

State Compliance of 33 Requirements in JJDP Act
Compliance With the JJDP Act Formula Grants Program State Plan Requirements [34
U.S.C. § 11133(a), Section 223(a)]

****NOTE:**

- **BLUE TEXT** is TERRITORY'S (Saipan, Northern Mariana Islands) response to each requirement.
- Responses to each requirement were completed by CNMI's DSA (Criminal Justice Planning Agency) staff:
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(1) Provide a statement that the applicant for these funds is designated as the sole agency (Designated State Agency or DSA) for supervising the preparation and administration of the plan.

- Pursuant to [CNMI Executive Order No. 2010-07](#), the Criminal Justice Planning Agency (CJPA) is the designated state agency to administer Juvenile Justice and Delinquency Prevention Act grants, and is required to monitor compliance with the Core Protection Requirements of the Juvenile Justice and Delinquency Prevention Act.

(2) Provide evidence that the DSA has or will have authority, by legislation, if necessary, to implement such a plan in conformity with this part.

- Under [CNMI Executive Order No. 2010-07](#) CJPA's authority to implement such a plan is not specifically stated. CJPA is coordinating with its Executive Office (CNMI Office of the Governor) to revise the executive order to add a provision that CJPA (CNMI's DSA) will [have the authority to implement such a plan](#).

(3) A) Provide evidence that the SAG is in compliance with JJRA mandates regarding State Advisory Group composition and responsibilities.

- The most recent CNMI SAG roster is attached here [\[CNMI FY 21 SAG Roster\]](#).
 Contact with SAG members listed on the most recent roster (2021) has been difficult. A majority of members have been unreachable (phone, emails, etc. are not correct). CJPA continues attempts to reach out to the SAG members as listed but believes it is best to review and revise membership requirements to reflect current requirements per the JJRA and seek new members. CJPA will then work with CNMI's Appointing Authority to reestablish the SAG, filling vacancies for those members we have been

unable to contact or who are reluctant to remain as a SAG member. All new appointments will be in compliance with membership requirements as stated in **Section 223(a)(3)(A0-(B)(v).**

B) Provide a statement affirming that the SAG participated in the development and review of the state/territory's juvenile justice plan prior to submission [to the supervisory board for final action].

- As mentioned in our response to (3)A, our SAG membership is largely unreachable and appears to have been inactive for an extended period.
- Completion of the three-year plan was primarily done by CIPA's Program Manager for OJJDP Funding (JJ Specialist) and Grants Financial Analyst by reaching out to other government/non-government agencies for information and assistance with three year plan content.
- When the SAG membership has been reconstructed [per (3)(A) above], the plan is to bring the current three-year plan to their attention for review and discussion. Necessary changes will be made following that process and submitted to OJJDP.
- CIPA will also develop an annual schedule of SAG meetings which will include meetings for SAG participation in future three year plan development and annual reviews.

(3) C) Provide a statement affirming that the SAG was afforded an opportunity to and comment, not later than 45 days after submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the state agency designated under paragraph (1)".

- Pursuant to the bylaws [PG. 1], CNMI's SAG reviews and comments on all subgrantee applications but there is no specific set number of days mentioned as to when the SAG is afforded an opportunity to comment and review grant applications. CIPA will work with newly appointed SAG to review their Bylaws and add the 45 day requirement for SAG review and comment of Title II applications submitted to the DSA.

(3) (D) (i) Provide a statement affirming the state/territory's designated state agency has met the requirement that the SAG advises the state/territory agency designated under

paragraph (1) and its supervisory board.

- CNMI's SAG, pursuant to its bylaws [PG. 1] does advise the designated agency (CJPA) on all issues relating to the improvement of the juvenile justice system and its services to youth in the CNMI.

(3) (D) (ii) Provide a statement affirming that the SAG has and/or will “submit to the chief executive officer and the legislature of the state/territory at least every two years a report and including necessary recommendations regarding state compliance with the core requirements”.

- CNMI's SAG, pursuant to its bylaws [PG. 2], “advises the Governor and the Legislature of the CNMI on issues of concern to juvenile justice and delinquency prevention but requiring the SAG to submit a report every two years is not mentioned.
- CJPA will work with its newly appointed SAG to review their Bylaws and amend to include responsibility for crafting, with CJPA, the biennial report and recommendations. From there, amends to its bylaws will be possible as well as plan developments.

(3) (D) (iii) Provide a statement affirming that the SAG contacts and seeks regular input from juveniles currently under the jurisdiction of the juvenile justice system.

- CNMI's SAG, pursuant to its bylaws [PG. 1], lists “seek annual input from juveniles currently under the jurisdiction of the juvenile justice system” as a duty.
- CJPA will work with the SAG to develop the process that will be used to get such regular contact and input from juvenile justice involved juveniles.

