

Federal Advisory Committee on Juvenile Justice (FACJJ) 2007 Annual Request for Information (ARI)

Final Report

Submitted to:

Office of Juvenile Justice and Delinquency Prevention
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EXECUTIVE SUMMARY

The Federal Advisory Committee on Juvenile Justice (FACJJ) is an advisory body composed of appointed representatives from the Jurisdiction Advisory Groups (SAGs) of each of the 50 states, the District of Columbia, and the 5 U.S. territories. One of its mandated responsibilities is to prepare two annual reports. The first is submitted to the President and Congress, the second to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) administrator. These reports are informed by data gathered through an annual request for information (ARI).

This report outlines the responses to the 2007 FACJJ ARI, which asked questions about the following topics:

1. Key current and emerging juvenile justice issues and how the identified issues affect a respondent's State or Territory
2. Laws, court rules, or policies related to a youth's right to effective assistance of counsel
3. Problems identified in respondents' most recent 3-year plans
4. Promising practices a State or Territory is using
5. Recommendations for the President and Congress
6. Recommendations for the OJJDP administrator
7. Types of assistance OJJDP could offer that would be helpful to respondents in implementing any of their recommendation(s) to OJJDP.

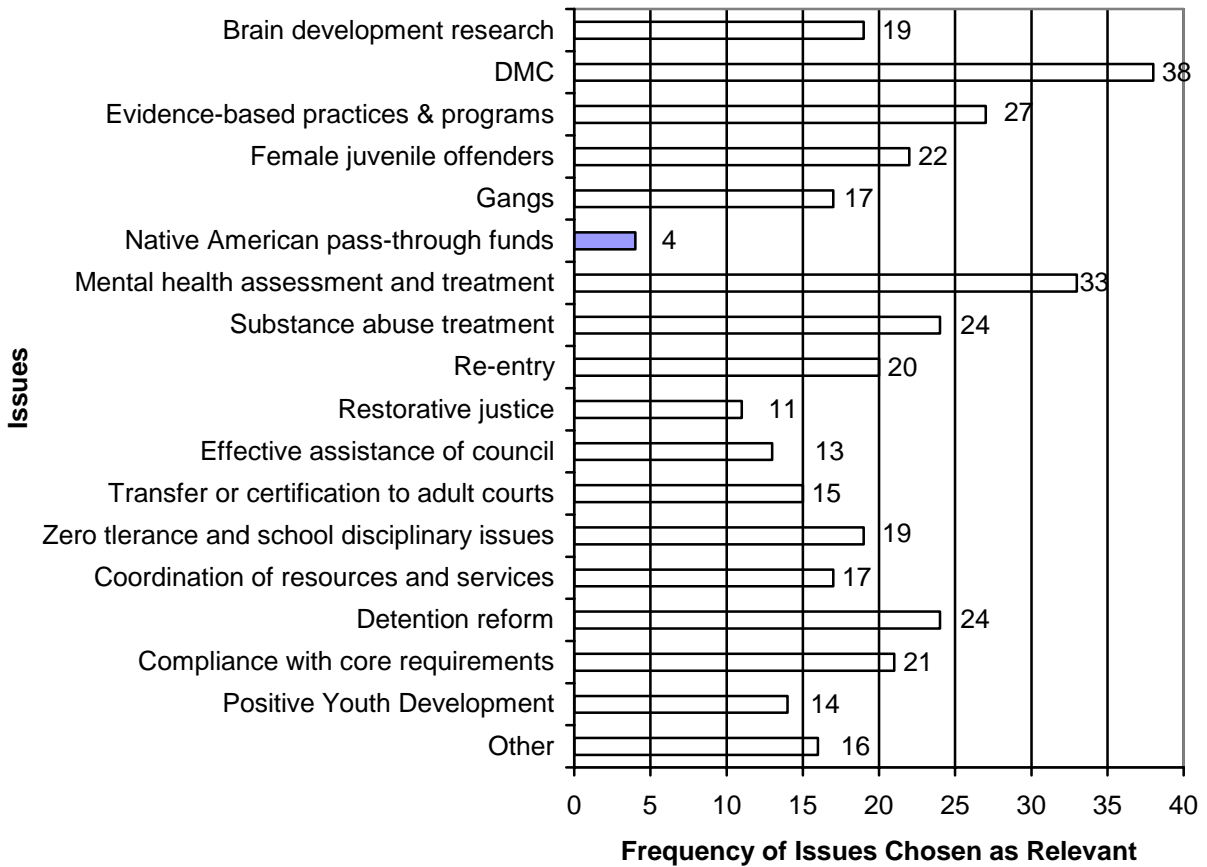
Response Rate

Respondents from 47 of 54 States and Territories entered at least some data into the system. Partially completed responses were included in this analysis. This represents an overall response rate of 87 percent, similar to the 84 percent rate from 2006 but substantially higher than the 66 percent who responded to the 2005 ARI.

Results

With regard to the most frequently selected current and emerging issues affecting States/Territories (shown in Exhibit 2), the top five issues were: disproportionate minority contact (DMC) (38), mental health assessment and treatment (33), evidence-based practices and programs (27), substance abuse treatment (24), and detention reform (24).

Issues Identified by States and Territories



The most common recommendations to the President and Congress related to these issues are listed below:

- Increase or restore previous levels of funding.
- Provide a greater amount of, and more appropriate, technical assistance.
- Lend more support to research (especially brain development research).
- Reevaluate and/or reauthorize the Juvenile Justice and Delinquency Prevention (JJDP) Act.
- Provide more leadership and coordination with the States and Territories.

The most common recommendations to OJJDP about the current and emerging issues in juvenile justice are summarized below:

- Increase or restore previous levels of funding.
- Provide more technical assistance.
- Identify and validate a broader range of evidence-based programs.

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- Improve communication and pass more information to the States and Territories.
- Lend more support to research on juvenile justice (including evidence-based programs, brain development research, and juvenile populations).

