher's class two-three times a week to teach the LRE course and speak to students. I conducted research for this project from January 2017 to April 2017 by teaching the course and building field notes from class discussions, one on one informal interviews, and observations.

REALsearch, which I also refer to as PAR (Participant Action Research), inspires my methodology; it stresses collective inquiry and experimentation grounded in lived experience and social history. According to a Community Connections for Youth report, PAR breaks down the barrier between "researcher" and "researched" – a binary that has traditionally reinforced an unequal power dynamic, especially around investigations into youth in the juvenile justice system.<sup>90</sup> In many research inquiries, poor Black and Brown youth are the ones "researched" by

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<sup>88</sup> See Appendix 1.

<sup>89</sup> Emerson, Robert M., Rachel I. Fretz, and Linda L. Shaw. *Writing ethnographic fieldnotes*. University of Chicago Press, 2011.

<sup>90</sup> Hudgins, Charles, Alex Figuerora, Darius Hills, and Davonte Lewis. "Support Not Punish: Participatory Action Research Report." Community Connections for Youth. (2016): p. 3.

wealthy, white, educated “researchers” who are granted the power to speak for the subjects they study.<sup>91</sup> It allows space for those impacted by social issues to take a leadership role in research that leads to activism. It breaks down the voyeuristic approach to research, removing the community from under the microscope and empowering incarcerated youth to claim ownership as researchers, analysts, problem solvers, and architects of programs and public policy.<sup>92</sup> REALsearch is conducted by youth, families, people inside and returning home from jails and prisons, grassroots organizers, and other community members.<sup>93</sup> In this case, as a never incarcerated male, I consider myself a grassroots organizer who, at a minimum, attempts to learn from the experts, the students, who drive the research.

Given the constraints of the camp setting, autonomy of the students (who are wards of the state), and the timing of this project, fully executed participatory action research was not possible. In implementation my methodology more closely mirrored an empowerment evaluation. An empowerment evaluation “provides communities with the tools and knowledge that allows them to monitor and evaluate their own performance.”<sup>94</sup> The process “is designed to help people help themselves and improve their programs using a form of self-evaluation and reflection.”<sup>95</sup> Program participants—including clients—conduct their own evaluations; an outside evaluator, in this case, me, often serves as a coach or additional facilitator. I did all within the scope of the methodology to uplift student voices through their evaluation of the camp and make the process collaborative, but the bulk of the research consisted of me designing and

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<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*

<sup>93</sup> Youth Justice Coalition. “RealSearch Manifesto.” [www.youth4justice.org](http://www.youth4justice.org).

<sup>94</sup> Fetterman, D. M. “Empowerment evaluation. Presidential Address.” *Evaluation Practice*, 15(1), (1994): p. 1–15.

<sup>95</sup> *Ibid.*

reflecting upon the study. Students did not design the LRE curriculum, the surveys that I administered, or the informal policy lessons, nor did they participate in the analysis of data or write the thesis. With more access to research capabilities within camp and more time with students to collect data from peers, though, I may have been able to successfully complete a cycle of PAR, which is more so built on action and evaluation of the change. As a collective, however, the students and I completed the first step of PAR, an evaluation of the camp itself. I took great consideration to ensure that the self-designed methodology was at once theoretically, pedagogically, programmatically sound and reflexive to the needs of the students. Rather than researching the population of students at Camp AP, I attempted to provide youth with the tools to be the researchers and listened while they displayed their expertise through lived experiences.

### *Positionality*

As in any qualitative study, awareness of my own personal and professional experiences was critical. I worked on being open, objective, and remaining neutral to my potential biases and responses to the data. I pined to make the results and student reflections truly reflective of their lived experiences, not my own. To provide the reader with some insight into my positionality and experiences, I write as a white, high income, highly educated, never arrested, heterosexual male. I recognize that my positionality and the privileges I have been afforded do not allow me to fully understand the experiences of many of the students. I have benefited from not interacting with the criminal justice system because of circumstances outside of my control. Harnett believes that the “jail is in the community, and the community is in the jail.”<sup>96</sup> This is why he welcomes people like me from the community; he knows we will not grow as a community until we can

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<sup>96</sup> Harnett, (2013): p. 73.

come together as a community of the incarcerated and the free.<sup>97</sup> I come from a position of listening and learning through employing the jail pedagogy discussed in the previous chapter. With my position as an outside student attempting to facilitate a legal curriculum to students in the legal system, I doubly recognize that students have far more knowledge than I do. As a white person in academia within the camp, I am aware that my knowledge is prioritized above the voices of students because of their race, age, and position within the power structure of the camp. Every student I interacted with was non-white which impacted their entry into the system.<sup>98</sup> As a volunteer, I have been privileged to be in the thick of things in the camp and get snippets of life stories of students. While I existed as a steady volunteer within the camp for three months, I was able to drop in and drop out of the facility because of my privilege. I never had to work in fire crew, or spend the night in the facility and could selectively choose which spaces I took up without coercion. Also, I could leave and stop going to camp at any point which afforded me the ability to separate myself from the camp. Volunteering and learning within the juvenile justice system is not an emotionless practice, though, so “getting out and leaving participants feeling positive about the research can be tricky.”<sup>99</sup>

I paid particular attention to the “seen, unseen, and unforeseen dangers in conducting education research”<sup>100</sup> in this study. According to Milner, these dangers arise when researchers do not consider, negotiate, balance, and attend to the complex nature of race and culture (and I would add previous interaction with the criminal justice system) in their research.<sup>101</sup> As such, I

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<sup>97</sup> *Ibid.*

<sup>98</sup> Advancement Project. “Education on lockdown: the schoolhouse to jailhouse track”, (2005, March 24): p. 8.

<sup>99</sup> Rupp, L. J., & Taylor, V. “Going Back and Giving Back: The Ethics of Staying in the Field.” *Qualitative Sociology*, 34, (2011): p. 484.

<sup>100</sup> Milner IV, H. Richard. “Race, culture, and researcher positionality: Working through dangers seen, unseen, and unforeseen.” *Educational researcher* 36, no. 7 (2007): p. 392.

<sup>101</sup> *Ibid.*

used questions from Milner's "Framework of Researcher Racial and Cultural Positionality"<sup>102</sup> to guide my field work, empowerment evaluation, observation notes, reflections and analysis.

Table 1. Framework of Researcher Racial and Cultural Positionality.

<ol style="list-style-type: none"><li>1. In what ways do my racial and cultural backgrounds influence how I experience the world, what I emphasize in my research, and how do I evaluate and interpret others and their experiences?</li><li>2. How do I negotiate and balance my racial and cultural selves in society and in my research?</li><li>3. What do I believe about race and culture in society and education, and how do I attend to my convictions and beliefs about race and culture in research?</li><li>4. What racialized and cultural experiences have shaped my research decisions, practices, approaches, epistemologies, and agendas?</li></ol>
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*Source:* Milner IV, H. Richard. "Race, culture, and researcher positionality: Working through dangers seen, unseen, and unforeseen." *Educational researcher* 36, no. 7 (2007): p. 395.

These questions enabled me to engage in intense self-reflection and self-work<sup>103</sup> before, during and after interacting with students at the camp. I used the framework to interrogate my racial and cultural biases during data collection, writing field note memos, and conducting analysis. When a white (or other non-black) teacher and a black teacher evaluate the same black student, a study found the white teacher is 30 percent less likely to believe that the student will graduate from a four-year college and 40 percent less likely to believe the student will graduate from high school.<sup>104</sup> I interrogated the biases personally and with students to examine how I could counteract school based prejudice when volunteering at the camp.

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<sup>102</sup> *Ibid.*

<sup>103</sup> Case, Kim A. "Discovering the privilege of whiteness: White women's reflections on anti-racist identity and ally behavior." *Journal of Social Issues* 68, no. 1 (2012): p. 78-96.

<sup>104</sup> Gershenson, Seth, Stephen B. Holt, and Nicholas W. Papageorge. "Who believes in me? The effect of student-teacher demographic match on teacher expectations." *Economics of Education Review* 52 (2016): p. 209-224.

*Ethical Issues*

Since the Belmont Report recognized prisoners as a vulnerable population which required additional protection for inmates from potential research abuses,<sup>105</sup> prison research has been restricted.<sup>106</sup> While the vulnerable population designation is understandable and necessary, it nonetheless posed considerable challenges as a researcher attempting to research with the population.<sup>107</sup> I recognized that students at Camp AP are a doubly vulnerable population in that they are minors and wards of the court. I took extra precaution to ensure that personally-identifying information of students was not collected. Students were informed that their responses were completely anonymous on a notebook and only the researcher would have access to study the data. In discussing the law and their personal experiences, students inevitably admitted criminal activity to me that, if recorded, could be used against them in the court of law; I made note to ensure that no names were associated with their quotes. When discussing some aspects of law related education, students could have recalled traumatic or distressing events related to past interactions with the law. Boredom, mental fatigue, embarrassment at poor performance, or frustration were minor potential risks. Furthermore, research projects have a tendency to conclude that members of minority or low-power groups are deficient or undesirable. I mitigated a lot of these concerns through getting to know the students before beginning to teach as cleared through Pitzer College's Community Engagement Center. Throughout the paper, I use student quotes gathered through the empowerment evaluation; I made the deliberate decision to assign pseudonyms to comments from students, teachers and outside speakers. The camp

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<sup>105</sup> US Department of Health and Human Services. "The Belmont Report." Office for Human Research Protections (OHRP). November 19 (1979) cited in Harnett, (2013).

<sup>106</sup> Moser, David J., Stephan Arndt, Jason E. Kanz, Michelle L. Benjamin, John D. Bayless, Rebecca L. Reese, Jane S. Paulsen, and Michael A. Flaum. "Coercion and informed consent in research involving prisoners." *Comprehensive psychiatry* 45, no. 1 (2004): p. 1-9, cited in Harnett, (2013).

<sup>107</sup> Hartnett, (2013).

### *Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

provides a counselor on site and I connected students to the counselor if they needed to discuss a traumatic event. There was also a teacher (name omitted), who I had a good relationship with, present who would help students if any issues arose. Students were not forced to speak about their past, but rather could use the class as a platform to share their personal narrative if they liked. I set classroom norms to make sure that all of the students were on the same page and reestablished the norms each day as the camp is a relatively transient environment. To ensure that students were engaged and not bored or had mental fatigue I incorporated several engaging activities each day and taught based off of their suggestions. To address a fear of failure concern, students were not graded at all. In the beginning, I spoke to the students about the power they have within the institutions and talked about communities as asset-rich. Students gained the knowledge of law related education and high level interactions with a college student. Students had the opportunity to grow through critical mentoring. Neither I nor the students were compensated for our participation, but as agreed upon, I provided snacks every session. If students were not interested in the course or the class one day, they were welcome to do work in the corner or do an online program called APEX where they could earn credits.

#### *Framework*

I approach the work with an asset or strength-based framework which views the incarcerated students as experts and active change agents. Many programs, though, are not framed in an assets-based approach; students and communities are seen as criminal and needing help, when in reality, students and communities should be seen as wealthy intellectually, socially, and culturally. As an individual, the student may be seen as different, but not deficient. An asset-based framework views the student as the expert in his own lived experience and related knowledge. In this case, students in the camps possess legal knowledge from their

experience. The asset framework enables students to be viewed as the holder of knowledge and experts in the legal field. The approach is informed by Villalpando and Solorzano's Cultural Wealth Theory<sup>108</sup>, the reconceptualization of Bourdieu's Cultural Capital Theory<sup>109</sup> and Jun and Colyar's Cultural Integrity Theory.<sup>110</sup> Cultural capital is a specific set of knowledge, skills, and abilities that are possessed and often inherited by certain groups in society.<sup>111</sup> Cultural wealth goes beyond cultural capital and cultural integrity to encompass both different and unacknowledged types of cultural capital that a student may possess; grouped together, this navigational capital, economic capital, educational capital, experiential capital, and aspirational capital can contribute to collective student agency.<sup>112</sup> Furthermore, Laura Burney Nissen, a juvenile justice practitioner, developed a strengths-based bill of rights for juveniles<sup>113</sup> that informs the volunteer work that I did at Camp AP. Juvenile justice practitioners should be invested in identifying, connecting and mobilizing the strengths of the individual and the community around him.<sup>114</sup> Students "have the right to be viewed and treated as a redeemable resource, potential leader and success."<sup>115</sup> While it is essential that students are viewed as asset-rich experts, "the actual strengths of methods depend, first and foremost, on the degree to which [the teacher] embraces a humanizing pedagogy that values the student's background knowledge, culture, and life experiences."<sup>116</sup> I attempted to embrace the compassionate jail pedagogy in

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<sup>108</sup> Solorzano, Daniel G., Octavio Villalpando, and Leticia Oseguera. "Educational inequities and Latina/o undergraduate students in the United States: A critical race analysis of their educational progress." *Journal of Hispanic Higher Education* 4, no. 3 (2005): p. 272-294.

<sup>109</sup> Bourdieu, Pierre. "The forms of capital." (1986). *Cultural theory: An anthology* (2011): p. 81-93.

<sup>110</sup> Jun, Alexander, and Julia Colyar. "Parental guidance suggested. Increasing access to college: Extending possibilities for all students." (2002): p. 195-215.

<sup>111</sup> Bourdieu, (1986).

<sup>112</sup> Solorzano, Villalpando, (2005).

<sup>113</sup> See Appendix I.

<sup>114</sup> Burney Nissen, Laura. *IPJ* Vol. 7 No. 1. (1998): p. 121.

<sup>115</sup> *Ibid.*

<sup>116</sup> Bartolome, Lilia. "Beyond the methods fetish: Toward a humanizing pedagogy." *Harvard Educational Review* 64, no. 2 (1994): p. 190.



### *Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

tandem with an asset-based framework in the teaching, empowerment evaluation, and reflections, valuing student knowledge and feedback. Moreover, I intentionally labeled youth as students to re-position the narrative that youth who commit crimes are criminals, expanding beyond their criminality to expertise as students.

### *Personal Pedagogy*

A compassionate jail pedagogy proved indispensable in the classroom to gain trust and truly value student expertise. When I entered into the camp, one student thought that I “was just someone who was talking BS” (Student Comment, Hector). From this point, I needed to gain the trust of students who see temporary volunteers all of the time. I used critical pedagogy and attempted to be intentional in positioning student knowledge as the focal point of class discussion. I employed several tactics, which worked to varying degrees to democratize the classroom and match praxis to my verbiage. Students seemed to enjoy learning in a format that “didn’t feel like normal class” (Student Comment, Ricky). Enabling students to set the norms of the class and sitting in a circle helped embed a culture of reciprocity in the class. Rather than preaching at students, I used a dialogical approach that emphasized student expertise. Through listening to students and asking them their normative valuations about the law and their situations, they gained a stake in the class. Through roleplaying, students took on the role of different players in the criminal justice system; students mocked a testimony in front of the Supreme Court, and reenacted their cases as if they were the District Attorney or judge. Through these activities, as a class, we levied critiques against the discourse surrounding students’ involvement in the juvenile justice system. I often told students that I came to the camp to learn from them and made that statement explicit through democratizing the discussion and prioritizing their voices. I used humor as a pedagogical tool to open the floor to all students and

break down barriers. At one point, there was a discussion that was so rich and poignant that even the teacher kicking someone out of the class did not halt the discussion. I relished my time at camp as it is a hidden gem; not because of the location or high per-pupil funding, but rather because of the students in the space, their power in it, and the ability to have rich discussions about issues pertinent to their lives.

