

YOUTH JUSTICE COUNCIL MEETING - YJC

December 11, 2019

Montana Board of Crime Control

5 South Last Chance Gulch

Helena MT 59601

DOC EOC Conference Room

10:00 AM – 2:00 PM

MEMBERS PRESENT: Chair Tim Brurud; Randy Shipman; Minnetta Armstrong; Kimberly Leighton; Peter McIntosh; RaeGyn Trombley, Laura Obert; Rachel Gemar (On Phone), Laurie Barron (on Phone); Heather Cahoon (on phone); Chase ComesatNight (on phone), Geri Small;

MEMBERS EXCUSED: Qasim Abdul-Baki; Vice Chair Dave Bailon; Mary Jane Knisely; Craig Anderson; Jazmyn Saunders;

STAFF PRESENT: Amanda Rasmussen, Natalia Bowser, Bureau Chief; Connie Young; Mark Thatcher, Program Specialist; Chris Botteron, Budget Analyst.

GUESTS PRESENT: none

AGENDA ITEMS:

- CALL TO ORDER/WELCOME/INTRODUCTIONS/APPROVAL OF MINUTES
- PUBLIC COMMENT
- ROUND TABLE
- TITLE II BUDGET UPDATE
- JUVENILE JUSTICE PROGRAM UPDATE
- TITLE II PRIORITY AREAS – ACTION ITEM
- KEY CHANGES TO JJDP ACT
- OTHER COUNCIL BUSINESS/COMMITTEE DUTIES
- COMMITTEE ASSIGNMENTS 2020
- CLOSE/ADJOURN

CALL TO ORDER:

Tim called the YJC meeting to order at 10:05 AM. He welcomed all YJC members and asked everyone to introduce themselves.

MINUTES FROM PREVIOUS MEETINGS:

Council took a few minutes to look over transcription of the September Meeting Minutes.

MOTION: Motion to approve Min

VOTE: unanimously approved

BUDGET UPDATE:

Chris Botteron updated on the Budget. Two spreadsheets provided, Start with \$393,000. Page 2 of the packet. This is the official budget tool, one has everything to 16 Title II closed, which has been submitted to the feds. You have the spreadsheet in front of you that shows where that money went. Wants to be able to provide one of these annually to show exactly how the money for the grants is spent?

Tim: we spent it all?

Chris: yes, this just shows where the money went but we used it all.

Tim: Compliance monitoring is not on this

Chris: was not funded from 16, it was funded from 17, 18. This sheet will be for the grant year that is closing or closed the September prior. Going to the first spreadsheet, this is the current status right now. This shows which grants are funding which programs and administrative costs.

Chris discussed where the gap of 2017 ARC money of about 21k unawarded. We are working to double check our records to make sure it wasn't over looked. We will be bringing this to the meetings in March.

Looking at the YJC funding 2017 funding. In June 8200 executed, it was the practice that any work that Krystal did for the YJC would be charged to the YJC. Natalia has made the decision that the administrative assistant is to be funded directly from the general fund, so going forward the 20k that was set aside will now be dedicated to the YJC not personnel. Using the extra money for site visits, youth visits, bringing a program in. Natalia added that we can also use funding for JDAI and the conference. There is not a lot of restrictions on it. Chris added as long as it is allowed at the federal level.

JUVENILE JUSTICE PROGRAM:

Mark gave an update on the juvenile justice, school resource officers were funded in Hamilton years ago, it is in the strategic plan to try and fund school resource officers with the JAG funds. In the past it has been that the funding we do have goes to the drug taskforces. Something to keep in mind that it is an option if we do have available funding left. It is a great program. Officially OJJDP Registered Contact for Title II, when the new JJ specialist is hired, they will become the contact. But until then I will work with the new JJ specialist to get them trained. Rico Hall was federal program manager, he decided that he would step down, Sherri Carroll was appointed in his place. She was the federal compliance monitor. She is strict with what she requires and communicates very well. 2018 OJJDP did a desk audit on the 2018 Title II Grant and we were supposed to close the 2015 grant by December 31st, 2018 but were unable to do this due to the desk audit being open. So about a week ago finally got the email that the 2015 grant was closed. Earlier this year they came back to do another site review for 15,16,17. We got 15 straightened out. Close out is supposed to be done by the end of this month but cannot due to the desk review now opened again. 2017 desk review is still open as well. 2019 Title II Grant award in September of 2019. We submitted a revised budget. We still do not have a release date for the funds, and now we have subgrantees that are still waiting for their funds that were supposed to fund programs starting September. We are hoping the funds will be released soon. we are grateful for our subgrantees patience with this issue. Tim: this is not new?

