

# FY2021 Juvenile Justice Title II Formula Grant Program Comprehensive Three-Year Plan



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Law Enforcement and Traffic Safety Division



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Year 2: FY 2022

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FY2021  
Juvenile Justice Title II Formula Grant Program  
Comprehensive Three-Year Plan

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## **STATE ADMINISTERING AGENCY IN ALABAMA**

The Alabama Department of Economic and Community Affairs (ADECA) Law Enforcement and Traffic Safety Division (LETS) serves as the State Administering Agency (SAA) for Alabama's Juvenile Justice Title II Part B Formula Grant Program. The LETS Division administers Alabama's Juvenile Justice State Advisory Group (SAG) to advise the state on matters pertaining to the juvenile justice system, to allocate funds awarded to the State through the Title II Part B Formula Grant Program, and to ensure compliance with the Core Requirements for juveniles.

The State of Alabama consistently maintains compliance with the four Core Requirements and as stated in Administrator Caren Harp's letter of August 17, 2020, is currently in compliance with all four Core Requirements of the Juvenile Justice and Delinquency Prevention Act, U.S.C.A. 1113(a) (11, 12, 13, and 23).

### **1. SF-424**

SF-424 has been submitted online.

### **2. ABSTRACT**

The abstract has been submitted online.

### **3. PROGRAM NARRATIVE**

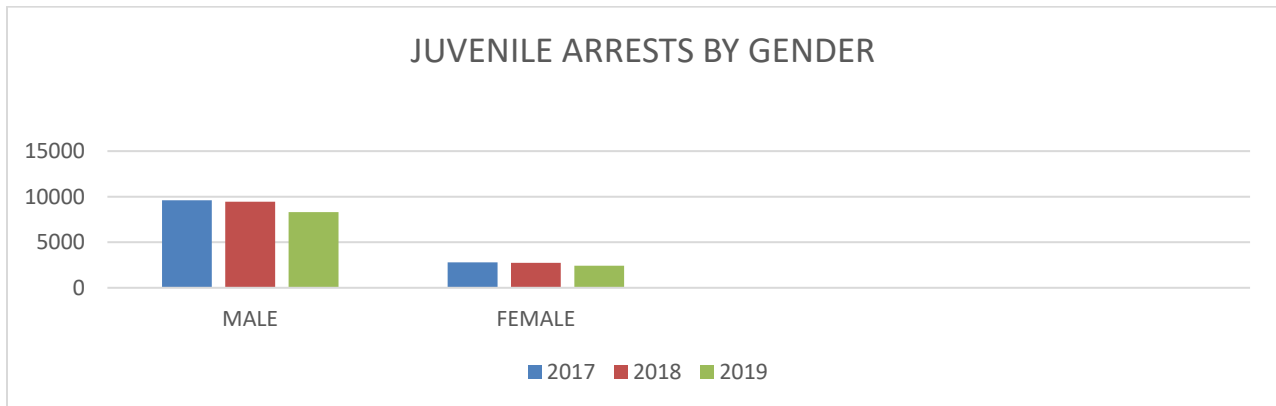
#### **a. Description of the Issue**

##### **1. Analysis of Juvenile Delinquency Problems and Needs**

Data and information from the Administrative Office of Courts (AOC) and Alabama’s Kids Count 2017-2020 Data Books was reviewed to ascertain an overview of the status of juveniles in the justice system from 2017 to 2019. Kids Count 2020 boasts that the passage of the revised Alabama Juvenile Justice Act has resulted in a 9.3% reduction of juveniles detained by the Department of Youth Services (DYS) and the juvenile violent crime court petition rate is currently less than half the rate of 2009.

A review of the data provided by AOC revealed that the number of juvenile arrests declined from 2017 to 2019. There was a 210 decrease of juvenile arrests from 2017 to 2018, followed by a decrease of 1,457 from 2018 to 2019. This resulted in 1,667 fewer arrests over the three-year period for a 13.4% decrease. The decrease for female juvenile arrests was 13.2%, while male juvenile arrests fell 13.5%.

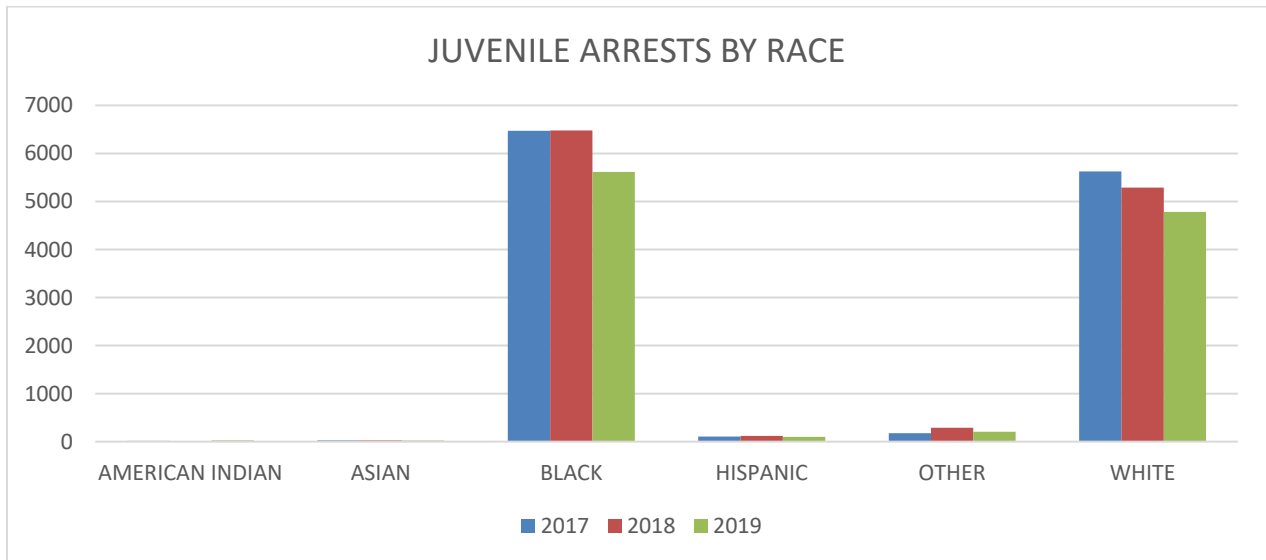
**Figure 1. Juvenile Arrests by Gender**



The numbers of Black and White juveniles arrested declined between 2017 and 2019, with the number of Black juveniles falling from 6,472 in 2017 to 5,617 in 2019 showing a 13.2% decrease, and the number of White juveniles falling from 5,626 in 2017 to 4,784 in 2019, a decrease of 15%. These encouraging numbers may indicate a positive impact of the various activities to reduce racial and ethnic disparities. Arrests of juveniles in most minority groups fluctuated

