

State Advisory Groups (SAGs) Capacity-Building Toolkit



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Acknowledgements

Office of Juvenile Justice and Delinquency Prevention (OJJDP)

The Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93–415, as amended, established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support local and state efforts to prevent delinquency and improve juvenile justice systems. A component of the [Office of Justice Programs](#) within the [U.S. Department of Justice](#), OJJDP works to prevent and respond to youth delinquency and protect children. Through its divisions, OJJDP sponsors research, program, and training initiatives; develops priorities and goals and sets policies to guide federal juvenile justice issues; disseminates information about juvenile justice issues; and awards funds to states to support local programming.

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Department of Justice,

Center for Coordinated Assistance to States (CCAS)

The Center for Coordinated Assistance to States (CCAS) provides responsive resources and training and technical assistance (TTA) to support states, territories, tribal units, and communities in developing a continuum of juvenile justice services—ranging from prevention to intervention to reentry. Their work centers on assistance in the implementation of the Juvenile Justice and Delinquency Prevention Act and related Title II Formula Grants Program, particularly in support of Designated State Agencies and State Advisory Groups.

Coalition for Juvenile Justice (CJJ)

The Coalition for Juvenile Justice (CJJ) is a partner of CCAS and the primary author of this document. As a nationwide coalition of State Advisory Groups (SAGs), organizations, individuals, youth, and allies dedicated to preventing children and youth from becoming involved in the courts and upholding the highest standards of care when youth are charged with wrongdoing and enter the justice system, they envision a nation where fewer children are at risk of delinquency; and if they are at risk or involved with the justice system, they and their families receive every possible opportunity to live safe, healthy and fulfilling lives.

Introduction

This toolkit is intended to be used by State Advisory Groups (SAGs) and related state agencies to help gauge their current strengths, identify challenges, and find solutions to help them strengthen their position as juvenile justice and delinquency prevention leaders in their states.

SAGs have long played an important role in juvenile justice. In 1974, Congress enacted the Juvenile Justice and Delinquency Prevention Act (JJDPA), legislation that continues to serve as the key federal law on juvenile justice in our country. As part of the Act, Congress provided for the creation of SAGs. These governor-appointed bodies are tasked with ensuring that their states comply with the JJDPA's four core protections for youth involved with the system. The groups are given the authority to help set programmatic goals, to help guide policy, and to administer federal funds received through the JJDPA.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was also established as a result of the Act. OJJDP, which is a part of the U.S. Department of Justice, provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP works closely with states and communities to oversee compliance with the JJDPA and to aid in the improvement of juvenile justice systems. Several key divisions exist within OJJDP, including the State and Tribal Relations and Assistance (STRAD) division, which administers formula and block grants. OJJDP is also responsible for the Coordinating Council on Juvenile Justice and Delinquency Prevention (CCJJDP) and the Federal Advisory Committee on Juvenile Justice (FACJJ).

SAGs work closely with OJJDP and its divisions, and over the years, the SAGs have played an important role in juvenile justice and delinquency prevention. Many SAGs have already emerged as reform leaders in their states and across the nation, managing to champion and advance cutting-edge approaches to juvenile justice, funded by a mix of federal and state dollars and private philanthropic investment.

OJJDP views the role of the SAGs as crucial. Their importance was further reinforced in a series of recent reports. In 2013, the National Research Council published *Reforming Juvenile Justice: A Developmental Approach*, a report that signaled what could be a sea change in juvenile justice policy and practice. Among other things, the authors asserted that the current juvenile justice system's reliance on "containment, confinement and control," which "removes youth from their families, peer groups, and neighborhoods," is in many ways at odds with what the science shows will work best with youth at risk for, or involved with, the juvenile justice system.¹ The report validated a long-held belief in the field that kids are different. The following year, a second report, *Implementing Juvenile Justice Reform: The Federal Role*, was released. This report presented a set of recommendations for actions that various system stakeholders could use to ensure that the juvenile justice system was based on the

¹ National Research Council. (2013). *Reforming juvenile justice: A developmental approach* (p. 3). Committee on Assessing Juvenile Justice Reform; Bonnie, R. J., Johnson, R. L., Chemers, B. M., & Schuck, J. A. (Eds); Committee on Law and Justice; Division of Behavioral and Social Sciences and Education. The National Academies Press.

developmental approach. The recommendations included discussions regarding the roles of the OJJDP, national organizations, and various federal initiatives. The authors of the report also considered the role of SAGs and noted that they would have an essential role to play in any implementation of juvenile justice reform. The National Research Council reports help elevate the urgency of further building the capacity of the SAGs to be reform leaders and capable stewards of juvenile justice resources.

This toolkit aims to provide SAG members and related state agencies with some of the resources they need to help elevate the role they play within their state. These tools include:

State Advisory Groups in Action – a detailed explanation of what SAGs are, how they operate, and what role they play in implementing a developmental approach to juvenile justice and delinquency prevention

- **The Five Principles of SAG Effectiveness** – an overview of the five characteristics that help make SAGs effective leaders in their state
- **Challenges and Solutions: Overcoming Road Blocks and Becoming Agents of Change** – examples of common challenges and suggestions for how to overcome them
- **State Advisory Groups as Change Agents: A Step-by-Step Guide** – a guide to how SAGs can become more actively involved in improving juvenile justice systems in their state
- **Gauging State Advisory Group Effectiveness** – an instrument to help SAGs evaluate their current strengths and areas for growth
- **JJDPA Provisions on SAG Composition and Duties** – excerpts from the statutory provisions related to SAGs and their membership requirements
- **Training and Technical Assistance Resources** – a brief overview of where SAGs can find training and technical assistance
- **Additional Resources** – useful links, examples, and materials

Methodology

This toolkit is based on information gathered from SAGs and their leadership. It was created by the Coalition for Juvenile Justice (CJJ) in partnership with OJJDP's Center for Coordinated Assistance to States (CCAS). The toolkit aims to maximize SAGs' abilities to improve juvenile justice systems throughout the United States.

CJJ conducted interviews with more than 30 SAGs and Juvenile Justice Advisory Groups (JJAGs). All 56 states and territories were offered the opportunity to participate. Interviews were conducted with SAG chairs whenever possible, though proxies were used in some rare instances.

CJJ also conducted two focus group discussions with juvenile justice specialists to gain their insights on the challenges that SAGs currently face and the ways in which their states have sought to overcome these obstacles.

Each participant was asked a series of questions based upon the Five Principles of SAG Effectiveness. These principles were developed by CJJ staff, with feedback and input provided by the organization’s executive board, which comprises SAG members, chairs, and juvenile justice stakeholders with many decades of leadership in juvenile justice and delinquency prevention (including some whose experience predates the JJDPA). Questions were intended to gauge where SAGs are now and to determine areas of growth that might exist in relation to each of these principles. A total of 106 possible questions were used, though not all SAGs were asked each question.

The findings from these interviews were presented to CJJ’s governing body, the Council of SAGs, during the organization’s annual conference in June 2015. SAG chairs from all states, territories, and the District of Columbia were invited to review CJJ’s findings and to provide feedback on how to best build SAG leadership capacity.

State Advisory Groups in Action

SAGs are part of a unique federal-state partnership that was established through the JJDPA. While OJJDP serves as the “home” for juvenile justice programs and policies, each state and territory also has its own lead agency. This state-level agency is designated to receive technical and financial assistance from OJJDP, and to implement the JJDPA and its requirements. This agency is assisted by a governor-appointed body that helps guide the agency’s work. Frequently known as SAGs or JJAGs, these boards have a number of unique features and needs, which will be discussed further here. These include distinctive processes, an important role in state policy, and engagement of key constituencies.

Processes

Structure and Governance

Each SAG is composed of 15 to 33 members who are appointed by the governor or chief executive in their state or territory (see the SAG membership roster with related requirements [here](#)). These appointees must have “training, experience, or special knowledge concerning adolescent development, the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency.”² (For further discussion on membership requirements, please see *People*, below).

Each SAG is led by a chair and a co-chair who are chosen by the governor. These individuals, who cannot be full-time employees of the federal, state, or local government, help guide the SAG’s work. The chairs work closely with the state’s juvenile justice specialist, a state employee who helps the SAG carry out its work.

² 34 U.S.C.S. § 11133 (a)(3)(A)(i).

To effectively lead juvenile justice reform in their states, SAGs must be engaged in their work. It is essential that members are in regular communication, actively involved in decision making, and participate in scheduled meetings whenever possible. Effective SAGs meet with one another on a regular basis, both as a full board and as subcommittees.

There are a number of tools and technology resources that can help committees stay engaged and actively collaborate with one another. In recent years, virtual tools that help simplify meetings and teamwork have proliferated. Some tools to consider include:

- **Asana** – This project management tool can help committees share the workload by assigning tasks to individual members, setting deadlines, and creating visual dashboards to track the group’s progress. Messaging and chat features can help committee members work together between meetings when they may be in separate locations.
- **WhatsApp** – This smartphone app enables committees and subcommittees to have group conversations without some of the drawbacks of traditional group chats.
- **JDAI Connect** – This online resource, managed by the Annie E. Casey Foundation, creates a virtual space for those working in the youth justice community. Members can share new resources, post questions, and engage in discussions either with the full national community or within smaller groups.
- **Slack** – This messaging app enables team members to chat with one another in real time, share files, and make phone and video calls. Messages can be sent directly to individual team members, or to a group. When talking with a group, messages can be organized by topic, such as Racial and Ethnic Disparities (R/ED) Subcommittee or Grant Review, and easily searched later for quick retrieval of information.
- **Google Docs and Dropbox** – These document sharing apps enable participants to work on a document jointly, see real-time changes, and simultaneously access the same document to collaborate on drafting and revisions despite being in multiple different locations.
- **Jamboard** – This app serves as a virtual stand-in for flip charts and can be helpful in fostering group conversations and taking visual notes during online meetings.

