



# CPDA

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A Statewide Association of Public Defenders and Criminal Defense Counsel

April 17, 2008

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Honorable Robert C. Scott  
Virginia, 3<sup>rd</sup> District  
U. S. House of Representatives  
1201 Rayburn House Office Building  
Washington, DC 20515

Dear Congress Member Scott:

The California Public Defenders Association (CPDA) strongly supports the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support and Education ("Youth PROMISE") Act (H.R. 3846) sponsored by Congressman Robert C. "Bobby" Scott, which will steer countless youth away from gangs and the criminal justice system and instead facilitate them becoming productive members of our communities.

The Youth PROMISE Act (hereinafter YPA) will provide youth embroiled with gangs or the juvenile justice system and those on the brink of involvement, with tools for success, on an individual, family and community level while concurrently enhancing public safety and providing healing for victims. Many children involved in criminal street gangs or the juvenile delinquency system are themselves direct victims of violence, as well as physical and emotional abuse and neglect, and many have witnessed domestic violence. Others also experience undiagnosed or untreated addiction and mental health, learning, and developmental disorders all of which place them at greater risk of gang involvement and entry into the juvenile justice system. Our experience reveals that many children claim gang membership for self-protection and are not actively involved in serious or violent felony crimes.

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Punitive measures that focus solely on prosecution, incarceration and enhanced sentencing miss the opportunity to achieve the optimal level of harm reduction. Rather than merely increasing the number of children involved in the juvenile and criminal justice systems, the YPA addresses the root causes of youth and gang violence that will help children become productive and law-abiding adults and communities to flourish, by focusing not just on prevention efforts, but also on critical community-based intervention efforts for those youth who are already involved in gangs or the criminal justice system.

Constructive strategies contemplated under the YPA would involve all key stakeholders in the community. By establishing a federal advisory panel that would set standards to evaluate juvenile delinquency and criminal street gang prevention and intervention programs, the YPA will identify those communities with the greatest need for assistance.

As those communities experiencing an increased youth gang problem are identified, the YPA would directly engage leadership at the community level by creating local coordinating PROMISE Councils, with representatives from a wide range of representatives from the public and private sectors, including law enforcement, prosecutors and public defenders, community based organizations, and representatives from faith based organizations, health, social service and mental health providers. Such councils will identify unmet needs by conducting a gap needs assessment to identify the number of children who are at-risk of becoming or remaining involved in the juvenile delinquency system or with gang activity and will identify available evidence-based and promising juvenile delinquency, and gang prevention and intervention programs available in the community.

Such local councils will develop comprehensive plans to implement evidenced based and promising practices related to juvenile delinquency, criminal street gang prevention and intervention, which are culturally appropriate and reflective of the local community's specific needs. Among other things, each PROMISE Council plan will provide strategies to improve indigent defense delivery systems and will prioritize those groups of

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children who are the most overrepresented in the state delinquency system and the Federal criminal justice system, as compared to the representation of such groups in the general population of the State.

CPDA is additionally supportive of the components contemplated by the YPA, which address many of the needs of at-risk, gang and court involved children, namely early childhood development services, child protection and safety services; job training and education programs; health and mental health services, including peer mentoring; substance abuse counseling; housing assistance; gang prevention, intervention and exit services, including anti-gang outreach programs and other criminal street gang true or peacemaking activities; alternatives to detention and confinement programs; and pre and post-reentry services focusing on transition back into the community.

The YPA will provide funding for community-based law enforcement and youth victim and witness assistance programs and provide for training, hiring and support of "Youth Oriented Policing" officers to implement strategic activities to minimize youth crime and victimization and reduce the long-term involvement of juveniles in the juvenile and criminal justice systems. The YPA will also establish a Center for Youth Oriented Policing which would be responsible for identification, development and dissemination to law enforcement agencies best practices for Youth Oriented Policing techniques and technologies.

Furthermore, the YPA would require a rigorous evaluation process based on performance standards developed by the PROMISE Advisory Panel and the development of clinical trial evaluation and performance measurements for evidence based and promising practices funded by the proposed Act. Over 2.2 million people are currently imprisoned in federal and state jails and prisons in the United States, at an annual cost of approximately \$65 billion, as cited by the most recent Bureau of Justice Statistics. By authorizing \$2.3

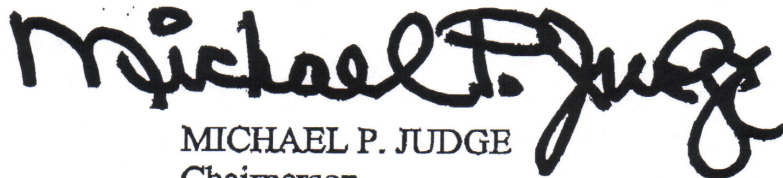
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billion per year over five years, the Youth PROMISE Act is a wise investment that will positively impact lives and result in large reductions of children and young adults entering the juvenile delinquency and criminal justice systems.

We urge you to cosponsor H.R. 3846, and look forward to collaborating with you to pass this critically important piece of legislation.

Very truly yours,

A handwritten signature in black ink that reads "Michael P. Judge". The signature is written in a cursive, flowing style.

MICHAEL P. JUDGE  
Chairperson  
Legislative Committee  
CPDA

Cc: Honorable Robert C. "Bobby" Scott  
Member of Congress (Virginia)

Michael Cantrall, Executive Director  
CPDA

Christie Hedman, Chairperson, National Voice Committee  
American Council of Chief Defenders

Richard Goemann, Director, Defender Division  
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JoAnn Wallace, President  
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