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Law Enforcement Assistance Administration
Office of Juvenile Justice and Delinquency Prevention



State Advisory Group Manual

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STATE ADVISORY GROUP MANUAL

Prepared For

U.S. Department of Justice

The Law Enforcement Assistance Administration

The Office of Juvenile Justice
and Delinquency Prevention

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U.S. Department of Justice
National Institute of Justice

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FEBRUARY, 1980

TABLE OF CONTENTS

	<u>Page</u>
Foreword	i
Introduction	1
Section I: The Juvenile Justice and Delinquency Prevention Act of 1974, as amended.	3
General Provisions.	3
Funding	4
Coordinating Council on Juvenile Justice and Delinquency Prevention.	5
National Advisory Committee for Juvenile Justice and Delinquency Prevention.	6
State Advisory Groups	7
State Advisory Group Allocations.	11
Section II: The Office of Juvenile Justice and Delinquency Prevention.	17
Office of Programs.	17
Formula Grants and Technical Assistance Division.	17
Formula Grants Program.	17
OJJDP and SAG Communication	21
Technical Assistance Program.	21
Technical Assistance Delivered to State Advisory Groups.	22
Special Emphasis Division	28
National Institute of Juvenile Justice and Delinquency Prevention.	29
Concentration of Federal Effort	29
Section III: State Advisory Group Bylaws.	31
Section IV: State Advisory Group Activities	37
Conferences	38
Legislation	40
Standards and Goals	42
Monitoring of Jails and Detention Facilities.	42
Delinquency Prevention.	42
Other Projects.	42
State Advisory Group Allocation	43
Section V: Juvenile Justice Specialists	44

Section VI: Problems/Solutions SAGs Should Anticipate 47

Section VII: Federal Agencies with Resources for Juveniles. 59

- Youth Conservation Corps. 59
- 4-H Program 60
- Alcohol Formula Grants. 60
- Drug Abuse Prevention Formula Grants. 61
- Alcohol Research Programs 61
- Drug Abuse Education Program. 61
- Drug Abuse Research 62
- Alcohol and Drug Education Program. 62
- Dropout Prevention. 63
- Educationally Deprived Children in Administered Institutions
 - Serving Neglected and Delinquent Children 63
- Programs for Youth with Learning Disabilities 64
- Runaway Youth Program 65
- Child Abuse Neglect Prevention and Treatment. 66
- Child Welfare Services. 66
- Education Research and Development. 67
- Indian Social Services - Child Welfare Assistance 67
- Youth Employment - Comprehensive Employment Training Act. 68
- Department of Defense Dependents Schools. 69
- Social Security Act - Title XX. 69

Glossary 71

References and Resources 79

Appendices

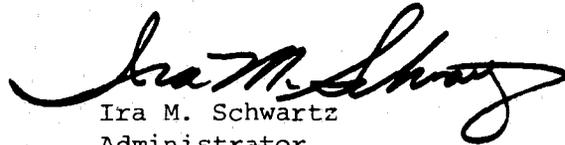
- Appendix 1 - Guideline for State Planning Agency Grants, M4100.1F, change 3
- Appendix 2 - State Planning Agency Juvenile Justice Specialists
- Appendix 3 - State Advisory Group Chairs
- Appendix 4 - National Advisory Committee Members
- Appendix 5 - National Advisory Committee Charter
- Appendix 6 - Analysis of Bylaws
- Appendix 7 - Sample Bylaws
- Appendix 8 - Ad Hoc Regional Committee
- Appendix 9 - Calendar of Juvenile Justice Activities
- Appendix 10 - OJJDP Staff

FOREWORD

The Juvenile Justice and Delinquency Prevention Act was passed by the United States Congress in 1974, and was later amended in 1977. One major tenet of the Act was to provide for broad input and advice to the State Planning Agencies on juvenile justice and delinquency prevention matters. Thus, it was mandated that, for a state to receive juvenile justice funds, it must provide for a State Advisory Group that would advise decision and policy-making bodies in the states on all matters related to juvenile justice and delinquency prevention.

The Office of Juvenile Justice and Delinquency Prevention, charged with implementing this Act, has a vital interest in the functions and roles of State Advisory Groups throughout the country. It is the desire of the Office to see State Advisory Groups fulfill their roles as set forth in the Act, as well as to broaden their initiatives with respect to activities in the juvenile justice arena.

This manual is offered in the hope that the information contained will assist State Advisory Groups in fully understanding their roles under the Act, as well as in identifying other areas where their input would be valuable.



Ira M. Schwartz
Administrator
Office of Juvenile Justice and
Delinquency Prevention

INTRODUCTION

This booklet is a manual for State Advisory Group (SAG) members. It has been written in response to a need expressed by SAG members around the country to have certain aspects of their roles and functions more fully explained and to present some available options for SAGs to consider.

The State Advisory Group Manual discusses such topics as:

- the Juvenile Justice and Delinquency Prevention Act, as amended, and how the Act relates to the State Advisory Groups;
- the Office of Juvenile Justice and Delinquency Prevention;
- State Advisory Group bylaws and organizational options;
- activities of State Advisory Groups and use of SAG allocations;
- common problems being experienced by some SAGs with suggested solutions;
- resources of other federal agencies for children and youth services; and
- a glossary of terms, bibliography, and other appended information.

Recognizing that SAG members vary in experience from newly appointed members to veterans, the manual presents both a basic orientation to the function of the SAG and new approaches to fulfilling SAG responsibilities.

It is intended that the manual will be revised periodically, incorporating comments and concerns as expressed by its users. The goal is to maintain an up-to-date reference document, based on the collective experiences of State Advisory Groups, which shares the successes and lessons learned by SAGs.

Reactions and suggestions for the manual are encouraged and should be submitted in writing to the Technical Assistance Coordinator, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue N.W., Washington, D.C. 20531.

To assist in the preparation of this manual, a working committee has been established. This group will continue to provide input to the future development of the manual. The committee members are:

A. I. Carlisle, SAG Chair, Maine
Marion Cerf, SAG member, Arizona
James Doolan, Acting SAG Chair, Maryland
James Oleson, SAG Chair, Colorado

Natalie Salazar, SAG Youth Member, California
Nancy Kujawski, Technical Assistance Coordinator, Office of
Juvenile Justice and Delinquency Prevention
Tom Kane, Staff, National Advisory Committee, Birchhaven
Enterprises
Pamela Fenrich, Project Director, Arthur D. Little, Inc.
Ann Sargeant, Staff Assistant, Arthur D. Little, Inc.
John C. Patterson, Consultant, Arthur D. Little, Inc.

State Advisory Groups are an important component in the implementation of the Juvenile Justice and Delinquency Prevention Act and can make positive contributions in the improvement of state juvenile justice systems. This manual is intended to aid in the attainment of this role.

THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

After extensive hearings in both the United States Senate and House of Representatives which documented the serious nature of the problem of juvenile delinquency, Congress enacted the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974. The Act was subsequently revised and reauthorized in 1977.

Through the JJDP Act, Congress intends to improve the juvenile justice system by providing financial and technical assistance to public and private agencies, institutions, and individuals in developing and implementing juvenile delinquency programs.

General Provisions and Requirements

The JJDP Act makes provision for:

- the Office of Juvenile Justice and Delinquency Prevention within the Department of Justice, Law Enforcement Assistance Administration;
- Concentration of Federal Effort in federally assisted juvenile delinquency programs;
- the Coordinating Council on Juvenile Justice and Delinquency Prevention;
- the National Advisory Committee (NAC) on Juvenile Justice and Delinquency Prevention;
- formula grants to the states based on the relative population of people under age eighteen;
- planning requirements for states to receive formula grants;
- State Advisory Groups;
- special emphasis grants;
- the National Institute for Juvenile Justice and Delinquency Prevention; and
- the Runaway Youth Act administered by the Department of Health, Education and Welfare (HEW).

The JJDP Act is the major piece of federal legislation relating to juvenile justice. It calls for broad reform in our nation's youth serving system and details specific actions which must be undertaken by states in order to receive funds. Each state plan must:

- provide, within three years after submission of the initial plan, that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, or such non-offenders as dependent or neglected children, shall not be placed in juvenile detention or correctional facilities (Section 223(a)(12)(A) JJDP Act);
- provide that youths alleged to be or found to be delinquent and youths within the purview of paragraph (12) shall not be detained or confined in any institution in which they have regular contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges (Section 223(a)(13) JJDP Act); and
- provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to insure that the requirements of paragraph (12)(A) and paragraph (13) are met and for the annual reporting of the results of such monitoring to the Associate Administrator (Section 223(a)(14) JJDP Act).

These three sections are the primary focus of the Act. Section 223(c) specifies that states failing to achieve substantial compliance with Section 223(a)(12) through the achievement of not less than seventy-five percent deinstitutionalization of status offenders shall not be eligible to receive formula funding under the JJDP Act.

Funding

There are two types of funding administered by OJJDP and provided under the JJDP Act:

- formula grants -- awarded to states upon approval of a plan meeting the requirements set forth in Section 223(a)
 - minimum amount of \$225,000 allotted to each state and minimum of \$56,250 allotted to U.S. possessions and territories
 - remainder of appropriation allocated on basis of relative proportion of population under eighteen years of age
 - up to 7½ percent used by states for planning and administration required to be matched with equal amount of state or local funds
 - 5% of the minimum allocation is made available to assist the SAG.
- special emphasis grants -- awarded by the Administrator directly to public and private agencies to develop and implement new methods of delinquency prevention, treatment, and rehabilitation

- minimum of 25% of funds appropriated for grants to be used for special emphasis programs
- at least 30% of special emphasis funds are required to be available to private nonprofit agencies who have experience dealing with youth.

Coordinating Council on Juvenile Justice and Delinquency Prevention

One of the pressing Congressional concerns addressed in the JJDP Act is the need to coordinate the federal juvenile delinquency efforts.

During the discussion of the Act in both houses of Congress, the sponsors of the bill articulated their hopes that the JJDP Act would bring about increased coordination of federal youth programs. The mechanism for fulfilling these hopes is the Coordinating Council on Juvenile Justice and Delinquency Prevention established in Section 206 of the Act. The Council is composed of the:

- Attorney General;
- Secretary of Health, Education and Welfare;
- Secretary of Labor;
- Director of the Office of Drug Abuse Policy;
- Commissioner of the Office of Education;
- Director of ACTION agency; and
- Secretary of Housing and Urban Development.

Each of these may designate a representative to participate in the deliberations of the Council when unable to personally attend. Other members enumerated in the Act are the:

- Associate Administrator of the Office of Juvenile Justice and Delinquency Prevention; and the
- Deputy Associate Administrator of the Institute for Juvenile Justice and Delinquency Prevention.

The President may designate additional representatives of other federal agencies.

The Attorney General is designated as chair for the Council with the Associate Administrator, OJJDP, serving as vice-chair and presiding in the absence of the chairman.

The Council is required to meet at least four times per year and develop an annual report describing their functions which are to coordinate federal delinquency programs and make recommendations to the Attorney General and the President. The Act authorizes the Council to review the practices of federal agencies and to report on the degree to which federal agencies utilize funds consistent with the deinstitutionalization and separation mandates of the JJDP Act.

The activities of the Council are reported in the Annual Report of the Office of Juvenile Justice and Delinquency Prevention available upon request from OJJDP (see Appendix 10 for mailing address).

National Advisory Committee for Juvenile Justice and Delinquency Prevention

Section 207 of the Juvenile Justice and Delinquency Prevention Act establishes a National Advisory Committee (NAC) made up of twenty-one Presidentially appointed members. The NAC members are broadly representative of all facets of the juvenile justice system with a majority of the members, including the chairperson, not employees of the state, local, or federal government. Seven of the members are required to be under twenty-six years of age at the time of their appointment. Three of these youth members must be current or former clients of the juvenile justice system. The law requires that the members be appointed for four year terms with staggered expirations. Eleven members of the Committee constitute a quorum.

The responsibilities of the NAC are enumerated in Section 208 of the Act:

- meet at least four times per year at the call of the chair;
- make recommendations to the head of OJJDP, the President, and Congress at least annually with respect to planning, policy, priorities, operations, and management of all federal juvenile delinquency prevention programs;
- a subcommittee is required which makes recommendations on the operations of OJJDP;
- a subcommittee of not less than five members serves as an Advisory Committee to the National Institute of Juvenile Justice and Delinquency Prevention;
- a subcommittee is required for standards and goals for juvenile justice; and
- staffing for the NAC is provided through a contract with OJJDP as required by the Act to carry out the functions of the Committee.

Each year, as required, the National Advisory Committee publishes an annual report available by request through the Office of Juvenile Justice and Delinquency Prevention.

Of increasing concern to the National Advisory Committee has been the exchange of information between the NAC and the SAGs. The NAC holds quarterly meetings in various parts of the country in order to make themselves more accessible to the juvenile justice community and SAGs.

Some states, such as Arizona, have made it a priority to have a representative attend NAC meetings and utilize a portion of their SAG allocation to reimburse expenses for a member to travel to these meetings.

A summary of the proceedings of each NAC meeting are sent to the states via the state Juvenile Justice Specialists and the SAG Chairpersons.

The NAC encourages each State Advisory Group to establish contact with the Committee members of their region in order to better communicate the SAG's concerns to the NAC. Some SAGs have placed the NAC members on the distribution list for all regular mailings to SAG members.

Appendix 4 is a listing of the present NAC membership. The charter of the NAC is contained in Appendix 5.

State Advisory Groups

The requirement for a State Advisory Group for juvenile justice and delinquency prevention was established in the original Juvenile Justice and Delinquency Prevention Act of 1974 and subsequently refined in the amendments to the Act in 1977.

Congress felt the need to broaden the input to State Planning Agencies on juvenile justice and delinquency prevention matters. As testimony given to the various committees and both houses of Congress indicates, the creation of such an advisory group appointed by the Governor is, "to see that we have a coordinated effort in which those who are knowledgeable in the area of juvenile justice will have a direct role at the state planning level" (Senator Birch Bayh as reported in the Congressional Record, July 25, 1974, p. S13508).¹

The JJDP Act, as passed in 1974, was not definitive in the description of the functions to be performed by the State Advisory Group. The Legislative History of the Act provides an indication of the Congressional intent. Nebraska Senator Roman Hruska stated during the Senate floor debate of July 25, 1974,

"As this juvenile delinquency and prevention program was developed into an integral part of LEAA, it was intended that ultimate authority for state level approval would reside with state planning administrators under the LEAA umbrella in accordance with the current operation.

"However, it was intended that a strong consultation role would be played by the state juvenile delinquency and prevention advisory group..."²

¹ Cited in Index Legislative History of the Juvenile Justice and Delinquency Prevention Act of 1974, U.S. Department of Justice, LEAA Office of General Counsel, p. 353.

² Legislative History, p. 352.

This statement of Congressional intent establishes an independent advisory relationship between the State Planning Agency and its supervisory board and the State Advisory Group. The nature of this relationship was more strongly embodied in the text of the 1977 amendments which explicitly stated in Section 223(a)(3)(F):

State Advisory Groups

- "(i) shall, consistent with this title, advise the state planning agency and its supervisory board;
- "(ii) may advise the Governor and the legislature on matters related to their functions, as requested;
- "(iii) shall have an opportunity for review and comment on all juvenile justice and delinquency prevention grant applications submitted to the state planning agency other than those subject to review by the state's judicial planning committee established pursuant to Section 203(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, except that any such review and comment shall be made no later than 30 days after the submission of any such application to the advisory group; and,
- "(iv) may be given a role in monitoring state compliance with the requirements of paragraph (12)(A) and paragraph (13), in advising on state planning agency and regional planning unit supervisory board composition, in advising on the state's maintenance of effort under Section 261(b) and Section 520(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and in the review of the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the comprehensive state plan..."

It may be important to examine the language of these provisions and to differentiate between those functions which are statutorily mandated and those functions which are permissive. Sections 223(a)(3)(F)(i) and (ii) are mandated activities of the State Advisory Group. Under these provisions, the State Advisory Group must advise the state planning agency and its supervisory board. It also must have the opportunity to review and comment on all applications submitted to the state planning agency for juvenile justice and delinquency prevention projects including the juvenile justice project applications which request LEAA funds. This provision is a requirement for the state planning agency to submit these applications to the SAG for review. If the SAG wishes to review the applications, the review must be completed within 30 days.

Sections 223(a)(3)(F)(ii) and (iv) specify roles which are discretionary. If the Governor or the Legislature requests the SAG to provide input on other juvenile justice issues, the SAG is encouraged to provide advice. Similarly, if the opportunity exists for advising on regional planning

unit commission appointments and participating in the monitoring of deinstitutionalization and separation compliance, the SAG is encouraged to assist. Congress recognized the sensitive position in which the SAG would be placed if these roles were mandated. By making them permissible, the Act encourages SAGs to explore the feasibility of implementing these functions. SAGs are advised to be mindful of the diplomacy which may be required in their states if these roles are to be made viable.

In addition to these functions, the amendments of 1977 more clearly required the SAG "...to participate in the development and review of the state's juvenile justice plan prior to submission to the Supervisory Board for final action..." (Section 223(a)(3)).

Senator Bayh, one of the sponsors of the Act, indicated in his comments of July 25, 1974 that the intent was for the advisory group to approve the state juvenile justice plan and any modifications of it prior to the submission to the Law Enforcement Assistance Administration (LEAA).

LEAA regulations in paragraph 52e of Guideline Manual M4100.1F, change 3 (see Appendix 1), incorporates the provisions of the 1977 amendments in the administrative requirements for the state's comprehensive plan. Each state, therefore, is required, as a part of their comprehensive criminal justice plan, to indicate the roles, responsibilities, and activities of the advisory group with respect to these duties.

Part of the thrust of the JJDP Act was to change the make-up of the State Planning Agency (SPA) supervisory board to have more involvement of persons knowledgeable in juvenile justice matters. This concern also extended to the Regional Planning Units (RPUs). As part of the JJDP Act, Congress amended the Crime Control Act to require that SPA and RPU supervisory boards include representatives of "...agencies directly related to the prevention and control of juvenile delinquency..."

In addition, other legislation requires that the "Chairman and at least two additional citizen members" of the SAG be appointed to the SPA and that any "executive committee of a state planning agency shall include in its membership the same proportion of advisory group members as the total number of such members bears to the total membership of the state planning agency" (Section 203(a)(1), Omnibus Crime Control and Safe Streets Act of 1968, as amended).

The JJDP Act specifies that the SAG consist of "not less than twenty-one and not more than thirty-three" members. Senator Bayh in the July 25, 1974 floor debate pointed out, "This advisory group is large enough to include a wide range of public and private groups concerned about juvenile delinquency. With juvenile delinquency representation on the state and regional planning units, the advisory group can work with the state planning agency and its supervisory board to assure that the goals of (the Act) are carried out at the state level."¹

¹Legislative History, p. 336.

The Act specifies that the members of the SAG shall "have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice" (Section 223(a)(3)(A)).

The Act further provides that the SAG membership "include representation of units of local government, law enforcement, and juvenile justice agencies such as law enforcement, corrections or probation personnel, and juvenile or family court judges and public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education, or youth services departments" (Section 223(a)(3)(B)).

From the private sector, the Act specifies representation from private organizations concerned with "delinquency prevention or treatment concerned with neglected or dependent children; concerned with the quality of juvenile justice, education, or social services for children; which utilize volunteers to work with delinquents or potential delinquents; community-based delinquency prevention or treatment programs; business groups and businesses employing youth, youth workers involved with alternative youth programs; and persons with special experience and competence in addressing the problems of school violence and vandalism and the problem of learning disabilities; and organizations which represent employees affected by this Act" (Section 223(a)(3)(C)).

While the JJDP Act sets forth guidelines for SAG membership, there are only three numeric quotas established in the Act:

- 1) A majority of the membership of the SAG, including the chairperson, shall not be full-time government employees. Government employees include state, local, or federal employees and full-time elected officials.
- 2) One-third of the SAG membership must be under 26 years of age at the time of their appointment.
- 3) At least 3 of the youth members must be or have been under the jurisdiction of the juvenile justice system.

Guideline Manual M4100.1F, change 3, paragraph 52e(1) requires that a list of all current advisory group members indicating their respective dates of appointment be provided in the juvenile justice portion of the state's comprehensive criminal justice plan. Information must also be provided showing how the members meet the requirements specified in the Act.

The underlined portion of the first statement above is language from the guidelines promulgated by OJJDP. If a State Advisory Group has questions about individual circumstances constituting full-time government employment, OJJDP, through the LEAA Office of General Counsel, will obtain clarification.

The requirement to have some of the youth members either current or former clients of the juvenile justice system was originally included in the House version in 1974. The report of the conference committee stated, "The House amendment required that at least two members of the (SAG) have been in the juvenile justice system. There was no comparable Senate provision. The conference substitute does not contain the House language. In deleting this provision the conferees note that the appointment of such persons to the State Advisory Group is to be encouraged, by virtue of their invaluable and unique experiences which could broaden the perspective of State Planning Agencies."¹ The apparent reason it was not included in the Act as passed in 1974 was the concerns about confidentiality and identifying these youths as delinquents. It was included in the 1977 amendments but the Office of Juvenile Justice and Delinquency Prevention will permit states to provide assurances that they have appointed youths meeting this requirement without identifying the individuals (M4100.1F, change 3, paragraph 52e).

SAG Allocation

While the original JJDP Act specified that the State Advisory Groups be created, there was no provision made for the financial support of the SAG's operation. This was left in the hands of the SPA administrators to be budgeted as a part of the planning and administration funds. In 1977 when the planning and administration funds decreased from 15% with a 90%-10% matching formula to 7½% and required an equal share of match funds, Congress established a minimum amount of funds to be made available to each SAG for financing its operations.

These funds, amounting to \$11,250 for each state and \$2,812.50 for U.S. possessions and territories, are match free. Guideline Manual M4100.1F, change 3, specifies that this is the minimum amount of financial support to be made available to the SAG. Each SAG should be made aware of this provision and is required to develop a plan for the utilization of these funds which, after review by the state, will be included in the comprehensive plan.

These funds are intended to be used to support the activities of the State Advisory Group and may be used to accomplish a variety of activities. It is important to consider the following when planning these expenditures:

- As with all federal funds, there are expenditures which are expressly prohibited such as the purchase of alcoholic beverages, coffee for meetings, lobbying, etc.
- LEAA has published financial guidelines explaining allowable costs. Each SPA has these guidelines.
- The fiscal officer at the SPA is generally knowledgeable about current policy applicable to these funds.

¹Legislative History, p. 376.

- The SAG is required to develop a plan for the use of these funds to be incorporated in the juvenile justice portion of the State Comprehensive Plan.
- These funds may be used for:
 - locally obtained technical assistance,
 - sponsorship of meetings and conferences,
 - employment of SAG staff,
 - travel expenses to meetings attended by SAG members,
 - studies performed by outside contractors, and
 - other activities related to the purposes of the SAG.
- Additional funds may be awarded to SAGs to carry out specific project activities, in which cases the SAG would participate in the normal application process.

Planning Requirements

In order to receive a formula grant through the Juvenile Justice and Delinquency Prevention Act, each State Planning Agency must submit a plan meeting the requirements of Section 223(a) of the Act. These requirements have been interpreted by the Office of Juvenile Justice and Delinquency Prevention in M4100.1F, change 3, Guide for State Agency Grants included as Appendix 1 of this manual.

These planning requirements are consistent with the general planning model established under the Omnibus Crime Control and Safe Streets Act of 1968 as amended. This process calls for:

- an analysis of crime;
- an analysis of the resources, manpower, organization, capabilities, and systems available to meet crime and criminal justice problems;
- a problem analysis;
- statements of standards, goals, and objectives for the criminal justice system;
- formulation of prioritized need statements; and
- action plans for addressing the needs through both financial and technical assistance.

The implementation of the plan through the expenditure of financial and other resources is intended to improve the capacity of the criminal justice system and to reduce crime.

While consistent with the general planning process required under the Crime Control Act, the juvenile justice plan for states seeking juvenile justice and delinquency prevention formula grants has some specific mandates and areas of emphasis. These are:

- Advance techniques -- 75% of the formula grant funds must be allocated to programs of a non-traditional, non-official juvenile justice system nature and which emphasize community-based solutions to the problems identified.

- Deinstitutionalization of status offenders (DSO) -- states must develop and implement viable plans for the removal of non-criminal type offenders and non-offenders from correctional and detention facilities to be accomplished within the 3-5 year time frame established in the Act.
- Separation -- states must develop and implement plans for providing sight and sound separation between juveniles and adults incarcerated in the same facility.
- Monitoring -- states must establish a monitoring system to oversee the implementation of DSO and separation plans and to report to OJJDP each December their progress toward these objectives.
- States must, as a part of their DSO and separation plans, provide detailed time frames and identify specific obstacles to achievement of these goals.
- States must provide a comprehensive list of juvenile justice projects funded by the State Planning Agency during the past year included in their LEAA maintenance of effort for juvenile justice.

Other Legislation

In addition to the JJDP Act, there are two other pieces of federal legislation with which the State Advisory Group will need to become familiar:

- the Omnibus Crime Control and Safe Streets Act of 1968, as amended; and
- the Justice System Improvement Act of 1979.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended, is the parent legislation to federal assistance for state and local criminal and juvenile justice programs. The authorization for the Crime Control Act expired with federal fiscal year 1979. Due to the period of time for which states are awarded the use of funds, SAGs are likely to be reviewing applications for these funds until mid-1981.

There are three basic types of funds awarded to the states under the Crime Control Act:

- Part B Planning and Administration Funds,
- Part C Action Funds, and
- Part E Correctional Institutions and Facility Grants.

Part B Planning and Administration Funds are awarded to support the activities of the State Planning Agency and its supervisory board, the Judicial Planning Committee, and Regional Planning Units as they fulfill their administrative functions required by the Act. These funds are prohibited from being used for project support.

Part C Action Funds constitute the major source of LEAA funds under the Crime Control Act and are intended to be used in accordance with the plan submitted requisite to their award.

Part E Correctional Institution and Facility Funds are provided to states which meet special requirements emphasizing community-based correctional programs for juveniles and adults. These funds are earmarked for correctional programs. States wishing to receive Part E funds must maintain a level of expenditure for corrections programs out of their Part C allocation.

The Justice System Improvement Act (JSIA) of 1979 reauthorizes and restructures the federal assistance program to state and local governments. This legislation provides for a three year application, greater autonomy and responsibility for some local governments, and requires that grant funds be used for programs meeting certain effectiveness criteria.

The legislation is so recent that as of the date that this manual goes to press, final guidelines have not been issued by LEAA with the application requirements.

The JSIA authorizes four types of grants:

- Community Anti-Crime Grants (Part A) -- These grants provide assistance to encourage neighborhood and community participation in crime prevention and public safety and the development of comprehensive crime prevention programs.
- Formula Grants (Part D) -- Grants made to state and local governments to carry out programs of proven or likely effectiveness in improving criminal and juvenile justice. Grant awards are made by LEAA after review and approval of comprehensive, three-year applications submitted in accordance with the regulations to be promulgated by LEAA.
- National Priority Grants (Part E) -- These grants provide assistance to encourage states and local governments to carry out programs which, on the basis of research, demonstration, or evaluation, have been shown to be effective or innovative and likely to have a beneficial impact on criminal and juvenile justice.
- Discretionary Grants (Part F) -- These grants provide financial and technical assistance to encourage states, local governments, and non-profit organizations to undertake improvement programs.

The JSIA also authorizes programs of justice statistics and research to be administered by the Bureau of Justice Statistics (BJS) and National Institute of Justice (NIJ) respectively.

Those sections of the Crime Control Act necessary to the administration of the JJDP Act have been left operational for the sole purpose of administering the JJDP Act.

The JSIA establishes State Criminal Justice Councils replacing State Planning Agencies. In this manual, and until the JJDP Act is reauthorized, State Planning Agency and State Criminal Justice Council shall refer to the same entity.

THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), formally established on June 25, 1975, was created to provide a focal point for programs and policies relating to juvenile delinquency and juvenile justice. The Office, located within the Law Enforcement Assistance Administration, Department of Justice, has developed three broad goals around which will be built objectives that will guide the course of future program and policy development. These are:

- to provide the resources, leadership, and coordination necessary to develop and implement effective methods of preventing delinquency and status offenses;
- to provide the resources, leadership, and coordination necessary to implement effective responses to deviant behavior that are alternatives to those of the juvenile justice system; and
- to provide the resources, leadership, and coordination necessary to improve the quality of the juvenile justice system.

OJJDP is organized into the Office of Programs, the National Institute of Juvenile Justice and Delinquency Prevention, and is responsible for the Concentration of Federal Effort, the staff of which reports directly to the OJJDP Administrator. See Exhibit 1 on the following page.

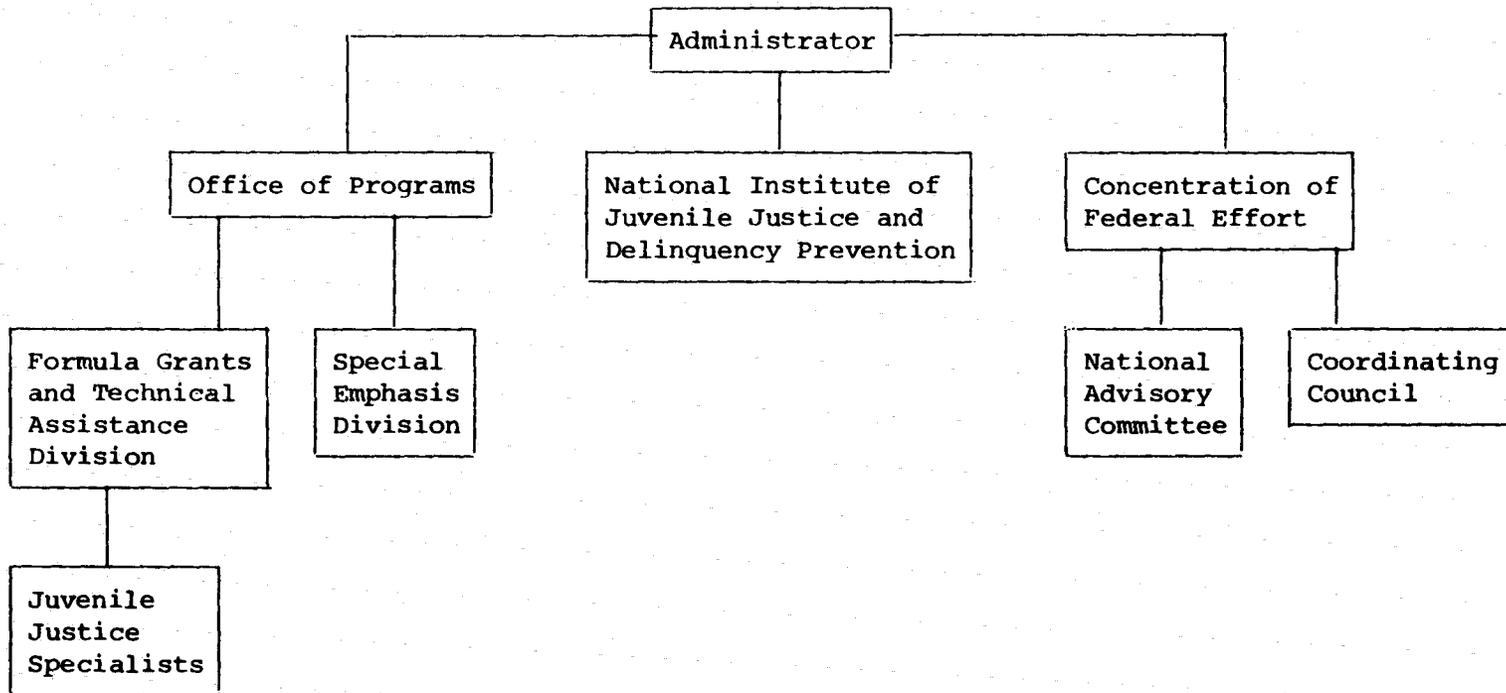
The Office of Programs consists of the Formula Grants and Technical Assistance Division and the Special Emphasis Division.

