

OJJDP FY 2021 Title II
Compliance Data Submission and RED Plans

Important note: Minnesota uses the term *Ethnic and Racial Disparities (ERD)* rather than *Racial and Ethnic Disparities*.

I. Submit statewide data at key juvenile justice decision points where research has shown that potential disparity may occur. Data collection must occur for at least four of the five points below. At each data point, your state must provide the percent distribution of race or ethnic groups compared to the general population distribution in the most recent U.S. Census data.

Data collection points:

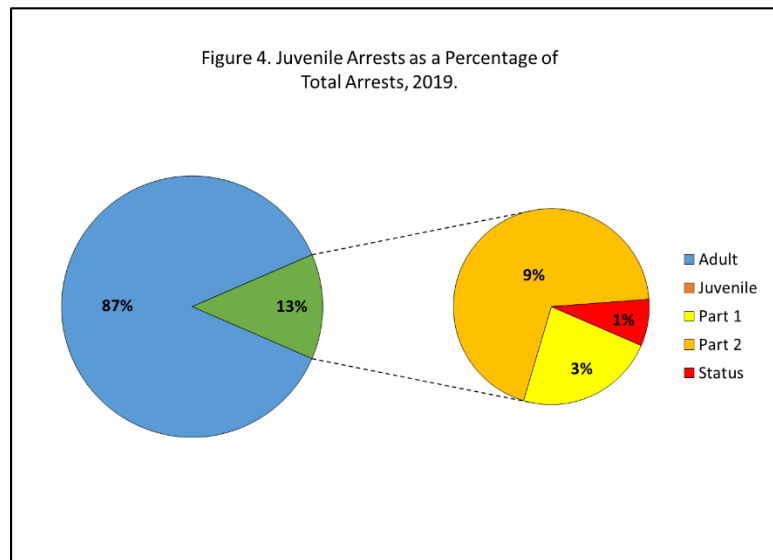
- 1. Arrest** – see below
- 2. Diversion (filing of charges)**
- 3. Pre-trial detention** – see below
- 4. Disposition commitments** – see below
- 5. Adult transfer** – see below

JUVENILE ARRESTS¹

In 2019, there were 150,034 total arrests in Minnesota.² Figure 4 illustrates that 87% of arrests in 2019 were of adults (130,452) while 13% of arrests were juveniles (19,582).

Arrests of juveniles are further subdivided by the type of offense: Part I offenses, Part II offenses, and status offenses. Part I offenses are the most serious crimes, examples of which include homicide, rape, aggravated assault, robbery and burglary. Crimes such as these are most likely to be reported to law enforcement. Arrests of juveniles for Part I offenses made up 3% of all arrests in Minnesota in 2019.

Part II offenses are considered “less serious.” Simple assault, stolen property, drug abuse, vandalism, driving under the influence, and disorderly conduct are examples of Part II offenses. In 2019, 9% of all arrests in Minnesota involved juveniles for Part II offenses.



¹ All arrest data come from the Minnesota Department of Public Safety Bureau of Criminal Apprehension, Minneapolis Police Department, St. Paul Police Department, and the Minnesota Department of Public Safety Bureau of Criminal Apprehension’s [Uniform Crime Report](#).

² See Appendix 2 for the number of all adult arrests, all juvenile arrests, and juvenile arrests by offense type in Minnesota in 2019.

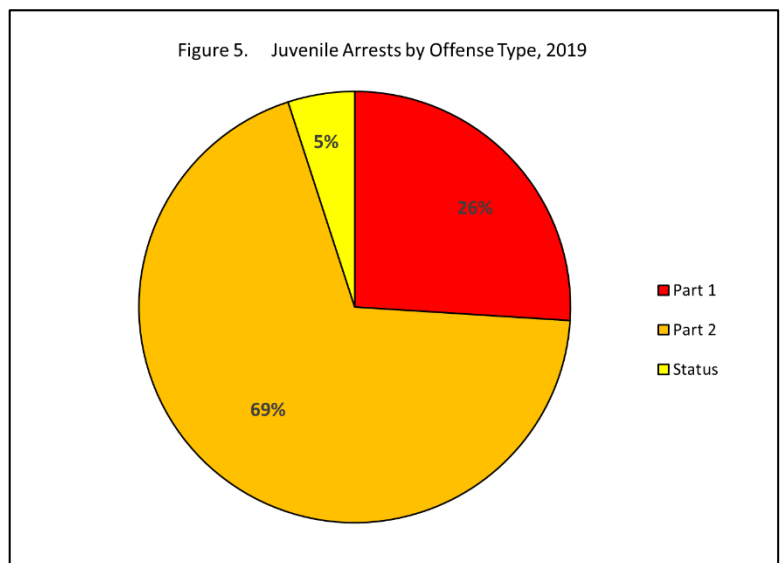
Lastly, status offenses apply only to juveniles but they do not constitute delinquent acts. As such, juveniles arrested for status offenses are non-offenders, not delinquents. While Part I and Part II offenses are offenses that are illegal for both adults and juveniles, status offenses are acts and behaviors that are legal for adults. Examples of status offenses include alcohol consumption, loitering and violating curfews. In 2019, arrests for status offenses made up 1% of all arrests in Minnesota.³

Arrests by Offense Type

A closer look at juvenile arrests in Minnesota in 2019 reveals the majority of arrests were for Part II offenses. Figure 5 displays the percent of juvenile arrests for Part I, Part II, and Status Offenses. Of the 19,582 total arrests, 69% were for Part II offenses. Just over one-quarter of juvenile arrests (26%) were for Part I offenses. The smallest percentage of arrests involved Status Offenses (5%).

Arrests by Gender and Offense Type⁴

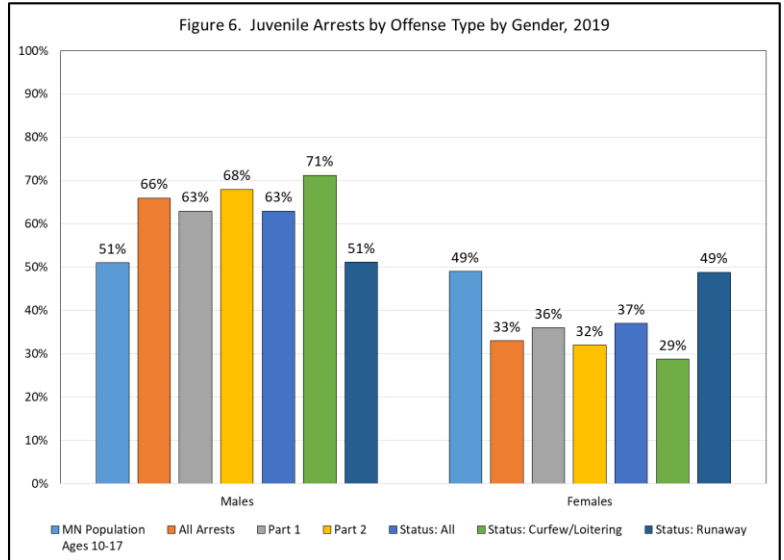
In 2019, the number of girls and boys between the ages of 10 and 17 was almost evenly split. Boys were a slim majority of the youth population, but they were overrepresented among juvenile arrests, as Figure 6 demonstrates. In 2019, boys were 51% of 10 to 17 year-olds but 66% of youth arrested. By contrast, girls were underrepresented among those arrested. Girls were 49% of the youth population but only 34% of juveniles arrested (Figure 6).



³ While status offenses under the federal Juvenile Justice and Delinquency Prevention Act (JJDP) include running away and truancy, it is important to note that Minnesota law defines both runaways and truants as Children in Need of Protection or Services. See, Minn. Stat. §260C.007, Subd. 6(13) & (14) (2019).

⁴ See Appendix 3 for the number of juvenile arrests in Minnesota by offense type and gender in 2019.

A breakdown of arrests by offense type reveals similar patterns. Girls were underrepresented, making up about one-third of those arrested for Part I and Part II offenses (36% and 32% respectively). Conversely, 63% of those arrested for Part I offenses and 68% of youth arrested for Part II offenses were boys. With regard to arrests for status offenses, similar proportions existed in 2019 as for other offenses. Boys made up 63% of youth arrested, and girls comprised 37% of youth arrested for status offenses (Figure 6).



When status offenses is divided into two categories, curfew/loitering and runaway, it is clear that boys have more arrests for curfew and loitering than girls (71% vs. 39%). Arrests for runaway are closest between boys and girls and reflective of the Minnesota population distribution (51% and 49%).

