



# RECOMMENDATIONS TO THE 116TH CONGRESS

PREPARED BY

**COALITION FOR  
JUVENILE JUSTICE**

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Prepared by the Coalition for Juvenile Justice.  
Representing Juvenile Justice State Advisory Groups and their allies.



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# Letter from the CJJ Executive Board

January 2019

Dear Members of the 116th Congress,

As the 116th Congress gets underway, we urge you to ensure that our country's youth, families, and communities remain a priority. The Coalition for Juvenile Justice (CJJ) – comprising more than 12,000 juvenile justice practitioners, law enforcement officials, youth development experts, community service providers, youth, families, and legislators in all U.S. states, territories and the District of Columbia – has prepared these policy recommendations to support prevention, early intervention, family empowerment, and developmentally-appropriate approaches to reclaim and rebuild the lives of youth who come into contact with the juvenile justice system.

The Coalition for Juvenile Justice calls on the 116th Congress to:

- Restore appropriations for juvenile justice programs;
- Ensure appropriate implementation and oversight of the Juvenile Justice and Delinquency Prevention Act;
- Eliminate the Valid Court Order (VCO) exception;
- Reauthorize the Runaway and Homeless Youth Act;
- Build on proven strategies to increase school engagement and success for all youth and prevent the conflation of school discipline policy and juvenile justice system sanctions, also known as the “school-to-prison pipeline;”
- Ensure that trafficked youth are treated as survivors instead of being criminalized; and
- Pass the REDEEM Act.

As a first priority, CJJ wishes to call your attention to the need for continued appropriations for important juvenile justice programs that keep our kids and communities safe. We were extremely appreciative to see the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP A) in the 115<sup>th</sup> Congress. New updates to the law were greatly needed and will help ensure that our young people and their communities remain safe. The JJDP A is not only the flagship federal law that sets the standards for how youth ought to be treated in our nation's juvenile justice systems; it also provides a framework under which youth gun violence, youth development, school climate, and community supports can be addressed effectively. Support and oversight is needed to ensure the Act's core protections are implemented fairly and appropriately, and that juvenile justice funding streams are available to protect youth and keep them positively connected to their schools and communities.

By taking deliberate and decisive action on this agenda laid out in more detail herein, Congress can exercise true leadership to secure community safety, invest public monies wisely and safeguard the future for youth, families and communities nationwide.

Respectfully submitted on behalf of the Coalition for Juvenile Justice Executive Board, and with our gratitude for your leadership.

Sincerely,

Hon. Steve Teske  
National Chair

Naomi Smoot, J.D.  
Executive Director

# 1. Restore Appropriations for Juvenile Justice Programs

Research shows that prevention works. For every \$1 invested in community-based youth development and prevention efforts, we dramatically reduce delinquency and save taxpayers up to \$8 in future costs.<sup>1</sup> In addition, community-based and family-centered treatment for youth has been shown to be far more effective and cost-efficient than incarceration.<sup>2</sup> Finally, research shows that system-involved youth are at risk of emotional and physical injury unless systems invest in options and alternatives that keep youth separate from adult offenders and prevent/limit the use of locked confinement for less serious offenders.<sup>3</sup> Yet, federal appropriations to states, localities, and tribes for key federal juvenile justice programs have been cut dramatically over the past 15 years. This includes:

- **The JJDDPA Title II State Formula Grants Program**, which supports state efforts to comply with federal standards for the care of youth in the justice system, has been cut by more than 30%.
- **The JJDDPA Title V Local Delinquency Prevention Grants Program**, the only federal program designed to prevent delinquency at the local level in coordination with a statewide prevention plan, has been slashed by more than 70%. Of the Title V funds appropriated over the last nine years, between 53 and 100 percent have been set aside for non-JJDDPA programs.
- **The Juvenile Accountability Block Grant Program (JABG)**, which provides local judges, law enforcement officers, corrections officials and providers with a range of options to address the needs and behaviors of court-involved youth, has been significantly reduced, and in recent years has been completely zeroed out.

