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Testimony  
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U.S. House of Representatives  
Committee on the Judiciary  
Subcommittee on Crime, Terrorism and Homeland Security  
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2141 Rayburn HOB

Thank you, Chairman Scott and the Subcommittee for allowing me to testify today. My name is Tracy Velázquez, and I am the Executive Director of the Justice Policy Institute, a Washington, D.C.-based think tank dedicated to reducing society's reliance on incarceration and promoting effective and just solutions to social problems. JPI is a member of several key research-based juvenile justice systems reform efforts that allow us to work closely with leading youth policy experts in the country. In addition, JPI is one of the few organizations that has done research on the issue of gangs in America. Today we would like to express our support for the policies and approach of the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act ("Youth PROMISE Act").

Rather than creating additional and duplicative punitive approaches, the Youth PROMISE Act builds upon evidence-based and promising practices that reduce youth violence and delinquent behavior. These programs have been shown to lower recidivism rates and are more cost-effective than punitive approaches like incarceration that negatively affect youth. Specifically, the Youth PROMISE Act directs resources towards communities facing an increased risk of crime and gang activity in order to enable them to address significant unmet needs and improve public safety. The Youth PROMISE Act avoids policies that will unfairly impact communities of color, and instead directs resources to those programs that both use public resources wisely and have a positive impact on youth and communities. At a time when states are facing critical budget crises and spending \$47 billion per year on prisons, we must explore cost-effective solutions to public safety challenges, and focus on prevention as a means for improving the lives and futures of youth, reducing costs, and protecting communities. The Youth PROMISE Act is just such an innovative and positive solution.

**What are the costs and benefits of evidence based practices for youth?**

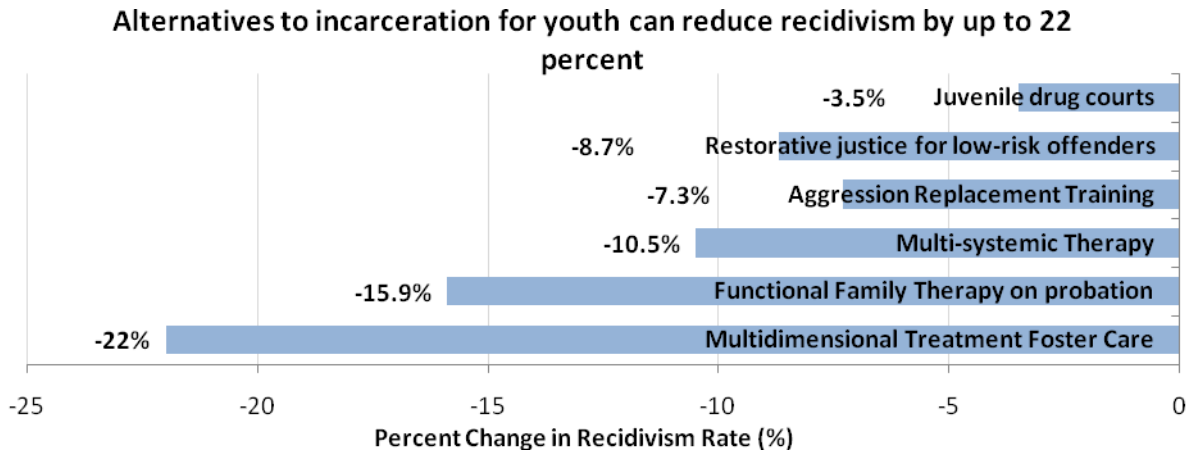
While supporting educational and employment opportunities are some of the most effective ways to increase public safety, we know that for some youth there is a need for a more intensive

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approach. Although there is no single solution for preventing youth from joining gangs and participating in gang-sanctioned violence, there are evidence-based practices that work with at-risk and delinquent youth, the same youth who may join gangs. These evidence-based programs, such as Multi-Systemic Therapy, Family Functional Therapy and Multi-Dimensional Treatment Foster Care, have been shown to reduce delinquent or violent behavior and are more cost effective and produce more benefits than traditional punitive measures, such as incarceration, penalty enhancements or transfer to adult court. The Youth PROMISE Act, by funding these proven practices, is supporting what we know about what works with youth and will yield the most benefits to communities in terms of public safety. The Act also establishes a national Center for Proven Practices Research that will collect and disseminate information to the public and local councils on current research on evidence-based and promising practices for reducing youth delinquent behavior and gang membership.

