

2013 YOUTH JUSTICE COUNCIL

REPORT TO THE GOVERNOR

AND THE LEGISLATURE



**MONTANA
BOARD OF
CRIME
CONTROL**

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2013 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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DECEMBER 2013

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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.



Board of Crime Control
Youth Justice Council

Department of Justice
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December 2013

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Dear Governor, Members of the Montana State Legislature and Montana Residents:
It gives me great pleasure on behalf of the Youth Justice Council to present you with our 2013 Annual Report. The Youth Justice Council is focused on improving the effectiveness of the youth justice system in Montana particularly with respect to crime prevention initiatives and the rehabilitation of young offenders.

The Youth Justice Council continues to find a balance between providing for public safety and providing opportunities for young people to learn from their behaviors and receive the treatment and rehabilitation services needed to become productive members of their families and their communities. This work is done in collaboration with the provider community, key stakeholders including state and national experts, community leaders, law enforcement and court officials, educators, health experts, parents and youth.

Many thanks to the YJC members for their work throughout the year, identifying issues within the youth justice sector and contributing to the development of our YJC work plan. Doing more with less is a common challenge faced by all in today's economy and the staff at the Montana Board of Crime Control has continued to demonstrate their commitment, dedication and knowledgeable service to the citizens of Montana. Many thanks for their collective work making positive progress with stakeholders across this great State.

It is our hope that you are encouraged by the information in this report and that you will have a greater understanding about Restorative Justice, Disproportionate Minority Contact and the Juvenile Detention Alternative Initiative. Working together we have been able to have a positive impact on the Juvenile Justice System. The program highlighted within this report is Empowering Youth on the Crow Nation. This program is one of many making a significant youth impact.

This next year and in coming years we will continue to place Montana Youth at the forefront of our decisions to collectively improve the lives of youth in the State of Montana. Working together we have witnessed a positive impact on the Juvenile Justice System. Each person should be proud of their contributions to the successes reflected in this annual report.

Sincerely,

A handwritten signature in black ink that reads "Pamela J. Carbonari".

Pamela J. Carbonari
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 members who are appointed by the Governor and serve a two-year term. The juvenile justice grants include the Title II Formula Grant, the Juvenile Accountability Block Grant (JABG), and the Title V Community Prevention Grant. The YJC is committed to providing 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 2002.¹ 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.

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 15-member panel of persons from across the state of Montana, each with his/her training, experience, or special knowledge of the juvenile justice system (See Appendix A). 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. The YJC also serves as the advisory board for the Juvenile Accountability Block Grant program that was authorized through the Omnibus Crime Control and Safe Streets Act of 2002.

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 on all four core requirements of the JJDP Act** (see Appendix H).

Currently the YJC membership is representative of 8 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:

- Department of Corrections, Youth Services Division
- 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

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.

2013 Executive Subcommittee members include the following: Pam Carbonari, Chair; Tim Brurud, Vice Chair; Katie Champion, Youth Subcommittee Chair; Judge Pedro Hernandez, DMC/JDAI Subcommittee Chair; Laura Singley, Grant Review/Performance Measures Subcommittee Chair; and Roy Tanniehill.

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.

2013 Grant Review/Performance Measures Subcommittee members include the following: Laura Singley, Chair; Cindy McKenzie, Vice Chair; Tim Brurud; Larry Dunham; and Adam Stern. Alternates are Pam Carbonari and Katie Champion.

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.

2013 DMC/JDAI Subcommittee members include the following: Judge Pedro Hernandez, Chair; Roy Tanniehill, Vice Chair; Tim Brurud; Larry Dunham; Elinor Nault; and Laura Singley.

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.

2013 Legislative/Mental Health Subcommittee members include the following: Cindy McKenzie, Chair; Nick Korthals, Vice Chair; Katie Champion; Leah Heffelfinger; Chaz McGurn; Elinor Nault; 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.

2013 Youth Subcommittee members include the following: Katie Champion, Chair; Leah Heffelfinger, Vice Chair; Erika Lindbloom; Nick Korthals; Chaz McGurn; Randy Shipman; and Roy Tanniehill.