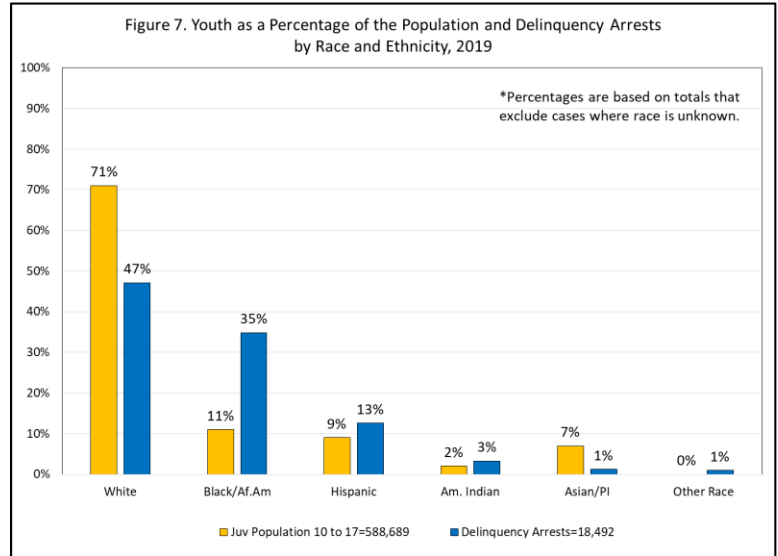
Arrests by Race, Ethnicity, and Offense Type

Figure 7 examines the race and ethnicity of youth arrested for delinquency⁵ offenses in 2019.⁶ Results demonstrate that some groups were overrepresented among delinquency arrests while others were underrepresented. White youth were among those underrepresented. They were 71% of the youth population between 10 and 17 years of age, but just 46% of those arrested for delinquent acts. Asian/PI American youth were also underrepresented. They were 7% of the youth population but just 1% of those arrested.

⁵ Delinquency arrests exclude specific offenses that are not illegal for adults or are always Petty Misdemeanors. The following offenses are excluded in the data: Truancy, Runaway, Curfew, Loitering, Juvenile Alcohol related offenses, Possession or sale of a small amount of marijuana and Traffic violations. These data are provided by the BCA, Minneapolis Police and St. Paul Police based on specific data requests.

⁶ See Appendix 4 for the number of juvenile delinquency arrests in Minnesota by race and ethnicity in 2019.

In contrast, Black/African American and Hispanic/Latin(x) youth were overrepresented among those arrested. Eleven percent of youth between the ages of 10 and 17 were Black/African American, but 34% of juvenile delinquency arrests were of Black/African American youth. There is a similar pattern but to a lesser degree among Hispanic/Latin(x) youth. Hispanic/Latin(x) youth made up 9% of the youth population but 12% of youth arrested for delinquency.



American Indian youth were the only group that was, for the most part, proportionately represented. American Indian youth were 2% of the youth population and 3% of those arrested for delinquency state-wide in 2019.

Arrests by Metropolitan Statistical Area⁷

Lastly, we compare juvenile delinquency arrests among youth in Metropolitan Statistical Areas (MSA) and non-Metropolitan Statistical Areas (non-MSAs) in Minnesota. MSAs are parts of the state with at least one area with at least 50,000 residents.⁸ In 2019, the population of youth ages 10-17 living in an MSA are roughly comparable to the percent of juvenile arrests occurring there: Seventy-eight percent of youth lived in an MSA, where 81% of juvenile arrests took place. Youth living in non-MSAs comprised 22% of the youth population and made up 19% of those arrested.

CASES PETITIONED AND CASES RESULTING IN DELINQUENT FINDINGS⁹

The arrest stage is one of several points of contact youth potentially have with the juvenile justice system. Following a delinquency arrest, law enforcement may refer the case to the county attorney. The county attorney decides whether to decline, divert or file charges by petitioning the case to court. Diversion can occur either pre- or post-charge. In Minnesota, many county attorney's offices provide pre-charge diversion services, giving youth the opportunity to avoid a juvenile court record while holding the child accountable. All county attorneys are required by statute to have pretrial diversion programming available for eligible justice-involved youth.¹⁰

⁷ See Appendix 7 for the number of youth between the ages of 10 and 17 and juvenile delinquency arrests in Minnesota by Metropolitan Statistical Area in 2019.

⁸ Counties in MSAs include: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Le Sueur, Mille Lacs, Ramsey, Scott, Sherburne, Sibley, Washington, Wright, Carlton, St. Louis, Benton, Stearns, Dodge, Fillmore, Olmsted, Wabasha, Blue Earth, Nicollet, Houston, Polk, and Clay. See Minnesota Department of Employment and Economic Development's [Metropolitan Statistical Areas](#).

⁹ Juvenile case filing and disposition data provided by the Minnesota State Court Administrator's Office, upon request, and the [Minnesota Judicial Branch Data Dashboard](#).

¹⁰ Minn. Stat. §388.24 (2019).

Because no state-wide data collection system exists in Minnesota for referral and diversion data, state-level data on the number of cases referred to county attorneys and number of cases diverted are not available. Requiring all 87 counties to collect and report to the state their juvenile diversion referral and completion data, disaggregated by race, ethnicity, and gender has long been one of JJAC’s goals and remains a priority for 2020 and beyond. However, absent the necessary data, the next part of the analysis focuses on the number of cases petitioned in juvenile court.

Juvenile Cases Petitioned

In 2019, there were 28,830 cases filed in juvenile court. Not all petitions in juvenile court are related to the juvenile delinquency, however. Juvenile Court also hears CHIPS cases (Children in Need of Protection or Services), Parental Permanency Cases, as well as Status and Petty offenses. Delinquency cases (misdemeanors, gross misdemeanors and felonies) are a total of 15,092 filings or 51% of all cases filed in juvenile court.

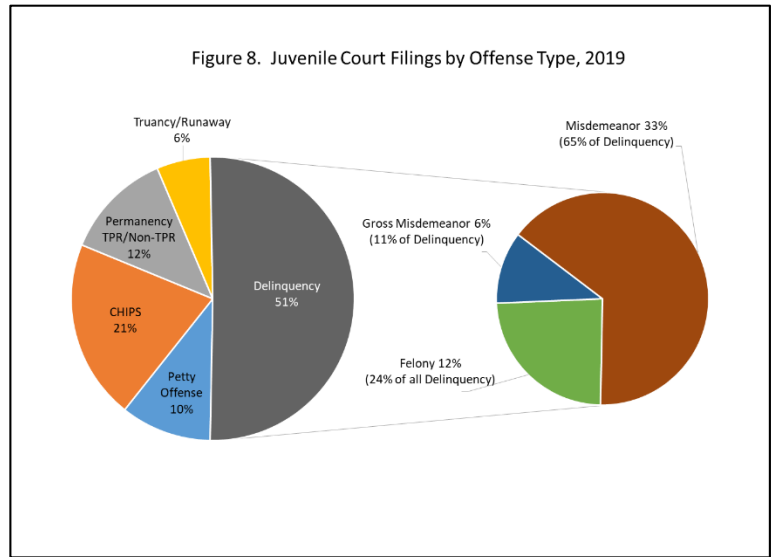
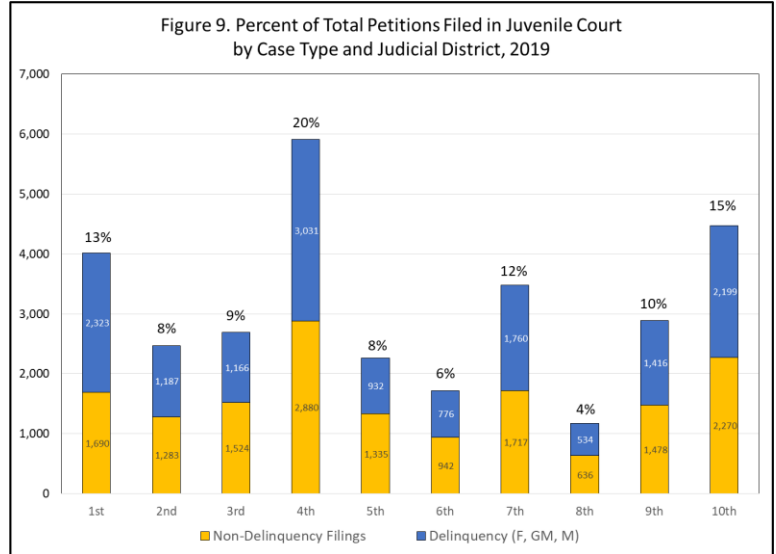


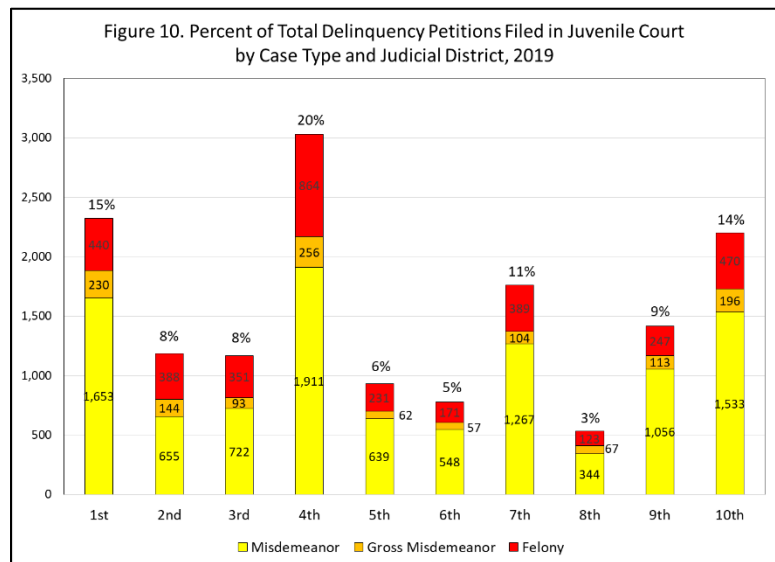
Figure 8 displays the percent of cases petitioned by case type and level in Minnesota in 2019.¹¹ Approximately half the cases (51%) were delinquency petitions. Cases involving felony charges made up 12% of all cases petitioned to juvenile court (24% of delinquency filings). Cases with gross misdemeanor charges were 6% of all juvenile filings (11% of delinquency filings). Finally, one-third (33%) of all cases filed pertained to misdemeanor charges (65% of delinquency filings). The remaining 39% of the 2019 juvenile court filings involved child welfare cases, including CHIPS petitions (21%), permanency through the transfer of custody and the termination of parental rights cases (12%), and the smallest percentage of cases were for truancy and runaway (6%).

