



**PLATFORM POSITION REGARDING  
REAUTHORIZATION OF THE JUVENILE JUSTICE AND  
DELINQUENCY PREVENTION ACT**

**As adopted by the Coalition for Juvenile Justice  
Council of State Advisory Groups**

Coalition for Juvenile Justice  
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**CJJ COUNCIL OF THE SAGS**  
**OUR SUCCESS, OUR AMBITION AND OUR CHARGE**

When first enacted in 1974, the federal Juvenile Justice and Delinquency Prevention Act (JJDPA) set an ambitious agenda: to effect a partnership between the federal government and the States through which the States would be inspired to reform their juvenile justice systems and the federal government would commit itself to providing the guidance and resources necessary to make that happen; all with the goal of protecting our nation's children and youth and improving public safety. Thirty years later, the achievements of that statutory agenda are nothing less than remarkable. The JJDPA stands as one of the most successful standard-setting statutes at the federal level, and at its heart recognizes the value of citizen-driven efforts to prevent and stem delinquency.

We, the Chairs and voting representatives of the State Advisory Groups on Juvenile Justice (SAGs), who comprise the CJJ Council of SAGs, are engaged through the JJDPA, as citizen volunteers, working in partnership with government to develop and guide State and local efforts to prevent delinquency, protect youth, hold youth accountable in age-appropriate ways and ensure the fair and effective administration of juvenile justice.

By design, the JJDPA has allowed the Congress to engage SAG leaders, as citizen volunteers, from many disciplines and walks of life. Thereby, the JJDPA serves as a mechanism for citizens to partner with government and inform the best possible strategies for delinquency prevention. As such, our representative body of SAG members includes the views of youth and parents, judges, defenders and prosecutors, as well as law enforcement professionals, educators and human service providers.

Through our collaborative efforts with State, local and private actors, over the last 30 years we have demonstrated the effectiveness of timely, fair and productive prevention and intervention efforts and achieved near-historic lows in rates of juvenile offending. Moreover, the research, evaluation, oversight and technical assistance functions of the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), chartered under the JJDPA under the U.S. Department of Justice, have contributed to the expertise in the field as well as the discovery and replication of evidence-based and promising practices across the nation.

While much has been accomplished, more needs to be done in order for us to sustain and fully accomplish our goals—based on research, empirically-supported practice and a growing body of knowledge in the field. Far too often, children and youth are still subjected to deplorable conditions of confinement and denied effective, age-appropriate responses. Children who may be better served outside of detention and corrections, such as children who are truant or who suffer with mental health problems, are still today needlessly placed in locked confinement. In addition, minority youth may not be guaranteed equitable treatment when they come into contact with the juvenile justice system.

In recent years, increasing disengagement by the federal government, as demonstrated by dramatically decreased funding and shrinking capacities at OJJDP to effectively perform its core functions of research, oversight and technical assistance to the field, have created barriers to the further advancement of effective and best practices under the JJDPA. Thus, our continuing success depends on Congress reaffirming and enhancing the provisions of the JJDPA, and providing the leadership and financial resources needed to fulfill such provisions to the greatest possible extent.

**Therefore, CJJ urges the Congress to Reauthorize the JJDPA as soon as possible, with an eye toward improving upon an already successful federal law—which has at its core the safety and success of our nation’s children, youth and families.**

**Representing the SAGs nationwide is our representative body, the CJJ Council of State Advisory Groups (SAGs), comprising forty-eight (48) SAG Chairs/Chair-designees from the States, Territories and District of Columbia.**

**On this 27<sup>th</sup> day of April, 2008, the Council has consented by a two-thirds majority of States present and voting to ratify this Platform of Position on the Reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA).**

Witnessed by: Robert H. (“Robin”) Jenkins, Ph. D.  
Robert H. (“Robin”) Jenkins, CJJ National Chair, 2008-2009

