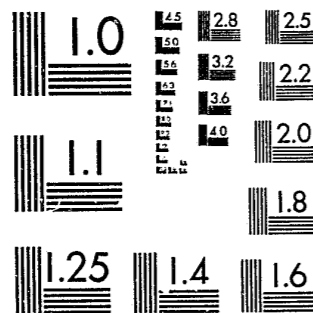


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Department of Justice

93474

STATEMENT

OF

ALFRED S. REGNERY
ADMINISTRATOR
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

BEFORE

THE

SUBCOMMITTEE ON HUMAN RESOURCES
COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

CONCERNING

REAUTHORIZATION OF THE OFFICE OF JUVENILE
JUSTICE AND DELINQUENCY

ON

MARCH 7, 1984

NCJRS
APR 2 1984
ACQUISITIONS

Mr. Chairman, I am pleased to present on behalf of the Department of Justice information regarding the activities of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and to present the Department's views concerning proposals to reauthorize the Juvenile Justice and Delinquency Prevention (JJDP) Act.

As you know, OJJDP provides assistance to states and localities for juvenile justice activities in three ways: formula Grants to the states; Special Emphasis funds to public and private agencies; and the dissemination of information and training resources of the National Institute for Juvenile Justice and Delinquency Prevention.

Formula Grants

During Fiscal Year (FY) 1983, 46 states and five territories (Puerto Rico, American Samoa, Trust Territories, the Virgin Islands, and Northern Marianas) received Formula Grant awards totalling \$42,095,000. State and territorial allocations were based on the population of juveniles (under 18 years of age). The minimum allocation to each state was \$225,000; Puerto Rico received \$921,000 and the other territories each received \$56,250.

The deinstitutionalization of status offenders and the separation of juveniles from adult offenders in jails and correctional facilities has been a major emphasis of the state programs with a goal of the complete removal of juveniles from adult jails and lock-ups by December, 1985. Participating states and territories also were encouraged to invest up to 30% of the

Formula Grant funds in special efforts to deal with serious, violent juvenile offenders. Fifty-one states and territories have met special requirements of the enabling Act by demonstrating substantial or full compliance with the deinstitutionalization of status offenders; 34 states have complied with the requirements for the separation of adults and juveniles in adult jails and lock-ups. Most of the remainder are making progress. The appendix hereto describes that progress in detail.

Technical Assistance

More than 250 instances of technical assistance and more than 1,200 workhours were provided to state and local agencies during FY 1983 by the office. Assistance was in a number of areas, but emphasis was upon alternatives to the juvenile justice system, removing juveniles from adult jails, serious and violent juvenile crime, the Foster Grandparent Program, restitution and delinquency prevention.

The Office continued a previous agreement with the Federal Law Enforcement Training Center located in Georgia for seminars addressed to law enforcement administrators on current issues in juvenile justice and on the presentation of modern police management strategies to improve police juvenile services. This fiscal year, 15 seminars were held with approximately 375 law enforcement administrators in attendance.

Special Emphasis

A number of new programs were initiated by the Special Emphasis Division in FY 1983. These included:

- Serial Child Murders Information System. This is the initial phase of a program designed to establish a national missing or abducted persons and serial murder tracking and prevention program. It will develop a comprehensive criminal justice tracking, pattern recognition and investigative assistance mechanism to trace and locate missing and/or abducted juveniles. Funds for this program are being provided by the National Institute for Juvenile Justice and Delinquency Prevention.
- Suppression of Drug Distribution to Juveniles. Under this program, five law enforcement agencies will establish a structured law enforcement effort focused on serious crime perpetrated by juvenile drug users, to reduce crime frequency and drug procurement by juveniles and to increase identification, arrest, conviction and incarceration of drug pushers whose clients are primarily juveniles.
- Habitual Serious Juvenile Offenders. This is an experimental program to control and provide treatment to that small percentage of offenders who commit a disproportionately large share of juvenile crimes. Grants will be made directly to prosecutors in 13 major cities across the country.

New projects funded in FY 1983 include:

- Delinquency Prevention and Runaway Children: Covenant House of New York will provide crisis care services to runaway and homeless youth through two new emergency crisis intervention centers.
- Project Helping Hand: This will continue the development of the successful "Wing Spread" diversion program operating in California. The purpose of this project is to provide jobs, in business and industry, to delinquent youth.
- Private Sector Corrections: We are presently in the midst of a competitive process which will culminate in the funding of several new, privately-run, alternative correctional facilities for serious juvenile offenders. The projects will be intensively evaluated to determine their success with such offenders, and to determine their cost effectiveness.

A number of programs also have been continued in 1983.

