Utah Juvenile Justice Working Group
Charge to the Working Group

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

The Working Group’s recommendations will be used as “the foundation for statutory, budgetary and administrative changes to be introduced in the legislature during the 2017 session.”

<table>
<thead>
<tr>
<th>Governor</th>
<th>Senate President</th>
<th>Executive Director, CCJJ</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gary Herbert</td>
<td>Wayne Niederhauser</td>
<td>Ron Gordon</td>
</tr>
<tr>
<td>Chief Justice</td>
<td>House Speaker</td>
<td>Executive Director, DHS</td>
</tr>
<tr>
<td>Matthew Durrant</td>
<td>Gregory Hughes</td>
<td>Ann Williamson</td>
</tr>
</tbody>
</table>
Working Group Process and Timeline

June-August
- Data Analysis
- System Assessment

September
- Research Review
- Data Follow-Up
- Policy Development
- Subgroups

October
- Subgroups
- Policy Development
- Policy Consensus

November
- Policy Consensus
- Final Report

Stakeholder Engagement
# Stakeholder Roundtables

<table>
<thead>
<tr>
<th>Completed</th>
<th>Pending</th>
</tr>
</thead>
<tbody>
<tr>
<td>• JJS Secure Care ADPs (7/12)</td>
<td>• DCFS Staff (9/12)</td>
</tr>
<tr>
<td>• JJS Secure Care Staff (7/13)</td>
<td>• DCFS Youth (9/12)</td>
</tr>
<tr>
<td>• JJS Secure Care Youth (7/13)</td>
<td>• Victims (9/12)</td>
</tr>
<tr>
<td>• Probation officers (8/3)</td>
<td>• Law enforcement (TBD)</td>
</tr>
<tr>
<td>• Probation supervisors (8/3)</td>
<td>• JJS Proctor Care Youth (TBD)</td>
</tr>
<tr>
<td>• Probation chiefs (8/3)</td>
<td></td>
</tr>
<tr>
<td>• Juvenile Defense Attorneys (8/10)</td>
<td></td>
</tr>
<tr>
<td>• Education—Pre-Court (8/10)</td>
<td></td>
</tr>
<tr>
<td>• Education—Facilities (8/10)</td>
<td></td>
</tr>
<tr>
<td>• JJS Rural Services ADPs (8/11)</td>
<td></td>
</tr>
<tr>
<td>• Families (8/11)</td>
<td></td>
</tr>
<tr>
<td>• Secure Detention Staff (8/12)</td>
<td></td>
</tr>
<tr>
<td>• Secure Detention Youth (8/12)</td>
<td></td>
</tr>
<tr>
<td>• JJS Long-Term Secure Staff (8/15)</td>
<td></td>
</tr>
<tr>
<td>• JJS Long-Term Secure Youth (8/15)</td>
<td></td>
</tr>
<tr>
<td>• Work Camp Staff (8/15)</td>
<td></td>
</tr>
<tr>
<td>• Work Camp Youth (8/16)</td>
<td></td>
</tr>
<tr>
<td>• Community Partners (8/12, 8/16)</td>
<td></td>
</tr>
<tr>
<td>• Judges (8/25)</td>
<td></td>
</tr>
<tr>
<td>• Prosecutors (8/29)</td>
<td></td>
</tr>
<tr>
<td>• Probation youth (8/30)</td>
<td></td>
</tr>
</tbody>
</table>
Agenda

1. Follow Up Data Analysis: 8:45-10:15
2. Research Presentation: 10:30-12:00
3. Lunch Break: 12:00-12:30
4. Working Group Discussion on Research Principles and Key Takeaways from Utah System Assessment: 12:30-2:00
5. Policy Subgroup Planning: 2:00-2:30
Overall Key Takeaways

Drivers Analysis and System Assessment
Overall Key Takeaways: System Assessment Presentation 1

- **Decision-making**
  - Opportunities for early intervention exist through services in the community, but some alternatives to court referrals and secure detention are not available in all parts of the state.
  - No assessment tools are used to inform detention decisions.
  - Non-judicial adjustment is available as an alternative to court processing, but is limited to certain offenses, is not required in any case, and may be an aggravating factor in future cases.
  - Only about one-third of judges report defense counsel is appointed for all offense types.
  - No statutory requirements regarding overall supervision length or custody disposition options, and judges often depart from sentencing guidelines.
Overall Key Takeaways: System Assessment Presentation 1

- **Youth flow**
  - Utah’s total arrest rate is higher than the national average due to low-level crime
  - Violent crime rates are lower than the national average and have declined faster
  - The number of youth entering the court system for the first time has declined 35% since 2008
  - More Hispanic youth enter the system than are represented in the Utah youth population
  - The proportion of youth who receive a non-judicial adjustment on their first intake is declining
  - There is district variation in the proportion of youth who receive a non-judicial adjustment at first intake
  - A higher proportion of misdemeanants and status offenders who receive a petition at first intake have subsequent charges, compared to those who receive non-judicial adjustment at first intake
  - Contempt charges primarily drive the difference
Overall Key Takeaways: System Assessment Presentation 1

