JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT: OVERVIEW AND PERSPECTIVES

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON HEALTHY FAMILIES AND COMMUNITIES

COMMITTEE ON EDUCATION AND LABOR

AND THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

COMMITTEE ON THE JUDICIARY

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C O N T E N T S

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT: OVERVIEW AND PERSPECTIVES

Thursday, July 12, 2007
U.S. House of Representatives
Subcommittee on Healthy Families and Communities
Committee on Education and Labor
Subcommittee on Crime, Terrorism, and Homeland Security
Committee on the Judiciary
Washington, DC

The subcommittees met, pursuant to call, at 2:05 p.m., in Room 2175, Rayburn House Office Building, Hon. Carolyn McCarthy [chairwoman of the Subcommittee on Healthy Families and Communities] presiding.

Present from Subcommittee on Healthy Families and Communities: Representatives McCarthy, Clarke, Shea-Porter, Grijalva, Sarbanes, Yarmuth, Platts, and Davis of Tennessee.

Present from Subcommittee on Crime, Terrorism, and Homeland Security: Representatives Scott, Johnson, Jackson Lee, Forbes, Gohmert, Coble, and Chabot.

Also present: Representative Kennedy.

Staff present from Subcommittee on Healthy Families and Communities: Aaron Albright, Press Secretary; Tylease Alli, Hearing Clerk; Denise Forte, Director of Education Policy; Lamont Ivey, Staff Assistant, Education; Deborah Koolbeck, Policy Advisor for Subcommittee on Healthy Families and Communities; Lisette Partelow, Staff Assistant, Education; Rachel Racusen, Deputy Communications Director; James Scholl; James Bergeron, Deputy Director of Education and Human Services Policy; Kathryn Bruns, Legislative Assistant; Kirsten Duncan, Professional Staff Member; Taylor Hansen, Legislative Assistant; Victor Klatt, Staff Director; Susan Ross, Director of Education and Human Resources Policy; and Linda Stevens, Chief Clerk/Assistant to the General Counsel.

Staff present from Subcommittee on Crime, Terrorism, and Homeland Security: Bobby Vassar, Chief Counsel; Rachel King, Counsel; and Veronica Eligan, Professional Staff Member.

Chairwoman MCCARTHY [presiding]. A quorum is present. The hearing of the subcommittee will come to order.

Pursuant to Committee Rule 12A, any member may submit an opening statement in writing, which will be made part of the permanent record.

Before we begin, I would like everyone to take a moment to ensure that your cell phones and BlackBerrys are on silent. So, I will give you a second to turn everything off, please—members, also.

I now recognize myself, followed by the ranking member, Mr. Platts from Pennsylvania, for an opening statement.

I am pleased to welcome all of you to the Subcommittee on Healthy Families and Communities joint hearing with the Judiciary Subcommittee on Crime, Terrorism and Homeland Security, chaired by my colleague, Representative Bobby Scott from Virginia.

We appreciate the subcommittee's participation today and his personal desire to demonstrate the importance of the Juvenile Justice Delinquency Prevention Act, or J.J.

I would also like to thank my ranking member, Mr. Platts, my colleague on the Healthy Families Subcommittee, and Ranking Member Forbes, for their interest and supporting the hearing.

Finally, I want to recognize Chief Joseph Wing, from the Hempstead Police Department in my district. We met yesterday with Detective Thomas Doran, talking about the projects that we have in my district on helping juveniles.

I met with Chief Wing. And also, we talked about Project CeaseFire, Project Impact and the Nurse and Family Partnership—some effective juvenile programs they are working with, with our D.A. in Nassau County.

So, I want to thank you both for being here this afternoon and thank you for coming down to see me.

Today's hearing serves as an overview of the legislation and will also offer perspectives for the Subcommittee on Healthy Families and Communities to consider as we move through the reauthorization process.

Although this is our first hearing on this topic in Washington, last month our subcommittee held a hearing on gang prevention in my district, with Ranking Member Platts and Ms. Clarke in attendance.

We heard about the challenges faced by law enforcement, the courts and local communities in dealing with the juvenile justice system. Ideally, we would like to prevent youth from entering the juvenile justice system, but we must also look at how to serve those young people already in the system and develop ways to help them get involved in their communities after they have served their time.

J.J. began with a focus on prevention and rehabilitation, and has shifted its focus towards accountability and sentencing. Unfortunately, many of us think that is just not working.

During a trip to Northern Ireland in May, I had the privilege of meeting a number of young people, that they have the same rates of crime as we do here. But their system over there, president with myself, showed me a play that they wrote. And it happened to be about two young women, young girls. They were both about 14 at the time.

And it went through where they got into a little bit of trouble. One judge took one young lady and said, you know, this is your first offense, and we think that, you know, we want to work with you. And she did not go to prison.

The other young woman, unfortunately, got another judge, and he put her into prison. Their paths certainly separated, but their lives changed dramatically.

The young woman that did not go to prison was doing community service, got involved in the right agencies and went on and finished high school, went on to college and certainly had a productive life.

The other young woman, every time she came out of prison ended up doing a criminal act. And in the end, unfortunately, ended up killing someone and ended up going to prison for the rest of her life.

What the play showed, and what we know in life, depending on how we handle our young people, that is going to be how their lives are going to go. And I think that is important for us to remember as we go through all the testimony that we are going to be hearing.

Sorry, I adlibbed on that one.

Young people who do not feel connected to society will look to other sources such as gangs for acceptance, stability, companionship and a sense of identity.

For these at-risk children and teenagers, we must invest in their education and their personal development. Communities must come together to address these challenges. Leaders in government, law enforcement, education, business and communities must work with kids, parents and citizens to address the needs of our young people so they do not enter into the juvenile justice system.

Far too many youth prevention efforts have fallen short, and our goal is to reverse that trend.

The overview today will be to educate members on J.J. and raise questions such as, what is the appropriate federal role in juvenile justice? Is the coordinating council effective? Do we need to update the core mandates?

What is research telling us about effective programs and interventions? What does research into early childhood development tell us?

We will hear testimony today that will help the subcommittee answer these questions, as we move to reauthorize this important legislation.

I want to thank you all for joining us today. And now I yield to Ranking Member Platts for his opening statement.

[The prepared statement of Mrs. McCarthy follows:]

Prepared Statement of Hon. Carolyn McCarthy, Chairwoman, Subcommittee on Healthy Families and Communities

I am pleased to welcome you to the Subcommittee on Healthy Families and Communities Joint hearing with the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, chaired by my colleague, Representative Bobby Scott from Virginia.

We appreciate his Subcommittee's participation today and his personal desire to demonstrate the importance of the Juvenile Justice and Delinquency Prevention Act, or "JJ".

I would also like to thank Ranking Member Platts, my colleague on the Healthy Families Subcommittee and Ranking Member Forbes for their interest in this important hearing.

Finally, I want to recognize Chief Joseph Wing from the Hempstead Police Department in my district.

I met with Chief Wing yesterday and he told me about Project Ceasefire, Project Impact and the Nurse and Family Partnership, some effective juvenile programs they are working on in Nassau County.

Thank you Chief for the hard work you and your officers are doing.

Today's hearing serves as an overview of the legislation and will also offer perspectives for the Subcommittee on Healthy Families and Communities to consider as we move through the reauthorization process.

Although this is our first hearing on this topic in Washington, last month our Subcommittee held a hearing on gang prevention in my district with Ranking Member Platts and Ms. Clarke in attendance.

We heard about the challenges faced by law enforcement, the courts, and local communities in dealing with the juvenile justice system.

Ideally, we want to prevent youth from entering the juvenile justice system, but we must also look at how to serve those young people already in the system and develop ways to help them get involved in their communities after they have served their time.

JJ began with a focus on prevention and rehabilitation and has shifted focus towards accountability and sentencing.

Unfortunately, it may not be working. During a trip to Northern Ireland, which has had its share of juvenile crime, I saw a play written about 2 young girls who commit the same crime.

One of the girls received a sentence that didn't involve jail time.

She learned from her mistake and lived a normal crime-free life. The other girl was sent to prison. While in prison, she became more involved with the crime world, and there were no efforts to educate or train her. When she left prison, she was well educated, however—in crime. She eventually killed another person. Not only was her life destroyed, but she has destroyed other lives as well. This story highlights how a single decision in the court system can directly affect the outcome of a person's life.

We heard similar stories to this at our field hearing from former gang members, and we need to remember this as we consider JJ. We know there are factors which will lead to crime. Young people who don't feel connected to society will look to other sources, such as gangs, for acceptance, stability, companionship, and a sense of identity.

For these at-risk children and teenagers, we must invest in their education, and their personal development. Communities must come together to address these challenges. Leaders in government, law enforcement, education, businesses, and communities, must work with kids, parents and citizens to address the needs of our youth so they do not enter the juvenile justice system.

Far too many youth prevention efforts have fallen short and our goal is to reverse that trend.

The overview today will educate Members on JJ and raise questions such as what is the appropriate Federal role in juvenile justice? Is the Coordinating Council effective? Do we need to update the Core Mandates? What is research telling us about effective programs and interventions? What does research into early childhood development tell us? We will hear testimony today that will help the Subcommittee answer these questions as we move to reauthorize this important legislation. Thank you all for joining us today, and I now yield to Ranking Member Platts for his opening statement.

Mr. PLATTS. Thank you, Madam Chair. I appreciate you and Chairman Scott hosting this hearing and starting the ball rolling on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. I also appreciate having Ranking Member Forbes with us.

To each of our witnesses, we very much appreciate the time you have taken from your schedules to be here today, and in preparation of your testimonies and the first-hand knowledge you bring to this topic. And today's hearing is very much about us learning from you. And each of you in your respective fields are, in some fashion, on the front lines of this issue.

We appreciate your participation and the expertise you bring to us. Your presence will help to ensure that we are more dutiful and informed as we move forward with reauthorization.

I am going to submit my written statement for the record. And as we get into introductions, I will recognize one of my constituents, our district attorney, at the appropriate time.

So, thank you, Madam Chair.

[The prepared statement of Mr. Platts follows:]

Prepared Statement of Hon. Todd Russell Platts, Ranking Minority Member, Subcommittee on Healthy Families and Communities

Good afternoon. I'd like to welcome each one of you to this joint hearing entitled "Juvenile Justice and Delinquency Prevention Act: Overview and Perspectives." I am pleased that the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security is able to join us today in learning about the very important issue of juvenile crime prevention.

Over 30 years ago, Congress enacted the Juvenile Justice and Delinquency Prevention Act (JJDPA) to coordinate the federal government-wide response to juvenile delinquency. The JJDPA provides grants to states so that they can effectively implement juvenile justice systems within their borders. In order to receive these funds, states must formulate comprehensive plans of administration that meet specific requirements outlined by JJDPA. The states then use these funds to implement community based alternatives to detention, counseling and mentoring programs, substance abuse prevention programs, or other delinquency treatment programs.

In addition, JJDPA provides federal grants to programs aimed to prevent juvenile delinquency through the Juvenile Delinquency Prevention Block Grant. Block grant funds can be used to encourage juveniles to stay in school, prevent gang activity, or research new approaches to prevent school violence and vandalism.

The purpose of today's hearing is to learn more about current efforts that are being taken to effectively treat juvenile delinquents, as well as to gain a better understanding of the prevention efforts employed around the country. It is important that we take the wisdom that will be shared with us by these experts in the field and use it to improve the juvenile justice system.

I am glad that we are holding this hearing today and look forward to hearing testimony from this expert panel. I believe that one of the most important things that we can do as legislators is to craft legislation that prevents juvenile delinquency and encourages healthy child development.

We know that investing in prevention methods now, saves substantial resources in the future. For that reason, I am a strong advocate for quality home visitation programs. Home visitation programs connect nurses or teachers with new families to educate them on healthy child development and school readiness, as well as connect them to critically needed services. Home visiting is a bridge that links the resources of the community with the safety of the home environment, empowering even the most vulnerable parents to build a better future for themselves and their children. Research shows that families that participate in home visitation services rely less on public assistance, have fewer problems with substance use, and have substantially less involvement with the criminal justice system. With that, I yield back to Chairwoman McCarthy.

Chairwoman MCCARTHY. Thank you, Mr. Platts.

I now yield to the chairman of the House Committee on Judiciary Subcommittee on Crime, Terrorism and Homeland Security, Mr. Bobby Scott, for his opening statement.

Mr. SCOTT. Thank you. Thank you, Madam Chairman. I would like to thank you for holding this afternoon's hearing on the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

Both of our subcommittees have jurisdiction over juvenile justice. However, the Subcommittee on Crime does not have jurisdiction until they actually commit a crime. And therefore, the Crime Subcommittee has an interest in helping the Healthy Families Subcommittee prevent crime and keep those youths out of my subcommittee. [Laughter.]

Over 100 years ago, differing needs of juveniles and adults in the criminal justice system were recognized with the establishment of

separate juvenile courts. This system has since been confirmed by brain development research showing that treating juveniles as adults is not physiologically or fiscally sound.

Since 1974, JJDPA has turned this concept into separate systems and to national standards for the states. The act creates two federal agencies—the Office of Juvenile Justice Delinquency Prevention and the Coordinating Council for Juvenile Justice and Delinquency Prevention—and authorizes several grant programs, including state formula grants and delinquency prevention block grants.

Although JJDPA's original focus was on prevention and rehabilitation, in recent years, juvenile justice policies have reflected an increasing trend towards punishment and lengthening incarceration. I hope we can help shift juvenile justice policy back towards prevention and rehabilitation programs, which have been proven to reduce crime and save money.

This shift towards prevention and rehabilitation would be in line with research-driven crime prevention strategies. Research has consistently shown that continuum of services can significantly reduce crime.

Those kinds of services would start with teen pregnancy prevention, prenatal care, parental training for teen parents, nurse home visits, early childhood education, things like Head Start and afterschool activities, substance abuse treatment, dropout prevention and access to college—getting them on the right track and keeping them on the right track.

Many of these strategies are contained in the state formula grant program, which requires state juvenile justice agencies to use this money for a wide variety of programs, including services that focus on child abuse and neglect, mental health services and community-based alternatives to incarceration.

In order for states to receive the formula grant money, they must agree to abide by four, core mandates. These mandates require states to address the de-institutionalization of status offenders. They talk about how long and under what conditions juveniles can be detained and the over-incarceration of minorities. These mandates were milestone achievements in juvenile justice.

Unfortunately, in recent years, we have seen an influx of juveniles into the adult system. And since 1990, the number of youth in adult jails has increased by over 200 percent.

But research has shown time and time again that treating more juveniles as adults does not work. At juvenile facilities, youth offenders receive education and other services, such as counseling, and the judge may even order family services.

However, juveniles going to the adult system get no such program, but they do have new role models—the hardcore, adult criminal offenders.

Moreover, studies show that juveniles in adult facilities are five times more likely to be sexually assaulted and eight times more likely to commit suicide than in juvenile facilities. So, it comes as no surprise that studies show that, if we treat more juveniles as adults, we will create more crime, those crimes will be created sooner and are more likely to be violent.

As we move towards the JJDPA reauthorization in the 110th Congress, I hope that we can continue using evidence-based re-

search practices that cost-effectively reduce crime. In addition, I hope that we can continue to recognize the benefits of treating youth as youth and not as adults.

So, thank you, Madam Chairwoman for holding the hearing, and I look forward to the testimony today.

[The prepared statement of Mr. Scott follows:]

Prepared Statement of Hon. Robert C. "Bobby" Scott, Chairman, Subcommittee on Crime, Terrorism, and Homeland Security

Thank you, Chairwoman McCarthy. I would like to thank you for holding this afternoon's joint hearing on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. Both of our subcommittees have jurisdiction over juvenile justice; however, the Crime subcommittee doesn't have jurisdiction until after a crime is committed. Therefore, the Crime subcommittee has an interest in helping the Healthy Families subcommittee prevent crime and keep these youths out of the criminal justice system—and out of our subcommittee.

Over 100 years ago, the differing needs of juveniles and adults in the criminal justice system were recognized with the establishment of separate juvenile justice courts. This separation has since been confirmed by brain development research showing that treating juveniles as adults is not physiologically—or fiscally—sound.

Since 1974, JJDPA has turned this concept of separate systems into national standards for the states. JJDPA creates two federal agencies—the Office of Juvenile Justice and Delinquency Prevention and the Coordinating Council for Juvenile Justice and Delinquency Prevention—and authorizes several grant programs, including state formula grants and delinquency prevention block grants.

Although JJDPA's original focus was on prevention and rehabilitation, in recent years juvenile justice policies have reflected increasing punishment and lengthening incarceration. I hope we can help shift juvenile justice policy back towards strategies proven to reduce crime and save money.

This shift towards prevention and rehabilitation would be in line with research-driven crime prevention strategies. Research consistently shows that a continuum of services can significantly reduce crime; these services include teen pregnancy prevention, prenatal care, parental training for teen parents, nurse home visits, early childhood education programs like Head Start, afterschool activities, substance abuse treatment, drop out prevention, and access to college.

Many of these strategies are contained in the state formula grant program, which requires state juvenile justice agencies to use this money for a wide variety of prevention programs including services that focus on child abuse and neglect, mental health services, and community-based alternatives to incarceration.

In order for states to receive state formula grant money, they must agree to abide by four core mandates. These mandates require states to deinstitutionalize status offenders, to outline how long and under what conditions juveniles can be detained, and to address any over-incarceration of minorities. These mandates were milestone achievements in juvenile justice. Unfortunately, in recent years, we have seen an influx of juveniles into the adult criminal system—since 1990 the number of youth in adult jails has increased by over 200% .

Research has shown time and time again that treating more juveniles as adults doesn't work. At juvenile facilities, youth offenders receive education and other services, such as counseling, and judges can even order family services. However, juveniles going to adult prison get no such programs and have new role models—hard core adult criminal offenders. Moreover, studies show that juveniles in adult facilities are 5 times more likely to be sexually assaulted and 8 times more likely to commit suicide than those in juvenile facilities. So it comes as no surprise that studies show that if we treat more juveniles as adults, we will create more crime, those crimes will be committed sooner and are more likely to be violent.

As we move forward with JJDPA reauthorization in the 110th Congress, I hope we can continue using evidence-based research practices to cost-effectively reduce crime. In addition, I hope we can continue to recognize the benefits of treating youths as youths, not adults. Thank you again, Chairwoman, for holding this hearing and I look forward to today's testimony on JJDPA is working.

Chairwoman MCCARTHY. Thank you, Mr. Scott.

I now would like to yield to ranking member of the House Committee on Judiciary, Subcommittee on Crime, Terrorism and Homeland Security, Mr. Randy Forbes, for his opening statement.

Mr. FORBES. Thank you, Madam Chairman, and thank you, Chairman Scott and Ranking Member Platts. It is great to be here today. And I want to thank all the witnesses for being here.

Certainly, the Juvenile Justice and Juvenile Delinquency Prevention Act, which was enacted in 1974 and reauthorized in 2002, established an important framework for juvenile justice in America. And I am pleased that we are going to be looking to reauthorize the act again and take a meaningful look at how the act works, what other strategies and approaches might work and possible revisions to the act.

One of the things that seems clear to us is that the stakes could never be higher. We are looking at alarming gang rates across the country now, probably about 850,000 gang members, 25,000 gangs, and they operate in about 3,000 communities across the country.

At the same time, we realize that we spent about $2 billion between 2001 and 2004 on things that we described as juvenile gang prevention programs. A lot of times, what we have got to do in this committee is try to get apples and oranges and separate the two of them, because almost everything everybody says we are going to agree with.

Nobody is going to say that we should not give young people opportunities and chances. We should do that. Nobody is going to say we should not have prevention programs. We should do that.

The question for us is how we strike the right balance between these programs with the limited number of dollars that you have to spend on federal—federal dollars that we have to spend, because we have to strike that balance.

And one of the balances we have to realize is, prevention programs do not reach everybody. They reach a lot of people, and we should do those prevention programs. But we have got to find that mix.

For example, if you take an individual—and some of our criminal gangs that we have testimony in, where we had 60 to 85 percent of the members who are here illegally—as part of that gang member, those intervention dollars are not getting to the people that we want to stop.

And so, for those particular gangs, we have got to ask, how do we pull down the gang networks? And part of that is doing prevention programs early on to stop individuals who may want to be recruited by gangs.

But the other part of it is, how do we formulate the coalitions between local law enforcement, state law enforcement and federal law enforcement to rip those recruiting machines down, which is exactly what some of these gang networks are, so that we can strike that right balance. And that is what we are hoping to be able to do today, is to be able to strike that balance.

And one of the other things. My dear friend from Virginia, Bobby Scott, will always talk about evidence-based studies. But I still remember years ago I had a good friend of mine in the Virginia General Assembly. He was a great trial lawyer. And he was telling us about a case—and Bobby would know this guy. He has since died.

But he said he went into a trial one day, and he looked at the jury. And there were some people on the jury that he knew. And he was just excited, with his client, came back and sat down and said, "We are going to be okay with this trial."

They go through the trial. And at the end he is doing the summation and he is telling the jury, "Now, listen to all the evidence that has been presented. And when you do, I know you are going to acquit my client."

Well, they found his client guilty. And afterwards he was asking the jurors, especially the one he knew. He said, "Why did you let this guy go?"

And the juror said, "Well, based on the evidence, he was guilty."

And he said, "No, I did not mean all the evidence. I mean the evidence that I put in that you are supposed to look at." [Laughter.]

And that is sometimes the way we all are. We listen to our evidence and we say, this is an evidence-based program.

But what we have got to try to do is to realize that most of the people we will hear testify here are right, you know. And the question, though, is striking the balance and how we get that balance. And I am just appreciative, Mrs. Chairman, that you are having this hearing today, and hope we will be able to strike that right balance.

I yield back the balance of my time.

Prepared Statement of Hon. Randy Forbes, Ranking Member, Subcommittee on Crime, Terrorism and Homeland Security

Thank you, Chairwoman McCarthy, Chairman Scott, and Ranking Member Platts. I appreciate this joint hearing on such an important topic.

The Juvenile Justice and Juvenile Delinquency Prevention Act, which was enacted in 1974, and reauthorized in 2002, established an important framework for juvenile justice in America.

I am pleased that we are looking to reauthorize the Act again, and taking a meaningful look at how the Act works, what other strategies and approaches might work, and possible revisions to the Act.

The stakes could not be any higher—while it is true that the number of violent crimes committed by juveniles has declined in the last 25 years, juveniles continue to commit violent crimes at an alarming rate. Moreover, recent statistics show that youth gang membership is on the rise.

Gang members today are younger and younger—that is a most troubling development. Now, we hear about gang recruitment that occurs with children as young as 8 years old. Young gang members now graduate in their teens to be violent shooters, violent robbers and carjackers who terrorize our law-abiding communities. According to recent FBI crime statistics, nearly one in every three gang homicide murders is committed by offenders under the age of 18. Gang members know that juveniles are unlikely to be prosecuted and punished as adults, especially in the federal system.

According to the most recent survey, gang membership has grown to 750,000—850,000 in 25,000 gangs operating in 3,000 communities across the country. Conservative estimates show that we spent over $2 billion dollars between 2001 and 2004 on juvenile and gang prevention programs. From 1999 to 2005 Congress appropriated over $3.3 billion for juvenile justice programs. Yet, juvenile gang violence is on the rise, including the number of gang murders committed by juveniles.

The Juvenile Justice and Juvenile Delinquency Prevention Act created a mix of enforcement, intervention and prevention programs. We must make sure that the balance is appropriate—meaning that violent juvenile offenders who commit serious crimes must be removed from the community. At-risk youth must be identified and effective intervention strategies must be implemented. We can no longer afford to provide "feel good" intervention strategies and programs and hope for the best. We must ensure that State and local governments provide cost-effective programs that

have been evaluated using valid statistical techniques and found to reduce juvenile crime.

To me, it makes little sense to waste federal dollars on an intervention strategy unlikely to succeed. Consider a 15 year-old MS-13 gang member who is an enforcer for this international gang and whether he really is an appropriate candidate for a juvenile intervention strategy.

I also am gratified to see the research on the effectiveness of intervention programs based on graduated sanctions. Whether it is the drug court, reentry court or juvenile court context, we have seen time and again research that shows that such programs are cost effective and reduce the risk of recidivism. I am interested in how such programs can be expanded in the juvenile justice context.

To be sure, reducing the rate of recidivism among juvenile offenders should be a high priority for federal, state and local governments. The burden of a high number of career juvenile offenders is mind-boggling when you consider the cost of incarceration, the harm to victims and communities, and the impact on families.

I look forward to hearing from today's witnesses and working together on this important issue.

Chairwoman MCCARTHY. Thank you, Mr. Forbes.

Without objection, all members will have 14 days to submit additional materials or questions for the hearing record. Let me introduce our witnesses.

Today we will hear from a panel of witnesses. Your testimonies will proceed in the order of your introduction.

Now, I wish to recognize the distinguished gentleman from Arizona, Mr. Grijalva, to introduce our first witness, Mr. Derrick Johnson.

Mr. GRIJALVA. Thank you very much, Madam Chair and Chairman Scott, Ranking Members Platts and Forbes, for this hearing—indeed, a very important hearing—on the reauthorization of this very important act.

I look forward to hearing from the witnesses today, as we explore what works and what does not for youth in our justice system, looking at juvenile justice as a whole, prevention, management, and a special and important topic to me that I hope to work with the committee on, programs and initiatives on re-entry, which deals with recidivism as much as prevention—very important.

What do we do with these 200,000 young men and women being released from our correctional facilities on a yearly basis? And what programs do we have in place for them, to assure that they stay in the community and go about leading a quality life and not return to the process of incarceration?

But today, I honor I have is to introduce Captain Derrick Johnson, with the Phoenix Fire Department, and vice-chair of the Arizona State Advisory Group on Juvenile Justice.

Captain Johnson has been a member of ASAG since October 1998, was appointed by then-Republican Jane Hull, and reappointed by our current governor, Janet Napolitano.

He also serves on the Governor's Task Force on Juvenile Correction Reform, served on the Governor's Juvenile Justice Federal Advisory Board from 2003 to 2006.

Throughout his tenure as a civil servant, Captain Johnson has been dedicated to being an active member of his community and a champion for child welfare. He has been involved in many children's welfare issues, such as gang prevention and youth mentoring programs.

The Arizona Governor's School Readiness Board, he is a member of, an early childhood development nonprofit organization, and has served on served on several local and county government commissions.

I sincerely want to thank Captain Johnson for being here, for his commitment to youth, and look forward to his testimony.

With that, Madam Chair, I yield back.

Chairwoman MCCARTHY. Thank you.

Now I wish to recognize the distinguished ranking member, Mr. Platts from Pennsylvania, who will introduce our next witness, the Honorable David Freed.

Mr. PLATTS. Thank you, Madam Chair. It is a great pleasure and honor to introduce our district attorney for Cumberland County, Pennsylvania, David Freed.

Prior to being district attorney, David was first assistant district attorney in Cumberland County, as well as a deputy prosecutor in my home county of York County, Pennsylvania. Through his work in these various positions, he is certainly well familiar with the juvenile justice system and the challenges and importance of prevention.

He also is here as an active member of the Fight Crime: Invest in Kids effort, which is, across the nation, a great organization of law enforcement officials—district attorneys, such as David, sheriffs, chiefs of police and others—who, when I talk about being out there on the front lines, truly know what is impacting our youth and what will have an impact on preventing juvenile delinquency.

So, we are delighted, David, to have you here and to have your expertise shared with the committees.

Thank you, Madam Chair.

Chairwoman MCCARTHY. Thank you, Mr. Platts.

Now I would like to introduce Congresswoman Shea-Porter from New Hampshire. She is going to introduce our next witness, the Honorable Paul Lawrence.

Ms. SHEA-PORTER. Thank you.

I am pleased to introduce the Honorable Paul Lawrence, the presiding judge of the Goffstown district court in my home state of New Hampshire, a position he has served in since 1988. Judge Lawrence received his B.A. degree at the University of Denver, and also his juris doctorate from the University of Denver College of Law.

Throughout his impressive career, Judge Lawrence has worked as an advocate for true social justice for juveniles, with a real understanding of the special considerations that must be taken into account when addressing youth in our judicial system.

In my state of New Hampshire, Judge Lawrence has served since 1991 on the board of directors for PlusTime New Hampshire, which provides technical assistance to organizations and communities for the development of after-school programs. And we know how essential they are for juveniles.

Since 1994, he has been a member of the State Advisory Group on Juvenile Justice, which oversees the development of statewide juvenile justice programs. He has also served as the co-chair of the New Hampshire Juvenile Detention Alternatives Initiative, an or-

ganization involved in statewide, comprehensive detention reform efforts.

The judge's efforts on the national level include his tenure as chair of the Coalition for Juvenile Justice, his continued service as a member of the national steering committee of the coalition. And further, since 1993, he has served as a member of the National Council of Juvenile and Family Court Judges. And we can certainly see where his talents and where he chooses to place his heart's interest for the interests of the juveniles.

We certainly thank you for your service, and we are delighted to have you here today. Thank you.

Chairwoman MCCARTHY. Thank you.

Our next witness is Mr. Jones. He comes to us from Pennsylvania. Mr. Jones is an assistant teacher at a parental stress center, but is here today to share with us his experience in the Community Intensive Supervision Program, a program that is an alternate to incarceration.

Those participating in the program remain in their communities, continue to go to school, complete the community service, are connected with positive community resources.

As he moved through the program, Mr. Jones mentored younger and newer entries into the program and completed his high school. In fact, he graduated with honors.

We are very pleased to have you here with us, and we are looking forward to your testimony.

I would like to recognize the chairman of the Judiciary Subcommittee on Crime, Terrorism and Homeland Security, a member of the Education and Labor Committee, Mr. Bobby Scott, to introduce our next witness, Mr. Robert Shepherd.

Mr. SCOTT. Thank you, Madam Chairman, and it is my pleasure to introduce Robert Shepherd, emeritus professor of law, University of Richmond Law School.

Bob Shepherd holds both undergraduate and law degrees from Washington and Lee University and has truly worked in all fields of juvenile justice, from the Attorney General's Office to directing a youth advocacy clinic.

He is well respected in his field and has earned numerous accolades and awards, including the Juvenile Justice Community Service Award from the Virginia Juvenile Officers Association and the Livingston Hall Award in Juvenile Justice from the American Bar Association.

He is a nationally recognized expert on juvenile justice law, and I would like to thank him for being with us today to talk about the importance of integrating research-based practices into JJDPA, and look forward to his recommendations.

So, Bob, it is good to see you here.

And thank you, Madam Chairman, for the opportunity to introduce him.

Chairwoman MCCARTHY. Thanks, Mr. Scott.

Our last witness today is Dr. Jennifer Woolard. She is an assistant professor in the Department of Psychology at Georgetown University. Her current research with juvenile defendants addresses police interrogation, the attorney-client relationship and the role of parents in adolescents' legal decision-making.

She also works with local nonprofit agencies to study community change and youth violence prevention. Her recent research collaborations include membership on the John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice.

She has presented her research findings to a wide variety of academic, legal and policy audiences, and won several awards for undergraduate teaching excellence.

We thank you for being here. We thank all of you for being here.

For those of you who have not testified before this subcommittee, let me explain our lighting system.

When it is your turn—and certainly, even the members' turn—you get 5 minutes. That will be a green light. When the yellow light goes on, that means that you have 1 minute to finish up.

When you hear me start tapping, I will start tapping lightly, and then I will get louder. We have to cut you off.

We are going to have votes probably around 4:30, so this should be good, because we will probably get through all the testimony and questions by that time. So, again, when we start, your light will go on.

We will now hear from our first witness, Mr. Derrick Johnson.

STATEMENT OF DERRICK JOHNSON, VICE-CHAIR, ARIZONA JUVENILE JUSTICE COMMISSION

Mr. JOHNSON. Thank you, Madam Chair and Ranking Member Platts. And thank you, Congressman Grijalva, for your introduction and also for your welcome, and also, the committee as a whole and subcommittee for listening to us today and listening to what we have to say about this issue.

Some people have asked me, well, how did a firefighter get involved in juvenile justice? My experience started with working in the inner city of Phoenix, and I currently still do, where I was seeing young people, and unfortunately, as recently as the last 2 months, have seen four young people who have been shot to death and also seriously injured.

I wanted to know why this was going on, because not only were the lives of these children being destroyed, but also their families and the community.

So, that led me into actually going out and spending time with the kids and listening to their families and to their issues, and finding out that a lot of these children were misinformed. They had certainly had the wrong view of the world, in the sense that they felt like they were invincible.

And when you looked at the influences involved with these children—and there is certainly a lot of social, economics and values and beliefs—what was common to me was that, most children did not want to be in that process, if they had an alternative.

That led me to being involved with children's issues, as my testimony spoke about. And what I found myself looking at was a systematic way of dealing with these children and these families.

You could fix a neighborhood. You can maybe even fix a certain part of the city, but it seemed to just move around and be very pervasive.

So, when I looked at and was asked by former Governor Jane Hull to sit on the SAG, I did not know much about it. It said for state advisory group, and I thought that was kind of a catchy name, and so, I started looking into it.

What I found out was that the core principles—the four principles that were very important to this—and what was very important to me was that it came from a federal level. It just did not allow states to decide what they wanted to do, because collectively as a nation, we decided that kids should be treated differently.

And we may go back and forth on how that should be and why that should be, but we all agree as a country that kids are different than adults.

And some of those principles were: to prevent juvenile delinquency and keep kids out of the criminal justice system—I think we all know that that, as you go through life, no one wants to stay in that process their entire life; reduce racial and ethnic disparities at all points of the system; provide age-appropriate and developmentally appropriate programs, as well as punishments, for children; and then also to invest in the resources, which is our children.

At a state level, what that did—this particular act did—was it allowed the state advisory groups to be made up of people across the community. And that is how I actually was involved in this.

It also requires that there is federal funding for delinquency programs and improvement in local and juvenile justice programs, if there is a coordination. And it also created the OJJDP, the Office of Juvenile Justice and Delinquency Prevention.

The four requirements are DSO, which is de-institutionalization of status offenders, which simply just means you cannot lock kids up for things that an adult would do that would not be considered a crime, such as smoking, truancy, tobacco use, things like that.

Adult in jail lockup removal. What we found through research is that, when kids are put in with adults, they are easily influenced. But they also become victims of adults that are in the system.

Sight and sound separation, which just means keep kids and adults away from each other, so they cannot be intimidated, and they certainly cannot be touched.

And disproportionate minority contact with youth. And that just meant making sure that kids that are in the system that are minorities are just treated with equity. It is just as simple as that.

The money that comes down to the states is very important. And I wanted to share a few successes that have happened in our state of Arizona.

We have, through this group, we all collectively look at this and we decide how these monies should be spent, based on these programs, and one is alternatives to detention.

In our state, in 2006, approximately 3,400 youth were going through the system that would have gone through the law enforcement system, but actually went to detention programs. And this keeps kids out of the system.

And these were very simple things in the sense that kids just did not have to go through the criminal system. They could go through alternatives. And that was good for the family.

General prevention. And out of that, we had 1,500 youths that were served in these delinquency programs.

Some of the outcomes were that 85 percent of the youths reported a positive change in their school attendance. Also, 86 percent of the youths served reported a positive change in their antisocial behavior. And then DMC, and we looked at doing different practices.

And I wanted to share that with you, just to say that this is a very important act. I certainly hope that you reauthorize it, and I would just ask you to support this program.

And that is all I have to say.

[The statement of Mr. Johnson follows:]

Prepared Statement of Derrick Johnson, Vice-Chair, Arizona Juvenile Justice Commission

Introduction

Good afternoon. I am honored to have been asked by Chairwoman McCarthy to speak on behalf of the Juvenile Justice and Delinquency Prevention Act , better known as the JJDPA.

My name is Derrick Johnson and I am Vice-Chair of the Arizona Juvenile Justice Commission, which is Arizona's State Advisory Group on Juvenile Justice as required by the JJDPA and which comprises 24 members appointed by the Governor, each of whom has training, experience and special knowledge concerning the prevention and treatment of juvenile delinquency and the administration of juvenile justice. Our membership includes representation from juvenile justice agencies, other child- and family-serving agencies, private nonprofit organizations, locally elected officials, citizen-volunteers and youth. Through the Arizona SAG, I am also a member of the Coalition for Juvenile Justice (CJJ), which is the national leadership association of State Advisory Groups under the JJDPA.

I have been a member of the Arizona SAG since 1998. I also serve on the Governor's Taskforce on Juvenile Corrections Reform and previously served as Governor Napolitano's appointee to the Juvenile Justice Federal Advisory Board from 2003—2006. My background, however, does not begin in juvenile justice.

I am currently a Captain and Paramedic with the Phoenix Fire Department where I have served for 24 years in the central/downtown areas of the city. Early in my career, I found myself responding to homeless children and families in crisis. I would soon learn that there were an estimated 5,000 children in the Metro Phoenix area who were not in school because of homelessness. Beginning in the 1990s, I also found myself responding to a number of homicides of children and youth that were linked to gang violence. This experience led me to begin looking at gangs and ways to prevent gang violence.

Thus, in addition to my service with the Arizona SAG, I have been extensively involved in children's issues such as the development of the Thomas J. Pappas (Public) School for homeless children in Central Phoenix, gang prevention and youth mentoring programs, the Arizona Governor's School Readiness Board and early childhood development non-profit organizations. I bring my experiences and perspectives on all of these issues with me as I talk to you about the importance of the JJDPA and its reauthorization.

Reauthorization of the JJDPA

Established in 1974 by bi-partisan legislation and most recently reauthorized in 2002, the Juvenile Justice and Delinquency Prevention Act (JJDPA) embodies a partnership between the federal government and the U.S. states, territories and the District of Columbia ("the states").

For more than 30 years, the JJDPA has provided protection to children and youth who come in contact with the juvenile and criminal justice systems, transformed the lives of young people and contributed to historic lows in juvenile crime and delinquency rates nationwide.

Unfortunately, the federal government's wavering commitment to this partnership—evidenced by a 55% decrease over the last five years in federal funding to the states for improvement of their juvenile justice systems—may undo the good work that we have accomplished together and hinder future advancements and achievements for young people, their families and our communities.

Therefore, as the 110th Congress approaches the 2007 reauthorization of this important legislation, the Arizona Juvenile Justice Commission and the Coalition for Juvenile Justice (CJJ) look to you to affirm the federal-state partnership around juvenile justice and delinquency prevention and strengthen that partnership so that together the federal government and the states more effectively prevent and reduce juvenile delinquency. In doing so, the Arizona Juvenile Justice Commission and the Coalition for Juvenile Justice, along with 150 organizations under the Act 4 Juvenile Justice Campaign, urge Congress to adhere to the following four principles:

1. Prevent juvenile delinquency and keep children and youth out of the juvenile and criminal justice systems;
2. Reduce racial and ethnic disparities at all points with the juvenile justice system;
3. Provide age- appropriate and developmentally-appropriate sanctions and interventions for young people who come into contact with the juvenile justice system; and
4. Invest adequate financial resources in evidence-based programs and practices that yield immediate and long-term results.

Brief history and overview of the JJDPA

As early as 1909, Congress recognized a role for the federal government in supporting and improving juvenile justice systems at the state and local level. This role, which would evolve over the next 60 years, culminated with the enactment of the Juvenile Justice and Delinquency Prevention Act (JJDPA) in 1974.

In short, the JJDPA provides for:

1) A state-level juvenile justice planning and advisory system via the establishment of governor-appointed State Advisory Groups (SAGs) comprised of volunteer citizens in all U.S. states, territories and the District of Columbia to determine state needs, craft state juvenile justice and delinquency prevention plans and meet federal mandates;

2) Federal funding for delinquency prevention and improvements in state and local juvenile justice programs conditioned upon the states' compliance with four core requirements/protections (explained in further detail below); and

3) Operation of a federal agency—the Office of Juvenile Justice and Delinquency Prevention (OJJDP)—dedicated to training, technical assistance, model programs, and research and evaluation to support state and local juvenile justice and delinquency prevention efforts.

Core Requirements/Protections

To be eligible for the Title II state formula funds provided under the JJDPA, each state must comply with the following core requirements/protections:

1. Deinstitutionalization of Status Offenders (DSO). Under Sec. 223(a)(11) of the JJDPA, status offenders—children under the age of 18 who commit acts that if done by an adult would not be considered crimes such as skipping school, running away, breaking curfews and possession or use of tobacco and/or alcohol—may not be held in secure detention or confinement, with a few exceptions. The DSO provision seeks to ensure that status offenders who have not committed a criminal offense are not held in secure juvenile facilities for extended periods of time or in secure adult facilities at all.

2. Adult Jail and Lock-up Removal (Jail Removal). Under Sec. 223(a)(13) of the JJDPA, youth may not be detained in adult jails and lock-ups with limited exceptions. However, the "jail removal" provision does not apply to children who are tried or sentenced in adult criminal court. This provision is designed to protect children from psychological abuse, physical assault and isolation.

3. Sight and Sound Separation (Separation). Under Sec. 223(a)(12) of the JJDPA, when children are placed in an adult jail or lock-up for any period of time, not matter how limited, "sight and sound" contact with adults is prohibited. This "separation" provision requires that children cannot be housed next to adult cells, share dining halls, recreation areas or any other common spaces with adults, or be placed in any circumstance that could expose them to threats or abuse from adult inmates.

4. Disproportionate Minority Contact (DMC). Under Sec. 223(a)(22) of the JJDPA, states are required to assess and address the disproportionately high contact of youth of color with the juvenile justice system at all points of contact—from arrest to detention to confinement. The DMC provision requires states and local jurisdictions to gather data to determine whether and what extent DMC occurs and to address the reasons for disproportionate minority contact and racial/ethnic disparities.

Funding

Under the JJDPA, three major streams of funding support the federal-state partnership:

1. The State Formula Grants Program, authorized under Title II of the JJDPA, supports state efforts to implement comprehensive state juvenile justice plans based on detailed studies of needs in their jurisdictions and achieve compliance with the core requirements of the JJDPA.

2. The Incentive Grants for Local Delinquency Prevention Program, commonly known as the Community Prevention Grants Program and authorized under Title V of the JJDPA, provides funding to the locals for collaborative, community-focused and community-based delinquency prevention efforts to reach youth in high-risk situations before they make poor choices.

3. The Delinquency Prevention Block Grant Program (DPBG), created during the 2002 JJDPA Reauthorization, but only funded for one year, was meant to provide funding directly to the local jurisdictions in order to prevent and reduce juvenile crime including projects that provide treatment to juvenile offenders and juveniles who are at risk of becoming juvenile offenders.

In addition, the Juvenile Accountability Block Grant Program (JABG), authorized under the Omnibus Crime Control and Safe Streets Act of 2002 and administered by OJJDP, supports state and local units of government, particularly law enforcement, in their efforts to support the state plan and strengthen their juvenile justice systems. JABG provides funding for a variety of different programs, including but not limited to, gang prevention and anti-bullying initiatives; graduated sanctions programs that include counseling, restitution, community service, and supervised probation; substance abuse programs; mental health screening and treatment; reentry; and restorative justice programs.

The importance of the JJDPA

The JJDPA has always enjoyed bi-partisan support and is viewed as legislation that benefits children and youth, families and communities. At its heart, the JJDPA is a prevention Act. What the JJDPA has accomplished, it has accomplished quietly. The accomplishments themselves, however, speak volumes and underscore the importance of the Act.

First, justice-involved youth are safer because of the core requirements/protections in the JJDPA. Under the DSO core requirement/protection, Sec. 223(a)(11), youth charged with non-criminal status offenses, such as skipping school, running away or breaking curfew, are kept out of secure facilities, which should be reserved only for those youth who pose a direct safety risk to themselves and the community. Furthermore, under the Jail Removal and Separation core requirements/protections, Secs. 223(a)(12) and (13), youth who are detained in secure facilities are protected from the psychological abuse, physical assault and isolation of adult jails where they have been found to be eight times more likely to commit suicide,[1] two times more likely to be assaulted by staff[2] and 50 percent more likely to be attacked with a weapon than children in juvenile facilities.[3]

Second, the disparate treatment of minority youth is assessed and addressed because of the JJDPA. Youth of color make up one-third of the general youth population but two-thirds of youth who come into contact with the juvenile justice system.[4] Moreover, studies indicate that youth of color receive tougher sentences and are more likely to be incarcerated than white youth for the same offenses.[5] Under the DMC core requirement/protection, Sec. 223(a)(22), states are required to assess and address the disproportionate contact of youth of color at all points in the justice system—from arrest to detention to confinement and re-entry.

Arizona is a good example of what this core requirement/protection can accomplish. Between 1991 and 1995, Arizona was one of five pilot sites to receive training, technical assistance and financial assistance via an OJJDP-sponsored demonstration project designed to address disproportionate minority contact with the juvenile justice system.

Through this partnership, Arizona found evidence of DMC at several points within our juvenile justice system. We also identified several potential sources of DMC, including system barriers to effective parental advocacy on behalf of system-involved

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[1] Michael G. Flaherty, An Assessment Of The National Incidence Of Juvenile Suicide In Adult Jails, Lockups And Juvenile Detention Centers, The Community Research Forum of the University of Illinois 10 (1980).

[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 9:1.

[3] Ibid.

[4] Snyder, H., & Sickmund, M. (1999). Juvenile offenders and victims: 1999 National Report. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

[5] Office of Juvenile Justice and Delinquency Prevention, Juvenile Offenders and Victims: 2006 National Report, Washington, DC, 2006.

youth; inadequate cultural knowledge and skills among juvenile justice personnel; and limited communication between minority neighborhoods and juvenile justice system agencies.

Armed with this information, Arizona has implemented a number of programmatic and policy changes aimed at addressing the state's identified DMC challenges. Arizona used grant funds administered through the Arizona SAG to host mini-conferences geared towards creating integrated systems across five different agencies. All of this was accomplished as a result of the guidance, funding and technical assistance provided under the JJDPA.

Third, under Sec. 201, the JJDPA provides a critical "home" for juvenile justice within federal government for purposes of informing national policies, objectives, priorities and plans via OJJDP, which provides guidance, support and oversight to states/territories in implementing the JJDPA via research, policies and grants to states and localities to assist in planning, establishing, operating, coordinating and evaluating projects for the development of more effective intervention, prevention and systems improvements.

Finally, Sec. 223(a)(3) of the JJDPA helps the states collaborate with the federal government and across various state agencies to reduce juvenile crime and delinquency via the State Advisory Groups (SAGs). The majority of SAGs serve multiple functions, coordinating other federal and state funding streams for the benefit of children and youth. For instance, the Arizona Juvenile Justice Commission also serves as Arizona's Juvenile Accountability Block Grant State Advisory Board as required under the Omnibus Crime Control and Safe Streets Act of 2002, and is responsible for establishing a coordinated plan for reducing juvenile crime through accountability-based programs.

In addition, the SAGs, individually and collectively, embody models for collaborative systems change, serve as incubators for cost-effective innovations that produce optimal outcomes for the prevention of delinquency and help states develop strategies that work across various state agencies to meet state and local needs.

For example, in May 2006, the Arizona SAG and the Governor's Division for Children jointly held a Child Welfare Juvenile Justice Summit. In Arizona, Mental Health, Behavioral Health, Housing and Education as well as Child Welfare and Juvenile Justice are major systems that impact children and families, and are impacted by children who have suffered maltreatment. Research shows that greater cross-system coordination and integration is more effective and in the long term, costs state and local governments and agencies fewer financial resources.

At our invitation, multidisciplinary teams from each Arizona county and a state-level team—totaling nearly 250 attendees—gathered together to participate in a learning and planning Summit to help promote greater integration in the provision of services to children and families in their communities. The Summit, supported by funds administered by the Arizona SAG, led to the official establishment of the Interagency Coordination and Integration Initiative, which is currently working to (1) identify youth and families at-risk for multiple systems involvement earlier, (2) provide more comprehensive and effective services, and (3) cultivate improved outcomes for children and youth who are at-risk for, or who have experienced maltreatment. A blueprint for action will be completed by August 2007.

Strengthening the JJDPA

The last reauthorization of the JJDPA occurred over a six-year period between 1996 and 2002, and resulted in a few substantive changes to the Act. It did not, however, fully address continuing and contemporary challenges and opportunities presented by youth and the environments in which they are growing up.

As important as it is to reauthorize the JJDPA again, it is as important to preserve the spirit of the Act and strengthen the Act in order to sustain and build upon past successes. The challenge is to develop and diligently administer age-appropriate, developmentally-appropriate, gender-appropriate and culturally and linguistically competent interventions and sanctions that truly help young people avoid and reject risky and harmful behavior and that are adequately supported with federal funds.

A complete overhaul of the Act is neither desirable nor necessary. Rather, as the 110th Congress approaches the 2007 reauthorization of the Act, there are particular strengthening amendments that it should concentrate on:

First, Congress should place a premium on primary prevention efforts that proactively and positively shape and develop the character and choices of children and youth before they are tempted or pressured to make bad decisions by providing more opportunities for primary prevention programs and initiatives within the Act and providing the funding necessary to identify, implement, evaluate and sustain these programs and initiatives.

The Title V Incentive Grants for Local Delinquency Prevention Programs, commonly known as the Community Prevention Grants program, is the only federal funding source dedicated solely to the prevention of youth crime and violence. The grants can be used to fund a wide range of programs, including mental health assessment and treatment, after-school activities, mentoring, and tutoring, as well as drop-out, gang, and substance abuse prevention.

Prevention activities such as those supported by Title V, however, remain so woefully under-funded that they can reach only a fraction of the kids who would benefit from them. For example, because of lack of funding for after-school programs, more than 14 million children and teens go home from school to an empty house each week. Research shows that these children are much more likely to drink, smoke, use drugs, commit a crime, and become a victim of a crime. In FY 2002 and prior years, Title V received $95 million. In FY 2007, Title V received only $64 million. While some funding is better than none, a long-term and sustainable reduction in juvenile crime and delinquency requires greater, sustained investments.

Second, Congress should strengthen protections for children and youth under the age of 18, regardless of whether they are in the juvenile justice system or the adult criminal justice system. Youth who are charged as adults are not covered by the core protections provided in Secs. 223(a)(12) and (13)—Jail Removal and Separation—of the JJDPA. Studies, however, show that regular contact with adults can result in serious physical and emotional harm to children and youth.

Instead of adult jails, states and counties could place children and youth, if they pose a risk to public safety, into juvenile detention facilities where they are more likely to receive developmentally-appropriate services, educational programming and supports by trained staff.

Finally, Congress should motivate the states to build upon what they have learned about DMC and take steps to not only address the disparate treatment of youth of color who come into contact with their juvenile justice system but also reduce racial and ethnic disparities at all points along the continuum, from arrest to detention to adjudication to reentry.

The current JJDPA supports states in gathering the data necessary to determine whether and to what extent minority youth suffer disparate treatment within the system. The next iteration of the JJDPA must direct major resources to states and localities to implement strategies with measurable outcomes designed to reduce those disparities. In turn, OJJDP and the states should report the progress they are making in reducing such disparities.

