



Department of Justice

STATEMENT

OF

**THE HONORABLE J. ROBERT FLORES
ADMINISTRATOR
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION**

BEFORE THE

**COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES**

CONCERNING

**REDUNDANCY AND DUPLICATION IN CHILD WELFARE
PROGRAMS: A CASE STUDY ON THE NEED FOR
EXECUTIVE REORGANIZATION AUTHORITY**

PRESENTED ON

MAY 20, 2004

Mr. Chairman and members of the committee, I appreciate the opportunity to present testimony on behalf of the Office of Justice Programs (OJP) addressing your concerns about potential redundancy in federal programs that deal with the welfare of our nation's most vulnerable children, and its impact on the efficient delivery of services to these children, youth and their families.

The mission of OJP is to provide federal leadership in developing the nation's capacity to control crime, administer justice, and assist victims. OJP, including the Office of Juvenile Justice and Delinquency Prevention (OJJDP), seeks to accomplish this mission emphasizing strategic planning and collaboration rather than merely program building. Consistent with the Attorney General's Strategic Plan, we endeavor to focus on how to meet beneficiary and community needs, while recognizing that no one program will meet all needs. Coordination among multiple stakeholders, at all levels, is necessary to accomplish our mission. The effort to conform certain program activities to actual needs, however, does require time and resources.

As Administrator of OJJDP, I share your concern that children in the child welfare system, which includes the juvenile justice and family court systems, must have access to services and assistance delivered in an effective and efficient manner.

The United States Department of Justice, through OJP's OJJDP, has worked hard to coordinate and collaborate to get better results for children. With the support of the Attorney General and the Assistant Attorney General for OJP, Deborah J. Daniels, this

focus on coordination and collaboration is designed to take advantage of the fact that in no other system is there as great an opportunity to interact directly with a child, mandate behavioral change, involve family members, and monitor results. While we never want to see a child enter the juvenile justice system if there is a just and viable alternative, the reality is that the juvenile justice system places a child in a very ordered and regimented system. To fail to take steps to assist children in that setting is inexcusable. We have an obligation to make the most of a child's contact with the juvenile justice system for the child's benefit and to improve public safety. If we succeed, that first contact with the juvenile justice system will be the child's last. And, if we succeed in our delinquency prevention role, the child will never experience contact with either the juvenile or adult criminal justice systems.

My testimony today will elaborate on how that philosophy informs OJJDP's role in addressing juvenile justice and child welfare concerns.

Distinct Role and Responsibilities of OJJDP

In accordance with its authorizing legislation, the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002, OJJDP provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds offenders accountable, and provides treatment and rehabilitative services tailored to the needs of

juveniles and their families. OJJDP also emphasizes interagency coordination and collaboration to maximize federal resources, reduce overlaps, improve program input and outcomes, enhance critical information and knowledge that form the basis for new program development activities, and strengthen commitment and ownership in preventing and addressing juvenile crime and delinquency.

Although the two systems are too often disconnected, the juvenile justice and child welfare systems are both integral to serving children. As a 1997 OJJDP conference summary concluded: “Because abuse and dependency have root causes in dysfunctional families and unfavorable environments, and because being abused engenders the mental and emotional turmoil likely to lead to delinquency, child welfare and juvenile justice professionals end up working with many of the same kids.” And, findings from the OJJDP-funded Rochester Youth Development Study indicated that children who were abused or neglected self-reported higher levels of serious and violent delinquent behavior. Forty-five percent of maltreated youth in the study, compared to less than one-third (32%) of non-maltreated youth in the study, had official records of delinquency. These maltreated children are also at increased risk of other interrelated problems in adolescence, including drug use, poor academic performance, teen pregnancy, and emotional and mental health disorders.

For that reason, it is imperative not only that the juvenile justice system succeed, but also that those agencies that feed the hungry, house the homeless, care for the sick, train new workers, and build communities and businesses also contribute to these

children's well-being. For example, this is the philosophy behind the Administration's efforts to improve on the re-integration into their communities of juveniles and adults who leave confinement. The Justice Department does not build housing, train workers, offer life skills training, or provide health care, but we know that these services are key to the successful re-integration into society of these individuals. In turn, the successful re-entry of a former offender is necessary to preserve the safety of the society. Because we cannot provide these services and resources directly, it is imperative that we turn to other federal and state partners and that the rules and regulations allow for such cooperation.

In addition to the Reentry Initiative, some of OJJDP's other cooperative program efforts include Children's Advocacy Centers, the Model Dependency Court Initiative, the Tribal Youth Program, and the Title V Community Prevention Grants Program. These programs emphasize both federal inter-agency cooperation and coordinated local activities.

The Children's Advocacy Centers focus on inter-agency cooperation in the protection of child victims, to ensure that these children are not further victimized. In FY2002 and 2003, more than 240,000 children received services from National Children's Alliance advocacy centers. Through OJJDP funding, over 8,000 professionals from all disciplines – law enforcement, prosecution, judiciary, and child welfare – were trained in the cross-disciplinary skills necessary for handling these cases.

Through OJJDP's Model Dependency Courts Initiative, the National Council of Juvenile and Family Court Judges provides intensive training and technical assistance to improve the courts' handling of child abuse and neglect cases, and to ensure timelier decision-making in planning for the child's future. This project also produced an informative guide to promising practices, the *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*, which is widely used.

