

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Roberts, John G.: Files
Folder Title: JGR/Draft Report (2 of 3)
Box: 18

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

THE WHITE HOUSE

WASHINGTON

February 28, 1986

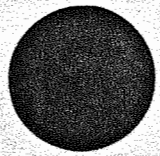
MEMORANDUM FOR GREGORY JONES
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: JOHN G. ROBERTS *JGR*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Testimony on the Activities of the Office of
Juvenile Justice and Delinquency Prevention

Counsel's Office has reviewed the above-referenced testimony and finds no objection to it from a legal perspective.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Dreg Jones

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: testimony on the activities of the office of Juvenile Justice + Delinquency Prevention

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUMHOLL</u>	<u>ORIGINATOR</u>	<u>861021 26</u>			<u>1 1</u>
<u>Crat 18</u>	<u>R</u>	<u>861021 26</u>		<u>S</u>	<u>861031 04</u>
		<u>1 1</u>			<u>1 1</u>
		<u>1 1</u>			<u>1 1</u>
		<u>1 1</u>			<u>1 1</u>

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

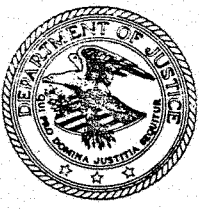
- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



DRAFT

Department of Justice

STATEMENT

OF

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

BEFORE

THE

**SENATE COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON JUVENILE JUSTICE**

ON

MARCH 5, 1986

Thank you, Mr. Chairman, for inviting me to testify this morning on the activities of the Office of Juvenile Justice and Delinquency Prevention.

I know that uppermost in the minds of the Subcommittee Members is the situation involving the future of my Office. As you are aware, Mr. Chairman, the President, as he has done each year since taking office, has requested no funding for OJJDP for the next Fiscal Year. In addition, the President's budget request for FY 1987 also contains a request for a rescission of almost all of the FY 1986 funds appropriated for OJJDP.

While you, Mr. Chairman, and other Members of Congress have expressed your dismay to the President, to the Attorney General, and to me over this seeming lack of concern for the welfare of those served by OJJDP, I would like to take this opportunity to point out that the President must be concerned with the welfare of all Americans.

Over and over again, in opinion poll after opinion poll, the American people have cited the Federal deficit as the biggest problem faced by the Nation. They know that the Federal government cannot keep spending money it does not have. Congress, in passing the Balanced Budget and Emergency Deficit Control Act last year, recognized that severe measures must be undertaken to control runaway spending before the dramatic improvement in the Nation's economy experienced under this Administration is irreparably reversed.

The program of spending cuts and other reforms contained in the President's FY 87 budget would lead to a balanced budget at the end of five years and would thus remove a serious impediment to the continuation of the country's economic expansion.

In crafting his budget, the President had the responsibility of ensuring that those programs that can only be carried out by the Federal government--those for the Nation's defense, for the protection of the poor and the elderly, or for the enforcement of Federal laws, for example--were adequately funded. Other programs, particularly those that have accomplished their original purpose, that could be better operated by state and local governments, or that could be supported by the private sector, can no longer be supported with Federal funds.

This Administration believes that the programs of the Office of Juvenile Justice and Delinquency Prevention fall into this latter category.

In 1984, when the Federal deficit was \$185 billion, the country's state and local governments enjoyed a combined surplus of approximately \$50 billion. Why should the Federal government, which is operating under a huge deficit, pay for programs that benefit state governments, when those same governments are operating under budget surpluses? Why should the Federal government continuing borrowing money to pay for programs the states could support with their own funds?

As you know, Mr. Chairman, through the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, Congress gave OJJDP a mandate to assist the states in three specific areas: deinstitutionalizing 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; separating delinquent juveniles from institutions in which they have regular contact with adults; and removing juveniles from adult jails or lockups.

A survey by my office, however, found that the states use only a small portion of OJJDP funds in support of the jail removal and deinstitutionalization mandates. In FY 85, states spent only 23 percent--roughly \$9.3 million--for preadjudicatory alternatives in support of jail removal and the deinstitutionalization of status offenders. The largest percentage of funds-- 27 percent or \$10.8 million--is spent on treatment and rehabilitation programs. Another 23 percent (\$9.1 million) is spent on prevention programs, 20 percent (\$7.8 million) is spent on system improvement programs, training, for example; and 2.5 percent (\$960,000) is spend on advocacy programs. Thus, states are using Federal funds to finance programs they would support, and do, in fact, support, regardless of Federal assistance.

Although many of these are worthwhile programs, that does not mean that the Federal government should continue to provide funds for them. As President Reagan has so aptly pointed out, we can no longer afford every good program.

Meanwhile, states continue to move toward compliance with the mandates of the Act. As of the end of 1985, 43 states and territories have met the requirements of the Act by demonstrating substantial or full compliance with the deinstitutionalization mandate. As a result, juvenile status offenders are now only rarely held in secure detention facilities. Thirty-three states have complied with the requirements for the separation of adults and juveniles in adult jails and lockups, and 20 states have enacted legislation in support of the jail removal mandate. I have attached to my testimony the latest summary of states' compliance with the mandates of the Act. The summary contains data from the states' 1984 monitoring reports.

I am convinced that the states that now participate in the OJJDP program will continue their commitment to the deinstitutionalization, separation, and removal mandates even without the relatively small amount of Federal funding provided for these purposes. In fact, since the funds OJJDP provides to states are insufficient to cover the full cost of deinstitutionalization, separation, and removal, states participating in the program already have shown their commitment to the goals of the Act and to a large extent have supported compliance with state and local funds.

And inasmuch as it is the states who are paying most of the cost of the Act's mandates, it should be the states that decide how best to comply with them. Thomas Jefferson once warned, "Were we directed from Washington when to sow and when to reap, we should soon want for bread." And President Reagan has said time and again that we must recognize the constitutional principles of Federalism so that we can limit Federal intrusion and cumbersome Federal regulation regarding state and local matters.

There is no reason to believe that, in the absence of Federal support, states will now retreat from a commitment in which they themselves already have so heavy an investment, both financially and philosophically. Rather, following 11 years of Federal assistance, states and localities would now take over full support of what clearly is solely a state and local responsibility.

In the same way, other programs proven successful that have been supported using OJJDP funds would continue with state, local, or private funds. Federal grant money never was intended to be the continued sole support of new programs. For this reason, most projects are supported only for a period of three years. After that time, projects that have proven successful or worthwhile to a community are expected to become self-supporting or to be supported through state, local, or private funds.

OJJDP also has supported, through its National Institute for Juvenile Justice and Delinquency Prevention, a relatively small number of research projects. While this Administration supports the role of the Federal government in research, a separate unit subsidizing research on juvenile justice is not needed. Research in juvenile justice comprises only a small part of research on crime and justice. The National Institute of Justice serves as the research arm of the Department of Justice, and the Administration has pledged to continue support for this agency, which already conducts a number of research projects relating to juveniles.

Missing Children

During the more than three years of my administration of the Office, we have supported many worthwhile programs. Perhaps the most gratifying to me is the success of our Missing Children's Program.

I would like to clarify some of the confusion about funding for this program. The Missing Children's Program was authorized by the Missing Children's Assistance Act of 1984 and has an appropriation separate from that of OJJDP. The Administration requested and Congress has appropriated \$4 million for the program in FY 86. No rescission of these funds has been requested.

