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2014 Annual Report

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From the Chair



STATE OF MINNESOTA

Juvenile Justice Advisory Committee

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Richard Gardell, Chair

December, 2014

This year has been an incredibly busy year for JJAC. It has gone by quickly and ends with JJAC realizing the power of partners and developing coalitions on specific issues. Please see Activities, Partners and Recommendations beginning on page six. I want to thank all of you who took the time to make this a very special year for juvenile justice.

I would be amiss if I did not recognize the MN Legislature for the important work it accomplished in the last session that helped MN's youth in the justice system in MN. Two notable accomplishments:

1. Stay of adjudication legislation added the allowable length of time a juvenile can remain on a stay of adjudication to allow for more time to complete treatment and other rehabilitative programs. The Minnesota Corrections Association (MCA) was the lead in a large coalition of practitioners and advocates in support of this legislation for which they have advocated for years. Youth in MN will benefit greatly in having more time to turn their lives around.
2. The Safe Harbors Act was passed and went into effect on August 1, 2014. This act better serves the victims of sex trafficking by requiring them to be treated as the victims they are and not as perpetrators. This protection removes many young women from the juvenile delinquency court and creates a new trauma informed, victim centered system to address their recovery issues.

I would also like to recognize the great work of those organizations who received an extremely competitive grant through the Title II Formula grant funds via JJAC in 2014. Please see the list on page 25.

When we all work together we can find creative and effective strategies to help our children succeed. Thank you for your contribution to juvenile justice.

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

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 is currently before Congress for re-authorization. It has been before Congress since 2007. It 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 (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 a person over the age of eighteen.

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 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. 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, pps17~27 for specific data.

For oversight on these requirements, the 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 current data required for compliance with the above four core requirements.

2014: 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 MN Governor and the MN Legislature on issues, trends, practices and concerns in regard to all aspects of juvenile justice. JJAC serves as the supervisory entity with its central focus to provide an overall safeguard on the state's activities with youth in MN's juvenile justice system.

JJAC's specific responsibilities include:

- To develop a comprehensive three year plan for juvenile justice in MN.
- To report to the Governor and Legislature on MN's compliance with the JJDP Act's four core requirements.
- To advise the Governor and Legislature on recommendations for improvement of the MN juvenile justice system.
- To review, award and monitor federal juvenile justice funds appropriated by Congress under the JJDP Act specifically 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. (see page 21 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 2014 the committee met at the following MN sites: Stillwater, St. Cloud, Chaska, St. Paul (2), Dakota County, Walker and Faribault.

*For 2014
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

JJAC members represent all eight MN 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 MN's rural, suburban, and urban areas equally, and they also represent all major ethnic and racial groups residing in MN. They are a working board.

Additionally, the JJAC Chair has designated resource professionals who serve as Ex Officio Members for JJAC. They include representatives from other MN state departments which serve youth plus professional juvenile justice organizations focused on juveniles.

In light of JJAC's responsibilities here is 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.

Data from the county level show that many juvenile referrals to law enforcement and county attorneys originate in schools. According to the MN Department of Education's Disciplinary Incident Recording System (DIRS), in the 2012-2013 school year, 51,460 incidents of out of school suspension or expulsion were recorded. Of those, 6,566 (13%) included a referral to law enforcement. In total, 5,476 unique students received referrals to law enforcement in the 2012-2013 school year in MN.

Referrals to law enforcement in the DIRS system are decreasing, albeit slowly. In the past five academic years ('08-'09 through '12-'13) approximately 50,000 disciplinary actions were recorded each year involving at least a one-day suspension. The need remains for more restorative measures in schools to keep youth from suspension and expulsion. Similarly, best practices for School Resources Officers in balancing the safety needs of individuals and schools with behaviors which could be addressed by school administrators continues to be a priority.

For further information please see the following recent studies that analyze juvenile justice in MN: Hurley, Swayze, D., & Buskovick, D. (2014).

Law Enforcement in Minnesota Schools: *A Statewide Survey of School Resource Officers*. Minnesota Department of Public Safety Office of Justice Programs.

Hurley, Swayze, D., & Buskovick, D. (2014). *Youth in Minnesota Correctional Facilities: Responses to the 2013 Minnesota Student Survey*. Minnesota Department of Public Safety Office of Justice Programs.

JJAC Activities, Partners and Recommendations

Juvenile Life Without Parole

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.

*JJAC recommends
action on the
juvenile life
without parole
issue during
the 2015
MN legislative
session.*

JJAC's Outreach to MN's Ten Judicial Districts:

In 2012 the JJAC DMC committee sponsored a survey to be conducted within each of the ten judicial districts. The ten judicial districts were chosen as an inclusive state-wide structure to ascertain what was happening in juvenile justice in each district thus creating a snapshot of the whole state. Out of this foundation JJAC funded the Minnesota Correctional Association (MCA) to host forums in each of the districts to further delineate what is happening in each district within the juvenile justice process and potential necessary reform.

MCA contracted with Mark Haase who devised the forum structure and presented the state of juvenile justice at each forum using the same structure and content thereby establishing a similar sounding board for local juvenile justice professionals to come together and discuss the current state of MN's juvenile justice system and possible needed reforms. Attendees and other professionals throughout the state also received a detailed survey regarding juvenile justice reform. A final report of the project including recommendations will be made available on the JJAC website: dps.mn.gov/entity/jjac.

Ongoing Partnership with the Department of Corrections Inspection Unit

The Office of Justice Programs (OJP) in the Department of Public Safety is the state administrative agency where JJAC is housed. Staff was successful in renewing the Memorandum of Understanding (MOU) with the Department of Corrections Inspection Unit for inspections of juvenile facilities and secure jails and lockups through 2015. As

part of the MOU, JJAC funded the entire team (seven) of DOC Inspectors to receive training at OJJDP in Washington, DC in 2014. Revised guidance on compliance was a highlight of the training. The Compliance Monitor and the DOC Inspection Unit work closely together to guarantee that MN's required inspections are completed each year.

DOC Inspection Unit's Tim Thompson reports:

Minnesota continues its status of being in complete compliance with the OJJDP Act's four core requirements, specifically De-institutionalization of Status Offenders, Sight and Sound Separation of Juveniles from Adult Offenders and Removal of Juveniles from Adult Jails and Lockups.

