

**FEDERAL ADVISORY COMMITTEE ON JUVENILE JUSTICE
WEBINAR ONLINE MEETING**

Monday, July 17, 2017
12:00 p.m. to 1:58 p.m. EDT

United States Department of Justice, Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention (OJJDP)
810 Seventh Street, NW, Seventh Floor Conference Room 7102, Washington, DC 20531

SUMMARY

The Federal Advisory Committee on Juvenile Justice (FACJJ) held a webinar meeting on July 17, 2017. The meeting was hosted by the US Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (OJJDP). FACJJ members participated, and members of the public observed.

Jeff Slowikowski, *Designated Federal Official*, provided staff support for the meeting, and Bixal staff members Melissa Kanaya, Maegan Currie, and Mary Kay Alegre provided technical assistance.

George Timberlake, *FACJJ Chair*, led and moderated the meeting.

Eileen Garry, *Acting Administrator, OJJDP*, offered an update on OJJDP activities.

Current subcommittees provided updates and, where applicable, recommendations.

PACE Center for Girls presented to the FACJJ on its inpatient and community-based programs.

**OPENING REMARKS, WEBINAR LOGISTICS, INTRODUCTIONS, AND
MEMBER ROLL CALL**

Jeff Slowikowski, *Designated Federal Official (DFO), FACJJ and Senior Policy Advisor, Office of Juvenile Justice and Delinquency Prevention (OJJDP), US Department of Justice (DOJ)*

Office of the Administrator Senior Advisor for Strategic and Community Engagement Mr. Slowikowski officially called the meeting to order at 12:00 p.m. FACJJ members would be able to participate by phone and on the Adobe Connect webinar platform. In accordance with the Federal Advisory Committee Act (FACA), members of the public were invited to observe the meeting and to submit written comments to Mr. Slowikowski at Jeff.Slowikowski@usdoj.gov.

Mr. Slowikowski noted that the minutes of this meeting, including PowerPoint presentations, handouts, and other documents discussed or used, would be posted on the FACJJ website – <https://facjj.ojp.gov/> – within 90 days.

Mr. Slowikowski acknowledged OJJDP Acting Administrator Eileen Garry, FACJJ Vice Chair Judge Amy Davenport, and DOJ Office of Justice Programs (OJP) Congressional Affairs Specialist Carolyn Singh, all of whom were present in person for the meeting. Bixal staff members Melissa Kanaya, Maegan Currie, and Mary Kay Alegre provided meeting logistics support.

Roll Call

FACJJ Chair Judge George Timberlake welcomed everyone to the meeting, and Mr. Slowikowski conducted roll call. Those present were:

George Timberlake/IL (Chair)
Amy Davenport/VT (Vice-Chair)
Starcia Ague/WA
Ashley Beall/ND
Lisa Jacobs/IL
Jane Kallal/AZ
Mary Beth Kelly/MI
Kimberly Larson/MA
Cheryl Massaro/FL
Dave Rosenthal/DC
Melanie Shapiro/MD
Penelope Spain/DC
Joe Vignati/GA
Clarence Thomas/WY
Thomas Broome/MS
Tim Brurud/MT
Vernon C.R. Daniels/NE
Jane Kallal/AZ
Gregory Parks/OK
Sasha Pellerin/NM

Regan Shapiro on behalf of Wendy Henderson/WI.

Judge Timberlake reviewed the webinar agenda and introduced Acting Administrator Eileen Garry.

OJJDP UPDATE AND REMARKS

Eileen Garry, *Deputy Administrator, OJJDP*

Ms. Garry welcomed the participants and noted that she was soon to begin her 40th year of serving OJP.

OJJDP Staffing

Ms. Garry explained that two Intents to Nominate related to OJJDP are active, one for the National Institute of Justice and the other for the Office for Victims of Crime. She promised that she and Mr. Slowikowski would alert the FACJJ as soon as the President has issued a statement intending to nominate. Until a nominee is confirmed, Ms. Garry will continue to serve as Acting Administrator.

Juvenile Justice and Delinquency Prevention Act (JJDP) Reauthorization

Reauthorization of JJDP is still pending congressional approval. On March 30, House Resolution 1809, the Juvenile Justice Reform Act of 2017, was introduced; it passed the House on May 23. On April 5, Senate Bill 860, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, was introduced; that still is pending Senate approval. OJJDP staff have no information on when reauthorization may occur.