Federal funds to support state and local juvenile justice standards and improvements must be considered essential investments. Across our country, data shows that youth of color are overrepresented at nearly every point of contact with the juvenile justice system, even when engaging in similar behaviors as their caucasian peers. States are required to address these racial and ethnic disparities as part of the JJDDPA, but with dwindling investment in federal juvenile justice programs there are not enough resources to address and end this crisis.

Federal appropriations for juvenile justice also support evidence- based programs that are proven to prevent delinquency, reduce recidivism, and increase public safety – critical investments that are worth the cost. At a minimum, Congressional appropriators should fund juvenile justice programs at the level authorized by Congress:

- **Provide \$76.1 million for the JJDDPA Title II Program** to support a reauthorized JJDDPA and ensure state compliance with accepted standards of care and advancement of juvenile justice reforms;
- **Provide \$96 million for the JJDDPA Title V program**, *with no earmarks*, to prevent delinquency at the local level; and
- **Provide \$30 million for JABG** to preserve and support a continuum of evidence- informed supervision and graduated sanctions - including cost-efficient confinement alternatives - for youth involved with the courts, as provided for in H. 494.

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<sup>1</sup> Small, S.A., Reynolds, A.J., O'Connor, C., & Cooney, S.M. (2005). What Works, Wisconsin: What science tells us about cost-effective programs for juvenile delinquency prevention. Madison, WI: University of Wisconsin–Madison. Available at: [https://www.juvjustice.org/sites/default/files/ckfinder/files/resource\\_618.pdf](https://www.juvjustice.org/sites/default/files/ckfinder/files/resource_618.pdf). Last accessed on April 16, 2019.

<sup>2</sup> McCarthy, Patrick, Vincent Schiraldi and Miriam Shark. (2016) *The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model*. New Thinking in Community Corrections bulletin. Washington, D.C.: U.S. Department of Justice, National Institute of Justice. Available at: <https://www.ncjrs.gov/pdffiles1/nij/250142.pdf>. Last accessed April 16, 2019.

<sup>3</sup> Campaign for Youth Justice, *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America*. (2007). Available at: [http://www.campaignforyouthjustice.org/Downloads/NationalReportsArticles/CFYJ-Jailing\\_Juveniles\\_Report\\_2007-11-15.pdf](http://www.campaignforyouthjustice.org/Downloads/NationalReportsArticles/CFYJ-Jailing_Juveniles_Report_2007-11-15.pdf). Last accessed April 16, 2019; Holman and Ziedenburg, (2006) *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Others Secure Facilities*, The Justice Policy Institute. Available at: [http://www.justicepolicy.org/uploads/justicepolicy/documents/dangers\\_of\\_detention.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/dangers_of_detention.pdf). Last accessed April 16, 2019.

	JJDPA Title II	JJDPA Title V	JABG	Mentoring	Other	Total
FY02	\$88.8	\$94.3	\$249.5	\$16	\$91.5	\$546.9
FY03	\$83.3	\$46.1	\$188.8	\$15.9	\$110.5	\$451.4
FY04	\$83.2	\$79.2	\$59.4	\$0	\$2.5	\$306.7
FY05	\$83.3	\$79.4	\$54.6	\$14.9	\$9.9	\$346.5
FY06	\$79.2	\$64.4	\$49.5	\$9.9	\$30	\$338.7
FY07	\$79.2	\$64.4	\$49.5	\$9.9	\$30	\$338.7
FY08	\$74.3	\$61.1	\$51.7	\$70	\$32	\$383.6
FY09	\$75	\$62	\$55	\$80	\$20	\$374.7
FY10	\$75	\$65	\$55	\$100	\$37.5	\$423.5
FY11	\$62.3	\$54	\$45.7	\$83	\$31.2	\$276
FY12	\$40	\$20	\$30	\$78	\$94.5	\$262.5
FY13	\$44	\$20	\$25	\$90	\$100.5	\$279.5
FY14	\$55.5	\$15	\$0	\$85.5	\$88	\$244
FY15	\$55.5	\$15 (all earmarked)	\$0	\$90	\$91.5	\$251.5
FY16	\$58	\$17.5	\$0	\$90	\$104.7	\$270.16
FY17	\$55	\$14.5	\$0	\$80	\$97.5	\$247
FY18	\$60	\$27.5	\$0	\$94	\$101	\$282.5
FY19	\$60	\$24.5	\$0	\$95	\$107.5	\$287

