



**Minnesota  
Juvenile Justice  
Advisory Committee  
2013 Annual Report**

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[dps.mn.gov/entity/jjac](https://dps.mn.gov/entity/jjac)

# From the Chair



STATE OF MINNESOTA

## Juvenile Justice Advisory Committee

Department of Public Safety, Office of Justice Programs  
445 Minnesota Street, Suite 2300, St. Paul, Minnesota 55101  
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*Richard Gardell, Chair*

December, 2013

It is my privilege to present to you the 2013 Juvenile Justice Advisory Committee (JJAC) Annual Report. This year has been an important year for JJAC and as the year closes JJAC can look back over a record full of juvenile justice involvement and accomplishments:

- Funding, notably to Leech Lake Tribal Court, St. Cloud Police Department, Wright County Human Services
- Support position on ICWA GAL Supervisory Position
- Ten Meetings throughout the state
- Juvenile Sentencing Committee Work and JJAC recommendation
- Full Compliance with the JJDP Act
- Partnership with Red Wing on their Performance Based Standards curriculum
- Partnership with the Minnesota Corrections Association for ten forums on juvenile justice

A special thank you to the DOC Inspection Team for their exemplary work in compliance monitoring of juvenile facilities in Minnesota that assure each juvenile that their federal core protections have been safeguarded at each and every facility that the juvenile visits. Their work guarantees that Minnesota is in full compliance with the Juvenile Justice and Delinquency Prevention Act.

A critical JJAC position has just recently been formulated after months of work by the Juvenile Sentencing Committee. Please check out JJAC's Recommendation on page eight, which JJAC will now present to Governor Dayton and to the Minnesota Legislature in fulfillment of its mandate to advise the Governor and Legislature on juvenile justice issues.

Finally, please review the JJAC Partnership section as juvenile justice has many contexts and JJAC is there in each of these efforts

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gardell".

Richard Gardell, Chair

## ***Core Requirements***

**De-institutionalization  
of Status Offenders  
(DSO)**

**Sight and Sound  
Separation of Juveniles  
from Adult Offenders**

**Removal of Juveniles  
from Adult Jails and  
Lockups**

**Disproportionate  
Minority Contact  
(DMC)**

# **About JJAC**

## **JJAC's Mission Statement**

The Juvenile Justice Advisory Committee provides leadership and support in setting a vision for juvenile justice in Minnesota that is informed by evidenced-based practices, multi-disciplinary experience and the diverse communities of Minnesota.

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

### **De-institutionalization of Status Offenders**

Each state must ensure that juveniles who are charged with a status offense (truancy, curfew, running away, alcohol and tobacco possession/consumption) 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 one over the age of 18.

### **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 proscribed 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.

## **Disproportionate Minority Contact (DMC)**

Each state must make an effort to reduce DMC at all nine designated points along the juvenile justice continuum when each minority proportion exceeds that minority's representation in the overall population. 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

Please see Minnesota Youth Demographics section, pps 13~23 for specific data.

For oversight on these requirements, the Minnesota Governor appoints eighteen members to the supervisory Juvenile Justice Advisory Committee (JJAC). JJAC reports annually to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) with updated data required for compliance with the above four core requirements.

For 2013 Minnesota is in compliance on all four core requirements of the JJDP Act.

Additionally, JJAC has the responsibility to advise and make recommendations on juvenile justice to the Minnesota Governor and the Minnesota Legislature on issues, trends, practices and concerns in regard to all aspects of juvenile justice. JJAC serves as the supervisory entity with the central focus to provide an overall safeguard on the state's activities with youth in Minnesota's juvenile justice system.

JJAC's specific responsibilities include:

- To develop a comprehensive three year plan for juvenile justice in Minnesota.

***For 2013  
Minnesota is in  
compliance on  
all four core  
requirements  
of the JJDP Act.***

**JJAC members represent all eight Minnesota congressional districts and represent the following juvenile justice categories:**

- youth
- courts
- law enforcement
- private non-profit youth- serving agencies
- public defense
- prosecution
- private citizens

- 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.

Title II provides funding for prevention, intervention and aftercare programs to youth- serving and community based organizations. JABG funding provides support for juvenile justice to local units of government and allocations are based on a population formula (see page 25 for current Title II and JABG grantees).

As a state wide committee, JJAC meets nine times annually in various sites around the state. This ever changing venue helps JJAC become familiar with local juvenile justice issues and to allow specific communities convenient access to the committee. In 2013 the committee met at the following Minnesota sites: Brooklyn Center, Dakota County Center, Hamline University School of Law, Minneapolis Urban League, Red Wing, Shoreview, the State Capitol, St. Paul, and Walker,

JJAC members represent all eight Minnesota congressional districts and represent the following juvenile justice categories: youth, courts, law enforcement, private non-profit youth- serving agencies, public defense, prosecution and private citizens who have acquired special knowledge relating to juveniles. They represent Minnesota's rural suburban, and urban areas equally, and they also represent all major cultural and national groups which reside in Minnesota. They are a working board.

The JJAC Chair has also designated resource professionals who serve as Ex Officios for JJAC. They include representatives from other Minnesota state departments that serve youth plus professional juvenile justice organizations that focus on juveniles.

# Accomplishments & Recommendations

Advising the Governor and Legislature on critical and emerging issues related to juvenile justice is the main responsibility of the Juvenile Justice Advisory Committee (JJAC) and one which the committee takes very seriously. In keeping with this responsibility, in early 2013 JJAC members and Juvenile Justice Specialist, Carrie Wasley, decided to examine life without the possibility of parole sentences imposed on juveniles in Minnesota. The catalyst for focusing on this issue was two 2012 United States Supreme Court decisions.

In the companion cases of *Miller v. Alabama* and *Jackson v. Hobbs*, the United States Supreme Court held that the imposition of mandatory life without the possibility of parole sentences on juveniles violates the Eighth Amendment's ban on cruel and unusual punishment. *Miller* and *Jackson* were the third set of Supreme Court decisions in seven years to conclude that three fundamental features of youth — lack of maturity, vulnerability to negative influences and capacity for change — make children “constitutionally different” from adults and “less deserving of the most severe punishments.” These decisions draw heavily upon recent findings in neuroscience and developmental psychology which support the conclusion that, by virtue of their diminished culpability and enhanced prospects for rehabilitation, a mandatory sentence of life in prison with no opportunity for release is cruel and unusual punishment. While the Supreme Court did not prohibit the imposition of life without the possibility of parole sentences for juveniles, it found that the mandatory imposition of such a sentence prevents judges and juries from considering the “lessened culpability” and “greater capacity for change” of juvenile offenders. The Supreme Court ruled that certain specific factors must be considered in deciding whether this harshest of punishments should be imposed upon a juvenile offender. The Court opined that, once these factors are considered in each case, the imposition of life without the possibility of parole sentences on juveniles will become “uncommon” or “rare.”