With regard to the top three problems from their most recent 3-year plans, the most common problems that respondents from all States and Territories reported included DMC issues, mental health assessment and treatment, a lack of focus on prevention, and difficulties complying with and/or a need to reevaluate JJDP Act regulations. Steps respondents' States/Territories were taking toward establishing promising programs to address these problems included forming community forums and collaborative work groups, developing and utilizing standardized forms and instruments, seeking out technical assistance in identifying and implementing promising practices, and acquiring assistance from foundations such as the Anne E. Casey and MacArthur Foundations. Of 31 responses received, 84 percent indicated that there were laws, court rules, or policies in place related to a youth's right to effective assistance of counsel. With regard to the categories of assistance States/Territories would like to receive from OJJDP, training and technical assistance, with 101 requests, was the most frequent type requested. This was followed in frequency of selection by development of evidence-based programs (76), dissemination of research findings (75), development of model policies and regulations (70), new research (70), development of assessment tools (58), and other types of assistance (23). The top three issues for each of these types of assistance were (1) disproportionate minority contact, (2) evidence-based practices and programs, and (3) brain development research.

I. INTRODUCTION

The Federal Advisory Committee on Juvenile Justice (FACJJ) is an advisory body composed of appointed representatives from the Jurisdiction Advisory Groups (SAGs¹) of each of the 50 states, the District of Columbia, and the 5 U.S. territories. Established by the Juvenile Justice and Delinquency Prevention Act of 1974 as amended and supported by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the FACJJ makes recommendations to the President and Congress. The FACJJ also advises the OJJDP administrator on the office's work and evaluates the progress and accomplishments of juvenile justice activities and projects. The SAG from each jurisdiction or territory nominates one of its members to serve as a primary member of FACJJ and selects a second SAG member to serve as an alternate.

FACJJ meets twice each year. One of its mandated responsibilities is to prepare two annual reports. The first is submitted to the President and Congress, the second to the OJJDP administrator. These reports are informed by data gathered through an annual request for information (ARI). The questions in the ARI are reviewed and discussed by each SAG, and a designated person responds to the request on the SAG's behalf.

This report outlines the responses to the 2007 FACJJ ARI. The next section provides an overview of the methods used to gather the data. The final section summarizes the information received from 47 of the 54 jurisdictions² based on data collected online from May 18 to August 20, 2007.

¹ State advisory groups are appointed by the governors and assist their jurisdictions in developing and implementing the juvenile justice plans each jurisdiction and territory is required to submit every 3 years to the Office of Juvenile Justice and Delinquency Prevention to receive formula grant funds.

² Data were not requested from the Virgin Islands and Northern Mariana Islands.

METHODS

This section examines both the contents of the 2007 ARI and the responses to the questions. A copy of the 2007 ARI is in appendix A.

Content of the 2007 Annual Request for Information

The 2007 ARI asked for information about the following topics:

1. Key current and emerging juvenile justice issues and how the identified issues affect a respondent's State or Territory
2. Laws, court rules, or policies related to a youth's right to effective assistance of counsel
3. Problems identified in respondents' most recent 3-year plans
4. Promising practices a State or Territory is using
5. Recommendations for the President and Congress
6. Recommendations for the OJJDP administrator
7. Types of assistance OJJDP could offer that would be helpful to respondents in implementing any of their recommendation(s) to OJJDP.

1. Key Current and Emerging Juvenile Justice Issues

Based upon issues identified through the 2006 ARI process and discussion with members of the FACJJ annual report committee, respondents from the States/Territories were asked to indicate which of the following 17 current and emerging issues were affecting them:

1. New findings from brain development research
2. Disproportionate minority contact
3. Evidence-based practices and programs
4. Female juvenile offenders
5. Gangs
6. Native American pass-through funds
7. Mental health assessment and treatment
8. Substance abuse treatment
9. Reentry
10. Restorative justice
11. Effective assistance of counsel
12. Transfer, waiver, or certification to adult courts
13. Zero tolerance and school disciplinary issues
14. Coordination of resources and services
15. Detention reform
16. Compliance with core requirements
17. Positive youth development

If respondents wished to report on an issue (or issues) other than those listed, they could use the “Other” category provided on the form.

For each identified issue, respondents were asked to provide (1) narrative information on the *impact* of that issue on juvenile justice in their jurisdiction or territory and (2) recommendations to the President and Congress and OJJDP administrator regarding each issue. These narrative responses were tallied to determine the most frequently identified issues, and the narratives on impacts and responses were reviewed and content-analyzed to identify specific themes by issue.

2. Laws, Court Rules, or Policies in your State or Territory Related to a Youth’s Right to Effective Assistance of Counsel

This was a new question added to this year’s ARI based on feedback from FACJJ. The number of States/Territories that reported having such laws was tabulated, and responses were reviewed and content-analyzed to identify specific themes.

3. Top Three Problems Identified in Most Recent 3-Year Plan

Respondents were asked to list the top three problems identified by their jurisdictions or Territories in their most recent 3-year plan as well as any promising practices they are using in their State or Territory to address those problems. Based upon visual review of these data, we found a high degree of overlap with the current and emerging issues reported as part of the first question.

4. Promising Practices

In addition to describing promising practices their States or Territories are using to address the problems identified in their 3-year plans, respondents were asked to describe any other promising practices they are using in their State or Territory.

5. Recommendations to the President and Congress

In addition to providing recommendations based on the current and emerging issues identified, respondents were asked to include any other recommendations their SAG wished to make to the President and to Congress. For these narrative data, we grouped recommendations for similar policies or actions together into broad clusters and developed counts of the number of endorsements for particular types of recommendations by cluster.

6. Recommendations to the OJJDP Administrator

Respondents were asked to identify the recommendations their SAGs wished to make to the OJJDP administrator. We analyzed these data in the same way as we did for the recommendations to the President and Congress.

7. Types of Assistance OJJDP Could Offer

Respondents were asked to indicate which of a list of seven types of activities they would like OJJDP to use in implementing their recommendations to the OJJDP administrator. Requests were tallied by type of activity, and further detail about the content of the assistance is provided as reported by respondents.

