



State Advisory Group 101



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INTRODUCTIONS

The Coalition for Juvenile Justice (CJJ), since 1984, has served as the national association of State Advisory Group Members, as well as allied individuals and organizations.

Coalition for Juvenile Justice members work collectively to create optimal approaches to delinquency prevention and juvenile justice, in keeping with the principles and goals of the federal Juvenile Justice and Delinquency Prevention Act (JJDPA).

The Coalition for Juvenile Justice is YOUR RESOURCE—and this training program is designed to meet your expectations and goals.

Session Goals

- To develop greater understanding of the leadership responsibilities and roles inherent in serving as a State Advisory Group (SAG) member.
- To develop ideas for improving juvenile justice and delinquency prevention programs, policies and practices.
- To enhance your state and local jurisdictions' compliance with the Core Requirements of the Juvenile Justice and Delinquency Prevention Act.
- To gain insights from your fellow State Advisory Group members about ways to have a positive impact on juvenile justice and delinquency prevention.

Juvenile Justice and the JJDPA



Juvenile Justice Timeline

A BRIEF HISTORY



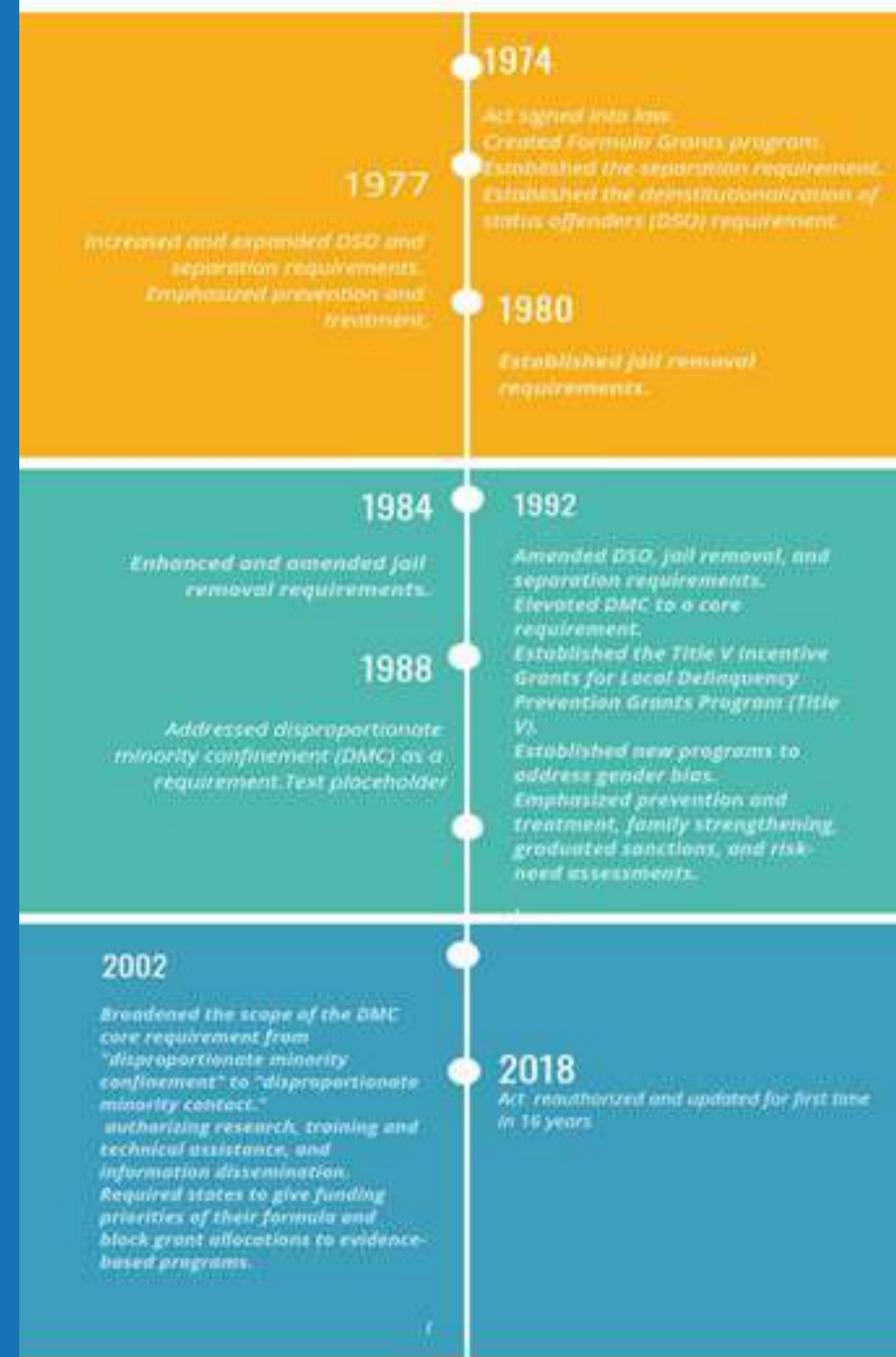
1899: The nation's first juvenile court opened in Cook County, Illinois. For the next 50 years, juvenile courts held original jurisdiction for all youth under age 18.

