

# Meeting of the Federal Advisory Committee on Juvenile Justice

Monday-Tuesday, October 19-20, 2015

United States Department of Justice, Office of Justice Programs  
Office of Juvenile Justice and Delinquency Prevention  
810 Seventh Street, NW, Third Floor Main Conference Room, Washington, DC 20531

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## SUMMARY

The Federal Advisory Committee on Juvenile Justice (FACJJ) held a two-day meeting October 19-20, 2015. The meeting was hosted by the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP).

James Moeser, *FACJJ Chair*, Mr. Moeser led the meeting as a whole and advanced the development of FACJJ subcommittee structure and groupings. Subcommittees and their initial foci were established.

Robert Listenbee, *OJJDP Administrator*, shared the Office's vision and priorities, and he highlighted elements that are core to OJJDP's mission and inform and support its work. Staff from each of the OJJDP divisions were in attendance to listen to the recommendations outlined in the 2015 FACJJ Report and will consider ways to incorporate the recommendations in future work of the office.

The three FACJJ subcommittees – Expungement, Sealing, and Confidentiality of Records; Research and Publications; and Legislation – reviewed the 2015 approved policy recommendations that the FACJJ had presented earlier that month. Discussions followed each subcommittee's presentation.

Charles T. Moses III, *Deputy General Counsel, Office of General Council (OGC), Office of Justice Programs, US Department of Justice (DOJ)*, addressed the FACJJ on the ethical requirements of serving as a Federal Advisory Committee (FAC) member. Areas of focus included conflict of interest and the existing strict limitations on lobbying using federal funds.

Dalene Dutton, *Communities That Care Specialist*, presented “Engaging Communities in Delinquency Prevention: The Communities That Care System”. Using prevention science as a basis, she outlined CTC's capacity-building strategies and activities for developing infrastructure that supports youth and lowers rates of delinquent behaviors.

Jeffrey Butts, PhD, *Research & Evaluation Center, John Jay College of Criminal Justice, City University of New York*, presented a review of “Positive Youth Development”. Goals include going beyond formalized risk assessment tools risk reduction measures and building in positive outcome measurements and touting the outcomes, thereby offering an alternative to punishment.

## DAY 1 – WELCOME, OPENING REMARKS, INTRODUCTIONS

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**Scott Pestridge**, *Acting Designated Federal Official (DFO), FACJJ and Senior Policy Advisor, Office of Juvenile Justice and Delinquency Prevention (OJJDP), US Department of Justice (DOJ)*, welcomed everyone to the annual meeting of the FACJJ. He reviewed logistics for the meeting and noted that OJJDP staff is responding to 2014 and 2015 recommendations as one consolidated response. A team assembled by leadership met prior to this meeting and will do so afterwards as well, and members of the team were in attendance to receive timely guidance to inform their recommendation review and subsequent feedback. Mr. Pestridge expressed appreciation of the support of the team.

Ballots for nominating FACJJ chair and vice-chair were provided to Committee members as part of this meeting's materials, and voting will take place on Meeting Day 2. James Moeser, *Acting FACJJ Chair*, will remain in his position through the end of 2015, and the new chair will take over the position as of January 1, 2016. Members may nominate themselves or others verbally or in writing.

Mr. Pestridge pointed to the FACJJ roster of primary and alternate members provided in the meeting packet, noting a vacancy for an alternate in Jurisdiction L and two vacancies in the Tribal Area; OJJDP staff is working diligently to fill those positions. He also called attention to updated member bios (including those of new members) and printouts of PowerPoints that will be presented on Day 2, all in the packet as well.

Mr. Moeser expressed gratitude to Mr. Pestridge for his support and guidance in preparing for this meeting. He also thanked Marshall Edwards and Debbie Jeffers for their significant efforts and assistance and OJJDP staff for being in attendance. Mr. Moeser recognized FACJJ members whose terms ended in September: Dalene Dutton, Raquel Montoya-Lewis, Claudio Norita, Pili Robinson, and Simone Sanders.

FACJJ was honored to have Robert L. Listenbee, *Administrator, OJJDP* participate in the work of the Committee during a significant portion of the meeting and appreciates the efforts of the OJJDP staff in responding to the FACJJ recommendations.

Mr. Moeser welcomed attending FACJJ members.

### **Roll Call**

#### **Primary Members**

James (Jim) Moeser/WI (Acting Chair)  
Starcia Ague/WA  
Aileen Jo Artero/Guam  
Vernon Daniels/NE  
Amy Davenport/VT  
Tony Jones/FL  
ViEve Martin Kohrs/LA  
Kenya Lee/MD  
Robin (Rob) Lubitz/AZ

Justin (Jay) Miller, PhD/KY  
Christine Perra Rapillo/CT  
George Timberlake/IL

#### **Alternate Members**

Ashley Beall/ND (phone)  
Lisa Jacobs/IL  
Greg Parks/OK (phone)

*Also on the phone:*

Robin (WOMAN -- LAST NAME AND STATE UNCLEAR)

One more woman UNCLEAR NAME

## **DAY 1 – LOOKING FORWARD: OJJDP ACCOMPLISHMENTS, PRIORITIES, AND INITIATIVES**

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**Robert Listenbee**, *Administrator, OJJDP*, welcomed everyone to the meeting, including new FACJJ members Aileen Jo Artero, Vernon Daniels, Amy Davenport, and Justin (Jay) Miller. He expressed appreciation for the members’ active participation and for bringing their vast knowledge and diverse influences to bear on the work of the Committee, including to the recommendations.

Staff from each of the OJJDP divisions were in attendance to listen to the recommendations outlined in the 2015 FACJJ Report and will meet as a working group later this month to determine what accomplishments have been made thus far in addressing them, as well as to consider ways to incorporate the recommendations in future work of the office. Staff members introduced themselves to the Committee. Administrator Listenbee noted that this was the largest contingent of OJJDP staff – 24, or one third of the entire staff – to attend a FACJJ meeting in his experience, and he explained that the overarching goal is to develop relationships in order to further the activities of the FACJJ.

Administrator Listenbee shared his background with the group, explaining that he was appointed by President Obama in February 2013. Previously, he had served as chief of the Juvenile Unity of the Defender Association of Philadelphia for 16 years, and as a trial lawyer with the association for 27 years. Like all of the FACJJ members, he was a member of his State Advisory Group (SAG), serving on the **UNCLEAR NAME** Minority Contacts Subcommittee for over a decade. Administrator Listenbee also worked with youth and law enforcement for more than 10 years – in the wake of the “Kids for Cash” judicial kickbacks child placement scandal in Luzerne County, Pennsylvania – with the Miles for Change initiative, and with the Pennsylvania Interbranch Commission on Juvenile Justice. He mentioned that he shares a devotion to helping safeguard children and for being a voice for the voiceless among them. He added that the work done at OJJDP impacts children’s lives and that the staff is glad to have the FACJJ as a partner working toward a common goal. Administrator Listenbee highlighted that he sat on the FACJJ with many of those sitting at the table today and welcomes the opportunity to work closely with colleagues on the Committee to improve the juvenile justice (JJ) systems across the nation.

The vision of OJJDP is a nation in which children are healthy, educated, and free from violence, and in which any contact with the JJ system is rare, fair, and beneficial to them. The Office focuses on a wide range of activities to prevent delinquency, hold youth accountable, and protect some of our most vulnerable citizens from victimization.

Administrator Listenbee shared OJJDP’s three priorities:

1. Addressing the core protections outlined in the Juvenile Justice and Delinquency Prevention Act (JJDPA)
2. Reducing out-of-home placement
  - a. Approximately 60% of children in placement are there for nonviolent offenses.

- b. Status offenders are in placement even though they do not belong there for both statutory and moral reasons.
3. Leading national efforts to reform the JJ system to better meet the needs of youth, families, and communities
  - a. Numerous reform efforts for statewide, comprehensive system reform are in development.

Recommendations core to OJJDP's mission include:

- Strengthening the federal-state partnership;
- Increasing opportunities for integration of SAG members into the office's work;
- Ensuring a focus on evidence-based programming;
- Strengthening core protections for our nation's youth;
- Promoting youth and family engagement;
- Enhancing youth voice; and
- Increasing interagency collaboration.

OJJDP is actively supporting all of the areas listed above, and the FACJJ's ideas and recommendations are important to the office's work and historically have been valued and implemented in large part. Staff work diligently to incorporate the Committee's recommendations across all of its activities, including grantmaking, research, training and technical assistance (TA), and policy.

Administrator Listenbee expressed his appreciation for the careful consideration that the FACJJ has consistently given to JJDP and acknowledged that both DOJ and OJJDP strongly support the bill's reauthorization. He commended Chairman Chuck Grassley (R-IA) and Senator Sheldon Whitehouse (D-RI) for introducing a bipartisan reauthorization bill, as well as other senators and congressional representatives for their efforts to advance the legislation.

OJJDP values the FACJJ's input, recommendations, and ongoing support, as the Committee is a vital part of carrying out the OJJDP mission. The office provided to FACJJ members copies of two National Academy of Sciences (NAS) reports: *Implementing Juvenile Justice Reform: The Federal Role* and *Reforming Juvenile Justice: A Developmental Approach*. Together, the two reports provide a wealth of ideas and strategies for supporting JJ reform.

Administrator Listenbee offered his gratitude to Dalene Dutton for her leadership as FACJJ vice chair and noted her immeasurable contributions to the work of OJJDP. He also welcomed and acknowledged Kathi Grasso, former senior leader of OJJDP and current director of the NAS Committee on Law and Justice, for her work with the FACJJ and the Coordinating Council on Juvenile Justice and Delinquency Prevention (Coordinating Council).