The MOU guarantees that DOC Inspectors will inspect juvenile facilities or those facilities where juveniles are held temporarily following the tenets of the JJDP Act. The federal requirements require annual or triennial inspections of facilities across the state to guarantee the core requirements of the Juvenile Justice and Delinquency

Prevention Act are met. In 2014, the responsibility to inspect facilities continued to be divided between the Office of Justice Programs' Compliance Monitor and the DOC Corrections Inspection Unit. Specifically The DOC Inspection Unit inspects county jails and secure juvenile facilities. DOC inspectors who conduct inspections include: Timothy Thompson (Manager), Teresa Smith (Management Analyst), and Inspectors Lisa Cain Becking, Greg Croucher, Diane Grinde, Sarah Johnson and Julie Snyder. Carrie Wasley is the JJDP Act Compliance Monitor who also serves JJAC as the Juvenile Justice Specialist for Minnesota.

Collaboration with other Juvenile Justice Agencies

JJAC has made considerable outreach to other juvenile justice agencies and organizations. Consistent perspective and input to JJAC deliberations has come from the Minnesota Corrections Association (MCA) with Travis Gransee serving as a JJAC Ex Officio member, the Minnesota Association of Community

Corrections Act Counties (MACCAC) with Nicole Kern as the Ex Officio member and the Minnesota Association of Correction Parole Officers (MACPO) with Jim Schneider traveling across the state to make sure MACPO views are included.

MACPO's Legislative Position Statement from Jim Schneider:

MACPO supports a balanced approach in providing probation services for all juvenile offenders appropriate to the risks they pose and services needed. MACPO strongly believes that adequate funding is integral to successful outcomes in dealing with this difficult, but valuable population. Specifically:

1. The county of financial responsibility shall be the county that imposes out of home placement for juveniles.
2. The court shall transfer venue to the county of residence for disposition as per MN Statute 260B.
3. Support local collaborative efforts toward delinquency prevention and intervention, involving social services, education, public health and correctional agencies.
4. Restore funding to counties for Extended Jurisdiction Juvenile (EJJ) services.

YIPA – Paul Meunier:

Three years of YIPA data finds that 90% of the kids involved in a youth intervention program stay out of any further involvement with the juvenile justice system. YIPA works especially well in greater MN where the needs are great because resources are scarce. In the eyes of many youth serving professionals the current judicial system allows at-risk kids to fall through the cracks when communities could keep them out of the juvenile justice system. Meunier reports that YIPA members want three things: (1) they want YIPA to bring them together, (2) they want YIPA to offer professional development, and (3) they especially want YIPA to focus more on legislative advocacy in order to get adequate funding. YIPA has been very active in the current legislative cycle, sending out surveys and sharing information with members.

JJAC recommends YIPA's 2015 legislative agenda which is based upon feedback from youth serving agencies throughout the state:

1. *Raising the Youth Intervention Program (YIP) biennium appropriation from \$5 million to \$10 million.*
2. *Increasing the maximum YIP grant amount from \$50,000 to \$75,000.*
3. *Changing the \$2 to \$1 match to \$1 to \$1 (The current match prohibits small agencies, especially those serving Greater MN, from applying).*

Minnesota Corrections Association

– from Mark Bliven:

MCA supports JJACs Recommendation regarding imposition of Life Without Parole sentences on juvenile offenders – see page 6.

Juvenile Predatory Offender Registration: MCA supports amending current predatory offender registration laws for juveniles in order to increase public safety while maximizing rehabilitative interventions that decrease recidivism.

Public safety is enhanced when the system is responsive to the specific risk and needs of offenders. Immediate public safety is enhanced when high risk offenders are under supervision, when their whereabouts are known, and authorities are able to track them. Long term public safety is enhanced when offenders can be treated, rehabilitated, and effectively transitioned to productive pro-social lives. In reviewing Minnesota's current laws regarding adolescent predatory offender registration, there is need for revision.

Under Minnesota law, juveniles are required to register as a predatory offender if they are adjudicated delinquent of committing an offense as outlined in Minn. Stat. 243.166. This casts a wide net and does not allow for managing offenders according to risk and public safety. Currently, attorneys and judges in multiple jurisdictions are reluctant to adjudicate some juveniles as delinquent in cases that require registration and instead are offering stays of adjudication or continuances for dismissal.

These strategies result in avoiding registration, create inconsistencies in prosecution, and limit the length of probation supervision and rehabilitative interventions thereby reducing public safety. Additionally, the statutes do not offer any legal criteria for the court regarding who should be registered as a predatory offender. The lack of legal criteria results in many jurisdictions responding differently to the same public safety risk. Lastly, MN does not differentiate a juvenile in any way from an adult when requiring predatory offender registration. This mandate runs contrary to the purposeful differences appropriately created between the delinquency and criminal court systems.

MN is one of twelve states that require juveniles to register as predatory offenders without legal criteria to guide the courts. Finally, MN is one of seven states that requires adjudicated juveniles to register as predatory offenders, does not provide registration criteria, and has no differences between offenses requiring registration for adults and juveniles. Based on these findings it would appear that MN law regarding predatory offender registration of juveniles should be amended. The amendments proposed would increase public safety by maximizing rehabilitative interventions that decrease recidivism.

Recommended Strategy: Amend MN statutes to provide legal criteria for the court to consider in determining if a juvenile adjudicated delinquent for a predatory offense should be required to register. This change would increase public safety while also creating more consistent prosecution and judicial decision making across jurisdictions. Public safety would also be greatly enhanced by providing longer periods of probation supervision and allow sufficient time to complete sex offense specific treatment and other rehabilitative interventions. Consistency could be increased as the proposed amendments would address some of the current reluctance to adjudicate juveniles delinquent of these offenses.



*JJAC
recommends the
MCA's Legislative
Agenda.*

Second Chance Coalition

– Lori Stee and Josh Esmay

JJAC continues to participate with the Second Chance Coalition and welcomes the two new Co-Chairs. The issue at the heart of the Second Chance Coalition is the collateral consequences of criminal records. An estimated 1 in 4 people in MN has a criminal record, and these records

are incredibly easy to access causing their stigma to permeate nearly every aspect of one's life from employment to house to civic engagement and personal relationships. The Second Chance Coalition will once again present their protections at the next legislative session.

