



**UNITED STATES VIRGIN ISLANDS
FEDERAL FISCAL YEAR 2024
THREE - YEAR PLAN PROGRAM NARRATIVE**

**TITLE II FORMULA GRANTS PROGRAM
JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT**

Submitted to the:

**US DEPARTMENT OF JUSTICE
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION**

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**THE UNITED STATES VIRGIN ISLANDS
JUVENILE JUSTICE STATE ADVISORY GROUP
LAW ENFORCEMENT PLANNING COMMISSION**



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FY 2024 FORMULA GRANTS PROGRAM JUSTGRANTS REGISTRATION

The Law Enforcement Planning Commission registered for solicitation of the OJJDP FY 2024 Title II Formula Grant program on July 19, 2024, through Grants.gov (tracking no. A-499858). The Application for Federal Assistance (SF-424) form was completed on July 19, 2024.

ASSURANCE AND CERTIFICATIONS

The Law Enforcement Planning Commission Office has reviewed and accepted the Assurances and Certifications Regarding Lobbying: Debarment, Suspension, and Other Responsible Matters; and the

Drug-Free Workplace Requirement” as outlined in the Office for Juvenile Justice and Delinquency Formula Grants Program Announcement.

2024 UNITED STATES VIRGIN ISLANDS THREE – YEAR PLAN

PROGRAM NARRATIVE

Introduction: Designated State Agency (DSA) and Its Role in the Development and Administration of the Three-Year Plan

34 U.S.C §11133(a)(1) and 34 U.S.C §11133(a)(2)

The Virgin Islands Code Title 3 Chapter 15 sect 216-5 establishes the Designated State Agency (DSA) and its responsibilities for supervising the preparation, implementation and administration of the 3-year plan with supervisory oversight from the Juvenile Justice State Advisory Group.

In accordance with the Universal Citation: V.I. Code tit. 3, § 261 (2019)

a)“ The United States Virgin Islands Law Enforcement Planning Commission (hereinafter in this section referred to as the “Commission”) is established as an agency of the Government of the United States Virgin Islands, within the Virgin Islands Police Department for budgetary purposes only, subject to the jurisdiction of the Governor, and is charged with and empowered to carry out the functions and responsibilities provided for under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351), the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93–415) and all acts amendatory of and supplementary thereto, which acts, and amendments and supplements are hereinafter referred to collectively as the “Act”.

b) The said Commission shall be composed as hereinafter provided:

a supervisory board (hereinafter the “Board”) comprised of the advisory group appointed by the Governor, which shall exercise supervisory responsibilities of the Commission only in conjunction with the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.”

[34 U.S.C §11133 \(a\)\(3\)\(A\)](#)

The State Advisory Group Board (SAG), known as the Virgin Islands Juvenile Justice State Advisory Board, has long played a role in the juvenile justice system in accordance with the Juvenile Justice and Delinquency Prevention Act (JJDP). The board was given the authority to help set programmatic goals, to help guide policy, and to assist with the awarding of Title II federal funds. In the US Virgin Islands, the lead agency is the Law Enforcement Planning Commission (LEPC). This state-level agency is designated to receive technical and financial assistance from OJJDP and to implement the JJDP and its requirements. The board chairperson works closely with the state’s juvenile justice specialist, a state employee who helps the SAG Board carry out its work.

[34 U.S.C §11133 \(a\)\(3\)\(A\)](#)

There are 19 members of the State Advisory Group who were appointed by the Governor of the US Virgin Islands. The membership has a diverse representation that includes law enforcement, juvenile justice judges, government agencies concerned with delinquency prevention, community-based organizations; departments of mental health, and education. The membership fulfills the mandates set forth by the JJDP Act. (See Attached Roster)

[34 U.S.C §11133 \(a\)\(3\)\(B\)/ 34 U.S.C §11133 \(a\)\(3\)\(C\)/ 34 U.S.C §11133 \(a\)\(3\)\(D -Diii\)](#)

The SAG board affirms that it was intimately involved in the development and review of the territory’s juvenile justice plan. The executive team consisting of the Chairperson, Vice-Chairperson, and Treasurer

met with the Juvenile Justice Specialist, Compliance Monitor, and R/E/D Coordinator a month prior to the solicitation to discuss the goals and objectives, plan how and from whom the data will be gathered; and to determine which members of the 3-year planning committee would be dealing with which sections. Once the solicitation came out, the members of the SAG Board convened and discussed any new changes based on the webinars provided by the OJJDP. Meetings were also held with key stakeholders and government agencies (Department of Human Services, Department of Education, the Juvenile Justice Courts/ judges) to discuss the data that would be needed to get input and feedback regarding the 3-year plan. There was a stakeholder meeting which the Governor of the Virgin Islands, key organizations and members of the SAG Board attended. The Governor along with many key organizations were able to state their concerns and visions for the territory with respect to data collection, mental health services, and other wrap around services needed for the territory with respect to juvenile offenders. This information allowed us to receive a global perspective on the Juvenile Justice system's current services; gaps in services; challenges and possible solutions. The plan was developed based on this information and reviewed by SAG board members prior to submission.

1) Description of the Issue: Description of Three (3) Year Planning Process

The 3-year planning process for 2024 solicitation started in January 2024 at which time the goals and visions for the SAG Board were re-visited. The new Chairperson for the USVI SAG Board requested Technical Assistance from our Federal Partners during which the 3-year plan was discussed with the general SAG Board membership. Once the solicitation was sent out, the work was divided up amongst various committee members and everyone's contribution was combined into a document and reviewed by Board members to ensure that this plan not only met OJJDP's requirements, but also that this was the direction that the USVI SAG board and the Designated agency wanted to go. The importance of utilizing

evidence-based programs and scientific research was encouraged, and the use of these methodologies in both our plan and the programs that are approved for funding were supported.

In accordance with each member made sure that what was being proposed was backed up by scientific evidence and programs with good design and proven track records in the field of juvenile justice and delinquency prevention. For projects and programs to be successful, collaboration is essential.

In accordance with **34 U.S.C. §11133(D)(i)**, the USVI SAG board meets with the Director of the state designated agency (Law Enforcement Planning Commission -LEPC) either in person or via ZOOM at least annually and as needed to advise on issues related to the Juvenile Justice system and how services are or are not being implemented. The Chair and Vice Chair will meet with the Executive Director of LEPC once various SAG board committee chairs have reported on the status of their particular area to the general SAG Board membership. There has been a recent change in leadership for both the SAG Board and LEPC. Both the Chairperson of the SAG board and The Executive Director of LEPC are new and are in the process of scheduling a meeting.

34 U.S.C. §11133(D)(ii)

The VI affirms that the SAG submits to the chief executive officer and the legislature at least every two years a report and recommendations regarding compliance with the core requirements. The SAG Board has in the past complied with this requirement by submitting a report that advises the USVI Governor and the USVI Legislature in accordance with Section 3 Virgin Islands Code 261 – 4 with respect to the findings and challenges within the juvenile justice systems. Information and suggestions have been provided that would be beneficial in creating communities that are safer and provide guidance, activities and preventative measures that would decrease the number of juvenile coming in contact with the juvenile justice system. There was a change in the leadership of the SAG Board at the beginning of the

year; therefore, the previous SAG Board Chairperson is in the process of compiling a report for last year's activities and recommendations, which will be submitted soon.