Conclusion

The continuing success of effective juvenile crime and delinquency prevention and intervention depends on Congress strengthening the provisions of the JJDPA and providing the financial resources needed to fulfill these provisions to the greatest extent possible. The best JJDPA for children, youth and communities is a JJDPA that provides the states, through their respective State Advisory Groups, with the guidance, training, technical assistance and resources they need to sustain and create innovative practices that effectively address and prevent juvenile crime and delinquency.

The Arizona Juvenile Justice Commission and the Coalition for Juvenile Justice and its national and local partners stand ready to provide further information, background and input as you deliberate reauthorization of the JJDPA. As a starting point, I have attached to my testimony of copy of the "JJDPA Statement of Principles" referenced at the beginning of my presentation.

Thank you for the opportunity to speak with you today about this important piece of legislation.

Chairwoman MCCARTHY. Thank you, Mr. Johnson.

Mr. Freed?

STATEMENT OF DAVID FREED, CUMBERLAND COUNTY DISTRICT ATTORNEY

Mr. FREED. Thank you, Madam Chairwoman. Thank you for the opportunity to testify.

My name is David Freed. I am the Cumberland County district attorney in Carlisle, Pennsylvania.

I am a member of the Pennsylvania District Attorneys Association and Fight Crime: Invest in Kids, an organization of over 3,000

police chiefs, sheriffs, prosecutors and victims of violence who have come together to take a hardnosed look at the research on what keeps kids from becoming criminals.

I am pleased that your committees are looking into what really works to prevent crime, as Congress considers the reauthorization of the federal Juvenile Justice and Delinquency Prevention Act.

While youth crime has been going down for many years, some cities have seen modest increases in the past 2 years. It is too early to know whether this is a significant, nationwide trend, or just typical year-to-year fluctuations.

What we do know is that much of juvenile crime is preventable.

Title V local delinquency prevention grants and Title II state formula grants can provide support for evidence-based prevention and intervention approaches that meet the twin goals of protecting the public and turning offenders into productive citizens.

Title V is the only federal funding source dedicated solely to the prevention of youth crime and violence. The grants can be used to fund a range of programs, including after-school mentoring and tutoring, as well as dropout, gang and substance abuse prevention.

After-school programs during the prime time for juvenile crime, which is 3 to 6 p.m., are among our most powerful crime prevention tools. A study of Boys and Girls Clubs in housing projects found that the projects without the clubs had 50 percent more vandalism and scored 37 percent worse on drug activity.

Unfortunately, there is a vast unmet need for prevention programs like these. For example, more than 14 million children still lack adult supervision after school. We also need effective responses for kids who are already committing crimes.

Title II can help states and communities expand the range of options for responding to these juvenile offenders.

Public safety considerations require that some youth be placed in the custody of the state. For other serious offenders who do not need lockup, placement in a multi-dimensional treatment foster care home can be used as an alternative.

This program provides specially-trained foster parents, supervision by a program case manager and frequent coordination of services with everyone in the youth's life. This approach cuts repeat arrests for seriously delinquent juveniles in half.

It is also cost-effective, saving the public $77,000 for every juvenile treated.

Functional family therapy and multi-systemic therapy are similar effective models. Unfortunately, only one in seven young offenders who could benefit from these evidence-based approaches is currently being served.

Although some areas have started implementing these proven approaches, federal leadership can encourage their proliferation and expansion. In reauthorization of this law, Congress should reject funding cuts and block granting and increase authorized and appropriated funding, especially for Title V and Title II.

Direct funding to what we know works, strengthen the Office of Juvenile Justice and Delinquency Prevention's role in funding more research and ensure that the office provides dissemination, training and technical assistance for policymakers and practitioners.

Finally, I urge Congress to include in the Education Begins at Home Act as an additional title for this reauthorization legislation. The bill would support voluntary, evidence-based home visiting programs. These programs help new parents learn skills to promote healthy child development and be better parents, while also preventing crime.

An example of this is the Nurse Family Partnership Program, which I have heard mentioned already. It cuts child abuse and neglect in half, reduces arrests by 60 percent and produces $5 in savings for every $1 invested.

Unfortunately, hundreds of thousands of at-risk families cannot benefit from these home services.

I recently, personally prosecuted the cases of two murdered children, Quincy Thomas and Jordan Jackson. By the time the authorities became involved with these cases it was too late. I began each of these cases in the hospital with the bodies of these boys. I ended each case by watching the parents sent off to state prison.

Early intervention by programs such as NFP could have saved Quincy's and Jordan's lives, I am convinced.

Prosecutors necessarily focus much of our energy on public protection, locking criminals away where they cannot victimize anyone else, and we gladly accept that responsibility. But we also have a responsibility to support proven prevention programs.

Early intervention in the lives of children works. Both the research and my everyday experience prove it.

If we do not invest in proven crime prevention and intervention for America's most vulnerable kids, too many of them will grow up to become America's most wanted adults.

Thank you for the opportunity to present my views on how, through effective reauthorization legislation, Congress can help to reduce crime and make us all safer. Thank you.

[The statement of Mr. Freed follows:]

Prepared Statement of David Freed, Cumberland County District Attorney

Representatives McCarthy, Platts, Scott and Forbes and the other distinguished members of the Subcommittee on Healthy Families and Communities and the Subcommittee on Crime, Terrorism and Homeland Security:

Thank you for the opportunity to present this testimony. My name is David Freed and I am the Cumberland County District Attorney in South Central Pennsylvania, including the towns of Carlisle and Mechanicsburg. I previously served as First Assistant District Attorney in Cumberland County and a Deputy Prosecutor in York County. I am a member of the Pennsylvania District Attorneys Association and FIGHT CRIME: INVEST IN KIDS, an organization of more than 3,000 police chiefs, sheriffs, prosecutors, and victims of violence, who have come together to take a hard-nosed look at the research on what keeps kids from becoming criminals.

I'm so pleased that your committees are looking at what really works to prevent crime as Congress considers the reauthorization of the federal Juvenile Justice and Delinquency Prevention Act, or JJDPA. While youth crime has been going down for many years, some cities have seen modest increases in juvenile crime in the past two years. It is too early to know whether this is a significant, nationwide trend or just typical year-to-year fluctuations. What we do know is that much of the juvenile crime is preventable.

As the lead law enforcement officer in my county, I personally prosecute homicide and other violent felony cases. While this is a key component of my job, it's the part I like the least. I see too many young kids whose lives could have been productive and full of promise—high school graduations, college enrollment and healthy families of their own. Instead, they are in my courtroom—with far less positive outcomes and after victims have been harmed.

My years of experience on the front lines in the fight against crime—as well as the research—show that there are proven prevention and intervention approaches that help kids get a good start in life and redirect offending juveniles away from further crime. The Juvenile Justice and Delinquency Prevention Act's Title V Local Delinquency Prevention Grants program and Title II State Formula Grants can provide needed support for these evidence-based prevention and intervention approaches to reduce recidivism. But Congress needs to ensure that sufficient funding is authorized and appropriated for these programs and that funding is directed toward proven programs that both keep kids from committing crimes in the first place and intervene effectively when kids start getting in trouble. District Attorneys throughout the nation recognize the importance of promoting programs that meet the twin goals of protecting the public and turning offenders into productive citizens.

Keeping Kids Away from Crime

The Title V Local Delinquency Prevention Grants program is the only federal funding source dedicated solely to the prevention of youth crime and violence. Almost 1,500 communities have received Title V grants since 1994 through a competitive grant process that requires states and localities to match at least 50% of the grant with cash or in-kind contributions. To participate in the program, localities must engage in collaborative, comprehensive planning regarding needed community-based delinquency prevention efforts. The grants can be used to fund a wide range of prevention programs, including after-school activities, mentoring, and tutoring, as well as drop-out, gang, and substance abuse prevention.

Mentoring and after-school programs funded by Title V help at-risk youth avoid criminal activity in the first place. In the hour after the school bell rings, violent juvenile crime soars and the prime time for juvenile crime begins. The peak hours for such crime are from 3:00 pm to 6:00 pm. These are also the hours when children are most likely to become victims of crime, be in an automobile accident, smoke, drink alcohol, or use drugs. After-school programs that connect children to caring adults and provide constructive activities during these critical hours are among our most powerful tools for preventing crime. For example, a study compared five housing projects without Boys & Girls Clubs to five receiving new clubs. At the beginning, drug activity and vandalism were the same. But by the time the study ended, the projects without the programs had 50 percent more vandalism and scored 37 percent worse on drug activity.

Similarly, a study of Big Brothers Big Sisters found that young people who were randomly assigned to a Big Brother or Big Sister mentor were about half as likely to begin illegal drug use and nearly one third less likely to hit someone compared to those who were assigned to a waiting list.

There are also a number of proven approaches to reducing drug use and violence through the schools that could be funded by Title V. For example, Life Skills Training is a three-year intervention that targets all middle/junior high school students in 6th or 7th grade, with booster sessions in the two subsequent years. It is aimed at preventing gateway drug use: tobacco, alcohol, and marijuana. Teachers deliver the 45-minute sessions: 15 in year one, 10 in year two, and 5 in year three. The programs seek to provide teens with the information and skills needed to develop anti-drug attitudes and norms, and to resist peer and media pressure to use drugs. More than 15 years of research with the LST program have consistently shown that participation in the program can cut drug use in half.

Linking the Interests of Families and Teachers, LIFT, shows that long-term results are possible from a ten-week anti-aggression program. LIFT instructors offer classroom-based training in social and problem-solving skills to students, and also train their parents. Children are rewarded individually and in groups on the playground for practicing their new aggression-avoidance skills. The program dramatically reduced aggressive behavior among first graders when measured three years later. For fifth graders, compared to LIFT participants, students in schools that did not receive the program were 59 percent more likely to drink alcohol regularly by eighth grade. The fifth graders left out were also two times more likely to have been arrested during middle school than those who received the program.

Unfortunately, there is vast unmet need for prevention programs like these. For example, more than 14 million children nationwide still lack adult supervision after school.

Reducing Recidivism through Effective Interventions

Juveniles account for only 16% of all arrests, but they present the greatest opportunity for effective intervention responses that can help young offenders get back on track. Once kids have gotten into trouble, targeted interventions may be needed,

such as those funded by Title II State Formula Grants of the JJDPA. In many jurisdictions, prosecutors like myself and juvenile court judges are faced with very limited sentencing (or "disposition") options for a delinquency case—either lock up or probation—and often neither is appropriate in that case. State Formula Grants can help states and communities to expand that range of options and ensure that the most effective approach can be used for each case. By strengthening the juvenile justice system and deterring youth from committing more serious crimes, Title II State Formula Grants can make our neighborhoods safer and save lives.

Research shows that the best results in reducing crime are achieved by targeting the worst offenders. The reason why is straightforward: one cannot prevent most low-risk juveniles from committing more crimes because they were not going to do more crimes anyway. Nationally, six in 10 juveniles brought before a juvenile court for the first time will not return to court on another charge.

But high-risk offenders are very likely to commit more crimes, and often. In recent years, there have been approximately 100,000 juveniles in custody nationwide. The vast majority of these troubled youths will be released back into the community, with their expected "prime crime years" ahead of them and facing recidivism rates of up to 75%. But it doesn't have to be that way. A significant amount of research has identified effective approaches to help young offenders avoid committing further crimes, thereby enhancing public safety. Effective screening tools can distinguish chronic and violent offenders from less serious offenders.

For some repeat and violent juvenile offenders, public safety considerations require that they be placed in custody of the state. Simply warehousing high-risk offenders during their time in custody is not adequate. They need to be required to do the hard work of constantly confronting and changing their anti-social beliefs and behaviors. Cognitive Behavioral Therapy (CBT) uses tested, concrete methods, such as Aggression Replacement Therapy (ART), to teach teens to stop and consider the consequences of their actions, to conceptualize other ways of responding to interpersonal problems and to consider how their actions will affect others. By learning what triggers their negative behaviors and by identifying and practicing more prosocial and effective ways to respond, CBT consistently reduced repeat crimes among juveniles. Young people in Brooklyn gangs without ART services had four times the number of arrests of similar young gang members receiving ART.

For serious offenders who do not need high-security lock-up, individual placement in a Multidimensional Treatment Foster Care (MTFC) home can be used as an alternative. Foster care may sound like a pass for juveniles who should be paying a more severe price for the crime they committed. But for teens who are often used to running the streets, and who see a month in custody as just another chance to socialize with delinquent friends or learn new criminal behaviors, this is a more controlled experience and a tough intervention. MTFC provides specially trained foster parents and ongoing supervision by a program case manager, as well as frequent contact and coordination of services with a youth's parole or probation officer, teachers, work supervisors and other involved adults during and after a youth's out of home placement. Compared to similar juveniles placed in non-secure group facilities, the MTFC approach cuts the average number of repeat arrests for seriously delinquent juveniles in half, and six times as many of the boys in MTFC as boys in a group home successfully avoided any new arrest. MTFC is also cost-effective. MTFC saves the public an average of over $77,000 for every juvenile treated.

Effective interventions that incorporate community sanctions have also been shown to cut crime. One such program is the Functional Family Therapy (FFT) program. FFT works to engage and motivate youth and their families to change behaviors that often result in criminal activity. In one evaluation, families with troubled youths were randomly assigned to either a group that received FFT or one that did not. The youths whose families received FFT were half as likely to be rearrested as the youth whose families did not receive the family therapy. By reducing recidivism among juvenile offenders, FFT saves the public an average of $32,000 per youth treated.

Similarly, the Multi-Systemic Therapy (MST) program targets kids who are serious juvenile offenders by addressing the multiple factors—in peer, school, neighborhood and family environments—known to be related to delinquency. One MST study followed juvenile offenders until they were, on average, 29-years-old. Individuals who had not received MST were 62 percent more likely to have been arrested for an offense, and more than twice as likely to be arrested for a violent offense. It is also more cost-effective than other mental health and juvenile justice services like residential treatment and incarceration, saving the public $4.27 for every dollar invested.

In 2002, approximately 150,000 juvenile offenders were placed out-of-home, and nearly 400,000 others were placed on probation. Some juvenile offenders must be

placed in secure custody to protect public safety, and many others are first-time offenders who will not become repeat offenders and therefore are not high-risk enough to justify the expense and intrusion of the aforementioned programs. But even if only half of those on probation and half of those placed out of home are eligible for these effective intervention programs, the number of young offenders who could benefit from evidenced-based approaches would still amount to 7 times the 35,000 total currently being served by MST, FFT, and MTFC. In other words, these programs will have to expand 7 times their current capacity nationwide before they start running out of youth who could and should be receiving these services.

Although some states and communities have begun to implement these proven approaches, federal leadership can encourage their proliferation and expansion. Our nation must target crime prevention funds toward kids -that that's the way those dollars to can have the greatest impact.

Reauthorizing the Juvenile Justice and Delinquency Prevention Act

When we know what works to prevent kids from committing crime in the first place and how to steer them away from crime once they have committed an offense, it seems silly that we don't fully utilize these approaches. But many states and communities are not yet able to adequately fund such efforts, and federal funding falls far short of meeting the need. In 2002, JJDPA Title V was funded at $95 million, Title II was funded at $89 million and juvenile justice funding as a whole equaled about $550 million. In contrast, last year, juvenile justice programs only received about $300 million, including $64 million for Title V and $79 million for Title II. Federal funding is currently so limited that my county does not receive any Title V or Title II money. Unfortunately, the Administration's FY08 budget proposes to eliminate all of the current JJDPA programs and create a single, new "Child Safety and Juvenile Justice" block grant funded at a level that is 25% lower than the total FY07 funding for the programs eliminated.

On behalf of my colleague law enforcement leaders of Fight Crime: Invest in Kids, I urge Congress to demonstrate its commitment to crime prevention by rejecting proposed cuts and block-granting, and by increasing authorized and appropriated funding for federal juvenile justice and delinquency prevention programs, especially Title V and Title II, to ensure that more kids who need prevention and intervention services will have access to them.

I also urge Congress to move reauthorization legislation forward to enactment that ensures that funding is directed first toward proven, effective programs and promising programs that are being rigorously evaluated. Unfortunately, there are many programs that don't work. Given limited federal, state and local resources, we need to direct funding toward what we already know works and toward finding out if new, promising programs have the potential to become model programs like those I discussed today. The JJDPA should also include performance standards and outcomes tied to new incentive funds, so that new federal dollars are tied to states and localities achieving results.

JJDPA reauthorization also provides an important opportunity to substantially strengthen the leadership role of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in funding more evaluation research on promising new approaches in both delinquency prevention and intervention. Individual local grantees are not able to do rigorous evaluation using randomized control trials or well-matched comparison groups. OJJDP needs to provide resources to academics for evaluation. OJJDP should also provide much-needed dissemination, training and technical assistance so that state and local policy-makers and practitioners—including prosecutors—may benefit from the best information about what works in delinquency prevention and intervention.

A Recommended Addition to JJDPA Reauthorization

Finally, I urge Congress to add a supplemental provision to this reauthorization bill. Voluntary, evidence-based home visiting programs are proven to prevent child abuse and neglect and reduce later arrests. These programs help new parents learn skills to promote healthy child development and be better parents.

For example, one program, the Nurse-Family Partnership (NFP), randomly assigned interested at-risk pregnant women to receive visits by nurses starting before the birth of a first child and continuing until the child was age two. Rigorous research, originally published in the Journal of the American Medical Association, shows the program cut abuse and neglect among at-risk kids in half. In addition, children of mothers who received the coaching had 60% fewer arrests by age 15 than the children of mothers who were not coached. As a result, five dollars in savings were produced for every dollar invested, according to the researchers at Federal Reserve Bank of Minneapolis.

Other home visiting models also produce positive results. For example, a randomized control study of the Parent-Child Home Program found that (of the six out of ten children they were able to follow) 84% of the children finishing the program graduated from high school compared to 54% of those who did not receive the intervention. Separate studies have concluded that improving graduation rates reduces crime.

Every year, over 600,000 low-income women in the U.S. become mothers for the first time, resulting in 1.5 million low-income mothers (who are pregnant or have a child under the age of two) who are eligible for NFP at any given time. The program is only able to serve about 20,000 mothers annually, however, due to a lack of funding. Other programs serve approximately 400,000 additional families at all income levels. However, hundreds of thousands of at-risk families across the country receive no home visiting or dosages of home visiting that are inadequate to prevent abuse and neglect and later crime. While there is an NFP program in my county, not all prosecutors, police chiefs and sheriffs are lucky enough to have this crime-prevention tool already at work in their jurisdictions. And that program cannot yet reach all of the eligible, at-risk new mothers.

In my county, two children, Quincy Thomas and Jordan Jackson, have been murdered within the last five years. I personally prosecuted both cases. Both families had multiple children and were receiving assistance on various levels. Both parents had minor criminal records. However, by the time authorities became involved with each case, it was too late. I began each of these cases in the hospital with the bodies of these boys. I ended each case by watching the parents sent to state prison. I believe that early intervention by programs such as NFP could have saved the lives of Quincy and Jordan.

I urge Congress to expand and improve this proven crime-prevention approach by including the Education Begins at Home Act as a title in JJDPA reauthorization legislation. This approach has proven how successful it can be in preventing later crime and we need to ensure more families have access. Please include these provisions in your reauthorization legislation.

If we do not invest in research-proven crime-prevention and intervention programs for America's most vulnerable kids, many of them will grow up to become America's most wanted adults. By failing to adequately invest in proven crime-prevention and intervention strategies, Congress is not only failing to promote the well-being of millions of kids but is also permitting the cultivation of criminals—jeopardizing the safety of all Americans for years to come.

Thank you for this opportunity to present my views on how—through effective JJPDA reauthorization legislation—Congress can help to reduce crime and make us all safer.

Chairwoman MCCARTHY. Thank you, Mr. Freed.

Judge Lawrence?

STATEMENT OF PAUL LAWRENCE, GOFFSTOWN DISTRICT COURT, NEW HAMPSHIRE STATE JUVENILE JUSTICE ADVISORY GROUP

Mr. LAWRENCE. Thank you very much. Good afternoon.

My name is Paul Lawrence. It is my distinct honor to have been asked by Chairwoman McCarthy to speak on behalf of the Juvenile Justice Delinquency Prevention Act.

I began hearing juvenile cases almost 30 years ago with the belief that the greatest cure for delinquency is maturation. At that time, before technology provided images of the brain that allow us to see its gradual development, extending well into the mid-20s, it was clear to me that the needs, thoughts, motivations and behavior of youth differ greatly from those of fully mature adults.

Now, advancements in neural imagery enable us to take a look at the actual physical development and transformation of the brain in all stages of life.

During adolescence, several areas of the brain go through their final developmental stages and develop greater complexity, which

in turn affects thinking, behavior and potential for learning and rehabilitation.

Confirmation of my maturation theory—and it is not really mine alone; others have espoused the theory, as well—can be found in the business community and to the auto insurance. And many of us have experienced insuring a son or daughter under age 25.

But it is quite amazing, at age 25, the actuaries who work for the insurance companies figured out that the risk diminishes, and they cut the premium in half. They understood something, perhaps, about risk and impulsive behavior long before we thought of it in terms of even juvenile justice.

Judges on the juvenile bench possess considerable power over the life pathways of young people and their families, particularly those that are vulnerable, troubled and fragile. Given this power, what judges do may prove productive and helpful or, regrettably, cause unintended harm.

Every time a judge shepherds a young person through the juvenile justice system, she/he must be certain that all steps have been taken to enhance the use competencies before imposition of predominantly retributive measures.

In fact, if judges, as well as congressional and federal decisionmakers are to do what is best for children and youth involved in the courts, we would make a primary commitment in juvenile justice much like the Hippocratic oath: First do no harm.

Included in such a commitment would be the following precepts, all of which are part of the original thinking that underlies the JJDP Act.

We should strive to keep children and youth out of the court system and out of institutional settings, particularly lockups, and whenever possible at home or close to home, school and community. We should do everything possible to ensure that any and all court involvement by youth and families is appropriately limited in scope and effective in producing healthy outcomes for involved youth.

We must ensure age-appropriate sanctions and supports and court services, as well as systems that treat children and youth in ways that are based on the best of what we know about adolescent development, brain science and the principles of positive youth development.

Research supported by the MacArthur Foundation has shown that different brain capacities mature along different timetables. Competence-related abilities mature by age 16. Yet capacities relevant to decision about criminal culpability risk-taking are still maturing into young adulthood.

Second, adolescents are responsible for their behavior, but not as responsible as adults.

Third, adolescents are still works in progress.

Adolescent brain development science highlights how critical the core protections of the JJDP Act are in keeping status offending, non-criminal youths out of lockups and placing clear restrictions on children and youth in adult jails, as well as ensuring that we do not needlessly sweep children of color into the juvenile justice system, because of systemic and societal racism.

Furthermore, the JJDP Act can be improved, based on the best of what we know, by directing Title II state formula funds and

Title V state and local prevention funds to programs that prevent repeated system involvement and show excellent results in restoring young people to productive home and community life.

Examples of such programs are: the Juvenile Detention Alternatives Initiative spearheaded by the Casey Foundation; Restorative Justice, sponsored in part of OJJDP; and graduated sanctions, an active program of the National Council of Juvenile and Family Court Judges.

Regarding use of federal funds under the JJDP Act, Congress should strongly consider prohibiting the use of federal funds for ineffective and damaging approaches, such as highly punitive models, shown to increase rather than decrease re-arrest and re-offense, including boot camps, scared-straight programs, excessive use of physical restraint, force and punishment, over-reliance on transfer and waiver and the building of large residential institutions.

Since my time is almost up, I would conclude my remarks and refer you to my lengthier written testimony, the citations as part of that testimony and accompanying publications.

Thank you very much.

[The statement of Mr. Lawrence follows:]

Prepared Statement of Hon. Paul Lawrence, Goffstown District Court, New Hampshire State Juvenile Justice Advisory Group

Good afternoon. It is my distinct honor to have been asked by Chairwoman McCarthy to speak on behalf of the Juvenile Justice and Delinquency Prevention Act (JJDPA).

I am Paul Lawrence, the Presiding Justice of the Goffstown District Court in Goffstown, New Hampshire where I hear, among other things, juvenile delinquency, CHINS, and neglect and abuse cases. I am also Immediate Past Chair of the Coalition for Juvenile Justice (CJJ), the national leadership association of State Advisory Groups under the JJDP Act. I am Co-Chair of the New Hampshire Juvenile Detention Alternatives Initiative, past Chair of the state's the Committee to Study the Establishment of Dispositional Guidelines in Juvenile Delinquency Cases and a member of the New Hampshire Supreme Court's Judicial Education Services Committee. Also of relevance to today's hearing is my membership in the National Council of Juvenile and Family Court Judges.

I began hearing juvenile cases in 1979 with a belief that the greatest cure for delinquency is maturation. At that time, before technology provided images of the brain that allow us to see its gradual development extending well into the mid-20s, it was clear to me that the needs, thoughts, motivations and behavior of youth differ greatly from those of fully mature adults. Now, advancements in neuro-imagery, such as Functional Magnetic Resonance Imaging (fMRI), coupled with targeted research, enable us to take a look at the actual physical development and transformation of the brain at all stages of life. During adolescence, several areas of the brain go through their final developmental stages and develop greater complexity, which in turn affects thinking, behavior and potential for learning and rehabilitation.[i]

Judges on the juvenile bench possess considerable power over the life pathways of young people and their families—particularly those that are vulnerable, troubled and fragile. Given this power what judges do may prove productive and helpful, or regrettably, cause unintended harm. Every time a judge shepherd's a young person through the juvenile justice system, he/she must be certain that all steps have been taken to enhance the youth's competencies before imposition of predominantly retributive measures. In fact, if judges—as well as congressional and federal decision makers—are to do what is best for children and youth involved in the courts we would make a primary commitment in juvenile justice much like the Hippocratic Oath: first, do no harm. Included in such a commitment would be the following precepts, all of which are part of the original thinking that underlies the JJDP Act:

We should strive to keep children and youth out of the court system and out of institutional settings—particularly lockups; and whenever possible at home or close to home, school and community;

We should do everything possible to ensure that any and all court involvement by youth and families is appropriately limited in scope and effective in producing healthy outcomes for the involved youth;

We must ensure age-appropriate sanctions and supports and court services, as well as systems that treat children and youth in ways that are based on the best of what we know about adolescent development, brain science and principles of youth development.

On June 11, 2007, I heard Dr. Laurence Steinberg of Temple University and Director of the MacArthur Research Network on Adolescent Development and Juvenile Justice, speak at the Coalition for Juvenile Justice Summit on the JJDP Act. He cited several implications of his Network's research which are worthy of consideration in the reauthorization of the JJDP Act.

First, different brain capacities mature along different timetables:

Competence-related abilities mature by age 16;

Yet, capacities relevant to decisions about criminal culpability are still maturing into young adulthood.

Second, adolescents are responsible for their behavior, but not as responsible as adults:

Self-control is still developing and easily disrupted by emotionally or socially arousing situations;

And, adolescents need support, structure and adult supervision.

Third, adolescents are still works in progress:

Most will mature out of reckless and impetuous behavior by their early 20s without any intervention;

So, it is vitally important that involvement with juvenile justice system not derail their transition into productive adulthood.[ii]

Adolescent brain development science underscores the mission of the court, as a helping hand for youth and families designed to help them heal and build their strengths and means to contribute to society. It highlights how critical the core protections of the JJDP Act indeed are in keeping status offending and non-criminal youth out of lock-ups and placing clear restrictions on placing children and youth in adult jails, as well as ensuring that we do not needlessly sweep children of color into the juvenile justice system because of systemic and societal racism.

Furthermore, the JJDP Act can be improved based on the best of what we now know, by directing Title II (State Formula Funds) and Title V (State and Local Prevention Funds) to programs that prevent repeated system involvement and show excellent results in restoring young people to productive home and community life, such as alternatives to pre-adjudication detention, restorative justice and graduated sanctions.

Alternatives to Detention

Nationwide, the youth confined in pre-trial/pre-adjudicative detention include an alarmingly high census of fragile youth with serious emotional, behavioral and substance abuse issues, and youth of color.[iii] The number of youth who reside in detention centers on an average day is estimated to be more than 27,000, and has grown 72 percent since the early 1990s—despite declines in juvenile offending. It is estimated that as many as 600,000 children and teens cycle through secure detention each year.[iv]

My colleague, Bart Lubow, who directs the Juvenile Detention Alternatives Initiative for the Annie E. Casey Foundation, reports, "When you talk to judges, prosecutors, or other juvenile justice professionals, many of them say things like, 'We locked him up for his own good.' Or, 'We locked him up because his parents weren't available.' Or, 'We locked him up to get a mental health assessment.' But none of these reasons are reflected in statute or professional standards."

Detention reform efforts, on the other hand, are evidenced-based efforts to reverse the unnecessary and harmful flow of youth into locked detention who could be more effectively served at home or in a community-based setting. In communities as diverse as New York City and Pima County (AZ) and the states of North Dakota and New Hampshire juvenile justice practitioners have found that keeping youth out of secure detention accrues many benefits for youth and families—including better mental health assessment and treatment, greater and stronger connections with school, family and community, and a reduction of racial/ethnic disparities by guarding against more punitive treatment of youth of color as compared with their white counterparts.[v]

Restorative Justice

Drawing upon international models from New Zealand, Australia and Native Canada, a new way of thinking about and addressing juvenile offending emerged in the

mid-to-late 1990s, known variously as balanced and restorative justice, victim-offender mediation and family group conferencing. The essential idea of balanced and restorative justice is that repairing harm, as it relates to juvenile wrongdoing and offending, is pursued within a three-point balance of the needs of 1) victims, 2) offenders and 3) communities.

Active participation of victims, victims' families, offenders and offenders' families and community members make the process work. Agents of the court and other child- and family-serving advocates and professionals facilitate, support and enforce reparative agreements.[vi] Studies from the United States and other countries cite significant benefits to both offenders in terms of reducing recidivism and to victims and survivors in terms of enhancing their sense of well being and healing.[vii]

Graduated Sanctions

Graduated sanctions programs utilize a continuum of disposition options for delinquency reduction. The term "graduated sanctions" implies that the penalties for delinquent activity should move from those that are limited in their scope and intrusion into the lives of youth to those that are highly restrictive, in keeping with the severity and nature of the offense committed. In other words, youth who commit serious and violent offenses should receive more restrictive sentences than youth who commit less serious and nonviolent offenses. However, for graduated sanctions programs to fulfill their promise of delinquency reduction, they must ensure that the right juveniles are connected to the right programs at the right time. Types of sanctions typically include:

- Immediate sanctions, targeted toward less serious non-chronic offenders;
- Intermediate sanctions, appropriate for juveniles who continue to offend following immediate interventions; youth who have committed more serious felony offenses; and some violent offenders who can benefit from supervision, structure, and monitoring but not necessarily incarceration;
- Secure care, appropriate for serious violent, chronic offenders; and
- After care, appropriate for offenders transitioning back into the community following secure care.

An OJJDP-funded study of existing graduated sanctions systems found them to be more effective and less costly than juvenile incarceration.[viii] According to researchers at the University of Virginia, "The graduated sanctions approach has many proven benefits: reduced cost, increased accountability by the juvenile and the community; and enhanced responsiveness to a juvenile's treatment needs."[ix] Moreover, graduated sanctions are seen as a useful tool in the pursuit of "restorative justice," supporting the process of reconciliation that holds offenders accountable through making amends.[x]

Funding Under the JJDP Act

Regarding use of federal funds under the JJDP Act, Congress should strongly consider prohibiting the use of federal funds for ineffective and damaging approaches such as highly punitive models shown to increase, rather than decrease re-arrest and re-offense, including boot camps, scared straight programs, excessive use of physical restraint, force and punishment, and the building of large residential institutions.[xi]

In addition, when crafting State Three-Year Plans for delinquency prevention, the State Advisory Groups are in an ideal position to recommend the use of JJDP Act funds for programs and practices that emphasize due process, positive youth development and adolescent brain development research, and restoration of an offender's relationship to society. In the current iteration of the JJDP Act too many "core purpose areas" are listed as possible uses for federal funding in Section 223 describing the requirements for State Plans. Regrettably, some "core purposes" have little to do with effective support for compliance with the core requirements or the promotion of best practices. Please consider ways to trim back the current laundry list of divergent possibilities so as to emphasize and elevate compliance with the core requirements and initiatives that strive to limit a young person's court involvement, out-of-home placement or any sort of confinement while ensuring community safety.

Conclusion

In closing, I wish to leave with you copies of three publications from the Coalition for Juvenile Justice: two addressing adolescent brain development and implications for juvenile justice and the JJDP Act, as well as the Coalition's report on detention reform, supported by the Annie E. Casey Foundation. I was proud to serve as an expert advisor on all of these publications. I also wish to avail myself to you should you have any further questions. Many thanks for the opportunity to speak before you today.

ENDNOTES

[i] Beatrice Luna, "Brain and Cognitive Processes Underlying Cognitive Control of Behavior in Adolescence," University of Pittsburgh, Oct. 2005.
[ii] See *www.juvjustice.org/conferences—4.html* and "Findings from the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice."
[iii] Coalition for Juvenile Justice, "Unlocking the Future: Detention Reform in the Juvenile Justice System, 2003.
[iv] Ibid.
[v] Coalition for Juvenile Justice, "Unlocking the Future: Detention Reform in the Juvenile Justice System, 2003.
[vi] Bazemore,G., and M Umbreit and OJJDP. "Conference, Circles, Boards and Mediations: Restorative Justice and Citizen Involvement in the Response to Youth Crime," 1999.
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[xi] Mendel, Richard A. and American Youth Policy Forum, "Less Hype, More Help: Reducing Juvenile Crime, What Works—and What Doesn't," 2000 and "Less Cost, More Safety: Guiding Lights for Reform in Juvenile Justice," 2001.

Chairwoman MCCARTHY. Thank you, Judge.
Mr. Jones?

STATEMENT OF SHANNON JONES, FORMER PARTICIPANT IN THE COMMUNITY INTENSIVE SUPERVISION PROGRAM

Mr. JONES. Hello. My name is Shannon Jones. I am 18 years old. I live in the Garfield community, located in Pittsburgh, Pennsylvania.

It is a great honor to be here today to speak on behalf of the CISP program, the Community Intensive Supervision Program, CISP.

I will speak today, both of the collective experience of my peers in the program, as well as my own perspective of what the CISP has done for me.

The program operates 7 days a week, from 3:30 to 11:30, Monday through Fridays, and on Saturdays and Sundays it is from 2:00 to 10:00.

The times at which the youth are there are 3:30 to 9:00. Depending on behavior, they can stay later.

Not only do they monitor us by the centers, but we have to wear electronic bracelets around our ankles, so they know when we are leaving the house and when we enter.

There were several aspects of this CISP that was able to help me complete the program, one of which was my primary. This position is called a community monitor. The good thing about that was, he was an African-American male, as most of my counselors are.

The other good thing about that was they were from the same community as we are, so that makes it a lot easier to understand them.

I think it is because they, too, know what it is like being in the inner-city and a young, black male. They were able to support, guide and encourage us every day so I can be the best possible me. That comes from the pledge we have to recite every day.

"Today I pledge to be the best possible me. No matter how good I am, I know I can do better."

It is longer, but I wanted to also say, because we live in our homes and attend our own schools, it gave us the opportunity to practice the skills that CISP helped us develop.

When I first came into the CISP, I was not attending school daily, and I had Cs, Ds and Es on my report card. But because I had to turn in sign-in sheets that the teacher would write our progress on daily and encourage me to do better in school, because I did not want to be held accountable for negative behavior in school.

I did what I was supposed to, and I was able to bring my grades up to As and Bs, and I graduated this past June from Peabody High School with honors.

One of my other problems was I like to get high. I was high when I came into the program. This means that I was tested positive for marijuana use.

There were drug and alcohol counselors in each center to help us understand the impact of drugs. My counselor's name was Little Marvin. He helped me out a lot. The program offers their own drug and alcohol support meetings.

In these meetings, we would hear stories from local members of Narcotics Anonymous about how they started using drugs and how they developed bad lifestyles. I was able to see that a lot of them started out by smoking weed, and then they moved into harder drugs.

I did not want this to happen to me, so I stopped using.

We were drug tested randomly, every week. And if you tested positive for drugs, you were held accountable.

What also helped me a lot was the things I did to keep myself busy and involved in positive things. We were supposed to get 100 hours of community service in order to get out of the program.

We helped kids of murder victims get toys from a local toy store. We helped paint a women's shelter. We passed out flowers and did a lot of cleaning parks, lots and streets in our community.

After the CISP basketball league, I volunteered supervising younger kids in the after-school program. I was able to get a job with them, and now I work as a full-time assistant teacher with the kids.

Other clients get jobs through Abraxas WorkBridge. This gave me skills I needed to survive in my community, by helping me realize the importance of thinking and being responsible for my own actions.

I had to make choices every day. CISP means change. I know kids who were in institutions that are still thinking and behaving the same way they did before they were sent to placement. They did not change. Everything we learned is tested the moment we walk out of the doors.

They also allow us to come back for support, encouragement and guidance, and to enjoy some of the recreational activities.

If I was in placement, how would I or anyone else reach to these stairs and to help us out through our communities?

I would like to thank you all for listening to me today.

[The statement of Mr. Jones follows:]

Prepared Statement of Shannon Jones, Former Participant in the Community Intensive Supervision Program

Good morning. My name is Shannon Jones, I'm eighteen years old. I'm pleased to have the opportunity today to share my story with you. On January 7, 2007, my life changed for the better because that was the day that I was committed to the Community Intensive Supervision Program (CISP) in Pittsburgh, Pennsylvania. Although I will speak from my own experience, I am also here to represent the experiences of the other youth whose lives have been positively impacted through their participation in CISP.

I want to start by describing the program that has changed my life. CISP was started in 1990 and is run by the Juvenile Section of the Family Division of the Court of Common Pleas of Allegheny County. It serves as both an alternative to institutionalization and an aftercare program for those youth who have been subject to institutional placements. CISP offers programming, including drug screening, in five neighborhood centers during the afternoon and evening, seven days a week. CISP also electronically monitors the youth at night. CISP's staff are traditional probation department personnel and paraprofessional "Community Monitors" who live in the same neighborhoods where we live.

The CISP Program is designed to reach male juvenile offenders (ages 10-18) from the targeted neighborhoods who are on probation, continue to recidivate and would be institutionalized but for the existence of this alternative. In other words, young men like me. Property offenders make up for the majority of youth placed into the CISP Program but other youth are also eligible. Since the CISP Program is neighborhood based, a youth must live in one of the designated neighborhoods to be placed in CISP. One of the most important parts of the CISP program is that we remain in our own communities, continue to attend our own schools, and are introduced to positive community resources. All the kids who participate in CISP are required to complete community service, which is important because it makes us feel like a positive part of the community.

Today I want to talk about how CISP changed my life. I was committed to CISP in January and I spent six months participating in the program. When I entered CISP, I had a D-average in school and I was at risk of ending up in a juvenile correctional facility. Although I thought about college, it didn't always seem within reach. Being a part of CISP helped me to bring up my grades high enough that I graduated with honors and I plan to attend the community college of Allegheny county next spring. In the meantime, I'm working with children at a job I got through my volunteer work with CISP.

When I was in CISP, I continued to go to my school everyday. I had to submit regular progress reports from my teachers to CISP, and knowing that my counselors at CISP were going to see my grades pushed me to work harder and do better in class. I would be picked up right after school everyday and taken to a CISP site. There I had the opportunity to participate in a range of programs, like Maleness to Manhood, Victim Awareness, Thinking Errors, Self-Assessment, and the Drug and Alcohol program. One of the programs that had the most impact on me was the Drug and Alcohol program. I remember that they took us to meet with recovered addicts, and hearing their stories made me think about how my drug use affected not only me and my future but also the people around me. I'm clean now, I no longer use illegal substances, and I plan to stay that way because I've seen what can happen to addicts and I know that I've got a better future ahead of me.

On the last Thursday of every month, CISP also invited our family and friends in to meet with our counselors. This was important because CISP treated the people in our life like they were a part of our rehabilitation, and this means that I have support outside of the program as well as in the program.

CISP not only gave me the opportunity to improve myself, it also made me take a more active role in my community. We spent every weekend doing community service by cleaning up our neighborhoods and local churches. In the six months that I was a part of CISP, I contributed 100 hours of community service. Even today when I walk past the areas that I helped clean, I feel a responsibility to keep those areas clean. My neighborhood feels like a community now, not just the place where I live. I think that this was possible because CISP keeps young people in their neighborhoods instead of sending them somewhere else. Every time I leave my home, I can be reminded of the work I did to improve my community.

CISP also provides jobs for young people through the Workbridge program. Those youth who have restitution to pay can use the money that they earn from these jobs to pay that restitution. I started at the parental stress center as a volunteer, but this became a real job after I graduated from high school. Part of what I like about

my job is that I am serving as a mentor to other young people. I like knowing that I'm helping young people just the way the CISP staff helped me.

One of the things that I am always going to remember about CISP is the constant support I got from the staff. Every time I came to the CISP center, I could count on the staff encouraging me to better myself. They didn't put me down or make me feel bad about myself, instead they always pushed me to be a better person and I wanted to be a better person to make them proud. I knew that as long as I was trying to improve, they would support me.

I want to take this time today to encourage you to support other programs like CISP. I'm not the only young person CISP has helped, and I think that similar programs will help other youth as well. I've come a long way in six months and I have a bright future ahead of me. Maybe I would have gotten here without CISP, but I also know that being a part of CISP helped me become a positive force in my community. You have the ability to help other young people like me become more productive members of our communities, and I hope that you take this opportunity to help start and fund other programs like CISP.

I want to thank you for taking the time to listen to me today.

Chairwoman MCCARTHY. Thank you, Mr. Jones.

Professor Shepherd?

STATEMENT OF ROBERT SHEPHERD, JR., EMERITUS PROFESSOR OF LAW, UNIVERSITY OF RICHMOND SCHOOL OF LAW

Mr. SHEPHERD. In contrast to Mr. Jones, as I was introduced as an emeritus professor of law, that means I have been around a long time.

As a matter of fact, the first time I went into a juvenile court, it was as a lawyer, before In re Gault made it a constitutional requirement.

I have been asked to give a brief overview of the important role of research in informing us regarding the development of public policy on juvenile justice.

In the past 20 years, a great deal of research has been undertaken and published on the risk and protective factors influencing the behavior of young people. And much of that has been funded by Juvenile Justice and Delinquency Prevention Act money.

We also know considerably more about the development of the adolescent brain and the impact of its immaturity on judgment and impulse control.

We need to draw on this research in advising state and local communities about what works and what does not work in addressing risky and criminal behavior by youth, and in providing technical assistance to them in implementing policies and programs that are affective.

Let me give two brief illustrations of how this can be done.

First, every piece of research that has been done on the practice of transferring children from juvenile court to adult court tells us that this is a practice that should be used in only the most exceptional cases, because it is wrongheaded and counterproductive.

Young persons tried and incarcerated as adults have higher recidivism rates when released. They re-offend sooner, after they are returned to the community, and their repeat offenses are more serious than for similar youth retained in juvenile court for the same behaviors.

Second, research tells us that young persons who engage in illegal sexual behavior are far more amenable to rehabilitative treat-

ment than their adult counterparts. And there are generally at very low risk for engaging in such activity as adults, unlike adult pedophiles.

And yet federal and state policies increasingly treat them as miniature molesters, and require their registration in sex offender registries and impose mandatory minimum sentences on them.

There are many more examples. And I especially refer you to the recent report of a Centers for Disease Control task force and the early report in October of 2004, issued by a state-of-the-science panel for the National Institutes of Health on what works and does not work when dealing with children who get in trouble.

2007 is not only the year for reauthorization of the Juvenile Justice and Delinquency Prevention Act, it is also the 40th anniversary of the historic Supreme Court decision in In re Gault, extending the protections of due process to juveniles.

And a fitting way to celebrate that milestone would be to authorize a strengthened Juvenile Justice and Delinquency Prevention Act and mandate a new commitment on the part of the Office of Juvenile Justice and Delinquency Prevention to a meaningful collaboration with the state advisory groups in this unique partnership created in the 1974 act between the federal government and the states through the state advisory groups appointed by the governors.

That way, we can truly realize the promise embedded in Gault, in providing meaningful justice for juveniles, and at the same time real safety for our communities.

Thank you.

[The statement of Mr. Shepherd follows:]

Prepared Statement of Robert E. Shepherd, Jr., Emeritus Professor of Law, University of Richmond School of Law

Madam Chairman, Members of the Committee, I am Robert E. Shepherd, Jr., Emeritus Professor of Law at the University of Richmond Law School in Virginia, and a former Chair of the Juvenile Justice Committee of the American Bar Association. I am also a long-term member and leader with the Coalition for Juvenile Justice, a national group consisting of representatives of the State Advisory Groups created pursuant to the Juvenile justice and Delinquency Prevention Act. I am here to present testimony on "The Juvenile Justice and Delinquency Prevention Act: Overview and Perspectives" and I thank you for the opportunity to speak to you about this important piece of legislation and the issues it addresses.

That Act, originally enacted more than thirty years ago, has contributed greatly to the prevention of delinquency, to early intervention in the suppression of delinquency, to treating delinquent behavior and rehabilitating delinquent youth so as to prevent future delinquency, and to ensuring humane treatment of these young people in the juvenile justice system. The Act, and its programs, is still the best possible federal vehicle for protecting society from antisocial behavior by children and adolescents and for enabling these youth to become good citizens and successful adults. It also creates a unique partnership between agencies of the federal government and leaders in the juvenile justice field in the states and localities as an integral part of the structure of the Act. A partnership which calls on the Congress and the agencies under the Executive Branch to work cooperatively with the Governors and the Governor-appointed State Advisory Groups on juvenile justice in a meaningful dialogue and in response to state and local concerns.

I have been asked to give a brief overview of juvenile justice and what research shows are the best practices in dealing with at-risk and delinquent behavior among youth. Obviously, there are time constraints that make it impossible to address these issues in any depth, but I will attempt to highlight the most significant issues involving youth either in, or at risk of entering, the juvenile justice system as a beginning to the work of the Congress in reauthorizing the JJDP Act.

The incidence of juvenile crime

Recent data show a dramatic reduction in the rate and seriousness of juvenile delinquency in the past ten or twelve years, contrary to the dire predictions of many "experts" whose ominous writings shocked legislators into abandoning the core principles of the juvenile system. Those principles, separating delinquent youth from hardened criminals, treating youth as developmentally different from adults, and viewing young people as being inherently malleable and subject to change in a rehabilitative setting, are still fundamentally sound. Indeed, as we have learned more from the developmental and brain research in recent years, we know better what does work in turning around these young lives and correcting their behavior. There has been a slight upswing—barely 2 percent—in violent crime in the past year but it is not uniform across all categories of offending, and it may be aberrational rather than the beginning of a trend. (See Butts & Snyder, 2006)

Transfer or placement of juveniles in adult courts

One issue that needs to be addressed in the reauthorized JJDP Act is the increased use of transfer to adult court of juveniles, a practice that is unwise and contrary to much evidence regarding the implications of transfer or certification. Several recent studies, by researchers in Florida, Minnesota, New York and New Jersey, and Pennsylvania, are consistent in showing that youth transferred to adult court and tried as adults had higher recidivism rates, they re-offended sooner after release from adult institutions, and their repeat offenses were more serious than similar youth retained in juvenile court for the same offenses in the same or comparable jurisdictions. (Lanza-Kaduce, Frazier, Lane & Bishop, 2002; Fagan, 1991; Mayers, 2003; Podkopacz & Feld, 1996; Coalition for Juvenile Justice, 2005) Thus, treatment as an adult created a greater risk for community safety in the long term than did juvenile treatment. A Miami Herald study of the Florida experience in 2001 concluded that "[s]ending a juvenile to prison increased by 35 percent the odds he'll re-offend within a year of release." (Greene & Dougherty, 2001)

Juveniles incarcerated in adult correctional institutions are also at greater risk of assaults, both sexual and physical. Studies show that such youth are five times as likely to report being a victim of rape, twice as likely to be beaten by staff, and 50% more likely to be assaulted with a weapon than youth in juvenile facilities and they are eight times more likely to commit suicide. (Audi, 2000; Forst, Fagan & Vivona, 1989) Judges should have broad discretion in sentencing adolescents, even when they are tried and treated as adults. Juveniles involved in delinquent activity frequently have less culpability than the adults they are associated with in such behavior, they may be a lookout rather than a triggerman, and yet much legislation enacted in the past two decades denies juvenile courts the power to discriminate among different levels of involvement and different kinds of behavior. As Bob Schwartz of the Juvenile Law Center in Philadelphia is fond of saying, Oliver Twist, the "Artful Dodger," Bill Sikes, and Fagin were not equally culpable in their criminal activity in Dickensian London, but they are treated as such in many state laws and some federal legislation.

Two very recent reports highlight the dangers in trying and treating juveniles as adults in the courts and in corrections. The Campaign for Youth Justice gives an outstanding overview of the issues in its March report entitled THE CONSEQUENCES AREN'T MINOR: THE IMPACT OF TRYING YOUTH AS ADULTS AND STRATEGIES FOR REFORM (Campaign for Youth Justice, 2007), and the Task Force on Community Preventive Services of the Centers for Disease Control and Prevention reinforced the recommendations in an important report published in the American Journal of Preventive Medicine in April. The CDC task force in particular criticized the belief that the fear of adult treatment had a deterrent effect on youth behavior and agreed with the research on enhanced post-release offending by young people tried as adults. (McGowan et al, 2007)

Detention reform and DMC

Two issues that have received a lot of attention in the states and from private foundations have been the disproportionate contact between the processes of the juvenile and adult justice systems and minority youth and the overuse of secure detention facilities for young people awaiting trial. The Annie E. Casey Foundation has worked with several states and many localities in reducing the use of secure placements by the judicious use of objective assessment instruments in determining who should be locked up awaiting trial, either because they are high risks for flight or for re-offending if they remain free in the community. And, since minority youth tend to be detained in disproportionate numbers, these new strategies help to address DMC issues. Likewise, a greater focus in the Act on transfer or placement in adult courts may have a beneficial impact on DMC problems because policies that

increase the transfer of juveniles to adult court also have a disproportionate impact on children of color. Recent studies have shown that more than seven out of every ten youth admitted to adult facilities across the country were youth of color, and minority youth are more likely to be treated as adults that white youth charged with the same offenses. (Poe-Yamagata, 2000; Ziedenberg; Males & Macallair, 2002; Coalition for Juvenile Justice, 2005)

Language should be included in the Act to encourage states to reduce the number of children unnecessarily or inappropriately placed in secure pretrial detention. The new language should encourage states to enact legislation that requires that secure pretrial detention be based on the criteria of public safety and risk of flight from the court's jurisdiction, set and adhere to guidelines for expedited case processing, and encourage states to develop and use appropriate alternatives to secure pretrial detention for juveniles who pose no immediate risk of public safety or risk of flight. An alarmingly high number of juveniles accused of crime are detained in secure detention centers before trial although they have been charged with only nonviolent, relatively minor offenses. Many of these are youth who have untreated drug abuse or mental health problems or are minority youth. Secure pretrial detention in these cases is both costly and detrimental to the youth. Juveniles placed in alternative pre-trial programs benefit from better mental health assessments and treatment and stronger connections with family, school, religious, and community supports.