1966: Kent v. U.S.— the U.S. Supreme Court decided that a juvenile court's decision to transfer a juvenile into adult criminal court requires a hearing and application of standards of due process and fair treatment.

1967: In re Gault— the U.S. Supreme Court determined that juveniles are entitled to due process under the 14th Amendment, stating in the majority opinion, “neither the 14th Amendment nor the Bill of Rights is for adults alone.”

HISTORY OF THE JUVENILE JUSTICE AND
DELINQUENCY PREVENTION ACT

THE JJDPA



BASED ON INFORMATION AVAILABLE AT
[HTTPS://WWW.OJJDP.GOV/ABOUT/LEGISLATION.HTML](https://www.ojjdp.gov/about/legislation.html)

Unique Federal- State Partnership

The Juvenile Justice and Delinquency Prevention Act bridges the Office of Juvenile Justice and Delinquency Prevention--

-- as the federal “home” for juvenile justice programs and policies at the U.S. Department of Justice—

--with each state/territory.

Lead Agency:

Each state/territory designates a state-level agency to receive technical and financial assistance from the Office of Juvenile Justice and Delinquency Prevention, to implement the Juvenile Justice and Delinquency Prevention Act mandates and programs.

Supporting & Monitoring Compliance with the Juvenile Justice and Delinquency Prevention Act Core Requirements



Each State Advisory Group has a legal responsibility to ensure that its state/territory, as well as the local jurisdictions, comply with the Four Juvenile Justice and Delinquency Prevention Act Core Requirements (also called Core Protections).

1 DEINSTITUTIONALIZATION OF STATUS OFFENDERS (DSO)

2 SIGHT AND SOUND SEPARATION

3 JAIL REMOVAL

4 RACIAL AND ETHNIC DISPARITIES (R/ED)

Valid Court Order must be written and may not be renewed;

The court must identify the valid court order that has been violated;

The court must specify the factual basis for determining that there is “reasonable cause to believe that the status offender has violated such order”;

The court must include “findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile”; and

The court must specify the length of time, not to exceed 7 days, that the young person may remain in a secure detention facility or correctional facility, and must include a plan for their release from the facility.

Changes to Core Protections: DSO

Changes to Core Protections: Jail Removal

■ Definition of Adult Inmate: an individual who has reached the age of full criminal responsibility under applicable state law; has been arrested and is in custody for or awaiting trial on a criminal charge or is convicted of a criminal offense.

■ States will have 3 years from the time of implementation to remove youth who are awaiting trial or legal process - including those certified as adults - from adult jails, unless the court finds it is in the interest of justice.

■ Certified youth shall not have sight or sound contact with adult inmates

■ In determining “interest of justice,” courts shall consider 7 factors that include the

- age,
- physical/mental maturity of the youth,
- Current mental state including whether there is imminent harm,
- Nature of the offense,
- Youth’s delinquency history,
- juvenile detention facility’s ability to meet the needs of youth
- 'and safety of other youth in its care
- Other relevant factors.

Changes to Core Protections: Sight and Sound

- If court determines it is in the “interest of justice” to permit a youth to be placed in jail or lockup, then a hearing must take place every 30-45 days to review placement

- Youth may not have sight/sound contact with adult inmates, and

- Youth must not be held longer than 180 days unless the court, in writing, finds good cause.

Changes to Core Protections: Racial and Ethnic Disparities

- Shifts from former Disproportionate Minority Contact to Racial and Ethnic Disparities;
- Reflective of the direction the field has been moving;
- Requires data collection on ethnicity as defined by the U.S. Census Bureau;
- Requires an actionable plan with measurable goals that are aimed at addressing points of disparity that are shown through data.

Changes to Title V: Prevention and Promise

- Creates local policy boards that can apply for and seek funding for prevention programs;
- More than 30 types of programming that are permitted under this designation;
- Requires a 50% match from localities;
- Tribal Youth Program is still funded under Title V, with an 11% carve out.
- Important note: these funds have been fully earmarked in recent years. Current appropriations in Title V also include monies from other prevention programs (e.g. Opioid Prevention).

