

**2005 Annual Recommendations Report to the OJJDP
Administrator and Responses**

April, 2006

Introduction

Despite the continuing decline in the juvenile arrest rate, the juvenile justice picture in this country is not quite as rosy as it appears on the surface. The nation faces a multitude of juvenile justice problems—many of them complex—and needs a high level of national leadership and advocacy to address these problems. In its 2005 annual report, the Federal Advisory Committee on Juvenile Justice (FACJJ) has asked the President and Congress to exert this leadership by becoming more vocal advocates for juvenile justice programs and by consistently and adequately funding programs authorized under the Juvenile Justice and Delinquency Prevention (JJDP) Act. In turn, FACJJ is asking the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to exercise leadership by stressing to the U.S. Attorney General and to the Assistant Attorney General of the Office of Justice Programs (OJP) the need for a reinvigoration of federal leadership to address juvenile delinquency.

As part of its mandated role to advise the President and Congress on juvenile justice and delinquency prevention and to advise the OJJDP Administrator on the work of OJJDP, FACJJ has developed two reports. The 2005 *Federal Advisory Committee on Juvenile Justice Annual Report to the President and Congress* contains 10 recommendations regarding funding issues, the detrimental effect of congressional earmarks, and suggested legislative changes.¹ This 2005 *Annual Recommendations Report to the Administrator of the Office of Juvenile Justice and Delinquency Prevention* contains 25 recommendations that illustrate why the nation cannot afford to put juvenile justice on the back burner.

FACJJ urges the OJJDP Administrator to use OJJDP to call attention to juvenile justice and to emphasize to the President, Congress, the U.S. Department of Justice (DOJ), and the public that investing in juvenile justice programs now will pay big dividends down the road. This is not the time to cut back on prevention and intervention efforts. Juvenile justice practitioners need OJJDP to help them address an array of continuing and emerging problems including the overrepresentation of minorities in the juvenile justice system, the growing use of methamphetamines (meth), the use of transfers and waivers, the difficulty of treating co-occurring mental health and substance abuse needs, and numerous other issues. Because so much remains to be done, FACJJ asks OJJDP and OJP to work diligently to encourage the President, Congress, and the Attorney General to make juvenile justice a high national priority.

¹ The FACJJ annual reports to the President and Congress and to the OJJDP Administrator are available on the FACJJ web page: www.ojjdp.ncjrs.org/facjj/annualreports.html/.

FACJJ Recommendations

The recommendations in this report are based on responses to a questionnaire FACJJ sent to its members and to State Advisory Group (SAG) members in every state and territory. They reflect many of the concerns expressed in those responses. Although different areas of the country experience somewhat different problems, many of the same problems affect juvenile justice practitioners and policymakers across the nation. This report represents a broad spectrum of those concerns and suggests ways that OJJDP can help states address them. The recommendations focus on seven major topic areas: national leadership, tribal juvenile justice, the need for coordination and cooperation, information needs, critical juvenile justice issues, OJJDP administrative issues, and the Office's relationship with FACJJ. All of the recommendations have been studied, discussed, debated, and approved by the full FACJJ membership.

Leadership Role

FACJJ pointed out in its 2005 report to the President and Congress that the President, Congress, and the U.S. Department of Justice (DOJ) cannot afford to shortchange juvenile justice. As evidenced by the recommendations in this report, the nation faces a multitude of serious juvenile justice issues. Many of them are complicated and will require long-term commitment and dedication at all levels of government before they can be solved. FACJJ urges OJJDP to take the lead in helping ensure that juvenile justice gets the federal attention it needs by using OJJDP to help rally federal and state policymakers. The Office can lead the way by keeping juvenile justice on the front burner and by helping states address the critical issues highlighted in the following recommendations.

1. FACJJ recommends that OJJDP take a leadership role in widely disseminating research on juvenile brain development and in making policymakers aware of its implications for the juvenile justice system.

Emerging research about brain development in adolescents clearly points out that the teenage brain is a work in progress, and may, in fact, help explain what is going on with adolescents. Key findings from the research include the following (American Bar Association, 2004):

- The brains of adolescents are far less developed than previously believed.
- The frontal lobe, the largest part of the brain and the part that controls the brain's most advanced functions, undergoes more changes during adolescence than at any other time in an individual's life and is the last part of the brain to develop.
- Adolescents often use the emotional part of the brain, rather than the frontal lobe, to make decisions.

- The parts of the brain that govern impulse, judgment, and other characteristics may not reach complete maturity until an individual reaches age 21 or 22.

This research should not be viewed as only of interest to researchers and academics, because the findings have broad implications for the juvenile justice system and the way it addresses juvenile delinquency. For example, the findings should lead to a reconsideration of waiver and transfer laws, which allow the transfer of some juvenile cases to criminal court. The findings also lend further support to research from the MacArthur Foundation, which indicates that juvenile offenders 15 and younger may not have the competency to serve as defendants in a criminal trial (MacArthur Foundation, 2003). Adolescent brain research could also lead the field to re-examine a trend that began during the 1980s and 1990s of managing juvenile detention and correctional facilities like adult facilities. Adolescent maturity—or lack thereof—could mean a change in staff training and program development for these facilities, and for law enforcement and juvenile justice practitioners across the board. Findings from the research could also come into play when training law enforcement and other first responders how to appropriately respond to crisis calls involving threatening behavior by youth.

Adolescent brain development research is still in the early stages, but it is an issue the nation and the juvenile justice community must be prepared to address, and one in which OJJDP can, and should, take a lead role.

OJJDP Response: Adopted with Change

To some extent, OJJDP has already begun addressing this recommendation. The agency has provided researchers familiar with adolescent brain development to the National Bar Association (NBA) for both a national conference and an attorney training activity. OJJDP also sponsored a very well attended and well received workshop session, "Welcome to the Adolescence Brain" for the January 2006 National Coordinating Council Conference to bring attention to this issue. Also, leading researchers on the OJJDP Girls Study Group have conducted extensive reviews of the literature on brain development and the effects of differential rates of growth of girls' prefrontal cortices compared to boys, and have explored the implications of these patterns for girls' maturation, cognitive capability and decision making and for developing appropriate programming for girls.

However, OJJDP will be measured in the dissemination of research on juvenile brain development, for the following two reasons:

- 1.) As the FACJJ itself points out, brain development research is still “in the early stages.” In fact, there is general agreement among neuroscientists that only prospective, longitudinal studies, not yet undertaken, can provide a complete, comprehensive picture of brain development. Most current brain research, rather than offering startling new discoveries, has merely confirmed what social science researchers have observed through

other methods over the past 50 years. As noted by Kurt Fischer, Director of the Mind, Brain & Education Program at Harvard University, “Much policy and advice can be based on cognitive and developmental science research, but neuroscience is too young to provide such specific guidance...right now we know too little to build public policy or advice on brain findings.”

2.) OJJDP is statutorily prohibited from conducting biomedical research. This prohibition means that the agency must rely on studies funded by other Federal agencies or private foundations for information on juvenile brain development.

Nonetheless, OJJDP will continue to work with other Federal agencies (e.g. NIH, NIMH) to recommend and develop studies that could produce results relevant to the juvenile justice system. Subsequently, OJJDP will assist in disseminating applicable research results to juvenile justice professionals and policy-makers, ensuring that emphasis is placed on results having clear implications for the juvenile justice system.

2. FACJJ recommends that OJJDP take a leadership role in encouraging states and the federal government to reduce the practice of transferring, waiving, or placing juvenile offenders in adult courts. Emerging research on adolescent brain development and findings from the limited research available about waivers and transfers indicate the juvenile justice community needs to reconsider this approach.

Findings from the limited research available about the effects of transferring or waiving some juvenile cases to criminal court are disturbing. Studies from a number of states on the impact of transferring juveniles to adult court indicate that transferring these youth does not necessarily protect the public. The studies have found that transferred youth are more likely than similar youth who are not transferred to re-offend, and to re-offend more quickly with more serious offenses (Center for the Study and Prevention of Violence, 1999). Minority youth also are disproportionately represented in transfer cases. A national study found that 82 percent of the cases filed in adult court involved minority youth and that minority youth were significantly more likely than white youth to be transferred to adult court (Juszkiewicz, n.d.). OJJDP and policymakers should be especially concerned about this finding in light of the difficulty states are having in solving the problem of disproportionate minority contact (DMC). Also, as noted above, emerging research about brain development in adolescents questions their ability to make mature decisions during this age period. OJJDP needs to make policymakers and the public aware of these findings. For example, findings from both the brain and transfer and waiver research could have an impact on the development of federal laws such as legislation both the U.S. Senate and the U.S. House of Representatives are considering to address gang violence (including that committed by youth).

As the Administrator noted in his response to FACJJ's 2004 recommendation regarding transfer and waivers, transfer to adult proceedings raises many

questions, and much more research and evaluation are needed. FACJJ recommends that OJJDP fund such research. The findings to date demand a reconsideration of the trend to transfer, waive, or place juvenile offenders in adult courts. FACJJ urges OJJDP to lead the way in turning this trend around.

