



Recommendations for the 114th Congress

Coalition for Juvenile Justice:
Representing the Nation's Juvenile Justice
State Advisory Groups and Allies

Spring 2015



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Letter from the CJJ Executive Board

January 2015

Dear Members of the 114th Congress,

As the 114th Congress tackles issues of utmost importance to our nation's future, we urge you to ensure that our nation's youth, families, and communities remain a priority. The Coalition for Juvenile Justice (CJJ) – comprising nearly 6,000 juvenile justice practitioners, law enforcement officials, youth development experts, community service providers, youth, families, and legislators in all U.S. states, territories and the District of Columbia – has prepared these policy recommendations to support prevention, early intervention, family empowerment, and developmentally-appropriate approaches to reclaim and rebuild the lives of youth who come into contact with the juvenile justice system.

The Coalition for Juvenile Justice calls on the 114th Congress to:

- Restore Appropriations for Juvenile Justice Programs;
- Reauthorize the Juvenile Justice and Delinquency Prevention Act;
- Eliminate the Valid Court Order (VCO) exception;
- Pass the Youth PROMISE Act;
- Build on proven strategies to increase school engagement and success for all youth and prevent the conflation of school discipline policy and juvenile justice system sanctions, also known as the “school-to-prison pipeline;”
- Ensure that trafficked youth are not criminalized for behaviors resulting from their victimization;
- Reauthorize the Runaway and Homeless Youth Act; and
- Pass the REDEEM Act.

As a first priority, CJJ wishes to call your attention to the need for continued appropriations for important juvenile justice programs that keep our kids and communities safe. We also support the Juvenile Justice Delinquency Prevention Act (JJDP A), which is long overdue for reauthorization. We were heartened to see the JJDP A reauthorization introduced in the 113th Congress, and again in the 114th on a bipartisan basis, by Chairman Charles Grassley (R-IA) and Senator Sheldon Whitehouse (D-RI). We strongly urge you to support it. The JJDP A is not only the flagship federal law that sets the standards for how youth ought to be treated in our nation's juvenile justice systems; it also provides a framework under which youth gun violence, youth development, school climate, and community supports can be addressed effectively. Further, the JJDP A's juvenile justice funding streams—like those of the Youth Promise Act—also support state and local initiatives that seek to protect youth and keep them positively connected to their schools and communities.

By taking deliberate and decisive action on this agenda laid out in more detail herein, Congress can exercise true leadership to secure community safety, invest public monies wisely and safeguard the future for youth, families and communities nationwide.

Respectfully submitted on behalf of the Coalition for Juvenile Justice Executive Board, and with our gratitude for your leadership.



Alfred L. Martin, Jr., Ph.D.
National Chair



Marie N. Williams, J.D.
Executive Director

1. Restore Appropriations for Juvenile Justice Programs

Research shows that prevention works. For every \$1 invested in community-based youth development and prevention efforts, we dramatically reduce delinquency and save taxpayers up to \$8 in future costs.¹ In addition, community-based and family-centered treatment for youth has been shown to be far more effective and cost-efficient than incarceration. Finally, research shows that system-involved youth are at risk of emotional and physical injury unless systems invest in options and alternatives that keep youth separate from adult offenders and prevent/limit the use of locked confinement for less serious offenders.² Yet, federal appropriations to states, localities, and tribes for key federal juvenile justice programs have been cut dramatically over the past 12 years. This includes:

- **The JJDP A Title II State Formula Grants Program**, which supports state efforts to comply with federal standards for the care of youth in the justice system, has been cut by nearly 40%.
- **The JJDP A Title V Local Delinquency Prevention Grants Program**, the only federal program designed to prevent delinquency at the local level in coordination with a statewide prevention plan, has been slashed by more than 80%. Of the Title V funds appropriated over the last nine years, between 53 and 100 percent have been set aside for non-JJDP A programs.
- **The Juvenile Accountability Block Grant Program (JABG)**, which provides local judges, law enforcement officers, corrections officials and providers with a range of options to address the needs and behaviors of court-involved youth, has been significantly reduced, and in recent years has been completely zeroed out.