To be transparent, it is quite difficult to reflect on personal pedagogy while teaching a lesson. Thus, I enlisted the help of an academic colleague to observe my pedagogy and instructional praxis in addition to listening to student feedback. In reflecting upon her experience within the classroom at Camp AP, my colleague stated that:

The most impactful part of the lesson was near the end of the first session on StreetLaw when Ian pointed out to the students that they “had the knowledge of lawyers, whether they liked it or not” and “possessed valuable information on the juvenile judicial system.” From the expressions on the students’ faces, they hadn’t seen their intimate knowledge of the juvenile judicial system as a positive aspect before. Their stories also highlighted the injustice still present in the juvenile detention system as well, something that outsiders don’t know due to theoretical ideas of how a system should be working. At the end of the first session, one of the students commented that they wanted to be a police officer in his community and make things better (Outside Comment, Ms. James).

To my delight, Ms. James described an example of the pedagogy and framework that I attempted to adopt. After asking students about their knowledge of the system, I displayed praise for their expertise through positive affirmations. As a further means of evaluating my pedagogy, I asked students why they believe I came to camp. In a nod to Freire, one student said that I came to camp “to learn from [them] about the law first hand, but also teach [them] what to do” (Student Comment, Travis). Another student echoed the prioritization of his knowledge by articulating my purpose in camp as an attempt “to learn laws to show [my] college” (Student Comment, Ricky). Students liked how I “can relate to them, that [I] explain a lot, bring a lot of research and let [them] express [their] opinions” (Student Comments). Additionally, students felt that I prioritized their voices through listening and appreciated that I bring information on the court

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

and the law systems. Some students feel that I “help a lot of minors learn and feel confident in themselves about the laws” (Student Comment, Ramon). One example of the political agency that I hoped to spark manifested in a student who said that “if [he] tries hard enough [he] can lobby government officials” (Student Comment, Jesus). Furthermore, many students saw my time at camp as an exercise in collaborative learning about the legal system through their lived expertise and my outside research. The fundamental backing of my project, as highlighted above, though, entailed facilitating the StreetLaw Legal Life Skills curriculum. In the next section, I discuss the details of the implementation of LRE as it augmented the political agency of students.

#### **IV: Chapter Three: Implementation of Law Related Education**

*“What I like most is discussing the law and how we think as if we were the system and how we would go about the situations different if we were in charge” (Student Comment, Ricky).*

##### *Teaching and REALsearch*

The core of my project entailed facilitating a Law Related Education class at Camp Afflerbaugh-Paige in La Verne. Over the course of two months from January 18<sup>th</sup> to March 8<sup>th</sup>, 23 visits, and over 70 hours of time, I facilitated dialogues and classes with about 30 students in Camp Afflerbaugh and at Camp Paige. During my time at Camp AP, I facilitated a law related education curriculum in addition to a self-designed, student led policy reform course. In the fall of 2016, I surveyed civic educators within juvenile justice facilities; based off of their feedback, I elected to use and obtained StreetLaw’s Legal Life Skills (LLS) curriculum as it is rooted in practice and juvenile law rather than strictly constitutional law.

Table 2. Law Related Education Curriculum.

1. Introduction to the Juvenile Justice System	5. Triggers: Anger Management Skills
2. Introduction to Criminal Law: Should It Be a Crime?	6. The True Costs of Crime
3. Gun Laws: What are they? What should they be?	7. Use of Force or Deadly Force
4. Rights and Responsibilities during an Arrest	8. What Does a Good Citizen Know, Believe, and Do?

*Source:* StreetLaw Legal Life Skills Curriculum.

The eight lesson course is listed above; as a result of discussion with students, only the first four lessons were used. The topics addressed in the lessons ranged from the juvenile justice system, criminal justice system, gun laws, and rights and responsibilities under an arrest. I spent the first three weeks getting to know the students through sitting in on their classes and informally discussing their schooling; I began learning from the students more about the juvenile justice

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

system through their life stories. Thus, I experienced the environment of the detention center and became a familiar face within the camp. I participated with students through high levels of vulnerability and engaged in difficult conversations. After six visits to camp, I began to administer the LLS curriculum. Before starting the lessons, I did extensive research on the laws at the local, state, and federal level as I did not have the legal knowledge of a lawyer or law student.

To start the class, we established classroom norms and reciprocal expectations for students and teacher, experts and novices. We sat in a circle to mimic the rap battle structure and ensure that I was on a level playing field with the students; the structure of learning circles reflects an egalitarian worldview where everyone present is part of the circle and no one voice is privileged over another. According to Boyes-Watson, circles promote: trust and respect; equal communication; support; emotional healing; creativity and problem solving, and unity and a sense of shared purpose.<sup>117</sup> The norms for me to uphold, unanimously agreed upon by each class were to: be interesting, respectful, funny, intriguing, bring snacks, and most importantly, “be real and tell [them] what ‘they’ don’t want [them] to know” (Student Comments). This fluid ‘they’ proved to be a recurring point of discussion within the classroom. ‘They’ are the camp staff, actors in the justice system, teachers, politicians, and anyone that the students believe to be holding power and knowledge for their own benefit. The class norms that we agreed upon were: one mic (which derives from rapping where one person speaks at a time and everyone is actively listening to understand and not just respond); step up, step back (which means, students who speak more often in class should allow others the opportunity to speak and students who tend to

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<sup>117</sup> Boyes-Watson, C. & Pranis, K., “Heart of Hope: A Guide for Using Peacemaking Circles to Develop Emotional Literacy, Promote Healing & Build Healthy Relationships.” St. Paul, MN: Living Justice press. (2010): p. 200.

speak less should try to step up and share more of their thoughts); disagree with the idea through providing an alternative rather than attacking the person; and be a good teacher. I sought advice from several students as to how I can be a ‘good teacher’ in class. They said to “show students that they are doing well through affirmations, be motivational, and develop strong relationships in and out of the classroom” (Student Comments).

The first lesson, *Intro to the Juvenile Justice System*, immediately positioned students as experts on the system they existed within. It centered on a 13 year old boy, Gerry, his (mis) trial<sup>118</sup> and the establishment of juvenile due process. The class read Gerry’s story, went over technical terms, determined fairness of the case, and then went through juvenile due process. In employing the curriculum, we contrasted student experience within the system and de facto laws to de jure laws presented through the curriculum to find similarities and differences. Specifically, an activity I created allowed students to roleplay and defend Gerry in his appeal to an appellate judge (roleplayed by another student). Moreover, students mapped out the path that they took in the juvenile justice system<sup>119</sup> and compared their path with Gerry.

The second lesson, *Intro to Criminal Law: Should it be a Crime?*, aims to help students “develop an understanding of crime and criminal law—what a crime is, who decides what acts are crimes, how those who commit crimes are punished, and what the various levels of crime are.”<sup>120</sup> The information in the StreetLaw curriculum contrasted with students’ experiences with punishment in the criminal justice system and students’ evaluated the seriousness of the crimes committed. Through a four corner debate, students made a claim in agreement or disagreement

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<sup>118</sup> See Appendix D.

<sup>119</sup> See Appendix E.

<sup>120</sup> StreetLaw,

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

whether a mock scenario should be a crime. Students also helped explain why one of the crimes (selling marijuana) might occur and what “Robert”<sup>121</sup> may need to run a legal business.

The third lesson, *Gun Laws: What are they? What Should They Be?* enabled the class to explore basic gun laws, including differences between federal and state laws. After a careful reading of a text, we evaluated proposals to make gun laws stricter. We then engaged in a similar take a stand debate about whether gun laws should change. Moreover, we embarked on a critical discussion as to students’ personal experiences with guns and the realities of guns within their neighborhoods in perpetuating violence, but also providing a blanket of security.

In the fourth lesson, *Rights and Responsibilities during an Arrest*, students reviewed procedure associated with stops and arrests. The class focused on the legal concept that, as police “intrusion” increases, so does the level of proof required. Students applied their understanding to a mock arrest scenario and learned what their rights are if they are stopped or arrested.<sup>122</sup> Each student had the opportunity, if they desired, to recount their arrest and the rights that they felt were abridged during their interaction with the police. After discussing the egregious violations of rights during stops and arrests that students experienced, several students role played their arrests – both how it happened and the legally sound way that the arrest should have occurred.

After the LRE curriculum and lessons, I designed two policy classes to help facilitate student-generated ideas for policy reforms to the camps and the system as a whole. The first lesson, entitled “If I Ran Juvie” centered on an article published by The Marshall Report called “If Kids Ran Juvie.”<sup>123</sup> The article summarized suggestions by formerly incarcerated children

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<sup>121</sup> See Appendix F

<sup>122</sup> See Appendix G

<sup>123</sup> Hager, Eli. “If Kids Ran Juvie.” The Marshall Project. February 12, 2017.  
<https://www.themarshallproject.org/2017/02/12/if-kids-ran-juvie#.nA0phdfSs>

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

and their families to reform the juvenile justice system in California. Students read the article together and analyzed a sampling of the policies proposed by formerly incarcerated community members. We had a discussion evaluating the saliency of the proposals of the formerly incarcerated students and then delved into an informal discussion in which students proposed alternative suggestions to improve the system. Moreover, I passed out an accompanying worksheet, *If \_\_\_ Ran Juvie*,<sup>124</sup> which gave students the opportunity to develop short, concise, policy recommendations for the camp based off of their experiences. Students wrote what they would change, what they would like, and what they need to be successful inside and outside of the camp. The second lesson, entitled “What would you do with \$233,000?,” started with a group reading of the LA Times article, “L.A. County spends more than \$233,000 a year to hold each youth in juvenile lockup.”<sup>125</sup> After reading through the article, we began a critical discussion on why the county spends \$233,000 per youth and where that money goes. Before coming to class, I did extensive research on the finances of the camps within LA County with assistance from Maggie Lemons, a fellow PPA senior and intern at the Children’s Defense Fund. After discussing the article, we examined an audit of camp finances and deliberated where LA County allocated the money at Camp AP. Students evaluated their \$233,000 experience and brainstormed differing allocation of the money to best help the community. Moreover, I prepared a budget-making exercise in which students allocated the \$233,000 in camp.<sup>126</sup> They worked in pairs to decide what they would change and gave rationale for the change in fiscal policy. I compiled the responses of the students in both lessons; the student policy recommendations will be discussed in further detail later on. I also invited a Pitzer College New Resource student to

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<sup>124</sup> See Appendix A

<sup>125</sup> Therolf, Garrett. “L.A. County Spends More Than \$233,000 a Year to Hold Each Youth in Juvenile Lockup,” Los Angeles Times, February 23, 2016.

<sup>126</sup> See Appendix C



*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

come and speak to the students at the camp about the several years he spent in juvenile halls and jails throughout the state.

To culminate the LRE course and policy exercise, I administered a feedback survey to the students to evaluate the class, the curriculum, and their agency. I created this survey after extensive research on effective student evaluation forms, and modeled the course evaluation on one used by researchers at Harvard's Graduate School of Education and UNC.<sup>127</sup> I included categories in the evaluation for reflection on the class, teacher (me), and self (the student). The evaluation contained both qualitative and quantitative information in which students could respond on a sliding scale and answer a prompt about the class, LRE, my teaching, and the future.<sup>128</sup> I opted not to do a statistical analysis of student responses to the evaluative statements because the survey design was not methodologically sound. The responses to statements such as "this class forced me to think about complicated issues"<sup>129</sup> varied based on subjectivity. I did, however, review and sort student responses to questions such as "If you get in trouble with the law again, what more have you learned that would change how you act?" The results gathered from the course evaluations on law related education substantiate the following section.

*Law Related Education and Policy*

After teaching the four lesson Legal Life Skills curriculum I witnessed the impact that law related education in tandem with critical pedagogy can foster the lived experience that students have gained through involvement in the legal system. Students learned more about the law, attached their lived experience to their educational journey, and asserted their position as

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<sup>127</sup> Johnson Smith, Kristi. Student feedback form. Learn NC.  
<http://www.learnnc.org/lp/editions/firstyear/1296>

<sup>128</sup> See Appendix I.

<sup>129</sup> *Ibid.*

juvenile lawyers. Students loved learning about the law through a critical pedagogical lens as it allowed them to see their lived experience in the lessons; the curricular recognition in the LLS lessons enabled students to become experts in the legal system. At first glance, the lessons seemed to be a pretty simple set of exercises with easy information, but in tandem with students' pre-existing legal knowledge, the lessons proved to be dynamic. I teased out nuances from the students, such as asking them to compare the 'official' StreetLaw definitions to their lived experiences. Through the lessons, starting with juvenile law, we confronted the laws and the differentiation between how juvenile law is supposed to work and how the system treated students; they outlined ways in which their interactions with the law differed from the manner in which the law was presented by the curriculum. This opportunity to challenge the curriculum helped position the students as the experts in the classroom.

After the lessons, I surveyed students to ascertain the knowledge that stuck with them and their impressions of LRE. Appreciated knowledge all related to an aspect of youth experience in the system. Students who had questions about prosecutorial discretion in their case "learned how the [District Attorney] makes [his] decision to prosecute" (Student Comment, Tommy). Through the first lesson, students learned about de jure due process for juveniles and taught me about the lack of due process that they received. Students felt a deep sense of outrage at the case of Gerry Gault<sup>130</sup> and appreciated the ability to see someone in a similar position in the lesson. Through the second lesson, students learned about "self-incrimination, and the differences between juvenile and adult court rules" (Student Comments). Additionally, in the gun rights class, students expressed gratitude for learning about the "consequences of holding a gun without a license" (Student Comments); regardless of the laws that be, every student in class had a gun at

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<sup>130</sup> See Appendix D.

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

some point. Furthermore, in the rights under arrest lesson, every student acted out their arrest narrative(s) and reflected upon “what police can and can’t do to minors, like they can’t search and interrogate a minor without cause” (Student Comment, Tommy). Throughout the course of this lesson, students proclaimed, “damn, I wish I would have known that” (Student Comment, Leroy) or “this is crazy” (Student Comment, Jesus) when I provided basic legal rights that they are supposed to have under arrest. Students also discussed knowing more about the laws so if they get involved in the system again they will be more informed. As one student said, “learning about [his] rights was fun because it helps [him] understand more about [his] situation” (Student Comment, Travis). If they get in trouble with the law again, students now know the “right to remain silent, make a call to a parent, and the right for an attorney” (Student Comments). Overall, through the LRE curriculum, an explicit desire shone through of students wanting to “learn more about the juvenile laws” (Student Comment, Hector). The legal knowledge is practical, elusive within camp, and students want to learn it.