In addition, the President has expressed his continuing support for efforts to recover missing children and prevent the abduction and exploitation of children by requesting \$4 million for the program for FY 87. I think you will agree, Mr. Chairman, that this is evidence of the Administration's continuing concern for the welfare of these endangered children in appropriating these funds in what otherwise is a very lean domestic budget.

By passing the Missing Children's Assistance Act, Congress recognized the need to coordinate resources, develop, standardize, and disseminate effective policies and procedures regarding missing children across all jurisdictions, and provide a central focus for research, data collection, policy development, and information about missing children.

As required by the Act, a Missing Children's Advisory Board was appointed in January 1985 and met four times during the year. The Advisory Board advises the Attorney General and OJJDP on coordinating missing children's programs and activities and also provides advice in establishing funding priorities under the Missing Children's Program.

The Board also has prepared a comprehensive report on missing children that it plans to submit to the President, the Attorney General, and the Congress the day after tomorrow.

The report makes recommendations on the steps that should be taken to reduce the problem of abducted, abandoned, and runaway children and discusses the unintended consequences of deinstitutionalization on the problem. In addition, it addresses the question of the number of children actually missing, and clarifies some of the issues that continue to surround that question.

In accordance with the Act and with the advice of the Advisory Board, OJJDP has established seven funding priorities for the Missing and Exploited Children's Program.

First, a National Incidence Study to Determine the Actual Numbers of Missing Children will provide a comprehensive, reliable assessment of the missing children problem. To plan for this study, OJJDP solicited the expertise of researchers from various fields who had designed, funded, or conducted studies with similarly complex problems. A panel of these researchers met last August to advise OJJDP on issues that should be considered in designing the study. Based on the advice of this panel, OJJDP is undertaking a number of initial pilot tests to determine the best approaches for a later series of larger studies that will provide reliable estimates of the incidence of missing children, information on the context of the events, and data on the characteristics of the victims.

The second priority is a National Study of Law Enforcement Agencies' Policies and Practices for Handling Missing Children and Homeless Youth. Applications for this study have been reviewed, and we plan to make an award within the near future. The study is designed to describe current law enforcement policies and practices and to identify the most effective law enforcement methods for handling reports and investigating, identifying, and recovering children who may be missing or homeless and at risk of exploitation. The study also will provide better estimates of the number of cases of missing children reported to law enforcement agencies annually.

Under the third priority, funding has been provided to the Federal Law Enforcement Training Center at Glynco, Georgia, for a training program on handling missing and exploited children. The program is intended to help Federal, state, and local law enforcement personnel gain a better understanding of the problem of missing and exploited children and improve their skills in handling related cases.

The fourth priority is research on the relationship between missing and abducted children and sexual exploitation; the psychological consequences of abduction and sexual exploitation; and the child victim as witness. Research strategies for these issues are being developed by OJJDP.

The fifth funding priority is a training and public awareness program for practitioners involved with missing and exploited children.

OJJDP and the National Center for Missing and Exploited Children are developing, under the sixth program priority, an assistance program that will make up to 20 small, one-time awards to states that have legislatively established, state operated clearinghouses that serve as central repositories of information on children believed to be missing in the state. These two-year awards are intended to encourage states to develop clearinghouses and operate uniform data collection systems. States selected to receive OJJDP funding will be responsible for compiling accurate and relevant statistics and collaborating with the National Center for Missing and Exploited Children and OJJDP-sponsored research initiatives.

The final priority is assistance to private voluntary organizations. A cooperative agreement has been made to provide training and technical assistance in organization and administrative management for private voluntary organizations involved with missing and exploited children.

Through this program, there will be training sessions at 16 sites around the country during the next two years, a national conference of missing children's agencies, the identification and selection of five exemplary programs as host sites for training and technical assistance, and development of guidelines for successful missing children agency operation. Through a subcontractual agreement, the Adam Walsh Child Resource Center in Fort Lauderdale, Florida, will provide approximately 25 percent of the training.

Organizations participating in the program will be invited to submit applications for modest assistance and funds to further enhance their capabilities. These grants will focus on unique or especially effective programs run by private organizations.

The OJJDP Missing and Exploited Children's Program also supports the National Center for Missing and Exploited Children, which was established with OJJDP funds. The National Center serves as a national resource center to assist parents, citizens groups, communities, law enforcement agencies, and government institutions in a coordinated national effort to ensure the safety and protection of children. The Center operates a national toll-free telephone hotline through which individuals can report information relating to the location of missing children or to request information about procedures for reuniting children with their legal guardians. Since beginning, the hotline has received more than 100,000 calls and the Center has assisted in the recovery of some 3,600 children.

New Programs

While the budget situation has necessitated holding in abeyance funds for most programs planned for support in FY 86, several important new programs were begun early in the fiscal year which I would like to discuss.

In November, a cooperative agreement was made with the National District Attorneys' Association's American Prosecutors Research Institute to establish a National Center for the Prosecution of Child Abuse. The Center will provide technical assistance, training, and clearinghouse services to improve local prosecutors' handling and treatment of child victims. The Center also will develop model legislation and conduct training for others involved in the prosecution and treatment of child physical and sexual abuse cases.

Another new project, the Private Sector Probation Program, is designed to demonstrate the feasibility of private sector involvement in the delivery of probation services currently being provided by the public sector. During my tenure as OJJDP Administrator, Mr. Chairman, I have been encouraged by the considerable interest of the private sector in providing services in many areas of the justice system. Private sector spending already far outweighs government expenditures for criminal justice services, and I believe that the private sector will relieve more and more of the burden from overwhelmed government agencies.

Faced with fiscal constraints, local policy makers have begun looking for new approaches and techniques to operate probation departments more cost-effectively.

Research studies indicate that referral to probation is the most common juvenile court sanction used. More than 80 percent of adjudicated offenders are placed on some form of probation. The provision of probation services consumes the largest share of state and county correctional dollars, and generally employs the greatest number of correctional professionals.

The Private Sector Probation Initiative would target local and state jurisdictions that are interested in contracting out either selected parts of their probation functions or the entire probation function to a private sector agency and provide assistance in developing such contracts with the private sector.

Conclusion

Although other programs were planned for implementation in FY 86, no further awards will be made until Congress makes a decision concerning the President's request for a rescission of OJJDP funds. Of the \$67.6 million appropriated for OJJDP in FY 1986 (not including the Missing Children's appropriation), \$60,797,000 is proposed for rescission. An additional \$2.9 million will be sequestered under the March deadline of the Balanced Budget Act.

While I believe the Office of Juvenile Justice and Delinquency Prevention could provide some valuable information to the criminal justice community about juvenile crime and delinquency through the programs I have outlined here today, the simple fact is that the Federal government cannot afford them.

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

**Summary of State 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 JJDP Act Formula Grant Program. Currently, 52 are participating; the five not participating are Hawaii, Nevada, North Dakota, South Dakota, and Wyoming. According to the 1984 State Monitoring Report, the following is a summary of the compliance with Section 223(a)(12), (13) and (14).

