



State Advisory Groups: Leading System Change



Coalition for Juvenile Justice

2019

About the Coalition for Juvenile Justice

The Coalition for Juvenile Justice (CJJ) is 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. CJJ envisions 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.

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Introduction

For more than three decades, juvenile justice State Advisory Groups (SAGs) have played a critical role in improving juvenile justice systems at the state and local level. These groups, also known as Juvenile Justice Advisory Committees and Juvenile Justice Advisory Groups, were first established through the Juvenile Justice and Delinquency Prevention Act (JJDPa) ¹, the country's seminal legislation related to juvenile justice.

The Act is based on a broad consensus that children, youth, and families involved with the juvenile and criminal courts should be guarded by federal standards for care and custody, while also upholding the interests of community safety and the prevention of victimization. Through the Act, a nationwide juvenile justice planning and advisory system was established, known as 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.² SAGs are given the authority to help set programmatic goals, to help guide policy, to create a three-year state juvenile justice and delinquency prevention plan, and to administer federal funds received through the JJDPa. Over the past decade, SAGs have faced a number of challenges. Since 2002 federal appropriations

to states, localities, and tribes for juvenile justice programs have decreased drastically. Title II has been cut by 32.4%, Title V has been cut by 74%, and the Juvenile Accountability Block Grant has been completely zeroed out.³ With this decrease in funding, SAGs have had to adapt and find other ways to support youth in the juvenile justice system.

For example, Colorado reported that their SAG has shifted from being "viewed merely as a funder" to now serving as a "change agent for improvements to Colorado's juvenile justice system." Similarly, Maine said that their SAG has moved from "service based subgrants to larger system work." Minnesota reported that their focus has shifted to "policy and partnerships." Other SAGs, however, were trying to identify their new role.

This report seeks to help SAGs better understand ways they can help lead juvenile justice system improvements in their states and localities in the face of decreased funding. With the recent reauthorization of the JJDPa on December 21, 2018, it is extremely important for SAGs to continue to ensure the Act's requirements are being implemented and that youth are receiving appropriate care and support.

"State Advisory Groups can play an incredibly important role in shaping their states' juvenile justice and delinquency prevention system(s). SAG members need to view themselves first as individuals with great education and/or experience that gives them a unique perspective on how the system currently works, what it does well and what can be improved. They then need to see themselves as a force for change when they work collectively together, as a State Advisory Group. The diversity of sometimes opposing opinions voiced in SAG and SAG committee discussions is exactly what is needed in order to come to the best possible solutions."

Meg Williams, Juvenile Justice Specialist, Colorado

Methodology

To gather data, Juvenile Justice Specialists and SAG Chairs were asked to complete a 10-question online survey about their SAG. Each question was open-ended. Additional follow up interviews were also conducted.

Leading Change: Compliance

One of the SAG's primary roles is ensuring that their state is in compliance with the JJDPa and its core protections 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.

While all SAGs play a role in compliance, they do not all play the same role. Some SAGs are directly involved with all levels of compliance monitoring while others serve as a support for their compliance monitor, receiving reports and ensuring all duties are being met.

For example, the Idaho SAG steers all compliance monitoring activities through its Compliance Monitoring Committee. This committee develops and oversees the state's strategic plans regarding the core requirements. Idaho reported the state's "Compliance Monitor works directly with the SAG committee to implement activities" and committee members are "often called on to support priorities." On the other hand, the District of Columbia's SAG does not play a direct role in compliance monitoring.

Alaska, meanwhile, reported that their SAG "reviews compliance monitoring services and structure, as well as report data. SAG members are provided quarterly updates on compliance monitoring data, progress, and concerns." Similarly, Colorado's SAG funds a

statewide compliance monitor and reviews their work at every SAG meeting.

Compliance monitoring is one of the most important roles a SAG has. Compliance monitoring ensures that youth who come into contact with the system receive the best care and are treated with respect.

Getting Started:

- Create a compliance subcommittee within your SAG.
- Review and monitor data to see where your state's system is doing well and where there are challenges.
- Reach out to training and technical assistance providers to identify solutions to problems that are identified.



From left, Jacob Carmickle, Garrett Comer, Joseph Huntly and Aaron Toleafoa attend the bill signing ceremony for Senate Bill 6160 with Gov. Jay Inslee. The four youth were among those who wrote legislators in support of the bill.

Leading Change: Educating Policymakers and Improving Systems

Since the first enactment of the JJDPa in 1974, State Advisory Groups have played an important role in shaping their state's juvenile justice systems and their approach to reducing the number of young people who come into contact with the system. As part of their work, SAGs are required to submit a report to their governor. This report can serve as an important tool to help SAGs implement change. This report includes updates on how programs are faring, as well as recommendations for policy changes for juvenile justice system improvements.

In 1974, former U.S. Senator Birch Bayh [D-IN], the original legislative champion of the JJDPa, testified before Congress that State Advisory Groups were needed "to see that we have a coordinated effort in which those who are knowledgeable in the area of juvenile

justice will have a direct role at the state planning level."⁴ This notion is still relevant and important decades later. SAGs should feel empowered to recommend policy changes that help improve juvenile justice in their state and move towards a developmentally sound system. SAGs are able to educate on changes that are necessary in order to maintain or achieve compliance with the JJDPa.

For example, Colorado reported that the SAG has been reviewing the state's Children's Code, which includes their juvenile justice laws, for the past several years. The SAG hired a facilitator and created a Code Review Committee in order to identify how the code can be improved to reflect adolescent development and brain development.

In 2015, when the Colorado SAG determined that they wanted to review the Children's Code, they informed the Office of Juvenile Justice and Delinquency Prevention (OJJDP)⁵ and requested guidance on how to move forward without violating federal lobbying laws. As reported by Colorado's SAG, "OJJDP advised that analyzing how the state code may or may not align with current research on the developmental approach to youth justice, including identifying broad implications for reform work, is an allowable activity for the SAG under Section 223(a)(3)⁶ of the JJDP." The Code Review Committee operationalized this advice by creating a process for the Committee to identify basic issues, principles, and terms, such as cultural appropriateness, evidence-based, and restorative, that need to be changed or added in the code. Using the basic issues, terms, and principles identified, the Committee assessed the state's current laws to determine if there were discrepancies between the law and best practices. If a concern was identified, the Committee would cite the concern, provide evidence or research supporting the concern, and, when possible, identify an alternative.