Minnesota Correctional Facility

– Red Wing – Kathy Halvorson

2014 marks the 125 anniversary of MCF-Red Wing. JJAC has partnered with Red Wing on many programming and physical plant updates throughout the years. This partnership has enhanced the juvenile program delivery and has positively impacted many youth. The foundation of programming at Red Wing is focused on education, training, treatment and positive support for youth. Red Wing continues to implement innovative programs which JJAC has supported and funded.

125th Anniversary



Minnesota Association of Community Corrections Act Counties – Nicole Kern

MACCAC requests that Community Corrections funding from the state must be significantly increased and a single funding model adopted to assure adequate state funding for supervision of offenders in the community. Statewide funding for community supervision has not kept pace at the level required to provide progressive, effective correctional practices that research has shown reduce recidivism and increase public safety. A single funding model will provide for a simplified, transparent and needs-based mechanism for funding supervision of offenders in Minnesota.

MACCAC supports:

1. Expansion of CCA counties with full and ongoing state funding including all categorical supervision-related funds.
2. The development and implementation of comprehensive initiatives and expanded transitional housing to assist juvenile and adult offenders.
3. Revised juvenile sex offender registration requirements that focus on the appropriate group of the most serious offenders.
4. Increased state funding for local implementation of any enhanced state standards for the supervision of sex offenders.
5. Increased state funding for implementation of a full continuum of mental health services available to offenders at the local community level.
6. Alcohol tax increases to more closely reflect the health and public safety costs related to alcohol and other drug abuse.
7. Ongoing efforts to treat victims of human trafficking with trauma specific and trauma sensitive services rather than subjecting them to the criminal justice system.

JDAI – Brian Smith

The Juvenile Detention Alternatives Initiative (JDAI) presented an update on the program at the October JJAC meeting when state-wide coordinator, Brian Smith presented on the latest JDAI data. JDAI's history with JJAC goes back to the beginning of JDAI in MN. A renewed collaboration with JDAI will allow both entities to maximize their influence across the state.

JDAI's successful track recording in reducing inappropriate and unnecessary detention while simultaneously addressing racial disparities and spurring broader system reform has positioned the model for greater statewide implementation beyond Hennepin, Ramsey, Dakota, and Saint Louis counties. Key to this success are nine core strategies: collaboration, data driven decision-making, objective admissions decisions, alternatives to detention, expedited case processing, addressing special detention cases, conditions of confinement, reducing racial and ethnic disparities, and community engagement.

*JJAC
recommends
the proposed
appropriation for the
JDAI program
in order for the JDAI
program to expand
throughout MN's
counties.*

With expansion funding secured from the legislature to add two new sites, JDAI has begun to strategically identify jurisdictions that possess the requisite will and need to implement this system reform model. Greater resources and support of JDAI are needed to further expand the model to appropriate jurisdictions and to expand critical model elements to jurisdictions that aren't appropriate for full model implementation.

Specific recommendations from JDAI include the following:

1. Support JDAI through policy and legislative funding to ensure expansion, sustainability, and institutionalization of the most successful data driven juvenile justice reform effort in MN.
2. Increase education and understanding about the purpose and value of using an **"OBJECTIVE"** Risk Assessment Instrument to determine if detention is necessary.
3. JDAI increases public safety while reducing reliance on detention, reinvesting savings into community alternatives and producing better outcomes for youth, families, communities and systems.
4. JDAI intentionally and specifically addresses disparate treatment of youth of color in MN's juvenile justice system. (MN has some of the highest rates of disproportionality among black and native youth in the juvenile justice system compared to their white counterparts; and most often for committing the same offenses.
5. Since implementing JDAI in 2006 detention admissions in our four participating jurisdictions has fallen by 65%.

Ending Youth Violence Roundtable – Freddie Davis English

The North Minneapolis Youth Violence Prevention Working Group came together in early 2010 and continues to develop a shared strategy for this community initiative. Comprised of community-based organizations, youth workers, North Minneapolis residents and state and local agency staff including the University of MN Urban Research and Outreach-Engagement Center (UROC). The group hosts a monthly roundtable discussion with an ongoing agenda geared toward coordinating efforts to prevent youth violence. Current priorities include increasing opportunities for youth recreation in North Minneapolis and developing more opportunities for building positive relationships between youth and police officers.

The impetus for this group effort was frustration with high levels of violence that have impacted North Minneapolis families and neighborhoods. The ZIP code 55411 and 55412 accounted for 9 of the 12 (75%) firearm-related assault injuries in Minneapolis in 2013 based on data collected 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 at least the last ten years. According to data from the Minneapolis Police Department, over half of Minneapolis' incidents involving guns and juveniles in 2013 occurred in the 4th Precinct—which overlaps the 55411 and 55412 ZIP codes.

North Minneapolis 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 discussion seeks to be a time and space where such programs and individuals can exchange information and resources and develop shared collaborative strategies.

In 2012 the Roundtable members distributed response surveys to the community's youth in order to get an accurate response on how youth saw the violence issue. The consistency of the completed responses may be summarized by the following statement: The North Minneapolis Roundtable supports a safe recreational gathering place for youth and staffed by committed adults. JJAC has supported this effort by providing funding for the Broader Urban Initiatives in Leadership Development (BUILD) Program located within the Minneapolis Health Department.

JJAC has supported this effort by providing funding for the Broader Urban Initiatives in Leadership Development (BUILD) Program located within the Minneapolis Health Department.


The Girls Collaborative

- Co-Chairs Kristi Cobbs and Emily Terrell

Research has shown that girls make up the fastest growing segment of the juvenile justice system. As a group, they are disproportionately “high need” and “low risk,” meaning that they have a critical need for services, but, for the most part, they do not pose a significant threat to the public. The differences between the profiles and service needs of girls and boys entering the juvenile justice system present a significant challenge for the professionals who serve them. Many girls in the system have experienced traumatic events, including sexual and physical abuse and neglect, which have deeply wounded them emotionally and physically. Without the appropriate services and supports girls are often stuck in the revolving door of county systems.

