

# **2014 YOUTH JUSTICE COUNCIL**

**REPORT TO THE GOVERNOR**

**AND THE LEGISLATURE**



**MONTANA  
BOARD OF  
CRIME  
CONTROL**

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# 2014 YOUTH JUSTICE COUNCIL

## REPORT TO THE GOVERNOR AND THE LEGISLATURE

PUBLISHED BY THE MONTANA BOARD OF CRIME CONTROL  
AND THE YOUTH JUSTICE ADVISORY COUNCIL

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The mission of the Youth Justice Council is to improve the juvenile justice system by serving the best interest of Montana's youth, families, and citizens by supporting research-based programs with positive outcomes.



December 2014

Youth Justice Council

Members:

Michelle Miller  
Chairperson

Tim Brurud

Craig Anderson

Dave Bailon

Anna Fischer

Judge Mary Jane  
Knisely

Kristina Lucero

Chaz McGurn

Kelly McIntosh

Laura Obert

Peter Ohman

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Dear Governor Bullock, members of the Montana State Legislature, and fellow Montanans:

On behalf of the Youth Justice Advisory Council (YJC) to the Board of Crime Control, it gives me great pleasure to present you with our 2014 Annual Governor's Report. The YJC is the State Advisory Group which makes recommendations to the Board of Crime Control on matters involving juvenile justice and juvenile justice reform. With the help of federal funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the YJC ensures that Montana is compliant with the Juvenile Justice and Delinquency Prevention Act.

During 2014, the YJC continued to focus its efforts on preventing Montana youth from entering the juvenile justice system and explored interventions that would assist youth who are already involved in the system. With a focus on funding effective prevention program, reducing disproportionate minority contact in the juvenile justice system, and providing alternatives to detention, the YJC members continue to work toward a juvenile justice system that is fair and ultimately beneficial to those youth who encounter it.

Participation in the Do the *Write* Thing Challenge continues to grow across Montana. This is an initiative of the National Campaign to Stop Violence. Youth write about violence they have experienced, the causes of youth violence, and how they can make a difference in their communities, schools, and families. In 2014, twenty-four middle schools participated in the Challenge which was a record!

Research has shown the importance of mentorship in the life of a child, and it is our pleasure to present our program highlight, Big Brothers Big Sisters (BBBS) of Helena. The mission of BBBS is to provide children facing adversity with strong one-on-one relationships that change their lives for the better, forever.

Thank you to the YJC members who work tirelessly throughout the year to promote juvenile justice reform in Montana.

Warm regards,

A handwritten signature in black ink, appearing to read "Michelle Miller".

Michelle Miller, Youth Justice Council Chair

## Executive Summary

The Montana Board of Crime Control (MBCC) is the designated state agency that receives juvenile justice funds from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP). As the State Planning Agency (SPA), MBCC ensures Montana's compliance with the federal requirements of the Juvenile Justice and Delinquency Prevention Act of 2002 (Public Law 93-415) (JJDP Act). Additionally, MBCC collaborates with state, local, and private agencies that participate in Montana's juvenile justice issues; the goal is to coordinate services and efficiently utilize available resources.

The Youth Justice Advisory Council (YJC) is required by Section 223 of the JJDP Act as amended. The YJC participates in the development and review of a juvenile justice plan for Montana and provides annual updates to the plan; reviews juvenile justice and delinquency prevention grant applications submitted to MBCC; and contacts and seeks regular input from juveniles currently under the jurisdiction of Montana's juvenile justice system. Each year the YJC submits a report to the Governor and the Montana Legislature and provides recommendations regarding state compliance with the JJDP Act. Montana's YJC is comprised of 15-33 members who are appointed by the Governor and serve a two-year term. The YJC is committed to providing Title II Formula Grant funds, training, and technical assistance to Montana communities in order to reduce juvenile delinquency and keep our youth from entering the juvenile justice system and, ultimately, the adult justice system.

## The Youth Justice Advisory Council

In 1974 Congress enacted the *Juvenile Justice and Delinquency Prevention (JJDP) Act*; the JJDP Act was reauthorized by Congress in 2002.<sup>1</sup> The JJDP Act provides funding to states to support four core protections for America's youth who become involved in the juvenile justice system. The four core protections include the following:

- **De-institutionalization of status offenders (DSO)**
- **Sight and sound separation**
- **Removal of juveniles from adult jails and lock-ups**
- **Disproportionate Minority Contact (DMC)**

The four core protections are the basis for the state's required work plan which is submitted annually to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) by MBCC on behalf of the State of Montana.

### *1. De-institutionalization of Status Offenders (DSO)*

The State of Montana must ensure that juveniles who are charged with a status offense are not placed in secure detention or in correctional facilities. Status offenses are those that would not be an offense if committed by someone age of 18 or older.

### *2. Sight and Sound Separation*

The State of Montana must ensure that a juvenile charged with a delinquent offense and detained or confined in an adult jail or lock-up will have no verbal or visual contact with adult offenders.

### *3. Removal of Juveniles from Adult Jails and Lock-ups*

The State of Montana must ensure that no juvenile shall be detained or confined in a jail or lock-up intended for adult offenders beyond specific time limits – 6 hours in a Metropolitan Statistical Area (MSA) county and 24 hours in a non-MSA county.

### *4. Disproportionate Minority Contact*

The State of Montana must make an effort to reduce DMC at all of the designated 9 points along the juvenile justice continuum when that proportion exceeds the minority's representation in the general population.

## THE STATE ADVISORY GROUP ON JUVENILE JUSTICE

Montana's State Advisory Group, the Youth Justice Advisory Council (YJC), was established in response to the federal JJDP Act. Pursuant to the JJDP Act, each state must establish a State Advisory Group (SAG) on Juvenile Justice in order to receive Title II Formula Grant funds. The YJC is a 17-member panel of persons from across the state of Montana, each with his/her training, experience, or special knowledge of the juvenile justice system. YJC members are appointed by the Governor for two-year terms; the purpose is to study juvenile justice issues and make recommendations regarding policy and funding decisions in order to improve the quality of life for all Montana youth.

