Public Policy Recommendation
Juvenile Justice and Delinquency Prevention Programs
Version 02.01.2010

Recommendations

Reauthorize the Juvenile Justice and Delinquency Prevention Act. Congress should extend JJDPA through 2015, increase the authorized funding levels for JJDPA programs, and strengthen the law to reduce unaccompanied youth contact with and recidivism to the juvenile justice system.

Appropriate $500 million in FY 2011 for Juvenile Justice and Delinquency Prevention Act (JJDPA) programs.

U.S. Senators—Request Senate leadership to schedule a floor vote on the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 (S. 678). Originate a Dear Colleague sign-on letter to Commerce-Justice-Science Appropriations leaders recommending $500 million in FY 2011 for JJDPA programs. Include a recommendation of $660 million in FY11 for JJDPA programs in the Senator’s annual Program Request letter to Appropriations leaders.

U.S. Representatives—Request House leadership to press committees with jurisdiction over the Youth PROMISE Act (H.R. 1064) to move the legislation. Urge Education and Labor Committee Chairman George Miller (D-CA) to assure committee action on a House Juvenile Justice and Delinquency Prevention Act reauthorization measure. Originate a Dear Colleague sign-on letter to Commerce-Justice-Science Appropriations leaders recommending $500 million in FY 2011 for JJDPA programs. Include a recommendation of $500 million in FY11 for JJDPA programs in the Representative’s annual Program Request letter to Appropriations leaders.

Issue Status (visit www.nn4youth.org periodically for status updates)

JJDPA programs received $423.6 million in FY 2010. The President’s FY 2011 Budget Request includes just $289.8 million, a dramatic $134 million reduction below the current funding level.

The Senate Judiciary Committee approved the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 (S. 678) in November 2009. Key provisions of the legislation from a National Network for Youth perspective include:

- Strengthens the deinstitutionalization of status offenders (DSO) core requirement: Under current law, nondelinquent status offenders, such as children who are truant, runaway or violate curfew, alcohol and tobacco laws, may be held in juvenile lock-ups under the Valid Court Order (VCO) exception, which allows judges to issue detention orders. The practice persists despite evidence that securely detaining status offenders is harmful to pro-social development and is costly, especially when compared to more effective responses including shelter care, crisis counseling, family support, and/or community and school based interventions.
- S. 678 requires States that still permit the use of the exception to phase-out use of the VCO within three years, and allows States in need to apply for one-year hardship extensions. Until VCO elimination, S. 678 provides extra safeguards for status offenders in locked facilities, including limits on how long status offenders may be detained.
• Requires states, as a condition of receiving JJDPA funds, to have case planning and discharge planning policies and procedures in place for juvenile offenders, to include assurances that youth are discharged to safe, appropriate and permanent living arrangements.

• Obligates states to develop procedures for court hearings on juvenile offender discharge plans.

The House Judiciary Committee passed the Youth PROMISE (Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education) Act (H.R. 1064) in December 2009. Under the bill, communities facing the greatest youth gang and crime challenges will be able to develop a comprehensive response to youth violence through a coordinated prevention and intervention response. Representatives from law enforcement, schools, court services, social services, health and mental health providers, foster care providers, other community- and faith-based organizations will form a council to develop a comprehensive plan for implementing evidence-based prevention and intervention strategies. The plans can be funded up to four years.

Why this Matters

Juvenile Crime and Delinquency is Preventable. Rates of juvenile crime are on the decline, in part due to the availability of prevention and early intervention supports targeted to youth with multiple risk factors for engagement in criminal or delinquent activity. For example, afterschool programs during the peak hours of youth crime (3:00pm-7:00pm) keep youth connected in structured alternatives to delinquent action. Increased investment in prevention and early intervention programs could result in even lower rates of juvenile crime and delinquency.

Prevention and Early Intervention Projects are Cost Effective Alternatives to Custodial Care. Detention and incarceration costs taxpayers far more than providing youth support through non-residential community-based programs. The cost of serving youth through juvenile justice facilities ranges between $25,000 - $55,000 per youth, a FAR higher cost than the delivery of community-based services.

Runaway Youth Continue to be Institutionalized. Running away remains a status offense in several jurisdictions. While the JJDPA seeks to prevent runaway youth and other status offenders (such as truancy, alcohol possession, curfew violations) from being placed in secure facilities, a loophole to this prohibition exists in the form of the valid court order exemption to the JJDPA’s DSO provision.

Efforts to Transform Juvenile Justice Systems Need Financial Support. Residential placement of juvenile offenders is a sanction disproportionately punitive to the low-level of property offenses or status offenses for which most young people are committed. States are beginning to redirect their juvenile justice strategies toward community- and faith-based developmental and therapeutic supports rather than incarceration. Full deployment of these effective strategies requires additional resources.

Reentry Services Reduce Recidivism. Reentry services and aftercare to youth exiting juvenile justice facilities reduces recidivism and supports their successful reintegration back to families and communities. 200,000 youth under the age of 25 exit juvenile and criminal justice facilities each year. Studies of homeless youth demonstrate the connection between youth homelessness and contacts with justice systems. In a survey of homeless youth between the ages of 10 and 17, the Wilder Research Center found that 46 percent had been in a correctional facility, and of those, 44 percent exited into an unstable housing situation.

Background

The JJDPA Community Prevention Grants program provides states with funds for distribution to community-based collaborations that implement primary prevention programs targeting youth at high-risk of contact with the juvenile justice system. The JJDPA Delinquency Prevention Block Grant program provides states with funds for activities to prevent and reduce juvenile crime. Eligible subgrantees include faith- and community-based organizations, law enforcement agencies, local education agencies, local governments, and other entities with a demonstrated history of involvement in juvenile delinquency prevention. Eligible services include mentoring, family strengthening, substance abuse treatment, youth development, and recreation. The JJDPA Juvenile Accountability Block Grant program provides states and units of local government with funds to promote greater
accountability in their juvenile justice systems. JABG funds may be used for rehabilitation of adjudicated youth, as well as for reducing juvenile recidivism rates. The **JJDPA Formula Grants** program provides funds directly to states and territories to help them implement comprehensive state juvenile justice plans based on detailed studies of needs in their jurisdictions, as well as to achieve compliance with the core requirements of the JJDPA.