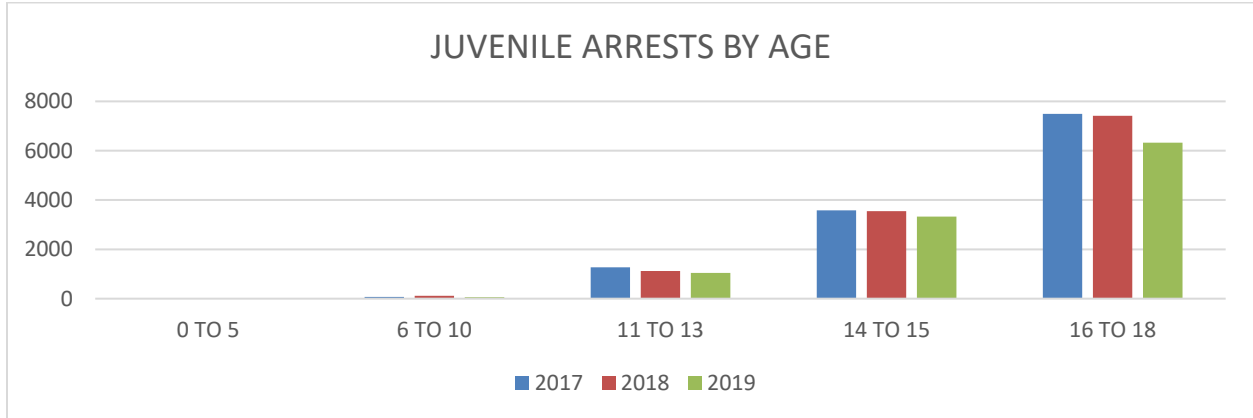
between 2017 and 2019 with only Asian arrests declining all three years. Arrests for Black, Hispanic, and Other rose from 2017 to 2018, but decreased from 2018 to 2019. While most minority groups showed an overall decline in arrests between 2017 and 2019, American Indian arrests increased 56.25% but not with statistically significant numbers, and Other increased 18.3%.

**Figure 2. Juvenile Arrests by Race**



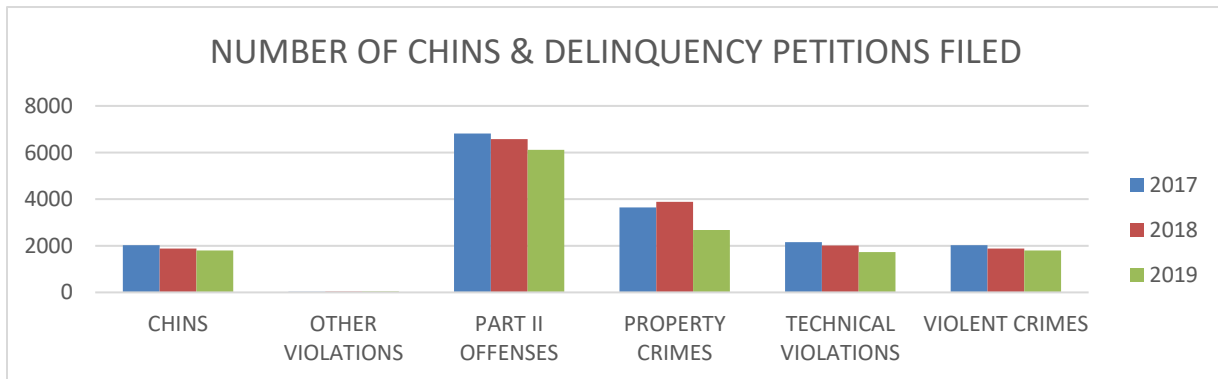
Of those juveniles who were arrested, most arrests were juveniles ranged in age from 16 to 18 from 2017 to 2019, but the numbers declined each year. The only age groups which increased from 2017 to 2019 were those 0 to 5 and 6 to 10, but those numbers fell from 2018 to 2019 and are not statistically significant.

**Figure 3. Juvenile Arrests by Age**



From 2017 to 2019 the numbers of CHINS and Delinquency petitions filed decreased by 15.6%. CHINS petitions fell 15%, part II offenses declined 10.3%, as did property crimes (26.5%), technical violations (19.7%), and violent crimes (11%). The majority of petitions were filed against male juveniles all three years, but the number of male juveniles who had a petition filed against them fell 14.8%.

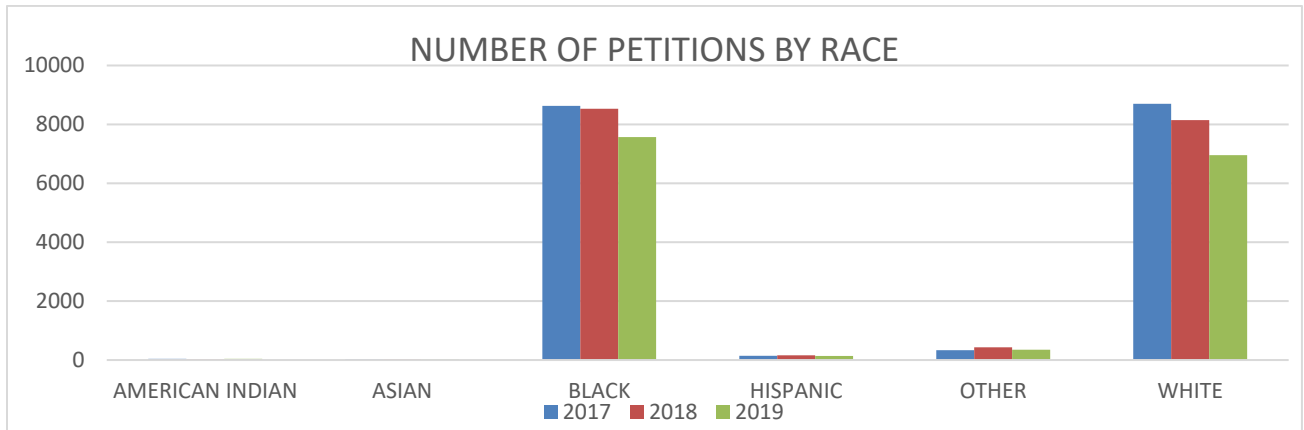
**Figure 4. Number of CHINS and Delinquency Petitions Filed**



A review of petitions filed against minority groups indicates that Black juveniles represented the largest group against whom petitions were filed all three years with White juveniles following close behind. However, the numbers of juveniles from those groups fell steadily from 2017 to 2019. Petitions filed against Hispanic, Asian, and Other juveniles rose from 2017 to 2018

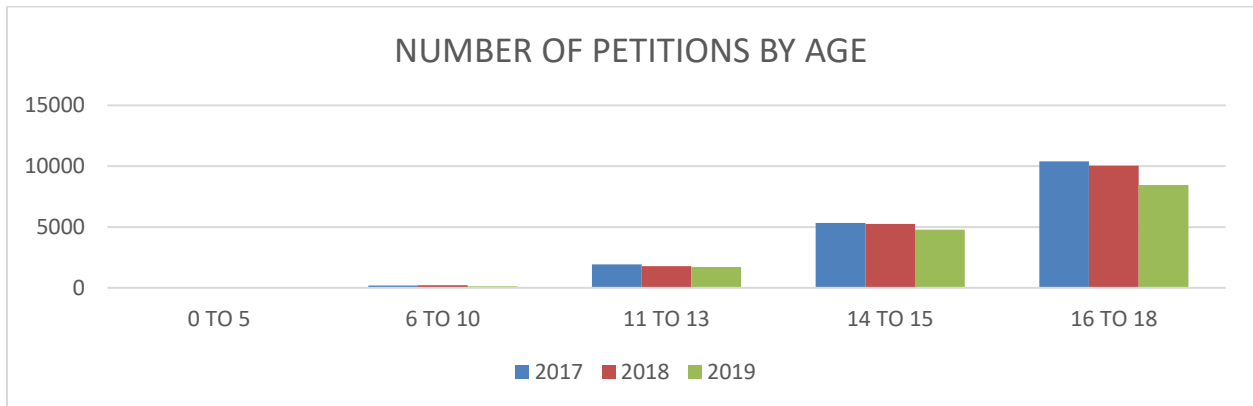
but fell from 2018 to 2019. Conversely, although not statistically significant, petitions filed against American Indian juveniles decreased 33.3% from 2017 to 2018 but increased to the previous 2017 level in 2019 for no change overall.

