



March 24, 2011

President Obama
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear President Obama,

On behalf of the undersigned organizations, we urge you to oppose the proposed reorganization of funding for federal juvenile justice grant programs outlined in the President's FY12 budget. The proposed restructuring would seriously undermine federal juvenile justice law and have dangerous consequences for our nation's most vulnerable youth.

First enacted in 1974, the Juvenile Justice and Delinquency Prevention Act (JJDP Act) provides critical federal funding to states to comply with a set of core requirements designed to minimize the detention and incarceration of young people in juvenile and adult facilities, to protect youth in the system, to prevent juvenile crime and to promote public safety. Title II of the law authorizes State Formula Funds for all states in order to ensure that states have the resources to comply with the JJDP Act and to build effective state systems. The President's proposed budget would combine Title II funds with funding for the Juvenile Accountability Block Grant to create a new "Juvenile Justice System Incentives Grant," to be awarded to a select number of states on a competitive basis. The restructured program would only receive \$120 million – down \$10 million from the current level of combined total of Title II and JABG funding – and would only be available to states that are already in compliance with the JJDP Act.

This proposed restructuring of federal juvenile justice funding to the states and territories will not only decrease overall funding to juvenile justice programs but will also jeopardize ongoing state efforts to achieve and sustain compliance with the JJDP Act. The restructuring undermines the historic purpose and intent of the JJDP Act, which provides core protections for children in the juvenile justice system that:

- *Protect children from the dangers of adult jails and lockups;*
- *Keep status offenders out of locked custody; and*
- *Increase fairness by requiring states to take steps to reduce racial and ethnic disparities.*

We believe that the minimum protections for youth in the juvenile justice system are the core of the JJDPa and providing these protections should be a standard and priority for *all* states that is supported at the federal level. Therefore, *all* states should be able to receive federal support to achieve and sustain these protections. Converting the Title II funding mechanism into a competitive grant program sends the wrong message to states about the importance of the JJDPa and would leave many states with little incentive or support to maintain core protections for youth.

Further, the proposed Juvenile Justice System Incentive Grant program is not consistent with similar Administration “Race to the Top” initiatives. For example, the Department of Education’s “Race to the Top” initiative allocates roughly 1 percent of federal education funding to incentivize states to exceed federal requirements but distributes the remaining funds to all states to ensure compliance with federal law. Conversely, the Juvenile Justice System Incentive Grant program combines *all* federal funding for juvenile justice programs into a single competitive grant program. The proposal abandons existing federal funding streams that are essential to the implementation of federal law and leaves the states without a dedicated revenue source to help them achieve and sustain compliance with the JJDPa.

We are deeply concerned with this restructuring and believe that a different approach – one that is more consistent with what the Administration has proposed with federal education funding – would effectively distribute funds in a way that continues federal support of states’ efforts to comply with the JJDPa while also incentivizing states to do more.

To that end, we propose a two-tier system that would provide 90-95% (\$108-114 million) of the funds to the states to continue and strengthen Title II State Formula Funds to support state compliance with the JJDPa and 5-10% (\$6-12 million) of the funds to support the new Incentive Grant program. This two-tier approach would realize the goals of the Administration’s proposed new fund while also ensuring sufficient funding for implementing and sustaining the core requirements of the JJDPa. We also urge the restoration of the \$10 million eliminated by President’s budget proposal. Currently, about 20 percent of states are out of compliance with the JJDPa; without these revisions that number would most certainly increase, putting greater numbers of children at risk.

The President’s FY12 budget proposal has negative consequences for youth in the juvenile justice system and the community at large. The proposal moves away from the targeted federal involvement that has provided critical national leadership to states in to preventing youth from entering the justice system. We urge you to reject the Administration’s proposed changes to juvenile justice funding and instead adopt the two-tier funding approach outlined above.

Thank you for taking our concerns into consideration.

Sincerely,

Afterschool Alliance

American Civil Liberties Union (ACLU)

Bazelon Center for Mental Health Law

Campaign for the Fair Sentencing of Youth

Campaign for Youth Justice (CFYJ)

Center for Children's Law and Policy (CCLP)

Child Welfare League of America (CWLA)

Children's Defense Fund

Citizens United for Rehabilitation of Errants (CURE)

Coalition for Juvenile Justice (CJJ)

Correctional Education Association (CEA)

Council of Juvenile Correctional Administrators

Girls Inc.

Justice Policy Institute (JPI)

Learning Disabilities Association of America (LDA)

Legal Action Center

Mennonite Central Committee, Washington Office

National Association for the Advancement of Colored People (NAACP)

National Association of Social Workers (NASW)

National Center for Lesbian Rights

National Council of La Raza (NCLR)

National Disability Rights Network

National Juvenile Justice Network

National Parent Teacher Association

National Partnership for Juvenile Services (NPJS)

National Treatment Accountability for Safer Communities (TASC)

Penn College Collegiate Association for County Correctional Education (CACCE)"

The Robert F. Kennedy Juvenile Justice Collaborative: A Project of the RFK Center for Justice and Human Rights and the RFK Children's Action Corps

The Sentencing Project

School Social Work Association of America (SSWAA)

South Carolina Re-entry Initiative (SCRI)

Therapeutic Communities of America (TCA)

United Church of Christ/ Justice and Witness Ministries

United Methodist Church

Violence Prevention Coalition

W. Haywood Burns Institute

World Vision

Youth Law Center