

**OJJDP Title II Formula Grants Program
West Virginia 3-year Strategic Plan
2021-2023**

Introduction

During the July 2021 Three-Year Plan Development Retreat, the Juvenile Justice State Advisory Group (SAG) identified the following priority areas for its 3-year strategic plan:

- Community-based programs and services to work with:
 - status offenders, other youth, and the parents and other family members of such offenders and youth to strengthen families, including parent self-help groups, so that juveniles may remain in their homes;
 - juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and
 - parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited English-speaking ability;
- Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services;
- Educational programs or supportive services for at-risk or delinquent youth or other juveniles;
- Programs for positive youth development that assist delinquent and other at-risk youth in obtaining:
 - a sense of safety and structure;
 - a sense of belonging and membership;
 - a sense of self-worth and social contribution;
 - a sense of independence and control over one's life; and
 - a sense of closeness in interpersonal relationships;
- Community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration to strengthen families and reduce the risk of recidivism;
- Programs designed to prevent and to reduce hate crimes committed by juveniles;

- Projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system;
- Programs designed to provide mental health or co-occurring disorder services for court- involved or incarcerated juveniles in need of such services, including assessment, development of individualized treatment plans, provision of treatment, and development of discharge plans;
- Programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of a Native American tribe; and
- Programs, research, or other initiatives to address the disproportionate number of youth members of minority groups who encounter the juvenile justice system, pursuant to the requirement at 34 U.S.C. § 11133(a)(15).

Requests for proposals are sent out annually to all eligible applicants and a grant writing workshop is conducted to assist prospective grantees with the formal application. The applications are reviewed by Justice and Community Services (JCS) staff for completeness and then by the SAG for merit. The SAG makes award recommendations to the Office of the Governor who makes the final award decisions.

Analysis of Juvenile Crime Problems and Juvenile Justice Needs

West Virginia Demographics

West Virginia is a very rural state and is the only state located entirely within the Appalachian region. An estimated population of 1,792,147 residents spread across 24,077 square miles by itself is an example of how rural the population of West Virginia is, with only 74 residents per square mile and more than 10% of the population living in the five largest cities of Charleston, Huntington, Morgantown, Parkersburg, and Wheeling. Juveniles comprise approximately 20% of the state's population. The state gender distribution is 51.4% female and 48.6% male. The racial composition is: 93.6% White; 3.6% African American; 1.5% Hispanic;

and 1.7% Other. Overall, the white juvenile population remains steady, while the minority child population continues to increase.

Counties that have the most minority children are Berkeley, Cabell, Kanawha, Monongalia, and Raleigh. The rural nature of West Virginia is exacerbated by the mountainous terrain that is prevalent throughout the state given the location within the Appalachian Mountains. Juveniles in the state of West Virginia face many challenges, including systemic generational poverty and geographic and cultural isolation from community resources. The state has attempted and continues to attempt to solve these and many other problems by making education and economic development top priorities. Despite these efforts, the problems associated with geographic isolation, poverty, and low educational attainment persist.

Poverty

The Annie E. Casey Foundation (AECF, 2021) reported that approximately 70,000 West Virginia juveniles were living below the poverty level in 2019, a rate of approximately 20%. This means that approximately 1 in 5 children are classified as poor in West Virginia. Additionally, approximately 72,000 children were residing in households with a high housing cost burden, while the parents of 123,000 West Virginia children lacked secure employment (AECF, 2021). Racial inequities in child well-being exist at both the national and state levels. In 2019, the national average for children living below the poverty level was 17% (AECF, 2021). The rates for African American, American Indian, and Latino children were 31%, 30%, and 23%, respectively (AECF, 2021). Overall, West Virginia was ranked 46th for economic well-being (AECF, 2021).

The effects of child poverty permeate many of the issues that West Virginia residents and policymakers have been grappling with in recent years. While not a direct cause, child poverty has contributed to a wide range of concerns, including:

- Severe overcrowding of the state's prisons and a rise in state expenditures on corrections;
- The state's substance abuse epidemic, which is currently being addressed by the Governor's Advisory Council on Substance Abuse and six regional task forces;
- The state's high obesity rate and its related health problems, including Type 2 diabetes, cardiovascular problems, and bone and joint problems;
- The high teen birth rate and the health, economic and educational challenges it creates for teen mothers and their babies; and
- Concerns about students dropping out of high school and the consequences that may have on future opportunities, earnings, and quality of life.

There are often many individual and economic causes behind poverty. For the purposes of this plan, the SAG would like to pay particular attention to educational attainment and employment.

Education

A significant factor contributing to the economic struggle of West Virginia is low educational attainment. According to the 2019 Census, approximately 86.9% of West Virginia residents possessed a high school diploma or higher, which was slightly below the national average of 88%. Similarly, 20.6% of West Virginia residents possessed a bachelor's degree or higher, compared to the national average of 32.1%. In addition, truancy continues to be a serious problem within the West Virginia school system. Nearly one in three public school students in West Virginia missed at least five days of class last year without an excuse, according to the state Department of Education (Mays, 2014). A handful of school districts in West Virginia had more than half of their students marked as truant during the 2013-14 school year (Mays, 2014).