According to information collected earlier by CJJ, 50% of SAGs meet with one another as a full body on a quarterly basis. Another 28% meet bimonthly. Approximately 12% have attempted to meet monthly; however, half of those states have had to cut back their meeting schedule due to financial constraints. Of the SAGs that meet bimonthly, many reported that they alternate each month between meeting as a full board and as subcommittees. Thus, for example, the full SAG would meet in January, while the Grant Subcommittee and R/ED Subcommittee would meet in February, with the cycle repeating throughout the year.

This committee and subcommittee structure enables SAGs to maximize the work they are able to perform and to keep progress going between meetings. The most effective SAGs are ones in which members of the full board are able to be appointed to working groups that focus on issues of importance to the state, such as compliance, strategic administration of grant funds, addressing racial and ethnic disparities, youth development and engagement, development of the strategic plan, and other issues that the SAG identifies.

Virtual Meetings and Open Meeting Law

During the COVID-19 pandemic, SAGs, like many other organizations, had to shift their approach to their work and come up with creative solutions to ensure they could continue meeting and to get their work done. As a result, they embraced new online platforms. Although many of these tools were available before the pandemic, since 2020 there has been a major increase in the use of technology in the workplace. Video platforms such as Zoom, WebEx, and GoToMeeting are being used as methods of sustaining meetings among juvenile justice staff and committees. Additional tools include email lists, Slack, WhatsApp, and JDAIconnect. These can be used as ways to stay connected with your team, share resources, ask for assistance, and make sure everybody remains up to date on important information and is informed about updates in a timely manner.

At several points during the pandemic, site visits to state youth facilities were halted. Some jurisdictions used phone and videoconferencing to continue to access and monitor facilities during these closures. Meanwhile, online video platforms enabled system-impacted youth to be involved in meetings with family members, their SAGs, and even congressional hearings from inside facilities. Many states reported that members across the board found online meetings more accessible, and meeting attendance increased as a result. As states begin returning to normal, some are considering rewriting their bylaws to allow remote attendance—in particular, to permanently allow SAG members to participate remotely. This may be especially beneficial in larger states, where traveling to meetings can be costly and time-consuming. Allowing members to participate in person, by phone, or online creates opportunities for partnerships and collaboration across county and state lines.

This new way of working is not without its challenges, though. New SAG members in particular reported that relationship building among SAG members can be difficult when meeting remotely. Ways to overcome this challenge include dedicating time at the beginning of meetings, or perhaps hosting a separate meeting, for team-building exercises. If safe and feasible, creating in-person options as part of a hybrid model can help keep team members connected to one another and their work.

To ensure meetings are effective and accessible, SAGs should make sure that each member has access to the tools that will enable them to participate effectively. If meetings are held in-person, this might include asking whether youth members are able to get to the meeting location and setting aside a funding pot for transportation costs. If meetings are conducted virtually or if your SAG is using a hybrid model, it is necessary to ensure that youth and adult SAG members have access to the equipment they need to participate in a virtual environment (computers, WiFi, a safe space to join meetings).

SAGs should also consult their state's open meeting laws to find out what special requirements may be in place for virtual meetings. Consider how these meetings must be noticed, whether they are permitted to include votes, and how such votes are required to take place. Similarly, SAGs should review their bylaws. Are there limitations on attendance and voting by phone or videoconferencing? If so, consider discussing with your fellow SAG members whether and how such requirements should be revised.

Operations

SAG members have a number of important responsibilities. Effective SAGs:

- ensure that the state or territory is in compliance with the JJDP's four core requirements;
- participate in the development and review of the states'/territories' 3-year plan and related annual updates;
- submit, at least once a year, recommendations to the state legislature and governor, or other chief executive officer, regarding compliance with the JJDP's core requirements;
- regularly seek input from youth and families who are under the jurisdiction of the juvenile courts;
- review and comment on grant applications and awards funded through the JJDP, and provide feedback on grant progress and accomplishments; and
- develop expertise in its 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.

SAG members play a particularly important role with respect to developing the 3-year plan. This document outlines the state's or territory's policy and programmatic goals for the following 3 years and must be updated annually. SAG members assist the juvenile justice specialist in creating this document by serving on a subgroup that looks at relevant issues such as data collection, analysis of crime data, and planning for compliance with the core requirements. SAG members can also assist in the process by helping to develop problem statements and prioritize program areas. Members should help create program goals, objectives, and action steps and help measure outcomes.

Effective SAGs also create a separate strategic plan to help guide their work, as well as a mission statement for the SAG as a whole. These statements and plans help the SAG determine its goals and establish a focus for its work. Maine, for example, has adopted the following mission statement:

"The mission of the Maine Juvenile Justice Advisory Group is to advise and make recommendations to state policy makers and to promote effective system level responses that further the goals of the Juvenile Justice and Delinquency Prevention Act."

In Kentucky, the SAG has adopted the following mission statement:

"The Juvenile Justice Advisory Board is committed to enhancing the quality of life for all youth in the Commonwealth by actively advising the Governor, policymakers and the public on matters related to improving system of care, enhancing interagency community collaboration, and promoting effective programming necessary to serve the whole child."

Effective SAGs also clearly define whether their role is advisory or supervisory. Supervisory SAGs, for example, have a final say in how grant funds will be administered, whereas advisory SAGs make recommendations about which grant applications should receive funds.

Policy

SAGs should feel empowered to actively advocate for policy changes that help improve juvenile justice in their state and move toward a developmentally sound system. SAG members are uniquely positioned to help implement change. SAGs are required to issue an annual report to their governor or chief executive. This report should include updates on how programs are faring, as well as recommendations for policy changes that help reform juvenile justice. These reforms often focus on improving compliance with the core requirements and can include suggestions on how to decrease reliance on incarceration, eliminate use of the valid court order exception, reduce racial and ethnic disparities, or raise the age of criminal responsibility, to name a few.

In Illinois, for example, the SAG uses education as a key tool in its efforts. The SAG has made policy reform a priority since 2010. As part of their work, they strategically volunteer to research issues related to juvenile justice and delinquency prevention for the state legislature. They then presented reports on these topics. In recent years, they have examined a broad range of issues, including juvenile parole. As part of this effort, they held several hearings on the state's parole board. Subsequently, they conducted training on improved parole processes. Judge George Timberlake, former Illinois SAG chair, reported that before their efforts, juvenile justice practitioners didn't always know how the parole system worked. The SAG's training helped highlight the process as it existed then, best practices in the area of juvenile parole, and where their system fell short.

In 2015, because of the SAG's efforts, legislation was put forward that aimed to revamp the state's juvenile parole process. Timberlake credits their legislative success to collaboration. The SAG has not created its own legislative agenda but instead has provided objective responses to juvenile justice issues as they arise. They are able to provide testimony and support legislation themselves, but more frequently they rely on their network of allies and point legislators in the direction of individuals (and agencies) who do more direct legislative advocacy.

Education and legislative reform efforts are not the only ways that SAGs can affect policy change. SAGs can help guide change in the policy arena through their financial recommendations. By strategically choosing programs that help further policy goals, such as reducing racial and ethnic disparities or increasing gender-responsive and trauma-informed care, SAGs can help advance their policy goals without having to engage in legislative action.

People, Expertise, and Partners

As noted earlier, each SAG must consist of 15 to 33 members. Of these, at least one must be a locally elected official, and at least one-fifth of all members must be appointed before age 28. The SAG must also include at least three people who are, or who have been involved with, the juvenile justice system, or a member of their family.³ It

³ 34 U.S.C.S. § 11133 (a)(3)(ii) (2022). OJJDP provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds justice-involved youth appropriately accountable, and provides treatment and rehabilitative services tailored to the needs of juveniles and their families.

is essential that all of the individuals who serve on the board understand youth and developmental approaches to juvenile justice reform.

The JJDPA outlines the following membership criteria for each SAG⁴:

- (I) at least 1 locally elected official representing general purpose local government;
- (II) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
- (III) representatives of public agencies concerned with delinquency prevention or treatment, such as 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;
- (IV) representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
- (V) volunteers who work with delinquent youth or youth at risk of delinquency;
- (VI) representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities;
- (VII) persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;
- (VIII) 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;
- (IX) 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
- (X) 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

⁴ 34 U.S.C.11133 Sec. 223 (3)(A)(ii).

justice in Indian tribal communities.

Having diverse voices and expertise on the SAG can help the board build a strong network of allies throughout the state to aid in their reform efforts. A nonprofit representative, for example, may be able to connect SAG members with other groups he works with that have expertise on issues related to juvenile justice and delinquency prevention. A member of the judiciary, meanwhile, might be able to update the group on trends that she sees emerging in her courtroom. Parents and youth can also provide key feedback on how existing policies and practices are playing out on the ground.

All of these individuals should have a thorough understanding of adolescent development and its relationship to juvenile justice reform. They should also be able to draw upon the networks they have outside of the SAG to help address issues and solve problems. Such relationship building is essential to effectively implementing change. The best reforms emerge from consensus and are informed and led by the community. To do this, SAGs must ensure that they are working with stakeholders and building allies within their systems and communities. Building these allies early will also help protect the SAGs' important role and ensure that they have a seat at the table when political climates are challenging, or reform efforts are guided by other entities or change agents.

