



AMERICAN
PSYCHOLOGICAL
ASSOCIATION

March 14, 2008

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Arlen Specter
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

On behalf of the 148,000 members and affiliates of the American Psychological Association (APA), I am pleased to share with you our recommendations for the upcoming reauthorization of the *Juvenile Justice and Delinquency Prevention Act* (JJDP). APA appreciates the opportunity to comment on this important law that guides the federal investment in our nation's juvenile justice systems.

APA is the largest scientific and professional organization representing psychology in the United States and is the world's largest association of psychologists. Comprising researchers, educators, clinicians, consultants, and graduate students, APA works to advance psychology as a science, profession, and means of promoting health, education and human welfare.

Our members are involved with research activities related to delinquent and at-risk youth and the development, provision, and evaluation of prevention and intervention programs used in juvenile justice systems. From this perspective, APA is grateful for the opportunity to present our comprehensive, organization-wide recommendations in preparation for this important reauthorization. Through programmatic reform, an increased focus on outcomes and evaluation, and consideration of the needs of specific populations, this critically important law can be strengthened to meet the urgent needs of our youth, our communities, and our country as a whole.

Promoting Evidence-Based Practices and Program Evaluation

Reauthorization provides an opportunity to define evidence-based practices and ensure that research with high evidentiary standards is utilized. This includes models that have been shown in well-designed randomized trials to produce sizable, sustained effects on juvenile delinquency outcomes. Congress should create incentives for states to use these practices. Emphasis should also be placed on strengthening the evaluation component of programs funded through the Office of Juvenile Justice and Delinquency (OJJDP) by requiring that programs without a research-base have a set-aside in their funding to conduct an evaluation that will establish the program's level of overall effectiveness.

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Peer Review

APA strongly believes that funding decisions for competitive research grants should be based primarily on the recommendations of expert panels in the peer review process. Congress should protect the integrity of the peer review process and ensure that it is fair and free of political interference.

Cultural and Linguistic Competence and Disproportionate Minority Contact (DMC)

JJDPA requires that states make efforts to reduce the overrepresentation of minority individuals that exists at every point of decision-making within the juvenile justice system. Given the efficacy of cultural and linguistic competence in addressing issues of mental health with minority children, juvenile justice systems should engage in similar activities. The development, employment, and evaluation by states of cultural and linguistic competencies and training at juvenile justice decision-making points—from intake through adjudication and sentencing—should be recognized, at least in part, as a means of complying with DMC mandates.

Renewed Commitment to Addressing Mental Health Problems

Sixty-six percent of males and 74 percent of females detained in the juvenile justice system meet the criteria for at least one psychiatric diagnosis, with 46 percent of males and 57 percent of females in this group meeting the criteria for two or more such diagnoses (Abram, Teplin, McClelland, & Dulcan, 2003; Teplin, Abram, McClelland, Dulcan, & Mericle, 2002). This compares to 20 percent of the general population of American children who have a diagnosable psychiatric disorder (U.S. Department of Health and Human Services, 1999). JJDPA reauthorization should: focus on preventing individuals with or at-risk for mental health problems from entering the juvenile justice system; prioritize thorough screening and treatment of mental health problems among individuals in the juvenile justice system; and allow mental health professionals greater input during the law's implementation.

Accommodations for Post-Traumatic Stress Disorder (PTSD) and Conduct Disorder

More than one in ten males and one in six females detained in the juvenile justice system have diagnosable PTSD, with nearly all of these individuals having an additional, co-occurring disorder (Abram, Washburn, Teplin, Emanuel, Romero, & McClelland, 2007). Unfortunately, common PTSD treatments, such as verbal exploration of the past trauma, can exacerbate problems associated with such co-occurring disorders, making this group extremely vulnerable to continued mental health problems. Mental health screening procedures used in juvenile justice systems should include measures sensitive to PTSD.

Furthermore, 38 percent of males and 41 percent of females detained in the juvenile justice system meet the criteria for conduct disorder (Teplin et al., 2002). Conduct disorder can be resistant to psychotherapy, and the condition may worsen, when individuals with the disorder are kept in close proximity. Individuals with conduct disorder should not be held in secure detention whenever possible and should be provided with effective therapies when social services or detention are ordered.

Female Offenders

Emerging research shows significant differences between girls and boys in the juvenile justice system. These include a greater prevalence among girls of past sexual abuse, major depressive episodes and anxiety disorders, and, for those in secure detention, aggressive behavior (Cauffman, Lexcen, Goldweber, Shulman, & Grisso, 2007; Hipwell & Loeber 2006; Teplin et al. 2002; Zahn 2007). However, significant gaps exist in knowledge regarding the identification of at-risk girls prior to their contact with juvenile justice systems, as well as which prevention and intervention strategies are effective for girls (Hipwell & Loeber 2006; Zahn 2007). The Administrator can serve the growing number of girls coming into contact with the juvenile justice system by prioritizing research activities on these issues.

Individuals with Disabilities

Research estimates of the rate of disability among the juvenile justice population are 3 to 5 times that of the overall juvenile population, with learning disabilities and emotional disturbance being the most common types of disability among this group (National Council on Disability, 2003). The Administrator should prioritize research on effective practices for keeping juveniles with disabilities out of the juvenile justice system and how to address their needs, when they enter the system. The Administrator should also provide technical assistance to staff involved in all stages of the juvenile justice system that addresses the needs and rights of juveniles with disabilities.

In closing, APA would like to thank you for your longstanding leadership and commitment to juvenile justice issues. We appreciate the opportunity to comment on the reauthorization of the *Juvenile Justice and Delinquency Prevention Act* and look forward to working with you to strengthen this critically important law. Please note that specific legislative language recommendations are attached to this letter for your consideration. If we can be of further assistance or provide additional information during this process, please contact Micah Haskell-Hoehl at mhaskell-hoehl@apa.org or at 202.336.5935 or Jeff McIntyre at jmcintyre@apa.org or at 202.336.6064.

Sincerely,



Gwendolyn Puryear Keita, Ph.D.
Executive Director
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