

Welcome!

We will begin at 2:00 p.m. ET

(1:00 p.m. CT; 12:00 p.m. MT; 11:00 a.m. PT; 8:00 a.m. HT; 4:00 a.m. Guam)

- Public attendees will be able to listen and view the webinar as observers but will not be able to actively participate.
- ***FACJJ members:***
 - To ask a question or participate in the discussion during the session, use the chat tool to send a message to George Timberlake, FACJJ Chair.
 - Turn off your computer speakers to prevent feedback.
 - At the end of the session, you will receive an e-mail with a link to an evaluation.

For problems during the webinar, call PGI Technical Support at 1-888-569-3848.

Welcome to the FACJJ Webinar

Opening Remarks and Introductions

Jeff Slowikowski

Designated Federal Official, FACJJ, OJJDP

Callie Long Murray

TTA Brokering and Coordination Manager, OJJDP's NTTAC

George Timberlake

FACJJ Chair



Welcome to the FACJJ Webinar

Jeff Slowikowski

Meeting Opening



The PowerPoint slides and Handouts from this webinar will be posted on the FACJJ website within 90 days. The website address is www.facjj.org

Written comments from the general public may be submitted to Jeff.Slowikowski@usdoj.gov



Welcome to the FACJJ Webinar

Callie Long Murray

Live Demonstration of Webinar Features



Reminder of Webinar Logistics

FACJJ Members:

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- At the end of the meeting, an evaluation will be e-mailed to you.

For any *technical* problems, call PGI Technical Support at 1-888-569-3848 for support.

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Adobe Platform Information

Chat Box - To send a chat message to the host, a panelist, or another attendee:

- 1) Click the menu icon in the upper-right corner of the chat pod, choose “Start Chat With,” and then select “Hosts, Presenters, or Specific Attendees.”
- 2) Type your message into the text box.
- 3) Hit Enter or click the message bubble icon to send.

The screenshot displays the Adobe Connect webmeeting interface. The main window shows a presentation slide titled "FACJJ WEBINAR" dated "March 4, 2013". The slide features the logo of the Federal Advisory Committee on Juvenile Justice (FACJJ), which includes a blue star with the acronym "OJDP" inside. The interface includes a top navigation bar with options like "Meeting", "Layouts", "Pods", and "Audio". On the right side, there is an "Attendees (1)" panel listing "Michelle Duhart-Tonge" as the host, and a "Chat 3 (Everyone)" panel with a message that says "The chat history has been cleared". The Windows taskbar at the bottom shows various application icons and the system clock indicating 12:05 PM on 2/27/2013.

Welcome to the FACJJ Webinar

George Timberlake

Welcome, Review of Agenda, Member Roll Call



Review of Agenda

- 2:00-2:15 p.m. Welcome, Webinar Logistics and Introductions
- 2:15-3:15 p.m. FACJJ Subcommittee Reports and Discussion
- 3:15-3:30 p.m. Discussion of FACJJ Bylaws
- 3:30-4:00 p.m. OJJDP Remarks and Update
- 4:00-4:30 p.m. Presentation on the Burdened for Life: The Myth of Juvenile Record Confidentiality and Expungement in Illinois Report
- 4:30-4:50 p.m. FACJJ Business
- 4:50-5:00 p.m. Next Steps
- 5:00 p.m. Meeting Adjournment



FACJJ Membership

Primary Members

Starcia Ague

Aileen Jo Artero

Vernon C.R. Daniels

Amy Marie Davenport

Tony R. Jones

ViEve Martin Kohrs

Kenya Shantel Lee

Robin Lubitz

Justin Miller

Jim Moeser

Christine Perra Rapillo

Tawny R. Spinelli

George W. Timberlake

Alternate Members

Ashley Beall

Richard Broderick

Timothy M. Brurud

Lisa S. Jacobs

Aris Johnson

Kimberly Larson

Andrew Longhi

Gregory A. Parks

Sasha Pellerin

Dave Rosenthal

Linda Whittington



FACJJ Subcommittee Reports and Discussion



Legislation Subcommittee

Amy Davenport

Legislation Subcommittee Co-Chair



FACJJ Legislation Subcommittee Members

Aileen Jo Artero
Ashley Beall
Amy Marie Davenport (Co-Chair)
ViEve Martin Kohrs
Kenya Lee (Chair)
Andrew Longhi
Jim Moeser
Tawny Spinelli
Linda Whittington



Issue Area: JDPA Reauthorization

- As part of the FACJJ charter, FACJJ is charged with advising the Administration and Congress on matters related to federal legislation
- For the past five years, FACJJ has made the Reauthorization of the Juvenile Justice Delinquency Prevention Act one of its top priority recommendations to the Administrator of the Office for Juvenile Justice



Progress Update

- Committee has monitored progress on S. 1169, the Senate Reauthorization bill which was passed out the Senate Judiciary Committee on a with unanimous bi-partisan support
- Passage by the full Senate via Fast Track has been blocked by a Sen. Cotton from Alabama. Alabama is one of only a few states that where the VCO exception is widely used to detain status offenders.