¹¹ See Appendix 8 for the number of cases petitioned in Minnesota by offense level and judicial district in 2018. See Appendix 9 for a list of counties in each judicial district.

Figure 9 presents the distribution of cases across Minnesota’s ten judicial districts by case type. A plurality of petitions (20%) were filed in the 4th District, which is made up entirely by Hennepin County. The 10th Judicial District, encompassing eight counties including a couple in the metropolitan area, received the next-highest share of petitions (15%). Thirteen percent of petitions were filed in the 1st Judicial District, composed of seven counties including three located in the metropolitan area. Twelve percent of petitions were filed in the 7th Judicial District, comprised of 10 counties in west central Minnesota, and 10% of cases were filed in the 9th Judicial District. The 8th Judicial District received the lowest percentage of petitions (4%) while the remaining districts received 6% to 9% of total juvenile petitions.



Turning to the distribution of delinquency petitions across Minnesota, Figure 10 displays the number of cases involving felony, gross misdemeanors, and misdemeanors in each judicial district. Twenty percent of all delinquency petitions were filed in the 4th district, 15% were filed in the 1st district, and 14% were filed in the 10th district. Eleven percent of all delinquency cases were filed in the 7th district. The 8th district had the lowest percentage of delinquency case filings (3%).



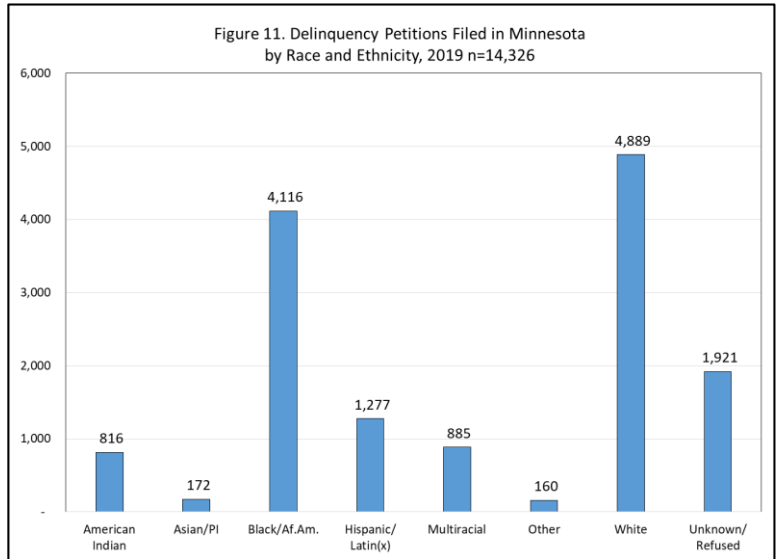
Delinquency Cases Petitioned by Race and Ethnicity¹²

Figure 11 illustrates the race and ethnicity of youth whose cases were petitioned to juvenile court in Minnesota in 2019.¹³ Race and ethnicity data are collected in Minnesota juvenile courts, but data are self-reported voluntarily. As such, there is unknown data when the information is missing or refused. Figure

¹² The data in this section are reported by SCAO upon request for specific reporting purposes by race and ethnicity. Figures contained in this section may differ from those reported in the prior section, which are taken from a publicly accessible data site.

¹³ See Appendix 10 for the number of cases petitioned and number of cases resulting in delinquency adjudications in Minnesota by race and ethnicity in 2019.

11 illustrates a total of 14,236 juvenile delinquency petitions filed in Minnesota in 2019. Delinquency petitions are those filed with a misdemeanor, gross misdemeanor or felony as the top level charge. Traffic offenses are generally excluded with the exception of DWI. Statewide, White youth constitute the largest number of delinquency petitions filed (4,889) followed by 4,116 cases among youth who identify as Black or African American. These two groups of youth account for 34% and 29% of filings, respectively. Youth of any race who identify as Hispanic/ Latin(x) are the third largest percentage of petitions filed where race is known (1,277, 9%). Petitions where race is unknown account for 13% of filings. The smallest percentage of filings by race are those who identify as multiracial (885, 6%), American Indian (816, 6%), Asian/PI American (172, 1%) and those who identify as a race other than those provided (160, 1%).

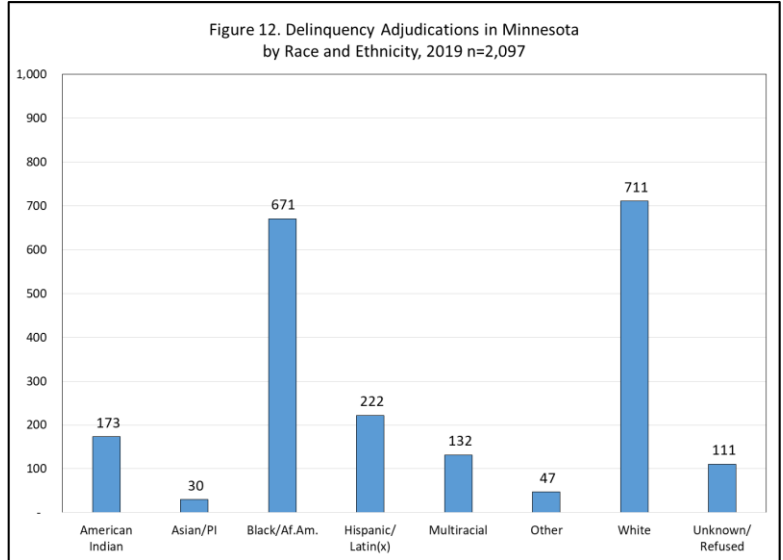


Cases Resulting in Delinquent Findings

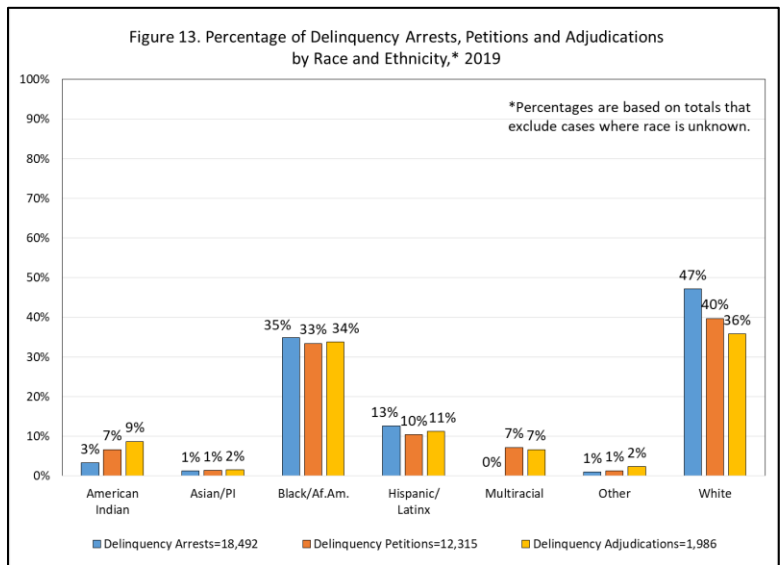
When a youth appears in court, there are numerous potential resolutions to the case. Some of the most common include Adjudication as a Delinquent, a Stay of Adjudication, Continuance for Dismissal, and Acquittal or Dismissal. Some cases that originate as delinquency level (M, GM and F) can also be reduced to non-delinquent petty offenses. Adjudication as a delinquent is an outcome of particular interest in that it requires either a finding or an admission of guilt in the case. Those who are adjudicated delinquent are often those who are eligible for out of home placement, the longest periods on supervised probation, and those who have the most collateral consequences associated with their delinquency record.

Data provided by the Minnesota State Court Administrator’s Office (Figure 12) indicates that approximately 15% of delinquency petitions filed in juvenile court (14,236) resulted in a delinquency adjudication (2,097). Like delinquency petitions filed, cases resulting in adjudication predominantly impact White youth and Black/African American youth at 711 and 671 cases, respectively.

As is illustrated by Figure 13, there is some disproportionality that exists from the point of arrest, to case filing, to delinquency adjudication. White youth account for 47% of delinquency arrests but 40% of youth petitioned for a delinquent charge—The percentage of youth adjudicated delinquent is lower yet at 36%. At the state level, Black/African American youth account for 35% of delinquency arrests, 33% of filings and 34% of adjudications. American Indian youth see their representation in the system rise from 3% of delinquency arrests, to 7% of petitions, to 9% of adjudications at the state level.



It should be noted that racial categories do not always translate across different system stages. Arrest data does not include multiracial or “other” race identities in the way that court data do. Even when unknown and missing data are excluded, they may not tell the full picture of racial disparities.