Mr. Moeser credited Administrator Listenbee's work around the Kids for Cash scandal as an inspiration. He commented that everyday decisions, both large and small, in the JJ system affect kids' lives, and he stressed the importance of ethical representation in the process. He advocated the guiding principle of "First, do no harm", as what happened in Pennsylvania can happen anywhere. In every day, in every state, in every jurisdiction, there are children who are out of their homes who likely do not need to be, families who may or may not be engaged, youth who are not listened to – the types of issues represented in the extreme in the scandal.



## **DAY 1 – PRESENTATION OF POLICY RECOMMENDATIONS**

### **APPROVED BY FACJJ IN 2015**

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The individual subcommittees reviewed the 2015 approved policy recommendations that the FACJJ had presented to Administrator Listenbee in writing on October 14. The recommendations were presented in three areas: 1) Issues related to the confidentiality, sealing, and expungement of juvenile records; 2) Priorities for research and education supported by OJJDP; and 3) Reauthorization of JJDPA. The subcommittee presenters and members welcomed discussion around each area.

#### **Issue Area 1: Expungement, Sealing, and Confidentiality of Records Recommendations**

George Timberlake and Starcia Ague introduced the Expungement, Sealing, and Confidentiality of Records Subcommittee's recommendations. Mr. Timberlake explained that expungement varies dramatically from state to state; every state has some method for rewarding good conduct of young people who have committed offenses against the law. A patchwork of statutory approaches exists, and passing a law means little, as we know through experience that the confidentiality of records is simply a falsehood in many states. As well, the sale of records, in particular, of juvenile offenders who have served their debt to society and have had their records expunged, proliferates.

#### **Recommendations:**

- 1. Research legal bases for appropriate jurisdictions to establish minimum standards and definitions for expungement, sealing, and confidentiality.**
  - a. The goal is to develop consistency of language and legal action in the field.
- 2. Research and describe methods of access of juvenile records throughout states, territories, and the federal government designed to protect expunged, sealed, and legally confidential records.**
  - a. Try to secure the confidentiality that statutes are meant to protect.
- 3. Consider federal jurisdiction regarding the private industry sale of juvenile records, and create regulatory and statutory suggestions to prevent violation of state and federal prohibitions against the disclosure of expunged, sealed, or confidential information in interstate commerce.**
  - a. Create a method to provide uniformity as well as sanctions against the unlawful disclosure of expunged juvenile records, including mental health records, risk assessments, and confidential family information.
  - b. Consider interstate commerce laws as a basis for federal action on sanctioning such conduct.
- 4. Develop goals for TA, publications, and grant funding around expungement, sealing, and confidentiality of records.**

Ms. Ague shared her personal story to illustrate the repercussions involved with, and importance of, the issues discussed above. She explained that she was incarcerated from the ages of 15 to 21; eight years later, information about running away from foster care and criminal contempt are still surfacing on her record. She pointed out that if she, with her credentials and her access to state officials, struggles with this, many others do as well; they face barriers to housing and employment. These records can change the trajectory of people's lives permanently.

**Jim Moeser** noted the valuable groundwork done around this issue by the Juvenile Law Center (JLC). The subcommittee was assisted greatly by that work.

**Administrator Listenbee** reminded the group that Riya Saha Shah of the JLC was present at the FACJJ's previous meeting. OJJDP strongly supports the idea of doing more work in this area. He asked all meeting participants to attempt to visualize the significant challenges and complexities regarding expungement with the following example:

A youth gets into a fight in school and is arrested. Now that child has a school record, a police department arrest record, and possibly an assessment record. If mental health experts provide that assessment, s/he will then have a mental health record. If substance abuse exists, the youth will have a substance abuse record. If the youth is taken into the JJ program, s/he will have a court record and JJ documents prepared for probation. If things progress, records will exist regarding placement. Prosecutors, defending attorneys, and the system all have records. Expungement means removing all of those records and documents, which involves hiring a lawyer – the average cost of which in Pennsylvania was \$700-\$800 – and requires money and awareness of the process by a young person.

**Administrator Listenbee** also noted that sealing and expungement mean different things. Also, records are often required for police department employment applications as well as for military enlistment even if they been previously expunged. He cited the need for more knowledge, and he hopes to hear from staff about moving forward with this work and ensuring that people are not stigmatized for life for indiscretions while young. Defense attorneys need to do a better job learning of how they can have records expunged within their systems at no cost; for example, they can enlist people with high school backgrounds to work on this.

**Mr. Pestrige** asked Subcommittee leaders to provide additional clarification regarding Recommendation #4: "Develop goals for TA, publications, and grant funding around expungement, sealing, and confidentiality of records for the benefit of the TA providers in attendance at the meeting."

**Mr. Timberlake** acknowledged the complexity of this area, as every state is different, and he suggested a collaborative approach. Competing interests exist between national security, law enforcement, the military, and effects on an individual's life, and the intents of statutes have not been met. The Subcommittee is very interested in the input of OJJDP staff and TA providers on this subject.

**Administrator Listenbee** added that the most influential group in the discussion around expungement in his state was that of prosecutors. He advised bringing them into the conversation early in the process, as theirs is a voice to be heard, and their support is critical as they must agree to rules and procedures involved around the statutes. Also, they have valid concerns that need to be addressed. Ways of training all stakeholders is essential to this process. Judges need to be educated on expungement options, as many are not well versed in that area. Parents are also key stakeholders and need to be supported. Administrator Listenbee expressed the importance of identifying ways of engaging the entire community in breaking down barriers, eliminating stigma, and opening up opportunities for youth to succeed.

**Amy Davenport** agreed with the need to include prosecutors. Vermont passed expungement legislation that was opposed by prosecutors because they wanted to retain access to backup information in case an individual committed an act sometime in the future. Ms. Ague added that several states have strong open government coalitions, and they also show strong opposition to expungement statutes.

**Tony Jones** pointed out that law enforcement generally seeks background information as it relates to hiring. His jurisdiction is currently considering removal of the conviction history question from its employment application in response to the “Ban the Box” fair hiring campaign. The Florida statute calls for expungement if an individual does not commit a criminal offense by age 24, but such expungement is not happening in actuality.

**Rob Lubitz** asked whether Recommendation #3 around the bulk sale of juvenile records is based on evidence of such trade happening or is intended as a pre-emptive strike. Federal jurisdiction could be an effective way to diminish the rampant violation of related statutes.

**Starcia Ague** explained that Washington State is one of eight US states that have open juvenile records, and people make 69 cents per record selling them through a website; a subscription to the website costs \$100. Mr. Timberlake added that his email spam filter catches multiple emails daily offering such services.

**ViEve Martin Kohrs** advocated for the need to do more front-end education to share the importance of this issue with local staff who do not realize its impact on people’s lives. Consequences could be attached if records are shared, much like sanctions related to mandated reporting for abuse and neglect.

**Vernon Daniels** questioned whether the sale of records is more prevalent in states with open court proceedings than in closed-proceedings states. Mr. Timberlake explained that the Subcommittee had not addressed that angle but noted that the problem is not limited to open-proceedings states. Mr. Daniels pointed to a movement that has developed in response to the Kids for Cash scandal: People – especially those in open proceedings states – press for access to all records (including those that are mental health related), and accompanying social media postings and Internet access to court happenings add to the battle around preserving privacy for children and families.

**Mr. Timberlake** mentioned that, in Illinois, the statute around confidentiality does not exclude news media; however, it does prevent them from naming any child unless they learn the name from another source. It is very difficult to reach the goal of the state’s confidentiality statutes.

## **Issue Area 2: Research and Publications Recommendations**

Christine Perra Rapillo reviewed the recommendations of the Research and Publications Subcommittee, explaining that the group morphed from a subcommittee focused on compliance and state relations. OJJDP’s wealth of information needs to be disseminated to those on the ground at the state and local jurisdictional levels to inform their work and aid them in moving toward reform.

### **Recommendations:**

- 1. Again encourage standardized definitions and collection of data by the states.**



- a. Encourage states to utilize a common language in defining terms and in data collection.
- b. This allows for comparison of best practices among jurisdictions.
- 2. Create a database of existing and past OJJDP-funded projects and make it accessible to states, territories, and jurisdictions.**
  - a. Help people search for what has worked in other localities.
- 3. Focus research on the impact of trauma on juvenile delinquency. Specifically, the group recommends that research be developed on whether disproportionality exists in the diagnoses of children, leading to trauma symptoms being missed in favor of a behavioral disorder more associated with delinquency.**
  - a. Youth of color coming to the JJ system already diagnosed with conduct disorder, the symptoms of which match those of trauma; however, trauma is not being identified in many cases.
  - b. Research is beginning to percolate in this area.

The work of the group has morphed to a focus on dual status youth as well. Dual status youth are those who land in the JJ system after being part of another system, such as the child protection system.

Administrator Listenbee disclosed that, recently, the office initiated a research project on standardizing definitions in collection of data by states. He also shared that the 2012 JJDPA required OJJDP to undertake a research project on dual system youth, which has been conducted. At Administrator Listenbee's request, OJJDP Social Science Analyst Barbara Kelley addressed these initiatives:

#### Model Data Improvement Program

In Fiscal Year 2015, OJJDP announced its Model Data Improvement Program (MDIP). The need for the program came out of the inability to compare any marker even within one state throughout a decade because measures were either nonexistent or incomparable across programs. One goal of MDIP is to measure outcomes by utilizing standardized demarcations. The staff also has been working diligently to disseminate information on effective programs through a Model Program Guide, which has now been aligned with the Crimes Solutions Guide in terms of looking at program outcomes. Some, but not all, of the evaluations that were cited have been funded by OJJDP; the goal is to capture information in a form that supports increased searchability. The MDIP is accessible by going to [www.ojjdp.gov](http://www.ojjdp.gov), clicking on Programs, and then selecting Model Program Guide. The Guide includes literature searches on various topics as well.