The Five Principles of SAG Effectiveness

What makes a SAG effective? While each state is unique and each SAG's role varies accordingly, there are principles that serve as the hallmarks of effective juvenile justice leadership. These principles reflect the essential qualities necessary for a SAG to serve as a leader in reform. Based upon the process described in the methodology section, the following five principles emerged as key elements for an effective SAG:

1. Is in compliance with the JJDP's four core requirements

One of the SAG's primary roles is to ensure that its state is in compliance with the JJDP 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.

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

Learn More:

States can assess which principles are areas of strength, and where there is room for growth, by using the self-evaluation tool provided in Appendix II: Gauging State Advisory Group Effectiveness.

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.

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 meet regularly, 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 up-to-date and accurate data, and that established criteria are used to determine how funding will be administered.

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.

Challenges and Solutions: Overcoming Road Blocks and Becoming Agents of Change

Challenge 1: Not Having a Significant Role as an Agent for Change	
<p>SAGs are uniquely positioned to help usher in juvenile justice reform.</p> <p>SAGs are empowered by the JJDPa to advise state governments about policy matters. When the JJDPa was first enacted, SAGs routinely encouraged their state legislatures to enact new laws and modify existing statutes so the state could comply with the core requirements. Many states continue to work on legislative reforms and include recommendations on policy changes as part of an annual report to their governor. Other states, meanwhile, report that their governor has instructed them to play a more limited role on legislative reform.</p> <p>SAGs also have authority under the Act to guide the expenditure of federal dollars on juvenile justice programs. Though these allocations have decreased dramatically in recent years, SAGs continue to have a voice as a result of these funds about what types of juvenile justice programs exist in their state.</p>	<p>Strengthening your role as an agent for change:</p> <p><i>Identify the issue.</i> If your state is not in compliance with one of the core requirements, you might choose to focus on changes that could be made, either through statute or programs, to remedy this. Or you may have heard from fellow SAG members, local advocates, or a state agency that your state faces other particularly pressing issues. These could include a need to increase or strengthen diversion programs, a need to raise the age of criminal responsibility, or a need to strengthen protections for young people who are survivors of human trafficking.</p> <p><i>Identify partners.</i> Collaboration is key to any successful reform effort. Make sure youth, families, judges, state agencies, advocates, and other stakeholders play an appropriate role as you attempt to implement change. Private foundations, such as the Pew Charitable Trusts, the Annie E. Casey Foundation, and others, are often able to provide important financial and technical assistance for reform efforts.</p> <p><i>Make a plan.</i> Your plan should include concrete, actionable reform goals. To the extent possible, use both your financial and human resources to support and help advance your reform efforts.</p>
<p>EXAMPLE</p> <p>The Maine Juvenile Justice Advisory Group has created a legislative committee that focuses on the ongoing legislation of bills that have an impact on the youth legal system and young people affected by it. The committee then presents these bills to the SAG board and makes sure they stay informed on the progress of the bills. Lastly, the committee assists in conducting professional trainings on law changes and updates.</p>	

Challenge 2: Losing Relevance in Changing Political Climates

Before an individual can serve on their state's juvenile justice advisory group, they must be appointed by their governor. This can present an array of challenges. When a new governor takes office and his political positions differ from those of his predecessor, he may, for example, choose to replace long-standing members of the SAG. The new governor may also try to place restrictions on the SAG's advocacy efforts. In some instances, even if they don't take this type of action, the SAG members could still find themselves with limited ability to carry out legislative reforms when the governor who appointed them is of a different political party than the state legislature's majority.

Remaining relevant in politically challenging times:

Identify strong allies. Allies become especially important when political climates turn challenging. Are there other groups or stakeholders in your state who share your vision for reform who could assist you in the new political climate? Are there long-standing advocacy groups or judicial leaders who could assist in this time of change?

Use funding authority to the best of your ability. SAGs hold unique authority in relation to how federal funds are expended on juvenile justice in their state. Even in times when policy could prove difficult to change, SAGs can aid in reform by financing programs that reduce DMC, provide alternatives to incarceration, and spearhead similar initiatives that advance reform goals.

EXAMPLE

The Delaware SAG created a civil citation program for young people, which is a statewide civil alternative to the formal arrest and criminal prosecution of low-risk youth under age 18 who commit program-eligible misdemeanor offenses. Its primary purpose is to prevent further delinquency and appropriately address youth offenses without creating a criminal record or court intervention. The civil citation program is community based and "diverts youth from the Juvenile Justice system, prevents youth from having a criminal history, and promotes public safety."

- The Delaware Juvenile Justice Advisory Group. (2021, July). *Annual report and recommendations to Governor John Carney and the Delaware State Legislature*.
<https://cjc.delaware.gov/wp-content/uploads/sites/61/2022/01/Delaware-2020-JJAG-Report.pdf>

Challenge 3: Recruiting and Retaining SAG Members

Recruiting and retaining SAG members can be one of the most challenging tasks that boards face. SAGs are often at the whim of their governor about whether a long-serving member should be reappointed or a vacancy should be filled. Once on the committee, new members may face a learning curve and lack institutional knowledge. They often have busy schedules as well, making meeting attendance a potential challenge.

Recruiting youth members can be especially tricky because they are more likely to relocate than older adults. In addition, age restrictions on their appointment may make them ineligible if the vacancy is not filled in a timely manner.

Recruiting and retaining members:

Make suggestions. Make recommendations to your governor's office for strong SAG candidates. Draw on individuals who are already partnering with the SAG in your efforts for reform. Consider inviting partners to attend meetings while they await their appointments so they can be up to speed once their approval is finalized.

Offer to help. Some states offer stipends for both youth and adult SAG members. Additionally, consider whether a childcare provider is necessary to help parents.

Provide training. Encourage staff to provide training for new members and to keep records to ensure institutional knowledge is not lost during periods of transition.

EXAMPLE

Besides administering grants and establishing priorities for state reform efforts, Colorado's Emerging Leaders Committee takes an active role in recruiting and retaining youth. Recently, the committee found that involvement among some of the SAG's youth members was beginning to decrease. In an attempt to re-engage its members, the committee contracted with two former youth members who now work in the field of juvenile justice. These youth advocates will provide training to the Emerging Leaders Committee and to other groups statewide where youth advocacy is being encouraged.

But how do you find youth to serve on the SAG in the first place? In Colorado, the SAG tries to find youth where they are. In June 2015, when a youth vacancy opened on the SAG, the group posted the vacancy announcement on social media to attract and recruit members. They also distributed recruitment fliers on college campuses and sought out members who are, and who have been, committed to the state's Department of Youth Corrections.

Challenge 4: Struggling to Meaningfully Engage Youth

Youth—especially those who are currently or previously involved with the juvenile justice system—are one of the most important voices to have at the table as your SAG pursues meaningful system reform. Young people have valuable insight to share about what works in our current systems and where there are needs for improvement.

Congress has long recognized the need for youth involvement in the SAG and under the JJDP, requires that no less than one-fifth of SAG members be appointed before age 24. Finding and retaining these members, however, is difficult for many states.

Young people often have competing demands on their time as they pursue their educational goals, start their careers, and begin to grow their families. These pursuits can pull youth members away from meetings and, in some cases, even prompt them to relocate to a new state. Youth may also lack the finances required to travel to a meeting, or they may not be able to take time off from work.

Meaningfully engaging youth:

Consider creating an advisory group. States that do not already have a youth and/or family advisory group should consider creating such a panel. This board could consist of both youth and the families of youth involved with the system.

Avoid marginalizing. Youth members bring their own expertise to the table and should be treated as equals with other SAG members. Hear them out. SAG members should feel empowered through education, training, and mentorships to fully participate in the conversation.

Be helpful. All members should recognize that taking a meaningful seat at the table may be intimidating to youth members, especially those who are new. Training and mentorships are helpful tools in empowering young people to fully engage on their SAG. Demystifying acronyms and the budgeting process, for example, can help youth members feel better equipped to actively participate.

Be flexible. Youth may have to take unpaid time off from work to attend meetings. Consider holding events during non-business hours or providing stipends to help with attendance. Be creative and remember that youth engagement is an ongoing process.

EXAMPLE

Some State Advisory Groups, such as the Michigan SAG, have created an additional advisory group fully led by system-impacted young people ages 16–25. The Michigan Juvenile Justice Youth Advisory Board (YAB) works with local and state agencies and community members while leveraging the voices of those who are the most impacted. The YAB contributes to statewide decision making around juvenile justice reform efforts based on their expertise.

Engaging Young People

In **Idaho**, for example, the state's Juvenile Justice Commission Youth Committee has autonomy to take on a range of projects. These include creating reentry supports for young people who are returning to their community, so they can easily know where and how to access resources. The committee also routinely conducts surveys of young people who are currently incarcerated, and is working on establishing a bill of rights for youth who are involved with the system.

Meanwhile, the **District of Columbia (DC)** SAG has a position for a youth co-chair to jointly lead the SAG alongside an older adult. It also has its own committee for youth members. The SAG allocates funds specific to the youth committee. Youth members are free to use funds however they like, without outside approval. These funds are in addition to stipends that the DC SAG provides through Title II dollars for its youth members. The DC SAG offers financial support for youth members each year in its Title II application. For more information on youth compensation, you can visit CJJ's publication on its challenges and successes [here](#).