(3) (E)(i) Provide a statement that the SAG advises on state/territory and local supervisory or criminal justice advisory board compositions, if applicable.

- Requirement does not apply here in the CNMI.

(3) (E)(ii) Provide a statement that the SAG reviews progress and accomplishments of projects funded under the state/territory's three-year plan.

- CNMI's SAG, pursuant to its bylaws [PG. 1], the SAG reviews” progress and accomplishments of programs funded with the JJDP Act grant funds”. CJPA will work with the SAG to develop the process and timing for SAG review of progress and accomplishment of Title II-funded programs.

(4) Provide a statement affirming that the state/territory provided for the active consultation with and participation of units of local government or combinations thereof in the development of the state/territory 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/territory from making grants to, or entering into contracts with, local private agencies or the advisory group.

- CJPA will work towards rebuilding its SAG that will consist of previous committee members who remained active and more than likely newly appointed SAG members to discuss an action plan to meet the requirement for active consultation with and participation of units of local government or combinations thereof in the development of the state/territory plan. This plan development will be added to the SAG Bylaws and reflected under duties of the SAG.

(5) Unless waived [see OJJDP FY 2021 Title II Waiver Requirements for Pass-Through (Subawards)] to be submitted in [JustGrants](#), provide a statement affirming that the state/territory will provide that at least 66 2/3 per centum of funds received under Title II, reduced by the percentage (if applicable) to meet 11133 (25) and funds made available to the SAG (d), to be expended through: (A) programs of units of local government or combinations thereof, to the extent the programs are consistent with the state plan; (B) programs of local private agencies consistent with the state plan but only if such requests for funding by the local private agency was requested and denied funding from any unit of local government of combination thereof; (C) programs of Indian Tribes that agree to attempt to comply with the core requirements (see further funding criteria in statute).

- Currently, CJPA's OJJDP Title II Program manager and Grants Financial Analyst are drafting a finalized Budget Narrative and Worksheet to reflect requirements and provisions set forth in its [FY21 Title II Determination Letter](#).

(6) Provide a statement that the state/territory 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.

- CJPA will add this to the list of items for discussion with the SAG to determine how to provide for equitable distribution of the assistance received under section 222 [34 U.S.C. § 11132] within CNMI.

(7)(A)(i) Describe the findings of your state/territory's analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the state/territory (including any geographical area in which an Indian tribe has jurisdiction). See OJJDP's "Juvenile Problem/Needs Analysis Data Elements" document for examples of data elements which are not required but may inform the development of an analysis of juvenile problems and needs.

The following are the findings in the current CNMI State Plan listed below:

- **Arrests, Booking, Probation:** Juvenile arrests are done by CNMI's Dept. of Public Safety. Booking and Intake process of arrested juvenile biography are done by the Department of Corrections together with detention and confinement in the corrections facility. The Department of Youth Services Juvenile Probation Unit oversees juveniles

released on conditions of probation.

- **Year 2017 findings:** Data shows that the most common offenses are disturbing the peace, illegal possession of controlled substances and theft.
- **Year 2018 findings:** shift in the trends of most prevalent crimes being committed by Juveniles. There has been a change in the top crimes from disturbing the peace and possession of substances to assault and battery and theft. Disturbing the peace decreased by 10.6% compared to 2017. Minors consuming alcohol, which was the next highest number of offenses committed in 2017, decreased by 58%. The third most common offense committed in 2017, Burglary/theft/robbery, decreased by 51.3%. Assault & battery dropped by 17.6% while illegal possession dropped by 78%.
- **Year 2019 findings:** The trend continues for the top Juvenile Crimes in the CNMI. Disturbing the peace decreased by 47.8%. Minors consuming alcohol decreased by 67.6%. Burglary/Theft/Robbery, however, increased by 27%. Assault & battery decreased by 32% while illegal possession increased by 10%.

CNMI's State Plan includes statistics on:

- # Of JUVENILE ARRESTS,
- # Of JUVENILE CLIENTS BY GENDER,
- # Of JUVENILE OFFENDERS (categorized by grade level).

State Plan indicates the following **needs:**

- Need for CNMI to establish a centralized information hub that will provide ease of access to information and statistics.
- Need for CNMI's designated state agency (DSA) to rebuild its State Advisory Group by establishing sound communication with the existing active members as well as updating all regulating policies/procedures to reflect the 2018 JJDP provisions and OJJDP SAG guidelines.
- Need funding to implement juvenile gender-specific services. Many government agencies provide gender-inclusive services instead.
- Need for services that are in line with the prevention and treatment of juvenile delinquency in rural areas.
- Need for mental health services to youths in the juvenile justice systems.
- Need the establishment of coalition or task force that is structured to the prevention,

screening, and investigation of juvenile human trafficking crimes and that develops an assistance need plan for victims of such crimes

(7)(A)(i) Describe the services to be provided related to the analysis and its findings conducted above.