34 U.S.C. §11133(D)(iii)

Many of the SAG board members through their own organizations, work directly with juveniles have encountered the Juvenile Justice system. These members are afforded the opportunity to have heart to heart conversations about the challenges these youth face not only in navigating the system, but just in navigating the challenges adolescents face at home, school and in the community settings. This information is shared with the board without breaching confidentiality in an effort to determine ways to improve the system and strengthen our families and communities. Many of the SAG board members had an opportunity to sit in on one of these forums done in 2023 by the Department of Education, and the information presented was phenomenal. When the Compliance Monitoring team goes out to the various institutions, notably the Youth Rehabilitation Center, that is another opportunity to engage with youth and get input. There is a plan to partner with the University of the Virgin Islands and with the Department of Education when they plan their annual youth forums in order to be a part of the planning committee to be able to extract specific information. The SAG board leadership realizes that this is very important and will discuss with the membership other means of getting regular and pointed input from youth currently under the jurisdiction of the juvenile justice system.

34 U.S.C. §11133(E)(i)

The Children and Youth Task Force which had been previously under the Office of the Governor is now in the process of being re-vitalized as a separate entity because of the constant changes in leadership every year four to eight years, thereby having no consistency and stability. This is a task force that seeks to examine the issues and challenges that children and youth have in every aspect of life (physical,

mental, emotional, developmental, medically, nutritionally, educationally, etc). The new SAG board chairperson was once a member of that Task force when she was the Director of the USVI Maternal and Child Health (MCH), and the Children with Special Health Care Needs (CSHCN) Program. She has been invited to become a part of that Task Force and will be able to gather information about the state of the children in the territory as well as provide input on issues regarding the juvenile justice and delinquency prevention.

34 U.S.C. §11133(E)(ii)

In accordance with Section 3 VI Code, 261-5 every program funded with JJDP Act grant funds is required to report their progress and accomplishments by submitting a report to the State Agency (LEPC). These reports are to be reviewed by the Selection/ Awards Committee. There have been some challenges in the past with getting the reports and the Committee being able to report to the SAG Board membership. Nevertheless, the SAG Board leadership intends to create a better system of obtaining and reporting out, such that nothing falls through the cracks and everyone remains in compliance.

34 U.S.C. §11133(a)(4)

The Virgin Islands affirms that it provided for the active consultation with and participation of units of local government or combinations thereof in the development of the state plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the state from making grants to, or entering into contracts with, local private agencies or the advisory group. The SAG board worked diligently with our partners in the Department of Human Services, the VI Police Department, the Department of Education, the Department of Health and other community-based organization to get input, concerns and possible solutions. They had an opportunity to

discuss their gaps in services, their strengths, their needs and thoughts on how to move forward to make an impact on our youth and communities, particularly in the areas of prevention.

Analysis of Juvenile Delinquency Problems (Youth Crime) and Needs System Description:

Structure & Function of the Juvenile Justice System

The United States Virgin Islands Juvenile Justice System includes a diverse array of services and programming. To adequately address the complex needs of youth in the system, there must be a coordinated effort of the various state agencies, departments and stakeholders to achieve common goals and address the multiple complex issues associated with the juvenile justice system. Understanding of the structure and function of the system and providing an accurate analysis of current trends will not only provide the basic framework in developing appropriate solutions but will also ensure that resources are used efficiently; actions are aligned; and outcomes are effectively managed. Here's a detailed description of system:

In the Virgin Islands, juvenile cases are handled by the Family Division of the Superior Court for defendants under 18 at the time of the offense. However, juveniles may face adult criminal court since the enactment of Bill No. 20-0253 in 1994, which reduces the age to 14 under which a minor may be transferred to adult court and provides for mandatory transfers for first-time juvenile arrestees for certain crimes. There are two (2) Courts in the Virgin Islands, one of which serves St. Thomas/St. John district and the other that serves the St. Croix district.

If a youth is charged with an offense which would be a felony if committed by an adult, and the child was fourteen years of age or older at the time of the alleged offense, the Family Division of the Territorial Court, after a determination of probable cause, shall transfer the juvenile for proper criminal proceedings to a court of competent jurisdiction when: (1) the person has been twice adjudicated to be delinquent for the offenses which would constitute a felony if committed by an adult; or (2) the offense now charge is

an offense which would be a violent crime, as defined herein, if committed by an adult and the person has at least once been adjudicated to be a delinquent child for an offense which would constitute a felony if committed by an adult; or (3) the offense now charged is an offense which would be a felony if committed by an adult and the person has at least once been adjudicated to be a delinquent child for an offense which would be a violent crime, as defined herein, if committed by an adult; (4) the offense now charged is one of the following offenses, which would be a felony if committed by an adult: murder in the first degree or an attempt to do so; aggravated rape in the first degree or an attempt to do so; possession or use of a firearm in the commission of a crime of violence irrespective of whether the minor has been previously adjudicated to be a delinquent.

The Virgin Islands assures that all juveniles who receive services through any programs funded federally or through LEPC are protected in their privacy. This includes the dispensation of all services and records pertaining to such juveniles. The Juvenile Justice System provides four options once the juvenile is taken into custody or arrested by the Juvenile Unit of the Police Department.

Option 1 :

A juvenile whose offense is not severe enough to warrant filing formal charges to the

The Attorney General's Office remains under the jurisdiction of the Juvenile Bureau of the Virgin Islands Police Department. The youth and parent and/or guardian are counselled. Post counseling, the youth is released to the parent and/or guardian. Youths under the VIPD Juvenile Bureau are not held securely in police cells at any time. Once youths are released from the Juvenile Bureau, they may be referred to a diversion program for assistance in skills-building and attitudinal changes. Examples of these programs are VI Police Cadets Program, Grove Place Weed & Seed, and Estate Bovoni and Tutu Weed & Seed.

Option 2 :

Juveniles charged with a misdemeanor may be read their rights by a juvenile officer in the presence of a parent, guardian, and/or custodian and released in their custody. Depending on the offense or number of

contacts, the youth may be referred to the Department of Human Services, Division of Children, Youth, and Families for further professional counseling and support services. A misdemeanor may be processed through the juvenile justice system. After an interview and review of the charges, the juvenile may be classified as a Person in Need of Supervision (P.I.N.S.). Youths are not securely placed in any cell at the Juvenile Bureau.

Option 3

Alleged delinquents that have been formally charged are referred to the Superior Court, Family Division. The judge determines how the juvenile will be processed. In a case where a juvenile is advised of his/her rights by a judge, a social worker from the Department of Human Services must be present in court. If the judge does not find probable cause, the juvenile is released. If the judge finds probable cause, the accused juvenile is summoned to an adjudicatory hearing; at that time, all facts of the case are revealed and reviewed.

