

# **Minnesota Juvenile Justice Advisory Committee**



**2016 Annual Report**  
to Governor Mark Dayton and  
the Minnesota State Legislature

# 2016 JJAC Annual Report

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STATE OF MINNESOTA

## Juvenile Justice Advisory Committee

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*Richard Gardell, Chair*

December 1, 2016

The Juvenile Justice Advisory Committee (JJAC), has worked rigorously over the past year to advance protections for Minnesota youth. An advisory body to the Governor, JJAC represents the entire state, taking on the concerns and priorities of those in and outside the metro area. In the New Year, we will continue learning about the unique challenges faced by juvenile justice stakeholders throughout each region of Minnesota.

We have supported the growth of the Crossover Youth Model in several Minnesota Counties. The successes experienced by each partner county are detailed in the Accomplishments and Recommendations section of this report, beginning on page 5.

I would like share a few highlights from our work over the past twelve months, as well actions we intend to take in the upcoming year to positively impact those involved in the juvenile justice system:

1. JJAC provided a series of recommendations to MN legislators during the 2016 session regarding the imposition of Life without Parole sentences on juvenile offenders. This committee continues to work with a variety of key groups to pass legislation that reflects best public policy on Juvenile Life without Parole.
2. JJAC continues its effort to gather the critical information needed to develop ideal solutions to the growing need for mental health service options for youth involved in the criminal justice system. In addressing this growing problem, JJAC relies upon the impact of partnership:
  - We funded Minnesota Corrections Association's (MCA) Juvenile Justice 21 project, which will culminate with a forum in January, 2017.
  - JJAC receives critical input from Minnesota Association of County Probation Officers (MACPO) and Minnesota Association of Community Corrections Act Counties (MACCAC) via agency representatives who serve on this body.
  - Thanks to the work of our Policy and Partnership Subcommittee, we have experienced an increase in the number of partner organizations we work with regularly.
3. The issue of Disproportionate Minority Contact (DMC) remains on the forefront of our minds as we enter into a new calendar year. JJAC issued a grant to MN Juvenile Detention Alternatives Initiative (MN JDAI) to refine programming in order to better serve youth of color. This year, we aim to support the expansion of JDAI programming into other Minnesota regions and remain confident in this collaborative approach at reducing the disparate treatment of people of color

JJAC will continue to listen, develop and act, based on what we learn from partners, stakeholders, and young people. By taking a uniquely collaborative approach this year, we're confident we'll be able to impact even more Minnesota youth and their families during a time in their lives they need it most. Thank you for your continued support for the ongoing work of JJAC.

Sincerely,

Richard Gardell,  
Chair Juvenile Justice Advisory Committee

# About JJAC

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

**The JJDP Act is comprised of four core requirements:**

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

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

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

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

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

Each state must ensure that no juvenile shall be detained or confined in a jail or lockup that is intended for adult offenders beyond specific prescribed time limits – six hours in a Metropolitan Statistical Area (MSA) county and 24 hours in a non-MSA county. Minnesota has a combination of MSA and non-MSA counties and the designation is based on population.

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

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

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

Please see Minnesota Youth Demographics section, pps 8-13 for current 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 current data required for compliance with the aforementioned four core requirements.**

**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. JJAC serves as the supervisory entity with its central focus to provide an overall safeguard on the state's activities for youth in Minnesota's juvenile justice system.**

JJAC's specific responsibilities include:

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

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 15 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 2016, the committee met at the following Minnesota sites: Waite Park, Little Falls, Red Wing, Bemidji, Red Lake Reservation, Minnetonka, Rochester, and St. Paul (3).

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 ethnic and racial groups residing in Minnesota. 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 Minnesota state departments which serve youth, as well as professional juvenile justice organizations focused on juveniles.

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

# 2016 JJAC ACCOMPLISHMENTS & RECOMMENDATIONS

## Crossover Youth Model

**Crossover Model Background.** Fragmentation of youth services continues to challenge Minnesota's juvenile justice professionals and community providers. In 2010, the Center for Juvenile Justice Reform at Georgetown University announced the creation of the "Crossover Youth Practice Model." This approach is designed to address the specific needs of youth moving between the child welfare and juvenile justice systems. These youth are commonly referred to as "Crossover Youth." Sometimes they are also referred to as "Dual Status Youth" or "Dual Jurisdiction Youth," terms used to describe youth concurrently involved in both systems. "The Crossover Youth Practice Model" focuses on reduction in the number of youth crossing over and becoming dually-involved; reduction in the number of youth placed in out-of-home care; reduction in the use of congregate care; and reduction in the disproportionate representation of youth of color, particularly in the Cross-Over population." See. <http://cjjr.georgetown.edu/our-work/crossover-youth-practice-model/>.

While research continues to support the efficacy of addressing the underlying needs of justice-involved youth, juvenile justice professionals in Minnesota struggle to make appropriate services readily available to the youth who need them. Juveniles under the justice system often have many needs that have remained unmet for years. When advocates and service providers attempt to provide timely and appropriate services, time delays, service gaps and barriers often stand in the way of appropriate care. The mental health, chemical health, education needs, as well as their emotional and physical wellbeing and trauma histories of these system-involved youth require a multidisciplinary, coordinated response.

**Common Characteristics of the Crossover Youth Model (also known as Dual Status Youth Model).** Though the juvenile justice system often looks and feels different from county to county, we have identified key characteristics that must be present in a Crossover Model in order to ensure its success and fidelity to the model:

1. **Participation from a variety of key stakeholders**, including, but not limited to the following systems: juvenile justice, child welfare, education, and mental health
2. Collectively develop a **communications strategy** to ensure information is easily shared between stakeholders, youth, and their families
3. **Identify crossover youth as early in the process** as possible (at the pre-adjudication detention decision or point of charging)
4. The use of a **joint assessment and case planning** approach allows for interagency discussions, resulting in a coordinated, fully informed strategy
5. **Involving parents/caregivers** in this process exponentially increases the child's likelihood of success, allowing the parent to help shape expectations and take on a level of accountability
6. All staff working with the child and family must present a **united support system**. Staying "on the same page" ensures the child is receiving consistent messaging and enhances their ability to meet expected objectives

In this model, human service and juvenile justice professionals work as a multidisciplinary team to create an appropriate plan designed to address the youth's needs, build on the youth's strengths and improve the youth's capacity and resiliency. Through this model, youths' needs can be assessed and identified earlier, access to services is better coordinated, families are engaged, case management is collaborative between human services and juvenile justice providers, and access to services is more streamlined

**JJAC's Position on the Crossover Model.** Given the issues of fragmentation identified in JJAC's 2015 Open Forum, this body has worked throughout 2016 to promote the implementation of the Crossover Model in select Minnesota communities and continue to explore the feasibility of promoting this model statewide. JJAC members firmly believe that, to the degree we can be timely, intentional and collaborative in meeting the needs of youth, we will be better able to improve youth and family well-being and promote long term public safety.

**JJAC's Work in 2016 (and late 2015) to Encourage Utilization of the Crossover Model in Minnesota.** Throughout the past year and late 2015, JJAC invited presenters from Morrison, Olmsted and Stearns Counties, to share about the outcomes they've achieved by utilizing this method. Based on information provided in the presentations, from counties that vary widely in demographics and size, JJAC believes the Crossover Model can and should be adopted statewide. *To gain insight on the level of coordination required between Crossover partners, please see Beltrami County's Crossover Program Manual, Found in Appendix B of this report. For more detailed information about the presentations made by these three counties, please see Appendix A.*

**Crossover in Action.** The impact achieved by Morrison, Olmsted and Stearns Counties through the implementation of the Crossover Model suggests the strong potential benefit of applying this methodology statewide. *Please see Appendix A: Crossover Program Summaries for complete detail on how the Crossover approach is utilized in these three counties.*

JJAC Title II grantee, Beltrami Area Service Collaborative, has partnered with Beltrami County to implement a Dually Involved Youth Program (synonymous with the Crossover method). *To learn more, please reference Appendix B: Crossover Program Manual, which offers end-to-end insight on how Crossover programming is structured, maintained, and measured. Note: The juvenile justice system can look very different from one Minnesota county to the next. This manual provides insight on how it looks in one county.*

**The future of Crossover in Minnesota.** JJAC plans to take the following steps in 2017 to advance the Crossover Youth Model in Minnesota:

1. Collect additional evaluation data from the Minnesota counties that have implemented this model
2. Share on state- and nationwide platforms about the successes experienced in Minnesota with the Crossover model
3. Identify additional counties in Minnesota with the potential to implement the Crossover approach
4. Seek and secure resources and support for counties wishing to launch this model

**It is JJAC's belief that we cannot fully achieve cross- delivery system collaboration unless it is mandated at the state level.**

## **2016 JJAC RECOMMENDATIONS**

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

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

## **PREVIOUS JJAC RECOMMENDATIONS**

- **JJAC recommends continued support for expansion of the JDAI model in additional Minnesota counties.\***
- **JJAC recommends all MN educational districts to participate in the MN Student Survey.\***
- **JJAC recommends an increase in gender specific programming for girls within the juvenile justice system.\***
- **JJAC recommends the inclusion of GLBT perspectives in all juvenile justice programing.\***

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

# 2016 JJAC PARTNERSHIPS & COLLABORATIONS

## Ongoing Partnership with the Department of Corrections Inspection Unit

The Juvenile Justice and Delinquency Prevention Act (JJDP Act) requires annual and biennial inspections of facilities across the state to guarantee the four core requirements of the act are met. In 2016, the responsibility to inspect facilities continued to be divided between Office of Justice Programs' Compliance Monitor, and the Department of Corrections (DOC) Inspection Unit. Specifically, the DOC Inspection Unit inspects county jails and secure juvenile facilities, while the Compliance Monitor inspects police departments, municipalities and other secure lockups.

