

news from

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STATEMENT OF SEN. HERB KOHL  
HEARING OF THE SENATE JUVENILE JUSTICE SUBCOMMITTEE  
ON THE REAUTHORIZATION OF  
THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

OVER THE PAST YEAR, THIS SUBCOMMITTEE HAS HELD SIX HEARINGS DESIGNED TO GIVE US A BETTER UNDERSTANDING OF THE WAY THE JUVENILE JUSTICE SYSTEM WORKS. BASED ON THOSE HEARINGS -- AND BASED ON VISITS TO AND CONVERSATIONS WITH THE PEOPLE WHO WORK IN THE SYSTEM -- WE DEVELOPED S. 2792. THAT BILL REAUTHORIZES AND HOPEFULLY STRENGTHENS THE PROGRAMS AND ACTIVITIES CREATED BY THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT.

THE BILL IS BASED ON A SIMPLE ASSUMPTION: SINCE THERE ARE MULTIPLE CAUSES OF DELINQUENCY, ANY REALISTIC EFFORT TO DEAL WITH DELINQUENTS MUST BE MULTI-DIMENSIONAL AND MULTI-DISCIPLINARY.

IN MY JUDGEMENT, THE SYSTEM IS MOVING IN THAT DIRECTION. BUT IT IS MOVING TOO SLOWLY, PRIMARILY BECAUSE THERE ARE TOO MANY KIDS IN TROUBLE AND TOO FEW FUNDS AND TOO FEW RESOURCES TO HELP THEM.

LET ME GIVE YOU SOME EXAMPLES.

\* WE KNOW THAT IT MAKES NO SENSE TO PUT JUVENILE OFFENDERS IN JAILS WITH ADULT OFFENDERS. RESEARCH SHOWS THAT MIXING THESE GROUPS MAKES IT MORE LIKELY THAT THE JUVENILE OFFENDER WILL BECOME AN ADULT OFFENDER. SO IN 1980, WE REQUIRED STATES TO HOUSE JUVENILES IN SEPARATE FACILITIES. YET, TWELVE YEARS LATER, ONE THIRD OF OUR STATES DO NOT HAVE SEPARATE FACILITIES.

\* WE KNOW THAT WE OUGHT TO TREAT NON-VIOLENT JUVENILES DIFFERENTLY THAN VIOLENT ONES. BUT WE HAVE FAILED BOTH POPULATIONS. NON-VIOLENT JUVENILES ARE TOO OFTEN TAKEN OUT OF THEIR COMMUNITIES AND WAREHOUSED WITH VIOLENT KIDS; AND VIOLENT JUVENILES ARE TOO OFTEN LEFT ON THE STREET.

THIS LEGISLATION ATTEMPTS TO ADDRESS THESE AND OTHER PROBLEMS IN TWO WAYS.

(MORE)

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U.S. Senate

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FIRST, WE AUTHORIZE MORE FUNDS SO THAT WE CAN EXPAND PROGRAMS THAT WORK AND LEARN MORE ABOUT IDEAS THAT MIGHT HELP.

SECOND, WE RECOGNIZE THAT THE STATES ARE RESPONSIBLE FOR DESIGNING AND IMPLEMENTING JUVENILE JUSTICE PROGRAMS. WE ALSO RECOGNIZE THAT THE STATES FACE A LOT OF PROBLEMS AND ONLY HAVE A LITTLE MONEY. IN THAT KIND OF SITUATION, RESOURCES ARE DIRECTED TO THE MOST PRESSING PROBLEMS. THE NET RESULT IS THAT ADULT CRIMINALS GET MORE ATTENTION THAN JUVENILES; AND WITHIN THE JUVENILE POPULATION, GANGS AND GANG MEMBERS GET MORE ATTENTION THAN NON-VIOLENT KIDS WHO ARE JUST ACTING OUT THEIR PROBLEMS AND WHO, WITH A LITTLE HELP, CAN PROBABLY BE SALVAGED. TO TRY TO BRING SOME BALANCE BACK TO STATE PROGRAMS, WE CREATED STATE CHALLENGE GRANTS.

THESE CHALLENGE GRANTS GIVE STATES A FINANCIAL INCENTIVE TO EMPHASIZE A RANGE OF JUVENILE JUSTICE ACTIVITIES BY AWARDING MORE FEDERAL FUNDS TO STATES THAT DO MORE TO DEAL WITH JUVENILE PROBLEMS.

SO FAR WE HAVE BEEN GENERALLY PLEASED WITH THE REACTION TO THIS LEGISLATION. MOST OF THE ORGANIZATIONS AND INDIVIDUALS INVOLVED IN THE FIELD HAVE BEEN GENEROUS IN THEIR REMARKS.

THE DEPARTMENT OF JUSTICE HAS BEEN A LITTLE LESS ENTHUSIASTIC, BUT OUR STAFFS HAVE WORKED HARD TO NARROW THE DIFFERENCES. WE WILL HEAR A FEW THINGS TODAY ABOUT THE DIFFERENCES THAT REMAIN. SOME CONCERNS DEAL WITH THE ORGANIZATION OF THE OFFICE OF OJJDP AND ITS RELATIONSHIP TO OJP AND THE ATTORNEY GENERAL; WE ARE SYMPATHETIC TO THE RIGHT OF A CABINET OFFICER TO ORGANIZE HIS OR HER OWN OPERATION BUT WE ALSO WANT TO BE SURE THE OFFICE RETAINS ITS INDEPENDENCE.

OTHER CONCERNS DEAL WITH JUSTICE'S INTEREST IN MAKING SURE THAT WE HOLD JUVENILES ACCOUNTABLE FOR THEIR ACTIONS; WE SHARE THAT INTEREST, BUT I WANT TO MAKE SURE THAT WE ARE HELD ACCOUNTABLE FOR PROVIDING THEM WITH SUPPORTIVE SERVICES AS WELL.

WE BELIEVE THAT WE CAN CONTINUE TO WORK ON THESE PROBLEMS TOGETHER.