



June 9, 2022

The Hon. Jeanne Shaheen
Chairman
Subcommittee on Commerce, Justice,
Science and Related Agencies
Senate Committee on Appropriations
Washington, DC 20510

The Hon. Matt Cartwright
Chairman
Subcommittee on Commerce, Justice,
Science and Related Agencies
House Committee on Appropriations
Washington, DC 20515

The Hon. Jerry Moran
Ranking Member
Subcommittee on Commerce, Justice,
Science, and Related Agencies
Senate Committee on Appropriations
Washington, DC 20515

The Hon. Robert B. Aderholt
Ranking Member
Subcommittee on Commerce, Justice,
Science and Related Agencies
House Committee on Appropriations
Washington, DC 20515

Dear Chairman Shaheen and Ranking Member Moran:

On behalf of the Act 4 JJ Coalition, a broad network of organizations representing states, territories, and the District of Columbia, we are writing to express our sincere thanks for your support for youth justice programs in your Fiscal Year 2022 budget, and to ask that you make a commitment to robust federal funding for these programs in Fiscal Year 2023.

Federal investments play an essential role in state juvenile justice efforts to protect youth, prevent delinquency, and promote safe communities. This was affirmed by Congress when it reauthorized the Juvenile Justice and Delinquency Prevention Act (JJDP) at the end of the 115th Congress.¹ The reauthorization brought federal incentives in alignment with research, adolescent development, and evidence-based practices that have been adopted in jurisdictions across the country that have led to better outcomes for kids and for public safety. States are in need of federal investments though, particularly in training and technical assistance, to ensure that the law is carried out in a meaningful way. Now more than ever, after two years of a global pandemic, as young people are faced with unprecedented levels of trauma and uncertainty, we need to invest in our young people and their families.

Under the law, which was reauthorized in 2018, states are being asked to do more to receive their federal formula grants under Title II of the Act,² and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) is also required to provide additional technical assistance to

¹ Juvenile Justice Reform Act of 2017, H.R. 1809, 115th Cong. (1st Sess. 2017).

² Coalition for Juvenile Justice, Juvenile Justice and Delinquency Prevention Act: State Plan Requirements (Jan. 2018), *available at* <http://www.act4jj.org/sites/default/files/resource-files/State%20Plans%20H.R.%206964%20JJDP.pdf>; Act 4 JJ, Overview of the Juvenile Justice Reform Act of 2018 (Dec. 2018), *available at* <http://www.act4jj.org/sites/default/files/resource-files/JJDP%20Reauthorization%20Summary%20December%202018.pdf>.

states and key stakeholders, and produce more research. While we were grateful to see an increase in funding for juvenile justice programs in FY 2020 and again in FY2021, the levels are still far from what is needed to adequately provide services and supports for young people and their communities. We strongly encourage you to consider raising the funding levels in line with the reauthorization bill, including the following amounts:

Require full implementation of the JJDPA by appropriating \$350 million dollars for Titles II & V of the Act in FY2023 budget, including:

- **\$250,000,000** to carry out programs under the Charles Grassley Juvenile Justice and Delinquency Prevention Program, Title II of the Juvenile Justice and Delinquency Prevention Act, as authorized by the Juvenile Justice Reform Act of 2018;
 - of which not more than 5% goes to provide training and technical assistance to states; and
 - of which not more than 10% goes to support research conducted by OJJDP.

Title II of JJDPA provides federal funding to states to promote delinquency prevention and assist them to comply with federally-mandated core requirements designed to protect children from the dangers of placement in adult jails and lockups; keep status offenders/non-delinquent children out of locked custody; and address the racial and ethnic disparities faced by youth of color in the justice system an important measure in addressing equity within our country's legal system.

- **\$100,000,000** to carry out programs under in the Incentive Youth Promise Grants for Local Delinquency Prevention Programs Act of 2018, Title V of the Juvenile Justice and Delinquency Prevention Act, as authorized by the Juvenile Justice Reform Act of 2018;
 - of which, 11% goes to support the Tribal Youth Program; and
 - the remaining \$89 million goes to support the Title V PROMISE grants.

Title V is the only federal program that provides delinquency prevention funding at the local level to reach at-risk youth and help keep them out of the juvenile justice system. The Juvenile Justice Reform Act of 2018 renames this title "Incentive Grants for Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education (PROMISE)" and expands the uses of this grant program to include 29 funding areas, and establishes local youth councils to develop prevention programming that ensures needs of at-risk youth are being met.

Tribal Youth are over-represented in state and local delinquency systems. The Juvenile Justice Reform Act provides an increased percentage in Title V funding for Tribal Youth Programs to ensure Tribes are able to invest in traditionally-grounded, trauma-based delinquency prevention programs.

In addition, we urge you to include funding for additional juvenile justice programs, including:

- **\$100,000,000 to support state planning grants to close and repurpose failed and ineffective youth prisons to reduce inequities and improve youth outcomes.** Funding would support a robust state planning process to 1) close failed and ineffective facilities, 2) expand access to more effective and cost-efficient, community-based alternatives, and 3) address economic concerns, such as the re-employment of prison workers and the economic impact of facility closures on communities.