There has been a significant increase in the number of truants referred to the West Virginia's court system over the past several years, resulting in exorbitant cost to taxpayers.

Governor Earl Ray Tomblin signed House Bill 2550 in 2015, increasing the number of days students are allowed to miss without an excuse from 5 to 10 days. County attendance officers are required to meet with families of truant students to curb truancy before the children are referred to court. Sending kids to court for truancy hurts their chances of finishing school and becoming productive adults. This legislation provides much-needed time for parents and school administrators to intervene and develop workable solutions. The Truancy Diversion Initiative is part of Governor Tomblin's Juvenile Justice Reform Task Force compiled in the summer of 2014. Truancy is not a problem unique to West Virginia. Nationwide, states have been dealing with the issue for several years and truancy often leads to higher poverty, crime, incarceration, and dropout rates.

Employment

In September 2017, the unemployment rate in West Virginia was 5.3%, its lowest level in a decade. However, in April 2020, the unemployment rate was nearly 3 times higher at 15.6%. The average unemployment rate for 2020 was 8.3%, compared to an average rate of 4.9% in 2019, 5.2% rate in 2018, and 5.2% rate in 2017. West Virginia's median household income for 2018 was \$44,097. Excluding U.S. territories, West Virginia had the lowest median household income in 2018, approximately \$20,227 less than the national median income. The percentage of children whose parents lacked secure employment in 2019 was 34%, which is significantly higher than the national rate of 26% (AECF, 2021). Additionally, West Virginia has a slightly higher than average percentage of children living in single-parent families in 2019. West Virginia's 2019 rate was 35%, while the national average was 33% (AECF, 2021).

The state has traditionally relied on its mining industry for jobs and growth. Mining jobs have become increasingly scarce and many West Virginians, who never obtained a college degree, are migrating to other states. Many West Virginia families are struggling to make ends meet and are considered income poor. Children need certain resources to survive, grow, and develop normally. However, West Virginia ranks 44th in the U.S. for child well-being (AECF, 2021). Regardless of where the issue stems, it seems to be a continuous cycle that is passed from one generation to the next. Because of the poverty conditions that the poor are already experiencing, they are not able to break out. Results of poverty often leave the youth in West Virginia vulnerable to many unfortunate circumstances. These circumstances can range from child abuse to teen pregnancy and school dropouts and, in some cases, entering the state's juvenile justice system.

Juvenile Crime Problems

The Juvenile Justice Database (JJDB) is the juvenile probation database wherein information about juvenile offenders whose cases are referred to probation is entered and stored. These data collection tools are not all inclusive and do not fully interact with each other. Currently, data transfer between systems is conducted on a case-by-case basis only. According to the JJDB, 6,670 juvenile offenders entered the West Virginia juvenile justice system in 2019. Of those, 58% were male and 41% female. Offenders were: 88% White; 6.4% Black; and 5.6% American Indian or Alaska Native, Asian, Multi-Racial, or Unknown. The average age of juvenile offenders in 2019 was 14 years old. The primary offense types committed in West Virginia were assault with 481 occurrences, 197 battery occurrences, and 126 larceny occurrences. Status offenses in West Virginia totaled 4,620 occurrences. Of the total number of

juvenile offenders that entered the West Virginia juvenile justice system, 4,591 were handled through an informal disposition.

These dispositions include, but are not limited to, the case was closed/withdrawn, diversion, informal adjustment, case held open without further action or referred to community agency/non-custodial counseling, truancy diversion, and referral to Youth Reporting Center (YRC). The following juvenile offenders were handled through a formal disposition: 679 juveniles were given an improvement period; 515 were given probation/non-custodial; 222 were given DHHR custody and probation; 71 were given DHHR custody only; 76 were given DJS custody; 6 were transferred to adult court; and 168 were referred to DHHR. In addition to the above dispositions, 202 were given other dispositions, including fine/restitution, custodial improvement period, community services, charges dismissed, mental health processing and/or bond review. 668 cases were dismissed.

Goals and Objectives

Priority Area 1 – Planning and Administration

Problem Statement: Pursuant to 34 U.S.C. § 11132(c), the state may allocate up to 10 percent for effective and efficient administration of funds, including the designation of not less than one individual who will coordinate efforts to achieve and sustain compliance with the core requirements.

Program Goal 1: Grant program and state matching funds will be utilized to assist with the planning and administration of the grant program.

Objective 1.1: Employ staff positions dedicated to the planning and administration of the formula grant program.

Objective 1.2: Staff at a minimum 4 SAG committee and subcommittee meetings per year.

Objective 1.3: Conduct on-site monitoring visits to all programs funded with formula grant funds on a yearly basis beginning July 1st.

Objective 1.4: Conduct at a minimum 2 technical assistance trainings.

Objective 1.5: Update the 3-year strategic plan annually.

