



## 2011 PROPOSED STATEMENT: **JUVENILE JUSTICE**

The Washington State PTA renews its support for the Juvenile Justice and Delinquency Prevention Act and shall initiate or support legislation or policies that:

- Keep youth in school and out of the justice system
- Ensure equity and cultural competence within the justice system
- Ensure age- and developmentally appropriate responses
- Strengthen the partnership between the federal government and state and local governments in juvenile justice matters.

### **Context:**

This topic touches every corner of our state and disproportionately affects our most vulnerable children. The Juvenile Justice and Delinquency Prevention Act sends federal money to states that agree to some core protections for youth. Partnerships are crucial to ensuring these protections are carried out at the local level.

The reauthorization bill would make some changes, including:

- Keep kids out of adult jails and prisons;
- Require states to reduce racial & ethnic disparities;
- Create incentives for the use of programs that research has shown to work best;
- Refocuses attention on prevention programs intended to keep children from entering the juvenile or criminal justice systems

### **Why now?**

The federal act is overdue for renewal; our state program is also up for renewal. JJCPA was first enacted in 1974 and last renewed in 2002 with bipartisan support. It is particularly important that federal funding is secured.

### **Why is this issue important?**

- Most – 78 percent -- of detained youth are being held for non-violent offenses,<sup>1</sup> such as running away, truancy or curfew violations.
- Get tough policies have increased in popularity since the 1990s,<sup>2</sup> but there are less severe alternatives to incarcerating youth that are effective. Community-based programs, including diversion programs, family programs, drug treatment, and evening reporting centers have been shown to be less costly than detention or incarceration and reduce recidivism.<sup>3</sup>
- The annual average cost per detention bed ranges between \$32,000 and \$65,000.<sup>4</sup>
- 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.<sup>5</sup>
- Youth placed in adult jails are at high risk of assault, abuse, and death.<sup>6</sup>

- Children tried as adults have been found to be more likely to reoffend than those not exposed to the adult criminal court system, as they receive little or no education, rehabilitative programming, or mental health services. To compound the problem, children are given an adult criminal record, thereby significantly limiting future education and employment opportunities, and they face similar penalties as adults, such as life without parole.<sup>7</sup>
- The overuse of juvenile detention has a negative, disproportionate impact on youth of color. In 2003, African-American youth were detained at a rate 4.5 times higher than whites. Latino youth were detained at twice the rate of whites.<sup>8</sup>

## **Why PTA/PTSA?**

Keeping children in school and out of prison, protecting them from being locked up with adults; and giving non-violent offenders the family-focused, school- and home-based intervention are key PTA principles. Creating a juvenile justice system is one of our biggest wins.

- Renewal of JJDPA is one of National PTA's priorities.
- As for implementation, Washington State PTA is positioned to help youth at every stage – from working with school districts to implement positive behavior strategies, to advocating for systemic improvements in the state's juvenile justice system.
- This issue aligns with WSPTA's Health and Well-being of Children and Youth Legislative Principle, which calls for effective prevention and intervention behavior and discipline programs; and comprehensive juvenile justice programs that focus on prevention, treatment and rehabilitation.

**Recommended WSPTA board action:** Do pass

**Issue submitted by:** Dori Tate, member of Ballou Jr. High PTSA 5.7.85

## **Resources:**

- **Bill summary:** [http://www.act4jj.org/media/documents//document\\_131.pdf](http://www.act4jj.org/media/documents//document_131.pdf)
- **Complete bill:** <http://thomas.loc.gov/cgi-bin/query/z?c111:S.678>
- **Act 4 Juvenile Justice:** [www.act4jj.org](http://www.act4jj.org)
- **Models for Change:** [www.modelsforchange.net](http://www.modelsforchange.net)
- **Campaign for Youth Justice:** <http://www.campaignforyouthjustice.org/>
- **Coalition for Juvenile Justice:** <http://juvjustice.njcn.org>
- **Washington's plan, 2009-11:** [http://juvjustice.njcn.org/media/resources/public/resource\\_308.pdf](http://juvjustice.njcn.org/media/resources/public/resource_308.pdf)
- **National PTA, 2011 public policy agenda:** [http://www.pta.org/public\\_policy\\_agenda.asp](http://www.pta.org/public_policy_agenda.asp)