Gangs

Much attention has been given to the incidence of gang-related violence and the involvement of young people in these gangs and their activities. Transfer to adult court and the use of mandatory minimum sentences have often been advocated for impacting on youth gang activity. However, the research does not support the efficacy of either of these approaches and placing juveniles in adult facilities largely dominated by gangs would seem to exacerbate the problem. A report released in 2004 by Fight Crime: Invest in Kids, a law enforcement-based group, points to the effectiveness of many current programs in preventing gangs—at the local and state level—and in interdicting violent gang activity. That report, CAUGHT IN THE CROSSFIRE: ARRESTING GANG VIOLENCE BY INVESTING IN KIDS, offers much useful advice about programs that work with the help of federal investment in anti-gang programs through the JJDPA and other entities.

Sex offenders

Sex offenders seem to have become the modern equivalent of lepers and there is a tendency to lump juveniles in with adults who prey on young children when it comes to harsh punishments and mandatory registration laws. However, research does not support the inclusion of adolescents in such strategies since juveniles who commit illegal sexual behavior are amenable to treatment and rehabilitation and they are a very heterogeneous population that should not be lumped with adults, and they should be processed through the juvenile justice system. (Pierce and Bonner, 2004) The National Center on Sexual Behavior of Youth at the University of Oklahoma Health Sciences Center, an OJJDP project, has been responsible for much of this research and these conclusions, and Frank Zimring at the University of California Law School, Berkeley, has published research that reinforces their findings and recommendations. (Zimring, 2004)

Both the Center and Professor Zimring have pointed to the extremely low incidence of re-offending by young people who engage in illegal sexual behavior. (See also Association for the Treatment of Sexual Abusers, 2006)

Effective prevention strategies and treatment of juvenile offenders

We have more research-based information today about what works and what doesn't work in preventing delinquent behavior and in treating juvenile offenders who have violated the law. In October of 2004, the National Institutes of Health (NIH) convened an independent "state-of-the-science" panel for a conference to address the important issues of preventing violence and related heath-risking social behaviors in adolescents, and the panel issued a significant report of importance to all those who make policy governing juvenile programs, and it is rather remarkable that this report has not received more attention than it has. The panel concluded that "get tough" programs that rely on "scare tactics" for the purpose of preventing children and adolescents from engaging in violent behavior are not only ineffective, but may actually make the problem worse. The panel, which consisted of thirteen distinguished experts from a variety of disciplines, and which was charged with assessing the available evidence on preventing violence and other risky behaviors on the part of adolescents, released its report that same month summarizing its assessment of the current research.

The panel found that many residential "get tough" programs, including group detention centers, boot camps and other similar residential programs, often exacerbate existing problems among adolescent youth by grouping those with delinquent tendencies together, where "the more sophisticated instruct the more naive." Similarly, it also concluded that practice of transferring increasing numbers of juveniles to the adult criminal justice system noted above also can be counterproductive, resulting in greater violence among incarcerated youth and increased recidivism when they are ultimately released.

The panel concluded that "a number of intervention programs have been demonstrated to be effective through randomized controlled trials." and it spotlighted two particular programs that it found are clearly effective in reducing arrests and out-of-home placements: Functional Family Therapy, and Multisystemic Therapy. Among the significant characteristics that these two programs had in common are a focus on developing social competency skills, a long-term approach rather than a "simple" short-term "fix," and the involvement of the family as well as the youth in the program. The two programs maintained positive results for nearly four years after the treatment ended. Several other programs were identified that were classified as "effective with reservation," meaning that they had only internal rather than external randomized controlled trials: Big Brothers Big Sisters (reductions in hitting), Multidimensional Treatment Foster Care, Nurse Family Partnership (reduction in incarceration), Project Towards No Drug Abuse (reduction in weapon carrying), Promoting Alternative Thinking Strategies (reduction in peer aggression), and Brief Strategic Family Therapy (reduction in conduct disorder, socialized aggression). The Evidence Report/Technology Assessment accompanying the panel conclusions contains probably the most extensive bibliography as of October, 2004, of the existing literature on violence prevention and treatment with a useful analysis of the studies and programs. (AHRQ Publication No. 04-E032-2 (October 2004))

The importance of research and its dissemination under the JJDP Act

As the unique partnership between the federal government and the states relates to research on best or promising practices, I urge the Congress to consider ways to provide resources for field-based and field-strengthening research and evaluation that will refine and expand the array of best and evidence-based practices in delinquency prevention, intervention and treatment. Issues that states are hungry to address include the following among others:

- effective approaches for diverse cultural and linguistic groups, as well as rural populations;
- innovations to guard against bias and racial/ethnic disparities;
- proactive approaches to truancy prevention;
- ways to reduce school referrals to law enforcement;
- effective approaches for positive family engagement;
- analyses of what youth are being sent to adult criminal court and what happens to them in that system; and
- proven approaches to community and school reintegration for youth who have been recruited into criminal street gangs.

Please also look to strengthen the implementation of Part 5653 Sec. 243 of the JJDP Act which addresses research, demonstration and evaluation and authorizes the OJJDP administrator to "conduct, encourage, and coordinate research and evaluation into any aspect of juvenile delinquency, particularly with regard to new programs and methods which seek to strengthen and preserve families or which show promise of making a contribution toward the prevention and treatment of juvenile delinquency." Very explicit language is now included, yet most of the functions in this section are not being addressed. Perhaps because the OJJDP Administrator is given too much discretion to direct the limited resources now appropriated and designated for research under the JJDP Act to topics and questions that have little to do with the goals of the Act.

Therefore, please consider simple language changes in the JJDP Act to state that the OJJDP Administrator shall rather than may provide support for research, replication and high fidelity adaptation of evidenced-based practice models, across a wide range of racial, ethnic, geographic and societal circumstances—urban and rural, both in and outside of institutional settings for applications with many populations, girls, Native American youth, Youth in the U.S. territories, Latino youth, African American youth, and others. Insist that the research and findings be made widely available to the public and backed-up with training and technical assistance to the parties principally charged with JJDPA implementation—state advisory group members and state juvenile justice specialists.

The Office of Juvenile Justice and Delinquency Prevention

Again, speaking as a long-time member of a State Advisory Group and as one active in both the Coalition for Juvenile Justice and the Federal Advisory Committee on Juvenile Justice, I urge you to ensure a vibrant, rehabilitatively-focused "home" for juvenile justice within the U.S. Department of Justice at OJJDP—with an administration guided by experts and whose actions are both timely and transparent to the public.

As cited in the recent Congressional Research Service Report (April 2007) on the JJDP Act, the Act itself has "trended away from having the rehabilitation of juveniles as its main goal" turning instead, along with the majority of states, toward a counter-productive emphasis on increased punishment. Simultaneously, OJJDP rules and regulations for states to receive federal justice grants have increasingly prohibited staff and state juvenile justice advisors from developing appropriate policy and practice models in communication with elected officials.

Since 2002, juvenile justice appropriations to the states—that support important priorities under the JJDP Act such as:

- continuums of care;
- alternatives to detention;
- effective prevention initiatives;
- and restorative justice have fallen by nearly 50% and the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), which has recently failed to advocate for its own purposes, has seen its budget slashed to one-fifth of its former status.

In addition, with effective leadership and oversight by Congress, OJJDP's Federal Coordinating Committee on Juvenile Justice can be more effective to develop cross-system and cross-agency integration of programs, policies and services in education, employment, child welfare, children's mental health and substance abuse prevention.

Effective and state-responsive leadership at OJJDP would also undoubtedly raise concerns about why OJJDP has disengaged from and disavowed the Coalition for Juvenile Justice—which serves as the national leadership association for the State Advisory Groups—as called for in Section 5633 (f)(Part A-E) of the Act itself. It has been damaging to prevention and intervention efforts and the promotion of best and promising practices in delinquency prevention to allow the OJJDP Administrator to ignore the letter and the spirit of the statute.

Thank you for your attention and for your resolve to address these continuing issues presented by juvenile justice. This year is not only the year for reauthorization of the JJDP Act, it is also the fortieth anniversary of the United States Supreme Court's historic decision in In re Gault, 387 U.S. 1 (1967), in which the basic guarantees of due process were extended to youth in juvenile and family courts. A timely and thoughtful process for making needed amendments and reauthorizing the Act would be a fitting way to celebrate that anniversary. And the reauthorization process has always been the occasion for meaningful bipartisan cooperation and collaboration, and that would be pleasant as well.

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Chairwoman MCCARTHY. Thank you, Professor.

Dr. Woolard?

STATEMENT OF JENNIFER WOOLARD, ASSISTANT PROFESSOR OF PSYCHOLOGY, GEORGETOWN UNIVERSITY

Ms. WOOLARD. Madam Chair, thank you for the opportunity to speak with you all this afternoon.

Today, briefly, I would like to share with you some of what behavioral science research can contribute to this policy discussion about our responses to youth.

First, adolescents are developmentally different from adults in ways that are critically relevant to our discussion of delinquency and crime.

This will not be a news flash to many parents of adolescents, or those of who remember our own adolescence, that kids are different. But I am here to say that the news is, this is not only based in personal experience or stereotype, but in science.

The advances in behavioral and brain research already mentioned support this fundamental tenet of the juvenile justice system and the JJDPA.

To illustrate, I will focus briefly on two major aspects of adolescents' brain and behavior functioning.

The socio-emotional network of the brain refers to systems responsible for emotion, rewards, social processing of information, which we know undergo major changes in early adolescence at the same time that we see behaviors that include increased sensation-

seeking, increased and easier emotional arousal in young teens and increased attentiveness to social information and the influence of peers.

So, adolescence is characterized by a social-emotional system that is easily aroused and highly sensitive to social feedback.

At the same time, adolescence is characterized by a still immature cognitive control system. Although intellectual ability peaks by about age 16, the capacity for planning, future orientation and the ability to regulate oneself involve portions of the brain that continue to develop well into young adulthood.

These areas, sometimes called the CEO of the brain, activate during what we might consider mature or deliberate thinking—the abilities to identify and consider future consequences, understand possible sequences of events and control impulses.

As a result, adolescents are less able to control impulses, less able to resist pressure from peers, less likely to think ahead, and more driven by the thrill of rewards.

Moreover, the effects of immaturity are probably even greater outside the control of the laboratory. Compared to adults, juveniles' cognitive capacity is undermined by the socio-emotional system I was talking about in particular circumstances—circumstances that are not controlled, not deliberate and not calm, circumstances that likely encompass much of the adolescent delinquency risk.

Theories suggest that with maturation to adulthood comes the integration of these two systems, bringing their influence into greater balance and perhaps contributing to the reduction of risky behavior that we see in adulthood.

Now, let me be clear. The advances in brain imaging techniques are exciting and offer windows into the structure and function of the brain that we could only dream about.

However, this research is still at its early stages. I cannot definitively tell you that certain regions of the brain are directly responsible for risky behavior, immature thinking or delinquent acts.

What we can tell you, however, is that our initial brain research is consistent with the decades of behavioral research, documenting important differences in the cognitive capacities, psychosocial development and behavior of adolescents compared to adults.

Now, there are certainly adults who engage in risky behavior or act immaturely. They crucial distinction based on developmental research, though, is that adolescents as a class are more likely to demonstrate these deficiencies due to normative development that is incomplete. Most will mature into law-abiding, productive adult citizens.

As a result, the research I describe on developmental differences challenges policymakers and practitioners to sort and manage a young population that can appear simultaneously adult-like and immature.

So, what guidance can developmental research provide?

I believe that the body of behavioral and brain research calls into question assumptions made by some that juveniles are simply miniature adults, because they are capable of committing certain offenses. Prior to age 16, they are different intellectually and emotionally. After age 16, they are still different emotionally.

While many laws allowing or requiring juveniles to be tried as adults use age-based determinations, we really need to consider developmental maturity.

The importance of separating youth from adults in correctional settings cannot be overemphasized. Used for a shortened time perspective, for example, can mean that the same amount of time in isolation for a disciplinary infraction can have a more severe or excessive impact on youth than it does adults.

One study comparing youth in the adult system to the juvenile system found that juvenile sanctions had an affect on youths there, because they gained something—skills or hope. Adult sanctions use reported tended to have an effect, because they cost them something—a loss of hope, safety or respect.

It is incumbent upon us to ask questions about outcomes that extend beyond recidivism to pathways of positive development, and the JJDP emphasis on prevention is crucial. These findings support the importance of a developmentally appropriate system that simultaneously works to prevent and reduce offending, while offering the opportunity for youth to follow a successful and productive developmental pathway.

Thank you.

[The statement of Ms. Woolard follows:]

Prepared Statement of Jennifer L. Woolard, Ph.D., Assistant Professor of Psychology, Georgetown University

Madame Chairwoman and members of the Subcommittee on Healthy Families and Communities, and the Subcommittee on Crime, Terrorism, and Homeland Security, thank you for the opportunity to speak with you this afternoon about the Juvenile Justice and Delinquency Prevention Act. As a developmental and community psychologist who specializes in adolescence and the law I share with you some of what behavioral science research can contribute to the policy discussion about responses to youth.

First, adolescents are developmentally different from adults in ways that are critical to behaviors that are relevant to the justice system. Although the belief that adolescents are different may appear patently obvious to parents of adolescents or those of us who recall our own youth, the critical point here is that advances in behavioral and brain research support a fundamental tenet of the juvenile justice system itself—that these differences are critical to behaviors relevant to the justice system. In my brief time I will focus on two major aspects of adolescents' functioning—what my colleague Laurence Steinberg calls the cognitive control network and the socio-emotional network.

The socio-emotional network refers to brain systems responsible for emotion, rewards, and social processing. Imaging research shows that these brain regions undergo major changes in early adolescence that are related in part to hormonal changes of puberty. These changes coincide with characteristics of adolescence such as increased sensation-seeking, increased/easier emotional arousal, and increased attentiveness to social information. So, adolescence is a time characterized by a socio-emotional system that is easily aroused and highly sensitive to social feedback.

At the same time, adolescence is characterized by a still-immature cognitive control system. When we talk about the cognitive system we're not just talking about intellectual ability, which does increase throughout childhood and adolescence but really reaches its peak at about age 16—perhaps disappointing news to those of us well beyond those years. We're also talking about planning, future orientation, and the ability to regulate oneself. These critical abilities involve prefrontal and anterior cingulate portions of the brain that continue to develop well into young adulthood. These areas are responsible for what we might consider mature or deliberate thinking—the abilities to identify and consider future consequences, understand possible sequences of events, and control impulses.

As a result, adolescents are less able to control impulses, less able to resist pressure from peers, less likely to think ahead, and more driven by the thrill of rewards. Adolescents' psychosocial functioning, even at the age of 18, is significantly less mature than that of individuals in their mid-20s. Moreover, the effects of immaturity

are probably even greater outside the control of a laboratory. For example, under conditions of emotional arousal or stress juveniles' cognitive capacity to think like adults is undermined by that socioemotional system. Risky behavior may be produced by these competing systems but in adolescence it's not a fair fight—the socioemotional system has an advantage in the circumstances that are not controlled, deliberate, and calm—circumstances that may encompass much of adolescent delinquency. Theory suggests that with maturation comes the integration of the two systems, bringing their influence into greater balance and perhaps contributing to the reduction in risky behavior we see in adulthood.

Let me be clear—the advances in brain imaging techniques such as Functional Magnetic Resonance Imagine are exciting and offer windows into the structure and function of the brain. However, research is still at the early stages. We cannot definitively tell you that certain regions are "responsible" for risky behavior, immature thinking, or delinquent acts. It cannot be used to evaluate individual development, assess guilt or innocence, or give a probability of recidivism or responsiveness to treatment. It cannot tell us where adolescence ends and adulthood begins. What it does do, however, is tell us that our initial brain research is consistent with the decades of research documenting important differences in the cognitive capacities, psychosocial development, and behavior of adolescents compared to adults.

The research on developmental differences challenges policymakers and practitioners to sort and manage a young population that can appear simultaneously adult-like and immature. Because it is a period of broad and fundamental change, adolescence is a time of incredible diversity within and among youth. Individuals may differ from each other, but the same adolescent may be more or less advanced in various specific capacities. For example, he may be able to think in quite sophisticated ways, but be emotionally immature. Also, age is not a consistent marker of maturity. Two fifteen-year-olds may vary widely in their physical appearances, cognitive abilities and social experiences. Adolescents face common developmental tasks but approach them in different ways and at different rates; variability is the norm. Out of this variability, we know that most adolescents mature into law-abiding, productive adult citizens. So, what guidance can developmental research provide?

I believe the body of behavioral and brain research calls into question assumptions made by some that juveniles are simply "miniature adults" because they are capable of committing certain offenses. For example, while many laws allowing or requiring juveniles to be tried as adults facilitate categorical distinctions based on physical age, the expressed rationales for transfer legislation are tied to developmental maturity—which are often not equivalent. If the historical intent of transfer laws were met, i.e., the removal of a small number of serious offenders who are unamenable to treatment or pose a serious risk to public safety, one might argue that the youth who end up in the criminal justice system indeed represent the mature, hardened criminal for whom development differences are nonexistent or irrelevant.* In contrast, the expansion of transfer mechanisms has resulted in a larger, more heterogeneous population with many for whom that maturation is likely not yet complete.

The reality of managing young offenders it is not simply a matter of adjusting existing adult programs and practices; rather, it requires a qualitatively different approach. The importance of separating youth from adults in correctional settings cannot be overemphasized. Youths' foreshortened time perspective, for example, can mean that the same amount of time in isolation imposed for disciplinary sanctions for adults can have a more severe or excessive impact on youth. One study comparing the perceptions of youth transferred to the adult system with those retained in the juvenile system found that over 60% of the youth rated prison as having a negative impact on their attitudes and behaviors, in part because staff treated them negatively or apathetically. Youths reported that juvenile sanctions had an effect because they gained something (e.g., skills, hope, services); adult sanctions tended to have an effect on attitudes and behavior because they cost something (e.g., loss of hope, safety, respect).

It is incumbent upon researchers and policymakers to ask questions about outcomes that extend beyond recidivism to include pathways of development (e.g., appropriate relationship formation, individual capacities) and positive engagement in the larger society (e.g., employment, contributions to society). I applaud your interest in these issues and encourage you to consider the resources that developmental research can offer through systematic theory and evidence. These findings, at a minimum, support the importance of a developmentally appropriate juvenile justice sys-

*Although even in this situation, it is not clear that these youth would be fully mature in the ways described above. The combination of serious crime with perceived lack of amenability or risk to public safety is neither a necessary nor sufficient guarantee of mature development.

tem that simultaneously works to prevent and reduce offending while augmenting the opportunity for youth to follow a successful and productive developmental pathway.

Chairwoman MCCARTHY. Thank you.

And I appreciate all the testimony.

Being that we only get 5 minutes also to ask the questions, make our statement and to receive your answers, it is always hard when you have a panel that is offering so much information.

So, I guess what I will say to the whole panel, if you could, on very short answers, if you have them, is that, as we go through the reauthorization, you are all experts in your own little way on dealing with juvenile justice.

What do you think is probably the most important thing that we, as members of Congress, that are going to be doing the reauthorization—we always know it is money; we already know that—but what other areas do you think that we need to work on?

Mr. Johnson, could you start off?

Mr. JOHNSON. Madam Chair, I really believe that the first thing that you could do is put a premium on prevention efforts, regardless of what that is.

As the people have said here today, prevention is really—and it is something that I have found changes people's lives, whether it is in medicine, mental health and so forth.

The other thing I think you could do, and probably the strongest thing you could do is make sure that the office of OJJDP has the ability to provide states with the technical assistance and the support they need to bring this out to a broader level of people.

Chairwoman MCCARTHY. My background before I came here was a nurse. So, prevention has always been my key word on almost everything that I do here, with education and everything else.

Mr. Freed?

Mr. FREED. I would suggest that you demand information on what works, and fund that. Fund the most effective programs that people can describe to you that work.

Early intervention to me is the key, whether it is after a child commits his or her first offense, or whether it is before.

I mean, I spend too much time seeing people come through the system, going back in jail. I can name you families in town and in the county that they keep coming through the system. There are some people we are not going to reach. We need to reach those kids before they get in there, or the first time they get in there.

So, I would say, as much intervention as possible, as early as possible.

Mr. LAWRENCE. Specifically, Madam Chair, in the current iteration of the JJDP Act, too many core purpose areas are listed as possible uses for federal funding in Section 223, describing the requirements for state plans.

Regrettably, some core purposes have little to do with effective support for compliance with core requirements or the promotion of best practices.

Please consider ways to trim back the current laundry list of divergent possibilities, so as to emphasize and elevate compliance with the core requirements and initiatives that strive to limit a

young person's court involvement out of home placement or any sort of confinement while ensuring community safety.

Chairwoman MCCARTHY. Thank you, judge.

Mr. Jones?

Mr. JONES. I think that there should be more programs like the CISP all over the United States, because everybody makes mistakes. And not only should you punish people, but at least give them a chance and teach them ways to better themselves.

Because where I am from, you see a lot of things. And usually you follow your environment, you adapt to your environment.

And this program, it is a good way to have everyone—it is a good way to show everybody that there is another way to do things, and you can get whatever you want, but there is a legal way to do it.

I think this program is very good for people who are like me.

Chairwoman MCCARTHY. Thank you, Mr. Jones.

Professor?

Mr. SHEPHERD. Well, I certainly agree with what others have said, and especially the fact of strengthening OJJDP and increasing congressional oversight to make sure that what is communicated to the states is evidence-based.

In light of the anniversary of Gault, and as a law teacher, I think emphasis on the competency of counsel is very important. Another hat I wear is as chair of the Virginia Indigent Defense Commission.

And we have spent 2 years developing standards of practice for lawyers in juvenile court. And they were promulgated on April 1st, and govern every lawyer who practices in juvenile court in Virginia.

We are one of only two states that have done this, and I would like to see OJJDP directed to help develop similar standards of practice that can then be tailored in each state to local practice and raise the bar for representation of children, not only on what happens in the courtroom, but on programs that work.

A lawyer that knows what works, even if the juvenile is found guilty, that kid is going to be a round peg placed in a round hole.

Chairwoman MCCARTHY. Thank you.

Doctor?

Ms. WOOLARD. I agree, as well.

And I want to encourage you all to consider examining the capacity of OJJDP's research portfolio. Much of what each of the speakers here has said is driven in part by evidence-based, systematic research, either to understand risk factors, protective factors or to help understand what works.

And I think research, partnered with those folks that are on the front line, is going to help ensure that OJJDP and this act could drive the research agenda, rather than simply waiting for others to respond to its needs.

Chairwoman MCCARTHY. Thank you.

Again, I want to thank all of you.

I spend an awful lot of time in my schools when I am home on Mondays, and seeing so many of my young people, who I think are terrific kids. We also see an increase in gangs all over Long Island. And a lot of these kids are good kids, but they unfortunately got into—they are really looking for companionship.

I have always been one to say, if we could start at the grade schools, start prevention in grade schools, then we would not be handling the problems that we are handling now.

After-school programs I think are terrific.

Through other committee work that we have done, we have seen, when we were looking just even at obesity and nutrition with children. Obviously, in the underserved areas we see worse conditions than that.

But physical education every single day helped those children, number one, focus better. Certainly had a better mental outlook and tended to have higher marks and did not get into trouble.

So, all of our community work, I think, does pull together. Because I look at things in a circle. How does it start, and how do we complete that circle, so that we have a complete child and hopefully a complete future?

I think it is extremely important that we get this right, not only for the economical security of this nation in the future, but even for homeland security future.

With that, I yield to Mr. Platts for 5 minutes.

Mr. PLATTS. Thank you, Madam Chair.

Again, my sincere thanks to all of you for your outstanding testimony here at the hearing, as well as your written testimony. All of you in some way touched on the issue of prevention and emphasize that.

And Mr. Johnson, I think in your written you said it well. It says, "At its heart, the JJDPA is a prevention act," and what we are after.

Along those lines, Dr. Woolard, in your discussion you talked to us very much about the biological developmental differences, a lot of which relates to mental health and the challenges of our youth.

Two of our colleagues, Patrick Kennedy and Jim Ramstad, are the leaders on mental health parity, which is a wholly different but very much related issue, I think, that a number of the juveniles that we are dealing with and maybe more serious juvenile delinquents have mental health problems.

How would you rate the importance of, as we go through the reauthorization, of targeting additional assistance to mental health, the shortage of mental health providers in the broad sense, and then specifically in the school settings, to a greater number of counselors, elementary school counselors and middle school counselors?

Ms. WOOLARD. Well, I would agree that it is of critical importance. And I think if we take the holistic approach that Madam Chair was talking about just a moment ago, we see that we have historically been reactive with mental health services. We have waited for people to ask or cry for help or demonstrate for help.

And I think if we take the prevention approach we have been talking about here, then the notion that there would be additional services, both within the juvenile justice system—we know, for example, that the vast majority of young people who are in pretrial detention exhibit at least one type—symptoms of at least one type of significant diagnosis. And that is often not met through treatment at that time.

That if we not only look at resources there during that system, but as you suggest, if we think about the other contexts in which kids are living those lives and families living those lives, school is certainly a critical intervention point at which we could see beefing up the ability to provide mental health services so that we could be talking about prevention and early intervention, rather than seeing these full-blown mental health problems we see when they are older.

Mr. PLATTS. And we certainly are making progress. I know, you know, my children in the same school district I grew up in are now going into the third and fifth grade. And in our community at large in central Pennsylvania, it is more the norm to have counselors in the elementary schools, to have the school psychologist district-wide, but very involved.

I do not remember that at all. There was no counselor in my elementary school, as there is now with my children's school.

But I am also in an area that has got more significant resources for our public schools. And I do not think that is the norm across the country, to have that access. So, it is something I think maybe we need to look at.

District Attorney Freed, David, you talked about the Nurse-Family Partnership program and legislation that I am a co-sponsor of, the education begins at home.

Again, very much, when we talk early education and prevention, this is about as early as you get. It is helping new parents learn the skills of parenting, so that they can provide that stability and support and example at home.

In your work as district attorney—and I know there is not an exact answer you can give—but how would you classify the family settings of the juveniles you come into contact with, and more likely, not having a positive example at home, versus less, you know, common?

Mr. FREED. It is far more likely that there are problems in the home with the juveniles that we see come before us.

You are always going to have the kid that went bad. You do not understand the explanation of how this kid could end up behaving that way.

But generally what we see are the juveniles are acting out, because of some issue in the home, because of abuse, because of neglect, or because of, frankly, a complete lack of supervision or meaningful guidance by the parent, or more particularly, in our more crime-prone areas, the aunts or grandmother who is raising the child.

A lack of meaningful male role models is a huge problem in our community. That is why I think after-school programs, such as Boys and Girls Clubs, scouting—anything you can think of to support that would be perfect.

The Nurse-Family Partnership, one of the main reasons I support it is because it starts as early as you can start.

You know, I talked about Quincy and Jordan, and I am happy that I could put those names on the Congressional Record and they will be there forever, because I honor and tribute those boys every day of my life.

And I am convinced that if we could have helped out those families, Quincy would not have been starved to death and Jordan would not have been beaten to death. They would have been taken out or the parents would have known better.

Mr. PLATTS. And I think that is one of the important lessons of your collective testimony. The investment we make up front, whether it is the home visitation programs or other prevention, you know, mental health counseling, that most importantly, the impact on the lives of these children and, in a broader sense, the community, will be dramatic.

And we have to understand, it is hard to do here in Washington, because the way we budget everything is we are only going to look at what we are going to spend this year, not what we are going to—you could probably save next year and 5 years and 10 years. And so often, the focus on prevention gets short-circuited, because it does not work from the way our budgeting process works.

But we need to get beyond that and understand that investing now will save taxpayers money down the road much more and do right by the youth of our country.

So, my thanks to all of you again for your testimony.

Thank you, Madam Chair.

Chairwoman MCCARTHY. And I thank you, Mr. Platts. But I am telling you, we are going to work on trying to get the money where it goes to.

Mr. Scott?

Mr. SCOTT. Thank you, Madam Chair.

We have heard—I appreciated the testimony from all of the witnesses. We have heard that prevention programs work. We have heard about the crime reduction with Boys and Girls Clubs, Big Brothers, Big Sisters, the Nurse-Family Partnership, a 60 percent reduction in crime. So, we obviously know what to do.

I would ask Professor Shepherd, just about every jurisdiction in the country tries the most heinous criminals as adults already.

Is there any question in the literature that the editorial this morning in the "New York Times" which cites a study that says children handled in adult courts and confined in adult jails committed more violent crime than children processed through the traditional juvenile system?

Is there any question in the literature, in the research, that trying more juveniles as adults—those not now tried as adults, but trying more juveniles as adults—will increase crime?

Mr. SHEPHERD. Mr. Congressman, the research is pretty consistent. I am not aware of a single study that indicates that trying juveniles as adults protects society or impacts positively on the behavior of those juveniles.

One of the earliest studies was done by Dr. Jeffrey Fagan in the late 1980s for OJJDP, and it was not published by OJJDP for a number of years. It was suppressed.

Mr. SCOTT. Well, let me ask you another quick question.

Treating juveniles life without parole, do other countries than the United States subject juveniles to life without parole?

Mr. SHEPHERD. Mr. Congressman, as you are probably aware, the United Nations Convention on the Rights of the Child treats life without parole just like capital punishment.

And we are the only nation in the world that has not ratified that convention. So, we are the only nation that does it as a practice.

Mr. SCOTT. Let me ask Dr. Woolard a couple of questions, because the mental health aspects of this are extremely important.

And there is probably no Congressman more active in mental health than the gentleman from Rhode Island, Representative Kennedy, who is a strong supporter of mental health. And we are just delighted to see him here today.

In terms of gang policy, what deterrent effect does the criminal justice system have on juveniles in terms of joining gangs?

Ms. WOOLARD. Well, Congressman, the research that I am aware of—and there have been a couple of different reviews that have looked at various strategies for intervening with kids involved in the systems.

My read is that the general consensus is that programs that emphasize a deterrent approach, such as a punishment approach, straight-up punishment in the criminal justice system, at best do not reduce recidivism, and at worst they exacerbate recidivism.

So, the research that looks at risk and protective factors for going into gangs talks about some of the factors that were already mentioned in terms of the search for connection, for companionship, for guidance that may be lacking in other areas.

So, my read is that more appropriate intervention would be directed at those factors, rather than taking a straight-up punishment approach.

Mr. SCOTT. Your testimony says that you rated prison as having a negative effect on juvenile sanctions, because the youth reported sanctions, juvenile sanctions have positive effects, because they gain something. And adult sanctions tended not to work, I guess, because they lost some things.

When I was in college, I learned that positive reinforcement was a better behavior modifier than punishment.

Can you translate that into what we ought to be considering for juvenile crime policy?

Ms. WOOLARD. Well, I think you may have said it better than I could have at this point.

One of the messages that comes out of research, which came from colleagues in Florida, examining and comparing matching kids who had stayed in the juvenile system versus those who were transferred, is that we can think about both opportunities and costs.

And if we think about the way that we want to reduce negative behavior, we not only need to think about eliminating that negative behavior, but putting something positive in its stead. And so, the kinds of approaches that look at positive reinforcement or a focus on strength and opportunity, I think provide a more well-rounded approach than those that focus simply on suppression or trying to prevent negative behavior.

Mr. SCOTT. And so, how should our gang reduction, juvenile justice policy reflect that?

Ms. WOOLARD. Well, I think that by its name, gang reduction, it is only talking about half of the equation. And so, a gang reduction policy that is designed to stop kids from getting into gangs has got

to examine both the reasons why they are getting in and the reasons or pathways that they might need in order to get out. And the pathways in order to get out have got to offer positive opportunities.

I currently work with some local nonprofits in D.C., one in particular called Peaceaholics, groups that are addicted to peace, that are working with young people in the district and trying to keep the out of gangs.

And one of the things that they emphasize tremendously is that we have got to offer the constructive opportunities for kids to either not go into that gang in the first place or for them to come out. And that it is incumbent upon us to create that context for those kids, rather than saying "Don't be in a gang, but now go figure out what else you are supposed to do."

Mr. SCOTT. Thank you.

Thank you, Madam Chair.

Chairwoman MCCARTHY. Thank you, Mr. Scott.

And now, our colleague from North Carolina, Mr. Coble?

Mr. COBLE. Thank you, Madam Chairman.

Good to have you all with us today.

Judge Lawrence, what key factors do you see contributing to juvenile crime in New Hampshire—my favorite New England state, by the way; sorry about that, Mr. Kennedy—and how does the state address those factors? And in what ways is your courtroom directly or indirectly affected by the Juvenile Justice and Delinquency Prevention Act?

That is a three-pronged question I threw at you.

Mr. LAWRENCE. That is fine. I am happy to answer it. I will start with the last part of your question first.

My courtroom is affected through efforts of the Juvenile Justice and Delinquency Prevention Act through a detention reform project that I happen to head up in the state. But we, from time to time, are asked to detain young people.

And through efforts of the committee and the co-chair, we have developed dispositional guidelines—or a detention assessment screening instrument, sorry—which has allowed us to objectively measure the risk of a child and determine whether that child should be detained, as opposed to a subjective decision which has been made in the past.

Generally, if a child irritated someone enough, they were detained. And if they did not irritate you enough, they were not detained. And that is not a basis to make a detention decision.

It is interesting, when you detain a child and you have a similarly situated child—same crime, same socioeconomic background—the child you detain has a greater chance of sinking deeper into the system, and ultimately a greater chance of recidivating, versus the child you did not detain at the front end.

So, it is just—the system works and the Juvenile Justice and Delinquency Prevention Act promotes that. And OJJDP has done some work in the detention reform area.

In terms of factors to reduce juvenile delinquency, it is really a question of—it is really sort of the analysis would be reducing the risk factors, but really increasing the strength factors.

And in a way it is quite simple. If you set up an environment for the children who come before you and families, really similar to the environment you might like to create and to raise your own children in.

We try to connect our children to the community as much as we can. We get them involved in as many activities as we can. We do homework with them when they are young.

We do all the things that contributed to their positive element. And it is trying to structure an environment for the families who do not do that, to do that. And you do see changes.

One of the things that we often do is, we will take a photograph consensually of a child and family when they come in. And 6 months or a year later, and the affect and the demeanor of both the family and the child, having done some positive things with them, is dramatically different.

So, you really can have an effect on whether or not delinquent behavior is enhanced or increases or decreases. So, those are a couple of answers to your question.

Mr. COBLE. Thank you, Your Honor.

Dr. Woolard, what impact do parents have in preventing juvenile crime? And do parents impact the psychology of juveniles?

I ask that, doctor, because I have known juveniles who had superb parents who become criminals. Conversely, juveniles with parents who are rotgut sorry, who are clean as mountain water.

Ms. WOOLARD. That is right.

Mr. COBLE. What do you say to me?

Ms. WOOLARD. I say yes, you are right.

I think parents are actually one of my focuses in the research that I do. And I want to say a couple of things in response to your question.

One is, I think parents have alternately been cast as both cause and cure for delinquency, depending on what era we are in in juvenile justice reform.

I think the answer is that they can serve as both. And it depends a lot on the circumstances.

I think that parents are—I want to be clear that juveniles are accountable for their behavior. I think that one of the groups that does not have representation in a sense in our juvenile justice system is parents. There is no one who—they do not have the kind of standing to be involved in the way that we would like them to be involved, unless judges and courts pull them in in that way.

So, I think we can think about not just focusing on the child, but focusing on that family context. Some kids are able to surmount very difficult circumstances and——

Mr. COBLE. And before my red light illuminates and the chairman comes after me, I want to ask Professor Shepherd a question.

Professor, have there been any reliable studies that have identified the reasons for the decline in juvenile crime in the last 30 years?

Mr. SHEPHERD. Mr. Congressman, that is probably the hardest question that anyone could ask. There have been a lot of speculation about what causes juvenile crime to spike and what causes it to decline. And there is no consensus about it.

You may recall, in the late 1980s, there were some very dire predictions that we were going to have a bloodbath caused by juvenile super-predators as we neared the year 2000, because of the children of the baby boomers. And those demographic studies proved to be terribly, terribly wrong. Juvenile crime went down.

We really do not know. And I think the researchers that I have the most respect for, like Howard Snyder at the National Center for Juvenile Justice in Pittsburgh, the research arm of the National Council of Juvenile and Family Court Judges, are frank enough to say, we can track it, but we are not sure what the causes are.

But there is a study going on now to try and identify and segregate out some of those factors that are significant. And hopefully, we will have that very soon.

Mr. COBLE. Thank you, Professor.

Thank you all for your testimony.

Thank you, Madam Chairman.

Chairwoman MCCARTHY. Thank you.

My colleague from Arizona, Mr. Grijalva?

Mr. GRIJALVA. Thank you very much, Madam Chair.

In the short period time I need to see how many questions I can get in, and I would appreciate short answers, if at all possible—not required, but appreciated.

Judge Lawrence, in speaking of the practice of restorative justice, let me ask you specifically. Where do re-entry efforts fit into this equation of restorative justice? And how should they be weighed?

Mr. LAWRENCE. Well, first of all, I guess I would say that if you had less re-entry—in other words, less people having to re-enter—you would end up with better outcomes. But assuming you do have people re-entering, then sort of the principles of balanced and restorative justice, you would end up with probably victim-offender mediation, perhaps, on the re-entry, if it was not done at the front end.

And you would have them connect with the community more positively in terms of re-entry, so that they had some support from the community. They were not just viewed as someone who has gone away, done their time and we forget about them. In fact, the community would more or less embrace them. So, those are some principles I would employ.

Mr. GRIJALVA. Thank you. Let me just follow up on another in your written testimony.

In talking about the challenges and positives that you see in terms of juvenile justice prevention efforts, in diverse communities like my county of Pima that I am from, can you make the comparison between those efforts with diverse communities like Pima County, and then more homogeneous communities?

Mr. LAWRENCE. Well, I think you have to call upon members of the community, actually, to determine what efforts they want to make with regard to reconnecting this child who is re-entering. They need to reconnect with the family. They need to reconnect with the child.

But I think it has to be community-driven, based on community values, based on the cultural values that are inherent in that community.

Mr. GRIJALVA. Thank you.

And Mr. District Attorney, you mentioned high recidivism for high-risk offenders. And just quickly, what did you see as the most effective re-entry transition practices to reduce this recidivism rate, to prevent, for lack of—spanning the definition of prevention—to prevent recidivism?

Mr. FREED. The best way to prevent recidivism is to essentially, when the—if it is a juvenile or an adult who is leaving the system, do some sort of an exit interview, determine what services are needed for that person and make sure the person gets the services.

That is one of the biggest problems we have. We can all debate about who should be in jail and who should not, how long they should be there and how shouldn't they.

But we can all agree that, when they get out, if we just send them out with no services, they will fail.

Mr. GRIJALVA. Thank you.

Dr. Woolard, just a quick question. Where does scholastic competence, literacy, school achievement, closing that gap, doing well in school—where does that fit into prevention?

Ms. WOOLARD. Well, we certainly know both that that is a tremendous risk factor for youths to begin engaging in delinquency and those that are already in the system are often achieving below grade level, often more than one grade level below.

So, if we think about both in terms of primary prevention, that engagement with school, it is certainly something that we want to emphasize and to work on. And for those that are already involved in the system, providing the supports for them to become academically successful is a critical intervention strategy.

Mr. GRIJALVA. Key linkage, right?

Ms. WOOLARD. Yes.

Mr. GRIJALVA. Thank you.

And my last question—and I have some others for Captain Johnson and other people that I did not have a chance, and I will submit those questions so that—well, for you to submit to the committee in writing.

Mr. Jones, what is the most important thing you try to share with the kids that you are now mentoring in your program? What is the most important thing you share with them?

Mr. JONES. Well, where I am working now?

Mr. GRIJALVA. Yes.

Mr. JONES. Well, I let them know about the mistakes I made and try to hope that they do not follow in my footsteps. I tell them about everything that I learned, so that they do not make the same mistakes I did.

Mr. GRIJALVA. That is a good answer. Thank you.

I yield back.

Chairwoman MCCARTHY. Thank you.

And our next, Mr. Gohmert of Texas?

Mr. GOHMERT. Thank you, Madam Chair.

And I do appreciate everyone's time and being here. Obviously, this is an extremely serious issue, because we are talking about the future of the country. And obviously, that goes hopefully to all of our hearts.

Judge Lawrence, you made—you had a litany of things that we need to do everything to—excuse me. Did you need me? Okay.

The litany of things we need to try to do, one of which was do everything we can to keep them close to home. And of course, as I am sure you have dealt with, or maybe it is not as big a problem, but some of them do not have much of a home.

You know, you would think, well, one thing we might could do is set up a way to try to help single women trying to raise children, which was an issue that was dealt with in the 1960s.

And the thing they came up with, out of an abundance of warm feelings and hope for doing the right thing, let us start giving single women that are just trying to get by, because there are not that many, but they are dealing with deadbeat dads, let us give them a check for every child they can have out of wedlock.

And 40 years later, we have gotten what we paid for.

And when we hear about those, we really do not like to lock young people up, and we have heard some anecdotal stories.

Let me tell you about a fruit stand vendor in Smith County. Little did he know that there was a juvenile judge in the county that gave a young man chance after chance, because that judge really did not want to lock this guy up. Chance after chance, he kept offending. He kept telling him, don't do it again.

Anyway, he could have been locked up for a period of time toward the end of his juvenile term, but he was not. He got with a couple of friends. They decided to rob a bank. They decided not to do it in their own car.

So, they went and found a lady driving a red Suburban, followed her to her rural home, and then she had neighbors standing out in the yard, so they decided not to kill her and take her car.

But they drove along and they saw a sweet, elderly man who is just a fruit stand vendor, and decided they would jack his car. So, they got out, went to talk about his onions and fruit.

Ended up, when no one was looking, they made him get in his truck. They did not realize it was a standard. They drove him about a quarter of a mile down a rural road, right by his stand.

The chance they gave him apparently was to let him run a few steps before he was sentenced to capital murder by this informal panel, and shot and killed there.

Had he been incarcerated, the guy might still be vending fruit in Smith County.

So, as a judge myself, I know that—and I did not handle juvenile cases, but I handled the results of some badly handled juvenile cases, like that one—there is a desire not to lock anybody up. But what I ran into over and over were juveniles who dealt with judges and teachers—and before that, parents—who had never followed through on what they said.

I had kids come before my court as an adult, who had never actually met anybody who did what they said. A parent would say, "Don't do that again," but there were no consequences. A teacher would say, "Don't do that again," but there were no consequences.

So, I determined I would be compassionate, I would use probation liberally for those who had not had a chance. But once I gave someone a chance, I wanted them to meet someone who always did what he said.

I do not know too many judges, if any, that always revoked. And I told everybody I put on probation, if you violate, you will meet

somebody who does what they say. You will meet a judge who will send you to prison.

And I have had people hate me for a while, and some parents come back and say, you turned—you saved my child. They finally met someone that did what they said.

So, in all of this consideration of wanting to protect society on the one hand, but on the other to help these youth to reach their God-given abilities and talent, and not get sloughed off into some system, sometimes it takes hitting rock bottom with somebody who will be tough and love them in a tough way.

And I do not want that perspective to be lost, as well. So, I had to submit it. I see my time is running out.

Madam Chair, thank you for giving me that opportunity.

Chairwoman MCCARTHY. Thank you.

Mr. Yarmuth from Kentucky?

Mr. YARMUTH. Thank you, Madam Chair, and thanks to all the witnesses.

I have one question for Judge Lawrence. In Kentucky, despite JJDPA's prohibition against detaining status offenders in locked facilities, we have more than 1,300 non-criminal status offending youth in lockups, partly due to overuse of the valid court order.

I was wondering what your recommendations might be on how we would strengthen the prohibitions and provide other resources to take care of these youth in need of protective custody.

Mr. LAWRENCE. At the federal level, I guess my approach would be to try to put some incentives into the Juvenile Justice and Delinquency Prevention Act that either increased the amount you might get if you reduced the number that are locked-up status offenders.

Right now there is a penalty, of course, that takes away money. But maybe reverse it and say you will get more if you reduce that particular practice. It is another way of inducement.

On the state level, which you could certainly induce, perhaps induce a policy change, a statutory change, that basically takes locking up status offenders out of the selection of tools that a judge has, or a probation officer might be able to recommend.

I mean, there is nothing that says that you have to lock those kids up.

I understand the level of frustration, but taking status offenders, kids who will not go to school, and thinking you will get them to go to school by locking them up, there is not anything that supports that.

So, those are two particular approaches that you might take in terms of federal initiative, and also recommending to the state that they take a look at their law, which, after all, is the actual law that is going to control the decision that the judge is making or the probation officer is recommending.

Mr. YARMUTH. And then, I guess I would like to make a comment and throw it open to the panel.

Last week during our recess, we in Louisville had a forum that I sponsored on homeless and runaway youth. And we had about 90 people, many from around the region, some national experts.

And what was very clear in listening to all of these experts was that, in so many of these cases, there is a tipping point in a youth's

life, sometimes not so much, but sometimes a very specific one, which determines whether they go in a positive direction or a bad direction.

And when I look at the juvenile justice system, it seems like what we are looking at is a tipping point in the life of many people. The entry into the juvenile justice system itself is a tipping point.

And I throw that open for comment, because we have heard a couple of times about the continuum of services needed. And I know that when we have dealt with issues such as what we were talking about, runaway homeless youth, it is the same type of message that we got.

Yes, there are a lot of different services. Yes, there are a lot of individual points of contact that are helpful. But unless that continuum is there, and even though the tipping point might deflect one in the right direction, that that is a critical part of the entire process.

Mr. LAWRENCE. Just a brief response.

Sometimes, if you take the approach, which is that—my analogy is that, if you look at a railroad track and the child is moving down the track and they are going to spill over the rails, they are going to fall down in the bed, as long as they do not roll too far out into the field. But the entire time they are moving down the track, that is maturation.

So, sometimes it is just dealing with a child over and over again, but they sort of mature out of that behavior. Sometimes they do reach the tipping point. Sometimes for community safety, you do need to take more restrictive action.

But a lot of times, it is simply not placing a box around the child and a box around yourself, particularly as a judge, and then setting up expectations that you are going to respond in some harsh way and some punitive way to this child.

So, the other thing I would comment on is that, it is always interesting to me to look at a child, and with people we grew up with, we could say, well, that person, when they got to be 25 or 30, was going to be very successful and the opposite of this person. But actually, it turned out the opposite way. The scholar in high school turned out to be the dropout. The person who broke the law repeatedly turned out to be the chief of police.

So, it is really difficult to make a prediction at times about what is going to happen with someone who is a dropout, who has really nothing.

But I think you keep working with them, and keeping in mind all the time community safety, which you have to do. But you have to allow that maturation process to continue and to keep them in as positive an environment as you can while that process is going on.

Mr. YARMUTH. One quick question while I have a few seconds left.

We have a program that deals with incarcerated veterans. There is a pilot program that is being conducted in several places in the country, which does provide this continuum of services, once they are released. It has reduced the recidivism rate, I know in the state program that we have, from like 67 percent, the normal rate, to down under 10 percent.

You may not have numbers, but is there any kind of quantification you can do of the improvement in recidivism rates with this type of approach in juvenile justice?

Mr. LAWRENCE. I think there certainly is. I would refer, perhaps, Professor Shepherd might have some particular information on that. And also, we could provide you with some information. The Coalition for Juvenile Justice could provide you with that information, if that would be helpful.

Mr. SHEPHERD. Certainly, the earlier comments about re-entry, I think there is a renewed focus on re-entry in the juvenile justice system. And it is important, in my judgment—and the research seems to support this—that when a juvenile is in the system, they need to be involved in re-entry, well prior to being released.

If they go back into the same neighborhood, into the same family where they got in trouble before, without any monitoring or support, they are at high risk to re-offend.

And I think it is important to make sure that kids get back into school, that they get mental health services in the community, if they have not been getting them previously.

And yet, ironically, sometimes they get more mental health services in the juvenile justice system than they do in the broader community. And I think that re-entry does significantly reduce recidivism.

Chairwoman MCCARTHY. Thank you.

Ms. Clarke?

Ms. CLARKE. Thank you very much, Madam Chair.

I want to thank you, Chairman Scott and Ranking Member Platts for this very instructive and important hearing here today.

You know, I am a new member here, but I was a councilmember in the City of New York. I used to chair the Committee on Fire and Criminal Justice Services.

And this has been an issue that we have been struggling to address aggressively in New York City, coming up with what we considered to be best practices and really addressing the concerns of our young people and, by extension, our community. We have so many young people in a densely populated area.

I am glad to hear the discussion around re-entry.

But what we found to be very helpful in New York City is actually discharge planning, which is before the young people actually leave the doors of a detention center, setting up a prescription, a plan that has been connected to community services, be it nonprofits, be it religious institutions, that could help those families and the community, by extension, in receiving those young people and making sure that their health care needs are attended to, that their—whatever concerns they may have, that they are addressed—and that the environment that they left, that may have put them into the pathway to criminal activity could be addressed, as well.

So, I am so glad to hear that so many of you on the panel have looked into those issues. And I would like to suggest that, as a best practice, we look in that direction.

I know, certainly, as a district attorney, you are looking to make those connections with partners in the community to be able to subvert young people from having to do hard time, as they call it—

as I would call it, quite frankly, if I were a kid—to alternatives to detention.

My question has to do with sexually deviant behavior. We had a big conversation in the City of New York with our public schools, quite frankly, about how we identify and deal with adolescents to address the issue of sexually deviant behavior, and perhaps the maturation of what we now see as a growing population of sexual predators that society just really does not know how to deal with.

I think that your research—and you may have stated that, Dr. Jennifer, or perhaps it was Professor Shepherd—has shown that, because of the development of the brain, you are more likely to be able to change that behavior in an adolescent, in a youth, than you are once that person reaches adulthood.

Could you speak to—or anyone on the panel—speak to any information that you have heard or seen that could help communities that are now dealing with large populations of ex-offenders, be residing in their communities in adults, but perhaps doing the preventive end for young people and looking at how our school systems could help us facilitate that?

Ms. WOOLARD. Well, I think that—I think that certainly there is, particularly, I think, on the clinical side of psychology, some research that could be informative that I would be happy to pass along to you and to the committee, that talks about this particularly difficult issue about sexual offending among adolescents.

Because really, the challenge—as it is more broadly, when we think about juvenile offenders—is trying to figure out who are the ones that we need to be most worried about? And who are the ones that are going to age out, or are going to be able to be successful with the proper help and intervention?