The Formula Grants and Technical Assistance Division

The Formula Grants Program is responsible for:

- assisting state and local communities with resources to develop and implement effective ways of preventing and reducing juvenile delinquency;
- increasing the capacity of state and local governments to conduct effective juvenile justice and delinquency prevention programs, designed to divert juveniles from the traditional juvenile justice system, and to provide alternatives to institutionalization;
- promoting and expediting system and process changes necessary for the deinstitutionalization of status offenders from detention and correctional facilities; and
- removing or providing adequate separation of juveniles alleged to be delinquent or found delinquent from adults

Exhibit 1



18

OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

As of 1-31-80

incarcerated in jails and other correctional facilities.¹

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, established the formula grants program for states and it requires state submission of a comprehensive plan prior to funding. Funds are allocated annually on the basis of the relative population under age 18 in a state. All states, including the District of Columbia and Puerto Rico, are eligible to receive a minimum of \$225,000 a year, with the exception of American Samoa, Guam, the Trust Territory of the Pacific, the Northern Marianas, and the Virgin Islands, where the annual allotment is \$56,250. Out of the 57 states and territories eligible to receive formula grant awards, six are not participating, specifically Nebraska, Nevada, Oklahoma, North Dakota, South Dakota, and Wyoming. These formula grants can be viewed as "performance contracts," because each state that is participating in the formula grant program must effect certain changes in its juvenile justice system and the ways in which youth services are delivered in order to assure continued funding.

All participating states and territories must develop and submit a comprehensive plan application that includes the provisions under the Act. The process by which this state plan is reviewed is depicted in Exhibit 2. The application must be submitted by the agency that is statutorily established to administer the LEAA program. Elements that must be covered in this plan application are as follows:

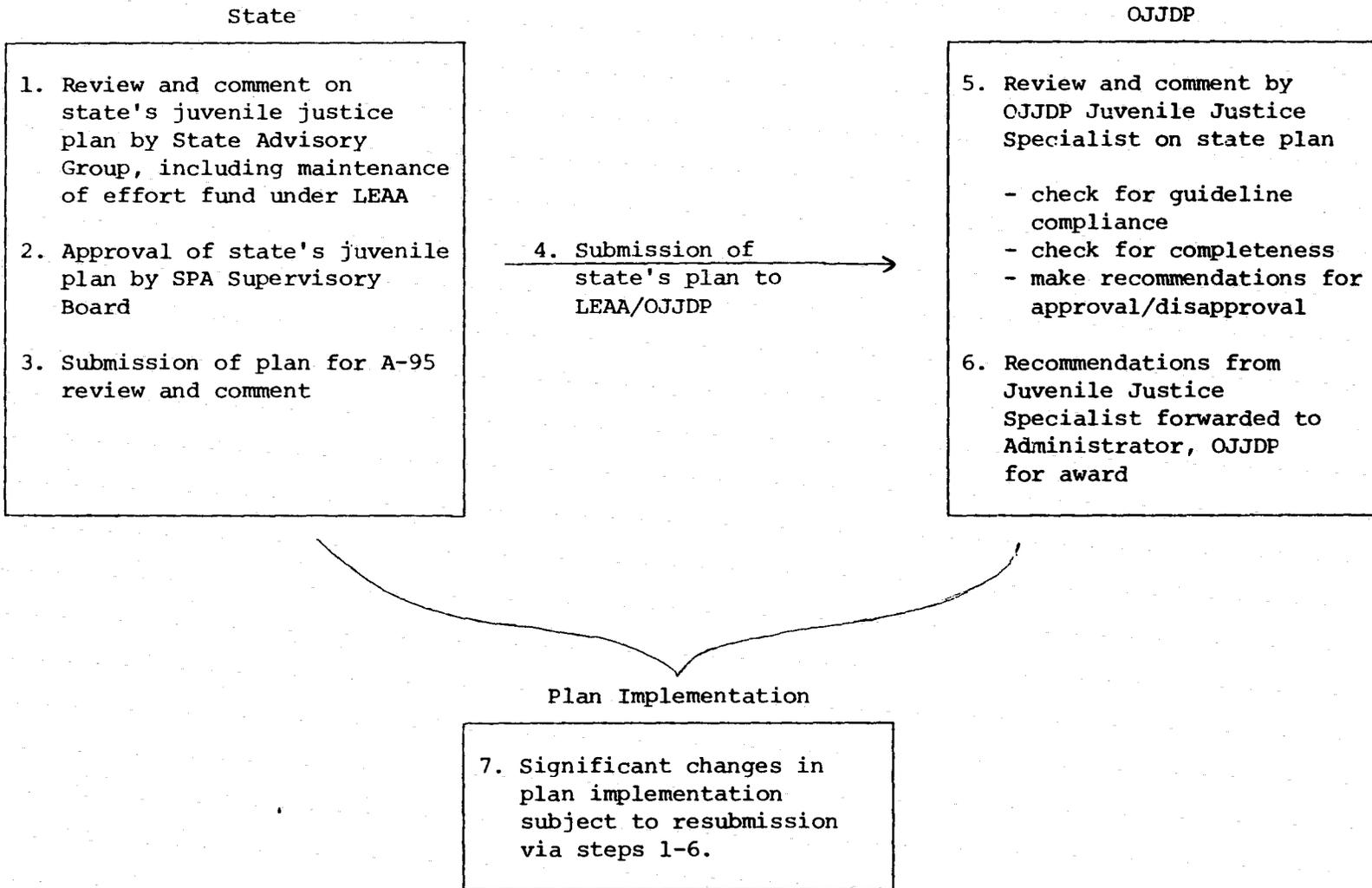
- provisions for the deinstitutionalization of status offenders from juvenile correctional or detention facilities;
- provisions for the separation of juveniles from adults incarcerated in jails and other correctional facilities;
- a detailed study of the state's/territory's needs for an effective, comprehensive, and coordinated approach to delinquency prevention and the improvement of the juvenile justice system; and
- establishment of a State Juvenile Justice Advisory Group to provide recommendations to the Chief Executive Officer for the improvement of the system and for advising on funding decisions within the state.²

¹Third Analysis and Evaluation, Federal Juvenile Delinquency Programs, Office of Juvenile Justice and Delinquency Prevention, Law Enforcement Assistance Administration, U.S. Department of Justice.

²Ibid.

Exhibit 2

STEPS IN FORMULA GRANT REVIEW AND AWARD PROCESS



OJJDP Juvenile Justice Specialists

The OJJDP utilizes the services of staff Juvenile Justice Specialists, each assigned responsibility for activities in certain states. (Appendix 10 has a list of OJJDP staff and the states assigned to the formula grants staff.) They perform a range of duties that are critical to the overall operation of the Formula Grants and Technical Assistance Division. Some of these duties are as follows:

- review state plans for formula grant awards;
- review any program changes in these state plans;
- serve as primary link between OJJDP and SPAs;
- make on-site visits to states to provide assistance in complying with federal guidelines;
- help process ad hoc technical assistance requests from SPAs;
- review and comment on technical assistance requests to recommend approval or disapproval during OJJDP's semi-annual needs assessment process;
- conduct formal review of Deinstitutionalization of Status Offenders/Separation Monitoring Reports from states;
- provide input to formula and discretionary guidelines representing the interests of their constituent states; and
- serve as OJJDP's contact with coalitions of SPAs and SAG representatives.

OJJDP and SAG Communication

The JJDP Act, as it was drafted, envisioned an advisory role for the SAG to the State Planning Agency, the Governor, and the state legislature. The drafters of the Act did not appear to recognize the emerging need for SAGs to develop communications linkages with other organizations independent of the State Planning Agency. These linkages are desirable in order that the SAG can meet its responsibilities set forth in the Act.

One need, the need for training of SAG members, has been addressed through the annual National State Advisory Group Conference conducted by OJJDP. To insure that the Office meets the needs of State Advisory Groups, OJJDP has appointed a staff member with the responsibilities of SAG liaison. This staff member works with the technical assistance contractor and the steering committees of SAG representatives on OJJDP projects relating to SAGs.

Generally issues which are specific to one particular state or SAG should be referred to that state's assigned Juvenile Justice Specialist in the Formula Grants Section.

The Technical Assistance Program was mandated by the Act for the OJJDP as well. The OJJDP is required to provide technical

assistance to federal, state, and local governments and public and private agencies in developing and implementing juvenile delinquency programs, and to support the four major objectives which accomplish the overall goals of the JJDP Act, as listed on page

The OJJDP has four major technical assistance contractors, each of which are assigned one objective area within which they will provide support to all OJJDP and grantee activities within that objective area. All approved requests for technical assistance, be they generated from Formula grantees or Special Emphasis grantees, or through the Office's needs assessment process, are assigned to a contractor depending on the objective area it falls within.

Currently, the major characteristics of OJJDP's technical assistance strategy are:

- Technical assistance is planned and delivered in regular six-month cycles.
- This technical assistance cycle includes the following steps:
 - needs assessment,
 - workplan development,
 - delivery,
 - documentation, and
 - follow-up.
- Technical assistance is designed to increase the capacity of programs to deal with their future problems without outside assistance.
- Technical assistance efforts are performed in coordination with other OJJDP activities. Additionally, the technical assistance providers have access to and draw upon evaluation and research efforts being supported by OJJDP as well as other agencies.

The semi-annual (mid-May and mid-November) needs assessment process that OJJDP currently uses is the central point of the Office's technical assistance process. A letter is sent to all State Planning Agencies, State Advisory Groups, and to other organizations and agencies concerned with juvenile justice issues soliciting technical assistance needs that relate to the purposes of the JJDP Act. They are asked to provide very specific information for each need they submit. This needs assessment process facilitates the planning for technical assistance delivery and the coordinating of technical assistance resources; however,

ad hoc requests for technical assistance are received and processed by OJJDP any time they are submitted. Unless there is an urgent need for the technical assistance, ad hoc requests may be held for consideration with the next needs assessment cycle.

OJJDP then approves or disapproves the needs on the basis of their relevance to the following basic criteria:

- The assistance will help the recipient achieve one or more objectives of the JJDP Act.
- The assistance will have positive impact on the justice and youth-serving systems.
- The OJJDP contractors are the most qualified and appropriate to provide the assistance.
- The recipient is committed to working with the contractor for positive change.

The approved requests are then assigned to the appropriate contractor for a response. The contractor then develops a workplan for each need assigned to them, which provides detailed information necessary to deliver appropriate technical assistance.

After the technical assistance is delivered, a report on the assistance is prepared for the recipient and copies are sent to OJJDP, the SPA, and other involved parties. This report usually consists of a summary of all assistance provided, specific products that resulted, and recommendations, if any, for future operations and improvements.

Arthur D. Little, Inc., one of OJJDP's technical assistance contractors, has been assigned responsibility for the management of this technical assistance needs assessment process. Arthur D. Little, Inc. is also specifically responsible for providing technical assistance to State Advisory Groups.

The four major technical assistance contractors for the OJJDP are Arthur D. Little, Inc.; Westinghouse National Issues Center; National Office for Social Responsibility; and Community Research Forum. Their areas of responsibility are described below:

Arthur D. Little, Inc.

The title of the technical assistance grant awarded to Arthur D. Little, Inc. is Technical Assistance for Status Offender and Non-Offender Activities to the Office of Juvenile Justice and Delinquency Prevention Formula Grants. Under this contract, Arthur D. Little, Inc. provides technical assistance to state and local governments, State Advisory Groups, public and private agencies,

and interested groups and individuals related to the attainment of the objectives of the formula grants program (Section 223 of the Act).

Westinghouse National Issues Center

The title of this technical assistance grant is Technical Assistance for Juvenile Justice and Delinquency Prevention. This contract establishes national delinquency prevention technical assistance which supports the special emphasis grantees in the prevention area, as well as formula grant recipients needing help in the area of delinquency prevention.

National Office for Social Responsibility

The title of this contract is Technical Assistance for Special Emphasis: Deinstitutionalization, Diversion, and Restitution. Under this contract, technical assistance is provided to local grantees of OJJDP's deinstitutionalization, diversion, and restitution programs, and to support other relevant and interested organizations in these areas.

Community Research Forum

The Community Research Forum has a grant to provide technical assistance to state and local governments as well as public and private agencies around monitoring for compliance with Sections 223(A)(12) and (13) of the JJDP Act.

As stated previously, SAGs can request technical assistance from OJJDP during the needs assessment process or on an ad hoc basis. The following is by no means an exhaustive listing of the kinds of technical assistance available to SAGs. It is only a sampling of some technical assistance that has already been delivered to SAGs through the OJJDP. Technical assistance is delivered in almost any area of juvenile justice to SAGs as the need arises, provided the request for assistance meets the criteria set out above.

- Technical assistance has been delivered in the form of an Introductory Presentation, aimed at orienting SAGs to:
 - the Juvenile Justice and Delinquency Prevention Act of 1974, as amended;
 - the Office of Juvenile Justice and Delinquency Prevention;
 - State Advisory Group responsibilities;

- activities and roles chosen by Groups around the country; and
- technical assistance available to SAGs and how to request it.

This technical assistance has been delivered to SAGs in Arizona, Massachusetts, New Hampshire, Illinois, West Virginia, Kentucky, Iowa, Kansas, Connecticut, North Carolina, and Rhode Island. This presentation is generally 2 to 4 hours in length, with the technical assistance provider giving key facts under the areas mentioned above for the SAG members to consider. The remainder of the time is spent discussing specific points raised in the presentation and discussing issues pertinent to the particular state and Advisory Group.

- Technical assistance on how an SAG gets started has been delivered to the SAGs in Rhode Island, Vermont, New Hampshire, and the District of Columbia. A former Massachusetts SAG Chairperson conducts this presentation and discusses such elements as how the Massachusetts SAG got organized, how it worked out its relationships with the SPA, Supervisory Board, the Governor, and Legislature, and how they decided on what topic areas to concentrate.
- Technical assistance on monitoring for quality of care was delivered to the SAG in the State of Colorado. The SAG formed a subcommittee on Monitoring. The technical assistance providers helped the subcommittee members to plan how they would monitor care in private, residential facilities in the state. The subcommittee called itself a Citizen Task Force and was made up of representatives from the communities. The technical assistance provided training to these subcommittee members in interviewing techniques, and other information-gathering skills that enabled the members to collect information on the facilities despite the somewhat reticent feelings that existed toward the effort. The subcommittee was able to submit their results to the Legislature and the Legislature allocated monies to develop a monitoring capability of residential facilities.
- Technical assistance on development of state deinstitutionalization of status offenders strategy and legislation was delivered to SAGs in the District of Columbia and in the State of Ohio.

In the District of Columbia, the SAG was aided, through documentation and consultation, in developing and implementing a plan for the deinstitutionalization of status offenders. They were able to persuade the courts not to

refer status offenders to the detention center and so effectively closed the detention center to status offenders. They were able to develop a plan for alternatives to detention placement and to see the implementation of this plan. They saw the process through until these alternative facilities were developed.

In Ohio, the SAG addressed the problem of developing a state policy with regard to the deinstitutionalization of status offenders. Technical assistance was requested to hold a conference on this topic and to reach some conclusions on this issue. Documentation and consultation were provided by the technical assistance contractor. Due to the varied backgrounds and positions held by the members of the SAG, it was very difficult to reach a consensus on what position to take. It was finally decided that except under extreme conditions, status offenders would not be incarcerated. Based on the information and recommendations provided by the technical assistance contractors, conferees agreed that they were wholly in favor of the deinstitutionalization of status offenders with limited exceptions.

- Technical assistance on community alternatives to secure confinement was provided to the South Carolina SAG. The technical assistance providers consulted with the members of two subcommittees in the SAG: the Subcommittee on Children and Jails, and the Subcommittee on Treatment and Handling of Status Offenders. Both subcommittees received on-site assistance in planning how they would proceed, and were given presentations relevant to their respective areas.
- Management and organizational technical assistance was delivered to the Illinois SAG. The technical assistance providers performed a needs assessment and helped the SAG develop priority areas for the coming years. There were discussions around the formation of a committee structure. The next step was for the whole SAG to go on a retreat to identify priority areas; for each member to join a specific committee to work on some aspect of a priority area; and for the whole SAG to work on a year-long plan jointly. They settled on three major priority areas: delinquency prevention (reducing incidence); deinstitutionalization of status offenders; and lobbying and legislation. Membership was also an issue of concern in Illinois' SAG, and was discussed with the technical assistance providers.
- Technical assistance on strategies to make the public and special interest groups concerned with children more knowledgeable of the Act and measures to implement it was requested by the Tennessee SAG. Training on the skills and techniques needed to conduct a publicity program in any area was provided to the principal members of the SAG.

An initial subject for which a consensus of opinion existed was selected to conduct a statewide campaign to (1) improve services to youth, and (2) promote a better understanding of status offenders. The topics covered by the technical assistance providers were general information on public relations, identification of key audiences, tools for public information campaigns, and implementation of a public information effort. The session ended with specific assignments of responsibility, and the group was encouraged to request follow-up technical assistance after they had taken initial steps.

- Technical assistance on development of a statewide strategy for delinquency prevention was provided in the State of New Mexico. The technical assistance covered the differences between youth development efforts as opposed to delinquency prevention efforts. The SAG was informed of what the current literature says regarding delinquency prevention and they received several handouts that they found very useful. The group was sufficiently stimulated by the technical assistance to form a subcommittee on delinquency prevention. The subcommittee planned to review available materials and to propose some state guidelines for delinquency prevention programming. There was interest in a follow-up technical assistance visit to help the subcommittee develop a concept paper on what delinquency prevention programs should be funded in the future.
- Juvenile Code revision technical assistance was provided to the SAGs in Idaho, Washington, and Iowa. In Idaho, the SAG received technical assistance at meetings in Boise and Idaho Falls on changes being considered in the Juvenile Code and on youth advocacy. In Washington, training was provided to the SAG at their meeting in Olympia regarding the role of the SAG with emphasis on recent changes in the Washington State Juvenile Code. In Iowa, technical assistance was provided to the SAG on organizational issues as well as on their new Juvenile Code. They faced a problem of how to support certain tenets of the Code and how to change others. They also needed assistance in how to deal with undesirable amendments that were being proposed for the Code.
- Technical assistance on standards and goals was provided in Colorado to the Subcommittee on Standards and Goals of the SAG. It was recommended that the subcommittee focus on a small number of goals in the area of deinstitutionalization of status offenders and seek implementation of those goals rather than trying to do too large a number and being unable to implement them properly. Montana also received some technical assistance regarding standards and goals development.

- Technical assistance to provide training on the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, was provided to Arizona and California SAGs. In Arizona, technical assistance was provided at the State Advisory Group meeting in Casa Grande to workshop leaders for a conference on juvenile justice planning to be sponsored by the SAG. In California, technical assistance consisted of training for the SAG at their regional meeting in Sacramento on the Juvenile Justice and Delinquency Prevention Act, as well as on community-based programs.

As stated at the beginning of these descriptions, these are but a few examples of technical assistance that SAGs have received through the OJJDP.

The Special Emphasis Division is the second division under the Office of Programs in the OJJDP. The OJJDP develops and supports discretionary grant programs targeted at specific problem areas relating to juvenile delinquency and juvenile justice. Special Emphasis initiatives have included Deinstitutionalization of Status Offenders, Prevention of School Crime, Diversion, and Restitution by Juvenile Offenders.

The Office has also developed new discretionary initiatives that will be implemented in Fiscal Year 1980:

- Project New Pride Replication, which will support projects that replicate community-based treatment models in lieu of incarceration for the treatment of serious juvenile offenders;
- Alternative Education, a prevention program, which will support projects designed to promote institutional change in schools and provide alternative educational experiences for juveniles who have difficulty adjusting in traditional educational settings;
- Youth Advocacy, a prevention program, which will fund projects designed to end arbitrary decision-making on the part of institutions dealing with youth;
- Delinquency Prevention Research and Demonstration, which will fund projects to test organizational change approaches to prevent delinquency and provide technical assistance to states for initiating local prevention programs;
- Removal of Juveniles from Adult Jails and Lock-ups, which will provide support to communities desiring to develop suitable detention, correctional, and shelter environments for juveniles;
- Serious Offender, which will focus on reducing juvenile crime and recidivism; and

- Capacity Building, which will fund valuable projects not specifically tied to a major initiative.

All OJJDP initiatives are competitive and are announced in the Federal Register. Tentative dates are included in the Calendar of Events in Appendix 9. OJJDP will, in addition, solicit applications for most of its initiatives by sending application packages to State Planning Agencies, units of local government, and private not-for-profit agencies. SAGs may be eligible to apply for Special Emphasis programs through the State Planning Agency. Program announcements describe eligible applicants.

The National Institute of Juvenile Justice and Delinquency Prevention (NIJJDP) serves as the research and data collection arm of the OJJDP. NIJJDP conducts research into problems of juvenile delinquency; evaluates juvenile justice programs; develops standards for the administration of juvenile justice; provides specialized training for personnel in delinquency and related fields; and collects, synthesizes, and disseminates delinquency-related information.

The Institute has established four Assessment Centers that are responsible for the collection, assessment, and synthesis of research data, and for the preparation of reports on delinquency-related topics. Collection and assessment of information is the responsibility of the Assessment Center Program. There are one Coordinating Center and three topical centers, dealing with delinquent behavior and its prevention, the juvenile justice system, and alternatives to juvenile justice system processing. The Coordinating Center is the National Council on Crime and Delinquency in Hackensack, New Jersey. The Assessment Center dealing with delinquent behavior and its prevention is at the University of Washington; the Assessment Center dealing with the juvenile justice system is the American Justice Institute; and the Assessment Center dealing with alternatives to the juvenile justice system is at the University of Chicago.

Plans for FY 1980 show the emphasis of NIJJDP's operations shifting away from basic research toward a program geared more to operational goals. NIJJDP plans to continue work on many of its activities begun in earlier years. It also anticipates several new programs: to evaluate three Special Emphasis programs -- Youth Advocacy, New Pride, and Alternative Education; to conduct research on delinquency and justice system process pertaining to Native Americans; and to establish model juvenile court procedures in delinquency processing and a model statute for deinstitutionalization. NIJJDP also plans to develop a Training Center to serve as a center point for development of training materials for the juvenile justice community and the Institute is funding a Clearinghouse for all juvenile justice materials as a separate entity within the National Criminal Justice Research Service.

Concentration of Federal Effort (CFE). The JJDP Act assigns responsibility to OJJDP to coordinate all federal delinquency-related programs, to develop a yearly analysis and evaluation of these programs, and to develop a comprehensive plan for federal delinquency prevention efforts.

OJJDP also provides support to the Coordinating Council on Juvenile Justice and Delinquency Prevention and the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

During 1979, OJJDP assumed a more active role with regard to the Federal Coordinating Council and proposed to the Council a course of action to strengthen its involvement in juvenile justice. In September, 1979, the Council adopted a workplan that sets forth specific tasks that the Council will address. In addition, in FY 1980, OJJDP will provide staff and contractor support to the Coordinating Council.

During FY 1980, the National Advisory Committee will also accelerate its involvement in determining federal juvenile delinquency policies and priorities.

As part of its ongoing effort to coordinate federal delinquency-related programs, OJJDP will continue to fund the National Academy of Science's national examination of policies and programs that impact on the rights of youth and to support the Homeless Youth Project through an interagency agreement with the Department of Health, Education and Welfare. The Office also takes part in the Interagency Task Force on Youth as one of several interdepartmental coordination efforts in which OJJDP participates. The Office continues to seek opportunities to develop further interagency coordination.

SAG BYLAWS

Many of the State Advisory Groups have developed bylaws to guide their operations. Bylaws serve several important purposes:

- establish mutual understandings,
- set rules of procedure,
- establish SAG structure, and
- ensure continuity of purpose and effort even when membership changes.

The bylaws which we have analyzed vary in format and in comprehensiveness. In the development of bylaws, SAGs should consider their own organizational needs and be primarily guided by these needs. Some SAGs operate without bylaws (Colorado).

In developing bylaws, the following principles should be considered:

- Bylaws should have internal consistency. For example, if the presiding officer is identified as chairperson in the section dealing with officers then chairperson should be the term used throughout.
- The organization of the bylaws should facilitate reference. Generally bylaws are organized into articles, sections, sub-sections with groupings of related topics. For example, an article may be titled "Officers" with a section titled "Chairman" and sub-sections dealing with "duties" and "eligibility." Only those items dealing with officers should be included in this article and only those related to the chairman should be included in that section.
- A ratification clause should be included describing the necessary actions by which the bylaws become effective. This is important in establishing the policy base from which the SAG operates. A ratification clause should not only consider a vote of the membership but any other requirements established by state laws or agency policy keeping in mind the advisory nature of the group. This may be extremely important for bylaws affecting third party interests, such as applicants for funds.
- When distinctions are made between similar activities (i.e., regular meetings, special meetings), the differences should be clearly identified in the body of the bylaws. Such distinctions need to be made only when useful to the SAG.
- Use plain language as much as possible. Among the purposes of having bylaws are to clarify procedures and establish mutual understandings. The style of expression should facilitate these objectives.

Fifteen SAGs' bylaws were examined for the preparation of this manual. Many of these were similar as may be expected with the similarity of functions performed. Appendix 6 has a comparative analysis of the bylaws used. The following is an analysis of the topics addressed in most of the bylaws. The information presented is intended to show what the various states have found to be useful in defining their State Advisory Group's function.

All of the bylaws examined established the name of the SAG. Twelve of the fifteen incorporated the work "advisory" in the name of their group. The type of group was identified variously as board, committee, council, or, as in the JJDP Act, group. Invariably the type of group was identified differently than the SPA supervisory board. For example, the Connecticut SAG is the Juvenile Justice Advisory Committee; the SPA supervisory board is the Connecticut Justice Commission. This difference should lessen confusion which could otherwise result in trying to make a distinction between the SAG and supervisory board.

Nine of the fifteen SAGs provide the basis of their authority within the body of their bylaws. Most establish their authority by reference to the Juvenile Justice and Delinquency Prevention Act. Several include either the Governor and/or the SPA as the basis for their authority.

Almost all of the SAG bylaws have a statement of function either as purposes, roles, responsibilities, or duties. Many of these essentially reiterate the functions for a SAG outlined in Section 223(a)(2)(F). Some incorporate rather specific local responsibilities such as South Carolina's Juvenile Justice and Delinquency Prevention Advisory Council:

"The Council shall advise the Governor and Governor's Committee on juvenile justice and delinquency prevention policy matters to include legislative, administrative, and budgetary recommendations which affect the justice and social service systems dealing with juveniles in South Carolina..."

The Connecticut SAG Bylaws include a section on functions of the advisory committee and specify the working relationship with the SPA staff:

"...assist juvenile justice staff in the identification of State and local needs in the area of prevention and juvenile justice...Provide advice and direction to Connecticut Justice Commission staff, juvenile justice planners in the development of the State plan...In concert with staff develop juvenile justice standards for Connecticut..."

Officers for SAGs vary greatly, according to the bylaws examined. Only one state had a full complement of chair, vice-chair, secretary, parliamentarian, and treasurer. It appears that most states have a chairperson who is most commonly appointed by the Governor or some who are elected by the SAG and a vice-chairperson elected by the SAG. Several of the bylaws indicate that the taking and distributing of minutes is a staff function.

Advisory group structure also varies greatly. While most SAGs appear to have standing committees, almost all of the bylaws have provision for the creation of ad hoc committees. The most common type of standing committee seems to be the executive or steering committee comprised of the officers and chairpersons of the other committees. Some SAGs give this committee the power to act on SAG business between the regular meetings of the SAG. It is also common to have project proposal review committees, standards and goals, planning, and legislative committees. Two or three of the SAGs make provision for a nominating committee.

The terms for which SAG members are appointed, as indicated by the bylaws examined, seem to be most commonly at the pleasure of the Governor for indeterminate terms. Many of the bylaws do not address this issue at all. The longest specified terms were four years. Two states specify the length of terms and stagger the expiration, thereby insuring a continuity in the operation of the SAG.

The most common requirement for meetings was at least four times per year. Some of the bylaws did not address the issue of meeting frequency; some specified a monthly meeting. Almost all of the SAGs make provision for special meetings at the written request of several SAG members, at the call of the chair, or at the request of the SPA.

All of the bylaws specify the requirements for a quorum in order to conduct business. This varies from one state which specifies that a quorum consists of those members present for the meeting to six states which require a majority of the members be present. Several of the states establish that if a quorum is not present at the initial roll call, the roll shall be continued until a quorum is present, but in the event that a quorum is not attained within 1½ hours, the meeting shall be adjourned.

Most of the states have established procedures for recommending the replacement of members based upon non-attendance at meetings. Generally this requires that the Governor be notified of non-participating members after three unexcused absences. Some states require first that the absent SAG member be contacted to ascertain that member's desire to continue.

Only a minority of the SAGs provide for the representation of a member by an alternate for voting purposes. Some of the bylaws did not address the issue; some expressly prohibit voting except by members present at the meeting. One state permits voting on agenda items, if the SAG member knows in advance that she or he will be absent from the meeting, by submitting the vote in writing to the chair prior to the meeting. Only two of the fifteen states permit voting by alternates at the meetings. Two states permit an observer to represent a member and participate in all deliberations of the SAG except voting, in which situations the observers are not included in the determination of a quorum.

Many of the bylaws require an advance notice to members, giving the date, time, and place of the meeting. This minimum time requirement

for prior notice ranges from seven days to thirty days. Alabama, Arizona, California, and New Hampshire have requirements that there be public notice given in accordance with applicable state laws. New Hampshire appears to be the most explicit in this regard, specifying that the time, place, and general nature of business to be transacted be included in the public notice of the meeting. Alabama specifies that meetings shall be held at specified times in places convenient to the public. Only one state allows for closed meetings, and then under conditions specified in the state's laws. When the meeting is closed, final action may not be taken until the meeting is reopened to the public.

All of the states specifying rules of procedure reference some form of Robert's Rules of Order. Some states specify that except in instances in which there is conflict with the bylaws, Robert's Rules of Order will govern the proceedings.

Twelve of the fifteen SAGs which furnished copies of their bylaws provide for the amendment or revision of the bylaws. In all of these, advance distribution of proposed bylaws to SAG members is required. The range of times for distribution of the written proposals ranges from seven to thirty days prior to the meeting at which action is to be taken.

Three of the states have conflict of interest sections which require a member to reveal the nature of a conflict of interest which includes personally receiving financial or other benefit from a project or being an officer or employee of an agency requesting funds from the SAG. A member having a conflict of interest is required to abstain from voting; however, such a member may be permitted to participate in the discussion.

Six of the bylaws specify the type of records to be kept. Typical is Iowa which specifies that the minutes will record the time and place of the meeting, members present, and actions taken. Iowa's bylaws specify that the SAG minutes are public records open to public inspection.