	JJDP A Title II	JJDP A Title V	JABG	Mentoring	Other	Total
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 (all earmarked)	\$0	\$90	\$91.5	\$251.5

(Federal Juvenile Justice Funding in Millions)

¹ Small, S.A., Reynolds, A.J., O'Connor, C., & Cooney, S.M. (2005). *What Works, Wisconsin: What Science Tells us about Cost-Effective Programs for Juvenile Delinquency Prevention*. Madison, WI: University of Wisconsin–Madison

² Forst, Martin, Jeffrey Fagan, and T. Scott Vivona. (1989). "Youth in Prisons and Training Schools: Perceptions and Consequences of the Treatment-Custody Dichotomy." *Juvenile and Family Court Journal* 39:1.

Despite the fiscal climate, federal funds to support state and local juvenile justice standards and improvements must be considered essential investments. These monies support evidence-based programs that are proven to prevent delinquency, reduce recidivism, and increase public safety – critical investments that are worth the cost. At a minimum, Congressional appropriators should:

- **Provide \$80 million for the JJDP A Title II Program** to support a reauthorized JJDP A and ensure state compliance with accepted standards of care and advancement of juvenile justice reforms;
- **Provide \$65 million for the JJDP A Title V program, with no earmarks,** to prevent delinquency at the local level in coordination with a local investment strategy and statewide plan; and
- **Provide \$30 million for JABG** to preserve and support a continuum of evidence-informed supervision and graduated sanctions - including cost-efficient confinement alternatives - for youth involved with the courts.

2. Reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP A)

First enacted in 1974, the JJDP A has been due for reauthorization since 2007. Forty years after its enactment, the JJDP A is one of the most successful standard-setting statutes at the federal level. At its heart, it recognizes the value of citizen-driven efforts to prevent and stem delinquency. The success of the JJDP A has been supported in significant part by the research, evaluation, oversight, and technical assistance functions of OJJDP. It remains a landmark federal statute and provides four substantive safeguards, or “core protections” for youth who come into contact with the juvenile justice system:

- The deinstitutionalization of status offenders core protection provides that non-delinquent youth charged with offenses such as truancy and running away should not be confined in juvenile facilities or adult jails;
- The ‘sight and sound’ separation core protection provides that juveniles in adult jails or lock-ups be sight and sound separated from adult inmates;
- The jail removal core protection provides that juveniles should not be placed in adult jails and lock-ups except under very limited circumstances; and
- The disproportionate minority contact core protection mandates that states take measures to reduce racial/ethnic disparities at key contact points in the juvenile justice system.

Failure to strengthen and reauthorize the JJDP A raises the specter that some states may no longer maintain a sharp focus on preserving these safeguards.

Moreover, JJDPAs fund support state and local initiatives that fall within one or more of thirty- four purpose areas emphasizing preventive, developmentally sound, and equitable responses to many of the most challenging issues facing our schools and communities, including:

- “Gun Programs” to prevent and reduce unlawful acquisition and illegal use of guns by juveniles;
- “School Programs,” such as those designed to enhance school climate and safety; and
- “Strategic Community Action Planning,” to put in place continuums of services across multiple sectors for at-risk youth and families and to support prevention of violence and delinquency.³

The JJDPAs provide an opportunity to invest in strategies to prevent youth gun violence, promote positive school environments, and enable communities to provide much needed support and resources for their youth. Any programs implemented under the JJDPAs must adhere to the requirements mandated by statute.

The JJDPAs also define much of the approach to juvenile justice and delinquency prevention taken by Congress and the federal government. It establishes the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and articulates the commitment to a federal-state partnership around juvenile justice. Bipartisan legislation (S. 1699) to reauthorize the JJDPAs was introduced on April 30, 2015 by Sen. Charles Grassley and Sen. Sheldon Whitehouse. The measure is similar to a bill the pair introduced in the 113th Congress (S. 2999) and a measure that was introduced in 2009 (S. 678), which was co-sponsored by Senators Leahy, Kohl, Durbin, Franken, Collins, and Snowe.

CJJ has passed a Platform Position regarding reauthorization of the JJDPAs, which includes more extensive discussion of the reauthorization, including 13 planks/positions addressing:

- Federal supports and resources needed to fulfill the spirit and intent of the JJDPAs;
- Safeguards for youth, families, and communities; and
- The fundamental value of prevention.

The CJJ Platform was developed by CJJ members across the nation and received the support of two- thirds or better of the chairpersons of CJJ member SAGs – all of whom serve as voluntary citizen advisors on juvenile justice appointed by governors or chief executives across the states, territories, and the District of Columbia.