Partial Rule and Future Supplemental Rule

Ms. Garry reminded the FACJJ that the proposed rule to replace the current formula grants regulation, last updated in December 1996, was published for public comment in August 2016 and received 87 public comments. Due to the many issues raised in those comments, OJP issued a partial rule, which was published on January 17. The new administration put on hold all rules and regulations until it had a chance to just look them over (common practice with a political party shift). The new partial rule went into effect in April and addressed a limited number of issues that were identified in the initial proposed rule. Staff currently are working to finalize a supplemental rule that will address all remaining issues raised in the public comments.

The goal is to have the draft supplemental rule ready for review by the Office of Legislative Policy (OLP) by September 30, the end of the fiscal year. The issues that were not addressed in the partial rule are complex ones, and that rule will need to be cleared through OLP and the department and published again in the Federal Register. After 30 days, the supplemental rule will go into effect.

Appropriations

Equally, if not more, important than reauthorization is appropriation, as, without money, programs cannot be implemented.

Ms. Garry reminded the FACJJ about the budget process: The President offers a budget proposal. The House and the Senate consider what the President has offered and make adjustments, and appropriations are determined. Historically, fairly significant differences exist between the President, the House, and the Senate versions of the budget.

The Fiscal Year 2018 budget request for OJJDP includes a request for \$229.5 million for programs in the Juvenile Justice Programs Appropriations Account. Most of OJJDP's programs were included in the President's proposal, and the levels reflect and match 2017 enacted budget levels. Some differences exist: The President's budget has a small increase of funding for Part B Formula Grants, and the funding request for the Delinquency Prevention Program would allow OJJDP to fund Title V State Incentive Grants for the first time since 2011.

The President's proposed budget request includes \$8 million for the Children Exposed to Violence program. None of that was appropriated for FY2017, for which OJP also lost \$10 million for mentoring, \$1 million for gang-related programming, and \$3 million for Title II. On the upside, the agency received an additional \$340,000 for its Missing and Exploited Children Program.

Ms. Garry noted some downsides of the President's FY2018 proposed budget: It includes just \$58 million for mentoring, which would represent a \$22 million reduction from the initial \$90 million. Also, the President's budget request includes no funding for Community-Based Violence Prevention Program activities. Activities that this program has traditionally supported would be consolidated into the President's new idea, which would instead direct about \$70 million into the Bureau of Justice Assistance (BJA) Project Safe Neighborhoods program.

The 2018 Congressional appropriations process is moving along in the House; there has been no word as of yet from the Senate. House Commerce, Justice, and Science Subcommittee appropriations would provide \$170.5 million for programs, which is \$59 million below the President's budget request and \$76.5 million below OJJDP's 2017 budget. As marked currently, the House bill would appropriate \$2 million for child abuse, \$72 million for missing and exploited children, \$21 million for the Victims of Crime Act (VOCA), and \$75 million for mentoring. The bill eliminates funding for community-based violence prevention initiatives, delinquency prevention programs, and the Part B Formula Grants, including all of the carve-outs supported by these programs. The bill would provide \$9 million for the Court Appointed Special Advocates (CASA) program, \$2.5 million for juvenile indigent defense initiatives, and \$68 million for the Second Chance Act (SCA) program. The SCA money would get transferred to an IRA from BJA.

Tribal youth program activities would be supported with funding generated by the 7 percent tribal set-aside. The problem with the set-aside is that, as the buckets decrease, 7 percent of those budgets becomes smaller.

OJP will continue to support the President's budget request for OJJDP programs as the House and the Senate go through their budget processes. They are unlikely to be completed by the end of the fiscal year, and it is likely that a continuing resolution will be passed.

State Advisory Groups (SAGs)

Ms. Garry reminded the FACJJ that she had been reestablishing and reintroducing herself to state advisory groups (SAGs) around the country and speaking to them when asked. She received invitations from the Alabama, Kentucky, Maine, Maryland, and Vermont SAGs, and she joined each of them for meetings between March and early July. Ms. Garry acknowledged and thanked those states for including her. It is the time of the year when most of the SAGs make their funding decisions, and it was helpful for her to be part of that process – to listen and observe how decisions are made. All SAGs she visited besides Vermont had subgrantees present as part of their agendas. Ms. Garry noted that a little bit of money in each of these states can make a big difference in the lives of young people.

Ms. Garry planned to visit SAGs in Minnesota on July 21; Washington, D.C. on August 8; South Carolina on August 11; Colorado on August 25; Virginia in September (date to be determined), South Dakota on September 6 or 7, and hopefully Vermont on September 21. She has learned a lot and hopes to be involved in SAG meetings, even if only to listen by phone, as appropriate going forward.

Ms. Garry requested feedback on the status of OJJDP's relationship with the states, which she has prioritized to repair and strengthen.

Discussion

FACJJ members had submitted questions in advance of the webinar meeting, and Ms. Garry provided answers during the session.