Most of the SAG bylaws studied provide that SAG members will not receive compensation except that reimbursement for expenses incurred in authorized SAG business would be made in accordance with the state's per diem and mileage statutes. Some specify that authorization for incurring expenses must be obtained in advance.

Several states have some provisions in their bylaws which are unique to one or two states but which may be worthy of consideration by other SAGs.

- California provides for a process to consider resolutions, submitted in writing and then referred to a standing or special committee for review and making a recommendation to the SAG. California also has a requirement that the SAG will develop an annual calendar of proposed activities to be submitted to the SPA for inclusion in the SPA's budget.

- New Jersey and Puerto Rico establish the order of business as a part of their bylaws.
- Alabama included reference to appeal procedures in their bylaws, requiring that the SAG be advised of all appeals affected by SAG business.
- Indiana, Maine, and New Jersey have reference to staff responsibilities relative to SAG operations. New Jersey designates the SPA director or his designee as the secretary to the SAG.

This section is intended to be an overview of the bylaws which were available for examination. Each SAG needs to determine its own needs for bylaws and the items needed for its operations. Each SAG also needs to assess the need for establishing sub-committees or task forces to fulfill its responsibilities.

There are several organizational options available to the State Advisory Groups. Many of these are included in these bylaws.

- No Committees - The SAG operates as a committee of the whole on all matters. This method of operation would be satisfactory for those SAGs which meet frequently and therefore have more time in which the entire group may become informed about the issues needing to be resolved. Also, SAGs which have a limited scope of operation may not experience a need for sub-committee or task force assignments.
- Standing Committees - In those states with several sets of established responsibilities, appointment of standing committees responsible for exploring the issues related to their mission and reporting back to the SAG with recommendations of action to be taken may increase the efficiency of the SAG. Examples of standing committees include Grant Review, Standards and Goals, Planning, and Legislation Committees. Care should be taken, if standing committees are appointed, to:
 - clearly define their purpose and scope of operation, and
 - reach consensus with the SAG membership about matters to be resolved in committee and those which will be addressed by the entire SAG. Some states have attempted to establish a committee structure and failed because the SAG members did not want to lose their participation in some areas of responsibility.
- Ad Hoc Committees - Most SAGs have responsibilities which are amenable to some type of task force oriented action. These include:

- issues or projects needing to be resolved within a given and relatively short time period, such as bylaw revision;
 - special interest issues of pressing importance to a select group of SAG members but in which the SAG needs some involvement; for example, strategies for residential care funding; and
 - operational or administrative problems within the SAG, such as SAG training.
- Executive Committees - Several states have made provision for the formulation of an executive committee or steering committee which may be comprised of the officers of the SAG and the chairpersons of the various committees. This group may have authority to take action on behalf of the SAG during intervals between SAG meetings. Its more valuable function would appear to be in the area of advanced planning for the smooth operation of the SAG. Care should be taken to insure that this type of group not usurp the legitimate authority of the SAG.

STATE ADVISORY GROUP ACTIVITIES

In this section we identify types of activities in which most advisory groups participate and we present some particularly successful examples of SAG efforts in special areas.

There are several considerations a SAG should take into account in making activity selection. Perhaps the most important of these are time available and member interest.

- Time available - Each SAG has a limited amount of time at its disposal. The use of this time for some activities obviously will affect the remainder of the time available for other activities. Each SAG must determine its set of priorities for time usage. There are organizational methods which increase the efficiency of time usage, such as task forces to address specific issues; this may result in a trade-off limiting the participation of some SAG members in areas which are of interest to them.
- Member interest - Unless there is clearly an indication of real commitment for undertaking a project, it may be better not to attempt the project. A well thought through project with clearly identified objectives, schedule of activities, and tangible result can certainly stimulate member interest.

Other considerations which a SAG may wish to examine in the selection of SAG-conducted activities include:

- Timing of the project - Is the proposed activity timely in relationship to the target group? If the project is designed to promote legislation with legislators, is it scheduled so that it's possible to influence the formulation of the legislation and not after the fact? Is the activity scheduled to minimize conflicts with other activities?
- Resources - Will the funds, staff time, committee time, technical assistance available be adequate to implement the project? Identification of these consumable resources should be made before the project is started.
- Importance - What consequences will there be if the task is not performed by the SAG? Does it address a priority identified in the state plan? JJDP Act? Other priority?
- Measurable impact - If the project is undertaken will the SAG be able to ascertain if the goal associated with the activity has been reached?

It appears that some activities are common to virtually every SAG. These include:

- reviewing and recommending applications for funds
 - New Mexico - Staff prepares a summary and analysis of each application. These application digests are distributed to each SAG member 7-10 days prior to the SAG meeting. Each SAG member also receives the budget information as included in the application and, if the project is applying for continuation funding, copies of recent project monitoring reports.
 - Colorado - applications are reviewed by persons knowledgeable about the program area in which funds are requested. These reviewers agree to provide comments to the applicant as well as to the SPA. SAG members as well as others are used to review applications. The SAG receives the reviewers' comments when it considers the application.
 - Idaho, California, Massachusetts - application review delegated to sub-committee for reporting recommendation back to entire SAG.
- review and comment on the juvenile portion of the state's comprehensive plan
 - Some states' (Massachusetts') SAGs are involved with the development of guidelines for funding projects; other states' (California's, New York's) SAGs are involved in development of needs assessments and planning studies which are incorporated in the juvenile justice portion of the state's comprehensive plan.

Other SAGs have indicated involvement in a variety of activities which assist in the improvement of the juvenile justice system.

Several SAGs have indicated that they sponsor conferences of various types:

- Arizona - "Hands Up Conferences" designed to be a tool for garnering local support for the mandates of the Juvenile Justice and Delinquency Prevention Act. These conferences are sponsored by members of the SAG from the area in which the conference is held. Some of the SAG's allocation is used to support these conferences.
 - Local system officials including judges, chiefs of police, social service personnel are included on the agenda to share the spotlight.

- Everyone is invited, arrangements have been made for school students to be excused from classes to participate.
- Media coverage of the conference is encouraged and experience has shown that local newspapers are most apt to provide coverage.
- Results include establishment of local groups to begin action to address the needs identified.
- Oregon - State-wide forum to publicize the deinstitutionalization of status offender issue. Results were that more acceptance of DSO was developed in Oregon and aided in the passage of legislation and appropriations for comprehensive youth services.
- Louisiana - Sponsors an annual state-wide Juvenile Justice Conference lasting 3-4 days which has workshops on themes such as DSO, child abuse, detention standards, etc.
 - Agendas have information relevant to each component of the juvenile justice system (i.e., Law Enforcement, Judges, Juvenile Probation Officers, etc.).
 - The only state-wide opportunity for juvenile justice personnel and other interested citizens to gather and exchange information.
 - Publishes a follow-up summary of each of the workshops in a report of the conference proceedings.
- Rhode Island - Sponsors several workshops for SAG members, juvenile justice system personnel, and project personnel. Themes have included JJDP Act; serious youthful offender; and evaluation of delinquency prevention projects.

State Advisory Groups considering sponsorship of a conference may wish to consider the availability of technical assistance which may be requested from OJJDP. The Office encourages SAGs to utilize their own resources for underwriting the expense of bringing outside speakers to appear at conferences; however, for those conferences in which technical assistance has been used for the planning and organization, limited assistance may be available for retaining resource people not otherwise obtainable and who are considered critical to the success of the conference. Technical assistance may be requested for

- aid in developing the conference agenda and format,
- aid in identification of resource persons for conference presentors, and
- identification of relevant publications available to distribute to conference participants. Some documents are available in quantities for distribution.

Several states have become active in the formulation and passage of a legislative program. These efforts have met with varying degrees of success.

- Idaho - Drafted and had introduced DSO legislation.
- Louisiana - Reacts to legislation impacting on the state's juvenile justice system.
- Rhode Island - Has drafted and had introduced legislation for the improvement of the juvenile justice system.
 - Reviews all legislation relating to the juvenile justice system and drafts a SAG position.
 - Position communicated either as a group or by individuals.
 - Study of legislation useful whether or not the SAG can arrive at a SAG position.

Pennsylvania is an example of a state wherein the SAG was involved in every aspect of the successful enactment of legislation removing status offenders from the jurisdiction of the juvenile justice system. The process is significant.

- The planning process, consisting of a two-day session during which small groups participated in a consensus building process, developed the need for the proposed legislation.
- A four part strategy was agreed to and task forces formed for each strategy component.
 - Legislation - This group formulated the legislation and monitored its progress. Key legislators were part of the SAG and introduced the program.
 - Public Education - Coordinated full-day regional conferences in each of the 8 planning regions which were co-chaired with local officials and which explained the importance of the JJDP Act and DSO.
 - Funding - Group developed plan for financing the proposed program. This plan, which was endorsed by the SPA, included dedicating all JJDP Act funds for implementation of the legislation until the goals were met and making all LEAA funds awarded to counties contingent upon compliance with DSO policy.
 - Regulation Group - Worked with the Department of Public Welfare to develop regulations implementing existing laws and to establish citizen involvement on Department of Public Welfare inspection teams monitoring for compliance. The subcommittee also developed and funded

a program with the Attorney General for prosecuting violators of DSO and separation requirements.

- Entire SAG membership, using data supplied by the SPA staff, was involved in making contacts with state legislators and other influential persons.

This is an example of one successful endeavor by a SAG to implement changes perceived by the SAG as being needed. It provides a case study in the proper preparation and follow through on a planned course of action. Key elements were:

- Advanced preparation - Most observers of the political process feel that months of preparation are necessary before a legislative session to successfully enact legislation.
- Staff-SAG support - The staff fulfilled its information gathering and dissemination role and the SAG used the information effectively.
- Widespread involvement - Through the public education task force, individuals throughout the state participated.
- Utilization of power base - Key legislative and executive branch leadership was recruited early and assumed leadership responsibility for the passage of this program.
- SAG and SPA had a cooperative relationship and a common policy base from which to operate.

There are numerous resources available to State Advisory Groups interested in bringing about changes in public policy either through legislative changes or in changing administrative practices.

- State Advisory Groups wishing to develop legislative programs may want to refer to Skills for Impact, a publication of the Association of Junior Leagues, Inc. and written by Benjamin Broox McIntyre of the Institute of Government, University of Georgia. This publication, while aimed at the needs of the sponsoring organization, provides step-by-step instructions for political and community action.
- Technical assistance is available to SAGs to aid in the development of legislation advancing the goals of the JJDP Act. This technical assistance may be requested through OJJDP.
- Organizations such as the League of Women Voters, Common Cause, and the Sierra Club have "how to" information for bringing about statutory changes.
- Some states have other child advocacy groups involved with legislation development with which SAGs may get involved.

- Involvement may be active and visible such as with a formal coalition of several groups.
- Involvement may be subtle and behind the scenes with SAG members participating as individuals or the SAG preparing documents for use by other groups.
- Each SAG must evaluate their own political situation and develop a mode of operation appropriate to that status.

Some State Advisory Groups have been active in the development of standards and goals for the juvenile justice system.

- New Mexico - Developed juvenile justice standards and goals after having extensive public hearings. Additional public input was garnered through the publication of a supplemental section in every Sunday newspaper throughout the state. Over 4,000 responses were received from a questionnaire included in the supplement.
- Colorado - SAG assisted in the development of standards for residential care and then helped establish a citizen monitoring program to ascertain the quality of care being provided.

A few State Advisory Groups have become involved with the monitoring of jails and detention facilities to determine the degree of compliance to the Act's requirements. This involvement has taken different forms.

- Louisiana - Uses part of the SAG's allocation to print the annual monitoring report and distribute it to all of the facilities along with an appreciation certificate for their cooperation.
- Idaho - Uses part of their allocation to contract for monitoring services.
- Virginia - SAG members participate as part of the certification teams for the Department of Corrections.

As the interest in juvenile delinquency prevention has intensified, some State Advisory Groups are assuming a leadership role in the development of delinquency prevention strategies for their states.

- Many states have delinquency prevention committees.
- Colorado - Sponsored the development of a delinquency prevention concept paper from which a request for proposal was developed and a project funded with the Colorado Department of Education.
- New Mexico - Has a delinquency prevention subcommittee receiving technical assistance in the development of delinquency prevention strategies appropriate to that state and the development of funding guidelines.

- Maine - Held one day orientation for entire SAG membership to be followed the next day by a meeting of a three member prevention subcommittee. Twelve SAG members were present for the subcommittee meeting. Funding guidelines were developed as well as identification of non-funding-related roles for the SAG. One other state agency has incorporated the SAG's prevention concepts into that agency's prevention plans.
- Vermont - SAG made grant to state legislative staff to assess the status of delinquency prevention in the state. SAG members participated on the steering committee for this assessment.
- Louisiana - Conducted survey of SAG members to determine consensus on prevention priorities. Technical assistance was provided in the development and analysis of the survey.

The Office of Juvenile Justice and Delinquency Prevention has identified technical assistance for delinquency prevention programs as a high priority. State Advisory Groups should become familiar with two publications available from OJJDP:

- Delinquency Prevention: Theories and Strategies; and
- State Options for Supporting Delinquency Prevention: A Working Paper.

Technical assistance for SAGs involved with delinquency prevention may be requested from OJJDP by the State Advisory Group.

Other areas of SAG involvement are:

- Idaho - Study of basic police training and making recommendations for more juvenile related training.
- California - State-wide children and youth services needs assessment.
- New York - Funding of studies to resolve pressing issues in their state's juvenile justice system such as juvenile offender laws, security issues, and police juvenile procedure.
- Massachusetts - Establishment of funding resource information section in local library.

State Advisory Group Allocation

Each State Advisory Group has, under the provisions of the JJDP Act, 5% of the minimum allocation available to support its activities and carry out the purposes of the Act. This amounts to \$11,250 for each state and \$2,812.50 for each of the U.S. possessions and trust territories.

- Most states use a portion of these funds to reimburse the members for expenses incurred by them in the performance of their duties.
- Colorado budgets its allocation between their standing committees based on each committee's activity.
- California - SAG submits its work plan and is given additional SPA funds to support SAG projects.
- Oregon - Staffing services for SAG contracted to do research for SAG, draft reports of SAG work, maintain contact with other youth serving organizations for SAG.
- Washington, D.C. - \$25.00 monthly stipend for youth members.
- A growing number of SAGs are utilizing part of their allocations to conduct training and orientation conferences for SAG members.
- Several states indicate that portions of their allocations are used for sending SAG members to national meetings such as the National Conference of State Advisory Groups and National Advisory Committee meetings.

JUVENILE JUSTICE SPECIALIST

The Juvenile Justice Specialists are employees of the State Planning Agency (SPA) responsible for juvenile activities. Typical duties which a Juvenile Justice Specialist may have include:

- preparing the juvenile justice portion of the comprehensive plan;
- reviewing and making staff reports on applications for Law Enforcement Assistance Administration (LEAA) and Office of Juvenile Justice and Delinquency Prevention (OJJDP) projects involving juvenile clients;
- performing project monitoring and evaluation;
- providing technical assistance to applicants and sub-grantees in grant development and implementation;
- representing the SPA on various committees at the state and local level involved with interagency planning, coordination, and funding for children and youth services, including the A-95 review of other agencies' plans;
- responding to correspondence sent to the SPA regarding juvenile matters;
- resolving any special or general conditions attached to the state's formula grant or any special emphasis grant for which the state is the sub-grantee;
- collecting data and analyzing information concerned with juvenile justice for dissemination to legislative groups, the Governor, the SPA supervisory board, the SAG, and the public;
- preparing and presenting speeches at meetings of professional, special interest, and civic groups;
- providing staff support to the State Advisory Group and the SPA supervisory board; and
- preparing policy options on juvenile justice issues for SPA consideration.

The services provided by the Juvenile Justice Specialists for the SAG vary from state to state. The preparation for SAG meetings, including the packets of materials needed by SAG members in preparation for the meetings, is generally the responsibility of the Juvenile Justice Specialist. Included in these packets may be:

- minutes of previous meetings -- preparation of these minutes is almost universally a responsibility of SPA staff;
- written committee reports;
- applications to be reviewed for funding recommendations or summary documents of these applications; and
- documents such as plan components requiring SAG action.

The Juvenile Justice Specialist is a valuable resource to the State Advisory Group and in some states functions as the SAG advocate on the SPA staff, ensuring that the needs of the SAG are met and coordinating other SPA staff support such as secretarial, xeroxing, and mailing.

Several of the State Planning Agencies indicate that a reduction in LEAA funds for planning and grant administration has necessitated a reduction in the staff support once available to the SAG.

The SAG and the SPA have distinct and identifiable roles in the implementation of the Juvenile Justice and Delinquency Prevention (JJDP) Act. The Juvenile Justice Specialist and other SPA staff assigned to support the SAG are participants in the equitable fulfillment of both roles. It is important that any conflict in meeting this dual responsibility be quickly resolved.

If the State Advisory Group feels that their staffing needs are not being met, it may be necessary to reach an agreement with the SPA administrator on the extent to which the SAG can receive support. If you plan to undertake such a negotiation, some considerations are:

- Deal directly with the SPA administrator. The Juvenile Justice Specialist is an employee of the SPA and may not have authority to increase the SPA's support to the SAG. You may, however, suggest to the SPA director that the Juvenile Justice Specialist be included in the negotiations.
- Have specific requirements for staffing identified (in writing if possible) before approaching the SPA. Include tasks, time required, skills, etc.
- Consider using part of the SAG's allocation to employ staff. Several SAGs have used some of their allocations to do this, ranging in degree from purchasing services from the SPA to employing either part-time secretarial assistance (Massachusetts) or hiring a consultant to handle the committee's professional staffing (Oregon).
- Understand the policies under which the Juvenile Justice Specialists fulfill their responsibilities toward the SAG. Attempt to get these in some documented form. If there is a "chain of command" through which information is filtered, identify this process, and personnel involved, and follow it.

PROBLEMS/SOLUTIONS SAGs SHOULD ANTICIPATE

There are a number of problems most SAGs experience as they attempt to organize or in the ongoing conduct of their work. Members come from varied backgrounds, with varied expertise and viewpoints on the field of juvenile justice. Youth members often are unclear as to what role they should be playing on the SAG. Some of the more common difficulties SAGs experience are listed below with suggestions for possible solutions that SAGs can pursue.

Problem: Poor attendance at meetings.

Solutions:

- Use a variety of meeting locations, instead of using the same place for each meeting. This can create more interest in attending.
- Arrange for a pleasant place to meet, e.g., the Governor's Mansion.
- If the Chairperson is an influential and involved person, such as Winthrop Rockefeller, son of the former Governor in Arkansas, or Alice King, wife of the Governor of New Mexico, attendance at meetings tends to be higher.
- For each meeting, have one person that coordinates transportation for all members who have problems attending. Carpooling is one type of coordinating service this person could provide. Transportation can be a particularly difficult problem for some of the youth members.
- Schedule meetings that are sensitive to the time constraints of members, particularly of youth members who may be in a new job. If possible, the Chairperson or, in some cases, the Governor, could write a letter explaining the reasons for a member's need to be absent from work.
- Have some agreement that allows some school credit for the youth member that must miss classes to attend meetings. Again, a letter from the Chairperson or Governor to the principal of the school might expedite this possibility.
- Make sure to give plenty of advance notice to all members for each meeting, so they can adjust their schedules accordingly.
- Schedule an enjoyable activity in conjunction with the meetings, e.g., dinner.

- Explore realistic roles for youth to play at meetings. If a youth member holds a leadership role, there is a more compelling reason for him/her to attend.
- Advanced payment of a youth member's transportation to and from meetings and giving him/her a per diem would ease financial problems that could prevent some youth from attending meetings. The District of Columbia SAG gives its youth members a stipend to prepare for and attend the meetings.
- Create an orientation session that can be delivered to new members specifically, to acquaint them with what the SAG is, what it is trying to accomplish, and what role they can expect to play.
- Arrange for a "buddy system," where a more experienced SAG member is paired with a youth member or new member.
- Create a rule that requires attendance at a certain number of meetings per year in order to retain a seat on the SAG.
- Schedule a meeting with the Governor to report on the activities of the SAG.

Problem: Difficulty in defining a meaningful role for youth members and maintaining their interest and input.

Solutions:

- Some feel that segregating youth members as a special group results in efforts that seem patronizing. It is a very fine line that an SAG must deal with. However, if youth members and their perspectives are truly viewed as a resource, methods can be created to further involve them in SAG activities that also are relevant to them as youth, therefore insuring their input and interest.
- Set up a subcommittee for youth members only. This should be done in conjunction with a youth member being in a leadership role on another regular subcommittee of the SAG. Illinois has done this. Have it be a deliberate charter of the SAG to get youth input into all its activities.
- As is intended in the Act, recognize the youth members as a valuable resource to the SAG. Their perspectives on issues provide a valuable dimension when trying to form a policy on a particular topic.
- Part of defining a meaningful role for youth members is to look at the SAG roles and functions as a whole. If the whole SAG is engaged in grant review, for example, it may become clear that there is a more productive way that a youth

member can use his/her time on the SAG, rather than trying to provide input into the grant review process that a youth member is likely to know little about or have much interest in.

- Be realistic about what roles youth of a certain age bracket can really play or would be interested in playing.
- Have a meeting for youth members before each SAG meeting, in order to get a youth consensus on issues prior to the whole committee meeting. American Samoa does this.
- Have youth do their own agenda for meetings. They can meet as a group in the ways we have suggested above, or in whatever way would enable them to agree on an agenda of items they would like to see addressed in the whole committee meetings. This agenda should be given equal attention, and the issues raised should be addressed in full.
- Provide some symbolic gesture of appreciation for youth's participation on the SAG. A suggestion might be some sort of Gubernatorial Certificate that recognizes the contribution that the youth members have made in the area of juvenile justice.

This is an appropriate place in this discussion to mention that these two problems discussed above really go back to the selection and membership process the SAG goes through during its formative stages. These selections, ideally, should have been made on the basis of maximum interest and availability. If these criteria for membership have been kept in mind during the selection process, the SAG would have a headstart with not only their youth members feeling excited and involved, but the rest of their members as well. Arizona uses a nominating committee for suggesting names to the Governor for filling vacancies and appointing new members.

Problem: a) General confusion as to the appropriate role of the SAG;
b) Role of the SAG within the state's juvenile justice system.

Solutions:

a) General confusion as to the appropriate role of the SAG.

- Refer back to the broad mandate in the Juvenile Justice and Delinquency Prevention Act to define who you are and what you should be doing.
- Look at what other SAGs are doing around the country.
- A clear mandate from the Chief Executive of the state is ideal. Unfortunately, this may not be made available to the SAG. In lieu of this, an SAG must define their own mandate clearly, and in conjunction with the SPA.

In attempting to define appropriate roles for the SAGs in their states, it is helpful to examine ways of enlightening members on what some of those roles could entail. Finding out what other activities in juvenile justice are taking place in their state could be helpful to SAGs in the following ways:

- Make on-site visits to monitor or observe activities of other juvenile justice programs.
- Have SAG members assigned specific programs to visit around the state. This has been done in South Carolina with some success.
- Coordinate with other juvenile justice programs on where to have the SAG meetings. If possible, some SAG meetings could be held at other programs/facilities.
- Build a library. Collect information from reference services and other state agencies. Get the SAG membership on mailing lists for publications distributed on juvenile justice issues in the state.
- Invite speakers to the SAG meetings from other programs in the state, as has been done in Colorado, and have them provide the SAG with literature on their programs to include in, for example, a library the SAG has developed.
- At every SAG meeting, have an educational activity for the members.
- Cultivate contacts with regional advisory boards and regional SPA staff. Florida and Arizona have done this. Be sure that Regional Planning Unit members and staff are invited to attend SAG meetings.

b) Role of the SAG within the state's juvenile justice system.

- When bylaws are written for the SAG, they should be done with a recognition of what an SAG is supposed to be doing and what other groups in the state are doing in juvenile justice.
- Try to determine how you should operate in the context of what other groups in the state are doing.
- Set realistic goals for the SAG. What can you really accomplish in view of the climate in the state?
- Look at your own membership as resources for knowing what is going on with other juvenile justice agencies in the states. The membership of the SAG includes representatives of some of these other juvenile justice groups so they should be able to help organize the SAG's activities around new perspectives with new goals that don't overlap significantly with the perspectives and goals of other juvenile justice agencies also operating in the state.

- If an SAG has another juvenile justice group in the state that has traditionally held a powerful position in a certain area, the SAG should try to avoid a power struggle in that area. You should not attempt to secure a leadership role in an arena where there is known to be a powerful juvenile justice group already operating. Rather, the SAG should accept a supportive role to this other juvenile justice group. You should concentrate on planning your own activities and following them through rather than engaging in a power struggle of a political nature that uses up valuable time and resources that could be spent much more productively.
- Be aware of turf battles that different SAG members are bringing to the committee meetings. An SAG can function as a forum for these differing viewpoints. Indeed, this is one of the intents of the JJDP Act. The SAG should do consensus and coalition-building.
- An SAG should provide an orientation on the juvenile justice system in their state. Arizona, Virginia, Connecticut, and Rhode Island SAGs have all organized such a presentation for their membership. This presentation can take the form of workshops or panels. In addition, the SAG could provide such an orientation to the rest of the juvenile justice system on federal legislation, e.g., the JJDP Act. The SAG could develop into a coordinating body for federal children and youth resources in the state.
- Review other plans for other youth-serving agencies in the state. There are two levels on which to do this: an informal review for informational purposes; and an authority review, as in Montana, where the SAG must sign off on other agencies' plans for use of such funds as Title XX of the Social Security Act, CETA of the Youth Employment Act, Title III of the Runaway Youth Act, or Title IV of the Education Act.

Problem: a) Unclear relationships and coordination with the SPA and Supervisory Board; b) Unclear relationships and coordination with the Governor and Legislature.

Solutions:

- a) Unclear relationships and coordination with the SPA and Supervisory Board.

It should be noted at the outset of this discussion that the relationships between SAGs and the SPA and Supervisory Boards vary as much in nature as do the SAGs themselves. With this in mind, the following are some suggestions we hope will be helpful:

- Refer to the section in the Act that speaks to this relationship, to get a clear idea of what is mandated statutorily.

- Have overlapping membership between the SAG and Supervisory Board, as required by the JSIA.
- Arrange a sharing of annual calendars between the SAG and SPA. This has been done with some success in California.
- Have specific SPA staff designated to work with the SAG.
- Have the SPA review (not approve or disapprove) SAG bylaws. Attempt to get official recognition of the bylaws by policy-making bodies, such as the SPA and Supervisory Board.
- Invite SPA administrators to SAG meetings.
- Establish joint subcommittees made up of SPA and SAG members. Maryland has a joint subcommittee, entitled Better Working Relationships and Credibility, made up of SAG and SPA members.
- As mandated in the juvenile justice legislation, the SAG is advisory to the SPA and Supervisory Board. Any role definitions must emanate from this point. There should not be an adversarial stance between the groups, although complete agreement may be improbable. If at all possible, the SAG should have continual communication and information exchange with the SPA and Supervisory Board, at the same time maintaining its independence.
- In order to be an effective SAG in an advisory capacity, all members must be informed on how the SPA operates; their time frames; and their constraints. For example, SPAs are statutorily limited in terms of broad decision-making powers, such as removing status offenders from jails and detention facilities.

b) Unclear relationship and coordination with the Governor and Legislature.

- Prepare testimony on matters affecting youth in the state, to present to the Legislature.
- Identify who on the Governor's staff is most concerned with SAG issues and the SAG agenda and then attempt to work directly with this staff member(s).
- Offer to review the Governor's budget and other documents so the SAG can provide advice on these.
- Get involved very early in the legislative process in order to have maximum effectiveness.
 - SAG members may testify on issues at legislative hearings.
 - SAGs may sponsor public hearings to examine legislative needs.

- If the SAG takes a position, the SAG needs to clearly articulate the position and representations of that position by SAG members must be consistent.
 - The SAG should designate a person or persons to coordinate SAG responses to legislation and the SAG's participation in the legislative process.
- Conduct a breakfast for the legislative leadership, the heads of juvenile justice related committees, and their own representatives; as well as legislative staff members who are setting up agendas for the year. The purpose of such a get together would be to let these people know the SAG is there as an informed resource and is part of their constituency with vital interests in children and youth matters.
 - Take a proactive stance with the Governor and Legislature.
 - Stay informed on what public interest groups in the state have in the works. Purchase a subscription to a legislative review service. The League of Women Voters is also a good resource for this.

Problem: Weak leadership on the part of the SAG Chair.

Solutions:

- Arizona and Maine elect their own Chairs, but most SAG Chairs are appointed by the state's Governor.
- Have a clear definition of what the SAG leadership is expected to do.
- When the Governor appoints a titular head, have it spelled out in the bylaws that actual operating authority lies with the Vice-Chair, as well.
- Have a strong, organized SAG with an Executive Committee or Steering Committee established to lead the SAG, so this function is not left to one individual.
- Have clear bylaws and a strong committee structure as protection against this kind of weak leadership from a purely political appointment.

Problem: Lack of information about in-state and out-of-state juvenile justice matters.

Solutions:

- Attend the National SAG Conferences.

- Obtain information on out-of-state juvenile justice matters, by attending conferences in other states dealing with juvenile justice issues.
- Subscribe to a large variety of newsletters, e.g., NCJRS, Change, the reports from NAC meetings, Juvenile Justice Digest, the National Network of Runaways and Youth Services, Child Welfare Resource Information Exchange, Youth Alternatives published by the National Youth Work Alliance. There are many others. Virtually every federal agency has a clearinghouse and data bases with abstracts that are available upon request. Calling the Public Affairs Office of each federal agency can often yield useful information. Send a listing of all SAG members' names and addresses when subscribing to publications or when requesting information.
- Request technical assistance through the OJJDP as well as through other federal agencies. (Refer to section on what resources for juveniles other federal agencies have.)
- Form regional coalitions, e.g., the Ad Hoc Regional Committee formed at the St. Louis SAG Conference. It was decided at the meeting of the SAG Chairs that SAGs wish to take the lead in determining the shape their organization will take and to what areas their energies will be directed. The SAGs are now, through an informal regional network, identifying their major concerns, one of which is reauthorization of the JJDP Act. These concerns will be consolidated by Mr. James Doolan, Chair of the Maryland SAG, who has been elected as the national representative for the group. There are 10 members of the Committee, one from each federal region (see Appendix 8). SAGs will naturally be cautious in choosing their alignments with other organizations and agencies. Since they are just beginning to relate to one another, they naturally wish to avoid situations where their interests could be taken over by other more organized, structured interest groups.

Problem: Lack of planning/advocacy skills.

Solutions:

- Technical assistance is available through the OJJDP, as discussed in previous sections.
- Connect up with other advocacy groups, not necessarily in the justice system, e.g., AFL-CIO, Rotary, League of Women Voters.
- Make use of the resources offered by public interest and special interest groups in the state.

Problem: Problems with federal language system (e.g., LEAA, CFE, etc.).

Solutions:

- Reference the glossary in the back of the manual, which includes all the terms requiring clarification used in the manual.
- Make up your own glossary of your state's terms, for easy reference.
- Avoid using jargon and try to encourage the use of plain language at SAG meetings.

Problem: Confusion on how best to organize the working of the SAG, e.g., policies and procedures, bylaws, committees.

