



MURIEL BOWSER
MAYOR

February 16, 2021

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

I am pleased to transmit to the Council of the District of Columbia the Juvenile Justice Advisory Group (JJAG) Report for 2019-2020.

In its advisory capacity, as authorized by Mayor's Order 2000-128, and in accordance with its bylaws, the Juvenile Justice Advisory Group (JJAG) provides regular updates and guidance to the Mayor and the Council on matters of juvenile justice and delinquency prevention in the District of Columbia.

The 2019-2020 Report outlines the JJAG's current membership, ongoing efforts related to grants management and grant making, compliance monitoring in accordance with the Juvenile Justice and Delinquency Prevention Act, and racial and ethnic disparities work. The report also highlights key accomplishments of the JJAG in an effort to keep city leadership informed and to maintain an official record of our efforts.

If you have any questions regarding the report, please contact Michelle Garcia, Director of the Office of Victim Services and Justice Grants, at 202-724-7216, or by email at michelle.garcia@dc.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Muriel Bowser", written over a vertical line that extends from the word "Sincerely,".

Muriel Bowser

Enclosure

**District of Columbia
Juvenile Justice Advisory Group**



2019-2020 Report to the Mayor



Office of Victim Services and Justice Grants

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Dear Mayor Bowser:

On behalf of the Juvenile Justice Advisory Group (JJAG), I am pleased to present the 2019-2020 Report. This report describes the JJAG's recent effort to support the District in creating and delivering a robust continuum of care for system-involved youth and stay in compliance with the federal Juvenile Justice and Delinquency Prevention Act (JJDPA).

During the reporting period, the District remained in compliance with the four core requirements of the JJDPA: deinstitutionalization of status offenders (DSO), separation of juveniles from adult offenders, jail removal of juveniles, and reduction of racial and ethnic disparities (RED).

In the last two years, the JJAG has focused its energies on identifying ways in which the juvenile justice system could continue to shift toward strength-based approaches that connect youth and families to meaningful opportunities and supports. In the wake of the Comprehensive Youth Justice Amendment Act of 2016, the JJAG and other justice stakeholders undertook a review of the of best practices for responding to status offenses, and ultimately, developed a set of recommendations for the District to responsibly remove Persons In Need of Supervision (PINS) (a.k.a. status offenses) from the juvenile justice system.

The JJAG remains committed to support the implementation of these recommendations and identify other opportunities for the District's juvenile justice system to do what works for youth, families and our communities.

This report reflects the continued effort of many community members, youth leaders, government partners, and community-based organizations to improve systems of care for youth and families in the District.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Laura Furr', written in dark ink on a light-colored background.

Laura Furr
JJAG Chair

Dear Mayor Bowser:

I am pleased to express my support for the Juvenile Justice Advisory Group (JJAG) and the submission of this report. The Office of Victim Services as Justice Grants serves as the state administering agency of Title II of the Juvenile Justice and Delinquency Prevention Act (JJDP Act), providing active consultation to you and government agencies, and ensuring the provision of comprehensive delinquency prevention programs that meet the needs of youth through the collaboration of many local systems with which a youth may interface.

Issued every two years, this report addresses the District's compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP Act) and summarizes activities of the JJAG. In this reporting period, the JJAG's efforts focused on development of a system reform proposal, resulting in the report *Create New Opportunities for "Persons In Need of Supervision" (PINS) to Succeed Without Legal System Intervention: District of Columbia Juvenile Justice Advisory Group Recommendation to Mayor Bowser*. The report examines the District's current response to status offenses, identifies gaps and assets in the District's systems of care, explores opportunities for cross-system alignment, and enumerates the JJAG's key recommendations.

I also recognize the grant-making contributions by JJAG members who worked diligently to support programs and services that curb juvenile delinquency in the District of Columbia. In 2019-2020, the JJAG focused their attention to support activities surrounding school-based restorative justice programs and delinquency prevention. With your support, the JJAG will continue to ensure that the programming supported by Title II funding will aid to improving the juvenile justice system.

Lastly, I would like to thank you for your continued dedication to juvenile justice and public safety. I look forward to the continued commitment to support the JJAG and the youth of the District of Columbia.

Sincerely,

A handwritten signature in black ink that reads "Michelle M. Garcia". The signature is fluid and cursive, with the first name "Michelle" being more prominent than the last name "Garcia".