The Memorandum of Understanding (MOU) between the Minnesota Departments of Public Safety and Corrections for inspections of juvenile facilities and secure jails and lockups guarantees through December 31, 2017 that DOC inspectors will inspect juvenile facilities or those facilities where juveniles could be held temporarily and will follow the tenets of the JJDP Act.

DOC Inspections Unit members who contribute to this work are: Timothy Thompson (Manager), Teresa Smith (Management Analyst), and Inspectors Lisa Cain Becking and Julie Snyder.

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

## 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 Jane Schmid as an Ex Officio member, the Minnesota Association of Community Corrections Act Counties (MACCAC) with Nicole Kern as an Ex Officio member and the Minnesota Association of County Probation Officers (MACPO) with Jim Schneider coming across the state to make sure the MACPO views are included. ***Please see Appendices C - E for the 2017 legislative initiatives of MCA, MACCAC, and MACPO.***

Additional Ex Officio members include Lauren Ryan from the Department of Health and Lynn Douma from the Department of Employment and Economic Development. The Department of Corrections is represented by Kathy Halvorson, Superintendent of Minnesota Correctional Facility – Red Wing and the Department of Human Services is represented by Bill Wyss. These faithful participants in JJAC deliberations allow JJAC to maintain confi-

dence in specific juvenile justice positions as they have been fully vetted from all perspectives.

Juvenile Detention Alternatives Initiative (JDAI) State Coordinator Curtis Shanklin serves as an Ex Officio member of JJAC. This continued collaboration with JDAI allows both entities to maximize influence across the state.

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

## Outreach to MN's Ten Judicial Districts

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

## Governor's Task Force on Mental Health

JJAC aligns its work and priorities with that of the Governor's Task Force on Mental Health. In a Final Report, published November 15, 2016, this task force identified a series of recommendations for the revision of the mental health system in Minnesota. Those recommendations are supported by JJAC and are as follows:

1. Create a Comprehensive Mental Health Continuum of Care
2. Strengthen Governance of Minnesota's Mental Health System
3. Use a Cultural Lens to Reduce Mental Health Disparities
4. Develop the Mental Health Workforce
5. Achieve Parity
6. Promote Mental Health and Prevent Mental Illness
7. Achieve Housing Stability
8. Implement Short-Term Improvements to Acute Care Capacity
9. Implement Short-Term Improvements to Crisis Response

To view the Governor's Task Force on Mental Health Final Report, visit <https://mn.gov/dhs/mental-health-tf/> or contact [dhs.mentalhealth@state.mn.us](mailto:dhs.mentalhealth@state.mn.us)



# 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<sup>1</sup>

Youth under age 18 presently account for approximately 1.28 million of Minnesota's 5.5 million residents (Table 1). The overall population of Minnesota rose between 2010 and 2015 (+3.4 percent), as did the number of youth under age 18 (+0.09 percent). Presently, youth account for 23.4 percent of Minnesota's population. The number of youth ages 10-to-17 who, by Minnesota statute, can potentially enter the juvenile justice system is slightly higher in 2015 than it was in 2010 (+0.20 percent).

Population	2010	2015	Numeric Change	Percent Change
Total MN Population	5,310,903	5,489,594	+ 178,691	+ 3.4%
MN Population Under Age 18	1,283,206	1,284,387	+ 1,181	+ 0.09%
Population Ages 10-17	572,541	573,658	+ 1,117	+ 0.20%
Youth as a Percentage of Total Population	24.2%	23.4%	-0.8%	- 3.31%

## Racial and Ethnic Representation

Table 2 illustrates that Minnesota's youth population is more racially and ethnically diverse than the state population as a whole. 2015 population estimates show that more than one-quarter (26.9 percent) of all Minnesota youth under age 18 represent racial or ethnic minority groups. This is true of 17.9 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 (10.0 percent Black or African American alone vs. 8.7 percent Hispanic of any race).

Race and Hispanic Ethnicity, 2015	Minnesota's Overall Population	Minnesota's Adult Population (over 18)	Minnesota's Youth Population (under 18)
Caucasian, non-Hispanic	82.1%	84.8%	73.1%
American Indian, non-Hispanic	1.2%	1.1%	1.7%
Asian, non-Hispanic	5.1%	4.7%	6.5%
Black or African American, non-Hispanic	6.4%	5.3%	10.0%
Hispanic (any race)	5.2%	4.1%	8.7%
<b>Total Minority Population</b>	<b>17.9%</b>	<b>15.2%</b>	<b>26.9%</b>

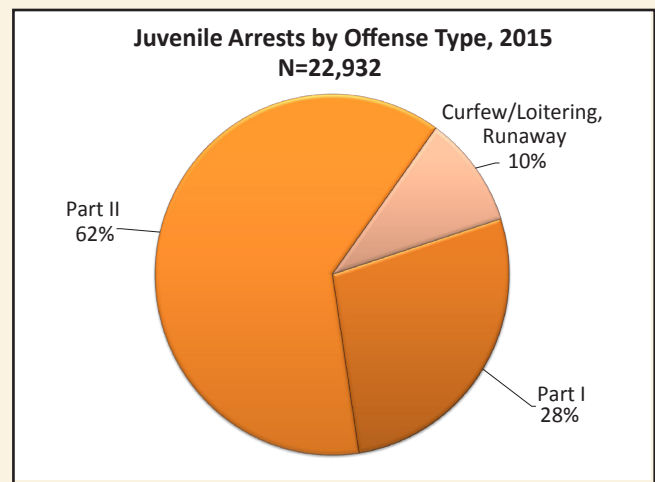
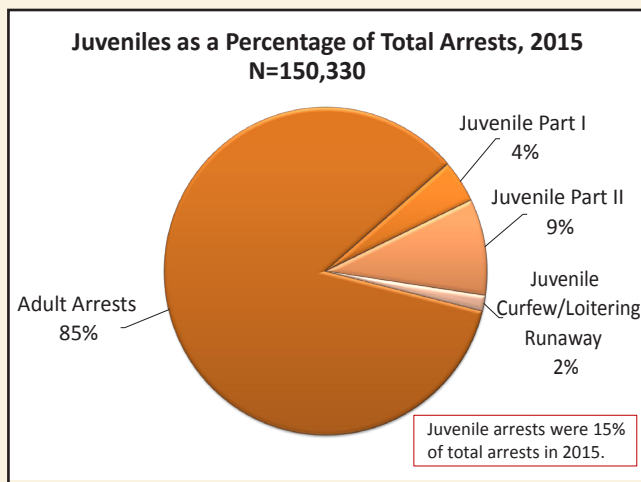
# Youth Contact with the Juvenile Justice System

## 2015 Arrests<sup>2</sup>

In 2015 there were a total of 150,330 arrests, of which juveniles accounted for 22,932. Juveniles, as a percentage of total arrests, have slowly declined from 26 percent in the year 2000 to 15 percent in 2015.

Just under three-in-10 juvenile arrests (28 percent) fall within the Part I offense category for the most serious person and property crimes.<sup>3</sup>

The majority of all juvenile arrests are for Part II offenses (64 percent), which are typically less serious person and property offenses, including liquor law violations. Arrests for the Status Offenses of Curfew/Loitering and Runaway make up the smallest percentage of juvenile arrests at 9 percent.<sup>4</sup>



## Arrests by Gender

Since 2004, males have consistently accounted for about two-thirds of juvenile arrests. Since 2013, male arrests have been a bit higher at 68 percent. In 2015, more males than females were arrested for Part I offenses (62 percent vs. 38 percent) and for Part II offenses (70 percent vs. 30 percent). While more males than females were arrested in 2015

for the status offenses of Curfew or Loitering (69 percent vs. 31 percent), arrests for the offense of Runaway involved more females than males (54 percent vs. 46 percent). Runaway is the only UCR arrest category for which females are often arrested in greater numbers than males.

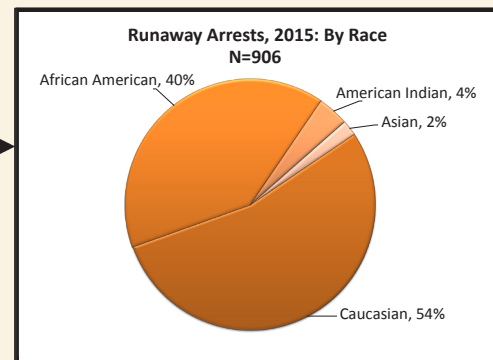
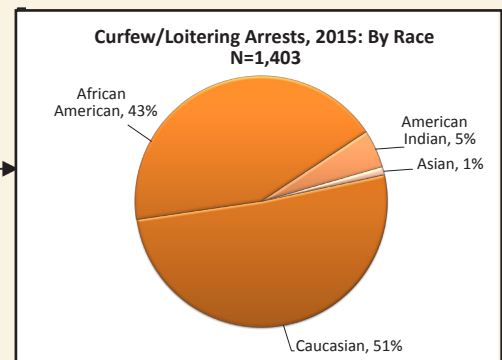
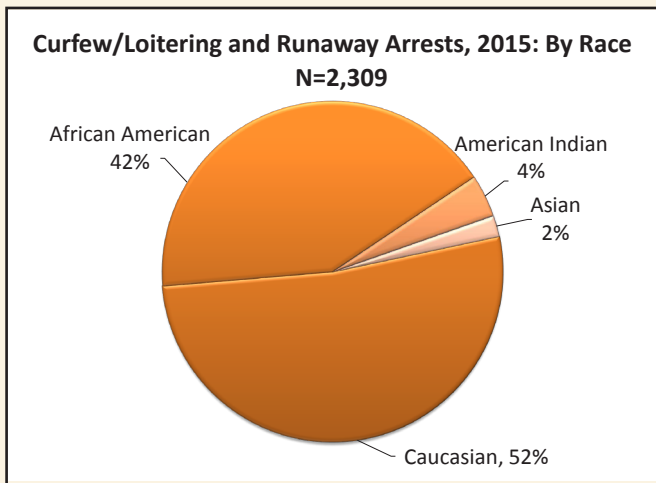
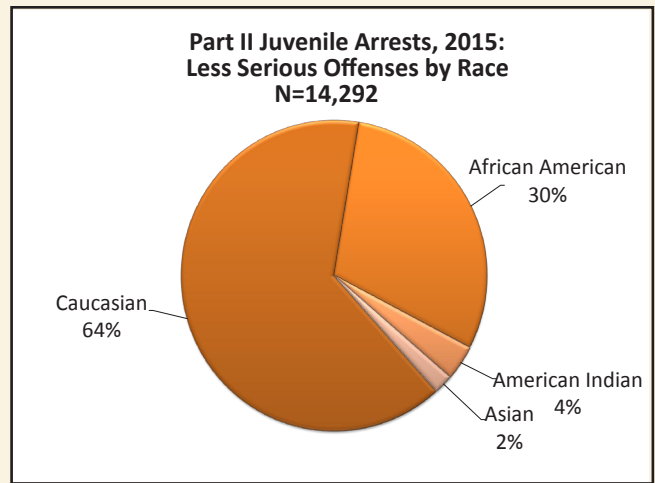
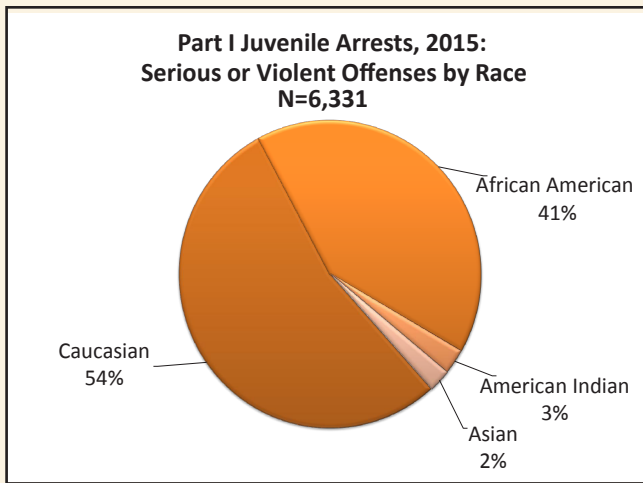
## Arrests by Race/Ethnicity

