



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association
1133 Nineteenth Street, NW, Suite 400, Washington, DC 20036

June 16, 2009

The Honorable Patrick J. Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
224 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Herbert H. Kohl
United States Senate
330 Senate Hart Office Building
Washington, DC 20510

The Honorable Jeff Sessions
Ranking Member
Senate Committee on the Judiciary
United States Senate
335 Senate Russell Office Building
Washington, DC 20510

The Honorable Richard Durbin
United States Senate
309 Senate Hart Office Building
Washington, DC 20510

Dear Senators Leahy, Sessions, Kohl, and Durbin:

On behalf of the American Public Human Services Association and its affiliate, the National Association of Public Child Welfare Administrators, we applaud you for your efforts in recognizing the needs of youth in juvenile justice systems by introducing S. 678, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009, on March 24, 2009.

APHSA is a nonprofit, bipartisan organization representing state and local human service professionals for more than 79 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 to representing administrators of state and local public child welfare agencies, NAPCWA brings an informed view of the problems today's families are facing to the forefront of child welfare policy. S. 678 strengthens and updates critical components of the Juvenile Justice Delinquency and Prevention Act, which has been protecting youth across the nation for more than 30 years. S. 678 makes meaningful improvements by expanding several core requirements. They include building collaborations between juvenile justice and child welfare systems. They also include family-centric efforts in prevention, treatment, and post-placement programs. Although the legislation amends several sections in the law requiring states to form better collaborations between the two systems, it does not fully address issues related to youth who leave juvenile facilities and enter into the child welfare system. These youth are known as "crossover youth."

As you may know, children and adolescents 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 in the general public. Such victims of childhood abuse or neglect are more likely to commit delinquent acts as juveniles and create crimes as adults. 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. Additionally, youth 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. A Chicago Longitudinal Study reports that maltreatment is associated with a 51 percent increase in the likelihood of being adjudicated for

violent offences. Therefore, APHSA and NAPCWA strongly encourage Congress to add the following to S. 678:

Increase funding under Title II and Title V, Mentoring and Incentives Grants to support cross-over youth populations and preventive court initiatives

Several states use Title IV-E funding to serve crossover youth and Title IV-B funding for preventive juvenile court initiatives. 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 children involved in both foster care and juvenile justice systems. 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. These models are integral in developing multidisciplinary juvenile justice programs, which successfully addresses the needs of vulnerable children and their families involved in the child welfare and juvenile justice systems. However, Title IV-E and IV-B funding is limited, and does not fully support the needs of crossover youth. States see increasing numbers of these youth coming into care. Therefore, more federal funding is needed under JJDPa to support the needs of juveniles coming into care. NAPCWA appreciates that the Committee has made meaningful strides to help states develop cross-systems training and form better collaborations among juvenile justice systems and other human service agencies. However, more support is needed to promote these models serving crossover youth. If these initiatives do not receive adequate federal support, youth in the child welfare and juvenile justice systems are likely to be at risk of recidivism or age out of foster care without permanency.

Include language allowing cross-systems data and information sharing for child welfare, juvenile justice, medical, and educational systems

States are facing issues transferring youths' records as they leave one system for another. Such records include school, mental health, psychotropic medication, health insurance, family information, etc. Therefore, more reform is needed in JJDPa to assist in smoother transitions as youth move from juvenile justice systems to less restrictive environments.

Include the term "and neglect" when mentioning "youth who have a history of abuse" in the "State Plans" section of JJDPa

Section 205 indicates training and technical assistance opportunities for juvenile justice and child welfare agencies to "develop coordinated plans for early intervention and treatment of youth who have a history of abuse and juveniles who have prior involvement with the juvenile justice system." NAPCWA recommends that Congress amend language in the legislation involving "youth who have a history of abuse" by inserting "youth who have a history of abuse *and neglect*." Including this language would help strengthen the legislation to address the needs of maltreated youth, especially those adolescents crossing over from juvenile justice to child welfare systems.

We encourage Congress to consider these recommendations when moving forward with JJDPa reauthorization. We thank you for making significant steps toward improving JJDPa and offer ourselves as a resource as the bill moves through the legislative process. Please feel free to contact Rashida Brown at rashida.brown@aphsa.org. Thank you for your efforts on behalf of youth across the country.

Sincerely,



Jerry W. Friedman, Executive Director
American Public Human Services Association



Erin Sullivan Sutton, J.D., President
National Association of Public Child Welfare Administrators