

UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION



STATEMENT

OF

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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

CONCERNING

IMPLEMENTATION OF
THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

MAY 20, 1976

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ACQUISITIONS

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Mr. Chairman, I am grateful for the opportunity to appear today before the Subcommittee to Investigate Juvenile Delinquency to discuss implementation of the Juvenile Justice and Delinquency Prevention Act of 1974 by the Law Enforcement Assistance Administration.

LEAA last testified before the Subcommittee on this matter in April 1975. At that time, Mr. Velde, Administrator of the Agency, presented a statement outlining the progress which had been made in the seven months since the enactment of the legislation. In my remarks today, I would like to continue where Mr. Velde left off and report on our accomplishments to date, as well as indicate some of our hopes for the futures.

Mr. Chairman, when I was sworn in on November 21, 1975, as the first Assistant Administrator for the Office of Juvenile Justice and Delinquency Prevention, I brought to the job a profound appreciation of the difficult juvenile delinquency problem which faced our country and a realization of the need for improvements in our juvenile justice system.

While the role of the Federal Government in solving these problems is appropriately a limited one, there is much that can be accomplished through a program which promotes coordination and cooperation at the federal, state, and local levels, permits innovation by both governmental and private agencies with the help of federal leadership, and provides for careful study of some of the problems we face. The Juvenile Justice and Delinquency Prevention Act of 1974 has given us the framework for such an effort.

LEAA, through the Office of Juvenile Justice and Delinquency Prevention (OJJDP), is attempting to build an effective program within the framework provided by the Act, utilizing resources available under both the Juvenile Justice Act and the Crime Control Act.

The functions of OJJDP are divided among four offices assigned major responsibility for implementing and overseeing the priority activities under the Juvenile Justice Act. These activities are Concentration of Federal Effort, Special Emphasis Prevention and Treatment Programs, the National Institute for Juvenile Justice and Delinquency Prevention, and State Formula Grant Programs and Technical Assistance. While the operations of these different offices are closely interrelated, I will, for the convenience of the Subcommittee, organize my remarks according to these functional areas.

Concentration of Federal Efforts

Under the terms of the Juvenile Justice Act, LEAA is assigned responsibility for implementing overall policy and developing objectives and priorities for all federal juvenile delinquency programs. As you know, Mr. Chairman, two organizations were established to assist in this coordination function. First, the Act created a Coordinating Council on Juvenile Justice and Delinquency Prevention, composed of the heads of Federal agencies most directly involved in youth-related program activities and chaired by the Attorney General. Second, a National Advisory Committee on Juvenile Justice and Delinquency Prevention was established. The members of the Advisory Committee must, by virtue of their training and experience, have special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. One-third of the 21 Presidentially-appointed members must be under age 26 at the time of their appointment.

During the past year, the Coordinating Council has met six times, as required by law. The early meetings focused on general goals and priorities for federal juvenile justice and delinquency prevention programs. Among items discussed were the following approaches to carrying out Council responsibilities:

- Preparation of a budget analysis providing an overview of federal juvenile programs;
- Commissioning of papers suggesting potential areas of emphasis at the federal level;
- Conducting a survey of federal program information retrieval capability;
- Conducting a management analysis of departments and agencies administering juvenile programs.

Subsequent meetings discussed the First Analysis and Evaluation of Federal Juvenile Delinquency Programs, prepared by Council and agency staff. That document indicated that there were 117 federal programs impacting on juvenile justice and delinquency, with aggregate expenditures of nearly twenty billion dollars. These programs were categorized as follows:

- Delinquency Treatment Programs, explicitly and exclusively devoted to the delinquency problem; (10 programs);
- Prevention Programs for Youth at Risk, where services or benefits which compete with factors believed to cause delinquent behavior are directed at those youths considered especially vulnerable to delinquency (e.g., socially or economically disadvantaged youth); (36);
- Related Law Enforcement/Criminal Justice Improvement Programs, which include juveniles as one of their target populations without focusing on them exclusively; (13);
- General Related Programs, only tenuously related to delinquency prevention; (57).

It was brought out in the course of these discussions by the Department of Housing and Urban Development, that there are currently some 1.4 million low-rent public housing units under management within which 76 percent of the household heads are female and 58 percent of the 3.2 million tenants are minors. The Council is reviewing with particular interest possible initiatives aimed at prevention of delinquency among this population.