The Colorado SAG's efforts to review the Code have been successful. In April 2018, the Colorado General Assembly passed House Joint Resolution 18-1013, which recognized the SAG's work and encouraged the SAG to redraft Article 2 of the Children's Code by August 2020.⁷ The resolution states "the important work of the [Code Review] Committee and the JJDP Council [SAG] is paramount to creating a developmentally appropriate juvenile justice system that promotes public safety, individual accountability, juvenile rehabilitation, and positive adolescent development.

While the Colorado SAG has focused on reviewing and updating an existing law, the Washington State SAG has focused their efforts on newly introduced legislation. As reported in the Washington State Partnership on Juvenile Justice 2017 Annual Report to the Governor and State Legislature, the SAG's Legislative Committee reviews "proposed legislation that impacts the juvenile justice system and identifies areas requiring reform related to juvenile justice policies and legislation."⁸ In 2018, the Legislative Committee had six legislative accomplishments, including Senate Bill 6160 being signed into law.⁹

Senate Bill 6160 removes the auto-decline requirement that all youth ages 16-17 who commit certain serious crimes be sentenced to adult court and extends juvenile court jurisdiction to age 25, rather than transferring youth to adult prisons at age 21 as the state previously did.¹⁰ Youth SAG members and their peers at Green Hill School, a state-run detention facility, played an integral part in getting this bill passed. They wrote several letters and provided public testimony to educate legislators on the importance of Senate Bill 6160.

In April 2019, the Youth SAG members and their peers at Green Hill School helped Washington achieve additional legislative victories for youth with the passage of [House Bill 1646](#),¹¹ [Senate Bill 5290](#),¹² and [Senate Bill 5815](#).¹³ These bills allow young people to remain under the jurisdiction of the Department of Children, Youth, and Families until the age of 25; phase out the placement of youth charged with status offenses in detention facilities; and increase the use of community-based alternatives and enrichment opportunities in place of confinement, respectively.

“As a teenager it is easy to be influenced by an older generation. Sometimes that can be detrimental to youth. But when youth are able to witness their older peers do something positive with the hand they’ve been dealt, it is likely that the same positive thinking will become contagious and infect the minds of younger people. I speak from experience. Having role models that were very influential had made me think about doing some of the same things as them and even more. Who would’ve thought that incarcerated youth would be advising their state on juvenile justice issues? Myself and my other youth around me have done things from changing policy in our institution to play major roles in pieces of legislation being passed and signed by the Governor. I believe that our work will continue on our pursuit for change.”

Aaron Toleafoa, Youth Advocate, CJJ 2018 & 2019 Emerging Leader Committee Member, Washington State

Similar to Washington, the Vermont SAG played an important role in setting the stage for the state’s passage of [Senate Bill 234](#)¹⁴, which raised the age of juvenile jurisdiction to include 18 and 19 year-olds. Vermont reported the SAG worked for over 20 years educating the community on adolescent brain development, cultivating relationships, and supporting the expansion of court diversion, all of which allowed for stakeholders and legislators to view youth differently than adults and ultimately pass Senate Bill 234.

In the early 2000s, Vermont reported, the SAG established a Juvenile Jurisdiction Committee. The purpose of this committee was to lead the SAG’s efforts on increasing the state’s juvenile jurisdiction and to provide training on adolescent brain development and collateral consequences. The committee testified on numerous juvenile justice related bills and provided training to prosecutors in 2009.

In 2009, the SAG reviewed data on the number of cases that were being transferred to the adult system. As reported by Vermont, the data revealed that 70% of all cases of 16 and 17 year-olds were being transferred to District Court. In response to this, the

Vermont SAG hired a retired state’s attorney to meet one-on-one with prosecutors to review their individual data on cases of 16 and 17 year-olds, encourage the reliance on risk-need screenings to inform charging decisions in Family Court, and develop a protocol for increasing the number of youth under 18 charged in Family Court. This provided an opportunity for the SAG to connect with prosecutors and educate them on how to work with the Department of Children and Families on administering risk assessments.

In addition to cultivating relationships with prosecutors and other stakeholders, the Vermont SAG has been a strong supporter of community-based programs and restorative justice practices. Vermont reported that in 2010 the SAG issued a grant that expanded and strengthened the use of restorative justice principles and Risk-Need-Responsivity case management with the Court Diversion programs. This allowed the SAG to support the use of alternatives to court.

For Vermont, the combination of advocacy and education on juvenile jurisdiction and adolescent brain development, the cultivation of strong relationships with a variety of

system-stakeholders, and the increased credibility of community-based programs and restorative justice practices all played a critical role in the passage of Senate Bill 234.

The Illinois SAG has also made policy reform a priority for the past decade. As part of their work, SAG members have strategically volunteered to research issues related to juvenile justice for the state legislature. They then provide reports on these topics. They have examined a broad range of issues, including juvenile parole. As part of this effort, the Illinois SAG held several hearings of the state's parole board. They then conducted trainings on improved parole processes. In a 2016 CJJ report the Illinois SAG stated that prior to their efforts, juvenile justice practitioners did not always know how the parole system worked. The SAG's training helped highlight the existing process, best practices in the area of juvenile parole, and where their system fell short.

A variety of other states are also helping lead the way in improving their state's juvenile justice system. In Idaho, "the SAG is the primary voice for youth in the system. The SAG convenes stakeholders for discussions on critical issues. They work with practitioners to improve processes. The Idaho SAG has invested time educating policymakers, but is very cautious not to create questions of lobbying." In Maine, the SAG promotes "studies, recommendations, and reports along with presentations to Legislators and active participation in a number of state-wide groups that focus on matters relating to the juvenile justice system." The New Mexico SAG said they "present at a statewide conference and testify in legislative subcommittees."

Getting Started:

- Educate all SAG members on differences between lobbying and education.
- Help SAG and related staff understand new JJDPa requirements, and the ways their state's policies may need to be updated as a result.
- Determine if SAG members are willing to dedicate their efforts to long-term systemic change.
- Create a committee dedicated to system change, build relationships with state legislators and advocacy groups.

