

**The author(s) shown below used Federal funds provided by the U.S. Department of Justice and prepared the following final report:**

**Document Title:           Juvenile Accountability Incentive Block Grant Program: National Evaluation**

**Author(s):                 Dale Parent ; Liz Barnett**

**Document No.:           202150**

**Date Received:          September 2003**

**Award Number:          1999-JR-VX-0001 ; 1999-JR-VX-K006**

**This report has not been published by the U.S. Department of Justice. To provide better customer service, NCJRS has made this Federally-funded grant final report available electronically in addition to traditional paper copies.**

**Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.**

**Juvenile Accountability  
Incentive Block Grant  
Program:  
National Evaluation**

**Juvenile Accountability  
Incentive Block Grant Program  
Research and Evaluation**

**Grant Award  
No. 1999-JR-VX-0001  
Cooperative Agreement  
Award No. 1999-JR-  
VX-K006**

***FINAL REPORT***

July 14, 2003

*Prepared for*  
Akiva Liberman  
Project Monitor  
National Institute of Justice  
810 Seventh Street  
Washington, DC 20531

*Prepared by*  
Dale Parent  
Liz Barnett  
Abt Associates Inc.  
55 Wheeler Street  
Cambridge, MA 02138

This project was supported by Grant Award No. 1999-JR-VX-0001 and Cooperative Agreement Award No. 1999-JR-VX-K006 awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. Points of view 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.

# Table of Contents

|                                                                                               |              |
|-----------------------------------------------------------------------------------------------|--------------|
| <b>Acknowledgements</b> .....                                                                 | <b>iii</b>   |
| <b>Summary</b> .....                                                                          | <b>iv</b>    |
| Findings .....                                                                                | v            |
| Congressional Expectations for the JAIBG Program Were Substantially<br>Achieved .....         | v            |
| JAIBG Structure Established by Congress Was Adaptable to States’ .....                        | vii          |
| Varying Juvenile Justice Laws, Practices and Procedures.....                                  | vii          |
| OJJDP and States Implemented the JAIBG Program Within Tight Time Limits<br>.....              | viii         |
| Recommendations.....                                                                          | ix           |
| Eliminate the 45/35 Percent Distribution Requirement.....                                     | xi           |
| Improve Existing JAIBG Monitoring Procedures .....                                            | xi           |
| Institute Performance Monitoring System for the JAIBG Program .....                           | xii          |
| State Budget Shortfalls .....                                                                 | xvi          |
| <br><b>Chapter One</b> .....                                                                  | <br><b>1</b> |
| <br><b>Introduction</b> .....                                                                 | <br><b>1</b> |
| Congress’ Objectives .....                                                                    | 1            |
| Local Governments To Take the Lead.....                                                       | 2            |
| Program Purpose Areas.....                                                                    | 3            |
| Our Assessment of the JAIBG Program.....                                                      | 3            |
| Data Sources .....                                                                            | 4            |
| The Organization of This Report.....                                                          | 5            |
| <br><b>Chapter Two</b> .....                                                                  | <br><b>6</b> |
| <br><b>Implementation of Juvenile Accountability Incentive Block Grant (JAIBG) Programs</b> . | <br><b>6</b> |
| Start Up.....                                                                                 | 6            |
| Allocations to the States.....                                                                | 6            |
| Procedures for JAIBG Implementation.....                                                      | 9            |
| Application.....                                                                              | 10           |
| Designated State Agencies.....                                                                | 10           |
| Areas of Certification.....                                                                   | 11           |
| Reporting Requirements .....                                                                  | 12           |
| Training and Technical Assistance .....                                                       | 12           |
| Initiation of State and Local JAIBG Programs.....                                             | 19           |
| Administrative Funds.....                                                                     | 21           |
| Implementing JAIBG at the State Level.....                                                    | 22           |
| Coordinated Enforcement Plans.....                                                            | 22           |
| Attitudes and Perceptions of State JCEC Members.....                                          | 25           |

|                                                                           |           |
|---------------------------------------------------------------------------|-----------|
| Accountability .....                                                      | 26        |
| Unmet Needs and Obstacles .....                                           | 27        |
| Implementing JAIBG at the Local Level.....                                | 29        |
| Juvenile Crime Enforcement Coalitions .....                               | 32        |
| Local Coordinated Enforcement Plans .....                                 | 32        |
| Local JCEC Member’s Attitudes and Perceptions about the JAIBG Program.... | 33        |
| Cash Match Requirements .....                                             | 36        |
| Spending Deadlines .....                                                  | 36        |
| <b>Chapter Three .....</b>                                                | <b>39</b> |
| <b>Effects of JAIBG on Policy and Practice .....</b>                      | <b>39</b> |
| Awards of JAIBG Funds .....                                               | 39        |
| <b>Impact on the Areas of Certification .....</b>                         | <b>47</b> |
| Congressional Policy Objectives .....                                     | 48        |
| Comparable Juvenile and Adult Criminal History Information Systems.....   | 48        |
| Graduated Sanctions in the Juvenile Justice System .....                  | 50        |
| Prosecuting Serious Juvenile Offenders As Adults.....                     | 51        |
| Holding Parents and Guardians Accountable for Juvenile’s Supervision..... | 53        |
| Establishing Juvenile Drug Testing Policies .....                         | 54        |
| <b>Conclusions .....</b>                                                  | <b>54</b> |
| <br><b>Appendices</b>                                                     |           |
| <b>Appendix A: Data Sources and Study Methodology.....</b>                | <b>57</b> |
| <b>Appendix B: Site Visits: Examples from the Field .....</b>             | <b>70</b> |
| <b>Appendix C: Jumpstart Training Case Study.....</b>                     | <b>91</b> |
| <b>Appendix D: Planning of New Institutions Training Case Study .....</b> | <b>94</b> |

# Acknowledgements

This final report marks the end of a four-year process evaluation of the Juvenile Accountability Incentive Block Grant Program (JAIBG) initiated by Congress in 1998 and supported by the National Institute of Justice. The report examines the implementation of the program throughout the country and how states and eligible jurisdictions expended the funds.

Abt Associates Inc. would like to thank those who have provided support, guidance, and necessary data for this report. Special thanks go to:

- Akiva Liberman, Social Science Analyst in the Justice Systems Research Division of the National Institute of Justice, who served as the project monitor during the four year project period;
- Chyrl Andrews, the JAIBG Program Manager for the Office of Juvenile Justice and Delinquency Prevention;
- the JAIBG coordinators of the six states visited by Abt Associates – Bernice Manshell of New Jersey, George Hinchliffe of Florida, Steve Michaels of Iowa; Roxy Hennings of Maine, Jeff Patnode of Washington, and Nicole Yancey of Arizona—for arranging multi-day itineraries and providing escorts;
- all of the planning boards, jurisdictions, and programs that took the time to help us understand JAIBG in their jurisdiction;
- the remaining 50 JAIBG Coordinators who provided us with needed data, and generously spent time answering our questions during a series of telephone interviews;
- Alan Bekelman and Marcia Cohen of the Development Services Group and their staff who willingly answered our questions about the technical assistance delivery endeavors;
- Shea Bilchik, John Wilson, Roberta Dorn, and Rodney Albert, from OJJDP, who were instrumental in the implementation of the JAIBG Program and who provided information and insights about the program to us; and,
- the staff, participants and instructors of the Juvenile Planning of New Institutions (PONI) Training of the National Institute of Corrections Information Center and the JUMPSTART Program of the American Prosecutors Research Institute.

We would also like to thank the following Abt Associates staff, and consultants who assisted on the project. First, Dr. Amy Seeherman, who served as the Deputy Project Director for over two years, Ryan Kling and Dr. William Rhodes for their assistance with sampling and data analysis, Dr. Dana Hunt and Dr. Douglas McDonald for the technical review of the final report, and the following five consultants who participated on the site-visits: Edmund McGarrell, Carl Pope, Vincent Webb, Timothy Bynum, and Scott Decker. Also, a special thanks goes to Lisa Magged, Hannah Gardener, and Cassie Bascani for assistance conducting telephone interviews, and Mary-Ellen Perry for her assistance producing the final report.

# Summary

This report describes the findings of the national assessment of Abt Associates' Juvenile Accountability Incentive Block Grant Program during its first three FYs—1998, 1999, and 2000. It also offers Congress, the Office of Juvenile Justice and Delinquency Prevention, and state governments recommendations for changes and improvements in the program.

The House of Representatives passed the Juvenile Accountability Incentive Block Grants (JAIBG) Act in 1997, and the program began in 1998 through an appropriations act. It provided block grants to state and local governments as financial incentives to increase “accountability” within their juvenile justice systems. Although Congress did not define the concept of accountability in explicit terms, the legislation and subsequent administrative rules described several juvenile justice policies and practices that would enhance accountability and that Congress wanted to encourage. They included:

- Prosecuting as adults juveniles who commit serious violent crimes;
- Expanding the array of graduated sanctions available to juvenile courts, so that sanctions imposed upon juvenile offenders can be matched more appropriately to the seriousness of his or her current offense and prior record;
- Holding parents responsible for seeing that their children obey court orders; and
- Establishing juvenile records systems that parallel those for adult offenders.

Early versions of the legislation required states to implement policies in these areas in order to receive funds. In its final version, Congress lowered the bar—states had only to agree to “actively consider” these policies. However, Congress did require states to establish drug-testing policies by January 1, 1999 for appropriate categories of juvenile offenders.

Congress established a formula to determine JAIBG allocations for each state. It expected that states would pass-through 75 percent of those allocations to units of local government, unless the state obtained a waiver from this provision. Congress defined a formula to determine the amount of JAIBG funds to which individual general-purpose units of local government within each state would be entitled. Congress directed states to retain local government entitlements of \$5,000 or less, and to use them for projects to benefit local governments.

The Act defined 12 “program purpose areas,” (PPAs) within which state and local governments could award JAIBG funds. These program purpose areas encompassed all phases of juvenile justice—including law enforcement, detention, prosecution, defense, courts, probation, correctional institutions, aftercare, as well as support services like juvenile justice information systems. The Act required each state and local government that accepted JAIBG funds to form a Juvenile Crime Enforcement Coalition representing law enforcement, prosecution, courts, corrections and human service agencies that would prepare a Coordinated Enforcement Plan governing how JAIBG funds would be used. Finally, the Act

required state and local governments to return to the federal government any JAIBG funds not spent within 24 months.

Congress made \$232 million in JAIBG funds available to state and local governments in FY 1998 and an equal amount in FY 1999. The appropriation declined to \$221 million in FY 2000. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) administered the JAIBG program, and its State and Tribal Assistance Division played the leading role in its implementation.

## Findings

Our assessment found that the JAIBG program generally achieved the major Congressional expectations set forth by the Act. The Act gave states flexibility to adapt its provisions to their individual laws, policies and procedures. OJJDP and the states successfully implemented the JAIBG program within tight time limits.

### **Congressional Expectations for the JAIBG Program Were Substantially Achieved**

Units of local government were awarded a large proportion of the JAIBG funds allocated to the states. States conformed substantially to four of the five areas of Congressional emphasis at the outset of the JAIBG program. During the period of the assessment states engaged in little basic policy change in these areas of Congressional emphasis, but they used JAIBG awards to expand programs and capacity within these areas.

#### ***States made the large proportion of their total JAIBG allocations available to local units of government***

Congress expected that the large majority of JAIBG funds would be available to local units of government. Thirty-five of the 56 eligible jurisdictions conformed with the Act's pass-through requirement, and made 75 percent of their total JAIBG allocations available to units of local government. The remaining 21 jurisdictions (or 38 percent of the total) obtained waivers from the requirement to pass-through 75 percent of its JAIBG allocation to general-purpose units of local government. Of these, nine proposed to pass-through zero percent on the grounds that local governments had no role in providing or funding juvenile justice services. The remaining 12 jurisdictions proposed to pass-through amounts varying from 10 to 46 percent of their total JAIBG allocation.

However, eight of the 21 jurisdictions that obtained pass-through waivers actually awarded more funds to local entities in FY 1998 than they proposed in their waiver application. For example, New Mexico proposed to pass-through 20 percent, but actually awarded 88 percent of all JAIBG funds to local entities.

Overall, in FY 1998 states made 58 percent of their JAIBG allocations available to local entities, either by direct pass-through or by award of grants supported by state JAIBG funds

to local entities. The amount available to local entities increased to 68 percent in FY 1999 and declined slightly to 66 percent in FY 2000.

The JAIBG program stimulated collaboration among local stakeholders in juvenile accountability programs—units of local government, police, courts, prosecutors, defenders, probation, detention, community organizations, not-for-profit service providers, schools, and human service organizations. As members of these groups formally collaborated on local Juvenile Crime Enforcement Coalitions (JCECs), they formed linkages and interactions that extended beyond JAIBG. In our third-year interviews, many state JAIBG coordinators emphasized the importance of and benefits from these multi-agency collaborations that began under JAIBG. While we could not quantify the long-term benefits from enhanced collaboration, the collective resources in the agencies that participated in JCECs far exceeds the relatively small amount of JAIBG funds that drew them to the table in particular jurisdictions.

### ***Encouraging States and Local Governments to Prosecute Serious Juvenile Offenders as Adults***

At the outset of the JAIBG program, 39 of the 56 jurisdictions reported that their policies and practices conformed to the Act's provisions with respect to prosecuting serious juvenile offenders as adults. During the study, three states indicated that they enacted laws or adopted policies that further strengthened their policies or practices in this area. In general, respondents noted that falling serious juvenile crime rates since the mid-1990s slackened the demand for further toughening of transfer provisions for serious juvenile offenders.

Overall, states and localities awarded 12 percent of their JAIBG funds in FY 1998, 11 percent in 1999, and 10 percent in 2000 to strengthening juvenile prosecution.

### ***Graduated Sanctions***

At the outset of the JAIBG program, 43 of the 56 jurisdictions reported that their policies and practices already conformed to Congress' expectation with respect to graduated sanctions. States and local governments used the JAIBG program to further expand the array of juvenile sanctions in communities around the county. Overall, states and localities awarded 70 percent of their JAIBG funds in FY 1998, 74 percent in 1999, and 77 percent in 2000 to support programs that enhanced graduated sanctions. Eighty-three percent of these awards funded new programs, while 17 percent funded existing programs.

### ***Parental Responsibility***

At the outset of the JAIBG program, all states conformed to the Act's provision on parental responsibility. That is, no state had a law that prohibited courts from holding parents responsible for seeing that their children obeyed court orders. During the study no states

passed non-conforming laws, and one state enacted a law that affirmatively established parental responsibility on these matters.

### ***Drug Testing Policies***

All states conformed to the Congressional requirement that they develop drug use testing policies for appropriate categories of juvenile offenders by January 1, 1999. The Act's requirement was procedural rather than substantive—that is, Congress left to the states decisions about which categories of juveniles should be tested, when testing should occur, and for what purposes. As a result, policies adopted by the states varied greatly, in accordance with state and local determinations of the need for and utility of drug-use testing.

Of the FY 1998 JAIBG funds, states and localities awarded \$2.7 million or 1.6 percent, of their JAIBG allocations to drug-use testing programs. States reported awards in this area averaging 1.6 percent of their total allocations over the following two years as well.

### ***Comparable Juvenile and Adult Records Systems***

At the outset of the JAIBG Program, 10 of the 56 jurisdictions reported that existing juvenile records system and adult criminal history records system were comparable, or that their states had actively considered establishing such systems during the previous three years. While the remaining states agreed to actively consider the matter, during the course of this study, only two jurisdictions reported enacting laws or policies that moved them toward conformance with this policy objective. The remaining states fulfilled the “active consideration” requirement.

This issue had not been high on states' policy development agendas before the creation of JAIBG. Active consideration required states to debate fundamental values underlying juvenile justice, including issues of confidentiality, expungement of juvenile records, and using information about juvenile offenses in future adult criminal sentencing procedures. If states decided to implement changes to establish comparable adult and juvenile records systems, they would need to plan, fund, and implement reforms to their juvenile and adult criminal history systems. Hence, fully implementing such policies would be time-consuming and likely would extend beyond the scope of this study. Nevertheless, state and local governments did invest substantial portions of their JAIBG allocations to improve juvenile justice information systems, spending \$33 million, or 16 percent of their allocations in FY 1998, 13 percent in FY 1999, and 11 percent in FY 2000.

### **JAIBG Structure Established by Congress Was Adaptable to States' Varying Juvenile Justice Laws, Practices and Procedures**

While the Act defined a specific framework for the JAIBG program, it also gave states substantial flexibility to adapt that framework to fit their particular environments, laws, policies and practices. The Act's allocation and entitlement formulas often produced a

distribution of funds that did not match state and local governments' formal responsibilities for providing and funding juvenile justice programs or locally determined needs for improvements. The formulas also often produced entitlements that many local governments found to be too small to justify the cost of accepting and administering the funds. States adapted in six ways:

- **Waiver of Pass-Through:** As noted above, jurisdictions could, for cause, seek waivers from the 75 percent pass-through requirement and distribute a different proportion to units of local governments. Twenty-one jurisdictions, or 38 percent, did so.
- State and local governments could concentrate their individual JAIBG entitlements, either by waiving their JAIBG funds to other units of government or by forming regional coalitions. Altogether, 446 JAIBG subgrant recipients reported that they had formed regional coalitions to conduct local JAIBG planning and spending.
- States could certify that a spending pattern other than the 35/45 percent distribution better served the interest of justice and public safety.
- State and local governments could build upon recently completed juvenile justice plans as the foundation of their JAIBG planning efforts.
- The 12 program purpose areas encompassed a wide range of topics on which state and local governments could spend their JAIBG funds.
- Fifty-one of the 56 eligible jurisdictions built on their existing juvenile justice planning capacity by selecting the same agency that administered JJDP Act provisions as their JAIBG designated state agency.

### **OJJDP and States Implemented the JAIBG Program Within Tight Time Limits**

Ninety-five percent of the states for which FY 1998 close-out data were available spent 89 percent or more of their JAIBG funds within the time limits. State JAIBG coordinators cited the spending deadline as a serious problem during first year interviews. The pressure to spend the money quickly served as a disincentive to document needs through data-driven planning efforts. The recent decision by Congress to increase the time limit from 24 to 36 months in 2002, and to allow states to obtain an additional 12-month extension, when needed, improves the likelihood that states will expend all of their funds.

## Recommendations

We offer recommendations to:

- sustain and expand local JAIBG planning capacity,
- eliminate the 45/35 percent distribution requirement,
- improve OJJDP's JAIBG monitoring procedures; and
- institute performance-based monitoring for the JAIBG program.

### *Sustain and Expand Local Planning Capacity*

Under the Juvenile Justice and Delinquency Prevention Act (passed in 1974) all states had been required to establish a formal juvenile justice planning capacity prior to the JAIBG Program. However, outside of larger metropolitan areas, most local governments did not have that capacity, and those that participated in the JAIBG program had to develop a local planning structure and to produce local coordinated enforcement plans quickly.

Several features of the JAIBG Program shaped the character of local planning. First, most local governments were entitled to small JAIBG awards and were further limited to spending no more than 10 percent on administrative costs—including the cost of convening their local JCEC, developing their plan, awarding funds to programs, and monitoring funded programs. The practice of waiving entitlements to larger units of government and forming regional coalitions allowed local governments to aggregate small individual JAIBG entitlements into larger sums, thereby increasing the amount available for administrative costs, and promoting economies of scale with respect to planning.

Local JAIBG programs were less likely to have ready access to pertinent data about local juvenile justice issues and problems. Hence, their planning processes were less likely to be informed and shaped by analysis of objective data.

It would be unrealistic to expect all state and local JAIBG participants to achieve a common planning capacity. However, we recommend that states can take the following steps to improve local JAIBG planning capacity:

- **Continue to emphasize and expand use of regional coalitions, where feasible.** As local governments enter JAIBG that did not accept their entitlements in the past, they should join existing contiguous regional coalitions.
- **Existing regional coalitions should be encouraged to reorganize** into fewer and larger groupings when that reorganization could improve service delivery or economies of scale.

- **Piggy-back local JAIBG planning bodies onto existing agencies with regional planning capacity.** Iowa provided a good example of this approach—where local JCECs were created around and staffed by regional “de-categorization” boards within the Department of Health and Human Services. These de-categorization boards had pre-existing authority to develop annual plans for allocating state funds for local programs to serve youth and families, and later assumed responsibility for developing annual plans for other JJDP grant programs. Hence, several different funding streams provided support for local planning.
- **Configure state juvenile management information systems to help support local juvenile justice planning.** States used 16 percent (PPA 10) of their JAIBG funding to support improvements in information sharing and an additional 6 percent (PPA 6) in technology to enhance the prosecution of juveniles. These improved management information systems should be used, to the maximum extent possible, to provide information needed by both state and local JCECs to analyze needs in future planning cycles.
- **Many of these improved juvenile justice management information systems were linked to information systems in law enforcement, courts and human services agencies.** Relevant local planning information should also be extracted from these systems and conveyed to local JCECs to support future planning cycles.

States also should encourage both state and local JCECs to transform into full-blown multi-agency juvenile justice partnerships that will endure if JAIBG funds are reduced or eliminated in the future. A multi-agency partnership exists because its members recognize that they share common interests in solving problems that transcend their respective agencies’ boundaries, and because they gain mutual benefits by collaborating in solving those problems. Partnerships can lead agencies to develop a common vision and shared mission, to coordinate planning and information-sharing across and within agencies, and to jointly-operate programs. Partnering agencies will reallocate their own resources to address common problems (that is, they will change the way they do business and not just layer new federal grant funds on top of “business as usual”), and will do cross-agency training to prepare their respective staffs for joint operations. At their highest level of development, partnerships help agencies to coordinate budget requests, which can improve services and increase efficiency by eliminating duplication. Finally, all clients of partnering agencies—not just those clients who are involved with the criminal justice system—can receive better services through improved efficiency, better information flow, and improved cross-agency case management services.

We recommend that OJJDP work with states to help both state and local governments implement a planning model that engages all stakeholders, and that involves:

- Analysis of data to identify and develop priorities among needs;
- Development of programs that are plausibly linked to high priority needs;
- Definition of measurable goals;
- Definition of indicators to measure goal attainment over time;
- Collection of data on performance indicators;
- Analysis of data and provision of feedback reports to program operators and stakeholders; and,
- Continuous refinement of programs and reassessment of needs.

OJJDP should use its training and technical assistance capacity to help states implement this model.

Finally, Congress should allow states and local governments to devote an adequate level of JAIBG funds (and other JDDP Act grant programs) to support improved planning capability. In particular, Congress should reconsider its recent reduction (from 10 percent to 5 percent) in state and local governments' allowable administrative costs under the JAIBG program.

## **Eliminate the 45/35 Percent Distribution Requirement**

We recommend that Congress eliminate the 45/35 percent distribution requirement. The Act required that state and local JCECs award not less than 45 percent of their JAIBG funds to projects in program purpose areas 1, 2, 10, and not less than 35 percent of their JAIBG funds to projects in program purpose areas 3-9. In FY 1998, close to 90 percent of the state awards, and 76 percent of the local awards were not distributed in this pattern. During interviews, state and local respondents frequently complained that the 45/35 percent split was not consistent with the Act's general approach to letting state and local governments identify their needs.

Congress set the bar low for departing from the 45/35 percent distribution—a state or local JCEC had only to certify that a different distribution pattern better served the interest of justice or public safety. The requirement serves as an artificial (and largely unobserved) constraint on the Act's commitment to the assessment of needs and development of programs by state and local governments.

## **Improve Existing JAIBG Monitoring Procedures**

We recommend that OJJDP review reporting instructions for the forms used to collect data on JAIBG subgrant awards (the Follow-Up Information Form) to ensure that they are clear and will promote consistent reporting across states. Ambiguity in these instructions caused some states to report only partial information on JAIBG grant awards in FY 1999 and 2000.

## **Institute Performance Monitoring System for the JAIBG Program**

In 2002 the Office of Management and Budget completed an OMB Program Assessment Rating for the Juvenile Accountability Incentive Block Grant program. One major criticism in the report—which surfaced in negative ratings on a number of points—was the inability to demonstrate whether the program had been effective. As a result, OMB recommended that the program not be funded in FY 2004. The criticism that block grant programs did not demonstrate their effectiveness is not new.<sup>1</sup>

We found that the Office of Juvenile Justice and Delinquency Prevention implemented the JAIBG Program substantially as Congress intended. While we did discover a few readily-correctable problems in OJJDP’s grants monitoring process, OJJDP would have been unable to demonstrate effectiveness of the JAIBG program, even if its grant monitoring processes had worked flawlessly.

The problem lies in the nature of block grants themselves and the type of monitoring information federal agencies can obtain under them. Hence, it is important to review the distinctions between major types of federal funding to states—categorical grants, block grants, and general revenue sharing.

Categorical grants provide funding for specific functions and usually define activities that can be supported in narrow and precise terms. The federal government takes an active role in administering categorical grants, including providing detailed application requirements, negotiating and executing individual awards, monitoring in substantial detail the progress of grantees, and conducting evaluations of funded programs.

General revenue sharing stands at the other extreme. The federal government provides funds to state or local governments that can be used for almost any valid public purpose. The federal government takes a minimal role in administering revenue sharing. Usually, grant recipients must only hold proposed-use hearings, conduct audits of fund-use, and conform to basic federal requirements (e.g., civil rights issues).

---

<sup>1</sup> See “Lessons Learned from Past Block Grants: Implications for Congressional Oversight.” General Accounting Office. Washington, D.C. September 23, 1982.

Block grants stand between categorical grants and general revenue sharing. Five features characterize block grants:<sup>2</sup>

1. Federal aid is authorized for a wide range of activities with broadly defined functional areas;
2. Grantees are allowed considerable discretion in identifying problems, designing programs, and allocating resources;
3. Federally imposed administrative, fiscal reporting, planning, and other requirements are kept to the minimum necessary to ensure that national goals are accomplished;
4. The amount of federal aid a grantee receives is calculated from a statutory formula rather than being the decision of federal administrators;
5. The initial recipient of block grant funds is usually a general-purpose governmental unit, such as a city or state.

These characteristics make it difficult to measure the effectiveness of block grant programs. State and local governments typically fund many different kinds of programs under a block grant. Hence, there are not a small number of program models around which intensive evaluations can be focused. Federal agencies cannot impose rigorous evaluation designs and data collection requirements on block grant recipients.

Federal agencies have two basic ways to get information about programs funded under block grants. The first is grant monitoring, which federal agencies do (in varying degrees) for all types of grants. The second is to conduct separate impact evaluations, in which state or local programs supported by block grant funds voluntarily agree to participate.

Grant monitoring conventionally collects information from all recipients of block grant funds. However, that data is standardized—the same type of information is collected from all—and it covers only a few indicators about the administration of the funded project (e.g., is it on schedule, has it encountered and solved unanticipated problems, are funds being spent as planned, etc.). Data are self-reported by grant recipients and, as a practical matter, the federal agency has little control over the quality or consistency of the data that is reported. Grant monitoring may collect information on workloads of funded projects, but typically does not attempt to collect data on outcomes of clients served by funded projects.

Some federal agencies have attempted to upgrade grant monitoring by improving information flow, including such recent reforms as on-line reporting. While such reforms might improve

---

<sup>2</sup> Advisory Commission on Intergovernmental Relations. *Block Grants: A Comparative Analysis*. Washington, D.C.: 1977.

turnaround time, they cannot correct basic problems with respect to block grants—namely, that federal agencies’ have limited authority to require detailed reporting and lack the capability to assure the quality and completeness of reported data.

At the other extreme, federal agencies can conduct separate impact evaluations. As compared to grant monitoring, impact evaluations typically collect large amounts of information that is specific to the programs being studied, such as:

- How they were developed and implemented,
- What they seek to accomplish;
- How they operate;
- The types and levels of services they provide;
- The number and characteristics of persons who receive those services; and
- The environments in which the programs operate.

These diverse data are needed so that researchers can try to separate out the effects of the program on desired outcomes from effects resulting from environmental influences or from differences among the clients served.

Because data collection must be tailored for each project to be evaluated, and because data must be collected for a long period of time in order to measure “dosage effects” and to track subjects to determine their individual outcomes, impact evaluations are expensive, and slow to produce results. Their findings are limited to portions of the block grant program covered by the impact study. Finally, it often is hard to get practitioners to accept and abide by strong research designs (such as those involving random assignment of subjects to experimental and control groups), which reduces researchers’ ability to find clear relationships between interventions and outcomes. Also, because programs operate under block grants, they cannot be compelled to participate in the evaluation or to submit detailed data.

We recommend a performance measurement system that stands between impact evaluations and grants monitoring. We think that such a system can be established that will allow the states, OJJDP and Congress to make reliable and objective assessments about the innovations supported by block grants, and about block grant programs themselves. A performance measurement system does not replace rigorous outcome evaluations, which will still be needed if policy makers want to make conclusive statements about the relationships between intervention and outcomes. However, a performance measurement system can give both administrators and policy makers interim benchmarks that can inform management and policy choices. Using a performance measurement system, administrators can implement continuous quality improvement techniques that use feedback on past performance to generate strategies of change to improve future performance.

We recommend that juvenile accountability performance measurement systems be implemented by the states with OJJDP providing leadership, incentives, and technical assistance. States should take the lead because:

- Many states have pioneered performance-measurement systems for state-funded programs generally, and their experience can serve as models for other states.
- States are the logical entity to monitor and improve the quality and completeness of data provided by grant recipients because states will use the resulting performance reports to make decisions about future use of state resources.
- States have invested heavily in recent years in upgrading juvenile justice management information systems (aided by JAIBG funds), and in linking those systems with those in other agencies to promote information sharing.

We recommend that OJJDP investigate existing state juvenile justice performance measurement systems (in such states as Florida, Iowa, and Oregon) and extract lessons from their experiences that are relevant to states' JAIBG programs. OJJDP has substantial experience in juvenile justice performance measurement systems stemming from its support since 1995 of the Performance-Based Standards (PbS) project for juvenile training schools and detention centers.<sup>3</sup> The PbS project now serves more than 132 secure juvenile facilities in 23 states.

OJJDP should provide guidance to states as they develop juvenile accountability performance measurement systems, including technical assistance and training to develop common sets of indicators for major types of programs. Subject to Congressional approval, OJJDP could also provide grants to states as incentives to implement such systems.

For state-level performance measurement systems to work well, end-users should receive benefits that exceed the cost they incur in supplying the performance-measurement data. That can be done by reducing data collection costs, and by providing selective rewards to those who supply data.

States can use several strategies to reduce data collection costs, including limiting required data elements to those that end-users currently maintain, using easily accessible web-based data collection tools, and automatically extracting as many required data elements as possible from agencies' existing management information systems.

Likewise, states can develop a range of selective benefits for those who contribute performance measurement data elements, such as reports that document the contributing program's progress over time on key performance measures, and compare that program to

---

<sup>3</sup> The Council of Juvenile Correctional Administrators (CJCA) administers the PbS Project. Abt Associates Inc. provides technical support to CJCA in that effort.

similar programs around the state. If the data collection and reporting system is web-based, it also could contain tools that help program staff solve problems—for example, an expert system that program staff can use to “troubleshoot” problems and identify possible cures. It also could be a one-stop link to on-line information, materials and research about their particular type of program, and an on-line forum where peer staff in similar programs around the state or nation could post queries or respond to them.

