



Building State Advisory Group Capacity

A Toolkit for Effective Juvenile Justice Leadership

This document was prepared by the Coalition for Juvenile Justice on behalf of the Office of Juvenile Justice and Delinquency Prevention and the Center for Coordinated Assistance to the States.



CCAS

Assessing the need for and coordinating the delivery of high quality, research driven training and technical assistance to improve juvenile justice policy and practice.



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Introduction

This toolkit is intended to be used by State Advisory Groups (SAGs) and related state agencies to help gauge their current strengths, identify challenges, and find solutions to help them strengthen their position as juvenile justice leaders in their states.

SAGs have long played an important role in juvenile justice. In 1974, Congress enacted the Juvenile Justice and Delinquency Prevention Act (JJJPA), legislation that continues to serve as the key federal law on juvenile justice in our country. As part of the Act, Congress provided for the creation of SAGs. These governor-appointed bodies are tasked with ensuring that their states comply with the JJJPA's four core protections for youth involved with the system. The groups are given the authority to help set programmatic goals, to help guide policy, and to administer federal funds received through the JJJPA.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was also established as a result of the Act. OJJDP is a part of the Department of Justice, and provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP works closely with states and communities to oversee compliance with the JJJPA and to aid in the improvement of juvenile justice systems. Several key divisions exist within OJJDP, including the State and Community Development (SCD) division which administers formula and block grants. SCD is also responsible for the Coordinating Council on Juvenile Justice and Delinquency Prevention (CCJJDP) and the Federal Advisory Committee on Juvenile Justice (FACJJ). The Child Protection Division (CPD), meanwhile, assists children exposed to violence, and children who have been victims of the crimes. The division provides leadership and funding in the areas of prevention, intervention, treatment, and enforcement.

SAGs work closely with OJJDP and its divisions, and over the years, the SAGs have played an important role in juvenile justice. Many SAGs have already emerged as reform leaders in their states and nationally, managing to champion and advance cutting-edge approaches to juvenile justice, funded by a mix of federal and state dollars and private philanthropic investment.

OJJDP views the SAGs' role as crucial. Their importance was further reinforced in a series of recent reports. In 2013, the National Research Council published *Reforming Juvenile Justice: A Developmental Approach*, a report that signaled what could be a sea change in juvenile justice policy and practice. Among other things, the report asserted that the current juvenile justice system's reliance on "containment, confinement and control," which "removes youth from their families, peer groups, and neighborhoods," is in many ways at odds with what the science shows will work best with youth at risk for, or involved with, the juvenile justice system.¹ The report validated a long held belief in the field that kids are different. The following year, a

¹ National Research Council. (2013). *Reforming Juvenile Justice: A Developmental Approach*. p. 3. Committee on Assessing Juvenile Justice Reform, Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie A. Schuck, Eds. Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.

second report, *Implementing Juvenile Justice Reform: The Federal Role*, was released and provided a set of recommendations for actions that various system stakeholders could use to ensure that the juvenile justice system was based on the developmental approach. The recommendations included discussions regarding the roles of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), national organizations, and various federal initiatives. The report also considered the role of SAGs and noted that they would have an essential role to play in any implementation of juvenile justice reform. The National Research Council reports help elevate the urgency of further building SAGs' capacity to be reform leaders and capable stewards of juvenile justice resources.

The following toolkit aims to provide SAG members and related state agencies with some of the resources they need to help elevate the role they play within their state. These tools include:

- **State Advisory Groups in Action** - a detailed explanation of who SAGs are, how they operate, and what role they play in implementing a developmental approach to juvenile justice;
- **The Five Principles of SAG Effectiveness** – an overview of the five characteristics that help make SAGs effective leaders in their state;
- **Challenges and Solutions: Overcoming Road Blocks and Becoming Agents of Change** - examples of common challenges and suggestions for how to overcome them.
- **State Advisory Groups as Change Agents: A Step-by-Step Guide** – a guide for how SAGs can become more actively involved in improving juvenile justice systems in their state;
- **Gauging State Advisory Group Effectiveness** - an instrument to help SAGs evaluate their current strengths and areas for growth;
- **JJDP Provisions on SAG Composition and Duties** – excerpts from the statutory provisions related to SAGs and their membership requirements;
- **Training and Technical Assistance Resources** – a brief overview of where SAGs can find training and technical assistance; and
- **Additional Resources** – useful links, examples, and materials.

Methodology

This toolkit is based on information gathered from SAGs and their leadership. It was created by the Coalition for Juvenile Justice (CJJ), in partnership with OJJDP's Center for Coordinated Assistance to the States. It aims to maximize SAGs' abilities to improve juvenile justice systems throughout the United States.

CJJ conducted interviews with more than 30 SAGs and Juvenile Justice Advisory Groups (JJAGs). All 56 states and territories were offered the opportunity to participate. Interviews were conducted with SAG Chairs whenever possible, though proxies were used in some rare instances.

CJJ also conducted two focus groups with juvenile justice specialists to gain their insight into the challenges that are currently facing SAGs and the ways their states have attempted to overcome these obstacles.

Each participant was asked a series of questions based upon the Five Principles of SAG Effectiveness. These principles were developed by CJJ's staff, with feedback and input provided by the organization's Executive Board, which is comprised of SAG members, chairs, and juvenile justice stakeholders with many decades of leadership in juvenile justice (some whose experience predates the JJDPA). Questions were intended to gauge where SAGs are now and to determine areas of growth that might exist in relation to each of these principles. A total of 106 possible questions were used, though not all SAGs were asked each question.

The findings from these interviews were presented to CJJ's governing body, the Council of SAGs, during the organization's annual conference in June 2015. SAG Chairs from all states, territories, and the District of Columbia, were invited to review CJJ's findings and provide feedback about how to best build SAG leadership capacity.

State Advisory Groups in Action

SAGs are part of a unique federal-state partnership that was established through the JJDP. While OJJDP serves as the “home” for juvenile justice programs and policies, each state and territory also has its own lead agency. This state-level agency is designated to receive technical and financial assistance from OJJDP, and to implement the JJDP and its requirements. This agency is assisted by a governor-appointed body which helps guide the agency’s work. Frequently known as SAGs or Juvenile Justice Advisory Groups (JJAGs), these boards have a number of unique features and needs which will be discussed further here, including: unique processes; an important role in state policy; and engagement of key constituencies.

Processes

Structure and Governance

Each SAG is composed of 15 to 33 members who are appointed by the governor or chief executive in their state or territory. These appointees must have “training, experience, or special knowledge concerning prevention and treatment of juvenile delinquency and administration of juvenile justice.”² (For further discussion on membership requirements, please see *People*, below).

Each SAG is led by a chair and co-chair who are chosen by the governor. These individuals, who cannot be full-time employees of the federal, state, or local government, help guide the SAG’s work. The chairs work closely with the state’s juvenile justice specialist, a state employee who helps the SAG carry out its work.

