

## **2023 THREE-YEAR PLAN**

### **PROGRAM NARRATIVE**

#### **a. Description of the Issue**

##### **1. System Description: Structure and Function of the Juvenile Justice System**

Tennessee is home to 98 juvenile courts with 109 juvenile court judges and 45 magistrates. At least one juvenile court is in each of the state's 95 counties.

While all of Tennessee's courts with juvenile jurisdiction are governed by the Tennessee Code Annotated (TCA) and Rules of Juvenile Practice and Procedure, there is little standardization in juvenile court size, case management procedures, and court administrative practices. The systems and practices in Tennessee's juvenile courts vary widely and tend to reflect the needs and preferences of the people living in that community.

According to the Department of Children's Services (DCS) Minimum Standards for Juvenile Detention Facilities, the local juvenile detention facilities are one of the initial steps in housing youth involved with the court system. The facilities are designed to house youth who meet the criteria of TCA Section 37-1-114(c), and who are: a) in need of legal temporary placement, b) pending adjudication, or c) awaiting disposition and/or placement. Youth are not arrested but are considered detained by law enforcement.

Depending on the offense and circumstances, law enforcement officers have the option of taking the youth before the juvenile court and initiating formal charges or returning the child home to the legal guardian without charges. Tennessee Corrections Institute (TCI) under the authority of T.C.A. 41-4-140 is required to establish minimum standards for local jails and lockups in the state. DCS, Office of Juvenile Justice, provides effective prevention and intervention services for high-risk youth and rehabilitation, treatment and

training for delinquent youth. Core principles of the DCS Office of Juvenile Justice are Community Safety, Family-Centered Community Based, Therapeutic Approach, Accountability, Data Driven and Innovation. DCS makes all attempts to place youth in the least restrictive placement. However, delinquent male youth, ages 13 to 18, in need of the highest level of security typically go to a state-operated facility called John S. Wilder (Wilder) Youth Development Center (YDC) or Mt. View, a privately run facility. Youth eligible for these facilities are those who have committed serious and/or violent felonies and community safety requires they be placed in a structured and secure environment.

### **Analysis of juvenile delinquency problems (youth crime) and needs**

In Tennessee, the Administrative Office of the Courts (AOC) is the agency responsible for collecting data from each juvenile court regarding the status of youth that appear before them. In 2021, AOC instituted Quest, a new data collection system.

Prior to the start of the Quest system there were challenges gathering crime analysis data. Data received from AOC is from the time period of July 1, 2021 through December 31, 2022, and is incomplete, not an accurate depiction of crime analysis in Tennessee.

Juvenile Arrest Data was obtained from the Tennessee Bureau of Investigation (TBI)-Tennessee Incident Based Reporting System (TIBRS). TIBRS data shows youth arrests declined from 2020 to 2022.

#### **i. Juvenile arrests by offense type, gender, and race**

According to the TBI-TIBRS data, total juvenile arrest offenses for 2020 were 13,256 juvenile arrest offenses for 2021 were 15,281 and 2022 offenses were 13,116. There was an increase in offenses committed by girls from 2020-2022.

According to TBI-TIBRS data, the top arrest offenses from 2020-2022 were Simple Assault, Drugs/Narcotics, Theft/Shoplifting and Disorderly Conduct and Motor Vehicle/Theft. Destruction/Damage Vandalism replaced Motor Vehicle Theft in 2021 and there was an increase in Aggravated Assault in 2022.

Arrest Date	2020							
Arrestee Gender	Female				Male			
Arrestee Age	Under 18							
Arrestee Race	Total	White	AA	Other	Total	White	AA	Other
Arrest Offense	Total	White	AA	Other	Total	White	AA	Other
Simple Assault	1,019	443	564	12	1,473	799	662	12
Drugs/Narcotics	337	233	97	7	1,190	708	465	17
Theft-Shoplifting	511	228	280	3	324	168	151	5
Motor Vehicle Theft	108	33	73	2	591	142	445	4
Disorderly Conduct	262	123	136	3	360	190	169	1
Arrest Date	2021							
Arrestee Gender	Female				Male			
Arrestee Age	Under 18							
Arrestee Race	Total	White	AA	Other	Total	White	AA	Other
Arrest Offense	Total	White	AA	Other	Total	White	AA	Other
Simple Assault	1,414	615	790	9	1,910	1,051	838	21
Drugs/Narcotics	485	311	161	13	1,362	832	504	26
Disorderly Conduct	385	161	222	2	604	311	286	7
Destruction Vandalism	133	63	69	1	606	391	205	10
Theft/Shoplifting	221	96	120	5	189	95	86	8
Arrest Date	2022							
Arrestee Gender	Female				Male			
Arrestee Age	Under 18							
Arrestee Race	Total	White	AA	Other	Total	White	AA	Other
Arrest Offense	Total	White	AA	Other	Total	White	AA	Other
Simple Assault	1,394	598	791	5	1,770	941	816	13
Drugs/Narcotics	563	375	181	7	1,345	809	518	18
Disorderly Conduct	369	153	214	2	436	266	165	5
Destruction Vandalism	104	54	48	2	433	270	155	8
Aggravated Assault	103	46	55	2	408	237	168	3

Other include Asian, Native Hawaiian or Pacific Islanders and American Indian/Alaskan Native

BF and WM had a higher number of Simple Assault offenses from 2020-2022. WM offense of Simple Assault was higher than AAM in 2020. WM and WF had more cases of arrest for Drugs/Narcotics from 2020-2023. WM and AAF had more cases of arrest for Disorderly Conduct from 2020-2023 and AAF and WM had more cases of arrest for Theft/Shoplifting in 2020-2021.

