



Preserve and Increase Federal Juvenile Justice Appropriations for FY 2009

For more than 30 years, the federal government has partnered with the 56 U.S. states and territories via the Juvenile Justice and Delinquency Prevention Act (JJDPA) and dedicated funding streams to promote and support evidenced-based practices around delinquency prevention and effective administration of juvenile justice at the state and local levels.

The President's FY 2009 Budget Proposal threatens this partnership by eliminating dedicated juvenile justice funding and creating a new, discretionary, competitive grant program for states and local jurisdictions (the "Child Safety and Juvenile Justice Program") scheduled at \$164 million—a 57% decrease from \$383.6 million in dedicated juvenile justice funding for FY08.

This proposed mechanism for funding to the states and local jurisdictions fails to ensure effective implementation of the JJDPA and other critical delinquency prevention efforts. In fact, if accepted, such a funding mechanism may override Congress' intent by steering federal allocations entirely away from core support for the federal core requirements under the JJDPA and the targeted reform of state juvenile justice systems.

It is imperative that Congress restore specific funding (see "CJJ Request" below) for all critical juvenile justice and delinquency prevention funding streams that support the work of the JJDPA in the states: Title II State Formula Funds, Title V Local Delinquency Prevention Grants, Juvenile Accountability Block Grants (JABG) and Delinquency Prevention Block Grants (DPBG).

Key streams of federal JJ funding as appropriated (in millions):

	FY02	FY03	FY04	FY05	FY06	FY07 CR	FY08	Pres. FY09 Proposal	CJJ REQUEST for FY09
Title II State Formula Funds	\$88.8	\$83.3	\$83.2	\$83.3	\$79.2	\$79.2	\$74.3	--0--	\$88.8
Title V Local Delinq. Prevention	\$94.3	\$46.1	\$79.2	\$79.4	\$64.4	\$64.4	\$61.1	--0--	\$95
JABG	\$249.5	\$188.8	\$59.4	\$54.6	\$49.5	\$49.5	\$51.7	--0--	\$250
DPBG	N/A	\$126.4 via diff. vehicles	--0--	--0--	--0--	--0--	--0--	--0--	\$126.4

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The Federal-State Partnership for Juvenile Justice and Delinquency Prevention

Under the federal Juvenile Justice and Delinquency Prevention Act (JJDPA), four major streams of funding support the Federal-State Partnership:

The Formula Grants Program (Title II), authorized under Title II of the JJDPA, supports state and local efforts to implement comprehensive state juvenile justice plans based on detailed studies of needs in their jurisdictions and achieve compliance with the core requirements of the JJDPA.

The Incentive Grants for Local Delinquency Prevention Program (Title V), commonly known as the Community Prevention Grants Program and authorized under Title V of the JJDPA, provides funding to the local jurisdictions for collaborative, community-focused and community-based delinquency prevention efforts to reach youth in high-risk situations before they make poor choices.

The Delinquency Prevention Block Grant Program (DPBG), created in the 2002 JJDPA Reauthorization, but only funded for one year, was meant to provide funding directly to local jurisdictions in order to prevent and reduce juvenile crime and included the funding of projects that provide treatment to juvenile offenders and juveniles who are at risk of becoming juvenile offenders.

The Juvenile Accountability Block Grant Program (JABG), expanded in 2002 and reauthorized separately from the JJDPA in 2005, provides funding for gang prevention and anti-bullying initiatives; graduated sanctions programs that include counseling, restitution, community service, and supervised probation; substance abuse programs; mental health screening and treatment; reentry; and restorative justice programs.

Since FY 2003, States have seen a marked decrease in Juvenile Justice Funding. To continue the remarkable work being accomplished by the states, it is imperative that the states receive the federal support they need to further enhance public safety, prevent youth crime and rehabilitate juvenile offenders by assuring accountability and appropriate treatment.



