



# 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."

<i>Governor</i> Gary Herbert	<i>Senate President</i> Wayne Niederhauser	<i>Executive Director, CCJJ</i> Ron Gordon
<i>Chief Justice</i> Matthew Durrant	<i>House Speaker</i> Gregory Hughes	<i>Executive Director, DHS</i> Ann Williamson

# Working Group Process and Timeline



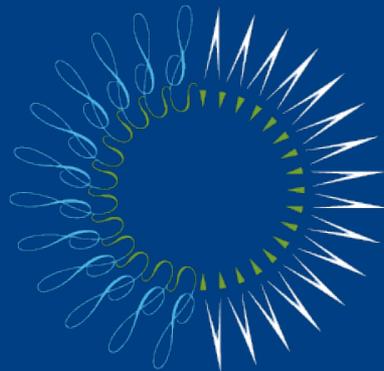
# Stakeholder Roundtables

## Completed

- JJS Secure Care ADPs (7/12)
- JJS Secure Care Staff (7/13)
- JJS Secure Care Youth (7/13)
- Probation officers (8/3)
- Probation supervisors (8/3)
- Probation chiefs (8/3)

## Pending

- Juvenile Defense Attorneys (8/10)
- Education—Pre-Court (8/10)
- Education—Facilities (8/10)
- JJS Rural Services ADPs (8/11)
- Families (8/11)
- Secure Detention Staff (8/12)
- Secure Detention Youth (8/12)
- JJS Long-Term Secure Staff (8/15)
- JJS Long-Term Secure Youth (8/15)
- Work Crew Staff (8/15)
- Work Crew Youth (8/16)
- Prosecutors (8/29)
- Community Partners (8/12, 8/16)
- Victims (TBD)
- DCFS (TBD)
- Providers (TBD)
- Judges (TBD)
- Probation youth (TBD)



THE  
**PEW**  
CHARITABLE TRUSTS

Utah Juvenile Justice Drivers  
Analysis and System  
Assessment, Part 2

Utah Juvenile Justice Working Group  
Salt Lake City, Utah  
August 4, 2016

# 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

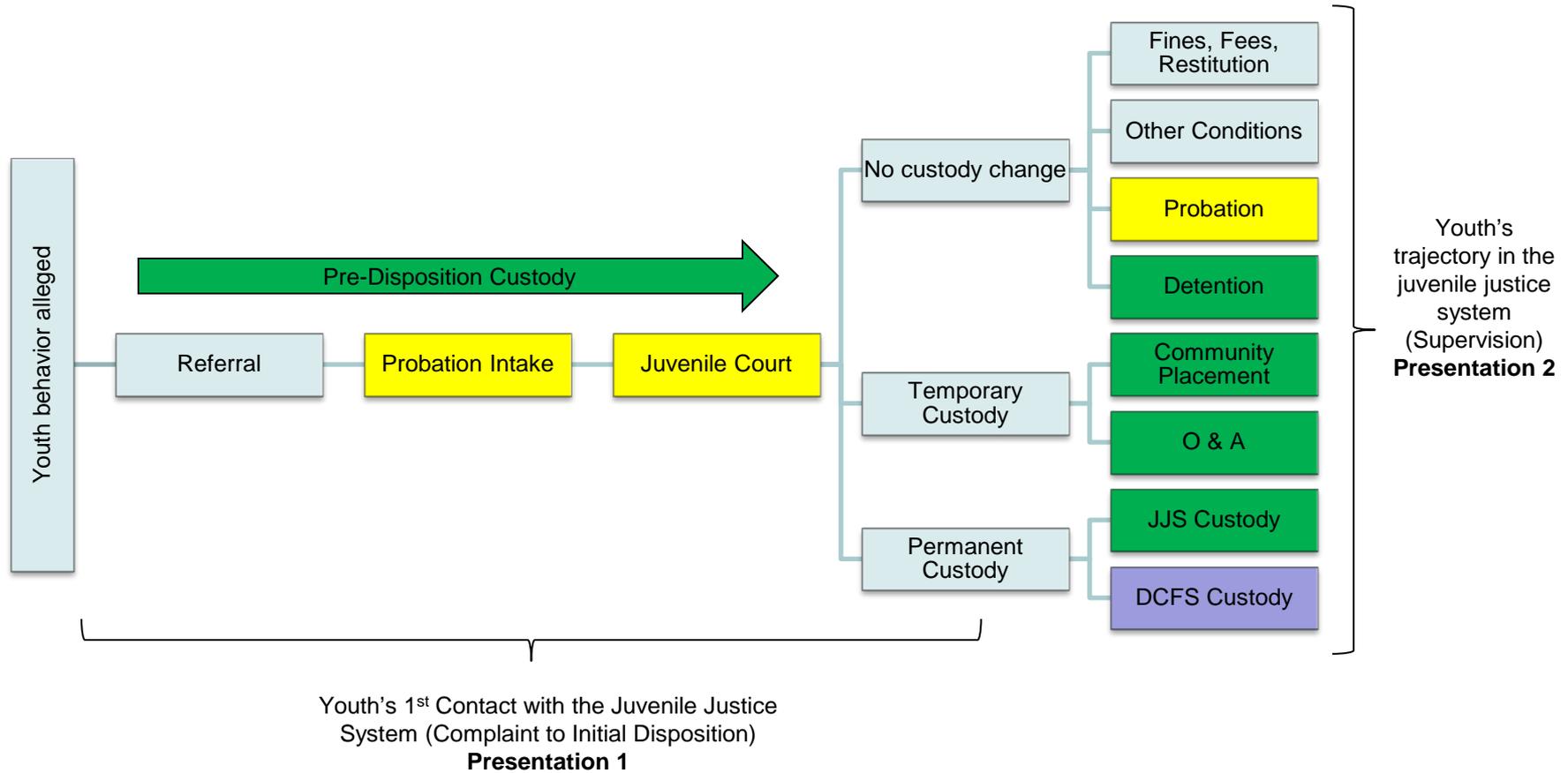
# Overall Key Takeaways: System Assessment Presentation 1

- **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

# Juvenile Justice System Structure



● AOC Funded

● JJS Funded

● DCFS Funded

# System assessment and data analysis sources

## System Assessment Sources

### Interviews/Meetings

- Department of Human Services (DHS): Division of Juvenile Justice Services (JJS), Youth Parole Authority (YPA), Division of Child and Family Services (DCFS), Division of Substance Abuse and Mental Health (DSAMH)
- Trial Court Executives
- Judges, Prosecutors, Defense Attorneys
- Chief Probation Officers and Supervisors
- Department of Education
- Individual School Districts
- Working Group Members

### Documents Reviewed

- State Statutes
- Court and Agency Rules
- JJS Policies
- Probation Policies
- School District Policies

## Data Reviewed

### Agency and Court Data

- Court and Agencies Record Exchange (CARE) data system

### Surveys

- 151 Probation Officer Respondents
  - ❖ Response Rate: 77%
  - ❖ 25% supervise both intake probation and formal probation
  - ❖ 38% supervise only intake probation
  - ❖ 37% supervise only formal probation
- 48 Case Manager Respondents
  - ❖ Response Rate: 77%
- 28 Judge Respondents
  - ❖ Response Rate: 97%
- Survey respondents represent all judicial districts

## Data analysis methodology

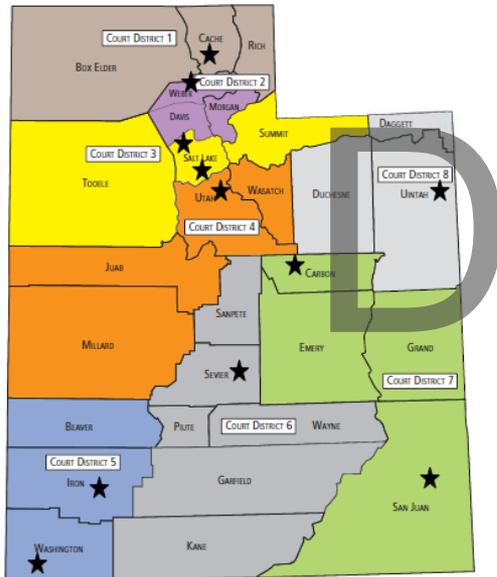
- Analysis of dispositions to probation, observation & assessment, JJS detention, JJS community placement, JJS secure care, DCFS placement from 2008-2015
  - Overlapping dispositions
  - Most serious offense
  - Demographics (including geography and district)
  - Length of disposition
  - Change in risk level for youth who aged out (18 years old)
  - Total time under court jurisdiction for youth who aged out
  - Other dispositions for youth who aged out

