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The Honorable Suzanne Bonamici, Chair

An Ounce of Prevention: Investments in Juvenile Justice Programs

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Good morning, Madame Chairwoman Bonamici, Ranking Member Fulcher, and distinguished members of the Subcommittee of Civil Rights and Human Services. Thank you for the opportunity and the privilege of testifying before you today.

My name is Naomi Smoot Evans. I have the honor of serving as Executive Director of the Coalition for Juvenile Justice, a nationwide coalition of State Advisory Groups (SAGs) and allies dedicated to preventing children and youth from becoming involved in the courts and upholding the highest standards of care when youth are charged with wrongdoing and enter the justice system. At CJJ, we envision a nation where fewer children are at risk of delinquency and if they are at risk or involved with the justice system, they and their families receive every possible opportunity to live safe, healthy, and fulfilling lives.

In recent decades we as a field have learned a great deal about what works, and what doesn't work, when it comes to addressing problematic youth behaviors. In its simplest and most succinct form: what works is prevention. Keeping young people out of the justice system is our best bet at safe and healthy children, families, and communities.

Research has shown that most young people who engage in delinquent behavior will age out of those behaviors without any intervention from the courts as they exit adolescence.[1] A growing body of knowledge about adolescent brain development has helped us understand that young people, and teens in particular, engage in many of these risky and thrill-seeking behaviors because the prefrontal cortex does not fully develop until well into a young person's 20s.[2]

Young people who find themselves in juvenile detention, however, have vastly different outcomes. One 2014 study found that among youth who were placed in detention, 40 percent ended up in prison by the age of 25.[3] The study found that youth who were incarcerated as minors were a full 23 percentage points more likely to end up in jail as an adult than youth who offended but were not placed in detention.[4] They also face increased risk of physical and sexual assault from their peers and staff inside facilities, and have higher rates of suicidal ideation.[5]

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[1] Moffitt, Terrie E. "Adolescence-Limited and Life-Course-Persistent Anti-Social Behavior: A Developmental Taxonomy." 1993. Available at: https://ibs.colorado.edu/jessor/psych7536-805/readings/moffitt-1993_674-701.pdf. Last viewed Sept. 5, 2022.
[2] Steinberg, Laurence. "A Social Neuroscience Perspective on Adolescent Risk-Taking." 2008. Available at: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2396566/. Last viewed Sept. 5, 2022.
[3] Sweeney, Chris. "**Juvenile Detention Drives Up Adult Incarceration Rates, MIT Study Finds." Available at:** https://www.bostonmagazine.com/news/2015/06/11/juvenile-detention-mit-study/. Last viewed Sept. 5, 2022.
[4] Id.
[5] Holman, Barry and Jason Ziedenberg. "The Dangers of Detention:

We as a society have long relied on detention and incarceration to keep our communities safe, but evidence shows that prevention is far better at preventing criminal behavior among youth. Early intervention through home visits from nurses, intellectual stimulation for preschoolers, and training to help parents gain necessary skills such as conflict management and appropriate behavioral responses, have proven to be particularly helpful. One study in Elmira, NY for example found that children of high-risk mothers who participated in Nurse Family Partnership programs were significantly less likely to be arrested by age 15 than their similarly situated peers.[6] Outcomes for girls in particular were especially positive in the study.[7]The well-known Perry Preschool project, meanwhile, provided a group of high-risk young people with quality preschool education. The children showed a number of positive, pro-social outcomes, including less than half the number of lifetime arrests as compared to other students in their community who did not receive a quality preschool education.[8] Parent training programs, meanwhile, such as those that help new mothers bond with their children and improve parent, child interaction have been shown to significantly reduce negative behaviors in children, and significantly increase children's social competence.[9]

Prevention programming is not just important for early childhood though. Research shows that prevention efforts, such as afterschool programming, can also help older youth as well. In Chicago, Ill., for example, the Becoming a Man (BAM) initiative was launched in 2001. This program works with at-risk boys to help them develop life skills and coping mechanisms. The University of Chicago examined outcomes from the program in the 2009-2010 school year, and then again in 2013 and 2015. They found that total arrests had decreased by 28-35 percent for program participants, violent crime among participants was reduced by 45-50 percent and

The Impact of Incarcerating Youth in Detention and Other Secure Facilities." The Justice Policy Institute. Available at: https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/dangers_of_detention.pdf. Last viewed Sept. 5, 2022.

