



Minnesota Juvenile Justice Advisory Committee



2017 Annual Report
to Governor Mark Dayton and
the Minnesota State Legislature



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Cover Art: Official artwork of the Leech Lake Band of Ojibwe featured on report cover provided by and used with permission from our friends at Leech Lake Band of Ojibwe Youth Services Division

Photos below are from JJAC's April, 2017 visit to Leech Lake to discuss a series of projects designed to offer youth leadership and learning opportunities.





STATE OF MINNESOTA

Juvenile Justice Advisory Committee

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Richard Gardell, Chair

December 1, 2017

The Juvenile Justice Advisory Committee (JJAC) spent the last year sharpening its focus, identifying and prioritizing the most urgent issues present within Minnesota's juvenile justice system. An advisory body to the Governor and the Legislature, JJAC represents the entire state. In an effort to continue learning about the unique challenges faced by juvenile justice stakeholders throughout each region of Minnesota, we engaged 670 partner stakeholders and agencies in providing feedback on JJAC's new Three-Year Plan and legislative priorities.

Please learn more about JJAC's priority issues in the Recommendations and Accomplishments section of this report, beginning on page 5.

I'd like to share with you a few topics that remain at the top of JJAC's list of concerns:

1. We must reduce levels of disproportionality of youth of color involved in our juvenile justice system. In order to effectively impact Disproportionate Minority Contact (DMC), JJAC calls upon the Minnesota Office of Justice Programs (OJP) to partner in supporting a staff position and funding for DMC intervention programming. Among many other reasons to urgently address DMC, Minnesota ranks top in the nation for out-of-home placement of Native American youth. It's well past time to change that statistic.
2. Minnesota is out of compliance with recent higher court decisions regarding the imposition of Life without Parole sentences for juvenile offenders. JJAC has been actively educating Minnesota legislators about best public policy on sentencing youth who have committed deep-level offenses.
3. Youth in Minnesota are suffering due to a lack of appropriate and accessible mental health services. JJAC has sought out input from field experts and will work tenaciously over the next year to develop ideal solutions to this urgent and growing need.

I hope you are inspired by the accomplishments presented in this summary and I welcome you to add your voice to this year's efforts in caring for our youth.

Sincerely,

Richard Gardell, Chair
Juvenile Justice Advisory Committee



About JJAC

The Juvenile Justice and Delinquency Prevention (JJDP) Act was passed by Congress in 1974. The JJDP Act guarantees four core protections to America's youth when and if they become involved in the local juvenile justice system. The JJDP Act, currently before Congress for re-authorization, provides the foundation for each state's committee work plan and responsibilities in juvenile justice. The JJDP Act is comprised of four core requirements:

De-institutionalization of Status Offenders

Each state must ensure that juveniles who are charged with a status offense will not be placed in secure detention or in correctional facilities. Status offenses are those offenses which would not be an offense if committed by a person over the age of eighteen (e.g., truancy, curfew, running away, alcohol and tobacco possession/consumption).

Sight and Sound Separation of Juveniles from Adult Offenders

Each state must ensure that a juvenile charged with a delinquent offense and who is detained or confined in an adult jail or lockup will not have verbal or visual contact with adult offenders.

Removal of Juveniles from Adult Jails and Lockups

Each state must ensure that no juvenile shall be detained or confined in a jail or lockup that is intended for adult offenders beyond specific prescribed time limits – six hours in a Metropolitan Statistical Area (MSA) county and 24

hours in a non-MSA county. Minnesota has a combination of MSA and non-MSA counties and the designation is based on population.

Disproportionate Minority Contact (DMC)

Each state must make an effort to reduce DMC at all nine points along the juvenile justice continuum when each minority proportion exceeds that minority's representation in the overall population of youth within the age range of juvenile court jurisdiction. The nine points of contact are:

1. Juvenile Arrests
2. Referrals to County Attorney's Office
3. Cases Diverted
4. Cases Involving Secure Detention
5. Cases Petitioned (Charge Filed)
6. Cases Resulting in Delinquent Findings
7. Cases Resulting in Probation Placement
8. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities
9. Cases Transferred to Adult Court

To oversee Minnesota's compliance with the four core requirements, the Governor appoints eighteen members to the Juvenile Justice Advisory Committee (JJAC). All JJAC members are experts in the field of juvenile justice. JJAC is responsible for reporting annually to the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), providing the current data required to ensure compliance with the four core requirements.

Please see Minnesota Youth Demographics section, pps 10 - 16 for current data.

Additionally, JJAC is responsible for providing advice and recommendations to the Minnesota Governor and Legislature on issues, trends, practices and concerns relating to all aspects of juvenile justice. Thus, JJAC serves not only as a supervisory entity, but as an advisory group whose central focus is to promote and support reforms that improve Minnesota's juvenile justice system as well as outcomes for youth who may be referred to Minnesota's juvenile justice system.

JJAC's specific responsibilities include:

- To develop a comprehensive three-year plan for juvenile justice in Minnesota.
- To report to the Governor and Legislature on Minnesota's compliance with the JJDP Act's four core requirements.
- To advise the Governor and Legislature on recommendations for improvement of the Minnesota juvenile justice system.
- To review, award and monitor federal juvenile justice funds appropriated by Congress under the JJDP Act specifically via Title II and the Juvenile Accountability Block Grant (JABG) funds.

Federal Funding for Juvenile Justice

JJAC is proud of its ability to foster and support programming that improves outcomes for youth and our communities. However, we would be remiss if we did not highlight how challenging this work has become due to drastically reduced federal funding. For decades, Title II and Title V provided significant funding for prevention, intervention and aftercare programs to youth-serving and community based organizations. Fifteen years ago, JJAC awarded over 2.13 million dollars in Title II Formula grant funds and Title V Local Delinquency Prevention funds. The Title II funds went to 22 programs throughout Minnesota which served over 8,000 youth and families. The Title V funds were awarded to 25 Minnesota communities to support delinquency prevention efforts that reached over 17,000 youth. These funds were in addition to the \$3.4 million in Juvenile Accountability Block Grants (JABG) communities around Minnesota received in 2003 to support programming and services for at-risk youth. (See JJAC Annual Report for 2003).

Sadly, after significant annual reductions, Title V funding was eliminated in 2011. At the same time, Title II grants fell from approximately \$1.1 million in 2005 to \$571,435 in 2017. Similarly, JABG funding, which continues to provide support for juvenile justice initiatives to local units of government, fell from \$2.6 million in 2004 to only \$292,137 in 2013, which was the year that funding was eliminated. Thus, these critical federal funds, used to support Minnesota's youth and families, fell from a total of over \$6 million in 2002 to just \$571,435 in 2017.

Nevertheless, through its grant awards, JJAC will continue to support delinquency prevention and intervention strategies to help youth, families and communities (For a list of JJAC Title II grantees, please see page 18).

JJAC's Work

As a state-wide committee, JJAC meets nine times annually in various sites around the state. Often, these meeting sites are in locations where JJAC has provided program funding. This enables JJAC members to see first-hand the services it has helped provide to youth and families around the state. It also helps JJAC members become more familiar with local juvenile justice issues and provides communities convenient access to the committee. In 2017, the committee met at the following Minnesota sites: Duluth, Faribault, Cottage Grove, Chaska, Minneapolis, and St. Paul (4).

JJAC members represent all eight Minnesota congressional districts and include representatives from the following juvenile justice disciplines: youth, courts, law enforcement, private non-profit youth-serving agencies, public defense, prosecution and private citizens who have acquired special knowledge relating to juveniles. JJAC members represent Minnesota's rural, suburban, and urban areas equally, and they also represent all major ethnic and racial groups residing in Minnesota. JJAC is a working board.

Additionally, the JJAC Chair has designated resource professionals who serve as Ex-Officio Members for JJAC. They include representatives from Minnesota's state departments of education, health and corrections, as well as professional juvenile justice organizations focused on juvenile justice.

Minnesota Department of Public Safety's Office of Justice Programs is the state administrative agency where JJAC is housed. Office of Justice Programs staff, Callie Hargett, serves JJAC as Juvenile Justice Specialist, Delinquency Prevention (JJDP) Act Compliance Monitor, Disproportionate Minority Contact (DMC) Coordinator, and Title II Grant Manager.

JJAC Recommendations and Accomplishments

Recommendations for 2018

In the fall of 2017, JJAC developed a platform in partnership with 670 individuals and partner organizations. This platform was then presented to several Minnesota legislators and key partner agencies; issuing a call to action for juvenile justice reform. JJAC recommends stakeholders throughout Minnesota turn their attention to four critical issues (below) that demand immediate attention:

Eliminate Juvenile Life without Parole sentence.

Minnesota must move state statutes related to this issue into compliance with a 2012 United States Supreme Court ruling which deemed mandatory sentences of life without the possibility of parole unconstitutional for juvenile offenders. In order to achieve this goal, we must implement community awareness efforts aimed at engaging the public in pushing for reform. Additionally, legislators must be educated about the collateral damage related to the utilization of this sentence and the implications of remaining out of compliance with Federal statutes.

Significantly Reduce Racial Disparities in the Juvenile Justice System.

In the coming year, JJAC will promote better and increased utilization of alternatives to detention, identifying and supporting creative, community-based approaches for addressing dis-

proportionality. Training for law enforcement on implicit bias and educating them about alternatives to detention is critical when addressing the issue of racial disparities. We can achieve decreased use of secure detention through the widespread use of a validated risk assessment instrument by Minnesota juvenile detention facilities. Additionally, JJAC will push for uniform data collection across all jurisdictions, which should include development of a central data collection system.

Standardize the Crossover Youth Model across all Minnesota jurisdictions.

Over the past three years, JJAC has provided tremendous support to jurisdictions across the state in implementing the Crossover Model. JJAC's most recent Title II funding has been dedicated almost exclusively to agencies and government bodies implementing Crossover programming. All six grantees selected will work from January 1 to December 31, 2018 to achieve start

up and expansion goals in outstate and metro jurisdictions. JJAC plans to measure and record results experienced by all Crossover sites in Minnesota, using that information to educate stakeholders about this model. Community awareness and buy-in are critical components of JJAC's expansion efforts.

