



OJJDP FACT SHEET

J. Robert Flores, Administrator

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OJJDP Formula Grants Program Overview

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The Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 (Public Law 107-273, 42 U.S.C. § 5601 *et seq.*) reauthorized the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to administer the Formula Grants program to support state and local delinquency prevention and intervention efforts and juvenile justice system improvements. Congress appropriates formula grant funds and OJJDP awards them to the 50 states, 5 territories, and the District of Columbia (hereafter referred to as “states”) on the basis of their proportionate population younger than age 18. At least two-thirds of the funds awarded to each state must be used for programs that local public and private agencies operate and eligible American Indian tribal programs. Eligible tribes must agree to attempt to comply with the JJDP Act core requirements. Indian tribe passthrough amounts are proportionate to the Indian population younger than age 18.

Eligibility

To be eligible to receive a formula grant, a state must designate one of its agencies to prepare and administer a comprehensive 3-year JJDP plan; establish a State Advisory Group (SAG) that the chief executive appoints to provide policy direction (or advise a broad-based supervisory board that has policy responsibility) and to participate in preparing and administering the Formula Grants program plan; and commit to achieve and maintain compliance with the following four core requirements:

- ◆ **Deinstitutionalization of status offenders (DSO).** A status offender (a juvenile who has committed an act that would not be a crime if an adult committed it) or nonoffender (such as a dependent or neglected child) cannot be held, with statutory exceptions, in secure juvenile detention or correctional facilities, nor can they be held in adult facilities for any length of time.
- ◆ **Separation of juveniles from adult offenders (separation).** Alleged and adjudicated delinquents cannot be detained or confined in a secure institution (such as a jail, lockup, or

secure correctional facility) in which they have sight or sound contact with adult offenders.

- ◆ **Adult jail and lockup removal (jail removal).** As a general rule, juveniles (individuals who may be subject to the original jurisdiction of a juvenile court based on age and offense limitations established by state law) cannot be securely detained or confined in adult jails and lockups.
- ◆ **Disproportionate minority contact (DMC).** States are required to address juvenile delinquency prevention and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.

If a state, despite its good faith efforts, in any year fails to demonstrate compliance with any of the four core requirements, its formula grant for the subsequent fiscal year is reduced by 20 percent for each requirement for which noncompliance occurs. Without a waiver from the OJJDP Administrator, states must agree to use 50 percent of their allocations for that fiscal year to achieve compliance. If a state is ineligible to receive a formula grant or chooses not to participate in the program, OJJDP will make its allotment, excluding the SAG allocation, available to local public and private nonprofit agencies in the state to carry out activities designed to bring the state into compliance with the core requirements.

Program Areas

States may use their formula grants to support programs related to delinquency prevention and reduction, juvenile justice system improvement, research, evaluation, statistical analysis, and training and technical assistance. Program areas include the following:

- ◆ Planning and administration, including state plan development, evaluation, and monitoring, using no more than 10 percent of its base annual award.



- ◆ SAG allocation (up to 5 percent of the minimum allocation each year).
- ◆ Family-oriented programs including community-based alternatives to incarceration and treatment for juvenile offenders who suffer child abuse or neglect and their families.
- ◆ Comprehensive JJDP programs involving multiagency collaboration.
- ◆ Educational programs to enable youth to remain in school or to be employable, programs to identify and assist delinquents with learning disabilities, and afterschool programs for at-risk youth.
- ◆ Expanded use of probation officers to ensure that offenders comply with probationary conditions and to prevent incarceration.
- ◆ Youth gang prevention and suppression programs.
- ◆ Alcohol and substance abuse prevention and treatment programs.
- ◆ Development of a system of graduated sanctions and use of risk assessment mechanisms to help juvenile justice personnel determine appropriate sanctions for delinquent behavior.
- ◆ Prevention and reduction of hate crimes that juveniles commit.
- ◆ Development of research, training, and evaluation capacity.
- ◆ Programs, research, or other activities designed to address the four JJDP Act core requirements.
- ◆ Enhancement or maintenance of states' ability to monitor jails, detention centers, and other facilities to ensure compliance with JJDP Act core requirements.

Award Process

All Formula Grants program applications are due 60 days after OJJDP officially notifies states of their annual allocation or by March 31 of the fiscal year for which the funds are allocated (whichever is later). Every 3 years, each state's application must include a comprehensive 3-year formula grants plan. States are

required to submit annual updates to reflect new trends and identified needs in their juvenile justice systems along with planned strategies and programs to address them. States generally issue requests for proposals that invite local governments, private non-profit agencies, and American Indian tribes to compete for funds to support programs that address the priority areas identified in state plans. To the extent possible, states give funding priority to evidence-based programs and activities that are likely to produce a positive impact. Local recipients' ability to demonstrate success in achieving the goals specified in their applications to the state agency will determine their eligibility for continued funding.

Regulations

Regulations for the Formula Grants program are undergoing Department of Justice review. Input from the field obtained through a focus group was incorporated in the proposed regulations, which will be published in the *Federal Register*. A 60-day comment period will follow. The state agencies that administer the Formula Grants program will be notified regarding final publication of the regulations. Regulations will be announced on the OJJDP Web site and in the bimonthly newsletter *OJJDP News @ a Glance*.

For Further Information

Contact information for juvenile justice specialists in state agencies that administer the Formula Grants program is available online at the OJJDP Web site (go to www.ojp.usdoj.gov/ojjdp, click on "State Contacts," and select a state).

Communities may contact their state juvenile justice specialists to learn how to access the formula grant funds awarded to states and to request OJJDP-sponsored training and technical assistance.

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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.