# Access to Services

# Alternatives to juvenile court referral exist, but may vary by region

## JJS Youth Services

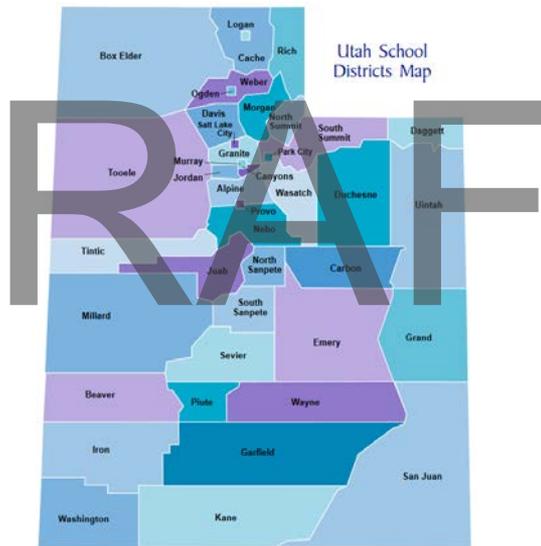
Operate in 10 cities, in all Judicial Districts



Ogden, Salt Lake (2), Provo, Cedar City, St. George, Logan, Vernal, Richfield, Blanding, Price

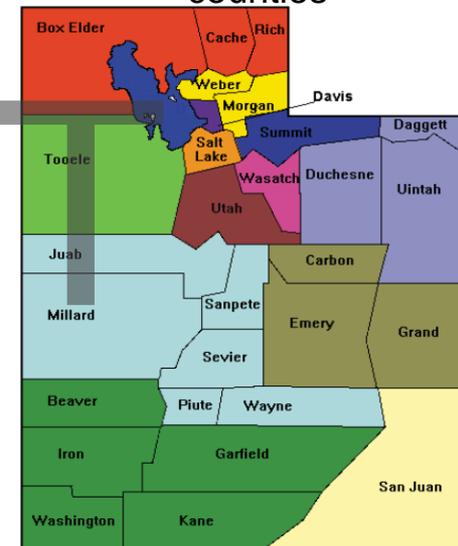
## School-Based Services

41 public school districts, 160 total Local Education Authorities



## Local Mental Health/ Substance Abuse Authorities

Operate regionally in 13 counties



Bear River, Davis, Weber, Tooele, Salt Lake, Summit, Utah, Wasatch, Northeastern, Central, Four Corners, Southwest, San Juan

# Wide district variation in availability of contracted services for youth on probation, only urban districts offer family services

	First District	Second District	Third District	Fourth District	Fifth District	Sixth District	Seventh District	Eighth District
Aggression Replacement Training	X	X	X		X			
Families First (Intensive In-Home Services)		X	X	X				
Functional Family Therapy (Intensive In-Home Services)				X				
Family Resource Facilitator		X						
NOJOS Sex Offender Treatment			X					
Psychological Evaluations	X		X	X			X	
Psychosexual Evaluations			X	X				
Drug and Alcohol Treatment							X	
Mental Health Services				X		X	X	

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JJS offers contracted services to meet similar needs as probation, apart from intensive, in-home, family services

Contracted Services	Probation	JJS
Behavioral	X	X
Family Intensive In-Home Services	X	
Sex Offender Treatment	X	X
Drug and Alcohol Treatment	X	X
Mental Health Services	X	X

## Probation officers and JJS Case Managers report substance abuse, attitude, and family conflict among top service needs

Top 5 Service Needs for Youth on Caseload			
	JJS Case Managers (N=42)	Intake Probation Officers (N=107)	Formal Probation Officers (N=81)
Substance abuse	91%	83%	90%
Criminal thinking/attitude	88%	77%	85%
Family conflict	62%	78%	81%
Mental health	67%	75%	75%
Education	N/A	69%	63%
Sex-specific treatment	52%	N/A	N/A

\*Totals do not add to 100% because categories are not mutually exclusive

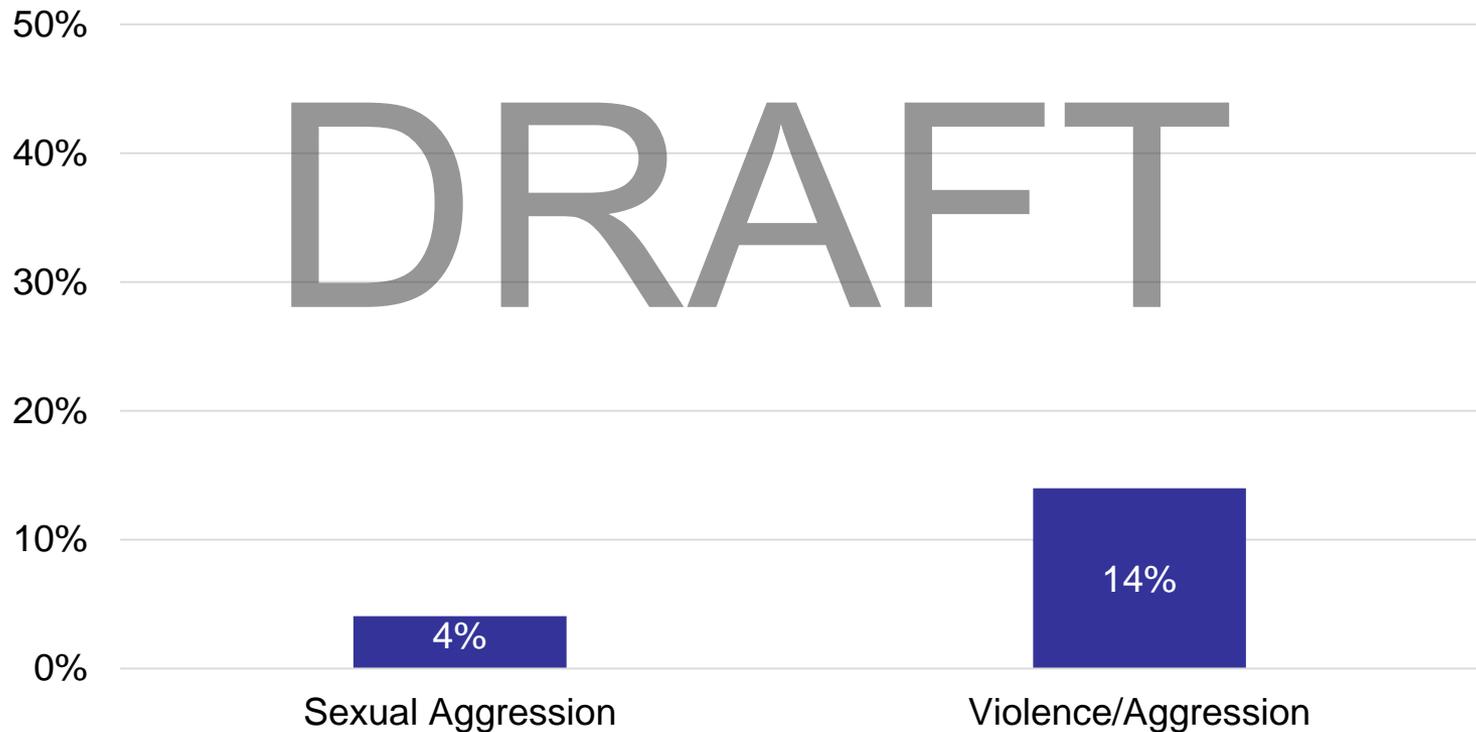
## Probation officers and JJS case managers report there are not enough services and services are too costly or not timely

### Assessing Service Gaps – Respondent Strongly Agrees or Agrees with Statement

	JJS Case Managers (N=42)	Intake Probation Officers (N=107)	Formal Probation Officers (N=80)
I have the ability to accurately assess the needs of youth on my caseload	93%	90%	94%
There are gaps in services for highest needs areas	83%	79%	83%
The services available in the community for youth on my caseload are too costly for youth to access	N/A	70%	75%
There are appropriate services to meet the needs of youth on my caseload	57%	52%	55%
The services available in the community for youth on my caseload are timely (no long waitlists)	55%	38%	38%
There are enough services to meet the needs of youth on my caseload	26%	27%	25%

