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Rehabilitating juvenile justice

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For the first time in more than 20 years, Congress will take up the issue of providing justice and rehabilitation for children in the juvenile justice system. Considering all the hard science and hard lessons we've learned about what happens when we try to "punish" juvenile offenders the same way we punish adults, the Senate should throw its full support behind S3155, the Juvenile Justice and Delinquency Prevention Reauthorization Act.

Sponsored by Sens. Patrick Leahy, D-Vt., Herbert Kohl, D-Wis., and Arlen Specter, R-Pa., S3155 would encourage states to keep youth in juvenile facilities (rather than holding them in adult jails before their trials), look for ways to address racial disparities in the juvenile justice system (a particular problem in California), and tighten loopholes that allow judges to detain children who have committed nondelinquent status offenses - running away from home, truancy, curfew violations and other infractions that are not crimes once the defendant is an adult. There is significant evidence that detaining status offenders is less effective than providing alternatives and can be harmful to a young person's development.

"There's been so much neurological research and outcome research into juveniles in the last 20 years that shows how powerful rehabilitation can be for a young person whose brain is still developing," said Carol Chodroff, advocacy director of Human Rights Watch's U.S. program in Washington, D.C. "People are starting to realize that it works, that it saves money and kids, and that's why this bill is so important."

When the Senate's Committee on the Judiciary votes on S3155 this week, it needs to also pass an important amendment that draws on these bodies of research to provide mental health assessments for juveniles going into the system. Sen. Edward Kennedy, D-Mass., authored this amendment as a way to provide treatment and diversion options for the children who come into the juvenile justice system as a result of mental illness or substance abuse - a whopping 70 percent of them, according to Chodroff.

We particularly urge Sen. Dianne Feinstein, D-Calif., to support this amendment when it comes before the committee.

The Kennedy amendment will help bring the United States into compliance with international charters we have signed on civil and political rights, which is a nice bonus.

But just as important as the promises we made to other countries are the promises that we've made to our children at home.

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