



A CAMPAIGN OF THE JUVENILE JUSTICE & DELINQUENCY PREVENTION
COALITION

—the collective voice of more than 150 organizations nationwide—
www.act4jj.org

Take Action Toolkit

**Reauthorize the Federal Juvenile Justice and
Delinquency Prevention Act (JJDPA) NOW!**



August, 2007

Dear Colleagues,

The ACT 4 Juvenile Justice (ACT4JJ) is a campaign of the National Juvenile Justice and Delinquency Prevention Coalition composed of juvenile justice, child welfare and youth development organizations exploring opportunities related to the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA), scheduled for the 110th Congress.

The purpose of this toolkit is to provide you with the necessary tools to TAKE ACTION, as Congress considers the reauthorization and reform of the JJDPA. Last reauthorized in 2002, the reauthorization of the JJDPA presents us with a grand opportunity to build on past progress, tackle continuing challenges and improve the JJDPA to produce better outcomes for children, youth, families and communities. ACT4JJ seeks to strengthen the federal-state partnership created by the JJDPA by ensuring states receive the federal resources needed to sustain current, and birth new, evidenced-based practices and programs to help states and local jurisdictions fulfill both the letter and the spirit of the JJDPA.

In taking action, you will be joined by many other concerned citizens in sharing your views on the need to reauthorize and reform the JJDPA, this year.

Together we can make a difference in the lives of children and youth, please join us.

Sincerely,

ACT 4 Juvenile Justice

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WHAT IS THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT (JJDP A)?

Established in 1974 and most recently reauthorized in 2002, the JJDP A is bipartisan act that is based on a broad consensus that youth and families involved with the juvenile and criminal courts should be guarded by federal standards for care and custody, while also upholding the interests of community safety.

Why is the JJDP A important? The JJDP A sets out federal standards for the custody and care of youth in the juvenile justice system. These standards include four core protections that help ensure the health and well-being of youth:

- **The Deinstitutionalization of Status Offenders (DSO)** keeps status offenders out of secure facilities;
- **Adult Jail and Lockup removal (Jail Removal)** prevents youth from being confined with adults in adult facilities;
- **“Sight and Sound Separation”** provides that when youth are held with adults (as occurs in limited instances) they be separated by both sight and sound from adult offenders;
- **The Disproportionate Minority Contact (DMC)** provision mandates that states address the disproportionate contact of youth of color at key contact points in the juvenile justice system – from arrest to detention to confinement.

WHY IS REAUTHORIZATION URGENT?

For the first time in **over twenty years**, we have a Congress in place that is ready and willing to strengthen, rather than weaken, the four core protections mentioned above. Currently, juvenile arrest rates are at a historic low, and the continuing success of effective juvenile crime prevention and deterrence depends on Congress strengthening these protections and providing the funding needed to fulfill such provisions to the greatest extent possible. *We need you to urge your friends, family members, and colleagues to support the reauthorization of this vital act **this year**.*

SO WHAT CAN YOU DO TO TAKE ACTION?

Share this Action Packet with your friends, family, neighbors, and colleagues- encourage them to take action too!

- Start a postcard campaign in your neighborhood.
- Send an action alert to your friends, family and colleagues, urging them to get involved
- Write a letter to the editor of your local paper.
- Call, write, or visit your legislator: Use the enclosed talking points and sample letter to educate your legislator about the importance of reauthorizing this vital piece of legislation this year.
- Join the Act-4-JJ e-mail list by signing up at: info@act4jj.org to receive regular updates and news from the campaign.

Sample Action Alert

Distributing an Action Alert is a crucial step in mobilizing your grassroots network into action.

- An Action Alert can be an email or flyer used to inform your allies about how to get involved and what they can do to take action.
- It should portray a sense of urgency, explain the impact of a specific piece of legislation, and provide the necessary contact information for communicating with policy makers.
- Your Action Alerts should have a unique and consistent look so that your readers will be able to quickly identify them. It is important to keep the Action Alert as succinct and easy to read as possible.
- If additional background information is needed, be sure to create a fact sheet.

