

UTAH JUVENILE JUSTICE WORKING GROUP

September 1, 2016 Meeting Executive Summary

On September 1, 2016, the Utah Juvenile Justice Working Group met for the fourth time. The Working Group reviewed follow-up data analysis based on data from the Court and Agencies Record Exchange system (CARE). In addition, Dr. Edward Mulvey of the Western Psychiatric Institute and Clinic at the University of Pittsburgh School of Medicine presented research on current research about improving juvenile justice outcomes. Working Group members then discussed how Utah's current practices, policies, and data findings did or did not align with key research principles for effective juvenile justice practices. Lastly, Working Group members began planning for the subgroup policy development meetings.

Utah Juvenile Justice System Assessment – Follow-Up Data

Follow-up data requested by Working Group members was reviewed and discussed at the start of the meeting. The follow-up Utah data analysis presentation examined youth who enter the system at age 17, race and ethnicity breakdowns by district and offense type, time under court jurisdiction, probation and custody trajectories, Juvenile Justice Services (JJS) out-of-home population and costs, and recidivism in Utah's juvenile and adult system.

Key Takeaways: Some of the Working Group's key takeaways from the follow-up data analysis presentation included:

- 41% of youth who are 17 at their first intake get a petition, 90% of which are for misdemeanors or status offenses
- A lower proportion of youth who receive a non-judicial at their first intake have subsequent charges (compared to a petition at their first intake), even when only looking at outcomes for youth whose new charges would be captured in the juvenile justice system
- Racial disparities increase as youth get deeper in the juvenile justice system, but the size of the disparity varies by judicial district and offense level

- For youth who spend time on probation, detention or in custody, it is at least 3 years on average from their first charge to the end of their last disposition before aging out
 - Total time under court jurisdiction is inflated by suspended/overlapping dispositions across multiple cases
- Most youth who are put on probation or in custody did not get a non-judicial on their first intake
 - The majority of the youth who got petitioned were charged with misdemeanor or status offenses
- For the youth's first placement, 76% of youth placed in DCFS custody, 40% of youth placed in JJS community placement and 17% of youth placed in secure care do not have a prior felony their history
 - The majority of these youth placed in DCFS or JJS community placement on contempt do not have a prior felony
- The majority of probationers and DCFS custody youth, and nearly half of JJS community placement youth, have 2 or fewer prior delinquency episodes before their first placement
 - Youth placed in JJS secure have more prior delinquency history
- Most youth have already experienced a substantial increase in their risk level from their first assessment prior to being placed on probation or in custody
 - The risk profile for DCFS youth increases substantially between their most recent risk assessment and their last assessment before aging out
- Despite significant variation in cost, overall recidivism rates are similar for youth released from probation and JJS custody
 - About 50% are re-adjudicated or re-convicted within 2 years of release
- Most JJS out-of-home population declines (except detention) are consistent with declines in dispositions
- Community placement residential beds are the most frequently utilized out of home placement, and cost nearly \$44,000 per bed per year on average

Research on Effective Juvenile Justice Practices

The Working Group then listened to Dr. Mulvey present on a number of juvenile justice research topics, including the science of adolescent development, patterns of offending, the effect of institutional placements on recidivism, and evidence-based programs in the juvenile justice system. The Working Group also examined the following nine principles derived from the research presentation:

- **Use objective, structured assessments and decision-making tools to reduce offending,** to identify high-risk youth, hold youth accountable, assist in appropriate placement, and guide the use of graduated sanctions and incentives
- **Match placement, supervision, and treatment to youth's risk and needs,** and deliver services in adequate amounts and quality
- **Invest in evidence-based programs monitored for quality, ensuring appropriate intensity to lower recidivism and improve outcomes.** Community-based services implemented with fidelity can reduce reoffending and improve outcomes
- **Target supervision and services to the highest risk offenders**
- **Do no harm to the youth at low risk of reoffending,** as over-involvement with the juvenile system can make things worse for low-risk youth
- **Out-of-home placements do not improve outcomes for most youth.** It is possible to reduce the rate and duration of institutional placements for certain offenders and increase the level of community-based services while improving public safety
- **There is no convincing evidence that longer lengths of stay in out-of-home placements reduce recidivism.** A recent study showed no change in re-arrest rates for youth staying more than 3 months out of home
- **Do not rely on predominately punitive policies to promote public safety,** as they do not foster pro-social development or reduce recidivism. Specific programs and interventions that emphasize only control or deterrence point to poor outcomes for juvenile offenders
- **Fairness (perceived or real) promotes positive outcomes for youth;** conversely, punishing youth in an unfair process (perceived or real) reinforces social disaffection and antisocial behavior

Alignment of Utah's Juvenile Justice System with the Key Research Principles

The Working Group discussed several ways the Utah Juvenile Justice System does not align with the key research principles. The information gleaned from the principles and misalignment will help inform members as they move into the policy development discussions.

Policy Subgroup Planning

The Working Group members began planning the subgroup meetings and broke into three subgroups:

1. Pre-Adjudication
2. Investment and Oversight
3. Disposition

The subgroups will meet multiple times before the October Working Group meeting to explore options in these areas and bring recommendations to the larger Working Group for consideration.

Next Steps

The next Working Group meeting will take place on Friday, October 21 at 8:30 a.m. in the Aspen Room of the Senate Building. Prior to this meeting, Working Group members will hold subgroup meetings to begin policy discussions. The Working Group will commence policy development discussions by reviewing initial recommendations from the subgroups.

The Working Group is acting on the charge of state leadership to develop comprehensive policy recommendations to improve the juvenile justice system. The charge is to:

- Promote public safety and hold juvenile offenders accountable;
- Control costs, and
- Improve recidivism and other outcomes for youth, families, and communities.

These recommendations will be used as the foundation for statutory, budgetary, and administrative changes during the 2017 legislative session.