- **Youth flow**
  - More than 400 youth are detained pre-adjudication on first intake
  - Misdemeanor assault, retail theft, and marijuana offenses are among the most common charges for these youth; 44% are low risk
  - A higher proportion of adjudicated youth who receive a detention disposition have subsequent charges compared to overall adjudicated youth
  - Gap holds for specifically low-risk youth
  - Marijuana, assault, and truancy are 3 of top 4 offenses that receive a detention disposition
  - Community service, fine, and/or restitution are most common dispositions for youth adjudicated at first intake
  - Half of youth ordered to detention on first adjudication have new charges within 1 year
  - Many youth have more serious subsequent dispositions and spend more time under court jurisdiction before aging out even though offenses are not getting more serious over time
Overall Key Takeaways: System Assessment Presentation 2

• **Decision-making**
  – Options and availability of services for youth residing at home may vary regionally, and a majority of probation officers and JJS Case Managers report barriers to service access
  – JJS and Probation offer similar types of contracted services and report similar top needs among the youth they supervise
  – All youth have 18 required standard probation conditions, and many have additional special conditions, regardless of risk level or offense type
  – There is no clear statutory guidance on probation length, probation termination, or responses to technical violations
  – Although sentencing guidelines intend O&A to be used solely as a diagnostic tool and not as a disposition in and of itself, statute does not limit placement
  – Statute allows secure detention to be used at the court’s discretion for all types of cases except status offenses
  – There are no statutory guidelines for length of stay out of home for JJS community placement or DCFS placement, except for the jurisdictional age of 21
Overall Key Takeaways: System Assessment Presentation 2

• **Youth flow**
  – PSRA assessments show that low proportions of youth entering the juvenile justice system have criminogenic needs
  – The largest declines in dispositions are for probation and JJS secure care, outpacing declines in new intakes
  – Racial disparities are present for all types of probation and custody dispositions, compared to the demographics of new intakes or the youth population
    – The largest racial disparity in the system is for Black youth disposed to DCFS placement
  – There is substantial variation in whether judicial districts’ use of O&A, detention, JJS custody or DCFS custody is consistent with their proportion of new intakes
  – Detention dispositions are the most frequently utilized out-of-home placement
Overall Key Takeaways: System Assessment Presentation 2

- **Youth flow**
  - The majority of probation and out-of-home dispositions are for non-felony cases
  - Contempt charges are the largest drivers of O&A, detention, JJS community placement, and DCFS dispositions
  - Youth often stay out of home longer for contempt charges than misdemeanors on average
  - DCFS custody dispositions are longer than JJS community placement or secure care dispositions
  - Almost all probation and custody youth spend time in detention at some point
  - While very few of the youth who are put on probation or in JJS custody started as high risk when they entered the court system, most leave the system high risk
  - Community supervision costs as much as $7,500 per youth on a caseload per year while JJS residential beds cost as much as $127,750 per year
96% of 17 year olds’ first juvenile intake was for a misdemeanor or status offense

Most Serious Offense for 17 Year Olds at First Intake, 2015 (N=1571)

- Class B Misd 67%
- Class C Misd/ Status/ Infraction 22%
- Class A Misd 7%
- Felony 4%
59% of 17 year olds get a non-judicial at their first intake, but 90% of new intake petitions were for misdemeanor or status offenses.

First Intake Decision for 17 Year Olds at First Intake, 2015 (N=1578)

- 59% of first intake petitions were non-judicial at first intake.
- 90% of first intake petitions were for misdemeanor or status offense.
- 41% of first intake petitions were petition at first intake.
Gap in proportion of non-judicial youth and petition youth who have new charges holds for youth under 17

Proportion of Youth With a New Charge Within 1 Year of First Intake

% First Intake Non-Judicial < 17 Years Old
% First Intake Petition < 17 Years Old
Gap in proportion of non-judicial youth and petition youth who have new charges holds for youth under 16

Proportion of Youth With a New Charge Within 2 Years of First Intake

- % First Intake Non-Judicial < 16 Years Old
- % First Intake Petition < 16 Years Old
Gap in proportion of non-judicial youth and petition youth who have new charges holds for youth under 15

Proportion of Youth With a New Charge Within 3 Years of First Intake

<table>
<thead>
<tr>
<th>Year</th>
<th>% First Intake Non-Judicial &lt; 15 Years Old</th>
<th>% First Intake Petition &lt; 15 Years Old</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>52%</td>
<td>63%</td>
</tr>
<tr>
<td>2009</td>
<td>50%</td>
<td>63%</td>
</tr>
<tr>
<td>2010</td>
<td>47%</td>
<td>62%</td>
</tr>
<tr>
<td>2011</td>
<td>47%</td>
<td>61%</td>
</tr>
<tr>
<td>2012</td>
<td>49%</td>
<td>58%</td>
</tr>
</tbody>
</table>
No difference in proportion of youth originally charged with drug offenses that have subsequent charges