A Primer on the Juvenile Justice and Delinquency Prevention Act (JJDP A)

Established in 1974 and most recently reauthorized in 2002 with bipartisan support, the Juvenile Justice and Delinquency Prevention Act (JJDP A) embodies a partnership between the federal government and the 56 U.S. states and territories to protect children and youth in juvenile and criminal justice systems, adequately address delinquent behavior and improve community safety by preventing juvenile crime and delinquency.

In short, the JJDP A provides for:

- A juvenile justice planning and advisory system in all U.S. states, territories and the District of Columbia to develop and promote accountability and delinquency prevention efforts;
- Federal funding to reduce and prevent juvenile crime and delinquency, and spur improvements to state and local juvenile justice programs; and
- Operation of a federal agency—the Office of Juvenile Justice and Delinquency Prevention—dedicated to training, technical assistance, model programs, and research and evaluation to support state and local efforts.

Under the JJDP A, each state must establish a **State Advisory Group** on Juvenile Justice (SAG), submit a Three-Year **State Plan** for carrying out the purposes the Act and implement the Act's **Core Protections** at the state and local level. The Act's core protections are:

- **Deinstitutionalization of Status Offenders (DSO).** Under the JJDP A, status offenders—children under the age of 18 who commit acts that if done by an adult would not be considered crimes, such as skipping school, running away, breaking curfew and possession or use of tobacco and/or alcohol—may not be held in secure detention or confinement, with a few exceptions. The DSO provision seeks to ensure that status offenders who have not committed a criminal offense are not held in secure juvenile facilities for extended periods of time or in secure adult facilities at all.
- **Adult Jail and Lock-up Removal (“Jail Removal”).** Under the JJDP A, youth adjudicated within the juvenile justice system may not be detained in adult jails and lock-ups with limited exceptions. This Jail Removal provision is designed to protect children from psychological abuse, physical assault and isolation.
- **Sight and Sound Separation (“Separation”).** When children are placed in an adult jail or lock-up for any period of time, "sight and sound" contact with adults is prohibited under the JJDP A. The Separation provision requires that children cannot be housed next to adult cells, share dining halls, recreation areas or any other common spaces with adults, or be placed in any circumstance that could expose them to threats or abuse from adult inmates.
- **Disproportionate Minority Contact (DMC).** Under the JJDP A, states are required to assess and address the disproportionately high contact of youth of color with the juvenile justice system at all points of contact – from arrest to detention to confinement and reentry. The DMC provision requires states and local jurisdictions to gather data and address the reasons for disproportionate minority contact and racial/ethnic disparities.

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The Success of the Juvenile Justice and Delinquency Prevention Act (JJDP A)

Since its enactment more than 30 years ago, the JJDP A has spurred and supported advancements at the state and local level in delinquency prevention and the effective administration of juvenile justice:

- **Justice-Involved Youth Are Safer Because of the Core Protections in the JJDP A.** Youth charged with non-criminal status offenses, such as skipping school, running away or breaking curfew, are kept out of secure facilities and youth who are detained are protected from the psychological abuse, physical assault and isolation of adult jails where they have been found to be eight times more likely to commit suicide, two times more likely to be assaulted by staff, and 50 percent more likely to be attacked with a weapon than children in juvenile facilities.
- **Racial and Ethnic Disparities Are Assessed and Addressed because of the JJDP A.** States are required to assess and address the disproportionate contact of youth of color at all points in the justice system – from arrest to detention to confinement and re-entry. Studies indicate that youth of color receive tougher sentences and are more likely to be incarcerated than white youth for the same offenses. With youth of color making up one-third of the youth population but two-thirds of youth who come into contact with the juvenile justice system, this provision requires states to gather information and assess the reason for disproportionate minority contact.
- **The JJDP A provides a critical “home” for juvenile justice within federal government** for purposes of developing national policies, objectives, priorities and plans via the federal Office of Juvenile Justice and Delinquency Prevention, which provides guidance, support and oversight to states/territories in implementing the JJDP A via research, policies and grants to states and localities to assist in planning, establishing, operating, coordinating and evaluating projects for the development of more effective intervention, prevention and systems improvements.
- **The JJDP A helps the states collaborate with the federal government to reduce juvenile crime and delinquency** via State Advisory Groups (SAGs) who, individually and collectively: (1) help develop strategies that work for the states and meet local needs; (2) embody models for collaborative systems change; (3) provide real-world advice and counsel to their respective Governors and state legislatures, as well as the President and the U.S. Congress; and (4) serve as incubators for cost-effective innovations that create optimal outcomes for the prevention of delinquency.