Progress Update cont.

- One last round of wording negotiations is being attempted to try to satisfy Sen. Cotton
- At the same time, Sen. Grassley's staff is preparing to try to bring bill to the floor for a full vote.
- In the House, the Committee on Education and the Work Force is supportive and may introduce a House bill if Senate action continues to be delayed.



Actions Taken by Leg. Work Group

- We drafted a letter to the Chair of the Senate Judiciary Committee in support of the Committee's efforts. Letter was signed by George on behalf of FACJJ and sent to the Committee in April.
- We drafted a similar letter to the Chair of the House Committee on Education and the Work Force urging support and passage of the legislation in 2016. Letter was signed and sent in April.



Beyond JJDPA Reauthorization

- Committee has discussed possibility of making recommendations on other legislation/issues:
 - Equities and Reducing Disparities with DMC
 - Parental Engagement
 - Out of Home Placement
 - Youth Promise Act
 - Solitary Confinement
 - Special Populations
 - Delinquency Prevention
 - Training



Next Steps...

- Continue to monitor legislation.
- Consider other topics that the Legislative Work Group could address between now and the Fall.
- We are open to ideas, suggestions, feedback...



Expungement and Confidentiality of Records Subcommittee

Kimberly Larson

Expungement and Confidentiality of Records
Subcommittee Chair



FACJJ Expungement and Confidentiality of Records Subcommittee Members

Starcia Ague

Vernon C.R. Daniels

Kimberly Larson (Chair)

Justin Miller

Sasha Pellerin

George Timberlake (Co-Chair)



Current Issues

- Both the federal government and states are reviewing their laws re: the ability of youth to expunge or seal their records
- The subcommittee is examining such legislation, along with the available empirical evidence/literature, to determine whether the subcommittee should provide input/recommendations about pending bills



Significance

- Youthful decisions can have long term negative consequences
- Juvenile records can interfere with a child's future
- The purpose of the juvenile system is to be rehabilitative (and such harms would contravene this purpose)
- However, public safety must be balanced



Progress Update

- Committee monitors legislative movement at the state and federal levels
- Review of newest JLC reports
- Review of scientific literature
- Examining possible second webinar presentation



Sources

- Federal Level: Bills introduced
- State Level: National Legislative Landscape
- Empirical literature
- Professional Organization Statements
 - ABA Model Act on Confidentiality and sealing and expungement of records
- Reports Directly on Point
 - Juvenile Law Center national reviews and recent Feb. 2016 report on collateral damage of records



Issues Under Consideration

Is proposed legislation addressing important issues raised by the literature such as:

- Information sharing by custodians of records
 - Impact of electronic databases upon sharing of juvenile records, e.g., online
- Sealing/expungement application process requirements
- Notification of ability to seal/expunge or education about process
- Collateral Consequences (e.g., Barriers/
Reduction of barriers to education and vocational opportunities)



Next Steps

- Continue monitoring legislative progress
- Consider drafting letter providing input re: pending bills
- Explore speakers for webinar or other mechanisms for addressing this area
- Open to suggestions, ideas, and feedback for other next steps



Research and Publications/ Dual- Status Youth Subcommittee

Lisa Jacobs

Research and Publications/Dual Status Youth
Subcommittee Co-Chair



FACJJ Research and Publications/Dual-Status Youth Subcommittee Members

Timothy Brurud
Lisa Jacobs (Co-Chair)
Aris Johnson
Tony Jones
Robin Lubitz
Gregory Parks
Christine Perra Rapillo (Chair)
Dave Rosenthal
Tawny Spinelli



RECOMMENDATION: Existing federal law should be amended to explicitly exempt juveniles (all persons who were below the age of 18 at the time of their offense) from all sex offender registration, community notification, and residency restriction laws.

RATIONALE: Since the passage of federal law requiring the registration of juvenile sex offenders, a wealth of studies have shown no net measurable public safety benefits but have identified multiple unintended negative consequences to youth, victims of sexual abuse and families of both.



RESEARCH FINDINGS:

- Youth are different from adults
- Juvenile sex offenders are at very low risk of reoffending
- Registration does not reduce recidivism
- Registration undermines the charging process
- Registration has life-long negative impacts on juveniles
- Registration may harm victims of sexual offending
- Registration laws across the country are a hodgepodge of inconsistency
- Federal requirements limit states' abilities to craft local solutions to youth offending
- Registration is an expensive unfunded mandate on states



CONCLUSION:

Existing federal law should be amended to explicitly exempt all persons who were below the age of 18 at the time of their offense from all sex offender registration, community notification, and residency restriction laws. Federal juvenile sex offender registration laws are inconsistent with research and evidence based practice; fail to promote public safety; have long-term adverse impacts on registrants; may harm victims of intrafamilial abuse; are not cost effective; limit states' abilities to craft evidence-based policy and practice, are being substantially resisted or undermined at the state level; and fundamentally ignore the burgeoning science of adolescent brain development.