In support of JJDPAs reauthorization, CJJ also co-chairs and convenes more than 300 other organizations in the Act 4 Juvenile Justice (Act4JJ) campaign, an initiative of the National Juvenile

³ U.S.C. 42: Juvenile Justice and Delinquency Prevention Act §§221(a), 223(a) and § 501 *et. seq.*

Justice and Delinquency Prevention Coalition. Act4JJ advocates the following principles for reauthorization of the JJDPA:

- Keep children and youth out of the justice system;
- Ensure equitable and competent treatment for all justice-involved youth;
- Ensure responses appropriate to a young person’s age and stage of development; and
- Strengthen the federal partnership with state and local governments to prevent and reduce youth delinquency.

Not only does the failure to reauthorize JJDPA threaten the core protections that ensure that youth who come into contact with the juvenile justice system and their families are treated fairly and appropriately, it also disregards their communities’ interests in public safety and the fair administration of justice. Reauthorization of the JJDPA presents Congress with an opportunity to affirm high standards for the treatment of youth and the federal-state partnership that undergirds their success. Authorization of a new JJDPA would also enable Congress to implement a law that reflects the considerable new research in adolescent brain development and takes into account the National Academy of Science’s recent recommendations for juvenile justice reform.⁴

3. Eliminate the valid court order (VCO) exception to the JJDPA

As initially enacted in 1974, the JJDPA prohibited courts from incarcerating young people who engage in status offense behaviors.⁵ Status offenses are behaviors that violate the law solely because the person who engaged in them has not yet reached the age of majority. They include offenses such as running away from home and skipping school.

Subsequent amendments to the legislation, however, created what is now known as the valid court order (VCO) exception.⁶ This exception permits courts to place children in locked confinement for status offense behaviors that are in violation of a valid court order. Thus, a teenage girl who is required by a judge to attend school can be incarcerated if she continues to skip class.

Research shows that placing children in locked confinement - especially children who are low-risk, such as youth who are charged with status offenses – can have many damaging effects. Institutionalization’s many harms begin with removing youth from their families and communities, which prohibits youth from developing the strong social network and support system necessary to transition successfully from

⁴ See The National Academies of Sciences, *Implementing Juvenile Justice Reform*, 2014.

⁵ 42 U.S.C. § 5601.

⁶ PL 96-509, 1980 S 2441, 94 Stat. 2755 (December 1980).

adolescence to adulthood.⁷ Further, detention is ill equipped to address the underlying causes of the status offense behavior in which the youth engaged, and fails to act as a deterrent to subsequent behavior.⁸

Incarcerating children for status offenses is also expensive. Confining a child in a detention facility costs an average of \$240.99 per day, per youth.⁹ This equates to roughly \$88,000 a year for each child housed in a juvenile detention facility. Youth who engage in status offense behaviors often do so, however, because they need community- and family-based supports.

Research has shown that providing youth with these types of programs, instead of placing them in detention facilities, results in better outcomes for youths. Some therapy programs have been found to have a benefit of more than \$10 for every \$1 spent. They have been found to reduce recidivism by as much as 22 percent.¹⁰

Some states and local communities have already stopped using the VCO because of the problems it presents for children and the expense it presents to taxpayers. The Office of Juvenile Justice and Delinquency Prevention reports, however, that as of FY14, 27 states continue to use the VCO exception to incarcerate children. In 2010, 15 of these states used the exception to incarcerate children in more than 100 cases. In three of these states, between 1,000 and 2,400 cases resulted in incarceration that year.

A standalone measure, H.R. 4123, was introduced in the 113th Congress by Rep. Tony Cárdenas (D- CA-29) that aimed to eliminate the VCO exception. It was introduced in the Senate by Sen. Robert Casey (D-PA) as S.B. 2874. These bills required all states to stop incarcerating youth for status offenses within one year of the legislation's passage, or two years based upon a showing of hardship. A three-year phase out of the VCO is included in S. 1699.

CJJ urges the passage of this legislation. Locking up children is not an evidence-based practice. It harms children and their communities and the practice should be brought to an end as soon as possible.