- CNMI does not have a crime analysis database, hence no weblink.
- Key CNMI entities/government agencies (law establishment, enforcement, legal counseling, compliance, advocacy, treatment, rehabilitation, corrections) within the CNMI whose services are a component in shaping the juvenile justice system all have their distinct process of data/information analysis, collection and dissemination. Other than annual reports, citizen centric reports, and other reporting data on their respective websites, specific statistics and information inquiry are provided on a request basis with the respective entity/agency.
- Training is paramount to ensure that key personnel who work with juveniles are trained with updated methods and practices. Whether they are personnel who provide intervention counseling and outreach services or juvenile probation officers who must know how to treat juveniles, methods are constantly evolving and funds are necessary to ensure those individuals that work with juveniles are kept abreast of the latest trends and updated standards.
- The CNMI Systems of Care (SOC) under the CNMI Commonwealth Healthcare Corporation (CHCC) offers services such as Wraparound Care, Youth and Family Therapy, Youth Peer Support and Outreach to service youth and their families.

(7)(A)(ii) Describe the manner in which funded programs are expected to meet the identified juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) identified by the State/Territory.

Programs that are intended to help curb juvenile delinquency:

- Juvenile Diversion Program
- Juvenile Probation
- School Attendance Review Committee (SARC)
- Systems of Care and Systems of Care Healthy Transitions

The CJPJ OJJDP team is still awaiting a response from the CNMI Public School System instructor

for incarcerated youth to find out more on what training/needs would be beneficial. The CNMI Systems of Care (SOC) could benefit from funds by expanding their current services such as Wraparound Care, Youth and Family Therapy, Youth Peer Support and Outreach. Division of Youth Services (DYS) Juvenile Probation Unit (JPU) staff also need training in order to ensure they are up-to-date with the latest training methods when dealing with juveniles.

(7)(A)(iii) Describe the state/territory's performance goals and priorities for funding.

Performance Goals:

- Ensure Juvenile Crime and Justice Needs are addressed
- Identify critical areas that need critical improvement for functionality and efficiency.
- Identify reported juvenile crimes based on severity and frequency.
- Secure sustainable funding for CJP's OJJDP section which in returns funds related programs, planning and admin, compliance monitoring, and the SAG related matters

Priorities:

- Improve the number of delinquency programs.
- Establish an agency data collection system and State/Territory information hub.
- Develop improved case management systems for appropriate services.
- Revive the Criminal Justice Information System (CJIS).
- Maintain funding for current juvenile delinquency prevention programs.
- Improve juvenile justice system and maintain compliance JJDPA core requirements.

(7)(B)(i) Describe your state/territory's analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services.

- Based on the FY October 01, 2020 - September 30, 2021, male juveniles accounted for 89% of arrests made. Although there are female-specific services, such as pregnancy and parenting services offered by the CNMI's Commonwealth Healthcare Corporation (CHCC), other programs such as the CNMI's Systems of Care offer gender-inclusive services which are not specific to a single gender.

- Services under CNMI's Department of Youth Services Juvenile Probation Unit (DYS JPU), Commonwealth Healthcare Corporation (CHCC), and Community Guidance Center (CGC) for the most part have existing gender-inclusive services over gender-specific services.
- As every aspect in the community changes over time, so does the juvenile justice. The entities with services identified shared that services are generally sufficient. The entities however expressed that a greater concern for them is the availability of sufficient funds that keep those sufficient services active and operational.

(7)(B)(ii) Describe the State/Territory's plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency.

- There are a few agencies identified in the CNMI that offer gender-specific programs for youth. For example, the [CNMI Division of Youth Services \(DYS\)](#) works closely with the [CNMI Commonwealth Healthcare Corporation \(CHCC\)](#), who offer teen pregnancy and parenting services to juvenile females. Other programs under DHS and those under CNMI Systems of Care (SOC) offer gender-inclusive services, not specific to a single gender.

(7)(B)(iii) Describe the state/territory's plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas.

- The CNMI is relatively small compared to Puerto Rico and the 50 states in the U.S. Mainland. CNMI's composition is that there are no towns, cities or counties. Rather, the CNMI—which comprises the islands of Saipan, Rota and Tinian—has multiple villages on each island. There are programs administered by community service-focused departments (such as the Division of Youth Services and Systems of Care) that cater to youth through offering intervention services. Systems of Care, for instance, offer services focused on family engagement and family development collaboration.

(7)(B)(iv) Describe the state/territory's 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.

