

July 11, 2008

The Honorable Richard J. Durbin
United States Senate
Washington, DC 20510

Dear Senator Sen. Durbin:

On behalf of the Illinois PTA, I am writing to express our strong support for S. 3155, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008 as introduced. While we are supportive of the bill, we are hopeful the bill can be further amended to provide for stronger conditions of confinement language, improved incentive grants language, and a phase-out of the statutory authority to confine youth status offenders in juveniles facilities.

S. 3155 meaningfully updates and improves many of the federal Juvenile Justice and Delinquency Prevention Act (JJDP) core requirements, research and training resources and other key areas of the law. We are pleased to see such positive movement to reauthorize the JJDP, which, for more than 30 years, has provided states and localities with federal standards and supports for improving juvenile justice and delinquency prevention practices and put in place safeguards for youth, families and communities. **The Illinois PTA** has been a member of the **Illinois Juvenile Justice Initiative** for several years and are pleased to report the advances the Illinois legislature is making on behalf of juveniles in the juvenile justice system as a result of its legislative efforts.

We specifically applaud the progress represented by the following amendments in S. 3155:

Core Requirements:

- Strengthens the Disproportionate Minority Contact (DMC) core requirement
- Improves the Jail Removal and Sight and Sound core requirements:
- Allows States to continue to place youth convicted in adult court in juvenile facilities without jeopardizing federal funding:
- Strengthens the deinstitutionalization of status offenders (DSO) core requirement
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Overall juvenile justice system improvements:

- Improves conditions of confinement in juvenile facilities:
- Provides comprehensive services and supports for youth:
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Support for states:

- Increases states' ability to comply with the core requirements:
- Creates incentive grants
- Expands the role of OJJDP

Funding levels:

- Sets more appropriate authorization levels for Title II and Title V:

In light of these advancements, we support S. 3155 as a significant step towards improving the JJDPA. Thank you for your efforts on behalf of youth, families and communities within Illinois and across the country.

Sincerely,

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Bold text is the amendment we support to the JJDPa core requirement on “Deinstitutionalization of Status Offenders” to phase-out use of the Valid Court Order exception:

42 U.S.C. 5633 [Sec. 223.] State plans

(11) in accordance with rules issued by the Administrator, provide that -

(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding -

(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

shall not be placed in secure detention facilities or secure correctional facilities; and

(B) juveniles --

(i) who are nonoffenders or not charged with any offense; and

(ii) who are -

(I) aliens; or

(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities.

(C) within two years of the date of enactment of this subparagraph, or sooner if possible, no exceptions to this paragraph shall be permissible in relation to—

(i) juveniles who are charged with or who have committed a violation of a valid court order; and

(ii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State; and

(D) States and local units government or combination thereof shall encourage the use of community-based alternatives to secure detention, including the federal Runaway and Homeless Youth Act (RHYA) programs administered by the Family and Youth Services Bureau of the U.S. Department of Health and Human Services’ Administration for Children and Families (42 U.S.C. 5701)

(E) Hardship extension. States may apply for a one-year extension to comply with this paragraph. To apply, States must submit an application to the Administrator describing:

(1) The State’s measurable progress and good faith effort to reduce the number of status offenders who are placed in secure detention or correctional facilities; and

(2) The State’s plan to come into compliance within one year.