Solutions:

- In the section of the manual that discusses bylaws in detail, as well as in the Appendices that compare the bylaws of several states, SAGs can select components for their bylaws that suit their needs.
- A comprehensive set of bylaws should serve the following important purposes:
 - to establish mutual understandings,
 - to set rules of procedure,
 - to establish SAG structure, and
 - to ensure continuity of purpose and effort even when membership changes.
- Depending on the needs of the SAG, a few standing committees can be formed, such as an Executive Committee or Steering Committee, with other committees formed on an ad hoc basis, or the Chair can simply create committees on an as needed basis as time passes. Subcommittees can also be formed on the same basis.

Problem: How to secure cooperation of Governor's Office on making non-political appointments.

Solutions:

- Ask Governor to establish a set term of membership, e.g., 2 years.
- Develop a Resource List with names that can be called on to make appropriate appointment suggestions.
- Form a Nominating Committee, as has been done by the Arizona SAG, that has ultimate responsibility for nominating candidates that have the level of interest and availability that constitute a productive member.

- A good relationship with the Governor's Office that allows input by the SAG also helps avoid problems in this area; some Governors have appointment secretaries responsible for coordinating gubernatorial appointments for boards and commissions; contact should be cultivated with this person.

Problem: Turnover and delays in appointments to the SAG.

Solutions:

- These are problems that almost all SAGs have had to deal with from time to time. Making well-thought-out appointments to the SAG at the beginning and having a good relationship with the policy-making groups in the state all help to reduce the severity of the turnover and appointment delay problems.
- To lessen the time consumed in orienting new members, the SAG could develop a standard orientation kit that includes documentation from in-state programs, as well as general procedural information that any new member would need to know.
- New members should be involved as quickly as possible in meaningful SAG activities, to capture their interest and ensure their input.
- Again, pairing a new member with a more experienced member would be useful.

Problem: Unclear relationship to the state's Judicial Planning Committee.

Solutions:

- The federal legislative requirement basically states that the Judicial Planning Committee (or the Judicial Coordinating Committee, as it is called in the new Justice Improvement Act), must develop a statewide judicial plan. This Committee reviews all grants from the judicial branch of the state government. Members include the Chief Judge of the state's Court of Last Resort, as Chair, with other representatives of the courts as members. Out of the state's planning money, \$50,000 must be allocated for use by the Judicial Planning Committee.
- It is not mandated in the legislation that the JPC have their grants reviewed by the SAG. If the JPC allows the SAG to look at their grants, it is a courtesy rather than a requirement.
- New Mexico's SAG has two members of the JPC on the SAG. This facilitates communication between the two groups and allows the SAG to do a programmatic review of the grants that JPD receives. JPC often reviews grants from a purely legal standpoint without examining a grant's programmatic attributes as thoroughly as might be hoped. In this situation, it is helpful for the SAG to be able to see the grant to be sure that a worthwhile grant, from a programmatic standpoint, has not been rejected solely because of

some legal difficulties. Grants can be approved with provisos that solve the legal questions.

The ideas set forth in this section are intended to stimulate thought among SAG members on innovative approaches to some of their organizational and operational problems. Increased SAG communication through the Ad Hoc Regional SAG Commission, at the National SAG Conference, and on an informal basis between SAGs will also help to alleviate problems.

FEDERAL AGENCIES WITH RESOURCES FOR JUVENILES

There is a tendency among those working in the field to assume that most programs and services for youth emanate out of the OJJDP/LEAA. However, there are also a considerable number of programs designed to serve youth than emanate out of other federal agencies, that SAGs should know about.

This section will describe a sampling of these programs so that SAG members are made aware of some other resources for youth that are available to them as options when considering alternatives for youth in their states.

Youth Conservation Corps (YCC) -- U.S. Department of Agriculture/U.S. Forest Service/Department of Interior

The Youth Conservation Corps is managed by the above three federal agencies. It was established to provide youth with employment on federal and non-federal lands and to instill a concern and understanding in these youth of the importance of natural resources and their preservation. The program's goal is to help youth prepare for future management of natural resources by providing gainful employment during the summer months in an outdoor atmosphere.

YCC serves youth aged 15-18, regardless of social, economic, or educational restrictions. The only firm criteria is that participants must be residents of the U.S. or its territories and possessions.

Participants are paid federal or state minimum wage, whichever is higher, by the administering agency.

YCC campsites and non-residential facilities are chosen according to availability of existing facilities that can be prepared for YCC occupancy with minimal money and effort, and also have the potential for development of conservation projects that will be beneficial for participants and for public lands.

For FY 1979, \$60M was appropriated for YCC. Money is annually appropriated to the USDA, USFS, and half of these appropriations are then given by the USFS to the DOI. Fifteen percent of each federal agency's money is then appropriated to the states. The state grants are formula grants on an 80/20 basis. Any public organization, municipality, or agency can apply through a state to operate a YCC program. Public or private non-profit agencies that have been established for at least 5 years are also eligible to operate a YCC project as a sub-grantee for a state. For FY 80, this program's funding has been cut in half. The impact of this is not yet known.

The programs that have proven the most beneficial are those which have worked jointly with local governments.

YCC does not make special provisions for youth in the juvenile justice system. There are no provisions to deal with probation offices, courts, or programs relating to pre-status offenders, status offenders, or delinquents.

4-H Program -- U.S. Department of Agriculture/Cooperation Extension Service, state land grant universities, and county governments.

This program is designed to offer to youth in urban and rural areas basic learning experiences in personal development, agriculture, home economics, science, community service, citizenship, and leadership. Communities can organize 4-H Clubs, project clubs around a single subject area, special interest groups which are short term and intensive, Television Teaching (a specially developed series of programs for 4-H members), and the 4-H Expanded Food and Nutrition Education Program.

In 1978, over 5 million youth participated in the 4-H program, the largest percentage of which lived in rural areas. However, over the past several years, there has been an increasing emphasis on the expansion of 4-H programs in urban areas and thus reaching more minority youth. 4-H has also aimed its concern at handicapped and other disadvantaged youth.

The 4-H program is guided to a large degree by the National 4-H Council. This not-for-profit corporation acts as liaison between private businesses which support the 4-H idea and the government. The National 4-H Council operates on a \$9M annual budget and provides a variety of activities.

In 1979, the 4-H programs were funded by the federal government (\$57M), the state governments (\$63M), and county and city governments (\$30M). In addition, the programs received private support and assistance of some 600,000 volunteers.

The 4-H charter is broad. Efforts have been made to use the resources in this program to help youth in the juvenile justice system. Two programs operated out of two land grant universities -- Utah State University and Michigan State University -- have focused on the needs of these youth.

Alcohol Formula Grants -- DHEW, Grants Management Branch, National Institute of Alcohol Abuse and Alcoholism (NIAAA).

These grants are designed to provide money for the prevention and treatment of alcohol-related problems. Federal monies are awarded to states on a formula basis mandated by Congress. The regulations that govern services to be provided are enacted in the Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1970 and dictate the kind of plan to be funded once submitted by the state government. Once the formula has been applied and money has been awarded, the grant is administered by one of the ten regional offices of the DHEW.

The Alcohol, Drug Abuse, and Mental Health Administration is the umbrella agency for NIAAA. NIAAA's budget was \$56.8M from a total of \$175M awarded to the Administration as a whole. In 1978, NIAAA funded 9 youth programs at a level of \$1.3M around the treatment of alcohol abuse. In the future, in the youth area, grants will be awarded to study referrals to residential treatment centers.

Drug Abuse Prevention Formula Grants -- National Institute on Drug Abuse, DHEW.

The purpose of the Drug Abuse Prevention Formula Grant is to allow state governments to determine particular needs and services for their own state. States desiring funding under this program must submit a state plan. The terms of this plan are prescribed in Federal Law PL 92-225, Section 409(3), as amended, entitled the Drug Abuse Offensive and Treatment Act of 1972. If the plan is approved by NIDA, the state receives its formula grant allocation which is administered by the state agency for drug abuse prevention. In 1979, funds totalling \$40M were allocated among the states and U.S. territories, according to a formula based on population, per capita income of state residents, and overall state appropriation for drug abuse.

The goal of the Drug Abuse Prevention Formula Grant is to offer federal spending for states seeking to curb the abuse of drugs. With respect to youth, this concern is limited to those eighteen years of age or under. The NIDA works together with the OJJDP of the LEAA to promote efforts preventing drug abuse among youth.

Beneficiaries of state plans are the adult population as well as youth. There are no statistics available on the exact number of youth served by this program.

Alcohol Research Programs -- Division of Research, NIAAA, DHEW.

The Division of Research is a focal point of national research around the prevention and treatment of alcoholism. It encourages and supports basic and applied investigations in universities, medical schools, research laboratories, and other non-profit institutions.

Grants are the main vehicle of federal funding. In addition, national centers have been created at institutions of higher learning for alcohol research. Intramural programs are in-house efforts to research factors in the prevention, diagnosis, treatment, and rehabilitation of alcoholism.

Drug Abuse Education Program -- Manpower and Training Branch of the Department HEW, National Institute of Drug Abuse.

The purpose of the Drug Abuse Education Program is to develop a training program for drug abuse treatment personnel. Primary efforts are aimed at state governments to educate their employees.

The goal of the Program is to reduce the use of destructive narcotics among youth through the development, implementation, and evaluation of comprehensive drug abuse and drug prevention instruction.

The budget of the Program is managed by the NIDA. Annually, allocations are made by Congress. For 1979, money was allocated in the following manner: \$10M for training; \$6.5M for contracts; and \$3.5M to grants and fellowships.

National technical assistance is facilitated by five Regional Centers which manage the technical assistance efforts. The State Training Support Program has the responsibility to hire qualified instructors to teach 30 courses available. The courses are designed to improve counseling and interviewing techniques. Additionally, substantive courses are available to make participants more aware of the needs of women and adolescents. Future plans include introducing courses in family counseling.

The number of youths benefiting from this program is currently being evaluated by the National Prevention Evaluation Research Network Project, which is seeking to standardize evaluations of drug abuse prevention programs. Preliminary results are expected in early 1980.

Drug Abuse Research -- Division of Research at the NIDA, DHEW.

The purpose of the Division of Research, NIDA, is to support basic and applied research in the area of drug abuse. The Division conducts research in the areas of the causes and treatment of drug abuse, specifically in the areas of clinical research, prevention and education, and the physiological and behavioral effects of drugs. The Division also studies other habitual disorders as well.

In order to achieve its goal of excellence in research, the Division collaborates with other government laboratories, universities, medical schools, and scientific organizations to operate basic and clinical research on drug abuse and its effects.

The Division of Research was funded at a level of \$42.9 million in 1979. The total program budget allocated for youth in 1978 was \$3.3 million. While adults are the primary beneficiaries of the drug abuse treatment facilities, youth, less than 18 years of age, constituted approximately 10% of 213,000,000 individuals treated in 1978.

Even though NIDA programs have no direct relationship with the JJDP Act, some studies have looked at the relationship between drug abuse and criminal behavior. For the past seven years, the Division has been conducting a study of particular youths who are drug abusers and involved in criminal activity. The LEAA has provided the funds for this study.

Alcohol and Drug Education Program -- Office of Alcohol and Drug Abuse Education, Department of Health, Education, and Welfare.

The purpose of the Office of Alcohol and Drug Abuse Education is to teach youths about the characteristics of stimulants and drugs. The audience is comprised of public school youth. One of five Training Resource Centers across the country is responsible for working with 1800 school districts to implement this program.

The overall goal of this effort is to encourage health, psychological, and social growth among youth. The Training Resource Centers work in teams toward this goal. Located in New York, Florida, Illinois, Texas, and California, they are affiliated with various universities to provide

the latest techniques in the areas of problem definition, communication, needs assessment, conflict resolution, and negotiation. Ten days of residential training is offered to educators. Contracts for technical assistance are available for two years upon completion of this training.

The Office of Alcohol and Drug Abuse received \$2 million in 1979 from DHEW to administer this program. In 1980, \$3 million will be made available. With these funds, the agency is able to subcontract with Training Resource Centers and local school districts to promote its activities. More than a million youth have benefited from its efforts since the program began.

Currently, the Office of Alcohol and Drug Education is enmeshed in another important program. The Office of Juvenile Justice and Delinquency Prevention and the Office of Alcohol and Drug Education have entered into a three-year interagency agreement entitled the School Team Approach to Preventing School Crime and Disruptive Behavior. Funding has totaled \$4 million to date. The purpose of this program is to group schools and coordinate instruction among trainees regarding narcotic abuse and the prevention of criminal misconduct. A primary focus is teenagers in the urban schools and the extent of drug abuse and criminal behavior by that population. OJJDP is now evaluating this program in light of its impact and role in the prevention of criminal and disruptive behavior in the schools.

Dropout Prevention -- DHEW, Office of Education; ESEA (Elementary and Secondary Education Act) Title IV, Part C via formula grants to Local Educational Agencies through state agencies.

Three programs operated under Title IV, Part C are: Supplemental Education Centers and Services (except guidance, counseling, and testing); Dropout Prevention Projects; and Nutrition and Health. The Dropout Prevention Projects will be examined here.

The purpose of ESEA, Title IV, Part C as it relates to dropout prevention was to support demonstration projects involving the use of innovative methods, systems, and materials which show potential in the reduction of the number of children who do not complete their secondary school education. These projects were to be implemented in schools which (a) are located in urban or rural areas, and (b) have a high percentage of children that do not complete their secondary school education.

Title IV-C states that funds requested for the next fiscal year must be equal to or greater than the previous year's request. In the event that this mandate was not followed, all program categories under Title IV-C would divide into their own individual programs.

Educationally Deprived Children in Administered Institutions Serving Neglected and Delinquent Children -- Title I of the ESEA; Office of Education, DHEW.

Title I funds are distributed by the State Departments of Education to private and state-operated institutions which qualify for assistance.

Funds are available to state agencies that operate school programs for delinquent and neglected children, and to local and private non-profit institutions or facilities serving delinquent or neglected children.

Title I supplies funding to 3 areas: children in institutions, migrant children, and educationally deprived children in low income areas. Children in institutions receive the smallest percentage of money from the total budget as evidenced in the FY 1979 budget breakdown:

Low Income Children	\$2,355,707,000
Migrant Children	\$ 173,548,839
Children in Institutions	\$ 31,807,484

Allocations for Children in Institutions stayed at virtually the same level as in 1978, where funds for Low Income Children and Migrant Children increased from 1978 to 1979.

The specific areas which are addressed by Title I - Educationally Deprived Children in Administered Institutions Serving Neglected and Delinquent Children are: 1) improvement of teaching for youth in institutions; 2) improvement of curriculum for youth in institutions; 3) additional educational tools for learning and teaching; and 4) any other basic educational skills as needed for these youth.

Title I has a tendency to support large institutions rather than smaller, community-based programs. This is in contrast to Section 224(a)(2) of the JJDP Act which places larger emphasis on community-based programs rather than institutions.

Although it is evident that the total scope of this program is on serving youth, it is also evident that the program does not substantially deal with youth who are involved in the juvenile justice system.

Programs for Youth with Learning Disabilities -- DHEW, Office of Education, PL 91-230-Title VI.

This program is in the final stages of operation, and new programs are no longer being funded under this separate section. Instead, the Education of All Handicapped Children Act, PL 94-142, passed in 1975, defined specific learning disabilities as a handicap, therefore eliminating a special section for the learning disabled child.

The last new programs under PL 91-230, Title VI, were funded in 1977. Each 3 year grant will terminate in 1980. These programs, in order to continue, will need to be picked up under another source, possibly under PL 94-142.

The purpose of the programs funded under PL 91-230 was several-fold. One was to encourage creativity in developing programs to meet the needs of the learning disabled child. Another was to support research related to the education of the learning disabled child. Additional educational and professional training was also supported for those persons who were responsible for the education of this type of child. A third type of program supported under this section was the establishment and operation

of model centers for the purpose of improving the education of the learning disabled child.

Funding for programs under PL 91-230, Title VI was awarded to public or non-profit agencies, organizations, or institutions, colleges, state and local educational agencies and organizations, and research agencies. All children with learning disabilities were eligible for this program.

Runaway Youth Program -- DHEW, Office of Youth Development.

The Runaway Youth Act, Title III of the Juvenile Justice and Delinquency Prevention Act, was signed into law in 1974 and Congress extended this Act in 1977 for an additional 3 year period. This Act awards grants and provides technical assistance to non-profit agencies and localities for the purpose of developing local facilities to deal with the needs of runaway youth in a manner consistent with but outside the traditional law enforcement and juvenile justice system. The goals of this program are to:

- alleviate the problems of runaway youth;
- reunite youth with their families and encourage resolution of intrafamily problems through counseling and other services;
- strengthen family relationships and encourage stable living conditions for youth; and
- help youth decide upon a future course of action.

The funding level for this program in 1979 was \$11 million which is expected to remain the same in 1980. There were 166 projects funded in 1978, and 165 funded in 1979. The Runaway Youth Program is active in 48 states, Guam, Puerto Rico, and Washington, D.C. The average project grant is \$62,000.

The program is monitored on a monthly basis. The average age of a runaway is 14 years old and 59% are female. The bulk of the population served is caucasian. The majority of the youth are categorized as homeless and approximately 30% of youth serviced are referred by police, courts, and correctional agencies.

In 1978, 32,000 youths were served in shelter facilities and 42,000 youths were served in 1979. An additional 135,000 youths received services such as counseling, drop-in, or hotline assistance in 1978 and approximately 200,000 were helped in 1979.

No additional funding is expected for 1980. Therefore there will probably not be any new projects. Three years is the usual project life for funding purposes and there is no policy for termination of funding. Therefore, funding for an individual project could continue indefinitely if the program continued to reapply while meeting programmatic and legislative guidelines.

Child Abuse Neglect Prevention and Treatment -- DHEW, Office of Child Development.

The Child Abuse Neglect Prevention and Treatment Act, as amended in April, 1978, established the National Center on Child Abuse and Neglect and set its mandates.

The Center funds research and demonstration projects, provides grants to eligible states to enhance their child protective service system, and collects and disseminates information on preventing child abuse and neglect. The emphasis is on knowledge development, not service delivery.

The budget was \$18,928,000 for 1979 and has remained constant since 1976. In order for a state to receive a grant it must meet ten eligibility requirements. The National Center announces its priorities in the Federal Register and as it reviews unsolicited proposals, its main thrust is funding research and demonstration projects in line with its priorities. Their priorities have shifted from identification and treatment of child abuse toward prevention of child abuse. In 1979, the two major prevention activities were: 1) to test strategies for state and county agencies to deal with parental self-referrals, and 2) to test primary prevention in areas of information and referral programs, pre-natal programs in hospitals, and parental education and enhancement of coping skills.

Child Welfare Services -- DHEW, Office of Human Development, Administration of Children, Youth and Families.

Title IV-B -- Child Welfare Services -- was authorized in 1935 when the Social Security Act was established. This program provides social services to youth and their families in the form of substitute or supplemental parental care.

Title IV-B provides social services under three separate categories: Child Welfare Research Demonstration and Evaluation Program; Child Welfare Service Training Program; and Child Welfare Services. Child Welfare Services will be discussed here.

The primary goal of Child Welfare Services is to provide services to children that will enable them to remain in their own homes. When this is not possible, the secondary goal would be protective services. These protective services would cover alternative placements for children who cannot remain in their own homes. All children and their families are eligible for Title IV-B funds under Child Welfare Services, regardless of income or economic status.

In 1979, \$56.5 million was appropriated for use in the Child Welfare Services Program. Title IV-B is presently awaiting the passage of new amendments to change the present scope of the programs. The new amendments would place greater emphasis on preventive services and would require a greater amount of cooperation by the states who participate in Title IV-B efforts. Specifically, the new amendments would place more requirements on the states in terms of decreasing out-of-home placements, providing more supportive services to children and their families, requiring states to develop a

thorough and concise tracking system for Title IV-B recipients, and requiring greater reporting by states as to the exact amounts of services, clients, and expenditures in both protective and preventive fields. Passage of these amendments would mean an increase in allocations to \$119.5 million for 1980. If the amendments fail, allocations for 1980 will equal allocations for 1979. It is clear that the passage of these amendments could have a major impact on the services provided by Title IV-B.

Education Research and Development (ERIC) -- National Institute of Education, DHEW.

The primary focus of this program is research and dissemination of information to educators. The ERIC System is responsible for preparing abstracts of education journals, and provides technical assistance in the area of school improvement. The goal is to determine what services are effective in bringing about school improvement and how current knowledge can be utilized for this purpose.

The budget for FY 1979 was \$2,780,000 and the FY 1980 budget is \$2,450,000. The reduction in allocations is the result of an overall 7% cut in NIE funding which affects this program along with all others under NIE.

In 1980, grants will be competitive. This is to allow those persons and organizations in the field to demonstrate how existing knowledge can be used.

Indian Social Services - Child Welfare Assistance -- General Assistance Program of the Indian Social Services, Bureau of Indian Affairs, U.S. Department of Interior.

The goal of this program is to provide social services to children and their families on or near every major reservation and also in Oklahoma and Alaska when assistance is not available through other local resources. Another goal of this program is to keep Indian youth and their families together. Specific services offered to youth would include foster care, group care, counseling, and the identification of handicapped youth. Referral services are also made available to fulfill the needs of the youth and their families.

The services provided to the youth and families are done through the tribal governments or organizations which are the direct recipients of the funds. Total appropriations for 1979 were approximately \$80 million, with \$3.8 million of that money specified for on-going Child Welfare Program.

Dependent, neglected, and/or handicapped Indian children who reside on or near the Indian reservations are eligible for services under this program. The persons in Alaska and Oklahoma who reside in areas that are under control of the Bureau of Indian Affairs are also eligible to receive services.

The relationship between the Indian tribes and the Bureau of Indian Affairs must be understood before an understanding can be attained of the scope of

services offered by the BIA. Tribal courts are maintained by tribes to deal with most offenses that are committed on reservations. Juveniles or adults who commit serious felonies on tribal lands are referred to federal district court. If a crime is committed off the reservation, the person is automatically referred to the state and local courts. When Indian children are declared delinquent by federal courts, they are referred to the Bureau of Prisons; when they are adjudicated by state and local courts as status offenders or commit a criminal offense, they will either receive services offered by that court or be referred back to the tribal courts or social service departments. BIA will only provide services to youth referred from tribal courts, youth or families who request services, or in a limited number of cases, to youth from the federal, state, or local courts by order of the court. Most BIA placements are for youth who are abused, dependent, or neglected. BIA explores the possibility of foster care first whenever placements are needed. Over 50% of placements for youth out of their homes are in foster care which usually is on the same reservation. The remainder of the placements are made in places such as group homes, mental facilities, and facilities for handicapped youth.

Youth Employment - Comprehensive Employment Training Act -- Department of Labor.

Through CETA, block grants are awarded to state and local government units, who serve as CETA Prime Sponsors. The goal of CETA is to provide a balanced and well-developed network of employment and training programs to assist the disadvantaged, unemployed, and underemployed in becoming self-sufficient, contributing members of the economy. This is accomplished through a variety of education, skill training, and work experience programs that increase employment opportunities for the participants.

CETA makes provisions for youth exclusively under Title IV - Youth Programs, and Title VIII - Young Adult Conservation Corps. Under Title II and Title III, some opportunities are available to youth, but participants can also be adults.

In 1977, President Carter signed the Youth Employment and Demonstration Projects Act and with this Act, four youth programs were established. In 1979, Congress reauthorized this legislation and youth programs were reclassified under Title IV of CETA. The four programs authorized were:

- Youth Incentive Pilot Projects,
- Youth Community Conservation and Improvement Projects,
- Youth Employment and Training Programs, and
- Young Adult Conservation Corps.

CETA for 1979 was in a transitional phase. Funding under Title IV is expected to end this year and some programs face termination. It has also been determined that the program, by nature of its funding practices, discourages the inclusion of court-related youth. In only one program is emphasis given to obtain referrals from courts and other jurisdictions over status offenders. In many of the programs, funding is contingent upon successful job placements and numbers of jobs that go from temporary to permanent, therefore discouraging these court-related youth.

Department of Defense Dependents School -- Department of Defense

The purpose of the Department of Defense Dependents Schools is to maintain a school system which provides high quality educational opportunities to elementary and secondary school youth. The schools are geared to educate dependents of U.S. military and civilian personnel assigned overseas. Dependents in the school system total 135,000.

DOD must maintain schools abroad in adequate numbers and types, properly staffed and equipped, to provide quality education to all DOD dependents through thirteen years of school. Curriculum includes subjects to meet academic as well as vocational needs. Curriculum development and extra-curricular activities that focus on intercultural education and experiences are available in these schools, whereas stateside, this added dimension is unavailable.

Tuition arrangements are made with non-DOD schools for eligible DOD dependents residing in locations where low student populations do not warrant the operation of a DOD school. These schools may be independent, private, or local public schools which are certified by DOD. All DOD Dependent Schools are under the overall policy control of the Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs). The School system is made up of 261 schools at 160 different locations in 25 countries around the world. The budget is allocated by five Regional Directors stationed in Europe, Africa, the Middle East, and the Pacific. Allocations serve all educational needs as well as the costs of moving teachers abroad, supplying textbooks, and maintaining the facilities. In 1979, Congressional funding totaled \$298 million. Federal monies are limited to \$135 million. DOD Dependent Schools are not involved in JJDP Act activities.

Social Security Act: Title XX -- Public Services Administration, Social and Rehabilitative Services, DHEW.

Title XX of the Social Security Act, unlike other programs described herein, does not primarily perform on a federal level, but the states play a major role in the identification and formulation of programs which utilize Title XX funds as needed in their particular area. Therefore, Title XX is open to interpretation by the states for their own purposes.

Title XX helps states to identify needs and priorities in terms of problems pertaining to their own children and families. Funding is awarded to each state for disbursement of funds for specific programs specified in each state's plan. Programs and eligibility requirements vary widely from state to state as established by a planning process which requires public participation in its development.

The specific services and programs supported by Title XX monies are those that encourage and aid individuals to obtain self-support and self-care. Federal law mandates that states provide nine services with their Title XX funds. These are:

- employment assistance and counseling,
- adoption,
- early diagnosis and treatment of chronic and potential illness,
- foster care,
- family planning,
- various information and referral services,
- day care,
- placement and protective services for children who are abused, neglected, or exploited, and
- services for the elderly and disabled.

Programs which primarily deal with youth are:

- emergency shelter care and facilities,
- assistance for handicapped or abused children,
- employment referral networks for unemployed youth,
- assistance to children whose parents must work, and
- counseling services for youth in crisis situations.

Title XX was established in 1975 with an annual ceiling of \$2.5 billion. In 1978, an additional \$200 million was appropriated for states for the purpose of day care funding with a 100% federal match. In 1979, an additional \$200 million was appropriated for Title XX, raising the ceiling to \$2.9 billion. Over 50% of the total funds are used for programs for children and families. Title XX funds cannot be used for existing programs.

Two problem areas with Title XX are as follows. Because of the planning process mandated by Title XX, it is difficult to determine the actual thrust of a program without a close analysis on a state level, since eligibility requirements vary from state to state. Another problem is that the annual ceiling has not increased as rapidly as the inflation rate. Yearly increases in expenditures represent a decrease in total real dollars for program spending purposes.

These programs offer a wide array of services for youth in different problem areas. As stated previously, this is not a complete listing of all federal programs with services for youth, but it is included in hopes of acquainting SAGs with a variety of options to consider when examining alternatives for youth in their states.

GLOSSARY

- Accused juvenile offender** A juvenile with respect to whom a petition has been filed in the juvenile court alleging that such juvenile is a criminal-type offender or is a status offender and no final adjudication has been made by the juvenile court.
- Adjudicated juvenile offender** A juvenile with respect to whom the juvenile court has determined that such juvenile is a criminal-type offender or is a status offender.
- Advance techniques** Programs which provide opportunities for delinquency prevention and diversion of juveniles from the juvenile justice system and which expand the diversity of alternatives within the juvenile justice system.
- Assessment Centers** Established by the National Institute for Juvenile Justice and Delinquency Prevention for the purpose of collection assessment, synthesis of research data, and preparation of reports on delinquency-related topics.
- Comprehensive Employment and Training Act (CETA)** Federal employment subsidy legislation providing funds to pay salaries to persons employed under the Act; also supports training programs to prepare participants for more adequate employment.
- Concentration of Federal Effort (CFE)** Responsibility assigned by the Juvenile Justice and Delinquency Prevention Act to the Administrator of the Law Enforcement Assistance Administration for policy implementation for all federal juvenile delinquency programs and activities relating to prevention, diversion, training, treatment, rehabilitation, evaluation, research, and improvement of the juvenile justice system in the United States.
- Conference committee** Members appointed from both the House and Senate to resolve differences between different versions of legislation as passed in each House; conference committee reports the compromises back to each body for final adoption.

Coordinating Council on
Juvenile Justice and
Delinquency Prevention

Established by the Juvenile Justice and
Delinquency Prevention Act, consisting
of representatives from various Federal
agencies for the purpose of coordinating
all Federal juvenile delinquency programs
and activities.

Criminal offender

An individual, adult, or juvenile who
has been charged with or convicted of
a criminal offense in a court exercising
criminal jurisdiction.

Criminal-type offender

A juvenile who has been charged with
or adjudicated for conduct which would,
under the law of the jurisdiction in
which the offense was committed, be
a crime if committed by an adult.

Deinstitutionalization of
Status Offenders (DSO)

Removal of children not accused of or
adjudicated for a criminal type offense
from detention and corrections facilities.

Discretionary Funds

Law Enforcement Assistance Administration
funds available in addition to state formula
grant funds; intended to address identified
priorities or to implement specific program
models; grants may be made to state planning
agencies, units of local government, or
private non-profit organizations.

Entitlement Jurisdictions

Those local governments or combinations
of local governments eligible to receive
and administer Law Enforcement Assistance
Administration funds directly, without
being subject to the administrative
authority of the state Criminal Justice
Council; established under the Justice
System Improvement Act.

Facility

A place, an institution, a building or
part thereof, set of buildings, or an
area whether or not enclosing a building
or set of buildings which is used for
the lawful custody and treatment of
juveniles and may be owned and/or
operated by public or private agencies.

Facility, non-secure

A facility not characterized by the
use of physically restricting construc-
tion, hardware, and procedures and which
provides its residents access to the
surrounding community with minimal
supervision.

Facility, secure	One which is designed and operated so as to ensure that all entrances and exits from such facility are under the exclusive control of the staff of such facility, whether or not the person being detained has freedom of movement within the perimeters of the facility or which relies on locked rooms and buildings, fences, or physical restraint in order to control behavior of its residents.
Federal Fiscal Year	Begins October 1 and ends September 30; designated by calendar year in which it ends, i.e., FY 80 is the period of time from October 1, 1979 through September 30, 1980.
Federal Region	Areas consisting of several states or territories wherein Federal programs have subordinate administrative responsibilities for planning and implementation; ten regions currently exist; the Law Enforcement Assistance Administration does not have a regional administrative structure.
Formula Grants	Distribution of Federal funds based upon mathematical formula; Juvenile Justice and Delinquency Prevention Act funds based upon base of \$225,000 plus remainder distributed proportionally to share of population under age 18.
JSIA	See Justice System Improvement Act
Jail Monitoring	System of surveying and documenting the degree of compliance with the deinstitutionalization and separation requirements of the Juvenile Justice and Delinquency Prevention Act.
Judicial Planning Committee	Established by the Crime Control Act to enable the state judiciary's participation in the planning and implementation process. The law enables the court of last resort in each state to establish a Judicial Planning Committee for the purpose of development of a state judicial plan. All applications for projects impacting on the courts must be made available to this group for

review and comment prior to consideration by the SPA supervisory board.

