

Committee and Regional Reports

Coalition for Juvenile Justice 2021 Updates

I. Regional Reports

A. Western Region:

Since the 2020 Council of SAGs, the Western Region member states have worked hard toward meaningful and positive juvenile justice reform, despite the continued challenges created by COVID-19. Many states struggled to keep up compliance monitoring site visits, and with a lack of clarity around JJDP requirements and funding processes in general. However, when the Western Region met in May, there was renewed energy for this work, and a hope that the lessons learned (e.g. advances in technology and lower numbers of kids in the system) throughout the pandemic will result in lasting change.

A small sample of the work in Western Region states includes:

- Arizona and New Mexico have been working to increase tribal engagement.
- California is implementing SB823 (juvenile prison realignment, eliminating state-run facilities).
- Colorado is implementing SB108 (juvenile justice reform) through new assessment tools and increasing diversion opportunities, lowered the statewide detention bed cap, and reorganized the Children's Code.
- Idaho reformed diversion laws, clarified sentencing guidelines, and began looking at reforming juvenile record laws.
- New Mexico began discussing how to provide vaccines to kids 12-15 in custody, immediately after it became available.
- Oklahoma passed legislation limiting when children can be held in adult detention (mirroring the JJRA), decreased bed capacity, and rolled out a standardized detention screen.
- Oregon is continuing to implement recent major reform that changed the process for kids being transferred to adult court, and is digging into continued (and new) disparities that they saw during COVID (despite lower numbers overall). Oregon learned that there can be a world with less strict enforcement and more individualized approaches, with the same or better results for youth.
- Utah recodified its Children's Code, and saw increased attendance and participation in SAG meetings during COVID, so will continue to maintain a virtual component. They have focused on school discipline, SRO's, expungement clinics, front-end prevention services on the school and community level, and focused RED work on increasing youth involvement through going into schools and talking to kids and parents of minority groups. Utah wants to offer a civic engagement course.
- Washington saw proposed legislation this year to raise the minimum age of prosecution from 8 to 13, and to close a facility and reallocate resources.

- B. **Northeast:** The following is a brief update of some of the great work by the Northeastern States from their respective SAG's.

Maryland is working on their 3-year plan and have created subcommittees to address specific goals. *Recruitment, Training, and Regionalization Subcommittee, Emerging Leaders Subcommittee. Grant Monitoring Subcommittee. Recruitment, Training, and Regionalization Subcommittee, Racial and Ethnic Disparities Subcommittee, Legislative Subcommittee.*

Some of the highlights of their in-progress work are the following. In the State of Maryland, the overall numbers for referrals to juvenile court/intake, pre-trial detention, and disposition commitments have significantly decreased over the past three fiscal years. However, even with these significant reductions, Maryland's State Advisory Group and the RED subcommittee are committed to addressing issues of RED by coordinating the following strategic efforts: Expanding diversion and trauma-informed programming at the front-end of the state's juvenile justice system. Prioritizing grant applicants that make strategic and intentional efforts to address and reduce RED. Providing RED presentations and technical assistance to youth-serving and community-based organizations, local and state government agencies, and juvenile justice stakeholders to enhance awareness of RED and strengthen reduction efforts.

The State Advisory Group is now developing Maryland's R/ED Diversion Toolkit. The R/ED Diversion Toolkit will serve as a living document to support the implementation of new youth diversion programs and to bolster existing youth diversion opportunities. Additionally, the toolkit will promote awareness of R/ED at the state and local levels, and enhance prevention efforts at the front-end of Maryland's juvenile justice system. The goal is to complete the initial draft by June 2021.

Pennsylvania is working on several initiatives, one of those is funding multiple Reducing Racial and Ethnic Disparities Coordinators throughout the State that will work with local leaders to address and prevent local/jurisdiction level racial and ethnic disparities in Pennsylvania's juvenile justice system. And finally, Pennsylvania will host the Georgetown University Reducing Racial and Ethnic Disparities Certificate Program.

Maine JJAG has completed the process on 2 grants, 1) Aroostook Band of Micmacs Boys & Girls Club to hire a Youth and Family Engagement Counselor who will be a resource for their community to engage more at-risk youth in their offered programs to build strength and resiliency among the native youth they serve in this rural area. 2) Houlton Band of Maliseet's for their Tribal Youth Summit to be held in April 2022. This summit will focus on building strong cultural ties through storytelling, arts and crafts, cooking classes and healing circles. Maine JJAG R/ED Committee is preparing to release an RFP aimed at

bringing race and equity training to our state. Maine Systems Improvement Committee is preparing to release an RFP to address crisis responses in school over two years that do not include police intervention. Also, this committee is processing a contract to build Youth Engagement for our JJAG and incorporate a JJAG Youth Committee with Youth JJAG Members over 2 years.

