



AMERICAN HUMANE

Protecting Children & Animals Since 1877

May 19, 2009

The Honorable Patrick J. Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
224 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
152 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Herbert H. Kohl
United States Senate
330 Senate Hart Office Building
Washington, DC 20510

The Honorable Richard Durbin
United States Senate
309 Senate Hart Office Building
Washington, DC 20510

Re: S. 678 – Juvenile Justice and Delinquency Prevention Act

Dear Senators Leahy, Specter, Kohl, and Durbin

On behalf of the American Humane Association, we commend the Judiciary Committee's bipartisan efforts to protect juveniles. We are writing to express our strong support for S. 678, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009. American Humane is a national, nonpartisan membership organization that was founded over 130 years ago to protect the welfare of children and animals. Our support for the reauthorization reflects an over 100-year history of progressively advocating at the federal, state and local levels for laws that protect children and animals from abuse and neglect. American Humane also promotes restorative justice to help young offenders repair the harm they caused and accept accountability for their actions in an effort to decrease the likelihood that they will progress to the adult criminal justice system.

We support that S. 678 strengthens and updates critical components of the Juvenile Justice Delinquency and Prevention Act (JJDP), which has been protecting youth across the nation for over 30 years. S. 678 makes meaningful improvements that expand several of the core protections and other areas contained in the bill, including:

- Strengthening the disproportionate minority contact (DMC) core protection by identifying and analyzing key decision points to determine where disparities exist, collecting data, developing a work plan, and publicly reporting such efforts. There is

a greater likelihood of foster care youth entering the juvenile justice system and those foster youth are disproportionately minorities.

- Strengthening the jail removal and sight and sound core protection. American Humane believes that all youth under age 18 should be removed from adult facilities and this bill takes important steps in that direction.
- Permitting States to continue to house and rehabilitate youth convicted in adult court in juvenile facilities until they reach a State's extended juvenile jurisdiction age.
- Phasing out the deinstitutionalization of status offenders (DSO) within three years, and allowing States in need to apply for one-year hardship extensions through the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

We also support the following improvements to the bill:

- Improving conditions of confinement in juvenile facilities, including procedures to eliminate the use of dangerous practices and unreasonable use of restraints and isolation, through the use of alternative behavior management techniques.
- Promoting alternatives to detention, improving screening, diversion, assessment, and treatment for mental health and substance abuse needs, enhancing child welfare and juvenile justice system integration, supporting effective assistance of juvenile counsel, and improving case management and transitional services for youth upon re-entry.
- Offering additional technical assistance and Improvement Grants to States, and creating incentive grants for State that wish to employ empirically-sound prevention and intervention approaches and improve their work in the areas of workforce development, and diversion for youth with mental health and substance abuse needs.
- Setting more appropriate authorization levels for Title II and Title V.
- And keeping the focus on prevention and intervention rather than on unnecessary and punitive approaches to delinquency prevention and intervention

American Humane proudly supports this bill as a significant step towards improving the JJDP. Thank you for your efforts on behalf of youth across the country.

Sincerely,



Allie Phillips, J.D.
Director of Public Policy

Office of Public Policy
206 North Washington Street, Suite 300
Alexandria, Virginia 22314
(703) 836-7387 fax (703) 549-5437
www.americanhumane.org