I am not sure that we can answer that question definitively yet, but there are certainly some studies that have examined the efficacy of treatment for adolescent sex offenders, some that have looked at the benefits of cost of things like placing adolescents on sex offender registries and things like that.

So, I would be happy to get some of that information for you and for the committee to be able to look at that.

Mr. SHEPHERD. I would add that I did address this some in my written testimony. And there are a couple of references attached to my written testimony, the Association for the Treatment of Sexual Abusers report from last year on children with sexual behavior problems.

And what we do know is that intervention is much more successful with adolescents and children than it is with adults. And the irony is, we are putting a lot of these kids into adult court, and the adult correctional system, where they do not have the treatment that would have been available to them in a juvenile setting.

We also know that kids who engage in sexual behavior, sometimes experimentation. They are going through puberty. They are not really molesters or pedophiles. And we need to deal with them in a different fashion than we do adults.

But both federal and state law tend to now treat them under the same umbrella, and that makes little sense.

Chairwoman MCCARTHY. Thank you.

Mr. Sarbanes from Maryland?

Mr. SARBANES. Thank you, Madam Chair and Mr. Chair, for the joint hearing on this very important topic.

I just had—wanted to get the panel's reaction. Representative Gohmert was talking about how these children often never encounter anyone who does what they say they are going to do.

The examples he gave were where you said to someone they were going to have consequences, and then they did not get those consequences. I actually thought he was going in a different direction and was going to talk about all the instances in which services and support are promised to children and then nothing ever happens.

And I invite any of you to speak to the system's ability to respond when the needs of children are identified. I mean, the discharge planning approach, obviously, is a critical one. But if, once these youth are back in the community, the service does not come through and the support is not there, then we fail them again and we have basically written a ticket to nowhere.

So, if you could comment on that.

And also then, if you could give me your perspective on whether we should be thinking of new delivery models for these services. I mean, it is not just a resource question, potentially. It may be that some of the old ways of doing things—and you think of services that are sort of Balkanized, as opposed to holistic—whether delivering service to a child really means delivering service to a family, for example.

What are all the implications of that to make sure the service is delivered and it is delivered in a way that is going to have the best effect?

Mr. LAWRENCE. Maybe I will take a stab, since I think the congressman's comments earlier were directed at me, and I will take a stab at it.

From a judge's point of view, I think what you can do to make sure things are done is to have frequent reviews. It is a simple process. But if I do not think the agency is doing its job, I will have them in each week to make sure that the service that this child needs is being delivered.

So, that is one simple thing. Yes, that means more on your docket. Yes, it means more time. And yes, it adds up a cost. But that cost may be less than not providing the services that you promised, which hopefully will result in the outcome that you want.

So, that is one simple way of assuring that the agency is doing what it says it is going to do.

Some states have a setup where once a judge determines the guilt or innocence of the child, the child is actually turned over to an agency to be dealt with. And sometimes they get lost in those bureaucracies and there is not the accountability.

I tend to think, with a well-trained who he or she really knows what they are doing in terms of youth development, et cetera, if they can ride herd on that case and make sure that services that were ordered are delivered, and that if they are not working, new services are devised and a new plan is developed, you can have a much better outcome than a judge who is not overseeing cases and not following up.

If I commit a kid for a serious crime to our youth development center, many judges just turn the case over. I do not.

I review the case once a month, even though the child is in that development center, because I want to know what progress is being made. If it is not sufficient, maybe I will come up with another plan and take the kid out of there.

And also, I know when their discharge date is and I begin planning for that discharge 2 or 3 months ahead of time.

So, those are some techniques that could be used.

Mr. SARBANES. Anybody else?

Mr. JOHNSON. Representative, one of the things that we found in Arizona was that, when you were talking about a system or how you holistically look at a child, we found out that there were barriers at the federal level and also at the state level, that did not let systems communicate.

And as you had a child that moved through the system, what you would find is that the systems do not talk to each other, either through technology. There are a lot of things that prohibit those agencies from even identifying who those children are, such as HIPAA, depending on where those children are.

What we did in Arizona, talking about the importance, I think, of a SAG, or state advisory groups, is it allowed us to bring about 250 people from across the state from all of our different counties. And what that led to was an agreement.

And it is called the Interagency Coordination and Integration Initiative, which actually is a contract and a letter of agreement between state agencies to start looking at identifying youth and families at risk for multiple systems involvement earlier, provide more comprehensive and effective services and cultivate improved outcomes for children and youth who are at risk and who have experienced maltreatment.

So, I think that is a holistic view that we are using with the state and at an agency level, that I think will not only fix some of these things, but help people communicate, because kids do get segregated and pushed off into different systems.

Mr. SARBANES. Thank you.

Chairwoman MCCARTHY. Ms. Jackson Lee of Texas?

Ms. JACKSON LEE. Thank you very much, Madam Chairperson, and to the ranking member, to the chairperson of my subcommittee, the Subcommittee on Crime in Judiciary. Let me welcome all of you and thank you for providing such a breath of fresh air.

I have served on the Judiciary Committee for a number of years. I have served in the majority for a few months.

But I recall working with now-chairman, then ranking member, Mr. Scott and Mr. Conyers at the sort of the pinnacle of the crime reform of the mid-1990s, when the rage, judge, was lock them up and somewhat throw away the key.

The tragedy was, of course, that it was trickling down—or trickling up—into the juvenile justice system. And the attitude was how hard can the hammer be.

We took a traveling tour to a number of states. California was one of them. And it seems as if, that every law enforcement officer that we encountered—not police, but policymakers, attorney generals and others—were engaged in how hard we could hit in the juvenile system.

I do not know whether we have benefited from that. And I think that if we have a legislative opportunity, it is to listen to the distinguished lady, doctor and the rest of you on how we can craft legislation or amendments going forward to allow thoughtful scholars and advocates such as yourselves to be able to move this agenda.

And I am going to use provocative analogies and would like to hear your thoughts.

I am looking at the organization chart, and I know that the juvenile justice and delinquency prevention area reports directly to the attorney general. And that, in and of itself, puts it as a sort of law-oriented scenario.

I also notice that the state formula has some really good principles in it to get these state grants. And I mention juveniles are not to be detained or confined in any facility in which they would come into contact with adult offenders. Juveniles accused of non-status offenses can only be confined in adult jails or lockups for a short period of time.

And these are criteria that would help you get monies in states who show they are attempting to reduce the disproportionate confinement of minorities.

My quick question is, this factual situation. Judge, you have come before you an outstanding student on the way with scholarships, a person who is a leader or the king of the senior class, et cetera. And they had a prom night sexual encounter.

And all of the indicia suggest an alternative. They are then incarcerated as an adult and there seems to be no remedy.

How do you use your—no remedy in terms of the release—how do you use your thinking to address that question? It is a sexual incident. It was known at the beginning that it was consensual. And the person has their future before them, but, as I hear my colleague on the other side of the aisle about young people must know a beginning and an end, how to use your thoughtfulness on this.

My question to Mr. Freed, very quickly. We talk about detaining of youngsters. What about a system that is broken. The detention center is filled with child predators. And so, the detained individual that you are sending them to a youth commission, for example, is being subjected to sexual abuse by those who are charged with their guardian or, if you will, protection?

Judge?

Mr. LAWRENCE. My comments would be that the judge really creates the culture, or the culture in the courtroom, maybe a culture in the community that they are in, a culture in the state, to the extent they have influence.

And so, I think if people's understanding of what your expectations are, and if I let them know my expectations are, to take the example you gave me, that this young person should probably not be transferred, should probably not go to the adult system, then you take that off the table, and people begin to think in different ways.

Okay, how can we address what happened here to make sure that community safety is considered, to make sure that the victim is appropriately considered, but to make sure that in the end, this sort of act does not repeat itself.

And the research is there. But what you really have to let people know is that we are not going to take this case and simply certify and send the adult system, and if people know that to begin with.

One of the key factors in the system working effectively is that people have some predictability about what the people who can make the decisions are going to do. And if you can establish that culture, it allows people then to begin to think simply in different ways about how we are going to address the issues that were created by this crime being committed.

So, that is one approach from a judicial perspective.

Ms. JACKSON LEE. Is Mr. Freed allowed to answer?

Is Mr. Freed allowed to answer the question? Thank you, Madam Chair.

Mr. FREED. The key to the juvenile justice system, especially when a child is placed, is collaboration among all the parties. And I think that actually goes to what Representative Sarbanes was asking about also.

We may disagree on who should be locked up and for what reason and for how long. However, when a child is detained, it is our responsibility to ensure the safety of that child.

So, I know that in the Commonwealth of Pennsylvania, evaluations are done, and children who are placed are placed in very specific places that treat specific symptoms that those children show.

So, it is incumbent on us to ensure the safety of kids, even if they are detained, and even if it is for a length of time.

Ms. JACKSON LEE. And come down hard on those who would violate them—adults who would violate them, who have been in their custody.

Mr. FREED. Without a doubt.

Ms. JACKSON LEE. I thank you.

Chairwoman MCCARTHY. Thank you.

With that, Mr. Platts has to leave. He has another hearing starting at 4:00. So, he is going to say a few words, and then I would like unanimous consent so Patrick Kennedy can ask some questions.

Hearing none——

Mr. PLATTS. Thank you, Madam Chair.

One, Patrick, I am sorry I will not hear your engagement. And as I referenced earlier, I really appreciate your leadership with Jim Ramstad on the mental health parity, which relates so much to this issue.

I just want to again thank each of you. As I said to the chair, the six of you, your knowledge that you have brought with you today and shared with us has been tremendous, and is really going to benefit us as a committee and, ultimately, the Congress in total, as we move forward with reauthorization to take what has been certainly a very effective prevention act, as Mr. Johnson referenced it, and make it even better for the good of our youth and ultimately our nation.

So, my sincere thanks. My apologies that I need—the National Security Subcommittee hearing I need to run off to next. But we appreciate all of you coming down.

And Dave, we will look forward to seeing you back on the 19th.

So, thank you, Madam Chair.

Chairwoman MCCARTHY. Thank you, Mr. Platts.

With that, certainly, my colleague from Rhode Island——

Mr. KENNEDY. Thanks.

Mr. Platts, let me thank you very much and say, I hope we get to do a hearing on the mental health component alone, with respect to juvenile justice, because I think it is such a—70 percent of the juvenile justice—thank you; I know you have got to go to a hearing—70 percent of the juvenile justice population is identified with a mental illness.

I mean, we have to have a hearing on its own about mental health, if we are going to address the juvenile justice problem. And I hope that working with the chairwoman, we will be able to put together a hearing on that.

I would like to say one thing that I think has come through loud and clear from the testimony that I have heard so far. And that is, if you want to reduce recidivism, and you want to do what is effective and follow what the science has shown us so far, you cannot mix kids with adults.

That has been the intent of the juvenile justice law, and we ought to make it clear in the reauthorization, once again, that irrespective of whether the states prosecute kids, as adults, or not, we are not going to house kids with adults.

And, with respect to the status offenders, that the whole provision that has kind of run amok with respect to the valid court order exception with the runaway, has been, you know, where the kids keep running away.

And it has allowed the judges to have to keep keeping those kids in prison as a result. That needs to be taken out, and those kids need to be put in alternative settings.

You cannot keep kids in these prisons, if you have got someplace else to put them. We have got to find other places to put status offenders. You cannot keep them in jail. You are just—all the evidence shows, you are just setting them up for future problems.

They are going to be in jail. They are going to be learning with more serious offenders how to commit worse crimes.

I mean, hello? I mean, this is not rocket science. Let us invest, and with this reauthorization in alternative housing for status offenders, let us get rid of this valued court order exception, so there is no excuse for these judges to keep these status offenders in jail.

Let us get rid of this notion that kids can be in jail with adults, no matter whether the states prosecute them as adults or not. And let us make that as part of federal law very clear, loud and clear.

And I think Derrick Johnson made the point very clear. There has got to be a holistic view of this. And if you are not linking the kids with the schools, you are not going to get the prevention.

So, but if schools are not talking about the delinquency, that the teacher knows that the kids got the problems with their academics, how are you going to start to do the prevention?

We are going to have to in this reauthorization, put monies aside that allow that interagency coordination that you, Derrick, talked about doing already. We are going to have to formalize. You are going to have to give us what you have done already, and we are going to have to use that as a template and codify that in our reauthorization.

Because it seems to me that that is what we are going to have to—would be a good model for us to embark upon, where we bring together all the players in the community and make sure everybody is talking to each other, because what seems to be happening in this field is that the kids are falling through the cracks between the mental health providers, the substance abuse providers, the court people and the educators, and the justice and the judge. And everybody is talking about the kids, and then the kids are falling through the cracks.

So, getting that comprehensiveness seems to me the—I just want to say, as a member of the Appropriations Judiciary Subcommittee, I just came from that, and we added over $80 million to Title V and $60 million to JBAG, so we are increasing over last year's budget, which is a hopeful sign that we are finally moving in the opposite direction, whereas the last 5 years we have eviscerated the Title V money by over $230 million.

So, now we are back, moving in the right direction.

But I thank the chair for giving me an opportunity to say a few words, and look forward to working with her.

And just say, in terms of prevention, 3 percent of our foster care youth make up 40 percent of our juvenile justice youth. So, this is all in prevention, like the chair acknowledged at the outset. Three percent of our foster care make up 40 percent of our juvenile justice.

It is all in the—and that is why we need to take the at-risk parents. That is why we have got to look at SAMHSA. They have got starting early, starting smart. And they have got Parent Corps. Those are mentoring programs for at-risk parents—parents who have substance abuse problems that are the highest risk.

If the parent has got the problem, you guarantee the kid is going to have a problem. The most important influence on a child's life is the parent. And that is why we have got a link.

If we put money in this reauthorization to—or, you know, authorization to work with those other agencies, what we are going to do is set up those linkages that will allow us to coordinate better, to better make sure we have that holistic view that Mr. Johnson was speaking of.

Thank you, Madam Chair.

Chairwoman MCCARTHY. Thank you, Mr. Kennedy, and thank you for your input. I know that we are going to get mental parity this year. I mean, I just know we are.

And thank you for the extra money right now. You could have pushed a little bit harder. We needed a little bit more. [Laughter.]

Mr. KENNEDY. We still have the floor to go.

Chairwoman MCCARTHY. Correct.

I do not know if anyone has—if anyone who needs to catch a plane, or if they are in a rush, because a number of members have asked if they could ask a second round of questions.

We will probably have votes coming up in a half-hour or so. But it is going to be up to the panel, because we have kept you here for about 2 hours already.

Terrific.

I am going to ask the first question. I can do that. I am the chairwoman.

I wanted to ask you, Judge Lawrence, when judges are working with juveniles, do they go through any courts or learning how to work with juveniles? Do they get the latest research on what is out there and what they could do to possibly help these juveniles as they go through and to help them make decisions?

Mr. LAWRENCE. Some do and some do not.

I think, if you took a look at the background of a lot of judges, you would find that they never took a course in juvenile delinquency, and never took a course in child development, abnormal psychology.

They really often do not come with a base that you might like them to come with in terms of juvenile work, but some do. And obviously, there is significant training that you can avail yourself of.

And I think the move to family courts is an important move, because one of the critical factors of a judge who is really interested in this work is that they want to do it. Often, judges get assigned to a family court docket, a juvenile docket and they are not terribly interested in it.

If they are not terribly interested in it, it does not work, you are not going to highly value, and you are not going to highly value the people who are in front of you.

So, I think the move towards family courts is important. But also, if you are going to appoint or elect—whatever the process is—a judge in particular to juvenile cases, you want to know about his or her background. And if they have the requisite early training and early interest, it will bode well for their work later on with juveniles.

Chairwoman MCCARTHY. I do not even know if we can do that. Is there any way through your committee that we could recommend that those that are serving as judges towards—I have no idea what the laws are on that.

I will let you think about it.

Mr. SCOTT. Yes, we could probably propose to have funding for seminars and things like that. I am sure Professor Shepherd could make recommendations on that.

But I think the availability of seminars and other professional development would clearly be possible.

Mr. SHEPHERD. A good deal of the funding under the JJDP Act goes to the National Council of Juvenile and Family Court Judges for operating their college programs, primarily in Reno, Nevada.

A lot of states, unfortunately, with budget cuts in the late 1990s and early 2000s, cut back on judicial training and education. And I know there are fewer judges in Virginia that are being sent by the state when they assume the bench to Reno to go through the college.

And I think it is particularly critical with the juvenile and family court bench, because, as we have already discussed here, it is so interdisciplinary. The judges need to be able to understand what Dr. Woolard and her colleagues are saying and what people from the social work profession are saying. They need to know the brain research.

And they need to know what due process means for kids, as opposed to adults, because they are different. They have different competencies. And I think that is very important.

Some of it is money, but some of it I think can be embedded in the act and directing the office to support these programs, not only through the council, but through the states.

Chairwoman MCCARTHY. Well, that is why I was wondering, because I know in New York State, the judges have to take so many hours of educational or some sort of upgrade. I guess it is every year. I am not sure. I have not followed them. I am definitely going to look into it now.

But that is something that we can work with the governors then on trying to bring those kind of courses into—even if it is only a suggestion.

Mr. LAWRENCE. I know that states would welcome the input from the committee and from the legislation, encouraging state legislators to beef up JJDP education budgets, because that is where the rubber meets the road.

If there is no money in the state budget and there is sort of not the encouragement to put it there, the ability to educate judges on evolving topics such as adolescent brain science, unless they have a particular interest in the area, it is not going to happen.

And I know in our state, until this year, we have had tremendous cutbacks in our judicial education branch budget, which has made it extremely difficult to get judges together to educate them.

So, anything you can do in that direction would be helpful.

Chairwoman MCCARTHY. Well, I don't know if you noticed lately; there has been a lot of bashing of judges.

Mr. Scott?

Mr. SCOTT. Thank you, Madam Chair.

First I would like to ask unanimous consent to introduce in the record the New York Times editorial that I referenced earlier, today's editorial, which ends by saying, "Trying children as adults, except in isolated cases involving extreme violence, is both inhumane and counterproductive."

And I would like to introduce this into the record.

Chairwoman MCCARTHY. Without objection.

[The editorial follows:]

[From the New York Times, July 12, 2007, Editorial]

Juvenile Justice

One of Congress's most crucial tasks will be to strengthen and update the Juvenile Justice and Delinquency Prevention Act. Passed in 1974, the law required the states to move away from the practice of locking up truants and runaways—and to refrain from placing children in adult jails—in exchange for federal grant dollars.

Congress's goal then was to move the states away from failed policies that often turned young delinquents into hardened criminals and toward a framework based more on mentoring and rehabilitation. But the states have increasingly classified ever larger numbers of young offenders as adults, trying them in adult courts and holding them in adult prisons.

The damage wrought by these policies is vividly outlined in a federally backed study issued this spring. It reports that children handled in adult courts and confined in adult jails committed more violent crime than children processed through the traditional juvenile justice system. Other studies show that as many as half of the juvenile offenders sent to adult courts were not convicted there—or were sent back to the juvenile system, but often after spending time in adult lockups. Equally disturbing is the fact that youths of color are more likely to be sent to adult prisons than their white counterparts.

Reauthorization hearings begin today and members need to listen closely to what the experts are saying. Trying children as adults—except in isolated cases involving extreme violence—is both inhumane and counterproductive.

Mr. SCOTT. It also says that studies show as many of half of juvenile offenders sent to adult courts were not convicted there. They are sent back to juvenile system, or not convicted, but often after spending time in adult lockup.

Now, Professor Shepherd, insofar as status offenders do not count as prior criminal offenses in adult court, is it true that those—if you increase the number of juveniles tried as adults—you are talking about the marginal ones not tried now would be if you pass the new law—if you increase the number of juveniles tried as adults, is it true that they are likely to get less time in adult court than they would in juvenile court?

Mr. SHEPHERD. I think studies show that to be true, Congressman Scott.

Mr. SCOTT. So, after you crack down on crime and all the political theater that is involved, they are going to end up with less time in adult court than they would have had in juvenile court.

Mr. SHEPHERD. That is very true.

The experience in Virginia, when they widened the net for transfer to adult court in the 1990s, but at the same time they allowed the criminal court judges to give blended sentences, where the juvenile could serve part of the time in a juvenile facility, well, probably more than half of our kids that are transferred get blended sentences, which means that the criminal court judge knows the kids should not be there in the first place. They ought to be dealt with in the juvenile system.

And we in Virginia and some other states have a dilemma under the act. And interpretation from OJJDP says we cannot put those juveniles in juvenile facilities beyond their 18th birthday plus 6 months.

And in Virginia, our effort to keep adolescents, convicted as adults, in the juvenile system, segregated from adults, are really being thwarted by an interpretation of OJJDP that is not explicit in the act.

Mr. SCOTT. Thank you.

If we want to reduce crime—we have talked mostly about prevention. Are there any criminal laws that we should look at? I mean, do we need any new criminal laws to reduce juvenile crime?

Okay. Moving right along. [Laughter.]

Mr. SHEPHERD. If you could embody in the act a very simple statement. A dear friend who is now deceased, unfortunately, a great juvenile court judge from Texas, who was a president of the National Council of Juvenile and Family Court Judges, said we need to invest resources in the playpen, and we will not have to spend as much in the state pen.

Mr. SCOTT. Thank you.

Dr. Woolard, can you tell me the effect that death penalty or mandatory minimums have on juvenile behavior? Whether or not the existence of draconian and mandatory minimums or the death penalty are helpful in reducing juvenile crime?

Ms. WOOLARD. Well, you are asking whether facing mandatory minimums have a salutary effect on juvenile crime?

The meta-analyses that have examined more punitive and deterrent approaches to crime, as opposed to more rehabilitative approaches again find that they are at best ineffective and usually—

at best do not have an effect, and usually actually have a negative effect. And so, they would be more likely to exacerbate recidivism than they would be to reduce it.

Mr. SCOTT. Thank you.

Thank you, Madam Chairman.

Chairwoman MCCARTHY. Ms. Clarke?

Ms. CLARKE. Thank you very much, Madam Chair.

I did want to thank and acknowledge Shannon Jones for being here today and for sharing with us his transition. I am very proud of you.

One of the things that you mentioned about your transition through the CISP program was that, what helped you was being held accountable. And I wanted to find out from you what that meant, what being held accountable meant and what made that different from perhaps what being in CISP holding you accountable meant different from maybe the social set or environment that you were growing up in.

Do you understand where I am coming from?

Mr. JONES. Yes.

Ms. CLARKE. Thank you.

Mr. JONES. Being held accountable I meant, when we mess up, we know that we are definitely going to have consequences.

When I am in my social state, people think that they can get away with things. They do not really think of the consequences. They are thinking of right now.

And so, when we start doing whatever we are doing, we are not thinking of the consequences. We are just thinking of what my friends, we are just going to do this or do that, and not thinking about the consequences that are going to happen, or that can happen.

But in the CISP program, you know for sure there is going to be consequences. There is no way of getting around it.

Ms. CLARKE. And in the CISP program, what did those consequences consist of?

Mr. JONES. Being sent to placements or being able—or having to stay later, or things like that. We get boot camp or——

Ms. CLARKE. Okay. I just wanted you to explain why that was a deterrent to you from doing the things that you used to do, perhaps, when you were not put in that kind of environment.

Boot camp for some people is like fun, right? So, can you give a little bit more insight into—there was something that happened that said to you, you know, I am going to take the responsibility, notwithstanding what the crowd is doing or the folks in my neighborhood are doing. I have this chance now, and I am going to make a difference.

And there were certain people in that environment that assisted you either through positive reinforcement or you know what the consequences are.

I think it is important, if people have a clear sense of what that meant in terms of your transformation. I just wanted to try to get that on the record.

Mr. JONES. Well, it was—we had victim awareness groups in the CISP program. And what it really does, it shows everything you do,

you are not only hurting yourself, you are hurting everybody around you.

And I have family. Back when I was locked up, before I was sent to the CISP program, I was missing out on a whole lot of things. A lot of things changed while I was there.

And the CISP program lets me be home. Like with the ankle bracelet, I cannot leave the house, but I am still home. I get to see my niece and my brothers and cousins, whoever. I still get to see my family on a regular basis.

And for me that is big. I do not know where I would be if I could not see my family every day.

So that was a big consequence. I did not want to get sent to a place for something stupid.

Ms. CLARKE. I want to thank you again, and I want to encourage you to use the energy that you have developed through this process to be of assistance to other young people.

Thank you very much, Madam Chair.

Chairwoman MCCARTHY. Thank you.

Ms. Jackson Lee?

Ms. JACKSON LEE. Thank you very much, Madam Chair. And a double thank-you, because I did have additional questions, and I do appreciate it very much.

I am going to do some rapid-fire questioning, because I want to get a sense of all of you. And again, I thank you, apologize many of us for missing portions of your testimony. We are scanning it, but we are in a number of places at once.

Mr. Johnson, I just thank you. And you seem to be an expert. You see a lot of materials in your name in Arizona.

But quickly, is there a positive impact with juveniles in leg irons and shackles and handcuffs?

Mr. JOHNSON. I do not believe so. I believe that children, especially since all the brain development that has been talked about. It brings out the worst in them.

Ms. JACKSON LEE. You all are giving us bits and pieces and chunks of how we look to the reauthorization and the improvement of this, so do not think that we are shooting these brief questions, but we are trying to get sort of the overview of what we are trying to do.

And I think Patrick Kennedy said it well, but I want to expand on it.

Do not put children in settings, if they are detained and they are being guarded by those who are sexually abusing them. Do not put children in systems where there is no sentencing. It is called the juvenile detention centers.

So that if they are intimidated by an adult, they speak back, they are there for 6 months. And their parents do not even know. And before you know it, they have got 10 months added on. And it goes on and on and on.

So, I am going to raise questions going in that perspective.

Mr. Jones, may I thank you, as well. And you indicated that, when you are out with your boys—and I might not have the right terminology—you are not thinking about mandatory sentencing or the death penalty. Is that correct?

If you are out there doing something, is that a deterrent? Is somebody thinking that I am going to get the death penalty while they are out there?

Mr. JONES. Yes, ma'am. Nobody thinks that.

Ms. JACKSON LEE. Are they thinking about it? I did not hear you.

Mr. JONES. No, of course not.

Ms. JACKSON LEE. Okay. They just—they are rolling with the crowd.

Mr. JONES. Yes, ma'am.

Ms. JACKSON LEE. This alternative that you have now—and let me congratulate you for being in it. And let me also congratulate you for indicating to us how important family is.

I do not know why, when people are incarcerated, we all of a sudden think they do not have the human needs that all of us have.

Can you tell me what is in your future? What do you want to do, Mr. Jones, in your future?

Mr. JONES. Well, I have college in my future.

Ms. JACKSON LEE. And if you had stayed in a criminal justice system, incarcerated, would that have been your goal? Do you think you would have gotten to that point?

Mr. JONES. No, I do not think so.

Ms. JACKSON LEE. Why don't you say it loudly?

Mr. JONES. Because before I was into the CISP program, my grades were not good and college was definitely not a goal for me.

Ms. JACKSON LEE. So, you want to say it again. No, you would not be directed in that direction.

Mr. JONES. No——

Ms. JACKSON LEE. But now you are.

Mr. JONES. Yes, ma'am.

Ms. JACKSON LEE. Professor Shepherd, that is what I want to get to. You are the thinker on these questions, or the writer and the thinker.

This whole question of detention and a loose system of sentencing—and I am talking about when a child is put in a juvenile system—and this whole system.

And I cite a particular state that has suffered, Texas, with a whole litany of accusations on sexual abuse of the child by those who are responsible for guarding the child—and that is the wrong terminology—and the constant abuse of adding sentencing.

What does that do? And what do we do in the reauthorization to even look at the so-called youth commission systems that say they have no alternatives but to put children in that kind of setting, with untrained persons supervising them?

Mr. SHEPHERD. Congresswoman, that is——

Ms. JACKSON LEE. And Dr. Woolard, please feel free to jump in.

Mr. SHEPHERD. That is where the evidence-based research comes in. We know that states that have developed programs in recent years, like Missouri, that have proven effective in reducing recidivism, have done away with the large, central, juvenile correctional facilities, the reformatories, and instead have gone to smaller, community-based programs.

They have put their money into hiring well-educated, highly-trained staff. They are more staff intensive than they are

architecturally intensive. And they have had much fewer problems than we have seen in Texas, in Maryland, in Louisiana, in some other states, where there have been abuses in the large institutions.

And the programs that are most effective, like functional family therapy and multi-systemic therapy, are largely community-based and non-institutional. They are based on having highly-trained staff people who work with the kids in their family, in the community with their peers and in the schools. And that is where the kids are going to change their behaviors and be successful.

Ms. JACKSON LEE. Do you think that occurs—and Dr. Woolard, if you could quickly answer—do you think that occurs if a child has done something violent, as well?

Ms. WOOLARD. It does. And actually, multi-systemic therapy, which Professor Shepherd talked about, actually takes into their program serious violent offenders that would have otherwise been incarcerated. So, it certainly does. It can.

Ms. JACKSON LEE. So, if we write legislation, we should write it in the context of really putting incentives—and I thank you, Madam Chair—to change the attitudes of these states.

Ms. WOOLARD. Absolutely. But moving towards evidenced-based programs that are community based, I think would be positive.

Ms. JACKSON LEE. Thank you, Madam Chair.

Chairwoman MCCARTHY. You are welcome.

Mr. Sarbanes from Maryland?

Mr. SARBANES. Thank you.

This is for Dr. Woolard.

I am struck by how sort of the brain research part of this discussion is so reminiscent of the discussions we have been having with respect to early childhood education. In other words, where brain research is confirming all of the sort of right impulses that we had about what should happen at the early childhood stage, and beginning now to really drive best practices there in ways that were not happening before.

How hopeful are you, and how quickly do you think it will happen, that this brain research will start to kick in in a way that will start to drive policy with respect to services, juvenile services, and so forth?

And would you hazard a guess at what percentage of the current response to these issues is going to end up being aligned with what the brain research shows, or will show?

Ms. WOOLARD. Although I teach probability and stats, I do not think I want to give you a number at this point about that.

But I am optimistic and hopeful that the brain research, I think is an important component of the larger portfolio of research, as I was mentioning, on both brain and behavior, that is confirming, I think, what the impulses were for the formation of the juvenile court and what got lost in some of the debate as we have seen some of the more draconian reforms.

Which is that children and adolescents are different. They are still growing. As my grandmother would say, they are done cooking yet. And so, we have got to, I think, respect that developmental process.

The pictures from the brain imaging research I think are compelling powerful for a lot of people in combination with the behavioral research, to say that we do have the opportunity for continued growth. It is not finished. And that the focus on intervention and rehabilitation is an appropriate way to go.

Mr. SARBANES. Great. I cannot wait to tell my 13-year-old son tonight that he is not done cooking yet. [Laughter.]

Thank you.

Chairwoman MCCARTHY. Thank you, Mr. Sarbanes.

I want to thank Mr. Scott and Mr. Forbes from the Judiciary Subcommittee on Crime, Terrorism and Homeland Security for joining us today, as the Subcommittee on Healthy Families and Communities begins its reauthorization process on the Juvenile Justice and Delinquency Prevention Act.

I want to thank each and every one of you. I think that you can tell from the members that were asking you questions, we really want to do what we can. We know that—you know, obviously, we want to work with our young people. We want to make sure that they have the best opportunities to have a good life, to be productive in this society.

For too many years we know that we have been spending more money on prisons than we have on schools. I would like to see that reversed.

I think that if we get our children young, we are not going to see them in prison. We can have certainly equality for all children. And I think that is the theme that our speaker, Nancy Pelosi, wants us to see this year.

With the information, we have increased the money, as far as the appropriations this year. I think that is a good start.

So, with that, I would like to say thank you again for indulging us and staying here a little bit longer.

I want to say that, as previously stated, members will have 14 days to submit additional materials for the hearing record. Any member who wishes to submit follow-up questions in writing for the witnesses should coordinate with the majority staff within the requested time.

Without objection, this hearing is adjourned. Thank you.

[The prepared statement of Mr. Altmire follows:]

Prepared Statement of Hon. Jason Altmire, a Representative in Congress From the State of Pennsylvania

Thank you Madam Chair for holding this important hearing on the Juvenile Justice and Delinquency Prevention Act.

The Juvenile Justice and Delinquency Prevention Act was passed in 1974. Since then it has been reauthorized several times, most recently in 2002. The original focus of the Juvenile Justice and Delinquency Prevention Act was almost exclusively on prevention and rehabilitation, however, subsequent reauthorizations of the law have put an additional emphasis on more punitive measures.

As the Education and Labor Committee prepares to reauthorize this legislation, it is important that we examine its entire history in order to determine which programs and policies have had the greatest impact on preventing juvenile delinquency and keeping communities safe. I look forward to working with all of my colleagues on this committee to make the Juvenile Justice and Prevention Act as effective as possible.

Thank you again, Madam Chair, for holding this hearing. I yield back the balance of my time.

[Questions for the record sent to Mr. Johnson follow:]

[VIA ELECTRONIC MAIL]
July 13, 2007,

Mr. DERRICK K. JOHNSON, *Vice-Chair,*
Arizona Juvenile Justice Commission, State Advisory Group, Mesa, AZ.

DEAR MR. JOHNSON: Thank you for testifying at the July 12th, 2007 joint hearing of the Subcommittee on Healthy Families and Communities and the Subcommittee on Crime, Terrorism, and Homeland Security.

Representative Raul Grijalva (D-AZ), a member of the Healthy Families Subcommittee, has asked that you respond in writing to the following question:

Could you talk more about the specific steps that Arizona has taken under the DMC mandate? Are there additional ways that the JJDPA could strengthen the DMC mandate?

Please send an electronic version of your written response to the question by COB Monday, July 23, 2007—the date on which the hearing record will close. If you have any questions, please contact us.

Sincerely,

GEORGE MILLER,
Chairman.

[Response from Mr. Johnson follows:]

July 23, 2007.

Hon. GEORGE MILLER, *Chairman,*
Committee on Education and Labor, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN MILLER: Thank you for the opportunity to testify before the Committee on Education and Labor at the Subcommittee on Healthy Families and Communities hearing entitled "Juvenile Justice and Delinquency Prevention Act: Overview and Perspectives," held on July 12, 2007.

In response to the request for additional information by Representative Raul Grijalva (D-AZ), a member of the Healthy Families Subcommittee, I respectfully submit in the following information about the steps Arizona has taken under the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 to address the Disproportionate Minority Contact (DMC) mandate. Reauthorization of the JJDP Act would continue to support States' efforts to address the disproportionality of minority youth who are served by the juvenile justice system. Furthermore, and equally important to the JJDP Act's reauthorization is the appropriation of prevention funding for programs authorized by the JJDP Act.

Thank you for the opportunity to provide both written and verbal testimony to the importance of the JJDP Act and to provide further information in response to Representative Grijalva's request.

Respectfully,

DERRICK JOHNSON,
Vice Chair, Arizona Juvenile Justice Commission.

ARIZONA'S DISPROPORTIONATE MINORITY CONTACT INITIATIVES

Arizona's State Advisory Group, the Arizona Juvenile Justice Commission, in partnership with the Governor's Division for Children has implemented the following activities and programs in response to the mandate of the Juvenile Justice and Delinquency Prevention Act of 2002 to address the Disproportionate Minority Contact (DMC) within Arizona. These activities include the following:

- Development of an annually updated Arizona State DMC Plan inclusive of DMC Data for state level and three jurisdictions and plans for state and local DMC reduction efforts;
- Establishment of a Statewide DMC Committee; and
- Funding to support state and local DMC reduction activities

Arizona's State Disproportionate Minority Contact (DMC) Plan

Each year, as part of its mandate to address DMC in Arizona, the Arizona State Advisory Group, the Arizona Juvenile Justice Commission, in partnership with the Governor's Division for Children develops a State DMC Plan that outlines Arizona's activities to address DMC. This plan incorporates data for state level DMC measures and DMC measure for three jurisdictions (three counties identified for implementing DMC reduction efforts). The Plan also provides an overview of the Statewide DMC Committee and its activities, goals, objectives and anticipated outcomes

and accomplishments. Arizona's DMC plan also includes a summary of the previous year's activities for state level activities and the activities of the three jurisdictions as well as planned activities for the coming year.

As part of the state's DMC plan, each jurisdiction implementing targeted DMC-reduction activities is complying with the OJJDP implementation guidelines to include Assessment, Interventions, Evaluation/Performance Measures, and Monitoring. In utilizing these guidelines, Arizona has established a system in which Relative Rate Index Data (the Relative Rate Index (RRI) is a nationally recognized and adopted measure for measuring potential areas of disproportionality). RRI data is updated and reviewed at minimum every three years to monitor and track changes in DMC trends. Additionally, the state is committed to monitoring and tracking the interventions that work to reduce DMC. The state captures and evaluates interventions against current DMC data to ensure that goals, objectives, activities are targeting prevention and improvements to the system where DMC occurs.

Arizona remains in full support of the Juvenile Justice and Delinquency Prevention Act and will continue to work towards the solutions that will address the disparate number of minorities in the juvenile justice system. Through efforts at the State level, including the commitment of the Arizona Juvenile Justice Commission, Arizona will continue to utilize the relative rate index calculations to conduct further analysis and help guide the State's plan for reducing DMC.

In November 2006, the Arizona Juvenile Justice Commission held its annual Strategic Planning Session and reviewed its current efforts to focus on reducing DMC in Arizona and renewed its strategic initiatives that work to address DMC. As dictated by the core protections of the Juvenile Justice and Delinquency Prevention Act, the Commission is committed to developing effective strategies and programs to address minority youth that come in contact with the juvenile justice system. Essential to this effort is the establishment of an integrated and comprehensive approach to identifying opportunities for community-level change with respect to policing, developing culturally competent assessments and services, and identifying existing model programs and available resources to impact the issue.

State Level Efforts—State DMC Committee

The Commission's Statewide DMC Committee, made up of representatives from all points of contact within the juvenile justice system and other key juvenile justice stakeholders, has been charged with developing a response to the Commission's strategic initiatives around this area. Memberships includes representatives from the community, police department, Maricopa County Juvenile Court and Juvenile Probation, Pima County Juvenile Court and Juvenile Probation, the Arizona Department of Juvenile Corrections, researchers from the Arizona State University, the Arizona Criminal Justice Commission, and the Arizona Supreme Court, members of the Arizona Juvenile Justice Commission and staff from the Governor's Division for Children.

Identified as its primarily initiative, the DMC committee is working to utilize the data that is gathered on a statewide basis for DMC. Utilizing statewide data collected through Arizona Administrative Office of the Court's (AOC) Juvenile On-Line Tracking System (JOLTS) and the AOC's Building Block initiative, the DMC committee hopes to target specific causes or contributing factors to increase contact and/or commitment of minority youth with prevention strategies that are applicable and address specific county or community factors.

In its role as a standing committee of the Arizona Juvenile Justice Commission, the Disproportionate Minority Contact (DMC) Committee is committed to the fair and equitable treatment of minority youth in the Arizona juvenile justice system. The DMC Committee continues to collaborate with the Administrative Office of the Courts, the Arizona Department of Juvenile Corrections, and other juvenile justice stakeholders in addressing DMC. To that end, the DMC Committee developed a series of strategic objectives in an effort to identify and address issues that contribute to disproportionate minority contact and minority overrepresentation in the Arizona juvenile justice system.

Strategies for 2006-2008 of the Arizona Juvenile Justice Commission's DMC Committee:

Strategy One:

Continue to identify and address issues of DMC

Strategy Two:

Support, promote and replicate existing model programs that are being used in Arizona and nationally

Strategy Three:

Collaborate with granting body of AJJC to increase coordination among funding sources to fully address gaps

Strategy Four:
Collaborate with other entities to establish statewide benchmarks for data collection and analysis
Strategy Five:
Support Arizona's Building Blocks Initiative and Maricopa County and Pima County's DMC-reduction activities

Funding to support state and local DMC Reduction Activities

The Arizona Juvenile Justice Commission (AJJC), through the Planning and Grants Committee, has made it a priority to continue to fund prevention and intervention programs that work with minority youth and families as an overall effort to address DMC.

As local prevention efforts continue to do their part in addressing DMC, the Arizona Juvenile Justice Commission will continue to support systemic efforts to address the overrepresentation of minorities in the juvenile justice system. As noted in the list of State's Priority Juvenile Justice Needs/Problem Statements, there is an increased need for delinquency prevention programs and alternatives to detention that are culturally appropriate to address the unique needs of at-risk minority youth.

This will be accomplishment by the following implementation steps.

1. Make funding available to communities for programs that serve as alternatives to detention (deinstitutionalization of status offenders, jail removal, alternatives to detention and diversion programs that are gender responsive and culturally appropriate).
2. Make funding available for diversion programs that will divert youth from the formal juvenile court process.
3. Train and educate law enforcement, probation personnel, judges and other juvenile justice professionals on the DMC core requirement parameters.
4. Provide community-level reports regarding the facilities that effect compliance and the community's current compliance status.
5. Provide funding that will improve the juvenile justice system including the appropriate use of research-based programs.
6. Work with the Building Blocks Initiative that analyzes data in Arizona to accurately identify decision points within the system that are of greatest concern with regard to disproportionate minority contact.
7. Work with the Pima County Community Advisory Board as they continue to address Disproportionate Minority Contact in Pima County.
8. Work with the Pima County Juvenile Court Center and the JDAI/DMC Executive Committee to implement the Annie E Casey Foundation grant for Juvenile Detention Alternative Initiative (JDAI) and Disproportionate Minority Contact.
9. Fund community programs, training and educational forums to reduce the incidence of disproportionate minority representation in the juvenile justice system.
10. Promote collaboration around DMC efforts among the state agencies and organizations directly involved with the juvenile justice system, including the Arizona Department of Juvenile Corrections, Administrative Office of the Courts and the Arizona Juvenile Justice Commission.

During FY2007 and FY2008, the DMC Committee of the AJJC will continue in its efforts to identify model program and best practice strategies that could be used in Arizona to reduce DMC. A key strategy in this effort has been to include representatives of key community and juvenile justice stakeholders on the DMC Committee. DMC Committee representation includes representative members from Maricopa County, the Arizona Building Blocks Initiative, the PCJCC JDAI/DMC Executive Committee, as well as from the Department of Juvenile Corrections. With representation from the PCJCC JDAI Executive Committee, the DMC Committee can support as well as learn from the strategies and implementation.

Local Jurisdiction Efforts

Jurisdictions conducting targeted DMC reduction activities include Maricopa County and Pima County and Yuma County; however, the majority of activities have taken place in Maricopa County and Pima County. Yuma County was selected as a third jurisdiction for data analysis for its increasing minority population; however, currently has fewer programs targeting the areas found with evidence of DMC as compared to the other identified jurisdictions. It is important to note that the number of juveniles who came in contact with the system in Maricopa County and Pima County represent 70% of the total youth who were referred in FY2006. Yuma County continued to report the third highest youth referred count in FY2006.

Maricopa County

Utilizing the "Building Blocks" model of the Youth Law Center, the Arizona Supreme Court, with support by the Arizona Juvenile Justice Commission, undertook a multi-year project that attempts to reduce minority over-representation in the justice system and to promote rational and effective justice policies.

This project began as a response to the rapidly increasing over-representation of young people of color in the justice system. The project proactively addresses the concerns of disproportionate minority representation in an integrated multiple-strategy campaign that includes (1) research, (2) analysis of decision making in the field, (3) direct advocacy for minority youth in the justice system, (4) building a constituency for change at the local, state, and national level, and (5) development of communications, media, and public education strategies.

Included in Arizona's Building Blocks Initiative is a focus on Maricopa County, one of the two jurisdictions with significant targeted DMC-reduction activities. The Building Blocks Initiative aims to reduce the over representation of minority youth in the justice system through a coordinated effort among state and local stakeholders.

The initial findings of the System Analysis for Maricopa County found that over representation was present in three areas of analysis—Arrest, Probation, and within Juvenile Corrections. Within the area of arrest, data suggests that over representation occurs for Part One and Part Two crimes for minorities. Further analysis is being conducted to explore data on police attempts to contact parents, the impact of special units targeting specific youth, and explore the feasibility of differentiating youth questioned but not arrested compared with those arrested.

In the area of probation, data suggests that over representation of minority youth occurred for youth violating terms of probation as found within the decision to request a petition for such violations. This finding occurred for minority youth on standard as well as intensive probation. Further analysis will be conducted to assess prior offenses and dispositions and impact on movement through system as well as the ethnicity of the officer filing the probation violation petition.

The system analysis and community assessment of Maricopa County also identified an area of Maricopa County as having a high concentration of minority youth as well as a high number of youth referred to the juvenile court.

In an effort to reduce the number of youth detained, coupled with data gathered from the Maricopa County Juvenile Probation Department that identifies truancy as a leading cause of youth referrals to court, targeted intervention programs have been implemented to reduce DMC in Maricopa County. Specifically, Maricopa County's Gateway Project, the City of Phoenix PASS initiative, the City of Tempe's Strategies for Success program, and the Cultural Pride Linking Communities of Chicanos Por La Causa, were identified with a component that targets minority youth within its delinquency prevention efforts to reduce potential contact with the juvenile justice system.

Two additional activities were either continued or implemented in FY06 with support from the findings of the community assessment; these include the Education Success Program (ESP) truancy prevention program and an Alternative to Suspension program.

Maricopa County Juvenile Probation Department is implementing the Maricopa County Gateway Project. This is a collaboration project funded with Title V prevention funding that coincides with the ESP program and the Alternative to Suspension program, targeting the Cartwright School District and adjacent areas. One strategy of the Gateway project is to redirect and refocus already existent resources and programs in the community, crate a new collaborative intervention strategy, and target at risk and first truancy referrals and their families for intensive intervention services. Truancy has been seen as a "gateway" behavior that places youth at risk for future negative activity. Youth from the high-risk areas identified as well as first time truancy referrals and their families will enter one of two blue print programs selected as part of the Gateway Project—Functional Family Therapy (FFT) and Multisystemic Therapy (MST).

The goal and outcome objectives of the Gateway project are to reduce truancy through community collaborations, promote the development and expansion of family centered services, expand communication and cooperation among all youth involved, augment efforts to prevent re-offending and support individual progress, and provide rapid response delivery of services. Data from Maricopa County Juvenile Court revealed that a disproportionate number of status offense referrals and additional data reveal a high number of truancy referrals from the Maryvale area. This program is targeting the Maryvale area, specifically three zip codes identified as high risk.

The Maricopa County Juvenile Probation Department and community providers, Touchstone and Tumbleweed, have partnered with Safe School sites in target zip codes to provide evidenced based programs to families. This intervention has demonstrated effectiveness in assisting families with skills necessary to engage, motivate, and change behavior.

These services work not only with the at risk youth, but with the entire family to address the family as a system. These services are available, as needed, with bilingual counselors. The approach of FFT (Functional Family Therapy) and MST (Multisystemic Therapy) empower parents with skills and resources to independently address the issues that arise when raising teenagers, and provide ways to cope with family, peer, school and neighborhood problems.

Recruitment occurs by enlisting current programs and initiatives within the target area. School personnel and Safe School Officers, School Resource Officers, and Probation Officers are among those who identify youth in the target areas as most at risk of truant behavior and assess the case for referral into the Gateway project. Programming is also targeted to youth that have already been referred to Court on a truancy referral.

Additional efforts from Maricopa County Juvenile Probation include its collaborative project with the City of Phoenix (located within Maricopa County) that coordinates the activities of its C.U.T.S (Court Unified truancy Suppression) program with the City of Phoenix's at-risk prevention programs. Both programs are targeting high rates of minority youth referrals for truancy.

The truancy prevention program is a collaboration of representatives committed to reducing the number of youth, primarily minority youth, which are referred to court. This collaboration involves school principals and administrators, Maricopa County Juvenile Probation, the City of Phoenix's Operation AIM (Attendance is Mandatory), City of Phoenix Police Department, and City of Phoenix At-Risk Youth Division. The Education Success Program (ESP) program was implemented in two 6th Grade Centers (schools only serving 6th grade students) that opened in the 2004-2005 school year. Elementary schools within the Cartwright School District within Maricopa County fed into the two 6th Grade Centers.

Maricopa County's Education Success Program (ESP) program is focused on providing prevention and early intervention strategies for at risk youth in the target area, which includes a high population of minority youth and families. The ESP program placed a full time Family Resource Officer within the Cartwright School District to provide intervention efforts for at-risk youth and their families. Referrals were directed to the Family Resource Officer to avoid formal court involvement and youth and families were directed toward appropriate services.

During FY06, funding was used to support an Alternative to Suspension program in Maricopa County. This program was implemented in the Atkinson Middle School District within the Maryvale/Cartwright School District. This school is made up of a population of approximately 1,000 students with a demographic breakdown of 80% Hispanic, 8% African-American, 10% white and 2% Native American. This school district was identified as having an increasing rate of referrals to juvenile court along with an increased number of student suspensions. This school was also reporting an increasing number of student suspensions, estimated at 75-100 per year, placing a high number of youth at-risk of delinquency, being detained, or not continuing on to high school. The goal is this program is to provide an alternative school suspension program to allow for continued educational services, coupled with behavioral health and human service components also being provided in the students case planning.

In 2007, Maricopa County Superior Court implemented its Community Services Unit. This program will bring together the Juvenile Court, Juvenile Probation, the Arizona Department of Economic Security's CPS unit, and the local Regional Behavioral Health Provider to provide wrap around services to youth and families who come in to contact with the court. The CSU will assess and triage referred families as well as those who walk in needing service. The goal of the CSU is to divert child and families away from formal court or detention involvement by bridging the gap between needed services and the court involvement often times needed to access such services. Hispanic youth and families are the second highest ethnic group who are referred to Maricopa County Juvenile Court.

Free Arts of Arizona, a non-profit within Maricopa County, was funded to implement a delinquency prevention program targeting minority youth. Free Arts of Arizona will provide a range of activities to youth in shelters, residential, and group homes throughout Maricopa County. The current population served by this program is youth ages 14-18 with ethnic make up of 42% white, 34% Hispanic, 15% African American, 5% Native American, and 4% other. This program was selected for its target population of youth of color in the child welfare system as a prevention to

further system penetration and more importantly, to prevent the flow of youth from the dependency system into the juvenile justice system.

Two alternative to detention programs were awarded formula grant funding to begin programs in 2007. Tumbleweed Center for Youth Development will provide space for at-risk, runaway and homeless youth ages 11-18. Tumbleweed utilizes various outreach efforts to work with local police and detention center intake personnel to promote awareness to and provide an alternative to secure holding and placement within detention. In addition to providing an alternative to detention, human services, case management, Family Functional Therapy and other counseling and family support are available. This program primarily serves Hispanic and African American youth.

The Valley of the Sun YMCA was selected to provide an alternative to detention in Maricopa County. In partnership with the Maricopa County Juvenile Probation Department, the Valley of the Sun YMCA will service youth who live primarily in three zip codes considered to be the highest risk for arrest and detention (primary zip codes for referral to juvenile court). The program is designed to serve as an alternative to detention by helping divert youth who would otherwise be detained due to limited alternatives in the community. Using a community based, multifaceted approach, the YMCA will implement an Evening Reporting Center to increase availability of pre-sentencing alternatives and reduce already overcrowding of detention. The target population is primarily Hispanic.