As a result of the Supreme Court's decisions in *Miller* and *Jackson*, statutes in 29 states that provide for mandatory life without parole sentences for children are now unconstitutional. Minnesota is one

*“A critical JJAC position has just recently been formulated after months of work by the Juvenile Sentencing Committee. . . which JJAC will now present to Governor Dayton and to the Minnesota Legislature in fulfillment of its mandate to advise the Governor and Legislature on juvenile justice issues.”*

*-Richard Gardell  
Chair*

of these states as our current laws allow, in certain limited circumstances, for juveniles to receive a sentence of life without the possibility of parole, JJAC members determined that, before recommending a solution to the Governor and legislature, they should bring together juvenile justice experts to discuss options and recommend appropriate changes to Minnesota law. To accomplish this task, a subcommittee was formed, with former Eighth Judicial District Judge Kathryn Smith serving as chair. Subcommittee members included Ramsey County Attorney's Office Juvenile Division Director Kathryn Richtman, Public Defender Chong Lo and Minnesota Corrections Association representative, Shelley McBride. The subcommittee met throughout the summer. Law student Maggie Vickerman researched other states' responses to the Supreme Court decisions. The subcommittee created summary information for JJAC members to review. The subcommittee also proposed the format for a public forum to seek recommendations from anyone interested in submitting a written proposal or making an oral presentation at the public forum scheduled in November.

As the subcommittee began its work in May, 2013, the Minnesota Supreme Court ruled in *Chambers v. Minnesota* that the United States Supreme Court's holdings in *Miller* and *Jackson* did not apply retroactively to *Chambers* who is currently serving a sentence of life without the possibility of parole for offenses he committed as a juvenile. (First Degree Intentional Murder of a Police Officer, Second Degree Murder During the Commission of a Felony, Felony Motor Vehicle Theft, and Fleeing a Peace Officer in a Motor Vehicle). From the research on other states' responses, JJAC learned that some states have retroactively applied the holdings in *Miller* and *Jackson* to offenders serving life without the possibility of parole sentences. Therefore, JJAC asked that all submissions and presentations include a recommendation regarding retroactivity. On November 8, 2013 JJAC's public forum was held at Hamline University School of Law. Everyone who had submitted sentencing reform proposals was invited to present their ideas. Following a presentation by Dr. Monica Luciana on adolescent brain development, JJAC heard from representatives from the Minnesota County Attorneys Association (Michael Junge), the State Public Defender's Office (John Stuart), The Legal Rights Center (Sarah Davis), the Council on Crime and Justice (Mark Haase) and Professor Perry Moriearty of the University of Minnesota Law School. In addition, former state prosecutor, Tom Fabel, submitted a letter detailing his experience with an offender whom he had successfully prosecuted and for whom he is now advocating for release from a juvenile life without the possibility of parole sentence.

In December, JJAC met again, this time to discuss the various proposals submitted and to develop our own recommended response. After several hours of intense discussion, the committee unanimously adopted the following recommendations:

# JJAC's Recommendation regarding imposition of Life Without Parole sentences on juvenile offenders

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's Partnerships

JJAC has focused on active partnerships with juvenile justice professionals who share their specific focus with JJAC members at the monthly meetings. A partial list include the following organizations with all partners contributing insights and suggestions for the JJAC agenda:

Scott Beaty	Youth Intervention Programs Association (YIPA)
Lynn Douma	MN Department of Employment and Economic Development
Mark Haase	Council on Crime and Justice (CCJ)
Sara Hollie	MN Department of Health (MDH)
John Kingrey	MN County Attorneys Association (MCAA)
Shelley McBride	MN Corrections Association (MCA)
James Schneider	MN Association of Correctional Probation Officers (MACPO)
Tim Thompson	MN Department of Corrections

Sara Hollie reports MDH hired a State Adolescent Health Coordinator in January 2013 to provide leadership and support to promote healthy youth development and help meet the health needs of adolescents statewide. This work is done in partnership with the Departments of Education, Human Services and Public Safety, Teenwise Minnesota, and other state and local agencies and organizations.

The Minnesota Department of Health also created the Minnesota Partnership for Adolescent Health (MPAH), a newly formed diverse group of agencies, organizations and individuals with expertise in adolescent health and healthy youth development, with the common goal of supporting the health and development of all Minnesota youth and young adults' ages 10-24 years old through the development of a statewide strategic plan.



# Council on Crime & Justice

Mark Haase reports that The Council on Crime and Justice and many other organizations continued to work toward passage of legislation allowing judges to decide if delinquency hearings for 16-17 year-olds should be made public, rather than having the hearings and their resulting records automatically public as they are under current law. After several years of opposition to this specific proposal from the Minnesota County Attorneys Association and The Minnesota Press Association, a compromise solution resulted in HF 392 being passed by the House and Senate and signed into law by Governor Dayton. The amended bill limits direct public access to the electronic records of most of these hearings and is scheduled to go into effect January 1, 2014; it will not be retroactive.

However, as of the writing of this report the Minnesota Supreme Court's Committee on Rules of Juvenile Delinquency Procedure was recommending that the Judicial Branch not comply with the new statute due to concerns with administering this change and based upon principles of separation of powers.

The Council also created a comprehensive 29 page report on the consequences of juvenile records in Minnesota with input from professionals in the field and funded by the Juvenile Justice and Delinquency Prevention Act through JJAC and the Minnesota Department of Public Safety Office of Justice Programs. Copies of the report can be acquired by emailing the Council on Crime and Justice at records@crimeandjustice.org.

# Department of Corrections Inspection Unit

Tim Thompson reports: Minnesota continues its status of being in complete compliance with the OJJDP Act four core requirements. These requirements require annual or biennial inspections of facilities across the state to guarantee the four cores are met. In 2013, the responsibility to inspect facilities continued to be divided between the Office of Justice Programs Compliance Monitor and the Department of Corrections Inspection Unit.

