

**Juvenile Justice Delinquency Prevention Act Reauthorization  
December 13, 2018  
Summary of Changes**

**I Major Changes to the JJD Act**

<b>Core Requirement:</b>	<b>Summary of Change:</b>	<b>What it means for Nevada:</b>
<b>DCM</b>	Changes the Disproportionate Minority Contact (DMC) requirement to focus on Racial and Ethnic Disparities (RED). Requires that states collect and analyze data on racial and ethnic disparities. Requires states to determine which points create RED, and establish a plan to address RED.	<ul style="list-style-type: none"> <li>• A change from the term DMC to RED. Removes emphasis on report Race and places it on reporting ethnicity.</li> <li>• Increased focus on analysis.</li> <li>• Change in how data is reported to OJJDP, only 5 contact points will be required; however, the required Plan will need to be detailed.</li> <li>• Will have to identify a number in which the state will decrease RED in the Plan to address RED.</li> </ul>
<b>Sight and Sound/Jail Removal</b>	Not later than 3 years after the date of enactment, states are required to ensure sight and sound separation and jail removal for youth awaiting trial as adults. This protection previously applied only to youth being held on juvenile court charges. An exception continues to exist for cases where a court finds, after a hearing and in writing, that it is in the interest of justice.	Find an option of where to house certified youth while they are pending trial. Adult jails will no longer be an option.
<b>Deinstitutionalization of Status Offenses</b>	Youth who are found in violation of a valid court order may be held in detention, for no longer than seven days, if the court finds that such detention is necessary and enters an order containing the following: 1) identifies the valid court order that has been violated; 2) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order; 3) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile; 4) specifies the length of time, not to exceed seven days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender's release from such facility. Such an order may not be renewed.	<ul style="list-style-type: none"> <li>• Places a maximum on youth being held on a valid court order to 7 days if certain things are met.</li> <li>• Nevada had Zero (0) uses of a valid court order in the previous compliance year.</li> </ul>

## II Major Changes to the Title II Formula Grant

Core Requirement:	Summary of Change:	What it means for Nevada:
<b>Name</b>	Is renamed the Charles Grassley Juvenile Justice and Delinquency Prevention Program.	Change the name beginning Grant FY 19, the upcoming grant that will be awarded October 2019.
<b>Data Collection</b>	Creates a new focus on data-driven evidence-based or promising prevention programs.	<ul style="list-style-type: none"> <li>• What is the criteria used for assessing if a program is evidence based or promising?</li> <li>• This will place a huge emphasis on the definition of programs and services that can be used by Nevada as created by the JJOC. But, this needs to be taken to the next level, who and how will DCFS determine if the program meets the requirements.</li> </ul>
<b>Plan to address the JJDP in Nevada</b>	Requires that the state plan be supported by or take account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents.	<ul style="list-style-type: none"> <li>• Emphasis on evidence-based programs.</li> <li>• More emphasis on front end services, i.e, diversions. (May be OJJDP's way of saying more grant funds should be used at the front end of services and those programs must be evidence based).</li> </ul>
<b>Plan to address the JJDP in Nevada</b>	A state shall make the plan or amended plan publicly available by posting the plan or amended plan on the state's publicly available website.	Requires the most current Plan to be posted on the website.
<b>SAG Requirements</b>	Clarifies who may be appointed to the required State Advisory Group (SAG): <ul style="list-style-type: none"> <li>• Persons, licensed or certified by the applicable state, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;</li> <li>• Representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system;</li> <li>• For a state in which one or more Indian Tribes are located, an Indian tribal representative (if such representative is available) or other individual with significant</li> </ul>	The SAG has always been a big part of the JJPDA and the Title II Formula Grant. OJJDP expects the SAG to guide everything related to juvenile justice delinquency and prevention. <ul style="list-style-type: none"> <li>• Need a licensed clinician.</li> <li>• Need a victim's advocate with experience in abuse, exploitation, and trauma.</li> <li>• Paula Smith is our Tribal rep.</li> <li>• Can appoint youth up to age 28.</li> </ul>