The City of Phoenix continues to operate its prevention program, Personal and Student Success (PASS). This intervention program targets a population of at-risk youth with a high percentage of minority youth. The City of Phoenix Human Services Department completed a need assessment of the schools and surrounding communities that are part of the PASS Initiative. The schools partnering in the PASS Initiative are Camelback High School, Cesar Chavez High School, and South Mountain High School. Staff identified Risk Factors and Protective Factors based upon the assessment of factors associated with school drop out.

The strategies and approaches utilized in the PASS Initiative are consistent with and build upon state and local efforts. The activities are based on a strong foundation of research to ensure quality, effective programming. The activities were selected to guarantee cultural and gender sensitivity and age appropriateness, as much of the target population is minority youth. The City markets community and City resources that are effective in drop out prevention and recovery, develop a system of service coordination, and expand City and community resources to assist schools. One of the most effective programs identified by the Graduate Phoenix Task Force was the City of Phoenix Human Services Department's longitudinal school based program. The PASS Initiative is an enhancement and expansion of that highly successful program.

The PASS Initiative works with 9th grade students to assist with the transition from middle school to high school. The PASS Initiative caseworker provides long-term, intensive services to a small target group of at risk students. The complement of services is based on an individualized assessment for each student. In addition, the Initiative caseworker provides short-term services to the remaining 9th graders. The services include classroom presentations, conflict mediation, assessment and referrals, and crisis intervention.

The goals of the PASS Initiative are to demonstrate increased service coordination by providing a continuum of comprehensive services to at-risk students, and for students among at the three target schools to demonstrate increased academic success and increased social skills and healthy beliefs. Services are being provided to the target students that include support groups, skill-building groups, individual supportive counseling, conflict resolution, and assessments and referrals. The baseline data for the students has been established and the final outcomes will be measured at the end of the school year.

In addition to the program activities mentioned above, the Arizona Juvenile Justice Commission awarded seven new programs in early 2007 that will target DMC reduction activities. Four of these programs will implement delinquency prevention efforts primarily serving minority youth. These programs provide community based services that work to eliminate contact with various points of the system. Three of the programs were funded to provide an alterative to detention. These programs specifically target minority youth and zip code and/or community areas identified as high arrest and referral areas. Programs activities for FY2007 are outlined below.

Two additional programs were awarded funding to provide services within the City of Phoenix. The City of Phoenix was awarded funding for its Getting Results through Encouraging Attendance and Transition (GREAT) Program. This program will complement and expand the City's First Offender Program that provides services to youth, 6 to 17, who have committed their first status offense or misdemeanor

offense, primarily referrals for truancy. The goal of this program is to work with youth who have been identified as being chronically truant, approaching a formal petition to court for having the maximum allowable truancies. Services will include individual assessments, case management, conflict resolution workshops, and individual and family counseling. The target population is primarily Hispanic youth.

Greater Phoenix Youth at Risk, a non-profit program located in Maricopa County, will begin its New Pathways Mentoring Program in 2007. This program will target at-risk youth ages 14-17; current program population is 66% Hispanic youth. The program targets primarily truant, suspended or expelled youth or youth that would other otherwise not be in school. While the behavior of these youth would typically label them as being delinquent, the majority of youth served by this program have yet to be formally charged.

The City of Tempe's Strategies for Success program, also within Maricopa County, continued in FY2006. The program was implemented in the fall FY2004 and identified among its target populations at-risk youth to include a high percentage of minority youth. The Strategies for Success is a collaborative effort between the City of Tempe, Community Services Department, Tempe Elementary School District, Scales Professional Development Elementary School and Gililland Middle School, and the East Valley Boys and Girls Club.

As a part of its needs assessment, data from the City of Tempe showed that a significant portion of referrals to juvenile court came from Gilliland Middle School students in the Tempe Elementary School District and that Gilliland Middle School student test scores are the among the lowest in the district. Primary goals and objectives of the Strategies for Success program include a reduction of Gililland students' involvement in delinquent and other risky behaviors as measured by a decrease Gililland students referrals to juvenile court by 10% after two years and to have youth participation in one or more of the proposed programs as measured by increase in knowledge of personal and social competency skills by at least 10% at the end of the program cycle.

Identified needs include bilingual counseling services for students and their families and structured after-school activities and tutoring services for Gililland Middle students. Through 2006, bilingual counseling services were provided to 91 participants, primarily between the ages of 5 and 11; 63 of the 91 participants were Hispanic or Latino. Intervention programs targeting minority youth in 2006 served 195 high school aged youth; 57% of participants were Hispanic or Latino; 15% of participants were Black or African American.

Another agency targeting delinquency prevention and alternatives to detention for youth in the City of Tempe, Tempe School District is Chicanos Por La Causa. Funding to support this agency began with the 2004 funding cycle to implement its Cultural Pride Linking Communities program in two middle schools within the Tempe Elementary School District. The specific high-risk neighborhoods associated with these two sites are the El Rio and La Victoria neighborhoods in Tempe. The Cultural Pride Linking Communities program is a comprehensive and holistic approach that includes participation of youth and their families in the program. The program participants are Chicano or other ethnic and economically disadvantaged students and their families. Parent and siblings of participant youth were also served.

Pima County

Pima County Juvenile Court Center (PCJCC) has long been focused on efforts that work to address youth of color being over-represented in the juvenile justice system. In 1997, an Intercultural Relations position was created. In 2002, the National Center for Juvenile Justice conducted a technical assistance project to guide PCJCC in implementing interventions to reduce Disproportionate Minority Contact (DMC). The presiding judge also reconvened the Community Advisory Board, which took on the task of assisting PCJCC in addressing DMC, and created the Minority Overrepresentation Work Group. In 2003, the Pima County Juvenile Court Director crafted a PCJCC DMC Action Plan, and in 2004, PCJCC appointed the court's first DMC coordinator.

In 2004, the Pima County Juvenile Court Center spearheaded the Pima County DMC Initiative with a community event. The Pima County Juvenile Court Community Advisory Board, in partnership with the Pima County Juvenile Court and the Minority Over-representation Committee, held a symposium regarding Disproportionate Minority Contact (DMC) in the Pima County juvenile justice system. There were 60 participants in attendance at the six-hour symposium, representing a cross section of the community and the juvenile justice system. This event brought together key stakeholders that included community policy-decision makers, local elected official, judges, community service providers, law enforcement, faith-base leaders, juvenile court officials, and youth advocates to discuss and set a course of action to

address the issue of disproportionate minority contact within the juvenile justice continuum in Pima County.

A goal of the Pima County Symposium was to create an organization or governing body to organize the data collection, system analysis, and activities and information sharing regarding the Pima County DMC Initiative. Following the DMC symposium, a DMC Executive Committee was established. This executive board is made up of key stakeholders that will be tasked with reviewing the system analysis data as well as conducting a comprehensive review of the detention risk assessment form.

In October 2004, Pima County was selected as an Annie E. Casey Foundation replication site for the Juvenile Detention Alternative Initiative (JDAI). The Pima County Juvenile Court Center (PCJCC) has also partnered with the W. Haywood Burns Institute to address the issue of DMC. PCJCC is the first JDAI site in the nation to implement the Juvenile Detention Alternative Initiative with the work of the W. Haywood Burns Institute at the inception of the initiative.

The objectives of the JDAI are to safely eliminate inappropriate or unnecessary use of secure detention, minimize failures to appear in court and incidence of delinquent behavior, and well as to improve conditions in secure detention facilities. The JDAI and DMC collaboration that has been established involves key community and juvenile justice stakeholders. The PCJCC JDAI/DMC Executive Committee includes: the Tucson Police Department, Chicanos Por La Causa, the Tucson Indian Center, the School Districts of Tucson Unified and Sunnyside, the Offices of the Pima County Attorney and Public Defender, the Regional Behavioral Health Authority, the Department of Economic Security Child Protective Services, and the Pima Count Juvenile Court. The focus of the three-year grant is to create safe alternatives to confinement for children accused of committing crimes.

With the announcement of the AECF grant, the Pima County DMC Executive Board became the JDAI/DMC Executive Committee and serves as the oversight body for the JDAI project and plan implementation. Additionally, the Chief of Police in Pima County has endorsed the DMC reduction plan and integrated the plan into the strategic plan of the Pima County Police Department.

The JDAI/DMC Executive Committee is currently focusing on two strategies. One focus includes the JDAI project and associated activities. A second focus of the Executive Committee is a review of Pima County's risk assessment and detention screening tool. An additional strategy involves training of judicial staff using the Casey Family Programs of Arizona curriculum, "Undoing Racism." This training is used to discuss racism among judges and other staff and community members involved with youth.

During 2006, Pima County continued its community assessment and data collection activities. The System Analysis for Pima County is currently being implemented and involves a review of data covering a ten-year period and assesses numerous points of contact with youth. These points include paper referral detainment of youth, detention, disposition to probation and juvenile corrections, and violations of probation. Variables in the system analysis for Pima County include but are not limited to ethnicity, race, gender, socioeconomic status, and severity of offense.

During FY2006, PCJCC staff completed a comprehensive profile of children in detention. Factors considered include age, race/ethnicity, gender, nature of offense or referral, day/time of arrest, and length of stay in detention. PCJCC Information Technology staff created geo-maps identifying the residence of detained minors. Additional geographic-related data was compiled from law enforcement, behavioral health, and other sources. This data is being used to identify specific strategies to reduce the inappropriate use of detention and disproportionate contact.

Successes noted in 2006 include:

- Average daily population in detention (ADP) reduced from 173 in 2004 to 135 in 2005 and continued to decrease into 2006
- Average daily population of African American juveniles reduced from 20 in Q1 of 2005 to 13 in Q1 of 2006
- Average daily population of Native American juveniles reduced from 18 in Q1 of 2005 to 11 in Q1 of 2006
- Average length of stay (ALOS) in detention reduced from 16.83 days in 2004 to 14.11 days in 2005
- Average length of stay for African American juveniles reduced from 22 days in Q1 of 2005 to 12 days in Q1 of 2006
- Average length of stay for Hispanic juveniles reduced from 16 days in Q1 of 2005 to 14 in Q1 of 2006
- Average length of stay for Native American juveniles reduced from 24 days in Q1 of 2005 to 19 in Q1 of 2006

Source: Pima County Juvenile Court Center

Additional accomplishments in FY06 were completed around specific problems areas. These include:

Risk Assessment Instrument: With technical assistance from the Annie E. Casey Foundation, this group has reviewed and revised the screening tool used to determine whether a minor will be detained, by removing subjective factors and other criteria that may result in inappropriate detention, specifically of minority youth. Data revealed a significant amount of detention intake overrides (70%) were falling into two categories: Family dysfunction/Domestic Violence and Substance Abuse.

Provisional Warrants: This group has developed a modified warrant and related procedures to be used in cases where a minor fails to appear for a court hearing but does not appear to be a threat to the community. Probation officers will have the discretion not to arrest minors subject to such warrants where it appears that the parents will assure the minor's attendance at the next hearing.

Ad Hoc Target Site: Two areas were identified in the community from which a high percentage of minority youth are referred to the detention center. The Executive Committee and the DMC Coordinator is beginning to implement a strategy to work in partnership with these local communities to identify ways in which arrests can be avoided or minors released from detention with appropriate services and supervision in place.

Probation Violators: A large percentage of the detention populations are minors on probation who commit "technical" violations of the conditions of probation (e.g., curfew violations, failure to attend school, etc.) This group will develop a profile of this population and develop strategies to avoid inappropriate use or overuse of detention as a sanction.

Decision to Detain: A period of time in detention is often sought by prosecutors and probation officers as a consequence when a juvenile repeatedly violates the conditions of probation. The use of a graduated response system is also a key principle of the National Council of Juvenile and Family Court Judges Juvenile Delinquency Guidelines, which PCJCC is implementing as part of their Model Delinquency Court project. An internal court committee is reviewing the probation conditions and developing a graduated response system to ensure the use of consistent and appropriate criteria in making the decision to request detention as a consequence.

Length of Stay: In 2006, the PCJCC Detention Division has fully implemented the "Step Up" program for all detained juveniles. This behavioral education program pairs detained youth with detention staff mentors, improves their decision-making skills, and prepares them to return to the community without re-offending. Initial surveys show that youth completing the program believe that it has helped them make positive changes and better decisions, has taught them to be accountable for their actions, and has prepared them to return to school or employment. Collaborating with Davis Monthan Air Force Base, Detention has also begun a community mentor program, pairing over 100 service personnel with detained juveniles to provide a positive and supportive relationship both in detention and back in the community.

Alternatives to Detention: Juvenile probation is currently maximizing the use of electronic monitors as an alternative to detention. The court is also in discussion with a community provider to expand it current services to support a day/evening reporting center. Juveniles needing increased structure and supervision can be released on condition that they attend this center after school, where they can receive additional services such as tutoring, substance abuse counseling, and behavior education. The court has also committed to developing a pre-adjudication community supervision program.

Analysis of the RAI data has revealed two specific areas needing alternatives: juveniles charged with domestic violence and chronic substance abusers. Juveniles charged with domestic violence are arrested and usually cannot safely be returned to their homes immediately. With a grant in 2005 from the United States Bureau of Justice Administration, the court has hired a domestic violence coordinator who will work with probation and community stakeholders to develop alternatives to arrest as well as to detention.

Neighborhood Pilots: The Executive Committee reviewed comprehensive demographic and referral data to identify two neighborhoods with strong leadership, significant Hispanic and African American populations, and high numbers of referrals to the Juvenile Court. PCJCC is partnering with the 'A' Mountain and Sunnyside/Elvira neighborhoods with a goal of developing community-based alternatives to detention that will have the most beneficial impact, particularly on youth of color. The first step in that process has been the completion of a community profile for each neighborhood. Working with over 150 community leaders, parents, court-involved juveniles and other youth, a subcommittee has completed neighborhood mapping, developed a community matrix of services, and conducted focus groups to complete the

profiles. When the profile reports are complete, the Executive Committee will work with the neighborhoods to identify and develop neighborhood-based strategies and alternatives to detention.

Because native youth are not concentrated in any specific geographic area, a different strategy was needed to address issues facing this population. Pima County Juvenile Court reached out to both the Tohono O'odham Nation and the Pasqua Yaqui Tribe, and begun to meet on a regular basis to establish an ongoing dialogue on native youth. The Court has invited tribal spiritual leaders to meet with native youth in detention and provide spiritual services to them. Detention staff is also working with tribal service providers to increase communication and enhance continuity of services once a youth is released to the community.

Education Subcommittee: substantial numbers of youth involved in the juvenile justice system are failing to receive the education they need to succeed in life. Many are either not enrolled in school, or have been suspended or expelled as a result of the behavior that brought them into detention. Many have unmet needs for special education. And, the more their education is interrupted by periods of detention, the farther behind they fall.

Although not expressly made a part of the original strategic plan, a subcommittee including the leadership of two of the largest school districts in Pima County are examining issues arising from the juncture between schools and the Juvenile Court. The first task is to collate and compare data from the two systems to identify and create a profile of the youth. This data will be used to examine school discipline, arrest and charging policies and practices, to determine the extent to which they contribute to inappropriate juvenile detention.

This subcommittee will also consider the creation of school-based councils in the two pilot neighborhoods ('A' Mountain and Sunnyside/Elvira) to develop ways to reduce referrals to the juvenile justice system and improve educational outcomes for court-involved youth.

Pima County Juvenile Court Center also utilizes funding to support the Pima County Northwest Community Justice Center in operating a community assessment center and alternative to detention with intensive intervention programming. The program offers a continuum of services and programs for juveniles and their families, including mentoring, drug screening, cognitive skills building, and family counseling.

In 2007, Pima County Juvenile Court Center will continue to develop interventions that support service delivery in non-detention settings, redistribute court resources to implement necessary interventions, evaluate interventions in relation to intended outcomes, and develop and maintain best practices for those youth who do require detention.

The Pima County Juvenile Court Center, as part of its JDAI/DMC Initiative, has identified the following three priorities for 2006/2007:

• Stakeholders ensure that key decisions are not adversely affected by cultural or language factors;

• Develop and implement a system of graduated responses for delinquent behavior and violations of probation, both pre-and post-dispositions, including both sanctions and therapeutic/remedial interventions;

• Ensure the availability of appropriate services and placements to facilitate and support the safe release of medium-risk minors.

Planned Activities for Pima County Juvenile Court Center in FY2007, as part of its overall DMC reduction efforts, include a focus of the following areas:

• Establish communication strategies: to orient PCJCC staff, stakeholders and the general community as to the developed DMC/JDAI values, vision and goals; to provide timely up-dates regarding the various systems changes being implemented; to develop a DMC/JDAI cadre of trainers within PCJCC that will work with staff and newly hired staff; and to devise the mechanisms to continually obtain input and feedback from staff, stakeholders, parents and youth.

• Conduct Community Asset Mapping: in early 2007, PCJCC completed the first phase of its Community Profile. The Community Profile includes a Service Matrix of all program services for youth in the designated target site area. The next phase is to conduct a physical mapping of the target site area and compile information into a synthesized report of community strengths, challenges, and needs. This information will be used to identify approach alternatives that meet the needs and caps of these communities.

• Develop specific community-based alternatives: to provide alternatives to detention in the local communities where youth live for the low and medium risk youth who would otherwise be detained and/or have no services.

• Implement evaluation: continue to conduct and review periodic evaluations of the DMC/JDAI work plans to determine the outcomes, revise work plan if necessary, compare data results with calendar year 2003 baseline date.
• Establish a Single DMC/JDAI Master Action Plan: to incorporate the Juvenile Detention Alternatives Initiatives (JDAI) and the Haywood Burns Institute strategies into the PCJCC DMC original action plan and to monitor and track progress.
• Implement Focus groups: to obtain information from youth and parents about what works, and what could be improved about the Juvenile Justice System and other community services, and evaluate the allocation of resources to consider other appropriate alternatives.
• Broaden base of DMC champions: Identify, recruit and orient new target community stakeholders to join in the reduction of DMC.
• Detention Self-Inspection: PCJCC has completed its Detention Self Inspection that includes a review of 175 points.

Pima County Alternative to Detention Programs

In early 2007, Pima County Juvenile Court was awarded funding to implement an additional detention alternative program. The need for this program was identified as part of the system analysis, community assessment, and various data collection and review efforts conducted as part of Pima County's JDAI/DMC Initiative. As stated previously, an analysis of the Risk Assessment Instrument data revealed two specific areas needing alternatives: juveniles charged with domestic violence and chronic substance abusing youth. A further review of data revealed that juvenile domestic violence poses a serious and complex issue. Pima County Juvenile Court Center annually receives approximately 1,500 youth referrals for domestic violence offenses. Due to law enforcement guidelines, half of the youth arrested for these charges are brought to the detention center.

Pima County Juvenile Court recognized that many of these youth were detained primarily because an appropriate alternative did not exist. Using formula grant funding, PCJCC will establish a Domestic Violence Reception Center to provide a community-based, non-secure facility to serve as an alternative to detention as well as an alternative to arrest. This Center will utilize existing support services within the county to provide a range of services such as short-term respite, placement for youth requiring longer stays, crisis intervention services, and assessments for referrals to local behavioral health service providers.

Yuma County

As noted earlier, Yuma County was selected as the third jurisdiction as this county has a significant minority youth population. The Yuma County Juvenile Justice Center began a court improvement project in early 2004 that consists of implementing recommendations made under a technical assistance project by OJJDP that include establishing a DMC committee, contracting for youth and family services for delinquency prevention and intervention efforts targeting Hispanic youth, increasing capacity and use of alternatives to detention to reduce secure detention of youth offenders and youth who violate conditions of probation.

Yuma County Juvenile Justice Center is currently utilizing funding to support diversion and alternative to detention services for youth. The program serves both probationers and non-probationers who are detained at the Yuma County Juvenile Detention facility. Ages served ranges from 12 to 17 years of age and include both male and female detainees. The goal of the program is to deter and minimize recidivism rate of juveniles returning to the Yuma County Detention Center by providing pro-active skills necessary to prevent future delinquent behavior and substance abuse.

Yuma County is currently consulting with both Maricopa County and Pima County to review each jurisdiction's DMC reduction efforts, strategies, challenges and successes. It is anticipated that Yuma County may establish a group to begin implementing targeted reduction activities in 2007.

Arizona remains in full support of the Juvenile Justice and Delinquency Prevention Act and will continue to work towards the solutions that will address the disparate number of minorities in the juvenile justice system. Through efforts at the State level, including the commitment of the Arizona Juvenile Justice Commission, Arizona will continue to utilize the relative rate index calculations to conduct further analysis and help guide the State's plan for reducing DMC.

As dictated by the core protections of the Juvenile Justice and Delinquency Prevention Act, the Arizona Juvenile Justice Commission is committed to developing effective strategies and programs to address minority youth that come in contact with the juvenile justice system. Essential to this effort is the establishment of a continued, integrated and comprehensive approach to identifying opportunities for

community-level change with respect to policing, developing culturally competent assessments and services, and identifying existing model programs and available resources to impact the issue.

[Additional submission by Mr. Johnson follows:]

A CAMPAIGN OF THE JUVENILE JUSTICE & DELINQUENCY PREVENTION COALITION

the collective voice of more than 150 organizations nationwide

JJDPA Statement of Principles

We, the undersigned, urge the Congress to adhere to the following four principles in approaching the Reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA). These principles are grounded in research and their efficacy underscored by the fact that the JJDPA has for more than 30 years provided direction and support for juvenile justice system improvement and, thereby, significantly contributed to the diminution of juvenile crime and delinquency.

I. Keep children and youth out of the justice system: Whenever possible, keep children and youth out of the juvenile and criminal justice systems by addressing their needs and those of their families early and effectively.

II. Ensure equity and competence: Do everything possible to ensure equity and competence with regard to race, ethnicity, culture, language, gender and sexual orientation, in legal representation before the courts and throughout all system practices and policies.

III. Ensure responses appropriate to a young person's age and stage of development: Do everything possible to ensure that children and youth in the justice system are treated in an ageappropriate manner and provided with developmentally appropriate, evidence-based services and supports. Ensure, when needed, that sanctions are appropriate to a youth's age and offense.

IV. Strengthen the federal partnership with state and local governments: Strengthen the federal role in supporting state and local needs by providing sufficient resources and appropriations for jurisdictions to effectively implement the JJDPA, to fully comply with its core requirements/protections and to ensure state and local adherence to high standards of performance.

What is the JJDPA?

Why care?

Each year, juvenile courts handle an estimated 1.6 million delinquency cases and adjudicate youth delinquent in nearly 7 of every 10 petitioned cases. The daily census of youth under age 18 who are incarcerated is 97,000—yet, it is estimated that 25 percent of them are detained while awaiting placement or court proceedings. Many youth who are confined are nonviolent and highly amenable to the benefits of rehabilitative services and supports provided in non-institutional home and community based settings. Juveniles in the courts have been shown to suffer from higher than average incidence of mental/behavioral health problems, learning disabilities and school failure, as well as under-addressed family intervention and support needs. Moreover, for more than two decades, state-level data have shown that youth of color have been overrepresented at every stage of the juvenile justice system.

Additionally, some researchers estimate as many as 200,000 youth have their cases processed in adult criminal court each year as a result of prosecutorial or judicial waiver, statutory exclusion for certain offense categories, or because they reside in states with a lower age of criminal jurisdiction (age 16 or 17). On any given day, an estimated 7,000 youth under the age of 18 are inmates in adult jails, of these 90% are being held "as adults." Youth who are not under the jurisdiction of the juvenile court are not covered by the JJDPA's core requirements/protections.

Right now, juvenile arrest rates are at historically low rates—lower than any levels recorded since the 1980s. Nationwide, law enforcement agencies arrest approximately 2.2 million persons under the age of 18 each year, yet in nearly half of all cases the most serious charges are larcenytheft, simple assault, a drug abuse/liquor law violation or disorderly conduct. Furthermore, research indicates that youth of color are detained more often and for longer periods of time than their white counterparts for the same low level offenses.

The continuing success of effective juvenile crime prevention and deterrence depends on Congress strengthening both the provisions of the JJDPA, as well as the funding resources needed to fulfill such provisions to the greatest possible extent.

Data sources: Snyder, Howard N. and Sickmund, Melissa. 2006. Juvenile Offenders and Victims: 2006 National Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Preven-

tion. www.ncjj.org; Coalition for Juvenile Justice, 2005. Childhood on Trial: The Failure of Trying and Sentencing Youth in Adult Criminal Court, Washington, DC. www.juvjustice.org

How could adherence to these principles guide JJDPA reauthorization?

I. Keep children and youth out of the justice system: Whenever possible, keep children and youth out of the juvenile and criminal justice systems by addressing their needs and those of their families early and effectively.

• Continuum of Care: Support an array of prevention and intervention strategies for children and families in collaboration with providers of educational, medical, mental/behavioral health, after school, workforce development services, and others, utilizing theory- and evidence-based practices.

• Detention Alternatives: Develop and sustain community- and family-based alternatives to locked detention, both pre- and post-adjudication.

• Effective Reentry and Reconnection: Help young people leave the system, return home and stay home. Provide for effective reconnection to schools, families, community-based family support and/or counseling, jobs, and housing, upon release from confinement.

II. Ensure equity and competence: Do everything possible to ensure equity and competence with regard to race, ethnicity, culture, language, gender and sexual orientation, in legal representation before the courts and throughout all system practices and policies.

• Reduce Racial and Ethnic Disparities: Given disproportionately high representation of youth of color in the justice system, it is imperative to direct major federal resources to states/localities to implement system-change strategies designed to reduce racial and ethnic disparities. In turn, states/localities should report their progress in reducing racial/ethnic disparities, as well any forms of differential treatment of youth of color as compared with their white counterparts, at all stages from surveillance/arrest to reentry.

• Cultural and Linguistic Competence: At all system contact points, services and supports given to children, youth and families, as well as institutional conditions, must be linguistically and culturally competent.

• Due Process Rights: The promise of due process rights for juveniles remains largely unfulfilled. Jurisdictions should ensure that youth have timely access to competent and qualified defense counsel and are required to consult with counsel prior to waiving their constitutional right to such counsel.

• Ensure Safety: All populations of youth, especially those who have proven susceptible to harm such as girls, lesbian, gay, bisexual and transgender youth, and children with serious mental/behavioral health concerns, must be safe when in the care or custody of the justice system.

III. Ensure responses appropriate to a young person's age and stage of development: Do everything possible to ensure that children and youth in the justice system are treated in an ageappropriate manner and provided with developmentally appropriate, evidencedbased services and supports. Ensure, when needed, that sanctions are appropriate to a youth's age and offense.

• Incentives: Provide incentives to state and local jurisdictions to develop and implement developmentally appropriate services and supports for children and families that emphasize limited system contact and research-driven approaches to youth development.

• Normal Adolescent Behavior vs. Delinquency: Guard against juvenile and criminal justice system responses that are unduly punitive, criminalize normal adolescent behavior or assume that youth competence and culpability equals that of adults.

• Restorative Justice: In response to offending, implement policies, programs and practices that seek to restore the victim and the community and hold the youth offender accountable.

• Take Steps to Extend Federal Protections to All Youth Until Age 18 or Older: Provide incentives for states to take necessary steps to ensure that the four JJDPA Core Requirements/Protections are applied as faithfully as possible to all youth until the age of 18, or to youth older than age 18 who are under extended juvenile jurisdiction, whether they have been tried in the juvenile or criminal court.

IV. Strengthen the federal partnership with state and local governments: Strengthen the federal role in supporting state and local needs by providing sufficient resources and appropriations for jurisdictions to effectively implement the JJDPA, to fully comply with its core requirements/protections and to ensure state and local adherence to high standards of performance.

• Optimal Funding: Ensure that funding authorizations in the JJDPA are provided at optimally effective levels to fulfill the all of the mandates of the JJDPA, as well as those contained in related juvenile justice programs, such as the Juvenile Accountability Block Grant (JABG) program.

• Grants for State/Local Needs: Ensure that the federal role under the JJDPA is responsive to state-identified/locally-identified needs and the State Plan process, including field-based and field-strengthening research and evaluation to refine and expand the array of best and evidence-based practices.
• Performance Measures: Establish and support states and localities to set, implement and monitor performance measures for achieving the highest possible standards for safe, effective and competence-building systems, programs, policies and practices. Provide resources to support training, technical assistance and information dissemination in line with state needs.

We, the undersigned organizations and leaders, seek the support of Congress to see the aforementioned principles are assured in the Reauthorization of the federal Juvenile Justice and Delinquency Prevention Act (JJDPA):

NATIONAL ORGANIZATIONS

Academy of Criminal Justice Sciences, Policy Section
American Correctional Association
American Probation and Parole Association
American Psychiatric Association
Asian Law Caucus
Asian Pacific American Legal Center (APALC)
ATTIC Correctional Services
Bazelon Center for Mental Health Law
Camp Fire USA
Campaign for Youth Justice
Center for Children's Law and Policy
Center for Juvenile Justice Reform and Systems Integration, Georgetown University
Child Welfare League of America
Children's Defense Fund
Coalition for Juvenile Justice
Correctional Education Association
Council of Juvenile Correctional Administrators
Covenant House
Federation of Families for Children's Mental Health
International CURE Generations
United Girls Inc.
Justice Policy Institute
Juvenile Law Center
Legal Action Center
Mental Health America
Muslim Public Affairs Council
National Alliance for Faith and Justice
National Alliance to End Homelessness
National Association for Children of Alcoholics
National Association of Counties
National Association of Criminal Defense Lawyers
National Association of Home Builders
National Center for Youth Law
National Collaboration for Youth
National Community Education Association
National Council of La Raza
National Disability Rights Network
National H.I.R.E. Network
National Human Services Assembly
National Juvenile Defender Center
National Juvenile Justice Network
National Network for Youth
National Parent Teacher Association
National Partnership for Juvenile Services
National Recreation and Park Association
National Urban League Policy Institute
National Youth Advocate Program
Penal Reform International
Physicians for Human Rights
Residential Care Consortium
Southern Poverty Law Center
The National Center for Lesbian Rights
The Sentencing Project

Unitarian Universalist Association of Congregations
United Church of Christ, Justice and Policy Ministries
United Methodist Church, General Board of Church and Society Voices for America's Children
W. Haywood Burns Institute
YMCA of the USA
Youth Law Center

STATE AND LOCAL ORGANIZATIONS

Alabama:

Alabama Disabilities Advocacy Program Alabama Youth Justice Coalition Children First Foundation Legal Aid Society of Birmingham Prodigal Child Project Southern Juvenile Defender Center The Ordinary People Society

Alaska:

Gastineau Human Services Corporation

Arizona:

Arizona Juvenile Justice Commission—The Arizona State Advisory Group Children's Action Alliance Friendly House

California:

Asian and Pacific Islander Youth Advocacy Network (AYAN) California State Juvenile Officers' Association Center for Juvenile Law and Policy, Loyola Law School Los Angeles Leadership Academy Mothers for Peace Pacific Juvenile Defender Center Para Los Ninos Watts/Century Latino Organization Youth Justice Coalition/Free L.A.

Colorado:

Pendulum Foundation

Connecticut:

Center for Children's Advocacy, University of Connecticut School of Law Connecticut Juvenile Justice Alliance Office of the Child Advocate, State of Connecticut

Delaware:

Delaware Center for Justice Delaware Collaboration for Youth

District of Columbia:

Justice 4 DC Youth! Coalition Latin American Youth Center

Florida:

Children's Campaign, Inc. Florida Keys Children's Shelter, Inc. Latino Leadership Inc. Law Offices of Public Defender Bennett H. Brummer, 11th Judicial Circuit Redlands Christian Migrant Association

Illinois:

Child Care Association of Illinois Illinois Collaboration on Youth Illinois Parent Teacher Association John Howard Association of Illinois Juvenile Justice Initiative Law Office of the Cook County Public Defender Youth Network Council

Indiana:

Indiana Juvenile Justice Task Force, Inc. Leadership & Renewal Outfitters

Kansas:

Kansas Advisory Group on Juvenile Justice and Delinquency Prevention—The Kansas State Advisory Group

Louisiana:

Families and Friends of Louisiana's Incarcerated Children (FFLIC) Juvenile Justice Project of Louisiana

Maryland:

Maryland Juvenile Justice Coalition

Massachusetts:

Citizens for Juvenile Justice Criminal Justice Institute, Harvard Law School

Michigan:

Michigan Council on Crime and Delinquency

Mississippi:

Mississippi Youth Justice Project

Missouri:

Missouri Juvenile Justice Association Youth In Need

Nebraska:

Voices for Children in Nebraska

Nevada:

East Las Vegas Community Development Corporation

New Hampshire:

Child and Family Services of New Hampshire

New Jersey:

Northeast Juvenile Defender Center

New Mexico:

Hands Across Cultures New Mexico Children, Youth and Families Department—The New Mexico State Advisory Group New Mexico Council on Crime and Delinquency

New York:

New York Juvenile Justice Coalition Goodhope Youth Home, Inc. Center for Community Alternatives Youth Represent

North Carolina:

Action for Children North Carolina

North Dakota:

Lutheran Social Services of North Dakota

Ohio:

Alliance of Child Caring Service Providers Children's Defense Fund of Ohio Juvenile Justice Coalition (Ohio) Law Office of the Montgomery County, Ohio Public Defender North East Ohio Health Services Voices for Ohio's Children Juvenile Justice Initiative

Oregon:

Partnership for Safety and Justice Salem/Keizer Coalition for Equality

Pennsylvania:

Community Commitment Inc. Congreso de Latinos Unidos Juvenile Detention Centers' Association of PA

South Dakota:

Parents Who Care Coalition

Tennessee:

Latino Memphis, Inc. Tennessee Commission on Children and Youth (TCCY)—The Tennessee State Advisory Group

Texas:

Southwest Key Program Tejano Center for Community Concerns Texas Coalition Advocating Justice for Juveniles

Utah:

Utah Commission on Criminal Justice and Juvenile Justice—The Utah State Advisory Group

Vermont:

South Royalton Legal Clinic at Vermont Law School Children and Family Council for Prevention Programs—The Vermont State Advisory Group

Virginia:

Citizens United for Rehabilitation of ErrantsVirginia, Inc. JustChildren Program of the Legal Aid Justice Center MidAtlantic Juvenile Defender Center, University of Richmond Law School Virginia Coalition for Juvenile Justice

Washington:

TeamChild Washington Defender Association

Wisconsin:

Counseling Center of Milwaukee, Inc. La Casa de Esperanza, Inc. La Causa Wisconsin Council on Children and Families

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[Internet link to the Coalition for Juvenile Justice report, "Childhood on Trial: The Failure of Trying & Sentencing Youth in Adult Criminal Court," dated 2005, submitted by Mr. Johnson, follows:]

http://www.appa-net.org/resources/pubs/docs/CJJ-Report.pdf

[Additional materials submitted by Mr. Jones follow:]

A Boy's Life: Former Drug Seller Tries to Start Over

By STEVE MELLON, *Post-Gazette;* Saturday, June 02, 2007

Rashon lives with his grandmother as he deals with the legal consequences of having marijuana in his school locker.

He sits in a former laundry in Garfield in an oversize chair wearing an oversize white T-shirt and tennis shoes laced with alternating red and white strings.

His hair, cut close around a cherubic face, is perfectly groomed with those little breaks of waves the guys like to wear. He talks of his days using and dealing marijuana. He's 13.

Rashon's mother had five boys, but the siblings have never lived together. His mother has been a drug abuser for all his 13 years.

"I smoked [marijuana] outside. I smoked inside. I smoked walking around in public, just smoking," he says as he clutches his hands to his knees. "I thought I was bored if I was not high. I had money, jewelry. I had 'rep,' "—he was someone others could count on to sell them the weed they needed to get high.

"It made me feel noticed."

An eighth-grader who likes rap music, basketball and math class, Rashon is one piece of a fraying social tapestry that includes up to 3 million other inner-city young black men across the nation. The common threads in their lives include fatherlessness, alienation from formal education, forays into criminal activity and a diminishing hope about their future—predictors that studies show push them into lives on the margins of society.

Rashon is now in the Community Intensive Supervision Program, or CISP, an Allegheny County house arrest program that aims to keep kids like him in school, in their communities and out of trouble. CISP made Rashon available to the Post-Gazette on the condition his last name not be used.

Rashon has a large family.

His mother had five boys, the oldest is 24. Rashon is the third child.

The boys never have lived together. Some of his siblings are scattered into foster homes. For all of his life, his mom has been a drug abuser. Because of her addiction, he never has lived with her. From the time he was six months old, he lived in a Hill District housing project with a great aunt. She fed him and clothed him and let Rashon sleep on a couch in the living room.

When he lived with his great aunt, Rashon smoked weed. He walked the streets at all hours. Bored with school, he seldom went to class.

He now lives in East Liberty in a tidy two-story home with his maternal grandmother. She calls the stocky young man with a dark-brown complexion Shon, and he's lived with her for about nine months, since shortly after he was busted at 12 for having a marijuana blunt in his middle school locker.

At 67, Grandma Carleen has raised four boys and two girls. She has 11 grandchildren and one great-grandchild.

She has raised Shon's younger brother, Ron, since birth. She leads a visitor into her sunny little living room with the big sliding doors. Here all the furniture is snugly fitted in plastic. On a nearby shelf are family photographs. There are several of the younger brother and scores of his academic awards.

There are no photos of Shon.

Grandma Carleen, a widow, has worked hard to make a comfortable life. Her modest dwelling is on a quiet street, and she has sisters living in houses on both sides of her home.

She is making the most of her life: She doesn't mind getting up with the dawn, as she's often out the door early to water aerobics, line dancing or exercising.

"These are supposed to be my years," she says, reflecting on the sacrifice of having to now raise Shon, too.

Shon, she says, "didn't get the right start. I took him in because he had nowhere else to go."

Rashon's mother infrequently comes around. He sees her, he might get a hug, but she remains a mystery to him.

How old is she?

Like many teens, Rashon likes rap music, basketball and math class.

"I don't even know. Ain't that crazy?" he asks, shaking his head. "I don't know how old my mom is."

He's working to let it go, but it's tough.

"Sometimes I wake up in the morning and think of my mom and be mad and go to school. The first thing someone says to me, I just snap."

It makes him angry not having her there on holidays. Not having her there to talk about his math grade. Not having her there to help him avoid the same drug-abusing path she walked on. But he downplays it.

"Hopefully, she's doing good. I don't get my hopes up. I got my own life to worry about, not hers."

In 13 years, Rashon has seen his father twice. As he recalled, with each visit there was acknowledgement, but no affection. No hug. No handshake. No nothing.

Once, there was a phone call. Rashon thought it was a wrong number.

"I can't even remember if he called me son or Rashon. He said 'Wussup with you? How you been doing lately?' "

His dad, back in jail since last August, has a long list of burglary charges that stretch back to before Rashon was born.

"To tell you the truth, I really don't care if I saw him or not. For some reason, I really don't care," says Rashon.

"I can't even say if I love him or not."

This is not always the world that Rashon imagines.

When he daydreams, he sees a world with his father.

"Things would be different if he was around. If he was here, we'd play basketball together or something. Watch a movie or something. Ya know, a father and son thing."

In his dreams, it's always a happy place. Then reality crashes into it.

"I really don't know if I love him. I don't know him. I love my mom, though," he says plainly, matter-of-factly. "I don't know why, she'd ain't never been here for me, either.

"But for my dad, I can't find a place for him in my heart."

Rashon was 12 when he first began smoking marijuana. He was on the street, hanging out with Black Hawk, Dom, Hard Tizzy and 'nem.

He was always the youngest, and he wanted to be like the older guys. They were 16, 17, 18. They called Rashon by the nickname Young Shig.

Young Shig sold marijuana.

Young Shig got high almost every day.

Young Shig sometimes made $375 a week selling drugs. Add that up, and Young Shig would have cleared $19,500 in a year. Tax free.

Most of which he spent buying more marijuana for himself or gambling it away.

In fact, Young Shig called life on the street a blast.

This is despite the fact that three of his friends have been shot or killed because of gang-related drugs and violence.

Young Shig may have been having a blast, but Rashon wasn't.

"I noticed my grades started dropping. I started missing school and everything. My whole life felt like it was going down the drain. I mean, to miss 45 days from school in one semester, that's terrible. Now, I go to school every day."

While a student at Milliones Middle School in the Hill District, Rashon left the house about 7 every morning. He met with his friends and smoked a couple of blunts before going to class. They smoked on the city steps or near the shadowy, empty spaces outside of his great-aunt's apartment.

One day, he stuffed a half-smoked blunt into the corner pocket of his bubble jacket. The strong odor permeated the locker and after the vice principal confronted him, he confessed that it was his.

He was charged with intent to distribute and sent to juvenile court.

The judge saw his record of school absences and sent him to the Community Intensive Supervision Program.

Looking to give him structure on a personal level, as well, the court suggested he move in with his grandmother.

It is a beautiful Easter.

Rashon is with family. He is standing and grinning at himself in the mirror. It is his first time in a new suit.

"I feel different. Handsome," he says, purring over his faux snakeskin dress shoes.

Before leaving for morning service, his younger brother ties Rashon's tie. It's a skill Rashon has never learned.

Grandma is a retired operating room technician who sometimes worked two jobs to support her family.

She is a petite, church-going woman, and she is strict. When Shon came in, the rules came out. For a young man not used to many restrictions, he now had a long list: clean your room, get your pants off your butt, wash the dishes, turn the music down.

In her house, her call for order and obedience upsets him and he believes she thinks of him as "the devil."

"No, I don't think he is the devil," said his grandmother. "But he puzzles me. I say, 'What is wrong with this boy?'"

After his day is over at Sunnyside school, a van picks up Rashon and delivers him to CISP. There he is among a thicket of young men who have all been pricked by trouble at school, petty crime or drug abuse.

CISP is a chance for the counselors to stuff some accountability into their souls before they are let go.

Young men—ages 10 to 18—who come into the program get monitors on their ankles and are electronically tethered to their homes, work places or school. The program is run by the Allegheny County Court of Common Pleas, and youth come every day. Here they do homework, chores and have meals. They must account for their time in community service, their grades, and talk about restitution for their crimes.

Rashon is one of the youngest in the group.

Before he came here, he had missed an entire semester at school. His grades were in the dump.

"When I first came in with Rashon, I saw a very needy, high energy child," says Barry Canada, 52, a family counselor the young men call Uncle B.

"Every day with him was a new adventure. I would tell my wife, this kid is killing me. I wanted to put him on the next boat [and send him] into the woods."

Uncle B now has wrapped his steady arms around Rashon. He takes him to lift weights, helps with family counseling sessions and visits Rashon's school.

CISP has a structure and consequences.

The goal, says Uncle B, is to take the street out of Rashon.

The presence of Uncle B and other "old heads"—role models—living and articulating a different value system has helped keep Rashon more steady and focused.

"I've always been respectful," he says, "but I'm just a better young man now—in a lot of different categories."

Part of his optimism has come from realizing that he can live away from the corners.

"I never knew I was this smart," says Rashon, reflecting on the change of perspective the program has given him.

"Beneath the rough stuff, this kid is intelligent," says Uncle B. "I think he's starting to see what we wanted to produce in him."

When he leaves CISP, the program will help him enroll in tutoring, a basketball league and other aftercare.

"He has a future. A real bright future," says Uncle B. "He's ready for the next step, but he's got to have the discipline."

The transition from the streets has not been without its bumps.

Weeks of good behavior are sometimes followed by bouts of what Rashon calls "I don't-care-attitude" days.

His monitoring ankle bracelet, removed a few weeks ago, was back on after he was inexplicably late for school and talking out of order during an accountability session at CISP.

Rashon has lost old friends, and he's been forced to examine some harsh realities about his family life.

But in recent weeks, he has impressed counselors, his therapist and teachers.

Here's what Rashon has to say:

"I will never sell drugs another day in my life. I will never smoke another chemical. I can say that with a straight face. I know what it done to my parents. I see that selling drugs is hurting someone's family."

And, just as easily as he opens it, he shuts the door on being an adult.

He flashes his boyish smile and bounces off to play ping-pong with a CISP counselor.

EPILOGUE

Rashon is free now. He "graduated" from CISP May 24. Uncle B cut the electronic monitor from his ankle, and his CISP family gave him a round of applause.

Because of some early behavioral problems, it took him 10 months to finish the six-month program. But he's finished.

In a few days, he'll graduate from eighth grade. His neighborhood high school is Peabody, but, in the fall, he wants to attend Schenley.

In a few days, he'll begin a summer job with Urban Youth Action.

He has no idea what it is he'll be doing.

"I really don't care," he smiles. "It means I can get my own account, make my own money, and I don't have to hustle no more."

The Post-Gazette will continue to follow Rashon, and at the end of the series provide an update on where he is and how he's doing.

2006 CISP Annual Report

James Rieland, Director of Allegheny County Probation;
Kimberly Booth, Director of CISP

INTRODUCTION

The legal entity that governs the Community Intensive Supervision Program is the Court of Common Pleas, Family Division—Juvenile Section. The Administrative Judge is the Honorable Kim Berkeley Clark, and the Director of Juvenile Court Services is James Rieland. The CISP Program Manager is Kimberly Booth. The CISP Program Coordinators are George Kinder and James Tucker, who both report directly to the CISP Program Manager.

PURPOSE AND OBJECTIVES

The purpose of the Community Intensive Supervision Program is to provide an alternative to institutionalization for youth under Court supervision who continue to commit delinquent acts.

CISP Goals and Objectives are as follows:

1) To provide drug and alcohol education, intervention and treatment to youth and their families.

2) To operate an intensive supervision program for repeat offenders in the community with balanced attention to the offender, community and the victim.

3) To minimize/prevent recidivism on the part of youth in CISP and thereby reduce the number of court supervised youth who require institutionalization.

4) To provide a real world learning experience in the community rather than an artificial or sterile environment of an institution.

5) To maintain failure to adjust discharges from CISP at no more than five percent (5%).

PROGRAM PURPOSE

The Community Intensive Supervision Program (CISP) is operated by the Court of Common Pleas of Allegheny County, Family Division—Juvenile Section and has been in operation since June 1990. CISP functions as an alternative to institutionalization for repeat juvenile offenders, and starting in January 1997, CISP has functioned as an aftercare program for youth released from institutional placements. These offenders have continued to challenge the resources, both human and financial, of the Court. The Court continues to experience an increase in total referrals and an increase in the severity of offenses. Institutional beds are filled to capacity across the state. Institutions (both public and private) have created waiting lists for counties wishing to commit youth to residential programs. In an effort to address these problems, the Court has developed the Community Intensive Supervision Program. Also, it is a statistically proven fact that youth exiting institutional placements have a tendency to recidivate at a high rate within the first six months after release. Therefore, it made sense that CISP would expand the use of the CISP Program for aftercare services.

The CISP Program provides the Court with a community-based alternative to residential care for selected, chronic juvenile offenders, and also serves as an aftercare program for youth released from institutions. A full range of programming, including drug screening, is offered in five (5) specially designed neighborhood centers during afternoon and evening hours, seven (7) days per week. Supervision of youth continues throughout the night by use of an active electronic monitoring system. In ad-

dition to traditional probation department personnel, the program is staffed by paraprofessional "Community Monitors," who are adult residents of the same neighborhoods in which the youth reside.

TARGET POPULATION

Youth from three geographic regions of the City of Pittsburgh, one in Wilkinsburg and one in McKeesport have been chosen to participate in CISP. The three specific city regions are Garfield, Hill District and Homewood. The areas selected for the project have traditionally experienced a high rate of institutional placement. The CISP Program is designed for male juvenile offenders (ages 10-18) from the targeted neighborhoods who were on probation, continued to recidivate and would be institutionalized but for the existence of this alternative.

Property offenders make up for the majority of youth placed into the CISP Program. The Court continues to experience an influx of crack related cases; therefore, youth with crack related offenses are eligible for CISP. Sex offenders are not eligible for the CISP Program.

Since the CISP Program is neighborhood based, a youth must live in one of the designated neighborhoods to be placed in CISP. Youth remain in their own communities and are introduced to positive community resources. Placement into the CISP Program must be court ordered by the Judge.

Each of the CISP centers will have very distinct referral boundaries. In order for a child to be committed to the CISP Program, he must live in one of the identified neighborhoods. The geographic boundaries for each of the centers will be identified by census tract.

The GARFIELD Center will include the following census tracts, neighborhoods and zip codes:

Census Tract	Neighborhood	Zip Code
30802, 30804, 30806, 30809, 30903	Bloomfield	15224
30810.98	Bloomfield	15224
30601, 30603, 30604	Lower Lawrenceville	15201
30901, 30902	Central Lawrenceville	15201
31011	Upper Lawrenceville	15201
31018, 31005	Stanton Heights	15201
30807	Friendship	15206/15232
31014.97; 31014.98	Morningside	15206
31016, 3I017	Garfield	15224
31114	Garfield	15206
31113, 31115, 30818	East Liberty	15206
31102, 31106, 31111	Highland Park	15206
31204, 31208	Larimer	15206

The HILL DISTRICT Center will include the following census tracts, neighborhoods and zip codes:

Census Tract	Neighborhood	Zip Code
30101	Uptown	15219
30103	Bluff	15219
30201, 30203, 30302	Central Business District	15219
30305, 30314	Crawford-Roberts	15219
30407, 30409	South Oakland	15213
30406, 30405, 30402, 30411	Central Oakland	15213
30404, 30403, 30507, 30810.97	North Oakland	15213
30501, 30511	Upper Hill	15219
30502	Middle Hill	15219
30509	Bedford Dwellings	15219
30510	Terrace Village	15219/15213
30506, 30605	Polish Hill (S. of Bigelow Blvd.)	15219/15213

The HOMEWOOD Center will include the following census tracts, neighborhoods and zip codes:

Census Tract	Neighborhood	Zip Code
31201, 31202, 31203	Lincoln-Lemington-Belmar	15206
31207	Homewood West	15208
31301, 31302, 31305	Homewood North	15208
31303, 31304	Homewood South	15208/15221
31405	Point Breeze South	15208
55650, 55651	Penn Hills	15235
55238, 55650	Verona	15147

The WILKINSBURG center will include the following census tracts, neighborhoods and zip codes:

Census Tract	Neighborhood	Zip Code
31306	East Hills	15221
55604, 55605	Wilkinsburg South	15221
55611, 55612	Wilkinsburg North	15221
55606, 55610	Central Wilkinsburg	15221
55614, 55615	East Wilkinsburg	15221
55151, 55152, 55153, 55154, 55155	Swissvale	15218
55161, 55162	Edgewood	15218
55120, 55128, 55129	Braddock	15104
55140	N. Braddock; Rankin	15104

The MCKEESPORT center will include the following census tracts, neighborhoods and zip codes:

Census Tract	Neighborhood	Zip Code
55509, 55512, 55513 & 55519-55524	McKeesport	15132
55031, 55032	White Oak	15131
54870	Dravosburg	15034
55010	Versailles	15132
54980	Liberty	15133
55003	Port Vue	15133
54993, 54994	Glassport	15045

PURPOSES AND OBJECTIVES

The purpose of the Community Intensive Supervision Program is to provide an alternative to institutionalization for youth under Court supervision who continue to commit delinquent acts and also serves as an aftercare facility for youth who have been successfully released from institutional placements. CISP objectives are as follows:

1) To operate an intensive supervision program for repeat offenders in the community, which provides balanced attention between offender, community and victim.

