



Promoting Safe Communities



Recommendations for the 114th Congress

National Juvenile Justice and Delinquency Prevention Coalition
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OPPORTUNITIES FOR JUVENILE JUSTICE & DELINQUENCY PREVENTION REFORM

Juvenile justice systems across the United States are in urgent need of reform, and federal leadership is necessary to advance the pace of change. Despite a steady drop in juvenile incarceration and out-of-home placements over the past decade, there are still far too many young people being locked up and placed away from home who could be handled more effectively in their own communities. Although the number of juvenile arrests accounts for a small portion of the nation's crime and has declined more than 45 percent since 2004¹, each year, police still make more than 600,000 juvenile arrests;² juvenile courts handle roughly 1.2 million cases;³ and 250,000 youth are prosecuted in the adult criminal justice system.⁴ On any given night, nearly 60,000 children are placed in secure confinement in state juvenile justice systems, most for non-violent offenses. The vast majority are youth of color.⁵ An additional 6,000 children are held in adult jails and prisons⁶ and an estimated 100,000 youth are admitted into local adult facilities and prisons each year.⁷

Current juvenile justice policies and practices too often ignore children's age and amenability to rehabilitation, cause long-term collateral consequences, waste taxpayer dollars, and violate our deepest held principles about equal justice under the law and the role of the juvenile justice system. Many state systems exhibit racial and ethnic disparities, pursue discriminatory policies and practices toward lesbian, gay, bisexual, and transgender (LGBT)⁸ youth, lack sound mental health and drug treatment services, and apply excessively harsh sanctions for minor and nonviolent adolescent misbehavior. Too often, community safety is jeopardized when states and localities adopt costly and overly punitive approaches that are shown repeatedly to produce the worst outcomes for children, their families, and public safety, including high rates of re-offense and higher severity of offending due to justice system contact.⁹ Because the most expensive, hardware-secure, deep end programs are often the least effective, it is fiscally responsible to support juvenile justice reforms that promote keeping youth in smaller programs in their homes or communities whenever possible.¹⁰

Ineffective and unnecessarily harsh practices and policies continue despite the fact that the United States Supreme Court has held three times in the last few years that children are different from adults. In its 2010 ruling in *Graham v. Florida*, the Court struck down life-without-parole sentences for youth convicted of non-homicide offenses. Two years later, the Court decided in *Miller v. Alabama* that mandatory life-without-parole sentences imposed on youth violate the 8th amendment ban on cruel and unusual punishment. In 2011, the Court ruled in *J.D.B. v. North Carolina* that law enforcement officials must consider the age of a suspect in determining whether Miranda warnings should be issued. These rulings followed the Court's reasoning in *Roper v. Simmons*, which outlawed the death penalty for children in 2005, and relied on growing bodies of adolescent development

research proving the unique characteristics of children – their lessened culpability, their unique vulnerability to peer pressure, their lack of understanding of the consequences of their actions and impulse control, and their particular capacity for rehabilitation – that led the Court to conclude that children are categorically less culpable than adults. As a result, the parameters for how we treat children in the U.S. justice system are forever changed and require this Administration and Congress to reexamine policies and practices that ignore the fundamental differences between children and adults, and provide leadership to states that is consistent with these rulings.

With strong federal leadership, the pace of juvenile justice reforms can be accelerated. Research over the past 25 years has increased our understanding of what works and how to best approach juvenile delinquency and system reform. Many jurisdictions across the country are implementing promising reforms, and there is an increasingly clear path for moving toward community and evidence-based approaches to reducing adolescent crime. In August 2012, led by a bipartisan group of state lawmakers and governors, the National Conference of State Legislatures released a report highlighting successful efforts from around the country.¹¹ The 114th Congress has the opportunity and responsibility to support effective systems of justice for our youth and should begin by focusing on the following five priority areas:

- 1) Restore Federal Leadership in Juvenile Justice Policy
- 2) Support and Prioritize Prevention, Early Intervention, and Diversion Strategies
- 3) Ensure Safety and Fairness for Court-Involved Youth
- 4) Remove Youth from the Adult Criminal Justice System
- 5) Support Youth Reentry

I. Restore Federal Leadership in Juvenile Justice Policy

For more than a decade, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has suffered a drastic depletion of funding and support, and the agency’s role in providing national leadership has been greatly diminished.¹² Funding levels for OJJDP declined 83 percent from 1999 to 2010.¹³ In addition, the Juvenile Justice and Delinquency Prevention Act (JJDP), authorizing legislation for OJJDP and the statutory framework for federal investment in state reform, is more than seven years overdue for reauthorization. The National Academy of Sciences recently released a report detailing the important federal role in supporting state juvenile justice systems.¹⁴ Going forward, Congress must provide the clear direction and resources needed to facilitate reform in all States, territories, and the District of Columbia, that embodies the principles of adolescent development and is true to the rehabilitative purpose of the juvenile system. The federal government can and should be a partner with states in building on innovative and evidence-based approaches to create and sustain juvenile systems that cost less in terms of both human suffering and financing, enhance public safety, prevent delinquency and court contact,, and give court-involved youth the best possible opportunities to live safe, healthy, and fulfilling lives.

Restore and Increase Funding for the JJDPA and Other Research-Driven Reforms

Successful support of state efforts to reduce juvenile delinquency and protect youth in the system requires adequate federal assistance. Despite a universally recognized need to further reduce delinquency and improve juvenile justice systems, federal appropriations for key juvenile justice programs have declined over the last decade. Federal funding available to support implementation of the JJDPA and other state and local reforms has steadily dropped by more than half since the law was last reauthorized in 2002, and the appropriations caps contained in the Budget Control Act of 2011 have only accelerated the scope of the cuts.

ACT4JJ Juvenile Justice Federal Funding Chart

	<u>JJDPA Title II</u>	<u>JJDPA Title V</u>	<u>JABG</u>	<u>Mentoring</u>	<u>Other</u>	<u>Total</u>
FY02	\$88.8	\$94.3	\$249.5	\$16	\$91.5	\$546.9
FY03	\$83.3	\$46.1	\$188.8	\$15.9	\$110.5	\$451.4
FY04	\$83.2	\$79.2	\$59.4	0	\$2.5	\$306.7
FY05	\$83.3	\$79.4	\$54.6	\$14.9	\$9.9	\$346.5
FY06	\$79.2	\$64.4	\$49.5	\$9.9	\$30	\$338.7
FY07	\$79.2	\$64.4	\$49.5	\$9.9	\$30	\$338.7
FY08	\$74.3	\$61.1	\$51.7	\$70	\$32	\$383.6
FY09	\$75	\$62	\$55	\$80	\$20	\$374.7
FY10	\$75	\$65	\$55	\$100	\$37.5	\$423.5
FY11	\$62.3	\$54	\$45.7	\$83	\$31.2	\$276
FY12	\$40	\$20	\$30	\$78	\$94.5	\$262.5
FY13	\$44	\$20	\$25	\$90	\$100.5	\$279.5
FY14	\$55.5	\$15	0	\$85.5	\$88	\$244
FY15	\$55.5	\$15*	\$0	\$90	\$91	\$251.5
% Difference since last JJDPA reauth	-37.5%	-84%	-100%	462.5%	0%	-54%

All sums reported are in millions.