YJC Challenges and Accomplishments

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 the juvenile crime trends for the State of Montana:

- The number of unduplicated youth referred to Youth Court fell from 6,185 in 2008 to 4,780 in 2012;
- The number of referrals (one youth may have multiple referrals) to Youth Court dropped from 9,572 in 2008 to 7,821 in 2012;
- The number of juvenile offenses (a referral may have multiple offenses) declined between 2008-2012, falling from 11,843 in 2008 to 10,449 in 2012;² and
- Status offenses declined from 2,959 in 2008 to 2,470 in 2012.³

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 2013 Annie E. Casey Kids Count Data Book, Montana ranked number 28 among states for Overall Child Well-Being.⁴ State rankings are based on an index of 16 key indicators that examine four key areas of child well-being:

- Economic Well-Being (ranked 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 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 2007 and 2013. According to the Department of Commerce, 20% of Montanans under the age of 18 live in poverty.⁵ However, the number of teens not in school and not working decreased. 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.

2013 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 2013, the YJC funded the following Title II programs:

- Boys and Girls Club of Lewistown – Keystone and Torch Club
- HELP Committee/Boys and Girls Club – JDAI
- 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 (Kalispell) – Making Restorative Justice a Priority
- Bitterroot Ecological Awareness Resources, Inc. – Bitterroot Venture
- Crow Tribe of Indians – Youth Empowerment Coalition

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 (Appendix F).

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 (Appendix I).

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 2013, the YJC funded the following JABG programs:

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

Title V – Community Prevention Grant

Title V of the JJDP Act of 1974 established Incentive Grants for Local Delinquency Prevention Programs, better known as the Community Prevention Grants Program. OJJDP administers Title V funding, which is dedicated to delinquency prevention efforts initiated by a community-based planning process focused on reducing risks and enhancing protective factors to prevent youth from entering the juvenile justice system. It is the only federal funding source solely dedicated to delinquency prevention.

The Community Prevention Grants Program weaves together comprehensive and multidisciplinary approaches; research foundation for planning; community control and decision-making; leveraging of resources and systems; program evaluation to determine progress and effectiveness; and a long-term perspective to create a strategic plan for reducing juvenile delinquency. Eligible communities must have an established Prevention Policy Board consisting of 15-23 members representing various disciplines, youth, and parents. Community stakeholders collaborate to create a three-year prevention plan to reduce risk factors associated with juvenile delinquency and to decrease juvenile problem behaviors. Eligible applicants include units of local governments and federally recognized tribal governments. A 50% cash or in-kind match is required.

Montana received \$50,000 in 2011; Title V was eliminated from the federal budget, and the 2013 program listed below was funded from the last year's funds. The program closed in June 2013, and the 2011 Title V Federal Block Grant was closed in November 2013.

During calendar year 2013, the YJC funded the following Title V program:

- Hill County: Smart Moves Prevention Program

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.

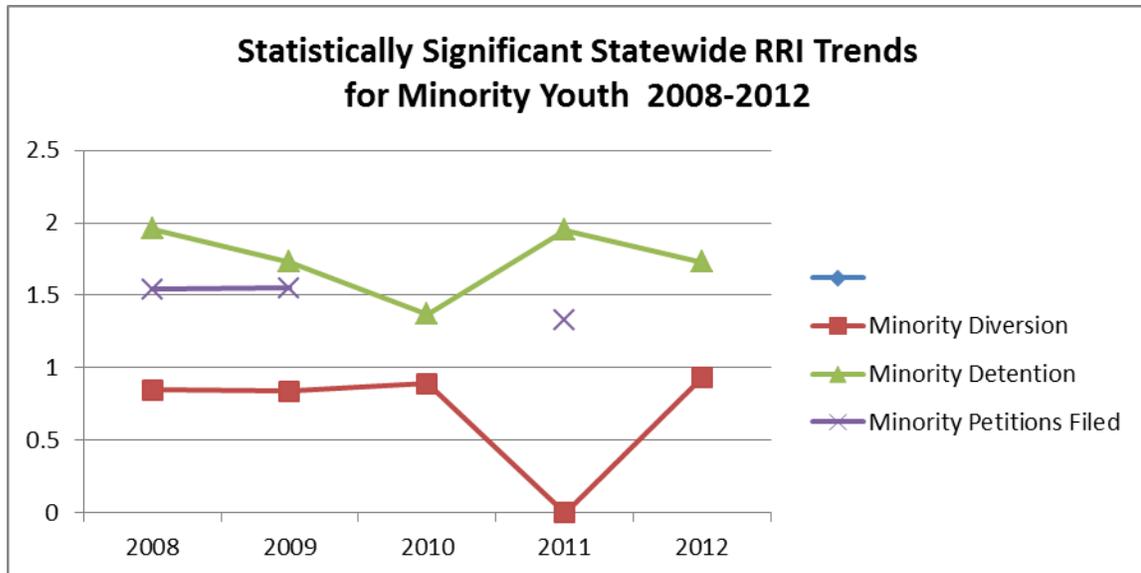
Montana's population reached one million in 2011; although the general population is growing, the youth population between the ages of 10-17 has been declining since 2005. This population is dispersed across 145,546 square miles. Despite the fact that the youth population is declining, Montana has seen 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.