Within each arrest category (Part I, Part II and Status Offenses), unique racial distributions exist. While Hispanic ethnicity data are collected for the UCR, 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 (73 percent), represent the majority of 2015 arrests for Part I and Part II crimes (54 and 64 percent, respectively), as well as status offenses (52 percent).

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 43 percent of arrests for Curfew/Loitering and 40 percent for Runaway offenses.

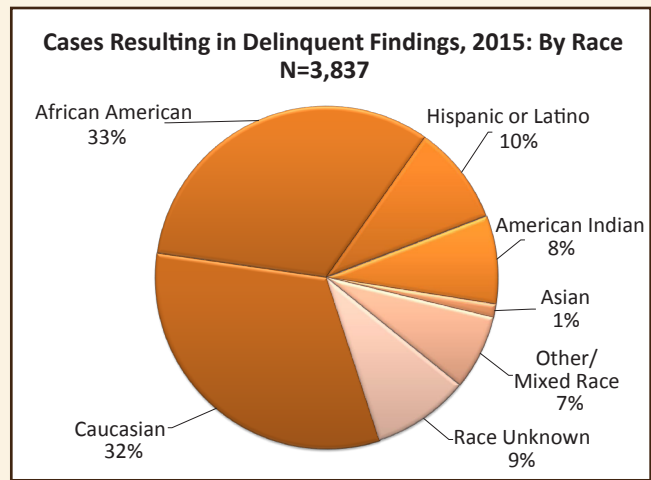
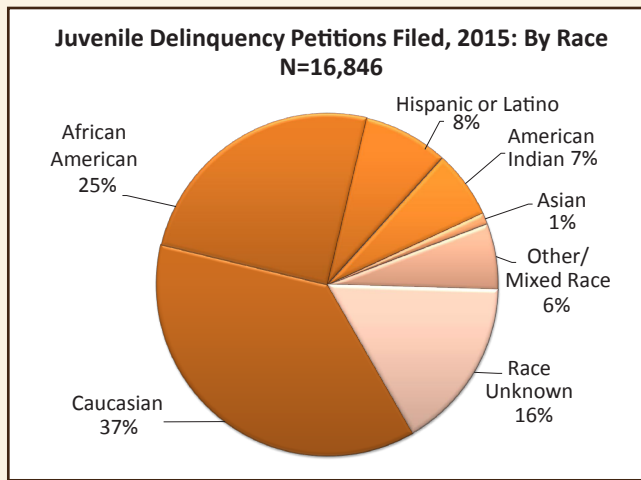
Since the electronic publication of UCR data in 1997, the number of juvenile arrests has dramatically decreased from approximately 79,000 to just under 23,000 in 2015. During this time, youth from communities of color as a percentage of total juvenile arrests have generally been rising. In 1997, youth of color accounted for less than one-quarter of juvenile arrests (23 percent); in 2015, youth of color accounted for 40 percent of all juvenile arrests.



## Cases Petitioned and Cases Resulting in Delinquent Findings<sup>5</sup>

According to data compiled by the State Court Administrator's Office, there were 16,846 delinquency petitions filed in 2015.<sup>6</sup> 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 2015, Caucasian youth accounted for 44 percent of all delinquency petitions filed where race is known (37 percent of all cases, including cases where race is not known). Youth of color as a whole in Minnesota are just over one-quarter of all youth (26.9 percent) but are 56 percent of delinquency petitions where race is known. Race is unknown in 16 percent of juvenile delinquency petitions.

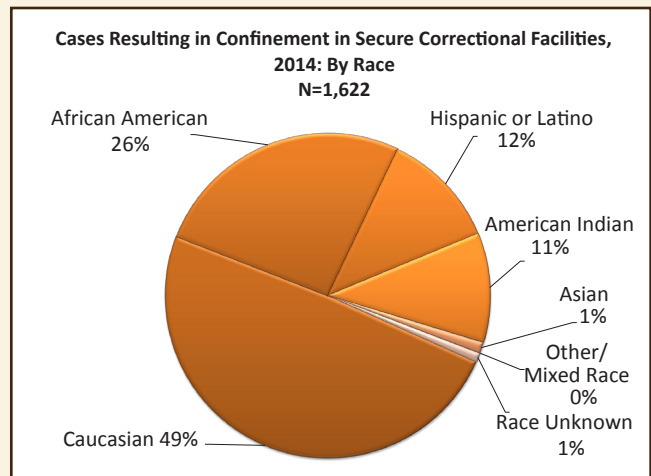
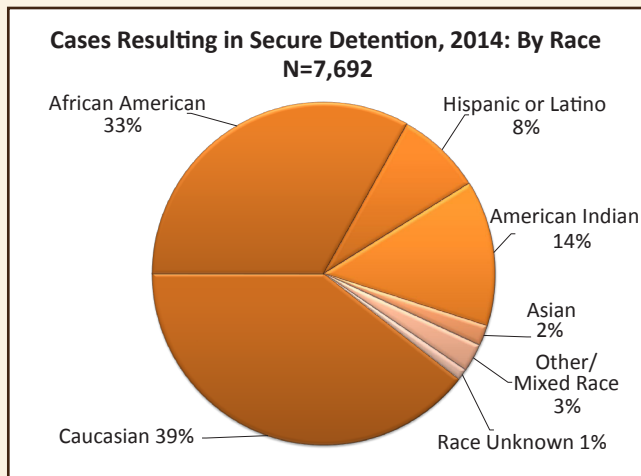
District courts in 2015 yielded 3,837 cases resulting in delinquent findings. Caucasian and African American youth are the greatest percentage of youth found delinquent (each 32 percent of all delinquency findings) followed by Hispanic youth (9%); American Indian youth (8 percent); "Other" or Mixed Race youth (7 percent); and Asian youth (1 percent). Race was not known in 9 percent of cases resulting in delinquent findings. As a whole, youth of color constitute 64 percent of delinquent findings in cases where race is known.



## Youth in Secure Facilities

Based on 2014 juvenile admissions<sup>7</sup> reported by the Minnesota Department of Corrections and select individual facilities document 7,692 secure juvenile detention events and 1,622 secure post-disposition juvenile placement events.<sup>8</sup> 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.

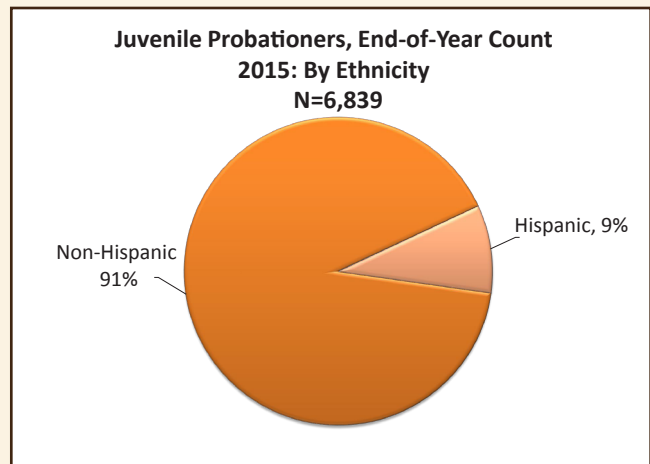
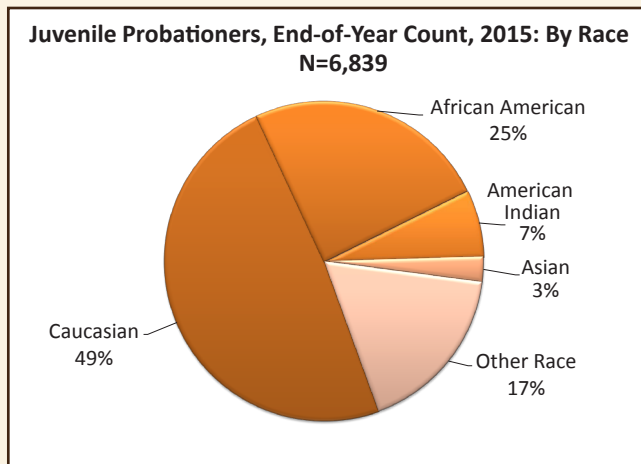
Statewide, youth of color account for over half of secure detention admissions (61 percent) and half of secure placement admissions following disposition (51 percent). Based on their percentage of the youth population (<2 percent), American Indians are most overrepresented in secure facilities (14 percent detention admissions and 11 percent post-disposition placements).