* Total is earmarked as follows: \$5 million for tribal youth, \$3 million for gang and youth violence education and prevention, \$6 million for community-based violence prevention initiatives, and \$1 million for the National Forum on Youth Violence Prevention.

Congress has the unique opportunity to reverse this trend and promote and support evidence-based practices and policies that prevent delinquency, reduce recidivism, promote positive youth development, keep children and communities safe and save money in the long-run.

We support the Administration's FY 2016 budget, which proposes \$142 million for three critical juvenile justice programs: \$70 million for Title II of the JJDPA; \$42 million with no earmarks for Title V of the JJDPA; and \$30 million for the Juvenile Accountability Block Grant

(JABG). Given the critical nature of this modest federal investment, we continue to be disappointed that Congress has repeatedly recommended cuts to Title II funds, earmarked limited Title V funding for other purposes and eliminated JABG funding. The Title II, Part B state formula grants are particularly critical as they can be used for a wide variety of prevention and intervention activities in the states in addition to helping states comply with the core protections of the JJDP. Finally, we support the Administration's proposed new investment in the SMART on Juvenile Justice Initiative, which incentivizes states to foster better outcomes for system-involved youth. This new program offers additional dollars to help states invest in alternatives to incarceration and reduce the racial and ethnic disparities in the system and we encourage Congress to fund it.

While we recognize the challenges that come with the discretionary spending caps and the sequestration provision contained in the Budget Control Act of 2011, we also know how essential federal investments in state juvenile justice efforts are for youth and community safety. In these tight economic times, it is even more critical to invest scarce federal resources wisely. These are relatively modest, targeted federal investments in state and local juvenile justice programs that can pay huge dividends in the form of public safety, reduced recidivism, and better outcomes for youth, all of which would result in cost savings. Congress should restore juvenile justice funding to its FY 2002 levels, adjusted for inflation, and increase these investments over the next five years.

Reauthorize and Strengthen the JJDP

Reauthorization of the JJDP is currently more than seven years overdue. Congress can and should use the reauthorization of the JJDP as an opportunity to strengthen accountability, restore federal investment in juvenile justice, help states protect public safety, hold delinquent youth accountable, protect our children from harm, and provide rehabilitation services to prevent future delinquency. This landmark law was last reauthorized in 2002, but few substantive changes were made at that time. Since the last major reauthorization of the JJDP nearly two decades ago, much more is known about what works and does not work to keep our communities safe and put youth on a better path.

The most recent, bipartisan proposal to reauthorize the JJDP was introduced in 2014,¹⁵ and builds on legislation originally reported out of the Senate Judiciary Committee in the 111th Congress.¹⁶ This latest proposal includes provisions to strengthen the law's core protections by reducing the placement of youth in adult jails pre-trial, providing more structure to the law's requirement to decrease racial and ethnic disparities, and phasing out exceptions that allow the detention of youth who have engaged in status offense behaviors. The bill also promotes the use of alternatives to incarceration, improves conditions and educational services for incarcerated youth, and increases accountability.

Congress should reintroduce this legislation, hold hearings, and pass a final JJDP reauthorization bill that will:

- Extend the Jail Removal and Sight and Sound separation core protections to all youth under the age of 18 held pretrial, whether charged in juvenile or adult court.
- Codify current state flexibility for housing youth convicted in adult court in juvenile facilities rather than adult prisons by modifying the definition of "adult inmate."

- Strengthen the Deinstitutionalization of Status Offenders (DSO) core protection, which prohibits the locked detention of status offenders, by removing the valid court order (VCO) and Interstate Compact exceptions.
- Strengthen the Disproportionate Minority Contact (DMC) core protection by requiring States to take concrete, measurable steps to reduce racial and ethnic disparities in the juvenile justice system.
- Provide safe and humane conditions of confinement for youth in state or local custody by prohibiting use of JJDP funds for dangerous practices, encouraging states to adopt best practices and standards to eliminate dangerous practices, and clarifying that isolation of longer than a few hours is a dangerous practice.
- Provide a research-based continuum of mental health and substance abuse services to meet unmet needs of court-involved youth and their families, including diversion and re-entry services.
- Ensure that programs and practices designed to address the needs of system-involved youth are both evidence-based and trauma-informed and reflect adolescent development principles.
- Ensure that confined youth receive high quality education aligned with state and local curricula, and that they receive supports for successful re-entry to school.
- Assist states in compliance with the JJDP by establishing incentive grants to encourage states to adopt evidence-based and/or promising practices that improve outcomes for youth and their communities. For states that are deemed to be out of compliance with any of the core protections, Congress should require any JJDP funds withheld for non-compliance to be set aside and made available to those states as improvement grants to help them with those particular protections.
- Enhance the partnership between states and OJJDP by expanding training, technical assistance, research and evaluation. Of particular importance is training to enhance the capacity of state and local courts, judges, and related judicial personnel to more effectively improve the lives of system-involved children and those at risk of becoming involved in the juvenile court system.
- Enhance the partnership between OJJDP and Congress by encouraging transparency, timeliness, public notice, and communication.
- Incentivize juvenile justice systems to ensure that all policies, practices, and programs recognize the unique needs and vulnerabilities of girls.
- Incentivize states to reduce the number of child welfare involved youth who cross over into the juvenile justice system by implementing best practices for cross-system communication and collaboration between child welfare agencies and juvenile justice systems.
- Update provisions to ensure that all policies and practices protect youth from discrimination based on actual or perceived sexual orientation, gender identity, and gender expression, and incentivize juvenile justice systems to increase cultural competency to serve LGBT youth.