A theme emerged of students enjoying “talking about things ‘they’ won’t tell [them] on the outs or when [they] are in camp” (Student Comment, Tommy). By this, students are referring to the information in the curriculum and the outside information I brought into class which allowed critiques of the system. I made it my role to bring in graphics, studies, statistics, and investigative reporting to connect research to the challenges students outlined within camp. I created lessons based off of the information that ‘they’ would not provide so students could craft an alternative vision of their situation. Students envisioned themselves as leaders within the camp, challenged the legal status quo, and the camp structure. Students asserted that staff got paid too much, so I researched and brought in an article and statistics to substantiate their claims of monetary abuse. From this position, I created the policy classes to connect their verbal

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

concerns with the camp to present a written alternative policy vision. One student especially enjoyed writing “about how to make the jail system better” (Student Comment, Jose). Through the course, students “know more about the system and have a clear vision on what [they] want to be” (Student Comment, Jesus).

I ventured into the writing process with the idea that I would allocate the bulk of my observation on an analysis of the implementation of law related education and jail pedagogy. The methodology, literature review, and much of my time spent at camp centered on the facilitation of the law related education curriculum. However, after delving into reflections on the curriculum and pedagogy, I decided to table that discussion to center on what I found to be the most compelling aspect of my experience at Camp AP, the students’ lived expertise and challenges that interacted within camp.

## **V. Chapter Four: Students, Natural Born Experts, and Camp Challenges**

*“Responsibility?” asks a prisoner in a 1970’s letter. “I am not responsible for what the government— its system of justice, its prisons— has done to me” (Abbott, 1991, p. 17).<sup>131</sup>*

I encountered a wealth of student expertise in the classroom in spite of the challenges that students face. Common rhetoric speaks on the challenges that teachers face in educating ‘juvenile delinquents’ and how to remedy them. In this section, I attempt to position students as experts through elevating their lived experience. I reframe the narrative from a deficit-based framework viewing youth as challenges to an asset-based framework viewing youth, not as delinquents or criminals, but as student experts. Performing an empowerment evaluation and employing a strength based approach enabled me to see how students’ rapping in cyphers, business acumen through working ‘on the corner’, and legal knowledge through involvement in the system, are assets, not challenges. Moreover, after delineating the student academic, entrepreneurial, and legal expertise, I venture into the challenges that students face in the camps.

Students see themselves as asset-rich, but they perceive their strengths as ignored through a deficit-based approach. To contextualize the asset-based framework, I asked students how they would like to be seen by outsiders who enter the camp. There is a sharp contrast between how students would like to be seen and the messages that they are sent. Students view themselves as more than delinquents or their criminality; they are students, sons, fathers, friends, junior lawyers, and businessmen who happen to have committed a crime and find themselves in the camp. To make change within the criminal justice system, “we need to find creative ways to show ordinary people living in society what they share in common with their counterparts in jail

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<sup>131</sup> Abbott, J. H. *In the belly of the beast: Letters from prison*. New York: Random House. (1981): p. 17.

and in prison.”<sup>132</sup> The following student quotes connect ‘ordinary people’ and incarcerated youth by addressing how youth would like to be seen:

“Damn [students] are so smart they just made the wrong decision” (Student Comment, Jon).

“Statistics are true, but a lot of people surpass them. Assume we’re doing something productive” (Student Comment, Elijah).

“We are honest and great kids. We are not monsters” (Student Comment, Ricky).

Students desire a basic respect and appreciation of their humanity. However, due to media representations of youth as “super-predators” and “monsters”<sup>133</sup> and lack of empathy, students are viewed in a deficit-based framework. Regardless of intention of outside actors in the camps, though, students feel as though they are seen “as some jail kids or future inmates” (Student Comment, Ramon). Through interactions with staff, teachers, and people on the outside, students believe that others see their life as offenders within the system, but fail to recognize their humanity on the outside (Student Comment, Tony). Youth are instructed to follow the rules at the expense of getting written up, but feel as though the instructions they receive are hypocritical. Guards can act at their emotional whims and receive the benefit of doubt, whereas students are bound by restrictions of a paramilitary camp. Students hope to receive similar dignity and respect that they are required to dole out to staff and teachers, rather than being criminalized. Juvenile justice reformers have developed a plethora of programs designed to promote empathy in ‘juvenile offenders,’<sup>134</sup> but little research has been done on empathy that

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<sup>132</sup> Coogan, David. Harnett, ed., (2013): p. 40.

<sup>133</sup> Caldwell, Beth, and Ellen C. Caldwell. "Superpredators and Animals-Images and California's Get Tough on Crime Initiatives." *JJIS* 11, (2011): p. 61.

<sup>134</sup> Klein Lerner, Patricia. "CYA Program Attempts to Teach Offenders Empathy and Remorse." *LA Times*. (November 02, 1991).

## *Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

juveniles receive in the system. Students expect to be met with empathy and an appreciation for their expertise, but face a lack of reciprocity in their treatment.

### *Students' Lived Expertise*

Through listening to the lived experiences of youth and observing them in the classroom, youth illustrated their expertise in their academic skills, drive, and legal knowledge. As I listened to youth rather than buying into the trend of lecturing students about what they should do from an outsiders perspective, I gained tools from their knowledge.<sup>135</sup> Rather than fixating on risks and deficiencies, I centered on the observable strengths and assets that students displayed. In many cases, students became the teacher, and I became the student. There is intrinsic value in listening to youth and documenting the negative impact of not including their voices in critical decisions affecting their lives.<sup>136</sup> As mentioned previously, displaying the intersections of connectedness between youth involved in the prison industrial complex and those that are not, this instance through their lived expertise can be an instrumental force in shifting the narrative toward asset-rich youth.

#### 1. Academic Skills

In conversations and activities, students constantly displayed their intellectual weight, artistic sophistication, and creativity. Students, based off of negative experiences in schooling, had a plethora of suggestions as to how schooling could be improved. They became experts on what it means to be a good teacher through telling me and showing me in co-generative

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<sup>135</sup> Page, Joshua, and Shelly Schaefer. "From Risks to Assets: Toward a Strengths-Based Approach to Juvenile Justice Reentry into the Community." *Western Criminology Review* 7 (2006): p. 48-61.

<sup>136</sup> The Pittsburgh Foundation. "A Qualitative Study of Youth and the Juvenile Justice System: A 100 Percent Pittsburgh Pilot Project." (2017): p. 4.

dialogues<sup>137</sup> and co-teaching<sup>138</sup> about the legal system based off of their experiences. Students acted as co-teachers in a variety of lessons about the legal system and modeled best practices for teachers. Additionally, students often sought outlets for their creativity so they could display their immense artistic ability, which I observed in the classroom so I label as academic ability. As rapper Ice Cube of NWA once stated, “our art is a reflection of our reality.”<sup>139</sup> Many students chose tagging and tattooing as the medium for their art on the outside to reflect their reality. Youth have been criminalized, fined, expelled, and confronted by the police for tagging. Students are criminalized, fined, jailed, and "detained for having paint on their fingers, tagging on their backpacks or markers in their pockets (“possession of vandalism tools”). They can be even be added to gang registry databases for writing on their own school notebooks.<sup>140</sup> This demonstrates an increase of youth criminalization for attempting to express artistic expertise through tagging. Several students emblazoned self-designed tattoos and expressed desires to open tattoo parlors on the outside. On the inside, students crafted detailed murals of their surroundings in camp in betwixt classroom notes. Furthermore, students expressed their music talents through the oft criminalized medium of rap.<sup>141</sup> When asked how he feels about gangsta rap affecting kids, rapper Eazy-E, said that it’s not “gangsta rap [...] it’s reality rap. Rap is about what's really going on”<sup>142</sup> in communities. Reality rap, much like reality pedagogy, mirrors the

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<sup>137</sup> Emdin. (2016): p. 64.

<sup>138</sup> *Ibid*, p. 84.

<sup>139</sup> Cube, I., Woods-Wright, T., Alvarez, M., Gray, G., Bernstein, S., Dr. Dre. (Producers), Gray, G. (Director), *Straight Outta Compton*, United States: Universal Pictures. August 14, 2015.

<sup>140</sup> Youth Justice Coalition. "Youth 4 Justice." Web. Youth4justice.org, cited in Franco, Norma. “Humanizing Youth through a Graffiti Discourse: A Critical Pedagogy Space.” California State University Northridge. (August 2013).

<sup>141</sup> Israel, Baba. “Remixing the Ritual: Hip Hop Theatre Aesthetics and Practice.” Lulu.com, (2009): p. 21.

<sup>142</sup> Puig, Claudia. "Q & A with EAZY-E: 'Gangsta Rap? It's Reality Rap'" Los Angeles Times. (August 05, 1994).



lived experience of people that participate. Students' creativity is on display as they improvise and spit bars about their interactions with the law, their upbringing, and challenges in their life. The informal cyphers and rap circles that students created in class mimic what Paulo Freire, the architect of critical pedagogy, "describes as a culture circle where illiterate adults came together in an informal learning space and used their unique ways of speaking to become literate by sharing their understandings of the world and their place within it."<sup>143</sup> Nearly every class, students shared their lived expertise through these informal learning spaces that they created within the camp. Students made beats, wrote raps, and freestyled -- rapping about family and life out of camp. Students' artistic abilities could serve them well in the classroom to thrive academically if viewed as assets by teachers.

## 2. Natural Born Hustlers

Students demonstrate a profound drive to succeed at all costs through an entrepreneurial spirit. Students are passionate about grinding to support those close to them. In the face of seemingly insurmountable odds through being locked up, negotiating gang life, and wanting to help themselves and their family, one of the students said, "I'm a natural born hustler" (Student Comment, Hector). The famous MC Tupac Shakur once said, in a similar mindset, "I see myself as a natural-born hustler -- a true hustler in every sense of the word. I took nothing, I took the opportunities, I worked at the most menial and degrading job and built myself up so I could get it to where I owned it."<sup>144</sup> The experiences of many of the students mimic Tupac's words; they are workaholics grinding to support their family. Some have made money through operating a business on the corner selling narcotics. In a study of drug selling among a sample of youths,

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<sup>143</sup> Emdin. (2016): p. 63.

<sup>144</sup> Nileska, Mats. "Interview with Tupac Shakur." Swedish radio show P3 Soul. (1994).

researchers found that the most successful at crime have a strong desire to succeed, specialize, are risks-takers, are willing to work with others, and importantly, they are competent.<sup>145</sup> At a young age, students have gained this lived expertise and entrepreneurial spirit, but the implementation of the drive, hustle, and competence manifests in criminality. Students' "entrepreneurial zeal," if addressed in a strength-based framework, can be harnessed to provide a "ladder up."<sup>146</sup> Furthermore, police officers have compared gang members to young entrepreneurs who, in their drug dealing activity know how to secure a market and protect their interests.<sup>147</sup> Some students, associated with gangs personally or through family and friends learn skills that contribute to their entrepreneurial skills<sup>148</sup> and lived expertise, which in turn become criminalized. A student at camp said that he "knows how to make money, but doesn't know how to do it the *right way*" (Student Comment, Ramon). Students like Ramon gain entrepreneurial skills in unconventional places, but rather than the skills being valued and cultivated, they are criminalized and push aside.

Hustling is normally seen in association with criminality, but can be viewed as a positive through students persevering to support their families and academic pursuits. Students displayed impressive grit; they feel like they have lived the lives of men and want to act that way in their hustle, but are only 15-18 years old. Upon release, one student said he "wants to get back to business" – not the criminalized hustle—for him, business is "getting [him] self and [his] family on track" (Student Comment, Daven). Nearly all students expressed a desire to grind to support

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<sup>145</sup> McCarthy, Bill, and John Hagan. "When crime pays: Capital, competence, and criminal success." *Social forces* 79, no. 3 (2001): p. 1035-1060.

<sup>146</sup> Watt, Nicholas. "Gang members show entrepreneurial zeal, says Chuka Umunna." *The Guardian*. June 26, 2012.

<sup>147</sup> Fyfe, Nicholas, ed. *Images of the street: Planning, identity and control in public space*. Routledge, (2006): p. 231.

<sup>148</sup> Padilla, Felix. *The Gang as American Enterprise*. New Brunswick, NJ: Rutgers University Press. (1992).

their communities, families, and friends. Students display a core loyalty and penchant to succeed no matter what for those that matter to them, characteristics that transcended their age. In fact, a study found that in direct or indirect conflict situations ‘delinquents’ are more loyal to family and friends than ‘non-delinquents.’<sup>149</sup> In this regard, delinquents’ loyalty is undivided, suggesting their social cohesion is more particularistic and intense compared to the extensive and universalistic support given by other juveniles.<sup>150</sup> When asked what they would do with \$1 million, every student said that, first, they would use the money to buy their mom a house and help provide stability (Student Comments). One student told his homies on the block that he’s “not gonna [commit crimes] anymore, [he’s] trying to make good money for [his] family and support [his] family and do all the ‘right’ things” (Student Comment, Ricky). His friends supported his grind and he was optimistic about taking his street hustle and devoting it to working and continuing his education. Every student I interacted with owned two numbers, the number of days left until their release, and exactly how many credits they needed to complete their education. Students are intentional in striving to graduate high school at a minimum and take pride in their achievements. A 17 year old student who had been in and out of facilities since he turned 14 graduated high school through completing most of his credits inside; he exclaimed how proud his mom is going to be of him and how he “did it for her” (Student Comment, Travis). He looked at me with pride and said “I’m a high school graduate [...] damn, man, I would have never thought I would be here” (Student Comment, Travis). Furthermore, several students had plans to enroll in college and all actively followed an academic hustle.

### 3. Legal Knowledge

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<sup>149</sup> Gillis, A. R., and John Hagan. "Delinquent Samaritans: Network structure, social conflict, and the willingness to intervene." *Journal of research in crime and delinquency* 27, no. 1, (1990): p. 30-51.

