

## Leahy-Specter-Kohl-Durbin Introduce Juvenile Justice Reauthorization Bill

WASHINGTON (Tuesday, March 24, 2009) – Senior members of the Senate Judiciary Committee Tuesday reintroduced legislation to reauthorize expiring programs in the Juvenile Justice and Delinquency Prevention Act (JJDP). Senate Judiciary Committee Chairman Patrick Leahy (D-Vt.), Ranking Member Arlen Specter (R-Pa.), Committee members Herb Kohl (D-Wis.) and Richard Durbin (D-Ill.) introduced the Juvenile Justice and Delinquency Prevention Reauthorization Act to authorize key programs designed to protect children.

Leahy, Specter, Kohl, and Durbin sponsored legislation to reauthorize the Juvenile Justice Act in the last Congress after months of research and debate, and the legislation was reported by the Judiciary Committee in September 2008. The Juvenile Justice and Delinquency Prevention Reauthorization Act will increase federal funding of prevention, intervention and treatment programs designed to reduce the incidence of juvenile crime. The reauthorization legislation aims to balance providing federal support and guidance to state programs, and respecting the individual criminal justice policies of states.

A key goal of the JJDP is to help reduce crime and recidivism among youths. The legislation urges states to make improvements to juvenile justice systems, and provides common sense guidelines, procedural protections and restrictions on the pretrial detention of juveniles in adult jails and the detention of children who commit status offenses like truancy.

Leahy said, “The basic goals of the Juvenile Justice and Delinquency Prevention Act include keeping our communities safe by reducing juvenile crime and advancing programs and policies that keep children out of the criminal justice system. Many prominent Vermont representatives of law enforcement, the juvenile justice system, and prevention-oriented non-profits have spoken to me in support of this reauthorization. This bill pushes forward new ways to help children move out of the criminal justice system, return to school, and become responsible, hard-working members of our communities. I hope all Senators will join us in supporting this important legislation.”

Specter said, “Despite the nationwide recognition of the importance that role models and mentoring play in youth development, there remains an unfortunate shortage of programs devoted to stemming youth delinquency. Through mentoring and other programs, this Act will help to prevent delinquency and promote rehabilitation, so that young offenders are less likely to become stuck in the criminal justice system. I am pleased to be a cosponsor, and I look forward to working with my colleagues in the Senate to pass this legislation.”

Kohl said, “A successful strategy to combat juvenile crime consists of a large dose of prevention and intervention programs. Juvenile justice programs have proven time and time again that they help prevent crime, strengthen communities, and rehabilitate juvenile offenders. The JJDP has always had a dual focus: prevention and rehabilitation. Our bill strengthens and improves the JJDP by supporting innovative, cost-effective, evidence based prevention and rehabilitation programs.”

The JJDP also authorizes funding for mental health and drug treatment for juvenile offenders, and encourages states to address the overrepresentation of minorities in the juvenile justice system. Importantly, the legislation supports the efforts of states that attempt to comply with the

core requirements of the JJDPa by making funds available through improvement grants to help bring states into compliance with the Act. Competitive grants authorized under the expiring Juvenile Justice and Delinquency Prevention Act are administered through the Department of Justice.

The Senate Judiciary Committee held hearings in the last Congress to examine states' needs in combating juvenile crime. Leahy's statement on the introduction of the reauthorization of the Juvenile Justice Delinquency and Prevention Act follows. A section-by section summary of the legislation is available for background.

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**Statement Of Senator Patrick Leahy (D-Vt.),  
Chairman, Senate Judiciary Committee,  
On The Introduction Of The  
“Juvenile Justice And Delinquency Prevention Reauthorization Act”  
March 24, 2009**

I am introducing today important legislation designed to protect our communities and particularly our most precious asset, our children. I am pleased to be joined by Senator Specter and Senator Kohl, who have been leaders in this area of the law for decades, and Senator Durbin, who is the new Chairman of the Crime and Drugs Subcommittee. Our legislation is intended to keep children safe and out of trouble and also to help ensure they have the opportunity to become productive adult members of society.

The Senate Judiciary Committee reported this important bill last July. I was disappointed that Republican objections prevented this vital bipartisan legislation from passing the Senate in the last Congress, but we will redouble our efforts to pass this bill this year.

The Juvenile Justice and Delinquency Prevention Act sets out Federal policy and standards for the administration of juvenile justice. It authorizes key Federal resources for states to improve their juvenile justice systems and for communities to develop programs to prevent young people from getting into trouble. We are recommitting ourselves to these important goals with this proposed reauthorization. We also push the law forward in key ways to better serve our communities and our children.