As the State Advisory Group, the YJC provides the Governor and the Legislature with recommendations for juvenile justice system improvement. The YJC participates in the development of annual plans to implement the objectives of the OJJDP Act and to promote the development of an effective and coordinated juvenile justice system in the state of Montana. Additionally, the YJC makes funding recommendations to the MBCC for grant applications pursuant to the OJJDP Act in a manner consistent with the State's Three-Year Plan. Part of MBCC's responsibility includes monitoring Montana's compliance with the four core requirements of the JJDP Act. **Montana is in compliance with all four core requirements of the JJDP Act.**

Currently the YJC membership is representative of 10 of the 12 Montana Association of Counties (MACo) districts. The YJC meets quarterly in Helena to address juvenile justice issues and trends in Montana and to work on its state and federal responsibilities in accordance with the JJDP Act. Those responsibilities include the following:

- To participate in the development of a comprehensive Three-Year Plan for juvenile justice in Montana that addresses the four core requirements of the JJDP Act;
- To review the progress of projects funded under the State of Montana's juvenile justice work plan, including DMC and the Juvenile Detention Alternatives Initiative (JDAI);
- To provide the Governor and the Legislature with an annual report of Montana's compliance with the four core requirements of the JJDP Act;
- To make recommendations to the Governor and Legislature for improvement of Montana's juvenile justice system; and
- To review and comment on all juvenile justice and delinquency prevention grant applications submitted to MBCC.

The YJC relies on the expertise of juvenile justice-related individuals and their respective agencies in order to accomplish its work plan. These agencies regularly attend YJC meetings and keep the YJC members apprised of activities, interests, concerns, and trainings that are relevant to juvenile justice; their participation has contributed to the YJC's overall knowledge of juvenile justice in Montana and the ability to solve problems through cooperation and collaboration:

- Office of Court Administration
- Public Defender's Office
- Children's Mental Health Bureau
- The Prevention Resource Center, Department of Public Health and Human Services
- Addictive and Mental Health Disorders Division
- Office of Public Instruction
- Department of Corrections, Youth Services Division

## YJC Subcommittees

### *Executive Subcommittee*

In the absence of a quorum at a regularly-scheduled YJC meeting, or between regular meetings as necessary, the Executive Subcommittee may take limited, time-critical actions to carry out the essential responsibilities of the YJC. Additionally, this body makes recommendations to the YJC regarding nominations and active participation by members. The Executive Subcommittee also offers recommendations to the YJC in relation to federal applications, associated deadlines related to the Three-Year Plan, and compliance with the core requirements of Title II legislation.

2014-15 Executive Subcommittee members include the following: Michelle Miller, Chair; Tim Brurud, Vice Chair; Chaz McGurn, Youth Subcommittee Chair; Laura Singley, Grant Review/Performance Measures Subcommittee Chair; Peter Ohman, DMC/JDAI Subcommittee; and Randy Shipman, Legislative/Mental Health Subcommittee.

### *Grant Review/Performance Measures Subcommittee*

The Grant Review/Performance Measures Subcommittee works toward continued improvement in the quality of juvenile justice applications that are submitted to MBCC and the YJC. The subcommittee reads the juvenile justice applications and the staff recommendations for funding and recommends programs to the YJC. The YJC members review the subcommittee recommendations and forward program funding recommendations to the full MBCC, where final funding decisions are made.

2014-15 Grant Review/Performance Measures Subcommittee members include the following: Laura Singley, Chair; Dave Bailon, Vice Chair; Tim Brurud; Mary Jane Knisely; and Kelly McIntosh. Alternates are Craig Anderson and Adam Stern.

### *DMC/JDAI Subcommittee*

The DMC/JDAI Subcommittee provides guidance through recommendations to the YJC and MBCC regarding issues of disparity and disproportionality. The Annie E. Casey Foundation's Juvenile Detention Alternative (JDAI) is a strategy that has been implemented to address DMC at arrest, diversion, and detention. A JDAI Growth Subcommittee is tasked with investigating the possibility of expanding JDAI beyond the current pilot sites.

2014-15 DMC/JDAI Subcommittee members include the following: Tim Brurud, Chair; Judge Mary Jane Knisely, Vice Chair; Kristina Lucero; Laura Obert; Peter Ohman; Geri Small; and Adam Stern.

### *Legislative/Mental Health Subcommittee*

The Legislative/Mental Health Subcommittee was formed to research best and promising practices for youth and to recommend research-based improvements to Montana's juvenile justice system. Those recommendations are submitted to the YJC for inclusion in the YJC white paper which is submitted biennially to the Law and Justice Interim Committee.

2014-15 Legislative/Mental Health Subcommittee members include the following: Laura Obert, Chair; Peter Ohman, Vice Chair; Craig Anderson; Kristina Lucero; Braeden Quinn; Randy Shipman; and Adam Stern.

### *Youth Subcommittee*

The Youth Subcommittee members assist MBCC staff in the review of Do the *Write* Thing Challenge student writings. Additionally, the Youth Subcommittee members work toward including the voices of juvenile justice system-involved youth in the YJC juvenile justice discussions.

2014-15 Youth Subcommittee members include the following: Chaz McGurn, Chair; Braeden Quinn, Vice Chair; Anna Fischer, Jack Shevalier, and Kelly McIntosh.

### *Special Subcommittees*

The YJC or the YJC Chair may, from time to time, create special committees or task forces and the Chair shall appoint all committee chairs with the consent of the YJC. The committees or task forces shall exercise the powers delegated to them by the YJC and its bylaws. Committees shall also have such other powers and duties as delegated to them by the Chair. Committee reports and recommendations shall be submitted to the Chair within the time prescribed, and they shall be advisory only.

## A Profile of Montana's Youth

Current data from the Office of Court Administration and the MBCC Statistical Analysis Center indicates that over the past three years, Montana has seen a consistent decline in most areas of juvenile crime. Following are notable juvenile crime trends for the State of Montana:

- The number of unduplicated youth referred to Youth Court fell from 5,635 in 2009 to 4,136 in 2013;
- The number of referrals (one youth may have multiple referrals) to Youth Court dropped from 8,922 in 2009 to 6,317 in 2013;
- The number of juvenile offenses (a referral may have multiple offenses) declined between 2009-2013, falling from 11,611 in 2009 to 9,013 in 2013;<sup>2</sup> and
- Status offenses declined from 2,615 in 2009 to 1,894 in 2013.<sup>3</sup>

The key to preventing juvenile delinquency and its escalation into chronic criminality is early intervention. Risk factors in the individual, family, peer, and school/community domains must be mitigated, and the protective factors in those domains must be enhanced. Preventing juvenile delinquency through early intervention can reduce juvenile crime rates; decrease crime-related expenditures; and increase the opportunity for Montana youth to lead productive, law-abiding lives.

