



General Board of Church and Society of The United Methodist Church

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Dear Senator,

The General Board of Church and Society of The United Methodist Church urges you to support S. 3155, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008 (JJDP). This bill contains necessary protections for youth and could be strengthened further through amendments to provide for confinement conditions that better protect vulnerable youths, improved incentive grants language, and a phase-out of the statutory authority to confine youth status offenders in juvenile facilities.

For more than 30 years the JJDP has provided states and localities with federal standards and supports for improving juvenile justice and delinquency prevention practices. JJDP has put in place safeguards for youths, families and communities.

The United Methodist Church has long been involved in ministries among youth in crisis, helping to steer youth from involvement in crime and providing avenues for youth to be empowered to engage in their families and communities in healthy and productive ways. Specifically, the United Methodist Church “urges that all status offenses be eliminated from the juvenile codes and from the processes determining juvenile delinquency. We urge further that all offenses by children and youth can be handled with extreme reluctance to incarcerate the offender...We encourage greater use of supportive and restorative services for parents and children in home settings.” (*Justice with Young Persons* 2008 General Conference resolution)

Therefore, we applaud the core requirements of S. 3155 which include:

- Strengthening the deinstitutionalization of status offenders (DSO) core requirement. Currently, non-delinquent status offenders may be held in juvenile lock-ups under the Valid Court Order (VCO) exception, which allows judges to issue detention orders. This policy continues despite evidence that securely detaining status offenders is harmful to the social development of youth. It is also costly, especially compared to more effective responses including shelter care, crisis counseling, family support, and/or community and school based interventions. The United Methodist Church believes that “such status offenses should not be considered as grounds for involving a young person in processes of criminal or delinquency procedures. Rather, a child in trouble should be helped by caring communities, such as churches, mentoring programs, and boys/girls clubs.” (*Justice with Young Persons* 2008 General Conference resolution) Thus, while S. 3155 requires establishing a ceiling of 7 days for secure detention, we strongly support an amendment to phase out altogether the VCO exception to protect status offenders from being locked up, where they are vulnerable to violence and at risk of developing delinquent behaviors.
- Strengthening the Disproportionate Minority Contact (DMC) core requirement. Because youths of color are disproportionately over-represented and subject to more punitive sanctions at all levels of the juvenile justice system, S. 3155 rightly provides clear direction to states and localities to ensure fairness and reduce racial and ethnic disparities.
- Improving the Jail Removal and Sight and Sound core requirements. Youths confined in adult jails face increased recidivism and high risks of assault and suicide. S. 3155 extends the jail removal and sight and sound core

requirements to keep youths awaiting trial in criminal court out of adult lock-ups under certain circumstances. This is a necessary first step towards removing these youths from adult facilities altogether.

- Allowing states to continue to place youths convicted in adult court in juvenile facilities without jeopardizing federal funding. S. 3155 permits many states to continue allowing youths convicted in adult court to serve their sentence in juvenile facilities until they reach the extended juvenile jurisdiction age. This reverses current law, which would penalize states that utilize more appropriate and humane placements for youths.

S. 3155 also provides improvements in the juvenile justice system in various ways. For one, conditions of confinement in juvenile facilities, although we urge more clarity in eliminating dangerous practices such as unreasonable restraints and isolation. JJDPa provides for comprehensive services for youths, including promoting alternatives to detention, treatments for mental health and substance abuse, and transitional care for youths upon reentry.

In light of these improvements, we strongly support S. 3155 as a significant step towards improving the JJDPa. Thank you for your efforts on behalf of youths, families and communities across the country.

Sincerely,

Jim Winkler
General Secretary