



# OPENING STATEMENT

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

## Opening Statement of Chair Bonamici (OR-01)

Subcommittee on Civil Rights and Human Services Hearing

*"Examining Ways to Improve the Juvenile Justice System and Support America's Young People"*

Hybrid Hearing

Tuesday, May 17, 2022 | 9:00 a.m.

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Today's hearing will focus on how we can improve the juvenile justice system and better support America's young people.

This is a particularly relevant topic as we commemorate the 68th anniversary of the Supreme Court's decision in *Brown v. Board of Education*. Despite the initial progress we made following this historic decision, our public schools are more segregated by race and class today than at any time since the 1960s. And we know racially isolated and under-resourced schools contribute to the school-to-prison-pipeline and harm students' academic and social development.

Children flourish when they have consistent, nurturing adults in their lives. When these supports are not available, children are more likely to become delinquent and at risk of being removed from their home or family.

Today, tens of thousands of children are in out-of-home placements, both in juvenile detention facilities and congregate care facilities. Tragically, these facilities have often been found to increase exposure to trauma and negatively affect children's education—all in the name of treatment.

The use of congregate care facilities instead of investing in a humane child welfare system can have dire consequences. My home state of Oregon has shifted away from and overhauled accountability for the congregate care system, largely thanks to the advocacy of my friend and former colleague, Oregon State Senator Sara Gelsler Blouin. Last year I met with Senator Blouin and a survivor of the congregate care system, Uvea Spezza-Lopin, who had been sent to a facility out of state and regularly sedated, restrained, and locked in a seclusion room. Uvea showed great courage by sharing her story and standing up against abuse in this system. I also met with advocates in my office just last week, who also spoke out about unfair and abusive treatment. We must follow their inspiration and advocacy and act to improve these systems.

In addition to the steep challenges of congregate care facilities, the juvenile justice system is still falling short of its intended purpose: to focus on the best interests of children by rehabilitating and reintegrating rather than punishing them.

An under-resourced juvenile justice system – coupled with zero tolerance policies and increased policing in schools – has led to a system that disproportionately polices the lives of Black and Brown boys and girls, offering no meaningful intervention and eventually feeding into the adult criminal justice system. In other words, the juvenile justice system has become a core contributor to the school-to-prison pipeline.

The federal government has an important role. In 1974, Congress passed the *Juvenile Justice Delinquency and Prevention Act*, which implemented three core components: First, it established core protections that states must

follow to protect children in the juvenile justice system. Second, it authorized formula grants to help states run their juvenile justice systems. And finally, it created the Justice Department's Office of Juvenile Justice Delinquency Prevention, or the O-J-J-D-P, to oversee juvenile justice programs.

In 2018, Congress updated this law to strengthen the core protections for children under J-J-D-P-A and focus on addressing racial disparities in our juvenile justice system. Although this reauthorization was the result of bipartisan efforts to align juvenile justice systems with evidence-based policies, many states have experienced challenges implementing the law.

For example, the Trump Administration did not provide adequate implementation guidance to states, even though many states were non-compliant with their responsibilities under J-J-D-P-A.

The COVID-19 pandemic has also posed challenges for states to implement the requirements and monitor state juvenile justice facilities. As we continue to recover, we hope to work with states and the O-J-J-D-P to provide the guidance necessary and help states meet children's needs.

A recent GAO report requested by Chairman Scott also found that inadequate coordination between local, state, and federal agencies can result in abuse in residential facilities serving youth in foster care and youth with disabilities going undetected or unaddressed. In addition to this G-A-O report, I joined my colleagues in seeking additional oversight action from the Inspector General of the Department of Health and Human Services.

To address these challenges, we must secure the necessary funding that the federal government needs to fulfill the promise of J-J-D-P-A and meet the needs of America's youth. One piece of legislation to help achieve that goal is the *Stronger Child Abuse Prevention and Treatment Act*. This bill increases funding for child abuse prevention and treatment to keep more families together and lower the number of young people funneled into out-of-home placement. I was pleased to support this legislation when it passed the House last year and urge my colleagues in the Senate to take it up to follow through on our promise to protect our nation's children from abuse.

The work we do today will affect generations of children who need support—support we can provide—to lead fulfilling lives. Our discussion—and our commitment to strengthening the juvenile justice and child welfare systems—must be treated with the urgency this important issue demands.

Thank you, and I look forward to a meaningful discussion today.