According to the 2014 Annie E. Casey Kids Count Data Book, Montana ranked number 31 among states for Overall Child Well-Being.<sup>4</sup> State rankings are based on an index of 16 key indicators that examine four key areas of child well-being:

- Economic Well-Being (ranked 25, down from 15);
  - Children in poverty
  - Children whose parents lack secure employment
  - Children living in households with a high housing cost burden
  - Teens not in school and not working
- Education (ranked 21, down from 13);
  - Children not attending preschool
  - Fourth graders not proficient in reading
  - Eighth graders not proficient in math
  - High school students not graduating on time

- Health (ranked 50); and
  - Low-birthweight babies
  - Children without health insurance
  - Child and teen deaths per 100,000
  - Teens who abuse alcohol or drugs
- Family and Community (ranked 14).
  - Children in single-parent homes
  - Children in families where the household head lacks a high school diploma
  - Children living in high-poverty areas
  - Teen births per 1,000

The number of Montana children who live in poverty; whose parents lack secure employment; and whose households have a high housing cost burden increased slightly between 2009 and 2013. According to the Department of Commerce, 20% of Montanans under the age of 18 live in poverty, and 36% of the single-parent families with related children live below poverty.<sup>5</sup> Nearly 20,000 women and children are enrolled in the WIC program (Women, Infants and Children supplemental nutrition program). However, the number of teens not in school and not working decreased slightly to 9%. In the Education domain, the number of fourth graders not proficient in reading declined slightly; statistically speaking, those children who reach the fourth grade unable to read proficiently are more likely to drop out of school.

Several of the indices are of particular concern to the work of the YJC. Teens not in school and not working are sometimes referred to as “Disconnected Youth.” Longitudinal studies have identified a robust relationship among risk and protective factors that predict the likelihood of adolescent delinquency, drug use, youth violence, and school dropout. Youth with weak bonds to school, low educational aspirations, and poor motivation are at risk for general offending and juvenile delinquency. Although that number dropped slightly, it is still a concern.

In response to the above-referenced indicators and to the downward trend of juvenile justice funding at the federal level, the YJC has placed an importance on funding evidence-based and best practice programming. Additionally, the YJC invites representatives from state agencies involved in juvenile justice to attend the quarterly YJC meetings as guests to report on activities, trends, and potential areas of collaboration.

## 2014 Federal Grants and Funding Priorities

### *Title II – Formula Grant*

The Title II Formula Grant supports state and local efforts in planning, establishing, operating, coordinating, and evaluating projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system per Section 221(a) of the JJDP Act. Funds are allocated to states and territories based on their relative population under the age of 18.

Montana receives the minimum allocation to each state, which is \$400,000. In order to receive this amount, Montana must demonstrate compliance with the four core requirements of the JJDP Act. The allocation is reduced by 20 percent for each core requirement with which the state is not in compliance. In order to be eligible for Title II funds, Montana must submit electronically a comprehensive 3-year plan to address compliance with the four core requirements and includes an advisory group appointed by the Governor to carry out specific functions and to participate in the development and review of Montana's juvenile justice plan. That advisory group is the Youth Justice Advisory Council.

Once the plan is approved, the YJC recommends the specific programs for funding to MBCC. MBCC juvenile justice staff process applications for subgrants and administer the funded projects. Two-thirds of the funds must be passed through to units of general local government, private nonprofit agencies, and Tribal governments performing law enforcement functions unless a waiver is granted.

The YJC has determined the following priorities for Title II funding: alternatives to detention; Native American programs; delinquency prevention; disproportionate minority contact; diversion programs; and juvenile justice system improvement. The population to be served includes all Montana youth and their families at risk for coming into contact with the juvenile justice system. Project goals include the support of state and local juvenile justice system improvement efforts; improvement of the juvenile justice system through increased availability and types of prevention and intervention programs; improvement of tribal justice system capacity for delivering and implementing promising and best practices prevention and intervention programs for Native American youth and families; increase the number of diversion programs for at-risk youth; monitor and ensure compliance with the DMC core requirement; and increase availability of community-based juvenile detention alternatives. Eligible applicants include units of local governments, federally recognized tribal governments, nonprofits, and local educational agencies. No match is required.

During calendar year 2014, the YJC funded the following Title II programs:

- Boys and Girls Club of Lewistown – Keystone and Torch Club
- Big Brothers Big Sisters of Great Falls – Local Mentoring Initiative
- Big Brothers Big Sisters of Helena – Start Something Big
- Montana Youth Homes, Inc. – InnerRoads Wilderness Program
- East Helena School District – We Are East Helena
- Big Brothers Big Sisters of Yellowstone County – Mentoring Youth for the Future
- Alliance for Youth of Great Falls – DMC Reduction Initiative
- Center for Restorative Youth Justice – Making Restorative Justice a Priority
- Bitterroot Ecological Awareness Resources, Inc. – Bitterroot Venture
- Crow Tribe of Indians – Youth Empowerment Coalition

In addition, Title II funds were used for compliance monitoring and for funding a portion of MBCC's juvenile justice project, *Do the Write Thing*.

### *Juvenile Accountability Block Grant (JABG)*

The Juvenile Accountability Block Grant (JABG) program is authorized under the Omnibus Crime Control and Safe Streets Act of 2002 (42 U.S.C. 3796ee et seq). At its inception, Congress envisioned a program that reduces juvenile offending through accountability-based initiatives focused on both the offender and the juvenile justice system in order to promote greater accountability in the juvenile justice system. The premise of JABG is that both the juvenile offender and the juvenile justice system must be held accountable. For the juvenile offender, accountability means he/she will face consequences tailored to his/her particular situation; the consequences will make the youth aware of and responsible for the loss, damage, or injury that the victim experienced. The best way to hold youth accountable is through a system of graduated sanctions that increase from limited interventions to more restrictive actions if the youth chooses to continue his/her delinquent activities. Strengthening the juvenile justice system requires increasing the capacity to develop youth competence, track juveniles efficiently through the system, and provide restorative justice options such as restitution, community service, victim-offender conferencing, and other practices that restore the community and return the youth to his/her community.

