

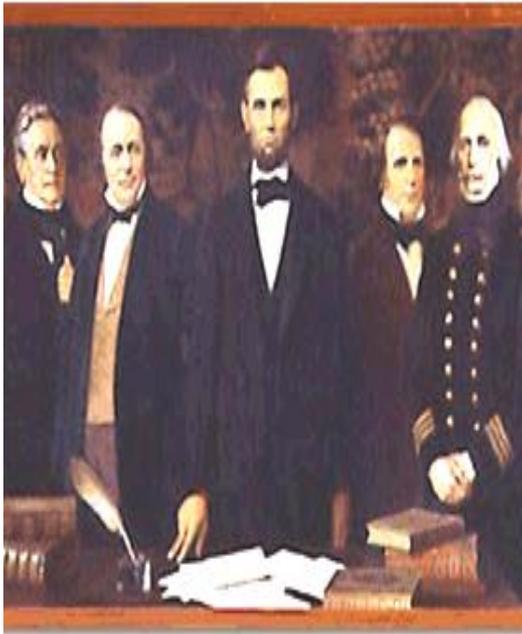
Implementing Juvenile Justice Reform: The Federal Role

October 2014



NATIONAL ACADEMY OF SCIENCES

National Academy of Sciences



- Chartered by Congress in 1863
- Purpose: To advise the government and the nation on critical national issues through objective, scientific, and evidence-based research and analysis

Designed to be independent, balanced, and objective; Not an agency of the federal government.

Committee Process

- Scholarship and stature of Academies' members
- Ability to get the very best to serve *pro bono*, ensuring the breadth and balance of interdisciplinary committee composition
- Quality assurance and control procedures, including a strict peer review process
- Written reports (source of “formal advice”) based on evidence and rigorous analysis, ensuring independence and objectivity

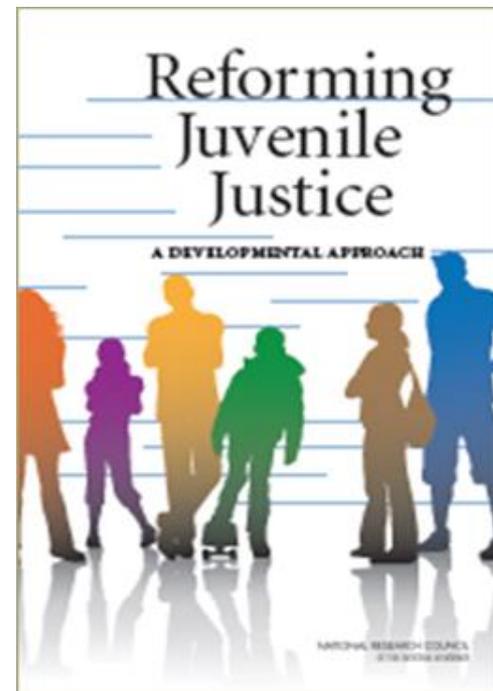
Sponsors

- The Federal Office of Juvenile Justice and Delinquency Prevention
- The John D. and Catherine T. MacArthur Foundation
- The Annie E. Casey Foundation

NRC 2013 Report

Emerging consensus regarding science of adolescent development and its implications for design and operation of juvenile justice system

- Recommendations
 - Commitment to reform by State, Local, and Tribal Governments
 - Strong Supporting Role for OJJDP
 - Research Agenda on Adolescent Development, Delinquency Prevention and Juvenile Justice
 - Data Improvement



Statement of Task

An ad hoc committee will be convened to identify, assess and prioritize strategies and policies to effectively reform the juvenile justice system building on the recommendations from the 2013 report, *Reforming Juvenile Justice: A Developmental Approach*. The committee will assess the federal Office of Juvenile Justice and Delinquency Prevention's (OJJDP) activities and internal capacities to implement its legislative mandates on juvenile justice systems, policies, and practices; and, consult with experts and practitioners in the field of juvenile justice. The committee will also examine existing literature in three areas; implementation science, cross-agency collaboration and appropriate criteria for prioritization in the context of juvenile justice reform, including cost-benefit and cost-effectiveness analysis where applicable. The study will conclude with a report documenting the committee's findings and proposing recommendations for OJJDP and, where appropriate other federal agencies, to implement a reform plan using a developmental approach. The committee may address budgetary considerations and recommendations from other OJJDP plans.

