FACJJ

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

CSR *Incorporated*

2008

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PREFACE

The Annual Request for Information (ARI) was created by the Federal Advisory Committee on Juvenile Justice (FACJJ) for the sole purpose of establishing an informal survey to ensure that each state and territory would have an equal opportunity to express its ideas, concerns, opinions, and recommendations for consideration in the process of preparing the FACJJ Annual Reports. The Annual Report Subcommittee of the FACJJ reviews the results of the ARI each year as it selects topics and prepares the draft reports for submission to the full FACJJ for its consideration and action. The method of response to the ARI varies among the states and territories, and the ARI is not a comprehensive survey. The ARI was neither intended nor designed to be a valid or reliable scientific research instrument. The FACJJ acknowledges that its selection and presentation of the questions in the ARI reflect its biases, which in turn affect the results of the ARI, and that in compiling the collected information, no weight is given to reflect various statistical inequities such as the size or population of the responding states and territories (e.g., the scoring of input from California and Rhode Island are treated equally).

EXECUTIVE SUMMARY

The Federal Advisory Committee on Juvenile Justice (FACJJ) is an advisory body composed of appointed representatives from the Jurisdiction Advisory Groups (SAG's) of each of the 50 jurisdictions, the District of Columbia, and the 5 U.S. territories.[1] 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), FACJJ makes recommendations to the President and Congress.

One of FACJJ's 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 presents results from the 2008 FACJJ ARI, which posed questions to SAG's about juvenile justice issues affecting their states and territories, laws and policies regarding effective counsel for juveniles, promising programs and policies that have been implemented in their respective jurisdictions, and recommendations about juvenile justice for the OJJDP Administrator, Congress, and the President. The 2008 FACJJ ARI also asked respondents what types of assistance they needed from OJJDP.

Results indicated that overall, the most frequently cited issues affecting responding states and territories were disproportionate minority contact (DMC), mental health treatment and assessment, juvenile reentry, and detention reform. When examining issues by the five pre-designated juvenile justice categories, which are (1) justice system issues; (2) core requirement issues; (3) service system issues; (4) research to policy issues; and (5) emerging societal trends, the most oft-cited category was service system issues. By category, the most pressing justice system issue was detention reform. The most frequently cited core requirement issue was DMC. The most frequently cited service system issue was mental health treatment and assessment. The most frequently cited research to policy issue was evidence based practices, and the most frequently cited emerging societal trend affecting juvenile justice was zero tolerance/school disciplinary policies.

Recommendations made to the OJJDP Administrator, Congress, and the President, and recommendations to OJJDP regarding assistance centered on several themes. First, in almost every category, respondents recommended there be more funds set aside to develop alternatives to detention and a wider range of community-based sanctions for juveniles. A number of respondents mentioned the need for implementation of graduated sanctions. Second, almost all respondents requested assistance with data collection, evaluation, training, and availability of evidence based programs. Third, there were numerous concerns raised about punitive sanctions and punitive legislation for juveniles,

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[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 OJJDP to receive formula grant funds.

ranging from the Adam Walsh Act to zero tolerance policies in schools. The overwhelming majority of respondents were concerned that punitive policies negatively impact juvenile reentry and long-term recidivism.

Respondents also provided some examples of promising programs that had been implemented to address identified problem areas. However, there appeared to be a shortage of programs that addressed many of the issues identified by SAG's as need areas. Relating this shortage to respondents' comments later in the ARI suggests that many juvenile justice agencies lack the resources, training, and technical skills to properly implement evidence-based programs.

Additional analysis conducted in this report revealed that juvenile justice need areas varied by geographical location and by the number of tribal youth residing in respective jurisdictions.

1. INTRODUCTION

The Federal Advisory Committee on Juvenile Justice (FACJJ) is an advisory body composed of appointed representatives from the Jurisdiction Advisory Groups (SAG's) of each of the 50 jurisdictions, the District of Columbia, and the 5 U.S. territories.[2] 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.

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 responses to the 2008 FACJJ ARI and is divided into four chapters. Chapter 2 provides an overview of the methods used to gather the data. Chapter 3 presents results from the ARI. The report ends with a summary of the results and some concluding remarks.

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2. METHODOLOGY

This section presents the contents of the 2008 ARI and the methodology implemented for analyzing results. A copy of the 2008 ARI is in the appendix.

2.1 Content of the 2008 Annual Request for Information

The 2008 ARI asked for information about the following topics:

- Key current and emerging juvenile justice issues in the following categories: (1) justice system issues, (2) core requirement issues, (3) service system issues, (4) research to policy issues, (5) emerging societal trends, and (6) any other key current or emerging issues not listed. Respondents were asked to rank these issues in order of priority for their respective state or territory and to describe how the identified issues affect their respective state or territory.

- Policies and practices relating to youths' right to effective assistance of counsel, including any special training requirements respective states and territories require of counsel representing juveniles.

- Problems identified in respondents' most recent 3-year plans and how those problems are being addressed.

- Promising programs or practices a state or territory has implemented.

- Total juvenile justice budget and budgets for juvenile crime prevention, community corrections, detention, and after-school programming. [3]

- Recommendations for the President and Congress based on issues identified in earlier sections.

- Recommendations for the OJJDP Administrator based on issues previously identified.

- Types of assistance OJJDP could offer that would be helpful to respondents in implementing any of their recommendation(s) to OJJDP.

2.1.1 Key Current and Emerging Issues

Using issues identified in 2007 and discussions with members of the FACJJ annual report committee, respondents were asked to indicate which current and emerging issues, shown in Table 1, were affecting them. Respondents could indicate up to 10 items.

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[3] This question was posed to respondents for the first time in this ARI at the direction of the Administrator, OJJDP. Some respondents provided data, which is included in endnote 1; however, data could not be properly analyzed due to missing values or respondent misinterpretation of the question. The advisory group recommends that this question be re-formatted if used in future years.

Table 1. Current and Emerging Issues, 2008

Juvenile's right to effective assistance of counsel
Waiver and transfer to adult court and original criminal court jurisdiction for youth
Quality of and/or lack of judicial training
Community-based programs v. secure custody
Detention reform
Deinstitutionalization of status offenders
Sight and sound separation
Jail removal
Disproportionate minority contact
Relationship of tribal actions to violations of core requirements
Lack of primary prevention services
Mental health assessment and treatment
Substance abuse assessment and treatment
Reentry of offenders into communities and into schools
Programming specific to girls/females
Programming specific to boys/males
Difficulty collaborating with public schools
Education in detention and how it relates to No Child Left Behind and/or IDEA
Coordination with other agencies (e.g., SAMHSA, MH/SA, and Labor)
Coordination with faith-based organizations
Brain development
Evidence-based practices—evaluation infrastructure—data and evaluation
State capacity to conduct juvenile research and/or collection data
Restorative justice
The Adam Walsh Act
Methamphetamines
Juvenile crime trends
Growth in gang activity
Immigration
Zero tolerance/school disciplinary policies

If respondents wished to report on an issue (or issues) other than those listed, they could use the "other" category.

Included in table 1 are the Adam Walsh Act and Sight and Sound Separation. These issues were previously identified as areas of concern for juvenile justice administrators. The Adam Walsh Child Protection and Safety Act was passed on July 27, 2006. Among the act's provisions were expansion of Federal jurisdiction over numerous crimes with child victims, increased penalties for a large number of offenses, and re-categorization of sex offenses into three tiers, dictating sex offender classification. The Act also specifies treatment program guidelines and release procedures for sex offenders. Changes specified by the Adam Walsh Act apply to both adult and juvenile offenders, which could have a potentially large impact on juvenile justice systems. For example, a tier-three juvenile sex offender is mandated to be registered as a sex offender for life and report in person to the appropriate agency every 30 days. To comply with this act, states and territories have to allocate additional resources to juvenile sex offender treatment and reentry programs.

Sight and sound separation refers to Section 223 (a) (13) of the JJDP Act that specifies the separation of juveniles from adults in detention facilities of all types. The only exception to this separation is "accidental or inadvertent contact in secure areas." Practically, compliance with this law has meant some jurisdictions have had to allot additional resources to ensure separation in facilities or improve community-based programs for juveniles.

For each issue they identified as important, respondents were asked to provide two things: (1) narrative information on the impact of that issue on juvenile justice in their jurisdiction, 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 were reviewed and content-analyzed to identify specific themes by issue.

2.1.2 *Rank-Ordering of Top Three Current and Emerging Issues Affecting Each State or Territory*

In addition to selecting up to 10 current and emergent issues, respondents were asked to rank the top 3 issues affecting their state or territory.

Top three problems identified in most recent 3-year plan—Respondents were asked to list the top three problems identified by their jurisdictions in their most recent 3-year plan as well as any promising practices they are using to address those problems. Although there was some overlap with current and emerging issues that respondents reported as part of the first question, respondents also indentified some unique problems, such as the following:

- Compliance with the four core requirements of the JJDP Act (a problem that was identified in 2007 by many respondents)

- Individual needs of districts within a state or territory

- Lack of juvenile crime prevention and early intervention programs for high-risk geographical areas

- Lack of funds for local juvenile justice systems

- Desire for implementation of programs that strengthen families

- Lack of locally based research on causes and consequences of juvenile crime

- Current practice of uncoordinated, multiagency, juvenile screening instruments

- Inability to address co-occurring disorders among youth

- Failure to address the relationship between school dropout rates and juvenile crime.

Laws, court rules, or policies in your state or territory related to a youth's right to effective assistance of counsel and associated special training for counsel—Respondents were asked to provide information on policies and laws relating to legal representation of juveniles, including special training for counsel, types of certification programs, and the stage in the juvenile justice process in which counsel can be appointed for juveniles. Numbers were tabulated, and responses were reviewed and content-analyzed to identify specific themes.

Other promising practices—In addition to describing promising practices their states or territories were using to address the problems identified in their 3-year plans, respondents were asked to describe any other promising practices that had been implemented in their state or territory.

Level of funding for juvenile justice—At the Administrator's direction, respondents were asked to provide their total juvenile justice budget and budgets for specific programs, such as prevention activities, community corrections, juvenile detention, and after-school programming.

Recommendations to the President and Congress—In addition to providing recommendations based on key and emerging issues identified, respondents were asked to provide any other important recommendations their SAG wished to make to the President and to Congress. For these narrative data, recommendations were grouped into the five issue categories, and themes within those categories were identified.

Recommendations to the OJJDP Administrator—Respondents were asked to identify the recommendations their SAG wished to make to the OJJDP Administrator and to indicate the type(s) of assistance they would like to receive to help them implement each recommendation. These data were analyzed in the same way as recommendations made to the President and Congress.

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 details about the content of the assistance were grouped into themes.

2.2 ARI Response Rate, 2008

In 2008, 47 of 55 invited states and territories entered data into the on-line system, which was available from January 28 to April 30, 2008.[4] Of the 47 responding states and territories, 24, or 51 percent completed all questions. The remaining 23 states and territories completed questions 1 to 3 and most of the other questions. The vast majority of the incomplete responses were for the question 6, which asked about budget. Analysis provided in this report is based on all responses that represent an overall response rate of 85 percent. Figure 1 shows the distribution of responding states.

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[4] Information was not requested from the US Virgin Islands.

