

COMPLIANCE MONITORING





AGENDA

Who Does It?

What Happens?

When Does it Happen?

Why Does it Matter?

Recent Trends?

JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT OF 1974 (REAUTHORIZED 2018)

The JJDP Act is a federal United States Law that provides a nationwide juvenile justice planning and advisory system. It spans all states, territories and Washington DC. Funding from the Office of Juvenile Justice & Delinquency Prevention (OJJDP) is provided to participating states in the form of Title II formula grants. Only states that participate in the Title II program receive funding from OJJDP. This funding is designed to allow states to improve their local juvenile justice system.



COMPLIANCE MONITORING IN MAINE

- Because Maine Participates in the JJDP Title II program, we must have a Compliance Monitor:

The JJDP Title II program requires that participating states designate not less than one individual who shall coordinate an effective monitoring system that achieves and sustains compliance with the Office of Juvenile Justice & Delinquency Prevention core requirements. This individual shall certify whether the State is in compliance with the core requirements and provide training and technical assistance on the core requirements to secure facilities, municipal police departments, county courts and jails.





- Deinstitutionalization of Status Offenders
- Removal of juveniles from adult jails, including those being prosecuted as adults.
- Sight and sound separation of juveniles from adults who have been arrested, charged with, or convicted of a crime.
- Identify and reduce racial and ethnic disparities and address disproportionate minority contact within the juvenile justice system.

THE FOUR CORE PROTECTIONS



RACIAL & ETHNIC DISPARITIES

Identify and reduce racial and ethnic disparities (R/ED) among youth who come into contact with the juvenile justice system.

Data on disproportionate minority contact (DMC) is now collected utilizing five research supported points of contact where DMC most often occurs.

- Arrest
- Diversion
- Pre-trial Detention
- Disposition - Commitments
- Adult Transfer

AUTHORITY TO MONITOR COMPLIANCE OF THE FEDERAL ACT IS CONTAINED IN MAINE LAW.

Title 34-A M.R.S.A. §1209 (2) states the duties of the JJAG include:

D. Monitor state compliance with the requirements of the Act” and

G. Submit to the Governor and Legislature, at least annually, recommendations with respect to matters related to its functions, including recommendations on state compliance with the requirements of the Act.

TITLE 34-A M.R.S.A. §1209 (2)(D)

**PROVIDES STATUTORY
AUTHORITY FOR THE MAINE
JUVENILE JUSTICE ADVISORY
GROUP TO MONITOR
COMPLIANCE WITH THE
FEDERAL JUVENILE JUSTICE
AND DELINQUENCY
PREVENTION ACT.**

WHAT IS THE CM LOOKING FOR?



- Is the facility secure or non-secure?
- According to the facility's records, have any juveniles been held and if so, for how long?
- Were any juveniles held for status offenses?
- Were juveniles held sight/ sound separated from adults?
- Does the facility have juvenile policies?

RECENT TRENDS & CASE STUDIES



Long Creek Youth Development Center

Piscataquis County Jail

RECENT TRENDS & CASE STUDIES



Long Creek Youth Development Center

- Former Resident on Community Reintegration status is arrested for an adult crime and bails out of county jail. In order to keep community safe, they are sent back to LCYDC due to violation of community reintegration status.
- Resident over the age of 18 allegedly assaults another Long Creek resident. Resident arrested on adult charge, processed at county jail and bails out. Returned to LCYDC because they are still committed.
- After consultation with OJJDP, youth in both scenarios above are NOT considered “adult inmates” for purposes of compliance and therefore may be housed with juvenile population at Long Creek.

ACTIONS AND RESULTS



- Based on earlier guidance from OJJDP, Compliance Monitor went to facility to ensure sight and sound requirements were being met.
- A letter was sent to OJJDP to inform them of the situation.
- A Training & Technical Assistance request was made to OJJDP to provide guidance.
- RESULT: No Violations. Residents are not considered an “adult inmate” under 34 USC 11103(26) (section 103) of the JJDP.
- State law [15 M.R.S.A. §3101 (4)(E-2)] mandates that *detained* juveniles who are bound over for prosecution as an adult who reach age 18 “must be detained in an adult section of a jail.”

PISCATAQUIS COUNTY JAIL



- 18 year old arrested on juvenile warrants and brought to County Jail.
- Deputies did not realize that warrants were juvenile.
- Control/Dispatch Officer at facility noticed the warrants were juvenile
- As a result, 18 year old was not brought into general population and received sight & sound separation as a precaution
- 18 year old was released shortly afterward



ACTIONS AND RESULTS



- Communication between Compliance Monitor and Jail Administrator began.
- A visit was scheduled.
- Question was posed by CM to American Institute for Research.
- Meeting between CM/JJS and Piscataquis County Jail/Sheriff occurred resulting in no violations found.
- Actions taken documents to OJJDP that a potential violation was investigated and resolved.

MY PLANS FOR THE FUTURE

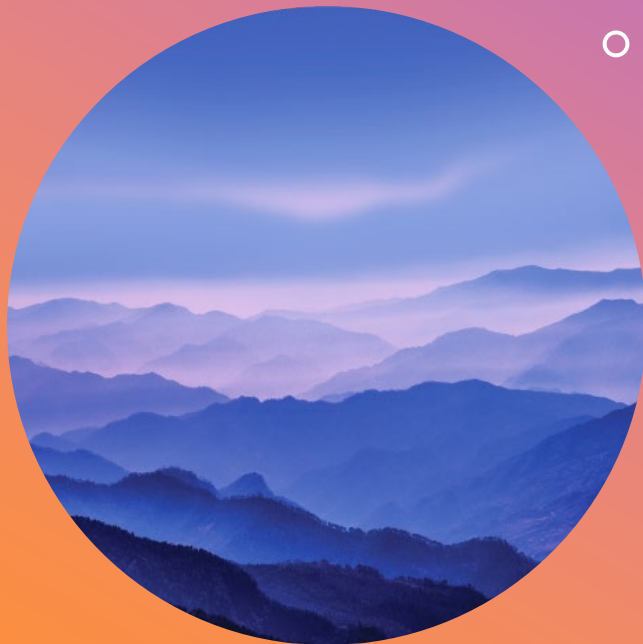


+

- Create positive relationships with law enforcement throughout the state of Maine
- Form a proactive approach to educating and informing law enforcement in Maine
- Help the State of Maine maintain compliance with the JJDPA
- Help keep Maine's kids safe and secure

o

THANK YOU



x

•

o