If properly designed, such systems could generate performance reports on individual funded projects, categories of funded projects (e.g., all drug courts), or on a state’s overall block grant program.

## **State Budget Shortfalls**

It is important to note that the effects of states’ emerging fiscal crises were just beginning to be evident as we concluded field data collection for this assessment in 2002. Some state’s JAIBG programs were being seriously affected by state revenue shortfalls at that time, while others expected to be affected in the future. States’ fiscal problems have worsened since then.<sup>4</sup>

While most states expected to be able to providing matching funds in the future, some officials feared that local governments might be unable to do so. Through 2002, at least, the availability of JAIBG funds softened the effect of spending cuts, as state and local agencies tapped JAIBG to continue some accountability programs that otherwise would have been eliminated.

In some states (Iowa, for example), reorganization and downsizing of agencies reduced the number of experienced staff available to support both state and local JAIBG programs. In addition, Congress recently reduced the amount (from 10 percent to 5 percent) of JAIBG funds that state and local governments can use for administrative costs. The combined effects may threaten the effective administration of both state and local JAIBG programs in the future.

---

<sup>4</sup> See *The Fiscal Survey of States*, National Governors Association, Washington, D.C., November 2002.

# Chapter One

## Introduction

The Juvenile Accountability Incentive Block Grant (JAIBG) Program was established in an appropriations act (Public Law 105-119, November 26, 1997—hereinafter referred to as “the Act”) that funded the Departments of Justice, Commerce and State, the Judiciary, and a number of related agencies. The Act provided \$232 million for block grants to state and local units of government to implement the JAIBG Program that was described in Title III of H.R. 3, which the House of Representatives had passed on May 7, 1997.<sup>5</sup> Companion legislation (S.B. 1) was introduced but never enacted by the Senate. The Act vested administrative responsibility for the JAIBG Program to the Attorney General, who delegated this authority to the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Within OJJDP, the State and Tribal Assistance Division (STAD) took the lead in implementation.

### Congressional Objectives

Congress passed this legislation to stimulate the reform of states’ juvenile justice statutes and institutions to improve juvenile “accountability.” The concept of “juvenile accountability” was not defined precisely in the law, although the Act cited policies that would, in the view of Congress, advance such accountability. These included:

- Prosecuting violent juveniles as adults in criminal courts;
- Providing for graduated sanctions for juveniles—a concept borrowed from sentencing reforms in adult criminal courts whereby punishments are scaled to the gravity of the offense and to the offenders’ prior record;
- Holding parents responsible for delinquent children who disobey court orders;
- Establishing comparable juvenile and adult criminal record systems; and,
- Instituting policies to govern use of drug testing of juveniles.

An earlier version of the legislation required states to enact such policies if they accepted the funds. In the Act, Congress softened that position. Instead, it provided through the JAIBG legislation incentives for states to institute policies designed to increase legal accountability of juveniles. Federal aid would be made available to states to support a variety of specified activities at state and local levels, on the condition that governors certified that their state either already had laws on the books or practices in place that achieved the policy objectives sought by Congress in the Act or that they would “actively consider” adopting such policies

---

<sup>5</sup> The Act provided a total of \$250 million in FY 1998. OJJDP had authorization to keep 12 percent of that amount for discretionary funding of projects related to the purposes of the Act. This study focuses on the remaining 88 percent—or \$232 million—that provided block grants to states and local governments.

within one year.<sup>6</sup> The Act did not require that “active consideration” result in new laws and policies within a specified time.

The Act defined 12 purpose areas in which state and local governments could use JAIBG funds to establish programs or services that would advance juvenile accountability. In the JAIBG legislation Congress gave state and local governments authority to use block grant funds for a wide range of activities within these twelve broadly described purpose areas. The Statute defined eligibility requirements for units of government eligible to receive these funds and the formula to determine the amount of the block grant funds. So long as eligible recipients adhered to the basic framework of the program, they were “entitled” to their block grants. Under the JAIBG program block grant recipients had substantial discretion to identify their own specific problems, to design programs to improve them, and to allocate resources to these programs, as long as they stayed within the broad framework of categories established by Congress. Thus, OJJDP had no influence on the size of the amount of awards available to eligible units of government and very limited influence on the specific kinds of programs those units of government decided to support with their block grants.

Furthermore, in a block grant program, “red tape”—administrative, planning, and reporting requirements—is kept to minimum levels needed to ensure that funds are used for the broad purposes Congress authorized. Federal agencies administering block grant programs have limited ability to compel state and local governments to follow more restrictive, burdensome, or stringent administrative, reporting, or monitoring requirements.

### **Local Governments to Take the Lead**

Congress expected local governments to take the lead in implementing reforms and services to increase juvenile accountability. Every unit of general-purpose<sup>7</sup> local government within a state was entitled to a JAIBG allocation. The Act required each state to pass-through 75 percent of their JAIBG allocation to general-purpose units of local government. The Act allowed states to seek a waiver from OJJDP from the 75 percent pass-through requirement.

In making this distribution, the Act required states to apportion two-thirds of the local allocation based upon average law enforcement expenditures for each unit of local government for the past three years for which data were available. The Act required states to apportion one-third of the local allocation based upon local units of government’s average annual number of Part 1 violent crimes for the most recent past three years for which data were available.

---

<sup>6</sup> In HR 3, states were required, as a condition of accepting the funds, to enact policies in these areas within one year. In the Act, states had only to agree to “actively consider” adopting the policies in order to accept the funds. This represented a major “softening” of the requirement in HR 3.

<sup>7</sup> Special-purpose units of government, such as school districts, were not eligible for a JAIBG allocation.

Congress recognized that units of local government that received very small entitlements could not implement effective reforms and, therefore, set a \$5,000 “floor” on local government JAIBG entitlements. The Act permitted states to keep all local government entitlements of \$5,000 or less and to expend them on programs within the Act’s purpose areas that would benefit small units of local government.

At the same time, Congress set strict time limits within which state and local governments had to spend JAIBG funds. The “clock” started when states drew down their “program” funds (as opposed to their administrative cost funds) from OJJDP. Different states drew down those funds at different times. However, from the point of draw-down, all states had 24 months to spend the money, after which unspent funds had to be returned to the federal government.

### **Program Purpose Areas**

The Act authorized state and local governments to expend JAIBG funds in twelve program purpose areas (PPA). These program purpose areas will be described in more detail in Chapter Three. The program purpose areas included constructing or renovating juvenile confinement facilities and training their staffs, hiring more court and prosecution personnel, improving prosecution of violent juvenile offenders, providing juvenile gun and drug courts, developing accountability-based programs in probation, prosecution and law-enforcement, improving information systems, implementing juvenile drug testing, and providing an expanded array of graduated sanctions. The Act prohibited using JAIBG funds to support prevention programs.

Excluding funds set aside for administration, the Act required state and local governments to allocate not less than 35 percent of its JAIBG funds for program purpose areas 1, 2, and 10 (facility construction or renovation, accountability-based sanctions, information sharing), and not less than 45 percent from program purpose areas 3 through 9 (generally, hiring personnel, improving the capacity of prosecution, courts, and probation, and setting up drug and gun courts). States and localities could allocate their funds differently by certifying that the interests of public safety and juvenile crime control would be better served by a different spending pattern.

### **Our Assessment of the JAIBG Program**

This report examines the operation of the JAIBG program during its first five years, from FYs 1998 through 2002. This includes describing procedures that OJJDP took to make JAIBG funds available to state and local governments and to help prepare them to implement their JAIBG program. These activities included providing guidance, training, and technical assistance; determining state allocations and state and local distributions under the 75 percent pass-through provision; and establishing monitoring procedures. The following chapters also examine how states launched their JAIBG programs. This includes procedures for applying for JAIBG funds; deciding what percent of JAIBG allocations to pass-through to units of

local government; selecting designated state agencies (DSAs) to administer the program; establishing state and local Juvenile Crime Enforcement Coalitions (JCECs); implementing Coordinated Enforcement Plans (CEP); and spending JAIBG funds by their deadlines.

In addition to describing how states implemented the JAIBG program, this report examines the program's effects on state and local juvenile justice policies and practices. This includes studying how states awarded the grant funds to localities and for what purposes, and an assessment of how states changed their policies and practices during this five year period with respect to:

- Prosecuting violent juveniles as adults;
- Providing graduated sanctions for juveniles;
- Holding parents responsible for delinquent children who disobey court orders; and
- Establishing comparable juvenile and adult criminal record systems.

This study is not an evaluation of the impact of the JAIBG program on serious juvenile crime or on states' juvenile justice systems. In most jurisdictions, it took many months to build the state and local infrastructure to administer the JAIBG program, to begin and complete required comprehensive enforcement plans, to award funds to eligible subgrantees, and to implement funded projects. This meant that funded programs had been operating for only a short period when this study had to complete its data collection. As a result, the request for proposals did not call for an impact evaluation, and we did not propose to conduct one.

## **Data Sources**

We obtained the data for this study from several sources. Sources included interviews with state and local planners and administrators, as well as staff in funded programs, which occurred during two site visits to six states; interviews with state JAIBG coordinators, conducted annually for all 56 jurisdictions; and interviews with key officials at OJJDP during the Act's passage and implementation. Documentary sources also provided data for the study, including states' coordinated enforcement plans; data collected by OJJDP's State and Tribal Assistance Division through Follow-Up Information Forms (FIF) for FY 1998, 1999, and 2000; close-out data for FY 1998 JAIBG funds; and information about training and technical assistance provided under auspices of OJJDP. Finally, mail surveys administered by Abt Associates collected programmatic and financial data for a sample of 1998 programs. Attitudes and opinions about JAIBG expressed by recipients of sub-grants, state JCEC members, and local JCEC members. Abt Associates staff conducted site visits to six states to interview state and local planners, and to observe and document programs funded with JAIBG money.

## **The Organization of This Report**

Chapter Two describes how OJJDP and state and local governments implemented the JAIBG Program. The chapter provides information on the requirements and choices state and local governments made that affected the content and timing of their implementation. Chapter Three describes how the implementation of the program and the expenditure of funds impacted the policy objectives of Congress put forth in the areas of certification and the juvenile drug testing policy requirement. Distribution of funds by program purpose areas and the types of programs funded are presented. The Appendices of this report contain the methodology used to conduct the study, as well as site-visit reports, and case studies from two training programs initiated with JAIBG funds.

## Chapter Two

# Implementation of Juvenile Accountability Incentive Block Grant (JAIBG) Programs

This chapter describes how the Office of Juvenile Justice and Delinquency Prevention and state and local governments implemented the JAIBG Program, and examines the effects of important choices made by each during the implementation process.

### Start Up

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) had the responsibility of implementing the JAIBG Program, and The State and Tribal Assistance Division (STAD) took the lead in this effort. STAD administers other grants to the states under the JJDP Act, including the formula grant and Title V Prevention grant programs. Hence, it had experience in dealing with many of the issues that OJJDP and the states would face in launching and managing the JAIBG program. In the 51 states and territories where the JAIBG Designated State Agency (DSA) also administered other JJDP Act grant programs, well-developed relationships between the DSAs and STAD already existed. OJJDP's Training and Technical Assistance division was also heavily involved in JAIBG implementation.

OJJDP had to perform several functions to launch the JAIBG Program. It had to:

- determine amounts of JAIBG allocations and entitlements,
- establish procedures for states to follow,
- establish monitoring and reporting requirements, and
- provide training and technical assistance required by state and local governments.

### Allocations to the States

The Act established the criteria to determine JAIBG funding allocations among the states and to calculate the entitlement of each general-purpose unit of local government within the states. However, the Act did not define the means by which the calculations should occur, and, importantly, how any disputes over the correct application of the criteria would be resolved.

The Act gave each state a base of one-half of one percent of the total JAIBG appropriation available for distribution to the states. The balance of each state's allocation was determined by the proportion of the state's population age 18 or younger, based on the most recent calendar year of available census data.

In total, 56 jurisdictions—all 50 states, the District of Columbia, American Samoa, Guam, the Virgin Islands, Puerto Rico, and the Northern Mariana Islands—were eligible for JAIBG allocations. Table 2.1 shows these allocations by state during FYs 1998–2002.

**Table 2.1**

**JAIBG Allocations by State, FY 1998 through FY 2002**

| <b>State</b>         | <b>FY 1998</b> | <b>FY 1999</b> | <b>FY 2000</b> | <b>FY 2001</b> | <b>FY 2002</b> |
|----------------------|----------------|----------------|----------------|----------------|----------------|
| Alabama              | \$3,756,600    | \$3,727,700    | \$3,565,100    | \$3,657,700    | \$3,119,400    |
| Alaska               | \$1,605,800    | \$1,612,300    | \$1,541,700    | \$1,618,100    | \$1,334,800    |
| Arizona              | \$3,934,500    | \$4,221,900    | \$3,971,800    | \$4,287,400    | \$3,585,376    |
| Arkansas             | \$2,751,200    | \$2,748,200    | \$2,588,600    | \$2,705,300    | \$2,271,700    |
| California           | \$22,539,000   | \$22,598,300   | \$21,322,800   | \$22,091,698   | \$18,668,200   |
| Colorado             | \$3,567,400    | \$3,593,200    | \$3,466,219    | \$3,656,200    | \$3,076,100    |
| Connecticut          | \$3,085,200    | \$3,058,300    | \$2,899,400    | \$3,099,553    | \$2,580,300    |
| Delaware             | \$1,585,600    | \$1,586,100    | \$1,511,700    | \$1,584,400    | \$1,342,200    |
| District of Columbia | \$1,425,400    | \$1,418,000    | \$1,339,100    | \$1,379,900    | \$1,189,900    |
| Florida              | \$9,414,600    | \$9,474,200    | \$9,136,600    | \$9,531,700    | \$7,946,700    |
| Georgia              | \$5,868,800    | \$5,921,600    | \$5,693,600    | \$5,982,000    | \$5,120,400    |
| Hawaii               | \$1,900,300    | \$1,885,900    | \$1,782,300    | \$1,835,200    | \$1,535,800    |
| Idaho                | \$2,001,500    | \$2,002,700    | \$1,902,200    | \$1,978,600    | \$1,676,000    |
| Illinois             | \$8,770,400    | \$8,762,800    | \$8,336,600    | \$8,620,100    | \$7,179,600    |
| Indiana              | \$4,774,300    | \$4,747,300    | \$4,547,900    | \$4,743,500    | \$3,982,300    |
| Iowa                 | \$2,895,700    | \$2,898,200    | \$2,743,800    | \$2,844,800    | \$2,373,600    |
| Kansas               | \$2,818,400    | \$2,808,700    | \$2,687,800    | \$2,795,400    | \$2,334,100    |
| Kentucky             | \$3,496,800    | \$3,463,100    | \$3,347,600    | \$3,421,600    | \$2,873,300    |
| Louisiana            | \$4,135,200    | \$4,013,100    | \$3,808,400    | \$3,948,200    | \$3,303,800    |
| Maine                | \$1,883,400    | \$1,873,100    | \$1,767,000    | \$1,837,800    | \$1,546,300    |
| Maryland             | \$4,262,400    | \$4,199,100    | \$4,025,700    | \$4,228,400    | \$3,564,700    |
| Massachusetts        | \$4,589,700    | \$4,636,900    | \$4,412,600    | \$4,601,750    | \$3,840,077    |
| Michigan             | \$7,278,200    | \$7,159,500    | \$6,894,319    | \$7,165,100    | \$5,936,500    |
| Minnesota            | \$4,167,900    | \$4,156,300    | \$3,962,800    | \$4,140,300    | \$3,432,200    |
| Mississippi          | \$2,984,400    | \$2,964,500    | \$2,822,600    | \$2,922,700    | \$2,453,100    |
| Missouri             | \$4,522,800    | \$4,529,300    | \$4,296,700    | \$4,439,700    | \$3,701,600    |
| Montana              | \$1,722,400    | \$1,710,900    | \$1,614,600    | \$1,681,500    | \$1,410,100    |
| Nebraska             | \$2,227,400    | \$2,226,200    | \$2,116,500    | \$2,197,600    | \$1,831,400    |
| Nevada               | \$2,166,100    | \$2,221,800    | \$2,165,200    | \$2,309,400    | \$1,949,100    |
| New Hampshire        | \$1,874,600    | \$1,870,300    | \$1,782,900    | \$1,870,600    | \$1,562,200    |
| New Jersey           | \$5,952,000    | \$5,919,900    | \$5,621,200    | \$5,856,100    | \$4,964,100    |
| New Mexico           | \$2,369,800    | \$2,357,000    | \$2,249,400    | \$2,319,100    | \$1,943,000    |
| New York             | \$12,108,900   | \$12,081,400   | \$11,320,600   | \$11,575,200   | \$9,943,800    |
| North Carolina       | \$5,582,300    | \$5,647,600    | \$5,460,900    | \$5,710,000    | \$4,727,800    |

**Table 2.1****JAIBG Allocations by State, FY 1998 through FY 2002**

| <b>State</b>            | <b>FY 1998</b>       | <b>FY 1999</b>       | <b>FY 2000</b>       | <b>FY 2001</b>       | <b>FY 2002</b>       |
|-------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| North Dakota            | \$1,567,900          | \$1,556,900          | \$1,474,400          | \$1,532,000          | \$1,277,673          |
| Ohio                    | \$8,027,700          | \$7,959,100          | \$7,557,700          | \$7,828,899          | \$6,496,300          |
| Oklahoma                | \$3,284,900          | \$3,264,600          | \$3,100,500          | \$3,225,800          | \$2,677,300          |
| Oregon                  | \$3,110,400          | \$3,102,700          | \$2,977,500          | \$3,097,800          | \$2,589,600          |
| Pennsylvania            | \$8,140,600          | \$8,020,000          | \$7,593,600          | \$7,848,700          | \$6,561,200          |
| Rhode Island            | \$1,728,500          | \$1,720,800          | \$1,645,200          | \$1,722,200          | \$1,444,100          |
| South Carolina          | \$3,422,300          | \$3,449,800          | \$3,281,800          | \$3,399,100          | \$2,901,700          |
| South Dakota            | \$1,653,500          | \$1,633,800          | \$1,561,300          | \$1,621,000          | \$1,357,600          |
| Tennessee               | \$4,349,100          | \$4,333,800          | \$4,126,000          | \$4,302,300          | \$3,645,800          |
| Texas                   | \$14,307,200         | \$14,517,200         | \$13,876,500         | \$14,574,300         | \$12,233,400         |
| Utah                    | \$2,797,900          | \$2,809,000          | \$2,696,500          | \$2,815,900          | \$2,345,000          |
| Vermont                 | \$1,514,800          | \$1,509,700          | \$1,426,119          | \$1,483,300          | \$1,252,174          |
| Virginia                | \$5,095,800          | \$5,099,200          | \$4,836,800          | \$5,062,200          | \$4,295,800          |
| Washington              | \$4,625,500          | \$4,644,800          | \$4,446,100          | \$4,643,500          | \$3,866,400          |
| West Virginia           | \$2,178,600          | \$2,147,300          | \$2,022,600          | \$2,103,000          | \$1,739,800          |
| Wisconsin               | \$4,399,400          | \$4,385,500          | \$4,170,600          | \$4,319,500          | \$3,588,800          |
| Wyoming                 | \$1,482,600          | \$1,476,800          | \$1,399,100          | \$1,453,900          | \$1,216,500          |
| Puerto Rico             | \$3,944,900          | \$3,926,100          | \$3,724,800          | \$3,865,000          | \$3,059,500          |
| Virgin Islands          | \$1,246,700          | \$1,246,100          | \$1,185,818          | \$1,239,500          | \$1,037,700          |
| AS                      | \$446,391            | \$445,962            | \$424,248            | \$825,842            | \$691,440            |
| Guam                    | \$676,350            | \$675,700            | \$642,800            | \$1,266,400          | \$1,059,600          |
| MP                      | \$229,959            | \$229,738            | \$218,552            | \$406,758            | \$340,560            |
| <b>Total Calculated</b> | <b>\$232,250,000</b> | <b>\$232,250,000</b> | <b>\$221,094,775</b> | <b>\$231,273,500</b> | <b>\$193,977,500</b> |

Source: Office of Juvenile Justice and Delinquency Prevention

OJJDP contracted with the Justice Research and Statistics Association (JRSA) to compute state allocations and entitlements for general purpose units of local government.<sup>8</sup> JRSA began by applying the Act's criteria to determine each state's allocation. Once allocations were determined, JRSA calculated how much each state's local governments would receive under the 75 percent pass-through provision. JRSA then applied the statutory criteria to determine each unit of local government's entitlement within each state.

<sup>8</sup> Unit of local government is defined as "a county, township, city, or political subdivision of county, township, or city that is a unit of local government as determined by the Secretary of Commerce for general statistical purposes; the District of Columbia; and the recognized body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.

The Act’s formula based two-thirds of the local entitlements on the average law enforcement expenditures for each unit of local government as reported in the latest census data, and one-third on the average annual number of Part 1 violent crimes in local governments for the most recent past three years of available data.

JRSA calculated the local entitlements using expenditure data taken from the 1997 Census and the most recent three years of available UCR Crime data for each state. Average crime data sufficed if three years of complete data were not available. States were permitted to re-compute local entitlements if they could show that they had access to more accurate or more recent data on the criteria. JRSA did not perform data quality assurance procedures for states that re-computed entitlements unless the state requested assistance with their calculations.

Most states relied on the JRSA computations for local entitlements. However, during the course of this assessment six states asserted that they had more recent or more complete data on one or both of the criteria, and recomputed their local entitlements. Table 2.2 below shows the states that used their own data for one or both of the criteria, and the source of the data they used.

**Table 2.2**

**Sources Of Data Used By States Calculating Their Own Local Entitlements**

| <b>State</b>   | <b>Expenditure Data</b>                                                                       | <b>Crime Data</b>              |
|----------------|-----------------------------------------------------------------------------------------------|--------------------------------|
| Illinois       | JRSA                                                                                          | Illinois State Police          |
| Iowa           | Reviewed JRSA data and surveyed jurisdictions whose data were missing or appeared inaccurate. |                                |
| Kentucky       | State data                                                                                    | State UCR Data                 |
| Minnesota      | Minnesota State Auditor                                                                       | JRSA                           |
| Pennsylvania   | Department of Economic and Community Development                                              | State UCR Data                 |
| South Carolina | South Carolina Budget and Control Board Annual Census                                         | State Law Enforcement Division |

*Source:* Justice Research and Statistics Association

Obtaining data to compute the entitlement amounts for tribes proved to be problematic. Most tribes do not report UCR data, and those that do are believed to underreport the actual crime figures. JRSA encouraged States to contact the Bureau of Indian Affairs to obtain some of the necessary data or to work directly with the tribes to obtain it.

**Procedures for JAIBG Implementation**

OJJDP set forth procedures for states to follow to begin their JAIBG Programs, including defining how to apply, how to structure their state programs, and procedures to certify their state’s conformance to substantive polices specified in the Act, and requirements for filing progress and fiscal reports. Acting through the Attorney General’s Office of Legislative

Affairs, OJJDP officials conferred with Congress to interpret important features of the Act and to define implementation issues.

OJJDP published the FY 1998 *JAIBG Guidance Manual* to provide a detailed explanation of the key features of the Act, and instructions for state officials on how to apply for their JAIBG funds. OJJDP updated the *JAIBG Guidance Manual* every year to reflect legislative and administrative changes. In particular, the *JAIBG Guidance Manual* interpreted or clarified several key features of the act, including:

- eligibility requirements,
- program purpose areas,
- cash match requirements,
- waiver requests,
- juvenile Crime Enforcement Coalitions, and
- areas of certification.

The *JAIBG Guidance Manual* became the foundation for development of the JAIBG program. It served as the centerpiece around which state and local officials were trained on the Act's requirements and how to go about implementing their programs. The content of specific sections of the *JAIBG Guidance Manual* will be covered in detail below with the presentation of information on specific aspects of JAIBG program development.

### **Application**

In order to start their JAIBG programs, each state had to submit an application for OJJDP's review and approval. Once approved, OJJDP could release administrative funds to the states to commence the work of planning and setting up their state and local JAIBG program. The application included:

- designating a state agency to administer JAIBG,
- providing certifications covering:
  - provision of cash match,
  - consideration of policies in four specified areas, and
  - establishment of policies for juvenile drug testing.

### **Designated State Agencies**

Each governor was required to identify a Designated State Agency (DSA) to administer the JAIBG program. In 51 jurisdictions, governors named the same state agency that served as the planning and administrative body for other JJDP Act grant programs, such as the Formula Grants programs and the Title V Prevention Grants. DSAs remained the same in FY 1998 through 2000 in all but two jurisdictions—Tennessee and the District of Columbia. Tennessee originally used the Department of Children's Services as the DSA, but reassigned this function to the Commission on Children and Youth late in 2000 due to a 2000 court

decree that burdened the Department of Children’s Services. The Commission on Children and Youth, which was responsible for administration of formula grants, was considered an appropriate DSA alternative. In the District of Columbia, the Office of Grants Management and Development served as the DSA until 1999 when it was reassigned to the Justice Grants Administration.<sup>9</sup>

## Areas of Certification

In the application, the governor had to certify that within one year the state would actively consider<sup>10</sup> policies (termed “areas of certification”) that, if enacted, would bring the state into conformance with the policy objectives established by Congress in the Act: 1) prosecution of violent juveniles as adults, 2) availability of graduated sanctions for juvenile offenders, 3) maintenance of juvenile delinquency records in a system “equivalent” to the adult criminal history system, and 4) assurance that state laws do not prohibit criminal accountability of parents/guardians for juvenile offenders’ compliance with sanctions.

The *Guidance Manual* interpreted the meaning of the areas of certification and defined two situations in which states would not need to certify that they would actively consider policies covered by the areas of certification. First, if at the time of the governor’s certification, a state’s existing laws, policies, or practices already met a policy objective of the Act, the state was deemed to satisfy the Act’s requirement and did not need to “actively consider” that area of certification. The *Guidance Manual* provided specific illustrations of policies that would satisfy the Act. For example, with respect to prosecuting serious juvenile offenders as adults, the *Guidance Manual* noted that laws providing for statutory exclusion,<sup>11</sup> presumptive jurisdiction,<sup>12</sup> dual jurisdiction,<sup>13</sup> and direct filing<sup>14</sup> would constitute conformance. Second, the *Guidance Manual* noted that if states had actively considered policies addressing the areas of certification within the past three years, they did not need to reconsider them.

---

<sup>9</sup> Personnel at JGA were not aware of the reason for the reassignment of the DSA.

<sup>10</sup> The *Guidance Manual* defines active consideration as the deliberation or debate of policies that would result in a State’s compliance with the requirements of H.R. 3, as referenced in the Appropriations Act. States were instructed that consideration entails a discussion in the last 3 years or in future years initiated by a member of the executive branch, legislature, or judiciary.

<sup>11</sup> Statutory exclusion, in which the legislature excludes specified serious violent crimes from the jurisdiction of juvenile courts.

<sup>12</sup> Presumptive jurisdiction, in which legislatures give criminal courts jurisdiction over juveniles who are 15 or older and who are charged with a serious violent crime, but allow prosecutors or the juvenile to move for transfer, in the discretion of the criminal court judge, to the juvenile court.

<sup>13</sup> Direct file, in which prosecutors at their discretion may file charges against juveniles who are 15 or older and who are accused of committing serious violent crimes in criminal court, without first obtaining judicial approval.

<sup>14</sup> Dual jurisdiction, in which legislatures permit delinquency proceedings for juveniles age 15 or older who are charged with serious violent crimes, but give the option of imposing either a criminal or a juvenile disposition.

Governors issued the certifications in all jurisdictions indicating either that their jurisdiction conformed to the Act's areas of certification at the outset, or that they would actively consider laws, policies, or practices in the first year. Additionally, governors certified that the state would institute policies to guide use of drug testing for appropriate categories of youth by January 1, 1999, and each DSA certified that funds for matching the non-federal share would be available by the end of the project period.

### **Reporting Requirements**

JAIBG sub-grant recipients filed semi-annual progress reports and quarterly financial reports, each on standard reporting forms used for other federal grant programs to the DSA. Furthermore, OJJDP developed a Follow-Up Information Form (FIF) to collect additional JAIBG-specific information on sub-grants to show states' distribution of JAIBG funds within program purpose areas, and by type of jurisdiction.

### **Training and Technical Assistance**

OJJDP developed a broad technical assistance and training effort in order to implement the JAIBG program. The initial focus of this effort was training state JAIBG coordinators, conducting training and technical assistance needs assessments, and developing a broad-based capacity to provide both proactive and responsive assistance.

Development Services Group (DSG) was selected to provide support services to OJJDP's Training and Technical Assistance Division and coordinate JAIBG training and technical assistance functions. In this capacity, DSG conducted needs assessment interviews with state JAIBG coordinators, and worked with OJJDP to develop plans to address documented needs via training programs and materials development. DSG also served as a clearinghouse for technical assistance requests from DSAs, state and local JCECs, and state and local JAIBG sub-grant recipients.

#### ***Training State and Local Officials***

State and local officials had to be trained in the requirements of the Act and OJJDP procedures affecting their participation in the JAIBG program. Under its contract with OJJDP, DSG planned, developed, and delivered a series of regional training conferences.

DSG used training conferences to provide participants with a wide range of published documents and materials relevant to JAIBG program purpose areas. DSG did needs assessment surveys to help define the content of the training, and the conferences contained sessions on administering the program, as well as training on issues related to program purpose areas. OJJDP held similar trainings for DSA staff and officials each year during the course of this study, and DSG played a central support role in these trainings.

## *Strategic Planning*

OJJDP produced a *JAIBG Strategic Planning Guide*,<sup>15</sup> which advocated a results-based, data-driven planning model. The model provided an example of a practice toward which state and local JCECs should strive, but was not mandatory. It served as a conceptual framework for how states and localities might develop coordinated enforcement plans that linked results they wanted to achieve to decisions about how JAIBG funds should be spent. In addition, the framework called for identifying performance measures that indicate the effectiveness of a particular program or service. Within this framework, planners and policy makers would use feedback about indicators and performance measures to refine policies and program administration over time.

## *The JAIBG Training and Technical Assistance Alliance*

OJJDP formed the JAIBG Training and Technical Assistance Alliance—a consortium of organizations and professional associations—that provided training and technical assistance on a broad range of juvenile justice issues. OJJDP had long-standing relationships with several of these organizations, built over years of involvement in topics of mutual interest. Table 2.3 shows the members of the Alliance and their particular area(s) of expertise.

### *Proactive Technical Assistance*

OJJDP mounted an ambitious proactive technical assistance effort aimed at identifying and addressing the needs of state and local officials. They did so by preparing and distributing materials, holding training conferences, and DSG conducted telephone interviews annually with state JAIBG coordinators. DSG prepared new materials and assembled a wide range of previously published documents addressing identified needs and made these materials and documents available at JAIBG training events and OJJDP conferences and workshops.

---

<sup>15</sup> Danegger, A. Cohen, C., Hayes, C., Holden, G., and The Finance Project. *Juvenile Accountability Incentive Block Grants: Strategic Planning Guide*. OJJDP: January 1999.