Reauthorize the Juvenile Accountability Block Grant (JABG)

The JABG program, authorized under the Omnibus Crime Control and Safe Streets Act of 2002, is designed to help reduce juvenile offending by supporting accountability-based programs that focus on offenders and state and local juvenile justice systems. The basic

premise underlying the JABG program is that both the youth and the juvenile justice system must be held accountable. In implementing the program, OJJDP works to support state efforts that reduce juvenile offending through both offender-focused and system-focused activities that promote accountability. Funding for JABG was zeroed out in FY 2015. We encourage Congress to reauthorize and restore funding for this important grant program.

Set and meet national benchmarks to prevent and reduce youth violence and delinquency, and to increase healing and well-being

The report of the Attorney General’s National Task Force on Children Exposed to Violence, *Defending Childhood*, released in December 2012, provided a series of comprehensive recommendations to help prevent and reduce child victimization from all forms of violence. The recommendations are designed to help children and youth heal from violence by elevating federal leadership, launching a national initiative, investing in national data collection, and funding trauma-informed services for children and youth. Congress should work with the Administration to make sure the report’s recommendations are realized.

II. Support Prevention, Early Intervention, and Diversion Strategies

Decades of empirical studies of juvenile delinquency by scholars in the fields of criminology, child psychology, mental health, substance abuse, economics, and public health reveal that public dollars spent on effective prevention and early intervention programs reduce delinquency and strengthen families and communities. Research also shows that broadening prosecutorial powers, stiffening criminal penalties, and incarcerating more young people do not work to lower delinquency or prevent reoffending.¹⁷ Similarly, public opinion polls find that taxpayers overwhelmingly favor paying for prevention, education, and rehabilitation over prosecution and incarceration of juveniles who are adjudicated delinquent.¹⁸

Recommendations for the 114th Congress

Pass the Youth PROMISE Act

Recognizing the importance and cost effectiveness of prevention and early intervention strategies in helping at-risk youth stay out of the school-to-prison pipeline, and reducing incarceration and violence, Congress should support the bipartisan Youth Prison Reduction through Opportunity, Mentoring, Support and Education (Youth PROMISE) Act. The Youth PROMISE Act aims to reduce violence in communities that have a high concentration of youth at risk of school disengagement, social disconnection, and/or delinquent behavior by leveraging federal funds at the community level. The Youth PROMISE Act would enable inclusive groups of local stakeholders to determine the needs of their own communities and to address those needs with a suite of accountable, evidence based programs. These empirically based prevention and intervention strategies, consisting of programs such as restorative practices, family strengthening programs, academic and school supports, positive youth development, and other evidence-based interventions such as those

identified in Blueprints for Violence Prevention,¹⁹ are proven to reduce incarceration and recidivism, and to improve life outcomes for youth. The Youth PROMISE Act creates a model for preventing violence and improving life outcomes that is locally controlled, accountable, and cost saving. Congress should pass the Youth PROMISE Act without delay.

Eliminate the Valid Court Order (VCO) Exception from the JJDP

While the JJDP currently prohibits detaining youth for status offenses, like truancy and running away from home, there is a valid court order (VCO) exception to the Deinstitutionalization of Status Offenders (DSO) core requirement.²⁰ The VCO exception allows judges and other court personnel to detain youth adjudicated as status offenders if they violate a valid court order or a direct order from the court, such as “stop running away from home” or “attend school regularly.”²¹ Detaining and incarcerating non-delinquent, youth who have engaged in status offense behaviors is counter-productive: it is more costly and less effective than home and community-based responses. It interrupts education, pulls children away from family and community, and stigmatizes youth.²² Research clearly shows that once detained, youth are also more likely to commit unlawful acts, potentially leading to “deeper” involvement in the system.²³

Girls are disproportionately affected by the VCO exception – they are more likely to be arrested for status offenses and to receive more severe punishment than boys.²⁴ Many girls, already traumatized before entering the justice system, are re-traumatized by violent and abusive experiences in detention.²⁵ While there is no data specific to LGBT youth and the use of the VCO exception, other research has shown that LGBT and gender non-conforming youth are twice as likely to be held in secure detention for status offenses such as truancy, warrants, probation violations, running away, and prostitution.²⁶ In recognition of these and other dangers that youth face when they are incarcerated for status offense behaviors, nearly half of all states have already stopped using the VCO exception.²⁷ Although judges, court personnel, and advocates are working hard to effectively address the VCO exception on the state level, its mere existence in the JJDP undermines the DSO core requirement and harms youth. Last Congress, we were pleased that several proposals were introduced to eliminate or phase out use of the VCO exception and we call on Congress to pass a bill this session that would eliminate the exception.

Reauthorize and Increase Investment in the Runaway and Homeless Youth Act (RHYA)

The RHYA, originally passed as part of the JJDP and last reauthorized in 2008,²⁸ provides vital housing and services to runaway, homeless, and disconnected youth. There is a two-way relationship between youth homelessness and the justice system. Youth involved with the criminal justice system are more likely to report unstable housing and homeless youth report a high level of involvement with the justice system. One study of four U.S. cities found that 20 to 30 percent of homeless young adults had been arrested. Much of this is due to arrests that stem from activities associated with daily survival such as panhandling, loitering, or sleeping outdoors. In addition, homeless youth on the streets are often victims of commercial sexual exploitation and labor trafficking. Up to 77 percent of sex trafficked youth reported previously running away from home.

We support the Administration's FY 2016 budget, which proposed \$123 million for RHYA programs which fund critical community-based programs that prevent juvenile justice system involvement and provide alternative and reentry placements for youth in the juvenile justice system. The modest investment has laid the foundation for a national system of services for our most vulnerable young people, including: emergency shelters, family reunification work when safe, aftercare, outreach, education and employment, health care, behavioral health, transitional housing, and independent housing options. These services help to prevent youth from involvement in the criminal justice system, trafficking and commercial exploitation, and chronic homelessness, and to ensure successful outcomes such as a safe exit from homelessness, family reunification, and/or establishment of permanent connections in their communities. We call on Congress to reauthorize this important law, increase funding for its three pillar programs (Street Outreach, Basic Centers and Transitional Living), and provide additional resources to address the needs of exploited and trafficked children.