I. SECTION 223(a)(12)(A)

Deinstitutionalization of Status Offenders and Nonoffenders

- A. Of the 52 participating states, 50 have participated for five or more years, and thus, are required to be in full compliance with Section 223(a)(12)(A) of the Act to maintain eligibility for FY 1986 formula grant funds. Of these 50 states and territories, a determination has been made that the following 43 states and territories are in full compliance pursuant to the policy and criteria for full compliance with de minimis exceptions:

Alabama	Missouri
Alaska	Montana
American Samoa	New Hampshire
Arkansas	New Mexico*
California	New York
Colorado	Northern Marianas
Connecticut	Ohio
Delaware	Oregon
Florida	Pennsylvania*
Georgia	Puerto Rico
Guam	Rhode Island
Idaho	South Carolina
Indiana	Tennessee
Iowa	Trust Territory
Kansas	Utah
Kentucky	Vermont
Louisiana	Virginia
Maine	Virgin Islands
Massachusetts	Washington
Michigan	West Virginia .
Minnesota	Wisconsin
Mississippi	

*New Mexico and Pennsylvania were exempted from submitting a 1984 Monitoring Report. Compliance findings are based on previous reports.

Two (2) of the 50 states and territories have been found not in full compliance with Section 223(a)(12). Until a finding of full compliance is made, the following two states are not eligible for the FY 1986 formula award.

Arizona
North Carolina

An official finding has not been made on the following five (5) states. Upon the resolution of issues and/or the provision of additional information and the subsequent finding of compliance, the states will be eligible for the FY 1986 formula grant. It is anticipated that an official finding will be made no later than mid-fiscal year 1986.

District of Columbia
Illinois
Maryland
New Jersey
Texas

- B. One (1) of the 52 participating states, Nebraska, must achieve substantial or better compliance to be eligible for FY 1986 formula grant funds. Nebraska has been found not in substantial compliance. Until a finding of substantial compliance is made, the State is not eligible for the formula award.
- C. Of the 52 participating states, one (1) state, Oklahoma, must demonstrate progress to maintain eligibility for FY 1986 funds, and Oklahoma has done so.

II. SECTION 223(a)(13)

Separation of Juvenile and Adult Offenders

- A. Thirty-three (33) of the 52 participating states and territories have demonstrated compliance with Section 223(a)(13) of the Act. Those states which have been found in compliance with this requirement pursuant to the regulatory requirements regarding compliance are:

Alabama*	North Carolina
American Samoa	Northern Marianas
Arizona	Oregon
Arkansas*	Pennsylvania
Connecticut	Puerto Rico
Delaware	Rhode Island
Florida	South Carolina
Georgia	Tennessee*
Guam	Trust Territory
Iowa	Utah
Louisiana*	Vermont
Maine	Virginia
Massachusetts	Virgin Islands
Michigan	Washington
Minnesota	West Virginia*
New Mexico	Wisconsin
New York	

*The finding of compliance for these states was based upon the demonstration and determination that the four criteria contained in 28 CFR 31.303(f)(6)(ii)(B) were met.

- B. Of the 52 participating states and territories, ten (10) states have been found to be making progress toward achieving compliance. These states are:

Alaska
Colorado
Idaho
Kansas
Kentucky

Mississippi
Missouri
Montana
Ohio
Oklahoma

- C. One state, Indiana, has been found to be making progress but must demonstrate compliance to be eligible for the FY 1986 formula award.
- D. It was determined that two (2) states, California and New Hampshire, reported no progress being made toward achieving compliance.
- E. No determination of progress toward achieving compliance was made for one (1) state, Nebraska. This was due to incomplete data.
- F. An official finding has not been made on the following five (5) states. Upon the resolution of issues and/or the provision of additional information and the subsequent finding of compliance or progress, the states will be eligible for the FY 1986 formula grant. It is anticipated that an official finding will be made no later than mid-fiscal year 1986.

District of Columbia
Illinois
Maryland

New Jersey
Texas

III. SECTION 223(a)(14)

Removal of Juveniles from Adult Jails and Lockups

All participating states and territories should demonstrate full compliance—but must demonstrate at least substantial compliance (i.e., a 75% reduction) with the jail removal requirement beginning after December 1985. Eligibility for FY 1986 formula grant funds is not dependent upon the state's level of compliance with the jail removal requirement of Section 223(a)(14) of the Act.

IV. DISCUSSION OF DATA

The summary of state compliance with requirements of Section 223(a)(12), (13) and (14) of the JJDP Act, as amended, is based upon the 1984 monitoring reports which determine states' eligibility for FY 1986 formula funds (10/1/85 - 9/30/86).

Attached are three (3) fact sheets showing state-by-state information/data on the number of status offenders and nonoffenders held in secure detention and correctional facilities, the number of juveniles held in regular contact with incarcerated adults, and the number of juveniles held in adult jails and lockups. The data presented represents a 12-month period, was actual data for approximately 40 states, and was projected to cover a 12-month period for the remaining 52 participating states. All current data is that provided as "current data" in the 1984 Monitoring Report, unless otherwise noted. The current data generally represents a reporting period covering a period during either

calendar year or fiscal year 1984. The source of the baseline data is noted on each fact sheet. Only participating states are included in the figures.

Section 223(a)(12)

The nationwide baseline data for the number of status offenders and nonoffenders held in secure detention and secure correctional facilities was determined to be 198,868. The nationwide current data showed 6,429 status offenders and nonoffenders held in secure facilities. The data does not include status offenders and nonoffenders 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, nor does it include those charged or found to be in violation of a valid court order. By comparing the baseline and current data, the number of status offenders and nonoffenders held in secure facilities has been reduced by 96.8% over the past 7 to 9 years. According to the Bureau of Census Population Reports by Age and Component of Change; 1980-1984, approximately 63,002,000 under the age of 18 years reside in the participating states. Thus, the number of status offenders and nonoffenders currently held computes to a national ratio of 10.2 status offenders and nonoffenders securely held per 100,000 population under age 18 years. This national ratio falls within the acceptable range which is contained in OJJDP's policy and criteria for determining an individual state level of compliance with de minimis exceptions to full compliance.

Section 223(a)(13)

The national baseline data for the number of juvenile offenders held in regular contact with incarcerated adult offenders was determined to be 105,303. The nationwide current data revealed 17,928 juveniles held in regular contact with adults. This data includes only those juvenile offenders under the jurisdiction of the juvenile court and does not include those who have been waived or transferred to criminal court or those juvenile offenders whose court of original jurisdiction is a court other than juvenile or criminal court. A comparison of the baseline and current data shows a 83% reduction over approximately a seven-year period. This computes to a ratio of 28.5 juvenile offenders held in regular contact with incarcerated adults per 100,000 population under age 18 years.

Section 223(a)(14)

The nationwide baseline data for the number of juveniles held in adult jails and adult lockups was determined to be 107,124. The nationwide current data reveal 63,238 juveniles held in jails and lockups. The data does not include criminal-type juveniles held less than six hours, juveniles having charges filed in a court of criminal jurisdiction and juveniles held less than 24 hours in those jurisdictions meeting the non-MSA exception. By comparing the baseline and current data, the number of juveniles held in adult jails has been reduced by 41%, from approximately 2 to 3 years previous. The current number computes to a ratio of 100.4 juveniles held in adult jails and lockups per 100,000 population under age 18.

The jail removal provision of Section 223(a)(14) does not require the states to achieve substantial or full compliance to be eligible for FY 1986 dollars. States should demonstrate full compliance but must demonstrate at least substantial compliance in the

report covering January 1986 and beyond. Based upon the number of juveniles held in adult jails and lockups, there has been a 41% reduction, which computes to a ratio of 100.4 per 100,000 population under age 18.