**Figure 5. Number of Petitions Filed by Race**



The largest age group of juveniles with petitions filed remained juveniles 16 to 18 years of age, but those numbers declined from 2017 to 2019, as did those for juveniles 14 to 15 years of age, 11-13 years of age, and for children 0-5 years of age. Petitions filed for juveniles 6 to 10 years of age increased 18.5% in 2018 but decreased 41% in 2019 for a 30.2% reduction in petitions filed for that age group from 2017 to 2019.

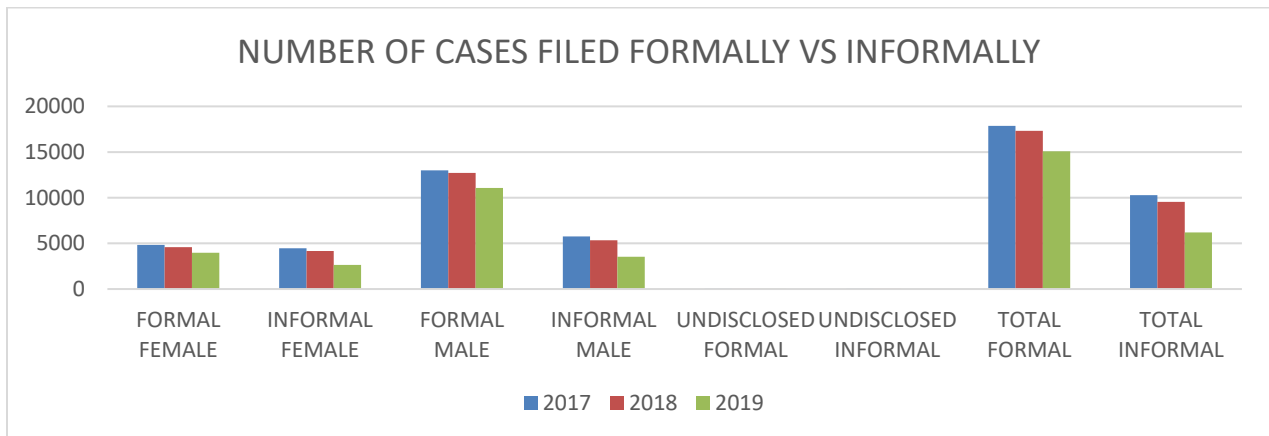
**Figure 6. Number of Petitions Filed by Age**





There were 28,142 cases filed against juveniles in 2017. This number dropped to 21,283 by 2019. From 2017 to 2019, the number of cases filed formally decreased 15.6% from 17,870 to 15,080 while those filed informally fell 39.6%. Female cases filed formally between 2017 and 2019 decreased 17.7% and informally filed cases declined 40.8%. Cases filed formally for males decreased 14.8% and informal cases filed for males declined 38.5%. Black and White juveniles comprised the largest groups against whom cases were filed in all three years followed by minimal numbers against Hispanic, American Indian, Asian, and Other juveniles. The cases filed against White juveniles fell 27.6% over the three-year period while those against Black juveniles dropped 21.5% with the largest decrease for both races in informal cases.

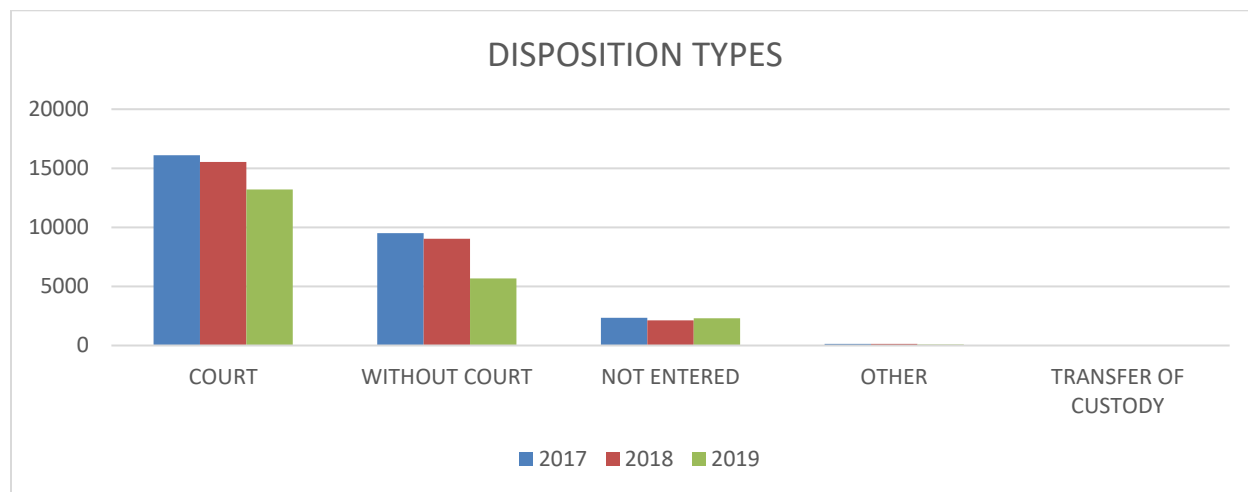
**Figure 7. Number of Cases Filed Formally vs Informally**



Dispositions of juveniles decreased by 24.4% from 2017 to 2019 with fluctuating numbers for Asian, Hispanic, and Other juveniles, while numbers of dispositions declined each year for American Indian, Black, and White juveniles. Dispositions of 28,142 juvenile cases in 2017, 26,863 in 2018, and 21,283 in 2019 were primarily handled by the courts with decreases in all dispositions for both male (22.1%) and female (28.8%) juveniles. An estimated 9,505 cases were

disposed without a court appearance in 2017 compared to 5,674 in 2019, indicating a 40.3% decrease.