The time is ripe to remove juveniles from federal registry requirements.



Discussion of FACJJ Bylaws



FACJJ Bylaws

Jim Moeser

FACJJ Member



FACJJ By-Laws Review

- Brief background on plan to review By-Laws
- Current By-Laws executed October 2012 includes regional representation, number of members, term limits, meeting procedures, and other operational guidelines and requirements.
- By-Laws operate within the context of the FACJJ Charter that was most recently renewed in October 2014, will expire in October 2016, and includes:
 - Estimated allocation of \$ to support FACJJ
 - Maximum number of members
 - Outline of objectives, scope
 - of activity, and duties



FACJJ By-Laws Review

- Work group to review By-Laws included Rob Lubitz, Dave Rosenberg, George Timberlake, Starcia Ague, and Jim Moeser with staff support from Jeff Slowikowski



Minor/Technical Changes, Including:

- Confirm voting for officers needs to be in writing (e-mail OK) & process for soliciting nominations prior to meeting at which vote takes place
- Minor change related to open meeting language
- Language related to recommendations matches the language in the charter
- Authorizes filling either Chair or Vice-Chair in the event of a vacancy mid-term
- Officer terms start October 1 vs. January 1 so they will coincide with member terms



By-Laws – Issues for Discussion

- Should the number of voting members be increased by:
 - Discussion
 - How would the increase improve FACJJ functioning/results? More work groups? More members per group? Increased state voice?
 - What support/other resources would be necessary to support added work?
 - What are the fiscal limitations/implications, if any?
 - What would the “timing” of a change be?
 - Options could include (1) eliminating the difference between Primary and Alternate members - resulting in 28 voting members (keeping same regional configuration?) - and ramifications of that (e.g. start date, relationship to current terms, etc.); (2) adding some number of “at large” members; (3) other?
- Participation requirements? Removal options? Filling vacancies “off- cycle”?
- Role and responsibilities of OJJDP/DFO? Any need for clarification?
- Other issues/areas for discussion/review?



OJJDP Remarks and Update



OJJDP Remarks and Update

Robert L. Listenbee

Administrator, Office of Juvenile Justice and Delinquency Prevention





Core Protections Division Team POCs

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Short-Term Goals

- Enhance Communication –
 - Acknowledge and answer requests within 24 hours → Compliance Analyst POCs
 - Resume Compliance Monitor and DMC Coordinator conference calls → initial topics draft guidance and DMC assessment tool
 - Revamp Core Requirements guidance on OJJDP website
- Ensure Internal and External Compliance Guidance and Policies Align with JJDPA
 - Issue an updated final Compliance Guidance Manual
 - Issue a revised Audit Guidance Manual
 - Issue updated Formula Grant Regulations
 - Develop standardized assessment tools to guide OJJDP's compliance determination reviews for all 4 core requirements



Status of OJJDP Compliance Guidance

- Formula Grant Regulations
 - Will be published in Federal Register for comments and feedback
- Compliance Audit Manual
 - Goal of changes to the Audit Manual is to focus more on OJJDP's process → moved compliance guidance to Guidance Manual
 - The Audit Manual will include internal standards, for example, on:
 - anticipated timelines on the length of the process for a typical audit
 - how OJJDP will objectively assess each monitoring system element
 - the process we will use to select facilities to visit during the on-site review
 - what the facility tours and review of files will entail



Status of OJJDP Compliance Guidance

- Standardized Tools to Guide the Compliance Determination Process
 - Implemented standardized assessment tools for DSO, Jail Removal, and Separation core requirements for the 2016 compliance determinations to ensure objectivity and consistency
 - Tool being developed to guide DMC process
 - Prior guidance around DMC remains the same
 - The assessment process is being strengthened to ensure objectivity and consistency
 - Will be finalized in time for the FY 2017 compliance determinations



Status of OJJDP Compliance Guidance

- Guidance Manual
 - Anticipate sharing a draft for feedback and comment soon
 - Examples of Key Changes
 - Pulls in existing guidance that was scattered in multiple documents and FAQs
 - Incorporates changes included in the OJJDP compliance policy
 - Provides additional guidance regarding detain or confine
 - Clarifies existing guidance (Example: For DSO, clarifies OJJDP policy regarding Criterion C → adequately meets vs fully satisfied, defines terms placed/placement)



Question for States

As we finalize the guidance documents, what are the pressing topics/clarifications that you want to ensure that we capture?