**ii. Number of juvenile referrals to juvenile court, probation agency or special unit (status and delinquent)**

**\*Juvenile court data received from AOC from 7/1/21 through 12/31/2021 is incomplete and not an accurate depiction of crime analysis in Tennessee**

**Law enforcement, schools and parents are the top referral sources. Age 14-17 was the top age of referrals for 7/1/2021-12/31/2022**

**Referral to Juvenile Court**

Total Status/Unruly	3,977	Male 2,320	Female 1,657
Total Delinquency	<u>6,568</u>	<u>Male 4,756</u>	<u>Female 1,812</u>
Total referred	10,545	7,076	3,469

**Race of Referrals (all case types)**

White Males 4,194	Black Males 2,045	Other Male 837	Total 7,076
White Female 2,093	Black Female 949	Other Female 427	Total 3,469

**Juvenile court data received from AOC from 1/1/22 through 12/31/2022 is incomplete and not an accurate depiction of crime analysis in Tennessee**

Total Status/Unruly	10,093	Male 5,771	Female 4,322
Total Delinquency	<u>14,153</u>	<u>Male 9,880</u>	<u>Female 4,273</u>
Total referred	24,246	15,651	8,595

White Males 9,153	Black Males 4,461	Other Male 2,037	Total 15,651
White Female 5,190	Black Female 2,183	Other Female 1,222	Total 8,595

**Referrals to Detention 7/1/2021-12/31/2021**

Total Males (Status) 26	White Male 19	Black Male 3	Other Male 4
Total Female (Status) 26	White Female 11	Black Female 9	Other Female 6
Total Males (Delinquent) 133	White Male 78	Black Male 40	Other Male 15
Total Females (Delinquent) 58	White Female 31	Black Female 19	Other Female 8

**Referrals to Probation**

Males 1,573	Females 643	Total-2,216	7/1/2021-12/31/2021
Males 3,741	Females 1,801	Total- 5,542	1/1/2022-12/31/2022

**iii. Number of cases handled informally and formally**

**Dismissed**

Males 1,907	Females 806	Total-2,713	7/1/2021-12/31/2021
Males 5,799	Females 3,056	Total-8,855	1/1/2022-12/31/2022

**Diversion 7/1/2021-12/31/2021**

	<b>Male</b>	<b>Female</b>	<b>Total</b>
Informal Adjustment	644	373	1017
Judicial Diversion	438	199	637
Pre-trial Diversion	359	186	758

**Diversion 1/1/2022-12/31/2022**

	<b>Male</b>	<b>Female</b>	<b>Total</b>
Informal Adjustment	1449	947	2396
Judicial Diversion	1108	517	1625
Pre-trial Diversion	940	609	1549

**Adjudicated 7/1/2021-12/31/2021**

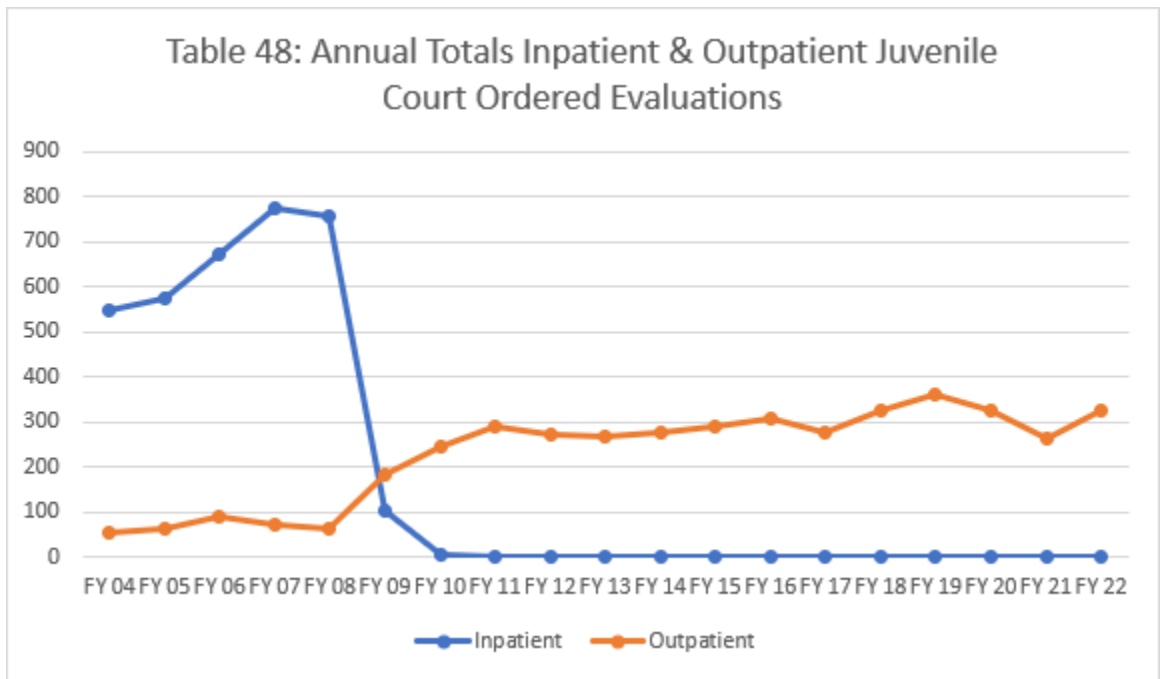
Total Males (Status) 568	White Male 446	Black Male 66	Other Male 56
Total Female (Status) 364	White Female 268	Black Female 48	Other Female 48
Total Males (Delinquent) 927	White Male 572	Black Male 250	Other Male 105
Total Females (Delinquent) 282	White Female 163	Black Female 79	Other Female 40