## REAFFIRM AND STRENGTHEN THE FEDERAL-STATE PARTNERSHIP

### I. **Preserve and advance best practices in juvenile justice and delinquency prevention by increasing federal authorizations and appropriations for the JJDPA grant programs and restoring the capacity of the federal Office of Juvenile Justice and Delinquency Prevention.**

WHEREAS,<sup>1</sup> the original intent of the federal Juvenile Justice and Delinquency Prevention Act (JJJPA) was to inspire and support State and local programs that prevent juvenile delinquency and promote public safety, and to establish a federal home for the support, evaluation and replication of these efforts via the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP); and

WHEREAS, research has shown that every dollar spent on evidence-based programs can yield up to \$13 in cost savings, and each child prevented from engaging in repeat criminal offenses can save the community \$2.6 to \$4.4 million; and

WHEREAS, the Title II Formula Funds Program 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 to achieve compliance with the core protections of the JJDPA; and

WHEREAS, the Title V Incentive Grants for Local Delinquency Prevention Program of the JJDPA is the only federal funding source dedicated solely to the prevention of youth crime and violence; and

WHEREAS, overall federal appropriations for juvenile justice programs have decreased by more than 60 percent since FY 2002, hindering and in some cases dismantling State and local efforts to prevent and reduce delinquent and criminal behavior among our nation's youth;

**Resolved: Federal authorizations and appropriations for OJJDP and the Title II and Title V grants programs under the JJDPA should be restored to at least 2002 levels to preserve and advance best practices in juvenile justice and delinquency prevention, and to assist the states in achieving and maintaining compliance with the core protections and other related goals of the of the JJDPA.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

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<sup>1</sup> For purposes of this publication, some of the "Whereas" clauses have been abridged or redacted. To view the CJJ Platform in its entirety, go to [http://www.juvjustice.org/reauthorization\\_platform.html](http://www.juvjustice.org/reauthorization_platform.html).

**II. Promote empirically-supported/evidence-based and promising practices, and reward well-run State and local juvenile justice systems, by establishing Incentive Grants under Title II and Title V of the JJDP.**

WHEREAS, an original intent of the JJDP was to provide federal support for effective programs that reduce and prevent juvenile delinquency; and

WHEREAS, over the past 30 years States have developed best practices that are yielding remarkable returns on federal investments for children, youth and families; and

WHEREAS, the creation of a program that promotes and rewards best practices and outcome-based measures will strengthen accountability for federal spending and result in a greater ability for OJJDP and the States to assess and replicate effective programs across the nation;

**Resolved: Establish Incentive Grants Programs under Title II and Title V of the JJDP, and award such grants to States that (1) adopt empirically-supported/evidence-based or promising approaches to juvenile justice reform and (2) demonstrate results or show progress toward implementing best practices, such as effective community-based alternatives to detention. Moreover, funds for the Incentive Grants Programs should not diminish the base funding for Title II and Title V, but only be appropriated as additional dollars.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

**III. Support States' efforts to comply with the core protections of the JJDPa by making any funds withheld from States due to non-compliance available to those States in the form of Improvement Grants.**

WHEREAS, the original intent of the JJDPa was to inspire and support voluntary State efforts in pursuit of positive and effective juvenile justice reforms; and

WHEREAS, the JJDPa currently provides that OJJDP shall reduce a State's Title II funding allocation by 20 percent if the State fails to comply with any one of the core protections of the JJDPa and requires that 50 percent of remaining Title II funds allocated be used to support efforts to regain compliance; and

WHEREAS, the JJDPa compliance process should not be used as a way to exclude States from positive and effective juvenile justice reforms, but rather to support States in being forthright about their compliance challenges, and to provide willing States with assistance to overcome such challenges; and

WHEREAS, fiscal responsibility demands that all federal funding be utilized in ways that achieve and remain true to the JJDPa's original purposes;

**Resolved: If and when a State is found to be out of compliance with any one of the core protections of the JJDPa, any and all funds withheld from the State should be made available to that State and re-allocated to that State as an Improvement Grant, conditioned on a corrective action plan, to assist the willing State to regain compliance.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