For all of these reasons, reauthorization of the JJDP A represents our best opportunity to further reduce juvenile crime and delinquency and provide good outcomes for children, youth and families. For more than 30 years, the JJDP A has seeded best and promising practices and provided direction and support for juvenile justice system improvement, significantly contributing to the reduction of juvenile crime and delinquency. Reauthorization and strengthening of the JJDP A will sustain and build upon past successes and lead to a safer and healthier future for youth, families and communities across the nation.

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The Purpose and the Power of the State Advisory Groups (SAGs)

State Advisory Groups on Juvenile Justice (SAGs), established under the JJDPa and appointed by the Governors/Chief Executives in each U.S. jurisdiction, are principally responsible for monitoring and supporting their state's progress toward:

- developing and implementing a comprehensive Three-Year **State Plan** that articulates how the state will go about carrying out the purposes of the JJDPa;
- making optimal use of **Title II** (promising initiatives and programs) **and Title V** (incentive grants for local delinquency prevention) **funds** authorized under the JJDPa, as appropriated by Congress, for improvements in system practices, family- and community-connected services and supports for court-involved children and youth; and
- meeting, if not exceeding, compliance with the **federal core protections** of the JJDPa (Jail Removal, Separation, Deinstitutionalization of Status Offenders and Disproportionate Minority Contact).

When supported properly, the SAGs, individually and collectively, embody:

Models for Collaborative Systems Change. While SAG membership varies among the states, members include but are not limited to private citizens, state agency personnel, community service providers, youth, and families with prior court involvement who collaboratively bring diverse professional and personal experiences to challenge inefficiencies in the system and produce better outcomes for children, youth, families and community safety.

Real-World Advice and Counsel. In addition, because of their geographic, political and experiential diversity, SAGs are in a unique position to advise their respective Governors and state legislatures, as well as the President and the U.S. Congress, about trends in youth development, the development of best and promising practices and the real-world and real-time impact of constant and ever-changing federal policies and funding priorities.

Incubators for Cost-Effective Innovation. Finally, SAGs, within their respective State Plans, as well as within the core purpose areas for the use of federal juvenile justice appropriations to the states, have an extraordinary opportunity to exercise leadership, wisdom and courage to strategically direct federal resources at the state and local level in a way that develops promising practices, advances best practices and creates optimal outcomes for the prevention of delinquency.



The Coalition for Juvenile Justice Supports: H.R. 3846, Youth Prison Reduction through Opportunity, Mentoring, Intervention, Support and Education Act (The Youth PROMISE Act)

The Coalition for Juvenile Justice (CJJ) has long held that prevention is the most constructive way to build safe communities. We believe that effective prevention efforts – in the form of mentoring initiatives, after-school programs, family strengthening services, youth leadership development, etc. – reduce victimization, keep children involved in productive activities and provide for the cost-effective use of public resources. Thus, since 1995 CJJ has called for the balance of federal juvenile justice funding to go toward community-connected prevention and rehabilitation, rather than interdiction and incarceration.