RESULTS

Key Current and Emerging Issues

States and Territories were asked to identify the issues affecting their juvenile justice system from a list of 17 areas, listed below. An “Other” option also was provided so respondents could add issues not included in the list.

1. New findings from brain development research
2. Disproportionate minority contact
3. Evidence-based practices and programs
4. Female juvenile offenders
5. Gangs
6. Native American pass-through funds
7. Mental health assessment and treatment
8. Substance abuse treatment
9. Reentry
10. Restorative justice
11. Effective assistance of counsel
12. Transfer, waiver, or certification to adult courts
13. Zero tolerance and school disciplinary issues
14. Coordination of resources and services
15. Detention reform
16. Compliance with core requirements
17. Positive youth development

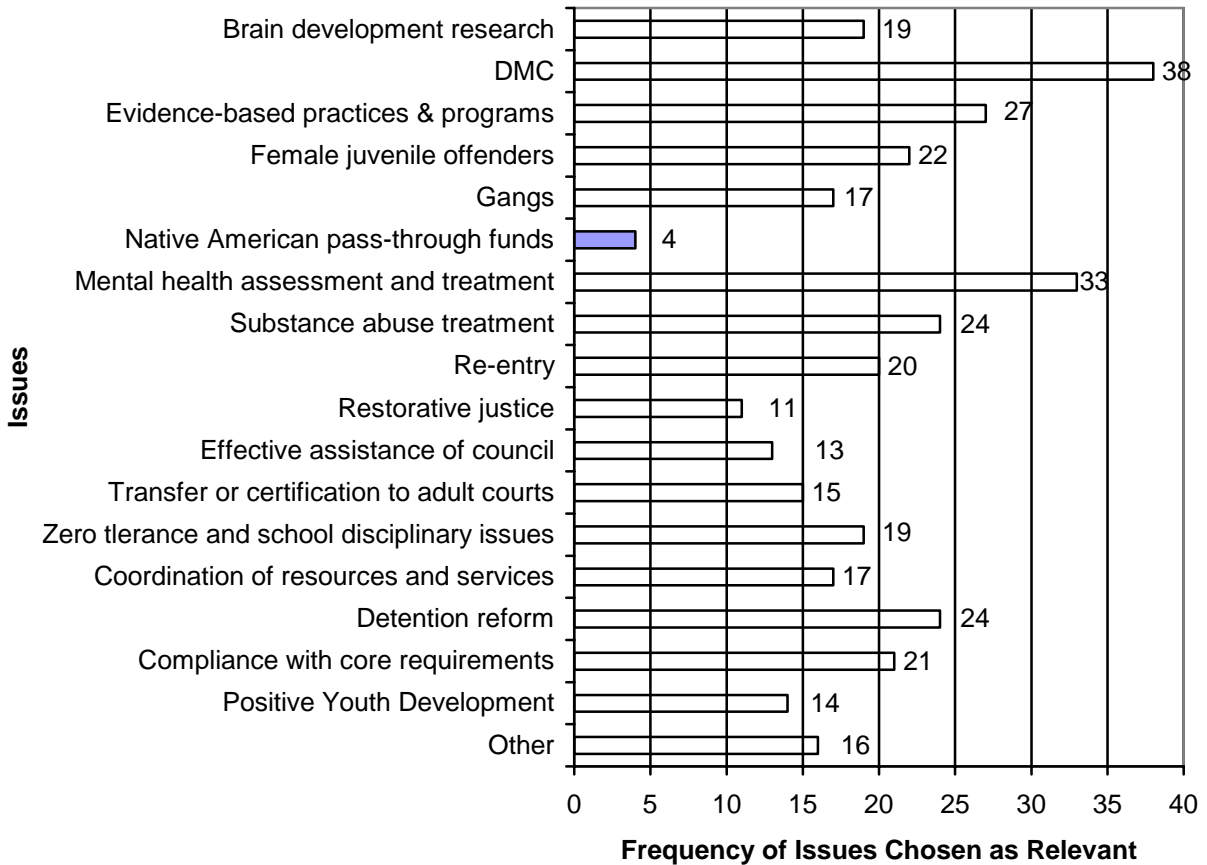
The following chart shows how the States and Territories ranked the issues affecting them. The top five issues were disproportionate minority contact (DMC) (38), mental health assessment and treatment (33), evidence-based practices and programs (27), substance abuse treatment (24), and detention reform (24). *Note:* Respondents could choose as many issues as applied to them.

Below are descriptions of the results and comments respondents made about the impact of these issues on their juvenile justice systems. Respondent recommendations to the President, Congress, and OJJDP are provided by issue.

- **Issue 1: New findings from brain development research**—Respondents reported that this issue was affecting their State/Territory’s juvenile justice system. Specifically, youth are increasingly being prosecuted as adults when, from a developmental perspective, this may not be warranted. Respondents stated that there is a public understanding and a legislative trend that juveniles are treated as adults in the courts. There is a need for more information and education for juvenile justice practitioners and a discussion about changes in transfer and waiver laws. As one respondent noted, “The public needs better information about adolescent development in order to support developmentally appropriate statute and system responses. We need a national positive

youth development PR campaign. Half of our youth are processed in adult corrections for minor crimes.”

Exhibit 2. Issues Identified by States and Territories



Respondents made the following recommendations to the President and Congress: provide more funding to support research and dissemination and more promotion for education on brain development issues. They also suggested that this research be consulted when changing and enacting laws that affect juveniles.

Respondents made the following types of recommendations to OJJDP: provide more support and funding to States/Territories for education, dissemination of research findings, and development of evidence-based practices.

- Issue 2: Disproportionate minority contact**—Respondents reported that this issue was affecting their State/Territory in terms of not having the necessary resources to combat the problem. Respondents were particularly concerned with inadequate, or incomplete, data collection on this issue. As one respondent stated, “It is difficult to gather data when dealing with 83 counties and countless police agencies who are not mandated to collect the data. Funding should be made available to sponsor pilot projects to collect the data and implement action steps to address the issue.”