**Figure 8. Disposition Types**

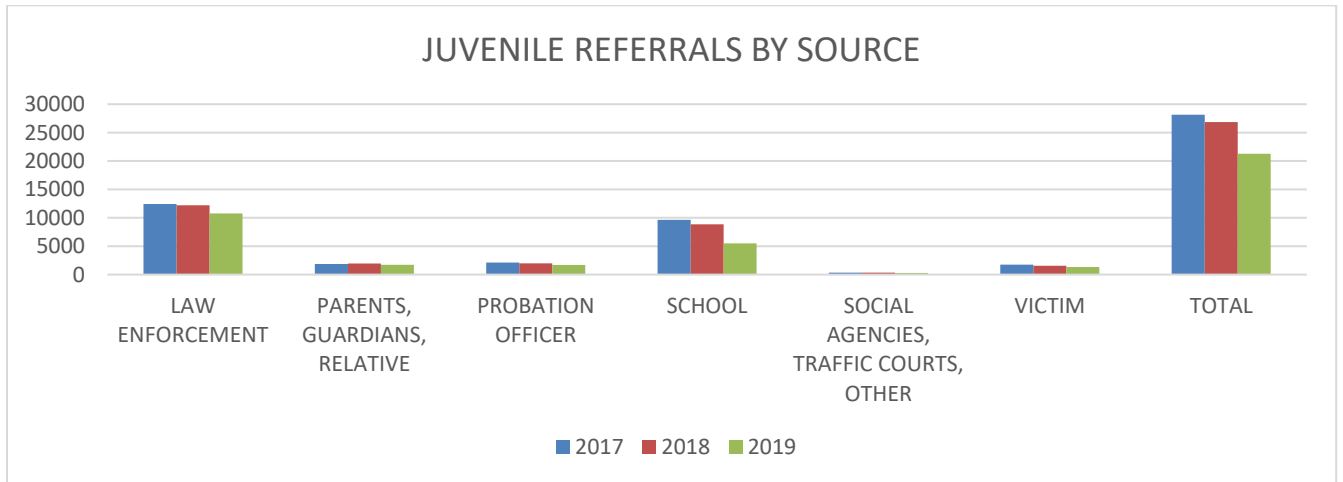


The number of cases in which juveniles were detained fell from 5,243 to 3,917 over the three-year period reflecting a 25.3% drop. The number of Male juveniles detained fell 23.9% while the number of Females detained dropped 29.6%. Black juveniles’ detention rate fell 22.2 % and White juveniles’ detention rate declined 31.4% from 2017 to 2019. However, the number of American Indian (20%), Asian (83.3%), Hispanic (37.5%) and Other (42.9%) juveniles increased.

Juveniles were referred to juvenile court intake officers by a variety of sources with law enforcement and schools comprising the majority of those referrals. Most referrals steadily declined over the three years except referrals by a parent, guardian or relative which increased in 2018 but decreased in 2019 for a three-year reduction of 7.5% from 2017 to 2019. Overall referrals fell from 28,142 in 2017 to 21,283 in 2019. This was a drop of 6,859 or 24.4% which may indicate that more incidents were being diverted and/or handled by the referring source. Kids Count 2020 reports that 38.2% of four-year-old children were participating in the Alabama First Class Pre-K Program. Kids Count 2020 also reports that the number of preventable teen deaths and the number

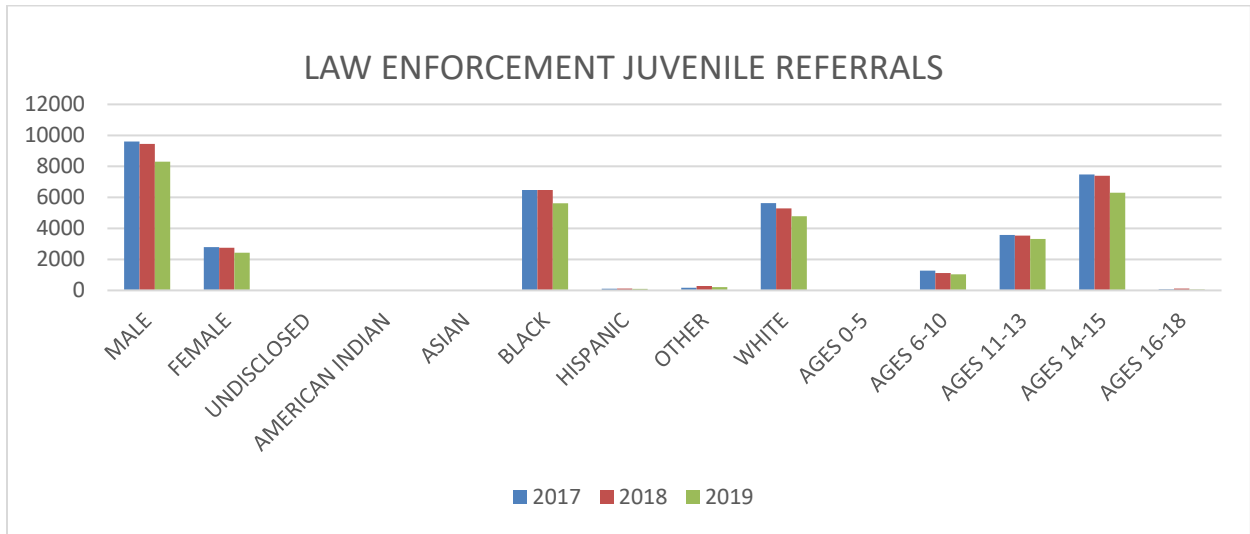
of children not attending school and not working among 16 to 19 years old juveniles has declined and that the number of births to teens aged 15 to 17 shows significant improvement.

**Figure 9. Referrals by Source**

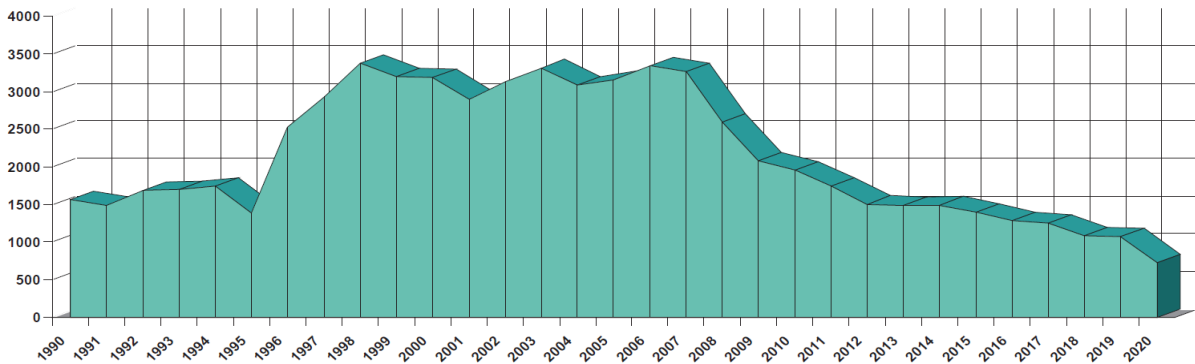


A snapshot of the types of crimes being referred by law enforcement indicates that Male juveniles are comprising the majority of referrals in all three years. From 2017 to 2019 law enforcement referrals decreased for Male juveniles (13.5%), Female juveniles (13.2%), Asian juveniles (14.8%), Black juveniles (13.2%), Hispanic juveniles (6.7%), and White juveniles (15%). Not statistically significant law enforcement referrals increased for Undisclosed Gender, American Indian juveniles, and Other juveniles. Law enforcement referrals for all age groups decreased except for ages 0-5 with small reporting numbers which are not statistically significant. The majority of juvenile referrals by law enforcement were for Part II offenses, property crimes, and violent crimes in that order.

**Figure 10. Law Enforcement Juvenile Referrals**



**Figure 11. Alabama Department of Youth Services Admissions by Year**



Similar trends have been evident with admissions to the Department of Youth Services (DYS) over the same time period. Since 2017, admissions to state custody have decreased by 56%. Admissions percentages by race, age, and sex have remained mainly consistent over the same time period. During the 2019 and 2020 calendar years the biggest decrease came from lower risk juveniles not being committed to DYS most likely due to the pandemic.

Another factor believed to affect the decrease in admissions to State custody over the last ten years is the effort to increase and enhance community-based diversion programs supported by DYS. The number of supported programs and services across the state have increased by 20% since 2016. 62 out of 67 Alabama counties now have access to a diversion services or programs. The Department of Youth Services plans to have services available for every county by October 1, 2021.