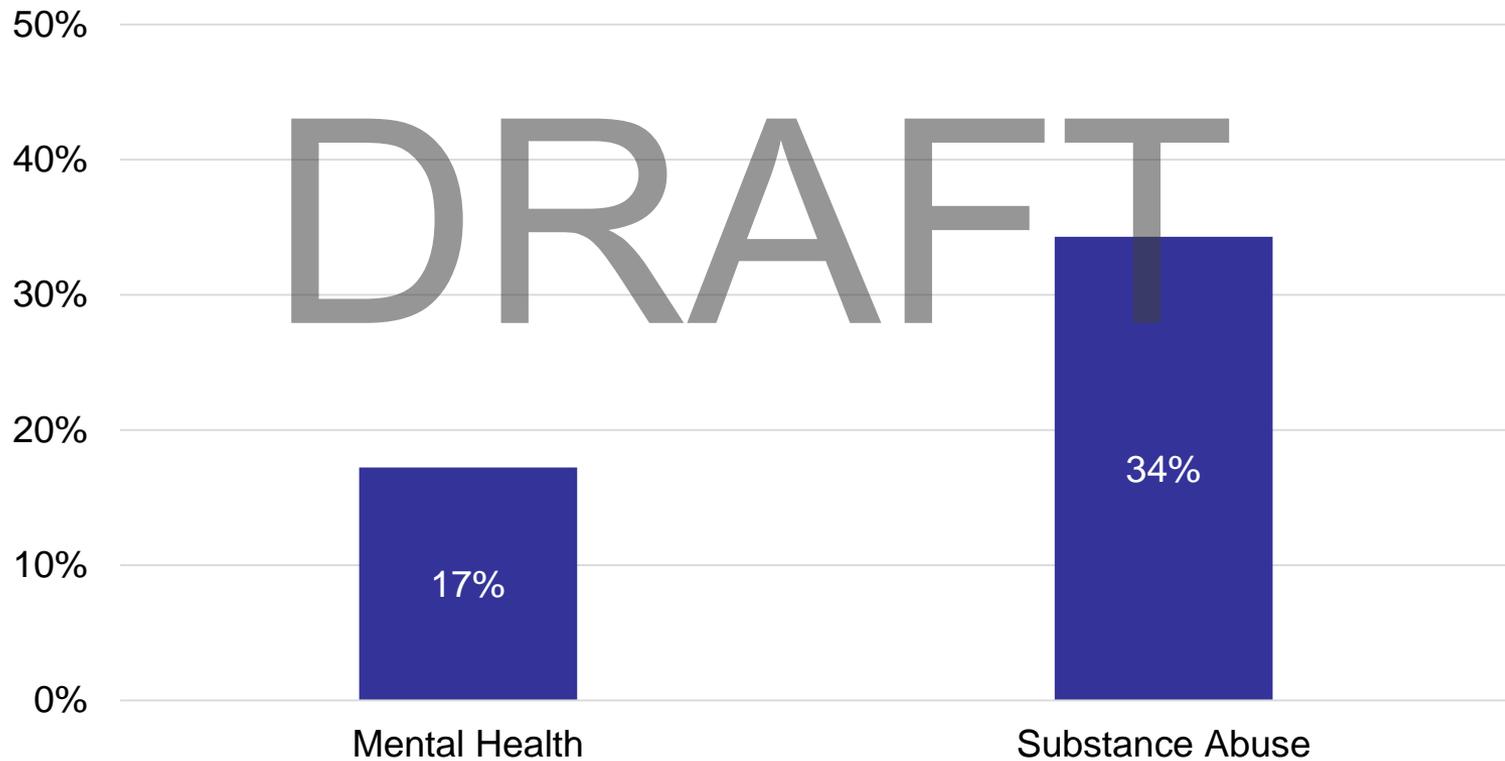
14% of youth entering court system have prior violent behavior, 4% have prior sexual aggression behavior

Proportion of Youth With Identified Violent History on First PSRA, First Intake 2015 (N=2575)



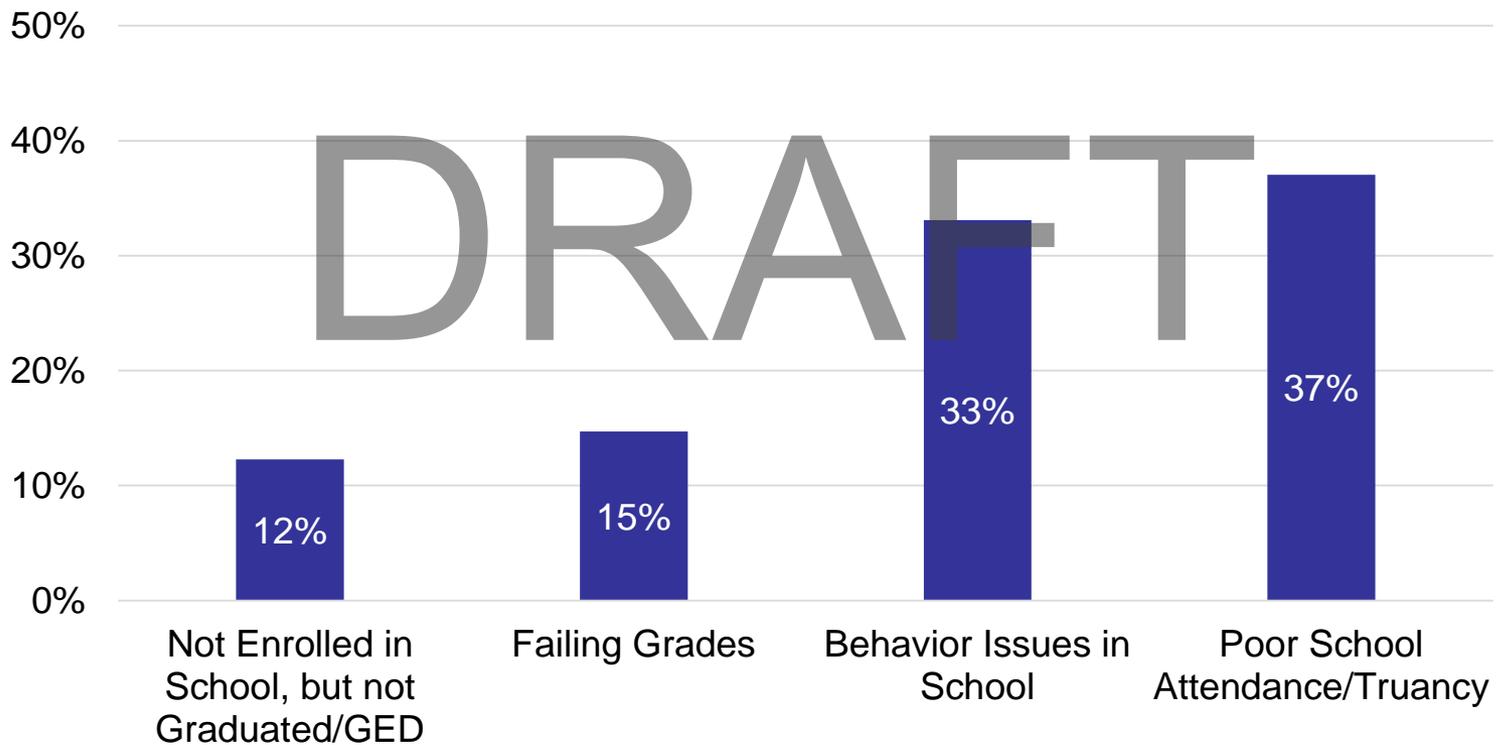
# One-third of youth who end up in court system have substance abuse need identified; 17% have identified mental health diagnosis

Proportion of Youth With Identified Behavioral Health Need on First PSRA, First Intake 2015 (N=2575)



# One-third of youth entering the court system have identified school behavior issues and/or truancy issue

Proportion of Youth With Identified Education Needs on First PSRA, First Intake 2015 (N=2575)