**IV. Improve the partnership between the federal government and the States by increasing OJJDP transparency, timeliness in rule making and accountability.**

WHEREAS, an original intent of the JJDPA was to establish a mechanism whereby the federal government, via OJJDP, and the States, via the 56 State Advisory Groups on Juvenile Justice (SAGs) at the U.S. state and territorial levels, would work together to achieve both the letter and the spirit of the JJDPA; and

WHEREAS, over the past several years OJJDP has not utilized formal administrative procedures when setting compliance standards and providing guidance to the States, which at times has created confusion; and

WHEREAS, it is critical to the partnership between OJJDP and the States that there be clear regulatory guidance from OJJDP and that States have confidence in OJJDP's rule making and regulatory functions; and

WHEREAS, the partnerships between OJJDP and the States, and the States and their local community partners, can be enhanced by providing greater transparency and accountability for all parties;

**Resolved: Amend the JJDPA to (1) affirm that the rule making functions of the OJJDP Administrator are subject to the Administrative Procedures Act of 1946; (2) require the OJJDP Administrator to issue an annual findings and planning report to the U.S. Congress; (3) require the OJJDP Administrator to investigate and make compliance determinations in a timely manner; and (4) require the OJJDP Administrator to issue reports on the Office's official determinations and make such reports publicly available. Similarly, the JJDPA should be amended to require that States make publicly available their State JJDPA Plans and the status of their compliance with JJDPA core protections.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

- V. Ensure that national efforts in juvenile justice have a dedicated “home” within the U.S. Department of Justice, distinct from the larger focus on criminal justice, for purposes of developing national policies, objectives, priorities and plans, advancing research to ensure comprehensive knowledge of delinquency, and providing guidance, support and oversight to States and Territories implementing the JJDP.**

WHEREAS, OJJDP is the only agency solely charged with responsibility for juvenile justice within the U.S. Department of Justice, and is tasked with the development of effective education, research, prevention, treatment, and rehabilitation programs for the juvenile justice systems;

**Resolved: Strengthen the research and technical assistance functions of OJJDP to ensure a major federally-supported focus on (1) research designed to reveal harmful and best practices in juvenile justice; (2) intensive technical assistance to the States to help them achieve compliance with the core protections of the JJDP; and (3) intensive training and technical assistance to assist in development and replication of empirically-supported/evidence-based, emerging and promising juvenile justice and delinquency prevention practices.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).



**VI. Ensure that federal juvenile justice policy and practice are informed by the knowledge and expertise of the field by confirming and restoring the original advisory and technical assistance functions of an independent, non-partisan, nonprofit and representative organization of State Advisory Group members.**

WHEREAS, Sec. 223(f) was added to the JJDP A in 1988 by Congress to compel the OJJDP Administrator to provide technical and financial assistance to an “eligible organization of member representatives of the [SAGs]” to perform both advisory and technical assistance functions designed to increase and maintain the flow of information and consultation between the President, Congress, OJJDP and the SAGs; and

WHEREAS, the Coalition for Juvenile Justice (CJJ), founded in 1984 by SAG members, was universally recognized as an effective partner, serving as the “eligible organization” under Sec. 223(f) for 14 years (1988-2002); and

WHEREAS, beginning in 2003, OJJDP reinterpreted the JJDP A to transfer the advisory functions away from CJJ as the eligible organization of SAGs and in 2005 took further action to ultimately remove all support from CJJ, in clear violation of Sec. 223(f)(1); and

WHEREAS, it is the plain meaning and congressional intent of this section of the JJDP A that OJJDP provide financial and technical assistance to a non-governmental, independent organization of SAG members;

**Resolved: Amend Sec. 223(f) to confirm and restore the advisory and training and technical assistance functions of an independent, non-partisan, nonprofit and representative organization of State Advisory Group members and to retain the duty of the OJJDP Administrator to provide technical and financial assistance to this organization.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

