

2024 Policy & Legislative Priorities of the Minnesota Juvenile Justice Advisory Committee (JJAC)

What's needed?	How does this issue align with JJAC's values? Why is this issue a priority for JJAC?	What can be done?	Were there recent changes to policy and practice that advance progress on this priority/core protection?	For anything not yet accomplished, what tasks will move this forward, when can they be completed, and what is JJAC's role?
<p>Meaningfully impact the deep and pervasive ethnic, racial and gender disparities in Minnesota's juvenile justice system.</p>	<p>JJAC values making swift and substantial efforts to uplift and center the humanity of our Black, Brown, and Indigenous Youth.</p> <p>This issue should be prioritized because:</p> <ul style="list-style-type: none"> • Meaningful, fundamental systems change must be governed and measured by reliable and current data. Minnesota has no statewide data system that gathers data consistently, using the same definitions, data points and measures. Thus, a statewide juvenile justice data hub is necessary to 	<p>Pursue policy and practice changes that will require:</p> <ul style="list-style-type: none"> • Data transparency: stakeholders will be mandated to report data on a regular basis <ul style="list-style-type: none"> ○ Include reports to allow real time tracking of numbers and demographics of youth in detention facilities and correctional out-of-home placements • Development of 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 • Prosecutors' offices to report on: cases charged, diverted, declined, designated Extended Juvenile Jurisdiction (EJJ), 	<ul style="list-style-type: none"> • Recent changes to the Statewide Supervision System, refer to DOC's Inspection and Enforcement Unit • DOC Extended Juvenile Jurisdiction (EJJ) data collection and annual report • Ethnic and Racial Disparities (ERD) Coordinator position; Legal Rights Center's (LRC) ERD working group, and diversion policy. • The Omnibus Judiciary and Public Safety Appropriations Bill (HF46/SF55 Rep. Feist / Sen. Champion) passed in the '23 Minnesota legislative session established an Office of Restorative Practices • Omnibus Health and Human Services Appropriations Bill (HF2320/SF2401, Rep. Pinto / Sen. Wiklund passed in the 2023 	<ul style="list-style-type: none"> • JJAC's Policy & Partnership (P&P) Subcommittee will reach out to county attorney's association to facilitate the collection of data; Early 2024 • JJAC's Policy & Partnership (P&P) Subcommittee will facilitate collaboration between Minnesota Department of Education and JJAC's work; Fall 2024 • JJAC's Compliance Subcommittee will educate law enforcement agencies (LEAs) about diversion; Early 2024 • JJAC's Ethnic and Racial Disparities (ERD) Subcommittee is working with the Robert F. Kennedy

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	<p>implement changes and measure the impact of these changes.</p>	<p>motioned EJJ, motioned adult certification, and certified to adult court; based on race, gender, age, and offense</p> <ul style="list-style-type: none"> • Action from juvenile justice stakeholders on racial and ethnic disparities <ul style="list-style-type: none"> ○ Increase diversity training throughout MN • Initiation of "courageous conversations" with agencies engaging in and/or promoting harmful practices and policies 	<p>Minnesota legislative session created a new Department of Children, Youth and Families, also requires restructuring of other state agencies and transfer of responsibilities, mostly from DHS and DOE, but also transfers from DPS the juvenile justice and youth intervention grant programs, to the newly created Department.</p> <ul style="list-style-type: none"> • The Omnibus State and Local Government Appropriations and Policy Bill passed in the '23 Minnesota legislative session established a working group on youth interventions for recommendations on a design of a regional system of care for youth interventions, sustainable financing models and alternatives to criminal penalties. Work Group membership is proscribed in the legislation. • HF 1071/SF 667, authors Rep. Keeler/ Sen Kunesh, passed in the 2023 Minnesota legislative session amended Minnesota's Indian Child Welfare Act (ICWA) by: 	<p>National Resource Center for Juvenile Justice and the National Center for Juvenile Justice on 15-month disparities-reduction project that will produce recommendations for statewide policies and processes to reduce disparities; Project initiated September, 2023 and will conclude December, 2024.</p>

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			<ul style="list-style-type: none"> ○ Creating a policy on Tribal-State relations ○ Defining many terms dealing with placement of Indian children based on child protection proceedings. ○ Adds language governing emergency placement of Indian children and clarifies other aspects of ICWA and placement of Indian children. ○ Adds language concerning the involuntary placement of Indian children in child protection proceedings. <ul style="list-style-type: none"> ● The Omnibus Judiciary and Public Safety Appropriations Bill (HF1511/SF1819 Rep. Feist / Sen. Pappas) passed in the '23 Minnesota legislative session mandates the use of a youth risk assessment to decide whether a youth will be detained or released - requires it be racially, ethnically, and gender-responsive. 	