Mark: No.

Tim: is it possible to adjust project periods?

Mark: Yes, we can, it is a possibility to do an adjustment. It would probably be better for us with the funding. But it can get complicated.

Dave: any consistency with the money coming late? Like always 3 months late?

Mark: always at least 3 months late. we can change the project period to Jan June.

Dave: do you think that there is a decent chance to get the money in January? Or will we adjust everything and then the money is pushed to say march.

Mark: we can go back for the last 5 years and see when we received the funds and when we received the award letter.

Natalia: sometimes we cannot adjust project periods for other programs, but for this grant, I think we can change the project periods but there may be some issues. Will check on this for sure and let YJC know. If the YJC wants to look into changing the project period, we need to make it clear to the subgrantees so that they know as well and can be prepared. October 1st start through Dec of next year would be an extended project period.

Mark: Start the changes for the next grant cycle. Wanting to keep this as seamless to our programs as we can.

Some programs might not be able to modify their grant periods due to funding. It could make or break a program.

Tim: can we scrape together one quarter of funding, so that we can have the money for that quarter gap.

Natalia: other programs were able to do adjustments.

Mark: we did have recovery funds in the past. We need to figure out a way to do that. But we would need an influx in money coming in. it is a problem every year, but we are spending all the funds that we receive.

Tim: we will discuss at the next meeting when we have a quorum and are able to make a decision.

Natalia: would like to work with the JJ Specialist to get more funding.

Tim: can we as a state agency apply?

Mark: we have applied and received funds from private funds and foundations.

Natalia: we will look into it.

Geri Joined the Meeting / Now have Quorum

TITLE II APPLICATION STATUS

Mark 2020 Title II Application solicitation for us to apply should be released Friday, but then they said, "provided there isn't a delay". When I get the solicitation, I will apply. In the past we had to apply 2x. the first one is to make sure the state is eligible to receive the funds. We have to provide the complete SAG roster now and will send that in with our application. The category 2 is applied for separately, this is where you add the budget and the compliance and planning. The first one is do you qualify? And second is how do you plan to spend the money. Last year we got the solicitation in September, so we are about 4 months behind. We are on year 3 of the plan right now. We will be applying under the last year to the strategic plan. 2021 when we submit our application, we will need a new strategic plan. So maybe march or June agenda items would be to make a new strategic plan. That does include purpose areas and such.

Tim: in the past, we had a gentleman come up and walk us through that. Might be a good idea to have an outside person take a look at the plan. Can we take a look?

Mark: OJJDP can provide technical assistance to us if needed. But let's think about a new strategic plan, DMC (disproportionate minority contact) is not considered DMC anymore it is now changed to RED (Racial and Ethnic Disparities) in our current 3-year DMC plan it needs to be revised to have the racial and ethnic disparities language. Believes that it will just be changing language. This will need to be done before the Title II application is submitted. The plan is still good through 2020. But will need to be revised for 2021. No real answers as to why they changed it.

Kim: it feels like it's just addressing youth of color and leaving out LGBTQ. That is just a concern that I got from that change.

Mark: tried to look for the definition of RED, couldn't find one. Will be working to get us a definition.

Dave: do we have the freedom to add a LGBTQ component under RED? Or are we restricted to what they list?

Mark: we will have to see what the definition says, its so new that we don't have enough information yet.

Natalia: Burns Institute, definition of RED **Racial and ethnic disparity refers to unequal treatment of youth of color in the juvenile justice system. RED results in disparate outcomes for similarly situated youth. Disparity exists in many child-serving systems; we focus on the juvenile justice system because of its negative impact on entire communities.**

Agreeing with Kim that we want to include all, we can look into ways to incorporate LGBTQ into that.