---

**Table 2.3****JAIBG Training and Technical Assistance Alliance Members and Area of Expertise**

---

| <b>Alliance Members</b>                              | <b>Area Of Expertise</b>                                                                                                                     |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| American Correctional Association                    | Supervising young offenders, behavior management, mental illness, risk assessment, sex offenders, gender specific, special needs populations |
| American Probation and Parole Association            | Drug Testing and Youth Courts                                                                                                                |
| American Prosecutors Research Institute              | Jumpstart                                                                                                                                    |
| Center for the Study and Prevention of Violence      | Multi-systemic Therapy (MST), Functional family Therapy (FFT)                                                                                |
| Corrections Program Office                           | Planning Of New Institutions (PONI)                                                                                                          |
| Florida Atlantic University                          | Restorative Justice, Victim Offender Mediation, Balanced and Restorative Justice (BARJ)                                                      |
| Greene Peters Associates                             | Child and adolescent development program                                                                                                     |
| International Association of Chiefs of Police        | Serious and Habitual Offender Comprehensive Action Planning (SHOCAP), Youth, Gangs, Guns and Drugs                                           |
| Justice Research and Statistics Association          | Calculation of Allocation Amounts                                                                                                            |
| Juvenile Sanctions Center                            | Graduated Sanctions                                                                                                                          |
| Street Law                                           | Youth Courts                                                                                                                                 |
| National Center for Juvenile Justice                 | Roles of Judges in Balanced and Restorative Justice (BARJ) initiative                                                                        |
| National Council of Juvenile and Family Court Judges | Drug Courts, Dispositional Alternatives, Balanced and Restorative Justice (BARJ), Youth in Adult Courts                                      |
| National Institute of Corrections                    | Planning of New Institutions (PONI), Thinking for a Change, Correctional Leadership Training                                                 |
| National Juvenile Detention Association              | Detention Programming, Educational Services, Detention Case Workers Training                                                                 |

---

*Source:* Development Services Group

---

The Alliance developed an array of materials that gave state and local JCECs information on the areas of certification, key issues in juvenile justice, promising program models, and technology. OJJDP engaged Alliance members to produce many of these materials. Among the materials developed were facilitator guides, training for trainers curricula, the JAIBG Bulletin Series, and the JAIBG Newsletter. DSG produced a series of Technical Assistance

Resource Guides that contained abstracts of important publications, links to additional resources, and contact information for promising programs nationwide. The series includes topics such as:

- Immediate Sanctions in an Accountability-Based System,
- Information Sharing and Systems Integration in an Accountability-Based System, Intermediate Sanctions in an Accountability-Based System, Prosecutors in an Accountability-Based System,
- Schools in an Accountability-Based System,
- Secure Care in an Accountability-Based System, and
- Specialized Courts: Youth, Drug and Gun Courts in an Accountability-Based System.

OJJDP also developed or enhanced several specialized training programs on topics within JAIBG's program purpose areas. For example, the National Institute of Corrections Training Academy developed a program to train state and local officials to plan new juvenile institutions. The Juvenile PONI (Planning of New Institutions) training was patterned after an existing PONI curriculum for adult institutions with modifications to reflect unique aspects of secure facilities for juveniles. OJJDP also contracted with the American Prosecutors Research Institute (APRI) to train juvenile prosecutors to deal with serious juvenile offenders. The JUMPSTART training program provided more than just basic instruction for new juvenile prosecutors. It incorporated a multi-dimensional body of knowledge about juvenile crime and prosecution, including early childhood predictors of violence, adolescent development, delinquency prevention via early intervention, as well as more traditional training on law (e.g., search and seizure in schools) and prosecution (see Appendix C and D for case studies of the JUMPSTART and PONI programs).

Between October 1998 and December 2002, JAIBG funds supported 827 training sessions nationwide (Table 2.4). These sessions reached 79,411 people and provided a total of 56,612 hours of training. Three members of the Alliance—the National Juvenile Detention Association, the National Council of Juvenile and Family Court Judges, and the American Correctional Association—accounted for 54 percent of the training sessions.

DSG also gathered data on the number and types of technical assistance provided by the alliance members. Alliance members primarily conducted conference sessions, curriculum-based training, and small interactive workshops on JAIBG related topics.

**Table 2.4****JAIBG Training Sessions Conducted by Alliance Members, October 1998–December 2002**

| <b>Alliance Members</b>                            | <b>Number of sessions</b> | <b>Percent of all sessions</b> |
|----------------------------------------------------|---------------------------|--------------------------------|
| National Juvenile Detention Association            | 166                       | 20%                            |
| National Council of Juvenile & Family Court Judges | 146                       | 18%                            |
| American Correctional Association                  | 135                       | 16%                            |
| Development Service Group                          | 71                        | 9%                             |
| American Probation and Parole Association          | 65                        | 8%                             |
| Florida Atlantic University                        | 56                        | 7%                             |
| National Institute of Corrections                  | 43                        | 5%                             |
| International Association of Chiefs of Police      | 42                        | 5%                             |
| Center for the Study and Prevention of Violence    | 34                        | 4%                             |
| American Prosecutors Research Institute            | 22                        | 3%                             |
| Greene, Peters and Associates*                     | 19                        | 2%                             |
| NCJFCJ-DCPO                                        | 11                        | 1%                             |
| Juvenile Sanctions Center*                         | 9                         | 1%                             |
| Street Law*                                        | 3                         | 0.4%                           |
| Corrections Program Office                         | 2                         | 0.2%                           |
| Justice Research and Statistics Association        | 2                         | 0.2%                           |
| National Center for Juvenile Justice               | 1                         | 0.1%                           |
| Center for Network Development**                   | DATA NOT AVAILABLE        |                                |
| <b>Total</b>                                       | <b>827</b>                |                                |

\* Organizations participated in the Alliance for one year.

\*\* Organization participated in the Alliance for two years.

Sources: Development Services Group JAIBG TTA Database

### *Responsive Technical Assistance*

As noted above, OJJDP developed an infrastructure to respond to specific technical assistance requests from state or local officials, or from recipients of JAIBG sub-grants. Requests for “responsive” technical assistance could arise in three main ways—the requestor, on the state or local level, could contact: (1) DSG directly; (2) state JAIBG coordinators, or (3) member organizations in the Alliance. Regardless of the request route, DSG collected basic data on the each request if JAIBG funds were used to pay for the response.

Tables 2.6 through 2.8 show the number of responsive assistance activities provided by each of the Alliance Members, the levels of responsive assistance provided (e.g., information only, materials only, on-site TA, referrals), and the number of responsive technical assistance activities provided categorized by program purpose area. Alliance members delivered nearly 6,500 technical assistance activities to JAIBG subgrantees. Four organizations—the American Probation and Parole Association, the National Council of Juvenile and Family

Court Judges, the National Juvenile Detention Association, and the National Institute of Corrections—accounted for two-thirds of all responsive technical assistance activities.

**Table 2.5**

**Number and Percent of Responsive Technical Assistance Activities,  
October 1998–December 2002**

| <b>Alliance Members</b>                            | <b>Number</b> | <b>Percent</b> |
|----------------------------------------------------|---------------|----------------|
| American Probation and Parole Association          | 1,528         | 24%            |
| National Council of Juvenile & Family Court Judges | 1,276         | 20%            |
| National Juvenile Detention Association            | 913           | 14%            |
| National Institute of Corrections                  | 585           | 9%             |
| Development Service Group                          | 522           | 8%             |
| Florida Atlantic University                        | 413           | 6%             |
| Justice Research and Statistics Association        | 327           | 5%             |
| American Prosecutors Research Institute            | 310           | 5%             |
| Center for the Study and Prevention of Violence    | 264           | 4%             |
| American Correctional Association                  | 186           | 3%             |
| Greene, Peters and Associates                      | 55            | 0.9%           |
| International Association of Chiefs of Police      | 51            | 0.8%           |
| National Center for Juvenile Justice               | 25            | 0.4%           |
| NCJFCJ-DCPO                                        | 15            | 0.2%           |
| Juvenile Sanctions Center                          | 10            | 0.2%           |
| Street Law                                         | 3             | 0.1%           |
| Corrections Program office                         | 2             | 0.03%          |
| <b>Total</b>                                       | <b>6,485</b>  | <b>100%</b>    |

*Sources: Development Services Group JAIBG TTA Database*

Seventy percent of responses to technical assistance requests involved provision of information or materials only; approximately 12 percent involved delivering training, and between 5 and 6 percent involved delivering on-site or moderate assistance (moderate assistance includes activities such as creating a database). (See Table 2.6)

**Table 2.6****Levels of Response to Technical Assistance Requests, October 1998–December 2002**

|                                                                                                     | <u>Number</u> | <u>Percent</u> |
|-----------------------------------------------------------------------------------------------------|---------------|----------------|
| Information only                                                                                    | 2,960         | 46%            |
| Materials only                                                                                      | 1,645         | 25%            |
| Training                                                                                            | 760           | 12%            |
| On-site TA                                                                                          | 403           | 6%             |
| Moderate Telephone Assistance (including conference calls and assistance with database development) | 340           | 5%             |
| Referral                                                                                            | 54            | 0.8%           |
| Other                                                                                               | 305           | 5%             |
| Training Assessment                                                                                 | 18            | 0.3%           |
| <b>Total</b>                                                                                        | <b>6,485</b>  | <b>100%</b>    |

Sources: Development Services Group JAIBG TTA Database

Eighty-one percent of TA requests supported three of the 12 program purpose areas—PPA 1 (building, expanding, renovating, or operating facilities), PPA 2 (developing/administering sanctions), or PPA 7 (improving juvenile courts and probation) (See Table 2.7). States and localities sought assistance for other purposes infrequently. For example, requests for assistance in PPA 3 (hiring judges, defenders, funding pre-trial services), PPA 4 (hiring prosecutors), PPA 8 (establishing gun courts) and PPA 9 (establishing drug courts) each accounted for less than one percent of all technical assistance requests.

**Table 2.7****Number and Percent of Responses to Technical Assistance Requests by Program Purpose Area, October 1998–December 2002**

| <b>PPA</b>   | <b>Description</b>                                         | <b>Number</b> | <b>Percent</b> |
|--------------|------------------------------------------------------------|---------------|----------------|
| 1            | Building, expanding, renovating or operating facilities    | 1,339         | 21%            |
| 2            | Developing/administering sanctions programs                | 2,176         | 34%            |
| 3            | Hiring judges/defenders and funding pre-trial services     | 38            | 0.6%           |
| 4            | Hiring prosecutors                                         | 8             | 0.1%           |
| 5            | Helping prosecutors address drugs, gangs and violence      | 42            | 0.7%           |
| 6            | Enhancing prosecutor technology, equipment, and training   | 273           | 4%             |
| 7            | Improving juvenile courts and probation offices            | 1,743         | 27%            |
| 8            | Establishing gun courts                                    | 19            | 0.3%           |
| 9            | Establishing drug courts                                   | 50            | 0.8%           |
| 10           | Establishing/maintaining information-sharing systems       | 217           | 3%             |
| 11           | Establishing/maintaining law enforcement referral programs | 100           | 2%             |
| 12           | Implementing drug testing programs                         | 87            | 1%             |
| Admin        | Administrative support or requests                         | 343           | 5%             |
| <b>Total</b> |                                                            | <b>6,435</b>  |                |

Sources: Development Services Group JAIBG TTA Database

## Initiation of State and Local JAIBG Programs

The Act required each state to pass 75 percent of their JAIBG allocation to general purpose units of local government within the state or to seek a waiver from the requirement. The *Guidance Manual* explained that in order to receive a waiver from this requirement, a state had to demonstrate that it had primary financial burden (more than 50 percent) for the administration of juvenile justice or programs within the 12 purpose areas. In formulating a waiver request, the Act required states to consult with units of local government or with organizations representing local governments.

The Act's uniform entitlement criteria (population demographics, violent crimes, and law enforcement expenditures) did not reflect variation across jurisdictions in the formal responsibilities of state and local governments for providing and funding juvenile justice services and programs. In some jurisdictions, juvenile justice is a state function and local governments play no role whatsoever. While, in others states, state and local governments share responsibilities and fiscal burdens for juvenile justice to varying degrees.

The application of uniform allocation and pass-through formulas thus ensured that, in many states, JAIBG funds available to state and local governments would not mirror their respective responsibilities for providing and funding juvenile justice functions and services. One major challenge for state and local governments was to reconcile this “disconnect” between their JAIBG allocations and their existing functional and fiscal responsibilities.

States issued pass-through funding decisions in FY 1998 and few modified those decisions in FY 1999 or 2000. Systematic data on the distribution of financial responsibility is unavailable for juvenile justice expenditures among states that did not seek a waiver, though it is unlikely that the 75 percent local/25 percent state criteria closely reflects actual practice in many states. To the extent that states did not seek waivers, they did so because they embraced the underlying principle of JAIBG—namely, that local officials were best equipped to identify local problems and develop workable, locally supported solutions.

Twenty-one, or 38 percent, of the 56 jurisdictions sought a pass-through waiver in FY 1998. Table 2.8 shows jurisdictions that sought pass-through waivers, the percent of FY 1998 JAIBG funds they proposed to keep at the state level in their waiver request, and the percent actually awarded to local programs. Those that proposed to pass-through none of their allocation are either unitary systems (in which the state government performs all services) or are territories. Excluding these from the analysis, sixteen other jurisdictions sought a waiver and proposed to pass-through amounts ranging from 10 to 46 percent. In practice, however, 11 of the sixteen states awarded a higher percent of JAIBG funds to local programs than proposed in their waiver requests.

The funds actually awarded to local programs ranged from 19 to 91 percent. For example, Maryland proposed to pass-through 10 percent to local governments, but actually awarded 91 percent of their FY 1998 JAIBG funds to local programs. Likewise, New Mexico proposed

to pass-through 20 percent, but actually awarded 88 percent to local programs. In FY 1998 Alaska's waiver proposed to keep 100 percent of JAIBG funds at the state-level, however, Alaska awarded only 55 percent of their JAIBG allocation to state agencies, and 45 percent was distributed to local entities, including 12 percent to tribes through competitive awards.

Many states used pass-through waivers not to concentrate JAIBG funds at the state level, but to redistribute them to local programs in ways that better fit their specific practices than did the entitlement criteria in the Act. This practice will be discussed comprehensively in the section on local JCECs later in this chapter.

**Table 2.8**

**Percent of Total State Allocations Passed Through to Local Entities by States with Waivers**

| <b>State</b>   | <b>Pass-Through Proposed in Waiver Application</b> | <b>Actual Pass-through to Local Programs</b> |
|----------------|----------------------------------------------------|----------------------------------------------|
| Delaware       | 0                                                  | not available                                |
| Florida        | 0                                                  | not available                                |
| Puerto Rico    | 0                                                  | not available                                |
| Alaska         | 0                                                  | 52%                                          |
| Connecticut    | 0                                                  | 1%                                           |
| Rhode Island   | 0                                                  | not available                                |
| Utah           | 0                                                  | 5%                                           |
| Vermont        | 0                                                  | 0                                            |
| Virgin Islands | 0                                                  | 0                                            |
| South Carolina | 10 %                                               | 51 %                                         |
| Maryland       | 10 %                                               | 91 %                                         |
| North Carolina | 11 %                                               | 32 %                                         |
| Kentucky       | 14 %                                               | not available                                |
| Virginia       | 15 %                                               | not available                                |
| Georgia        | 20 %                                               | 21 %                                         |
| New Mexico     | 20 %                                               | 88 %                                         |
| Maine          | 25 %                                               | 28 %                                         |
| Iowa           | 27 %                                               | 46 %                                         |
| West Virginia  | 34 %                                               | 48 %                                         |
| Massachusetts  | 42 %                                               | 19* %                                        |
| North Dakota   | 46 %                                               | 73 %                                         |

Note: Data not available indicates that either the states reported less than 70% of their allocation or they did not report at all for FY 1998.

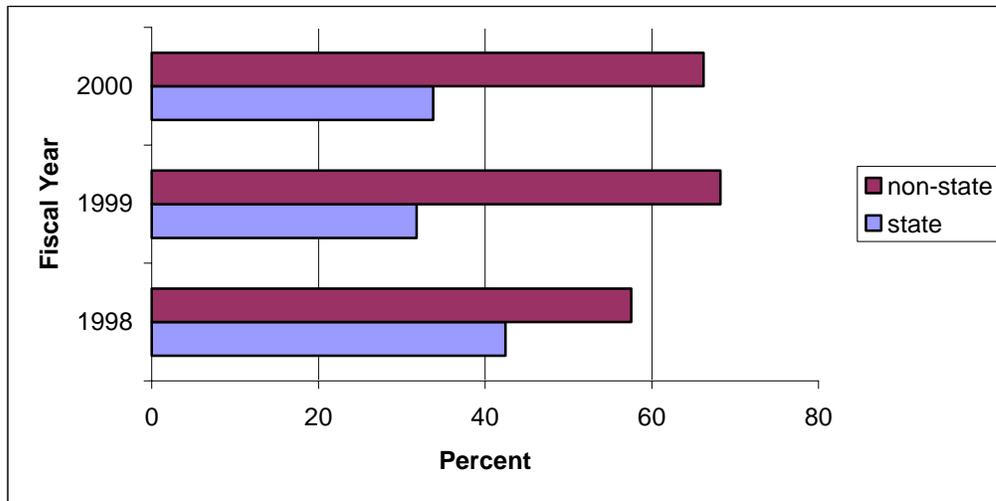
\* 42% of the Massachusetts state award was made available to local grantees, however many of these localities declined to accept the awards, thus returning the money to be distributed at the state level.

Sources: FY 1998 FIF Forms

Figure 2.9 indicates the average percentage of funds allocated to state and non-state entities<sup>16</sup> in FY 1998, 1999 and 2000 across all states. The distribution of awards to state agencies peaked in FY 1998 at just over 40 percent, then declined to just over 30 percent in the next two FYs. Hence, in the latter years of the study, actual awards to state agencies accounted for slightly above the 25 percent level contemplated in the Act.

**Figure 2.9**

**Percent of Total JAIBG Appropriation Distributed to State and Non-State Entities by FY**



Sources: FIF Data FY 1998, FY 1999, FY 2000

### Administrative Funds

The Act permitted states and units of local government to set aside up to 10 percent of their respective allocations to administer the JAIBG program. In FY 1998 states had 180 days to spend the administrative portion of their funds and establish the program within their jurisdiction. Data analysis showed that administrative spending ranged from 0 to 10% of the state entitlement, and largely reflected the statutory context and juvenile justice planning infrastructures of states<sup>17</sup>. For instance, Florida is statutorily prohibited from spending federal dollars on administration costs. In other states, administrative spending differed based upon the juvenile justice infrastructure, or between subgrant awards depending on the type of program or expenditure. For example, if JAIBG funds were spent to purchase equipment, administrative costs may not have been applied, or if JAIBG funds were spent to expand an existing program, new administrative costs may not have been incurred.

<sup>16</sup> Non-state entities include jurisdiction types as local, county, regional, tribal and other. The other category includes all other specifications including non-profit agencies, judicial districts, and legally authorized combinations.

<sup>17</sup> Analysis of administrative spending was limited because many states did not report their spending due to a misunderstanding of JAIBG financial information reporting requirements.

## Implementing JAIBG at the State Level

The Act required each state accepting JAIBG funds to establish a Juvenile Crime Enforcement Coalition (JCEC). The state's JCEC had to include officials who represented juvenile justice, law enforcement, and social services. The Act permitted states to utilize members of their existing State Advisory Group (SAG)—which had been previously established as required by the JJDP Act—and supplement it by adding additional members, as needed, to represent the required interests.

In many states, the SAG responsible for the distribution of other OJJDP funding streams served as the JCEC responsible for oversight of the JAIBG grant awards. SAGs, possessing prior experience in developing juvenile justice plans, could work more efficiently as a JCEC to develop effective JAIBG coordinated enforcement plans.

JCECs varied greatly by state. The size of the original boards ranged from five persons in the District of Columbia and New Hampshire to 65 persons in Montana.

### Coordinated Enforcement Plans

The Act required that each state eligible to receive JAIBG funds develop a Coordinated Enforcement Plan (CEP) for reducing juvenile crime. The CEP had to be developed by a juvenile crime enforcement coalition (JCEC) and revised annually. If state or local CEPs did not allocate funds according to the 35/45 percent provision, state and local JCECs had to certify the reasons for a different funding allocation.

In keeping with the nature of block grants, the Act and *Guidance Manual* gave only general directions to states regarding the content and format of the CEP. The Act specified that:

“ . . . States must have in place a coordinated enforcement plan for reducing juvenile crime, developed by a coalition of law enforcement and social services agencies involved in juvenile crime prevention...”

The *Guidance Manual* defined the CEP as

“ . . . a plan developed by a state or local Juvenile Crime Enforcement Coalition that is based on an analysis of juvenile justice system needs. The analysis determines the most effective uses of funds, within the twelve JAIBG program purpose areas, to achieve the greatest impact on reducing juvenile delinquency, improving the juvenile justice system, and increasing accountability for juvenile offenders.”

Within these broad directives, states had discretion in how they organized their respective JAIBG planning processes, in the methods by which they identified needs and funding

priorities, and how they aligned the JAIBG Program with other state and federal juvenile justice funding streams. Moreover, while OJJDP had to approve states' applications for JAIBG funds, they did not have to approve states' CEPs. States were only required to demonstrate to OJJDP that they indeed had developed a CEP in each year of the program.

States had substantial—though varying—experiences and capabilities that bore on their capacity to develop CEPs. As noted above, 51 of the 56 eligible jurisdictions named the same agency as their DSA that administered other JJDP Act programs for the jurisdiction. These states began their JAIBG Programs with a core support staff familiar with OJJDP and experienced in developing plans under the JJDP Act. Where the State Advisory Groups (SAGs) functioned as the JCEC, they were by virtue of their experience more knowledgeable about juvenile justice and devising juvenile justice improvement plans.

Half the jurisdictions eligible for JAIBG funding had recently completed a juvenile justice plan. Of these, 28 had been completed since 1995 and these plans informed and guided JCECs in the development of CEPs. In some cases, states' prior juvenile justice planning efforts blended almost seamlessly into their CEP. The following illustrates the ways in which Tennessee, Oregon, Oklahoma, and Rhode Island leveraged existing plans to incorporate JAIBG:

- Tennessee devised a plan in 1992 to provide specific juvenile justice services including observation and assessment centers, juvenile education academies, and intensive aftercare—all three of these specific services fall under the JAIBG program purpose areas.
- The governor of Oregon made an effort to address juvenile crime prior to JAIBG funding and utilized the infrastructure to develop a comprehensive plan to address issues both inside and outside the JAIBG sphere. Prior to JAIBG, the governor focused monies and attention on juvenile crime and established county committees to gather feedback on issues impacting different parts of the state. The directors of the county committees served on a state advisory board and created a plan to address funding issues. With the advent of JAIBG, the advisory board's plan provided the foundation for the JAIBG coordinated enforcement plan.
- Oklahoma leveraged prior knowledge of the forthcoming JAIBG funding to prepare a juvenile justice plan. The executive director of the Oklahoma DSA, a former employee with OJJDP, was aware of the upcoming grant. He urged the proper parties to include graduated sanctions in their juvenile justice plan so implementation would be complete prior to the JAIBG legislation.
- Rhode Island derived its CEP from a Governor's Task Force Plan completed in July 1997. The governor created a task force on Juvenile Justice including cabinet members, law enforcement agencies, judiciary members, private and public providers, and citizens.

In anticipation of the forthcoming JAIBG funding, the task force incorporated plans on how to spend JAIBG funds into its recommendation list.

Despite the strengths of states in formulating CEPs, DSAs and JCECs, they faced substantial barriers and pressures throughout the process. Each DSA had to name an individual as the JAIBG coordinator for the jurisdiction. Between our first and second annual interviews with these persons, we observed a 25 percent turnover rate among JAIBG coordinators. Interview respondents noted two primary causes for this high turnover. First, the job was daunting. The DSA had to staff the state JCEC and structure and support the local JAIBG Programs. All parties labored under extremely tight deadlines in which state and local governments had 24 months to “use or lose” their JAIBG funds. Second, many JAIBG coordinators were apprehensive about the future of the JAIBG program, which had been created in an appropriation act, but which had not been formally authorized by Congress. Hence, many left their posts during the first year when a more secure position became available.

The spending deadline also meant states could not take a long time to assess problems, identify priorities, and award JAIBG funds to projects. In states that had recently completed juvenile justice plans, their planning processes had spanned almost two years on average. If JCECs took that long to develop their CEP, states would not be able to spend JAIBG funds before their deadline. Hence, the spending deadline motivated state JCECs to truncate their planning processes.

State JCECs also operated in a political environment and took cues from states’ political leaders in formulating their CEPs. In Florida, for example, the legislature required that JAIBG funds be used only for non-recurring expenses.<sup>18</sup>

State CEPs ranged in scope and detail. The following illustrates several approaches:

- Texas’s CEP—2 pages—identifies the program purpose area priorities and the allocation of funds to each.
- North Carolina derived its JAIBG plan—5 pages— from a three-year systematic analysis of the juvenile justice system conducted by the Governor’s Crime Commission. North Carolina’s plan succinctly documents the methodology for developing their JAIBG plan, JAIBG program purpose area priorities, the JAIBG implementation plan, and a commitment for evaluation.
- Utah’s CEP—12 pages—outlines their approach for consideration of each policy objective (including substance abuse testing), a budget and plan for JAIBG planning and

---

<sup>18</sup> This requirement continued during the first three years of the program. According to Florida’s JAIBG coordinator, the legislature recently has relaxed this restriction, and now allows JAIBG funds to be used to support salaries and programs.

administration, documentation for each program purpose area to identify appropriate priorities, and documentation of the sources of matching funds.

- Alabama’s CEP—280 pages—is the state Juvenile Justice and Delinquency Prevention Plan. The plan includes an analysis of juvenile crime problems and juvenile justice needs, detailed crime statistics, and a three-year program plan.

According to state JAIBG coordinators, priorities established in the first year of the JAIBG program changed only marginally during the second and third years, with 12 states reporting amendments the second year and 13 states reporting amendments in the third year. Our analysis of spending (in Chapter Three) will document some shifts in funding priorities—but they typically involved completion of infrastructure projects (e.g., renovating juvenile facilities, building new juvenile justice information systems) that had gotten high priority in FY 1998 because such projects allowed states to spend JAIBG funds faster, thus reducing the risk of having to return unspent funds.

**Attitudes and Perceptions of State JCEC Members**

To determine their attitudes and perceptions about the JAIBG Program, Abt Associates distributed a mail survey to all persons who served as original JCEC members, using names and addresses supplied by state JAIBG Coordinators. These surveys asked a range of questions about their satisfaction with the JAIBG program, and achieved a response rate of 50.7 percent or 521 respondents.<sup>19</sup> The low response rate reflects the intersection between JCEC turnover/inactivity, and the timing of the survey<sup>20</sup>.

Of those reporting, satisfaction rates ranged from 72–84 percent with respect to the structural aspects of the JAIBG program, i.e. pass-through provisions (72%), program purpose areas (84%), planning process (75%) and flexibility of JAIBG (79%). With respect to the allocation formula, 61 percent of respondents reported satisfaction and 30 percent reported neutral feelings about their state’s award amount. Respondents reported dissatisfaction at consistently low levels ranging from 7–10 percent across all questions.

---

**Table 2.10**

**State JCEC members’ satisfaction with the structure of the JAIBG program**

---

| Satisfaction with | Number of Respondents | Satisfied | Dissatisfied | Neutral |
|-------------------|-----------------------|-----------|--------------|---------|
|-------------------|-----------------------|-----------|--------------|---------|

<sup>19</sup> This response rate has been adjusted to reflect 111 individuals whose contact information was either invalid (N=107), or that identified themselves as an inappropriate contact for this information (n=4)

<sup>20</sup> The survey was administered to FY 1998 State JCEC members in January 2002. The mailing date was selected to ensure that respondents had sufficient time to get feedback (if it was forthcoming) on the effects of their initial planning and funding decisions.

---

**Table 2.10****State JCEC members' satisfaction with the structure of the JAIBG program**

---

|                                                                      |       |     |      |     |
|----------------------------------------------------------------------|-------|-----|------|-----|
| .... the pass-through provision?                                     | (493) | 72% | 9%   | 4%  |
| .... the formula?                                                    | (514) | 61% | 9%   | 30% |
| .... the program purpose areas?                                      | (493) | 84% | 8%   | 4%  |
| ... the flexibility allowed for selecting funding priorities?        | (495) | 79% | 10 % | 11% |
| ... the amount of time it took OJJDP to provide funds to the states? | (495) | 67% | 7%   | 26% |

---

*Sources:* Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program for State JCEC Members

---

We asked State JCEC members how well the planning process worked in their state. Seventy five percent of respondents believed that the planning process accurately identified the juvenile justice needs, and allowed the localities to allocate funding to meet the needs identified in their plan. One respondent indicated that the rush to do planning prohibited the state from adequately identifying needs. Seventy-six percent believed that they were able to allocate funding in a way that met the juvenile justice needs identified in their plan.

---

**Table 2.11****State JCEC Members' Perceptions of the Planning Process**

---

|                                                                                                                                     | <b>Number of Respondents</b> | <b>Yes</b> | <b>No</b> | <b>Don't Know</b> |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------|-----------|-------------------|
| Do you think that the planning process accurately identified the juvenile justice needs in your locality?                           | (493)                        | 75%        | 8%        | 11%               |
| Did the planning process allow your state to allocate funding in a way that met the juvenile justice needs identified in your plan? | (493)                        | 76%        | 9%        | 15%               |

---

*Sources:* Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program for State JCEC Members

---

**Accountability**

We further inquired about the State JCECs ability to hold grant recipients accountable for achieving intended results. The majority of respondents thought they got useful information about the progress of funded projects (58%) and that their CEP was achieving intended results (63%). However, a substantial minority did not know if the JCEC received useful

information about the progress of projects (30%) or if their state was achieving the results set forth in the state plan (33%).

Comments about JAIBG obstacles further illustrate the challenge of accountability:

- “Our JCEC was not well informed about where the money went.”
- “There is no accountability provision—the money is an entitlement so how it is used is how effective it is. It has no bearing on the next years funding. Communities could run horrible programs that have no impact whatsoever and the JCEC has no recourse.”

**Table 2.12**

**State JCEC Members’ Perceptions about Monitoring**

|                                                                                                   | <b>Number of Respondents</b> | <b>Yes</b> | <b>No</b> | <b>Don’t Know</b> |
|---------------------------------------------------------------------------------------------------|------------------------------|------------|-----------|-------------------|
| Does your JCEC get useful information about the progress of projects that received JAIBG funding? | (493)                        | 58%        | 12%       | 30%               |
| Do you think your state is achieving results set forth in the JCEC plan?                          | (493)                        | 63%        | 4%        | 33%               |

*Sources:* Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program for State JCEC Members

**Unmet Needs and Obstacles**

Results showed that about half of the survey respondents said there were no juvenile justice needs for which JAIBG funds could not be spent, or that there were no specific obstacles in the structure of JAIBG that interfered with meeting identified needs. Approximately 20 percent of those responding to whether there were important juvenile justice needs for which their locality could not use its JAIBG funds, 28 respondents (27 percent of those responding “yes” to this question) mentioned their inability to use JAIBG funds for prevention programs. Twenty respondents, or 20 percent, said that they were unable to meet the treatment needs of youth in their jurisdictions. It appears that this need was unmet due to a dearth of funds.

