

Federal Advisory Committee on Juvenile Justice Webinar Meeting

Friday, April 20, 2012

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) convened a webinar-facilitated meeting of the Federal Advisory Committee on Juvenile Justice (FACJJ) on April 20, 2012. The purpose of the meeting was to provide input to OJJDP about its 2012 draft program plan; to discuss issues related to the Family Educational Rights and Privacy Act (FERPA) and information sharing between juvenile justice, child welfare and educational agencies; to discuss a proposal for a standing FACJJ youth subcommittee; to vote on proposals from the FACJJ chair and vice chair regarding the organization and membership of FACJJ subcommittees; and to be briefed about the National Juvenile Justice Evaluation Center (NJJEC).

Call to Order

Robin Delany-Shabazz, OJJDP's Designated Federal Official for the FACJJ, called the meeting to order, welcomed webinar participants and observers on behalf of OJJDP, and reviewed webinar protocols. This is the first time OJJDP convened a FACJJ meeting by webinar and it was a learning experience for all. The webinar was attended by 19 FACJJ members, a number of non-FACJJ members who listened to and viewed the webinar as observers, and OJJDP staff. FACJJ Chair Reginald Robinson welcomed participants to the webinar and then introduced OJJDP Acting Administrator Melodee Hanes.

Remarks from the OJJDP Acting Administrator

Ms. Hanes discussed OJJDP's program plan and restructuring of the Office and provided an update on OJJDP's funding picture. She said OJJDP needs to do a better job of explaining who the Office is and why its work is indispensable to the children of this nation. She explained that the program plan and reorganization have been a team effort and are designed to help OJJDP better support the field in a time of declining resources. The goal is to have the Office structure look like the work OJJDP does, that is prevention, community development, and innovation. As soon as the reorganization is finalized, Ms. Hanes said the Office will share that information with the FACJJ.

To more smartly manage its resources, OJJDP is forming partnerships with other federal agencies and philanthropies such as the Casey and MacArthur Foundations and Atlantic Philanthropies. Collaboration is at the core of many of OJJDP's initiatives, including the Defending Childhood and Supporting School Discipline Initiatives and the National Forum on Youth Violence Prevention.

OJJDP will focus on six areas of practice in the program plan and the new organizational structure. These areas are research, evaluation, and data collection; practice development, programming, and innovation; capacity building; policy development and management; information and resource development and dissemination; and strategic partnerships and alliances.

She also discussed OJJDP's pending budget, "which is changing by the minute." Budget proposals from the White House, the U.S. House of Representatives, and the U.S. Senate differ substantially. In comparing the President's 2013 budget with the 2012 budget, Ms. Hanes noted the following:

- For formula grants to states (Title II B), the President is requesting \$70 million in 2013 compared to \$40 million that was appropriated in 2012.
- For the Juvenile Accountability Block Grants (JABG) Program, the President is asking for \$30 million for 2013, the same amount that was appropriated in 2012.
- For the Title V Delinquency Prevention grants program, the President has requested \$40 million in 2013, with half of that amount supporting the Tribal Youth Program, gangs, and Enforcing Underage Drinking Laws. This leaves \$20 million for the states. In 2012, all of the \$20 million appropriated under this program was carved out for specific programs, leaving no money for delinquency prevention grants to the states.
- The 2013 budget also proposes a new \$20 million evidence-based competitive demonstration program for juvenile justice reform. States would compete for funds to implement and/or advance state-level juvenile justice reforms.

Finally, Ms. Hanes suggested that the FACJJ reach out to the practitioner members of the Coordinating Council on Juvenile Justice (Council), another statutory federal advisory committee that OJJDP supports. The Council, chaired by the Attorney General, is charged with coordinating federal juvenile justice and delinquency prevention programs. Its membership includes the heads of eight major federal agencies and 10 practitioners, who this year include sitting and retired judges, a researcher, and an executive director of a treatment services agency. Their experience and interest in juvenile justice would be an asset to the FACJJ and vice versa.

OJJDP Program Plan Discussion

Kristen Kracke, OJJDP Planning and Performance Measures Coordinator, opened the Program Plan discussion by thanking the FACJJ members for providing feedback to OJJDP about its program priorities through conference calls held prior to the webinar. In addition, OJJDP electronically shared a working copy of the draft OJJDP Program Plan so members could review it before the webinar. They were asked to identify three to five priority areas in each section of the plan. Ms. Kracke then electronically polled members on a number of program strategies outlined in the draft program plan, asking them to select priority areas from a list of prepared strategies. Here are the polling results:

Information and Resource Development: the majority ranked developing and disseminating new information and resources as most important.

Strategic Partnerships and Alliances: the majority favored expanding partnerships and alliances for addressing disproportionate minority contact (DMC).

Research, Evaluation and Data Collections— Research Topic Development: create specific outcomes to resolve DMC was the most highly ranked topic; members also supported the need for research on youth involved in the system who have a history of abuse and/or neglect and the need to identify successful programs to prevent these children from entering the juvenile justice system.

Research, Evaluation and Data Collections— Research Development/Process: An overwhelming majority favored developing a consolidated research agenda for youth across federal agencies that puts the priority on youth in or at risk of entering the juvenile justice system.

Capacity Building: There was no clear favorite here, with two topics ranked equally: (1) rewrite and update OJJDP’s comprehensive strategy guide and build capacity for localities to conduct self-assessment of juvenile justice systems and service delivery, and (2) develop a best practices training curriculum to inform police, court, probation, and school personnel on juvenile justice.