## **More key facts, from PTA's public policy agenda:**

- Truancy cases accounted for more than one third (35 percent) of all petitioned status offense cases handled in 2004, followed by runaway governability (27 percent), liquor possession (19 percent), and curfew (10 percent) offense cases.<sup>9</sup>
- Almost 40 states allow children prosecuted in adult courts to be held in adult jails prior to their first hearing, despite the fact that youth placed in adult jails are at high risk of assault, abuse, and death.<sup>10</sup>

- In 2005 and 2006, 21 percent and 13 percent, respectively, of inmate-on-inmate sexual violence victims in jails were children under the age of 18; yet only 1 percent of all jail inmates are juveniles.<sup>11</sup>
- Children are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility.<sup>12</sup>
- Research indicates that 40 percent of adult jails provide no educational services, 89 percent provide no special education services, and 93 percent provide no vocational training.<sup>13</sup>
- Children prosecuted as adults are on average 34 percent more likely to commit crimes again than children retained in the juvenile justice system.<sup>14</sup>
- For juveniles, the recidivism rate is almost double that of adults.<sup>15</sup>

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<sup>1</sup> Office of Juvenile Justice and Delinquency Prevention

<sup>2</sup> <http://www.modelsforchange.net/publications/121>

<sup>3</sup> Source: Campaign for Youth Justice, <http://www.campaignforyouthjustice.org/> Accessed November 18, 2010.

<sup>4</sup> Ziedenberg and Holman. "The Dangers of Detention: The Impact of Incarcerating Youth in Detention and other Secure Facilities."

<sup>5</sup> [http://www.act4jj.org/media/factsheets/factsheet\\_11.pdf](http://www.act4jj.org/media/factsheets/factsheet_11.pdf)

<sup>6</sup> Campaign for Youth Justice, "Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America, Campaign for Youth Justice", p. 4, [http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing\\_Juveniles\\_Report\\_2007-11-15.pdf](http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing_Juveniles_Report_2007-11-15.pdf) (November 2007)

<sup>7</sup> Source: Act 4JJ "Trying Youth as Adults Fact Sheet". p. 2. [http://www.act4jj.org/media/factsheets/factsheet\\_20.pdf](http://www.act4jj.org/media/factsheets/factsheet_20.pdf) accessed November 20, 2008.

<sup>8</sup> Campaign for Youth Justice, <http://www.campaignforyouthjustice.org/> accessed November 18, 2010)

<sup>9</sup> Stahl, A., et al. "Juvenile Court Statistics 2003-2004". Pittsburg, Pennsylvania: National Center for Juvenile Justice, 2007.

<sup>10</sup> Act 4 Juvenile Justice. "Youth in Adult Prisons Fact Sheet." Available at [http://www.act4jj.org/media/factsheets/factsheet\\_26.pdf](http://www.act4jj.org/media/factsheets/factsheet_26.pdf) (accessed November 20, 2008), and Campaign for Youth Justice, "Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America, Campaign for Youth Justice", p. 4, [http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing\\_Juveniles\\_Report\\_2007-11-15.pdf](http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing_Juveniles_Report_2007-11-15.pdf) (November 2007)

<sup>11</sup> Campaign for Youth Justice, "Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America, Campaign for Youth Justice", p. 4, [http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing\\_Juveniles\\_Report\\_2007-11-15.pdf](http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing_Juveniles_Report_2007-11-15.pdf) (November 2007).

<sup>12</sup> Campaign for Youth Justice, "Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America, Campaign for Youth Justice", p. 4, [http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing\\_Juveniles\\_Report\\_2007-11-15.pdf](http://www.campaign4youthjustice.com/Downloads/NationalReportsArticles/CFYJ-Jailing_Juveniles_Report_2007-11-15.pdf) (November 2007).

<sup>13</sup> Harlow, C. "Education and Correctional Populations", U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics Special Report, Table 3, p. 4, <http://www.ojp.gov/bjs/pub/pdf/ecp.pdf> (January 2003).

<sup>14</sup> Centers for Disease Control and Prevention, "Task Force Recommends Against Policies and Laws Facilitating Transfer of Youth to the Adult Justice System to Reduce Violence among Transferred Youth," Guide to Community Preventive Services, [http://www.thecommunityguide.org/violence/Violence-YouthTransfer\\_rev.pdf](http://www.thecommunityguide.org/violence/Violence-YouthTransfer_rev.pdf) (April 13, 2007).

<sup>15</sup> Campaign for Youth Justice, <http://www.campaignforyouthjustice.org/> (accessed November 18, 2010)