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July 19, 2007

The Honorable George Miller
Chairman, House Education and Labor Committee
U.S. House of Representatives
2181 Rayburn House Office Building
Washington, DC 20515-6100

Dear Congressman Miller:

Thank for your letter of July 13, 2007, forwarding on a question from Congressman Raul Grijalva regarding Native American youth in the juvenile justice system, and what studies the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has conducted on such youth.

Faculty
The T. C. Williams
School of Law

The Office has on its staff an outstanding resource, Laura Ansera, Tribal Youth Program Coordinator, and she may be reached at (202) 514-5679, laura.ansera@usdoj.gov. There have not been a lot of recent studies published by OJJDP, but those that are most relevant include *Youth Gangs in Indian Country*, NCJ 202714 (2004), *OJJDP's Tribal Youth Initiatives*, NCJ 193763 (2003), *United National Indian Tribal Youth, Inc.*, NCJ 189412, *Evaluation/Assessment of Navajo Peacemaking*, NCJ 187675 (1999), *OJJDP's Program of Research for Tribal Youth*, FS 200110 (2001), and *Training and Technical Assistance for Indian Nation Juvenile Justice Systems*, FS 99105 (1999). There are some data from 2006 and earlier that have recently been released and published regarding youth prosecuted federally that include information on Native American youth and may be found at <http://ojjdp.ncjrs.org/ojstabb/nr2006/downloads/chapter4.pdf>, with the information on Native American youth may be found on page 117. There are additional resources that may be found outside of OJJDP and I particularly recommend the Coalition for Juvenile Justice's publication, *Enlarging the Healing Circle*, published in 2000, and there are two excellent outside resources I can refer you to, one is Terry L. Cross, Executive Director of the National Indian Child Welfare Association who may be contacted at (503) 222-4044, info@nicwa.org and Michael Guilfoyle, Consultant on American Indian Justice and Cultural Competence who may be reached at (208) 285-1271, mguilfoyle@firstpic.org. The Coalition for Juvenile Justice Publication may be obtained from them at (202) 467-0864, extension 111, for the Executive Director Nancy Gannon Hornberger, and it may be downloaded at www.juvjustice.org/factsheet_3.html.

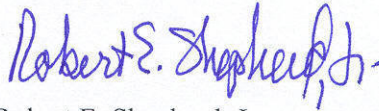
There is a serious dearth of research on American Indian/Tribal youth in the courts and in the juvenile justice system, but section 251 of the Juvenile Justice and Delinquency Prevention Act only provides that the Administrator of OJJDP "may" do a number of things in the research and evaluation line and, as I mentioned in my testimony, that should probably be changed to "shall" and set forth a research agenda that Congress would like to see the office pursue. I might also note that the Federal Advisory Committee on

Juvenile Justice has included several recommendations in its most recent reports to Congress and the President regarding the development of a different formula for "pass-through funds" to go to the tribes for juvenile justice activities.

Please let me know if I can be of any further assistance to you, to Congressman Grijalva, or to your staff. I will forward an electronic version of this letter to Deborah Koolbeck and I am sending Congressman Grijalva of this letter.

With best wishes for your committee's consideration of the reauthorization of this important piece of legislation, I am

Very truly yours,

A handwritten signature in blue ink that reads "Robert E. Shepherd, Jr." with a stylized flourish at the end.

Robert E. Shepherd, Jr.
Emeritus Professor of Law

RES,Jr.:tl

cc: The Honorable Raul Grijalva,
US House of Representatives