Justice System Improvement Act (JSIA)

Supercedes the Omnibus Crime Control and Safe Streets Act; provides Federal assistance to states and local jurisdictions for projects and programs of demonstrated value contributing to combating crime and improving the criminal justice system.

Juvenile offender

An individual subject to the exercise of juvenile court jurisdiction for purposes of adjudication and treatment based on age and offense limitations as defined by state law.

Lawful custody

The exercise of care, supervision, and control over a juvenile offender or non-offender pursuant to the provisions of the law of a judicial order or decree.

Maintenance of Effort (MOE)

The Law Enforcement Assistance Administration (LEAA) funds designated for juvenile justice and delinquency prevention projects to fulfill the requirement that states must expend 19.15% of their LEAA funds for juvenile justice in order to be eligible for Juvenile Justice and Delinquency Prevention Act formula grants.

Minimum Allocation

The minimum amount of funds allocated to a state or U.S. possession or territory; established by Section 222 of the Juvenile Justice and Delinquency Prevention Act as \$225,000 for states and \$56,250 for U.S. possessions and trust territories.

NAC

See National Advisory Committee

NIJJDP

See National Institute for Juvenile Justice and Delinquency Prevention

National Advisory Committee (NAC)

Group appointed by the President to make recommendations to the Office of Juvenile Justice and Delinquency Prevention, the President, and the Congress with respect to planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs.

National Institute for
Juvenile Justice and
Delinquency Prevention

Established in Part C of the Juvenile Justice and Delinquency Prevention Act for the purpose of collecting, analyzing, and disseminating information about the juvenile justice system; the Institute also is responsible for providing training and recommending standards for juvenile justice.

Non-offender

A juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes for reasons other than legally prohibited conduct of the juvenile.

OJJDP

See Office of Juvenile Justice and Delinquency Prevention

Office of Justice Assistance,
Research, and Statistics
(OJARS)

Established under the Justice System Improvement Act to coordinate the activities of the Law Enforcement Assistance Administration, Bureau of Justice Research, and Bureau of Justice Statistics.

Office of Juvenile Justice and
Delinquency Prevention (OJJDP)

Established by the Juvenile Justice and Delinquency Prevention Act to administer the Act; responsible for financial and technical assistance, research, training, and standards development for juvenile justice; participates in the Concentration of Federal Effort and Federal Coordinating Council.

Omnibus Crime Control and
Safe Streets Act

The original Federal legislation providing formula grant assistance to states for the purpose of combating crime and improving the criminal justice system; replaced by the Justice System Improvement Act.

Private agency

A private non-profit agency, organization, or institution is:

(1) Any corporation, foundation, trust, association, cooperative, or accredited institution of higher education not under public supervision or control, and

(2) Any other agency, organization, or institution which is operated primarily for scientific, educational, service, charitable, or similar public purposes, but which is not under public

supervision or control, and no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual, and which has been held by IRS to be tax-exempt under the provisions of Section 501(c)(3) of the 1954 Internal Revenue Code.

RPU

See Regional Planning Unit

Reauthorization

Legislative process under which the terms of statutes are extended, usually accompanied with some substantive amendments; the Juvenile Justice and Delinquency Prevention Act to be reauthorized for FY 81.

Regional Planning Unit (RPU)

Sub-state area designated for the purpose of developing local input to the planning process for the state's comprehensive criminal justice plan; one of several options under the Crime Control Act for achieving local input to the plan.

Regular contact

As used in Section 223(a)(13) of the JJDP Act, refers to sight and/or sound contact between juveniles and adults in which normal communication would be possible. Such contact is prohibited except in haphazard or accidental situations. This prohibition extends to booking, sleeping, dining, recreation, and transportation facilities.

Runaway Youth Act

Title III of the Juvenile Justice and Delinquency Prevention Act administered by the Department of Health, Education and Welfare for the purpose of establishing local facilities for addressing the immediate needs of runaway youth or other homeless youth in a manner outside the law enforcement structure and the juvenile justice system.

SAG

See State Advisory Group

SPA

See State Planning Agency

Separation

As used in Section 223(a)(13) of the Juvenile Justice and Delinquency Prevention Act: keeping adults and juveniles, who are confined in the same facility, from having regular contact including visual or normal audible contact.

Special Emphasis Grants

Made by the Administrator of the Office of Juvenile Justice and Delinquency Prevention as authorized in Sections 224 and 225 of the Juvenile Justice and Delinquency Prevention Act; not part of state's formula grant; may be awarded in non-participating states; Juvenile Justice and Delinquency Prevention Act funds.

Standards and Goals

Sets of statements establishing models for the "ideal" juvenile justice system.

State Advisory Group (SAG)

The group appointed by the chief executive of the state pursuant to Section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, for the purposes set forth in that Act; is advisory to the State Planning Agency, the Governor, and the state legislature.

State Plan

Document prepared by the State Planning Agency which meets the requirements of the Omnibus Crime Control and Safe Streets Act and the Juvenile Justice and Delinquency Prevention Act and which, when approved, qualifies the state for receiving Law Enforcement Assistance Administration and Juvenile Justice and Delinquency Prevention Act funds.

State Planning Agency (SPA)

The organization within the state assigned the responsibilities for administering the Omnibus Crime Control and Safe Streets Act of 1968, as amended and the Juvenile Justice and Delinquency Prevention Act of 1974, as amended; includes both the staff and the Supervisory Board.

Status offender

A juvenile who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.

Supervisory Board

The group appointed by the chief executive of the state to oversee the formulation and implementation of the state's Comprehensive Criminal Justice Plan; established pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, as amended; see also State Planning Agency.

Technical Assistance

A transfer of capabilities resulting in new skills and concepts being made available; consists of on-site consultation, training, workshops, or distribution of materials.

Title XX

Part of Social Security Act which provides funds to states for programs meeting needs and priorities identified by states in their Title XX plans; services only available to clients meeting eligibility criteria based on income level.

Youth Members

Those State Advisory Group members appointed prior to their twenty-sixth birthday in accordance with Section 223(a)(3)(E) of the Juvenile Justice and Delinquency Prevention Act.

REFERENCES AND SOURCES

McIntyre, Benjamin Broox, Skills for Impact, Voluntary Action in Criminal Justice, sponsored by the Association of Junior Leagues, Inc., Institute of Government, University of Georgia, September, 1977.

Office of General Counsel, Indexed Legislative History of the Juvenile Justice and Delinquency Prevention Act of 1974, Law Enforcement Assistance Administration, U.S. Department of Justice, October 29, 1974.

Office of Juvenile Justice and Delinquency Prevention, Third Analysis and Evaluation, Federal Juvenile Delinquency Programs, Law Enforcement Assistance Administration, U.S. Department of Justice, 1979.

Representatives of the Federal Interagency Committee for the International Year of the Child, Compiled by the HEW Secretariat for IYC, Report of Federal Government Programs that Relate to Children, 1979, U.S. Department of Health, Education and Welfare, 1979.

Responsible Action, The Value of Youth, Pearl, Arthur; Grant, Douglas; Wenk, Ernst - Editors, Dialogue Books, Davis, California, 1978.

The National Criminal Justice Reference Services (NCJRS) is a valuable resource for information on law enforcement and criminal justice-related subjects. For a comprehensive listing of publications related to a specific area of interest, write to:

NCJRS
Law Enforcement Assistance
Administration
U.S. Department of Justice
Box 6000
Rockville, Maryland 20850
Toll free number: 1-800-424-2856

APPENDIX 1

Guideline for State Planning Agency Grants,
M4100.1F, Change 3

UNITED STATES
DEPARTMENT OF JUSTICE

LAW ENFORCEMENT ASSISTANCE
ADMINISTRATION

Change

M 4100.1F CHG-3

July 25, 1978

Cancellation

Date: After Filing

Subject: STATE PLANNING AGENCY GRANTS

1. PURPOSE.

- a. This change transmits revisions to the Guide for State Planning Agency Grants, M 4100.1F, January 18, 1977. It is anticipated that this change should require no additional information to be submitted by the States for 1979 plans, and that this Guide (with possible future amendments) will apply to the preparation of FY 1979 and FY 1980 plans.
- b. Revisions are explained in the following paragraph. Pages to be added are attached. Recipients should remove old pages as indicated in the page control chart and add new pages to the Guide where indicated.

2. SCOPE. This Change is of interest to all holders of M 4100.1F.

3. EXPLANATION OF CHANGES.

- a. Paragraph 22, State Planning Agency Supervisory Board, is modified to reflect changes in representation of the SPA Supervisory Board pursuant to Section 223(a)(3) of the JJDP Act of 1974, as amended.
- b. Paragraph 27, Requirements for State Planning Agencies Which Participate in the Juvenile Justice and Delinquency Prevention Act Program, has been deleted. Paragraph 52 now contains all of the requirements for application and receipt of funds under the JJDP Act.
- c. Paragraph 51, Requirements for Juvenile Justice Under the Crime Control Act, has been modified to reflect changes in maintenance of effort requirements. This paragraph now requires that each state allocate and expend at least 19.15 percent of its total Crime Control allocation for juvenile justice programs.
- d. Paragraph 52, Requirements for Participation in Funding Under The Juvenile Justice and Delinquency Prevention Act of 1974, has been modified to include Omnibus Crime Control Act requirements and OJJDP planning grant requirements. All of these requirements are to be addressed jointly in a separate section of the Comprehensive Plan.

Distribution:

All Holders of M 4100.1F

Initiated By:

Office of Juvenile Justice
and Delinquency Prevention

- e. Paragraph 52n, Monitoring of Jails, Detention Facilities and Correctional Facilities. Two major revisions have been made in this subparagraph. First, the definitions of juvenile detention or correctional facility have been made less restrictive in that the new criteria modify the commingling provision to allow facilities which are community-based or have a bed capacity of 20 and below to mix status offender and non-offender populations with criminal-type populations at any ratio. Second, the reporting requirements have been modified to require only that information which is essential for a state to demonstrate compliance or progress toward compliance and still maintain the statutory reporting requirements.

OJJDP intends to submit the following additional language to paragraph 52n(2)(c)2 to the Federal Register for clearance. "The use of non-community-based facilities over a bed capacity of 20, which serve status offenders or non-offenders exclusively, is acceptable for monitoring purposes only through December 31, 1980. States should begin eliminating such facilities to meet the January 1, 1981 deadline." This change proposes the elimination of criteria 52n(2)(c)2 for the guidelines issued for the 1981 monitoring effort.

- f. Paragraph 52t - Continuation Support. The continuation support policy has been modified to require states to indicate in their plan, and to make known to potential applicants, the minimum number of years projects may request and receive funding. States are also required to provide an assurance that each project funded shall continue unless prematurely terminated due to reasons spelled out in this guideline.

PAGE CONTROL CHART

Remove Pages	Dated	Insert Pages	Dated
Table of Contents		Table of Contents	
iii and iv	Jan. 18, 1977	iii	Jan. 18, 1977
v and vi	May 20, 1977	iv	July 25, 1978
		v	May 20, 1977
		vi	July 25, 1978
16 thru 19	Jan. 18, 1977	16 thru 18 (and 19)	July 25, 1978
22 thru 29	Jan. 18, 1977	22 (thru 28)	July 25, 1978
50-56	Jan. 18, 1977	29	July 25, 1978
57-62	May 20, 1977		
63	Jan. 18, 1977	50 thru 63	July 25, 1978
Appendix 1		Appendix 1	
3 and 4	May 20, 1977	3 thru 4-1 (and 4-2)	July 25, 1978


 James M. H. Gregg
 Assistant Administrator
 Office of Planning and Management

TABLE OF CONTENTS

	<u>Page No.</u>
CHAPTER 1. PURPOSE AND GENERAL REQUIREMENTS	1
1. STATUTORY AUTHORITY FOR GRANTS TO STATES FOR PLANNING AND ACTION	1
2. SCOPE OF PROGRAM COVERAGE	1
3. APPLICANTS ELIGIBLE FOR PLANNING AND BLOCK ACTION GRANTS	2
4. AMOUNTS OF GRANTS	2
5. CONGRESSIONAL OR EXECUTIVE ACTION LIMITING AWARDS	3
6. APPLICATIONS FOR GRANTS	3
7. DATES AND PLACES TO SUBMIT GRANT APPLICATIONS	3
8.-9. RESERVED	3
CHAPTER 2. REQUIREMENTS FOR PERFORMANCE OF PLANNING AND OTHER RESPONSIBILITIES UNDER THE PLANNING GRANT	4
SECTION 1. PLANNING AT THE STATE, REGIONAL, AND LOCAL LEVELS	4
10. COMPREHENSIVE PLANNING BY THE STATE PLANNING AGENCY	4
11. REVIEW OF THE COMPREHENSIVE PLAN BY THE STATE LEGISLATURE	5
12. PLANNING AT THE REGIONAL LEVEL	5
13. PLANNING AT THE LOCAL LEVEL	8
SECTION 2. RECEIPT, REVIEW, AWARD AND ADMINISTRATION OF ACTION SUBGRANTS	10
14. RECEIPT AND REVIEW OF, AND DECISIONS ON, APPLICATIONS FOR ACTION GRANTS	10
15. STATE ASSUMPTION OF COSTS	13
16.-17. RESERVED	13

TABLE OF CONTENTS CONTINUED

	<u>Page No.</u>	
SECTION 3. TECHNICAL ASSISTANCE BY THE STATE PLANNING AGENCY	13	
18. TECHNICAL ASSISTANCE	13	
SECTION 4. PERFORMANCE MEASUREMENT PLANS	14	
19. PLANS FOR MONITORING AND EVALUATION	14	
SECTION 5. DESIGNATION, STRUCTURE, ORGANIZATION AND STAFFING OF THE STATE PLANNING AGENCY	15	
20. DESIGNATION OR CREATION OF STATE PLANNING AGENCY BY CHIEF EXECUTIVE AND BY STATE LAW	15	
21. STRUCTURE OF THE STATE PLANNING AGENCY	15	
22. STATE PLANNING AGENCY SUPERVISORY BOARD	16	
23. STATE PLANNING AGENCY STAFF	18	*
24.-25. RESERVED	18	*
SECTION 6. SPECIAL REQUIREMENTS FOR ADMINISTRATION OF THE FUNCTIONS OF THE STATE PLANNING AGENCY	20	
26. CREATION, ORGANIZATION, RESPONSIBILITIES AND OPERATION OF STATE JUDICIAL PLANNING COMMITTEES AND THEIR RELATIONSHIP TO THE STATE PLANNING AGENCY	20	
27. DELETED - CHANGE -3. See paragraph 52.		*
28. REQUIREMENTS UNDER SECTION 518 (c) OF THE CRIME CONTROL ACT, SECTION 262 (b) OF THE JUVENILE JUSTICE ACT AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND THE EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS OF THE DEPARTMENT OF JUSTICE	22	*
29. RESERVED	29	

TABLE OF CONTENTS CONTINUED

	<u>Page No.</u>
CHAPTER 3. THE COMPREHENSIVE PLAN	30
SECTION 1. THE PURPOSE AND CONTENT OF THE COMPREHENSIVE PLAN	30
30. PURPOSE OF THE COMPREHENSIVE PLAN	30
31. CONTENTS OF A COMPREHENSIVE PLAN	30
SECTION 2. THE PLANNING CYCLE	32
32. THE PLANNING CYCLE	32
SECTION 3. NATURE OF THE MULTI-YEAR COMPREHENSIVE PLAN	33
33. THE NATURE OF THE MULTI-YEAR COMPREHENSIVE PLAN	33
SECTION 4. ANALYSIS OF PROBLEMS AND DEVELOPMENT OF PROBLEM STATEMENTS	34
34. CRIME ANALYSIS	34
35. RESOURCES, MANPOWER, ORGANIZATION, CAPABILITIES AND SYSTEMS AVAILABLE TO MEET CRIME AND CRIMINAL JUSTICE PROBLEMS	36
36. PROBLEM ANALYSIS	38
SECTION 5. STATEMENTS OF PURPOSES AND PRIORITIES	39
37. GOALS AND OBJECTIVES	39
38. CRIMINAL JUSTICE STANDARDS	40
39. PRIORITIES	41
SECTION 6. COMPREHENSIVE MULTI-YEAR ACTION PLAN	41
40. COMPREHENSIVE MULTI-YEAR ACTION PLAN	41
SECTION 7. THE ANNUAL ACTION PLAN	44
41. THE ANNUAL ACTION PLAN	44
SECTION 8. DESCRIPTIONS OF PROGRAMS FUNDED THROUGH THE LEAA BLOCK GRANT AND OJJDP PROGRAMS	44
42. PROGRAM DESCRIPTIONS	44

TABLE OF CONTENTS CONTINUED

	<u>Page No.</u>
43. PHASED SUBMISSION OF THE COMPREHENSIVE PLAN	47
44. CRITERIA FOR COMPREHENSIVE PLAN REVIEW BY LEAA. RESERVED	47
45.-46. RESERVED	47
SECTION 9. SPECIAL REQUIREMENTS TO BE MET IN THE COMPREHENSIVE PLAN	48
47. PURPOSE OF THIS SECTION	48
48. LOCAL PARTICIPATION AND FUND BALANCE	48
49. RELATIONSHIPS TO OTHER PLANS, PROGRAMS AND SYSTEMS	49
50. EFFECTIVE COORDINATION WITH SINGLE STATE AGENCIES DESIGNATED UNDER THE DRUG ABUSE OFFICE AND TREATMENT ACT.	50
51. REQUIREMENTS FOR JUVENILE JUSTICE UNDER THE CRIME CONTROL ACT.	50
52. REQUIREMENTS FOR STATE PLANNING AGENCIES PARTICIPATING IN THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT	51
53. CONDITIONS FOR PARTICIPATION IN FUNDING UNDER THE SPECIAL CORRECTIONS PROGRAM (PART E) OF THE CRIME CONTROL ACT.	64
54. REQUIREMENTS FOR MULTI-YEAR COMPREHENSIVE STATE JUDICIAL PLAN	70
55. REQUIREMENT FOR ANNUAL STATE JUDICIAL PLAN.	72
56. RESERVED.	73
57. OTHER SPECIAL PROGRAMMATIC REQUIREMENTS WHICH MUST BE MET IN THE COMPREHENSIVE PLAN	73
58.-59. RESERVED	78

M 4100.1F CHG - 3
July 25, 1978

- (2) Have a supervisory board (i.e., a board of directors, commission, committee, council, etc.) which has responsibility for reviewing, approving and maintaining general oversight of the State plan and its implementation;
- b. Application Requirement. Documentation must be presented as to the location and status within State government of the State Planning Agency.
22. STATE PLANNING AGENCY SUPERVISORY BOARD.
- a. Authority of the Supervisory Board.
 - (1) Act Requirement. Section 202 of the Act authorizes LEAA to make grants to the States for establishment and operation of State criminal justice and law enforcement planning agencies for the preparation, development and revision of State plans. LEAA requires that the State Planning Agency have a supervisory board, (i.e., a board of directors, commission, committee, council, etc.) which has responsibility for reviewing, approving, and maintaining general oversight of the State plan and its implementation. Since the SPA supervisory board oversees the State plan and its implementation, it must possess the "representative character" required by the Act in Section 203(a)(1).
 - (2) Application Requirement. Documentary evidence must be presented authorizing the State Planning Agency supervisory board to function as stated above.
 - b. Composition and Representative Character.
 - (1) Act Requirement. Section 203(a)(1) of the act requires that the State Planning Agency supervisory board must be representative of law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, public agencies maintaining programs to reduce and control crime, and shall include representation of citizens, professional and community organizations, including organizations directly related to delinquency prevention.
* The Chairperson and at least two additional citizen members of any advisory group established pursuant to section 223(a)(3) of the JJDP Act of 1974, as amended, shall be appointed to the State Planning Agency supervisory board as members thereof. These individuals may be considered in meeting the general representation requirements of this section. Any executive committee of a State Planning Agency shall include in its membership the same proportion of advisory group members as the total number of such members bears to the total membership of the State Planning Agency supervisory board. *

Special provision is made for membership from the judiciary. The composition of such boards may vary; however it is required that such boards be fairly representative of all components of the criminal justice system and that the representation takes account of reasonable geographical balance, reasonable urban-rural balance, the incidence of crime, and of the distribution of law enforcement services at state and local levels. The composition of the board must contain representation of the following:

- (a) State law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency.
- (b) Units of general local government by elected policy-making or executive officials;
- (c) Law enforcement and criminal justice officials or administrators from local units of government;
- (d) Each major law enforcement function -- police, corrections, court systems and juvenile justice systems.
- (e) Public (governmental) agencies in the State maintaining programs to reduce and control crime, whether or not functioning primarily as law enforcement agencies;
- (f) Citizen, professional and community organizations, including organizations directly related to delinquency prevention. These may include such agencies and groups as those listed below:
 - 1 Public agencies concerned with delinquency prevention or treatment such as juvenile justice agencies, juvenile or family court judges and welfare, social services, mental health, education, or youth service departments.
 - 2 Private agencies concerned with delinquency prevention and treatment: concerned with neglected or dependent children; concerned with the quality of juvenile justice, education, or social services for children.
 - 3 Organizations concerned with neglected children;
 - 4 Organizations whose members are primarily concerned with the welfare of children;
 - 5 Youth organizations; and

M 4100.1F CHG - 3
July 25, 1978

- 6 Organizations utilizing volunteers to work with delinquents or potential delinquents.
 - 7 Minority group representation is encouraged.
- (g) The judiciary. Section 203(a)(2) of the Act requires the following judicial representation at a minimum:
- 1 The chief judicial officer or other officer of the court of last resort (as defined in Section 601(p) of the Act).
 - 2 The chief judicial administrative officer or other appropriate judicial administrative officer of the State;
 - 3 A local trial court judicial officer;
 - 4 Additional judicial members as may be required by LEAA pursuant to Section 515(a) of the Act. The above judicial representation shall be construed as only a minimum applicable to small supervisory boards. Additional judicial representation is required on large supervisory boards in order to ensure that the board is fairly representative of all components of the criminal justice system. Additional judicial members must be appointed from the membership of the Judicial Planning Committee.
- (2) Additional Act Requirement. Section 203(a)(2) of the Act requires that local trial court judicial officer and other judicial officers (if the chief judicial officer or chief judicial administrative officer cannot or do not choose to serve) shall be selected by the chief executive from a list of no less than three nominees for each position submitted by the chief judicial officer within 30 days of the occurrence of any vacancy in the judicial membership.
- (3) Special Requirements.
- (a) Limits on Individual Membership. An individual may serve as a member of a State Planning Agency or regional or local planning agency supervisory board simultaneously. It is possible for one board member to represent more than one element or interest.
 - (b) Limits on Participation by Federal Officials. Federal representation on State Planning Agency supervisory boards as voting members is not allowed except in D.C., American Samoa, Guam, Virgin Islands, the Trust Territory of the Pacific Islands and the Commonwealth of the Northern Mariana Islands. Federal Officials may assist State Planning Agencies in advisory or non-voting capacities which are mutually agreeable.

(4) Application Requirements.

(a) Documentary evidence must be presented which shows the composition of the supervisory board, how it meets the requirements of balanced representation set forth above and how the board is fairly representative of all components of the criminal justice system. (Forms for membership information are contained in the planning grant application.) Any multiple representation must be identified. Procedures which specify how judicial members are appointed must be set forth.

* (b) Documentary evidence must be presented which shows the provisions of 203(a)(1) regarding the appointment of the chairperson and at least two additional citizen members of the advisory group established pursuant to section 223(a)(3) of the JJDP Act of 1974, as amended, to the supervisory board unless good cause can be shown to justify an extension. The names, positions and dates of appointment must be indicated. For purposes of this requirement, a citizen member is any person who is not a full-time employee of the Federal, state or local government, or a full-time elected official. *

c. Organization and Committees.

- (1) Act Requirement. Section 203(a)(2) of the Act requires that if there is an executive committee of the supervisory board, it shall include in its membership the same proportion of judicial members as the total number of such members bears to the total membership of the supervisory board.
- (2) Application Requirement. The rules and procedures which govern the establishment and the functions, composition and authority of any executive committee, subcommittees, standing committees, or advisory bodies of or to the supervisory board must be described. An organization chart must be presented.

d. Operating Procedures.

- (1) Act Requirement. Under Section 203(g) of the Act, the State Planning Agency as well as all other planning organizations covered by the Act are required to hold meetings open to the public giving public notice of the time and place of such meetings and the nature of the business to be transacted. The meetings which fall under this requirement are those at which final action is to be taken on the state comprehensive plan or any application for funds. Further, the Act requires that all planning organizations covered by the Act shall provide for public access to all records relating to their functions under this Act, except such records as are required to be kept confidential by other local, State, or Federal laws.
- (2) Application Requirement. The State Planning Agency must describe the policy and procedures which it has adopted to ensure compliance with this requirement.

23. STATE PLANNING AGENCY STAFF

- a. Personnel Standards Requirement. The State Planning Agency staff must be included within the State's existing personnel system or some other adequate merit system subject to the Administration's approval. This requirement is not meant to preclude exemptions, if appropriate under the State law, for the key administrator of the planning agency and specified key aides.
- b. Application Requirement. The State Planning Agency must describe the personnel system within which the SPA staff is placed, indicating whether it is the existing personnel system or some other adequate system, and listing any positions not included under the personnel or merit system.

24. - 25. RESERVED

- (4) What the funding level is for the judicial planning committee including a budget which outlines the purposes and functions for which these funds are to be used.
- (5) Provisions for public notice of meetings, as required by Section 203(g) of the Act and the requirements of paragraph 22.d.
- (6) The procedures and methods for assuring involvement of citizens and community organizations in the planning process.
- (7) In the case of situations where the judicial planning committee does not exist, the procedures by which the State Planning Agency proposes to consult with the courts and related agencies in the development and preparation of the annual judicial plan.

* 27. REQUIREMENTS FOR STATE PLANNING AGENCIES WHICH PARTICIPATE IN THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT PROGRAMS.

(Deleted - Change 3. See Paragraph 52.) *

28. REQUIREMENTS UNDER SECTION 518 (c) OF THE CRIME CONTROL ACT, SECTION 262(b) OF THE JUVENILE JUSTICE ACT AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND THE EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS OF THE DEPARTMENT OF JUSTICE

- a. Applicability. The State Planning Agency in accepting a grant from the Law Enforcement Assistance Administration for the operation of the State Planning Agency assures that it will comply and will insure compliance by its subgrantees and contractors with Section 518(c)(1) of the Crime Control Act, Title VI of the Civil Rights Act of 1964, and Subparts C, D, and E of 29 C.F.R. Part 42, to the end that no person shall on the grounds of race, religion, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, or denied employment in connection with, any program or activity which receives financial assistance from the Department of Justice.
- b. Application Requirement. The State Planning Agency must describe in its planning grant application how it will implement the following procedures in order to carry out its responsibilities under this Act:
 - (1) Designation of a Civil Rights Compliance Officer. The SPA shall designate by name a staff member as civil rights compliance officer(s) to review the compliance of the SPA, its subgrantees and contractors with Title VI, the regulations implementing Title VI and the equal employment opportunity regulations of the Department of Justice.

July 25, 1978

- (2) Training of the SPA Staff. The SPA shall provide its entire staff with appropriate training and information concerning the SPAs obligations under the nondiscrimination requirements and this statement. A timetable for this training shall be set forth.
- (3) Informing Subgrantees and Contractors of Civil Rights Requirements. The SPA is required to instruct all applicants for and recipients of financial assistance of the obligation to comply with the non-discrimination requirements and the available sanctions in the event of noncompliance. The SPA shall set forth the methods by which it has informed subgrantees and contractors of their civil rights requirements.
- (4) SPA and Subgrantees and Contractors to Keep Records. The SPA shall require subgrantees and contractors to maintain records as LEAA shall determine to be necessary to assess the subgrantees or contractors continuing compliance with the non-discrimination requirements.
- (5) SPA to Inform Beneficiaries of Rights. The SPA shall provide information to the public regarding the nondiscrimination obligation of the SPA, its subgrantees and contractors and the right to file a complaint with the SPA or LEAA or both concerning violation of those obligations. The SPA shall describe its efforts to inform the public of its nondiscrimination policy.
- (6) SPAs Obligation in Complaint Process. The SPA shall establish and set forth appropriate procedures for the receipt and referral of complaints concerning violation of the nondiscrimination requirements.
- (7) SPA to Cooperate in Conduct of Civil Rights Compliance Reviews. In accordance with the requirements of LEAA, the SPA shall cooperate with LEAA in conducting civil rights compliance review of criminal justice agencies within the State.
- (8) SPA Report of Awards for Construction Projects. The SPA must report to the Office of Civil Rights Compliance all awards for federally assisted Construction Projects in excess of \$10,000 using Part C and Part E funds. The SPA must describe the procedures to insure reporting on Construction Projects form, LEAA Form 7400/1. (see G 7400.1B, appendix 2.).

29. RESERVED

July 25, 1978

- (b) The Housing and Community Development Act of 1974 and the programs supported through it.
- (c) The Highway Safety Act of 1966, and the programs supported through it.

50. EFFECTIVE COORDINATION WITH SINGLE STATE AGENCIES DESIGNATED UNDER THE DRUG ABUSE OFFICE AND TREATMENT ACT.

- a. Act Requirement. Section 303(a)(18) of the Crime Control Act requires that State plans establish procedures for effective coordination between the SPAs and the single state agencies designated under Section 409(e)(1) of the Drug Abuse Office and Treatment Act of 1972 in responding to the needs of drug dependent offenders, including alcoholics, alcohol abusers, drug addicts and drug abusers.
- b. Plan Requirement. The State Planning Agency must specify the methods and procedures it will use to assure coordination and cooperation with the single state agencies. If these methods and procedures have been described in the plan or in the planning grant application, page references to the discussion of the relationships and coordination will be adequate.

*51. REQUIREMENTS FOR JUVENILE JUSTICE UNDER THE CRIME CONTROL ACT.

- a. Juvenile Justice Requirements of the Crime Control Act. States not participating in the Juvenile Justice and Delinquency Prevention Act (herein referred to as the JJDP Act), should address the provisions for a comprehensive program for juvenile justice, as required by the Omnibus Crime Control and Safe Streets Act.
- b. Maintenance of Effort for Juvenile Justice. Pursuant to Section 520(b) of the Crime Control Act of 1976 and Section 261(b) of the JJDP Act, maintenance of effort is determined as follows:
 - (1) Individual Level of State Funding. To maintain a proportionate share of the statutory maintenance level, each state shall expend at least 19.15 percent of its total annual allocation of Parts B, C and E block grant funds for juvenile justice and delinquency prevention-related programs and projects. Each state may, of course, expend more than the required minimum allocation.
 - (2) The state shall assure that it has allocated a percentage of Part B funds for juvenile justice planning and administration activities equal to the aggregate percentage of Parts C and E funds allocated for juvenile justice programs and projects.

- * (3) Plan Requirement. Along with their corresponding fund allocations, the State Plan must identify Parts C and E funded programs and projects related to juvenile justice and delinquency prevention.
- (4) Juvenile Justice Reprogramming. Prior OJJDP approval is necessary for any reprogramming.