Activities and Services Planned:

- Employ three part-time staff positions dedicated to planning and administration of the formula grant program;
- Plan and conduct 4 quarterly SAG meetings;
- Beginning July 1st, develop an on-site monitoring visit schedule for all sub-grantees;
- Conduct technical assistance training at the beginning of each calendar year for all those interested in applying for formula grant funds;
- Once subgrants are awarded, conduct technical assistance; and
- Other programmatic requirements.

Priority Area 2 – State Advisory Group Allocation

Problem Statement: The SAG continues to recognize the need to educate juvenile justice professionals, legislators, and the public. As in the past, the SAG is taking a proactive leadership role in West Virginia by being an active participant in the planning of juvenile justice training and reform efforts. Child and victim advocates, education professionals and students, attorneys, judges, juvenile detention and correctional staff, law enforcement officers, probation officers, social workers, and state and local policymakers serve as the committee.

Program Goal 1: Utilize a combination of SAG funds and program funds to provide the SAG with the necessary funding to research, develop, and implement activities, materials, programs, and policies which will benefit youth and all those involved in the juvenile justice system in West Virginia.

Objective 1.1: Become more involved in the promulgation and dissemination of information involving juvenile justice issues by reviewing existing and proposed state law, case law and governmental policy to assess their impact on the juvenile justice system.

Objective 1.2: Receive training, which will assist the group in directing its energies to meet the intent of the Juvenile Justice and Delinquency Prevention Act.

Activities and Services Planned:

- Meetings and training sessions will be scheduled to provide opportunities for SAG members to review, study and discuss issues related to juvenile justice in West Virginia;
- Guest trainers and speakers involved in juvenile justice-related issues will be invited to participate in SAG sessions;
- Annual retreats that will allow members to intensively examine issues confronting juvenile justice in the State and to make plans to address these issues;
- Individuals and groups will subcontract with the SAG to collect data on requested topics and to develop training protocol and materials which will be used to provide information and training to specific target populations (i.e., magistrates, judges, defense attorneys, prosecutors, probation and parole officers, law enforcement officers, school personnel, regional multi-jurisdictional agencies, etc.);
- Informational papers may include, but are not limited to, juveniles placed out-of-state, mental health needs of children in juvenile justice system, minority overrepresentation, gangs, status offenders, sexual offenders, alcohol and substance use issues, and delinquency prevention; and
- Training materials will become part of a comprehensive training program for those involved in the juvenile justice system concerning legal requirements and expectations, youth issues, research findings and strategies related to juvenile justice trends, problems, options for prevention, intervention, restitution diversion, and advocacy.

The table below summarizes the composition of the SAG Advisory Board.

Name	Represents	Full-Time Government	Youth Member	Date of Appt.
Bob Musick, Chair	D			Feb. 1996
Vickie James	B & C	X		Feb. 1996
Linda Watts	B	X		Feb. 2016
Phyllis Stewart-Brown	B & E			Feb. 1996
Stephanie Bond	B	X		Feb. 2013
Judge Darrell Pratt	A & B	X		Feb. 2002
Captain Ron Smith	B & G	X		Feb. 2002
Brenda Thompson	B	X		Aug. 2004
Gary Robinson	B & E	X		May 2005

Wanda Cox	C		Aug. 2009
Greg Puckett	A		Aug. 2009
Danica Rubenstein	C & G		Mar. 2014
Barri Faucett	C & D		Feb. 2016
Codie Smith	F	X	Mar. 2014
Regan Carpenter	F	X	Jan. 2017
Lian Dunlevy	F	X	Jan. 2017
William Marshall III	B	X	Nov. 2017
Karen Haring	D		May 2019
Judge Joanna Tabit	A & B	X	May 2019
Cayden Faucett	F	X	May 2019
Cindy Largent-Hill	B & C	X	May 2019
James King	F	X	May 2019
Que Stephens	B, C, & F	X	May 2019
Mona Dues	B & C	X	May 2019
Shamieka Johnson	C & D		May 2019
Jaydyn Johnson	F	X	May 2019
Parnel Legros	B & C	X	May 2019
Elliott Law Office	E		May 2019
Dylan O'Sullivan	F	X	Feb. 2021

Table 1 – SAG Roster

Codes Listed for Areas Represented:

A – Locally elected official representing general purpose local government.

B – Representative of law enforcement and juvenile justice agencies, including:

- Juvenile and family court judges
- Prosecutors
- Counsel for children and youth
- Probation workers

C – Representatives of public agencies concerned with delinquency prevention or treatment:

- Welfare
- Social services
- Mental health
- Special education
- Recreation
- Youth services

D – Representatives of private nonprofit organizations, including person concerned with:

- Family preservation and strengthening
- Parent groups and parent self-help groups
- Youth development
- Delinquency prevention and treatment
- Neglected or dependent children
- Quality of juvenile justice
- Education
- Social services for children

E – Volunteers who work with juvenile justice.

F – Youth workers involved with programs that are alternatives to confinement, including organized recreation activities.

G – Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.

H – Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.