Paula Smith asked about sustaining programs after grant funding ends.

Ms. Garry commented that many great programs have disappeared when federal funding ended. OJP technical assistance and training providers assist with program sustainability and provide ideas for using blended or braided funds, local funds, state funds, foundation funds, other federal agency funds. The FACJJ could choose to receive a substantive presentation on that subject at a future meeting. The presentation could focus on how to “keep the lights on” when the federal funding has ended.

Ms. Garry suggested that sustaining a program after grant funding ends is not a problem unique to Indian Country but one with which states, territories, and local governments struggle as well.

Ms. Smith raised the issue that Indian Country does not have a range of local detention options. Therefore, many youth who are picked up on reservations are transported sometimes 3, 4, 8, 16

hours away. Sometimes they are sent to a nearby state a day's drive away. Not only does that take officers off of the street and the reservation – it also limits the support that the youth can get from family and friends.

Ms. Garry remarked that, while there is Coordinated Tribal Assistance Purpose Area 4 to renovate or enhance an existing facility, the Department of Justice no longer engages in wholesale construction due to the expense. The Bureau of Indian Affairs (BIA) provides the operations and management for many of the facilities but does not receive corresponding funds.

Things have improved; now, before a grant is awarded, BIA is invited to review it. The agency informs how much money that tribe currently receives, and it sometimes assists in tweaking the design or the bed capacity. The goal is to not spend millions of dollars renovating or building facilities without people to operate and manage them.

This is a very large issue on rural reservations; even if BIA has the money, even if all is coordinated, sometimes it can be very challenging to get people to live on or near a reservation in order to provide correctional services. When the agency is able to recruit an individual, that officer is well trained at the Federal Law Enforcement Training Center (FLETC) in Artesia, New Mexico. After the officer has had a year of experience, often the state or the county woos him or her away because it can pay twice as much as BIA can.

Ms. Garry will follow up directly with Ms. Smith.

Mary Beth Kelly asked if the new administration has expressed any interest in juvenile justice or if it has put forth any plans it wishes to pursue.

Ms. Garry reported that OJJDP received two workshop slots at the National Summit on Crime Reduction and Public Safety held in the Washington, D.C. area about two weeks earlier. They were around a youth and law enforcement engagement project and a comprehensive model for the reduction of violent crimes committed by youth. Ms. Garry felt that being included for two workshops represented a positive model for OJJDP.

Staff reads the Attorney General's, Deputy Attorney General's, and Associate Attorney General's speeches to pick up on key phrases and ideas. As far as the staff understands them, the administration's priorities are:

- Ensuring the security of the country and safety of the American people;
- Combatting violent crime and the opioid epidemic;
- Promoting partnerships with state, local, and tribal entities;

- Strengthening law enforcement;
- Improving law enforcement officers' safety;
- Stopping the exploitation of children and human trafficking;
- Reducing gang activity; and
- Preventing gang and drug involvement.

Ms. Garry explained that the executive order that established the National Summit also established the Task Force on Crime Reduction and Public Safety. That task force has been created to provide recommendations on how the Federal Government can effectively strengthen relationships with state and local partners to combat and reduce violent crime across the country.

OJP is represented on each of the task force's following five subcommittees:

1. Violent crime reduction
2. Hate crimes
3. Asset recovery
4. "Backing the Blue": officer safety and wellness
5. Legislation

Penelope Spain reported that DC juvenile justice staff heard that OJP would issue guidelines on the valid court order (VCO) exception.

Ms. Garry responded that this is untrue. The proposed regulation did not propose doing anything with the valid court order, which is a bone of contention in both the Senate and House reauthorization bills.

Ms. Spain asked if OJJDP is being slow in awarding grants.

Ms. Garry pointed out that OJJDP's deadline for making all awards is September 30; that deadline has never been missed, and it is expected to again be met this year. It is true that solicitations were held until the Administration could review them. Some existing solicitations were pulled down, and some new solicitations were drafted and posted. Peer review was put on hold for a while, but OJJDP peer review now is complete. The office is almost three-quarters of the way through funding recommendations, and award documents are in process.

Once the award documents are completed, they go to the Chief Financial Officer for review. Any budget that has not received a final clearance by now will get a conditional clearance, which translates to a potential delay in accessing money. However, this does

not affect Title II Formula Grants; those grants do not receive budget clearance, as they are formula awards with no budget to clear.

Ms. Garry called on SAGs to pay close attention to the special conditions of any award, because SAGs with issues around membership numbers – specifically in terms of youth members – will find conditions on their grant awards. That said, there should be no surprise when a state gets its Title II award.