To effectively lead juvenile justice reform in their states, SAGs must be engaged in their work. It is essential that members are in regular communication, actively involved in decision making, and participate in scheduled meetings whenever possible. Effective SAGs meet with one another on a regular basis, both as a full board, and as subcommittees.

According to information collected by CJJ, 50 percent of SAGs meet with one another as a full body on a quarterly basis. Another 28 percent meet bi-monthly. Approximately 12 percent have attempted to meet monthly, however half of those states have had to cut back their meeting schedule due to financial constraints. Of the SAGs that meet bi-monthly, many report that they alternate each month between meeting as a full board and as subcommittees. Thus, for example, the full SAG would meet in January, while the Grant Subcommittee and DMC Subcommittee would meet in February, with the cycle repeating throughout the year.

² 42 U.S.C. 5633(a)(3)(A)(i).

This committee and subcommittee structure enables SAGs to maximize the work they are able to perform and keep progress going between meetings. The most effective SAGs are ones in which members of the full board are able to be appointed to working groups that focus on issues of importance to the state, such as compliance, strategic administration of grant funds, addressing disproportionate minority contact, youth development and engagement, development of the strategic plan, and other issues that the SAG identifies.

Operations

SAG members have a number of important responsibilities. Effective SAGs:

- * ensure that the state or territory is in compliance with the JJDPAs four core requirements;
- * participate in the development and review of the state/territories' three-year plan and related annual updates;
- * submit, at least once a year, recommendations to the state legislature and governor, or other chief executive officer, regarding compliance with the JJDPAs core requirements;
- * regularly seek input from youth and families that are under the jurisdiction of the juvenile courts;
- * review and comment on grant applications and awards funded through the JJDPAs, and provide feedback on grant progress and accomplishments;
- * develop expertise in their state's juvenile justice system by touring state facilities, getting to know key state and federal representatives, and attending or hosting state and national conferences.

SAG members play a particularly important role when it comes to developing the three-year plan. This document outlines the state or territory's policy and programmatic goals for the following three years and must be updated annually. SAG members assist the juvenile justice specialist in creating this document by serving on a subgroup that looks at relevant issues such as data collection, analysis of crime data, and planning for compliance with the core requirements. SAG members can also assist in the process by helping to develop problem statements and prioritize program areas. Members should help create program goals, objectives, and action steps, and measure outcomes.

Effective SAGs also create a separate strategic plan to help guide their work, as well as a mission statement for the SAG as a whole. These statements and plans help the SAG determine

their goals and provide a focus for their work. Maine, for example, has adopted the following mission statement: "The mission of the Maine Juvenile Justice Advisory Group is to advise and make recommendations to state policy makers and to promote effective system level responses that further the goals of the Juvenile Justice and Delinquency Prevention Act." In Kentucky, the SAG has adopted the following mission statement: "The Juvenile Justice Advisory Board is committed to enhancing the equality of life for all youth in the Commonwealth by actively advising the Governor, policymakers and the public on matters related to improving system of care, enhancing interagency community collaboration, and promoting effective programming necessary to serve the whole child."

Effective SAGs also clearly define whether their role is advisory or supervisory. Supervisory SAGs, for example, have a final say in how grant funds will be administered, while advisory SAGs make recommendations about which grant applications should receive funds.

Policy

SAGs should feel empowered to actively advocate for policy changes that help improve juvenile justice in their state and move towards a developmentally sound system. SAG members are uniquely positioned to help implement change. SAGs are required to issue an annual report to their governor or chief executive. This report should include updates on how programs are faring, as well as recommendations for policy changes that help reform juvenile justice. These reforms often focus on improving compliance with the core requirements and can include suggestions on how to decrease reliance on incarceration, eliminate use of the valid court order exception, reduce racial and ethnic disparities, or raise the age of criminal responsibility, to name a few.

In Illinois, for example, the SAG uses education as a key tool in its efforts. The SAG has made policy reform a priority since 2010. As part of their work, they strategically volunteer to research issues related to juvenile justice for the state legislature. They then provide reports on these topics. In recent years, they have examined a broad range of issues, including juvenile parole. As part of this effort, they held several hearings of the state's parole board. They then conducted training on improved parole processes. Judge George Timberlake, Illinois SAG Chair, reported that prior to their efforts, juvenile justice practitioners didn't always know how the parole system worked. The SAG's training helped highlight the then existing process, best practices in the area of juvenile parole, and where their system fell short.

In 2015, as a result of their efforts, legislation was put forward that aimed to totally revamp the state's juvenile parole process. Timberlake credits their legislative success to collaboration. The SAG has not created its own legislative agenda but has instead provided objective responses to juvenile justice issues as they arise. They are able to provide testimony and support legislation

themselves, but more frequently they rely on their network of allies and point legislators in the direction of individuals (and agencies) who do more direct legislative advocacy.

Education and legislative reform efforts are not the only ways SAGs can effect policy change. SAGs can help guide change in the policy arena through their financial recommendations. By strategically choosing programs that help further policy goals, such as reducing disproportionate minority contact or increasing gender-responsive and trauma-informed care, SAGs can help further their policy goals without having to engage in legislative action.

People, Expertise, and Partners

As noted above, each SAG must consist of 15 to 33 members. Of these, at least one must be a locally elected official, and at least one-fifth of all members must be appointed before age 24. The SAG must also include at least three people who are or who have been involved with the juvenile justice system.³ It is essential that all of the individuals who serve on the board have an understanding of youth and developmental approaches to juvenile justice reform.

Federal regulations suggest that states and territories also consider appointing:

- * a law enforcement officer;
- * representatives of juvenile justice agencies such as a juvenile or family court judge, a probation officer, a prosecutor, and individuals who routinely provide legal representation to youth in juvenile court;
- * representatives from a public agency that is concerned with prevention and treatment;
- * a representative from a private non-profit organization such as a parents group;
- * a high school principal;
- * a recreation director;
- * a volunteer who works with youth who are system involved or at risk;
- * a person with a special focus on the family;
- * a youth worker who is experienced with programs that offer alternatives to incarceration;
- * people with special competencies in addressing programs related to school violence, vandalism, and alternative expulsion and suspension practices; and

³ 42 U.S.C. 5633(a)(3)(ii). OJJDP provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds justice-involved youth appropriately accountable, and provides treatment and rehabilitative services tailored to the needs of juveniles and their families.

- * people with knowledge related to learning disabilities, child abuse, neglect and youth violence.⁴

Some states also choose to appoint a representative who is either currently serving on their state legislature or who was previously elected to a seat in the state legislature. These lawmakers, along with members of the judiciary, often emerge as vital partners for SAGs to have on board, as they play an important role in implementing change and are uniquely positioned to call convenings and bring a broad range of groups and individuals together.

Having a diversity of voices and expertise on the SAG can help the board build a strong network of allies throughout the state to aide in their reform efforts. A non-profit representative, for example, may be able to connect SAG members with other groups he works with that have expertise on issues related to juvenile justice. A member of the judiciary, meanwhile, might be able to update the group on trends that she sees emerging in her courtroom. Parents and youth can also provide key feedback on how existing policies and practices are playing out on the ground.

