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J U V E N I L E J U S T I C E B U L L E T I N

Changes to OJJDP's Juvenile Accountability Program

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A recently enacted federal law restructures the Office of Juvenile Justice and Delinquency Prevention's (OJJDP's) funding activity, introducing a number of significant changes that take effect in fiscal year 2004 (beginning October 1, 2003). Among these changes are new provisions for the funding of juvenile offender accountability programs. The Juvenile Accountability Incentive Block Grants (JAIBG) program will be known as the Juvenile Accountability Block Grants (JABG) program, and several program elements have been revised.¹

The underlying premise of juvenile accountability programming is that young people who violate the law should be held accountable for their offenses through the swift, consistent application of sanctions that are proportionate to the offenses—both as a matter of basic justice and as a way to combat delinquency and improve the quality of life in the nation's communities. The program's goal is to reduce juvenile offending through accountability-based initiatives focused on both the offender and the juvenile justice system.

In the transition from JAIBG to JABG, the underlying premise remains the same. The transition is a matter of expanding purpose areas, adjusting funding levels, and refining processes for determining eligibility, allocating funds, and monitoring activities.

This Bulletin provides an overview of the JABG program, focusing on new provisions. It compares selected JABG and JAIBG program elements, answers frequently asked questions, and identifies sources of additional information.

Background

The JAIBG program was established to strengthen the juvenile justice system by encouraging states and local jurisdictions to implement accountability-based programs and services.² OJJDP awards block grants to states, which must pass through at least 75 percent of the funds to local jurisdictions. JAIBG funds are available for 12 purpose areas (see table 1). A formula based on law enforcement expenditures and the number of violent crimes is used

¹ The Department of Justice (DOJ) Authorization Act for FY 2003 (Public Law 107-273), signed into law on November 2, 2002, revises and renames the program and places it under Title I of the Omnibus Crime Control and Safe Streets Act. The new provisions take effect in FY 2004.

² The DOJ Authorization Act for FY 1998 (Public Law 105-119) first appropriated funds for the JAIBG program, which was described in Title III of H.R. 3, passed by the House of Representatives in May 1997.

A Message From OJJDP

Holding youth accountable for their delinquent acts is a matter of basic justice. It is also a practical response to delinquency. By consistently applying accountability-based sanctions that take into account the developmental stage of the offender and the severity of the offense, juvenile justice systems foster individual responsibility, protect the public, and enhance our quality of life.

OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) program was introduced in 1998 to help states and communities strengthen their juvenile justice systems by implementing accountability-based reforms. Public Law 107-273, enacted in November 2002, renames the program, expands its 12 purpose areas, adjusts funding levels, and introduces new requirements and procedures. This Bulletin highlights the new Juvenile Accountability Block Grants (JABG) program provisions, which take effect in October 2003. It offers point-by-point comparisons with previous provisions and answers frequently asked questions.

OJJDP is in the process of developing regulations to implement the JABG program. Input from states and communities is an integral part of this process. A productive partnership of stakeholders at the federal, state, and local levels will ensure that all concerned benefit from an accountability-based approach to juvenile justice.

