

July 11, 2014 SHG Meeting
Choctaw, MS

Reginald Adams

Eric Williams

Alfred J. Martin

Alfred Anderson

John Bennett, MD

Tim Macconnie

Frank M. Colman

Ray C. -

July 11, 2014 - SAG Meeting

Guest Sign In

Alonipse Hayes

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Juvenile Justice Advisory Committee - 3rd Quarterly Meeting
July 11, 2014 - 10:00AM
John Smith Justice Center, Choctaw, MS

AGENDA

I. Call to Order

II. Roll Call

III. Approval of Past Minutes

A. April 4, 2014

IV. Introduction of Guests

V. Old Business

- Web site webmaster proposal
- Annual Report - (We need to find someone to hire to do this)
- SAG Business Cards
- SAG Needs

maybe staff printer.

VI. New Business

- Grant and SAG Allocation Update
- Conference update (Next meeting 7/25/14)
 - SAG members assigned to Conference Planning:
(Dedeaux, Nored, Broome, Smith, Pruett)
 - Proposed dates
 - SAG Awards Luncheon
 - 1st Qtr SAG meeting during conference ?
- CJJ Update
 - Letter to Listenbee concerning Jail Removal and Separation
 - Proposed Policy Positions
- Upcoming events
 - CJJ Youth Summit August 7 - 9, Washington, DC
 - NJJN Conference July 23 - 25, Jackson, MS Hilton Gardens Inn
(Opening Reception July 23 @ 5:30)
- NEW VOUCHER INSTRUCTIONS

SAG sponsored conference

VII. Announcements

-4th Qtr - October 3rd, 2014

VIII. Adjourn

**MISSISSIPPI JUVENILE JUSTICE ADVISORY
COMMITTEE MINUTES
CHOCTAW, MISSISSIPPI
July 11, 2014**

MEMBERS PRESENT

Ms. Tia Anderson
Judge Frank Coleman
Mr. Gary Davis
Ms. Jaqueline Dedeaux
Dr. Alfred Martin
Dr. John Pruett
Mr. Eric Williams

EXCUSED MEMBERS

Judge Tom Broome
Dr. Lisa Nored
Justice Randy Pierce

DPS STAFF PRESENT

GUESTS

Jim Maccarone (Waiting appointment by Governor)
Alonipse Hayes

CALL TO ORDER

The meeting was called to order at 10:15 a.m. by Dr. Alfred Martin, Chair. Roll was called by secretary. Seven members were present at roll call and a quorum was not necessary because there was not anything to vote on. Minutes were approved and second by Judge Frank Coleman and Dr. John Pruett.

INTRODUCTION OF GUESTS

Dr. Martin introduced Alonipse Hayes, a fifteen year old youth invited to the SAG Meeting by Tia Anderson. Alonipse is an aspiring lawyer.

NEW BUSINESS

Grant and SAG Allocations

SAG monies will be used to assist with cost of the 2015 Mississippi Annual Juvenile Justice Conference. The monies will go toward content of conference and speakers at the conference. 2011 monies will be used for conference and federal rate for speakers at this conference.

SAG Chair discussed Budget Summary (See Attachments)

Conference Budget 2010 JABG was a mistake - should be 2013 Conference Budget.

Conference Update

February 25-27, 2015 are the dates for the next Annual Juvenile Justice Conference. It will be held at the Golden Nugget Hotel and Casino, Biloxi, Mississippi. The next date for Conference Planning is July 25, 2015 at the DPSP Office located in Ridgeland, MS. Dr. Martin encouraged all members to participate in the planning process even if they have not been assigned to the Conference Planning Committee. The goal of completing all planning process is October 1, 2014.

The SAG Chair also discussed the need of more SAG participation in the Award Luncheon. He states that all SAG Members will get an award packet.

Upcoming Events

CJJ Youth Summit - August 7-9, 2014, Washington, DC
NJJN (National Juvenile Justice Network) Conference - July 23-25, 2014, Jackson, MS (Hilton Gardens Inn, Opening Reception will begin July 23, 2014 @ 5:30p.m.)
Mr. Maccarone met with representative of McArthur Foundation - Juvenile Reform

OLD BUSINESS

Website

Roderick Thurman gave resume to oversee SAG website (Webmaster). Roderick will replace Jeanie.

Business Cards

Email information was given to submit to DPSP for new cards for all SAG members.