Advocacy is educating and making a case for a particular cause or mission, which can lead to systemic changes, meanwhile **lobbying** is the attempt to influence legislation. SAGs are able to educate on changes that are necessary in order to maintain or achieve compliance with the JJDPa. However, as a general rule, federal funds cannot be used for advocacy.



Leading Change: JJDPa Implementation

In December 2018, lawmakers reauthorized the Juvenile Justice & Delinquency Prevention Act for the first time in 16 years. The reauthorization provides key updates to strengthen the Act's core protections, requires that states address both racial and ethnic disparities, establishes that states must acknowledge reentry planning efforts in their three-year plans, ensures juvenile justice programs and practices are both evidence-based and trauma-informed, addresses the needs of system-involved girls, and [more](#).¹⁵ The changes in the reauthorization reflect the direction states have been moving in for a number of years.

Below is a discussion regarding changes to the core requirements and how SAGs can help lead the way in implementing change.

Racial and Ethnic Disparities¹⁶

The 2018 reauthorization of the JJDPa shifted the “Disproportionate Minority Contact” (DMC) core protection to address “Racial and Ethnic Disparities” (RED). This change requires states to assess and address both racial and ethnic disparities in the juvenile justice system. This is a change from previous iterations of the law and includes for the first time ethnicity, as defined by the US Census Bureau, as part of state data collection and assessment.¹⁷ Additionally, states are now required to make an actionable plan with measurable goals that are aimed at addressing points of disparity shown through data. Studies indicate that youth of color receive tougher sentences and are more likely to be incarcerated than white youth for the same behaviors.¹⁸ States and

communities have long sought ways to address the crisis presented by RED.

Of the 17 states that responded to the survey, 14 have created a subcommittee dedicated to RED. These groups take on a broad range of work.

Data collection and analysis is critical. For example, Kentucky SAG Members reported that they use RED data to educate stakeholders about disparities at various points of contact throughout the system, to keep the Juvenile Justice Oversight Committee up to date on the unintended consequences of system changes, and to inform juvenile justice policy and initiatives. The data is used as a starting point for implicit bias and cultural collision trainings that are required for all Court Designated Worker (CDW) Program¹⁹ employees. Building from these trainings, the Kentucky SAG's Subcommittee for Equity and Justice for All Youth (SEJAY) and Administrative Office of the Courts' Court Designated Worker (CDW) Program work with every county to review local RED data, identify the contact points where RED exists, and develop an action plan to address these disparities. The progress of the action plan is reviewed every quarter and reported to CDW Program leadership.

In addition to educating local communities about their RED data, Kentucky reported, the SEJAY and CDW Program leadership have educated local and state legislators. Over the past two years, Kentucky's state government has put forward three bills to address the disparities in their juvenile justice system.

Once data is collected and analyzed, SAGs can help ensure programs are built to address the issues identified. For example, Minnesota reported that in 2017 the SAG funded a two-year program, entitled Listen, Learn, Lead,

dedicated to understanding more about the disparities that exist in their juvenile justice system by "having meetings with youth in each judicial district to gather data on systems improvements." This program is aimed at collecting important RED data and building relationships between youth and juvenile justice professionals, while enhancing the SAG's knowledge about what might effectively improve and impact RED in Minnesota.²⁰

Listen, Learn, Lead sessions are three-hour, facilitated fishbowl conversations with youth in each judicial district. SAG members and stakeholders who attend the sessions only participate as listeners. The questions asked are "aimed at uncovering everything from ways in which youth were 'let down' to community-based, grassroots efforts underway that are currently working but not 'on the radar' of juvenile justice professionals."²¹

A variety of questions are asked during each session, including the following:

- When you think about the justice system and your life, what have been some of your needs when you have faced problems? What did you need during that time?
- What did you need from the system-police department, judges, probation, etc.- to do differently in order to be happy?
- How can the people around you support you do what you enjoy doing (writing, rituals)?

This program allows for the SAG to learn more from young people about young people's needs, which is critically important.

Meanwhile, the New Hampshire SAG has helped to coordinate two programs, Effective Police Interactions with Youth and the Mirror

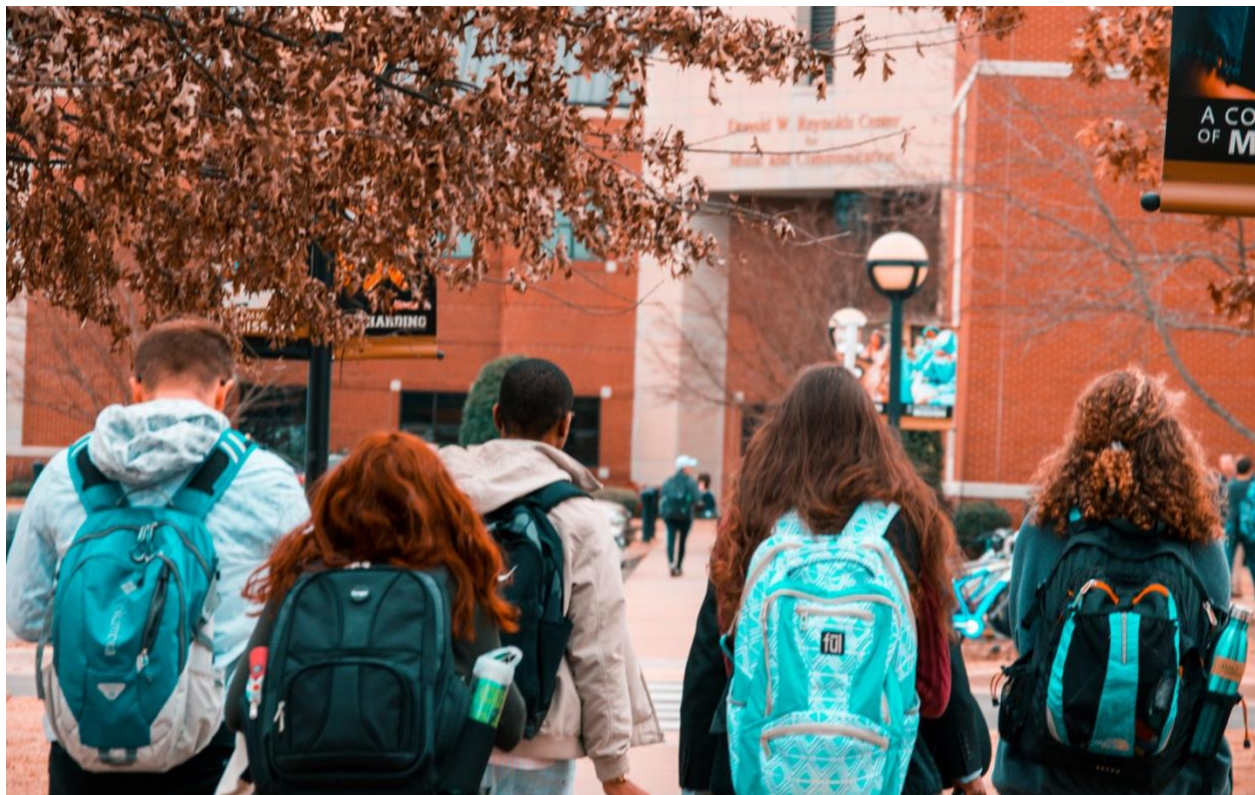
Project, both of which aim to reduce racial and ethnic disparities within the juvenile justice system by improving youth and police relationships. The Effective Police Interactions with Youth is a six-hour training “specifically designed to help officers understand youth development and juvenile behavior, as well as the increasing diversity of New Hampshire.”²² The Mirror Project is a “one-hour training for youth to help them better understand what they can expect in the event they find themselves in an encounter with a police officer.”²³