Also related to information dissemination, the OJJDP Communications Unit is restructuring the overall framework of the website; this includes plans to add timely and searchable information on research projects in process at OJJDP.

#### Design Study of Dual System Youth

In response to the legislative mandate to focus on the issue of dual system youth, OJJDP undertook its Design Study of Dual System Youth. Staff began with a preliminary look at the National Juvenile Court Data Archive study, meeting early in 2014 to review Child Dependency Court (CPC) data in relationship to the JJ data. At that meeting, it became abundantly clear that looking only at youth in CPC would miss many youth in foster care; this prompted the group to explore

communities that had linkable multiple data systems, to discover that only a few jurisdictions have readily linkable databases. In response to those findings, OJJDP issued a solicitation last spring, which was very recently funded, to start a model program to better address dual system use. That program is just getting under way.

Administrator Listenbee added that OJJDP will provide information on program staff work that may inform FACJJ recommendations.

Mr. Moeser mentioned the existence of a website showing federal funding by congressional district. He asked Ms. Rapillo for information about how to identify whether a state has invested in local projects. Ms. Rapillo highlighted the importance of recording “small projects” that have big impacts on local jurisdictions and can be replicated without major funding. Such listings would serve to encourage and ease communication.

### **Issue Area 3: Legislation Recommendations**

ViEve Martin Kohrs provided the recommendations of the Legislation Subcommittee. She explained that the group has met for several years around a variety of issues, the most important being the reauthorization of JJDPA. The Act is vital to the efforts of states, territories, tribal governments, and local jurisdictions that look to OJJDP to provide guidance and direction around ongoing reform efforts. (N.B. “States” in these recommendations refers to “states, territories, and tribal governments”.) Reauthorization proposals have been introduced in the Senate and the House of Representatives, and the Subcommittee solicited input from stakeholders on selected aspects of the proposals in its work to develop the following recommendations:

#### **Primary Recommendation:**

**The FACJJ reaffirms its support for the reauthorization of JJDPA with appropriate funding with sufficient funding to support the vision and charge to OJJDP and to jurisdictions included in the Act.**

#### Position Statements Related to Selected Proposal Components

1. **SUPPORT:** *Phase out the Valid Court Order (VCO) exception that permits the secure confinement of status offenders.*
  - a. While extreme situations may remain an issue in some jurisdictions, the FACJJ supports phasing out the VCO exception and providing support and resources to help jurisdictions develop alternatives that can address their concerns.
2. **SUPPORT ONLY WITH INCREASED FUNDING:** *Increase data collection and reporting requirements.*
  - a. The FACJJ acknowledges the importance of data collection improvements envisioned in the reauthorization but cannot fully support implementation of these added expectations at this time unless additional funds are provided.
  - b. It becomes increasingly difficult, especially for local jurisdictions, to meet the data collection and reporting requirements with continually diminishing funding. They have to do more with less and have to make hard decisions on what to abandon.
3. **SUPPORT:** *Increased accountability measures for reducing racial and ethnic disparities.*
  - a. The FACJJ supports continued collaboration with OJJDP and jurisdictions to develop valid accountability measures that will accurately reflect progress toward

achieving equity outcomes and receiving additional funding, training, and other TA to help jurisdictions achieve those outcomes.

- b. All are in agreement with fair and equitable treatment of all youth; however, lack of funding is again an issue related to compliance by state and local jurisdictions.
4. **SUPPORT:** *Require that youth under 18, including those being charged as adults, not be confined in adult facilities at least until conviction, unless certain court reviews are conducted and a court determines the best interest of justice is being served.*
  - a. The FACJJ supports provisions of reauthorization that place additional limits and/or procedural requirements on placing youth under age 18 in adult confinement facilities.
5. **OPPOSE:** *Change funding related to noncompliance.* The FACJJ supports a compliance process that is geared towards helping all states achieve full compliance. Punitive reductions in funding only should be used as a last resort, and OJJDP should support states in attaining compliance before issuing a funding reduction sanction.
6. **SUPPORT WITH AMENDMENT:** *Allocation of \$159 million for FY2016 and two-percent increases per year for the five years of the Act.* The FACJJ recommends that total JJ funding be restored, minimally to FY2013 levels. Further, the FACJJ recommends that no more than 20% of those funds be set aside for specific types of programs (for example, mentoring program support) since large set-asides in conjunction with increased requirements and reductions in overall funding levels severely limit the ability of jurisdictions to implement other reforms and practices that have proven to be effective.
7. **SUPPORT:** *Implement the Act related to strengthening the federal-state partnership.* The FACJJ reaffirms its prior recommendation that OJJDP strengthen its collaboration and communication with jurisdictions related to the interpretation and implementation of regulations derived from the statutes.

**Administrator Listenbee** commented on the large number of legislative recommendations and expressed OJJDP's support of the elimination of VCOs (Recommendation #1).

**Mr. Moeser** expressed an awareness of the challenges to implementation of recommendations across all states, territories, and tribes. He spoke on behalf of the Subcommittee in acknowledging the importance of reauthorization of JJDPA along with the need for funding at a level that accomplishes the mission and the vision in the reauthorization itself.

**Rob Lubitz** commented on Recommendation #6, expressing his disappointment that it did not include recommending the elimination of all set-asides (vs. the allowance for a maximum 20% that is recommended). Although such a recommendation might not be practical, it surely would make a statement. Mr. Moeser spoke to the hard work being done at the state level to invest dwindling funds in ways that achieve some sustainable system reform. He acknowledged the balance between getting legislators to allocate money and creating the best possible program.

**Administrator Listenbee** explained that OJJDP's position on reauthorization is clearer than in the past, and that the Office has come out in full support of it. As an indication of that support, he spoke at Senator Whitehouse's hearing in Rhode Island on the Act last year. He noted that the results of the annual federal staff survey demonstrate exceedingly clearly that OJJDP staff are 100% behind the Office's mission and are determined to do all they can to support efforts related to children.

**Mr. Moeser** added that he started working in JJ before the Act came into existence over 40 years ago and therefore is aware of the contrast before and since, as well as the important partnership that goes on between OJJDP and the states. It is a unique partnership that continues to evolve. The goal is to strengthen the collaboration and deliver exceptional services to children and families.

A group photo was taken with Administrator Listenbee and all FACJJ members.

## **DAY 1 – TRAINING: MEMBER ROLES, ETHICS, AND THE FACJJ**

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Charles T. Moses III, *Deputy General Counsel, Office of General Council (OGC), Office of Justice Programs, US Department of Justice (DOJ)*, addressed the FACJJ on the ethical requirements of serving as a Federal Advisory Committee (FAC) member.

FACs are established to help inform the federal government – in this case, Administrator Listenbee – in making programmatic and policy decisions. The FACJJ is governed by the Federal Advisory Committee Act (FACA) and is also found in JJDPA; it is a statutorily required committee.

FACs are designed to assemble a diverse group of individuals, each of whom brings her/his expertise and background. This is important because members are asked for their individual impressions. However, beyond each member's involvement in an individual capacity, the FACJJ is a representative committee; therefore, members represent the interests of their SAGs and their regions. Members need to reach out to all SAGs in their regions so that they have an awareness of the viewpoints for which they need to act as proxy on issues that come before the Committee.

Advice that is given to OJJDP is fed through DOJ to help inform the President on JJ issues and decisions. The discussion around and recommendations of the reauthorization of JJPDA is a clear example of how the process works, as Administrator Listenbee seeks the specific advice of the FACJJ in this area.

Advice can take variety of forms, including written memoranda, reports, and briefings. Advice the FACJJ provides to the government is to be funneled through the OJJDP administrator to fully advise all policy-making bodies in DOJ for the purposes of informed decision-making.

### Conflict of Interest

One of the principal concerns around any advisory committee relates to conflict of interest. Mr. Moses gave the following example to demonstrate the reason for this concern:

US Department of Health and Human Services (HHS) drug advisory committees have been found, after the fact, to include members who have financial interests in the companies selling the medications being considered for approval.

This is a classic conflict of interest: A member takes a position on something which actually could have a direct and predictable effect on his/her own financial interests. That would be considered an actual, financial, and directly attributable benefit to the member and violate federal criminal law. It affects more than the member's financial assets; many interests are imputed to the member, including those of a spouse, minor children, general business partners, and employers. If a member takes specific actions that might impact or be related to particular individuals or organizations, they may be seen as a financial conflict of interest. Taking such actions should be avoided.

The ethics rules, which come from various sources, equally delineate criminal laws and the Standards of Conduct, which are regulatory rules ordinarily reserved for executive branch employees. This is relevant, because for the time a member performing official work for the FACJJ, s/he is considered covered as an executive branch employee and these standards therefore apply.

Beyond actual conflict of interest lies the perception or appearance of such a conflict, even related to any person in a member's family. If something comes up in the FACJJ's work that is central to a member's work outside of the Committee, one needs to recuse oneself on a specific issue to the chair or DFO.

One exception exists to the above as it relates to a representative committee: Expected bias. FACJJ members are expected to state what is in the best interest of the states or regions they are appointed to represent.

General guidance on overarching issues is highly unlikely to cause issues around conflict of interest. Mr. Moses advised FACJJ members to avoid taking positions or making recommendations that appear as if any particular organization or individual is being favored. He mentioned his review of the 2015 FACJJ Recommendations memo directed to Administrator Listenbee and discussed in today's meeting, noting that the majority of the recommendations are general in nature. Mr. Moses explained that the memo includes recommendations for very specific research; this raises concerns that someone might set up a research project to benefit his or her institution. However, his review showed that none who worked on those recommendations are employed by research universities. Additionally, none of the recommendations is specific to a particular program or institution.

