Utah Juvenile Justice Working Group
Agenda

• Introductions (Chair)
• Charge (Chair)
• Process and timeline (Chair)
• National juvenile justice landscape (Pew)
• Discussion (Chair)
• Next steps (Chair)
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

<table>
<thead>
<tr>
<th></th>
<th>June-August</th>
<th>September</th>
<th>October</th>
<th>November</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Data Analysis</td>
<td>Research Review</td>
<td>Subgroups</td>
<td>Policy Consensus</td>
</tr>
<tr>
<td></td>
<td>System Assessment</td>
<td>Data Follow-Up</td>
<td>Policy Development</td>
<td>Final Report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Policy Development</td>
<td>Policy Consensus</td>
<td></td>
</tr>
</tbody>
</table>

**Stakeholder Engagement**
Stakeholder Engagement

Individual or group meetings with:

– Youth and families
– Law enforcement
– Judges
– Crime victims, survivors, and advocates
– Faith leaders
– Prosecutors
– Defense attorneys
– Probation officers
– Agency staff
– Service providers
– Educators
– Others as requested
Who we are

The Pew Charitable Trusts is a nonprofit organization that applies a rigorous, analytical approach to improve public policy, inform the public, and stimulate civic life.

Pew’s public safety performance project works with states to advance data-driven, fiscally sound policies and practices in the criminal and juvenile justice systems to protect public safety, hold offenders accountable, and contain costs.
Less crime, less commitment

Juvenile commitment rates (1997-2013) and juvenile violent crime index arrest rates (1997-2012) in the United States

VCI arrest rate (1997-2012): -55%
Commitment rate (1997-2013): -55%
Variation in commitment rates

U.S. juvenile commitment rate: 114 per 100,000 youth ages 10 to upper age of jurisdiction

2013 commitment rate per 100,000
- 20 to 80 (14)
- 81 to 110 (12)
- 111 to 140 (12)
- 141 to 302 (13)
States facing high annual out-of-home costs per youth

- Georgia: $90,000
- Hawaii: $199,000
- Kentucky: $87,000
- South Dakota: $41,000 - $144,000
- West Virginia: $100,000
- Kansas: $89,000
States experiencing poor (or unknown) outcomes

- **Georgia**  
  Recidivism: 65%

- **Hawaii**  
  Recidivism: 75%

- **Kentucky**  
  Recidivism: unknown

- **South Dakota**  
  Recidivism: 45%

- **West Virginia**  
  Recidivism: unknown

- **Kansas**  
  Recidivism: unknown
“In general, multifaceted community-based interventions show greater reductions in rearrests than institutional programs.”

“There is no convincing evidence … that confinement of juvenile offenders beyond the minimum amount needed for [providing sufficiently intense services], either in adult prisons or juvenile correctional institutions, appreciably reduces the likelihood of subsequent offending.”
Research: Residential placement performs worse than community programs for all but very highest risk youth

Figure 3
Most RECLAIM Ohio Youth Have Lower Recidivism* Rates
Recidivism rates by risk level and placement

Source: Pew Charitable Trusts, *State-Local Partnership in Ohio Cuts Juvenile Recidivism, Costs*
Research: Longer lengths of stay out of home do not yield lower recidivism

**Longer Stays Do Not Yield Consistent Reductions in Juvenile Recidivism**

Rearrest rates in 2 counties remained steady for offenders with longer placements

Note: Study evaluated serious adolescent offenders in Maricopa County, Arizona, and Philadelphia County, Pennsylvania.


© 2015 The Pew Charitable Trusts
State analyses reveal systems out-of-step with research

West Virginia 2013:
Increasing lengths of stay out-of-home in DHHR

- Felons: +22%
- Misdemeanants: +23%
- Status: +22%
- Violators: -1%

Months

[Bar chart showing the increase or decrease in lengths of stay for different groups from 2003 to 2013.]
State analyses reveal systems out-of-step with research

**Georgia 2011:**

*Low-level, low-risk youth in non-secure placements*

- Felony: 47%
- Misdemeanor: 45%
- Status: 8%

56 percent of these youth were assessed as low risk
State analyses reveal systems out-of-step with research

**South Dakota 2013:**
*Top five commitment offenses are low level*

<table>
<thead>
<tr>
<th>Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probation Violation</td>
</tr>
<tr>
<td>Possession of Marijuana &lt;2oz</td>
</tr>
<tr>
<td>Simple Assault (1st or 2nd Offense)</td>
</tr>
<tr>
<td>Ingesting an Illegal Substance</td>
</tr>
<tr>
<td>CHINS</td>
</tr>
</tbody>
</table>
State policy solutions: tailored and reinforcing

- Protect Public Safety and Improve Outcomes by Strengthening Community Options
- Contain Costs by Reducing Out-of-Home Populations
- Sustain Through Oversight and Reinvestment
“The model in the past where we had to send them to a treatment [facility] is changing to a community-based model. 