The Memorandum of Understanding (MOU) between the two offices has been extended until the end of 2015.

DOC inspectors who conduct inspections include: Timothy Thompson (Manager), Teresa Smith (Management Analyst), and Inspectors Lisa Cain Becking, Greg Croucher,



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Diane Grinde, Sarah Johnson and Julie Snyder. The Compliance Monitor is Carrie Wasley who also serves JJAC as the Juvenile Justice Specialist for Minnesota.

# Department of Economic Development

Lynn Douma reports on youth programs at DEED: Minnesota's youth unemployment rate was 18.6 percent in 2012 (latest available), and double that for youth from communities of color. Minnesota's youth workforce system prioritizes services to those who are most in need and serves these youth with a greater frequency than other states. For example, youth with disabilities are served at a level that is 2.5 times the national average; foster youth, juvenile offenders, homeless youth and runaways at 2 times the national average; American Indian youth at 5 times the national average; and Asian American youth at 2.5 times the national average. Programs such as the Workforce Investment Act, Minnesota Youth Program, YouthBuild, the Disability Employment Initiative-Partners for Youth, and Minnesota's Youth Workforce Development Competitive grants provide opportunities for at-risk youth, including juvenile offenders, to develop the skills needed to succeed in the future. These programs also address the unacceptable employment and achievement gaps experienced by

youth with disabilities, youth of color, and economically disadvantaged youth. Successful implementation of youth programs relies on partnership and collaboration at both the state and local levels. Local Workforce Investment Boards and Youth Councils help to ensure collaboration across agencies responsible for workforce development, education, social services, corrections, housing, health, Vocational Rehabilitation Services, State Services for the Blind, Job Corps, the business community and Chambers of Commerce. At a state level, Minnesota's commitment to collaboration is demonstrated through the Shared Vision for Youth State Team, whose mission is: "State agencies will collaborate to assure that Minnesota's neediest youth acquire the talents, skills, and knowledge necessary to ensure their healthy transition to successful adult roles and responsibilities."

More information on DEED's Youth Programs can be found at: <http://mn.gov/deed/programs-services/office-youth-development/index.jsp>

## Minnesota County Attorneys Association

John Kingrey reports regarding juvenile justice legislative proposals that MCAA supports the current two 180-day stay proposals. Kingrey believes there is broad support for the bill. And, while there may be other juvenile expungement proposals, MCAA supports the bill vetoed in 2010 (Chapter 335). That bill was supported by most of the juvenile

advocacy stakeholders. MCAA has introduced a JLWOP bill (HF 1217) and is open to engaging in a discussion with stakeholders to pass a bill this session. Finally, the requirement of initiating CHIPS proceedings if a child resides in the same home with a person that has ever registered as a sex offender needs to be repealed to avoid unintended consequences.

# YIPA

Scott Beaty reports that each year over 20,000 Minnesota youth receive services from members of this collaboration which currently has over 135 youth serving organizations as members. Outcome data reveal that over 80% of the youth receiving youth intervention services do not reoffend. However funding for youth intervention services has always been a precarious situation. Therefore the following YIPA recommendations are focused on funding but with a significant increase in training, collaborative opportunities and technical assistance with a strong emphasis on collecting, examining, preparing and distributing outcome data for the Youth Intervention

Program grantees:

- Increase the number of state funded Youth Intervention Program grantees from 75 to 135. This increase will provide access to youth intervention services for most Minnesota youth in need of such services.
- Increase biennium state funding of the Youth Intervention Program from \$5 million to \$10 million.
- Examine the current \$2 to \$1 community match requirement for the Youth Intervention Program grantees and look for a legislative solution that will allow more organizations (especially small organizations on Greater MN) to qualify and apply for the grants when additional funding become available.

## Ending Youth Violence Roundtable

The North Minneapolis Youth Violence Prevention Working Group came together early in 2010 and continues to move forward in developing a shared strategy for this community initiative. Comprised of community organizations, youth workers, North Minneapolis residents and state and local agency staff including the University of Minnesota's Urban Research and Outreach Engagement Center (UROC), the group currently is focused on a monthly roundtable discussion with an ongoing agenda addressed to youth violence prevention. Current priorities include increasing opportunities for youth recreation in North Minneapolis and developing more opportunities for building positive relationships between youth and police officers.

A report "Understanding Youth Violence in North Minneapolis is available on the JJAC website ([dps.mn.gov/entity/jjac](http://dps.mn.gov/entity/jjac).) The impetus for this group effort was the frustration of high levels of violence that have impacted North Minneapolis families and neighborhoods. The ZIP codes 55411

and 55412 comprise the neighborhoods in North Minneapolis with the highest risk for youth violence and they accounted for eighty percent of juvenile firearm-related victims citywide in 2011, based on data from the Minnesota Hospital Association. This area of North Minneapolis has maintained levels of firearm-related assault injuries well above any other Minneapolis ZIP codes for the past five years. According to data from the Minneapolis Police Department juvenile violent crime arrests in the Fourth Precinct in North Minneapolis ranged between 35 to 40 percent of all juvenile violent crime in Minneapolis over a period of three years.

North Minneapolis also has many individuals and organizations which are passionately committed to supporting the healthy development of young people and working with youth to create programs and strategies in order to prevent youth violence. The monthly roundtable seeks to be a space where such programs and individuals can exchange information and resources and develop shared collaborative strategies.

# 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 Population

Youth under age 18 presently account for roughly 1.28 million of Minnesota’s 5.35 million residents. While the overall population of Minnesota gradually rose between 2000 and 2012 (8.7%), the number of youth under age 18 remained largely unchanged. Youth as a percentage of the total state population, however, has declined slightly over the past 11 years. In 2000, youth accounted for 26 percent of the state’s total population; in 2011 youth account for just under 24 percent (Table 1). In addition, the number of youth ages 10 to 17 who, by Minnesota statute, can potentially enter the juvenile justice system declined by nearly 6 percent between the 2000 and 2012. Population changes such as these are one factor to consider when examining juvenile justice data.