Support Community-Based Alternatives to Reduce Over-Reliance on Incarceration of Youth

Taxpayers spend thousands of dollars annually – and in some places hundreds of thousands of dollars a year—to confine a young person.²⁹ The most recent data show that 62 percent of youth committed and confined in 2011 were there for a nonviolent, non-person offense.³⁰ Often this money could be better spent on less costly, more effective alternatives. States as diverse as New York, Illinois, California, Arkansas, Ohio, Texas, and the District of Columbia have undertaken initiatives to reduce their over-reliance on wasteful, unnecessary, and often dangerous incarceration of children.³¹ Instead these states are investing in more effective non-residential, community-based approaches that address important public safety concerns and the well-being of youth and their families. We know that programs and services that institutions provide can almost always be done better in the community, often for less money and with better outcomes for youth and public safety.³² Federal investments like the Administration's SMART on Juvenile Justice Initiative can help support efforts like these and others across the country.

We support the continuation of federal support for efforts like the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) to reduce the unnecessary use of detention while maintaining public safety, and its new deep end work to reduce youth incarceration in state and private residential facilities. Congress should invest in a plan to cut youth incarceration and out-of-home placements in half by the end of 2019. To help achieve this goal, we encourage Congress to focus federal support on community-based programs that provide intensive, individualized wraparound and advocacy services to the highest risk youth most likely to be incarcerated.

Improve School Safety and Reduce Exclusionary Disciplinary Practices

Academic success plays a crucial role in preventing delinquent behavior and promoting positive outcomes for youth and safer communities. Youth who drop out or are pushed out of school have fewer opportunities for gainful employment and are more likely to commit delinquent acts than youth who remain in school.

Over the past two decades, expanded zero tolerance school disciplinary policies have too often led to suspensions, expulsions and push-out of students for a broad range of student behaviors that are not violent or a threat to school safety, but rather typical of normal adolescent development. Beginning in the 1990s, schools across the nation created mandatory punishments for a long list of student behaviors, many of which are now required to be reported to the police. For example, in Pennsylvania, school-based arrests nearly tripled between 1999 and 2007, yet nearly all school-based referrals were misdemeanor offenses or non-delinquent.³³ The result of zero tolerance has too often been the disconnection from school and criminalization of youth - particularly youth of color, LGBT youth, and youth with disabilities - for behaviors and infractions that can and should be addressed within schools, without pushing youth out of school or involving law enforcement and justice system referrals. One recent report found that in addition to the fact that boys and girls of color were subject to larger achievement gaps and harsher forms of discipline than their white counterparts, the racial disparity between girls was more pronounced than the disparity between boys.³⁴ A wave of recent school discipline reforms, which move away from zero tolerance and toward more supportive responses and services, underscore the ineffectiveness of a punitive, exclusionary approach toward students.³⁵

Additionally, excessive reliance on law enforcement in schools to maintain discipline can send youth into the juvenile and criminal justice systems for matters more appropriately handled by school personnel. When law enforcement officers are present in schools, there is often an increase in arrests for typical adolescent, nonviolent behavior, rather than for incidents that threaten the safety of other students or school personnel.³⁶ Without strong leadership and rules about the role of law enforcement, police are sometimes relied on to enforce rules that should be managed by school personnel, such as fistfights without injury, graffiti, disorderly conduct, and similar behaviors. Sending youth into the justice system for these minor offenses can result in a lifetime of negative collateral consequences, including significant barriers to education and employment.

In many school districts, an arrest or referral to the justice system also means suspension and expulsion from school and blocked reentry into school. Arrests, suspensions, expulsions, and barriers to school re-entry cut students off from positive interactions with adults in supportive settings such as school and cause a variety of negative life outcomes. As the presence of law enforcement and school resource officers (SROs) in schools has increased, arrests and referrals to the juvenile justice system from schools, generally, have also increased.³⁷ The presence of law enforcement in schools has effects that transform the school from an academic environment to a site of criminal law enforcement. Issues that might otherwise be seen as mental health or social problems become policing matters once an officer is stationed in a school. This comes at the expense of students' rights and their education. Youth of color are especially vulnerable to over-policing in schools, which increase both the racial-academic divide and racially skewed arrest rates.³⁸ Schools should instead be encouraged to invest more resources in school counselors, school social workers, and other mental health clinicians who can strengthen school-wide positive behavioral interventions, identify and treat problems that might contribute to youth violence, and improve coordination with community mental health and prevention services. Where schools are engaging SROs, school districts and law enforcement agencies should establish partnerships through Memorandums of Understanding that clearly articulate the role of the

law enforcement officers in schools, require adolescent development and mental health awareness training, and establish explicit protocols for interactions with students and referral to services where necessary.

Congress should advance legislation that effectively addresses the school-to-prison pipeline and the disciplinary policies and practices that can push students out of school and into the justice system. We also encourage Congress to reject proposals that would increase law enforcement presence in schools and/or unnecessarily and inappropriately increase the number of youth who come in contact with the justice system.

Improve Access to and Quality of Mental Health and Substance Abuse Services

Congress should advance proposals to help identify behavioral health (i.e. mental health and substance abuse disorders) needs early, including exposure to adverse childhood experiences, mental illness and substance abuse. Congress should also expand access to innovative, culturally competent, and evidence-based services and treatment, and to improve the quality of those services. Estimates range, but some studies have shown that as many as 70 percent of youth in the juvenile justice system have a diagnosable mental health disorder; 60 percent may also meet the criteria for a substance use disorder; and 27 percent experience disorders so severe that their ability to function is significantly impaired.³⁹ Juvenile justice agencies are often ill-equipped to manage the mental health and substance abuse needs of youth effectively. The agencies themselves identify the following as barriers to their success: insufficient resources, inadequate administrative capacity, lack of appropriate staffing, and lack of training for staff.⁴⁰

Congress should create incentives for States to reduce the inappropriate detention of youth with behavioral health needs by: 1) identifying vulnerable youth through consistent use of standardized screening and assessments; 2) diverting youth with mental health or substance abuse needs from detention and incarceration into home- and community-based placements and residential treatment where appropriate; and 3) making training and technical assistance available for law enforcement officers, judges, probation officers, and other decision makers. Congress should also create incentives to 1) prohibit the use of isolation/solitary confinement of youth with mental health disorders in both juvenile and adult facilities; 2) eliminate gaps in medical coverage for incarcerated youth through policies such as requiring states to suspend rather than terminate Medicaid coverage when youth enter juvenile facilities; and 3) require individualized discharge plans to link youth to appropriate services immediately upon reentry, including mental health and substance abuse services and supports for the youth and his/her family.

We also encourage Congress to fund effective implementation of the Mental Health and Criminal Justice Collaboration grant.⁴¹ This law, administered by the Department of Justice, authorizes grants to assist with diversion, treatment, and transition services for youth and adults with mental illness who come in contact with law enforcement.