Respondents made the following recommendations to the President and Congress: provide more funding to support data collection efforts and DMC programs in general, have more communication between the President and Congress and the States/Territories, and as one respondent stated, “recognize that many States lack capacity to accurately assess DMC at the various points of contact within the juvenile justice system.”

Respondents made the following types of recommendations to OJJDP: provide more funding, more training and technical assistance opportunities for DMC programs, and have more communication between OJJDP and the SAGs and DMC coordinators.

- **Issue 3: Evidence-based practices and programs**—Respondents reported that although they saw the benefit of these programs and they were encouraging the use of evidence-based programs, such programs can be costly, difficult, and time-consuming to implement.

States/Territories made the following recommendations to the President and Congress: place more focus on the difficulties involved in implementing evidence-based practices, and provide more funding, additional development of implementation tools, and more training and technical assistance to help programs successfully implement evidence-based practices. One respondent recommended the need to “develop tools for programs to implement essential aspects of best practices programs. Presently many programs are unable to implement such approaches because of costs associated with replication.”

Respondents made the following recommendations to the OJJDP administrator: provide more funding and technical assistance in implementing best practices and undertake more research to identify additional evidence-based programs for a wider range of program types.

- **Issue 4: Female juvenile offenders**—Respondents noted that there has been a sharp increase in female offending and that there are few programs or facilities that have services specifically for females. They also reported that female offenders generally had more serious and wide-ranging service needs than male offenders, including violent offenses and substance abuse/mental health issues.

Respondents made the following recommendations to the President and Congress: allocate more funding for gender-specific programs, provide technical assistance to help programs implement these practices, and push for more research on what works with female offenders to develop more appropriate programs.

States/Territories made the following recommendations to the OJJDP: provide more funding and technical assistance to address the issue of female juvenile offenders and conduct more research and evaluation conducted to identify effective gender-specific programs.

- **Issue 5: Gangs**—Respondents reported that this issue was an increasingly wide-spread problem. Respondents noted a lack of intervention and prevention efforts and an inadequate funding pool to support gang programming.

Respondents made the following recommendations to the President and Congress: provide more community education about prevention and intervention strategies for gang activity as well as more funding to support programs to combat gang activity.

Respondents made the following recommendations to the OJJDP administrator: provide more funding to combat gangs and do more research on this issue to develop evidence-based practices/models.

- **Issue 6: Native American pass-through funds**—Respondents reported that this issue was affecting their State/Territory in terms of inadequate resources. As one respondent stated, “(T)he Native American tribal juvenile justice systems have a critical lack of basic resources to address the needs of tribal youth. The funding available to tribes is grossly inadequate.” Respondents also stated that they need help disbursing pass-through funds.

Few respondents provided recommendations to the President and Congress. Those who did unanimously recommended that more funds be directed to the tribes, especially through those States with significant tribal youth populations.

Respondents recommended that the OJJDP administrator push for more funding and improved training and technical assistance for disbursement of existing Native American pass-through funds.

- **Issue 7: Mental health assessment and treatment**—Respondents reported that this issue was affecting their State/Territory in terms of a lack of the appropriate services to treat the increasing numbers of youth in need of mental health services in their juvenile justice systems. One respondent reported, “Approximately 70 percent of the youth in the juvenile justice system have a psychiatric diagnosis. Due to lack of funds, there are very few services available appropriate for the treatment of these youth. Lack of appropriate mental health services results in an increase in the number youth held in detention and the Department of Juvenile Justice.”

Respondents made the following recommendations to the President and Congress: provide more support for coordination of services to avoid duplication of services or gaps in services and increase and make more flexible the existing funding to support mental health services.

Respondents made the following recommendations to the OJJDP administrator: offer more funding and technical assistance to implement and coordinate mental health services for youth; as one respondent stated, there is a need for “developing mental health and treatment standards for youth in the juvenile justice system. These standards should address assessment and treatment of youth in both secure and nonsecure facilities.”

- **Issue 8: Substance abuse treatment**—Respondents reported that this issue was affecting their State/Territory in terms of needing more prevention and earlier intervention programs to address increasing numbers of youth requiring substance use treatment. Respondents also addressed the need for “more support (technical and

financial) for prevention versus the emergent federal directives to ‘focus on the highest-risk offenders.’”

Respondents made the following recommendations to the President and Congress: provide more funding for substance abuse prevention and intervention services, particularly early intervention services and age-appropriate services for youth.

Respondents made the following recommendations to the OJJDP administrator: allocate more funding to combat this issue, promote better coordination of efforts among youth-serving agencies, and develop more appropriate assessment tools for the juvenile population.

- **Issue 9: Reentry**—Respondents reported that this issue was affecting their State/Territory in terms of needs for support implementing or enhancing programs and increased funding, training, and community collaboration. Some respondents reported that they had programs in place. For example, one respondent reported, “The SAG has dedicated resources to enhancing case management in re-entry programs and to engage families in this process.”

Respondents made the following recommendations to the President and Congress: provide more funding and support for research on evidence-based programs.

Respondents made the following recommendations to the OJJDP administrator: provide more funding for programs and tools for implementation and offer more technical assistance for implementation.

- **Issue 10: Restorative justice**—Respondents reported that this issue was affecting their State/Territory in terms of needing monetary and training assistance in implementing programs. Some respondents reported that they had programs in place but were having difficulty maintaining them. For example, one respondent said, “Our courts are using more restorative justice philosophy. However, with the cutback in funding, training for courts who want to use this philosophy has been substantially cut back. We were making good progress in our State in implementing this philosophy, but it has slowed down substantially since the reduction in funding. If we are going to keep the momentum going in restorative justice, we need to have funding for training.”

Few respondents made recommendations to the President and Congress. Those who did recommended providing more funding for restorative justice programs and developing standardized definitions for restorative justice that can be used across programs.

Only three respondents made recommendations to the OJJDP Administrator. These included increasing funding for programs, increasing understanding that the restoration process involves the criminal as well as the victim, and providing more technical assistance to restorative justice programs.