2) To successfully impact the recidivism of youth in CISP, thereby impacting the number of youth requiring institutionalization.

3) To provide a real world learning experience in the community, rather than an artificial or sterile environment of an institution.

4) To maintain Failure to Adjust discharges from CISP at no more than 2%.

5) To make CISP effective enough to significantly impact the Court's overall institutional budget.

PROGRAM DESCRIPTION

CISP operates in five community centers: Garfield, Hill District, Homewood-Brushton, Wilkinsburg and McKeesport. Each center has the capacity to program 30-35 youth for a total of 150-175 youth system-wide. The centers are open seven days a week from 2:00 p.m. to 12:00 a.m. Youth are normally in the center or participating in required activities from 4:00 p.m. to 10:00 p.m. All youth are supervised, monitored and held accountable twenty-four (24) hours a day.

PARENTAL SUPPORT

All youth in the CISP Program live at home with their parent(s) or guardian.

Parental involvement is vital to the overall success of a youth in the CISP Program.

Parents are invited to be involved in all aspects of their child's participation in CISP.

Youth are held accountable for their behavior and conduct while in their home under their parents' supervision. Parents are a vital link between the home, school and CISP.

SUPERVISION

Upon admission to the CISP Program, all youth are confined to their house on house arrest under the direct supervision of their parents. Youth are permitted to attend school/work and CISP activities. Youth are given a predetermined amount of travel time to and from approved destinations. Parental involvement and support are of paramount importance to youth successfully completing program requirements. CISP staff work closely with parents regarding supervision issues.

ELECTRONIC MONITORING

All youth placed in CISP are monitored by the BI-Home Escort series electronic monitoring system developed by BI Inc. based in Boulder, Colorado. This system has the ability to record all entries and exits from the youth's house by the youth. Each youth is assigned a transmitter, which is worn on the lower calf/ankle area. Each youth is assigned a monitoring device that communicates with the Command Center located at our Eastern District Probation Office through a standard phone line.

The BI9010 transmitter incorporates state-of-the-art electronic technology. The transmitter is the size of a common business card and weighs only 3.8 ounces. It is waterproof and tamperproof. Included in this series of equipment is the BI9000 drive-by unit, which is a hand-held monitor. It permits the electronic monitoring of clients by just driving by their home, school, place of employment, or in the community.

The in-home monitoring system provides continuous, 24-hour a day coverage of youth in CISP. At any time, day or night, it can be determined if a youth is in his home. The only exception to this is youth committed to CISP for aftercare from institutional placements. These youth will not be monitored by the EMS system but are required to attend program every day at least the first thirty (30) days of their placement and receive curfew calls in the evening from the community monitors to ensure their accountability.

The police have photographs of the youth on electronic monitoring. The police are provided with a court-authorized warrant to apprehend any CISP client that violates his house arrest. This violation can occur either by the client leaving their house during the hours of 10:00 p.m. to 7:00 a.m. or if they tamper with their transmitter. One staff member, as well as one alternate from each CISP center, functions as an electronic monitoring system (EMS) specialist. Their duties and responsibilities include coordinating, activating and reporting on the electronic monitoring system for each center.

TREATMENT PROGRAM

The major treatment issue in CISP is drug and alcohol education, assessment and treatment. All youth are involved in some aspect of Drug/Alcohol Programming.

Youth are involved in individual counseling, group counseling, peer counseling and family intervention, CISP staff operate out of a Reality Therapy approach; however, the program is flexible enough to meet individual youth and family needs. Family support of CISP is vital; therefore, the youth's family is invited to participate in all CISP activities and programs. Daily contact is maintained with the youth's family to insure that the youth is complying with parental requirements.

The primary treatment objective for each youth in CISP is to develop pro-social norms and behaviors. This is achieved through exposing the youth to numerous topical seminars and educational programs. CISP staff facilitates these programs; however, outside speakers and experts are utilized when needed.

Every aspect of the CISP Program is designed to change negative behaviors through education and through positive role models.

DRUGS/ALCOHOL

Substance use, abuse and dependency continue to have a devastating impact on inner-city communities. Crime, unemployment, family dysfunction, and other mental health issues are all exacerbated by the use of alcohol, tobacco, and other drugs. The youth in these areas often suffer the most. The majority of CISP clients have been adversely influenced by the drug culture. Whether they were enticed into drug sales, drug usage, live with addicted parents, or all of the above, they have been victimized as a result of the influx of drugs (legal or not) into their neighborhoods.

The CISP Substance Unit is aware of these issues and addresses them via a continuum of care. The unit operates a prevention program in each area it serves offering information and support to local schools and community groups. Secondly, the unit conducts a series of educational groups with CISP clients on drug use, and evaluates each youth's involvement with drugs. A key tool in the assessment of all clients is the Roche On-Trak urinalysis, which is randomly administered. Upon completion of the assessment, a referral is made to the appropriate level of care; prevention and outpatient treatment are given by CISP Substance Abuse Counselors; inpatient treatment or residential care if done by other providers who are partners with the program. Lastly, the CISP Substance Abuse Unit is able to provide aftercare services to youth as they return from various treatment facilities.

SCHOOL/WORK

Youth placed in the CISP Program are permitted to continue attending school and are also permitted to work. All youth in this phase of the program are held accountable for daily attendance and performance. Youth attending school are required to have their teacher sign the youth's daily attendance log. CISP staff also maintains close contact with school attendance officials. Additionally, CISP staff work closely with school officials on performance and discipline issues. For the most part, youth remain in the same school they are attending prior to placement in CISP. This allows for continuity for the youth and school officials. CISP youth have the same educational opportunities that all other Pittsburgh School District youth enjoy.

Specialized educational programs (Options Center, Allegheny Intermediate Unit) are utilized when and where appropriate. These services are utilized for school suspensions, tutoring, evaluation, and youth advocacy.

Part of each day in the CISP Program is dedicated to learning, homework or other educational activities. Through the efforts of the Allegheny Intermediate Unit a tutor is providing educational services in each CISP Center on a daily basis. Where possible, outside resources are used; however, CISP staff is directly involved in educational activities.

As mentioned, youth are permitted to work while in the CISP Program. When a youth has a job, his hours and travel requirements are verified prior to working. If a youth owes restitution, he is required to make regular payments through the Juvenile Court Restitution Department.

RECREATION

Recreation is a very important component the CISP Program. This area helps youth to have the opportunity to develop and promote structured recreational activities, physical education activities and cultural activities. These goals are met by teaching these youth appropriate recreational skills, sportsmanship, and socially acceptable behavior in the community.

The CISP Program schedules a series of recreational, physical, educational and cultural activities several days a week in each center. The length of the activity depends on the other scheduled activities in each Center each day. Every child in the CISP Program participates in these activities depending upon their individual situation. Recreational activities include, but are not limited to, memberships in the Boys Club, YMCA, and the use of City and/or County parks recreational facilities, ball fields and swimming pools. The Centers also make arrangements with local movie cinemas, museums, libraries, sporting events, and various recreational and cultural activities and events throughout the City of Pittsburgh.

COMMUNITY SERVICE

Community service is an integral component of the CISP Program. All youth participating in CISP are required to perform community service.

The primary purpose of community service is to hold offenders accountable for their actions by requiring them to perform community service as a way of symbolically "paying back" the community for the wrong they have done. Community serv-

ice projects most often occur in the youth's neighborhood. However, occasionally youth are involved in major City of Pittsburgh events, such as the Great Race. The youth can also be involved with nonprofit organizations like hospitals, but most often, they are working on community activities. Community organizations and Pittsburgh Clean City Committee, Inc. are utilized to identify community projects.

The CISP Program, through its community service effort, can help preserve and maintain the local environment and give needed assistance to those public, private, nonprofit and community-based agencies that depend on volunteer help. Offenders gain positive work experience and by "volunteering" they gain some inner satisfaction from knowing their work is appreciated by the community.

SMOKING/TOBACCO

For many years now, the Surgeon General's Office and other health organizations have clearly spelled out the major hazards of smoking and using tobacco products. The addiction of smoking is a major concern of the CISP Program. The Community Intensive Supervision Program will not permit youth to use any tobacco products while under direct supervision.

As positive role models to youth, CISP staff are not permitted to smoke or use any tobacco products while on duty.

SANCTIONING SYSTEM

Youth who are noncompliant with CISP program rules and expectations are sanctioned by short-term placement in a "backup" unit or by going to Shuman Detention Center. The ability to remove a youth temporarily from his home due to program violations is absolutely vital for a successful program. Youth and families must understand that participation in CISP is an alternative to long-term placement in a residential program; therefore, negative behavior results in serious consequences for the youth and swift and firm action from CISP staff.

STAFF

Each center has a staff of fourteen (14). By job title they are as follows: Center Supervisor; Assistant Supervisor/Casework Manager; Secretary; Substance Abuse Counselor; nine (9) Community Monitors; and one (1) part-time Community Monitor. This staffing pattern is necessary in order to provide seven-day coverage. When possible, staff members were selected from the communities where they will work. This was done in order to provide youth with positive adult role models from their own communities. Most staff in the program work an eight-hour shift from 3:30 p.m. to 11:30 p.m.

The supervisors and assistant supervisors have a minimum of a Bachelor's Degree, and the community monitors have a minimum of a high school diploma; however, most of the monitors who were hired have some post-secondary education; several have a Bachelor's Degree.

There are two program coordinators and a program manager to handle all the administrative duties of the program. These positions require a minimum of a Master's Degree.

RESEARCH

The CISP Program was evaluated by the National Center for Juvenile Justice, which is located in Pittsburgh, from 1990-1992. The National Center is the Research Division of the National Council of Juvenile and Family Court Judges, which is located in Reno, Nevada.

The Program was evaluated on three levels:
(1) Qualitative/Formative;
(2) Quantitative/Descriptive; and
(3) Community Reaction.

Qualitative/Formative

This portion of the evaluation was largely descriptive and designed to chronicle the start-up and operation of the program.

Quantitative/Descriptive

This section of the evaluation systematically gather information which was coded and analyzed to produce a picture of the client population, the results of the classification and selection process, the amount and type of program intervention, instances of violations, client outcome and costs.

Community Reaction

This portion of the evaluation examined how well CISP has been integrated into the various communities. The employment of indigenous community workers, locating centers in neighborhoods, conducting community service projects, and involving local services are all designed to actively involve the community in participating in and accepting the program.

The CISP Program has also been evaluated by Duquesne University Graduate Center for Public Policy. This research involves a follow-up evaluation of youth from CISP who successfully completed CISP from 1990 to the present. This research has been conducted by Norma Feinberg, Ph.D., Gail Stevens, Ph.D., and Charles Hanna, Ph.D. from Duquesne University. A summary of the data revealed that 55% of the successful program participants did not recidivate (arrest) in either the juvenile or adult systems.

The CISP Program is also participating in research being conducted by the National Center for Juvenile Justice as Allegheny County Juvenile Court was one of four jurisdictions selected from applicants across the United States to participate in the Accountability Based Community Intervention (ABC) Program. The program purpose is to develop a system-wide strategy of intervention, treatment and rehabilitation for juvenile offenders in Allegheny County. The project includes a systematic review of Allegheny County Juvenile Court's service needs to identify gaps or areas that need increased attention and to create a plan for developing and implementing these services (Strategic Plan 1996-1999).

PROGRAM OPERATION COST

The CISP Program is jointly funded through grants and county dollars. If the CISP Program is operating at full capacity, the per diem is $64.00. Comparison of this per diem with the cost of institutionalization, which averages approx. $265 a day depending upon where the youth would be placed, obviously results in a significant cost savings.

CISP 2006 Annual Report

The CISP Program continued to grow and develop in 2006 in terms of the number of youth served and the continuation of an aftercare component for youth being released from institutional placements. CISP continued to strive to fully implement the Balanced and Restorative Justice Philosophy by giving balanced attention to the offender, community and the victim.

The CISP Program continues to operate from five neighborhood center locations. The three original community locations in Garfield, Hill District and Homewood have been open since the start of the program in 1990. The fourth location in Wilkinsburg opened in April 1994, and the fifth location in McKeesport opened in July 2001.

Staffing

The CISP staff experienced relatively minor turnover in 2006. There were several promotions, new hires, resignations and transfers to other departments in Juvenile Court in 2006.

Staff training

Training during 2006 consisted of several training sessions for the entire CISP staff as well as individual training sessions for various staff members. In 2006 various CISP staff and supervisors attended the following training and staff development sessions:

CISP Annual Workshop—Working with Families; Probation Officer Workshop focusing on Cultural Diversity; Restorative Community Justice Forum, Basic Principles of Restorative Justice; Self-Defense; Senior Monitor Role and Responsibilities; Safety Awareness; Handcuff Recertification; CPR and First Aid; Youth & Law Enforcement Forum; PA Conference on Juvenile Justice; Single Parents; Youth and the Internet; Summit on Racism; and several computer trainings in word, excel, outlook and power point. AIDS/HIV, Victim Sensitivity—A Body in Motion; Support Staff retreat, Working with African Males from High-Risk Environments; Group Counseling; Examining Urban Subculture & Delinquent Youth and Motivational Interviewing.

Training continues to be viewed as an important function for the continued success of the CISP Program. Training was facilitated through our training supervisor, Ron Seyko, and the CISP Supervisors and Program Coordinators. Each CISP employee is required to attend at least (20) hours of training. The Supervisors, Proba-

tion Officers and Drug and Alcohol Counselors are required to obtain (40) training hours.

BARJ involvement

In 2006, CISP continued to serve as one of the three model demonstration sites in the U.S. to participate in the Balanced and Restorative Justice Project (BARJ). The BARJ model provides an effective framework for developing responsive juvenile justice system. Restorative justice, as a guiding philosophical paradigm, promotes maximum involvement of the victim, offender and the community in the justice process. Victim panels, which were started in 2004 and sponsored by the Victim's Center, were continued in 2006. CISP and Victim's Center held three victim panels in 2006 in Wilkinsburg, McKeesport and the Hill involving all five CISP centers. George Kinder, CISP program Coordinator continued as a member of the Community Education Initiative Committee for Allegheny County Juvenile Court, which met monthly in 2006. This committee plans and coordinates BARJ community activities and events throughout the year for Allegheny County Juvenile Court. The main objective of the committee in 2006 is the planning and coordination of activities during Juvenile Justice Week. This committee sponsored several activities and events during Juvenile Justice Week including the Juvenile Court Open House, BARJ Forum, BARJ essay and poster contest and a recreational activity with delinquent youth. This committee also sponsored a play called "Body in Motion" in May 2006 depicting the impact of crime on victims in a theatrical setting. Over 500 juvenile justice professionals, juvenile offenders, victims and community members attended this event.

CISP was mentioned in a Pgh. Post Gazette article dated 12.4.06 regarding juvenile justice. It stated, "Allegheny Co. also uses the CISP program, an after-school and weekend program, that enables teens to complete community service work ordered by judges.

In June 2006, Kim Booth and George Kinder help organize and facilitate BARJ training in Westmoreland County on Community Restorative Justice for ten counties in Western Pennsylvania.

Restitution

Restitution is a process whereby a juvenile offender makes either monetary payment to the victim, provides service to the victim, or engages in community service work. Restitution provides the court with a dispositional alternative for juvenile offenders that are both constructive and appropriate for the offense. The types of restitution services are:

Monetary Restitution—financial payment directly to victim.

Community Service—symbolically paying back the victim thru service to community.

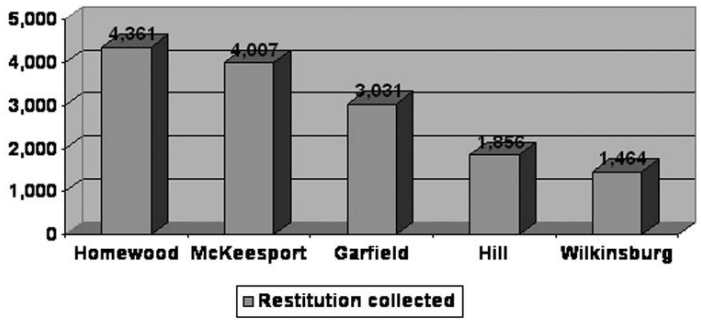
The anticipated result of restitution is to bring about an increased sense of responsibility to juvenile offenders for their delinquent acts and to restore the victim or community through financial repayment or service in the community.

Financial Restitution Collected in 2006

In 2006, the CISP program continued to make a good effort to document and collect financial restitution in each of the five CISP centers. The following is the total amount paid by youth committed to their respective CISP center:

Homewood	$5,397.42
Wilkinsburg	$3,314.38
McKeesport	$2,724.00
Garfield	$1,317.50
Hill	$1,314.50
Total restitution	$14,067.80

RESTITUTION



Community service in 2006

Community service continues to be an excellent learning experience for CISP, and community members continue to express very positive comments regarding these types of community projects performed by CISP youth. Several community service projects in all five CISP centers are now counted on as a regular service to these communities. CISP continues to participate in yearly community service projects. Each youth in the CISP program is required to complete 100 hours of community service for regular program and 50 hours for aftercare before he is positively discharged from the program. In 2006, youth in all five CISP centers completed approximately 17, 200 hours of community service.

This involved such projects as cleaning lots, painting houses, cleaning streets, distributing community newspapers, shoveling snow, cutting grass, moving furniture and set up and clean up at community festivals. Here's a highlight of some of the major community service projects in each of the five community centers in 2006.

GARFIELD COMMUNITY SERVICE

Jan &-Feb.—painted Women's Shelter on the North Side.

May 20—passed out over 500 computers at Langley High School.

August 18—set up and cleaned up for the CYF Annual Picnic at Schenley Park.

Nov. 7—Roll to the Polls—transported eighteen (18) senior citizens to vote.

Dec. 14—Toys for Tots—passed out toys to needy children in the East Liberty community.

HILL DISTRICT COMMUNITY SERVICE

Throughout the year—Parental Stress Center-completed such projects as painting, cleaning floors and carpets, moving furniture, set-up the library, set-up for Easter celebration; wrapping gifts for Christmas; and set up and tearing down tables and booths.

Aug.12&13—NAACP—set up for community festival that lasted for the weekend at Mellon Park. Clients painted children's faces and played games with them; cleaned up the park after the event.

November—B-PEP—clients passed out flyers and stuffed envelopes.

Every Tuesday—Beulah Baptist Church Food Bank—clients unloaded trucks and helped with organizing the packages.

HOMEWOOD COMMUNITY SERVICE

Jan.-Dec—Mt. Ararat Baptist Church Meal Ministry—prepared and distributed meals to senior citizens in the community.

Jan.-Dec.—Boys & Girls Club serving as youth counselors.

Jan.-Oct.—Community clean-up within the Homewood area.

December—Kwanzaa Celebration—youth facilitated a community-wide Kwanzaa celebration for the public.

MCKEESPORT COMMUNITY SERVICE

Every Tuesday & Thursday—Glenshire Woods Nursing Home—clients go there to interact with the elderly residents. McKeesport CISP also has clients who work

there because of the relationship between the program and the weekly visits to the home.

Every Saturday—Angora Gardens—clients work off required community service hours while working to keep the Angora Gardens looking nice.

Jan thru April—helped paint women's shelter on the North Side.

Summer 2006 (every Tuesday)—Motor Dome Speedway—clients cut grass and painted grandstand at the race course

Oct. 7—AIDS Walk—City of McKeesport—client participated in this annual event to get information on AIDS awareness; all five CISP centers participate.

WILKINSBURG COMMUNITY SERVICE

Jan.-March—painting project at Women's Shelter on the North Side.
May-Nov.—Turner Football Field—regular clean-up and maintenance.
June&Aug.—painted and cleaned up at Lincoln Community Center in Penn Hills.
Nov. 7—Roll to the Polls—took elderly people to the polls to vote.
Every weekend clean and sweep PAT Bus way.
Dec.—Toys for Tots—passed out toys to needy children.

Victim awareness group progress

Victim Awareness Groups were started in the CISP Program in each center in June 1996. A new curriculum was implemented by all four CISP Centers in February 1999 and implemented at the fifth CISP Center in McKeesport in 2001. This curriculum was designed by William E. Sarbo and Valerie R. Bender for the Center for Victims of Violent Crime under a grant from the Pennsylvania Commission on Crime and Delinquency. The CISP staff received updated training on this curriculum in 2004. Each CISP center holds separate meetings, which are facilitated by a victim awareness specialist from each center. These meetings involve a total of 15 hours. This curriculum teaches the impact of victimizing others.

In 2006, these victim awareness groups continued to be facilitated in each of the CISP centers on an ongoing basis. The CISP will continue to fully implement the goals of the Balanced and Restorative Justice within the program and strive to improve their services with the victim, community and the offender.

In 2006, CISP continued the practice of conducting exit interviews for youth who successfully completed the program. During the exit interviews the youth answer questions concerning BARJ principles and victims' issues. The victim's center and CISP staff continue to facilitate these exit interviews assisted by community representatives.

Also in 2006, CISP continued to refer certain cases to Pittsburgh Mediation Center for face-to-face meetings between the offender and victim in selected cases.

Awards and celebrations

In July 2006, CISP held a 16-year anniversary picnic at North Park. All CISP center staff, court staff, youth and their family members attended. Activities included a full picnic style meal, softball games, and relay races, swimming at North Park Pool and interaction and fun all day.

In October 2006, the CISP presented a cash donation in the amount of $510 to the Center for Victims of Violence and Crime, Executive Director, Stephanie Walsh, at a presentation during Juvenile Court Week. CISP participants from all five centers conducted a carwash and donated the proceeds to the Center as part of a restorative justice project. This was the 7th year for this event and CISP has risen over $7500 since that time. Also, several CISP youth won awards during Juvenile Court Week for their BARJ related posters and essays.

In August 2006 during the Annual CISP Training Workshop held at Hosanna House Re-Treat Center; staff with 15, 10 and 5 years of service were featured and recognized.

Drug and alcohol component of CISP

The CISP Program recognizes the prevalence of drug and alcohol abuse in its target communities as well as the severity of the consequences of substance abuse for CISP clients. As a result, the program continues to address these issues on two levels:

1) Prevention/Education
2) Outpatient Intervention

Substance abuse prevention

The objective of the CISP D&A prevention program is to provide D&A education to youth within an educational setting or community center. CISP collaborates with local school or community center officials in targeting at-risk youth. The CISP's in-

tention is to implement curriculum that will educate youth about the potential consequences of drug and/or alcohol use. CISP encourages elementary and middle school-aged youth to make positive choices that will be a deterrent for drug and/or alcohol usage.

The CISP Drug & Alcohol Unit provides prevention service in the catchments areas within the five neighborhoods where the centers are located. The prevention targeted population is youth between the ages of 6-13. The community schools that are serviced by CISP are Turner Elementary (Wilkinsburg), Arsenal Middle School (Garfield) and Miller Elementary (Hill District).

CISP prevention curricula focus primarily on drug and alcohol education and social skill development. Drug and alcohol education will include: pharmacology, mental, social, emotional and legal consequences. Social skill development will include: self-awareness/acceptance, values clarification, sharing/inclusion, anger management, conflict resolution and decision-making.

Substance abuse intervention

The Substance Abuse component of the CISP Program is based on two premises. The first premise is that there is a very high correlation between delinquent behavior and substance abuse among adolescents. The second premise is that traditional treatment has been largely ineffective for delinquent and minority children. Therefore, the substance abuse staff provides intervention that addresses the unique concerns of our clients from a culturally specific framework.

The CISP Substance Abuse staff provides youth with the opportunity to make better, more informed choices about drug and alcohol use through improved problem solving and refusal skills, as well as alternatives to drug dealing. Additionally, CISP holds clients accountable and personally responsible for their behavior through natural consequences, including referrals to long-term placements or more restrictive treatment environments when necessary as well as sanctions.

CISP Substance Abuse Intervention provides two levels of services. They are Education/Assessment and Outpatient Intervention for those CISP clients who exhibit issues related to substance abuse.

Assessment:

Consists of the evaluation of all new clients including a psychosocial history of the adolescent and his family, diagnostic interviews, and the completion of the assessment package.

Intervention:

Involves assigning clients to the most appropriate tract, no intensive or intensive drug and alcohol outpatient, or in extreme cases, referral to an inpatient facility. Placement in this phase is based on drug and alcohol history, family history, and the client's ability to maintain abstinence while in the CISP program. Outside referrals are made by D&A counselors in conjunction with the CISP treatment team for those clients who exhibit a higher level of drug and alcohol care.

During this period, group norms and expectations are established that allow the group to become a therapeutic community. At this stage, all clients have individualized treatment plans and participate in a 16-week drug and alcohol educational group curriculum. Intervention includes individual counseling, principles of group psychotherapy, behavior modification and reality therapy.

CISP is in its eighth year of working in collaboration with of Narcotics Anonymous (NA) and the Hill House Association. All clients in the outpatient intervention tract attend weekly NA meetings. Additionally, many clients who have addicted parents are identified and taken to Children of Alcoholics (COA) support groups. The CISP Substance Abuse Unit continued to sponsor weekly NA (Narcotics Anonymous) meetings in 2006 through the efforts of Patricia Rogers, D&A Unit Supervisor, with the assistance of NA. These NA meetings were specifically established for clients of the CISP program that have substance abuse issues, and these meetings are recognized by NA as part of its international fellowship.

Aftercare:

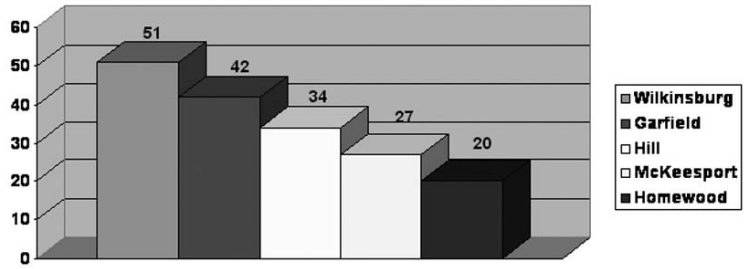
Upon completion of the intensive phase, an aftercare plan is devised to assist clients with their transition back into the community. Aftercare consists of establishing a positive support network to reinforce sobriety, developing a relapse prevention plan, and to aid the client in their recovery efforts. It also includes follow-up contacts on a bimonthly basis to determine each client's adherence to the recommended aftercare plans.

The D&A unit began performing mental health screens by tracking mental health clients entering the CISP program. The tracking involves identifying the client, the mental health diagnosis, the treatment provider, medication and current MH status. CISP tracked a total of ninety (90) mental health cases in 2006.

D&A assessments

The total number of drug and alcohol assessments for 2006 were 174. There were a total of 194 commitments in CISP in 2006. Therefore, assessments were completed in 174 of the 194 commitments in 2006, which is 90%.

2006 D&A ASSESSMENTS



2006 D& A Assessments: The CISP D&A Unit completed a total of 212 Educational Groups in 2006.

D&A EDUCATIONAL GROUPS 2006

Community involvement

The CISP Program continues to receive visits from various Juvenile Court professionals from all over the country who wanted to obtain more information and visit the program in person. The CISP program received several visitors in 2006 from different agencies and courts throughout the country; there were also on-site visits from numerous new probation officers from Juvenile Court, new community monitors and student interns. They received an intensive eight-hour orientation and training about CISP and restorative justice.

CISP supervisors, the program coordinators, the program director and other CISP staff continued to be involved with various community organizations and continued to be active participants in community task forces and meetings in 2006.

CISP program coordinators and CISP manager

In 2006, George Kinder and James Tucker, CISP Program Coordinators, and Kim Booth, CISP Manager, were actively involved in several community meetings and committees.

Court and Community Collaborative Committee

George Kinder and Kim Booth continued to serve on this committee in 2006. There were several meetings in 2006 throughout the state in Monroeville and New Stanton, Pa. The members of this committee are juvenile justice professionals, mental health professionals, community leaders, and faith-based leader's organizations. In 2006, this committee planned and sponsored the second community justice forums held in Westmoreland County in June of 2006. This purpose of these community justice forums is to provide technical assistance and practical applications to

juvenile justice professionals throughout the state a working model to engage and include the community in the juvenile justice system.

Computerized Forms Committee

Kim Booth served on this committee in 2006. The purpose of this committee is to rewrite forms for the computer for standardized use by all Juvenile Court employees.

Disproportionate Minority Contact Committee

In October 2003, Kimberly Booth was selected to serve as member of the Disproportionate Minority Contact (DMC) Subcommittee of the Pennsylvania Commission on Crime and Delinquency's (PCCD) Juvenile Justice and Delinquency Prevention Committee (JJDPC). The committee was established to assess and address the over-representation of minority juveniles in Pennsylvania's juvenile justice system, especially secure juvenile facilities.

This committee completed a very successful training workshop on police community relations in October 2006. In 2006, this committee continued to meet regularly to plan additional strategies and training workshops with the focus on police work with minority youth.

BARJ Community Education Initiative Committee

In 2006, George Kinder continued to participate on the BARJ Community Education Initiative committee chaired by Connie Przybyla. This committee started in 2003 and has met monthly since that time. The purpose of this committee is to create community awareness and provide educational activities regarding restorative justice in the community. In 2006, this committee sponsored several activities during Juvenile Justice Week in October 2006 including a BARJ Forum, Open House, BARJ poster and essay contest, and several recreational activities for youth. The BARJ forum was facilitated by court director Jim Rieland and involved a presentation by police officer and school official on Internet crime.

B-Pep (The Black Political Empowerment Project)

James Tucker, CISP Program Coordinator, continued to serve as an advisory board member with B-Pep to help coordinate the registration and transporting of elderly, minority and disadvantaged citizens to vote.

Hill District Community Collaboration Committees

James Tucker was an advisory board member for Male Coalition, Cultural Policy Council, and Anger Management services for Center for Family Excellence. He also was an advisory board member for the Hill District Community Consensus Group, Hill District Community Collaborative Corporation, and the Store Front Initiative.

Garfield CISP

Garfield CISP continues to be actively involved with numerous community organizations; however, the Bloomfield-Garfield Corp (BGC) continues to be their main community focus, and after 17 years, this relationship is still flourishing. This past summer the youth participated in a summer youth employment program sponsored by the BGC. These youth were provided with a paid work experience for doing various physical and human services work in and around the Garfield community. PO Monique Powell recently resigned her position as an active BGC board member after serving for eight years. PO Jan Adams will replace her in 2007. In addition to working for Garfield CISP, Jan is also a community resident. The following is a list of other community contacts and activities made by members of Garfield CISP:

Apangea Program—10 youth participate in this computer program which is an online after school tutorial program in math.

Tree of Hope—a grass roots victims program with an emphasis on helping the children of murder victims. In Sept 2006, escorted two vanloads of children and their parents to K-Mart to shop for school clothing.

Opening of new gym in the East Liberty community—community member Ed Ackrie with the assistance of Garfield CISP were very active in helping to set up this gym. It is now open to the community with free weights, a boxing ring, and other exercise equipment.

Hill district CISP

In the Hill District staff continued its membership with the Hill District Community Collaborative Corp; Center for Family Excellence Cultural Policy Council; Zone 2 Public Safety Meetings; Hill House Assoc. Consensus Group Meetings re: recreation, beautification and safety issues; and numerous other community organizations. The following is a list of community activities and contacts made by members of the Hill District CISP:

Abraxas Workbridge—employment initiative program
Boys and Girls Club—employment—Great Start Program.
Beulah Baptist Church—community service food bank.
Carnegie Library Hill Dist. Branch—friends of the library.
Center for Family Excellence—member of male coalition, cultural policy council and anger management services.
Center for Youth & Families—community service, activities, festivals, advisory board member.
Center for Victims of Violent Crime—youth support and community service.
Head Start Program—distributed flyers for head start sign-ups.
Hill Dist. Community Consensus—advisory board member, storefront project.
Hill Dist. Community Development—distribution of newsletter, info mailings
Hill House Assoc.—Young Fathers Program, community meetings.
House of David—youth development programs.
INCS Holistic Educational Rehab Center—community service.
Life Works—initial assessment and evaluation of clients' mental health services.
Maleness to Manhood—youth programs, computer training, community service.
Mercy Behavioral Health—mental health services.
Northwestern Human Services—mental health services.
Parental Stress Center—young male programs/community service.
Penn State Cooperation Extension—nutrition classes.
Spectrum Family Network—family services.
Uptown Community Alliance—participated in community clean-ups & membership.
WPIC—assessment & evaluation of clients; mental health services and counseling; staff training; community service.
Zone 2 Safety Council—community safety and monitoring and membership.

Homewood CISP

Barry McCrary and his staff were very active in community meetings and programs including the Homewood YMCA (Attending various meetings regarding community issues and employment), Westinghouse High School (making various presentations to students), and attending and participating in other community council forums. The following is a list of community contacts and meetings Homewood CISP staff made during the year:
Boys and Girls Club—provided job opportunities for youth.
Ethnan Temple Seventh Day Adventist Church—collaborated and provided space to hold the Maleness to Manhood meetings open to the public.
Hosanna House—utilized services provided by the Fatherhood Initiative Program.
Mt. Ararat Baptist Church—community service by working in the meal ministry and delivering food to senior citizens.
Wilkinsburg Community Ministry—picked up used furniture for less fortunate members of the community.

McKeespost CISP

The center supervisor, John Fiscante, has maintained an active working relationship with the City of McKeesport and the McKeesport Collaborative. The following is a list of community activities and contacts made by members of the McKeesport CISP center:
Abraxas WorkBridge—provided community service, employment and educational opportunities.
Auberle Home—teen parenting counseling.
Center for Victims of Violent Crime—administered tests to clients upon release from program.
City of McKeesport/McKeesport Task Force/Neighborhood Initiative—contacts in the community for lawn care and snow removal for the elderly; involved us in city-wide projects, such as Environmental Day.
Community Accountability Panel—attended panel hearings.
Creative Ministries/Triumphant Prayer Ministries—provided community service, spiritual and mentoring services.
Boys & Girls Club/Salvation Army—provided mentoring, employment opportunities and mentoring services.
McKeesport Collaborative—provided community service, mentoring and educational services.
Glenshire Woods Nursing Home—provided employment opportunities and community service.
McKeesport Collaborative—did community service and attended AIDS walk.
McKeesport Housing Authority—use of Crawford Rec Center for gym during CISP basketball league.

McKeesport Weed & Seed/NAACP—provided community service opportunities.
Mon Yough—provided community service projects at Angora Gardens.

Wilkinsburg CISP

The following is a list of community activities and contacts made by members of the Wilkinsburg CISP center staff and their supervisor, Ginger Kinsel:
Spectrum Family Network—provided clients and parents with anger management counseling and other issues.
Boys & Girls Club—provided clients with employment opportunities.
Allegheny Intermediate Unit—provided alternative education to students.
Community Connections for Families—works with mental health clients in the Wilkinsburg School District.
WorkBridge—provided clients with a work experience in order to pay their restitution.
Project Life—provided counseling services to clients.

Drug and alcohol unit

Patricia Rogers, D&A Supervisor, and her staff Earnest Frazier (Hill), Jennifer Thompson (McKeesport), Taryn Simko (Wilkinsburg) and Marvin Randall (Garfield) were actively involved in the following community activities and initiatives:
Juvenile Justice Week—held information tables, which provided drug and alcohol education and program overview at the open house during Juvenile Court Week.
(CLEAR) Coalition of Leadership, Education and Advocacy for Recovery—Patricia Rogers met with other members of CLEAR to develop strategies to enhance community awareness of the extent of alcohol, tobacco and other drug use and its consequences.
Take Your Daughter to Work Day—the CISP D&A Unit volunteered and distributed D/A information during this event.
Housing Authority Clean Slate—this community collaborative focused on drug-free communities in Allegheny County.
Allegheny County Air Show—CISP staff took the youth on a field trip to the Air Force Air show.
Boys Scouts of America—participated in this year's summer outreach camp and educated youth on drug & alcohol prevention / awareness.
Sandcastle Water Park—CISP program enjoyed a day of summer fun.
Summer Curriculum—the CISP Drug & Alcohol Unit since 2001 started collaboration with Allegheny County Jail, Allegheny County Coroner's Office and the Adult Drug Court for a series called "Jail, Institutions and Death." This six-week summer curriculum was designed to expose the CISP clients to the real life and times of chemical dependency and the harmful consequences.
National Adoption Day—Supervisor Patricia Rogers volunteered and participated in this special event.
Mt. Ararat Baptist Church—presentation at the Hill CISP by Rev. Benjamin Calvart on Strengthen and Healing Communities.

Recreation and cultural activities

Recreation and cultural activities continue to be an important component of the CISP Program. These activities allow youth to have the opportunity to develop and promote structured recreational, physical, educational, and cultural activities. These goals are met by teaching youth appropriate recreational skills, quality of sportsmanship, exposure to cultural events, and socially acceptable behavior within the community.

The CISP Program continues to schedule a series of recreational, physical, educational and cultural activities several days a week at each center. Recreational activities within the community in 2006 included, but were not limited to: Pitt football and basketball games; Pirate baseball; 2006 MLB All-star Baseball Game; Penguins hockey; Cleveland Cavaliers; Steelers Football; Showcase Cinemas; Idlewild Park; Harmarville Hoops; Sandcastle; Kennywood Park; Fright Fest Station Square; Hartwood Acres Festival of Lights; and use of city public schools' recreational facilities and county ball fields. Also, several prison tours were conducted.

In 2006, CISP continued to utilize Tickets for Kids for ticket donations to various recreational and cultural activities. This been a major source of funding for recreational activities for the CISP program.

In February 2006, George Kinder, Program Coordinator, started and organized an intramural basketball league for CISP, along with two other community teams including East Presb Church and The House a team from Homewood at the Crawford Village gym in McKeesport. The season consists of eight weeks of regular intramural basketball games from Feb. until April 2005, which concluded with playoffs.

East Pres Church from East Liberty finished in first place and the CISP All-star team finished in second place. An awards ceremony and pizza party was held at the gym after the finals. Trophies were given to 1st and 2nd place team. CISP started and organized an all-star team from the CISP Centers and played several games against the two other community teams.

In May 2006, George Kinder, Program Coordinator, Larissa Mackey from Homewood and Lee Smith from Wilkinsburg CISP organized and facilitated the CISP intramural softball league. This involved all five CISP centers. The season consists of six weeks of regular intramural softball games from May until June 2006, which concluded with playoffs. The Wilkinsburg CISP center finished in first place and Hill CISP finished in second place. An awards ceremony and pizza party was held at North Park after the finals in June 2006. Trophies were distributed to the 1st and 2nd place teams and medals to all the teams who participated.

Two new recreational activities were continued in 2006—a weightlifting contest held at Homewood CISP in Oct. 2006 and a ping-pong tournament held at Homewood CISP in December 2006.

Cultural activities continue to be a very important aspect of the CISP Program as it exposes the youth to various art, theatre and educational experiences in the community. These activities help shape positive social and moral values and foster a sense of community pride. Some of these activities were as follows: Great Blacks in Wax Museum; several plays at local theaters and churches; and all five CISP centers attended and participated in Black History Month activities in several schools and community centers throughout the five neighborhoods.

School involvement

CISP staff continues to have a good relationship with all of the schools attended by CISP youth. These schools are visited daily by the school/aftercare community monitor specialists for data regarding attendance, behavior and academic performance by CISP youth. The staff also attends numerous conferences with parents and school personnel throughout the school year. CISP continues to place a high priority on the client's educational performance.

The Allegheny Intermediate Unit (AIU) has been providing educational services to CISP youth since CISP began. The services include testing, interim school placements, GED tutoring, and classes for youth who are suspended. AIU continues to provide a tutor at each CISP center for approx. an hour and a half Monday thru Thursday. These tutors help youth with homework and often assign additional work to strengthen any weak areas. Tutoring services in the CISP centers are now being paid through the CISP operational budget.

The School/Aftercare Community Monitor continues to be responsible for monitoring the school attendance/performance of the CISP students. These staff also have the additional responsibility of providing aftercare services to youth who have been committed to CISP after their release from an institution.

The School/Aftercare Community Monitor Specialist in each CISP center monitors the daily attendance, obtains grades, behavioral reports, and attends and participates in school conferences with school counselors, vice principals and principals. Each school specialist covers a geographic area that encompasses several schools in their neighborhood CISP center. During the summer months, the School/Aftercare Community Monitor Specialist monitors and facilitates clients who obtain summer employment and helps to monitor the community service projects in their center. Their duties also include supervision of the aftercare clients in each of their respective centers.

Electronic monitoring

One staff member, as well as one alternate, from each CISP center continues to function as an Electronic Home Monitoring (EHM) Specialist. Their duties and responsibilities continue to include coordinating, activating, and reporting on the electronic monitoring system for each center.

In 1998 CISP was able to obtain the ability to install the EHM system in clients' homes that previously did not have a telephone. This procedure involves the CISP program installing a telephone line and phone in these homes that enables the EHM system to function.

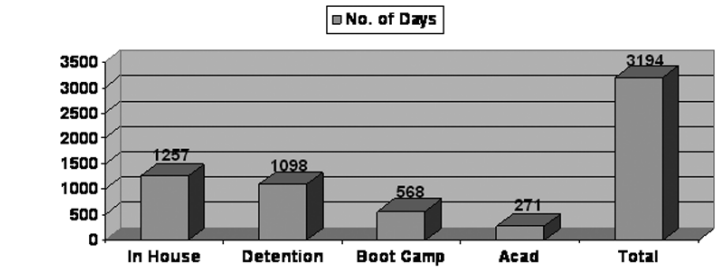
Each CISP center continues to have the ability through the use of remote work stations to review their specific clients electronic "leaves and enters," as well as the client's overall compliance with their out-of-the-home approved schedules. These remote work stations are programmed through the electronic monitor's main computer hub located in the Eastern District Office. The main benefit of having the remote work stations is that it enables each CISP center to respond more efficiently and quicker by looking up their own client's movements, determine if the client violated

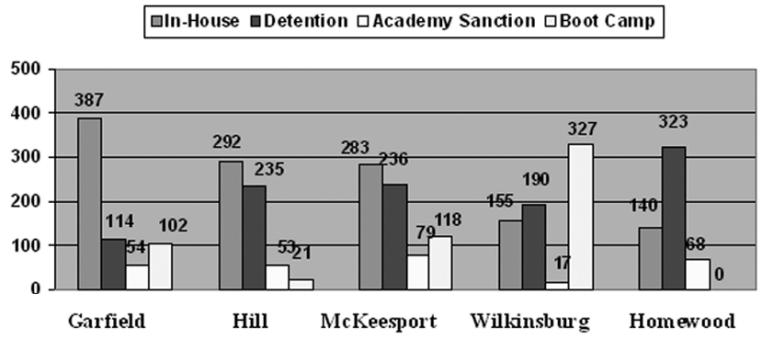
or abided to their schedule, and have the ability to respond with real time consequences if a violation occurred.

Sanctioning

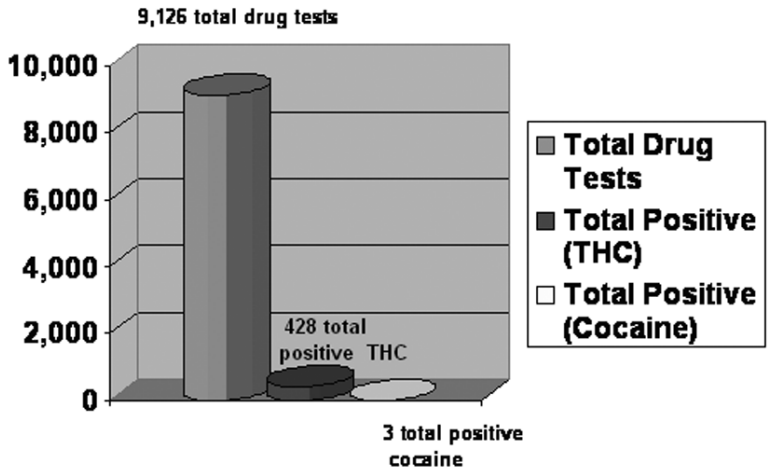
In 2006, youth continued to be sanctioned in-house, at Shuman Detention Center, Allegheny Academy sanction unit, and Vision Quest Boot Camp. In-house sanctions included staying late in program or doing additional community service. Youth in CISP are sanctioned for violating program rules and regulations such as not attending school/school suspensions, missing program at CISP, electronic monitoring violation, major behavior problems in center, positive drug/alcohol tests, etc.

2006 SANCTION STAT'S





The positive rate for all tests is only 4.7%. This is a low rate given the fact 18% of the youth committed to CISP in 2006 were committed for a drug related offense.



2006 Aftercare commitments

During 2006, the CISP Program received (54) aftercare commitments. This represents 28% of all the 2006 commitments to CISP. The number of aftercare commitments by CISP center is as follows:

In 2006 the 54 aftercare commitments to CISP were received from the following institutions:

George Jr. Republic—17
Abraxas—5
Summit Academy—8
Harborcreek—2
Pressley Ridge—7
VisionQuest—1
YDC-New Castle—6
YFC #3—1
Adelphoi—6
Bradley Center—1

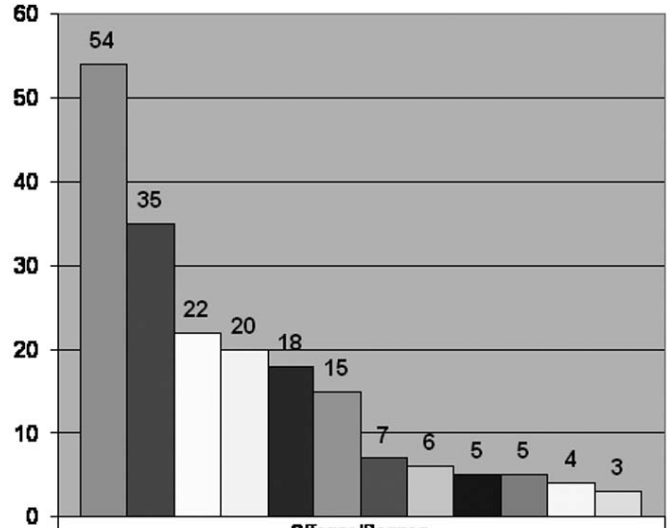
2006 CISP Discharges

In 2006, the CISP Program had 205 youth who were discharged.
Positive Discharges: 144 youth or 70%
Negative Discharges: 61 youth or 30%

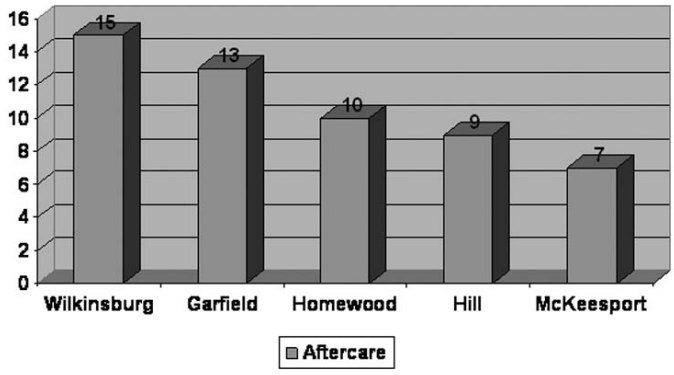
205 youth or 100%

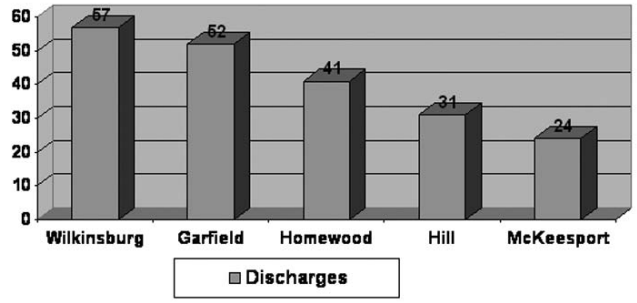
Discharge Percentages: Positive Discharges—70%; Negative Discharges—30%
1) New Offense—5%
2) Failure to Adjust—14%

Of the total 322 youth served during 2006 only 15 (5%) committed new criminal acts while in the CISP Program.



	Offense/Reason
Aftercare	54
Drug Related	35
Assaults	22
Firearms	20
Auto Theft Related	18
FTA/VOP	15
Robbery	7
Theft	6
Terroristic Threats	5
Disorderly Conduct	5
Other Crimes	4
Burglary	3

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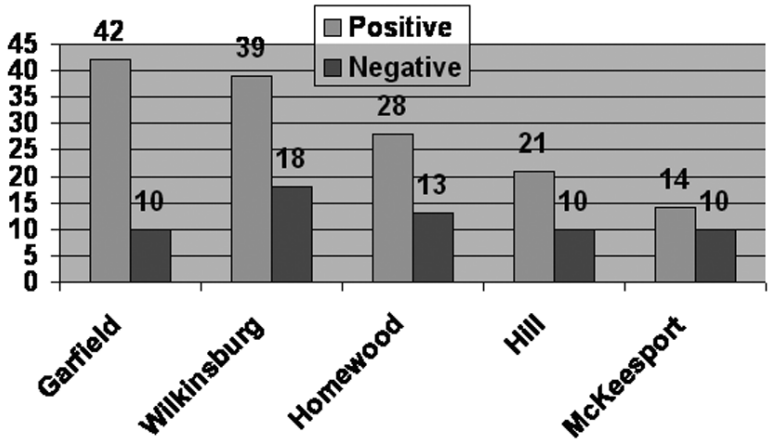
Wilkinsburg
Garfield
Homewood
Hill
McKeesport
Discharges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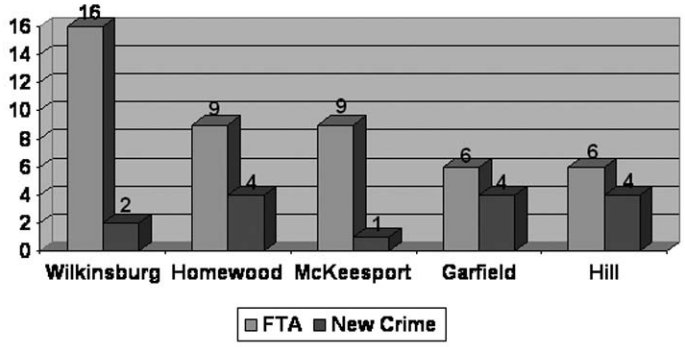
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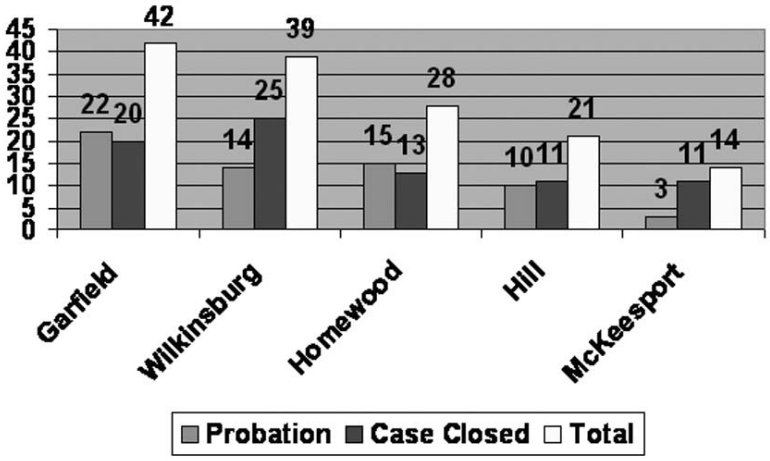
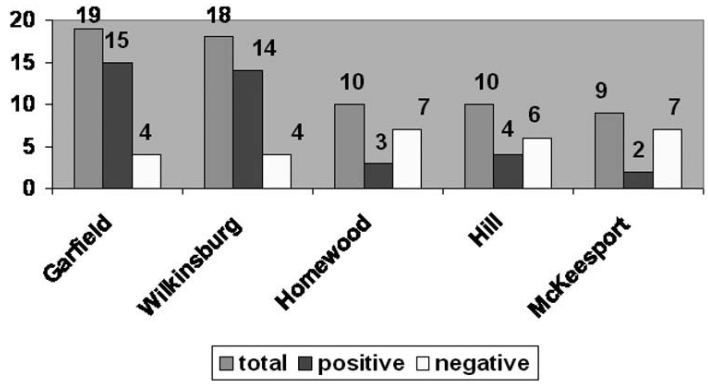
New Crime





Second Chance: House-Arrest Program for Juveniles Finds That Community Service Helps Rehabilitate Offenders

By LILLIAN THOMAS, *Post-Gazette;* Sunday, August 07, 2007

A few months ago, James Eversole was in a stolen car being chased by police. The friend who was driving wrecked it, and Eversole, 17, ended up before a judge. Eversole learned about his new life on house arrest with an anklet and a crew of adults breathing down his neck.