Figure 1. Distribution of 2008 FACJJ Annual Request for Information Respondents

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Legend

Received Response   Other (Received Response): Alaska, District of Columbia, Hawaii, Northern Mariana, and Puerto Rico

Did Not Receive Response   Other (No Response Received): American Samoa, and Guam
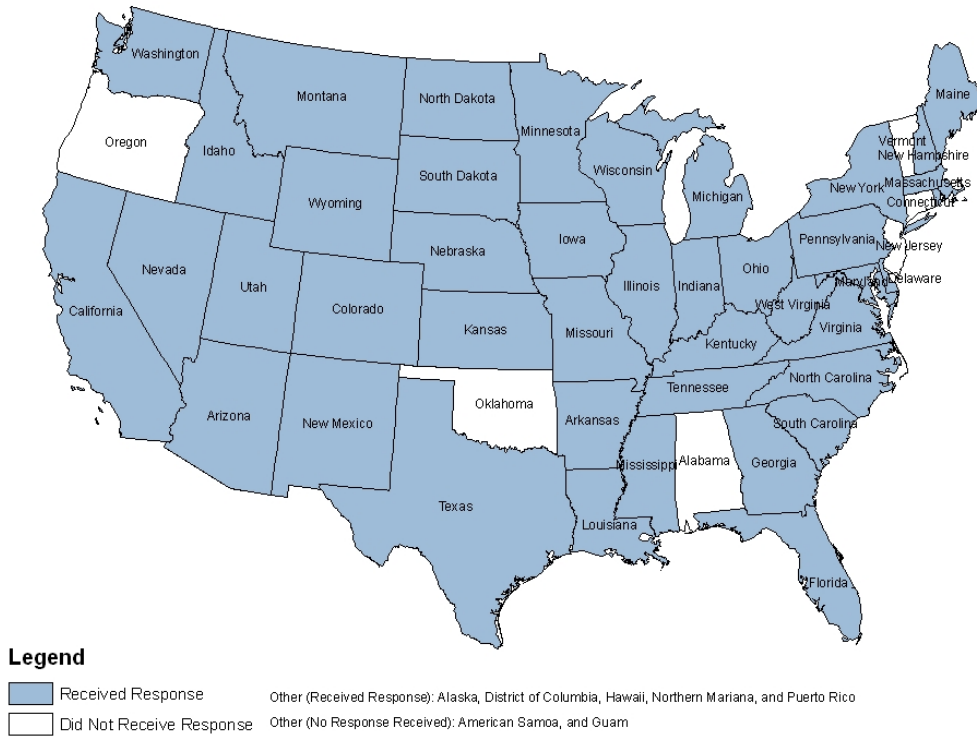
2.3 Additional Variables

To make analysis of the 2008 ARI more robust, three additional variables were included. The first was the amount of juvenile justice formula grants awarded by state. These amounts, provided by OJJDP, were classified into five groups, ranging from less than $600,000 to more than $2 million.

The second variable was the number of tribal youth ages 16 and under who were living on or near a reservation, by state. These figures were extracted from the Indian Population and Labor Force Report of 2003 (Department of the Interior, 2003).[5] To expedite comparisons, this variable was recoded into an ordinal variable with four categories, ranging from zero tribal youth to a high proportion of tribal youth.

The final variable added to this data was whether the state was predominantly rural or urban. Classifications were made using the 2000 U.S. Census Population Density Statistics. States with population densities greater than 150 people per square mile were

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[5] These numbers are conservative, given that age limits for juveniles in the United States can be as high as 18.

classified as mainly urban.[6] Although this is a fairly approximate classification system, it allows an examination of how juvenile justice issues and concerns vary by type of geographical location.

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[6] The United States currently does not have a standard definition of what constitutes urban (Long, Rain, & Ratcliffe, 2001).

3. RESULTS

3.1 Key Current and Emerging Issues

Respondents were asked to identify the issues affecting their juvenile justice system from a list of 30 possible issues (listed in table 1 above). An "Other" option also was provided so respondents could add issues not included in the list.

The top five issues reported by respondents were (1) disproportionate minority contact (DMC) ($n = 40$), (2) mental health assessment and treatment ($n = 38$), (3) reentry of juveniles into schools and the community ($n = 28$), (4) detention reform ($n = 26$), and (5) community-based programs v. secure custody ($n = 25$). The first two issues were the same top two issues for 2007. Respondents mentioned four other issues: (1) coordinated responses to truancy ($n = 2$), (2) drug-related crime ($n = 1$), (3) juvenile sex offender treatment ($n = 2$), and (4) prescription drug abuse ($n = 1$). Figure 2 shows the distribution of the top five issues.

Figure 2. Distribution of Top Five Issues
(boxed numbers express percentages)
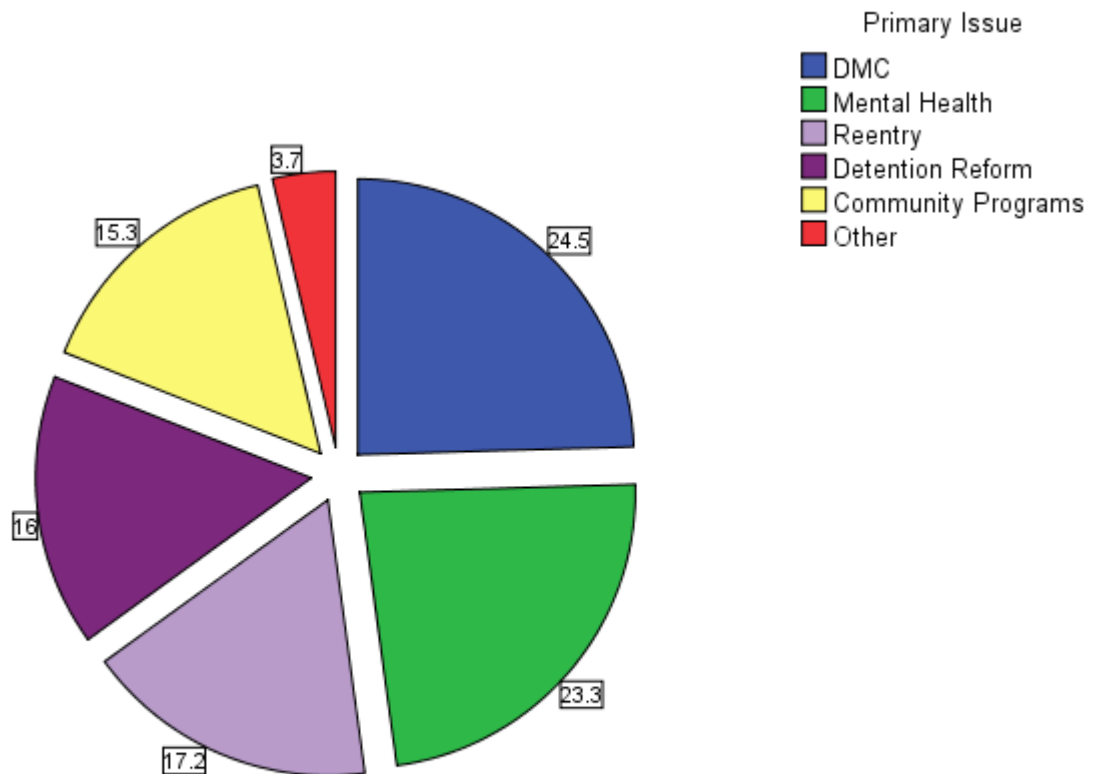
Current and Emerging Issues were grouped into five categories: (1) justice system, (2) core requirement, (3) service system, (4) research to policy, and (5) emerging social trends. Analysis also was conducted by category to determine the issue that respondents mentioned most frequently. Figure 3 shows the distribution of all issues by category.

Figure 4 depicts responses for justice system issues. There was a total of 88 responses. The most frequently cited response was detention reform ($n = 26$), followed closely by community-base programs v. secure custody ($n = 25$) and juvenile's right to effective counsel ($n = 19$).

Figure 3. Distribution of Issues by Category
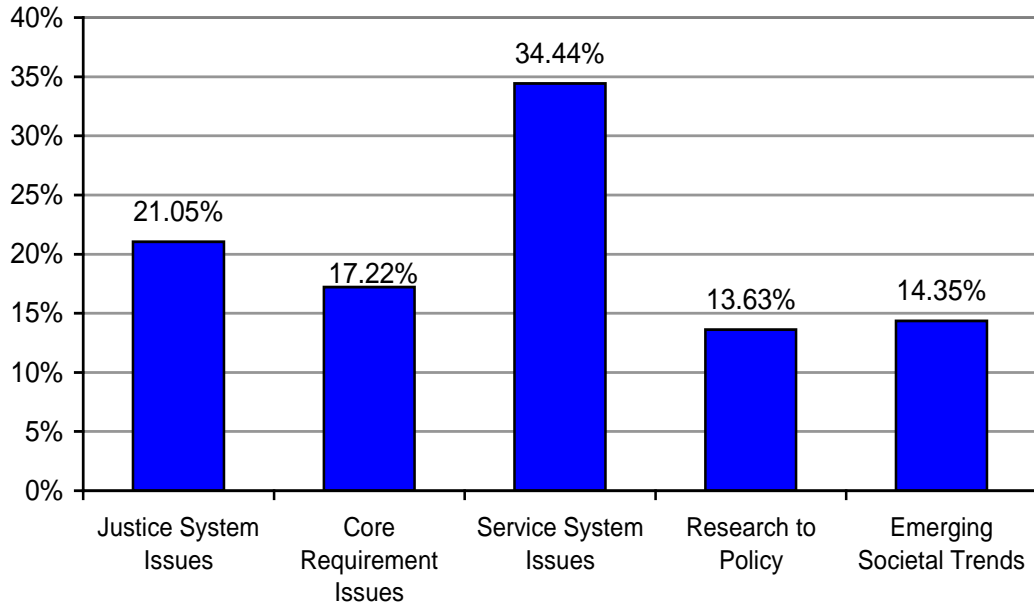
Figure 4. Distribution of Justice System Issues

The second category was core requirement issues.
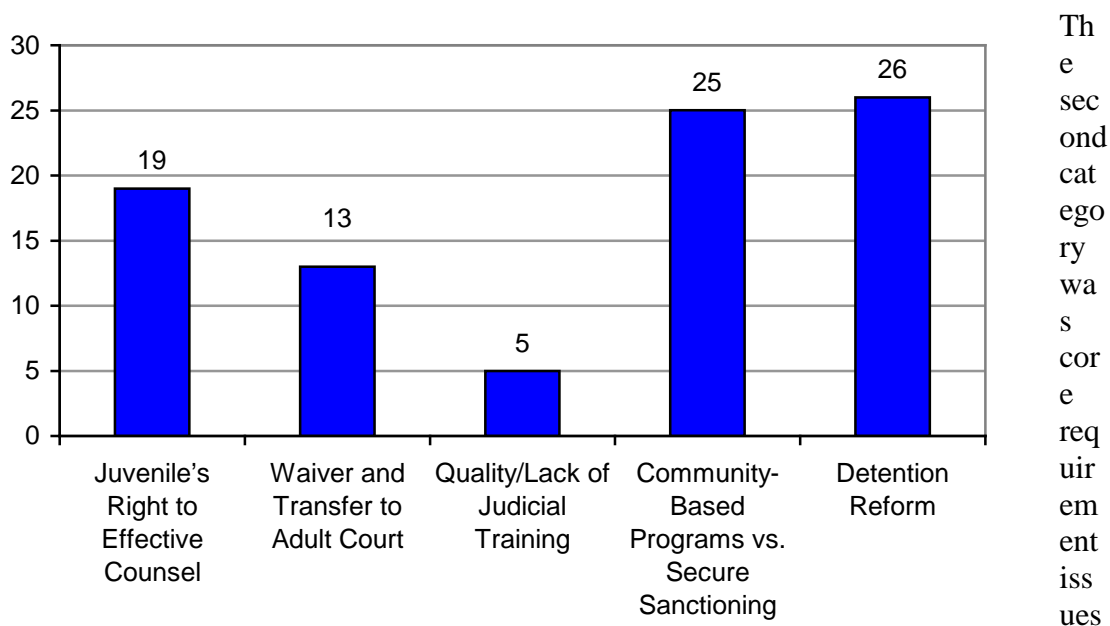
Of the 72 responses in this category, more than half (55.6 percent) cited disproportionate minority contact, 20 percent cited deinstitutionalization of status offenses, and 11 percent cited jail removal (see figure 5).

