

***A Framework for Strengthening the JJDPA Through The Use of Translational, Evidence Based
Prevention Science: Better Outcomes, Better Savings, Better Policy***

Introduction and Purpose: The [National Prevention Science Coalition to Improve Lives \(NPSC\)](#) and its national juvenile justice advocacy and policy partners seek to assist Congress in developing policies that effectively prevent or reduce youth crime and demonstrate a return on tax dollars invested. State, county and local governments know what they spend but not what they buy. This is not unique to juvenile justice, but the consequences are particularly deleterious when especially high-risk young people are subjected to interventions other than best practice. Here we propose to replace government expenditures based on outputs (how much of a service is delivered) with expenditures contingent on outcomes (how high is the quality of the delivered services) with a particular emphasis on rigorous fidelity to evidence-based best practice, informed by implementation science. Our recommendations include a framework to strengthen the Juvenile Justice and Delinquency Prevention Act of 1974 (Congress' long term vehicle to assist states and localities in crime prevention and youth protection and guidance). NPSC's objective is to enhance federal budget policy effectiveness through the incorporation of prevention science principles in both statutes and administrative policies, subsequently leading to increased cost benefits and more beneficial societal outcomes. Prevention science provides un-biased evidence that scientifically validated programs applied across various life disciplines, when properly implemented and evaluated, can return substantial savings to government budgets. Such savings also present opportunities for reinvestments to sustain beneficial societal outcomes in a wide range of areas, from generation to generation.

Prevention science has emerged as **a critically important body of field-based research** over the past 25 years. Developed in field settings with attention to quality implementation and cost-benefit measurement, prevention science is being translated into action across the country. For example, the National Institute of Justice released the 6th in a series of bulletins highlighting the positive impacts that effective prevention and intervention strategies can have on young peopleⁱ ([link](#)). Translational prevention science is beginning to help guide investments at the federal and state level across the country. As of yet, there is no systematic, consistent federal budgetary policy framework (or guidelines) for making juvenile justice funding decisions based on this science. The NPSC therefore recommends the following for federal juvenile justice legislation:

RECOMMENDATIONS:

- I. Reauthorize the JJDPA with the strength-based tenets and evidence-based improvements noted throughout the juvenile justice (and related) field(s) since its last reauthorization.
- II. Build a performance-based budget framework. Create capacity within OJJDP and the DOJ, supported by OMB and the CBO, to build a budget framework that plans for, incentivizes, measures, and rewards desired outcomes. For example:
 - 1) Include cost accounting mechanisms to implement training, delivery, data collection, monitoring, evaluation, and quality management of evidence-based programs. Allocate a percentage (e.g., at least 20%) of funding for effective implementation and evaluation infrastructure. With effective implementation infrastructure, systems become more efficient and are more likely to reach intended outcomes for children and familiesⁱⁱ, creating further cost savings beyond those generated by adopting and haphazardly using the evidence-based strategy alone.