## Youth on Probation<sup>9</sup>

In 2015, there were 6,839 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 2015, 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 2015 (49%). In Minnesota, the greatest percentage of youth are on probation for Status/Miscellaneous Offenses (13%), followed by theft (13%) and assault (13%).



## JJDPA Core Compliance Requirements:

Data provided by the Minnesota Department of Corrections for Compliance Monitoring purposes indicates that 1,365 juveniles were securely held in adult jails or police lock-ups across the state between January 1st and September 30th, 2015 (1,937).<sup>10</sup> The Juvenile Justice and Delinquency Prevention Act (JJJPA) limits the holding of youth accused of delinquency to six hours in jails and police lock-ups in Metropolitan Statistical Areas (MSAs). Youth requiring longer detention must be transferred to an appropriate juvenile facility. The JJDPA prohibits the secure holding of status offenders for any length of time in adult facilities and limits holding in juvenile facilities to 24 hours. All juveniles are prohibited from having sight or sound contact with adult inmates in any secure setting.

Because much of greater Minnesota is rural, state statute allows for juvenile holds of up to 24 hours in adult facilities outside of MSAs. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) allows a Rural Removal Exception (RRE) for these facilities as well. In 2015, Minnesota had RREs for 53 county jails in greater Minnesota. The holding of status offenders in adult facilities is always prohibited under the JJDPA.

## Deinstitutionalization of Status Offenders (DSO)

During the last compliance reporting period (partial year 2015), admissions data show 34 instances where status offenders were detained in Minnesota's secure juvenile facilities in excess of the allowable federal time limits. Many of these holds met state criteria in terms of permissibility, but not federal requirements. In addition, facility inspections completed from January 1st to September 30th, 2015 revealed 15 instances where status offenders were admitted to a secure police or jail facility. These 49 records resulted in an adjusted DSO violation rate of 10.35 per 100,000 youth under 18. States with a DSO rate between 5.7 and 17.6 may be found in compliance provided they submit a detailed plan to address and reduce future DSO violations. Minnesota complied with this federal requirement.

## Sight and Sound Separation

Facility audits completed by Minnesota's Compliance Monitor and the Department of Corrections' Inspection and Enforcement Unit resulted in no violations of the Sight and Sound Separation requirement. No violations of the Sight and Sound requirement were reported to the OJJDP for the reporting period covering partial year 2015.

## Jail Removal

Of the 1,365 juvenile admissions to adult jails and lock-ups in partial year 2015, 304 were found to be held in excess of the allowable six hours. However, 296 of these holds were allowable up to 24 hours with the Rural Removal Exception in place. Minnesota reported eight Jail Removal violations resulting in an adjusted Jail Removal violation rate of 0.65 per 100,000 youth. States with a Jail Removal Rate under 9.0 are eligible for federal compliance.

## Disproportionate Minority Contact<sup>11</sup>

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

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

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

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

## Relative Rate Index (DMC)

Relative Rate Index Compared with :	White							
State of Minnesota CY 2014	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	1.00	<b>5.58</b>	<b>1.09</b>	<b>0.36</b>	*	<b>3.45</b>	*	<b>2.79</b>
3. Refer to Juvenile Court	**	**	**	**	*	**	*	**
4. Cases Diverted	**	**	**	**	*	**	*	**
5. Cases Involving Secure Detention	1.00	<b>1.25</b>	<b>1.83</b>	<b>1.72</b>	*	<b>4.83</b>	*	<b>1.67</b>
6. Cases Petitioned	1.00	1.01	<b>1.82</b>	<b>1.26</b>	*	<b>2.59</b>	*	<b>1.40</b>
7. Cases Resulting in Delinquent Findings	1.00	<b>1.30</b>	<b>1.26</b>	<b>1.39</b>	*	<b>1.34</b>	*	<b>1.28</b>
8. Cases resulting in Probation Placement	1.00	<b>0.56</b>	<b>0.68</b>	<b>0.81</b>	*	<b>0.71</b>	*	<b>0.55</b>
9. Cases Resulting in Confinement in Secure	1.00	<b>0.60</b>	0.93	<b>0.45</b>	*	0.88	*	<b>0.62</b>
10. Cases Transferred to Adult Court	1.00	<b>4.73</b>	**	**	*	<b>4.17</b>	*	<b>3.78</b>
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	
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			---					

<sup>1</sup> Puzanchera, C., Sladky, A. and Kang, W. (2016). Easy Access to Juvenile Populations: 1990-2015. Online. Available at <http://www.ojdp.gov/ojstatbb/ezapop/>

<sup>2</sup> 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 2014, published by the Minnesota Department of Public Safety Bureau of Criminal Apprehension. Available at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/2015-Minnesota-Uniform-Crime-Report.pdf>

<sup>3</sup> Information regarding offenses categorized by the FBI can be found at the website for the 2013 Crime in the United States report. <https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/cius-home>

<sup>4</sup> 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.

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

<sup>6</sup> 2015 court data are the most recent available with race information.

<sup>7</sup> 2014 admissions data are the most recent available with race information.

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

<sup>9</sup> Minnesota Department of Corrections. (2016). 2015 Probation Survey. Available at [http://www.doc.state.mn.us/PAGES/files/8214/6281/9043/2015\\_Probation\\_Survey\\_Final.pdf](http://www.doc.state.mn.us/PAGES/files/8214/6281/9043/2015_Probation_Survey_Final.pdf)

<sup>10</sup> The compliance reporting calendar changed from calendar years to federal fiscal years in 2016. The last compliance reporting period was shortened, covering only a nine month period (1/1/15 to 9/30/15). Thus, data from the 2015 reporting period produced lower numbers of juvenile lock-ups in adult facilities, as well as reduced numbers of violations. During the last full-year reporting period (covering calendar year 2014), there were 1,937 juveniles held in adult jails or police lock-ups.

<sup>11</sup> The DMC section uses the terms "White youth" and "minority youth" consistent with federal DMC data collection and reporting terminology.

<sup>12</sup> Minnesota Department of Public Safety Office of Justice Programs. (2015). 2014 Disproportionate Minority Contact Report.

# OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION ALLOCATIONS TO MINNESOTA

## U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Allocations to Minnesota by Federal Fiscal Year: 2004-2016

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

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

**Note:** The high point in OJJDP allocations to the states was in 2002. MN's total allocation that year was \$6,152,300. The decrease from that year is at 90%. However, all compliance mandates are still in effect.

# 2016 JJAC GRANTS

## Title II

**Beltrami Area Service Collaborative (Bemidji)**

**Children's Hospitals and Clinics of Minnesota (St. Paul)**

**Evergreen Youth and Family Services (Bemidji)**

**Faribault Youth Services Center (Faribault)**

**Minneapolis American Indian Center (Minneapolis)**

**Minnesota Corrections Association (Statewide)**

**Stearns County Attorney's Office (St. Cloud)**

**Urban Boatbuilders (Saint Paul)**

## Juvenile Accountability Block Grants

**Carver County Court Services (Chaska)**

**Dakota County Community Corrections (Hastings)**

**Martin County Corrections (Fairmont)**

**Minneapolis Health Department (Minneapolis)**

**Rice County Attorney's Office (Faribault)**



# JJAC MEMBERSHIP AND ADVISORS

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Freddie Davis-English, Co-Chair, DMC Subcommittee, Plymouth  
Christopher Downing, Youth Member, Princeton  
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Jane Schmid, Minnesota Corrections Association  
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James Schneider, Minnesota Association of County Probation Officers, Chair, Policy & Partnership Subcommittee  
Curtis Shanklin, MN Juvenile Detention Alternatives  
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Timothy Thompson

## Dept. of Public Safety, Office of Justice Programs

Callie Aguilar, Juvenile Justice Specialist  
Valerie Clark, Statistical Analysis Center Director

# Appendix A: Crossover Program Summaries



Crossover Youth known to us as Dual Status/Co-Case Management was born out of necessity approximately 10 years ago in Morrison County when we began to see an increase in our youth in out of home placements that had both an open case by social services and probation. We began to co-case manage cases at that point but without any one agency taking the lead. Five years later at a staffing on a juvenile in foster care, we realized that we had way too many people sitting around the table inundating the family with “what they should do”. The family was overwhelmed and did not know who to contact and we realized that we needed a point person. From that point forward co-case management morphed into what we now refer to as Dual Status/Co-Case Management.

We are fortunate to be a smaller county with open communication so the need for a “formalized team” was not there. We utilize the Community Child Protection Team and the Juve-

nile Treatment Screening Team to staff cases that we have in common. At that point the determination is made, “what is the driving factor for this youth acting out? Is it mental health? Problems within the home? Is it behavioral?” This information determines who will take the lead on the case while the other agency offers a supportive role.

We began to work toward this line of thinking by having a juvenile probation agent on the Child Protection Team, the Out of Home Placement Screening Team (for both social services and corrections youth) and on the Local Collaborative Council. The second step was to have social workers and juvenile agents attend the same trainings so that they could begin to speak the same language and recognize that each brought strengths and knowledge to the table. We have excellent supervisors and staff who are supportive of the “These are our kids” line of thinking which helps everyone stay focused on best outcomes.