Attachments (3)

Prepared by: Doyle A. Wood
State Relations and
Assistance Division
Office of Juvenile Justice
and Delinquency Prevention

January 31, 1986

SECTION 223(a)(12)

NUMBER OF STATUS OFFENDERS AND NONOFFENDERS HELD IN SECURE FACILITIES *A

	Baseline *B	Current *C	
Alabama	4,836	44	
Alaska	485	15	TOTALS
American Samoa	4	0	
Arizona	4,410	365	Baseline
Arkansas	3,702	12	198,868
California	34,216	130	Current
Colorado	6,123	196	
Connecticut	699	0	*A - All data is 12 month actual
Delaware	374	0	or projected to cover a 12
Dist. of Columbia	178	6	month period. The data does
Florida	9,188	0	not include those status
Georgia	4,047	44	offenders and nonoffenders
Guam	228	0	held less than 24 hours
Hawaii	Not Participating		and those charged or found
Idaho	1,836	63	to be in violation of a
Illinois	5,391	50 *F	valid court order.
Indiana	7,494	506	
Iowa	1,204	41	*B - Baseline data is that data
Kansas	3,826	84	reported as baseline data.
Kentucky	4,849	252	in the 1979 report (unless
Louisiana	3,179	53	otherwise noted).
Maine	41	0	
Maryland	857	2	*C - Current data is that pro-
Massachusetts	37	0	vided in the 1984 report
Michigan	14,344	348	(unless otherwise noted).
Minnesota	6,309	13	
Mississippi	1,170	60	*D - Nebraska baseline data is
Missouri	4,786	311	that provided as baseline
Montana	1,224	4	data in 1981 report.
Nebraska	546 *D	434	
Nevada	Not Participating	-	*E - Oklahoma baseline data is
New Hampshire	200	26	that provided as baseline
New Jersey	217	13	data in 1984 report.
New Mexico	2,376	16 *G	
New York	7,933	2	*F - Illinois and Texas current
North Carolina	2,678	552	data is that provided as
North Dakota	Not Participating		current data in 1983 report
Northern Marianas	0	0	
Ohio	16,552	879	*G - New Mexico current data is
Oklahoma	208 *E	208	that provided as current
Oregon	4,110	44	data in 1982 report.
Pennsylvania	3,634	45 *H	
Puerto Rico	961	2	*H - Pennsylvania current data
Rhode Island	1,572	19	is that provided as curren
South Carolina	1,568	46	data in 1980 report.
South Dakota	Not Participating	-	
Tennessee	4,078	36	
Texas	4,722	875 *F	
Trust Territories	0	0	
Utah	2,448	137	
Vermont	218	1	
Virginia	6,558	217	
Virgin Islands	178	0	
Washington	9,600	185	
West Virginia	627	0	
Wisconsin	2,847	93	
Wyoming	Not Participating	-	

SECTION 223(a) (13)

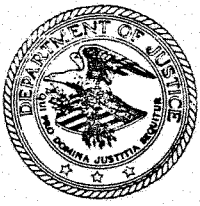
NUMBER OF JUVENILES HELD IN REGULAR CONTACT WITH INCARCERATED ADULTS *A

	Baseline *B	Current *C	
Alabama	3,300	108	
Alaska	824	357	TOTALS
American Samoa	0	0	
Arizona	25	0	Baseline Current
Arkansas	8,724	852	105,303 17,928
California	3,041	3,090	
Colorado	4,750	528	*A - All data is 12 month actual or projected to cover a 12 month period.
Connecticut	3	0	
Delaware	0	0	
Dist. of Columbia	0	0	
Florida	1,996	0	*B - Baseline data is that data provided as baseline in 1981 report.
Georgia	1,769	11	
Guam	0	0	
Hawaii	Not Participating	-	
Idaho	2,011	1,738	*C - Current data is that provided in the 1984 report (unless otherwise noted).
Illinois	777	0 *F	
Indiana	8,580	204	
Iowa	1,993	22	
Kansas	1,716	222	*D - Oklahoma baseline data is that provided as baseline data in 1984 report.
Kentucky	5,702	2,676	
Louisiana	3,523	61	
Maine	1,186	0	
Maryland	229	0	*E - Pennsylvania data is that provided in 1980 report.
Massachusetts	0	0	
Michigan	0	0	
Minnesota	3	0	*F - Illinois and Texas current data is that provided as current data in 1983 report.
Mississippi	2,280	124	
Missouri	3,278	87	
Montana	1,878	42	
Nebraska	0	0	*G - New Mexico current data is that provided as current data in 1982 report.
Nevada	Not Participating	-	
New Hampshire	74	96	
New Jersey	42	6	
New Mexico	6,696	0 *G	
New York	27	0	
North Carolina	0	0	
North Dakota	Not Participating	-	
Northern Marianas	20	0	
Ohio	5,751	126	
Oklahoma	7,457 *D	7,457	
Oregon	1,798	0	
Pennsylvania	3,196 *E	14 *E	
Puerto Rico	3	0	
Rhode Island	176	0	
South Carolina	3,984	0	
South Dakota	Not Participating	-	
Tennessee	7,574	48	
Texas	370	50 *F	
Trust Territories	3	0	
Utah	22	0	
Vermont	0	0	
Virginia	5,624	0	
Virgin Islands	13	4	
Washington	2,088	0	
West Virginia	940	5	
Wisconsin	1,857	0	
Wyoming	Not Participating	-	

SECTION 223(a)(14)

NUMBER OF JUVENILES HELD IN ADULT JAILS AND LOCKUPS *A

	Baseline *B	Current *B	
Alabama	1,180	992	
Alaska	864	817	
American Samoa	0	0	TOTALS
Arizona	240	91	Baseline Current
Arkansas	1,968	1,260	107,124 63,238
California	10,613	10,613	
Colorado	6,112	1,437	*A - All data is 12 month actual
Connecticut	0	27	or projected to cover a 12
Delaware	0	0	month period. The data does
Dist. of Columbia	0	0	not include criminal-type
Florida	117	62	(delinquents) juveniles held
Georgia	130	60	less than 6 hours, juveniles
Guam	0	0	having charges filed in
Hawaii	Not Participating	-	criminal courts, and juveniles
Idaho	3,369	1,172	held in those jurisdictions
Illinois	2,472 *C	1,492 *C	meeting the non-MSA exception
Indiana	9,552	5,345	criterion.
Iowa	1,591	1,118	
Kansas	1,110	1,110	*B - Baseline and current data is
Kentucky	1,018	1,274	that data reported in the 1984
Louisiana	336	146	report (unless otherwise
Maine	754	827	noted).
Maryland	1	1	
Massachusetts	1,346	1,346	*C - Illinois and Texas data is
Michigan	1,104	2,112	that provided in the 1983
Minnesota	1,639	1,361	report.
Mississippi	334	182	
Missouri	768	515	*D - New Mexico data is that
Montana	934	325	provided in the 1982 report.
Nebraska	3,566	1,973	
Nevada	Not Participating	-	*E - No data is available from
New Hampshire	502	579	Pennsylvania since the State
New Jersey	27	13	is exempt from submitting a
New Mexico	8,060 *D	8,060 *D	1984 report.
New York	52	2	
North Carolina	296	499	
North Dakota	Not Participating	-	
Northern Marianas	14	36	
Ohio	3,527	738	
Oklahoma	7,457	7,457	
Oregon	1,047	0	
Pennsylvania	- *E	- *E	
Puerto Rico	38	20	
Rhode Island	970	1,777	
South Carolina	3,897	1,647	
South Dakota	Not Participating	-	
Tennessee	8,412	412	
Texas	12,353 *C	3,140 *C	
Trust Territories	351	327	
Utah	188	77	
Vermont	0	0	
Virginia	3,578	808	
Virgin Islands	0	4	
Washington	415	149	
West Virginia	189	5	
Wisconsin	4,633	1,830	
Wyoming	Not Participating	-	



DRAFT

Department of Justice

STATEMENT

OF

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

BEFORE

THE

SENATE COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON JUVENILE JUSTICE

ON

MARCH 5, 1986

Thank you, Mr. Chairman, for inviting me to testify this morning on the activities of the Office of Juvenile Justice and Delinquency Prevention.

