

The Juvenile Justice and Delinquency Prevention Act (JJDPDA): Investing in What Works

First enacted in 1974, the JJDPDA is and was a bi-partisan response to the ills that exist within our juvenile justice systems.

In the United States, there is no national, centralized juvenile justice system. Rather, there are more than 56 different juvenile justice systems independently operated by the U.S. states, territories, the District of Columbia and local governments. Consequently, policies and procedures vary widely from state to state and among local jurisdictions. Too often, the result is a patchwork quilt of juvenile justice systems that has the potential to produce inconsistent outcomes for youth, families and communities, including youth exposure to physical, mental and emotional injury.

In the absence of a centralized system, the federal role in juvenile justice prior to the 1960's was limited and had little impact on the way states dealt with youth at risk of delinquency or accused and adjudicated for a delinquent offense. To address inconsistencies and to improve outcomes for youth and community safety, in 1974 Congress passed the Juvenile Justice and Delinquency Prevention Act (JJDPDA) and changed the way in which states approach juvenile justice.

What is the JJDPDA?

The JJDPDA was last reauthorized in 2002, and was reintroduced in December 2014 by Sen. Sheldon Whitehouse (D-RI) and Sen. Charles Grassley (R-RI).



The JJDPDA

The current law includes four core requirements that help protect some of our most vulnerable youth:

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| One | Youth cannot be incarcerated for status offense behaviors. |
| Two | Youth must be removed from adult jails and lockups. |
| Three | Youth who, under rare exceptions, are housed in adult facilities, must be separated from adults by sight and sound barriers. |
| Four | States must address disproportionate minority contact within their systems. |

To learn more about the JJDPDA visit:
www.juvjustice.org

The JJDPa creates a federal-state partnership for the administration of juvenile justice and delinquency prevention. The JJDPa also sets forth federal standards to ensure a minimum level of safety and equitable treatment for youth who come into contact with the juvenile justice system. To be eligible for the funds provided under the JJDPa, each state must comply with four core requirements/protections.

The JJDPa also establishes the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In order for the federal government to function as a responsive and responsible partner with all states under the JJDPa, it is critical that juvenile justice have a dedicated focus and a “home” within the federal government, distinct from a larger focus on criminal justice. OJJDP is the only federal agency charged solely with fulfilling this role.

Sen. Grassley and Sen. Whitehouse’s bill, known as S. 2999, would strengthen the core protections afforded under the JJDPa.

The benefits of the JJDPa

Prevent and reduce delinquency. Advances in adolescent brain science demonstrate that children and youth are different from adults and that they should be held accountable in different ways. The Supreme Court has also affirmed the differences between youth and adults in recent decisions: *Roper v. Simmons* (2009); *Graham v. Florida* (2010); *J.D.B. v. North Carolina* (2011); and *Miller v. Alabama* (2012). S. 2999 further encourage states to invest in evidence and research-based programs that promote accountability and are proven effective.

Strengthen the protection of youth. Youth incarcerated in juvenile facilities are at serious risk of physical and emotional injury. Youth of color continue to receive disparate treatment at every point along the juvenile justice continuum. Girls are the fastest growing segment of juvenile justice system populations, and these facilities are not designed to effectively respond to their behaviors and needs. Other special populations, such as Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) youth, and youth with mental health needs, are also at increased risk of harm in the juvenile justice system.

Build safe communities for children and families. By preventing and reducing delinquency the JJDPa invests in communities. The JJDPa plays a critical role in public safety. In a time of economic restraint, the JJDPa provides states with leverage to obtain additional public and private investments to promote the best outcomes for youth.



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