## REAFFIRM AND ENHANCE SAFEGUARDS FOR CHILDREN AND YOUTH WHO COME INTO CONTACT WITH THE JUSTICE SYSTEM

- VII. Support States that choose to safeguard youth by serving them in juvenile facilities after such youth have reached the State’s age of majority, and where allowable by court order or state law, by revising the “adult inmate” definition.**

WHEREAS, an original intent of the JJDP Act was to protect youth from dangers associated with incarceration in adult jails and prisons; and

WHEREAS, several States currently allow youth who are convicted in adult court to serve their sentences in juvenile facilities until they reach the maximum age of extended juvenile jurisdiction; and

WHEREAS, the research affirms that adult facilities rarely offer age-appropriate services for youthful offenders and young adults, and that incarceration in adult lock-ups increases the likelihood of re-offending, and exposes youth to increased risk of mental and physical harms; and

WHEREAS, 2003 rule making by OJJDP requires States to adhere to sight and sound separation requirements for youth who have reached the age of majority where such youth have been charged in criminal court and are being retained in juvenile jurisdiction, and penalizes States who utilize more appropriate and humane placements for youth;

**Resolved: Amend the definition of “adult inmate” to allow States to continue to serve youth convicted in adult court in juvenile facilities, rather than in adult facilities, until they reach the maximum age of the States’ extended juvenile jurisdiction.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

**VIII. Safeguard runaways, truants, youth exploited through prostitution and other vulnerable youth by working to remove exceptions to the deinstitutionalization of status offenders (DSO) core protection.**

WHEREAS, the original intent of the JJDP Act was to recognize that status offenses are non-criminal and therefore merit a different response on the part of the justice system; and

WHEREAS, providing status offenders with appropriate services at home or close to home and in community-based settings—as opposed to locked, secure detention—is supported by CJJ’s Formal Position Statement on “Serving Status Offenders in Their Homes and Communities/DSO” (Adopted 1986); and

WHEREAS, the detention of status offenders (DSO) core protection was put into place to ensure that status offenders, who often have unmet mental health or education needs, receive the services they need through the appropriate human services agency rather than the justice system, allowing the juvenile justice system to focus on children who are charged with delinquent offenses; and

WHEREAS, many States no longer allow or exercise the valid court order (VCO) exception, demonstrating that judges in many States are able to effectively and proactively manage status offenders without resorting to detention;

**Resolved: Amend the DSO core protection to phase out over a three-year period any exceptions related to use of a Valid Court Order, and to bolster efforts to expand and raise the profile of community-based alternatives to detention (including non-secure, structured residential care) designed to meet the unique needs of this population. Increase congressional appropriations and expand the training and research functions of OJJDP to support the refinements to the DSO core protection.**

\*Approved as amended by 32 of 42 States (AR, CA, CO, CT, DC, DE, FL, GA, HI, IL, IA, KS, KY, LA, ME, MD, MA, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, UT, VT).

Seven States opposed (AK, ID, IN, MN, SC, VA, WI).

Three States abstained (AZ, TN, WA).

**IX. Safeguard all pre-adjudicated youth under the age of 18 by working to bring them under the sight and sound separation and jail removal core protections of the JJDP.**

WHEREAS, the original intent of the JJDP was to differentiate between the needs of adults and the needs of children and youth who come into contact with the justice system and to channel youth into a separate system to specifically address such needs, including the need for youth to be protected from the dangers of adult jails; and

WHEREAS, to keep youth under the age of 18 from entering adult lock-ups is supported by CJJ's Formal Position Statement on "Children Detained in Adult Jails/Jail Removal (Adopted 1983; reaffirmed 1990);" and

WHEREAS, the sight and sound separation and jail removal core protections currently protect youth who are under the jurisdiction of the juvenile justice system, but do not protect pre-teens and teens awaiting trial in adult court, resulting in a daily national average of 7,500 children locked up in adult jails; and