## What we have learned:

1. The prosecutor must be onboard for this to work. They must understand and be willing to accept that we are looking at outcomes for the youth not outcomes of a court case. Often times these youth are given a Stay of Adjudication or a Continuance for Dismissal if they comply with their case plan.
2. Social Services and Corrections must understand each other’s roles and limitations. This allows the agency with the primary factor to take control of the case without power struggles.
3. Small counties may not need the formalized Crossover Youth program if they are able to work together and utilize their shared resources.

**Statistical information:** We began collecting data in 2014.

Since January 1, 2014 we have worked with 25 dual status/co-case management youth.

1. 7 youth are still open to probation and social services.
2. 4 additional youth are still open to social services only. (11 total for social services)
3. 18 of the original 25 youth are closed to probation.
4. 14 of the original 25 are closed to social services.
5. Only 2 of the original 25 dual status/co-case management youth have new offenses - 1 as an adult and 1 juvenile offense.

## **Services utilized on dual status/co-case management cases:**

Children’s Mental Health  
Y-ACT (program has assisted with maintaining youth with mental health issues in the community)  
School-based Mental Health  
Juvenile Justice Program  
In-Home skills worker  
In-Home Counseling  
Individual Counseling  
Psychiatric/Medication Management referrals

# Appendix A : Crossover Program Summaries



## Primary Stakeholders Include:

- Youth and Families in our community
- Juvenile Corrections
- Child and Family Services
- Courts
- Attorneys (county attorney and defense)
- Community-based Agencies

Current Crossover Practice allows for service delivery that looks similar no matter which point you enter our Community Services System. Shared resources are developed through thoughtful assessment of the current continuum of care and intentional incorporation of joint best practice strategies.

We have shifted practice from a “competition to not serve” mentality to a model where we leverage appropriate services and resources to address the risks and needs of youth and families. This may mean that a youth is open in two systems both Corrections and Social Services.

The Crossover model in Olmsted County has been in various stages of development for years. In 2011 a formal Memorandum of Understanding was drafted which outlined a new way of working together to better serve cross over youth and families. We began tracking crossover youth in our respective data systems in 2012 and published a Basic Protocol for Olmsted County Crossover Youth Practice Model in 2013. Diligent efforts to collect and utilize data have allowed us to build a data driven and data informed culture that supports growth in our crossover model for youth and families. **Definition of those served via the Crossover Youth method in Olmsted County:**

- Youth who are currently involved in both Child Welfare and Juvenile Justice systems
- Youth who are or have been served by social services that are headed for or then become involved in corrections
- Youth who enter corrections and there is an identified need that warrants consideration for social services interventions:
  - Family Functioning, Including High Levels Of Family Conflict
  - Mental Health Needs – Youth or Parent(s)
  - Corrections youth 18 y/o and older electing extended foster care option
  - Abuse/Neglect
  - Developmental Disabilities
  - Youth who are minor parents (male or female)
  - High-Risk Non-adjudicated Siblings

## Number served:

In 2015 we opened 140 probation clients to supervised traditional caseloads and in that same year we recorded approximately 50 youth identified as crossover youth. Data collection in this area is not as strong as it should be; we have an opportunity to enhance our data collection and analytics around this population.

## How this looks in practice within Olmsted County departments:

- YBH (Youth Behavioral Health) case manager position
- Partial co-location
- Pathways established between Juvenile Corrections and Children’s Mental Health

# Appendix A: Crossover Program Summaries

- Addition of Rule 25 assessment capacity in juvenile justice work with two P.O.'s trained and implementing assessments.
- Specialized Juvenile Justice Supervisor
- Out of home placement continuum of care and collaboration with cross system partners
- Expansion of Juvenile Justice clinical capacity
- Coordination with YBH clinical services
- Trauma specific modalities and SEY (Sexually Exploited Youth) focus

### Communication between partners:

Communication is based on; equal voices, is intentional, and comes with an energy that allows for stakeholders to think “outside of the box”. Those doing this work must challenge existing practices through shared vision and common purpose. This paradigm shift allowed for the focus to be about promoting and supporting the individualized need and well-being for youth and families irrelevant of which “doorway” they entered Community Services.

We approach collaboration processes with perspective of what each can bring to the case, utilizing statements like, “Here is what I can do!”, rather than what each cannot or should not do. A key component to this collaboration is that there is intentional alignment of leadership at both the staff and management level that is based upon a relationship rooted in trust and mutual respect for each other.

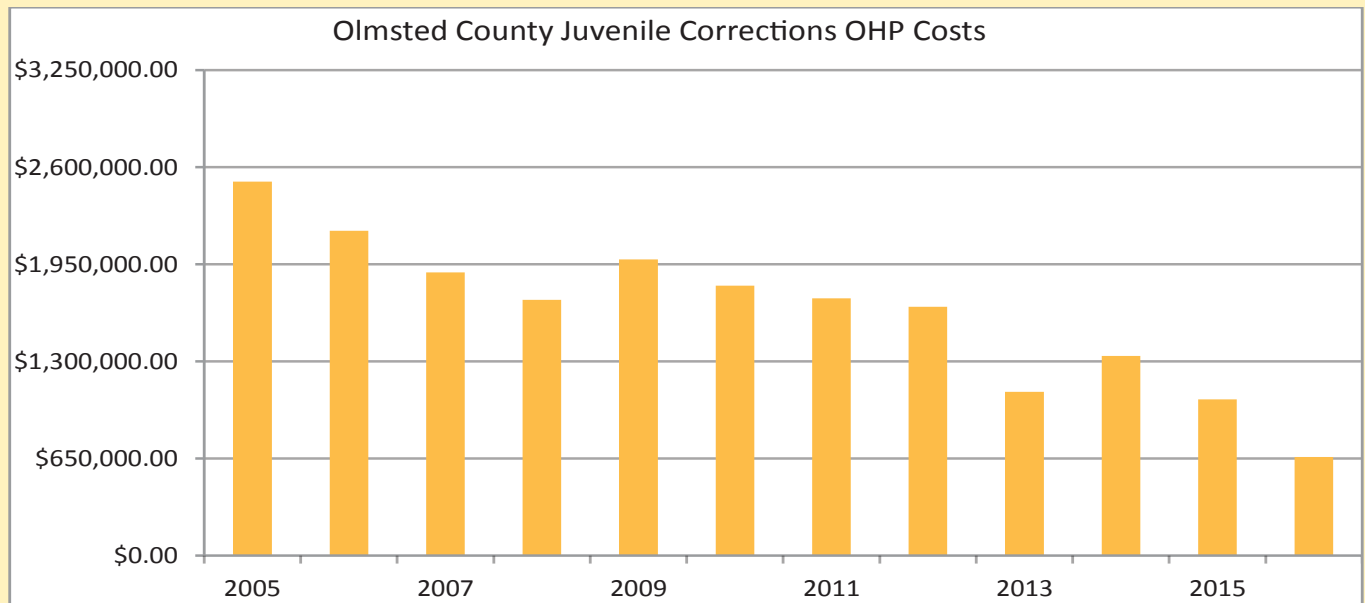
Positions allowing for more streamlined communication include: an Imbedded Social Worker focusing on Children’s Mental Health, and a designated Community Corrections Supervisor with an initiative of building on existing crossover initiatives and collaborations.

## YOUTH IN JUVENILE JUSTICE HAVE MAJOR BEHAVIORAL HEALTH AND OTHER NEEDS

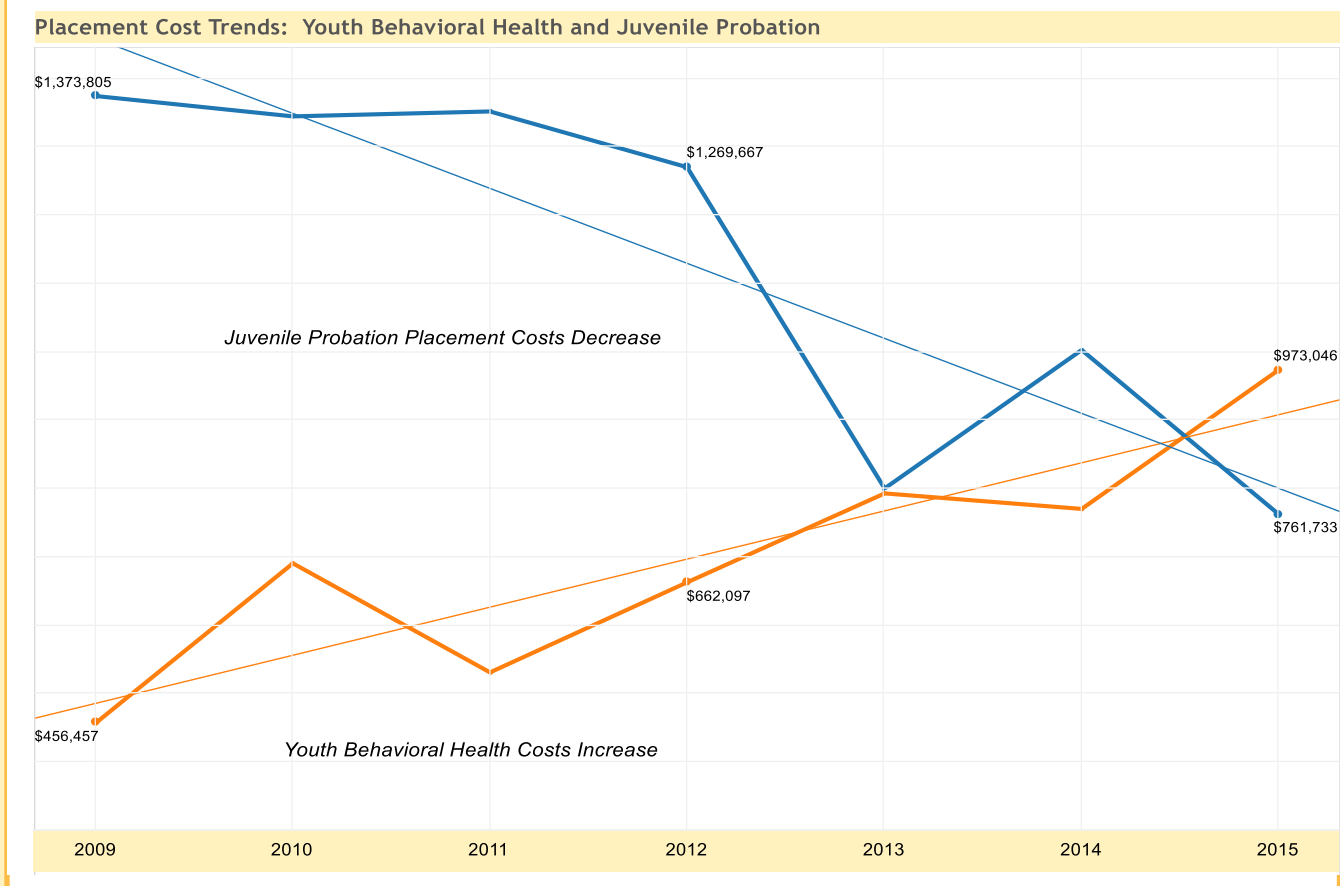
Fewer than 5 percent of youth who are arrested are arrested for violent crimes.<sup>1</sup> The vast majority of youth end up in the juvenile justice system for non-violent or relatively minor offenses, and all too often a contributing factor to their contact with the justice system is an unmet need for behavioral health treatment.