States must pass through 75 percent of the total JABG award to eligible units of local government consistent with the requirements set forth at 42 U.S.C. 3796ee-2(b) and 42 U.S.C. 3796ee-3. If a state can demonstrate that it bears more than 25 percent of the financial burden for juvenile justice within the state, the state agency can request a waiver of the pass-through requirement. Montana has consistently been provided with a pass-through waiver.

The 2013 JABG allocation for Montana is \$120,050. In order to receive this amount, Montana must convene a JABG Advisory Board for the purpose of recommending a coordinated enforcement plan regarding the use of JABG funds in Montana. The JJDP Act of 1974 allows the YJC to function in that capacity for Montana. In order to consider the needs of the judicial branch in strengthening the juvenile justice system, states are required to communicate in writing with the chief of the highest court in the state and submit the correspondence to OJJDP.

The YJC determined the JABG funding priorities based upon the following: needs identified in the Title II Formula Grant Three-Year Plan; analysis of statewide data; assessment of trends; needs identified through probation officer surveys; and gaps in the system along the continuum of key decision points. Montana's JABG funding priorities include information sharing programs; programs to conduct risk and needs assessments; restorative justice programs; and juvenile accountability and recidivism reduction through courts and probation. The population to be served includes all Montana youth and their families who have come into contact with the juvenile justice system. Eligible applicants include units of state, county, local, and tribal governments throughout Montana. A 10 percent hard cash match is required.

During calendar year 2014, the YJC funded the following JABG programs:

- First Judicial District – Youth Court Conferencing
- Seventh Judicial District – Juvenile Probation Officer
- Eleventh Judicial District – Youth Connections Program
- Hill County Sheriff's Office – Youth Reporting Center

## Disproportionate Minority Contact Report (DMC)

The Youth Justice Council (YJC) is charged with advising the Montana Board of Crime Control (MBCC) on assessing, addressing, evaluating, and monitoring disproportionate minority contact (DMC) with the juvenile justice system for any minority/race/ethnicity representing more than one percent of the general population.

The rate of minority youth system contact at nine decision points is divided by the rate of White youth contact at each of these decision points to determine the ratio, referred to as the relative rate index (RRI). An RRI with a value of one indicates that there is no DMC present at that decision point. An RRI value of less than one indicates under-representation of minority youth, and an RRI value greater than one indicates over-representation of minority youth.

Montana's population reached one million in 2011; although the general population is growing, the youth population between the ages of 10-17 has been declining since 2005. This population is dispersed across 145,546 square miles. Despite the fact that the youth population is declining, Montana has seen a 14% increase in Hispanic youth of all races and an 18% increase in Black non-Hispanic youth. American Indian/Alaska Native non-Hispanic youth have declined by 5%; both White and Asian non-Hispanic youth have declined by 4%.

Montana has 4 populations that meet the 1% rule: Hispanic youth of any race; non-Hispanic American Indian/Alaska Native youth; non-Hispanic Black/African American; and Other/Mixed. The Federal Office of Management and Budget (OMB) no longer provides population projections for the Other/Mixed population; therefore, Montana does not analyze DMC for the Other/Mixed population between census years.

Data available at the time of this publication indicates non-Hispanic American Indian/Alaska Native youth experience significant DMC at the statewide level at four contact points: arrest, diversion, admission to secure detention, and confinement in secure juvenile correctional facilities. Although all minority youth experience DMC statewide at the points of arrest, diversion, detention, and confinement in secure juvenile correctional facilities, non-Hispanic American Indians experience the most significant minority contact with Montana's juvenile justice system.

The following chart shows the 2012 Montana RRI for minority youth compared with white youth at the nine juvenile justice system contact points. The chart indicates statistically significant RRI at the point of arrest for Black or African-American youth, Hispanic or Latino youth, American Indian or Alaska Native youth, and All Minority youth. Fewer Hispanic or Latino youth and American Indian or Alaska Native youth were diverted from the juvenile justice system than other youth. At the point of secure detention, RRI exists for Hispanic or Latino youth, American Indian or Alaska Native youth, and All Minority youth. Finally, American Indian or Alaska Native youth and All Minority youth are disproportionately represented in cases resulting in confinement in secure detention.

Relative Rate Index Compared with White Youth								
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or Other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
Juvenile Arrests	1.00	<b>1.93</b>	<b>0.68</b>	*	*	<b>1.51</b>	*	<b>1.26</b>
Refer to Juvenile Court	1.00	1.00	1.00	*	*	1.00	*	1.00
Cases Diverted	1.00	1.00	<b>0.92</b>	*	*	<b>0.92</b>	*	0.93
Cases Involving Secure Detention	1.00	1.15	<b>1.72</b>	*	*	<b>1.80</b>	*	<b>1.73</b>
Cases Petitioned	1.00	0.84	0.97	*	*	1.10	*	1.05
Cases Resulting in Delinquent Findings	1.00	**	**	*	*	1.00	*	1.05
Cases Resulting in Probation Placement	1.00	**	**	*	*	1.00	*	1.00
Cases Resulting in Confinement in Secure Facility	1.00	**	**	*	*	<b>1.55</b>	*	<b>1.48</b>
Cases Transferred to Adult Court	1.00	**	**	*	*	**	*	**
Group meets 1% Threshold?	Yes	Yes	Yes	No	No	Yes	No	

Key

Statistically significant results  
 Results that are not statistically significant  
 Group is less than 1% of the youth population  
 Insufficient number of cases for analysis

**Red bolded font**  
 Regular font  
 \*  
 \*\*

Minority youth are arrested more often, detained more often, diverted less often, and are placed in confinement in secure detention more often than White youth. Data collected from the JDAI sites will provide information and guide further efforts to manage DMC at problematic decision points.

According to the 2012 report by Dr. Hollist, [Assessing the Mechanisms that Contribute to Disproportionate Minority Contact in Montana's Juvenile Justice System](#), social factors are the biggest contributors to DMC; the most successful strategies for reducing DMC are those that address school and family issues, especially those related to generational poverty and disadvantage. Dr. Hollist's complete report may be found on the MBCC site: <http://www.mbcc.mt.gov/Data/SAC/RAI/DMCAssessRep.pdf>.