**Table 2.13**

**State JCEC Members Perceptions about Unmet Needs and Obstacles.**

|                                                                                             | <b>Number of Respondents</b> | <b>Yes</b> | <b>No</b> | <b>Don’t Know</b> |
|---------------------------------------------------------------------------------------------|------------------------------|------------|-----------|-------------------|
| Were there important juvenile justice needs for which your locality could not use its JAIBG | 495                          | 21%        | 48%       | 31%               |

---

**Table 2.13****State JCEC Members Perceptions about Unmet Needs and Obstacles.**

---

|                                                                                                                                 |     |     |     |     |
|---------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| funds?                                                                                                                          |     |     |     |     |
| Were there specific obstacles in the structure of the JAIBG program the prevented you from meeting your juvenile justice needs? | 495 | 18% | 54% | 29% |

---

Sources: Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program for State JCEC Members

---

Twenty people (23 percent of those indicating there were structural obstacles in the JAIBG program) said they were unable to provide prevention programs and/or treatment programs, noting that unmet treatment programs needs ranged from mental health, substance abuse, life skills, parenting, mentoring, and tutoring. Those respondents indicating obstacles and unmet needs were asked to describe them. Comments related to this topic include:

- “Lack of flexibility to meet treatment needs”
- “We have many needs that can’t be met because kids haven’t been processed through the court.”

Respondents expressed several other concerns about different aspects of the JAIBG Program. For instance:

Time Line (n=14)

- “Allocations need to follow the 3-year plan. Expenditures were too fragmented.”
- “Delays in funding allocation made the actual funding cycles less than 12 months.”
- “Inability to carry the money forward.”
- “Could not get extensions.”

Structure (n=12)

- “Formula works against smaller communities.”
- “Cities are awarded funds and have no jurisdiction over juveniles.”
- “The entitlement to counties and localities eliminates the possibility of the state planning and coordination for 75percent of the funds.”

Match (n=4)

- “Match requirement prohibited some from applying.”
- “Rural small communities often can’t provide the match.”
- “Fifty percent match on detention facilities was an obstacle.”

### Clarity of Instruction (n=8)

- “Insufficient training regarding the Act.”
- “State agency unable to provide us information beyond what was published in the RFP.”
- “Miscommunication at state level, constant changing of rules.”

### Orientation (n=6)

- “The required program purpose areas are not consistent with best practices.”
- “Too draconian, too focused on prosecution.”
- “Too much emphasis on law enforcement, not enough of treatment and prevention.”

## **Implementing JAIBG at the Local Level**

As mentioned above, the Act required each state to pass-through 75 percent of their JAIBG allocation to general purpose<sup>21</sup> units of local government. Congress recognized that units of local government receiving very small entitlements could not implement effective reforms, and set a \$5,000 “floor” on local government JAIBG entitlements. The Act allowed states to keep all local government entitlements of \$5,000 or less and to expend them on programs within the Act’s purpose areas to benefit small units of local government. Likewise, when local governments declined to accept entitlements worth more than \$5,000, states could retain those funds and reallocate them to other units of local government.

Just as the Act restricted to states to using less than 10% of their entitlement for administrative costs, the same restriction applied to local governments. Hence governments with small entitlements were limited in their ability to develop coordinated enforcement plans and to administer local JAIBG programs. For example, if a local government received an entitlement of \$6,000, not more than \$600 could be used for the costs of establishing and convening a JCEC, developing a juvenile crime enforcement plan, awarding funds to specific programs, and performing grant monitoring and reporting requirements. Hence, the requirements of the Act gave those with a small JAIBG entitlement a disincentive to participate. If they did decide to participate, it gave them a disincentive to develop a coordinated juvenile crime enforcement plan based on an objective analysis of needs.

Thus, many state and local governments sought ways, within the framework and provisions of the Act, to concentrate JAIBG funds into larger pools that would provide sufficient resources to do better planning and administration and to fund an array of reforms. For example, if ten cities and their county pooled their small JAIBG entitlements, the total funds might add up to \$200,000, of which up to \$20,000 could support administration of the

---

<sup>21</sup> Special-purpose units of government, like school districts, were not eligible for a JAIBG allocation.

program. The remaining funds (\$180,000 in this example) might be sufficient to fund four or five substantial new programs.

Pooling helped to achieve economies of scale—(e.g., one plan, one staff, one office, etc). By attaching their JAIBG funds to an existing regional board or planning body, local governments could further piggyback JAIBG administrative support funds onto those already provided to the existing board, further increasing efficiencies.

Local governments could pool JAIBG resources by waiving their entitlements to a contiguous unit of local government (e.g., a small town might waive its entitlement to a larger neighboring town), or by forming regional coalitions. The Act specifically allowed states to establish policies to permit local governments to form regional coalitions, to pool their JAIBG entitlements, to expend pooled funds to establish a regional Juvenile Crime Enforcement Coalition, to create a regional coordinated enforcement plan, and to fund programs under that plan that benefited the entire region. In such regional coalitions, one unit of local government (or a legally authorized combination) would serve as fiscal agent for the award. A regional coalition could be a newly created multi-county body or an existing multi-county planning board.<sup>22</sup>

Even though small entitlements were insufficient to do effective planning and program development, when local governments pooled resources in regional coalitions, each locality, in effect, brought money to the table. This gave each unit of government in a regional coalition a sense of ownership in the work of the coalition, and a stake in its success.

Table 2.14 shows the percentage of sub-grant awards to regional coalitions in FY 1998 for states with and without pass-through waivers. Two factors stand out: first, local governments formed large numbers of regional coalitions—446 were created under the FY 1998 Program. Second, as would be expected, regional coalitions were most common in states that did not seek pass-through waivers. For states without the waiver, Ohio represents the highest level of regional collaboration with 89 percent of all reported subgrant awards administered by regional coalitions. Among states with waivers, New Mexico represents the highest level of regional collaboration with 67 percent of subgrants administered by regional coalitions.

**Table 2.14**

**Percent of Subgrant Awards Representing Regional Coalitions**

| <b>States with No Waiver</b> | <b>Number Reporting Regional Coalitions</b> | <b>Total Programs Reported</b> | <b>Percent of Total Representing Regional Coalitions</b> | <b>State with Waiver</b> | <b>Number Reporting Regional Coalitions</b> | <b>Total Programs Reported</b> | <b>Percent of Total Representing Regional Coalitions</b> |
|------------------------------|---------------------------------------------|--------------------------------|----------------------------------------------------------|--------------------------|---------------------------------------------|--------------------------------|----------------------------------------------------------|
|------------------------------|---------------------------------------------|--------------------------------|----------------------------------------------------------|--------------------------|---------------------------------------------|--------------------------------|----------------------------------------------------------|

<sup>22</sup> In the case of existing regional boards, it was sometimes necessary to expand its membership to represent the full range of interests that the Act required to be involved.

**Table 2.14****Percent of Subgrant Awards Representing Regional Coalitions**

|              |    |     |     |                          |    |    |      |
|--------------|----|-----|-----|--------------------------|----|----|------|
| Ohio         | 73 | 82  | 89% | Virgin Islands           | 4  | 4  | 100% |
| Alabama      | 15 | 17  | 88% | New Mexico               | 12 | 18 | 67%  |
| Kansas       | 27 | 33  | 82% | North Dakota             | 13 | 29 | 45%  |
| Nevada       | 8  | 11  | 73% | Massachusetts            | 14 | 36 | 39%  |
| Hawaii       | 5  | 8   | 63% | Iowa                     | 13 | 44 | 30%  |
| Louisiana    | 31 | 51  | 61% | Maine                    | 6  | 21 | 29%  |
| Washington   | 35 | 59  | 59% | Georgia                  | 10 | 36 | 28%  |
| Arizona      | 14 | 29  | 48% | North Carolina           | 5  | 22 | 23%  |
| Indiana      | 21 | 52  | 40% | South Carolina           | 1  | 36 | 3%   |
| Wyoming      | 12 | 31  | 39% | American Samoa           | 0  | 1  | 0%   |
| California   | 20 | 55  | 36% | Northern Mariana Islands | 0  | 7  | 0%   |
| New York     | 25 | 69  | 36% | Puerto Rico              | 0  | 7  | 0%   |
| South Dakota | 7  | 25  | 28% | Alaska                   | 0  | 33 | 0%   |
| Texas        | 46 | 172 | 27% | Connecticut              | 0  | 7  | 0%   |
| Idaho        | 12 | 48  | 25% | Maryland                 | 0  | 45 | 0%   |
| Nebraska     | 5  | 23  | 22% | Oklahoma                 | 0  | 31 | 0%   |
| Minnesota    | 9  | 60  | 15% | Utah                     | 0  | 14 | 0%   |
| Missouri     | 3  | 22  | 14% | Virginia                 | 0  | 25 | 0%   |
| Montana      | 0  | 25  | 0%  | Vermont                  | 0  | 6  | 0%   |
| New Jersey   | 0  | 32  | 0%  | West Virginia            | 0  | 27 | 0%   |
| Illinois     | 0  | 67  | 0%  |                          |    |    |      |
| Oregon       | 0  | 41  | 0%  |                          |    |    |      |
| Pennsylvania | 0  | 55  | 0%  |                          |    |    |      |

Note: Only states reporting more than 70% of their JAIBG allocation are included in this table.

Source: FY 1998 FIF Forms

During our site visits and annual interviews with state JAIBG coordinators, state and local officials emphasized that the benefits of these regional coalitions far exceeded the modest scope of programs directly supported by JAIBG funds. Because the regional coalitions served as JCECs, their membership represented all segments of juvenile justice—law enforcement, courts, prosecution, defense, probation—as well as education, human services, and other organizations. The regional coalitions provided a platform in which members could identify coordinated actions (not involving JAIBG resources) that would resolve common problems or advance common interests. State JAIBG coordinators mentioned:

- “Pooling money to benefit the most number of people has made using the small grants helpful in building cooperation and collaboration among the cities, counties, and circuit courts.”
- “The JAIBG program has helped build local collaborative initiatives.”
- “As a result of pooling JAIBG resources, every county except one is building partnerships that will go far beyond JAIBG.”

- “JAIBG has brought communities together, to the table, giving us a comprehensive look at the JJ system. JAIBG has fostered collaboration.”

## **Juvenile Crime Enforcement Coalitions**

The Act required that all localities receiving a direct allocation must establish a local JCEC and create a coordinated enforcement plan to direct the distribution of JAIBG funds. JCEC’s for local units of government had to represent police, sheriffs, prosecutors, state or local probation services, juvenile court, schools, business, and religious, fraternal, non-profit, or social service organizations involved in crime prevention. Local governments could add other members as they saw fit, and were authorized to use members of Prevention Policy Boards established under Title V of the JJDP Act.

In states that obtained pass-through waivers, state JCECs often used a portion of the state’s JAIBG funds to make awards to local units of government, or regional coalitions, to implement programs authorized by the JAIBG Program. For example, Maine and Iowa required the local regional coalitions to function as if they received a direct award. That is, the regional coalition had to create a local JCEC and develop a coordinated enforcement plan. In these instances, the waiver process allowed the states to conform to the spirit of the Act regarding local control and participate in planning and problem solving, while allowing enough flexibility that locals could determine the best method of distributing the funds.

## **Local Coordinated Enforcement Plans**

With respect to developing CEPs, local JCECs faced different—and in many ways, more severe—problems and constraints than state JCECs. In most states, newly created local JCECs had no prior experience in juvenile justice planning.<sup>23</sup> Despite strategies that pooled local JAIBG entitlements into larger amounts (see above), local JCECs could devote much smaller sums to administrative costs. In addition, they experienced even tighter time pressure than state JCECs because, whereas most jurisdictions utilized a pre-existing state juvenile justice planning capacity, most local JCEC structures had to be newly created.

There were some notable exceptions. Larger cities and metropolitan areas sometimes had done prior juvenile justice plans, either as part of a comprehensive improvement effort, or in response to specific OJJDP initiatives. For example, OJJDP awarded discretionary grants to five metropolitan areas and 37 counties to develop and implement comprehensive strategies to reduce serious and violent juvenile crime. During our site visit, officials in Des Moines, Iowa (one of the Comprehensive Strategy sites) emphasized that their planning under that initiative dovetailed and supported the subsequent development of the JAIBG program.

---

<sup>23</sup> Iowa is an exception—the state funded statutorily mandated regional “decategorization boards” operated by the local Department of Human Services. The boards are comprised of volunteers from local service entities, and they serve as local JCECs accountable for the creation of coordinated enforcement plans for the cities and counties within their regional boundaries.

Nonetheless, local CEPs were usually not the product of a structured and rigorous planning methodology. Instead, JCEC members typically reviewed the program purpose areas, quickly reached agreement on their collective perception of local needs, and decided how to allocate their entitlements across PPAs. According to JAIBG coordinators, these fundamental decisions occurred during one or two meetings each year.

### Local JCEC Member’s Attitudes and Perceptions about the JAIBG Program

Abt Associates sent a mail survey to a sample of local JCEC members.<sup>24</sup> These surveys asked a range of questions about their satisfaction with the JAIBG program, and achieved a response rate of 48 percent or 176 respondents.<sup>25</sup> Researchers suspect that many things contributed to the low response rate including turnover on the boards and the timing of the survey.<sup>26</sup>

**Table 2.15**

#### Local JCEC Members’ Perceptions about the Structure of the JAIBG Program

| Were you satisfied with:                                                 | Number of Respondents | Satisfied | Dissatisfied | Neutral |
|--------------------------------------------------------------------------|-----------------------|-----------|--------------|---------|
| .... The pass-through provision?                                         | (161)                 | 68%       | 9%           | 15%     |
| .... The program purpose areas?                                          | (161)                 | 86%       | 4%           | 11%     |
| .... The timeliness that JAIBG funding was awarded to local grantees?    | (174)                 | 59%       | 15%          | 26%     |
| .... The flexibility allowed for selecting funding priorities?           | (167)                 | 74%       | 8%           | 17%     |
| .... the amount of time it took for OJJDP to provide funds to the state? | (167)                 | 59%       | 7%           | 34%     |

Sources: Abt Associates Survey Perceptions and Attitudes about the JAIBG Program for Local JCEC Members

Satisfaction rates for local JCEC members ranged from 68 to 86 percent with respect to the structural aspects of the JAIBG program, i.e., pass-through provisions (68%), program purpose areas (86%), and flexibility of JAIBG (74%) (Table 2.16). Satisfaction rates related to timeliness of funding distribution by the OJJDP (59%) and the states (59%) were lower, 34

<sup>24</sup> See Appendix A for sampling details.

<sup>25</sup> This response rate has been adjusted to reflect 88 individuals whose contact information was either invalid (N=81), or that identified themselves as an inappropriate contact for this information (n=6). Almost 20% of our original sample had to be excluded.

<sup>26</sup> The survey was administered to FY 1998 State JCEC members in January 2002.

and 26 percent respectively, with larger numbers responding that they did not know about the time schedule.

### Planning Process

Seventy one percent of respondents believed that the planning process accurately identified the juvenile justice needs of their locality, and 74 percent felt it allowed the localities to allocate funding to meet the needs identified in the plan (Table 2.16).

**Table 2.16**

**Local JCEC Members’ Perceptions about the Planning Process.**

|                                                                                                                                        | <b>Number of Respondents</b> | <b>Satisfied Yes</b> | <b>Dissatisfied No</b> | <b>Neutral Don't Know</b> |
|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------|------------------------|---------------------------|
| Do you think that the planning process accurately identified the juvenile justice needs in your locality?                              | (161)                        | 71%                  | 10%                    | 19%                       |
| Did the planning process allow your locality to allocate funding in a way that met the juvenile justice needs identified in your plan? | (161)                        | 74%                  | 9%                     | 17%                       |

*Sources:* Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program for Local JCEC Members

### Accountability

At almost identical rates to the state JCEC members, 30 percent of the local JCEC members reported not knowing whether they received useful information about the progress of projects, or if the locality is achieving the results set forth in the JCEC plan (Table 2.18).

**Table 2.17****Local JCEC Members' Perceptions about Monitoring and Feedback**

|                                                                                                   |       | Yes | No  | Don't Know |
|---------------------------------------------------------------------------------------------------|-------|-----|-----|------------|
| Does your JCEC get useful information about the progress of projects that received JAIBG funding? | (161) | 56% | 12% | 30%        |
| Do you think your locality is achieving results set forth in the JCEC plan?                       | (161) | 65% | 4%  | 31%        |

Sources: Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program Survey for Local JCEC Members

**Unmet Needs and Obstacles**

Results showed that approximately 13 percent of Local JCEC respondents indicated that there were local needs that could not be met through the JAIBG, and that there were specific obstacles presented by JAIBG that prevented these needs from being met. Interestingly though, 38 percent of respondents did not know if there were local needs that could not be addressed.

Common obstacles cited by the respondents:

- “Unspent funds cannot be carried over each calendar year.”
- “Cumbersome revision process to redirect funds to more successful programs.”
- “The grant is aimed toward enforcement not rehabilitation. There is a need for community-based rehabilitation.”
- “Programs too reactive and not enough proactive.”

**Table 2.18****Local JCEC Members' Perceptions about Unmet Needs and Obstacles**

|                                                                                                                                  | Number of Respondents | Yes | No  | Don't Know |
|----------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----|-----|------------|
| Were there important juvenile justice needs for which your locality could not use its JAIBG funds?                               | (167)                 | 13% | 50% | 38%        |
| Were there specific obstacles in the structure of the JAIBG program that prevented you from meeting your juvenile justice needs? | (167)                 | 13% | 83% | 4%         |

---

**Table 2.18**

**Local JCEC Members' Perceptions about Unmet Needs and Obstacles**

---

*Sources:* Abt Associates Survey of Perceptions and Attitudes about the JAIBG Program for Local JCEC Members

---

## **Cash Match Requirements**

The Act required states and localities to provide 10 percent cash match for non-construction projects, and a 50 percent cash match for construction projects.<sup>27</sup> During annual interviews with state JAIBG coordinators and state and local officials during site visits, few persons indicated that obtaining the match was a problem. Four states reported that the cash match—even for local programs—came from legislative appropriations. Legislative appropriations as a cash match source proved to be a limiting, sometimes prohibitive barrier for at least one state. Survey feedback from a respondent illustrated such challenges:

“State agencies able to develop suitable projects within the program purpose areas need more than a year lead time to acquire the legislature’s appropriation of match funds within their department budgets, and the legislature’s approval and authorization to spend designated federal funds. This fact has handicapped, if not eliminated, state agencies from participating in the JAIBG program.”

Other states indicated that local units of government had to provide the match for local awards. The *Guidance Manual* noted that units of state and local government did not have to provide the required cash match “up front,” but only had to make it available during the project period.

States began experiencing serious revenue shortfalls during the last year of our data collection (calendar year 2002). Nonetheless, respondents in most states indicated that state and local governments were still able to provide matching funds. Their incentive to do so was great—for every \$1 they provided in match (for non-construction projects) they received \$9 in JAIBG funds.

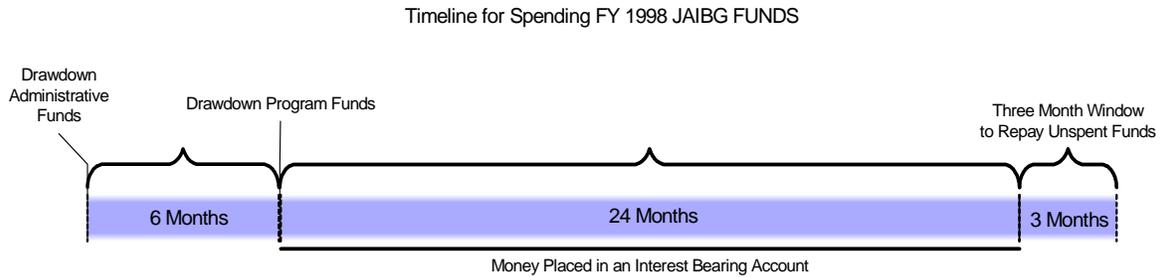
## **Spending Deadlines**

The Act gave state and local governments 24 months to spend their entitlements. In the initial year (FY 1998) states had an additional 180-day start-up period to establish state and local JCECs and prepare coordinated enforcement plans. Thus, states had 30 months in total to spend their FY 1998 JAIBG funding (see timeline below). In subsequent years, states had

---

<sup>27</sup> OJJDP granted an exemption from the cash match requirements for insular areas—Guam, American Samoa, U.S. Virgin Island, and the Northern Marianas.

only 24 months from the date they drew down their allocation in which to spend the money. States had to repay to the federal government any JAIBG funds that had not been expended by the state or its sub-grantees within 3 months after the end of the grant award period. The grant period has been changed to allow states 36 months to spend the money as of November 2002, and states will have 48 months to spend FY 2004 funds.



Although some states used their JAIBG funds as a reimbursement account in a similar manner to other OJJDP funding streams, it was intended that they draw down the entire sum and immediately place it into an interest bearing account. Spending deadlines also applied to interest that states earned in their JAIBG trust account, and any JAIBG funds returned by awardees.

Final closeout data were obtained for FY 1998 JAIBG funds for 36 jurisdictions (see Table 2.19). At the end of our data collection, too few states had closed-out FY 1999 and 2000 JAIBG programs to include them in the analysis. Of the 36 jurisdictions that had closed-out their FY 1998 JAIBG funds, 14 states made sub-grant awards for all their funds, and all sub-grant recipients spent all those funds by the deadline. Another 13 jurisdictions de-obligated less than five percent of their funds, while seven de-obligated between 5 and 11 percent.

Thus, despite the pressure that the deadlines imposed, most states and localities for which close-out data are available successfully developed their JAIBG program, completed state and local plans, awarded sub-grants, implemented programs, and spent their awards before the deadline. There were notable exceptions. The District of Columbia de-obligated 25 percent of their FY 1998 funds, and Mississippi de-obligated 72 percent of its FY 1998 JAIBG funds.

During our first annual interviews with JAIBG coordinators, 14 out of 32 JAIBG coordinators mentioned difficulty spending the FY 1998 grant funding and/or interest in the program time period. During our second year interviews, only three out of 18 JAIBG coordinators indicated that spending their FY 1999 funds by the program deadline would be a problem.

**Table 2.19****FY 1998 JAIBG Funds Allocated and Returned and Percentage Spent by the Act's Deadlines by State**

| <b>State</b>         | <b>FY 1998 Federal Allocation</b> | <b>FY 1998 Amount Returned</b> | <b>% Spent</b> |
|----------------------|-----------------------------------|--------------------------------|----------------|
| North Carolina       | \$5,582,300                       | \$0                            | 100.00%        |
| Nevada               | \$2,166,100                       | \$0                            | 100.00%        |
| Florida              | \$9,414,600                       | \$0                            | 100.00%        |
| New Hampshire        | \$1,874,600                       | \$0                            | 100.00%        |
| Iowa                 | \$2,895,700                       | \$0                            | 100.00%        |
| New Mexico           | \$2,369,800                       | \$0                            | 100.00%        |
| Vermont              | \$1,514,800                       | \$0                            | 100.00%        |
| Alaska               | \$1,605,800                       | \$0                            | 100.00%        |
| Connecticut          | \$3,085,200                       | \$0                            | 100.00%        |
| Maine                | \$1,883,400                       | \$0                            | 100.00%        |
| North Dakota         | \$1,567,900                       | \$0                            | 100.00%        |
| Rhode Island         | \$1,728,500                       | \$0                            | 100.00%        |
| Utah                 | \$2,797,900                       | \$0                            | 100.00%        |
| West Virginia        | \$2,178,600                       | \$0                            | 100.00%        |
| Nebraska             | \$2,227,400                       | \$1,303                        | 99.94%         |
| Georgia              | \$5,868,800                       | \$15,667                       | 99.73%         |
| Washington           | \$4,625,500                       | \$20,000                       | 99.57%         |
| Arizona              | \$3,934,500                       | \$25,652                       | 99.35%         |
| Kansas               | \$2,818,400                       | \$20,119                       | 99.29%         |
| Montana              | \$1,722,400                       | \$14,619                       | 99.15%         |
| Kentucky             | \$3,496,800                       | \$30,975                       | 99.11%         |
| South Dakota         | \$1,653,500                       | \$21,501                       | 98.70%         |
| California           | \$22,539,000                      | \$437,711                      | 98.06%         |
| Maryland             | \$4,262,400                       | \$98,741                       | 97.68%         |
| Wisconsin            | \$4,399,400                       | \$152,896                      | 96.52%         |
| Pennsylvania         | \$8,140,600                       | \$290,695                      | 96.43%         |
| Oklahoma             | \$3,284,900                       | \$142,430                      | 95.66%         |
| South Carolina       | \$3,422,300                       | \$183,550                      | 94.64%         |
| New Jersey           | \$5,952,000                       | \$362,687                      | 93.91%         |
| Oregon               | \$3,110,400                       | \$219,714                      | 92.94%         |
| Tennessee            | \$4,349,100                       | \$311,027                      | 92.85%         |
| New York             | \$12,108,900                      | \$1,173,605                    | 90.31%         |
| Colorado             | \$3,567,400                       | \$357,881                      | 89.97%         |
| Texas                | \$14,307,200                      | \$1,455,896                    | 89.82%         |
| District of Columbia | \$1,425,400                       | \$353,262                      | 75.22%         |
| Mississippi          | \$2,984,400                       | \$2,147,183                    | 28.05%         |

Source: Office of Juvenile Justice and Delinquency Prevention

# Chapter Three

## Effects of JAIBG on Policy and Practice

This chapter describes how state and local governments, individually and collectively, awarded their JAIBG funds by program purpose areas and program type, highlighting changes in award patterns over time for FYs 1998, 1999, and 2000. Conformance with the 35/45 percent distribution target is also examined. Finally, the chapter describes how state and local awards under the JAIBG program affected the policy objectives of the Act. These objectives include the four areas of certification and the juvenile drug testing policy requirement.

### Awards of JAIBG Funds

The Act authorized state and local governments to expend JAIBG funds in twelve program purpose areas:<sup>28</sup>

1. Building, expanding, renovating or operating temporary or permanent juvenile correction or detention facilities, including training of correctional personnel;
2. Developing and administering accountability-based sanctions for juvenile offenders;
3. Hiring additional juvenile court judges, probation officers, and court-appointed defenders, and funding pre-trial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system;
4. Hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced;
5. Providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively;
6. Providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;
7. Providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism;

---

<sup>28</sup> JAIBG Coordinators and subgrant recipients indicated that overlap between the PPAs made reporting difficult, as certain activities could be accounted for by multiple areas.

8. The establishment of court-based juvenile justice programs that target young firearms offenders through the establishment of gun courts for the adjudication and prosecution of juvenile firearms offenders;
9. The establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services;
10. Establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;
11. Establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or which are designed, in cooperation with law enforcement officials, to protect students and school personnel from drug, gang, and youth violence, and;
12. Implementing a policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system.

Over all years, program purpose areas 2, 7 and 10 account for more than 50 percent of all JAIBG subgrant awards<sup>29</sup>—those made by state and local entities. Spending in PPA 10, information sharing, decreased over the years by 31 percent, while PPA 2, accountability-based sanctions, and PPA 7, court and probation enhancement, both increased 27 percent during that time (Table 3.1). JAIBG coordinators' comments suggest that because of the challenges of starting up the JAIBG program within their states, targeting funds to one-time previously identified expenses, such as technological enhancements, allowed them to expedite the expenditure of funds. For instance, New Jersey used the majority of the FY 1998 state portion to fund its Juvenile Information Management System (JIMS) and continued to invest in its substance abuse screening tools and processes. In the later years, having had more time to conduct comprehensive planning of state needs, it shifted its state level funding priorities away from these two initiatives.

---

<sup>29</sup> Percents reported for FY 1999 and 2000 are based on imputed data to correct for poor reporting rates. Statisticians imputed data for all states reporting more than 70% of their total JAIBG award.

**Table 3.1****Percent JAIBG Funds Distributed by PPA by FY (Total Amounts, Awards to States, and Non-State Units of Government)**

| <b>Total Awards</b>     |       |       |       |       |       |       |       |       |       |        |        |        |
|-------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|
|                         | PPA 1 | PPA 2 | PPA 3 | PPA 4 | PPA 5 | PPA 6 | PPA 7 | PPA 8 | PPA 9 | PPA 10 | PPA 11 | PPA 12 |
| FY 1998                 | 13    | 19    | 9     | 5     | 2     | 6     | 17    | 0.02  | 4     | 16     | 9      | 2      |
| FY 1999                 | 12    | 21    | 9     | 5     | 2     | 4     | 18    | 0.03  | 4     | 13     | 10     | 2      |
| FY 2000                 | 9     | 24    | 10    | 5     | 3     | 3     | 21    | 0.02  | 5     | 11     | 10     | 2      |
| <b>State Awards</b>     |       |       |       |       |       |       |       |       |       |        |        |        |
| FY 1998                 | 16    | 8     | 11    | 3     | 3     | 14    | 9     | 0     | 2     | 22     | 10     | 1      |
| FY 1999                 | 19    | 13    | 10    | 6     | 4     | 6     | 20    | 0     | 3     | 15     | 5      | 1      |
| FY 2000                 | 15    | 14    | 6     | 4     | 5     | 4     | 23    | 0     | 4     | 9      | 15     | 1      |
| <b>Non-State Awards</b> |       |       |       |       |       |       |       |       |       |        |        |        |
| FY 1998                 | 13    | 17    | 8     | 5     | 3     | 3     | 23    | 0.04  | 3     | 13     | 13     | 1      |
| FY 1999                 | 13    | 23    | 5     | 3     | 1     | 1     | 19    | 0.06  | 4     | 18     | 11     | 1      |
| FY 2000                 | 10    | 20    | 9     | 5     | 4     | 1     | 24    | 0.05  | 4     | 12     | 13     | 1      |

Sources: FIF Data FY 1998, FY 1999, FY 2000

The same pattern - targeting one-time expenses - to expend FY 1998 funds also exists in PPA 1, capital improvements for detention and correctional facilities, and PPA 6, technology and equipment to assist prosecutors to identify and expedite the prosecution of violent juveniles offenders. Expenditures decreased 37 percent over the years in PPA 1 and 51 percent in PPA 6. JAIBG Coordinators confirmed these trends by indicating that the availability of JAIBG funds enabled them to conduct needed facility renovations and purchase technological improvements. For example, Nevada reported allocating 51 percent of their FY 1998 JAIBG funds and only 9 percent of the FY 2000 funds on capital improvements. Their FY 1998 CEP indicated that the development of a serious and chronic juvenile offender facility, a recommendation put forth by the Legislative Commission's Subcommittee to Study the System of Juvenile Justice in Nevada, was the state's number one priority. The plan stated that in order to respond to chronic overcrowding within the system a new facility must be built. Similarly, the Virgin Islands used 45 percent of their FY 1998<sup>30</sup> funds to expand their Youth Rehabilitation Center. According to their CEP, in 1999, 155 youth were remanded to the Center, which was designed to hold only 27.

Researchers interpret the data to indicate that in FY 1998 because of the spending timeline constraints—24 months—and the often extremely slow start-up of the JAIBG program, states chose to fund previously identified, one-time expenses like information technology (PPA 10 and 6) and capital improvements (PPA 1). In the following years, FY 1999 and FY 2000,

<sup>30</sup> This amount later dropped to 7.3 and 3.6 percent in FY 1999 and FY 2000 respectively.

having had ample time to conduct comprehensive planning they shifted their priorities to programming needs (PPA 2 and 7).