- Up to 70 percent of youth in the juvenile justice system suffer from mental health disorders.
- Over 60 percent of those with mental health disorder also have a substance abuse disorder.
- Among those with mental health disorders, 27 percent have disorders so severe that their ability to function is significantly impaired.<sup>2</sup>

### Results of utilizing the Crossover method:



# Appendix A: Crossover Program Summaries



These graphics not only illustrate a significant cost savings in Corrections out of home placement expenditures- but there are stories behind this graph; stories that embody our crossover methodology and practice model. It is a willingness to serve youth in the appropriate system. A willingness on the part of Social Services to realize an increase in their out of home placement costs when appropriate.

But this is about more than just shifting the cost of care. We have also embraced a philosophy of providing out of home care for the right youth at the right time, and in the right place. Realizing that often times long term out of home placement does not work. This philosophy led to the development of the Collaborative Intensive Bridging program. We shared financial resources with the Youth Behavioral Health Child Welfare Unit in Social Services to invest in developing and implementing this program. Although the program is in its infancy we are realizing more than just financial success, we are seeing an increase in self-efficacy for youth and families, ultimately improving the overall health of the child and family unit. This program offers a more holistic approach to addressing what in the past was focused on the behavior or mental health of the child with little regard to the family or the child's environment.

## Next steps for Crossover in Olmsted County:

- Continue to foster culture change within the organization
- Investing in joint resource development
- Involvement of educational system
- Comprehensive/cohesive approach to disproportionality and disparity
- Outcome measurement clarification

- Systemic
- Client specific

## Appendix A: Crossover Program Summaries



Stearns County began implementing a Crossover Youth/Dual Status model after a training in 2011. The motivation arose from the realization that a high percentage of juveniles in the delinquency system had either current or previous involvement in the child protection or child welfare systems and there was minimal coordination or collaboration between the various agencies. It also was apparent that the traditional punitive “tools” of the juvenile justice system were ill-equipped to effectively change juvenile behaviors that were manifestations of abuse, neglect, developmental deficits and/or mental illness. These juveniles were entering the correctional system at an earlier age and being placed out of the home more frequently and for longer periods of time despite only committing low-level offenses.

With the philosophy that the justice system and sanctions such as detention and correctional placements are not only inefficient and ineffective at dealing with such behaviors, but often detrimental to the juveniles and counter-productive to the ultimate goal of rehabilitation, a Crossover Youth Administration Team was established to plan and implement a CY program in Stearns County. The goal was to more effectively and efficiently intervene in these type of cases by increasing communication and working proactively to create an intervention plan as a county instead of providing piecemeal services as separate agencies. The concept of “our children/our families” became a guiding touchstone as great progress was made in lowering many of the silos that exist between different government agencies within the same county.

Stearns County developed a screening team (CYST) to facilitate this collaborative planning on specific cases. The team consists of staff from corrections, the county attorney’s office, local schools, law enforcement, the public defender’s office and all the various child social services areas (child protection/welfare, children’s mental health, developmental disabilities). Additionally, there is a licensed psychologist on our team and other community service providers are invited as necessary when involved with a child/family being screened. Our goal is to approach the juvenile and their family holistically by involving

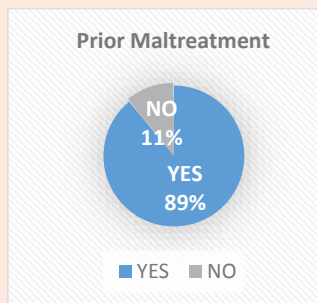
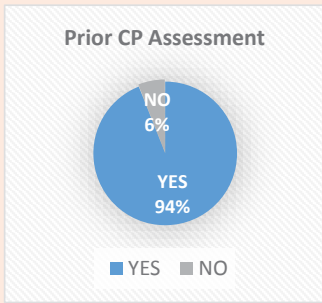
many of the professionals working with the family to develop a plan that not only addresses accountability, but also focuses on underlying issues effecting the child’s behavior with the hope of proactively preventing future problems by strengthening the family and empowering the child with appropriate community supports and interventions.

Our program focuses on children ages 9 to 15 who have current or prior involvement with child protection and/or child welfare systems and are either charged or at risk of being charged with a misdemeanor level delinquency offense. The majority of our referrals for the CY Program are initiated by the county attorney’s office, law enforcement or the schools. The prosecutors of the county attorney’s office review each citation written by law enforcement before it gets filed with court and can request a “crossover youth check” be done to determine if there is current and/or former involvement with child protective services or children’s mental health services. If they do have such involvement, the case can be set for a staffing with our screening team and a plan to intervene developed. These plans often involve not formally processing the youth through the juvenile justice system or alternatively minimizing their involvement to the greatest degree possible consistent with public safety.

Additionally, we have recently developed a procedure so that a “crossover youth check” is done automatically when a child age 15 or under is in detention on a low level (misdemeanor) offense and that information is provide to the prosecutor prior to the detention hearing. If a social worker with Stearns County has an open case with the child, they can contact the family prior to the detention hearing and if appropriate, discuss a safety plan for the child to come home or arrange an alternative, more appropriate place for the child eliminating the need to remain in secure detention. Since 2013, Stearns County has reduced the utilization of secure detention by 28 percent with a cost savings of over \$90,000.

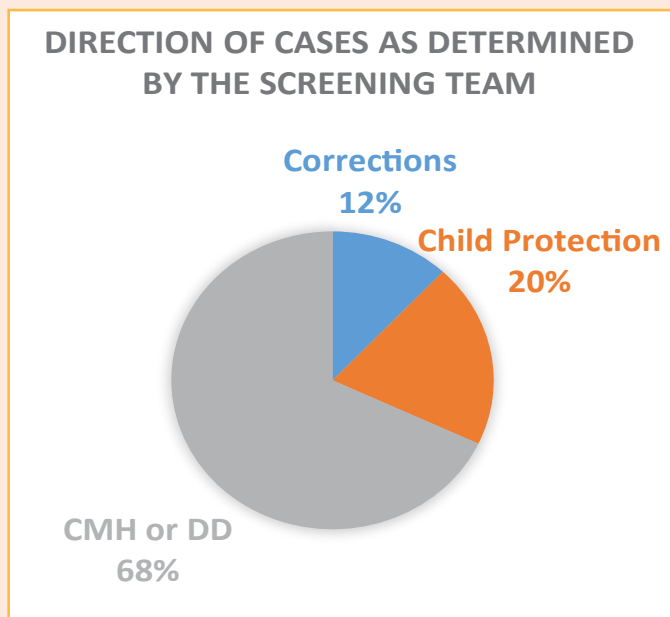
In 2015, 94% of the juveniles admitted into our Crossover Youth Program had a prior child maltreatment intervention and 89% had a finding of maltreatment.

# Appendix A: Crossover Program Summaries



Through trainings and meetings with law enforcement personnel we have raised awareness in our community that juveniles at high-risk of entering the delinquency system due to their trauma history or disabilities can often be served proactively with existing services instead of needing to incarcerate or formally charge juveniles in the justice system. Now, officers will specifically refer a juvenile for CY screening instead of arresting the youth or issuing them a citation. This is in sharp contrast to the former way of doing business where many officers would charge or arrest juveniles as a means of accessing services for a youth who was struggling in the community, but really not a risk to public safety. In large part due to the implementation of the CY Program in Stearns County, juvenile justice out-of-home placement costs, detention costs and days in detention have decreased.

In 2015, the Crossover Youth Screening Team recommended a direction other than corrections (or juvenile justice) in 88% of the cases and instead recommended an intervention by child protection, children's mental health or the developmental disabilities unit.



The recidivism or delinquency re-offense rate of juveniles admitted into our CY program has been relatively low with only 18 percent of the children admitted to the CY program from 2013 through 2015 ever being adjudicated for a delinquency and 82 percent of CY served successfully avoiding becoming adjudicated delinquents.

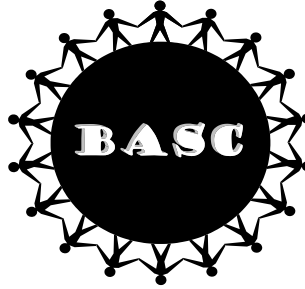
By focusing on more efficient and effective utilization of existing resources through improved information sharing, proactive intervention and using needs-based strategies of intervention we have been able to achieve a moderate level of success without adding any additional staff or receiving any additional funding to run our CY program. Unfortunately however, the lack of any single staff dedicated to implementing or overseeing the program and the labor-intensive requirements to proactive intervention has resulted in only a minimal amount of juveniles being served (slightly over 20 juveniles per year).