In summary, the data from AOC is optimistic for juveniles' participation in the juvenile justice system in Alabama. While it appears that initiatives and interagency collaboration efforts are having an impact on preventing, intervening, and providing a continuum of services to reduce the number of juveniles in the justice system, there remains a critical need to decrease the number of juveniles involved at all levels. In order to have a positive impact on Alabama's juveniles, Title II Part B Formula Grant funding efforts are congruent with select recommendations outlined by Governor Kay Ivey's Juvenile Justice Task Force 2017.

#### **b. Goals and Objectives**

In 2017, The Governor created the Alabama Juvenile Justice Task Force, and with assistance from the Pew Charitable Trust Foundation, was charged with promoting public safety, controlling costs, and improving outcomes for youth, families, and communities. The Juvenile Justice Task Force was created to analyze the system and make recommendations to the Governor and Legislature. The Task Force consisted of representatives from the juvenile justice system, legislators, prosecutor and defense attorneys, advocates, and representatives from child-serving agencies. The Juvenile Justice Task Force conducted both a quantitative and qualitative analysis that included over thirty roundtables with stakeholders, including juveniles involved in different levels of the system. The Task Force analyzed data from the juvenile justice system, existing policy, and the

latest research on best practices and outcomes. This information was widely shared with stakeholders to include Alabama SAG members. The Final Report included over 40 recommendations that were introduced as a bill in the following legislative session. Although the bill did not pass, a number of the recommendations were able to be implemented through other legislative and executive actions. The Legislature appropriated one million dollars towards the effort to increase evidence-based community diversion programs. The recommendations indicated that Alabama, for the most part, was on the right track to transforming the system even though few formal policies were in place at the State level. And as is always the case, this system has room for improving.

**Goal 1: Program Area 19: Monitor for Compliance with Core Protections**

Objective A: Continue collecting reports on a quarterly basis from 100% of adult jails and lockups.

Objective B: Continue collecting reports on a monthly basis from all secure juvenile detention facilities.

Objective C: Site visit all juvenile detention facilities annually and juvenile correctional facilities at least once every three years.

Objective D: Site visit all secure adult jails, lockups, and court-holding facilities at least once every three years.

Objective E: Site visit all other facilities in the monitoring universe on a periodic basis to verify classification.

Program Area 19 goals will be accomplished with Compliance Monitors continuing to work with Juvenile Correctional Facilities, Juvenile Detention Facilities, and Collocated Facilities as well as Adult Jails and Lockups to facilitate early recognition of violations through collecting Secure Custody Reports and maintaining regular site visits.

Compliance Monitors will continue to provide troubleshooting and support when problem areas are noted or reported. Regular site visits will be conducted to continue to help facilitate training, allow Compliance Monitors to follow up on reporting, and provide additional assistance while addressing violations; reasons for violations and plans to reduce future violations.

Priority Ranking: 2

**Goal 2: Program Area 21: Reducing Racial and Ethnic Disparity**

Objective A: Collect, analyze, and publish reports based on data for each of the five contact points and socioeconomic factors statewide, for each county, and by regions.

Objective B: Disseminate the reports with recommendations to stakeholders and policymakers.

Objective C: Continuously collect and disseminate information on best practices to address the areas of disparity to stakeholders and policymakers.

Objective D: Follow-up to provide and/or disseminate information on continuing education approved training based on feedback to stakeholders including law enforcement personnel, juvenile probation officers, and court staff.

Program Area 21 goals will be accomplished through ramped up development and delivery of information for stakeholders and policymakers in statewide, county, and regional reports with recommendations.

Priority Ranking: 3

**Goal 3: Program Area 31: Provide for a Juvenile Justice State Advisory Group:**

Objective A: Maintain a State Advisory Group (SAG) that is in compliance with all requirements outlined in the Juvenile Justice Delinquency Prevention Act and is active and engaged in achieving the goals and objectives of Alabama's Title II Part B Formula Grant Program.

Objective B: Submit recommendations to the Governor for appointment to the Alabama SAG for any positions that are vacated at the end of terms or by resignation.

Objective C: Hold quarterly Alabama SAG meetings.

Objective D: Participate in the development of Alabama's Comprehensive Three-Year State Plan.

Objective E: Review and comment on grant applications submitted for the Title II Part B Formula Grant funds.

Objective F: Advise the ADECA LETS Division on matters relating to the administration of Title II Part B Formula Grant funds, and on juvenile justice and delinquency prevention efforts within the State.

Objective G: Prepare and submit a biennial report to the Governor and Legislature.

Objective H: Seek regular input from juveniles currently in the juvenile justice system.

Objective I: Review progress and accomplishments of projects funded under Alabama's Comprehensive Three-Year State Plan.

Program Area 31 goals will be accomplished by coordinating with the Juvenile Justice Specialists, attending OJJDP and Center for Coordinated Assistance to States (CCAS) SAG related trainings and meetings, attending Alabama SAG full- and sub-committee meetings as well as an annual Alabama SAG conference.



Priority Ranking: 5

**Goal 4: Program Area 5: Provide Community-Based Programs:**

Objective A: Reduce the number of juveniles who enter or re-enter the juvenile justice system through community-based programs.

Objective B: Support community-based delinquency prevention diversion programs that include youth and family engagement in the programming and processes to keep juveniles in the home.

Objective C: Support programs that work with juveniles and their families during confinement and after-care (re-entry) to ensure juveniles' safe return to the home and to strengthen the family unit.

Program Area 5 goals will be accomplished through deliberate evaluation of grant applications to ensure the programs are developmentally appropriate with priority given to evidence-based programs.

Priority Ranking: 1

**Goal 5: Provide Educational and Training Opportunities to Juvenile Justice**

**Stakeholders:**

Objective A: Develop and implement strategies to provide information and updates on the juvenile justice trends and services that support the system.

Objective B: Promote the effective use of statewide data to inform stakeholders and communicate the impact of service interventions and outcomes for youth and families.

Goal 5 will be accomplished with increased data collection to focus decisions, trainings, and recommendations to juvenile justice stakeholders.

Priority Ranking: 4

### **c. Implementation**

#### **Program Area 19: Compliance Monitoring**

The State of Alabama currently maintains two compliance monitors who divide the duties between juvenile facilities and adult facilities to ensure compliance with JJDPa core requirements including 34 U.S.C. 11133(a)(11)(B). [JJDPa Section 223\(a\)\(11\)\(B\) Compliance Plan](#) The juvenile facility monitor collects monthly reports from all secure juvenile detention and collocated facilities and annual reports from juvenile correctional facilities. Juvenile detention and collocated facilities are site-monitored on an annual basis with correctional facilities monitored at a minimum, once every three years. The increased frequency of reporting and more intense monitoring and training over the past several years has afforded a decrease in violations for the past three years and has helped the state maintain compliance with Core Requirements.

Reports from adult facilities are collected on a quarterly basis which has allowed for earlier recognition of problem areas or trends, supporting an increase in troubleshooting, and clarifying communications with departments. Earlier recognition of departmental personnel changes has also improved with more frequent reporting. This promotes the practice of retraining of replacement personnel by compliance monitors. In addition to site-monitoring facilities at least once every three years, facilities with past violations receive additional on-site technical assistance to address reasons for violations and plans for reducing them.