**iv. Number of delinquent and status offenders admitted by gender and race to juvenile detention facilities and adult jails and lockups (if applicable)**

Total Males (Delinquent) 36    White Male 3    Black Male 19    Other Male 14  
 Total Females (Delinquent) 2    White Female 2    Black Female 0    Other Female 0

**v. Data related to availability of mental health services for youth in the juvenile justice system and prevention and treatment services in rural areas.**

T.C.A. § 37-1-128(e) grants juvenile courts the authority to order mental health evaluations of youth by contracted providers designated by the Commissioner of the Tennessee Department of Mental Health and Substance Abuse Services. Juvenile court-ordered evaluations are broad in nature and address whether the juvenile is mentally ill and/or developmentally disabled, what, if any, treatment is recommended, whether the juvenile meets commitment criteria and legal questions such as competency to stand trial.



T.C.A. § 37-1-128(e) was amended to require that all evaluations be ordered on an outpatient basis first, and only ordered inpatient if the outpatient evaluator recommended inpatient

evaluation. T.C.A. § 37-1-150 was amended to clarify that the city or county would be responsible for the cost of inpatient evaluations. The decline in orders for inpatient evaluations resulted in the closing of child and adolescent units at the RMHIs. Juvenile courts have gradually increased the use of outpatient evaluations. The number of juvenile court-ordered evaluations conducted in FY 22 returned to the baseline after a slight decline in outpatient juvenile court-ordered evaluations in FY 21, which may have been related to the slowing of court business due to the pandemic.

TDMHSAS and the Administrative Office of the Courts (AOC) were previously awarded a grant to implement a process of conducting mental health and substance abuse screenings on youth referred to juvenile courts as unruly or delinquent. The project was intended to improve access to mental health and substance abuse services for youth in juvenile court, increasing the opportunities for diversion from the juvenile justice system and reducing recidivism. The project trains juvenile court staff, typically the courts' youth service officers (YSOs), to complete a juvenile justice screening version of the Child and Adolescent Needs and Strengths inventory (JJ-CANS) on youth at the point of intake into juvenile court for youth alleged to be unruly or delinquent. In the 2018 legislative session, the Tennessee General Assembly passed the Juvenile Justice Reform Act (Public Chapter 1052), a comprehensive package of reforms to the juvenile justice process. One new statute, T.C.A. §37-1-164, requires that a validated risk and needs assessment shall be used in all delinquent cases post disposition in making decisions and recommendations concerning treatment and programming. Over 700 juvenile court staff are certified on the JJ-CANS 2.0. All screenings in FY 20 were conducted using the JJ-CANS 2.0. There were 3,852 screenings conducted state-wide in FY 22 compared to 2,542 in FY 21, 2,290 in FY 20 and 1,695 screenings in FY 19 (combined 69 with JJ-CANS 1.0 and 1,626 with JJ-

CANS 2.0). The 3,852 screenings in FY 22 brings the grand total to 18,337 screenings conducted since October 2010.

System of Care Across Tennessee (SOCAT) is a spectrum of effective, coordinated community-based services ensuring Tennessee families have access for children, youth and young adults with mental, emotional, and behavioral health needs that is coordinated across systems, individualized to a family's unique needs, strengths, and culture, and where the families are the primary decision makers in the care of their children.

SOCAT has community-based teams serving all 95 counties in TN, ultimately ensuring a statewide infrastructure for systems of care. SOCAT is one way in which the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS), in partnership with the Tennessee Commission on Children and Youth (TCCY), ensure that Tennessee's most vulnerable children, youth, young adults and their families receive the services and supports that they need to be successful in life.

#### **vi. Trend data relevant to delinquency prevention programming**

There was an increase in total juvenile arrest from 2020 to 2021 for both male and female and a decrease in total arrest for both male and female in 2022. AAF and WM had more arrest for Simple Assault and Disorderly Conduct than AAM and WF. Total Motor Vehicle offenses had increased in 2020 but showed a continual decrease in both 2021 and 2022 with a higher rate for AAM and AAF. WM and WF had more cases of arrest for Drugs/Narcotics from 2020-2022 and Theft/Shoplifting was higher for WM and AAF for the same reporting period. Assault, Aggravated Assault, Simple Assault and Robbery all decreased from 2020-2022 and there was a higher rate of Robbery for both AAM and AAF. February 2023, a survey requesting input from



youth was sent to the Juvenile Detention facilities in Tennessee. Moving too fast, alcohol and being around the wrong people were the top responses that led to youth justice system involvement. Youth reported the need to be heard more instead of adults communicating directly with parents/guardians. Youth also reported needing help in school, taking the GED/HiSET exam and getting a job.

**b. Goals and Objectives** (The goals are derived from the crime analysis and are listed in order of priority)

PROGRAM AREA - CODE AND TITLE    Planning and Administration (P&A)

Goals: To maintain compliance with the core requirements of the JJRA. P&A includes travel costs to attend local and national OJJDP/CJJ conferences.