Priority Area 3 – Community-based programs and services to work with status offenders, other youth, and the parents and other family members; juveniles during their incarceration; and parents with limited English-speaking ability

Problem Statement: Many youths in West Virginia are at-risk for becoming delinquent for a variety of reasons, including a lack of appropriate role models, rise in family violence, increase in child physical and sexual abuse and neglect cases, the high number of school dropouts, and an increase in school violence. In confronting the problems faced by this at-risk population, it is apparent that specific types of programs are needed to decrease delinquent behavior.

Program Goal 1: Establish and/or expand community-based programs that: enhance interagency coordination and collaboration to meet the needs of youth; and 2) assist youth and their families in developing an environment that supports positive behaviors and discourages negative behaviors.

Objective 1.1: Reduce the number of status offenders and delinquent youth entering the juvenile justice system.

Objective 1.2: Develop local partnerships to plan and implement programs to reduce risk factors and strengthen resiliency.

Objective 1.3: Expand community-based programs and resources that reduces risk factors and strengthens resiliency and leadership skills for at-risk youth.

Activities and Services Planned:

- Sub grant funds to various private/nonprofit organizations, schools, state agencies, and local units of government for delinquency prevention efforts that address the needs of the targeted at-risk youth population.

Priority Area 4 – Educational programs or supportive services for at-risk or delinquent youth or other juveniles

Problem Statement: Incidents of school shootings such as those that occurred in Kentucky, Oregon, Pennsylvania, Mississippi, Arkansas, Connecticut, Virginia, and Colorado have focused local, state, and national attention on school violence. These tragic events have received massive amounts of national media attention and raised several questions about the safety of students and faculty in the public school system. According to the West Virginia Youth Risk Behavior Survey

administered by the Department of Education Office of Healthy Schools in 2013, students reporting they have been involved in a physical altercation on school property appear to have decreased however; the number of students reporting they were threatened or injured with a weapon on school property has risen.

Student perception of their personal safety at school is perhaps the most defining indicator of a school safety problem. Trends demonstrated through West Virginia students' own reporting of their experiences and perceptions demonstrate the need for programs that foster an environment conducive to learning through prevention, mentoring, and safety. The Prevention Resource Officer (PRO) program is an example of such program.

Program Goal 1: Provide funding to localities to implement the PRO program.

Objective 1.1: Educate students on juvenile crime and juvenile issues by providing instruction on nontraditional educational topics.

Objective 1.2: Mentor students who are at risk of becoming involved in juvenile crime.

Objective 1.3: Inform students of problems which lead to truancy, poor grades, drug use, and crime.

Objective 1.4: Increase awareness of the problems and consequences involved in high-risk behavior.

Objective 1.5: Act as a deterrent to juvenile crime in the school and in the community.

Objective 1.6: Act as a positive role model and mentor in the school and in the community minimizing negative stereotypes by allowing the officer to be known as an individual, rather than by their role.

Objective 1.7: Increase awareness of the dangers of underage drinking.

Activities and Services Planned:

- Sustain existing PRO officer programs and fund additional officers throughout the state as funds become available.

Priority Area 5 – Programs for positive youth development that assist delinquent and other at-risk youth in obtaining a sense of safety and structure, belonging and membership, self-

worth and social contribution, independence and control over one’s life, and closeness in interpersonal relationships

Problem Statement: Adverse Childhood Experiences (ACEs) include all forms of abuse, neglect, and household dysfunction experienced by children prior to their eighteenth birthday. These events not only create toxic stress (or excessive activation of the stress response system) for the children who experience them, but also can lead to later life physical, mental, and behavioral health outcomes ranging from depression and substance use disorder to stroke and early death. The more ACEs an individual experiences, the greater likelihood for poor health, lower earning potential, and even incarceration and detention in the criminal justice system. According to a 2016 report by the Child & Adolescent Health Measurement Initiative at the Johns Hopkins Bloomberg School of Public Health, with support from the Robert Wood Johnson Foundation, West Virginia children experienced at least one ACE at a rate greater than the national average.

Fifty-two percent of West Virginia’s children have experienced at least one ACE; nationally, 46% of youth in the United States have experienced at least one ACE. ACEs are more prevalent for children living below the federal poverty level. In 2019, 20% of West Virginia children lived in poverty. There is also a correlation between high rates of ACEs and the juvenile offender system. Based on a study of more than 64,000 juvenile offenders in Florida, the researchers found that ACEs not only increase the chance of involvement in the juvenile justice system but also increase the risk for reoffending. Therefore, early interventions are necessary to intervene into the lives of children experiencing ACEs to decrease juvenile offending, increase educational and vocational attainment, and decrease substance use, physical, and mental health conditions.

Program Goal 1: Establish programs for all at-risk youth or youth who encounter the juvenile justice system that detect the presence and number of ACEs in at-risk youth, status offenders,

and delinquent youth and establish referrals to trauma-sensitive care for all youth with high ACE scores.

Objective 1.1: Detect the presence and number of ACEs in all at-risk youth or youth who have encounter the juvenile justice system.