If the juvenile is found to have been involved in a criminal offense, the court will hold a disposition hearing. Based on the facts presented at the hearing and the juvenile's previous criminal and school records, he /she may be placed on probation or placed in the custody of the Department of Human Services for detention at the Youth Rehabilitation Center (YRC). The Judge may consider before sentencing a juvenile his/her previous criminal record and impose accountability sanctions based on the offense(s).

Option 4

Alleged delinquents may be transferred and bound over for trial as an adult in criminal court in accordance with provisions of Bill No. 20-0253 as enacted into law. The Department of Human Services is responsible for the administration of YRC, The Youth Rehabilitation Center, which is a maximum-security facility located on St. Croix. The capacity of the Youth Rehabilitation Center is 64. If a delinquent youth is transferred and bound over for trial, he/she is placed at the Golden Grove Correctional Facility located on St. Croix.

Rules issued by the Administrator:

The Virgin Islands State Advisory Board monitors all secure lockups in accordance with the rules issued by the Administrator and the JJDP Act of 2018 as amended. All facilities are mandated not to securely detain or confine any juveniles charged with or who have committed an offense that would not be criminal if committed by an adult (PINS, Runaway, Underage Drinking, Truancy, etc.). Said juveniles are not to be held in any facility where an adult inmate has sight and sound access to them. The juveniles are to be immediately transferred to the Juvenile Bureau. The Virgin Islands complies with all requirements related to the Four Core Requirements of the JJDP Act 2019 as amended. In cases where juveniles who are accused of non-status offenses are detained at any police lockups for processing or transferred to YRC, they are not held more than 6 hours, nor have access to any adult jail inmate. In most cases, the Juvenile Bureau is called immediately for processing and transfer.

In situations where severe life-threatening weather or any case in which safety is an issue time for appearance may be delayed up to 24 hours after.

a) Analysis of Youth Crime:

[34 U.S.C §11133 \(a\)\(7\)\(A\)](#)

According to the 2020 U.S. Census, the population of the USVI has had a significant decline of 18% since the last Census in 2010, from 106,405 residents in 2010 to an estimated 87,146 in 2020. Additionally, the 2020 Census reported that the number of children under the age of 18 years living in the USVI was 17,086, which translates to 19.6% of the overall population. This also represents a significant decline in the percentage of children reported in the 2010 Census (25% or one quarter of the total population. A breakdown of the percentage of children under 18 years across the three islands, results in: St. Croix (20%), St. Thomas (19%) and St. John (15%) of all residents. According to the 2020 Census, the

distribution of children (under age 18) categorized as Black, White, and “Other Races,” as well as the proportion of children of Hispanic origin (of any race), is as follows:

RACE	TOTAL NUMBER	PERCENTAGE OF USVI CHILD POPULATION
Black	11,492	67%
White	1,193	7%
Other	701	4%

- Among children of any race, 22% were Hispanic (3,700).

Because the USVI is a very cosmopolitan area that has individuals from all over the world residing here, especially individuals from many of the other Caribbean islands, the 2020 Census also captured additional details about family origins. This information is very relevant in determining if there are additional factors that play a role in risk factors for children having an encounter with the juvenile justice system. It also adds another dimension to the issue of racial and ethnic disparities in a predominately African American population.

The table below taken from the 2023 USVI KIDS COUNT data lists more detailed information on geographic areas of family origins in the USVI. Of the children identified as being of Caribbean (non-Hispanic) descent, the highest number had origins of USVI.

Ethnic Group	USVI Total	St Croix	St. John	St. Thomas
Antiguan and Barbudan	12	6	0	6
Haitian	468	7	13	448
Jamaican	16	5	0	11
St Lucian	17	9	0	8

US Virgin Islander	696	249	1	446
West Indian	87	7	3	77
Other Caribbean	515	61	20	434

The gender breakdown showed that of all the children in the USVI under the age of 18 years of age, 52% were male. Understanding the demographics allows for the integration of culturally sensitive and appropriate programs and policies to improve the overall well-being of our communities.

The Division of Intervention and Prevention Services (DIPS), falls under the VI Department of Human Services (DHS). This unit provides services to youth at risk of violating the law. The at-risk population is defined as youth with behavioral difficulties, Persons in Need of Supervision (PINS), adjudicated youth, and those minors remanded to the Youth Rehabilitation Center (YRC). Activities include investigations, recommendations to the courts, treatment, oversight of alternative sentencing programs, and pre and post-planning for youth remanded to YRC.

DHS also has oversight of the Anna’s Hope Group Home (AHGH) on St. Croix, which serves youth over 12 years old needing emergency placement, court ordered evaluations, and respite. Residents at AHGH continue attending school and participating in extracurricular activities whenever possible.

Youth Rehabilitation Center (YRC) located in St. Croix, VI is also under the oversight of DHS. It is the only secured facility in the territory where minors are detained for violating Virgin Islands laws. The facility provides incarceration for pre-trial and adjudicated delinquents as well as adolescents legally transferred to adult status for committing felonies. The facility is a 49 bed facility. It has 27 beds in the secured area and 22 beds in the new dormitory, which is less secure. The Annex dormitory serves as a less secure detention section and currently houses male status offenders, non-serious offenders, and some adjudicated and sentenced offenders.

YRC provides intake, social services, education, recreation, nutrition, health, mental health services, and all court-related and mandated services. Minors can be remanded from age 13 up to 19 years of age if the Court exercises judicial control.

At YRC, Correction Officers provide security at the facility while members of the Treatment Staff develop a program for the residents and make referrals to contracted therapists to provide psychological evaluations and counseling services. The Department of Education also provides instructional resources and staff to YRC minors through its “Youth on the Rise” educational component.

REPORTING PERIOD OF OCTOBER 2023 TO JUNE 2024:

From **FY October 2023 to June 2024**, the number of juveniles that received service from the DHS Division of Intervention and Prevention Services was 114 youths.

114 youths (68-St. Thomas/St. John | 46-St. Croix)

- PINS – 3 (2 – St. Thomas/St. John | 1 – St. Croix)
- Adjudicated Youth 79 – (48 – St. Thomas/St. John | 31 – St. Croix)
- At-Risk – 32 (18 – St. Thomas/St. John | 14 – St. Croix)

Juvenile Delinquency Profile: 114 (60% STT/ | 40% STX)

- Average age at the time of first Police Contact is 16.5 for males and 14.5 for females
- 32% were alcohol or drug users
- 58% were from single-parent households
- 96% were living at home at the time of the arrest
- 40% were very low income
- 46% were new to the Juvenile Justice System and 9% were repeat offenders
- 4% were school dropouts at the time of arrest or petition
- 8% were diagnosed as needing Special Education Services

- 2% were diagnosed with a mental illness
- 36% committed a violent offense.
- 24% committed crimes against property

The Youth Rehabilitation Center (YRC)

The youths placed at YRC have increased by 6 compared to FY 2023. Youths are also referred to alternative programs based on the crimes committed. Minors can be remanded from age 13 up to 19 years of age if the Court exercises judicial control.