<sup>150</sup> *Ibid.*

All students demonstrated significant legal expertise positioning themselves as jailhouse lawyers due to their lived experience within the legal system. Rather than viewing students as criminals, they should be viewed as mini-lawyers or student-lawyers well versed in the implementation of the law. Students are legal experts within the system, also known as "jailhouse lawyers." Mumia Abu-Jamal, perhaps the most well-known jailhouse lawyer, described the practice as "law written with stubs of pencils...law learned in a stew of bitterness, under the constant threat of violence, in places where millions of people live, but millions of others wish to ignore or forget."<sup>151</sup> Out of necessity and circumstance, many students at camp learn about the law as the criminalization process begins. Stop and frisk searches while walking home, gang injunctions on friend groups, police in elementary schools, expose students to the criminal justice system at a young age (Student Comments). Through these acts, youth and their behavior are criminalized and are seen as criminals rather than students which is validated through suspensions, expulsions, stops, searches, arrests, trials, and eventually incarceration through the school<sup>152</sup> or foster care to prison pipeline.<sup>153</sup> In the face of systemic discrimination, youth amass a wealth of knowledge about the criminal justice system. Students have picked up de jure and de facto laws through friends, family, and their own personal cases inside of the system. In my time at camp, students taught me what Goffman argues is an "institutional lingo," which develops through pivotal moments within the system that create shared lived experience in

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<sup>151</sup> Abu-Jamal, Mumia. *Jailhouse lawyers: Prisoners defending prisoners v. the USA*. City Lights Books, (2009), cited in Schwartzapfel, Beth. "For \$12 of Commissary, He Got 10 Years off His Sentence." The Marshall Project. (November 16, 2016).

<sup>152</sup> Wald, Johanna, and Daniel J. Losen. "Defining and redirecting a school-to-prison pipeline." *New directions for youth development* 2003, no. 99 (2003): p. 9-15.

<sup>153</sup> Križ, Katrin, Janese Free, and Grant Kuehl. *How children are removed from home in the U.S. Child welfare removals by the state: A cross country analysis of decision making systems*. (2016): p. 210.

the camp.<sup>154</sup> Students know a wide array of slang, terms, and judicial procedures, all of which are abnormal for anyone from 15-18 years old to know, but make up their lived expertise. According to Wittenberg, slang, acronyms, and private languages can serve as tools for building a sense of self and community in prison settings.<sup>155</sup> At a minimum, the legal knowledge that the mini-lawyers possess serves as an excellent entry way into law related education. The students' knowledge immediately positioned themselves as experts in the subject and primed for co-teaching. For example, students taught me criminal codes and statutes that they had been involved in, 459,<sup>156</sup> 777,<sup>157</sup> and 266<sup>158</sup>; this allowed youth to combine their personal narrative and legal knowledge together in a co-generative dialogue.

Students' heightened knowledge of the system and the deficiencies within it should enable them to feel as though they are the "experts in the room [when] talking to rule makers as a rule breaker" (Outside Comment, Steve). Students are hyper tuned to injustices within the system, but might not have the clout or statistics to back up their assertions. For example, all students called out the paucities in the system of public representation and felt that they were not given a fair shake through being appointed a "public pretender" (Student Comments). Moreover, another student felt that the criminal justice system, better known as the prison industrial complex, is a business and he is just "dollar signs for the people who call the shots" (Student Comment, Elijah). In discussing more about the youth prison industrial complex<sup>159</sup> and the costs associated with it, several students suggested "using the money to educate kids instead" (Student

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<sup>154</sup> Goffman, Erving. *Asylums: Essays on the social situation of mental patients and other inmates*. Aldine Transaction, (1968): p. 53.

<sup>155</sup> Wittenberg, Peter M. "Language and communication in prison." *Fed. Probation* 60 (1996), cited in Harnett, (2013).

<sup>156</sup> Residential Burglary

<sup>157</sup> Probation Violation

<sup>158</sup> Possession of Weapon with intent to burglarize

<sup>159</sup> Schlosser, Eric. "The prison-industrial complex." *The Atlantic Monthly* 282, no. 6 (1998): p. 51-77.

Comment, Daven). Another student broke down explicitly how, after criminalizing him, the system profited off of his imprisonment through “charging [his] mom money for him to stay in central juvenile hall while [he] waited several months for his trial<sup>160</sup>” (Student Comment, Tony). Intuitively, Tony, through his lived expertise connected an existing justice campaign<sup>161</sup> to his life and the system as a whole. Through listening to students, I heard a nuanced view of their situation at an individual, group, and systemic level. Their critique of the juvenile justice system and better substitute to the legal status quo could substantially alter the system to improve lives. Jailhouse lawyers have been at the heart of several key legal victories to change the system: the right to an attorney, the right to be protected from abuse by other prisoners and by guards, and the right to free exercise of religion. Students within juvenile justice facilities could provide similar institutional change through their lived expertise.

In a system that spends \$233,000 per year per student,<sup>162</sup> assuming best intentions of those in charge and the actors, the students, with a wide array of expertise, should be thriving within these institutions and set up for success on the outside. Unfortunately, the camp sees students as challenges, instead of addressing the challenges that students experience. The challenges students face inhibit their lived expertise that could be cultivated in camp. The next section delineates challenges that I observed and students called out as barriers to their growth.

### *Challenges within the Camp*

Although students possess a depth of lived expertise, their brilliance is met with challenges inside of the camp. There is a dangerous premise that kids are at fault when their

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<sup>160</sup> Also known as dead time

<sup>161</sup> Hager, Eli. "Philadelphia ends practice of billing parents for the time their children spend in detention." *The Washington Post*. (March 03, 2017).

<sup>162</sup> Therolf, (2016).

outcomes do not increase, or in this case, they recidivate. Thich Nhat Hanh wrote “when you plant lettuce, if it does not grow well, you don’t blame the lettuce. You look into reasons it is not doing well. It may need fertilizer, or more water, or less sun. You never blame the lettuce.”<sup>163</sup> However in education, we constantly blame children for disengagement.<sup>164</sup> Like education, in the juvenile justice system, I encountered delinquent blaming where students are blamed for their criminality without examining the circumstances and challenges that contribute to their conditions. A handbook of prison education and activism says that “unless audiences are educated about the plight of the human beings who populate our prison facilities, they tend to reject prison-reform advocacy on the grounds of stereotypes about crime and criminality.”<sup>165</sup> In this section, I outline the in-camp challenges that students experience with the aim of contextualizing barriers that co-exist with the lived expertise of students. While I initially planned to highlight the challenges of the education within the camp, the empowerment evaluation revealed that students felt that challenges exist predominantly in the camp itself and not the school that exists within the camp. Although there were several observable academic challenges such as transiency of youth, differing academic levels, and dyslexia, the two categories of deficits that I highlighted within the camp are the paramilitary setting and emotional, physical, and mental health challenges.

### 1. Paramilitary Setting

The “paramilitary institution” (Teacher Comment, Ms. James) that is Camp Afflerbaugh-Paige, functions as a de facto work camp with repressive staff and dilapidated space. In camp,

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<sup>163</sup> Hanh, Thich Nhat. "A quote by Thich Nhat Hanh." Goodreads, cited in Perry, “Why mentors need to stop trying to fix black and brown students,” (2015).

<sup>164</sup> Perry, Andre. "Why mentors need to stop trying to fix black and brown students." Hechinger Report. February 10, 2015.

<sup>165</sup> Harnett, (2013): p. 40.

students are met with broken infrastructure and a lack of normalcy. With beds “thinner than yoga mats on a metal frame” (Student Comment, Leroy) students have back problems and sleep deprivation (Student Comments). Their television, washer and dryer are broken and staff do not fix them. Student halls are less like a real camp and more like “the military” (Student Comment, Malik). Lefebvre says that “to change life...we must first change space;”<sup>166</sup> when students believe that “the hall smells like no hope” (Student Comment, Ricky), we must examine the facility itself to change the life inside. The spaces that the students inhabit do not display a firm respect and value of their humanity. Staff tell students that that they are “supposed to be the best camp, but [they are] treated like [they are] shit” (Student Comment, Tony). Many students at Camp Paige are forced to work on fire crew and do labor intensive work which causes them to miss school every other day. Most of them dislike fire crew as, in tandem with the other mandatory activities like 200 pushups, and miles of running in the boot camp, is “way too much exercise” (Student Comment, Daven); they are “exhausted [and] want a break” (Student Comment, Elijah). Even if they feel tired, though, they feel as if they “don't have a choice” (Student Comment, Jon) in the matter; if they say they’re “tired [they] get a write up” (Student Comment, Daven). Students are criminalized if they do not comply and perform the manual labor on fire crew. One student said “we slaves [on crew]” (Student Comment, Tony) as students do not get paid (if they do at all) until three months after their release and some of the check goes to victim restitution (Student Comments).

The paramilitary nature of the camp creates gatekeepers of staff, which reinforces an unbalanced power hierarchy. Police are seen as critical gatekeepers for youth to the juvenile

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<sup>166</sup> Lefebvre, Henri. *The production of space*. Vol. 142. Blackwell: Oxford, (1991): p. 190.



justice system.<sup>167</sup> This remains true, but inside the camp, staff and teachers act as gatekeepers to power and basic humanity for youth. Students' main personnel concerns within the camp lie with the "strict and corrupt staff" (Student Comments). Students say that staff go on unnecessary power trips, bring their emotions into camp, and there is no reciprocal relationship between the students and staff. Additionally, students hold that staff give them write ups at their discretion and will "make up lies about you if [a guard is] having a bad day" (Student Comment, Elijah). "Staff think they can control [them]" (Student Comment, Leroy). According to the Encyclopedia of Juvenile Justice, in a 'typical day in boot camp,' "inmates are required to address staff as "Sir" or "Ma'am," [and] to request permission to speak."<sup>168</sup> The experience at Camp AP mirrored the 'typical boot camp;' students routinely complained about the power dynamics at play when forced to raise their hands to speak, and then say 'permission to speak' before vocalizing their thoughts. When students are not allowed to express themselves without approval from staff, they "don't feel like [they] can say when [they're] upset without getting in trouble" (Student Comment, Ramon). It functions as an old fashioned military school, counter to the goals of the educational institution which aims to develop self-esteem leading to empowerment and hope.<sup>169</sup>

Teachers within the camp exist as gatekeepers to student power through the expectations and advice they impart to students. I observed a teacher telling students to "shut up," that she "supersedes anything [students] have to say" (Teacher Comment, Ms. James) as well as calling a student "sociopath" (Teacher Comment, Ms. James). Teachers send the message that they expect

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<sup>167</sup> Goodrich, Samantha A., Stephen A. Anderson, and Valerie LaMotte. "Evaluation of a program designed to promote positive police and youth interactions." *Journal of juvenile justice* 3, no. 2 (2014).

<sup>168</sup> Armstrong, Gaylene, Mackenzie, Doris. *Encyclopedia of juvenile justice. Boot Camps*. SAGE Publications, (2002): p. 31.

<sup>169</sup> Los Angeles County Office of Education. "Road to Success Academies." LACOE, 2011. <http://www.lacoe.edu/Home/RTSA/RTSASCHOOLS.aspx>

students to come back and or immediately commit crimes post release. For example, a teacher said that “90% of the kids [upon release] will use drugs” (Teacher Comment, Mr. Taylor). Although it was encouraging to hear Mr. Taylor say that “[he] wants the best for the students, has their back, and wants to support them” (Teacher Comment), if he believes nearly all students will do drugs upon release, he will view youth as drug users rather than students. Teachers criminalize students viewing them through a deficit based model which vacates the teachers’ role in developing the lived expertise of students and passes off personal culpability to students. Teachers at camp often preached a ‘no excuses’ model, popularized by the charter school movement. An evaluation of the No Excuses model found that in the highly regulated school students learned to monitor themselves, hold back their opinions, and defer to authority rather than express themselves.<sup>170</sup> Like the model, the camp prioritizes passive acceptance of rules rather than power sharing amongst students, actors, and leadership.

The staff and teachers as gatekeepers and a deficit based view of students reinforce power dynamics and may lead to further criminalization of students. One day in class, a student asked Ms. James to step outside for a second as he became agitated with another student; she prohibited him from going outside, he left the class for a second to calm down, then she kicked him out of class, and suspended him for two days. This incident is one of many that supports a trend of hyper-criminalization of students within the camps; the school suspended 19.8% of students at Camp AP during the 2015-2016 school year, more than five times the state’s overall suspension rate of 3.7%.<sup>171</sup> In juvenile court schools like the one at Camp AP, suspensions especially adversely affect youth who can have time added onto their camp sentence as a result

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<sup>170</sup> Golann, Joanne W. "The paradox of success at a no-excuses school." *Sociology of education* (2015).

<sup>171</sup> Los Angeles County Office of Education. “Afflerbaugh-Paige Camp 2015-2016”, Ed-Data.org,

of in-school suspensions.<sup>172</sup> There is a strong correlation between students who enter the camps and then go to prison. A study found that recidivism is twice as high for violent first time offenders who go to camp than those who are in house probation.<sup>173</sup> Just like Scared Straight programs which have been proven to do more harm than good,<sup>174</sup> the boot camps are negligent to students' lived expertise and further the emotional, physical, and mental health challenges that students bring into camp.

## 2. Emotional, Physical, and Mental Health Challenges

Students bring in emotional and physical violence to the camp; to truly understand the challenges students are met with, we must "bear witness not only to the brutality of prison, but to the brutality of the life before prison."<sup>175</sup> I describe the brutality of life before prison through the emotional, physical, and mental health challenges that youth face. Numerous students face violence on the outside that impact their lived emotional experience inside the camp. Students who commit violent acts are far more likely to have violence exposure and symptoms of psychological trauma than others.<sup>176</sup> In a study of students involved in the juvenile justice system, most participants (92.5%) had experienced one or more traumas and significantly more males (93.2%) than females (84.0%) reported at least one traumatic experience; 11.2% of the sample met criteria for PTSD in the past year. Over half of the participants with PTSD reported

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<sup>172</sup> Youth Law Center. *Educational Injustice: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools*. (2016): p. 3-4.

<sup>173</sup> Ryan, Joseph P., Laura S. Abrams, and Hui Huang. "First-time violent juvenile offenders: Probation, placement, and recidivism." *Social Work Research* (2014).

<sup>174</sup> Petrosino, Anthony, et. al. "'Scared straight' and other juvenile awareness programs for preventing juvenile delinquency." *The Cochrane Library* (2013).

<sup>175</sup> Coogan, (2013): p. 73.

<sup>176</sup> Flannery, Daniel J., Mark I. Singer, and Kelly Wester. "Violence exposure, psychological trauma, and suicide risk in a community sample of dangerously violent adolescents." *Journal of the American Academy of Child & Adolescent Psychiatry* 40, no. 4, (2001): p. 435-442.

witnessing violence as the precipitating trauma.<sup>177</sup> These results mirrored my observations at Camp AP in which a majority of the students reluctantly mentioned traumas. All students in class reported being surrounded by violence growing up and having dreams in camp where they faced gunfire. One student mentioned he doesn't really care if he lives or dies and often made suicidal references. As many as 70 percent of youth in the system are affected with a mental disorder, and one in five suffer from a mental illness so severe as to impair their ability to function as a young person and grow into a responsible adult.<sup>178</sup> "The hood 'calls you back'" (Outside Comment, Steve) after leaving the facility, though, and students leave camp with the same pre-camp health challenges.