Objective 1.2: Intervene early into the lives of all at-risk youth or youth who have encounter the juvenile justice system based on the outcomes of an ACEs assessment measuring three or greater.

Objective 1.3: Incorporate trauma-sensitive interventions for all at-risk youth or youth who have encounter the juvenile justice system with ACE scores of three or greater.

Objective 1.4: Provide support and resources to families where high ACE scores in youth have been identified at a score of three or more.

Objective 1.5: Promote resilience through the expansion of community-based mentorship and skill building programs for at-risk youth or youth who have encounter the juvenile justice system with an ACE score of three or more.

Activities and Services Planned:

Activities that:

- Include mentorship that promotes a sense of belonging and self-worth;
- Promote skills-building that promotes well-being, independence, and control over one's life;
- Serve the needs of families with youth with high ACE scores to promote safety and structure within the family unit;
- Include trauma-sensitive interventions for individual well-being, safety, and self-worth; and;
- Support resilience through healthy mentorships, strategic skill building, and therapeutic interventions of trauma-sensitive care.

Priority Area 6 – Programs designed to prevent and reduce hate crimes committed by juveniles

Problem Statement: The Federal Bureau of Investigation (FBI, 2020) reported 7,103 hate crime incidents in 2019 that involved 8,302 offenses, 8,552 victims, and 6,268 known offenders.

Analysis of these incidents revealed that: 55.8% were motivated by a race/ethnicity/ancestry bias; 21.4% were prompted by religious bias; 16.8% resulted from sexual-orientation bias; 2.8% were motivated by gender-identity bias; 2.2% were prompted by disability bias; and 1.0% were motivated by gender bias (FBI, 2020). Unfortunately, little data exists to analyze the prevalence of hate crime in West Virginia due primarily, but not exclusively, to the underreporting of such crime.

Program Goal 1: Improve West Virginians' understanding of hate crimes and implement programs designed to prevent and reduce hate crimes committed by juveniles.

Objective 1.1: Increase public awareness regarding hate crime in West Virginia.

Objective 1.2: Create multidisciplinary planning processes to develop coordinated approaches to prevent and respond to hate crime.

Objective 1.3: Focus public attention on issues of prejudice, intolerance, and the ways that hate crime affects community vitality and safety.

Objective 1.4: Provide education and training for children and young adults, as well as community groups and leaders.

Objective 1.5: Involve parents in efforts to prevent and intervene against bias-motivated behavior of their children.

Objective 1.6: Incorporate hate crime education into existing curricula.

Objective 1.7: Reinforce diversity training and multicultural education at early ages.

Objective 1.8: Improve data collection and analysis.

Priority Area 7 – Projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system

Problem Statement: According to W. Va. Code 49-4-701 and W.Va. R. Juv. P. 5(a), a juvenile has the right to be represented by an attorney at all stages of delinquency and status offense proceedings. The National Juvenile Defender Center assessed access to counsel and quality of representation, finding that despite the state's progressive juvenile code, many defenders

reported experiencing overwhelming pressure to yield to the wishes of probation, the prosecution, and the court, rather than the best interests of the client.

Program Goal 1: Utilize program funds to increase resources to support public defenders and court appointed counsel in representing juvenile clients in all stages of proceedings, including pre-petition informal resolutions and noncustodial counseling or community services in lieu of formal court involvement.

Objective 1.1: Protect the rights of juveniles facing status offense and delinquency proceedings and develop alternatives to formal court involvement.

Activities and Services Planned:

- Training and technical support at the state and local level to public defenders and appointed counsel;
- Represent youth at all stages of proceedings including diversion;
- Create publications and resources to improve the quality of juvenile defense;
- Ensure early appointment of counsel to allow clients to understand their rights, negotiate alternatives with prosecutors, and advocate for diversion; and
- Ensure needed services are provided, including educational, medical, and mental health services.

Priority Area 8 – Programs designed to provide mental health or co-occurring disorder services for court- involved or incarcerated juveniles in need of such services, including assessment, development of individualized treatment plans, provision of treatment, and development of discharge plans

Problem Statement: Multiple studies confirm that a large proportion of youths in the juvenile justice system have a diagnosable mental health disorder, including substance-related and addictive disorders, bipolar and related disorders, trauma- and stressor-related disorders such as posttraumatic stress disorder and adjustment disorders, and/or anxiety disorders. Studies have found that approximately two-thirds of youth in detention or correctional settings have at least one diagnosable mental health problem (Schubert & Mulvey, 2014). West Virginia has experienced an increase in the number of juveniles who show signs of mental health problems.

Many of these youths are released back into society without the opportunity to receive much-needed mental health and substance use treatment services.

According to the National Center for Mental Health and Juvenile Justice, juveniles who immediately receive a mental health screening are more likely to have their problems identified and treated. Access to mental health services upon release is an important part of a comprehensive approach to addressing mental health needs of juvenile offenders.

Program Goal 1: Provide mental health services for youth, including risks and needs assessments, individualized treatment plans, case management, individual and/or group therapy, and/or aftercare.

