

Dear Senator Graham,

As a group of religious organizations, we are writing to urge you to reauthorize the Juvenile Justice Delinquency and Prevention Act (JJDP) as soon as possible. The Juvenile Justice and Delinquency Prevention Act (JJDP) provides federal funding for delinquency prevention and improvements in state and local juvenile justice programs and practices; a nationwide juvenile justice planning and advisory system; and operation of the Office of Juvenile Justice & Delinquency Prevention (OJJDP), which provides training, technical assistance, and research and evaluation assistance to state and local programs.

The JJDP has served for more than three decades to protect children in the justice system through these four core protections:

Deinstitutionalization of Status Offenders (“DSO”)

The “DSO” core protection ensures that status offenders (e.g. truants, runaways, and curfew violators), are not held in secure juvenile or adult jails or correctional facilities. Instead, more appropriate programs and services are provided to them and their families.

Adult Jail and Lock-Up Removal (“Jail Removal”)

The “Jail Removal” core protection requires that youth cannot be detained in adult jails (with limited exceptions such as bad weather or prior to court appearances). The purpose of this provision is to keep children out of adult jails where they are at much greater risk of assault, abuse, and suicide.

“Sight and Sound” Separation

The “Sight and Sound Separation” core protection requires that in the very limited circumstances where youth can be placed in adult jails, “sight and sound” contact with adults is prohibited. This provision seeks to protect youth from threats, intimidation, and other forms of psychological, physical or sexual abuse by adults.

Disproportionate Minority Contact (“DMC”)

The “DMC” core protection requires all states to focus on and assess the disproportionate contact of youth of color at all points in the justice system. This provision seeks to address the fact that youth of color receive much harsher sentences and are more likely to be incarcerated than white youth, even when charged with the same offense.

It is critical that Congress act as soon as possible to update the JJDP, especially in light of recent events in Jena, Louisiana that highlight the growing concerns about racial disparities in the justice system, the prosecution of youth as adults, and the placement of youth in adult jails. There have also been troubling incidents in Texas, South Dakota, Florida and elsewhere over the past few years that highlight the poor conditions many youth must endure while being held in juvenile detention or correctional facilities, boot camps and other facilities. We believe it is time to update and strengthen the JJDP to address many of these pressing issues.

For example, nearly 70% of children in public detention centers are in overcrowded facilities and most of these youth are held for nonviolent charges. More than two-thirds are charged with property offenses, public order offenses, technical probation violations, or “status offenses” (crimes that wouldn’t be crimes if they were adults, like running away or breaking curfew). In addition, the number of adjudicated youth sent to residential placements, such as juvenile correctional facilities, has dramatically increased by 44% from 1985 to 2002 so that on any given day, over 90,000 youth found to be delinquent are in juvenile correctional facilities. And, youth of color are over-represented at all stages in the juvenile justice system, according to the National Council on Crime and Delinquency in their January 2007 report, “And Justice for Some.”

There are less severe alternatives to detaining or committing youth, and, most importantly, they work. Community-based programs, including diversion programs, drug treatment, evening reporting centers, treatment clinics and family programs, have been shown to be less costly than detention or incarceration and help youth stay out of trouble and to not re-offend. The JJDPa should be updated to decrease over-reliance on detention, detention of status offenders, promote effective community-based alternatives to detention and incarceration, and reduce racial disparities in the justice system.

Every day in America, an average of 7,500 youth are incarcerated in adult jails in the U.S. However, as many as one-half of all transferred youth will ultimately be sent back to the juvenile justice system or not be convicted. Most youth who are detained in adult jails, even if not convicted in adult court, will have spent at least one month in an adult jail and one in five of these youth will have spent over six months in an adult jail.

It is extremely difficult to keep children safe in adult jails and new scientific evidence shows that placing youth in the adult criminal justice system increases their likelihood of re-offending. Therefore, Congress should update the JJDPa to reflect the original intent of the law: to remove youth from adult jails altogether. The JJDPa should extend the protections of the Act to all children, no matter what court they are in – juvenile or adult.

There is strong public support for this approach. According to a 2007 nationwide Zogby poll, commissioned by the National Council on Crime and Delinquency, 89% of Americans believe that rehabilitative services and treatment for incarcerated youth can help prevent future crimes.

Religious organizations, along with several hundred other organizations nationwide, are a part of the Act 4 Juvenile Justice campaign to update and reauthorize the JJDPa. We urge you to introduce JJDPa reauthorization legislation soon and move it through [*for House members: the House Education & Labor Committee; for Senate members: the Senate Judiciary Committee*] as soon as possible.

We support the attached Act 4 Juvenile Justice campaign's "Statement of Principles" signed by over 200 organizations nationwide and hope its principles will be included in the final legislation.

Thank you for your efforts to protect children and youth, including those in the juvenile and adult court systems.

Sincerely,

American Friends Service Committee

Brethren Witness/Washington Office

Church of Scientology

Disciples Justice Action Network

International CURE

Mennonite Central Committee, Washington Office

National Advocacy Center of the Sisters of the Good Shepherd

National Alliance of Faith and Justice

Sojourners

Unitarian Universalist Association of Congregations

United Church of Christ, Justice and Witness Ministries

United Methodist Church, General Board of Church and Society