Committee Members

RICHARD J. BONNIE, Chair, Institute of Law, Psychiatry and Public Policy, University of Virginia*

SAM J. ABED, Maryland Department of Juvenile Services

GRACE BAUER, Justice for Families

KEVIN J. BETHEL, Patrol Operations, Philadelphia Police Department

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VINCENT SCHIRALDI, New York City Mayor's Office of Criminal Justice

CHERIE TOWNSEND, Consultant, Idabel, Oklahoma*

JOHN A. TUELL, Robert F. Kennedy Children's Action Corps

*From the 2013 Report Committee

Consultants

- John Wilson, Institute for Intergovernmental Research. Former Deputy Administrator, OJJDP (1974-2005)
- Cheryl Hayes, Finance Project

Presentations and Interviews

- Robert Listenbee Jr., Administrator, OJJDP
- Laurie R. Garduque, Director, Justice Reform, MacArthur Foundation
- Bart Lubow, Director, The Annie E. Casey Foundation
- Janet Chiancone, Associate Administrator, Budget and Administration Division, OJJDP
- Brecht Donoghue, Deputy Associate Administrator, Innovations and Research Division, OJJDP
- Melissa Sickmund, Director, National Center for Juvenile Justice, National Council of Juvenile and Family Court Judges
- Susan Broderick, Project Director, Center for Juvenile Justice Reform, Georgetown University
- Mary Ann Scali, Deputy Director, National Juvenile Defender Center
- Marie Williams, Executive Director, Coalition for Juvenile Justice
- Robin Jenkins, Consultant, Coalition for Juvenile Justice
- Susan Badeau, Speaker, Author and Trainer,
- Bryan Sykes, Assistant Professor of Sociology, DePaul University
- Karol Mason, Assistant Attorney General for the Office of Justice Programs, Department of Justice
- Carmen Daugherty, Policy Director, Campaign for Youth Justice
- Sarah Bryer, Director, National Juvenile Justice Network
- Marc Schindler, Executive Director, Justice Policy Institute
- Laurie Robinson, Clarence J. Robinson Professor of Criminology, Law and Society, George Mason University
- Mark Soler, Executive Director, Center for Children's Law and Policy
- George Timberlake, Judge (ret.), Illinois Juvenile Justice Commission
- Dave Marsden, Senator, State of Virginia
- Sarah Brown, Program Director, Criminal Justice, National Conference of State Legislatures
- Juliana Stratton, Executive Director, Cook County Justice Advisory Council
- Brandon Jones, Executive Director, New Generation Foundation
- Michael Finley, Senior Program Associate, W. Haywood Burns Institute for Juvenile Justice, Fairness, and Equity
- Soledad McGrath, Program Officer, MacArthur Foundation
- Carrie Rae Boatman, Senior Policy Associate, AECF
- Lyman Letgars, Casey Family Programs Fellow, OJJDP
- Francis Mendez, Project Director, National Training and Technical Assistance Center
- Shay Bilchik, Founder and Director, Center for Juvenile Justice Reform at Georgetown University
- Gary Blau, Becky Flatow and Kaitlyn Harrington, Substance Abuse and Mental Health Services Administration
- Kathi Grasso and Robin Delany-Shabazz, OJJDP



Report Outline

Chapter 1 – Introduction

Chapter 2 – Foundation for Change

Chapter 3 – Refocusing the OJJDP

Chapter 4 – Facilitating Change Within The Jurisdictions

Chapter 5 – Partnerships

Chapter 6 – The Path Forward

Terminology

- Juvenile or youth refers to anyone under the age of 18.
- Adolescent refers to teens or young adults.
- Justice-involved youth have had contact with legal authority; youth become system-involved youth when petition filed.
- System-involved families are immediate family members or guardians of system-involved youth; legacy families were once system-involved families.
- A developmental approach is the process of applying what is known from developmental research on adolescence to policies and practices of juvenile justice.

