

February 13, 2009

Mr. SCOTT of Virginia: Madam Speaker, I rise today, along with the gentleman from Delaware, Mr. **CASTLE**, to introduce the "Youth Prison Reduction through Mentoring, Intervention, Support and Education Act", or "Youth PROMISE Act," a bill we believe will greatly reduce crime and its associated costs and losses. Companion legislation to this bill is also being filed today in the Senate by Senator

CASEY

of Pennsylvania, and Senator

SNOWE

of Maine.

The Youth PROMISE Act implements the best policy recommendations from crime policy makers, researchers, practitioners, analysts, and law enforcement officials from across the political spectrum concerning evidence- and research-based strategies to reduce gang violence and crime. Under the Youth PROMISE Act, communities facing the greatest youth gang and crime challenges will be able to enact a comprehensive response to prevention and intervention of youth violence through a coordinated response that includes the active involvement of representatives from law enforcement, court services, schools, social services, health and mental health providers, foster care providers, Boys and Girls Clubs and other community-based service organizations, including faith-based organizations. These key players will form a council to develop a comprehensive plan for implementing evidence-based prevention and intervention strategies. These strategies will be targeted at young people who are involved, or at risk of becoming involved, in gangs or the juvenile or criminal justice system to redirect them toward productive and law-abiding alternatives. The Youth PROMISE Act will also enhance state and local law enforcement efforts regarding youth and gang violence.

Title I: Federal Coordination of Local and Tribal Juvenile Justice Information and Efforts. Sec. 101 creates a PROMISE Advisory Panel. This Panel will assist the Office of Juvenile Justice and Delinquency Prevention in selecting PROMISE community grantees. The Panel will also develop standards for the evaluation of juvenile delinquency and criminal street gang activity prevention and intervention approaches carried out under the PROMISE Act. Sec. 102 provides for specific data collection in each designated geographic area to assess the needs and existing resources for juvenile delinquency and criminal street gang activity prevention and intervention. This data will then facilitate the strategic geographic allocation of resources provided under the Act to areas of greatest need for assistance.

Title II: PROMISE Grants. Sec. 201 establishes grants to enable local and tribal communities, via PROMISE Coordinating Councils, PCCs, Sec. 202, to conduct an objective assessment, Sec. 203, regarding juvenile delinquency and criminal street gang activity and resource needs and strengths in the community. Based upon the assessment, the PCCs then will develop plans that include a broad array of evidence-based prevention and intervention programs. These programs will be responsive to the needs and strengths of the community, account for the community's cultural and linguistic needs, and utilize approaches that have been proven to be effective in reducing involvement in or continuing involvement in delinquent conduct or criminal street gang activity. The PCCs can then apply for federal funds, on the basis of greatest need, to implement their PROMISE plans, Sec. 211-213. Title II also provides for national evaluation of PROMISE programs and activities, Sec. 222, based on performance standards developed by the PROMISE Advisory Panel.

Title III: PROMISE Research Center. Sec. 301 establishes a National Research Center for Proven Juvenile Justice Practices. This Center will collect and disseminate information to PROMISE Coordinating Councils and the public on current research and other information about evidence-based and promising practices related to juvenile delinquency and criminal street gang activity and intervention. Sec. 302 provides for regional academic research partners to assist PCCs in developing their assessments and plans.

Title IV: Youth-Oriented Policing Services. Sec. 402 provides, within the office of Community Oriented Policing Services, for the hiring and training of Youth Oriented Policing, YOPS, officers to address juvenile delinquency and criminal street gang activity in coordination with PCCs and other local youth services organizations. Sec. 403 also establishes a Center for Youth Oriented Policing, which will be responsible for identification, development and dissemination of information related to strategic policing practices and technologies to law enforcement agencies related to youth.

Title V: Enhancing Federal Support of Local Law Enforcement--Mynisha's Law. Mynisha's Law provides appropriate federal coordination and collaboration by requiring the placement of an interagency task force--consisting of representatives from the Departments of Justice, Labor, Education, HUD and HHS--to prevent and address gang activity in specific designated high intensity gang areas. The interagency task force would be responsible for identifying and coordinating access to federal gang prevention resources, such as afterschool programs, Job Corp programs, and low income affordable housing.

Sec. 511 authorizes the COPS Office to make grants to local and tribal governments with a PROMISE Council to develop community-based programs that provide crime prevention,

research, and intervention services designed for gang members and at-risk youth. Sec. 522 authorizes the Attorney General, in consultation with the Secretary of Health and Human Services to award grants to partnerships between a state mental health authority and one or more local public or private entities to prevent or alleviate the effects of youth violence in urban communities with a high or increasing incidence of such violence by providing violence-prevention education, mentoring, counseling, and mental health services to children and adolescents. Priority is given to grant applicants that agree to use the grant in communities that lack the resources to address youth violence.

Title VI: Precaution Act. To coordinate the volumes of data and research on crime prevention and intervention, this Title creates a national commission on crime prevention and intervention strategies to identify those programs that are most ready for replication around the country, and to provide guidance in a direct and accessible format to state and local law enforcement on how to implement those strategies. The commission also would identify those promising areas of crime prevention and intervention programming that would benefit from further research and development, and would report to federal, state, and local law enforcement on the outcomes of a grant program administered by the National Institute of Justice to pilot programs in these areas and test their effectiveness. The use of this information would ensure that the criminal justice community is investing its limited resources in the most cost-effective way possible.

