

PUERTO RICO  
**THREE YEAR PLAN**  
2024-2026



August 5, 2024

OFICINA PARA EL  
DESARROLLO  
SOCIOECONÓMICO  
Y COMUNITARIO  
**ODSEC**



## **PROJECT ABSTRACT**

This FY 2024 Grant Application presents Puerto Rico's Comprehensive Three-Year Plan for the period of 2024-2026, in accordance with the Juvenile Justice and Delinquency Prevention (JJDP) Act. In line with this statute, the Commonwealth of Puerto Rico is committed to advancing work to promote civil rights, increase access to justice, and develop more effective education and prevention services to improve the juvenile justice system and prevent juvenile delinquency.

The Plan was developed using a participatory approach, including combining information from different agencies that work with youth. Additionally, consultations were held with families, youth, units of local governments, and stakeholders representing the service providers system. This allowed for a more comprehensive and contextualized view of juvenile delinquency problems and needs.

The data gathered for the purpose of developing the Plan reflects how the unprecedented economic and social challenges that Puerto Rico has faced in recent years have had a direct impact on our youth, one of our most vulnerable populations. Data, confirmed by the groups consulted during the planning process, shows how the situation of juvenile delinquency has worsened during the past three years since the pandemic. This points to the need for comprehensive prevention programs related to the provision of after-school services, recreation, family strengthening, and addressing school absenteeism.

During the three-year period covered by the Plan, the Office for Socio-Economic and Community Development (ODSEC) will focus efforts on promoting delinquency prevention and educational programs, in accordance with Program Area at 34 U.S.C. § 11133(a)(9)(c) & (e). As a result of these efforts, the state seeks to reduce and prevent juvenile delinquency and promote the implementation, scalability, and replicability of programs to prevent, reduce, and address risk

factors of juvenile delinquency implemented by community-based organizations and units of local government, including educational programs. Given limited resources, ODSEC will focus its efforts on advancing evidence-based programs that have the capacity to be replicated. Efforts will also be directed towards resuming juvenile information sharing and assessing and addressing racial disparities. Additionally, the State Advisory Groups will continue to work towards strengthening the statewide juvenile justice public policy to accomplish the overarching goal of preventing juvenile delinquency and ensuring that all youth in the juvenile justice system are treated equitably, regardless of gender, race, family income, or mental, emotional, or physical conditions.

## TABLE OF CONTENTS

PROJECT ABSTRACT .....	2
TABLE OF CONTENTS .....	4
PROPOSAL NARRATIVE .....	5
A. Description of juvenile delinquency problems (youth crime and needs) .....	6
B. Project Goals and objectives .....	21
C. Collecting and sharing juvenile justice data .....	25
D. State Advisory Group Roster .....	26
E. State Agency Contact Information.....	26
F. Pass-Through Waiver Request.....	26
G. Plan for Collecting the Data Required for Performance Measures.....	26
COMPLIANCE WITH 33 STATUTORY REQUIREMENTS OF THE STATE PLAN UNDER 34 U.S.C. § 11133(A) .....	29

## **PROPOSAL NARRATIVE**

The juvenile justice system in Puerto Rico operates under a robust regulatory framework that mandates collaboration among diverse multisectoral entities. Local regulations emphasize the importance of both prevention and intervention, addressing the needs of minors who have committed offenses as well as those at risk of offending. The ultimate goal is to create a comprehensive support system that reduces juvenile delinquency and promotes the positive development of youth.

The Puerto Rico Minors Act, as amended, is central to this framework, applying to individuals under 18 years of age. It outlines the primary objectives of the Juvenile Justice System: to provide care, protection, development, habilitation, and rehabilitation for minors; to protect community welfare; and to treat minors as individuals in need of supervision, care, and treatment while holding them accountable for their actions. The Act also ensures that every child receives fair treatment, due process, and recognition of their constitutional rights. This legal foundation is critical in guiding the efforts of the various entities involved in the juvenile justice system.

Within this framework the Puerto Rico Juvenile Justice, Delinquency Prevention Program is administered by the Office for Socioeconomic and Community Development of Puerto Rico, known as "ODSEC," for its Spanish Acronym. ODSEC, established by local Law Number 10-2017, is attached to the Office of the Governor of Puerto Rico and is the agency of the Commonwealth of Puerto Rico responsible for implementing and executing public policy related to community development, as well as any public policy regarding the development of the Third Sector. ODSEC in coordination with the State Advisory Group and stakeholders, representatives of the different sectors related to Juvenile Justice in Puerto Rico developed this plan, in compliance with OJJDP Title II Formula Grants.

## **A. Description of juvenile delinquency problems (youth crime and needs)**

Violence in its different forms is a major concern for Puerto Ricans, particularly the involvement of youth in criminal activity. According to a recent study (Citizens with a Purpose, 2021, Estudios Técnicos, Inc.), conducted through a representative sample of the population aged 18 and over in Puerto Rico, violence—especially that related to criminal activity—is among the top three concerns of its residents.

During the past few years, Puerto Rico has faced unprecedented social and economic challenges due to a series of changes in the economic, fiscal, social, and environmental context. These changes have impacted on the quality of life and very possibly contributed to exacerbating the levels of violence in all its forms. The already difficult situation faced by the Island Archipelago (Puerto Rico's main Island and two island municipalities, Vieques and Culebra) worsened after Hurricanes Irma and Maria, the 2019-2020 earthquakes, and, most recently, the COVID-19 pandemic and Hurricane Fiona. Since 2010, there has been a cumulative population reduction of 13%, and the economy is 19% smaller than it was 15 years ago. With a Gini coefficient of 0.55, Puerto Rico had the highest level of inequality in the U.S. in 2022. Additionally, 22% of the population has a health condition or disability, and 21% of the population aged 25 or older has not completed school.

Several studies carried out in recent years coincide in that children and youth are some of the groups most affected by this complex situation. Youth is already one of our most vulnerable populations. According to the American Community Survey for 2022, 16.1% of the population of Puerto Rico is under 18 years old, of whom 56.2% live under the poverty level, compared to 16.7% in the United States. Furthermore, of those households composed of female householders with no spouse present and with children under 18 years, 70.5% live under the poverty level.

Within this complex social and economic landscape, one of the main concerns of the citizens is education, as it constitutes a tool for social mobility for our youth. The Department of Education's report on school dropout rates for the first semester of 2022-2023 in Puerto Rico reveals a semestral dropout rate of 3.46%. The dropout rate is segmented into three categories: primary education at 2.68%, secondary education at 4.67%, and special education at 5.92%. A breakdown of dropout rates by grade level shows a notable peak in 10th grade at 5.22%. The absenteeism rate across Puerto Rico stands at 10.80%, with primary education at 8.70%, secondary education at 15.10%, and special education at 7.94%. These statistics highlight critical areas for intervention to reduce dropout and absenteeism rates and improve educational outcomes for students in Puerto Rico.

As part of the consultation process that provided the basis for the development of the Three-Year Plan, a total of eight meetings were conducted with youth, families, and stakeholders from the service system. In the meetings, five key challenges facing the youth and juveniles involved in delinquent acts within the community were identified. First, participants point out to a lack of services available, limiting access to essential resources for these young individuals. Second, many families struggle with insufficient support, leaving children in insecure environments and exacerbating issues related to poverty. Third, there is a pressing need for more after-school programs, which are crucial for providing additional educational and recreational opportunities to at-risk youth. Fourth, the current school system is failing to meet the needs of these children, lacking necessary services and support. Lastly, there is an overall insufficiency in the services provided to these children, highlighting a gap between what is needed and what is available.