Increase Access to Mental Health, Trauma, and Substance Abuse Services.

In order to achieve an expanded level of critical services for youth across the state, we must promote better coordination and communication between service providers and clients. The development and distribution of a needs-based tool can help providers and other stakeholders identify appropriate services. JJAC looks to support the development of an interagency response team that can assist agencies in triaging major crises and push for increased funding for treatment.

Previous JJAC Recommendations

JJAC recommends increased utilization of State funds to support the efforts of counties seeking to implement multidisciplinary team approaches such as the Crossover Youth Model.*

JJAC recommends that all counties be mandated to ensure their systems delivery approach contains the key characteristics of the Crossover Youth Model, a strategy that is known to reduce levels of recidivism, as well as cost to taxpayers.*

JJAC recommends continued support for expansion of the JDAI model in additional Minnesota counties.**

JJAC recommends all MN educational districts to participate in the MN Student Survey.**

JJAC recommends the need for girls programming within the juvenile justice system that reflects the specific needs of girls.**

JJAC recommends the inclusion of GLBT perspectives in all juvenile justice programming.**

*See 2016 JJAC Annual Report for discussion pertaining to the relevant issue

**See 2015 JJAC Annual Report for discussion pertaining to the relevant issue

Stakeholder involvement: In order to achieve the goals and objectives outlined in this platform, JJAC relies on the expertise and efforts of valuable stakeholder partners. In shaping the platform, JJAC has defined “stakeholder” to include: legislators, juvenile justice professionals, law enforcement, youth and their families, community-based program providers, mental health and chemical dependency treatment professionals, educators and school administrators, members of the judiciary, attorneys and prosecutors. In short, no one should feel excluded from establishing a role in this important reform effort.

Accomplishments in 2017

Listen, Learn, Lead Project

In an effort to fulfill the mission of enhancing the field of knowledge around disproportionate minority contact (DMC), JJAC approved Title II funding for a two-year project titled, “Listen, Learn, Lead”. In partnership with Metropolitan State University and facilitated by Dr. Raj Sethuraju, this project is aimed at collecting important DMC data and building relationships with youth and juvenile justice professionals, while enhancing our knowledge about what might effectively improve and impact DMC across all ten Minnesota judicial districts. Facilitated, gender-specific fishbowl conversations with youth in each district will take place throughout 2018 and 2019. JJAC members and adult stakeholders from each district will participate as listeners and recorders while youth respond to critical questions aimed at uncovering everything from ways in which youth were “let down” to community-based, grassroots efforts underway that are currently working but not “on the radar” of juvenile justice professionals. By the end of the two-year project, data collected from youth participants in each judicial district will be collected, analyzed and distilled down into a series of recommendations for legislature and juvenile justice professionals.

Three Year Plan

The Juvenile Justice and Delinquency Prevention Act requires that JJAC author a new plan of action once every three years. The purpose of this document is to help this body gain consensus around critical issues and build momentum for change. During summer of 2017, JJAC dedicated a two-day work session to developing the framework for its new Three Year Plan. Starting January 1, 2018 – December 31, 2020, JJAC will achieve progress against key priorities:

- Educate youth, judiciary, law enforcement, facility staff, and prosecutors about core juvenile justice protections and youth rights
- Phase out the use of Valid Court Order (VCO)*
- Engage community in developing new, creative solutions for addressing racial disparities present in the juvenile justice system
- Better describe Disproportionate Minority Contact (DMC) through consistent statewide data
- Reduce out of home placements across Minnesota per capita and per populations of color

For more information about JJAC’s Three Year Plan, visit JJAC’s website: <https://dps.mn.gov/entity/jjac/Pages/default.asp>

**In 1984, the Juvenile Justice and Delinquency Prevention Act was amended to allow judges to issue detention orders in status offense cases if youth violated a valid court order. For more information on national efforts to phase out VCO, visit www.juvjustice.org*

New Youth Members

JJAC welcomed two new youth members this year, Chyenne Boyce, a student and youth worker at The Link. This 19 year-old Minneapolis resident offers excellent perspective on how metro area juvenile facilities can better serve the needs of youth in crisis. Kevin Nguyen, 20, is a longtime volunteer and youth worker who now serves full-time in the Army National Guard. Kevin lives in St. Paul and feels eager to help recruit additional youth members to JJAC.

**For more information
about JJAC membership, visit JJAC’s website:
<https://dps.mn.gov/entity/jjac/Pages/default.aspx>**

JJAC Communications Subcommittee

A new JJAC Communications Subcommittee was formed at the beginning of the year, tasked with developing a strategy for sharing news about JJAC’s work. The subcommittee authored a communications plan that includes: production of a quarterly newsletter, website updates, and development of a short video that introduces JJAC’s key juvenile justice priorities. This subcommittee, comprised mostly of youth members, is focused on ensuring that skill- and confidence-building remain central to the process of achieving the objectives laid out in the communications plan.

JJAC Fosters Partnerships Via Ex-Officio Membership

JJAC fosters ongoing partnerships with key juvenile justice agencies via ex-officio representatives who regularly attend monthly meetings to advise the work of this body.

Learn from each Ex-Officio member about their unique background and role with JJAC:

Association of Minnesota Counties (AMC) – Ryan Erdmann:

My name is Ryan Erdmann and I serve as the Public Safety Policy Analyst for the Association of Minnesota Counties (AMC) and represent AMC as an ex-officio member of JJAC. AMC is voluntary association of all 87 Minnesota counties established in 1909 that unites Minnesota's counties to achieve public service excellence. I have held this position at AMC since 2007. AMC appreciates JJAC's leadership on juvenile justice issues in Minnesota.

Minnesota Association of Community Corrections Act Counties (MACCAC) – Nicole Kern:

My name is Nicole Kern and I serve as Director of Community Corrections in Morrison County and represent MACCAC as an ex-officio member of JJAC. I hold a Bachelor's Degree in Social Work and a Master's Degree in Public Safety Administration.

MACCAC supervises 67% percent of all juveniles under probation supervision in the state of Minnesota. MACCAC supports the use of evidence based practices in supervision and employs quality assurance measures to ensure those practices are delivered with fidelity.

MACCAC appreciates the leadership that JJAC has provided for advancing juvenile justice issues within the state of Minnesota. MACCAC is dedicated to continuing the partnership with JJAC and its members to benefit the youth of Minnesota.

Minnesota Association of County Probation Officers (MACPO) – Jim Schneider:

My name is Jim Schneider and I am the Director of Probation in Cass County. Our county seat is in Walker, Minnesota. I am a probation officer appointed by both the 9th Judicial District Court and Leech Lake Tribal Court. We partner with the Leech Lake Reservation on criminal justice issues. MACPO is the oldest association representing community-based probation services in the state. We serve 25 counties in the state; mostly in rural Minnesota.

We appreciate JJAC's leadership with juvenile justice issues in Minnesota. We have reviewed JJAC legislative initiatives and support the four identified topics. We applaud JJAC's willingness to lead these conversations of juvenile life without parole, disproportionate minority contact, mental health funding, and crossover youth.

As a MACPO member, we will continue to communicate with JJAC

identified issues that are going on in our local communities that effect our juvenile justice system. By being responsive to the changing needs of counties, collectively we can come up with solutions before problems become crises.

MACPO supports the legislature to provide adequate base funding for probation services in Minnesota. The clear majority of people who experience the criminal justice system are placed on community supervision. We use evidence-based practices in how we assess and supervise our clients. We support outcomes that promote community safety through restorative practices

Minnesota Corrections Association (MCA) – Jane Schmid:

My name is Jane Schmid and I am a Career Probation Agent with Brown County Probation in New Ulm, MN. I have been the Intensive Supervision Program (ISP) agent for juveniles for the past 10 years, and have also served as supervising agent for our former Juvenile AOD (Alcohol and Other Drug) and Treatment Specialty Court. I am the chair of MCA's Juvenile Justice Committee (JJC) and represent MCA as an ex-officio member of JJAC.

MCA appreciates the leadership JJAC has provided in improving juvenile justice issues in Minnesota, and especially the efforts in creating a unified effort with other corrections organizations toward legislative change. We have reviewed JJAC legislative initiatives and support the four identified topics, and commend JJAC's efforts in juvenile life without parole, disproportionate minority contact, mental health funding and crossover youth.

MCA supports the legislature to provide adequate base funding for mental and chemical health services in Minnesota, revision of the JL-WOP statute, and revision of juvenile predatory offender registration criteria.

Minnesota Department of Corrections (DOC) – Shon Thieren:

My name is Shon Thieren and I am the Superintendent at the Minnesota Correctional Facility in Red Wing (MCF-RW). MCF-RW provides treatment, education and transition services for around 85 serious and chronic male juvenile offenders. Young men are placed at the facility either as a condition of court-ordered probation or as the result of having been committed to the Commissioner of Corrections.

MCF-RW is the only secure long-term treatment facility in the state, operated by the Minnesota Department of Corrections (DOC).

MCF-RW is the facility charged with developing programming to address the most “serious and chronic” juveniles engaging in criminal behavior. The admissions criteria permit only those with adjudicated felony-level offenses that would result in a sentence of imprisonment if committed by an adult. This includes numerous cases where adult certification was considered or Extended Jurisdiction Juvenile (EJJ) has been imposed due to the severity of the offense. As an ex-officio member of JJAC, we have the opportunity to support and advocate for youth at this end of the continuum.

Minnesota Department of Economic Development (DEED) – Lynn Douma:

My name is Lynn Douma and I am a Youth Program Coordinator in the Employment and Training Programs Division at the Minnesota Department of Employment and Economic Development. DEED is committed to ensuring economic equity – the fair and equitable access to resources and opportunities so all Minnesotans can have meaningful employment at a family sustaining wage.