## Juvenile Detention Alternative Initiative

The Annie E. Casey Foundation (AECF) developed the Juvenile Detention Alternative Initiative (JDAI) in 1992 to support the vision that juvenile justice system-involved youth should have the opportunity to “develop into healthy, productive adults as a result of policies, practices, and programs that maximize their chances for personal transformation, protect their legal rights, reduce their likelihood of unnecessary or inappropriate incarceration, and minimize the risks they pose to their communities” (AECF).<sup>6</sup>

In order to achieve these objectives, JDAI sites implement eight core strategies: **collaboration** among juvenile justice agencies, government agencies, and community organizations; **use of accurate data** to determine the need for reform and the impact of JDAI strategies; **objective admissions criteria and instruments** to reduce the subjectivity in placement decision making; **alternatives to detention** to increase options available for youth; **case processing reforms** in order to ensure that interventions are both timely and appropriate for the youth; **examination of special detention cases** to minimize the number of youth in secure detention; **reducing racial disparities** to ensure youth of color are not detained at a higher relative rate than white youth; and **improving conditions of confinement** through the application of consistent protocols and standards.

Montana became an official Annie E. Casey JDAI site in 2007 and local sites continue to work towards implementation of the eight core strategies. Montana’s 2013 JDAI sites include the following: Cascade County, Flathead County, Hill County, Missoula County, and Yellowstone County. Sites are utilizing a Detention Risk Assessment Instrument (DRAI) to ensure that only youth who are a risk to public safety or a flight risk are being placed in detention. The DRAI is an automated data collection and reporting system that assists in the correct placement of juveniles. Each site conducted data analysis to determine the alternatives that are most appropriate for their respective sites. In 2011 the Montana Board of Crime Control contracted with the University of Montana to conduct a study of the RAI to determine the tool’s validity. Led by Dr. Dusten Hollist, a research team from the University of Montana traveled to the JDAI sites. The findings were published in a June 2012 report. Dr. Hollist’s report is available on the MBCC website: [http://www.mbcc.mt.gov/Data/SAC/RAI/RAI\\_DRAI\\_Comparison.pdf](http://www.mbcc.mt.gov/Data/SAC/RAI/RAI_DRAI_Comparison.pdf).

Montana JDAI participants attend trainings to improve the implementation of JDAI at the local level. Participants first attended the AECF kick-off in February 2007 and attended annual national conferences since then. Montana started providing onsite training in 2010, beginning with trainings Dr. Ed Latessa of the University of Cincinnati and the JDAI team from Atlanta, GA, led by the Honorable Steven Teske. The first statewide JDAI Conference was held in October 2010 in conjunction with the Crime Prevention Conference; participants received training on the implementation of a graduated sanctions grid. The 2011 Crime Prevention Conference featured a juvenile justice track that addressed JDAI and Disproportionate Minority Contact (DMC). Presenters from the AECF and Pierce County, Washington shared strategies for reducing DMC and increasing detention alternatives for youth. Other related trainings included the purpose of detention and the role

played by the judicial officer in the detention process. The 2012 Conference provided pilot sites with a round table discussion of their data, challenges, and successes; a training from the Burns Institute for Juvenile Justice Fairness and Equity; and a presentation by Dr. Hollist on the results of the DRAI validation and assessment study.

In 2010 Hill County established a day and evening Youth Reporting Center (YRC) which serves as a pre-adjudication alternative to detention for a target group of juveniles who would otherwise be transported and detained in the Juvenile Detention Center in Cascade County. The YRC opened its doors in early 2011 and soon became a valuable community resource.

Efforts continue to bring JDAI to scale in Montana. Statewide JDAI Coordinator Cil Robinson developed a protocol to standardize data collection and reporting across the pilot sites. All of the JDAI sites with detention facilities within their counties have completed a self-inspection within the last two years. JDAI Fundamentals training has been provided to Yellowstone County, Flathead County, Fort Peck Reservation, and Rocky Boys Reservation.

## Restorative Justice in Montana

Restorative justice is a theory that emphasizes repairing the harm that is done to the community and to the victim through the criminal behavior. Restorative justice is based on three principles. First, those who have been injured or harmed must be restored, to the degree possible, to their condition prior to the harm. Second, those who have been most directly impacted by the crime should be offered the opportunity to participate in the process. Finally, the community's function is to build and maintain a just peace. Restorative justice takes work and commitment.

Restorative justice is a different way of perceiving crime and the way we respond to it. By focusing on the harm caused by the crime and the harm done to the victims, offenders are required to take responsibility for their actions and the harm they have caused. Criminal acts are not simply defined by the law or laws broken and the punishment merited; rather, the victims' needs are recognized and community plays a strong role in the reintegration of the offender.

Restorative justice programming provides an opportunity for the community as a whole. Victims often appreciate the opportunity to face the offender and ask questions regarding the incident. The victims are able to let the offender know what kind of an impact the incident has had. The highlight for the victims is participating in the restoration process – victims are asked what it will take to restore their loss. The victims are being heard, and justice focuses on their needs and the importance of restoring the community balance.

The YJC continues to support restorative justice efforts across Montana. The Center for Restorative Youth Justice (CRYJ) in Kalispell works in conjunction with the 11<sup>th</sup> Judicial District, providing restorative justice programming to youth who are involved in the justice system. Federal juvenile justice funding supports 2 of CRYJ's 6 restorative justice programs: the Community Accountability Board (CAB) and the Victim-Offender Conferencing (VOC). The recidivism rate for youth who successfully completed VOC or CAB requirements reached an historic low of 3% in fiscal year 2012. Nearly half of the 280 youth referred to CRYJ in 2013 participated either in CAB or VOC.

## Shackling Youth in Courtrooms

The practice of indiscriminately shackling youth in the courtroom has come under intense scrutiny in the last decade. Shackles refer to all mechanical restraints used on youth in the courtroom, including, but not limited to, handcuffs, leg irons, zip ties, and chains. Opponents to the indiscriminate shackling of youth in court cite concerns that include the creation of additional physical and psychological harm to the youth; the disproportionate use of shackling on youth of color; inconsistency with the goals of rehabilitating youth; interference with constitutional rights; and an unnecessary measure to ensure public safety.

The 2013 National Juvenile Defense Standards, which provides guidance to juvenile defense attorneys and other juvenile court professionals, advises the following: “Restraints also are inherently coercive because of the physical discomfort, psychological harm, and inhibitions they place on the client and the attorney-client relationship. Counsel should oppose the use of shackles on youth in the absence of proof that physical restraints are necessary to prevent escape or harm to the youth or others.” To date, sixteen states have enacted policy changes, court actions, or statutes to reform their approach to shackling juveniles in court.