To survive within the facilities, students on a daily basis have to prove their masculinity, which has a marked impact on their emotional and mental health. Students in the class often proclaimed, "I'm a man, I don't think about it" (Student Comments), when asked about traumas in their life. "While wealthy men can prove their masculinity through the ability to earn money and consume products that make them manly, poor young [incarcerated] men have to use toughness, violence, and survival as the means of proving their masculinity and resilience."<sup>179</sup> "It is no mistake that boys commit crimes or that they engage in acts of violence because their task at this stage requires that they do so in order to take their place among men."<sup>180</sup> In addition to proving their masculinity through grit, grind, and violence, which is sometimes criminalized, as

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<sup>177</sup> Abram, Karen M., Linda A. Teplin, et al, "Posttraumatic stress disorder and trauma in youth in juvenile detention." *Archives of general psychiatry* 61, no. 4, (2004): p. 403-410.

<sup>178</sup> Skowrya, Kathleen R., and Coccozza, Joseph J. "Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System National Center for Mental Health and Juvenile Justice." Washington, D.C.: National Center for Mental Health and Juvenile Justice, Draft. (January 2006): p. ix.

<sup>179</sup> Rios, Victor M. "The consequences of the criminal justice pipeline on Black and Latino masculinity." *The ANNALS of the American Academy of Political and Social Science* 623, no. 1 (2009): p. 153.

<sup>180</sup> Dowd, Nancy E. "Boys, masculinities and juvenile justice." *J. Korean L.* 8 (2008): p. 132.

adolescents, students are burdened with emotional vacancy and a lack of support. “A boy lives in a narrowly defined world of developing masculinity in which everything he does or thinks is judged on the basis of the strength or weakness it represents: you are either strong and worthwhile, or weak and worthless.”<sup>181</sup> There is a strong paradox between “feeling like [they] have lived a life of a grown man” (Student Comment, Tommy) and not having the support needed to take on the responsibilities of being a man. To be a strong man, students believe that they should “not ask for help” (Student Comments) and end up taking personal responsibility for themselves, taking care of their family, getting a job, and continuing their education when the system should be giving students the support they need. Juveniles are often told to take responsibility for their actions and not allowed to express emotions as a result. The young men blame themselves when their family is evicted from their apartment, or their friend is killed (Student Comments), but they are “not allowed to cry” (Student Comment, Ramon). Students have the weight of supporting those that they love on their mind constantly, but they are restricted in acting on their desire to support within the camp. At 17 years old, young men are tasked with substantial external responsibilities that could limit the ability to take care of oneself and emotional needs. One student who awaited his release within the next week had a baby on the way, lacked housing, needed a job, and was short on credits to graduate.

There is a certain powerlessness within the camp that does not allow these students to grind, make money, consume products, or support others, all valued manifestations of masculinity. In addition, I contend that the criminal justice pipeline encourages expressions of

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<sup>181</sup> Kindlon, Dan and Michael Thompson, with Teresa Barker. *Raising Cain: Protecting the Emotional Life of Boys*. New York: Ballantine Books. 1999: p. 78.

hyper-masculinity, the “exaggerated exhibition of physical strength and personal aggression.”<sup>182</sup> This, in turn, leads the young men to rely on domination through violence, crime, and a criminal justice record.”<sup>183</sup> In reflecting upon their childhoods, students discussed how family discipline controlled their body language; they could not sit cross-legged, or act in any feminine way (Student Comments). As young as three years old, their bodies were policed and criminalized for bucking the man box and masculinity through their movements.<sup>184</sup>

The students are predisposed to being viewed as criminals and the camp re-inscribes violence on communities. While the justice system punishes particular forms of deviance in poor communities of color, it also inflicts structural violence on these neighborhoods in the process that becomes part of residents' lived realities in these spaces. As a result, critical scholars argue that this structural violence reproduces older models of formalized racial hierarchy by defining a racialized caste system.<sup>185</sup> Students are surrounded by criminalization at an early age. In class, we discussed students' families and who students miss on the outside. One student mentioned that his brother is “on house arrest at 10 years old” (Student Comment, Travis). Other students laughed at how young that is to be on house arrest; after a long silence, another student said “damn, I just realized I was on house arrest at 11” (Student Comment, Tony). From a young age, students become “pawns within the system” (Student Comment, Elijah); there are many similar heartbreaking stories, but the criminality and culture of silence within camps creates a lack of linked struggle and cultivation of their lived expertise through involvement in the system.

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<sup>182</sup> Harris, Angela. “Gender, violence, race, and criminal justice.” *Stanford Law Review* 52. (2000): p. 785.

<sup>183</sup> Rios, Victor. (2009): p. 151.

<sup>184</sup> Young, Hershini Bhana. "Inheriting the Criminalized Black Body: Race, Gender, and Slavery in "Eva's Man"" *African American Review* 39, no. 3 (2005): p. 377-93.

<sup>185</sup> Lopez-Aguado, Patrick. "The Collateral Consequences of Prisonization: Racial Sorting, Carceral Identity, and Community Criminalization." *Sociology Compass* 10, no. 1 (2016): p. 20.

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

Students struggle when most of their life they have been in the system or their family has been in and out of the system, and they don't have the support they need to break the cycle of criminalization. For several of the students, their families' criminalization led to homelessness; one student was homeless with his family for two years. Through a lack of stable shelter, students' sense of home and security is threatened, which can have drastic effects on their mental health and make them "feel like a refugee in camp" (Student Comment, Malik). Due to their criminality, students feel that much of their humanity is threatened and basic needs are not met.

Students' basic needs for cleanliness and hygiene within camp is neglected. In speaking to the students at the camp, they believe "it's the little things" (Student Comments) that help them be successful. Students do not demand the world; they simply would like their own personal items such as soap, shampoo, and lotion, so they don't have "to go to school crusty" (Student Comment, Jon). Their shoes, which are typically a point of pride in young men, are old black Velcro shoes that often have holes in them. Students' dress in a generic polo shirt with a grey sweatshirt over the polo and sweatpants. Several days a week, students wear orange, the color of prison wear, when exercising or when walking around the camp. Students do not want their family or friends to see them in their current state as they feel "dehumanized" and "not normal" (Student Comment, Malik). Hygiene could be a pathway for humanization rather than criminalization. On the other hand, students are incredibly perceptive and call out the funding paradox in camp; LA County spends up to \$233,000 per year per student,<sup>186</sup> but according to students "it feels like they spend \$10,000 max" (Student Comment, Jose). At the end of the day, though, students are not asking for that money to be spent lavishly, they simply want to "fit in and be a normal person" (Student Comments). There is a famous Pablo Neruda poem in which

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<sup>186</sup> Therolf, Garrett, (2016).

*The Builder* enters the woods, concluding, “I have no recourse but to live.”<sup>187</sup> Students, like the man, are *just trying to live* and have no other option. In spite of a plethora of challenges facing students in camp, they possess a wealth of lived expertise in how the camp should improve to enable students to live with humanity and thrive.

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<sup>187</sup> Rogovin, Milton, Dennis Maloney, and Robert Bly. Pablo Neruda *The Builder* Windows that open inward: images of Chile. White Pine Press, (1999): p. 57, cited in Coogan, (2013).



## **VI. Chapter Five: A Change is Gonna Come: Student Policy Recommendations**

*“I like talking about how to make the jail system better. I would change the kids’ perspective on life, gangbanging, and let them know how important education is to them. Talking to someone who’s experienced juvie, camp, jail, or prison and made a whole positive turn in their life is something they need to hear” (Student Comment, Hector).*

I draw policy recommendations from the students at Camp Afflerbaugh-Paige and their lived expertise in the camps. Including stakeholders with lived expertise in policy conversations and prioritizing their knowledge can make the policymaking process more receptive to those who will be impacted by the policy itself. In juvenile justice, students’ lived expertise should position them as policy experts. Students’ lived expertise enabled them to propose alternatives to the challenges they face in camp. Through youth participatory action research, students wrote out solutions to improve the paramilitary camp. These policy recommendations are the crux of the empowerment evaluation I performed while at Camp AP.

### *If \_\_\_ Ran Juvie*

As mentioned above, I facilitated an informal policy lesson through a Marshall Project article entitled “If Kids Ran Juvie: Suggestions from the people who know juvenile detention best.”<sup>188</sup> During a two class policy seminar, students spoke out against the paramilitary camp primarily and provided detailed policy analysis and recommendations. The policy recommendations spoke to the challenges presented inside of the camp, splitting to address the paramilitary setting and health challenges.

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<sup>188</sup> Hager, Eli. “If Kids Ran Juvie.” The Marshall Project. February 12, 2017.

### Changing Space: Paramilitary Setting

Students' major policy recommendations addressed staff, crew, and camp culture. The following are procedural changes to camp rules and cost-efficient measures. As part of the policy exercise 'If \_ Ran Juvie,' students took on the role of camp director and brainstormed ways to help kids "be successful."<sup>189</sup> First and foremost, as camp director, they "would change the way staff treat the minors, yelling, touching, and acting like [students] owe them something" (Student Comment, Tommy). The staff are "not Gods and shouldn't act like it" (Student Comment, Travis). To remedy the inequities of the relationship between staff and students in a tangible way, students suggested to immediately "get rid of 'permission to speak'" as "it's the little stuff that will make [them] feel more human" (Student Comment, Malik). Students argue 'permission to speak' is an unnecessary and dehumanizing rule that restricts their expression. Students expect reciprocity from the guards and believe that the staff would never ask for 'permission to speak.' Students also recommended changing "the write up process [to make it more uniform] because [students] don't have much say so" (Student Comment, Leroy). Furthermore, students demanded an end to the practice of locking them in "'the box' for multiple hours" (Student Comment, Jon) to a "one hour max [confinement]" (Student Comment, Jon). Moreover, in regards to the work-camp nature of Camp Paige, students posit that they are overworked within camp and suggest eliminating or reforming fire crew in favor of applicable job training post-release. At a minimum, minors proposed one week on and one week off from work due to exhausting hours and the combination of school and crew demand. Minors want to receive the money earned in camp at the time of work to support their family or themselves, instead of getting paid three months post release (Student Comments). Students, as hypothetical leaders of the camp, want to

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<sup>189</sup> See Appendix B.

make changes that would “help [them] feel more human” (Student Comments) and less “like slaves” (Student Comment, Tony).

All of the students in class proposed solutions to make the camp “more like normal school” or “the real world” (Student Comment, Jesus) and less divorced from normalcy. The first step for students centered on allowing more contact with their ‘people’ on the outside. At present, students only get one 18 minute call once a week, but would prefer “at least four calls a week that are longer” (Student Comments) so they do not have to choose which family member or friend they can talk to each week. Students also desire more in person contact with family and friends as they only get one visit a week. However, some students “do not want [their] family and friends to see [them] in camp” (Student Comments). Students’ self-image is low and they feel that their hygiene needs are not met; they would not want their ‘people’ to see them “looking crusty” (Student Comments). To address their self-image, students recommended creating a juvenile commissary where they can obtain personal hygiene items that would enable them to “take better care of [themselves]” (Student Comment, Jose). This is an instance where the students feel that inmates in jails have more rights than they do (Student Comments); inmates have personal items, and commissary, whereas the students do not. They believe that they should be able to use the money that they earn from working in fire crew to either support their family or pay for potential commissary items. There is precedence for their suggestion; Johnson County, Indiana, created a commissary fund and allow minors to purchase merchandise for personal use. LA County could adopt similar policy.<sup>190</sup> Students also recommended changing the camp food to allow them to “eat food from the outside” (Student Comments).

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<sup>190</sup> Board of Commissioners of Johnson County, Indiana. “Juvenile Detention Center Commissary Fund” Ordinance No. 2000-8. (2000): p. 1. <http://co.johnson.in.us/wp-content/uploads/2015/08/2000-08.pdf>

If students ran the camp, they would implement recommendations that would make their lives less regimented and allow for more agency. Students would change rules such as moving two minute showers to ten minutes, allowing students to express themselves through their clothing, and granting students more freedom to walk around camp without getting a write-up (Student Comments). Furthermore, students emphasized the importance of rest within a facility that they feel “overworks [them]” (Student Comments). If they ran the camp, they would “be able to go to sleep whenever [they] want, turn off the lights in the dorm so [they could] sleep, and get mattresses that do not give them back problems” (Student Comments). Many of the challenges presented prevent students from meeting basic needs as outlined in Maslow’s Hierarchy of Needs.<sup>191</sup> According to Maslow, the first category of needs, physiological and safety, basic needs composed of food, water, warmth, rest, and security, must be met before one focuses on psychological needs.<sup>192</sup> Without full access to rest, care, and normalization, students will not be able to prioritize their psychological or self-fulfillment needs. Students, based on their lived expertise, astutely prioritized their basic needs as immediate areas for policy reform within the paramilitary camp.

I synthesized the concrete and pressing student policy recommendations into a policy memorandum, but the changes do not represent the whole of student reformations. They seek to change regulations, work, sleep, outside contact, and create a juvenile commissary. The policy recommendations are informed by students and are procedural, cost-efficient measures to address students’ basic needs. See Appendix K for the full policy memo that will be delivered to the head of juvenile probation in Los Angeles County.

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<sup>191</sup> Maslow, Abraham H. ““Higher” and “Lower” Needs.” *The journal of psychology* 25, no. 2 (1948): p. 433-436.

<sup>192</sup> See Appendix J for Maslow’s Needs Hierarchy.

## A Healthier Camp

While I observed a wide array of health challenges students faced in camp, since students' basic needs are not met, their policy recommendations did not address their emotional or mental health. Students proposed solutions to improve their physical health through supplying sleeping medicine and an on-site doctor (Student Comments), but solutions to address their health ended there. I theorize that students spend much of their time worrying about their basic, physiological needs and external surroundings within camp that they do not have the time to prioritize self-care or even envision what that would entail. Masculinity could play a role in the young men not believing that their emotional and mental health are basic needs. The paramilitary setting and students' health are without a doubt related; potentially reforming aspects of the paramilitary setting could improve students' health. If students will not prioritize their mental and emotional health, it becomes all the more important that the camp is rooted in trauma informed care<sup>193</sup> which addresses the mental health challenges that students confront daily.

## Empowerment and Hope

Students' recommendations as camp directors, if listened to, provide key insights as to the support they need to thrive. Students know what they need to be successful inside the facility and to thrive post-release. When asked, students proposed five key tenets of support that the camp should prioritize: 1. Relevant education; 2. Supportive staff who know what students are going through; 3. Money for commissary; 4. More counseling; and 5. More freedom. Through their lived expertise, students know what they need inside of the camp and proposed

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<sup>193</sup> Ko, Susan J., et. al. "Creating trauma-informed systems: child welfare, education, first responders, health care, juvenile justice." *Professional Psychology: Research and Practice* 39, no. 4 (2008).