52. REQUIREMENTS FOR STATE PLANNING AGENCIES PARTICIPATING IN THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT.

- a. Applicability. This paragraph now contains all of the requirements for application and receipt of funds under the JJDP Act. The provisions of the comprehensive program for the improvement of juvenile justice, as required by the Omnibus Crime Control and Safe Streets Act, and the provisions of the JJDP Act are to be addressed jointly in a separate section of the comprehensive plan. The requirement of a separate juvenile section emphasizes the distinctions between the juvenile justice system and the criminal justice system, as well as the importance Congress places on juvenile justice.
- b. Plan Review Criteria. OJJDP has established the following programmatic areas as critical: Deinstitutionalization of Status Offenders and Non-Offenders; Contact with Incarcerated Adults; Monitoring of Jails, Detention Facilities and Correctional Facilities; Advanced Techniques; and Juvenile Justice Advisory Groups. Failure to address these programmatic areas shall result in disapproval of the juvenile justice formula section of the plan. Unless indicated, an assurance is sufficient for compliance, providing that no change has been made from the previous year. Otherwise, the State shall revise and resubmit its response.
- c. Plan Supervision, Administration and Implementation. Pursuant to Sections 223(a)(1) and (2) of the JJDP Act, the State Planning Agency shall assure that it is the sole agency for plan **administration** and has the authority to carry out the mandate of the JJDP Act, even if an agency other than the SPA implements the formula grant.

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- * d. Planning and Administration Funds. Pursuant to Section 222(c) of the JJDP Act, the State Planning Agency shall indicate on Attachment A the amount of planning and administration funds allocated to the State and the amount that units or combinations of units of general local government will use. Such funds shall not exceed 7-½ percent of the total JJDP award, **and must be matched dollar for dollar in cash.**
- e. Juvenile Justice Advisory Group. Pursuant to Section 223(a)(3) of the JJDP Act, the State Planning Agency shall:
- (1) Provide a list of all current advisory group members, indicating their respective dates of appointment and how each member meets the membership requirements specified in this Section of the Act. Indicate those members appointed prior to their 26th birthday as youth members; **full-time elected officials are considered to be government employees and may not be appointed to chair advisory groups as of the effective date of this guideline.**
 - (2) States shall assure that three youth members **who** have been or are now under the jurisdiction of the juvenile justice system have been appointed to the advisory group.
 - (3) Indicate the roles, responsibilities and activities of the advisory group concerning those duties listed in Section 223(a)(3) of the Act.
- f. Advisory Group Allotment. Pursuant to Section 222(e) of the JJDP Act, the advisory group shall develop a plan for using the five (5) percent minimum allotment which, upon review by the State, it shall submit as part of the comprehensive plan. The State shall indicate the total amount of funds allocated to the advisory group. For computing that allotment, use the following procedures:
- (1) Each State shall allocate a minimum of \$11,250; the Virgin Islands, Guam, American Samoa, and the Trust Territories of the Pacific Islands shall allocate \$2,812.50. Do not count these funds as part of the maximum 7-½ percent monies set aside for planning and administration. Calculate the latter on the total formula grant award.
 - (2) Use funds allocated to the advisory groups for such functions and responsibilities as **pre consistent with Section 223(a)(3)** of the JJDP Act. Funds allocated to the advisory group shall not supplant any funds currently allocated to them. *

July 25, 1978

- * g. Consultation with and Participation of Units of General Local Government. Pursuant to Sections 223(a)(4) and (6) of the JJDP Act, the State shall assure that:
 - (1) The Chief Executive Officer of such a unit has assigned responsibility for the preparation and administration of its part of the State Plan.
 - (2) The State recognizes, consults with, and incorporates the needs of such units into the State Plan.
- h. Participation of Private Agencies. Pursuant to Section 223(a)(9) of the JJDP Act, the State shall assure that private agencies have been consulted and allowed to participate in the development and execution of the State Plan.
- i. Pass-Through Requirement. Pursuant to Section 223(a)(5) of the JJDP Act, the State Planning Agency must specify the amount and percentage of funds to be passed through to units of general local government and to local private agencies. For purposes of this requirement, local private agency is defined as a private non-profit agency or organization that provides program services within an identifiable unit or a combination of units of general local government.
 - (1) Inclusion and Compilation of Pass-Through.
 - (a) Formula grant funds that the State Planning Agency makes available to units of general local government or combination of units may be included in the compilation of pass-through. This includes funds for planning and administration as well as for programs.
 - (b) If a unit of general local government or a combination of units has denied funding to a private agency, yet that agency received formula grant funds for programs consistent with the State Plan, then include those funds in the compilation of pass-through. In States lacking regional or local planning units, and in which the State Planning Agency distributes funds directly, a private agency need not first apply to a unit of general local government or to a combination of units for funding. Those funds can also be included in the compilation of pass-through. In addition, if a unit of general local government or a combination of units receives pass-through funds from the State and, in turn, refuses to fund a project submitted by a private agency, the State can reduce the local allocation if it funds the project.

- * (2) Waiver of Pass-Through Requirements. Make all requests for waivers to the Administrator of OJJDP; enclose a statement setting forth the following:
- (a) The extent of state and local implementation of juvenile justice and delinquency prevention programs.
 - (b) The extent of state and local financial responsibility for juvenile delinquency programs.
 - (c) The extent to which the State provides services or direct outlays for or on behalf of local governments (as distinct from statewide services).
 - (d) The approval of the State Planning Agency Supervisory Board.
 - (e) Specific comments from local units of government expressing their position regarding the waiver.
- j. Rights of Privacy for Recipients of Services. Pursuant to Sections 223(a)(16) and 229 of the JJDP Act, the State shall assure that they have established procedures to ensure that programs funded under the JJDP Act shall not disclose program records containing the identity of individual juveniles. Exceptions to this require: 1) authorization by law; 2) the consent of either the juvenile or his legally authorized representative; or 3) justification that otherwise the functions of this title cannot be performed. Under no circumstances may public project reports or findings name actual juveniles in the program.
- k. Equitable Arrangements for Employees Affected by Assistance Under this Act. Pursuant to Section 223(a)(17) of the JJDP Act, the State must assure that it has established all terms and conditions for the protection of employees affected by the JJDP Act. Appendix 3 states these.
- l. Deinstitutionalization of Status Offenders and Non-Offenders. Pursuant to Section 223(a)(12) of the JJDP Act the State Planning Agency shall:
- (1) Describe in detail its specific plan, procedure, and timetable for assuring that within three years of its initial submission of an approved plan, juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, or such non-offenders as dependent or neglected children, shall not be placed in juvenile detention or correctional facilities. *

July 25, 1978

- * (2) Describe the barriers, including financial, legislative, judicial and administrative ones, the State faces in achieving full compliance with the provisions of this paragraph. All accounts shall include a description of the technical assistance needed to overcome these barriers.
- (3) Submit the report required under Section 223(a)(12)(B) of the JJDP Act as part of the annual monitoring report required by paragraph 52n.

m. Contact with Incarcerated Adults.

- (1) Pursuant to Section 223(a)(13) of the JJDP Act the State Planning Agency shall:
 - (a) Describe in detail its specific plan and procedure for assuring that juveniles alleged to be or found to be delinquent, status offenders, and non-offenders will be removed from any institution in which **they** have regular contact with incarcerated adults, including inmate trustees. This prohibition seeks as absolute a separation as possible and permits no more than haphazard or accidental contact between juveniles and incarcerated adults. In addition, include a specific timetable for compliance and justify any deviation from a previously approved timetable.
 - (b) In those isolated instances where juvenile criminal type offenders remain confined in adult facilities or facilities in which adults are confined, the State must set forth in detail the procedures for assuring no regular contact between such juveniles and adults for each jail, lockup and detention and correctional facility.
 - (c) Describe the barriers, including physical, judicial, fiscal, and legislative ones, which may hinder the removal and separation of alleged or adjudicated juvenile delinquents, status offenders and non-offenders from incarcerated adults in any particular jail, lockup, detention or correctional facility. All such accounts shall include a description of the technical assistance needed to overcome those barriers.
 - (d) Assure that offenders are not reclassified administratively and transferred to a correctional authority to avoid the intent of segregating adults and juveniles in correctional facilities. However, this *

does not prohibit or restrict waiver of juveniles to criminal court for prosecution, according to state law. It does, however, preclude a state from administratively transferring a juvenile offender to an adult correctional authority for placement with adult criminals either before or after a juvenile reaches the statutory age of majority. It also precludes a state from transferring adult offenders to a juvenile correctional authority for placement.

- (2) Implementation. Each state shall immediately plan and implement the requirement of this provision.

n. Monitoring of Jails, Detention Facilities and Correctional Facilities.

- (1) Pursuant to Section 223(a)(14) of the JJDP Act, the State Planning Agency shall:
- (a) Indicate how it will annually identify and survey all public and private juvenile detention and correctional facilities and facilities usable for the detention and confinement of juvenile offenders and adult criminal offenders.
 - (b) Provide a plan for an annual on-site inspection of all such facilities identified in paragraph 52n(1)(a). Such plan shall include the procedure for reporting and investigating compliance complaints in accordance with Sections 223(a)(12) and (13).
 - (c) Include a description of the technical assistance needed to implement fully the provisions of paragraph 52n.
- (2) For the purpose of monitoring, a juvenile detention or correctional facility is:
- (a) Any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders or non-offenders; or
 - (b) Any public or private facility, secure or non-secure, which is also used for the lawful custody of accused or convicted adult criminal offenders; or

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- (c) Any non-secure public or private facility that has a bed capacity for more than 20 accused or adjudicated juvenile offenders or non-offenders unless:
- 1 the facility is community-based and has a bed capacity of 40 or less; or
 - 2 The facility is used exclusively for the lawful custody of status offenders or non-offenders.

For definitions of underlined terms, see Appendix I, Paragraph 4(a) - (n).

- (3) Reporting Requirement. The State shall report annually to the Administrator of OJJDP on the results of monitoring for both Sections 223(a)(12) and (13) of the JJDP Act. Submit three copies of the report to the Administrator of OJJDP no later than December 31 of each year.
- (a) To demonstrate the extent of compliance with Section 223(a)(12)(A) of the JJDP Act, the report must at least include the following information for both the baseline and the current reporting periods.
- 1 Dates of baseline and current reporting period.
 - 2 Total number of public and private juvenile detention and correctional facilities AND the number inspected on-site.
 - 3 Total number of accused status offenders and non-offenders held in any juvenile detention or correctional facility as defined in paragraph 52n(2) for longer than 24 hours.
 - 4 Total number of adjudicated status offenders and non-offenders held in any juvenile detention or correctional facility as defined in paragraph 52n(2). ★

- * (b) To demonstrate compliance with Section 223(a)(12)(B) of the JJDP Act, the report must include the total number of accused and adjudicated status offenders and non-offenders placed in facilities that are (a) not near their home community, (b) not the least restrictive appropriate alternative, and (c) not community-based.
- (c) To demonstrate the progress and extent of compliance with Section 223(a)(13) of the JJDP Act, the report must at least include the following information for both the baseline and the current reporting periods.
- 1 Designated date for achieving full compliance.
 - 2 The total number of facilities that can be used for the secure detention and confinement of both juvenile offenders and adult criminal offenders.
 - 3 Both the total number of facilities used for the secure detention and confinement of both juvenile offenders and adult criminal offenders during the past 12 months AND the number inspected on-site.
 - 4 The total number of facilities used for secure detention and confinement of both juvenile offenders and adult criminal offenders AND which did not provide adequate separation.
 - 5 The total number of juvenile offenders and non-offenders NOT adequately separated in facilities used for the secure detention and confinement of both juveniles and adults.
- (4) Compliance. A State must demonstrate compliance with Section 223(a)(12)(A) and (13) of the Act. Should a State fail to demonstrate substantial compliance with Section 223(a)(12)(A) by the end of the three-year time-frame, eligibility for formula grant funding shall terminate.
- o. Detailed Study of Needs and Utilization of Existing Programs. Pursuant to Section 223(a)(8) and (9) of the JJDP Act, the State Planning Agency shall assure that it has conducted a detailed study of the juvenile justice system. This study shall include: an analysis both of the juvenile crime for Part I offenses and of the status offenses and non-offenses, *

July 25, 1978

- * such as dependency and neglect; a listing and analysis of problems confronting the juvenile justice system; and a description of the existing juvenile justice system. These requirements correspond to the process described in paragraphs 34-37 and 39 of M 4100.1F. The result shall be a series of problem statements, listed in order of priority, that reflects an analysis of the data, the monitoring reports and requirements of the JJDP Act. This list shall be the basis for developing the Annual Action Program, which shall follow the format described in paragraph 42 of M 4100.1F.
- p. Equitable Distribution of Juvenile Justice Funds and Assistance to Disadvantaged Youth. Pursuant to Section 223(a)(7) and (15) of the JJDP Act, the State Planning Agency shall assure that:
- (1) The State will adhere to procedures for the equitable distribution of JJDP Act formula grant money.
 - (2) The detailed study of needs analyzes the needs of disadvantaged youth and that assistance will be available equitably. All subgrantees and contractors shall comply with General Grant Conditions and assurances regarding non-discrimination. See Appendix 4.
 - (3) It has developed and adheres to procedures for filing and considering grievances arising under this section.
- q. Advanced Techniques. Pursuant to Section 223(a)(10) of the JJDP Act, the State Planning Agency shall:
- (1) Demonstrate clearly in its plan that at least 75 percent of the JJDP funds support advanced techniques as enumerated in this section of the Act.
 - (2) In order to ensure timely compliance with Sections 223(a)(12), (13) and (14) of the JJDP Act, states should place special emphasis on projects which are designed to deinstitutionalize juveniles, separate juvenile and adult offenders, and monitor compliance.
- r. Analytical and Training Capacity. Pursuant to Section 223(a)(11) and (20) of the JJDP Act, the State Planning Agency shall provide an assurance that it will conduct research, training and evaluation activities.

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* s. Continuation Support. Pursuant to Section 228(a) of the JJDP Act, the State Planning Agency shall:

- (1) Indicate the minimum duration of each JJDP program described in its plan.
- (2) Indicate the minimum number of years that funding may be requested and received for projects in each program.
- (3) Assure that each funded project shall receive funding for the minimum number of years, unless prematurely ended due to:
 - (a) a substantial decrease in Federal funding to a State under the JJDP Act; or
 - (b) an applicant's failure to comply with the terms and conditions of the award; or
 - (c) an applicant's failure to receive a satisfactory yearly evaluation. Here "satisfactory yearly evaluation" refers to those activities defined as "Monitoring" in paragraph 19 of M 4100.1F.
- (4) The State must assure that potential applicants know the information submitted under 52s(1) and (2) when programs are announced.

t. Other Terms and Conditions. Pursuant to Section 223(a)(21) of the JJDP Act, States shall provide a list of all juvenile projects funded under the prior year's approved plan. This includes projects funded with JJDP funds as well as Crime Control maintenance of effort funds. This list shall include the project title, location, address, level and source of funding.

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July 25, 1978

The crucial difference between evaluation and monitoring is that monitoring is designed to measure outputs, whereas evaluation is designed to determine the extent to which those outputs resulted from the project or program or can be attributed directly to the program or project. Intensive evaluation, unlike monitoring, is not required on all projects. The SPA shall decide which programs or projects to evaluate, but must conduct some intensive evaluations. Such evaluation must incorporate sound evaluation methodologies including, for example, experimental designs developed prior to project implementation, control groups, and independent data collection and analysis.

* 3. DEFINITION OF A PRIVATE AGENCY RELATING TO PAR. 52(h).
REQUIREMENTS FOR SPA'S WHICH PARTICIPATE IN JJDP ACT PROGRAMS.

- (a) Definition of Private Agency. A private non-profit agency, organization or institution is (1) any corporation, foundation, trust, association, cooperative, or accredited institution of higher education not under public supervision or control, and (2) any other agency, organization or institution which is operated primarily for scientific, educational, service, charitable, or similar public purposes, but which is not under public supervision or control, and no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual, and which has been held by IRS to be tax-exempt under the provisions of Section 501(c)(3) of the 1954 Internal Revenue Code.

4. DEFINITIONS RELATING TO PAR. 52. REQUIREMENTS FOR
PARTICIPATION IN FUNDING UNDER THE JUVENILE JUSTICE AND DELINQUENCY
PREVENTION ACT OF 1974.

- (a) Juvenile Offender- an individual subject to the exercise of juvenile court jurisdiction for purposes of adjudication and treatment based on age and offense limitations as defined by State law.
- (b) Criminal-type Offender - a juvenile who has been charged with or adjudicated for conduct which would, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.
- (c) Status Offender - a juvenile who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.

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- * (d) Non-offender - a juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes for reasons other than legally prohibited conduct of the juvenile.
- (e) Accused Juvenile Offender - a juvenile with respect to whom a petition has been filed in the juvenile court alleging that such juvenile is a criminal-type offender or is a status offender and no final adjudication has been made by the juvenile court.
- (f) Adjudicated Juvenile Offender - a juvenile with respect to whom the juvenile court has determined that such juvenile is a criminal-type offender or is a status offender.
- (g) Facility - a place, an institution, a building or part thereof, set of buildings or an area whether or not enclosing a building or set of buildings which is used for the lawful custody and treatment of juveniles and may be owned and/or operated by public or private agencies.
- (h) Facility, Secure - one which is designed and operated so as to ensure that all entrances and exits from such facility are under the exclusive control of the staff of such facility, whether or not the person being detained has freedom of movement within the perimeters of the facility or which relies on locked rooms and buildings, fences, or physical restraint in order to control behavior of its residents.
- (i) Facility, Non-secure - a facility not characterized by the use of physically restricting construction, hardware and procedures and which provides its residents access to the surrounding community with minimal supervision.
- (j) Community-based - facility, program, or service means a small, open group home or other suitable place located near the juvenile's home or family, and programs of community supervision and service which maintain community and consumer participation in the planning, operation, and evaluation of their programs which may include, but are not limited to, medical, educational, vocational, social, and psychological guidance, training, counseling, alcoholism treatment, drug treatment, and other rehabilitative services. This definition is from Section 103(1) of the JJDP Act. For purposes of clarification the following is being provided:
- (1) Small: Bed capacity of 40 or less.

July 25, 1978

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- (2) Near: In reasonable proximity to the juvenile's family and home community which allows a child to maintain family and community contact.
- (3) Consumer Participation: Facility policy and practice facilitates the involvement of program participants in planning, problem solving, and decision making related to the program as it affects them.
- (4) Community Participation: Facility policy and practice facilitates the involvement of citizens as volunteers, advisors, or direct service providers; and provide for opportunities for communication with neighborhood and other community groups.
- (k) Lawful Custody - the exercise of care, supervision and control over a juvenile offender or non-offender pursuant to the provisions of the law or of a judicial order or decree.
- (l) Exclusively - as used to describe the population of a facility, the term "exclusively" means that the facility is used only for a specifically described category of juvenile to the exclusion of all other types of juveniles.
- (m) Criminal Offender - an individual, adult or juvenile, who has been charged with or convicted of a criminal offense in a court exercising criminal jurisdiction.
- (n) Bed Capacity - the maximum population which has been set for day to day population and, typically, is the result of administrative policy, licensing or life safety inspection, court order, or legislative restriction.

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APPENDIX 2

State Planning Agency Juvenile Justice Specialists

February 1, 1980

SPA JUVENILE JUSTICE SPECIALISTS

REGION I

Ms. Chris Autn
Juvenile Justice Specialist
Connecticut Justice Commission
75 Elm Street
Hartford, Connecticut 06115
(203) 566-3500

Ms. Mary O'Connell
Juvenile Justice Specialist
Maine Criminal Justice Planning
and Assistance Agency
11 Parkwood Drive
Augusta, Maine 04330
(207) 289-3361

Mr. Joe Kelly
Juvenile Justice Specialist
Committee on Criminal Justice
100 Tremont Street
Boston, Massachusetts 02108
(617) 727-6306

Mr. John Mason
Juvenile Justice Specialist
Governor's Commission on Crime
and Delinquency
169 Manchester Street
Concord, New Hampshire 03301
(603) 271-3601

Mr. Dan Donnelly
Juvenile Justice Specialist
Governor's Justice Commission
110 Eddy Street
Providence, Rhode Island 02903
(401) 277-2620

Mr. Jack Pransky
Juvenile Justice Specialist
Governor's Commission on the
Administration of Justice
149 State Street
Montpelier, Vermont 05602
(802) 828-2351

REGION II

Ms. Wilma Solomon
Planning Supervisor
New Jersey State Law
Enforcement Planning Agency
3535 Quaker Bridge Road
Trenton, New Jersey 08625
(609) 292-3741

Mr. Morris Silver
Juvenile Justice Specialist
Division of Criminal Justice
Services
State of New York
80 Centre Street
New York, New York 10013
(212) 488-4868

Mr. Jaime Prieto, Director
Juvenile Justice Specialist
Puerto Rico Crime Commission
GPO Box 1256
Hato Rey, Puerto Rico 00936
(809) 783-0398

Mr. Frank Mitchell, Administrator
Virgin Islands Law Enforcement
Planning Commission
P.O. Box 3807
St. Thomas, Virgin Islands 00801
(809) 774-6400

REGION III

Mr. Joseph Duffey, Planner
Criminal Justice Commission
State Office Building
820 French Street
4th Floor
Wilmington, Delaware 19801
(302) 571-3435

Ms. Shirley Wilson
Office of Criminal Justice
Plans and Analysis
Munsey Building, Room 200
1329 E Street
Washington, D.C. 20004
(202) 727-6537

Mr. Kenneth Hines
Juvenile Justice Specialist
Governor's Commission on Law
Enforcement and Administration
of Justice
One Investment Place
Suite 700
Towson, Maryland 21204
(301) 321-3636

REGION IV

Ms. Peggy Barnard
Juvenile Justice Specialist
Alabama Law Enforcement Planning
Agency
P.O. Box 368
Huntsville, Alabama 35804
(205) 277-5440

Mr. Bill Bentley
Juvenile Justice Specialist
Bureau of Criminal Justice
Planning and Assistance
530 Carlton Building
Tallahassee, Florida 32304
(904) 488-8016

Mr. Frank Fowler
Juvenile Justice Specialist
Office of State Crime
Commission
3400 Peachtree Road
Suite 625
Atlanta, Georgia 30326
(404) 894-4410

Mr. Richard Allen
Juvenile Justice Specialist
Governor's Justice Commission
Department of Justice
P.O. Box 1167
Federal Square Station
Harrisburg, Pennsylvania 17120
(717) 787-8559

Ms. Portie Weston
Juvenile Justice Specialist
Division of Justice and Crime
Prevention
8501 Mayland Drive
Richmond, Virginia 23229
(804) 281-9276

Ms. Kathy Burke
Juvenile Justice Specialist
Governor's Committee on Crime,
Delinquency, and Corrections
Morris Square, Suite 321
1212 Lewis Street
Charleston, West Virginia 25301
(304) 348-8820

Mr. Frank Shumaker
Department of Welfare
1900 Washington Street, East
Charleston, West Virginia 25301
(304) 348-7980

Ms. Terry Andrews
Juvenile Justice Specialist
Executive Office Staff Services
Kentucky Department of Justice
State Office Building Annex
High and Holmes Street
Frankfort, Kentucky 40601
(502) 564-3251

Mr. Herbert Terry
Juvenile Justice Specialist
Mississippi Criminal Justice
Planning Division
Suite 400
723 N. President Street
Jackson, Mississippi 39201
(601) 254-4111

Mr. Bob Hinkle
Juvenile Justice Specialist
Division of Crime Control
P.O. Box 27687
Raleigh, North Carolina 27611
(919) 733-5013

Ms. Sheila Blackwelder
Juvenile Justice Specialist
Office of Criminal Justice Programs
Edgar A. Brown State Office
Building
1205 Pendleton Street
Columbia, South Carolina 29201
(803) 758-3573

Ms. Linda O'Neal
Juvenile Justice Specialist
Tennessee Law Enforcement
Planning Agency
Browning Scott Building
4950 Linbar Drive
Nashville, Tennessee 37219
(615) 741-3521

REGION V

Ms. Barbara McDonald
Juvenile Justice Specialist
Illinois Law Enforcement Commission
120 South Riverside Plaza
10th Floor
Chicago, Illinois 60606
(312) 454-1560

Ms. Ann Jaede
Juvenile Justice Specialist
Governor's Commission on Crime
Prevention and Control
444 Lafayette Road, 6th Floor
St. Paul, Minnesota 55101
(612) 296-2724

Mr. John Ransberg
Juvenile Justice Specialist
Indiana Criminal Justice Planning
Agency
215 North Senate
Indianapolis, Indiana 46202
(317) 232-1233

Mr. Jack P. Harmeyer
Juvenile Justice Coordinator
Ohio Department of Economic
and Community Development
Administration of Justice Division
30 East Broad Street, 26th Floor
Columbus, Ohio 43215
(614) 466-7782

Mr. Ralph Monsma
Office of Criminal Justice Programs
Lewis Cass Building, 2nd Floor
Lansing, Michigan 48913
(517) 373-3992

Ms. Barbara Franks
Juvenile Justice Specialist
Wisconsin Council on Criminal
Justice
122 West Washington
Madison, Wisconsin 53702
(608) 266-3323

REGION VI

Ms. Gaye Johnson
Juvenile Justice Specialist
Arkansas Crime Commission
1515 Building, Suite 700
Little Rock, Arkansas 72202
(501) 371-2916

Mr. Richard Lindahl
Bureau Chief
Bureau of Planning and Program
Development
Criminal Justice Department
113 Washington Avenue
Santa Fe, New Mexico 87501
(505) 827-5222

Ms. Dolores Kozloski
Juvenile Justice Specialist
Louisiana Commission on Law
Enforcement and Administration
of Criminal Justice
1885 Wooddale Boulevard, Rm. 615
Baton Rouge, Louisiana 70806
(504) 925-4443

Ms. Cheryl Bowyer
Juvenile Justice Specialist
Oklahoma Crime Commission
3033 N. Walnut
Oklahoma City, Oklahoma 73105
(405) 521-2821

Mr. James Kester
Juvenile Justice Specialist
Criminal Justice Division
Office of the Governor
411 West 13th Street
Austin, Texas 78701
(512) 475-3001

REGION VII

Ms. Carol McBroom
Juvenile Justice Specialist
Iowa Crime Commission
Lucas State Office Building
Des Moines, Iowa 50319
(515) 281-8823

Mr. Richard Bleam
Juvenile Justice Specialist
Governor's Committee on Criminal
Administration
503 Kansas Avenue, 2nd Floor
Topeka, Kansas 66603
(913) 296-3066

Mr. Jerry Wolfskill
Juvenile Justice Specialist
Missouri Council on Criminal
Justice
P.O. Box 2041
Jefferson City, Missouri 65101
(314) 751-3432

Mr. Ken Willey
Nebraska Commission on Law
Enforcement and Criminal Justice
State Capitol Building
Lincoln, Nebraska 68509
(402) 471-2194

REGION VIII

Ms. Nancy Jewell
Juvenile Justice Specialist
Division of Criminal Justice
1313 Sherman Street
Denver, Colorado 80203
(303) 839-3277

Mr. Bill Riley
Juvenile Justice Specialist
Board of Crime Control
303 No. Roberts Building
Helena, Montana 59601
(406) 449-3604

Ms. Beverly Schulke
Juvenile Justice Specialist
North Dakota Combined Law
Enforcement Council
Box B
Bismark, North Dakota 58501
(701) 224-2594

Ms. Diane Nichols
Juvenile Justice Specialist
Division of Law Enforcement
Assistance
200 West Pleasant Drive
Pierre, South Dakota 57501
(605) 773-3665

Mr. Dave Attridge
Juvenile Justice Specialist
Utah Council on Criminal
Justice Administration
255 S. Third, East
Salt Lake City, Utah 84111
(801) 533-4545

Ms. Sandra Mays
Governor's Planning Committee on
Criminal Administration
State Office Building East
Cheyenne, Wyoming 82001
(307) 777-7716

REGION IX

Ms. Meritiana T. Sunia
Director
Territorial Criminal Justice
Planning Agency
Office of the Attorney General
Box 3760
Pago Pago, American Samoa 96799
(Overseas Operator) 33431

Mr. Joseph Higgins
Juvenile Justice Specialist
Arizona State Justice Planning
Agency
Professional Plaza, Suite 400
4820 N. Black Canyon Freeway
Phoenix, Arizona 85017
(602) 255-5466

Mr. George Howard
Juvenile Justice Specialist
Office of Criminal Justice Planning
7171 Bowling Drive
Sacramento, California 95823
(916) 445-9156

Territorial Crime Commission
Office of the Governor
Armistad Building, Room 4
Second Floor
Soledad Drive
P.O. Box 2950
Agana, Guam 96910
(Overseas Operator) 772-8781

REGION X

Ms. Barbara McPherson
Juvenile Justice Specialist
Alaska Criminal Justice Planning
Agency
Pouch AJ
Juneau, Alaska 99801
(907) 465-3530

Ms. Pam Roylance
Juvenile Justice Specialist
Law Enforcement Planning Commission
700 West State Street
Boise, Idaho 83720
(208) 384-2364

Ms. Lori Koga
Juvenile Justice Specialist
State Law Enforcement and Juvenile
Delinquency Planning Agency
1010 Richard Street
Kamamalu Building, Room 412
Honolulu, Hawaii 96800
(808) 548-3800

Mr. Ted Glenn
Juvenile Justice Specialist
Justice Improvement Commission
Capitol Heights
Rural P.O. Branch
Trust Territory of the Pacific
Islands
Saipan, Mariana Islands 96950
(Overseas Operator) 9351

Mr. Michael DeLaTorre, Director
Commission on Crime, Delinquency,
and Corrections
430 Jeanell, Capitol Complex
Carson City, Nevada 89710
(702) 885-4404

Mr. Howard Child
Juvenile Justice Specialist
Law Enforcement Council
2001 Front Street, N.W.
Salem, Oregon 97303

Mr. Dan Greening
Juvenile Justice Specialist
Law and Justice Planning Office
General Administration Building
Room 206
Olympia, Washington 98504
(206) 752-2235

APPENDIX 3

State Advisory Group Chairs

February 1, 1980

STATE ADVISORY GROUP CHAIRPERSONS

REGION I

Ms. Norma Schatz
60 Lorraine Street
Hartford, Connecticut 06105
(203) 233-1295

Ms. A. L. Carlisle
Maine SAG
21 Maple Lane
Cape Elizabeth, Maine 04107
(203) 799-7927

Prof. Stephen J. Pfohl
Massachusetts SAG
Boston College
36 Toxteth Street
Brookline, Massachusetts 02146
(617) 969-0100 x 3816

Ms. Nancy Marro
26 W. Elm Street
Littleton, New Hampshire 03561
(603) 444-5472

Mr. Ben Zarlenga
Rhode Island SAG
95 Humboldt Avenue
Providence, Rhode Island 02906
(401) 521-9800

Pat Colebaugh
Vermont SAG
St. Michael's College
Winooski, Vermont 05404

REGION II

Ms. Lillian Hall
New Jersey SAG
Union Industrial Home
Rosemont-Raven Rock Road
Box 60
Rosemont, New Jersey 08556
(609) 695-1492

Ms. Carol Parry
SAG New York
Vice President, Chemical Bank
1146 St. Nicholas Avenue
New York, New York 10032
(212) 927-1400

Mr. Jorge Anadeo
Puerto Rico SAG
5 Yardley Place
Ocean Park
Santurce, Puerto Rico 00911
(809) 724-4797

Mr. Warren M. Williams
Virgin Islands SAG
P.O. Box 3807
St. Thomas, Virgin Islands 00801

REGION III

Ms. Judy Dexter
Delaware SAG
4301 Channing Road
Brandywine Hills
Wilmington, Delaware 19802
(302) 764-7540