These consultations revealed, as well, several critical actions needed to address the difficult situation currently faced by youth and to prevent juvenile delinquency. The insights gathered from these meetings underscore the necessity of implementing targeted, comprehensive and effective

interventions. One of the primary issues identified is the need for services and support for families to effectively address truancy. It is essential to create programs that are engaging and of interest to youth, as this can significantly reduce absenteeism and keep young people on a positive educational path. Additionally, it was noted that there is a pressing need for programming that provides incarcerated youth with motivation to learn and provides them with tools to remain engaged both within institutions and in the community.

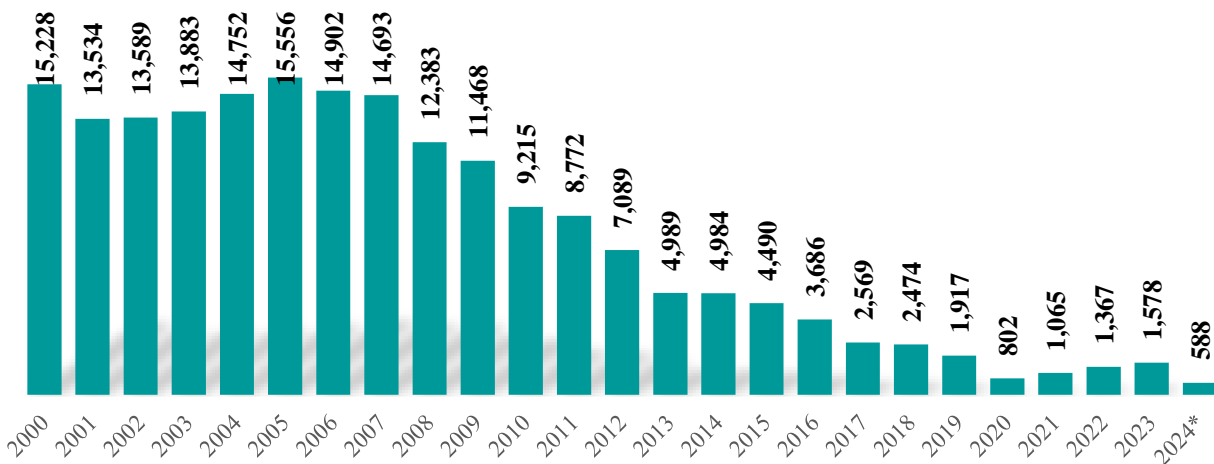
Further recommendations include the creation and organization of a Family Council that holds regular meetings, ensuring that families have a platform for ongoing support and advocacy. Preparing a Guide Book for families entering the system, crafted by those with lived experience, was also highlighted as a valuable resource. Additionally, a Task Force for employees was suggested to support the well-being of staff working with the juvenile justice system. Finally, the consultations called for changes in policies and practices to better align with the needs and realities of the youth and families they serve. These actions, according to the consulted groups, are pivotal in creating a more supportive and effective juvenile justice system.

In that sense, the OJJDP FY 2024 Title II funds represent an opportunity to continue improving the juvenile justice system and implement replicable projects based on interdisciplinary approaches that could provide comprehensive solutions to address the situation of juvenile delinquency in Puerto Rico. As will be described in more detail in the next section, this data guided ODSEC in developing a plan in which the main focus is on prevention. Particular emphasis will be given to comprehensive, promising, or evidence-based initiatives in those areas most vulnerable and most affected by crime, with the main focus being to serve youth at greater risk, such as school dropouts.

### *Juvenile arrests by offense type, gender, age and race*

According to statistics from the Puerto Rico Police Bureau for the year 2023, a total of 1,578 juveniles were apprehended. This number represents an increase of 15.4% when compared to the offenses committed in 2022. The data available from January through April 2024 reflects that 588 minors have been apprehended, so far. These data show how, beginning in 2021, as the economy has reopened after the COVID-19 pandemic, an increasing tendency is being observed in juvenile delinquency.

**Graph 1: Minors arrested by year (2000-2024\* period)**

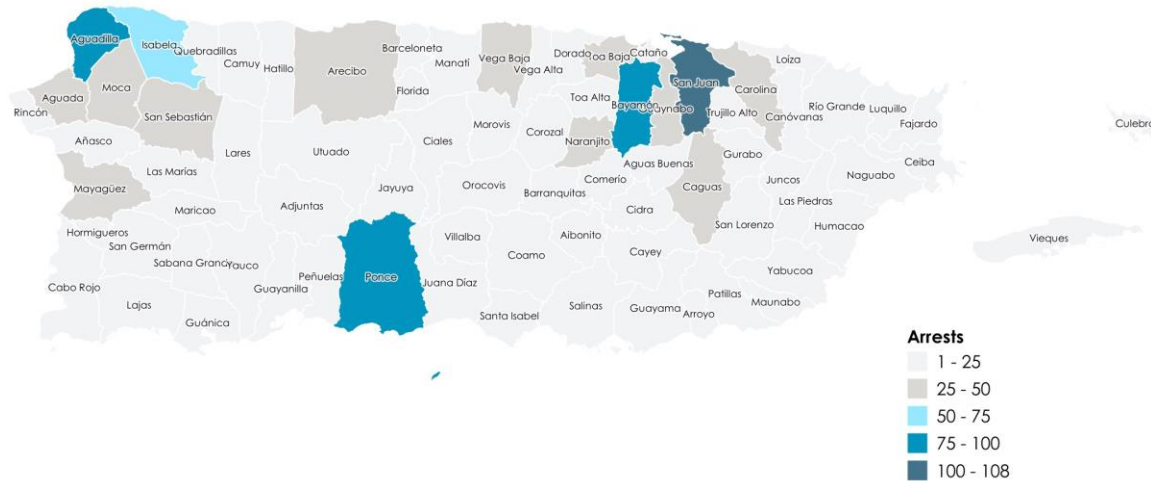


Source: Puerto Rico Police Bureau, Intervened Minors Statistics Division. \*Until April.

The five municipalities with the most juvenile offenses for the year 2023 were San Juan, the capital city (108 cases), Aguadilla (88 cases), Bayamón (87 cases), Ponce (80 cases), and Isabela (66 cases). In terms of 2022, the top five were San Juan (107 cases), Bayamón (74 cases), Carolina (68 cases), Ponce (67 cases), and Aguadilla (66 cases). Most of these municipalities are the ones with the highest population in the Archipelago. Taking that into consideration, it is necessary to compare the rate of offenses per population 18 years or younger. When that proportion is considered, the Municipalities with the highest rates are in municipalities in the western and

Central parts of the island, including Aguadilla, followed by Aguada, Isabela, San Sebastián and Jayuya. These are, indeed, areas with high levels of poverty and vulnerability.

**Illustration 1: Distribution of juveniles by arrests by municipality, 2023**



Source: Puerto Rico Bureau of Police. Intervened Minors Statistics Division.