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

requirements for when they exit the camps. Assuming that the camp prioritizes the above tenets of support to enable students to grow while in camp, nearly released students need “support from people who done it” (Student Comment, Hector) and tangible resources. A theme emerged of students needing mentors who used to be in their position and could walk through the steps that students would need to take to make it. Students asked for mentors who are “real,” “made it out,” and “come to camp to give [them] better ways to get through life; [they want] more discussions and visitors who been through what [they] been through” (Student Comments). Students yearn to model those that “have been in the same place [as it] gives [them] hope” (Student Comment, Jon). Additionally, many students expressed the need for resources and training that follows the words of support and alternative vision presented by their mentor. Accompanying the wisdom that they can do better, students “need a good paying job so [they] don’t have to flock<sup>194</sup> and [they] can focus on doing well” (Student Comment, Malik). Students emphasized this need for credible rhetoric and accompanying resources. Empty rhetoric provided by mentors is not sufficient for students who, on the whole, want to do better for themselves, but are met with camp and systemic challenges on a daily basis. Students need the gross monetary resources that go into the camp to meet their basic needs and equitably distribute resources based off of demonstrated student need to lead to the stated goal of the camp: “empowerment to transform [students’] lives.”<sup>195</sup>

*What Would You Do With \$233,000?*

Students are hyper-attuned to the gap between the money that the county spends per student and the lack of support that they feel. LA County devotes \$233,000 per year<sup>196</sup> per

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<sup>194</sup> Slang term for rob

<sup>195</sup> Los Angeles County Office of Education. "Road to Success Academies." LACOE, 2017.

<sup>196</sup> Therolf. (2016).

student in the system. Budgets are statements of public values in numbers form, and while the county devotes significant monetary resources to the camp itself, students do not feel like the allocation of the money is alignment with their needs. No matter how much money LA County spends to hold youth in detention facilities and camps, if the students do not feel its impact, there is little saliency to the allocation. Copious amounts of funds are spent on a plethora of staff, which have not adjusted in quantity or quality as the number of youth housed by LA County decreased from 2,000 to 621.<sup>197</sup> The highest percentage of funds, staff salary and pensions,<sup>198</sup> according to students, does not help them succeed (Student Comments). I would detail the specific allocation of the funds, but “probation does not adequately track expenditures for juvenile halls and camps.”<sup>199</sup> When I told students the \$233,000 figure, some said, “what \$233,000? I got shoes with holes in them, we have ugly clothes, bad food, broken TVs, I sleep on a yoga pad on a steel frame, and I have to do crew” (Student Comments). The following are student budget priorities, which are responses to the exercise outlined in Appendix C. Of the four randomly selected students below, all chose either education, good staff, or programs to help them obtain a job or exit gangs as their top priority.

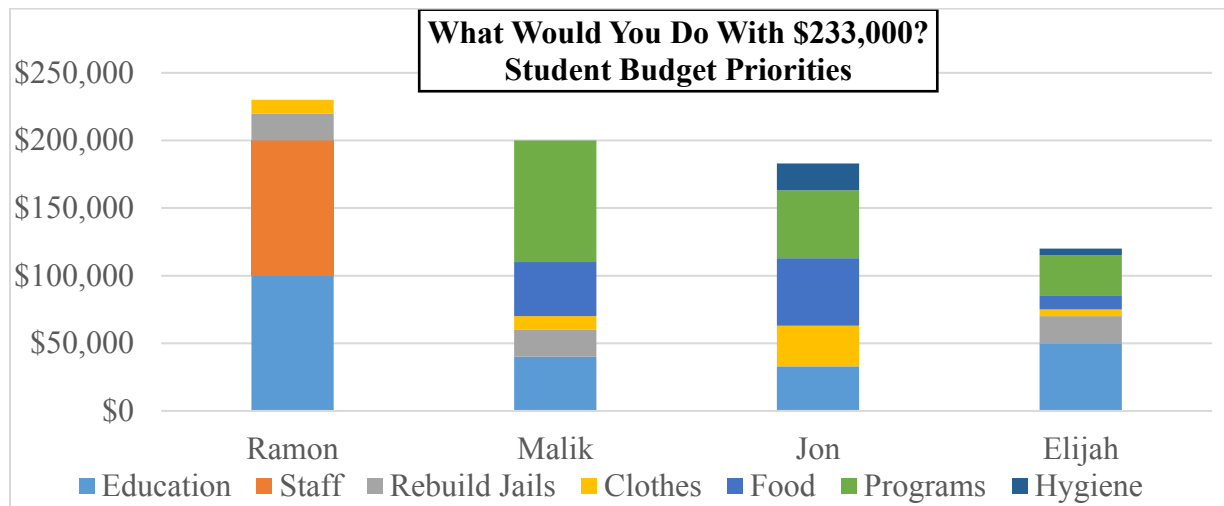
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<sup>197</sup> *Ibid*

<sup>198</sup> *Ibid*

<sup>199</sup> Otilie, Madeline. "Two New Probation Chiefs for Los Angeles Will Find Full Plate." Juvenile Justice Information Exchange. November 07, 2016.

Table 3. Student Budget Priorities.



*Source:* Student responses to in-class policy lesson, “What would you do with \$233,000?”

Students’ lived expertise makes them practical budget makers, prioritizing their basic needs that will enable them to thrive in the future. Students proposed using the money for “comfortable living” (Student Comment, Daven) to meet their basic needs. Students stressed the importance of focusing on “the little stuff that makes a difference...shit like comfortable beds would make [them] do better” (Student Comment, Jesus). Moreover, students emphasized the need to use classroom funds on teaching that is relevant to their lives and education that “expands [their] minds and possibilities” (Student Comment, Jose). Students expect a smaller portion of the budget to go to staff; however, students do recognize that it is essential to have staff whom are more empathetic and “understand what [students] are going through” (Student Comment, Jesus). To grow as students, they want to spend money on recruiting guest speakers who would “open up [their] minds to more possibilities and tell [them] real reasons not to do something and how to do the right thing instead” (Student Comment, Leroy). Accompanying guest speakers, students would spend money on programs like recreation, art, and job training to keep kids engaged and tangibly gain the skills to make money legally. Interestingly, nearly every



*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

student chose to be more fiscally conservative with the budget than LA County. Given \$233,000 to spend on themselves, they chose to be selfless and spend the rest of the money “in [their] school on the block to make it better for the kids coming up” (Student Comment, Elijah) or on their “siblings’ college education” (Student Comment, Jose). Students prioritize education for themselves and believe that the budget should do the same. Budget makers in LA County could learn from students’ lived expertise and their priorities when they decide what to do with the county’s money to truly support students. Students would feel empowered to “speak to lawmakers as a lawbreaker” (Outside Comment, Steve).

## **VII. Conclusion**

I would like to conclude by reiterating the importance of an asset-based framework that validates lived expertise of students. I observed three main categories of student expertise: academic skills through art as demonstrated in tagging and rapping; entrepreneurial skills seen in their hustling; and legal knowledge. All three categories of expertise have been criminalized rather than cultivated by the system. If the camp aims to build upon students' expertise, it should begin by listening to students. Listening to students brought forth challenges with the legal system as well as with the camp itself. The paramilitary nature of the camp manifested through staff expectations, fire crew, poor hygiene, and lack of basic needs met, prohibits student growth. LA County has significant resources that the camp could use to cultivate the students' expertise, and eliminate barriers to students' thriving. The camp could listen to student policy recommendations to make it less paramilitary, more student centered, and trauma informed. To truly prepare students to thrive, though, the camp should look to provide students with the tools they need on the outside as well.

Ms. James often asked students if they "wanted [success] now, or whether [they could] crawl before [they] ball" (Teacher Comment, Ms. James) -- whether students could delay success or not. The act of being held in the camp forces students to want success now; because their freedom has been so restricted, students want all of the different things they could not access within camp. At the same time, though, they are unlikely to be successful when they are released because of the barriers that are in place for them in terms of a juvenile record, a lack of job skills, or just not knowing about support systems that exist. This gross contrast must be reconciled and should be at the forefront of the camp's mind to prepare students for their release. In addition to being taught delayed gratification and a growth mindset in camp, students need resources

attached to rhetoric. I concluded that, after students basic needs are met, students need two things: 1. A mentor from a similar position to provide them with guidance and empathetic support; and 2. The resources and support to get where they need to be.

REALsearch is absolutely necessary to not only center the voices of youth but also allow them to direct the research. If I had more time to devote to the study, I would make an effort to truly perform REALsearch that expands beyond the evaluation, is student directed, and action oriented. Students know what they have now is not working especially when they see data or numbers that substantiate what they already believe; as a researcher, the key is to tie one's clout or academic credibility to students' lived expertise. Youth should be viewed as students not criminals; actors in the system should learn about their assets and help them to cultivate their expertise through an ethic of care. If students display an outward apathy, it should not be confused for lack of knowledge. It is more so the lack of appreciation on the part of staff and former teachers that has created student apathy. Students have not seen themselves in the role of college students, businessmen, musicians, and mini-lawyers. For teachers and social activists, the problem is how to deliver social resources to those who are capable of being rehabilitated while working within the political constraints of specific prisons and against the larger social forces that oppose the investment of taxpayer dollars in efforts at rehabilitation.<sup>200</sup> For someone who has been convicted of a felony, the question is how to reconstitute his or her self-concept from that of criminal to that of a decriminalized, rehabilitated, punishment-served, debt-to-society-paid, law-abiding person—and to do so while residing within the walls of a facility that functions in just the opposite way.<sup>201</sup> If I were to pursue this project further, I would delve into a more nuanced discussion of race within the juvenile justice system and employ a power theory

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<sup>200</sup> Harnett, (2013): p. 46.

<sup>201</sup> *Ibid.*

analysis as well. In the future, it is my hope that communities are not criminalized, young men and women are not placed within paramilitary institutions, but rather engaged in a liberatory education, policymakers seek out the expertise of youth when searching for an alternative to incarceration, and an end to the youth-prison industrial complex.

## References

- Abbott, J. H. *In the belly of the beast: Letters from prison*. New York: Random House. (1981).
- Abram, Karen M., Linda A. Teplin, Devon R. Charles, Sandra L. Longworth, Gary M. McClelland, and Mina K. Dulcan. "Posttraumatic stress disorder and trauma in youth in juvenile detention." *Archives of general psychiatry* 61, no. 4, (2004): p. 403-410.
- Abu-Jamal, Mumia. *Jailhouse lawyers: Prisoners defending prisoners v. the USA*. City Lights Books, (2009).
- Advancement Project. "Education on lockdown: the schoolhouse to jailhouse track." (2005, March 24).
- Albright, M. K., Singh, N. C., and De Soto, H. "Commission for Legal Empowerment of the Poor: Making the Law Work for Everyone." Technical report, United Nations Development Programme, New York. (2008).
- Arbedman, Lee. Law Related Education Interview by Ian Schiffer. Phone. (November 12, 2016).
- Armstrong, Gaylene., Mackenzie, Doris. *Encyclopedia of juvenile justice*. Boot Camps. SAGE Publications, (2002): p. 28-34. McShane, Marilyn D., and Frank P. Williams III, eds.
- Bartolome, Lilia. "Beyond the methods fetish: Toward a humanizing pedagogy." *Harvard Educational Review* 64, no. 2, (1994): p. 173-195.
- Bass, E. & Davis, L. *Beginning to heal: A first book for survivors of child sexual abuse*. Harper Perennial: New York. (1993).
- Bernacki, Matthew L., Timothy J. Nokes-Malach, and Vincent Alevan. "Examining self-efficacy during learning: variability and relations to behavior, performance, and learning." *Metacognition and Learning* 10, no. 1 (2015): p. 99-117.
- Bernstein, Nell. *Burning down the house: The end of juvenile prison*. The New Press, (2014).
- Board of Commissioners of Johnson County, Indiana. "Juvenile Detention Center Commissary Fund Ordinance No. 2000-8." (2000). <http://co.johnson.in.us/wp-content/uploads/2015/08/2000-08.pdf>.
- Bourdieu, Pierre. "The forms of capital." (1986). *Cultural theory: An anthology* (2011): 81-93.
- Burney Nissen, Laura. *IPJ Vol. 7 No. 1*. (1998): p. 121.  
<http://reclaimingfutures.org/resources/youth-bill-of-rights>.
- Buzzell, Tim. "Law-related education and juvenile justice: promoting citizenship among juvenile offenders." Springfield, Ill.: C.C. Thomas. (1997): p. 160-173.
- Buzzell, Tim. Law Related Education Interview by Ian Schiffer. Phone. (November 7, 2016).
- Caldwell, Beth, and Ellen C. Caldwell. "Superpredators and Animals-Images and California's Get Tough on Crime Initiatives." *JJIS* 11 (2011): p. 61.
- Case, Kim A. "Discovering the privilege of whiteness: White women's reflections on anti-racist identity and ally behavior." *Journal of Social Issues* 68, no. 1 (2012): p. 78-96.

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

- Chura, David. "The "Man Box": Helping Young Men Change." Kids in the system. September 17, 2011. <https://kidsinthesystem.wordpress.com/2011/09/17/the-man-box-helping-young-men-change/>.
- Coleman, James S. "Social capital in the creation of human capital." *American journal of sociology* 94 (1988): S95-S120.
- Coogan, David. *Working for Justice: A Handbook of Prison Education and Activism*. Baltimore, US: University of Illinois Press, (2013). Hartnett, Stephen John, and Novek, Eleanor, eds. Web.
- Cube, I., Woods-Wright, T., Alvarez, M., Gray, G., Bernstein, S., Dr. Dre. (Producers), Gray, G. (Director), *Straight Outta Compton*, United States: Universal Pictures. August 14, 2015.
- Darder, A. *Reinventing Paulo Freire: A pedagogy of love*. Boulder, CO: Westview Press. (2002).
- Dowd, Nancy E. "Boys, masculinities and juvenile justice." *J. Korean L.* 8 (2008).
- Emdin, Christopher. *For white folks who teach in the hood-- and the rest of y'all too: reality pedagogy and urban education*. Boston, MA: Beacon Press, (2016).
- Emerson, Robert M., Rachel I. Fretz, and Linda L. Shaw. *Writing ethnographic fieldnotes*. University of Chicago Press, (2011).
- Fairdosi, Amir. "Arrested Development: The effects of criminal justice supervision on political efficacy." University of Chicago. (2009).
- Fetterman, D. M. "Empowerment evaluation. Presidential Address." *Evaluation Practice*, 15(1), (1994): p. 1–15.
- Flannery, Daniel J., Mark I. Singer, and Kelly Wester. "Violence exposure, psychological trauma, and suicide risk in a community sample of dangerously violent adolescents." *Journal of the American Academy of Child & Adolescent Psychiatry* 40, no. 4 (2001): p. 435-442.
- Flores, Jerry. "Jail Pedagogy: Liberatory Education inside a California Juvenile Detention Facility." (2012).
- Franco, Norma. "Humanizing Youth through a Graffiti Discourse: A Critical Pedagogy Space." California State University Northridge. (August 2013).
- Freire, Paulo. *Pedagogy of the oppressed*. Bloomsbury Publishing, (1970).
- Fyfe, Nicholas, ed. *Images of the street: Planning, identity and control in public space*. Routledge, (2006).
- Garoian, Charles R. *Performing pedagogy: Toward an art of politics*. SUNY Press, (1999).
- Gershenson, Seth, Stephen B. Holt, and Nicholas W. Papageorge. "Who believes in me? The effect of student–teacher demographic match on teacher expectations." *Economics of Education Review* 52 (2016): p. 209-224.