All of these individuals should have a thorough understanding of adolescent development and its relationship to juvenile justice reform. They should also be able to draw upon the networks they have outside of the SAG to help address issues and solve problems. Such relationship building is essential to effectively implementing change. The best reforms emerge from consensus and buy-in from the community at large. To do this, SAGs must ensure that they are working with stakeholders and building allies within their systems. Building these allies early will also help protect the SAGs important role and ensure that they have a seat at the table when political climates are challenging or reform efforts are guided by other entities or change agents.

⁴ CFR §31.302.

The Five Principles of SAG Effectiveness

What makes a SAG effective? While each state is unique and each SAG's role varies accordingly, there are principles that serve as the hallmarks of effective juvenile justice leadership. These principles reflect the essential qualities that are needed for a SAG to serve as a leader in reform. Based upon the process described in the methodology section, the following five principles emerged as key elements for an effective SAG:

1. Is in compliance with the JJDPAs four core requirements

One of the SAG's primary roles is ensuring that their state is in compliance with the JJDPAs and the core protections that it provides for youth involved with the system. Effective SAGs ensure that the state is in compliance and that when a problem arises, steps are taken to ensure that the state returns to compliance.

Learn More:

States can assess which principles are areas of strength, and where there is room for growth by using the self-evaluation tool provided in Appendix II entitled Gauging State Advisory Group Effectiveness.

2. Has a positive impact on the status of juvenile justice

An effective SAG has a positive impact on the state of juvenile justice. This can include working with others to build innovation, creating legislative plans to help shape juvenile justice reforms, partnering with a broad range of allies to help facilitate change, and being looked to by others in the state and elsewhere as leaders in juvenile justice reform.

3. Acts strategically to improve juvenile justice

Strategic action is essential to effective leadership. When SAGs act strategically to improve juvenile justice, they find ways to meaningfully engage youth, use well thought out plans to guide their work, and use programmatic goals to help shape their grant-making decisions.

4. Has effective processes in place

Like other groups, it is essential that SAGs have effective processes in place. This includes ensuring that all involved parties - including SAG chairs, staff, and each member who has been appointed to serve on the committee - are in routine contact. The group should have regularly scheduled meetings and their processes should be as transparent as possible, both to members and the public at large. Effective SAGs also ensure that all constituencies named in the JJDPAs are represented on their board, that they have access to accurate and up-to-date data, and that established criteria are used to determine how funding will be administered.

5. Collaborates effectively for maximum impact

Good leaders recognize that reform requires more than one individual or one organization acting alone. Effective SAGs develop close relationships with judicial officers, state and federal lawmakers, and their executive branch. They work closely with advocates and other stakeholders, including youth and their families, and are routinely sought out for their expertise in the field of juvenile justice.

Challenges and Solutions: Overcoming Road Blocks and Becoming Agents of Change

Challenge #1: Not Having a Significant Role as an Agent for Change

SAGs are uniquely positioned to help usher in juvenile justice reform.

SAGs are empowered by the JJDPa to advise state governments about policy matters. When the JJDPa was first enacted, SAGs routinely encouraged their state legislatures to enact new laws and modify existing statutes so the state could come into compliance with the core requirements. Many states continue to work on legislative reforms and include recommendations on policy changes as part of an annual report to their governor. Other states, meanwhile, report that their governor has instructed them to play a more limited role on legislative reform.

SAGs also have authority under the Act to guide the expenditure of federal dollars on juvenile justice programs. Though these allocations have decreased dramatically in recent years, SAGs continue to have a say as a result of these funds about what types of juvenile justice programs exist within their state.

Strengthening your role as an agent for change:

Identify the issue. If your state is not in compliance with one of the core requirements, you might choose to focus on changes that could be made, either through statute or programs, to remedy this. Or, you may have heard from fellow SAG members, local advocates, or a state agency, that there are other particularly pressing issues facing your state. This could include a need to increase or strengthen diversion programs, a need to raise the age of criminal responsibility, or a need to strengthen protections for young people who are survivors of human trafficking.

Identify partners. Collaboration is key to any successful reform effort. Make sure youth, families, judges, state agencies, advocates, and other stakeholders play an appropriate role as you attempt to implement change. Private foundations, such as the Pew Charitable Trusts, the Annie E. Casey Foundation, and others, are often able to provide important financial and technical assistance for reform efforts.

Make a plan that includes concrete and actionable reform goals. To the extent possible, use both your financial and human resources to help support and further your reform efforts.

EXAMPLE

In addition to partnering with private foundations, the Illinois SAG has established itself as a go-to partner for other entities, both inside and outside the state. The group, among other things, strategically volunteers to perform research for the legislature. In recent years, one of their research projects focused on the state's juvenile parole process. The SAG's 2012 report on this topic was accompanied by educational outreach to parole board members and others. As a result of their efforts, legislation was put forward in 2015 to completely revitalize the state's parole system for youth. By providing objective reports on topics of importance in the state they have been able to help advance reform by establishing themselves as experts on the subject matter at hand, thus avoiding many of the setbacks that can come from difficult political climates.

Challenge #2: Losing Relevance in Changing Political Climates

Before an individual can serve on their state's juvenile justice advisory group, they must be appointed by their governor. This can present an array of challenges. When a new governor takes office whose political positions differ from his predecessor, he may, for example, choose to replace long-standing members of the SAG. The new governor may also try to place restrictions on the SAG's advocacy efforts. In some instances, even if they don't take this type of action, the SAG could still find themselves with limited ability to carry out legislative reforms when the governor who appointed them is of a different political party than the state legislature's majority.

Remaining relevant in politically challenging times:

Identify strong allies. Allies become especially important when political climates turn challenging. Are there other groups or stakeholders in your state who share your vision for reform who could assist you in the new political climate? Are there long-standing advocacy groups or judicial leaders who could assist in this time of change?

Using funding authority to the best of your ability. SAGs hold unique authority in relation to how federal funds are expended on juvenile justice in their state. Even in times when policy could prove difficult to change, SAGs can aid in reform by financing programs that reduce DMC, provide alternatives to incarceration, and other similar initiatives that further reform goals.

EXAMPLE

Florida has used its funding resources to help reduce the number of children who become involved with the juvenile justice system for minor infractions. In fiscal year 2013, there were more than 44,000 young people referred to Florida's Department of Juvenile Justice. Of these, nearly half had engaged in behaviors that would be a misdemeanor if the young person were an adult. To reduce the number of these youth who are brought before the court, Florida, with funding from their SAG, created a statewide civil citation program. This enables youth who have experienced their first or second contact with police for a low-level offense, to receive a civil citation instead of having their case petitioned to court. Citations result in referral to programs and services. If completed, no court documents are filed. Florida reports that the program has, among other things, reduced the number of youth who come back into contact with the system.

