

Declaration of Dr. Antoinette Kavanaugh, Ph.D., ABPP

I, Antoinette Kavanaugh, hereby declare:

1. I am a licensed clinical psychologist, board certified in forensic psychology. Since 1999, I have operated a private practice, where I specialize in providing forensic assessments in juvenile, criminal, civil, and capital cases. From 1998–2009, I served as the Clinical Director of the Juvenile Justice Division in the Cook County Juvenile Court Clinic. I also provide training and consultation on numerous topics related to the complex intersection of psychology and law. I have consulted for organizations including the MacArthur Foundation, the National Center for Mental Health and Juvenile Justice, and the Office of Juvenile Justice and Delinquency Prevention. In 2015, I was invited to present a U.S. Congressional briefing titled, “Conditions of Youth Confinement: From Entry to Release—What Really Happens to Youth Behind Bars.”
2. According to the American Academy of Pediatrics, “Children who suffer potentially traumatic events are more likely to develop lasting emotional problems if they are not with their parents—or are separated from their parents—immediately after the event.”¹
3. The Centers for Disease Control and Prevention recognizes that children, teens, and people with preexisting mental health conditions are among those “who may respond more strongly” to the stress and fears associated with the COVID-19 outbreak.²
4. Research has consistently demonstrated that the prevalence of mental health disorders among youth in detention and commitment facilities is at least twice that of youth who are not detained.³
5. Youth sheltering in place with their family can reduce the long-lasting emotional problems that may arise from the COVID-19 global pandemic. But feelings of uncertainty, anxiety, and fear during this time of crisis are heightened for youth separated from their families.
6. More than 40,000 youth are currently being held in detention and commitment facilities across the country.⁴ A significant number of detained youth are being held pre-adjudication, meaning

¹ BRIAN STAFFORD ET AL., AM. ACADEMY OF PEDIATRICS, *Emotional Vulnerability in Children and Adolescents in Disaster Situations*, in THE EMOTIONAL IMPACT OF DISASTER ON CHILDREN AND FAMILIES, 8, https://www.aap.org/en-us/Documents/disasters_dpac_PEDsModule9.pdf#page=5.

² *Managing Anxiety & Stress*, CTRS. FOR DISEASE CONTROL AND PREVENTION, <https://www.cdc.gov/coronavirus/2019-ncov/prepare/managing-stress-anxiety.html> (last visited Mar. 27, 2020).

³ Seena Fazel et al., *Mental Disorders Among Adolescents in Juvenile Detention Correctional Facilities: A Systemic Review and Metaregression Analysis of 25 Surveys*, 47 J. AM. ACADEMY OF CHILD & ADOLESCENT PSYCHIATRY 1010-1019 (2008); Linda A. Teplin et al., *Comorbid Psychiatric Disorders in Youth in Juvenile Detention*, 60 ARCHIVES GEN. PSYCHIATRY 1097-1108 (2003); Linda A. Teplin et al., *Psychiatric Disorders in Youth in Juvenile Detention*, 59 ARCHIVES GEN. PSYCHIATRY 1133-1143 (2002).

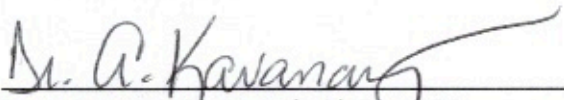
⁴ Wendy Sawyer, *Youth Confinement: The Whole Pie 2019*, PRISON POLICY INITIATIVE, (Dec. 19, 2019), <https://www.prisonpolicy.org/reports/youth2019.html>.

they have not been found delinquent or guilty,⁵ or they have been committed for low-level, non-violent acts.

7. Youth detention and commitment facilities are not equipped to appropriately handle the physical or mental healthcare needs of young people during this crisis, and many facilities have suspended visitation, curtailing or eliminating young people's contact with their families and lawyers.
8. The trauma caused by needlessly separating youth from their families during this unprecedented time of crisis can have long-lasting effects that could manifest in negative ways for years to come.
9. Juvenile courts, governors, state youth department administrators, and other decisionmakers should act quickly to release youth from detention and commitment facilities. Youth should not be held to ensure their appearance at future court dates.
10. Failure to act immediately endangers the health and wellbeing of youth, their families and defenders, the staff of detention and commitment facilities, and surrounding communities, and may have long-term negative impacts on public safety.

I, Antoinette Kavanaugh, declare under penalty of perjury, that the foregoing declaration is true and correct to the best of my knowledge and belief.

Executed on this 30th day of March 2020 in Chicago, Illinois.



Dr. Antoinette Kavanaugh, Ph.D., ABPP

⁵ *Id.*