Action Alert (date)

Immediate Action Required

Federal Legislative Alert:

Join Youth, Parents, Advocates, Juvenile Justice Practitioners and Youth Service Providers from Across the Country in Urging the U.S. Congress to **Reauthorize the Juvenile Justice and Delinquency Prevention Act.**

Please call, fax, or email your U.S House Member and Senators today and ask them to reauthorize the Juvenile Justice and Delinquency Prevention Act this year!

What You Need to Know:

Youth, Parents, Advocates, Juvenile Justice Practitioners and Youth Service Providers from across the country are currently urging the U.S. Congress to reauthorize the JJDPA this year. Your voice is needed today to send the message to Congress that reauthorization of the JJDPA should be a top priority. We need your help in reaching out to members of the U.S. House and Senate today to ask them to support reauthorization of this vital piece of legislation.

For the first time in over twenty years, we have a Congress in place that is ready and willing to strengthen, rather than weaken, the four core protections mandated by the JJDPA. Currently, juvenile arrest rates are at a historic low, and the continuing success of effective juvenile crime prevention and deterrence depends on Congress strengthening these protections and providing the funding needed to fulfill such provisions to the greatest extent possible.

Reauthorization will allow Congress to strengthen the four core protections mandated by the JJDPA by adhering to four basic but essential principles:

1. Keep children and youth out of the justice system.
2. Ensure equity and competence.
3. Ensure responses appropriate to a young person's age and stage of development.
4. Strengthen the federal partnership with state and local governments.

Reauthorization of the JJDPa now is our opportunity to ensure that youth and children are kept out of the juvenile justice system whenever possible, and protected within the system when necessary. A more detailed description of the four core protections and the statement of principles can be found at www.act4jj.org

What You Need to Do:

Call, fax, or email your U.S House Member and your two Senators in Washington, D.C. In order to determine your Congressional member's contact information in D.C. please visit: <http://capwiz.com/etp/dbq/officials/>

What You Need to Say:

I live in Representative or Senator _____'s district and I would like to ask Representative or Senator _____ to push for reauthorization of the Juvenile Delinquency and Prevention Act this year. It is important to act as quickly as possible to support a reauthorization that would strengthen the four core protections mandated by the JJDPa so that youth and children can be kept out of the juvenile justice system whenever possible and protected within the system when necessary.

Tips on Contacting Your Members of Congress

How to voice your opinion to a Member of Congress and/or their staff over the phone:

Before calling, research the JJDPa at www.act4jj.org and note the particular issues that you wish to comment on, along with any facts and figures you feel are helpful in getting your point across. Jot down notes as to what you will discuss.

If you are organizing a group of people to make calls, draft an "action alert" with a "call script" including suggested points to raise on the phone call along with a list of key legislators and their phone numbers. *[A sample action alert and call script is included in this guide for your convenience.]*

Call during regular business hours, 9am to 5pm Monday-Friday.

Introduce yourself with your full name, and be polite throughout the conversation. Your Member of Congress is not likely to respond directly to your call, so ask for a staff member who handles juvenile justice issues and ask the staff to relay your concerns to the Member of Congress. Make sure you write down the full name of the staff member you talked to for future reference.

Make your concerns known. Bring up specific issues you made notes about earlier, and make sure that you sound sincere about your viewpoint without being overly emotional. Speak slowly and clearly, so the person listening can take any necessary notes.

Once you have voiced your concerns, give the staff member your name and address and ask for a written response. Also tell them you will call them back to find what specific steps they have taken to address your concerns.

When you are done with the conversation, politely thank the person on the other end for their time and consideration.

SAMPLE PHONE MESSAGE

I live in Representative or Senator _____'s district and I would like to ask Representative or Senator _____ to push for reauthorization of the Juvenile Delinquency and Prevention Act (JJDPa) this year. It is important to act as quickly as possible to support a reauthorization that would strengthen the four core protections mandated by the JJDPa so that youth and children can be kept out of the juvenile justice system whenever possible and protected within the system when necessary.