YRC population	FY 2023	FY 2024
Total population	19	25
1st time admission	12	19
Avg Age of admission	17 yrs	14 yrs
Repeat Offenders	37%	52%
Violent Crime	42%	60%
Property crime	58%	44%
Contempt charge	26%	52%

Additional information for the reporting period of **October 2023 to June 2024,**

YRC provided services for 25 individuals: 19 males and 6 females, which is an increase from the 2022-2023 reporting year of 19 individuals (18 males and 1 female)

- 6 were school dropouts at the time of arrest
- 2 were diagnosed with mental illness
- 5 were in special education
- Family income – majority (76%) were from very low-income.
- Domestic violence in the home (16%);

- Abuse and neglect in the home (36%);
- Adult criminal activity in the home (12%);
- Resident of public housing (52%).

JUVENILE JUSTICE TRENDS from FY 2023 to FY 2024:

10 More cases were seen in FY 2024 compared to FY 2023. A 7% Increase

11% Increase in Repeat Offenders compare to FY 2023

28% Increase in those committing violent offenses compared to FY 2023

32% Increase in those committing crimes against property compared to FY 2023

26% Decrease in alcohol or drug users compared to FY 2023

19% Decrease in clients who were from single-parent households compared to FY 2023

The statistics from the DHS show that criminal activity is beginning at an earlier age (14 yrs. as opposed to 17 yrs of age); the crimes being committed are more serious – more violent crimes (e.g., homicide, rape, robbery, aggravated assault); there is an increase in repeat offenders; and there is a lack of regard/respect for authority as many have been placed in YRC for contempt of court.

Please see attachment #2, which gives a complete breakdown of the juvenile justice and YRC statistics by district.

ECONOMIC WELL-BEING AND ITS IMPACT ON CRIME:

When one evaluates the data from the 2023 USVI KIDS COUNT Data Book, it is alarming to see that in the face of a low overall unemployment rate and a robust job market with available employment opportunities for residents, according to the 2020 Census, 33% of USVI children were still living in poverty in 2020, as compared to the national rate of 17% of children living in poverty. “The USVI child poverty rate is even higher for children under age 5, with 37% living in poverty. Nearly one-quarter (22.8%

or 19,338 of the total 84,766 people in households who reported income) were categorized as living below the poverty level” (“The official federal poverty level in 2020 was \$26,246 for a family of two adults and two children”.)

Poverty has been shown to have a profound impact on children’s development (physically, cognitively, and mentally). Stress, anxiety, and depression are more common in children living in poverty than their peers who live in households with incomes above the poverty level. The developmental impact of the chronic stress of living in poverty on the brain can lead to long-term cognitive and emotional problems. (American Psychological Association. Exploring the mental health effects of poverty, hunger, and homelessness on children and teens. [https:// www.apa.org/topics/socioeconomic-status/poverty-hunger-homelessness-children](https://www.apa.org/topics/socioeconomic-status/poverty-hunger-homelessness-children).) The well-being of children living in poverty is also threatened by factors such as exposure to violence, abuse, neglect, malnutrition, environmental pollutants and toxins (such as lead). Furthermore, access to adequate, affordable and quality medical and mental health care services is a challenge for children living in poverty such that they don’t get the preventative treatments necessary to lead healthy and sometime productive lives. This can lead to economic inequality.

For the reporting period of October 2023-June 2024, 40% of the youth that were reported to have had an encounter with the Juvenile Justice System were in households that had very low income and were below the poverty level. 75% of the individuals who were admitted to the Youth Rehabilitation Center (YRC) were also noted to be in the very low-income bracket- below the poverty level.

EDUCATION AND ITS IMPACT ON CRIME

Educational institutions that invest in children by providing them with a solid educational learning experience; encouraging personal development; exposing them to various career opportunities; and

training them in leadership and good citizenship end up creating a thriving community. The promotion of policies, practices, and programs that create high-quality educational options, help communities to provide the services and supports needed by children to succeed in school and in life. When children are chronically absent; are disengaged; drop out or are not meeting the academic standards at their level, this opens the door to criminal activity. Among all public-school students in the USVI, 31% were chronically absent, an increase from the 22% of students who were chronically absent in SY 2021-22. ° The St. Croix District has a higher percentage of chronic absenteeism (36%) than the St. Thomas/St. John District (26%). Surprisingly, the highest percentage of chronic absenteeism is found at the elementary level, where 36% of elementary students versus 25% of high school students were chronically absent. Boys had a higher average number of absent days than girls for all grade levels except Pre-K.

In SY 2021-22, 185 students in grades 7th through 12th dropped out of the public school system, a significant increase from the 114 students who left the system in SY 2020-21. 11th grade students were the most likely to drop out. 17 years old was the most common age, followed by 18 years old. This was an increase for all districts, with the St. Thomas/St. John District has had higher dropout rates than the St. Croix District in each of the past four school years.

I) Project Goal and Objectives:

Research over the years has indicated that there are many factors related to delinquent behavior, and this behavior typically coexists with other problem behaviors. On the other hand, there are factors that protect or buffer them from the consequences of exposure to risks factors.

Risk factors that are usually associated with delinquency are found in four areas or domains within which youth interact: peer group, family, school, and community. “Protective factors (which either reduce the impact of a risk or change the way a person responds to it) fall into three basic categories: an individual's

innate characteristics, bonding (e.g., attachment and integration), and healthy beliefs and clear standards of behavior” (Hawkins and Catalano, 1992.)

OJJDP's Program has found that delinquency is progressive in nature and develops from less to more serious behavior (Huizinga, Loeber, and Thornberry, 1994). Of note, there is a co-occurrence of delinquent behavior with problem behaviors; therefore, the likelihood to use drugs, engage in sex, have reading problems, exhibit acting-out behaviors, and join gangs is the typical behavior for delinquents. These behavior patterns tend to weaken protective factors (e.g., attachment to parents and commitment to school. The complexity of delinquent behavior requires not only a deep understanding of its development but also a multi-pronged approach to combat it. A meta-analysis done by Lipsey (1992) of mostly community-based private provider programs found that effective programs: “(1) concentrate on changing behavior and improving prosocial skills, (2) focus on problem-solving with both juveniles and their families, (3) have multiple modes of intervention, and (4) are highly structured and intensive (Lipsey, 1992). Such programs are likely to be 10- to 20 percent more effective than less structured programs that emphasize individual counseling or general education. Lipsey also found that augmented forms of probation (e.g., intensive supervision and restitution) have positive effects.” The needs and risks of all juveniles, even those within the system, must be carefully and clearly identified and matched with the intervention services. Key Elements of Effective Programs

(ojp.gov<https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/jaibgbulletin/keyel.html>)

Not only have studies provided evidence that suggests a positive correlation existing between economic inequality and crime rates, but our data tends to support these findings. As income inequality increases, crime rates tend to rise. Reducing the crime rate is a serious job not only for law enforcers but also for the community. Although improvements in law enforcement and the justice system have been shown to be

significant in managing the crime rate, it is still not enough to combat the consequences of economic disparities. These interventions do not provide the motivation to change ways. It is only by addressing the income inequality that the will and intent to become productive and contributing members of society is attained. By putting resources not only towards improving wages, providing job security and availability, but also towards providing access to self-development programs, and creating family support services, communities will be able to eradicate the desperation that leads most income-deprived people to commit crimes. These types of interventions help individuals to aspire for a better way of life. When crime is not curbed, it destroys communities by devaluing properties, causing joblessness and job displacement, fostering fear and distrust, hence increasing greater economic disparities (<https://financesonline.com/how-income-inequality-affects-crime-rates/>)

Goals and Objectives

A) Program Area Code: CM **Title:** Compliance Monitoring **Standard Program Area:** 19

Program Problem Statement: The Virgin Islands juvenile justice system is experiencing an increase in the rate of status offenders being placed at the only Youth Rehabilitation Center (YRC) by juvenile judges. There are 4 facilities that care for juveniles in the Territory. YRC is the only secure detention facility located on St. Croix providing incarceration for females, pre-trial, and adjudicated delinquents.