JJAC has always had a strong commitment to ensuring the needs of girls are properly met and has played an active role in the Department of Corrections’ Girls Collaborative work group. The Girls Collaborative is a network of professionals working on behalf of all girls. The Girls Collaborative is an official subcommittee of the Advisory Task Force on the Woman and Juvenile Offender in Corrections. The mission of the Collaborative is to advocate and

create female and culturally-responsive opportunities to empower all girls to thrive in all stages of life. They strongly believe that girls deserve equitable programming that is designed to address their particular needs. Additionally, they believe that by supporting programs that intentionally and holistically meet the needs of girls, girls will be empowered to grow in how they care for their mind, body and spirit. Using a Positive Youth Development approach that fosters connections in the context of relationships, they have confidence that girls will overcome adversity and emerge as resilient.



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

Juvenile Sex Trafficking in Minnesota:

Sex trafficking involves individuals profiting from the sexual exploitation of others and often results in brutal sexual assaults and devastating physical and psychological injuries. A sex-trafficked youth is someone under the age of 18 who engaged, agreed to engage, or was forced into sexual conduct in return for a fee, food, clothing or a place to stay. A youth is also considered to be sex-trafficked if he or she has engaged in exotic dancing, been filmed doing sexual acts, traded sex for drugs, or has been found guilty of engaging in prostitution or prostitution

related crimes.

For the Office of Justice Programs’ 2012 human trafficking report to the legislature, online surveys were completed by 103 service providers and 202 law enforcement officers across the state. Service providers reported working with one adult male, 258 adult females, five juvenile males and 88 juvenile female sex-trafficking victims at the time of the survey and with 207 girls who were victims of sex trafficking in 2011. These data are certainly an under-representation

of the extent of sex-trafficking in MN as they only capture information about persons who contacted service providers. Research has shown that trafficked persons are reluctant to report their situations, particularly to law enforcement.

People from various backgrounds are sex-trafficked in MN, though it primarily affects women and girls. The average age of recruitment into sex-trafficking is 13~14. In particular, traffickers (“pimps”) seek out persons perceived to be vulnerable for various reasons; youth who are at high-risk include those who are runaway or homeless, are truant, have experienced a sexual assault or sexual abuse, emotional or physical abuse or neglect, have a drug or alcohol problem, have limited prosocial relationships, and/or have parents, family members or friends who have been involved in prostitution or sex trafficking. Traffickers then use various tactics to control their victims, including sexual, emotional or mental abuse; inducing or enabling chemical addiction; withholding money; and violent physical assaults or threats of assaults.

The 2013 *No Wrong Door* report commissioned by the MN Legislature proposed a series of recommendations to ensure that victims of juvenile sexual exploitation are identified, receive effective victim centered and trauma informed services, and are housed safely. Of the \$13.5 million requested in the *No Wrong Door* legislation, recommendations for services and safe spaces for sex-trafficked youth, only \$2.8 million was awarded, *none of which is designated for developing emergency shelter or housing.*

The MN Legislature passed the Safe Harbor for Sexually Exploited Youth legislation, which mandates that sexually exploited youth in MN be treated as victims (not delinquents or offenders) and provided with appropriate services. Effective August 1, 2014, law enforcement agents will no longer be allowed to place sex-trafficked youth under age 18 in juvenile detention;

sex-trafficked youth are to be brought to a safe emergency shelter that can meet their unique service needs.

Since the passage of this legislation, a large coalition of stake holders and service providers has been working on the implementation of a new service delivery system. The Women’s Foundation of Minnesota has provided strong leadership through its “Minnesota Girls are Not for Sale” campaign. The Ramsey County Attorney’s Office is providing training to law enforcement and other stakeholders on the new law and the issue in general. The MN Department of Health is establishing a network of regional navigators to facilitate the connection of victims with appropriate services. Many private providers, such as Breaking Free and The Family Partnership, Minnesota Indian Women’s Resource Center, Central Minnesota Sexual Assault Program, and others are receiving grants from the MN Department of Human Services to serve sex trafficked survivors.

Brittany’s Place, a safe and sound shelter for girls and young women opened on August 1, 2014 to serve sex trafficked juvenile girls. The Shelter is one example of several options that are being created by public and private partnerships to respond to the new law and address the wide range of needs



***JJAC recommends support
of the Safe Harbors Coalition
and full funding of the
Safe Harbors Law.***

for these young women. As a specialized emergency shelter, Brittany's Place addresses the youth's immediate needs and work to resolve crises including immediate safety concerns, physical and mental health issues, chemical dependency, trauma informed, victim centered services, emotional wellbeing and family reunification whenever safe and appropriate.

SOURCES: *Sex Trafficking Needs Assessment for the State of Minnesota*, The Advocates

for Human Rights, Mpls., 2008; *Human Trafficking in Minnesota, Report to the Minnesota Legislature*, Minnesota Office of Justice Programs and Minnesota Statistical Analysis Center, 2012;

No Wrong Door: Providing Safe Harbor for Minnesota's Sexually Exploited Youth, Minnesota Department of Public Safety, Office of Justice Programs, 2013.

Laurel Edinburgh of Children's Hospital and Clinics of Minnesota adds:

Many LGBT youth experience victimization due to their sexual orientation or gender identity in school, home and community settings. A high proportion of LGBT youth are leaving home due to family conflict and rejection of their orientation or gender

identify. LGBT youth are also at higher risk for abuse than heterosexual teens, and then further marginalization in residential or community settings. They often face more stigma than their heterosexual peers and further social marginalization in residential or community treatment programs that are unprepared to help LGBT youth feel safe exploring and disclosing their emerging identities. Juvenile justice professionals need policies and practices governing the care of LGBT youth in community treatment programs and in out of home placements.

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



Brittany's Place opened in late summer, 2014 on St. Paul's East side.

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 approximately 1.28 million of Minnesota’s 5.4 million residents. The overall population of Minnesota rose slightly between 2010 and 2013 (2.2%) while the number of youth under age 18 declined slightly. Presently, youth account for 24 percent of Minnesota’s population. The number of youth ages 10-to-17 who, by Minnesota statute, can potentially enter the juvenile justice system declined by 0.8 percent between the 2010 and 2013.

Population	2010	2013	Numeric Change	Percent Change
Total MN Population	5,303,925	5,420,380	+ 116,455	+ 2.2%
MN Population Under Age 18	1,282,693	1,279,111	-3,582	- 0.3%
Population Ages 10-17	572,472	568,142	- 4,330	- 0.8%
Youth as a Percentage of Total Population	24.2%	23.6%	-0.6%	- 2.5%

Puzzanchera, C., Sladky, A. and Kang, W. (2014). Easy Access to Juvenile Populations: 1990-2013. Online. Available at <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. 2013 population estimates show that more than one-quarter (25.8%) of all Minnesota youth under age 18 represent racial or ethnic minority groups. This is true of 17.0 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 (9.5% Black or African American alone vs. 8.4% Hispanic of any race).