[6] Welsh, Brandon C., Mark W. Lipsey, Frederick P. Rivara, J. David Hawkins, Steve Aos, and Meghan E. Hollis-Peel, "Promoting Change, Changing Lives: Effective Prevention and Intervention to Reduce Serious Offending," in *From Juvenile Delinquency to Adult Crime: Criminal Careers, Justice Policy, and Prevention*, eds. Rolf Loeber and David P. Farrington, New York: Oxford University Press, 2012: 245-277.

[7] *Id.*

[8] Loeber, Rolf, David P. Farrington, and David Petechuk. "Child Delinquency: Early Intervention and Prevention." p. 10. May 2003. Available at: https://www.ojp.gov/pdffiles1/ojjdp/186162.pdf. Last accessed Sept. 5, 2022.

[9] "Parent Training." P. 4. OJJDP. Available at: https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/parent_training.pdf. Last accessed Sept. 5, 2022.

recidivism was reduced by 21 percent.[10] After school programs for teens have also been shown to reduce risky behaviors such as the use of drugs and alcohol, and to reduce teen pregnancies.[11]

Not only do these prevention strategies work better, they cost less. The National Institute of Justice reports that Multi-System Therapies (MST) results in $3 of community savings for every $1 expended. Functional Family Therapy (FFT) results in $10 in savings to the community for every $1 expended, and employment training in the community results in $12 in costs saved per $1 expended.[12]

Despite this, states continue to spend nearly $5.7 billion per year to incarcerate young people, the majority of whom are there for probation violations and other low level offenses.[13] That averages out to $240 a day or $88,000 per year, per child.[14] This is nearly six times higher than the $15,621 we spend on a per pupil basis on elementary and secondary education in the United States[15], and almost 9.5 times higher than the $9,400 average cost of room and board at a public university during the 2020-2021 school year.[16] The benefits that we as a society receive from a well-educated populace are widely known and essential to our ability to compete in a global market.

This brings perhaps to an even more glaring light the irony of both our heavy investment in youth incarceration, and its heavy toll on our communities, particularly Black and Brown communities where youth continue to be disproportionately incarcerated as compared to their white peers who engage in similar behaviors. Between two-thirds and three-fourths of incarcerated ninth graders, for example, will drop out of school within a year of reenrolling, and only 15 percent of those same 9th graders will complete secondary education.[17] Adding yet another obstacle in the way for our children.

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[10] Manheimer, Susan and Joshua Spaulding. "After School: The Prime Time for Juvenile Crime." Aug. 5, 2020. Available at: https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/. Last accessed Sept. 5, 2022.

[11] *Id.*

[12] "From Youth Justice Involvement to Young Adult Offending." National Institute of Justice. March 10, 2014. Available at: https://nij.ojp.gov/topics/articles/youth-justice-involvement-young-adult-offending. Last accessed Sept. 5, 2022.

[13] "The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense." Justice Policy Institute. May 2009. Available at: https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/09_05_rep_costsofconfinement_jj_ps.pdf. Last accessed Sept. 5, 2022.

[14] *Id.*

[15] National Center for Educational Statistics. Available at: https://nces.ed.gov/fastfacts/display.asp?id=66. Last accessed Sept. 5, 2022.

[16] National Center for Educational Statistics. Available at: https://nces.ed.gov/fastfacts/display.asp?id=76. Last accessed Sept. 5, 2022.

[17] "Dangers of Detention." P. 9.

The counter is not true though. While we as a society have long clung to the belief that incarceration results in community safety and reduces crime, the data paints a different picture. Research shows that in the criminal justice space, there is little if any correlation between increasing prison populations and reducing crime in communities.[18] Studies have also shown that states that incarcerate more youth do not see correlating drops in crime.[19] Instead, in recent decades, as youth prison populations have dwindled thanks to initiatives by the Annie E. Casey Foundation, the MacArthur Foundation, and others, so too have youth crime rates.