One of the few places he was allowed to go was a McKeesport personal care home, where he was to put in community service hours.

Now Eversole is an employee of Glenshire Woods Personal Care Home, serving coffee and setting tables for the senior citizens he's been playing cards with on Tuesday and Thursday evenings for the past several months.

Eversole and three others hired by the home are in the Community Intensive Supervision Project, a house-arrest program started in 1990 by the Allegheny County juvenile court system.

An integral part of CISP is community service, said Jim Rieland, director of juvenile court services in Allegheny County. The program aims to make children who have broken the law understand the effects of their actions and to build up connections between them and others in their communities.

Youth at all five CISP centers do 100 hours or more of community service, such as picking up litter or cutting grass, during their six to eight months in the pro-

gram. The McKeesport center, started in 2001, has been strong in making community links, Rieland said.

"We require community service as a way for our clients to give back to the community they victimized," said John Fiscante, supervisor of the McKeesport center. He was interested in finding a way to create one-on-one relationships with residents.

"We tried to go around the community and find a place. At first we were unsuccessful," he said. But last year, he talked with the administrators of Glenshire Woods, who agreed to try evening visits from four or five of the center's youth each week.

It was a bit awkward at first, but once the cards and checkers were broken out, the conversation started flowing, said David Herchelroath, probation counselor at the CISP center. The kids initially had to be badgered into going to Glenshire, he said, but now they all want to go. The Glenshire residents, who hadn't done much card playing before, now have the tables set up and are ready to start games of Tonk, 500 and Uno as soon as the boys walk in the door.

"Miss Mary, Miss Viola, Miss Karen, they are waiting for us when we come," said Derrick Stanford, 16, who was arrested on charges of using and selling drugs.

Officials from both CISP and Glenshire were happy with the results—livelier seniors, kids forming bonds with older people in their community.

A month or so ago, Fiscante and the center's administration began to discuss the possibility of hiring some of the boys to work there. Two—Eversole, 17, and Claude Sims, 16—are working there now as nutrition aides. They set and clear tables, serve beverages and help residents at mealtimes.

Stanford and Tim Chavis, 16, will begin work shortly. All four are nearly done with the CISP program.

Everyone involved is taking a risk. The personal care home, the court system, the supervisors of the CISP center and the boys all stand to lose if they blow it.

A spokeswoman for the corporation that owns Glenshire said it was the first arrangement of this kind she'd ever heard of.

"We do work with other community organizations, like job corps, but this is the first one of this kind I'm aware of," said Holly Gould, director of communications for Glenshire Woods' owner, Milwaukee-based Extendicare Health Services Inc., which runs 440 nursing homes, assisted living centers, rehabilitation clinics and retirement communities in the United States and Canada.

Fiscante knows he's out on a limb. But the CISP philosophy is based on the idea that juvenile offenders are most likely to change their behavior permanently by being at home, closely supervised, rather than in a juvenile facility.

Most ordered into the program are property offenders, Rieland said—"burglary, auto theft, misdemeanor retail theft, charges related to drugs, drug use and sales." Judges do not send those who have committed violent crimes or who are repeat offenders to the program.

They are supervised 24 hours a day. They are permitted to be at home, at the CISP center, at school and at work if they have a job. At the McKeesport center, a staff of 14 supervises a group which ranges from 15 to 22 juveniles who live in the McKeesport Area School District.

The boys report to the center every afternoon and are dropped off at home around 9 p.m. After that, center staff members make phone checks and home visits. The electronic monitoring devices the juveniles wear on their ankles let CISP staff know if they are anywhere they aren't supposed to be; violations show up on a computerized system that is monitored day and night.

Police have photos of all the CISP youth in case they disappear. If they are in violation, they are taken to Shuman Juvenile Detention Center.

Probation officers are involved in the program, which includes frequent group meetings to discuss problems or successes. There is a drug and alcohol counselor on staff, and the juveniles are regularly drug tested. They also pay restitution, where required, and write letters of apology to victims, where appropriate.

"We're trying to change everything," Fiscante said. Boys must respond with "yes, sirs" and "ma'ams" to all adults.

During a card game last week, resident Viola Vano dealt and the game clicked along with the efficient ease of familiar routine. The boys talked to their older companions, leaning over to discuss the hands and play. They were routinely and consistently polite, minding their "yes, ma'ams."

Gould, the spokeswoman for Extendicare, said that, because CISP itself is so unusual, she didn't expect to get more requests of this sort from other facilities.

"I think it's fairly unique. We will evaluate the success after a period of time. We are always looking for ways to bring people into the long-term care industry, and volunteering, to see if they are interested in the work, is a good way to do that."

Young Men in Trouble Reflect on Their Lives: Garfield Program Helps Youths Deal With Their Crimes, Street Life and Absent Fathers

By ERVIN DYER, *Post-Gazette;* Saturday, June 02, 2007

Listen as young men in the CISP program discuss the absence of fathers in their lives.

In a dimly lighted room in Garfield, there is a circle of 14 young men.

Their voices are deepening, and the fuzz of new moustaches shades their upper lips. They are 13 to 18 years old, and each has an electronic monitoring device on his ankle. One by one, they stand to recount the positives or negatives of their week.

In the circle, they stand before men like Rick Cokley, a broad-chested overseer. He is both cheerleader and bullwhip.

There is much that must be accounted for in the circle—school performance, community service, drug use. Mr. Cokley celebrates their good behavior and chastens them when they miss the mark.

Linking behavior and consequence is a core part of the Community Intensive Supervision Program as it aims to keep youth offenders out of jail and to get them to take responsibility for their actions.

CISP is run by the Allegheny County Court of Common Pleas. Its philosophy is that young offenders are most likely to change by being at home, closely supervised and mentored, rather than in a juvenile facility.

Most are ordered into the circle because they are property offenders, charged with burglary, auto theft, misdemeanor retail theft, or have charges related to drugs.

The electronic monitoring devices let CISP staff know if the juveniles are anywhere they aren't supposed to be; violations show up on a computerized system. If they are in violation, youth are taken to Shuman Juvenile Detention Center.

Probation officers are involved in the program, which includes frequent group meetings to discuss problems or successes. There is a drug and alcohol counselor on staff, and the juveniles are regularly drug tested. They also pay restitution, where required, and write letters of apology to victims, where appropriate.

Youth at all five centers do 100 hours or more of community service, such as picking up litter or cutting grass, during their six to eight months in CISP.

The program served 322 youth last year: two-thirds of them were positive discharges, meaning they were placed on probation or released from CISP and their case was closed. The others came back into the system for committing new offenses or failing the program.

In one corner of the Garfield center where the young men sit, there are vials of urine, waiting to be tested for drugs. In another, there is a ping-pong table and weight-lifting machines. Of the 14 young men in the circle, 13 are black. Ten of them have no relationship or very limited involvement with their fathers; 10 of the 14 say they know someone who's been shot; nine say they know someone who's been killed. Almost all raise their hand to acknowledge that they have struggled in school.

The circle doesn't tell the story of every young black male in society, but its members reflect the circumstances of the 3 million inner-city black males who scholars say seem to be especially affected by poverty, street life and social alienation.

And in Pittsburgh, a city with double-digit rates of unemployment for black males, a small black middle class that is strained to push for policy changes to address the issues, the situation is severe. Nearly 70 percent of black families in Pittsburgh do not have fathers in the homes, according to studies done by the University of Pittsburgh Center on Race and Social Problems.

Bundles of bottled-up angst and misspent emotion, the boys in the circle are ready to tell their stories. Because of confidentiality, the Post-Gazette is not fully identifying the young men, but they come from all over Pittsburgh and spoke about fatherlessness, their experiences with violence and their hopes.

"The stereotype is that we were raised in a negative society, so we show negative action by being negative people, like stealing cars, selling drugs and stuff like that," says Shannon, 17, of East Liberty. He was arrested a few months ago for conspiracy to commit armed robbery. He now lives with his father and is watched by two older brothers, both college graduates.

Many of the young men admitted their choices have drawn them close to living the stereotype. They say they have made mistakes, but want to be looked at as individuals.

"People see us, and they don't want to be bothered," says Shannon. "We feel like all people are judging us" and because of how they dress, the choice of music and the way they talk, "everybody sees us as young black people and a bad race."

But they are far from immune to the pressures.

The negativity "comes from like the person in the neighborhood who got everything. Like respect and everything," said Shannon, who plans to enroll in Commu-

nity College of Allegheny County after he finishes the program. "You want to follow in his footsteps and have all that money and girls and jewelry and all that. You want to strive and do whatever it is to be that person.

"It's pretty hard to really open your eyes [and see something different] when everybody is trying to live up to that image. You kinda want to try to fit, so you go down the wrong path. You try to take the fast way out because it just seems easier."

A short time in their presence and the personalities creep forth: in the circle, some rest with their chins on their hands, silent; others chat away, eager to express themselves.

At one point, they argue the merits of self-determination and its impact on getting an education.

"If you don't do well in school, that's yo fault," says Mike, 17, of Highland Park. "I ain't go blame it on the teachers. You pay attention, you go [learn] something. If they talked about some girls or some money, everybody would soak that up."

Mike is at CISP for violating his probation for aggravated assault. He lives with his mom and five siblings and dreams of earning a business degree from Robert Morris University and "owning something."

He's expecting his first child this fall.

The young men have heard the studies and watched the news reports that warn they are an endangered species.

They run through the same list of negative influences in their lives as the ones the experts cite. They talk about living without fathers.

Carl, 16, of Larimer is the oldest of eight children: four on his mom's side and four on his father's side.

His father left the family when he was 2. He wants his father to be a father. "Yo' mom can't raise you," he said.

Most of what Carl shares with his dad are telephone conversations from Houston. His father, he said, speaks too often about drinking and the men he's punching out in the bars. Too little does he ask about his son's life or know what to encourage or congratulate him on. "My dad talks like he's my best friend. He's still making the same mistakes I am," said Carl, who writes his own rap music and works the cash register in his mom's store in Lawrenceville.

"We don't know right from wrong. No fathers to teach us. If my dad was there, half the stuff I did, I probably never would have done."

Most said that they believed CISP was making a positive difference in their lives.

"This is a big turnaround for everybody," said Shannon. "I think if their eyes wasn't open before, it's open now because we got positive role models now, and you have no choice but to do what's right."

"People should care about us," said Shannon, "because we're not a lost cause. We're just people who made a mistake. But we're not going to continue to mess up. Everybody wants to do something with their life."

Youth Service Hours Pay Off: Teens Serve Their Community as They Serve Their Time

By BARBARA WHITE STACK, *Post-Gazette;* Monday, October 04, 2004

At first, it was forced labor done under court order—delinquents washing and painting, buffing and staining in a sweltering McKeesport church last summer.

Later, it became a labor of pride by teens who stopped counting the hours worked toward completion of their community service sentences and began looking forward to the tiny congregation's first service in its refinished sanctuary.

"They chose to show us the best side of themselves," said Virginia Burda. She and her husband, Tom Burda, serve as pastors for the New Jerusalem Holiness Church in McKeesport.

For two months last summer, three to eight teens sentenced to the McKeesport Community Intensive Supervision Project—called CISP—arrived at the church every day to help the Burdas renovate the ramshackle place of worship.

They learned new skills. They built an enduring relationship with the Burdas. And beyond changing the church's appearance, they changed themselves.

This project and others sponsored by the Allegheny County juvenile probation department demonstrate why the county increased both the number of community hours worked by delinquents and the percentage of delinquents who completed their court-mandated hours.

The second annual report card of the county's juvenile court, to be released during Juvenile Justice Week which begins today, will show that 98 percent of delinquents freed from court supervision in 2003 completed their community service sentences, which typically are 100 or more hours. In 2002, that figure was 96.6 percent.

That year, the youths worked 68,791 hours. In 2003, their hours rose to 69,654.

Jim Rieland, the county's chief probation officer and director of juvenile court services, believes those numbers may be the highest in the country. That's something he would know from his frequent travels nationwide promoting the concept of Balanced and Restorative Justice, which was adopted by Pennsylvania during a reform of juvenile justice in 1995.

The concept widens the traditional focus of juvenile court——reforming errant youths——to include efforts to help victims and protect communities.

Community service is a big part of that.

John Fiscante, probation supervisor at the McKeesport CISP program, explains that the community service projects create a relationship between the youngsters and community residents that makes it harder for the teens to repeat their offenses.

For example, in McKeesport, where the population is dominated by senior citizens, delinquents in the CISP program work off their community service hours by mowing lawns and weed whacking for residents too frail to do the work themselves. All that's asked in exchange is a glass of pop or a sandwich. The eating promotes talking. The seniors get to know the scary teens. The youths get to know the scary old people.

"An emotional bond is formed," Fiscante said. "The boys know who lives in that house now. It is no longer just a house on the street."

The reporting of the community service hours served is part of the Balanced and Restorative Justice concept. The community has a right to know just how well its juvenile justice system is working, and the reporting, now in its second year, is part of that.

Rieland is trying to get every chief probation officer in the state to do it, and he promotes the idea when he travels.

His report card this year shows a decrease in repeat offenses while youngsters are on probation, from 13 percent in 2002 to 11 percent in 2003.

The percentage of youngsters who did not violate the terms of their probation remained the same at 94 percent.

The amount of restitution paid rose from $138,979 to $155,911, but the percentage of youngsters who paid in full dropped from 81 percent to 77 percent.

In addition to reporting the numbers to the public, it's crucial to collect and study them so the department knows where it must improve, Rieland said.

One reason the community service numbers are so high, he said, is that youngsters frequently complete more hours than required.

Fiscante said it's not unusual for a youngster to perform 200 hours when sentenced to 100.

Fiscante is always looking for meaningful community service projects. He just set up one with Glenshire Woods, a McKeesport nursing home. Teens visit the seniors there twice a week now; they play checkers and cards and wheel the seniors around.

When he heard about the needs of the Burdas' church last summer, Fiscante was intrigued. When he walked through the church building the first time, he was horrified.

"I felt something was going to fall on me from the ceiling," he said. "It was that terrible."

The youngsters started work in July, under direct supervision of the Burdas and a CISP worker. The boys performed some tasks requiring limited skills, like washing and painting walls. But Tom Burda also taught them to repair plumbing in the church bathroom, to buff and stain hardwood floors, and to set and clean pews.

The Burdas had bought the church on Soles Street 2½ years earlier but had only been able to conduct services in a small, restored section of the fellowship hall. With the boys' help, they held their first service for approximately 25 members on Aug. 1.

The Burdas gave the boys lunch each day—fun food like pizza and chicken and hoagies that the youngsters considered far superior to CISP fare. Virginia Burda said those times with the boys were the best.

"I really enjoyed sitting and talking with them," she said.

When the work was done, the Burdas e-mailed photos across the country to their 14 sister churches. And, at a service, they recognized the youngsters for their hard work.

"We promised them that as long as they lived, this would be their church and told them that they had invested in the church in a way that makes them a part of it as long as we are in existence," Virginia Burda said.

Before they found the old church in McKeesport, the Burdas had conducted services in a home in Duquesne. They felt drawn to the dilapidated church and bought it not knowing how they would ever restore it.

Then Fiscante showed up.

"We thought the CISP young people and community service were an answer to our prayers," she said.

[Questions for the record sent to Mr. Lawrence follow:]

[VIA ELECTRONIC MAIL]
July 13, 2007,

Hon. PAUL H. LAWRENCE,
Judicial Branch-Goffstown District Court and the Coalition for Juvenile Justice, State of New Hampshire, Goffstown, NH.

DEAR JUDGE LAWRENCE: Thank you for testifying at the July 12th, 2007 joint hearing of the Subcommittee on Healthy Families and Communities and the Subcommittee on Crime, Terrorism, and Homeland Security.

Representative Raul Grijalva (D-AZ), a member of the Healthy Families Subcommittee, has asked that you respond in writing to the following questions:

1. Please talk more about the transfer of youth to the adult court and placement of youth in adult jails. What are the implications for the reauthorization of the JJDPA?

2. When considering your recommendation to trim back the laundry list of core purposes in JJDPA, what basic tenets should we keep in mind to guide us?

Please send an electronic version of your written response to the question by COB Monday, July 23, 2007—the date on which the hearing record will close. If you have any questions, please contact us.

Sincerely,

GEORGE MILLER,
Chairman.

[Response from Mr. Lawrence follows:]

July 23, 2007.

Hon. GEORGE MILLER,
Chairman, Education and Labor Committee, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN MILLER: Thank you for the opportunity to testify at the July 12th, 2007, joint hearing of the Subcommittee on Healthy Families and Communities and the Subcommittee on Crime, Terrorism, and Homeland Security, titled "The Juvenile Justice and Delinquency Prevention Act: Overview and Perspectives." I truly appreciate the committees' consideration of and attention to the issues related to the reauthorization of this important statute.

Today, I am writing in response to questions posed to me, following the hearing by Representative Raul Grijalva (D-AZ) a member of the Healthy Families Subcommittee:

1. Please talk more about the transfer of youth to the adult court and placement of youth in adult jails. What are the implications for the reauthorization of the JJDPA?

Currently, all U.S. states, territories and the District of Columbia have laws that allow for the transfer/waiver of juveniles under the age of majority into adult criminal court. However, a recent study from the Centers for Disease Control, submitted with the written hearing testimony of Dr. Jennifer Woolard, Georgetown University, found that transfer of minors to adult court for prosecution and sentencing has, at best, no effect on public safety and, at worst, causes the transferred juveniles to become more likely to recidivate and to re-offend in more violent ways. The CDC report amplifies the findings and recommendations of two comprehensive reports on the topic, also included in the hearing record: Coalition for Juvenile Justice, 2005, "Childhood on Trial: The Failure of Trying & Sentencing Youth in Adult Criminal Court" and Campaign for Youth Justice, 2007, "The Consequences Aren't Minor: The Impact of Trying Youth as Adults and Strategies for Reform."

In its reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA), Congress can ensure responses that are more appropriate to a young person's age and stage of development. Several leadership organizations, the Coalition for Juvenile Justice and the Campaign for Youth Justice, among more than 150 other national and state-based organizations, recommend that the reauthorization seek to phase in an expansion of the core protections of the JJDPA to apply to all youth until the age of 18, whether tried and sentenced in juvenile or adult criminal court. Specifically, by consensus, this group of organizations recommends the following changes in the statute with which I concur:

• Amend Sec. 223(a)(13(A) to require states and local jurisdictions to
• remove all youth charged as adults and detained in adult jails pending trial, allowing for a four-year phase-in period for needed change to state statutes, and
• implement the American Bar Association (ABA) standards for youth convicted as adults in adult jails and prisons, as contained in the ABA's publication, Youth in the Criminal Justice System: Guidelines for Policymakers and Practitioners, again allowing for a four-year phase-in.
• Amend Sec. 252 (b) to require the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to provide intensive Technical Assistance (TA) to states and counties to comply with the above provisions.
• Add a new (f) to Sec. 222 to provide incentive funding and technical assistance resources for model demonstration programs regarding effective and timely removal of youth from adult incarceration settings.
• Amend Sec. 204(b)(7) to require OJJDP to——
• work with states and counties to collect ongoing data on youth in the adult criminal justice system, including age, race, ethnicity, gender, offense, pre-trial detention, transfer mechanism, sentencing outcome, placement pre and post trial in jails, prisons or juvenile facilities, and
• conduct research on the outcomes of filing juveniles as adults in criminal courts, i.e. does it increase or decrease public safety and violence?; how does it impact facility conditions?; does it effect the state of developmentally appropriate services and programs for youth in adult jails and prisons?
• Amend Sec. 103(25) to clarify that the core requirements of the JJDPA expressly prohibit any contact of youth with adults in adult jails and prisons.
• Amend Sec. 103(26) to ensure that the core protections for children in the JJDPA apply to youth over age 18 in "extended juvenile jurisdiction" (EJJ) states so that these youth are not considered "adults" and states are not forced to remove them from juvenile jurisdiction.

2. When considering your recommendation to trim back the laundry list of core purposes in JJDPA, what basic tenets should we keep in mind to guide us?

My recommendation is to use as guidance the basic tenets embodied by the "Act-4-Juvenile Justice Statement of Principles" submitted into the record with the testimony from witness Captain Derrick Johnson, Phoenix, Arizona, and signed by the same body of more than 150 national and state organizations mentioned above.

It is critical to squarely focus allowable uses of State Formula Funds (Title II Funds) on support for compliance with the JJDPA core requirements [See Sec. 102 and Sec. 223 (a) (7) (B)]. There may be efforts to engulf the JJDPA with priorities such as character education or law enforcement initiatives which are more appropriately managed in other statutes and under other authorities.

More specifically, I would recommend amending Sec. 223 (a)(7)(B) to strongly promote:

• Alternatives to detention and incarceration;
• Home and community based mental/behavioral health care for children;
• Discharge planning and access to aftercare services; and
• Access to effective quality counsel for children.

Additional important statutory changes could be made in the following sections:

Amend Sec. 223 (6)(B)(iii) and Sec. 223 (9)(C), (J) and (S) to ensure that mental health and substance abuse screening, assessment and referrals include culturally and linguistically appropriate services, and involvement of families in service design and delivery.

Elevate and amplify the work under current Sec. 223 (a) (22), known as the core requirement on "Disproportionate Minority Contact," by strengthening it to require that OJJDP and its agents assist states and localities to achieve actual reductions in racial/ethnic disparities and differential treatment of youth of color in the justice system from the point of surveillance and arrest to the point of re-entry.

It is also important to prohibit the use of JJDPA funds for ineffective programs, such as boot camps, scared straight programs, unlicensed private facilities, and large residential institutions. Such prohibitions can be appropriately added to Sec. 299 (C) (a) (2) in the reauthorization. Furthermore, it is critical to prioritize and focus the Office of Juvenile Justice & Delinquency Prevention (OJJDP) office's research and technical assistance functions so that they truly support states' efforts to comply with the core protections in the JJDPA. This can be done through adding more directive language regarding the functions of the OJJDP Administrator and staff in Sections 251 and 252 of the JJDPA. It is essential to ensure that OJJDP is responsive to state-identified/locallyidentified needs and the State Plan process, including support in Sec. 251 for field-based and field-strengthening research and evaluation to refine and expand the array of best and evidenced-based practices.

Moreover, several states are reporting that their technical assistance requests regarding serious compliance concerns related to the Deinstitutionalization of Status Offenders (DSO) and Sight and Sound Separation of adult and juvenile inmates presently go unanswered by OJJDP. Yet, OJJDP was originally designed and authorized to support the mandates and precepts of the JJDPA. Congress must ensure sufficient oversight and transparency to intervene as needed to require assistance for states who are working to meet the mandates of the JJDPA.

Thank you once again for requesting my views. Please let me know if you have any additional questions or areas where my colleagues and I can be of any further assistance to you. I serve on the board of an excellent resource organization that is centrally involved in the "Act-4-Juvenile Justice" effort, the Coalition for Juvenile Justice. The executive director, Nancy Gannon Hornberger (202-467-0864, ext. 111 and nancy@juvjustice.org) and deputy executive director, Tara Andrews (202-467-0864, ext. 109 and andrewsnjuvjustice.org) stand by, ready to help. and are networked with many other expert groups and individuals.

Thank you, too, for your stewardship of this important federal statute which so positively affects the lives of youth and families and shapes more promising futures for them, their families and communities.

Sincerely,

PAUL H. LAWRENCE,
Judge, Goffstown District Court;
Immediate Past Chair, Coalition for Juvenile Justice.

[Internet link to Coalition for Juvenile Justice 2003 annual report: "Unlocking the Future: Detention Reform in the Juvenile Justice System," submitted by Mr. Lawrence, follows:]

http://www.issuelab.com/downloads/8015CJJ—-—2003—Report—-—Unlocking—the—Future.pdf

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[Internet links to Coalition for Juvenile Justice briefs, parts I and II, "What Are the Implications of Adolescent Brain Development for Juvenile Justice?," submitted by Mr. Lawrence, follows:]

http://juvjustice.org/media/resources/resource—134.pdf

http://juvjustice.org/media/resources/resource—138.pdf

[Questions for the record sent to Mr. Shepherd follow:]

[VIA ELECTRONIC MAIL]
July 13, 2007,

Mr. ROBERT E. SHEPHERD, JR., B.A., LL.B.,
Emeritus Professor of Law, Washington and Lee University, University of Richmond Law School, Richmond, VA.

DEAR MR. SHEPHERD: Thank you for testifying at the July 12th, 2007 joint hearing of the Subcommittee on Healthy Families and Communities and the Subcommittee on Crime, Terrorism, and Homeland Security.

Representative Raul Grijalva (D-AZ), a member of the Healthy Families Subcommittee, has asked that you respond in writing to the following question:

You mentioned the importance of research by the Office of Juvenile Justice & Delinquency Prevention (OJJDP). What studies, if any, have been conducted on Native American youth in the juvenile justice system?

Please send an electronic version of your written response to the question by COB Monday, July 23, 2007—the date on which the hearing record will close. If you have any questions, please contact us.

Sincerely,

GEORGE MILLER,
Chairman.

[Response from Mr. Shepherd follows:]

July 19. 2007.

Hon. GEORGE MILLER, CHAIRMAN,
House Education and Labor Committee, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN MILLER: Thank for your letter of July 13, 2007, forwarding on a question from Congressman Raul Grijalva regarding Native American youth in the juvenile justice system, and what studies the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has conducted on such youth.

The Office has on its staff an outstanding resource, Laura Ansera, Tribal Youth Program Coordinator, and she may be reached at (202) 514-5679, laura.ansera(usdoj.gov. There have not been a lot of recent studies published by OJJDP, but those that are most relevant include Youth Gangs in Indian Country, NCJ 202714 (2004), OJJDP's Tribal Youth Initiatives, NCJ 193763 (2003), United National Indian Tribal Youth, Inc., NCJ 189412, Evaluation/Assessment of Nat ajo Peacemaking, NCJ 187675 (1999). OJJDP's Program of Research for Tribal Youth, FS 2001 10 (2001), and Training and Technical Assistance for Indian Nation Juvenile Justice Systems, FS 99105 (1999). There are some data from 2006 and earlier that have recently been released and published regarding youth prosecuted federally that include information on Native American youth and may be found at *http:llojjdp.ncjrs.org/ojstabb/nr2006/downloads/ehapter4.pdf , with the information on Native American youth may be found on page 1 17. There are additional resources that may be found outside of OJJDP and I particularly recommend the Coalition for Juvenile Justice's publication, Enlarging the Healing Circle, published in 2000, and there are two excellent outside resources I can refer you to, one is Terry L. Cross, Executive Director of the National Indian Child Welfare Association who may be contacted at (503) 222-4044, info@nicwa.org and Michael Guilfoyle, Consultant on American Indian Justice and Cultural Competence who may be reached at (208) 285-1271. niguilfoyle@firstpic.org. The Coalition for Juvenile Justice Publication may be obtained from them at (202) 467-0864, extension l 11, for the Executive Director Nancy Gannon Hornberger, and it may be downloaded at www.juvjustice.orglfactsheet—3.html.*

There is a serious dearth of research on American Indian/Tribal youth in the courts and in the juvenile justice system, but section 251 of the Juvenile Justice and Delinquency Prevention Act only provides that the Administrator of OJJDP "may" do a number of things in the research and evaluation line and, as I mentioned in my testimony, that should probably be changed to "shall" and set forth a research agenda that Congress would like to see the office pursue. I might also note that the Federal Advisory Committee on

Juvenile Justice has included several recommendations in its most recent reports to Congress and the President regarding the development of a different formula for "pass-through funds" to go to the tribes for juvenile justice activities.

Please let me know if I can be of any further assistance to you, to Congressman Grijalva, or to your staff. I will forward an electronic version of this letter to Deborah Koolbeck and I am sending Congressman Grijalva of this letter.

With best wishes for your committee's consideration of the reauthorization of this important piece of legislation, I am

Very truly yours,

ROBERT E. SHEPHERD, JR.,
Emeritus Professor of Law.

[Additional submission by Ms. Woolard follows:]

Effects on Violence of Laws and Policies Facilitating the Transfer of Juveniles from the Juvenile Justice System to the Adult Justice System

A Systematic Review

Angela McGowan, JD, MPH, Robert Hahn, PhD, MPH, Akiva Liberman, PhD, Alex Crosby, MD, MPH, Mindy Fullilove, MD, Robert Johnson, MD, Eve Moscicki, ScD, MPH, LeShawndra Price, PhD, Susan Snyder, PhD, Farris Tuma, ScD, Jessica Lowy, MPH, Peter Briss, MD, MPH, Stella Cory, MD, MPH, Glenda Stone, PhD, Task Force on Community Preventive Services

Abstract: The independent, nonfederal Task Force on Community Preventive Services (Task Force), which directs development of the *Guide to Community Preventive Services* (*Community Guide*), has conducted a systematic review of published scientific evidence concerning the effectiveness of laws and policies that facilitate the transfer of juveniles to the adult criminal justice system, on either preventing or reducing violence (1) among those youth who experience the adult criminal system or (2) in the juvenile population as a whole.

This review focuses on interpersonal violence. Violence may lead to the juvenile's initial arrest and entry into the justice system and, for those who are arrested, may be committed subsequent to exiting the justice system. Here transfer is defined as the placement of juveniles aged less than 18 years under the jurisdiction of the adult criminal justice system, rather than the juvenile justice system, following arrest. Using the methods developed by the *Community Guide* to conduct a systematic review of literature and provide recommendations to public health decision makers, the review team found that transferring juveniles to the adult justice system generally increases, rather than decreases, rates of violence among transferred youth. Evidence was insufficient for the Task Force on Community Preventive Services to determine the effect of such laws and policies in reducing violent behavior in the overall juvenile population. Overall, the Task Force recommends against laws or policies facilitating the transfer of juveniles from the juvenile to the adult judicial system for the purpose of reducing violence.

(Am J Prev Med 2007;32(4S):S7–S28)

Introduction

The purpose of this review was to determine whether laws or policies that facilitate the transfer of juveniles to the adult criminal justice system reduce interpersonal violence, either specifically, among those juveniles who have experienced the adult justice system, or generally, in the juvenile population as a whole.

From the Community Guide Branch, Coordinating Center for Health Information and Service (McGowan, Hahn, Snyder, Lowy, Briss, Cory, Stone), and Etiology and Surveillance Branch, National Center for Injury Prevention and Control (Crosby), Centers for Disease Control and Prevention, Atlanta, Georgia; Columbia University, Mailman School of Public Health (Fullilove), New York, New York; New Jersey Medical School, Department of Pediatrics (Johnson), Newark, New Jersey; National Institute of Justice (Liberman), Washington, DC; and Division of Pediatric Translational Research and Treatment Development (Moscicki, Price), Division of Adult Translational Research and Treatment Development (Tuma), National Institutes of Mental Health, Bethesda, Maryland

Address correspondence and reprint requests to: Robert A. Hahn, Centers for Disease Control and Prevention, 1600 Clifton Road, MS E-69, Atlanta GA 30333. E-mail: rah1@cdc.gov.

Although the legal term "juvenile" is defined differently among the states, for purposes of this review, a juvenile is a person aged less than 18 years. One rationale for facilitating the transfer of juveniles to the adult justice system is that this may deter juveniles from committing crimes, because they perceive the adult justice system as more severe and punitive than the juvenile system. For purposes of this review, "transfer" refers to placing juveniles under the jurisdiction of the adult criminal justice system, rather than the juvenile justice system, following arrest. Transfer is also referred to as "waiver," denoting the waiver of authority by the juvenile court that allows for transfer of a juvenile defendant to an adult criminal court; juveniles not transferred to the adult court system are often said to be "retained" in the juvenile system.

Background

Violence by juveniles is a major public health problem in the United States. Rates of violent crime, including

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simple and aggravated assault, robbery, and rape, are greater among people aged 12 to 20 years than in all age groups except those aged 21 to 29 years, as assessed in a 2003 national survey of crime victims, the National Crime Victimization Survey, which is based on victims' experiences and therefore excludes homicide.[1] Although they constitute only about 25% of the population, youth aged less than 18 years have been responsible for committing approximately 30% of all violent crime (which includes homicide, rape and other sexual assault, robbery, and simple and aggravated assault) and 40% of serious violent crime (which excludes simple assault) in the past 20 years.[2] Rates of youth homicide are higher in the United States than in most developed countries.[3] In a representative national survey in 2002, U.S. adults reported more than 1.87 million incidents of victimization by perpetrators estimated to be between the ages of 12 and 20 years—a rate of approximately 5.1 incidents of victimization per 100 juveniles in this age group.[4,5] Although arrest and victimization data show declines among juveniles for violent acts in general following a peak reached in 1993–1994, self-report of offenses continues to indicate high rates of violence.[6]

The first juvenile court in the United States was established in 1899 in Chicago. By 1925, all states except Maine and Wyoming had separate juvenile systems.[7] In the United States, juvenile and adult criminal law are principally handled at the state level; consequently, states have diverse mechanisms to allow juveniles to be transferred to the adult criminal justice system.[2,6,8] Although states have their own juvenile and adult criminal systems and laws, common trends are discernible across states.

A separate judicial process for juveniles has been justified on several grounds related to psychosocial development in the juvenile population.[9] In general, juveniles differ from adults in their biological development and mental processes and capacities. These differences are cited to justify the recent Supreme Court decision to ban capital punishment for crimes committed when the offender was aged less than 18 years at the time the crime was committed.[10] First, it has been argued that juveniles are less aware of consequences, less responsible, and thus less culpable for their actions.[9] For these reasons, juveniles cannot be held as accountable as adults and should receive different and more lenient punishment. It has also been argued that juveniles have less ability than adults to understand and thus participate in the standard, adult judicial process, and, therefore also, should be subject to a separate judicial process. A recent study of juveniles[11] (both in juvenile detention and in the community) indicates that at less than 16 years of age, juveniles on average lack the cognitive competence to understand and participate in the judicial process as required by law; furthermore, they make judgments comparable to those of adults found incompetent to stand trial. Finally, it has been argued that juveniles are more malleable and amenable to reform of their behavior, and thus, the judicial response to their deviant behavior should, "in the interests of the child," emphasize reform of the juvenile rather than, or in addition to, punishment—in contrast to the punitive focus of the adult criminal system.[12] Individual juveniles vary greatly in their degree of cognitive development and there are few clear dividing lines by age. Policy regarding the shift of jurisdiction from juvenile to adult court remains controversial.

From its inception, the philosophy of the juvenile court has been "parens patriae," meaning that the state acts as a parent for those who cannot take care of themselves.[2,7,13] Transfer of a juvenile from juvenile to adult court jurisdiction required an individualized determination of lack of amenability to treatment.[7,14] This philosophy was practiced through informal court procedures with weak safeguards for the legal rights of the juveniles, until a series of Supreme Court cases, beginning in the late 1960s, imposed additional safeguards already established in adult justice systems.[15] Recent changes in the law, however, extend the juvenile court's mission to include protection of the community as well as the interests of the child.[16]

Following the increases in violent juvenile crime in the late 1980s and early 1990s, most states modified their laws to facilitate the transfer of juveniles to the adult justice system.[2,7] Between 1992 and 1998, all but three states expanded their transfer provisions to facilitate prosecuting juveniles charged with certain crimes in the adult criminal court system[17–20]; this trend has continued, but slowed, in recent years.[21] Bishop[17] estimates that 20% to 25% of all juvenile offenders—210,000 to 260,000 juveniles—were prosecuted as adults in 1996.

There are six main mechanisms by which youth aged less than 18 may be tried in the adult criminal justice system. In "judicial waiver," the traditional mechanism, a juvenile court judge may waive a youth to the adult system, generally based on perceived lack of amenability to treatment, which in turn is often based on considerations such as age, seriousness of the current offense, and prior delinquency.[21] In "prosecutorial waiver," the prosecutor has the discretion to file a case in the juvenile or the adult criminal court system. In "statutory exclusion," youth of particular ages charged with particular crimes are excluded from juvenile justice system jurisdiction. When particular charges are excluded by law from juvenile court by statutory means, discretion also reverts to prosecutors, who decide which charges are filed.[22,23] The increases in transfer due to the preceding three mechanisms may be amplified by a policy of "once an adult, always an adult," whereby youth once transferred to adult court are also transferred for any future offending.[21] With "lowered age of

adult court jurisdiction," states set the age at which one is considered responsible for criminal actions, and no longer eligible for juvenile court, to an age younger than the traditional age of 18. Finally, in many states, juvenile who are married or otherwise "emancipated" (i.e., released from parental authority) are excluded from juvenile court. For youth who have not reached the age of adult court jurisdiction, the adult court often has the authority to transfer juveniles back to the juvenile court when cases are deemed inappropriate for the adult criminal court system. This is generally referred to as "reverse waiver."

Finally, states are experimenting with "blended sentencing," which allows a juvenile to be sentenced to both juvenile and adult sanctions by one court. Blended sentencing by the juvenile court allows the court to monitor youth beyond the traditional end of juvenile jurisdiction.[24] This frequently involves juvenile incarceration until the age of adult court jurisdiction, followed by adult incarceration. This greater sentencing flexibility may reduce the pressure to transfer court jurisdiction, but little research has yet been conducted on how blended sentencing is used in practice.[25]

Specific Versus General Deterrence

Reductions in violence are hypothesized to occur through transfer by two means: "specific deterrence" and "general deterrence." In specific deterrence, juveniles who have been subject to the adult justice system are thought to be deterred from committing subsequent offenses. In general deterrence, all youth in the population who would be subject to transfer provisions are thought to be deterred from offending by the perceived severity of sanctions they would face under the adult criminal justice system. Note that "deterrence" here refers to the behavioral outcome of reduced initial or subsequent offending and not to decision making processes which may accompany such outcomes. In addition, if juveniles in adult detention settings serve longer sentences than they would serve in juvenile settings, then strengthened transfer policies may also reduce the violence of transferred juveniles (i.e., violence outside of the prison setting) by increasing incapacitation, the inability of convicts to commit crime against the public during incarceration. Incapacitation as a deterrent, however, depends on the assumption that longer sentences would be given in adult courts compared with juvenile courts.

Research on the effectiveness of specific deterrence and general deterrence requires different study designs and effect measures. In specific deterrence research, outcome measures are derived from comparing the recidivism of those youth who have experienced the adult criminal justice system with the recidivism of youth retained in juvenile court. In general deterrence research, the outcome measures are rates of offense in the intervention population, such as the number of juveniles per 100,000 arrested for violent crimes. Comparison groups for general deterrence must necessarily be drawn from another place, from a time before enactment of the policy, or from a different age group among whom the transfer laws are weaker or absent. Researchers strive for comparison groups unaffected by the law but who are otherwise as similar as possible and similarly affected by many of the other social forces influencing offending.

In our assessment of general deterrence, studies comparing rates of violence before and after implementation of a strengthened transfer policy without concurrent comparison groups (e.g., Risler et al.[26]) are not included. Juvenile offending rates change over time for many reasons, as evidenced by the dramatic rise and then decline in crime in general, and in juvenile violence in particular during the late 1980s and early 1990s.[27,28] Thus, we considered the use of comparison groups unaffected by the law to be a critical design feature in evaluating the general deterrent effect on crime of this particular law. Without such concurrent comparison groups, any law enacted during a period of decline in crime would seem to have a deterrent effect, as indicated by simple before-and-after differences in rates of offending.

This review focused on violent outcomes, as measured by rates of arrest; one study assessed violent crime convictions. Some studies report violent and nonviolent offending arrests together and do not distinguish violent from other offending. For the purposes of this review, such studies are included, but this broader focus is considered a limitation (see Assessing Study Design and Execution section).

The Guide to Community Preventive Services

The systematic reviews in this report represent the work of the independent, nonfederal Task Force on Community Preventive Services, which is developing the *Community Guide to Preventive Services* (*Community Guide*) with the support of the U.S. Department of Health and Human Services in collaboration with public and private partners. The Centers for Disease Control and Prevention (CDC) provides staff support to the Task Force for development of the *Community Guide*. More information about the *Community Guide* and the Task Force can be found at www.thecommunityguide.org and in previous publications.[29,30]

Healthy People 2010 Goals and Objectives

Using interventions that are effective in reducing violence may help to reach several objectives specified in *Healthy People 2010*,[31] the disease prevention and health promotion agenda for the United States. These objectives identify some of the significant preventable threats to health and focus the efforts of public health systems,

Table 1. Selected *Healthy People 2010* objectives related to violence prevention

Objective	Population	Baseline (year)	2010 objective
Injury prevention			
Reduce firearm-related deaths (Objective 15-3)	All people	11.3 deaths/100,000 people (1998)[a]	4.1 deaths/100,000 people
Reduce nonfatal firearm-related injuries (15-5)	All people	24.0 injuries/100,000 people (1997)	8.6 injuries/100,000 people
Extend state-level child fatality review of deaths due to external causes for children aged <14 years (15-6)	Children aged <14 years	Developmental	
Violence and Abuse Prevention			
Reduce homicides (15-32)	All people	6.5 deaths/100,000 people (1998)[a]	3.0 deaths/100,000 people
Reduce the rate of physical assault by current or former intimate partners (15-34)	Persons aged >12 years	4.4 assaults/1000 people (1998)	3.3 assaults/1000 people
Reduce the annual rate of rape or attempted rape (15-35)	Persons aged >12 years	0.8 rapes or attempted rapes/1000 people (1998)	0.7 rapes or attempted rapes/1000 people
Reduce sexual assault other than rape (15-36)	Persons aged >12 years	0.6 sexual assaults other than rape/1000 people (1998)	0.4 sexual assaults other than rape/1000 people
Reduce physical assaults (15-37)	Persons aged >12 years	31.1 physical assaults/1000 people (1998)	13.6 physical assaults/1000 people
Reduce physical fighting among adolescents (15-38)	Adolescents in grades 9–12	36% engaged in physical fighting in past 12 months (1999)	32% engage in physical fighting
Reduce weapon carrying by adolescents on school property (15-39)	Adolescents in grades 9–12	6.9% carried weapon on school property in past 30 days	4.9% carry weapon on school property

[a]Age adjusted to the year 2000 standard population.

legislators, and law enforcement officials for addressing those threats. Many of the proposed *Healthy People* objectives in Chapter 15, "Injury and Violence Prevention," related to this intervention and relevant to juvenile transfer are shown in Table 1.

Methods

General *Community Guide* methods for systematic reviews have been discussed in detail elsewhere.[32] This section briefly describes the specific methods used in this review.

In *Community Guide* systematic reviews, evidence is summarized about the effectiveness of interventions in changing one or more outcomes (here, violence), as well as other positive or negative effects of the intervention. If an intervention is found to be effective, then available evidence is also summarized regarding the applicability of the findings (i.e., the extent to which available data indicate that the intervention might be effective in diverse populations and settings), economic impact, and barriers to the implementation of interventions. If an intervention is found to result in harm, available evidence may also be summarized regarding the applicability of the finding of harm (i.e., the extent to which available data indicate that the intervention might or might not be harmful to specific populations and settings), and any applicable barriers to reducing the harms or substituting other choices that are more effective or less harmful. Economic impact is not considered for interventions found to be harmful or if effectiveness is not established, unless the intervention is widespread and economic analysis may illuminate its ongoing consequences.

As with other *Community Guide* reviews, the process used to systematically review evidence and then translate that evidence into conclusions involved forming a systematic review development team; developing a conceptual approach to organizing, grouping, and selecting interventions; selecting interventions to evaluate; searching for and retrieving evidence; assessing the quality of and abstracting information from each study; assessing the quality of and drawing conclusions about the body of evidence of effectiveness; and translating the evidence of effectiveness into recommendations.

Systematic Review Development Team

Three groups of individuals served on the systematic review development team: the coordination team, the abstraction team, and the consultation team. The coordination team—consisting of a Task Force member, methodology experts in systematic reviews and economics from the Community Guide Branch of the CDC's National Center for Health Marketing, and experts on violence from the CDC's National Center for Injury Prevention and Control, the National Institutes of Health, and the National Institute of Justice—drafted the conceptual frameworks for the reviews, coordinated the data collection and review process, and drafted evidence tables, summaries of the evidence and the reports. The abstraction team collected and recorded data from studies for inclusion in the systematic reviews. The consultation team, comprised of national experts on violence-related topics, was involved in the initial selection of interventions to be reviewed, provided ongoing advice by request, and reviewed the final product.

Search for Evidence

Electronic searches for published research were conducted in databases from the National Criminal Justice Reference Service, Education Resources Information Center, PsycINFO, Wilson Social Sciences Abstracts, Social SciSearch, National Technical Information Service, Medline, and Lexis/Nexis. Search terms used included "juvenile transfer" and its synonyms, as well as "efficacy" and "recidivism." Additionally, references listed in retrieved articles were evaluated and, where relevant, obtained and abstracted. Consultations with experts were held to find additional published reports of studies. Finally, the review team conducted Internet searches to seek additional studies not found through these traditional search methods. Journal articles, governmental reports, books, and book chapters were eligible for inclusion.

Articles published before February 2003 became candidates for inclusion in the systematic review if they evaluated the specified policy or law, assessed a transfer-related violent outcome (i.e., arrest, conviction, or re-arrest), were conducted in a high-income country,[a] reported on a primary study rather than, for example, a guideline or review, and compared a group of people exposed to the intervention (i.e., law or policy) with a comparison group not exposed or less exposed to the intervention. Studies that provided relevant data for review were examined, even if the authors' research goals differed from those of the review. While searching for evidence, the team also sought information about effects of transfer on outcomes not related to violence, such as reductions in property crime and overrepresentation of minorities among transferred juveniles.

Multiple articles were treated as a single study if they reported on the same transfer policy applied to the same population in the same time period. Conversely, one article was treated as multiple studies if it reported separately on multiple transfer policies, multiple populations, or time periods that did not overlap. If separate research teams assessed the same policy in the same population and time frame, the study that received a better rating by *Community Guide* design and execution criteria was chosen to represent this effect.

Assessing Study Design and Execution

Each study that met *Community Guide* criteria for a candidate study was read and rated by the abstraction team. Disagreements among the abstractors were presented to the coordination team for reconciliation, and all candidate studies were presented for discussion by the coordination team. Standard *Community Guide* criteria were used to assess the study design and execution. Only data from qualifying studies (for this review, those with greatest or moderate design suitability, comparison population, and good or fair execution) were used to determine the effectiveness of the reviewed intervention.

Design suitability was assessed for each candidate study. Our system may result in classification of study design differing from that of study authors. According to *Community Guide* criteria, "greatest design suitability" refers to studies with a concurrent comparison group and prospective data collection, "moderate design suitability" refers both to retrospective studies and studies with multiple pre- or post-intervention measurements but no concurrent comparison group, "least suitable design" refers to cross-sectional studies or studies with only single pre- and post-intervention measurements and without concurrent comparison groups.

The review team assessed limitations in execution for the purposes of our review, and may differ from an assessment of limitations for the study's original purposes. Following *Community Guide* methods, the execution of candidate studies was assessed and coded for each of nine specific limitations. Limitations may be assigned for the study's failure to describe the study population and intervention (1 limitation), failure to describe sampling (1 limitation), failure to measure exposures or outcomes effectively (1 limitation each), failure to demonstrate effective follow-up (1 limitation), failure to use appropriate analytic methods (1 limitation), failure to control for either confounding or other bias (1 limitation each), or for some other problem in study execution (1 limitation). All limitations are counted equally. The *Community Guide* uses good execution to refer to studies with 0 to 1 limitations, fair execution to refer to studies with 2 to 4 limitations, and limited execution to refer to studies with ≥5 limitations. We did not assign a limitation for failure to provide demographic details for studies of general deterrence comparing states or cities since this information is readily available from other sources.

Outcome Measures and Effect Size Calculation and Summary

Unless otherwise noted, results of each study are given as point estimates for the relative change in the violent crime rates attributable to the interventions. The team calculated baselines and percent changes using the following formulas for relative change.

For studies with before-and-after measurements and concurrent comparison groups,

$$(\text{Ipost}/\text{Ipre})/(\text{Cpost}/\text{Cpre}) - 1 \qquad (1)$$

where:

Ipost = last reported outcome rate in the intervention group after the intervention;

Ipre = reported outcome rate in the intervention group before the intervention;

Cpost = last reported outcome rate in the comparison group after the intervention;

Cpre = reported outcome rate in the comparison group before the intervention.