- Government entities/agencies/departments (**examples identified in this response**) that

work closely within the juvenile justice system or who provide services to mainly youth (minor) clients all impact one way or another to the general youth, youth who are in juvenile detention, or youth under juvenile probation supervision.

- The CNMI has programs in place that cater to juvenile status offenders. The CNMI Division of Youth Services (DYS) and Systems of Care (SOC), for instance, provide intervention services to youth in the CNMI. The goal of SOC is to improve mental health outcomes for youth and their families. SOC works with the Mental Health team of the CNMI's Public School System (PSS) for school-based peer support. DYS works with SOC by referring juveniles for intervention. Both DYS and SOC compile data that helps with analyzing data at the end of the year. It is hoped that these services, especially services by SOC and the Public School System help to curtail juveniles away from detention. The end goal being to help keep juveniles out of contact with the justice system and have them re-enter as contributing members of society. The CNMI PSS, for instance, has instructors that teach incarcerated juveniles so that when they re-enter the public school system that their credits are counted back toward their education, allowing them to complete their education and hopefully have them employed as contributing members of the community.

(7)(B)(v) Describe the state/territory's plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs.

- Currently, at the Department of Corrections (DOC) CNMI's only secure detention center, the juvenile detention population is at a very minimal scale. The CNMI DYS works with Youth Empowerment Solutions (YES) to provide counseling for juveniles under probation. Although DOC's primary responsibility is the safety, security over juveniles in secured detention, specialized services for welfare will be coordinated with partnering agencies such as the Department of Youth Services.

(7)(B)(vi) Describe the state/territory's plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement.

- The CNMI has departments and agencies that work together, such as Systems of Care (SOC) under the Community Guidance Center (CGC), that spread awareness by conducting outreach events and providing brochures, pamphlets, and other means of public information to youth and their families so they can be aware of their services.

- The Department of Youth Services Juvenile Probation Unit (DYS JPU) works closely with their assigned juvenile clients from the juvenile's time in detention, appearance in court, attendance during programs and other services that are deemed necessary to the juvenile supported by court order.
- Regarding to the subject of post-placement, DHS JPU has a set of standard practices (see listing after this bullet point) that help prepare juvenile clients (juvenile probationers) for re- entering society from juvenile detention.
 - **Ongoing education:** DHS JPU connects with the CNMI PSS Incarcerated Instructor to ensure the juvenile transitions out to their home school with ease. DHS provides clothing, shoes, backpack, school supplies or vouchers to parents to help prepare them for school. Assist w/ required immunization updates.
 - **Employment:** If client is unemployed DHS connects them to CNMI's DOL-WIOA or DOL-Employment Services to register and seek employment with monthly follow-ups from us.
 - **Counseling:** Ensure necessary counseling sessions are completed. Most counseling agencies do follow-ups in 3 months (approx.) after they've been discharged. Partnering counseling agencies such as CGC-Systems of Care, CGC-Healthy Transition and Youth Empowerment Solutions have expanded their case management to include assisting our clients seek employment or further their education as their goal.
 - **Other Programs:** Connect clients to CNMI DHS-Family Youth Enhancement Programs (FYEP); avail of group counseling for various programs (Matrix, Botvin, ART), family counseling, parenting class, Volunteer, and encourage involvement in our outreach or any DHS community activities.
 - **Housing situation:** Ensure housing for the juvenile to reside in is safe, drug and alcohol free. For juveniles 18 years of age, we encourage or assist them with applying for housing through NMHC.
 - **Independent Living Transition to learn life skills:** Connect clients under

the IEP/SPED program who are 18 years to register.

- **Medical Insurance**: Ensure client is insured and assist with Medicaid process if qualified.
- **Transportation**: Provide transport or issue bus tickets to assist with any school, employment, medical, counseling and DYS function.

(7)(B)(vii) Describe the state/territory’s plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system.

- The CNMI Division of Youth Services (DYS) refers youth who are considered at-risk of serious emotional disturbances to Systems of Care (SOC) under the CGC. SOC in turn compiles data such as demographic information in order to determine the effectiveness of services to youth. The types of services SOC provides are: 1) Wraparound Care 2) Youth and Family Therapy 3) Youth Peer Support (Natural Helpers) 4) Outreach (Suicide Prevention, Youth Mental Health, Substance Abuse Prevention).

(7)(B) (viii) Describe the State/Territory’s plan to promote evidence-based and trauma-informed programs and practices.

- Entities such as the Commonwealth Healthcare Corporation (CHCC), Department of Youth Services (DYS), and the Community Guidance Center (CGC) all have distinctive unique programs catered to each entities’ goals and objectives. This is something the CJP Office is still awaiting to hear back from CHCC on.

(7)(B)(ix) II. Describe the state/territory’s plan, [to be implemented not later than December 21, 2020,] to eliminate 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 serious 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.