Proportion of Youth with New Charge Within 1 Year of First Intake

- First Intake Petition - Marijuana, Drug Paraphenalia or Alcohol
- First Intake Petition - Overall
Race and Ethnicity Breakdown by District

Data
First District disparities for Black and Hispanic youth increase for probation and custody dispositions

Race and Ethnicity: First District

<table>
<thead>
<tr>
<th>Category</th>
<th>White Non-Hispanic</th>
<th>Hispanic/Latino</th>
<th>Black/African American non-Hispanic</th>
<th>Other Non-White Race/Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Youth Population 2015 (N=34,766)</td>
<td>83%</td>
<td>4%</td>
<td>12%</td>
<td>1%</td>
</tr>
<tr>
<td>New Intakes 2015 (N=508)</td>
<td>76%</td>
<td>4%</td>
<td>19%</td>
<td>1%</td>
</tr>
<tr>
<td>Probation Dispositions 2015 (N=135)</td>
<td>59%</td>
<td>30%</td>
<td>6%</td>
<td>64%</td>
</tr>
<tr>
<td>JJS Community Placement Dispositions 2012-2015 (N=168)</td>
<td>33%</td>
<td>31%</td>
<td>6%</td>
<td>58%</td>
</tr>
<tr>
<td>JJS Secure Care Dispositions 2012-2015 (N=48)</td>
<td>75%</td>
<td>2%</td>
<td>6%</td>
<td>19%</td>
</tr>
<tr>
<td>DCFS Dispositions 2012-2015 (N=16)</td>
<td>75%</td>
<td>0%</td>
<td>6%</td>
<td>19%</td>
</tr>
</tbody>
</table>

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015
Second District disparities for Black and Hispanic youth increase for probation and custody dispositions

Race and Ethnicity: Second District

<table>
<thead>
<tr>
<th>Category</th>
<th>White Non-Hispanic</th>
<th>Other Non-White Race/Ethnicity</th>
<th>Hispanic/Latino</th>
<th>Black/African American non-Hispanic</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Youth Population 2015</td>
<td>80%</td>
<td>1%</td>
<td>14%</td>
<td>5%</td>
</tr>
<tr>
<td>New Intakes 2015 (N=1,184)</td>
<td>67%</td>
<td>9%</td>
<td>25%</td>
<td>1%</td>
</tr>
<tr>
<td>Probation Dispositions 2015 (N=370)</td>
<td>57%</td>
<td>33%</td>
<td>9%</td>
<td>5%</td>
</tr>
<tr>
<td>JJS Community Placement Dispositions 2012-2015 (N=591)</td>
<td>59%</td>
<td>45%</td>
<td>35%</td>
<td>7%</td>
</tr>
<tr>
<td>JJS Secure Care Dispositions 2012-2015 (N=175)</td>
<td>45%</td>
<td>30%</td>
<td>45%</td>
<td>1%</td>
</tr>
<tr>
<td>DCFS Dispositions 2012-2015 (N=81)</td>
<td>64%</td>
<td>1%</td>
<td>30%</td>
<td>5%</td>
</tr>
</tbody>
</table>

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015*
Third District disparities for Black and Hispanic youth increase for probation and custody dispositions

Race and Ethnicity: Third District

<table>
<thead>
<tr>
<th>Category</th>
<th>White Non-Hispanic</th>
<th>Hispanic/Latino</th>
<th>Black/African American</th>
<th>Other Non-White Race/Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Youth Population 2015</td>
<td>65%</td>
<td>9%</td>
<td>24%</td>
<td>7%</td>
</tr>
<tr>
<td>New Intakes 2015 (N=2,448)</td>
<td>59%</td>
<td>7%</td>
<td>31%</td>
<td>4%</td>
</tr>
<tr>
<td>Probation Dispositions 2015 (N=554)</td>
<td>44%</td>
<td>6%</td>
<td>40%</td>
<td>10%</td>
</tr>
<tr>
<td>JJS Community Placement Dispositions 2012-2015 (N=1,055)</td>
<td>40%</td>
<td>8%</td>
<td>52%</td>
<td>8%</td>
</tr>
<tr>
<td>JJS Secure Care Dispositions 2012-2015 (N=303)</td>
<td>36%</td>
<td>6%</td>
<td>52%</td>
<td>6%</td>
</tr>
<tr>
<td>DCFS Dispositions 2012-2015 (N=684)</td>
<td>48%</td>
<td>5%</td>
<td>36%</td>
<td>12%</td>
</tr>
</tbody>
</table>

