

REPORT TO THE GOVERNOR AND THE ALASKA LEGISLATURE January 2003

**Submitted by the
Alaska Juvenile Justice Advisory Committee**

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) awards federal juvenile justice grant funds annually to states under the federal Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act).

In state Fiscal Year 2002, Alaska received over \$2.8 million in federal juvenile justice grant funds from OJJDP. These funds are awarded to the Department of Health and Social Services and administered by the Division of Juvenile Justice (DJJ).

The Alaska Juvenile Justice Advisory Committee (AJJAC) is appointed by the Governor under Administrative Order No. 137 to serve as DJJ's citizen advisory board. AJJAC is mandated by the JJDP Act to:

- ❑ Assist DJJ in maintaining the state's compliance with the core mandates of the JJDP Act, which are designed to improve the state's juvenile justice system;
- ❑ Collaborate with DJJ in allocating the state's federal juvenile justice grant funds to help support delinquency prevention and accountability projects throughout the state; and
- ❑ Make juvenile justice recommendations annually to the Governor and the Legislature.

To fulfill its mandates, AJJAC offers this report on the state's compliance with the JJDP Act core mandates, the allocation of the state's federal juvenile justice grant funds, and the AJJAC's juvenile justice recommendations to the Governor and the Legislature.

Alaska's Compliance with the Core Mandates

The federal Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act) was a reform measure designed to improve the nation's juvenile justice system and reduce the unsafe incarceration of youth. As an incentive, the JJDP Act allocates federal juvenile justice grant funds to states that comply with the Act's four core mandates, set out below.

Core Mandates of the JJDP Act

1. **Deinstitutionalization of Status Offenders** – Youth who are charged with status offenses (such as drinking alcohol, smoking cigarettes, and violating curfew) may not be held in locked detention and correctional facilities.
2. **Sight and Sound Separation of Youth and Adult Offenders** – Youth who are held temporarily in adult jails or lock-ups may not have sight or sound contact with adult inmates.
3. **Removal of Youth from Adult Jails and Lock-ups** – Youth who are accused of delinquent acts may not be held for processing in adult jails or lock-ups for more than 6 hours before their first court appearance and 6 hours after court.
4. **Disproportionate Minority Contact** – States must assess and work to eliminate their juvenile justice systems' disproportionate contacts with minority youth.

For over a decade, AJJAC has collaborated with DJJ to maintain Alaska's compliance with the core mandates and thus maintain the state's eligibility for federal juvenile justice grant funds. It has succeeded in doing so despite limited resources and tremendous logistical challenges, and as a result Alaska has received millions of dollars in federal juvenile justice grant funds.

Alaska is currently receiving intensive federal technical assistance to improve its compliance with the fourth core mandate regarding disproportionate minority contacts. That effort is described in AJJAC's 2001 Annual Report.

However, Alaska is currently in violation of the JJDP Act's first three core mandates regarding youth detentions. As a result the state's federal juvenile justice grant funds are in jeopardy, and there is a substantial risk of governmental liability for any harm that comes to youth who are detained in violation of the mandates.

Violations of the first three core mandates typically occur when law enforcement officers in small communities encounter one of the following situations:

- An intoxicated youth is taken into protective custody: Alaska law allows youth who are intoxicated to be held in short-term protective custody if necessary to protect the youth's health and safety.

- ❑ A mentally ill youth is taken into protective custody: Alaska law allows youth who are mentally ill to be held in short-term protective custody while an assessment and long-term plan are completed.
- ❑ A child in need of aid is detained for running away: Alaska law allows abused and neglected youth to be taken into state custody as “children in need of aid” and placed in foster homes or residential facilities, but if they run away they can be detained while another placement is sought.
- ❑ An accused delinquent offender is detained: Alaska law allows youth who are accused of delinquent offenses to be detained up to 24 hours before their first court appearance.

Unfortunately, small Alaskan communities usually have no detox center, psychiatric unit, runaway shelter, or youth detention facility where such youth can be appropriately placed. Therefore, the local adult jail is often the only place to hold youth who are picked up by law enforcement officers for any reason – whether the youth is committing a delinquent offense, getting drunk, threatening suicide, or just running away.

