

# FACT SHEET



## Title II Formula Grant Program (Title II)

### **Authorization**

The Title II Formula Grant Program is authorized under Part B, Section 222, of the federal **Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 1974**, as amended and reauthorized (Public Law 107-273, 42 U.S.C. § 5601 et seq.). Funds are allocated annually by Congress to support states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds offenders accountable, and provides treatment and rehabilitative services to best meet the needs of juveniles and their families.

### **Administration**

The U.S. Department of Justice, **Office of Juvenile Justice and Delinquency Prevention (OJJDP)** has oversight of this program at the federal level. The **Department of Public Safety (DPS)** has been designated by the governor of Missouri as the single state agency to receive, manage, and administer the Title II grant program in Missouri. In accordance with the JJDP Act requirements, DPS is responsible for the development and implementation of a comprehensive Juvenile Justice and Delinquency Prevention 3-Year Plan. Furthermore, a state advisory group must be established. In Missouri, this is the Juvenile Justice Advisory Group (JJAG). The JJAG, a gubernatorial appointed body, provides DPS with policy direction, participates in preparing and administering the 3-Year Juvenile Justice and Delinquency Prevention Plan, and is committed to maintaining Missouri's compliance with the four core requirements of the JJDP Act.

### **JJDP Core Requirements**

To be eligible to receive Title II and other OJJDP administered grant funding, the state of Missouri must maintain compliance with each of the following four core requirements of the JJDP Act (see the reverse side of this form for more information):

1. Deinstitutionalization of Status Offenders (DSO),
2. Separation of juveniles from adults in secure facilities (Sight and Sound Separation),
3. Removal of juveniles from adult jails and lockups (Jail Removal), and
4. Reduction of disproportionate minority contact (DMC) within the juvenile justice system.

### **Compliance Monitoring**

As a Title II recipient, Missouri must develop, maintain, and implement strategies for achieving and maintaining compliance with the four core requirements of the JJDP Act. Missouri's level of compliance with the four core requirements determines eligibility for continued funding.

For example, failure to achieve or maintain compliance, despite good faith efforts, reduces the Title II funding by 20 percent for each core requirement not met. In addition, if non-compliant, Missouri must agree to expend 50 percent of its allocation for that year to achieve compliance with the core requirement(s) not met.

As part of the strategy for maintaining compliance, Missouri must provide for an adequate system of monitoring. The DPS Compliance Monitor must visit and collect information from facilities to demonstrate compliance with the JJDP Act. On an annual basis, Missouri submits this information in the form of a compliance monitoring report to OJJDP. The report provides compliance data and a detailed description of how Missouri is meeting the core requirements. (See the reverse side of this form for more information.)

### **Eligible Program Areas**

The Title II funding must be utilized for projects that fall within the 31 program areas defined by Congress and further identified by the JJAG and included in the Juvenile Justice and Delinquency Prevention 3-Year Plan. For 2009-2012, these purpose areas include: 1) Gender Specific Services, 2) Disproportionate Minority Contact, 3) Alternatives to Detention (JDAI), and 4) Delinquency Prevention.

Applicants must choose one of these purpose areas. Applicants may only choose one purpose area per application; however, more than one application may be submitted. Please note that priority is given to applicants implementing best or promising practices and model programs.

### **Eligible Applicants**

Public or non-profit 501(c)(3) agencies or a combination thereof are eligible to apply. Juvenile and family courts, law enforcement agencies, local units of government, churches, schools, and public youth service agencies or organizations with appropriate experience, expertise, and service capacity to implement programs addressing the priority areas identified in Missouri's Juvenile Justice and Delinquency Prevention 3-Year Plan are eligible.

### **Competitive Bid Process**

The Title II funds are usually announced in April. **Applications are due by June 1.**

### **Project Period**

The Title II projects generally run from **October 1 through September 30** each year.

See the Department of Public Safety website at [www.dps.mo.gov](http://www.dps.mo.gov) for more information.