OJJDP Response: Adopted

OJJDP concurs that the practice of transferring, waiving and/or direct filing juveniles to criminal court is one that requires more scrutiny. As the lead federal juvenile justice agency, OJJDP is very concerned about the expanded role that the adult correctional system now plays in the care and custody of juveniles. OJJDP has spent the last three decades working to enforce the Juvenile Justice and Delinquency Prevention Act of 2002, as amended, and in that capacity, we have seen the tremendous success states have achieved at deinstitutionalizing status offenders, removing delinquent offenders from adult facilities and ensuring that juveniles and adult inmates are kept sight and sound separated. At the same time, as states continue to maintain an extended age of juvenile jurisdiction to -- in some cases -- 25 year of age (e.g. CA, OR), OJJDP has expressed concern about the feasibility of separating the very young offenders housed in juvenile facilities from older offenders. Because some state juvenile facilities are receiving and caring for children as young as ten years of age, further study needs to examine whether housing these young children alongside those over 18 years of age is an effective and safe practice. Ultimately, OJP's Office of General Counsel (OGC) determined that in fact children found guilty in adult criminal court were, upon reaching the state's age of majority, "adult inmates" and as such needed to be sight and sound separated from juveniles adjudicated as delinquents. OJJDP concurs that more research on this issue would better inform federal, state and local policy makers. The President's FY06 Budget request included \$10 million for research and zero dollars were appropriated to the Office. Nonetheless, \$3.7 million has been allocated to a field initiated research and evaluation solicitation this fiscal year. OJJDP will consider supporting research in this area under that solicitation.

3. FACJJ recommends that OJJDP continue to support the early appointment of quality fulltime juvenile attorneys as legal counsel for juveniles and stress the need for this quality representation to continue throughout the entire process of a juvenile's court proceedings.

Appointing counsel early in a case is essential to protecting the rights of a juvenile. At a minimum, counsel must be appointed prior to any pre-trial detention hearing or first appearance before the court. Ideally, there should be an in-person interview between the attorney and a juvenile prior to any court appearance. The appointment of an attorney in advance of the hearing gives the attorney time to develop some rapport with the juvenile, to perform a preliminary investigation of the charges, to provide legal advice, and to explore alternatives to secure detention. Even 24 hours' notice can have a significant impact on the quality of representation. To adequately protect the rights of juveniles, counsel should be available to the juvenile immediately after an arrest. Not surprisingly, the

percentage of juvenile cases in which a confession is obtained is extraordinarily high, given the particular vulnerability of young people. The ability of a juvenile to understand the words and concepts of the Miranda warnings is significantly lower than that of an adult. Because a confession most likely will be the core element of a prosecutor's case, depriving a juvenile of early access to counsel is particularly troubling and increases the likelihood of inaccurate statements and false confessions. Access to adequate counsel can also have an effect on disproportionate minority contact. A 1993 study by Michigan State University found that detained African American youth received fewer visits from their attorneys and were less satisfied with their representation than white youth (Coalition for Juvenile Justice, 1993).

Representing a juvenile is quite different from representing an adult. It is important that attorneys be adequately trained in representing juveniles and that they have access to other resources such as social workers, mental health programs, and drug and substance abuse programs.

FACJJ commends OJJDP for its 2004 online document, *Access to Counsel*, which promotes access to quality legal counsel for all youth in the juvenile justice system and promotes the adoption of programs and policies that ensure that juveniles consult with counsel at the outset of the juvenile justice process and at every subsequent step through predisposition. FACJJ recommends that OJJDP continue to vigorously promote the need for early access to counsel.

OJJDP Response: Adopted

Access to counsel was one of the 10 activity areas of the State Challenge Activities Grants Program. FY 2003 was the last year of Congressional appropriation for this program. Nevertheless, OJJDP will continue to encourage states to fund early access to quality counsel with existing block and formula grant funds. OJJDP continues to support the National Juvenile Defender Center (NJDC), which provides training and technical assistance to defense attorneys in juvenile courts and makes individual State Assessments of both the availability of juvenile defenders and the quality of juvenile defense practices state-wide. Indeed, in spite of tight fiscal constraints, OJJDP has committed to funding NJDC at the same level as previously, and has made discretionary grants to NJDC and the National District Attorneys Association. In addition, OJJDP will continue to promote the need for early access to counsel by periodically updating its online document, *Access to Counsel*, with current research and new best practices.

4. FACJJ recommends that OJJDP continue its current program efforts to address youth gangs. Although recent National Youth Gang Surveys indicate that the overall number of jurisdictions experiencing gang problems may be stabilizing, the same surveys show that youth gang problems are getting worse in many areas that have ongoing gang problems.

Last year, FACJJ recommended that OJJDP expand its program efforts to address youth gangs. In recognition of the Administrator's response that OJJDP is challenged to significantly increase programming in this area because of a limited amount of discretionary funding, FACJJ recommends that OJJDP keep attention focused on the youth gang issue by continuing to fund its current programs and by publicizing successful gang prevention, intervention, and suppression activities.

Some FACJJ members from urban areas report a concern about gangs and drugs, especially crack cocaine, and several states have noted problems with youth gangs on tribal lands. In addition, recent media reports of a growing number of gang-related highway shootings in California and numerous articles in newspapers across the country have put youth gang violence in the public eye once again. The sensational nature of some of this violence has led to a false perception of what is being done—or not being done—to prevent and combat youth gang activity. As a result, lawmakers and others are developing a variety of responses. As the OJJDP Administrator is aware, FACJJ members are particularly concerned about one of these responses: pending federal legislation that calls for transferring youth 16 years and older who are charged with gang-related crimes for trial as adults in federal district courts. FACJJ outlined its concerns in a letter and recommendation sent to the OJJDP Administrator on May 26, 2005. In the letter and recommendation, FACJJ noted the many questions that remain about the effectiveness of transferring juvenile offenders to adult courts.

FACJJ urges OJJDP to exercise leadership by bringing pertinent information—such as research that indicates transfer is not working—to the attention of federal and state policymakers, including governors. The gang legislation is a prime example of why DOJ, OJP, and OJJDP must take a leadership role on juvenile justice issues. OJJDP has done a good job of addressing youth gangs through the programs mentioned in the Administrator's response and FACJJ urges OJJDP to continue these efforts.

OJJDP Response: Adopted

OJJDP continues to put emphasis on its gang program and to disseminate information on successful prevention, intervention and suppression activities. Most recently, the OJJDP sponsored workshops as well as a town hall meeting at the January 2006 National Coordinating Council Conference. The Coordinating Council's working group on gangs, which includes members from the Corporation for National Service, the Office on National Drug Control Policy, the Departments of Education, Agriculture and Labor and two Council practitioner members, has been reconstituted to identify opportunities to work across the federal government to strengthen and increase anti-gang activities and to help in the development of a new publication, *Federal Anti-Gang Programs and Activities*. Staff of OJJDP has been integrally involved in developing the prevention component of the Attorney General's recently announced six sites, anti-gang

demonstration initiative focusing on prevention, prosecution, and prisoner re-entry. It is important to note that the Attorney General's new Comprehensive Anti-Gang Initiative is for the first time a balanced prevention-suppression effort based on OJJDP's Gang Reduction Program (GRP). It is notable that -- through this effort -- the Attorney General underscores the importance of prevention in anti-gang work. The public, web-based and searchable Model Programs Database OJJDP created and that is also part of the *Community Guide to Helping America's Youth* includes a number of programs that address gangs and gang prevention. The following gives more details about work being implemented by OJJDP in response to gangs and the Attorney General's anti-gang objectives around prevention and intervention:

- The Attorney General's Comprehensive Anti-Gang Initiative is a six site initiative that is being launched in 2006 in Tampa, FL; Cleveland, OH; Los Angeles, CA; Dallas/Ft.Worth, TX; Milwaukee, WI; and a corridor from Easton to Lancaster, PA. U.S. Attorneys in each site will oversee resources for gang prevention, enforcement, and offender reentry. OJJDP is working with other Department of Justice components to administer this initiative, with specific authority for the gang prevention activities.
- The Attorney General has directed all U.S. Attorneys to hold a gang prevention summit in their districts as part of the Department's overall anti-gang initiative. OJJDP is working with other components of Department of Justice to support these summits with informational resources and guidance for launching and coordinating local gang prevention efforts. The offices of all 94 U.S. Attorneys will be hosting gang prevention summits in 2006.
- The Attorney General has directed the Department to develop a single advanced level anti-gang training that includes topics of gang prevention, enforcement, prosecution, and intelligence. OJJDP is leading the working group that is developing the gang prevention training that will be offered.
- The Gang Reduction Program--OJJDP's four-city gang reduction pilot project -- is a community based approach to respond to gangs. GRP was launched in 2003 in Los Angeles, Richmond, Milwaukee and North Miami Beach with the goal of reducing youth gang crime and violence through an integrated application of proven practices in primary prevention, secondary prevention, intervention and suppression. These are active programs.
- Gang Free Schools and Communities (GFSC) is a similar demonstration project with a school focus. It was launched in 2001 in Pittsburgh, East Cleveland, Miami and Houston. The framework for this model known as, OJJDP's Comprehensive Gang Model, is based on the work of Dr. Irving Spergel. Houston and Pittsburgh will receive funding to extend their programs for an additional year.
- OJJDP established the National Youth Gang Center in 1994 at the Institute for Intergovernmental Research to expand and maintain the body of critical knowledge about youth gangs and effective responses to them. OJJDP continues to support the National Youth Gang Center with 2005 and 2006 funding. Their additional tasks include training and technical assistance to the U. S. Attorney's Offices and their partners involved in the Attorney General's Comprehensive Anti-Gang Initiative. The Center will continue to publish the National Youth

Gang Survey in years 2006 and 2007 and it will maintain and provide training on the *Community Guide to Helping America's Youth* website.