Thank you for your time and consideration.

How to Set Up a Meeting

Call your Members of Congress' offices several weeks in advance to set up a brief appointment (e.g. 15 minutes).

Ask for the staff member who handles his/her schedule.

Be sure to write down the date, time and who you spoke with (so you have a record).

Confirm the appointment in writing (e.g. write a brief letter; include the purpose, who will attend, and the date).

In many cases, you will need to mail or fax a "request" letter for the meeting, noting the issues you'd like to discuss, and include a list of who will be attending the meeting. [*A sample meeting request letter is included in this guide for your convenience*].

Call to reconfirm with the staff the day before.

Provide staff with a list of participants (if there are others with you).

If you are with a group, set up a "prep" meeting to discuss agenda, assign a facilitator and be sure that everyone has an opportunity to speak.

Prepare a one -page fact sheet as a "leave behind" info sheet for the legislator and staff.

Arrive early.

Be courteous, respectful and brief.

Be sure to ask the Member of Congress questions and listen to their concerns.

Don't underestimate the importance of staff.

Thank the Member of Congress.

Follow up with a thank you including your key points.

Call staff to follow up as well.

Sample Letter Urging the Reauthorization of the JJDP

[insert date]

The Honorable [insert name of legislator]

Address

City, State Zip

Dear Representative/Senator [insert last name of legislator];

This year the Juvenile Justice and Delinquency Prevention Act is scheduled for reauthorization and I am writing to encourage you to support this reauthorization. The JJDP has, for more than 30 years, provided direction and support for juvenile justice system improvement and significantly contributed to the reduction of juvenile crime and delinquency. The JJDP reauthorization should follow these four key principles:

1. **Keep children and youth out the justice system:** Whenever possible, keep children and youth out of the juvenile and criminal justice system by addressing their needs and those of their families early and effectively.
2. **Ensure equity and competence:** Do everything possible to ensure equity and competence with regard to race, ethnicity, culture, language, sex and sexual orientation, in legal representation before the courts and throughout all juvenile justice system practices and policies.
3. **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 age appropriate manner and provided with the developmentally appropriate, evidence-based services and supports. Ensure, when needed, that sanctions are appropriate to a youth's age and offense.
4. **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 JJDP, to fully comply with its core protections and to ensure state and local adherence to high standards of performance.

It is urgent that the JJDP be reauthorized this year so that young people can continue to be protected by the JJDP. The continuing success of effective juvenile crime prevention and deterrence depends on Congress strengthening both the provisions of the JJDP, as well as the funding resources needed to fulfill such provisions to the greatest extent possible. Thank you.

Sincerely,

[insert your name, address and phone #]

Sample Meeting Request

[insert date]

The Honorable [insert name of legislator]

Address

City, State Zip

Dear Representative/Senator [insert last name of legislator];

On behalf of [your group], we would like to set up a brief meeting with you some time within the next several weeks about an issue of concern to us: the reauthorization of Juvenile Justice and Delinquency Prevention Act (JJDP A).

It is urgent that the JJDP A be reauthorized this year so that young people can continue to be protected by the four core protections in the JJDP A. The continuing success of effective juvenile crime prevention and deterrence depends on Congress strengthening both the provisions of the JJDP A, as well as the funding resources needed to fulfill such provisions to the greatest extent possible.

We appreciate your consideration and will be in touch with your staff to follow up. In the meantime, we can be reached at [insert phone #].

Sincerely,

[Your name, address, and phone number]

Sample Letter to the Editor

Reauthorize the Juvenile Justice & Delinquency Prevention Act

[*Newspaper*]

[*Date*]

[*Reference to recent article/editorial/event*]

This year Congress has the opportunity to demonstrate a commitment to our nation's youth by reauthorizing the Juvenile Justice and Delinquency Prevention Act (JJJPA). For over thirty years, this act has been instrumental in protecting young people in the juvenile justice system by keeping status offenders out of secure facilities; keeping youth out of adult lock-ups and jails; and addressing the disproportionate contact that youth of color have with the justice system.