Annual Report

Dr. Martin asked committee for recommendations for some members to be responsible for completing this report. No recommendations were given as of this date. SAG Chair asked the committee to get back with him on this issue at the next meeting.

Reimbursements

Dr. Martin informed committee members that DPSP does not need prior authorization for quarterly SAG meetings.

NEXT SCHEDULED MEETING

The next meeting will be held October 3, 2014 at the DPSP Building, Ridgeland, MS.

Meeting Adjourned

Minutes prepared by,

Jaqueline H. Dedeaux, SAG Secretary

2013
CONFERENCE BUDGET JABG ~~2010~~

	TOTAL EXPENDITURES
IMPERIAL PALACE	\$ 52,002.69
COORDINATOR	\$ 24,999.98
PROMOTIONAL ITEMS	\$ 9,532.83
SIGNAGE	\$ 440.00
PRINTING	\$ 4,121.00

\$ 91,096.50

DREAM (Title II)	\$	39,908.59
JABG	\$	91,096.50
TOAL CONFERENCE	\$	131,005.09

Application for Formula Grant (P.L. 93-415)
 2014 Budget Summary

OMB Number 1121-0156
 State Mississippi 14

OJJDP

State Program Designator	Standard Program Areas	State Program Title	Total Funds	Federal Share	Match
08-CM-01	06	Compliance Monitoring	175,000	175,000	
08-DMC-03	10	Disproportionate Minority Contact	90,935	90,935	
08-PA-07	23	Planning and Administration	80,000	40,000	40,000
08-SAG-09	31	State Advisory Group Allocation	20,000	20,000	
08-RAJP-08	7,8, 17 26,28	Alternatives to Detention and Diversion Court Services, DSO, Jail Removal and Separation of Juveniles from Inmates	73,000	73,000	
08-NA-06	22	Native American Programs	1,065	1,065	
TOTALS*			\$440,000	\$400,000	\$40,000

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 2013 Budget Summary

OMB Number 1121-0156
 State Mississippi 13

OJDP

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08-SAG-09	31	State Advisory Group Allocation	20,000	20,000	
08-RAIP-08	7,8, 17 26,28	Alternatives to Detention and Diversion Court Services, DSO, Jail Removal and Separation of Juveniles from Inmates	63,000	63,000	
08-NA-06	22	Native American Programs	1,065	1,065	
TOTALS*			\$440,000	\$400,000	\$40,000

State Advisory Group Budget

SAG	Budget Amount	Expended
2011	\$30,000	\$12,399.26
2012	\$20,000	\$1,683.57
2013	20,000	0



Coalition for Juvenile Justice: Proposed Policy Positions

Tenets to Improve Outcomes for Youth

1. Ensure School Engagement
2. Promote the Role of Prevention
3. Engage Youth, Family, and Community
4. Divert Youth from the Justice System
5. Reduce Institutionalization
6. Eliminate Racial and Ethnic Disparity
7. Ensure Access to Quality Counsel
8. Create a Range of Effective Community-Based Programs
9. Recognize and Serve Youth With Specialized Needs
10. Provide Small Rehabilitative Facilities
11. Improve Aftercare and Reentry
12. Keep Youth Out of Adult Courts, Jails, and Prison

1. Ensure School Engagement

Young people should spend their days in schools preparing to become educated, productive adults, not in the court system. Partnerships between educators, school resource officers, other law enforcement representatives, parents, and students are essential to meet the varied needs of individual students. These partnerships should help ensure school engagement by emphasizing and supporting inclusion and effective responses to youth at risk, versus exclusion or responses that seek to remove rather than resolve problems generated by students who may disengage, become disruptive, or experience academic and/or social failure in school.

To this end, every school environment should be, welcoming to students and families, and designed for student success. Policies such as “zero tolerance” and other school disciplinary policies and practices have had negative results for students, especially students from racial/ethnic minority groups and those with special needs and other disabilities. In some cases, such policies exclude students from schools and push them into juvenile and adult justice systems.

2. Promote the Role of Prevention

Prevention is the most constructive way to build competent, engaged youth and safe communities. Effective prevention efforts – in the form of mentoring initiatives, after-school programs, family strengthening services, youth leadership development, etc. – reduce

victimization, keep children involved in productive activities, and provide for the cost-effective use of public resources. The balance of federal juvenile justice funding should go towards community-connected prevention and rehabilitation, rather than interdiction and incarceration.