**Illustration 2: Rate of juvenile arrests by 10,000 persons 18 years or less, 2023**

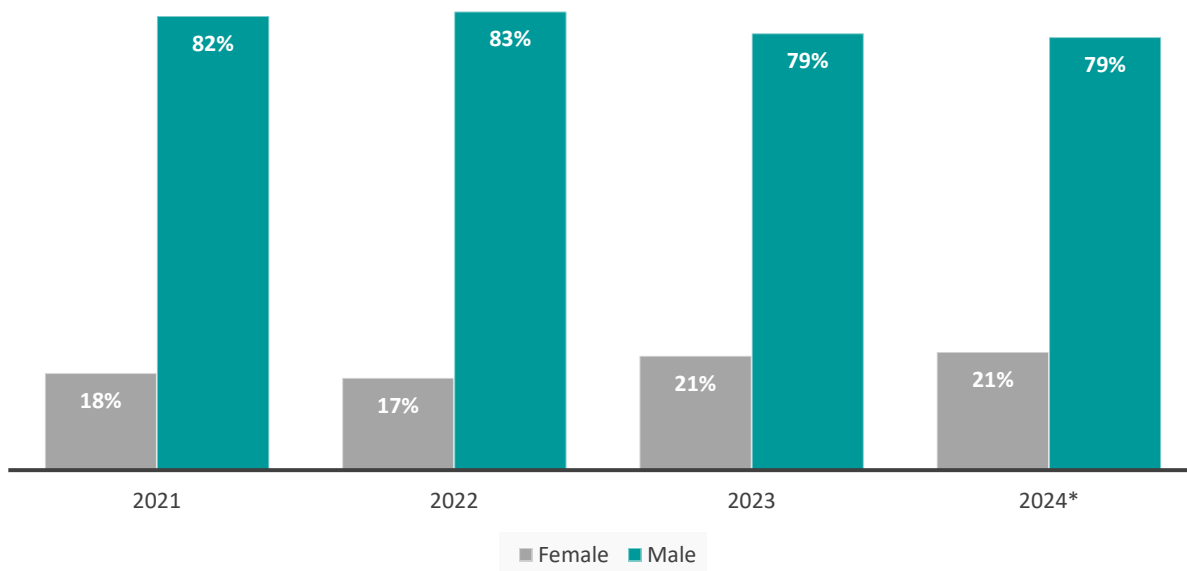


Source: Puerto Rico Bureau of Police. Intervened Minors Statistics Division & 2022 Population Estimates, U.S. Census Bureau.

In terms of the types of offenses committed during that period (2021-2024), 34% were committed against society, while 35% were against persons, 24% were traffic violations (PR Act 22-2000, as amended), 21% were assaults, and 11% were crimes against property.

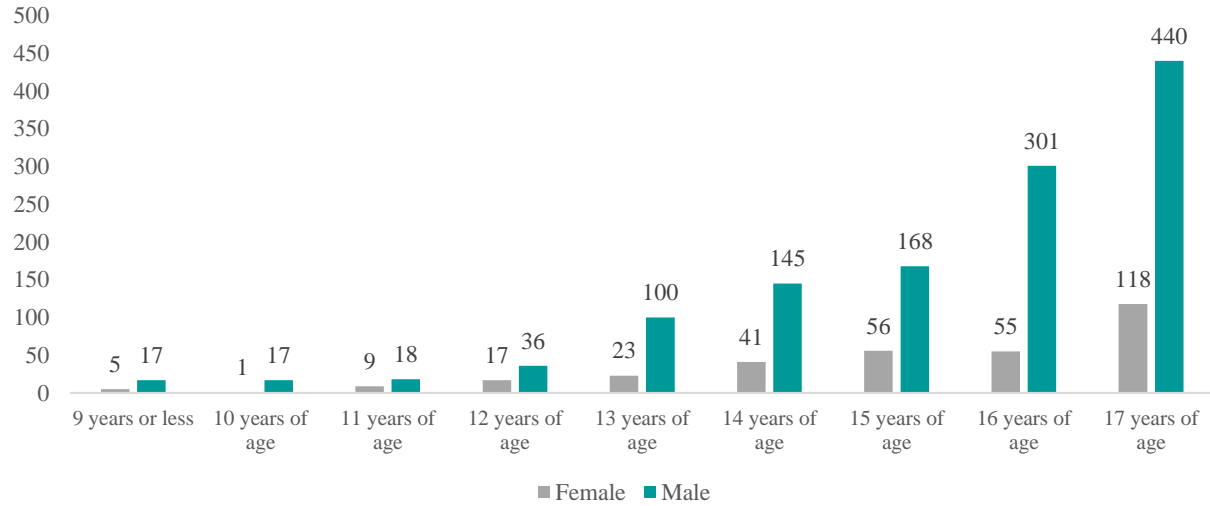
When this information is analyzed in terms of gender, it is observed that males are more common offenders than females. More than four out of five of the offenses registered (81%), were committed by males. This trend has remained constant during the three-year period of 2021-2023 being examined, as shown in the chart and tables below. In 2023, the median age for juvenile offenders was 16 years for females and males. Additionally, the increase in the number of juvenile offenses has been reflected in both males and females.

**Graph 2: Distribution of offenses Committed by Minors by Gender – Period 2021-April 2024**



Source: Puerto Rico Bureau of Police. Intervened Minors Statistics Division.

**Graph 3: Distribution of Offenses Committed in 2023 by Gender and Age**



Source: Puerto Rico Bureau of Police. Intervened Minors Statistics Division.

Regarding the occupational status of minors arrested during 2023, most juvenile offenders were in school. However, 6.3% of females intervened had abandoned school and were not working, while a higher proportion of males (9.2%) was not attending school and not working.

**Table 1: Intervened Minors by Occupational Status, 2021-2023**

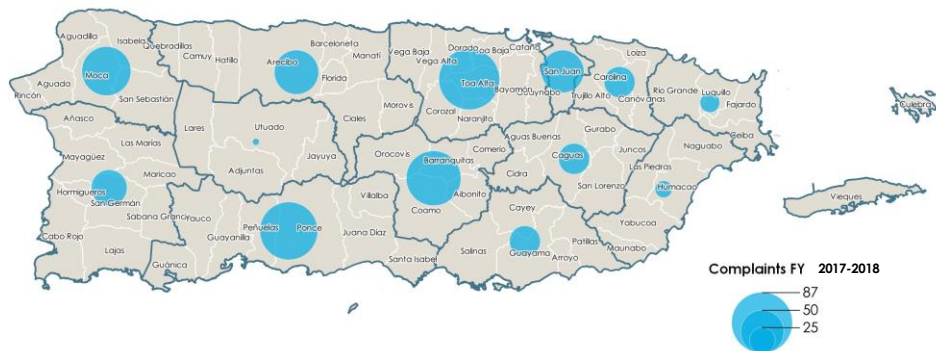
Occupational status	2021		2022		2023	
	female	male	female	male	female	male
Studies	94.0%	76.4%	89.9%	80.1%	92.8%	89.5%
Works	0.5%	2.0%	1.8%	2.6%	0.0%	0.8%
Studies and works	0.5%	1.2%	1.3%	2.5%	0.9%	0.5%
Neither studies, nor works	4.9%	20.3%	7.0%	14.8%	6.3%	9.2%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Puerto Rico Police Bureau Intervened Minors Statistics Division

***Number and characteristics of juveniles referred to juvenile court, a probatory agency, or special unit for allegedly committing a delinquent or status offense***

Once a minor is arrested, he or she should be brought to Court without delay, and a process will begin which requires the interaction of the Minors Courts and the Department of Justice. The Minor's Court is organized in 13 juvenile courts around the Island, in each of the regions of the Office of Court Administration. According to the most recent data of this Office during the FY 2023, complaints were filed against 334 minors, a reduction of 12.9% when compared to FY 2022.