Project New Pride provides comprehensive community-based treatment for serious offenders. It reduces recidivism, increases school and social achievement, and provides employment opportunities. Four projects have received a final year of funding, to allow refinement of program models prior to development of a marketing plan. New Pride included 996 participants as of February, 1983, who averaged 7.8 prior offenses, 4.6 of them sustained by the time of their admission to

the program. Nearly half were school dropouts.

The Pacific Institute for Research and Evaluation, the program evaluators, found that New Pride participants were responsible for 25% less crime than a similar group. Over 70% now attend school, and unexcused absences were reduced by half.

The Violent Juvenile Offender Program is a major research and development effort with two parts: Part I tests a specific intervention approach for the treatment and reintegration of adjudicated violent juvenile offenders. Phase II tests the capability of neighborhood organizations to reduce violent and serious juvenile crime. While it is too early to have definitive program results, Part I juveniles have begun to show significant educational achievement and social adjustment compared to their counterparts in the control group. Part II projects are now under way and are gathering data for establishing program priorities and developing crime prevention action plans.

Restitution by Juvenile Offenders also will be continued, with training and technical assistance provided to practitioners wishing to establish or improve a restitution program.

One Alternative Education project received funding this year, and in 1983, Special Emphasis Division funds were used to continue the Close-Up project.

National Institute for Juvenile Justice and Delinquency Prevention

During FY 1983, the Institute supported 23 training projects carried out by specialized public and private organizations and institutions concerned with improving juvenile justice.

Approximately 2,500 juvenile court judges and other court-related management personnel as well as juvenile service professionals, educators, administrators of juvenile correctional institutions and community-based alternative programs, law enforcement personnel, and people associated with employment and family counseling programs participated in the training.

More than \$2,000,000 was awarded to eight information collection/dissemination projects. The National Criminal Justice Reference Service responded to approximately 3,500 written and oral information requests from researchers, judges, legislators, and others involved in the criminal justice field. While the focus is on improving the operations of the juvenile justice system through the provision of training and information dissemination, emphasis also was placed on training and informing juvenile justice professionals in the habitual serious and violent juvenile offender problem. The wide range of training and information dissemination efforts supported by the Office has become nationally recognized and has had great influence upon the juvenile justice community.

Ten regional seminars held across the country provided training to approximately 300 correctional administrators, judges, and court personnel in the judicial, legislative, and administrative application of standards. In addition, support was given to develop model policies and procedures for the operation of juvenile detention facilities.

Analysis of the national Uniform Crime Reports and National Crime Survey data show that juvenile involvement in serious crime

has stabilized and slightly declined since the mid-1970's. There is some evidence, however, that it has increased in frequency and seriousness in some urban areas.

Recent research sponsored by the Institute indicates that relatively few juvenile offenders continue criminal behavior as adults, although the more serious their crimes, the more likely they are to continue their criminal careers as adults. However, research also has confirmed that a small number of these youths do become habitual offenders--career criminals--who are responsible for the majority of serious and violent crimes through late teenage years and early adulthood. This knowledge dictated a policy of focusing a large share of office and Institute resources on finding effective ways of dealing with this population. A variety of programs for these youths are being developed and tested. These include more intensive prosecution, better crime analysis on this part of law enforcement, comprehensive diagnostic assessment, continuous case management, a system of graduated sanctions, from secure custody to intensive supervision in the community, and intensively supervised reintegration. Restitution, one type of sanction, continues to have as much support from professionals, the research community, and the public, as any other type of sanction.

Reauthorization

As you know, Mr. Chairman, the Administration does not support reauthorization of Title II of the JJDP Act. Those functions of the office which have proven to be worthwhile and

successful would be carried forth instead by the proposed Office of Justice Assistance. Other functions of the JJDP Act have been adequately tested, we believe, to indicate whether they either work or do not; those activities that have demonstrated their effectiveness can be continued and funded by state and local governments, if they so desire. Other functions of the office which have proven to be counterproductive should no longer be funded by the federal government. In all cases, we believe that the programs of the sort required by the JJDP Act should not be mandated to the states.

Deinstitutionalization of Status Offenders

One of the primary purposes of the Act was to deinstitutionalize status offenders (those juveniles whose offenses would not be offenses were they adults), diverting them from the judicial system and out of secure detention facilities and into community-based, non-judicial settings. Deinstitutionalization of status offenders has largely been accomplished as a result of the JJDP Act, at least to the extent that juvenile status offenders are now only rarely held in secure detention facilities. The effects of deinstitutionalization, as I will indicate later in my testimony, are not as positive.