DEED and JJAC are both working to reduce disparities in the experiences, opportunities, and outcomes of young people in Minnesota, especially youth of color. DEED provides opportunities for at-risk youth to develop work readiness and job-specific skills that can help them build the foundation for a career and self-sufficiency.

Minnesota Department of Health (MDH) – Lauren Ryan:

My name is Lauren Ryan, I am the Safe Harbor Director within the Injury and Violence Prevention Unit representing the Minnesota Department of Health at JJAC. MDH is committed to protecting, maintaining, and improving the health of all Minnesotans.

As an ex-officio member of JJAC, MDH is able to highlight and identify intersections with juvenile justice systems and the health and welfare of our youth. JJAC provides MDH insight into how incarceration and system involvement relates to social detriments of health, adverse childhood experiences and negative health outcomes. MDH seeks to increase justice involved youth’s protective factors, including access to adequate physical and mental health care.

Minnesota Department of Human Services (DHS) – Bill Wyss:

My name is Bill Wyss and I serve as the Department of Human Services System of Care Project Director. I first started with the state as a Client Advocate at the Cambridge Regional Treatment Center, worked as children’s specialist with the Office of Ombudsman for Mental Health and Developmental Disabilities, served as a supervisor, as well as Acting Director of Children’s Mental Health and the Alcohol and Drug Abuse Division’s Deputy Director for the Mental Health Division. I received a bachelor’s degree in psychology from

Macalester College and a master’s degree in public administration from Hamline University.

Minnesota Juvenile Detention Alternatives Initiative (JDAI) – Curtis Shanklin:

My name is Curtis Shanklin, I am the MN Juvenile Detention Alternatives Initiative (JDAI) State Coordinator, as well as an adjunct professor at Metropolitan State University. JDAI is a national comprehensive juvenile justice reform model that began over two decades ago as a pilot project to reduce reliance on local confinement of court-involved youth. To date, JDAI has been the most replicated juvenile justice reform model now operating in nearly 400 jurisdictions nationwide, dramatically reducing detention facility populations all while keeping an acute focus on public safety.

Since JDAI started in Minnesota, participating jurisdictions have seen a precipitous reduction of juvenile detention by over 50 percent. This dramatic success has come as juvenile crime rates have remained flat or declined. Most recently, Minnesota JDAI has expanded to include 9 new counties, along with a Tribal Nation focusing on how to reduce the overrepresentation of youth of color in Minnesota’s justice system.

As an ex-officio member of JJAC, JDAI both appreciates and looks forward to its continued collaborative partnership with JJAC. Both organizations share the intentional goal of decreasing an institutional response used to address both the mental health and chemical dependency needs of our youth by providing resources, as well as technical assistance to our northern rural communities.

Minnesota Juvenile Detention Association (MJDA) – Matthew Bauer:

My name is Matt Bauer and I am the Superintendent for the Dakota County Juvenile Services Center (JSC). The JSC is located in Hastings, MN and provides secure detention and correctional treatment programs for both juvenile males and females.

I represent MNJDA as an ex-officio member of JJAC. MNJDA is an organization that enables personnel of juvenile detention, secure juvenile corrections, and juvenile holdover facilities to join together in mutual efforts to improve youth care standards, facilities, and services. MNJDA’s mission is “improving juvenile justice through collaboration, training, and legislative input”.

MNJDA appreciates the opportunity to have a voice within JJAC as we work to advance juvenile justice issues.

Through expert advice from these faithful ex-officio partners, JJAC can confidently develop specific positions on critical juvenile justice issues.

JJAC'S Ongoing Partnership with the Department of Corrections Inspections and Enforcement Unit

The Juvenile Justice and Delinquency Prevention (JJDP) Act requires annual and biennial inspections of facilities across the state to guarantee the four core requirements of the act are met. In 2017, the responsibility to inspect facilities continued to be divided between Office of Justice Programs' Compliance Monitor, and the Department of Corrections (DOC) Inspection and Enforcement Unit. Specifically, the DOC Inspection Unit inspects county jails and secure juvenile facilities.

The Memorandum of Understanding (MOU) between the Minnesota Departments of Public Safety and Corrections for inspections of juvenile facilities and secure jails and lockups through December 31, 2019 guarantees that DOC inspectors will inspect juvenile facilities or those facilities where juveniles could be held temporarily and will follow the tenets of the JJDP Act.

DOC Inspections and Enforcement Unit includes: Timothy Thompson (Manager), Teresa Smith (Management Analyst), and Inspectors: Lisa Becking, Greg Croucher, Jennifer Pfeifer, Sarah Johnson, and Julie Snyder.

Callie Hargett serves as Minnesota JJDP Act Compliance Monitor and works closely together with the DOC Inspections and Enforcement Unit to guarantee that MN's required inspections are completed each year.

JJAC'S Collaboration with other Juvenile Justice Agencies

JJAC has made considerable outreach to three agencies that represent the corrections delivery systems in Minnesota. Please see [Appendices A-C for the 2018 legislative platforms and initiatives of MCA, MACCAC, and MACPO.](#)

JJAC continues to make outreach to other committed juvenile justice entities all over the state. It currently moves its regular meetings around the state to ensure that JJAC is familiar with all regions and their unique juvenile justice issues.

JJAC'S Outreach to Minnesota's Ten Judicial Districts

The JJAC Disproportionate Minority Contact (DMC) committee sponsored a survey to be conducted within the ten judicial districts in 2012. The ten judicial districts were chosen as an inclusive state-wide structure to ascertain what was going on in juvenile justice throughout each district. Out of this basic information, JJAC decided to fund the Minnesota Corrections Association (MCA) to host forums in each of the districts to further identify juvenile justice reform efforts underway in each judicial district. In 2016, MCA received ongoing guidance from a state-wide advisory group, guiding development of a survey to be distributed across all jurisdictions. MCA also completed planning for a Mental Health and Systems Collaboration Forum that took place January of 2017.

JJAC funded MCA to continue this project in 2018, with the following objectives:

- Increase the understanding and ability of juvenile justice professionals to appropriately share case information on juveniles being served.
- Encourage and support the expansion of dual status/Crossover youth programs in additional Minnesota counties.
- Strengthen efforts to provide more statewide juvenile justice networking, resource sharing, policy and practice reform, and professional development.

Additionally, the Listen, Learn, Lead project (see Recommendations and Accomplishments section for more information), funded by JJAC, will focus on collecting DMC data across all ten judicial districts.

MINNESOTA YOUTH DEMOGRAPHICS AND JUVENILE JUSTICE SYSTEM INVOLVEMENT

Each year, the Juvenile Justice Analyst reports on the demographics of Minnesota's youth population and youth involved in the justice system. These data are to comply with the JJDP Act and support data-driven practices. The following section contains a summary of these data.

Minnesota Youth Population¹

Youth under age 18 presently account for approximately 1.28 million of Minnesota's 5.5 million residents (Table 1). The overall population of Minnesota rose between 2010 and 2016 (+3.8 percent), as did the number of youth under age 18 (+0.40 percent). Presently, youth account for 23.3 percent of Minnesota's population. The number of youth ages 10-to-17 who, by Minnesota statute, can potentially enter the juvenile justice system is slightly higher in 2016 than it was in 2010 (+0.66 percent).

Population	2010	2016	Numeric Change	Percent Change
Total MN Population	5,311,147	5,519,952	+ 208,805	+ 3.8%
MN Population Under Age 18	1,283,241	1,288,333	+ 5,092	+ 0.40%
Population Ages 10-17	572,549	576,370	+ 3,821	+ 0.66%
Youth as a Percentage of Total Population	24.2%	23.3%	-0.8%	- 3.5%

Racial and Ethnic Representation

The data displayed in Table 2 indicate that Minnesota's youth population is more racially and ethnically diverse than the state population as a whole. The population estimates from 2016 show that more than one quarter (27.5 percent) of all Minnesota youth under age 18 represent racial or ethnic minority groups, compared to 18.3 percent of the overall state population. Among youths, African Americans and Hispanics are the most populous minority groups in the state (11.5 percent and 8.7 percent, respectively).

Race and Hispanic Ethnicity, 2016	Minnesota's Overall Population	Minnesota's Adult Population (over 18)	Minnesota's Youth Population (under 18)
Caucasian, non-Hispanic	86.2%	88.2%	79.4%
American Indian, non-Hispanic	1.3%	1.1%	1.9%
Asian, non-Hispanic	5.4%	4.9%	7.3%
Black or African American, non-Hispanic	7.0%	5.8%	11.5%
Hispanic (any race)	5.2%	4.2%	8.7%
Total Minority Population	18.3%	15.5%	27.5%

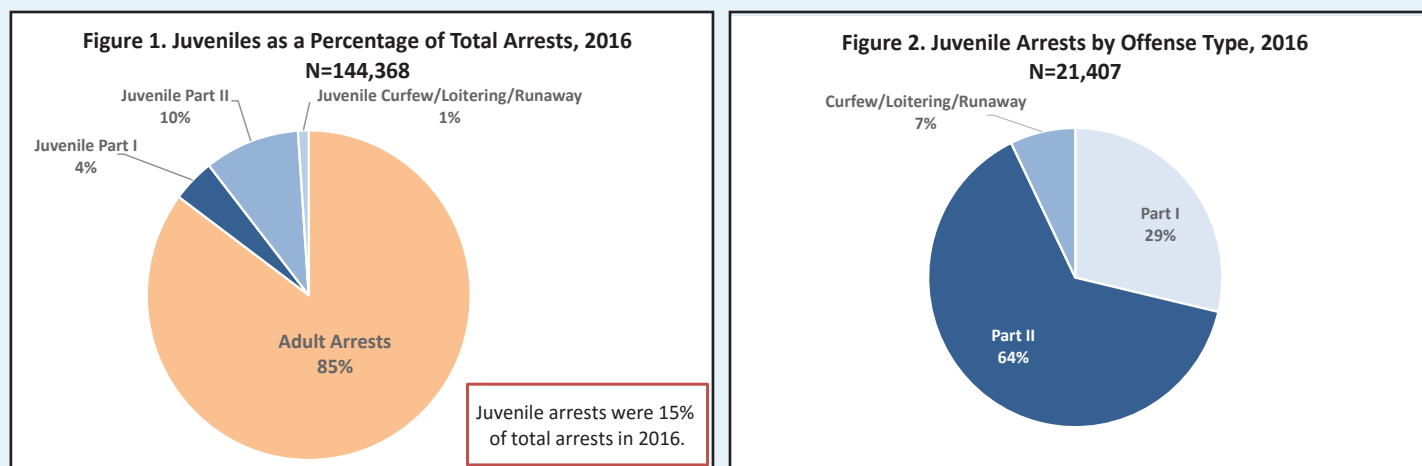
¹ Puzanchera, C., Sladky, A. and Kang, W. (2017). Easy Access to Juvenile Populations: 1990-2016. Online. Available at <http://www.ojdp.gov/ojstatbb/ezapop/>

Youth Contact with the Juvenile Justice System

2016 Arrests²

In 2016 there were a total of 144,368 arrests, of which juveniles accounted for 21,407. Juveniles, as a percentage of total arrests, have slowly declined from 26 percent in the year 2000 to 15 percent in 2016 (Figure 1).