Current data indicates non-Hispanic American Indian/Alaska Native youth experience significant DMC at the statewide level at three contact points: arrest, diversion, and admission to secure detention. Although all minority youth experience DMC statewide at the points of arrest and detention, non-Hispanic American Indians experience the most significant minority contact with Montana's juvenile justice system.

The general trend statewide is a decline in the rate of arrests for all minority youth, compared to White youth, from a baseline of 2.29 in 2003 to 1.26 in 2012. The statistically significant rate of diversion of all minority youth in Montana has declined from .95 in 2006 to .93 in 2012. Statewide the trend is over-representation of all minority youth in detention; however, the disproportionate number of minority youth has fallen slightly, from 1.96 times more often than White youth in 2008 to 1.73 times more often than White youth in 2012.

The following chart shows the Montana RRI trends for minority youth from 2008-2012 for those juvenile justice system contact points identified with statistically significant DMC statewide.



Minority youth are arrested more often, detained more often, and have petitions filed more often than White youth. Additionally, minority youth are diverted less frequently. 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).⁷

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_TechRepDRAI_SOPVers.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 are currently underway to bring JDAI to scale in Montana. The JDAI Growth Subcommittee is developing its structure and building the infrastructure necessary to accomplish its task. A panel including Raquel Marsical, Burns Institute; Michelle Tennell, JDAI Coordinator from Indiana; Robert Peake, Office of Court Administration; and Cil Robinson, MBCC presented JDAI in October 2013 at a Montana Judges Conference in Whitefish and received an enthusiastic reception. An automated detention risk assessment instrument, or DRAI, and a Juvenile Detention Data and Reporting System has been in the development stage and is expected to be available soon to collect and report detention data.

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 11th 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.

The First Judicial District Court Services offers a restorative justice program to youth who are involved in the juvenile justice system in the Helena area. Since March 2010, the Youth Court Conferencing Program has served 114 youth. Of these, 5 youth have chosen to not complete the agreement; 2 youth who were offered the program chose to go through the traditional system instead of restorative justice; 29 youth have reoffended, 7 of whom did not complete or chose to not participate; 22 youth who completed the program reoffended, reflecting a 19% recidivism rate. The citations resulting in these conferences included criminal endangerment, criminal mischief, theft, burglary, negligent arson, assault, privacy in communications, negligent endangerment, trespassing, and disorderly conduct. Most of the youth are quite remorseful and diligent in completing their agreements. Victims of youth crime appreciate being able to face the offender, ask questions, and

express how they were affected by the crime. Approximately 75% of the victims participate in the program. In addition to representatives from law enforcement, the Helena school district, and the city of Helena, 15 active community volunteers have participated in the restorative justice councils. The First Judicial District Court Services is exploring the addition of additional restorative justice practices, including circles and victim-offender mediation programs.

Do the *Write* Thing⁸ *Stand Up; Don't Stand By*

For the past six years Montana youth have participated in the Do the *Write* Thing Challenge, a writing campaign that provides 7th and 8th 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 2013 State Recognition Ceremony was held in the Capitol Rotunda June 1, 2013. Guest speakers included Lewis and Clark County Sheriff Leo Dutton; MBCC Executive Director Brooke Marshall; Brenda Desmond, 4th Judicial District Standing Master and MBCC board member; State DtWT Co-chair Julie Fischer. Keynote speaker Garret Garrels delivered an inspiring motivational speech to the kids and their parents about the importance of being an individual and daring to be different.

