

NATIONAL JUVENILE JUSTICE NETWORK

To: Committee on Corrections and Juvenile Justice

From: The National Juvenile Justice Network

Date: January 27, 2020

Re: Testimony in opposition to HB 2445: Allowing children who run away to be placed in a juvenile detention facility for 24 hours.

Dear Committee on Corrections and Juvenile Justice,

On behalf of the National Juvenile Justice Network (NJJN), a membership network comprised of advocates in 43 states and DC working to advance more fair and effective responses to youth behaviors, we want to express our concern with HB 2445, which would allow for children who run away to be placed in a juvenile detention facility.

Research shows that children who run away often have complex needs and are more likely to have experienced neighborhood victimization or personal victimization.¹ Given the vulnerabilities of these children, it is imperative to connect youth to supportive community-based services that can address all underlying needs and engage their whole families where appropriate.

HB 2445's shift to allow for youth who run away to be held in juvenile detention facilities runs counter to the current trend in meeting the needs of runaway youth. The use of detention leads to increased recidivism, pulls youth deeper into the youth justice system, exacerbates mental health issues, and puts kids at higher risk of self-harm.² Recognizing the harms that detention brings, states across the country have looked to reduce their reliance on detention. For example, just last year Washington state, which had the highest usage of valid court orders, eliminated the use of the valid court order exception for youth who committed status offenses.³

In addition to states taking steps to limit detention for status offenses, the reauthorized Juvenile Justice Delinquency Prevention Act (JJDP A) (known as the Juvenile Justice Reform Act of 2018⁴) requires

¹ https://digitalcommons.unl.edu/cgi/viewcontent.cgi?referer=https://scholar.google.com/scholar?hl=en&as_sdt=0%2C34&q=A+longitudinal+study+of+early+adolescent+precursors+to+running+away&btnG=&httpsredir=1&article=1049&context=sociologyfacpub

² http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

³ <https://www.njjn.org/article/washington-eliminates-vco-takes-step-closer-to-keeping-youth-out-of-detention->

⁴ <https://www.congress.gov/bill/115th-congress/house-bill/6964/text>

states to put in place many safeguards before a young person can be placed in a secure detention facility for violating a court order, including holding a court hearing to determine whether there is reasonable cause to believe the youth violated the order and the appropriate placement of the youth pending disposition of the alleged violation. If the court determines that the young person should be placed in secure detention, it must issue a written order identifying the specific court order that the youth violated prior to utilizing detention, include findings of fact to support its determination that there is no less restrictive alternative available to placement in secure detention – taking into account the child’s best interest, specify the length of time that the youth may remain in detention, include a plan for the youth’s release from the facility, and may not renew or extend the order.

Detaining young people comes at a significant cost to their health and well-being, but it is also important to note that it also comes with a significant price tag. In fact, the US Department of Justice’s Office of Community Oriented Policing Services released a report in 2010, citing that utilizing detention for youth who run away has limited effectiveness and “is expensive” and should be avoided.⁵

While detention has proven harmful and ineffective, other responses have been proven effective in keeping youth who runaway safe. In 2015, the National Network for Youth issued a report titled “What Works to End Youth Homelessness,”⁶ citing programs that have had positive outcomes on reducing homelessness and more broadly meeting youth needs. For example, the report cites the effectiveness of drop-in centers. According to the report, “One research study of a drop-in facility tracked 180 homeless youth who accessed comprehensive intervention and individual therapy from a Drop-in Center in Albuquerque, New Mexico. The research showed the youths’ psychological distress and substance use significantly decreased, supporting a finding that substance abuse and mental health therapy models can be effectively integrated into Drop-in Centers.”⁷ The report goes on to document additional models that work for youth who runaway and details extensive continuums of care that can help reduce youth homelessness, showcasing that community centered responses work. This coupled with research that shows community-based programs are more cost effective than detaining youth, makes this approach to youth who runaway even more compelling.⁸

Given the known harmful impacts of detention, NJJN respectfully asks the Committee to vote against HB 2445 and instead take steps to ensure youth who runaway have their underlying health and safety needs met by investing in solutions that work. Thank you for your consideration.

Sincerely,

Alyson Clements
 Director of Membership and Advocacy
 National Juvenile Justice Network

⁵ <http://www.justiceacademy.org/iShare/Library-COPS/cops-p095-pub.pdf> page 36

⁶ <https://www.nn4youth.org/wp-content/uploads/2015-What-Works-to-End-Youth-Homlessness.pdf>

⁷ Slesnick, N., Ju Kang, M., Bonomi, A., & Prestopnik, J. (2007). Treatment outcome for street-living, homeless youth. *Addictive Behaviors*, 32: 1237–1251.

⁸ http://www.justicepolicy.org/images/upload/09_05_rep_costsofconfinement_jj_ps.pdf