**Illustration 3: Complaints Against Minors by Region FY 2023**



For FY 2023, seven out of every ten (72.5%) minors against whom juvenile delinquency complaints were filed were males between 15 to 17 years old, it should be noted that 56.6% live only with their mother, followed by living with both parents with 13.1%. In relation to the occupational status of minors under the Court's jurisdiction for FY 2023, it is also observed that a significant proportion, almost one out of every four (22.8%), was not attending school. When this information is analyzed in terms of gender, the percentage of males not enrolled in school is higher compared to that of females; 24.8% of males are not enrolled in school while the percentage for females is 10.4%. Among those minors who committed an offense and were not attending school, 40.4% are between 16 and 17 years of age. The main source of economic support for one third (33.9%) of juvenile males intervened was assistance from Federal or State agencies. The

percentage is higher for intervened females (29.2%). In addition, more than half (56.6%) of the juveniles against whom complaints were filed live only with their mother, while only 13.1% live with both their parents.

According to the statistics gathered by the Office of Court Administration for FY 2022 nine out of 10 (90.9%) complaints were filed against a minor with no previous record. The number of females with complaints and no previous record is higher, by 9.4% (98.2% vs 89.6%), than it is for males. During the past three years, the trend remains the same, with most claims being presented against juveniles with no previous record. Also, from FY 2021 to FY 2022 there was a reduction of 5.5% in the number of complaints filed against repeat offenders.

In terms of the types of offenses, more than half of all complaints filed against minors in FY 2022 corresponded to five types of offenses: those related to traffic law violations (21.7%), followed by infringements of the Arms Act (15.1%), violations of the Controlled Substances Act (13.0%), assault (9.2%) and lewd acts (4.0%). The regions with the highest number of traffic law violations were Aguadilla, Caguas, and Ponce.

Regarding the disposition of the cases, a total of 860 juvenile offense-related court decisions were adjudicated during FY 2022. The regions with the highest number of court decisions involving juvenile offenses were Bayamón (19.3%), Aguadilla (17.2%), Ponce (14.7%), Aibonito (8.0%), and Arecibo (8.0%). In almost four out of 10 (39.0%) court decisions, the minors were paroled after they gave a sworn statement in which they pledged to abide by the rules set forth by the judge. There were 98 cases adjudicated as custody release and 79 cases were shelved.

***Number of cases handled informally: Minors with Diversion Sentencing Privilege***

Diversion Sentencing Privilege is an alternative for minor case disposition. During the process, after the judge decides there is probable cause, the Prosecutor for Minors can either file a complaint and request an adjudicative hearing or request a hearing in which the Prosecutor may surrender jurisdiction over the minor and recommend a diversion sentencing privilege. Among these alternatives, a diversion sentencing privilege will suspend any procedure that has already taken place in the juvenile court system. The minor will receive services either from another government agency or from a private entity, most likely a nonprofit organization. The primary objective of the diversion sentencing privilege is to provide the minor with rehabilitation services outside of the judicial framework. The Court revises cases periodically and once the minor has completed the diversion sentencing privilege program, the judge proceeds to close those cases without a criminal record. If the minor has not complied with the Prosecutor for Minors' requests, the complaint is then reconsidered, and the prosecutor can request the scheduling of an adjudicative hearing. Minors that qualify for the diversion sentencing privilege are those charged with a Type I offense, or who are accused of a Type II offense for the first time. For the period, from October 2022 through September 2023 the number of active minors under diversion was 87 and 0 zero cases of waiver of jurisdiction.

***Minors under the Custody of the Unit of Juvenile Institutions of the Department of Correction and Rehabilitation***

As of 2021, the most recent year for which the data is available, a total of 45 minors were under the custody of the Juvenile Institutions Unit of the Department of Correction. These minors were located in two facilities, in the municipalities of Ponce and Villalba.

#### Illustration 4: Location of Juvenile Institutions



The demographic profile of youth in juvenile institutions in Puerto Rico, according to the Juvenile Profile of 2021, reveals significant challenges faced by this population. Juveniles in correctional facilities were between 16 and 20 years of age. A notable 53% of these youths are diagnosed with neurodevelopmental disorders, highlighting a significant need for specialized mental health services. Additionally, 17% of these individuals are enrolled in special education programs, indicating educational challenges that require tailored support.

Further complicating their circumstances, 42% of these youths have been subjected to some form of mistreatment, and 29% have experienced human trafficking or exploitation. Emotional well-being is also a critical concern, with 44% of the youths displaying emotional indicators of sadness or hopelessness. Alarming, 9% have attempted suicide without receiving treatment. These statistics underscore the urgent need for comprehensive interventions that address both the mental health and social support needs of these vulnerable young individuals in Puerto Rico's juvenile justice system.

***According to the most recent data from 2024, the average number of juveniles under the custody of the Department of Correction is 80. This represents an increase of more than 50% since 2021, a trend that is also observed in other jurisdictions across the nation. One in every ten minors (10%) is identified as female. Trend data and other social, economic, legal, and organizational***

***conditions considered relevant to delinquency prevention programing: Structure and function of juvenile justice system***

Within this difficult context, Puerto Rico's juvenile justice system strives to accomplish various goals. This requires the interaction of different government agencies that deal with either law enforcement, the social perspective, the family, the educational component, and the rehabilitation of the minor. The Puerto Rico Minors Act<sup>1</sup>, as amended, provides the framework and establishes public policy in this topic, it applies to the population under 18 years of age and establishes the purpose of the Juvenile Justice System as one that should: (a) provide for the care, protection, development, and rehabilitation of minors and protect the welfare of the community; (b) protect the public interest by treating children as persons in need of treatment while they are held responsible for their actions; and (c) ensure that every child has due process and constitutional rights.

The Police Bureau (PRBP, now under the Department of Public Safety), the Minors Courts (administered by the Office of Courts Administration, (OCA), the Juveniles Institutions Division of the Department of Correction and Rehabilitation (DoCR) and the Department of Justice (DOJ) comprise Puerto Rico's juvenile justice system. In addition, other agencies such as the Mental Health and Anti-Drug Services Administration (ASSMCA, its acronym in Spanish), the Department of Family, and the Department of Education, work with the minor according to a health and social services framework. Other institutions from the private business and community sectors collaborate in the prevention of juvenile delinquency and provide the necessary services to achieve the rehabilitation of the minor and productively integrate him or her into society.

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<sup>1</sup> (Act 88-1986, 34 L.P.R.A 2201, *et. seq.*)

The Rules and Regulations for dealing with minors, that establish the procedures in cases of juvenile delinquency, were incorporated in Act No. 33 of June 19, 1987, as amended, and involve four main steps: **Apprehension** – this is the first step dealing with an offense. The minor is apprehended and brought before the authorities – with or without a court order. The minor is to be brought before a judge without any delay. **Probable Cause Hearing** – is equivalent to the Preliminary Hearing and is held to authorize the Juvenile Prosecutors to institute charges against the minor and order that proceedings continue against him/her. **Adjudication Hearing** - where evidence is presented, and a determination is made on whether the minor is responsible or not. This hearing must be held within sixty days (60) after probable cause has been determined or within thirty days (30) if the minor is being held in a detention center.<sup>2</sup> The presumption of innocence applies and, if there is reasonable doubt concerning the infraction, the case is dismissed. **Final disposition hearing** – the equivalent of a trial. If the minor is determined to have committed an offense, the judge determines what punishment will be meted. Article 25 of the Minors Act<sup>3</sup> establishes that the judge must impose dispositive measures from lesser to greater severity, according to several factors. The punishment can be nominal (focused on guiding the minor without any conditions on his/her freedom), conditional (for example, probation) or custodial (the minor is placed under the Administration of Juvenile Institution, a public or private organization that meets certain requirements, or the Secretary of Health, in cases in which there is a mental health situation). The Minors Court does not have authority to intervene in cases in which a minor reached the age of 15 and is accused of (1) first degree murder, with intent; (2) actions that derive from the action which led to first degree murder or (3) actions that constitute a criminal act when

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<sup>2</sup> Unless such delay is due to a request of the parents, guardians or for a justifiable reason.