Policy options were developed for the Council which were discussed at its fifth meeting. The need for establishing a definite policy on juvenile justice and delinquency prevention at the federal level was agreed upon. This will allow agencies and departments to identify appropriate areas of concern and relevant programmatic issues. It was also agreed that there should be federal research to address national needs, ultimately facilitating programs at all levels. Some research priorities will be addressed mainly by OJJDP, while others are appropriate for interagency study.

The First Annual Comprehensive Plan for Federal Juvenile Delinquency Programs was submitted to the President and Congress on March 1, 1976. The Plan provides the foundation for programming in the years ahead. Because delinquency is complex and the scope of the federal effort is diverse, the first plan has not attempted to detail specific mechanisms for coordinating programs. Instead, it addresses the roles each department and agency on the Council plays in overall strategy. The Plan also describes preliminary steps that must be taken before large-scale program and fiscal coordination are attempted. We feel that this is a crucial document which will give needed direction to all agencies and serve as a basis for further concerted and coordinated action.

During its first year, the National Advisory Committee (NAC), held four meetings which focused primarily on the orientation of members on their role and relationship to programs operated by OJJDP and other agencies. It is important to note the work of the three subcommittees of the NAC: The Advisory Committee for the National Institute for Juvenile Justice and Delinquency Prevention, the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice, and the Advisory Committee for the Concentration of Federal Effort. Each of these has become actively involved in their respective areas of responsibility, providing thoughtful advice regarding our operations.

Developing standards for juvenile justice and delinquency prevention programs at all governmental levels is a major Advisory Committee concern. A special subcommittee has worked closely with the National Institute for Juvenile Justice and Delinquency Prevention in this regard, as I shall discuss later in my statement. Other special concerns of the Committee have included research priorities, deinstitutionalization of status offenders, and coordination of programs at the state and local levels.

Special Emphasis Prevention and Treatment Programs

An important element of the OJJDP effort is the discretionary fund which is to be used by LEAA for special emphasis prevention and treatment programs. Funds are used for implementing and testing programs in five generic areas: Prevention of juvenile delinquency; diversion of juveniles from traditional juvenile justice system processing; development and maintenance of community-based alternatives to traditional forms of institutionalization; reduction and control of juvenile crime and delinquency; and, improvement of the juvenile justice system. In each area, program approaches are to be used which will strengthen the capacity of public and private youth serving agencies to provide services to youths:

Parameters for development of Special Emphasis Program initiatives are as follows:

- Each program initiative will focus on a specific category of juveniles;
- A specific program strategy will direct this focus for achievement of concrete purposes within a specified time frame;
- Sizeable grants will be awarded for two or three-year funding, based upon satisfactory achievement of specific goals at the end of each year;
- Program specifications will require applicant conceptualization of approaches and delineation of problems to be addressed;
- Projects will be selected in accordance with pre-defined criteria based upon the degree to which applicants reflect the ability and intent to meet program and performance standards;
- Applicants may be private non-profit organizations or units of state or local government;
- Program descriptions and performance standards will identify those elements essential to successful achievement of program objectives and operate as a screening device;
- The development of the objectives and goals of each program initiative is based on an assessment of existing data and previous research and evaluation studies; each program is designed so that we can learn from it and add to our knowledge of programming in that area;

--Selections are made through review and rating of preliminary applications. This results in selection for full application development of those proposals considered to most clearly reflect elements essential to achievement of program objectives.

The first major Special Emphasis initiative was announced in March 1975 and were for programs involving deinstitutionalization of status offenders. Over 460 preliminary applications were received in response to the announcement, requesting funds in excess of 139 million dollars for programs to provide community-based services to status offenders over two years. By December 1975, grants totalling \$11,871,910 were awarded.

Of the thirteen projects funded, eleven were action programs to remove status offenders from jails, detention centers, and correctional institutions over two years. Nearly 24,000 juveniles will be affected in five state and six county programs through grants which range up to 1.5 million dollars. The average cost for services will be 420 dollars per child. Of the total funds awarded, nearly 8.5 million dollars, or 71 percent of the total, will be available for contracts and purchase of services from private non-profit youth serving agencies and organizations.

All eleven of the action projects are now operational. There appear to be no major problems at this time, though start-up time in all projects extended beyond original projections because tasks were more complex than anticipated. At the end of the program's first year, useful data should be available regarding the process of deinstitutionalizing status offenders, and problems which might be associated with the achievement of the mandate of section 223(a)(12) of the Juvenile Justice Act.