The YJC will create a special Shackling Committee in 2015 to investigate the indiscriminate shackling of youth and the implications for Montana’s courts. The 2015 Governor’s Report will include a white paper on juvenile shackling in Montana. The white paper will explore the impact of shackling on youth; the extent of shackling youth in Montana’s courts; the proposed solution; and the long-term focus of the solution.

## Do the *Write* Thing<sup>7</sup>

### *Stand Up; Don't Stand By*

For the past seven years Montana youth have participated in the Do the *Write* Thing Challenge, a writing campaign that provides 7<sup>th</sup> and 8<sup>th</sup> grade students with the opportunity to examine how youth violence impacts their lives, the causes of youth violence, and what they can do to reduce youth violence. Students wrote essays, poems, plays, and other forms of written expression to voice the effects of violence in their schools, communities, and homes and to express what they can do about youth violence.

The 2014 State Recognition Ceremony was held at ExplorationWorks! April 19, 2014. First Lady Lisa Bullock delivered the keynote address and reminded the students that they displayed great courage by writing and sharing their stories. Mayor Jim Smith welcomed the students, their teachers, and their families to Helena. MBCC Executive Director Brooke Marshall delivered the opening remarks, and Brenda Desmond, 4<sup>th</sup> Judicial District Standing Master and MBCC board member, spoke to the students about youth violence.

Alfred Peterson (Dillon) and Rachel Villegas (Billings) represented Montana during the National Recognition Week activities in Washington, D.C., June 14-18, 2014. Students, parents, and teachers participated in violence prevention workshops, dinner at the Kuwaiti Cultural Center, and visited with Congressional staff members. Three youth were invited to read their writings at the Library of Congress; they presented officials with a leather bound copy of the 2014 student writings. Three youth were also selected to read their writings at the Supreme Court. Associate Justice Anthony Kennedy joined the group in the Supreme Court and gave his audience insight into the workings of the Supreme Court. The Recognition Ceremony was held in the Ronald Reagan Building Atrium. Opening remarks were given by Major Garrett, Chief White House Correspondent with CBS news and Correspondent at Large with the National Journal. Keynote speaker Claire Shipman provided each participant with a copy of her book, THE CONFIDENCE CODE. Singer Ddendyl Hoyt provided a musical program, and the Harlem Globetrotters gave each of the students an autographed basketball.

This year Montana had an unprecedented 24 Montana middle schools participate in the Do the *Write* Thing program. State Chair Julie Fischer presents Do the *Write* Thing at the Montana Behavioral Initiative (MBI) and at the MEA/MFT Conference in order to share information about the program with educators around the state. As the Do the *Write* Thing Challenge grows and develops in Montana, more teachers, parents, and volunteers increase their support of the Challenge. The Do the *Write* Thing Challenge is an initiative of the National Campaign to Stop Violence (NCSV).

## PROGRAM HIGHLIGHT 2014

### Big Brothers Big Sisters of Helena: *Start Something Big!*

From its humble beginnings in 1967 as a priest's project serving seven matches in the Helena diocese, Big Brothers Big Sisters of Helena (BBBS-Helena) has grown into a successful mentoring program that serves an average of 250 children in its community-based and school-based programs each year. In 1992 BBBS-Helena affiliated with the national organization, Big Brothers Big Sisters of America, and standardized the delivery of its programs. All BBBS organizations are guided by a single vision: "All children achieve success in life." The mission of every Big Brothers Big Sisters organization is to provide children facing adversity with strong and enduring, professionally-supported one-to-one relationships that change their lives for the better, forever.

Today BBBS-Helena is also a member of Big Brothers Big Sisters of Montana, the only Best Practice prevention program in Montana proven to influence a broad spectrum of risk factors, including delinquency, alcohol, tobacco, drug use, teen pregnancy, and school dropout rates while at the same time helping children reach their highest potential. Staff members develop partnerships with parents and guardians, volunteers, and others in the community for the purpose of assisting each child with achieving higher aspirations, greater confidence, and better relationships; avoiding risky behaviors; and experiencing educational success. MBCC has supported the efforts of BBBS-Helena since 1995. Grant funds have been used to develop high school mentoring programs, community partnership mentoring programs, and satellite mentoring programs in Boulder.

The *Start Something Big* campaign specifically targets youth of all races and socioeconomic backgrounds in grades K-8 who live in single parent home; who are considered to be at-risk for becoming delinquent; or who were deemed to be eligible but were unable to be served due to lack of program capacity. Key risk factors include poor behaviors; disrespect for authority; impulsivity; low academic performance; poor social skills; low self-esteem; families that are disrupted by incarceration of a family member, divorce, illness, or history of violence; alcohol and/or drug abuse; and the deployment of a parent. In spite of the logistical challenges of serving underserved schools outside of the city limits of Helena, BBBS-Helena was able to make 32 new matches for the school-based program in 2014, including matches at Jim Darcy Elementary as well as Eastgate and Radley Elementary Schools in East Helena. Some of those matches included the Carroll College Women's Basketball team.

BBBS-Helena's Big of the Year, Jay Sherley, went on to become Montana's 2014 Big of the Year for his dedication towards his Little, Bryan. Jay and Bryan were matched in 2008; with Jay's guidance and friendship, Bryan was able to overcome constant bullying and suicidal thoughts, and he graduated from high school in 2015.

## REFERENCES

- <sup>1</sup>Juvenile Justice and Delinquency Prevention Act of 1974. Retrieved from <http://www.ojjdp.gov/about/jjdpa2002titlev.pdf>.
- <sup>2</sup>Youth Court At-A-Glance. (2013). Retrieved at [http://courts.mt.gov/dcourt/yth\\_court/default.mcp.x](http://courts.mt.gov/dcourt/yth_court/default.mcp.x).
- <sup>3</sup>Statistical Analysis Center. Juvenile crime statistics. Retrieved at <http://www.mbcc.mt.gov/Data/crimedata/crimedata.asp>.
- <sup>4</sup>Kids Count Data Book (2014). Data by state. Retrieved at [http://www.aecf.org/m/databook/2014KC\\_profile\\_MT.pdf](http://www.aecf.org/m/databook/2014KC_profile_MT.pdf).
- <sup>5</sup>Spotlight on Poverty and Opportunity: Montana. Retrieved at <http://www.spotlightonpoverty.org/map-detail.aspx?state=Montana>.
- <sup>6</sup>The Annie E. Casey Foundation. Juvenile detention alternatives initiative. Retrieved at <http://www.aecf.org>.
- <sup>7</sup>Do the Write Thing. Retrieved at <http://www.dtw.org/>.