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015*
Disparities in Fourth District vary for different types of dispositions

Race and Ethnicity: Fourth District

- District Youth Population: State of Utah School Enrollment Demographics Data, 2015

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015*
Disparities in Fifth District vary for different types of dispositions

Race and Ethnicity: Fifth District

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>District Youth Population</td>
<td>82%</td>
<td>6%</td>
<td>10%</td>
<td>72%</td>
<td>78%</td>
<td>10%</td>
</tr>
<tr>
<td>New Intakes</td>
<td>75%</td>
<td>6%</td>
<td>6%</td>
<td>75%</td>
<td>74%</td>
<td>74%</td>
</tr>
<tr>
<td>Probation Dispositions</td>
<td>74%</td>
<td>3%</td>
<td>10%</td>
<td>75%</td>
<td>72%</td>
<td>7%</td>
</tr>
<tr>
<td>JJS Community Placement Disposi</td>
<td>72%</td>
<td>22%</td>
<td>6%</td>
<td>75%</td>
<td>78%</td>
<td>12%</td>
</tr>
<tr>
<td>JJS Secure Care Dispositions</td>
<td>78%</td>
<td>4%</td>
<td>16%</td>
<td>76%</td>
<td>75%</td>
<td>18%</td>
</tr>
<tr>
<td>DCFS Dispositions</td>
<td>73%</td>
<td>7%</td>
<td>6%</td>
<td>75%</td>
<td>74%</td>
<td>6%</td>
</tr>
</tbody>
</table>

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015
Sixth District disparities are smallest for secure care dispositions; vary at other points in system

Race and Ethnicity: Sixth District

- District Youth Population 2015 (N=12,945)
- New Intakes 2015 (N=214)
- Probation Dispositions 2015 (N=52)
- JJS Community Placement Dispositions 2012-2015 (N=63)
- JJS Secure Care Dispositions 2012-2015 (N=14)
- DCFS Dispositions 2012-2015 (N=38)

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015
Seventh District disparities vary throughout the system; not as large among young coming into the system.

**Race and Ethnicity: Seventh District**

- District Youth Population: 2015 (N=10,029)
- New Intakes 2015 (N=228)
- Probation Dispositions 2015 (N=34)
- JJS Community Placement Dispositions 2012-2015 (N=97)
- JJS Secure Care Dispositions 2012-2015 (N=24)
- DCFS Dispositions 2012-2015 (N=104)

- White Non-Hispanic
- Hispanic/Latino
- American Indian
- Other Race/Ethnicity

*District Youth Population: State of Utah School Enrollment Demographics Data, 2015*
Eighth District disparities not present among new intakes, but increase for probation and custody dispositions

Race and Ethnicity: Eighth District

- White Non-Hispanic
- Hispanic/Latino
- American Indian
- Other Race/Ethnicity

- District Youth Population: State of Utah School Enrollment Demographics Data, 2015
Race and Ethnicity Breakdown by Offense
Within felony offenses, disparities are largest for Hispanic youth sent to secure care and Black youth sent to DCFS.

Race and Ethnicity: Felony Offenses

- **Utah Youth Population 2015 (N=566,808)**
  - White Non-Hispanic: 75%
  - Hispanic: 7%
  - Black/African American non-Hispanic: 17%
  - Other Race/Ethnicity: 1%

- **New Intakes 2015 (N=402)**
  - White Non-Hispanic: 70%
  - Hispanic: 4%
  - Black/African American non-Hispanic: 25%
  - Other Race/Ethnicity: 1%

- **Probation Dispositions 2015 (N=324)**
  - White Non-Hispanic: 65%
  - Hispanic: 7%
  - Black/African American non-Hispanic: 26%
  - Other Race/Ethnicity: 4%

- **JJS Community Placement Dispositions 2015 (N=102)**
  - White Non-Hispanic: 39%
  - Hispanic: 8%
  - Black/African American non-Hispanic: 4%
  - Other Race/Ethnicity: 3%

- **JJS Secure Care Dispositions 2015 (N=64)**
  - White Non-Hispanic: 64%
  - Hispanic: 4%
  - Black/African American non-Hispanic: 29%
  - Other Race/Ethnicity: 3%

- **DCFS Placement 2015 (N=26)**
  - White Non-Hispanic: 46%
  - Hispanic: 15%
  - Black/African American non-Hispanic: 31%
  - Other Race/Ethnicity: 8%

*Utah Youth Population: State of Utah School Enrollment Demographics Data, 2015*
Within misdemeanors, disparities are largest for Hispanic youth sent to community placement and Black youth sent to DCFS.