- OJJDP is assisting with mapping and program database development efforts for the Helping America's Youth initiative.
- OJJDP is working with the Office of Community Oriented Policing Services to deliver a two-part satellite video conference on Preventing Gangs in Our Communities on May 23 and June 6, 2006. After the initial airings, these conferences will be archived and available for downloading over the Internet at www.dojconnect.com.

Information on anti-gang activities and research continues to be widely disseminated through all mechanisms available to OJJDP including the web, the *juvjust* listserv, the outreach noted herein and particularly through the National Youth Gang Center.

5. FACJJ recommends that OJJDP work with the Center for the Study and Prevention of Violence (CSPV) at the University of Colorado at Boulder to identify additional programs that effectively address the co-occurring substance abuse and mental health needs of youth. CSPV should then expedite the inclusion of these programs into their Blueprints for Violence Prevention Project, which uses research-based criteria to evaluate the effectiveness of programs, and OJJDP should promote replication of the effective programs.

Policymakers and juvenile justice practitioners continue to struggle to successfully assess and treat youth in the juvenile justice system who suffer from co-occurring mental health and substance abuse disorders. This issue remains one of primary concern to FACJJ and is one in which OJJDP could exercise leadership by promoting effective treatment programs.

The Technical Assistance Partnership, funded by the U.S. Department of Health and Human Services (HHS), helps communities implement comprehensive Systems of Care programs for children with serious emotional disturbances. Systems of Care programs, which are funded by HHS' Substance Abuse and Mental Health Services Administration (SAMSHA), work with families, schools, mental and health care programs, juvenile justice practitioners, and social agencies to provide services to these children. FACJJ suggests that OJJDP and the Blueprints program work with this partnership to identify programs that address co-occurring disorders in youth.

Several states responding to FACJJ's survey for this report are using two existing Blueprints programs to address mental health issues: Family Functional Therapy and Multi-System Therapy. Nonetheless, practitioners and policymakers have made it clear that more help is needed. Including additional programs that address mental health and substance abuse in the Blueprints program is an excellent way for OJJDP to emphasize best practices for all agencies.

OJJDP Response: Adopted

OJJDP supports the idea of identifying programs that effectively address the co-occurring substance abuse and mental health needs of youth. The Center for the Study and Prevention of Violence (CSPV) at the University of Colorado is one of several organizations that are dedicated to the development of sound research and the identification of empirically proven effective programs. OJJDP has funded CSPV in the past and will continue to work with them under existing grants in 2006. OJJDP has also funded the development of the Model Programs database through Developmental Service Group, Inc. While the list created for model and effective programs are for juvenile justice in general, several programs are drug specific and mental health specific. OJJDP will continue to dedicate resources to supporting the development of effective programs and to the research and evaluation that adds to the knowledge of what makes programs effective.

6. FACJJ recommends that OJJDP encourage states that are members of the Interstate Compact for Juveniles to amend the Compact to conform to the regulations of the JJDP Act.

FACJJ urges OJJDP to work with the Association of Juvenile Compact Administrators to revise the Interstate Compact for Juveniles to help protect youth who are affected by the regulation. The Compact provides a consistent mechanism for tracking and supervising juveniles who are under court supervision and move across state lines. The current Compact, which has been adopted by more than 28 states, and is under consideration in 17 other states, allows states to hold runaways and status offenders for up to 90 days in secure confinement. This regulation is contrary to the JJDP Act.

OJJPD Response: Not Adopted

The JJDP Act provides for the following exception: juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult shall not be placed in secure detention facilities or secure correctional facilities, excluding juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State. This exclusion to the DSO requirement allows for the safe and appropriate handling of juveniles who have run away from their home state and are in need of care while they await transfer back to their homes.

The Interstate Compact for Juveniles (referenced above), a new interstate agreement, significantly updates the 50-year-old mechanism for tracking and supervising juveniles that move across state borders. Providing enhanced accountability, enforcement, visibility and communication, the new compact seeks to update a crucial, yet outdated, tool for ensuring public safety and preserving child welfare.

Primary changes to the original Juvenile Compact (1955) include:

- The establishment of an independent compact operating authority to administer ongoing compact activity, including a provision for staff support.
- Gubernatorial appointments of representatives for all member states on a national governing commission that would meet annually to conduct general business.
- Rule-making authority; provision for significant sanctions to support essential compact operations.
- Mandatory funding mechanism sufficient to support essential compact operations (staffing, data collection, training/education, etc.)
- Compel collection of standardized information.

Tribal Youth Issues

FACJJ recognizes that OJJDP and the Office's tribal youth program manager are well aware of the many juvenile justice problems facing tribal communities. The advisory committee also appreciates the opportunity OJJDP provided to learn about some of these issues at the spring FACJJ meeting in Albuquerque, New Mexico, in May 2005. FACJJ members from states with large populations of American Indian/Alaska Native (AI/AN) youth point to a lack of financial resources, isolation from the few available prevention and intervention services, and a scarcity of culturally appropriate assessment tools and programs both on and off reservations to address delinquency and crime committed by and against tribal youth. In addition to these difficulties, tribes are attempting to deal with many of the same youth problems faced by other communities: substance abuse, including a growing use of meth; youth gangs; and co-occurring mental health and substance abuse problems.

Despite these problems, states are taking positive steps to help their tribal communities. South Dakota's SAG funds a Tribal Juvenile Justice Advisory Group comprised of representatives from all nine tribes in South Dakota. This group makes recommendations to the state about the use of OJJDP Formula Grant tribal pass-through funds and other opportunities for state-tribe collaboration. The tribal advisory group also disseminates information about juvenile justice and funding opportunities. Montana has developed a culturally appropriate curriculum to treat AI/AN youth with co-occurring disorders. North Dakota has implemented a day treatment program in three schools on the reservation that provides multidisciplinary treatment for underachieving youth at risk of out-of-home placement.

To help provide a better understanding of tribal juvenile justice issues and needs, FACJJ makes the following recommendation:

7. FACJJ recommends that OJJDP convene a study group to examine and assess the needs of tribal communities and their juvenile justice systems; examine existing funding streams, including the tribal pass-through funding formula; and consider the feasibility of additional federal funding,

such as a Tribal Youth Formula Grants Program. The panel should be comprised of FACJJ and State Advisory Group (SAG) members from states with large AI/AN populations, tribal representatives, and staff from OJJDP and the Bureau of Indian Affairs (BIA). The group should report its findings to OJJDP and FACJJ.

Many tribal juvenile justice systems lack even the most basic services for AI/AN youth, including early intervention, probation, and treatment services. However, with 562 federally recognized tribes in the United States, juvenile justice needs most likely vary significantly by tribe. An OJJDP-convened study group could help determine whether federal programs are meeting the needs of tribal communities and help FACJJ and OJJDP become better informed about tribal issues. For example, FACJJ members in states that do not have tribal youth populations may not be aware of the youth issues facing tribal communities nor of the federal programs available to help them, and are not in a position to make recommendations to OJJDP regarding tribal funding. The study group should ask OJJDP and BIA staff to explain the various funding streams available to tribes from their respective agencies and the requirements to receive funding. Tribal representatives and SAG members should in turn discuss ways to improve existing federal programs and distribution of funds.

One area of funding that needs to be addressed is the Formula Grant Program tribal pass-through funding formula because, in part, the minimum amount a state is required to pass through to tribes is too small to support effective juvenile justice and delinquency prevention programs. Last year, FACJJ asked OJJDP to study the funding formula and devise a new, more equitable way of distributing these funds to tribes. In response, OJJDP pointed out that the Office provides funding to AI/AN tribes through several other programs: the Tribal Youth Program (TYP), the TYP Mental Health Initiative, and the Tribal Juvenile Accountability Discretionary Grant Program. Although these programs provide valuable funding to tribes, the advisory council stands by its original recommendation because the pass-through funding formula is seriously flawed and has been for some time. Rather than allowing the flaws to remain, the existing pass-through formula needs to be re-examined.

The study group should also consider additional ways to provide funding to tribal juvenile justice systems. One suggestion is to study the feasibility of creating a Tribal Youth Formula Grants Program. Although TYP awards between \$8 million and \$10 million annually to federally recognized tribes to develop programs that address juvenile justice on tribal lands, the competitive grants, which can range from \$75,000 to \$500,000, generally last for up to 3 years. In many cases, youth programs funded with the grants end when the grant period ends because there are no local, tribal, or state resources available to pick up the financial slack. Also, considering there are 562 federally recognized tribes in the nation, only a limited number of tribes receive TYP grants each year. A Tribal Youth Formula

Grants Program might be one way to provide consistent funding to help tribes address the myriad of juvenile justice issues they must attempt to address.

OJJDP Response: Adopted with Changes

The Office agrees there is value in convening a study group as outlined in the FACJJ recommendation to examine and assess the needs of tribal communities and their juvenile justice systems; examine existing funding streams, including the tribal pass-through funding formula; and consider the feasibility of additional federal funding, such as a Tribal Youth Formula Grants Program. The study group should also include the Indian Health Service (IHS) and other federal agencies with AI/AN interests. The group should report its findings to OJJDP and FACJJ.

OJJDP will examine possible funding mechanisms for this effort.

However, consideration of the feasibility of additional federal funding under a title of Tribal Youth Formula Grants Program is not in line with the overall Department of Justice directive which recognizes the sovereignty of American Indian and Alaska Native tribes. By creating a Tribal Youth Formula Grants Program, emphasis is being placed on states to distribute federal funds. Federally recognized tribes would be required to negotiate with states for funding. Not all tribes have an interest in working with states and not all states have consistent practice in considering tribes for funding. Although there are positive experiences with those states that have a strong understanding of the needs in AI/AN communities, states must also understand the federal goal to strengthen the Indian sense of autonomy and sovereignty without threatening the sense of community. One challenge is that there exists the perception that states would exercise authority over an Indian reservation without the consent of the respective tribe.