Connecticut is awaiting the passing of its JJPOC (Juvenile Justice Policy and Oversight Committee) bill. Although there were many changes to the original bill while in committee, there are still a lot of positive reforms. One not so great change was the Raising the Minimum Age of Juvenile Jurisdiction language change. The original language was easing to age 12, but amended language is only to age 10. Other positive pieces include: automatic erasure of all police and court records pertaining to children under 19; banning of use of chemical agents on young people that are in custody of Dept of Corrections, Judicial Branch, CSSD and DCF; plan development for mandatory pre arrest diversion for first and second time offenders for a variety of misdemeanor offenses; and Jud Branch must develop a plan to house in their custody all persons under age 18 who are arrested and prior to sentencing or disposition.

New Hampshire is moving forward with a contract with UNH/NH SAG/ and third-party contractor Soul Focused Group to bring implicit bias training all State and local officials who come in contact with juveniles. Mandatory training sponsored by NH SAG to all NH School Resource Officers on Effective Police Interaction with Youth and the Mirror Project have been in effect since January 2021. NH SAG helped revamp the curriculum at NH Police Academy from 2-hours of Cultural Awareness training to 16-hours of Cultural Diversity/Implicit Bias training which is being taught to all NH Law Enforcement by NH SAG instructors.

New York State's SAG (the Juvenile Justice Advisory Group) recently engaged in a comprehensive strategic planning process with the assistance of the New York State [Youth Justice Institute](#) (YJI) and the Division of Criminal Justice Services (DCJS) Office of Youth Justice. DCJS also recently partnered with the YJI and the Center for Children's Law and Policy (CCLP) to develop a new Policy Equity Academy, which will equip selected probation departments and other juvenile justice system partners with the knowledge base and leadership skills to implement sustained program, policy and practice changes designed to reduce racial and ethnic disparities in the youth justice system.

- C. **Southern:** States report working on the following since the last Council of SAGs meeting-

Arkansas - waiting on OJJDP for Title II solicitation and working on four core requirements, conducting desk audits of detention centers and jails to make sure in compliance.

South Carolina - struggling with the pandemic. Feb. of last year, US Department of Justice sent notice of intent to sue. Issues they raised over use of solitary and potential for violence, and failure to address mental health needs of youth in the justice system. Put on hold for Covid. Not sure if they're able to do meaningful reforms. General assembly will need to address these issues, will require funding. SAG has gotten very concrete participation from agency heads including child welfare, department of mental health, and alcohol and drug abuse agency. Renewed commitment to solve the problem of services to s/o to keep out of the system. Penalized by OJJDP for this for being out of compliance routinely. With the renewed interest, hopeful they might make some progress.

Georgia - started in December 2020 as compliance monitor, during the pandemic no site visits occurred. Now looking into virtual site visits with our top reporting facilities. Getting data in, can see in compliance, just site visits are the main issue right now.

Tennessee - doing compliance monitoring some on site, some doing virtually, most submit data electronically. Waiting for OJJDP to release Title II solicitation. Continue to try to get guidance around the new JJRA. Very complex.

North Carolina - Through our partnership we collect data. Use the data to make data-driven decisions. Looking at assessments and using tools and diagnoses of youth based on race and ethnicity and being trauma informed. Black and brown youth can be overlooked in terms of their trauma. Can result in overrepresentation in jj. Just raised the age for youth court jurisdiction. Seen an uptick in more serious behaviors and crimes. (Toni Lockley) working on the three-year assessment, just hired a new compliance monitor, no site visits. Weren't sure about virtual site visits. Collecting data for the monitoring universe.

Florida - preparing for OJJDP to open for Title II application. Getting things in order for the application once it opens.

Kentucky -(Judge Jason Flemming) in the middle of a very active legislative session right now. Youthful offender law is about to be changed. Previously 14 or over and committed a felony with a handgun it was auto youthful offender and tried in circuit court, now discretionary; poised to pass some form of no-knock warrants. High level of mental health need in Ky., limits to prevent death penalty for severe mental illness. Working to get services to children and families to children in rural areas of Ky without qualified mental health professionals in their counties. (Dominique Clark) R/ED- department having an intense

conversation lack of access to mental health providers of color outside of major cities like Louisville. Working with Pastor Palmer on moving from protest to policy. Judges, police, schools on panel conversations talking about need for all to collaborate.

