

NATIONAL JUVENILE JUSTICE NETWORK

POLICY PRIORITIES FOR THE 114TH CONGRESS

The National Juvenile Justice Network

The National Juvenile Justice Network (NJJN) holds that public safety and youth rehabilitation are best served when youth who get into trouble with the law are held accountable in ways that accord with the latest research and best practices. Scientific advances in youth and brain development have demonstrated what parents have known all along: teenagers' brains are not fully developed until their early 20s. This knowledge that youth are indeed different than adults, now affirmed by four separate Supreme Court decisions,¹ is changing the way we craft responses to youth crime. Public safety is promoted when we hold youth accountable in alignment with the scientific research, move away from purely punitive and adult-oriented justice responses, and focus instead on youth development approaches that require youth to take responsibility for their actions while attaching them to needed services that launch them on a path to being productive citizens.

NJJN is a membership group comprising 51 organizations from 39 states, all of which seek state, local and federal laws, policies and practices that are fair, equitable and developmentally appropriate for all children, youth and families involved in, or at risk of becoming involved in, the justice system. For more information about NJJN and its members, please visit www.njjn.org.

Federal Priorities

The National Juvenile Justice Network calls on Congress to prioritize a focus on our most vulnerable youth by setting sound juvenile justice policies, updating and ensuring full implementation of existing federal laws, and appropriating sufficient funds to support state-based efforts.

Support Reauthorization of a Strengthened Juvenile Justice and Delinquency Prevention Act (JJDP A)

The JJDP A was last reauthorized in 2002 with bipartisan support, and was reintroduced with bipartisan support in April 2015 in the Senate (S. 1169) by Sen. Charles Grassley (R-IA) and Sen. Sheldon Whitehouse (D-RI). In June 2015, Rep. Robert C. "Bobby" Scott (D-VA) and Rep. Karen Bass (D-CA), Rep. Tony Cardenas (D-CA), Rep. Shelia Jackson Lee (D-TX), and Rep. Cedric Richmond (D-LA) introduced a bill to reauthorize the JJDP A (H.R. 2728) in order to keep momentum going in the House. The JJDP A sets forth federal standards for the custody and care of court-involved youth and establishes a federal-state partnership for delinquency prevention and juvenile justice reform, while also upholding community safety and the prevention of victimization. Funding for the JJDP A is critical and allows states to implement policies and practices to keep youth out of the justice system and to decrease the number of youth incarcerated. By reauthorizing the JJDP A, Congress has the opportunity to strengthen accountability for federal spending, help states protect public safety, hold delinquent youth accountable, and provide rehabilitation services to youth to prevent future crime. Since the last major and substantive

¹ *Roper v. Simmons*, 543 U.S. 551 (2005), *Graham v. Florida*, 560 U.S. 48 (2010), *JDB v. North Carolina*, 564 U.S. ____, 131 S.Ct. 2394 (2011), and *Miller v. Alabama*, 567 U.S. ____, 132 S.Ct. 2455 (2012).

reauthorization of the JJDPA over a decade ago, much more is known about what works and does not work to keep our communities safe and put youth on a better path.

Appropriate Adequate Resources to the States

Since FY 2002, federal investments in programs that prevent and reduce delinquency have decreased by 50 percent, but the needs of youth have not decreased. This trend places the future of America's youth, families and communities at risk. Congress is currently debating the levels of funding that states should receive for delinquency and prevention programs and is at a critical juncture. On June 3rd, the House passed its CJS (Commerce, Justice, Science, and Related Agencies) appropriations bill, [H.R. 2578](#), which included \$95 million for mentoring but **zeroed out funding for Title II and Title V of the JJDPA**. Fortunately, on June 11, the Senate Appropriations Committee approved \$65.5 million for Title II and \$40 million for Title V. The bill will next go to the Senate floor for approval. Before a final budget proposal is sent to the President, members of the House and Senate will have to negotiate which numbers they will use for juvenile justice appropriations in the upcoming fiscal year. Cutting all federal funding for the JJDPA would be devastating to state and local jurisdictions, and could lead to a rise in crime as fewer youth and families would have access to critical services designed to keep youth from offending, re-offending and penetrating deeper into America's juvenile and criminal justice systems. NJJN calls on Congress to approve the Senate Appropriations Committee's bill, which is still a small sum when divided amongst all the states and territories, but one that can provide jurisdictions with reasonable resources to address issues of youth crime, delinquency and overall public safety.

Support the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act (Youth PROMISE Act) - H.R. 2197

The Youth PROMISE Act is bipartisan legislation introduced by Rep. Robert C. "Bobby" Scott (D-VA) and Rep. Walter Jones (R-NC), Rep. Tony Cardenas (D-CA), and Rep. Trey Gowdy (R-SC) in the House in the 114th Congress. The legislation aims to reduce youth violence by engaging communities that face the greatest challenges with youth at risk of gang involvement and delinquency. These communities will come together—via a local council that includes law enforcement, community-based organizations, schools, faith organizations, healthcare providers, social service providers, and mental health providers—to develop and implement a comprehensive plan. The Act calls for thorough evaluation, guided by state-level commissions, including analyses of the cost-savings to society yielded by investing in data-driven prevention and intervention approaches versus more costly prosecution and incarceration. Savings from investments in prevention and intervention programs will be reinvested to broaden the scope of prevention and intervention. Provisions from H.R. 2197 were also included in H.R. 2728, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015, introduced on June 11, 2015 by Rep. Bobby Scott.

Support the Record Expungement Designed to Enhance Employment Act of 2015 (REDEEM Act)

The REDEEM Act enhances the confidentiality of juvenile records and provides greater opportunities to seal and expunge records to decrease the significant hardships, or collateral consequences, that youth can face as a result of their contact with the juvenile justice system. The REDEEM Act also significantly restricts the ability for correctional facilities to use solitary confinement, a practice that can cause severe damage to youth, and incentivizes states to raise the age of adult criminal responsibility to 18 years old. This bipartisan legislation was introduced in March 2015 by Sen. Rand Paul (R-KY) and Sen. Cory A. Booker (D-NJ) in the Senate and by Rep. Chaka Fattah (D-PA) and Rep. Karen Bass (D-CA), Rep. Tony Cardenas (D-CA), Rep. Wm. Lacy Clay (D-MO), and Rep. Elijah Cummings (D-MD) in the House.

Ensure Full Implementation of the Prison Rape Elimination Act (PREA)

Congress unanimously passed PREA in 2003 to ensure the safety of youth who are kept in local and state custody. The Dept. of Justice issued a final rule establishing standards for this Act in 2012 and states must now implement these standards. PREA provides concrete and specific guidance to states on how to keep youth in state and county custody safe from harm and mandates that custodial institutions not resort to the use of isolation for a child's own safety. NJJN is encouraged by the PREA implementation efforts that are underway nationwide – in May of 2015 eleven states were certified in compliance with PREA and thirty-three states, three territories, and the District of Columbia submitted assurances for coming into compliance with PREA. NJJN urges Congress to continue to carefully oversee the implementation of this important law and not take any actions to weaken the financial penalties imposed on states that fail to comply with PREA.

About NJJN: NJJN's policy analysis and education activities are generously supported by its state members, national partners, and other unrestricted sources of revenue. For more information visit: www.njjn.org or contact info@njjn.org. NJJN participates in the National Juvenile Justice and Delinquency Prevention Coalition. For more information, visit www.promotesafecommunities.org.