Recidivism

For many, recidivism, such as a new arrest or adjudication, is the key indicator for whether a program is successful. A 2006 study by the Washington State Institute of Public Policy (WSIPP) reported lower recidivism rates and higher monetary benefits to taxpayers and crime victims when these “model” programs were administered instead of detention or unproven alternatives.



Source: Elizabeth Drake, *Evidence-Based Juvenile Offender Programs: Program Description, Quality Assurance, and Cost* (Olympia: Washington State Institute for Public Policy, 2007) [www.wsipp.wa.gov](http://www.wsipp.wa.gov)

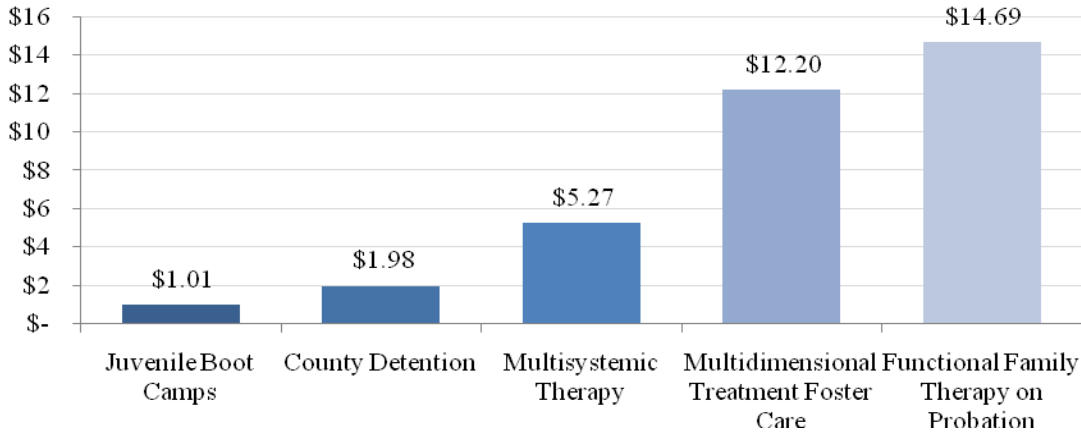
In addition, a report by the United States Surgeon General found that, “The most effective programs, on average, reduce the rate of subsequent offending by nearly half (46 percent), compared to controls, whereas the least effective programs actually *increase* the rate of subsequent offending by 18 percent, compared to controls.”

Cost Effectiveness

As demonstrated below, spending just \$1 on evidence-based programs can yield up to \$15 in benefits to society, whereas more punitive approaches like detention and juvenile boot camps yield less than \$2 in benefits.

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**For every dollar spent on functional family therapy, \$15 is provided in benefits.**



Source: Steve Aos, Marna Miller, and Elizabeth Drake, *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates* (Olympia: Washington State Institute for Public Policy, 2006) [www.wsipp.wa.gov](http://www.wsipp.wa.gov).

The Youth PROMISE Act will support effective programs based in the community; such programs have been shown to be more effective in community settings than in custodial settings. The Act recognizes that it is more effective to work with youth in the community, than to wait until they are incarcerated.

### **What are the potential costs of increasing punitive policies aimed toward youth?**

As the United States grapples with harsh economic realities, states and localities continue to cut budgets, shed jobs, and trim institutions that are not cost-effective. Among the least cost-effective are prison and jail systems. Federal, state and local governments are spending a combined \$68 billion dollars a year on a system that does not definitively improve public safety, but, instead, destabilizes communities, harms families, and derails the lives of individuals.

Policies that aim to lock up more youth, and for longer periods of time, will only serve to increase prison and jail populations without the benefits of return on public safety. Over the last 10 years the average yearly increase of state spending on corrections has been approximately 3 percent. If such trends continue, states would be expected to spend more than \$50 billion on corrections per year by 2010.

The Youth PROMISE Act recognizes the futility of increasing the number of youth and young people in juvenile facilities and adult prisons when there are more effective and cost-effective programs available that keep youth in their communities while improving public safety.