Challenge #3: Difficulties in Recruiting and Retaining Members

Recruiting and retaining SAG members can be one of the most challenging tasks that boards face. SAGs are often at the whim of their governor when it comes to whether a long-serving member should be reappointed or a vacancy should be filled. Once on the committee, new members may face a learning curve and lack institutional knowledge. They often have busy schedules as well, making meeting attendance a potentially tricky issue.

Recruiting youth members can be especially tricky since they are more likely to relocate than older adults. Age restrictions on their appointment may also make them ineligible if the spot is not filled in a timely manner.

Recruiting and retaining members:

Make suggestions. Make recommendations to your governor's office for strong SAG candidates. Draw on individuals who are already partnering with the SAG in your efforts for reform. Consider inviting partners to attend meetings while they await their appointments so they can be up to speed once their approval is finalized.

Offer to help. Some states offer stipends for both youth and adult SAG members. Consider whether a child care provider is necessary to help parents as well.

Provide training. Encourage staff to provide training for new members and to keep records so institutional knowledge is not lost during periods of transition.

EXAMPLE

In addition to administering grants and establishing priorities for state reform efforts, Colorado's Emerging Leaders Committee also takes an active role in recruiting and retaining youth. Recently, the committee found that involvement among some of the SAG's youth members was beginning to decrease. In an attempt to reengage its members, the committee contracted with two former youth members who now work in the field of juvenile justice. These Youth Advocates will provide training both to the Emerging Leaders Committee, and other groups statewide where youth advocacy is being encouraged.

But how do you find youth to serve on the SAG in the first place? In Colorado, the SAG tries to find youth where they are. In June, 2015, when a youth vacancy came open on the SAG, the group posted the vacancy announcement on social media in hopes of recruiting members. They have also distributed recruitment fliers on college campuses and seek out members who are and have been committed to the state's Department of Youth Corrections.

Challenge #4: Struggling to Meaningfully Engage Youth

Youth—especially those who are currently or previously involved with the juvenile justice system—are one of the most important voices to have at the table as your SAG pursues meaningful system reform. Young people have valuable insight to share about what works in our current systems and where there are needs for improvement.

Congress has long recognized the need for youth involvement in the SAG and requires under the JJDPa that no less than one-fifth of the SAG's members be appointed prior to age 24. Finding and retaining these members, however, proves difficult for many states.

Young people often have competing demands on their time as they pursue their educational goals, start their careers, and begin to grow their families. These pursuits can pull youth members away from meetings, and in some cases, even prompt them to relocate to a new state. Youth may also lack the finances needed to travel to a meeting, or not have the ability to take time off from work.

Meaningfully engaging youth:

Consider creating an advisory group. States that do not already have a youth and/or family advisory group in existence should consider the creation of such a panel. This board could consist of both youth and the families of youth involved with the system.

Avoid marginalizing. Youth members bring their own expertise to the table and should be treated as equals with other SAG members. Hear them out. SAG members should feel empowered through education, training, and mentorships to fully participate in the conversation.

Be helpful. All members should recognize that taking a meaningful seat at the table may be intimidating to youth members, especially those who are new. Training and mentorships are helpful tools in empowering young people to fully engage on their SAG. Demystifying acronyms and the budgeting process, for example, can help youth members feel better equipped to actively participate.

Be flexible. Youth may have to take unpaid time off from work to attend meetings. Consider holding events during non-business hours or providing stipends to help with attendance. Be creative and remember that youth engagement is an ongoing process.

EXAMPLE

In Colorado, the SAG sets aside \$20,000 annually for their youth committee to administer. These funds are used as grants for youth-driven initiatives. The Colorado SAG also successfully advocated revising their state's statutes to enable youth SAG members to receive compensation. Existing youth SAG members also lead orientations for new youth SAG members and their committee meetings are held on Saturdays to enable greater attendance.

Conclusion

SAGs are uniquely positioned to serve as juvenile justice leaders in their states and territories. By having effective processes in place, SAGs can help ensure they have a seat at the table in local reform efforts. Education, advocacy, and strategic grant appropriations are just a few of the ways that SAGs can maximize their role within their states and territories. They can bring together a strong network of experts in the area of juvenile justice reforms to help ensure that their state's policies are sound and developmentally-based.

Appendix I - State Advisory Groups as Change Agents: A Step-by-Step Guide

Many SAGs want to be more effective agents of change. But how do you get started? Below is a step-by-step guide that will help SAGs identify key issues and steps to consider as they attempt to reform juvenile justice policy and practices in their state.

Step #1: Develop a Mission and Vision for the SAG

The first step on any journey is to determine where you are going. Making a clearly discernable mission for your SAG can serve as a road map for your group as you attempt to become more effective agents of change. This should include developing a mission statement and using your three-year plan and strategic plan to help flesh out your plans and goals.

A mission statement can serve as a starting point when you are outlining your SAG's purposes and goals. Consider making such a statement if your SAG does not already have one. If you have a mission statement in place, the group should review it frequently to ensure that they are continuing to work towards this mission and to determine if any revisions are necessary.

SAGs should also use their three-year plan to help develop and implement their mission. The three-year plan can be a helpful tool to provide clear cut objectives and measurable actions for the SAG to strive for in implementation of juvenile justice reform. When developing these plans, SAGs should create actionable steps to help further their reform goals. These plans, which are required under the JJDP, can serve as an important tool, and SAGs that are seeking to play a stronger role in implementing reform, should ensure that their input is heard and incorporated in to the plan.

Sample Mission Statement:

“The mission of Florida’s Juvenile Justice and Delinquency Prevention State Advisory Group is to effectively administer and manage federally allocated funds for juvenile delinquency prevention, ensure compliance with the Federal Juvenile Justice Act mandates and to partner with the Governor, the Legislature, the Department of Juvenile Justice and community leaders from around the State to build a better and safer Florida for youth and their families.”

The three-year plan can help SAGs guide their mission related to:

- * providing gender-specific services;
- * providing prevention and treatment services in rural areas; and

- * providing mental health services.⁵

States should use the planning process to assess where they are now and determine where they would like to be in the future. The action plans that are included in the report also provide a way for SAGs to set goals and measure their outcomes.

As part of their annual reporting requirements, states must consider the progress they have made towards implementing their plans and goals. Thus, if a state determines in Year One that they would they would like to provide gender-specific services by partnering with non-profits and existing service providers, they should revisit this the following year, determine if their actions achieved their goals and mission, and reassess accordingly.

Step #2: Manage Resources Wisely

SAGs are the stewards of a range of important resources, both human and financial.

Human Resources. SAGs are routinely staffed by a professional juvenile justice specialist who is an expert in their field and on the workings of their state’s juvenile justice system. This individual plays an important role, often drafting the three-year plan and providing SAG members with regular updates on key information. Juvenile justice specialists help preserve institutional knowledge during periods of change on the SAG. They serve as a valuable resource and source of expertise to the SAG members, who may not work in the juvenile justice field on a daily basis.

To ensure that they are able to serve as agents of change to the fullest extent possible, SAGs should ensure that specialists have the knowledge and skills that are needed to help support a body such as theirs. This should include knowledge about the importance of a developmental approach to juvenile justice. SAGs should ensure that specialists have access to training opportunities, and that they feel recognized as professionals.