### Race and Ethnicity: Misdemeanor Offenses

<table>
<thead>
<tr>
<th>Category</th>
<th>White Non-Hispanic</th>
<th>Hispanic</th>
<th>Black/African American non-Hispanic</th>
<th>Other Race/Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utah Youth Population 2015</td>
<td>75%</td>
<td>17%</td>
<td>1%</td>
<td>3%</td>
</tr>
<tr>
<td>New Intakes 2015 (N=4635)</td>
<td>69%</td>
<td>23%</td>
<td>5%</td>
<td>14%</td>
</tr>
<tr>
<td>Probation Dispositions 2015</td>
<td>57%</td>
<td>32%</td>
<td>8%</td>
<td>5%</td>
</tr>
<tr>
<td>JJS Community Placement Dispositions 2015 (N=148)</td>
<td>44%</td>
<td>43%</td>
<td>7%</td>
<td>3%</td>
</tr>
<tr>
<td>JJS Secure Care Dispositions 2015 (N=38)</td>
<td>50%</td>
<td>37%</td>
<td>3%</td>
<td>11%</td>
</tr>
<tr>
<td>DCFS Placement (N=106)</td>
<td>54%</td>
<td>29%</td>
<td>11%</td>
<td>3%</td>
</tr>
</tbody>
</table>

*Utah Youth Population: State of Utah School Enrollment Demographics Data, 2015*
For contempt and status offenses, disparities for Black and Hispanic youth vary throughout the system

Race and Ethnicity: Contempt/Status/Infraction Offenses

- Utah Youth Population 2015 (N=566,808)
  - White Non-Hispanic: 75%
  - Hispanic: 17%
  - Black/African American non-Hispanic: 1%
  - Other Race/Ethnicity: 3%

- New Intakes 2015 (N=1315)
  - White Non-Hispanic: 68%
  - Hispanic: 25%
  - Black/African American non-Hispanic: 3%
  - Other Race/Ethnicity: 1%

- Probation Dispositions 2015 (N=427)
  - White Non-Hispanic: 53%
  - Hispanic: 37%
  - Black/African American non-Hispanic: 8%
  - Other Race/Ethnicity: 5%

- JJS Community Placement Dispositions 2015 (N=176)
  - White Non-Hispanic: 51%
  - Hispanic: 38%
  - Black/African American non-Hispanic: 7%
  - Other Race/Ethnicity: 6%

- JJS Secure Care Dispositions 2015 (N=27)
  - White Non-Hispanic: 48%
  - Hispanic: 44%
  - Black/African American non-Hispanic: 3%
  - Other Race/Ethnicity: 7%

- DCFS Placement (N=146)
  - White Non-Hispanic: 55%
  - Hispanic: 30%
  - Black/African American non-Hispanic: 6%
  - Other Race/Ethnicity: 4%

*Utah Youth Population: State of Utah School Enrollment Demographics Data, 2015
Difference in time under court jurisdiction driven by suspended overlapping dispositions on different cases

Youth Who Aged Out and Spent Time on Probation
First Intake 2008-2011

Average Number of Years from First Intake Date to Last Closure Date

Average Number of Years Under Court Jurisdiction (Disposition Lengths Tracked Across Multiple Cases)
Difference in time under court jurisdiction driven by suspended overlapping dispositions on different cases

Youth Who Aged Out and Received JJS Detention Disposition, First Intake 2008-2011

Average Number of Years from First Intake Date to Last Closure Date

Average Number of Years Under Court Jurisdiction (Disposition Lengths Tracked Across Multiple Cases)
Difference in time under court jurisdiction driven by suspended overlapping dispositions on different cases

Youth Who Aged Out and Spent Time in DCFS Custody
First Intake 2008-2011

Average Number of Years from First Intake Date to Last Closure Date

Average Number of Years Under Court Jurisdiction (Disposition Lengths Tracked Across Multiple Cases)
Difference in time under court jurisdiction driven by suspended overlapping dispositions on different cases

Youth Who Aged Out and Spent Time in JJS Community Placement, First Intake 2008-2011

Average Number of Years from First Intake Date to Last Closure Date
Average Number of Years Under Court Jurisdiction (Disposition Lengths Tracked Across Multiple Cases)
Difference in time under court jurisdiction driven by suspended overlapping dispositions on different cases

Youth Who Aged Out and Spent Time in JJS Secure Care
First Intake 2008-2011

Average Number of Years from First Intake Date to Last Closure Date

Average Number of Years Under Court Jurisdiction (Disposition Lengths Tracked Across Multiple Cases)
Probation and Custody Trajectories
This section reviews the trajectories of 5,232 youth who spent time on probation or in long-term JJS/DCFS custody

<table>
<thead>
<tr>
<th>Youth Aged Out First Intake 2008-2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Spent Time on Probation or in JJS/DCFS Custody</td>
</tr>
<tr>
<td>Youth Spent Time on Probation</td>
</tr>
<tr>
<td>Youth Spent Time in DCFS Custody</td>
</tr>
<tr>
<td>Youth Spent Time in JJS Community Placement</td>
</tr>
<tr>
<td>Youth Spent Time in JJS Secure Care</td>
</tr>
</tbody>
</table>
Trajectory for Youth Put on Probation

Data
Most probationers are placed in detention before probation; of those put in custody, majority are placed after probation.