Address the Specific Needs of Girls

Girls are the fastest growing segment of the juvenile justice population and their pathway into the system is often very different from that of boys. For girls, physical, psychological, and sexual abuse is an overwhelming predictor for juvenile justice involvement. Once in the

system, girls often fail to receive the services and support needed to heal from trauma and address destructive behaviors, and are instead re-traumatized and derailed from educational achievement.⁴²

In addition to eliminating the VCO exception from the JJDP, we recommend that Congress allocate \$10 million for the National Girls Initiative to provide specific, targeted support for state efforts to implement best practices with respect to at-risk and system-involved girls. This could be coordinated with any girls' work already taking place as part of the state's 3-year plan required by Title II of the JJDP. We also encourage Congress to amend Title V of the JJDP to include gender-responsive programming as a priority area for states and localities applying for funding under this title. Title V focuses on reducing risks and enhancing protective factors to prevent at-risk youth from entering the juvenile justice system and to intervene with first-time, non-serious offenders to keep them out of the system. Because girls often enter the system for non-violent, status offenses, directing resources for gender-specific prevention and early intervention would be impactful.

Some girls entering the juvenile justice system, even on low-level status offenses, are victims of domestic child sex trafficking.⁴³ Congress should require state juvenile justice systems to screen children at intake to determine if they are victims of commercial sexual exploitation and trafficking, and incentivize states to divert these children away from the juvenile justice system and towards the child welfare system or appropriate community-based interventions. Congress should also require states to collect and report data on the number of victims identified within their juvenile facilities.

Girls enter the juvenile justice system with pre-existing trauma. Congress should require states to collect data on the conditions of confinement that may exacerbate girls' trauma including use of restraints, strip searches, and solitary confinement or 'protective custody.'

Finally, Congress should ban shackling of pregnant girls. Use of restraints during pregnancy, labor, delivery, and post-partum is a health risk. Congress should require states to document the number of pregnant and parenting youth detained, incarcerated, or in out-of-home placements in the justice system, as well as the frequency of the use of restraints on them. The Department of Justice should compile the results in a publicly available report to Congress.

Promote Cultural Competence Regarding LGBT Youth

Congress should pass federal protections against discrimination in all settings based on actual or perceived sexual orientation and gender identity and create incentives for states to appropriately and effectively respond to LGBT youth involved in the justice system. Recent research shows that up to 20 percent of youth in juvenile detention identify as lesbian, gay, bisexual or gender non-conforming. Eighty-five percent of those youth are youth of color.⁴⁴

In their homes, schools, and communities, LGBT youth face challenges related to their sexual orientation and/or gender identity that can increase their risk of coming into contact with the juvenile justice system. Many LGBT youth enter the juvenile justice system as a direct result of family rejection. In addition, a recent study in *Pediatrics* found that

adolescents who self-identified as LGB were about 50 percent more likely to be stopped by the police than other teenagers. In particular, girls who identified themselves as lesbian or bisexual reported about twice as many arrests and convictions as other girls who had engaged in similar behavior.⁴⁵ Congress should create incentives for States to reduce the inappropriate detention of LGBT youth and address decision makers' lack of understanding of this population by: 1) ensuring that JJDP State Advisory Groups (SAGs) include experts on LGBT youth; 2) increasing research and information dissemination on this topic; 3) making training and technical assistance available for juvenile justice agencies, law enforcement officers, judges, probation officers, and other decision makers; and 4) requiring all programs funded under JJDP and other OJJDP incentive grants to adopt policies prohibiting discrimination based on actual or perceived sexual orientation, gender identity, and gender conformance.

III. Ensure Safety and Fairness for Court-Involved Youth

Far too often, incarcerated youth endure abusive conditions. In a recent study by the Bureau of Justice Statistics (BJS), a shocking one in ten youth in juvenile facilities reported experiencing sexual abuse at their current facility in the past year alone, with more than one in five non-heterosexual youth reporting such abuse.⁴⁶ An earlier BJS survey, which focused solely on sexual violence reports filed with prison officials, reported that young inmates were also more likely to be victimized when in adult facilities.⁴⁷ Reports of abuses in institutions in Idaho,⁴⁸ Mississippi,⁴⁹ Ohio,⁵⁰ New Jersey,⁵¹ Louisiana,⁵² and other states demonstrate the importance of using federal laws to ensure the safety of children in custody. Abuses have included use of pepper spray, sexual assaults by staff, hog-tying, shackling, and isolation. Youth who commit crimes must be held accountable, but no court disposition, regardless of the offense, should ever include abuse, mental health deterioration, or death in a juvenile facility, adult jail, or prison.

In addition, youth of color continue to be significantly over-represented in the juvenile justice system at every stage of the process from arrest to secure detention and confinement. In 2011, African-American youth were five times as likely to be detained as White youth; Native American youth were three times as likely and Latino youth were more than twice as likely.⁵³ Research demonstrates that youth of color are more frequently transferred to adult court than White youth. Moreover, youth of color are treated more harshly than White youth, even when charged with the same category of offense.⁵⁴

Recommendations for the 114th Congress

Strengthen JJDP Jail Removal Core Protection

The original intent of the JJDP was to recognize the unique needs of youth in the criminal justice system and establish a separate system to specifically address these needs. One of these unique needs for youth is protection from the dangers of adult jails and lockups. The jail removal core protection currently protects youth who are under the jurisdiction of the juvenile justice system by prohibiting these youth from being held in adult jails and lockups except in very limited circumstances, such as while waiting for transport to appropriate

juvenile facilities. In these limited circumstances where youth are placed in adult jails and lock-ups, the sight and sound core protection limits the contact these youth have with adult inmates. Congress should pass a JJDPa reauthorization that would extend the jail removal and sight and sound protections to all youth under age 18, regardless of whether they are awaiting trial in juvenile or adult court. In the limited exceptions allowed under the JJDPa where youth can be held in adult facilities, they should have no sight or sound contact with adult inmates. Several states, such as Colorado, Indiana, and Oregon, have led the way in removing youth charged as adults from adult jails and prisons.⁵⁵

Strengthen the Disproportionate Minority Contact (DMC) Core Protection

Currently, states must “address” racial and ethnic disparities within their juvenile justice systems. This vague requirement has left state and local officials without clear guidance on how to reduce racial and ethnic disparities. Jurisdictions need to approach this work with focused, informed, and data-driven strategies. Through JJDPa reauthorization, Congress should improve the DMC core protection to ensure States: 1) establish coordinating bodies to oversee efforts to reduce disparities; 2) identify key decision points in the system and the criteria by which decisions are made; 3) create systems to collect local data at every point of contact youth have with the juvenile justice system (disaggregated by descriptors such as race, ethnicity, and offense) to identify where disparities exist and the causes of those disparities; 4) develop and implement plans to address disparities that include measurable objectives for change; 5) evaluate progress toward reducing disparities; and 6) publicly report findings on an annual basis.