Deryn Ferguson and Nathan Steilman, both from East Middle School in Butte, represented Montana during the National Recognition Week activities in Washington, D.C., July 20-24, 2013. Students, parents, and teachers participated in violence prevention workshops, dinner at the Kuwaiti Cultural Center, and visited with Senator Max Baucus, Senator Jon Tester, and Representative Steve Daines. Representative Daines brought Deryn and Nathan onto the House floor and gave them the opportunity to cast a vote! Nathan was one of three youth invited to read their writings at the Library of Congress; they presented officials with a leather bound copy of the 2013 student writings. Deryn was one of the three youth selected to read their writings at the Supreme Court. The Recognition Ceremony was held in the Ronald Reagan Building Atrium; opening remarks were given by Mary Jordan and Kevin Sullivan, Washington Post Pulitzer Prize winners. David Rohde, a foreign affairs columnist for *Thomson Reuters* and *The Atlantic*, provided each participant with a copy of his book, *A ROPE AND A PRAYER*, the story of his abduction by the Taliban in 2008. Jazz singer Sharon Clark provided a musical program, and the Harlem Globetrotters gave each of the students an autographed basketball.

This year Montana had an unprecedented 244 Montana middle school youth participate in the Do the *Write* Thing program, and more participants are anticipated in 2014. State Co-chair Julie Fischer presented Do the *Write* Thing at the Montana Behavioral Initiative (MBI) in June and at the MEA/MFT Conference in October. 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 2013

Empowering Youth on the Crow Nation

The Crow Nation, also called the Apsaalooké or Biiluke, is nestled in the shadow of the Big Horn Mountains on nearly 2.3 million acres in south central Montana. Over 12,000 Crow tribal members call the Crow Reservation home, and 85% speak Crow as their first language.

The Crow communities of Lodge Grass, Pryor, and Hardin are in Big Horn County, the poorest county in Montana. Students on the Crow Reservation have the highest high school dropout rate among the seven reservations in Montana.⁹ Poor academic performance and negative attitudes toward school, aggravated by poverty and the breakdown of traditional family values, contribute to juvenile delinquency, substance use, and mental health issues including depression, anxiety, and suicidal ideation. In 2012 the US Bureau of Indian Affairs Law Enforcement Department made 167 juvenile arrests on the Crow Indian Reservation; during the same time frame, the Crow Tribal Prosecutor's Office managed nearly 364 juvenile cases involving new and reoffenders.¹⁰

The Youth Empowerment Coalition began in July 2012 with a Title II formula grant through the Montana Board of Crime Control. Project Director Valerie Falls Down is the Adolescent/Addictions Counselor for the Crow Tribal Juvenile Court system. Based on the American Indian Life Skills Development Curriculum, the primary goal of the Youth Empowerment Coalition is to reduce juvenile delinquency and improve prosocial behaviors among tribal youth. Tailored to American Indian norms, values, beliefs, and attitudes, the curriculum is designed to build self-esteem; identify emotions and stress; increase communication and problem-solving skills; and recognize and eliminate self-destructive behavior, including substance abuse, through a cognitive-behavioral therapy or treatment approach. Hands-on, interactive lessons challenge students to build self-esteem; identify self-destructive feelings, emotions, and stress; identify communication issues; recognize self-destructive behavior and eliminate it; recognize suicidal ideation; and make plans for a healthy future.

Valerie delivers her program to students in Hardin, Lodge Grass, Pryor, Ashland, and Wyola from her office in Crow Agency, covering approximately 370 miles each week. During the first year of her program, 31 youth participated in the Youth Empowerment Coalition; 10 of the youth had substance abuse-related charges. During the last few months of the 2012-13 school year, Crow Indian Reservation schools reported an increase in crisis incident referrals. Valerie quickly set up a crisis response strategizing meeting with school staff that continued through the school year so that all schools could be involved in developing a strategic plan. Valerie continued to collaborate with community resource programs, using a team approach, in order to address the increase in crisis calls.

Participation in the Youth Empowerment Coalition grew throughout the school year, and the referrals from area schools increased. The project has been acknowledged by the Crow Tribal Court System and the Big Horn County-City Court System. A crisis response protocol has been developed as a result of the high rate of suicides and suicide attempts. Collaboration among agencies continues to

develop, and training in the areas of alcohol and drug prevention, suicide prevention, and bullying prevention have been provided to the participating agencies.

During the first year of the Youth Empowerment Coalition, 11 Memoranda of Understanding were signed with area schools and agencies to increase the organizational capacity of the program, and 51 youth participated in program activities. At least one suicide attempt has been interrupted. Nearly 60 percent of program youth changed their behaviors toward substance use; recidivism dropped to less than 10 percent; 30 percent of program youth improved their prosocial behaviors, including family relationships; half of the program youth became more socially competent; and over 80 percent of the families were satisfied with the program.