Just under three-in-10 juvenile arrests (29 percent) fall within the Part I offense category for the most serious person and property crimes (Figure 2).³ The majority of all juvenile arrests are for Part II offenses (64 percent), which are typically less serious person and property offenses, including liquor law violations. Arrests for the status offenses of curfew/loitering and runaway make up the smallest percentage of juvenile arrests at 7 percent.⁴



Arrests by Gender

Since 2004, males have consistently accounted for about two-thirds of juvenile arrests. In 2016, more males than females were arrested for Part I offenses (64 percent vs. 36 percent) and for Part II offenses (69 percent vs. 31 percent). While more males than females were arrested in 2016 for the status offenses of curfew or loitering (70 percent vs. 30 percent), arrests for the offense of runaway involved more females than males (54 percent vs. 46 percent). Runaway is the only UCR arrest category for which females are often arrested in greater numbers than males.

Arrests by Race/Ethnicity

Within each arrest category (Part I, Part II and Status Offenses), unique racial distributions exist. While Hispanic ethnicity data are collected for the UCR, these data are not currently published on juveniles. As such, youth of Hispanic ethnicity are included in the four primary racial categories reported. The racial category “Native Hawaiian/Pacific Islander” is not collected separately and is included with data on Asian youth.

Caucasian youth, the majority of the Minnesota youth population (79 percent), represent the majority of 2016 arrests for Part I and Part II crimes (51 and 62 percent, respectively), as well as status offenses (48 percent) (Figures 3, 4, and 5).

² While the term “arrest” is used to describe juveniles in the Minnesota Crime Information Report, the term used in the juvenile justice system to describe the detaining or citing of juvenile offenders is “apprehension.” All juvenile arrest data included in this report are taken from the *Uniform Crime Report 2016*, published by the Minnesota Department of Public Safety Bureau of Criminal Apprehension. Available at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjjs/Documents/2016-Minnesota-Uniform-Crime-Report.pdf>

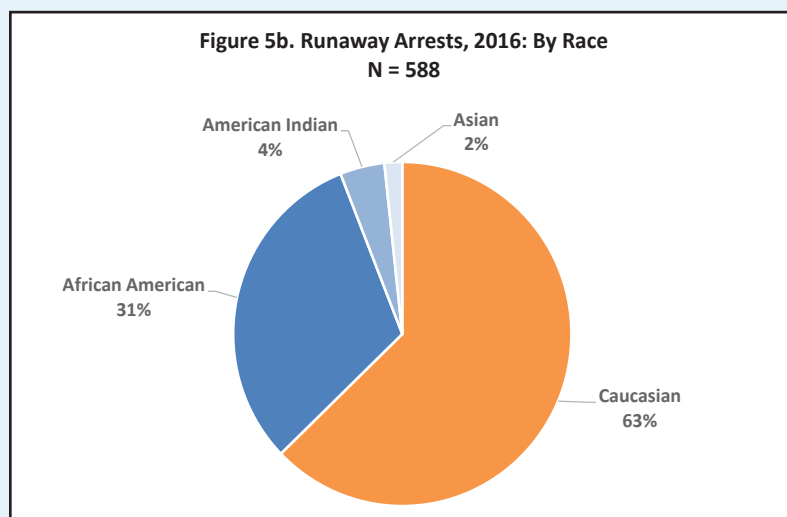
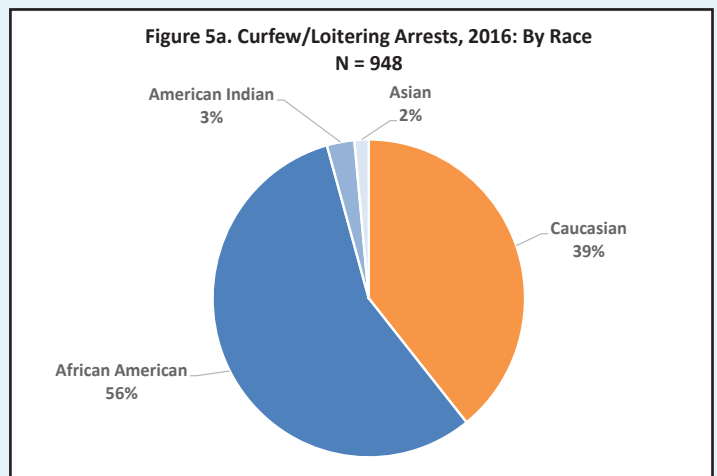
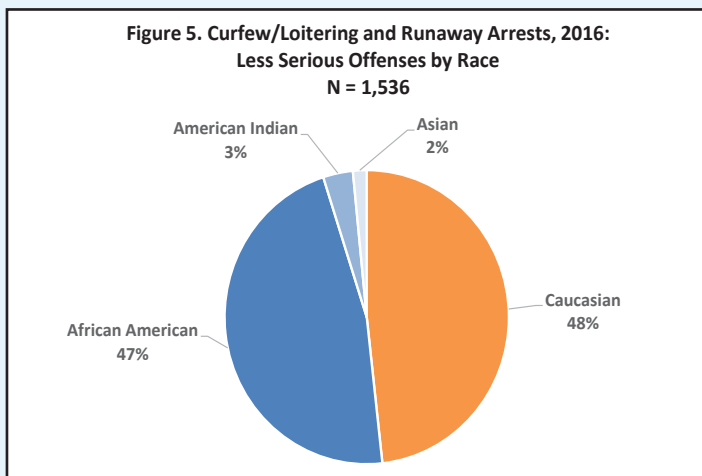
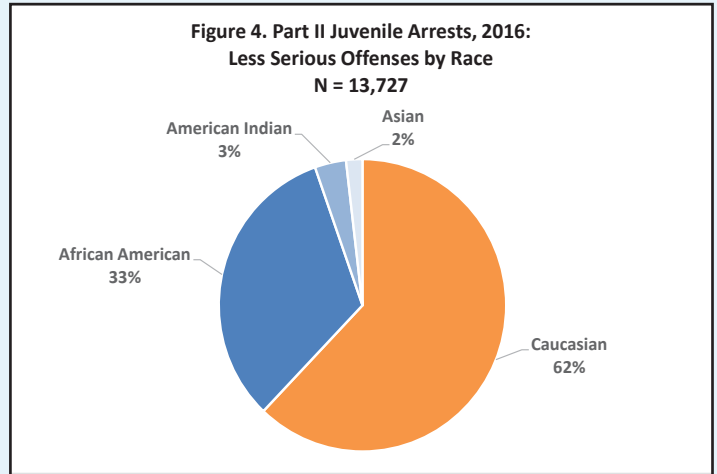
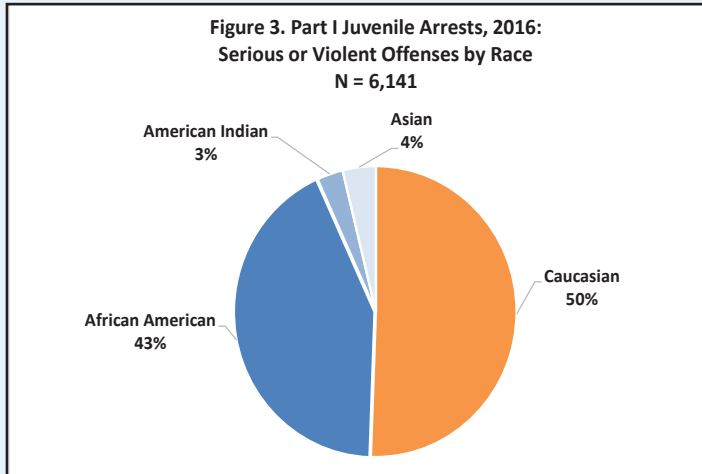
³ Information regarding offenses categorized by the FBI can be found at the website for the *2016 Crime in the United States* report.

<https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

⁴ Curfew/Loitering and Runaway are the only status offenses counted for federal UCR reporting requirements. Other status offenses, such as underage consumption of alcohol, are counted in other UCR categories such as “liquor laws.” Law enforcement agencies are not required to report truancy to the BCA for federal UCR reporting.

Youth of color are over-represented compared to their percentage within the total juvenile population in all arrest categories, especially for the status-level offenses of curfew/loitering and runaway. Specifically, African American youth represent 56 percent of arrests for curfew/loitering and 31 percent for runaway offenses (Figures 5a and 5b).

