

**Prepared Remarks for Ranking Member Jared Polis  
ECESE Subcommittee of the  
Committee on Education and the Workforce  
“Providing Vulnerable Youth the Hope of a Brighter Future  
Through Juvenile Justice Reform”  
10 am, Wednesday, February 15, 2017, 2175 RHOB**

Thank you Chairman Rokita, for organizing this hearing this morning, and I'd like to thank the witnesses for agreeing to testify today. I'm especially honored to have Ms. Williams on the panel to speak about the work being done in our home state of Colorado to provide meaningful prevention and intervention services to Colorado's juveniles.

While Congress is often seen as a hyper-partisan setting where many issues are divided along party lines, juvenile justice is an issue where both parties have traditionally worked together and developed policies with broad support. Just last Congress, our Committee reported out a bill to reauthorize the Juvenile Justice and Delinquency Prevention Act or JJDP, and that bill went on to pass the whole House by a vote of 382-29. That was the first time in the last 15 years that either chamber of Congress got a bill to reauthorize JJDP passed on their floor. In the spirit with which we came together to accomplish that last year, I hope that we can come together again this year and get a vehicle to reauthorize JJDP out of our committee, passed out of both chambers, and onto the President's desk for signature.

It has been over 100 years since we established a juvenile court system in America. The juvenile system was designed based on the idea that children were not merely small adults, and our response to their misconduct should be aimed at intervention and rehabilitation as opposed to a criminal justice response. Over the 20<sup>th</sup> century, state

juvenile justice systems evolved separately and without federal oversight. In time, many came to resemble adult systems, with little focus on children and their rehabilitation.

In response, Congress passed the Juvenile Justice Delinquency and Prevention Act in 1974. It creates the federal guardrails that protect our children in the juvenile justice systems in each state. JJDP has 3 main components. The act first established *core requirements and other mandates* states must adhere to regarding the treatment of children in the juvenile justice system. It *authorized formula and competitive grants* to help states run their juvenile justice systems in line with the federal requirements and provide delinquency prevention programs. Finally, it created the Federal *Office of Juvenile Justice Delinquency Prevention* (OJJDP) to oversee juvenile justice programs.

Since its adoption in 1974, JJDP has improved treatment overall for juveniles in the justice system and helped reduce disparities in treatment across states. A reauthorization of JJDP creates an opportunity to codify best practices that have emerged in various states over the past 15 years including, the use of evidence-based practices, the unique needs of girls in the juvenile justice system, the implementation of trauma-informed care, cost-effective alternatives to incarceration that do not harm public safety, and efforts to end the “School to Prison” pipeline by aligning school discipline policies and juvenile justice systems.

In my home state of Colorado we have made progress by reforming the procedures prosecutors use to charge juveniles in adult court. And just this year we were able to authorize retroactive elimination of juvenile life without parole for many young offenders.

And while I think that there are many things to celebrate, there are still some serious issues that we need to address in both the juvenile justice system and discipline procedures in our education system. One of those is the continued use of corporal punishment, seclusion and restraints in both our educational and juvenile justice systems.

There is no logical reason that in 2017, children can go to school in this country and be subject to physical punishments. But in 19 states that is still the case. Research shows us that corporal punishment is used disproportionately against minority students and students with disabilities. Former Education Secretary John King, in a November 2016 letter to state governors and chief school officers, called for the elimination of the practice, suggesting that in some states, the punishment could be legally classified as assault or battery.

*[ Committee staff have a copy of the letter to introduce into the record. ]*

And again this Congress, my good friend Alcee Hastings of Florida, has introduced bipartisan legislation to outlaw the practice in US schools. Just like the core protections of JJDP, we need to enact a federal floor of protection for students in schools and in juvenile facilities.

So in closing, I look forward to hearing from our witnesses and determining how we can support their work here in Congress and get to the point where children in every juvenile justice system have strong protections and the resources they need to turn their life around. Thank you Mr. Chairman, and I yield back.