CASES RESULTING IN PROBATION PLACEMENT¹⁴

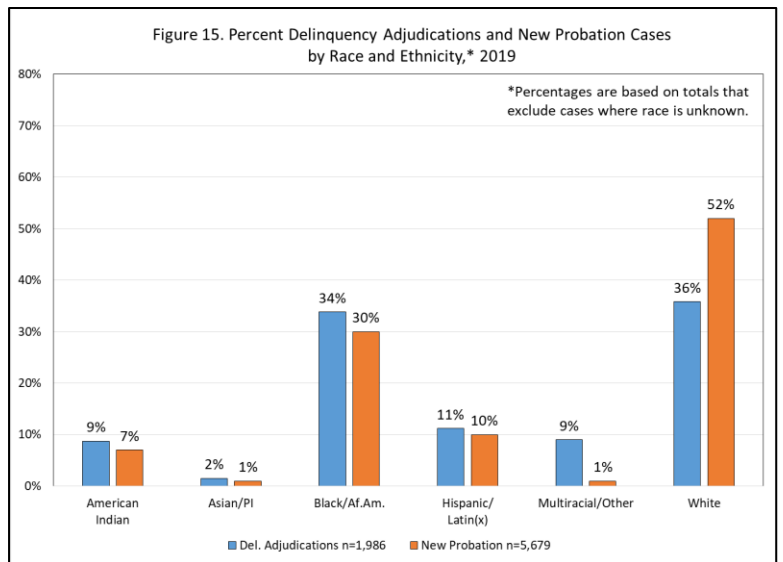
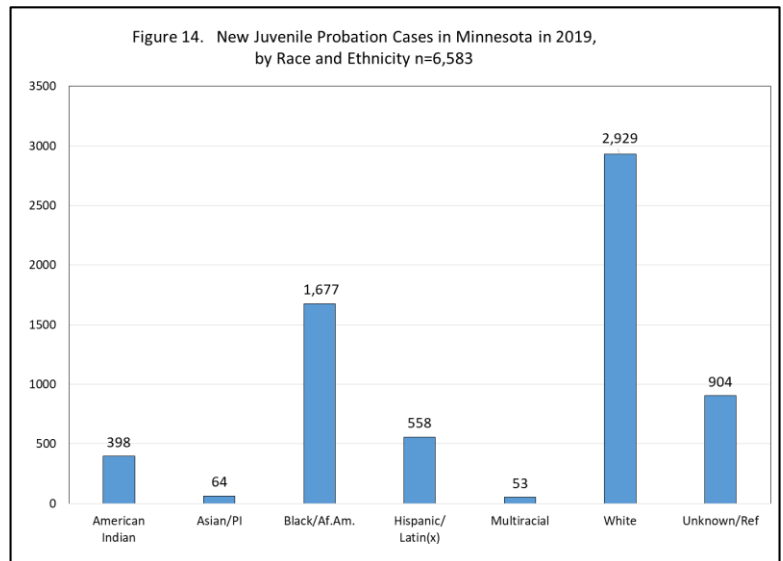
The Minnesota Department of Corrections maintains data on the number of youth on probation. Figure 14 illustrates the 6,583 new probation cases initiated in Minnesota in 2019 by race and ethnicity. The largest number of new probation cases initiated were for White youth (2,929) followed by Black/African American youth (1,677).

Hispanic/Latin(x) youth accounted for 558 new probation cases statewide, followed by American Indian youth at 398 new probationers. Unfortunately, in over 900 new probation cases in 2019, race and ethnicity information are unknown.

Figure 15 presents the percentage of youth on probation by race and ethnicity compared to the percentage of cases resulting in a delinquency adjudication. This comparison is recommended because probation is usually the result of a court-order related to a finding of guilt. However, it is possible that court cases other than those with delinquent findings (stays of adjudication, continuance for dismissal) can also result in probation.

Like previous findings, there was significant disproportionality among White youth and Black/African American youth. The former was over-represented among youth on probation, while the latter was under-represented. Thirty-six percent of delinquency adjudications were of White youth, but over half (52%) of those on probation were White. Conversely, Black/African American youth made up 34% of delinquency adjudications but 30% of youth on probation where race is known.

We observe some underrepresentation among American Indian youth in the probation data. American Indian youth made up 9% of cases resulting in an adjudication of delinquency and 7% of cases resulting in probation placement. There is a one percent difference between adjudication and probation



¹⁴ Probation data provided by the Minnesota Department of Corrections and Hennepin County DOCCR, upon request. See Appendix 11 for the number of cases resulting in probation placement in Minnesota by race and ethnicity in 2019.

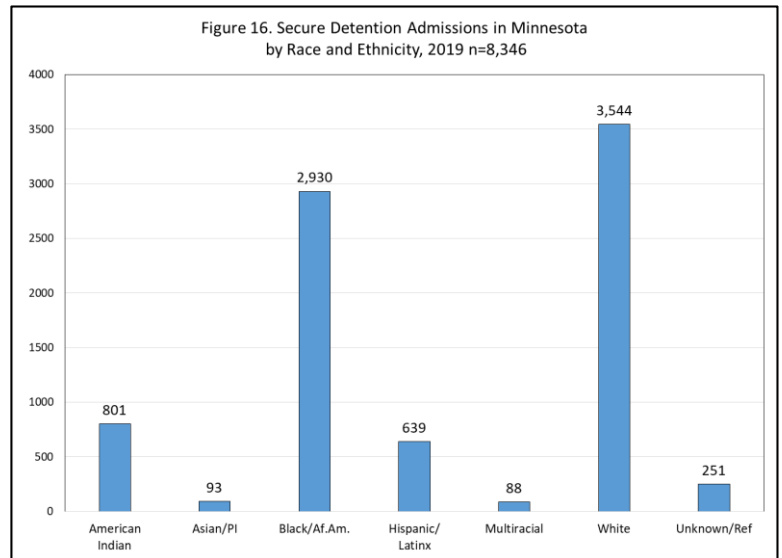
cases for Hispanic/Latin(x) youth and Asian/PI American youth. Note that 9% of adjudications were of youth who identified as Multiracial/Other, but were just 1% of probationers.

YOUTH IN SECURE FACILITIES¹⁵

Pre-Adjudication Detention

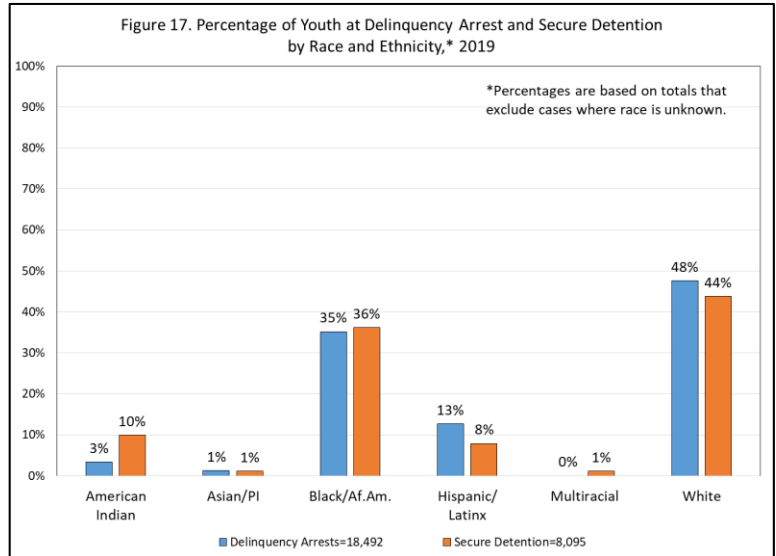
This section examines youth held in secure detention during court processing prior to disposition. These data include pretrial detention in secure jails or police lockups authorized to hold youth for detention purposes in Minnesota, as well as youth detained in secure juvenile facilities. In 2019, there were 8,346 admissions to secure detention settings in Minnesota. The majority of admissions are to secure juvenile facilities, however approximately 20% were detained in an adult jail or police lock-up licensed to hold youth temporarily.

Figure 16 illustrates the number of admissions to secure detention settings, by race and ethnicity. Statewide, White youth make up the largest number and percentage of secure detention admissions (3,544, 42%) followed by Black or African American youth (2,930, 35%). Youth identified as American Indian and Hispanic/Latin(x) account for 10% and 8%, respectively. Asian/PI American youth and Multi-racial youth were each 1% of the detention population in 2019. Race and ethnicity data were unknown for 3% of detention admissions.



¹⁵ Data on youth detained in secure facilities provided by the Minnesota Department of Corrections, Minnesota Correctional Facility- Red Wing and the Hennepin County Juvenile Detention Center, upon request. See Appendix 12 for the number of youth in secure detention and secure confinement in Minnesota by race and ethnicity in 2019.