Figure 5. Core Requirement Issues
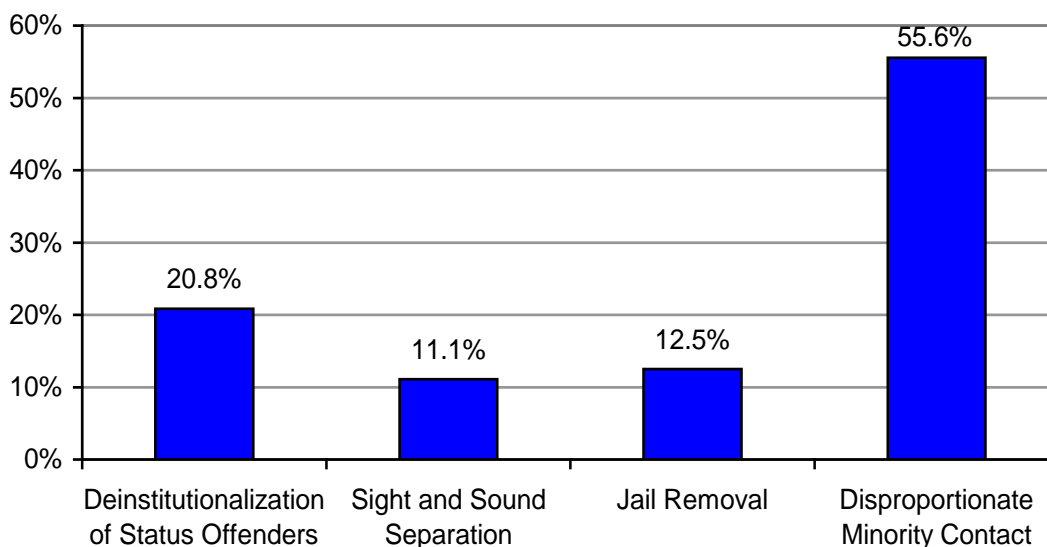
Respondents were then asked to identify which service system issues affected their state or territory. The most commonly cited issue was mental health treatment and assessment ($n = 38$), followed by juvenile reentry into communities and schools ($n = 28$), and substance abuse assessment and treatment ($n = 21$). The total number of responses was 109. See figure 6 for a tally of all the responses.

Figure 6. Distribution of Service System Issues
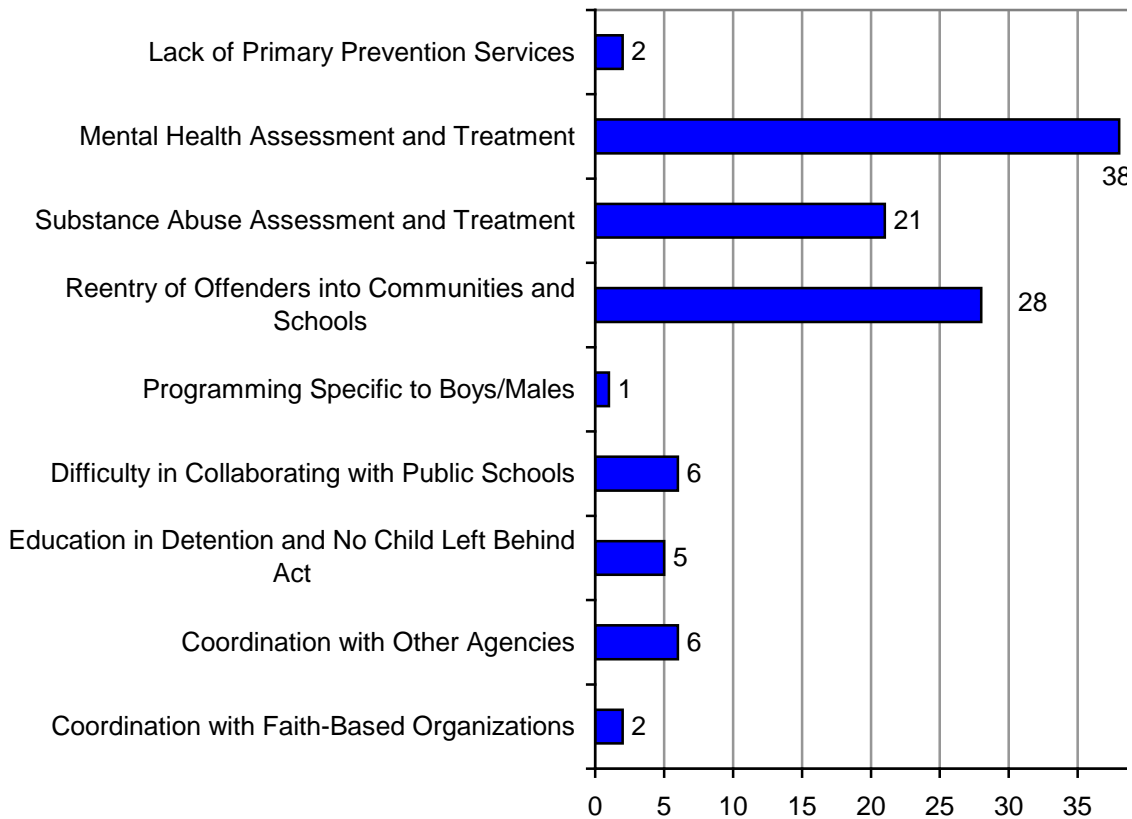
Research to policy was the next category, and of the 57 responses, the most common issue respondents cited was evidence-based practices: evaluation infrastructure and data analysis ($n = 23$ or 40.4 percent). This was followed closely by state's capacity to conduct juvenile research and collect data ($n = 20$ or 35.1 percent). Figure 7 shows this distribution.

Figure 7. Distribution of Research to Policy
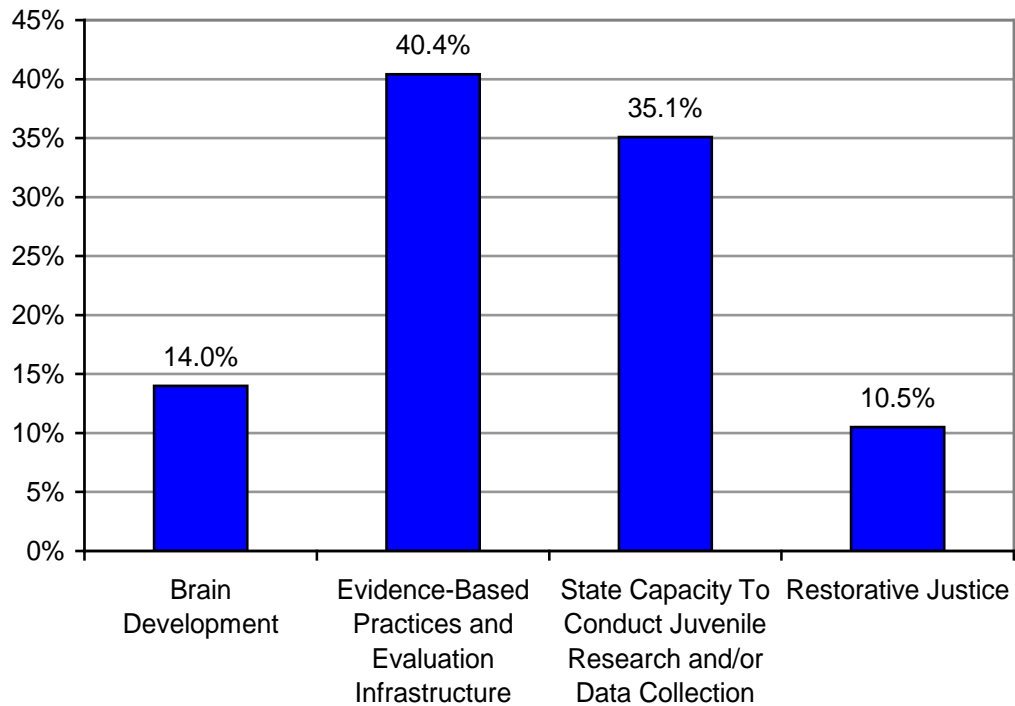
The final category was emerging societal trends. In this category, the most commonly cited issue was zero tolerance and school disciplinary policies (n = 18). Thirteen states cited growth in gang activity as an emerging societal trend, 11 cited the Adam Walsh Act, and 8 cited juvenile crime trends. Distribution of this category follows in Figure 8.

Figure 8. Distribution of Emerging Social Trends
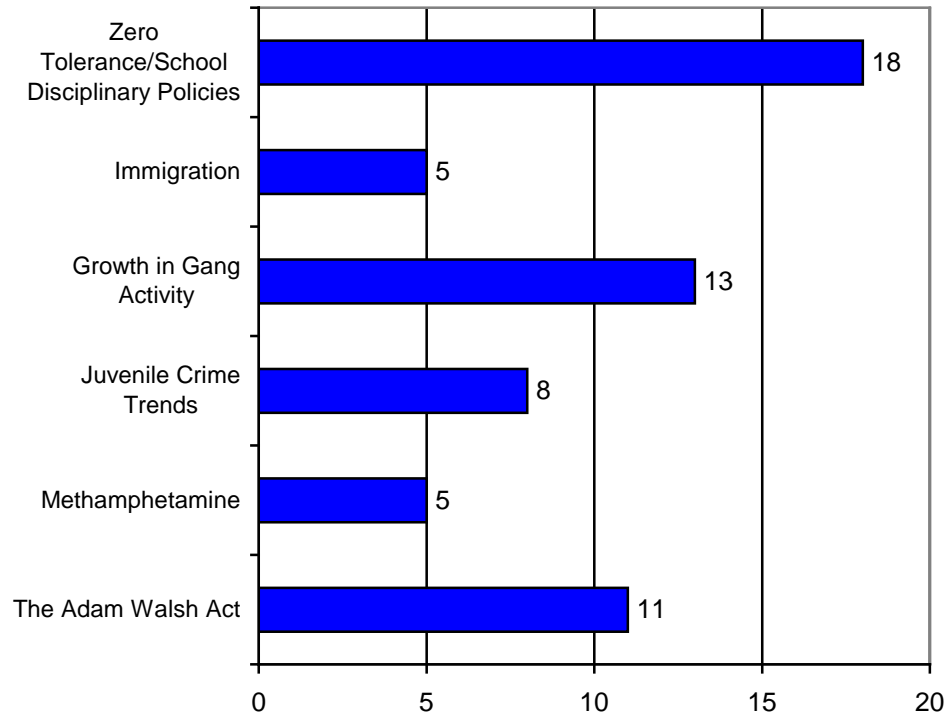
Qualitative responses of current and emerging issues and how these were affecting each state and territory were divided into the five issue categories for analysis. Each category is addressed below.

1. Justice System Issues

    - *Juvenile's right to effective assistance of counsel*—Respondents cited lack of resources, poor representation, high caseloads, and poor or no training. Some respondents also indicated that juveniles who waived their rights to counsel placed themselves at risk for longer detention sentences.

    - *Waiver and transfer to adult court and original criminal court jurisdiction for youth*—Respondents commented that in their current systems, rehabilitation was not likely, and there was a lack of consistency in outcomes for similar cases.

    - *Quality of and/or lack of judicial training*—Respondents cited a lack of judicial training for alternative programs and treatment.

    - *Community-based programs v. secure custody*—Respondents noted that there have been increased demands for costly secure detention programs that do not meet youth needs. Respondents cited a shortage of alternative and community-based programs and evidence-based programs.

    - *Detention reform*—Respondents noted a need for more evidence-based practices, standard detention assessment instruments, and tools that could be used for assessing release. They also cited lack of rehabilitation for youth in detention, and lack of prevention and intervention resources and funding. Numerous respondents

also commented that once juveniles are in detention, there is a lack of leadership, and juveniles do not receive the appropriate programs.

2. Core Requirement Issues

- *Deinstitutionalization of status offenders*—Respondents cited limited resources and a lack of alternative programs. They also commented on the positive influence deinstitutionalization had on recidivism. Respondents noted a need for training and technical assistance for law enforcement, the conflicting goals of deinstitutionalization and secure detention, and compliance with the four core requirements outlined in the JJDPA.

- *Sight and sound separation*—Numerous respondents were concerned with compliance issues but did not provide details regarding these concerns.