- CJP has identified a point of contact at its local correctional facility (CNMI Department of Corrections “DOC”) who can provide feedback and relative information to formulate a response to this requirement. Meeting time has yet to be confirmed.
- Once CJP meets with said point of contact at DOC, inquiry regarding the departments SOP/polices/procedures/protocol pertaining to restraints on known pregnant juveniles

and special circumstances that either warrant the use or the elimination of use will be discussed.

(8) Provide a statement affirming the state/territory has met the requirement to 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, recreation, health, and welfare programs) in the state/territory.

- No affirmed statement can be made at this time.
- CJPA is still in the process of coordinating with partnering agencies/entities to develop findings to what extent of compliance has CNMI met the requirement to 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.

(9) Provide a statement 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 for, 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”). Details of the amount set aside for each program area are to be provided within the Title II Program’s Grant Budget documents.

- Currently, CJPA’s OJJDP Title II Program manager and Grants Financial Analyst are drafting a finalized Budget Plan and Worksheet to reflect requirements and provisions set forth in its [FY21 Title II Determination Letter including this requirement](#). Further, CJPA will add this to the list of items for discussion with the SAG to determine how to how funding decisions, which will include discussions about evidence-based and promising programs, will also account for this funding requirement.

(10) Provide a statement and description of the capacity the state/territory has for, or plans to develop, an adequate research, training, and evaluation capacity within the state/territory.

- Within the CNMI, various key agencies have distinctive roles that impact the juvenile justice system and to address juvenile delinquency prevention.
- It is to be noted that there is no one single entity that
- Notable key agencies in the CNMI that work to improve and take on challenges toward the juvenile justice system are:

- Department of Public Safety (DPS)
- Department of Corrections (DOC)
- Department of Youth Services (DYS)
- CNMI Youth Affairs Office
- Commonwealth Healthcare Center (CHCC)
- CHCC Community Guidance Center (CGC)
- CNMI Public School System (PSS)
- At one point in previous years, CNMI's DSA, the Criminal Justice Planning Agency had a position close to a Statistical Analyst but throughout the following years, funding for that position gradually decreased leaving CJPA without a Statistical Analyst.

(11) Provide a statement affirming that the state/territory complies with the deinstitutionalization of status offenders requirement.

- The CNMI complies with the Deinstitutionalization of Status Offender. This is contained in [the CNMI's Compliance Monitoring Manual \(CMM\)](#) on page 02. CNMI 6 CMC §5137(a)(13) provides that no juvenile found to have committed a status offense "shall be remanded to detention in a detention facility unless an adjudication has been made that the juvenile is a habitual status offender.

(12) Provide a statement affirming that the state/territory 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) There is in effect in the state a policy that requires individuals who work with both such juveniles and such adult inmates, including in colocated facilities, to have been trained and certified to work with juveniles. **Also, fully complete, sign and attach the Certification form.**

- [Certification Form](#)
- The CNMI complies with the Deinstitutionalization of Status Offender. This is contained in the CNMI's Compliance Monitoring Manual (CMM) on page 02. CNMI 6 CMC §5137(a)(13) provides that no juvenile found to have committed a status offense "shall be remanded to detention in a detention facility unless an adjudication has been made that the juvenile is a habitual status offender. Furthermore, corrections officers who are employed at the colocated facility attend an academy, which is coordinated between the CNMI Department of Corrections (DOC) and the Northern Marianas

College (NMC)--which is the CNMI's lone post-secondary institution. Direct supervision is part of the curriculum and necessary in order to graduate from the academy. Direct supervision involves training the cadets in understanding the differences between adults and juveniles and how each should be treated differently.

(13) Provide a statement affirming that the state/territory provides that no juvenile will be detained or confined in any jail or lockup for adults except—

(A) juveniles who are accused of non status offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

- i. **for processing or release;** [The CNMI's Department of Public Safety (DPS) may hold a juvenile accused of a non-status offense for no more than six hours. This is common practice performed by the arresting officers. CNMI DPS is aware of and adheres to the Federal requirement that juveniles may not be held for more than 6 hours.]
- ii. **while awaiting transfer to a juvenile facility; or** [Unless the juvenile is officially charged with a non-status offense. Otherwise, the parents/legal guardian and appropriate agency are contacted and the juvenile is released into their custody.]
- iii. **in which period such juveniles make a court appearance;** [Juveniles are not held for more than 6 hours unless they are formally charged. Juveniles who are formally charged must be brought to court within 24 hours not to include weekends (Saturdays and Sundays) and legal holidays.]

and only if such juveniles do not have sight or sound contact with adult inmates and only if there is in effect in the State 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 non status offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

i. in which—

I. such juveniles do not have sight or sound contact with adult inmates; and

II. there is in effect in the State a policy that requires individuals who work with both such juveniles and adults inmates in collocated facilities have been trained and certified to work with juveniles; and

ii. that—

I. is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

II. is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances with- in 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or 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 the time that such conditions allow for reasonable safe travel.