*(Federal Juvenile Justice Funding in Millions)*

## 2. Ensure appropriate implementation and oversight of the Juvenile Justice and Delinquency Prevention Act (JJDP)

Oversight of the JJDP presents Congress with an opportunity to affirm high standards for the treatment of youth and the federal-state partnership that undergirds their success. First enacted in 1974, the JJDP was most recently reauthorized in 2018. Now, 45 years after its initial enactment, the JJDP is one of the most successful standard-setting statutes at the federal level. At its heart, it recognizes the value of citizen-driven efforts to prevent and stem delinquency. The success of the JJDP has been supported in significant part by the research, evaluation, oversight, and technical assistance functions of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). It remains a landmark federal statute and provides four substantive safeguards, or “core protections” for youth who come into contact with the juvenile justice system:

- The deinstitutionalization of status offenders core protection provides that non-delinquent youth charged with offenses such as truancy and running away should not be confined in juvenile facilities or adult jails;
- The jail removal core protection provides that minors should not be placed in adult jails and lock-ups except under very limited circumstances;
- The ‘sight and sound’ separation core protection provides that youth in adult jails or lock-ups be sight and sound separated from adult inmates; and
- The racial and ethnic disparities core protection mandates that states take steps to measure and address racial and ethnic disparities at key contact points in the juvenile justice system.

With the passage of new legislation, Congress' support is needed to provide oversight and ensure that the core protections are enforced in a fair and meaningful way that is in keeping with the spirit of the law. States need supports to help comply with the JJDPAs' updated protections and maintain a sharp focus on preserving these safeguards.

The JJDPAs provide an opportunity to invest in strategies to prevent youth gun violence, promote positive school environments, and enable communities to provide much needed support and resources for their youth. Any programs implemented under the JJDPAs must adhere to the requirements mandated by statute.

The JJDPAs also define much of the approach to juvenile justice and delinquency prevention taken by Congress and the federal government. It establishes OJJDP and articulates the commitment to a federal-state partnership around juvenile justice.

Not only does the failure to oversee appropriate implementation of the JJDPAs threaten the core protections that ensure that youth who come into contact with the juvenile justice system and their families are treated fairly and appropriately, it also disregards their communities' interests in public safety and the fair administration of justice.

### 3. Phase out the valid court order (VCO) exception to the JJDPAs

As initially enacted in 1974, the JJDPAs prohibited courts from incarcerating young people who engage in status offense behaviors.<sup>4</sup> Status offenses are behaviors that violate the law solely because the person who engaged in them has not yet reached the age of majority. They include behaviors such as running away from home and skipping school.

Subsequent amendments to the legislation, however, created what is now known as the valid court order (VCO) exception.<sup>5</sup> This exception permits courts to place children in locked confinement for status offense behaviors that are in violation of a valid court order. Thus, a teenage girl who is required by a judge to attend school can be incarcerated if she continues to skip class.

Research shows that placing children in locked confinement - especially children who are low-risk, such as youth who are charged with status offenses - can have damaging effects. Institutionalization's many harms begin with removing youth from their families and communities, which prohibits youth from developing the strong social network and support system necessary to transition successfully from adolescence to adulthood.<sup>6</sup> Further, detention is ill equipped to address the underlying causes of the status offense behavior in which the youth engaged, and fails to act as a deterrent to subsequent behavior.<sup>7</sup>

Incarcerating children for status offenses is also expensive. Confining a child in a detention facility costs an average

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<sup>4</sup> 34 U.S.C. § 11101.

<sup>5</sup> PL 96-509, 1980 S 2441, 94 Stat. 2755 (December 1980).