Mr. Moses advised including the rationale behind any highly specific recommendation, as this provides ethical clarification and benefits the administrator. He added that the FACJJ's recommendations are an important element of input into the DOJ's specific policy decisions but are one of many other elements.

#### Lobbying and the FACJJ

Lobbying with federal funds is an issue that has garnered a lot of discussion on Capitol Hill. In 2002, the anti-lobbying statute expanded from a prohibition on lobbying by individual federal officials to one on lobbying with federal funds; this translates to lobbying restrictions on state, local, and tribal governments and their grantees, as well as FAC members. Proscribed methods exist around allowable discussions, through the administrator and DOJ, for those being funded with federal monies, including if the government pays for one's travel costs to attend meetings or events in Washington, DC. Meeting with Capitol Hill staff is not allowed while in DC on a federally funded trip of any kind. That said, a FACJJ member may speak on behalf of only individual views if s/he comes here without that funding. Mr. Moses recommended treading carefully about lobbying while in DC even if such activity is planned for a day that is not covered by a federal organization, as in during a trip extended past the one scheduled by that group.

SAG members have more statutory authority to lobby at the state level through SAGs than at the federal level as members of the FACJJ; this is due to the fact that the purpose of a SAG is to provide advice to the state's legislators and governor to ensure that policy and program are aligned. If lobbying on an issue that has no statutory basis for the SAG, one needs to pay attention to how that activity is being funded.

Regardless of activity and funding source, Mr. Moses recommended maintaining very accurate time records in order to document that any lobbying is not being paid for with federal money.

### Certification of Non-Conflict and Non-Disclosure

Mr. Moses provided members with the Certification of Non-Conflict and Non-Disclosure form and asked both new and veteran members to review and sign it and to refer to it as issues arise. The form identifies areas of potential conflicting interests and when to recuse oneself from an issue or activity.

Members of the FACJJ likely will be privy to non-public information, such as that from subcommittee meetings and written material provided for consideration or review. The provider of that information needs to clarify its non-public nature; after that, making that information publicly available without the authority to do so (FACJJ members do not have such authority) is a violation of the ethics rules.

### *Emails and Confidentiality*

Emails become federal documents and may or may not become discoverable under the Freedom of Information Act (FOIA). Information shared between the FACJJ and OJJDP is not classified, but Mr. Moses suggested being aware and taking appropriate precautions. Mr. Moeser added that the FACJJ will ensure that the subject of confidentiality and disclosure will remain an ongoing discussion as it has in past years.

**Mr. Daniels** pointed out that some committee work is likely to be done using office email, and email servers for FACJJ members would likely be operated by local government units; therefore, such email communications may be subject to public record, and other governmental units could access information and/or disclose it.

Mr. Moses clarified that, as long as an email is appropriately marked as non-public or privileged, it would not be seen as a public exchange according to a state-level FOIA request, and those at the state level would likely contact Mr. Pestridge or another OJJDP representative or simply note that it was not a public information exchange.

**Mr. Moeser** noted that FACJJ members are acting on behalf of their regions and are also selected based on their expertise and experience in the field. Members need not go back to their SAGs for its formal position on every decision. Mr. Pestridge added that members may request that any objections to recommendations be duly noted for the record.

Mr. Pestridge collected signed Certification of Non-Conflict and Non-Disclosure forms from FACJJ members and explained that he would provide copies to the OGC as well as blank copies to members for reference purposes.

### Contact information for additional guidance:

*Office of Justice Programs, US DOJ*

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Jenna Bernhart

***PHONE AND EMAIL ADDRESS NEEDED***



## **DAY 1 – REVIEW/DISCUSS SUBCOMMITTEE STRUCTURE AND ESTABLISHING PRIORITIES**

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Jim Moeser reminded members to mark their ballots with their nominations for FACJJ chair and vice-chair, with terms beginning January 1, and remit the forms by the end of Day 1 to the ballot box provided at the meeting. The vote was scheduled to take place on Day 2.

### FACJJ Subcommittee Model Background

Mr. Moeser provided a background of the current FACJJ subcommittee structure, with the goal of reviewing past operations and deciding how best to function moving forward. He expressed the FACJJ's goal to see its recommendations be incorporated into the work of OJJDP. Therefore, the Office's formal response and the administrator's update are important, and the FACJJ appreciates ideas on how to support the Office's work with its own.

The FACJJ formed three subcommittees in 2011. The groups developed recommendations in 2013. The formal OJJDP response to those recommendations – around evidence-based practices, youth engagement, and education – along with the 2015 recommendations were to be posted online after Day 1. Mr. Pestridge planned to print hard copies of the 2013 response for the members during the course of the meeting. The OJJDP staff working group was represented at the meeting in order to incorporate the subcommittees' recommendations into the Office's work, and Mr. Pestridge welcomed further comments from the FACJJ regarding that integration.

The FACJJ's 2014 recommendations took the form of a memorandum. The structure involved the establishment of subcommittees that worked flexibly around issues and allowed members to come together in smaller collectives as necessary to move the larger FACJJ work forward. The three subcommittees that were created in the most recent structure developed the current recommendations.

Mr. Moeser solicited feedback from new and veteran members as to the framework and subcommittees for going forward, with the goals of ending the day with a clear picture of the structure, process, and issue areas going into 2016 and of establishing leaders of the groups:

**Ms. Artero** expressed her interest in being an active member and requested that leaders consider time zones when scheduling conference call meetings so that she is able to join at least some of them.

**Dr. Miller** asked whether subcommittees ever collect or analyze data in their development of recommendations. The following members provided responses:

- **Ms. Kohrs** shared that the Legislation Subcommittee had conducted two surveys; the first one involved all of the SAGs through their chairs, and the second included SAG members.
- **Ms. Rapillo** explained that the Research and Publications Subcommittee brought in experts for presentations in content areas, and the expertise that was shared provided outstanding support to the group's recommendations.
- Both Ms. Kohrs and Ms. Rapillo added that the OJJDP staff assigned to the subcommittees have brought in experts as needed and have provided guidance and information to have

helped to ensure that the groups' recommendations are reasonable based on the work and direction of the Office.

- **Mr. Timberlake** pointed out the tremendous value of the expertise of the people at the table as a resource. As well, OJJDP staff provide institutional memory and critical knowledge.
- **Mr. Moeser** commented that, in the past, OJJDP had done some surveying and that the subcommittees had been able to submit questions toward that effort. Also, some subcommittee discussions had led to webinar development.
- **Tony Jones** commented that hearing various viewpoints and accessing research that was already public informed his subcommittee's recommendations.

**Rob Lubitz** provided a historical perspective in this area, sharing that, five years prior, the chair and he (as vice-chair) held a brainstorming session around the major issues facing the states. The session led to a focus around five issue areas and the creation of five subcommittees; the group realized quickly that it was spread too thin and contracted to three subcommittees. The FACJJ also noticed that it was replicating or touching on studies done by other agencies, including OJJDP, the National Conference of State Legislatures, the Juvenile Detention Alternatives Initiative, and the National Council of Juvenile and Family Court Judges. The leaders proposed that the FACJJ act as a clearinghouse, reviewing recommendations from JJ agencies across the US, identifying actionable recommendations that were not being addressed at that time, and prioritizing them for OJJDP. Some organizing principles were developed, but the Committee did not move in that direction. Mr. Moeser suggested that such a model could be used on the subcommittee level.

**Mr. Jones** shared the benefits of operating with subcommittees, as they create opportunities to flesh out information and provide a starting point for the full FACJJ.

**Ms. Ague** suggested scheduling the first six months in advance instead of planning meetings *ad hoc*. Mr. Moeser agreed that a system should be developed to ensure that subcommittees are meeting, functioning, and achieving progress. He added that the participation and involvement of alternates is encouraged and valued.

**Mr. Timberlake** inquired if the FACJJ can meaningfully assist OJJDP in moving forward around reforming JJ systems.

**Administrator Listenbee** acknowledged that the FACJJ's work is clearly related to the Office's priorities. For example, its efforts around youth engagement, expungement, and consequences of juvenile delinquency directly affects out-of-home placement. OJJDP plans to produce policy statements on these issues over the coming six months in order to better inform the Office's work and related processes; these may provide insight on ways that the FACJJ may directly assist the efforts.

**Mr. Moeser** expressed the Committee's unique designation and ability to support OJJDP's work as well as its desire to be flexible to respond as the Office establishes issues of relevance, such as those that may be identified in policy statements and elsewhere.

**Administrator Listenbee** shared that OJJDP is spending a great deal of time focusing on the four federal core protections – deinstitutionalization of status offenders, sight and sound separation, adult jail and lock-up removal, and disproportionate minority contact – as, without these, many other efforts would simply not happen. Hence the push for reauthorization of JJDP. Another area where energy is being spent is around JJ reform, much through the leadership at the state level, with reductions in youth entering the system and the number of facilities, and improvement and reduction of detention. Reducing out-of-home placement is also high on the OJJDP priority list.

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## **DAY 1 – LUNCH, SUBCOMMITTEE BREAKOUT SESSIONS**

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The FACJJ broke for lunch and returned to discuss the subcommittee meeting breakout sessions.

The FACJJ agreed to develop three subcommittees, identify the issue of focus (either current or new) for each group, and select group leaders. Mr. Moeser listed the members of each group and named the issues identified in 2013-14 and today, as food for thought for the groups as they determine their foci:

- OJJDP coordination with other federal agencies
- Recommendations around training and TA
- Prevention efforts
- Special populations (e.g. dual-status youth)
- Status offense-related issues
- Equity and reducing disparities
- Increasing parental engagement and voice
- Impact of social media
- Immigration/ICE policies related to immigrant and incarcerated youth
- Core protections
- Reducing out-of-home placements
- Educating youth in custody

Members are welcome to participate in the work of more than one subcommittee if they choose to do so, although each member is expected to have a primary group.