- *Jail removal*—Respondents were concerned about increased victimization of juveniles in jail, increased likelihood of recidivism, and lack of funding.

- *Disproportionate minority contact*—Respondents cited lack of resources for services for minority youth at all stages of the juvenile justice system, and they also commented that school policies exacerbated the problem by restricting or prohibiting access to data.

3. Service System Issues

- *Lack of primary prevention services*—Respondents cited lack of funding/resources, a need for more proactive strategies, and a lack of knowledge on best practices.

- *Mental health assessment and treatment*—Respondents noted a lack of resources and funding, lack of treatment and aftercare, poor coordination with other agencies, a shortage of trained staff, delays to or complete lack of assessment and screening, and a shortage of alternative treatment programs.

- *Substance abuse assessment and treatment*—Respondents noted that treatment options were limited, there were a large proportion of inexperienced practitioners, and current systems needed assessment to diagnose compounding issues. Rural area respondents reported these issues more frequently.

- *Reentry of offenders into communities and into schools*—Respondents were concerned by the minimal transition and reentry programs and services currently available in the juvenile justice system. They would like to see a focus on employment, programs that promote changes to the reentry environment, increased skills training, and better coordination with communities and schools.

- *Difficulty collaborating with public schools*—Respondents noted that collaboration with school systems is vitally important in developing programs and policies that will help juveniles succeed.

- *Education in detention and how it relates to No Child Left Behind and/or IDEA*—Respondents cited lack of funding and a shortage of qualified instructors in this area.

- *Coordination with other agencies*—Respondents expressed a need for increased collaboration with other agencies, and some suggested sharing resources to cut costs.

- *Programming specific to girls/females*—Respondents noted that more funding is needed for gender-specific programs.

4. Research to Policy

- *Brain development*—Respondents requested more research and information on this topic, and they also would like to see changes to legislation in light of this research.

- *Evidence-based practices–evaluation infrastructure–data and evaluation*—Respondents cited the need for collaboration, a better definition of evidence-based practices, more training on evaluation practices, and increased funding to establish evaluation procedures. Respondents also felt that both evaluation and evidence-based programs are currently underutilized.

- *Restorative justice*—Respondents cited the need for more restorative justice programs and expressed concern about the public perception that restorative justice is soft and therefore ineffective.

- *State capacity to conduct juvenile research and/or collection data*—Respondents commented that there needs to be increased funding at the state level for juvenile research. They also noted that there is no single data source or method of consistent data collection, which makes collaboration between different jurisdictions difficult.

5. Emerging Societal Trends

- *The Adam Walsh Act*—Respondents commented that the Act is seen as having a negative impact on rehabilitation of juvenile sex offenders. The Act also is viewed by respondents as overly punitive and likely to cause additional problems for juveniles upon reentry, so it may have a negative impact on them the rest of their lives. Consequently, respondents indicated there has been less adjudication for sex offenses.

- *Methamphetamine*—Numerous respondents cited the need for treatment and education; many felt methamphetamine use and distribution was a growing concern in their communities.

- *Growth in gang activity*—Respondents cited concern over an increase in gang activities.

- *Juvenile crime trends*—Respondents cited problems with measuring, collecting, and analyzing data. Many respondents commented that personnel lacked the requisite knowledge to collect and analyze data.

- *Immigration*—Respondents indicated that immigration issues were straining limited resources, and an additional increasing concern was that parents were not seeking services because of their immigration status.

- *Zero tolerance/school disciplinary policies*—Similar to responses regarding the Adam Walsh Act, many respondents felt these policies were ineffective with regard to rehabilitation and treatment. Further, the burden placed on the juvenile justice system because of these policies, such as increased supervision, is expensive and not the best use of resources; respondents did not feel this was an effective approach to treatment. Respondents also cited a need for alternative programs.

3.2 Results from Ranked Issues

Respondents were asked to rank issues that most affected their respective state or territory. Table 2 shows how respondents identified the primary issues.

Table 2. Distribution of Primary Issue

Issue	Frequency	Percent
Lack of Prevention Services	2	4.65
Disproportionate Minority Contact	**13**	**30.23**
Juvenile Justice Data Collection System	1	2.33
Substance Abuse	1	2.33
Gender-Specific Services	1	2.33
Mental Health	6	13.95
Detention Reform	3	6.97
Coordination of Services	1	2.33
Data Analysis	2	4.65
Deinstitutionalization of Status Offenders	2	4.65
Funding Concerns	1	2.33
Community-Based Programs v. Secure Treatment	3	6.97
Juvenile's Right to Effective Counsel	1	2.33
Zero Tolerance/School Disciplinary Problems	1	2.33
Waiver/Transfer	1	2.33
The Adam Walsh Act	1	2.33
Infrastructure and Evaluation	1	2.33
Sight and Sound Separation	2	4.65
Total	**43**	**100.02**

Table 2 indicates that the most oft-cited primary issue was disproportionate minority contact ($n = 13$). Respondents indicated that they would like to see increased numbers of evidence-based models and more research in this area. The second most commonly cited primary issue was mental health. Respondents who cited this were concerned by the numbers of untreated juveniles in their respective systems. Substance abuse issues and community v. secure detention were tied for the third most commonly cited primary concern. In these categories, respondents cited concerns about the lack of community-based treatment programs for substance abuse and for juvenile delinquency. Respondents also cited a need for better coordination between agencies involved in substance abuse assessment and treatment.

Table 3 shows how respondents ranked their second-most pressing issues. Again, DMC was the most commonly cited issue, with respondents indicating the same concerns that were described the primary concern section in the previous paragraph. Respondents added the need for technical training and assistance in this area. Mental health issues were again the second most frequently cited issue, and respondents indicated they would like training and technical assistance in this area. Several respondents also commented that there is a need for family functioning therapy and multisystemic therapy, both of which would aid juveniles in treatment and reentry. Tied for third were reentry, substance abuse, and detention reform. Respondents all commented that alternative programs in these respective areas were needed.

Table 3. Distribution of Secondary Issue

	Frequency	Percent
Lack of Prevention Services	3	6.82
Disproportionate Minority Contact	**9**	**20.45**
Juvenile Justice Data Collection System	1	2.27
Substance Abuse	4	9.09
Mental Health	8	18.18
Detention Reform	4	9.09
Coordination of Services	1	2.27
Continued Need to Improve Jail Removal Strategies	1	2.27
Community-Based Programs vs. Secure Treatment	3	6.82
Juvenile's Right to Effective Counsel	2	4.55
Juvenile Crime Trends	1	2.27
Juvenile Reentry	4	9.09
The Adam Walsh Act	1	2.27
Infrastructure and Evaluation	2	4.55
Total	**44**	**99.99**

Respondents were asked to indicate the third most pressing juvenile issue affecting their state or territory. The distribution of responses follows in table 4.

Table 4. Distribution of Tertiary Issue

	Frequency	Percent
Lack of prevention services.	3	7.14
Disproportionate Minority Contact	2	4.76
Substance Abuse	1	2.38
Gender-Specific Services	1	2.38
Mental Health	5	11.90
Detention Reform	3	7.14
Coordination of Services	1	2.38
Data Analysis	4	9.52
Community-Based Programs v. Secure Treatment	**6**	**14.29**
Juvenile's Right to Effective Counsel	3	7.14
Zero Tolerance/School Disciplinary Problems	2	4.76
Waiver/Transfer	2	4.76
Juvenile Reentry	5	11.90
The Adam Walsh Act	1	2.38
Infrastructure and Evaluation	2	4.76
Sight and Sound Separation	1	2.38
Total	**42**	**99.97**

The most oft-cited issue in table 4 is community-based v. secure detention, followed by mental health and reentry issues, and data analysis challenges. Respondents commented on the same need areas as discussed under primary and secondary issues.

3.3 Problems Identified in States/Territories 3-Year Plans and Promising Practices

States and territories were asked to report the top three problems from their most recent 3-year plans and to identify promising programs or approaches they are using to address those problems. These questions were open ended. Table 5 shows identified primary problems and promising approaches that respondents discussed.

Table 5. Primary Problem and Promising Approaches

Problem	Approaches
DMC	• Applying reliable and accurate data, school-based programs, Juvenile Detention Alternatives Initiative (JDAI) model, DMC taskforce, Schoolhouse Adjustment Program.
Delinquency Prevention	• **Do the Write Thing:** Challenge and Storytelling for Empowerment program (SAMSHA evidence-based program) • **Family strengthening programs** and delinquency/violence prevention programs.
Coordination with Other Agencies/Organizations	• **The collaborative problem-solving (CPS) model** is premised on the understanding that adolescents with social, emotional, and behavioral challenges are frequently poorly understood, and that standard approaches to treatment often do not satisfactorily address their needs. As a result, many children have adversarial relationships with parents, teachers, siblings, and peers and are at risk of poor long-term outcomes. The CPS project is an excellent example of various youth-serving agencies coming together to approach problematic behaviors with a unified understanding and intervention strategy. The program is provided to youth who are identified on the YLS/CMI as being at high risk of committing crimes. "Booster sessions" are offered for youth 1 month after graduation from the program. • **FAST-START Program** is grounded in a community-collaborative model that brings together stakeholders to develop alternatives to detention and make recommendations to juvenile judges on a case-by-case basis.
Substance Abuse	• **Imperial County Office of Education–Heber Youth Connections** is a pro-active measure to deter students from alcohol and other drug use. The project serves youth, ages 13-17 who have been arrested for misdemeanor or status offenses related to substance abuse. Services include referrals from law enforcement, assessment for substance abuse, resiliency-plan development, group sessions and community leadership services. • **Kings County Behavioral Health Administration, Kings County Impact Treatment, and Youth Matrix project** is a substance abuse treatment and aftercare program. It provides services to incarcerated and non-incarcerated court wards ages 14–17 with special emphasis on Spanish-speaking youth and their families. The project includes outpatient services such as early recovery group sessions, relapse prevention, and individual counseling. Partnerships include probation, family resource centers, youth new family intervention, and the court system. • **Marin Multidimensional Family Therapy Program** is a multilevel family-based treatment program for substance-using adolescents at risk of recidivism. • **The ADAPT program** run by the Mariposa County Probation Department is designed to address use of alcohol and/or drugs by teens before they are adjudicated by the juvenile justice system. The program focuses on helping teens obtain the knowledge, skills and strategies necessary to make healthy choices about substance use and resist peer pressure to use. It also works with parents to change social norms surrounding youth alcohol consumption. Although the program is available to all teens, it puts an emphasis on the high population of Native American youth and the growing population of Hispanic youth in the county.

Problem	Approaches
	• **The Harwood Memorial Park, Inc. (HALT**) program offers prevention strategies for all students, targeted strategies for high-risk students, and intervention strategies to prevent recidivism. Services address identified needs of the culture of acceptance, lack of positive alternative activities, high use levels, and low perception of harm/risk. It partners with the mental health department for clinical services and the family resource center for group counseling services. • **South Bay Community Services**: the Trauma-informed Substance Abuse Services for Teens Program is a substance abuse outpatient program implementing holistic trauma-based, cultural-competent, evidence-based substance abuse treatment. It targets 12- to 17-year-old Latino youth offenders in the youth treatment center.
Restorative Justice	• **Balanced and Restorative Justice (BARJ) Drop-In Center**, in the southeast section of Washington, DC, is an innovative, nontraditional juvenile rehabilitation program developed by Court Social Service (CSS). The BARJ Drop-In Center is a multifaceted community-based facility designed to permit the provision of services and facilitate supervision to court-involved non-detained youth awaiting adjudication and/or disposition. It is less restrictive than shelter homes or secure detention. Attendance at the BARJ Drop-In Center is either court ordered during adjudication or required by the probation officer subsequent to disposition. Participation in the BARJ Drop-In Center may be ordered in conjunction with other community-based detention alternatives. The attendance rate at the Drop-In Center is 90 percent. All of the youth in the program show up for trial. No program participants have been rearrested. The targeted population is medium-risk youth residing east of the Anacostia River.