<sup>6</sup> Nelson, D. W. (2008). *A Road Map for Juvenile Justice Reform*. Baltimore, MD: Annie E. Casey Foundation. Available at: [https://www.aecf.org/m/resourcedoc/AECF-2008-Roadmap\\_for\\_Juv\\_Justice\\_Reform.pdf](https://www.aecf.org/m/resourcedoc/AECF-2008-Roadmap_for_Juv_Justice_Reform.pdf). Last accessed April 16, 2019.

<sup>7</sup> *Id.*

of \$240.99 per day, per youth.<sup>8</sup> This equates to roughly \$88,000 a year for each youth housed in a juvenile detention facility. Youth who engage in status offense behaviors often do so, however, because they need community- and family-based supports.

Research has shown that providing youth with these types of programs, instead of placing them in detention facilities, results in better outcomes for young people. Some therapy programs have been found to have a benefit of more than \$10 for every \$1 spent and have been found to reduce recidivism by as much as 22 percent.<sup>9</sup>

A growing number of states and local communities have already stopped using the VCO because of the problems it presents for children and the expense it presents to taxpayers. The Office of Juvenile Justice and Delinquency Prevention reports, however, that as of FY14, the most recent year for which public data is available, 27 states continue to use the VCO exception to incarcerate children. In 2010, 15 of these states used the exception to incarcerate children in more than 100 cases, and in three states, between 1,000 and 2,400 cases resulted in incarceration.<sup>10</sup>

CJJ has long supported the phase out of the VCO exception. Bipartisan legislation, S. 866, was introduced in the 115<sup>th</sup> Congress by Sen. Rand Paul (R-KY) and Sen. Robert Casey (D-PA) to eliminate the VCO exception. A similar measure was introduced in the House by Rep. Tony Cárdenas (D- CA-29) as H. 1885. These bills required all states to stop incarcerating youth for status offenses within one year of the legislation's passage, or two years based upon a showing of hardship.

CJJ urges the reintroduction and passage of legislation to phase out the VCO. Locking up children is not an evidence-based practice. Instead, it harms children and their communities.

## 4. Update the Runaway and Homeless Youth Act

CJJ works with other advocacy groups as part of the National Coalition for Homeless Youth which focuses on the reauthorization of the Runaway and Homeless Youth Act (RHYA). RHYA was originally enacted as part of the JJDPA and a two-year straight reauthorization was part of the Juvenile Justice Reform Act of 2018.<sup>11</sup> The Act provides vital services to runaway, homeless, and disconnected youth but is in great need of programmatic update and reauthorization.

This modest investment has laid the foundation for a national system of services for our most vulnerable young people, including: emergency shelters, family reunification work when safe, aftercare, outreach, education and

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<sup>8</sup> Butts, Jeffrey A. & Nelson, Douglas N. (2011). *Resolution, Reinvestment and Realignment: Three Strategies for Changing Juvenile Justice*. John Jay College of Criminal Justice, City University of New York. Available at:

[https://cdpsdocs.state.co.us/ccj/Committees/JuvenileTF/Handout/RiskAssessment/Resolution\\_Reinvestment\\_Realignment.pdf](https://cdpsdocs.state.co.us/ccj/Committees/JuvenileTF/Handout/RiskAssessment/Resolution_Reinvestment_Realignment.pdf). Last accessed April 16, 2019.

<sup>9</sup> Greenwood, Welsh, Rocqye. (2012.) *Implementing Proven Programs For Juvenile Offenders: Assessing State Progress*, Association for the Advancement of Evidence-Based Practices, Available at: <https://youthjusticenc.org/download/juvenile-justice/prevention-interventions-and-alternatives/Implementing%20Proven%20Programs%20for%20Juvenile%20Offenders.pdf>. Last accessed April 16, 2019; Justice Policy Institute, (2006). *Models for Change: Building Momentum for Juvenile Justice Reform*, Available at:

[http://www.justicepolicy.org/uploads/justicepolicy/documents/models\\_for\\_change.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/models_for_change.pdf). Last accessed April 16, 2019.