<table>
<thead>
<tr>
<th>Placement Type</th>
<th>Youth Spent Time on Probation (N=4388)</th>
<th>Of Those Placed, Proportion Placed After Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placed in Detention</td>
<td>88%</td>
<td>24%</td>
</tr>
<tr>
<td>Placed in DCFS Custody</td>
<td>9%</td>
<td>58%</td>
</tr>
<tr>
<td>Placed in JJS Community Placement</td>
<td>24%</td>
<td>96%</td>
</tr>
<tr>
<td>Placed in JJS Secure Care</td>
<td>5%</td>
<td>100%</td>
</tr>
</tbody>
</table>
1/3 of youth put on probation end up in DCFS or JJS custody before aging out

Youth Spent Time on Probation

- Put in JJS or DCFS custody: 1450 youth (33%)
- Not Put in JJS or DCFS Custody: 2938 youth (67%)

The following slides in this section only show data for the 2938 youth who are not put in DCFS or JJS custody.
Only 39% of youth put on probation got a non-judicial adjustment at their first intake

First Intake Decision for Youth Put on Probation but Not Custody (N=2938)

- 39% Non-Judicial at First Intake
- 61% Petition at First Intake

64% of first intake petitions were for misdemeanor or status offense
Half of the youth first put on probation for a misdemeanor, and half have a misdemeanor as their most serious offense.
For youth who had felony in history, most of them had a recent felony

<table>
<thead>
<tr>
<th>Youth Put on Probation with Prior Felony Offense in History (N=1426)</th>
<th>Average Time Since Felony Offense (Months)</th>
<th>Proportion of Youth Whose Felony Offense Was More than 1 Year Ago</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3.7</td>
<td>8%</td>
</tr>
</tbody>
</table>
About 3/4 of youth who are put on probation have 2 or fewer prior delinquency episodes
Youth are put on probation on average 1.5 years after their first charge.

<table>
<thead>
<tr>
<th>Youth Put on Probation but not Custody (N=2938)</th>
<th>Average Time Since First Offense Prior to First Probation (Years)</th>
<th>Proportion of Youth in System for More than 2 Years Prior to Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.5</td>
<td>32%</td>
</tr>
</tbody>
</table>
7% of probationers started as high risk; 32% were high risk when they were placed on probation; 37% were high risk when they left the system.
Youth Placed in DCFS Custody
Nearly all youth put in DCFS custody spend time in detention; 41% on probation; less than 1/5 in JJS custody

<table>
<thead>
<tr>
<th>Placed in Detention</th>
<th>Youth Placed in DCFS Custody for Delinquency or Status (N=774)</th>
<th>Of Those Put in Placed, Proportion Placed After DCFS Custody</th>
</tr>
</thead>
<tbody>
<tr>
<td>92%</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>Placed on Probation</td>
<td>41%</td>
<td>75%</td>
</tr>
<tr>
<td>Placed in JJS Community Placement</td>
<td>14%</td>
<td>82%</td>
</tr>
<tr>
<td>Placed in JJS Secure Care</td>
<td>6%</td>
<td>100%</td>
</tr>
</tbody>
</table>
Only 16% of youth placed in DCFS custody end up in JJS custody before aging out.

Youth Placed in DCFS Custody

- Placed in JJS Custody: 127 youth, 16%
- Not Placed in JJS Custody: 647 youth, 84%

The following slides in this section only show data for the 647 youth who are not put in JJS custody.
More than 2/3 of youth placed in DCFS custody got a petition at their first intake

First Intake Decision for Youth Placed in DCFS but not JJS Custody (N=647)

80% of first intake petitions were for misdemeanor or status offense

- Petition at First Intake: 68%
- Non-Judicial at First Intake: 32%
1/3 of the youth first placed in DCFS custody on contempt, and only 1/4 had a felony in their history.

Youth Placed in DCFS But Not JJS Custody (N=647)

- **Most Recent Offense Prior to First DCFS Disposition**
  - Felony: 14%
  - Misdemeanor: 41%
  - Status/Infraction: 14%
  - Contempt: 31%

- **Most Serious Offense in History Prior to First DCFS Disposition**
  - Felony: 12%
  - Misdemeanor: 63%
  - Status/Infraction: 24%
  - Contempt: 4%
16% of youth who did have a felony in their history were charged more than 1 year prior

<table>
<thead>
<tr>
<th>Youth Placed in DCFS but not JJS Custody with Prior Felony Offense in History (N=157)</th>
<th>Average Time Since Felony Offense (Months)</th>
<th>Proportion of Youth Whose Felony Offense Was More than 1 Year Prior</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6.1</td>
<td>16%</td>
</tr>
</tbody>
</table>
43% of youth have no current or prior delinquency episodes before they are put in DCFS custody
Youth are put in DCFS custody on average 1.4 years after their first charge.

