



Chairwoman Carolyn McCarthy
U.S. House of Representatives
Committee on Educational and Labor
Subcommittee on Healthy Families and Communities
106 Cannon House Office Building
Washington, DC 20515

October 12, 2007

Dear Chairwoman McCarthy:

The American Public Human Services Association (APHSA) and its affiliate organization, the National Association of Public Child Welfare Administrators (NAPCWA) respectfully submit the following comments to you and the Subcommittee on Healthy Families and Communities in response to questions raised by several subcommittee members during the hearing on reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP) held on September 18, 2007. APHSA is a nonprofit, bipartisan organization representing state and local human service professionals for over 76 years. NAPCWA, created as an affiliate in 1983, works to enhance and improve public policy and administration of services for children, youth, and families. As the only organization devoted solely to representing administrators of state and local public child welfare agencies, NAPCWA brings an informed view of the problems facing families today to the forefront of child welfare policy.

Children and adolescents who are involved in the juvenile justice system have been exposed to the trauma of neglect and physical, emotional, and sexual abuse at significantly higher rates than their peers who do not come in contact with this system. As several witnesses at the hearing testified, victims of childhood abuse or neglect are more likely than their peers to commit delinquent acts as juveniles and crimes as adults. Moreover, maltreated children and youth are also more likely to experience behavioral and mental health problems, substance abuse issues, and educational deficiencies throughout their childhood and adolescence.

Effective whole-family treatment models and interagency service coordination are integral to developing multidisciplinary juvenile justice programs that will successfully address the needs of vulnerable children and their families involved in the child welfare and juvenile justice systems. APHSA and NAPCWA strongly support including strategies in the JJDP that facilitate collaboration between the juvenile justice system

and state agencies that serve children and their families, including child welfare, mental health, and education.

In a number of states, the child welfare agency and juvenile justice systems share intertwined funding streams that support collaboration and program alignment through courts or agency interaction. According to the Child Welfare League of America's *Juvenile Justice and Child Welfare Agencies: Collaborating to Serve Dual Jurisdiction Youth Survey Report*, as many as 32 states use federal IV-E funds to serve the population of children involved in both foster care and juvenile justice, while a number of other states blend IV-B funding with preventive juvenile court initiatives. However, the child welfare and juvenile justice systems intersect beyond merely shared funding streams. Many youth and their families who experience the stress and trauma of domestic and community violence will become involved with both systems. In addition, the issue of disproportionate numbers of children of color is pervasive in both systems.

State agencies and systems will need continued congressional support in developing collaborative strategies that bridge funding, service infrastructures, and program alignment between the juvenile justice system and child welfare agencies.

Prevention and Early Intervention Services

Community-based prevention and early intervention programs and support services are integral to youth and families at risk of becoming involved with both the child welfare and juvenile justice systems. Evidence-based treatments and services provided to youth before they enter either system should be available, and might include Multi-Systemic Therapy and Functional Family Therapy. Youth who are at risk of involvement with the juvenile justice system or have only crossed that threshold as status offenders may avoid prolonged involvement with the system through involvement with such preventive and early intervention services. In addition, early screening and assessment of youth for mental health and substance abuse needs are an important component of prevention and early intervention strategies.

Particularly for young people already in placed with foster families, these evidence-based therapeutic treatments—in addition to Multi-Dimensional Treatment foster care—are important resources to support foster parents in successful behavioral modifications that may maintain foster care placements and prevent youth from entering into the juvenile justice system.

Effective Partnerships with Schools

Successful collaboration with schools is also a key facet of implementing effective preventive and intervention strategies. States indicate that schools are an increasingly common gateway to the juvenile justice system for youth who manifest behavioral and mental health disorders through discipline problems. Support services for these youth need to be made directly available through schools as an intervention in future involvement in the juvenile justice system.