The Youth Empowerment Coalition on the Crow Reservation is reconnecting Crow youth with American Indian values and teaching important skills in the areas of communication, problem solving, stress management, anger regulation, and goal setting. As the program continues to grow, participating youth will continue to develop the life skills necessary to address their daily challenges.

APPENDIX A: REFERENCES

- ¹Landsberg, Brian K. (2004). Juvenile Justice and Delinquency Prevention Act of 1974. Major acts of Congress, (2). Retrieved from <http://www.enotes.com/juvenile-justice-delinquency-prevention-act-1974-reference>.
- ²Youth Court At-A-Glance. (2008 and 2012). Retrieved at http://courts.mt.gov/dcourt/yth_court/default.mcp.x.
- ³Statistical Analysis Center. Juvenile crime statistics. Retrieved at http://www.mbcc.mt.gov/juvenilequery/juv_get_inputs.aspx.
- ⁴Kids Count Data Book (2012). Data by state. Retrieved at <http://datacenter.kidscount.org/databook/2010/>.
- ⁵ACS Profile Report for Montana: 2010-2012. Retrieved at <http://mcdc.missouri.edu/acs/profiles/report.php?p=19&g=04000US30>.
- ⁶Kids Count Data Book. (2012). Data by state. Retrieved at <http://datacenter.kidscount.org/databook/2010/>.
- ⁷The Annie E. Casey Foundation. Juvenile detention alternatives initiative. Retrieved at <http://www.aecf.org>.
- ⁸Do the Write Thing. Retrieved at <http://www.dtw.org/>.
- ⁹Jim Eshleman. "Fighting for the Future: Shedding Light on State of Education on the Crow Reservation." *Big Horn County News*. Vol. 107 No. 9. March 1, 2012.
- ¹⁰Data provided by Bureau of Indian Affairs Chief of Police Toni Larvie and Crow Tribal Prosecutors Robert Lafountain and Roger Renville. March 2013.

APPENDIX B: YOUTH JUSTICE ADVISORY COUNCIL MEMBERS

Tim Brurud

9855 Hwy. 2 W.
Havre, MT 59501
406-265-6206

Representing: Nonprofits
Term expires: 3/6/2014

Pamela Carbonari, Chair

PO Box 2445
Kalispell, MT 59903
406-253-8941

Representing: Problems facing youth
Term expires: 3/6/2014

Katie Champion

2115 W. Beall
Bozeman, MT 59718
406-585-9462

Representing: Youth
Term expires: 3/6/2014

Larry Dunham

PO Box 1072
Condon, MT 59826
406-754-3376

Representing: Volunteers working with
delinquent youth
Term expires: 3/6/2014

Leah Heffelfinger

PO Box 1515
East Helena, MT 59635
406-465-2771

Representing: Youth
Term expires: 3/6/2014

Erika Lindbloom

PO Box 966
Lewistown, MT 59457
406-535-3986

Representing: Youth
Term expires: 3/6/2014

Chaz McGurn

5445 Robin Rd.
Helena, MT 59602
406-265-2523

Representing: Youth
Term expires: 3/6/2014

Cindy McKenzie

5 South Last Chance Gulch
Helena, MT 59601
406-444-0851

Representing: Public agencies
Term expires: 3/6/2014

Elinor Nault

RR1 Box 544
Box Elder, MT 59521
406-395-4092

Representing: Problems facing youth
Term expires: 3/6/2014

Randy Shipman

432 S Pacific
Dillon, MT 59725
406-683-2368

Representing: Public Agencies
Term expires: 3/6/2014

Hon. Pedro Hernandez

PO Box 35032
Billings, MT 59107
406-256-2894

Representing: Judiciary & law enforcement
Term expires: 3/6/2014

Nick Korthals

519 Broadway
Townsend, MT 59644
406-980-1050

Representing: Law enforcement
Term expires: 3/6/2014

Laura Singley

712 West Main
Lewistown, MT 59457
406-535-9242

Representing: Law enforcement
Term expires: 3/6/2014

Adam Stern

208 S. F St.
Livingston, MT 59047
406-224-1875

Representing: Local elected officials
Term expires: 3/6/2014

Roy Tanniehill

221 Breckenridge
Helena, MT 59601
406-980-0972

Representing: Law enforcement
Term expires: 3/6/2014

APPENDIX C: EXECUTIVE ORDER

STATE OF MONTANA OFFICE OF THE GOVERNOR Executive Order No. 2-2012

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

I, BRIAN SCHWEITZER, Governor of the State of Montana, in accordance with the authority vested in me by the laws and 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.