### **Program Area 21: Reducing Racial and Ethnic Disparity**

The Reducing Racial and Ethnic Disparity Coordinator works to collect, analyze, draft reports, make recommendations, and disseminate reports statewide, by county, and by region to stakeholders and policymakers. The Coordinator participates in State Relations and Assistance Division, Coalition for Juvenile Justice, tribal, and Census virtual conferences and webinars as well as the monthly OJJDP teleconferences. Due to the COVID pandemic, the three targeted counties of Jefferson, Mobile, and Montgomery have been expanded to all sixty-seven counties and the delivery paradigm has shifted from on-site meetings to the development and dissemination of reports based on the data from the Administrative Office of Courts (AOC) at each of the five contact points.

### **Program Area 32: State Advisory Group**

[Executive Order 2014-46](#) established the Alabama Juvenile Justice State Advisory Group as an advisory group. Section B (1) of the Alabama Juvenile Justice State Advisory Group Bylaws, established the Executive Committee as the Supervisory Board, which is comprised of the Alabama Juvenile Justice State Advisory Group Chair, Vice Chair, and the Chair of each of the three standing committees. The group currently has fifteen members, including two youth members and one member formerly involved in the juvenile detention system. Alabama is engaged in recruiting efforts to fill needed and vacant SAG positions.

The Alabama Juvenile Justice State Advisory Group serves to advise and make recommendations to the Alabama Juvenile Justice State Advisory Group Supervisory Board and the Law Enforcement and Traffic Safety Division (LETS) on matters relating to the administration of Title II Part B Formula Grant Funds and on juvenile justice and delinquency prevention efforts within the State. They establish State juvenile justice program area priorities which are used as a guide

in making recommendations to the Governor regarding the award of subgrants. Quarterly meetings are held during which members update the LETS Division and the Supervisory Board on any new task forces which will address juvenile delinquency and subsequent recommendations of the task force; as well as discuss and vote on funding recommendations. Members of the Alabama SAG also provide information necessary to respond to all requirements of Alabama's Comprehensive Three -Year State Plan. The Alabama SAG participates in the development of the state's juvenile justice plan through its Long-term Planning Committee's consultation with stakeholders such as retired juvenile court judges, juvenile probation officers, Alabama Department of Education personnel, school resource officers, and law enforcement officers. Input is also sought from juveniles who are currently in the juvenile justice system. The information gathered influences the areas of focus for the Three-Year Plan.

The Alabama SAG issues annual requests for applications for local projects addressing the needs identified within the Plan. Within 30 days of receipt of applications for subgrant funding, applications are shared with all Alabama SAG members who are encouraged to review and score the applications. The Grants and Contracts Subcommittee members review and score all applications, after which they and the Juvenile Justice Specialist determine those to be recommended to the full Alabama SAG for funding. The Alabama SAG then meets to discuss and vote on all applications received. Alabama consistently expends, at a minimum, sixty-six and two-thirds percent of formula grant program funds on local juvenile justice programming. In the event the amount of Title II Part B Formula Grant funds received by the State exceeds 105 percent of the amount the State received under JJDP Section 222 for fiscal year 2000, the additional funds will be used for the purpose and intent outlined within Alabama's Comprehensive Three-Year Plan.

A report to the Governor and Legislature is developed biennially outlining programs and specific projects funded through OJJDP's Title II Part B Formula Grant Program, Core Requirements, and the State's status for compliance with the Requirements, information about funding levels, recommendations regarding legislation, and funding needs.

To evaluate the success of implemented projects, subgrantees submit quarterly narrative and fiscal reports detailing activities during the period as well as the number of juveniles assisted, and parental participation in treatment if applicable. Reports are reviewed by ADECA staff and Alabama SAG members. The Alabama SAG established a quarterly meeting schedule and determined to use two meetings per year to visit subgrantees to learn first-hand of the work they are doing and the successes of their programs.

#### **Program Area 5: Community-Based Programs**

In Alabama there is a need to strengthen the family units of juveniles to address issues such as effective communication/discipline, substance abuse, physical and emotional abuse, mental health issues, education, job skills training, and the cyclical histories of illiteracy, unemployment, and involvement in the criminal justice system. Through a public, statewide grant solicitation, we ensure that all areas of Alabama are able to apply for Title II Part B Formula Grant Program funds with consideration of funding for rural and metropolitan areas. In evaluating funding to subgrants, the Alabama SAG and juvenile justice specialists will take into account current scientific data that shows juvenile confinement deprives juveniles essential elements of healthy development; positive parental figures, peer supports, and activities that develop a juvenile's critical-thinking skills and give priority to community evidence-based programs.

By focusing the resources in Program Area 5: Community-Based Programs and Services to work with parents and other family members to strengthen families and help keep juveniles in the

home, we can help local agencies meet some of these needs. Programs that work with families in the home are preferred to avoid issues such as transportation to attend off-site meetings. In-home meetings also allow the counselor to better observe the family dynamics.

Established programs currently providing these services that have a proven track record, existing evidence-based programs that can expand to include these services, or new programs implemented by organizations that have the proper training and resources to effectively operate a program such as this will be sought through a state-wide request for applications.

Applicant programs will be required to show interagency Memorandum of Understanding with local organizations that can provide services to the families and have recommendations from both the local children's policy councils and the juvenile court judge. By accepting [ADECA/LETS Juvenile Justice Subgrant Awards and Conditions](#), subawards certify that they will adhere to EEO guidance set in Executive Order 11246, DOJ Grants Financial Guide, and that funds will not be used to supplement or supplant State and local funds. Also included in the subgrant conditions is a termination clause to ensure that funds are not expended on ineffective or poorly performing programs. Subgrant adherence to [LETS Policy Letters](#) also help ensure funds are disbursed responsibly to productive and effective programs.

Specific focus areas for the selected projects will include, but not be limited to; parental training in effective communication and discipline, substance abuse disorders of parents and juveniles, physical and emotional abuse, mental health, completing education for juveniles, and job/skills training.

### **Program Area 28: Planning and Administration**

Planning and Administration funding will provide primarily for a full-time Juvenile Justice Specialist who prepares requests for applications for subgrant projects, reviews applications and

prepares funding recommendations for the Alabama SAG. The Juvenile Justice Specialist will monitor subgrant applications to ensure compliance with state and federal regulations, provide one-on-one or group training for subgrantees as necessary, work closely with the Alabama SAG to develop Alabama's Comprehensive Three-Year State Plan, prepare and submit required federal reports and work with the Alabama SAG to develop and submit a biennial report to the Governor and Legislature.

## **Population Specific Plans**

### **1. Gender-Specific Services**

Data for the state shows that juvenile arrests by gender have not changed significantly from 2017 through 2019 with females responsible for roughly 22.5 % of arrests and males responsible for 77.3%. The same numerical relationship is present for law enforcement referrals by gender. Many of these juveniles have been victims of violence or have experienced other traumas such as the loss of a family members, and/or have been sexually and/or physically abused. Services for these juveniles must address the physical, social, emotional, and developmental needs of males and females. Female youth committed into state custody has averaged between 15% and 18% of all admissions into DYS for the past decade.