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

- Gillis, A. R., and John Hagan. "Delinquent Samaritans: Network structure, social conflict, and the willingness to intervene." *Journal of research in crime and delinquency* 27, no. 1 (1990): p. 30-51.
- Golann, Joanne W. "The paradox of success at a no-excuses school." *Sociology of education* (2015).
- Goodrich, Samantha A., Stephen A. Anderson, and Valerie LaMotte. "Evaluation of a program designed to promote positive police and youth interactions." *Journal of juvenile justice* 3, no. 2 (2014).
- Hager, Eli. "If Kids Ran Juvie." The Marshall Project. February 12, 2017.  
<https://www.themarshallproject.org/2017/02/12/if-kids-ran-juvie#.nA0phdfSs>
- Hager, Eli. "Philadelphia ends practice of billing parents for the time their children spend in detention." *The Washington Post*. (March 03, 2017).
- Hanh, Thich Nhat. "A quote by Thich Nhat Hanh." Goodreads.  
<http://www.goodreads.com/quotes/153586-when-you-plant-lettuce-if-it-does-not-grow-well>.
- Harris, Angela P. "Gender, violence, race, and criminal justice." *Stanford Law Review* 52. (2000): p. 777-807.
- Hartnett, Stephen John, and Novek, Eleanor, eds. *Working for Justice: A Handbook of Prison Education and Activism*. Baltimore, US: University of Illinois Press, (2013).
- Hudgins, Charles, Alex Figuerora, Darius Hills, and Davonte Lewis. "Support Not Punish: Participatory Action Research Report." Community Connections for Youth. (2016).  
<https://cc-fy.org/wp-content/uploads/2016/02/CCFY-Support-Not-Punish-PAR-Report.pdf>
- Israel, Baba. "Remixing the Ritual: Hip Hop Theatre Aesthetics and Practice." Lulu.com, (2009).
- Johnson Smith, Kristi. Student feedback form. Learn NC.  
<http://www.learnnc.org/lp/editions/firstyear/1296>.
- Jun, Alexander, and Julia Colyar. "Parental guidance suggested." *Increasing access to college: Extending possibilities for all students* (2002): p. 195-215.
- Kavanagh, Matthew M., and Bebs Chorak. "Teaching Law as a Life Skill: How Street Law Helps Youth Make the Transition to Adult Citizenship." *Journal for Juvenile Justice and Detention Services* 18, no. 1 (2003): p. 71-78.
- Kindlon, Dan and Michael Thompson, with Teresa Barker. *Raising Cain: Protecting the Emotional Life of Boys*. New York: Ballantine Books. (1999).
- Klein Lerner, Patricia. "CYA Program Attempts to Teach Offenders Empathy and Remorse." *LA Times*. November 02, 1991.
- Ko, Susan J., Julian D. Ford, Nancy Kassam-Adams, Steven J. Berkowitz, Charles Wilson, Marleen Wong, Melissa J. Brymer, and Christopher M. Layne. "Creating trauma-

- informed systems: child welfare, education, first responders, health care, juvenile justice." *Professional Psychology: Research and Practice* 39, no. 4, (2008).
- Križ, Katrin, Janese Free, and Grant Kuehl. "How children are removed from home in the United States." K. Burns, T. Pösö, & M. Skivenes (Eds.), *Child welfare removals by the state: A cross country analysis of decision making systems* (2016): p. 197-222.
- Leeds-Hurwitz, W. "Social construction of reality." *Encyclopedia of communication theory*, (2009): p. 892-895.
- Lefebvre, Henri. *The production of space*. Vol. 142. Blackwell: Oxford, (1991).
- Los Angeles County Fire Department. "Camp has 17 graduates in first class-hybrid fire-probation" (2016).
- Los Angeles County Office of Education. "Afflerbaugh-Paige Camp 2015-2016", Ed-Data.org, <http://www.ed-data.org/school/Los-Angeles/Los-Angeles-County-Office-of-Education/Afflerbaugh--Paige-Camp>.
- Los Angeles County Office of Education. "Road to Success Academies." LACOE, (2017). <http://www.lacoe.edu/Home/RTSA/RTSASCHOOLS.aspx>
- Lopez-Aguado, Patrick. "The Collateral Consequences of Prisonization: Racial Sorting, Carceral Identity, and Community Criminalization." *Sociology Compass* 10, no. 1 (2016): p. 12-23.
- Loudenback, Jeremy. "L.A. County Approves Plan to Divert Youth from Justice System." *The Chronicle of Social Change*. January 25, 2017.
- Maslow, Abraham H. "'Higher' and 'Lower' Needs." *The journal of psychology* 25, no. 2 (1948): p. 433-436.
- Masser, ADAM L. "Measurement Methodologies for Legal Empowerment of the Poor." *United Nations Development Programme (UNDP) Oslo Governance Centre Discussion Paper* 6, (2009).
- McCarthy, Bill, and John Hagan. "When crime pays: Capital, competence, and criminal success." *Social forces* 79, no. 3 (2001): p. 1035-1060.
- Milner IV, H. Richard. "Race, culture, and researcher positionality: Working through dangers seen, unseen, and unforeseen." *Educational researcher* 36, no. 7 (2007): p. 388-400.
- Moser, David J., Stephan Arndt, Jason E. Kanz, Michelle L. Benjamin, John D. Bayless, Rebecca L. Reese, Jane S. Paulsen, and Michael A. Flaum. "Coercion and informed consent in research involving prisoners." *Comprehensive psychiatry* 45, no. 1 (2004): p. 1-9.
- Muscar, Jaime E. "Advocating the end of juvenile boot camps: Why the military model does not belong in the juvenile justice system." *UC Davis J. Juv. L. & Pol'y* 12 (2008): p. 1.
- Muth, Bill, and Madeline Kiser. "Radical conversations: Part two—Cultivating social-constructivist learning methods in ABE classrooms." *Journal of Correctional Education* (2008): p. 349-366.



*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

- Nileska, Mats. "Interview with Tupac Shakur." Swedish radio show P3 Soul. (1994).
- Noguera, Pedro. "Renewing and Reinventing Freire" In Motion Magazine. October 16, 2007. [http://www.inmotionmagazine.com/er/pn\\_freire.html](http://www.inmotionmagazine.com/er/pn_freire.html).
- Oakes, Jeannie, and John Rogers. *Learning power: Organizing for education and justice*. Teachers College Press, (2006).
- Oliver, Kimberly L., Heather A. Oesterreich, Raquel Aranda, Jarrod Archeleta, Casey Blazer, Kandy de la Cruz, Daniel Martinez et al. "'The sweetness of struggle': innovation in physical education teacher education through student-centered inquiry as curriculum in a physical education methods course." *Physical Education and Sport Pedagogy* 20, no. 1 (2015): p. 97-115.
- Ottilie, Madeline. "Two New Probation Chiefs for Los Angeles Will Find Full Plate." Juvenile Justice Information Exchange. November 07, 2016. <http://jjie.org/2016/11/07/two-new-probation-chiefs-for-los-angeles-will-find-full-plate/>.
- Padilla, Felix. *The Gang as American Enterprise*. New Brunswick, NJ: Rutgers University Press. (1992).
- Page, Joshua, and Shelly Schaefer. "From Risks to Assets: Toward a Strengths-Based Approach to Juvenile Justice Reentry into the Community." *Western Criminology Review* 7 (2006): p. 48-61.
- Pereira, Carolyn. "Law-Related Education in Elementary and Secondary Schools." ERIC Digest. (1988).
- Perry, Andre. "Why mentors need to stop trying to fix black and brown students." Hechinger Report. (February 10, 2015).
- Petrosino, Anthony, Carolyn Turpin-Petrosino, Meghan E. Hollis-Peel, and Julia G. Lavenberg. "'Scared Straight' and other juvenile awareness programs for preventing juvenile delinquency." The Cochrane Library, (2013).
- The Pittsburgh Foundation. "A Qualitative Study of Youth and the Juvenile Justice System: A 100 Percent Pittsburgh Pilot Project." 2017.
- Porter, Robert B. "Measurement of legal empowerment through the subjective perceptions of individuals." *Impact Assessment and Project Appraisal* 32, no. 3 (2014): p. 213-221.
- Porter, R. B. SLE in Kenyan Slum Communities: Development of the Concept. *European Journal of Development Research*, 27(1). (2014).
- Puig, Claudia. "Q & A with EAZY-E: 'Gangsta Rap? It's Reality Rap'" Los Angeles Times. August 05, 1994. [http://articles.latimes.com/1994-08-05/entertainment/ca-23722\\_1\\_reality-rap](http://articles.latimes.com/1994-08-05/entertainment/ca-23722_1_reality-rap).
- Regional Municipality of Waterloo. "Lived Experience as Expertise: Considerations in the Development of Advisory Groups of People with Lived Experience of Homelessness and/or Poverty." (May 2012)

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

- Rios, Victor M. "The consequences of the criminal justice pipeline on Black and Latino masculinity." *The ANNALS of the American Academy of Political and Social Science* 623, no. 1, (2009): p. 150-162.
- Robb-Jackson, Carley. "Part of the Justice Puzzle: Community-based Paralegal Programs and Sierra Leone's Legal Aid Act." *Canadian Journal of Poverty Law* 2, no. 1 (2013): p. 42-70.
- Rodriguez, Louie F. "Everybody grieves, but still nobody sees: Toward a praxis of recognition for Latina/o students in US schools." *Teachers College Record* 114, no. 1. (2012).
- Rupp, L. J., & Taylor, V. "Going Back and Giving Back: The Ethics of Staying in the Field." *Qualitative Sociology*, 34, (2011): p. 483-496.
- Ryan, Joseph P., Laura S. Abrams, and Hui Huang. "First-time violent juvenile offenders: Probation, placement, and recidivism." *Social Work Research*. (2014).
- Sanchez-Jankowski, Martin. *Islands in the Street: Gangs and American Urban Society*. Berkeley, CA: University of California Press. (1991).
- Schlosser, Eric. "The prison-industrial complex." *The Atlantic Monthly* 282, no. 6 (1998): p. 51-77.
- Schwartzapfel, Beth. "For \$12 of Commissary, He Got 10 Years off His Sentence." *The Marshall Project*. November 16, 2016. <https://www.themarshallproject.org/2015/08/13/for-12-of-commissary-he-got-10-years-off-his-sentence#.qHHo3pDZr>.
- Shor, I., and Freire, P. *A pedagogy for liberation: Dialogues on transforming education*. Bergin & Garvey. (1987).
- Skowrya, Kathleen R., and Coccozza, Joseph J. "Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System National Center for Mental Health and Juvenile Justice." Washington, D.C.: National Center for Mental Health and Juvenile Justice. (January 2006),
- Sólorzano, Daniel G., Octavio Villalpando, and Leticia Oseguera. "Educational inequities and Latina/o undergraduate students in the United States: A critical race analysis of their educational progress." *Journal of Hispanic Higher Education* 4, no. 3, (2005): p. 272-294.
- Stajkovic, A. D. and Luthans, F. "Self-Efficacy and Work-Related performance; A Meta-Analysis." *Psychological Bulletin*, 124(2). (1998): p. 240– 261.
- Therolf, Garrett. "L.A. County Spends More Than \$233,000 a Year to Hold Each Youth in Juvenile Lockup," *Los Angeles Times*, (February 23, 2016).
- Uggen, Christopher, Jeff Manza. *Locked Out: Felon Disenfranchisement and American Democracy*. New York: Oxford University Press, (2006).
- U.S. Department of Education, Office for Civil Rights. *Civil Rights Data Collection 2013-2014 Education in Juvenile Justice Facilities*, (2016).

*Lived Legal Expertise: Mobilizing the Political Agency of Incarcerated Youth*

- Valenzuela, Angela. *Subtractive schooling: US-Mexican youth and the politics of caring*. SUNY Press, (2010).
- Wald, Johanna, and Daniel J. Losen. "Defining and redirecting a school-to-prison pipeline." *New directions for youth development* 2003, no. 99, (2003): p. 9-15.
- Watt, Nicholas. "Gang members show entrepreneurial zeal, says Chuka Umunna." *The Guardian*. June 26, 2012. <https://www.theguardian.com/society/2012/jun/26/gang-entrepreneurial-zeal-chuka-umunna>.
- Wittenberg, Peter M. "Language and communication in prison." *Fed. Probation* 60, (1996).
- Yosso, Tara J. "Whose culture has capital? A critical race theory discussion of community cultural wealth." *Race ethnicity and education* 8, no. 1. (2005): p. 69-91.
- Young, Hershini Bhana. "Inheriting the Criminalized Black Body: Race, Gender, and Slavery in "Eva's Man"" *African American Review* 39, no. 3 (2005): p. 377-93.
- Youth Law Center. "Educational Injustice: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools." (2016). <http://www.ylc.org/wp/wp-content/uploads/EDUCATIONAL%20INJUSTICE.pdf>.
- Youth Justice Coalition. "RealSearch Manifesto." [www.youth4justice.org](http://www.youth4justice.org).
- Youth Justice Coalition. "Youth 4 Justice." [Youth4justice.org](http://Youth4justice.org).

## Appendixes

### Appendix A: IRB Approval



Associate Dean

Mr. Ian Sam Shiffer  
Pomona College

February 15, 2017

Dear Mr. Shiffer,

Thank you for your request for Institutional Review Board (IRB) review of the amendment to your proposal *Law Related Education as means of Empowerment in Juvenile Justice Facilities*, originally submitted to the IRB on January 31, 2017 and submitted with modifications on February 8<sup>th</sup>, 2017. This protocol has gone through full committee review and approved. The committee determined that your study poses minimal risks, and provides adequate protections to ensure confidentiality.

You have been assigned file #02/15/2017ISS-FL. This approval is valid for one year from the date of authorization. You are free to proceed with your study but please keep us informed if there are any changes in procedures, or unforeseen consequences as a result of your procedures, to any participants in this study.

If you wish to continue this research beyond 02/14/2018, please submit a concise progress report and an updated protocol before this deadline.

With best wishes for your research,

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Fernando A. Lozano".