Table 1: Purpose Areas

JAIBG (12 areas)	JABG (16 areas)
<p>1) Corrections/detention facilities: Building, expanding, renovating, or operating temporary or permanent juvenile corrections or detention facilities, including training of personnel (JABG 2).</p>	<p>1) Graduated sanctions: Developing, implementing, and administering graduated sanctions for juvenile offenders (NEW).</p>
<p>2) Accountability-based sanctions: Developing and administering accountability-based sanctions for juvenile offenders (JABG 11).</p>	<p>2) Corrections/detention facilities (JAIBG 1).</p>
<p>3) Court staffing and pretrial services: Hiring additional juvenile court judges, probation officers, and court-appointed defenders, and funding pretrial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system (JABG 3).</p>	<p>3) Court staffing and pretrial services: Hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system (revises JAIBG 3).</p>
<p>4) Prosecutors (staffing): Hiring additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced (JABG 4).</p>	<p>4) Prosecutors (staffing) (JAIBG 4).</p>
<p>5) Prosecutors (funding to improve effectiveness): Providing funding to enable prosecutors to address more effectively problems related to drugs, gangs, and youth violence (JABG 5).</p>	<p>5) Prosecutors (funding): Providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders (combines JAIBG 5 and 6).</p>
<p>6) Prosecutors (funding for technology, equipment, training): Providing funding for technology, equipment, and training to assist prosecutors in identifying violent juvenile offenders and expediting their prosecution (JABG 5).</p>	<p>6) Training for law enforcement and court personnel: Establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime (NEW).</p>
<p>7) Juvenile courts and probation: Providing funding to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism (JABG 15).</p>	<p>7) Juvenile gun courts: Establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders (revises JAIBG 8).</p>
<p>8) Juvenile gun courts: Establishing court-based juvenile justice programs that target young firearms offenders through the creation of juvenile gun courts for the adjudication and prosecution of these offenders (JABG 7).</p>	<p>8) Juvenile drug courts (JAIBG 9).</p>
<p>9) Juvenile drug courts: Establishing drug court programs to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to integrate administration of other sanctions and services for such offenders (JABG 8).</p>	<p>9) Juvenile records system: Establishing and maintaining a system of juvenile records designed to promote public safety (NEW).</p>
<p>10) Information sharing: Establishing and maintaining inter-agency information-sharing programs that enable the juvenile and criminal justice systems, 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 (JABG 10).</p>	<p>10) Information sharing (JAIBG 10).</p>
<p>11) Accountability and school safety: Establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or programs that are designed (in cooperation with law enforcement officials) to protect students and school personnel from drug, gang, and youth violence (JABG 11 [accountability programs] and JABG 13 [school programs]).</p>	<p>11) Accountability: Establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies (revises JAIBG 2 and 11).</p>
<p>12) Controlled substance testing policy: Implementing a policy of controlled substance testing for appropriate categories of youth within the juvenile justice system (JABG 12).</p>	<p>12) Risk and needs assessment: Establishing and maintaining programs to conduct risk and needs assessments of juvenile offenders that facilitate effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment, to such offenders (NEW, incorporates JABG 12).</p>
	<p>13) School safety: Establishing and maintaining accountability-based programs that are designed to enhance school safety (revises JAIBG 11).</p>
	<p>14) Restorative justice: Establishing and maintaining restorative justice programs (NEW).</p>
	<p>15) Juvenile courts and probation: Establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism (revises JAIBG 7).</p>
	<p>16) Detention/corrections personnel: Hiring detention and corrections personnel and establishing and maintaining training programs for such personnel, to improve facility practices and programming (NEW).</p>

Table 2: Funding, Eligibility, and Reporting

Program Element	JAIBG	JABG
Annual funding level authorized (see footnote 3, page 4).	\$500 million.	\$350 million
Set-asides	3% for research, evaluation, and demonstration; 2% for training and technical assistance; 1% for administrative costs.	Reduces research, evaluation, and demonstration set-aside to 2%; adds 2% set-aside for tribal grants (see below). Set-asides for training and technical assistance (2%) and administration (1%) remain the same.
Allocations to states	Allocates 0.25% of available funds to each state. Allocates any remaining funds on the basis of the state juvenile population.	Increases each state's base allocation to 0.50%. Remaining funds continue to be allocated on the basis of the state juvenile population.
Allocations to units of local government	\$5,000 minimum allocation. Formula based on law enforcement expenditures (two-thirds of allocation) and number of violent crimes (one-third).	\$10,000 minimum allocation. Formula based on juvenile justice expenditures (three-quarters of allocation) and number of violent crimes (one-quarter).
Administrative expenditures	Maximum 10% of total allocation (state) or subgrant (local).	Maximum 5% of total allocation (state) or subgrant (local).
Indian tribes	Indian tribes are eligible for allocations.	Tribes continue to be eligible for allocations but are also eligible for grants to be awarded on a competitive basis by OJJDP.
State and local eligibility	States must provide assurances that they have addressed certain legislative requirements related to the prosecution of juveniles as adults; graduated, accountability-based sanctions; juvenile record keeping; parental supervision; and drug-testing policy.	States must provide information about the activities to be carried out (purpose areas), criteria for assessing the effectiveness of activities, and status of graduated sanctions. Units of local government provide this information to the states.
Role of courts	NA.	In developing grant applications, states and units of local government must consider the needs of the judicial branch and consult with court officials.
Graduated sanctions	NA.	Participation in a system of graduated sanctions by individual courts is voluntary, but states and units of local government must encourage courts to participate. At a minimum, such systems should impose sanctions for each offense; sanctions should escalate in intensity with each subsequent, more serious offense; and the system should be sufficiently flexible to allow for individualized sanctions and services appropriate for each offender.
Reporting	NA.	Each year, states and units of local government must submit a report that summarizes and assesses the effectiveness of JABG-funded activities.