Population	2000 Census	2012 Census Estimates	Numeric Change	Percent Change
Total MN Population	4,919,429	5,347,299	+ 427,870	+ 8.7%
MN Population Under Age 18	1,286,894	1,279,142	-7,752	- 0.6%
Population Ages 10-17	604,198	569,957	- 34,241	- 5.7%
Youth as a Percentage of Total Population	26.0%	23.9%	- 2.1%	- 8.0%

Puzzanchera, C., Sladky, A. and Kang, W. (2012). Easy Access to Juvenile Populations: 1990-2012. Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

## Race and Ethnic Representation

Table 2 illustrates that Minnesota’s youth population is more racially and ethnically diverse than the state population as a whole. 2012 population estimates show that one quarter (24.8%) of all Minnesota youth under age 18 represent racial or ethnic minority groups. This is true of 16.3 percent of the state population as a whole. In the youth population, African Americans and Hispanics are the most populous minority groups in the state (9.1% Black or African American alone vs. 8.1% Hispanic of any race).

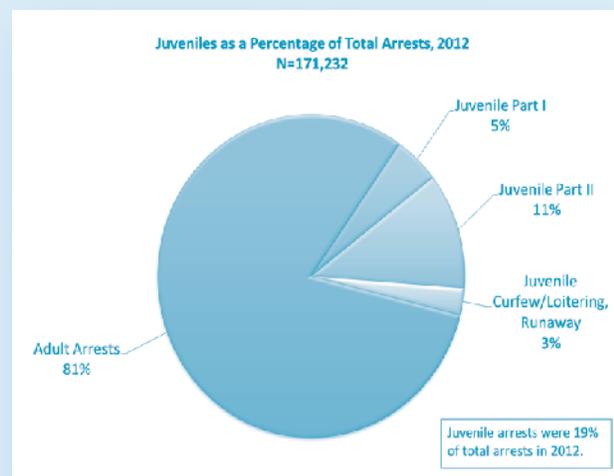
Race and Hispanic Ethnicity, 2012	Minnesota’s Overall Population	Minnesota’s Adult Population (over 18)	Minnesota’s Youth Population (under 18)
Caucasian non-Hispanic	83.7%	86.4%	75.2%
American Indian, non-Hispanic	1.2%	1.1%	1.6%
Asian, non-Hispanic	4.4%	4.0%	5.9%
Black or African American, non-Hispanic	5.8%	4.8%	9.1%
Hispanic (any race)	4.8%	3.8%	8.1%

## Youth contact with the Juvenile Justice System

### 2012 Arrests

In 2012 there were a total of 171,232 arrests, of which juveniles accounted for 32,756. Juveniles, as a percentage of total arrests, have slowly declined from 26 percent in the year 2000 to 19 percent in 2012.

One-quarter of juvenile arrests (25%) fall within the Part I offense category for the most serious person and property crimes. The majority of all

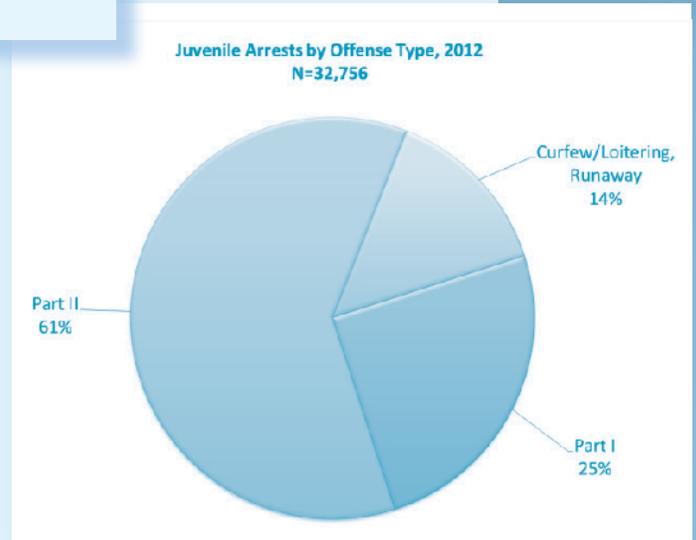


While the term “arrest” is used to describe juveniles in the Minnesota Crime Information Report, the term used in the juvenile justice system to describe the detaining or citing of juvenile offenders is “apprehension.” All Juvenile arrest data included in this report are taken from the Uniform Crime Report 2012, published by the Minnesota Department of Public Safety Bureau of Criminal Apprehension. Available at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/2012%20Crime%20Book.pdf>

Information regarding offenses categorized by the FBI as Part I, Part II and Status can be found at [http://www.fbi.gov/ucr/ucr\\_general.html](http://www.fbi.gov/ucr/ucr_general.html) 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.

## 2012 Arrests (continued)

juvenile arrests are for Part II offenses (61%), 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 14 percent.



## Arrest by Gender

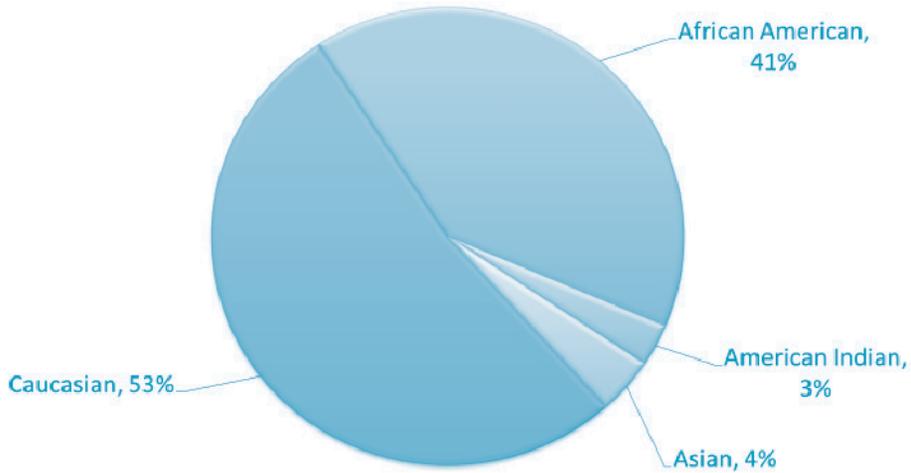
Since 2004, males have consistently accounted for about two-thirds of juvenile arrests. In 2012, males arrests were a bit higher at 67.6 percent. In 2012, more males than females were arrested for Part I offenses (64% vs. 36%) and for Part II offenses (71% vs. 29%). While more males than females were arrested in 2012 for the status offenses of Curfew or Loitering (61% vs. 39%), arrests for the offense of Runaway involve more females than males (54% vs. 46%). Runaway is the only UCR arrest category for which females are often arrested in greater numbers than males.