I. PURPOSE

The purpose of the Council is to:

- a. 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 (J,JDP) Act of 2002;
- b. 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 yearly updates of the plan;
- c. review and comment on all juvenile justice and delinquency prevention grant applications submitted to the Board of Crime Control;
- d. 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 in order to better coordinate services and to efficiently utilize available resources.

II. COMPOSITION AND TERMS OF APPOINTMENT

The Council shall consist of at least 15 members, consistent with the requirements of the JJDP Act of 2002. The Governor shall appoint a chair from among the Council's members. Additional non-voting, ex-officio members may be appointed by the Governor. The Council members shall serve at the pleasure of the Governor. Their names and addresses will be submitted by separate letter to the Secretary of State and to the Board of Crime Control.

III. 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.

IV. TERMINATION OF PRIOR EXECUTIVE ORDER

All prior Executive Orders relating to the Youth Service Advisory Council are hereby superseded by this Order.

V. DURATION

The Council shall exist for two years from the effective date of this Order. This Order is effective immediately.

GIVEN under my hand and the Great Seal of the State of Montana this 6th day of March, 2012.

OFFICE OF THE GOVERNOR
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR



JOHN BOHLINGER
LT. GOVERNOR

March 6, 2012

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, Montana 59620

Dear Secretary of State McCulloch:

Please be informed that effective immediately, I have appointed the following to the Youth Justice Council, in accordance with Executive Order 2-2012, under the Department of Justice.

- Mr. Adam Stern, 208 S F St, Livingston, MT 59047, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a local elected official. Adam Stern succeeds Pam Hillary.
- Judge Pedro Hernandez, 1667 Old Sorrel Trl, Billings, MT 59107, is reappointed to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of law enforcement.
- Mr. Nick Korthals, 519 Broadway, Townsend, MT 59644, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of law enforcement. Nick Korthals succeeds Glen Granger.
- Mr. Roy Tanniehill, 4905 Garnet Dr, Helena, MT 59602, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of law enforcement. Roy Tanniehill succeeds Jerry Lowney.
- Ms. Laura Bomboy Singley, 1020 W Water, Lewistown, MT 59457, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of law enforcement. Laura Bomboy Singley succeeds Ted Lechner.
- Ms. Jilyn Oliveira, 157 Fairway Dr., Helena, MT 59601, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of public agencies. Jilyn Oliveira succeeds Joy Mariska.
- Ms. Cindy McKenzie, 2750 Lifestyle Ln, Helena, MT 59601, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of public agencies. Cindy McKenzie succeeds Wayne Stanford.

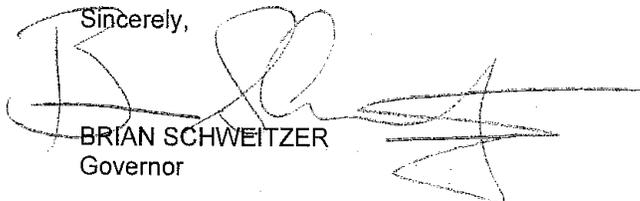
- Mr. Timothy Brurud, 9855 Hwy 2 W, Havre, MT 59501, is reappointed to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of private non-profit agencies.
- Ms. Katie Champion, 2115 W Beall St, Bozeman, MT 59718, is reappointed to serve a term ending March 6, 2014 and fulfills the qualifications for being a representative of private non-profit agencies.
- Mr. Larry Dunham, PO Box 1072, Condon, MT 59826, is reappointed to serve a term ending March 6, 2014 and fulfills the qualifications for being a volunteer who works with delinquents or potential delinquents.
- Ms. Leah Heffelfinger, PO Box 1515, East Helena, MT 59635, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a youth representative. Leah Heffelfinger succeeds Jennifer Kistler.
- Mr. Nolan Cavanaugh, 3732 E Riggs, East Helena, MT 59635, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a youth representative. Nolan Cavanaugh succeeds Donald Cox.
- Mr. Chaz McGurn, 5445 Robin Rd, Helena, MT 59602, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a youth representative. Chaz McGurn succeeds Spencer Love.
- Ms. Elinor Naught, 26 Sandy Creek Rd, Box Elder, MT 59521, is to serve a term ending March 6, 2014 and fulfills the qualifications for being a person with competency in addressing problems facing youth. Elinor Naught succeeds Donna Falls Down.
- Ms. Pamela Carbonari, PO Box 2445, Kalispell, MT 59903, is reappointed to serve a term ending March 6, 2014 and fulfills the qualifications for being a person with competency in addressing problems facing youth. I have also named Pamela Carbonari to serve as chair of the Council.

