Mr. Dixon.

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

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

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

First thing I'd like to discuss is juveniles should not be termed "inmates" as it tends to invoke an adult-like response to addressing juvenile justice needs.
Second, youth convicted of crimes and placed in treatment facilities come to our systems with significant needs. Third, staff-to-youth ratios are smaller and treatment is founded on relationship building with youth. Youth who enter the juvenile justice system often come to us from abusive and neglective families. In Michigan alone, twenty percent of the juvenile justice youth have been victims of child abuse and neglect. The number of youth with more serious special needs such as learning disabilities, sexual offender convictions and chronic substance abuse continues to increase. Nationwide what we've found is more than fifty percent of juvenile justice youth has special education needs. In addition to that, seventy-five percent have mental health disorders.

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also found that inadequate classification processes, placement of juvenile justice youth in inappropriate facilities, outdated and poorly maintained facilities, over-crowding, poor programming, and lack of appropriate staff training are factors that facilitate inappropriate behaviors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

The juvenile justice system is inherently different from the adult criminal justice system. The juvenile justice system primary objective is to rehabilitate the juvenile while the adult system objectives are to deter crime and to punish the offender.
The Bureau of Justice Statistics data shows that juvenile justice youth are truly victims of sexual assault. The recent tragedy in Indiana, in an Indiana juvenile justice detention facility where at least six young ladies were allegedly coerced into having sex with adult employees over a five-year span speaks to that issue. The NJDA leadership has developed training through the National Partnership of Juvenile Justice services for all jurisdictions across the nation to address necessary safeguards for our youth from staff sexual misconduct. This solution includes standards for training, professional attire, suitable language, appropriate professional and personal boundaries. It should be noted that great strides have been made since the 2003 passage of the PREA. One of the things that, in my personal place (sic) that I'm concerned about is if your child or my child was placed in one of our facilities would we be satisfied with what was going on with them in that facility. I'm also concerned that youth offenders will remain at risk despite this law if appropriate funding is not made available. Therefore, I strongly recommend that this Commission push for federal funding for training and more research for juvenile facilities on this issue. Many government agencies have responded with the highest level of professionalism through the opportunities and challenges that accompany PREA. I'm
struck by something my father used to say all the time: you cannot cripple a person and then criticize the way that they walk. And that crippling metaphor has to do with if we're not going to train people, if we're not going to be involved with programs and really dealing with the way we address kids' and not looking at it from an adultified system, then we're going to continue to have problems.

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

CHAIRMAN WALTON: Thank you, Mr. Dixon.

Mr. Soler.

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