To strengthen these protections for children, Congress should make a commitment to reauthorize the JJJPA **this year** and should adhere to the following principles:

1. Keep children and youth out of the justice system whenever possible.
2. Ensure equity and competence.
3. Ensure responses appropriate to a young person's age and stage of development.
4. Strengthen the federal partnership with state and local governments.

A National Council on Crime and Delinquency poll shows that most Americans support rehabilitative services for youth over incarceration, and the principles highlighted above will help ensure that more youth gain access to rehabilitative programs that work.

Encourage our state's congressional delegation to demonstrate their commitment to youth in our state and to public safety by supporting this reauthorization effort this year.

Sincerely,

[*Your name and address*]

Sample Press Release

For Immediate Release

[Date]

Contact: *[contact name]* (office) *[phone number]* (cell) *[phone number]*

Local groups call on [state's] Congressional delegation to pass juvenile justice bill *[insert #] organizations sign letter calling for reauthorization of the JJDPA*

(Your city; state) – Today *[group]* called on members of the *[state's]* Congressional delegation to pass legislation reauthorizing the Juvenile Justice and Delinquency Prevention Act (JJDPA) to protect children and provide resources for vital juvenile justice programs.

"It is critical that Congress reauthorize the JJDPA this year," says *[Name]* of *[Organization]*. "Our state's delegation is in a position to help protect children by keeping them out of the justice system and making every effort to provide appropriate rehabilitative services through this legislation."

Established in 1974 and most recently authorized in 2002 with bipartisan support, the JJDPA is based on a broad consensus that children, youth and families involved with the juvenile and criminal courts should be guarded by federal standards for care and custody, while also upholding the interests of community safety and the prevention of victimization. The JJDPA include four core protections: keeping status offenders out of secure facilities, keeping youth out of adult facilities, separating those youth who are in adult facilities from adult offenders by both "sight" and "sound," and assessing and addressing the disproportionate contact that minority youth have with the justice system.

"The JJDPA has protected youth in our state's juvenile justice system for over thirty years, and by reauthorizing it this year, *[member of Congress name]* can demonstrate their commitment to our state's young people," says *[Name]* of *[Organization]*.

[Insert group] signed a statement along with dozens of state and national organizations from around the country urging members of Congress to continue the success of the JJDPA by reauthorizing the Act and strengthening the core protections.

[Insert information about your organization or coalition]

For more information on the effort to reauthorize the JJDPA, visit www.act4jj.org to read the statement of principles and learn more about the four core protections for children.

Sample Postcard

Use this postcard template to start a postcard campaign.

Dear _____,

As a constituent of your district, I ask for your support for the reauthorization of the **Juvenile Justice Delinquency and Prevention Act (JJDP)**. I believe your support is necessary to ensure the safety of our youth. The four main points of the JJDP Reauthorization include:

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.

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.

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 age-appropriate manner and provided with developmentally appropriate, evidenced-based services and supports. Ensure, when needed, that sanctions are appropriate to a youth's age and offense.

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 JJDP, to fully comply with its core requirements/protections and to ensure state and local adherence to high standards of performance.

Thank you for your support.

Sincerely,

[insert your name and address]

JJDPA Reauthorization Background Information:

The following talking points include background information on the four core protections, the importance of each protection in the lives of youth, and some current issues surrounding the protection. Use these talking points to educate your Members of Congress on the importance of reauthorizing the JJDPA **this year**.

1) DEINSTITUTIONALIZATION OF STATUS OFFENDERS: Status offenses are those that apply only to children under the age of 18, such as skipping school, running away, and breaking curfew. Status offenders may not be held in secure detention or confinement, but there are exceptions to this core protection.

Background: Legislative history indicates that this provision was put into place in order to insure that status offenders, who may have unmet mental health or educational needs receive the services they need through the appropriate human services agency. This allows the juvenile justice system to focus on children engaged in criminal behavior.

