



April 3, 2017

The Honorable Virginia Foxx
Chairwoman
Education & Workforce Committee
United States House of Representatives
Washington, DC 20515

The Honorable Bobby Scott
Ranking Member
Education & Workforce Committee
United States House of Representatives
Washington, DC 20515

The Honorable Jason Lewis
Member, Education & Workforce Committee
United States House of Representatives
Washington, DC 20515

The Honorable Susan Davis
Member, Education & Workforce Committee
United States House of Representatives
Washington, DC 20515

The Honorable Todd Rokita
Member, Education & Workforce Committee
United States House of Representatives
Washington, DC 20515

The Honorable Frederica Wilson
Member, Education & Workforce Committee
United States House of Representatives
Washington, DC 20515

Dear Chairwoman Foxx, Ranking Member Scott, Mr. Lewis, Ms. Davis, Mr. Rokita, and Ms. Wilson:

On behalf of the ACT4JJ Campaign, which represents more than 150 national, state, and local organizations and hundreds of thousands of constituents, we want to thank you for your leadership in introducing H.R. 1809, the Juvenile Justice Reform Act of 2017 to strengthen and update the Juvenile Justice and Delinquency Prevention Act (JJDP). We are grateful you have taken this important step to complete the unfinished work on this issue from the last Congress and support your efforts to move the bill to passage in the coming weeks.

Signed into law by President Gerald Ford on September 7, 1974, and most recently reauthorized in 2002, the JJDP embodies a partnership between the federal government and the U.S. states, territories and the District of Columbia to protect children and youth in the juvenile and criminal justice system, to effectively address high-risk and delinquent behavior and to improve community safety. The JJDP is the only federal statute that sets out national standards for the custody and care of youth in the juvenile justice system and provides direction and support for state juvenile justice system improvements.

H.R. 1809 is very similar to, H.R. 5963, legislation that was overwhelmingly approved by the House, 382-29, in September 2016. It would build upon the JJDP's national standards in several key ways including:

- **Strengthening the deinstitutionalization of status offenders (DSO) core protection**

While current federal law prohibits detaining youth for status offenses (like truancy and running away from home), youth can be ordered by a court not to do these things as a condition of release through a court order. Many youth are subsequently detained for technical violations of such a valid court order (VCO). Many states have already prohibited use of this exception – known as the VCO exception – in light of research that shows it is harmful to youth development and is costly, especially when compared to community-based alternatives. The bill requires states to phase-out the use of the VCO exception by 2020, and allows States in need to apply for one-year hardship extensions. The House bill is an improvement over current law that sends a clear message to states and will help keep greater numbers of youth from being unnecessarily detained.

- **Improving the Jail Removal and Sight and Sound core protection**

Research shows youth confined in adult jails and lock-ups are more likely to re-offend upon release and while confined are at pronounced high risk of suffering assault and committing suicide. Like its Senate companion, H.R. 1809 extends the jail removal and sight and sound core protections to keep youth awaiting trial in criminal court out of adult lock-ups and to ensure sight and sound separation in the limited circumstances where they are held in adult facilities.

- **Supporting State Efforts to Reduce Racial and Ethnic Disparities**

Youth of color are disproportionately over-represented and subject to more punitive sanctions than similarly-charged/situated white youth at all levels of the juvenile justice system. The bill gives clear direction to States and localities to plan and implement data-driven approaches to ensure fairness and reduce racial and ethnic disparities, to set measurable objectives for reduction of disparities in the system, and to publicly report such efforts.

Premised on research-based understandings of juvenile justice and delinquency prevention, H.R. 1809 reaffirms a national commitment to the rehabilitative purpose of the juvenile justice system; one that supports developmentally appropriate practices that treat as many youth as possible in their communities. In particular we applaud provisions in the bill that:

- Encourage States to eliminate dangerous practices in confinement and to promote adoption of best practices and standards, including eliminating the use of restraints on pregnant girls;
- Recognize the impact of exposure to violence and trauma on adolescent behavior and development;
- Promotes prevention and a comprehensive continuum of care through youth opportunity incentive grants
- Increase family engagement in design and delivery of treatment and services;
- Allow for easier transfer of education credits for system-involved youth;
- Focus on the particular needs of special youth population such as trafficked youth and Tribal youth; and
- Promote fairness by supporting State efforts to expand youth access to counsel and encouraging programs that inform youth of opportunities to seal or expunge juvenile records once they have gotten their lives back on track.

Despite a continuing decline in youth crime and delinquency, more than 50,000 young people are held in detention centers awaiting trial or confined by the courts in juvenile facilities in the U.S. For these youth, and the many more kids at-risk of involvement in the justice system, the JJDP and programs it supports are critical. Youth who are locked up are separated from their families, and many witness

violence. These youth struggle when they get out, trying to complete high school, get jobs, housing, or go to college. Aside from the human toll, the financial costs of maintaining large secure facilities have also made it vital to rethink juvenile justice in every community.

Given the significant improvements reflected in H.R. 1809, we support the bill and look forward to continuing to work with you and your colleagues toward final passage this year.

Sincerely,

National

Afterschool Alliance
American Academy of Pediatrics
Boys Town
Campaign for the Fair Sentencing for Youth
Center for Children's Law and Policy
Center for Juvenile Justice Reform
CenterLink: The Community of LGBT Centers
Coalition for Juvenile Justice
Friends Committee on National Legislation
Jewish Council for Public Affairs
Justice for Families
Justice Policy Institute
Mothers Against Wrongful Convictions
NAACP
National Black Justice Coalition
National Criminal Justice Association
National Crittenton Foundation
National Disability Rights Network
National Juvenile Defender Center
National Network for Youth
National Prevention Science Coalition to Improve Lives
National PTA
R Street Institute
Rights4Girls
SchoolHouse Connection
The Sentencing Project
The National Crittenton Foundation
Union for Reform Judaism

State

Alaska Juvenile Justice State Advisory Group
Cabrini Green Legal Aid (IL)
Civitas ChildLaw Center of Loyola University Chicago
Illinois Balanced and Restorative Justice Project

Illinois Collaboration on Youth

Illinois Justice Project

Illinois Juvenile Justice Commission

Illinois Parent Teacher Association

Juvenile Justice Coalition (Ohio)

Juvenile Justice Initiative of Illinois

North Dakota Juvenile Justice State Advisory Group

Pacific Juvenile Defender Center

State Advisory Committee on Juvenile Justice and Delinquency Prevention (CA)

Strategies for Change (CA)