The Mirror Project was designed to give youth a look into police training, and why officers do what they do. It provides a bridge to understanding why an officer, for example, asks a person to show them their hands. The training mirrors the training police officers receive. Presented in an age-appropriate

format for youth, the hour-long training is designed to help youth better understand what they can expect if, or when, they encounter a law enforcement officer. In 2017, the program was offered in various locations including junior high schools, Boys and Girls Clubs, and YMCAs.²⁴

Deinstitutionalization of Status Offenders²⁵

A status offense is a behavior that would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult. The most common examples of status offense behaviors are truancy, running away, or violating curfew laws. Under the JJDPA, youth charged with a status offense may not be held in secure detention or confinement. However, an exception continues to exist in the law known as the valid court order (VCO) exception.



Under this exception, for example, a young person who is brought before the judge for running away from home can be placed in secure detention if the judge has previously ordered them to stop running away from home.

The 2018 reauthorization clarified, for the first time, what constitutes a valid court order for purposes of detaining a young person charged with a status offense. The Act states that if a court determines a young person charged with a status offense should be placed in a secure detention facility or correctional facility for violating a valid court order, the court must issue a written order that:

1. Identifies the valid court order that has been violated;
2. Specifies the factual basis for determining that there is reasonable cause to believe that the youth has violated such order;
3. Includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the youth in such a facility, with due consideration to the best interest of the juvenile; and
4. Specifies the length of time, not to exceed seven days, that the youth may remain in a secure detention facility or correctional facility, and includes a plan for their release from such facility.²⁶

A VCO may not be renewed or extended.²⁷

States have used a broad range of programs to limit the use of the VCO with many states seeing dramatic reductions in its use. Between 2010 and 2017, for example, Colorado decreased the number of young

people detained for a status offense by 91 percent.²⁸

In 2010 Colorado sentenced 482 youth charged with status offenses to detention. In response to this record high number, Colorado's SAG prioritized education and decreasing the state's use of the VCO. The SAG created an education subcommittee to study the state's truancy data, to understand why the courts and detention were used to address truancy, and to identify best practices. Additionally, Colorado's Division of Criminal Justice hired a consulting firm to identify youth who were found truant by the courts and to track their outcomes. The goal of this evaluation was to illustrate that detaining youth for truancy is a harmful and unsuccessful practice.

Using data from fiscal years 2009 and 2010, the study identified 2,181 youth with truancy filings. Of those identified, 338 were placed in a secure detention facility. The evaluation found that when compared to the state's general population, youth with truancy filings were less likely to graduate from high school and more likely to be a person of color, a non-native English speaker, eligible for free or reduced lunch, to participate in English as a Second Language classes, to have a special education status, or to receive public mental health services. Furthermore, youth detained for truancy were three times more likely to have severe mental health concerns, nearly twice as likely to have subsequent delinquency, and nearly two times less likely to graduate from high school compared to those not detained.

The findings from this evaluation helped the SAG further illustrate the importance of addressing the state's use of the VCO. As a result, the following bills have been signed into law in Colorado:



- 2011: [House Bill 11-1053](#) ensured that filing a truancy petition with the courts is only used as a last resort.²⁹
- 2013: [House Bill 13-1021](#) decreased detention stays for truancy to five days and mandated multidisciplinary staffing to help youth who were missing school by developing and implementing a plan with the child and their parent or guardian.³⁰
- 2015: [Senate Bill 15-184](#) required each Chief Judge to convene key community stakeholders to develop a policy for addressing truancy cases that seeks alternatives to detention.³¹
- 2018: [House Bill 18-1156](#) excluded truancy or habitual truancy as a delinquent act, eliminates the ability of a judge or magistrate to issue a warrant to place a youth in a detention facility for truancy, and limited detention stays to 48 hours.³²

Other states, including Kansas and Utah, have focused on eliminating their state's use of the VCO through legislation. In 2016, Kansas passed Senate Bill 367 which eliminated secure confinement for youth charged with status offenses.³³ The [Kansas Juvenile Justice Oversight Committee](#)³⁴ reported that since implementing this bill the state has seen a 63 percent reduction in youth confinement, and has shifted \$30 million in funding to support evidence-based programs to help young people remain successfully at home.³⁵ The legislation focused on three key goals: improving public safety while holding youth accountable, controlling taxpayer costs, and improving outcomes. The goals were based on recommendations from the Kansas Juvenile Justice Workgroup, which was supported through technical assistance from The Pew Charitable Trusts and its partner the Crime

and Justice Institute at Community Resources for Justice.³⁶

Meanwhile, in 2017 Utah passed House Bill 239 which limited the use of secure confinement for status offenses.³⁷ The Pew Charitable Trusts' reported, "by 2022, H.B. 239 is projected to reduce the number of juveniles in out-of-home placements by approximately 47 percent, freeing up \$70 million for reinvestment in evidence-based services in the community."³⁸

[Sight and Sound Separation & Adult Jail Removal](#)³⁹

The JJDPa prohibits youth from being held in adult jails or lock-ups except in limited circumstances, during which times they must be separated from adults by both sight and sound. The 2018 reauthorization extends these protections to youth who are awaiting trial in adult court.

