



ALERT

**NAACP SUPPORTS SWIFT ENACTMENT OF KEY JUVENILE JUSTICE LAW
THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT REQUIRES STATES TO COMPLY WITH A SET
OF BEST PRACTICES AIMED AT AVOIDING THE UNNECESSARY DETENTION AND INCARCERATION OF
YOUNG PEOPLE IN JUVENILE AND ADULT FACILITIES**

THE ISSUE:

The Juvenile Justice and Delinquency Prevention Act (JJDP), first enacted in 1974, provides federal funding to states that comply with a set of best practices aimed at avoiding unnecessary detention and incarceration of young people in juvenile and adult facilities. For more than 35 years, the JJDP has protected youth involved in the juvenile justice system. Since the last reauthorization of the JJDP, many research advancements have been made in "what works" in the juvenile justice field, including new scientific research regarding adolescent development and the brain. However, the current JJDP law does not reflect this research and is currently three years overdue for reauthorization.

The JJDP needs to be reauthorized and updated to include new policies that reflect some of the more recent research. Specifically, the NAACP is calling on Congress to include provisions that:

- Keeps pre-trial youth under the age of 18 out of adult jails and lock-ups and in more humane juvenile justice facilities, regardless of being tried in adult or juvenile court;
- Continues to allow States that choose to keep youth convicted of adult crimes in juvenile facilities without facing a federal penalty;
- Ends the practice of locking up status offenders (i.e. youth who have run away or are truant);
- Protects youth locked up in juvenile detention and corrections facilities by encouraging States to improve how youth are treated in these facilities, including eliminating the use of dangerous practices, such as restraining youth to fixed objects, choking youth, and administering psychotropic medications to youth for purposes of coercion, punishment or convenience of staff;
- Provides States with concrete guidance on how to reduce the disproportionate involvement of racial and ethnic minority youth with the juvenile justice system; and
- Incentivizes States to continue to work toward best practices in the juvenile justice and go above and beyond the JJDP requirements.

The Senate Judiciary Committee approved of and passed S. 678, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009, out of the Committee in December 2009 with bipartisan support. S. 678 makes meaningful improvements that expand several of the core requirements and is a significant step towards improving the JJDP. We are now awaiting the House Education and Labor Committee to introduce, hold hearings on, and move similar legislation.

THE NAACP ENCOURAGES BOTH THE SENATE AND THE HOUSE TO MOVE AS QUICKLY AS POSSIBLE TO REAUTHORIZE AND UPDATE THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT (JJDP).

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