If youth are locked up in adult jails simply because there is nowhere else for them to go, they are in grave danger of physical abuse, sexual abuse, and criminal influences by adult offenders. In addition, such detentions may violate the JJDP Act core mandates, jeopardize Alaska’s federal juvenile justice grant funds, and create a substantial risk of governmental liability for any harm that comes to youth who are detained in violation of the mandates.

AJJAC and DJJ are working hard to reduce violations of the core mandates through:

- ❑ Training and technical assistance: Educating DJJ and local law enforcement staff about the mandates to reduce violations.
- ❑ Monitoring: Collecting data and conducting site visits to monitor how youth are detained, identify violations, and prevent their recurrence.
- ❑ Staff-secure shelters: Providing increased federal grant funding for non-secure attendant care shelters that offer an alternative to detention.
- ❑ Delinquency prevention and accountability projects: Providing federal grant funding for projects that help reduce delinquency and youth detentions.
- ❑ Collaboration with partner agencies: Collaborating with state and local law enforcement, substance abuse and mental health agencies to improve services for youth.

Compliance with the JJDP Act core mandates will mean more federal dollars and less liability for Alaska, better services for Alaska’s youth, and increased safety for Alaskan communities.

Therefore we ask the Governor, the Legislature, and all Alaskans to give serious consideration to the following recommendations to improve compliance and better serve all Alaskans.

AJJAC's Recommendations

1. Provide the Alaska Department of Health and Social Services and the Alaska Department of Public Safety with the funding needed to comply with the federal Juvenile Justice and Delinquency Prevention Act core mandates regarding youth detentions, thereby maintaining Alaska's eligibility for federal juvenile justice grant funds.
2. Provide the Alaska Division of Juvenile Justice with the funding needed to comply with the federal Juvenile Justice and Delinquency Prevention Act core mandate regarding the elimination of disproportionate minority contacts with the juvenile justice system, thereby maintaining Alaska's eligibility for federal juvenile justice grant funds.
3. Provide the Alaska Division of Juvenile Justice with the funding needed for field services to provide intensive community-based services for youth offenders and their families and victims, and to maintain and operate its secure youth facilities, thereby helping to protect the rights of victims and the safety of communities throughout rural and urban Alaska.
4. Support the development of group homes specifically designed to meet the needs of Alaskan youth and adults affected by Fetal Alcohol Spectrum Disorder as soon as possible.
5. Urge the United States Congress to fully fund the Juvenile Justice and Delinquency Prevention Act in federal Fiscal Year 2004, thereby helping to ensure that Alaska's citizens receive the full benefits of the federal Juvenile Accountability Block Grant, Delinquency Prevention Block Grant, Title V Delinquency Prevention Grant and Formula Grant funds to prevent and combat delinquency.
6. Urge the United States Congress to support immediate passage of and full funding for the Younger Americans Act, previously co-sponsored by Alaska's senior Senator Ted Stevens, thereby helping to ensure that Alaska's youth receive the supportive services they need to become productive adult citizens.

FY03 Juvenile Justice Grant Awards Supported by Federal JJDP Act Grant Funds

Formula Delinquency Prevention Grants

Boys and Girls Club of Southcentral AK	Anchorage	After school activities	30,000
Tundra Women's Coalition	Bethel	Anti-violence education	29,990
Fairbanks Counseling & Adoption	Fairbanks	Therapeutic activities	29,218
Big Brothers Big Sisters of Southeast AK	Juneau	School-based mentoring	12,000
Kodiak Youth Services Center	Kodiak	Intensive supervision	30,000
Kids Are People	Mat-Su Borough	Family mediation	29,505
Nome Community Center	Nome	Diversion classes	19,287