Developmentally Informed Juvenile Justice System

All participants understand the developmental differences between adolescents and adults and use that knowledge to create and use alternatives to juvenile system involvement, to provide the right services at the right time in the right setting for each youth who is formally involved in the system, and to ensure that every youth becomes a successful, productive member of the community.

When seen through developmental lens, goals of juvenile justice are complementary.

- Accountability
- Preventing reoffending
- Fairness

Hallmarks

How the developmental approach can guide juvenile justice reform:

- Accountability without Criminalization
- Alternatives to Justice System Involvement
- Individualized Response Based on Assessment of Needs and Risks
- Confinement Only When Necessary for Public Safety
- A Genuine Commitment to Fairness
- Sensitivity to Disparate Treatment
- Family Engagement

Hallmarks

The report outlines how these hallmarks of a developmental approach should be incorporated into policies and practices within OJJDP, as well as in actions taken by state, local, and tribal jurisdictions to achieve the goals of the juvenile justice system.

OJJDP Mission

- Juvenile justice system improvement and delinquency prevention are both part of the mission
- Delinquency prevention efforts should target youth most at risk of becoming system-involved.
- Facilitating juvenile justice reform should be the agency's top priority under JJDPA
- Requires change of focus within the agency as first step in facilitating reform in state/local/tribal jurisdictions
- Requires creating a vision and operationalizing that vision through policies, programs, and collaborations



2013 Report

Recommendation 2: The role of OJJDP in preventing delinquency and supporting juvenile justice improvement should be strengthened.

c.) OJJDP should prioritize its research, training, and technical assistance resources to promote the adoption of developmentally appropriate policies and practices by jurisdictions throughout the country, particularly helping those that have not yet achieved a state of readiness to undertake reform.

Refocusing OJJDP

Recommendation 3-1

- Develop training curriculum for OJJDP staff

Recommendation 3-2

- Improve balance between grant monitoring and system reform efforts

Recommendation 3-3

- Guide improvement of jurisdictional administrative data systems

Recommendation 3-4

- Focus research efforts on projects that can advance knowledge from developmental perspective

Facilitating Change Within State/Local/Tribal Jurisdictions

Recommendation 4-1

- Support work of SAGs and other state leaders to be reform leaders

Recommendation 4-2

- Develop training and technical assistance to be both strategic and tactical

Recommendation 4-3

- Ensure technical assistance recipients are undertaking reforms using a developmental approach

2013 Report

Recommendation 2: The role of OJJDP in preventing delinquency and supporting juvenile justice improvement should be strengthened.

d.) OJJDP should support state and local efforts to reduce racial/ethnic disparities by using its technical and financial resources to expand the number of local jurisdictions currently participating in activities aimed at reducing disproportionate minority contact (DMC); support efforts to design and implement programs and policies aiming to reduce disparities; support scientifically valid methods for understanding the causes of racial/ethnic disparities and for evaluating the impact of DMC interventions; and enhance the transparency of its oversight activities by identifying impediments being encountered and assisting localities to overcome them.

Facilitating Change Within The Jurisdictions

Recommendation 4-4

- Establish new approach for reducing racial and ethnic disparities

Recommendation 4-5

- Develop a multiyear demonstration project on developmental approach to system reform

Partnerships

Recommendation 5-2

- Form partnerships at all levels to advance developmentally appropriate systems

Recommendation 5-3

- Establish a Family Advisory Group to the Coordinating Council

Recommendation 5-4

- Create strategic interagency activities through the Coordinating Council to advance reform

Partnerships

Recommendation 5-5

- Work with federal partners to (1) leverage funds to support demonstration projects and (2) provide guidance to grantees on leveraging funding