<table>
<thead>
<tr>
<th>Youth Placed in DCFS but not JJS Custody (N=647)</th>
<th>Average Time Since First Offense Prior to First DCFS Disposition (Years)</th>
<th>Proportion of Youth in System for More than 2 Years Prior to DCFS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.4</td>
<td>27%</td>
</tr>
</tbody>
</table>
12% of DCFS youth started as high risk; 36% were high risk when they were placed with DCFS; 53% were high risk when they left the system.
Youth Placed in JJS Community Placement
Nearly all youth put in JJS community placement spend time in detention; nearly 3/4 had been on probation

<table>
<thead>
<tr>
<th>Placed in</th>
<th>Youth Placed in JJS Community Placement (N=1384)</th>
<th>Of Those Put in Placed, Proportion Placed After JJS Community Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detention</td>
<td>99%</td>
<td>2%</td>
</tr>
<tr>
<td>Probation</td>
<td>76%</td>
<td>4%</td>
</tr>
<tr>
<td>Custody</td>
<td>11%</td>
<td>87%</td>
</tr>
<tr>
<td>Secure Care</td>
<td>15%</td>
<td>100%</td>
</tr>
</tbody>
</table>
3/4 of the youth placed in JJS community placement were not placed in secure care or DCFS custody.

Youth Placed in JJS Community Placement

- Placed in DCFS Custody or JJS Secure Care
  - 326 youth
  - 24%
- Not Placed in DCFS Custody or JJS Secure Care
  - 1058 youth
  - 76%

The following slides in this section only show data for the 1058 youth who are not put in DCFS custody or JJS secure care.
More than 60% of youth placed in JJS community placement got a petition at their first intake

First Intake Decision for Youth Put in JJS Community Placement But Not DCFS or Secure Care (N=1058)

- 70% of first intake petitions were for misdemeanor or status offense
- 39% Petition at First Intake
- 61% Petition at First Intake
- Non-Judicial at First Intake 39%
1/4 of youth first placed in JJS community placement on contempt, 60% had a felony in their history.
18% of youth who did have a felony in history were charged more than 1 year prior.

<table>
<thead>
<tr>
<th>Youth Placed in JJS Community Placement but not DCFS or Secure Care with Prior Felony Offense in History (N=638)</th>
<th>Average Time Since Felony Offense (Months)</th>
<th>Proportion of Youth Whose Felony Offense Was More than 1 Year Prior</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6.5</td>
<td>18%</td>
</tr>
</tbody>
</table>
Nearly half of youth sent to JJS community placement have 2 or fewer prior delinquency episodes

Number of Delinquency Episodes Prior to JJS Community Placement, Youth Put in JJS Community Placement But Not DCFS or Secure Care (N=1051)

- First Delinquency Episode 12%
- 1-2 Prior Delinquency Episodes 34%
- 3-4 Prior Delinquency Episodes 30%
- 5+ Prior Delinquency Episodes 24%
Youth are put in JJS community placement 2.1 years on average after their first charge.

<table>
<thead>
<tr>
<th>Youth Placed in JJS Community Placement (N=1057)</th>
<th>Average Time Since First Offense Prior to JJS Community Placement Disposition (Years)</th>
<th>Proportion of Youth in System for More than 2 Years Prior to JJS Community Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.1</td>
<td>50%</td>
</tr>
</tbody>
</table>
10% of JJS community placement youth started as high risk; 55% were high risk when they were placed with JJS; 58% were high risk when they left the system.
Youth Placed in JJS Secure Care
All JJS secure care youth have a prior history of detention; 60% were in JJS community placement, 64% on probation.

<table>
<thead>
<tr>
<th>Placed in Detention</th>
<th>Youth Placed in JJS Secure Care (N=348)</th>
<th>Of Those Put in Placed, Proportion Placed After JJS Secure Care</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placed on Probation</td>
<td>64%</td>
<td>0%</td>
</tr>
<tr>
<td>Placed in JJS Community Placement</td>
<td>60%</td>
<td>1%</td>
</tr>
<tr>
<td>Placed in DCFS Custody</td>
<td>16%</td>
<td>0%</td>
</tr>
</tbody>
</table>

The following slides in this section show data for all 348 youth sent to secure care.
Nearly 2/3 of youth placed in secure care custody got a petition at their first intake.

First Intake Decision for Youth Placed in JJS Secure Care (N=348)

- Petition at First Intake: 65%
- Non-Judicial at First Intake: 35%

71% of first intake petitions were for misdemeanor or status offense.
17% of youth first placed in JJS secure care on contempt, 83% had a felony in their history.