to allocate funds among units of local government. States and localities must provide a cash match of 10 percent (50 percent for construction projects). To be eligible to receive JAIBG funds, states and localities must use a Juvenile Crime Enforcement Coalition to develop a Coordinated Enforcement Plan for reducing juvenile crime. JAIBG also supports program-related

research, demonstration, evaluation, training, and technical assistance activities.

JABG Provisions

The following sections highlight some of the changes introduced under JABG. The accompanying tables compare JABG and JAIBG provisions relating to purpose areas

(table 1) and funding, eligibility, and reporting (table 2).

Purpose Areas

Under JABG, the number of authorized purpose areas for expenditure of funds increases from 12 to 16. New areas include developing and implementing systems of graduated sanctions; establishing and

maintaining juvenile records systems, programs for assessment of risks and needs (including mental health screening, treatment, and substance abuse testing), and restorative justice programs; and hiring and training detention and corrections personnel.

Other Provisions

Funding. The annual funding level authorized by Congress changes from a maximum of \$500 million under JAIBG to a maximum of \$350 million under JABG.³ Under both JAIBG and JABG, a small percentage of funds is set aside for certain activities; under JABG, the set-aside for research, evaluation, and demonstration decreases from 3 percent to 2 percent, but the set-asides for training and technical assistance (2 percent) and administration (1 percent) remain the same. The base allocation to each state increases from 0.25 percent to 0.50 percent of funds available after set-asides; any remaining funds continue to be allocated on the basis of state juvenile population. The minimum grant for localities increases from \$5,000 to \$10,000, and the formula for allocating funds to localities changes to reflect expenditures for juvenile justice rather than law enforcement. For both states and localities, the maximum permissible administrative expenditure decreases from 10 percent to 5 percent of the total allocation.

Eligibility. To be eligible for funds, states no longer must provide the numerous assurances that are specified under JAIBG; instead, they are required to describe plans for using JABG funds (purpose areas and activities), outline criteria for measuring the effectiveness of funded activities, and document efforts to implement a system of graduated sanctions that reflects guidelines set forth in new JABG provisions. Indian tribes continue to be eligible for allocations, but under JABG, tribes may also apply for grants to be awarded on a competitive basis by OJJDP.

Reporting. Under JABG, states and subgrantees are required to submit annual reports that summarize grant activities and assess the effectiveness of these activities. OJJDP will use these reports to develop an annual report to Congress.

³ The amount authorized by Congress is not the same as the amount actually appropriated. Congress appropriated \$250 million in FY 1998 and FY 1999, \$237,945,000 in FY 2000, \$249,450,000 in FY 2001 and FY 2002, and \$190,000,000 in FY 2003.

Frequently Asked Questions

1) Why was JAIBG changed?

Congress decided to expand the purpose areas for funded projects and also to monitor the program more closely by requiring recipients of funds to report and assess their activities regularly. JABG also places greater emphasis on graduated sanctions and court involvement in program development (see table 2).

2) Does anything stay the same?

Much stays the same, and many revisions are minor. The underlying purpose of juvenile accountability programming is unchanged. Most of the JAIBG purpose areas continue under JABG. Cash-match and passthrough provisions are unchanged.

3) What are the new purpose areas under JABG?

See table 1. New purpose areas concern graduated sanctions, training of law enforcement/court personnel, juvenile records systems, risk and needs assessment, restorative justice, and hiring/training of detention/corrections personnel.

4) Have any of the JAIBG purpose areas been dropped?

No. See table 1. Purpose areas 2 (accountability-based sanctions) and 12 (controlled substance testing policy) have been incorporated in JABG purpose areas 11 (accountability) and 12 (risk and needs assessment). Some other JAIBG purpose areas have been revised.

5) If my state (or community) was eligible for JAIBG funds, are we eligible for JABG funds?

In general, yes; however, some eligibility provisions have changed (see table 2). In addition, Indian tribes are eligible for JABG competitive grants.