Financial Resources. A key part of the SAG’s work involves overseeing the distribution of federal funds at the state level. The amount of federal allocations for juvenile justice has diminished significantly in recent years, making the SAG’s role on this front more important than ever in many ways.

⁵ 42 U.S.C. 5633 (a)(7)(B).

SAGs should act strategically when determining what programs they will fund. As a first line of inquiry, SAGs should assess whether they will use federal funds to assist with one large project, or whether the money will be split and used as seed funds for several smaller initiatives. Once this determination is made, SAGs must then consider how the various grant applications they have received fit with the goals and objectives that they have outlined in their three-year plan. If, for example, the state has determined that its top goal is to reduce disproportionate minority contact, they should ensure that grant funds are used on programs that will further this goal. SAGs should keep in mind that restrictions on grant funding can arise for states that are, for example, not in compliance with the core requirements, or that do not meet SAG membership requirements. Educating themselves about restrictions that can arise from noncompliance is important.

Step #3: Collaborate to Improve Effectiveness

System change is best accomplished through collaboration and consensus building. This requires strong partnerships with key stakeholders such as youth, families, advocates, the judiciary, and the legislature.

Developing these relationships in advance can help make sure the SAG is more active in reform. By establishing themselves early on as reliable experts on juvenile justice, the SAG can help ensure that other entities reach out to them for impact when they consider or initiate reform. Judges and others on the SAG may be able to call together stakeholder convenings. SAGs should request participation in convenings that are brought together by other entities and individuals as well.

Allies can be found both inside and outside of the state. Foundations, for example, can be an important ally that can connect the SAG to resources and help them carry out their reform goals. Some examples of initiatives that private foundations have led or supported include:

Annie E. Casey Foundation: The Annie E. Casey Foundation's Juvenile Detention Alternative Initiative

OJJDP provides training and technical assistance to help states achieve compliance with the core requirements and address other related issues. States should fully use these services. As changes to the JJDPA move forward in Congress, such training becomes all the more important in helping states stay updated on the new law and its implementation. OJJDP can also assist states to develop a deeper understanding of adolescent development and its relationship to juvenile justice reform.

(JDAI) has spanned nearly two decades and operates in approximately 300 counties nationwide. The project focuses on reducing communities' overreliance on incarceration, which has been shown to increase the risk that children will have subsequent involvement with the juvenile justice system.

JDAI uses a model rooted in eight core strategies that are proven to help communities reduce their population of detained youth. In addition to the Annie E. Casey Foundation's investment in the project, several SAGs, including Mississippi, have chosen to partner with JDAI to expand the program to a broader number of communities throughout their state.

MacArthur Foundation: Between 2002 and 2015, The John D. and Catherine T. MacArthur Foundation invested more than \$165 million through their Models for Change Initiative. This project helped states develop systems that were more fair and effective and that incorporated a developmental approach. The foundation's work included support of aftercare, community-based alternatives to detention, racial and ethnic fairness, and status offense reform. The Models for Change initiative came to an end in 2015 as the foundation shifted its focus to criminal justice reform. It left behind a legacy of reform and strong partnerships with a number of SAGs, including Illinois.

Pew Charitable Trusts: The Pew Charitable Trusts' Public Safety Performance Project works with states to implement data-driven reforms. Pew works with states to advance juvenile justice policies that protect public safety, hold youth accountable, and help save taxpayers money. The foundation has worked on juvenile justice reform in several states since 2004, including Georgia. In Georgia, reforms are expected to reduce the commitment for less serious behaviors and save the state nearly \$85 million by 2018.

Tow Foundation: More regionally focused groups, such as the Tow Foundation, play an important role. The Tow Foundation, for example, has provided more than \$12 million to help support juvenile justice reform in Connecticut. In Connecticut, the state implemented a broad range of juvenile justice reforms, starting in 2007 with the passage of legislation to raise the age of original jurisdiction in criminal court.⁶

The SAG, known as the Connecticut Juvenile Justice Advisory Committee (JJAC), was able to play a key role in the state's juvenile justice reform process. The group commissioned three in-depth studies to examine racial disparities at various points within the state's juvenile justice

⁶ Justice Policy Institute. *Juvenile Justice Reform in Connecticut: How Collaboration and Commitment Have Improved Public Safety and Outcomes for Youth*. 2014.

This document was prepared under Cooperative Agreement Number 2014-MU-FX-K001 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, conclusions, or recommendations expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

and police system. They also provided training to nearly 1,400 police officers on disproportionate minority contact.⁷

The Coalition for Juvenile Justice is also available to provide training on technical assistance to members regarding youth engagement, status offenses, and other issues relevant to SAGs. Federal resources also exist:

Center for Coordinated Assistance to States (CCAS): CCAS provides training and technical assistance to states, tribes, territories, and communities. The center's services are tailored to individual training recipients, and are responsive to their needs. CCAS' goal is to improve outcomes for at-risk youth as well as youth involved in the juvenile justice and child welfare systems.

The Disproportionate Minority Contact (DMC) Virtual Resource Center: This forum serves SAG members and state and local professionals who are working to combat DMC. The resource center provides a variety of tools such as training materials and templates. It also affords those working in the field opportunities for professional networking.

Step #4: Leverage Funding to Implement Change in Policy and Practice

SAGs should consider leveraging federal funds to secure additional investment in projects that will help further their reform efforts and improve juvenile justice in their state or territory.

Federal funding for juvenile justice has diminished significantly over the past decade. Between Fiscal Year 2002 and 2016, federal funding for juvenile justice programs diminished nearly 50 percent. The Juvenile Accountability Block Grant program, which accounted for \$249.5 million in Fiscal Year 2002, has not been funded at all since Fiscal Year 2013. Title II and Title V funding has also dropped significantly during that period, with Title V funds routinely earmarked for specific purposes and not available to states for general projects.

There are ways to make these funds go further, though. SAGs can help use their funds to seed innovation. SAGs can consider funding projects that further their policy goals and that can be supported by additional funding sources. SAGs can work with their grantees to help secure matching funds that will help increase the total pool of money that is available for the project. By gaining such matching funds, from private foundations and donors, local and state

⁷ Justice Policy Institute. *Juvenile Justice Reform in Connecticut: How Collaboration and Commitment Have Improved Public Safety and Outcomes for Youth*. 2014.

government, or other grant programs, SAGs can in essence increase the amount of money that is available for juvenile justice and help develop innovation in their state.

Step #5: Plan for Sustainability

Truly improving the juvenile justice system requires SAGs to focus on long-term and sustainable change. These changes are the sort of improvements and reforms that can survive and become a part of routine practice.⁸ A program is considered sustainable when “elements essential to a program’s effectiveness continue to operate over time, within a stable organization, at a stable or increased organizational or service capacity.”⁹

Such projects last beyond one grant cycle or one pilot project. For example, a risk assessment tool was developed in Maryland to help determine if a child is a survivor of human trafficking. When the tool was developed, it was initially a pilot project available in a limited number of communities. Over time, as it was found effective, administration of the tool became routine, and spread to other communities in the state.