The basic goals of the Juvenile Justice and Delinquency Prevention Act remain the same: keeping our communities safe by reducing juvenile crime, advancing programs and policies that keep children out of the criminal justice system, and encouraging states to implement policies designed to steer those children who do enter the juvenile justice system back onto a track to become contributing members of society.

The reauthorization that we introduce today augments these goals in several ways. First, this bill encourages states to move away from keeping young people in adult jails. The Centers for Disease Control and Prevention has concluded that children who are held in adult prisons commit more crimes, and more serious crimes, when they are released, than children with similar histories who are kept in juvenile facilities. After years of pressure to send more and more young people to adult prisons, it is time to seriously consider the strong evidence that this policy is not working.

We must do this with ample consideration for the fiscal constraints on states, particularly in these lean budget times, and with deference to the traditional role of states in setting their own criminal justice policy. We have done so here. But we also must work to ensure that unless strong and considered reasons dictate otherwise, the presumption must be that children will be kept with other children, particularly before they have been convicted of any wrongdoing.

As a former prosecutor, I know well the importance of holding criminals accountable for their crimes with strong sentences. But when we are talking about children, we must also think about how best to help them become responsible, contributing members of society as adults. That keeps us all safer.

I am disturbed that children from minority communities continue to be overrepresented in the juvenile justice system. This bill encourages states to take new steps to identify the reasons for this serious and continuing problem and to work together with the Federal Government and with local communities to find ways to start solving it.

I am also concerned that too many runaway and homeless young people are locked up for status offenses, like truancy, without having committed any crime. In a Judiciary Committee hearing last year on the reauthorization of the Runaway and Homeless Youth Act, we were reminded of the plight of this vulnerable population, even in the wealthiest country in the world, and inspired by the ability of so many children in this desperate situation to rise above that adversity.

This reauthorization of the Juvenile Justice Act takes strong and significant steps to move away from detaining children from at-risk populations for status offenses, and requires states to phase out the practice entirely in three years, but with a safety valve for those states that are unable to move quite so quickly due to limited resources.

As I have worked with experts on this legislation, it has become abundantly clear that mental health and drug treatment are fundamental to making real progress toward keeping juvenile offenders from reoffending. Mental disorders are two to three times more common among children in the juvenile justice system than in the general population, and 80 percent of young people in the juvenile justice system have been found by some studies to have a connection to substance abuse. This bill takes new and important steps to prioritize and fund mental health and drug treatment.

The bill tackles several other key facets of juvenile justice reform. It emphasizes effective training of personnel who work with young people in the juvenile justice system, both to encourage the use of approaches that have been proven effective and to eliminate cruel and unnecessary treatment of juveniles. The bill also creates incentives for the use of programs that research and testing have shown work best.

Finally, the bill refocuses attention on prevention programs intended to keep children from ever entering the criminal justice system. I was struck when Chief Richard Miranda of Tucson, Arizona, said during our December 2007 hearing on this bill that we cannot arrest our way out of the problem. I heard the same sentiment from Chief Anthony Bossi and others at the Judiciary Committee's field hearing last year on young people and violent crime in Rutland, Vermont. When seasoned police officers from Rutland, Vermont, to Tucson, Arizona, tell us that prevention programs are pivotal, I pay attention.

Just as the last administration gutted programs that support state and local law enforcement, so they consistently cut and narrowed effective prevention programs. It would have been even worse had it not been for Senator Kohl's efforts. We must work with the Obama administration to reverse this trend and help our communities implement programs proven to help kids turn their lives around.

I thank the many prominent Vermont representatives of law enforcement, the juvenile justice system, and prevention-oriented non-profits who have spoken to me in support of reauthorizing this important Act, and who have helped inform my understanding of these issues. They include Ken Schatz of the Burlington City Attorney's Office, Vermont Juvenile Justice Specialist Theresa Lay-Sleeper, and Chief Steve McQueen of the Winooski Police Department. I know that many Judiciary Committee members have heard from passionate leaders on this issue in their own states.

I have long supported a strong Federal commitment to preventing youth violence, with full respect for the discretion due to law enforcement and judges, with deference to states, and with a regard for difficult fiscal realities. I have worked hard on past reauthorizations of this legislation, as have Senators Specter and Kohl and others on the Judiciary Committee. We have learned the importance of balancing strong law enforcement with effective prevention programs. This reauthorization pushes forward new ways to help children move out of the criminal justice system, return to school, and become responsible, hard-working members of our communities. I hope all Senators will join us in supporting this important legislation.