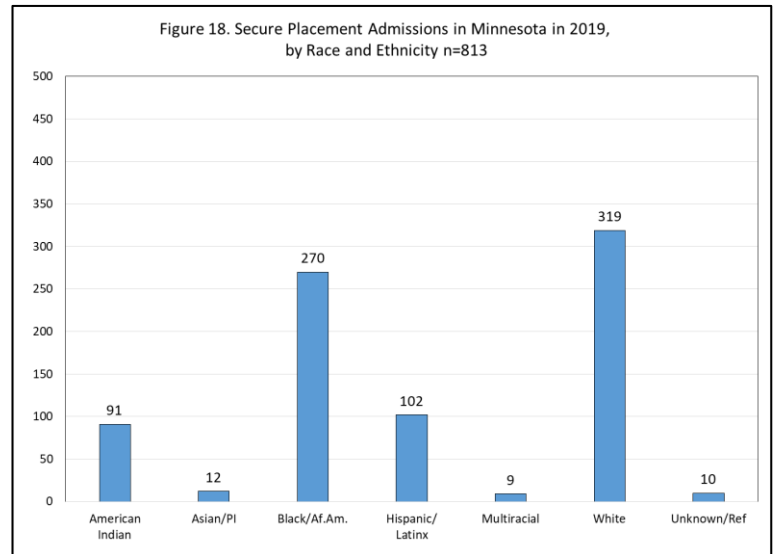
To calculate disproportionality, the percent of youth held in secure detention is compared to the percent of youth arrested for delinquency offenses. Some disproportionality is evident as illustrated in Figure 17. White youth are 48% of delinquency arrests but are 44% of secure detention events. Hispanic/Latin(x) youth are also underrepresented in detention as compared to arrest (8% vs. 13%). Conversely, American Indian youth were 3% of arrests but were 10% of detention admissions. Data among Black/African American and Asian/PI American youth appear largely proportionate in 2019.



Post-Disposition Placement¹⁶

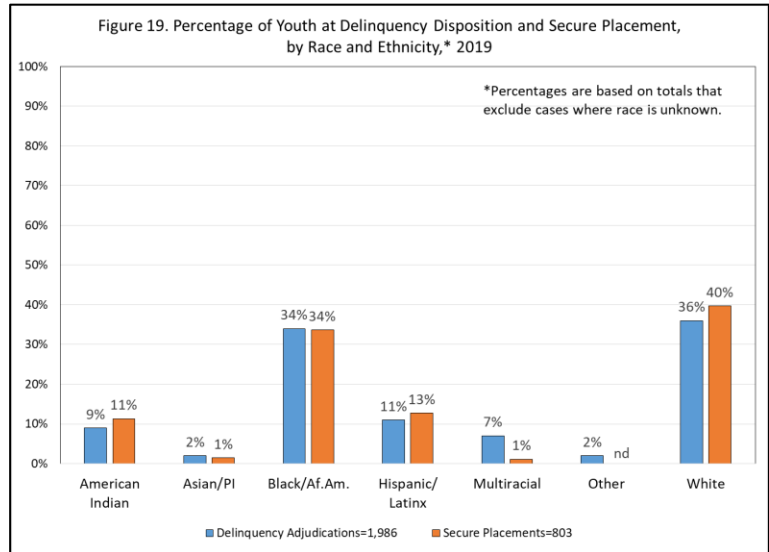
Next, we investigate the race and ethnicity of youth held in secure confinement as a result of a court disposition. In 2019, 813 youth were placed in a secure facility.

Figure 18 illustrates that White youth account for 319 secure placement admissions (40%) followed by 270 Black or African American youth (34%). Hispanic/Latin(x) youth were 13% of secure placement admissions (102) followed by 11% American Indian youth (91). Asian/PI American and multiracial youth constituted 1% of secure placement admissions, respectively.



¹⁶ Data on youth placed in secure facilities provided by the Minnesota Department of Corrections, Minnesota Correctional Facility- Red Wing and the Hennepin County Home School, upon request

To calculate disproportionality, the percent of youth placed in secure facilities is compared to the percent of youth adjudicated for delinquency offenses. Disproportionality is evident among those placed in secure facilities as compared to those adjudicated delinquent (Figure 19). White youth and American Indian youth were overrepresented among those placed securely post-adjudication. While White youth made up 36% of delinquency adjudications, they were 40% of those in secure placement. American Indian youth were 9% of those with a delinquency adjudication but 11% of those placed securely.



There was also disproportionately among Asian/PI American youth and Hispanic/Latin(x) youth. Asian/PI American youth were 2% of those with delinquency adjudications and 1% of those in secure placement. Eleven percent of cases resulting in delinquency adjudications and 13% of those held in secure placement were Hispanic/Latin(x). Black/African American youth were comparable at 34% of delinquency adjudications and 34% of secure placements.

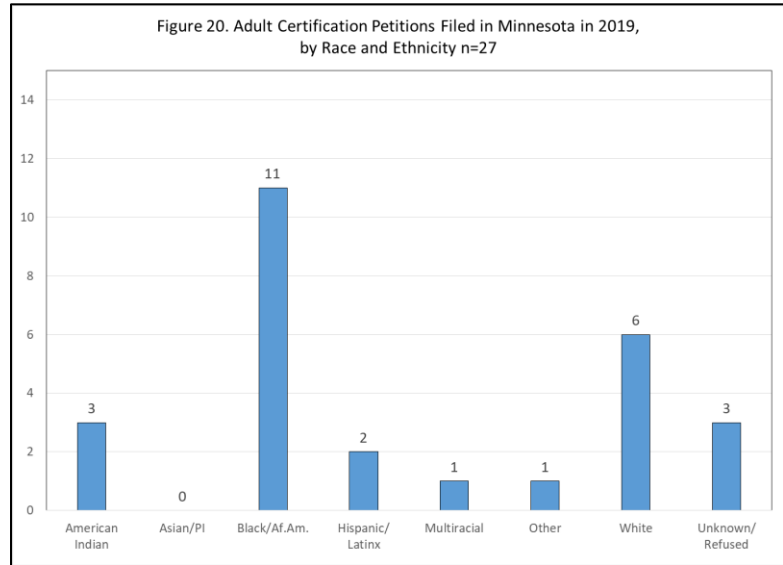
CASES TRANSFERRED TO ADULT COURT¹⁷

Lastly, we turn to youth transferred to adult court in 2019. Under Minnesota law, youth ages 14 or older alleged to have committed a felony-level offense may be transferred to adult court for prosecution.¹⁸ The process of transferring a case to adult court is called “certification” under Minnesota’s statutes. In 2019, of the 3,674 felony cases filed (which includes youth under 14 not eligible for certification) only 27 cases were transferred to adult court (less than 1%).

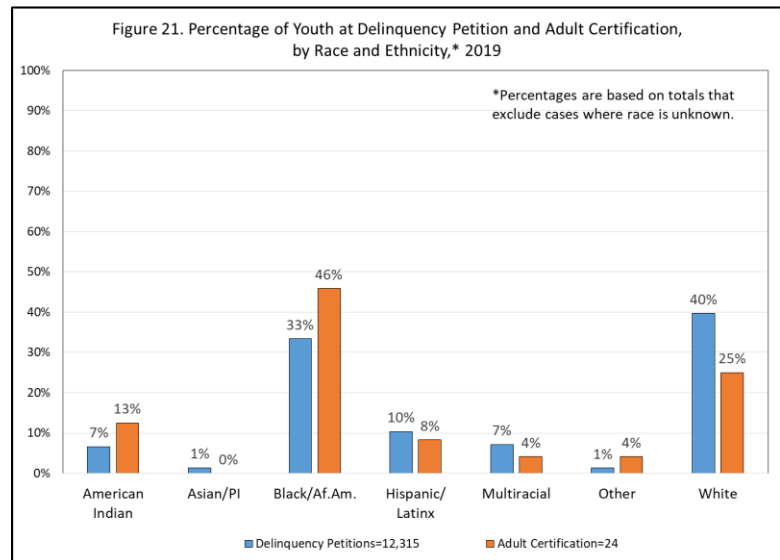
¹⁷ Data on transfers to adult court provided by the Minnesota State Court Administrator’s Office, upon request. See Appendix 13 for the number of cases transferred to adult court in Minnesota by race and ethnicity in 2019.

¹⁸ Minn. Stat. §260B.125 (2019).

Figure 20 illustrates the number and racial distribution of youth certified to adult court. Statewide, Black or African American youth are the largest number of youth certified to adult court (n=11), followed by White youth (n=6). American Indian youth (3), Hispanic/Latin(x) youth (2), and two youth identified as multiracial or a race other than those provided complete the data. Race was unknown/refused in three certification cases in 2019.



An exploration of disparity involves comparing the number of youth certified to adult court as compared to all youth petitioned for delinquent offenses. Figure 21 compares the percent of youth petitioned to juvenile court to the percent of youth certified to adult court. As the graph shows, there was significant disproportionately among White youth and Black/African American youth. White youth comprised 40% of delinquency petitions, but only 25% of youth transferred to adult court. By contrast, Black/African American youth were 33% of those petitioned in juvenile court, but 46% of those certified as adults.



American Indian youth were also overrepresented in adult court. Seven percent of delinquency petitions and 13% of adult transfers involved American Indian youth. Hispanic/Latin(x) youth were slightly underrepresented at 10% of delinquency petitions and 8% of those certified to adult court. Asian/PI American youth made up 1% of cases petitioned in juvenile court—none were certified as adults in 2019.

APPENDIX

Appendix 1. Minnesota Youth Population between the Ages of 10 and 17 by Race and Ethnicity, 2000-2019.