Not all projects will fare as well though, and research varies on what factors will help make a project last overtime and become integrated into the overall system. In studies commissioned by the Bureau of Justice Assistance, some of the key factors that have emerged in ensuring that a project becomes not just a short-term fix, but a permanent and sustainable solution are:

- * systemic data gathering;
- * formalization of policies and procedures;
- * identification of long-term funding sources;
- * comprehensive planning;
- * responsiveness to emerging challenges; and
- * outreach and support among the community and key stakeholders.

SAGs should focus funding in ways that will further their reform goals and result in long-lasting change.

⁸ Yin, Robert K. Life Histories of Innovations: How New Practices Become Routinized. *Public Administration Review*, Vol. 41, No. 1. January–February 1981. pp. 21–28.

⁹ Cassidy, Elaine F., Laura C. Leviton, and David E. K. Hunter. *The Relationships of Program and Organizational Capacity to Program Sustainability: What Helps Programs Survive?* *Evaluation and Program Planning*, Vol. 29, No. 2, February 2006. p. 150.

SAGs are uniquely positioned to serve as juvenile justice leaders in their states. By creating a plan and establishing goals, managing their resources wisely, and collaborating with others, SAGs can maximize their role. They can go even further by using their grant-making ability to further policy goal, and ensuring that the projects they finance are sustainable.

Appendix II – Gauging SAG Effectiveness

The following tool is based upon the *Five Principles of SAG Effectiveness*. It should be used by SAG members and related state agencies to help determine current strengths and challenges, and to periodically gauge progress that the group is making as they attempt to bolster their role as agents of reform. Board members and staff may fill out the following questionnaire individually and then discuss their assessments with the full group.

State: _____ Date: _____

Name: _____

Length of Service on SAG: _____

Constituency represented (e.g., youth member, judicial officer, agency official, etc.):

Section I

a. Is the state currently in compliance with the JJDPA's four core requirements?

Yes

No

If yes, please proceed to Section II.

b. If no, which requirement(s) is the state currently out of compliance with, and how long have they been out of compliance?

c. What methods is the state using or considering in an effort to regain compliance with the requirement(s)?

Section II

- a. Have you been out of compliance with the core requirements at any point within the past 10 years?

Yes No

If no, proceed to section III.

- b. If yes, which requirement(s) were you out of compliance with and for how long?

- c. What method(s) did you use to regain compliance with the requirement(s)?

Section III

- a. Does the SAG have a legislative plan or have you assisted with the enactment of legislative change?

Yes No

If no, please proceed to Section IV.

- b. If yes, please describe your legislative plan, including current and previous priorities and the methods you used to try to implement change.

Section IV

- a. Is your SAG viewed as an authority on juvenile justice in your state and elsewhere?

Yes No

If no, what is the state doing to gain status as an authority?

b. The SAG is viewed as an authority:

- In your state In your region Nationally

c. Are there particular areas in which the SAG is viewed as an authority or that you would like to become viewed as an authority?

Section V

a. Has the SAG worked with others to train and build innovation in your state and elsewhere?

- Yes No

b. If yes, have you trained others?

- Locally Regionally Nationally

c. Have you partnered with private foundations and entities to help further your efforts in this area?

- Yes No

d. Do you closely monitor emerging issues in juvenile justice?

- Yes No

Section VI

a. Do you partner and collaborate with prosecutors, the judiciary, advocates, youth, and others in the field to help facilitate change?

- Yes No

- b. Are there other stakeholders not mentioned above with which you partner?

- c. What do your partnerships with prosecutors, judges, advocates, youth, and other stakeholders look like? (e.g., they serve on our SAG, we have an advisory council that includes these types of stakeholders, we have them make presentations at meetings, we consult them for advice, etc.) List each partner and describe.

Section VII

- a. Do you meaningfully engage youth? (e.g. Do youth members have responsibility and a leadership role in a specific projects or activities? Does the SAG have a Youth Advisory Committee or similar body that gives young people a voice and safe space? Do they take on leadership positions and have equal voting rights within the SAG?)

Yes No

- b. Please describe the role youth play on the SAG and opportunities they are given to meaningfully participate.

- c. Please describe any projects you are working on or are interested in working on to increase youth engagement on your SAG.

Section VIII

- a. Do you work toward a three-year plan or other plan?

Yes No

If no, please proceed to section IX.

- b. Please describe the plan, including when it was last updated and whether it contains measurable benchmarks to assess the group's progress.

Section IX

- a. Does your SAG have, or do you actively seek out juvenile justice expertise?

Yes No

- b. In what areas of juvenile justice does your SAG have the most expertise?

- c. In what areas of juvenile justice is your SAG most in need of additional expertise?

Section X

- a. Do you use programmatic goals and priorities as the basis for grant making decisions?

Yes No

- b. Do you establish and use procedures and criteria used to determine which programs should receive grant funding?

Yes No

- c. Are programs routinely assessed to determine whether they should continue to receive funds?

Yes No

Section XI

- a. Are you leading innovation or engaging in innovative practices that others have started? (e.g. Has your state found creative ways to divert youth before they come into contact with the juvenile justice system? Have you developed workforce training programs to help system-involved and at-risk youth obtain employment skills?)

Yes No

If no, please proceed to Section XII.

- b. Please describe any innovative practices you developed, are leading, or adopted from others.

Section XII

- a. Are all constituencies named in the JJDPa represented on the SAG and do they routinely participate in meetings?

Yes No

- b. Do all SAG members communicate regularly through scheduled meetings and other channels as necessary?

Yes No

- c. When decisions are made/action is taken, is it the result of deliberation and action by the group as a whole?

Yes No

- d. How often does the SAG meet? _____

Section XIII

- a. Are the SAG's processes transparent? (e.g. Is the agenda and meeting date/location posted and available to the public beforehand? Are the meeting is open to the public? Are relevant documents are posted online or otherwise publicly available?)

Yes No

b. Do you have access to accurate and up-to-date data on juvenile justice within the state?

- Yes No

c. How is this data collected and maintained?

d. What types of data are currently available?

- LGBT data Ethnicity Valid Court Order usage
 Number of youth referred to diversion programs Positive outcomes of programs
 Other _____

Section XIV

a. Do you have close relationships with your state's legislative branch? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

- Yes No

b. Please describe.

Section XV

a. Do you have close relationships with your executive branch? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

- Yes No

b. Please describe.

Section XVI

a. Do you have close relationships with your judiciary branch? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

Yes

No

b. Please describe.

Section XVII

a. Do you have close relationships with advocates and other stakeholders? (For purposes of this, and similar questions, a close relationship is defined as one in which the SAG and members of the specified branch of government routinely communicate with one another; the SAG's input is routinely sought out, provided, and valued on issues related to juvenile justice.)

Yes

No

b. Please describe.