Importance of the Core Protection:

- Detention is more expensive and less cost-effective than detention alternatives, such as mentoring, aggression replacement training, and therapy.
- Detention contributes to recidivism because children held in secure facilities are exposed to negative influences, and may respond to the stigma of detention and the resulting negative expectations of others by "acting out."
- Detention interrupts education and detained youth often fail to return to school after release.
- Detention aggravates mental health problems, and approximately 2/3 of detained children have a mental disorder.

Current Issues:

- The valid court order exception (VCO) was added to the JJDPA in the 1980s and allows judges to incarcerate status offenders who violate a valid court order. Despite the DSO protection, status offenders are detained in secure facilities.
- Status offenders may not have access to due process protections provided to other offenders and may not get access to services they deserve.
- Girls are disproportionately affected by the DSO exceptions. Criminalization of status offenses through the VCO may contribute to the increasing numbers of girls in the criminal justice system.

2) REMOVAL FROM ADULT JAIL AND LOCK-UP: Youth may not be detained in adult jails and lock-ups except in limited circumstances and when they are tried or convicted in the adult criminal justice system.

Background: Added in the 1980s, this provision was designed to protect children from psychological abuse, physical assault, and isolation. According the studies done by the Department of Justice, children housed in adult jails are eight times more likely to commit suicide, two times more likely to be assaulted by staff, and fifty percent more likely to be attacked with a weapon than children in juvenile facilities.

Importance of the Core Protection:

- Evidence does not support the use of harsh, adult punishment to deter crime. Anti-social behavior in many youth is "adolescent-limited" and ends as the youth age, but incarceration may interrupt this process by separating the youth from school, community, and work environments that encourage mature behavior.
- Adult jails and correctional facilities do not offer age appropriate services for youth, limiting their educational opportunities and preventing them from receiving the rehabilitative services that may keep them from recidivating.

Current Issues:

- The number of youth in adult jails is increasing. According to the National Council on Crime & Delinquency (NCCD), between 1990 and 2004, the number of youth placed in adult jails increased by 208%.
- Children accused or convicted in the adult criminal justice system do not receive this protection and may be held in adult facilities. Forty states have laws that allow children prosecuted in adult courts to be placed in adult jails.

3) "SIGHT AND SOUND" SEPARATION: When children are placed in adult facilities, "sight and sound" contact with adults is prohibited. Regulations under the JJDP A prohibit clear visual contact and direct oral communication between adult and youth offenders.

Background: Youth in adult jails face a heightened risk of assault, and harm is not limited to physical contact. The "Sight and Sound" provision was added early in the development of the JJDP A in recognition of the psychological harm that can come to youth detained with adults.

Importance of the Core Protection:

- One 15 year-old, held in an adult jail in Virginia for nine months between 2005 and 2006, witnessed a suicide attempt and was placed in a cell unit with a sex offender.
- The "sight and sound" provision is meant to prevent such psychologically and physically harmful contact between youth and adult offenders.

Current Issues:

- Even when adult facilities provide for sight and sound separation, youth can suffer psychological harm because physical plant restrictions mean that such youth are often isolated.
- Youth who are prosecuted in the adult criminal justice system do not receive this protection and can be mixed in with the general population.

4) DISPROPORTIONATE MINORITY CONTACT: States are required to assess and address the disproportionate contact of youth of color at all points in the juvenile justice system - from arrest to detention to confinement.

Background: In the late 80s, a realization that youth of color come into disproportionate contact with the juvenile justice system led to the development of a core protection designed to reduce this disproportionate contact.

Importance of the Core Protection:

- While youth of color are disproportionately represented at all stages of the juvenile justice process, the rates of overrepresentation increase as children go through the system. African-American and Native American youth are more likely to be referred to court after arrest. African-Americans are also less likely than white youth to receive probation, and are five times more likely to be incarcerated.
- Communities of color, as well as individuals, are affected by this disproportionate contact because convictions and incarceration lead to decreased wage earnings and lower job security.

Current Issues

- Youth of color are more likely to be treated more harshly by the justice system than white youth, even when charged with similar offenses, according to the National Council on Crime & Delinquency's report, "And Justice for Some" released in February, 2007.