In **Washington state**, the SAG partners with young people who are inside facilities to ensure they are heard during the SAG's planning and reform efforts. The initial effort on cultivating youth empowerment and intentional engagement effort, especially at Green Hill School, a detention facility in Chehalis, Washington, was implemented by the Juvenile Rehabilitation Assistant Secretary and Superintendent at Green Hill School. Youth voice is organized as a way to gain youths' perspectives on what's working and what's not working regarding their juvenile justice experience, as well as their input on treatment processes and outcomes for rehabilitation, current and future policies, and process redesign. Juvenile Rehabilitation youth members gain valuable experience on advocacy and self-empowerment through the process with the support of leadership and staff. Their voices help inform system reform efforts, and eventually, some of the youth members take a more active role serving in the Washington state SAG.

In 2021, **Iowa** established a Youth Advisory Council to help advise the SAG. This committee creates a space where young people with lived expertise in the system can take on and lead projects and advise the full SAG. So far, Iowa's Youth Advisory Council has focused its work on ensuring that young people who are in detention are able to receive hygiene projects that are ethnically and culturally appropriate, and that young women in facilities have access to tampons and other menstrual hygiene products. Iowa also engages young people inside facilities through the Talking Wall program. The Talking Wall solicits feedback and input from young people who are currently detained about challenges they are facing inside the facility.

The **Virgin Islands** focuses on offering youth a variety of outlets for making positive connections to the community. One of the SAG board mandates is to identify grant proposals to revive much-needed youth programs that have been suspended and to help fund other programs to meet the needs of young people. As of 2021, board members were in the initial stages of implementing a youth council.

In **Colorado**, the SAG has found a variety of ways to ensure that young people feel heard and are able to fully participate in the group's meetings. The youth committee is allocated \$20,000, which they can use to take on their own projects. In addition, youth are given stipends for the work they do on behalf of the SAG. Young people also receive travel stipends and mileage reimbursement to help cover travel expenses, and for young members who may not be able to drive, older SAG members help provide transportation. Youth SAG members reported that their adult allies in the SAG are there for them beyond meetings. The adult SAG members make an intentional effort to help young people remove barriers that may exist, such as helping youth secure felony-friendly housing, helping them obtain necessary documentation, and serving as a listening ear, including for youth who were involved with the youth system and those who were not.

Conclusion

SAGs are uniquely positioned to serve as juvenile justice leaders in their states and territories. By having effective processes in place, SAGs can help ensure they have a seat at the table in local reform efforts. Education, advocacy, and strategic grant appropriations are just a few of the ways that SAGs can maximize their role within their states and territories. They can bring together a strong network of experts in juvenile justice reforms to help ensure that their state's policies are sound and are based on a developmental approach.

Appendix I. State Advisory Groups as Change Agents: A Step-by-Step Guide

Many SAGs want to be more effective agents of change. But how do you get started? This step-by-step guide will help SAGs identify key issues and steps to consider as they work to reform juvenile justice policy and practices in their state.

Step 1 Develop a Mission and Vision for the SAG

Sample Mission Statement:

“The mission of Florida’s Juvenile Justice and Delinquency Prevention State Advisory Group is to effectively administer and manage federally allocated funds for juvenile delinquency prevention, ensure compliance with the Federal Juvenile Justice Act mandates and to partner with the Governor, the Legislature, the Department of Juvenile Justice and community leaders from around the State to build a better and safer Florida for youth and their families.”

The first step on any journey is to determine where you are going. A clear mission for your SAG can serve as a road map as you seek to become more effective agents of change. This should include developing a mission statement and using both your 3-year plan and your strategic plan to help flesh out your plans and goals.

A mission statement can serve as a starting point when you are outlining your SAG’s purposes and goals. Consider creating a mission statement if your SAG does not already have one. If you have a mission statement in place, the group should review it frequently to ensure they are continuing to work toward the mission and to determine whether any revisions are necessary.

SAGs should use their 3-year plan to help develop and implement their mission statement. The 3-year plan can be a helpful tool in outlining clear objectives and measurable actions that SAGs can strive to take in implementing juvenile justice reform. When developing these plans, SAGs should formulate actionable steps to help further their reform goals. These plans, which are required under the JJDPA, can serve as an important tool, and SAGs that seek to play a stronger role in implementing reform should ensure that their input is heard and incorporated into the plan.

The 3-year plan can help SAGs guide their mission related to providing:

- gender-specific services;
- prevention and treatment services in rural areas; and
- mental health services.⁵

⁵ 34 U.S.C.S. § 11133 (a)(7)(B) (2022).

States should use the planning process to assess where they are now and to determine where they would like to be in the future. The action plans included in the report provide a way for SAGs to set goals and measure their outcomes.

As part of their annual reporting requirements, states must consider the progress they have made toward implementing their plans and goals. For example, if a state determines in Year 1 that they would like to offer gender-specific services by partnering with nonprofits and existing service providers, they should revisit this goal the following year, determine whether they achieved their goals and mission, and reassess accordingly.

Step 2 Manage Resources Wisely

SAGs are the stewards of a range of important resources, both human and financial.

Human Resources. SAGs are routinely staffed by a professional juvenile justice specialist who is an expert both in their field and on the inner workings of their state's juvenile justice system. This individual plays an important role, often drafting the 3-year plan and providing SAG members with regular updates on key information. Juvenile justice specialists help preserve institutional knowledge during periods of change in the SAG. They serve as a valuable resource and source of expertise to the SAG members, who may not work in the juvenile justice field on a daily basis.

To ensure they are able to serve as agents of change to the fullest extent possible, SAGs should ensure that specialists have the knowledge and skills necessary to help support a body such as theirs. This should include knowledge about the importance of a developmental approach to juvenile justice and delinquency prevention. SAGs should ensure that specialists have access to training opportunities and that they feel recognized as professionals.

Financial Resources. A key part of the SAG's work involves overseeing the distribution of federal funds at the state level. The amount of federal allocations for juvenile justice has diminished significantly in recent years, making the SAG's role on this front more important than ever in many ways.

SAGs should act strategically when determining what programs they will fund. As a first line of inquiry, SAGs should assess whether they will use federal funds to assist with one large project, or whether the money will be split and used as seed funds for several smaller initiatives. Once this determination is made, SAGs must then consider how the various grant applications they have received fit with the goals and objectives they have outlined in their 3-year plan. If, for example, the state has determined that its top goal is to reduce racial and ethnic disparities, they should ensure that grant funds are used on programs that will advance this goal. SAGs should keep in mind that restrictions on grant funding can arise for states that are, for example, not in compliance with the core requirements, or that do not meet SAG membership requirements. Therefore, it is important for SAGs to educate themselves about restrictions that can arise from noncompliance.

Step 3 Collaborate to Improve Effectiveness

System change is best accomplished through collaboration and consensus building. This requires strong partnerships with key stakeholders such as youth, families, advocates, the judiciary, and the legislature.

Additional Assistance:

OJJDP provides training and technical assistance to help states achieve compliance with the core requirements and address other related issues. States should fully use these services. As changes to the JJDPA move forward in Congress, such training becomes all the more important in helping states stay updated on the new law and its implementation. OJJDP can also assist states to develop a deeper understanding of adolescent development and its relationship to juvenile justice reform.

Developing these relationships in advance can help ensure that the SAG is more active in reform. By establishing itself early on as a reliable team of experts on juvenile justice, the SAG can help ensure that other entities connect with them when they consider or initiate reform. Judges and others in the SAG may be able to call together stakeholder convenings. SAGs should request participation in convenings that are arranged by other entities and individuals as well.

Allies can be found both inside and outside the state. Foundations, for example, can be important allies in connecting the SAG to resources and helping the SAG carry out its reform goals. The following are examples of initiatives that private foundations have led or supported.

Annie E. Casey Foundation: The Annie E. Casey Foundation’s Juvenile Detention Alternative Initiative (JDAI®) has spanned nearly two decades and operates in approximately 300 counties nationwide. The project focuses on reducing communities’ overreliance on incarceration, which has been shown to increase the risk that youth will have subsequent involvement with the juvenile justice system.

JDAI uses a model rooted in eight core strategies that are proven to help communities reduce their population of detained youth. In addition to the Annie E. Casey Foundation’s investment in the project, several SAGs, including Mississippi, have chosen to partner with JDAI to expand the program to a broader number of communities throughout their state.

Georgetown University’s Center for Juvenile Justice Reform: The Center for Juvenile Justice Reform at Georgetown University is a valuable partner in juvenile justice prevention and intervention. The center offers certificate programs to help address racial and ethnic disparities, to better serve crossover youth, and to reimagine the use of probation.

Vera Institute: The Vera Institute works with states and communities to address the needs of vulnerable girls and to reduce the incarceration of girls.

Racial Equity 2030 Foundation: Racial Equity 2030 has helped support communities in establishing and implementing equitable practices. In Hawaii, for example, the foundation helped support implementation of native restorative practices. This helped lead to the elimination of girls from detention starting in June 2022.

Tow Foundation: More regionally focused groups play an important role. The Tow Foundation, for example, has provided more than \$12 million to help support juvenile justice reform in Connecticut. Starting in 2007, the state implemented a broad range of juvenile justice reforms after the passage of legislation that raised the age of original jurisdiction in criminal court.⁶

The Coalition for Juvenile Justice is also available to provide training on technical assistance to members regarding youth engagement, status offenses, and other issues relevant to SAGs.

The following federal resources also exist:

Center for Coordinated Assistance to States (CCAS): CCAS provides training and technical assistance to states, tribes, territories, and communities. The center's services are tailored to individual training recipients and are responsive to their needs. CCAS's goal is to improve outcomes for at-risk youth and for youth involved in the juvenile justice and child welfare systems.