4. Pass the Youth Promise Act (YPA)

First introduced in 2007, the Youth Prison Reduction through Opportunity, Mentoring, Support and Education ("Youth PROMISE") Act is bipartisan legislation to reduce youth violence and victimization. The Youth PROMISE Act was introduced in the 113th Congress by Congressman Robert C. "Bobby" Scott (D-VA) and Congressman Walter Jones (R-NC). The bill, H.R. 1318, was filed with 53 original co-sponsors. The legislation was reintroduced in the 114th Congress by Congressman Scott and three original co-sponsors as H.R. 2197. It aims to reduce youth violence by

⁷ Nelson, D. W. (2008). *A Road Map for Juvenile Justice Reform*. Baltimore, MD: Annie E. Casey Foundation.

⁸ *Id.*

⁹ Butts, Jeffrey A. & Nelson, Douglas N. (2011). *Resolution, Reinvestment and Realignment: Three Strategies for Changing Juvenile Justice*. John Jay College of Criminal Justice, City University of New York.

¹⁰ *Id.*

engaging communities that are more at risk of youth violence and victimization. The bill is grounded in the counsel of more than 50 juvenile and crime policymakers, researchers, practitioners, analysts and law enforcement officials across the political spectrum.

CJJ supports the Youth PROMISE Act because it empowers local communities and builds on the federal-state partnership in juvenile justice. Under the Youth PROMISE Act, communities facing the greatest challenges with youth at risk of gang involvement and delinquency will come together – via a local council that includes law enforcement, community-based organizations, schools, faith organizations, and healthcare providers – to develop and implement a comprehensive plan. The Act further provides for increased local coordination and state evaluation of federal programs designed to reduce and prevent delinquency. It also establishes a federal commission charged to carry out a nationwide, comprehensive study of the effectiveness of delinquency/crime prevention and intervention strategies.

The Youth PROMISE Act also builds on evidence-based and promising practices. Rather than forcing states to take on additional and, at times, duplicative and burdensome sentencing mandates and punitive approaches to address violence and gangs, the Youth PROMISE Act builds on evidence-based and promising practices proven to reduce youth violence and delinquency. Additionally, the Act calls for a thorough evaluation guided by state-level commissions, including analyses of the cost-savings to society yielded by investing in data-driven prevention and intervention approaches versus more costly prosecution and incarcerations. Savings from investments in prevention and intervention programs will be reinvested to broaden the scope of successful programs. To increase community safety and build productive futures for youth at risk of delinquency and crime, we strongly recommend passage of the Youth PROMISE Act.

5. Build on proven strategies to increase school engagement and success for all youth and prevent the conflation of school discipline policy and juvenile justice system sanctions, also known as the “school-to-prison pipeline”

In recent years, CJJ members nationwide have witnessed an unprecedented conflation of school discipline policy and sanctions traditionally reserved for the juvenile justice system. In fact, the connection between school discipline and the juvenile courts has become so close that it is coined, the “school-to-prison pipeline.” The pervasive use of exclusionary discipline and zero-tolerance policies have created this pipeline effect and funnel youth out of the school system and into the juvenile justice system. This pipeline impacts a broad swath of youth across lines of race, ethnicity, gender and sexual orientation, disability,

and socioeconomic status, and leads to poor outcomes for schools, communities, and youth, ultimately denying education and emotional support to those who typically need it the most.

CJJ joins many others in applauding efforts to address the school-to-prison pipeline through projects such as the Supportive School Discipline Initiative, which is jointly spearheaded by the Department of Education and Department of Justice. Yet, clearly, much more work remains to be done. For example, recent data from the U.S. Department of Education Office of Civil Rights (“OCR”) indicates that exclusionary discipline and zero tolerance policies are disproportionately applied to youth of color,¹¹ an outcome that is directly at odds with the JJDPa mandate to reduce disproportionate minority contact (DMC) with the juvenile justice system.