...[A]nd with fewer kids being served because of law changes and service delivery changes, there is an excess capacity of beds in the state.”  

-- Mike Adamkowski  
Facility Director
Large projected impact on out-of-home populations

- **Georgia**: 30% OOH ↓
- **Hawaii**: 60% OOH ↓
- **Kentucky**: 37% OOH ↓
- **South Dakota**: 50% OOH ↓
- **West Virginia**: 16% OOH ↓
- **Kansas**: 60% OOH ↓

PROJECTED OOH ↓ = $$ SAVED AND AVAILABLE FOR REINVESTMENT
Jumpstart reinvestment in effective community options

**Georgia**
- $6 million
- Additional funding in years that followed

**Hawaii**
- $1.26 million

**Kentucky**
- Fiscal incentive program authorized

**South Dakota**
- $6.5 million

**West Virginia**
- $4.5 million

**Kansas**
- $2 million
Strong and widespread support

“When I was appointed to the work group, I was not supportive of reform, given my law enforcement background and the murder of my daughter, Kelsey Smith. But as I pored over our state’s data and compared it with research about how to reduce reoffending and improve outcomes, my thinking changed.”

Senator Greg Smith,
Chairman, Kansas Senate Corrections and Juvenile Justice Committee

“Unless there is abuse, the family home is far and away the best place for a teen. The family has the greatest interest in the child. Systems can’t love children. Only people can.”

Newt Gingrich,
former Speaker of the U.S. House of Representatives
Strong public support

Voters Care Less About Whether or How Long Juvenile Offenders Are Incarcerated Than About Preventing Crime

“It does not matter whether a juvenile offender is sent to a juvenile corrections facility or supervised in the community. What really matters is that the system does a better job of making sure that he or she is less likely to commit another crime.”

“"It does not matter whether a juvenile offender is in a juvenile corrections facility for 6 or 12 or 18 months. What really matters is that the system does a better job of making sure that when a juvenile does get out, he or she is less likely to commit another crime.”

<table>
<thead>
<tr>
<th>Geographic region</th>
<th>Northeast</th>
<th>Midwest</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>79%</td>
<td>87%</td>
<td>86%</td>
<td>84%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Household type</th>
<th>Violent crime victim</th>
<th>Nonviolent crime victim</th>
<th>Law enforcement member</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>85%</td>
<td>82%</td>
<td>84%</td>
</tr>
</tbody>
</table>

Note: Party affiliations represent Democratic, independent, and Republican voters.

© 2014 The Pew Charitable Trusts

Source: Pew Charitable Trusts, Public Opinion on Juvenile Justice in America
Widespread support for bold, data-driven reforms

“Juvenile justice reform may prove to be the crowning achievement of the 2016 legislative session.

For nine months, individuals and committees researched juvenile justice. It was the sort of scholarly and wonky work that isn’t always noticed — but the results will be.”

—Editorial, March 28, 2016

“The language is dry and bureaucratic, yet the core message in a new report on juvenile justice comes through with devastating clarity…”

—Editorial, Dec 18, 2013
Strong legislative support

- Georgia
  - Senate: 47-0
  - House: 173-0

- Hawaii
  - Senate: 24-0
  - House: 50-0

- Kentucky
  - Senate: 32-6
  - House: 84-14

- South Dakota
  - Senate: 35-0
  - House: 60-7

- West Virginia
  - Senate: 34-0
  - House: 100-0

- Kansas
  - Senate: 40-0
  - House: 118-5
$5.6 million to 49 counties for evidence-based programs serving 1,122 youth

Reduction in felony commitments from fiscal incentive counties*

62%

Reduction in population at secure state facilities*

14%

*After the first nine months of implementation
Observable results: an example from Kentucky

Diversions up 4% statewide from CY 14-15

Case Outcomes for 873 Closed FAIR Team Cases
October 2014-May 2016

- Successful Diversion or Dismissal: 46%
- Referral to Court: 54%

Only 5% of FAIR team cases have required a child welfare referral
Discussion

• Strengths of the Utah juvenile justice system
• Areas for improvement
• Areas in need of examination and discussion
Future Meetings

- July 14
- August 4
- September 1
- October 6
- November 3
Next Steps

• Data analysis and system assessment

• Stakeholder outreach
Contact Information

• Ron Gordon, Executive Director, Utah Commission on Criminal and Juvenile Justice
  – Phone: (801) 538-1432
  – Email: rbgordon@utah.gov

• Jake Horowitz, The Pew Charitable Trusts’ Public Safety Performance Project
  – Phone: (202) 552-2044
  – Email: jahorowitz@pewtrusts.org

• Noah Bein, The Pew Charitable Trusts’ Public Safety Performance Project
  – Phone: (202) 680-3728
  – Email: nbein@pewtrusts.org