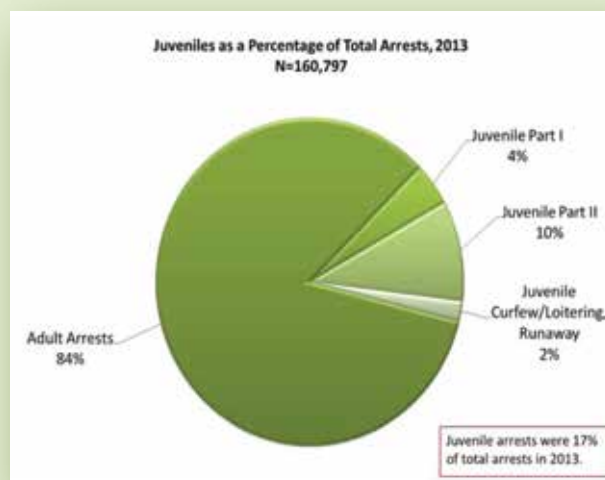
Race and Hispanic Ethnicity, 2013	Minnesota’s Overall Population	Minnesota’s Adult Population (over 18)	Minnesota’s Youth Population (under 18)
Caucasian, non-Hispanic	83.0%	85.7%	74.2%
American Indian, non-Hispanic	1.2%	1.1%	1.7%
Asian, non-Hispanic	4.7%	4.3%	6.2%
Black or African American, non-Hispanic	6.1%	5.0%	9.5%
Hispanic (any race)	5.0%	3.9%	8.4%
Total Minority Population	17.0%	14.3%	25.8%

Youth contact with the Juvenile Justice System

2013 Arrests²

In 2013 there were a total of 160,797 arrests, of which juveniles accounted for 26,780. Juveniles, as a percentage of total arrests, have slowly declined from 26 percent in the year 2000 to 17 percent in 2013.

Just over one-quarter of juvenile arrests (26%) fall within the Part I offense category for the most serious person and property crimes.³



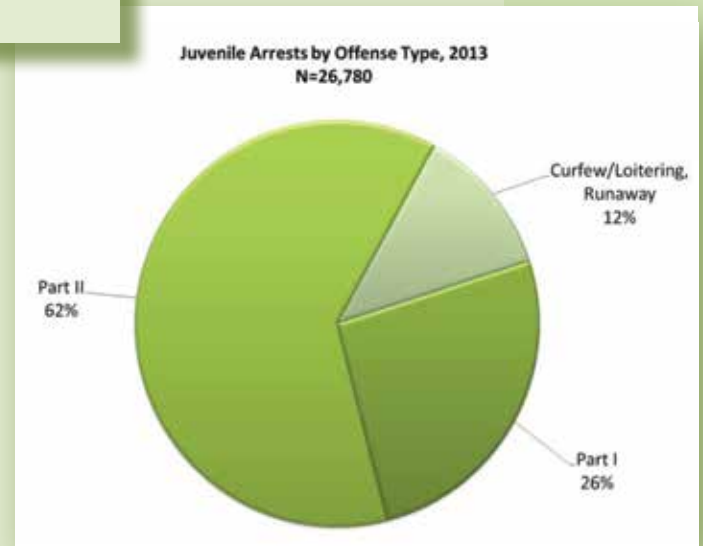
² While the term “arrest” is used to describe juveniles in the Minnesota Crime Information Report, the term used in the juvenile justice system to describe the detaining or citing of juvenile offenders is “apprehension.” All Juvenile arrest data included in this report are taken from the Uniform Crime Report 2013, published by the Minnesota Department of Public Safety Bureau of Criminal Apprehension. Available at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/2013%20Crime%20Book.pdf>

³ 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

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.

2013 Arrests (continued)

The majority of all juvenile arrests are for Part II offenses (62%), 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 12 percent.⁴



Arrest by Gender

Since 2004, males have consistently accounted for about two-thirds of juvenile arrests. In 2013, male arrests were a bit higher at 68 percent. In 2013, 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 2013 for the status offenses of Curfew or Loitering (69% vs. 31%), arrests for the offense of Runaway involve more females than males (59% vs. 41%). Runaway is the only UCR arrest category for which females are often arrested in greater numbers than males.

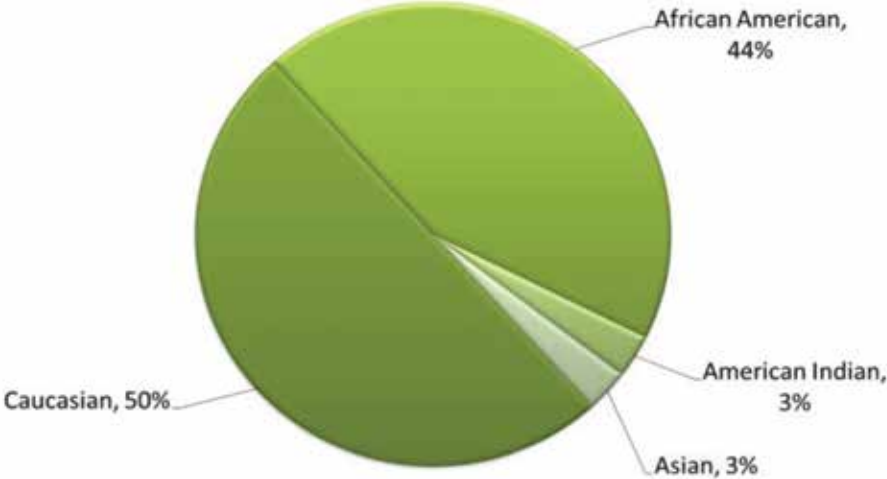
Arrest by Race/Ethnicity

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.