- **Issue 11: Effective assistance of counsel**—Respondents reported that this issue is affecting their States/Territories in terms of a widespread deficit of qualified, trained attorneys to appropriately represent youth. Respondents stated that there is a general lack of education for court personnel on such things as juvenile-specific representation and brain development issues.

Respondents made the following recommendation to the President and Congress: provide more training and education for attorneys who may deal with juvenile cases. As one respondent put it, the President and Congress should “encourage standards and training requirements for attorneys who represent juveniles, recognizing that they are, in the majority of cases, vastly different from adult offenders.”

Respondents made similar recommendations to the OJJDP administrator as they did to the President and Congress. Most wanted more training and education for attorneys. Other recommendations included development of evidence-based practices for juvenile representation.

- **Issue 12: Transfer, waiver, or certification to adult courts**—Respondents reported that this issue is affecting their States/Territories in terms of too many youth being transferred to adult courts for minor offenses. As one respondent noted, “Too many juveniles are being transferred to adult court or designated to be tried as adults in juvenile court. This leaves them with an adult felony criminal record when the juvenile may only be 14 or 15 at the time of the offense. Many of these offenses are for property-related offenses. The intent of the original juvenile waiver to adult court was supposed to be for the most serious offenses. We have gotten away from the premise and use it in ways to further political careers or to appear tough on crime. We need to make sure it is used for only the most serious offenses as it was originally designed to do.”

Respondents made the following recommendations to the President and Congress: supply more funding to support developmental research and evaluation of the effects of transferring juveniles to adult courts.

States/Territories made the following recommendations to the OJJDP administrator: allocate more support and resources for research and dissemination of information on this topic and provide stronger leadership to States/Territories in identifying and implementing evidence-base practices.

- **Issue 13: Zero tolerance and school disciplinary issues**—Respondents reported that this issue is affecting their States/Territories in terms of an increasing number of youth coming into contact with the juvenile justice system for minor infractions. Respondents also stated, “(T)here are inconsistencies in zero tolerance policies and truancy policies which result in DMC.”

States/Territories made the following recommendations to the President and Congress: zero tolerance was overwhelmingly condemned as a harmful practice, so elimination of these policies was recommended as was providing funding to help schools develop alternatives to suspension or expulsion; give more authority to the school administrators. As one responder put it, “Allow school administrators the discretion to deal with each situation they face rather than requiring that a rigid set of rules be followed regardless of the individual circumstances.”

Respondents made the following recommendations to the OJJDP administrator: develop alternatives and provide incentives to school administrations to develop alternatives to zero tolerance practices.

- **Issue 14: Coordination of resources and services**—Respondents did not elaborate on how the issue of coordination of resources and services was affecting their youth and juvenile justice populations.

States/Territories did make recommendations to the President and Congress that included providing more funding to help support programs in creating collaborative groups and service coordination and offer more training for programs to help coordinate their services.

Respondents also made recommendations to the OJJDP administrator that more technical assistance and training should be provided to help programs with service coordination.

- **Issue 15: Detention reform**—Respondents reported that this issue was affecting their States/Territories in terms of an affirmation that there is a lack of alternatives in most states but that there is movement toward reconciling this problem. As one respondent reported, “Very few alternatives to secure detention exist in the state; the state is working to provide more resources, training and procedural analysis to address this issue.”

Respondents made the following recommendations to the President and Congress: provide continued support for developmental research and increase funding to programs for detention reform and allocate more funding for evidence-based programs in this area and training to help implement reform programs.

States/Territories made the following recommendations to the OJJDP Administrator: increase funding, TA support, and development of evidence-based programs.

- **Issue 16: Compliance with core requirements**—Respondents did not elaborate on how the issue of compliance with core requirements was affecting their States/Territories.

States/Territories did make recommendations to the President and Congress for more funding and technical assistance to be provided to help States/Territories maintain compliance. They also felt that good faith efforts should be taken into account when making funding decisions. Stated one respondent, “Do not financially penalize states that are making good faith efforts to address compliance issues. Instead work with them to develop a plan of corrective actions and support.”

Respondents made the following recommendations to the OJJDP Administrator: provide more funding to ensure that compliance standards are met, offer more technical assistance to help maintain compliance, and review interpretations of the JJDP Act to ensure that requirements were clear and standardized. One respondent noted, “The current administration is interpreting portions of the JJDP Act more strictly in the past year and is making it more difficult for States to remain in compliance.”

- **Issue 17: Positive Youth Development**—Respondents reported that this issue was affecting their States/Territories in terms of a lack of training and education about youth development, an increase in the need for information about positive youth development, and ways to involve youth more in prevention/intervention efforts.

Respondents made the following recommendations to the President and Congress: adopt a more progressive research agenda to evaluate the potential that positive youth development strategies offer to the juvenile justice system, recognize these strategies as theory-driven and strength based, and provide more funding to programs to implement and enhance their positive youth development strategies. One respondent also recommended a national “positive youth campaign” to combat all the negative media surrounding youth today.

Respondents made the following recommendations to the OJJDP administrator: offer more technical assistance to States/Territories to help them understand the theoretical and applied benefits of positive youth development strategies and require program staff to be proficient in a wide variety of cultural components to help them appropriately relate to youth.

- **Other issues**—Respondents offered other issues that were troubling their communities and juvenile populations. They reported that there was insufficient funding for prevention and intervention programs and a general lack of resources for children in the juvenile justice system. Respondents also reported that truancy was an increasing problem and that services needed to be more community based.

Respondents made the following recommendations to the President and Congress: provide more funding to all programs dealing with youth and make technical assistance a priority to help with the implementation process.

States/Territories made the following recommendations to the OJJDP administrator: allocate more funding for juvenile programs, in particular for training staff , and provide more evidence-based practices, especially for truancy issues.

