

Juvenile Justice Protections Office for Victims of Crime FACT SHEET for TITLE II



Authorization

Congress, through the federal Title II, Part B, Formula Grant Program of the **Juvenile Justice and Delinquency Prevention Act** (JJDP Act), allocates funds annually 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. The JJDP Act was most recently reauthorized by the Juvenile Justice Reform Act of 2018 [Public Law 93-415, 88 Stat. 1109].

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 requirements of the JJDP Act.

JJDP 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. Removal of juveniles prosecuted as adults from adult facilities,
3. Separation of juveniles from adult inmates in secure facilities,
4. Removal of juveniles from adult jails and lockups (Jail Removal), and
5. Reduction of Racial and Ethnic Disparities (R/ED) within the juvenile justice system.

In addition, the federal Juvenile Justice Reauthorization Act of 2018 added a requirement for juveniles prosecuted as adults to remain in juvenile facilities until convicted or upon reaching the State's age of majority, with limited exception. Missouri codified this requirement in [Chapter 211.072 RSMo](#).

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 reduces 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 effective system of monitoring. The DPS Compliance Monitor must collect and verify data from facilities to demonstrate compliance with the JJDP Act. This includes onsite visits. 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 established program areas defined by Congress and further identified by the JJAG. The program areas are subject to change.

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 combinations 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

Awards are made through a competitive bid process.

See the Department of Public Safety website at www.dps.mo.gov for more information.

JJDP Act Core Requirements and Compliance Monitoring

In accordance with Sections 223(a)(11), (12), (13), and (15) of the JJDP Act, compliance must be maintained in each of the following areas:

1. **Deinstitutionalization of Status Offenders (DSO)** - Pursuant to [Section 223\(a\)\(11\)\(A\)](#), juveniles charged with or who have committed an offense that would not be criminal if committed by an adult (status offenders), or juveniles not charged with any offense and are unauthorized immigrants or are alleged to be dependent, neglected or abused (non-offenders), shall not be placed in secure detention facilities or secure correctional facilities. However, an allowance exists where a **juvenile** detention facility may hold an **accused** status offender for up to 24 hours, exclusive of weekends and legal holidays. 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 Prosecuted as Adults from Adult Facilities** – Pursuant to [Section 223 \(a\)\(11\)\(B\)](#), on or after December 21, 2021, a juvenile who is charged as an adult cannot be detained in an adult jail or lockup or have sight or sound contact with adult inmates in a secure adult facility, subject to certain exceptions. This means placing a juvenile in an adult jail following certification is no longer automatic. Missouri codified these requirements at [211.072 RSMo](#).
3. **Separation** - Pursuant to [Section 223\(a\)\(12\)](#), juveniles alleged to be or found to be delinquent, status offenders, and juveniles who are not charged with an offense and who are unauthorized immigrants or alleged to be dependent, neglected, or abused may not be detained or confined in any institution in which they have sight or sound contact with adult inmates. Pursuant to [34 U.S.C. § 11103 \(25\)](#), Sight or Sound Contact means any physical, clear visual, or verbal contact that is not brief and inadvertent.
4. **Removal of Juveniles from Adult Jails and Lockups (Jail Removal)** – Pursuant to [Section 223\(a\)\(13\)](#), no juvenile shall be detained or confined in any jail or lockup for adults, except under certain exceptions. This includes juveniles **accused** of non-status [delinquent] offenses for no more than 6 hours for the purposes of processing or release, while awaiting transfer to a juvenile facility, or in which period such juveniles make a court appearance. However, [Chapter 211.151 .2 RSMo](#) stipulates: “a child shall not be detained in a jail or other adult detention facility pending disposition of a case.”
5. **Racial and Ethnic Disparities (R/ED)** – Pursuant to [Section 223\(a\)\(15\)](#), states must “implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas...”

Failure by a state to maintain compliance with the requirements described at [Sections 223\(11\), \(12\), \(13\), and \(15\)](#) will result in the loss of 20% of funds for each category in which the state fails to maintain compliance. Of remaining funds, the state must spend 50% to address the noncompliant issues.

Missouri has an effective system to ensure compliance, including data collection, data verification, and the performance of onsite visits. The Compliance Monitoring Schedule below provides a brief overview of that system. In addition, the Missouri Department of Public Safety provides technical assistance, training, and program monitoring to ensure success.

Compliance Monitoring Schedule

Type of Facility	Monitored Annually by Site Visit	Monitored Biennially by Site Visit	Monitored Every 3 Years by Site Visit	Monitored at 10% Per Year by Site Visit	Surveyed Monthly	Surveyed Biennially	Surveyed Annually
Jails or Lockups for Adults when juveniles are NOT Detained/Confined within the facility*			X				X
Jails or Lockups for Adults when juveniles are reported Detained/Confined within the facility		X				X	
Court Holding Facilities**			X		X		
Secure Detention Facilities for Juveniles (Secure)*	X				X		
Secure Correctional Facilities for Juveniles (Mo DYS)+				X			X
Secure Correctional Facilities for Adults (Mo DOC)+				X			X
Juvenile Offices with Secure Holding Capability (Non-Residential)			X		X		

*Two of these facilities are collocated - where both a juvenile detention center and a jail operate on the same property. Monitoring occurs annually by site visit in accordance with federal requirements.

**Known Court Holding Facilities are surveyed monthly. However, as part of the Identification process, the Compliance Monitor surveys all Circuit Courts to identify facilities that may need to be included within the Compliance Universe. This occurs on a three-year cycle.

+Memorandums of Understanding exist with these state agencies. Both report data annually.

Revised: May 6, 2022