Objective 1.1: Collaborate with schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and non-profit agencies to implement and expand evidence-based treatment services to juveniles.

Activities and Services Planned:

- Sub grant funds to various private/nonprofit organizations, schools, state agencies, and local units of government to expand mental health and substance use treatment services.
- Priority will be given to programs that utilize best practice screening processes, identify youth who have mental health issues, and deliver evidence-based mental health and substance use treatment.

Priority Area 9 – Programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of a Native American tribe

Problem Statement: Females are the fastest growing demographic across all incarceration settings, including state juvenile institutions. The Sentencing Project found that between 1980 and 2019, the number of incarcerated women in jails and prisons increased by more than 700%, rising from a total of 26,378 in 1980 to 222,455 in 2019 (Sultan & Myrent, 2020). In West

Virginia, 40% of all juvenile arrests involved female offenders in 2014. Overall, compared to their male counterparts, females were more likely to be referred to a juvenile court for a personal offense or a property offense. Additionally, female youths were nearly twice as likely as male youth to be charged with a truancy offense. West Virginia racial disparity research shows that females are sentenced more leniently than males and indicated that females are significantly less likely to receive a sentence, be adjudicated delinquent, be detained prior to adjudication, and are more likely to receive informal probation supervision.

Program Goal 1: Identify and address the specific and unique needs of at-risk girls and females in the West Virginia juvenile justice system.

Objective 1.1: Increase best practice approaches to identify and address female-specific issues.

Objective 1.2: Reduce female involvement in delinquency and violence.

Objective 1.3: Assess life skills differences in relation to gender and stages of development.

Objective 1.4: Teach female-specific life skills.

Activities and Services Planned:

- Sub grant funds to various private/nonprofit organizations, schools, state agencies, and local units of government to expand gender-specific services for at-risk and justice-involved females.
- Priority will be given to programs that: 1) use a relationship-based approach; 2) empower girls through resource attainment; 3) use a trauma-informed approach; 4) are contextually and culturally competent; 5) use community-based systems and strengths-based programs; 6) are restorative in nature, navigating system with attention to trauma and victimization; 7) individualize services to meet various needs of girls; and 8) engage a multi-systems approach (Gleicher, 2019).

Priority Area 10 – Racial and Ethnic Disparities (RED). Programs, research, or other initiatives primarily to address the disproportionate number of youth members of minority groups who encounter the juvenile justice system, pursuant to the requirement at 34 U.S.C. § 11133(a)(15)

Problem Statement: An analysis of West Virginia juvenile justice data revealed that: 1) arrests for Hispanics and other races increased 60% between 2018 and 2019, while the number of arrests for all minorities increased 11%; 2) pretrial detention for African Americans or blacks increased 114% and 16% for Hispanics and other races between 2018 and 2019; 3) the number of pretrial detentions for all minorities increased 71% between 2018 and 2019; and 4) secure confinement for African Americans or blacks increased 23% between 2018 and 2019.

Program Goal 1: Implement and/or expand programs and services designed to reduce racial and ethnic disparities within the West Virginia juvenile justice system.

Objective 1.1: Decrease the number of arrests for Hispanics and other races by 10% statewide.

Objective 1.2: Decrease the number of minorities in pretrial detention by 10% statewide.

Objective 1.3: Reduce the number of African Americans or blacks placed in secure residential or correctional facilities by 5% statewide.

Objective 1.4: Increase diversions to YRCs and community-based services statewide.

Objective 1.5: Improve collection, analysis, and dissemination of RED data.

Objective 1.6: Increase public awareness of racial and ethnic disparities, including what causes such disparities and research-based strategies for reducing them, through trainings, presentations, an annual West Virginia Juvenile Justice Conference, and other resources to encourage community participation.

Conditions and Assurances

1. The Justice and Community Services (JCS) section of the West Virginia Division of Administrative Services (DAS) is the designated state agency responsible for preparation and administration of the 3-year plan.
2. The Justice and Community Services (JCS) section serves as staff to the Governor's Committee on Crime, Delinquency and Correction which was created in 1966 by executive order of the Governor, and was later codified into West Virginia Code §15-9-1, to develop a statewide planning capacity for the improvement of the state's criminal justice system. The Juvenile Justice Subcommittee was established to serve as the state advisory group to the Justice and Community Services for the administration of juvenile funds received by West Virginia under the JJDP Act.