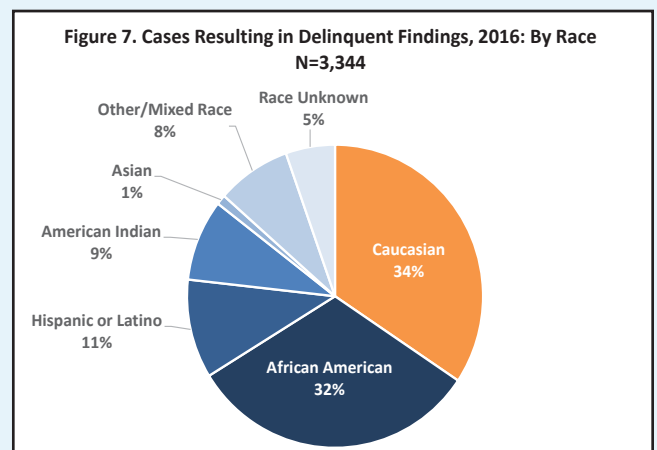
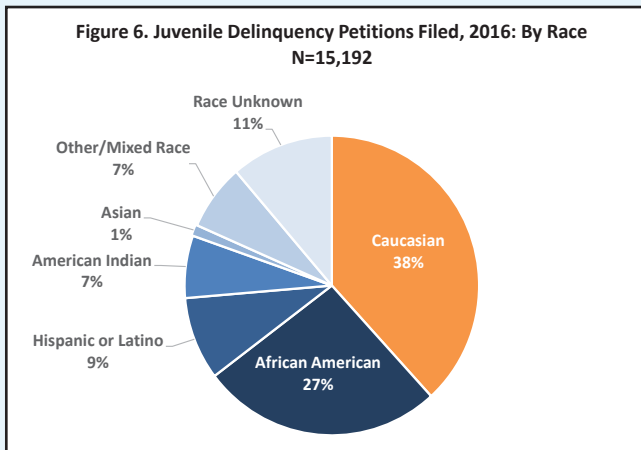
Since the electronic publication of UCR data in 1997, the number of juvenile arrests has dramatically decreased from approximately 79,000 to less than 22,000 in 2016. During this time, youth from communities of color as a percentage of total (23 percent); in 2016, youth of color accounted for 42 percent of all juvenile arrests.



Cases Petitioned and Cases Resulting in Delinquent Findings⁵

According to data compiled by the State Court Administrator’s Office, there were 15,192 delinquency petitions filed in 2016⁶ (Figure 6). Delinquency petitions include felony, gross misdemeanor and misdemeanor level charges. They do not include charges for petty misdemeanors or the status offenses of curfew/loitering or runaway. In 2016, Caucasian youth accounted for 38 percent of all cases (or 43 percent of all delinquency petitions filed where race was known). Youth of color as a whole in Minnesota are just over one-quarter of the youth population (27.5 percent), but accounted for 51 percent of 2016 delinquency petitions (or 57 percent of petitions where race was known). Race was unknown in 11 percent of juvenile delinquency petitions in 2016.

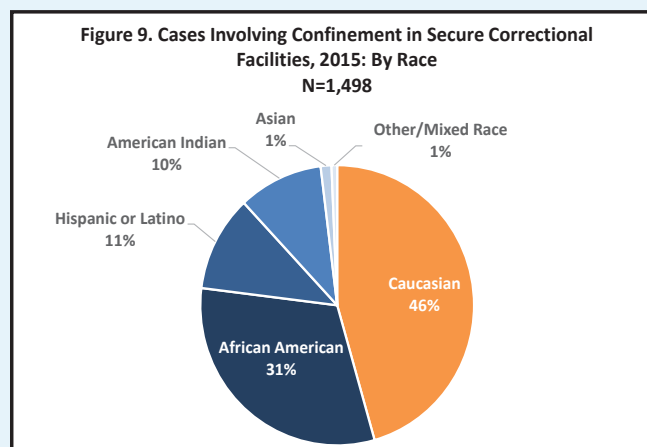
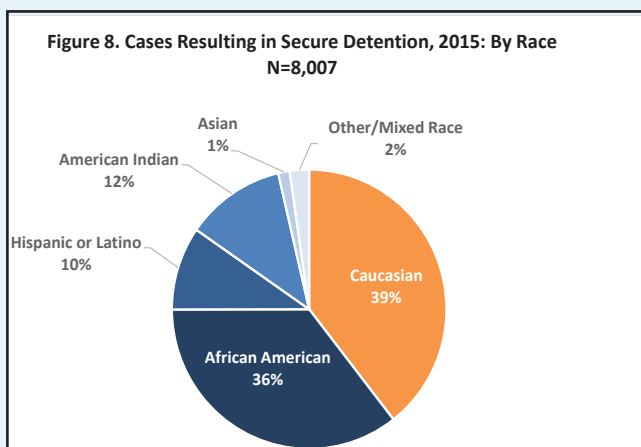
District courts in 2016 yielded 3,344 cases resulting in delinquent findings (Figure 7). Caucasian and African American youth were the greatest percentage of youth found delinquent (34 and 32 percent of all delinquency findings, respectively) followed by Hispanic or Latino youth (11 percent); American Indian youth (9 percent); “other” or mixed race youth (8 percent); and Asian youth (1 percent). Race was not known in 5 percent of cases resulting in delinquent findings. As a whole, youth of color constituted 61 percent of cases with delinquent findings (or 64 percent of such cases where race was known).



Youth in Secure Facilities

Based on 2015 juvenile admissions⁷ reported by the Minnesota Department of Corrections and select individual facilities, there were 8,007 juvenile cases that involved secure detention (Figure 8) and 1,622 cases that resulted in placement in a juvenile correctional facility (post-disposition) (Figure 9).⁸ These are not counts of individuals, rather events, as the same youth can be admitted to detention or correctional placement multiple times in a calendar year. Additionally, youth can move from detention to correctional placement, which would be counted as two separate admissions in the data.

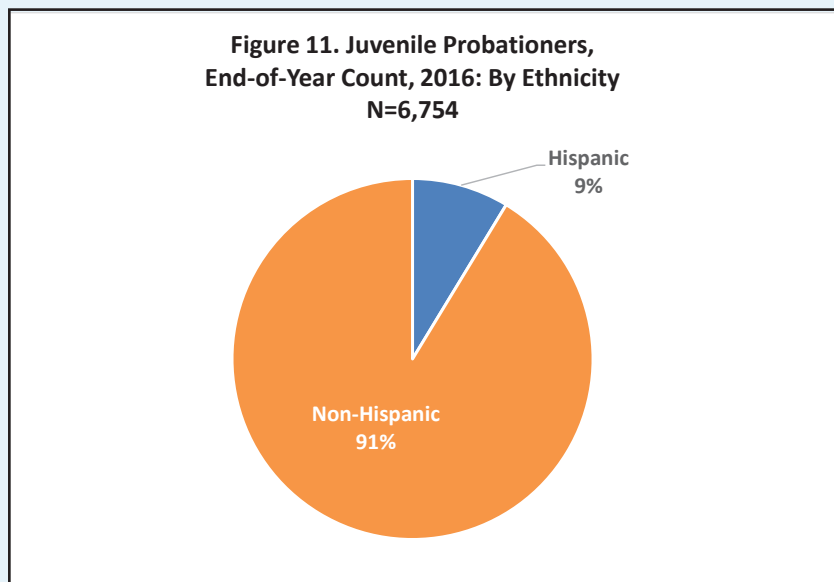
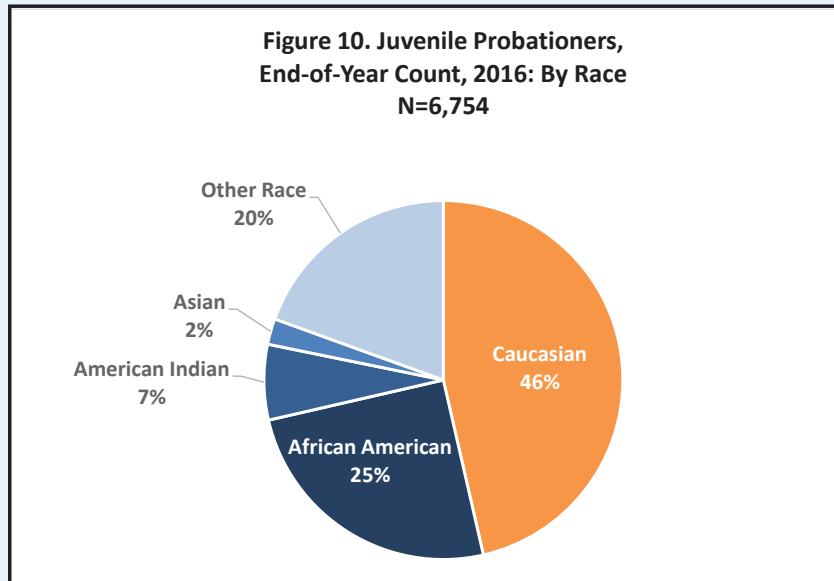
Statewide, youth of color accounted for over half of secure detention admissions (61 percent) and post-disposition correctional placements (54 percent) in 2015. Based on their percentage of the youth population (<2 percent), American Indians were the most overrepresented population in secure facilities (12 percent of detention admissions and 10 percent of post-disposition correctional placements).



Youth on Probation⁹

In 2016, there were 6,754 youth under probation supervision at year's end in Minnesota, accounting for 7 percent of all Minnesota probationers (Figure 10). The number of youth on probation has generally been declining since a peak of 17,460 in 2002. In 2016, males accounted for 73 percent of the juvenile probation population; females 27 percent.

Like arrests, the percentage of youth of color on probation has been rising while the number of youth on probation has been declining. Caucasian youth were two-thirds of probationers in 2002 (67 percent) but were less than half in 2016 (46 percent). Nine percent of juvenile probationers in 2016 were of Hispanic descent (including all races) (Figure 11). In Minnesota, the greatest percentage of youth are on probation for Status/Miscellaneous Offenses (14 percent), followed by assault (13 percent) and theft (12 percent).