Program Goal:

To maintain the Deinstitutionalization of Status Offenders at the Youth Rehabilitation Center (YRC) and the Girls Cottage in the territory.

Objective I:

To provide staff that will monitor the juvenile justice system consistently.

Activities:

- Mail out letters to all facilities in the Virgin Islands Universe.
- Inspect all new and existing facilities for compliance regularly.
- Collect data and information.
- Monitor all secure and non-secure facilities for compliance.
- Provide any technical assistance to facilities when needed.
- Submit a timely Compliance Monitoring Report to OJJDP by the deadline.

Output Measures:

- Formula Grant funds awarded for Compliance Monitoring.
- Number of programs implemented.
- Compliance with DSO.
- Number of monitoring visits conducted.

Outcome Measures:

- Number of monitoring site visits conducted.
- Number of facilities inspected.
- Submission of completed Annual Monitoring Report to OJJDP

Performance Indicators:

The number of compliance monitoring violations for fiscal years Oct. 1, 2023, to Sept. 30, 2024.

Summary of Activities and Services to be Provided:

In accordance with the United States Virgin Islands Compliance Manual, the Compliance Monitor will adhere to all of the activities and services listed above. Most of the funding to ensure compliance mandates are met, will go towards the compliance monitors salary. In year one, the Compliance Monitor’s salary will be paid utilizing Title II funds since the position was not budgeted for in the Virgin Islands Government 2024 – 2025 Appropriation to the State Agency. However, for years two and three, a request for 100%

funding of this position (compliance monitor) salary will be made to the local government and the Legislature to make Title II funding available for other compliance monitoring activities. The position, which will be contractual, will be paid at \$45,000.00 in year one. In years two and three, providing that the local government appropriates funding, the position will be as an employee at \$55,000 and receive fringe benefits. During Year One, the contractual person will be contracted by the State Advisory Group Board to perform the deliverables of the Compliance Monitor. Title II funds will cover travel-related expenses and materials to perform the duties.

Budget:

<u>JJDP Funds</u>	<u>State/Local/Private Funds</u>	<u>Match</u>
Year 1: \$45,000.00	\$0.00	-0-
Year 2: \$0.00	\$55,000.00	-0-
Year 3: \$0.00	\$55,000.00	-0-

B) State Program Designator: P & A

Title: Planning and Administration **Standard Program Area:** 28

Program Problem Statement:

The SAG Board and the Law Enforcement Planning Commission help to ensure that the Virgin Islands comply with the JJDP Act. The LEPC maintains a small staff and one individual who works as the federal JJDP grant manager, Compliance Monitor, Racial and ethnic disparities coordinator, and Juvenile Justice Specialist who provides information to the Governor to track juvenile perspective trends and successful programs that serve juveniles and families. A significant percentage of the JJDP funds are used to fund and oversee delinquency prevention projects, monitor the youth detention and adult correctional facilities, police lockups, and non-secure facilities, conduct on-site visits, submit reports to OJJDP, and

compile the annual report to the governor. The ability to effectively and efficiently comply with the JJDP Act as amended could be compromised if funds are not provided to ensure an adequate system of checks and balances.

Program Goal:

To improve the juvenile justice system by maintaining compliance with the core requirements and increasing the availability and types of prevention and intervention programs.

Objective 1:

Attend OJJDP national training/conference and any approved conference supporting juvenile justice yearly and receive technical assistance as needed.

Activities:

- Conduct planning activities and monitor facilities in the universe.
- Attend training and conferences related to juvenile justice.

Output Measures:

- Formula Grant funds awarded for P&A.
- Number of staff and Board members participating in workshops.
- Number of training hours.
- Number of sub-grants funded.

Outcome Measures:

- Number and percent of programs funded directly in line with the 3-year plan.
- Number of youths displaying positive attitudes
- Number of trained staff with increased knowledge
- Average time from submission of application to date of award

Performance Indicators:

- The number of national training attended by fiscal year.
- The number of technical assistance services provided to administrators and program officials.

Summary of Activities and Services Provided:

The staff person will attend the compliance monitoring training or national conferences offered by OJJDP and the Coalition of Juvenile Justice meetings to receive updated information on juvenile justice. The staff person will also receive technical assistance from OJJDP when required. Funds for airline tickets for facility inspections and programmatic site visits will be used.

Budget:

<u>JJDP Funds</u>	<u>State/Local/Private Funds</u>	<u>Match</u>
Year 1: \$5,500.00	\$0.00	-0-
Year 2: \$0.00	\$0.00	-0-
Year 3: \$0.00	\$0.00	-0-

C) Title: State Advisory Group Allocation, Standard Program Area: 32

Problem Statement:

The Juvenile Justice Act requires that all states and territories maintain a State Advisory Group to develop, review, and approve the juvenile justice plan and updates to reduce juvenile delinquency. Five percent of formula grant funds are allocated for the SAG functions, but no insular area grant funds are allocated for SAG functions. The funds are used primarily for board meetings, travel, supplies, and training expenses.

Program Goal:

The SAG will ensure that the Virgin Islands is in full compliance with the JJDP Act of 2018 as amended, they will oversee grant activities.

Objective I:

Participate in developing, reviewing, and approving the three-year plan, updates, and reports.

Objective II:

SAG will form subcommittees to conduct site visits, develop programs, and monitor programs and facilities within the monitoring universe.

Activities:

- The SAG will fund at least two (2) projects annually to address compliance monitoring and to assist the Territory in achieving full compliance.
- The SAG will research and analyze data from support agencies in developing, reviewing, and approving the Virgin Islands Juvenile Justice State Plan.

Output Measures:

- Number of SAG meetings held.
- Number of grant applications reviewed.
- Number of grants funded using evidence-based models.
- Completion of the V.I. State Plan.
- Number of subcommittee meetings held.

Outcome Measures:

- Number of SAG members participating.
- Achieving compliance with the JJDP Act.
- Number and percent of Plan recommendations implemented.

Performance Indicators:

The input and suggestions from the SAG members regarding purpose areas and funding percentages.

The number of projects funded for the fiscal year Oct. 1, 2024, to Sept. 30, 2026.