The Program Announcement for a second major Special Emphasis initiative, Diversion of Juveniles from Official Juvenile Justice Processing, was issued in April 1976. Preliminary applications are due June 4, 1976. 10 to 12 million dollars is projected for this program, with grants of up to two million dollars being awarded for three-year efforts. Funding at the end of each year will be contingent upon performance in the preceeding year.

The program focuses on juveniles who would normally be adjudicated delinquent and are at the greatest risk of further juvenile justice system penetration. As a result of planning and coordination with the Department of Housing and Urban Development, local housing authorities in HUD's Target Project Program have been encouraged to participate in the diversion program. LEAA and OJJDP will give special consideration in project selection to those programs which reflect a mix of federal resources in achievement of mutual goals.

In addition to these current initiatives, other programs are being considered for possible future implementation. I know that the problem of school violence and vandalism is an area of concern to the Subcommittee. LEAA is now in the process of studying approaches for a program to reduce serious school crime. Because of your interest in this area, Mr. Chairman, we will certainly inform you when any program announcement relating to school violence is made. You will be glad to note that materials developed by the Subcommittee have been used as an important resource by OJJDP staff.

Another area in which we are contemplating future action is preventing delinquency through strengthening the capacity of private non-profit youth serving agencies. This would be a special initiative which would supplement a number of currently operating programs and projects promoting a broad range of objectives in the five basic special emphasis areas I mentioned.

The activity which I have discussed to this point, Mr. Chairman is projected for fiscal 1976, the transition quarter and fiscal 1977. While it is difficult to fully concretize the direction which the Program will take in fiscal 1978 and subsequent years, several promising areas have been noted and are being developed by OJJDP staff. Included among these possibilities are the following:

- Prevention of delinquency through projects which develop, test, and validate innovative educational approaches for juveniles with learning disabilities in correctional institutions and school districts identified as having high rates of delinquency;
- Rehabilitation of juveniles incarcerated for violent criminal offenses through development and implementation of program approaches which provide more effective post-release services and improved education and treatment programs within correctional institutions;
- Reduction of street crimes committed by juveniles through utilization of effective intervention approaches with conflict oriented youth gangs in cities where they exist or are emerging;
- Prevention of delinquency through program strategies which coordinate programs aimed at physical restoration of neighborhoods with improved organization and delivery of human resources for youth and their families through local, state, and federal inter-agency planning;
- Restitution projects which test and validate selected arbitration models and increase victim satisfaction while providing alternatives to incarceration for adjudicated juveniles;
- Advocacy projects which utilize strategies for protection of legal rights of juveniles, promote legislative reform, implement national standards and goals for juvenile justice, increase toleration for youth behavior, and intervene in support of individual youth or categories of youth in legal, educational, social, economic, and health systems which impact their lives;
- Alternative school projects which facilitate the reintegration of juveniles from correctional facilities into public and private schools and focus upon reduction in dropouts and pushouts at the secondary level in school districts with high delinquency rates and significant numbers of school dropouts;
- Facilitate implementation of standards and goals for juvenile justice;
- Probation projects which utilize strategies for upgrading skills of staff, improve decision-making, provide for more effective utilization of staff, and expand opportunities for development of job and social skills of juveniles supervised by the court;
- Provide alternatives to incarceration of juveniles through expanded use of community-based services for selected categories of youth.

This list of potential programs is not meant to be all-inclusive, Mr. Chairman, but is submitted to assist the Subcommittee exercise its oversight responsibilities and determine if the direction in which the program is going is that contemplated by the Congress.

National Institute for Juvenile Justice and Delinquency Prevention

The program areas which I just listed are not only included because of the emphasis given them in the Juvenile Justice Act, but because they have been identified as needed programmatic thrusts in research reviewed or sponsored by the National Institute for Juvenile Justice and Delinquency Prevention. The Institute's activities are closely related to other OJJDP functions. Responsibilities of the Institute cover essentially five areas: Information and data development; research; evaluation; training; and development of standards.