Forty-six states and the District of Columbia now participate in the JJDP Act by, among other things, deinstitutionalizing their status offenders in order to get JJDP Act money, in accordance with Section 223 (a) (12) (A) and (B) of the Act. Each of these states has submitted a plan and submits annual reports to my office containing a review of its progress

made to achieve deinstitutionalization. The other four states, North Dakota, South Dakota, Wyoming, and Nevada, indicate at the present time no desire to participate in the Act.

We believe that the states which now participate in the program will continue to deinstitutionalize without the federal government's money, and will be able to do so more successfully without the unyielding and strict requirements of federal law. Each state has a different set of circumstances and, without the need to comply with federal mandates, will be able to adjust its programs to meet its own local problems and conditions. Since the funds OJJDP provides to states are insufficient to cover the full cost of deinstitutionalization, the individual states must have shown a commitment to deinstitutionalize status offenders in order to participate in the program. More than federal money, in other words, was required for the states to join the program; with the relatively small amount of OJJDP money going to each state, there is no reason to believe that the states will now retreat from their commitment, with the exception of perhaps amending the statutes to more nearly conform to local conditions.

The JJDP Act also provides that in order to participate in the program, delinquent juveniles shall not be held in institutions in which they have regular contact with adults. Section 223 (a) (13). Those states participating in the program have made sufficient progress under this section to deem these separation requirements an almost total success.

In 1980, the JJDP Act was amended to mandate that, beginning in 1985, no state participating in the program may detain

juveniles in jails or lock-ups for adults. Section 223 (a) (14). Because this mandate is not fully in place, it is not possible to report precisely what each state has done. However, OJJDP, through its state representatives, does monitor the states' progress and is generally aware of whether each state would be able to be in compliance by 1985 in the event the Act were reauthorized. See Appendices A and B for a summary of states' compliance with Section 223 (a) (12), (13) and (14).

Again, because of the relatively small amount of federal money involved, the states are not undertaking the jail removal requirements because of federal money, but because they believe it is the right thing to do. Those that have adopted the philosophy of the Act will continue this mandate without the federal government telling them to do so; those which cannot, or do not wish to, carry out this mandate may cease participation in the program. We believe that the states will be able to perform these functions better, in fact, without the federal mandates, because the state legislatures will be able to respond more creatively to their own individual problems.

Impact of Deinstitutionalization

Because the Act places such emphasis on deinstitutionalization, and because one of the purposes of the mandate, when the statute was passed, was to reduce criminality among juveniles, it is worthwhile to examine the impact deinstitutionalization has had on recidivism.

We have done so by commissioning a study, done by the American Justice Institute, which reviews virtually all existing empirical studies on deinstitutionalization. These independent findings are startling. They show that comparisons of deinstitutionalized status offenders and non-deinstitutionalized status offenders generally show no differences in recidivism. Of the fourteen programs in which recidivism rates could be compared, no differences were found in eight, in three, the deinstitutionalized status offenders did better, and in three, they did worse.

Further, although commitment of status offenders to public correctional institutions has declined since the beginning of the federal effort in 1974, it has not been ended, and there has been a substantial increase in commitments to private correctional institutions.

We have found that both of the major strategies for reducing or eliminating the secure confinement of status offenders (developing alternative programs or issuing absolute prohibitions against confinement) produced unintended side effects. Many jurisdictions that developed alternatives without prohibiting confinement experienced "net widening" effects in which the alternative programs were used mainly for juveniles who previously had been handled on an informal basis and the status offenders who previously had been detained continued to be held in secure facilities. Additionally, the absolute prohibitions against confinement produced changes in the use of discretion (popularly termed "relabeling") which resulted in many of the

cases that previously might have been treated as status offenses being handled as minor offenses. Worse, in some of the jurisdictions which prohibited confinement, we have found that law enforcement officers and the agencies responsible for delivery of services on a voluntary basis simply were not dealing with these youths at all and that those most in need of services were not receiving them.

What has been the impact of the removal of services, and the removal of the ability of local jurisdictions to hold certain status offenders in secure facilities? Although hard data is scanty and difficult to find, in at least one area it appears the Act may have done more harm than good. That area involves runaways -- one of the most frequently committed of the status offenses.

The effect of the JJDP Act on runaway youth has been to effectively emancipate them, or to allow those who would leave home a free hand. It has inhibited, for all intents and purposes, the law enforcement system from dealing with and attempting to control runaway youth -- a law enforcement system which may have had some faults, but also provided troubled youth with services and assistance.

In many jurisdictions, deinstitutionalization has encouraged and even forced authorities to neglect runaway and homeless children. In this country's toughest urban centers, deinstitutionalization has meant, not transferring youths from reform schools to caring environments, but releasing them to the exploitation of the street.