CJJ supports approaches to ending the school to prison pipeline that integrate the following principles:

- ***Demand for evidence-based approaches.*** There is now ample evidence to support the position that policies that exclude youth from schools lead to detrimental outcomes for them, their families, and communities. Any approach to stem the school-to-prison pipeline should take into account the best evidence we have of what works, including reducing referrals to the juvenile justice system, and for those youth referred, reduction in the use of out-of-home placement and an increase in community-based interventions that focus on addressing unmet needs.
- ***Balancing of interests.*** CJJ supports approaches that balance needs for the fair administration of justice, community safety, and the health and wellbeing of youth who come into contact with the juvenile justice system. Our experience and evidence show that these interests are not at odds with one another. For instance, one key component of an improved approach is to eliminate school exclusion for disciplinary infractions – specifically long-term suspension and expulsion practices. In-school interventions and alternative services and support produce better outcomes and avert future problems. The National Coordinating Committee on School Health and Safety reported that suspension and expulsion lead to or worsen academic problems, delinquency, and substance abuse. They also noted that children who are most likely to be suspended are those who most need the assistance and supervision of professionals.¹² Additionally, suspension or expulsion has been shown to be a primary reason for dropping out of school¹³ and high school dropouts are 3.5 times more likely than high school graduates to be incarcerated.¹⁴
- ***Reliance on partnerships in and around schools, students, and families.*** The strategies that work best—examples from the field collected over our decades of experience—are those that rely on a mix of public-private partnership and support, and broad-based involvement from

¹¹ U.S. Dept. of Education Office of Civil Rights. (2014). Civil Rights Data Collection, Data Snapshot: School Discipline. Available at: <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>. Last accessed Dec. 3, 2014.

¹² The Committee on School Health. (2003). *Out of School Suspension and Expulsion*. Pediatrics: 112(5), 1206-1209.

¹³ DeRidder, Lawrence M. (1991). *How Suspension and Expulsion Contribute to Dropping Out*, The Education Digest.

¹⁴ Martin, N., & Halperin, S. (2006). *Whatever It Takes: How Twelve Communities are Reconnecting Out-of-School Youth*. Washington, DC: American Youth Policy Forum.

system actors and community stakeholders, including families and youth. In CJJ's 2001 report to the President, the Congress, and the Office of Juvenile Justice and Delinquency Prevention, *Abandoned in the Back Row: New Lessons in Education and Delinquency Prevention*, we pinpointed specific strategies and qualities of supportive school settings serving low income and at-risk populations. Such supportive schools and educational settings involve parents and family members, seek to develop children's/youths' strengths and personal assets, and create positive environments for communication and learning.

- ***Specific strategies to resolve disproportionate minority contact (DMC) and racial/ethnic disparities.*** Both the efficacy and integrity of the juvenile justice systems are threatened if school and juvenile justice sanctions are disproportionately applied to specific races and ethnic groups.

Relatedly, CJJ would also urge the 114th Congress to explore—as we have begun to do—the relationship between the use of seclusion and restraint in schools, measures that have traditionally been applied in adult correctional facilities but are increasingly being utilized in the educational setting.

6. Ensure that trafficked youth are not criminalized for behaviors resulting from their victimization

The full extent of the trafficking epidemic remains unknown. Estimates on the number of youths who are victimized vary greatly, however, according to the Department of Justice, 83 percent of all suspected sex trafficking incidents that were investigated between 2008 and 2010 involved a U.S. citizen, and 40 percent involved a child.¹⁵ Children who are homeless, are involved with the child welfare system, or who have run away from home are especially vulnerable to commercial sexual exploitation, as are LGBT youth.¹⁶

Under the federal Trafficking Victims Protection Act (TVPA), all children who are exploited for commercial sex acts prior to age 18 are viewed as victims of sex trafficking regardless of whether their behaviors would otherwise be considered a crime.¹⁷ Youth in many jurisdictions, however, continue to be prosecuted at the state level for acts that resulted from their victimization.

A growing number of states are attempting to remedy this by enacting what are known as safe harbor laws. These laws protect children from prosecution for prostitution and other commercial sex acts in which their exploiter forced them to engage. States have also used these laws to establish safe

¹⁵ U.S. Department of Justice. (2011). *Characteristics of Suspected Human Trafficking Incidents, 2008-2010*. Available at: <http://bjs.gov/content/pub/pdf/cshti0810.pdf>. Last accessed Sept. 26, 2014.

¹⁶ Center for American Progress. (2014). *Three Key Challenges in Combatting the Sex Trafficking of Minors in the United States*. Available at: <http://www.americanprogress.org/issues/lgbt/report/2014/04/08/87293/3-key-challenges-in-combating-the-sex-trafficking-of-minors-in-the-united-states/>. Last viewed Oct. 28, 2014.