I know that uppermost in the minds of the Subcommittee Members is the situation involving the future of my Office. As you are aware, Mr. Chairman, the President, as he has done each year since taking office, has requested no funding for OJJDP for the next Fiscal Year. In addition, the President's budget request for FY 1987 also contains a request for a rescission of almost all of the FY 1986 funds appropriated for OJJDP.

While you, Mr. Chairman, and other Members of Congress have expressed your dismay to the President, to the Attorney General, and to me over this seeming lack of concern for the welfare of those served by OJJDP, I would like to take this opportunity to point out that the President must be concerned with the welfare of all Americans.

Over and over again, in opinion poll after opinion poll, the American people have cited the Federal deficit as the biggest problem faced by the Nation. They know that the Federal government cannot keep spending money it does not have. Congress, in passing the Balanced Budget and Emergency Deficit Control Act last year, recognized that severe measures must be undertaken to control runaway spending before the dramatic improvement in the Nation's economy experienced under this Administration is irreparably reversed.

The program of spending cuts and other reforms contained in the President's FY 87 budget would lead to a balanced budget at the end of five years and would thus remove a serious impediment to the continuation of the country's economic expansion.

In crafting his budget, the President had the responsibility of ensuring that those programs that can only be carried out by the Federal government--those for the Nation's defense, for the protection of the poor and the elderly, or for the enforcement of Federal laws, for example--were adequately funded. Other programs, particularly those that have accomplished their original purpose, that could be better operated by state and local governments, or that could be supported by the private sector, can no longer be supported with Federal funds.

This Administration believes that the programs of the Office of Juvenile Justice and Delinquency Prevention fall into this latter category.

In 1984, when the Federal deficit was \$185 billion, the country's state and local governments enjoyed a combined surplus of approximately \$50 billion. Why should the Federal government, which is operating under a huge deficit, pay for programs that benefit state governments, when those same governments are operating under budget surpluses? Why should the Federal government continue borrowing money to pay for programs the states could support with their own funds?

As you know, Mr. Chairman, through the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, Congress gave OJJDP a mandate to assist the states in three specific areas: deinstitutionalizing 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; separating delinquent juveniles from institutions in which they have regular contact with adults; and removing juveniles from adult jails or lockups.

A survey by my office, however, found that the states use only a small portion of OJJDP funds in support of the jail removal and deinstitutionalization mandates. In FY 85, states spent only 23 percent--roughly \$9.3 million--for preadjudicatory alternatives in support of jail removal and the deinstitutionalization of status offenders. The largest percentage of funds-- 27 percent or \$10.8 million--is spent on treatment and rehabilitation programs. Another 23 percent (\$9.1 million) is spent on prevention programs, 20 percent (\$7.8 million) is spent on system improvement programs, training, for example; and 2.5 percent (\$960,000) is spend on advocacy programs. Thus, states are using Federal funds to finance programs they would support, and do, in fact, support, regardless of Federal assistance.

Although many of these are worthwhile programs, that does not mean that the Federal government should continue to provide funds for them. As President Reagan has so aptly pointed out, we can no longer afford every good program.

Meanwhile, states continue to move toward compliance with the mandates of the Act. As of the end of 1985, 43 states and territories have met the requirements of the Act by demonstrating substantial or full compliance with the deinstitutionalization mandate. As a result, juvenile status offenders are now only rarely held in secure detention facilities. Thirty-three states have complied with the requirements for the separation of adults and juveniles in adult jails and lockups, and 20 states have enacted legislation in support of the jail removal mandate. I have attached to my testimony the latest summary of states' compliance with the mandates of the Act. The summary contains data from the states' 1984 monitoring reports.

I am convinced that the states that now participate in the OJJDP program will continue their commitment to the deinstitutionalization, separation, and removal mandates even without the relatively small amount of Federal funding provided for these purposes. In fact, since the funds OJJDP provides to states are insufficient to cover the full cost of deinstitutionalization, separation, and removal, states participating in the program already have shown their commitment to the goals of the Act and to a large extent have supported compliance with state and local funds.

And inasmuch as it is the states who are paying most of the cost of the Act's mandates, it should be the states that decide how best to comply with them. Thomas Jefferson once warned, "Were we directed from Washington when to sow and when to reap, we should soon want for bread." And President Reagan has said time and again that we must recognize the constitutional principles of Federalism so that we can limit Federal intrusion and cumbersome Federal regulation regarding state and local matters.

There is no reason to believe that, in the absence of Federal support, states will now retreat from a commitment in which they themselves already have so heavy an investment, both financially and philosophically. Rather, following 11 years of Federal assistance, states and localities would now take over full support of what clearly is solely a state and local responsibility.

In the same way, other programs proven successful that have been supported using OJJDP funds would continue with state, local, or private funds. Federal grant money never was intended to be the continued sole support of new programs. For this reason, most projects are supported only for a period of three years. After that time, projects that have proven successful or worthwhile to a community are expected to become self-supporting or to be supported through state, local, or private funds.

OJJDP also has supported, through its National Institute for Juvenile Justice and Delinquency Prevention, a relatively small number of research projects. While this Administration supports the role of the Federal government in research, a separate unit subsidizing research on juvenile justice is not needed. Research in juvenile justice comprises only a small part of research on crime and justice. The National Institute of Justice serves as the research arm of the Department of Justice, and the Administration has pledged to continue support for this agency, which already conducts a number of research projects relating to juveniles.

Missing Children

During the more than three years of my administration of the Office, we have supported many worthwhile programs. Perhaps the most gratifying to me is the success of our Missing Children's Program.

I would like to clarify some of the confusion about funding for this program. The Missing Children's Program was authorized by the Missing Children's Assistance Act of 1984 and has an appropriation separate from that of OJJDP. The Administration requested and Congress has appropriated \$4 million for the program in FY 86. No rescission of these funds has been requested.

In addition, the President has expressed his continuing support for efforts to recover missing children and prevent the abduction and exploitation of children by requesting \$4 million for the program for FY 87. I think you will agree, Mr. Chairman, that this is evidence of the Administration's continuing concern for the welfare of these endangered children in appropriating these funds in what otherwise is a very lean domestic budget.

By passing the Missing Children's Assistance Act, Congress recognized the need to coordinate resources, develop, standardize, and disseminate effective policies and procedures regarding missing children across all jurisdictions, and provide a central focus for research, data collection, policy development, and information about missing children.