The youth prison model has failed young people and their families as well as undercut public safety. Racial inequities are pervasive—Black youth are 5 times more likely than their white peers to be incarcerated for similar offenses.³ Children and youth who are incarcerated experience disproportionate rates of mental illness, physical and sexual abuse while incarcerated, are 39% less likely to graduate from high school, face greater obstacles to employment and earn lower incomes throughout their lifetimes.⁴ Incarcerating youth disrupts natural engagement with families, school, and work, and as a result, incarcerated youth are 41% more likely to have entered adult prison by age 25.⁵

Finally, the cost of youth incarceration is astronomical, especially considering these poor outcomes. The average cost of the most expensive confinement option in 48 states was *\$588 per day, or \$214,620 per year*.⁶ There are community-based and family-centered interventions that are more effective at a fraction of the cost. Closing failed youth prisons would allow more young people and communities nationwide to receive effective interventions and programming that would dramatically improve outcomes, address racial disparities, reduce long-term costs, and ensure public safety.

- **\$30,000,000** for the Tiffany Joslyn Juvenile Accountability Block Grant Reauthorization and Bullying Prevention and Intervention Act of 2019 (H.R. 494), as passed by unanimous consent in the U.S. House of Representatives in the 115th and 116th Congress.⁷

Historically, funding through the JABG program has supported state efforts to effectively strengthen supports for court-involved youth. These funds support vital state efforts to effectively strengthen juvenile court services, such as behavioral health screening and assessment for court-involved youth and alternatives to detention.

³ “Statistical Briefing Book, Juveniles in Corrections: Demographics” Office of Juvenile Justice and Delinquency Prevention. 2017. Available at: <https://www.ojjdp.gov/ojstatbb/corrections/qa08205.asp?qaDate=2017>.

⁴ Aizer, Anne and Joseph Doyle. “What is the long-term impact of incarcerating juveniles?” 2013. Available at: <https://voxeu.org/article/what-long-term-impact-incarcerating-juveniles>.

⁵ *Id.*

⁶ “Sticker Shock: Calculating the Full Price Tag for Youth Incarceration,” Justice Policy Institute, 2014.

⁷ Tiffany Joslyn Juvenile Accountability Block Grant Reauthorization and Bullying Prevention and Intervention Act of 2019, H.R. 494, 116th Cong. (2019).

- **\$100,000,000** to support OJJDP, and to ensure that it is able to return to at least 50% of its operations levels. The office saw major reductions in staffing over the past four years and has not seen staffing levels this low in more than a decade, directly impacting their ability to support states and serve our young people.

The JJDPA has been an extremely successful program, yet cuts to these programs have weakened the federal-state partnership and stymied national, state, and local progress in this area. Many states have already had to significantly reduce services. Further cuts would inhibit the improvements made by the Juvenile Justice Reform Act of 2018 and result in fewer youth having access to services designed to keep them from engaging in unlawful behaviors and penetrating deeper into the juvenile and criminal justice systems.

It is critical that Congress fully fund JJDPA programs, and other critical youth justice initiatives in order for implementation of the new requirements of the law to be successful. Congress must affirm this important federal-state partnership to protect children and to invest in innovative and cost-effective reforms that keep youth out of trouble and communities safe. Additionally, Congress must help states close and repurpose youth prisons in order to invest significant savings to achieve truly effective and cost efficient programming and outcomes for young people, families, and their communities. Especially during this time of economic downturn when state and local budgets are strapped, it is important for Congress to invest new funding to achieve these critical goals, outcomes, and savings. The Act 4 JJ Coalition urges you to consider these critical supports for youth and communities as part of this year's Commerce, Justice and Science appropriations bill.

Thank you for your time and attention.

Sincerely,

NATIONAL GROUPS:

American Academy of Pediatrics
American Youth Policy Forum
Association of Children's Residential & Community Services (ACRC)
Boys Town
Center for Children's Law and Policy
Children's Defense Fund
Coalition for Juvenile Justice
Criminalization Project at the Institute for Policy Studies
CTJA
First Focus on Children
Forum for Youth Investment
The Gault Center
Healthy Teen Network

Human Rights for Kids
National Council of Juvenile and Family Court Judges
National Crittenton
National Juvenile Justice Network
National Network for Youth
Results for America
Rights4Girls
The Sentencing Project
Strategies for Youth
YMCA of the USA
Youth Build USA
Youth First Initiative
Youth Villages

STATES:

California

Bill Wilson Center

Connecticut

Connecticut Justice Alliance

District of Columbia

Open City Advocates

Hawaii

JJSAC

DHS

Indiana

Children's Policy and Law Initiative of Indiana

Iowa

YSS

Kansas

Kansas Appleseed Center for Law and Justice

Kentucky

Kentucky Administrative Office of The Courts

Louisiana

Louisiana Center for Children's Rights

Maine

Maine Juvenile Justice Advisory Group (JJAG)

Maryland

Association for the Public Defender of Maryland
The Choice Program at UMBC

Massachusetts

Justice Resource Institute

Michigan

Michigan Center for Youth Justice

Mississippi

Mississippi Juvenile Justice Advisory Committee (SAG)

Missouri

Missouri Juvenile Justice Association

Nevada

Division of Child and Family Services

New Jersey

Joseph First Youth Center
Juvenile Justice Delinquency Prevention Committee (SAG)

North Carolina

Methodist Home for Children

North Dakota

ND Juvenile Justice State Advisory Group

Washington

Washington State Partnership Council on Juvenile Justice

Wyoming

Wyoming Children's Law Center, Inc.