The Center for Coordinated Assistance to States (CCAS) Information Hub: This forum serves Juvenile Justice Specialists, Compliance Monitors, Racial and Ethnic Disparities (R/ED) Coordinators, and SAG Chairs. The R/ED section of the CCAS information hub provides a variety of tools such as training materials and templates. It also affords those working in the field opportunities for professional networking.

⁶ Justice Policy Institute. (2013). *Juvenile justice reform in Connecticut: How collaboration and commitment have improved public safety and outcomes for youth*.

Collaborating Across Systems

Collaborations across different sectors such as child welfare, education workforce development, health and human services, and youth homelessness/housing not only advances youth justice reform as a whole but also gives young people across these systems the opportunity to get involved with their SAGs and to be a part of leading this work. CJJ has found that many youth members first learned about their SAG while working with another organization that focuses on juvenile justice reform, such as peer and youth courts, local juvenile justice agencies, CJJ, and partners in the department of health and human services.

Developing these relationships in advance can help ensure the SAG is more active in its reform efforts. By establishing itself early on as a team of reliable experts on juvenile justice, the SAG can help make sure other entities reach out to them when they consider or initiate reform. Judges and others in the SAG may be able to call together stakeholder convenings. SAGs should request participation in convenings organized by other entities and individuals as well. The following are examples of SAGs that promote cross-system collaborative practices.

Utah

Utah's 3-year plan for years 2018–2020 included creating comprehensive juvenile justice and [delinquency prevention programs](#) that meet the needs of youth through collaboration of the many local systems before which a youth may appear, including schools, courts, child protection agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services. Utah's SAG has been focusing on early intervention that uses evidence-based, restorative justice models as guiding principles to establish and fund programming to support juvenile justice reforms. Funding priorities were given to programs that address school-based behaviors and delinquent prevention. Utah is currently working to educate local organizations, particularly Black- and Brown-led organizations, on how to apply for grants.

Virginia

Virginia has been using a recent state-level funding stream to uplift small community-based organizations in order for localities to be able to choose them as partners for juvenile justice funding. Staff at these organizations are being educated on grant requirements and how to generate creative solutions with youth in their communities.

Maryland

The Maryland Governor's Office of Crime Prevention Youth and Victim Services has developed a unique approach to collaborative efforts toward a restorative youth justice system. The [local care team system](#) was developed to serve and support at-risk youth with diverse circumstances in unique ways. Maryland's communities have different geographical, economic, and cultural norms that have made it challenging to devise one overarching solution. The purpose of local care teams is to have a system in place, consisting of community-based services, that is accessible to children and families across Maryland.

Local care team coordinators have the following responsibilities:

- Maintain a directory of community-based resources
- Maintain, analyze, and produce written reports from various data systems
- Develop policy and procedure based on written reports
- Provide staff support to local and statewide committees
- Collaborate with diverse groups of individuals
- Develop and present training modules to small and large groups

Maryland has used the Edward Byrne Justice Assistance Act Grant (JAG) as one of its main funding streams for crossover work. The JAG program is the leading source of federal justice funding to state and local jurisdictions. The state utilizes JAG to support some of its Title II adjacent programs including crime prevention, education, youth engagement, diversion programs, and more. Maryland has also made it a point to collaborate with their federal Children's Justice Act program. This program is very similar to JJDPa but is more focused on child welfare. It is authorized through the Child Abuse Prevention and Treatment Act (CAPTA). Each state that participates in this program is required to have a full-time position dedicated to coordination efforts. The program is similar to JJDPa in the sense that it is connected to a mandated committee and has formula grant funds attached.

Juvenile justice specialists are encouraged to find out who the Children's Justice Act coordinator is in their state and to form a working relationship with that individual on crossover issues. A comprehensive, holistic focus on trauma lies at the core of Maryland's work. The state has implemented the Handle with Care program in more than 800 schools. To learn more, visit <http://goccp.maryland.gov/children-and-youth/handle-with-care/>.

New Mexico

The New Mexico Juvenile Justice Advisory Committee is composed of experts in both juvenile justice and child welfare. Read more about the state advisory group's Continuum of Care model [here](#). As stated on the Continuum Grant Funds Program website:

"Services are provided by Continuum service providers in five funding priority areas: delinquency prevention, alternatives to detention, graduated and appropriate sanctions, diversion and restorative justice services, and gender-specific services. Programs provided by the Children, Youth & Families Department include: alternative education, gender-specific programming, restorative justice, a learning lab, youth advocacy, and more. There are currently 20 CYFD-funded local continuums providing services by 68 service providers in 22 counties throughout the state, supported by a budget of approximately \$2.9 million in 2022."

You can read more about the state Continuum Grant Funds Program [here](#). For the latest grant agreement guidance, click [here](#).

Hawaii

Hawaii's SAG emphasizes a [continuum of care](#) that supports a vast range of prevention and intervention strategies for youth and families in collaboration with providers of medical, educational, after-school, mental and behavioral health, workforce development services, and others, using applicable, cultural-based practices. The SAG also explores the need for co-curricular activities, including art, athletics, music, and community service. Additionally, in order to create effective reentry, the SAG provides reconnection to schools, jobs, families, community-based family support and/or counseling, and housing, upon release from locked facilities.

Maine

Maine's SAG has created what are known as [Regional Care Teams](#), which serve to "strengthen cross-system, provider and community involvement to inform local resource development and increase supports, resources and opportunities for youth through a local community-based continuum of care to decrease detention." The JJAG supports this initiative through Title II dollars. More information can be found [here](#).

Iowa

The state of Iowa's current [3-year plan](#) makes youth health and human services a priority. One of the SAG's core priorities is to collaborate with other state agencies, local communities, and committees to address the mental health, substance abuse, and family system support of youth. The majority of support services are funded by the state. Furthermore, the SAG uses council funds and leverages additional funds to support gender and racial equity training. The SAG collaborates with its R/ED Subcommittee to enhance and expand Iowa's Pre-Charge Diversion program. Additional collaborations include working with the Iowa Task Force for Young Women to ensure appropriate systematic response and considerations for young women. This initiative includes finalizing key priorities for young Black women.

District of Columbia

The District of Columbia (DC) SAG recently initiated several cross-system collaborative efforts that address diversion, the school system, health and human services, and more. The project was able to launch after the JJAG applied for and then won a delinquency prevention grant from DHS to foster cross-system partnerships, specifically with the local school districts and human services. The initiative also provides victim relief resources, mediation supports, and other resources, some of which are funded through Title II support. Additionally, after winning another grant, the SAG was able to implement a hospital-based violence prevention program.

Cross-system Collaborative Efforts (D.C. SAG)

- [Parent and Adolescent Support Intensive Case Management \(PASS ICM\) | DHS](#)
- [District of Columbia Hospital-based Violence Intervention Program | OVSIG](#)
- [About the Office of Gun Violence Prevention \(OGVP\)](#)

Key Federal Funding Initiatives

- [Grants.gov](#)
- [Subscribe | Office of Juvenile Justice and Delinquency Prevention](#)
- [Neglected, Delinquent, or At-Risk – Title I, Part D | Office of Elementary and Secondary Education](#)
- [Edward Byrne Justice Assistance Act Grant \(JAG\) Program](#)

Example of Funding Initiative

- The [Arizona SAG](#)'s Grants Workgroup "assists with the pass-through of the [Title II Juvenile Justice and Delinquency Prevention Formula Grant](#) funds that are overseen by the [Arizona Juvenile Justice] Commission. Members of this Workgroup help develop and review the funding solicitation for the Request for Grant Applications (RFGA), evaluate and/or recruit evaluators to review and score program proposals, and inform the commission on progress and activities of current funded grantees."

Step 4 Leverage Funding to Implement Change in Policy and Practice

SAGs should consider leveraging federal funds to secure additional investment in projects that will help advance their reform efforts and improve juvenile justice in their state or territory.

Federal funding for juvenile justice and delinquency prevention has diminished significantly over the past decade. Between fiscal years (FYs) 2002 and 2022, federal funding for juvenile justice and delinquency prevention programs diminished nearly 34%. The Juvenile Accountability Block Grant program, which accounted for \$249.5 million in FY 2002, has not been funded at all since FY 2013. Title II and Title V funding also declined significantly during that period, though it has begun to regain ground since the JJDPA was reauthorized in 2018. Title V funds, however, continue to be routinely earmarked for specific purposes rather than made available to states and communities for general projects.

There are ways to make these funds go further, though. SAGs can help use their funds to seed innovation. SAGs can consider funding projects that further their policy goals and that can be supported through additional funding sources. SAGs can work with their grantees to secure matching funds that will help increase the total pool of money available for a project. By acquiring matching funds from private foundations and donors, local and state government, or other grant programs, SAGs can increase the amount of money available for juvenile justice and delinquency prevention in their state.

Step 5 Plan for Sustainability

Substantive improvement of the juvenile justice system requires SAGs to focus on long-term and sustainable change. These changes are the types of improvements and reforms that can survive and become a part of routine practice.⁷ A program is considered sustainable when “elements essential to a program’s effectiveness continue to operate over time, within a stable organization, at a stable or increased organizational or service capacity.”⁸

Such projects last beyond one grant cycle or one pilot project. For example, Maryland developed a risk assessment tool to help determine whether a child is a survivor of human trafficking. When the tool was developed, it was initially part of a pilot project available in a limited number of communities. Over time, as it was found to be effective, administration of the tool became routine and spread to other communities in the state.