JJDPA Core Compliance Requirements:

Data provided by the Minnesota Department of Corrections for Compliance Monitoring purposes reveals that 1,698 juveniles were securely held in adult jails or police lock-ups across the state between October 1st, 2015 and September 30th, 2016. The Juvenile Justice and Delinquency Prevention Act (JJJPA) limits the holding of youth accused of delinquency to six hours in jails and police lock-ups in Metropolitan Statistical Areas (MSAs). Youth requiring longer detention must be transferred to an appropriate juvenile facility. The JJDPA prohibits the secure holding of status offenders for any length of time in adult facilities and limits holding in juvenile facilities to 24 hours. All juveniles are prohibited from having sight or sound contact with adult inmates in any secure setting.

Because much of greater Minnesota is rural, state statute allows for juvenile holds of up to 24 hours in adult facilities outside of MSAs. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) allows a Rural Removal Exception (RRE) for these facilities as well. In the last reporting period (10/1/15 to 9/30/16), Minnesota had RREs for 53 county jails in greater Minnesota. The holding of status offenders in adult facilities is always prohibited under the JJDPA.

Deinstitutionalization of Status Offenders (DSO)

During the last compliance reporting period (10/1/15 to 9/30/16), admissions data show 28 instances where status offenders were detained in Minnesota's secure juvenile facilities in excess of the allowable federal time limits. Many of these holds met state criteria in terms of permissibility, but not federal requirements. In addition, facility inspections completed from October 1st, 2015 through September 30th, 2016 revealed 17 instances where status offenders were admitted to a secure police or jail facility. These 45 records resulted in an adjusted DSO violation rate of 3.59 per 100,000 youth under 18. Because this rate is less than 5.7, Minnesota is considered to be in compliance with the DSO provision of the JJDPA.

Sight and Sound Separation

Facility audits completed by Minnesota's Compliance Monitor and the Department of Corrections' Inspection and Enforcement Unit resulted in no violations of the Sight and Sound Separation requirement. No violations of the Sight and Sound requirement were reported to the OJJDP for the reporting period covering October 1st, 2015 through September 30th, 2016.

Jail Removal

Of the 1,698 juvenile admissions to adult jails and lock-ups during the last compliance reporting period (10/1/15 to 9/30/16), 283 were found to be held in excess of the allowable six hours. However, 275 of these holds were allowable up to 24 hours with the Rural Removal Exception in place. Minnesota reported 8 Jail Removal violations resulting in an adjusted Jail Removal violation rate of 2.08 per 100,000 youth. States with a Jail Removal Rate under 9.0 are considered to be in compliance with the jail removal provision of the JJDPA.

⁵ Juvenile case filing and disposition data provided by the Minnesota State Court Administrator's Office, upon request.

⁶ 2016 court data are the most recent available with race information.

⁷ 2015 admissions data are the most recent available with race information.

⁸ These data are collected for the purpose of Minnesota's Disproportionate Minority Contact (DMC) reporting.

⁹ Minnesota Department of Corrections. (2017). 2016 Probation Survey. Available at https://mn.gov/doc/assets/2016_Probation%20Survey%20Final_tcm1089-293326.pdf

Disproportionate Minority Contact¹¹

Disproportionate Minority Contact (DMC) is measured using a Relative Rate Index (RRI) that compares outcomes for youth of color at various stages in the juvenile justice system to the outcomes of White youth at the same stage. In order to be analyzed using the RRI, a population must represent at least one percent of the total population at each stage in the system. In reading the following RRI matrix, a calculation of 1.0 means the outcomes for both White youth and minority group youth were the same. Calculations above 1.00 indicate overrepresentation, while RRIs below 1.00 indicate underrepresentation.

RRI data collected for calendar year 2014 demonstrates significant disparities in juvenile justice system outcomes both between White youth and minority youth, and between minority groups themselves.¹² The greatest disparities occur in Minnesota at the point of arrest where African American youth are more than five times more likely to be arrested (5.58) and American Indian youth are more than three times more likely to be arrested (3.45) than White youth.

A second highly disparate stage occurs immediately following arrest with admission to secure detention facilities, including adult jails and police lock-ups. American Indian youth are over four and one-half times more likely to be securely detained following an arrest as White youth (4.83) and Asian and Hispanic youth are more than one and one-half times more likely to be securely detained following an arrest than White youth (1.72 and 1.83, respectively).

Cases resulting in delinquent findings have the lowest levels of disparity across racial groups in Minnesota ranging from 1.26 to 1.39. Following case disposition, minority youth overall are less likely than White youth to receive probation supervision in the community (0.55) or placement in secure correctional settings (0.62). African American and American Indian youth are more than four times as likely to have their case transferred to adult court (Certification) than White youth (4.73 and 4.17, respectively).

Relative Rate Index (DMC)

Relative Rate Index Compared with :	White							
State of Minnesota CY 2014	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
	2. Juvenile Arrests	1.00	5.58	1.09	0.36	*	3.45	*
3. Refer to Juvenile Court	**	**	**	**	*	**	*	**
4. Cases Diverted	**	**	**	**	*	**	*	**
5. Cases Involving Secure Detention	1.00	1.25	1.83	1.72	*	4.83	*	1.67
6. Cases Petitioned	1.00	1.01	1.82	1.26	*	2.59	*	1.40
7. Cases Resulting in Delinquent Findings	1.00	1.30	1.26	1.39	*	1.34	*	1.28
8. Cases resulting in Probation Placement	1.00	0.56	0.68	0.81	*	0.71	*	0.55
9. Cases Resulting in Confinement in Secure	1.00	0.60	0.93	0.45	*	0.88	*	0.62
10. Cases Transferred to Adult Court	1.00	4.73	**	**	*	4.17	*	3.78
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	
Key:								
Statistically significant results:			Bold font					
Results that are not statistically significant			Regular font					
Group is less than 1% of the youth population			*					
Insufficient number of cases for analysis			**					
Missing data for some element of calculation			---					

¹⁰ The DMC section uses the terms “White youth” and “minority youth” consistent with federal DMC data collection and reporting terminology.

¹¹ Minnesota Department of Public Safety Office of Justice Programs. (2017). 2015 Disproportionate Minority Contact Report.

**United States Department of Justice,
Office of Juvenile Justice and Delinquency Prevention
Allocations to Minnesota by Federal Fiscal Year: 2004 – 2017**

TOTAL ALLOCATIONS FOR MINNESOTA		
Federal Fiscal Year	Amount	Percentage Change per year
2004	\$3,916,600	- 25%
2005	\$2,197,085	- 44%
2006	\$1,683,550	- 23%
2007	\$1,722,489	+ 2%
2008	\$1,674,760	- 3%
2009	\$1,841,786	+ 10%
2010	\$1,814,245	- 1%
2011	\$1,441,803	-20.5%
2012	\$836,490	- 42%
2013	\$753,720	-9.9%
2014	\$634,699	-15.8%
2015	\$630,804	-0.61%
2016	\$534,940	- 15.20%
2017	\$571,435	+ 6.39%
Title II: Formula Grants		
2004	\$1,060,000	- 10%
2005	\$1,104,000	+ 4%
2006	\$932,000	- 16%
2007	\$962,000	+ 3%
2008	\$893,000	- 7%
2009	\$977,000	+ 9%
2010	\$934,000	- 4%
2011	\$769,114	- 17%
2012	\$455,587	- 40.8%
2013	\$461,583	+1.3%
2014	\$621,559	+34.7%
2014 PREA*	\$13,140	n/a
2015	\$630,804	+1.49%
2016	\$534,940	-15.20%
2017	\$571,435	+ 6.39%
Title V: Community Delinquency Prevention		
2004	\$0	NA
2005	\$246,000	NA
2006	\$56,250	- 77%
2007	\$75,250	+ 34%
2008	\$48,360	- 36%
2009	\$33,486	- 31%
2010	\$84,945	+ 154%
2011 Ended	\$50,000	- 41.1%
Juvenile Accountability Block Grant (JABG)		
2004	\$2,644,600	- 23%
2005	\$847,085	- 68%
2006	\$695,300	- 18%
2007	\$685,239	- 1%
2008	\$733,400	+ 7%
2009	\$831,300	+ 13%
2010	\$795,300	- 4%
2011	\$622,689	- 21.7%
2012	\$380,903	-38.8%
2013 Ended	\$292,137	-23.3%

*This amount represents the 5% penalty for Minnesota's 2014 non-compliance with the Prison Rape Elimination Act.

Note: The high point in OJJDP allocations to the states was in 2002. MN's total allocation that year was \$6,152,300. The decrease from that year is at 91%. However, all compliance mandates are still in effect.

2018 Title II Grants Overview

Title II one-year grants: 6

Title II two-year special project grants: 2

Impact of this funding: Through JJAC funding, dually-involved youth and those at risk for involvement in the Juvenile and/or Child Welfare Court Systems receive early intervention, prevention, diversion, cultural education, and deep-end intervention and therapy services.

Additionally, two Title II special projects will enhance the body of knowledge available around Disproportionate Minority Contact, juvenile justice policy reform, and information sharing.

Funding total: \$650,000

Breakdown by grantee:

Beltrami Area Service Collaborative

2018 award amount: \$70,000

Impact statement: Dually-involved youth at risk for involvement in the Juvenile and/or Child Welfare Court Systems receive early intervention, prevention, diversion, and deep-end intervention services.

Children's Health Care

2018 award amount: \$70,000

Impact statement: Crossover youth and their families receive wraparound services proven to foster resiliency and restore them to a healthy developmental trajectory.

Faribault Diversity Coalition

2018 award amount: \$70,000

Impact statement: Crossover and at-risk youth benefit from direct crossover services aimed at decreasing school absences, truancy and disciplinary referrals.

Minneapolis American Indian Center

2018 award amount: \$60,000

Impact statement: At-risk Native American youth participate in cultural enrichment programming, therapy and education that fosters development of protective factors, resiliency and academic performance.

Urban Boatbuilders

2018 award amount: \$70,000

Impact statement: Dually-involved (or at risk for dual involvement) youth participate in this in-depth, paid apprenticeship program aimed at removing barriers to employment and reducing juvenile justice and child welfare system contact.