Year	White	Black/African American	American Indian	Asian/PI American	Hispanic/Latin(x)
2000	515,073	31,204	10,458	27,447	20,614
2001	513,136	33,655	10,561	28,041	22,384
2002	510,021	35,972	10,620	28,821	23,948
2003	502,796	37,967	10,427	29,158	25,509
2004	495,772	39,301	10,190	29,398	27,243
2005	488,969	40,641	10,050	29,532	29,110
2006	481,573	42,399	9,837	29,854	31,220
2007	472,912	43,478	9,635	30,099	32,980
2008	462,805	44,385	9,353	30,357	34,769
2009	454,827	44,895	9,152	30,831	36,318
2010	448,042	45,750	9,003	31,363	38,364
2011	442,746	46,868	8,949	32,031	39,760
2012	436,824	47,911	8,923	32,584	40,824
2013	433,062	49,313	8,968	33,657	42,402
2014	431,127	51,657	9,001	34,620	44,222
2015	428,403	54,040	9,003	35,637	46,026
2016	426,242	56,956	9,086	36,746	48,257
2017	425,155	60,216	9,213	38,174	50,395
2018	423,211	63,722	9,385	38,559	52,013
2019	420,652	66,663	9,505	38,920	52,949

Appendix 2. Number of All Arrests in Minnesota, 2019.

Juvenile Arrests				Adult Arrests	Total Arrests
Part I	Part II	Status	Total		
5,039	13,477	1,063	19,582	130,452	150,034

Appendix 3. Number of Juvenile Arrests in Minnesota by Offense Type and Gender, 2019.

Males					Females				
Part I	Part II	Status		Total	Part I	Part II	Status		Total
		Curfew/Loitering	Runaway				Curfew/Loitering	Runaway	
3,198	9,117	450	221	12,986	1,815	4,339	182	211	6,547

Appendix 4. Number of Juvenile Delinquency Arrests in Minnesota by Race and Ethnicity, 2019.

Race/Ethnicity	Number of Delinquency Arrests
White	8,713
Black/African American	6,446
American Indian	608
Asian/PI American	230
Hispanic/Latin(x)	2,322
Other/Mixed Race	173
Unknown	542

Appendix 5. Number of Juvenile Arrests in Minnesota by Offense Type and Race, 2019.

Race	Part I	Part II	Status
White	1,951	8,004	520
Black/African American	2,715	4,368	458
American Indian	154	517	35
Asian/PI American	97	186	13

Appendix 6. Number of Juvenile Arrests in Minnesota by Type of Status Offense and Race, 2019.

Race	Curfew/Loitering	Runaway
White	295	225
Black/African American	268	191
American Indian	26	9
Asian/PI American	6	7

Appendix 7. Number of Juvenile Delinquency Arrests in Minnesota by Metropolitan Statistical Area, 2019.

	Metropolitan Statistical Area	Non-Metropolitan Statistical Area
Youth Population 10-17	459,756	128,933
Delinquency Arrests	15,565	3,650

Appendix 8. Number of Juvenile Cases Petitioned in Minnesota by Case Type, Level and Judicial District, 2019.

	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th	Total
Felony	440	388	351	864	231	171	389	123	247	470	3,627
Gross Misdemeanor	230	144	93	256	62	57	104	67	113	196	1,659
Misdemeanor	1,653	655	722	1,911	639	548	1,267	344	1,056	1,533	9,806
Petty Offense	668	48	433	423	314	145	418	134	414	550	3,101
CHIPS	736	562	481	1,322	509	346	788	293	621	690	6,117
Permanency TPR/Non-TPR	216	443	296	1,108	246	356	380	132	347	431	3,693
Truancy/Runaway	70	230	314	27	266	95	131	77	96	599	1,827
Total	4,013	2,470	2,690	5,911	2,267	1,718	3,477	1,170	2,894	4,469	29,830

Appendix 9. Counties in Minnesota’s Ten Judicial Districts.

Judicial District	Counties
1 st	Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott, Sibley
2 nd	Ramsey
3 rd	Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Rice, Steele, Wabasha, Waseca, Winona
4 th	Hennepin
5 th	Blue Earth, Brown, Cottonwood, Faribault, Jackson, Lincoln, Lyon, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rock, Watonwan
6 th	Carlton, Cook, Lake, St. Louis
7 th	Becker, Benton, Clay, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Wadena
8 th	Big Stone, Chippewa, Grant, Kandiyohi, Lac Qui Parle, Meeker, Pope, Renville, Stevens, Swift, Traverse, Wilkin, Yellow Medicine
9 th	Aitkin, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnomon, Marshall, Norman, Pennington, Polk, Red Lake, Roseau
10 th	Anoka, Chisago, Isanti, Kanabec, Pine, Sherburne, Washington, Wright

Appendix 10. Number of Cases Petitioned and Number of Cases Resulting in Delinquency Adjudication in Minnesota by Race and Ethnicity, 2019.

Race	Cases Petitioned	Cases Resulting in Delinquency Adjudication
White	4,889	711
Black/African American	4,116	671
American Indian	816	173
Asian/PI American/PI	172	30
Hispanic/Latin(x)	1,277	222
Other/Mixed Race	160	47
Unknown/Refused	1,921	111

Appendix 11. Cases Resulting in Probation Placement in Minnesota by Race and Ethnicity, 2019.

Race	Cases Resulting in Probation Placement
White	2,929
Black/African American	1,677
American Indian	398
Asian/PI American	64
Hispanic/Latin(x)	558
Other/Mixed Race	179
Unknown/Refused	904

Appendix 12. Number of Youth in Secure Facilities Pre-Adjudication and Post-Adjudication in Minnesota by Race and Ethnicity, 2019.

Race	Youth in Secure Detention	Youth in Secure Confinement
White	3,544	319
Black/African American	2,930	270
American Indian	801	91
Asian/PI American	93	12
Hispanic/Latin(x)	639	102
Other/Mixed Race	88	9
Unknown/Refuse	251	10

Appendix 13. Number of Cases Transferred to Adult Court in Minnesota by Race and Ethnicity, 2019.

Race	Cases Transferred to Adult Court
White	6
Black/African American	11
American Indian	3
Asian/PI American	0
Hispanic/Latin(x)	2
Other/Mixed Race	2
Unknown/Refuse	3

It is a misconception that racial and ethnic disparities result from racial differences in crime rates and types of crime committed. Indeed, the disparities are too great to be explained by differences in offending patterns alone.¹⁹ In fact, when it comes to the two most common types of offenses—property and drug-related crimes—external research does not find racial and ethnic differences in rates of actual juvenile offending.²⁰ For example, self-report data suggest White youth are more likely than Black/African American youth to use or sell marijuana, and White and Black/African American youth are equally likely

¹⁹ See [On the Level: DMC in Minnesota's Juvenile Justice System](#).

²⁰ See [Promoting Equity with Youth Diversion](#).

to report selling hard drugs. According to external research, the majority of juvenile arrests are for non-violent offenses, so rates of arrest or formal processing should not vary across racial and ethnic groups, but they do. Researchers suggest a number of factors contributing to racial and ethnic disparities including structural racism and racial biases in the policies and practices of juvenile justice agencies, inequitable distribution of resources in communities, and the unchecked discretion of justice officials.²¹

II. Develop an action plan. Provide answers to the questions below.

1. What do your ERD numbers tell you about your jurisdiction?

(Response should reflect an analysis of the state's data.)

The arrest stage is one decision point in which youth of color have a wide range of experiences relative to White youth *and to one another*. The severity in disparity is great, ranging from 0.29 for Asian/PI American youth to 4.67 for Black/African American youth. The former are much less likely to get arrested than White youth, while the latter are much more likely to get arrested.

When exploring the journey of Black or African American youth throughout the stages of the justice system, disparities occur at a statistically significant level at every stage. This can contribute to what is known as “accumulative disadvantage” whereby the impact of disparities build from decision point to decision point. No decision point captured shows a lack of disparity. While Black/African American youth have the highest level of disparity at arrest, RRI among American Indian youth, show the greatest levels of disparity throughout the system, exceeding the levels calculated for Black/African American youth at almost all other system stages.

2. What would success in RED reduction look like for your state?

(Response should set forth a strategy and/or a vision and or a plan, goals or outcomes that reflect what success looks like.)

Goals:

1. Better describe state of ERD statewide through consistent data
2. MN will significantly reduce out of home placements per capita and per populations of color
3. Make a significant contribution to the body of information addressing ERD through creative approaches

Objectives/Activities (what we're going to do):

1. Better describe state of ERD statewide through consistent data
 - a) Improve upon what we collect
 - i) Identify data collection points within judicial districts

²¹ See [On the Level: DMC in Minnesota's Juvenile Justice System, Promoting Equity with Youth Diversion](#), and [Recommendations for Addressing Racial Bias in Risk and Needs Assessment in the Juvenile Justice System](#).

- ii) Report on ERD as a baseline
 - iii) Develop and promote racial census forms to courts
 - b) Improve upon how we collect
 - i) Establish a central repository for data
 - ii) Develop and disseminate tool kit for data collection
 - iii) Training and follow-up for implementation of tool kit
- 2. MN will significantly reduce out of home placements per capita and per populations of color
 - a) Develop alternatives to out of home placement via partnership with JDAI
 - b) Support effectiveness of reunification with family
 - c) Redirection of out of home placement dollars to support intervention/assessment aimed at avoiding out of home placement
 - d) Out of home placement facility staff are trained to provide culturally relevant services
- 3. Identify and support creative community-based strategies for addressing disproportionality
 - a) Partner with creative thought processes/agencies
 - b) Dedicate a professional to focus solely on this effort
 - c) Involve more youth and families in the search for solutions
 - d) Better identification of populations impacted

Performance Indicators (how we're going to measure what we do):

- 1. Better describe state of DMC statewide through consistent data
 - a) Identify stakeholders and key informants
 - b) Partner/collaborate/establish protocol and process for consistent data collection across judicial districts
 - c) OJP staff to summarize current data used for DMC reporting, identify data gaps, and recommend decision collection points in each judicial district to address
- 2. MN will significantly reduce out of home placements per capita and per populations of color
 - a) Crisis intervention processes available 24 hours that create pathways for success without out of home placement
 - b) Identify services that help service providers avoid out of home placement
 - c) Strengthen prevention strategies
- 3. Make a significant contribution to the body of information addressing DMC through creative approaches
 - a) Conversations in community and field across judicial districts
 - b) Create more visibility around issues through decision-maker education
 - c) Explore a public health model in developing solutions

3. How much do you want to reduce RED next year?

(Response should include a desire to reduce RED at the contact point(s) for a specific racial group; no numerical target is required.)