Objectives: Timely complete and submit Title II plan and fund local programs by October 1, 2023, in the areas of Delinquency Prevention, Substance and Alcohol Abuse, Systems Improvement and Racial and Ethnic Disparities (R/ED). Attend local and national conferences to discuss the importance of improving youth justice and delinquency prevention systems, practices, and policies.

PROGRAM AREA - CODE AND TITLE    State Advisory Group Allocations

Goals: Educate the SAG regarding youth justice issues and make final determinations on Title II Federal Formula grant applications. SAG will participate in the development of and review of the state's three-year plan prior to final submission to OJJDP. SAG members attend four quarterly meetings advising designated state agency as needed.

Objectives: The Grant Review Committee (GRC) is the subcommittee comprised of SAG members. The full SAG will provide the final determination on Title II Federal Formula grant applications in August 2023. SAG members will attend national OJJDP/CJJ and local conferences gaining a wealth of knowledge as it relates to the youth justice system.

PROGRAM AREA - CODE AND TITLE (W) Compliance Monitoring

Goals: Maintain compliance with the core requirements of the JJRA 2018

Objectives: Monitor 100% of adult jails and lockups, secure detention and secure correctional facilities. Maintain compliance with DSO and separation violations by October 2024.

Compliance data and plans will be submitted through the OJJDP's online compliance monitoring reporting tool. Youth Justice staff and regional coordinators monitor facilities to ensure TN remains in compliance with the core requirements of the JJRA.

PROGRAM AREA - CODE AND TITLE (C) Delinquency Prevention

Goals: Award Title II grant funds to programs for the purpose of intervention and prevention of juvenile delinquency

Objectives: Allocate Title II funds by October 1, 2023, and work to increase and support Delinquency Prevention and Intervention efforts statewide.

PROGRAM AREA - CODE AND TITLE Racial and Ethnic Disparities (R/ED)

Goals: To maintain compliance with the core requirements of the JJRA 2018.

Objectives: Allocate Title II grant funds by October 1, 2023, and work to address R/ED reduction activities. The R/ED plan will be submitted through the OJJDP's online compliance monitoring reporting tool.

PROGRAM AREA - CODE AND TITLE Juvenile Justice System Improvements

Goals: Award funds to programs addressing Juvenile Justice System Improvement efforts

Objectives: Allocate Title II funds by October 1, 2023, and work to support Juvenile Justice System Improvement efforts. Funds will be awarded to programs to create a behavior response system and/or a juvenile diversion program and procedures on a system wide basis.

PROGRAM AREA - CODE AND TITLE (K) Substance and Alcohol Abuse

Goals: Award Title II funds to programs addressing the use and abuse of alcohol and drugs.

Objectives: Allocate Title II funds by October 1, 2023, and work to support initiatives to reduce substance use and abuse. Funds will be awarded for prevention, intervention and treatment initiatives addressing the use and abuse of drugs and alcohol.

### **C. Implementation (Activities and Services) to attain goals and objectives**

#### Activities and Services Planned (P & A)

The youth justice staff has the responsibility to develop a youth crime analysis that guides the focus of the three-year plan, administer Title II formula grant funds, and monitor adult jails and lockups, secure detention, and secure correctional facilities for compliance with the JJRA 2018. Youth justice staff reviews grants and provide technical assistance as needed to the Grant Review Committee and attends local and national conferences.

#### Activities and Services Planned (SAG)

Title II funds provide opportunities for SAG members to attend conferences and quarterly TCCY commission meetings. SAG members stay abreast of youth justice issues. SAG members are afforded the opportunity to review and comment on all juvenile justice and delinquency prevention grant applications submitted to the TCCY.

#### Activities and Services Planned (Compliance Monitoring)

TCCY currently has 10 staff members responsible for compliance monitoring of adult jails and lockups, secure detention, and secure correctional facilities. TCCY staff provides technical assistance and updates on compliance monitoring issues.

#### Activities and Services Planned (Delinquency Prevention)

TCCY will fund statewide projects that intervene and prevent delinquency prevention. Projects include services for youth at risk of delinquent behavior or involved with the youth justice

system. TCCY staff monitor programs and provide technical assistance as needed to ensure compliance with contract requirements.

Activities and Services Planned (R/ED)

TCCY will request and evaluate juvenile court and law enforcement data and continue to support R/ED efforts, provide guidance, educate communities on R/ED issues, and implement evidence-based strategies to address racial and ethnic disparities.

Activities and Services Planned (Juvenile Justice System Improvement)

TCCY will fund projects and other initiatives to examine issues and improve practices on a system wide level as it relates to youth justice. Staff will also monitor programs and provide technical assistance as needed to ensure compliance with contract requirements.

Activities and Services Planned (Substance Abuse and Alcohol Abuse)

TCCY will fund prevention and treatment projects to address the use and abuse of illegal and other prescription and non-prescription drugs and alcohol. Staff will monitor programs and provide technical assistance as needed to ensure compliance with contract requirements.

- Describe how the state plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents; 34 U.S.C. § 11133(a).

Tennessee's state plan takes account of scientific knowledge with the Building Strong Brains (BSB) Tennessee statewide trainings to raise public knowledge about Adverse Childhood Experiences (ACEs) that disrupts the safe, stable, nurturing environments that children need to thrive. The BSB strategy transitioned to the Resilient Tennessee Collaborative: Building Strong Brains Tennessee. This expanded strategy moves into

the phase of building a more resilient Tennessee which includes individuals, families and communities while continuing support of the BSB legacy. The collaborative will provide opportunities to hear from state child-serving and other relevant departments, advocates, and leaders statewide. Resilient TN Collaborative is the statewide public education initiative focused on promoting culture change to emphasize Positive Childhood Experiences and prevent and mitigate ACEs. The initiative aims to increase the potential of all children in TN to achieve thriving through public awareness, sustainable funding, and policy change.