Because states had been required by other JJDP funding streams to conduct needs assessments or develop plans, many quickly identified these needs. For instance in Georgia a memorandum of agreement with the Civil Rights division of the U.S. Department of Justice drove the state plan to expend the FY 1998 JAIBG funds on improving the conditions within their secure detention facilities.

Spending in PPAs 8, 9, 11, 12 stayed relatively constant over the first three years of the program. Spending in PPA 8 (gun courts) never reached above .03 percent, while spending in PPA 9 (drug courts) climbed slightly from 4 percent in FY 1998 to 5 percent in FY 2000. PPA 11 (establishing law-enforcement accountability-based programming) averaged 10 percent over all years and PPA 12, implementing juvenile drug testing policy, averaged 2 percent over all years.

The patterns within areas highlight priorities and initiatives identified by states. For instance, spending on drug courts in Maine grew from 18 percent in FY 1998 to 42 percent in FY 2000. Site visitors observed a session of the Augusta Drug Court in April 2002, one of the state's six juvenile drug court programs. The Augusta drug court, a 9- to 12-month program serving approximately 15 youth, requires that both the juvenile and his/her parents participate in treatment. In addition to substance abuse treatment, the programs provide a case manager who arranges other needed services such as mental health counseling, job training, educational programming, or health services for the juvenile and his/her parents.

New Mexico also concentrated its JAIBG on developing a drug court system throughout the state. As a waiver state they maintained control of 80 percent of FY 1998 funds, thus allowing them to target priorities set by the state. For the first 3 years of JAIBG funding New Mexico spent 46 percent, 49 percent and 42 percent, respectively, on the creation and expansion of drug courts.

Two PPAs focused on hiring. They are PPA 3 (hiring judges and probation officers) and PPA 4 (hiring prosecutors). Allocations in PPA 3 increased slightly from 8.6 percent in FY 1998 to 9.5 percent in FY 2000, while PPA 4 hovered at 4.9 percent over all three years. JAIBG Coordinators commonly conveyed their state's reluctance to hire with JAIBG funds because of the year-to-year uncertainty of the block grant program. According to some, localities worried about this as well. Though the overall data does not indicate that this concern subsided over the years, it does evidence minimal spending in this area. However, while some states allocated less than 1 percent annually such as Missouri, North Carolina, and New Mexico, others spent heavily on hiring. For instance Connecticut allocated 47, 48, and 57 percent respectively on hiring additional juvenile court judges, probation officers, and defenders (PPA 3). Similarly Alaska allocated on average 20 percent each year on hiring in both PPA 3 and 4.

Further analysis shows that although multiple PPAs provided funds for enhancing prosecution (PPA 4, 5, and 6), one of Congress' main policy objectives, states spent only 12 percent of the FY 1998 funds on these activities. Meanwhile 25 percent of the allocations concentrated on probation and court services, including hiring (PPA 3 and 7) (Table 3.1).

Researchers then turned their attention to assess whether spending patterns differed by state and non-state entities. The data showed that separately the non-state allocations tended to dip or spike within program purpose areas rather than steadily move in one direction. While the state awards tended toward a more gradual increase or decrease. Having only three years of data and knowing the start-up and planning challenges experienced in states and local jurisdictions, it is difficult to determine whether a dip or spike in year two suggests that funds were allocated hastily in year one to expend the money before the spending deadline or whether the needs changed considerably from one year to the next.

As indicated in Table 3.1, Abt Associates derived PPA data from the OJJDP FIF data. To learn more detail about the distribution of funds, Abt developed a form that enabled researchers to look more closely at the purpose of the award. This form enabled researchers to unpack the content of the PPAs, many of which overlapped considerably. Abt researchers distributed a form to all JAIBG Coordinators asking them to provide programmatic information on all state funded projects, and a sample of local funded projects (see Appendix A for sampling procedures).

The data were grouped in multiple ways to extract the most information from them. One analysis showed that although one of Congress' main policy objectives was to enhance the ability of states to prosecute juveniles, only 9 percent of the awards supported these activities. Meanwhile, 65 percent of JAIBG awards concentrated on probation and court services and programs (Table 3.2).

The top four categories of programs funded, accounting for 57 percent of JAIBG awards in FY 1998, were programs for judges, defenders, or probation (26 percent), information systems and collaboration on information sharing (15 percent), programs to improve prosecution (9 percent), and community service programs (6 percent).

Awards made by the states concentrated on information sharing and collaboration—33 percent compared with 23 percent for non-state entities—while awards made by non-state entities focused most heavily on programs for judges, defenders, and probation services (45 percent of awards versus 23.8 percent for the state).

**Table 3.2****Number and Percent of FY 1998 State and Non-State JAIBG Awards by Program Type**

| Type of Program                         | State Programs |         | Non-State Programs |         |
|-----------------------------------------|----------------|---------|--------------------|---------|
|                                         | Number         | Percent | Number             | Percent |
| Programs for judges/defenders/probation | 41             | 24      | 304                | 45      |
| Information Systems and Collaboration   | 47             | 33      | 148                | 23      |
| Prosecutors                             | 37             | 21      | 88                 | 13      |
| Community Service                       | 3              | 2       | 68                 | 9       |
| Capital Improvement Project             | 22             | 16      | 61                 | 11      |
| Intermediate Sanctions Program          | 4              | 3       | 67                 | 9       |
| Drug Testing                            | 12             | 6       | 56                 | 8       |
| Community Supervision                   | 12             | 6       | 43                 | 7       |
| Intensive Probation                     | 3              | 2       | 32                 | 5       |
| School Resource Officer                 | 2              | 1       | 37                 | 5       |
| Restitution Programs                    | 2              | 1       | 24                 | 3       |
| Case Tracking Program                   | 3              | 1       | 17                 | 3       |
| Aftercare Program                       | 4              | 3       | 7                  | 1       |
| Mentoring Program                       | 2              | 1       | 13                 | 2       |
| Day Treatment Program                   | 2              | 1       | 13                 | 2       |
| Violent Offender Program                | 0              | 0       | 7                  | 1       |
| Gang Task Force                         | 0              | 0       | 5                  | 0.7     |
| Staff Secure Detention                  | 1              | 0.4     | 4                  | 0.7     |
| Residential Program                     | 1              | 1       | 0                  | 0.0     |
| Drug Task Force                         | 1              | 1       | 2                  | 0.3     |
| Group Home                              | 1              | 1       | 1                  | 0.1     |
| Mediation Program                       | 0              | 0       | 2                  | 0.3     |
| Sex Offender Program                    | 1              | 0.8     | 1                  | 0.1     |
| Boot Camps                              | 0              | 0       | 1                  | 0.2     |
| Fines                                   | 0              | 0       | 0                  | 0       |
| Other                                   | 12             | 8       | 72                 | 11      |
| Missing                                 | 15             | 10      | 75                 | 10      |
| <b>Total</b>                            | <b>228</b>     |         | <b>1148</b>        |         |

Sources: Abt Associates Inc.'s Programmatic Information about JAIBG FY 1998 Grants Form

Programs receiving awards clustered in four program purpose areas. Twenty-three percent of funded programs were in PPA 2 (accountability-based sanctions), 19 percent in PPA 7 (improving courts and probation to enhance accountability), 15 percent in PPA 10 (information sharing), and 12 percent in PPA 11 (law enforcement-based accountability programs). Enhancing the capacity to prosecute juveniles represents only 9 percent of all awards (PPA 4, 5 and 6). PPAs 7 and 8 (drug courts and gun courts) received 0.1 percent and 2 percent respectively (Table 3.3).

**Table 3.3****Total Number and Percent of FY 1998 JAIBG Awards Arrayed by Program Purpose Area**

|    |                                                                       | Programs<br>Funded | Percent<br>Funded |
|----|-----------------------------------------------------------------------|--------------------|-------------------|
| 1  | Capital Improvements                                                  | 89                 | 6                 |
| 2  | Accountability-Based Sanctions                                        | 407                | 27                |
| 3  | Hiring Prosecutors                                                    | 85                 | 6                 |
| 4  | Hiring Judges, Probation Officers, and Defenders                      | 58                 | 4                 |
| 5  | Funding for Prosecutors to Address Drug, Gang, and Youth Violence     | 10                 | 0.7               |
| 6  | Funding for Technology, Equipment, and Training to Assist Prosecutors | 65                 | 4                 |
| 7  | Funding for Courts and Probation to Hold Juveniles Accountable        | 275                | 19                |
| 8  | Gun Courts                                                            | 1                  | 0.1               |
| 9  | Drug Courts                                                           | 32                 | 2                 |
| 10 | Interagency Information Sharing                                       | 225                | 15                |
| 11 | Accountability-Based Programs with Law Enforcement                    | 171                | 12                |
| 12 | Implementing Drug Testing Policies                                    | 72                 | 5                 |
|    | Total                                                                 | 1490               |                   |

Sources: Abt Associates Inc.'s Programmatic Information about JAIBG FY 1998 Grants Form

Table 3.4 shows the proportion of awards made for programming, hiring, training, equipment, information sharing, capital improvements, and drug testing. Though a large “other” category exists (20%), the data clearly state that programming (40%) held the highest priority, followed by information sharing (11%), hiring (8%), equipment purchases (7%), capital investments (5%), drug testing (5%), and finally staff training (4%).

**Table 3.4****Total Number and Percent of FY 1998 JAIBG Awards Distributed by Purpose of Award**

| Category of Type of Award | # of Awards Identified | Percent of Awards Identified |
|---------------------------|------------------------|------------------------------|
| Programming               | 599                    | 40                           |
| Information Sharing       | 164                    | 11                           |
| Hiring                    | 120                    | 8                            |
| Equipment                 | 102                    | 7                            |
| Capital                   | 78                     | 5                            |
| Drug Testing              | 72                     | 5                            |
| Training                  | 65                     | 4                            |
| Other                     | 290                    | 20                           |
| Total                     | 1490                   |                              |

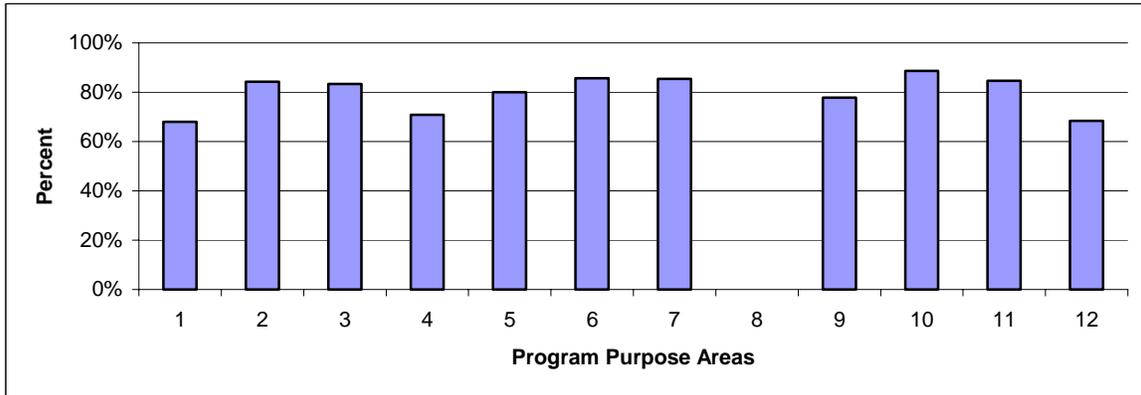
Sources: Abt Associates' Programmatic Information about JAIBG FY 1998 Grants Form

Researchers examined whether the awards supported new or continuing programs. Data showed that across all program purpose areas 72 percent of awards supported new programs or activities. Figure 3.1 indicates the percentage of funds allocated in each program purpose

area in FY 1998 for new programs. In 11 of the 12 PPAs, new programs accounted for 68 percent or more of the awards with the exception of PPA 8, gun courts.

**Figure 3.1**

**Percent FY 1998 JAIBG Awards for New Programs Arrayed by PPA**



Sources: Abt Associates' Programmatic Information about JAIBG FY 1998 Grants Form

Data extracted from the Follow-Up Information Forms (FIF) were analyzed to examine whether states had met or addressed the requirement to distribute not less than 35 percent of its JAIBG funds for program purpose areas 1, 2, and 10 (facility construction or renovation, accountability-based sanctions, information sharing), and not less than 45 percent from program purpose areas 3 through 9 (generally, hiring personnel, improving the capacity of prosecution, courts, and probation, and setting up drug and gun courts). In FY 1998 the FIF form collected data regarding whether or not an award met the distribution requirement, and whether or not the sub-grantee had certified its departure from the requirement, an option provided for in the Act. The Act allowed states and localities to depart from this distribution by certifying that the interests of public safety and juvenile crime control would be better served by a different distribution pattern. After excluding 47 percent all state subgrant awards that indicated that they had certified their departure from this requirement, researchers found that 47 percent of the remaining did not conform. Local conformance rates exceeded those of the states. Almost 56 percent of the locals subgrant recipients certified their departure from the requirement, and of the remaining, 20 percent conformed to the distribution requirement.

During our annual interviews some JAIBG coordinators indicated that their states worked aggressively with both state and local JCECs to align funding with the 35/45 percent distribution requirement. Others noted that they did not give high priority to this distribution

and resorted to the certification process to justify a different pattern.<sup>31</sup> Some states also provided their certification in their CEP.

Hence it is difficult to determine the extent to which states complied with the requirement. Abt Associates did not collect certification documentation from all states. However, we did learn from OJJDP officials that after the first year this requirement was not considered an important administrative responsibility for OJJDP.

## Impact on the Areas of Certification

To analyze how the JAIBG programs achieved the policy objectives of Congress, as stated in the four areas of certification and juvenile drug testing policy requirement, we have arranged the twelve program purpose areas into categories that roughly parallel these targets.

The fit between these categories and the areas of certification is not precise, particularly with respect to PPA 10. The area of certification is aimed at establishing comparable adult criminal and juvenile record systems. While PPA 10 is much broader, and includes information sharing among juvenile justice, criminal justice, education, and social services agencies in order to make better decisions about the control, supervision, and treatment of youth who commit serious delinquent or criminal acts. Also, there is overlap between PPA 6 and 10. PPA 6 allows funds to be used to fund technology to assist prosecutors to be more effective and efficient in holding juvenile offenders accountable. However, Abt Associates research staff decided to group PPA 6 with other enhancements to prosecutorial services, rather than PPA 10 for developing comparable juvenile and adult systems. Furthermore, there is no PPA that parallels the parental responsibility area of certification. Nonetheless, the categories provide a rough indicator of the extent to which state and local governments directed JAIBG funds towards the priorities that Congress identified in the Act.

These constructed categories are:

| <b>Category</b>               | <b>Contains PPAs</b>     |
|-------------------------------|--------------------------|
| Graduated Sanctions           | 1, 2, 3, 7, 8, 9, and 11 |
| Prosecute serious juveniles   | 4, 5, and 6              |
| Comparable adult/juvenile MIS | 10                       |
| Parental Responsibility       | None                     |
| Drug Testing                  | 12                       |

States allocated almost three quarters (74%) of the JAIBG funds annually to the improving graduated sanctions category and 10 to 16 percent of the funds for enhancements to prosecute serious juvenile offenders and MIS improvements. These later two categories overlap with

---

<sup>31</sup> One JAIBG Coordinator reported his understanding that having a waiver from the 75 percent pass-through requirement automatically exempted his state from the 35/45 percent distribution requirement as well.

respect to information systems, so that some of the funds devoted to prosecuting serious juvenile offenders were in fact spent on enhanced MIS systems. Meanwhile drug testing averaged less than 2 percent each year (Table 3.5).

Over the three years for which we have collected data, spending within these categories decreased 22 percent for prosecuting serious juvenile offenders, 44 percent information sharing spending, and 11 percent for drug testing; while spending has increased 10 percent for additional graduated sanctions (Table 3.5).

**Table 3.5**

**Percent and Dollars Reported to Address Congressional Policy Objectives by Year**

|               | Graduated Sanctions |                  | Prosecute Serious Juvenile Offenders |                  | Comparable MIS Systems |                  | Drug Testing |                  |
|---------------|---------------------|------------------|--------------------------------------|------------------|------------------------|------------------|--------------|------------------|
|               | Percent             | Dollars Reported | Percent                              | Dollars Reported | Percent                | Dollars Reported | Percent      | Dollars Reported |
| FY 1998       | 70%                 | \$140,482,072    | 12%                                  | \$27,656,452     | 16%                    | \$33,133,318     | 2%           | \$2,702,382      |
| FY 1999       | 74%                 | \$107,130,292    | 11%                                  | \$14,239,005     | 13%                    | \$22,077,651     | 2%           | \$1,561,408      |
| FY 2000       | 77%                 | \$125,844,821    | 10%                                  | \$16,174,655     | 11%                    | \$18,776,253     | 2%           | \$1,461,581      |
| Total Average | 74%                 | \$373,457,185    | 11%                                  | \$58,070,112     | 13%                    | \$73,987,222     | 1.6%         | \$5,725,371      |

Note: Reported percents are derived from imputations adjusting for missing data and excluding states reporting less than 70% of their total JAIBG allocations; reported dollars are actual totals taken from all submitted FIF forms.

Sources: FIF Data FY 1998, FY 1999, FY 2000

## Congressional Policy Objectives

The following analysis discusses how the implementation of the JAIBG program contributed to the advancement of Congressional intent in the areas of certification, as well as discussing the extent to which states spent funds consistent with these objectives. This section draws upon data gathered from the FIF forms, annual interviews with the JAIBG Coordinators, FY 1998 Coordinated Enforcement Plans, and site-visits.

## Comparable Juvenile and Adult Criminal History Information Systems

Governors had to certify that their states would actively consider a system of recordkeeping that would be equivalent to the record-keeping system for adults who commit felonies. This policy would relate to any adjudication of a juvenile who has a prior delinquency adjudication, and who is currently adjudicated delinquent for conduct that would be a felony if committed by an adult. In addition, the states had to agree to actively consider making these juvenile records available to the Federal Bureau of Investigation (FBI) in a manner equivalent to adult criminal records.

**At the time of the Act’s passing in 1998, ten states reported conforming to this area of certification, by 2001 only 2 had enacted policy changes bringing them closer; all other states fulfilled the active consideration requirement. States allocated an average of 13% of all JAIBG funds to information sharing systems.**

At the outset JAIBG Coordinators in ten states—Arizona, Florida, Illinois, Montana, North Dakota, Rhode Island, South Dakota, Texas, Virginia, Washington—reported that their jurisdictions conformed to the Act’s provisions with respect to establishing comparable juvenile and adult criminal history record systems.

Unlike the other areas of certification (where substantive conformance was high at the outset), few states conformed to this area of certification at the start of the JAIBG Program. Because “conformance” included active consideration of the substantive policy within the last three years, the initial low conformance rate meant that the issue of comparable juvenile and adult records systems had not risen to the level of policy debate in most jurisdictions. Although governors in non-conforming states certified that their jurisdictions would actively consider the issue, by the end of the study few changes had been affected. Indeed, during the annual follow up interviews, JAIBG Coordinators in only two of the non-conforming states—Iowa<sup>32</sup> and Maine<sup>33</sup>—reported that their states had made substantive changes in this area that moved them toward conformance.

Changing practices in this area is a time-consuming endeavor. It requires addressing and reconciling basic value issues that traditionally have distinguished the juvenile and criminal justice systems. The juvenile court movement embraced the concept that the records of juvenile offenders are confidential. Although practices vary, most states strictly limit access to juvenile records. Likewise, many states seal juvenile records when youth attained their majority, and expunge juvenile records after specified periods of adult crime-free living.

Furthermore, a host of operational and technical problems need to be identified, explored, and solved to achieve this objective. Agencies conceivably might have to draft memorandums of agreement on information sharing, redesign internal procedures, redesign their management information systems, install new hardware and software, and re-train staff. All of these reforms require considerable resources, both time and money. As the states’ fiscal condition worsened during the third year of the JAIBG Program, new policy initiatives with a substantial multi-year price tag sometimes were frequently delayed or deferred.

State and local units of government reported allocating \$33,133,318 in FY 1998 JAIBG awards to improve information systems. The proportion of total JAIBG funds awarded in

---

<sup>32</sup> Iowa reported passage of a law authorizing fingerprinting for all arrested juveniles.

<sup>33</sup> Maine reported that a newly developed juvenile records system would be comparable to their adult criminal history system.

PPA 10<sup>34</sup> decreased from 16 percent in FY 1998 to 13 percent in FY 1999, and 11 percent in FY 2000.

The proportion of states' JAIBG funds awarded in PPA10 ranged from 73 percent in North Carolina to 0 percent in Alaska, Florida, Delaware, Kentucky, Virgin Islands, and the Northern Mariana Islands in FY 1998.<sup>35</sup> The following year North Carolina reduced its information sharing expenditure to under 3 percent and increased its allocations for graduated sanctions, specifically the establishment of juvenile day reporting programs and other court-ordered local programs, to more than 85 percent.

## **Graduated Sanctions in the Juvenile Justice System**

The Act required jurisdictions to actively consider laws, policies or procedures that would impose sanctions on juvenile offenders for every delinquent or criminal act or probation violation, and that would ensure that sanctions would increase in severity for each subsequent, more serious, delinquent or criminal act, or violation of probation. The *Guidance Manual* interpreted "sanctions" to mean the full range of dispositions available to juvenile and criminal courts, and noted that the list of sanctions enumerated in the Act were illustrative and not exclusive. The *Guidance Manual* then stated that the means to apply those sanctions should be determined by each state. Together, the Act and the *Guidance Manual* encouraged states to use their JAIBG funds to fill gaps in the range of sanctions authorized for the courts, or to build the capacity of existing sanctions. States did not have to actively consider changing their basic juvenile sentencing laws with respect to purposes or methods of sentencing.

While some states like Utah provided confirmation that they already have a system of juvenile sentencing guidelines in place, other states like Georgia stated in a certification memo that no action would be taken because such a policy is not supported in the state.

**At the outset, JAIBG Coordinators in 43 jurisdictions indicated that they conformed to the Act's requirement with respect to graduated sanctions. During the first three years of the JAIBG Program state and local governments used on average 74 percent of their JAIBG funds to further expand the range of graduated sanctions.**

The graduated sanctions category accounted for the greatest share of the sub-grant awards -- 70 percent of all awards in FY 1998, 74 percent in FY 1999, and 77 percent in FY 2000. The total award amount reported for graduated sanctions FY 1998 data was \$140,482,072. In FY 1998 seven states awarded over 70 percent of their funds for graduated sanctions; four states

---

<sup>34</sup> Establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts.

<sup>35</sup> Rhode Island, District of Columbia, and Guam did not report data in 1998.

maintained that level of program allocation throughout the period of the study. New Mexico, for example, awarded 89 percent, 96 percent, and 90 percent of their total allocation to graduated sanctions in each of the award years.

A wide variety of programs fell into this category, e.g., intensive probation, mediation, aftercare, restitution, community service, and day treatment programs. JAIBG Coordinators found the PPAs to be flexible, allowing them to fund virtually any program they conceived of, or they found the groupings confusing as overlap between them made it difficult to determine to which PPA the money was being allocated.

As highlighted in the attitudes and perception survey, the prohibition to fund prevention programs challenged planners to address the jurisdictions juvenile justice needs. However, the lines between prevention and intervention blurred for at-risk youth. For instance, school and law enforcement programs had leeway to serve pre-adjudicated youth through PPA 11. Planners “got creative” in many jurisdictions to address the juvenile justice needs.

## **Prosecuting Serious Juvenile Offenders As Adults**

In its *Guidance Manual*<sup>36</sup> the Office of Juvenile Justice and Delinquency Prevention (OJJDP) identified four practices that would conform with the requirement to prosecute serious juvenile offenders as adults:

- Statutory exclusion, in which the legislature excludes specified serious violent crimes from the jurisdiction of juvenile courts;
- Presumptive jurisdiction, in which legislatures give criminal courts jurisdiction over juveniles who are 15 or older and who are charged with a serious violent crime, but allow prosecutors or the juvenile to move for transfer, in the discretion of the criminal court judge, to the juvenile court;
- Direct filing, in which prosecutors at their discretion may file charges against juveniles who are 15 or older and who are accused of committing serious violent crimes in criminal court, without first obtaining judicial approval; and,
- Dual jurisdiction, in which legislatures permit delinquency proceedings for juveniles age 15 or older who are charged with serious violent crimes, but give the option of imposing either a criminal or a juvenile disposition.

**At the time of first contact 39 states conformed to this requirement, by 2001 three states had enacted policy changes. States allocated an average of 11% annually of all JAIBG funds to improving their response to serious juvenile offenders.**

---

<sup>36</sup> Office of Juvenile Justice and Delinquency Prevention. *JAIBG Program Guidance Manual, FY 1998*. U.S. Department of Justice, Office of Justice Programs: Washington, DC. 1998.

Thirty-nine JAIBG Coordinators reported that their jurisdiction conformed to the Act's provisions at the beginning of the JAIBG program, either because their policies fit those covered in this area of certification, or because they had actively considered such policies within the past three years. In the annual follow up interviews, we asked state JAIBG coordinators if their juvenile transfer policies had been changed in JAIBG's second or third years. Three states—Washington,<sup>37</sup> South Carolina,<sup>38</sup> and Maine<sup>39</sup> - reported changes.

The juvenile court reform movement of the early 20<sup>th</sup> Century was based on the premise that juveniles accused of offenses should be adjudicated in juvenile courts. At the same time, almost all states established processes whereby juveniles involved in especially egregious crimes could be transferred to criminal courts for prosecution as adults. These procedures typically allowed prosecutors to initiate transfer petitions, and for juvenile judges to hold a hearing and make discretionary decisions on the petitions.

In the two decades before the JAIBG Program most states “toughened” their juvenile transfer laws and procedures. By 1995 all 50 states and the District of Columbia had provisions allowing transfer of selected juveniles for prosecution in criminal courts. Forty-seven states gave juvenile or criminal court judges discretion to make transfer decisions in selected cases; thirty-seven states excluded some serious crimes from juvenile court jurisdiction, and ten states prosecutors had authority to directly file selected juvenile cases for trial in criminal court. In 1995 alone, 16 states expanded their juvenile transfer laws.<sup>40</sup>

This trend in transfer practices occurred during a time of rising violent crime, and particularly, rising violent crimes committed by juveniles. Between 1988 and 1994, serious violent crimes by juveniles increased by 68 percent.<sup>41</sup> However, by the time Congress created the JAIBG program, rates of serious crimes, and of serious crimes committed by juveniles, had dropped sharply, and continued to fall during course of this study.<sup>42</sup> State JAIBG coordinators and other informants noted that the impetus to further toughen transfer practices declined as serious juvenile crime rates fell.

---

<sup>37</sup> Washington prosecutors broadened transfer authority, but they did not drop the age to 15.

<sup>38</sup> South Carolina expanded judicial power to transfer youth age 14 and 15 charged with crimes that could be a sentence of 15 years or more if committed by an adult.

<sup>39</sup> Maine passed a presumptive transfer law.

<sup>40</sup> Cropper, Cabell of the National Criminal Justice Association, “Juvenile Justice Reform Initiatives in the States: 1994-1996.” Published by United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Washington DC, Oct 1997. pp. 43-44.

<sup>41</sup> Ibid. p. 42.

<sup>42</sup> Snyder, Dr. Howard, of the National Center for Juvenile Justice, “OJJDP Bulletin: Juvenile Arrests 2000.” Published by United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Washington DC, Nov 2002.

In a sense, in its JAIBG certification requirement, Congress validated this prior trend in states of toughening juvenile transfer practices. A few states made modest changes in their juvenile transfer laws and practices following the creation of JAIBG, but the pace of change slackened, compared to the pre-JAIBG period.

To determine the extent to which states supported enhancing prosecutorial practices we collapsed JAIBG awards in three program purpose areas—area 5, (funding to enable prosecutors to address drug, gang, and youth violence problems more effectively); area 6, (funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders); and area 4 (hiring more prosecutors)—to examine the effect of JAIBG awards on this area of certification. Together, these PPAs accounted for 12 percent of the allocations in FY 1998, 11 percent in FY 1999 and 10 percent in FY 2000.

Utah and Massachusetts showed the largest percents allocated for this purpose. Both states spent funds to improve technological capacity for the benefit of prosecutors, judges, and others needing information on juvenile offenders.

## **Holding Parents and Guardians Accountable for Juvenile’s Supervision**

**In 1998 no state had a law in place that infringed on the courts authority to hold parent accountable.**

The Act required governors to certify that they would actively consider laws, policies, or practices to ensure that state law did not prevent a juvenile court judge from issuing a court order against a parent, guardian, or custodian of a juvenile offender regarding the supervision of such an offender and from imposing sanctions for violation of such an order. At the time Congress created the JAIBG Program, no state had laws that infringed on the authority of courts to hold parents accountable for the supervision of their delinquent children, and, particularly, for parents’ failure to cooperate in the enforcement of orders issued by the court (such as curfews, reporting requirement, school attendance, etc.)<sup>43</sup>.

In its *Guidance Manual*, OJJDP noted that states need not take affirmative actions to encourage such orders, but rather had only to ensure that their laws did not prevent juvenile judges from doing so. Hence, all states complied with the requirement at the outset of the JAIBG program. The Congressional language, then also, served as an admonition to the states not to enact such laws in the future. In effect, states could conform to the Act’s provisions by doing nothing. In subsequent years only one state—New Hampshire—reported enacting legislation on this point.<sup>44</sup> None of the program purpose areas were relevant to this area of certification.

---

<sup>43</sup> One state did not respond.

<sup>44</sup> New Hampshire passed a statute affirmatively establishing parental responsibility.

## Establishing Juvenile Drug Testing Policies

Finally, the Act required governors to certify that their state would establish a policy governing controlled substance testing for appropriate categories of juveniles within the juvenile justice system by January 1, 1999. The *Guidance Manual* stated that each state could decide which testing policies were appropriate for particular categories of juvenile offenders.

**At the time of initial interviews with state DSA officials, 43 states reported that they had a policy on drug testing for juveniles that met the Act's requirements. By January 1, 1999 all states had complied with this provision. Less than 2 percent of JAIBG funds annually were spent on drug testing.**

State and local governments awarded small amounts within program purpose area 12 (implementing a policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system)—1.6 percent of all awards in FY 1998 and FY 1999 and 1.5 percent in FY 2000. Though a few states showed significant spending in this area. Massachusetts for one, allocated approximately 6 percent each year to this PPA. In a certification letter directed to OJJDP, they explained that they intended to hire a certified substance abuse specialist for each region of the state, and administer drug screening on all youth in their custody.

## Conclusions

The Juvenile Accountability Incentive Block Grant program substantially achieved Congressional expectations. JAIBG stimulated local governments' involvement in expanding juvenile accountability programs. By the end of this study, two-thirds of the total JAIBG funding available to states were being awarded by or made available to units of local government to support programs within the Act's twelve purpose areas. This availability of JAIBG funds prompted local governments to form regional coalitions to analyze their juvenile accountability needs and plan improvements. In many communities, these regional coalitions evolved into enduring multi-agency partnerships that promoted collaboration that extended far beyond the boundaries of their original JAIBG programs.

State and local governments fully achieved two specific policies favored by Congress in the Act. By the conclusion of this study, all states permitted judges to hold parents accountable for their delinquent children who fail to obey court orders, and all states had policies governing drug-use testing for appropriate categories of juvenile offenders.