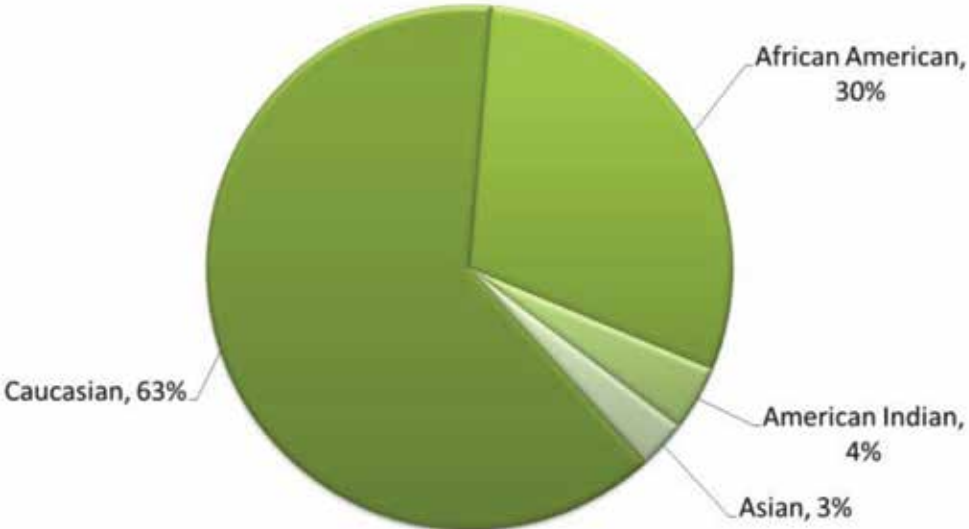
Caucasian youth, the majority of the Minnesota youth population, represent the majority of arrests for Part I and Part II crimes (50% and 63%, respectively). When it comes to arrests for status offenses, however, youth from communities of color collectively constitute 59 percent of arrests.

Arrest by Race/Ethnicity (continued)

**Part I Juvenile Arrests, 2013:
Serious or Violent Offenses by Race
N=7,067**

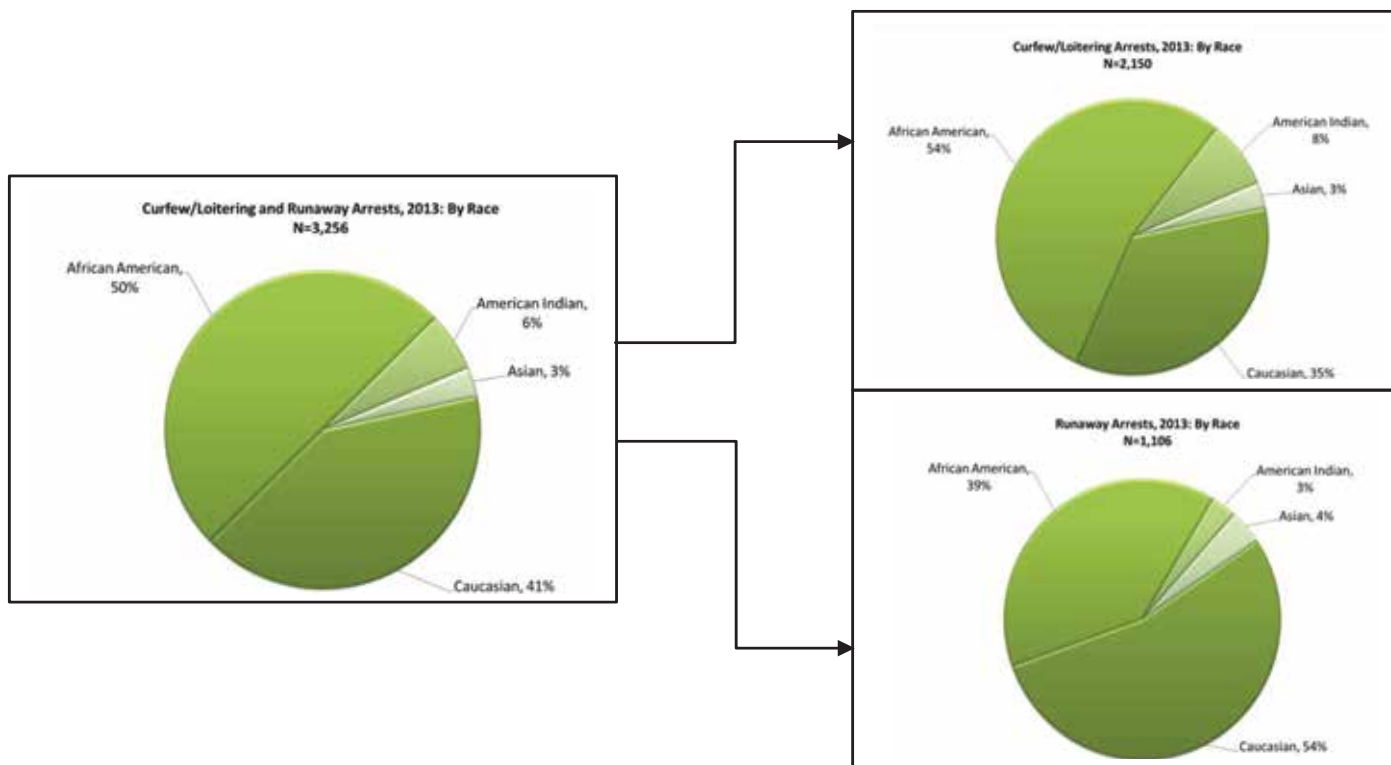


**Part II Juvenile Arrests, 2013:
Less Serious Offenses by Race
N=16,457**



Arrest by Race/Ethnicity (continued)

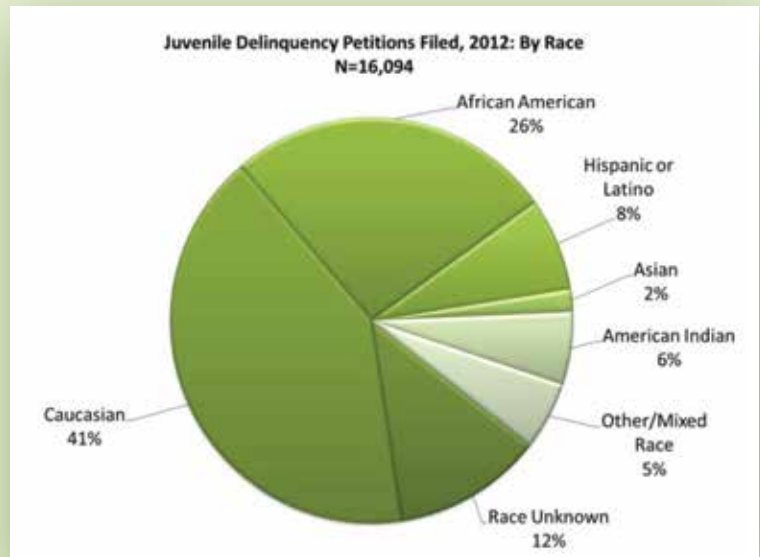
Youth of color are over-represented compared to their percentage within the total juvenile population in all arrest categories, especially for the status level offenses of Curfew/Loitering and Runaway. Specifically, African American youth represent more than half of all arrests for Curfew/Loitering (54%) and nearly four-in-10 arrests (39%) for Runaway.