- Provide for an equitable distribution of the award funds within the state, including in rural areas; 34 U.S.C. § 11133(a)(6). Title II funds will be awarded to provide for an equitable distribution within the state. The TCCY grant application states geographical locations are considered when applications are reviewed and approved, including rural areas.
- Contain an analysis of gender specific services for the prevention and treatment of juvenile delinquency; 34 U.S.C. § 11133(a)(7)(B)(i).

Organizations providing gender specific service for the prevention and treatment of juvenile delinquency in Tennessee are Sisters with Aspiring Goals (SWAG), Girls Inc. from the YWCA, Girl Talk, Inc., Epic Girl Inc., Creative Girls Club, F.I.N.D. Design, Inc. and the Boys and Girls Club of Middle Tennessee SMART Girls curriculum. These gender-specific programs focus on prevention by supporting the healthy development and empowerment for girls. Girls on the Run, Heart and Sole, Backfield in Motion are all gender specific programs seeking to empower youth and instill confidence through physical activity and educational development. The YWCA's Game Changers program, Amend Together, Juvenile Intervention and Faith-based Follow-up (JIFF), Save Our Sons

and 100 Black Men of Middle Tennessee are seeking to reduce male youth involvement in the juvenile justice system by providing mentorship, interventions, and education on healthy relationships, domestic violence, intervention skills, and healthy masculinity. The Big Brother Big Sister organization provides gender matching mentorship.

- Contain a plan for providing gender-specific services for the prevention and treatment of juvenile delinquency; 34 U.S.C. § 11133(a)(7)(B)(ii). The TCCY grant applications are distributed statewide and include a statement that we will seek to fund gender-specific applicants for the prevention and treatment of juvenile delinquency although this is not a chosen program purpose area. TCCY currently funds three gender-specific programs (two for females and one for males) providing services for the prevention and treatment of juvenile delinquency.
- Contain a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; 34 U.S.C. § 11133(a)(7)(B)(iii). Every aspect of the Title II plan accommodates and considers the needs of rural communities and activities that service their needs for the prevention and treatment of juvenile delinquency. Applications are distributed statewide and rural programs are funded. TDMHSAS's System of Care Across Tennessee (SOCAT) program utilizes the System of Care values and principles while empowering Tennessee families to work with child-serving agencies as partners to guide their care. The SOCAT goal is to ensure children, youth, young adults and families receive services and supports that are community-based, family driven, youth guided and culturally and linguistically responsive. The SOCAT initiative has the capacity to serve all 96 counties in TN and offers care coordination services using a wraparound approach.

- Contain 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 come into contact with the juvenile justice system; 34 U.S.C. § 11133(a)(7)(B)(iv).

Title II funding is used to support state and local delinquency prevention and intervention efforts. Grants awarded address challenges in the areas of mental health, substance and alcohol use, early intervention, childhood trauma and adolescent development. Title II funding also provided afterschool and summer programming for males and females referred by juvenile court in Memphis/Shelby County. The University of TN Health Science Center was awarded Title II funds to collaborate with the Juvenile Courts Evaluation, Referral and Probation Unit on the Shelby County Youth Re-entry (SCYR) Program to reduce recidivism by youth under court supervision or those being released from detention. This program is designed for adjudicated minority youth transitioning back into the community. YMCA YCAP-Chattanooga after school program addresses the needs of youth, ages 10-14, referred by juvenile court, school administrators and teachers due to truancy, failing grades or multiple incidences of disruptive behaviors in the classroom. Oasis Center's REAL program provides culturally relevant programming for male youth of color, ages 12-17, equipping the youth to improve their personal behaviors and attitudes to avoid justice involvement and transition into a healthy adulthood. The Forever Loving Yourself (F.L.Y. Girl) evidenced-based project is based on the Sisters of Nia gender-responsive African-centered developmental framework that builds skills,

assets, competencies and enabling environments that promote personal healing and mental health for 100 black and brown girls leading to positive behaviors and overall well-being.

Metro Davidson County Juvenile Court in collaboration with the Metropolitan Nashville Public Schools (MNPS) and the Metropolitan Nashville Police Department (MNPD) operates the Metro Student Attendance Center (MSAC) primarily focusing on loitering during school hours, truancy, and educational neglect cases. TDMHSAS funds Juvenile Diversion Programs that strives to divert youth in juvenile courts from further penetration into the juvenile justice system using community-based services, rather than commitment to states custody, where treatment to community-based services better address the youths needs. The array of services to be provided can included care coordination, intensive family therapy, group therapy, peer support, substance abuse management, school based and community monitoring and resource linkage. The diversion programs work to strengthen partnerships between juvenile courts, mental health providers, child welfare, juvenile justice, education, youth, and guardians to coordinate in the diversion of youth.

- Contain a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs; 34 U.S.C. § 11133(a)(7)(B)(v).

DCS Office of Juvenile Justice, provides effective prevention and intervention services for high-risk youth and rehabilitation, treatment and training for delinquent youth while preserving and promoting community safety. DCS makes every effort to reduce the number of children housed in secure detention and has administrative policies and procedures in place for youth referrals and placement. DCS Administrative Policy and



Procedures 20.3 outlines procedures on how to administer the Computer Adaptive Testing-Mental Health (CAT-MH) assessment on custodial youth placed in a detention center or other temporary placement for the need of immediate mental health interventions. DCS utilizes a weekly tracking mechanism to address length of stay in detention and the need for residential placement for youth.