Although respondents listed DMC as the greatest problem affecting juvenile justice in their states and territories (see table 2), there appear to be few programs addressing DMC-related issues. Some programs do cater to minority youth or have components addressing minority cultures, but they are not tailored specifically for minority youth. The second most pressing issue cited by respondents was mental health concerns, yet respondents have not identified any promising programs or practices that address this issue. These results suggest that respondents are looking for guidance in these need areas.

Table 6 shows promising practices respondents identified they have implemented to alleviate secondary issues affecting their state or territory.

Table 6. Secondary Problem and Promising Approaches

Problem	Approaches
Mental Health	• **Mental Health Court Clinic** has been implemented to expedite processing of evaluations.
Substance Abuse/Collaboration with Schools	• **Communities for Children and Youth's College/Community Mentoring Program** is developing more than 300 mentoring matches in four college communities each year. Elementary and middle school students identified as needing social support and encouragement are paired with trained college students who work to increase their developmental assets and aspirations, thereby reducing the potential of their involvement with the juvenile justice system. • **Clayton County's School Reduction Referral program** is a collaborative program between the school system, police, the prosecutor's office, and juvenile court to reduce the number of misdemeanor referrals from the schools to juvenile court. Implemented in 2004, this program has been very successful. School–police liaisons report that the decrease in misdemeanor referrals has increased their available time to collect intelligence on serious weapons charges and take preventive action.

Problem	Approaches
Aftercare	• **Models for Change** is a juvenile justice reform initiative in Pennsylvania that is developing model approaches to aftercare supervision, support and services. The state is engaged in a full-scale aftercare reform initiative depending primarily on the commitment of key agencies to implement the Joint Policy Statement on Aftercare by 2010. Funding is currently supporting pilot programs in several counties that are developing model probation practices (assessment, planning, monitoring before, during and after placement).
Gangs/Community v. Secure Detention	• **Sovereign Alliance for Youth-School program** is an alternative to detention program. It works in conjunction with Buncombe County Gang Partnership, the Cumberland Gang Prevention Partnership, and Project Safe Neighborhoods in several sites around North Carolina (e.g., Operation Ceasefire).

DMC also was the most oft-cited secondary issue, yet respondents did not mention any promising DMC programs or practices. Respondents did describe several mental health programs and detention reforms, however, which were identified as secondary concerns. Several promising practices mentioned in table 6 have collaboration components, suggesting that cooperation among multiple agencies is becoming increasingly popular in juvenile justice.

Table 7 outlines promising approaches and programs to address respondent-identified tertiary problems.

Table 7. Tertiary Problem and Promising Approaches

Problem	Approaches
DMC	• **Youth/law enforcement forums**: these forums educate minority youth on their rights and responsibilities if they come in contact with law enforcement. • **Evidenced-based programming for youth and evaluation**: implementation of OJJDP model's program guide for smoking and substance abuse, minority-serving institutes (MSI) model, and youth assessment screening instrument (YASI) model.
Aftercare	• **Arizona Detention Transition Project and Rite of Passage Youth Facility**: this program provides case management and reentry services. • **Community-based alternatives to youth development centers**: "Kids Making It" Woodworking Program; OJJDP demonstration projects for level III and level II youth; community collaboratives, integrating juveniles into their systems of care.
Gender-Specific Services	• **Youth employment partnership description**: the *Stop the Shootings* project engages young males between the ages of 14 and 17 at high risk of delinquency and violent crime in a gender-specific program that provides wrap-around case management and supportive services, recreational activities, mentoring, mental health services, and paid employment training and placement. Services are based in areas with the highest levels of violent crimes in Oakland, CA. *Project partnerships* include the Oakland Police Department, and three community-based organizations: *Youth Employment Partnership, Youth Up Rising,* and *Acorn Town Center*. • **The Paragon Project** focuses on restorative justice, peer accountability, peer support, and leadership development. The project serves 1,360 youth and 250 related caregivers, including 300 youth offenders with a priority focus on young men of color. Signature features of the project include 12 months of services, collaborative needs assessment of the target population, developing a referral system with mental health providers, and expanding the gender-specific *Divas & Heroes* program and the *Restorative Circles program* to become gender and age-group specific. The implementing agency for this program is the Santa Cruz Probation Department.

Problem	Approaches
	• **GirlZpace: Meeting the Needs of Juvenile Female Offenders** is a gender-specific program that targets girls on all levels of probation. It offers services that are designed to meet the needs of girls in juvenile hall with respect to trauma, health and substance abuse, family, and educational issues. It partners with the offices of education, mental health, the conflict resolution center, survivors healing center, and the Santa Cruz County Girls Task Force. The implementing agency for this program is the Sonoma County Probation Department. • **The Circles Across Sonoma program** is designed to offer gender-responsive services in structured support groups to female offenders involved in the Sonoma County juvenile justice system. It is a county-wide implementation of the Girls Circle program, a promising model endorsed by OJJDP. The program delivers services to girls at any point of entry: diversion, supervision, and residential and aftercare. It provides a consistent, structured program to girls throughout the continuum of juvenile justice, even as they reenter society. The program serves 400 girls annually, targeting ethnically-diverse populations, and offers bilingual Spanish groups.
Community v. Secure Detention	• Several respondents indicated they were implementing detention reforms using the Annie E. Casey Detention Reform guidelines.
Prevention Services	• *Casas de la Juventud* **project** consists of assessment centers to provide alternate academic programs and psychological and social-skills development programs. Objectives are to promote self esteem, leadership, goal achievement, citizenship, respect, and responsibility.
Rehabilitation/Treatment	• **The District (of Columbia) Department of Rehabilitation Service (DYRS)** has implemented several evidence-based programs in partnership with other District agencies: multidimensional treatment foster care (MTFC), multisystemic therapy (MST), and functional family therapy (FFT). Evening reporting centers (ERC) are community-based centers that provide daily supervision and services for youth awaiting trial and disposition. ERCs are more restrictive than in-home options but less restrictive than shelter homes or locked custody. ERCs are an important component in the District's efforts to reduce rearrests and failures-to-appear for juvenile court hearings. These programs were generated from the JDAI initiative. • **Mentoring Today program:** serves youth who are returning from juvenile incarceration and are reentering into the Washington, DC, community, and provides mentoring and advocacy services. Program goals are to help youth increase their education and employment levels and to promote their positive youth development. The program initiates contact with the youth when they are confined in Oak Hill Youth Center. They are paired with a trained mentor for 4 months prior to their release and continue meeting with the mentor on a weekly basis for at least 1 year. This is a voluntary program for the mentees. Mentoring Today also conducts extensive advocacy on behalf of youth, such as community-based services. This year, their program will incorporate parent and family involvement. It primarily services males ages 16 to 21 who reside in Wards 7 and 8 in the District of Columbia.

Promising practices and programs presented in table 7 are centered on juvenile reentry and aftercare and the myriad of services required to make this transition successful. Detention reforms using the Annie E. Casey Foundation-funded reform initiatives also were mentioned by several respondents. The latter is an indication that jurisdictions have begun to look for less-traditional approaches for funding and program implementation.

3.4 Other Promising Practices

Respondents 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 JJ system or youth population. Several programs predominantly addressed reentry, such as the following:

- *Hogares Saludables*: a model program that intervenes with juveniles when they are close to completing their sentences in the juvenile justice system. The program provides emotional, social, educational, and economic assistance to juveniles to aid them with reentry.

- **Youth Transitional Intervention program** (Orange County, CA): assists incarcerated juveniles and their families as the juveniles transition out of detention facilities and reestablish themselves in their home, school, and community environments. The 1-year program offers clinical intake assessments, 6 weeks of prerelease individual contacts, 6 weeks of post-release family therapy, and case management services up to 9 months. It targets incarcerated youth ages 13–17 years old.

- **The Ventura County Targeted Reentry project**: uses an intensive aftercare prevention-based model of graduated, multidisciplinary, strengths-based, prerelease, transitional, and post release aftercare services with the goal of reducing recidivism. It provides an integrated 3-phase aftercare support program for up to 60 youth released to their families or caregivers. Collaborative partners include public health, probation, the Coalition to End Family Violence, and the Palmer Drug Abuse program.

3.5 Juvenile's Right to Effective Assistance of Counsel

Respondents were asked to discuss any laws, court rules, or policies they have in their respective state or territory addressing a juvenile's right to effective assistance of counsel. First, respondents were asked to indicate whether a juvenile is able to waive the right to counsel without first consulting with counsel. Thirty-seven respondents provided data for this question, and distribution of responses to this question is shown in figure 9.

Figure 9. Juvenile Right to Waive Counsel

47.37%

52.63%

Yes

No
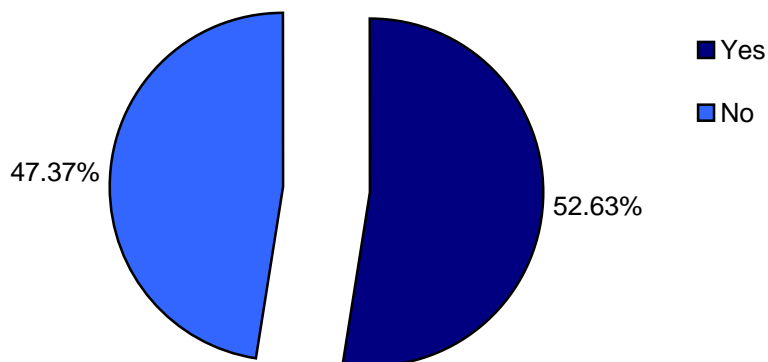
As figure 9 indicates, slightly more than half of respondents reported that juveniles could waive their right to counsel after consulting with an attorney but shared some caveats to this waiver.

In terms of age and other restrictions, all responding states indicated that parental, legal guardian, or attorney consent is required for a juvenile to waive the right to counsel. Two states identified minimum age limits of 14 for waiving counsel.

The vast majority of responding states indicated they offered training and certificate programs for attorneys representing juveniles; however, not all of these programs were required. Examples of training programs were annual continuation of education, *Guardian ad Litem* (GAL) training, and child in need of supervision (CHINS), and person in need of supervision (PINS) training. No responding state reported mandatory state certification requirements beyond passing the state bar exam.

Respondents noted there were different stages in the juvenile process at which a juvenile was appointed counsel. The vast majority indicated this occurred prior to the juvenile hearing. The distribution for these responses is shown in figure 10.

Figure 10. Process for Appointing Counsel
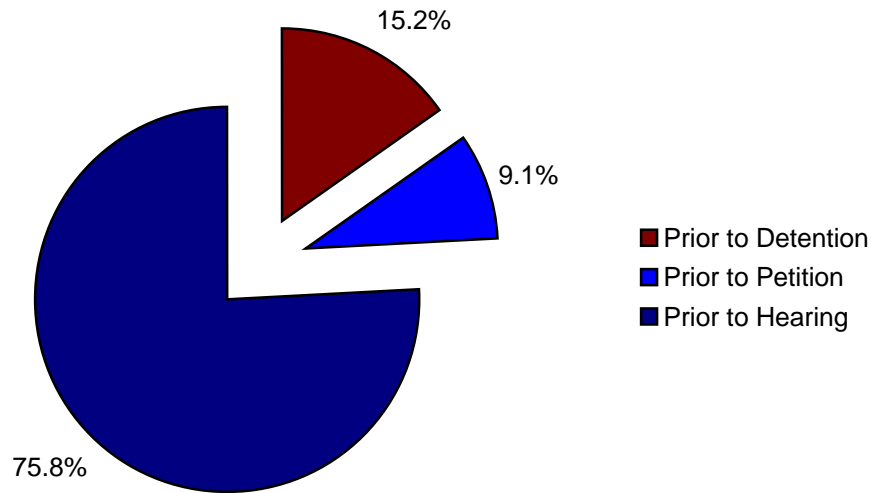
3.6 Issue-Specific Recommendations to the President and Congress

Respondents were asked to list recommendations to the President and Congress based on the issues they had identified as affecting their state or territory in question 1. Responses were open ended and are sorted by the five categories. Under each category described in the following sections, main themes are presented along with some specific information about that theme.