In addition:

- The positions previously held Dale Four Bear, Penny Kipp, Matt Thompson and Rosie Buzzas will not be filled.

If you need additional information, please call Patti Keebler, Board and Commission Advisor, at extension 3862.

Sincerely,



BRIAN SCHWEITZER
Governor

Copy to: Department of Justice; Board of Crime Control

Montana Code Annotated 2011

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

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

JUN 24 2013

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

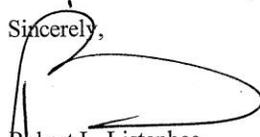
Dear Ms. Marshall:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has completed its review and analysis of Montana's request for waiver of the local distribution requirement of the Fiscal Year (FY) 2013 Juvenile Accountability Block Grant (JABG) program.

In past years, the State has received a 100 percent waiver of the local distribution requirement, and Montana has certified that no changes have occurred in relation to its financial burden for the administration of the juvenile justice system within the State. As a result, Montana is eligible to retain 100 percent of the FY 2013 JABG award.

Please contact your State Program Manager, Carol Neylan, at (202) 307-6562, should you need additional information.

Sincerely,



Robert L. Listenbee
Administrator
OJJDP

Cc: Julie Fischer, Juvenile Justice Specialist
Pam Carbonari, State Advisory Group Chair

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JUN 27 2013
BOARD OF CRIME CONTROL



U.S. Department of Justice

Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

Office of the Administrator

Washington, D.C. 20531

SEP 27 2013

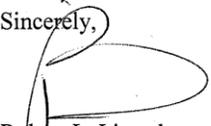
Ms. Brook Marshal
Executive Director
Montana Board of Crime Control
5 S. Last Chance Gulch St.
P. O. Box 201408
Helena, Montana 59620

Dear Ms. Marshal:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has completed its review and analysis of the Disproportionate Minority Contact (DMC) component of Montana's Fiscal Year (FY) 2013 Title II Formula Grant Three-Year Plan. This review and analysis was conducted to determine the extent of compliance with Section 223(a)(22) of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended, which requires States to address juvenile delinquency prevention efforts and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system. As a result of the analysis, it has been determined that Montana is eligible to receive the 20 percent portion of the FY 2014 Formula Grant allocation related to compliance with Section 223(a)(22).

Thank you for your continuing efforts in addressing DMC. We are available to help Montana maintain compliance with all of the JJDP Act provisions. If you have any questions, please contact Julie Herr, Compliance Analyst, OJJDP Audits and Compliance Team, at (202) 353-9260.

Sincerely,


Robert L. Listenbee
Administrator

cc: Julie Fischer, Juvenile Justice Specialist
Pam Carbonari, State Advisory Group Chair
Cil Robinson, DMC Coordinator

Enclosure: Status of Compliance

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SEP 30 2013
BOARD OF CRIME CONTROL



U.S. Department of Justice

Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

Washington, D.C. 20531

October 11, 2012

Ms. Brooke Marshall
Executive Director
Montana Board of Crime Control
5 South Last Chance Gulch
Helena, MT 59635

Dear Ms. Marshall:

Thank you for the time and assistance you and your staff provided during the Office of Justice Programs/Office of Juvenile Justice and Delinquency (OJJDP programmatic site visit from August 27 -31, 2012. I appreciate your agency's cooperation with my requests for information in order for me to be prepared to conduct the programmatic review and in discussing the status of the grant programs and related issues. In particular, Julie Fischer, Stacy Purdum and Kevin Dusko are to be commended for their efforts to arrange the site visit which allowed me to observe so many of the programs that are currently underway in Montana. The visit provided valuable information on the status of your grant programs and the everyday challenges that are present in the State of Montana in regards to the distance your office personnel must travel to maintain quality programs and activities of subgrantees.