A subcommittee may or may not choose to work on a specific topic over the course of the entire year; it may take on a new area of focus at some point along the way. Mr. Moeser added that a goal is to conduct two or three webinar meetings before the next annual meeting to adopt recommendations and accomplish larger FACJJ goals.

Relatedly, Mr. Moeser pointed out that a number of primary members' terms will end in September 2016. The FACJJ bylaws and charter are set for now; however, the annual meeting does not need to be held in October. He suggested holding next year's meeting in September and possibly inviting incoming members to attend, with the goal of a smoother transition. Those members who are phasing out could attend and make recommendations. Terms are two years, and each member may serve two terms.

Opportunities will exist to rethink scheduling of meetings. Mr. Moeser and Mr. Pestridge have discussed developing an *ad hoc* committee to revisit the bylaws generally, and the bi-annual charter review and approval process will begin in February 2016 for approval by that fall.

#### Ad Hoc Bylaws Subcommittee

Mr. Lubitz, Ms. Ague, Ms. Jacobs, and Mr. Daniels expressed interest in serving on the Ad Hoc Bylaws Subcommittee, to work with Mr. Moeser and Mr. Pestridge. The bylaws can be amended at any time and need to reflect the interests of the FACJJ. The goal is to meet during this calendar year and resolve any changes to the bylaws by April 30, 2016. Once the Subcommittee recommends changes, OGC will look at the bylaws as currently implemented and compare them with the recommendations. OGC is available to respond to committee questions during the review process. To ensure that the Subcommittee produces revisions that will be accepted by OGC, OJJDP Chief of Staff Shanetta Cutlar will work to engage someone from that office to participate early in the process. Mr. Moeser explained the need to calculate the approval process and work within that time frame.

#### Charter Renewal

Separately, the FACJJ charter is set to expire at the end of 2016. Mr. Pestridge explained that the process for charter renewal is in place, and that work will begin on that when necessary. He added that the bylaws are more pertinent to the efficiency of the Committee and therefore are more time-critical. Amendments can help with procedural issues, such as closing the existing gap that creates a scenario in which annual meetings do not include outgoing members. The charter is driven by the statute and allows for leeway in bylaw amendment proposals.

#### Sustainability of the Committee

Mr. Pestridge raised concerns around the FACJJ's sustainability, noting that the dearth of applicants for Committee membership this year led to three extensions of the application period; this delayed appointments by almost two months and created for significant crunch times in onboarding new members. Three vacancies yet remain.

Mr. Pestridge acknowledged the FACJJ's need to determine internally how to move forward and pointed to the extraordinary capacity and robust network of the SAGs. He suggested the Committee review the bylaws to include communication with other SAG members that allows for capacity building through modeling, mentoring, and other activities.

Ms. Artero added her recommendation that primary members consistently communicate with their regional alternate members to ensure the alternates' ability to fully participate in meetings when primary members are unable to do so.

Ms. Ague pointed to the importance of promoting the existing online application via social media, newsletters, and to and through the SAGs in order to reach youth engagement and family engagement workers and others who have not historically applied for FACJJ membership. Mr. Pestridge acknowledged Ms. Ague's direction in placing the application on the website and the responses that were received online.

## **DAY 1 – SUBCOMMITTEE SESSION REPORTS AND DISCUSSION**

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### **Expungement, Sealing, and Confidentiality of Records Subcommittee Session Report**

George Timberlake reported that significant interest remains on the part of the Subcommittee members on continuing work around expungement, sealing, and confidentiality of records from various points of view. Many areas of inquiry exist; a few of them are:

- The group wishes to explore cross-system process issues and practices around expungement and confidentiality, as definitions vary across systems.
- Developing a framework for best practices is important and needs to be based on the clear knowledge that juvenile indiscretions and crimes can produce lifelong consequences. Subpopulations also play into that framework, as research has clearly demonstrated a disproportionate effect on youth of color; questions remain about impacts on tribal populations and whether gender and/or LGBTQ status affects outcomes disparately.
- Another issue is parole practice around juvenile crimes. States have a diverse range of confidentiality statutes, and that variation affects youth who are placed out of state.
- Education in correctional institutions is another area of potential focus that involves coordination of local, state, and federal approaches.
- Juvenile re-entry practices are an area worth reviewing as well.

The Subcommittee suggests that updates on the field be provided by the subcommittees as part of full FACJJ meetings so that all are informed by activities, practices, and issues that may affect related group work.

The Subcommittee has not yet selected a new leader. The focus of the group may shift at some point, but it plans to initially continue with the subject of expungement, sealing, and confidentiality of records.

### **Research and Publications Subcommittee Session Report**

Ms. Rapillo reported that Lisa Jacobs will become chair of the Research and Publications Subcommittee. Ms. Rapillo noted that all members in attendance besides Ms. Jacobs will term out in September 2016, as will numerous members who have been active participants in the group's conference call meetings. A lot of good work can be accomplished over the next 11 months, and Ms. Jacobs and Ms. Rapillo will have the opportunity to work together for a considerable period of time.

The current structure, including phone meetings, works well for the group members and offers a platform for bringing in outside expertise as needed, generating meaningful discussion, and conscientiously developing recommendations.

The Subcommittee discussed the methods it used to generate its list of topics of focus: The group had worked originally from the SAG survey results and had subsequently, based on the direction of its leadership, created a focus on dual-status youth (juveniles who come into contact with both the child welfare and juvenile justice systems and occupy various statuses in terms of their relationship to the two systems). The group has done some research and has developed some recommendations on the subject to date. Group members look forward to examining this ongoing issue in more depth, particularly to develop interagency collaboration recommendations that would

drive services to affect meaningful change. Frustration exists on the ground at the lack of such change thus far, even with the abundance of available research and models.

A newly identified issue is prevention relating to disconnected youth – the growing number of youth ages 16 to early 20s who are not engaged in school or employment, some of whom are or have been involved in the JJ system. Another potential area of focus is the development of recommendations around the impact that federal policy on sex offender registration – which does not contain specific direction regarding youth but is to be applied without attention to the offender’s age – has on the way individual states develop policies and services concerning youth who come to court with sex offenses on their records. The FACJJ needs to look at the ways in which states are dealing with individual youths and on the policy level as a whole.

### **Legislation Subcommittee Session Report**

Kenya Shantel Lee and Ms. Davenport reported that the Legislation Subcommittee selected Ms. Lee as its chair with support from Ms. Davenport as co-chair. It will continue to focus mainly on developing recommendations around the reauthorization of JJCPA, paying close attention to the implications and impact of the Act and its components and amendments when and if it is approved.

The Subcommittee will also examine three other issues, as time and resources allow:

1. Reducing disparity and achieving equity
  - a. There is a need to rebrand “reducing disproportionality” to “fair and equal treatment for all youths”.
  - b. Beyond disproportionate minority contact (DMC), equity issues involve structural biases affecting youth and families. Trauma, historical racism, poverty, and more create a different mindset around equity. There is a need for a novel framework that explores and establishes promotion of equity beyond reducing numbers of youth becoming part of the JJ system.
2. JJ system reform
3. Smoothing the transition away from the VCO exception, in the event the legislation passes
  - a. Judges and prosecutors fear elimination of the exception and see no other option besides detention, as that is what has always been done.
  - b. Some states are managing youth well without the exception.

The Subcommittee has not yet determined its structure or schedule for meeting and tracking work.

**Ms. Ague** suggested that the group analyze the Record Expungement Designed to Enhance Employment Act of 2015 (REDEEM Act) to see what pieces align with JJCPA. Mr. Moeser recommended tracking that and other germane proposed legislation.

**Mr. Jones** provided a law enforcement viewpoint around the disproportionate number of kids of color in the system. Police chiefs are shifting toward “fair and impartial policing perspective”, which reflects a new way of thinking about the issue of biased policing: Mr. Jones expressed his opinion that everyone has implicit and explicit biases, that police personnel must train, and that policies need to be incorporated within agencies. Alert front line supervisors are needed to ensure that policies are followed.

**Mr. Moeser** explained that, at this point in the progression, FACJJ members – particularly new members – can choose to switch subcommittees until November 6. To discuss any changes, please speak to Mr. Moeser. A shared tracking document that includes time zones will be developed by OJJDP staff based on the FACJJ contact list.

All other identified issues to consider listed earlier by Mr. Moeser will be tabled for the time being for possible future attention.

Subcommittee chairs have taken part in leadership calls periodically to help develop meeting and webinar agendas. Members are encouraged to provide feedback to the chair and vice-chair directly or through their subcommittee chairs regarding FACJJ operations and to help inform webinar development.

**Ms. Jacobs** suggested that the Illinois SAG could present in webinar form its long-term study on youth sexual offenders as well as a discussion of the significant amount of research that has been done since and its impact on federal policy. The March 2014 study report has been presented widely, including for the Council of State Governments.

**Mr. Timberlake** noted that a significant body of science exists on adolescent brain development and juvenile sexual decision making, and considerable interest exists to learn about how this area of study can inform efforts. As an outgrowth of its report, the SAG has started to build collaborations and partnerships with child advocacy centers, probation departments, and community-based treatment service providers to present another series of training sessions to the Sex Offender Management Board as well as training to law enforcement personnel, prosecutors, and defenders across the state.

**Ms. Ague** commented that an intern at the Washington State Department of Social and Health Services Juvenile Justice and Rehabilitation Administration is currently developing a youth-friendly version of the Illinois SAG report mentioned above.

**Mr. Pestridge** is easily able to coordinate with the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) to develop a dialogue around issue areas specific to juvenile justice of concern to the FACJJ. Successes in local jurisdictions and SAGS such as the ones discussed here will move the FACJJ forward in an informed manner and make the Committee decidedly relevant across jurisdictions.