By December 2021, youth, including those awaiting trial as adults, must be removed from adult facilities and placed in juvenile facilities except in very limited circumstances.⁴⁰ These updates will help address a number of dangers youth held in adult facilities may face. Studies have shown that youth held in adult facilities are roughly 5 times more likely to commit suicide⁴¹, 34 percent more likely to come back into contact with the system⁴², and 4.3 times more likely to be sexually abused⁴³ than youth held in juvenile facilities.

Since 2009, 20 states and the District of Columbia have passed laws to remove youth from adult jails, while four states have laws that prohibit placing youth in adult facilities.⁴⁴

As stated in [Getting to Zero: A 50-State Study of Strategies to Remove Youth from Adult Jails](#), "the single most significant strategy in the effort to remove youth from adult jails is 'Raise the Age' legislation. More than half of the youth incarcerated in adult jails can be removed as part of the implementation of this legislation."⁴⁵ (See page five to learn about Vermont's efforts around Raise the Age).

[Getting Started:](#)

- Learn more about the JJDPa's reauthorization from Coalition for Juvenile Justice, Act 4 Juvenile Justice, and the Office of Juvenile Justice and Delinquency Prevention.⁴⁶
- Identify areas of your state's laws that may need to be updated to come into compliance with the JJDPa.
- Collect and analyze data on race and ethnicity at key contact points within the juvenile justice system, and identify those points of contact within the system that drive disparities.
- Talk with youth and families who are impacted by and involved with the justice system.
- Work with training and technical assistance providers to create actionable goals.
- Continue to monitor, evaluate, and adjust based on outcomes.
- Additional Resources: CJJ's [National Standards of Care for Non-Delinquent Youth](#)⁴⁷; [Getting to Zero: A 50-State Study of Strategies to Remove Youth from Adult Jails](#).⁴⁸



Leading Change: Leveraging Subcommittees and Initiatives

Each SAG has the ability to create subcommittees and initiatives that are priorities within their state. Subcommittees can be a helpful way to address a state's individual needs.

For example, the Idaho SAG has a Reintegration Committee. Idaho explained that the purpose of this committee is to pursue and/or adapt the activities in the three-year plan related to reentry and to identify and support evidence-based approaches. Idaho's 2018 State Plan explains that one of the SAG's goals is for youth to successfully reintegrate into their communities by improving family engagement and collaboration; developing improvements in programming and processes; and supporting the implementation of effective reentry practices.

Meanwhile, Maine's SAG has a subcommittee dedicated to systems improvement. This subcommittee "assesses the systems within the child-serving agencies, both within and outside of government, and supports changes which will improve the quality of services available to children who are currently involved, or likely to be involved in the juvenile justice system."⁴⁹ The subcommittee's work includes restorative justice, collateral consequences, strategies for youth policing, and other topic areas.

Additional subcommittee examples include mental health and school engagement. The Minnesota SAG reported they have recently started a Mental Health subcommittee to focus on suicide prevention. The subcommittee will work with the Minnesota Department of Health. North Dakota

explained that their School Engagement Subcommittee works with “state and regional education authorities to implement Restorative Justice and Multi-Tiered Systems of Support in as many schools as possible.”

Getting Started:

- Identify key issues in your state.
- Find leadership within your SAG to take on the topic identified.
- Convene the group and determine how often the group will meet, expectations of group members, and set goals for address the topic.

Conclusion

SAGs are uniquely positioned to serve as juvenile justice leaders in their states and territories. By having effective processes in place, SAGs have the ability to lead system change, educate the public and lawmakers on best practices, and collaborate with other stakeholders to ensure policies are developmentally-based. Now more than ever, as states work to implement the JJDPa’s recent changes, SAGs are positioned to be leaders in their states and to improve outcomes for youth and their communities.

Appendix I

CJJ Resources

- [Building State Advisory Group Capacity: A Toolkit for Effective Juvenile Justice Leadership](#):⁵⁰ A toolkit to help SAGs and other related agencies gauge their current strengths, identify challenges, and find solutions to help them strengthen their position as juvenile justice leaders in their states.
- [Funding at 40](#):⁵¹ A report highlighting the changes in juvenile justice funding between 1974 and 2014, and how states continue to fulfill the JJDPa core protections with dwindling resources.
- [Youth Collaboration](#):⁵² This report aims to help SAGs identify ways they can deepen their partnerships with youth members, moving beyond recruitment and into true collaboration with youth.
- [Increasing State Advisory Group Effectiveness: Building Capacity for State Leadership](#):⁵³ Building Capacity for State Leadership: This report helps to identify and gauge factors that contribute to SAG effectiveness on a state-by-state basis.

Appendix II

Integrating and Amplifying Youth Voice

Young people are essential partners in this work. Youth partnership, especially with individuals with lived expertise in the justice system, has been viewed as critical to meaningful system improvement. The JJDPa requires that one-fifth of each SAG's members be youth.⁵⁴

From a youth perspective, collaboration is cultivated through relationships. In a 2018 survey by CJJ, a majority of youth SAG members said they first learned about their SAGs through their relationships, either with a current SAG member, or a relative or friend. Many other 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.

Colorado's SAG has a thriving Emerging Leaders (Youth) Committee, which is allocated \$20,000 of the state's Title II program budget for the Committee to use to meet their goals. With this budget, youth members have planned and held youth-specific events and other community engagement initiatives, supported training of law enforcement, funded evaluation projects and overall helped the state to better serve youth. Emerging Leaders also receive stipends to attend SAG meetings and events.

It is important for SAGs to minimize or eliminate barriers to youth engagement, help facilitate youth development, and authentically collaborate with youth members. SAGs should consider how to integrate youth collaboration into all aspects of their work, including their budgets, onboarding processes, meeting structures, development and training initiatives, and interpersonal engagements.