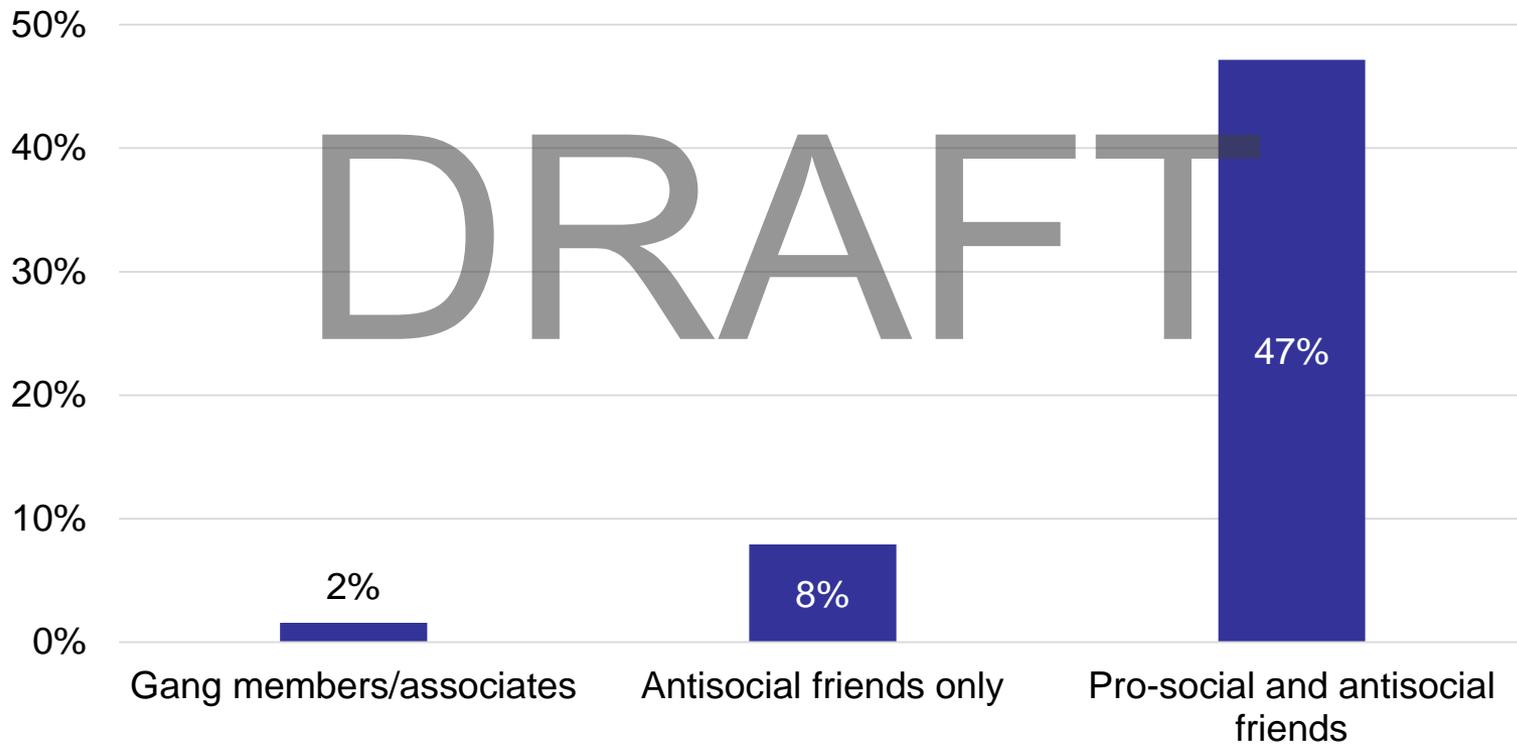
# 25% of youth entering court system minimize responsibility for behavior (primary anti-social attitude)

Proportion of Youth With Antisocial Attitudes Identified on First PSRA, First Intake 2015 (N=2575)



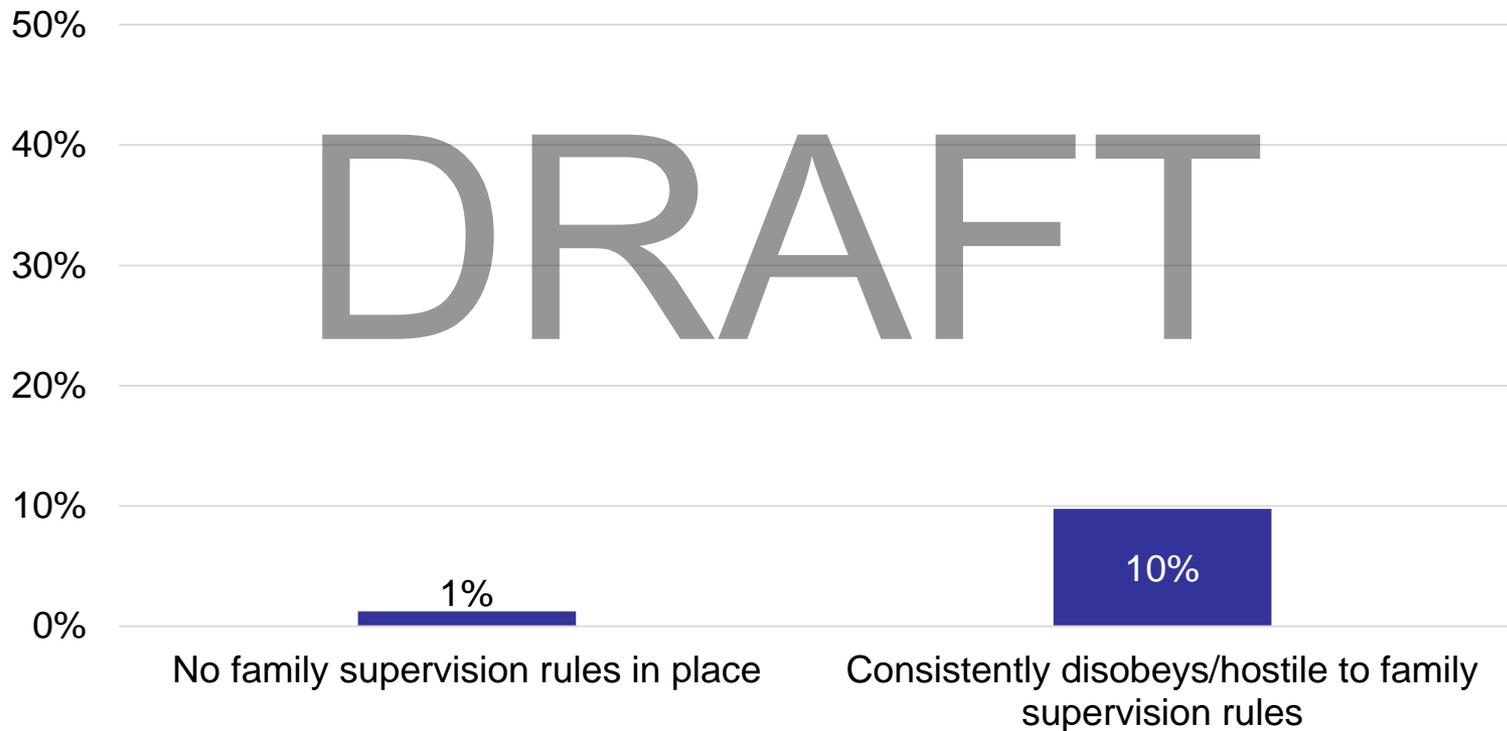
# Nearly half of youth entering court system have some negative and some positive peers; only 2% are gang affiliated

Proportion of Youth With Identified Negative Peers on First PSRA, First Intake 2015 (N=2575)



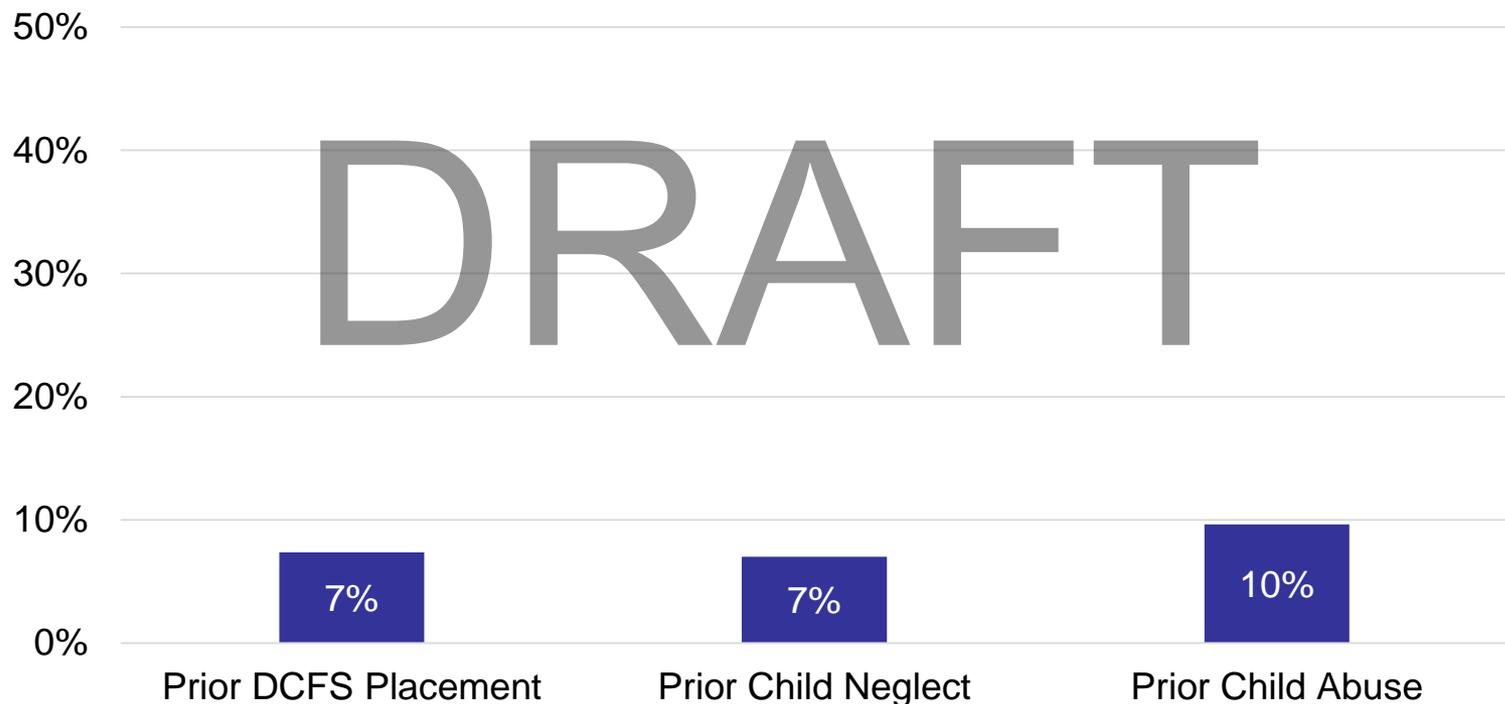
# Only 10% of youth entering court system consistently disobey family supervision rules