## Arrest by Race/Ethnicity

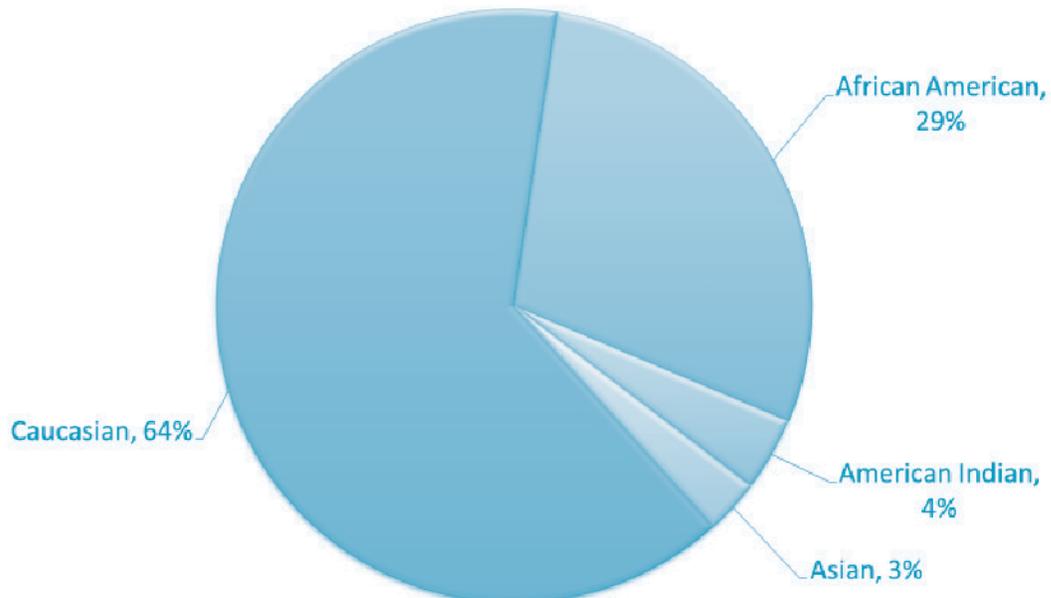
Within each arrest category (Part I, Part II and Status Offenses), unique racial distributions exist. While Hispanic ethnicity data is collected for the UCR, it is not currently published on juveniles. As such, youth of Hispanic ethnicity are included in the four primary racial categories reported. The 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, represent the majority of arrests for Part I and Part II crimes (53% and 64%, respectively). When it comes to arrests for status offenses, however, youth from communities of color collectively constitute 64 percent of arrests.

## Arrest by Race/Ethnicity (continued)

Part I Juvenile Arrests, 2012:  
Serious or Violent Offenses by Race  
N=8,238

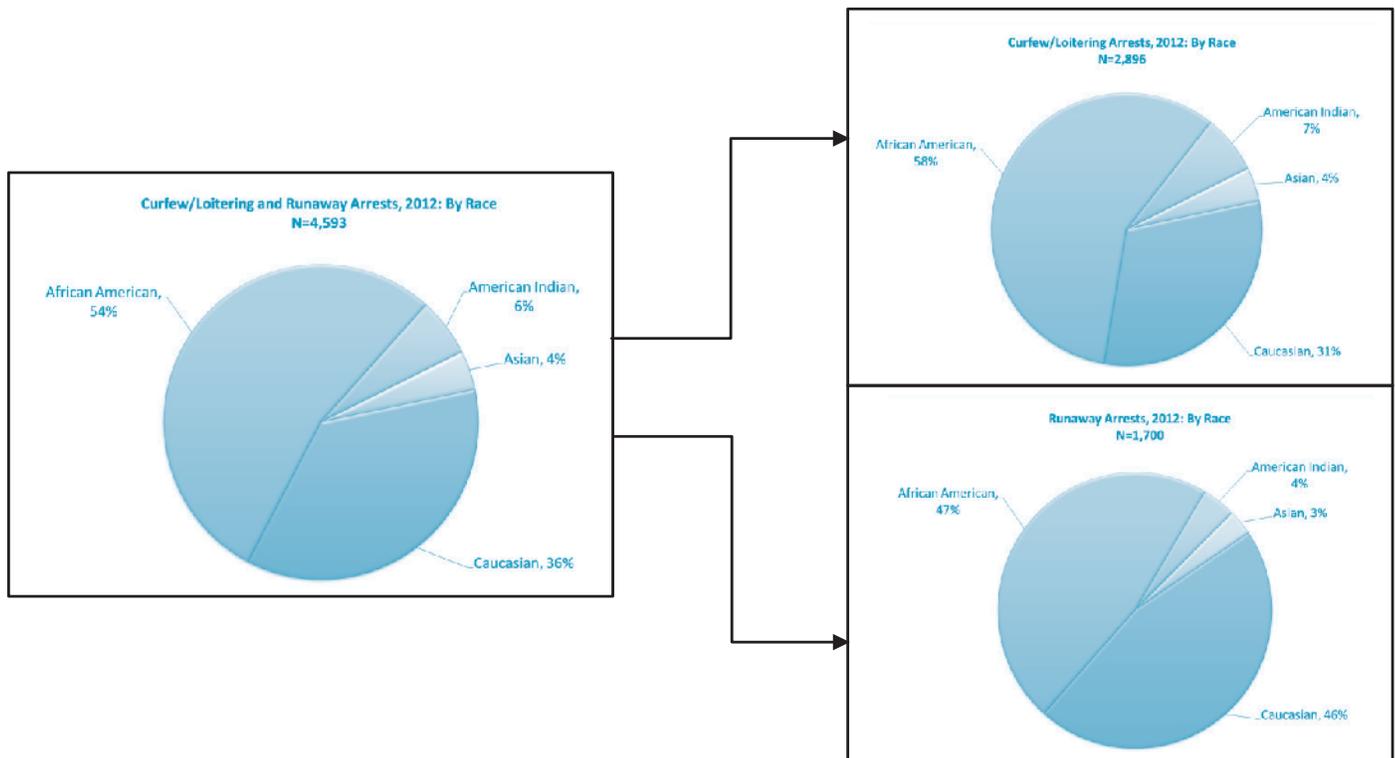


Part II Juvenile Arrests, 2012:  
Less Serious Offenses by Race  
N=19,925



## Arrest by Race/Ethnicity (continued)

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 nearly six in 10 arrests for Curfew/Loitering (58%) and nearly five in 10 arrests (47%) for Runaway.

