



THE W. HAYWOOD BURNS INSTITUTE

For Juvenile Justice Fairness and Equity

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June 6, 2013

The Honorable Barbara Mikulski
Chair
Commerce, Justice, Science, and Related Agencies Subcommittee
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Richard Shelby
Vice Chairman
Commerce, Justice, Science, and Related Agencies Subcommittee
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Madame Chairwoman and Mr. Vice Chairman:

On behalf of the W. Haywood Burns Institute, I am writing to ask you to include adequate funding for critical juvenile justice and delinquency prevention programs in the Fiscal Year 2014 Commerce, Justice, Science (CJS) Appropriations bill.

The Burns Institute is a national non-profit organization. Over the past decade, we have worked with more than 90 juvenile justice systems across the nation to reduce racial and ethnic disparities using a data driven, consensus based approach. Using Title II funds in Tucson, Arizona between 2003 and 2010, we reduced the average daily detention population from 119 youth of color to 41. We have success stories to report from jurisdictions all over the nation, but there is still much work to do to truly create a juvenile justice system that is fair and equitable. Racial and ethnic disparity persists in nearly every state, including California. According to data from the Office of Juvenile Justice and Delinquency Prevention (OJJDP)¹, across the nation in 2010:

- Black youth were 5 times more likely than White youth to be detained;
- Native American youth were nearly 3 times as likely as White youth to be detained; and
- Latino youth were more than 2 times as likely as White youth to be detained.

Addressing Disproportionate Minority Contact (DMC) is one of the four core protections of the Juvenile Justice and Delinquency Prevention Act (JJDP). Without adequate funds to address this critical issue, the levels of racial and ethnic disparity that exists in California and every state will not improve.

While we recognize the challenges that come with discretionary spending caps and sequestration, we also know how essential the federal investments in state juvenile justice efforts are for youth and community safety. In order to ensure that state, local and private dollars continue to be leveraged effectively to

¹ Sickmund, Melissa, Sladky, T.J., and Kang, Wei. (2011) "Census of Juveniles in Residential Placement Databook." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezacjrp/>

promote public safety, prevent delinquency and protect some of our most vulnerable children and youth, we ask that you include the following funding levels as follows:

- **\$80 million for the JJDP A Title II State Formula Grants Program.**
For more than 35 years, the Juvenile Justice and Delinquency Prevention Act (JJDP A) has provided critical federal funding to states to promote the prevention of delinquency and assist them to comply with federally-mandated core requirements designed to protect children from the dangers of placement in adult jails and lockups; keep status offenders/non-delinquent children out of locked custody; and address the disproportionate representation of youth of color in the justice system. Title II of JJDP A supports state compliance with these core protections and helps states to build effective prevention and intervention systems. While our request represents a \$10 million increase over the President's proposal, such a level would be in line with the true minimum costs of the Title II mandates and make up for deep cuts in funding to the states.
- **\$65 million for the JJDP A Title V Delinquency Prevention Program with no earmarks.** 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. Despite the fact that Title V has been used to bring together law enforcement with other stakeholders at the local level for sustainable prevention efforts, in recent years it has been gutted and the funds allocated for other than statutory purposes. This request is \$9 million more than the President's request and, without any earmarks or set-asides, would represent a significant federal investment in proven, locally-based delinquency prevention programs. Taxpayers save \$2 million for each child who is prevented from beginning a life of crime.

We also support the President's recommendation to provide \$20 million to help communities reduce the use of arrest and engagement with the juvenile courts that unnecessarily push more young people into the justice system. However, we believe this investment should not detract from the resources available to local communities through the Title V program, and ask that these dollars be appropriated separately.

- **\$30 million for Juvenile Accountability Block Grant (JABG) Program.**
JABG is used by states and localities to reduce juvenile offending by providing judges and other juvenile justice officials with a range of age/developmentally-appropriate options to both hold youth accountable and get them back on track so they are less likely to reoffend. These funds are used to effectively strengthen juvenile court services, such as behavioral health screening and assessment for court-involved youth and alternatives to detention. This request is consistent with the President's proposal and just slightly less than the final FY 2013 allocation.
- **\$20 million for Juvenile Justice Realignment Incentive Grants.**
As a complement to JABG, we commend the Administration for putting forward a new initiative, the Juvenile Justice Realignment Incentive Grants, to help states invest in evidence-based strategies that reduce youth incarceration and recidivism and promote public safety and better outcomes for youth.
- **\$2 million grant program for girls in the juvenile justice system.**
We support this targeted investment in a competitive grant program to help states and localities better address the needs of girls in the juvenile justice system. Girls are the fastest growing segment of the juvenile justice population and this program will help provide specific, targeted support for state efforts to implement best practices with respect to at-risk and system-involved girls.

Finally, in view of the tragedy in Newtown and the daily violence that plagues many communities, we are also supportive of the new monies allocated for community-based violence prevention using a multi-sector, public health approach.

While we encourage you to invest in these key programs at these recommended levels, we also ask that, at a minimum, you work to restore some of the critical funding that has been lost over the last decade and include some new investment as recommended by the President and Administration in the FY 2014 budget proposal. Any less would move even further away from the targeted federal involvement that has historically provided critical national leadership to states in preventing youth from entering the justice system.

Thank you for your time and attention.

Sincerely,

James Bell
Executive Director