Summary of Activities and Services Provided:

The State Advisory Group will develop, review, and approve the three-year state plan and updates. Also, the SAG will review, comment on, and approve programs for funding all juvenile justice and delinquency prevention grant applications submitted to LEPC where funding is available. They will have 45 days to review and score each JJDP application. They will also review the progress and accomplishments through LEPC and site visits of any projects funded under the Title II Formula Grant Program. The SAG will also advise LEPC on all juvenile justice needs within the Territory. The SAG will perform site visits to speak with and receive information from the youths in the juvenile justice system. The SAG will submit recommendations regarding state compliance with the JJDP Act to the chief executive officer (Governor) and the legislature. Through the Department of Human Services, the SAG will seek input from juveniles currently in the system on their needs and ways of improving the system. The SAG will also provide input into the Governor’s annual report and hold a minimum of three meetings a year. Funds will be used to travel to SAG meetings and assist in site visits and DMC work.

Overall Budget

<u>JJDP Funds</u>	<u>State/Local/Private Funds</u>	<u>Match</u>
Year 1: \$3,750	\$0.00	-0-
Year 2: \$3,750	\$.00	-0-
Year 3: \$3,750	\$.00	-0-
Planning & Administration	\$5,500	
Program Activities and Sub-Awards	\$85,750	
SAG Board	\$3,750	
Total Budget OJJDP	\$95,000.00	

There are no matching funds required. (See attachment 3 for budget breakdown).
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The Virgin Islands focuses more on the Juvenile Justice and Delinquency Act when budgeting their 3-year plan funding. Funding amounts received are budgeted for our Compliance Monitor Administration of the program (7.5%), and the State Advisory Group (5%).

34 U.S.C. §11133 (a) (5)

The SAG Board has requested a waiver of the 66 2/3 funds for this provision; therefore, this is not applicable.

34 U.S.C. §11133 (a) (6)

The US Virgin Island assures that it will provide for an equitable distribution of the assistance received under section 222 [34 U.S.C. § 11132] within the state/territory, including in rural areas.

34 U.S.C. §11133(a)(7)(B)(i-iii)

The SAG Board understands that it is necessary to provide provision for gender-specific programming within the juvenile justice system to address the unique needs and experiences of girls, which differ significantly from those of boys. Developmental, relational, emotional, and mental health needs differ. The possibility of trauma and abuse is higher for females than males, such that safe space and trauma-informed care are necessities for healing and growth. Overall, the introduction of gender-specific programming strives to provide comprehensive support that helps girls develop into healthy, resilient adults while reducing their involvement in the juvenile justice system. Following the Valentine Foundation benchmarks of (1990) will be critical to promoting healing and resilience.

[\(Chapter 2: What Does Gender-Specific Programming Look Like In Practice? \(ojp.gov\)\)](#)

https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/principles/ch2_6.html). It is the intention of the SAG board to work with the DHS to help implement an actual program that is gender-specific after

discussing the need for these types of programs and initiatives and following the guidelines stated above from the Valentine Foundation and any other evidenced-based programs that have proven to be effective in meeting gender-specific needs.

34 U.S.C.§11133(a)(7)(B)(iii)

During year one of the Three Year Plan a series of meetings will be convened by the SAG Board and the Department of Human Services to ensure that services are provided for the prevention and treatment of juvenile delinquency in rural areas.

34 U.S.C.§11133(a)(7)(B)(iv)

The Department of Human Services (DHS) Intervention and Prevention unit utilize less restrictive environments after an assessment of the individual's needs are done. DHS provides services that help to support juveniles and their families stay out of the juvenile justice system. Services that are not directly provided by DHS are referred to community-based centers, or the Health Care systems where issues revolving about mental health and substance abuse are dealt with. The SAG board will continue to work with DHS and other community-based programs and providers to seek alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate.

U.S.C.§11133(a)(7)(B)(v)

The USVI does not have a residential treatment facility, hence those juveniles that need to be housed in this type of facility will have to be placed in an off-island facility. This process can be lengthy because of all the arrangements and various agencies that have to be involved to make this placement possible. In view of that, the juvenile can be housed at the Youth Rehabilitation Center (YRC) while DHS is in the

process of making the arrangement. Currently, the juvenile detention population is relatively small and hence, this is currently not a challenge for the USVI at this time.

34 U.S.C.§11133(a)(7)(B)(vi)

Engaging families in the process of designing and delivering juvenile delinquency prevention and treatment services is essential for effective rehabilitation and reintegration. Collaboration with family members by providing support systems; counseling services; training (parent skills); assisting in the areas of medical and nutritional support are valuable services that the Department of Human services provide for families pre- and post-placement. Dealing with these issues are crucial to creating a better home environment. On another note, one of the best ways to build a safer community is to know your neighbors and your surroundings. The SAG board has for the past 3 years hosted National Night Out events throughout the territory.

34 U.S.C.§11133(a)(7)(B)(vii)

Community Organizations and Nonprofits within the USVI often provide additional support to the juvenile justice system with various programs, such as mentorship programs, job training, and recreational activities. Partnering with them has offered positive alternatives and support for juveniles. Many of these programs include evidence -based programs such as, Strengthening Families; positive youth development models; trauma-informed care; restorative justice practice, and nationally certified vocational training to name a few.

34 U.S.C.§11133(a)(7)(B)(viii)

Many of the community-based organizations and governmental agencies have already started implementing evidence- based and trauma-informed care within their programs. Evidence -based

programs such as, Strengthening Families; positive youth development models; trauma-informed care; restorative justice practice, and nationally certified vocational training are programs and practices already being utilized to name a few. The SAG board through its Training and Conference Committee is committed to ensuring that our partners and SAG board membership have access to continued training on various evidence-based models; assessment tools and the proper way to implement many of these programs to enhance protective factors.

34 U.S.C.§11133(a)(7)(B)(ix)(I)

The United States Virgin Islands affirms that a plan is in place to 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.

34 U.S.C.§11133(a)(7)(B)(ix)(II)

The Virgin Islands affirms that it has eliminated the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles unless— (1) credible, reasonable grounds exist to believe the detainee presents an immediate and severe threat of hurting herself, staff, or others; or (2) 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(8)(a)

The state will support and promote evidence-based and trauma-informed prevention services for youth and families by identifying statewide needs for appropriate prevention programs and strategies and promote findings to the public. This will be achieved by a) reviewing available data to determine needs

and service gaps and b) studying promising strengths that utilize scientific knowledge regarding adolescent development and behaviors. This information will be shared with stakeholders and the general public. In addition, formula grant funds will be used to support evidence-based prevention services in rural, urban and tribal communities. The Department of Human Services utilizes the Strengthening Family evidence-based program in the Family Therapy sessions; Positive Youth Development framework has been incorporated in the “Choice Basketball” program which was just approved for funding. The program provides an enabling environment that develops and supports the assets of the youth while providing positive role models (all the coaches are educators with college degrees); provides a social and emotional environment that allows for the development of relationships with their peers and coaches; provide educational support through tutoring services and family oriented activities. The other program that partners with other agencies within the community and that also incorporates Positive Youth Development concepts is “Elevate Wi”. It is a program that provides a safe space for youth to express themselves in a positive way through music.

