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RECOMMENDATIONS TO THE 119TH CONGRESS

THE COALITION FOR
JUVENILE JUSTICE

Prepared by the Coalition for Juvenile Justice. Representing Juvenile Justice State Advisory Groups and Their Allies

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Letter from the CJJ Executive Board

Dear Members of the 119th Congress,

When the 119th Congress commences, we urge you to ensure that our country's youth, families, and communities remain a priority. The Coalition for Juvenile Justice (CJJ) – comprising more than 15,000 youth justice practitioners, law enforcement officials, youth development experts, community service providers, young people, 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 119th Congress to:

- Ensure reauthorization of the Juvenile Justice and Delinquency Prevention Act, focusing on addressing and ending racial and ethnic disparities in the youth justice system and eliminating the Valid Court Order (VCO) exception.
- Boost appropriations for juvenile justice programs and Title II compliance support.
- Pass the REDEEM Act.
- Ensure that trafficked youth are treated as survivors instead of being criminalized.
- Build on successful strategies to enhance school engagement and success for all youth and prevent the conflation of school discipline policies with juvenile justice system sanctions, also known as the “school-to-prison pipeline.”

As a top priority, the Coalition for Juvenile Justice (CJJ) urges you to continue appropriating funds for critical juvenile justice programs that ensure the safety of our youth and communities. We greatly appreciated the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) by the 116th Congress and call on Congress to reauthorize the Act again in 2025. The law is now up for reauthorization once more by this Congress, and we advocate for a streamlined process that supports its ongoing success in reducing youth crime and enhancing community safety.

The JJDPa is not only the flagship federal law that sets standards for the treatment of youth in our nation's justice systems, but it also provides a framework under which youth gun violence, youth development, school climate, and community support can be addressed effectively. This proactive approach saves time and resources by preventing many youth from entering the legal system in the first place and allowing law enforcement to focus their time and energy on more serious offenders. Support for the Act is critical to ensure its core protections are implemented fairly and appropriately, and that juvenile justice funding streams are available to protect youth, keep them engaged with their schools and communities, and enhance overall community safety.

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.

Sincerely,

Tracey Wells-Huggins, CJJ National Chair
Monica Celli, CJJ Governmental Relations Committee Chair
Melissa Milchman, CJJ Executive Director

Executive Summary

Call-to-Action

The United States has a critical opportunity to strengthen our juvenile justice system, ensuring it serves communities fairly and effectively. Too often youth—especially those from marginalized backgrounds—face systemic barriers that limit their chances for rehabilitation and growth. Restoring federal funding for programs focused on prevention, early intervention, and rehabilitation by way of reauthorizing the Juvenile Justice and Delinquency Prevention Act (JJDP A) is an essential part of this effort. By investing in the strength of states and territories, we can ensure the implementation of practices that move away from an ineffective, punitive model and toward effective solutions that promote long-lasting positive change.

Reauthorizing the JJDP A and restoring federal funding for these programs will not only help reduce repeat offenses and improve community safety, but also ensures that every young person is set up for success. Now is the time to invest in practical solutions that foster fairness and opportunity by empowering states to build systems that work for all youth.

Coalition Goals

The Coalition for Juvenile Justice (CJJ) represents an extensive network of over 15,000 professionals and advocates committed to improving juvenile justice in the U.S. As the 119th Congress convenes, we implore lawmakers to prioritize the best interests of our youth, families, and communities by adopting comprehensive policy recommendations that support the complex needs of youth in the juvenile justice system. These efforts are essential for fostering safer and healthier families and communities.

Summary of Key Recommendations

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

It is vital to maintain the core protections for youth established by the JJDP A. These protections prevent unnecessary justice system involvement and abuse of children in carceral settings. Congress should reauthorize the act, provide flexibility for states to meet compliance requirements, and prioritize phasing out Valid Court Orders (VCOs) and addressing racial and ethnic disparities to reduce disproportionate impacts on youth of color.

Increase Appropriations for Juvenile Justice Programs:

Funding for youth justice initiatives has decreased over the past 15 years. We recommend a return to previous funding levels, as investments in community-based programs have been shown to be substantially more effective than incarceration.

Reintroduce and Pass the REDEEM Act:

This bipartisan legislation aims to reform juvenile justice laws concerning record expungement and solitary confinement. It also focuses on rehabilitation and successful reintegration into society.

Support Youth Survivors of Trafficking:

Trafficked youth are survivors, not delinquents. Congress should encourage states to stop prosecuting victims for actions resulting from their victimization and instead support Safe Harbor laws that connect youth with trauma-informed services outside of the juvenile justice system.