Michelle M. Garcia, Director
Office of Victim Services and Justice Grants

Introduction

The Juvenile Justice Delinquency Prevention Act (JJDP Act) of 1974 created a federal-state partnership to “provide national leadership, coordination and resources to prevent juvenile victimization and respond appropriately to juvenile delinquency.”¹ The Office of Victim Services and Justice Grants (OVSJG) is the State Administering Agency that secures and manages federal grant funds related to juvenile and criminal justice for the District of Columbia.² A Mayor’s order established the Juvenile Justice Advisory Group (JJAG) as the required State Advisory Group (SAG) to receive Federal Formula funds, Title II, Part B, per section 223(a) (3) of the JJDP Act.

Juvenile Justice Advisory Group (JJAG)

In accordance with the JJDP Act, the JJAG may consist of between 15 to 33 members appointed by the Mayor. The members have training, subject matter expertise and special knowledge concerning delinquency prevention, treatment of juveniles in the delinquency system, and a cross-section of relevant youth services knowledge that includes behavior, health, and education needs. The composition and membership of the JJAG are specified per the JJAG by-laws.

CURRENT ACTIVE MEMBERSHIP

1. Laura Furr, Chairperson, Community Member
2. Jenise Patterson, Vice-Chair, Community Member
3. Lisette Burton, Secretary, Community Member
4. Aaron White, Youth Member
5. Audrey Eismann, Community Member
6. Brittany Mobley, Public Defender Service
7. Bruce Wright, Department of Youth Rehabilitation Services
8. Commander Ramey Kyle, Metropolitan Police Department
9. Dave Rosenthal, Office of the Attorney General
10. Dominique Burton, Community Member
11. Honorable Peter Krauthamer, DC Superior Court/Family Division
12. Jakobi Haskell, Youth Member
13. Jamal Holtz, Youth Member
14. Jonah Goodman, Locally Elected Official, ANC 4C10 Representative
15. Kyla Woods, Youth Member
16. LaShelle Richmond, Community Member
17. Miracle Johns, Youth Member
18. Patrina Anderson, Department of Behavioral Health
19. Penelope Spain, Community Member
20. Sheila Clark, Department of Human Services
21. Shyra Gregory, District of Columbia Public Schools
22. Terri Odom, DC Superior Court/Court Social Services Division

¹ Office of Juvenile Justice and Delinquency Prevention’s (OJJDP) mission.

² D.C. Mayor’s Order 2009-13.

Juvenile Justice Delinquency Act (JJDP Act) and Funding Streams

Title II Formula Grant Program

This program supports state and local efforts in planning, establishing, operating, coordinating, and evaluating projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.

Title II Program Area Focus

The Office of Victim Services and Justice Grants, on behalf of the JJAG and in accordance with the District's current State Plan for administering Title II Funds, administered funding in the following focus areas:

- **Delinquency Prevention:** comprehensive juvenile justice and delinquency prevention programs that meet needs of youth through 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.
- **Compliance Monitoring/Racial and Ethnic Disparities:** monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements to secure facilities; and programs, research, or other initiatives primarily to address the disproportionate number of youth members of minority groups who come into contact with the juvenile justice system, pursuant to the requirement at 34 U.S.C. § 11133(a)(15).
- **Planning and Administration:** activities related to state plan development, other pre-award activities, and administration of the Formula Grants Program, including evaluation, monitoring, and staffing, pursuant to 34 U.S.C. § 11132(c).
- **JJAG Operations:** activities related to carrying out the state advisory group's responsibilities under Section 223(a) (3) of the JJDP Act.

Funded Programs

- *Criminal Justice Coordinating Council – Compliance Monitoring and RED Coordination*
The CJCC employs the District's Compliance Monitor and Racial and Ethnic Disparities Coordinator (CM/RED). This staff member is responsible for helping to ensure that the District is in compliance with the four core requirements of the Juvenile Justice Delinquency Prevention Act (JJDP Act). The CM/RED staff member's responsibilities include identifying and classifying all District facilities that should be included in the monitoring universe, conducting site visits and inspections of those facilities, collecting and analyzing admissions/intake data from each secure facility and the court, providing technical assistance to facilities to help ensure compliance, and completing the annual compliance monitoring report. The CJCC also utilizes grant funding to conduct Juvenile

Justice Training and Technical Assistance sessions that focused on specific juvenile justice issues that have a nexus to the JJDP core requirements.