Ensure Fair Treatment of Youth With Disabilities

Students with disabilities protected by the Individuals with Disabilities Education Act (IDEA) represent a quarter of students arrested and referred to law enforcement, even though they are only 12 percent of the overall student population. With the exception of Latino and Asian American students, more than one out of four boys of color with disabilities served by IDEA and nearly one in five girls of color with disabilities receives an out-of-school suspension.⁵⁶ Congress should fund a Protection and Advocacy Program for juvenile justice involved youth in order to ensure that youth with disabilities are not unfairly and disproportionately placed into the juvenile justice system due to unmet needs related to their disabilities, and that they are treated fairly and humanely when they must be placed out of the home.

Support Family Engagement

Recognizing the integral role families can play in holding facilities accountable for how they care for and supervise youth, and in assisting in a young person’s rehabilitation and successful return to the community, Congress can do more to support families and keep them connected with system-involved youth. We call on Congress to authorize the establishment of an independent National Technical Assistance Center on Family Engagement to provide support to state and local justice and child-serving agencies interested in starting or expanding family engagement programs. Congress should also create incentives for state and regional Parental Information Resource Centers to integrate support services for families involved in the justice system. These centers would provide information to families and should be co-located or coordinated with existing parent centers already funded by other child-serving agencies. Finally, we recommend that

Congress explicitly call for the inclusion of family members on JJDP State Advisory Groups (SAGs).

Improve Conditions of Confinement for Youth in Juvenile Facilities

To address the recent and well-documented abuses in juvenile facilities nationwide, juvenile justice facility staff needs to be trained on effective behavior-management techniques to respond to dangerous or threatening situations. Staffing and programming in facilities must be sufficient to reduce the likelihood of youth misconduct. Activities that create an unreasonable risk of physical injury, pain or psychological harm to juveniles should not be used in juvenile facilities. These activities include using chemical agents, fixed restraints, and psychotropic medications for purposes of coercion, punishment or convenience of staff.

Congress should disallow the use of federal funds for the most dangerous practices, which create an unreasonable risk of physical injury, pain, or psychological harm to youth, such as solitary confinement. Congress should also fund training and technical assistance to help jurisdictions reduce the unnecessary use of isolation and restraint, require increased collection of data on use of isolation and restraint, and allow states to use JJDP funds to develop independent monitoring bodies (e.g., creating ombudsmen programs, developing community monitoring panels, or partnering with Protection and Advocacy organizations) and other programs to improve conditions of confinement, including reducing unnecessary isolation and use of restraints.⁵⁷

Approve Restrictions on Room Confinement

Room confinement —also known as solitary confinement, isolation, segregation, seclusion, or separation —creates severe risks of harm to the mental and physical health of young people. We call on Congress to pass legislation, like the pending Record Expungement Designed to Enhance Employment (REDEEM) Act, which includes a provision to ban the use of room confinement for discipline, punishment, retaliation, staffing shortages, administrative convenience, or any reason other than as a temporary response to behavior that poses a serious and immediate risk of physical harm to the young person or others. Given the widely recognized harms, such legislation should prohibit such inappropriate uses of room confinement for youth both pre- and post-adjudication. This prohibition should also be reflected in the JJDP, which should prohibit the use of room confinement except in situations of serious and immediate risk of harm, in which case such use should be limited to no more than three hours.

Additionally, youth placed in adult jails and prisons are often times placed in solitary confinement “for their own protection.” However, adult jails and prisons are ill-equipped to properly care for, or protect, youth within their walls. Many facilities simply place youth in cells alone for up to 23 hours a day. Recognizing the inherent harms of placing this vulnerable population in solitary confinement, the Justice Department’s regulations implementing the Prison Rape Elimination Act (PREA), include a Youthful Inmate Standard requiring adult facilities to limit this practice while also requiring sight and sound separation from the adult population. Congress should make clear through legislation that this requirement applies to all federal, state and local adult jails and prisons.

Ensure Fair Treatment and Adequate Representation of System-Involved Youth

Congress should allocate more support to expand the Department of Justice's efforts to ensure that states are meeting constitutional requirements to provide access to quality legal counsel for children in the justice system.

Encourage States to Keep Youth off Sex Offender Registries

The Sex Offender Registration and Notification Act (SORNA), as currently applied to youth, contradicts research that shows that youth who commit sex-based offenses have significantly lower recidivism rates than adults and that sex offender registration for youth has no impact on sexual offense recidivism or any deterrence effect, nor has it been demonstrated to improve public safety.⁵⁸ Youth are also exceedingly amenable to treatment.⁵⁹ SORNA has great potential to disrupt families and communities across the nation because public registration and notification stigmatizes the youth and their family, including the parents and other children in the home. Finally, SORNA has a chilling effect on the identification and proper treatment of youth who exhibit inappropriate sexual behavior. Instead of seeking appropriate treatment for their child, parents may be inclined to hide their child's behavior when they learn that their child may be required to register for life as a sex offender. Congress should amend the SORNA Title of the Adam Walsh Child Protection and Safety Act of 2006 to exclude adjudicated youth from sex offender registries and community notification practices.

IV. Remove Youth from the Adult Criminal Justice System

Across the United States, an estimated 250,000 youth are tried, sentenced, or incarcerated in the adult criminal justice system every year.⁶⁰ Trying youth as adults is bad for public safety and for youth. Youth prosecuted in the adult criminal justice system are more likely to reoffend than similarly situated youth who are retained in the juvenile system, and these offenses tend to be more violent.

In December 2012, after a year-long exhaustive study, the Attorney General's Task Force on Children Exposed to Violence issued comprehensive recommendations to the Attorney General on reducing children's exposure to violence, including a recommendation to abandon policies that prosecute, incarcerate, or sentence youth under 18 in adult criminal court. According to the report, "We should stop treating juvenile offenders as if they were adults, prosecuting them in adult courts, incarcerating them as adults, and sentencing them to harsh punishments that ignore their capacity to grow."⁶¹

The Task Force's recommendation reflects the policies of major professional associations representing juvenile and adult criminal justice system stakeholders such as the American Correctional Association, the American Jail Association, the Council of Juvenile Correctional Administrators, the National Partnership for Juvenile Services, and the National Association of Counties that highlight the harm youth are subjected to in the adult criminal justice system. The Task Force's recommendation is consistent with the latest state law reforms according to an August 2012 report, *Trends in Juvenile Justice State Legislation 2001 – 2011*,

released by the National Conference of State Legislatures (NCSL), showing that numerous states have undertaken policy reforms in the last decade to remove youth from the adult criminal justice system and from adult jails and prisons.