The three subcommittees then planned next steps as far into the future as possible. They reported back as follows:

#### **Legislation Subcommittee**

Ms. Lee reported that the Legislation Subcommittee will participate in monthly conference call meetings. The first meeting will be scheduled after November 6, at which point the list of group members will be confirmed. An introductory, 30-minute call to include background information on processes will be held for new members. A second meeting will follow, to involve additional support and information from OJJDP staff.

#### **Research and Publications Subcommittee**

Ms. Rapillo reported that the Research and Publications Subcommittee will continue to focus on the dual status youth issue and will also focus on sex offender registration, based on the momentum around the subject in the earlier discussion. Monthly conference call meetings will take place on the second Friday of the month, and the first two have been scheduled for November 13 and December 11. Ms. Jacobs will disseminate information about the Illinois SAG research to the Subcommittee members prior to the November meeting. Ms. Rapillo will follow up with Mr. Pestridge to get connected to the SMART office, with the intent of having staff join the December 11 call to share SMART's positions and related information. The plan is to gather information for the purposes of planning a webinar for late winter or early spring.

### **Expungement, Sealing, and Confidentiality of Records Subcommittee**

Ms. Ague, new co-chair, reported on behalf of the Expungement, Sealing, and Confidentiality of Records Subcommittee, which plans to focus on five areas under the issue of sealing and expungement. She will disseminate Doodle polls to Subcommittee members and will reach out to Marshall Edwards at DOJ for material support for meetings on November 11 and November 18. Dr. Miller has agreed to serve as Subcommittee co-chair unless another member shows interest in the position; the question will be posed through one the above-mentioned Doodle polls.

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## **DAY 1 – WRAP-UP, REVIEW OF DAY 2**

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Mr. Moeser thanked all participants for their focused efforts over the course of the day, commenting that the goals of the day were met regarding subcommittee focus and leadership. He expressed his appreciation for the groups' plans to begin their work in the near future. Members were reminded to speak with those they wish to nominate and to fill out their ballots in preparation for the vote on Day 2.

**Mr. Moeser adjourned the Day 1 meeting at 4:56 p.m.**



## DAY 2 – ADMINISTRATIVE BUSINESS

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**Jim Moeser** welcomed everyone again and conducted roll call by way of prompting members to reintroduce themselves.

### Primary Members

James (Jim) Moeser/WI (Acting Chair)  
Starcia Ague/WA  
Aileen Jo Artero/Guam  
Vernon Daniels/NE  
Amy Davenport/VT  
Tony Jones/FL  
ViEve Martin Kohrs/LA  
Kenya Lee/MD

Robin (Rob) Lubitz/AZ  
Justin (Jay) Miller, PhD/KY  
Christine Perra Rapillo/CT  
George Timberlake/IL

### Alternate Members

Kimberly Larson/MA (phone)  
Lisa Jacobs/IL

### **Nominations and Elections of Officers**

Mr. Timberlake was nominated for the position of FACJJ Chair; no other nominations were made. **A vote to accept Mr. Timberlake as FACJJ Chair carried with no abstentions.**

Two nominations for made for the position of FACJJ Vice-Chair: Ms. Ague and Ms. Lee. Ms. Lee declined the nomination. **A vote to accept Ms. Ague as FACJJ Vice-Chair carried with no abstentions.** Congratulations to the new FACJJ leadership team.

Mr. Moeser expressed his appreciation for the work of all of the FACJJ members during his tenure as FACJJ Chair, and he thanked all subcommittee chairs as well as those members who have assisted in other ways.

### **Welcome and Business**

**Administrator Listenbee** welcomed everyone to Day 2 of the meeting, and he mentioned that the OJJDP responses to the FACJJ's recommendations 2013 had been posted. Mr. Pestridge will ensure that all members receive them. Administrator Listenbee added that OJJDP is endeavoring to act more swiftly on recommendations moving forward, within the Office's larger goal of constant and continuous innovation, change, and improvement.

**Administrator Listenbee** presented a letter and certificate to each new member of the FACJJ, welcoming them to the Committee and pointing out that they have the rare opportunity to send messages to the President, Congress, and the OJJDP administrator, and to make a difference in our government. He referred to the Presidential Proclamation of October 2015 as National Youth Justice Awareness Month to illustrate the commitment by the White House to these issues.

**Administrator Listenbee** presented letters and certificates to Ms. Artero, Mr. Daniels, Ms. Davenport, and Dr. Miller. He announced the reappointments of Mr. Timberlake and Ms. Ague.

Finally, he presented a letter and certificate to outgoing FACJJ Vice Chair Dalene Dutton, highlighting her efforts around JJ both with the FACJJ and around the nation.

## **DAY 2 – PRESENTATION: COMMUNITY ENGAGEMENT**

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Dalene Dutton, *outgoing FACJJ Vice-Chair and Communities That Care Specialist, Social Development Research Group (SDRG), School of Social Work, University of Washington*, presented “Engaging Communities in Delinquency Prevention: The Communities That Care System”. She explained that her goal is to help people think upstream and to challenge communities to effect changes in the environments from which youth come and to where they return.

### Background

Worldwide, efforts and investments in medicine, training, disease, and child health have significantly shifted of causes of mortality and morbidity. In the US as of 2011, 72% of all deaths of 15-24 year olds were behaviorally caused or influenced. Research now shows that preventing certain behaviors in adolescence – a time when most mental, emotional, and behavioral disorders manifest and extend into adulthood – can reduce mortality and morbidity over lifetimes. Beyond the moral imperative that exists around this prevention, it is also cost effective, both related to the expense associated with maintaining youth in secure placement (the average cost of confining one child in the US is more than \$400 a day) and overarching societal costs (these include property damage, theft, substance abuse, and more).

### Prevention Science

The field of prevention science is a relatively new one (since the 1980s) and, in the case of delinquency prevention, focuses on helping young people to feel less stressed and empowers them to be less prone to violence. Prevention science has experienced a major increase in funded studies and published papers, and there now exists 40-years worth of advances in the field.

The science involves a framework of four elements:

- Definition of the problem
- Identification of the problem’s risk factors (predictors) and protective factors
- Design and testing of interventions that can mediate the predictors
- Program implementation design and evaluation

Ms. Dutton referenced a report by the National Academies of Sciences, Engineering, and Medicine: *Preventing Mental, Emotional, and Behavioral Disorders Among Young People: Progress and Possibilities*. The report is an update on the state of prevention science in the area of youth delinquency. Two findings of the report are:

- While the knowledge now exists on how to prevent behaviors, it is not being applied enough.
- The prevalence of disorders is high: Children in the US are as likely to experience a mental, emotional, or behavioral disorder as they are to experience a bone fracture.

Prevention science has identified risk and protective factors that predict behavioral health problems and describe their distribution in populations and communities. It has also developed efficacy trials, designing and testing preventive interventions to interrupt causal processes that lead to youth problems. The next piece is to understand how to build effective infrastructure to help communities to implement the science and affect impact.

Ms. Dutton presented the results of multiple, high quality, longitudinal studies identifying risk factors. Predictors of adolescent behavioral health problems include substance abuse, delinquency, teen pregnancy, dropping out of school, violence, and depression and anxiety. Constitutional factors that are a part of individuals' makeups – and thereby affect how they react to stimuli and control impulses – also exist. Finally, new brain science findings show that the greatest changes to the prefrontal cortex (the part of the brain that is responsible for functions such as impulse control, judgment, emotions, and organization) occur between puberty and adulthood. Adolescents truly are operating with a different brain than adults do.

Protective factors such as high intelligence, resilient temperament, competencies and skills have been shown to predict positive outcomes. As well, protective factors exist in social domains such as family, school, peer group, and neighborhood, providing necessary prosocial involvement, bonding opportunities, healthy beliefs, and clear standards. Youth need to be in relationship with people who care about them and point them in positive directions. We need to provide authentic opportunities for all young people to gain skills that will benefit them as they become productive, engaged members of their community, and we need to recognize their efforts and achievement in mastering those skills. Such opportunities and recognition lead to modeling of prosocial behavior standards.

#### Meeting Communities Where They Are

Communities have different conditions and needs, and tailored solutions need to be developed to meet them. Levels of risk and protection vary by neighborhood, and an individual's own levels make a difference in outcomes. Additionally, youth of color are more prone to exposure to risk factors. The goal is to simultaneously reduce risk while boosting protective factors; this can affect outcomes around diverse problems.

Science-guided prevention promotes targeting malleable and attainable risk and protective factors. Ms. Dutton pointed to an executive summary on adolescent health published in *The Lancet*; it points out that we are experiencing the largest generation of adolescents in the history of the world and explains the importance of investing in its health. If we do not, it warns, earlier investments in

maternal and child health will be jeopardized and will erode “future quality and length of life” and will escalate “suffering, inequality, and social instability.”

### Building Community Prevention Infrastructure

Ms. Dutton noted that the vast majority of interventions being employed by communities, schools, and agencies that serve children have not been shown to be efficacious; there is a disconnect between research and practice. A major challenge lies in building prevention infrastructure that increases the use of tested and effective prevention policies and programs that conform to fidelity in application and still allow for flexibility of community needs and conditions.