Combat the School-to-Prison Pipeline:

Disciplinary measures in schools disproportionately affect marginalized youth and contribute to the school-to-prison pipeline. CJJ advocates for evidence-based, person-first approaches, such as restorative justice, that prioritize students' education and well-being without disrupting the traditional school experience for their classmates.

Conclusion

CJJ's recommendations are grounded in a commitment to fostering safety, equity, and well-being for all young people. By joining us in this effort, Congress can champion the interests of young people, affirm community safety, and promote long-term benefits for society as a whole.

Section 1. Reauthorize the JJDP

The bipartisan Juvenile Justice and Delinquency Prevention Act (JJDP) provides Congress with a vital opportunity to keep kids and communities safe. Originally enacted in 1974 and reauthorized most recently in 2018, the JJDP is one of the most effective federal statutes 50 years after its initial enactment, emphasizing the importance of community-driven efforts in preventing and addressing juvenile delinquency. The success of the JJDP has been supported in significant part by the research, evaluation, oversight, and technical assistance functions of the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

As a landmark federal statute, the JJDP establishes four core protections or requirements for youth interacting with the juvenile justice system:

1. *Deinstitutionalization of Status Offenders (DSO)*

Non-delinquent youth charged with behaviors such as truancy and running away should not be confined in juvenile facilities or adult jails. While young people can still be held in juvenile facilities under the Valid Court Order (VCO) exception to the DSO, the 2018 amendments strengthened protections for youth who commit a status offense.

2. *Jail Removal*

Minors should not be placed in adult jails and lockups, except under very limited circumstances. The 2018 amendment in Section 11(b), expanded this protection to include youth being tried as adults during the pre-trial phase of the proceedings.

3. *Sight and Sound Separation*

Youth in adult jails or lockups must be sight and sound separated from adult inmates. Under the sight and sound protection, children cannot be housed next to adult cells, share dining halls, recreation areas, or any other common spaces with adults.

4. *Racial and Ethnic Disparities*

States are required to measure and address racial and ethnic disparities at key contact points in the juvenile justice system. The 2018 amendments reinforced this provision by mandating that states and localities implement data-driven approaches to promote fairness, reduce racial and ethnic disparities, set measurable objectives for disparity reduction, and publicly report their progress.



Reauthorization and investment are vital to implement evidence-based programs that prevent delinquency, reduce recidivism, improve public safety, and reduce disparities.

The JJDPa offers a valuable opportunity to invest in strategies that prevent youth involvement in the justice system, provide support that prevents young people from engaging in risky behaviors, and promote positive school environments, while providing communities with essential resources for youth. Any programs implemented under the JJDPa must adhere to the requirements mandated by statute.

The JJDPa also outlines much of the approach to juvenile justice and delinquency prevention taken by Congress and the federal government, establishing the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and affirming a federal-state partnership in juvenile justice.

Additionally, the JJDPa strengthens the relationship between state juvenile justice agencies and state courts through meaningful and ongoing collaboration. Driven by juvenile justice outcome data to address the JJDPa's core protections, this partnership involves ongoing planning and improvement efforts to identify and work toward shared goals and activities.

Recommendations

Reauthorization should update the Act to reflect the spirit and intent of the law. In recent years, formula funding has been granted but sometimes is not accessible to states due to administrative issues, such as unmet State Advisory Group (SAG) membership requirements. Funding should remain flexible when SAG members change jobs, relocate, or when vacancies arise on the committee.

Freezing or placing holds on funding utilization because of a temporary SAG vacancy hinders the state's progress and does not further protect youth. Clarity on this issue should be included in the statute.

The Act should also allow states to use funding for proven practices tailored to the populations they serve. Currently, the statute is interpreted to include an exhaustive list of programs for which 75 percent of funding can be used. Clarifying that this list is intended to be illustrative and not exhaustive will give control back to local communities without burdening Congress with the task of reviewing outdated programs. We urge Congress and the Administration to ensure that states have the flexibility to meet the core protections and administrative obligations of the Act.

Current restrictions limit funding for areas such as restorative justice, diversion, and other programs aimed at reducing racial and ethnic disparities within the juvenile justice system. Title II funds should be accessible for a broader range of programs focused on reducing racial disparities. This includes initiatives that facilitate community dialogues that focus on harms of historical injustices.

A technical fix is needed to correct the placement of provision "11(b)," which prohibits holding young people awaiting trial in adult jails or lockups unless it is in the interest of justice to do so. Its current location within the deinstitutionalization provisions can penalize states which are unable to comply. We propose moving 11(b) out of the 'DSO' section and into the 'jail removal' section.