Additionally, youth in the adult system are also at great risk of sexual abuse and suicide when housed in adult jails and prisons.⁶² Youth are also often placed in isolation and locked down 23 hours a day in small cells with no natural light. These conditions cause anxiety and paranoia, exacerbate existing mental disorders, and heighten the risk of suicide. The ACLU and Human Rights Watch issued a report, *Growing Up Locked Down*, which estimates that nearly 100,000 youth are in adult jails or prisons annually.⁶³ In addition, youth housed in adult jails are 36 times more likely to commit suicide than are youth housed in juvenile detention facilities.⁶⁴

Youth tried as adults suffer lifelong consequences from their experience with adult court.⁶⁵ Youth are often denied employment and educational opportunities,⁶⁶ which significantly restricts their life chances. Youth incarcerated after being tried in adult court are more likely to be rearrested and rearrested sooner.⁶⁷ Many of these youth will not have been provided with the education and services they need to make a successful transition to productive adulthood, and they will have an adult record, which will make access to jobs or educational opportunities incredibly difficult. Congress should provide strong leadership for states to reduce, and eventually eliminate, their harmful and dangerous reliance on trying youth as adults.

Finally, in light of *Roper*, *Graham*, *Miller*, and *J.D.B.*, youth justice policies that ignore the differences between youth and adults must be reexamined. In the wake of these Supreme Court decisions, 11 states have eliminated the use of life without parole or release sentences for children, including Texas, West Virginia, Wyoming, Montana, Kansas, Kentucky, Alaska, Hawaii, Delaware, Massachusetts, and Colorado. The American Bar Association has called on states and the federal government to abolish life without parole sentences and give child offenders a meaningful opportunity to obtain release at a reasonable point during their incarceration. The United States has also been urged by the U.N. Committee Against Torture to eliminate the practice of sentencing its children to die in prison, as it stands in direct contradiction to Article 37 of the U.N. Convention on the Rights of the Child, which every nation-state has ratified except the United States and South Sudan. U.S. law continues to remain in violation of both the *Graham* and *Miller* Supreme Court decisions.

Recommendations for the 114th Congress

Extend JJDP A Protections to Keep Youth Out of Adult Facilities

Congress should amend the JJDP A to extend the Jail Removal and Sight and Sound protections of the Act to all youth, including those awaiting trial in juvenile or adult court. In the limited exceptions allowed under the JJDP A where youth can be held in adult facilities, they should have no sight or sound contact with adult inmates. Congress should also revise the definition of an “adult inmate” to codify the recent guidance issued by OJJDP. This guidance recommends excluding youth who, at the time of the offense, were younger than

age 18 and who have not yet reached the allowable age to be held at a juvenile facility under state law.

Raise the Age of Juvenile Court Jurisdiction

In accordance with the recommendations of the Federal Advisory Council on Juvenile Justice and the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention, Congress should encourage states that have not set the age of adulthood at 18 at the time of the commission of a crime to do so, and provide financial incentives to achieve this policy goal. Studies of youth brain development have found that the decision-making functions of the brain do not fully develop until much later than was previously believed to be the case. Despite this, some states still automatically try 16 and 17-year-olds as adults, simply because of their age. The recently introduced REDEEM Act incentivizes states to establish age 18 as a floor for original jurisdiction in adult criminal courts. We call on Congress to approve the REDEEM Act provisions on the age of adult court jurisdiction and to encourage States to raise the extended age of juvenile court jurisdiction to at least the age of 21.

Help States Implement the Prison Rape Elimination Act (PREA) by Removing Youth from Adult Facilities

In light of the overwhelming evidence that youth cannot be kept safe in adult facilities and the research demonstrating that keeping youth in adult facilities is harmful to the youth and to public safety, all efforts should be made to remove youth from adult facilities. To that end, the Prison Rape Elimination Act of 2003 (PREA) regulations must be fully implemented in all the states, and should serve as a floor, not a ceiling, especially with respect to youth in the adult system. The PREA regulations include the Youthful Inmate Standard which requires sight and sound separation of youth from adults in adult facilities, and restricts the use of isolation and solitary confinement of youth. The smartest and most cost effective way to achieve compliance with this standard is by removing youth from adult jails and prisons.

Adult facilities are simply not equipped to safely detain youth and the removal of all youth from adult jails and prisons should be touted as a best practice in implementing the law's regulations. Congress must adequately fund PREA efforts to ensure nationwide compliance. Previous funding aided in the development of the critical PREA Resource Center and training of hundreds of auditors. The grant opportunities offered through the Bureau of Justice Assistance are paramount to ending prison abuse in this nation and to date, dozens of jurisdictions have benefited. We encourage Congress to exercise its oversight authority to make certain that states' implementation of the law is consistent with its intent to keep individuals in custody safe from sexual victimization and related harms.

Eliminate Life Without the Possibility of Parole or Release Sentences for Children Through the Use of a Judicial Review Process

Bring the United States into compliance with both the *Graham* and *Miller* Supreme Court decisions, as well as Article 37 of the Convention on the Rights of the Child (CRC), by following the American Bar Association's recommendation and eliminating life without the possibility of release as a sentencing option for children. Legislative reform should create a judicial review mechanism that allows judges to periodically evaluate the sentence an

individual was given as a child after no more than 15 years into the child's incarceration. During his or her consideration of modifying the original sentence, the judge should consider the following factors: (1) a review of educational and court documents; (2) participation in rehabilitative and educational programs while in prison; (3) age at the time of offense; (4) immaturity at the time of the offense; (5) ability to appreciate the risks and consequences of the conduct; (6) intellectual capacity; (7) level of participation in the offense; (8) history of trauma or involvement in the child welfare system; (9) efforts made toward rehabilitation; (10) any other evidence submitted by the individuals counsel; and (11) any other mitigating factors or circumstances.

