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United States House of Representatives  
Committee on Education and Labor  
Subcommittee on Healthy Families and Communities  
and Committee on the Judiciary  
Subcommittee on Crime, Terrorism and Homeland Security

July 12, 2007

Hearing on

*"Juvenile Justice and Delinquency Prevention Act:  
Overview and Perspectives"*

Testimony by:

**The Honorable David J. Freed**  
Cumberland County District Attorney  
Carlisle, PA

On Behalf of

Fight Crime: Invest in Kids

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 6<sup>th</sup> or 7<sup>th</sup> 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 JJDP. 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

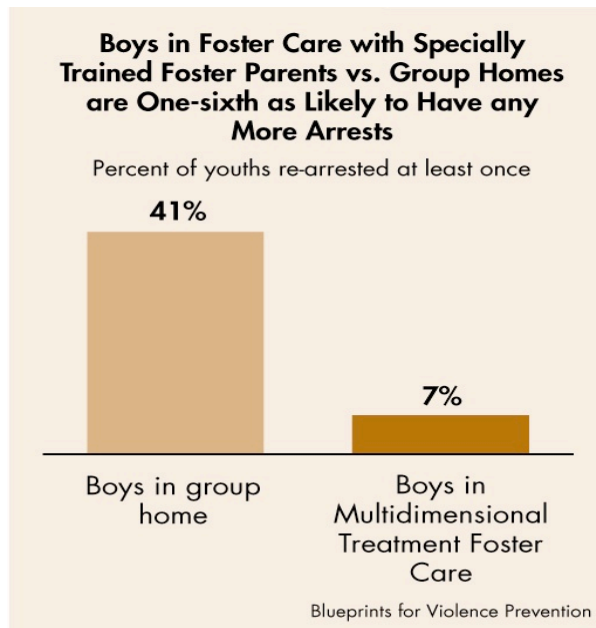
or probation – and often neither is appropriate in that case. State Formula Grants can help states and communities to expand that range of options and ensure that the most effective approach can be used for each case. By strengthening the juvenile justice system and deterring youth from committing more 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 pro-social 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 re-arrested 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.

What reduces crime saves money <sup>103</sup>	Savings or costs per participant				
	Costs avoided by crime victims <sup>104</sup>	Savings to taxpayers from crime reduction only <sup>105</sup>	Program Costs	Net savings to taxpayers	Net savings to taxpayers and victims
Functional Family Therapy for youth on probation (FFT)	\$19,529	\$14,617	\$2,325	\$12,292	\$31,821
Multi-Systemic Therapy (MST)	\$12,855	\$9,622	\$4,264	\$5,358	\$18,213
Multidimensional Treatment Foster Care (v. regular group care) (MTFC) <sup>106</sup>	\$51,828	\$32,915	\$6,945	\$25,970	\$77,798
Aggression Replacement Training (ART)	\$8,897	\$6,659	\$897	\$5,762	\$14,660

Washington State Institute for Public Policy 10/06

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, JJDP 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 JJDP 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 JJDPDA 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 JJDPDA reauthorization legislation – Congress can help to reduce crime and make us all safer.