We would like to reduce ERD across all decision points by at least 10% next year.

4. Is the reduction reasonable? If yes, why?

(Response should include a jurisdiction (examples, specifics) as to why the intervention is reasonable.)

This reduction is reasonable, as we have several stakeholders in MN invested in this ERD-reduction effort. Two examples:

- a. MN's SAG, Juvenile Justice Advisory Committee, supports an ERD subcommittee that oversees implementation on MN's State ERD Plan. Additionally, all JJAC members play a role in the workplan and all relevant ERD reduction objectives. Everyone does their part, which includes developing partnerships with other agencies and aligning statewide efforts.
- b. The Minnesota State Legislature approved funding for a full-time staff Ethnic and Racial Disparities Coordinator. This position's work will center on OJJDP's three-phase ERD measurement platform. The ERD Coordinator will gather meaningful statewide disparities data from multiple sources such as law enforcement, data analysts, researchers, elected officials, and organizational leaders. They will also provide insight and recommendations on how to decrease racial disparities in juvenile justice. The ERD Coordinator will closely examine the decision points where disparities are the greatest.

5. What do you need from OJJDP to be successful with your plan?

(Response must identify any support needed from OJJDP or that no support is needed from OJJDP.)

Statewide data on cases referred to county attorneys and cases diverted are not available. We could use advice and assistance from OJJDP in determining how to get this important data.

6. What safeguards will you put in place to ensure that as you work to reduce RED, you are still protecting the public, holding youth accountable, and equipping youth to live crime-free, productive lives?

(Response should include any discussion that the mission goals are connected in some way to RED.)

JJAC advances this disparities-reduction work through our identified goals and the execution of the objectives relies heavily on partnership. In order to ensure that all our partners share in our vision for a balance of healthy youth development and public safety, we developed a Disparities Reduction Model. This model was written by JJAC, vetted with community partners, and then reviewed, revised and endorsed by Michael Finley of the Haywood Burns Institute.

This model serves as a critical safeguard for JJAC in ensuring that Minnesota’s juvenile justice system reform efforts are aimed at maximum positive youth development while maintaining public safety. All statewide agencies working toward ethnic and racial disparities reduction are expected to maintain fidelity to JJAC’s model (see model below).

Minnesota Juvenile Justice Advisory Committee (JJAC)
Ethnic and Racial Disparities Reduction Model

Although approaches at reducing ethnic and racial disparities (ERD) within juvenile justice systems may differ from county to county, JJAC has identified key characteristics that must remain central to any effort aimed at reducing the disparate treatment of youth of color:

1. Creative and Culturally-rooted
 - a. Open mindedness and respect for creative approaches at prevention, intervention and post-vention.
 - b. Prioritize community-centered responses to youth misconduct to reduce rates of system involvement.
 - c. Focus on culturally relevant restorative and rehabilitative strategies, led with fidelity to traditional practices, teachings and values.
 - d. Outcome measurement system that takes into consideration culturally-based elements of success.

2. Community- and Family-Centered
 - a. Systems must be accountable and share decision-making power with the communities most impacted in order to reach their maximum potential toward child well-being.
 - b. Involvement of parents/caregivers increases the child’s likelihood of success, allowing the parent to help shape expectations and maintain accountability for expected success outcomes.
 - c. Develop a strategy for actively engaging and informing community about ongoing opportunities for collaboration and involvement.

3. Historical Competence
 - a. Understand and take into account the role historical trauma has played amongst communities of color as well as the impact of implicit bias amongst decision-makers.

4. Collect, analyze and utilize data.
 - a. Systems must collect, analyze, and utilize data to reduce racial and ethnic disparities and achieve justice.

III. Conduct an outcome-based evaluation

In FY 2021, states must address the following questions designed to assist in determining progress toward reductions in RED:

1. What are your new numbers?

Our data is two years behind current time. So, we are always examining incremental change as a result of past actions and reforms. However, these numbers offer useful insight on whether or not what we have tried has been effective. Our long term vision is to collect, analyze and make use of data that is close to real-time, however, we know that goal will not be easy to achieve.

Table 1. Relative Rate Index Calculations Comparing Outcomes for Youth of Color to White Youth, 2019.					
	Black or African-American	Hispanic or Latin(x)	Asian/PI	American Indian	All Youth of Color
2. Juvenile Arrests	4.67	2.12	0.29	3.09	2.81
3. Refer to Juvenile Court	--	--	--	--	--
4. Cases Diverted	--	--	--	--	--
5. Cases Involving Secure Detention	1.25	0.66	1.05	3.26	1.24
6. Cases Petitioned	1.14	0.98	1.33	2.39	1.35
7. Cases Resulting in Delinquent Findings	1.12	1.20	1.20	1.46	1.18
8. Cases resulting in Probation Placement	0.61	0.61	**	0.56	0.52
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.69	1.02	**	1.07	0.70

10. Cases Transferred to Adult Court	2.18	**	**	**	1.87
-- No state-level data are available.					
Bold results are statistically significant.					
** Insufficient number of cases for analysis.					

The RRI matrix in Table 1 reveals racial disparities at almost all stages of the juvenile justice system in 2019. The far right-hand column demonstrates that youth of color were overrepresented at all seven decision points for which state-level data are available. Relative to White youth, youth of color were almost 3 times more likely to be arrested (2.81). Youth of color are one and one-quarter times more likely to be securely detained than White youth (1.24) and are 1.35 times more likely to be petitioned to court for a delinquency petition. Youth of color are slightly more likely to be adjudicated delinquent at 1.18 times, however the difference is statistically significant. Youth of color are almost twice as likely as White youth to be transferred to adult court for legal processing (1.87)

For the purposes of determining compliance with the JJDP, racial and ethnic disparities are calculated using the Relative Rate Index (RRI). OJJDP discontinued the requirement to use RRIs in 2017, however states may continue to use the tool for internal ERD work. At its core, the RRI determines whether a racial disparity exists at a particular decision point in the juvenile justice system. It does so by comparing the outcomes for youth of color *relative* to the outcomes for White youth. For instance, Black/African American youths' RRI at the arrest stage compares their rate of arrest to White youths' rate of arrest and tells us whether there is a racial disparity. Their rate of arrest is calculated based on their representation in the overall youth population in the state.

In addition to identifying the existence of racial disparities, RRI reveals magnitude and direction. With regard to the former, the RRI shows the severity of the disparity. With regard to the latter, the RRI indicates whether youth of color are *overrepresented* or *underrepresented* relative to White youth at a particular point of contact in the juvenile justice system.

To interpret the RRI table, a score of 1.0 means the outcome for a particular racial/ethnic group is equivalent to the outcome for White youth. For example, a score of 1.0 at the arrest stage means no racial disparity exists as compared to White youth and the chance of arrest for youth from a particular racial/ethnic group and White youth is the same.

Scores above 1.0 indicate overrepresentation. Using arrest as an example, overrepresentation means that, relative to White youth, a particular racial or ethnic group is *more* likely to be arrested. In other words, the rate at which they are arrested is higher than the rate at which White youth are arrested. Scores below 1.0 indicate

underrepresentation. Referring to arrest again, underrepresentation means that, relative to White youth, youth from a particular group are *less* likely to be arrested. To put it another way, their chances of arrest are lower than that of White youth. Note that underrepresentation still indicates a racial disparity and is cause for concern.

2. Did you meet your goals?

Yes. We made considerable progress against each of last year's goals. We built next year's goals off what we have already accomplished, taking on the next step of the work in each goal area.

Goal 1. Better describe state of ERD statewide through consistent data:

We nearly completed our ERD-data collection project, "Listen, Learn, Lead", which spans across all ten MN judicial district. We collected anecdotal, live-time data from youth of color across all judicial districts. Data focused on: juvenile justice system failures, successes, and insight about what youth need. This expert information is invaluable to JJAC's work and will inform all policy decisions made in the next few years. The project has been so successful that JJAC is considering making this project a biennial endeavor.

Goal 2. MN will significantly reduce out of home placements per capita and populations of color: When we look at detention rates in 2018 and compare them to 2019 numbers, we see a variation from one racial and ethnic group from the next. As it relates to African American youth, in 2018, the detention rate was 36% whereas in 2019, the rate was 34%, indicating little progress toward our goal. In all other racial and ethnic categories, we saw either a decrease or stabilization over the past year. Among American Indian populations, the rate in 2018 was 10% and the rate in 2019 remained at 10%. Among Asian American populations, in 2018, the rate was 1% and in 2019, the rate was 1% - no change. The Hispanic/Latino detention rates have declined from 2017 to 2018. Rates in 2018 went from 9.5% to 8% in 2019. These rates are demonstrating a slow decline in disproportionality among rates of out-of-home placement.