Though the amount of youth we have formally entered into our CY program is relatively low, the benefits of adopting this paradigm shift has been vastly more far-reaching and has had positive effects on overall collaboration and communication amongst our respective systems and staff. The CY concept itself has helped to reform our respective approaches in working with the CY population specifically, and caseloads involving shared children and families in general. By working together to try and proactively meet the intervention needs of our at-risk children and their families before they become a risk to the public safety, we have been able to more effectively and efficiently serve our community.

Stearns County's CY program was selected to receive a free two day training on Dual Status Youth (a.k.a. Crossover Youth) by the Robert F. Kennedy National Resource Center for Juvenile Justice - Children's Action Corps. This training will occur in January of 2017 and Stearns County is hoping to expand and improve the current CY program and enhance our data collection.

<sup>1</sup> Of the 18 percent of recidivating youth, over half had already been adjudicated delinquent before they were brought to the CYST. This is consistent with our experiences in implementing our CY program as early intervention and avoiding "crossing over" into the delinquency system is critical. Once a youth has formally entered the juvenile justice system as a delinquent, we have experienced a drastic reduction in effective interventions and measurable success. This has lead our team to focus more efforts on younger CY who have not yet been adjudicated delinquent (ages 9-13) and less so on older (ages 14-15), already adjudicated youth.

# Appendix B: Crossover/Dually-Involved Youth Program Manual



## Target Population

The Beltrami County Dually-Involved Youth Project serves Beltrami County youth between the ages of ten and seventeen who have allegedly committed a delinquency level offense (whether or not they are presently on probation for a former offense) and have an open Beltrami County and/or Tribal social services case. Any case open to Children's Services makes the youth eligible for inclusion in the project. The youth are identified through communication between Social Services and the County Attorney.

## Definition

Children's Services: Any case open to Beltrami County and/or Tribal social services in the following areas: child protection, children's mental health, and/or voluntary services.

## Process

### 1. Identification of Dually-Involved Youth

- a. The Beltrami County Attorney will review requests for charges sent over by law enforcement and will contact Beltrami County Social Services, Red Lake Family and Children Services, and Leech Lake Child Welfare within 36-hours to determine if the juvenile is dually involved. These agencies will be asked to respond to the Dually-Involved Youth Inquiry (see appendix A).
- b. A designated representative from each system named above will respond to the County Attorney's request for information within one (1) business day (via phone, fax, or email). If the youth does not have an open case within children's services, they will not be identified as a Dually-Involved Youth and the County Attorney will proceed as usual. However, if the youth charged with a delinquency level offense does have an open Children's Services case, the County Attorney will contact the assigned social worker and discuss what the strengths and the weaknesses are of the juvenile and/or the family. The County Attorney will then decide (based on the information provided by the social worker) whether to bring the youth into Court for formal prosecution (Track A), or to utilize an Alternative Response (Track B).
- c. If the youth has had past children's services involvement but is not currently involved, the youth will be placed in a control group for evaluation purposes.

### 2. Track A: Juvenile Court Proceedings

- a. If the County Attorney decides that juvenile court involvement for an identified dually involved youth is appropriate and necessary, the youth will be given a Court date to address the delinquency charges.
- b. If the youth is presently on supervised probation for a former offense, the County Attorney will inform the assigned probation officer of the open Children's Services case. In these cases, the probation officer (who will already have working knowledge of the youth and family) will make the recommendations to the Court, and utilize the procedures for Dual Case Management (defined below).
- c. After a youth is found guilty or admits guilt (and does NOT have a current probation file), the youth and family will be ordered to participate in a Collaborative Conference. The purpose of this meeting is to assess the current risks, needs, and strengths of the youth and family and to develop a list of recommendations for the Court to consider as the youth's probation requirements. The meeting will also address dual case management roles and responsibilities to avoid confusion for all participants.
- d. The Juvenile Probation Agent present in court when the Collaborative Conference is ordered will have the parent/legal guardian sign BASC's Release of Information which will allow BASC'S Intervention Program Specialist (IPS) to contact the appropriate parties to schedule conferencing.



## Appendix B: Crossover/Dually-Involved Youth Program Manual

- e. In cases where there is a victim, the IPS will send out the victim impact packet and make an effort to reach the victim by phone prior to the Collaborative Conference date.
  - f. The IPS will contact the parent/guardian, Juvenile Probation Agent and the Children's Services Case Manager within three business days of the Court date ordering the Collaborative Conference.
  - g. BASC will secure a location to accommodate the meeting.
  - h. The Collaborative Conference must be held no fewer than five business days prior to the anticipated date of disposition. It MUST include:
    - i. Youth and family
    - ii. ICWA representation (when applicable)
    - iii. Guardian ad litem (when applicable)
    - iv. Juvenile probation agent
    - v. Children's services case manager
- It may also include (but is not limited to):
- i. Other tribal representatives
  - ii. Service providers
  - iii. School representative
  - iv. Other supportive persons for the youth/family

### The Collaborative Conference Process

- a. The IPS will open the group with introductions; a brief explanation of the participation agreement; a time for any participant to ask questions of the process; and the original and/or amended charges brought forward in the case.
- b. The Youth and Family will present their case with the following information:
  - i. Family and home circumstances
  - ii. Youth's education and employment history
  - iii. Youth's peer relations
  - iv. Youth's leisure and recreational activities
  - v. Youth's cultural practice and activities
  - vi. Youth's substance use history
  - vii. Youth's personality and attitudes
  - viii. Youth's account of the offense and consequences
  - viv. Strengths of the youth and family
- c. The IPS will ask questions intended for detail as the youth and family present their information; however, all participants will be given an opportunity to ask questions of the youth and family when prompted.
- d. The Children's Services case manager will present their case with the following information:
  - i. History of working with youth and family
  - ii. Identified strengths of the youth and family
  - iii. Current case plan
  - iv. Current challenges facing the youth and family
  - v. List of referred service and level of compliance with the services
  - vi. Thoughts regarding the circumstances of the youth's offense
- e. Any other participants in attendance will present their case information relevant to their role in the youth and family's life.
- f. The Probation Officer will present their case with the following information:
  - 1. Sentencing guidelines (as they may apply)
  - 2. Standard dispositions (as a point of reference)
- g. The youth and family will be asked to identify what concerns them the most at the present time in order to establish the family's priorities and current needs. They will also be asked to identify what they feel may be helpful to them in order to face the challenges. The BASC facilitator will record the ideas to begin a list of possible dispositional recommendations.

## Appendix B: Crossover/Dually-Involved Youth Program Manual

- h. All other participants (including the probation agent) will be asked to identify what they feel may be helpful to the youth and family given the concerns addressed. The group will also need to discuss elements of public safety and accountability for behaviors. These ideas will also be recorded on the list of possible dispositional recommendations.
- i. Once a list has been made, the IPS will review the ideas with the group. The group will decide which recommendations meet the needs of the youth, family, public safety, and accountability for behaviors. The IPS will complete the Collaborative Conference Summary (Appendix B) when a list of recommendations has been established and all participants will sign the document prior to the close of the meeting.
- j. The group will also elect a primary case worker. The following information should be taken into consideration:
  - i. Balance of unduplicated conditions in each file
  - ii. Youth and family's current compliance with children's services case manager
  - iii. Anecdotal factors highlighted throughout the conference
- k. All parties will understand that if the Court does not assign a Probation Officer to the case, the default worker is the case manager (regardless of what the group agreed upon at the Conference).
- l. If the Collaborative Conference group agrees that out-of-home placement may be in the best interest of the youth or required for public safety, the juvenile probation agent will request the case be staffed with the Beltrami County Pre- Placement Screening Committee.
- m. The IPS will be responsible for recording the recommendations of the Collaborative Conference using the Collaborative Conference Summary (Appendix B). All participants will sign the summary at the close of the meeting. The Summary will include identified strengths, risks, and the proposed conditions for probation.
- n. The youth, family, case manager, and probation officer will be given a copy of the Collaborative Conference Summary at the close of the meeting. The IPS will be responsible for filing the Summary with the Court no fewer than two business days before the anticipated disposition hearing.
- o. When cases are subsequently staffed through the Pre-Placement Screening Committee, the Juvenile Probation Agent will be responsible for submitting a memo to the Court outlining all recommendations, along with a copy of the Collaborative Conference Summary.

### Dual Case Management

- a. After the Court has ordered disposition in the case, the juvenile probation agent and children's services worker will meet with the juvenile and the parent or guardian to complete a Targeted Goals and Objectives form. This will provide the client with prioritized steps meeting the youth and family's unique risks, needs, and responsivity factors.
  - b. While both the juvenile probation and children's services case remain open, monthly progress meetings will take place including the youth, family, and case managers. At these meetings, the Targeted Goals and Objectives from the previous meeting will be reviewed and modifications will be made as deemed appropriate. All participants in these monthly meetings will leave with a new Targeted Goals and Objectives form outlining the expectations for the coming month.
  - c. All partners in the Dually-Involved Youth Project understand that at some point, one or both of the open cases will be ready for closure/discharge. As any case involving a Dually-Involved Youth moves towards closure, a final "monthly meeting" will take place to ensure all parties understand the changes in case management, or—if both the probation and children's services cases are closing simultaneously—to establish a supportive plan for the youth and family absent of system involvement.
  - d. When appropriate, a referral may be made to BASC for a Family Group Decision Making Conference. Participants of either meeting must include:
    - i. The youth and family
    - ii. Child protection worker
    - iii. Juvenile probation agent
- If appropriate, additional participants may include:
- xv. The broader family group
  - xvi. Tribal representatives
  - xvii. Service providers
  - xviii. School representatives
  - xix. Guardian Ad Litem

# Appendix B: Crossover/Dually-Involved Youth Program Manual

Any disputes between the two agencies shall be resolved by the Department of Corrections District Supervisor and the Health and Human Services Program Manager.