Other Improvements for Children

Girls:

Requires expert on trafficking and victimization on the SAG; Requires data collection on pregnant girls; restricts the use of shackling for pregnant girls; promotes screening of girls for trafficking at intake; allows use of Title II dollars to support improved services for trafficked youth.

Tribal Youth:

Requires Tribal member or legal expert on the SAG; Expands eligibility of tribes to receive federal funding under Title V.

State Advisory Group and Juvenile Justice Specialist:

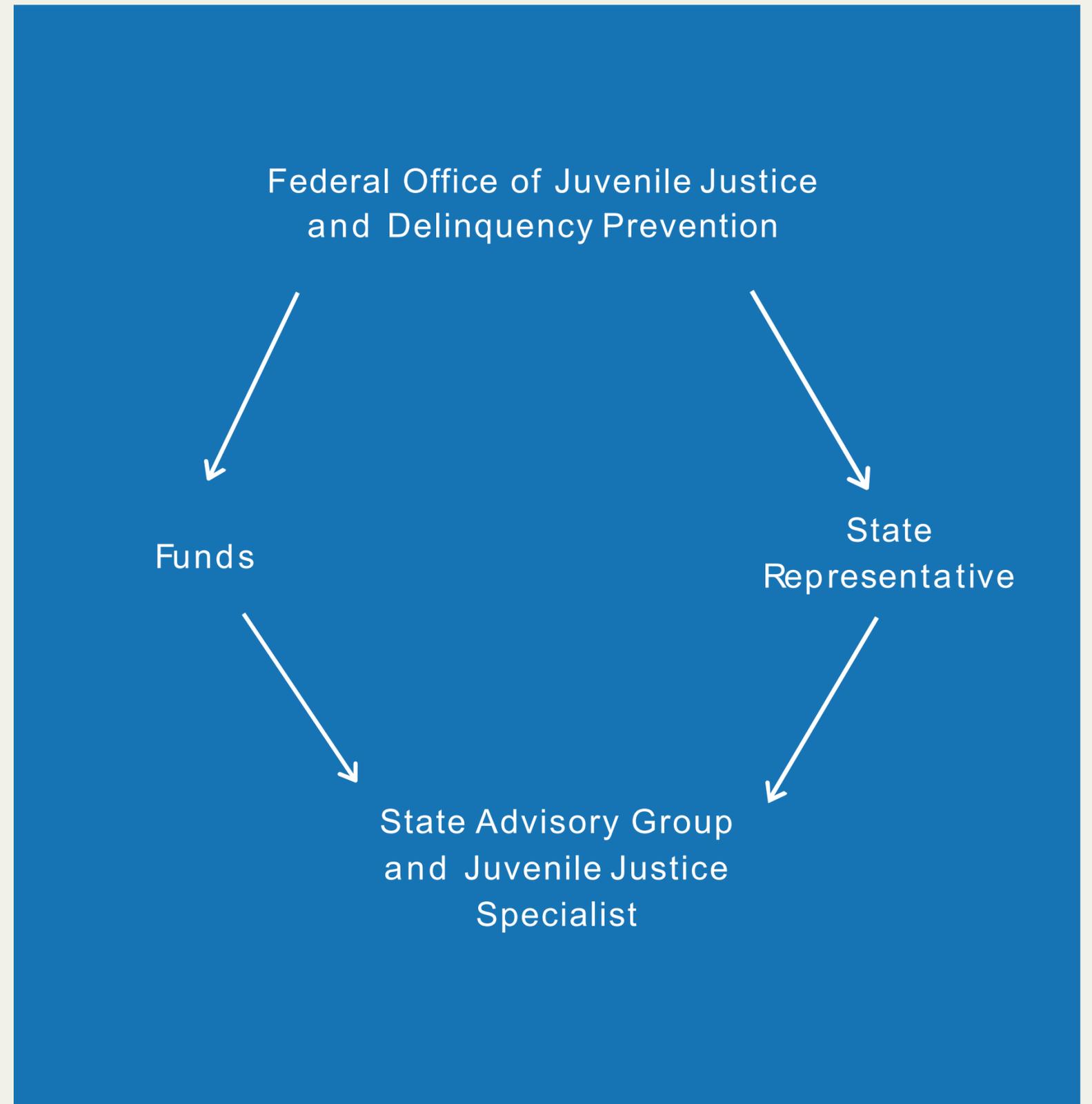
The state agency staffs a State Advisory Group (SAG) with a Juvenile Justice Specialist. State Advisory Group members are appointed by each Governor/Executive.