6) How does JABG affect the amount of money my state (or community) can receive in the future?

See table 2. The base funding level received by each state increases from 0.25 percent to 0.50 percent of available funds (any remaining funds are still to be allocated on the basis of juvenile population). The minimum size for subgrants to communities increases from \$5,000 to \$10,000 (the formula for allocating funds to communities reflects juvenile justice expenditures rather than law enforcement expenditures).

7) What happens to the JAIBG funds my state (or community) is using now?

Funds will remain available for a maximum of 36 months after the date the grant was received.

8) Where can I get more information about JAIBG/JABG?

See "For Further Information." The latest information on JAIBG/JABG funding, training, technical assistance, and publications is available online at the OJJDP Web site (go to www.ojp.usdoj.gov/ojjdp, click on "Programs," and then select the JAIBG/JABG page).

Regulations

OJJDP is in the process of developing regulations for JABG and other recently authorized programs. The process draws on input from the field, obtained through a focus group consisting of four elected State Juvenile Justice Specialists and State Advisory Group chairpersons and three members of the Coalition for Juvenile

Justice's Ethnic and Cultural Diversity Committee. Focus group members poll their constituents and then discuss issues and recommendations with OJJDP State Relations and Assistance Division staff responsible for drafting the regulations. Once the development process is completed, proposed regulations will be published in the *Federal Register*, and a 60-day comment period will follow.

For Further Information

Comprehensive information on JAIBG/JABG is available online at the OJJDP Web site (go to www.ojp.usdoj.gov/ojjdp, click on "Programs," and select the JAIBG/JABG page). Technical details on how states can apply for, receive, obligate, and expend funds under the JABG program will be available in a forthcoming update of the guidance manual that was originally designed for the JAIBG program. Publication of the guidance manual will be announced on the OJJDP Web site and in the bimonthly newsletter *OJJDP News @ a Glance*. The OJJDP Web site also provides access to Bulletins in the JAIBG Best Practices Series.

For general information, please contact Chyrl Andrews, OJJDP JAIBG/JABG Program Manager, 202-353-9248, andrewsc@ojp.usdoj.gov. Communities may also contact their state JAIBG/JABG Coordinators (listed on OJJDP's JAIBG/JABG Web page).

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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

JAIBG Best Practices Series Bulletins

The Bulletins listed below present detailed information for policymakers, planners, and practitioners about programs and approaches related to each of the 12 JAIBG purpose areas. To view or download the Bulletins, visit OJJDP's Web site at www.ojp.usdoj.gov/ojjdp. To order copies, call the Juvenile Justice Clearinghouse at 800-638-8736 or order online at puborder.ncjrs.org.

Best Practices in Juvenile Accountability: Overview. NCJ 184745.

Construction, Operations, and Staff Training for Juvenile Confinement Facilities. JAIBG Purpose Area 1. NCJ 178928

Developing and Administering Accountability-Based Sanctions for Juveniles. JAIBG Purpose Area 2. NCJ 177612.

Workload Measurement for Juvenile Justice System Personnel: Practices and Needs. JAIBG Purpose Area 3. NCJ 178895.

Enhancing Prosecutors' Ability To Combat and Prevent Juvenile Crime in Their Jurisdictions. JAIBG Purpose Areas 4 and 6. NCJ 178916.

Enabling Prosecutors To Address Drug, Gang, and Youth Violence. JAIBG Purpose Area 5. NCJ 178929.

Focus on Accountability: Best Practices for Juvenile Court and Probation. JAIBG Purpose Area 7. NCJ 177611.

Juvenile Gun Courts: Promoting Accountability and Providing Treatment. JAIBG Purpose Area 8. NCJ 187078.

Juvenile Drug Court Programs. JAIBG Purpose Area 9. NCJ 184744.

Establishing and Maintaining Interagency Information Sharing. JAIBG Purpose Area 10. NCJ 178281.

Increasing School Safety Through Juvenile Accountability Programs. JAIBG Purpose Area 11. NCJ 179283.

Developing a Policy for Controlled Substance Testing of Juveniles. JAIBG Purpose Area 12. NCJ 178896.

Ten Steps for Implementing a Program of Controlled Substance Testing of Juveniles. JAIBG Purpose Area 12. NCJ 178897.

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