3. Engage Youth, Family, and Community

An overwhelming body of research shows that parents and families are crucial to successful youth development.¹ Unfortunately, most juvenile justice systems are more inclined to ignore, alienate, or blame family members than engage them as partners. Many systems also lack formalized opportunities for youth input on programs and policies. Involved adults are necessary to keep young people active in their own rehabilitation.

4. Divert Youth from the Justice System

Youth are often better served if involvement in the justice system can be avoided. Most youth age out of delinquent behavior without any formal justice-system intervention. Unnecessarily exposing young people to the juvenile justice system can actually encourage future criminal activity rather than deter it. For many youth entering the justice system, the consequences of a single lapse in judgment can haunt them for a lifetime.

5. Reduce Institutionalization

Institutionalizing young people must be the choice of last resort, reserved only for those who pose such a serious threat that no other solution would protect public safety. Incarceration should especially be avoided where the child has engaged in a behavior that violates the law only because they are younger than age 18. Incarcerating youth disrupts their positive social development and exposes them to negative behaviors. Youth should never be placed in a facility solely because of their family situation or social service needs.

The overwhelming majority of justice-involved youth can be served, and the public kept safe, by community-based services that align with the best practices in the field. Jurisdictions can distinguish between youth who pose risks to public safety and those who can be placed in less-restrictive settings by using validated risk and needs assessments that measure risk to public safety and guide placement decisions; expedited case processing; and sentencing guidelines.

6. Eliminate Racial and Ethnic Disparities

In nearly every state, at all decision points, in every juvenile offense category—person, property, drug, and public order—youth of color receive harsher sentences and fewer services than white youth who have committed the same category of offenses. Confidential youth surveys show that during adolescence, youth of all races and ethnicities become involved in delinquent behaviors with only modest differences in the frequency and severity of their lawbreaking. Yet African-American youth are arrested at dramatically higher rates than white youth for all types of crime. Once arrested, they are more likely to be detained, formally

¹ See The National Academies Press. *Community Programs to Promote Youth Development*. p. 1. 2002; J.D. Hawkins and R.F. Catalano, Jr. *Communities That Care: Risk-Focused Approach Using the Social Development Strategy: An Approach to Reducing Adolescent Problem Behaviors*. 1993.

charged in juvenile court, placed in a locked correctional facility, waived to adult court, and incarcerated in an adult facility.²

Jurisdictions can significantly reduce racial and ethnic disparities in their juvenile justice systems. They can use data to detect disparate treatment. They can eliminate subjectivity from decision-making with objective screening instruments. Risk assessments and alternatives to detention can help reduce the disproportionate share of children of color in the justice system. When risk assessment tools help ensure that only high-risk youth are incarcerated, and judges have alternatives to detention, children of color are treated more fairly, the public is safer than ever, and the community has lower incarceration rates. Jurisdictions can develop culturally competent programming, create a system of non-secure graduated sanctions for youth, and employ mechanisms to divert youth of color from secure confinement.

7. Ensure Access to Quality Counsel

Effective assistance of counsel is essential to reducing unnecessary detention, transfer to adult court, and incarceration of young people. Youth in delinquency cases have a constitutional right to counsel, as the U.S. Supreme Court made clear in the 1967 landmark case, *In re Gault*. Yet across the country, youth too often face court hearings without the assistance of competent counsel, sometimes appointed as little as five minutes before the case is called, and many waive their right to counsel altogether. Like all people, youth need access to qualified, well-resourced defense counsel throughout the entire juvenile or criminal court process.

Beneficial reforms include early assignment of counsel; policies that ensure that all youth are represented; specialized training for attorneys on topics such as adolescent development, mental health, and special education; and cross-system representation when adolescents are involved in multiple systems such as special education and child welfare. An informed defense attorney can also ensure that youth are not subject to unwarranted collateral consequences of juvenile justice-involvement that can affect education, employment, and residence.

8. Create a Range of Community-Based Programs

Community-based programs positively change the trajectories of young people's lives. Jurisdictions are building continuums of alternative-to-placement programs with graduated levels of supervision and services to ensure youth are placed in programs that help them progress personally. Having a variety of community programming available for youth provides options for decision-makers and therefore options for youth.

Community-based alternative-to-placement programs range from probation to wraparound services with intensive supervision. They can include home confinement, alternative education, family preservation, mentoring, victim-offender mediation, restitution, community services, respite care, and day and evening reporting centers with educational, recreational, and

² Annie E. Casey Foundation. *A Road Map for Juvenile Justice Reform*. p. 16. Available at: http://www.aecf.org/-/media/publicationfiles/aec180essay_booklet_mech.pdf. Last accessed May 6, 2014.

counseling opportunities. Programs can stand alone or be housed in existing organizations serving a broad range of youth.