### **What is the impact of punitive gang policies on communities of color?**

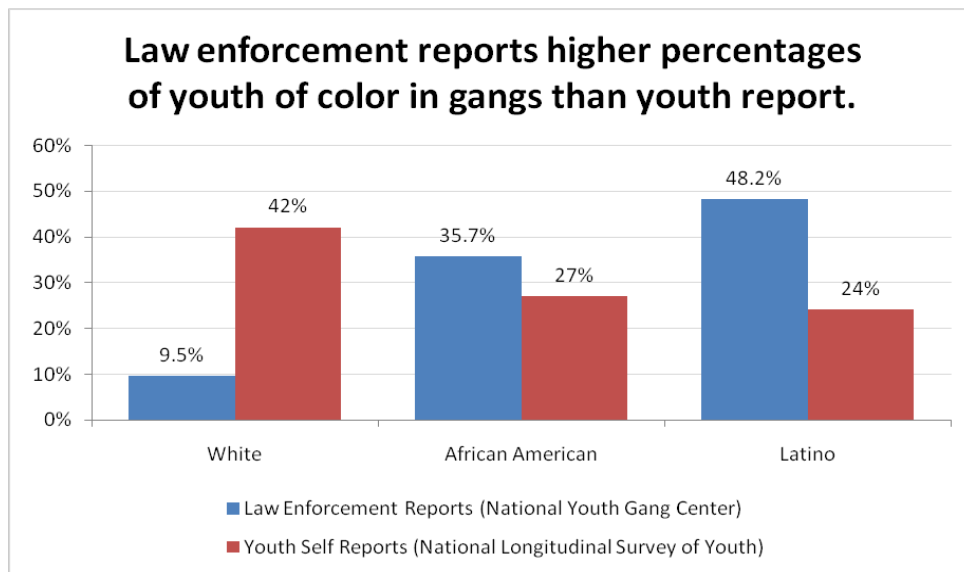
There is ample evidence that police misidentify youth as gang members based solely on race or ethnicity, style of dress, and association with others who have been labeled as gang members. This misidentification can lead to serious consequences for communities, particularly

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communities of color. In Los Angeles, for example, nearly half of all black men between the ages of 21 and 24 were entered into a gang database in 2003.

There are currently more than 2.3 million people in U.S. prisons and jails, and one in nine African American men between ages 30 and 34 are currently incarcerated. African American men are incarcerated at six times the rate of white men, and Latino men are incarcerated at twice the rate of white men. Policies that frequently misidentify youth and young people of color as gang members are leading to the increasing numbers of people in prison from communities of color.

Yet, surveys of youth involved in gangs, of all races, show similar rates of delinquent behavior, including violent, property and drug crimes. And despite law enforcement assertions that youth of color make up the majority of gang members, self reports show a different story: The National Longitudinal Survey of Youth found that 42 percent of youth reporting gang activity in the past year were white, 27 percent were African American and 24 percent were Latino. Discrepancies between law enforcement reports of gang membership and self-reports may be a contributing factor in the increase of young people of color in prisons.



Source: Kevin Pranis and Judy Greene, *Gang Wars: The Failure of Enforcement Tactics and the Need for Effective Public Safety Strategies* (Washington, D.C.: Justice Policy Institute, 2007)

The labeling of youth and young adults as gang members, often based solely on appearance and neighborhood, can have detrimental and lasting effects on a young person's future. The reluctance of mainstream social institutions to embrace former gang members and other people with felony records makes it harder for a person labeled as a gang member to leave gang-life behind and participate in typical developmental stages, such as education and employment.

The Youth PROMISE Act ensures that its proposed policies do not increase the number of youth of color in the justice system, and aims to alleviate some of the overrepresentation of these youth. In particular, local communities must ensure that their proposed plans will not increase the number of youth involved in the juvenile and criminal justice systems. Furthermore, the Act

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aims to reduce the overrepresentation of people of color by requiring that communities' proposed plans take into account the cultural and linguistic needs of the community and include strategies to improve indigent defense delivery systems, particularly for youth overrepresented in the justice system.

The time has come to put aside the "tough on crime" rhetoric and to make smart policy decisions that rely on research and evidence on what works with youth who may be involved in delinquent or violent behavior. The time of relying on prisons and the criminal justice system to solve social problems is at an end, and states and localities are realizing the need to have effective alternatives to incarceration that both cost less and provide better results than the policies of the past. Research shows that not only does incarceration not necessarily improve public safety, but it may actually make communities less safe. The Youth PROMISE Act recognizes that focusing on prevention and getting at the root causes of this behavior will yield the most effective results in terms of public safety, life outcomes for youth, and financial costs that we all must bear.