SAGs should focus funding in ways that will advance their reform goals and effect long-lasting change. According to studies commissioned by the Bureau of Justice Assistance, some key factors in ensuring solutions are both permanent and sustainable are:

- systemic data gathering
- formalization of policies and procedures
- identification of long-term funding sources
- comprehensive planning
- responsiveness to emerging challenges
- outreach and support among the community and key stakeholders

SAGs are uniquely positioned to serve as juvenile justice leaders in their states. By creating a plan and establishing goals, managing their resources wisely, and collaborating with others, SAGs can maximize their role. They can go even further by using their grant-making ability to advance policy goals and ensuring that the projects they finance are sustainable.

⁷ Yin, R. K. (1981, January–February). Life histories of innovations: How new practices become routinized. *Public Administration Review*, 41(1), pp. 21–28.

⁸ Cassidy, E. F., Leviton, L. C., & Hunter, D. E. K. (2006). The relationships of program and organizational capacity to program sustainability: What helps programs survive? *Evaluation and Program Planning*, 29(2), p. 150.

Appendix II. Gauging SAG Effectiveness

The following tool is based upon the Five Principles of SAG Effectiveness. It should be used by SAG members and related state agencies to help determine current strengths and challenges, and to periodically gauge progress that the group is making as they work to bolster their role as agents of reform. Board members and staff may fill out the following questionnaire individually and then discuss their assessments with the full group.

State: _____ Date: _____

Name: _____

Length of service on SAG: _____

Constituency represented (e.g., youth member, judicial officer, agency official, etc.):

Section I

a. Is the state currently in compliance with the JJDPa's four core requirements?

☐ Yes ☐ No

If yes, please proceed to Section II.

b. If no, which requirement(s) is the state currently out of compliance with, and how long have they been out of compliance?

c. What methods is the state using or considering in an effort to regain compliance with the requirement(s)?

Section II

a. Have you been out of compliance with the core requirements at any point within the past 10 years?

☐ Yes ☐ No

If no, proceed to section III.

b. If yes, which requirement(s) were you out of compliance with and for how long?

c. What method(s) did you use to regain compliance with the requirement(s)?

Section III

a. Does the SAG have a legislative plan, or have you assisted with the enactment of legislative change?

☐ Yes ☐ No

If no, please proceed to Section IV.

b. If yes, please describe your legislative plan, including current and previous priorities and the methods you used to try to implement change.

Section IV

a. Is your SAG viewed as an authority on juvenile justice in your state and elsewhere?

☐ Yes ☐ No

If no, what is the state doing to gain status as an authority?

The SAG is viewed as an authority:

☐ In your state ☐ In your region ☐ Nationally

b. Are there particular areas in which the SAG is viewed as an authority or areas in which you would like the SAG to be viewed as an authority?

Section V

- a. Has the SAG worked with others to train the youth justice field (including for example: policy makers, legislators, other SAG members, state agency staff, the general public, Title II grant recipients, etc.) to build innovation in your state and elsewhere?

☐ Yes ☐ No

- b. If yes, have you trained others?

☐ Locally ☐ Regionally ☐ Nationally

- c. Have you partnered with private foundations and entities to help further your efforts in this area?

☐ Yes ☐ No

- d. Do you closely monitor emerging issues in juvenile justice and delinquency prevention?

☐ Yes ☐ No

Section VI

- a. Do you partner and collaborate with prosecutors, the judiciary, advocates, youth, and others in the field to help facilitate change?

☐ Yes ☐ No

- b. Are there other stakeholders not mentioned above with whom you partner?

- c. What do your partnerships with prosecutors, judges, advocates, youth, and other stakeholders look like? (e.g., they serve on our SAG, we have an advisory council that includes these types of stakeholders, we invite them to make presentations at meetings, we consult them for advice, etc.). List each partner and describe your partnership with them.

Section VII

- a. Do you meaningfully engage youth? (e.g., do youth members have responsibility and a leadership role in specific projects or activities? Does the SAG have a youth advisory committee or a similar body that gives young people a voice and safe space? Are the youth compensated? Do they take on leadership positions and have equal voting rights within the SAG?)

☐ Yes ☐ No

- b. Please describe the role that youth play in the SAG and opportunities they are given to meaningfully participate.

- c. Please describe any projects you are working on, or are interested in working on, to increase youth engagement in your SAG.

Section VIII

- a. Do you work toward a 3-year plan or other plan?

☐ Yes ☐ No

If no, please proceed to section IX.

- b. Please describe the plan, including when it was last updated and whether it contains measurable benchmarks to assess the group's progress.

Section IX

- a. Does your SAG have, or do you actively seek out juvenile justice and delinquency prevention expertise?

☐ Yes ☐ No

- b. In what areas of juvenile justice does your SAG have the most expertise?

- c. In what areas of juvenile justice is your SAG most in need of additional expertise?

Section X

a. Do you use programmatic goals and priorities as the basis for grant making decisions?

☐ Yes ☐ No

d. Do you establish and use procedures and criteria used to determine which programs should receive grant funding

☐ Yes ☐ No

e. Are programs routinely assessed to determine whether they should continue to receive funds?

☐ Yes ☐ No

Section XI

a. Are you leading innovation or engaging in innovative practices that others have started? (e.g. Has your state found creative ways to divert youth before they come into contact with the juvenile justice system? Have you developed workforce training programs to help system-involved and at-risk youth obtain employment skills?)

☐ Yes ☐ No

If no, please proceed to Section XII.

b. Please describe any innovative practices you developed, are leading, or adopted from others.

Section XII

a. Are all constituencies named in the JJDPA represented in the SAG and do they routinely participate in meetings?

☐ Yes ☐ No

c. Do all SAG members communicate regularly through scheduled meetings and other channels as necessary?

☐ Yes ☐ No

d. When decisions are made/action is taken, is it the result of deliberation and action by the group as a whole?

☐ Yes ☐ No

e. How often does the SAG meet? _____

Section XIII

a. Are the SAG's processes transparent? (e.g. Is the agenda and meeting date/location posted and available to the public beforehand? Are the meeting is open to the public? Are relevant documents are posted online or otherwise publicly available?)

☐ Yes ☐ No

b. Do you have access to accurate and up-to-date data on juvenile justice within the state?

☐ Yes ☐ No

c. How is this data collected and maintained?

d. What types of data are currently available?

☐ LGBTQ and GNC data ☐ Ethnicity ☐ Valid Court Order usage

☐ Number of youth referred to diversion programs ☐ Positive outcomes of programs

☐ Other

Section XIV

a. Do you have close relationships with your state's legislative branch? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

☐ Yes ☐ No

b. Please describe.

Section XV

a. Do you have close relationships with your executive branch? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

☐ Yes ☐ No

b. Please describe.

Section XVI

- a. Do you have close relationships with your judiciary branch? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

☐ Yes ☐ No

- b. Please describe.

Section XVII

- a. Do you have close relationships with advocates and other stakeholders? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

☐ Yes ☐ No

- b. Please describe.

Appendix III. JJDPa Provisions on SAG Composition and Duties

34 U.S.C.S. § 11133 (2022). State Plans

(a) In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes applicable to a 3-year period. Such a plan shall be amended annually to include new programs, projects, and activities. The State shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the original plan, and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State's publicly available website. In accordance with regulations which the Administrator shall prescribe, such plan shall—

(1) designate the State agency as designated by the chief executive officer of the State as the sole agency for supervising the preparation and administration of the plan;

(2) contain satisfactory evidence that the state agency designated in accordance with paragraph (1) has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;

(3) provide for an advisory group that—

(A) shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the State—

(i) which members have training, experience, or special knowledge concerning adolescent development, the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency;

(ii) which members include—

(I) at least 1 locally elected official representing general purpose local government;

(II) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;

(III) representatives of public agencies concerned with delinquency prevention or treatment, such as 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;

(IV) representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;

(V) volunteers who work with delinquent youth or youth at risk of delinquency;

(VI) representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities;

(VII) persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;

(VIII) 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;

(IX) 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

(X) 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;

(iii) a majority of which members (including the chairperson) shall not be full-time employees of the Federal, State, or local government;

(iv) at least one-fifth of which members shall be under the age of 28 at the time of initial appointment; and

(v) at least 3 members who have been or are currently under the jurisdiction of the juvenile justice system or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system;

(B) shall participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action;

(C) shall be afforded the opportunity to review and comment, not later than 45 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the State agency designated under paragraph (1);

(D) shall, consistent with this title—

(i) advise the State agency designated under paragraph (1) and its supervisory board;

(ii) submit to the chief executive officer and the legislature of the State at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements; and

(iii) contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system; and

(E) may, consistent with this title—

(i) advise on State supervisory board and local criminal justice advisory board composition; and

(ii) review progress and accomplishments of projects funded under the State plan;

(4) provide for the active consultation with and participation of units of local government or combinations thereof in the development of a State plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the State from making grants to, or entering into contracts with, local private agencies or the advisory group;

(5) unless the provisions of this paragraph are waived at the discretion of the Administrator for any State in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66⅔ per centum of funds received by the State under section 222 reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding funds made available to the state advisory group under section 222(d), shall be expended—

(A) through programs of units of local government or combinations thereof, to the extent such programs are consistent with the State plan;

(B) through programs of local private agencies, to the extent such programs are consistent with the State plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and

(C) to provide funds for programs of Indian Tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age.