In almost every instance, respondents recommended increases in funding and increases in research on effective programs and best practices in the different areas. Respondents' replies offer a strong sense that get-tough policies are not appropriate for juveniles. Almost all respondents commented that there are not enough alternative programs for juveniles in any area, from substance abuse to sex-offender treatment, and many respondents recommended revisiting punitive juvenile legislation.

1. Justice System Issues

    − *Juvenile's right to effective assistance of counsel*—Recommendations were made to increase funds and increase training and assistance for development of a juvenile-crime database.

    − *Waiver and transfer to adult court and original criminal court jurisdiction for youth*—Recommendations were made to increase research on the effectiveness of this practice.

    − *Quality of and/or lack of judicial training*—Recommendations were made to increase judicial training and assistance in general juvenile justice issues.

    − *Community-based programs s. secure custody*—Recommendations were made to increase funds for alternative programs, channel more funds into juvenile justice systems operating in rural areas, increase funds for preventative and diversion programs, increase number of community-based programs, and increase research on best practices.

    − *Detention reform*—Recommendations were made to standardize the detention screening instrument, promote better communication and collaboration, increase funding for alternative programs, and increase research and dissemination of information on best and promising practices.

2. Core Requirement Issues

    − *Deinstitutionalization of status offenders*—The recommendation was made to relax or revisit current legislation and to decriminalize truancy.

    − *Sight and sound separation*—Recommendations were made to revisit and revise the existing guidelines.

    − *Jail removal*—Recommendations were made to increase funds in this area.

    − *Disproportionate minority contact*—Recommendations were made to address evaluation, define compliance at the state level, and promote best and/or promising practices to effectively address DMC issues across all decision points in the juvenile justice system. Recommendations also were made to increase efforts in data collection, best practices, and to develop a comprehensive training curriculum for addressing DMC for police, court, probation, and school personnel.

3. Service System Issues

- *Lack of primary prevention services—*Recommendations were made to increase funding for prevention services and programs.
- *Mental health assessment and treatment—*Recommendations were made to expand, develop, and fund evidence-based programs to identify and treat mentally ill and developmentally disabled juvenile offenders. The recommendation also was made to increase research on early identification of mental health issues.
- *Substance abuse assessment and treatment—*Recommendations were made to provide more opportunities for treatment programs, increase funds for local and model programs, focus on treatment programs specific to juveniles rather than relying on the application of adult substance abuse treatment programs to juveniles, and increase research on juvenile substance abuse.
- *Reentry of offenders into communities and into schools—*Recommendations were made to increase funds in this area.
- *Difficulty collaborating with public schools—*Recommendations were made to increase awareness.
- *Education in detention and how it relates to No Child Left Behind and/or IDEA—*Recommendations were made to increase funding.
- *Coordination with other agencies—*Recommendations were made to increase advocacy and hold meetings to distribute information.
- *Programming specific to girls/females—*Recommendations were made to develop, fund, and expand comprehensive model programs.

4. Research to Policy

- *Brain development—*Recommendations were made to increase technical assistance, increase collaboration between agencies, and increase dissemination of information.
- *Evidence-based practices–evaluation infrastructure–data and evaluation—*Recommendations were made to provide toolkits to guide replication of evaluation practices, assist in technical training, and increase funding for researching and evaluating unique programs.
- *Restorative justice—*Recommendations were made to provide funds for new programs.
- *State capacity to conduct juvenile research and/or collection data—*Recommendations were made to increase collaboration and build a juvenile data system.

5. Emerging Societal Trends

- *The Adam Walsh Act—*Recommendations were made to increase research on how adult sex offenders and juvenile sex offenders are different and to encourage Congress to amend the Act to exclude juveniles.
- *Methamphetamine—*Recommendations were made to increase education and awareness of consequences of methamphetamine use and to tighten controls on the availability of methamphetamine ingredients.

- *Growth in gang activity—*Recommendations were made to increase communication, information sharing, training, and technical assistance. A recommendation was also made to increase evidence-based models.
- *Juvenile crime trends—*Recommendations were made to increase funds and technical assistance and to develop a juvenile crime database.
- *Zero tolerance/school disciplinary policies—*Recommendations were made to have less involvement from the juvenile justice system and to implement programs that target behavioral problems.

3.7 Nonissue-Specific Recommendations to the President and Congress

There were only two nonissue specific recommendations made by respondents to Congress and the President. These were increased foci on fetal alcohol spectrum disorders (FASD) and drug-related crimes.

3.8 Issue-Specific Recommendations to the OJJDP Administrator

Respondents were asked to list recommendations to the OJJDP Administrator based on the issues they had identified in question 1 that were affecting their respective state or territory. Responses were open-ended and are sorted by the five categories. Under each category, main themes are presented along with some specific information about that theme.

Similar to recommendations made by respondents to Congress and the President, the vast majority of recommendations made to the OJJDP Administrator centered on funding and research. There also is a strong sense from these respondents that get-tough policies are not appropriate for juveniles.

1. Justice System Issues

    - *Juvenile's right to effective assistance of counsel—*Recommendations were made to change caseloads for attorneys so they would be more manageable.
    - *Waiver and transfer to adult court and original criminal court jurisdiction for youth—*Recommendations were made to reform state policies and implement graduated decision making.
    - *Community-based programs v. secure custody—*Recommendations were made to provide quality services, increase resources and funding for juvenile justice prevention, increase the number of community-based programs, have less reliance on secure detention, increase treatment options, and implement graduated sanctions.
    - *Detention reform—*Recommendations were made to increase funding, increase quality of services, increase the number of alternative programs, and increase funding for program evaluation so that effective programs can be implemented.

2. Core Requirement Issues

    - *Deinstitutionalization of status offenders—*Recommendations were made to increase funding for programs within the community and to encourage diversion.

- *Sight and sound separation*—Recommendations were made to increase training for law enforcement. Some respondents also recommended that the term "adult inmate" be redefined, as there is some confusion over who fits which category.

- *Disproportionate minority contact*—Recommendations were made to increase funding, specifically in the areas of data collection, research, evaluation of effective programs, and training assistance for judges and attorneys.

3. Service System Issues

- *Lack of primary prevention services*—Recommendations were made to increase juvenile recreation in facilities; promote early intervention; restore prior levels of juvenile prevention funding; update and increase after-school programs; promote mobilization of community awareness; provide truancy prevention, youth development, parent training, family-focused mentoring, therapy, and wraparound services; and increase quality of case management and mentoring.

- *Mental health assessment and treatment*—Recommendations were made to increase funding for quality and effective services, offer more programs in school and detention facilities, and increase assessment of programs.

- *Substance abuse assessment and treatment*—Recommendations were made to increase funding for assessment and initiating programs. Recommendations also were made to increase model programs that are tailored for juveniles.

- *Reentry of offenders into communities and into schools*—Recommendations were made to increase funding for transition programs and implementation of effective programs. A recommendation also was made to involve schools with the juvenile justice system, specifically, providing incentives for schools who accepted juveniles.

- *Difficulty collaborating with public schools*—Recommendations were made to provide incentives for schools to share data with juvenile justice agencies.

- *Education in detention and how it relates to No Child Left Behind and/or IDEA*—Recommendations were made to increase funding and research in this area.

- *Coordination with other agencies*—Recommendations were made to increase funding for effective programs and collaboration.

- *Programming specific to girls/females*—Recommendations were made to implement proven programs.

- *Coordination for faith-based organizations*—Recommendations were made to increase collaboration opportunities and blended funding.

4. Research to Policy

- *Brain development*—Recommendations were made to increase training and information for attorneys, service providers, and community groups.

- *Evidence-based practices–evaluation infrastructure–data and evaluation*—Recommendations were made to increase funding for training and assistance, research, and program development. Recommendations also were made to develop toolkits to assist in replicating model programs.

- *Restorative justice*—Recommendations were made to increase funding.

  - *State capacity to conduct juvenile research and/or collection data—* Recommendations were made to increase funding for training, services, and support of research studies specific to juveniles. A recommendation also was made to increase implementation of effective programs and improve data collection.

5. Emerging Societal Trends

  - *The Adam Walsh Act*—Recommendations were made to amend and or reevaluate this Act so that it does not apply to juveniles.
  - *Methamphetamine—*Recommendations were made to increase awareness of this drug among all involved in the juvenile justice system.
  - *Juvenile crime trends—*Recommendations were made to increase funding for training and implementation of quality programs.
  - *Immigration*—Recommendations were made to develop a proactive approach to immigration issues in juvenile populations.
  - *Zero tolerance/school disciplinary policies*—Recommendations were made to increase conflict- resolution programs and to reconsider zero-tolerance policies.

3.9 Nonissue-Specific Recommendations to the OJJDP Administrator

There were only a few nonissue-specific recommendations made by respondents to the OJJDP Administrator in 2008. These were: (1) to increase funds for Native American juvenile justice, (2) to increase focus on truancy, (3) to increase focus on the use of prescription drugs among the juvenile population, and (4) to increase awareness and funding for issues brought about by FASD.

3.10 Categories of Support Requests Posed to OJJDP

States and territories were asked to indicate the types of technical assistance they needed most from OJJDP and to describe how OJJDP could maximize the benefits of this assistance. Respondent comments are grouped by the seven technical assistance categories provided in the ARI. The overarching theme here is that technical assistance and research need to be increased.

1. *Dissemination of research findings (conferences, bulletins, toolkits, etc.):* respondents requested e-mail bulletins, conferences for key players in the system, workshops, increased technical assistance for new legislation, better coordination between OJJDP and individual agencies, presentations, press releases, and more web-based publications.

2. *Conducting new research:* respondents requested more technical assistance, training, and data for a variety of issues. Several respondents specifically indicated mental health and substance abuse as areas where new research was needed. They also indicated assistance could be in the form of web-based publications, updated information, resource provision, dissemination of research findings, research-based conferences, and distribution of best-practices materials.

3. *Developing evidence-based programs*—Respondents requested assistance in obtaining data on effective and cost-effective programs. Respondents also requested information and training assistance to be available on-line.

4. *Developing assessment tools*—Respondents requested technical assistance for evaluation, gathering, and analyzing data and also requested training on assessment tools.

5. *Providing training and technical assistance*—Respondents requested additional training for juvenile justice personnel in rural areas and also for SAG members.

6. *Developing model policies and regulations*—Respondents requested that formal policies and publications reflect SAG and FACJJ input.

7. *Other assistance*—There were no new areas covered in these responses.

3.11 Additional Analyses

This section of the results presents some exploratory analyses of issues presented by respondents and how they relate to characteristics of responding states and territories. The underlying research questions examined here were whether there were differences indentified in juvenile justice concerns by region and type of location. For example, are predominantly urban states concerned with different juvenile justice issues than predominantly rural states, and are states that receive greater amounts of funding able to implement more juvenile programs in need areas than states that receive less funding?

Examination of the additional demographic variables added to this analysis revealed that based on population density, 41 percent ($n = 21$) of the states and territories were classified as mainly urban and 49 percent were classified as rural ($n = 25$). Almost half (46.8 percent) received between $600,000 and $699,999 in juvenile justice formula grants, and some 40 percent received more than $1 million. The distribution for juvenile justice formula grants for respondents in this ARI follows in figure 11.