- 2) Include incentives to deliver strategies designed to keep youth from entering the juvenile justice system; have states account for the costs and benefits of their programs and encourage them to shift dollars away from programs that lead to limited or poor results.
 - 3) Budget policy within OJJDP should allow for a full range of developmentally appropriate interventions that have been proven to reduce additive risks known to heighten delinquency potential at each level of the developmental continuum, from birth and early childhood through transition to adulthood. Prevention programs have repeatedly shown cost-beneficial results and should be included in federal and state strategic plans moving forwardⁱⁱⁱ.
 - 4) Encourage cross-system collaboration in order to leverage government expenditures in public safety, behavioral health treatment (both mental health and substance abuse), healthcare, education, workforce development, etc. This can amplify the capacity of states/territories to form broader, comprehensive and integrated prevention frameworks.
 - 5) A “braided” or blended funding approach is gaining favor within the private sector as a tool for combining very limited public dollars with private contributions while rewarding only those programs that achieve agreed-upon outcomes. The federal government has seen some success with competitive state programs such as “Race to the Top.” and similar budget structures that incentivize the systematic use of public (and public-private) dollars.
 - 6) As part of capacity building and federal leadership, a reauthorized JJDPA may incentivize states to increase public-private and public-university (see PROSPER, PNRC, NIRN) collaborations. These partnerships can build state and inter-state learning collaborations, or join existing national collaborations that focus on strategic planning, program evaluation, and the technical aspects of implementing strategies. States that are successful in creating effective collaborations may be rewarded through incentive grants and/or other flexible budget and funding tools.
 - 7) States that are successful in creating effective systems for data collection and analysis may be rewarded. Data systems that include both *implementation* and *intervention outcome* data should be encouraged and incentivized. Without implementation data, such as data about whether prevention strategies are being delivered as intended, it is extremely difficult to determine whether intervention failures are due to problems with the strategy itself, or with the implementation and delivery of the strategy.
 - 8) Full implementation and the realization of expected outcomes may take 2-4 years for a single, well-defined program^{iv}. *Scaling* an evidence-based prevention strategy or a collection of strategies across a community, region, or state requires additional time. Funding opportunities should incentivize planning years and allow for adequate time so that intended outcomes can be realized at scale.
- III. Juvenile justice is traditionally talked about in public safety terms (e.g., juvenile crime rates). A commonly used metric is the rate of recidivism (re-arrests or convictions) for youth coming in contact with the juvenile justice system. A stronger, prevention-oriented JJDPA might allow for more comprehensive measures and mapping youth resilience and positive development outcomes— high-risk behavior reductions, school performance, community indicators of resilience or support, improvements in mental/social/clinical functioning, reductions in substance abuse, etc.

Prevention science offers the hope that when delivered and implemented with proper resources, interventions can achieve significantly better outcomes: fewer crime victims, reductions in capital outlays as a result of fewer prisons being built, lower recidivism rates among offenders, more effective

family systems, and better education and health outcomes as well as budgetary savings. Evidence-based prevention science offers an important value and a policy framework that shifts the often ineffective and inefficient use of limited resources from expenditures to investments.

BACKGROUND

Historical Impacts of JJDPA:

1. The JJDPA is the only federal policy vehicle that establishes a broad framework, blending core protections, and program and policy guidance for states' juvenile justice systems. Fundamentally, it is excellent policy and meets most expectations for an evidence-informed policy document (e.g., it emphasizes use of evidence-based strategies, 75% of expenditures are community based, and it provides incentives for prevention).
2. 56 States / Territories participate (includes the District of Columbia; Wyoming is allocated SAG \$20,000 and Non-participating State Solicitation of \$380,000. However Wyoming does not submit a 3-year plan or "participate" in the Act per se). Thus there is a national infrastructure in place that allows for broad federal leadership in key fiscal and program areas.
3. Juvenile arrest rates declined nationally after peaking in the mid-1990's, accelerating substantially in the last 8 years.
4. Juvenile incarceration rates have significantly dropped after peaking in 1995. Fewer youth per capita are incarcerated today than in 1975, in part due to the JJDPA, investments by philanthropy as well as the public sector, and various juvenile justice reform efforts. Lower youth institutional rates portend much better outcomes for youths as well as society overall^v.
5. The JJDPA, along with the Prison Rape Elimination Act (PREA), Juvenile Accountability Block Grants and newer proposed legislation (e.g., Youth PROMISE Act) have challenged states to identify opportunities to blend public safety, education, workforce development, re-entry, mental health and substance abuse strategies, using the combined experiences of many experts across the country (from law enforcement, public safety, academic, practitioner, advocacy, government, consumers, etc.).

Why Translational Prevention Science Is Critical for Future JJDPA Policy:

The 2002 reauthorization of the JJDPA required states to give funding priority to evidence-based strategies. Every OJJDP solicitation for Title II (B) funding since 2002-03 has emphasized this requirement. Groups such as the ACT4JJ Coalition, Council of State Governments, National Council of Juvenile and Family Court Judges (among others) have repeatedly called for the inclusion of evidence-based programming in any JJDPA reauthorization efforts. Yet the majority of states continue to struggle with *implementing and scaling* evidence-based strategies for their juvenile justice systems. There are many reasons:

- Federal funding for JJ programs has declined by over 50% in the past dozen years; Title V, the actual prevention arm of the JJDPA, has been earmarked or cut dramatically (down 78.8% since 2002). Thus, despite the language in the existing JJDPA, the resources supporting the Act are insufficient to drive state systems toward evidence-based prevention.