Coordinating Programs

The Administrator noted in his remarks at the spring 2005 FACJJ meeting in Albuquerque, New Mexico, that tight budgets at all levels of government are forcing agencies to closely examine the juvenile justice programs they are able to fund. Ultimately, many are cutting funding for these programs. Some of this budget crunch could be alleviated if local, county, state, and federal government agencies would pool their budgetary resources and expertise and fund coordinated, multiagency programs. Recognizing the need for coordination and cooperation among agencies, FACJJ makes the following recommendation:

8. FACJJ recommends that OJJDP take the lead, through the Coordinating Council on Juvenile Justice and Delinquency Prevention, in advocating for assistance and resources from agencies that operate outside the formal juvenile justice system such as the U.S. Departments of Education (ED), Health and Human Services (HHS), Housing and Urban Development (HUD), and Labor (DOL), and the National Institutes of Health (NIH). It makes sense to pool limited resources—both fiscal and human—to develop and sustain

innovative programs to help youth already in the juvenile justice system and those at risk of entering the system.

It is no secret that OJJDP's budget is significantly less than the budgets of other federal agencies that have programs dealing with youth such as ED, HHS, and DOL. The same is likely true at state and local levels. Ultimately, many of these agencies end up dealing with the same youth. For example, children with problems in school may be the same children who have families involved with social services and, perhaps, law enforcement agencies. Or, children who are abused or neglected may end up in the juvenile justice system. FACJJ is pleased that OJJDP worked with DOL on the Responsible Reintegration of Youth Offenders program, which provides grants to provide job training for youth leaving foster care and detention. This type of collaboration can go a long way in helping address the needs of youth in the juvenile justice system.

There are many opportunities for coordination. As noted in Recommendation 7, OJJDP could work with BIA in assessing the needs of tribal youth juvenile justice systems. Other future collaborations might include working with NIH on findings from adolescent brain research and their implications for the juvenile justice system. FACJJ also encourages OJJDP to work with DOJ's National Institute of Corrections (NIC) on adapting its research model on reentry and aftercare in an adult setting into a juvenile setting. The rising use of meth is causing havoc in many communities, and OJJDP should work with other agencies to ensure that meth is included in drug and alcohol education and prevention programs. FACJJ also encourages OJJDP to continue to work with SAMHSA on its Systems of Care program to ensure that youth in the juvenile justice system have access to the mental health and special education services they may need.

OJJDP Response: Adopted

OJJDP agrees and continues to pursue and where possible expand and accelerate work with other Federal agencies through the Coordinating Council, through formal and informal inter agency task forces and work groups, and through inter agency agreements (IAAs) that enable OJJDP to accept and provide funding to other federal agencies. Staff of OJJDP participates in dozens of working groups that address program, research, evaluation and information dissemination strategies. Among these are: the Inter Agency Working Group on Child Abuse and Neglect, the Federal Inter Agency Task Force on Missing and Exploited Children, the Fetal Alcohol Spectrum Disorder/Juvenile Justice Working Group, the Federal/National Partnership for Children's Mental Health, the Federal Collaboration in the Human Services Workforce, and the Department of the Interior Inter Agency Work Group on Alcohol, Substance Abuse and Youth Violence. In these venues, information is exchanged; staffs, fiscal and technical resources are shared; and resources are jointly developed or reviewed. The Office has also entered into dozens of IAAs in the last several years to support mutual efforts. Last year, for example, OJJDP was a recipient or provider of funds through nearly 20 IAAs. Among these were the \$100,000 OJJDP provided to the Substance Abuse and Mental Health Services

Administration (SAMHSA) to better align the two agencies' planning, development and implementation efforts by developing guidelines in concert with federal, state and local stakeholders to offender screening, assessment, treatment and performance measures and applying them to a "resiliency and recovery" model for SAMHSA programming and the funds provided to establish a cross-agency Mentoring Council convened by the Corporation for National Service designed to significantly increase the number of mentors available for youth by leveraging the resources and sharing effective practices of the multiple federal and national participant agencies. See also the response to Recommendation #14.

Information Needs

Just as there is a need to coordinate budgetary resources among agencies, there also is a need to coordinate the dissemination of information from these agencies. Juvenile justice practitioners and policymakers are also continually looking for new information about existing problems and cutting-edge information about emerging issues. The following recommendations address some of these needs:

9. FACJJ recommends that OJJDP support the development of a comprehensive, single source of information about juvenile justice programs, including federal funding opportunities, research, and proven delinquency prevention, intervention, and treatment strategies.

Many federal agencies have funding opportunities and programs related to juveniles. Navigating this federal maze of programs is often frustrating and can be intimidating for someone unfamiliar with Washington's bureaucracy. For example, OJJDP has an online *Model Program Guide* (www.ojjdp.ncjrs.org/programs/mpg.html) that helps communities locate scientifically tested and proven programs and strategies to prevent delinquency. The Substance Abuse and Mental Health Services Administration (SAMHSA) also has an online model program guide (www.modelprograms.samhsa.gov), which highlights programs that have provided solid proof they have prevented or reduced substance abuse and other related high-risk behaviors. FACJJ suggests that OJJDP, in concert with other federal agencies, develop a "one-stop shop" that would integrate research, funding opportunities, and information from other federal agencies. The new guide should also include information about how states are creatively integrating federal funding streams from other agencies to better serve juvenile offenders.

OJJDP Response: Adopted

OJJDP has been working with the other federal agencies, including SAMHSA, to synthesize multiple agency listings of programs into comprehensive compilations. The above-cited Model Program Guide is one such effort, which includes program information from other agencies. Currently, OJJDP is working with these agencies to

expand the number of programs included in the model program's database (http://www.dsgonline.com/mpg2.5/mpg_index.htm). The work and program encompassed in OJJDP's model programs database is also a core component and impetus behind development of the *Community Guide to Helping America's Youth* (<http://www.helpingamericasyouth.org/>). Both are accessible to the field and the public and are actively promoted through multiple information vehicles. Funding opportunities are already compiled on the www.grants.gov web site.

10. FACJJ recommends that OJJDP promulgate guidelines that encourage states and local subgrant recipients to use evidence-based research when establishing programs and to fund proven best practices or promising approaches. At the same time, states and OJJDP should support innovative programs and sponsor research to identify new ideas that are effective in addressing juvenile justice issues.

Although OJJDP concurred with this recommendation last year, FACJJ is repeating it again with an additional request that OJJDP provide funds to help states evaluate their activities. It would be helpful, for example, if OJJDP would provide additional money to states to evaluate the programs they are implementing with their Formula Grant, Juvenile Accountability Block Grant (JABG), and Title V Delinquency Community Prevention Grants (Title V) dollars.

In the past, OJJDP has funded evaluations of existing programs to test their effectiveness in other settings. For example, can a truancy reduction program that is effective in an inner city in the East be used in a rural community in the West? Or will a program to reduce youth gang activity in a California city work in a city that has problems with gangs comprised of Asian youth?

FACJJ and the states are asking OJJDP for a renewed and vigorous commitment to evaluation activities.

OJJDP Response: Adopted

OJJDP once again concurs with the recommendation. Regarding encouraging states and local sub grant recipients to use evidence-based research when establishing programs, OJJDP has diligently implemented JJDP Act of 2002, requiring that State agencies who receive OJJDP Formula Grant funds “. . . give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based.” (42 U.S.C. § 5633(a)(21) and 5783 (a)(8), (c)(5)) To ensure that states will fulfill this requirement, OJJDP requires state applicants to describe, in their FY 2006 formula grants applications, the procedures/process that the states will use to solicit and give funding priorities to evidence-based local programs. To enable local sub grantees to implement evidence-based juvenile justice programs, OJJDP has developed the Model Programs Guide and Database, a searchable Web site containing information on the full range of evidence-based juvenile justice programs from delinquency prevention and intervention to reentry (see http://www.dsgonline.com/mpg_index.htm).

Communities can use the database to locate evidence-based juvenile justice strategies that will fit their needs and enhance their likelihood for success. Although OJJDP cannot require congressional earmark programs to adopt evidence-based programming, OJJDP does track the extent to which all OJJDP-funded programs (formula and earmarks/discretionary) are implementing programs and practices which have been shown to prevent and/or reduce delinquency and associated negative outcomes.

Some states (e.g., Washington and Pennsylvania) have set aside resources each year to evaluate their JJD formula grants funded programs. OJJDP has required all states to collect performance measurement data on their sub grant programs under Juvenile Accountability Block Grants Program (since FY 2004), Title II Formula, and Title V (since FY 2005). By FY2006, all OJJDP funded programs will collect and report performance measurement data to measure the specific outputs and short- and long-term outcomes their programs are designed to achieve.