State and local governments substantially achieved two other Congressionally-endorsed policies. By the end of the study, 45 of 56 jurisdictions reported that their policies and procedures conformed to the Act's expectations regarding graduated sanctions for juvenile

offenders. State and local governments awarded close to 74 percent of their total JAIBG funds over all three years to support expanded or enhanced graduated sanctions. In addition, 41 of the 56 jurisdictions reported that their policies or procedures conformed to the Act's expectations regarding prosecuting serious juvenile offenders as adults. State and local governments awarded 11 percent of their funds to support strengthening juvenile prosecution over the three years.

With respect to three of the four policies—graduated sanctions, prosecution of serious juvenile offenders, and parental responsibility—conformance rates were high at the outset of the JAIBG program. In addition, many states actively developed drug-use testing policies in order to conform to JAIBG requirements. JAIBG provided the resources to strengthen policy application on these matters.

Most states had not, by the end of the study, implemented the final Congressionally-endorsed policy—to make juvenile records systems comparable to adult criminal history records systems. This issue had not been on most state's policy development agendas when JAIBG was established, and policy debate, decisions, planning, funding, and execution of such reforms would require many years in most states. State and local governments did, however, award more than 13 percent of their total JAIBG funds for three years to improve juvenile justice information systems. Often these improvements linked juvenile justice information systems to those in law enforcement, courts, prosecution, and human services agencies. These information system improvements will support more rational planning, improved program management and accountability, and improved collaboration across agencies.

However, at the end of our data collection period the states' worsening fiscal condition had only just begun to affect state and local JAIBG programs. Since that time state revenue shortfalls have increased sharply and cut backs in state spending threaten to erode state and local planning capacity for the JAIBG program. It appears that state's motivation remains strong to provide the state match to federal funds as these JAIBG funds are used to soften the effects of budget cuts on programs within the Act's 12 purpose areas.

# Appendix Table of Contents

|                                                                       |           |
|-----------------------------------------------------------------------|-----------|
| <b><u>Appendix A: Data Sources and Study Methodology</u></b> .....    | <b>57</b> |
| <u>Data Collection</u> .....                                          | 57        |
| <u>Limitations of the Data</u> .....                                  | 65        |
| <u>Creating Analytic Categories</u> .....                             | 66        |
| <u>Missing Information</u> .....                                      | 67        |
| <br>                                                                  |           |
| <b><u>Appendix B: Site Visits: Examples from the Field</u></b> .....  | <b>70</b> |
| <br>                                                                  |           |
| <b><u>Washington</u></b> .....                                        | <b>70</b> |
| <u>Overview of Washington’s Juvenile Justice System</u> .....         | 70        |
| <u>Implementation of Washington’s JAIBG Program</u> .....             | 71        |
| <br>                                                                  |           |
| <b><u>New Jersey</u></b> .....                                        | <b>73</b> |
| <u>Overview of New Jersey’s Juvenile Justice System</u> .....         | 73        |
| <u>Implementation of New Jersey’s JAIBG Program</u> .....             | 75        |
| <br>                                                                  |           |
| <b><u>Iowa</u></b> .....                                              | <b>77</b> |
| <u>Overview of Iowa’s Juvenile Justice System</u> .....               | 77        |
| <u>Implementation of Iowa’s JAIBG Program</u> .....                   | 78        |
| <br>                                                                  |           |
| <b><u>Arizona</u></b> .....                                           | <b>81</b> |
| <u>Overview of Arizona’s Juvenile Justice System</u> .....            | 81        |
| <u>Implementation of Arizona’s JAIBG Program</u> .....                | 82        |
| <br>                                                                  |           |
| <b><u>Florida</u></b> .....                                           | <b>85</b> |
| <u>Overview of Florida’s Juvenile Justice System</u> .....            | 85        |
| <u>Implementation of Florida’s JAIBG Program</u> .....                | 86        |
| <br>                                                                  |           |
| <b><u>Maine</u></b> .....                                             | <b>89</b> |
| <u>Overview of Maine’s Juvenile Justice System</u> .....              | 89        |
| <u>Implementation of Maine’s JAIBG Program</u> .....                  | 89        |
| <br>                                                                  |           |
| <b><u>Appendix C: JUMPSTART</u></b> .....                             | <b>91</b> |
| <br>                                                                  |           |
| <b><u>Appendix D: Planning of New Institutions Training</u></b> ..... | <b>94</b> |

# Appendix A: Data Sources and Study Methodology

## Data Collection

In its response to the request for proposals, Abt Associates emphasized that its ability to collect original data in this study would be limited by the nature of the block grant program. That is, the award of funds to state and local units of government was an entitlement, so long as those jurisdictions met the broad criteria set forth in the Act, and adhered to OJJDP regulations and rules. Hence, we could not compel state and local governments and subgrant recipients to respond to surveys or interview requests. In addition, due to the large number of units of government eligible for JAIBG Program funds, funding did not permit large-scale original data collection. Accordingly, we proposed to rely on secondary analysis of administrative data that OJJDP would collect and to supplement that selectively with additional information collected by means of interviews, surveys and site-visits.

For the purpose of selecting sites to visit and sampling for the Abt Associate's mail surveys described below, the typology provided a mechanism to ensure that the smaller, unitary states and territories were not underrepresented.

We obtained data for this study from several sources, including:

### Interviews with

- State and local planners and administrators and staff in funded programs conducted during two site visits to six states;
- With state and eligible jurisdiction JAIBG coordinators, conducted annually for all 56 jurisdictions (by telephone);
- Key officials at OJJDP during the Act's passage and implementation (in person);

### Existing data, including

- Follow-up Information Forms (FIF) data collected by STAD for FY 1998, 1999, and 2000
- Close-out data for FY 1998 JAIBG funds
- Training and technical assistance data gathered by the Development Services Group, the JAIBG Training and Technical Assistance (TTA) contractor.

### Mail survey data gathered by Abt Associates Inc., including

- Programmatic and financial data for a sample of FY 98 programs;
- Attitudinal and opinion surveys of
  - Sub-grant recipients,
  - State JCEC members, and
  - Local JCEC members;

These data sources are described more fully below.

The information provided during our initial interviews with state JAIBG coordinators suggested that structural differences in states requesting a waiver, and the level of planning within a state would

affect the successful implementation of JAIBG throughout the country. Based on this information, Abt constructed a typology using two factors. The factors are (1) whether the state sought a waiver from the 75 percent pass-through provision, and (2) the strength and stability of a state's prior state-level juvenile justice planning experience or "robustness."

Whether a state received a waiver indicates a nominal (yes/no) variable, while a state's "robustness" score is ordinal. In order to develop the measurement criteria Abt relied on information gathered through the JAIBG coordinator interviews. The characteristics of what have been called robust planning states are that:

- the state had recently developed a central comprehensive juvenile justice plan;
- the DSA had a recent history of low turnover rates among key staff in the agency;
- the state's coordinated enforcement plan covered programs and services provided by different funding streams (e.g., JAIBG, other JJDP Act grants, state funds, local funds);
- the state's coordinated enforcement plan guided actual state JAIBG funding choices, and
- the state's coordinated enforcement plan guided actual local JAIBG funding choices.

Abt then asked OJJDP's state representatives to rate the states on these criteria by providing each with a worksheet to complete regarding the states assigned to them. The worksheet contained the above five criteria, along with a five point scale on which to rate the state on each criteria. A "5" indicated that the state representative "strongly agreed" that the statement characterized the state. A "1" indicated that the state representative "strongly disagreed" that the statement characterized the state.

A meeting held with state representatives to discuss the rating process, criteria, and scales, and to collect their rating forms convened in October 2000. By October 2000 most states had been through two rounds of distributing JAIBG funds, and state representatives had had ample experience from which to answer these questions. However due to differences in tenure among state representatives, some had a more experience than others with their respective states.

Scores ranged from a low of 7 to a high of 20 out of a possible range from 5 to 25<sup>1</sup>. Higher scores represented jurisdictions with "more robust" state juvenile justice planning capacity, and lower scores represented states with "less robust" state juvenile justice planning capacity. Fourteen became the cutoff or demarcation between more and less robust states.

By combining the two factors a two by two table, or four-category typology was constructed. The categories of which are:

---

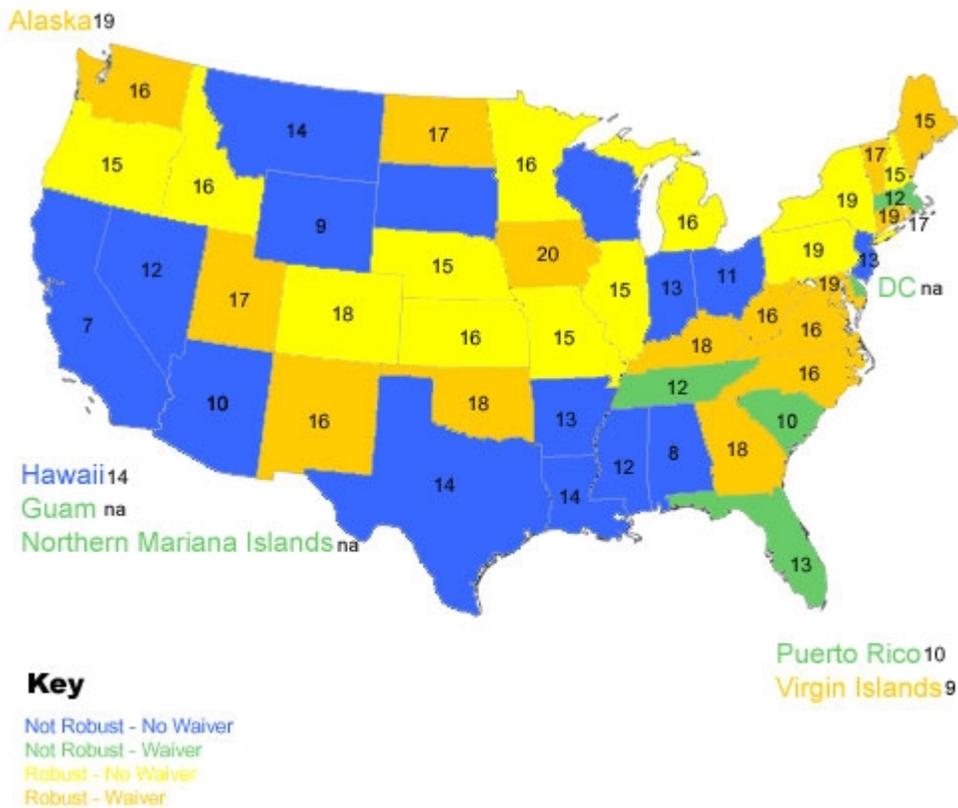
<sup>1</sup> For states that obtained a waiver and did not pass-through JAIBG funds to local governments, there were no local JCECs. Hence, for these states, the possible range was 4 to 20.

- Type 1: those with robustness scores of 14 or less (the “less robust” group) and no waiver (n=16)
- Type 2: those with robustness scores of 14 or less (the “less robust” group) and a waiver (n=10)
- Type 3: those with robustness scores of 15 or more (the “more robust” group) and no waiver (n=13)
- Type 4: those with robustness scores of 15 or more (the “more robust” group) and a waiver (n=17)

Figure A.1 shows the robustness score, and placement by typology.

**Figure A.1**

**Robustness Scores for States**



Sources: OJJDP State Representatives Rating Scores

## Annual Interviews

During each year of the study, Abt staff interviewed JAIBG coordinators<sup>2</sup> in each jurisdiction to obtain information about the JAIBG program. Although we made multiple attempts to contact each coordinator we were not always able to do so. Contacting administrators in the five island jurisdictions posed particular challenges because of time differences. Table A.1 shows the number of interviews conducted each year.

---

**Table A.1**

### Annual Interviews with JAIBG Coordinators: Number and Date Conducted

---

|                | Initial Interview | Follow-Up Interview | Second Year Interview | Third Year Interview |
|----------------|-------------------|---------------------|-----------------------|----------------------|
| Number         | 56                | 53                  | 55                    | 51                   |
| Date Conducted | July 1999         | October 1999        | November 2000         | February 2002        |

---

*Sources:* Abt Associates Inc. Annual Interviews with JAIBG Coordinators Data

---

Annual interviews covered the following topics:

- DSA staff turnover,
- state-level planning,
- changes in law or policy affecting the four areas of certification
- challenges faced by the JAIBG program during the past 12 months,
- important achievements of the JAIBG program in the past 12 months,
- tribal awards (year 3),
- evaluation activities (year 3), and
- the impact of state revenue shortfalls on the JAIBG program (year 3).

## Site-Visits

In Spring 2001 and Spring 2002, project staff conducted visits to six states that represented each category of the typology. Abt staff and consultants conducted group and individual interviews with over 200 state and local officials in New Jersey, Maine, Florida, Iowa, Arizona, and Washington. Detailed descriptions of the site visits can be found in Appendix B. Table A.2 shows the states visited, the timing of the visits, and number of interviews conducted at each site.

---

<sup>2</sup> In some states JJ Specialists perform the role of the JAIBG Coordinator as well.

---

**Table A.2****Site Visit to States by Sample Strata**

---

| <b>Typology Category</b> | <b>State</b> | <b>Round 1</b> | <b>Round 2</b> | <b>Number Interviews Conducted*</b> | <b>Number of Local Jurisdictions Visited</b> |
|--------------------------|--------------|----------------|----------------|-------------------------------------|----------------------------------------------|
| Less Robust/No Waiver    | New Jersey   | August 2001    | March 2002     | 27                                  | 9                                            |
|                          | Arizona      | May 2001       | June 2002      | 17                                  | 8                                            |
| Less Robust/Waiver       | Florida      | May 2001       | May 2002       | 24                                  | 12                                           |
| More Robust/No Waiver    | Washington   | April 2001     | June 2002      | 9                                   | 5                                            |
| More Robust/Waiver       | Iowa         | March 2001     | May 2002       | 68                                  | 15                                           |
|                          | Maine        | April 2001     | April 2002     | 30                                  | 10                                           |

---

\* These numbers are intended to be illustrative, rather than exact. For example, we frequently conducted interviews with multiple members of a planning board, or program staff.

Sources: Abt Associates Inc. Site Visits Reports

---

During the first round of visits, researchers interviewed officials from the designated state agency, typically the JAIBG Coordinator and/or Juvenile Justice Specialist, and several persons who served on the state JCEC. During the second round of visits, we interviewed persons who served on the local JCECs and the administrators of the local JAIBG funded projects. We requested that local jurisdictions be selected by the JAIBG coordinator to represent variation in projects, e.g., technology, community service, police interventions, as well as collaboration between counties and localities that waived their direct allocation and localities that had accepted awards. We also visited programs accepting large and small awards. One or two Abt staff plus a consultant familiar with juvenile justice issues conducted each of the visits.

**Follow-up Information Form (FIF) from Fiscal Years 1998, 1999, 2000**

As mentioned above, OJJDP intended to collect subgrantee award information annually on the FIF form. However due to difficulties with the web-based grant management system, OJJDP requested that states submit the initial FY 1998 data on paper forms by April 2001, and enter the FY 1999 and FY 2000 data through the GMS by April 2002.

The data gathered on these forms includes:

- *The amount of the subgrant award:* On these forms the subgrant award refers to either (1) the amount of money distributed to localities as a direct award or JAIBG entitlement or (2) the amount of money distributed to localities through a granting process initiated by the state, e.g., competitive grants or allocations

- *The amount allocated to each of the 12 program purpose areas and administration:* Allocation amounts reflect planned activities, and do not necessarily reflect how the money was actually distributed.
- *The organization responsible for the administration of the subgrant:* Contact information provided on the form indicates the group responsible for administering the grant, not necessarily the group implementing a funded program.
- *The make-up of the JCEC responsible for the planning and distribution of the funds:* Forms requested information on the number and professional affiliation of persons on these boards.
- *The jurisdiction type:* The FIF form instructions requested information on the jurisdiction type awarded the funds. The directions provided jurisdiction type options as county, city, state agency, and other. However, review of the forms showed that respondents used jurisdiction type to indicate non-profit agencies, tribal entities, and judicial or district courts<sup>3</sup>. For the purposes of analysis we combined the county, tribe, city, regional and other categories into a “non-state” category. Thus creating two categories for analysis: state and non-state.
- *Whether or not the subgrant represented a regional coalition:* This information enabled us to determine the level of collaboration present within a state. However, definitions of regional coalition varied greatly by state. Some interpreted this to mean any collaboration of two entities or more, while others defined it as a collaboration of multiple counties.
- *Whether funds were distributed within the 35 percent and 45 percent ratio:* The FIF asked respondents to indicate whether the JAIBG funds distribution met the 35 percent requirement for PPA 1, 2, and 10, and 45 percent requirement for PPA 3-9 ratio. For states that did not respond to this question, we calculated their conformance to the rule.
- *Whether subgrantees had submitted certification to the DSA for a change in distribution from the 35 percent and 45 percent ratio:* The FIF asked respondents to indicate whether they had submitted certification to the DSA to depart from this requirement.

### **Close Out Data for FY 1998**

Due to the twenty-four month expenditure period, many states were unable to expend all of their allocation by the deadline, thus requiring many to return some funds. OJJDP provided Abt Associates with the most recent figures for the close out of the Fiscal Year 1998 JAIBG grant awards. By January of 2003 only 34 of the 56 jurisdictions had been closed out for FY 1998 JAIBG funds. To our knowledge all states have submitted all of the required close-out information, and are awaiting the completion of federal governmental accounting processes.

## Training and Technical Assistance

To assess the use of training and technical assistance used by JAIBG grant recipients, Abt Associates obtained data from the Development Services Group (DSG), which has served as the JAIBG TTA coordinator since 1998. DSG was responsible for coordinating the TA Alliance activities, national JAIBG conferences, and technical assistance requests for state, tribal, and local entities. Alliance members reported monthly all activities they conducted related to the JAIBG program. Though orientation training occurred for all Alliance members, variation in reporting styles occurred. For instance, some members reported activities that uniquely addressed JAIBG topics, while others might report an entire conference and all of its sessions as separate JAIBG activities. In both cases JAIBG funds were used to support some or all of the activity. These discrepancies account for some of the differences among numbers of reported activities of Alliance members.

## Mail Surveys

Abt Associates fielded three mail surveys and one data collection form:

- The Programmatic Information about FY 1998 JAIBG Grant Awards Form
- Perceptions and Attitudes about the JAIBG Program for Local JCEC members
- Perceptions and Attitudes about the JAIBG Program for State JCEC members
- Perceptions and Attitudes about the JAIBG Program for sub-grant recipients.

Abt pre-tested all instruments with randomly selected JCEC members. In addition they were reviewed and critiqued by a working group of five JAIBG coordinators and an NIJ working group. Finally, Abt's Institutional Review Board examined and approved all surveys. After the administration of all four surveys in December 2001, we employed periodic re-mails, reminder postcards, and follow-up phone calls to increase the response rates on these surveys. The sampling procedures for these surveys are discussed below.

---

**Table A.3**

### Abt Associates Inc. Data Collection Efforts, Sample Sizes and Response Rates

|                                            | #<br>Sampled | #<br>Responding | Response<br>Rate | Adjusted<br>Response<br>Rate* |
|--------------------------------------------|--------------|-----------------|------------------|-------------------------------|
| Supplemental Programmatic Information Form | 999          | 863             | 86.4%            | NA                            |
| Fund Recipients Attitudes and Perceptions  | 999          | 800             | 80.1%            | NA                            |
| State JCEC Attitudes and Perceptions       | 1139         | 521             | 45.7%            | 50.7%                         |
| Local JCEC Attitudes and Perceptions       | 457          | 176             | 38.5%            | 47.6%                         |

\* We calculated adjusted response rates to eliminate cases where contact information was no longer valid.

Sources: Abt Associates Inc.

### ***The Programmatic Information about JAIBG Grant Awards Forms***

In fiscal year 1998, 1,793 FIF forms were submitted by the states to OJJDP. Two hundred ten of these forms represented awards made to state governments and 1,583 represented awards to local governments.

The sampling procedure for this instrument consisted of selecting all awards made to state sub-grant award recipients, resulting in 210 awards. Then, based on the robustness and waiver typology, 240 local subgrant award forms were randomly sampled from typologies 1,3,and 4. All typology two forms were selected, resulting in 69 forms. In total 999 programs were sampled for additional information. This sample was taken from only 53 of the 56 jurisdictions, as three had not submitted FY 1998 FIF forms. Of these 53 sampled jurisdictions only 39 or 73.6 percent responded, resulting in an overall response rate of 86.4 percent of the programs. JAIBG coordinators were asked to fill out the forms for all sampled programs in their state. In one state the JAIBG coordinator distributed these forms to the subgrant recipients to complete.

The form gathered information on the program purpose area within which the subgrant award was allocated, whether the allocation represented a new program, what type of program was funded, and the breakdown of the funds into: personnel, benefits, travel, equipment, supplies and operating expenses, contractual services/consulting, administrative costs, construction or other. Because so few states supplied the breakdown of funds in their reporting, we are unable to report on the findings.

### ***Subgrant Award Recipients Perceptions and Attitudes about the JAIBG Program***

Abt also sent a perceptions and attitudes surveys directly to the subgrant award recipients of the above sampled programs (n = 999). These surveys gathered information on the professional affiliation of respondents, the primary use of the JAIBG funds, whether there were important needs for which they could not use their JAIBG funds, whether the JAIBG structure presented specific obstacles to meeting juvenile justice needs, and how satisfied they were with the flexibility of the grant program and the timeliness with which they received those funds. The response rate for this survey was 80 percent.

### ***State JCEC Members Perceptions and Attitudes about the JAIBG Program***

Each member of the State's Juvenile Crime Enforcement Coalitions (JCEC) received a copy of a perceptions and attitudes survey. We obtained JCEC membership lists from the state's JAIBG coordinators for all states and territories except Arkansas. State JCEC's ranged in size from five to six persons in DC, New Hampshire, South Dakota, Nevada to 65 people in Montana and 52 in Louisiana. The average number of JCEC members was 21 persons. In total, 1,189 state JCEC members received the perception and attitudes survey. The adjusted response rate for this survey was 51 percent. We adjusted the response rate to reflect the elimination of 107 cases, or 10 percent of the sample, with invalid contact information, and 4 individuals who indicated they were inappropriately contacted. As we learned through interviews and pilot testing this survey, turnover was not uncommon to the board especially as this interviewed was mailed in December 2001 to survey about participation during the first year of the State JCEC. Also, on occasion it appeared that people's names were included on the JCEC to meet the Act's requirements but were not necessarily actively participating.

### ***Local JCEC Members Perceptions and Attitudes about the JAIBG Program***

Abt also sent the Perceptions and Attitudes Surveys to a sample of local JCEC's members. Because of the large number of local JCEC's and the difficulty in obtaining current lists, we used a stratified sampling procedure for this survey. Desiring a combination of large and small states, we first ordered the states within typology categories according to their total JAIBG allocation, and, computed the medial allocation for each category. We then randomly selected two states above the median and two below, as well as alternates. Thus a total of 16 states were selected, along with alternates.

Following the selection of the states, we used the FY 1998 FIF Form as the basis for local JCEC selection. First, we removed all forms in which the jurisdiction type "state" or "state agency" was indicated. Second, we reviewed forms to eliminate duplicate grant recipients. Third, we divided the remaining forms into "yes" or "no" categories based on whether the sub-grantee represented a regional coalition in order to include variation in collaboration. Fourth, forms in each of these two categories were numbered, and random numbers were generated to select one form from each category. Alternates were also selected at that time.

Following this selection, we used local JCEC member information provided on the Follow-Up Information Form or requested the information from the state JAIBG coordinator. Through this process, we developed a sample of 457 local JCEC members. The adjusted response rate for this survey was 48 percent. Similar to the difficulties encounter with the state JCEC members, we found 81 or 19 percent of our sample to have invalid contact information and 6 individuals indicated they were inappropriately contacted.

## **Limitations of the Data**

This section describes the statistical challenges encountered with the FIF data. The following table shows the reporting rates for each year of JAIBG funding distributed to the states and the number of states reporting. Because of the low reporting rates, Abt Associates' statisticians developed methods to impute missing data (see below) enabling us to calculate estimates on percent allocated. However, they did not develop total dollar estimates. Therefore, the only total dollar amounts reported in this study are for FY 1998, which had an 88.9 percent reporting rate (Table A.4). Across states, the percent of total JAIBG allocations reported as awards ranged from eight percent to over 100 percent.

---

**Table A.4**

### **Total Percent Reported on FIF Forms for FY 1998, 1999, and 2000**

---

|                            | <b>FY 1998</b> | <b>FY 1999</b> | <b>FY 2000</b> |
|----------------------------|----------------|----------------|----------------|
| Percent Reported           | 88.9           | 63.0           | 74.2           |
| Number of States Reporting | 53             | 43             | 45             |

---

*Sources:* OJJDP FIF Forms for FY 1998, FY 1999, and FY 2000

---

Other limitations with the data reported in the FIF are as follows:

- *Reporting interest or match.* For some states the total amount reported exceeded the total for which the state was eligible. This pattern suggests that interest and match dollars were included in some grantees reporting.
- *Reporting total subgrant award with no program purpose area data.* Many forms indicated only the subgrant recipient, and did not show the distribution of funds within the PPAs. As mentioned above, we imputed data to estimate this.
- *Reporting local expenditures only.* Some states reported only those awards made by local or non-state jurisdiction types. Upon further exploration, we discovered that some JAIBG coordinators had interpreted the instructions as such.
- *Reporting no administrative dollars.* Some states did not report any funds used for administrative purposes. Upon further exploration, we discovered that some JAIBG coordinators had interpreted the instructions as such, while others did not in fact use the JAIBG funds for administrative costs.
- *FIF reporting reflects planned allocations.* It is unclear exactly how much of the reporting reflects planned or actual expenditures. While for some states and localities the numbers reported are accurate, for others they are not. For instance, in FY 1998 Mississippi reported 58 percent of its JAIBG allocation on the FIF form, but in fact based on actual close-out data only spent 27 percent.

## Creating Analytic Categories

Analysis of the data focused on three main categories: (1) on what were the funds spent, (2) by whom the funds were spent, (3) and did this pattern continue over time. To assist in this analysis we collapsed the program purpose areas into four categories that correspond to the policy objectives of Congress (see table below). It is important to note that the PPA's did not correspond exactly to the intent of the areas of certification, and that one area of certification had no PPA related to it.

**Table A.5**

### Categories Pertaining to the Distribution of JAIBG Funds per Area of Certification

| Areas of Certification        | PPA Contained within the Group | Description of the Category                                                                             |
|-------------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------|
| Graduated Sanctions           | 1, 2, 3, 7, 8, 9 and 11        | All programs that enhance the ability of the juvenile justice system to hold juveniles more accountable |
| Prosecute Serious Juveniles   | 4, 5, and 6                    | All allocations that were intended to enhance the capacity for juvenile prosecution                     |
| Comparable Adult/Juvenile MIS | 10                             | All allocations in PPA 10 for information sharing                                                       |
| Parental Responsibility       | None                           | No PPA directly relates to this area of certification                                                   |
| Drug Testing                  | 12                             | All allocations in PPA 12 for new drug testing practices                                                |

Using this categorization, we calculated the percentage of funds being distributed to each of the PPAs and categories listed above. Data for each state and summaries across states are presented in terms of the percentage of each state’s total JAIBG awards.

## Missing Information

There were several issues with the data available for analysis for this report. In this section, we discuss these problems and our approach to their resolution.

### Duplication in the FIF Data

For the three years of FIF data, there were 47 records that were duplicates, resulting in a slightly more than \$ 4,680,000 of over-reporting. These records were removed prior to any analyses on the financial data.

### Non-reporting of Program Purpose Area (PPA) Detail

An additional problem with the FIF data was the absence of data on PPAs in a number of records. We addressed this problem by first augmenting the file with data from the Programmatic Information about JAIBG Awards Form, which gathered some of the same information as reported in the FIF data. After correcting the data file in this fashion, there were still 758 subgrants (14 percent) with no PPA details. To deal with these missing values, we imputed percentages spent on each area not reported. The imputation followed these steps:

- Grouping the PPAs into the analytic categories: administration, graduated sanctions, prosecute serious juveniles offenders, information sharing, and drug testing.
- Calculating of the percentage of the total spent in each PPA group for each subgrant.
- Estimating the percent reported in each subarea using the following least-squares regression separately for each of those groupings:

$$\%reported_{st, fy, subg, jur} = \alpha + \beta_{1, st} \times STATE + \beta_{2, jur} \times JURISDICTION + \beta_{3, fy} \times FISCAL\ YEAR + \beta_4 \times SUBGRANT\ AMT + \epsilon_{subg}$$

STATE is a series of dummy variables indicating in which state the subgrant was awarded. JURISDICTION is a series of dummy variables indicating type of jurisdiction: city/local, county, regional, tribal, state, or other. FISCAL YEAR is a series of dummy variables indicating the fiscal year, and SUBGRANT AMT is the subgrant award amount divided by 100,000. Various specifications were attempted interacting all of the included explanatory variables, but likelihood ratio tests showed this specification to be sufficient to describe the data.

When details about PPA expenditures were not known, we made predictions of percentage spent on each PPA group from the estimated coefficients of this model. Using this method presents two problems when predicting the percentages. One is that the predictions may run less than 0 percent or more than 100 percent. In these instances we trimmed the predictions to the nearest whole number. In addition, since the percent reported for each group is predicted independently, they need not add to 100 percent. In this case we adjusted each percentage by a constant so they would sum to 100 percent.

## Estimating the Percentages Spent in Each PPA Group

Once we have predicted the percentage spent within each group for each subgrant, we worked to combine these estimates across all states and within each state. The approach is to take a weighted average of the percentage categories within a state to combine the percentages across subgrants, where the weights are the total subgrant amounts:

$$\% \text{ within PPA group}_{st} = \frac{\text{amount}_{sub,st} \times \% \text{ group}_{sub,st}}{\text{amount}_{sub,st}}$$

For example, our estimated percentages place ten times the importance on a \$1,000,000 subgrant than a \$100,000 one.

## Variance of the Estimates

Since information about all the subgrants awarded in each state was not reported, percentages spent for each PPA group have some uncertainty associated with them. This uncertainty comes from two sources. The first arises because not all of the subgrants were reported. This variance of the estimated percentage within each group/state is:

$$s_{1,st}^2 = \frac{\text{amount allocated}_{st} - \text{amount reported}_{st}}{\text{amount allocated}_{st}} \times \frac{\text{amount}_{sub,st} \times (\text{pctgroup}_{sub,st} - \overline{\text{pctgroup}_{st}})}{\text{amount}_{sub,st}}$$

$$\frac{\text{amount allocated}_{st} - \text{amount reported}_{st}}{\text{amount allocated}_{st}}$$

The second equation above is a finite population correction to the variance of the estimate, since grants to the states were fixed, and some states reported almost all of their subgrants. Unfortunately, in many cases the amount actually spent within a state is unknown. So instead, statisticians used a proxy of the amount allocated. If a state reported at least 85 percent of what they were allocated, it was considered to have reported all of its subgrants. One special case is Mississippi where in 1998 only 28 percent of its allocation was spent. However since they reported 57 percent on the FIF forms, it was considered to report all of its subgrants.