Additionally, the reauthorization should phase out the use of valid court orders (VCO) for placing youth in secure detention. Removing VCOs would further align the Act with its intended purpose of preventing the unnecessary detention of youth, particularly those from marginalized communities.

Lastly, Congress should ensure that funding under the Act is limited to states that participate and meet the requirements set forth in statute. Currently, states can opt out of participation in the JJDP, redirecting funds from state governments to non-profits, which is a disservice to states working hard to comply with the JJDP's core protections.

1a. Address and end racial and ethnic disparities within the youth justice system

Youth of color are overrepresented at nearly every point of contact with the justice system.¹ The JJDPa requires states to collect and review data at key points of contact: arrest, diversion (filing of charges), pretrial detention (secure and non-secure), disposition commitments (secure and non-secure), and adult transfer. States are required to achieve compliance with the Act by identifying disparities, creating action plans to address disparities, and evaluating the plans' outcomes. Without these efforts, states risk a 20% reduction of their Formula Grants for non-compliance.

Several jurisdictions have successfully used JJDPa funds to create more opportunities for system-impacted youth of color. For example, in 2021, six Pennsylvania counties effectively increased diversion opportunities for Black and Latinx youth by implementing pre-arrest and pre-diversion programs. A restorative justice diversion program in Alameda, CA, achieved a 20% recidivism rate among the program's primarily Black and Latinx participants, compared to 37% for peers formally processed in court.²

As part of reauthorizing the JJDPa, it is crucial to ensure states have the flexibility to fund programs that address racial and ethnic disparities, as proposed in legislation introduced in the 117th Congress.³

Recommendations

JJDPa Reauthorization must include more flexible funding for states to invest in proven practices that reduce recidivism and improve community outcomes, while ensuring compliance with the core requirements. Providing states with autonomy to implement the programs that best meet the needs of their jurisdictions is a vital step to ensuring successful implementation of their objectives to reduce delinquency. Whether that looks like collaboration with law enforcement and justice system stakeholders to conduct training, increasing diversion opportunities, or funding early interventions that are proven to meet the needs of high-risk youth, states are in the best position to make those determinations; and the Act should reflect that by stating that the programs list enumerated in the current law is not exhaustive.

1b. Phase out the valid court order (VCO) exception to the JJDPA

The JJDPA initially prohibited incarcerating youth for status offenses— behaviors illegal only due to their age, such as truancy.⁴ However, subsequent amendments to the legislation created what is now known as the valid court order (VCO) exception, which allows for juvenile incarceration for violating court orders, such as failing to attend school after being mandated.⁵

Research shows that incarcerating low-risk youth for status offenses harms their development, increases antisocial behavior, and fails to address the underlying causes, such as family conflict, bullying, or poverty.^{6, 7} Additionally, many risks for truancy are comorbid with risks for youth trafficking, highlighting the dangers of targeting youth status offenders.⁸

Incarcerating children for status offenses is also expensive, averaging \$588 per day, or \$214,620 per year, per youth in 2020.⁹ Since juvenile incarceration is linked to higher rates of recidivism as adults, investment in juvenile detention can be equated to spending to increase crime.¹⁰ Community-based and family-based programs have proven more effective, with therapy programs, like Functional Family Therapy or Delectable Behavior Therapy, reducing recidivism by up to 22% and offering more than \$15 in benefits for every \$1 spent.^{11, 12, 13}

Many states have reduced or eliminated the use of VCO due to its negative impacts and costs,¹⁴ however, over 2,400 status offense cases still resulted in incarceration in 2021.¹⁵

Recommendation

CJJ advocates for phasing out the VCO exception, as was proposed in legislation introduced in the 117th Congress.¹⁶

Section 2. Increase Appropriations

Research shows that prevention works. Community-based and family-centered treatment for youth has been shown to be far more effective and cost efficient than incarceration.¹⁷ For example, the Office of Juvenile Justice and Delinquency Prevention reports that diversion programming can result in savings ranging from \$1 to \$98 for every dollar spent, depending on the state and program type.¹⁸ Meanwhile, research shows that system-involved youth are at greater risk of emotional and physical injury unless systems invest in alternatives that keep youth separate from adult offenders and prevent/limit the use of locked confinement.¹⁹ Despite this evidence, federal appropriations for key federal juvenile justice programs to states, localities, and tribes have been cut dramatically over the past 15 years. This includes:

- **The JJDP 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 more than 15%.
- **The JJDP 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 31%. Of the Title V funds appropriated over the last 10 years, between 53 and 100 percent have been set aside for non-JJDP programs. This substantial percentage of Title V funds earmarked for non-JJDP purposes reduces the flexibility and autonomy that local communities should have in using these funds for direct prevention initiatives that align with their specific community needs. Additionally, the trend of not involving State Advisory Groups (SAGs) in statewide prevention planning results in reduced oversight from local stakeholders in how funding is utilized, furthering the disconnect between federal funding intentions and the actual distribution and use of these funds.

