



A CAMPAIGN OF THE JUVENILE JUSTICE &
DELINQUENCY PREVENTION COALITION

www.act4jj.org

February 4, 2009

Eric Holder
United States Attorney General
Office of Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Holder:

It is our honor to write to you on behalf of more than 350 organizations that focus on juvenile justice and delinquency prevention, as well as the health development of children, youth and families. These organizations have joined together as the Act 4 Juvenile Justice Campaign of the National Juvenile Justice and Delinquency Prevention Coalition (NJJDPC).

We wish to share with you three major recommendations for the new federal Administration.

(1) Elevate and strengthen the Office of Juvenile Justice & Delinquency Prevention (OJJDP) within the Office of Justice Programs at the U.S. Department of Justice.

For more than 30 years, OJJDP has served as the federal agency exclusively charged with responsibility for juvenile justice and delinquency prevention. OJJDP fulfills its mission by developing national policies, objectives, priorities, research and evaluation programs and innovative state partnerships. It is also the principal agency charged with providing guidance, support and oversight to States and territories as they implement the mandates and purposes of the Juvenile Justice and Delinquency Prevention Act (JJDP Act).

In recent years, OJJDP's ability to provide leadership, support and effective tools to carry out these critical responsibilities has waned. By strengthening OJJDP, your Administration can ensure that States and localities—and by extension children, youth and families—have the needed support to keep communities safe, to expand effective research-based programs to reduce juvenile delinquency, and to meet federal requirements that safeguard children in the nation's justice systems.

Key ways in which we urge you to strengthen OJJDP, include:

- Appointing an experienced and competent leader with expertise in the juvenile justice field to run OJJDP;
- Refocusing the agency on the JJDPA and its core protections for children;
- Restoring the comprehensive nature of the agency, including conducting research and gathering data, identifying and disseminating best practices and relevant information, leading demonstration projects, providing training and technical assistance, and promoting the expansion of effective practices in the field;
- Improving technical assistance to States;
- Updating JJDPA regulations when the new law is passed to reflect current priorities and core protections; and
- Increasing transparency.

Attached is a copy of former OJJDP Administrator Shay Bilchik's recent testimony before the U.S. House of Representatives Committee on the Judiciary that outlines these recommendations in more detail.

(2) In the President's Budget Recommendations to the 111th Congress, include substantial federal investments in juvenile justice.

Federal investments in juvenile justice are cost effective and can generate substantial savings at the federal, state and local levels when invested in effective practices that reduce crime and delinquency.

For example, the current costs of incarcerating youth run an estimated \$32,000-\$65,000 per young person per year. In fact, operating just one juvenile bed over a 20-year period can cost between \$1.25 million and \$1.5 million.ⁱ Yet, there are effective alternatives to incarcerating youth that not only reduce crime, but save money. For every dollar spent on evidence-based programs, we can yield up to \$13 in savings.ⁱⁱ Early interventions that prevent high-risk youth from engaging in repeat criminal offenses can save the public nearly \$5.7 million in costs over a lifetime.ⁱⁱⁱ

In your Budget Recommendations to Congress, we ask that you restore federal juvenile justice funding through the JJDPA and Juvenile Accountability Block Grant (JABG) to FY2002 levels in your next budget. Additionally, we recommend that you create an incentive grants program within the JJDPDA programs for Title II and Title V to encourage States to use evidence-based prevention programs.

(3) Provide leadership and direction to the 111th Congress to ensure a strong reauthorization of the JJDPDA in 2009.

First enacted in 1974, the JJDPDA was due for reauthorization in 2007. The JJDPDA enjoys wide bipartisan support and has served as a highly effective statute to promote juvenile justice reform from the federal level by supporting state reforms. Given the egregious problems in juvenile justice exposed by recent media reports, your Administration can take steps now to assist States to improve conditions in youth correctional institutions, boot camps and other facilities; to eliminate the

placement of non-offending youth such as status offenders in locked confinement; to eliminate the placement of youth in adult jails and prisons; and to reduce racial and ethnic disparities in the justice system.

Our recommendation for the JJDP A reauthorization are grounded in recent research from the U.S. Department of Justice, the Centers for Disease Control and Prevention and other national and State organizations, all of which demonstrate what works to reduce juvenile delinquency and recidivism in the justice system. They include the following:

1. Extend the core protections for Jail Removal and Sight and Sound Separation to all youth under the age of 18 held pretrial, whether charged in juvenile or adult court.
2. Allow for State flexibility to house youth convicted in criminal court in juvenile facilities, rather than adult jails and prisons by modifying the definition of an “adult inmate.”
3. Strengthen the Disproportionate Minority Contact (DMC) core protection by requiring and vigorously supporting States to take concrete steps to reduce racial and ethnic disparities in the juvenile justice system.
4. Strengthen the Deinstitutionalization of Status Offenders (DSO) core protection, which prohibits the locked detention of status offenders, by removing the Valid Court Order and Interstate Compact exceptions.
5. Provide safe and humane conditions of confinement for youth in state and/or local custody by restricting use of JJDP A funds for dangerous practices and encouraging States to adopt best practices and high standards for eliminating dangerous practices and unnecessary isolation.
6. Assist States to come into and stay in compliance with the JJDP A and establish Incentive Grants to encourage States to adopt evidence-based or promising best practices, particularly those that improve outcomes for youth and their communities and reduce out of home placements for youth who suffer from behavioral health needs.
7. Enhance the partnership between States and OJJDP by expanding training, technical assistance, research, and evaluation, re-engaging an organization of JJDP A State Advisory Groups, and improving responsiveness to the Congress and the public with greater transparency, timeliness, public notice, and communication.
8. Expand juvenile crime prevention efforts by reauthorizing and increasing funding for JJDP A Title II, JJDP A Title V and Mentoring.

For additional information about the JJDP A, please visit our campaign website at:

www.act4jj.org.

Thank you very much for your time and consideration. We are hopeful that we can meet with you or your designees in the near future to hold more direct dialogue. We look forward very much to working with you and your appointee for OJJDP Administrator to ensure that our nation's youth reach their fullest potential. We will be in touch with your staff to follow up on these issues in more detail. In the meantime, please feel free to contact us using the information below.

Sincerely,



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CC:

Laurie Robinson, Acting Assistant Attorney General of Office of Justice Programs
Jeff Slowikowski, Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention

Attachments:

Testimony of former OJJDP Administrator Shay Bilchik
Act 4 Juvenile Justice Campaign Policy Recommendations & Backgrounder

ⁱ National Association of Counties, *Juvenile Detention Reform: Guide for County Officials*, available at <http://www.nicic.org/Library/022376>. (February 2007)

ⁱⁱ Juvenile Detention Alternatives Initiative, Detention Reform Brief 1: Detention Reform: A Cost-Saving Approach, Annie E. Casey Foundation, available at http://www.aecf.org/upload/PublicationFiles/jdai_facts1.pdf. (2007)

ⁱⁱⁱ Cohen, Mark A. and Piquero, Alex R., New Evidence on the Monetary Value of Saving a High Risk Youth, Vanderbilt Law and Economics Research Paper No. 08-07, available at SSRN: <http://ssrn.com/abstract=1077214>. (December 2007).