The 1974 Act and its amendments make it virtually impossible for state and local authorities to detain status offenders in secure facilities for more than a few days, or in some instances, hours. In the case of runaways, that prohibition is too extreme. In some situations, secure settings - not jails - are necessary to protect these children from an environment they cannot control and often are unable to resist. The costs of such a policy to those children - and to society generally - are too great to continue.

A study recently conducted in Florida on runaways concluded that of those children who stay away from home for more than two weeks, 75% will be supporting themselves within that two week period, by theft, drugs, prostitution, and pornography -- in other words, by crime. Many are arrested and enter the judicial system no longer as status offenders, but as criminal offenders -- often for crimes that they were virtually forced to commit in order to survive. In many cases by providing services to them at an early stage, the law enforcement system could help these children return home, thereby preventing subsequent criminality.

By no means do all runaway or homeless children need closed programs. We fully endorse the views of such experts as Father Bruce Ritter who runs the Covenant House in New York City, who believe that those children living on the street most likely to be helped are those who recognize they need help and who turn to and remain at voluntary facilities.

But what do we do for the thirteen year old runaway girl, living on the street, selling her body, who is repeatedly

returned to her parents or a voluntary foster setting, and who repeatedly runs back to the street? In some cases, according to many experts who have dealt with the problem at first hand, the only answer is being able to use secure confinement, again not for punishment, but for treatment. As Father Ritter who has probably had more experience with runaway children than virtually anyone else in the country, says:

"A thirteen year old girl is pimp bait. She'll be lucky if she survives to her fifteenth year. If she does survive to her fifteenth year, she'll be no good to anyone, including herself. I don't think you can let a fifteen year old girl wander loose and I don't think the state has the right to say 'we're going to wash our hands'. . . .

"Sometimes kids are so out of control and incapable of making an informed, mature decision in their best interest that adults have to make that decision for them. It is criminal not to. But once you make that decision to place a child in a closed program, you have got to make the equally difficult decision to make sure it is a good one."

The 1974 Act and its amendments erred by specifying too strictly the ways in which state and local authorities could handle the status offender problem. By imposing the same standard in every state, we may have helped the states begin the process of deinstitutionalizing, but in a manner sufficiently unyielding as to make matters worse. By now lifting federal restrictions, we believe that state law will be adjusted to meet the specific problems of each state, but without returning to the old system of jailing status offenders.

Delinquency Prevention

OJJDP has, in the past years, directed a considerable amount of its resources to delinquency prevention. Delinquency

prevention is a process that involves schools, families, communities, neighborhoods, churches, and community-based organizations -- areas where it is difficult for the Department of Justice in particular, and the federal government generally, to make a difference. Delinquency prevention is made up of those things which are good for youth in general -- things which the federal government will do in any case, under names other than delinquency prevention. Accordingly, we find more than thirty different bureaus and offices in the federal government which engage in, as they are broadly defined, delinquency prevention activities with expenditures of billions of dollars.

The delinquency prevention programs OJJDP has supported in the past have done little to prevent delinquency. In a major evaluation of the Office's delinquency prevention activity, the National Council on Crime and Delinquency, in The National Evaluation of Delinquency Prevention: Final Report (1981), came to this discouraging conclusion after looking at over sixty different programs that the Office had funded:

"Data from this national study together with past research suggest that the idea of preventing delinquency remains excessively ambitious if not pretentious. There is a large gap between policy makers' hopes and what can be accomplished by prevention programs funded under this broad notion. As yet, social scientists have not isolated the causes of juvenile delinquency, but even if they were known it is not obvious that anything could be done about them. Many writers would agree that delinquency is generally associated with the growth of industrialism and social trends (e.g., poverty and racism) of such scope and complexity that they cannot easily be sorted out and remedied Given this perspective on delinquency it becomes fruitless or even naive to believe that highly generalized and often unclear directives to introduce prevention programs into heterogeneous target areas can curtail delinquency."

We believe that federal delinquency prevention programs based on social service activities should be housed in departments other than the Department of Justice, such as the Department of Health and Human Services, the Department of Education, the Department of Housing and Urban Development, and the ACTION agency. Those aspects of juvenile delinquency appropriately addressed by the criminal justice system, and therefore suited to the Department of Justice, should be funded through the Office of Justice Assistance.

Serious Juvenile Crime

Juveniles commit some 35% of all serious crime in the United States, and some 20% of all violent crime. Although the percentage is slightly lower than it was ten years ago, arrest rates for juveniles, as a percentage of the juvenile population, remains about the same.

Juvenile crime is, and is increasingly treated by the states as, a criminal justice issue. Accordingly, programs to assist juvenile courts, as well as criminal courts, in dealing with the issue of juvenile crime could be more efficiently sponsored through the Office of Justice Assistance, as part of its consolidated criminal justice assistance responsibilities, than through a separate office which deals only with juveniles.

