

1           Mr. Dixon.

2           MR. DIXON: Good morning. I guess I'm the only  
3 one -- I have the distinct pleasure of being a member of  
4 ACA, CJCA and President of the National Juvenile Detention  
5 Association.

6           Thank you for the opportunity to speak with you  
7 regarding the Prison Rape Elimination Act and its impact on  
8 juvenile justice population. First I'd like to ask that my  
9 written testimony be placed into the record. I am Leonard  
10 Dixon, President of the National Juvenile Detention  
11 Association and Director of the Bureau of Juvenile Justice  
12 for the State of Michigan. I have served in the juvenile  
13 justice field for twenty-seven years in all capacities from  
14 front line staff, facility director, to my current position  
15 as state director.

16           The National Juvenile Detention Association is  
17 focused on improving juvenile justice by advancing the  
18 science, process and art of juvenile detention services  
19 through the improvement of the juvenile justice profession,  
20 and I would suggest to you that we tend to look at science,  
21 and operating institutions, what I've found is an art more  
22 than it is a science.

23           First thing I'd like to discuss is juveniles  
24 should not be termed "inmates" as it tends to invoke an  
25 adult-like response to addressing juvenile justice needs.

1 Second, youth convicted of crimes and placed in treatment  
2 facilities come to our systems with significant needs.  
3 Third, staff-to-youth ratios are smaller and treatment is  
4 founded on relationship building with youth. Youth who  
5 enter the juvenile justice system often come to us from  
6 abusive and neglective families. In Michigan alone, twenty  
7 percent of the juvenile justice youth have been victims of  
8 child abuse and neglect. The number of youth with more  
9 serious special needs such as learning disabilities, sexual  
10 offender convictions and chronic substance abuse continues  
11 to increase. Nationwide what we've found is more than fifty  
12 percent of juvenile justice youth has special education  
13 needs. In addition to that, seventy-five percent have  
14 mental health disorders.

15           One of the things that we've also found that  
16 inadequate classification processes, placement of juvenile  
17 justice youth in inappropriate facilities, outdated and  
18 poorly maintained facilities, over-crowding, poor  
19 programming, and lack of appropriate staff training are  
20 factors that facilitate inappropriate behaviors by staff.

21           The juvenile justice system is inherently  
22 different from the adult criminal justice system. The  
23 juvenile justice system primary objective is to rehabilitate  
24 the juvenile while the adult system objectives are to deter  
25 crime and to punish the offender.

1           The Bureau of Justice Statistics data shows that  
2 juvenile justice youth are truly victims of sexual assault.  
3       The recent tragedy in Indiana, in an Indiana juvenile  
4 justice detention facility where at least six young ladies  
5 were allegedly coerced into having sex with adult employees  
6 over a five-year span speaks to that issue. The NJDA  
7 leadership has developed training through the National  
8 Partnership of Juvenile Justice services for all  
9 jurisdictions across the nation to address necessary  
10 safeguards for our youth from staff sexual misconduct. This  
11 solution includes standards for training, professional  
12 attire, suitable language, appropriate professional and  
13 personal boundaries. It should be noted that great strides  
14 have been made since the 2003 passage of the PREA. One of  
15 the things that, in my personal place (sic) that I'm  
16 concerned about is if your child or my child was placed in  
17 one of our facilities would we be satisfied with what was  
18 going on with them in that facility. I'm also concerned  
19 that youth offenders will remain at risk despite this law if  
20 appropriate funding is not made available. Therefore, I  
21 strongly recommend that this Commission push for federal  
22 funding for training and more research for juvenile  
23 facilities on this issue. Many government agencies have  
24 responded with the highest level of professionalism through  
25 the opportunities and challenges that accompany PREA. I'm

1 struck by something my father used to say all the time: you  
2 cannot cripple a person and then criticize the way that they  
3 walk. And that crippling metaphor has to do with if we're  
4 not going to train people, if we're not going to be involved  
5 with programs and really dealing with the way we address  
6 kids' and not looking at it from an adultified system, then  
7 we're going to continue to have problems.

8           In closing, I want to thank you all for taking  
9 this brave step to pass and implement the PREA. The impact  
10 of your efforts will forever change the culture of our  
11 juvenile facilities; youth will be safer, and the  
12 victimization of this vulnerable population will no longer  
13 be ignored. I believe this will lead to healthier  
14 communities, greater public safety, changed attitudes,  
15 administrator and staff accountability and behavior, and  
16 successful integration back into society when people return  
17 to communities that they come from. Thank you.

18           CHAIRMAN WALTON: Thank you, Mr. Dixon.

19           Mr. Soler.

20           MR. SOLER: Judge Walton and Members of the  
21 Commission, thank you very much for the opportunity to  
22 appear. I'm the Executive Director of the Center for  
23 Children's Law and Policy which is a very new organization,  
24 we officially opened just two months ago, but prior to that  
25 I worked for twenty-seven years at the Youth Law Center