34 U.S.C.§11133(a)(9)(A)-(W)

The Virgin Islands assures that not less than 75% of the total Title II funds provided to the state/territory, less the amount set aside for the SAG, shall be used through grants or contracts with priority in funding given to entities meeting the criteria for evidence-based or promising programs detailed through (A)-(W) (“Program Areas”). The Title II Program’s grant budget and budget narrative documents provide the amount set aside for each program area.

34 U.S.C.§11133(a)(10)

The SAG receives data from the Virgin Islands Police Department, the Department of Human Services, the Bureau of Corrections, the Superior Court of the VI, and local NGO’s. It is our intention to modernize

our data collection approach by applying for technical assistance and seeking federal funds to implement an acceptable data collection system. One area that the State Group will place more emphasis on and put resources into would be research. Establishing pilot projects and collecting data for the specific purpose of analyzing it and then publishing the findings will enable us to take a scientific approach to examining our social issues, and that will result in programs that are strategic and finely focused on problem-solving.

Formula Grants Program Staff

Currently there are no staff persons paid through the JJDP grant program. However, in year one of the three-year plan, Title II funds will pay for the compliance monitor. The Grants Manager, Compliance Monitor, Juvenile Justice Specialist, and Racial, Ethnic, and Disparities Coordinator positions have been done by one staff. This practice cannot continue as it does not allow for checks and balances. Through the SAG Board, to the Chief Executor, the Legislature and the State Agency, a request will be made for funding to be support these positions within years two and three through local funds. Other staff members continue to have responsibilities for specific aspects of the program, where minimal support and supervision are provided. The benefits of a team approach in grants management are realized by sharing responsibilities, knowledge, and the assistance of others.

34 U.S.C §11133 (11)(A):

The United States Virgin Islands complies with the requirement for the deinstitutionalization of status offenders. This information is outlined in the Virgin Islands Compliance Manual which can be found in the compliance tool.

34 U.S.C §11133 (11)(B):

The United States Virgin Islands affirms that it complies with the interest of justice requirement regarding juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court.

34 U.S.C §11133 (12):

The United States Virgin Islands affirms that it complies with the sight and sound core requirements:

- A. Provide that juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have contact with adult inmates; and
- B. In the Virgin Islands, a policy requires individuals who work with both juveniles and adult inmates, including in collocated facilities, to have been trained and certified to work with juveniles.

(34 U.S.C §11133 (13):

The United States Virgin Islands affirms that the Virgin Islands provides that no juvenile will be detained or confined in any jail or lockup for adults except when the following occurs:

- (A) Juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours
 - 1. Or processing or release
 - 2. While awaiting transfer to a juvenile facility or
 - 3. In which period do such juveniles make a court appearance?

And only if such juveniles do not have sight or sound contact with adult inmates and only if there is in effect in the Virgin Islands a policy that requires individuals who work with both such juveniles and adult inmates in collocated facilities have been trained and certified to work with juveniles.

(B) Juveniles who are accused of a nonstatus offense, who are awaiting an initial court appearance that will be within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup

In which-

1. Such juveniles do not have sight or sound contact with adult inmates, and
2. There is in effect in the Virgin Islands a policy that requires individuals who work with both trained and certified to work with juveniles and

That-

1. Is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptance alternative placement available.
2. Is located where conditions of distance to be traveled or the lack of highway, road, or transportation does not allow for a court appearance within 48 hours (excluding Saturdays, Sundays, and legal holidays) s that a brief (not to exceed and additional 48 hours) delay is excusable; or
3. It is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after such conditions allow for reasonable safe travel.

34 U.S.C §11133 (14)

The United States Virgin Islands provides for an effective system of monitoring jails, lock-ups, detention facilities, and correctional facilities to ensure that the core requirements are met and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of State legislation which complies with the other provision of this paragraph, which complies with requirements (11) and (12), and which is enacted legislation which conforms to such requirements and which contains sufficient enforcement mechanisms to ensure that such legislation will be administered effectively.

34 U.S.C §11133 (15)

The United States Virgin Islands affirms that the Virgin Islands implements policy, practice, and system improvement strategies at the State levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system without establishing or requiring numerical standards or quotas, by:

- A. Establishing or designating existing coordinating bodies composed of juvenile justice stakeholders (including representatives of the educational system) at the State level to advise efforts by States, units of local government, and Indian Tribes to reduce racial and ethnic disparities.
- B. Identifying and analyzing data on race and ethnicity at decision points in State, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system and
- C. Developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes based on the needs identified in the data collection and analysis under subparagraph (B).

34 U.S.C. §11133(16)

The USVI assures that data for this 3- year plan was provided through the a gender, race, ethnicity, family income and disability lens whenever available to address equitable treatment within the juvenile justice.

34 U.S.C.§11133(a)(17)

The USVI community believes in the saying that: it takes a village to raise children, and to that effect, the USVI, in order to strengthen the family core of delinquent youth will involve extended family members particularly grandparent, who have traditionally been the foundation and core of families, as long as the rights and confidentiality of the juvenile are maintained. It is the practice of DHS to provide counselling and additional social services (nutritional and medical support)to juvenile family members in need.

34 U.S.C.§11133(a)(18)

The USVI agencies including DHS and the SAG board view the rights and privacy of individuals with high regards. Agencies require employees/ members to sign a confidentiality form which has serious consequences if breached.

34 U.S.C.§11133(a)(19)

The USVI affirms that, (A) 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; (B) Activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and (C) 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.

34 U.S.C.§11133(a)(20)

The USVI affirms that it meets the requirement to “provide such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under the Title II Formula Grants Program”. The “financial management and internal controls questionnaire” was submitted in JustGrants.

34 U.S.C.§11133(a)(21)

USVI affirms that it complies with the requirement to provide reasonable assurance that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, tribal, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such state, local, tribal, and other non-Federal funds.

34 U.S.C.§11133(a)(22)(A) and 34 U.S.C.§11133(a)(22)(B)

The USVI SAG Board understands the importance of evidence-based programs in effectively making changes within the community; therefore, to that extent, we affirm that we will give priority in funding to programs and activities that are striving to make a difference in the community through the use of scientifically based, systematic initiatives. These are initiatives that have been proven to work and create the outcomes that are desired.

Furthermore, the USVI affirms that, from time to time, but not less than annually, the state/territory will review its plan and submit to the Governor of the VI and the Legislature 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/Territory and local needs, that it considers necessary.

34 U.S.C.§11133(a)(22)(C)

The United States Virgin Islands assures that it will not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency.

34 U.S.C.§11133(a)(23)

The Department of Human Services is immediately notified whenever a status offender is held in custody for violating a valid court order issued for committing a status offense. DHS staff makes every attempt to interview the status offender in person within 24 – 48 hours.

The Department of Human Services and the Family Court have been informed that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph may not remain in custody for more than 7 days or the length of time authorized by the court, whichever is shorter. Within the next three years, the SAG Board will ensure that this policy is understood, placed in writing, and enforced.