Washington's SAG is breaking down barriers and has three SAG members who are current residents in state-run juvenile rehabilitation facilities. Their role is no different from other SAG members. They attend quarterly SAG meetings in person, have the same voting rights as other SAG members, and participate in subcommittee meetings via conference call or video. Additionally, the SAG's Youth Committee hosts meetings at state-run facilities.

Youth voice, perspective, and partnership are vital to the SAGs work. To learn more about youth collaboration, see CJJ's report entitled [Youth Collaboration: Tools and Tips from Youth SAG Members](#).⁵⁵

Getting Started:

- Create an outreach strategy that connects with existing organizations and be intentional about asking young people to get involved.
- Plan a strategy that ensures diversity among youth involved in the program.
- Be intentional about creating a "revolving door" of youth leaders to ensure continuity.

- Balance the need for continuity in terms of issues with the integration of new young people who bring new ideas.

“Youth involved in the juvenile justice system have gone through difficult situations (e.g. adverse childhood experience, trauma etc.), but what I know to be true is that they are resilient. As a leader that lives by the mantra of uplifting the human spirit, I believe that by making space for youth voice, and validating their experiences and contributions our collective efforts will impact system reform. It is only when we start working together can the true healing begin.”

Vazaskia V. Crockrell, Juvenile Justice Specialist, Washington State

Appendix III

State Advisory Group Structure Spotlight: Idaho Juvenile Justice Commission

State Advisory Groups have varying roles depending on the state. Some SAGs play an advisory role, while others are supervisory. Supervisory SAGs have a final say in how grant funds will be administered, while advisory SAGs make recommendations about which grant applications should receive funds, but do not make the final decision.

The Idaho Juvenile Justice Commission (IJJC) has a two-tier system structure. The top tier is the IJJC, also known as the Commission. It plays a supervisory role and is responsible for performing all duties under the JJDP. The second tier consists of seven Juvenile Justice District Councils, which represent each judicial district in Idaho. The District Councils advise the IJJC on juvenile justice issues in their counties and develop an action plan to address the goals set out in Idaho's three-year Plan. IJJC members are appointed by the governor, and the District Council members are appointed by the IJJC. Each District Council has a Council Chair, an Idaho Department of Juvenile Corrections Liaison, and an Idaho Department of Juvenile Corrections Office Specialist II.

The chart below is an excerpt from the [2019 Idaho Juvenile Justice Commission Resource Book⁵⁶](#) and provides an analysis of the roles and responsibilities of the IJJC and the seven District Councils. Both help guide system change in different but complementary ways.

Idaho Juvenile Justice Commission	vs.	Juvenile Justice District Councils
<ol style="list-style-type: none">1. To be informed about juvenile justice and delinquency prevention (JJDP) programs throughout the state and advise the Department and Governor regarding their operation;2. To advise the Department and Governor on problems relating to policies, and programs relating to youth who are now or may in the future come into conflict with the law;3. To provide an advocacy function promoting legislation pertaining to JJDP services and laws;4. To mediate among agencies and organizations as a third party in areas of disagreement regarding JJDP issues;5. To encourage interagency cooperation and coordination on the state and local levels and help to eliminate duplication of services		<ol style="list-style-type: none">1. To be informed about children and youth programs throughout the State and advise the Commission regarding their operation;2. To advise the Commission on problems, policies, and programs relating to youth who are now or may in the future come into conflict with the law;3. To make recommendations to the Commission and to provide and advocacy function in matters pertaining to JJDP services and laws;4. To act as facilitators and coordinators for the prevention and intervention efforts of all community groups;5. To encourage interagency cooperation and coordination on the local level and help to eliminate duplication of services where

- where appropriate;
6. To provide guidance in the development and implementation of improved policies for youth in the state, e.g. judicial, rehabilitation, recreation, and delinquency prevention;
 7. To carry out all responsibilities required by the JJDP Act;
 8. To oversee and evaluate such JJDP activities and events as may be deemed necessary by the Department or Governor;
 9. To represent the Governor at national and state JJDP functions regarding children and youth; and,
 10. To present to the Governor and Legislature prior to December 31 of each year a report on the Commission's achievements and impact on youth service programs and policies.
- appropriate;
6. To provide guidance in the development and implementation of improved policies for children and youth in the District; e.g. judicial, rehabilitation, recreation, and delinquency prevention;
 7. To be familiar with the recommendations of the Idaho Juvenile Justice Commission's 3-Year Plan submitted to the Governor and assist with the implementation of those recommendations deemed necessary;
 8. To oversee and evaluate such activities and events as may be deemed necessary and appropriate by the Commission; and
 9. To present to the Commission each quarter a report on the Council's achievements and impact on youth service programs and policies.

For more information about the Idaho Juvenile Justice Commission and District Councils, visit <http://164.165.67.91>.

Appendix IV

SAG Bylaws Spotlight: New Mexico Juvenile Justice Advisory Committee

SAGs should create bylaws, guiding principles, and mission statements. Governing documents allow for SAG members to understand the objectives, procedures, and expectations of the group. Additionally, they provide consistency for the SAG when there are chair and member transitions.

The New Mexico Juvenile Justice Advisory Committee (JJAC) first established its bylaws in 1994. The bylaws are reviewed by the group annually, and updated when necessary. The most recent revision was in 2013. The JJAC bylaws have sixteen articles, including general purpose and function, membership and structure, and meetings. As stated in Article II, the duties of New Mexico's JJAC include, but are not limited to the following:

- A. "Submit to the Governor and the Legislature at least annually recommendations for improving the juvenile justice system, reducing juvenile delinquency and providing alternatives to institutionalization and generally improving the quality of services provided to juveniles in New Mexico.
- B. Participate in the development and review, and approve or modify the State juvenile justice plan submitted under Section 223 of the JJDP Act and such other juvenile justice plans as designated by the Governor, and receive, review and recommend applications for JJDP funds and such other funds as designated by the Governor. The Secretary of CYFD decisions on such applications shall be final subject to any appeal process established by the Committee. A final decision of the Committee may be appealed to the Governor or the Governor's designee.
- C. Inform the Secretary of CYFD, units of local government, and others regarding matters concerning juvenile justice, including but not limited to:
 - 1. The JJDP Act and the State plan submitted under the Act;
 - 2. Juvenile Justice standards and goals;
 - 3. Overall community needs in New Mexico in the area of Juvenile Justice;
 - 4. Prevention needs to divert high-risk youth from coming into the system;
 - 5. The CYFD budget related to juvenile services, and overall juvenile priorities and plans;
 - 6. The impact of CYFD policies on communities in New Mexico and;
 - 7. The relationship of CYFD juvenile programs and practices to other state agencies and departments.
- D. Review the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the comprehensive state plan and establish accountability standards for all grant awards made by the Committee; and
- E. Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system."