V. Support Youth Reentry

Approximately 100,000 young people under age 18 leave secure juvenile facilities and return to their communities each year.⁶⁸ Many youth are placed back into neighborhoods with few youth supportive programs, high crime rates, poverty, and poor performing schools. Yet many are not provided with the comprehensive reentry planning that would help them to succeed when they return to their communities. The U.S. Departments of Education and Justice have recommended that juvenile justice settings create individualized pre-release plans for youth immediately upon the youth's entry into a facility.⁶⁹ Public safety is compromised when youth leaving out-of-home placements are not afforded necessary planning and supportive services upon reentering their communities, increasing the likelihood of recidivism.

Effective reentry services and aftercare for youth exiting juvenile justice facilities reduce recidivism and support their successful reintegration into families and communities. Education, in particular, has been found to be essential to ensuring long-term reentry success for youth, yet 66 percent do not return to school after release from secure custody.⁷⁰ By fostering reintegration into school, mastery of independent life skills, and mental health and substance abuse treatment for those youth who need such assistance, reentry services built around each individual youth and his or her unique needs will help young people build the resiliency and positive development to divert them from harm and delinquent behaviors. Also, reentry preparation for youth who have been incarcerated for longer periods of time for serious felonies, or youth serving life without parole sentences that are no longer legally permitted, should be prepared for reentry during these longer periods of incarceration through access to education, job training, and other health and social programs.

If our nation expects to reduce recidivism, it must establish a national policy agenda that supports reentry services to connect youth with meaningful opportunities for self-sufficiency and community integration. Planning should begin prior to release and support services should follow the youth home. Policy and practice must be grounded in promising or evidence-based practices and involve cooperation among existing federal and State agencies, local stakeholders, juvenile justice experts, and reform advocates.

Reauthorize and Increase Funding for the Second Chance Act

Congress should reauthorize and increase funding for the Second Chance Act. An increase over the \$68 million appropriated in FY 2015 would help provide necessary resources to support youth reentry services. In recent years, the percentage of funding dedicated to youth reentry services from the Second Chance Act has decreased. It is critical to maintain and continue these investments as a way to support youth access to reentry services at the local level, as well as to help ensure the successful reentry of youth, who otherwise could return to the juvenile justice or adult criminal justice system at great cost to themselves, their families, and taxpayers. Targeted resources and supports help to ensure reentering youth are afforded the opportunity to have positive life outcomes and are equipped with important and necessary skills. Federal re-entry funds also help to support innovative models that can be replicated elsewhere.

Protect Juvenile Records and Eliminate Barriers

Juvenile records contain highly sensitive information such as details about the child's family, education, social history, behavioral problems, mental health and/or substance abuse issues. This information is used to provide targeted treatment and rehabilitative services to individual youth, but can impede a young person's successful transition to adulthood if it is available to the public. Public access to these records can negatively affect a young person's ability to find employment and housing, to obtain health insurance, to enroll in a post-secondary education program or to enlist in military service.⁷¹ We call on Congress to pass provisions like those included in the REDEEM Act, which improve juvenile record confidentiality, automatically expunge nonviolent juvenile offenses of children before they turn fifteen, and automatically seal nonviolent juvenile offenses that occur after a child has reached the age of fifteen.

Increase Funding for the Reintegration of Ex-Offenders (RExO) Program at Department of Labor

Managed by the Employment & Training Administration at the U.S. Department of Labor, the Reintegration of Ex-Offenders (RExO) Program, funded at \$82 million in FY 2015, provides grants to nonprofit organizations for employment services for formerly incarcerated adults and young people with the aim of reducing recidivism and improving workforce outcomes. Authorized under Section 171 of the Workforce Investment Act (WIA) of 1998, RExO programs provide viable, living-wage pathways for persons with criminal records to successfully reenter society and become productive, law-abiding citizens. Importantly, the RExO Program recognizes the need for targeted reentry service for young people by including a \$20 million set-aside to assist formerly incarcerated youth from high-poverty, high-crime areas. RExO funds are used to prepare participants for jobs in high demand industries through career pathways and industry-recognized credentials. Successful reentry into the workforce can improve neighborhoods, strengthen families, and reduce crime. Research has demonstrated that employment is associated with lower rates of reoffending, and that higher wages are associated with lower rates of criminal activity.⁷²

Increase Access to Education for Youth in Facilities and upon Reentry through Reauthorization of the Elementary and Secondary Education Act (ESEA)

An increasing number of researchers and policy makers have identified access to education

as one of the most important factors in determining successful youth reentry back into the community from the juvenile justice system. Unfortunately, a majority of these youth are not able to return to school or continue their education upon reentry, and education for youth inside correctional facilities often is not aligned with state curricula or quality standards. Reauthorization of the Elementary and Secondary Education Act (ESEA) could help increase access to education for youth in correctional and detention facilities and upon reentry by:

- Ensuring an effective transition out of placement to another appropriate school or educational setting.
- Ensuring that education providers within juvenile facilities meet state standards and keep youth on track for grade promotion and graduation.
- Requiring that states establish procedures for the prompt transfer of educational records, as well as credits earned during placement in the juvenile justice system.
- Encouraging states to consult with stakeholders on the issue of youth access to education upon reentry.
- Authorizing federal funding for innovative practices aimed at ensuring the educational success of students reentering school from the juvenile justice system.
- Requiring local education agencies to allocate a portion of Title I, Part D funding for youth reentry services and supports and ensuring that funds are spent in this way.
- Authorizing alternatives to the Title I, Part D “seat time” requirement.
- Implementing sanctions or loss of preferential status for funding or other benefits for states and/or local education agencies that do not provide the required or appropriate educational services upon reentry or remove barriers to school reentry.
- Holding schools more accountable for graduation rates and including juvenile justice-involved youth in state accountability systems.

Endnotes

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⁸ These recommendations use the acronym “LGBT” in the broadest sense possible. Because terminology is constantly evolving and because certain groups may gravitate to certain terms and abbreviations over others, it is difficult to come to a commonly agreed upon acronym that reflects all perspectives. Please understand that the use of “LGBT” is intended to be as inclusive of all other identities as possible, unless otherwise specified, such as with regard to research that focuses on particular demographics.

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¹⁶ See S. 678, Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009, introduced March 24, 2009.

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National Juvenile Justice and Delinquency Prevention Coalition:

The National Juvenile Justice and Delinquency Prevention Coalition (NJJJPC) is a collaborative array of youth- and family- serving, social justice, law enforcement, corrections, and faith-based organizations, working to ensure healthy families, build strong communities and improve public safety by promoting fair and effective policies, practices and programs for youth involved or at risk of becoming involved in the juvenile and criminal justice systems.

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