(6) provide for an equitable distribution of the assistance received under section 222 within the State, including in rural areas;

(7)(A) provide for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State (including any geographical area in which an Indian Tribe has jurisdiction), a description of the services to be provided, and a description of performance goals and priorities, including a specific statement of the manner in which programs are expected to meet the identified juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) of the State; and

(B) contain—

(i) an analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services;

(ii) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

(iii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas;

(iv) a plan to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;

(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

(vi) a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement;

(vii) a plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system;

(viii) a plan to promote evidence-based and trauma-informed programs and practices; and

(ix) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, a plan which shall be implemented not later than 2 years after the date of enactment of the Juvenile Justice Reform Act of 2018, to—

(I) eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and postpartum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; and

(II) eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless—

(aa) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or

(bb) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method;

(8) provide for the coordination and maximum utilization of evidence-based and promising juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State;

(9) provide that not less than 75 percent of the funds available to the State under section 222, other than funds made available to the State advisory group under section 222(d), whether expended directly by the State, by the unit of local government, or by a combination thereof, or through grants and contracts with public or private nonprofit agencies, shall be used for, with priority in funding given to entities meeting the criteria for evidence-based or promising programs—

(A) community-based alternatives (including home-based alternatives) to incarceration and institutionalization including—

(i) for status offenders and other youth who need temporary placement: crisis intervention, shelter, and after-care;

(ii) for youth who need residential placement: a continuum of foster care or group home alternatives that provide access to a comprehensive array of services; and

(iii) for youth who need specialized intensive and comprehensive services that address the unique issues encountered by youth when they become involved with gangs;

(B) community-based programs and services to work with—

(i) status offenders, other youth, and the parents and other family members of such offenders and youth to strengthen families, including parent self-help groups, so that juveniles may remain in their homes;

(ii) juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and

(iii) parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited-English speaking ability;

(C) comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering youth services;

(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;

(E) educational programs or supportive services for at-risk or delinquent youth or other juveniles—

(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations, including for truancy prevention and reduction;

(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and

(iii) enhance coordination with the local schools that such juveniles would otherwise attend, to ensure that—

(I) the instruction that juveniles receive outside school is closely aligned with the instruction provided in school; and

(II) information regarding any learning problems identified in such alternative learning situations are communicated to the schools;

(F) programs to expand the use of probation officers—

(i) particularly for the purpose of permitting non-violent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

(ii) to ensure that juveniles follow the terms of their probation;

(G) programs—

(i) to ensure youth have access to appropriate legal representation; and

(ii) to expand access to publicly supported, court-appointed legal counsel who are trained to represent juveniles in adjudication proceedings, except that the State may not use more than 2 percent of the funds received under section 222 for these purposes;

(H) counseling, training, and mentoring programs, which may be in support of academic tutoring, vocational and technical training, and drug and violence prevention counseling, that are designed to link at-risk juveniles, juvenile offenders, or juveniles who have a parent or legal guardian who is or was incarcerated in a Federal, State, tribal, or local correctional facility or who is otherwise under the jurisdiction of a Federal, State, tribal, or local criminal justice system, particularly juveniles residing in low-income and high-crime areas and juveniles experiencing educational failure, with responsible individuals (such as law enforcement officials, Department of Defense personnel, individuals working with local businesses, and individuals working with community-based and faith-based organizations and agencies) who are properly screened and trained;

(I) programs designed to develop and implement projects relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist community services, law enforcement, and juvenile justice personnel to more effectively recognize and provide for learning disabled and other juveniles with disabilities;

(J) projects designed both to deter involvement in illegal activities and to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of youth;

(K) programs and projects designed to provide for the treatment of youths' dependence on or abuse of alcohol or other addictive or nonaddictive drugs;

(L) programs for positive youth development that assist delinquent and other at-risk youth in obtaining—

- (i) a sense of safety and structure;
- (ii) a sense of belonging and membership;
- (iii) a sense of self-worth and social contribution;
- (iv) a sense of independence and control over one's life; and
- (v) a sense of closeness in interpersonal relationships;

(M) programs that, in recognition of varying degrees of the seriousness of delinquent behavior and the corresponding gradations in the responses of the juvenile justice system in response to that behavior, are designed to—

- (i) encourage courts to develop and implement a continuum of pre-adjudication and post-adjudication alternatives that bridge the gap between traditional probation and confinement in a correctional setting (including specialized or problem-solving courts, expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation); and
- (ii) assist in the provision of information and technical assistance, including technology transfer, in the design and utilization of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior;

(N) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families and reduce the risk of recidivism;

(O) programs (including referral to literacy programs and social service programs) to assist families with limited English-speaking ability that include delinquent juveniles to overcome language and other barriers that may prevent the complete treatment of such juveniles and the preservation of their families;

(P) programs designed to prevent and to reduce hate crimes committed by juveniles;

(Q) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;

(R) community-based programs that provide follow-up post-placement services to adjudicated juveniles, to promote successful reintegration into the community;

(S) projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system;

(T) programs designed to provide mental health or co-occurring disorder services for court-involved or incarcerated juveniles in need of such services, including assessment, development of individualized treatment plans, provision of treatment, and development of discharge plans;

(U) programs and projects designed—

(i) to inform juveniles of the opportunity and process for sealing and expunging juvenile records; and

(ii) to assist juveniles in pursuing juvenile record sealing and expungements for both adjudications and arrests not followed by adjudications except that the State may not use more than 2 percent of the funds received under section 222 for these purposes;

(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian Tribe; and

(W) monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements to secure facilities;

(10) provide for the development of an adequate research, training, and evaluation capacity within the State;

(11)(A) in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if—

(i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding—

(I) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

(II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and

(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or

(ii) the juvenile—

(I) is not charged with any offense; and

(II)(aa) is an alien; or

(bb) is alleged to be dependent, neglected, or abused; and

(B) require that—

(i) not later than 3 years after the date of enactment of the Juvenile Justice Reform Act of 2018, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

(I) shall not have sight or sound contact with adult inmates; and

(II) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

(ii) in determining under clause (i) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight or sound contact with adult inmates, a court shall consider—

(I) the age of the juvenile;

(II) the physical and mental maturity of the juvenile;

(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

(IV) the nature and circumstances of the alleged offense;

(V) the juvenile's history of prior delinquent acts;

(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

(VII) any other relevant factor; and

(iii) if a court determines under clause (i) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

(II) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation;

(12) provide that—

(A) juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have sight or sound contact with adult inmates; and

(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates, including in colocated facilities, have been trained and certified to work with juveniles;

(13) provide that no juvenile will be detained or confined in any jail or lockup for adults except—

(A) juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

(i) for processing or release;

(ii) while awaiting transfer to a juvenile facility; or

(iii) in which period such juveniles make a court appearance;

and only if such juveniles do not have sight or sound contact with adult inmates and only if there is in effect in the State a policy that requires individuals who work with both such juveniles and adult inmates in colocated facilities have been trained and certified to work with juveniles;

(B) juveniles who are accused of nonstatus offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

(i) in which—

(I) such juveniles do not have sight or sound contact with adult inmates; and

(II) there is in effect in the State a policy that requires individuals who work with both such juveniles and adults inmates in colocated facilities have been trained and certified to work with juveniles; and

(ii) that—

(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

(II) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

(III) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;

(14) provide for an effective system of monitoring jails, lock-ups, detention facilities, and correctional facilities to ensure that the core requirements are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraphs (11) and (12), and which has enacted legislation which conforms to such requirements and which contains sufficient enforcement mechanisms to ensure that such legislation will be administered effectively;

(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

(A) establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian Tribes to reduce racial and ethnic disparities;

(B) identifying and analyzing data on race and ethnicity at decision points in State, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and

(C) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B);

(16) provide assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, ethnicity, family income, and disability;

(17) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible);

(18) provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy with regard to records relating to such services provided to any individual under the State plan;

(19) provide assurances that—

(A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) of any currently employed employee;

(B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;

(20) provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title;

(21) provide reasonable assurances that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, tribal, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, tribal, and other non-Federal funds;

(22) provide that the State agency designated under paragraph (1) will—

(A) to the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based;

(B) from time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary; and

(C) not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the State agency;

(23) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—

(A) an appropriate public agency shall be promptly notified that such status offender is held in custody for violating such order;

(B) not later than 24 hours during which such status offender is so held, an authorized representative of such agency shall interview, in person, such status offender;

(C) not later than 48 hours during which such status offender is so held—

(i) such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such status offender;

(ii) such court shall conduct a hearing to determine—

(I) whether there is reasonable cause to believe that such status offender violated such order; and

(II) the appropriate placement of such status offender pending disposition of the violation alleged; and

(iii) if such court determines the status offender should be placed in a secure detention facility or correctional facility for violating such order—

(I) the court shall issue a written order that—

(aa) identifies the valid court order that has been violated;

(bb) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order;

(cc) includes 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;

(dd) specifies the length of time, not to exceed 7 days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender's release from such facility; and

(ee) may not be renewed or extended; and

(II) the court may not issue a second or subsequent order described in subclause (I) relating to a status offender unless the status offender violates a valid court order after the date on which the court issues an order described in subclause (I); and

(D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter;

(24) provide an assurance that if the State receives under section 222 for any fiscal year an amount that exceeds 105 percent of the amount the State received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services;

(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the State advisory group under section 222(d)) that the State will

reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units;

(26) provide that the State, to the maximum extent practicable, and in accordance with confidentiality concerns, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court, so as to provide for—

(A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and

(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect;

(27) provide assurances that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675);

(28) provide for the coordinated use of funds provided under this title with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

(29) describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques;

(30) describe—

(A) the evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who—

(i) request a screening;

(ii) show signs of needing a screening; or

(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

(B) how the State will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment;

(31) describe how reentry planning by the State for juveniles will include—

(A) a written case plan based on an assessment of needs that includes—

(i) the pre-release and post-release plans for the juveniles;

(ii) the living arrangement to which the juveniles are to be discharged; and

(iii) any other plans developed for the juveniles based on an individualized assessment;
and

(B) review processes;

(32) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

(B) the credits of adjudicated juveniles are transferred; and

(C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

(33) describe policies and procedures to—

(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

(B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.