Jurisdictions should be encouraged to adopt evidence-based and evidence-informed programming as well as broaden the evidence-based field by supporting evaluations of new, innovative programs.

9. Recognize and Serve Youth with Specialized Needs

The juvenile justice system is too often used inappropriately for youth with mental health needs. Research shows that 70 percent of youth involved with the juvenile justice system meet the criteria for at least one mental health or substance abuse disorder.³ Juvenile justice systems regularly act as way stations where youth are confined solely due to lack of community mental health treatment. These juvenile justice facilities are often overcrowded and understaffed and youth are exposed to stress, trauma, and serious harms. Youth who have behavioral and mental health needs are particularly vulnerable to these harms, which result in serious injuries, self-mutilation, suicides, and death.

Juvenile justice involvement is only appropriate when a youth's behavior—not his or her needs or disabilities—is the primary reason for confinement. Vulnerable youth can be identified through comprehensive screening and assessments in order to provide appropriate treatment, supports, and services. Mechanisms to divert youth such as mental health courts, wraparounds, and referrals to community-based programs are all gaining recognition as strategies for getting justice-involved youth into mental health services, which are less expensive and more effective settings for meeting their needs.

10. Provide Small Rehabilitative Facilities

Large juvenile correctional institutions do not live up to their name. Placing youth in large, group confinement facilities is not justified from the perspective of treatment effectiveness or the prevention of future recidivism. Jurisdictions should phase out large, prison-like institutions and instead use home- and community-based programs that provide youth the services they need. This is particularly true when dealing with status offenders and other similar groups of youth. When a more secure placement is required, states should use small, home-like secure facilities because small facilities are better able to give young people the care they need.

The best facilities are run by youth specialists who are highly motivated and well trained, most with a college degree. The culture and the physical environment are conducive to positive youth development and rehabilitation. These facilities are located close to the communities where young people live, allowing families to repair and renew relationships and practice skills for addressing challenges youth face upon release. Staff members provide developmentally

³ Jennie Shufelt and Joseph Cocozza. *Youth and Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study*. National Center for Mental Health and Juvenile Justice. June 2006. Available at: <http://www.unicef.org/tdad/usmentalhealthprevalence06%283%29.pdf>. Last accessed: May 6, 2014.

appropriate individual and group programming with the goal of enabling youth to reintegrate into their communities. Lengths of stay are determined by achievement of treatment goals, and youth are released when treatment goals are met.

11. Improve Aftercare and Reentry

The best reentry programs begin while a youth is still confined. Nearly 100,000 youth are released from juvenile justice institutions each year.⁴ Most are returned to families struggling with poverty in blighted neighborhoods with high crime rates, few programs, and poorly performing schools. Key to success is connecting youth to people, programs, and services that reinforce their rehabilitation and help them become successful and productive adults.

Successful aftercare and reentry programs require coordination between multiple government agencies and nonprofit providers, not only to develop new services, but to help youth better access existing services. Workforce development—helping youth attain job skills and earn money—is a key motivator for adolescents increasing their commitment to and enthusiasm for learning. Youth must have quick access to mental health and substance abuse services as needed, and they must receive strong support from family and other caring adults.

12. Keep Youth Out of Adult Courts, Jails, and Prisons

Currently an estimated 200,000 youth are tried, sentenced, or incarcerated as adults every year across the United States.⁵ During the 1990s—the era when many of our most punitive criminal justice policies were developed—49 states altered their laws to increase the number of minors being tried as adults. On any given day, 10,000 youth are detained or incarcerated in adult jails and prisons. Studies show that youth held in adult facilities are 36 times more likely to commit suicide and are at the greatest risk of sexual victimization.⁶ Youth of color are over-represented in the ranks of juveniles being referred to adult court. In 2008, the U.S. Department of Justice and the Centers for Disease Control and Prevention found that transferring youth to the adult criminal justice system does not protect the community and substantially increases the likelihood that youth will re-offend.⁷

Systems should recognize the growing body of research related to adolescent brain development and work to address young people's needs in light of this research. This research has shown that the prefrontal cortex is not fully developed during adolescence and that as a result youth are more likely to take risks and engage in impulsive behaviors.⁸

⁴ H. Synder. *An Empirical Portrait of The Youth Reentry Population*. Youth Violence and Juvenile Justice 2, 1, 39-55.