<sup>3</sup> 34 L.P.R.A. § 2225.

the minor has previously been guilty of murder and tried as an adult. In all the previously mentioned cases, the minor will be treated as an adult.

***Plan for compliance with the racial and ethnic disparities (R/ED) core requirement***

Pursuant to the JJDPa at 34 U.S.C. §11133(a)(15), states and territories must implement policy, practice, and system improvement strategies to identify and reduce these disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas. Racial and ethnic disparity is defined in the legislation as minority youth populations involved at a decision point in the juvenile justice system at disproportionately higher rates than nonminority youth at that decision point (34 U.S.C. § 11103(41)). The Puerto Rico Diversity and Racial Justice Subcommittee (DRAC) is our designated R/ED coordinating body, and it is comprised by SAG members and sister agencies that work directly with Juveniles and are responsible for the federal R/ED requirement. With R/ED requirement residing in the DRAC Subcommittee within the Puerto Rico State Advisory Group, decision making flows from the Subcommittee to all of the Puerto Rico SAG members for revision and final approval.

According to the most recent data from the American Community Survey for 2022, the population of Puerto Rico was around 3.2 million people. In terms of its demographic composition, the 2022 American Community Survey shows that 17.3% of the population, or approximately 566,176 individuals, are under 18 years old. Almost 100% of the population is Hispanic or Latino, with 97.5% for the total population and 90.9% for the population under 18 years. The data by race from the ACS 2022 indicates that 43.6% of the population considers themselves White, with a similar figure of 44.4% for the population under 18 years. Additionally, 8.8% of the total population identifies as Black or African American, while this number is 8.0% for the population under 18 years.

**Table 2: Distribution of the general population and the population of minors by race**

	Pop under 18 years	Percent of total population	Percent of population under 18 years
Total population	566,176	17.30%	100.00%
White alone	251,427	17.64%	44.41%
Black or African American alone	45,091	15.74%	7.96%
American Indian and Alaska Native Alone	888	17.53%	0.16%
Asian alone	1,172	18.62%	0.21%
Native Hawaiian and other Pacific Islander Alone	79	28.32%	0.01%
Some other race alone	144,827	18.42%	25.58%
Two or more races	122,692	16.09%	21.67%
Hispanic or Latino	514,820	16.14%	90.93%
<i>Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates.</i>			

According to the available data, 100% youth under the jurisdiction of the Juvenile Justice are Hispanic. Due to the historical background of the Island and its diverse racial and ethnic composition, these fields of information are not included in the official statistics produced for the Juvenile Justice System.

Due to gaps in information that limit our ability to identify disparities in our jurisdiction regarding race, ODSEC will be conducting a study over the next year to collect this information, including how youth in the system identify themselves and their perceptions on racial inequality. Based on the findings of this study, ODSEC, through the State Advisory Group (SAG), will develop a plan

to address any observed disparities. Additionally, ODSEC will dedicate efforts to raise awareness on this issue during this planning period. This initiative aims to ensure that all youth in the juvenile justice system are treated equitably, and to identify and mitigate any racial disparities that may exist. By addressing these disparities, ODSEC seeks to create a more just and inclusive system that supports the needs of all youth, regardless of their racial background.

The plan for compliance with the racial and ethnic disparities (R/ED) core requirement is included as part of the R/ED Plan for FY24 as provided to OJJDP in the Compliance Monitoring Tool.

## **B. Project Goals and objectives**

The Puerto Rico Juvenile Justice Program established the goals and objectives of this plan based on the results of the analysis of juvenile delinquency problems carried out and the recommendations derived from the consultation with stakeholders and the members of the State Advisory Group (SAG).

According to the juvenile delinquency analysis that was conducted, those minors that are currently under the custody of the Juvenile Institutions Unit, show a profile that coincides with the type of characteristics identified by the literature as factors that influence the development of criminal behavior. A high intermediate and high school dropout rate, poverty, and growing up in an environment of violence are common among this group. The role of the family in the child's education and development is crucial. Various of the sources consulted for developing this plan, point to a lack of family involvement and integration throughout the youth's academic and personal development. Based on these needs, the Three-Year Plan establishes the following order of priorities and their corresponding goals and objectives:

***Priority #1: Delinquency prevention and educational programs (Program Areas 34 U.S.C. § 11133(a)(9)(c):***

**Goal:** To reduce and prevent juvenile delinquency by promoting the implementation of comprehensive prevention activities and programs for youths at risk of becoming offenders, in coordination with the community, nonprofit organizations, government agencies and other stakeholders.

**Objectives:**

1. Contribute to the implementation, scalability and replicability of programs to prevent, reduce and address risk factors of juvenile delinquency implemented by NPOs and units of local government, including educational programs or supportive services to prevent truancy.
2. Promote the implementation of promising practices and evidenced-based programs that focus on delinquency prevention with the potential to be replicated in other areas of Puerto Rico.
3. Establish alliances with multi-sectoral stakeholders for the implementation of comprehensive prevention efforts, focused on education and community integration.

***Priority #2: Compliance Monitoring (Program Area: 34 U.S.C. § 11133(a)(9)(w))***

**Goal:** Maintain an adequate monitoring system, to ensure that the core protections are met, and to achieve full compliance with the Program's Core Requirements.

**Objectives:**

- To continue strengthening the state's monitoring structure and capacity for monitoring core requirements.
- To reduce and eventually eliminate violations regarding the Core Requirements.

***Priority #3: Jail Removal (Program Area: 34 U.S.C. § 11133(a)(13)***

**Goal:** Fully comply with this core requirement to assure no juvenile (youth) shall be detained or confined in any adult jail or lockup.

***Objectives:***

- To reduce and eventually eliminate the number of violations with this core requirement.
- To continue education efforts to the stakeholders related to this juvenile justice Core Requirement.

***Priority #4: Racial and Ethnic Disparities (R/ED) Core Requirement (Program Area: 34 U.S.C. § 11133(a)(15))***

**Goal:** Reduce racial and ethnic disparities among minors in the juvenile justice system

***Objectives:***

- To conduct an assessment of how this information is currently collected and whether the minor self-identifies or is identified by the person interviewing him or her.

***Priority #5: State Advisory Group (SAG) (Program Area 34 U.S.C. § 11133(a)(3))***

**Goal:** Contribute to the implementation of a statewide juvenile justice policies that all youth in the juvenile justice system will be treated equitably without regard to gender, race, family income, and mentally, emotionally, or physically handicapping conditions

***Objectives:***

- To Continue promoting the role of the State Advisory Group of advising the Chief Executive and the Legislature in the enforcement of Title II Formula Grants Program Core Requirements
- To ensure compliance with other SAG responsibilities, as established under Section 223(a) (3) of the JJDP Act.