(b) The State agency designated under subsection (a)(1), after receiving and considering the advice and recommendations of the advisory group referred to in subsection (a), shall approve the State plan and any modification thereof prior to submission to the Administrator.

(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such core requirement with respect to which the State is in noncompliance; or

(ii) the Administrator determines that the State—

(I) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

(A) 50 percent of the unallocated funds shall be reallocated under section 222 to States that have not failed to comply with the core requirements; and

(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements.

(d) In the event that any State chooses not to submit a plan, fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 802, 803, and 804 of title I of the Omnibus Crime Control and Safe Streets Act of 1968¹⁰, determines does not meet the requirements of this section, the Administrator shall endeavor to make that State's allocation under the provisions of section 222(a), excluding funds the Administrator shall make available to satisfy the requirement specified in section 222(d), available to local public and private non-profit agencies within such State for use in carrying out activities of the kinds described in the core requirements. The Administrator shall make funds which remain available after disbursements are made by the Administrator under the preceding sentence, and any other unobligated funds, available on an equitable basis to those States that have achieved full compliance with the core requirements.

(e) Notwithstanding any other provision of law, the Administrator shall establish appropriate administrative and supervisory board membership requirements for a State agency designated under subsection (a)(1) and permit the State advisory group appointed under subsection (a)(3) to operate as the supervisory board for such agency, at the discretion of the chief executive officer of the State.

(f) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Administrator shall provide technical and financial assistance to an eligible organization composed of member representatives of the State advisory groups appointed under subsection (a)(3) to assist such organization to carry out the functions specified in paragraph (2).

(2) ASSISTANCE.—To be eligible to receive such assistance, such organization shall agree to carry out activities that include—

(A) disseminating information, data, standards, advanced techniques, and program models;

(B) reviewing Federal policies regarding juvenile justice and delinquency prevention;

(C) advising the Administrator with respect to particular functions or aspects of the work of the Office; and

(D) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.

(g) COMPLIANCE DETERMINATION.—

(1) IN GENERAL.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this title is in compliance or out of compliance with respect to each of the core requirements.

(2) REPORTING.—The Administrator shall—

(A) issue an annual public report—

(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

(B) make the report described in subparagraph (A) available on a publicly available website.

(3) DETERMINATIONS REQUIRED.—The Administrator may not—

(A) determine that a State is “not out of compliance”, or issue any other determination not described in paragraph (1), with respect to any core requirement; or

(B) otherwise fail to make the compliance determinations required under paragraph (1).

Part C of title II was repealed by section 206 of Public Law 115–385.

Appendix IV. Training and Technical Assistance Resources

State Advisory Groups (SAGs) should draw on expertise that exists both within their states and across the country. The Office of Juvenile Justice and Delinquency Prevention (OJJDP), for example, is available to provide training and technical assistance. The office's Center for Coordinated Assistance to States (CCAS) is dedicated to coordinating the delivery of training and technical assistance to states, tribes, territories, and communities. To learn more, visit <https://ojjdp.ojp.gov/tta-provider/center-coordinated-assistance-states-ccas>.

OJJDP offers other resources for states as well, including the CCAS Information Hub. This center serves as a hub for those working on reducing and eliminating racial and ethnic disparities within the juvenile justice system. It provides important tools about new practice standards and upcoming training opportunities. To access the CCAS Information Hub, visit <https://ccastates.org/>.

The Coalition for Juvenile Justice (CJJ) is also able to provide assistance and help connect states with other SAGs that have successfully navigated similar struggles.

Private foundations can also serve as important partners as the SAG seeks to implement change. In recent years, the Annie E. Casey Foundation, Racial Equity 2030, and the Tow Foundation have taken active roles in juvenile justice and delinquency prevention reform efforts in various states across the country. (For more information on these foundations and their programs, please see *State Advisory Groups as Change Agents: A Step-by-Step Guide*.)

Appendix V. Additional Resources

Coalition for Juvenile Justice: [New SAG Member Training](#)

Coalition for Juvenile Justice, in partnership with the Office of Juvenile Justice and Delinquency Prevention: [Strategic Planning and the Comprehensive 3-Year Plan](#)

Coalition for Juvenile Justice: [Youth Manual: A Resource for New and Continuing Youth State Advisory Group Members](#)

Office of Juvenile Justice and Delinquency Prevention: [New Member/Refresher Training](#)

Appendix VI. Charters, Executive Orders, and Bylaws

Bylaws:

- California – [Governor Newsom Issues Executive Order on State Prisons and Juvenile Facilities in Response to the COVID-19 Outbreak](#), found [here](#).
- Washington, DC – [Bylaws](#). The Washington, DC, State Advisory Group (SAG) changed its bylaws to create a youth chair role. This co-chair of the full SAG is a position that can only be held by a youth member but is an optional role, filled only if a youth member has the capacity for and interest in doing it. The co-chair role also serves as an opportunity for youth to receive additional, targeted support that prepares them to step into the vice chair or chair role.
- Idaho – The Idaho SAG is governed by the following bylaws: [Idaho Juvenile Justice Commission Youth Committee Bylaws](#)

Executive Orders Relating to the SAG:

- Indiana – [Executive Orders](#). The governor granted permission for a designee to appoint youth SAG members.
- Maryland – [Executive Order](#)
- Massachusetts – [No. 522: Reestablishing a Juvenile Justice Plan for Massachusetts | Mass.gov](#)
- New Hampshire – [Executive Order 2021-11](#)
- New Jersey – [EXECUTIVE ORDER NO. 42](#): Through a partnership led by the Juvenile Justice Commission (“JJC”) and the Judiciary, New Jersey is recognized as a national leader in the Juvenile Detention Alternatives Initiative (“JDAI”) as a result of successfully, sustainably, and safely reducing its incarcerated youth population.

- Washington – [EXECUTIVE ORDER 82-21 ESTABLISHING THE GOVERNOR'S JUVENILE JUSTICE ADVISORY COMMITTEE](#)
- Wisconsin – [Executive Order](#)

SAG Web Pages

- [Arizona Juvenile Justice Commission | Governor's Office of Youth, Faith and Family](#)
- [Colorado Juvenile Justice and Delinquency Prevention Council | Division of Criminal Justice](#)
- [Idaho Juvenile Justice Commission](#)
- [New York State Juvenile Justice Advisory Group Action Plan](#)
- [Virginia Advisory Committee on Juvenile Justice | Virginia Department of Criminal Justice Services](#)

Appendix VII. SAG and Committee Structure

State Advisory Groups (SAGs) are tasked with a range of important duties. Creating committees with clearly defined roles and responsibilities can help ensure this work is accomplished in a timely and efficient manner. The following are examples of committees in various states that were created to help ensure the work continues between meetings of the full SAG body:

- Hawaii – [Committees](#):
 - Prevention & Accountability Committee
 - Ethnic & Cultural Diversity Committee
 - Executive Committee
 - Compliance Committee
 - Youth Committee
 - Juvenile Justice State Advisory Council (JJSAC) Full Body Committee
- [Idaho](#) – [Committees](#):
 - Tribal council
 - Executive committee
 - Ad hoc committees
 - Standing committee, composed of:
 - » Youth committee
 - » Program committee
 - » Legislative committee
 - » Grants application committee
- California – Committees:
 - [Reducing Racial and Ethnic Disparities Subcommittee – Board of State and Community Corrections \(BSCC\)](#)
 - [Juvenile Justice Standing Committee \(JJSC\)](#)
 - [State Advisory Committee on Juvenile Justice & Delinquency Prevention \(SACJJD\)](#)
- [Maryland](#) – Committees:
 - Executive Committee

- » *Executive Committee consists of the Chair, Immediate Past Chair (when applicable), Vice Chair and the four committee Chairs. The Executive Committee shall meet at the call of the Chair and shall have the authorization to conduct all SAG business that cannot be held until the next scheduled SAG meeting, and when timing doesn't allow for a full SAG conference call.*
- Grant Monitoring Committee
 - » *Responsibilities include supporting staff with ongoing monitoring of grant recipients; developing a structure for providers to present to SAG; site visits to providers and recommending technical assistance when indicated; and work with providers to develop strategies and to promote information sharing.*
- Emerging Leaders Committee
 - » *Includes all SAG youth members and is supported by adult SAG members. Agenda and projects will be developed by the youth but will include creation of mechanisms for gaining broader youth input for the SAG.*
- Recruitment, Training, and Regionalization Committee
 - » *Assist staff with recruitment of new members and recommendations to Governor for approval; develop new member orientation; collaborate with the Youth Committee to recruit appropriate youth to the SAG; and develop and oversee a regionalization plan for the SAG, as well as a plan to raise the SAG's profile statewide. Develop a plan to better support new SAG members.*
- DMC Committee
 - » *This committee will be staffed by the State DMC Coordinator and will include two local DMC Coordinators elected by the local DMC Coordinators. The DMC Subcommittee will assist in drafting the strategic plan to reduce disproportionate minority contact at various decision-making points in the system, and in demonstrating the impact of policy and program initiatives through development of expedited and comprehensive data collection mechanisms that they recommend.*
- Vermont currently has an advisory panel on racial disparities in the criminal and juvenile justice systems: [Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel](#). Their SAG committees are also working on improving youth partnership, creating new job descriptions for SAG positions, and working on other structural updates to their SAG's operations.



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