Most serious and chronic juvenile offenders go on to become adult criminals, and most adult chronic offenders were offenders when they were juveniles. The states now treat chronic offenders, whether they be juveniles or adults, in a similar manner much more than heretofore. The result is that such

offenders are increasingly in the same law enforcement system, the same court system, and even the same correctional system. Having a separate juvenile justice office within the Department of Justice to address only those parts of the system which deal with juveniles is an artificial distinction which often duplicates services that are provided by other offices within the Department and forces the Department to act in a less efficient manner than it otherwise might.

Some may argue that it is wrong for the states to treat juvenile offenders as adults. We believe that is an argument which should be made and resolved in the state legislatures. Each state is different; each state has a different set of problems, different statutes, and different legislatures and constituencies which see things in different ways. We believe that the genius of the federal system is reflected by the states' ability to be able to handle their problems in their own way. The development and implementations of criminal justice policy, outside of the federal justice system, is one of those state prerogatives which may be assisted by the federal government but without federal interference. Assistance which is rendered by the federal government, such as by the Office of Justice Assistance, can be beneficial, but should be done without specific mandates and without the imposition of requirements that state laws be changed.

In conclusion, we do not dispute that OJJDP has done many good things during existence, and recognize that it continues to fund many excellent programs. Nevertheless, we do not believe

its programs warrant continuation of a separate office and the expenditure of \$70 million, particularly in times of restricted federal budgets. OJJDP, for all of its good programs, has had little impact on crime. OJJDP has brought a new awareness to the world of juvenile justice, but that new awareness should now be carried forth in state and local governments, in the communities, volunteer groups, and neighborhoods throughout the country.

Thank you, Mr. Chairman, I will be pleased to respond to any questions you or members of the Subcommittee may have.

Appendix A

Summary of Compliance with
Section 223 (a) (12), (13), and (14)
of the Juvenile Justice and Delinquency Prevention Act

There are 57 states and territories eligible to participate in the Juvenile Justice and Delinquency Prevention Formula Grant Program. Currently 53 are participating; the four not participating are Nevada, North Dakota, South Dakota, and Wyoming. According to the most recently submitted and reviewed State Monitoring Report, the following is a summary of compliance with Section 223 (a) (12), (13), and (14).

SECTION 223 (a) (12) (A)

Deinstitutionalization of Status Offenders and Non-Offenders

A. Of the 53 participating states, 47 have participated for five or more years and are thus required to achieve full compliance with Section 223 (a) (12) (A) of the Act to maintain eligibility for FY 84 Formula Grant funds. Of these 47 states, a determination has been made that the following 44 states and territories are in full compliance pursuant to the policy and criteria for full compliance with de minimis exceptions.

Alabama	Michigan
Alaska	Minnesota
American Samoa	Mississippi
Arizona	Missouri
Arkansas	Montana
California	New Hampshire
Colorado	New Jersey
Connecticut	New Mexico
Delaware	New York
District of Columbia	Oregon
Florida	Pennsylvania
Georgia	Puerto Rico
Guam	Rhode Island
Illinois	South Carolina
Indiana	Tennessee
Iowa	Texas
Kansas	Trust Territories
Kentucky	Vermont
Louisiana	Virginia
Maine	Virgin Islands
Maryland	Washington
Massachusetts	Wisconsin

Three of these 47 states have not to date been found to be in full compliance with the deinstitutionalization requirement. Those states are Hawaii, Idaho, and Ohio.

- B. Of the 53 participating states, four must achieve substantial or better compliance to be eligible for FY 84 Formula Grant funds. Those states are North Carolina, Northern Marianas, Utah, and West Virginia. All four have been found in full compliance.
- C. Two of the 53 participating states, Nebraska and Oklahoma, must demonstrate progress to maintain eligibility for FY 84 funds and each have done so.

SECTION 223 (a) (13)

Separation of Juveniles and Adult Offenders

There are 39 states which have demonstrated compliance with Section 223 (a) (13) of the Act. Fourteen other states have reported progress. Those 39 states which have been found in compliance with the separation requirements are:

Alabama	Nebraska
American Samoa	New Hampshire
Arizona	New Jersey
Arkansas	New Mexico
Connecticut	New York
Delaware	North Carolina
District of Columbia	Northern Marianas
Florida	Ohio
Georgia	Pennsylvania
Guam	Puerto Rico
Hawaii	Rhode Island
Illinois	South Carolina
Iowa	Texas
Kansas	Utah
Louisiana	Vermont
Maine	Virginia
Maryland	Virgin Islands
Massachusetts	Washington
Michigan	Wisconsin
Minnesota	

The 14 states reporting progress are:

Alaska	Missouri
California	Montana
Colorado	Oklahoma
Kentucky	Oregon
Idaho	Tennessee
Indiana	Trust Territories
Mississippi	West Virginia

SECTION 223 (a) (14)

Removal of Juveniles from Adult Jails and Lockups

All participating states and territories must demonstrate full compliance or substantial compliance (i.e., 75% reduction) with the jail removal requirement by December 1985. Eligibility for FY 1984 Formula Grant funds is not dependent upon the states' level of compliance with the jail removal requirement of Section 223(a)(14). Refer to "Appendix B" (attached) for information on the number of juveniles held in adult jails and lockups.