- CNMI's most recent [Compliance Monitoring Manual](#)
- Regarding to the Sight or Sound core requirement, as provided under 6 CMC §2367, "Juveniles assigned to secure care shall be kept apart from adult offenders by at least sight and sound."
- The CNMI DOC implements in-house training to newly hired DOC Correction Officers or to correction officers who originated from the adult sector are newly assigned into the DOC Juvenile Detention Unit (JDU). Senior JDU Officers will serve as supervisors who guide and instruct those officers assigned to the JDU to be sufficiently trained and certified when working with juveniles confined in detention. The Division of Youth Services (DYS) Juvenile Probation Unit (JPU) handles juveniles who are on probation. As such, DYS staff are required under the NMI [Administrative Code §55-40.1-226](#) to be qualified through "training, experience and personal qualities" for the age group for which they work.
- The CNMI does not utilize the rural exception. The CNMI does not permit the detention or confinement of juveniles in the territory's single adult jail. All other law enforcement facilities operated in CNMI are nonsecure, and therefore do not qualify as jails or lockups for adults. Juveniles are primarily confined in CNMI's DOC operated Juvenile Detention Unit (JDU). As the Rural Exception only applies to Adult Jails or lockups, it does not apply to CNMI as the CNMI only confines juveniles in the JDU.
- CNMI does not utilize this exception. Juveniles are not detained in CNMI's single adult jail (collocated). All other law enforcement operated facilities are nonsecure. Juveniles charged with offenses that would be criminal if committed by an adult are transported from the JDU to court within 24 hours (excluding legal weekends and holidays) Under 6 CMC §5141, CNMI law strictly outlines this requirement. Therefore, the CNMI's requirement is even more stringent compared to the 48-hour exception provided under 34 U.S.C. Although juveniles are not detained or confined in the adult jail, CNMI will document any detention of a juvenile within the adult jail as a violation if it is beyond six hours. Therefore, the CNMI's requirement is even more stringent compared to the 48-hour exception provided under 34 U.S.C. §11133(a)(13)(B)(ii)(II).
- The CNMI does not utilize the conditions of safety exception for the reasons mentioned previously.

(14) Provide a statement affirming that the state/territory 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 a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraphs (11) and (12), and which has enacted legislation which conforms to such requirements and which contains sufficient enforcement mechanisms to ensure that such legislation will be administered effectively.

- CNMI's most recent version of its [Compliance Monitoring Manual](#) was updated as of Sept. 20, 2022.
- OJJDP has approved CNMI's Compliance Monitoring Manual (CMM) but an actual determination of an effective monitoring system has yet to commence, pending official audit from OJJDP.

(15) Provide a statement affirming that the state/territory implements policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by

- (A) establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, 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).

- Please refer to CNMI's first ever and most recent [R/ED Plan](#) (submitted on Nov. 21, 2022 pending OJJDP review).

(16) Provide an assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, ethnicity, family income, and disability.

- The CNMI's Commonwealth Code Title 6 Division 5 [§ 5102](#) indicates that the CNMI Juvenile Justice System framework operates on a set of principles that details the intent, purpose, and provisions of the system.

- One example when a youth enters the Juvenile Justice System is when said youth is admitted to CNMI's Department of Corrections (DOC) Juvenile Detention Unit. Under CNMI's [Department of Corrections Administrative Code § 57-20.1-005](#), "the CNMI Constitution further guarantees rights to a clean and healthful environment, freedom from discrimination on account of race, color, creed, ethnic origin or sex, and a free, public education as provided by law."

(17) Provide a statement affirming that the state/territory complies with the requirement to "provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate, and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible".

- The CNMI Division of Youth Services (DYS) Family Protective Services provide services to protect children who have been abused or neglected or who are at risk of abuse and/or neglect. These services also provides or coordinates family services to reduce or alleviate the risk of abuse or maltreatment. CPS includes the Foster Care Program, which is a long-term placement in a family setting for children who will remain under DYS custody for a longer period. This may include Kinship Placement (family) placement under approved conditions. The CNMI DYS Family and Youth Enhancement program is another program whose goal is to provide preventative and supportive activities that would assist youths and families in developing sustainable basic skills to eliminate at-risk behaviors and provide opportunities for more positive lifestyles, enhancing their capacity to make healthier life choices and achieve self-sufficiency. It includes the Youth, Parent Education and Community Services sections.

(18) Provide a statement affirming that the state/territory complies with the requirement to "provide for procedures to be established for protecting the rights of recipients of services and for ensuring appropriate privacy with regard to records relating to such services provided to any individual under the state plan.