Fernando A. Lozano  
Associate Dean

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### Appendix B: If \_ Ran Juvie

# If \_\_\_\_\_ Ran Juvie

Suggestions from the people who know juvenile detention best.

I would change

I would like

|

I need...to be successful

Appendix C: What would you do with 233,000?

*LA County spends over \$233,000 per year to keep you in a camp or juvenile hall while about \$10,000 is spent per year per student is spent on K-12 education funding.*

*What would you do with \$233,000 to help kids, communities, and the county as a whole? What would you change? Tell me why.*

1.

2.

3.

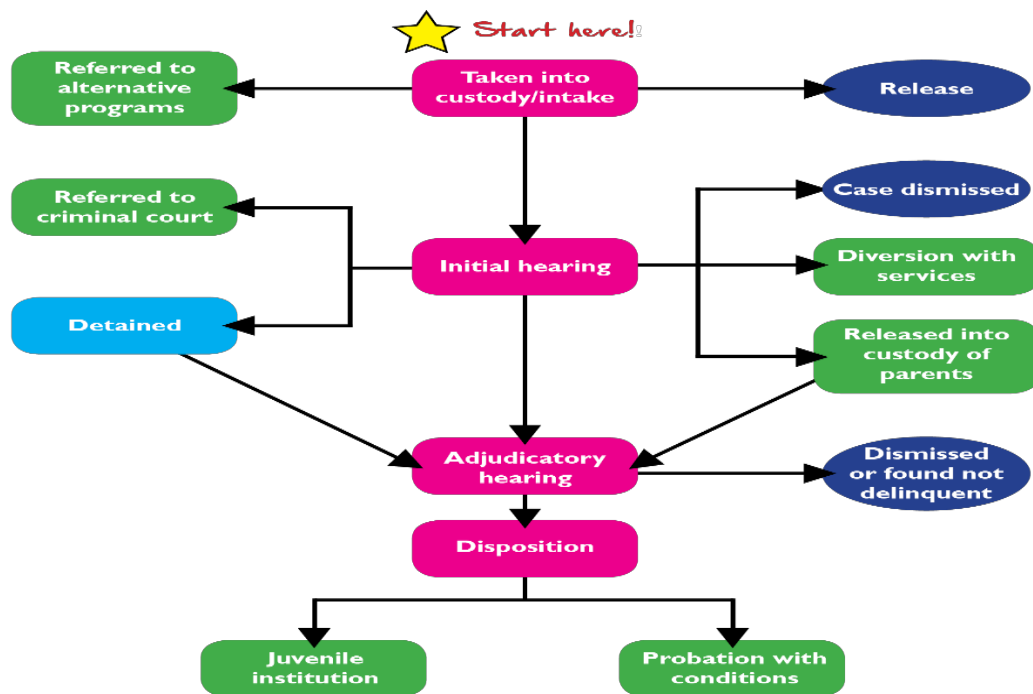
4.

5. /

Appendix D: Handout 1—The Case of Gerry Gault

“When Gerry Gault was 15-years-old, the police came to his door and took him into custody. He was not sure what he was in trouble for. Gerry’s parents did not know what happened to him until after they came home from work. When they found out he was being held in a juvenile detention center, they rushed there to find out what happened. They were told Gerry would have a hearing the next day, but they were not told the nature of the charges against him. He could not go home before the hearing. At the hearing, they learned that their neighbor, Mrs. Cook, had told police that Gerry made an obscene phone call to her. Mrs. Cook did not show up at the hearing. Instead, a police officer testified about what Mrs. Cook had told him. Gerry blamed the call on a friend and denied making the obscene remarks. No lawyers were present, and no record was made of what was said at the hearing. Gerry and his family went to another hearing six days later. Again, Mrs. Cook did not attend and no one kept an official record of what happened at that hearing. At a third meeting with the judge, the hearing officer said that Gerry had admitted making the calls at the two previous hearings. Gerry and his family denied it, but there was no record to prove what anyone had said. The juvenile court judge found that Gerry was delinquent and ordered him sent to a juvenile detention facility until he was an adult, when he turned 21-years-old. An adult found guilty of the same crime would have been either fined \$50 or sent to the county jail for no longer than 60 days” (Street Law, LLS, Lesson 1).

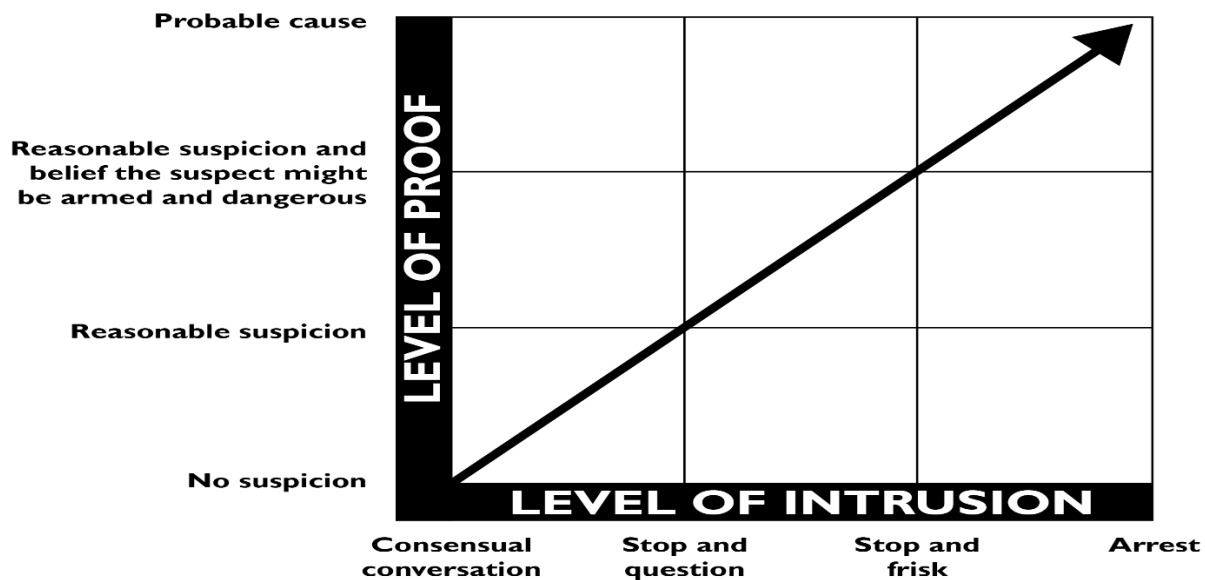
Appendix E: Mapping out Journeys in the Juvenile Justice System (StreetLaw LLS)



Appendix F: Introduction to Criminal Law: Evaluating Crimes (StreetLaw LLS)

	How many people think . . . ?		
	This should <u>not</u> be a crime.	This should be the <u>most serious</u> crime.	This should be the <u>least serious</u> crime.
A Robert sells marijuana			
B A factory dumps its toxic chemicals into a nearby stream			
C A corporate executive gives a million dollars to a candidate			
D Christina leaves a store with change she wasn't owed			
E Marley is a passenger in a car she knows is stolen			

Appendix G: Rights and Responsibilities: Level of Proof v. Level of Intrusion (Street Law LLS)



Appendix H: Course Evaluation

	<b>Strong Agreement</b>	<b>Some Agreement</b>	<b>Little Agreement</b>	<b>No Agreement</b>	<b>Don't Know/Not in Class</b>
<b>The class:</b>					
This class is interesting.	4	3	2	1	N/A
I enjoyed the class on the juvenile justice system and due process	4	3	2	1	N/A
I enjoyed the class on the criminal justice system – what is a crime	4	3	2	1	N/A
I enjoyed the class on rights/responsibilities under an arrest	4	3	2	1	N/A
I enjoyed the class on gun rights	4	3	2	1	N/A
I enjoyed the class on “If I Ran Juvie”	4	3	2	1	N/A
I enjoyed the class on “\$233,000”	4	3	2	1	N/A
The class forces me to think about complicated issues.	4	3	2	1	N/A
<b>The teacher:</b>					
Ian presents the material clearly.	4	3	2	1	N/A
Ian's teaching style helps me learn.	4	3	2	1	N/A
Ian cares about the students and their concerns.	4	3	2	1	N/A

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Ian is good at listening.	4	3	2	1	N/A
Ian welcomes and encourages my knowledge and others in the class.	4	3	2	1	N/A
<b>The student:</b>					
I feel like an expert about the law	4	3	2	1	N/A
I feel like I can change things for myself better now	4	3	2	1	N/A
I feel like I know how the system works better than when I first came.	4	3	2	1	N/A
I feel that I know some new ways to change the system	4	3	2	1	N/A
I am enjoying this class.	4	3	2	1	N/A

- 1) What do you like most about this class? Did you like learning about the law? What more do you want to learn about the law? Why? Be as specific as possible, and list as many aspects as you feel are appropriate.
- 2) What do you like least about this class? Why? What was not interesting about the law? What would be more interesting? Again, be as specific as possible, and list as many aspects as you feel are appropriate.
- 3) What do you feel are the best aspects/qualities of my teaching? Why? List as many as you feel are appropriate.
- 4) What do you feel I need to work on to become a better teacher? Please be specific.
- 5) What are you taking away from this course that you didn't have/know/think about/realize when we first met?
- 6) In ten years, what are you most likely to remember from or about this class?
- 7) If you get in trouble with the law again, what more have you learned that would change how you act?
- 8) What do you want to do the rest of the time I come? What else do you want to know? If you could design the curriculum, how would it look?
- 9) What else do you want me to write about in my research project/paper about Camp AP?
- 10) Why do you think I'm here?

Appendix I: Strength-Based Bill of Rights for Teens in the Juvenile Justice System, (1998).

Via Reclaiming Futures – To help communities promote the strengths of youth in the juvenile justice system, Dr. Laura Burney Nissen developed the following strength-based bill of rights.

I have the right to be viewed as a person capable of changing, growing, and becoming positively connected to my community no matter what types of delinquent behavior I have committed.



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I have a right to participation in the selection of services that build on my strengths.

I have a right to contribute things I am good at and other strengths in all assessment and diagnostic processes.

I have a right to have my resistance viewed as a message that the wrong approach may be being used with me.

I have the right to learn from my mistakes and to have support to learn that mistakes don't mean failure. I have the right to view past maladaptive or antisocial behaviors as a lack of skills that I can acquire to change my life for the better.

I have the right to experience success and have support connecting prior successes to future goals

I have a right to my culture as a strength and services honoring and respecting my cultural beliefs

I have the right to have my gender issues recognized as a source of strength in my identity.

I have the right to be assured that all written and oral, formal and informal communications about me include my strengths as well as needs.

I have a right to surpass any treatment goals which have been set too low for me, or to have treatment goals that are different than those generally applied to all youth in the system.

I have a right to be served by professionals who view youth positively, and understand that motivating me is related to successfully accessing my strengths.

I have a right to have my family involved in my experience in the juvenile justice system in a way which acknowledges and supports our strengths as well as needs. I have a right to stay connected to my family no matter what types of challenges we face.

I have the right to be viewed and treated as more than a statistic, stereotype, risk score, diagnosis, label, or pathology unit.

I have a right to a future free of institutional or systems involvement and to services which most centrally and positively focus on my successful transition from institutions.

I have the right to service providers who coordinate their efforts and who share a united philosophy that the key to my success is through my strengths.

I have the right to exercise my developmental tasks as an adolescent — to try out new identities, to learn to be accountable and say I'm sorry for the harm I've caused others — all of which is made even more difficult if I'm labeled a "bad kid."

I have the right to be viewed and treated as a redeemable resource, potential leader and success of the future.

Appendix J. Maslow's Hierarchy of Needs (1980).



Appendix K. Policy Memorandum.

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**POLICY RECOMENDATIONS MEMORANDUM**

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**TO:** LOS ANGELES COUNTY PROBATION DEPARTMENT  
**FROM:** WARDS OF CAMP AFFLERBAUGH-PAIGE  
**SUBJECT:** STUDENT RECOMMENDATIONS FOR LA PROBATION CAMPS  
**DATE:** APRIL 28, 2017  
**CC:** SHEILA MITCHELL, DEPUTY CHIEF PROBATION OFFICER

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Your office is responsible for 1,200 youth incarcerated in juvenile halls and camps and about 10,400 supervised youth.<sup>202</sup> Compared with in-home probation, the recidivism rate is 2.12 times greater for youths assigned to probation camp.<sup>203</sup> I conducted an empowerment evaluation of the lived experience of youth at Camp Afflerbaugh-Paige; on the bases of research gathered and minor recommendations, I suggest addressing the regulations, work, sleep, and camp culture to address the higher recidivism rate. Your office intends to support diversion and assisting minors in developing social skills and behavior management skills needed to lead law-abiding lives, but the recommendations of these incarcerated youth suggests that is not how minors experience camp. Your department and actors should listen to minors who have expertise to better align probation department goals with how they experience camp; minors want

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<sup>202</sup> Ryan, (2014).

<sup>203</sup> Loudenback, Jeremy. "L.A. County Approves Plan to Divert Youth from Justice System." *The Chronicle of Social Change*. (January 25, 2017).

humanizing policies that would make them feel less “like slaves” and make camp “more like the real world.” The following are procedural changes and cost-efficient measures; minors propose:

- 1. Regulations:** Minors argue “permission to speak” is an unnecessary and dehumanizing rule that restricts their expression. Minors recommend abolishing “permission to speak,” making the write-up process more uniform, and allowing for more youth agency within camp.
- 2. Work:** Minors posit that they are overworked within camp and suggest eliminating or reforming fire crew in favor of applicable job training post-release. At a minimum, minors proposed one week on and one week off from work due to exhausting hours and the combination of school and crew demand. Minors want to receive the money earned in camp at the time of work to support their family or themselves, instead of getting paid three months post release.
- 3. Sleep:** Minors emphasized the importance of purchasing comfortable mattresses that do not cause back pain and changing the sleep schedule to allow them to wake up at 8am in order to get adequate sleep for their age group developmental needs.
- 4. Outside Contact:** Minors request more contact with their family and friends on the outside. Changing the 18 minute phone call once a week to at least four longer calls a week would help reunify the minor with their family and better reintegrate the minor into the community.
- 5. Commissary:** Minors recommended creating a juvenile commissary where they can obtain personal items.<sup>204</sup> This will allow them to maintain personal hygiene which increases self-esteem

Without full access to rest, care, and normalization, minors will not be able to prioritize their psychological or self-fulfillment needs and may recidivate. The recommendations directly align with the goals of the probation department and provide a path for minors to become law abiding citizens through the camp meeting their basic needs.

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<sup>204</sup> Inmates have personal items and commissary, while minors do not. There is precedence for their suggestion; Johnson County, Indiana, created a commissary fund and allow minors to purchase merchandise for personal use. LA County could adopt similar policy.