The following notes are my observations from the site visit:

During this visit, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) reviewed staffing and program administration, activities of Montana's State Advisory Group (SAG), the three-year planning process for Montana's Juvenile Justice and Delinquency Prevention (JJDP) programs activities and the State's progress in complying with requirements of the JJDP Act, Sections 223(a)(11), (12), (13) and (22). The visit also consisted of visits to several JJDP sub-grant programs administered by the Montana Board of Crime Control including: (Title II) Center for Restorative Youth Justice and Hill County JDAI; (JABG) 7th Judicial District Juvenile Probation Equine Program and the Youth Treatment Court; (Title V) Hill County Smart Moves Prevention Program and (EUDL) Flathead Valley Chemical Dependency Clinic. All projects are exemplary, and are worthy of being highlighted by OJJDP as promising strategies for addressing juvenile delinquency.

The visit confirmed that the Montana Board of Crime Control, the agency designated by the Governor to receive OJJDP funds, has clearly stated goals and objectives relevant to addressing Montana's juvenile justice needs. The entire staff are knowledgeable about the JJDP Act of 1974, as amended, as well as OJJDP program requirements and opportunities. Furthermore, it was evident that the staff are maintaining a presence throughout the State.

The site visit included a review of Montana's implementation of OJJDP's formula funds. Specifically, this included a review of the Title II-B Formula Grants Program, the Juvenile Accountability Block Grants (JABG) Program and the Title V Community Incentive Grants Program and the Enforcing the Underage Drinking Laws (EUDL) Block Grants Program. The review determined that the funds are being obligated and drawdowns are within the level of activities in each of the nine awards reviewed. The grant files for each of these awards contain all the required documents and correspondence. There are no issues for resolution or findings.

While on-site, OJJDP staff reviewed the current status of Montana's Advisory Group, Youth Justice Advisory Council (YJAC) and was provided a copy of the latest roster of its members, as well as minutes for the meetings held within the last year. The YJAC and the Montana Board of Crime Control continues to administer the JJDP Act grants professionally and effectively.

Again, it was pleasure to have the opportunity to visit Montana. If you have any further questions concerning the site visit, grant program implementation, or available technical assistance, please do not hesitate to contact me at (202) 307-6562 or via email at carol.neylan@usdoj.gov. Thank you again for your cooperation during the recent visit.

Sincerely,



Carol Neylan
State Representative
State Relations and Assistance Division

CC: Ms. Julie Fischer, Juvenile Justice Specialist
Mr. Kevin Dusko, EUDL Coordinator



Board of Crime Control

Department of Justice
5 S. Last Chance Gulch
PO Box 201408
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Beth McLaughlin
Court Administrator
Montana Supreme Court
PO Box 203002
Helena, MT 59620-3002

January 22, 2013

Dear Ms. McLaughlin:

The Montana Board of Crime Control (MBCC) has been designated by the Governor's office to administer the Juvenile Accountability Block Grants (JABG) program, a program funded and administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The JABG program provides funding to help states and communities strengthen their juvenile justice systems by implementing accountability-based reforms. Per the Omnibus Crime Control and Safe Streets Act of 2002, in the development of the grant application, states and units of local governments shall take into consideration the needs of the judicial branch in strengthening the juvenile justice system and specifically seek the advice of the chief of the highest court of the state and, where appropriate, the chief judge of the local court, with respect to the application.

We are seeking the input of your office in the development of the state's application to the federal government for Fiscal Year 2013 funds. It is our intent to work with your office to ensure that the needs of the court are integrated into the overall juvenile justice system improvements we hope to achieve through the JABG program. We would like to meet with you, at your convenience, to discuss Montana's juvenile justice system needs and potential improvements.

The goal of MBCC and the Youth Justice Council (YJC) is to continue to measure performance and assist subgrantees in implementation of consistent programming, in consideration of the needs identified by the Youth Justice Council (YJC) for the State of Montana. If you have any questions, please contact me at 406-444-3615.

Sincerely,

A handwritten signature in black ink that reads "Brooke Marshall".

Brooke Marshall, Executive Director
Brooke.Marshall@mt.gov

The mission of the Board of Crime Control is to proactively contribute to safety, crime prevention and victim assistance through planning, policy development, and coordination of the justice systems in partnerships with citizens, government and communities.