Scaling the impact of programs, involving adjustments to local needs and resources, is no less important. Reaching a critical mass is necessary to change the landscape of a community. We must build the capacity of local coalitions in order to reduce common risk factors through:

- Assessment and prioritization of epidemiological levels of risk, protection, and problems
- Choosing proven programs and policies that match local priorities
- Implementing chosen programs with fidelity to those targeted

Communities That Care (CTC) emerged from the prevention science findings noted above. It is a proven method to build community commitment and capacity to prevent underage drinking; tobacco use; and delinquent behavior, including violence. The University of Washington created the Center for Communities That Care (CTC) in 1988; the program has undergone 15 years of implementation and improvement and has been owned by the Substance Abuse and Mental Health Services Administration (SAMHSA) since 2005. It has been tested in a randomized control trial in seven cities across the US, and its effects have been replicated in a statewide test conducted by Penn State University. It is now being tested in Birmingham, Alabama; Chicago, Illinois; East St. Paul, Minnesota; and Seattle, Washington.

Ms. Dutton shared findings of a large CTC trial, in which the powerful impact on adolescents in CTC communities was shown to affect a 33% decrease in tobacco use, a 32% decrease in alcohol consumption, and a 25% decrease in delinquency. A comparison of non-CTC “business-as usual” policy and program communities and CTC prevention infrastructure communities reveals an increase in community, school, family, and peer/individual protection across multiple measures.

The study involved gathering baseline data at the end of 2003 when students were in grade 5. The system was then implemented, and researchers very quickly witnessed an increase in protective factors and a reduction in the onset of delinquency. CTC interventions successfully deterred youth from commencing delinquent behaviors. Lower rates of violence, tobacco use, and delinquency occurred based on middle school prevention interventions. Based on these results, communities are beginning to implement prevention programs for high schoolers, as they have not – due to middle school interventions – started engaging delinquent behaviors.

Ms. Dutton solicited questions and feedback about building prevention infrastructure:

**Administrator Listenbee** lamented that one of the biggest challenges OJJDP faces is the time lag in implementing the findings coming from prevention science studies; interest and funding wane in the interim. Dr. Miller expressed the need to make better use of that data by translating it effectively for communities who carry out prevention implementation.

Ms. Davenport shared her experience in Vermont, where the state is dealing with rampant heroin use. Youth delinquency rates are decreasing, and out-of-home placements are going down; however, there is an increase of young children entering foster care – and thereby becoming at significant risk for delinquency – due to their parents’ use of the drug. Resources historically earmarked for delinquency treatment are now being poured into foster care management. Ms. Davenport sees CTC as a way to help address this problem; the issue of focusing resources on the fast-growing population of at-risk foster care children remains.

Ms. Dutton described CTC’s focus on truly building capacity in communities, explaining that staff holds repeated trainings over 18 months to two years, reaching upwards of 100 community members. Coaching and technical support are provided as well. Fully half of CTC coalitions have folded after their first funding sources expired. It now appears that sustainability is contingent on longer-term funding, and five-year grants allow time for training; implementation; identifying, approaching, and securing funding sources; and building viable capacity. Money will remain a factor in the success of building prevention infrastructure, and leadership needs to invest in our nation’s youth by building better communities, not jails. Some CTCs have dedicated members who research potential funding streams and models, and creative solutions include making an initial investment and using the dividends for funding the work. Another is identifying municipal taxes and/or fees that may be utilized.

**Administrator Listenbee** highlighted the need to examine downsizing JJ systems to understand how funds are now being used now that fewer youths are coming in, and to help OJJDP communicate with legislators and with local organizations around this issue. This is an opportune time to invest those monies in specific prevention efforts (the “products” of today), and economists and businesspeople could be enlisted to assist in bringing that difficult message to policymakers.

**Mr. Lubitz** agreed with Administrator Listenbee’s point that this will be a tough sell, as efficiency leads to redirection of funding. It will be necessary to demonstrate efficiency by making clear the evidence base. Success will be hard won.

Ms. Dutton described the five phases of the CTC prevention infrastructure; these need to be cycled through in a five-year period:

1. **Get Started:** Community determines whether it is ready to mobilize.
  - a. Key stakeholders and leaders will support or, at the least, allow for implementation

- b. Determine the key concerns and issues in the community
  - c. Identify people who need to be on board (approximately 12 in most communities); members should hold true power over budgets, policy, and public opinion, in order to provide leverage before mobilization efforts begin.
    - i. If those people will not participate directly, the community is not ready to build a prevention infrastructure. A critical mass is needed.
- 2. Get Organized:** CTC staff trains those in key leadership positions.
- a. Chief of police, superintendent of schools, mayor, state representatives, civic association leadership, ecumenical council, et al. – people (NOT their assistants) who control resources, public opinion, and overarching policy
  - b. Education on what CTC is and how it will benefit the community
  - c. A Key Leader Board is formed.
  - d. Community coalition members are trained and organized into workgroups; these are based on coalition-functioning research findings showing what work is needed to be effective:
    - i. Funding
    - ii. Public Relations
    - iii. Youth Engagement
    - iv. Data
    - v. Evaluation
- 3. Develop In-Depth Community Profile:** Gather student self-reporting data on living in the community through the CTC Youth Survey (available at [www.communitiesthatcare.net](http://www.communitiesthatcare.net)) in order to provide to coalitions so they may make data-driven decisions:
- a. Assesses young people’s experiences and perspectives
  - b. Provides valid and reliable measures of risk and protective factors across state, gender, age, and race/ethnicity
  - c. Identifies levels of risk and protective factors (i.e. poverty, graduation rates) and problem behaviors such as substance use, crime, violence, and depression for state, city, school, or neighborhood.
  - d. Monitors effect of chosen actions with bi-annual surveys
- 4. Create a Plan**
- a. Define outcomes
  - b. Prioritize 2-3 problem areas for focus
    - i. CTC staff teach the community to develop a gap analysis and to analyze data.
  - c. Select tested, effective interventions
  - d. Create a two-year community action plan, including:
    - i. Specific reduction in risk factors
    - ii. Implementation with a high degree of fidelity
    - iii. Evaluation plan, including:

1. Evaluation of implementation and behavioral outcomes

## 5. Implement and Evaluate

- a. Form a task force
- b. Identify and train implementers
- c. Track fidelity and reach
- d. Evaluate outcomes annually
- e. evaluate community outcomes every two years
- f. Adjust programming

The planning process takes six months to one year. It takes 2-5 years to experience an increase in protection and positive youth development and a decrease in risk factors and problem behaviors.

Ms. Dutton ended by asserting that the only way to reduce the number of children coming into the JJ system is to promote their development. Working upstream and focusing on common predictors of positive and negative outcomes benefits many causes and prevents youth from becoming delinquent.

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## DAY 2 – PRESENTATION: POSITIVE YOUTH DEVELOPMENT

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Jeffrey Butts, PhD, *Research & Evaluation Center, John Jay College of Criminal Justice, City University of New York*, presented a review of “Positive Youth Development” to the FACJJ.

Dr. Butts explained that it is not truly known which children are delinquent and which are not. People use youths’ contact with law enforcement having performed a delinquent act as a synonym for delinquency. A researcher can track young people’s involvement with the JJ system, but that is not the full picture; social status, economic reality, and racial grouping are variables that affect delinquency, as it is defined above.

The JJ system uses words such as “rehabilitation”, “treatment”, and “restorative” to sell what it is really promoting and conducting: public safety, control, punishment, and retribution. Juvenile court as it operates is a small-scale version of criminal court. We define risk as justice bureaucracies define it; however, those same bureaucracies, which include systematized ethnic and social biases, create some of the risk factors.

Jurisdictions around the country are leaning on risk assessment as a decision-making tool; this is well intentioned not fully informed. The concept of risk is important but is tinged with racial and ethnic bias. Screening tools based on objective justice involvement factors are still a tool to be seen as one that does not paint the complete picture. It is reflection of behavior crisscrossed with justice contact. For example, a child who lives in a neighborhood closely monitored by police is more likely to be caught committing a crime.

It is important to keep in mind that delinquent acts are not a moral failing but instead are appropriate in the moral code in which the children live, one that happens not to be conducive to pro-social development.

Positive youth development is public safety, as youth with essential and pro-social assets are less likely to be involved in risky behavior. If every child had the opportunities and activities that youth in wealthy communities do – including supportive relationships, success in learning, physical activity and sports, music and the arts, and civic engagement – crime would be greatly minimized. Until that is the case, there always will be some who grow up angry and feeling rejected. However, no single strategy can ensure positive development; it takes a broad system of community-based supports. Dr. Butts suggested that, even if a primary, positive development strategy does not exist at the community level, a secondary intervention could allow for pursuing positive outcomes for older youth who have come into the JJ system.

Concrete guidance is needed, and agencies crave answers. What is needed are fewer, unbranded programs and more solid practices. Branded programs are time limited as money or interest wanes. Shifts in social norms and thinking are what affect change; the current example is around gun violence.

Positive Youth Justice involves promoting assets in the six domains of child development: work, education, relationships, community, health, and creativity. Along with reducing risks, tracking and measuring identified tangible, positive assets and outcomes is crucial to success. A tailored framework in which to pursue positive outcomes and reduce risks in young people needs to be developed by and in each community. The DC Department of Youth Rehabilitation Services is an example of an agency which looks beyond arrests and measures positive outcomes – including high school and GED diplomas, college enrollment, and community service hours completion. Dr. Butts asserted that this resets the conversation. He also suggested that, if agencies around the country engaged in similar tracking, jurisdictions would be asking questions about outcomes, not punishments.

The Chronicle of Social Changes published a seven-part series on the application of Positive Youth Justice across the US: <https://chronicleofsocialchange.org/issue/positive-youth-justice>. The term “Positive Youth Justice” (PYJ) now has a Wikipedia page. Researchers from Wales have published a book describing their ambitious positive and principled model of youth justice, *Positive Youth Justice: Children First, Offenders Second*. The Oregon Youth Authority has developed a positive human development framework, and the Sierra Health Foundation has made a major investment in California, launching an effort to redesign the youth justice systems in six counties in the state; the effort is named the Positive Youth Justice Initiative.