- FY 19 Award: \$85,000
- FY 20 Award: \$99,000
- *Access Youth, Inc. – Restorative Justice in Schools at Ballou High School*
Access Youth’s Restorative Justice in Schools (RJ) program is designed to provide trauma-informed, evidence-based interventions for at-risk high school students at Ballou High School, in order to reduce suspension rates and school-based arrests and ultimately reduce juvenile delinquency and justice system involvement.
 - FY 19 Award: \$100,000
 - FY 20 Award: \$125,000
- *Multicultural Career Internship Program- Delinquency Prevention at the Columbia Heights Education Campus (CHEC)*
A trauma-informed care based, juvenile delinquency prevention program delivered to 100 at-risk youth in Columbia Heights, Washington, DC. The project provide trauma-informed counseling, prevention of risk behaviors (e.g. teen pregnancy prevention and gang prevention and intervention), youth development support (e.g. conflict resolution and healthy lifestyles education and skill building) and academic assistance (e.g. tutoring and academic mentoring) to engage youth in education and divert them from delinquency or possible delinquent/risk behaviors.
 - FY 19 Award: \$100,000
 - FY 20 Award: \$125,000

Key Accomplishments

PINS Reform Report and Recommendations

With the District’s implementation of the Comprehensive Youth Justice Amendment Act (CYJAA), the District made some key changes that embodied the shift towards more strength-based and research-informed approaches at all levels of the justice system, one of which included removing secure detention as an option for youth accused of status offenses. Status offenses include truancy, habitually running away, curfew violations, and being habitually disobedient and ungovernable by a young person’s parent(s) or guardian. (D.C. St. § 16-2301, et. seq). As the positive changes of the CYJAA took effect, members of the JJAG wanted to ensure that youth still received appropriate supports to address any needs signaled by status offense behaviors. This led to the JJAG undertaking a full review of best practices for responding to status offenses, and ultimately, to the development of a set of recommendations for the District to responsibly remove Persons In Need of Supervision (PINS) (a.k.a. status offenses) from the juvenile justice system.

During the 2019-2020 reporting period, the Juvenile Justice Advisory Group (JJAG) efforts focused heavily on the development of a system reform proposal, resulting in the report *Create New Opportunities for “Persons In Need of Supervision” (PINS) to Succeed Without Legal*

*System Intervention: District of Columbia Juvenile Justice Advisory Group Recommendation to Mayor Bowser.*³ The report examines the District’s current response to status offenses, identifies gaps and assets in the District’s systems of care, explores opportunities for cross-system alignment, and enumerates the JJAG’s key recommendations for alternatives to system-involvement for PINS.

JJAG presented on the report and the process the JJAG followed in developing the recommendations at the Coalition for Juvenile Justice (CJJ) annual conference, held virtually in November 2020.

Youth Membership Recruitment and Retention

JJAG also focused on increasing youth voice by recruiting additional youth voices. JJAG currently maintains active youth membership and also receives advisory support from local student groups, such as the Howard University JUSTUS volunteer student organization that works with youth detained at the Youth Services Center in Washington, DC.

Youth members are between the ages of 16-28, and the majority of the members have prior experience with juvenile justice-system involvement. Youth members meet monthly with the overall JJAG and also meeting as a youth committee monthly. The youth committee is charged with ensuring that the youth perspective is considered in JJAG planning and decision-making, including development of the Three-Year Plan, organizing youth-led initiatives and youth-led engagement opportunities, appointing at least one youth committee member to participating in the grant peer review process, and participating in site visits. Youth members are paid a stipend for their participation in JJAG, which is funded through the State Advisory Groups allocation from Title II funds annually.

Implementation of Juvenile Justice Reinvestment Act Changes

In 2018, the United States Congress updated the JJDP, passing the Juvenile Justice Reinvestment Act of 2018 (JJRA). The JJRA imposed new requirements on state reporting, updated membership requirements of State Advisory Groups, and expanded the enumerated list of program focus areas that grant funds can be used to support, among other changes.

During FY19 and FY20, JJAG adjusted its State Advisory Group (SAG) membership to meet the new requirements. Additionally, JJAG is currently working to amend the JJAG by-laws to reflect the updated JJRA language related to SAG membership and other relevant changes to the JJDP law.

³ *Create New Opportunities for “Persons In Need of Supervision” (PINS) to Succeed Without Legal System Intervention: District of Columbia Juvenile Justice Advisory Group Recommendation to Mayor Bowser* was submitted to the Deputy Mayor for Public Safety and Justice on February 24, 2020. Available at <https://ovsjg.dc.gov/service/juvenile-justice-advisory-group>.