<sup>10</sup> Note: This is the most recent year for which data is publicly available. Available at: <https://www.ojjdp.gov/compliance/FY2013-FY2014VCO-state.pdf>.

<sup>11</sup> The Juvenile Justice Reform Act of 2018, H.R. 6964, 115th Cong. (2018).

employment, health care, behavioral health, transitional housing, and independent housing options.

These services help to prevent youth from involvement in the criminal justice system, trafficking and commercial exploitation, and chronic homelessness, and to ensure successful outcomes such as a safe exit from homelessness, family reunification, and/or establishment of permanent connections in their communities. We call on Congress to reauthorize this important law, increase funding for its three pillar programs (Street Outreach, Basic Centers and Transitional Living), ensure that children who have had involvement in the juvenile justice system are not denied these services, and provide additional resources to address the needs of exploited and trafficked youth. A longer-term reauthorization of RHYA is needed and should include programmatic updates to make sure RHYA programs are accessible to LGBTQ+ youth.

## 5. Build on proven strategies to increase school engagement and success for all youth and prevent the conflation of school discipline policy and juvenile justice system sanctions, also known as the “school-to-prison pipeline”

Over the past decade, CJJ’s members have witnessed an unprecedented conflation of school discipline policy and sanctions traditionally reserved for the juvenile justice system. In fact, the connection between school discipline and the juvenile courts has become so close that it is coined, the “school-to-prison pipeline.” The pervasive use of exclusionary discipline and zero-tolerance policies have created this pipeline effect and funnel youth out of the school system and into the juvenile justice system. This pipeline impacts a broad swath of youth across lines of race, ethnicity, gender and sexual orientation, disability, and socioeconomic status, and leads to poor outcomes for schools, communities, and youth, ultimately denying education and emotional support to those who typically need it the most.

While a growing focus has been placed on this issue in recent years, much more work remains to be done. For example, data from the U.S. Department of Education Office of Civil Rights (“OCR”) indicates that exclusionary discipline and zero tolerance policies are disproportionately applied to youth of color,<sup>12</sup> an outcome that is directly at odds with the JJDPA mandate to address racial and ethnic disparities (RED) within the juvenile justice system. CJJ calls on Congress to provide federal leadership to ensure that disciplinary policies do not have a disparate impact on students of color, and that all young people have a chance to learn, grow, and be respected within their schools.

CJJ supports approaches to ending the school to prison pipeline that integrate the following principles:

- ***Demand for evidence-based approaches.*** There is now ample evidence to support the position that policies that exclude youth from schools lead to detrimental outcomes for them, their families, and communities. Any approach to stem the school-to-prison pipeline should take into account the best evidence we have of what works, including reducing referrals to the juvenile justice system, and for those youth referred,

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<sup>12</sup> U.S. Dept. of Education Office of Civil Rights. (2014). Civil Rights Data Collection, Data Snapshot: School Discipline. Available at: <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>. Last accessed Dec. 3, 2014.

reduction in the use of out-of-home placement and an increase in community-based interventions that focus on addressing unmet needs.