Each year, OJJDP sets aside between 8-10% of the Formula Grants (Title II Part B) funding category to support related research and evaluation activity. Additionally, in 2004 and 2005, funding under Title II Part D (Research, Evaluation and Statistics) supported several important research activities, including a number of programmatic evaluations. While OJJDP did not receive an appropriations under this category in 2006, OJJDP intends to use future Part D appropriations to support additional research and evaluation. OJJDP has several methods of supporting evaluations of delinquency prevention and intervention programs, including doing so directly, through agreements with other federal agencies. OJJDP encourages the use of rigorous standards in conducting evaluation of delinquency prevention and intervention programs and promotes the use of experimental or quasi-experimental methods in carrying out the studies, including: adequate sample sizes; experimental and control/comparison groups; program implementation fidelity; use of appropriate measures; and long-term follow-up of research subjects. Most of OJJDP's funds under Title II E, Developing New Initiatives go to congressionally-earmarked programs. In 2006, this represents over \$105 million in funding (or 99.8% of Part E funds). Earmark programs cover an array of activities – community education, prevention programs, funds for local agencies and small community-based projects. Few have been previously evaluated. OJJDP initiated an effort with OJP's National Institute of Justice to carry out an assessment and evaluation of earmark programs. Funds were identified in OJJDP's appropriations in 2002 and 2003 to be set aside for evaluation of congressional earmark programs, and OJJDP transferred \$8.3 million to NIJ for this purpose. (Future appropriations did not include this language.) NIJ then provided funds to three different research institutions (Caliber Associates, Abt Associates and Institute for Law and Justice) to conduct initial assessments of OJJDP's earmark grants for those years to determine the feasibility of conducting an outcome evaluation of the specific programs. Out of a group of over 200 earmark programs, 20 received full assessments. Of those, 8 programs were determined to be of sufficient quality to participate in a quasi-experimental evaluation and NIJ has solicited applications and made awards to research institutions to carry out these studies. Moreover, OJJDP recently released FY 2006 solicitations for Field-Initiated Demonstration Program and for Field-Initiated Research and Evaluation projects to both

promote innovative programs and evaluate their effectiveness. OJJDP remains committed to evaluation activities as funds permit.

11. FACJJ again recommends that OJJDP disseminate information to states about culturally competent mental health assessment issues. Diagnostic screening that addresses both substance abuse and mental health should be made available to all children (including minority youth) referred to the juvenile justice system, along with appropriate referrals that are commensurate with assessment findings. This is especially important because assessments of youth who are the most challenging to treat often reveal multiple drug and mental health disorders.

As noted in Recommendation 5, the mental health needs of children in the juvenile justice system continue to generate more and more attention as practitioners see increasing numbers of children with these needs. As the OJJDP Administrator indicated in response to this recommendation in 2004, OJJDP has been addressing this issue for several years. Its recent guide, *Screening and Assessing Mental Health and Substance Use Disorders among Youth in the Juvenile Justice System*, is a welcome resource. The guide does a good job of describing the current available instruments and offers solid suggestions on how to select certain tools based on the questions or issues a state may be trying to address. Many of the instruments cited in the guide have information about use with ethnic minorities, but many do not. Cultural competency requires practitioners, including juvenile justice professionals, to recognize and respect the values, beliefs, and traditions of different cultures and to reflect this recognition when working with minority youth. FACJJ encourages OJJDP to fund additional research and other program activities that deal with the cultural issues (race, ethnicity, language, and so on) that interact with screening assessment tools and treatment interventions.

OJJDP Response: Adopted

OJJDP agrees with the FACJJ that access to information about culturally competent mental health assessment instruments and protocols is critical for the optimal functioning of the juvenile justice system. The need for such assessments is particularly acute because of the large numbers of minority youth entering the system each year. Unfortunately, with severely limited discretionary funds at its disposal, the agency is not in a position to conduct its own research and training activities. However, through its ongoing partnerships with other Federal agencies, OJJDP is well-positioned to disseminate information derived from their work on culturally competent approaches to screening, assessment, and treatment. As an example, OJJDP is a member of the Federal Partners Senior Workgroup, an inter-agency group dedicated to implementing the recommendations contained in the Final Report of the President's New Freedom Commission on Mental Health, "Achieving the Promise: Transforming Mental Health Care in America." Recommendation #3.1 in the Commission's Report is to "improve access to quality care that is culturally competent." In order to implement this

recommendation, member agencies of the Federal Partners Senior Workgroup are engaged in the following activities: ascertaining the hallmarks of culturally competent mental health services; proposing additional research; creating an operational set of standards, benchmarks and performance measures; and encouraging adoption and implementation of standards. OJJDP plans to disseminate any information obtained through these activities to state and local juvenile justice and mental health professionals.

It should also be noted that in addition to using Formula and JABG funds to conduct culturally competent mental health assessments, states can enhance their capacity in this area by using these funds for training and technical assistance in the provision of culturally competent assessment services, and by incorporating requirements for such assessments into their 3-year state plans.

Critical Issues

Although the juvenile arrest rate continues to decline, many troublesome juvenile justice problems remain and new issues are constantly surfacing and demanding attention. In addition to the issues highlighted in the recommendations above, FACJJ and SAG members have identified a number of critical issues that need to be addressed including the rising use of meth, DMC, aftercare and re-entry, female juvenile offenders, restorative justice, and accurate data collection. Based on these concerns, FACJJ makes the following recommendations:

12. FACJJ recommends that OJJDP launch a comprehensive program to help the juvenile justice system combat the consequences of the widespread use of meth by both juveniles and adults, as well as the problems associated with its use. FACJJ recommends that OJJDP collaborate with other federal agencies to develop a program of research, model treatment programs, and training and technical assistance to help the nation effectively battle this problem.

One of the members attending the FACJJ 2005 spring meeting told the group that juvenile justice practitioners on the front lines see a “meth tsunami” coming, and it is going to be unlike anything the juvenile justice system has experienced in the past. Members from other states echoed his concern, with one member reporting that her state is being ravished by meth use that started in the mid-1980s. She reported that the state has 40- and 50-year-old adults in nursing homes because of extensive brain damage caused by meth use.

Meth is highly addictive and has dangerous toxic effects on the central nervous system. Juvenile meth use is especially troublesome in rural areas and on tribal lands, and points to the need to include information about meth in alcohol and drug abuse prevention programs. In addition, the children of meth-addicted parents often suffer from neglect and physical and sexual abuse.

Long-term meth use can cause violent behavior, anxiety, depression, delusions, and rages (Ells, Sturgis, and Wright, 2002). When high, meth users often do not

sleep for days; conversely, when they crash or stop using, they may sleep for days at a time. Besides being exposed to dangerous chemicals and possible meth lab explosions in their homes, children of meth users often are uncared for and unsupervised. They also may be subjected to irrational and brutal punishments during their parents' periods of violence and paranoia (Huddleston III, 2005).

A recent survey by the National Association of Counties (NACo) confirms the havoc meth is playing in the lives of many children. The study found that meth is a major cause of child abuse and neglect in many places in this country. NACo surveyed counties in 13 states where child welfare activities are performed at the county level. Child welfare agencies from 303 counties in all of the 13 states responded. Almost half (40 percent) of these officials reported an increase in out-of-home placements of abused and neglected children because of meth use in the past year (National Association of Counties, 2005). More specifically, 71 percent of California counties and 70 percent of Colorado counties responding to the survey reported an increase in out-of-home placements over the past 5 years.

Frequent newspaper and television reports also point to a growing meth problem in rural areas and on tribal lands. The Navajo Nation Tribal Council unanimously voted at the beginning of the year to criminalize the sale, possession, and manufacture of meth on the reservation in an effort to reduce violent crime. The sponsor of the legislation, who said data showed that 40 percent to 90 percent of violent crime on the Navajo Reservation involved meth, also reported that the Council had seen children as young as 9 years old using meth (Kolb, 2005).

A study by the National Institute of Justice, which examined meth use by juvenile arrestees in five cities, found that when compared with nonmeth users, juvenile arrestees were far less likely to attend school, more likely to have been arrested previously, and more likely to have been incarcerated (Pennell et al., 1999).

This growing use of meth calls for swift action by child welfare, law enforcement, and the juvenile and criminal justice systems. OJJDP can lead the way by working with appropriate federal agencies to help states develop comprehensive, coordinated responses to the widespread use of this dangerous drug.

OJJDP Response: Adopted

The growing use of meth is of concern to our Office and our partners. Through the Coordinating Council, OJJDP worked with the Office of National Drug Control Policy to sponsor a workshop on meth at the National Conference and has had preliminary discussions with that Office about a coordinated information dissemination effort. The Child Protection Division of OJJDP has also been in discussions with federal partners and grantees about strategies to assist states and localities in combating meth. The Office

will also reach out to the Executive Office of the United States Attorneys and the Department's Criminal Division to explore joint efforts.

13. FACJJ recommends that OJJDP continue to provide strong leadership as well as financial and technical resources to help states reduce the disproportionate number of minority youth who come into contact with the juvenile justice system at any point from arrest to reentry. Although most states participating in OJJDP's Formula Grants Program have made progress in addressing DMC, the issue remains a national concern.

Nearly all of the states responding to the 2005 FACJJ survey for this report listed DMC as one of their top five juvenile justice problems. The overrepresentation of minorities is a complex problem that stretches across all stages of the juvenile justice system and is one that defies simple solutions. States need help in finding something that really works to keep minority youth, including black, Hispanic, and American Indians/Alaska Natives (AI/AN), out of the juvenile justice system.

Several states are attempting to address DMC by participating in some cutting-edge national programs. The W. Haywood Burns Institute in San Francisco, California, is working with 10 local jurisdictions in 6 states to reduce DMC. (Participating states are Arizona, California, Illinois, Kentucky, Maryland, and Washington.) Traditional and nontraditional juvenile justice stakeholders participate in each jurisdiction. These stakeholders include judges, prosecutors, public defenders, police, probation, school officials, political leaders, service providers, and community groups. The jurisdictions are required to develop a data-driven, consensus-based plan to specifically and intentionally reduce disproportionate minority confinement.