A second source of variation is due to the prediction of some of the percentages of the subgrants. For a PPA group within a state, this variance is a weighted average of all of the prediction errors:

$$s_{2,st}^2 = \frac{\text{amount}_{sub,st} \times D_{subg}^T V_{\hat{\beta}} D_{subg}}{\text{amount}_{sub,st}}$$

### Combining FIF data across States

Note that  $D_{subg}^T V_{\hat{\beta}} D_{subg}$  is 0 for many of the observations, since the actual percentage allocated was reported for roughly 86 percent of the subgrants. The total variance of the estimate for each state in a PPA group, then, is simply  $s_{st}^2 = s_{1,st}^2 + s_{2,st}^2$ .

Although in principal we could combine estimates from every state, some states reported so little information about their subgrants that it is difficult to believe the imputations. Therefore, when combining states, we limited analyses to those states that reported at least 70 percent of their allocation and 70 percent of the PPA group details.

Estimated percentage expenditures in PPA groups across states are done by weighting the allocated amount for each state and fiscal year. The variances of these estimates are:

### Estimates from Surveys 1 and 2

$$s_{st}^2 = \left[ \left( \frac{\text{amount allocated}_{st}}{\text{amount allocated}_{st}} \right)^2 \times s_{st}^2 \right]$$

When computing combined estimates for surveys 1 and 2, statisticians pooled all of the data without weighting. Although the sample for survey two was generated by randomly selecting states within each typology and then randomly selecting local JCECs, extensive testing of the survey content revealed that responses from these surveys were not statistically different across typologies.

### Estimates from Surveys 3 and 4

Unlike surveys 1 and 2, the contents of surveys 3 and 4 seem to be at least mildly correlated with our sampling plan using typologies. For each survey and typology, we weighted the sampled subgrants with complete survey responses to sum to the number of subgrants represented in the FIF data. The computed weights for an individual subgrant *subg* in typology *typ* would be:

$$wt_{typ,subg} = \frac{\# \text{ subgrants in FIF}_{typ}}{\# \text{ subgrants with complete survey data}_{typ}}$$

# Appendix B: Site Visits: Examples from the Field

Researchers chose to visit states that represented various degrees of robust planning and different patterns and mechanism for distributing JAIBG funds. Based on the typology, we chose six states to visit: Washington, New Jersey, Iowa, Florida, Maine, and Arizona. We visited each state twice for a total of 4-6 days per site. At least two site-visitors were present for each visit. We conducted dozens of interviews with state and local officials to gather their impressions and experiences in planning and implementing the JAIBG program. This section provides a contextual description of each state's juvenile justice system, and a description of how each state implemented the JAIBG program.

## Washington

### Overview of Washington's Juvenile Justice System

Juvenile justice services are decentralized in Washington State. Juvenile courts administer detention centers in all but one county, King County (Seattle). In King County the Department of Adult and Juvenile Detention operates the juvenile detention center. There are 21 local juvenile detention centers in Washington. Each county develops its own standards to screen youth referred for detention. State Court rules require that judges attempt to hold detention hearings on the next judicial day following a youth's detention.

Juvenile courts administer juvenile probation in 36 of the 39 counties. In Whatcom, Callam, and Skagit counties the County Executive administers juvenile probation.

Prosecutors conduct intake screening of all delinquency referrals made by law enforcement agencies. Prosecutors decide whether to handle the case informally, by diversion, or formally, by filing charges.

Probation departments operate most of the diversion programs available to juvenile courts. First-time juvenile offenders may be diverted if they are referred for misdemeanor charges. If diverted, youth see a Community Accountability Board consisting of volunteers who hear the case, and who prepare a diversion agreement. That agreement might specify that the youth perform community service, restitution, or participate in counseling, an education program, a mediation program, etc.

Probation officers complete predisposition investigations when ordered to do so by the court. Probation officers assess all adjudicated youth using a uniform risk instrument, and judges must consult presumptive juvenile sentencing guidelines when making dispositional decisions. These guidelines base the disposition on the seriousness of the offense and the offender's juvenile criminal record.

The level of services provided in juvenile probation varies from county to county. Larger counties typically provide a broader array of services, including specialized programs for sex offenders and substance abusers, and intensive supervision. The Juvenile Rehabilitation Administration (JRA), within the Washington Department of Social and Health Services, provides some funding to these local probation departments for expenses of certain specified services and programs. The JRA operates five secure confinement facilities for committed youth, with a total capacity of almost 1,000

beds, and provides aftercare services for youth released from its custody. JRA facilities provide a range of programs and services within these facilities, including education, vocational training, sex offender treatment, substance abuse counseling, and forestry work programs. JRA also has an array of community facilities, programs and services for juveniles released from JRA institutions.

## **Implementation of Washington’s JAIBG Program**

The Governor named the Juvenile Rehabilitation Administration (JRA) as the designated state agency (DSA) for JAIBG. The JRA then named the Washington State Law and Justice Advisory Committee’s (WSLJAC—termed “Whistle-Jack”) Juvenile Justice Subcommittee as the state JCEC, which came into existence in the mid-1990s as an umbrella organization over local Law and Justice Councils, which the Washington Department of Corrections and the Department of Social and Health Services formed to provide local input to a comprehensive justice system plan. This group completed the comprehensive justice system plan in 1996. Its juvenile component became the foundation on which state and local CEPs were developed under the JAIBG program.

The previously established local Law and Justice Councils formed the nucleus for local JCECs. In addition to the sheriffs, city police, court staff, probation officials, and county human services department already serving on the Law and Justice Councils, the Councils added other representatives—such as community and religious leaders—to provide the balanced representation required by the Act. In some communities the JCEC formed as a result of merging planning bodies as well. For example in Jefferson County 2 juvenile justice planning groups existed - the local Law and Justice Council made up of sheriff, judges, prosecutors, probation officers, etc., and the Juvenile Offender Information Network (JOIN) comprised of individuals from juvenile services, law enforcement, child and protective services, schools, substance abuse and mental health agencies. These two groups came together to form the local JCEC.

Washington officials chose to make as much JAIBG funding available to local governments as possible. They decided not to seek a waiver, and, thus, passed through the full 75 percent to local governments. In addition, the state awarded over half its share to local governments by means of competitive awards to replicate selected evidence-based treatment programs, including aggression replacement therapy and multi-systemic therapy. Altogether, Washington awarded 88 percent of its FY 1998 JAIBG funds to units of local government.

From the outset, local governments banded together to form regional coalitions. While seventy-seven units of local government were eligible for JAIBG awards exceeding \$5,000, just forty-eight formed local JCECs. King County (metropolitan Seattle) established the largest regional coalition in the state. It included the County and fourteen of the fifteen cities in King County. In FY 1998 King County received \$1,285,015. Under their joint coordinated enforcement plan, they funded a range of programs, including a juvenile drug court, a juvenile justice information access project, multi-systemic therapy services, day reporting centers, and gang intervention projects that involved collaboration between police, probation, detention, and human services agencies.

In FY 1998 and 1999 the majority of the state JAIBG award funded the completion of the Client Activity Tracking System (CATS) that had been identified as a priority in the 1996 comprehensive

state plan. CATS is a case management tool to help juvenile corrections and human services agencies coordinate delivery of needed services to adjudicated youth. CATS will produce a web-based paperless case management system. It also will interconnect with JUVIS, the case-tracking system used by juvenile courts—effectively linking three systems—courts, corrections, and human services.

In FY 2000 the Washington Legislature directed that a portion of the state JAIBG funds be used to provide services to adjudicated dually-diagnosed youth (that is, who have both mental health and substance-abuse problems). As a result, the proportion of total JAIBG funds available to units of local government fell from 88 percent in FY 1998 to 76 percent in FY 2000.

In summary, a variety of factors contributed to Washington's ability to implement the JAIBG program and distribute its funds efficiently and effectively. These factors include having (a) a recent comprehensive plan, (b) state and local planning bodies that had contributed to it, and (c) a strong state DSA.

Juvenile justice professionals at the state and community level identified many benefits of participating in the JAIBG program, including (1) the purpose areas being broad enough to allow adequate flexibility with the funding; (2) forcing localities to study the juvenile justice issues and needs, and develop criminal justice plans; (3) bringing together different players and communities that had not collaborated in the past; (4) having funds that can be used to replicate existing programs that have been proven to work; and (5) expanding the capacity to deliver services to youth that would not have been possible without these funds.

# New Jersey

## Overview of New Jersey's Juvenile Justice System

### The Family Court

Following the issuance of a delinquency complaint, typically by a police officer, a juvenile can be held in secure detention while the officer refers the case to court intake services. The Family Court is required to hold hearings for juveniles charged as delinquents, with specific mandated time limitations, particularly regarding juveniles held in secure detention. (N.J.S.A. 2A:4A-38). In sequential order, they are as follows:

- An initial detention hearing is to be held within 24 hours of admission.
- For detained juveniles, a probable cause and second detention hearing are to be held within two court days. If probable cause is not found, the juvenile is released from detention pending an adjudicatory hearing.
- Review hearings are held for detained juveniles at intervals of 14 and 21 court days. At each of these hearings, the juvenile's detention status is reconsidered by the judge.
- At the adjudicatory hearing, the court makes a determination on the delinquency charges. A juvenile may be adjudicated delinquent on one or more of the charges; the other charges are dismissed. After an adjudication of delinquency (at that time or at a separate disposition hearing), the judge will order a disposition.
- In detained cases, the disposition hearing is to occur within 60 court days of admission to detention unless extended by the court for good cause.

The Juvenile Code allows judges a wide array of dispositions in adjudicated cases (N.J.S.A. 2A:4A-43). They range in restrictiveness from formal continuance (adjournment of formal entry of the case for up to 12 months for the purpose of determining whether the juvenile makes a satisfactory adjustment), fines and restitution, probation supervision, and participation in an in-home or out-of-home treatment program, to the most restrictive disposition, commitment to the JJC for incarceration.

In cases where commitment is suspended, adjudicated youth are often placed on probation and, in addition, ordered into a JJC non-institutional residential program. In addition to their potential for serving important rehabilitation and broader restorative justice goals, ordering juveniles to perform community service and pay restitution or fines are important components of the court's ability to hold them accountable for their delinquent behavior. These requirements are often ordered along with probation supervision.

### Court Diversion

Juvenile Conference Committees (JCCs) and Intake Service Conferences (ISCs) are diversion procedures established by the court and utilized in select first and second offenses of a minor nature. JCCs are comprised of community residents appointed by the court to review certain delinquency complaints. ISCs are conducted by court intake staff to review slightly more serious delinquency

allegations. Both diversion procedures occur after delinquency complaints have been signed and filed with the court. Where a referral is made under statutory guidelines to a JCC/ISC, the committee/intake staff meets with the juvenile and family and recommends conditions to be followed (e.g., restitution to the victim; performing community service; family counseling). If the complainant or victim objects to the recommendations, or if the juvenile or parent(s)/guardian fail to meet their obligations the complaint is referred back to court for a hearing. All charges are dismissed upon successful completion of the conditions set by the JCC/ISC.

### **Juvenile/Family Crisis Intervention Units**

Juvenile/Family Crisis Intervention Units (JFCIUs) were authorized to divert from court proceedings, matters involving family related problems, e.g., incorrigibility, truancy, runaway and serious family conflict. The JFCIUs provide short-term, crisis intervention services with the goal of stabilizing the family situation and/or referring the juvenile and family to available community agencies. There are substantial differences across counties with regard to the structure and operation of JFCIUs. One significant difference is that while some counties operate their JFCIU directly through the court, others utilize public or private agencies to fulfill this function. A major goal of JFCIUs is to divert crisis cases from direct court hearings. In unsuccessful cases, a petition is filed with the Family Court, either when the family crisis situation is considered unresolved after efforts of the JFCIU, and community resources have been exhausted, or when an involuntary out-of-home placement request occurs.

### **Secure Detention**

Secure juvenile detention is the temporary placement of juveniles charged with a delinquent act, in a locked facility, prior to the disposition of their case. New Jersey law mandates that the court can detain juveniles only if they are considered a danger to the community or if they are deemed a risk not to appear in court. (N.J.S.A. 2A:4A-34). In addition, some juveniles are detained post-disposition while awaiting program placement. Several counties have also developed a short-term commitment program, which serves as a dispositional option. In New Jersey, counties are generally responsible for operating and financing detention facilities. The State's role is primarily limited to standard setting, monitoring and technical assistance (through the JJC's Compliance Monitoring Unit) though the JJC does operate one detention center through a contract with a county. There are currently 18 secure juvenile detention facilities operating statewide.

Various county agencies operate 17 detention centers around the state. Detention centers may request from the Juvenile Justice Commission the ability to sentence adjudicated delinquents to their facilities for up to 60 days, and youth who violate conditions of a juvenile probation order also may be placed in a detention center.

### **Juvenile Justice Commission**

The Juvenile Justice Commission (JJC) operates institutions and programs for adjudicated youth who are committed to its custody. It operates five secure facilities and 16 staff-secure community programs (residential community homes and day programs). Juvenile parole officers within JJC provide aftercare supervision for those released from JJC facilities.

The New Jersey Parole Board—an autonomous agency housed in the Department of Corrections—makes releasing decisions for juveniles (as well as adults) held in state custody. If juveniles are to be released before they have served one-fourth of their prescribed confinement term, the parole board

must obtain approval for the release from the sentencing judge. Juvenile judges, however, can act on their own to order the release of any youth they have committed to state custody.

Except for detention, state executive and judicial agencies provide all services for delinquent youth.

## **Implementation of New Jersey's JAIBG Program**

New Jersey revamped its juvenile justice system in 1995. As part of the reform effort, the Juvenile Justice Commission (JJC) was established as an independent agency administratively located in the New Jersey Department of Law and Public Safety. The JJC oversees services for youth who have been adjudicated delinquent and committed to the state for incarceration, and for those juveniles on probation for whom the court orders participation in a JJC community program. The Governor named the Department of Law & Public Safety as the JAIBG designated state agency with the administrative functions designated to the JJC.

The JJC completed a Juvenile Justice Master Plan in 1999. The plan analyzed juvenile crime in New Jersey, described problems, and made recommendations for improvements. This plan served as the basis for the state's coordinated enforcement plan for the JAIBG program.

New Jersey officials agreed with the philosophy of local solutions for local problems that was embedded in the Act. Hence, they never considered requesting a waiver to retain the JAIBG funds at the state level.

The Governor named the Juvenile Justice and Delinquency Prevention Committee (JJDP) as the state Juvenile Crime Enforcement Coalition (JCEC). JJDP is New Jersey's SAG under the JJDP Act. This planning body meets six times per year and is comprised of steering committee and three subcommittees focusing on minority issues, gender issues and planning issues.

Each of New Jersey's twenty-one counties has a Youth Services Commission (YSC) consisting of the presiding family court judge, prosecutor(s), detention center directors, public defenders, social service agency directors, family court staff, staff from youth services agencies, and community members who are involved in juvenile justice planning, developing new programs for juveniles, and monitoring the efficacy of existing programs. According to New Jersey law, YSCs are "to identify, plan, and oversee the implementation of community-based sanctions and services for juveniles charged as delinquent and delinquency prevention programs." YSCs are responsible for the allocation of numerous juvenile justice funding streams (both federal and state) and serve as the local Juvenile Crime Enforcement Coalitions (JCEC). For the purposes of the JAIBG program, the biennial youth services plan prepared by the YSC serves as the local CEP for reducing juvenile crime in the county.

The state requires YSCs to collect data to determine local juvenile crime problem areas. Consequently, YSCs are supposed to engage in a rational planning process relying on a needs assessment and other types of data collection (i.e., focus groups, surveys) to identify the needs in the community and determine funding priorities. In reality, the strength of JAIBG planning varies from one jurisdiction to another. For instance, highly functioning YSC's determine priorities based on "level of need, significance of need, minority representation, and which needs had not been met as yet." They examine all available funding streams, and match priority areas with the JAIBG purpose areas. Then the YSC issues an RFP for the funding and local service providers submit applications.

In this way, grants are made on a competitive basis. Due to YSC structure, which has been in place since 1983, it was quite apparent that county-level planning processes for the JAIBG monies were much stronger than their counterparts in local townships and municipalities that received JAIBG funds directly. JJC encouraged cities and counties to pool their JAIBG entitlements. Over 100 cities and towns were originally eligible for JAIBG funds and most of them have waived their funding to the counties.

The Juvenile Justice Commission has developed a web-based tool that will provide YSC's with their county-level juvenile justice data. YSCs will analyze that data to identify problems, set priorities, and develop recommendations for program planning for the county. The web-based tool will support YSCs planning and monitoring processes, allowing them to integrate all state and federal the funding sources in one planning process.

One of New Jersey's top priorities in FY 1998 was to implement their Juvenile Information Management System (JIMS). It's objective was to integrate several stand-alone databases to create one electronic record for each juvenile offender as they move through the system. At this point, there are many stand-alone databases and JIMS will integrate all of them. JIMS will support case-tracking and case management. It also will let the JJC monitor programs' effectiveness. It will provide information for management decision making.

JAIBG funding has also allowed New Jersey (Juvenile Justice Commission) to implement a variety of programs, including an alternative education program focusing on vocational training and employment referral, an individual and family counseling program, aftercare re-entry programs, and substance abuse assessments for adjudicated delinquents.

Local JCECs use JAIBG funds to address myriad problems including disproportionate minority confinement. Atlantic City developed the Minister's Home Detention Project. Youth are released from detention with a condition to participate in the program. Each youth is paired with a mentor, a minister or layperson from a local assembly. Weekly education seminars are provided to the participants. The program also provides employment training and referral. Several unannounced home-visits are also a part of the program. Also, the Youth and Family Detention Diversion Program (YFDDP) serves as a dispositional option to reduce overrepresentation of minority youth (African American and Latino) in the court system in Monmouth County, targeting Asbury Park and Neptune. The program services 30 youth in 3-month cycles. Youngsters attend the program daily for 2-3 hours, generally after school, and participate in special events and group outings on Saturday.

The Juvenile Accountability Incentive Block Grant Program, along with several other funding streams through the Juvenile Justice Commission, is now a part of a comprehensive approach in addressing issues within the juvenile justice system. In collaboration with the Juvenile Justice Commission and the County Youth Services Commission Administrators counties are now able to submit one juvenile justice plan and application for four sources of funding including JAIBG. Each funding source allows the units of local governments to address a greater number and with a greater level of intensity at each point within the entire continuum of care. JAIBG is a critical component in meeting the needs of both the youth and the juvenile justice system as a whole.

# Iowa

## Overview of Iowa's Juvenile Justice System

Iowa's juvenile justice system is decentralized. Counties or multi-county regional agencies operate eleven secure juvenile detention centers. The State Judicial Branch's Juvenile Court Services (operating in eight judicial districts) provides detention intake screening, diversion programs, pre-disposition investigations, juvenile probation, and aftercare. The Iowa Department of Human Services (DHS) provides two secure institutional facilities for adjudicated delinquents who are committed to DHS custody. The State Training School's Eldora campus houses delinquent males, and the Toledo campus houses delinquent girls, along with Children in Need of Assistance (CINAs) boys and girls. CINAs are typically status offenders.

Juvenile courts can place juveniles who are adjudicated delinquent on probation, in a private or local facility, or commit them to the Department of Human Services. Juvenile Court Officers (JCOs) develop recommendations for the juvenile courts regarding dispositions for adjudicated youth, including supervision by JCOs and placement in treatment programs provided by private agencies. The Department of Human Services makes recommendations about releases of youth committed to its custody, and the juvenile courts make final decisions about their release. JCOs make recommendations to juvenile courts about aftercare for youth released from residential placements.

Before 1988, state officials in the Department of Human Services planned and delivered state-funded community-based programs and services for families and children. State officials determined needs for and obtained programs and services, largely by contracting with vendors. In 1988 Iowa began devolving control over the planning and provision of such programs to representatives of local communities.

The Iowa DHS established multi-county "deategorization" (commonly termed "decat") boards comprised of representatives of the DHS regional offices, juvenile courts, county government officials, schools, community leaders, and stakeholders. DHS gave decat boards control over the service area's annual budget and empowered them to identify local needs and problems, establish priorities, and reallocate this pool of funds to provide needed services. Decat boards had to maintain prescribed levels of "core" services, but otherwise had substantial flexibility to adopt new priorities and to alter how funds had been spent in the past.

Decat boards could keep any funds they did not spend, so long as they maintained the required levels of core services. They also could accrue any such savings from year to year, and could use their current or accrued savings to fund new programs or provide new services. Thus, decat boards had strong incentives to find less expensive services, or to devise more efficient ways to solve problems or address high priority needs.

Over the years, more counties have opted into the decat boards, so that by 2001 98 of the state's 99 counties participated in one of the 39 existing decat boards. The majority of the decat boards have staff support, called decat coordinators, who are not state employees. In addition, the 39 DHS area offices provide support for local planning and administration.

## Implementation of Iowa's JAIBG Program

The Governor named the Division of Criminal and Juvenile Justice Planning (DCJJP) as the designated state agency (DSA). DCJJP also administers Iowa's other JJDP Act funds. The Governor further named Iowa's State Advisory Group (SAG) under the JJDP Act as the state Juvenile Crime Enforcement Coalition under the JAIBG program. Iowa did not have to add representatives to the State SAG to conform to the Act's membership requirements.

Iowa applied for and received a pass-through waiver to keep 73 percent of the JAIBG money at the state level. However, DCJJP decided to make a large majority of the state's share available to local units of government through the decat boards.

DCJJP decided to use the existing decat boards as local JCECs. State officials conferred with juvenile court officers, the Association of Counties, and representatives of DHHS and local decat boards to make this decision. There was near unanimous support among these groups for using the decat boards as the local JCECs.

As noted above, local decat boards were experienced in developing plans to meet needs of families and children within their communities. Hence, Iowa had a ready-made system of regional coalitions. Iowa officials (state and local) did not have to spend time early in their JAIBG program encouraging formation of regional coalitions.

Iowa officials passed 27 percent of Iowa's JAIBG allocation to 29 eligible units of local government. These entities had the option to waive their JAIBG funds to their regional decat boards. Only 6 of the eligible units of local government decided to keep their awards— 23 waived them to their local decat board.

Over 700 local governments qualified for JAIBG awards of less than \$5,000. DCJJP kept these monies and redistributed them to local decat boards.

With respect to the state share (73 percent), the state retained some funds for a competitive drug court pilot project, but made remaining funds available to the regional decat boards. They accepted the premise underlying JAIBG—that local communities are best suited to identify local needs, and best suited to developing programs to respond to those needs.

DCJJP and DHS provided planning assistance and support to the decat boards. The decat coordinator provided staff support for the Board in its planning function for regionalized planning efforts, including the area Child Welfare and Juvenile Justice annual plan, and the JAIBG coordinated enforcement plan.

DCJJP officials decided, in the second year of the JAIBG program, to give local decat boards responsibility for planning for other JJDP Act programs, including Title V prevention grants and a portion of the formula grant. Hence, the decat coordinator became the primary staff liaison for the decat boards in blending these funds in their community planning. In addition, the Child Welfare and Juvenile Justice plan and the JAIBG/Title V/ Formula plan was merged into a single planning document. The single annual plan covers needs analysis and funding priorities for child welfare, juvenile justice, and youth development.

DCJJP also developed a web-based application that covered all decat functions, in an effort to simplify the application process. DCJJP, along with several other state agencies, also administered the Iowa Youth Survey during the second year of the JAIBG program. This self-reporting survey is administered every 3 years in Iowa schools on various behaviors of youth in the sixth, eighth, and eleventh grades. While participation by schools is “voluntary”, the school districts’ are strongly encouraged to participate. A “user’s guide” and training sessions with school personnel is conducted to demonstrate the multiple uses of the information, including accessing grants. Hence, most schools participate. The Iowa Youth Survey provides a rich data set for needs assessment that DCJJP makes available to decat coordinators via their web-based information system.

State and local officials emphasized that the most serious problem they faced with JAIBG was the spending deadline. Some local program providers noted that by the time they received their JAIBG awards, they had less than a year to spend the money. Ultimately, Iowa subgrantees (decats and qualifying cities and counties) did not expend approximately \$400,000 of its FY 1998 JAIBG funds within the allotted time.

Some officials expressed frustration that they could not spend some JAIBG funds on prevention programs. Others, however, commented that other funding streams existed to support prevention programs, and that if JAIBG could have been used for prevention, it would have promoted conflict on decat boards about spending priorities.

State DCJJP officials further thought JAIBG served as an impetus to further engage communities in human services planning and program delivery on juvenile justice issues. DCJJP nurtured this engagement by giving decat boards planning responsibilities for OJJDP’s Title V prevention grant and a portion of the formula grants. Officials also noted that JAIBG caused the regional decat boards to add juvenile court officers and law enforcement representatives to their membership to satisfy the Act’s representation requirements. This change, officials argued, broadened the decat boards’ perspectives.

Iowa recently launched the Iowa Collaboration for Youth Development, which is a state-led inter-agency initiative designed to better align policies and programs and to encourage collaboration among multiple state and community agencies on youth-related issues. The goals of the initiative are to promote the use of positive youth development principles in state policies and programs and to facilitate the use of effective youth development practices in communities throughout Iowa.

In addition, Iowa established local Empowerment Boards that do needs assessments and plan how to allocate early childhood and school ready funds for 0 – 5 year olds. At the time of our initial site visit, DCJJP wanted to have decat boards and Empowerment boards coordinate their activities.

During visits to projects awarded JAIBG funds by local decat boards, many local officials emphasized that small amounts of funds, strategically used, can have big effects. For example, Save Our Youth is a faith-based volunteer and mentoring program that operates in Polk (Des Moines) County, and two adjacent counties—Marion and Jasper. SOY gets less than \$40,000 in JAIBG funds (contributed by two decat boards). The balance of its operating budget (\$250,000) comes from donations by more than 40 churches, as well as a few small foundation grants. The program engages almost 100 volunteers who work with youth entering detention or shelter care facilities, and has a dozen volunteers in a separate mentoring program for youth after their release from these facilities.

Likewise, the Restorative Justice Project, run by the West Des Moines Police Department, got slightly over \$8,000 from JAIBG, with the balance of its \$55,000 budget contributed by school districts, United Way, and local foundations. During the year before our visit in May 2002, the project enrolled 54 youth (referred by schools or law enforcement) and their parents in a 12-week course on violence, anger management, self-esteem, and dating violence.

The final site visit to Iowa occurred in March 2002. In the year between the two visits, Iowa suffered serious revenue shortfalls. While many states experienced declines in revenue during this period, and mentioned this during our annual interviews and site visits, Iowa's revenue shortfalls were especially severe and had serious effects on the local JCECs.

At the time of our second visit, Iowa projected a \$219 million shortfall for their current fiscal year, and expected an additional \$200 million shortfall in the next fiscal year. Because the state must balance its budget by the end of each fiscal year, state agencies had been ordered to make deep spending cuts.

DHS instituted a number of cost-cutting measures that had dramatic impact on the decats, and, thus, on Iowa's JAIBG program. First, they abolished the authority of local decat boards to "bank" current savings in order to accrue savings to fund future new programs. While decat boards still had incentive to use current funds in more cost effective ways, unspent funds reverted to the state treasury at the end of the fiscal year.

Second, DHS kept the number of decat boards the same (39) but reduced the number of DHS regional offices to just eight. The budget cuts reduced the number of decat coordinators and reduced the DHS support for the decat boards. As part of this cutback, some senior decat coordinators left their positions, causing a big loss of collective knowledge and expertise on juvenile justice issues, and a big loss of understanding about the local context in which each decat board worked.

Officials noted that the state still provided the match for both state and local JAIBG programs. They argued that it made little sense—especially in hard economic times—to give up \$9 in federal funds for each \$1 the state provided. However, many existing programs that operated with state funds were pared down or faced with elimination as the state cut spending. There was increasing local pressure to use JAIBG funds to maintain existing programs, which made it more difficult to fund new initiatives with JAIBG funds. Finally, some officials noted that increasing fiscal pressure had caused some JCEC members to become more vocal advocates for their constituents' interests and to lobby more aggressively for policies or programs favored by their constituents. Hence, the worsening fiscal situation threatened a sense of solidarity that had emerged on most decat boards with respect to local needs and priorities.

# Arizona

## Overview of Arizona's Juvenile Justice System

Arizona has a decentralized juvenile justice system. County prosecutors screen cases and initiate delinquency petitions. Juvenile courts administer detention, intake screening, predisposition investigations, and probation supervision, which are organized around counties. The Arizona Department of Juvenile Corrections operates state training schools and provides post-release supervision and aftercare for youth released from state custody.

Superior courts—general jurisdiction trial courts—have jurisdiction over delinquency matters. In larger counties, a Superior Court judge is assigned to handle juvenile cases. County Boards of Supervisors are responsible for providing and maintaining juvenile detention centers, but these centers operate under the authority of the presiding juvenile court judge within each jurisdiction. Thirteen of the fifteen counties in Arizona maintain a juvenile secure care facility. Juveniles from two counties are transported to other jurisdictions when the Court determines the need for secure custody.

Prior to fiscal year 1998, the Progressively Increasing Consequence Act or “PIC-ACT” allowed juveniles referred to the juvenile court for first and second time misdemeanor referrals to be diverted from formal court processing, if certain conditions were met. Beginning in fiscal year 1998, modifications to A.R.S. § 8-321 significantly changed the criteria determining which juveniles could be diverted and the way those cases are processed. One major change stated that the county attorney has sole discretion to divert the prosecution of a juvenile accused of committing an incorrigible or delinquent act to a community based alternative program operated by the county attorney or to a diversion program administered by the Juvenile Court. However, a juvenile identified as a chronic or violent offender, or who is alleged to have violated A.R.S. § 28-692 (DUI) is not eligible for diversion.

Arizona has further created a range of Community-Based Alternative Programs (CBAP) to which diverted youth and their parents may be referred. In these programs, trained volunteers review the case, interview the juvenile and the juvenile's parents, and issue a consequence. The consequence may include community service or restitution, participation in a teen court, involvement in day supervision, counseling and education, or substance abuse treatment programs.

Juvenile probation officers perform predisposition investigations. All county probation departments use a statewide instrument to assess youth's risk and needs. Because the instrument focuses on both historical factors and current strengths and needs, the assessment instrument is applied at a youth's initial referral and is periodically reapplied as youth progress through the system. The predisposition investigation also examines the nature of the offense, the youth's history of adjustment to past referrals and attempts at informal adjustment. The report includes a victim impact statement, information about restitution (if applicable) and a recommendation about the disposition.

Juvenile probation services vary widely due to the extreme size of counties, and wide variation in their populations. Large and sparsely populated counties tend to have more basic and less specialized programs. While, large, urban counties tend to provide more diverse and non-traditional juvenile

probation services. In order to minimize these disparities, the Juvenile Justice Services Division of the Administrative Office of the Courts (within the Arizona Supreme Court) funds a Juvenile Intensive Probation Supervision (JIPS) program for all youth adjudicated for a second felony offense, or who otherwise would have been committed to state custody or been given an out-of-home placement.

The Arizona Department of Juvenile Corrections (ADJC), a state executive agency, provides juvenile facilities for youth committed to its jurisdiction by juvenile courts. ADJC provides 900 beds in 5 facilities that offer a range of treatment and education services, in varying levels of security. ADJC participates in the Performance-based Standards Project (PbS), operated by the Council of Juvenile Corrections Administrators, and funded by OJJDP. PbS sets standards for secure juvenile confinement facilities, provides web-based tools for states to monitor performance data and conduct performance assessments, and provides technical assistance to help facilities continually improve performance over time.

