

**CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS**

Resolution 10

In Support of the Reauthorization of the Juvenile Justice Delinquency Prevention Act

WHEREAS, because children are not fully imbued with the developmental or legal capacity of adults, juvenile justice systems were created; and

WHEREAS, the Juvenile Justice Delinquency Prevention Act (JJDP A) is the main law governing federal efforts to support effective juvenile justice and delinquency prevention activities; and

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators support the current four core mandates in the JJDP A that require: (1) the deinstitutionalization of status offenders; (2) separation of juveniles from adult inmates in secure facilities; (3) removal of juveniles from adult jails or lockups; and (4) reduction of disproportionate minority contact with the juvenile justice system; and

WHEREAS, in recent years Congress has focused on more punitive efforts to deal with offending youth, such as harsher penalties and reduced protections; and

WHEREAS, advances in medical technology and the social sciences have provided a better understanding of adolescent development; and

WHEREAS, research¹ has shown that areas of the brain associated with decision-making develop at different rates, that adolescents are more susceptible to environmental influences, and that these aspects of evolving maturity highlight the need to carefully consider the impact of juvenile justice interventions and programs; and

WHEREAS, the authorization for the JJDP A expired at the end of FY 2007 and, while Congress has continued to fund juvenile justice grant programs, the amounts appropriated to support these programs have been declining;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators support the reauthorization of this important Act which should include the following:

- **Ensure Judicial Participation in Planning:** It is critical that the judiciary be viewed at all levels as a full participant in the juvenile justice system and have a meaningful role in funding decisions and in developing and implementing state plans for improvements; and

¹ National Research Council. *Reforming Juvenile Justice: A Developmental Approach*. Washington, DC: The National Academies Press, 2013.

- **Maintain Flexibility in Administering the Juvenile Delinquency Programs:** Administrators of juvenile justice programs, including those involved in the adjudication of juveniles, need flexibility to carry out their responsibilities and to tailor appropriate responses that will be effective for each youth in each set of circumstances. Federal lawmakers should respect the institutional knowledge that state and local practitioners have achieved in this area and recognize the variations in juvenile justice systems; and
- **Eliminate the Valid Court Order (VCO) Exception for Detaining Status Offenders, and Provide for Resources to Assist State Courts to Develop and Implement Alternatives:** The VCO exception should be phased out over a period of time and federal resources should be provided to courts to allow states and territories time to develop and implement alternatives for dealing with runaway youth and other status offenders for violations of court orders that prohibit the child from engaging in specified status offense behaviors; and
- **Eliminate Solitary Confinement for Juveniles:** Solitary confinement should be eliminated because social interaction and sensory stimulation are basic human needs and research has shown that isolation, particularly for juveniles, can result in trauma and, in some instances, suicide; and
- **Strengthen the Disproportionate Minority Contact Core Mandate and Provide Resources to Assist State Courts to Clearly Define and Articulate Data that Should be Collected:** To reduce racial and ethnic disparity, the key decision points in the juvenile justice system and the criteria by which decisions are made must be identified and data must be collected at every point of contact that juveniles have with the juvenile justice system to identify where disparities exist, the causes of those disparities, and corrective actions needed.

Adopted as proposed by the CCJ/COSCA Courts, Children and Families Committee at the CCJ 2014 Annual Meeting.