Collaborative Strategies to Address Recidivism and Placement Instability

Without continued developments in prevention and intervention cross-system collaborations, the child welfare and juvenile justice systems will interact as a “revolving door,” as young people continually pass between them in a damaging cycle of recidivism and foster care placement disruption. Youth who are not adequately assessed for mental health and substance abuse disorders early in a pattern of disruptive or delinquent behaviors are at greater risk of becoming involved in either or both systems. These youth are also at risk of needing services at the “deep ends” of these service systems.

Youth already involved in the child welfare system without access to necessary home- and community-based support services may transition into the juvenile justice system as their needs become more pronounced. Adjudicated youth for whom an appropriate foster care placement cannot be arranged may experience prolonged placement in juvenile justice facilities. Youth who return to foster care from the juvenile justice system without consistent case management transitions or adequate wraparound community support services are more likely to recidivate. Equally troubling, when youth who have been adjudicated as violent, sexual, or drug offenders move from the juvenile justice system into out-of-home group or family placements without adequate support services, they may, in turn, place other young people or communities at risk of harm.

Many youth experience their first involvement with the child welfare system only after their return home from the juvenile justice system. In the absence of needed supports and services, their familial stability suffers under increased behavioral stressors. This can set off a cycle of recidivism and familial instability that is never successfully resolved. Ultimately, youth who continue to move between the child welfare and juvenile justice systems throughout their adolescence become more likely to enter the adult justice system as they reach the age of majority.

Juvenile Justice System and Youth Aging Out of Foster Care

Although many states are exploring options to extend support to youth in foster care past the age of 18, federal IV-E support for these youth ends at their 18th birthday. Too often, the juvenile justice system serves as the only viable option for youth who face discontinued mental health, substance abuse, and other therapeutic treatment resources as they age out of the foster care system. State child welfare agencies are looking to increased collaboration with juvenile justice systems to ensure that youth do not fall through inter-systemic cracks as they approach age 18.

Likewise, states that use state funding sources to extend foster care services to youth after the age of 18 are faced with youth who have transitioned from the juvenile to the adult justice system then returning to foster care placements within homes and communities. For example, Washington, D.C., which extends foster care support to age 21, increasingly faces this challenge.

Cross-System Training

Cross-training for caseworkers and counselors in child welfare and juvenile justice is an important resource that will support children and their families in successfully ending their dual systemic involvement. Consistent case planning, service provision, and

program alignment for young people who pass between the two systems will intercede in the destructive cycle of recidivism and placement disruption. Workers within both systems should coordinate early assessments of children and youth to identify mental health, substance abuse, behavioral, and educational needs. Service planning should be conducted across systems to maintain successful treatment plans and optimum levels of emotional and behavioral functioning as transitions occur.

Collaboration through the Courts

Many states are engaged in innovative court collaborations that bridge the child welfare and juvenile justice systems. Intended for family preservation and child protection services, IV-B federal funds may be effectively blended with juvenile justice court dollars to emphasize prevention and intervention judicial initiatives. The “One Judge, One Family” court strategy is an example of cross-system court processing that strives for early needs identification and treatment for youth and their families that may prevent further child welfare and juvenile justice involvement.

Training for judges and law enforcement officers is also an important aspect of successful court collaboration. Juvenile and family judges need to be educated in Evidence-Based prevention and early intervention treatment options that may serve young people and their families in the first stages of dual-system involvement. Likewise, community police and law enforcement officers need to be informed of prevention and intervention resources that may prevent a youth’s involvement or progression in the juvenile justice system.

Data Sharing Between Systems

Cross-system collaboration will require more streamlined methods of housing and sharing data. Data systems that track youth activity and outcomes within both the juvenile justice and child welfare systems should be developed and maintained. Court systems engaged in cross-system initiatives will have a growing need for access to shared information.

APHSA and NAPCWA would like to extend their assistance to the Subcommittee as it continues to explore the ramifications of and solutions to dual involvement in the juvenile justice and child welfare systems. If you have any questions, please contact Rachel Demma at (202) 682-0100 x249 or rachel.demma@aphsa.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Friedman". The signature is written in dark ink on a white background.

Jerry Friedman
Executive Director