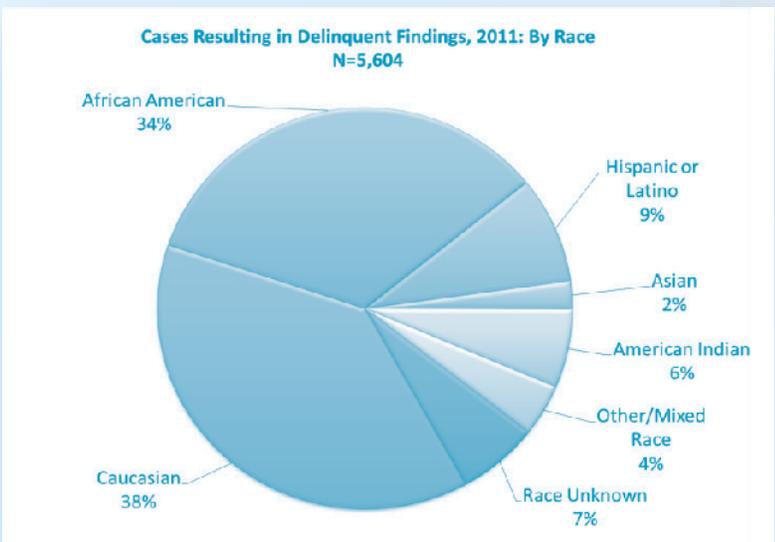
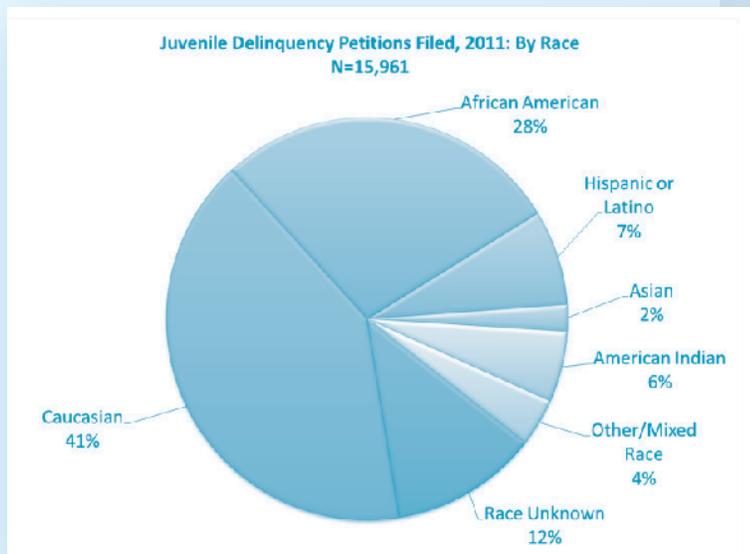


Since the electronic publication of UCR data in 1997, the number of juvenile arrests has dramatically decreased from approximately 79,000 to 36,000. During this time, youth from communities of color as a percentage of total juvenile arrests have generally been rising. In 1997, youth of color accounted for less than one-quarter of juvenile arrests (23%); in 2012, youth of color accounted for 43 percent of all juvenile arrests.

## Cases Petitioned and Cases Resulting in Delinquent Findings

According to data supplied by the State Court Administrator's Office, there were 15,961 delinquency petitions filed in 2011. 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 2011, Caucasian youth accounted for 41 percent of all delinquency petitions filed where race is known. Youth of color as a whole in Minnesota are approximately one-quarter of all youth (25%) but are 47 percent of delinquency petitions where race is known. Race is unknown in 12 percent of juvenile delinquency petitions.

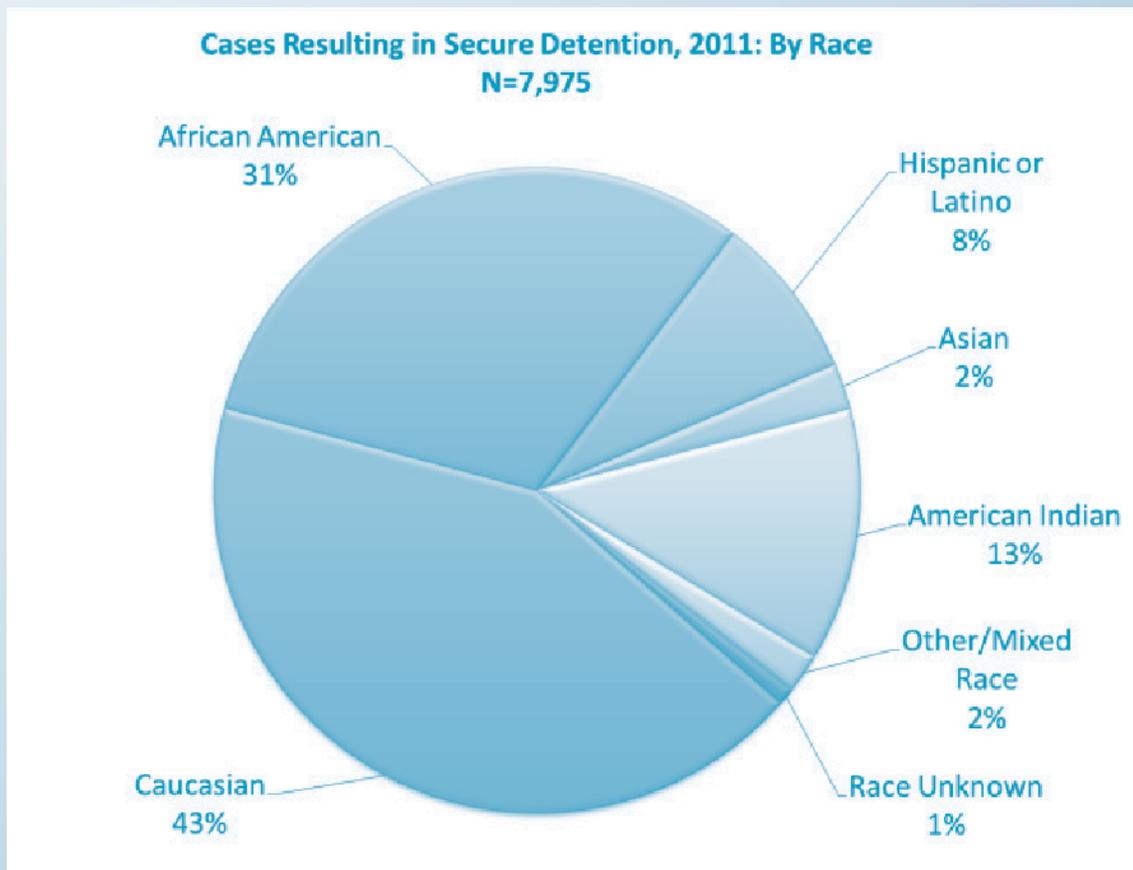
District courts in 2011 yielded 5,604 cases resulting in delinquent findings. Caucasian youth are the greatest percentage of youth found delinquent (38% of all delinquency findings) followed by African American youth (34%), Hispanic youth (9%); American Indian youth (6%); "Other" or Mixed Race youth (4%); and Asian youth (2%). Race was not known in 7 percent of cases resulting in delinquent findings. As a whole, youth of color constitute 55 percent of delinquent findings in cases where race is known.