## YOUTH JUSTICE ADVISORY COUNCIL MEMBERS

<p><b>Michelle Miller, Chair</b>          1146 W. Gold St.          Butte, MT 59701          406-560-6600          Representing: Competency addressing youth violence          Term expires: 3/1/2016</p>	<p><b>Kelly McIntosh</b>          221-1/2 S. Idaho St.          Dillon, MT 59725          406-683-6106          Representing: Nonprofits          Term expires: 3/1/2016</p>
<p><b>Tim Brurud, Vice Chair</b>          9855 Hwy. 2 W.          Havre, MT 59501          406-265-6206          Representing: Nonprofits          Term expires: 3/1/2016</p>	<p><b>Laura Obert</b>          PO Box 196          Townsend, MT 59644          406-980-2794          Representing: Locally elected officials          Term expires: 3/1/2016</p>
<p><b>Craig Anderson</b>          318 Sigmund          Glendive, MT 59330          406-377-5291          Representing: Law enforcement          Term expires: 3/1/2016</p>	<p><b>Peter Ohman</b>          502 S 19<sup>th</sup> St., Ste. 211          Bozeman, MT 59718          406-565-0039          Representing: Law enforcement          Term expires: 3/1/2016</p>
<p><b>Dave Bailon</b>          120 Northridge Drive          Kalispell, MT 59901          406-756-0944          Representing: Volunteers in juvenile justice          Term expires: 3/1/2016</p>	<p><b>Braeden Quinn</b>          5328 Horn Rd.          Missoula, MT 59808          406-396-8490          Representing: Youth          Term expires: 3/1/2016</p>

<p><b>Anna Fischer</b>  PO Box 1454  East Helena, MT 59635  406-227-8494  Representing: Youth  Term expires: 3/1/2016</p>	<p><b>Jack Shevalier</b>  1993 Cannon St.  Helena, MT 59602  406-461-3510  Representing: Youth  Term expires: 3/1/2016</p>
<p><b>Hon. Mary Jane Knisely</b>  PO Box 35034  Billings, MT 59107  406-867-2502  Representing: Judiciary &amp; law enforcement  Term expires: 3/1/2016</p>	<p><b>Randy Shipman</b>  432 S Pacific  Dillon, MT 59725  406-683-2368  Representing: Public Agencies  Term expires: 3/1/2016</p>
<p><b>Kristina Lucero</b>  610 Woody St.  Missoula, MT 59802  406-523-5140  Representing: Competency addressing youth violence  Term expires: 3/6/2014</p>	<p><b>Laura Singley</b>  712 West Main  Lewistown, MT 59457  406-535-9242  Representing: Law enforcement  Term expires: 3/6/2014</p>
<p><b>Chaz McGurn</b>  5445 Robin Rd.  Helena, MT 59602  406-265-2523  Representing: Youth  Term expires: 3/1/2016</p>	<p><b>Geri Small</b>  PO Box 378  Lame Deer, MT 59043  406-477-6654  Representing: Competency addressing youth violence  Term expires: 3/1/2016</p>
	<p><b>Adam Stern</b>  208 S. F St.  Livingston, MT 59047  406-224-1875  Representing: Local elected officials  Term expires: 3/6/2016</p>

STATE OF MONTANA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER No. 6 - 2014

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**EXECUTIVE ORDER CONTINUING THE YOUTH JUSTICE ADVISORY COUNCIL  
WITHIN THE DEPARTMENT OF JUSTICE, BOARD OF CRIME CONTROL, TO  
IMPLEMENT THE JUVENILE JSUTICE AND DELINQUENCY PREVENTION ACT**

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I, STEVE BULLOCK, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana, do hereby continue the Youth Justice Advisory Council, as amended, within the Department of Justice, Board of Crime Control, pursuant to § 2-15-122, MCA, and as required by Section 223 of the Juvenile Justice and Delinquency Prevention Act of 2002 (Public Law 93-415), as amended.

**1. PURPOSE:**

The purpose of the Council is to:

- Submit to the Governor, the Board of Crime Control and the Legislature, at least annually, recommendations regarding State compliance with the federal requirements of the Juvenile Justice and Delinquency Prevention Act (JJDP) 2002;
- Participate in the development and review of the State's juvenile justice plan prior to submission of the plan to the Board of Crime Control for final action, and develop and review annual updates of the plan;
- Review and Comment on all juvenile justice and delinquency prevention grant applications submitted to the Board of Crime Control;
- Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system and state, local and private agencies on juvenile justice issues to better coordinate services and to efficiently utilize available resources.

**2. COMPOSITION:**

The council shall consist of not less than 15 members, and not more than 33 members appointed by the Governor, consistent with the requirements of the JJDP Act of 2002, as amended. The Governor shall appoint a chair from among the Council's members, who will also serve as the YJC Representative on the Board of Crime Control. The Governor shall also appoint two members of the Board of Crime Control, in addition to the chair, to the Council. Additional non-voting, ex-officio members may be appointed by the Governor. The Council members shall serve at the pleasure of the Governor, and their names and addresses will be submitted by separate letter to the Secretary of State. Members will include:

- At least one locally elected official representing general purpose local government;

- Representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
- Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services;
- Representatives of private nonprofit organizations, including person with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education and social services for children;
- Volunteers who work with delinquents or potential delinquents;
- Youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;
- Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and
- Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, and child abuse and neglect and youth violence.

A majority of the members shall not be full-time employees of the Federal, State or local government, at least one-fifth of which members shall be under the age of 24 at the time of appointment, and at least three members who have been or are currently under the jurisdiction of the juvenile justice system.

### **3. COMPENSATION AND TRAVEL:**

Council members eligible for compensation under § 2-15-122(5) MCA, shall be compensated \$50 for each day actually and necessarily engaged in performance of Council duties. All council members shall be reimbursed for travel expenses pursuant to § 2-15-122(5) MCA.