Policy Development and Management: the need for a stronger focus on DMC in policy development at OJJDP was ranked first followed by a need to focus on education/school-based issues.

Practice Development, Programming, and Innovation: prioritizing DMC integration across the juvenile justice system by providing stronger support for reducing DMC was ranked number one, followed closely by a need to build practice support for transitions to adulthood by designing, developing, and implementing approaches that cover education, life skills, work readiness, and community integration.

The FACJJ members were asked to provide any additional comments or feedback about the proposed Program Plan to OJJDP by April 27.

FERPA and Information Sharing

Mark Sakaley, OJJDP Senior Policy Advisor, gave an overview of OJJDP’s National Juvenile Information Sharing Initiative (NJISI) and OJJDP’s collaboration with the Department of Education on information sharing and privacy issues. A primary task is to update the 1997 document *Sharing Information: A Guide to the FERPA and Participation in Juvenile Justice Programs*. Juvenile justice, child welfare, and education agencies often have issues with FERPA and how the Act should be implemented with children and youth involved with both the juvenile justice and child welfare systems. Mr. Sakaley asked the FACJJ members for their input to help ensure that the updated guide is most effective. He electronically polled the FACJJ members, asking them to rank three topic areas and to answer specific questions about the guidelines.

Polling results showed that information disclosure and re-disclosure to a third party is the most troublesome issue followed, respectively, by a lack of FERPA guidance regarding information sharing by child welfare, education, and juvenile justice, and issues surrounding the Health Insurance Portability and Accountability Act (HIPAA) and FERPA relating to the release of school health records to juvenile justice agencies.

When Mr. Sakaley asked if FERPA guidelines should include scenarios describing how information sharing among multiple agencies should occur, the majority of the FACJJ members responded ‘yes.’ He then asked the FACJJ members if they had experienced any cases brought forth by parents or families involving information sharing without proper consent. The answers were almost evenly split between ‘yes’ and ‘no’.

Youth Subcommittee Report

Martha Doyle, alternate FACJJ youth member and interim chair of the Oregon Juvenile Justice Advisory Committee, reported on the activities of the FACJJ youth group. The youth, who comprise 20 percent of the FACJJ membership, have been meeting monthly and recommended that the FACJJ adopt a standing youth subcommittee. Such a subcommittee would provide a youth voice to OJJDP and the FACJJ. In addition, Ms. Doyle said the youth group would like to have a youth representative on each FACJJ subcommittee.

FACJJ Subcommittees and Working Groups

Mr. Robinson and vice chair Rob Lubitz presented recommendations regarding FACJJ subcommittees including topic areas, types of committees (ad hoc versus standing), membership, charges or agendas, leadership, and meetings.

Topic areas: They proposed five subcommittee topic areas: youth justice and schools, evidenced-based youth justice practices, youth justice and information sharing, youth justice and family engagement, and youth justice and DMC. They also support forming a youth subcommittee, which would not meet as frequently as the other subcommittees.

Type of subcommittees: Mr. Robinson and Mr. Lubitz recommended that the subcommittees be formed as ad hoc rather than standing, suggesting this would provide the FACJJ with increased flexibility to adapt the group's focus as necessary. The exception would be the youth justice and DMC subcommittee, which would be formed as a standing subcommittee.

Membership: Because small groups are often more effective than larger ones, the chair and vice chair recommended that no more than six FACJJ members serve on a subcommittee. This leaves room to include non-FACJJ members, such as practitioner members of the Coordinating Council as proposed by Ms. Hanes. Once the FACJJ members approve this subcommittee structure, each will be asked to submit their three subcommittee preferences ranked in order of preference. The chair and vice chair will use those submissions to make subcommittee appointments.

Subcommittee charges: After the subcommittees are established, the chair and vice chair would work with each subcommittee chair to develop 'charges' for their work. These 'charges' would act as a work agenda for the subcommittees.

Leadership: Per the FACJJ's bylaws, the chairs for each of the subcommittees would be chosen by the members of the subcommittees. Mr. Robinson and Mr. Lubitz had also asked OJJDP to designate a staff member to support the work of each subcommittee and those individuals have been identified by leadership but not informed, pending FACJJ action on the subcommittee structure. The subcommittee chairs would be required to provide progress reports during each FACJJ meeting.

A motion was made and seconded to approve the proposed subcommittee structure. The motion carried unanimously. Mr. Robinson asked that members submit their subcommittee requests to OJJDP no later than May 4.

National Juvenile Justice Evaluation Center

Karen Bachar, OJJDP program manager for the National Juvenile Justice Evaluation Center (NJJEC), gave an overview of the center's work. NJJEC assists state, local, and tribal entities in their efforts to evaluate their juvenile justice programs and implement evidence-based initiatives. An NJJEC assessment of grant-making agencies found that many of the agencies' grantees need training and technical assistance when it comes to evaluation. Staff from NJJEC hopes to brief the FACJJ about the needs assessment in more detail at a later meeting and ask for guidance about project activities based on the needs assessment. NJJEC is also developing a sustainability toolkit that will outline important components for continuing evidence-based programs and practices, and would welcome input from FACJJ members on specific questions or

concerns regarding sustainability. Ms. Bachar concluded by asking the FACJJ for suggestions on how NJJEC's work could help the FACJJ address its priorities.

Next Steps and Closing

The FACJJ leadership is working with OJJDP to establish a long-term calendar of FACJJ meetings and will let members know when the dates are finalized. Mr. Robinson thanked members for the participating in the Webinar and adjourned the meeting.