White Earth Reservation Tribal Council

2018 award amount: \$70,000

Impact statement: Native American youth who are involved with Child Welfare and Juvenile Justice participate in this crossover programming that works with State and Tribal Courts across departments to coordinate essential case planning and therapy services.

Title II Special Project:

Juvenile Justice 21 Project, Minnesota Corrections Association

2018 award amount: \$120,000 for two years

Impact statement: The Juvenile Justice 21 Project will assist with the development of more effective juvenile justice policies and practices throughout Minnesota by: increasing the understanding and ability of juvenile justice professionals, encouraging the expansion of dual status youth programs, increasing stakeholder support for juvenile justice policy recommendations, and supporting resource and information sharing.

Title II Special Project:

Listen, Learn, Lead Project, Restorative Justice Community Action

2018 award amount: \$120,000 for two years

Impact statement: Youth across all ten Minnesota judicial districts will participate in facilitated conversations about Disproportionate Minority Contact. Local adult stakeholders will attend as listeners with the intention of incorporating youth voice into their work.

2017 Grants

Title II

Beltrami Area Service Collaborative (Bemidji)
 Children's Hospitals and Clinics of Minnesota (St. Paul)
 Evergreen Youth and Family Services (Bemidji)
 Faribault Youth Services Center (Faribault)
 Leech Lake Band of Ojibwe, Youth Services Division (Leech Lake Reservation)
 Minneapolis American Indian Center (Minneapolis)
 Minnesota Corrections Association (Statewide)
 Northwestern Minnesota Juvenile Center (Bemidji)
 Stearns County Attorney's Office (St. Cloud)
 Urban Boat Builders (Saint Paul)

Title II/Juvenile Accountability Block Grants

Dakota County Community Corrections (Hastings)
 Martin County Corrections (Fairmont)
 Minneapolis Health Department (Minneapolis)
 Rice County Attorney's Office (Faribault)

JJAC Membership, Ex-Officios, Advisors, and Staff

Juvenile Justice Advisory Committee

Chyenne Boyce, Youth Member, Anoka
Freddie Davis-English, Co-Chair, JJAC DMC Subcommittee, Plymouth
William Dykes, Youth Member, Saint Paul
Dana Erickson, Sartell
Richard Gardell, JJAC Chair, Saint Paul
Honorable Rodney Hanson, Willmar
Chief Scott Knight, Chaska
Amadu “Elijah” Kondeh, Brooklyn Park
Rhonda Larkin, JJAC Co-Vice Chair, Minneapolis
Chong Lo, Co-Chair, JJAC DMC Subcommittee, Saint Cloud
Samantha Loe, Youth Member, Arden Hills Honorable
Michael Mayer, JJAC Co-Vice Chair, Eagan
Shelley McBride, Rochester
Kevin Nguyen, Youth Member, Saint Paul
Kathryn Richtman, Saint Paul
Raj Sethuraju, Chaska
Richard Smith, Plymouth

Ex-Officio Members

Lynn Douma, Minnesota Department of Employment and Economic Development (DEED)
Jane Schmid, Minnesota Corrections Association (MCA)
Shon Thieren, Minnesota Department of Corrections (DOC)
Lauren Ryan, Minnesota Department of Health (MDH)
Nicole Kern, Minnesota Association of Community Corrections Act Counties (MACCAC)
James Schneider, Minnesota Association of County Probation Officers (MACPO)
Chair, JJAC Policy and Partnership Subcommittee
Curtis Shanklin, Minnesota Juvenile Detention Alternatives Initiative (JDAI)
Bill Wyss, Minnesota Department of Human Services (DHS)
Matthew Bauer, Minnesota Juvenile Detention Association (JDA)
Jane Schmid, Minnesota Corrections Association (MCA)

MN Dept. of Corrections Inspections and Enforcement Unit

Lisa Becking
Greg Croucher
Sarah Johnson
Jennifer Pfeifer
Teresa Smith
Julie Snyder
Timothy Thompson

MN Dept. of Public Safety, Office of Justice Programs

Callie Hargett, Juvenile Justice Specialist, JJDP Act Compliance Monitor,
DMC Coordinator, and Title II Grant Manager
Allison Scott, Officer Manager
Zoe Wisnoski, Criminal Justice Analyst



2018 MACCAC Legislative Platform

Community corrections in the form of probation and supervised release has traditionally been the backbone of Minnesota's criminal justice system. With adequate investment and funding, community corrections can play a vital role in providing research driven approaches to address the challenges that lie ahead.

- **Effective supervision and offender programming in the community play a vital role in reducing prison growth, while producing preferable offender outcomes.** For example, in 2011 downward dispositional departures from the Minnesota Sentencing Guidelines saved the state the equivalent of 4,100 prison beds, which would have required more than a 40 percent increase in required prison capacity. Additionally, research has shown that offenders maintained in the community have better outcomes and re-offend at a lower rate than those committed to prison. However, state level efforts to affect changes in the prison population cannot come at the financial expense of the counties and must take into consideration all aspects of the criminal justice system.
- **A growing body of research indicates that community corrections supervision must address both short and long term issues in order to reduce public safety risk over the long term.** This research around evidence-based practices is demanding increased attention to offender risk and needs assessment, case planning, and targeting interventions specific to client needs; these cannot be implemented effectively without increased financial support at the state level. Minnesota counties will not be able to sustain current efforts to utilize proven evidence-based practices without increased state funding.
- **We are grateful for the progress made in the last three biennia toward increased funding for the Community Corrections Act.** However, over the last decade and a half, statewide funding for community corrections has not kept pace at the level required to provide progressive, effective correctional practices proven by research to keep incarceration rates low, reduce recidivism, and increase public safety.

MACCAC supports legislation to provide a continuum of effective mental health and substance abuse services for offenders suffering from these issues. This should include:

- Providing adequate and effective mental health treatment in a timely manner to increase public safety and allow appropriate offenders to be maintained in the community rather than warehoused in a more costly jail or prison bed.
- Timely access to substance abuse assessments followed by the appropriate type and length of treatment, which is crucial if the state is to achieve successful intervention in the addiction process, rather than costly long-term incarceration. Strong collaboration between the criminal justice, public health, and social service systems is particularly critical in light of the opioid crisis and resulting public safety issues facing Minnesota as well as the nation.
- MACCAC urges the legislature to address the urgent need for appropriate treatment and residential settings for juveniles with serious mental health issues.

Minnesota Association of Community Corrections Act Counties

Ryan Erdmann, Director and Legislative Liaison

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erdmann@maccac.org – (651) 789-4345 (o) – (612) 581-0026 (c)

2018 MACCAC Policy Positions

Community Corrections Act (CCA) Jurisdictions

MACCAC supports the expansion of CCA counties with full and ongoing state funding. MACCAC supports the removal of systemic or statutory requirements that act as barriers to counties in choosing the correctional delivery system that best meets their individual needs.

Distribution of Funds

Future funding should be allocated using an equitable and transparent model that considers the need of each county.

Sex Offender Supervision

MACCAC supports legislation that takes a strong statewide approach to sex offender supervision by effectively monitoring overall behavior and activities of offenders using risk assessment and evidence based practices that enhance public safety.

State funding must be increased for local implementation of any enhanced state standards for the supervision of sex offenders, particularly those offenders that may transition to the community from the state Minnesota Sex Offender Program (MSOP). Additionally, MACCAC supports legislation to address the following:

- Residency restriction laws do nothing to address offender treatment or overall risk reduction, which are paramount to protecting public safety.
- Lifetime supervision of sex offenders should be reserved for those individuals assessed as high risk to re-offend.
- Juvenile sex offender registration requirements should focus on the appropriate group of the most serious offenders.

Pre-Trial Services

MACCAC recognizes the national trend to move away from cash bail in favor of conditional release consistent with current research supported practices that better address public safety. Efforts toward more statewide uniformity in availability of these services are not without merit but will create additional workload for CCA jurisdictions. MACCAC supports appropriate funding to accompany any new expectation for the provision of pre-trial services.

Probation Length

MACCAC recognizes that a robust discussion and evaluation of probation lengths is needed as part of a broader review of sentencing policy and potential new practices.

Alcohol Impact Fee for Probation and Treatment

If an alcohol impact fee is approved, MACCAC supports allocation of these funds in the health and public safety areas most impacted by costs related to alcohol and other drug abuse (including prescription and over-the-counter drugs) as well as alcohol and drug-related injuries. Additional state funding is needed in key areas of probation supervision and chemical dependency prevention, screening, treatment and aftercare services.

Human Trafficking

MACCAC supports ongoing efforts to treat victims of human trafficking with trauma specific and trauma sensitive services rather than subjecting them to the criminal justice system.

Re-Entry

MACCAC supports the development and implementation of comprehensive initiatives and expanded transitional housing to assist juvenile and adult offenders' reintegration back into their communities and reduce recidivism and its public costs.



MACPO 2018 LEGISLATIVE PLATFORMS

TIER 1

CPO May Supervise Felons

MACPO supports Section 1. Minnesota Statutes 2014, section 244.19, subdivision 1, is amended to read:

Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of counties has established a human services board pursuant to chapter 402, the district court may appoint one or more county probation officers as necessary to perform court services, and the human services board shall appoint persons as necessary to provide correctional services within the authority granted in chapter 402. In all counties of more than 200,000 population, which have not organized pursuant to chapter 402, the

district court shall appoint one or more persons of good character to serve as county probation officers during the pleasure of the court. All other counties shall provide adult misdemeanor and juvenile probation services, and may provide adult felon probation services, to district courts in one of the following ways....

H.F. No. 813 - passed Spring 2016

S.F. 1029 No. not introduced 2016

FUNDING

Goal: Increase CPO funding

Goal: Streamline funding in combining CPO funding – merging caseload workload funding and 50% reimbursement funding into one line item.