34 U.S.C.§11133(a)(24)

The USVI affirms that if the state receives an amount that exceeds 105 percent of the amount received under this section in FY 2000, all such excess would be expended through or for programs as part of a comprehensive and coordinated community system of services.

34 U.S.C.§11133(a)(25)

Not applicable. No funds are being set aside for this purpose.

34 U.S.C.§11133(a)(26)

The USVI affirms that, to the maximum extent practicable, a system will be 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. The SAG board will work with the Child Welfare Department and the Court to create a written plan that outlines the current process within year 1 of the 3-year plan.

34 U.S.C.§11133(a)(27)

USVI affirms that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) will receive the protections specified in section 471 of such Act (42 U.S.C. 671). A written case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675) will be done within year 1 of the 3-year plan.

34 U.S.C.§11133(a)(28)

The USVI affirms that it will provide for the coordinated use of funds provided under this title with other Federal and State/Territory funds directed at juvenile delinquency prevention and intervention programs.

34 U.S.C.§11133(a)(29)

All persons in correctional facilities that has direct custody over juveniles are required to attend and successfully complete the required training administered by the Virgin Islands Police Department prior to being hire. They are required by personnel rules and regulations and employee contract to attend refresher courses and participate in additional training. The SAG Board also provided additional training through in person conference and webinars. These trainings also include the proper use of

restraint which addresses the elimination and of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques.

34 U.S.C.§11133(a)(30)

The United States Virgin Islands affirms that:

- 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/Territory 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.

The DHS typically takes juveniles that are in the system to the mental health clinics provided by the VI Department of Health and private contractors for evaluations, where assessments are performed by competent clinicians who utilize various screening tools to define and administer care.

34 U.S.C.§11133(a)(31)

The system in place to process intervention action by Department of Human Services is not memorialized in digital form. However, there are members on the board that informed the SAG board of how the system works and their functions in handling juveniles and their behavior. Their behavior is governed by the federal and local statutes.

- 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

34 U.S.C.§11133(a)(32)

Within the 1st year of the Three-Year Plan, the SAG Board will convene a series of sessions with the Department of Human Services to develop the policies and procedures in written form to direct how juveniles are handled through the department of human services.

34 U.S.C.§11133(a)(33)

There are policies and procedures in place within individual agencies that address the policies and procedures for documenting cases of victims of domestic human trafficking or those at risk of such trafficking. However, within the first year of the three-year plan it will be the responsibility of the SAG Board though technical assistance from OJJDP to develop interagency collaboration to ensure that the formulation of protocol, polices and procedures that would span the gamut of Juvenile Justice and Delinquency.

The Virgin Islands received an extension on the compliance monitoring data.

The following positions are responsible for the administration of the JJDP funds.

<u>POSITIONS</u>	<u>NAMES</u>	<u>% OF TIME</u>
Compliance Monitor, Source:		100%
Source: Title II Funds		

Juvenile Justice Specialist		75%
Source: General Fund		
Racial and Ethnic		20%
Disparities Coordinator		
Grants Manager		100%
General Fund		
Financial Specialist Source:	Avril Charles	10%
General Fund		
Director		5%
Source: General Fund		

The Law Enforcement Planning Commission administers other grant funds such as:

- Victims of Crime Assistant Grant
- Violence Against Women Grant
- Enforcing Underage Drinking Block Grant
- Juvenile Accountability Block Grant
- Edward Byrne Memorial Justice Assistance Grant
- Residential Substance Abuse Treatment Grant
- Criminal History Improvement Program
- Statistical Analysis Center Grant
- Criminal History Improvement Program

Collecting and Sharing Juvenile Justice Information:

LEPC gathers information from police lockups, the Youth Rehabilitation Center, and other non-secure facilities regarding the JJDP Act. These agencies have partnered with LEPC to provide statistics on all aspects of youths who have been arrested, incarcerated, and within the system. The Virgin Islands have not encountered any barriers with any of our partnered agencies. All agencies are aware of the JJDP Act as amended and its importance and have gladly provided any information or statistics requested.

Currently, the Virgin Islands collects information from many entities within the juvenile justice system. LEPC will fund the position of a Statistical Director who will be tasked with researching and evaluating statistical information within the Territory through our Statistical Analysis Center.

LEPC gathers information from police lockups, the Youth Rehabilitation Center, and other non-secure facilities as it relates to the JJDP Act of 2002. These agencies have partnered with LEPC in providing statistics on all aspects of youths who have been arrested, those who are incarcerated, and those who have been within the system. The Virgin Islands have not encountered any barriers with any of our partnered agencies. All agencies are aware of the JJDP Act of 2002 and its importance and have gladly provided any information or statistics requested.

Currently, the Virgin Islands collects information from many entities within the juvenile justice system. LEPC will fund the position of a Statistical Director who will be tasked with researching and evaluating statistical information within the Territory through our Statistical Analysis Center.

Assurances

LEPC shall, to the extent practicable, give priority funding to evidence-based prevention programs and activities. Further, under Section 223(a)(21)(C) of the JJDP Act, LEPC shall not continue to fund a program if the sub-grantee who implemented a JJDP program during the preceding 2-year period fails to demonstrate that the program achieved substantial success in meeting the goals specified in the original grant application.

LEPC will issue and advertise the Request for Proposals in the media and through the internet and in newspapers. After LEPC receives the applications, staff will review proposals, and recommendations on funding will be forwarded electronically to the State Advisory Group for review and decision with discretion to programs that do not demonstrate substantial success in meeting goals. After the Board's review and decision, the approved programs will be forwarded to the Director of LEPC for final approval. After the awards are completed, a start-up meeting will be scheduled to begin the grant and sign award documents that include the special conditions. Furthermore, during the startup, Civil Rights compliance training will take place. This training includes complaint procedures and a review of LEPC policies governing Civil Rights laws, statutes, and regulations. Technical assistance will be rendered on an ongoing basis. LEPC will collect and analyze sub-grantee data through site visits and report on the DCTAT system regarding the performance measures. The information for the DCTAT report will also be sent to the sub-grantee for their completion and return to LEPC. Further, LEPC will ensure that sub-grant program reports are submitted after the awards are completed on the GMS on time.

LEPC assures 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.

LEPC assures that activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement. LEPC assures no such activities that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.

LEPC assures that federal funds made available under the Title II Formula Grant program will supplement and increase (but not supplant) the level of state, local, and other non-federal funds that would, in the absence of such federal funds, be made available for the programs described in the three-year plan and will in no event replace such state, local, and other non-federal funds.

LEPC assures that if the Virgin Islands receives under section 222 [42 USC § 5632] for any fiscal year an amount that exceeds 105 percent of the amount the state received under such section for the fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services.

LEPC assures that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that is on file in the geographical area under the jurisdiction of such court will be made known to such court.

LEPC assures that there are policies and systems to incorporate relevant child protective services records into juvenile justice records to establish and implement treatment plans for juvenile offenders. This is through the Department of Human Services.

LEPC assures 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).