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<p>Keep youth out of the juvenile justice system who do not need to be there.</p>	<p>JJAC values a rehabilitative, therapeutic approach to youth justice versus a punitive response.</p> <p>This issue should be prioritized because:</p> <ul style="list-style-type: none"> • For most youth under the age of 13, the juvenile justice system is not an appropriate or necessary response to offending behavior yet there is no other system that is currently required to respond to, or provide services for, these youth. • Minnesota needs a clear response set forth by law that handles children 10-12 as those in need of services. Additionally, a funding stream should be established to ensure 	<p>Pursue policy and practice changes that will:</p> <ul style="list-style-type: none"> • Support community-led problem solving (ie community restorative practices/restorative justice) <ul style="list-style-type: none"> ○ Fund crisis services and stabilization for children • Explore alternatives to juvenile justice system referral for youth ages 10 -12, including creating a pilot program that would significantly reduce or eliminate referrals to the juvenile justice system for youth under the age of 13 • Bar admission to secure detention facilities for youth under the age of 13 except in extraordinary and rare cases • Identify and make available funding to support improved policies and practices. • Provide guidelines for comprehensive preventive health screening access for all youth. 	<ul style="list-style-type: none"> • Provided funding for the Legal Rights Center's (LRC) restorative justice program. • Police level diversion authorized via legislation. • The Omnibus Judiciary and Public Safety Appropriations Bill (HF46/SF55 Rep. Feist / Sen. Champion) passed in the '23 Minnesota legislative session established an Office of Restorative Practices. 	<ul style="list-style-type: none"> • JJAC's Compliance Subcommittee will educate law enforcement agencies about diversion; Early 2024

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	<p>that the needs of these children are met and the behaviors are addressed in order to reduce further involvement in the juvenile justice system.</p>	<ul style="list-style-type: none"> • Design a way to divert Rule 20 youth to RJ process and out of traditional system. • Promote school-based mental health services. • Promote houseless resources and support. 		
<p>Reduce harm and improve outcomes for youth in the juvenile justice system.</p>	<p>JJAC values practices that restore hope and promote a positive future for youth.</p> <p>This issue should be prioritized because:</p> <ul style="list-style-type: none"> • We can begin to address the pervasive ethnic, racial and gender disparities in Minnesota's juvenile justice system by 	<p>Pursue policy and practice changes that:</p> <ul style="list-style-type: none"> • Reduce youth incarceration: <ul style="list-style-type: none"> ○ Advocate for the development and utilization of alternatives to secure juvenile detention. ○ Risk Assessment Instrument (RAI) used for all detention facilities holding youth across MN ○ Health response for youth in correctional facilities (ensure 	<ul style="list-style-type: none"> • Funding provided for LRC's restorative justice pilot program. • Refer to DOC's Inspection & Enforcement Unit for info regarding health safety protocols • The Omnibus Judiciary and Public Safety Appropriations Bill (HF1511/SF1819 Rep. Feist / Sen. Pappas) passed in the '23 Minnesota legislative session mandates the use of a youth risk assessment to decide whether a 	<ul style="list-style-type: none"> • JJAC's Policy and Partnership Subcommittee will forge relationships with other agencies working to eliminate juvenile predatory offender registration; Early 2024 • JJAC's Compliance Subcommittee will educate law enforcement agencies (LEAs) about diversion; Early 2024