During the past year, the Institute has continued and expanded a long-range program of development of data which addresses the entire juvenile justice field, including the numbers and characteristics of youths who commit delinquent acts, are arrested, petitioned, detained, adjudicated, placed on probation, and placed in correctional programs. The following Institute projects complement the information already being collected by the National Institute of Mental Health, the Federal Bureau of Investigation, and LEAA's National Criminal Justice Information and Statistics Service:

- The National Center for Juvenile Justice (NCJJ) has collected and analyzed juvenile court data produced by the Juvenile Court Statistical Reporting System, formerly sponsored by HEW; NCJJ is now collecting 1975 data and is redesigning the system to produce better information on court processing of youths;

- NCJJ is nearing completion of an effort to establish a panel of recognized juvenile justice system experts in each state; these experts will be periodically surveyed regarding issues, trends, and state and local developments in juvenile justice;
- The National Council of Juvenile Court Judges has completed the first year of its Juvenile Information System Requirements Analysis project; existing automated information systems in juvenile courts throughout the country have been surveyed to prepare for the development of a model information system for both management and research needs in juvenile courts;
- The Institute is working with the National Criminal Justice Information and Statistics Service of LEAA to specifically address in its surveys of juvenile detention and correctional facilities and adult jails and prisons, the data requirements of the Juvenile Justice Act, particularly the deinstitutionalization and separation of juveniles from adults in incarcerative facilities mandated in sections 223(a)(12) and (13) of the Act;
- The Institute has completed a planning effort, preparatory to the establishment of several nationwide assessment centers, which will provide current information on major aspects of juvenile justice; the first three centers will most likely be focused on delinquent behavior and prevention, juvenile justice system flow, and alternatives to juvenile justice system processing; these centers will represent the major component of the Institute's information clearinghouse function.

The Institute's basic research program is tailored to support the activities most relevant to current planning and policy-making needs of OJJDP. Three categories of projects are emphasized: Projects which add to our understanding of delinquency; projects which focus on ways to prevent delinquency; and, projects that provide information about offender careers and ways to intervene in those careers. The latter two categories were chosen by the Coordinating Council as federal research priorities. A number of major efforts have been undertaken in the last year in each of these categories.

The Institute's efforts in the area of evaluation over the last year have concentrated on maximizing what may be learned from the action programs funded by OJJDP, on bolstering the ability of the states to evaluate their own juvenile programs and to capitalize on what they learn, and on taking advantage of unique program experiments undertaken at the state and local levels that warrant a nationally sponsored evaluation.

The Juvenile Justice Act authorizes the Institute to evaluate all programs assisted under the Act. The Institute's efforts in the area largely focus on evaluating the major action program initiatives funded by OJJDP. To implement the approach of OJJDP that program development and evaluation planning must be conducted concurrently, the Institute undertakes three related activities for each action program area: developmental work; evaluation planning; and implementation of the evaluation plan.

After initial planning, the evaluation of the Deinstitutionalization of Status Offender initiative for a two-year period began in January 1976. The Institute awarded separate grants to evaluators located near each project site and an overall coordination and national evaluation grant as well.

Developmental work for the Diversion initiative has been undertaken. While the final evaluation design for the program has not yet been completed, major objectives will be to determine the extent to which diversion occurred in selected jurisdictions, the impact of diversion on the youth served and on the juvenile justice system, the extent to which the points of diversion makes a difference in outcome, and the impact on youth of diversion to no services versus diversion to services or traditional court processing.

The Institute has broad authority to conduct training programs. Training is viewed as a major link in the process of disseminating current information developed from research, evaluation, and assessment activities. It is also an important resource for insuring the success of OJJDP program initiatives.

This year, the Institute commissioned the preparation of fifteen thinking papers on training priorities, developed by experts representing all aspects of juvenile delinquency prevention and treatment programming and the juvenile justice system. The papers were analyzed and discussed during a two-day conference involving OJJDP staff, the authors, and other training experts. The ideas which emerged from the conference and which were contained in the papers presented will assist the Institute in focusing its resources on those areas with the greatest potential for positive results.

Through a grant to the National Council of Juvenile Court Judges, the Institute continues to support the training of juvenile and family court judges, prosecutors, defenders, and administrative personnel. With Institute support, the American Correctional Association's Project READ is teaching correctional educators how to diagnose reading problems and improve the skills of functionally illiterate juveniles in training schools.

In order to re-examine current juvenile justice policies and stimulate thinking among policy makers and practitioners, the Institute is supporting development of standards for the administration of juvenile justice at several levels. To this end, the Institute is working closely with the special Standards Committee of the National Advisory Committee.

The Standards Committee submitted its first report to Congress, the President, and the Administrator of LEAA on September 6, 1975. That report presented the Committee's initial recommendations and discussed the purpose of the standards to be recommended, their relationship to other sets of juvenile justice standards, the range of possible implementation strategies, and the process to be used in developing the standards. A second, interim report was submitted on March 31, 1976. That report described the Standards Committee's activities and progress in the areas of coordination with other juvenile justice standards programs, review and approval of standards, and development of implementation strategy. The standards developed will, of course, not be imposed by LEAA on states and localities. Instead, the Agency will assist and encourage these jurisdictions to analyze their own juvenile justice systems and adopt such standards as each finds appropriate and necessary.