- ***Balancing of interests.*** CJJ supports approaches that balance needs for the fair administration of justice, community safety, and the health and wellbeing of youth who come into contact with the juvenile justice system. Our experience and evidence show that these interests are not at odds with one another. For instance, one key component of an improved approach is to eliminate school exclusion for disciplinary infractions – specifically long-term suspension and expulsion practices. In-school interventions and alternative services produce better outcomes and avert future problems. The National Coordinating Committee on School Health and Safety reported that suspension and expulsion lead to or worsen academic problems, delinquency, and substance abuse. They also noted that children who are most likely to be suspended are those who most need the assistance and supervision of professionals.<sup>13</sup> Additionally, suspension or expulsion has been shown to be a primary reason for dropping out of school<sup>14</sup> and high school dropouts are 3.5 times more likely than high school graduates to be incarcerated.<sup>15</sup> If suspension or expulsion takes place, CJJ, along with other organizations such as the American Bar Association, urge that students have access to counsel to represent them during related hearings.<sup>16</sup>
- ***Reliance on partnerships in and around schools, students, and families.*** The strategies that work best are those that rely on a mix of public-private partnership and support, and broad-based involvement from system actors and community stakeholders, including families and youth. In CJJ’s earlier report to the President, the Congress, and the Office of Juvenile Justice and Delinquency Prevention, *Abandoned in the Back Row: New Lessons in Education and Delinquency Prevention*, we pinpointed specific strategies and qualities of supportive school settings serving low income and at-risk populations. Such supportive schools and educational settings involve parents and family members, seek to develop children’s/youths’ strengths and personal assets, and create positive environments for communication and learning.
- ***Specific strategies to resolve racial and ethnic disparities (RED).*** Both the efficacy and integrity of the juvenile justice systems are threatened if school and juvenile justice sanctions are disproportionately applied to specific races and ethnic groups. Strategies must be identified and implemented to address the dramatic overrepresentation of youth of color both in our justice systems, and who are pushed out of their schools.

## 6. Ensure that trafficked youth are treated as survivors instead of being criminalized

The full extent of the trafficking epidemic remains unknown. Estimates on the number of youths who have endured human trafficking vary greatly, however, according to the Department of Justice, 83 percent of all suspected sex trafficking incidents that were investigated between 2008 and 2010 involved a U.S. citizen, and 40 percent involved

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<sup>13</sup> The Committee on School Health. (2003). *Out of School Suspension and Expulsion*. Pediatrics: 112(5), 1206-1209.

<sup>14</sup> DeRidder, Lawrence M. (1991). *How Suspension and Expulsion Contribute to Dropping Out*, The Education Digest.

<sup>15</sup> Martin, N., & Halperin, S. (2006). *Whatever It Takes: How Twelve Communities are Reconnecting Out-of-School Youth*. Washington, DC: American Youth Policy Forum. Available at: <http://www.doe.in.gov/sites/default/files/cte/whatever-it-takes.pdf>. Last accessed April 16, 2019.

<sup>16</sup> See “School to Prison Pipeline” available at: [https://www.americanbar.org/groups/child\\_law/resources/attorneys/school-to-prison-pipeline/](https://www.americanbar.org/groups/child_law/resources/attorneys/school-to-prison-pipeline/). Last accessed January 7, 2019.

a child.<sup>17</sup> Children who are homeless, are involved with the child welfare system, or who have run away from home are especially vulnerable to commercial sexual exploitation, as are LGBT youth.<sup>18</sup> Prior sexual or physical abuse is another major risk factor. Girls of color are disproportionately impacted as well; they are more likely to experience human trafficking and more likely to be criminalized for that victimization.

Under the federal Trafficking Victims Protection Act (TVPA), all children who are exploited for commercial sex acts prior to age 18 are viewed as victims of sex trafficking, as federal law acknowledges that children are legally incapable of consenting to sex.<sup>19</sup> Federal law also recognizes that child sex trafficking is a form of child sexual abuse. Youth in many jurisdictions, however, continue to be prosecuted at the state level for acts that resulted from their victimization.

A growing number of states are attempting to remedy this by enacting what are known as safe harbor laws. These laws protect children from prosecution for prostitution offenses and other commercial sex acts (some safe harbor laws extend to prostitution-related offenses that aren't commercial sex acts). States have also used these laws to establish safe houses for victims, which can better serve their needs and provide a more appropriate response than juvenile detention facilities. Safe harbor laws may also divert victims' cases from the juvenile justice system to child protection proceedings where survivors are able to access specialized services.<sup>20</sup> Safe harbor laws should prevent criminalization rather than only mitigating it and connect children and youth to services through a means outside of the juvenile justice system. Furthermore, these laws must actually be implemented.

CJJ urges Congress to enact legislation that encourages states to recognize youth as what they truly are: survivors. CJJ asks that Congress provide incentives for states to stop charging victims with either delinquent offenses, or status offenses for behaviors that are the result of their victimization. CJJ also urges Congress to make funding and training opportunities available for states to help address this issue, and to make related legislation and programming gender inclusive, recognizing that all youths can fall victim to trafficking, not just girls. Such programs must also be culturally competent.