Problems Identified in States/Territories 3-Year Plans and Promising Practices Used to Address Them

States and Territories were asked to report the top three problems from their most recent 3-year plans and to identify promising approaches they are using to address them. These questions were open-ended, and respondents typed in text responses. The most common problems reported by all States and Territories included DMC issues, mental health assessment and treatment, a lack of focus on prevention, and difficulties complying with and/or a need to reevaluate JJDP Act regulations.

With regard to promising practices they were using to combat problems related to their juvenile justice systems and youth populations, respondents identified approximately 50 different programs (see appendix 2 for a list). Many States and Territories also listed steps they were taking toward establishing promising programs in their areas. Some examples included forming community forums and collaborative work groups, developing and utilizing standardized forms and instruments, seeking out technical assistance in identifying and implementing promising practices, and acquiring assistance from foundations such as the Anne E. Casey and MacArthur Foundations.

Promising Practices Used to Combat the Four Most Common Problems

- **DMC**—States/Territories reported using the Fast Forward Program, JDAI, and Burns Institute model programs. Other practices respondents reported implementing to move toward evidence-based practices included targeting areas of need, developing models and planning teams, conducting research, and providing technical assistance to programs.
- **Mental health assessment and treatment**—States/Territories reported the use of functional family therapy, multisystemic therapy, NCJIS, and NDEN. Other respondents reported increasing awareness and education about mental health issues, developing collaboration initiatives, implementing mental health courts, setting up pilot programs, and employing professional clinical workers.
- **Prevention**—States/Territories reported the use of SCDPS, and CLO/DJJ. Other practices respondents reported using to move toward evidence-based practices included developing drug and peer courts, providing training on prevention strategies, and implementing detention alternatives initiatives.
- **Compliance**—States/Territories reported the use of functional family therapy, multisystemic therapy, SCDPS, and CLO/DJJ. Other respondents reported holding community forums and assessments, using standardized instruments, developing collaboration work groups, giving funding priority to evidence-based programs, and establishing committees to deal with core requirement issues.

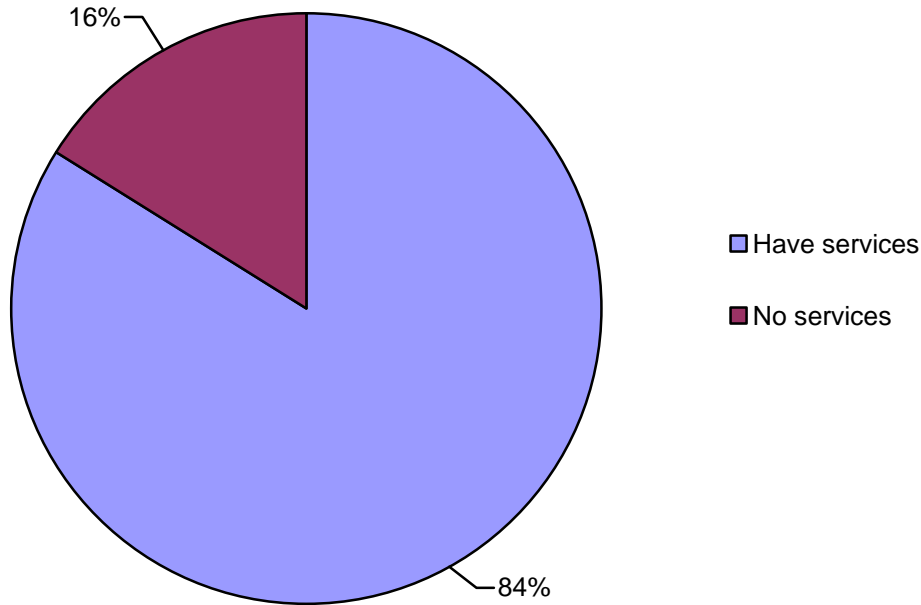
Other Promising Practices in Use

States and Territories were asked to elaborate on any other promising practices they were implementing that were NOT in response to one of the problems they listed as affecting their juvenile justice system or youth population. Respondents identified 17 promising programs (some duplicated from the list of promising programs) their States and Territories were using. Respondents also listed steps they were taking toward establishing more promising programs in their areas. These included funding or supporting evidence-based programs and an increased focus on appropriate assessment and evaluation of program outcomes.

Youths' Right to Effective Assistance of Counsel

States and Territories were asked to describe any laws, court rules, or policies in their State or Territory related to a youth's right to effective assistance of counsel. Thirty-one respondents answered this open-ended question, reporting whether or not they had bills, statutes, or rules in place to provide services for court-involved youth, and the means they used to supply these services, if at all. Responses about services tended to focus on administrative approaches, such as appropriate staffing levels and staff training. The following chart shows the percentage of respondents stating that services pertaining to effective assistance of counsel were provided for youth in their State or Territory.

Exhibit 3. Youths' Right to Effective Assistance of Counsel (n=31)



Nonissue-Specific Recommendations to the President and Congress

As described above, recommendations based on States' current or emerging issues focused on five main areas: (1) increasing or restoring previous levels of funding; (2) providing more, and more appropriate, technical assistance (TA); (3) lending more support to research (especially brain development research); (4) reevaluating and/or reauthorizing the JJDP Act; and (5) providing more leadership and coordination with the States and Territories. When asked to provide additional recommendations that were not specifically linked to their current or emerging juvenile justice issues, respondents most frequently mentioned increasing funding levels, followed by reevaluating and reauthorizing the JJDP Act and placing more emphasis on positive youth development. Other recommendations included making juvenile justice more of a priority, eliminating administrative requirements in grants, and maintaining more consistency across OJJDP's grant process.