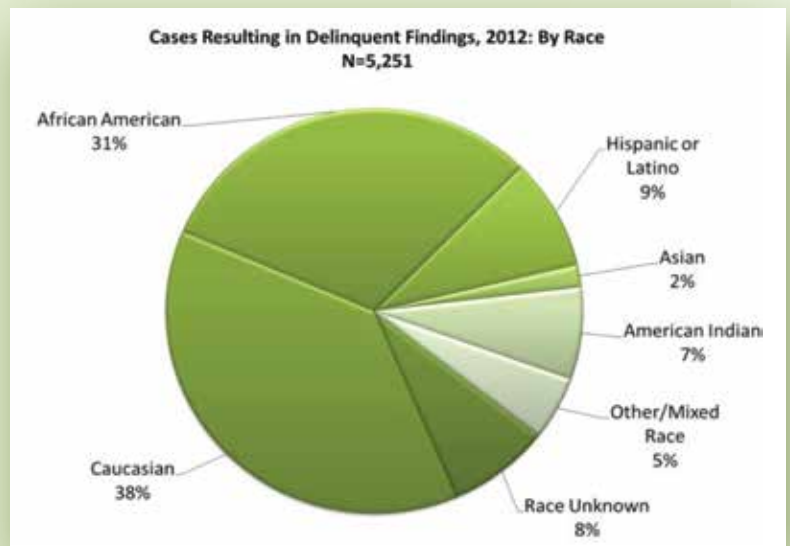
Since the electronic publication of UCR data in 1997, the number of juvenile arrests has dramatically decreased from approximately 79,000 to 27,000. During this time, youth from communities of color as a percentage of total juvenile arrests have generally been rising. In 1997, youth of color accounted for less than one-quarter of juvenile arrests (23%); in 2013, youth of color accounted for 43 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 16,094 delinquency petitions filed in 2012⁶. 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 2012, 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 (24%) but are 47 percent of delinquency petitions where race is known. Race is unknown in 12 percent of juvenile delinquency petitions.



District courts in 2012 yielded 5,251 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 (31%), Hispanic youth (9%); American Indian youth (7%); “Other” or Mixed Race youth (5%); and Asian youth (2%). Race was not known in 8 percent of cases resulting in delinquent findings. As a whole, youth of color constitute 54 percent of delinquent findings in cases where race is known.



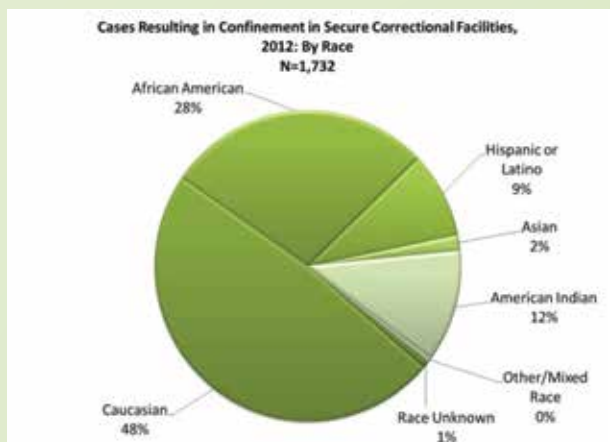
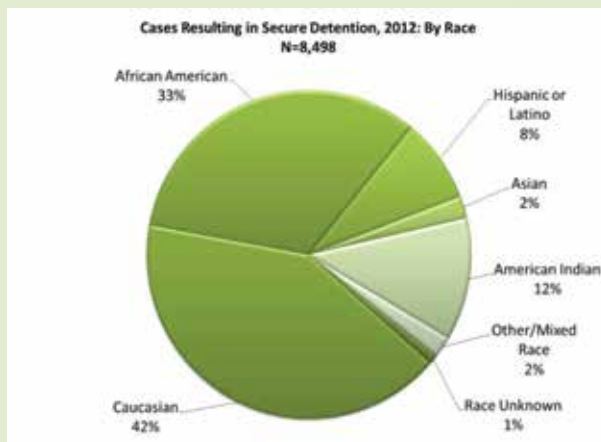
⁵ Juvenile case filing and disposition data provided by the Minnesota State Court Administrator’s Office upon request.

⁶ 2012 court data are the most recent available with race information.

Youth in Secure Facilities

2012 juvenile admissions⁷ reported by the Minnesota Department of Corrections and select individual facilities document 8,498 secure juvenile detention events and 1,732 secure post-disposition juvenile placement events.⁸ 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 (57%) 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 (12% detention admissions and 12% post-disposition placements). Facility admissions by race can vary significantly, however, by geographical location.



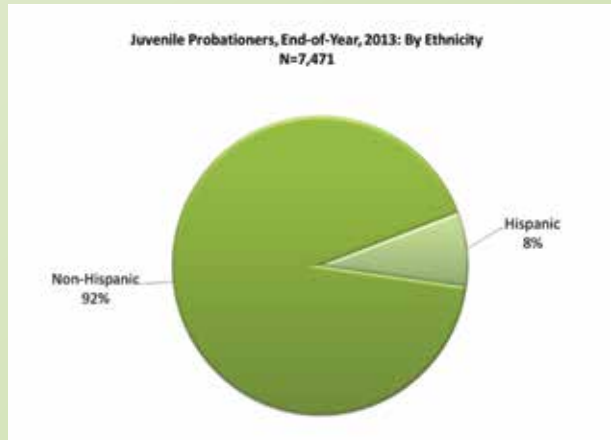
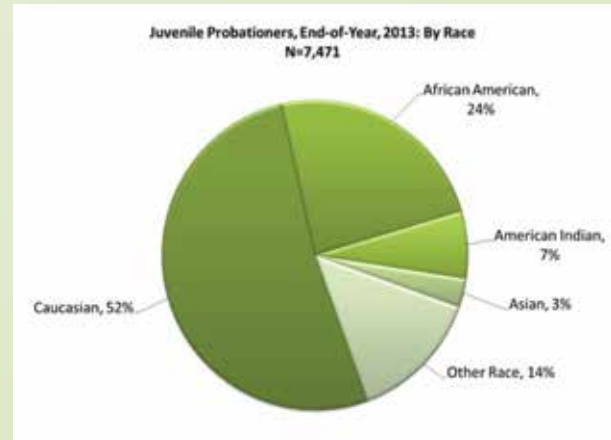
⁷ 2012 admissions data are the most recent available with race information.