Recommendation 5-6

- Participate in efforts to update ABA standards for juvenile justice

Recommendation 5-7

- Use partnerships to increase capacity of training and technical assistance

Federal Funding Sources

Federal Funding Sources: Domains and Categories	Stage of Involvement					Health and Well-being							
Programs	Primary Prevention	Diversion	Community Supervision	Placement (Detention, Incarceration, Institution, Group Care)	Aftercare	Medical and Dental Care	Substance Abuse Prevention and Treatment	Mental Health and Behavioral Services	Nutrition	Delinquency Prevention	Recreation and Fitness	Reproductive Health Services	Treatment of fetal alcohol syndrome, child abuse or neglect, trauma
Abstinence Education Program	X	X	X		X								
Advanced Placement Program	X												
Affordable Care Act: Grants to School-based Health Center Capital Expenditures	X	X	X		X	X	X	X	X	X		X	
After-School Centers for Exploration and New Discovery (ASCEND)	X												
Arts in Education	X	X	X		X								

Action Charts

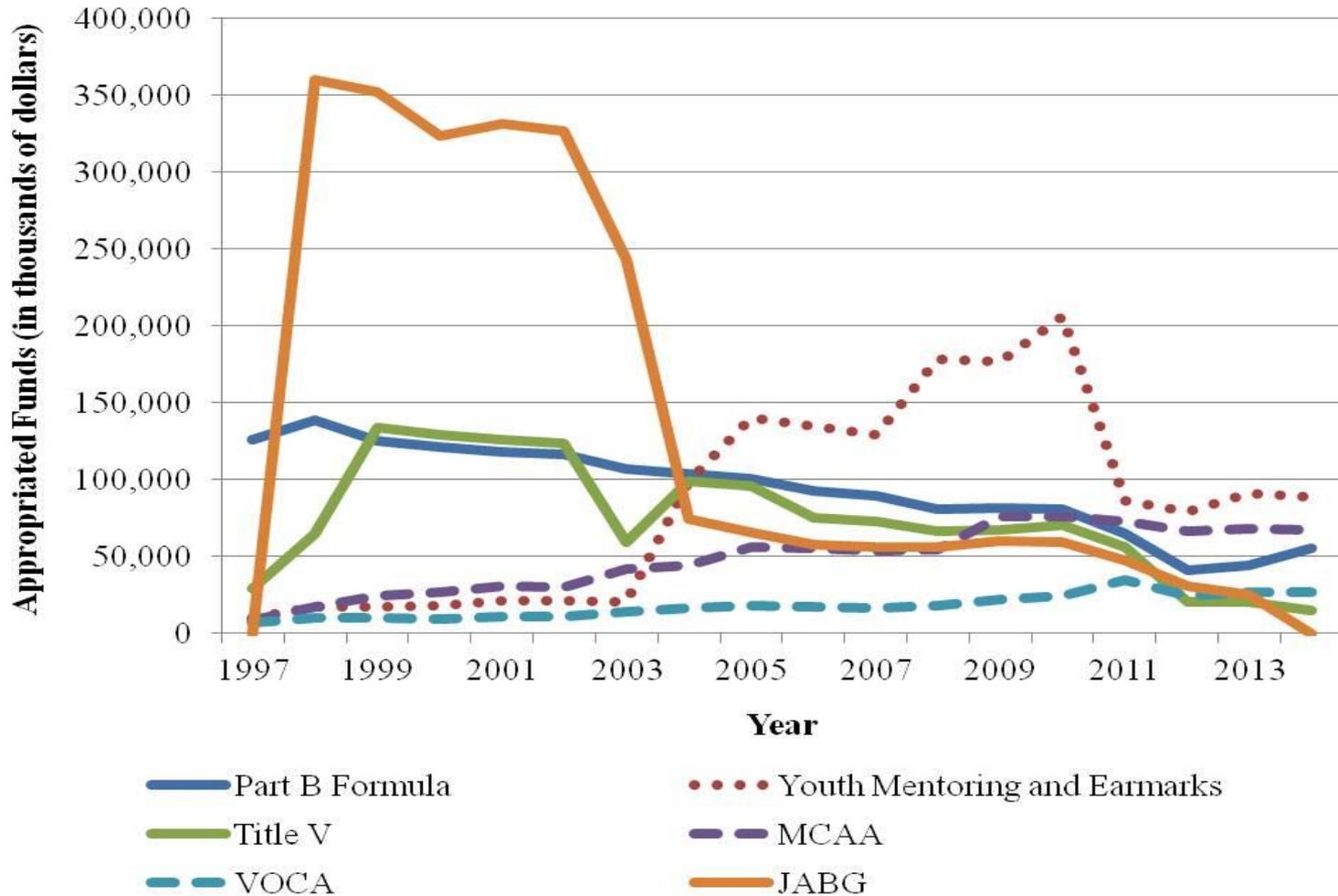
Action Steps for Recommendation 5-7		
Year 1 (FY 2015)	Year 2 - FY (2016)	Year 3 (FY 2017)
<p>Consistent with Recommendation 4.2, develop partnerships with national organizations that participate in training and demonstrate mastery of the developmental approach. With national partners, develop a strategy for targeted TTA for decision makers at all juvenile justice decision points.</p>	<p>Continue developing and sustaining partnerships; continue implementing strategy for targeting TTA to decision makers.</p>	<p>Continue developing and sustaining partnerships; continue implementing strategy for targeting TTA to decision makers.</p>
<p>As part of the curriculum developed under Recommendation 3.3, ensure the development of a curriculum tailored to individual stakeholders' particular decision point(s) that communicates developmental science and its implications for that stakeholder's role in juvenile justice system improvement.</p>	<p>Initiate training activities for stakeholder groups on the curriculum.</p>	<p>Review and evaluate the training curriculum to determine success in accomplishing intended purpose.</p>