In keeping with this core belief, CJJ enthusiastically joins with almost 200 organizations in support of **H.R. 3846, the Youth Prison Reduction through Opportunity, Mentoring, Intervention, Support and Education Act (“the Youth PROMISE Act”)**. Rather than creating additional and duplicative punitive approaches, the Youth PROMISE Act builds upon evidence-based and promising practices proven to reduce youth violence and delinquency:

- **The Youth PROMISE Act directs resources directly into the hands of communities** who are facing an increased risk of crime and gang activity and who are in the best position to determine and address significant unmet needs in order to prevent crime from occurring.
- In addition, **the Youth PROMISE Act provides for thorough evaluation of programming**, including analyses of the cost-savings to society yielded by investing in prevention and intervention rather than in more costly and ineffective prosecution and incarceration. Under the Youth PROMISE Act, savings realized at the local level as a result of federal investments in prevention and intervention programs will be reinvested in local prevention and intervention efforts funded under the Act.
- **The Youth PROMISE Act also provides for the hiring and training of Youth Oriented Policing (YOP) officers** to prevent and address juvenile delinquency and criminal street gang activity in a manner that is responsive to research on juveniles and adolescent brain development.
- Finally, **the Youth PROMISE Act provides support for youth victim and witness protection programs**, which are critical to deterring crime, as well as extended and increased authorizations for the Juvenile Accountability Block Grant program to support juvenile justice systems.

In short, the approach of the Youth PROMISE Act makes sense, comports with the research on both adolescent brain development and crime and on violence prevention and intervention, and will yield overall savings to the community, according to both financial and life quality measures.

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The Coalition for Juvenile Justice Supports: H.R. 5524, Reconnecting Homeless Youth Act (RHYA)

The Coalition for Juvenile Justice (CJJ) has long held that status offenders are best served at home or in community-based settings, close to home, school and community. Status offenders are youth who engage in behavior – such as breaking curfews, running away from home and skipping school – only considered delinquent because they are minors. These youth often commit such actions in response to challenging life circumstances. Thus, since 1986 CJJ has advocated for status offenders to be provided with appropriate services and supports at home, or if not possible, close to home and in a healthy school and community context. It is contrary to both federal law and effective practice to lock up status offenders.

In keeping with this core belief, CJJ enthusiastically joins with a growing number of organizations in support of **H.R. 5524, the Reconnecting Homeless Youth Act (RHYA)**, which reauthorizes the Runaway and Homeless Youth Act through 2010 and increases authorized funding levels for RHYA programs.

- **RHYA is the Sole Federal Law Targeted to Unaccompanied Youth.** Originally enacted in 1974 as Title III of the federal Juvenile Justice and Delinquency Prevention Act (JJDP), RHYA ensures a basic level of support for unaccompanied youth regardless of their state of origin or residence. Few states have established funding streams targeted to unaccompanied youth.
- **RHYA Projects Raise the Achievement Level of Unaccompanied Youth.** Youth participating in the Basic Center and Transitional Living Programs reported lessened rates of family conflict and parental physical abuse. In addition, school participation among basic center youth doubled after basic center services commenced, compared to the participation rate 30 days prior to accessing a basic center; the proportion of youth in transitional living projects attending college was three times that of homeless youth who were not in a TLP; and employment rates of youth in basic centers increased by 24 percent.
- **RHYA Projects are Cost Effective Alternatives to Custodial Care and Arrest.** The cost of serving youth through the child welfare or juvenile justice systems ranges from \$25,000 - \$55,000 annually per youth. Conversely, Basic Centers and Transitional Living Projects authorized under RHYA serve youth at an annual cost of \$1,282 and \$14,726, respectively.
- **RHYA Projects are Facing Overwhelming Unmet Need.** The basic living needs of too many of our nation's unaccompanied youth are not being met. In 2007, the Runaway and Homeless Youth Act programs served over 740,000 homeless youth, yet only seven percent of those unaccompanied homeless youth were provided shelter or transitional housing through Basic Center and Transitional Living Programs.

In short, federal RHYA programs provide safe, successful and cost-effective alternatives to detention for runaway, homeless and otherwise unaccompanied youth who come into contact with the juvenile justice system.

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