As required by the Act, a Missing Children's Advisory Board was appointed in January 1985 and met four times during the year. The Advisory Board advises the Attorney General and OJJDP on coordinating missing children's programs and activities and also provides advice in establishing funding priorities under the Missing Children's Program.

The Board also has prepared a comprehensive report on missing children that it plans to submit to the President, the Attorney General, and the Congress the day after tomorrow.

The report makes recommendations on the steps that should be taken to reduce the problem of abducted, abandoned, and runaway children and discusses the unintended consequences of deinstitutionalization on the problem. In addition, it addresses the question of the number of children actually missing, and clarifies some of the issues that continue to surround that question.

In accordance with the Act and with the advice of the Advisory Board, OJJDP has established seven funding priorities for the Missing and Exploited Children's Program.

First, a National Incidence Study to Determine the Actual Numbers of Missing Children will provide a comprehensive, reliable assessment of the missing children problem. To plan for this study, OJJDP solicited the expertise of researchers from various fields who had designed, funded, or conducted studies with similarly complex problems. A panel of these researchers met last August to advise OJJDP on issues that should be considered in designing the study. Based on the advice of this panel, OJJDP is undertaking a number of initial pilot tests to determine the best approaches for a later series of larger studies that will provide reliable estimates of the incidence of missing children, information on the context of the events, and data on the characteristics of the victims.

The second priority is a National Study of Law Enforcement Agencies' Policies and Practices for Handling Missing Children and Homeless Youth. Applications for this study have been reviewed, and we plan to make an award within the near future. The study is designed to describe current law enforcement policies and practices and to identify the most effective law enforcement methods for handling reports and investigating, identifying, and recovering children who may be missing or homeless and at risk of exploitation. The study also will provide better estimates of the number of cases of missing children reported to law enforcement agencies annually.

Under the third priority, funding has been provided to the Federal Law Enforcement Training Center at Glynco, Georgia, for a training program on handling missing and exploited children. The program is intended to help Federal, state, and local law enforcement personnel gain a better understanding of the problem of missing and exploited children and improve their skills in handling related cases.

The fourth priority is research on the relationship between missing and abducted children and sexual exploitation; the psychological consequences of abduction and sexual exploitation; and the child victim as witness. Research strategies for these issues are being developed by OJJDP.

The fifth funding priority is a training and public awareness program for practitioners involved with missing and exploited children.

OJJDP and the National Center for Missing and Exploited Children are developing, under the sixth program priority, an assistance program that will make up to 20 small, one-time awards to states that have legislatively established, state operated clearinghouses that serve as central repositories of information on children believed to be missing in the state. These two-year awards are intended to encourage states to develop clearinghouses and operate uniform data collection systems. States selected to receive OJJDP funding will be responsible for compiling accurate and relevant statistics and collaborating with the National Center for Missing and Exploited Children and OJJDP-sponsored research initiatives.

The final priority is assistance to private voluntary organizations. A cooperative agreement has been made to provide training and technical assistance in organization and administrative management for private voluntary organizations involved with missing and exploited children.

Through this program, there will be training sessions at 16 sites around the country during the next two years, a national conference of missing children's agencies, the identification and selection of five exemplary programs as host sites for training and technical assistance, and development of guidelines for successful missing children agency operation. Through a subcontractual agreement, the Adam Walsh Child Resource Center in Fort Lauderdale, Florida, will provide approximately 25 percent of the training.

Organizations participating in the program will be invited to submit applications for modest assistance and funds to further enhance their capabilities. These grants will focus on unique or especially effective programs run by private organizations.

The OJJDP Missing and Exploited Children's Program also supports the National Center for Missing and Exploited Children, which was established with OJJDP funds. The National Center serves as a national resource center to assist parents, citizens groups, communities, law enforcement agencies, and government institutions in a coordinated national effort to ensure the safety and protection of children. The Center operates a national toll-free telephone hotline through which individuals can report information relating to the location of missing children or to request information about procedures for reuniting children with their legal guardians. Since beginning, the hotline has received more than 100,000 calls and the Center has assisted in the recovery of some 3,600 children.

New Programs

While the budget situation has necessitated holding in abeyance funds for most programs planned for support in FY 86, several important new programs were begun early in the fiscal year which I would like to discuss.

In November, a cooperative agreement was made with the National District Attorneys' Association's American Prosecutors Research Institute to establish a National Center for the Prosecution of Child Abuse. The Center will provide technical assistance, training, and clearinghouse services to improve local prosecutors' handling and treatment of child victims. The Center also will develop model legislation and conduct training for others involved in the prosecution and treatment of child physical and sexual abuse cases.

Another new project, the Private Sector Probation Program, is designed to demonstrate the feasibility of private sector involvement in the delivery of probation services currently being provided by the public sector. During my tenure as OJJDP Administrator, Mr. Chairman, I have been encouraged by the considerable interest of the private sector in providing services in many areas of the justice system. Private sector spending already far outweighs government expenditures for criminal justice services, and I believe that the private sector will relieve more and more of the burden from overwhelmed government agencies.

Faced with fiscal constraints, local policy makers have begun looking for new approaches and techniques to operate probation departments more cost-effectively.

Research studies indicate that referral to probation is the most common juvenile court sanction used. More than 80 percent of adjudicated offenders are placed on some form of probation. The provision of probation services consumes the largest share of state and county correctional dollars, and generally employs the greatest number of correctional professionals.

The Private Sector Probation Initiative would target local and state jurisdictions that are interested in contracting out either selected parts of their probation functions or the entire probation function to a private sector agency and provide assistance in developing such contracts with the private sector.

Conclusion

Although other programs were planned for implementation in FY 86, no further awards will be made until Congress makes a decision concerning the President's request for a rescission of OJJDP funds. Of the \$67.6 million appropriated for OJJDP in FY 1986 (not including the Missing Children's appropriation), \$60,797,000 is proposed for rescission. An additional \$2.9 million will be sequestered under the March deadline of the Balanced Budget Act.

While I believe the Office of Juvenile Justice and Delinquency Prevention could provide some valuable information to the criminal justice community about juvenile crime and delinquency through the programs I have outlined here today, the simple fact is that the Federal government cannot afford them.

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

**Summary of State 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 JJDP Act Formula Grant Program. Currently, 52 are participating; the five not participating are Hawaii, Nevada, North Dakota, South Dakota, and Wyoming. According to the 1984 State Monitoring Report, the following is a summary of the compliance with Section 223(a)(12), (13) and (14).

I. SECTION 223(a)(12)(A)

Deinstitutionalization of Status Offenders and Nonoffenders

- A. Of the 52 participating states, 50 have participated for five or more years, and thus, are required to be in full compliance with Section 223(a)(12)(A) of the Act to maintain eligibility for FY 1986 formula grant funds. Of these 50 states and territories, a determination has been made that the following 43 states and territories are in full compliance pursuant to the policy and criteria for full compliance with de minimis exceptions:

Alabama	Missouri
Alaska	Montana
American Samoa	New Hampshire
Arkansas	New Mexico*
California	New York
Colorado	Northern Marianas
Connecticut	Ohio
Delaware	Oregon
Florida	Pennsylvania*
Georgia	Puerto Rico
Guam	Rhode Island
Idaho	South Carolina
Indiana	Tennessee
Iowa	Trust Territory
Kansas	Utah
Kentucky	Vermont
Louisiana	Virginia
Maine	Virgin Islands
Massachusetts	Washington
Michigan	West Virginia .
Minnesota	Wisconsin
Mississippi	

*New Mexico and Pennsylvania were exempted from submitting a 1984 Monitoring Report. Compliance findings are based on previous reports.

