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## JUVENILE JUSTICE: LEGISLATING WITHOUT ADEQUATE OVERSIGHT OF EXISTING PROGRAMS

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In the aftermath of the April 1999 Columbine High School shooting in Colorado, Congress is looking at ways to translate the national debate into tangible improvements in efforts to prevent juvenile crime. The House of Representatives will soon consider the Consequences for Juvenile Offenses Act of 1999 (H.R. 1501), which would authorize billions of additional dollars for states to prosecute juvenile criminals and deter criminal behavior. Unfortunately, inadequate congressional oversight of existing federal programs will make this effort yet another example of reactive legislation that merely expands the current dizzying array of overlapping, duplicative, and sometimes destructive programs with uncertain goals and outcomes.

To help delinquent or at-risk youth, the federal government funds 117 programs in 15 different departments and agencies at a cost to taxpayers of more than \$4.4 billion annually. These include 20 programs in the Department of Justice, 59 programs in the Department of Health and Human Services, and even programs in the Environmental Protection Agency and Department of Transportation. Of the 117 programs, 62 are for training and technical assistance, 53 for violence prevention, and 35 for tutoring. Because there is little oversight, little is known about which of these programs and what tools—boot camps, incarceration, mentoring, gang intervention, counseling, conflict resolution, substance abuse prevention, or stricter gun control—actually work to reduce, prevent, or control

juvenile delinquency. H.R. 1501 will do little to change this.

**Find Out What Works.** Representative Bob Schaffer (R-CO) is proposing an amendment to H.R. 1501 to ensure that the federal government stops wasting money on programs that do not work and funds ones that do. Framed originally as a “sunset” amendment, this proposal would require the U.S. General Accounting Office (GAO) to assess some 12 of the 20 programs administered by the Justice Department at an annual cost of \$261.7 million; if no evidence of effectiveness was shown, programs could be terminated in fiscal year 2004.

A 1998 study from the University of Colorado at Boulder concluded that most of the financial resources committed to the prevention and control of youth violence at the federal and local levels have been spent on “untested programs based on questionable assumptions and delivered with little consistency or quality control.” It also concluded

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that the vast majority of these programs are not being evaluated.

Without extensive oversight of the billions of dollars already spent on juvenile crime reduction by federal, state, and local governments, as well as by nonprofit organizations and businesses, to find out what is working and what is not, it makes little sense to pass *new* legislation. A thorough evaluation would answer such questions as: Which intervention strategies, if any, reduce juvenile crime? Which reduce recidivism? What programs can be shown to reduce or prevent drug or alcohol abuse? Which result in fewer suspensions from school for violence?

Perhaps the clearest signal of the need for better oversight came from the GAO in testimony before the Senate Judiciary Subcommittee on Youth Violence in 1997:

multiple federal departments and agencies spend billions of dollars funding a wide variety of programs serving at-risk and delinquent youth. Many of the programs are potentially duplicative, providing services that appear to overlap those of other federal programs...and many provide multiple services. Our work suggests that this system of multiple federal programs arrayed across several agencies has created the potential for inefficient service.

**Stop Legislating in the Dark.** H.R. 1501 proposes new programs and spending to fight juvenile crime, but its goals are uncertain and there are no plans to evaluate whether they work. Congress may consider such options as stiffer gun penalties for minors; instant background checks and trigger locks with gun sales; outlawing sales of explicitly sexual or violent material; requiring music stores to make lyrics available to parents; or making other modest changes in existing laws. But there is no hard data to indicate that such measures would prevent another school shooting.

Instead of continuing to legislate without knowing the full effects of the programs already funded or the new proposals, Congress should be making sure that federal programs and dollars produce results. Representative Schaffer's sunset proposal, for example, requires an evaluation of existing programs and grants by the GAO within four years. Beginning in 2004, using this information, Congress could decide to dismantle any program that cannot demonstrate its effectiveness. The Schaffer proposal takes a modest good-government approach to legislating because it expects and demands results.

The Schaffer amendment also could be strengthened by (1) making the sunset provision apply to all federal programs aimed at juvenile delinquents and at-risk youth; (2) mandating a more direct link between program effectiveness and federal funding; (3) linking future funding to scientifically sound and peer-reviewed evaluations; (4) starting the evaluation process now rather than three years from now; and (5) defining the performance measures expected, such as declining juvenile arrests for violent offenses.

**Conclusion.** Effective oversight of existing federal programs to prevent and deter juvenile crime should provide a foundation for Congress's future efforts to craft juvenile justice legislation. According to the GAO, federal efforts to prevent, control, and deter juvenile violence and crime are a mass of conflicting approaches with no real measurement of whether programs offer meaningful results. The Schaffer amendment is a modest first step toward refocusing on the effectiveness of federal programs. It should be expanded to apply to more programs throughout the federal government. Congress should no longer miss opportunities to gather information to identify wasteful spending and target limited resources in ways that would produce real benefits for all Americans.

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