Proportion of Youth With Identified Family Supervision Needs on First PSRA, First Intake 2015 (N=2575)



7% of youth have a prior DCFS placement; 7% report prior child neglect and 10% report prior child abuse

Proportion of Youth With Child Welfare History Identified on First PSRA, First Intake 2015 (N=2575)



# Access to Services Key Takeaways

- **Decision-making:**
  - Services exist to meet youths' needs in the community without a court referral, but options and availability may vary regionally
    - Those services that can be used without court intervention are focused on substance abuse, mental health, education, and family
  - Contracted services for youth on probation vary widely by district
  - JJS offers contracted services that address the same types of needs as probation, except intensive in-home, family-based services
  - For youth who enter the system, probation officers and JJS Case Managers report that substance abuse, criminal thinking/attitude, family conflict, mental health, and education are top youth needs
  - A majority of both probation officers and JJS Case Managers report barriers to service access for youth residing at home

# Access to Services Key Takeaways

- **Youth flow:**
  - PSRA assessments show that low proportions of youth entering the juvenile justice system have criminogenic needs in the following areas:
    - Roughly one-third have an identified substance abuse need
    - Roughly one-third have identified behavior issues in school and/or poor school attendance or truancy
    - 17% have an identified mental health diagnosis
    - 10% of youth entering court system consistently disobey family supervision rules
    - Only 2% are gang affiliated
- **Other?**

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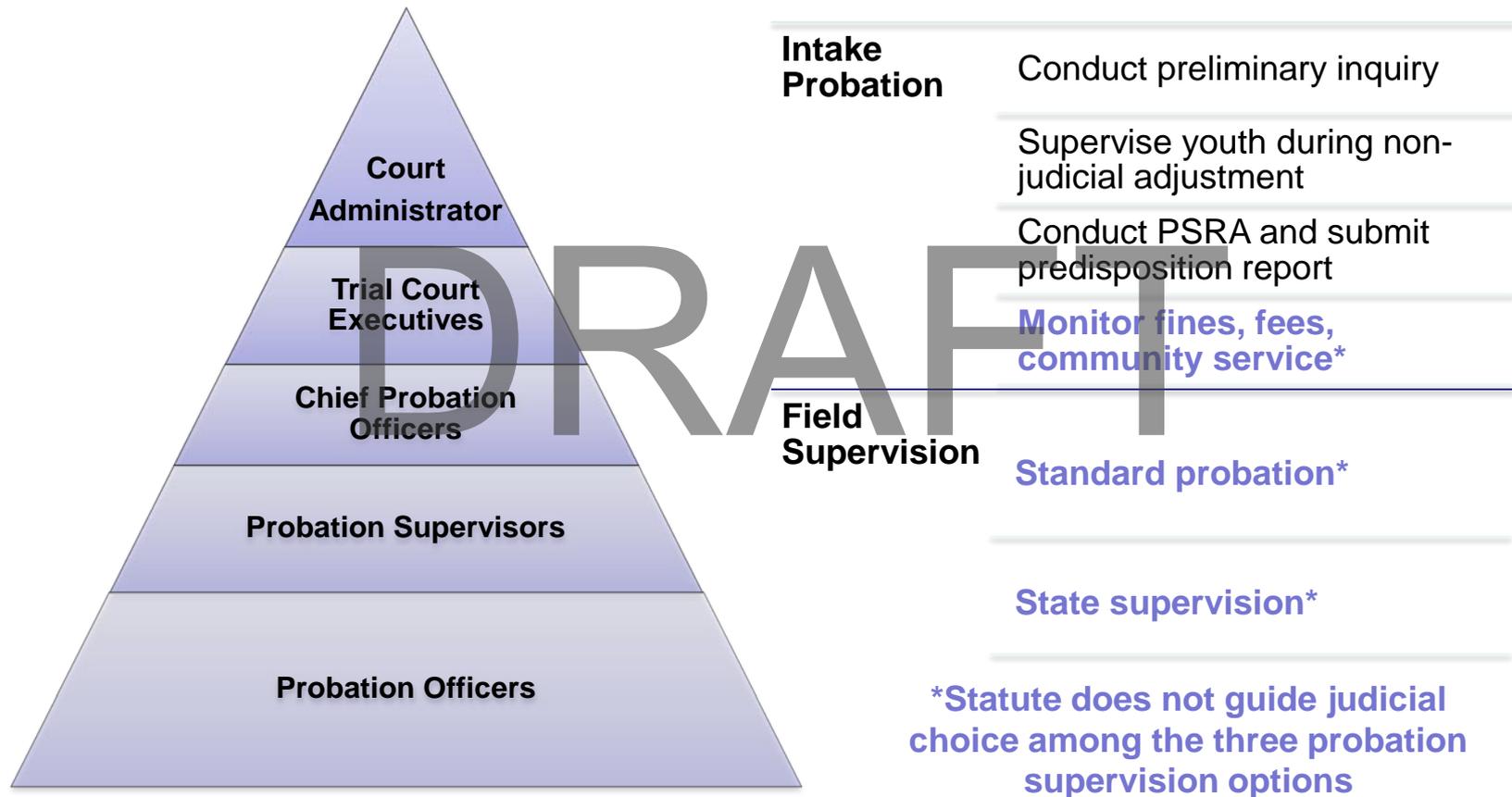
**Court Disposition Options**