Two (2) of the 50 states and territories have been found not in full compliance with Section 223(a)(12). Until a finding of full compliance is made, the following two states are not eligible for the FY 1986 formula award.

Arizona
North Carolina

An official finding has not been made on the following five (5) states. Upon the resolution of issues and/or the provision of additional information and the subsequent finding of compliance, the states will be eligible for the FY 1986 formula grant. It is anticipated that an official finding will be made no later than mid-fiscal year 1986.

District of Columbia
Illinois
Maryland
New Jersey
Texas

- B. One (1) of the 52 participating states, Nebraska, must achieve substantial or better compliance to be eligible for FY 1986 formula grant funds. Nebraska has been found not in substantial compliance. Until a finding of substantial compliance is made, the State is not eligible for the formula award.
- C. Of the 52 participating states, one (1) state, Oklahoma, must demonstrate progress to maintain eligibility for FY 1986 funds, and Oklahoma has done so.

II. SECTION 223(a)(13)

Separation of Juvenile and Adult Offenders

- A. Thirty-three (33) of the 52 participating states and territories have demonstrated compliance with Section 223(a)(13) of the Act. Those states which have been found in compliance with this requirement pursuant to the regulatory requirements regarding compliance are:

Alabama*	North Carolina
American Samoa	Northern Marianas
Arizona	Oregon
Arkansas*	Pennsylvania
Connecticut	Puerto Rico
Delaware	Rhode Island
Florida	South Carolina
Georgia	Tennessee*
Guam	Trust Territory
Iowa	Utah
Louisiana*	Vermont
Maine	Virginia
Massachusetts	Virgin Islands
Michigan	Washington
Minnesota	West Virginia*
New Mexico	Wisconsin
New York	

*The finding of compliance for these states was based upon the demonstration and determination that the four criteria contained in 28 CFR 31.303(f)(6)(ii)(B) were met.

- B. Of the 52 participating states and territories, ten (10) states have been found to be making progress toward achieving compliance. These states are:

Alaska
Colorado
Idaho
Kansas
Kentucky

Mississippi
Missouri
Montana
Ohio
Oklahoma

- C. One state, Indiana, has been found to be making progress but must demonstrate compliance to be eligible for the FY 1986 formula award.
- D. It was determined that two (2) states, California and New Hampshire, reported no progress being made toward achieving compliance.
- E. No determination of progress toward achieving compliance was made for one (1) state, Nebraska. This was due to incomplete data.
- F. An official finding has not been made on the following five (5) states. Upon the resolution of issues and/or the provision of additional information and the subsequent finding of compliance or progress, the states will be eligible for the FY 1986 formula grant. It is anticipated that an official finding will be made no later than mid-fiscal year 1986.

District of Columbia
Illinois
Maryland

New Jersey
Texas

III. SECTION 223(a)(14)

Removal of Juveniles from Adult Jails and Lockups

All participating states and territories should demonstrate full compliance—but must demonstrate at least substantial compliance (i.e., a 75% reduction) with the jail removal requirement beginning after December 1985. Eligibility for FY 1986 formula grant funds is not dependent upon the state's level of compliance with the jail removal requirement of Section 223(a)(14) of the Act.

IV. DISCUSSION OF DATA

The summary of state compliance with requirements of Section 223(a)(12), (13) and (14) of the JJDP Act, as amended, is based upon the 1984 monitoring reports which determine states' eligibility for FY 1986 formula funds (10/1/85 - 9/30/86).

Attached are three (3) fact sheets showing state-by-state information/data on the number of status offenders and nonoffenders held in secure detention and correctional facilities, the number of juveniles held in regular contact with incarcerated adults, and the number of juveniles held in adult jails and lockups. The data presented represents a 12-month period, was actual data for approximately 40 states, and was projected to cover a 12-month period for the remaining 52 participating states. All current data is that provided as "current data" in the 1984 Monitoring Report, unless otherwise noted. The current data generally represents a reporting period covering a period during either

calendar year or fiscal year 1984. The source of the baseline data is noted on each fact sheet. Only participating states are included in the figures.

Section 223(a)(12)

The nationwide baseline data for the number of status offenders and nonoffenders held in secure detention and secure correctional facilities was determined to be 198,868. The nationwide current data showed 6,429 status offenders and nonoffenders held in secure facilities. The data does not include status offenders and nonoffenders 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, nor does it include those charged or found to be in violation of a valid court order. By comparing the baseline and current data, the number of status offenders and nonoffenders held in secure facilities has been reduced by 96.8% over the past 7 to 9 years. According to the Bureau of Census Population Reports by Age and Component of Change; 1980-1984, approximately 63,002,000 under the age of 18 years reside in the participating states. Thus, the number of status offenders and nonoffenders currently held computes to a national ratio of 10.2 status offenders and nonoffenders securely held per 100,000 population under age 18 years. This national ratio falls within the acceptable range which is contained in OJJDP's policy and criteria for determining an individual state level of compliance with de minimis exceptions to full compliance.

Section 223(a)(13)

The national baseline data for the number of juvenile offenders held in regular contact with incarcerated adult offenders was determined to be 105,303. The nationwide current data revealed 17,928 juveniles held in regular contact with adults. This data includes only those juvenile offenders under the jurisdiction of the juvenile court and does not include those who have been waived or transferred to criminal court or those juvenile offenders whose court of original jurisdiction is a court other than juvenile or criminal court. A comparison of the baseline and current data shows a 83% reduction over approximately a seven-year period. This computes to a ratio of 28.5 juvenile offenders held in regular contact with incarcerated adults per 100,000 population under age 18 years.

Section 223(a)(14)

The nationwide baseline data for the number of juveniles held in adult jails and adult lockups was determined to be 107,124. The nationwide current data reveal 63,238 juveniles held in jails and lockups. The data does not include criminal-type juveniles held less than six hours, juveniles having charges filed in a court of criminal jurisdiction and juveniles held less than 24 hours in those jurisdictions meeting the non-MSA exception. By comparing the baseline and current data, the number of juveniles held in adult jails has been reduced by 41%, from approximately 2 to 3 years previous. The current number computes to a ratio of 100.4 juveniles held in adult jails and lockups per 100,000 population under age 18.

The jail removal provision of Section 223(a)(14) does not require the states to achieve substantial or full compliance to be eligible for FY 1986 dollars. States should demonstrate full compliance but must demonstrate at least substantial compliance in the

report covering January 1986 and beyond. Based upon the number of juveniles held in adult jails and lockups, there has been a 41% reduction, which computes to a ratio of 100.4 per 100,000 population under age 18.