Formula Non-Secure Attendant Care Shelter Grants

North Slope Borough	Barrow	Non-secure shelter	5,000
Fairbanks Native Association	Fairbanks	Non-secure shelter	27,000
Juneau Youth Services	Juneau	Non-secure shelter	15,000
Kenai Peninsula Community Care Center	Kenai Peninsula	Non-secure shelter	50,000
Residential Youth Care	Ketchikan	Non-secure shelter	23,000
Kodiak Youth Services Center	Kodiak	Non-secure shelter	8,000
Youth Advocates of Sitka	Sitka	Non-secure shelter	12,000
Valdez Counseling Center	Valdez	Non-secure shelter	6,000
City of Wrangell	Wrangell	Non-secure shelter	3,202

Formula Indian Pass-Through Grants

Aleutian Pribilof Island Association	Aleutians	VPSO delinquency training	3,679
Bristol Bay Native Association	Bristol Bay	DARE and community policing	5,454
Kodiak Area Native Association	Kodiak Island	Family spirit camp	3,600
Maniilaq	Kotzebue	Youth court	5,976
Metlakatla Indian Community	Metlakatla	Counseling for youth offenders	3,585
Kawerak	Nome area	Child sexual abuse prevention	6,864
Chugachmiut	Southcentral	Youth leadership conference	3,470
Central Council of Tlingit and Haida	Southeast	Youth court development	4,540

Title V Delinquency Prevention Grants

City of Sitka	Sitka	Youth court	30,000
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Challenge Activity Grants

Anchorage Community YMCA	Anchorage	Alternative to school suspension	29,000
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Juvenile Accountability Grants

Alaska Youth and Parent Foundation	Anchorage	Electronic monitoring	157,500
Anchorage Youth Court	Anchorage	Youth court	25,345
Victims for Justice	Anchorage	Victim advocate	27,000
Volunteers of America	Anchorage	Victim-offender mediation	35,000
Volunteers of America	Anchorage	Volunteers in probation	27,000
Volunteers of America	Anchorage	Restitution tracking	27,000
Delta Youth Court	Delta Junction	Youth court	8,000
Native Village of Emmonak	Emmonak	Elders panel	27,000
Fairbanks Native Association	Fairbanks	Electronic monitoring	61,838
North Star Youth Court	Fairbanks	Youth court	27,000
North Star Youth Court	Fairbanks	Victim-offender mediation	25,200
Juneau Community Mediation Center	Juneau	Victim-offender mediation	27,000
Juneau Youth Court	Juneau	Youth court	24,225
Juneau Youth Services	Juneau	Community work service tracking	27,000

Kenai Peninsula Youth Court	Kenai Peninsula	Youth court	27,000
Ketchikan Youth Court	Ketchikan	Youth court	26,964
Residential Youth Care	Ketchikan	Electronic monitoring	27,000
Kodiak Teen Court	Kodiak	Youth court	27,000
City of Wasilla	Mat-Su Borough	Youth court	27,000
Kids Are People	Mat-Su Borough	Electronic monitoring	58,500
Nome Community Center	Nome	Youth court	27,000
North Slope Borough	North Slope	Elders panel	26,100
Youth Advocates of Sitka	Sitka	Youth court	27,000
Valdez Youth Court	Valdez	Youth court	27,000
United Youth Courts of Alaska	Statewide	Youth court training	40,498

Enforcing Underage Drinking Laws Grants

Volunteers of America	Anchorage	Youth alcohol offender case mgmt	40,000
Bethel Group Home	Bethel	Youth alcohol offender case mgmt	30,000
Choices for Teens	Homer	Youth alcohol offender case mgmt	10,000
Juneau Youth Services	Juneau	Youth alcohol offender case mgmt	30,000
Kodiak Youth Services Center	Kodiak	Youth alcohol offender case mgmt	9,936
Nome Community Center	Nome	Youth alcohol offender database	10,000
Mothers Against Drunk Driving	Southcentral	Youth-led prevention coalition	32,124
Mothers Against Drunk Driving	Southeast	Youth-led prevention coalition	32,124

Rural Alaska Juvenile Justice Grants

Native Village of Emmonak	Emmonak/ Alakanuk	Community juvenile justice assoc	68,000
Louden Tribal Council	Galena	Community juvenile justice assoc	60,000
Organized Village of Kake	Kake	Community juvenile justice assoc	65,000
Noorvik Native Community	Noorvik/Kiana	Community juvenile justice assoc	71,000

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