***Priority #6: Planning and Administration (Program Area: 34 U.S.C. § 11133(c))***

**Goal:** To continue developing a sound administrative and grant management system that supports the Program's implementation and contributes to compliance with the JJDP Act Core Requirements, juvenile delinquency prevention and the improvement of the juvenile justice system in Puerto Rico.

***Objectives:***

- To continue strengthening the Program's evaluation, monitoring, and staffing plan pursuant to the JJDP Act at 42 U.S.C. § 5632(c) and the OJJDP Formula Grant Regulation at 28 C.F.R. Part 31, Subpart B, § 31.102.
- Through the Juvenile Justice Specialist, provide support to the Compliance Monitors, identify the needs from the different agencies of the juvenile justice system, apply for funding and administer Puerto Rico's Title II Formula Grants Program.

The Program will support sub-grantees (local government units and community-based organizations) whose focus is related to comprehensive delinquency prevention, including educational programs or supportive services for at-risk or delinquent youth or another juvenile. Through an open competitive process, ODSEC will distribute awards, based on priorities related to those entities implementing promising practices and evidenced-based programs and who promote community integration and multisectoral alliances, in areas of high vulnerability (including rural areas), with potential to be replicated in communities with similar conditions.

Complementary to these activities, the Program will seek to provide technical assistance and capacity building experiences to the sub-recipients, based on best practices in the prevention of juvenile delinquency, as well as compliance in the management of federal funding.

As well, ODSEC will be implementing some of the learning experiences and approaches from a demonstration project that seeks to prevent juvenile delinquency by integrating various evidence-based practices that support the transition to community life for young individuals under Law 88-1986, aged 13 to 17, or those who, having turned 18, are called to account for an offense committed before reaching that age. The focus areas of the Demonstration Project include developing socio-emotional skills, promoting positive youth development, implementing financial management strategies, and reducing juvenile delinquency recidivism.

More specific information on Goals and Objectives is Just Grants platform.

### **C. Collecting and sharing juvenile justice data**

The information available about minors that incur offenses is mainly collected by four government agencies: the Police Bureau, the Office of Courts Administration, the Department of Justice and the Unit of Juveniles Institutions of the Department of Correction and Rehabilitation. Although the information is collected on a periodic basis and is shared with ODSEC, it is fragmented and there are differences in the periods and definitions used by all agencies.

Based on these challenges and limitations with the data, and in compliance with Section 223 (a) (26), (27), and (28) of the Juvenile Justice and Delinquency Prevention Act, the Office of the Commissioner of Municipal Affairs (now ODSEC), was given the task of developing a Juvenile Information Sharing System (JISS). The agency adopted a methodology based on the Guidelines developed in 2006 by the Federal Government, the recommendations of several scholars in the United States and incorporating the experience in other jurisdictions. The system's pilot project was implemented in 2014. Before Hurricane María in 2017, it was already implemented in the 13 regions of the Police Bureau and implementation was started in the regions of the Department of

Justice. The system was designed to integrate other agencies, including the Mental Health and Anti-Addiction Services Administration, the Department of Education, the Department of the Family and the Department of Correction.

After Hurricane María, the conditions in the regions (lack of Internet and electric power), made it impossible to activate the system. After the hurricane, Puerto Rico was also impacted by a series of earthquakes and more recently the pandemic and Hurricane Fiona, which have delayed the continuation of this initiative. Nevertheless, ODSEC established an Ad Hoc Committee which is working on restarting the project. The Ad Hoc Committee has identified and integrated into this effort experts and key stakeholders and is currently working with the identification of existing data in the different agencies that work with minors and the assessment of the condition of the previous system that was developed.

#### **D. State Advisory Group Roster**

*State Advisory Group Roster is included in the platform JustGrants.*

#### **E. State Agency Contact Information**

*State Agency Contact Information is included in the platform JustGrants.*

#### **F. Pass-Through Waiver Request**

*The State is not seeking to wave requirements on JJDPa at 34 U.S.C. Section 11133(a)(5).*

#### **G. Plan for Collecting the Data Required for Performance Measures**

The Puerto Rico Juvenile Justice Program will collect and report data according to the following performance measures, which are related to the priority areas identified in a previous section.

Regarding sub-recipients, data will be collected on a quarterly basis, while the information from the facilities is collected monthly and revised by monitors.

Program Area	OUTPUT	OUTCOME
Planning and administration	# 1: FG funds awarded for P & A # 3: Number of FTEs funded with FG \$ # 7: Number of sub grants awarded #11: Number and percent of programs using evidence-based models strategies	# 12: Average time from receipt of sub grant application to date of award
State advisory group	# 1: Number of SAG committee meetings held # 2: Number of SAG subcommittee meetings held # 3: Annual report submitted to the Governor # 4: Number of grants funded with Formula Grants funds # 5: Number and percent of programs using evidence-based models	# 12: Number and percent of plan recommendations implemented
Compliance monitoring	# 2: Number and percent of program staff trained # 3: Number of hours of program staff training provided # 4: Funds allocated to adhere to Section 223 (a) (14) of the JJDP Act of 2002 # 6: Number of activities that address compliance with Section 223 (a) (14) of the JJDP Act of 2002 # 7: Number of facilities receiving TA	# 9: Submission of complete Annual Monitoring Report to OJJDP
Jail removal	# 1: formula grants funds awarded for jail removal # 14: number of programs implemented # 16: number of program youth served	# 17: Number and percent of program youth who OFFEND during the reporting period (short term) #18: Number and percent of program youth who OFFEND during the reporting period (long term) # 19: Number and percent of program youth who RE-OFFEND (short term) # 20: Number and percent of program youth who

Program Area	OUTPUT	OUTCOME
		RE-OFFEND (long term) #21: Change in the number of violations of the Jail Removal Requirement
Delinquency prevention	# 9: Number of program youth served	# 13: Number and percent of program youth who OFFEND during the reporting period (short term) # 14: Number and percent of program youth who OFFEND during the reporting period (long term) # 15: Number and percent of program youth who RE-OFFEND (short term) # 16: Number and percent of program youth who RE-OFFEND (long term) # 18: Number and percent of program youth completing program requirements (short term)

## **COMPLIANCE WITH 33 STATUTORY REQUIREMENTS OF THE STATE PLAN UNDER 34 U.S.C. § 11133(A)**

### **Requirements 1 -2: State Agency**

The Office for the Socioeconomic and Community Development of the Commonwealth of Puerto Rico (ODSEC, for its Spanish acronym), is the designated state agency responsible for the preparation and administration of the 3-year plan [34 U.S. Code § 11133 (1)]. Its designation as the agency responsible for the 3- year plan derives from the Executive Order OE-2017-039 and by the State Law Juvenile Justice Program and Delinquency Prevention Act 104 of 2019 [34 U.S. Code § 11133 (2)]. Section 1 of the Governor's Executive Order No. 2017-039, also gives the authority to the agency to implement the 3-year plan.

### **Requirement 3: SAG**

The Commonwealth of Puerto Rico has established a State Advisory Group advisory group that consists of not less than 15 and not more than 33 members appointed by the chief executive officer of the State and which meets specific statutory requirements set forth in 34 USC 11133(a)(3)(A)(I) (v).