Title VII: Additional Improvements to Juvenile Justice. Sec. 701 provides additional improvements to current laws affecting juvenile delinquency and criminal street gang activity, including support for youth victim and witness protection programs. Sec. 702 provides for an expansion of the Mentoring Initiatives program for system-involved youth. And Sec. 703 calls for a study on adolescent development and the effectiveness of juvenile sentences in the Federal system.

During my more than 30 years of public service, I have learned that when it comes to crime policy, we have a choice--we can reduce crime or we can play politics. For far too long, Congress has chosen to play politics by enacting so-called "tough on crime" slogans such as "three strikes and you're out" , "mandatory minimum sentencing" , "life without parole" , "abolish parole" or "you do the adult crime, you do the adult time". My personal favorite is "no cable TV." You can imagine the cable guy disconnecting the cable and then waiting for the crime rate to drop. As appealing as these policies may sound, their impacts range from a negligible reduction in crime to an increase in crime.

However, over the past two decades, we continued to enact slogan-based sentencing policies. As a result, the United States now has the highest average incarceration rate of any nation in

the world. At over 700 persons incarcerated for every 100,000 in the population, the U.S. far exceeds the world average incarceration rate of about 100 per 100,000. Russia is the next closest in rate of incarceration with about 600 per 100,000 citizens. Every other major incarcerator is much below that. Among countries most comparable to the U.S., Great Britain is 146 per 100,000, Australia is 126, Canada is 107, Germany is 95, France is 85, and Japan is 62. India, the world's largest Democracy, is 36 per 100,000 and China, the world's largest country by population, is 118 per 100,000. Since 1970, the number of individuals incarcerated in the U.S. has risen from approximately 300,000 to over 2 million.

All this increase in incarceration does not come for free. Since 1982, the cost of incarceration in this country has risen from \$9 billion annually to over \$65 billion a year.

And the U.S. has some of the world's most severe punishments for crime, including for juveniles. Of the more than 2400 juveniles now serving sentences of life without parole, all are in the U.S. Some were given their sentence as first-time offenders under circumstances such as being a passenger in a car from which there was a drive-by shooting.

The impact of all this focus on tough law enforcement approaches falls disproportionately on minorities, particularly Blacks and Hispanics. While the average incarceration rate in the United States is 7 times the international average, for Blacks the average rate is over 2200 per 100,000, and the rate in some jurisdictions exceeds 4,000 per 100,000 Blacks, a rate 40 times the international average. For Black boys being born today, the Sentencing Project estimates that one in every three will end up incarcerated in their lifetime without an appropriate intervention. These children are on what the Children's Defense Fund has described as a "cradle-to-prison pipeline."

Despite all of our concentration on being tough on crime, the problem persists and reports suggest that it is growing in some jurisdictions. While nothing in the Youth PROMISE Act eliminates any of the current tough on crime laws, and while it is understood that law enforcement will still continue to enforce those laws, research and analysis, as well as common sense, tells us that no matter how tough we are on the people we prosecute today, unless we are addressing the underlying reasons for their developing into serious criminals, nothing will change. The next wave of offenders will simply replace the ones we take out and the crimes continue. So, just continuing to be "tough" will have little long term impact on crime.

There is now overwhelming evidence to show that it is entirely feasible to move children from a

cradle to prison pipeline to a cradle to college, or jobs, pipeline. All the credible research and evidence shows that a continuum of evidenced-based prevention and intervention programs for youth identified as being at risk of involvement in delinquent behavior, and those already involved, will greatly reduce crime and save much more than they cost when compared to the avoided law enforcement and social welfare expenditures. There are programs for teen pregnancy prevention, pre-natal care, new parent training, nurse home visits, Head Start, quality education, after-school programs, Summer recreation and jobs, guaranteed college scholarships, and job-training that have been scientifically proven to cost-effectively reduce crime. And the research reveals that these programs are most effective when provided in the context of a coordinated, collaborative local strategy involving law enforcement, social services and other local public and private entities working with children identified as at risk of involvement in the criminal justice system. This is what the Youth PROMISE Act provides for.

Aside from reducing crime and providing better results in the lives of our youth, many of these programs funded under the Youth PROMISE Act will save more money than they cost. The state of Pennsylvania implemented in 100 communities across the state a process very similar to the one provided for in the Youth PROMISE Act. The state found that it saved, on average, \$5 for every \$1 spent during the study period.

The bill is supported by 69 original co-sponsors. A coalition of over 200 national, state and local organizations, listed below, supported the Youth PROMISE Act last Congress, and we expect that list to continue to grow this Congress. We know how to reduce crime and we know that we can do it in a way that saves much more money than it costs. Our children, victims of crime, taxpayers and our economy can no longer afford for us to delay adoption of the Youth PROMISE Act. So, I ask my colleagues to join me in passing and seeing to it that it is quickly enacted into law.