## Cases Petitioned and Cases Resulting in Delinquent Findings (continued)

2011 juvenile admissions reported by the Minnesota Department of Corrections and select individual facilities document 7,975 secure juvenile detention events and 1,641 secure post-disposition juvenile placement events. These are not a count of individuals, rather events, as the same youth can be admitted to detention or placement multiple times in a calendar year. Additionally, youth can move from detention to post-disposition placement which will be counted as two separate admissions.

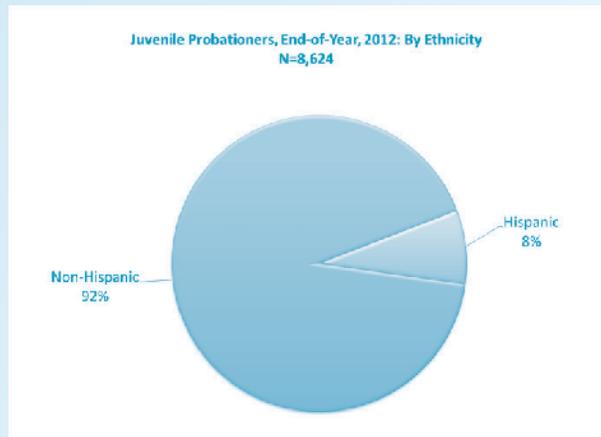
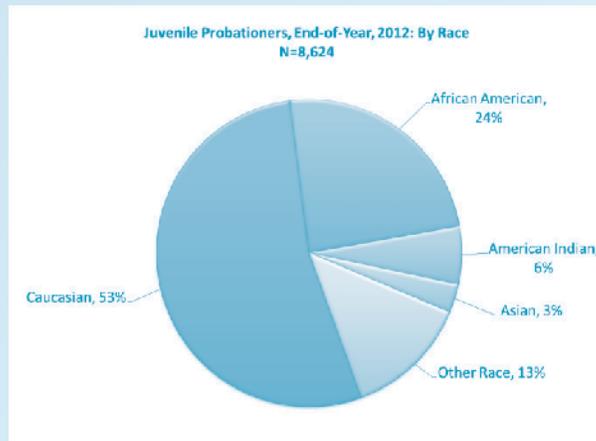
Statewide, youth of color account for over half of secure detention admissions (56%) and half of secure placement admissions following disposition (51%). Based on their percentage of the youth population (<2%), American Indians are overrepresented in secure facilities (13% detention admissions and 11% post-disposition placements). Facility admissions by race can vary significantly, however, by geographical location.



In 2012, there were 8,624 youth under probation supervision at year's end in Minnesota, accounting for 7.4 percent of all Minnesota probationers. The number of youth on probation has generally been declining since a peak of 17,460 in 2002.

In 2012, males accounted for 74 percent of the juvenile probation population; females 26 percent. The lowest percentage of male probationers occurred in 2007 at 72 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%) but were closer to half in 2012 (53%).



Data provided by the Minnesota Department of Corrections for Compliance Monitoring purposes indicates that 2,339 juveniles were securely held in adult jails or police lock-ups across the state in 2012. The Juvenile Justice and Delinquency Prevention Act (JJDP) 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 JJDP 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 2012, Minnesota had RREs for 53 county jails in greater Minnesota. The holding of status offenders in adult facilities is always prohibited under the JJDP.

## **JJDPA Core Compliance Requirements:**

Data provided by the Minnesota Department of Corrections for Compliance Monitoring purposes indicates that 2,339 juveniles were securely held in adult jails or police lock-ups across the state in 2012. The Juvenile Justice and Delinquency Prevention Act (JJDPA) 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 2012, 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)**

2012 admissions data show 45 instances where status offenders were detained in Minnesota's secure juvenile facilities in excess of the allowable federal time limits. These holds met state criteria in terms of permissibility, but not federal requirements. In addition, facility inspections completed in 2012 revealed 11 instances where status offenders were admitted to a secure police or jail facility. These 56 records resulted in an adjusted DSO violation rate of 4.38 per 100,000 youth under 18. States with a DSO rate under 5.7 are considered to be in federal compliance.

## **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 in 2012 (based on 2011 facility inspections).

## Jail Removal

Of the 2,339 juvenile admissions to adult jails and lock-ups in 2012, 330 were found to be held in excess of the allowable 6 hours. However, 323 of these holds were allowable up to 24 hours with the Rural Removal Exception in place. Minnesota reported seven Jail Removal violations resulting in an adjusted Jail Removal violation rate of 1.43 per 100,000 youth. States with a Jail Removal Rate under 9.0 are eligible for federal compliance.

## Disproportionate Minority Contact

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 statistically the same. As an example, Asian youth were equally likely to have their case petitioned to court (RRI=1.10) as White youth.