2013 Report

Recommendation 2: The role of OJJDP in preventing delinquency and supporting juvenile justice improvement should be strengthened.

a.) OJJDP's capacity to carry out its core mission should be restored through reauthorization, appropriations, and funding flexibility. Assisting state, local, and tribal jurisdictions to align their juvenile justice systems with evolving knowledge about adolescent development and implementing evidence-based and developmentally informed policies, programs, and practices should be among the agency's top priorities. Any additional responsibilities and authority conferred on the agency should be amply funded so as not to erode the funds needed to carry out the core mission.

Trends in OJJDP Funding Streams



Need for Support by Federal Policy Makers

- Reauthorize JJDPA
- Increase funding flexibility
- Target appropriations on reform of the juvenile justice system

Recommendation 5-1:

Public support of juvenile justice reform by DOJ

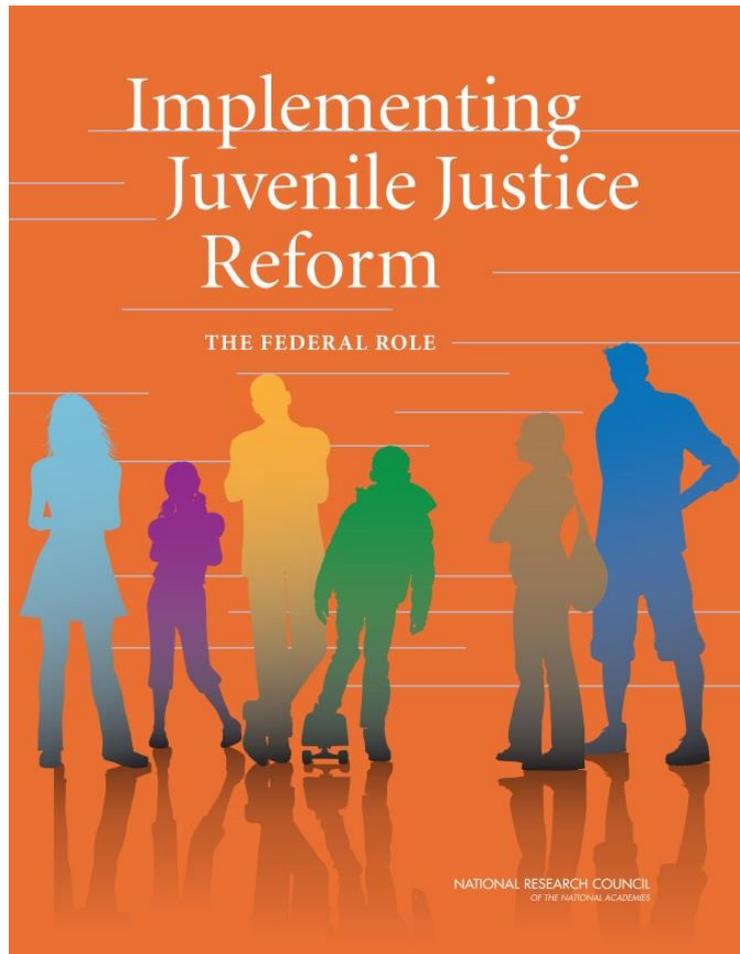
OJJDP Reauthorization

“When OJJDP is reauthorized, it should be directed, as recommended by the 2013 NRC Report, to base its programs and activities on the scientific knowledge regarding adolescent development and the effects of delinquency prevention programs and juvenile