

May 13, 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 Herbert H. Kohl
United States Senate
330 Senate Hart 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 Richard Durbin
United States Senate
309 Senate Hart Office Building
Washington, DC 20510

Dear Senators Leahy, Specter, Kohl, and Durbin:

On behalf of the National Council for Community Behavioral Healthcare, I am writing to express our strong support for S. 678, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009, which was introduced on March 24, 2009. The National Council represents 1,600 Community Mental Health Centers and other safety net community-based agencies. Collectively, they serve over 6 million low-income children and adults with mental health and addiction disorders nationwide, including children in the juvenile justice system.

We support S. 678 because it 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. Additionally, S. 678 makes meaningful improvements that expand several of the core protections and other areas contained in the bill, including strengthening emphasis on the need for mental health and substance abuse services for young people in the juvenile justice system. Many youth who come into contact with the juvenile justice system suffer from mental health and substance abuse problems. Studies have documented that there is significant overlap between the populations of youth served by community mental health agencies and youth in contact with the community's juvenile court. In 2000, among adolescents detained for offenses, 56 percent of boys and 40 percent of girls tested positive for drug use. Mental health and substance abuse services must be provided to young people under community supervision and those in secure settings in order to help young people achieve success.

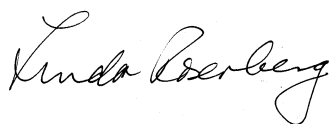
The bill responds to the following needs, identified by hundreds of state and local constituents and stakeholder organizations nationwide, with whom the Senators and their staff members have engaged and given voice in the process of crafting this legislation, including: strengthening the Disproportionate Minority Contact (DMC) core protection; strengthening the Jail Removal and Sight and Sound core protection; and strengthening the deinstitutionalization of status offenders (DSO) core protection. Each provision is critical to the health and well-being of young people.

Specifically, S. 678 includes the following provisions that are important to strengthening mental health and substance abuse services for youth under supervision of the juvenile justice system:

- Technical Assistance to Support Mental Health or Substance Abuse Treatment including Home-based or Community-based Care. Authorizes training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition of cases for youth who enter the juvenile justice system about the appropriate services and placement for youth with mental health or substance abuse needs, including - juvenile justice intake personnel; probation officers; juvenile court judges and court services personnel; prosecutors and court-appointed counsel; and family members of juveniles and family advocates.
- Incentive Grants for State and Local Programs. Authorizes grants to establish or support a partnership between juvenile justice agencies of a State or unit of local government and mental health authorities of State or unit of local government to establish and implement programs to ensure there are adequate mental health and substance abuse screening, assessment, referral, treatment, and after-care services for juveniles who come into contact with the justice system; or to carry out programs that divert from incarceration juveniles who come into contact with the justice system and have mental health or substance abuse needs.
- State Plan Amendments. Adds representatives of children's mental health and adolescent substance abuse services and persons with expertise and competence in preventing and addressing mental health or substance abuse problems in juvenile delinquents and those at-risk of delinquency to the State Advisory Group and requires States to include the following items in their State plans - a description of how mental health and substance abuse screening, assessment, referral, and treatment for juveniles in the juvenile justice system includes efforts to implement an evidence-based mental health and substance abuse disorder screening and assessment program; and how the State will design, develop, and implement comprehensive collaborative State or local plans to meet the service needs of juveniles (and their families) with mental health or substance abuse needs who come into contact with the justice system.
- Research and Evaluation. Authorizes the OJJDP Administrator to conduct research and evaluation on the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement when held in the custody of secure detention and corrections facilities, including an examination of the effects of confinement.

The National Council supports S.678 as a significant step towards improving the JJDP. We urge you to enact S.678, and in doing so keep intact provisions that provide comprehensive services and supports, increase States' ability to comply with the core requirements for youth, and keep the focus on prevention and intervention. Please contact Alexa Eggleston at alexae@thenationalcouncil.org or (202).684.7457 if you have any further questions about mental health and substance abuse prevention and treatment needs in the juvenile justice system. Thank you for your efforts on behalf of youth across the country.

Sincerely,



Linda Rosenberg
CEO/President