

**CHILDREN AND FAMILY COUNCIL FOR PREVENTION PROGRAMS**

Children's Trust Fund

Juvenile Justice

Delinquency Prevention

October 1, 2007

Dear Chairman Leahy,

The Children and Family Council for Prevention Programs, Vermont's State Advisory Group (SAG), is writing to express its support of the reauthorization of the Juvenile Justice Delinquency Prevention Act (JJDP) scheduled for this year. As you know, for the past 30 years the JJDP has provided for a nationwide juvenile justice planning and advisory system which includes all U.S. territories and the District of Columbia. It apportions federal funding to improve state and local juvenile justice programs for delinquency prevention. The JJDP also establishes the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The OJJDP is the federal agency that is dedicated to supporting state and local efforts through training, technical assistance, model programs, and research and evaluation. All states must comply with the four core protections outlined in the JJDP:

**Deinstitutionalization of Status Offenders (DSO)** applies to minors whose "status offenses" are not considered infractions for adults. This protection seeks to ensure that truants, runaways, and curfew violators are not held in secure adult facilities or in secure detention.

**Adult Jail and Lock-Up Removal** protects youth, charged as juveniles, from the known dangers of adult jails by prohibiting the detention of juvenile offenders in adult jails except for limited time before or after a court hearing, in rural areas, or in unsafe travel conditions. The protection does not apply to youth who have been charged as adult felons.

**"Sight and Sound" Separation** protects youth, charged as juveniles, from threats, intimidation, and other forms of psychological and physical abuse by mandating "sight and sound separation" of youth and adults when co-located in adult jails and lock-ups.

**Disproportionate Minority Contact (DMC)** requires all states to focus on and assess the disproportionate contact of youth of color at all points in the justice system. Studies indicate that youth of color receive harsher sentences and are more likely to be incarcerated than white youth who are being tried for the same offenses. This provision is essential because youth of color only comprise one-third of the youth population in the U.S. but comprise two-thirds of youth in contact with the juvenile justice system.

We urge you to ensure that the JJDP is reauthorized this year, and that any final JJDP bill embodies the attached Act 4 Juvenile Justice campaign's "Statement of Principles"

signed by over 150 organizations nationwide. These principles are grounded in research and their efficacy underscored by the fact that the JJDPa has, for more than three decades, provided direction and support for juvenile justice system improvements and significantly contributed to the nationwide reduction in juvenile crime.

Reauthorizing and strengthening the JJDPa this year would help us to make substantial progress on the following priorities for Vermont:

**Promote Effective Prevention and Intervention Programs.** The Children and Family Council for Prevention Programs (CFCPP) serves as Vermont’s State Advisory Group (SAG) as required by the JJDPa. As a recipient of federal JJDPa funds from the OJJDP, the CFCPP is required to define prevention priorities and fund evidence-based interventions that are designed to prevent juvenile delinquency. The CFCPP believes that prevention is the most socially and cost effective means of addressing delinquency. As a result, Vermont’s delinquency prevention programs focus on several areas including: child abuse and neglect prevention; in- and out-of-school mentoring; substance abuse prevention; violence, bullying, and dating violence prevention; promotion of positive activities, civic and community engagement; and evaluation of state-specific program outcomes.

**Extend protections to children in the adult criminal justice system.** Supported by recent research produced by the federal Centers for Disease Control, which shows that placing children in the adult criminal justice system increases the likelihood that they will re-offend, Vermont, like many states around the country, is re-examining its policies and practices in this area. We have launched a “jurisdictional study” to examine the impact of current state policies that result in youth prosecuted in adult court and options for reform. We believe that the JJDPa should reflect the latest research and extend protections, such as the jail removal requirement, to youth regardless of whether they face juvenile or adult charges. Furthermore, we believe that JJDPa should assist state efforts to reduce the number of youth in the adult criminal justice system.

**Restorative Justice.** Vermont’s Balanced and Restorative Justice (BARJ) Programs focus on accountability, competency development, and public safety; and consider youths’ developmental needs, families, and communities. One recent study, “Reparative versus Standard Probation: Community Justice Outcomes,” which analyzed data – including all convictions from misdemeanor charges sentenced in the Vermont District Courts from 1998-2005 – found a 23% decrease in new convictions during probation for those placed on reparative probation instead of standard probation.. In addition, the study found that the chance of a new conviction after probation is reduced by 12% for those on reparative probation versus those on standard probation.

**Strong Federal Office Supporting State-Driven Research.** The attached JJDPa Statement of Principles urges the federal government to strengthen its partnership with state and local governments and to provide sufficient resources and appropriations so as to fully adhere to the JJDPa core requirements. We believe that in order to preserve and effectively evaluate state programs, overall JJDPa funding, including OJJDP funding for

state-specific program evaluation, should be restored back to its FY 2002 level. Since 2002, overall JJDPa funding for Vermont has been approximately cut in half. Federal funding is imperative for program evaluation and the continuation of successful delinquency prevention programs.

Once again we would like to thank you for the tremendous support you have afforded the important area of juvenile justice programs. Your interest in policies and programs for youth is greatly appreciated. We look forward to continuing to work with you in these important areas in the future.

Thank you for taking the time to consider Vermont's priorities for JJDPa reauthorization. We appreciate your consideration and look forward to working closely with you on these efforts. Please don't hesitate to let us know if you have any questions or would like additional information. The Council can be contacted through me at [rasvt@hotmail.com](mailto:rasvt@hotmail.com) or Theresa Lay-Sleeper at [Theresa.Lay-Sleeper@ahs.state.vt.us](mailto:Theresa.Lay-Sleeper@ahs.state.vt.us)

Sincerely,

Richard Smith, Chair  
Vermont Council on Children and Family Prevention Programs

Cc: Bruce Cohen, Senate Judiciary Committee  
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