Figure 11. Juvenile Justice Formula Grants by Respondent
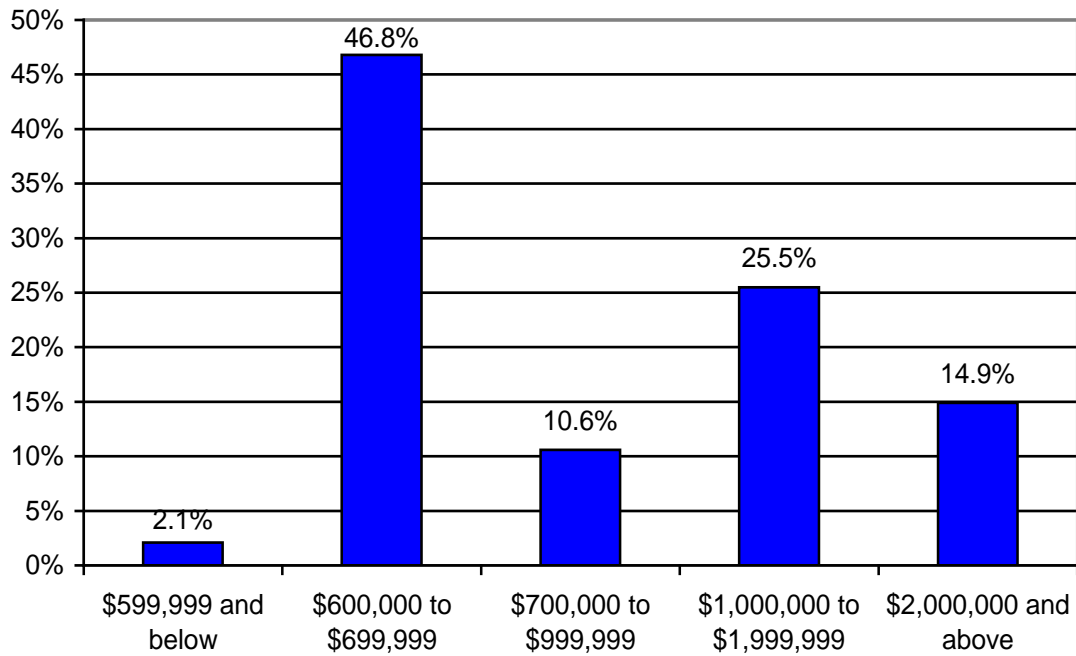
The number of tribal youth residing in states and territories included in this ARI ranged from zero to 70,980 ($M = 6,933$; $SD = 14,481$). This variable was reclassified into a grouped variable, the distribution of which follows in figure 12

Figure 12. Tribal Density in Responding States/Territories
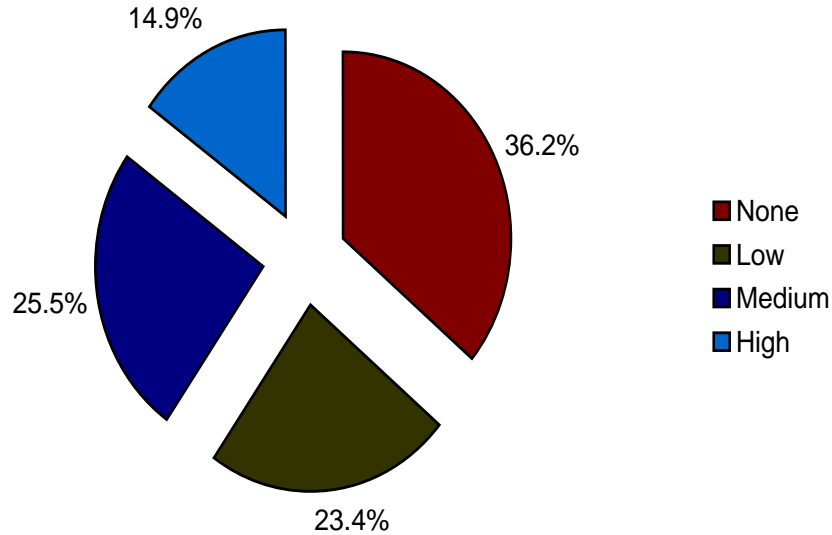
Combining these demographic variables with the data in the ARI, the first analysis conducted was a simple cross-tabulation of the primary issue respondents identified according to state population density (see endnote 2 for state breakdown into these categories). Results follow in table 8.

Table 8. Primary Issue by Population Density

Issues Ranked: Primary	State Population Density		
	Mainly Urban	Mainly Rural	Total
Lack of Prevention Services	0	2	2
Disproportionate Minority Contact	**10**	**3**	**13**
Juvenile Justice Data Collection System	0	1	1
Substance Abuse	0	1	1
Gender-Specific Services	0	1	1
Mental Health	**0**	**6**	**6**
Detention Reform	2	1	3
Coordination of Services	1	0	1
Data Analysis	2	0	2
Deinstitutionalization of Status Offenders	0	2	2
Funding Concerns	1	0	1
Community-Based Programs v. Secure Treatment	0	3	3
Juvenile's Right to Effective Counsel	1	0	1
Zero Tolerance/School Disciplinary Problems	0	1	1
Waiver/Transfer	1	0	1
The Adam Walsh Act	0	1	1
Sight and Sound Separation	1	1	2
Total	**19**	**23**	**42**

DMC was the most oft-cited primary issue in the 2008 ARI, and not surprisingly, the majority of respondents citing DMC as a concern were in mainly urban states. Data analysis, waiver, and the right to effective counsel were only mentioned by respondents in predominantly urban states. Issues identified by respondents in predominantly rural states were mental health issues, deinstitutionalization of status offenses, and concerns about secure v. community-based treatment. These rudimentary results indicate that there are differences in the most pressing issues affecting urban and rural areas.

The same analysis was conducted for the most oft-cited primary issue according to whether the respondents were in a state or territory to ascertain whether territories were affected by different issues than states. Results follow in table 9.

Table 9. Primary Issue by State or Territory

Issues Ranked: Primary	State	Territory	Total
Lack of Prevention Services	2	0	2
Disproportionate Minority Contact	**12**	**1**	**13**
Juvenile Justice Data Collection System	1	0	1
Substance Abuse	1	0	1
Gender-Specific Services	1	0	1
Mental Health	6	0	6
Detention Reform	3	0	3
Coordination of Services	1	0	1
Data Analysis	2	0	2
Deinstitutionalization of Status Offenders	2	0	2
Funding Concerns	1	0	1
Community-Based Programs v. Secure Treatment	3	0	3
Juvenile's Right to Effective Counsel	1	0	1
Zero Tolerance/School Disciplinary Problems	1	0	1
Waiver/Transfer	1	0	1
The Adam Walsh Act	1	0	1
Infrastructure and Evaluation	0	1	1
Sight and Sound Separation	1	1	2
Total	**40**	**3**	**43**

Results reveal that territories are not concerned about one particular area; responses were spread out over three issues. However, because only three territories responded to the 2008 ARI, this limited the usefulness of this analysis.

Analysis was then conducted to examine the relationship between the primary juvenile justice issue and tribal youth population density. Primary issues were graphed using tribal youth population density divided into low, medium and high density; each issue could have a total of 100 percent depending on responses. Results follow in figure 13 and indicate that where tribal youth population is highest, the primary concern is delinquency prevention. Prevention was not cited as a concern by states and territories without tribal youth populations, indicating a difference in needs between juvenile populations. In jurisdictions where tribal youth population density is medium, the most oft-cited concern is mental health assessment and services.

Figure 13. Primary Juvenile Justice Issue by Tribal Youth Population Density
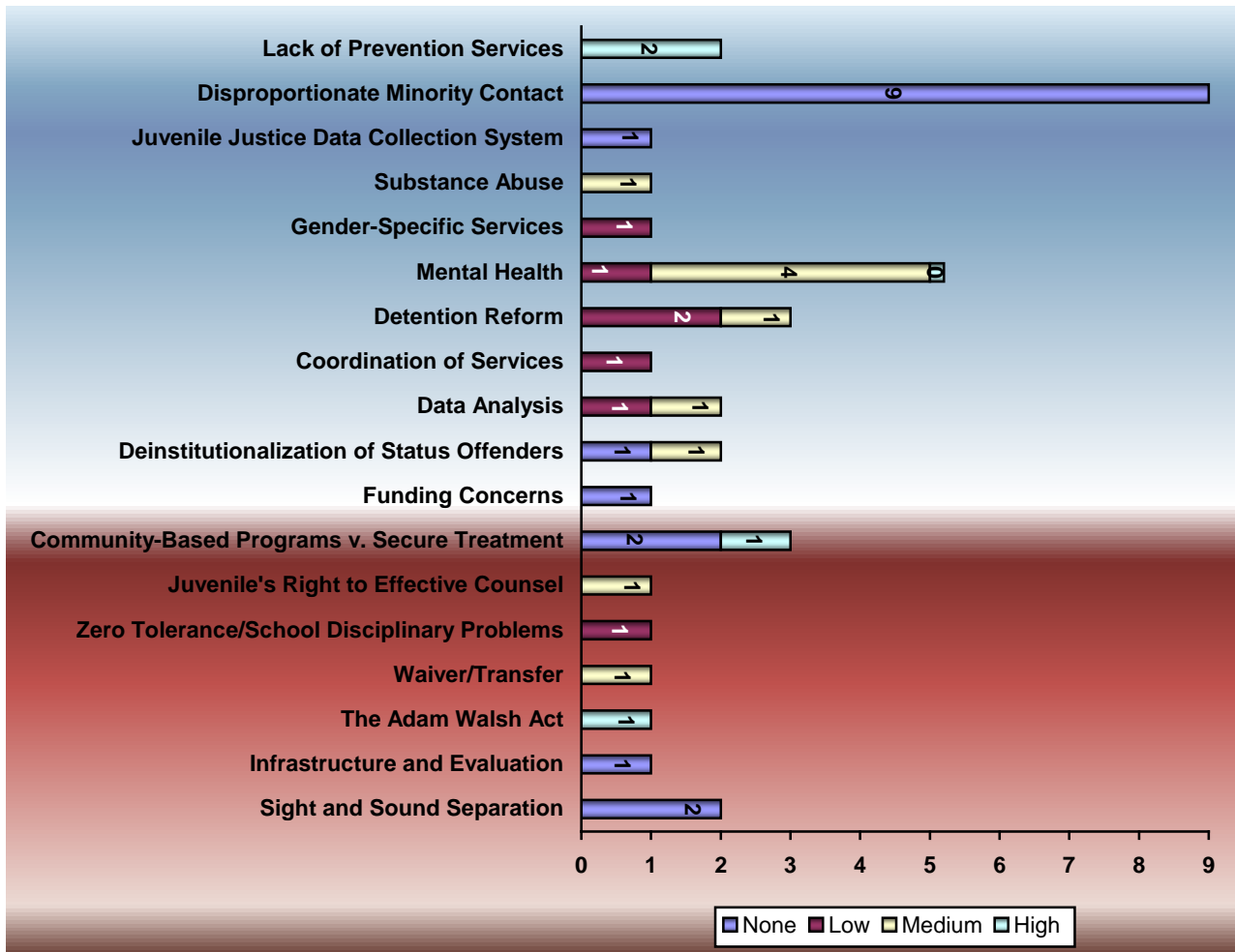
The final analysis conducted for this report was an assessment of the relationships between juvenile justice block grants, spending in the four juvenile justice areas, general population density, and tribal youth population density. Assessment of these relationships was conducted using Spearman's rho correlations, and results follow in table 10.

Table 10. Correlations between Main ARI Variables

	Number of Tribal Youth	State Population Density	Prevention Budget	Community Corrections Budget	Juvenile Detention Budget	After-School Budget
Juvenile Formula Grants	Negative	Negative	Positive	Positive	Positive	Positive
Number of Tribal Youth		Positive	Negative	Positive	Positive	Negative
State Population Density			Negative	Negative	Negative	Negative
Prevention Budget				Positive	Positive	Positive
Community Corrections Budget					Positive	Positive
Juvenile Detention Budget						Positive

Despite the relatively small number of ARI respondents, there are some significant relationships. For example, there is a negative significant relationship between state population density and juvenile justice formula grants, indicating that states that have high-population densities receive less Federal funding. This may be because state governments contribute more funds in these areas than they do in less-populated areas. As expected, there also are significant positive relationships between formula grants and the four areas of juvenile justice spending. This does indicate that formula grants are being allocated to these four juvenile justice spending areas.

Also of interest in table 10 is the negative (and significant) relationship between state population density and juvenile delinquency prevention spending. This relationship indicates that more densely populated states are spending significantly less money on prevention activities.