In specific deterrence studies, intervention groups were defined as juveniles experiencing transfer to the adult justice system, and control groups as juveniles retained in the juvenile system. In general deterrence studies, intervention

[a]High-income countries as designated by the World Bank are Andorra, Antigua and Barbuda, Aruba, Australia, Austria, The Bahamas, Bahrain, Barbados, Belgium, Bermuda, Brunei, Canada, Cayman Islands, Channel Islands, Cyprus, Denmark, Faeroe Islands, Finland, France, French Polynesia, Germany, Greece, Greenland, Guam, Hong Kong (China), Iceland, Ireland, Isle of Man, Israel, Italy, Japan, Republic of Korea, Kuwait, Liechtenstein, Luxembourg, Macao (China), Malta, Monaco, Netherlands, Netherlands Antilles, New Caledonia, New Zealand, Norway, Portugal, Puerto Rico, Qatar, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, Taiwan (China), United Arab Emirates, United Kingdom, United States, and Virgin Islands (U.S.).

groups were defined as populations (e.g., in states or cities) exposed to a changed transfer policy, and control groups as populations not exposed to such a change.

For studies with post-intervention measurements only and concurrent comparison groups,

$$(\text{Ipost} - \text{Cpost})/\text{Cpost} \quad (2)$$

If modeled results were reported from logistic regression, odds ratios were adjusted[33,34] for comparability to relative rate changes estimated from other studies:

$$RR = OR/([1 - P_0] + [P_0 \times OR]), \quad (3)$$

where:

RR = relative risk;
OR = odds ratio to be converted;
P_0 = incidence of the outcome of interest in the unexposed population (i.e., juveniles retained in the juvenile justice system).

In the case of specific deterrence studies, a positive value for the effect measures calculated using one of these formulas indicates that there is a greater rate of violence among transferred than among comparison (retained) juveniles. In the case of general deterrence studies, a positive value indicates a greater rate of violence in the population subject to the strengthened transfer law than in the comparison population.

In the reporting of study findings, the standard two-tailed p value ≤ 0.05 was used as a measure of statistical significance. When available, effect measures that were adjusted for potential confounders through multivariate analysis were preferred over crude effect measures. Follow-up periods of <1 year were considered a limitation. If effect measures reported by the authors could not be converted into percentage changes (e.g., results were presented only in graphical form, without statistics or numerical assessments), the reported findings are described in the text.

Using *Community Guide* methods described elsewhere,[32] the team then combined the individual studies reviewed into a single body of evidence and summarized its strength on the basis of the number of qualifying studies, the strength of their design and execution, and the size and consistency of effects. For evidence to be considered sufficient to merit recommendation of the intervention, the magnitude of the effect must be deemed of public health importance. Statistical significance is generally considered only when there is only one qualifying study. A single study of greatest design suitability and good execution can provide sufficient evidence, if the effect is statistically significant ($p<0.05$). Three studies of moderate design suitability and fair execution can provide sufficient evidence of effectiveness if findings are consistent in direction and size. Results that are deemed sufficient to draw a conclusion are summarized both graphically and statistically.

Reviews of Evidence

Results of studies on specific and general deterrence are presented separately because they examine different populations and use different methods.

Results, Part I

Specific Deterrence Effects

Our search identified six studies[14,35–40] that examined the effects of juvenile transfer on subsequent violent offenses by those juveniles who have been transferred. Descriptive information about design suitability, limitations of execution, and outcomes evaluated in these studies is provided in Appendix A. More detailed descriptions and evaluations of these studies are provided at the website, www.thecommunityguide.org. All six studies that evaluated specific deterrence were of greatest design suitability and good execution. Follow-up times for evaluating risk for re-offending ranged from 18 months[14] to 6 years.[40]

A major methodologic concern in studies of specific deterrence is selection bias—transfer to adult criminal court is generally intended for youth who are more serious offenders than youth who are retained in the juvenile court system, although this may not occur in practice.[41] To the extent that those transferred are more serious offenders, transferred youth would be expected to have greater risk of subsequent violence, independent of any effect of their experience with the adult criminal system. Most studies of the specific deterrent effect of transfer have been conducted in single jurisdictions, thus making it difficult to find control populations, since all juveniles are subject to the same law or policy. To control for possible selection bias, study authors generally restrict the cases considered for inclusion in the study to serious crimes among those eligible for transfer, and then compare the violent outcomes of juveniles in cases actually transferred with those in cases retained in the juvenile system. Statistical controls for factors that may play a role in transfer decisions (e.g., criminal history) may also be used to further control selection bias.[14,42] Two studies conducted in single jurisdictions go to greater lengths to control selection bias, by limiting comparisons to pairs of cases that are matched on critical case variables.[37,40]

To date, one published study has used a different approach to control for selection bias. Rather than compare similar cases within a jurisdiction, Fagan[36,43] compared recidivism between similar juvenile cases in two adjacent jurisdictions (i.e., regions within bordering states) with different transfer provisions. In contrast to studies within jurisdictions, in which a judge may transfer more serious juveniles while retaining the less serious ones, this design eliminates any decision maker from selecting cases for the adult versus the juvenile justice system, but makes the selection of jurisdictions comparable in background characteristics and potential confounders a critical task. The threat to this design is that arrest criteria as interpreted by law enforcement officials in different jurisdictions may differ. Fagan

compares criteria across jurisdictions to assess this problem.

An additional methodologic concern was the possibility of ascertainment bias (i.e., that juveniles who had initially committed more serious crimes and thus were subject to the adult judicial system, would also be more intensely monitored for subsequent criminal behavior and more likely to be re-arrested, regardless of intervening judicial process). However, this seems implausible in the large urban jurisdictions in which most of this research has been conducted, where most law enforcement officials would be unlikely to have knowledge of a youth's court experience when making an arrest.

Effectiveness

In a prospective cohort study, Fagan[43] examined the re-arrest of 15- to 16-year-old youth who were initially arrested in 1981–1982 for robbery or burglary (which is not regarded as violent), in the New York City Metropolitan Area (including the highly urbanized northern counties of New Jersey). He compared re-arrest of these youth in similar counties in New York and neighboring New Jersey.[b] In New York, the age of adult court jurisdiction is 16 years, and under the 1978 Juvenile Offender Law, 15-year-olds are legislatively excluded from trial in juvenile court for 15 felonies, including first- and second-degree robbery and burglary. In New Jersey, 18 years is the age of adult court jurisdiction and there is no legislative exclusion. The age of adult court jurisdiction is the age at which the state holds a person legally responsible for behavior, including criminal behavior. Thus, Fagan's intervention (New York) sample of arrested juveniles was transferred to adult court, while the comparison (New Jersey) sample was retained in juvenile court. Fagan followed the 1981–1982 arrest cohorts through June 1989. The minimum time "at risk" (while not incarcerated) for committing new crimes in the community was 2 years.[36]

To estimate recidivism, Fagan[36] used competing hazard models, which control for time at risk. He included age, time from arrest to disposition (i.e., judicial decision), and sentence length as covariates, and explored the interaction of transfer with sentence length. If their sentences did not include time in prison, Fagan found that transferred juveniles were 39% more likely than retained juveniles to be re-arrested on a violent offense. This effect (greater violent recidivism among transferred juveniles) was magnified for sentences that included incarceration.[36] For example, among transferred juveniles receiving prison sentences of a year, there was a 100% greater rate of violent recidivism, compared with those retained. The majority of those arrested and tried in both adult and juvenile courts received sentences not requiring incarceration, such as probation, restitution, or suspended sentences.[36]

A team of researchers evaluated Florida's juvenile transfer laws in separate studies of two different cohorts.[37,40] The first study compared the overall re-arrest rates of juveniles who were initially arrested in 1987 and then either transferred or retained.[40,41] Each youth transferred to adult court was matched to a youth retained in the juvenile court on six factors (most serious offense, number of counts, number of prior referrals to the juvenile system, most serious prior offense, age, and gender) and, when possible, on race as well.

An early follow-up report from this first study examined re-arrest through the end of 1988. When controlled for time available to commit further crime following release, the estimated re-arrest rate per year of exposure was 54% for transferred youth compared with 32% for retained youth.[41] In a later report,[40] the same youth were followed through November 15, 1994 to determine re-arrest rates. Overall, although transferred youth were re-arrested sooner, the two groups were re-arrested at similar rates (42% for transferred juveniles vs 43% for retained juveniles).

However, results differed for juveniles who were initially arrested for misdemeanors versus those initially arrested for felony offenses. Among those initially arrested for misdemeanors (22.6% of the sample), re-arrest rates were higher for transferred than for retained youth. In contrast, among those initially arrested for felonies (77.4% of the sample), and specifically among those initially arrested for property felonies (32.8% of the sample), re-arrest rates were somewhat lower for transferred than for retained youth. The numbers in these reported results, however, were not easily converted to the effect estimates we generally report (i.e., relative change). Winner et al.[40] confirmed these results by logistic regression, which controlled for age, gender, and criminal history. Survival analyses, which assess the relative rates of outcome (in this instance re-arrest for any crime) over time in intervention and control populations, found a significant effect among misdemeanants, who were re-arrested earlier when transferred than when retained, but this effect was not statistically significant among felons. Overall, the results of this study were inconsistent, indicating increased recidivism over the short term among transferred juveniles, but over the longer term, reduced recidivism for some transferred juveniles and increased recidivism for others.

The second study of juvenile transfer to adult justice systems in Florida[37] essentially replicated the design in the previous study, following implementation in 1990 and 1994 of juvenile laws that increased the breadth of prosecutorial waiver. This study followed youth arrested

[b]Fagan[43] matched counties on key crime and socioeconomic indicators including crime and criminal justice, demographic, socioeconomic, labor force, and housing characteristics (differing by <10%). The counties selected were Queens and Kings (Brooklyn) in New York, and Essex (Newark) and Hudson (Jersey City) in New Jersey.

in 1995–1996 and matched pairs of transferred and retained youth on the same factors as those matched in the earlier study, with the addition of race. Additional factors (e.g., weapon use) were also used to create a "seriousness" index. A subset of "best-matched pairs" was identified, in which each transferred juvenile was matched with a retained juvenile with at least as high a seriousness score (rather than an equivalent score). Because it is possible that retained subjects in comparison pairs might have higher seriousness scores, this criterion may bias the analysis against finding increased recidivism among transferred youth. The outcome compared was felony re-arrest, including nonviolent as well as violent felonies. In this study, the recidivism examined was restricted to felony offenses committed after age 18, on the grounds that this would ensure equivalent records of subsequent offending. Among the best-matched pairs, transferred youth showed 34% more recidivism than retained youth.

Another study[38,42] measured the effects of transfer in Hennepin County, Minnesota. All cases in which the prosecutor filed a motion to transfer a juvenile between 1986 and 1992 were examined. Among juveniles assessed, 60% were transferred. Recidivism rates for youth who were transferred to the adult system were then compared with rates for those who were retained in the juvenile justice system. In this study, recidivism was measured by conviction or by adjudication, its equivalent in the juvenile justice system. Youth were considered "at risk" for a new crime, arrest, and conviction, and followed for at least 2 years while in the community (i.e., not incarcerated).

One of the authors of this study (Podkopacz)[42] reported the results of logistic regression analyses of the effects of transfer on subsequent conviction for violent and nonviolent crimes combined. The analyses controlled for potential confounders including gender, criminal history, and whether the case resulted in incarceration. In their report[38] on subsequent conviction for violence alone (i.e., separated from more general crime), the researchers did not control for confounding. Given the potential for bias associated with the transfer of more serious offenders, the review team regarded controlling for confounding by the seriousness of initial crime as more critical than specific violent outcomes, for which controlled results were not available. The logistic regression analyses showed transfer associated with a 26.5% increased likelihood of further crime (OR=1.93 [b = 0.66], $P_0 = 0.565$).

Myers[14] studied males aged 15 to 18 years arrested in Pennsylvania in 1994 for robbery, aggravated assault, or both, involving use of a deadly weapon. Subsequent arrests for violent crime through 1997 were examined, comparing transferred juveniles to those retained in the juvenile court system. Before 1996, transfer was largely a matter of judicial discretion; however, under 1996 juvenile justice statutes, these cases would have been legislatively excluded from juvenile courts. By using a cohort of juveniles arrested before the statutory change, Myers[14] attempted to anticipate the effects of the new transfer provisions before their implementation. Multivariate analyses controlled for race, urbanicity, home and school settings, and prior offense history, including age at first arrest. Over a mean period of approximately 18 months, the estimated probability of arrest for a subsequent violent felony was 13% for retained juveniles and 23% for transferred juveniles. Thus, transfer was associated with a 77% greater likelihood of post-dispositional violent felony arrest.

Finally, like Myers, Barnoski[35] studied the effect of Washington State's 1994 Violence Reduction Act by examining the effects of discretionary transfers prior to implementation of the new law. The 1994 act legislatively excluded from original jurisdiction in juvenile court those 16- and 17-year-olds charged with any of nine "serious violent felonies" or those with specified offending histories. Barnoski[35] compared recidivism rates for transferred versus retained youth arrested on these same felonies in the 2 years before enactment of the 1994 act, when transfer was discretionary. Controlling for offenses charged in the case, prior record of offenses, gender, and ethnicity, no difference in recidivism was found between transferred and retained juveniles (11% of both retained and transferred juveniles were arrested for a subsequent violent felony within 18 months of release from prison; effect size was 0.00). Barnoski[35] also examined juveniles transferred after passage of the 1994 law. However, these data are not reviewed here, because follow-up time for the post-law cohort was short and data were available for only a small proportion of the population.

In summary, only one of the reviewed studies showed any evidence that transfer of juveniles to the adult justice system deterred either violent or other re-offending. Winner[40] found that transfer of juveniles initially arrested for property crimes was associated with a decrease in recidivism compared with juveniles initially arrested for similar crimes and retained in the juvenile system. In this study, among juveniles initially arrested for crimes other than property crimes, greater recidivism was found among those transferred than among those retained. One reviewed study[35] found no effect. The remaining four studies[14,36,37,39,42,43] all found a harmful effect, in which transferred juveniles committed more subsequent violent and total crime than retained juveniles. Overall, among studies for which a single effect can be calculated, effect sizes ranged from 0.00 to 0.77 with a median effect size of 0.337 (Figure 1). This positive effect size indicates that the weight of evidence shows greater rates of violence among transferred than among retained juveniles; transferred juveniles were approximately 33.7% more likely to be re-arrested for a violent or other crime than were juveniles retained in the juvenile justice system.

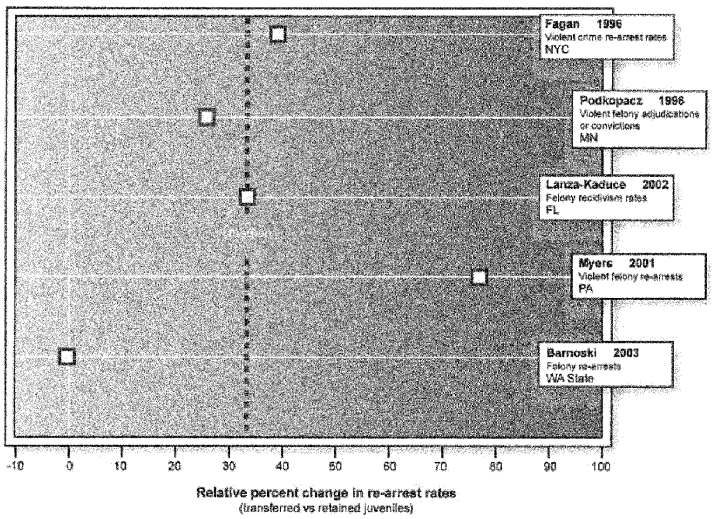

Figure 1. Effects of transfer on re-arrests of transferred juveniles. (Results of study by Winner et al. (1997) were not presented here because of complex effect modification by initial offense and other status characteristics.)

These studies used different strategies to control for selection bias. One study used a cross-jurisdiction design to control for selection bias.[43] Among the studies conducted within single jurisdictions, two used carefully matched pairs to control for selection bias,[37,40] and three relied on the strategy of multivariate statistical controls.[14,35,39] If selection bias had been a major confounding factor in these results, effect sizes adjusted for confounders should be smaller than crude effect sizes. However, in a study that assessed this matter by providing bivariate and multivariate analyses,[14] the effect adjusted for confounders was greater than the unadjusted effect, indicating that, if selection bias was present, it was less influential than confounders acting in a contrary direction. Finally, the level of consistency in results across diverse design strategies provides assurance that the findings are not primarily due to characteristics of study design.

Conclusion

On the basis of strong evidence that juveniles transferred to the adult justice system have greater rates of subsequent violence than juveniles retained in the juvenile justice system, the Task Force on Community Preventive Services concludes that strengthened transfer policies are harmful for those juveniles who experience transfer. Transferring juveniles to the adult justice system is counterproductive as a strategy for deterring subsequent violence.

Results, Part II

General Deterrence

Three studies[35,44–46] met our inclusion criteria for an assessment of the general deterrence effect of transfer laws or policies; all evaluated the effects of changes to a state's transfer laws. We also reviewed the tangential evidence from a study[47] that examined the effect of the transition to the age of adult court jurisdiction on rates of juvenile offending, as measured by offending rates in the general juvenile population within that state. Descriptive information about design suitability, limitations of execution, and outcomes evaluated in these studies is provided in Appendix B. More detailed descriptions of the studies included in this review, and how they were evaluated, are provided at the *Community Guide* website, www.thecommunityguide.com.

Three studies[35,44–46] that met our inclusion criteria evaluated the effects of state transfer laws on violent outcomes among the general juvenile population. All were of greatest design suitability and fair execution. We did not compute effect sizes for these studies because the necessary data were not provided.

Effectiveness

As noted above, Washington State's 1994 Violence Reduction Act legislatively excluded from initial jurisdiction in juvenile court all 16- and 17-year-olds charged with specified violent felonies or criminal histories. A 1997 amendment expanded the original list of offenses and combinations of offending histories that would exclude 16- and 17-year-olds from jurisdiction in juvenile court. Barnoski[35] examined the effect on state arrests for violent crime from 1989 to 2000 among 10- to 17-year-olds. Results, presented only graphically in the report, clearly showed that violent offenses peaked in 1994 and then declined. Barnoski[35] used national juvenile offending trends as a comparison. Without this, one might have concluded that the 1994 law deterred juvenile violence; the Washington trend, however, clearly parallels the national trend in arrests for violent crime, which also peaked in 1994 and subsequently declined.[2] Therefore, Barnoski[35] concludes that "we cannot attribute the decrease in juvenile arrests for violent crimes in Washington State solely to the automatic transfer statutes."

Jensen and Metsger[44] examined the deterrent effect of a 1981 Idaho law mandating automatic transfer to the adult criminal justice system of 14- to 18-year-olds charged with any of five violent crimes. Statewide juvenile violent crime arrest rates for the population aged less than 18 years were averaged for the previous 5 years (1976–1980) and for the 5 years following the legislative change (1982–1986). Changes in the number of arrests of 14- to 18-year-olds for violent offenses in Idaho were compared with those in Wyoming and Montana over the same periods. In Idaho, average arrest rates actually increased from the period before to the period after the legislation, while rates decreased in the comparison states. Thus, the new transfer law was associated with subsequent increases in violence in Idaho. Jensen and Metsger[44] conducted a second analysis of trends of juvenile violent crime in Idaho, controlling for potential confounders, but without comparing the trends in Idaho to trends in a population without comparable laws. For reasons noted above (i.e., the absence of a concurrent control population), we did not include findings from this second analysis and used the interstate comparison instead.

As described in our review of specific deterrence, New York's 1978 Juvenile Offender Law excluded from initial jurisdiction of the juvenile court 13- to 15-year-olds arrested on several specified felonies. Singer and McDowall[45] used interrupted time series methods to examine monthly arrest rates for 13- to 15-year-olds on four violent crimes—homicide, assault, robbery, and rape—between 1974 and 1984 (spanning the change in law). Arson was also examined in the study, but is not classified as a violent crime and is thus not included in our analysis.

In this study, New York City (NYC) was analyzed separately from the rest of the state. For NYC, two comparison populations were examined, neither of which was subject to the changes in transfer legislation. Study authors first compared arrest data for 13- to 15-year-old offenders with data for 16- to 19-year-old offenders in NYC. (Because 16 years is the age of adult court jurisdiction in New York, the older offenders were already too old for the juvenile justice system and, thus, unaffected by the Juvenile Offender Law.) The second comparison was of arrest data for 13- to 15-year-old NYC youth to data for Philadelphia youth in the same age range.

Using arrest data from the two comparison groups makes alternative explanations for changes in arrest rates in the intervention group less likely. Conceptually, if changes in arrest rates for the intervention group (13- to 15-year-olds in NYC) were paralleled by similar outcomes for either comparison group, this would suggest that something other than the intervention caused the change. Only changes in the intervention group not paralleled in either comparison group could plausibly be attributable to the change in law.

However, no consistent pattern of results was found across offenses. Only for rape was a statistically significant decrease shown for the intervention group. The NYC comparison group (16- to 19-year-olds), however, showed a larger decrease in rape, which was also statistically significant. The decline was considerably smaller in the Philadelphia comparison group, suggesting a local confounding effect, not attributable to the change in transfer, in NYC.

In the analysis for upstate New York, Singer and McDowall[45] used 16- to 19-year-olds in the region as the comparison group. For 13- to 15-year-olds (the intervention group), none of the violent crimes examined declined significantly, while assault increased significantly. Similar trends were found for the comparison group. In sum, Singer and McDowall[45] found no consistent pattern of evidence to suggest a general deterrence effect of the strengthened New York transfer law.

Finally, we reviewed a study[47] that assessed the general deterrent effect of reaching the age of adult court jurisdiction in various states. Levitt[47] assumed that if a state's adult criminal system were relatively more punitive than its juvenile system, juveniles would be deterred from committing crimes when they reached the age of adult court jurisdiction. Levitt[47] did not directly examine the effects of transfer laws or changes in transfer laws. He examined the effect of the transition to the age

of adult court jurisdiction on year-to-year changes in arrest rates, as a function of the relative punitiveness of the adult versus juvenile system in each state. To gauge relative punitiveness, Levitt[47] used the ratio of people incarcerated in each system—juvenile and adult—relative to age-specific offending rates; offending rates were measured as the proportion of reported crimes for which a suspect is arrested.

Levitt[47] analyzed seven age-specific offending rates (for ages 15 through 21) in a regression model that also controlled for state demographic factors. He found that the effect of the age of adult court jurisdiction was conditional on the relative punitiveness of the juvenile and adult/criminal systems. In states with especially punitive criminal versus juvenile justice systems, the age of adult court jurisdiction was associated with a relative decrease (or slower increase) in offending between years preceding transition to the age of majority and the transition to the age of adult court jurisdiction. However, in less-punitive states and at the average level of punitiveness across all states in the study (as calculated by the review team), transition to the age of adult court jurisdiction was actually associated with an increase in violence.[c] Levitt[47] speculated that this apparently counterdeterrent effect of the age of adult court jurisdiction "may be driven by the fact that a large fraction of juveniles are released from custody just prior to attainment of the age of adult court jurisdiction" and may therefore be able to commit additional crimes.

Levitt's[47] complex results have mixed implications for the possible deterrent effects of transfer laws and policies. Results for the most punitive states show a deterrent effect of the age of adult court jurisdiction, while the results for most states seem to show a counterdeterrent effect. While Levitt[47] speculated about a confounding effect that may account for the latter result, the empirical results regarding the actual deterrent effect remain ambiguous.

Conclusion

According to *Community Guide* rules of evidence, there is insufficient evidence to conclude whether laws or policies facilitating the transfer of juveniles to the adult criminal justice system are effective in preventing or reducing violence in the general juvenile population. While the number and quality of studies are sufficient, their findings are inconsistent. One study of general deterrence reports no apparent effect,[35] one reports mixed effects,[39] and one reports a counterdeterrent effect.[41] A study examining the effect of transition to the age of adult court jurisdiction suggests the possibility of general deterrence, but provides ambiguous evidence of whether, on average, reaching the age of adult court jurisdiction deters or increases violence among potential offenders.[d]

Additional Issues Regarding Strengthened Transfer Laws and Policies

The remainder of this review addresses conclusions pertaining to both specific and general deterrence.

Applicability. The studies reviewed here assessed specific deterrence in Washington State, Pennsylvania, and regions of New York, Minnesota, and Florida. Studies of general deterrence included Washington state, regions of New York, and Idaho; Levitt's[47] study included information from multiple states. These states are geographically and demographically diverse, suggesting broader applicability of the findings reported here.

Other positive or negative effects. Five additional outcomes that may be associated with the transfer of juveniles to the adult judicial system are worthy of mention, although they are not systematically reviewed here. First, youth under court jurisdiction may be released from custody before disposition of their case, even if arrested for serious violent crimes. Rates of release may be associated with subsequent transfer. For example, in 1990–1994, among youth charged with violent offenses in the nation's largest 75 counties, 44% of youth subsequently transferred were released before disposition, whereas 57% of retained youth were released before disposition.[48] However, the cases may not be of comparable seriousness. Increased release rates, in turn, could allow youth to commit additional offenses, including violent offenses, before their cases reach disposition.

Second, transfer may also be associated with the victimization of juvenile offenders themselves during incarceration. Evidence on this topic from the studies reviewed is mixed. One study of four cities between 1981 and 1984 reported rates of victimization of 37% in juvenile training schools (i.e., residential schools where delinquents receive vocational training), compared with 46% for those in adult prison.[49] Rates of inmate suicide among detained juveniles may also differ between those in juvenile and adult judicial institutions, although there are few good estimates. Memory[50] estimated 1978 suicide rates as 2041 per 100,000 for youth

[c]The relevant equations are shown in Levitt,[47] table 5. Model 3 gives the change in violent offending at adulthood as follows: $(-0.121 \times \text{relative punitiveness}) + 0.241 = (-0.121 \times 1.42) + 0.241 = 0.069$. The mean relative punitiveness in Levitt[47] is 1.42 (p. 1178).

[d]As this review was going to press, a new article was published on the general deterrent effects of increased legislative exclusion.[43] Although we did not formally include it in our review because it was outside our publication date cutoffs, it is one of the stronger studies to date regarding the general deterrence effect of increasing transfer. The study used time series methods, similar to those used by Singer and McDowall (1988),[39] to examine the effects of increased statutory exclusion in 22 states between 1979 and 2003. Of the 22 states, only one showed a general deterrence effect, leading the authors to conclude that transfer laws do not promote the general deterrence of violent crime.

in adult detention facilities, 57 per 100,000 for those in juvenile detention centers, and 12.4 per 100,000 for all those aged 12 to 24 years in the U.S. population. On the other hand, more recent analyses of suicides in juvenile correctional facilities suggest that suicide rates for incarcerated juveniles are similar to rates for juveniles in the general population.[51]

Third, incarcerated violent juveniles are "incapacitated" (i.e., prevented from committing subsequent violent acts in the community) during their period of incarceration. The studies reviewed provided some evidence on the relative length of incarceration of juveniles convicted in adult versus juvenile courts. Fagan[36] reported that juveniles retained in the juvenile system received slightly longer sentences, although the difference was not statistically significant. In contrast, Myers[14] found that transferred juveniles received substantially longer sentences, both in bivariate analysis and controlling for background differences. Barnoski[35] also reported longer sentences for transferred juveniles than for retained juveniles. Finally, Podkopacz[42] reported longer sentences for juveniles convicted of offenses that required a prison commitment in the adult system (e.g., a crime committed with a weapon), but shorter sentences for juveniles transferred for other crimes. Thus, the apparently conflicting data from this small sample of studies do not clearly indicate greater incapacitation for transferred than for retained juveniles.

More generally, research is mixed on whether adult courts are more punitive than juvenile courts to youth with comparable criminal profiles, and punitiveness may depend on the type of offense. Many studies have found the adult court to be more punitive than the juvenile court, but some have found the adult court to be more lenient.[52,53] Relative to older defendants in the adult court, juveniles may appear less threatening and their cases may appear less severe to those hearing their cases. In addition, although juvenile criminal records have become increasingly available,[2] their offending histories have in the past been less available to the adult court because of privacy provisions, possibly allowing the impression that a juvenile is a less-serious or less-hardened offender than his or her actions would indicate. In combination, these factors may lead to less-punitive sanctions in the adult than in the juvenile court. While national statistics indicate that, overall, adult courts are more punitive to juveniles than juvenile courts, much of this disparity is due to differences in severity of crimes or criminal histories of defendants or other specific factors between the cases in the two court systems.[54] This problem of selection, which challenges research on the specific deterrence effects of transfer, also challenges research seeking to establish the relative punitiveness of the two courts. Feld[55] has suggested that the adult court may respond differently to juveniles charged with property crimes than those charged with violent crimes, being more lenient to the former and more punitive to the latter. For violent offenders, a recent review concludes that "most transferred youth convicted of violent offenses receive sentences far more severe than could be imposed in the vast majority of the nation's juvenile courts."[17]

Fourth, while this review focuses on effects on violent crime, researchers have also examined recidivism of juveniles charged with crimes not regarded as violent (e.g., burglary). Four of the reviewed studies report on outcomes among nonviolent offenders, with inconsistent findings. In analyses controlling for background characteristics of offenders, Fagan[36] found no significant effects of transfer on overall re-arrests among nonviolent offenders. Transferred youth showed higher rates of subsequent arrest for nonviolent misdemeanors and lower rates for drug-related crimes. Similarly, Barnoski[35] found no overall effect of transfer on nonviolent felony recidivism. In table 6 of Podkopacz and Feld,[38] they report that transferred youth had a lower rate of felony drug convictions and a lower rate of misdemeanor convictions, but a higher rate of felony convictions for property crimes; however, these analyses did not control for confounders. The multivariate analysis by Myers[14] similarly indicates greater overall recidivism among transferred juveniles—including both violent and nonviolent re-offending. In sum, the effects of transfer on crimes not regarded as violent are not yet clear, although transferred youth seem to show lower rates of later drug offenses.

Fifth, the question of differential treatment of minorities in the justice system overall has long been an issue.[2] Although the relationship of race to transfer is not generally a focus of the studies reviewed here, several of the studies of specific deterrence provide information on race. Among the reviewed studies, the design of the Florida studies by Bishop,[41] Winner et al.,[40] and Lanza-Kaduce et al.[37,40,41] precludes consideration of this matter, because they matched transferred and retained cohorts on race. Myers[14] and Podkopacz and Feld,[38] who studied transfers that were largely discretionary, found that the cases of whites were slightly, albeit not significantly, more likely to be transferred. In contrast, Fagan[36] studied the effects of transfer when it was largely nondiscretionary (i.e., determined by some combination of age and severity of crime), and found no significant association between race and transfer. Barnoski[35] examined changes over time as transfer policy became less discretionary as it expanded legislative exclusion of certain crimes from juvenile courts. A more proportional representation of minorities was found among transferred cases following the statutory change. That is, the proportion of blacks among those transferred decreased from 31% to 22%, while the proportion of whites increased from 51% to 63%. The proportion of women transferred after the expanded exclusion laws took effect increased from 2% to

7%, suggesting a previous selection bias against women. For a recent review of this topic, see Bortner et al.[16]

Barriers to reducing the use of transfer policies. While this review found that strengthened transfer policies generally result in greater re-arrest for crime, including violent crime, among those who are transferred than among those who are retained in the juvenile system of justice, strengthened transfer policies may nonetheless be favored by some policymakers or the public for other reasons (e.g., retribution against serious crime or incapacitation of serious offenders). Policymakers will have to weigh competing interests in making policy decisions. The recent Supreme Court decision, *Roper v. Simmons*,[10] which bans capital punishment for offenders who committed their crimes while minors, suggests a growing sentiment for treating juveniles in a separate system on the basis of their developmental stage.

Results, Part III

Research Issues

Although the Task Force found evidence of harm in the transfer of juveniles to adult courts as an intervention for the purpose of preventing violence, transfer policies are currently in effect, and the following important research issues remain insofar as these policies remain in place. Available studies may provide data allowing for additional analyses.

- We found insufficient evidence regarding general deterrence. Excepting one study,[47] which examined the associations of age of adult court jurisdiction and rates of arrest rather than the effects of transfer per se, the studies reviewed here assessed limited geographic areas and, in general, used simple methodologies. Data may be available to apply time series methods to a broader array of regions and to adjust for confounding variables with ecologic designs (see footnote c).
- It is not clear whether the effect of increased violence among juveniles who experience the adult versus the juvenile justice system is attributable to the overall judicial process, to the differences in sanctions experienced, or to some other component of the process. Among the studies reviewed, analyses by Fagan[36] and Podkopacz[42] indicate that the effects of transfer are not exclusively attributable to incarceration, but also involve the overall justice system, which may result in acquittal or parole. This issue merits further exploration.
- The effectiveness of transfer policies on violence across levels of severity (e.g., murder versus assault) should also be examined. While several studies reviewed indicate different effects for differing initial offenses, other studies do not stratify effects by initial offense.
- Systematic comparison of state transfer laws should be undertaken to determine the extent to which the specific provisions of state laws included in the review are representative of all state transfer provisions. Differences in the application and enforcement of provisions should also be assessed.
- Exploration of the costs of transferring youth to the adult criminal system versus retaining them in the juvenile system are rare.[56] In some sense, evaluating costs of interventions (e.g., transfer) that cause net harm seems unnecessary; because any spending on harmful interventions appears wasteful, the more spending, the more waste. On the other hand, however, documenting the variability and relative costs of the two judicial and correctional systems, the distribution of responsibility for these costs across different levels of government and society, and the net balance of program costs, the costs of subsequent crime, and the costs of opportunities lost to the juveniles themselves might allow a constructive discussion of the economic consequences of change.

Discussion

Certain limitations in our findings should be noted. First, the intervention assessed here, namely transfer policy, varies substantially from state to state. The reviewed studies of specific deterrence and general deterrence cover a small number of states (excluding Levitt's[47] study of a related topic with a national sample). These reviewed studies were the only ones that met our standards and may not represent transfer laws among all states.

Second, the outcome measures in all these studies result from official records of violent offending, either arrest or conviction, rather than from direct measures of violence. However, there are many determinants of who gets arrested for crimes and may then be convicted. The perpetrators of most crimes are not arrested,[57] and there are errors in arrests as well. Studies measuring violence by self-report were not available; however, the review team would have preferred them. Nevertheless, arrest rates are among the best available and most commonly used indicators of crime, and thus the best available outcome for assessment in this review.

Third, given the impossibility of experimental trials in policies such as transfer laws, the challenges of controlling for potential confounding are great. The studies of specific deterrence reviewed here have used several approaches to control confounding, including matched pairs within jurisdictions, cross-jurisdictional comparisons with control of sociodemographic and criminologic variables, and analytic control for background characteristics. The convergence of results across these studies suggests that increased violent recidivism following transfer is a robust finding in spite of these challenges to controlling for potential confounders.

Fourth, the effects of transfer policies on violence and other crime may differ across levels of juvenile crime severity (e.g., misdemeanors or felonies) and should be examined. To ensure comparability, the studies reviewed

here control for the severity of the crime for which the juvenile is at risk of being transferred and, where possible, for the juvenile's criminal history as well. They have not generally assessed whether the effects of transfer differed for juveniles with more or less serious offenses and offense histories; perhaps transfer might be argued to be more effective or less harmful if restricted to the most serious offenders. In fact, the Florida studies[37,40,41] document a large number of misdemeanants transferred to adult court, and find greater harm for these offenders. In any case, the possibility of transferring the most serious juvenile offenders was available in all court systems before the strengthening and formalizing of the transfer policies reviewed here. What has resulted from the changes assessed in this review is the broad lowering of thresholds for the seriousness of crimes for which juveniles are transferred.

This review, along with the accompanying recommendation from the Task Force on Community Preventive Services, is expected to provide guidance and serve as a useful tool for public health and juvenile justice policymakers, for program planners and implementers, and for researchers. Review of the evidence on effect of transfer laws on subsequent violence among those transferred to adult criminal justice systems indicates that transfer of juveniles to the adult criminal system generally results in increased rather than decreased subsequent violence, compared with violence among juveniles retained in the juvenile system. In addition, the evidence on whether transfer laws deter juveniles in the general population from violent crime is inconclusive. Overall, available evidence indicates that use of transfer laws and strengthened transfer policies is counterproductive for the purpose of reducing juvenile violence and enhancing public safety.

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Appendix A. Studies measuring specific deterrence effects of juvenile transfer policies.

Author (year) Design suitability: design Limitations of execution (#) Specific limitations Analytic methods	Historical Context	Location Study population Sample size (N) Sample demographic characteristics	Intervention population Comparison population	Results Reported effect measure Follow-up time; % sample or N with sufficient time at risk for recidivism analysis[a]	Reported effect	Value used in review[b]
Barnoski (2003)[1] Greatest: prospective cohort study with concurrent comparison Good (0) • No limitations Multivariate analysis, controlling for demographics, charge, and offending history	Washington State expanded automatic transfer provisions in 1994 & 1997. This study examined an earlier cohort arrested on charges that would have made them eligible for automatic transfer had they been arrested after the 1994 law.	Washington state Youth 16–17 years old arrested 1/1/1992–7/1/1994 N = 913 Retained youth, n = 738 Age: 16 yrs 54%; 17 yrs 46% Sex: F 7%; M 93% Race: white 56%; black 20% Transferred youth, n = 175 Age: 16 yrs 26%; 17 yrs 74% Sex: F 2%; M 98% Race: white 51%; black 31%	Youth arrested on any of nine serious felonies, or with specified offending histories, and transferred to criminal justice system Youth meeting same arrest and offending history criteria, but retained in juvenile justice system	Violent felony re-arrests during 18 mos follow-up after release from confinement, adjusted for confounders by logistic regression Retained youth: 81% (600 of 738 followed up) Transferred youth: 51% (90 of 175 followed up)	Transferred youth = 11% Retained youth = 11%	% increase in recidivism associated with transfer, compared with retention Effect size = 0.0%
Bishop et al (1996);[2] Winner et al (1997)[3] Greatest: prospective, with matched comparison Good (1) • Proxy measure of outcome (i.e., re-arrest for any crime) Analysis of discordant pairs; logistic regression, controlling for background and history; time to and frequency of re-arrest		Florida Youth arrested 1/1/1985–12/30/1987. N = 2887 matched pairs Demographics: Male: 92% Age: 17 yrs 60%; 16 yrs 25%; 15 yrs 25%; <15 yrs 3%[c] Race: Transferred youth (53% white; 47% nonwhite) Non-transferred youth (58% white; 42% nonwhite)	Youth transferred from the Florida juvenile justice system to the adult justice system Youth retained in the juvenile system, matched with transferred youth on six criteria: most serious current charge, number of counts, most serious prior offenses, number of prior referrals, age, gender (race matched when possible)	Re-arrest for any crime through Nov 15, 1994; over 6 years 93% (2700 pairs [2887 total pairs – 187 lost])	Probability of any rearrest among transferred juveniles, compared with retained juveniles: 0.95 (p=0.332)	Because significant effect modification by initial arrest (misdemeanor vs. felony and felony type) was found in logistic regression analysis, and because full model coefficients were not published, effect sizes were not calculated.

Author (year) Design suitability: design Limitations of execution (#) Specific limitations Analytic methods	Historical Context	Location Study population Sample size (N) Sample demographic characteristics	Intervention population Comparison population	Results Reported effect measure Follow-up time; % sample or N with sufficient time at risk for recidivism analysis[a]	Reported effect	Value used in review[b]
Fagan (1995, 1996)4,5 Greatest: prospective cohort study with comparison Good (1) • Sample demographics not described Proportions re-arrested and re-incarcerated; time to first re-arrest Re-arrest rate: proportional hazards of specific types of subsequent crime, including violent crime	New York Juvenile Offender Law of 1978 legislatively excludes from juvenile processing 14–15 yr olds on 15 charges, and 13 yr olds on non-capital murder In NY 16 yrs is age of adult court jurisdiction In NJ, age of adult court jurisdiction is 18; no legislative exclusion	New York City metro area 15 and 16 yr olds arrested 1/1/1981–12/31/1982 on either felony robbery or burglary N = 800 youth (200 in each of 4 counties) Sampled on age (15 or 16); other demographics not stated	Youth arrested in 2 counties in NY on either felony robbery or burglary Youth arrested in 2 socio-demographically similar counties in NJ on equivalent charges	Re-arrest and time to re-arrest Follow-up through 6/30/1988; at least 2 years "at risk" following release	Proportional hazard model for violent crime re-arrest: Exp (B) = 0.72 ($p<.05$), (juvenile vs. adult court associated with 28% decreased rate of re-arrest for violent crime) Note: The model includes a significant interaction of transfer with sentence length; the transfer effect increases with longer sentences	Effect size used is based on transfer main effect term alone, and underestimates the effect for those with sentences including incarceration. Increased violent recidivism for transfer = 39% (1/0.72) ? 1 Note: Most of the sample in each court was not incarcerated.
Lanza-Kaduce (2002)6 Greatest: prospective matched pair comparison Fair (2) • Sample demographics not provided • Proxy measure of outcome (i.e., re-arrest for any felony Study compared felony recidivism rates and assessed discordant pairs in "best matched" pair data subset (i.e., retained pair member at least as serious as transferred member)	1994 changes in Florida law extended prosecutorial waiver for 14- and 15-year olds, and also for certain repeat and violent offenders of any age	Florida (6 out of 20 judicial circuits, both urban and rural) Youth arrested in 1995–1996 N = 475 matched pairs N = 315 "best matched pairs" (Best matched pairs exclude pairs in which transferred youth had a worse criminal background than retained youth on a 12-item index. Possibility of worse criminal background among retained youth not noted.)	Youth transferred to adult court system Youth retained in the juvenile system who were matched on 7 criteria: most serious current charge, number of counts, most serious prior offenses, number of prior referrals, age, gender, race	Felony recidivism after age 18 Recidivism data collected through early 2001. Depending on age at arrest, the recidivism periods after age 18 ranged from <1 to over 4+ years, equivalent within matched pairs	Best-matched pairs: Felony recidivism higher among transferred than retained juveniles (49.2% vs 36.8%) Ratio of discordant pairs among the best-matched = 1.76 Only transferred youth re-arrested (90 pairs) vs only retained youth re-arrested (51 pairs)	% increase in felony recidivism for transferred vs. retained youth Effect Size: 33.7% (49.2/36.8) – 1

Author (year) Design suitability: design Limitations of execution (#) Specific limitations Analytic methods	Historical Context	Location Study population Sample size (N) Sample demographic characteristics	Intervention population Comparison population	Results		
				Reported effect measure Follow-up time; % sample or N with sufficient time at risk for recidivism analysis[a]	Reported effect	Value used in review[b]
Myers (2001)7 Greatest: prospective cohort study Good (0) Logistic regression of overall re-arrest, and violent felony re-arrest, controlling for demographics, criminal history, current offense and case processing; Survival models of time to recidivism following release	1996 Pennsylvania law expanded transfer by excluding from juvenile court murder and several violent crimes committed with a deadly weapon by juveniles between 15 and 18 yrs of age at the time of offense. This study examined a sample from an earlier cohort, who were arrested on charges that would have made them eligible for automatic transfer had they occurred after the legal change	Pennsylvania Males aged 15–18 yrs, arrested 1/1/1994–2/31/1994 N = 557 males Transferred: 138 Retained: 419 Mean age: 16.7 yrs transferred juveniles; 16.0 yrs retained juveniles Race: 72% transferred nonwhite; 82% retained nonwhite	Youth transferred to adult court Youth retained in juvenile court	Violent felony re-arrests Follow-up until 6/30/1998 (mean time "at risk" in the community for committing a subsequent crime: 17.9 months) Follow-up for those not still incarcerated as of Dec. 31, 1997, 89% (494 of original 557)	Logistic regression of violent recidivism following final disposition B = .692 (SE .463), (p>0.10) OR = 2.0	% increase in violent felony recidivism for transferred compared with retained juveniles, calculated from reported modeled proportions of violent recidivism Transferred youth: 0.2305 Retained youth: 0.1304 Effect size = 77% (0.2305 /0.1304) – 1
Podkopacz & Feld (2001) Podkopacz (1996) Greatest: prospective cohort study Good (1) No analysis assessing violent outcome while controlling background confounding Logistic regression		Minnesota (Hennepin County) Juveniles arrested in 1986–1992 for whom a motion was filed for transfer to adult court; some were transferred, others retained. N = 330 youth Transferred = 215; Retained = 115 Age at offense: mean 16.5 yrs Race: 55% African American, 28% white; 17% other	Youth transferred to adult court system Youth motioned for transfer, but retained in juvenile court system	New adjudicated or convicted offense Follow-up: at least 2 yrs of "at risk" time N = 290 (excluding 40 youth with insufficient time at risk)	Reconviction for any offense, controlled for criminal history, gender, age at transfer decision, type of sentence: Transfer OR : 1.93, p<.05. (i.e., reconvicted youth more likely to have been transferred than retained)	% increase in reconviction among transferred juveniles compared with retained juveniles: Effect size: 26.5% (OR was applied to retained reconviction rate, to generate RR)

Key: mo month; N sample size; NA not available; yr year; NJ New Jersey; NY New York ; OR odds ratio; vs versus

[a] Assessment of attrition is not applicable in these studies, as they report re-arrest in the presence of re-arrest records and assume no re-arrest in the absence of records.

[b] If results were reported from logistic regression models, odds ratios were transformed into relative rate changes (*21,41*) so that these effect measures could be more appropriately compared with other studies in the body of evidence.

[c] Percentages add to >100% (error in original data)

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Appendix B. Studies measuring general deterrence effects of juvenile transfer policies.

Author (year) Design suitability: design Limitations of execution (#) Specific limitations Analytic methods	Historical Context	Location Study period Unit of analysis Sample size (N) Sample demographics	Intervention group Comparison group	Results Reported effect measure Comparison period	Reported effect	Value used in review[a]
Barnoski (2003) Greatest: before-and-after population-based study Good (1) • No control for confounding Graphical comparison of Washington State and national violent crime arrest rate trends	Washington State expanded automatic transfer provisions in 1994 & 1997 16 and 17 yr olds with specified criminal offenses and histories were automatically transferred	Washington state Late 1980s to late 1990s Juveniles 10 – 17 yrs of age Population-based (not sampled) Demographics NA	Juveniles (10–17) in Washington state in yrs following law changes Graphically compared with: Juveniles (10–17) in Washington state in yrs preceding law changes. Juveniles (10–17) in U.S. in yrs preceding and following Washington law changes	Violent arrest rates among juveniles (10–17 yrs) per 1000 juveniles Comparison period: late 1980s–late 1990s	"Thus, we cannot attribute the decrease in juvenile arrests for violent crimes in the state solely to the change in WA's jurisdiction statute."	No effect Quantitative effect cannot be computed from the graphical analysis
Jensen, Metsger (1994) Greatest: before-and-after intervention with concurrent comparison (Additional analysis—before-and-after design without concurrent comparison—not considered in this review.) Fair (2) • Selection of comparison populations not well justified • No control of confounding Comparison of changes in rates of violent crime before and after law in intervention and comparison states	1981 Idaho law transferred more juveniles to adult court. There were no comparable changes in comparison states, Wyoming and Montana.	Idaho 1976 – 1986 States (Idaho, compared with Wyoming and Montana) Population-based (not sampled) Demographics NA	Juveniles <18 yrs of age in Idaho in yrs following law changes, 1982–86 Compared with: Juveniles <18 yrs of age in Idaho in yrs preceding law changes, 1976–80 Juveniles <18 yrs of age in Wyoming and Montana in yrs preceding and following law changes in Idaho	Changes in mean juvenile arrest rates, 1982–86 compared with 1976–80	Before-and-after differences of means juvenile violent crime arrest rates ID 12.8 p<0.005 WY –4.2 p<0.025 MT –14.1 p<0.005	Increase in violent crime arrest rates in state with strengthened transfer law, in comparison with neighboring states without this law Effect size not computed because population data not provided

Author (year) Design suitability: design Limitations of execution (#) Specific limitations Analytic methods	Historical Context	Location Study period Unit of analysis Sample size (N) Sample demographics	Intervention group Comparison group	Results Reported effect measure Comparison period	Reported effect			Value used in review[a]
Singer & McDowell (1988) Singer (1996) Greatest: prospective cohort study Good (0) • No limitations Interrupted time series analysis and rate comparisons	New York Juvenile Offender Law of 1978 legislatively excludes from juvenile processing 14–15 yr olds on 15 charges, and 13 yr olds on non-capital murder	New York City and Upper New York State Jan. 1974 – Dec.1984 Regions/cities NYC and NYS are compared. Philadelphia is used as an additional comparison for NYC Population-based (not sampled) Demographics NA	Two different sets of intervention and comparison groups: A. Juveniles in New York City ages 13–15 yrs Compared with: Juveniles in New York City ages 16–19 yrs Juveniles in Philadelphia, ages 13–15 yrs B. Juveniles in upper New York State, ages 13–15 yrs compared with: Juveniles in upper New York State, ages 16–19 yrs	Time series of monthly arrests for homicides, assaults, robberies, and rapes, with 1978 date of New York law as intervention point. Comparison period: January 1974 – December 1984	Shift in level of crime following introduction of law in 1978	Ω	t	Effect size not computed because heterogeneous results within the study
					Homicides			
					NYC 13–15	–0.9633	–1.62	
					NYC 16–19	2.0370	1.55	
					Phil 13–15	–0.6586	–2.71	
					Assaults			
					NYC 13–15	0.0230	0.81	
					NYC 16–19	–21.3500	–1.49	
					Phil 13–15	–4.7540	–3.32[b]	
					Robberies			
					NYC 13–15	16.0100	0.63	
					NYC 16–19	17.3400	0.35	
					Phil 13–15	7.4100	1.95	
					Rapes			
					NYC 13–15	–4.1570	–3.12[b]	
					NYC 16–19	–6.4120	–3.14[b]	
					Phil 13–15	–.5748	–0.92	
					Homicides			
					NYS 13–15	–0.0104	–0.37	
					NYS 16–19	0.0012	0.00	
					Assaults			
					NYS 13–15	4.4320	4.42	
					NYS 16–19	2.2520	1.48	
					Robberies			
					NYS 13–15	2.6180	1.38	
					NYS 16–19	9.9870	3.08	
					Rapes			
					NYS 13–15	0.4211	1.34	
					NYS 16–19	0.8510	1.39	

Key: aggr aggravated; N sample size; NA not available; NS not significant; NYC New York City; NYS Upper New York State; Phil Philadelphia; t t-test; vs versus; yr year; Ω time series estimate of shift in the level of crime associated with introduction of the law

[a] Because of heterogeneous methodologies and the absence of requisite and commensurate data among studies, we did not calculate an overall effect size for this body of evidence.

[b] $p < 0.05$

References for Appendix B

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[Internet link to Campaign for Youth Justice report, "The Consequences Aren't Minor," dated March 2007, submitted by Ms. Woolard, follows:]

http://www.campaign4youthjustice.org/Downloads/NEWS/National—Report—consequences.pdf

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[Internet link to International Journal of Forensic Mental Health article, "Juveniles Within Adult Correctional Settings: Legal Pathways and Developmental Considerations," Vol. 4, No. 1, 2005, submitted by Ms. Woolard, follows:]

http://www.iafmhs.org/files/Woolardspr05.pdf

[Whereupon, at 4:30 p.m., the subcommittees were adjourned.]

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