Three-Year State Plan:

The State Advisory Group and Juvenile Justice Specialist are responsible for a Three-Year State Plan for delinquency prevention and juvenile services

- ✓ informed by data;
- ✓ designed to fulfill Juvenile Justice and Delinquency Prevention Act's core requirements;
- ✓ aimed at addressing the needs and gaps in the state's juvenile justice system;
- ✓ updated annually and submitted to the Office of Juvenile Justice and Delinquency Prevention.

Juvenile Justice and Delinquency Prevention Act



Federal Juvenile Justice and Delinquency Prevention Act Funds for States

Each federal fiscal year, Congress appropriates funds under the Juvenile Justice and Delinquency Prevention Act and related programs that flow from the Office of Juvenile Justice and Delinquency Prevention to the states/territories.

TITLE II

The Title II/Formula Funds Program is the lifeblood for state implementation of the JJDPA. It supports efforts to achieve and monitor compliance with the four Core Requirements and grants in 34 standard program areas.

TITLE V

The Title V / Prevention Grants Program funds collaborative, community-based delinquency prevention efforts. Eligible recipients are units of local government working in partnership with local service agencies. Requires a 50% local match of the federal award

Juvenile Accountability Block Grant

The Juvenile Accountability Block Grant (JABG) Program, reauthorized in 2005, supports state agencies, local units of government and community nonprofit organizations in efforts to strengthen juvenile justice systems within 16 purpose areas.

Continuum of Care for Youth and Families

PROBLEM BEHAVIOR > NONCRIMINAL MISBEHAVIOR > DELINQUENCY > SERIOUS, VIOLENT, AND CHRONIC OFFENDING

Prevention and Early Intervention

Target Population: At-Risk Youth and Families

Youth Development Goals:

- Healthy and nurturing families
- Safe communities
- School attachment & achievement
- Prosocial peer relations
- Personal development and life skills
- Healthy lifestyle choices

Graduated Sanctions

Target Population: Delinquent Youth and Youth in Re-entry

Youth Rehabilitation Goals:

- Healthy family participation
- Community reintegration
- Educational skill development
- Healthy peer network development
- Prosocial values & behavior
- Healthy lifestyle choices

Continuum of Care for Youth and Families

Here's how the core Juvenile Justice and Delinquency Prevention Act funding streams may apply:

PROBLEM BEHAVIOR > NONCRIMINAL MISBEHAVIOR > DELINQUENCY > SERIOUS, VIOLENT, AND CHRONIC OFFENDING

Prevention and Early Intervention

Target Population: At-Risk Youth and Families

Graduated Sanctions

Target Population: Delinquent Youth and Youth in Re-entry

Title II Formula Grants Program

Title V Program

Juvenile Accountability Block Grant Program

Continuum of Care for Youth and Families

It is wise to consider ways to augment federal funds

PROBLEM BEHAVIOR > NONCRIMINAL MISBEHAVIOR > DELINQUENCY > SERIOUS, VIOLENT, AND CHRONIC OFFENDING

Prevention and Early Intervention

Target Population: At-Risk Youth and Families

Graduated Sanctions

Target Population: Delinquent Youth and Youth in Re-entry

Federal Grant Funded Programs

State Funded Programs and Services

Local Funding

Other Funding Sources (i.e., Foundations)

Appointed by the Governor/Executive from persons with “training, experience, or special knowledge concerning prevention and treatment of juvenile delinquency and administration of juvenile justice.”

15 to 33 members

At least one locally-elected official

A majority of the members shall not be full-time government/public employees (including Chair)

One-fifth of all members shall be under age 28 (when appointed)

3 members shall have been, or shall currently be, under the jurisdiction of the juvenile justice system

State Advisory Group Composition

The Juvenile Justice and Delinquency prevention Act requires that the SAG be composed as follows

Statewide Advisory Group (SAG) Changes

Membership
updates under the
JJRA include

- Youth can now be appointed up to age 28;

- Where a person who is currently or previously involved with the system is not available to serve, a family member can be appointed when appropriate;

- Prevention and treatment rep are expanded to include child welfare, social services, child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities recreation, and youth services.

persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;

representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and

for a State in which one or more Indian Tribes are located, an Indian Tribal representative (if such representative is available) or other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities;

New SAG Members

Three New Member Categories



Statewide Advisory Group Responsibilities

The Juvenile Justice and Delinquency Prevention Act specifies the following State Advisory Group responsibilities:

- Participate in the development and review of the State Three-Year Plan and its annual update.
- Submit, at least BIANNUALLY, recommendations to the Governor/chief executive officer and state legislature re: compliance with Juvenile Justice and Delinquency Prevention Act core requirements and programs.
- Contact and seek regular input from youth (and families) currently under jurisdiction of the juvenile court.
- Review and comment on grant applications and awards; review and comment on the progress and accomplishments of grant projects funded with Juvenile Justice and Delinquency Prevention Act funds.
- Develop expertise in their state's juvenile justice system by touring state facilities, getting to know key state and federal representatives, and attending or hosting state and national conferences.