Several jurisdictions in Tennessee operate court ordered reviews for temporary placement where the juvenile court judge has weekly team meetings to review youth on the placement lists and discuss plans toward residential placement until the youth is removed from the list.

Based on a comprehensive review of Tennessee's juvenile justice system, the Juvenile Justice Reform Act of 2018 was created to bring needed reforms to strengthen families and communities. A section of the act is to reserve detention and out-of-home placement for youth who have committed serious crimes or pose a public safety risk and requires the use of a validated risk-and needs assessment in each case to identify the type and level of service needed for youth. Based on the assessments, an individual case plan is developed to determine the services and actions needed for rehabilitation

- Contain a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement; 34 U.S.C. § 11133(a)(7)(B)(vi).

DCS Administrative Policies and Procedures Chapter 31 provides guidelines for the implementation of the Child and Family Team (CFT) meetings. DCS utilizes the building, preparing, and maintaining CFT model to ensure that families and their support systems are engaged in the planning and decision-making process throughout their

relationship with DCS. Advanced planning to ensure the participation of families and the DCS Juvenile Justice Family Service Workers (JJ FSWs) is necessary. FSWs assess individual risk factors and needs, make and monitor service referrals, and make sure youth stay involved and accountable. Discharge planning begins at the beginning of a case to ensure the family's needs are met and appropriate services are in place. DCS ensures that consideration is given to strengthen families of delinquent and other youth and prevent juvenile delinquency.

- Contain a plan to use community-based services to respond to the needs of at-risk youth or youth who have contact with the youth justice system; 34 U.S.C. § 11133(a)(7)(B)(vii).

TCCY distributes solicitations to community based and private (non-profit) agencies, including governmental, educational, law enforcement, juvenile courts and other child serving/advocacy organizations. TCCY will continue to use Title II funding to enhance the work of community agencies responding to the needs of at-risk youth or youth in the youth justice system. TCCY currently funds after school and summer programs with focus on prevention and intervention services for at-risk youth and those referred by juvenile court. Tennessee Youth courts operate in 18 counties across the state in collaboration with Juvenile Court and the Metropolitan Nashville Public Schools. Youth are trained in court structure, etiquette, case preparation, witness questioning, and fair case outcome determination by members of their community, including the Juvenile Court Judge, Youth Court Team, attorneys, law students, and teachers.

- Contain a plan to promote evidence-based and trauma-informed programs and practices; 34 U.S.C. § 11133(a)(7)(B)(viii).

TCCY continues to support the hallmark and legacy of Building Strong Brains (BSB) Tennessee which is why the strategy has expanded and is now called Resilient Tennessee Collaborative: Building Strong Brains Tennessee. This statewide initiative broadens the BSB impact with all interested parties, community leaders, advocates and trainers. BSB goals were to impact public policy in Tennessee to support prevention of ACEs and to reduce community conditions that contribute to them, support innovative projects that offer fresh thinking and precise measurement of impact in addressing ACEs and toxic stress in children. TCCY regional coordinators continue to provide statewide networking and training opportunities to promote evidence-based and trauma-informed programs and practices. TCCY promotes evidence-based and trauma-informed programs and practices when awarding funds.

- Contain a plan that shall be implemented not later than December 21, 2020, to—
  - I. eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others.
  - II. eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless—
    - (a) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or
    - (b) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method; 34 U.S.C. § 11133(a)(7)(B)(ix).

Trainings have been provided to juvenile court staff on eliminating the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities during labor, delivery, and post-partum recovery and on eliminating the use of abdominal

restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless credible reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others. DCS license juvenile detention facilities and provides Chapter 0250-04-08, Minimum Standards for Juvenile Detention Centers, and Temporary Holding Resources. 0250-04-08-.11 addresses the current standards for seclusion and restraint. DCS staff and juvenile detention staff will continue to receive training upon initial employment and during annual in-service training pertaining to DCS Protocol: Best Practices in the Use of Restraints with Pregnant Girls. This protocol explains requirements on eliminating the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities during labor, delivery, and post-partum recovery and on eliminating the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless credible reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others.

- Provide for the coordination and maximum utilization of evidence-based and promising juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreations, health, and welfare programs) in the state; 34 U.S.C. § 11133(a)(8).
- TCCY provides for the coordination and maximum utilization of evidence-based juvenile delinquency programs operated by public and private agencies and organizations throughout the state. This occurs through quarterly presentations at SAG meetings as well as SAG members connections to various programs throughout the state.

- Provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy about record 34 U.S.C. § 11133(a)(18). The TCCY grant application has a confidentiality section explaining the importance of protecting the rights of recipients of services and assuring appropriate privacy.
- Provide that the designated State agency will (A) to the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically-based; (B) from time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary. 34 U.S.C. § 11133(a)(22).

TCCY has a statement in our grant application that we will fund programs and activities that are scientifically based research. TCCY will annually submit our plan to the Administrator along with programs, activities and services including our survey of State and local needs.