APPENDIX B

The summary of state participation in the Juvenile Justice and Delinquency Prevention (JJDP) Act and compliance with the deinstitutionalization and separation requirements of Sections 223 (a) (12) and (13) of the Act is based upon the 1982 monitoring reports which determined states' eligibility for FY 1984 formula funds (10/1/83 - 9/30/84).

Attached are two fact sheets showing the number of status offenders and non-offenders held in secure detention and correctional facilities and the number of juveniles held in regular contact with incarcerated adult persons. The data presented represents a twelve-month period and was actual data for some states and projected to cover a twelve-month period for other states. All current data is that provided as "current data" in the 1982 monitoring reports. The baseline data for the number of status offenders and non-offenders held in secure detention and correctional facilities is that provided as "baseline data" in the 1979 reports. The baseline data for the number of juveniles held in regular contact with adult offenders is that provided as "baseline data" in the 1981 reports. Only participating states are included in the figures. A fact sheet showing the number of juveniles held in jails and lock-ups is attached. However, this data is not projected to cover a twelve-month period.

The nationwide baseline data for the number of status offenders and non-offenders held in secure detention and correctional facilities was determined to be 199,341. The nationwide current data showed 22,833 status offenders and non-offenders held in secure detention and correctional facilities. Thus, by comparing baseline and current data, the number of status offenders and non-offenders held in secure facilities has been reduced by 88.5% over the past 5 to 7 years. According to the 1980 census, approximately 62,132,000 juveniles under the age of eighteen reside in the participating states. Thus, the number of status offenders and non-offenders currently held computes to a national ratio of 36.7 status offenders and non-offenders securely held per 100,000 juvenile population under age 18. This national ratio is in excess of the maximum rate which an individual state must achieve to be eligible for a finding of full compliance with the deinstitutionalization requirements of Section 223 (a) (12) (A) of the JJDP Act, pursuant to OJJDP's policy and criteria for de minimis exceptions to full compliance. It should also be noted that these figures do not include those status offenders and non-offenders held less than 24 hours during weekdays and those held up to an additional 48 hours (i.e., a maximum of 72 total hours) over the weekend.

The number of juveniles held in regular contact with incarcerated adults has reduced from 97,847 to 27,552. This computes to a 71.8% reduction over approximately a five-year period.

Based upon the number of status offenders and non-offenders currently held in secure facilities, which is a 88.5% reduction in the number held five or more years ago, and based upon the fact that 48 states and territories have been found in full compliance with de minimis exceptions, it is evident that substantial progress has been made in attaining the

deinstitutionalization objective of the Act. However, considering, as stated above, that status offenders held less than 24 hours are not included and considering that states can securely hold status offenders at a level acceptable for a finding of full compliance pursuant to the de minimis policy, it is also evident that the deinstitutionalization objectives have not been fully met. It is also noted that OJJDP determines compliance a statewide aggregate data, thus cities, counties, regions or districts may not have achieved local compliance in their efforts to deinstitutionalize.

JJDP Act legislation does not require states to be in either substantial or full compliance to be eligible for FY '84 dollars. The attached fact sheet on Section 223 (a) (14) shows progress being made at the national level but not necessarily at the state level. Based upon individual state reporting periods varying from one month to twelve months, there appears to be an overall 18.9% reduction in the number of juveniles held in adult jails and lock-ups. This data does not include those juveniles who are waived or those for which criminal charges have been filed in a court having criminal jurisdiction. This data, also does not include those juveniles held in adult jails or lock-ups for less than six hours.