Advocate for the goals of the Juvenile Justice and Delinquency Prevention Act.

Educate legislators and administrators.

Assist in writing and delivering the State Advisory Group's bi-annual report to the Governor and legislature.

Review grants for recipients of the Juvenile Justice and Delinquency Prevention Act funds.

Guard against conflicts of interest.

Strategically make grants to address Juvenile Justice and Delinquency Prevention Act priorities in your state.

Leadership by State Advisory Group Members

State Advisory Group members, nationwide, are effective leaders for change and improvement

Stay active on the State Advisory Group and in its subcommittees.

- Form subcommittees on Compliance,
 - Racial and Ethnic Disparities, Prevention and other core concerns.
 - Get to know your key state and federal representatives.

Become experts in how your state and local juvenile justice systems work and compare with others around the nation.

- Examine condition of confinement– go to court or tour facilities.
- Read up, attend state and national conferences and training.
- Sponsor conferences and events.



Principles of an Effective SAG

1. Is in compliance with the JJDPAs four core requirements

One of the SAG's primary roles is ensuring that their state is in compliance with the JJDPAs and the core protections that it provides for youth involved with the system. Effective SAGs ensure that the state is in compliance and that when a problem arises, steps are taken to ensure that the state returns to compliance.

In its Three-Year State Plan, each State and State Advisory Group makes a commitment to address compliance with the Core Requirements. This may be done by:

- ✓ Identifying where, when and why the problem exists;
- ✓ Collecting data that “map” problems and connect them to potential solutions;
- ✓ Conducting on-site inspections and annual monitoring of facilities and services;
- ✓ Regularly reporting on compliance to the State Advisory Group and other appropriate state leaders and agencies.

Penalty for Being Out of Compliance

20% Reduction in Formula Funds—

The Juvenile Justice and Delinquency Prevention Act requires a reduction of 20% of a state/territory's Formula Funds (Title II Funds) allocation for each core requirement with which the state is found to be out of compliance in the subsequent fiscal year.

Dedicating 50% of Remaining Funds to Compliance—

In addition, the state/territory found to be out of compliance must then dedicate 50% of the remaining Formula Funds allocation toward actions to restore compliance.

Principles of an Effective SAG

2. Has a positive impact on the status of juvenile justice

An effective SAG has a positive impact on the state of juvenile justice. This can include working with others to build innovation, creating legislative plans to help shape juvenile justice reforms partnering with a broad range of allies to help facilitate change, and being looked to by others in the state and elsewhere as leaders in juvenile justice reform.

3. Acts strategically to improve juvenile justice

Strategic action is essential to effective leadership. When SAGs act strategically to improve juvenile justice, they find ways to meaningfully engage youth, use well thought out plans to guide their work, and use programmatic goals to help shape their grant-making decisions.

Principles of an Effective SAG

4. Has effective processes in place

Like other groups, it is essential that SAGs have effective processes in place. This includes ensuring that all involved parties - including SAG chairs, staff, and each member who has been appointed to serve on the committee – are in routine contact. The group should have regularly scheduled meetings and their processes should be as transparent as possible, both to members and the public at large. Effective SAGs also ensure that all constituencies named in the JJDPA are represented on their board, that they have access to accurate and up-to-date data, and that established criteria are used to determine how funding will be administered.

Principles of an Effective SAG

5. Collaborates effectively for maximum impact

Good leaders recognize that reform requires more than one individual or one organization acting alone. Effective SAGs develop close relationships with judicial officers, state and federal lawmakers, and their executive branch. They work closely with advocates and other stakeholders, including youth and their families, and are routinely sought out for their expertise in the field of juvenile justice.



QUESTIONS AND COMMENTS?



Naomi Smoot Evans
Executive Director
Coalition for Juvenile Justice
(202) 467-0864
evans@juvjustice.org

Stacie Nelson Colling
CJJ Western Region Chair
Defense Coordinator
The Office of Alternate Defense Counsel
(303) 515-6933
stacie@coloradoadc.com

www.juvjustice.org
www.facebook.com/juvjustice
Twitter: @4juvjustice
Instagram: @coalitionforjuvjustice

Contact