Mark: Committee called DMC/JDAI committee, it is in the Bylaws to have that committee, we will need to add/change to the committee name. JDAI we do not do anymore; Natalia and Mark were discussing revising something under JDAI. With the new JJ specialist on board, we can really look into resurrecting this program. YJC/DMC committee will need to meet in early 2020 to discuss YJC and DMC plan and get it finalized by September if we can. In the process of getting the YJC report to the governor's office by the end of the month. It will be sent out to everyone once it is finalized. When there is a new JJ Specialist mark will still keep the compliance monitoring portion.

Tim: where are we on hiring a new JJ Specialist

Natalia: job opening next week. Stay open for about 4 weeks. But not sure.

Tim: send out e mail when opens so we can get some good candidates.

HOUSEKEEPING

Minutes approval:

MOTION: Motion to approve minutes by Peter, motion was seconded by randy

VOTE: Motion Carries

TITLE II PRIORITY PURPOSE AREAS

Tim advised that we have a copy of the priority purpose areas for the YJC. The yellow ones are the ones that we have right now. An overview of how this works is, title II is money we get for Juvenile Justice in Montana. It is roughly \$400k. we send out 340-360k of that. In the RFP we send out for people to apply for these funds, we have priority areas that we have designated. There are 32 program areas, 9 of which we specified as priority. This does effect funding. We did have people apply under the other areas, one of them did get funded, but it was required because it was a tribe. Two former applications did not designate a priority area.

Tim opened it up for discussion:

Kim: do we have any way to track hate crimes?

Mark: we will ask Kathy w.

Tim: substance and alcohol abuse and mental health always pops out to me.

any reporting on our priority areas? Is there a baseline and can show an increase?

Tim: programs have to submit quarterly reports to show their work.

Mark: each program chooses their priority areas, but cannot always come up with baseline objectives, we will work with them to meet those objectives.

..... How do we see the pieces that are defined in the governor's report? Can we go back and see where we started? How do we coordinate to get this information?

Dave: Restorative Justice is a philosophy. Tim does Youth reporting center which is restorative in nature. We are working to get that data from all areas.

Mark: this next spring hoping to do some site visits. We have not been able to do those in the last few years.

Tim: What do we want to do, lets go from top to bottom with our priorities and see what we think,

Alternatives to detention: keeping kids out of the system.

Mt ranks 2nd for removing children to foster care

Mark: Definitions are from federal level

Kim: fan of restorative justice over detention but if cannot modify definitions, where do we apply restorative justice in these?

Dave: alternative delinquency and diversion for restorative practice.

Tim: this one stays?

Dave: can we add to the definitions?

Mark: I think you can add your own, but you do have to have the designated areas covered at least.

DELEQUENCY PREVENTION:

Tim: this tries to keep kids out of the system all together. There was not a lot of discussion and decided to keep this one.

SCHOOL PROGRAM:

Programs offered through the schools.

Suppurative services.

Dave: Working with school justice partnership for a few years. Add to this to include school justice and education. The trends are huge. Kids live and breathe at school.

Mark: cannot change words as they are defined on federal level, but you can justify under programs.

Tim: keep school programs? Yes

DMC/JDAI/RED

Required to keep this.

DIVERSION

Kids already in system, trying to handle them in other nontraditional ways. Keeping this.

GENDER SPECIFIC SERVICES

Added recently, talks about gender specific needs. We looked at this and decided that there was a need, we have not funded this group.

Kim: keep it in there and continue to look at trans youth and seeing if they are being placed based on gender identity or not.

Keep this

TRIBAL PROGRAMS

Required to have a percentage to tribes. Keep

JUVENILE JUSTICE SYSTEM IMPROVEMENT

Improving how children are processed in the system. Keep this

RURAL AREA JUVINILE PROGRAMS

billings and Missoula are the only non-rural areas.

Do we have any statistics on what it is that the youth are doing, is it alcohol and substance abuse, crime?

Kim: status offences are up there, there is a link between youth homelessness and then being expelled from school, they are nonviolent offences, but they have no where to go.