WHEREAS, youth placed in adult jails are at greater risk of physical and sexual assault, and are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility; and

WHEREAS, an estimated 50 percent of pre-teens and teens held in adult jails are ultimately transferred back to juvenile court or have their cases dismissed entirely, yet have suffered long lasting negative consequences of adult incarceration;

**Resolved: Amend the sight and sound separation and jail removal core protections of the JJDP to phase in over a three-year period removal and separation protections for all pre-adjudicated youth under the age of 18 and to ensure that in the limited cases where it is allowable under JJDP to hold youth in adult lock-ups that they have no sight or sound contact with adults pre-trial. Increase congressional appropriations and expand the training and research functions of OJJDP to support the refinements of the sight and sound separation and jail removal core protections.**

\*Approved by 34 of 42 States (AK, AZ, AR, CA, CT, DC, DE, FL, GA, HI, IN, IA, KS, KY, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NC, OR, PR, SC, TN, UT, VT, VA).

Seven States opposed (CO, ID, IL, LA, NY, PA, WI).

One State abstained (WA).

**X. Ensure that all children and youth are treated fairly by guarding against and reducing racial and ethnic disparities shown to occur in the juvenile justice system and elevating the disproportionate minority contact (DMC) core protection.**

WHEREAS, the JJDPA has not kept pace with practices in the field regarding DMC reduction and does not provide clear guidance as to what is meant in regards to reducing racial and ethnic disparities; and

WHEREAS, reducing racial and ethnic disparities and DMC within the juvenile justice system is supported by CJJ's Formal Position Statement on "Unequal Treatment of Minority Youth in the Juvenile Justice System/DMC and Disparities (Adopted in 1989; updated in 2001)"; and

WHEREAS, in many parts of the country accurate data are lacking on the frequency or type of juvenile justice contact occurring among certain racial and ethnic minority youth, and without accurate data, it is difficult for communities to identify, plan and coordinate effective and culturally appropriate services to reduce such contact;

**Resolved: Amend the disproportionate minority contact (DMC) core protection of the JJDPA to require States to 1) establish coordinating bodies to oversee efforts to reduce disparities; 2) identify key decision points in the system and criteria by which decisions are made; 3) create systems to collect and analyze local data (disaggregated by descriptors such as race, ethnicity and offense) to identify where disparities exist, with financial and other incentives from the federal government to help jurisdictions create these systems; 4) develop and implement a plan to address disparities that includes measurable objectives for change; 5) publicly report findings; and 6) evaluate progress toward reducing disparities. Increase congressional appropriations and expand the training and research functions of OJJDP to support refinements to the DMC core protection.**

\*Approved via electronic vote by 39 of 42 States (AZ, AR, CA, CT, CO, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, ME, MD, MA, MN, MO, MS, MT, NC, NE, NH, NJ, NM, NV, OR, PA, PR, SC, TN, UT, VA, VT, WA, WI).

Two States opposed (ND, NY).

One State abstained (AK).

**XI. Safeguard vulnerable and high risk youth who may be in need of family support and/or comprehensive behavioral health services for mental health and substance abuse needs.**

WHEREAS, the JJDPa has not kept pace with practices in the field regarding empirically-supported/evidence-based programs that divert youth to the least restrictive home and community-based mental health and substance abuse treatment programs, rather than placing them in detention; and

WHEREAS, mental health and substance abuse treatment programs should be competent with regard to race, culture, ethnicity, gender and sexual orientation; and

WHEREAS, it is known that prevention is the most constructive and cost-effective means of keeping children and youth away from court involvement, and is supported by CJJ's Formal Position Statement on "The Role of Prevention (Adopted in 1995);"

**Resolved: Expand allowable (not mandatory) uses of Title II and Title V funds under the JJDPa to encourage and incentivize states to ensure access to empirically-supported and evidence-based family strengthening, diversion and home and/or community-based behavioral health resources that provide youth with safe, supportive and least-restrictive environments that are competent with regard to race, culture, ethnicity, gender and sexual orientation.**

\*Approved unanimously as amended by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).