In 1994, data shows that detention was used at some point between a case's referral to court and a case's disposition in 21 percent of all of the 1.5 million juvenile delinquency cases the courts handled that year.[20] Roughly 321,200 cases resulted in a young person's detention in 1994.[21] In 2018, the most recent year for which data is available, 195,000 young people were placed in detention.[22]

Data shows that youth crime has also decreased during this time. A report released earlier this summer by The Sentencing Project showed that between 2000 and 2019, the youth's crime share fell by over half and was reduced in all major crime areas.[23] Individuals under 18 accounted for 15 percent of the crime share in 2000, but that number had dropped to only 7 percent in 2019.[24] In a statement from the Office of Juvenile Justice and Delinquency Prevention on Aug. 23, the office reported that the estimated number of youth arrests for violent crime, also continues to be on the decline.[25] Such arrests are down 78% from their peak in 1994, according to a new report from the Office of Justice Programs' Office of Juvenile Justice and Delinquency Prevention and National Institute of Justice.[26]

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[18] "Costs of Confinement."
[19] *Id.*
[20] "Juvenile Court Statistics 1994." P. 5-7. Office of Juvenile Justice and Delinquency Prevention. Available at: https://www.ojp.gov/pdffiles/163709.pdf. Last accessed Sept. 5, 2022.
[21] *Id.* p. 8
[22] "Juvenile Detention Explained." Annie E. Casey Foundation. March 26, 2021. Available at: https://www.aecf.org/blog/what-is-juvenile-detention. Last accessed Sept. 5, 2022.
[23] Van Bramer, James. "Youth Crime Decline Challenges Assumptions About Pandemic Impact." June 14, 2022 Available at: https://thecrimereport.org/2022/06/14/youth-crime-decline-challenges-assumptions-about-pandemic-impact/. Last accessed Sept. 5, 2022.
[24] *Id.*
[25] "Youth Arrests for Violent Crime in 2020 Drop to New Low." Office of Justice Programs. Aug. 23, 2022. Available at: https://www.ojp.gov/news/news-release/youth-arrests-violent-crime-2020-drop-new-low. Last accessed Sept. 5, 2022.
[26] Puzzanchera, Charles. "Trends in Youth Arrests for Violent Crimes." August 2022. Available at: https://ojjdp.ojp.gov/publications/trends-in-youth-arrests.pdf. Last accessed Sept. 5, 2022.

We are equipped now in a way that we have never been before to keep our kids and communities safe. We know what works through data and research, and we have the tools to invest in those programs thanks to the 2018 Juvenile Justice Reform Act and its Youth PROMISE grants program.

The Youth PROMISE grants create a unique opportunity for communities to create local boards to examine their own local needs and create a plan to prevent youth crime and help keep kids on track. Recipients are required to provide matching dollars to help build on federal investment. This approach is critical in giving communities the opportunity to address their individual challenges in ways that will work based on their own strengths and needs. Programs that are permitted for funding under the PROMISE grant program include the same ones we talked about just a moment ago that are proven to help young people succeed: home health nurses, opportunities for intellectual stimulation, and supports for parents. The program also provides for after school supports and tutoring for young people in middle and high school, and provides a community with opportunities to wrap around their young people from infancy through adolescence. Sadly, Congress has yet to appropriate significant funding to fully realize the potential of the Youth PROMISE grants program.

Title II of the Juvenile Justice and Delinquency Prevention Act also provides critical investment in prevention and intervention. Title II can be used, among others things, for after school programs so that at-risk youth can access tutoring, mentoring, and other educational enrichment services. These grants can also be used for counseling, and on-the-job training for youth who are at-risk for becoming involved in the justice system, those who are currently involved in the justice system, and those who have a parent who involved in the justice system.

Title II of the JJDPA is currently funded at $70 million and has increased $10 million since the JJDPA was last reauthorized in 2018. Congress and the Administration have recognized the importance of this program, with the House proposing an additional $5 million increase in Title II funding for Fiscal Year 2023.

Other programs that can also help support prevention initiatives, however, have gone unfunded for many years. The once robust Juvenile Accountability Block Grant program provided $249.5 million for a full spectrum of youth justice programs, helping support prevention and intervention services, as well as programs for young people who found

themselves in the system's deep end. By Fiscal Year 2013, that program had dwindled to $25 million. Since then, the program has gone unfunded.

I urge Congress to invest in what works and ensure that funding is available for communities to continue to do what works for our kids by deepening their investments in prevention initiatives that help our kids stay in the classroom and ensure they never step foot in the courtroom.

Thank you again for the opportunity to testify before you today. I appreciate your time and your commitment to our young people and their families.