- State Advisory Groups (hereafter, “SAGs”) are Governor-appointed committees that advise their states on how to comply with the JJDP. Most SAGs focus on complying with the 4 core services required by the Act: 3-year planning, plan updates, compliance monitoring, and setting funding priorities. The administrative dollars (5% of state Title II allocations) available to each SAG are too limited to develop the training and technical support systems they need for implementation. Many states also lack data system infrastructures for the proper monitoring and evaluation of evidence-based interventions.
- While OJJDP and its partners do a good job of building evidence-supported program guides and web tools, SAGs need training and technical assistance to help move state systems forward. Evidence-based programs require competency based training, coaching, effective data systems, strong program performance monitoring and evaluation, quality management practices, and cost-benefit assessment capabilities. Because prevention and intervention programs are most often delivered *in partnership or via contracting agents to the juvenile justice system*, SAGs often rely on universities, providers, and others to acquire implementation expertise. Some SAGs are better at this than others; however there are limited administrative tools/procedures/ incentives for SAGs to do this well.
- We know that a substantial number of juvenile justice system youth placed in institutions are low to moderate risk for reoffending. However, the level of intervention is often too high, leading to unnecessary spending and potentially iatrogenic (system-caused negative) impacts to youth. Ironically, research shows that placing lower risk youth in programs meant for higher risk youth can lead inadvertently to higher recidivism rates among lower-risk participants. Youths may be referred to a program because “that is what gets funded” and is the only option available. This can lead to potentially harmful outcomes, if we fail to base supervision, service, and resource allocation decisions on validated risk and need assessments. Many jurisdictions need training on matching risk to reoffend to the appropriate intervention level, and training to evaluate whether interventions are effectively delivered to the right youth at the right place in the system, at the right dosage and strength (at a developmentally appropriate level).
- We also know that in the US on any average day (2010 data) approximately 10,000 youth are housed in adult jails or prisons. This suggests an ongoing need for basic resources aligned with the JJDP core requirements, and makes a strong argument for prevention.

The vast majority of resources appropriated to juvenile justice systems are local; they are state or county/community dollars supplemented by JJDP and related federal appropriations. NPSC recommends policies that the federal government can use to incentivize state and local investments in cost effective measures, and create incentives to reinvest savings into evidence-supported, community based solutions that save money, lower crime, and yield positive long term outcomes.

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ⁱ Bulletin 6: Changing Lives: Prevention and Intervention to Reduce Serious Reoffending, by *Brandon C. Welsh, Mark W. Lipsey, Frederick P. Rivara, J. David Hawkins, Steve Aos, Meghan E. Peel, and David Petechuk*, NCJ 242936, available at www.NCJRS.gov

ⁱⁱ Fixsen, Blase, Timbers, & Wolf, 2001; Fixsen, Blase, Metz, & Van Dyke, 2013; Metz & Albers, 2014; Metz, Bartley, Ball, Wilson, Naoom, & Redmond, 2014; Saldana & Chamberlain, 2012

ⁱⁱⁱ Impact of Early Intervention on Psychopathology, Crime and Well-Being at Age 25, Kenneth A. Dodge and the Conduct Problems Prevention Research Group. *American Journal of Psychiatry*, September 15, 2014. DOI: 10.1176/appi.ajp.2014.13060786

^{iv} Bierman, Coie, Dodge, Greenberg, Lochman, McMahon, et al., 2002; Fixsen, Blase, Timbers, & Wolf, 2001; Panzano & Roth, 2006; Saldana, Chamberlain, Wang, & Brown, 2011

^v Aizer, Anna AU - Doyle, Joseph J., Jr. TI - Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges JF - National Bureau of Economic Research Working Paper Series VL - No. 19102 PY - 2013 Y2 - June 2013 DO - 10.3386/w19102 UR - <http://www.nber.org/papers/w19102>; and Cohen, M. & Piquero, A. (2009). New evidence on the monetary value of saving high risk youth. *Journal of Quantitative Criminology*.(25). 25-49. Retrieved from: http://www.evidencebasedassociates.com/reports/New_Evidence.pdf