State Formula Grant Program and Technical Assistance

While all of the national efforts sponsored by OJJDP are important, the aspect of the program established by the Juvenile Justice and Delinquency Prevention Act most crucial to its success is that providing formula grants to support state and local projects.

To receive their first allotment of federal funds under the Act in 1975, states were required to submit an acceptable supplement to their annual comprehensive LEAA plan, agreeing to meet the statutory requirements of the legislation. Under the appropriation allocation for the Act, 10.6 million dollars were available for fiscal year 1975 formula grants. These funds were obligated by August 31, 1975, with most participating states receiving funding at the \$200,000 level. All but nine states and one territory chose to participate in the program that year.

In fiscal year 1976, participating states will have 23.3 million dollars available under the formula grant program. Their plan supplement document must be approved by LEAA and funds awarded by June 30, 1976. At this funding level, 20 of the participating states will receive the base allotment of \$200,000. Nine states and two territories have indicated their decision not to participate in the program this year. However, we understand that the two territories -- Guam and American Samoa -- are reconsidering their decision and hopefully will determine to join with other participating jurisdictions.

Recently, we have had some indications that several other states are reconsidering their participation in the program established by the Juvenile Justice Act. The primary reason mentioned by these states is the difficulty of complying with the Act's two-year time frame for implementing the deinstitutionalization of status offender requirement.

Fiscal year 1977 plans under the Juvenile Justice Act will become integrated as a part of the comprehensive plan states submit to LEAA under the Crime Control Act. These plans will be due by August 31, 1976.

Both state and local efforts and national initiatives are aided with technical assistance provided by OJJDP. Awards are generally made to contractors having expertise in delinquent behavior and knowledge of innovative programs and techniques which address problems in the program areas. Help is given in both the planning, implementation, and evaluation of projects.

Technical assistance is also used to help participating jurisdictions assess their needs and available resources and then developing and implementing a plan for meeting those needs. During the past year, technical assistance activities included the following:

- Preparation and implementation of a technical assistance plan to support OJJDP and formula grant programs;
- Review of composition of state planning agency supervisory boards, advisory boards, and regional planning units for compliance with statutory mandates;
- Planning and implementation of quarterly workshops for OJJDP regional and central office staff to support effective program operation;
- Development and updating of internal reference materials for OJJDP staff;
- Drafting of a checklist for use by OJJDP staff in reviewing plan supplement documents;
- Preparation of task statements to assist in development of support for major initiative and formula grant programs;
- Preparation of procedures for identifying and aggregating Crime Control Act funds used for juvenile programs in order to compute maintenance of effort levels;
- Coordination of OJJDP and other LEAA programs with the Office of Regional Operations;
- Development of a work statement to support training for state advisory group chairpersons and state juvenile specialists.

As you are aware, Mr. Chairman, the Juvenile Justice Act made a number of changes to the enabling legislation of LEAA and imposed some additional requirements on the states to assure effective juvenile programs. State planning agencies and regional planning units were required to broaden their membership to assure inclusion of representatives from agencies directly related to the prevention and control of juvenile delinquency, and representatives of citizen, professional, and community organizations directly related to delinquency prevention. At this time, all 56 state planning agency units are reported to be in compliance with this mandate. In addition, all 447 regional planning units are in compliance.

As of early this month, 35 of the 45 jurisdictions currently participating in the program had created Juvenile Justice Advisory Groups to the state planning agency, as required by section 223(a)(3) of the Act. LEAA will not approve any fiscal year 1976 plan supplement document unless the Governor of the state has appointed an Advisory Group.

In 1974, Mr. Chairman, the Congress determined that the Law Enforcement Assistance Administration was the appropriate division of the Federal Government to administer an innovative new juvenile justice and delinquency prevention program and to coordinate the activities of all agencies which impacted on the serious youth crime problem. We have taken that mandate quite seriously and, with the help of a qualified and capable staff, have worked hard to assure effective implementation of the program.

I believe we have shown that the program can have a significant impact on certain aspects of delinquency and youths at risk of becoming delinquent. We look forward to continuing our efforts, and appreciate the concern of the Subcommittee regarding this program.

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