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**Report to  
Vermont Governor Phil Scott**

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**2019 Annual Report  
Children and Family Council for Prevention Programs  
Vermont State Advisory Group on Delinquency Prevention**

**In Accordance with 34 U.S. Code § 11133 [Sec. 223], 33 V.S.A. § 3302**

**Submitted to: Phil Scott, Governor**

**Mike Smith, Secretary, Agency of Human Services**

**House Judiciary Committee**

**Senate Judiciary Committee**

**Office of Juvenile Justice Delinquency Prevention, U.S. Department of Justice**

**Submitted by: Ken Schatz, Commissioner**

**Department for Children and Families**

**Prepared by: Elizabeth Morris, Juvenile Justice Coordinator**

**Report Date: January 2020**

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## Executive Summary

The Children and Family Council for Prevention Programs (CFCPP) is the state advisory board for juvenile justice, delinquency and primary prevention as required by V.S.A. 33: 33 § 3302, and the Juvenile Justice Delinquency Prevention Act (JJDP) 34 U.S. Code § 11133 [Sec. 223].

The Council consists of 21 members who shall be appointed by the Governor with the advice and consent of the Senate for three-year terms. Membership is based on experience with delinquency prevention, and guided by the Juvenile Justice Delinquency Prevention Act, as amended by the Juvenile Justice Reform Act of 2018 (JJRA). The JJRA requires that there be designated representatives from law enforcement, victim advocacy groups, members who have experience with the juvenile justice system, youth members and more. The Council is attached to the Department for Children and Families (DCF) Commissioner's Office for planning and administrative functions.

**CFCPP Mission:** The Council is grounded in prevention and works to ensure justice by building equitable and effective opportunities for children, youth and families to thrive in Vermont.

### **2019 Council Members:**

Mona Abdelghani	Andrew Hathaway	Morgan Manning
Maria Avila	Donn Hutchins	Holly Morehouse
Stuart Berry	Linda Johnson	Karen Oelschlaeger
Judy Brassard	Michelle Kaczynski	Adan Osman
Laurey Burris	Michael Loner	Kreig Pinkham, Chair
Hon. Amy Davenport	Christopher Lukasik	Robert Sheil
Dorinne Dorfman	Mackenzie Mazza	Matt Wolf

The Council and the State are required to maintain compliance with the JJRA, in addition to utilizing a three-year strategic plan of system priorities. Current priorities of the Council are:

1. Reduction of racial disparities in youth justice response,
2. Improved coordination and collaboration of all youth and young adult resources and responses,
3. Assist state agencies and community services in the implementation of legislative changes to the youth and young adult justice response.

### **Section 1: Monitor and Oversee Compliance**

The Council is charged with monitoring state compliance with the Juvenile Justice Delinquency Prevention Act, as amended by the Juvenile Justice Reform Act. For states to be eligible to receive a formula grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the state must satisfy the 33 state plan requirements. Four of those state plan requirements are classified as "core requirements," and the OJJDP will reduce the state of Vermont's annual formula grant if the state is out of compliance. The four core requirements are:

- Deinstitutionalization of status offenders
  - Status offenders are youth charged with offenses that would not be criminal if they were an adult, such as running away or truant behavior. These youth may not be securely detained.
- Separation of juveniles from adult inmates
  - Youth may not be subject to sight or sound contact with adult inmates while securely detained.
- Removal of juveniles from adult jails and lockups
  - Youth may not be detained in adult jails or police holding cells except to process and release for a limited duration of time.
- Addressing Racial and Ethnic Disparities
  - Youth of color are involved with the juvenile justice system at disproportionately higher rates than that of white youth. States are required to track these rates in the juvenile justice system and create and execute an action plan to address these disparities.

The Council funds a Compliance Monitor position using the OJJDP formula grant. This temporary state employee monitors violations of the core requirements and reports back to the OJJDP. He conducts site visits at facilities that have the ability and authority to securely hold youth. During 2019, there were no violations of core requirements.

**Section II:**  
**Reduction of Racial Disparities**

The OJJDP requires that ethnic and racial disparities are monitored on five different contact points in the juvenile justice system. The available data has limitations, and the Council is charged with working to improve the data system. Since 2015, the Council has been following the identified trends of three years or more:

- Youth of color in Chittenden County are cited to court for delinquency at higher rates than their peers relative to the population.
- Youth of color in Chittenden County are sent to detention and the courts at higher rates than their peers.

Since 2017, the Council has funded the Association of Africans Living in Vermont (AALV) in their work to reduce racial disparities. For the past three years, AALV has worked to address the disparities in many ways, including:

- Assisting New American youth and families navigate relationships with schools, courts, attorneys, DCF and other authorities and institutions that youth may encounter.
- Address behavioral issues that lead to involvement with the juvenile justice system and authorities through mentoring, parent and youth skill development, and more.
- Increasing resources that are culturally appropriate, welcoming, and provide opportunities for youth development.

The Council historically provides funding for periods of three years, and the current work with AALV is set to end in February 2020. In 2019, members of the Council’s ethnic and racial disparities (ERD)

subcommittee worked to promote the involvement of community members within Chittenden County by moving the meeting locations from Waterbury to Burlington. The Council's ERD subcommittee now is made up of one-third CFCPP members and two-thirds community members. This pivotal change is leading to the release of a new Request For Proposals to address ERD in early 2020.

**Section III:  
Assist in the Implementation of Legislative Changes**

The CFCPP is federally charged with advising the administration on juvenile delinquency needs and prevention thereof. The CFCPP advises on state and federal legislation that affect youth by engaging with governmental partners to advise on compliance with the JJRA. Historically, the Council has partnered with DCF and other stakeholders to implement state legislative changes in youth court jurisdiction such as the "Youthful Offender" option for 16- to 21-year-old youth and young adults. In 2019, the Council supported the implementation and technical assistance of the Youthful Offender in two ways:

- Funding the Bennington County State's Attorney to provide expertise in using the 'Youthful Offender' option and in using the Youth Assessment and Screening Instrument.
- Funding an Assistant Attorney General to provide expertise in using the 'Youthful Offender' option to DCF staff.