In addition JJAG supported compliance with JJRA's new reporting requirements by helping to draft an addendum to the current three-year state plan with information on the following:

- a) Policies, procedures, and training in effect for the staff of juvenile state correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques. (Section 223(a)(29))
- b) The evidence-based methods used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who request or need a screening or are held for more than 24 hours in a secure facility that provides for an initial screening. (Section 223(a)(30)(A))
- c) How the state provides or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment. (Section 223(a)(30)(B))
- d) How reentry planning for juveniles includes a written case plan based on an assessment of needs that includes the pre- and post-release plans for juveniles, the living arrangements to which the juveniles are to be discharged, and any other plans developed for the juveniles based on an individualized assessment. (Section 223(a)(31))
- e) An assurance that the agency of the state receiving funds under this title collaborates with the state educational agency receiving assistance under Part A of Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress— (a) Student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll; (b) Credits of adjudicated juveniles are transferred; and (c) Adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned. (Section 223(a)(32))
- f) Policies and procedures to screen for, identify, and document in state records the identification of victims of domestic human trafficking, or those at risk of such trafficking, and to divert such youth to appropriate programs or services, to the extent practicable. (Section 223(a)(33))

Compliance Monitoring and Racial and Ethnic Disparities (RED) Efforts

The JJAG annually funds a Compliance Monitor and Racial Ethnic Disparities Coordinator to support the District's efforts in maintaining compliance with the JJPDA. These grant funds support a full-time staff person employed by the Criminal Justice Coordinating Council (CJCC). During this reporting period, the Compliance Monitor conducted site visits for 15 secure sites that securely detain youth in the District. The Compliance Monitor also works with agencies to

streamline the data collection and data verification processes to enable effective reporting on the core requirements.

During the 2019-2020 reporting period, the Compliance Monitor undertook a major effort to overhaul, revise, and refine the District's Compliance Monitoring Manual. This revision process was completed to update our monitoring policies and procedures in accordance with the JJDP/JJRA and to implement feedback and updated protocol recommendations provided to the District in 2018 by OJJDP. The updated manual can be viewed online at: <https://ovsjg.dc.gov/service/juvenile-justice-advisory-group>.

CJCC also prepared and submitted the FY19 Compliance Monitoring Report and updated the Racial and Ethnic Disparities (RED) Plan. The District proudly reported that there were no violations of the four core requirements during FY19. Based on the submission of the compliance plan, the updated policies and procedures manual, and the compliance monitoring report, OJJDP found that "the District of Columbia has provided for an effective system of monitoring." Further, OJJDP determined that the District is in compliance with each of the four core requirements of the JJDP, in which case the District is eligible to receive 100 percent of its Title II funding for FY20.

CJCC also facilitates the District's Juvenile Justice Committee meeting, where goals for FY20 were identified, including several related to RED, such as decreasing the number of arrests that occur at schools and identifying diversion options for youth who come to the attention of Metro Transit Police.

Moreover, JJAG convened a RED committee in 2020 to support the review of local practices and to develop a set of recommendations around reducing disparities for youth of color at various touch points in the juvenile justice system, with particular focus on youth arrests and/or contacts with law enforcement.

Recommendations to the Mayor

As noted above, the Juvenile Justice Advisory Group (JJAG) recent efforts focused heavily on the development of a system reform proposal, resulting in the report *Create New Opportunities for "Persons In Need of Supervision" (PINS) to Succeed Without Legal System Intervention: District of Columbia Juvenile Justice Advisory Group Recommendation to Mayor Bowser*.

The report makes the following recommendations to the Mayor:

1. Respond to PINS behaviors in the community, rather than through the juvenile justice system. Support legislation to remove all mentions of "PINS offenses" as prosecutable offenses from Chapter 23 of Title 16 of the DC Code and make conforming amendments including to the Attendance Accountability Act.
2. Invest in and realign resources to provide youth, families, and caregivers across all wards with 24/7 access to culturally relevant and linguistically competent opportunities to grow that meet the needs of every family.

3. When PINS behaviors do occur, ensure multiple, “no wrong door” access points to services outside of law enforcement or juvenile justice agencies, including schools and community-based “hubs.”
4. Create a non-law enforcement mechanism for the safe transport of youth who are not suspected of a crime to home or to places where they can receive services.
5. Enhance training for all District employees and service providers on topics such as cultural humility, trauma-responsive care, and positive youth development.
6. Create mechanisms for youth, families of served youth and the community to lead reforms and to hold agencies, philanthropy, and service providers accountable.

Acknowledgements

The JJAG would like to thank Kevin Donahue, Acting City Administrator (formerly Deputy Mayor for Public Safety and Justice), and the Office of Victim Services and Justice Grants (OVSJG) for their participation and assistance in producing this report, specifically Michelle Garcia, OVSJG Director, and Melissa Milchman, Juvenile Justice Specialist.