Section 2 of the Governor's Executive Order No. 2017-039 establishes the members that are appointed to the State Advisory Group (SAG) by the Governor and representatives of the following sectors: government; juvenile justice related agencies; delinquency prevention and treatment agencies; non-profit organizations; volunteers from juvenile delinquency prevention programs; diversion programs; experts managing school vandalism problems; experts managing learning problems, emotional disorders, child abuse and negligence, and juvenile violence; and at least 3 persons that are or had been under the juvenile justice system jurisdiction.

The SAG participates in the development and review of the state's juvenile justice plan prior to submission to the Director of ODSEC for final action. Members discuss the most relevant data of

the analysis of juvenile delinquency and make recommendations on the goals and its priorities, as well as they review and approve the draft plan prior to submission to OJJDP, through follow up meetings [34 U.S. Code § 11133 (3B)].

The Government of Puerto Rico affirms that the SAG was afforded an opportunity to review 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).

Consistent with Title II, the Government of Puerto Rico affirms, as well, that the SAG advise the State agency designated under paragraph (1) above and its supervisory board. It provides advice to the State Agency and its Executive Director, through the different committees in which it is organized. These committees meet on a regular basis to address the need for effective statewide planning and coordination of activities that are written into the 3-year plan. The state agency, under the guidance of the SAG, is responsible for implementing that plan. Throughout the year, the state agency updates the SAG on the priorities and activities through bi-monthly meetings and written communications. The SAG makes recommendations for the annual updates required by OJJDP [34 U.S. Code § 11133 (3D(i))].

In line with Title II, the SAG submit to the chief executive officer and the legislature of the state at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements. It also advises on State supervisory and local criminal justice advisory board compositions.

The Government of Puerto Rico contacts and seeks regular input from juveniles currently under the jurisdiction of the juvenile justice system. The Unit of Juveniles Institutions of the Correctional

and Rehabilitation Department who maintains statutory authority over all juvenile detention and juvenile correctional facilities is represented in the SAG and provides regular opportunities for SAG members to meet with juveniles who are currently under their jurisdiction to gather their input. There are 4 juveniles who are currently part of the SAG. [34 U.S. Code § 11133 (3D(ii))].

The SAG is provided the opportunity to review and comment, within 30 days after their submission to the Executive Director of the ODSEC and the Juvenile Justice Program Director, all juvenile justice and delinquency prevention grant applications. The grants subcommittee of the SAG reviews and scores the grant applications and provides funding recommendations that are made to the full SAG within 30 days of receiving the applications. The full SAG provides the final vote on the awards to be made by the designated state agency [34 U.S. Code § 11133 (3C)]. (Page 26, onward of the Three-Year Plan).

#### **Requirement 4: participation of Units of Local Government**

The Government of Puerto Rico 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 Juvenile Justice Program is currently administered by ODSEC which, among its responsibilities, has the duty of integrating the efforts of units of local government (in our case municipalities) and non-profit organizations to promote community development (Act No. 10-2017, as amended). To fulfill this responsibility ODSEC is in continuous contact with the municipalities through a variety of channels and strategies, including regular meetings, online

communication and surveys. For the purpose of developing this Plan, representatives of units of local government participated of the meetings conducted with stakeholders.

**Requirement 5 & 6: Passthrough funds under 34 U.S.C. § 11133(a), Section 223(a)(5) and equitable distribution of funds**

The Government of Puerto Rico affirms that it will meet the requirements for passthrough funds under 34 U.S.C. § 11133(a), Section 223(a)(5). The Program will support sub-grantees (local government units and community-based organizations) whose focus is related to comprehensive delinquency prevention, including educational programs or supportive services for at-risk or delinquent youth or another juvenile. Through an open competitive process, ODSEC will distribute awards, based on priorities related to those entities implementing promising practices and evidenced-based programs and who promote community integration and multisectoral alliances, in areas of high vulnerability (including rural areas), with potential to be replicated in communities with similar conditions.

Complementary to these activities, the Program will seek to provide technical assistance and capacity building experiences to the sub-recipients, based on the best practices in prevention of juvenile delinquency and compliance in the management of federal funding.

The Government of Puerto Rico affirms that it will provide for an equitable distribution of the assistance received under section 222 [34 U.S.C. § 11132] within Puerto Rico, including in rural areas.

## **Requirement 7: specific plans and strategies based on the analysis**

### ***Gender specific services***

The juvenile justice program supports local governments and non-profit organizations regardless of the gender of the participants they serve. Nevertheless, during the past years, as a need has been documented, the Program has supported projects that are gender specific. An example is the “Girls Circle Program”, from the Boys and Girls Club with the goal of increasing protective factors and reducing vulnerability and risk factors in teen girls in the Municipality of Carolina.

During this year, the Program will continuously seek to build capacity regarding this topic, by participating in training and educational activities as they become available and disseminating that information among sub-recipients.

### ***Services for the prevention and treatment of youth delinquency in rural areas***

To address needed services to prevent juvenile delinquency in rural areas, the PR Juvenile Justice Program will announce the availability of funds to all municipalities and organizations, using national newspapers and other complementary media, such as the Internet. Although the highest number of offenders is concentrated in urban areas, it is no less true that according to the analysis of juvenile delinquency carried out in several municipalities in the center of the island, higher rates of arrests per ten thousand inhabitants occurred in these municipalities, when compared to other regions. Taking this into account, the Program will identify other communications channels that can contribute to a reasonable notification of the availability of funds to provide these areas with an opportunity to participate.

***Alternatives to detention for status offenders, survivors of commercial sexual exploitation and others***

The Government of Puerto Rico's public policy regarding minors is to recognize their right to live in a safe environment with dignity and for protecting them from any kind of abuse (Article 2, Act 246-2011, as amended). PRDF has the responsibility to develop programs to prevent violence against children, including multisectoral initiatives with families, communities, and CBOs to combat abuse and human trafficking and help survivors of these crimes (Article 11, Act 246-2011, as amended).

In the case of minors that come into contact with the juvenile justice system, the Puerto Rico Minors Act should be interpreted with the purpose of protecting and rehabilitating minors (Article 2, Act 88-1986, as amended). The authorities have the choice of referring most first-time offenders to diversion programs avoiding their detention and providing a better environment for their rehabilitation (Article 21, Act 88-1986, as amended).

***Plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs***

Article 22 of Puerto Rico Minors Act (Act 88-1986, as amended) contains requirements for rapid disposition of cases involving minors detained in correctional facilities. In case of provisional detention, there should be a court hearing in the following three (3) days after the arrest to determine if there is probable cause. The adjudicative hearing (equivalent to trial in adults) for minors detained should normally be within twenty (20) days of the determination of probable cause.

***Plans to engage family members in the design and delivery of juvenile delinquency prevention and treatment services***

The Government of Puerto Rico recognizes the importance of integrating families in the design and provision of prevention and treatment services. To the extent possible, the Juvenile Justice Program seeks to provide funds to those entities with participatory and empowerment approaches that integrate the family. Through the efforts of the SAG, as well as other stakeholders, the Program will seek to continue establishing collaborative relationships with community organizations, through which the participation of families in these processes is also made viable.

***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 Puerto Rico Juvenile Justice Program is under the Office of Socioeconomic Development (ODSEC), which is the agency of the commonwealth in charge of implementing the public policies on community development and the non-profit sector in the Archipelago. This makes it easier to join efforts with community organizations to help address the problem of youth delinquency. To this end, ODSEC will continue to establish agreements at the community level for these purposes.