Probation and Court Monitoring

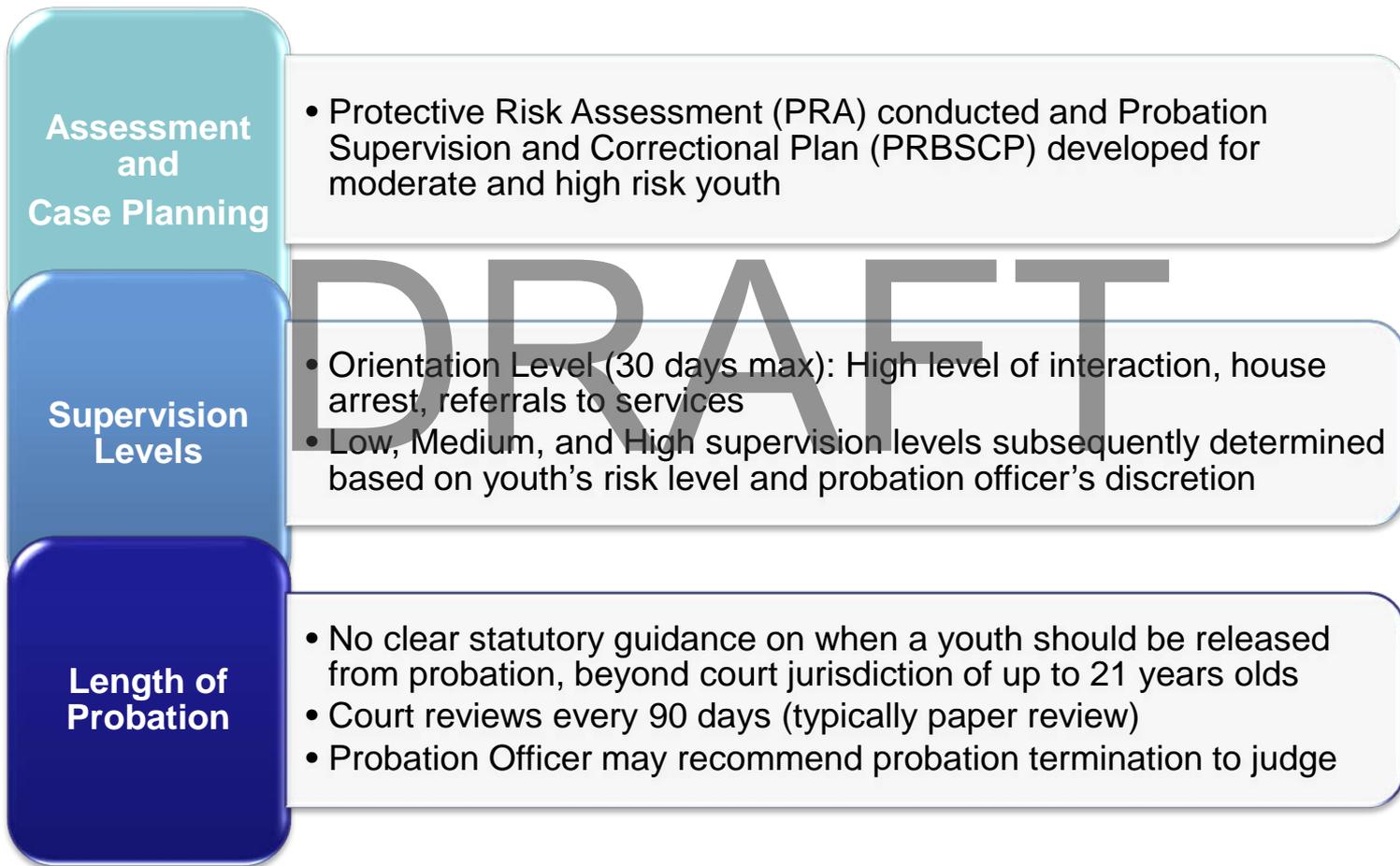


## Probation and Court Monitoring

Field supervision division responsible for all youth on formal probation, including state supervision, where it exists



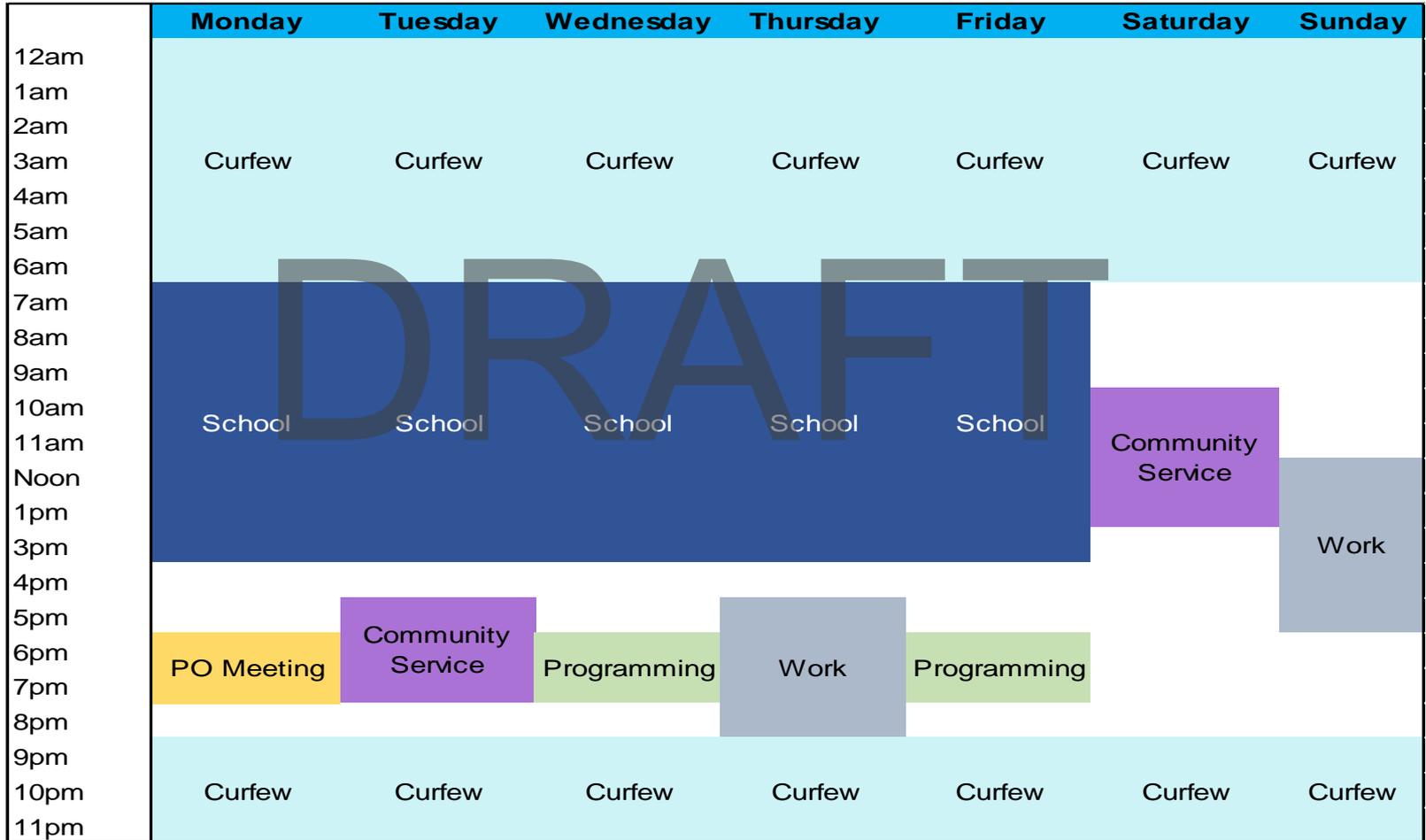
# Assessments and case planning may guide probation length, but statute permits indeterminate probation sentences



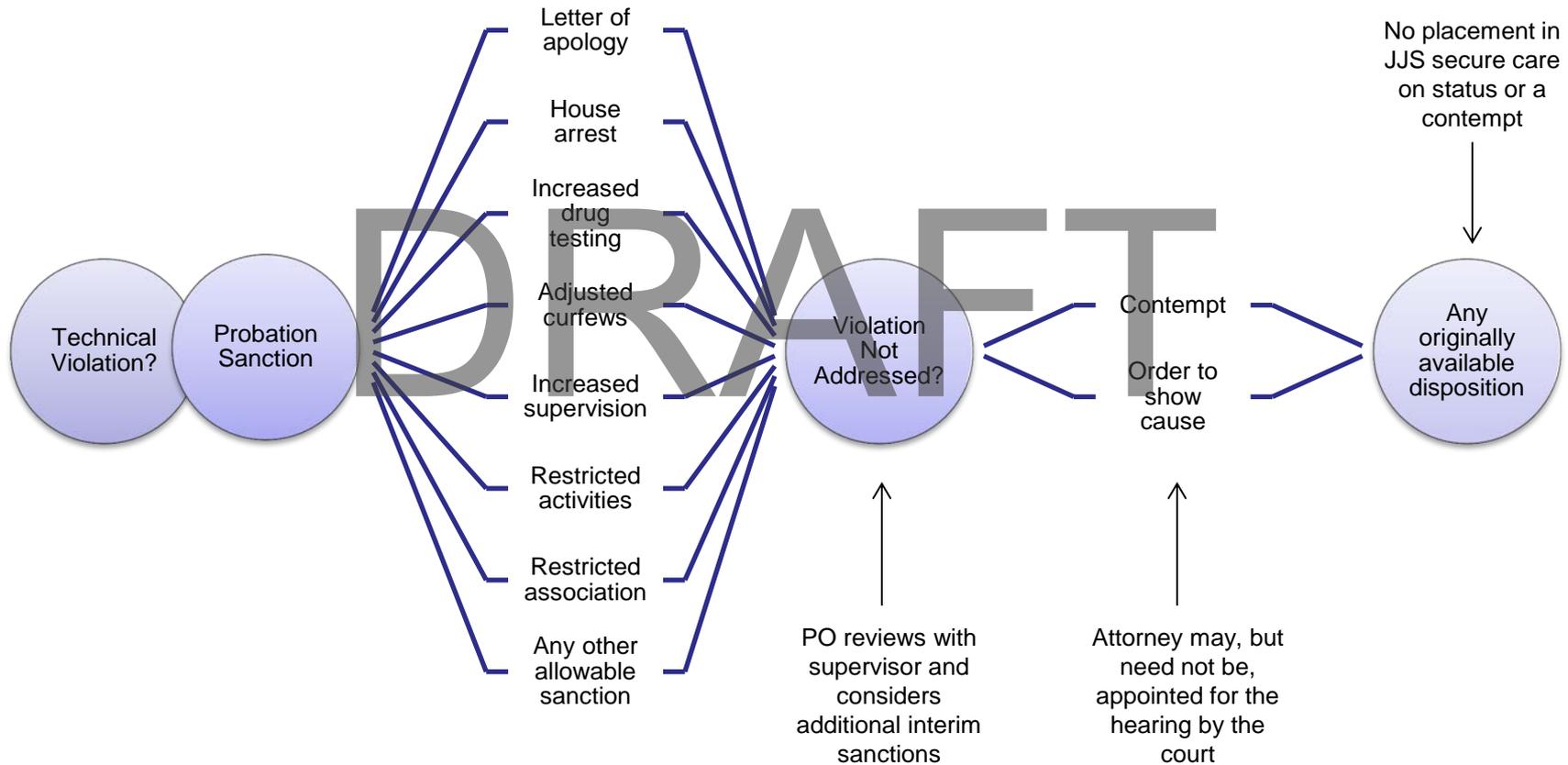
# House arrest and 17 other standard conditions ordered for all probationers, regardless of risk or offense