Appendix III – JJDP A Provisions on SAG Composition and Duties

42 U.S.C. 5633 [Sec. 223.] State plans

(a) Requirements

In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes applicable to a 3-year period. Such plan shall be amended annually to include new programs, projects, and activities. The State shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the original plan, and shall describe the status of compliance with State plan requirements. In accordance with regulations which the Administrator shall prescribe, such plan shall--

- (1) designate the State agency described in section 5671(c)(1) of this title as the sole agency for supervising the preparation and administration of the plan;
- (2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;
- (3) provide for an advisory group, that--
 - (A) shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the State--
 - (i) which members have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency;
 - (ii) which members include--
 - (I) at least 1 locally elected official representing general purpose local government;
 - (II) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
 - (III) representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services;
 - (IV) representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
 - (V) volunteers who work with delinquents or potential delinquents;
 - (VI) youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;
 - (VII) persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and
 - (VIII) persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence;
 - (iii) a majority of which members (including the chairperson) shall not be fulltime employees of the Federal, State, or local government;

(iv) at least one-fifth of which members shall be under the age of 24 at the time of appointment; and

(v) at least 3 members who have been or are currently under the jurisdiction of the juvenile justice system;

(B) shall participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action;

(C) shall be afforded the opportunity to review and comment, not later than 30 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the State agency designated under paragraph (1);

(D) shall, consistent with this subchapter--

(i) advise the State agency designated under paragraph (1) and its supervisory board; and

(ii) submit to the chief executive officer and the legislature of the State at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13); and

(iii) contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system; and

(E) may, consistent with this subchapter--

(i) advise on State supervisory board and local criminal justice advisory board composition;¹

(ii) review progress and accomplishments of projects funded under the State plan.

(4) provide for the active consultation with and participation of units of local government or combinations thereof in the development of a State plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the State from making grants to, or entering into contracts with, local private agencies or the advisory group;

(5) unless the provisions of this paragraph are waived at the discretion of the Administrator for any State in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66 2/3 per centum of funds received by the State under section 5632 of this title, reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding funds made available to the State advisory group under section 5632(d) of this title, shall be expended--

(A) through programs of units of local government or combinations thereof, to the extent such programs are consistent with the State plan;

(B) through programs of local private agencies, to the extent such programs are consistent with the State plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and

(C) to provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13), applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age;²

(6) provide for an equitable distribution of the assistance received under section 5632 of this title within the State, including in rural areas;

(7) (A) provide for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State, (including any

geographical area in which an Indian tribe performs law enforcement functions), a description of the services to be provided, and a description of performance goals and priorities, including a specific statement of the manner in which programs are expected to meet the identified juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) of the State;

(B) contain--

- (i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;
- (ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and
- (iii) a plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in such system who are in greatest need of such services;

(8) provide for coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State;

(9) provide that not less than 75 percent of the funds available to the State under section 5632 of this title, other than funds made available to the State advisory group under section 5632(d) of this title, whether expended directly by the State, by the unit of local government, or by a combination thereof, or through grants and contracts with public or private nonprofit agencies, shall be used for--

(A) community-based alternatives (including home-based alternatives) to incarceration and institutionalization including--

- (i) for youth who need temporary placement: crisis intervention, shelter, and after-care; and
- (ii) for youth who need residential placement: a continuum of foster care or group home alternatives that provide access to a comprehensive array of services;

(B) community-based programs and services to work with--

- (i) parents and other family members to strengthen families, including parent self-help groups, so that juveniles may be retained in their homes;
- (ii) juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and
- (iii) parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited-English speaking ability;

(C) comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering youth services;

(D) programs that provide treatment to juvenile offenders who are the victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;

(E) educational programs or supportive services for delinquent or other juveniles --

- (i) to encourage juveniles to remain in elementary or secondary schools or in alternative learning situations;
- (ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and

- (iii) enhance coordination with the local schools that such juveniles would otherwise attend, to ensure that–
 - (I) the instruction that juveniles receive outside school is closely aligned with the instruction provided in school; and
 - (II) information regarding any learning problems identified in such alternative learning situations are communicated to the schools;
- (F) to expand the use of probation officers –
 - (i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and
 - (ii) to ensure that juveniles follow the terms of their probation.
- (G) counseling, training, and mentoring programs, which may be in support of academic tutoring, vocational and technical training, and drug and violence prevention counseling, that are designed to link at-risk juveniles, juvenile offenders, or juveniles who have a parent of legal guardian who is or was incarcerated in a Federal, State, or local correctional facility or who is otherwise under the jurisdiction of a Federal, State, or local criminal justice system, particularly juveniles residing in low-income and high-crime areas and juveniles experiencing educational failure, with responsible individuals (such as law enforcement officials, Department of Defense personnel, individuals working with local businesses, and individuals working with community-based and faith-based organizations or agencies) who are properly screened and trained.
- (H) programs designed to develop and implement projects relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist community services, law enforcement, and juvenile justice personnel to more effectively recognize and provide for learning disabled and other juveniles with disabilities;
- (I) projects designed both to deter involvement in illegal activities and to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of youth;
- (J) programs and projects designed to provide for the treatment of youths' dependence on or abuse of alcohol or other addictive or nonaddictive drugs;
- (K) programs for positive youth development that assist delinquent and other at-risk youth in obtaining–
 - (i) a sense of safety and structure;
 - (ii) a sense of belonging and membership;
 - (iii) a sense of self-worth and social contribution;
 - (iv) a sense of independence and control over one's life; and
 - (v) a sense of closeness in interpersonal relationships;
- (L) programs that, in recognition of varying degrees of the seriousness of delinquent behavior and the corresponding gradations in the responses of the juvenile justice system in response to that behavior, are designed to--
 - (i) encourage courts to develop and implement a continuum of post- adjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting (including expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation); and
 - (ii) assist in the provision by the provision₃ by the Administrator of information and technical assistance, including technology transfer, to States in the design and utilization

- of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior;
- (M) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that juveniles may be retained in their homes;
- (N) programs (including referral to literacy programs and social service programs) to assist families with limited English-speaking ability that include delinquent juveniles to overcome language and other barriers that may prevent the complete treatment of such juveniles and the preservation of their families;
- (O) programs designed to prevent and to reduce hate crimes committed by juveniles;
- (P) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;
- (Q) community-based programs that provide follow-up post-placement services to adjudicated juveniles, to promote successful reintegration into the community;
- (R) projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system; and
- (S) programs designed to provide mental health services for incarcerated juveniles suspected to be in need of such services, including assessment, development of individualized treatment plans, and discharge plans.
- (10) provide for the development of an adequate research, training, and evaluation capacity within the State;
- (11) shall, in accordance with rules issued by the Administrator, provide that –
- (A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding –
- (i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;
 - (ii) juveniles who are charged with or who have committed a violation of a valid court order; and
 - (iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State; shall not be placed in secure detention facilities or secure correctional facilities; and
- (B) juveniles --
- (i) who are not charged with any offense; and
 - (ii) who are –
 - (I) aliens; or
 - (II) alleged to be dependent, neglected, or abused; shall not be placed in secure detention facilities or secure correctional facilities.
- (12) provide that –
- (A) juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have contact with adult inmates; and
- (B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates, including in collocated facilities, have been trained and certified to work with juveniles;
- (13) provide that no juvenile shall be detained or confined in any jail or lockup for adults except –
- (A) juveniles who are accused of nonstatus offenses who are detained in such jail or lock-up for a period not to exceed 6 hours --