The goal is to figure out how to get a community to embrace ideas, stick to an agenda, and remain in coalition after grant funding ends, in order to change instincts.

Practices are becoming evidence based. Dr. Butts described practical research done by University of Pennsylvania researcher and criminologist Sara Heller: The City of Chicago offered a summer youth employment program that became overenrolled. Dr. Heller's team introduced a randomized procedure that used a lottery to select job winners; the parents and youth signed off on the plan. The team divided the 1500 kids into three even groups:

- Group #1 (no jobs): 500 kids got no job and no contact beyond notification. The team assessed their records one year later.
- Group #2 (jobs): 500 kids were introduced to employers and their work site, and they had a mentored work experience; they were taught how to survive in the workplace and how to behave if a supervisor mistreats or disrespects them. The research team found a 40% reduction in offenses.
- Group #3 (jobs): 500 kids received the office experience along with Cognitive Behavioral Therapy (CBT)-based social-emotional learning. The team found the same 40% reduction in offenses.

These results show that most youth (including those who are adjudicated) do not need the social-emotional learning element. Outcomes are more reliable than professionals' feelings about what kids need to succeed. Perhaps what most youth need are ways to finish school, feel accomplished and respected, and earn money, as well as to feel they belong. We need to evaluate and prove the efficacy of individual program components or practices. This will help determine which elements positively affect outcomes. Evidence will be built by measuring service provision, activities completed, and behaviors and accomplishments.

Demonstrating that having a good, successful summer job makes a positive difference with regard to reduction of offenses is useful for educating a legislative body and conceivably affecting its funding decisions. In fact, the British government recently asked researchers to produce a report on desistance (cessation of offending or other antisocial behavior).

Dr. Butts asserted that we need to place young people in groups, assist them in cultivating their skills, and advance them through the decision-making hierarchy. We must begin collaborating to knock down the dominant framework; delinquency and youth crime are not a mental health syndrome nor a neurological disorder.

While secure detention population kids were found to have 69% diagnosed mental health or substance abuse problems, their rates of diagnosis were found to be as low as 17% at the time they entered the JJ system. Researchers have confused the cause with the results; mental health problems do not cause criminal behavior but can be a result of the detention environment.

There is a strong need for health acquisition. Dr. Butts asserted that we need to advance assets within a framework to produce positive outcomes for young people. He then reiterated the importance of developing tailored programming and avoiding ready-made branded practices that are not sustainable for communities.

**\*\*\*\*\* Group Discussion of Presentations \*\*\*\*\***

**Mr. Moeser** posed the question of how to drive beyond risk reduction measures and build Positive Youth Justice into the dominant framework. Dr. Butts noted the importance of building in positive outcome measurements and touting the outcomes – thereby offering an alternative to punishment – as much as possible. He asserted that formalized risk assessment tools aggravate and cover up racial issues, and that addressing the deeply entrenched framework head-on is not effective.

**Ms. Davenport** noted that some existing assessment tools attempt to determine the sources of problems. Dr. Butts agreed that assessing needs is better than only discovering prior law enforcement involvement. Reporting requirements drive research, and judges can make better informed rulings with more information. Assessments are more helpful than relying on gut instincts; however, a machinery produces those assessments, and that needs to be recognized.

**Mr. Lubitz** referred to Vanderbilt University Peabody College’s Mark Lipsey, PhD; he has developed the Standardized Program Evaluation Protocol (SPEP), a data driven rating scheme for determining how well an existing program matches the research evidence for the effectiveness of that particular type of intervention for reducing the recidivism of juvenile offenders. Dr. Butts commented on the importance of paying attention to multiple elements, including those not as obviously connected to delinquency, such as physical activity for children. He purported that dominant society loves that criminal behavior comes from individual and family problems and therefore continues to focus funding and support on therapy. There exists more diversity of research funding than before; however, we need to continue to expand the scope of focus.

**Ms. Jacobs** commented on the attraction of risk, strength, and needs assessments, as it provides a basis for decisions and keeps some kids out of the JJ system. She asked if jurisdictions are being consistent in using the assessments. Dr. Butts agreed as to the value the assessments bring to judges and explained that the problem lies in focusing only on specific indicators to the exclusion of identifying fundamental issues. He commented that, across the board, jurisdictions are not going beyond risk assessments to consider systemic issues. Two ways to guide that are to change the conversation, language, and terminology to include those issues, and to illuminate documented positive outcomes.

**Mr. Daniels** and Dr. Butts conversed about the importance of developing well-articulated arguments in order to educate judges and others in the JJ system. Many rely on risk assessments and accept the current definition of an offender, when the reality is that an “offender” is one who

engages in criminal behavior and gets caught doing so. It takes time to change people's thinking about inherent biases, and Ms. Dutton added that we need to continue efforts to provide downstream services but cannot ignore the upstream piece. We must equip communities and should not rely solely on families for young adult success in graduation, employment, etc. She added that we must be better consumers of the data we collect around what programs and practices are effective.

**Mr. Timberlake** commented that the conversation is exactly what the Evidence-Based Practices Subcommittee intended two years ago with its recommendations. He contended that the system is much better off with research-based practices and risk assessments than when decisions were based on internal attitudes about crime and race. While noting that improvement, he expressed the importance for the Committee and OJJDP to communicate to the field the need to continue to seek progress. The focus needs to be on all children, not only those who have contact with law enforcement.

**Dr. Miller** mentioned the ability to use research as a basis to say anything one wants to say. We need to continue to question as well as to explore how something becomes an evidence-based practice.

**Ms. Kohrs** thanked Ms. Dutton, commenting that people need something concrete to hold onto. That said, she noted that, over time, people forget the bases of practices and programs and come to think of them as unchangeable doctrine. Dr. Butts provide specific examples of that, and he pointed to the same issue in research, where people latch onto buzzwords and practices, forgetting to focus on what they are trying to accomplish.

**Mr. Lubitz** added that it is easy to lose sight of the fact that, in spite of the issues raised here, the number of incarcerated youth has dropped dramatically. Dr. Butts explained that this is a worldwide industrialized country phenomenon whose origins are unclear. Theories are being formulated and explored.

**Mr. Moeser** mentioned that children do what they see around them; therefore, perhaps it is changes in adult behavior that are needed. Ms. Dutton explained that, when a CTC community seeks to reduce underage drinking, it studies community policies and practices, such as community events and drunk driving behavior, to learn how adults behave in public vis à vis alcohol. It also explores young people's perceptions of adult approval of drinking. One goal is to help adults understand the effects of their attitudes and behavior on kids.

**Ms. Jacobs** highlighted the importance of development a relationship between the positive youth development approach and evidence-based practice. It is crucial to use knowledge and research to guide our work and to achieve positive outcomes. Language also plays an essential role and makes

a difference. Dr. Butts agreed with Ms. Jacobs that it takes effort to distill the lessons and suggested focusing on practices and not programs in order to find common ground.

**Mr. Pestridge** referred to the recently reestablished Office of Justice Programs Science Advisory Board (SAB), on which Dr. Butts serves. Dr. Butts explained that the SAB has met once thus far, and that its goal is to complete its messaging prior to the end of President Obama's term of office. Mr. Pestridge suggested that the FACJJ keep abreast of the SAB's work, as it could inform the efforts of the FACJJ.

**Mr. Moeser** shared his belief that tools are helpful and research results are key. Our current justice system is not well designed for the uniqueness of skills, knowledge, wisdom that exists, and therefore it takes more work to get where we want to be.

In response to **Mr. Timberlake's** question on the state of education around youth development, Dr. Betts mentioned that the University of Minnesota School of Social Work is the only school he knows of that has an official concentration in youth development. Other universities do not embrace the developmental approach but generally teach the system as it exists. George Mason University's Center for Evidenced-Based Policing is a research entity with no curricular arm.

**Ms. Dutton** commented that program implementers need to understand very clearly how programs propose to change behavior and achieve outcomes. The challenge lies in determining how to arrange infrastructure around JJ to infuse science, research, and good practice into workforce training. Community members need knowledge, consistent language, and an understanding of the unique factors affecting their children and their children's friends. Informing those in the education system could significantly affect how these issues are discussed.

Dr. Betts declared that he plans to add to his focus people coming out of school, as they will be able to affect the JJ system. He will connect with colleagues at the John Jay College of Criminal Justice around positive youth development.

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## **DAY 2 – SUMMARY, NEXT STEPS, AND MEETING ADJOURNMENT**

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Mr. Moeser will reach out next month to Mr. Timberlake and Ms. Ague to organize a succession plan. Subcommittees are already in process, with meetings scheduled and initial plans in place.

Mr. Pestridge is the contact for subcommittees needing assistance. He explained that technology is available to support subcommittee work; this includes conference call numbers at no cost to the FACJJ. Also, OJJDP can engage its training contractors in support of the subcommittees as they establish themselves.

Administrator Listenbee offered his congratulations to Mr. Timberlake and Ms. Ague for their appointments as chair and vice-chair, respectively. He thanked Ms. Dutton and Dr. Butts for their presentations and noted that this group needs to respond to the clear challenges Dr. Butts has laid out. The FACJJ has the unique opportunity to chart the course, which is critical to the JJ system.

Administrator Listenbee presented a letter and certificate to Lisa Jacobs, alternate member.

Mr. Moeser expressed the FACJJ's appreciation for Administrator Listenbee's presence over the course of the two-day meeting.

Mr. Pestridge thanked the FACJJ for the opportunity to work with this Committee in his first experience as acting DFO. He expressed appreciation for Mr. Moeser's and Ms. Dutton's support and thanked Dr. Butts for arranging his scheduled to address the group, and to AEIO for its administrative and technical support.

**Mr. Moeser adjourned the Day 2 meeting at 1:19 p.m.**