



A CAMPAIGN OF THE JUVENILE JUSTICE & DELINQUENCY PREVENTION COALITION

www.act4jj.org

May 3, 2013

The Honorable Patrick J. Leahy
Chairman
Senate Judiciary Committee
United States Senate
Washington, DC 20510

Dear Chairman Leahy,

On behalf of the Act-4-JJ Campaign, we write to thank you for your leadership on critical juvenile and criminal justice issues over the years and your commitment to policies and practices that reduce delinquency, keep system-involved youth safe, and promote public safety. Given your strong history on these issues, we are calling on you to introduce legislation in the 113th Congress to reauthorize the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP A).

For more than 35 years, the JJDP A has provided critical federal funding to states to comply with a set of core requirements designed to protect children from the dangers of adult jails and lockups; keep status offenders out of locked custody; and address the disproportionate treatment of youth of color in the justice system. Title II funding supports state compliance with these core protections and helps ensure that states have the resources to build effective state systems. Title V is the only federal program that provides delinquency prevention funding at the local level to reach youth at risk and help keep them out of the juvenile justice system.

As you know, JJDP A reauthorization is now more than six years overdue. We believe that Congress can and should act to reauthorize the law and use the process to strengthen accountability for federal spending, help states protect public safety, hold delinquent youth accountable, protect our children from harm, and provide rehabilitation services to prevent future delinquency. This landmark law was last reauthorized in 2002, but few substantive changes were made at that time. More than a decade later, much more is known about what works and does not work to keep our communities safe and put youth on a better path.

In March, the National Juvenile Justice and Delinquency Prevention Coalition submitted recommendations to Congress that included a call for passage of a reauthorization bill that will:

- Extend the Jail Removal and Sight and Sound separation core protections to all youth under the age of 18 held pretrial, whether charged in juvenile or adult court.
- Codify current State flexibility for housing youth convicted in adult court in juvenile facilities rather than adult prisons by modifying the definition of “adult inmate.”
- Strengthen the Deinstitutionalization of Status Offenders (DSO) core protection, which prohibits the locked detention of status offenders, by removing the valid court order (VCO) and Interstate Compact exceptions.

- Strengthen the Disproportionate Minority Contact (DMC) core protection by requiring States to take concrete steps to reduce racial and ethnic disparities in the juvenile justice system.
- Provide safe and humane conditions of confinement for youth in State or local custody by prohibiting use of JJDP funds for dangerous practices and encouraging States to adopt best practices and standards to eliminate dangerous practices and unnecessary isolation.
- Provide a research-based continuum of mental health and substance abuse services to meet unmet needs of court-involved youth and their families, including diversion and re-entry services.
- Assist States in compliance with the JJDP by establishing incentive grants to encourage States to adopt evidence-based and/or promising practices that improve outcomes for youth and their communities. For States that are deemed to be out of compliance with any of the core protections, Congress should require any JJDP funds withheld for non-compliance to be set aside and made available to those States as improvement grants to help them with those particular protections.
- Enhance the partnership between States and OJJDP by expanding training, technical assistance, research, and evaluation. Enhance the partnership between OJJDP and Congress by encouraging transparency, timeliness, public notice, and communication.
- Incentivize juvenile justice systems to ensure that all policies, practices, and programs recognize the unique needs of girls.

We were encouraged in 2009 by your sponsorship of S. 678. This was a broadly supported, bipartisan proposal that included specific new provisions to this long-standing law designed to increase evidence-based screening and assessment for children and youth who come into contact with the courts, as well as to improve family and community supports and services for mental health and behavioral health. For a comprehensive list of our Recommendations to Congress (March 2013), visit: <http://promotesafecommunities.org/recommendations/congress>

We think this was a solid bill and ask that you reintroduce it or a similar legislation this year to help support state efforts and elevate national leadership on this critical issue.

Thank you for your consideration.

Sincerely,



Liz Ryan
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 Campaign for Youth Justice
 Co-Chair, Act 4 Juvenile Justice Campaign



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