- (i) for processing or release;
- (ii) while awaiting transfer to a juvenile facility; or
- (iii) in which period such juveniles make a court appearance; and only if such juveniles do not have contact with adult inmates and only if there is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates in collocated facilities have been trained and certified to work with juveniles;

(B) juveniles who are accused of nonstatus offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup –

- (i) in which –
 - (I) such juveniles do not have contact with adult inmates; and
 - (II) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates in collocated facilities have been trained and certified to work with juveniles; and
- (ii) that –
 - (I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;
 - (II) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed 48 hours) delay is excusable; or
 - (III) is located where conditions of safety exist (such as severely adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonably safe travel;

(14) provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to insure that the requirements of paragraph (11), paragraph (12), and paragraph (13) are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraph (11) and paragraph (13), and which has enacted legislation which conforms to such requirements and which contains, in the opinion of the Administrator, sufficient enforcement mechanisms to ensure that such legislation will be administered effectively;

(15) provide assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability.

(16) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family

members when possible and appropriate and the provision of family counseling during the incarceration of

juvenile family members and coordination of family services when appropriate and feasible);

(17) provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy with regard to records relating to such services provided to any individual under the State plan;

- (18) provide assurances that–
- (A) any assistance provided under this Act will not cause the displacement (including partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;
 - (B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and
 - (C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;
- (19) provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this subchapter;
- (20) provide reasonable assurance that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, and other non-Federal funds;
- (21) provide that the State agency designated under paragraph (1) will –
- (A) to the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based;
 - (B) from time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary; and
 - (C) not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency;
- (22) address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system;
- (23) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense –
- (A) an appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;
 - (B) not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and
 - (C) not later than 48 hours during which such juveniles is so held –
 - (i) such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and
 - (ii) such court shall conduct a hearing to determine –
 - (I) whether there is reasonable cause to believe that such juvenile violated such order; and
 - (II) the appropriate placement of such juvenile pending disposition of the violation alleged;
- (24) provide an assurance that if the State receives under section 5632 of this title for any fiscal year an amount that exceeds 105 percent of the amount the State received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services;

(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the State advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units;

(26) provide that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court;

(27) establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders; and

(28) provide assurances that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).

(b) Approval by State agency

The State agency designated under subsection (a)(1) of this section, after receiving and considering the advice and recommendations of the advisory group referred to in subsection (a) of this section, shall approve the State plan and any modification thereof prior to submission to the Administrator.

(c) If a State fails to comply with any of the applicable requirements of paragraphs (11), (12), (13), and (22) of subsection (a) in any fiscal year beginning after September 30, 2001, then--

(1) subject to paragraph (2), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each such paragraph with respect to which the failure occurs, and

(2) the State shall be ineligible to receive any allocation under such section for such fiscal year unless--

(A) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such paragraph with respect to which the State is in noncompliance; or

(B) the Administrator determines that the State--

(i) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

(ii) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

d) Nonsubmission or nonqualification of plan; expenditure of allotted funds; availability of reallocated funds

In the event that any State chooses not to submit a plan, fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 3783, 3784, and 3785 of this title, determines does not meet the requirements of this section, the Administrator shall endeavor to make that State's allocation under the provisions of section 5632(a) of this title, excluding funds the Administrator shall make available to satisfy the requirement specified in section 5632(d) of this title, available to local public and private nonprofit agencies within such State for use in carrying out activities of the kinds described in paragraphs (11), (12), (13) and (22) of subsection (a). The Administrator shall make funds which remain available after disbursements are made by the Administrator under the preceding sentence, and any other unobligated funds, available on an equitable basis and to those States that have achieved full compliance with the requirements under paragraphs (11), (12), (13) and (22) of subsection (a).

(e) Notwithstanding any other provision of law, the Administrator shall establish appropriate administrative and supervisory board membership requirements for a State agency designated under

subsection (a)(1) and permit the State advisory group appointed under subsection (a)(3) to operate as the supervisory board for such agency, at the discretion of the chief executive officer of the State.

(f) Technical Assistance-

(1) In General- The Administrator shall provide technical and financial assistance to an eligible organization composed of member representatives of the State advisory groups appointed under subsection (a)(3) to assist such organization to carry out the functions specified in paragraph (2).

(2) Assistance- To be eligible to receive such assistance, such organization shall agree to carry out activities that include--

(A) conducting an annual conference of such member representatives for purposes relating to the activities of such State advisory groups;

(B) disseminating information, data, standards, advanced techniques, and program models;

(C) reviewing Federal policies regarding juvenile justice and delinquency prevention;

(D) advising the Administrator with respect to particular functions or aspects of the work of the Office; and

(E) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.

Appendix IV – Training and Technical Assistance Resources

SAGs should draw on expertise that exists both within their states and across the country. OJJDP, for example, is available to provide training and technical assistance. The office's Center for Coordinated Assistance to States (CCAS) is dedicated to coordinating the delivery of training and technical assistance to states, tribes, territories, and communities. To learn more visit: https://www.nttac.org/index.cfm?event=tarequest_SAGccas

OJJDP offers other resources for states as well, including The DMC Virtual Resource Center. This center serves as a hub for those working on reducing and eliminating racial and ethnic disparities within the juvenile justice system. It provides important tools about new practice standards and upcoming training opportunities. To access the Resource Center, visit: <https://www.nttac.org/index.cfm?event=dmc.modelResource>.

CJJ is also able to provide assistance and help connect states with other SAGs that have successfully navigated similar struggles.

Private foundations can also serve as important partners as the SAG seeks to implement change. In recent years, the Annie E. Casey Foundation, the John D. and Catherine T. MacArthur Foundation, the Pew Charitable Trusts, and the Tow Foundation have all taken an active role in juvenile justice reform efforts in various states across the country. (For more information on these foundations and their programs, please see *State Advisory Groups as Change Agents: A Step-by-Step Guide*.)

Appendix V - Additional Resources

Coalition for Juvenile Justice: [New SAG Member Training](#)

Coalition for Juvenile Justice, in partnership with the Office of Juvenile Justice and Delinquency Prevention: [Strategic Planning and the Comprehensive Three-Year Plan](#)

Coalition for Juvenile Justice: [Youth Manual: A Resource for New and Continuing Youth State Advisory Group Members](#)

Office of Juvenile Justice and Delinquency Prevention: [New Member/Refresher Training](#)

State of Vermont: [Sample SAG Purposes and Functions](#)