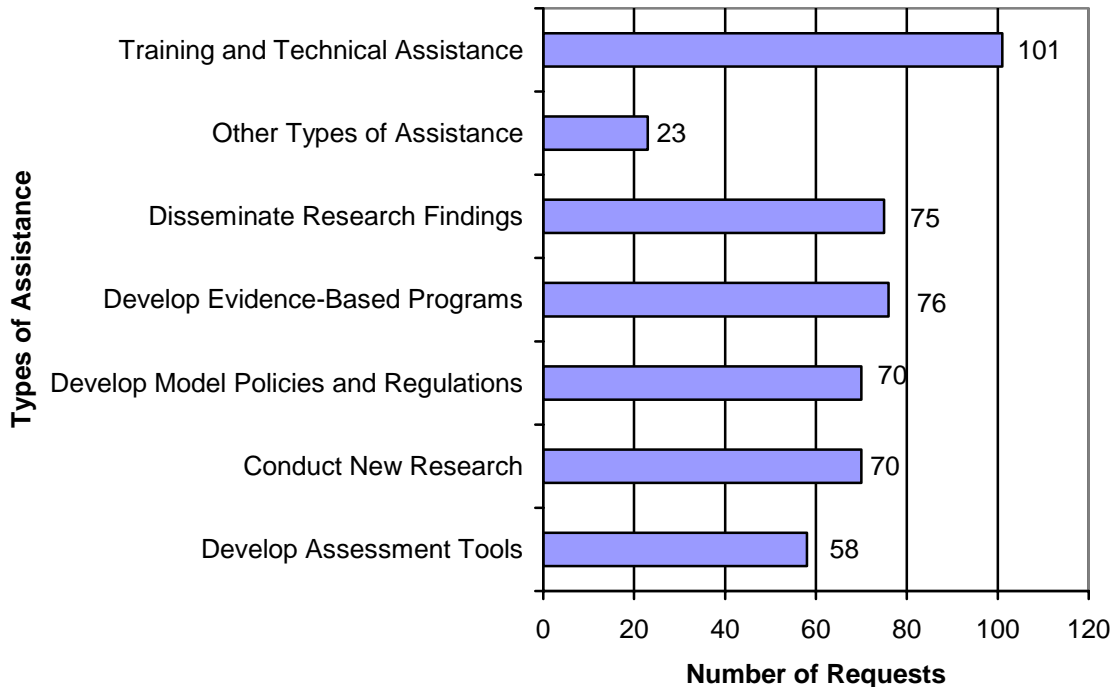
Nonissue-Specific Recommendations to the OJJDP Administrator

Recommendations based on States' current or emerging issues focused on five main areas: (1) increasing or restoring previous levels of funding, (2) providing more technical assistance, (3) identifying and validating a broader range of evidence-based programs, (4) improving communication and passing more information to the States and Territories, and (5) lending more support to research on juvenile justice (including evidence-based programs, brain development research, and juvenile populations). Nonissue-specific recommendations focused on the same areas.

Categories of Assistance OJJDP Could Offer States/Territories

States and Territories were asked to indicate the types of technical assistance they needed most from OJJDP in relation to their identified current or emerging juvenile justice issues. Respondents chose from seven technical assistance categories: (1) training and technical assistance, (2) other types of assistance (in addition to those TA categories listed), (3) dissemination of research findings, (4) develop evidence-based practices and programs, (5) develop model policies and regulations, (6) conduct new research, and (7) develop assessment tools.

Exhibit 4. Types of Assistance Requested



Training and technical assistance, with 101 requests, was the most frequent type of assistance that States/Territories requested, followed by develop evidence-based programs (76), dissemination of research findings (75), develop model policies and regulations (70), conduct new research (70), develop assessment tools (58), and other types of assistance (23). *Note:* Respondents could select an assistance type for each recommendation they made to OJJDP.

The top three issues for which each of these types of technical assistance was requested were (1) disproportionate minority contact, (2) evidence-based practices and programs, and (3) brain development research.

Respondents elaborated on their TA requests concerning DMC, including in addition to assistance, wanting to receive individualized training for States/Territories and their SAGs that focused on their roles and responsibilities, designating full-time State DMC

coordinators, enhancing research and evaluation in the field, developing DMC-specific programming for juvenile justice systems, and validating evidence-based practices for ethnic minority youth.

Requests for TA for evidence-based practices included providing more hands-on consultation from experts and from like jurisdictions that had already established/validated programs, enhancing research, evaluating and disseminating findings to States and practitioners, and developing tools to implement essential aspects of evidence-based programs.

States/Territories requesting TA for brain development research identified specific areas in which TA would be helpful, including improving the information flow to the States regarding new research findings and applications, finding ways to better integrate brain development research into juvenile justice best practices, and providing information and updates on research at OJJDP conferences and regional meetings.

Other Information Submitted by States/Territories

Respondents were provided an additional space in the 2007 ARI in which to add additional comments or information that they wanted OJJDP to know. Comments from 11 respondents are summarized below.

A majority of these 11 respondents addressed the issue of funding. Some respondents expressed frustration at the “apparent lack of effort” to restore funding to previous levels to support programs. Others expressed a need for additional funding to enhance their staff with positions such as compliance monitors.

A few respondents addressed the issue of juveniles registered under the Adam Walsh Act for sex offenders. Respondents were concerned that juveniles were being inappropriately treated in the same manner as adult sex offenders, even in the face of new developmental research findings. They also were worried about the cost and difficulty of implementation, and felt that registering youth in the system will “do nothing to ensure public safety.”

Other comments addressed the need to raise the age of juveniles in the corrections system to 18 and to keep youth out of the Federal corrections system, as it is “not equipped to deal effectively with juvenile offenders and keep the public safe.” In line with these comments, one respondent requested a clarification of the interpretation of the Separation of Sight and Sound under the JJDP Act.

The final additional comments dealt with frustrations at the inconsistent and inadequate communication between OJJDP and the States and included a request for reports (including the FACJJ ARI) to be disseminated to the States in a more timely manner.

II. APPENDIX A: FACJJ 2007 ARI

Key Current and Emerging Issues

The table below lists several critical and emerging issues in juvenile justice. The FACJJ is interested in learning about the most important current and emerging juvenile justice issues your State or Territory is facing, and how these issues are affecting your jurisdiction. Please note that issues identified on this page will be used to automatically populate fields on later pages of this ARI. If at any point you return to this page and alter these issues, please remember to re-check any written answers for relevancy to the issue listed.

1. Please check the important issues facing your State or Territory:
If your State/Territory faces an issue in any category that is not listed below, please add it.