- The CNMI DYS Administrative Code [Title 55-40.1-145](#) provides that records concerning the applicant of a facility and agencies are open to the public except information identifying children or their families are confidential and are not

available for review.

- Established procedures/protocols/policies that ensure the safety, security, and confidentiality of juvenile records in the following areas: 1) NMI Judiciary; 2) CNMI Department of Corrections; 3) CNMI Public School System have yet to been identified by CJPA. CJPA will continue to establish contact and communication with those entities and inquire further inquiries.

(19) Provide a statement affirming 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.

- Relatively does not exist in the CNMI.

(20) Provide a statement affirming that the state/territory 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 Formula Grants Program]”. Submit the “financial management and internal controls questionnaire” in JUST grants.

- No affirmed statement can be made at this time.
- CJPA will confirm further on this matter to provide a detailed response addressing the providing of such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received. We are awaiting a response from the individual in charge of submitting FFR’s if they can confirm to have filled out the financial form.

(21) Provide a statement affirming that the state/territory 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”.

- No affirmed statement can be made at this time.
- CJPA will confirm further on this matter to provide a detailed response addressing 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” A “special condition” will be indicated on the Notice of Award attesting that no 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 be in the absence of such Federal funds be made available for the programs described in this part, and will in on event replace such state, local, tribal, and other non-Federal funds.

(22) (A) Provide a statement that from time to time, but not less than annually, the state/territory will 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/Territory and local needs, that it considers necessary.

- CJPA’s current staff assigned to manage the OJJDP Title II grant(s) is working to complete an updated state plan. The staff include only the Title II Program Manager and the Grants Financial Analyst.
- If proper review of the plan is needed to be through the SAG, CNMI’s current SAG is still in the process of rebuilding. Once a fully active and participating SAG is achieved, CNMI can substantially affirm, the state/territory will 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/Territory and local needs, that it considers necessary.

(22) (B) Provide a statement that the state/territory, to the extent practicable, will give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based.

- CNMI affirms to the extent practicable, priority in funding will be given to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based.

(22)(C) Provide a statement that the state/territory 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.

- CNMI affirms 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.

(23) Does the plan “provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense (A) an appropriate public agency shall be promptly notified that such status offender is held in custody for violating such order; (B) not later than 24 hours during which such status offender is so held, an authorized representative of such agency shall interview, in person, such status offender; (C) not later than 48 hours during which such status offender is so held (D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter.

- Refer to PG. 4 of the [Compliance Monitoring Manual](#). The CNMI utilizes the Valid Court Order exception during rare instances. During the monthly collection of data from CNMI’s single detention facility (collocated), the Compliance Monitor (CM) will inquire about whether any status offenders have been placed for violating a valid court order. The CM will utilize the CCAS provided VCO exception checklist to ensure that compliance has been met or report such instances as a violation of DSO annually to OJJDP.

(24) Provide a statement assuring “that if the State receives under section 222 for any fiscal year an amount that exceeds 105 percent of the amount the State received under such section for 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”.

- CNMI affirms that if it receives an excess, it will expend it through or for programs as a part of a comprehensive and coordinated community system of services.

(25) Provide a statement regarding what percentage (if any), not to exceed 5 percent, of funds received by the State/territory under section 222 (other than funds made available to the State advisory group under section 222(d)) that the State will reserve for expenditure

by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units.

- This [does not apply to the CNMI](#).

(26) Provide a statement “that the state, to the maximum extent practicable, will implement a system 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 such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court so as to provide for— (A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and (B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect.

- Pending verification and feedback from local judiciary of their procedures regarding to this requirement. This information will be made as soon as possible as information is still forthcoming.
- Pending verification and feedback from youth services and child welfare services of their procedures regarding to this requirement. This information, upon receipt will be updated to the State Plan as soon as possible.

(27) Provide a statement assuring 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).

- Pending confirmation and information feedback from Department of Youth Services. Juveniles are not placed in secure facilities except those who are convicted to serve a sentence or are detained pending to appear before the court. Detained or confined juveniles placed in the Juvenile Detention Unit (JDU) of the Department of Corrections (Collocated).

(28) Provide a statement that the state/territory provides 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.

- CNMI’s SAG is currently rebuilding. Once achieved, the following will be acted upon and discussed amongst committee members:
 - a) Implement a plan regarding how funds are coordinated, used for, and utilized effectively.
 - b) Establish a sub-committee to host meetings in regards to disbursement and allocation of grant funds to juvenile programs.
 - c) Update current bylaws to match and comply with current OJJDP guidelines.

(29) Describe the policies, procedures, and training in effect for the staff of juvenile State/Territory correctional facilities to eliminate the use of dangerous practices,

unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques.