Between 2000 and 2020, the overall number of youth in juvenile facilities has declined by 77% (falling from approximately 109,000 to 25,000).²⁰

Federal appropriations for juvenile justice also support evidence-based programs that have been proven to prevent delinquency, reduce recidivism, and increase public safety.

Recommendations

At a minimum, Congressional appropriators should fund juvenile justice programs at the level authorized by Congress:

- Provide \$250 million for the JJDPa Title II Program to support a reauthorized JJDPa and ensure state compliance with accepted standards of care and advancement of juvenile justice reforms; and
- Provide \$100 million for the JJDPa Title V Program, with no Congressionally directed spending, to prevent delinquency at the local level.

We recommend increasing investment in Title V of the JJDPa to support the operation of councils established under the Youth PROMISE (Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education) Act. These councils, composed of representatives from local law enforcement, schools, court services, social services, health and mental health providers, the business community, and faith-based organizations are tasked with assessing the community's challenges and costs related to youth violence, crime, and social welfare issues. They also develop comprehensive plans for implementing evidence-based prevention and intervention strategies.

Investing in these councils will enable jurisdictions to hold local planning sessions and better support young people and their families. Funding through Title V supports investment in model programs, such as use of civil citations in the alternative to arrest, family resource centers, and mobile crisis units.

Furthermore, we recommend expanding the use of Title II funds from the JJDPa. Title II funding is crucial for maintaining state compliance with the JJDPa. Currently, some states find themselves out of compliance due to vacancies on State Advisory Groups and high staff turnover. Increasing Title II funds would enhance states' capacity to train staff and manage turnover, thereby supporting both prevention programs and ongoing compliance with the JJDPa.

Juvenile Justice Federal Funding Chart

The chart below highlights federal appropriations for juvenile justice programs.

Between the JJDDPA's 2002 reauthorization and FY10, total investment in youth justice decreased by more than \$120 million dollars. Since that time, funding allocations for youth justice have continued their precipitous decline, reaching a low of \$247 million in federal youth justice investments in FY17. While funding in some competitive areas, such as mentoring, has increased throughout the years, these funding increases do not make up for cuts in JABG programming.

Years marked in gray denote reauthorization of the JJDDPA. The latest funding year is noted in blue. All sums reported are in the millions.

Fiscal Year	JJDDPA Title II	JJDDPA Title V	Mentoring	Other	Total
FY02	\$88.8	\$94.3	\$16	\$91.5	\$546.9
FY10	\$75	\$65	\$100	\$37.5	\$423.5
FY11	\$62.3	\$54	\$83	\$31.2	\$276
FY12	\$40	\$20	\$78	\$94.5	\$262.5
FY13	\$44	\$20	\$90	\$100.5	\$279.5
FY14	\$55.5	\$15	\$85.5	\$88	\$244
FY15	\$55.5	\$15	\$90	\$91	\$251.5
FY16	\$58	\$17.5	\$90	\$104.7	\$270.16
FY17	\$55	\$14.5	\$80	\$97.5	\$247
FY18	\$60	\$27.5	\$94	\$101	\$282.5
FY19	\$60	\$24.5	\$95	\$107.5	\$287
FY20	\$63	\$42	\$97	\$118	\$320
FY21	\$67	\$62	\$100	\$130	\$359
FY22	\$70	\$49.5	\$102	\$138.5	\$360
FY23	\$75	\$65	\$107	\$153	\$400
FY24	\$65	\$55	\$104	\$151	\$375
% Difference Since FY02 Reenactment	- 26.8%	- 41.6%	+ 550%	+ 35%	- 31.4%

Section 3. Reintroduce and Pass the REDEEM Act

The Records Expungement Designed to Enhance Employment (REDEEM) Act (S. 2410), introduced in the 116th Congress, is bipartisan legislation aimed at reforming federal juvenile justice laws and providing financial incentives to states that implement similar reforms.

Juvenile records can severely impact a young person's access to education, employment, and government benefits. To address this, the REDEEM Act would allow for the sealing and expungement of federal juvenile records for non-violent offenses, giving youth a second chance as they transition into adulthood.²¹ The bill would also ban the use of solitary confinement for juveniles, except in cases where the young person poses an immediate threat to themselves and others.