	<p>expertise in tribal law enforcement and juvenile justice in Indian tribal communities; and,</p> <ul style="list-style-type: none"> <li>Youth members must now be not older than 28 at the time of initial appointment.</li> </ul>	
<b>State Staff</b>	<p>Requires the state to designate at least one individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the state is in compliance with such requirements.</p>	<p>Requires a minimum of one dedicated staff to do the work of the JJDP. This may be due to the fact that OJJDP has heard as several conferences that state staff have other duties assigned to them. OJJDP wants a full time dedicated staff person to do this work.</p>
<b>Annual Report to OJJDP</b>	<p>A summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;</p> <ul style="list-style-type: none"> <li>The number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;</li> <li>The number of juveniles released from custody and the type of living arrangement to which they are released;</li> <li>The number of juveniles whose offense originated on school grounds, during school sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and</li> <li>The number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local or tribal government who report being pregnant.</li> </ul>	<p>These are all new requirements to be added to the annual report to OJJDP. These are in addition to the already required juvenile crime analysis, system function, and DMC analysis.</p> <ul style="list-style-type: none"> <li>Not currently collecting data on restraints from counties.</li> <li>Currently collect data on room confinement/isolation for detention and corrections.</li> <li>New DMC template for next year request data on petitioned status offenders.</li> <li>Programs office currently breaks down the average time status offenders are in secure detention.</li> <li>Not currently collecting data on justification of secure detention for status offenders.</li> <li>Need to collect data or place emphasis on living situation for youth leaving corrections.</li> <li>Not currently collecting data on the number of offenses originating from school.</li> <li>Not currently collecting data on the number of girls who are pregnant in secure detention or confinement.</li> </ul>

<b>Recidivism</b>	<ul style="list-style-type: none"><li>• Establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;</li><li>• Establish a common national juvenile recidivism measurement system; and</li><li>• Make cumulative juvenile recidivism data that is collected from States available to the public.</li></ul>	<ul style="list-style-type: none"><li>• A uniform method for data collection was approved by the JJOC.</li><li>• Work with other states to report on a common national measurement.</li><li>• Publish state recidivism data on the website.</li></ul>
-------------------	--	---

### III New Data Collection in Relation to the JJDP and/or the Title II Formula Grant

Section of the Bill (H. 6994)	Data Type	Requirement: Change or New
Section 205	Ethnicity	Change from reporting on race to reporting on ethnicity.
Section 205	Disabilities	New: Requires reports on data include both youth with learning disabilities and "other disabilities."
Section 205	Restraints and Isolation	New: Requires a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government.
Section 205	Status Offenses	New: (1) The number of status offense cases petitioned to court (2) number of status offenders held in secure detention (3) the findings used to justify the use of secure detention, and (4) the average period of time a status offender was held in secure detention.
Section 205	Transition Plans	New: Requires a breakdown of the type of living arrangement a youth is placed in after release from custody; this is mostly likely for county and state.
Section 205	School Based Offenses	New: The number of juveniles whose offense originated (1) on school grounds, (2) during school sponsored off-campus activities, or (3) due to a referral by a school official.
Section 205	Pregnant and Parenting	New: The number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local or tribal government who report being pregnant.
Section 205	DMC/RED	New: Develop and implement a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under the above noted data collection.

Section 205	Child Abuse and Neglect (CHILD ABUSE REPORTS)	<p>Inclusion in Act; current requirement.</p> <p>States are required to report data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections and provide a plan to use the data described above to provide necessary services for the treatment of such victims of child abuse or neglect.</p>
Section 207	OJJDP Data Collection – New National Recidivism Measure	<p>New:</p> <ul style="list-style-type: none"> <li>• Establish a uniform method of data collection and technology that States <i>may</i> use to evaluate data on juvenile recidivism on an annual basis;</li> <li>• Establish a common national juvenile recidivism measurement system; and</li> <li>• Make cumulative juvenile recidivism data that is collected from States available to the public.</li> </ul>