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

Youth on Probation⁹

In 2013, there were 7,471 youth under probation supervision at year's end in Minnesota, accounting for 7 percent of all Minnesota probationers. The number of youth on probation has generally been declining since a peak of 17,460 in 2002. In 2013, males accounted for 74 percent of the juvenile probation population; females 26 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 2013 (52%). In Minnesota, the greatest percentage of youth are on probation for theft (14%), followed by Status/Miscellaneous Offenses (13%), and assault (12%).



⁹ Minnesota Department of Corrections. (2014). 2013 Probation Survey. Available at http://www.doc.state.mn.us/pages/files/8214/0027/2832/2013Probation_Survey_Final.pdf

JJDPA Core Compliance Requirements:

Data provided by the Minnesota Department of Corrections for Compliance Monitoring purposes indicates that 2,193 juveniles were securely held in adult jails or police lock-ups across the state in 2013. 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 2013, 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)

2013 admissions data show 52 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 2013 revealed nine instances where status offenders were admitted to a secure police or jail facility. These 61 records resulted in an adjusted DSO violation rate of 4.76 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 2013.

Jail Removal

Of the 2,193 juvenile admissions to adult jails and lock-ups in 2013, 256 were found to be held in excess of the allowable six hours. However, 251 of these holds were allowable up to 24 hours with the Rural Removal Exception in place. Minnesota reported five Jail Removal violations resulting in an adjusted Jail Removal violation rate of 1.03 per 100,000 youth. States with a Jail Removal Rate under 9.0 are eligible for federal compliance.

Disproportionate Minority Contact¹⁰

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 2013 RRI (using 2012 data) demonstrates significant disparities in juvenile justice system outcomes both between White youth and minority youth, and between minority groups themselves.¹¹ 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 (5.30); American Indian youth are more than three times more likely to be arrested (3.15); and Hispanic youth are approaching twice as likely to be arrested (1.74) 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 (4.55), and Asian youth are more than one and one-half times more likely to be securely detained following an arrest than White youth (1.65).

Cases resulting in delinquent findings have the lowest levels of disparity across racial groups in Minnesota (1.08 to 1.38). Following case disposition, minority youth overall are less likely than White youth to receive probation supervision in the community (0.57) or placement in secure correctional settings (0.74). African American youth are twice as likely to have their case transferred to adult court (Certification) than White youth (2.08).

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. (2014). 2012 Disproportionate Minority Contact Report.

Relative Rate Index (DMC)

Relative Rate Index Compared with :	White							
Minnesota 2012	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	5.30	1.74	0.43	*	3.15	*	2.87
3. Refer to Juvenile Court	**	**	**	**	*	**	*	**
4. Cases Diverted	**	**	**	**	*	**	*	**
5. Cases Involving Secure Detention	1.00	1.37	1.24	1.65	*	4.55	*	1.63
6. Cases Petitioned	1.00	1.10	1.11	1.36	*	2.20	*	1.33
7. Cases Resulting in Delinquent Findings	1.00	1.27	1.29	1.08	*	1.38	*	1.25
8. Cases resulting in Probation Placement	1.00	0.56	0.72	0.96	*	0.73	*	0.57
9. Cases Resulting in Confinement in Secure	1.00	0.71	0.79	0.72	*	1.25	*	0.74
10. Cases Transferred to Adult Court	1.00	2.08	1.84	**	*	2.03	*	1.80
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			---					

US Department of Justice Office of Juvenile Justice & Delinquency Prevention

Allocations to Minnesota by Fiscal Year: 2004-2014

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%

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

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 10% 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 90%. However, all compliance mandates are still in effect.

Title II - ending March 31, 2015

Children's Health Care (Minneapolis)
Life Work Planning Mankato
Opportunity Neighborhood (Saint Paul)
Resource, Inc. (Brooklyn Center)
Stearns Human Services (St. Cloud)

Title II - beginning October 1, 2015

Beltrami Area Service Collaborative (Bemidji)
Children's Hospital and Clinics of Minnesota (Minneapolis)
Evergreen Youth and Family Services (Bemidji)
Faribault Youth Services Center (Faribault)
Minneapolis American Indian Center (Minneapolis)
Urban Boat Builders (Saint Paul)

JABG Discretionary Grants ending in 2014 unless extended

Leech Lake Tribal Court (Cass Lake)
Saint Cloud Police Department (Saint Cloud)
Wright County Human Services (Saint Cloud)
Saint Paul Police Department (Saint Paul)
Minneapolis Health Department (Minneapolis)

JABG Discretionary Grants beginning October 1, 2015

Carver County Court Services (Chaska)
Dakota County Community Corrections (Hastings)
Martin County Corrections (Fairmont)

Additional one time only grants (non-program) currently
include MCF - Red Wing

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William Collins, Co-Vice Chair, Saint Paul
Freddie Davis English, Co-Chair, DMC Committee, Plymouth
Christopher Downing, Youth Member, Princeton
Richard Gardell, Chair, Minneapolis
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Samantha Loe, Youth Member, Arden Hills
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Carrie Wasley, Juvenile Justice Specialist

Urban Boatbuilders is a youth development organization serving at-risk teens that uses the building of wooden boats as a vehicle to develop academic, life and work skills. Through two signature programs, School Partnerships and Apprenticeships, we reach hundreds of youth each year. We believe that every youth who walks through our door has inherent value and the potential for a successful future. As a result, our goal is to Use the building and use of wooden boats as a means to develop tangible skills and the Values of craftsmanship. Perseverance, self-confidence, responsibility, cooperation, Teamwork and communication in preparation for a successful future.