Compliance determination letters for every state, with the exception of two states, have been mailed. Therefore, every SAG should know whether it is in compliance and, if not, what is seen to be lacking.

Ms. Spain noted that SAGs have struggled for many years to recruit and maintain active youth members who have had contact with the delinquency system. Might OJJDP be willing to reconsider its youth member requirements, convene a working group to consider the issue, and/or conduct some research on best practices?

Ms. Garry responded that OJJDP staff, including attorney advisors, can work with Mr. Slowikowski and the FACJJ around this issue.

Ms. Garry solicited questions from the FACJJ as a whole or from individual members at any time and promised to share information with the committee as she receives it.

Judge Timberlake thanked Ms. Garry for her thorough update.

LEGISLATION SUBCOMMITTEE REPORT AND DISCUSSION

Judge Amy Davenport reported on the activities of the Legislation Subcommittee, noting that she now serves on the executive committee of the Coalition for Juvenile Justice (CJJ).

JJDPA Reauthorization

CJJ has been working very hard on reauthorization. The House bill eliminates the valid court order (VCO) exception. Senator Cotton, as he did during the prior Congressional session, has opposed the Senate bill's elimination of the VCO exception. Because of this, he has put a hold on the bill; this action makes it impossible to use the expedited process that avoids a floor discussion. CJJ considered bargaining with Sen. Cotton and even give in; however, Senator Rand Paul then announced that he would oppose the bill if elimination of the VCO exception were to be removed from it. A standoff remains.

CJJ members lobbied for Senator Mitch McConnell, who is Senate President Pro Tem, to allow floor time for debate and an up-or-down vote. Sen. McConnell responded that the time was not available.

Appropriations

Judge Davenport reminded the FACJJ that it is unknown what the Senate Appropriations Committee will recommend on appropriations. Historically, at least for the last few years, the Senate has been far more generous on juvenile justice issues than the House. It is likely that the subcommittee that covers that area will soon announce what it will be recommending, and that information will provide a clearer picture.

SAG Survey

The survey has been published and now has gone out to all of the states. Judge Davenport planned to describe the survey and its results during a CJJ webinar. The Legislation Subcommittee has discussed developing a written report for the FACJJ website on some of the more interesting programs going on in the states.

Juvenile Justice Testimony

Joe Vignati was asked to testify to the House Judiciary Committee about juvenile justice. Mr. Vignati reported that he served on a panel on modern approaches in juvenile justice. He was able to share, in solely an educational capacity, what funding OJJDP had provided and how that had helped Georgia to get to where it is with a lot of exciting work over the past three years. The panelists also discussed JJDPA. He noted to the Representatives that they had asked about restoring funding for the Juvenile Accountability Block Grant, and they indicated that they may look to hold a further hearing on that subject.

Mr. Vignati's testimony is available on the FACJJ website.

Judge Davenport thanked Mr. Vignati and expressed the importance of visibility around juvenile justice issues. She added that the House Judiciary Committee's interest reflects the survey results, which showed a lot of activity at the state level and excitement about juvenile justice issues.

RESEARCH AND PUBLICATIONS SUBCOMMITTEE REPORT AND DISCUSSION

Lisa Jacobs now is the Program Manager for Loyola University Chicago's Center for Criminal Justice Research, Policy, and Practice. She reported on the recent activities of the Research and Publications Subcommittee.

Ms. Jacobs reminded the FACJJ that the subcommittee clarified its focus in January to “acutely vulnerable” or “high-need” youth who are in contact with or involved in the juvenile justice system. Those youth include but are not limited to:

- Chronic runaways
- Children and youth who engage in significant drug use with particularly dangerous drugs (i.e. opioids, methamphetamines)
- Youth and children who are sexually exploited or trafficked
- Children and youth who have been deemed incorrigible or beyond the control of their parents
- Dually involved youth with a history of maltreatment and/or child protection system involvement

The subcommittee charge reflects the knowledge that the experiences and needs of those youth overlap significantly with issues of gender, race, ethnicity, and LGBTQ (lesbian, gay, bisexual, transgender, questioning or queer) experiences and identity. Also, it is clear that trauma is a significant and important issue in the lives of these young people.

Without appropriate interventions through the justice system, these youth can be at high risk for serious negative outcomes, including death. And despite that, there is not a wealth of guidance, policy, or best practices available to justice system practitioners. The subcommittee also is focusing on this area.

Presentations

The subcommittee has hosted two presentations since January, and Ms. Jacobs provided a brief recap of each. She also previewed a third, upcoming presentation, to which she extended an invitation to all FACJJ members.