**XII. Safeguard vulnerable and high risk youths’ right and need for competent, effective and zealous representation in all proceedings where children are entitled to counsel.**

WHEREAS, competent counsel is necessary to ensure that children—particularly those from low-income families and or racial, ethnic and linguistic minority background—are treated equitably before the courts; and

WHEREAS, concurrence with the U.S. Supreme Court decisions *In Re Gault* and *Kent v. United States* which guarantee children accused of delinquent offenses and their families a right to counsel, is supported by CJJ’s Formal Position Statement on “Children’s Right to Legal Counsel (Adopted in 1994);” and

WHEREAS, in the 2007 Report of the Federal Advisory Committee on Juvenile Justice, it is recommended that the JJDPa “require provision of competent, effective and zealous representation for juveniles and the state in juvenile proceedings; that these attorneys receive specialized training in child and adolescent development and in juvenile law and related matters and procedures; and that states adopt juvenile caseload and practice standards;” and

WHEREAS, in the 2007 Report of the Federal Advisory Committee on Juvenile Justice, it is also recommended that language be inserted into the JJDPa to “require that accused children in court proceedings may not waive their constitutional right to counsel unless they first consult with an attorney, and that if they do waive their right to counsel, a full inquiry and finding be made by the court regarding the child’s comprehension of that right and his/her capacity to make the choice knowingly and intelligently;”

**Resolved: Expand allowable (not mandatory) uses of Title II and Title V funds under the JJDPa to ensure that youth in all court proceedings where children are entitled to counsel are represented by well-trained attorneys with cultural understanding, ongoing training, and manageable caseloads. Further, expand the allowable uses of JJDPa funds to put in place the highest national standards to protect youths’ right to counsel.**

\*Approved as amended by 37 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, ME, MD, MA, MS, MO, MT, NE, NV, NH, NJ, NM, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA).

One State opposed (LA).

Four States abstained (KY, MN, NY, WI).

## **REAFFIRM THE PREVENTION AND REHABILITATION GOALS OF THE JJDPA**

**XIII. Preserve the community-connected prevention, youth development and rehabilitation emphases of the JJDPA by ensuring that it is not linked to new or enhanced federal penalties for juveniles, or federal incentives that direct states to develop new or enhanced penalties for juveniles.**

WHEREAS, the original intent of the JJDPA was to reduce and prevent juvenile delinquency by recognizing that youth, including youth who engage in delinquent and criminal behavior, are different from adults, have different needs and therefore require different approaches and responses; and

WHEREAS, for more than a decade federal legislation addressing juvenile crime and delinquency has become more oriented towards prosecution and incarceration, rather than prevention and early intervention; and

WHEREAS, enhanced penalties regrettably lead to increases in well-documented racial and ethnic disparities via greater incarceration and severity of sanctions for youth of color in the juvenile and criminal justice systems; and

WHEREAS, adding penalty structures to the JJDPA would likely lead to re-allocation of core funding resources now aimed at prevention and rehabilitation toward purposes such as interdiction and incarceration; and

WHEREAS, research tells us that empirically-supported/evidence-based prevention and intervention practices are more cost-effective and productive in terms of reducing youths' risk of involvement in gangs and violence, leading to greater public safety;

**Resolved: Ensure that the JJDPA reauthorization bill does not include and is not linked to new provisions, amendments and/or other forms of federal legislation that introduce new federal categories of juvenile crime, new or enhanced federal penalties affecting juveniles, or incentives for states to advance new or enhanced penalties for juveniles. As is done now, CJJ will evaluate any other federal legislation addressing juvenile crime and delinquency for its merits and drawbacks.**

\*Approved unanimously by 42 of 42 States (AK, AZ, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, PR, SC, TN, UT, VT, VA, WA, WI).