JUVENILE JUSTICE/Federal Funds for 141,000 School Mental Health Workers

SUBJECT: **Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999 . . . S. 254. Hatch motion to table the Wellstone amendment No. 358.**

ACTION: MOTION TO TABLE AGREED TO, 61-38

SYNOPSIS: As introduced, S. 254, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999, will modernize Federal grant programs that give aid to State and local governments for juvenile law enforcement and juvenile crime prevention efforts. Approximately $1 billion per year for the next 5 years will be authorized for those grant programs. Also, $100 million annually will be authorized for joint Federal-State-local efforts to address gang-related juvenile crime.

The Wellstone modified amendment would authorize $340 million per year for each of the next 5 years for the hiring of 100,000 new public school counselors, 21,000 new public school psychologists, and 20,000 new public school social workers. State and local governments would be required to pay one-third of the costs. Local governments could pay their share in kind. (Before being modified, the amendment would have authorized $1.040 billion per year to hire exactly the same number of mental health workers).

Debate was limited by unanimous consent. After debate, Senator Hatch moved to table the amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

Those favoring the motion to table contended:

The answer to every problem or perceived problem in the world is not for the Federal Government to raise taxes or go more deeply into debt so it can throw money at that real or imaginary problem. In this instance, we are being asked to throw $340 million per year at the public schools for them to hire 141,000 more public school mental health workers, including 100,000 new public school counselors. Why 100,000 was picked as the magic number we do not know--perhaps it is the attraction of a nice round

(See other side)

YEAS (61)		NAYS (38)		NOT VOTING (1)	
Republicans (55 or 100%)	**Democrats (6 or 14%)**	**Republicans (0 or 0%)**	**Democrats (38 or 86%)**	**Republicans (0)**	**Democrats (1)**
Abraham	Hutchinson	Bingaman	Akaka	Kerry	
Allard	Hutchison	Byrd	Baucus	Kohl	
Ashcroft	Inhofe	Conrad	Bayh	Landrieu	
Bennett	Jeffords	Dorgan	Biden	Lautenberg	
Bond	Kyl	Hollings	Boxer	Leahy	
Brownback	Lott	Kerrey	Breaux	Levin	
Bunning	Lugar		Bryan	Lieberman	
Burns	Mack		Cleland	Lincoln	
Campbell	McCain		Daschle	Mikulski	
Chafee	McConnell		Dodd	Murray	
Cochran	Murkowski		Durbin	Reed	
Collins	Nickles		Edwards	Reid	
Coverdell	Roberts		Feingold	Robb	
Craig	Roth		Feinstein	Rockefeller	
Crapo	Santorum		Graham	Sarbanes	
DeWine	Sessions		Harkin	Schumer	
Domenici	Shelby		Inouye	Torricelli	
Enzi	Smith, Bob		Johnson	Wellstone	
Fitzgerald	Smith, Gordon		Kennedy	Wyden	
Frist	Snowe				
Gorton	Specter				
Gramm	Stevens				
Grams	Thomas				
Grassley	Thompson				
Gregg	Thurmond				
Hagel	Voinovich				
Hatch	Warner				
Helms					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

number. We also do not know why it is $340 million that is needed; before the amendment was modified, $1 billion per year was going to be authorized to hire exactly the same number of people. Our colleague is sincere in his proposal, but sincerity cannot mask the defectiveness of this amendment. It is not enough for a proposal to be well-intentioned; it must be effective, and its value must be weighed against its cost to society as a whole.

Just as the answer to every real or perceived problem is not for the Federal Government to rush to spend money on it, the answer to every real or perceived problem need not be shoved into this bill. We remind our colleagues that this is a juvenile justice bill, not the bill to save the whole wide world. It has been crafted carefully over 2 years, on a bipartisan basis, to respond to problems with the Federal juvenile justice system and to help States with problems they have with their juvenile justice systems (some of which have been created by the Federal Government). A little more than half of the funding provided will be for prevention programs; much of that prevention money, if State and local governments wish, can be used for hiring school guidance counselors. We very much doubt they will; the hiring of school guidance counselors is primarily an education issue. It is only tangentially connected to the juvenile justice issue.

The rest of the money will be used to improve accountability in the juvenile justice system. Our liberal colleagues are upset at that funding. They believe that its purpose will be to lock up more juveniles. Certainly more prison space for juveniles is needed, but to say that this bill just advocates locking up juvenile felons is a gross mischaracterization of the solution it advocates. The problem with juvenile court systems is that once children start getting into trouble almost no attention is paid to them until they commit a crime that is so serious they are tried as adults and sent to prison. This bill will give grants based on States' agreeing to have graduated sentencing for juveniles, meaning that on a first offense they will get some small punishment, and that for each subsequent offense the penalty will become steeper. Also, from a first offense onward intervention by other social service agencies, under the control of a judge who can hold the threat of punishment for non-compliance over a juvenile's head, will be increased. For instance, a juvenile who is given parole will not just have to show up once a month and report that he has stayed out of trouble; social service workers will visit his home to make sure he is not violating curfew. This bill advocates active, concerted intervention for juveniles when they first start getting into trouble in order to prevent them from graduating to serious crimes.

The recent murders at Columbine High School in Colorado led to this amendment being offered. Those murders were so monstrous that it is natural to assume that the killers were disturbed, and it is also natural to wonder whether counseling may have prevented the tragedy. In this case, the answer is no. The murderers had both been to court-ordered counseling.

Again, we appreciate that our colleague means well, but the answer to every problem is not to throw money at it, and the answer to every problem does not need to be added to this bill. This amendment basically raises a new education issue that is only peripherally connected to the issue of juvenile justice, and it does so by throwing money at it. This amendment should be rejected.

Those opposing the motion to table contended:

After the Columbine school shooting, the author of this amendment traveled about his State. His constituents told him that the most important way to prevent future such tragedies was to enact stronger gun control laws. They told him the second most important thing to do was hire more school counselors. His constituents were right. The public school systems in America do not have enough skilled mental health professionals working to spot troubled youth and to give them help before they become violent, either to others or to themselves. This bill does not adequately address the need to fund school-based mental health services. Many of our colleagues have stressed how important it is to lock up juveniles who commit violent crimes. We submit that by the time juveniles are committing serious crimes we have already failed them and their victims. If we act early by giving them the social help they need they can be turned away from a life of crime before they even start. One of the most effective ways to help troubled youth is with school guidance counselors. Unfortunately, in most school districts there are not enough such counselors to handle the crush of students who need help. They typically can only spend about 15 minutes per student, even when a student is in dire circumstances or is having severe emotional problems. When we visit schools we are told that they are more than willing to hire more counselors, but they need Federal help. This amendment would give that help. It would cost only $340 million per year. Our colleagues complain that $340 million per year is a lot of money, but, if we are serious about helping our children we are going to have to be willing to commit the necessary resources. Members on both sides of the aisle have expressed support for increasing the Pentagon budget by $8 billion more this year than requested. If we can spend an extra $8 billion on guns and bombs, surely we can spend the smaller amount asked for by this amendment for kids.