Several states also are participating in the Juvenile Detention Alternatives Initiative (JDAI) developed by the Annie E. Casey Foundation of Baltimore, Maryland. Originally launched in 1992, JDAI was designed to help jurisdictions significantly reduce the number of youth held in detention without sacrificing public safety. The number of minority youth being held in detention centers presented JDAI participants with one of their biggest challenges and led to the creation of several strategies to help reduce the number of minority youth in detention. Today, jurisdictions in 14 states have turned to JDAI for help in addressing DMC and jurisdictions in 3 more states are slated to implement the Initiative in coming months. Some of the states are implementing JDAI statewide in an effort to reduce DMC.

States are also using a variety of local programs to reduce DMC. For example, Colorado is using some of its formula grant money to provide Minority Youth Advocates in three communities. The advocates work with youth and families and help them understand and navigate the juvenile justice system. The program hopes to reduce failure of youth to appear in court, offer alternatives to detention, and improve other outcomes. Illinois, as noted above, is working with the Burns

Institute on an initiative in four communities with significant black populations and significant DMC problems. Illinois hopes the multiyear effort will help the communities identify their DMC problems and reach solutions to address them. Three of the four sites have completed significant mapping and identification efforts and will begin steps soon to address the DMC problem. The state also is focusing Title V funds on communities with a minority population of at least 20 percent and asking these communities to employ model programs that target youth with the highest risk and lowest protective factors.

Montana is developing a culturally appropriate curriculum to treat AI/AN youth with co-occurring disorders. New York is using strategic planning at the state and local levels to develop coordinated approaches to reduce DMC at the front end of the system. A DMC coordinator works with targeted local communities to provide training and increased awareness and to develop local diversion initiatives. The state has also implemented a legal education program to break down barriers between minority youth and police and to achieve greater cultural sensitivity among youth, police, judges, and other criminal justice professionals.

As OJJDP is well aware, nearly all of the states participating in the Formula Grants Program have completed collecting and assessing data about the DMC problem in their states. However, they now need help in moving beyond data collection. They need help in developing culturally appropriate services for these youth, services that range from prevention to intervention to detention. They need access to culturally appropriate training for juvenile justice staff, including law enforcement, courts, and corrections staff. They need further financial resources to address DMC. One state suggested that OJJDP sponsor a summit to develop a national strategic plan to address DMC.

FACJJ applauds OJJDP for its considerable efforts to help states address DMC and recognizes that the Office is trying to get a better grasp of the DMC problem. The Office is to be praised for its especially high level of DMC training and technical assistance. In 2004, FACJJ urged the Office to fund and support research that examines the effect the increased use of alternatives to detention has had on reducing DMC. The Administrator responded that OJJDP is funding several research projects examining alternatives to detention. However, FACJJ again points to the need for research that looks specifically at the impact alternatives to detention are having on minority youth.

FACJJ also suggested in last year's report that OJJDP fund and support research into the effect that the increased use of charging or certifying youth as adults in criminal court has had on DMC. Although FACJJ is pleased that the Administrator cited several OJJDP-supported transfer studies and indicated the Office will continue to examine this topic, the advisory council reiterates the need for research that examines the effect transfers and waivers have had on minority youth.

OJJDP Response: Adopted

OJJDP has long recognized the importance of investing in the evaluation of DMC-reduction strategies and then systematically promoting those that have documented success in reducing DMC. Timing for such investment is also ripe because of a significant increase in number of States that fund targeted local DMC-reduction efforts with OJJDP formula and block grant funds as cited in FACJJ recommendations. OJJDP will analyze its FY 2006 appropriations and fund evaluation of some of these efforts including alternatives to detention if resource permits.

14. FACJJ recommends that OJJDP designate aftercare and re-entry as priority issues and develop comprehensive model programs and provide intensive training and technical assistance to address these issues. The model programs and training and technical assistance should comprise health, mental health, education, family, and vocational programs.

Helping juvenile offenders successfully re-enter their communities after they are released from secure and residential facilities is crucial to their efforts to stay out of trouble in the future. A Bureau of Justice Statistics study of adult prisoners released in 15 states found that more than two-thirds of those prisoners were rearrested within 3 years (Hughes and Wilson, n.d.). It is imperative that the juvenile justice system provide juvenile offenders with intensive aftercare and re-entry services and, ideally, prevent them from becoming adult offenders in the criminal justice system.

FACJJ appreciates OJJDP's many technical assistance efforts in this area and its involvement in OJP's Serious Violent Offender Reentry Initiative as described in the Office's response to this 2004 recommendation. However, FACJJ continues to believe that OJJDP should make aftercare and re-entry a primary focus in the coming year. As noted in the discussion of Recommendation 8, FACJJ also urges OJJDP to adapt the NIC research model on re-entry and aftercare to a juvenile setting.

Effective aftercare and re-entry programs demand a high level of community support. A recent report from the National Council of Juvenile and Family Court Judges suggests the courts can play a vital role in helping communities provide this support (2005). The legal authority of courts can help ensure that the community agencies that have a responsibility to deliver services to a youth on his or her release from confinement will be prepared to do so.

There is still much to be learned about how to make aftercare and re-entry programs effective. In fact, OJJDP's evaluation of the Intensive Aftercare Program, which is designed to reduce recidivism among high-risk parolees, found the program had mixed results in reducing recidivism (Wiebush et al., 2005). The evaluation findings illustrate the complexity of this issue and the need

for additional resources and training and technical assistance to help states implement effective aftercare and reentry programs.

OJJDP Response: Adopted with Change

OJJDP is in agreement that aftercare and reentry programs are critical to the juvenile justice system's attempt to reduce recidivism rates. OJJDP encourages State agencies to fund reentry focused programs, as one of the 34 program areas from Formula Grant funds. Also, OJJDP encourages States, through Juvenile Accountability Block Grant funds, to support reentry efforts as a means of promoting greater accountability. OJJDP's involvement in the Serious and Violent Offender Reentry Initiative is a testimony of OJJDP's commitment to this effort. Through this effort, States and localities are working together to reintegrate youth with extensive mental health, education, and vocational services while incarcerated and upon return to the community.

Up until 2005, OJJDP had been supporting the efforts of the Juvenile Reintegration and Aftercare Center with the provision of training and technical assistance to the field. While funding is no longer available to support this Center, training and technical assistance remains available through the National Training and Technical Assistance Center and the Developmental Services Group (DSG).

OJJDP agrees that the legal authority of the juvenile court can help ensure community-based agencies providing services to youth fulfill that obligation. The court also provides that judicial oversight needed to track the progress, or lack of progress of the youth, and ensure an array of graduated sanctions and incentives in response to the youth's behavior.

In reference to the discussion of Recommendation # 8 urging OJJDP to adapt the NIC research model on adult reentry to a juvenile setting, OJJDP already supports this model. Through an agreement with NIC, OJJDP provides this curriculum in the form of a week-long training. Entitled *The Critical Elements of Reentry/Continuing Care Systems*, this training is offered to three-to-five person multi disciplinary teams comprised of juvenile administrators, education services administrators, community-based providers and others. The training curriculum is specific to juveniles. There is no need to replicate an adult model of reentry.

15. FACJJ recommends that OJJDP provide an intensive program of training and technical assistance to help states and communities provide gender-specific programs to juvenile offenders.

FACJJ and OJJDP are in agreement that the growing number of female offenders in the juvenile justice system is a serious issue. FACJJ is also pleased that OJJDP has instituted a Girls Study Group (<http://girlsstudygroup.rti.org>) to help provide information to the field about this particular group of offenders. The advisory council looks forward to seeing the recommendations resulting from the group in a timely manner.

In his response to this 2004 recommendation, the Administrator pointed out the need to provide programs that prevent juvenile victimization in addition to services that address the consequences of juvenile victimization, because children who are victimized are at higher risk of delinquency and criminality. That is exactly why intensive training and technical assistance is needed to address the needs of female juvenile offenders: research indicates that female juvenile offenders often have histories of physical, emotional, and sexual abuse, and intervention programs that work with male juvenile offenders most likely will not work with female juveniles.

Almost one-fourth of the states responding to FACJJ's survey for this report listed the need for gender-specific services as a critical issue in their states. Juvenile justice practitioners say they need help in finding and implementing model programs that address prevention, early intervention, and dispositional alternatives for female juvenile offenders. Although FACJJ and OJJDP are in agreement that female juvenile offending is an important issue, FACJJ urges OJJDP to recognize the need for training and technical assistance in this area.

OJJDP Response: Adopted

OJJDP agrees with the FACJJ recommendation that states and local communities need gender responsive training and technical assistance to meet the increased population of girls entering their juvenile justice system. While OJJDP is continuing to provide an intensive training program, "The Gender-Responsive Programming (GRP) for Girls I and II," through the JABG Topical trainings, it is also systematically pursuing a course that will guide future training and technical assistance in this area. The OJJDP Girls Study Group has made substantial progress in its work that is aimed at helping OJJDP develop additional training and technical assistance tools and resources that will meet the needs of the field and promote effective evidence-based strategies.

The Study Group is conducting a comprehensive review of gender-sensitive screening and assessment tools. Such tools are critical not only for practitioners to assess individual needs of girls and develop service plans, but also for management to document the extent and nature of their female population needs. With assessments that use gender responsive measurements, girls in the juvenile justice system stand a better chance of having underlying problems (and strengths) identified--problems that may have been overlooked or diminished, and of having effective treatment strategies initiated that match their needs, rather than the needs of the average adolescent male delinquent. The study group will identify strengths and weaknesses of the screening and assessment instruments and develop recommendations for use of instruments that have been validated with girls, and that are appropriate for use with at-risk and delinquent girls. Preliminary results are expected this summer.