Issues	Please Check the Appropriate Box
New findings from brain development research	
Disproportionate minority contact	
Evidence-based practices and programs	
Female juvenile offenders	
Gangs	
Native-American pass-through funds	
Mental health assessment and treatment	
Substance abuse treatment	
Re-entry	
Restorative justice	
Effective assistance of counsel	
Transfer, waiver or certification to adult courts	
Zero tolerance and school disciplinary issues	
Coordination of resources and services	
Detention reform	
Compliance with Core Requirements	
Positive Youth Development	
Other: Please specify	

2. Please describe the ways in which issues you checked in the previous question are affecting juvenile justice in your jurisdiction (for example, a rise in gang is increasing the number of youth being incarcerated, or DMC is being aggravated by a lack of available resources to provide services, diversion programs, etc.).

Note: The issues listed in the left hand column are those that you selected in question 1. You must select at least one issue in question 1 in order to be able to answer this question.”

Important or Emerging Issues	How this issue is affecting your State or Territory
<i>Issues you selected in question 1 will automatically appear here.</i>	

3. Please describe any laws, court rules or policies in your State or Territory related to a youth's right to effective assistance of counsel.

4. List the top three problems your State or Territory identified in its most recent 3-Year plan.

Problem	Description of the Problem

5. Please describe any promising practices your State or Territory is using to address the problems identified in your 3-year plan. The problems listed below are based on your response to question 4.

Problems	Promising Practices
<i>Problems you reported in question 4 will automatically appear here.</i>	

5a. Please describe any other promising practices your State or Territory is using. Include a description of the problem the promising practice is designed to address.

6.a Please list any recommendations for the President and Congress. Where possible, please also include the basis for your recommendations. The issues shown in the first column are based on your responses to question 1 on page 1 of this form.

Note: The issues listed in the left hand column are those that you selected in question 1. You must select at least one issue in question 1 in order to be able to answer this question. You will have a chance to make additional recommendations in question 6c

Issues	Recommendations to the President and Congress
<i>Issues you selected in question 1 will automatically appear here</i>	

6.b Please list any recommendations for the Administrator of OJJDP related to the issues that you identified in the preceding pages. Where possible, please also include the basis for your recommendations. The issues shown in the first column are based on your responses to question 1 on page 1 of this form. **Note:** The issues listed in the left hand column are those that you selected in question 1. You must select at least one issue in question 1 in order to be able to answer this question. You will have a chance to make additional recommendations in question 6d

Issues	Recommendations to the OJJDP Administrator
<i>Issues you selected in question 1 will automatically appear here</i>	

6c. Please insert any recommendations, not described on the previous screen as pertinent to a particular issue, that your State Advisory Group would like to include in the 2007 report to the President and Congress.

6d. Please insert any additional recommendations, not described on the previous screen, your State Advisory Group would like to make to the OJJDP Administrator

7. Please check the type or types of assistance OJJDP could offer your State or Territory that would be most helpful to you in implementing any of the recommendation(s) to OJJDP. The recommendations shown in the first column are based on your responses to question 6b and 6d on page 6 and 7 of this form. You must enter at least one recommendation in question 6b **or** 6d in order to be able to answer this question.

Please note: Checking the column titled "Provide training and TA" lets OJJDP know that TTA is needed on selected topics and does not constitute a TTA request.

Recommendation	Disseminate Research Findings	Conduct New Research	Develop Evidence-Based Programs	Develop Assessment Tools	Provide Training and TA	Develop Model Policies and Regulations	Other
<i>Recommendations made in question 6b will automatically appear here.</i>							

8. Please write in any additional information that you would like to submit with this form.

APPENDIX B: PROMISING PRACTICES USED BY STATES/TERRITORIES

The following list was provided by ARI respondents. Entries were not checked against existing lists of evidence-based practices/models. The list is presented in the order submitted.

- Truancy Prevention Programming
- Functional Family Therapy
- Multisystemic Therapy
- Bilingual Counseling
- Wake Up Substance Abuse Program
- Botkins Life Skills
- Oweleius Bullying Prevention
- Delaware Girls Initiative
- PACE
- Civic Justice Corps
- Burns Institute model
- Fast Forward Program
- Juvenile Detention alternative Initiative
- Anne E. Casey Foundation
- JDAI
- Arrest diversion Program
- Statewide Detention Support Services Program
- Family & Children First Council
- BGCA
- RECLAIM
- SCDPS
- CLO/DJJ
- SCRAM Units
- Juvenile Detention Alternatives Initiative
- Day and Evening Reporting Centers
- 23 hour Respite Center
- Alternative to Detention Reception Centers
- In School Suspension Programs
- Coalition for Minority Youth Equality
- MTFC
- FFT
- MST
- TAG
- Detention Screening Instruments
- Day and Evening Reporting
- NCJIS
- NDEN
- Models for Change
- Motivational Enhancement Therapy
- Multisystemic Family Therapy
- Gang Prevention curriculum
- Blueprints
- SCDPS
- CLO/DJJ
- Racial Disparity Task Force
- Aggression Replacement Training
- YLS
- Performance Based Standards for Juvenile Facilities
- Transitional Services
- Girls Circle Model
- Hana HS voc ed prog
- Lanakila integrated thematic unit prog
- Umbrella rule b/w DOC and DHS
- Youth Drug Court
- Youth Peer Court
- CBT
- MET
- Mentoring Links
- Transitional Specialist
- FACTS data system
- Models for Change initiative
- POSIT
- GAIN assessment tools
- SVORI Reentry initiative
- Policy & Procedure Gap Analysis
- Performance Based Standards for probation
- MT Behavioral Institute
- MT Children's Initiative

Appendix B: Promising Practices Used by States/Territories

- Family Justice, Inc. La Bodega model
- Access to Better Care
- PTSD project
- PTSD treatment curriculum
- Competency Development White Paper
- Accountability: Moving Toward Victim Restoration White Paper
- AmeriCorps/VISTA volunteers
- BARJ precharge responses