

April 10, 2009

The Honorable Herb Kohl
Judiciary Committee Member
United States Senate
330 Dirksen Senate Office Building
Washington, D.C. 20510

Attention: Caroline Holland, Counsel

Dear Senator Kohl,

The National Network for Youth, the national voice for runaway and homeless youth and programs that represent them in every state, applauds your leadership upon the introduction of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009(S.678) and the many progressive provisions in the bill. We thank you for your continued support to improve the conditions for runaway and homeless youth both in and out of the juvenile justice system.

The Network played an advocacy role in the passage of the original Juvenile Justice and Delinquency Prevention Act in 1974 as well as in subsequent reauthorizations of the Act. As advocates for and voices of our youth, our Network is especially enthusiastic about the findings and philosophy that undergird the entire Reauthorization, including recognition of the value of prevention, developmentally appropriate services and sanctions for youth to help prevent youth crime and to successfully intervene with youth in the system, and a continuum of programs to address the needs of at-risk youth. This legislation has been written based on research and realities. It would bring our federal juvenile justice laws into the 21st century.

Today, the Network applauds the progress you have made with respect to the provisions on deinstitutionalization of status offenders, one of the core requirements of the original Act. Reducing and eliminating as soon as is feasible the confinement of status offenders is vital. The increasing use of arrests and limited custody by police to deal with status offenders is contrary to the original intentions of the Act, is counterproductive, and is unnecessarily costly. In 2004 approximately 400,000 status offenders were arrested or held in limited custody by police, accounting for approximately twenty percent of juvenile arrests. The provisions of the 2009 Reauthorization will move the system in a positive direction.

The Reauthorization authors' provision to end the use of the Valid Court Order for secure detention of juveniles recognizes the huge damage that the VCO currently inflicts on our youth whose crime is defined by their age. The provision that limits secure detention to seven days during the phase-

out period recognizes the increased danger to status offenders as a result of secure detention. Finally, the provision that provides for more analysis of the status offender issue, including new language that includes a breakdown by type of offense and disposition in the report to be made to Congress, can do much to prevent the recurrence of the problem in line with one of the Juvenile Justice and Delinquency Prevention Reauthorization Act's major purposes – prevention. Other provisions in the Reauthorization, such as new language on subjects for the use of juvenile justice block grant funding, are valuable because they specifically recognize the need to work with the status offender population.

While the Network supports the introduced bill as a real advance from the current federal statute, it will continue to work within the legislative process and with Reauthorization leaders in the Congress for provisions that will mean a once-and-for-all elimination of the use of the Valid Court Order to confine status offenders, and also provisions that will reduce to a minimum the amount of time that a status offender can be held in secure detention as well as a prohibition on the number of times that the VCO can be used for disposition of a particular status offender.

With your introduction of the Juvenile Justice and Delinquency Prevention Act Reauthorization of 2009, we now have the opportunity to help advance a more fair and effective juvenile justice system in our country and to join a constructive debate on what is in the best interests of all our young people and our society. We thank you for that opportunity, and look forward to working with you in the future.

Sincerely,

Victoria A. Wagner
President and Chief Executive Officer
National Network for Youth