Attachments: I, II, III

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National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

Number of Status Offenders and Non-Offenders Held in Secure Facilities*

	Baseline *B	Current *C	TOTALS	
ALABAMA	4,836	412		
ALASKA	485	14		
ARIZONA	4,410	632		
ARKANSAS	3,702	0	Baseline	Current
CALIFORNIA	34,216	238		
COLORADO	6,123	370	199,341	22,833
CONNECTICUT	699	0		
DELAWARE	374	2		
DIST. OF COLUMBIA	178	4		
FLORIDA	9,188	22		
GEORGIA	4,047	432		
HAWAII	681	629		
IDAHO	4,188	1,272		
ILLINOIS	5,391	136		
INDIANA	7,494	438		
IOWA	1,204	8		
KANSAS	3,826	576		
KENTUCKY	4,849	1,104		
LOUISIANA	3,179	111		
MAINE	41	0		
MARYLAND	857	4		
MASSACHUSETTS	37	0		
MICHIGAN	14,344	35		
MINNESOTA	6,309	7		
MISSISSIPPI	1,170	244		
MISSOURI	4,786	366		
MONTANA	1,224	85		
NEBRASKA	546*D	624		
NEVADA	Not Participating			
NEW HAMPSHIRE	200	0		
NEW JERSEY	217	29		
NEW MEXICO	2,376	48		
NEW YORK	7,933	2		
NORTH CAROLINA	2,678	580		
NORTH DAKOTA	Not Participating			
OHIO	16,552	3,099		
OKLAHOMA	No data required			
OREGON	4,110	71		
PENNSYLVANIA	3,634	45		
RHODE ISLAND	1,572	17		
SOUTH CAROLINA	1,568	184		
SOUTH DAKOTA	Not Participating			
TENNESSEE	4,078	2,940		
TEXAS	4,722	976		
UTAH	2,448	689		
VERMONT	218	36		
VIRGINIA	6,558	328		
WASHINGTON	9,600	0		
WEST VIRGINIA	627	7		
WISCONSIN	2,847	136		
WYOMING	Not Participating			
PUERTO RICO	961	0		
AMERICAN SAMOA	4	0		
GUAM	228	39		
TRUST TERRITORIES	0	0		
VIRGIN ISLANDS	178	0		
N. MARIANAS	0	0		

*A - All Data is 12 month actual or projected to cover a 12 month period

*B - Baseline data is that provided as baseline data in 1979 report.

*C - Current data is that provided as current data in 1982 report.

*D - Nebraska baseline data is that provided as baseline data in 1981 report.

SECTION 223(a)(13)
Number of Juveniles Held in Regular Contact With Adults*^A

II

	Baseline* ^B	Current* ^B	TOTALS	
			Baseline	Current
ALABAMA	3,300	1,104		
ALASKA	824	349		
ARIZONA	25	0		
ARKANSAS	8,724	36		
CALIFORNIA	3,041	2,612		
COLORADO	4,750	1,537	97,847	27,552
CONNECTICUT	3	2		
DELAWARE	0	0		
DIST. OF COLUMBIA	0	0		
FLORIDA	1,996	104		
GEORGIA	1,769	10		
HAWAII	1	0		
IDAHO	2,011	?		
ILLINOIS	777	3		
INDIANA	8,580	235		
IOWA	1,993	194		
KANSAS	1,716	168		
KENTUCKY	5,702	5,874		
Louisiana	3,523	180		
MAINE	1,186	0		
MARYLAND	229	0		
MASSACHUSETTS	0	0		
MICHIGAN	0	0		
MINNESOTA	3	0		
MISSISSIPPI	2,280	108		
MISSOURI	3,278	348		
MONTANA	1,878	213		
NEBRASKA	0	0		
NEVADA	Not Participating			
NEW HAMPSHIRE	74	0		
NEW JERSEY	42	17		
NEW MEXICO	6,696	0		
NEW YORK	27	0		
NORTH CAROLINA	0	0		
NORTH DAKOTA	Not Participating			
OHIO	5,751	480		
OKLAHOMA	Not Participating			
OREGON	1,798	10		
PENNSYLVANIA	3,196* ^C	14* ^C		
RHODE ISLAND	176	0		
SOUTH CAROLINA	3,984	0		
SOUTH DAKOTA	Not Participating			
TENNESSEE	7,574	9,806		
TEXAS	370	0		
UTAH	22	449		
VERMONT	9	12		
VIRGINIA	5,624	0		
WASHINGTON	2,088	0		
WEST VIRGINIA	940	12		
WISCONSIN	1,857	0		
WYOMING	Not Participating			
PUERTO RICO	3	0		
AMERICAN SAMOA	0	0		
GUAM	0	0		
TRUST TERRITORIES	3	2		
VIRGIN ISLANDS	13	0		
N. MARIANAS	20	0		

*A - All data is 12 month actual or projected to cover a 12 month period.

*B - Baseline and Current data is that provided as baseline and current in 1982 report

*C - Pennsylvania data is that provided in 1980 report.