The plan for providing gender specific services for the prevention and treatment of juvenile delinquency address male, female, and other gender identities focused on the individual needs of each juvenile. Specifically, there is not a one-size-fits all program, but each is tailored to the unique needs of that gender. In addition, individual service plans are developed for each individual within the program. This includes attention to their physical, emotional, and cultural differences and is reflected in the format, delivery, and evaluation of each based on identified goals and expected outcomes. Female delinquents who may come into state custody pregnant, can also benefit

from the various programs and levels of care offered by the state. On these occasions, DYS will work with the committing court based on offense type, risk score, and typical length of stay in the program the youth is referred to. In consultation with DYS Medical Director and the program's medical and administrative staff, DYS will typically hold the youth until the beginning of the third trimester. Then, depending on the needs of the youth and the resources of the court, the youth will be conditionally released to have the baby with their family. If the court determines that the youth will need to complete their program at DYS, the court can return the youth back to DYS at some time following the birth of the child. These cases are infrequent and occur on average less than one per year. Alabama Department of Youth Services has a policy in place that prohibits the use of restraints on pregnant juveniles during active labor. Restraints will not be applied without approval from the medical authority and the permission of the program manager. The pregnancy restraint policy also provides that restraints used on known pregnant juveniles prior to active labor and delivery should not put the juvenile or fetus at risk. The policy regarding the restraint of known pregnant juveniles is reviewed and signed annually by detention facility physicians and executive directors. The policy is also part of the annual DYS audit.

## **2. Services to Rural Areas**

Thirty-six of Alabama's sixty-seven counties are classified as "rural" counties. The total population is split almost evenly between the urban and rural counties with urban counties slightly higher than the rural counties.

From the mid-1990s to 2006, the annual number of commitments to DYS more than doubled from 1,385 to 3,340. Even though violent crimes perpetrated by juveniles had declined, DYS was inundated with commitments for less serious crimes such as property and drug offenses and technical offenses such as violation of probation. To combat this alarming trend, the leadership of all three



branches of government came together and worked with the Annie E. Casey Foundation's Strategic Consulting Group to develop a program to offer treatment and services to troubled youth in their home communities.

Over the last five years DYS has managed a diversion grant program designed specifically to provide alternatives to state custody, provide services to youth and families in their community, and save tax payor funds on expensive residential placements of youth. In an effort to reduce the number of juveniles housed in secure detention and corrections facilities, DYS is funding 45 diversion grant projects that encompass 62 of Alabama's 67 counties, including many of the state's most rural counties, and which include many gender-specific programs.

### **3. Mental Health Services**

The plan for providing needed mental health services to juveniles in the juvenile justice system in Alabama addresses both the implementation of services and how those services are targeted to those who are greatest in need. The Department of Mental Health, DYS, local mental health centers, school counselors, contractors with DHR, and community-based public and private service programs comprise the network of local and state services that can be available to juveniles and families involved in the juvenile justice system. Behavioral health services are also available in many of the local diversion programs funded by DYS. In recent years, DYS has made an effort to expand the number of evidence-based programs funded through this program and has expanded counties receiving Multisystemic Therapy (MST) and added Functional Family Therapy (FFT) in 6 counties. In addition, a multi-agency initiative was renewed, and funding was made available for community-based programs that serve juveniles and families having multi-agency involvement. This program entitled, Our Kids, has solicited one million dollars through the Request For Proposals (RFP) process this year. Additional efforts have recently been made through legislative and

federal grants to expand the availability of mental health services in schools. This will help provide intervention earlier for many juveniles who may otherwise develop school behavioral issues and possibly be referred to the juvenile court.

Mental Health Services for juveniles involved in the juvenile justice system vary across the State. A number of courts in the larger counties have dedicated full-time mental health staff to include psychologists and therapists to provide assessments and evaluations and give recommendations to the courts. Some crisis intervention services for juveniles who are in detention may also be provided by these professionals. In other counties, through local agreements with the community mental health centers and local juvenile courts, full or part-time mental health therapists called juvenile court liaisons, provide assessment, crisis intervention, and diversion of juveniles with serious emotional disturbances from greater involvement in the justice system. The juveniles may be referred to outpatient services or in more serious cases a psychiatric hospital or residential treatment. The Department of Mental Health partially funds the juvenile court liaisons (25).

Mental health services can also be obtained for juveniles involved with the juvenile court through a court finding of dependency or delinquency and a Multiple Needs Child. This finding asserts that the child has the need for services from two or more agencies either state or local. This finding brings about a time sensitive local staffing from a multidisciplinary team known as county children's facilitation teams. If further assistance and/or funding are needed, the county children's facilitation services team can refer the child to the Alabama Children's Services Facilitation Team for action. Many of the juveniles identified as multiple needs have significant mental health needs along with delinquency, CHINS, or dependency issues. This statutory multi-agency collaborative is an excellent example of interagency collaboration for children. This process is coordinated

across the State through the Multiple Needs Child Office. The work of juvenile court liaisons and local/state facilitation teams help to reduce the number of juveniles housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs.

Additional services are provided to juveniles committed to the DYS. Varying levels of mental health services are available to juveniles sent to one of three state-operated institutions or to one of the community residential programs contracted with DYS. Based on information provided through the DYS Screening and Placement process, the needs of the juveniles are matched to the program best suited to meet their rehabilitative and treatment needs. With the latest round of RFPs for Community Residential Services, DYS included the requirement for every program to provide either directly or indirectly, substance abuse treatment and education services. Additionally, each state operated facility now has drug and alcohol treatment and prevention services available for juveniles assigned to these facilities. Juveniles have access to programs that provide individual and group counseling and access to psychological and psychiatric services as needed. DYS also contracts with a specialized provider who provides mental health services to juveniles who also have developmental disabilities. The staffing that occurs through the Screening and Placement process identifies the risk and needs of each juvenile and identifies the program best suited to meet their needs across life domains, including educationally. Juveniles with identified disabilities are represented in the justice system. The DYS School District works to either collaborate and/or develop Individual Education Plans or 504 Plans for juveniles in custody. For juveniles with identified disabilities and are ready for transition, a cooperative agreement with the Alabama Department of Rehabilitation Services and its parent network assist with the juvenile's transition needs.

## **Consultation and participation of units of local government**

In 2017, a series of six focus group meetings were held with these units throughout the State. Notifications were sent to all local jurisdictions in the state. Invitees and participants included judges, juvenile probation officers, district attorneys, law enforcement officers, school administrators, school counselors, school resource officers, parent organizations, youth-oriented community-based organizations, and non-profit organizations as well as all Alabama SAG members. We continue to consult with the Alabama Children's Policy Council which annually conducts juvenile needs assessments in all 67 Alabama counties.

## **Collecting and Sharing Juvenile Justice Information**

### **1. Process of Gathering Juvenile Justice Information and Data**

Juvenile Probation Intake Treatment Integrated Resource (JUPITIR) is a system specifically designed to meet the multi-faceted job functions required of a juvenile probation officer. JUPITIR integrates available data from such resources as the Model Integrated Defense Application System, the Alabama Justice Information Commission (AJIC), the Alabama Law Enforcement Agency (ALEA), ALACOURT and the State Judicial Information System (AOC's systems), and Name-master into a more readily available user-friendly format. Currently, JUPITIR is used to gather and distribute data in all 67 Alabama counties.

JUPITIR is a consolidated application that provides a juvenile probation officer with the tools needed to be able to operate in a fair, consistent, and rational manner, and to be able to make good decisions whether at intake, in connection with detention or diversion, or in assessments for purposes of recommending dispositions, supervision or case planning. JUPITIR also may be used by administrative support assistants to the juvenile probation officers.