3. The State Advisory Group (SAG) participates in the development and review of the state's juvenile justice plan prior to submission to the supervisory board for final action. This is done through a SAG retreat in which members discuss and vote on priorities for the plan, and then by subsequent review and approval of the draft plan prior to submission to OJJDP.
4. The SAG is afforded the opportunity to review and comment, within 30 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the designated state agency. The grants subcommittee of the SAG reviews and scores the grant applications and provides funding recommendations that are made to the full SAG within 30 days of receiving the applications. The full SAG provides the final vote on the awards to be made by the designated state agency.
5. The SAG advises the state agency and its supervisory board. The SAG holds an annual strategy session at the designated state agency to address the need for effective statewide planning and coordination of activities that are written into the 3-year plan. The state agency, under the guidance of the SAG, is responsible for implementing that plan. Throughout the year, the state agency updates the SAG on the priorities and activities. The SAG makes recommendations for the annual updates required by OJJDP.
6. West Virginia affirms that recommendations regarding compliance with the requirements of paragraphs (11), (12), and (13) are submitted to the chief executive officer and the West Virginia Legislature annually in the form of an annual report. A copy of the most recent annual report ("West Virginia SAG Recommendations") is attached.
7. West Virginia affirms that contact and regular input is sought from juveniles currently under the jurisdiction of the JJ system. The West Virginia Division of Corrections and Rehabilitation's Bureau of Juvenile Services (BJS) maintains statutory authority over all juvenile detention and juvenile correctional facilities. The Assistant Commissioner of BJS serves on the SAG and provides regular opportunities for SAG members to meet with juveniles who are currently under their jurisdiction to gather input.
8. West Virginia provides for the active consultation with and participation of units of local government or combinations thereof in the development of the state plan which considers the needs and requests of units of local government. West Virginia has regional youth justice teams that met quarterly throughout the past year, providing opportunities for communication between the state agency, units of local government, and other local justice stakeholders. This structure gives localities an opportunity to give input into the state plan and juvenile justice priorities.
9. West Virginia provides for an equitable distribution of the assistance received within the state, including in rural areas. This occurs through the creation of the state regional youth justice teams that help inform local entities as well as the state about challenges and needs throughout the state. This information, in conjunction with youth crime analysis data, helps inform the funding decisions made.

10. West Virginia has provided an analysis on pages 2 through 20 of juvenile delinquency problems and needs in the state, including a description of services, goals, and priorities, and how the state will meet these needs.
11. West Virginia has a plan to include a description of an analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services. JCS staff will conduct a needs assessment with juvenile justice practitioners, non-profit organizations, and other relevant stakeholders to identify existing services and gaps in services. Results will be provided to OJJDP once the assessment has been completed.
12. West Virginia has a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency. As indicated above, programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of a Native American tribe was a priority area identified by the identified by the SAG at its July 2021 planning retreat. JCS grant programs that have an open solicitation release an annual Request for Proposals (RFP), which includes information regarding the grant program, eligible applicants, allowable expenses, and a deadline for the application and instructions for obtaining an application kit. Sub-grantees are received and reviewed by JCS staff for completeness and merit and further reviewed by the SAG for merit. Priority will be given to applicants that can assist the state with addressing the gaps in gender-specific services identified in the need assessment discussed in assurance 11 above.
13. West Virginia has a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas. Applicants that can provide such services to rural areas, especially areas with limited access to juvenile delinquency prevention and treatment services due to geographic isolation, will be given priority during the application review process.
14. West Virginia has a plan to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first encounter the juvenile justice system. Applicants that can assist the state in providing such services will be given priority during the application review process.
15. West Virginia has a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs. The “Thursday Meeting” is chaired by the Director of Programs and Treatment with the Bureau of Juvenile Services (BJS). The meeting is attended by representatives of BJS, each DHHR Youth Services Region, Psi-Med, the Supreme Court’s Divisions of Children/Juvenile Services and Probation Services, Interstate Compact, and others involved in the welfare of at-risk youth. Meetings began in early 2017 and continue today.

Most of the youth discussed are very young (8-13), developmentally delayed, have serious emotional disorders, and/or are autistic. These types of youth typically linger in custody due to difficulties in finding appropriate placement.

16. West Virginia has a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and services, particularly post-placement. Applicants that can assist the state in identifying and implementing programs that encourage family involvement in the prevention and treatment of juvenile delinquency will be given priority during the application review process.
17. West Virginia has a plan to use community-based services to respond to the needs of at-risk youth or youth who have encountered the juvenile justice system. As indicated above, the SAG identified several priority areas at its July 2021 retreat, including community-based programs and services to work with status offenders, other youth, and the parents and other family members of such offenders and youth to strengthen families, including parent self-help groups, so that juveniles may remain in their homes; juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited English-speaking ability. Applicants that can assist the state in addressing this priority area will be given priority during the application review process.
18. West Virginia has a plan to promote evidence-based and trauma-informed programs and practices. JCS staff will review grant applications to determine if sub-grantee discusses evidence-based and/or trauma-informed programs. Applicants who use such programs will be given priority during the application review process. JCS will also use Crime Solutions, OJJDP's Model Programs Guide (MPG), and other sources of information to provide guidance regarding the use of evidence-based and/or trauma-informed programs to potential sub-grantees.
19. The Bureau of Juvenile Services (BJS), formally known as the Division of Juvenile Services (DJS), implemented Policy 306.00 on July 1, 2017, to address the use of physical force and restraints, including the use of restraints for pregnant females. A copy of Policy 306.00 is provided in Appendix A below.
20. West Virginia provides for the coordination and maximum utilization of juvenile delinquency programs, programs operated by public and provide agencies and organizations, and other related programs in the state. This occurs through quarterly meetings with stakeholders, as well as the involvement of SAG members who have connections to various programs throughout the state. SAG subcommittees involve representation spanning multiple departments and sectors across the state. There are cross-system collaborations in place that allow for planning and coordination through committee meetings and regional collaboration groups. Information gathered from regional and subcommittee groups is shared at the SAG meeting to consider how to incorporate into the state plan.