## 7. Reintroduce and Pass the REDEEM Act

Introduced in the 115<sup>th</sup> Congress, the Records Expungement Designed to Enhance Employment (REDEEM) Act (S. 827) is bipartisan legislation that would reform federal juvenile justice laws, and provide financial incentives to states that do the same. The REDEEM Act was introduced by Sen. Rand Paul (R-KY) and Sen. Cory Booker (D-NJ). An identical measure (H.R. 1906) was also introduced by Rep. Elijah Cummings (D-MD).

The REDEEM Act provides for the sealing and expungement of federal juvenile records in cases involving non-violent offenses. The measure would also prohibit solitary confinement of juveniles unless the child poses a serious

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<sup>17</sup> U.S. Department of Justice. (2011). *Characteristics of Suspected Human Trafficking Incidents, 2008-2010*. Available at: <http://bjs.gov/content/pub/pdf/cshti0810.pdf>. Last accessed Sept. 26, 2014.

<sup>18</sup> Center for American Progress. (2014). *Three Key Challenges in Combatting the Sex Trafficking of Minors in the United States*. Available at: <http://www.americanprogress.org/issues/lgbt/report/2014/04/08/87293/3-key-challenges-in-combating-the-sex-trafficking-of-minors-in-the-united-states/>. Last viewed Oct. 28, 2014.

<sup>19</sup> 22 U.S.C. § 7105.

<sup>20</sup> Polaris Project. (2015). *Human Trafficking Issue Brief: Safe Harbor*. Available at: <https://polarisproject.org/sites/default/files/2015%20Safe%20Harbor%20Issue%20Brief.pdf> Last accessed Feb 15th, 2019..

and immediate risk to themselves or others. The REDEEM Act includes financial incentives to states that have similar laws related to the sealing and expungement of juvenile records, and/or solitary confinement. Financial incentives are also included for states that set the age of original jurisdiction in adult court at no younger than 18.

CJJ asks Congress to reintroduce and pass this legislation, which aims to reduce the solitary confinement of youths. Solitary confinement has been shown to cause a range of psychological harms including hallucinations, anxiety, revenge fantasies, self-mutilation, and reduced brain function among adults who are subjected to the punishment.<sup>21</sup> Psychological harm to young people who are placed in solitary confinement may be even more pronounced since youths' brains and bodies are still developing.<sup>22</sup> Solitary confinement also places youths at a greater risk of physical harm and suicide. Roughly 62 percent of all youth who chose to take their own life while at a juvenile detention facility have a history of solitary confinement.<sup>23</sup>

Solitary confinement is particularly devastating to children who have experienced previous traumas, such as abuse. The Attorney General's Task Force on Children Exposed to Violence found that "[nowhere] is the damaging impact of incarceration on vulnerable children more obvious than when it involves solitary confinement."<sup>24</sup>

CJJ also supports reintroduction and passage of the REDEEM Act because it encourages states to increase the age of original jurisdiction in adult court. A growing body of research has shown that young people's brains are not fully developed during their teenage years.<sup>25</sup> In response to this research, the REDEEM Act should be passed to help encourage states to ensure that children continue to receive the protections afforded by the juvenile justice system until at least their 18<sup>th</sup> birthday.

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<sup>21</sup> American Civil Liberties Union. (2013). *Alone & Afraid: Children Held in Solitary Confinement and Isolation in Juvenile Detention and Correctional Facilities*, New York, NY.

<sup>22</sup> *Id.*

<sup>23</sup> U.S. Department of Justice. (2012). *Report of the Attorney General's National Task Force on Children Exposed to Violence*, Washington, DC.

<sup>24</sup> *Id.*

<sup>25</sup> See for example, Daniel Romer. [Adolescent Risk Taking, Impulsivity, and Brain Development: Implications for Prevention](#). Vol. 52. Issue 3. p. 263.



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