Youth Placed in JJS Secure Care (N=348)

- Most Recent Offense Prior to First JJS Secure Care Dispositions
  - Felony: 36%
  - Misdemeanor: 17%
  - Status/Infraction: 51%
  - Contempt: 2%

- Most Serious Offense in History Prior to First JJS Secure Care Disposition
  - Felony: 83%
  - Misdemeanor: 17%
24% of youth who did have a felony in history were charged more than 1 year prior

<table>
<thead>
<tr>
<th>Youth Placed in JJS Secure Care (N=289)</th>
<th>Average Time Since Felony Offense (Months)</th>
<th>Proportion of Youth Whose Felony Offense Was More than 1 Year Prior</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7.9</td>
<td>24%</td>
</tr>
</tbody>
</table>
Half of youth placed in JJS secure care have 5 or more prior delinquency episodes

Number of Delinquency Episodes Prior to JJS Secure Care (N=347)

- First Delinquency Episode: 10%
- 1-2 Prior Delinquency Episodes: 18%
- 3-4 Prior Delinquency Episodes: 22%
- 5+ Prior Delinquency Episodes: 50%
Youth are put in JJS secure care nearly 3 years on average after their first charge

<table>
<thead>
<tr>
<th>Youth Placed in JJS Secure Care (N=348)</th>
<th>Average Time Since First Offense Prior to First JJS Secure Care Disposition (Years)</th>
<th>Proportion of Youth in System for More than 2 Years Prior to JJS Secure Care Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.8</td>
<td>67%</td>
</tr>
</tbody>
</table>
17% of JJS secure care youth started as high risk; 69% were high risk when they were placed in secure care; 71% were high risk when they left the system.

Youth Placed in JJS Secure Care (N=216)

- First Risk Assessment
  - Low: 50%
  - Moderate: 33%
  - High: 17%

- Most Recent Risk Assessment Prior to First JJS Secure Care Disposition
  - Low: 29%
  - Moderate: 69%
  - High: 3%

- Last Risk Assessment
  - Low: 3%
  - Moderate: 26%
  - High: 71%
JJS detention population down 45%, larger than the 32% decline in detention dispositions with bookings

![Graph showing the decline in detention population and dispositions from 2009 to 2015. The graph indicates a significant reduction in the number of youth in detention and the number of detention dispositions with bookings over the years.]
O&A population down 32%, consistent with 27% drop in O&A dispositions in the last year
JJS community placement population down 32%, consistent with 39% decline in dispositions

Residential Community Placement Population (Excluding Work Camp)

Youth in JJS Community Placement (Excluding Work Camp), July 1 Snapshot

JJS Community Placement Dispositions
JJS work camp population and admissions have been relatively consistent since 2009
JJS secure care population down 34%, consistent with 35% decline in secure care dispositions

Secure Care Population

Youth in Secure Care, July 1 Snapshot  JJS Secure Care Dispositions


0 50 100 150 200 250

202 187 130 123
Community placement residential beds are the most frequently utilized out of home placement, cost nearly $44,000 per bed per year on average.

Per Diem Out-of-Home Placement Comparison

- **Work Camp**: $208, 32
- **Locked Detention**: $193, 120
- **Observation & Assessment**: $191, 47
- **Community Placement Residential Programs***: $120, 374
- **Secure Facilities**: $260, 123

*Excluding work camp and residential treatment

**Average Daily Cost of Placement, FY 15**  **Number of Youth in Placement, July 2015**
Recidivism in the Juvenile or Adult System
Despite significant variation in cost, overall recidivism rates are similar for youth released from probation and JJS custody.

Recidivism in Juvenile or Adult Court Within 2 Years of Release from Probation or Custody, 2012 Releases

Source: JJS and AOC analysis for Pew/NCJJ Multi-state Recidivism Study
Overall Key Takeaways

Follow Up Data Analysis
Overall Key Takeaways: Follow Up Data Analysis

• Youth flow
  – 41% of youth who are 17 at their first intake get a petition, 90% of which are 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
Overall Key Takeaways: Follow Up Data Analysis

- **Youth flow**
  - 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
Overall Key Takeaways: Follow Up Data Analysis

• **Youth flow**
  – 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
Working Group Discussion

Does the Utah juvenile justice system align with research showing how to best protect public safety, hold youth accountable, and improve outcomes?

• If not, how does Utah’s system diverge from the research?
  – Are these areas that should be examined during the policy development phase?
Subgroup Planning

• Pre-Adjudication Subgroup
  – Pre-adjudication decision-making
  – Pre-adjudication court process

• Dispositions Subgroup
  – Disposition options
  – Supervision length

• Investment and Oversight Subgroup
  – Evidence-based practices and programming
  – Data collection, training, and oversight
Next Steps

• Subgroup Meetings (before Oct. 21)
• Stakeholder Roundtables
• October 21st Meeting
  – Policy Option Presentations by Subgroups
  – Policy Option Discussion by Working Group
• November 10th Meeting
  – Discussion of Working Group Report