Solitary confinement has been shown to cause severe psychological harm in adults, including hallucinations, anxiety, and reduced cognitive function in adults.²² These effects are even more pronounced in young people, whose brains and bodies are still developing.²³ Research also shows that youth placed in solitary confinement are at a higher risk of suicide. Approximately, 62 percent of youth who die by suicide in juvenile detention facilities had a history of solitary confinement. The Attorney General's Task Force on Children Exposed to Violence has emphasized that solitary confinement is especially damaging for children who have experienced prior trauma, making it one of the most harmful aspects of juvenile incarceration.²⁴

CJJ also supports the reintroduction and passage of the REDEEM Act because it encourages states to raise the age of original jurisdiction in adult court. A growing body of research shows that adolescents' brains are not fully developed during their teenage years, underscoring the need for policies that ensure young people continue to receive the protections of the juvenile justice system until at least their 18th birthday.²⁵

Recommendation

CJJ urges Congress to reintroduce and pass the REDEEM Act, which has the power to reduce risk factors for recidivism and seeks to reduce the use of solitary confinement for youth.

Section 4. Ensure that trafficked youth are treated as survivors, instead of being criminalized

The full extent of the trafficking epidemic remains unknown. Estimates on the number of youths affected by human trafficking vary greatly; however, according to the Polaris Project, 31 percent of trafficking incidents reported to the National Human Trafficking Hotline in 2021 involved a child, with 38 percent of trafficking victims being children when they were first victimized. Children who are homeless, involved with the child welfare system, or have run away from home were found to be especially vulnerable to commercial exploitation.²⁶

The Polaris Project also reports that among sex trafficking victims in 2021, 15 percent were homeless or runaway youth, and 11 percent were involved with the child welfare system. Prior sexual or physical abuse is another major risk factor. Additionally, 12 percent of sex trafficking victims experienced abuse or violence.²⁷

Under the federal Trafficking Victims Protection Act (TVPA), all children who are exploited for commercial sex acts before age 18 are considered victims of sex trafficking, as federal law acknowledges that children are legally incapable of consenting to sex.²⁸ However, youth in many jurisdictions continue to be prosecuted at the state level for acts that resulted from their victimization. As of 2019, 13 states still criminalized child victims of sex trafficking.²⁹

To address this issue, a growing number of states are enacting Safe Harbor laws. These laws protect children from prosecution for prostitution offenses and other commercial sex acts, and some extend to prostitution related offenses that aren't commercial sex acts, such as loitering for prostitution. States have also used these laws to establish safe houses for victims, which better meet their needs than juvenile detention facilities. Safe harbor laws also aim to divert victims' cases from the juvenile justice system to child protection proceedings where survivors can access specialized services.³⁰ Importantly, safe harbor laws prevent criminalization—rather than only mitigating it—and connect youth to supportive services outside the juvenile justice system, but effective implementation is crucial for success.³¹

Recommendations

CJJ urges Congress to enact legislation that encourages states to recognize youth as survivors. We ask Congress to provide incentives for states to stop charging victims with delinquent offenses or status offenses for behaviors resulting from their victimization.

CJJ also advocates for funding and training opportunities to help address this issue and calls for gender-inclusive legislation and programming, acknowledging that all youth, not just girls, can be victims of trafficking. These programs must be culturally competent.

Section 5. Build on proven strategies to enhance school engagement and success for all youth while preventing the conflation of school discipline policy and juvenile justice system sanctions – commonly referred to as the “School-to-Prison Pipeline.”

Over the past 25 years, CJJ’s members have witnessed an unprecedented conflation of school discipline policies and sanctions traditionally reserved for the juvenile justice system. The connection has become so pronounced that it was termed the “school-to-prison pipeline.” The pervasive use of exclusionary discipline and zero-tolerance policies have created this pipeline effect which funnels youth out of the school system and into the juvenile justice system.

This pipeline broadly impacts youth, leading to poor outcomes for schools and communities, while denying education and emotional support to those who need it the most. Strategies should reduce referrals to the juvenile justice system and focus on community-based interventions that emphasize a balance of justice, safety, and the well-being of system-involved youth.

Although recent years have seen increased focus on this issue, much work remains. Data from the U.S. Department of Education Office of Civil Rights reveals that exclusionary discipline and zero-tolerance policies are disproportionately applied to youth of color, contradicting the JJDPa's mandate to address racial disparities.³²

Recommendation

CJJ calls on Congress to provide federal leadership to ensure that disciplinary policies do not disproportionately impact students of color, guaranteeing that all young people have equitable opportunity to learn, grow, and be respected within their schools. Effective policies should rely on public-private partnerships and broad community involvement to support at-risk youth and create positive learning environments that promote education and emotional support, especially for underserved students.

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