How do we work on this?

Dave discussed the school to prison pipeline, and how the school's policy for having alcohol or drugs on them at school is a suspension for 5 days, in most cases these kids don't have anywhere to go, or are homeless. Once this happens once the odds of it happening again is 100%. its an epidemic, and the School Justice Officers help with this, and are another route to try and help keep the kids out of the system. I think this can be funded under the school programs.

Kim: we see this with gay and trans being kicked out of the home for being gay or trans, and then get in a fight at school and get suspended, parents wont help because they have already kicked the youth out of their home.

Tim asked if anyone wanted to add to the 9 priority areas that we have chosen to keep.

Kim: proposing #5 as Community Based Programs and Services be added, Tim asked why substance and alcohol abuse is not one of our priority areas?

Peter: agrees with Tim on this, this is an area where kids are getting in trouble.

Dave: discussion a few years ago was how many services were being funded for this? Should it be on our radar vs the health services. And Julie wanted to keep to 9.

Tim: TOP10 Priorities would be a good number. We would need to keep one of the proposed, or drop one of the others, and add the broth.

Mark: Kim's reason for wanting to add community-based services vs substance and alcohol abuse are two separate subjects. Meaning one wouldn't satisfy the other.

Dave: Rural area programs is geographic, we are a rural state. So, drop that purpose area and add both new ones. We are able to fulfil these through the other purpose area.

Tim: anyone from billings would not apply under this anyway.

MOTION: Dave moves that we drop Purpose area 30 and add Purpose areas 18, and 5. For a total of 10.

Seconded by Laura Obert

VOTE: Motion Carries

CHANGES TO JJDP ACT

Mark: JJDP ACT was just revised again. This dictates how juveniles are dealt with in the state of mt. recently due to congressional amendments. Juvenile justice reform amendments. Mark read through what really affects us here.

Final States Plan

We had not been posting the plans, and they need to be on the website within 60 days of being final. State advisory group, states are required to have members on SAG, that have additional representation.

Including tribal representation. Our SAG has good representation. It may appoint a parent or guardian if you cannot find a youth requirement. Better off to have youth over a parent of youth. Juvenile crime analysis, states must within 1 year of JJRA December 21st 2020 have a plan to eliminate restraints of pregnant juveniles in facilities unless. Within 2 years must implement the plan created above. Mark has already contacted the juvenile detention centers in Montana and Idaho where DOC sends females, all the facilities had policies, and most had pregnant juvenile policies, some are being revised to include pregnant juveniles.

Dave: wondering about peter working on the shackling, wondering if the restraints was more then shackling, and can we put this in with the policy's.

Mark: under program areas, new juvenile justice program areas are already built into our program areas.

Separation of Juveniles and Adults

Montana has been doing this for years. There is language about a juvenile being tried as an adult. Mark does not know if all of this applies in that case. He will look into this. It is one of the things Mike Ferriter does.

System and Monitor Compliance

We are monitoring non secure facilities regardless of requirement.

Additional Requirements

Mark will make sure the additional requirements are addressed in the state plan. States are not required to have the policies in place, but a plan to put them in place.

Tim: last item on list, Committees. Wanted to remind everyone who is on which committee,

Exec Committee- Decision needs to be made between meetings

DMC/JDAI/RED- May be more in person meetings due to making strategic plan this year

Youth- Meet by phone, getting youth input about what they are seeing.

Legislative/mental health- haven't met in a while. Will need to do this. Monitor research, track legislation

Application review Committee- Title II application review final decision

Tribal outreach committee – improving relationships with the tribes.

Shackling committee- tackles juveniles being restrained improperly

Tim: any questions?

Add Rhonda, JDAI, LEGISLATIVE

Tim: we will reorganize these this year due to Dave's retirement.

MARK: found goals and objective planning sheet for committees. Mark will send out updated questionnaire to all YJC.

Tim: Executive Order has come back out, Tim discussed adding people to the YJC, also a great time to reapply for your appointment. If you have someone in mind, please get in touch with Natalia.

ADJOURNMENT

Tim Adjourned the meeting at 1:47pm.