In 2018, Vermont became the first state in the nation to raise the age of Juvenile Court Jurisdiction to 18- and 19-year-olds with the passage of Act 201. The Council will continue to look towards the implementation of raising the age of jurisdiction in the Family Court Division. Most charges involving youth aged 18 will be under the juvenile court jurisdiction beginning July 1, 2020 and youth aged 19 beginning July 1, 2022. They will continue to review and comment on reports to the legislature regarding implementation and advise on any legislation introduced.

- In 2019, the Council initiated and funded a multi-disciplinary conference to educate stakeholders on emerging adult justice and discuss implementation strategies for raising the age of juvenile court jurisdiction. The statewide conference included legislators, but also professionals involved with emerging adults in the criminal justice system (judges, prosecutors, public defenders, victim advocates, DCF, probation officers, restorative justice professionals, and Department of Corrections officials). Recommendations from the conference participants were included in a report from the DCF on the implementation and the operational plan for Vermont's juvenile justice system to include emerging adults. That report is available online here: <https://legislature.vermont.gov/assets/Legislative-Reports/20191101-Vermont-RTA-DCF-Report-Final.pdf>

In December of 2018, the Juvenile Justice Reform Act of 2018 passed Congress and was signed into law by President Trump. This legislation reauthorized and amended the Juvenile Justice and Delinquency Prevention Act and became effective on October 1, 2019. The Council will continue to work with DCF to ensure state compliance with new components of the law.

#### **Section IV: Improved Coordination of Youth Resources and Responses**

The Council continues to remain committed to increasing the collaboration of youth services and youth voice. As youth and young adults are naturally a transient demographic, the Council continuously recruits in order to maintain a strong contingency of young adults on the Council. In 2019, the Council welcomed two more young adults.

In 2019, the Council funded a multicultural youth leadership summer program at AALV that promoted leadership development for 27 young adults. Youth participated in college campus tours, and gained knowledge and skills on communication, conflict resolution, community engagement, professional workplace and more. In 2020, the Council looks towards funding up to five more youth leadership programs.

The Council has funded the development of a web-based Youth Resource Map in order to promote coordination of youth services across the state. In 2019, they continued to work on expansion and maintenance of the site and will continue to do so in 2020.

#### **Section V: Fund and Manage Grant Programs**

The Council's funding priorities are focused on their three-year plan and goals. Historically, the Council funds multi-year initiatives. There are several efforts they continued to fund throughout 2019, including:

- A Reduction of Racial Disparity Grant to the Association of Africans Living in Vermont.
  - In 2017, the Council entered into an approximately \$500,000 grant agreement with AALV to fund their work to address racial disparity reduction efforts until February of 2020. In 2019, the Council reimbursed AALV with approximately \$200,000 of funds.
- The validation of a detention screening tool to create a more objective and evidence-based admission criteria that reduced minority race over-representation.
  - In 2018, the Council funded the creation of this screening tool and in 2019, the Council continued to support the validation of the tool with approximately \$42,000 of funds.

The Council allocated \$80,122 to the Vermont Children's Trust fund for their FY19 awards. The Vermont Children's Trust Fund is managed by the Vermont Children's Trust Foundation which in turn allocated approximately \$420,000 to community-based primary prevention programs statewide.

The Council allocated approximately \$141,000 in new initiatives in 2019:

- \$14,000 to AALV for a multicultural youth leadership summer program;
- \$30,000 to hire a new Compliance Monitor within DCF;
- \$25,000 for a conference to educate stakeholders on emerging adult justice and implementation of raising the age of juvenile court jurisdiction;

- \$20,000 for the Bennington County State’s Attorney to provide consultation and technical assistance to Vermont State’s Attorneys regarding implementation of the Youthful Offender option and utilization of YASI results;
- \$4,000 to ensure the youth system involved youth participation in the Federal audit of Vermont’s implementation of the National Youth Transition Database survey;
- \$48,000 to an Assistant Attorney General to provide technical assistance to DCF staff for use of the Youthful Offender option.

<h2 style="color: green;">Conclusion</h2>
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In 2019, the Council continued to focus on their goals as outlined in their three-year plan as stated below:

1. Reduction of racial disparities in youth justice response;
2. Improved coordination and collaboration of all youth and young adult resources and responses;
3. Assist state agencies and community services in the implementation of legislative changes to the youth and young adult justice responses.

In 2020, the Council will continue to work on the outlined goals above. Federal fiscal year 2020 is year three of the three-year plan, so members will begin to look towards determining the FFY 2021-2023 goals.

Key 2019 Outcomes:

- The Council administered the requirements of the Juvenile Justice Delinquency Prevention Act (JJDP) and 33 V.S.A § 3301-3307 in partnership with DCF and other State departments, law enforcement, and community programs.
- Maintained compliance with the core protections of the JJDP through monitoring all facilities authorized to hold youth securely.
- Continued to fund and work with community partners to reduce the rate of overrepresentation of youth of color in the juvenile justice system by strategically bringing community members to the Council.
- Worked in partnership with the Children’s Trust Foundation to administer the Children’s Trust Fund, and fund communities throughout the state for delinquency prevention.
- Initiated and funded a multi-disciplinary conference for stakeholders on emerging adult justice and Act 201 implementation.
- Administered the Vermont Children’s Trust Fund in partnership with the Vermont Children’s Trust Foundation, and distributed grants throughout the State for youth delinquency prevention programs.

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