Puerto Rico - staff got vaccinated doing on site visits for compliance monitoring now. Elections took place Nov. 2020, a new governor of Puerto Rico. New SAG appointees possible as result of the election. SAG and department of families working on new collaboration for Family First Act.

Virginia - just finalized priority order for next 3-year plan. Focus is how to infuse racial equity in all of the priority areas. One locality is working with Burns, partnered with sister agency in DOE to address over suspension of black females from schools. Piloting in three school districts in Va. Struggling with guidance on monitoring. Getting information together for 3-year plan. Infuse equity tools in to work for grantees and localities that we work with. Dive into VCO data, we continue to have legislation introduced to eliminate VCO usage. Failed. Step back from data and look at the information behind the cases that result in VCO detention. Looking at story and a more accurate picture.

D. Midwestern: The following is a list of updates from the Midwestern states:

Illinois: Illinois is currently finalizing three-year plan for submission in July. SAG voted on the plan back in April. Currently in grant season and are accepting applications from sub-grantees and will begin awarding grants. Newly revamped R/ED committee and will begin working with dually involved youth.

Indiana: Working on 3-year plan and is re vamping the SAG and subcommittees. Is currently working on a research project to improve the data analysis. Revamping compliance Manuel.

Iowa: Working on submission for title 2 funding and SAG has approved 3-year plan. Heavily involved in re-entry work and working towards bringing youth and family voice. SAG approved a youth subcommittee. Putting together a strictly youth member committee involving system involved youth.

Michigan: Turn over 1/3 of committee every year and has begun strategic planning process. Working to put together a task force that will take a good hard look on what's going on in Michigan and what needs to change.

Minnesota: Brought on 11 new members of SAG and a new SAG chair last year. A majority of new members are community-based people who work directly with young people. Entering a partnership with a youth council. Also Partnering

with a group that will look into how parental incarceration affects the youth. Looking into how to widen the prevention scope. Also, will be funding an R/ed coordinator for the state. Wanting to reduce out of home placements for youth. Received a grant from OJJDP to focus on mental health. Working with OJJDP to address solution behind the youth arrest.

Missouri: Working on 3-year plan and will begin getting title 2 funding applications out. In the process of working on a media awareness campaign, branding, posters, websites, and information. Local R/ED coordinators have been working on a book club and have been offering a lunchtime learning series. Working on developing an app for law enforcement with a list of resources by county. Just wrapped up legislative session. Working to begin implementing raise the age legislation and has received full funding.

Nebraska: Working with statewide coalition to come into compliance. Working on diversity training and cultural humility training. Increase the number of people who are participating in R/ED work. It has been difficult to get good reliable data and they are working with new staff members to reduce number and be more transparent.

North Dakota: Hasn't change juvenile court act since 1973. In the last year has been a part of 186-page bill for major changes in juvenile justice code.

Wisconsin: Meeting quarterly and virtually doing a great job at keeping up with compliance. Received funding from OJJDP to reduce girls in the juvenile justice system.

II. Committee Reports

A. Government Relations Committee:

In May of 2020, the GRC celebrated the success of having Senators Grassley, Whitehouse, and Ernst send a letter to Caren Harp "urging OJJDP to equip the juvenile justice system with consistent, reliable and transparent information to help mitigate the impact of the virus on vulnerable youth". Also in May, the GRC pivoted and started holding meetings via video conference. This has greatly improved inter-committee networking and communication during committee meetings.

In June of 2020, the GRC facilitated the first round of virtual hill days. The 2020 hill days focused on supporting the HEROES Act, ensuring robust federal appropriations for juvenile justice issues in the 2021 budget and supporting the full implementation of the JJRA. In preparation for these hill day visits, the GRC hosted a virtual Town Hall style event that was similarly focused on appropriations and the need for flexibility and rapid response. Both the hill day visits and the town hall meeting were well attended and successful.

Throughout 2020, the GRC constructed recommendations regarding how to keep states participating in the JJDP/JJRA. This policy platform listed a number of struggles that states face, along with proposed solutions.

Throughout the year, the GRC weighed in on policy issues such as:

- Updating CJJ's Core Principles
- Police reform updates
- The creation of federal Parenting Sentencing Alternatives
- Racial Equality
- Ending over policing of youth of color in schools

In 2021, the GRC facilitated a round of virtual hill day visits in April. These visits allow juvenile justice practitioners and advocates have the chance to meet one-on-one with their Members of Congress. These meetings are an important opportunity for participants to educate their Congressional delegation about successes and challenges that exist in their communities. The GRC has planned a second round of hill day visits in October of 2021.