Presentation #1: National Center for Youth Law (NCYL) Child Trafficking Program

Kate Walker Brown and Allison Newcombe, attorneys and policy advocates who lead the National Center for Youth Law’s Child Trafficking Program, presented information on responses California has developed around commercially sexually exploited children. Both the presenters and the subcommittee members recognized that there are commonalities and implications for other youth populations. The presenters walked the subcommittee through practices and protocols that have been developed and are in development in California, particularly around Los Angeles and Oakland.

Identifying and Supporting Vulnerable Youth

Protocols are in place for law enforcement and detention personnel to identify vulnerable youth (the first challenge); for a collaborative training around identification of vulnerable and

trafficked youth, and the appropriate first responses; and for crisis response so that, among other things, youth do not run.

The presenters focused on the NCYL crisis response. They also shared how they have paired youth with advocates who know what these experiences are like and often are survivors of trafficking themselves, as well as how the relationship between an advocate and a highly vulnerable youth works. Lastly, they developed a protocol for use when a trafficked youth is a witness in a criminal trial.

California Law

The other element of the presentation focused on statutory changes in California, including the center's work to decriminalize trafficking behaviors and to open up child welfare resources and make it explicitly clear that those resources are available to highly vulnerable youth. The other area of focus is on encouraging the development of local protocols for identification and immediate crisis response, as well as for longer-term care of highly vulnerable youth.

The presentation helped the subcommittee to understand the NCYL's current research around the impact of actual services, including residential care and other types of placement.

Presentation #2: Mike Chavers

Mike Chavers, CEO of Yellowstone Boys and Girls Ranch, a statewide service organization in Montana, has a long history in Illinois of working with highly vulnerable youth, primarily in residential placement but also using an aftercare approach opening community-based services to youth, either in lieu of or after leaving residential placement.

The overarching message of the presentation was the value that exists in focusing on highly vulnerable, high-need youth, as positive outcomes are possible for them and thus for communities. He discussed how to achieve youths' stability and well-being through such things as persistence and, in certain cases, longer-term care and support. He noted the critical role that education plays, as well as the importance of providing supports and services beyond age 18 – well into emerging adulthood.

Mr. Chavers then provided feedback about developing an organizational model that achieves positive outcomes. Implications for funding, policy, and practice exist in those recommendations.

Presentation #3: Justice Systems and Trauma

Fordham University Associate Professor of Psychology and School of Law Adjunct Associate Professor Keith Cruise, Ph.D. will explain complex trauma and will help the subcommittee

understand what justice systems and justice system practitioners need to do to identify youth for whom such trauma is driving their system engagement.

Dr. Cruise also will discuss his work with justice systems to develop a clinical system partnership to address complex trauma and to ensure that justice system practice does not block clinical services being provided to address that trauma.

Finally, Dr. Cruise will offer thoughts about the subcommittee's knowledge gaps and where it might consider recommending additional research or analysis.

The presentation will take place on August 14 at 3:00 p.m. ET/2:00 p.m. CT/1:00 p.m. MT/12:00 p.m. PT. Ms. Jacobs invited all FACJJ members to join the call, as it was expected that the content would be relevant to the work of subcommittees beyond Research and Publications. Also, questions from all FACJJ members are welcome and appreciated.

After the August 14 presentation, the subcommittee will begin to develop recommendations for the FACJJ's consideration.

Judge Timberlake encouraged FACJJ members to participate in the upcoming presentation, noting that it is worthwhile to hear Dr. Cruise present on these topics due to his knowledge of what is happening on the ground.

TRANSITIONING YOUTH SUBCOMMITTEE REPORT AND DISCUSSION

Penelope Spain reported on the activities of the Transitioning Youth Subcommittee.

At Judge Timberlake's request, Ms. Spain explained that she is the CEO of Open City Advocates (OCA) and public defense attorney for juvenile offenders. OCA also provides intensive, long-term holistic representation for youth as they transition out of Washington, DC's secure facility. OCA's work incorporates a mentoring component and the legal defense necessary to ensure youths' successful reentry to the community.

Ms. Spain provided an update to the memo on which the subcommittee has been working since the in-person meeting in Chicago in April. It has continued to hone the memo, and it hopes to present a draft to the full FACJJ at the annual meeting in October. She briefly reviewed some of the updates that have been made to date.

Memo Updates

The subcommittee added more supports, benefits, and services to Recommendation #2, and those things included state-issued identification before leaving a secure facility.

The subcommittee added some footnotes to highlight some current promising practices from around the country. Ms. Spain expressed appreciation for the FACJJ members who responded to her requests for further details or citations. She described the footnotes – which include resources for those interested in implementation – as bringing life to the recommendations.

The memo now includes more language on engaging families. That language is infused both in the introduction and in points throughout.