S T A N D A R D	Drug testing (may have \$25 fee per positive drug screen)	Programming	Curfew	Random searches	Regular school attendance	Meetings with Probation Officer/Home, School, Work Visits
	House arrest (first two weeks for all probationers; up to 30 days)	No overnight visits without prior approval	No gang attire	Permission to leave the state or stay overnight outside residence	No gang associations	Permission for marriage, move, military service, or major purchase
	Photograph and DNA sample (felony or class A misd- may have \$150 fee)	No contact with victim	Obey all lawful and reasonable request of probation department	Obey all lawful and reasonable requests of parents	Obey all laws and ordinances	No possession of weapon or firearm
O T H E R	Community service	Restitution	Work crew	Fines or fees	Parent/Guardian Conditions	Other special conditions

# Standard conditions of probation alone monopolize majority of youth's day

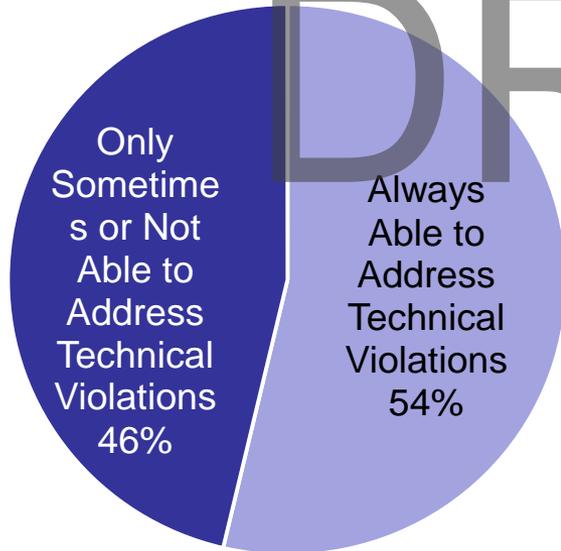


Upon technical violation or a finding of contempt, a judge may sentence a youth to any originally available disposition, custodial or community-based



Two-thirds of formal probation officers and more than half of intake probation officers report always being able to address youths' technical violations without involving a judge

Ability to Address Technical Violations  
Intake Probation Officers (N=108)



Ability to Address Technical Violations  
Formal Probation Officers (N=81)



Nearly half of probation officers impose youth sanctions without considering written guidelines; one-third report not having tools to respond to positive behavior

**Factors Guiding Decisions About Supervising Youth on Probation**

<b>Factors Guiding Sanction Decisions*</b>	<b>Intake Probation Officers (N=99)</b>	<b>Formal Probation Officers (N=79)</b>
Professional judgment	90%	93%
Court order	68%	74%
Conferences with other people who know the youth	65%	63%
Written guidelines	57%	58%
Recommendation from supervisor	62%	57%
<b>Strongly Agree or Agree with Use of Rewards and Incentives</b>	<b>Intake Probation Officers (N=107)</b>	<b>Formal Probation Officers (N=81)</b>
Have the tools to reward positive behavior	65%	63%
Have the tools to incentivize positive behavior	68%	64%
<b>Have individualized case plan for all youth</b>	N/A	61%

\*Totals do not add to 100% because categories are not mutually exclusive

Increasing meeting frequency, supervision, drug testing, curfew, secure detention warrant are most common sanctions to respond to violations

**Sanctions to Respond to Technical Violations or Court Order Violations**

	Intake Probation Officers (N=107)	Formal Probation Officers (N=81)
<b>Increased supervision</b>	<b>75%</b>	<b>95%</b>
<b>Increased frequency of meetings</b>	<b>83%</b>	<b>91%</b>
<b>Earlier curfew</b>	<b>62%</b>	<b>90%</b>
<b>Drug testing</b>	<b>74%</b>	<b>77%</b>
<b>Request a warrant for secure detention</b>	<b>62%</b>	<b>70%</b>
Electronic monitoring/house arrest	38%	59%
Work program/crew	61%	53%
Substance abuse services	59%	51%
Community or Compensatory service	50%	49%
Fines	38%	37%
Non-secure placements	15%	17%
Other	20%	10%
Secure care	4%	5%

\*Totals do not add to 100% because categories are not mutually exclusive

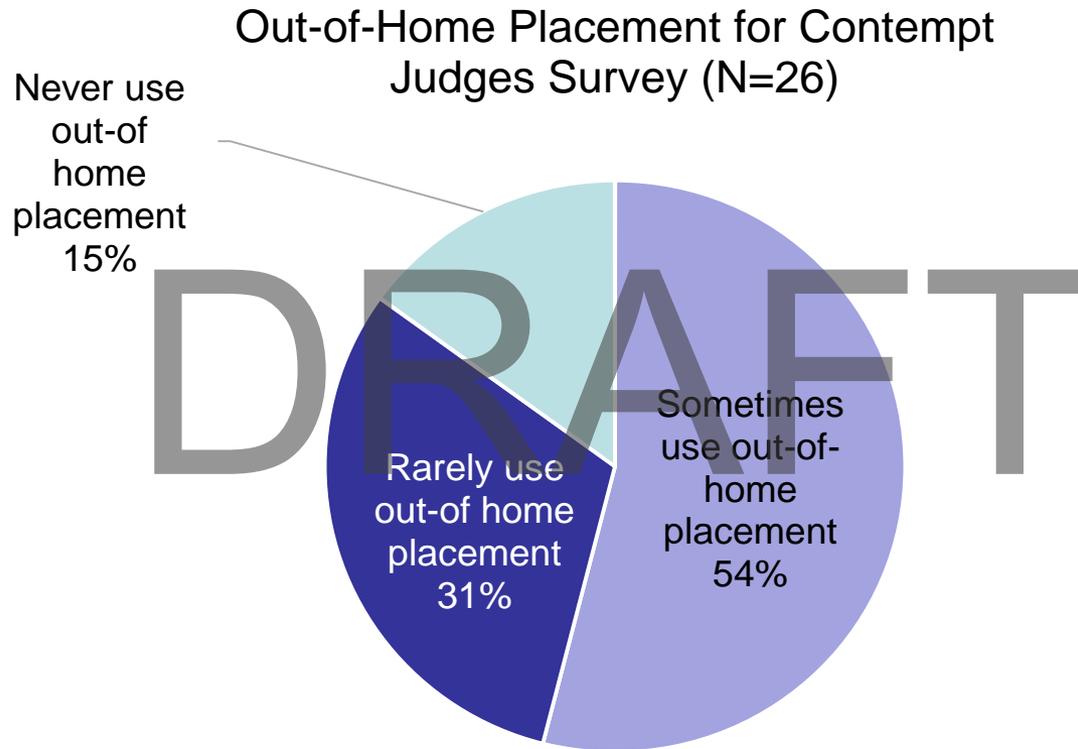
Judges report that when defense attorneys are appointed they always appear at contempt hearings, and 85% reported prosecutors are present

Types of Proceedings Where Attorneys are Present Judges Survey (N=26)		
	Appointed Defense Attorney Present	Prosecutor Present
Contempt Hearings	100%	85%
Review Hearings	85%	65%
Appeals	50%	27%