*Delineate funding for all three delivery systems (DOC, CPO, CCA) into separate line items for each delivery system in the Commissioner of Corrections budget

*Use actual 50% reimbursement numbers in new delineated line items for CPO in the Governor's budget

*MACPO Directors create a formula and criteria to address any new positions to CPO agencies

***Supports a 2 tier funding proposal as worked out with CPO Directors and DOC**

- Support legislation study of DOC and CPO funding stream if proposed

HF 1104 - CPO funding formula study with DOC (2016 session)

2017 Legislature appropriated \$230,000 to CPO each year of the biennium

DRIVERS LICENSE RESTRICTION REFORM for DWI Offenders

Currently, persons charged with DWI offenders are required to participate in the Interlock Program. Minnesota Department of Public Safety (DPS) works to assist in reinstatement but there are still restrictions on the ability to persons to drive. With the restrictions participants are challenged to fit in work, treatment, and court ordered obligations.

MACPO supports legislation that person that are successfully participating in the Interlock Program be able to drive without restriction.

DPS supports this legislation.

Bail Evaluation Funding

MACPO supports a statewide uniform bail evaluation form as suggested Judicial Bail Evaluation Task Force. Reinstatement reimbursement for bail evaluations at \$25 per evaluation as per MS 629.74 stating "local corrections department or designee shall conduct pretrial bail evaluation. The local corrections department shall be reimbursed \$25 by the Department of Corrections for each evaluation performed."

Appendix B: MACPO Platform and Initiatives

Mental Health

MACPO supports legislation for the system to provide effective mental health services for juveniles and adults involved in the criminal justice system. Having timely access to community resources. Available services may reduce the warehousing person in jails and prisons. Increase state funding for implementation of full continuum of mental health services available at the local level.

Increase the number of crisis beds and others reforms that promote early intervention and stabilization, to reduced health care and jail costs for counties and provide better care. Creating forums to work with community partners and state agencies to address the growing population of mentally ill offenders.

Human Trafficking

MACPO supports legislation that addresses the enforcement, prosecution, awareness, education, and elimination of human trafficking. As well as, the funding for victim services to support and improve victims lives.

Juvenile Sentencing to Life Without Parole

Goal to eliminate the sentence of life without the possibility of parole for juveniles; sentencing should be revised to life with possibility of parole after serving a minimum, align with adult sentencing guidelines.

Review of the life sentence should be performed by the Commissioner of Corrections and based on relevant factors including background and conduct during imprisonment.

- MACPO fully supports JJAC proposal and further recommends that these statutory changes “shall be applied retroactively to all in individuals currently serving life sentences without parole for the applicable crimes committed when the individual was under the age of eighteen years”.

HF 714 – MACPO supports the proposal as proposed.

We support JJAC language:

In 2013 the MN Supreme Court decision, *Chambers v. Minnesota*, was decided based on the Supreme Court decisions *Miller v. Alabama* and *Jackson v. Hobbs* which had dictated adjustments to each state’s procedure for imposing juvenile life without parole. At about the same time JJAC formed a subcommittee to research and arrive at a position that would take into consideration the US Supreme Court decisions. Six months later with the subcommittee working assiduously, JJAC developed its recommendation to the Governor and Legislature regarding the imposition of Life Without Parole sentences on juvenile offenders. Here is the recommendation:

1. Minnesota laws should be amended to eliminate the sentence of life without the possibility of parole for juveniles.
2. For the crimes that currently result in a sentence of life without the possibility of parole, juveniles should instead receive a sentence of life with the possibility of parole after serving a minimum of 20 years.
3. To ensure meaningful review of a life with the possibility of parole sentence, Minnesota law should further provide that “The Commissioner of Corrections shall review the juvenile’s conduct in prison, participation in programming, the juvenile’s age at the time of the commission of the crime, the facts of the present offense, the juvenile’s prior offenses, educational and family background, the opinion of the victim(s) and any other factors relevant to rehabilitation and make the determination as to whether the juvenile should be paroled.”
4. In the interests of fundamental fairness, JJAC further recommends that these statutory changes “shall be applied retroactively to all individuals currently serving life sentences without parole for the applicable crimes committed when the individual was under the age of eighteen years. JJAC worked with other juvenile justice groups to educate legislators regarding the need to adjust existing requirements for the seven remaining youth who are the direct beneficiaries of this legal “adjustment”. Unfortunately, no legislative change on the issue resulted during the 2014 legislature. JJAC will continue to educate legislative decision makers on this issue in 2015.

Opioids

Fund resources necessary to improve public safety response to the opioid epidemic. Enact legislation that improves the accountability of doctors prescribing medications in that a central/statewide data collection system we be put in place.

TIER 2

Support Offender Reentry

Transition from incarceration and court sanctions to the community is key to offender success and therefore critical for improving public safety and saving taxpayer money. Policies that support offender education, housing, employment, and mental health services will reduce recidivism.

Support Smart Sentencing and Supervision

- Provide more mental health and chemical dependency treatment options, especially essential for veterans who need services to address issues related to their service in recent conflicts
- Revise Minnesota's drug sentencing laws to remove disparities and ineffective minimums
- Ensures adequate and safe supervision in the community
- Consider revising Sentencing Guidelines to help reduce the prison commits, therefore, reducing prison beds and current overcrowding.

Juvenile Predatory Offender Registration

MACPO supports amending current predatory offender registration laws for juvenile in order to increase public safety while using interventions that decrease recidivism and increase rehabilitation. Reducing lifelong collateral consequences for juveniles.

Courts should be allowed to use legal criteria at any time in the supervision process to determine if a juvenile adjudicated delinquent for a predatory offense should be registered. Specific criteria should be established.

Courthouse Security Grant Program

Support efforts to create a state funded grant program for courthouse enhancements to allow additional flexibility for counties to use other existing revenue sources for this purpose. With the goal of safety and security of those work within the judicial system and the public's safety.

Supporting Community Supervision as an Alternative to Prison Expansion

Work to support existing community supervision infrastructure and increase the funding that supports county efforts toward community supervision rather than have the state invest those limited corrections resources in new prison facilities.

Retirement

MACPO supports a systematic change to give probation officers the opportunity to retire prior to age 65.

TIER 3

Supporting Program for Early Release from Prison if judged to be able to live successfully in community without public danger

MACPO supports legislative action to create and fund a release program for inmates in the custody to Commissioner of Corrections to have the ability to release into the community if deemed to be able to live successfully and without public danger. The application for release would be submitted to the commissioner then would be forwarded to a panel of 3 Judges. The release would be approved by majority vote. Inmates would be eligible for release application after 60% of sentence. Support SF 2109

Supporting Community Supervision as an Alternative to Prison Expansion

Work to support existing community supervision infrastructure and increase the funding that supports county efforts toward community supervision rather than have the state invest those limited corrections resources in new prison facilities.

Voting Rights Reservation

Minnesotans convicted of a felony but live in the community should have the fundamental right to vote. It is a way to increase positive engagement in the community.



MINNESOTA ASSOCIATION OF COUNTY PROBATION OFFICERS 2018 LEGISLATIVE INITIATIVES

The MACPO Legislative Committee developed the following initiatives, which were approved by the MACPO Executive Board

- Increase County Probation Officers funding
- Streamline funding in combining caseload workload funding and 50% reimbursement funding into one line item
- Delineate funding for all three delivery systems (DOC, CPO, CCA) into separate line items using actual numbers for each delivery system in the Commissioner of Corrections budget
- Restore funding for mandates
- Legislation to amend 244.19 subdivision 1; to allow CPO Agencies the option to supervise felons
- Supports mental health legislation
- Supports revision of sentencing of juveniles without parole statute
- Legislation to address enforcement human trafficking

For further information on MACPO's 2018 Legislative Initiatives, please contact:

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11/09/2017

2018 LEGISLATIVE AGENDA



Mental Health Alternatives

Incarceration is too often serving as a response to needs for mental health services. Especially noted at this time is the need to adequately respond to military veterans before events result in law enforcement and court interventions. We need to adequately address the mental health and substance abuse needs of all those adults and youth on probation, in institutions, on supervised release, or within our juvenile system.

Offender Reentry

Transition from incarceration and court sanctions to the community is key to offender success and therefore critical for improving public safety and saving taxpayer money. Policies that support education, housing, employment, and mental health services will reduce recidivism. Recent increased local restrictions on the ability of registered offenders to obtain housing undermines public safety and correctional supervision. Restoration of voting rights to those in the community is a reasonable component of reintegration. While it often takes a back seat to the required basic human needs of housing and work it is still a vital part of citizenship.

Smart Sentencing and Supervision

Public safety can be enhanced while saving taxpayer money by:

- Continuing to revise Minnesota drug sentences to remove disparities and ineffective mandatory minimums;
- Understanding the collateral consequences of sentence decisions; and
- Ensure adequately funded and safe supervision in the community.

Needs of Juveniles in the Areas of Mental Health and Substance Abuse

According to the National Center for Mental Health and Juvenile Justice: 60-70% of arrested youth meet the criteria for at least one mental disorder; 60% with at least one mental disorder experience a co-occurring substance use disorder; and at least 75% of youth in the juvenile justice system have experienced traumatic victimization. Surveys of juvenile justice professionals indicate that there is a severe shortage of juvenile mental health and substance abuse treatment options in Minnesota.

- Support adequate funding for juvenile-specific mental health and substance abuse assessment, treatment, family support, and Trauma Informed Care Training for professionals.

Juvenile Sentencing to Life without Parole

The U.S. Supreme Court has held that Minnesota's life without the possibility of parole statute for juveniles is unconstitutional.

- Minnesota's juvenile life without parole statute should be revised to life with the possibility of parole after serving a minimum of twenty years.

Juvenile Predatory Offender Registration

The courts should be allowed to use legal criteria at any time in the supervision process in determining if a juvenile adjudicated delinquent for a predatory offense should be required to register.

Employment Issues

The negotiated union contracts should be approved and reasonable pension reconciliation resolved in the 2018 session.

Prison Expansion

Any prison expansion decision should be based on projected needs and associated practical geographic considerations. Best practices should be employed regarding community supervision versus institutional approach to public safety needs.

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