OJJDP COMPLIANCE POLICY COMMENTS@ojp.usdoj.gov

**Presentation on the Recently
Released Report – “Burdened
for Life: The Myth of Juvenile
Record Confidentiality and
Expungement in Illinois”**



Burdened for Life: The Myth of Juvenile Record Confidentiality and Expungement in Illinois

George Timberlake

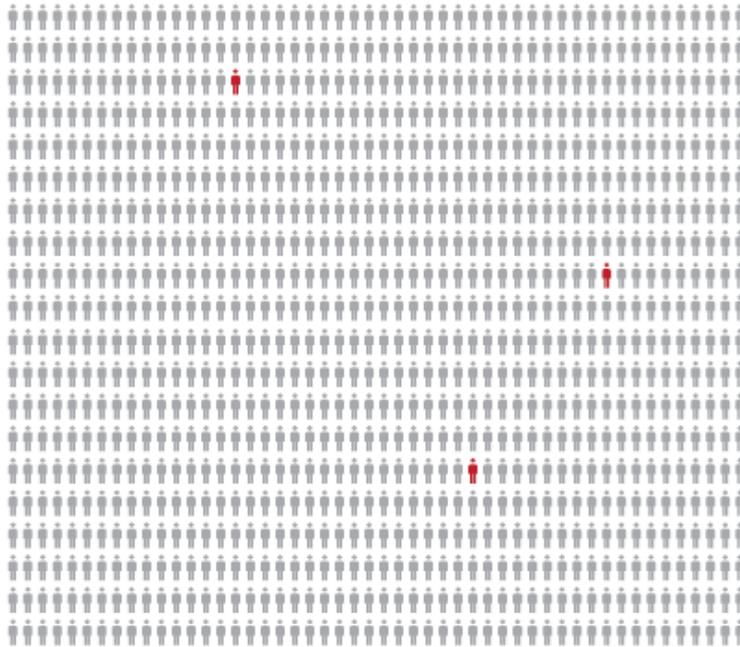
FACJJ Chair



Burdened for Life:

The Myth of Juvenile Record Confidentiality and Expungement in Illinois

How to Fix a Broken System that Fails Youth and Harms the State



For every **1,000** juvenile arrests in Illinois only **3** are expunged.



Findings

- Weak confidentiality protections for juvenile records in Illinois create obstacles to rehabilitation and threaten public safety.
 - Illinois' confidentiality law permits overly broad access to juvenile records.
 - The unlawful sharing of juvenile records is a common practice in Illinois.
 - The widespread sharing of juvenile records harms individuals with records and jeopardizes public safety by creating obstacles to stable employment, housing and education.
 - There are no statutory penalties for unlawful sharing of juvenile records and no legal remedies for individuals harmed by such sharing.



Findings

- The juvenile expungement process in Illinois is dysfunctional.
 - A miniscule proportion of juvenile records are expunged.
 - Restrictive eligibility criteria bar many individuals from expunging their juvenile records.
 - A burdensome, complicated and expensive process discourages eligible individuals from pursuing expungement.
 - Law enforcement agencies and county clerk's offices often neglect their statutorily-mandated duty to inform individuals of their right to seek expungement.



Recommendations

- Enhance confidentiality protections of juvenile records.
- Increase access to juvenile expungement.



FACJJ Business



LGBT Subcommittee



Purpose

The LGBT Working Group will work to elevate LGBT - related issues in the juvenile justice field through the FACJJ.



Charge

- Explore existing research on vulnerable and system-involved LGBT youth and engage with a wide range of practitioners to identify best practices and policy recommendations.
- Highlight the stories of system-involved LGBT youth and include them in subcommittee's work.
- Draft and submit a comprehensive Recommendations Report for OJJDP on this issue by the fall of 2016.



Example Recommendations

(from the Equity Project)

- Requiring all programs funded under JJDPA and other OJJDP incentive grants to adopt policies prohibiting discrimination based on actual or perceived sexual orientation, gender identity, and gender expression
- Not providing funding to any system or program engaged in reparative therapy or any efforts to attempt to change a youth's sexual orientation or gender identity
- Including prohibitions on discrimination based on sexual orientation, gender identity, and gender expression in any new RFPs issued
- Issuing an RFP to make training and technical assistance on the experiences of this population available for any juvenile justice system



Next FACJJ Meeting



FACJJ Member Transition

- Vacancies
- New Members



Next Steps



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The Office of Juvenile Justice and Delinquency Prevention

<http://www.ojjdp.gov>

Federal Advisory Committee on Juvenile Justice

www.facjj.org



Approximately 90 business days after the webinar meeting, the slide presentation and meeting summary can be found at www.facjj.org.





FACJJ Members Only: Please look for an email following this Webinar Meeting to respond to an evaluation.



Meeting Adjourned