TITLE: STATUS OF STATES RE: 223(a)(14) Carl W. Hamm, Chief, FG's 2/22/84
DOJ-1984-03 III

	YR.	Baseline Period	Current Period	VIOLATIONS		Per Cent
				Baseline	Current	
ALABAMA	82	1/82 - 3/82	1/83 - 3/83	295	198	32.8%
ALASKA	83	1/76 - 12/76	1/81 - 12/81	864	787	9%
ARIZONA	82	1/82 - 8/82	1/82 - 8/82	29	29	0%
ARKANSAS	83	8/82	8/83			
CALIFORNIA	82	7/81 - 6/82	1/82 - 12/82	4365	5552	No Progress
COLORADO	83	1/80 - 12/80	1/82 - 12/82	6112	2070	66%
CONNECTICUT	83	7/81 - 6/82	7/82 - 6/83	0	0	In Compliance
DELAWARE	83	12/81 - 9/82	12/82 - 12/83	0	0	In Compliance
DIST. OF COLUMBIA		1/75 - 12/75	1/83 - 12/83	0	0	In Compliance
FLORIDA	83	1/82 - 12/82	7/82 - 6/83	117	45	61.5%
GEORGIA	82	9/81 - 8/82	9/81 - 8/81	130	130	0%
HAWAII	83	10/82 - 10/83	10/82 - 10/83	0	0	Questionable
IDAHO	82		No Date Now			
ILLINOIS	82	4/80 - 6/80	4/82 - 6/82	618	399	35%
INDIANA	82	-	7/82 - 9/82	-	1,782	?
IOWA	82	7/81 - 6/82	7/81 - 6/82	1886	1886	0%
KANSAS	83	2/83	2/83	101	101	0%
KENTUCKY	82	1/82 - 6/82	1/82 - 6/82	509	509	0%
LOUISIANA	83	9/80 - 8/81	9/82 - 8/83	336	154	54.17%
MAINE	83	1983	1983	0	0	In Compliance
MARYLAND	82	1/75 - 12/75	1/82 - 12/82	229	0	In Compliance
MASSACHUSETTS	83			0	0	In Compliance
MICHIGAN	82	1/82 - 12/82	1/82 - 12/82	23	23	0%
MINNESOTA	82	1/81 - 12/81	1/82 - 12/82	1639	533	67%
MISSISSIPPI	83	7/83 - 12/83	7/83 - 12/83	167	167	0%
MISSOURI	82	1/82 - 12/82	1/82 - 12/82	768	768	0%
MONTANA	82	1/80 - 12/80	1/81 - 12/81	934	766	18%
NEBRASKA	83	1/80 - 12/80	1/82 - 12/82	3566	2804	21%
NEVADA	NP					
NEW HAMPSHIRE	83	10/81 - 11/82	10/82 - 9/83	0	0	In Compliance
NEW JERSEY	83	1/82 - 12/82	1/83 - 12/83	0	0	In Compliance
NEW MEXICO	82	8/75	2/57 - 8/82		2015	N/A
NEW YORK	82	1/75 - 12/75	1/82 - 11/82	?	0	In Compliance
NORTH CAROLINA	83	8/82 - 10/82	8/83 - 10/83	266	132	50.04%
NORTH DAKOTA						
OHIO	82	1/82 - 12/82	1/83 - 12/83	3741	2657	29%
OKLAHOMA		- Not Required -				
OREGON		1/75 - 12/75	10/82 - 9/83	1618	10	99%
PENNSYLVANIA	82	No Information available (exempt)				
RHODE ISLAND	82	7/75 - 6/76	12/81 - 11/82	0	0	In Compliance
SOUTH CAROLINA	83	1/82 - 9/82	1/83 - 9/83	1303	1232	5.4%
SOUTH DAKOTA	NP					
TENNESSEE	82	1/82 - 6/82	1/82 - 6/82	1854	1854	0%
TEXAS	83	Data Not Available				
UTAH	83		1/83 - 12/83		64	0%
VERMONT	82	7/76	7/82	0	0	In Compliance
VIRGINIA	83	7/79 - 6/80	7/82 - 6/83	3578	2075	42%
WASHINGTON	83	1/83 - 6/83	1/83 - 6/83	237	237	0%
WEST VIRGINIA	83	1/80 - 12/80	1/82 - 12/83	189	78	39%
WISCONSIN	82	1/80 - 12/80	1/82 - 12/82	3741	2657	29%
WYOMING	NP					
PUERTO RICO	83	12/81 - 12/82	12/82 - 12/83	38	11	71%
AMERICAN SAMOA	83	1/81 - 12/81	1/82 - 12/82	0	0	In Compliance
GUAM	83	9/81 - 9/82	9/82 - 9/83	0	0	In Compliance
TRUST TERRITORIES	83	Not available		351	351	0%
VIRGIN ISLANDS	82	7/81 - 12/81	1/82 - 12/82	0	0	In Compliance
N. MARIANAS	83		1/83 - 12/83		19	In Complete

22,095

END