21. West Virginia has developed an adequate research, training, and evaluation capacity within the state through the Office of Research and Strategic Planning (ORSP). The ORSP provides high quality data, research, and evaluation services to an array of entities including federal, state, and local governments. In addition, the SAG has supported an evaluation of a state-funded juvenile diversion program; this evaluation has yielded useful information leading to improvements in the operations of diversion programs, including training for staff involved in those programs.
22. West Virginia complies with the DSO core requirement and the documentation has been submitted in the compliance monitoring tool.
23. West Virginia complies with the Sight and Sound Contact core requirement and the documentation has been submitted in the compliance monitoring tool.
24. West Virginia complies with the Jail Removal core requirement and the documentation has been submitted in the compliance monitoring tool.
25. West Virginia complies with providing for an Effective System of Monitoring and the documentation has been submitted in the compliance monitoring tool.
26. West Virginia provides assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability.
27. West Virginia provides assurance that consideration will be given to, and that assistance will be available for, approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency.
28. West Virginia has established procedures to protect the rights of recipients of services and for ensuring appropriate privacy regarding records relating to such services provided to any individual under the state plan. All agencies that contract with JCS are compliant with HIPAA and other relevant laws related to information sharing and privacy concerns.
29. West Virginia affirms that any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) of any currently employed employee; activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.
30. West Virginia has strong internal fiscal controls and fund accounting procedures necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this title.
31. West Virginia assures that federal funds made available under this part will be used to supplement and increase (but not supplant) the level of the state, local, and other non-

federal funds that would be used in the absence of such federal funds made available for these programs, and will in no event replace such state, local, and other non-federal funds.

32. West Virginia will give priority to the extent practicable in funding programs and activities that are based on rigorous, systematic, and objective research that is scientifically based. JCS is prioritizing dissemination of evidence-based practices by supporting training and technical assistance for agency staff and service providers. Some projects include evaluation components; others include programmatic fidelity requirements.
33. West Virginia's crime data section on pages 6 and 7 provides an analysis of juvenile crime for fiscal years 2019 and 2020, showing a decline in indicators of delinquent activity among juveniles at state and local levels. Effectiveness of funded programs is reviewed annually by the SAG and used to inform funding decisions.
34. West Virginia affirms that funds will not be provided to carry out a program if the recipient of funds has failed during the preceding 2-year period to demonstrate, before the expiration of the 2-year period, that the program achieved substantial success in achieving the specified goals. Programs submit quarterly progress reports. When subaward applications are reviewed, prior program performance is considered as one of the factors for funding.
35. West Virginia does **not** use the valid court order (VCO) exception.
36. West Virginia has compared the amount received in FY 2000 with the amount to be received in FY 2021, and the FY 2021 amount does not exceed 105 percent of the FY 2000 amount.
37. West Virginia will **not** utilize funds received by the state under Section 222 to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units.
38. West Virginia affirms that, to the maximum extent practicable, a system has been implemented to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to that juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court.
39. West Virginia has a plan to provide assurances that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).
40. West Virginia has a plan to provide for the coordinated use of funds provided under this title with other federal and state funds directed at juvenile delinquency prevention and intervention programs. As the State Administrative Agency (SAA) for West Virginia, JCS

has extensive experience managing and overseeing multiple grants concurrently and ensuring that efforts are not duplicated across grant programs.

41. The Bureau of Juvenile Services (BJS), formally known as the Division of Juvenile Services (DJS), implemented Policy 332.00 on January 1, 2018, which discusses room confinement and administrative segregation, including time limits and the requirement of a behavioral management plan for any youth in room confinement or administrative segregation for more than three days. A copy of Policy 332.00 is provided in Appendix B below.
42. West Virginia has a plan to describe: a) the evidence-based methods that will be used to conduct mental health and substance abuse screenings, assessments, referrals, and treatment for juveniles who request a screening; show signs of needing a screening; or are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and b) how the state will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment.
43. West Virginia has a plan to describe how reentry planning by the state for juveniles will include: a) a written case plan based on an assessment of needs that includes the pre-release and post-release plans for the juveniles; the living arrangement to which the juveniles are to be discharged; and any other plans developed for the juveniles based on an individualized assessment; and b) review processes.
44. West Virginia has a plan to provide an assurance that the agency of the state receiving funds under this title collaborates with the state educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that: a) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll; b) the credits of adjudicated juveniles are transferred; and c) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and in order to support educational progress.
45. West Virginia has a plan to include a description of policies and procedures to screen for, identify, and document in state records the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.

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