Mr. William Coleman, III
Pennsylvania SAG
Pennsylvania Commission on
Crime and Delinquency
P.O. Box 1167
Federal Square Station
Harrisburg, Pennsylvania 17108

Mr. Wally Mylienik
c/o Office of Criminal Justice
Plans and Analysis
720 Seventh Street N.W.
Second Floor
Washington, D.C. 20004

Mr. Jim Doolan
Supervisor of Pupil Services
Carroll County Public Schools
105 Elaine Avenue
Westminster, Maryland 21157
(301) 848-8280

Ms. Dorothy McDiarmid
390 Maple Avenue
Vienna, Virginia 22180
(804) 786-6505

Michael J. Sneigle
West Virginia SAG
234½ Fourth Avenue
Huntington, West Virginia 25701
(304) 525-3415

REGION IV

Mr. Robert Holt
Alabama SAG
2211 Drake Avenue S.W.
Huntsville, Alabama 35801
(205) 883-7071

Mr. Eugene Minietta
Florida SAG
Youth Programs, Inc.
514 North Magnolia Avenue
Orlando, Florida 32801

Mr. Donald D. Brewer
Georgia SAG
120 Sunny Brook Drive
Athens, Georgia 30605
(404) 543-5937

Mr. Michael Glenn
South Carolina SAG
P.O. Box 197
Anderson, South Carolina 29622
(803) 225-0001

Mr. Jack Lewis
Kentucky SAG
629 Gamma Drive
Frankfort, Kentucky 40601

Mississippi SAG Chair
c/o Juvenile Justice Specialist
Mississippi Criminal Justice
Planning Division
Suite 400
723 N. President Street
Jackson, Mississippi 39201

Ms. Barbara Sarudy
North Carolina SAG
Youth Care, Inc.
P.O. Box 3427
Old County Courthouse
Greensboro, North Carolina 27402
(919) 378-9109

Mrs. Jane Scott
Tennessee SAG
816 Woodgreen Lane
Kingsport, Tennessee 37660
(615) 247-3996

REGION V

Mr. Lawrence Thompson
135 S. LaSalle, Room 3300
Chicago, Illinois 60603
(312) 372-1121

Mr. Ken Kraft
Minnesota SAG
Gilfillan Center
Box 194
Bimidji, Minnesota
(218) 751-6553

Mr. Richard F. Good
Indiana SAG
Illinois Building, Suite 501
17 West Market Street
Indianapolis, Indiana 46202
(317) 232-1836

Ms. Ilene Tomber
Michigan SAG
2370 Huron Hill Drive
Okemos, Michigan 48864
(517) 349-0267

REGION VI

Mr. Winthrop P. Rockefeller
Arkansas SAG
Arkansas Crime Commission
1590 Union National Plaza
Little Rock, Arkansas 72201
(501) 376-3300

Mr. Lee H. Jacobs, Jr.
Louisiana SAG
Boys Clubs of Greater Lake Charles
P.O. Box 941
Lake Charles, Louisiana 70602
(318) 433-8369

REGION VII

Ms. Kathleen Neylan
Iowa SAG
Neylan Law Office
129 Main
El Kader, Iowa 54043
(319) 245-1561

Mr. James Holderman
Kansas SAG
212 S. Market
Wichita, Kansas 67202
(316) 263-9161

REGION VIII

Mr. James Oleson
Colorado SAG
629 S. Alkire
Lakewood, Colorado 80228
(303) 629-9417

Mr. Robert Wientzen
Ohio SAG
P.O. Box 599
Cincinnati, Ohio 45201
(513) 562-2787

Mr. Erwin Heinzelmann
Wisconsin SAG
Wisconsin Correctional Service
431 West Wisconsin Avenue
Milwaukee, Wisconsin 53203
(414) 271-2512

Mrs. Alice King
New Mexico Juvenile Justice
Advisory Committee
Executive Legislative Building
Santa Fe, New Mexico 87503
(505) 827-2221

Hon. William C. Martin, III
307th Family District Court
Gregg County Court House
P.O. Box 8
Longview, Texas 75601
(214) 758-6181

Mr. Thomas J. Walsh
Missouri SAG
528 West Third Street
Lee's Summit, Missouri 64063
(816) 524-3400

Ms. Barbara Burnett
6133 South 2300 East
Salt Lake City, Utah 84121
(801) 277-1407

Carle F. O'Neil
1350 Kelley Road
Columbia Falls, Montana 59912
(406) 755-9444

REGION IX

Father Adams
American Samoa SAG
P.O. Box 3760
Pago Pago, American Samoa 96799

Arizona SAG
Florence Crittendon Service
P.O. Box 5216
Phoenix, Arizona 85010
(602) 271-9116

Ms. Carolyn L. Brown
California SAG
P.O. Box 405
Bolinas, California 95924
(415) 868-0620

REGION X

Ms. Gail Rowland
Alaska SAG
2300 Lord Baranof Drive
Anchorage, Alaska 99503
(907) 272-6284

Mr. William J. Murphy
Idaho SAG
Murray Star Route
Wallace, Idaho 83873

State Advisory Group Chairperson
c/o Guam Criminal Justice Planning
Agency
P.O. Box 2950
Agana, Guam 96910

Mr. Myron Thompson
Bishop Estate
P.O. Box 3466
Honolulu, Hawaii 96801
(808) 531-1684

Mr. Engredino Jones
Marianas Islands SAG
CNMI Criminal Justice Planning
Agency
P.O. Box 113
Siapan, Marianas Islands 96950

Ms. D. Lavern Pierce, Director
Youth Alcohol Treatment Project
659 Cottage Street N.E.
Salem, Oregon 97301
(503) 399-1713

Mr. Rowland Vincent
State Advisory Group Chairperson
Washington SAG
601 North C Street
Tacoma, Washington 98401
(206) 593-7154

APPENDIX 4

National Advisory Committee Members

January 27, 1980

January 27, 1980

NATIONAL ADVISORY COMMITTEE FOR
JUVENILE JUSTICE AND DELINQUENCY PREVENTION

MEMBERSHIP

Mr. C. Joseph Anderson, Chair 3500 College Avenue Terre Haute, Indiana 47803	(812) 235-3570 home (812) 234-7777 office
Mr. George P. Belitsos, Exec. Dir. Youth and Shelter Services, Inc. 804 Kellogg Street Ames, Iowa 50010	(515) 233-3141 office (515) 292-9475 home
Mr. Glen L. Bower P.O. Box 1106 Effingham, Illinois 62410 (flies out of St. Louis)	(217) 342-4927 home (217) 347-5200 office
Ms. Bernadette Chavira-Merriman 4616 Pershing S.E. Albuquerque, New Mexico 87108	(505) 265-7426 home
Mr. Timothy Scott Davis 1935 Calvert Street, N.W., #1 Washington, D.C. 20009	(202) 387-2257 home (202) 686-2632 office (leave message)
Honorable Margaret C. Driscoll 137 Tesiny Avenue Bridgeport, Connecticut 06606	(203) 359-1600 office (203) 372-1917 home
Mr. H.P. Goldfield Cadawalder, Wickersham & Taft One Wall Street New York, New York 10005	(212) 744-7225 home (212) 785-1000 office
Mr. Ron LeFlore 10448 Summerset Detroit, Michigan 48224	(313) 882-9389 home (313) 922-2837 mother's
Ms. Marion Mattingly 8801 Fallen Oak Drive Bethesda, Maryland 20034	(310) 469-6580 home

NAC Membership
Page 2

Mr. Kenneth McClintock-Hernandez (504) 861-4039 home
P.O. Box 5022
Tulane University Station
New Orleans, Louisiana 70118 (Sept. - June)

or

1716 Santa Evuigis Street (809) 761-5448 home
San Juan, Puerto Rico 00926

Mr. Michael Olson

Ms. D. Laverne Pierce (503) 581-6311 home
325 Miller Street, South (503) 399-1713 office
Salem, Oregon 97302

Mr. Kenneth F. Schoen, Director (212) 986-7050
Justice Program
EDNA McConnell Clark Foundation
250 Park Avenue
New York, New York 10017

Honorable Lawrence Semski (601) 432-1830 home
P.O. Box 506 (601) 232-2671 office
Biloxi, Mississippi 39533

Reverend George Walker Smith (714) 264-2123 home
Pastor, Golden Hill United Presbyterian (714) 232-2671 office
Church
2130 Market Street
San Diego, California 92102

Mr. Steven David Stark (404) 231-3080 home
8 Ivy Gates, N.E. (404) 221-6809 office
Atlanta, Georgia 30342

Ms. Barbara T. Sylvester, Vice Chair (803) 669-6971 home
510 Camellia Circle
Florence, South Carolina 29501

Ms. Diana Tamez (512) 732-8687 home
2909 Fredericksburg Road
Building 23, Apt. #4
San Antonio, Texas 78201

NAC Membership
Page 3

Mr. David Tull
P.O. Box 125
Buffalo, New York 14222 (Sept. - June)

(716) 878-6877

or

1758 First Avenue, Apt. 2S
New York, New York 10028

(212) 289-6307

Ms. Alice Udall
142 Calle Chaparita
Tuscon, Arizona 85716

(602) 325-9634 home
(602) 881-4696 office
(602) 623-4353 husband's

Ms. Genevieve H. Wilson
3500 Grantley Road
Baltimore, Maryland 21215

(301) 466-6704 home
(301) 837-5339 office

APPENDIX 5

National Advisory Committee Charter

NATIONAL ADVISORY COMMITTEE FOR JUVENILE JUSTICE
AND DELINQUENCY PREVENTION

CHARTER

Preamble:

In order to prevent and reduce juvenile delinquency in the United States by encouraging the development and implementation of effective methods and programs aimed at the prevention of delinquency, diversion of juveniles from the traditional juvenile justice system, provision of alternatives to incarceration and improvement of the quality of juvenile justice; by encouraging research, demonstration and evaluation activities and disseminating the results of such research to persons and organizations actively working in the field of juvenile justice and delinquency prevention; by encouraging the provision of technical assistance and resources to state and local communities to conduct more effective juvenile justice and delinquency prevention and treatment programs; and by providing leadership and coordination at the Federal level; the National Advisory Committee for Juvenile Justice and Delinquency Prevention (the Committee) is hereby granted this charter.

I. Designation:

The Committee shall be known as the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

II. Authority and Scope:

The Committee is established under the authority of Section 207(a) of P.L. 93-415, the Juvenile Justice and Delinquency Prevention Act of 1974 (the Act), as amended by P.L. 95-115, the Juvenile Justice Amendments of 1977.

The Committee will operate pursuant to the provisions of P.L. 92-463, the Federal Advisory Committee Act: OMB Circular No. A-63; LEAA Instruction I 2100.1 and any additional order and directives issued in implementation of the Act. The scope of its functions is limited to the duties specified in this charter.

III. Duration and Termination:

The Committee will remain in existence for the duration of P.L. 93-415, as amended by P.L. 95-115.

IV. Responsible and Supporting Agency:

The Committee will report to and receives support from the Office of Juvenile Justice and Delinquency Prevention, (the Office), Law Enforcement Assistance Administration (LEAA), Department of Justice, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

V. Duties:

Make recommendations at least annually to the Associate Administrator, of LEAA (hereinafter the Administrator of the Office), the President and the Congress with respect to planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs as defined by the Act.

- b. Advise and assist the Administrator of the Office in the preparation of an annual analysis and evaluation of Federal juvenile delinquency programs conducted and assisted by Federal departments and agencies, the expenditures made, the results achieved, the plans developed, and problems in the operations and coordination of such programs and a brief but precise comprehensive plan for Federal juvenile delinquency

programs, with particular emphasis on the prevention of juvenile delinquency and the development of programs and services which will encourage increased diversion of juveniles from the traditional juvenile justice system, which analysis and evaluation shall include recommendations for modifications in organization, management, personnel, standards, budget requests, and implementation plans necessary to increase the effectiveness of these programs.

Through subcommittees of the Committee shall:

- a. Serve as the Advisory Committee for the National Institute for Juvenile Justice and Delinquency Prevention.
- b. Serve as the Advisory Committee to the Administrator of the Office on Standards for the Administration of Juvenile Justice.
- c. Serve as the Advisory Committee to the Administrator of the Office on particular functions or aspects of the work of the Office.

VI. Operations Support:

The Chairman of the Committee with the approval of the Committee, shall request of the Administrator of the Office such staff and other support as may be necessary to carry out the duties of the Committee. The Administrator of the Office shall provide such staff and other support as may be necessary to perform the duties of the Committee. The estimated direct cost of operating the Committee is approximately \$350,000 and 3 person years per annum.

VII. Membership:

There shall be 21 regular members of the Committee. The members of the Coordinating Council on Juvenile Justice and Delinquency Prevention shall

be ex-officio members of the Committee.

- a. The regular members of the Committee shall be appointed by the President from persons who by virtue of their training or experience have special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice, such as juvenile or family court judges; probation, correctional, or law enforcement personnel; and representatives of private voluntary organizations and community-based programs, including youth workers involved with alternative youth programs and persons with special experience and competence in addressing the problem of school violence and vandalism and the problem of learning disabilities. The President shall designate of the Chairman of the Committee. A majority of the members of the Committee, including the Chairman, shall not be full-time employees of Federal, State, or local governments. At least seven members shall not have attained 26 years of age on the date of their appointment, of whom at least three shall have been or shall currently be under the jurisdiction of the juvenile justice system.
- b. Members appointed by the President to the Committee shall serve for terms of four years and shall be eligible for reappointment. Any member appointed to fill a vacancy occurring prior to the expiration of the terms for which his or her predecessor was appointed, shall be appointed for the remainder of such term.

VIII. Meetings:

The Committee will meet at the call of the Chairman but not less than four times a year.

I Grant This Charter

This 7 day of November 1979

David D. West
Acting Associate Administrator
Office of Juvenile Justice and
Delinquency Prevention

APPENDIX 6

Analysis of Bylaws

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
Alabama	Juvenile Justice and Delinquency Prevention Committee	JJDP Act, Omnibus Crime Control and Safe Streets Act, Governor	Advise on juvenile justice standards and goals, comprehensive plan development, programs incorporating advanced techniques, project evaluation, research, programs to deal with runaways	Chairman, Vice-Chairman. No standing committees.	At the pleasure of the Governor
Arizona	Arizona State Juvenile Justice and Delinquency Prevention Advisory Council	JJDP Act, Governor, Supervisory Board	Recommendations to SPA Director and supervisory board regarding improvement and coordination of existing services, problems and needs, new programs, priorities; planning; grant funding; additional responsibilities delegated by Governor or supervisory board	Chairman, Vice-Chairman from different planning regions elected by SAG. Nominating Committee, Planning Committee, Legislative Committee	Not specified
California	State Advisory Group on Juvenile Justice and Delinquency Prevention	JJDP Act	Implement Section 223(a) (3) of JJDP Act; when requested to provide advice to various state juvenile justice agencies; youth advocacy; self-evaluation of SAG impact and report to SPA	Chairperson appointed by Governor. Vice-Chairperson elected by SAG. Standing Committees: Planning and Development; Policy and Advocacy; Project Application Review; Executive Committee	

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
Connecticut	Juvenile Justice Advisory Committee	Not explicitly stated	Advise Governor and SPA on: general policy matters related to juvenile justice and delinquency prevention; plan development; program development. Further inter-organizational coordination and communication, review grant applications, provide technical assistance, monitor compliance of deinstitutionalization of status offenders and separation of adults and juveniles. Assistance to staff in these functions.	Chairperson Standing committees: Executive Committee, Standards Development, Advocacy and Capacity Building, Planning and Program Development, Delinquency Prevention, Grant Review and Program Review	At pleasure of Governor
Hawaii	Juvenile Justice Coordinating Council	Governor as mandated in the JJDP Act and recommended by the 1976 Hawaii State Legislature	Assist and advise SPA on all matters relating to juvenile justice and the policies and procedures of federal funds allocation; in determining the types of services and programs required for juveniles who are in the juvenile justice system or those in danger of coming into contact with the system; development of comprehensive juvenile justice plan, educating and enlisting the positive involvement of all affected governmental and non-governmental agencies.	Chairperson and Vice-Chairperson elected biennially. Committees established as needed.	Terms not designated in By-laws

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
Idaho	Juvenile Justice Advisory Council	Not stated	Provide: leadership and direction in matters dealing with juveniles in the state; input and balance for legislative, administrative, bureaucratic, and judicial processes. Assist in development of standards, programs. Monitor program implementation. Review grant applications. Assist SPA.	Standing committees: Steering; Legislative; Grant Review; Planning	Not stated
Indiana	Juvenile Justice and Delinquency Prevention Advisory Board	JJDP Act	By reference to JJDP Act plus making recommendations and suggestions with respect to planning of juvenile justice and delinquency prevention programs; make necessary surveys and resource inventories relevant to the administration of the Act; develop model juvenile justice projects applicable to needs of counties of light, medium and dense population distribution.	Chairperson, Vice-Chairperson, Secretary, each to serve one year and eligible to be reelected to one consecutive term. Standing committees: Delivery of Service Systems; Prevention and Diversion Resources; Planning, Coordination, and Development; Research, Demonstration, and Education	Four years; staggered terms; replacements appointed for duration of unexpired term.
Iowa	Iowa Juvenile Justice Advisory Council	JJDP Act	Advise the SPA as set forth in JJDP Act. Make recommendations to SPA regarding the juvenile justice component of the annual state plan and juvenile justice funding priorities and provide technical assistance to state and local programs relating to juvenile justice.	Chair appointed by Governor; Vice-Chair elected by SAG for one-year term; Secretary; Parliamentarian; Treasurer	For designated terms not specified in by-laws

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
Maine	Juvenile Justice Advisory Group		In addition to advising SPA as specified in Act, shall make recommendations and suggestions with respect to the planning of juvenile and delinquency prevention programs within the state; shall conduct necessary surveys and resource inventories relevant to the administration of the Act; and, shall make recommendations to the Agency regarding improvement of juvenile justice resources based upon such studies. Further, the JJAG shall undertake to develop model juvenile justice projects.	Elected Chairperson, Vice-Chairperson for 12 months. May be elected for more than one consecutive term.	Appointed by Governor for indeterminate terms
Montana	Montana Youth Justice Council	Executive Order	Not stated explicitly in By-laws	Chairman, appointed by Governor. Executive Committee established in By-laws, other committees established and recorded in minutes of Council, may have non-Council membership.	Four year terms and until successors are appointed and qualified

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
New Hampshire	Juvenile Justice and Delinquency Prevention Advisory Board	Not stated	Advise SPA in accordance with the provisions of JJDP Act. Will participate in the planning process, work with Regional Planning Unit's Youth Committees; review grant applications for juvenile programs and make recommendations to the staff and SPA. Review and approve the juvenile justice portion of the Comprehensive Plan.	Governor designates Chairman, Vice-Chairman. Executive Committee, others when deemed necessary.	Indeterminate
New Jersey	New Jersey Juvenile Justice and Delinquency Prevention Advisory Committee		Shall, where appropriate, advise and make recommendations to the SPA in regard to the Comprehensive Crime Control Plan as it affects juvenile justice and delinquency prevention. The review of standards and goals. Consideration of juvenile justice and delinquency prevention matters referred to the Committee by the Supervisory Board or SPA Executive Director.	Chairperson appointed by Governor; Vice-Chairperson elected by SAG for calendar year. Steering Committee only standing committee, others may be created as needed.	

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
South Carolina	Juvenile Justice and Delinquency Prevention Advisory Council	Executive Order	To advise the SPA and carry out certain planning and administrative functions designed to prevent crime, ensure greater safety of the state's citizenry, plan for and implement juvenile delinquency treatment and prevention, and generally improve the juvenile justice system. To advise the Governor and Governor's Committee on juvenile justice and delinquency prevention policy matters to include legislative, administrative and budgetary recommendations affecting the justice and social service systems dealing with juveniles.	Chairperson, Vice-Chairperson appointed by the Governor. Standing committees: Executive Committee, ad hoc committees as necessary.	At the pleasure of the Governor
West Virginia	State Advisory Group	Not explicitly stated	See Indiana, Maine	Chairperson appointed by Governor. When absent replacement elected by SAG. Other officers may be appointed by Chairperson. Standing committees: Nominating Committee (elected by SAG); Lobbying and Legislation; Plan Development and Review; Grant Review; Standards Development; Public Awareness; Monitoring for Compliance. Special committees may be created when deemed necessary.	Three year staggered terms. Replacement for duration of unexpired terms.

State	Name of Advisory Group	Stated Authority	Responsibilities	Structure, Officers and Committees	Terms for SAG Members
Puerto Rico	Juvenile Justice Advisory Group	JJDP Act	Advising and providing counsel in the area of juvenile justice to the Supervisory Board and SPA Executive Director, to make recommendations toward the establishment of public policy in relation to the juvenile problem as well as planning, designation of priorities, and administration of programs. Review of standards and goals, grant applications.	Chairman elected by members. No standing committees, committees created when deemed necessary. It is desirable that at least one-third of each committee's members be less than 26 years old.	Appointed until a new incumbent can take office

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meeting/ Notice	Procedures	Resolutions	Amendments to By-laws
Alabama	No less than 4 times per year. As requested by Chairman upon approval of SPA.	2/5 of committee members present at initial roll call. If quorum not present within 1½ hours of scheduled time the meeting shall be adjourned. No vote shall be taken without a quorum present.	Three unauthorized absences will result in a recommendation to the Governor for a replacement.	No provision for proxies	Notice and publication in accordance with state and federal laws. Meetings shall be held at specified times in places convenient to the public and all meetings shall be open.	Robert's Rules of Order	Not mentioned	2/3's vote of members present provided that proposed amendment distributed at least 10 days prior to meeting.
Arizona	Monthly or as required. Special meetings called by Chairman or SPA or 1/3 SAG members.	1/3 of appointed members present	2 consecutive and unexcused absences, letter requesting affirmation of desire to continue. 3 consecutive and unexcused absences, letter to Governor requesting a replacement.		All meetings open in accord with state and federal laws. Written notice to members at least 10 days prior to meeting.	Robert's Rules of Order		Majority vote of voting members. Must be submitted to SAG members in writing one month prior to action.

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meeting/ Notice	Procedures	Resolutions	Amendments to By-laws
California	Minimum of 4 meetings annually. Special meetings called at request of not less than 10 members or SPA.	Consist of 11 of the appointed members	SAG member missing 3 consecutive meetings or 50% of annual meetings shall have his name submitted to the appointing authority for recommended replacement, except that such absence is due to illness, injury, or personal emergency.	Voting limited to appointed members in person.	Public notice in compliance with state law. All meetings open to public. Notice of time and place of meeting given in writing to members at least two weeks prior to meeting.	Robert's Rules of Order	Resolutions not originating in a committee shall be referred to an appropriate committee for consideration and recommendation to the SAG.	Not mentioned
Connecticut	At least quarterly, on the call of the chairperson, or on written request of at least five members	Simple majority of appointed members	Not mentioned	Appointed members entitled to one vote. Absent members may have votes recorded on specific questions defined prior to the meeting	Chairperson shall set the dates and places of all meetings "well in advance and all members shall be notified accordingly in writing."	Not established	Not mentioned	Not mentioned

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meetings/ Notice	Procedures	Resolutions	Amendments to By-laws
Hawaii	Meet at least four times per year	A majority of all Council members	SAG member with 2 consecutive, unexcused absences shall receive a letter requesting if s/he desires to continue on SAG. 3 consecutive and unexcused absences will result in a letter to Governor requesting a replacement.	By members or designees except chairperson who may vote only to break ties.	Not mentioned	Robert's Rules of Order, Revised	Not mentioned	May be made by a vote of the majority of the membership of the SAG. Proposed changes must be submitted to members in writing one month previous to action.
Idaho	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified
Indiana	Not specified	Appointed SAG members present and voting at any session of the SAG assembled to procedures set forth shall constitute a quorum.	Chair may recommend to the Governor replacement of any member not present in person for three regular meetings during the year.	No proxies allowed	Meetings and records shall be open to public; agenda to be mailed at least 7 days prior to meeting.	Robert's Rules of Order		Majority vote of members present provided that the proposed changes shall have been presented to SAG at least 7 days prior to the meeting.

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meeting/ Notice	Procedures	Resolutions	Amendments to By-laws
Iowa	At least 3 times during fiscal year. Special meetings may be called at request of a majority of SAG members.	Majority of SAG members currently serving must be present at the initial roll call. If quorum is not present roll call may be continued for 1½ hours at which time the meeting will be adjourned if quorum is not present.	Not mentioned	Proxies to vote shall not be permitted.	Time, place, agenda and related materials and minutes of previous meeting shall be given to SAG members at least 10 days prior to meeting date.	Robert's Rules of Order	Not mentioned	2/3 votes of members present provided that the proposed amendment shall have been distributed to the Council at least 10 days prior to the meeting.
Maine	No frequency is given for "regular meetings." Special meeting may be called at discretion of Chair or by written request of five members.	25% of JJAG must be present	Chair may recommend to the Governor the dismissal of any SAG member not present for three regular meetings during any 12 month period.	Proxies are not provided for	Notice to members at least 7 days prior to meeting.	Robert's Rules of Order	Not mentioned	Majority vote of those present providing that proposed amendment shall have been distributed to SAG at least 7 days prior to such meeting.

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meeting/ Notice	Procedures	Resolutions	Amendments to By-laws
Montana	Not specified	Majority of current members	SAG members shall be recommended for dismissal if they have 2 unexcused absences.	Not specified	Not specified	Not specified	Not specified	Majority vote of the regular members. Any amendments shall be sent to members at least 30 days prior to meeting at which it is to be considered.
New Hampshire	Monthly on 3rd Wednesday of the month. Special meetings may be called by SPA or Chairman with one week's notice.	25% of members being present and voting	Not specified	Not specified	Shall be public meetings publicized with notice specifying time, place, and general nature of business to be transacted. Records open pursuant to federal Freedom of Information Act.	Robert's Rules of Order		2/3 vote of those SAG members present. Proposed amendments shall be submitted in writing at least 14 days prior to the meeting.

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meeting/ Notice	Procedures	Resolutions	Amendments to By-Laws
New Jersey	To be held as determined by the SAG. Special meetings may be called by the Chairperson or upon written request of at least 4 SAG members.	1/3 of SAG membership or delegated representatives	Not specified	Members may notify Chairperson in writing to delegate a representative to participate and vote in their absence.	Regular meetings are open to public	Robert's Rules of Parliamentary Law except as otherwise provided	Not specified	By majority vote of entire membership of duly appointed members. Amendment to be presented to the Secretary 45 days prior to meeting at which action is to be taken; copies to be distributed to members at least 30 days prior to meeting.
Puerto Rico	Meetings called by majority agreement of the members present. Special meetings called by SAG Chairman.	Majority of total members	Members may be recommended for removal for: being convicted of a felony or misdemeanors implying moral depravity; unjustified absences; repeated failure to comply with obligations and responsibilities as a member of the Advisory Group.	Not specified	Not specified	Robert's Rules of Order	Not specified	Proposed amendments submitted to SAG Chairman who will appoint a committee to study the proposed amendments and report on its recommendations. SAG members shall be sent the proposed amendments no less than 10 days prior to its discussion.

State	Number of Meetings	Quorum	Attendance	Voting/ Proxies	Public Meeting/ Notice	Procedures	Resolutions	Amendments to By-laws
South Carolina	Quarterly with special meetings at the call of the Chair for a special purpose	51% of the then active voting membership	Upon missing 2 consecutive meetings, a member will be so notified with a copy to the Governor. A member missing a third consecutive meeting shall be resigned from the Council.	A representative may be designated but may not vote.	Membership notified at least 30 days in advance of regular meetings. Such notices shall contain the time and place of the meeting. Special meetings require at least seven days notice.	Robert's Rules except when they conflict with the Council's By-laws	Not mentioned	Vote of membership representing a majority thereof at any meeting, special or regular, when the proposed amendment has been sent out in the notice of such meeting.
West Virginia	8 times per year. Regular meeting date will be the 3rd Friday of the month. Special meetings may be called at discretion of Chair or upon written request of 5 SAG members.	5 members present constitute a quorum.	A majority of the membership voting may recommend to the Governor the dismissal of any SAG member not represented in person for 4 regular meetings during a 12 month period.	Voting power cannot be delegated	All SAG meetings public. Executive Sessions may be called under provisions of state law. At least 7 days prior notice to SAG meeting.	Robert's Rules of Order	Not mentioned	Majority of members present if proposed amendment distributed to SAG members at least 7 days prior to such meeting.

State	Conflict of Interest	Records	Staff	Compensation	Other
Alabama	Not addressed	Agenda and stenographic transcript of any meeting shall be recorded and maintained by the SPA.	Not addressed	Committee members and others as authorized by the SPA shall be entitled to reimbursement for allowable expenses while on official Committee business.	Appeal procedures in accordance with SPA Operations Manual. The Committee shall be advised of all appeals affected by Committee business.
Arizona	A member of the Advisory Council shall reveal his/her interest in any proposal or project involving grant-in-aid funds when, to his/her knowledge, s/he or a related person directly or indirectly may derive a monetary benefit from such proposal or project, or any proposal on the agenda that would grant money or confer benefits upon an organization that has as an officer or director of its governing board a member of the Advisory Council.	Minutes of JJDP Advisory Council will be kept by SPA.	Not addressed	Members shall be entitled to reimbursement at the rate set under existing state law for expenses incurred attending meetings and carrying out other business as authorized by the JJDP Advisory Council and Executive Director of SPA.	Not addressed

State	Conflict of Interest	Records	Staff	Compensation	Other
California	SAG member shall reveal his/her interest in and shall abstain from voting upon any proposal where s/he or a related person may derive a monetary benefit from such proposal or project. Where a project or proposal would grant money or confer benefits upon an organization employing a SAG member that member may participate fully in the discussion but must abstain from voting.	Minutes shall be kept of all regular and special SAG meetings	Not mentioned	Members shall be entitled to reimbursement at the rate set under existing state law for expenses incurred attending meetings and carrying out other business as authorized by the SAG and the Executive Director of the SPA.	Annual Calendar - A schedule of proposed activities for the calendar year shall be developed by the Executive Committee and approved by the membership. This calendar shall be submitted to the SPA prior to adoption of its annual budget for inclusion.
Hawaii	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned
Idaho	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned
Indiana		Stenographic transcript of Board meeting, summarized minutes	Juvenile justice planner shall be responsible for planning and liaison with SAG. SPA may appoint other staff.	Shall be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out duties.	

State	Conflict of Interest	Records	Staff	Compensation	Other
Iowa	Not mentioned	Minutes to record time and place of the meeting, members present, and action taken. Minutes are public records open to public inspection.	Not mentioned	Not mentioned	
Maine	Not mentioned	Not mentioned	Juvenile Justice Planner responsible for planning and liaison with SAG. SPA may assign other staff.	SAG members reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out duties.	
Montana	Not mentioned	Not mentioned	Not mentioned	Not mentioned	
New Hampshire	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Severability of Provisions - if any phrase, clause, sentence or provision of these by-laws are declared to be contrary to the JJDP Act, said phrase, clause, sentence or provision shall be null and void, but the validity of the remainder shall not be affected.