Pursuant to the Section 12-15-217, Alabama Code 1975, for any child enrolled in a school, kindergarten through grade 12 who has been found delinquent of a crime by the juvenile court, information which must be provided to the superintendent of the school district or school principal for private schools within seven days. Any such information received by the Superintendent or Principal and disseminated to counselors, teachers, etc. must be kept in strict confidence by all parties. Intentional violations of confidentiality are a Class A misdemeanor. Also, pursuant to the Section 41-9-623, Alabama Code 1975: all Alabama criminal justice agencies are required to submit to the Alabama Law Enforcement Agency (ALEA); fingerprints, descriptions, photographs, and other identifying data to include persons charged with an act of delinquency or adjudicated a youthful offender for conduct which would constitute an offense if committed by an adult. ALEA is to be supplied with any data deemed necessary by the Alabama Justice Information Commission (AJIC) to carry out responsibilities of this article. Additionally, any entity charged with the compilation of information and statistics relating to the disposition of criminal, youthful offender, and juvenile cases must report the disposition to ALEA within a reasonable time after formal rendition of judgement as prescribed by AJIC. Over the last several years, AOC's Court Improvement Program staff and DHR staff have collaborated on sharing information by defining specific data elements relative to each case which can be transferred between the two entities. The interface has been developed, and data are currently being exchanged between the systems nightly from Tuesday through Saturday each week. The sharing of information between AOC's Court Improvement Program and DHR, along with Section 12-15-217 and Section 41-9-623, [Alabama Code 1975](#) effort to make known to schools and courts available child abuse and neglect data to enable the provision of necessary services for the treatment of child abuse and neglect victims. ADECA and

Alabama SAG are able to work with AOC to obtain and incorporate the data and relevant analysis into the comprehensive Three-Year Plan and annual plan updates.

## **2. Barriers to Sharing of At-risk Youth Information**

Alabama law imposes restrictions on sharing of juvenile information. Pursuant to Section 12-15-133(c), Alabama Code 1975, only the following listed persons or entities have “automatic” access (that is, without getting a court order for their release) to juvenile legal and social records.

- Juvenile Court Judge;
- Juvenile probation officers and professional staff assigned to serve or contracted for service to the juvenile court (NOTE: Unpaid volunteers/interns appointed to work for the juvenile court are subject to the same confidentiality provisions as are other court officials and employees and shall take an Oath of Confidentiality);
- Representatives of a public or private agency providing supervision or having legal custody of the child;
- Parent (except when parental rights have been terminated), the legal guardian of the child, and the legal custodian of the child;
- The subject of the proceedings and his or her counsel (child’s attorney and criminal defense attorney) and guardian ad litem;
- Judge, adult probation officers, prosecutor (effective July 1, 2014: “In any criminal proceeding, including a criminal proceeding in which a person is adjudicated a youthful offender, as well as any juvenile proceeding pursuant to Section 12-15-105, the prosecutor representing the State of Alabama shall have access to all juvenile legal files specified in

subdivision (a)(1) on that person regardless of the jurisdiction from which the files originate”) and other professional staff serving a court processing criminal cases for investigating or considering youthful offender applications;

- Judge, adult probation officers, and other professional staff (including the prosecutor and the criminal defense attorney) serving a court processing criminal cases for completing sentencing standards worksheets and considering the sentence upon a person charged with a criminal offense;
- The Alabama Sentencing Commission;
- Victims (petitions, motions, juvenile court notices, or dispositions) § 12-15-133(e);
- State and county children’s services facilitation teams (multi-needs teams) – §§ 12-15-505(e)(3) and 12-15-506(e)(3);
- The principal or representative of the school in which the child is enrolled

Shall file written petition to the juvenile court setting forth the reasons why the safety or welfare, or both, of the school, its students, or personnel, necessitate production of the information and without which the safety and welfare of the school, its students, and personnel, would be threatened.

Exceptions to Petition Requirement Above:

- (1) § 12-15-217 – reporting ADJUDICATIONS (not CHARGES) and dispositions of Class A & B felonies (required) and other offenses to schools (at the discretion of the juvenile court) to the superintendent of public school district or principal

of private school (NOTE: Form JU-31 under Juvenile Forms in the EForms part of the website, [www.alacourt.gov](http://www.alacourt.gov) , may be used to report these offenses).

(2) §§ 15-20A-27(b)(1) and (2) – if schools get juvenile sex offender information.

Note: Other entities or persons may have “automatic access” to juvenile records pursuant to other statutes. One example: Alabama Law Enforcement Agency (ALEA) for purposes of suspending licenses for certain offenses/receiving sex offender information

**d. Formula Grants Program Staff**

An ADECA Organizational Chart is attached. The ADECA staff members listed in Table 2 are responsible for implementing the Juvenile Justice Delinquency and Prevention Act’s Formula Grant Program. All administrative costs shown below include state match of 100% of federal funds.

**Description of duties**

The State Juvenile Justice Specialist is responsible for administering the Alabama SAG; liaising with federal Office of Juvenile Justice Delinquency Prevention Program Manager and other entities regarding juvenile justice programming; coordinating compliance monitoring and reporting to ensure compliance with deinstitutionalization of status offenders, sight and sound separation, and jail removal; and coordinating required activities related to reducing racial and ethnic disparity. The Juvenile Justice Specialist also provides technical assistance and oversight of sub-grantees.

**Table 1. ADECA Staff dedicated to Title II Formula Grant Program**

Name	Title/position of staff member	% of time in Title II	
		Formula Grant Program	Funding source/ percentage of salary paid from Title II Formula Grant Program funds
Mr. William M. Babington	ADECA LETS Division Chief	5%	0% (Salary paid from Indirect Cost Category)



Mr. Bill Whatley	ADECA LETS Division Unit Chief	5%	0%
Mr. Brian Forster	ADECA LETS Division Program Supervisor	5%	5%
Mrs. Buffy Smelley	Juvenile Justice Specialist/Program Manager	90%	90%
Ms. Kiarah Harris	Clerical/Secretarial	5%	0% (Salary paid from Indirect Cost Category)
Mr. William T. Waldroff	Fiscal Manager	5%	0% (Salary paid from Indirect Cost Category)
Mrs. Linda Lupian	Accountant	5%	0% (Salary paid from Indirect Cost Category)

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#### **4. Plans for Compliance Monitoring**

The State’s Compliance Monitoring Plan was submitted utilizing the online Compliance Tool in April 2020.

#### **5. Additional Requirements**

Appendix I: Compliance with the Juvenile Justice Delinquency Prevention Act [34 U.S.C.A. 5633, §11133] is included as an attachment to this application.

#### **6. Plan for Collecting Data Required for This Solicitation’s Performance Measures**

The Division, as the State Administering Agency for the FY2021 Formula Grant Program will submit data on performance measures as required by Office of Juvenile Justice Delinquency

Prevention through their online Data Collection and Technical Assistance Tool (DCTAT). Data will be collected from each subgrantee utilizing the DCTAT performance measure grids for each Purpose Area funded. This data will then be reviewed and reported to Office of Juvenile Justice Prevention through the DCTAT system. Performance measures will also be reported for Planning and Administration, Compliance Monitoring and Reducing Racial and Ethnic Disparity.