The subcommittee reorganized the recommendations. In particular, the first recommendation now serves as an emphasis on ensuring that each youth has a transition plan and an advocate to implement that plan. All other recommendations flow from that umbrella recommendation.

Educational and vocational supports have now been pulled out into a singular recommendation.

Lastly, the subcommittee added a recommendation regarding data and evaluation, which is a very large issue that could warrant its own memo. The work around this led to an ongoing conversation with Kim Godfrey of Performance-based Standards (PbS) that illuminated the alignment of the subcommittee’s and PbS’s work around the Reentry Measurement Project. To start, this recommendation will point to PbS’s work. Once the OJJDP/PbS draft standards are available (they already may be), the subcommittee will review them and incorporate or make good reference to them.

Next Steps

The subcommittee wishes, hopefully with the full FACJJ, to brainstorm some concrete deliverables to request from OJJDP, such as technical assistance or a particular recommendation regarding funding. Ms. Spain provided her email address – penelope@opencityadvocates.org – and solicited ideas and suggestions for the memo.

The subcommittee will continue to liaise with Kim Godfrey to ensure that the final draft memo that it presents to the FACJJ for a vote, hopefully in October, is well aligned with the work of PbS.

CONFIDENTIALITY OF RECORDS SUBCOMMITTEE REPORT AND DISCUSSION

Kim Larson reported on the activities of the Confidentiality of Records Subcommittee.

At Judge Timberlake’s request, Dr. Larson shared that she directs the Doctor of Law and Policy program at Northeastern University. In addition to overseeing the doctoral program, she focuses on juvenile justice research. In particular, her academic interests focus on looking at synthesizing

bodies of empirical research and how those might be used to improve juvenile justice policy. Topic areas she has covered have included understanding how the empirical literature can inform juvenile competence to stand trial.

Dr. Larson thanked Mr. Slowikowski and Ms. Kanaya for their significant contributions to the subcommittee's recent progress.

The subcommittee has been interested in mapping how information flows between systems and in understanding how the confidentiality of juvenile records is influenced by that flow of information. Examples of questions around this include Who holds the record? and What type of information is held at different points?

In an attempt to find a starting point, the subcommittee began by learning where the information is held at the federal level; it will then decide whether to explore that information at the state level.

Actions

The subcommittee started this project by exploring what information is publicly available on the Federal Bureau of Investigation (FBI) website and developing questions for further study. It has held, and plans to hold more, meetings with appropriate representatives from the FBI – thanks to diligent efforts by Mr. Slowikowski – to learn about its databases of juvenile information and how that data is handled.

Questions from the FACJJ Subcommittee

The subcommittee shared the questions it had developed with the FBI, in three categories:

- General/Procedural
 - What types of databases exist that hold juvenile information?
 - How does the information flow in and out of the databases?
 - Are there procedures for removing the information once it is in there? What are those procedures, and what do they look like?
 - Who has access to the information, and under what conditions is that access granted?
 - Is juvenile information kept separate from that of adults?
- Content of Records/Types of Information
 - What does state reporting look like? And how is that information perhaps then accessed by states at a later point in time?
- Data Security
 - What security exists around juvenile information?

First FBI Meeting

The subcommittee met with three FBI representatives the week prior to this meeting: Criminal History Information Services Manager Paula Zirkle; Betsy Taylor from the Office of the General Counsel; and Biometrics Services Assistant Section Chief Joseph Sensibaugh. Mr. Sensibaugh's section oversees the Next Generation Identification (NGI) database. A summary of that meeting follows.

Numerous large databases are maintained by the FBI: Index, National Crime Information Center (NCIC), Integrated Automated Fingerprint Identification System (IAFIS), and NGI. The recommendation by the bureau's representatives is to study these databases one at a time.

NGI

NGI focuses on fingerprints, so all of the information included there is fingerprint based and has biometrics and biographics attached – such as name and date of birth. The information is from states, territories, and 42 federal agencies, and the FBI receives it from state identification bureaus or federal agencies. Much of it is fingerprinting upon arrest or for an approved purpose. The subcommittee and Ms. Smith will follow up regarding the approved purposes, such as employment, licensing, public housing applications, and firearms purchases.

The data enter the database electronically, are verified through routine audits and state bureau reviews, and are stored with high security. There is great variation in what states and territories report, as each can choose what information to share. The information remains in the database until the subject reaches 110 years of age unless there is a court-ordered expungement or a request for deletion or sealing. The subcommittee learned a bit about the process by which subjects can request their information be removed or can challenge what is included. It also learned how courts go about sealing or expunging the information.

