



Leading into the summer of 2008, the U.S. Senate Committee on the Judiciary had been working on S. 3155, the Juvenile Justice and Delinquency Prevention Reauthorization of 2008, which would reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP) – a major federal laws focusing on juvenile justice issues.

S. 3155 was introduced June 18, 2008 with 7 bipartisan co-sponsors. The Senate Judiciary Committee was scheduled to consider S. 3155 on Thursday, July 17th. However, the Committee did not achieve a quorum and were not able to consider the bill. To transact business, eight members of the Committee must be present, and two of the eight must be members of the minority party.

Present at the meeting were Chairman Patrick Leahy (D-VT), Ranking Member Arlen Specter (R-PA) and Senators Herb Kohl (D-WI), Russ Feingold (D-WI), Dick Durbin (D-IL), Ben Cardin (D-MD) and Sheldon Whitehouse (D-RI). In addition, Senators Edward Kennedy (D-MA) and Dianne Feinstein (D-CA) had made arrangements to vote by proxy. Senator Specter was the only Republican who attended the meeting.

The lack of quorum was not due to a lack of support for S. 3155, but instead was due to Republican Committee members exercising their right not to attend business meetings until the Committee considers President Bush's judicial nominations. Therefore, the Committee could not reach a quorum, even when all the Democrats were present. As a result, a number of legislative initiatives were held up, including S. 3155.

Although S. 3155 was on the Committee's calendar for that week, it was unclear whether a quorum would be achieved anytime in the near future.

On Thursday July 31st, however, the Senate Judiciary Committee passed S. 3155. The bill was adopted by the Committee by voice vote, meaning that the Senators did not cast individual, recorded votes.

During consideration of S. 3155, the Committee adopted several critical amendments that significantly strengthened the bill. The Committee voted 11-7 to approve an amendment offered by Senator Cardin (D-MD) that would completely phase out the Valid Court Order (VCO) exception to the Deinstitutionalization of Status Offenders (DSO) core requirement in three years. The amendment also allows States to apply for extensions if they can demonstrate hardship with meeting this requirement.

The Committee also voted 18-1 to approve an amendment offered by Senators Feinstein (D-CA), Kennedy (D-MA), and Whitehouse (D-RI) to provide greatly increased substance abuse and mental health services to youth involved in the juvenile justice

system. This amendment creates comprehensive incentive grants in the area of substance abuse and mental health services for which States may apply.

Finally, the Committee approved two amendments by Senator Grassley (R-IA) that will provide more oversight over grants given out by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). These amendments require that the Government Accountability Office (GAO) to examine grants disbursed in violation of policies and procedures of OJJDP and, for those grants found to be wrongly disbursed, what remedial action has been taken to recover this grant money.

An amendment authored by Senator Kyl (R-AZ) that would have strengthened the federal transfer law and made it easier for juveniles to be tried in adult court was not offered. However, this amendment may be offered on the Senate floor when the entire Senate considers the bill.

Action Item: Ask your Senator to sign on as a co-sponsor to S. 3155 and, if they sit on the Senate Judiciary Committee (especially if they offered an amendment last July) thank them for their hard work on behalf of our nation's youth!