Another important task of the Girls Study Group is to conduct a comprehensive review of programs operating in the field and to assess any evidence of their effectiveness or promise in working with delinquent girls. The Study Group will select three programs/program models to promote (through the formula grant program constituencies)

that embody the characteristics identified by the Study Group as important for prevention and/or correction of female delinquency. The current plan is that Study Group will provide limited technical assistance to support the implementation and/or further testing of the models in up to 20 jurisdictions. Preliminary findings on the programs review will be available this fall.

These findings on screening and assessment tools and evidence-based program models, as well as information on trend and causes of female delinquency derived from a vast literature review, will be disseminated to SAGs in an effort to assist those involved in programming for female juvenile offenders. Finally, a dissemination conference for practitioners and policy makers, proposed for 2007 sessions would address topics such as the following: 1) the selection of evidence-based programs for girls, (2) how to determine whether a program is gender-responsive, (3) suggestions for effective implementation, (4) how to select and/or develop appropriate screening and risk assessment tools, (5) the importance of evaluation (to guide implementation and assess effectiveness), (6) how to measure effectiveness, and (7) how to collect data to support evaluation.

16. FACJJ recommends that OJJDP focus on promoting balanced and restorative justice programs as a way to provide victims with a sense of justice and impose sanctions on juvenile offenders that hold them accountable and responsible for their inappropriate or delinquent behavior.

When serious violent juvenile crime was peaking during the late 1980s and early 1990s, juvenile justice practitioners began looking for more effective methods of holding juvenile offenders accountable for their delinquent actions and of providing sanctions that would be more effective in preventing further delinquent or violent activities. The Balanced and Restorative Justice (BARJ) program is one way to do this. BARJ operates on the belief that justice is best served when the community, the victim, and the juvenile offender receive balanced attention. When properly implemented, BARJ activities protect the community, offer a sense of restoration to victims, provide services to help a juvenile offender understand the consequences of his/her negative behavior, and offer programs that help build the offender's social competencies.

Crime victims need to feel that their needs are being addressed and that they have some input into the juvenile justice process. Involving victims in the BARJ process provides them with this opportunity and gives juvenile offenders an opportunity to take responsibility for their actions.

Working with offenders to make amends to victims, rather than focusing solely on punishment, can help them build their academic and social skills, provide them with a way to earn money, and allow them to show the victim, the juvenile justice system, and the community that they are capable of competent and productive behavior. BARJ programs also foster cooperation between the juvenile justice system and community institutions and organizations, and can build on a community's cultural strengths and diversities.

OJJDP Response: Adopted

OJJDP recognizes the value of BARJ goals which promote community safety, offender accountability, and competency development. OJJDP encourages the incorporation of these goals into State plans and that justice system reforms consistent with BARJ goals be supported with OJJDP formula grants to States. For over a decade OJJDP has funded the BARJ Project at Florida Atlantic University. The project provides training and technical assistance to States and local jurisdictions wishing to implement BARJ oriented practices. The Office will review future resource availability to determine the feasibility of continuing funding for these purposes.

17. FACJJ recommends that OJJDP develop a model demonstration program, followed up with training and technical assistance to help local and state youth-serving agencies collect more accurate, consistent data across agencies. This initiative should also focus on how jurisdictions can improve the flow of appropriate information between agencies, including education, mental health, child welfare, and juvenile justice systems.

Many states identify inconsistent data collection, an inability to effectively track data, and difficulties in sharing information as major problems that hinder their juvenile justice systems. In many cases, crucial data about juveniles is nonexistent, inconsistent, inaccurate, or incompatible among agencies that work with at-risk and delinquent youth and their families. Jurisdictions need help in exploring innovative and flexible integrated information systems that will help them improve the quality of data, develop better methods of tracking and accessing information, improve the flow of client services, and ensure that they do not share information that would violate the confidentiality of a juvenile.

OJJDP Response: Adopted

OJJDP agrees that state and local jurisdictions are struggling to improve information sharing between agencies responsible for community safety and the health and well being of at-risk youth and juvenile offenders. OJJDP is leading the development of uniform standards and protocols for juvenile information sharing (JIS) that, when implemented, will facilitate cross-systems sharing throughout the juvenile arena.

Achieving JIS requires a significant shift in the information sharing practices of many of these agencies. OJJDP funded the development of JIS guidelines in FY 2005 as a critical step toward uniformed standards, i.e., achieving agreement on what information is appropriate to share within jurisdictions and identifying the mechanisms to allow them to share that information effectively, legally and efficiently. The JIS Guidelines were developed by an advisory group representing technology, juvenile justice, mental health, child welfare, education, health, social services, family advocacy, labor, and other agencies that are responsible for the safety and welfare of youth, families and communities.

An OJJDP national training needs assessment revealed three common JIS themes: (1) agencies with JIS responsibilities were typically challenged in their efforts to build effective multi-sectoral collaborations, (2) they have difficulty agreeing on confidentiality practices to protect private information based on statutes and policies affecting juvenile information exchange and, (3) they lack the knowledge and skill to employ appropriate technology to facilitate information access and security.

Since 2002, OJJDP has offered limited skill-building training and follow-up assistance to over 100 jurisdictions involved in JIS efforts. These trainings promote processes and procedures for effective information sharing and are highly rated. OJJDP has identified several promising sites that have demonstrated a potential for successful implementation of JIS and XML* and would be likely candidates for a demonstration initiative. These sites have convened JIS multi agency partnerships, reviewed and analyzed their confidentiality requirements and are working toward integration with their current information system and technical infrastructures. Cross-agency representatives (e.g., education, health, law enforcement, courts, probation, and mental health) have participated in the OJJDP JIS workshops and understand the scope of JIS, the systemic requirements needed to share information in their jurisdiction and even across state lines. Outstanding issues for these sites include the identification of data exchanges, confidential and privacy tags required for those exchanges, governance structure and environment, project management capabilities and funding. OJJDP will continue its leadership role in JIS development and expansion and supports the FACJJ recommendation to fund a JIS demonstration following the completion of XML. *XML is a juvenile Extensible Markup Language (XML) data matrix planned for FY 2006.

OJJDP Administrative Issues

In addition to advising OJJDP about the needs and concerns of juvenile justice practitioners on the front lines, the JJDP Act also requires FACJJ to advise the Office about its operations. FACJJ appreciates the support and many efforts of OJJDP in helping states address their juvenile justice problems. The following recommendations were developed in response to needs, questions, and suggestions raised by State Advisory Groups (SAGs), state juvenile justice specialists, and other practitioners.

18. FACJJ recommends that the OJJDP Administrator continue the current formula-based distribution of Title V grants.

The OJJDP Administrator has discussed the possibility of converting the Title V program from a formula-based grant program to a discretionary grant program. FACJJ opposes this for several reasons. Without a state distribution, there is no incentive for states and Congress to be supportive of future funding. Changing the funding rules could also leave some current Title V communities without enough money to complete existing projects, which were based on expected future funding. If the Title V program becomes a national competitive grant

process, some states will not have the capacity to compete effectively, leaving them out of the process altogether. Also, making the Title V program a national discretionary program would mean OJJDP would set the priorities states should address with their Title V funding. Although FACJJ believes that OJJDP should set national priorities, the advisory committee also believes it should be left up to state and local governments to determine which programs to support with Title V funds (based on individual community needs).

OJJDP Response: Adopted with Change

OJJDP concurs with FACJJ's recommendation, and as stated in last year's FACJJ Report, awards Title V grants to states based on the relative size of the population subject to original juvenile court jurisdiction. The states then award the funds to communities to implement delinquency prevention plans that meet local needs. OJJDP also provides training and technical assistance to grantees.

OJJDP will continue to administer the Title V as on a formula basis, but only after the earmarked appropriations to support programs other than Title V have been addressed. The remaining budget is usually assessed as to whether it can be distributed on a formula basis. However, due to FY 2006 appropriations, only a very limited amount of funding is available for block grant distribution. Due to this, funds will be distributed in equal amounts.

19. FACJJ recommends that if Congress does not reinstate the Accountability-based Systems (ABS) funding supplement to the Formula Grants Program appropriations in FY 2006, OJJDP should continue to supplement the Formula Grant allocation for those states whose annual allocation will be reduced because of the absence of the ABS supplement.

FACJJ is hopeful that Congress will ensure that all future juvenile justice appropriations bills include funds for the ABS supplement. However, if the ABS supplement is not included in the FY 2006 appropriation, OJJDP should again find the money to make up for the loss of funds. Many states adversely affected by the lack of an ABS supplement count on the additional funding from OJJDP.

OJJDP Response: Not Adopted

The ABS supplement language was not included in the FY 2006 appropriations bill. OJJDP does not have available resources to provide ABS funding to States.

20. FACJJ recommends that OJJDP publish regulations for the 2002 JJDP Act. The reauthorization made several legislative changes affecting the Formula Grants, Title V, and JABG programs.

FACJJ urges OJP and OJJDP to publish the new regulations for the above-mentioned programs in the *Federal Register* as soon as possible. Although

OJJDP staff members have provided training about the legislative changes affecting these programs to juvenile justice specialists, others in the juvenile justice field need access to this information. FACJJ and SAG members look forward to seeing the revised JABG guidance manual later this year, and hope that the regulations regarding the legislative changes passed in 2002 for the JABG, Formula Grants, and Title V programs will follow shortly thereafter.