Juvenile information is not stored separately because it actually is quite rare for it to be flagged as juvenile information. Although the FBI sees the value in arresting officials and ordering courts understanding the importance of including that information and has included an area for such notation, the states and territories do not provide it. Separately, the inability to note whether juveniles are seeking expungement means that those data cannot be tracked.

Next Steps

The subcommittee awaits a list of purpose codes and plans to study the expungement order form used by judges. Also, it expects to speak to an advisory group headed by Scott Trint, with whom Ms. Zirkle will connect it. Dr. Larson solicited suggestions and/or recommendations from the FACJJ, particularly around juvenile records, for sharing with him. Ms. Zirkle also plans to connect the subcommittee with the Executive Support Unit to identify points of contact to arrange additional discussions with FBI representatives around the other large databases mentioned earlier.

The subcommittee then will formulate recommendations based on the information it gathers. Its next meeting, scheduled for August 7, will be used to synthesize this information.

Judge Timberlake commented on the extraordinary usefulness of the most recent meeting the subcommittee held with the FBI individuals. He feels that deeper discussions need to be held around how to actualize the possibilities for each of the states, particularly for youth who have been arrested and have had their records expunged, or when the state decides policy who remains on and who does not.

PACE CENTER FOR GIRLS PRESENTATION

Dr. Renee McQueen, Senior Director of Social Services, PACE Center for Girls

Dr. Lymari Benitez, Director of Evaluation, PACE Center for Girls

Judge Timberlake introduced Dr. McQueen and Dr. Benitez and noted that he had been impressed with their recent presentation at the CJJ conference in Washington, DC.

Presentation Objectives

Dr. McQueen explained that the goal of this presentation was to increase the FACJJ's understanding of how PACE Day and PACE Reach therapeutic services can contribute to youth diversion and prevention efforts by incorporating gender-responsive, culturally competent, strength-based and trauma-informed approaches.

Why Gender-Responsive, Trauma-Informed, and Gender-Responsive Services?

Dr. Benitez noted that this is a question the PACE Center often hears, and she pointed to gender inequality in the juvenile justice system. Survey of Youth in Residential Placement results demonstrate that girls are charged with status offenses twice as frequently as boys. Also, the 2015 *Sexual Abuse to Prison Pipeline* report shows that girls are more likely to have mental health diagnoses than boys when they are involved with the juvenile justice system, and they are more likely to experience adverse childhood experiences than boys. In this context, PACE feels the need exists to offer gender-specific services to girls involved in or at risk of delinquency.

What are Gender-Responsive, Strength-Based, and Trauma-Informed Services?

Dr. McQueen explained that, often, people will refer to trauma-informed care, gender responsiveness, and strength-based approach as three distinct definitions. The PACE Center program is implemented with all three concurrently.

Trauma-Informed Care

PACE incorporates its knowledge based on the research on how violence affects girls and the impact that the trauma has on them. It makes sure to avoid language and reactive triggers that would re-traumatize a girl and cause her to regress and re-experience. Counselors are trained to adjust behaviors, and the organization is built on supporting the girl and what she is going through while she is with the staff. A goal is to increase her skills so that she can continue to deal with that trauma, even when she is no longer in the PACE Day program.

PACE counselors make sure to not say to a girl, “What is wrong with you?” Instead, they ask, “What happened to you?” This language shift removes a sense of blame and helps the girl to understand that she has support and is not being accused.

Gender Responsiveness

The counselors acknowledge the whole girl and provide a level of service delivery from her intake through the service planning process and into her aftercare.

Strength-Based Approach

By focusing on strengths, counselors intentionally move away from a deficit approach. They focus on a girl’s strengths, talents, and assets, recasting negative behaviors as survival mechanisms. Girls continuously are taught new skills using strength-based language, and staff encourage their input to the program through focus groups and by other means of feedback. This partially drives the center’s hiring process; a committee of peers – be it the Student Council or the “Buddies” (ambassadors) – interviews the candidate and provides its feedback to the leadership.

Holistic Assessment

Counselors use research-based assessments to ensure they look at what currently is going on with the girl and at factors that may be affecting how well she is doing or that may impede her progress. These factors include family; community involvement; case management, counseling or therapy from other agencies; and the family’s medical insurance and housing status.

The assessment tool used is the Problem Oriented Screening Instrument for Teenagers (POSIT). Academic assessments also are used.

Care Plans

Care plans are individualized in both the PACE Day and PACE Reach programs. Each girl receives services geared toward her – learning what is going on with her, learning what it means to be a female, learning how to cope with the trauma she may be experiencing or simply the dysfunction that may be taking place in her life or in her family member’s lives.