## 3. Track B: Alternative Response to Juvenile Court

- a. If deemed appropriate by the County Attorney, the identified dually involved youth's case will be referred to BASC for the Alternative Response Process; which will occur prior to any formal case filing with the Court. The County Attorney may make the referral for one or more of the following services:
  - i. RESCU [Restoration, Education, Skills, Change, and You]:

A three hour, cognitive-based program which utilizes the Interactive Journal series, "Forward Thinking" and is focused on providing parents/guardians and their youth a safe space to discuss the young person's choices, risks, and accountability.
  - ii. Restorative Group Conferencing:

A practice which acknowledges that when a crime is committed, real harm is caused to real people and thus, all stakeholders must be included when deciding how a person should repair the harm caused.
  - iii. Case Management:

The County Attorney will send a referral notice to the BASC Intervention Program Specialist (IPS). The IPS will contact the youth and parent/guardian for an initial meeting. At this meeting, the youth and parent/guardian will be asked to sign a Release of Information for the IPS to contact the current case manager and any other relevant professionals and/or individuals in order to schedule a Collaborative Conference similar to the one described in Track A. This particular meeting will not be neutrally facilitated, and the youth/family will be expected to comply with the case plan developed in the Collaborative Conference to be successfully discharged from the alternative response program. Correctional out-of-home placement will not be considered for Track B Case Management as no formal adjudication has occurred. The IPS will be responsible for case management of the plan as it was developed in the Collaborative Conference. Conditions may include (but are not limited to) community service hours; participation in RESCU and/or restorative programming; random drug screens; referrals for mental health and/or chemical health assessments; mental health and/or chemical health treatment; monitoring school attendance and behavior.
- b. Youths referred to BASC for an alternative response will be under contract for a term specified by the County Attorney (90 or 180 days). If the youth does not complete the conditions and/or services for which they were referred, the IPS will consult with the County Attorney for possible prosecution. Youths will also understand that if at any time they receive another citation from law enforcement while under contract, the County Attorney reserves the right to pull the referred case into Court as well.
- c. The IPS will submit a 90 day report to the County Attorney regarding the youth's progress. Recommendations for the youth's successful discharge from the alternative response may be considered at that time if all conditions have been met and all parties agree that discharge is appropriate.
- d. Successful completion of the contract terms will result in the County Attorney's agreement not to prosecute the case, and thus the delinquency will not be marked on the youth's juvenile criminal record.

## 4. Communication amongst Systems

- a. Case managers will coordinate communication to provide a unified message to the youth and their family. It is important that clear and consistent communication exists to ensure the needs of the youth and family are addressed.
- b. Case managers should meet jointly with the youth and family once a month to go over Target Goal and Objectives (Appendix C).
- c. Case managers should touch base regarding a shared case at least once per month in addition to the Targeted Goals and Objectives meeting.

Each agency will still be responsible for submitting court reports necessary to meet the requirements of their respective systems

## Appendix C: Legislative Initiatives - MACCAC



### 2017 Minnesota Association of Community Corrections Act Counties' (MACCAC) Legislative Platform

Minnesota's correctional system is at a fundamental crossroads. With adequate investment and funding, community corrections can play a vital role in providing research driven approaches to address the challenges that lie ahead.

- **Community corrections in the form of probation and supervised release has traditionally been the backbone of Minnesota's criminal justice system. Yet in recent years, community corrections and offender programming have been increasingly underfunded.** In the past, Minnesota's reliance on community supervision rather than incarceration has proven both effective and efficient by providing a very high value for the public dollar while protecting public safety. As a result, the state is ranked as one of the highest users of community supervision in the nation, with nearly the lowest state prison incarceration rate at 47th out of 50 states. This is due in large part to the CCA Counties that supervise roughly 75% of the state's offenders in the community.
- **Statewide funding for community corrections has not kept pace at the level required to provide progressive, effective correctional practices proven by research to keep incarceration rates low, reduce recidivism, and increase public safety.** The costs of core correctional services are increasingly borne by the 33 CCA counties. Minnesota is now ranked 49th lowest in state funding of correctional community supervision, with only 2.7% of the state budget spent on community supervision. We are grateful for the progress made in the last biennium toward increased funding for the Community Corrections Act, however there is still only about \$1 million more in funds than there was in 2002.
- **At a minimum, we would ask that the legislature fund an inflationary increase for the CCA Subsidy in each year of the biennium in order to assist counties in maintaining their basic correctional systems.** Using the forecast inflation numbers from MMB, this would amount to \$1.58 million in the first year and \$1.62 million in the second year of the biennium. This would support the ongoing costs of supervision for a significant majority of those supervised in the community.
- **Effective supervision and offender programming in the community play a vital role in reducing prison growth, while producing preferable offender outcomes.** For example, in 2011 downward dispositional departures from the Minnesota Sentencing Guidelines saved the state the equivalent of 4,100 prison beds, which would have required more than a 40 percent increase in required prison capacity. Additionally, research has shown that offenders maintained in the community have better outcomes and re-offend at a lower rate than those committed to prison. However, state level efforts to affect changes in the prison population cannot come at the financial expense of the counties and must take into consideration all aspects of the criminal justice system.
- **A growing body of research indicates that community corrections supervision must address both short and long term issues in order to reduce public safety risk over the long term.** This research around evidence-based practices is demanding increased attention to offender risk and needs assessment, case planning, and targeting interventions specific to client needs; these cannot be implemented effectively without increased financial support at the state level. Minnesota counties will not be able to sustain current efforts to utilize proven evidence-based practices without increased state funding.

## Appendix C: Legislative Initiatives - MACCAC

### 2017 MACCAC Policy Positions

#### **Community Corrections Act (CCA) Jurisdictions**

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

#### **Distribution of Funds**

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

#### **Sex Offender Supervision**

MACCAC supports legislation that takes a strong statewide approach to sex offender supervision by effectively monitoring overall behavior and activities of offenders, rather than simply restricting where they reside. Residency restriction laws do nothing to address offender treatment or overall risk reduction, which are paramount to protecting public safety. MACCAC supports increased state funding for local implementation of any enhanced state standards for the supervision of sex offenders, particularly those offenders that may transition to the community from the state Minnesota Sex Offender Program (MSOP).

#### **Pre-Trial Services**

MACCAC supports appropriate funding to accompany any new expectation for the provision of pre-trial services. Efforts toward more statewide uniformity in availability of these services are not without merit but will create additional workload for CCA jurisdictions.

#### **Probation Length**

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

#### **STS Liability**

MACCAC supports statutory revisions that will allow all claims related to Sentenced to Service (STS) injuries to continue to be paid by the state even in cases where the offender is working off supervision or other fees.

#### **Re-Entry**

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

#### **Juvenile Sex Offender Registration**

MACCAC supports revised juvenile sex offender registration requirements that focus on the appropriate group of the most serious offenders.

#### **Effective Mental Health Services**

MACCAC supports legislation to provide a continuum of effective mental health services for offenders suffering from mental health issues. Providing adequate and effective mental health treatment in a timely manner increases public safety and allows appropriate offenders to be maintained in the community rather than warehoused in a more costly jail or prison bed. MACCAC supports increased state funding for implementation of a full continuum of mental health services available to offenders at the local community level. In addition, MACCAC urges the legislature to address the urgent need for appropriate treatment and residential settings for juveniles with mental health issues.

#### **Alcohol Impact Fee for Probation and Treatment**

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

#### **Human Trafficking**

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

**Minnesota Association of Community Corrections Act Counties**

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## Appendix D: Legislative Initiatives - MACPO



### **2017 Minnesota Association of County Probation Officers' (MACPO) Legislative Initiatives**

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

- Increase County Probation Officers funding
- Delineate funding for all three delivery systems (DOC, CPO, CCA) into separate line items using actual figures for each delivery system in the Commissioner of Corrections' budget
- Restore funding for unfunded mandates
- Legislation to amend 244.19 subdivision 1; to allow CPO Agencies the option to supervise felons
- Supports mental health legislation
- Supports revision of sentencing of juveniles without parole statute, eliminating life without parole as sentencing option.
- Supports changing driver's license requirements to be changed for person participating in Minnesota Ignition Interlock Program.

**For further information on MACPO's 2017 Legislative Initiatives, please contact:**

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## 2017 Minnesota Corrections Association's (MCA) Legislative Agenda

### **Mental Health Alternatives to Jail and Prison**

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

### **Offender Reentry**

Transition from incarceration and court sanctions to the community is key to offender success and therefore critical for improving public safety and saving taxpayer money. Policies that support offender education, housing, employment, and mental health services will reduce recidivism. Recent increased local restrictions on the ability of registered offenders to obtain housing undermines public safety and correctional supervision.

### **Voting Rights Restoration**

Minnesotans who have been convicted of a felony but are living in the community should be given the fundamental right to vote, as a way to increase their positive engagement in the community.

### **Smart Sentencing and Supervision**

Public safety can be enhanced while saving taxpayer money by:

- Continuing to revise Minnesota drug sentences to remove disparities and ineffective mandatory minimums; and
- Ensure adequately funded and safe supervision in the community.

### **Unique Needs of Juveniles in the Areas of Mental Health and Substance Abuse**

- Intervention funding to include supporting additional facilities and treatment providers.
- Trauma informed screening and assessment tools; and Trauma Informed Care (TIC) training for professionals.
- Designated funding to pay for diagnostic assessments.
- Chemical dependency treatment funding.
- Early improved mental health screening to include prior to adjudication.
- Data sharing law revision to allow corrections and human services to work together.

### **Juvenile Sentencing to Life without Parole**

- Eliminate the sentence of life without the possibility of parole for juveniles.
- Current sentencing should be revised to life with the possibility of parole after serving a minimum of twenty years.
- Review of life sentence when eligible for parole should be done by the Commissioner of Corrections based on relevant factors including background and conduct during imprisonment.

### **Juvenile Predatory Offender Registration**

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