- Provide for the coordinated use of funds provided under the award with other Federal and State funds directed at juvenile delinquency prevention and intervention programs. Through our grant review process and awarding of grants TCCY provides for the coordinated use of funds provided under the award with other Federal and state funds directed at juvenile delinquency prevention and intervention programs.
- Describe policies, procedures, and training in effect, if any, for the staff of juvenile state correctional facilities to eliminate the use of dangerous practices, unreasonable restraints,

and unreasonable isolation, including by developing effective behavior management techniques; 34 U.S.C. § 11133(a)(29).

DCS Administrative Policies and Procedures 13.4 has been established and DCS staff and juvenile detention staff receive training upon initial employment and during annual in-service training pertaining to eliminating the use of dangerous practices, unreasonable restraints, and unreasonable isolation/seclusion, including effective behavior management techniques. Minimum Standards 0250-04-08-.11 pertains to seclusion, restraints and training of staff as it relates to both. DCS Administrative Policy and Procedure 18.17 addresses programs of behavior management to ensure individual programs are developed for youth and goals and objective targeted and the most appropriate treatment options are chosen.

The Tennessee General Assembly passed a law that began July 1, 2021 adding section 37-5-214 to the TCA which redefines seclusion as an involuntary segregation of a child from the rest of the residential population and states seclusion shall not be used for discipline, punishment, administrative convenience, retaliation, staffing shortages, or any reason other than a temporary response to behavior that threatens immediate harm to a youth or others. Several trainings to discuss eliminating the use of restraints, dangerous practices and unreasonable isolation.

- Describe: (A) The evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who (i) request a screening; (ii) show signs of needing a screening; or (iii) 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 need such treatment; 34 U.S.C. § 11133(a)(30).

The Juvenile Justice Reform Act of TN passed by the Tennessee General Assembly requires that a validated risk and needs assessment shall be used in all delinquent cases post disposition in making decisions and recommendations concerning treatment and programming and states that service plans for youth in juvenile court be consistent with previously administered risk and needs assessment. The Bureau of Justice Assistance (BJA) provided grant funds for the Justice and Mental Health Collaboration Program (JMHCP) which is operated by TDMHSAS and Administrative Office of the Courts (AOC). The program trains juvenile court staff, such as the courts' youth services officers (YSOs), to complete a screening based on the Child and Adolescent Needs and Strength inventory but with an emphasis on juvenile justice (JJ-CANS). The screening has been updated to the JJ-CANS 2.0 which is an evidence-based screening that assesses child and adolescent functioning in five areas: strengths, emotional and behavioral needs, risk behaviors, juvenile justice, and trauma experience.

TDMHSAS funds several programs with an emphasis on areas of Tennessee with limited community-based alternatives to out-of-home placements providing community-based care to youth involved with the juvenile justice system as part of the diversion program. These providers receive referrals from juvenile court judges, court staff, and the Department of Children's Services (DCS). Youth are provided with a range of services such as care coordination, intensive family therapy, group therapy, peer support,

medication management, substance abuse services, crisis planning, both school and community-based monitoring, and links to resources.

Describe how reentry planning by the state for juveniles will include—

(A) A written case plan based on an assessment of needs that includes—

(i) the pre-release and post-release plans for the juveniles;

(ii) the living arrangement to which the juveniles are to be discharged; and

(iii) any other plans developed for the juveniles based on an individualized assessment;

and (B) Review processes; 34 U.S.C. § 11133(a)(31).

DCS uses the Computer Adaptive Testing-Mental Health (CAT-MH) to assess custodial youth placed in a detention center or other temporary placement for the need of immediate mental health interventions. DCS utilizes a weekly tracking mechanism to address the need for residential placement for youth. Youth identified as having a need for mental health and substance abuse service are referred to available services by the FSWs. Based on the assessment tool utilized, an individual case plan is developed to determine the services and actions needed for rehabilitation and allows for input from the youth and pertinent family members and includes pre-release and post-release plans and living arrangements for youth upon discharge. FSWs are responsible for following up on referrals and track service implementation, identify needs and problems and modify services in a timely manner.

Tennessee's JJRA 2018 contains specific requirements regarding case planning. TCA 37-1-173 provides, "An individualized case plan shall be developed by the department or supervising authority for every child adjudicated for a delinquent or unruly offense.

The case plan shall be updated as appropriate and, in the case of a delinquent offense,



shall be informed by the results of a validated risk and needs assessment.” The statute goes on to provide, “For any child ordered to probation supervision pursuant to §37-1-131 or §37-1-132, the supervising authority shall develop and implement an individualized case plan in consultation with the child's parents or guardian, school, and other appropriate parties, and, for delinquent offenses, such plan shall be based upon the results of a validated risk and needs assessment conducted within seven (7) days of the court's disposition.” TCCY currently funds a Racial and Ethnic Disparities (RED) re-entry program operated by University of Tennessee Health Science Center. The Center for Youth Advocacy and Well-being collaborates with the Juvenile Courts Evaluation, Referral and Probation Unit on the Shelby County Youth Re-entry (SCYR) Program to reduce recidivism by youth under court supervision or those being released from detention. This program is designed for adjudicated minority youth transitioning back into the community. Assessments are conducted on youth being discharged from a state-run youth development center to determine what services are needed.

- Describe policies and procedures, if any, to—
  - (A) Screen for, identify, and document in records of the state the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and
  - (B) Divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable; 34 U.S.C. § 11133(a)(33).

Tennessee has consistently been ranked among the best in the nation for its approach to human trafficking, as a growing number of advocates- from non-profit organizations, direct service providers and law enforcement work collaboratively. TCA 38-6-114(e): This statute

provides the Tennessee Bureau of Investigation shall develop and deliver a course of instruction designed for various agencies and departments likely to encounter human trafficking and human trafficking victims during the course of delivering services. Those departments and agencies include the Council of juvenile and family court judges, including juvenile court administrators, juvenile court youth services officers, and juvenile court probation officers and the DCS.