B. Racial and Ethnic Disparities Coordinators and Ethnic and Cultural Diversity Committee:

Identifying and effectively addressing R/ED is not just an afterthought in youth justice transformation work nationally, but is a federally mandated core protection outlined specifically in the JJDP. As a committee, we understand the importance and express need to support States in their intentional efforts to affect quantitative reductions as relates to disparate treatment among youth of color. Targeted staff training, resources and collaboration were highlighted among committee members, old and new, as a fundamental need to do this work effectively and, as a result, we now proudly have a strategically designed, practical [Peer Resource Guide](#) that can be used as a tool towards that end! Incorporating the years of direct services to impacted youth by the members of our committee, reviews of state-to-state policies, practices, and racial impact statements, the body of work we have crafted has already been named among JJ Specialist, SAG leadership and Education Professionals as one of the most impressive resources for cross systems advocates and professionals related to R/ED. It is our collective hope that this tool will be used to support the commitment of CJJ to not only 'address but end' disparate treatment by advancing anti-racist work that seeks to correct well documented inequities in the systems of justice and education.

C. Emerging Leaders Committee:

Emerging Leaders Committee members have been busy working on a variety of projects since the 2020 Council of SAGs meeting. The group has been planning the 2021 Youth Summit, which will be a hybrid event that features both in person meetings and a livestream option. The summit will feature Nell Bernstein, author of

“Burning Down the House.” The committee has spent the past several months joining together for a book club to read her work, and are excited to learn from her in person!

Members of the committee have also been engaging in a variety of public speaking opportunities. Members presented on a webinar in May to share ways they are working to improve the youth legal system. Members also presented as part of a plenary at the CJJ Annual Conference on the school-to-prison pipeline.

ELC Chair, Aaron Toleafoa, testified before the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, sharing his expertise on youth justice reform.

D. JJ Specialists:

In March of 2021, JJ Specialists were responding to new guidance on court holding facilities. This required some changes in data collection and monitoring visits. As a result, some states have been concerned about staying in compliance and youth representation in courts. Under Title II’s existing list of programs, Racial and Ethnic Disparities work was not explicitly included, which forces JJ Specialists to look at other budget options in order to continue R/ED work.

With the deadline for implementation of updated jail removal core protection approaching in December 2021, states have been working vigorously to attempt to pass legislation. Some states were successful in passing legislation surrounding the Valid Court Order core protection. Others were not so successful and there was an overall struggle from the majority of states to pass legislation related to jail removal provisions, due to opposition from judges and other obstacles. Despite failed efforts, states have been continuing to try to pass said legislation and/or have been searching for alternative solutions and remedies. A number of JJ Specialists strongly believe a one-year extension from OJJDP would produce more effective results.

F. Compliance Monitors:

The National Compliance Monitor group got started after the November CoSAGs. Since that time, I have opened communication with state members and have sought guidance from OJJDP on questions from the group. A new partnership with OJJDP is forming to assist them and CJJ member states. We are trying to bridge the gap with the lack of communication and clear direction over the last few years. The group has been working on questions/concerns they have with the new jail removal core requirement under the reauthorization in 2018. The group is looking for guidance in applying the jail removal requirement to court holding facilities. Naomi and I have solicited questions and have submitted them to OJJDP for guidance. OJJDP has responded to some of our concerns and those were shared with our members. Members of CJJ (JJS, Compliance Monitor, CJJ Director,

Government Relations Chair) are currently working with OJJ leadership to establish a monthly/quarterly call to open communication with the goal of assisting each other with the core requirements.

Recently, Bill Harper (Compliance Monitor – Maryland), gave a presentation to the group pertaining to Maryland's compliance database/tool. Bill shared how the database captures what the core requirements call for, different ways of collecting data, information that is useful for him with ensuring the core requirements are being met by jurisdictions. Bill was more than gracious in sharing information on the development of the database, as well as, further assistance to individual states if they need it.

The most recent item the compliance monitors have been working on is their states current covid mandates and how to conduct site visits around the state restrictions. Information received recently from OJJDP, indicates states will not be given credit for virtual visits and we were advised to document all state mandates during Covid 19. CJJ Director, National JJS & National Compliance Monitor are working with OJJDP to assist states with their guidance with ensuring states will be found compliant with their respective site visits under the Covid 19 pandemic and state mandates/restrictions.