### **4. DURATION:**

This Executive Order supersedes previous orders and is effective retroactively to March 1, 2014. The Council shall exist for a period of two years from the effective date, consistent with the requirements of the JJDP Act of 2002.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 19th day of June, 2014.

SEAL



  
STEVE BULLOCK, Governor

ATTESTED:

  
LINDA MCCULLOCH, Secretary of State

*For  
Linda  
McCulloch*

# Montana Code Annotated 2014

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**2-15-122. Creation of advisory councils.** (1) (a) A department head or the governor may create advisory councils.

(b) An agency or an official of the executive branch of state government other than a department head or the governor, including the superintendents of the state's institutions and the presidents of the units of the state's university system, may also create advisory councils but only if federal law or regulation requires that the official or agency create the advisory council as a condition to the receipt of federal funds.

(c) The board of public education, the board of regents of higher education, the state board of education, the attorney general, the state auditor, the secretary of state, and the superintendent of public instruction may create advisory councils, which shall serve at their pleasure, without the approval of the governor. The creating authority shall file a record of each council created by it in the office of the governor and the office of the secretary of state in accordance with subsection (9).

(2) Each advisory council created under this section must be known as the "... advisory council".

(3) The creating authority shall:

(a) prescribe the composition and advisory functions of each advisory council created;

(b) appoint its members, who shall serve at the pleasure of the creating authority; and

(c) specify a date when the existence of each advisory council ends.

(4) Advisory councils may be created only for the purpose of acting in an advisory capacity, as defined in [2-15-102](#).

(5) (a) Unless an advisory council member is a full-time salaried officer or employee of this state or of any political subdivision of this state, the member is entitled to be paid in an amount to be determined by the department head, not to exceed \$50 for each day in which the member is actually and necessarily engaged in the performance of council duties and to be reimbursed for travel expenses, as provided for in [2-18-501](#) through [2-18-503](#), incurred while in the performance of council duties. The maximum daily pay rate must be adjusted for inflation annually using the formula provided in [15-6-134](#)(2)(b)(ii) and (2)(b)(iii), except that the base income level and appropriate dollar amount must be \$50 a day.

(b) Members who are full-time salaried officers or employees of this state or of any political subdivision of this state are not entitled to be compensated for their service as members but are entitled to be reimbursed for travel expenses, as provided for in [2-18-501](#) through [2-18-503](#).

(6) Unless otherwise specified by the creating authority, at its first meeting in each year, an advisory council shall elect a presiding officer and other officers that it considers necessary.

(7) Unless otherwise specified by the creating authority, an advisory council shall meet at least annually and shall also meet on the call of the creating authority or the governor and may meet at other times on the call of the presiding officer or a majority of its members. An advisory council may not meet outside the city of Helena without the express prior authorization of the creating authority.

(8) A majority of the membership of an advisory council constitutes a quorum to do business.

(9) Except as provided in subsection (1)(c), an advisory council may not be created or appointed by a department head or any other official without the approval of the governor. In order for the creation or approval of the creation of an advisory council to be effective, the governor shall file in the governor's office and in the office of the secretary of state a record of the council created showing:

- (a) the council's name, in accordance with subsection (2);
- (b) the council's composition;
- (c) the appointed members, including names and addresses;
- (d) the council's purpose; and
- (e) the council's term of existence, in accordance with subsection (10).

(10) An advisory council may not be created to remain in existence longer than 2 years after the date of its creation or beyond the period required to receive federal or private funds, whichever occurs later, unless extended by the appointing authority in the manner set forth in subsection (1). If the existence of an advisory council is extended, the appointing authority shall specify a new date, not more than 2 years later, when the existence of the advisory council ends and file a record of the order in the office of the governor and the office of the secretary of state. The existence of any advisory council may be extended as many times as necessary.

**History:** En. 82A-110 by Sec. 1, Ch. 272, L. 1971; amd. Sec. 10, Ch. 358, L. 1973; amd. Sec. 3, Ch. 51, L. 1974; amd. Sec. 56, Ch. 439, L. 1975; R.C.M. 1947, 82A-110; amd. Sec. 3, Ch. 83, L. 1989; amd. Sec. 4, Ch. 509, L. 1989; amd. Sec. 1, Ch. 119, L. 1991; amd. Sec. 72, Ch. 61, L. 2007; amd. Sec. 1, Ch. 66, L. 2007.



U.S. Department of Justice

Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

Office of the Administrator

Washington, D.C. 20531

Brooke Marshall  
Executive Director  
Montana Board of Crime Control  
P.O. Box 201408  
Helena, MT 59620-1408

SEP 30 2014

BOARD OF CRIME CONTROL

Dear Ms. Marshall:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has completed its review and analysis of Montana's annual Compliance Monitoring Report to determine the extent of compliance with Section 223(a)(11), (12), (13), and (22) of the Juvenile Justice and Delinquency Prevention Act (JJDP). This review resulted in the following findings:

- Montana is in compliance with Section 223(a)(11) of the JJDP (the "deinstitutionalization of status offenders" or "DSO" requirement).
- Montana is in full compliance with Section 223(a)(12) of the JJDP (the "separation" requirement) which requires that juveniles not be detained or confined in any institution in which they have contact with adult inmates.
- Montana is in compliance with Section 223(a)(13) of the JJDP (the "jail and lockup removal" requirement).
- Montana is not out of compliance with Section 223(a)(22) of the JJDP (the "disproportionate minority contact" or "DMC" requirement).

Each State receives 20 percent of its total fiscal year allocation for participating in the Title II Formula Grant Program of the JJDP (42 U.S.C. 5631-5633) and an additional 20 percent for each of the four core requirements with which they have demonstrated compliance. It is therefore determined that Montana is eligible to receive 100 percent of the Fiscal Year 2015 allocation related to participation in the Title II Formula Grant Program and compliance with Sections 223(a)(11), (12), (13), and (22) of the JJDP. Attached is the status of compliance with each core requirement of the JJDP and any noted deficiencies with the annual Compliance Monitoring Report

We are available to help Montana achieve and maintain compliance with all of the requirements of the Title II Formula Grant Program. If you have any questions, please contact Julie Herr, OJJDP Audit and Compliance Division, at 202-353-9260.

Sincerely,



Robert L. Listenbee  
Administrator

cc: Julie Fischer, Juvenile Justice Specialist  
Cil Robinson, Compliance Monitor/DMC Coordinator  
Pam Carbonari, SAG Chair

Enclosure