The Department of Justice and the Department of the Interior jointly manage and support the Indian Country Law Enforcement Initiative, and OJJDP operates the Tribal Youth Program as part of this initiative. The Tribal Youth Program focuses on reducing the crimes, particularly violent crimes, committed by and against youth in Indian Country. OJJDP is allocating \$10 million in FY04 for discretionary grants to tribal communities, which use these funds to develop and implement culturally-sensitive delinquency prevention programs and interventions for court-involved youth, and to implement tribal juvenile justice systems.

The Title V Program funds collaborative, community-based delinquency prevention efforts. The Program provides communities with funding and a guiding framework for developing and implementing comprehensive juvenile delinquency prevention plans and emphasizes inter-agency cooperation at all levels.

As this committee has recognized, not all child welfare-related activity within the Department of Justice, or even within OJP, is conducted solely by OJJDP. The Office for

Victims of Crime (OVC) and DOJ's Office on Violence Against Women (OVW) each have specific roles to play in providing services, training, and technical assistance in this area. OJP's Safe Start program, a collaboration among OJJDP, OVC, and OVW, was a multi-year program that supported comprehensive efforts to reduce the destructive effects of children's exposure to violence. The Safe Start projects all worked to increase coordination among law enforcement, mental health, and medical professional, and child protective service providers.

In addition to these specific programs, OJJDP, like all of the Office of Justice Programs, widely collaborates with other federal agencies. In fact, in the FY 2004 Commerce, Justice, State Appropriations bill, OJP was directed to provide the Congress with a report on its inter-agency coordination. While that report is not yet ready for release, the survey of activities demonstrates an impressive array of projects and high level of cooperation across the federal government.

OJP's efforts to coordinate within and outside of the Department have helped protect children and promote their welfare, but as mentioned in my introduction, these efforts require time and resources.

OJJDP's Statutory Tools That Support Agency Coordination and Collaboration

As this committee conducts its examination of federal child welfare service delivery, I would commend to you the ability of the Coordinating Council on Juvenile Justice and Delinquency Prevention to effect changes in many child-serving programs across multiple Federal agencies. The Coordinating Council on Juvenile Justice and Delinquency Prevention is an independent organization within the Executive Branch that allows federal agencies to create effective, institutionalized departmental partnerships. Statutorily mandated, the Council's primary functions are to coordinate all federal juvenile delinquency prevention programs, all programs and activities that detain or care for unaccompanied juveniles, and all programs relating to missing and exploited children. The Council's Chair is the Attorney General, and I serve as the Vice-Chair. Other *ex officio* members include the Secretaries of Labor, Education, Housing and Urban Development, and Health and Human Services; the Director of the Office of National Drug Control Policy; and the Chief Executive Officer of the Corporation for National and Community Service. The Council also consists of nine practitioner members proportionally appointed by the President, the Senate Majority Leader, and the Speaker of the House of Representatives. Especially over the last year, the Council has developed into a body that provides a mechanism for departmental representatives to invite other federal agencies to coordinate with them on child welfare and related concerns. The Department of Justice has, in turn, done the same by obtaining the cooperation of agencies to assist in satisfying our priorities.

OJJDP is working with members of the Coordinating Council on Juvenile Justice and Delinquency Prevention to identify and leverage existing resources and agencies that may be incorporated into a comprehensive community-based anti-gang effort. By looking at the root causes of gangs and the predictable results of the ongoing presence of gangs anew, federal agencies have been willing to explore options for collaboration that go beyond any previous federal coordination on this issue.

To better illustrate this point, imagine a 12-year-old boy with a history of disruptive conduct and negative attitudes about school. He lives in a public housing complex in a community with multiple generations of gang activity and easy access to guns and drugs. His single mother works two low paying jobs to cover expenses. This 12-year-old is unsupervised every afternoon and weekend and he is surrounded by negative influences. He is tomorrow's gang member. He is the negative influence for the next generation of youth. The best way to prevent these likely outcomes is to coordinate resources and expertise that flow out to states and localities from numerous federal agencies including Justice, Education, Health and Human Services, Housing and Urban Development, Labor, Agriculture, and others. Through OJP's Gang Reduction Program, we are working with our federal, state, and local partners to make such collaborative responses possible on a pilot basis.

The Juvenile Justice Advisory Committee (JJAC) is another statutory tool that facilitates critical collaboration between federal and state agencies. Established by the JJDP Act, the Committee helps ensure that OJJDP leadership and staff obtain the input of

state officials and others in fulfilling agency mission. Composed of appointed representatives of the nation's Juvenile Justice State Advisory Groups, the Committee advises the President and the Congress on matters related to juvenile justice, evaluates the progress and accomplishments of juvenile justice activities and projects, and advises the Administrator on the work of OJJDP.

The Coordinated and Effective Delivery of Federal Services

If ultimately our goal is ensuring the well-being of children, youth and their families, then the missions of several federal agencies are very similar. However, each agency brings to the table respective expertise that is essential to addressing complex societal problems associated with child maltreatment, juvenile delinquency, and related topics. We cannot do our jobs alone. We must do our jobs in concert with each other.

However, it is also important to recognize that successful coordination and delivery of federal services requires a willing commitment of time and resources, as well as a spirit of cooperation. OJP and OJJDP continue to be eager participants in these ventures.

In closing, as the Administrator of OJJDP, I have and will continue to work to ensure that all children, including those at risk for involvement in our juvenile justice system, are afforded the chance to know the nurturance and stability of healthy family lives so that they can grow into productive, self-sustaining adults. I look forward to working with my colleagues present here today and learning of the recommendations of

this committee. Thank you. I would be pleased to answer any questions you may have at this time.