OJJDP Response: Adopted with Change

The Office of General Counsel (OGC) and OJJDP staff met frequently this past year to review the draft regulations for Formula Grants, Title V and JABG programs. However, there are many competing priorities that demand OGC time and review related to homeland security that take precedence. OJJDP will continue to ensure that the regulations be published in the Federal Register as soon as possible. As for the JABG Guidance Manual, OJJDP has revised the manual and it is in the final review stages and should be available summer 2006.

21. FACJJ recommends that OJJDP approach OJP's Office of General Counsel to modify federal regulations to permit the continued confinement and treatment of individuals who are tried as adults for crimes committed before their majority with those tried as juveniles for so long as the holding authority confines such juvenile delinquents.

The growing use of juvenile transfer and certification to adult court and blended sentences is causing confusion to state juvenile justice specialists overseeing the administration of a state's formula grants. For example, a juvenile who has been transferred or waived to the jurisdiction of a criminal court may be detained or confined in a juvenile facility with other juveniles who are under the jurisdiction of the juvenile court. Or, a juvenile court may sentence an offender to a juvenile correctional facility for a time period during which the offender may come to exceed the age of the court's extended jurisdiction.

OJJDP has ruled that states participating in the Formula Grants Program that have placed juveniles tried as adults in juvenile correctional facilities must remove those youth from the juvenile facility no later than 6 months after their 18th birthdays. Because the age of majority varies from state to state, FACJJ believes it is more appropriate to allow a state to keep a juvenile who has been tried as an adult or whose sentence will not end until after his or her 18th birthday in the juvenile facility up to the maximum age for that particular correctional system. For example, if a state that considers the age of majority to be 19 sends a youth tried and convicted as an adult to a juvenile facility, the youth should be able to stay in that facility until he or she turns 19. OJJDP should not rule a state out of compliance with the JJDP Act when this occurs.

OJJDP Response: Adopted

OJJDP is involved in discussions with the Office of General Counsel and is exploring the possibility that regulatory modification might allow for the co-mingling, in juvenile facilities, of juvenile delinquent offenders to continue to be housed in juvenile facilities with juveniles tried and convicted in adult court, once they have reached the age of eighteen.

22. FACJJ recommends that OJJDP notify the appropriate State Advisory Group (SAG) and State Planning Agency when an earmarked program receives a grant from OJJDP or a TYP award is made to any tribe, agency, or organization in the state to ensure that these grants are coordinated with the state's Three-Year Plan to address juvenile delinquency.

It would be helpful if SAGs overseeing their states' Three-Year Plans were made aware of any earmark or other grant from OJJDP coming into the state. SAGs are often unaware when an organization in their state receives an earmark or a tribe receives a TYP, TYP Mental Health Initiative, or Tribal Juvenile Accountability Discretionary grant. Coordinating program activities and funding, when appropriate, will help states do a better job of meeting the needs of their communities and juvenile population.

OJJDP Response: Adopted

OJJDP concurs. Last year, the State Relations and Assistance Division sent a list of the FY 2005 earmark programs to Juvenile Justice Specialists and State Advisory Group Chairs. OJJDP agrees that this information will assist States in developing well coordinated and better informed State plans, and will do this again following the award of the FY 2006 earmarks.

23. FACJJ recommends that OJJDP leaders and staff members strengthen their efforts to communicate with states at all times, especially during Office transitional periods.

Election year staff changes, continuing OJJDP staff turnover, and shifts in program priorities are realities of Washington bureaucracy. The OJJDP Administrator and staff members can help juvenile justice practitioners keep up with these changes by communicating regularly with SAGs and juvenile justice specialists. OJJDP has two existing electronic vehicles that can be used in this effort: *OJJDP News @ a Glance* (bimonthly electronic newsletter) and JUVJUST, OJJDP's electronic listserv.

OJJDP Response: Adopted

The OJJDP agrees there will always be a need to strengthen communication during times of transition and will continue to use *juvjust* and *OJJDP News @ a Glance* to relay

pertinent information, as well as the listservs maintained by the State Relations Division and the CFE program to communicate specifically with the FACJJ members, the SAGs and juvenile justice specialists.

Relationship with FACJJ

As FACJJ completes its second year as an advisory council to OJJDP, the two have experienced some “growing pains.” FACJJ offers the following recommendations in the spirit of helping to strengthen the relationship between the two bodies:

24. FACJJ recommends that OJJDP better coordinate meetings and training events for FACJJ, the Coalition for Juvenile Justice (CJJ), and state juvenile justice specialists to save time and money and to avoid duplication of effort.

FACJJ recommends that OJJDP be more responsive to, and work more collaboratively with, FACJJ and its officers and committees, especially when scheduling meetings and planning events. As part of this collaboration, FACJJ recommends that OJJDP coordinate with CJJ and state juvenile justice specialists when scheduling meetings for FACJJ and CJJ. OJJDP can further demonstrate a spirit of collaboration and mutual respect by ensuring that the Administrator meets regularly with FACJJ, is accessible to its officers, and takes FACJJ subcommittee recommendations into consideration when planning FACJJ activities.

OJJDP Response: Adopted

OJJDP has implemented this recommendation and will continue to work closely with the Planning Sub-Committee of the FACJJ in planning meeting and events. The Administrator has and will continue to make himself available to the FACJJ members both in Washington, D.C. and while on travel.

25. FACJJ recommends that the OJJDP Administrator amend the Charter and Bylaws of the Federal Advisory Committee on Juvenile Justice in the following areas:

A. Include the following language in Section H of the Charter (Membership): “The interpretation of ‘member’ will mean the ‘primary member.’ This would permit an alternate to be appointed as a primary member after a member has served his or her two terms.”

OJJDP Response: Adopted with Change

Refer also to the response to 25 B. OJJDP has an interest in ensuring that a multitude of perspectives and experiences continue to inform the advice provided the Administration,

Congress and the Office. Thus, the Office will include language in the By-Laws to clarify that an alternate may be named to succeed a primary member, as long as the alternate has *not* attended three or more meetings in place of the primary member during his or her tenure as an alternate. Such an occurrence would indicate that the alternate served as a *defacto* primary member. The language will also state that the primary member cannot be named an alternate subsequent to having served his or her two terms.

B. Amend Section H of the Charter and coinciding language on page 16 of the Bylaws by striking the current language and substituting the following: “The primary member and the alternate shall be recommended to the OJJDP Administrator by the Chief Executive of the jurisdiction at his/her discretion. There shall be no term limits for the primary member and/or the alternate. The OJJDP Administrator should encourage the Chief Executive to obtain input from the SAG as to whom from the SAG to appoint as the primary member and/or the alternate.

OJJDP Response: Not Adopted

The Office of General Counsel advises that a Charter change would be necessary. The Office wishes to ensure that a multitude of perspectives and experiences continue to inform the advice provided the Administration, Congress and the Office, and will not seek this Charter change.

C. Amend the Bylaws to open subcommittee meetings to any one attending an FACJJ meeting; this would allow FACJJ members to have other individuals from their states attend the meetings. The subcommittees would have the option of closing a meeting when deemed necessary.

OJJDP Response: Not Adopted

OJJDP consulted with the Office of General Counsel. As necessary and with prior notice, the sub committee meetings can be opened to the public. The option does not need to be provided for in the Bylaws.

D. Amend the Bylaws to allow a current FACJJ member to serve until the governor of his/her state nominates a new member. This change would ensure continuous representation of all the states and territories on FACJJ, especially those states in which the governor does not nominate a new member in a timely manner.

OJJDP Response: Adopted with Change

The Office will modify the bylaws to clarify that in the absence of timely nomination of a member and/or alternate by the Chief Executive Officer of a jurisdiction, that jurisdiction's SAG is to nominate the successor(s) for the vacant member and/or alternate positions from among its membership. Upon acceptance of the nomination by the Administrator, the SAG nominee(s) will serve for the duration of the term. This is in alignment with the current provision in the Bylaws that calls for the SAG to name a mid-term replacement member.

E. Establish an Executive Committee comprised of the FACJJ chair, vice chair, chairs of the four standing subcommittees, and OJJDP Designated Federal Official to respond to critical emerging issues in a timely manner. Meeting only twice a year does not give FACJJ the ability to address issues that may arise unexpectedly. The new committee would meet by conference call; send minutes of the calls to the entire FACJJ; and would not make any decisions or take a stand on any issue without first notifying the full FACJJ by e-mail.

OJJDP Response: Not Adopted

The FACJJ is an advisory body representing the perspectives of the 56 states, territories and District of Columbia to the Federal government. As no decisions would be taken except by consultation by the full FACJJ body, establishing an Executive Committee adds unnecessarily to the operating structure of the FACJJ, may potentially limit access by all members to the Federal government and may contravene the equal footing that each member has. Moreover, such an Executive Committee may deal only with administrative and logistical matters. An Executive Committee cannot deal with any substantive matters, whether they be "emergency issues" or otherwise, without the whole committee. The FACJJ is an advisory committee to the OJJDP and is not anticipated to have a continuous need for an immediate response capacity. Should there arise occasions or events that prompt the Office to call for emergency advice from the FACJJ -- one that necessitates advice and counsel outside the twice yearly meetings or existing subcommittee structure -- the OJJDP can access other existing mechanisms -- electronic and virtual meeting systems -- to convene the full FACJJ.

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