- In regards to training, Direct Supervision is taught at the academy for all Corrections personnel as part of the curriculum. Officers' are also taught about the differences between handling adult inmates versus juveniles.
- Point of contact individual has been identified at the CNMI Department of Corrections. Response to providing policies/procedures/training plans still pending.

(30) 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/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.

- Mental health and substance abuse screening are available for juveniles through various avenues. Whether it is a juvenile in secured detention, a juvenile released on probation conditions, or even youth from the community who has never been through the juvenile justice system, health screening services are available to them. Incarcerated youths avail the services through notifying the Juvenile Detention Unit Officers of the CNMI Department of Corrections of their needs and would often involve the recommendations from the juvenile's legal counsel. From there, the officers will coordinate with the CNMI Division of Youth Services (DYS) to loop in other partnering agencies. Youth who are released under probation conditions will confide with the DYS Juvenile Probation as the network entity to coordinate with partnering agencies to achieve locating the best suitable mental health or substance abuse treatment screening services.
- In the CNMI, the main health care facility, the [Commonwealth Healthcare Corporation](#) have a range of services through programs under the Community Guidance Center and other specialized programs that prioritize [mental and behavior health](#), [youth suicide prevention](#), [substance abuse treatment](#), and [youth mental health](#).

(31) Describe how reentry planning by the State/Territory 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.

- The CNMI has departments and agencies that work together, such as Systems of Care (SOC) under the Community Guidance Center (CGC), that spread awareness by conducting outreach events and providing brochures, pamphlets, and other means of public information to youth and their families so they can be aware of their services.
- The Department of Youth Services Juvenile Probation Unit (DYS JPU) works closely with their assigned juvenile clients from the juvenile's time in detention, appearance in court, attendance during programs and other services that are deemed necessary to the juvenile supported by court order.
- In regards to post-placement, DYS JPU has a set of standard practices (see listing after this bullet point) that help prepare juvenile clients (juvenile probationers) for re-entering society from juvenile detention.
 - **Ongoing education:** DYS JPU connects with the CNMI PSS Incarcerated Instructor to ensure the juvenile transitions out to their home school with ease. DYS provides clothing, shoes, backpack, school supplies or vouchers to parents to help prepare them for school. Assist with required immunization updates.
 - **Employment:** If client is unemployed DYS connects them to CNMI's DOL-WIOA or DOL-Employment Services to register and seek employment with monthly follow-ups from us.
 - **Counseling:** Ensure necessary counseling sessions are completed. Most counseling agencies do follow-ups in 3 months (approx.) after they've been discharged. Partnering counseling agencies such as CGC-Systems of Care, CGC-Healthy Transition and Youth Empowerment Solutions have expanded their case management to include assisting our clients seek employment or further their education as their goal.
 - **Other Programs:** Connect clients to CNMI DYS-Family Youth Enhancement Programs (FYEP); avail of group counseling for various programs (Matrix, Botvin, ART), family counseling, parenting class, Volunteer, and encourage involvement in our outreach or any DYS community activities.
 - **Housing situation:** Ensure housing for the juvenile to reside in is safe, drug and

alcohol free. For juveniles 18 years of age, we encourage or assist them with applying for housing through NMHC.

- **Independent Living Transition to learn life skills:** Connect clients under the IEP/SPED program who are 18 years to register.
- **Medical Insurance:** Ensure client is insured and assist with Medicaid process if qualified.
- **Transportation:** Provide transport or issue bus tickets to assist with any school, employment, medical, counseling and DYS function.

(32) Provide a statement assuring that the agency of the State/Territory receiving funds under this title collaborates with the State/Territory educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, (A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll; (B) the credits of adjudicated juveniles are transferred; and (C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned.

- School services are available and provided by the public school system.
- Point of contact at the Public School System in CNMI has been established. Pending response and feedback in regards to incarcerated youth education, credit score policies, whether the system receives assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) and what is the use of those funds.

(33) Describe policies and procedures to (A) screen for, identify, and document in State/Territory records identification of victims of domestic human trafficking or those at risk of such trafficking and (B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.

- One example is evident in the services provided by CNMI's Karidat Human Trafficking Program. The program is funded through a DOJ grant that allows Karidat Advocates to perform casework and aid victims of human trafficking.
- Clients are pre-certified through an attorney (cases either originate from various CNMI law firms, Pacific Ombudsman for Humanitarian Law, or the Micronesian Legal

Services). Referrals are addressed to Karidat's Director who then assigns the casework to staff, beginning the start of an intake and then the locating appropriate services and needs for the client(s). General services include: Food assistance, Rental assistance, Transportation, and Medical assistance.

END OF 33 REQUIREMENTS
QUESTIONNAIRE

DATE OF REVISION AND LATEST
UPDATE:

11.21.2022