State	Conflict of Interest	Records	Staff	Compensation	Other
New Jersey	By reference to state law	Minutes prepared by Secretary; available for public inspection.	Secretary to the SAG shall be the SPA Director or his/her designate.	Not mentioned	Order of Business - Established in by-laws may be temporarily set aside by majority of SAG members in attendance. Ratification Clause - By majority vote of duly appointed members. Rules and Regulations to Implement By-laws - Committee may develop such rules and regulations as may be necessary for the proper implementation of the by-laws.
Puerto Rico	Not mentioned	Not mentioned	Not mentioned	SAG members have the right to be reimbursed for any expenses incurred for travel if in the rendering of said services according to rules promulgated by Secretary of the Treasury. Private citizen shall receive \$25.00 per diem.	Order of the Agenda - Established in By-laws may be altered by previous agreement among the members.
South Carolina	Not mentioned	Not mentioned	Not mentioned	Mileage, per diem, and subsistence authorized by state law for boards, committees and commissions.	

State	Conflict of Interest	Records	Staff	Compensation	Other
West Virginia	Not mentioned	Not mentioned	Not mentioned	Reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out their duties.	

APPENDIX 7

Sample Bylaws

Terry Donahue	Juvenile Justice Specialist, Mid-Atlantic Region: New York, New Jersey, Virgin Islands, Puerto Rico, Pennsylvania, Maryland, Virginia, West Virginia, Delaware, District of Columbia
Carl Hamm	New England Region: Maine, Vermont, Massachusetts, Connecticut, New Hampshire
Richard Sutton	Juvenile Justice Specialist, Mid-West Region: Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, Nebraska, Kansas, Missouri, Iowa
Paul Steiner	Juvenile Justice Specialist, Rocky Mountain/Southwest Region: Utah, Arkansas, Colorado, New Mexico, Texas, Oklahoma, Louisiana, Wyoming, North Dakota, South Dakota, Montana
Frank Porpotage	Juvenile Justice Specialist, Far West Region: Washington, Oregon, Idaho, California, Nevada, Alaska, Arizona, Guam, Hawaii, American Samoa, Trust Territories of the Pacific, Commonwealth of the Northern Marianas
Doyle Wood	Juvenile Justice Specialist, Monitoring and Compliance Issues
Emily C. Martin	Director, Special Emphasis Division (202) 724-7755
Vermont McKinney	Deputy Director, Special Emphasis Division
Marjorie Miller	Juvenile Justice Specialist, New Pride Replication
Elizabeth Wallach	Juvenile Justice Specialist, Advocacy Initiation
Douglas Dodge	Juvenile Justice Specialist, Restitution Initiative and Serious Offender Initiative
Monserate Dias	Juvenile Justice Specialist, Alternative Education Initiative
Roberta Dorn	Juvenile Justice Specialist, Capacity Building Initiative

STATE OF CALIFORNIA
BYLAWS, RULES AND PROCEDURES
of the
STATE ADVISORY GROUP ON JUVENILE JUSTICE
AND DELINQUENCY PREVENTION

ARTICLE I - NAME, AUTHORITY AND RESPONSIBILITIES

Section 1: Name

The name of the group is the "STATE ADVISORY GROUP ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION" hereinafter referred to as the "SAG".

- (a) "OCJP" means Office of Criminal Justice Planning -- the State Planning Agency (SPA).
- (b) "CCCJ" means California Council on Criminal Justice -- Supervisory Board.

Section 2: Authority

- (a) Section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974 provides for an advisory group appointed by the chief executive of the State to carry out the functions specified in subparagraph (F), and to participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action and shall consist of not less than 21 nor more than 33 persons; and (F) which (i) shall, consistent with this title, advise the State planning agency and its supervisory board; (ii) may advise the Governor and the legislature on matters related to its functions, as requested; (iii) shall have an opportunity for review and comment on all juvenile justice and delinquency prevention grant applications submitted to the State planning agency other than those subject to review by the State's judicial planning committee established pursuant to section 203(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, except that any such review and comment shall be made no later than 30 days after the submission of any such application to the advisory group; and (iv) may be given a role in monitoring State compliance with the requirements of paragraph (12)(A) and paragraph (13), in advising on State planning agency and regional planning unit supervisory board composition, in advising on the State's maintenance of effort under section 261(b) and section 520(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and in review of the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the comprehensive State plan;
- (b) Section 223(b) provides that "the State planning agency designated pursuant to Section 223(a), after receiving and considering the advice and recommendations of the advisory group referred to in Section 223(a), shall approve the State plan and any modification thereof prior to submission to the Administrator."

ARTICLE II - ROLES

- A. Implement Section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974 (as amended through October 3, 1977) as defined in Article I, Section 2 of these Bylaws.
- B. Upon request, provide consultation and advice to the California Youth Authority, the Interdepartmental Council, Delinquency Prevention and Juvenile Justice Commissions, Regional Planning Units of OCJP, the California Council on Children and Youth as well as other youth-serving agencies, public and private. The cost of such consultation shall be borne by the requesting agency.
- C. Youth Advocacy, for the purpose of youth development which is the cognitive, emotional, social and physical growth of youth moving toward adulthood. And youth participation which is the ongoing, active involvement of young people in the activities and decisions which directly affect their lives.
- D. Self-evaluation of SAG impact and effectiveness with an annual report to be submitted to OCJP.

ARTICLE III - STRUCTURE - OFFICERS AND COMMITTEES

A. Officers

1. Chairperson. The Governor of the State of California shall appoint the Chairperson of the State Advisory Group who shall be a member of the private sector.
 - a. The Chairperson shall preside over all meetings of the Advisory Group without the privilege of voting.
 - b. The Chairperson shall appoint all committees and their Chairpersons with the approval of the SAG.
 - c. The Chairperson also chairs the Executive Committee and is an ex-officio member of all other committees.
 - d. Requests for consultant and staff services for committees shall be submitted to the Chairperson.
2. Vice-Chairperson. A Vice-Chairperson shall be elected by the SAG at the first meeting of each year. The Chairperson may place a name in nomination.
 - a. In the absence of the Chairperson, the Vice-Chairperson shall preside at all meetings.
 - b. The Vice-Chairperson shall also, at the designation of the Chairperson and/or the Director of OCJP, represent the chair in all processes of the Group.

B. Standing Committees

There shall be the following standing committees:

1. Planning and Development
2. Policy and Advocacy
3. Project Application Review
4. Executive Committee

- a. The Executive Committee of the SAG (hereinafter referred to as the "Executive Committee") is hereby constituted as a permanent committee of the Advisory Group. It shall consist of not more than nine members including the Chairperson and Vice Chairperson of the SAG; the Chairperson of each standing committee listed above, or in such person's absence the Vice Chairperson of any such standing committee, and three other members of the SAG as the Chairperson shall appoint.
- b. The Executive Committee shall advise the Group on matters of policy and procedure and shall perform such other duties as the Group assigns to it.
- c. The Executive Committee shall meet at such times and places as the Chairperson shall determine. If the Chairperson and Vice-Chairperson are absent from a meeting, the members present shall choose one of their number to preside at that meeting.
- d. The Executive Committee shall also be responsible for the annual calendar of activities.
- e. The Executive Committee shall have the power to act for the Advisory Group between meetings of the Group. However, any such action shall be subject to ratification by the Group.

C. Committee Membership and Operation

1. Where feasible, each SAG member shall belong to one of the three major standing committees (Policy and Advocacy, Planning and Development, and Project Application Review).
2. The Chairperson of SAG shall appoint with the consent of SAG the Chairperson of each committee.
3. Meetings of the committees shall be scheduled and held as needed and minutes of these meetings distributed to all SAG members.
4. Requests for staff support, and consultants for these committees, shall be made to the Chairperson of the SAG.

5. All committee meetings are open to all SAG members but only those designated to attend shall be reimbursed for expenses.

ARTICLE IV - MEETINGS, QUORUM, ATTENDANCE AND VOTING

- A. The SAG shall have a minimum of four meetings annually. The time and place of each meeting shall be determined by the Chairperson unless specified at the previous meeting. Notice of time and place of the meeting shall be made in writing to all members at least two weeks prior to the meeting date. Meetings shall be called upon the request of not less than ten members in writing to the Chairperson. Meetings may also be called at the request of OCJP and/or CCCJ. Public notice of meetings shall be in compliance with state law. All meetings of the SAG are public meetings and are open to the public in accordance with state and federal law.
- B. Quorum. A quorum shall consist of 11 of the appointed members.
- C. Meeting Attendance. Any member of the SAG who misses three consecutive meetings or who attends less than 50 percent of the SAG's regularly called meetings in any calendar year shall have his or her name submitted to the appointing authority for recommended replacement except in situations in which the Chairperson finds that such absence is the result of illness, injury, or personal emergency.
- D. Voting. The privilege of introducing motions, debate, and voting shall be limited to appointed members in person. Participation at SAG meetings by non-members shall be in accordance with state and federal laws and at the discretion of the Chairperson.
- E. Minutes. Minutes shall be kept of all regular and special SAG and committee meetings. They shall indicate the items discussed and the results of any vote. The minutes shall be mailed to all SAG members within two weeks following the meeting and shall be considered for approval at the next SAG meeting.
- F. Expenses. Members shall be entitled to reimbursement at the rate set under existing state law for expenses incurred attending meetings and carrying out other business as authorized by the SAG and the Executive Director of OCJP.

ARTICLE V

- A. Annual Calendar. A schedule of proposed activities for the calendar year shall be developed by the Executive Committee and approved by the membership. This calendar shall be submitted to OCJP prior to adoption of its annual budget for inclusion.

- B. Resolutions. Resolutions not originating in a committee shall be referred to a standing or special committee for consideration and recommendation to the Group. This process can take place while the meeting at which the Resolution is introduced is in process or can be accomplished before the next meeting of the Group.
- C. Conflict of Interest.
1. A member of the SAG shall reveal his/her interest in and shall abstain from voting upon any proposal or project involving grant-in-aid funds where, to his/her knowledge, he/she or a related person directly or indirectly may derive a monetary benefit from such proposal or project.
 2. Where a proposal is on the agenda that would grant money or confer benefits upon an organization or department, public or voluntary, that employs a member of the SAG, that member may participate fully in the discussion thereon, but shall not vote on the resolution to recommend approval or disapproval.
 3. Where a proposal is on the agenda that would grant money or confer benefits upon an organization or department, public or voluntary, that has as an officer or a director of its governing board, a member of the SAG, that member may participate fully in the discussion thereon, but shall not vote on the resolution to recommend approval or disapproval.
- D. Unless otherwise specified herein, SAG operations shall be governed by Roberts Rules of Order, Newly Revised.

ADOPTED
BY-LAWS
OF THE
JUVENILE JUSTICE
AND
DELINQUENCY PREVENTION
ADVISORY BOARD
of
ICJPA

August 19, 1976

ARTICLE I

ADVISORY BOARD MEMBERS AND APPOINTMENT

Section 1 Name

The Name of the Advisory Group, created in Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (hereinafter designated as "Act"), shall be the "Juvenile Justice and Delinquency Prevention Advisory Board" (hereinafter designated as "Board").

Section 2 Members of Board, Qualifications Required by Act

The Board shall consist of not less than twenty-one and not more than thirty-three persons who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice ... The appointees to the Board shall include representation of the following:

(a) Units of local government, law enforcement and juvenile justice agencies, such as law enforcement, correction or probation personnel, and juvenile or family court judges, and public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, or youth services departments.

(b) The representation shall also include private organizations concerned with delinquency prevention or treatment; concerned with the quality of juvenile justice, education, or social services for children, which will utilize volunteers to work with delinquents or potential delinquents, community-based delinquency prevention or treatment programs; and organizations which represent employees affected by this Act.

(c) At least one-third of the Board shall be under the age of 26 at the time of appointment.

(d) A majority of the members of the Board, including the chairperson, shall not be full-time employees of the Federal, State, or local government.

Section 3 Appointment, Number, and Terms

The members of the Board, as provided in said Act, shall be appointed by the Governor for terms of four years each, except that initially the membership will be divided and assigned to staggered terms in order to insure future continuity of Board duties and functions. Thereafter, following the expiration of the staggered terms, all appointments shall be for terms of four years. Should a vacancy occur, a replacement shall be appointed to fill only the duration of the unexpired term.

Section 4 Duties

In addition to the responsibility imposed by said Act "to advise the Indiana Criminal Justice Planning Agency and the Indiana Criminal Justice Commission," the Board shall make recommendations and suggestions with respect to the planning of juvenile justice and delinquency prevention programs within the State; shall conduct necessary surveys and resource inventories relevant to the administration of the Act; and, shall make recommendations to the Agency and commission regarding improvement of juvenile justice resources based upon the results of such data collection and assessments. Further, the Board shall undertake to develop model juvenile justice projects applicable to the needs of counties of light, medium, and dense population distribution and replicable for similar such locations throughout the State.

Section 5 Compensation

Members of the Board shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out their duties.

ARTICLE II

OFFICERS

Section 1 Chairperson

The Chairperson of the Advisory Board shall be initially appointed by the Governor for a term of one year. Thereafter, the Advisory Board shall elect from its membership a candidate to serve as Chairperson. The elective term of the Chairperson shall be for the duration of twelve calendar months. It shall be possible for a person to be re-nominated and to serve for more than one consecutive term subject only to the elective process of the Board itself.

Section 2 Vice-Chairperson

A Vice-Chairperson shall be elected by and from the membership of the Board to serve in the absence, inability, or resignation of the Chairperson. The elective term of the Vice-Chairperson shall be for the duration of twelve calendar months. It shall be possible for a person to be re-nominated and to serve more than one consecutive term subject only to the elective process of the Board itself.

Section 3 Secretary

A Secretary shall be elected by and from the membership of the Board, who shall: 1) assure that a stenographic transcript of Board meeting is kept; 2) summarize, with the aid of the Chairperson, the minutes for approval of the Board; and 3) perform such other tasks as the Chairperson designates. The Secretary shall forward the minutes of the meeting to Board members prior to the next Board meeting, at which time they shall be submitted to the Board for approval. Copies of the minutes shall be promptly sent to anyone who requests them. When and if funds are available, the Board may arrange to pay for extra clerical service.

The elective term of the Secretary shall be for the duration of twelve calendar months. It shall be possible for a person to be re-nominated and to serve more than one consecutive term subject only to the elective process of the Board itself.

Section 4 Other Officers

The Chairperson, with the consent of the Board, may appoint any other officers or assistants as may be needed.

ARTICLE III

MEETINGS

Section 1 Regular Meetings

Meetings of the Board shall be held at a location and time to be determined by the Chair and approved by the membership. The Chair shall have the discretion to cancel or reschedule any regular meeting by written notice within a reasonable time prior to the scheduled meeting date. The time and place of all such meetings scheduled or rescheduled shall be given the Board at least seven days prior to the meeting date.

Section 2 Special Meetings

Special meetings of the Board may be called at the discretion of the Chair or by a request signed by at least five Board members. An agenda, together with a notice of the time and place of any such meeting must be provided the Board members at least seven days prior thereto. Only matters contained in the agenda shall be voted at any special meeting.

The Chair shall have the discretion to cancel any special meeting, provided that such meetings called by the members of the Board be cancelled only with their consent.

Section 3 Quorum

In order to legally transact business, a majority of the Board members must be present at the initial roll call at the commencement of any regular or special meeting and they shall constitute a quorum. The Chair, if a quorum is not present at the scheduled time of the meeting, may continue a roll call for a time not to exceed one and one-half hours after which, if a quorum is not then present, the meeting shall be adjourned.

Section 4 Passage of Motions

After a quorum is announced, a majority of those voting (defined as those who cast "yes" or "no" votes) on a motion shall be sufficient to pass and make it the official act of the Board. The Chair or any Board member may call for a roll call vote on any motion. The minutes shall reflect the results of each roll call vote.

Section 5 Public Meetings: Agenda

Meetings and records of the Board shall be open to the public. The Chair shall be responsible for the preparation and distribution of the agenda for all Board meetings. The agenda shall be mailed to Board members not less than seven days in advance of scheduled meetings.

Section 6 Attendance

The Chair may recommend to the Governor the dismissal of any Board member who is not represented in person for three regular meetings during any twelve-month period.

Section 7 Rules of Order

All matters of procedure not covered by these By-laws or by resolution of the Board shall be governed by Robert's Rules of Order.

ARTICLE IV

SPECIAL COMMITTEES

Section 1 Appointment

The Board or the Chair may, from time to time, create special committees or task forces and the Chair shall appoint all committee leaders.

Section 2 Responsibilities

The committees or task forces shall exercise those powers as are delegated to them by the Board, these By-laws, and as are appropriate to their mission and responsibility. Committees shall also have such other powers and duties as delegated by the Chair. Committee reports and recommendations shall be submitted to the Chair within the time prescribed and they shall be advisory only.

ARTICLE V

STANDING COMMITTEES

Section 1 Standing Committees

There shall be four Standing Committees of the Board, consisting of not less than five members each, as follows:

- (a) Delivery of Services Systems (5)
- (b) Prevention and Diversion Resources (5)
- (c) Planning, Coordination, and Development (5)
- (d) Research, Demonstration, and Education (5)

(20)

Section 2 Appointment

The members of each Standing Committee, together with the appointed leaders thereof, shall be designated by the Chair.

Section 3 Responsibilities

The Standing Committees shall be responsible for the initial duties and work of the Board as set out in Section 4 of Article I, herein, and to act for the Board between meetings in their categorical areas.

ARTICLE VI

STAFF

Section 1 Juvenile Justice Planner

The Juvenile Justice Planner shall be responsible for Juvenile Justice and Delinquency Prevention Planning and Liaison with the Board and shall perform such other duties as assigned by the Indiana Criminal Justice Planning Agency.

Section 2 Other Designated Staff

The Indiana Criminal Justice Planning Agency may appoint other staff members with such duties and responsibilities as may be specified.

ARTICLE VII

AMENDMENT OF BY-LAWS

Section 1 Procedures

These By-laws may be amended at any regular or special meeting by a majority vote of the members present, provided that any such proposed amendment shall have been distributed to the Board members at least seven days prior to such meeting.

Official Change of By-Laws

In accordance with the official procedures for the Amendment of By-Laws, Article VII, of the By-Laws of the Juvenile Justice and Delinquency Prevention Advisory Board, the membership voted the following change at the twelfth regularly scheduled meeting of the Advisory Board held on Wednesday, June 21, 1978.

The official vote was recorded as being 9 votes for approval; 0 votes for disapproval; 0 votes in abstention.

This change hereby takes effect as of 3:30 P.M., the time of adjournment, Wednesday, June 21, 1978.

ARTICLE III

MEETINGS

Section 3 Quorum

In order to legally transact business, those appointed Advisory Board members present and voting at any session of the Advisory Board which has been assembled according to the procedure of notification of the membership as set forth in these By-Laws shall constitute a quorum. The Chair shall reserve a "Right to Suspend Action" for any action of the Advisory Board which requires a vote of the membership if circumstances indicate that there is an insufficient representation of the membership on any occasion, or relevant to any issue to be decided, to duly and adequately reflect a consensus of the membership of the Advisory Board as a body.

OFFICIAL CHANGE OF BY-LAWS

In accordance with the official procedures for the Amendment of By-Laws, Article VII, of the By-Laws of the Juvenile Justice and Delinquency Prevention Advisory Board, the membership voted the following change at the thirteenth regularly scheduled meeting of the Advisory Board held on Wednesday, July 26, 1978.

The official vote was recorded as being 7 votes for approval; 0 votes for disapproval; 0 votes in abstention.

This change hereby takes effect as of 3:30 p.m., the time of adjournment, Wednesday July 26, 1978.

ARTICLE III

MEETINGS

Section 6 Attendance

Because of the nature and role of this Advisory Board, the membership composition of the Advisory Board is representatively unique and designed inherently to provide for the direct and personal advice of those individuals who have been selected through Gubernatorial appointment to serve and to thereby advise accordingly in matters pertaining to Juvenile Justice and Delinquency Prevention within this State. In furtherance of the nature of this advisory function, the utilization of proxies has specifically been disallowed through the adoption of these By-Laws. Therefore, the Chair will provide for a formal and continuing monitoring of attendance of Advisory Board members for all regular and special meetings of the Advisory Board. Should it be ascertained that any Advisory Board member has not been in attendance for any three consecutive meetings, the Chair will inquire through written correspondence the reasons for such non-attendance; and, following requisite review of the matter, and with the consent and recommendations of the general membership of the Advisory Board, will direct that appropriate action be taken to remediate or otherwise resolve the matter.

BYLAWS OF THE
NEW JERSEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION
ADVISORY COMMITTEE

Ratified March 31, 1977

ARTICLE I: PARLIAMENTARY RULES

The deliberations and procedures of the Juvenile Justice and Delinquency Prevention Advisory Committee of the State of New Jersey are to be governed by the Roberts Rules of Parliamentary Law, except as hereinafter may be specifically provided.

ARTICLE II: NAME, MEMBERSHIP AND FUNCTIONS

Section 1: Name

The name of the Committee is the "NEW JERSEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY COMMITTEE" (hereinafter referred to as the "Committee").

Section 2: Membership

The Juvenile Justice and Delinquency Prevention Advisory Committee appointed by the Governor shall consist of not less than 21 and not more than 33 persons in conformance with the requirements of the Juvenile Justice and Delinquency Prevention Act of 1974 (hereinafter referred to as the "JJDP Act"), Public Law 93-415. The Committee shall be comprised of persons who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice, a majority of whom may not be full-time government employees. At least one-third of the members must be under the age of 26 at the time of appointment.

Section 3: Functions

The Committee shall, where appropriate, advise and make recommendations to the Governing Board of the State Law Enforcement Planning Agency and to the staff of the State Law Enforcement Planning Agency in regard to:

- a) The New Jersey Comprehensive Crime Control Plan as it affects juvenile justice and delinquency prevention.
- b) The review of standards and goals developed by the State and national bodies involved in such tasks.
- c) The consideration of juvenile justice and delinquency prevention matters referred to the Committee by the Governing Board of the State Law Enforcement Planning Agency or the Executive Director of the State Law Enforcement Planning Agency.

ARTICLE III: CHAIRPERSON OF THE BOARD: DESIGNATION AND FUNCTIONS

Section 1: Chairperson

The Chairperson shall be so designated by the Governor and shall be a member of the Committee.

Section 2: Chairperson to Preside

The Chairperson shall preside over meetings of the Committee and shall exercise such powers and perform such duties as are prescribed by these bylaws.

Section 3: Vice-Chairperson

The Vice-Chairperson shall be a member of the Committee who is elected by the Committee. The term of the Vice-Chairperson shall be coextensive with the calendar year in which he or she is elected. He or she shall be elected by a majority of the members at a regular meeting of the Committee. For purposes of this section "members" shall be those who are duly appointed and who are active. A person shall not be considered an active member if he or she has tendered his or her resignation.

Section 4: Temporary Absence of the Chairperson

In the absence of the Chairperson, the Vice-Chairperson shall assume the duties and responsibilities of the Chairperson.

ARTICLE IV: SECRETARY TO THE COMMITTEE: DESIGNATION AND FUNCTIONS

Section 1

The Secretary of the Committee shall be the Executive Director of the State Law Enforcement Planning Agency or his/her designate.

Section 2

The Secretary shall prepare minutes of regular and special meetings of the Committee. A full set of minutes shall be sent to each member of the Committee prior to the next regular meeting. Minutes of all meetings of the Committee shall be made available for public inspection at the State Law Enforcement Planning Agency offices, 3535 Quaker Bridge Road, Trenton, New Jersey.

Section 3

The Secretary shall render such professional, administrative, and clerical assistance to the Committee as shall, from time to time, be necessary to execute the duties and responsibilities of the Committee.

Section 4

The Secretary shall collect, assemble, prepare and disseminate information and data as may be required for presentation to the Committee, and is to perform such other functions as the Committee may direct.

Section 5

The Secretary may from time to time, to the degree consistent with the JJDP Act of 1974, employ consultants or experts as may be deemed necessary to supplement the work of the staff.

ARTICLE V: MEETINGS

Section 1

Regular meetings of the Committee are to be held on such days and times to be set by the Committee and in a place to be determined by the Committee.

Section 2

Special meetings may be called by the Committee Chairperson at any time.

Section 3

Special meetings may be called upon written request signed by four (4) or more members of the Committee and stating the purpose of the meeting.

Section 4

Written notice calling all meetings shall be sent by the Secretary to each member of the Committee, at least one week prior to the meeting.

Section 5

One-third of the membership of the Committee shall constitute a quorum, and a quorum is necessary to transact business. Except as otherwise provided by these bylaws, all questions shall be determined by a majority of the members present and entitled to vote. For purposes of this section, the duly appointed active members or their representatives as delegated in accordance with Section 6 shall be the "membership". A person shall not be considered an active member if he or she has tendered his or her resignation.

Section 6

Committee members must notify the Chairperson in writing if they desire to delegate a representative to attend meetings, take part in deliberations, and vote in their absence.

Section 7

Regular meetings of the Committee shall be public. Any member of the public shall be permitted to be present at a meeting and may address the Committee upon request to and with the permission of the Chairperson.

ARTICLE VI: COMMITTEES

Section 1

The Committee of the Whole shall determine all matters concerning Committee policy.

Section 2

The Committee may resolve itself into subcommittees for division of its work.

Section 3

- a) The Steering Committee shall advise the Committee on matters of procedure, set the agenda for regular meetings, and perform such other duties as the Committee may, by resolution assign to it.
- b) The Steering Committee shall be a permanent committee. It shall consist of the Chairperson of the Committee; Vice Chairperson; Chairpersons of the extant Subcommittees; and two members from the Committee's general membership. The two members are to be elected at a regular meeting of the Committee.
- c) The Steering Committee shall meet at such times and places as the Chairperson shall determine.

ARTICLE VII: ORDER OF BUSINESS

The order of business may be set aside temporarily at any meeting of the Committee, by a majority vote of the members of the Committee present at the meeting.

1. Roll call.
2. Approval of Minutes of previous meeting.
3. Reports of Standing Committees (optional).
4. Reports of Special Committees (optional).
5. Report of staff, with summary of work and activities of the staff, together with notation of matters requiring Committee action or attention.
6. Unfinished business.
7. New business.
8. Next meeting.
9. Roll call.
10. Adjournment.

ARTICLE VIII: AMENDMENTS

These bylaws may be amended at any regular meeting of the Committee by a majority vote of the entire membership. For purposes of this article, all duly appointed active members shall be the "membership". A person shall not be considered an active member if he or she has tendered his or her resignation. The proposed amendment shall be presented to the Secretary in writing and signed by a member of the Committee at least 45 days prior to the meeting at which action on the amendment shall be taken. The Secretary shall cause a copy of the proposed amendment to be sent to each member at least 30 days prior to that meeting.

ARTICLE IX: CONFLICT OF INTEREST

The Committee members shall comply with the appropriate sections of the New Jersey Conflict of Interest Law Ch. 182 p.l. 1971, as may be amended from time to time. Any member who is a "State officer or employee or member of the Legislature" as defined by the Law is bound by the code of ethics established by the State agency for which he or she works. All other Committee members are "special State officers or employees" as defined by the Law and are bound by Sections 13D-14; 16a; 17; 20; 24 and 25 of the New Jersey Conflict of Interest Law.

ARTICLE XI: RATIFICATION CLAUSE

The Committee shall ratify the within bylaws at one of its regular meetings. Ratification of the bylaws shall be by a majority vote of the duly appointed active members. A person shall not be considered an active member if he or she has tendered his or her resignation. These bylaws shall take effect immediately upon ratification.

ARTICLE X: RULES AND REGULATIONS TO IMPLEMENT BYLAWS

The Committee may develop such rules and regulations as may be necessary for the proper implementation of these bylaws.

APPENDIX 8

Ad Hoc Regional Committee

AD HOC REGIONAL COMMITTEE

James Doolan, National Chairman
105 Elaine Avenue
Westminster, MD 21157

REGION I

A. L. Carlisle
21 Maple Lane
Cape Elizabeth, ME 04107

REGION II

Jorge Amadeo
John F. Kennedy Avenue
San Miguel
San Juan, PR

REGION III

James Doolan
105 Elaine Avenue
Westminster, MD 21157

REGION IV

Donald Brewer
120 Sunnybrook Road
Athens, GA 30605

REGION V

Joyce H. Kopp
121 Colfax South East
Wadena, MN 56482

REGION VI

Lee Jacobs, Jr.
P.O. Box 941
Lake Charles, LA 70601

REGION VII

James Doolan
(contact person)

REGION VIII

Jim Oleson
629 Alkire Street
Lakewood, CO 80228

REGION IX

Carolyn Brown
P.O. Box 405
Bolin, CA

REGION X

Ida Hawkins
820 North 23rd
Coeur d'Alene, ID 83814

APPENDIX 9

Calendar of Juvenile Justice Activities

CALENDAR OF JUVENILE JUSTICE ACTIVITIES

April

- *15 Guidelines issued for Special Emphasis Serious Offender Initiative
- *30 Application deadline for Special Emphasis Alternative Education Projects
- *30 Guidelines issued for Special Emphasis Capacity Building grants
- *30 Guidelines issued for Special Emphasis Delinquency Prevention Research and Demonstration Programs

May

- *1 Guidelines issued for Special Emphasis Removal of Juveniles from Adult Jails and Lockups Initiative
- mid-month Semi-Annual Technical Assistance Needs Assessment

June

- 12-14 National Advisory Committee Meeting, Washington, D.C.
- *15 Application deadline, Special Emphasis Serious Offender Projects
- *30 Application deadline, Special Emphasis Capacity Building Projects
- *30 Application deadline, Special Emphasis Delinquency Prevention Research and Demonstration Projects

July

- *1 Application deadline, Special Emphasis Removal of Juveniles from Adult Jails and Lockups Projects

August

- 21-23 National Advisory Committee Meeting, Portland, Oregon
- *30 Special Emphasis Award, Alternative Education Grants
- *31 Submission deadline, state LEAA applications and juvenile justice plans

September

- *30 Special Emphasis Award, Serious Offender Grants
- *30 Special Emphasis Award, Removal of Juveniles from Adult Jails and Lockups
- *30 Special Emphasis Award, Delinquency Prevention Research and Demonstration Grants

October

- 1 Start of FY 81 (Federal Fiscal Year)
- *1 Special Emphasis Award, Capacity Building Grants
- 27-30 National State Advisory Group Conference, San Antonio, Texas

November

- mid-month Semi-Annual Technical Assistance Needs Assessment

December

- *31 Annual Monitoring Report for Section 223(a)(14) due OJJDP

*denotes tentative date subject to change

OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
Staff Directory
February 1, 1980

Mailing Address: Office of Juvenile Justice
and Delinquency Prevention
Law Enforcement Assistance
Administration
633 Indiana Avenue N.W.
Washington, D.C. 20531

Ira Schwartz

Administrator, Office of Juvenile
Justice and Delinquency Prevention
(202) 724-7751

Jim Shine

Acting Deputy Associate Administrator

James C. "Buddy" Howell

Deputy Associate Administrator for
the National Institute for Juvenile
Justice and Delinquency Prevention
(202) 724-5893

David D. West

Director, Formula Grants and
Technical Assistance Division
(202) 724-7769

Jim Gould

Chief of Technical Assistance and
Program Development Section

Nancy Kujawski

Juvenile Justice Specialist,
Technical Assistance Coordinator
and State Advisory Group Liaison

William Modzeleski

Juvenile Justice Specialist,
Policy, Program Development,
and Special Projects

Kathie Costin

Juvenile Justice Specialist,
Policy, Program Development,
and Special Projects

Carl Hamm

Chief of Formula Grants Section

Travis Cain

Juvenile Justice Specialist,
Southeast Region: Kentucky,
North Carolina, South Carolina,
Mississippi, Alabama, Georgia,
Florida

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