



BUILDING SAFE COMMUNITIES  
ONE CHILD AT A TIME

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September 20, 2007

The Honorable Senator Harry Reid  
Majority Leader, United States Senate  
Washington, DC 20510  
*Via email*

Dear Senator Reid:

I was very pleased to meet last Tuesday with Gavin Parke, along with my colleagues Karen Marangi and Sandi Boyd from the Center for Children's Law and Policy, to discuss the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP). In the meeting I shared with Mr. Parke matters of concern to the members of the Nevada Juvenile Justice Commission, charged to serve as the State Juvenile Justice Advisory Group under the JJDP, as well as Nevada State Juvenile Justice Programs Office. I have conferred with state commissioner, Larry Carter, and the Juvenile Justice Specialist for the Governor, Pauline Salla. Both are experienced juvenile justice and delinquency prevention professionals in your state and represent the views of their colleagues.

Commissioner Carter and Ms. Salla are members of my organization, the Coalition for Juvenile Justice (CJJ). CJJ, established in 1984, serves as the national leadership organization for the nation's State Advisory Groups that work to implement the JJDP, and its associated allies.

Both Commissioner Carter and Ms. Salla asked me to urge you to use the power of your office to schedule reauthorization of the JJDP this year—the year that it is due to be reauthorized. They also urge you to consider the reauthorization goals of CJJ and its partners. CJJ is part of a 160+ organization-strong effort for reauthorization of the JJDP known as the "Act-4-JJ" campaign ([www.act4jj.org](http://www.act4jj.org)).

More specifically, Commissioner Carter and Ms. Salla wish to bring the following three key concerns to your awareness—because a timely reauthorization of the JJDP will have direct bearing on services and community safety in your state.

- I. They have cited that dramatically reduced funding appropriated under the JJDP and loss of support from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) will continue if the reauthorization languishes. If the JJDP is not reauthorized any continuing resolution in its place will hamper the state's ability to protect children and youth in custody.



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- II. They urge you to work with leaders on the Judiciary Committee in drafting the reauthorization bill to ensure supports for mental health assessment, appropriate diagnosis, diversion whenever possible, and much greater use of evidenced based home-community based treatment. Commissioner Carter and Ms. Salla report widespread concern in the state about the inflow of highly vulnerable children and youth with presenting mental health and substance abuse problems—rather than high risk delinquency problems—into the juvenile court system.
- III. Lastly, they urge you to ensure that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) is transparent and cooperative with the Congress, the SAGs and the state juvenile justice agencies when promulgating rules or interpreting the JJDPA. For instance, one current OJJDP definition of compliance counters best practice in adolescent development. OJJDP now cites violations with the JJDPA's Sight and Sound requirement when juveniles who are aged 18.5 or older, sentenced under juvenile jurisdiction, are not separated from juveniles under age 18.5. It defines such juveniles as "adult inmates." Yet, there has been little or no guidance or support provided for the new interpretation. Further, the status of the states' compliance is not publicly reported in ways that allow states to best utilize resources to address compliance problems. As a result, OJJDP appears to be willing to force many states out of compliance. Virtually all states would allow for some circumstance where an 18.5 year old youth could be housed in a juvenile facility—including Nevada. In the long view, OJJDP actions may hurt youth and communities and undercut the very progress states have made in compliance.

We all stand ready to assist you in any way as you and your colleagues seek to reauthorize the JJDPA. Please feel free to contact me at 202-467-0864, ext. 111.

Respectfully,

Nancy Gannon Hornberger  
Executive Director

cc: Gavin Parke, Counsel, Senator Harry Reid