The 2012 RRI (using 2011 data) demonstrates significant disparities in juvenile justice system outcomes both between White youth and minority youth, and between minority groups themselves. The greatest disparities occur in Minnesota at the point of arrest where African American youth are five and three-quarters times more likely to be arrested (5.76); American Indian youth are three and one-quarter times more likely to be arrested (3.25); and Hispanic youth are two times more likely to be arrested (2.01) as 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 (4.53), and Asian youth are approaching two times more likely to be securely detained following an arrest than White youth (1.73).

Cases resulting in delinquent findings have the lowest levels of disparity across racial groups in Minnesota (1.11 to 1.30). 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 (0.73). Asian youth are over three and one-half times more likely to have their case transferred to adult court (Certification) than White youth (3.57).

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

Minnesota Department of Public Safety Office of Justice Programs. (2013). 2011 Disproportionate Minority Contact Report.

## Relative Rate Index (DMC)

Relative Rate Index Compared with :	White							
Minnesota 2011	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	<b>5.76</b>	<b>2.01</b>	<b>0.44</b>	*	<b>3.25</b>	*	<b>3.13</b>
3. Refer to Juvenile Court	**	**	**	**	*	**	*	**
4. Cases Diverted	**	**	**	**	*	**	*	**
5. Cases Involving Secure Detention	1.00	<b>1.23</b>	1.07	<b>1.73</b>	*	<b>4.53</b>	*	<b>1.48</b>
6. Cases Petitioned	1.00	<b>1.15</b>	1.04	<b>1.67</b>	*	<b>2.13</b>	*	<b>1.30</b>
7. Cases Resulting in Delinquent Findings	1.00	<b>1.30</b>	<b>1.20</b>	1.11	*	<b>1.19</b>	*	<b>1.25</b>
8. Cases Resulting in Probation Placement	1.00	<b>0.50</b>	<b>0.77</b>	<b>0.71</b>	*	<b>0.79</b>	*	<b>0.55</b>
9. Cases Resulting in Confinement in Secure	1.00	<b>0.64</b>	<b>0.77</b>	1.01	*	<b>1.38</b>	*	<b>0.73</b>
10. Cases Transferred to Adult Court	1.00	1.37	1.33	<b>3.57</b>	*	1.57	*	<b>1.40</b>
<b>Group meets 1% threshold?</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	
Key:								
Statistically significant results:			<b>Bold font</b>					
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			---					

# US Department of Justice Office of Juvenile Justice & Delinquency Prevention

## Allocations to Minnesota by Fiscal Year: 2002-2013

### Total Allocations for Minnesota

Federal Fiscal Year	Amount	Percentage Change per year
2002	\$6,152,300	+ 3%
2003	\$5,213,200	- 15%
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%

### Title II: Formula Grants

2002	\$1,193,000	0%
2003	\$1,173,000	- 2%
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%

### Title V: Community Delinquency Prevention

2002	\$679,000	+ 3%
2003	\$473,000	- 30%
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

2002	\$4,140,300	+ 4%
2003	\$3,432,200	- 17%
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	\$292,137	-23.3%

## Title II

**Children's Health Care (Minneapolis)**

**Life Work Planning (Mankato)**

**Stearns Human Services – (St. Cloud)**

**Opportunity Neighborhood (Saint Paul)**

**Resource Inc. (Brooklyn Center)**

**Council on Crime and Justice (Minneapolis)**

**MCF – Red Wing – (Red Wing)**

**JJAC Committee on Juvenile Sentencing (St. Paul)**

## JABG Discretionary Grants

**Leech Lake Tribal Court (Cass Lake)**

**St. Cloud Police Department (St. Cloud)**

**Wright County (St. Cloud)**

**St. Paul Police Department (St. Paul)**

**Minneapolis Health Department (Minneapolis)**

**Hennepin County Girls Conference Project  
(Minneapolis)**

## Juvenile Justice Advisory Committee

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**Danielle Chelmo, Youth Member, Medina**  
**William Collins, Co-Vice Chair, Saint Paul**  
**Freddie Davis English, Co-Chair, DMC Committee, Plymouth**  
**Christopher Downing, Youth Member, Princeton**  
**Richard Gardell, Chair, Minneapolis**  
**Abdallai “Abe” Hassan, Woodbury**  
**Scott Knight, Chief, Chanhassen**  
**Chong Lo, Co-Chair DMC Committee, Saint Cloud**  
**Samantha Loe, Youth Member, Arden Hills**  
**Honorable Michael Mayer, Co-Vice Chair, Eagan**  
**Sirxavier Nash, Youth Member, Minneapolis**  
**Hao Nguyen, Co-Chair Status Offender Committee, Brooklyn Center**  
**Brenda Pautsch, Mankato**  
**Kathryn Richtman, Co-Chair Status Offender Committee, Saint Paul**  
**Saciido Shaie, Minneapolis**  
**Kathryn Smith, Chair, Juvenile Sentencing Committee**  
**Richard Smith, Plymouth**  
**Antonio Tejeda, Willmar**

### Ex Officio Members

**Lynn Douma, Employment and Economic Development**  
**Jim Eberspacher, Minnesota Court Services**  
**Kathy Halvorson, Corrections**  
**Sara Hollie, Health**  
**Shelley McBride, Minnesota Corrections Association**  
**James Schneider, Minnesota Association of County Probation Officers**

### Department of Corrections Inspection Team

**Lisa Cain Becking**  
**Greg Croucher**  
**Diane Grinde**  
**Sarah G. Johnson**  
**Teresa Smith**  
**Julie Snyder**  
**Timothy Thompson**

### Department of Public Safety

**Greg Herzog, Grant Manager**  
**Rita Joyce, Office Administrator**  
**Dana Swayze, Juvenile Justice Analyst**  
**Carrie Wasley, Juvenile Justice Specialist**

The City of St. Cloud and the St. Cloud Police Department have worked together to create the first St. Cloud Youth Leadership Academy (SCYLA). The academy is made up of twenty St. Cloud area male youth ranging from thirteen to sixteen years old. The youth participated in a week-long stay at Camp Ripley where they focused on building character and developing leadership skills with the aim of molding themselves into responsible, community oriented citizens. The academy involved classroom instruction, team building exercises, team sports and mentoring. The cover photo was taken during their graduation exercises at the Saint Cloud Police Department Headquarters.