⁵ C. Angel. *Crime Victims Meet Their Offenders: Testing the Impact of Restorative Justice Conferences on Victims' Post-Traumatic Stress Symptoms*, A Dissertation in Nursing and Criminology at the University of Pennsylvania. 2005.

⁶ Campaign for Youth Justice. *Key Facts: Youth in the Justice System*. June 2010.

⁷ Campaign for Youth Justice. *Key Facts: Youth in the Justice System*. June 2010.

⁸ Daniel Romer. *Adolescent Risk Taking, Impulsivity, and Brain Development: Implications for Prevention*. Vol. 52. Issue 3. p. 263.



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July 3, 2014

Robert Listenbee
Administrator
Office of Juvenile Justice & Delinquency Prevention
810 Seventh Street, NW
Washington, DC 20531

RE: Revised Guidance on Jail Removal and Separation Core Requirement

Dear Administrator Listenbee:

The Coalition for Juvenile Justice (CJJ) Executive Board and its members share common interests with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in helping youth live safe, healthy, and fulfilling lives and protecting the rights of youth under the U.S. Constitution. CJJ is also committed to responding to its members and ensuring that they have the tools and resources to carry out their responsibilities in the field.

During a business meeting on June 17, 2014, OJJDP presented the *Revised Guidance on Jail Removal and Separation Core Requirements* to Juvenile Justice Specialists. Since the meeting, we have received several questions and inquiries from our members regarding the scope and implications of the *Revised Guidance on Jail Removal and Separation Core Requirements*. Given the volume of questions and concerns, CJJ has compiled the enclosed list of questions about the *Guidance*. We hope that this list will assist your office in developing more detailed guidance and will help our members get the information they need. As we continue to receive feedback, we may supplement the enclosed list with additional questions.

We look forward to facilitating an ongoing dialogue between our members and OJJDP on this issue and to continue working with OJJDP to accomplish our mutual goals. Thank you in advance for your additional direction on this matter.

Sincerely,

Marie N. Williams, Esq.
Executive Director

OJJDP Guidance: Sight and Sound

The following is a compilation of questions and commentary provided by juvenile justice professionals from across the country.

Questions

- (1) What prompted the issuance of this guidance? What problem or problems does OJJDP hope to remedy with the new guidance?
- (2) How will the change in the definition of "detention" be integrated into the current regulations?
- (3) Will proposed regulations regarding this change go through the standard rule-making process, with a possibility for public comment?
- (4) Does the guidance apply only to sight and sound requirements, or also to DSO? Does the guidance have any special implications for children charged with status offenses?
- (5) At what point under the new definition is a child considered detained? (e.g. when they are stopped by police, when they are handcuffed, when they are brought to the police station lobby?)
- (6) How will compliance monitors determine if a child thinks they are not free to leave a law enforcement facility?
- (7) How will the new guidance alter what is considered a "secure" as opposed to a "non-secure" facility?
- (8) How will law enforcement practices be changed by the new guidance?

Feedback

- **Scope of monitoring:** Several juvenile justice professionals indicated that they believe the new guidance will significantly increase the number of facilities their state must monitor. One state, for example, indicated that they currently monitor 164 secure adult law enforcement facilities, but anticipate that under the new guidance they will have to monitor 395 secure and non-secure facilities.
- **Costs:** Juvenile justice professionals from several states indicated that they were concerned that the new guidance would result in monitoring requirements that are not financially feasible.
- **Staff resources:** Individuals indicated that their states would not have enough staff to routinely visit all the sites that would fall under the new

guidance. For example, one state indicated that they are currently able to conduct site reviews at one out of every three relevant facilities each year. They anticipate that under the new guidance they will be able to perform site reviews at only one in ten relevant facilities.

- **Unintended consequences:** Professionals indicated concerns that the new guidance would have unintended consequences. Some fear the new guidance will result in police officers charging children who allegedly engaged in status offense behaviors with more serious offenses. Individuals are also concerned that the new guidance could have implications for rural communities where licensed holding facilities are used to house youth while they await their next court appearance. For example, one professional said that in their state, boys and girls stay in these facilities for up to 72 hours, with an average stay of 8-12 hours. Such facilities were developed as a "jail removal" option, but the individual expressed concern that they would no longer be permissible under the new guidance.