4. CONCLUSION

This report has presented results from the 2008 FACJJ ARI, which posed questions to responding SAG's about juvenile justice issues affecting their states and territories, laws and policies regarding effective counsel for juveniles, promising programs and policies that have been implemented in their respective jurisdictions, and recommendations about juvenile justice for the OJJDP Administrator, Congress, and the President. The 2008 FACJJ ARI also asked respondents what types of assistance they needed from OJJDP and how that assistance could best serve their needs.

Results indicated that the top issues affecting responding states and territories were DMC, mental health treatment and assessment, juvenile reentry, and detention reform. When examining issues by category, the most pressing justice system issue was detention reform. The most frequently cited core requirement issue was DMC. The most frequently cited service system issue was mental health treatment and assessment. The most frequently cited research to policy issue was evidence-based practices, and the most frequently cited emerging societal trend affecting juvenile justice was zero tolerance/school disciplinary policies.

Recommendations made by respondents to the OJJDP Administrator, Congress, the President, and to OJJDP regarding technical assistance centered on several themes. First, in almost every category, respondents recommended there be more funds set aside to develop alternative and community-based sanctions for juveniles. Several respondents also mentioned the need for implementation of graduated sanctions. Second, almost all respondents requested assistance with data collection, evaluation, and availability of evidence-based programs. Third, there were numerous concerns raised about punitive sanctions and punitive legislation for juveniles, ranging from the Adam Walsh Act to zero-tolerance policies in schools. The overwhelming majority of respondents were concerned with how such punitive policies impact juvenile reentry and long-term recidivism.

Respondents also provided some examples of promising programs that had been implemented to address identified problem areas, and although there were some excellent programs described, there appeared to be a shortage of programs that addressed many of the issues identified as need areas. Relating this shortage to comments submitted by respondents later in the ARI suggests that many juvenile justice agencies lack the resources, training, and technical skills to implement evidence-based programs.

Additional analysis conducted in this report revealed that juvenile justice need areas varied by geographical location and by the number of tribal youth residing in respective jurisdictions.

Endnotes

1. Respondents were asked to report their total juvenile justice budgets along with budgets for four categories of juvenile justice. Only 28 respondents provided information to this question. Total juvenile justice budgets ranged from $172,000 (Northern Marianas) to $550 million (California). The median amount was $735,480,448 ($SD =$ $191,588,938).

Twenty-eight respondents also provided budgetary information for the four areas of juvenile justice. Summary statistics appear in table 11. The lowest average level of funding was reported for after-school programs, followed by funding for juvenile prevention programs.

Table 11. Juvenile Justice Funding by Area

Area	Range	Mean	Standard Deviation
Prevention	$68,027,425	$7,730,500	$16,872,000
Community Corrections	$469,229,157	$54,731,000	$113,194,000
Juvenile Detention	$275,000,000	$31,440,000	$68,815,400
After-School Programs	$6,600,000	$6,996,200	$16,997,300

Statistics in table 11 suggest that there is very wide dispersion, as the standard deviations are larger than the means. Analysis and application of this data is thus limited and should be measured differently in future years.

2.

Table 12. State Population Density

State	Mainly Urban	Mainly Rural	Total
AZ	0	1	1
AR	0	1	1
CA	1	0	1
CO	0	1	1
CT	1	0	1
DE	1	0	1
DC	1	0	1
FL	1	0	1
GA	0	1	1
HA	1	0	1
ID	0	1	1
IL	1	0	1
IN	1	0	1
IA	0	1	1
KS	0	1	1
KY	0	1	1
LA	0	1	1
ME	0	1	1
MD	1	0	1

State	Mainly Urban	Mainly Rural	Total
MA	1	0	1
MI	1	0	1
MS	0	1	1
MO	0	1	1
MT	0	1	1
NB	0	1	1
NE	0	1	1
NH	1	0	1
NM	0	1	1
NY	1	0	1
NC	1	0	1
ND	0	1	1
OH	1	0	1
PA	1	0	1
RI	1	0	1
SC	1	0	1
SD	0	1	1
TN	0	1	1
TX	1	0	1
UT	0	1	1
VA	1	0	1
WA	0	1	1
WV	0	1	1
WI	0	1	1
WY	0	1	1
AK	0	1	1
Puerto Rico	1	0	1
Total	**21**	**25**	**46**

REFERENCES

American Indian Population and Labor Force Report. 2003. Washington, DC: Department of the Interior.

Long, J.F., Rain, D.R., and Ratcliffe, M.R. 2001. Population density vs. urban population: Comparative GIS studies in China, India and the United States. Washington, DC: U.S. Census.

APPENDIX: 2008 ARI Form

2008 Annual Request for Information
Federal Advisory Committee on Juvenile Justice

Key Current and Emerging Issues

The table below list several issues in juvenile justice. The FACJJ is interested in learning about the most important significant and emerging juvenile justice issues facing your state or territory, and how the President, Congress and/or the Administrator of the Office of Juvenile Justice and Delinquency Prevention can assist states in their work providing services to these youths. **(Please note that the issues that you identify will automatically populate fields on later pages of the 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.)**

1a. In the middle column below, please check up to **TEN** issues of importance to your state or territory. If your state or territory faces an issue in any category that is not listed below, please add it.

1b. In the right hand column please mark the most important, second most important, and third most important issue out of the ten you selected in the middle column. Please write in 1, 2 or 3 to indicate your choices.

Current and Emerging Issues	1a. Check the 10 most important issues.	1b. Please put a 1 next to the most important issue, a 2 next to the second most important issue and a 3 next to the third most important issue.
Justice System Issues		
Juvenile's right to effective assistance of counsel	☐	
Waiver and transfer to adult court and original criminal court jurisdiction for youth	☐	
Quality of and/or lack of judicial training	☐	
Community-based programs v. secure custody	☐	
Detention reform	☐	
Other (please specify):	☐	
Core Requirement Issues		
Deinstitutionalization of status offenders	☐	
Sight and sound separation	☐	
Jail removal	☐	
Disproportionate minority contact	☐	
Relationship of tribal actions to violations of core requirements	☐	
Other (please specify):	☐	
Service System Issues		
Lack of primary prevention services	☐	
Mental health assessment and treatment	☐	
Substance abuse assessment and treatment	☐	
Reentry of offenders into communities and into schools	☐	

Current and Emerging Issues	1a. Check the 10 most important issues.	1b. Please put a 1 next to the most important issue, a 2 next to the second most important issue and a 3 next to the third most important issue.
Programming specific to girls/females	☐	
Programming specific to boys/males	☐	
Difficulty collaborating with public schools	☐	
Education in detention and how it relates to No Child Left Behind and/or IDEA	☐	
Coordination with other agencies (e.g., SAMHSA, MH/SA, and Labor)	☐	
Coordination with faith-based organizations	☐	
Other (please specify):	☐	
Research to Policy		
Brain development	☐	
Evidence-based practices – evaluation infrastructure – data and evaluation	☐	
State capacity to conduct juvenile research and/or collection data	☐	
Restorative justice	☐	
Other (please specify):	☐	
Emerging Societal Trends		
The Adam Walsh Act	☐	
Methamphetamine	☐	
Juvenile crime trends	☐	
Growth in gang activity	☐	
Immigration	☐	
Zero tolerance/school disciplinary policies	☐	
Other (please specify):	☐	

1c. Please indicate any other key current or emerging issues that did not fit under the categories provided above. *(350-word limit)*

2a. Please describe the ways in which issues you checked under question 1a. 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.).

Current or Emerging Issues	How this issue is affecting your state or territory (350-word limit per cell)
(prepopulate with all10 issues checked in 1a)	

2b. Please describe how the issue(s) you entered under question 1c. (if any) are affecting juvenile justice in your jurisdiction (350-word limit)

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3. Please describe the practices in your state or territory related to a youth's right to effective assistance of counsel.

a. Is a child able to waive the right to counsel without first consulting with counsel?

☐ Yes

☐ No

b. Describe any age or other restrictions related to a youth's ability to waive counsel. *(350-word limit)*

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c. Describe any special training required by your state for counsel that represent children in the juvenile justice system. *(350-word limit)*

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d.   Describe any state certification required to practice in juvenile court. *(350-word limit)*

e.   Describe specific training required for other attorneys practicing in juvenile court, including prosecutors, CHINS/PINS counsel, GALs and attorneys representing children in abuse and neglect proceedings. *(350-word limit)*

f.   At what point in the process is counsel appointed for the youth? *(check only one)*

☐ Prior to detention

☐ Prior to petition

☐ Prior to hearing

☐ Post hearing

4. List the top three problems your state or territory identified in its most recent 3-Year plan and how your state or territory is addressing them.

Problem	PROBLEM (350 WORD LIMIT PER CELL)	How Problem Is Being Addressed (350 WORD LIMIT PER CELL)
1		
2		
3		

5. Identify any promising programs or practices your state or territory has implemented that address the top three problems identified in your state/territory's most recent 3-year plan. Use the "other" rows to list additional problems you are addressing using promising programs or practices.

In your description of the promising programs or practices please include its name and as much descriptive information as you can. For example, the source from which the program model was cited (e.g., OJJDP's Model Program Guide), the target population (gender, race, age, offender status), where it is implemented (e.g., in schools, secure detention facilities, community centers), the main outcomes expected (e.g., increased graduation rates, reduced anti-social behavior). Please do not use acronyms.

| Problem
(350-word limit per cell) | Description OF Promising Program OR Practice
(350-word limit per cell) |
|---|---|
| 1 *Prepopulate from 4* | |
| 2 *Prepopulate from 4* | |
| 3 *Prepopulate from 4* | |
| Other: | |
| Other: | |

6. States vary in the levels of their financial support for juvenile justice activities. To ascertain the level of your state financial support for juvenile justice activities, please enter the total amount of your most recent state budget for juvenile justice and to the extent possible the budget for each of the other categories listed below. **NOTE:** The total value in the left most column will not necessarily be equal o the sum of the other cells.

TOTAL JUVENILE JUSTICE BUDGET	BUDGET FOR PREVENTION ACTIVITIES	COMMUNITY CORRECTIONS BUDGET	JUVENILE DETENTION BUDGET	BUDGET FOR AFTER SCHOOL PROGRAMMING

Recommendations

7a. Please list any recommendations for the President and Congress, if any, related to the issues that you identified in question 1a.

| Important or Emerging Issues | Recommendations for President and Congress
(Leave cells blank if you have no recommendation related to a particular issue) (350-word limit per cell) |
|---|---|
| *(The 10 issues checked in 1a would automatically populate these rows)* | |
| | |
| | |
| Other | |

7b. Please insert any recommendations, not described above as pertinent to a particular issue that your State Advisory Group would like to include in the 2008 report to the President and Congress.

ANY OTHER RECOMMENDATIONS FOR PRESIDENT AND CONGRESS (350 WORD LIMIT)

8a.   Please list any recommendations for the Administrator of OJJDP related to the issues that you identified above.

Important or Emerging Issues	Recommendations for OJJDP Administrator *(Leave cells blank if you have no recommendation related to a particular issue) (350-word limit per cell)*
The 10 issues checked in 1a would automatically populate these rows	
Other	

8b. Please insert any recommendations, not described above as pertinent to a particular issue that your State Advisory Group would like to include in the 2008 report to the OJJDP.

ANY OTHER RECOMMENDATIONS FOR OJJDP *(350-word limit)*

Assistance from OJJDP

9.   Using the list of different types of assistance provided below, please describe the subject or subjects you would like to have covered/addressed by OJJDP (if any) as well as any details about how OJJDP could make the TA most helpful to you (e.g., the format, the audience).

Type of ASSISTANCE	Subject MATTER YOU WOULD LIKE COVERED *(350-word limit per cell)*	How could OJJDP make this most helpful to you? *(350-word limit per cell)*
Dissemination of research findings (conferences, bulletins, toolkits, etc.)		
Conducting new research		
Developing evidence-based programs		
Developing assessment tools		
Providing training and technical assistance		
Developing model policies and regulations		
Other assistance		
Other assistance		