justice interventions; to link state plans and training of State Advisory Groups to the accumulating knowledge about adolescent development; to modify the definitions for “status offenses” and for an “adult inmate” so that all adolescents are treated appropriately; and to identify support for developmentally informed juvenile justice system improvement as one of the agency’s responsibilities.”

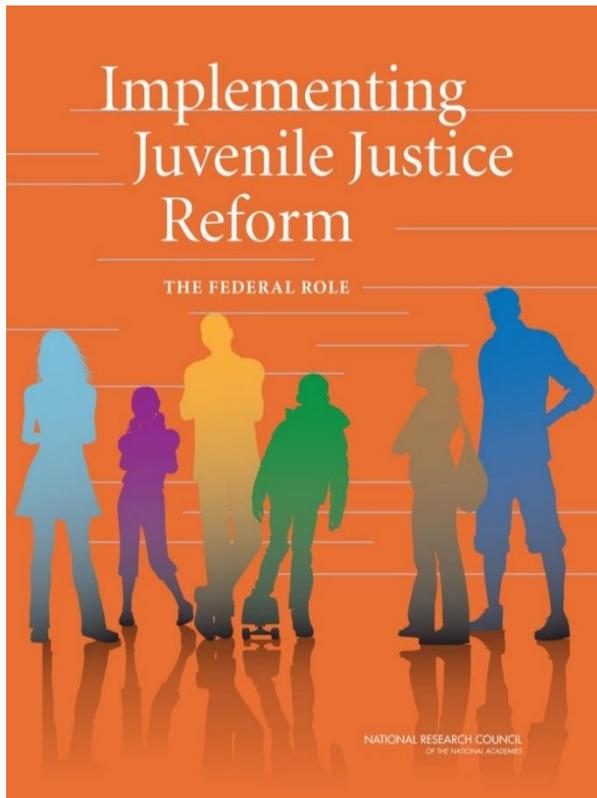
Summary for Federal Policy

“Assisting states, localities, and tribal jurisdictions to align their juvenile justice systems and delinquency prevention programs with current best practice and the results of research on adolescent development and implementing developmentally informed policies, program, and practices should be the agency’s top priority under the JJDPA. Any additional responsibilities and authority conferred on the agency should be amply funded so as not to erode the funds needed to carry out support for system improvement.”

Questions



Thank you!



For more information:

- claj@nas.edu

For copies of report:

- http://sites.nationalacademies.org/DBASSE/CLAJ/Implementing_Juvenile_Justice_Reform/index.htm

Catalog of Federal Funding Sources for Youth in Juvenile Justice:

- http://sites.nationalacademies.org/DBASSE/CLAJ/DBASSE_088937