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	<p>requiring the use of a validated risk assessment tools across the state to govern admission decisions for all youth detention facility.</p> <ul style="list-style-type: none"> • To ensure health and safety, all facilities in which youth are placed must be required to follow all health mandates and, whenever possible, youth should be released to lesser-restrictive alternatives. • To protect youth referred to the juvenile justice system and to promote a fair and balanced juvenile justice system, Minnesota's statutes should be amended to: <ul style="list-style-type: none"> ○ Provide for greater privacy in 	<p>compliance with health mandates, release for high-risk youth)</p> <ul style="list-style-type: none"> ○ Increase funding for community-based alternatives. • Improve conditions for incarcerated youth <ul style="list-style-type: none"> ○ Support revision of Rule 2960 initiated by Department of Corrections to address modification of Disciplinary Room Time (DRT), including Due Process, and Strip Searches, with intent to limit the use of DRT and provide for assurances that individuals in DRT are supervised and cared for with dignity and according to their needs and rights. ○ Modify Minnesota Department of Human Services (DHS) disqualifications for youth 	<p>youth will be detained or released - requires it be racially, ethnically, and gender-responsive.</p> <ul style="list-style-type: none"> • The Omnibus Judiciary and Public Safety Appropriations Bill (lines 225.11 – 22227.30) passed in the 2023 Minnesota legislative session: <ul style="list-style-type: none"> ○ Significantly restricts the use of "strip searches" and, if permitted, must be performed by a health care professional or staff who have received training on trauma-informed search techniques. ○ Requires the Commissioner to report on the use of strip searches and isolation including specifics on the circumstances of each and the demographics of the youth involved. ○ Prohibits disciplining youth in detention facilities through physical or social isolation, but does not prohibit isolation for the youth's, staff or other facility resident's safety. 	<ul style="list-style-type: none"> • JJAC's Policy and Partnership Subcommittee will develop a JJAC Position Paper that includes data and recommendations related to best practices for youth, also educating about the importance of providing greater privacy in proceedings involving youth ages 16 and 17 charged with felonies (making juvenile hearings closed to the public unless there has been a designation as EJJ or a motion for certification); Spring 2024 • JJAC's Youth and Community Outreach Subcommittee will pursue the creation of a Youth Advisory Council to ensure youth voice is centered and valued in decision-making. The subcommittee will also arrange additional training for JJAC on sharing power and meaningful youth engagement; Early 2024

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	<p>proceedings involving youth ages 16 and 17 charged with felonies (making juvenile hearings closed to the public unless there has been a designation as EJJ or a motion for certification)</p> <ul style="list-style-type: none"> ○ Modify or eliminate predatory offender registration for youth under standard juvenile court jurisdiction (end automatic registration, create presumption of no registration) ○ Eliminate Juvenile Life Without Parole <p>Emerging mental health issues often involve acting out or aggressive behaviors. Mandatory children's mental</p>	<ul style="list-style-type: none"> • Eliminate public hearings and public records for 16 and 17 year-olds charged with a felony • Modify or eliminate predatory offender registration for youth under standard juvenile court jurisdiction (end automatic registration, create presumption of no registration) • JJAC could convene a group to discuss and explore the elimination or limitation of predatory offender registration for youth, using as one of the foundational documents the 2022 Report produced by the former legislatively-created Predatory Offender Statutory Framework (POR) Working Group; Mid-2024 • Eliminate Juvenile Life without the possibility of Parole (JLWOP) sentences for anyone under the age of 18 at the time of the offense who was or will be sentenced as an adult. <ul style="list-style-type: none"> ○ Make all persons who were or are under the age of 18 	<ul style="list-style-type: none"> • Refer to DOC's Inspection & Enforcement Unit for info re: any recent modifications to licensing Rule 2960 and/or how it is enforced. • DHS workgroup established. • The Omnibus Judiciary and Public Safety Appropriations Bill (HF46/SF55 Rep. Feist / Sen. Champion) passed in the 2023 Minnesota legislative session included an appropriation of \$1 million for grants to government for crossover youth (youth with child protection and delinquency involvement) • JJAC is pursuing its annual Title II allocation of delinquency prevention funding to support programming statewide. • In 2023, the Youth Justice Office at MN Office of Justice Programs hired three new staff positions to support JJAC and the youth justice field: ERD Coordinator, Compliance 	