Commitments to ADJC are indeterminate, but juvenile courts may specify a minimum term. ADJC cannot release a juvenile before this minimum, but may petition the sentencing court to modify the minimum. The Arizona Supreme Court developed and promulgated guidelines to structure juvenile courts' decisions about juvenile commitments.

All youth committed to ADJC go through a standardized assessment process used to determine the best placement for them, and to develop an individual development plan that guides their participation in programs while in ADJC custody. ADJC makes releasing decisions (consistent with the terms of the commitment order) by means of a three-member Superintendent's Review Board. ADJC provides aftercare supervision and services for released youth. For high-risk youth, aftercare emphasizes a continuum of care or "step-down" program.

## Implementation of Arizona's JAIBG Program

The Governor named the Governor's Division for Children (GDC) as the designated state agency responsible for the JAIBG program in Arizona. Staff of the Governor's Division for Children manage all aspects of the JAIBG program, and provide staff support to the Arizona Juvenile Justice Commission (AJJC). Staff asserted that the GDC was the logical choice because the agency administers all other Office of Juvenile Justice and Delinquency Prevention (OJJDP) funding streams. However, dissension about this decision existed. Administrators from the Arizona Department of Juvenile Corrections (ADJC) and the Administrative Office of the Courts (AOC) wanted the JAIBG program placed in the AOC rather than the Governor's Division for Children. They argued that GDC staff **knew** more about prevention than with juvenile sanctions and did not have an appropriate background in criminal justice.

The Governor named the AJJC, which is the State Advisory Group (SAG) under the JJDP Act, as the state Juvenile Crime Enforcement Coalition (JCEC). The Commission's members included representatives from law enforcement, the courts, prosecutors, juvenile corrections, and social service agencies involved in juvenile crime prevention/intervention. Historically, the AJJC had not been active in juvenile corrections; in its role as SAG, it focused on prevention and early intervention. However, with the implementation of the JAIBG program, the Commission evolved from a

prevention-driven planning body into a group that engaged in a broader discussion about the juvenile justice system. The JAIBG program acted as a catalyst in broadening the dialogue. In 1998, the new Governor re-constituted the AJJC to broaden the scope and diversity of its membership.

In 1998, Arizona submitted an application for a waiver from the pass-through requirement, which proposed that the state retain about 50 percent of the total JAIBG allocation. However, during a series of forums and community meetings on the topic, a difference of opinion emerged on the waiver. The Chief Justice of the Supreme Court wanted to retain all the money at the state level while the Governor believed that the funding “should go to the entity closest to the problem” that localities should be able to determine what their needs are. In the end, Arizona withdrew its waiver request, and in FY 1998 passed through 75 percent of JAIBG funding to localities—and increased that to 82 percent in FY 2000.

In 1997, prior to the creation of JAIBG, Arizona completed a legislatively-mandated evaluation of its juvenile justice system. The evaluation assessed the performance of all programs administered by state juvenile justice agencies, with a particular emphasis on outcomes, and cost effectiveness. The findings of this evaluation served as the basis for Arizona’s funding priorities under the JAIBG program. The evaluation identified four areas in which Arizona’s juvenile justice system in Arizona could be improved:

- **Increased inter-agency collaboration** –agencies that serve delinquent youth and their families should develop a sense of “collective ownership” of juvenile justice problems, and develop common solutions to those problems, that involve sharing resources and information;
- **Increased involvement of families** - families should be involved in all aspects of services to juvenile offenders including prevention programs, and probation and parole planning; moreover, all information about families should be entered into an automated case management system;
- **Joint Technology Support** - agencies serving youth, including the Supreme Court, Arizona Department of Juvenile Corrections, Arizona Department of Education, Arizona Department of Economic Security, Arizona Department of Health Services/Behavioral Health Services and the counties, should develop a strategic systems plan to comprehensively support the Arizona juvenile justice system;
- **Collective Ownership Through Use of Outcomes** - the state should develop outcome targets that cross all areas of the juvenile justice continuum.

Arizona used state-retained monies primarily to address problems highlighted in the evaluation - refurbishing of detention facilities, creation of a parole violators center, establishment of a drug treatment center, development of a status offender diversion program, gang surveillance and GIS mapping equipment, and information systems and information sharing.

Arizona encouraged local governments to use the funding according to their needs. Some local communities found that the amount of money they were entitled to did not justify the costs of implementing the program. Some had no experience in planning and grants management and found JAIBG’s administrative requirements to be a barrier to participation. Other communities had trouble providing the cash match.

Cities and towns often pooled their JAIBG resources with the counties and formed a coalition. For example in FY 1998, the largest regional coalition based in Maricopa County had a total JAIBG

allocation of over \$1.5 million. The Maricopa County Regional Coalition consisted of five cities, three small municipalities and the county. The largest JAIBG contribution to the Coalition comes from the city of Phoenix.

In response to notices about the JAIBG program, the Maricopa Association of Government (a body set up to represent every locality in Maricopa County) met to discuss the idea of collaborating and a decided to form a regional coalition among several participating and eligible localities. The regional coalition did not include all localities within Maricopa County. An existing group in Phoenix called the Juvenile Justice Roundtable became the centerpiece of the regional coalition and served as the local JCEC by expanding its membership to include members from each participating locality to satisfy the Act's representation requirements.

The Maricopa County Regional Coalition used JAIBG funding to expand the capabilities of the Juvenile Online Tracking System (JOLTS), a juvenile justice management information system, and to expand the Safe School Program, creating Safe School teams comprised of a probation officer, school resource officer, and a social worker. Team members are responsible for maintaining a safe campus, administering law-related education, and monitoring at-risk youth.

Not all large cities joined regional coalitions. Tucson, the second largest urban center in Arizona, received almost \$300,000 in JAIBG funding in FY 1998 and used these monies to support School Enhancement Teams (SETS), leadership development training for those students participating in the School Enhancement Teams, training for SROs about the SET concept, overtime work of SROs, and the further expansion of programs related to a Truancy Assessment Center in Tucson.

Native American tribes in Arizona faced certain obstacles in receiving JAIBG funding. Some tribes had not submitted the required crime and expenditure data and therefore were not eligible for funding, while some tribal entities were too small to receive funding. Further, many tribes did not have an infrastructure in place to access the funds in a timely manner. To combat these obstacles, members of the state JCEC and staff from the Governor's Division for Children provided the Native American populations with substantial technical assistance. They held forums with the tribes and with the larger community about the JAIBG program. They also set aside funding from the state-retained monies and interest earned on their JAIBG trust account for allocation to tribes that did not receive a JAIBG allocation. Despite intensive outreach by the State, few tribes accepted the JAIBG funds due to the size and restrictions placed on the awards.

During site visits, state and local officials identified many benefits of participating in the JAIBG program. They noted that the JAIBG program promoted collaboration among agencies to formulate strategies to combat problems in their community. They also noted that the level of dialogue between the state and localities also has increased significantly. In general, they noted that JAIBG funding helped create innovative initiatives and programs for juvenile offenders that would not have been established otherwise. JAIBG has fostered more creative approaches to accountability-based programs (i.e., resulted in the creation of restitution programs focusing on the restorative justice model). Moreover, with the implementation of the JAIBG program in Arizona, there has been more of an emphasis placed on information systems and automation as well as a change in attitude about sharing information across agencies.

# Florida

## Overview of Florida's Juvenile Justice System

Florida's juvenile justice system is highly centralized. The Florida Department of Juvenile Justice (DJJ) provides comprehensive statewide services dealing with delinquency prevention, detention, early-intervention with young offenders, juvenile probation and aftercare, and juvenile correctional facilities.

DJJ staff work closely with prosecutors (state's attorneys) to screen and process youth referred for delinquency proceedings. In FY 2000 DJJ received over 140,000 delinquency referrals including about 56,000 felony offenses. The Department also provides diversion services<sup>4</sup>, and, based upon results of risk assessment, may place youth in range of programs, including community service, teen courts, victim-offender mediation, or intensive delinquency diversion services. The latter target youth at high-risk of future serious delinquency.

DJJ operates 25 secure regional detention centers<sup>5</sup> with a capacity of slightly over 2,000 beds and provides a range of non-secure and home detention services. Once juvenile courts have issued a finding of delinquency, DJJ probation officers prepare a predisposition report for each youth that is to include a multi-disciplinary assessment, a list of the juvenile's needs arranged by priority, and recommendations for appropriate services or placements to meet those needs and that reasonably ensure public safety. If a residential placement is contemplated, the probation officer must also prepare a comprehensive evaluation that covers the youth's physical health, mental health, substance abuse, academic and vocational problems.

DJJ provides juvenile probation services for adjudicated youth who reside in community settings. Juvenile probation officers administer and enforce conditions established by the court (e.g., community service). DJJ provides a range of community supervision services, including day treatment and intensive probation. The length of community supervision varies depending on the youth's offense, but can last until the age of 19. Youths' probation plans include provisions for penalties if they fail to conform to conditions of supervision or treatment plans.

DJJ also administers secure institutions for youth committed to the agency for residential confinement, as well as a variety of community based residential programs. Altogether, DJJ has capacity for 6,325 youth in various security levels. In addition, DJJ contracts with private vendors to provide a range of specialized programs, such as wilderness camps, boot camps, and youth academies. In 1999-2000, more than 15,000 youth were committed to the Agency. In recent years,

---

<sup>4</sup> States Attorney have authority under Florida Statutes 985.303 to establish local Restorative Justice Boards to divert first-time non-violent juvenile offenders. Juvenile courts have authority under Florida Statutes 985.304 to establish Community Arbitration Boards to establish speedy and informal methods of handling minor delinquency cases locally. In addition, under Florida Statutes 985.306 juvenile courts can establish programs to divert first-time drug offenders.

<sup>5</sup> Juvenile judges have the option under Florida Statutes 985.441 of establishing local detention centers as well as an array of direct placement programs for adjudicated delinquents. However, municipalities and counties must bear the total cost of such programs.

DJJ has enhanced treatment programs in its corrections facilities for youth with substance abuse and mental health problems.

The DJJ decides when youth will be released from its institutions, prepares individualized transition plans, and provides re-entry and aftercare services. Juvenile probation officers supervise released youth, and monitor compliance with conditions and delivery of aftercare services and programs.

## Implementation of Florida's JAIBG Program

The Governor named the Department of Juvenile Justice as the designated state agency for the JAIBG program. Because the state provides and funds almost all juvenile justice programs, Florida officials quickly decided to seek a waiver to keep 100 percent of Florida's JAIBG allocation at the state level.

State officials initially decided against naming the State Advisory Group as the Juvenile Crime Enforcement Coalition under the JAIBG Program. Instead, the Department of Juvenile Justice named chairpersons of twenty Juvenile Justice Circuit Boards (one Board in each Judicial Circuit) around the state to serve on JCEC. Members of these Circuit Boards represent schools, courts, law enforcement, social services, public defenders, prosecutors, and business community. Hence, the members of the original JCEC represented the interests of local juvenile justice officials. In 2002, the State reversed its initial position and named the State Advisory Group (SAG) as Florida's State JCEC.

The Governor certified that Florida conformed to the four areas of certification. Hence, there was no need for future active consideration of these issues. In addition, at the time of certification, Florida had policies in place to govern the use of drug testing for juvenile.

Legislators wanted to guard against using JAIBG monies for new initiatives that the state might have to fund if Congress did not continue the JAIBG Program. These concerns were heightened by the fact that JAIBG came into existence in an appropriation act, and had not been formally authorized by Congress. Accordingly, the Legislature directed that FY 1998 JAIBG funds not be used for recurring expenses, such as hiring new judges, prosecutors, or probation officers. Indeed, the Legislature maintained that position for FY 1999 and 2000 JAIBG funds. Finally, faced with state revenue shortfalls, the Legislature allowed FY 2001 JAIBG funds to be used for some recurring expenses— notably, recurring multi-year contracts for the provision of “aftercare services” for youth committed to residential facilities and partial funding for two new female residential commitment programs.

The JCEC drafted the state's coordinated enforcement plan for FY 1998 JAIBG funds. That plan identified three priorities:

- **Improving Florida's juvenile justice information system (JJIS):** In recent years Florida spent about \$32 million to establish the JJIS, which made information about juvenile offenders available to police, prosecutors, DJJ staff, and service providers. In FY 1998, Florida devoted about one-third of its JAIBG allocation (or slightly over \$3.0 million) to JJIS enhancement. In FY 1999 only 15% and by FY 2000 Florida no longer funded information technology enhancements.

- **Renovating juvenile confinement facilities:** Florida's used \$4.15 million, or 44 percent of its FY 1998 JAIBG funds to support renovation of juvenile corrections and detention facilities, so they would meet sanitation and safety requirements. Allocations continued in FY 1999 and 2000 remained at 40 percent of the total JAIBG award.

Beyond the initiatives funded at the state level, Florida distributed approximately 25 percent of its FY 1998 JAIBG funds (or about \$2.2 million) to support law enforcement accountability based programs through a competitive RFP process. The state actually made over \$4 million dollars available for these initiatives, of which \$2,000,000 additional dollars came from general state revenue.

The state issued a request for proposals targeting the protection of students and school personnel from drug, gang, and youth violence. The state JCEC had set this program purpose area as a priority for the state. Applicants typically consisted of law enforcement agencies and school districts. In FY 1998 a total of 84 grants received funding under this initiative, of which over 90 percent of these grants supported school-based projects.

Local Juvenile Justice Circuit Boards and County Councils reviewed the applications submitted for their area. The state JAIBG coordinator and members of the state JCEC approved the recommended applications. During the first year of JAIBG, state level officials conducted the review of all grant applicants. Ultimately though they deemed this process too cumbersome and inefficient as the local reviewers are more familiar with the local area needs and resources.

The JAIBG funds targeted to these types of program grew annually as the cost of renovations and the management information system, other state priorities decreased. In FY 1999 Florida devoted 35 percent of its JAIBG allocation to fund 75 grants, and in FY 2000 almost 50 percent of the funds targeted these programs.

The South Miami Civil Citation Program - a pre-arrest diversion program – is an example of the types of programs competitively funded through JAIBG. The Florida statute establishes that a civil citation program may be established at the local level with the agreement of the chief judge of the circuit, state attorney, public defender, and the head of each local law enforcement agency involved. According to the statute, any law enforcement officer, upon making contact with a juvenile who admits having committed a misdemeanor, may issue a civil citation. The officer may assign no more than 50 hours community service hours, and may require participation in interventions services, including individual and family counseling, urinalysis monitoring, and substance abuse and mental health treatment services. The juvenile's participation in the program also requires the victim's consent.

The program focuses on first-time offenders ages 11-17, but referrals, which are made solely by the South Miami Police Department, are made at the discretion of the police officer. Some youth with minor prior offenses are admitted to the program. All police officers at the South Miami Police Department are trained about the program and when the police officer arrives at the scene, the officer decides who is a good candidate for the civil citation program. In addition, at that time, there is a civil citation form that is completed by the officer. The juvenile signs the form and his/her parents are contacted, but do not have to sign the form. There is one lieutenant at the South Miami Police Department who is in charge of the program (i.e., scheduling and overtime) and five police officers work in the program, mentoring and doing other types of direct service with the kids. Counseling and mentoring are key components of the program. The following week a social worker conducts a

psychosocial evaluation and the occupational therapist completes an evaluation also to identify some of the youngster's needs to be addressed.

# Maine

## Overview of Maine's Juvenile Justice System

Maine has a centralized juvenile justice system. All juvenile justice services—intake, diversion, detention, probation, commitment facilities, and aftercare—are provided by the Juvenile Services Division of the Department of Corrections. District courts—which are state trial courts of limited jurisdiction—have jurisdiction over all delinquency proceedings.

Within the Juvenile Services Division, Juvenile Community Corrections Officers (JCCO) provide intake, diversion and juvenile probation, and aftercare services. JCCO officers receive delinquency referrals and district attorneys review these referrals for legal sufficiency. However, it is the JCCO who decides whether to handle the case informally or to proceed with a formal adjudication. District Attorneys can review these decisions as well. For cases that are formally adjudicated, JCCOs conduct predisposition investigations, make recommendations for the dispositions and supervise juveniles who are placed on probation. They also oversee a home detention program for youth on conditional release from detention and provide aftercare for committed youth following their release.

The Division of Juvenile Services operates both Maine's secure detention and commitment facilities. Maine currently has two juvenile facilities:

- Long Creek Youth Development Center, formerly called the Maine Youth Center located in Portland has a maximum capacity of 166 youth and holds male and female, detained and committed youth. The superintendent of the Maine Youth Center makes releasing decisions for all committed youth; and
- Mountain View Youth Development Center, formerly called the Northern Maine Juvenile Detention Facility, has a maximum capacity of 140 youth and holds male and female, detained and committed youth. The 40-bed detention capacity serves the surrounding 10 counties need for detention space, rather than using the county jail.

## Implementation of Maine's JAIBG Program

Maine's Governor named the Juvenile Services Division of the Department of Corrections as the designated state agency for the JAIBG Program. Officials within the Division established a state Juvenile Crime Enforcement Coalition chaired by the Chief Justice of the Supreme Court. Maine's State Advisory Group had input into the work of the JCEC, but was not chosen to be the planning body.

In FY 1998 Maine obtained a waiver to pass through 25 percent of its JAIBG allocation to units of local government. Initially when Maine announced the availability of new federal funds none of the eligible localities responded. Most units of local government decided not to apply because they were eligible for very small amounts, for which, in their view, administrative burdens and costs far exceeded the benefits they would realize. Some jurisdictions eligible for larger amounts decided to forego the application because they had no experience in planning and implementing juvenile justice programs. DJS worked diligently to encourage locals to apply for the money and form coalitions to

develop region-wide plans and programs. These efforts eventually resulted in 13 local projects receiving direct pass through JAIBG funds. In later years when Maine had a 100% waiver, these programs continued to be funded on a contractual basis with the DJS.

The Maine Department of Corrections had completed a comprehensive agency plan in 1997. The juvenile portion of that plan became the foundation of the state's JAIBG coordinated enforcement plan. The JAIBG coordinator reported that basic priorities determined in the first year of the JAIBG program were modified only slightly in FY 1999 and 2000. The top priorities identified by the planning body were:

- **State Juvenile Justice Information System:** The DOC's previous information system was old, lacked utility, and could not communicate with other state agencies' MIS. Many information queries had to be done by hand-counting records. The new system, which will integrate adult and juvenile records, will be web-based, thereby allowing field staff easy access, and permit information sharing among multiple state agencies. It will support functions like Medicaid billing, restitution collection and processing. The state juvenile justice MIS received approximately \$286,000 in FY 1998, \$612,000 in FY 1999, and \$648,000 in FY 2000.
- **Drug Courts:** JAIBG funds supported six drug courts—located in Biddeford, Portland, Augusta, West Bath, Lewiston, and Bangor. These programs involve active collaboration between the DJS, the Judicial Department, the Maine Office of Substance Abuse, and a network of local treatment service providers. Drug Courts received 285,000 in FY 1998, \$344,000 in FY 1999, and \$280,000 in FY 2000.
- **Diversion Programs:** JAIBG funds ten juvenile diversion programs—called Jump Start—that serve first-time non-violent offenders in a program that involves 8 weekly 90 minute workshops\* aimed at improving youths' decision making and problem-solving skills. In addition, youth are matched with a community mentor, and, in some of the programs, youth also perform community service.

In addition to these initiatives, the JCEC put substantial effort into improving training for staff in state juvenile justice institutions and supported a juvenile Day Reporting Center in Lewiston over all three years of funding.

---

\* Programs vary by location, but generally adhere to the core model described above.

## Appendix C: JUMPSTART

Early in the 20<sup>th</sup> century the first juvenile courts were established to handle youth outside traditional criminal courts. The juvenile court process was to be less structured than criminal courts, and centered on the best interests of youths, whose rehabilitation was the overriding goal. In recent years, however juvenile justice has changed, with greater emphasis on accountability for young serious and violent offenders, and more due process requirements. Many new juvenile prosecutors are unprepared for the challenging and complex nature of juvenile prosecution and the unique responsibility it holds.

The American Prosecutors Research Institute (APRI) describes the role of juvenile prosecutor in its Jumpstart training manual:

“On any given day, prosecutors may face juveniles who have committed the most violent and heinous of offences, or those who have mooted the simple act of shoplifting a candy bar. Prosecutors must be prepared to balance the rehabilitation needs of all types of juvenile offenders, with the community safety and victim restoration concerns, as well as the fundamental concepts of fairness and justice.”

Jumpstart is a four-day training for newly assigned juvenile prosecutors funded and developed under a juvenile incentive block grant from the OJJDP. Juvenile prosecutor attendees may also utilize funding from the block grant appropriated to their home courts to travel and attend the training. Leaders in the field of juvenile prosecution, law, psychology, crime and probation provide guidance and practical knowledge to new juvenile prosecutors across the country. The training program’s lectures, class discussions and instructive training are supplemented with a large volume of useable information on juvenile prosecution topics ranging from ethics to negotiation to firearms.

Its goal is to help newly appointed juvenile prosecutors, many of whom are recent graduates from law school, navigate the contradictory objectives of the juvenile system, and the potentially conflicting roles that prosecutors play within it. Trainers give attendees practical tips and techniques, and a broad base of knowledge on issues affecting crime and the juvenile. Armed with this information, Jumpstart staff expect new prosecutors will be better prepared to balance the rehabilitation needs of all types of juvenile offenders, with the community safety and restoration concerns common to all criminal proceedings.

Caren Harp, the director of the National Juvenile Justice Prosecution Center at APRI, and the project director for Jumpstart was a chief deputy prosecutor in rural Arkansas before joining APRI. Her experience gave her the opportunity to prosecute a wide variety of cases against adult and juvenile offenders. She practiced extensively in the juvenile court and trained new prosecutors recently assigned to juvenile courts. She comments that one of the greatest values of the Jumpstart program is the networking opportunity it provides to trainees.

Jumpstart holds its training sessions in varying locations around the country and uses different lecturers, depending on the location of the session. This not only reduces costs, but also helps to infuse new and varied perspectives into the curricula. The core content, however, remains the same as Jumpstart provides a broad multi-dimensional body of knowledge about crime and juveniles.

Identifying precursors of future serious criminal behavior is an important theme throughout the Jumpstart training. Arnold Baer, from the American Humane Society, a frequent faculty member, lectures on the link between animal cruelty and subsequent violence against humans. Harry Shorstein, State Attorney in Jacksonville, Florida, lectures on early intervention strategies for young offenders that are intended to avert subsequent serious crimes. Shorstein asserts that when prosecutors embrace early intervention, they step outside their traditional prosecutorial roles. In Jacksonville, for example, prosecutors are encouraged to think about how they can keep youth from re-offending and how they can use the child as an example to other at-risk youth.

Jumpstart also focuses on truancy, a problem that is endemic across the US. For example in New York City, one of the country's largest systems, approximately 15% of one million public school students are absent on any given day. The Jumpstart manual guides the newly appointed juvenile prosecutor towards resources and best practices to combat truancy in their communities

Training on law and due process is another major theme in Jumpstart training. Mike Walz, Senior Assistant County Attorney Hennepin County, Minneapolis, Minnesota, another regular Jumpstart trainer, lectures on school searches and seizures. Before becoming an attorney Mr. Walz spent eight years as a high school teacher. These combined experiences give him unique insight into school searches and seizures. While, the Fourth Amendment excludes use of evidence obtained in unreasonable searches and seizures, Mr. Walz points out that courts must balance rights and interests in deciding when this exclusion applies. He also addresses that while students do have privacy rights, schools have an important interest in maintaining order and safety.

Greg Hubbard, another lecturer in this topic area, believes that juvenile prosecutors should train school resource officers in the proper methods of searches and seizures. Each state has slightly different laws, and up until 1985, student's rights were defined by common law, not by constitutional standards. Furthermore, these rights differ when school officials take over more parenting responsibilities, for example, on a field trip.

Jumpstart further gives newly appointed prosecutors an overview of the entire juvenile justice system leading up to a court date. Jumpstart materials cover the intake and assessment process, pre-trial detention release issues, interview techniques, waiver and transfer, waiver of rights, negotiations, disposition, confidentiality, and diversion to alternatives adjudication methods.

Jumpstart encourages new prosecutors to think about the implications of their decisions on many levels. The complexity and lack of common standards gives juvenile prosecutors a great deal of power and discretion. Prosecutors must weigh the sometimes-conflicting responsibilities to the community, victim and youth as every decision they make will affect the future life of the offender.

To help prosecutors weigh these issues, trainers guide attendees through the physiological, familial, and developmental framework of youth. Prosecutors are given "a crash course" in tools to effectively evaluate a juvenile's developmental level, in reading a physiological report and in adolescent development. They are also schooled in why and how the information is important for juvenile prosecutors.

Through twenty training courses throughout the US, APRI has trained 1,400 juvenile prosecutors and distributed nearly 1,000 training manuals. According to Caren Harp, comments from attendees

consistently give Jumpstart high marks. APRI will continue providing Jumpstart training programs through partnerships with individual states. She is also hoping to create a Juvenile Justice specialty within APRI that issues a certification after completing the current Jumpstart training, along with several new and existing classes including an advanced case course, and a juvenile police training program.

## Appendix D: Planning of New Institutions Training

Planning and building a new juvenile confinement facility is a demanding, complex and challenging project. A juvenile justice professional may be involved in such an effort just once in their career. The process requires assembling and coordinating the efforts of a diverse team involving political officials, judges, human service providers, corrections and probation officials, architects, and building contractors. The process strains all participants differently, for instance corrections officials may understand little about architectural and structural issues, while architects and contractors may understand little about the concerns of juvenile justice officials. All of the professions involved—law, corrections, and architecture—have their own specialized “jargon” and bodies of technical knowledge that may pose barriers to communication and cause some participants to uncritically defer to “experts” in other fields.

The stakes are high. A new juvenile confinement facility can cost millions of dollars. Bad planning and design decisions are, quite literally, cast in concrete and will affect the way juvenile justice operates for years into the future. Experts on designing adult confinement facilities may not appreciate distinctions about the juvenile justice system that have big impacts on the configuration of juvenile facilities. For example, youth need more exercise than adults, and programming is more intensively provided in juvenile than in adult facilities. Proportionately more space must be devoted to education, treatment, and other programs. The National Institute of Corrections and the Office of Juvenile Justice and Delinquency Prevention created the Planning of New Institutions (PONI) for Juvenile Facilities program to give participants an understanding of the process of planning and building and juvenile detention and correction facilities.

As the Executive Director of Capital and Operational Planning for the New York City Department of Juvenile Justice, Shelley Zavlek oversaw a \$65 million dollar facility expansion program. During the planning process she researched best practices for guidance. She found many resources for planning adult facilities, but found hardly anything pertaining to juvenile facilities. In the end she had to build her own expertise by means of telephone calls, and direct observation—traveling to sites that had built a juvenile facility and talking with the participants.

Bob Dugan, Director of the Hamilton County (Ohio) Juvenile Detention Center, had a similar experience, as he was charged with building a new 107-bed juvenile detention center. He, too, found little published material on planning and building juvenile facilities and had to become his own “expert” by enrolling in construction and project management classes at a local university. The architect he hired for the project had extensive experience in building adult facilities, but had never designed a juvenile detention center before.

Having clearly identified a need for training and fresh from her experience in New York City, Ms. Zavlek joined the firm of Ricci and Associates to develop the Juvenile PONI training program that had been previously started in the early 1990s. Ricci and Zavlek designed the Juvenile PONI in collaboration with OJJDP, drawing on the governmental organization’s significant knowledge of juvenile detention and correction needs.

The current Juvenile PONI training program focuses on the early stages of the planning process where criminal justice professionals can have the most impact, and ultimately have a good deal of control over the success of the entire project. The training stresses to participants that this facility is

their own. It is therefore their responsibility to communicate their needs, goals, and expectations to the planners, architects and contractors that work for them. The participants also learn to challenge those professionals.

Jurisdictions apply to send teams of individuals to PONI training. To date about forty teams have attended the trainings in Longmont, Colorado. Dee Halley, a correctional Program Specialist with the National Institute of Corrections, noted that a typical team may consist of the facility administrator or director, the chief project officer for the construction effort, a key political figure, a budget administrator, judges and probation officers.

The Juvenile PONI gives team members an opportunity to define roles, and develop an understanding of their associates' interests and perspectives. Some modules in the curriculum will seem elementary to an attendee whose every day job relates to the information presented. For example the county comptroller may not learn a huge amount from the budgeting sessions. However, the other team members, less familiar with the budgeting and costing process will gain valuable empathy for the county comptroller's role within the project.

The curriculum has five phases:

**1. Pre-Architectural Planning** — *Creating the Framework*

In this segment, team members discuss developing visions and missions, analyze population patterns, and do exercises on how to develop a framework for a new facility.

**2. Site Selection and Planning** — *Finding a Home*

Site selection follows pre-architectural planning. Trainers discuss site requirements, site analysis and site planning.

**3. Architectural Design** — *Developing a Design*

Participants focus on project costing, schematic design, design development and contract documents.

**4. Construction** — *Building the Structure*

This segment provides guidance on bidding and negotiations, construction, and construction completion.

**5. Occupancy** — *Giving it Life*

This segment focuses on bringing a new facility on-line.

Kenneth Ricci emphasizes that PONI teaches participants how to take control of the project, where to be involved and where to delegate—especially during the first 12 months of the planning process, a time when participants can have the greatest impact. Additionally, the training teaches participants to thoroughly examine alternatives that can result in building a smaller facility, or even avoiding new building altogether.

Dee Halley notes that the diversity of teams that attend Juvenile PONI promotes understanding and empathy among team members. Participants take home checklists for every stage of the planning process. Ms Zavlek says these checklists trigger the memory, and cover all of the important planning points, action sets, and considerations.

Claude Simmons, Assistant Superintendent of Shenandoah Valley Regional Juvenile Detention Center in Virginia, attended PONI training with a multidisciplinary team including the superintendent, a top local elected representative, senior facility staff, an architect, and a representative from the local court. The facility they sought to replace was antiquated and overcrowded, and regularly operated at 145 percent of capacity. It had chronic shortages of educational and programming space, and the physical plant was deteriorating rapidly. While Shenandoah Valley had progressed along the design and planning process with its selected architect, Mr. Simmons says PONI training increased his confidence in the contractors and architects chosen for the project, because they were following many practices suggested in the class.

Mr. Simmons noted that it was helpful to work with teams from across the country that were at different stages of planning. At the same training session, Nelson Downing of Smith County, Texas attended with a group of people with no experience on a project of this size. Mr. Downing noted that the Smith County Detention Center was 70 years old and was “caving in”. Smith County had not built a new public building since 1950, and no one in the county had experience with projects of this sort. The architectural firm selected by Smith County learned about PONI and urged County officials to send a team.

Smith County had selected an abandoned park on the edge of a residential and commercial area as the site for the new Detention Center. Residents feared that the facility would increase crime—already a serious issue—in the neighborhood. Following recommendations in the PONI training, representatives went door-to-door to explain the design and answered neighbor’s questions. The interpersonal communication alleviated neighbor’s concerns.

Both Nelson Downing and Claude Simmons recently attended the first follow up training to PONI, called Juvenile –Transition Accountability Program (J-TAP). The J-TAP program helps organizations plan for the transition process from an older facility to a new one.