## JJDP Act Core Requirements Compliance Monitoring

In accordance with Sections 223(a)(11-14) of the JJDP Act, compliance must be maintained in each of the following four core requirement areas:

1. **Deinstitutionalization of Status Offenders (DSO)** - Status offenders, non-offenders, and civil-type offenders shall not be detained or confined in secure detention or correctional facilities. However, short-term secure custody of accused status offenders may, sometimes, be necessary. Federal regulations allow a juvenile detention facility to hold an accused status offender in a secure juvenile detention facility for up to 24 hours, exclusive of weekends and legal holidays prior to an initial court appearance, and for an additional 24 hours, exclusive of weekends and legal holidays, immediately following an initial court appearance. Status offenders who fail to appear for court hearings remain status offenders; they cannot be upgraded to delinquent status for their failure to appear.
2. **Removal of Juveniles from Adult Jails and Lockups (Jail Removal)** – No juvenile shall be detained or confined in any jail or lockup for adults. The JJDP Act provides the following exception: “juveniles who are accused of non-status offenses” may be detained in a jail or lockup “for a period not to exceed 6 hours for processing or release, while awaiting transfer to a juvenile facility, or during which period such juveniles make a court appearance, and only if such juveniles do not have contact with adult inmates.” Missouri Revised Statute Section 211.151 stipulates: “a child shall not be detained in a jail or other adult detention facility pending disposition of a case.”
3. **Sight and Sound Separation** - Accused or adjudicated delinquent offenders, status offenders, and non-offenders cannot have contact with adult inmates, including inmate trustees. Contact is defined to include any physical or sustained sight and sound contact. Sight contact is defined as clear visual contact between adult inmates and juveniles within close proximity to each other. Sound contact is defined as direct oral communication between adult inmates and juvenile offenders.
4. **Disproportionate Minority Contact (DMC)** - The JJDP Act requires states to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.”

Failure by a state to maintain compliance in each of these core requirement areas results in the loss of 20% of funds for each category in which compliance is not maintained. Any remaining funds must be spent to address the noncompliance issues.

Missouri has developed a system to monitor compliance with these core requirements, including the collection of data, verification of that data, and the performance of onsite visits designed to validate Missouri's compliance efforts. The following Compliance Monitoring Schedule provides a brief overview of that system.

*Compliance Monitoring Schedule*

<i>Type of Facility</i>	<i>Monitored Annually by Site Visit</i>	<i>Monitored Every 3 Years by Site Visit</i>	<i>Monitored at 10% Per Year by Site Visit</i>	<i>Surveyed Monthly</i>	<i>Surveyed Semi-Annually</i>	<i>Surveyed Annually</i>
Court Holding Facilities (Courthouses)		X				X
Department of Corrections – State Adult Facilities*						X
Division of Youth Services – State Juvenile Facilities*						X
Juvenile Sites – Non-Secure (7 Non-DYS)	X					
Juvenile Sites – Secure ( 1 Non-DYS)	X			X		
Juvenile Detention Centers – Secure (24) (3 are combination secure/non-secure)	X			X		
Adult Jails/Lockups that Securely Hold Juveniles (54)	X				X	
Adult Jails/Lockups that Do Not Hold Juveniles (297)		X				X
Law Enforcement Agencies – No Holding Capability (283)			X			X

*There are 2 collocated facilities in Missouri. Each is surveyed and monitored as both a juvenile detention center and a jail/lockup in accordance with type.*

*\*Memorandums of Understanding exist with these state agencies. Both are surveyed annually.*

The Missouri Department of Public Safety (DPS) administers the compliance monitoring components of the JJDP Act and provides assistance with other aspects of administering the JJDP Act, including providing technical assistance, training, and program monitoring.

Please see the OJJDP Guideline Manual at [http://www.dps.mo.gov/dir/programs/jj/documents/guidancemanual\[1\].pd](http://www.dps.mo.gov/dir/programs/jj/documents/guidancemanual[1].pd) for more information.