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	<p>health can assist with proper assessment and treatment to avoid youth getting pushed further into the juvenile justice system for intervention.</p>	<p>at the time of the offense eligible for release</p> <ul style="list-style-type: none"> • Continue to promote the Crossover Youth/Dual Status Youth Model <ul style="list-style-type: none"> ○ Increase supportive services for youth who are dual jurisdiction. • Try to get youth under the age of 14 out of the system either through another system response or an alternative response • Promote rehabilitation, positive youth development and overall community health • Make children's mental health services mandatory in delinquency cases • Identify and make available funding to support improved policies and practices 	<p>Coordinator, and Health and Resiliency Coordinator</p> <ul style="list-style-type: none"> • The Omnibus Judiciary and Public Safety Appropriations Bill (HF46/SF55 Rep. Feist / Sen. Champion) passed in the 2023 Minnesota legislative session eliminated Juvenile Life without the possibility of Parole (JLWOP) sentences for anyone under the age of 18 at the time of the offense who was or will be sentenced as an adult. Replaces JLWOP with Life with the Possibility of Parole after serving a minimum of 15, 20 or 30 years depending upon the circumstances of the offense. • The Omnibus Judiciary and Public Safety Appropriations Bill (HF1511/SF1819 Rep. Feist / Sen. Pappas) passed in the 2023 Minnesota legislative session mandates the use of a youth risk assessment to decide whether a youth will be detained or released – 	

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			<p>requires it be racially, ethnically, and gender-responsive.</p> <ul style="list-style-type: none"> • The Omnibus Health and Human Services Appropriations Bill (HF1858/SF1839, Rep. Keeler / Sen. Dibble, passed in the 2023 Minnesota legislative session: <ul style="list-style-type: none"> ○ Expands school-based health service centers through grants from the Minnesota Department of Health ○ Expands existing electronic screening systems to administer developmental and social-emotional screening to children from birth to kindergarten entrance, with follow-up services to be funded through grants ○ Establishes Safe Harbor shelter grant funding for sexually exploited youth or youth at risk of sexual exploitation, age 24 or younger. ○ Includes \$100 million to improve or expand emergency 	

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			<p>shelter facilities, Establishes a Homeless Youth Cash Stipend Pilot Program for youth 18–24.</p> <ul style="list-style-type: none"> ○ Establishes, under DHS a family, friend, and neighbor (FFN) grant program to promote children's social-emotional learning and healthy development, early literacy, and other skills to succeed as learners and to foster community partnerships that will help children thrive when they enter school. 	
<p>Direct funding toward specific reform initiatives that will “change the narrative”.</p>	<p>JJAC values basing youth- and community-investments on the wisdom and wishes of those most impacted.</p> <p>This issue should be prioritized because:</p> <ul style="list-style-type: none"> • Community-centered responses to youth misconduct are proven most effective in reducing 	<ul style="list-style-type: none"> • Consider pilot projects that explore new strategies 	<ul style="list-style-type: none"> • LRC/Hennepin County’s restorative justice/diversion initiative has been successful and is being considered for potential statewide modification and implementation. <p>Could JJAC help advocate for related policy at various legal decision points?</p> <ul style="list-style-type: none"> • The Omnibus Judiciary and Public Safety Appropriations Bill passed in the 2023 Minnesota legislative session expanded or established grant funding programs in the 	<ul style="list-style-type: none"> • JJAC’s Children of Incarcerated Parents (CoIP) Subcommittee will launch a data-driven, multi-faceted initiative that will: inform changes to family programming and visitation spaces in jails, work with schools to support impacted children, implement training for law enforcement and attorneys to reduce negative impact of incarceration, inform changes to policies around pregnant detainees,

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	<p>rates of system involvement.</p> <ul style="list-style-type: none"> Youth benefit holistically from culturally relevant, restorative and rehabilitative strategies, led with fidelity to traditional practices, teachings and values. 		<p>following areas:</p> <ul style="list-style-type: none"> Human Trafficking Community Crime and Violence Prevention Crisis Prevention Youth Services Youth Intervention Dual Status Youth programs Workforce development <ul style="list-style-type: none"> Title II funds (subawards) Passed as part of the Omnibus Jobs & Economic Development Bill, Minneapolis Parks and Rec will receive \$750,000 per year for two years to support youth training and employment programs. Passed as part of the Capital Investment bill: <ul style="list-style-type: none"> \$2.073 million grant to Avenues for Youth to build a new youth shelter in North Minneapolis and an administrative office \$8 million grant to Hope4 Change to create youth homeless drop-in shelter in Anoka County. 	<p>and promote sentencing alternatives that keep parents at home; Initiating early 2024.</p>