¹⁷ 22 U.S.C. § 7105.

houses for victims, which can better serve their needs and provide a more appropriate response than juvenile detention facilities. Safe harbor laws may also divert victims' cases from the juvenile justice system to child protection proceedings where victims are able to access specialized services.¹⁸

CJJ urges Congress to enact legislation that encourages states to recognize these youths as what they truly are: victims. CJJ asks that Congress provide incentives for states to stop charging victims with either delinquent offenses, or status offenses for behaviors that are the result of their victimization. CJJ also urges Congress to make funding and training opportunities available for states to help address this issue, and to make related legislation and programming gender inclusive, recognizing that all youths can fall victim to trafficking, not just girls.

7. Reauthorize the Runaway and Homeless Youth Act

CJJ works with other advocacy groups as part of the National Coalition for Homeless Youth which focuses on the reauthorization of the Runaway and Homeless Youth Act (RHYA). This legislation was originally enacted as part of the JJDPA and was last reauthorized in 2008.¹⁹ The Act provides vital services to runaway, homeless, and disconnected youth.

This 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), ensure that children who have had involvement in the juvenile justice system are not denied these services, and provide additional resources to address the needs of exploited and trafficked children.

8. Reintroduce and Pass the REDEEM Act

First introduced in the 113th Congress, the Records Expungement Designed to Enhance Employment (REDEEM) Act is bipartisan legislation that would reform federal juvenile justice laws, and provide financial incentives to states that do the same. The REDEEM Act was introduced in 2014 by Sen.

¹⁸ Polaris Project. (2014). *Human Trafficking Issue Brief: Safe Harbor*. Available at: http://www.polarisproject.org/storage/documents/policy_documents/Issue_Briefs/2014/2014_Safe_Harbor_Issue_Brief_Final_1.pdf. Last accessed Sept. 26, 2014.

¹⁹ See P.L. 110-378, The Reconnecting Homeless Youth Act of 2008.

Rand Paul (R-KY) and Sen. Cory Booker (D-NJ). An identical measure (H.R. 5158) was also introduced by Rep. Chaka Fattah (D-PA) and Rep. Frank Wolf (R-VA). The REDEEM Act was reintroduced in the 114th Congress by Sen. Paul and Sen. Booker (S. 675), and by Rep. Fattah (H.R. 1672).

The REDEEM Act provides for the sealing and expungement of federal juvenile records in cases involving non-violent offenses. The measure would also prohibit solitary confinement of juveniles unless the child poses a serious and immediate risk to themselves or others. The REDEEM Act includes financial incentives to states that have similar laws related to the sealing and expungement of juvenile records, and/or solitary confinement. Financial incentives are also included for states that set the age of original jurisdiction in adult court at no younger than 18.

CJJ asks Congress to pass this legislation, which aims to reduce the solitary confinement of youths. Solitary confinement has been shown to cause a range of psychological harms including hallucinations, anxiety, revenge fantasies, self-mutilation, and reduced brain function among adults who are subjected to the punishment.²⁰ Psychological harm to young people who are placed in solitary confinement may be even more pronounced since youths' brains and bodies are still developing.²¹ Solitary confinement also places youths at a greater risk of physical harm and suicide. Roughly 62 percent of all youth who chose to take their own life while at a juvenile detention facility have a history of solitary confinement.²²

Solitary confinement is particularly devastating to children who have experienced previous traumas, such as abuse. The Attorney General's Task Force on Children Exposed to Violence found that "[nowhere] is the damaging impact of incarceration on vulnerable children more obvious than when it involves solitary confinement."²³

CJJ also supports reintroduction and passage of the REDEEM Act because it encourages states to increase the age of original jurisdiction in adult court. A growing body of research has shown that young people's brains are not fully developed during their teenage years.²⁴ In response to this research, the REDEEM Act should be passed to help encourage states to ensure that children continue to receive the protections afforded by the juvenile justice system until at least their 18th birthday.

²⁰ American Civil Liberties Union. (2013). *Alone & Afraid: Children Held in Solitary Confinement and Isolation in Juvenile Detention and Correctional Facilities*, New York, NY.

²¹ *Id.*

²² U.S. Department of Justice. (2012). *Report of the Attorney General's National Task Force on Children Exposed to Violence*, Washington, DC.

²³ *Id.*

²⁴ See for example, Daniel Romer. Adolescent Risk Taking, Impulsivity, and Brain Development: Implications for Prevention. Vol. 52. Issue 3. p. 263.

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