***Plan to promote evidence-based and trauma-informed programs and practices***

Research shows that one of the main problems that has emerged in the aftermath of Hurricane Maria and the pandemic, in the case of Puerto Rico, is the way in which the mental health of the general population, including our youth, has been affected. Research conducted on the effects of Hurricane Maria<sup>4</sup> on children revealed that four out of every ten children and youth under the age

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<sup>4</sup> Study on the impacts of Hurricane María on Puerto Rico's Children (2018). Estudios Técnicos, Inc. for Save the Children and the Youth Development Institute.

of 18 were exhibiting distinct behavioral and emotional health problems as a result of the hurricane. The Juvenile Justice Program will continue to join efforts with members of the service provider community and academia to educate about the importance of this type of approach. In addition, to the extent possible, it will incorporate criteria into the funding distribution process to promote evidence-based, trauma-informed initiatives to expand the reach of these types of services. Furthermore, ODSEC will build on the lessons learned from a demonstration project that has been implemented with the purpose of preventing juvenile delinquency by integrating various evidence-based practices that support the transition to community life for young people under Law 88-1986, aged 13 to 17, or those who, having turned 18, are called to account for an offense committed before reaching that age. The focus areas of the Demonstration Project include the development of socio-emotional skills, positive youth development, financial management strategies, and reducing recidivism in juvenile delinquency.

***Plans 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***

Article 20A of Law 88-1986, as amended (Puerto Rico's Juvenile Law), prohibits the indiscriminate use of mechanical restraints. However, the Agency will continue to provide orientation regarding this topic.

***Plan to eliminate the use of abdominal restraints, leg and ankle, restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles***

Article 20A of Law 88-1986, as amended (Puerto Rico's Juvenile Law), prohibits the indiscriminate use of mechanical restraints. However, the Agency will continue to provide orientation regarding this topic.

**Requirement 8: Coordination and maximum utilization of evidence-based and promising juvenile delinquency programs operated by public and private agencies**

The Commonwealth of Puerto Rico expects to continue maximizing both Federal and State funds for juvenile delinquency programs by promoting a coordinated use of funds. Through its funding distribution process, the Program seeks to support sub-grantees (local government units and community-based organizations) based on priorities related to those entities implementing promising practices and evidenced-based programs, local and federally funded, and who promote community integration and multisectoral alliances, in areas of high vulnerability (including rural areas), with potential to be replicated in communities with similar conditions.

**Requirement 9: Evidence based or promising practices**

The Government of Puerto Rico confirms that not less than 75% of the total Title II funds provided to the state 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”).

**Requirement 10: Adequate research, training, and evaluation capacity**

The Government of Puerto Rico has developed an adequate research, training, and evaluation capacity within the state through the public university and public entities such as the Commonwealth of Puerto Rico Statistics Institute which provide high quality data, research and evaluation services to an array of entities including federal, state and local governments. In addition, the SAG promotes and supports the evaluation of federal and state funded programs, which provides useful information leading to improvements in the operation of programs and design of capacity building experiences. [34 U.S. Code § 11133 10].

## **Requirements 11 to 15: Core requirements and Monitoring**

The Program will provide for an adequate system of monitoring jails, lockups, detention facilities, and correctional facilities to ensure that the core protections are met, according to the eight elements of an adequate compliance monitoring system. All these requirements are addressed in Section 2, pages 16-36 Compliance Monitoring Plan.

### **Requirement 16: Assurance that youth in the juvenile justice system are treated equitably**

The Government of Puerto Rico provides assurance that youth in the juvenile justice system are treated equitably based on gender, race, ethnicity, family income and disability [34 U.S. Code § 11133 16].

### **Requirement 17: Assurance that consideration will be given to approaches designed to strengthen the families**

The Government of Puerto Rico assures 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.

### **Requirement 18: Procedures for protecting the rights of recipients of services and for ensuring appropriate privacy**

The rights of the participants and the privacy of their information are protected by local laws and regulations. ODSEC will be providing training to subrecipients and entities that will be implementing the services to ensure they are aware of these procedures and that they communicate participants' rights to them.

### **Requirement 19: Assurances regarding displacement**

The Government of Puerto Rico 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 person; (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.

**Requirement 20: Fiscal control and accounting procedures**

The Government of Puerto Rico 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 Title II of JJDP A Formula Grant.

**Requirement 21: Use of funds**

The Government of Puerto Rico 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.

**Requirement 22: Programs that are scientifically based**

The Government of Puerto Rico affirms that:

- 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.
- from time to time, but not less than annually, the state 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 and local needs, that it considers necessary.

The Government of Puerto Rico 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.

**Requirement 23: Status offense**

Included in the Compliance Monitoring Plan Section 2, page 2.

**Requirement 24: amount that exceeds 105 percent of the amount the State received under such section for fiscal year 2000**

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

**Requirement 25: Incentive grants to units of local government**

Not applicable, no funds are being set aside for this purpose.

**Requirement 26: Child welfare data sharing**

The Government of Puerto Rico assures that to the maximum extent practicable, and in accordance with confidentiality concerns, implements 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.

For these purposes the agencies that are part of the Juvenile Justice System coordinate efforts with the Puerto Rico Department of Family, which is the agency responsible for child welfare programs.

**Requirement (27): Social Security Act assurances**

The Government of Puerto Rico 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).

**Requirement 28: Coordination in the use of funds**

The Government of Puerto Rico affirms that it provides for the coordinated use of funds provided under Title II with other Federal and State funds directed at juvenile delinquency prevention and intervention programs.

**Requirement 29: Policies, procedures, and training in effect for the staff of juvenile State correctional facilities**

Included in the compliance monitoring OJJDP Title II Training Certification submitted with the Compliance Monitoring Tool.

**Requirement 30: Mental Health Screenings**

The Government of Puerto Rico affirms that:

A. evidence-based methods are 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. Puerto Rico 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 structure of services related to mental health, drug addiction and alcoholism in Puerto Rico is under the administration of the Mental and Health Anti Addiction Services Administration

(MHAASA), created in virtue of Act No. 67-1993, as amended. Within this structure, there are several units dedicated to prevention and education services for youth, including the Division of Community Preventive Services, responsible for planning, coordinating and establishing an action plan based on the risk and protection factors related to the use of substances, and other mental disorders directed to families, schools, individuals and communities.

In the case of offenders, the Juvenile Institutions Unit of the Department of Correction is responsible for providing mental health services to the institutionalized youth.

Specific policies and procedures are included as an attachment to the plan. Please see Attached Policy 12.2.9, 12.2.25 and 12.2.38 from the Puerto Rico Department of Corrections and Rehabilitation.

**Requirement 31: written case plans**

The Government of Puerto Rico assures that procedures for Requirement are implemented in the Department of Correction including the development of written case plan base on the assessment of needs that includes:

- i. the prerelease 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;
- i. and

The Government of Puerto Rico also assures that there is collaboration with State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure support regarding educational progress.

Specific policies and procedures and MOU between the Puerto Rico Department of Education and the Department of Correction are included as attachment.

**Requirement (33): The plan shall describe policies and procedures to:**

The Government assures that there are procedures in place for screening, identifying and documenting victims of human trafficking or those at risk of such trafficking, upon intake; and B. divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable. These are included as attachment Policy 13.1.1 from the Puerto Rico Department of Corrections and Rehabilitation.