Program Benefits

The PACE Center has seen successes when it partners with judges, juvenile probation officers (JPOs), and law enforcement. Referrals occur through self-referral, guidance counselors, teachers, family members, and judges. Judges, JPOs, and law officers visit the center either for tours or to talk with the girls or provide presentations so the girls and their family members feel less threatened by the legal system and understand that the goal is to provide them with better opportunities.

Attorneys and probation officers have described the PACE Center's work as alleviating their workloads. PACE pulls all the case management resources together. The center provides monthly reports and organizes JPO/family meetings if a girl is not progressing. Counselors also can provide the court with a comprehensive report on a girl's activities and progress. Courts benefit from smaller caseloads and the reduction of costs associated with processing cases.

The girls and their families in PACE programs avoid stigma going forward by learning how to ensure that the juvenile records are sealed or expunged if need be.

In the PACE Reach program, the girls are in the community, so counselors visit them in their homes and provide one-to-one interaction without lack of transportation serving as a barrier.

PACE Center for Girls

Dr. McQueen shared a map of the 19 PACE centers throughout Florida from Pensacola in the Panhandle down to Miami in Dade County. Seven of the 19 PACE Day program centers also offer PACE Reach therapeutic services.

Continuum of Care

Dr. McQueen explained the PACE Reach and PACE Day programs' continuum of care. Referral sources depend on whether the girl receives a civil citation (referral at early intervention stage) or diversion/intensive intervention at high need/risk need (court order).

The PACE Reach program provides each girl with interventions as frequently as needed, from weekly sessions to daily visits to short-term inpatient care to completing restorative justice requirements. Counselors provide support at school, at home, or in teen court.

PACE Day program referral is by any means, and the girl attends the program instead of going to her zoned school. Girls participate in the PACE Day program for 9 to 12 months, and they receive counseling and academics, attending standard assigned classes and receiving behavioral counseling. Credentialed middle and high school teachers are approved through the school board and are employed by PACE. The counselors provide support to the teachers in the classroom setting. All staff is involved in helping the girl to be successful, and child welfare or the courts and other nonprofit organizations are involved in the process as well, based on her needs.

PACE Day and Reach Processes

When a girl is referred to the PACE Day or PACE Reach program, she is enrolled and receives an assessment and care planning. When she has reached her care planning goals, she is ready to transition and participates in the planning process of aftercare. The center follows girls for up to three years; it finds that working with a girl for that first year creates the most successful impact .

Reasons for Referral

Dr. Benitez shared information on reasons for referral, in descending order of likelihood. The top three (of eight) reasons are:

- Difficult behavior
- Expulsion/Suspension
- Truancy

Decreased Risk Factors

The majority of the girls who complete a PACE program reduce their risk factors by at least one. This is shown when comparing the POSIT pre- and post-tests.

PACE Reach Outcomes

Specific outcome data show that PACE Center programs are highly effective in helping girls reduce engagement in activities associated with delinquent behaviors, better their family relationships, and improve their social skills and their behavioral health.

Decreased Juvenile Justice Involvement

According to data published by the Florida Department of Juvenile Justice, 95 percent of the girls who have completed a PACE Day program over the past 35 years have not become involved in the juvenile justice system one year later. Data from PACE Reach, which has been in existence for just two years, show that 93 percent of the girls have not become involved in the juvenile justice system.

Applying PACE Day Program Practices to PACE Reach

Counselors are continually trained throughout their tenure at PACE to ensure they provide the most effective services in both programs. And, the center provides a Spirited Girls Day elective or Reach group with an evidence-based girls circle curriculum. Issues discussed there include what it means to be a girl, what has happened to each girl, and what other aspects are going on in each girl's life. In the community, girls see PACE counselors partnering with teachers or others, implementing the same practices of healing her and helping her to understand who she is.

Discussion

Judge Timberlake thanked Drs. McQueen and Benitez and asked if the PACE Center and the other four OJJDP grantees communicate with each other.

Dr. Benitez explained that the five grantees participated in an initial meeting in April and plan to reassemble in September.

MEETING SUMMARY AND NEXT STEPS

The annual FACJJ in-person meeting will take place in Washington, DC. Thursday and Friday, October 5-6. Judge Timberlake noted that it appears that all FACJJ members will be in attendance, including three who have yet to be named as members.

Mr. Slowikowski noted that 20 of the 25 current members participated in the webinar meeting. He reminded everyone in attendance that the minutes of this meeting, including PowerPoint presentations, handouts, and other documents discussed or used, would be posted on the FACJJ website – <https://facjj.ojp.gov/> – within 90 days.

Mr. Slowikowski adjourned the meeting at 1:58 p.m. EDT.