As seen above, educating policymakers about the options for system improvement can be a critical component of the SAG's work. For more information about the New Mexico JJAC governing documents, visit <http://bit.ly/JJAC-Governing-Docs>.

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Endnotes

¹ Juvenile Justice and Delinquency Prevention Act. 34 U.S.C. § 11101 et. seq.

² To be eligible for the funds provided under the JJDP, each state must comply with four core requirements/protections: Deinstitutionalization of Status Offenders (DSO); Adult Jail and Lock-Up Removal (Jail Removal); Sight and Sound Separation; and Racial and Ethnic Disparities (RED).

³ Title V has been earmarked since FY2015; Act 4 Juvenile Justice. "Juvenile Justice Federal Funding Chart". (2019). Available at <http://www.act4jj.org/sites/default/files/resource-files/Historic%20Funding%20Chart%20-%20FY19.pdf>. Last accessed May 2019.

⁴ Department of Justice, Law Enforcement Assistance Administration, Office of Juvenile Justice and Delinquency Prevention. "State Advisory Group Manual". (1980). Available at <https://www.ncjrs.gov/pdffiles1/Digitization/100118NCJRS.pdf>. Last accessed May 2019.

⁵ The Juvenile Justice and Delinquency Prevention Act established the Office of Juvenile Justice and Delinquency Prevention to support local and state efforts to prevent delinquency and improve the juvenile justice system. Available at <https://www.ojjdp.gov/about/about.html>. Last accessed May 2019.

⁶ 42 U.S.C. § 5633 (2002) has since been amended 34 U.S.C. § 11133 (2018); 34 U.S.C. § 11133 (a)(4) States that, "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."

⁷ House Joint Resolution 18-1013. Concerning recognition of the work of the Colorado Juvenile Justice and Delinquency Prevention Council and in connection there with directing the Council to redraft Article 2 of the Colorado Children's Code. Colorado Legislature. (2018). Available at https://leg.colorado.gov/sites/default/files/2018a_hjr1013_signed.pdf. Last accessed May 2019.

⁸ "Washington State Partnership on Juvenile Justice 2017 Annual Report to the Governor and State Legislature." (2017). Available at <https://www.dshs.wa.gov/sites/default/files/RA/ojj/18-1271-Juv-Justice-Report%20w-Data%20Section.pdf>. Last accessed May 2019.

⁹ *Id.*

¹⁰ Engrossed Second Substitute Senate Bill 6160. Juvenile Court Jurisdiction. Washington 65th Legislature. (2018). Available at <http://lawfilesex.leg.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/Senate/6160-S2.SL.pdf>. Last accessed May 2019.

¹¹ Engrossed Second Substitute House Bill 1646. Concerning confinement in juvenile rehabilitation facilities. Washington 66th Legislature. (2019). Available at <http://lawfilesex.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1646-S2.SL.pdf>. Last Accessed May 2019.

¹² Engrossed Second Substitute Senate Bill 5290. Eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior. Washington 66th Legislature. (2019). Available at <http://lawfilesex.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/Senate/5290-S2.SL.pdf>. Last accessed May 2019.

¹³ Substitute Senate Bill 5815. Concerning individuals placed in minimum security status by the department of children, youth, and families. Washington 66th Legislature. (2019). Available at <http://lawfilesex.leg.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5815-S.PL.pdf#page=1>. Last accessed May 2019.

¹⁴ Senate Bill 234 (Act 201). An act relating to adjudicating all teenagers in the Family Division, except those charged with a serious violent felony. Vermont Legislature. (2018). Available at <https://legislature.vermont.gov/Documents/2018/Docs/ACTS/ACT201/ACT201%20As%20Enacted.pdf>. Last accessed May 2019.

¹⁵ Additional updates to the JJDP are available at <http://www.juvjustice.org/juvenile-justice-and-delinquency-prevention-act/reauthorization-jjdp>. Last accessed May 2019; OJJDP guidance and regulation is expected to further clarify and define much of what is in the JJDP reauthorization.

¹⁶ 34 U.S.C. § 11133.

¹⁷ The U.S. Census Bureau breaks ethnicity into two categories: "Hispanic or Latino" and "Not Hispanic or Latino". Available at <https://www.census.gov/mso/www/training/pdf/race-ethnicity-onepager.pdf>. Last accessed May 2019.

¹⁸ Rovner, Josh. "Racial Disparities in Youth Commitment and Arrests." The Sentencing Project. (2016). Available at <https://www.sentencingproject.org/wp-content/uploads/2016/04/Racial-Disparities-in-Youth-Commitments-and-Arrests.pdf>. Last accessed May 2019.

¹⁹ The CDW Program is a pre-adjudicated diversion program. To learn more, visit <https://courts.ky.gov/aoc/familyjuvenile/Pages/CDW.aspx>. Last accessed May 2019.

²⁰ "Minnesota Juvenile Justice Advisory Committee 2017 Annual Report to Governor Mark Dayton and the Minnesota State Legislature." (2017). Available at <https://dps.mn.gov/entity/jjac/Documents/JJAC%20Annual%20Report%202017.pdf>. Last accessed May 2019.

²¹ *Id.*

²² "Promoting Racial/Ethnic Fairness in Juvenile Justice in NH". Foundation for Healthy Communities. (2018). Available at <https://healthynh.com/index.php/e-newsletter/596-promoting-racial-ethnic-fairness-in-juvenile-justice-in-nh.html>. Last accessed April 2019.

²³ *Id.*

²⁴Federal Advisory Council on Juvenile Justice, Office of Juvenile Justice and Delinquency Prevention. "Spotlight on Juvenile Justice Initiatives: A State by State Survey." (May 2017). Available at https://www.gvsu.edu/cms4/asset/903124DF-BD7F-3286-FE3330AA44F994DE/ojdp_spotlight_on_jj_initiatives_2017.pdf. Last accessed May 2019.