Goal 3. Make a significant contribution to the body of information addressing ERD through creative approaches: Successes: We are pleased with the increasing level of buy-in across the field, as well as interest coming out of the Governor's Office about disparities-reduction. We see a rise in the level of attention being put on this issue, overall. After many years, the work of JJAC, our Juvenile Justice Specialist, ERD subcommittee, and Racial Equity Specialist contractor have been aligned and organized. This past year was a critical time for analyzing and developing strategy. Furthermore, the State contributed funding for an ongoing set of staff positions to support JJAC: An ERD Coordinator and Compliance Monitor/Title II Grant Manager.

Additionally, the Listen, Learn, Lead project has been successful, developing an inventory of feedback related to what’s working and what isn’t, as reported directly by community youth. To supplement this project, Alfonso Mayfield, JJAC’s contracted Racial Equity Specialist convened over 12 meetings with community members, community based agencies, systems decision makers, and policy makers. He has reported to JJAC about his findings and will continue his work into next year.

Grantee	Project Description	Area(s) to be Served	Amount	Term
Beltrami Area Service Collaborative	Reduces minority contact with judicial and school disciplinary systems with early intervention.	Beltrami County	\$75,000	3/1/2020 - 2/29/2021
Center for Multicultural Mediation	CMM program prevents and reduces Somali youth from the criminal justice system in Hennepin County.	Hennepin County	\$75,000	3/1/2020 - 2/29/2021
EMERGE Community Development	A youth-led leadership program centered on older youth delivering prevention services to younger youth.	Hennepin County	\$75,000	3/1/2020 - 2/29/2021
HIRED	Hired serves girls on probation in Ramsey County.	Ramsey County	\$75,000	3/1/2020 - 2/29/2021
Legal Rights Center	Advocacy and pilots for establishing restorative justice programming options at all juvenile justice system decision points.	Hennepin County (as a model for all counties)	\$50,000	3/1/2020 - 2/29/2021
Minnesota Association of County Probation Officers	Decision Points Facilitator Training for juvenile probation agents.	Statewide	\$24,155	03/01/2020 - 02/29/2021
Restorative Justice Community Action	Listen, Learn, Lead program features roundtable discussions with youth of color in all ten Minnesota judicial districts focused on learning how to improve the juvenile justice system and reduce ethnic and racial disparities.	Statewide	\$125,491	07/01/2018 - 06/30/2020
Tubman	Tubman’s Youth Community Advocacy Program serves at-risk or justice-involved youth ages 10-17.	Ramsey County	\$75,000	3/1/2020 - 2/29/2021
White Earth Reservation Tribal Council	This program supports a Trauma Court Case Manager and youth activities aimed at reducing racial disparities in area justice systems.	Mahnomen, Clearwater and Becker Counties	\$75,000	3/1/2020 - 2/29/2021
Youthprise	This project supports a Racial Equity Specialist who is tasked with: (1) collecting and analyzing data on ethnic and racial disparities, (2) taking inventory of interventions and developing plans for new interventions, (3) measuring outcomes.	Statewide	\$75,000	01/01/2019 - 04/30/2020

3. If yes, what worked? What drove the success? If no, what were the barriers? How might you overcome them next year? What partners do you need?

We achieved success in two ways: (1) Developed strong policy models and (2) engaged in strong strategic partnerships

Policy model examples include, but not limited to: JJAC’s Ethnic and Racial Disparities Model and our Policy and Legislative Priorities document that was showcased to MN legislators and field partners.

Strong strategic partnerships include, but not limited to: law enforcement buy-in and education during compliance inspections, supporting the Legal Rights Center’s Youth Restorative Justice pilot project in Hennepin County, expanding the Crossover program with White Earth Band of Chippewa, maintaining an ongoing advisory relationship with Minnesota Juvenile Detention Alternatives Initiative (JDAI), supporting full-time Racial Equity Specialist Alfonso Mayfield, and funding

10 Title II subgrantees whose work is focusing solely on ethnic and racial disparities reduction.

Despite the aforementioned successes we know we have MUCH work to do. Minnesota leads the nation in out-of-home placement of Native American Youth. This statistic has served as a motivation to do better and to begin moving more quickly. Past efforts have not been quick and we know that now is the time to begin executing our Disparities Reduction Model and move it statewide. We feel confident moving into next year that we will be able to achieve a 10% reduction in out of home placements for youth of color.

We have identified law enforcement, county Attorneys, and courts as critical partners in this work. In order to achieve this 10% reduction, we need to educate and achieve buy-in.

Finally, but importantly, secured state funding for two permanent positions to support JJAC: ERD Coordinator and Compliance Monitor/Title II Grant Manager

4. How can OJJDP help you next year? What do you need from us?

Additional funding to develop and sustain effective, community-based interventions.

5. How did you protect the public, hold juvenile offenders accountable, and equip them to live crime-free?

We increased the efforts of our Compliance Monitoring Subcommittee by:

- Conducting more frequent meetings to discuss compliance issues at facilities
- Recruiting members (i.e. Judge Mayer and DOC Inspector Lisa Becking) with specific expertise
- Developing a team response strategy for compliance issues
- Establishing a method for keeping ongoing communication with Callie Hargett, JJCPA Compliance Monitor for Minnesota

The Subcommittee successfully intervened in three situations (Houston County, Hennepin County, and Polk County) involving JJCPA compliance. Additionally, the subcommittee offered support to Compliance Monitor Callie Hargett in developing educational materials for law enforcement and facilities related to the Core Protections. She brings those educational materials along to compliance visits.

6. What are your goals for next year?

JJAC plans to next year to pursue the goals outlined in its new Three Year Plan:

Goals:

1. Enhance and build upon statewide data already collected to gain a better sense for where disparities are the greatest, identify where gaps exist, and understand which interventions are effective.

- a) Improve upon what data we collect
 - i) Data transparency: stakeholders should regularly report data in a way that will allow real time tracking of numbers and demographics of youth in detention facilities and correctional out-of-home placements
 - ii) Develop and promote racial census forms to courts
- b) Improve upon how we collect data
 - i) Establish a statewide data hub that provides consistent definitions and data points for all reported data so that data can be gathered and compared in a meaningful way
 - ii) Pursue policy and practice changes that require prosecutors' offices to report on the following data points based on race, ethnicity, gender, age and offense: cases charged, diverted, declined, designated Extended Jurisdiction Juvenile (EJJ), motioned EJJ, motioned adult certification, and certified to adult court;
 - iii) Pursue policy and practice changes that require all judicial districts to report on the following data points based on race, ethnicity, gender, age and offense: charges sustained with a stay of adjudication of delinquency, charges sustained with an adjudication of delinquency, cases designated as EJJ cases, and cases certified to adult court
 - iv) Develop and disseminate tool kit for data collection
 - v) Training and follow-up for implementation of data-collection tool kit

2. Support partnerships between community and system stakeholders focused on reducing ethnic and racial disparities in the juvenile justice system

- a) Continue supporting and advocating for Minnesota's Juvenile Detention Alternatives Initiative (JDAI) reforms
- b) Secure additional funding to support interventions aimed at avoiding out-of-home placements
- c) Partner with creative thought processes/agencies
- d) Support pilot initiatives that foster community and systems partnerships

3. Drive policy change that will reduce out-of-home placement of youth who are Black, Indigenous, and People of Color

- a) Establish a policy requiring a validated Risk Assessment Instrument (RAI) be used for all detention facilities holding youth across Minnesota
- b) Collaborate with high-level decision-makers and influential systems partners in drafting and revising policies impacting youth
- c) When drafting and revising policies, seek out the input of youth and their families, value this expertise and prioritize these perspectives in all decision-making

4. Enhance knowledge and understanding of the juvenile justice system

- a) Support education and training opportunities for youth and families education about the juvenile justice system
- b) Seek out and identify opportunities to learn about what's working, ongoing challenges, promising practices

Performance Indicators (how we are going to measure what we do):

1. Enhance and build upon statewide data already collected to gain a better sense of where disparities are the greatest, identify where gaps exist, and understand which interventions are effective.

- a) Identify stakeholders and key informants
- b) Partner/collaborate/establish protocol and process for consistent data collection across judicial districts
- c) OJP staff to summarize current data used for ERD reporting, identify data gaps, and recommend decision collection points in each judicial district to address

2. Support partnerships between community and system stakeholders focused on reducing ethnic and racial disparities in the juvenile justice system.

- a) Conversations in community and field across Minnesota
- b) Strengthen prevention strategies
- c) Implement a solution-based public health model

3. Drive policy change that will reduce out-of-home placement of Black, Indigenous, and Youth of Color

- a) Create more visibility around issues through decision-maker education
- b) Crisis intervention processes available 24 hours that create pathways for success without out of home placement
- c) Identify services that help service providers avoid out-of-home placement

4. Enhance knowledge and understanding of the juvenile justice system

- a) Education and training events completed; audiences include:
youth and their families, law enforcement, community providers,
judiciary, and juvenile justice system professionals
- b) Support opportunities to learn about what's working, ongoing
challenges, promising practices