The Tennessee Human Trafficking Services Coordination and Service Delivery Plan, a statewide plan for delivering services to survivors of human trafficking is still active.

Tennessee Bureau of Investigation (TBI) established a regional, single-point-of-contact (SPOC) system to ensure that quality services would be provided to human trafficking survivors across statewide. The SPOC receives human trafficking referrals and coordinate services to meet the needs of each individual survivor. TBI is responsible for documenting in records of the state the identification of victims of trafficking or those at risk of trafficking.

The Community Coalition Against Human Trafficking (CCAHT) powering Grow Free TN, Second Lift TN, AncoraTN (formerly End Slavery Tennessee), Restore Corps, EPIC Girl, Inc. Eyes Up Nashville and It Has to Stop TN are a few direct service programs and services that raise awareness, provide training, intervene and coordinate trauma informed aftercare services, including case management, safe shelter, food and clothing, transportation, therapeutic services and community resources. The JFam Foundation's Glitter Project is a grassroots learning initiative on Teen Trafficking, exploitation and rape that aims to highlight complex factors that make youth vulnerable to exploitation and promote strategies to prevent commercial sexual exploitation of youth.

- TN provides for the active consultation with and participation of units of local government providing opportunities for communication between agencies. TCCY advocates to improve the quality of life for children and families and provides support for child advocates. TCCY SAG is comprised of individuals representing units of local government and other organizations. TCCY staff participates on several boards designed to address and improve services for children and youth. Several child serving departments attend TCCY's quarterly SAG meetings presenting programs and services they provide and giving updates on services needed. The Department of Education, Department of Health, TDMHSAS and DCS are a few of the local units of government periodically working collaboratively with TCCY and regularly make presentations at our quarterly SAG meetings.
- TCCY gathers, analyzes, and reports information in the KIDS COUNT Data Book. KIDS COUNT, a project of the Annie E. Casey foundation, is an effort to provide state legislators, public officials and child advocates with reliable data, policy recommendations and tools needed to advance sound policies that benefit children and families. TCCY is the Tennessee KIDS COUNT affiliate, providing county-level data to the KIDS COUNT Data Center, promoting KIDS COUNT data publications, and annually publishing KIDS COUNT: The State of the Child in Tennessee. The State of the Child in Tennessee is an annual data book that tracks the status of children by analyzing state-and county level statistics indicators of child well-being using social educational, economic and health data. KIDS COUNT data is posted on the TCCY website.
- The Tennessee Commission on Children and Youth (TCCY) is the designated state agency responsible for the preparation and administration of the Title II Formula Grants

Plan. TCA Section 37-3-103 (a) (1) (C) provides that one of the duties of the Tennessee Commission on Children and Youth is “to implement the provisions of the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974, compiled in 42 U.S.C. § 5601 et seq., and distribute, consistent with the purpose of the commission as set forth by § 37-3-102(a), such funds as the general assembly shall direct.”

- TN has met State Advisory Group (SAG) requirements and the SAG meets quarterly to oversee and advise TCCY on statewide planning and coordination of activities.
- The SAG is afforded the opportunity of reviewing and commenting on the Three-Year Plan prior to submission. The state agency is responsible for implementing the Three-year plan and updates the SAG on priorities and activities. The Grant Review Committee (GRC) is a subcommittee of the SAG and the members review and score grant applications and makes recommendations to the full SAG that makes the final determinations.
- TCCY submits a copy of the Title II plan, including RED and Compliance Monitoring plans to the chief executive officer and legislature and posts the plans on the website.
- Federal funds will be awarded to provide for an equitable distribution within the state, including rural areas.
- TCCY will develop an adequate research, training and evaluation capacity within the state dedicated to providing high quality data, research and evaluation services to an array of entities including federal, state and local government.
- TCCY will work to establish procedures and systems for implementing 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 juvenile justice system.

- TCCY will work to establish policies and systems to ensure youth in the juvenile justice system are treated equitably based on gender, race, ethnicity, family income and disability.
- TCCY assures that any assistance provided under the Act will not cause the displacement of any current employed employee or impair collective bargaining relationships.
- TCCY provides for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds.
- TCCY will provide reasonable assurance that Federal funds made available under this part for any period will be used as to supplement, not supplant, state, local, tribal and other non-federal funds.
- TCCY will give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based.
- TCCY uses the VCO exception and complies with OJJDP requirements and follows the VCO checklist when reviewing detention records. A description of this process will be submitted in the Compliance Monitoring Tool.
- TCCY affirms that if the state received an amount that exceeds 105 percent of the federal award, all excess funds will be expended for programs as part of a comprehensive and coordinated community system of services.
- TCCY does not reserve funds to provide incentive grants to units of general local government that reduce the caseload of probation officers.

- TCA 37-1-153 establishes systems to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records relating to such juvenile are on file in the geographical area and are made known to such court.
- DCS established administrative procedures and systems to ensure juvenile offenders receive protections including a case plan and case plan review.
- TCCY will collaborate with the Department of Education in developing and implementing a plan to support adjudicated juveniles educational progress and ensures a smooth reentry into communities.
- TCCY 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.
- DCS established administrative procedures whereby 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, including a case plan and case plan review as defined in section 475 of such Act.