²⁵ 34 U.S.C. § 11133.

²⁶ 34 U.S.C. § 11133 (a)(23)(C)(iii)(I).

²⁷ 34 U.S.C. § 11133 (a)(23)(C)(iii)(II).

²⁸Williams, Meg. Fox, Diane. "Improving Responses for Youth Charged with Status Offenses." Coalition for Juvenile Justice. Webinar. (2019). Available at https://drive.google.com/file/d/1coLsKhNsWTTfUFFYcgHDX7UH_ko5X9x2/view. Last accessed May 2019.

²⁹ House Bill 11-1053. Concerning Court Proceedings Initiated To Compel A Minor To Attend School. Colorado Legislature. (2011). Available at https://leg.colorado.gov/sites/default/files/images/olls/2011a_sl_58.pdf. Last accessed May 2019.

³⁰ House Bill 13-1021. Concerning measures to ensure that students comply with compulsory school attendance requirements, and in connection therewith, limiting the length of detention that a court may impose to enforce compulsory school attendance, allowing students who are under juvenile court jurisdiction to obtain aged, and specifying minimum requirements for education services provided in juvenile detention facilities. Colorado Legislature. (2013). Available at https://leg.colorado.gov/sites/default/files/images/olls/2013a_sl_335.pdf. Last accessed May 2019.

³¹ Senate Bill 15-184. Concerning Enforcement of Compulsory Education Requirements. Colorado Legislature. (2015). Available at https://leg.colorado.gov/sites/default/files/images/olls/2015a_sl_286.pdf. Last accessed May 2019.

³² House Bill 18-1156. Concerning Limitations on Penalties for Truancy. Colorado Legislature. (2018). Available at https://leg.colorado.gov/sites/default/files/2018a_1156_signed.pdf. Last accessed May 2019.

³³ Senate Bill 367. An Act Concerning Children and Minors; Relating to Juvenile Justice. Kansas Legislature. (2016). Available at http://kslegislature.org/li_2016/b2015_16/measures/documents/sb367_enrolled.pdf; The Pew Charitable Trusts. "Kansas' 2016 Juvenile Justice Reform." (2017). Available at https://www.pewtrusts.org/-/media/assets/2017/06/pspp_kansas_2016_juvenile_justice_reform_brief.pdf. Last accessed May 2019.

³⁴ Kansas Juvenile Justice Oversight Committee was created by SB 367, Section 4. Available at <https://www.doc.ks.gov/juvenile-services/committee>. Last accessed May 2019.

³⁵ "2018 Kansas Juvenile Justice Oversight Committee Annual Report." (2018). Available at <https://www.doc.ks.gov/juvenile-services/committee/2018/view>. Last accessed May 2019.

³⁶ Kansas Juvenile Justice Working Group website. Available at <https://www.doc.ks.gov/juvenile-services/Workgroup>. Last accessed May 2019.

³⁷ House Bill 239. Juvenile Justice Amendments. Utah 62nd Legislature. (2017) Available at <https://le.utah.gov/~2017/bills/static/hb0239.html>. Last accessed May 2019.

³⁸ The Pew Charitable Trusts. "Utah's 2017 Juvenile Justice Reform Shows Early Promise". (May 20, 2019). Available at <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2019/05/utahs-2017-juvenile-justice-reform-shows-early-promise>. Last Accessed May 2019.

³⁹ 34 U.S.C. § 11133 (a)(12)(13).

⁴⁰ 34 U.S.C. § 11133 (a)(11)(B).

⁴¹ "Let's Get Children Out of Adult Courts, Jails, and Prisons." Campaign for Youth Justice. (2018). Available at http://www.campaignforyouthjustice.org/images/factsheets/Basic_Facts_FINAL.pdf. Last accessed May 2019.

⁴² *Id.*

⁴³ Arya, Neelum. "Getting to Zero: A 50-State Study of Strategies to Remove Youth from Adult Jails." Los Angeles, CA: UCLA School of Law. (2018). Available at <https://drive.google.com/drive/folders/1uymlxeaSvkIC4EnWLB0yod3RZvoclpcj>. Last accessed May 2019.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ Available at www.juvjustice.org; www.act4jj.org; www.ojdp.gov.

⁴⁷ CJJ's National Standards of Care for Non-Delinquent Youth Project. Available at <http://juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards-care-youth-charged-status>.

⁴⁸ *Supra* note 44.

⁴⁹ Maine Juvenile Justice Advisory Group Meeting Minutes (December 4, 2015). Available at <https://www.maine.gov/corrections/jjag/Minutes/2015/120415%20JJAG%20Minutes.pdf>. Last Accessed May 2019.

⁵⁰ Coalition for Juvenile Justice. "Building State Advisory Group Capacity: A Toolkit for Effective Juvenile Justice Leadership". Available at http://www.juvjustice.org/sites/default/files/resource-files/SAG%20Capacity%20Building%20Toolkit_final.pdf. Last accessed May 2019.

⁵¹ Coalition for Juvenile Justice. "Funding at 40: Fulfilling the JJDP's Core Requirements in an Era of Dwindling Resources." (2014). Available at http://www.juvjustice.org/sites/default/files/resource-files/The%20Cost%20of%20Compliance%20-%20Funding%20at%2040%20Final_1.pdf. Last accessed May 2019.

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⁵³ Coalition for Juvenile Justice. "Increasing State Advisory Group Effectiveness: Building Capacity for State Leadership." Available at http://www.juvjustice.org/sites/default/files/resource-files/Increasing%20SAG%20Effectiveness_0.pdf. Last accessed May 2019.

⁵⁴ 34 U.S.C. § 11133 (a)(3)(iv); Before the 2018 reauthorization, youth members had to be appointed before age 24.

⁵⁵ *Supra* note 53.

⁵⁶ Idaho Juvenile Justice Commission. "2019 Idaho Juvenile Justice Commission Resource Book". (2019). Available at <http://164.165.67.91/wp-content/uploads/2019/02/2019-Resource-Book-posted-updated-2-20-2019.pdf>. Last accessed May 2019.



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