Attachments (3)

Prepared by: Doyle A. Wood
State Relations and
Assistance Division
Office of Juvenile Justice
and Delinquency Prevention

January 31, 1986

SECTION 223(a)(12)

NUMBER OF STATUS OFFENDERS AND NONOFFENDERS HELD IN SECURE FACILITIES *A

	Baseline *B	Current *C	
Alabama	4,836	44	
Alaska	485	15	
American Samoa	4	0	TOTALS
Arizona	4,410	365	Baseline
Arkansas	3,702	12	198,868
California	34,216	130	Current
Colorado	6,123	196	
Connecticut	699	0	*A - All data is 12 month actual
Delaware	374	0	or projected to cover a 12
Dist. of Columbia	178	6	month period. The data does
Florida	9,188	0	not include those status
Georgia	4,047	44	offenders and nonoffenders
Guam	228	0	held less than 24 hours
Hawaii	Not Participating		and those charged or found
Idaho	1,836	63	to be in violation of a
Illinois	5,391	50 *F	valid court order.
Indiana	7,494	506	
Iowa	1,204	41	*B - Baseline data is that data
Kansas	3,826	84	reported as baseline data.
Kentucky	4,849	252	in the 1979 report (unless
Louisiana	3,179	53	otherwise noted).
Maine	41	0	
Maryland	857	2	*C - Current data is that pro-
Massachusetts	37	0	vided in the 1984 report
Michigan	14,344	348	(unless otherwise noted).
Minnesota	6,309	13	
Mississippi	1,170	60	*D - Nebraska baseline data is
Missouri	4,786	311	that provided as baseline
Montana	1,224	4	data in 1981 report.
Nebraska	546 *D	434	
Nevada	Not Participating	-	*E - Oklahoma baseline data is
New Hampshire	200	26	that provided as baseline
New Jersey	217	13	data in 1984 report.
New Mexico	2,376	16 *G	
New York	7,933	2	*F - Illinois and Texas current
North Carolina	2,678	552	data is that provided as
North Dakota	Not Participating		current data in 1983 repor
Northern Marianas	0	0	
Ohio	16,552	879	*G - New Mexico current data is
Oklahoma	208 *E	208	that provided as current
Oregon	4,110	44	data in 1982 report.
Pennsylvania	3,634	45 *H	
Puerto Rico	961	2	*H - Pennsylvania current data
Rhode Island	1,572	19	is that provided as curren
South Carolina	1,568	46	data in 1980 report.
South Dakota	Not Participating	-	
Tennessee	4,078	36	
Texas	4,722	875 *F	
Trust Territories	0	0	
Utah	2,448	137	
Vermont	218	1	
Virginia	6,558	217	
Virgin Islands	178	0	
Washington	9,600	185	
West Virginia	627	0	
Wisconsin	2,847	93	
Wyoming	Not Participating	-	

SECTION 223(a)(13)

NUMBER OF JUVENILES HELD IN REGULAR CONTACT WITH INCARCERATED ADULTS *A

	Baseline *B	Current *C	
Alabama	3,300	108	
Alaska	824	357	TOTALS
American Samoa	0	0	
Arizona	25	0	Baseline Current
Arkansas	8,724	852	105,303 17,928
California	3,041	3,090	
Colorado	4,750	528	*A - All data is 12 month actual or projected to cover a 12 month period.
Connecticut	3	0	
Delaware	0	0	
Dist. of Columbia	0	0	
Florida	1,996	0	*B - Baseline data is that data provided as baseline in 1981 report.
Georgia	1,769	11	
Guam	0	0	
Hawaii	Not Participating	-	
Idaho	2,011	1,738	*C - Current data is that provided in the 1984 report (unless otherwise noted).
Illinois	777	0 *F	
Indiana	8,580	204	
Iowa	1,993	22	
Kansas	1,716	222	*D - Oklahoma baseline data is that provided as baseline data in 1984 report.
Kentucky	5,702	2,676	
Louisiana	3,523	61	
Maine	1,186	0	
Maryland	229	0	*E - Pennsylvania data is that provided in 1980 report.
Massachusetts	0	0	
Michigan	0	0	
Minnesota	3	0	*F - Illinois and Texas current data is that provided as current data in 1983 report.
Mississippi	2,280	124	
Missouri	3,278	87	
Montana	1,878	42	
Nebraska	0	0	*G - New Mexico current data is that provided as current data in 1982 report.
Nevada	Not Participating	-	
New Hampshire	74	96	
New Jersey	42	6	
New Mexico	6,696	0 *G	
New York	27	0	
North Carolina	0	0	
North Dakota	Not Participating	-	
Northern Marianas	20	0	
Ohio	5,751	126	
Oklahoma	7,457 *D	7,457	
Oregon	1,798	0	
Pennsylvania	3,196 *E	14 *E	
Puerto Rico	3	0	
Rhode Island	176	0	
South Carolina	3,984	0	
South Dakota	Not Participating	-	
Tennessee	7,574	48	
Texas	370	50 *F	
Trust Territories	3	0	
Utah	22	0	
Vermont	0	0	
Virginia	5,624	0	
Virgin Islands	13	4	
Washington	2,088	0	
West Virginia	940	5	
Wisconsin	1,857	0	
Wyoming	Not Participating	-	

SECTION 223(a)(14)

NUMBER OF JUVENILES HELD IN ADULT JAILS AND LOCKUPS *A

	Baseline *B	Current *B	
Alabama	1,180	992	
Alaska	864	817	TOTALS
American Samoa	0	0	
Arizona	240	91	Baseline Current
Arkansas	1,968	1,260	107,124 63,238
California	10,613	10,613	
Colorado	6,112	1,437	*A - All data is 12 month actual
Connecticut	0	27	or projected to cover a 12
Delaware	0	0	month period. The data does
Dist. of Columbia	0	0	not include criminal-type
Florida	117	62	(delinquents) juveniles held
Georgia	130	60	less than 6 hours, juveniles
Guam	0	0	having charges filed in
Hawaii	Not Participating	-	criminal courts, and juveniles
Idaho	3,369	1,172	held in those jurisdictions
Illinois	2,472 *C	1,492 *C	meeting the non-MSA exception
Indiana	9,552	5,345	criterion.
Iowa	1,591	1,118	
Kansas	1,110	1,110	*B - Baseline and current data is
Kentucky	1,018	1,274	that data reported in the 1984
Louisiana	336	146	report (unless otherwise
Maine	754	827	noted).
Maryland	1	1	
Massachusetts	1,346	1,346	*C - Illinois and Texas data is
Michigan	1,104	2,112	that provided in the 1983
Minnesota	1,639	1,361	report
Mississippi	334	182	
Missouri	768	515	*D - New Mexico data is that
Montana	934	325	provided in the 1982 report.
Nebraska	3,566	1,973	
Nevada	Not Participating	-	*E - No data is available from
New Hampshire	502	579	Pennsylvania since the State
New Jersey	27	13	is exempt from submitting a
New Mexico	8,060 *D	8,060 *D	1984 report.
New York	52	2	
North Carolina	296	499	
North Dakota	Not Participating	-	
Northern Marianas	14	36	
Ohio	3,527	738	
Oklahoma	7,457	7,457	
Oregon	1,047	0	
Pennsylvania	- *E	- *E	
Puerto Rico	38	20	
Rhode Island	970	1,777	
South Carolina	3,897	1,647	
South Dakota	Not Participating	-	
Tennessee	8,412	412	
Texas	12,353 *C	3,140 *C	
Trust Territories	351	327	
Utah	188	77	
Vermont	0	0	
Virginia	3,578	808	
Virgin Islands	0	4	
Washington	415	149	
West Virginia	189	5	
Wisconsin	4,633	1,830	
Wyoming	Not Participating	-	