**Only 38% of judges reported that defense counsel are appointed for all types of cases, and 69% reported that prosecutors are present in all types of cases**

\*Totals do not add to 100% because categories are not mutually exclusive

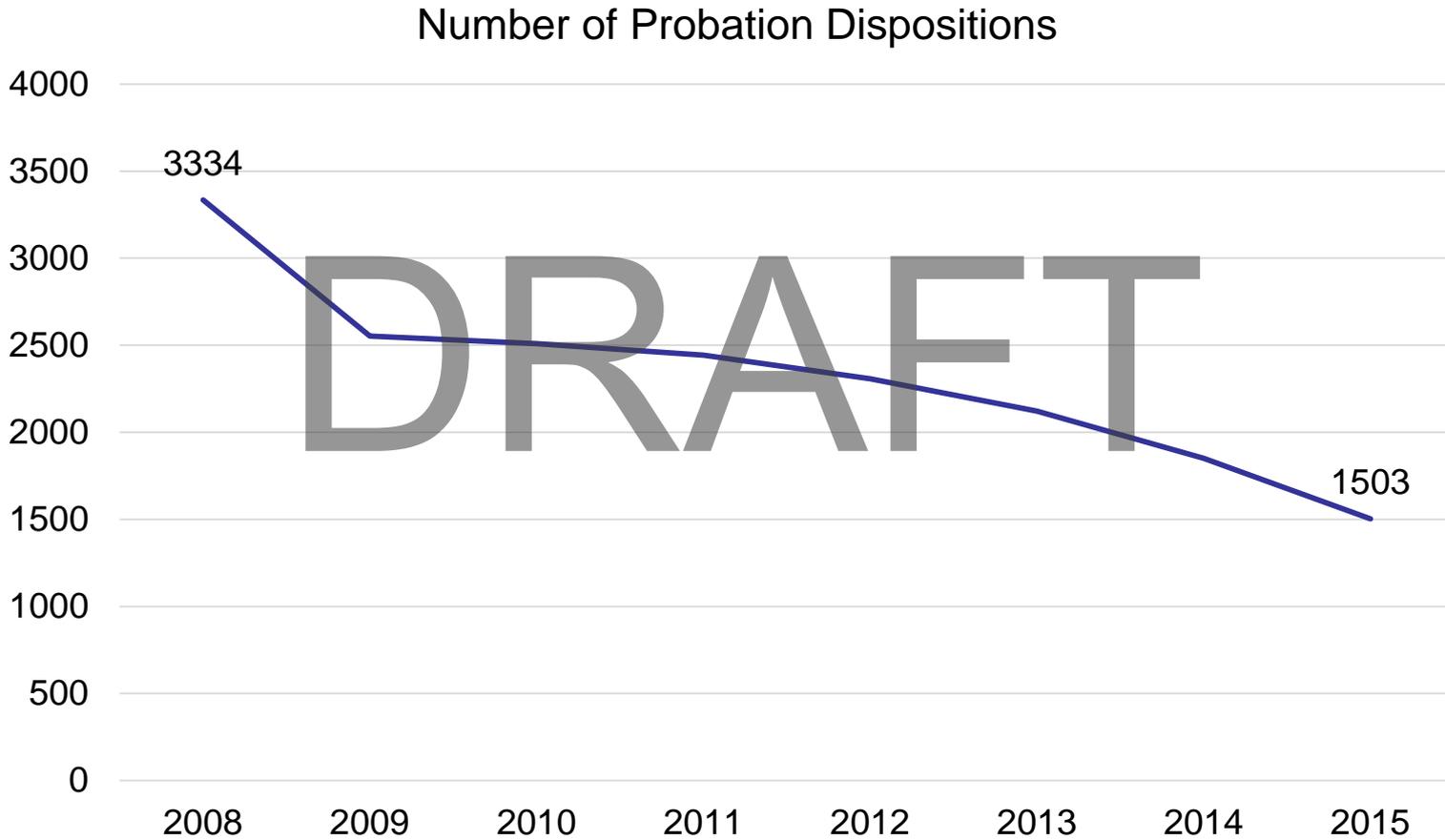
# More than half of all judges surveyed reported that they used out-of-home placement for contempt charges



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Formal Probation  
Data

# 55% decline in formal probation dispositions since 2008

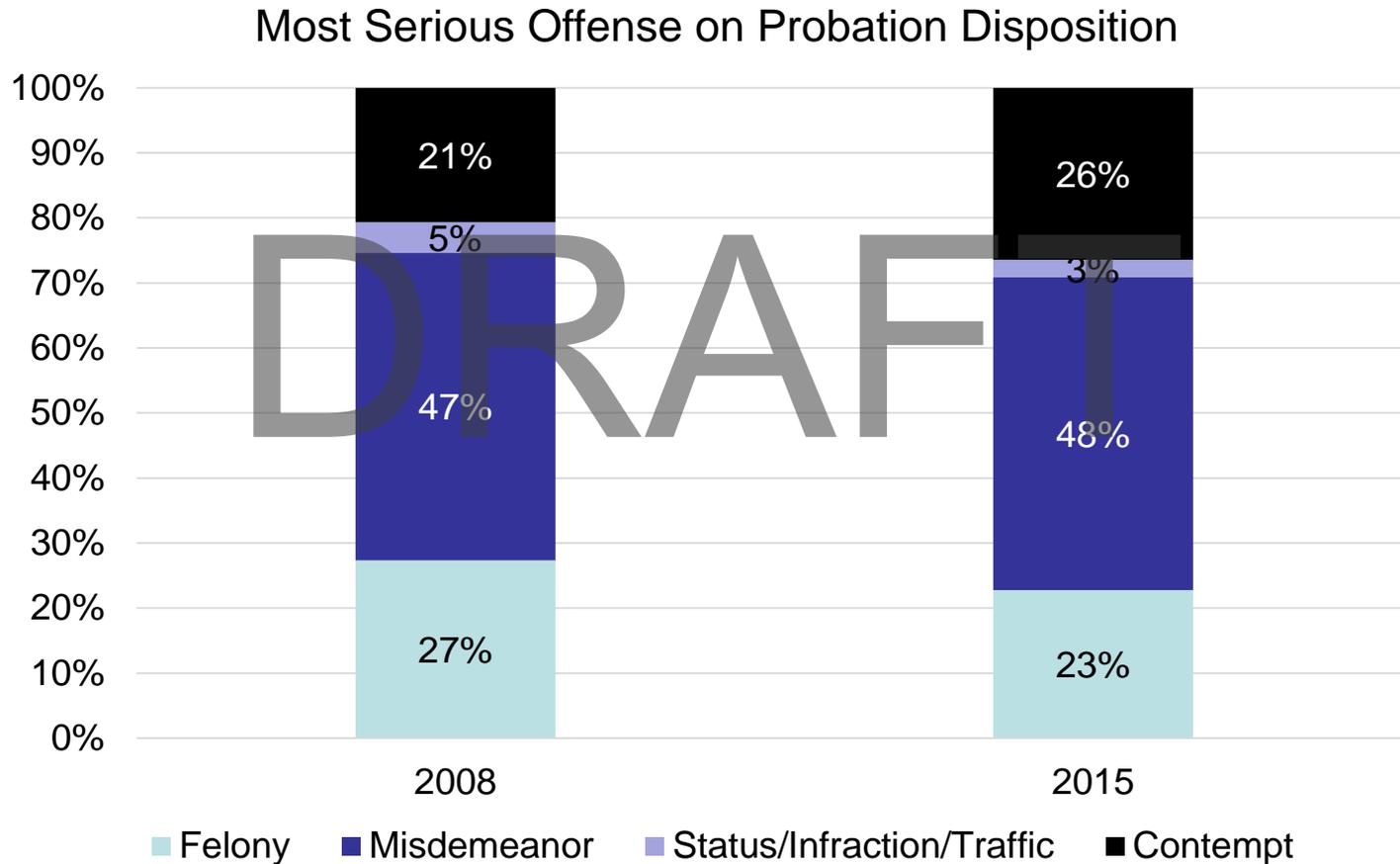


One-third of youth put on probation also have detention disposition on same case; 10% also end up in O&A

Probation Dispositions with Other Probation or Custody Disposition on Same Intake, 2015	
JJS Detention	35%
O&A	10%
DCFS	3%
JJS Community Placement	1%
JJS Secure	0%

\*Totals may not add up to 100% because of multiple dispositions

Nearly half of probation dispositions are for misdemeanors;  
1/4 are for felonies and 1/4 are for contempt

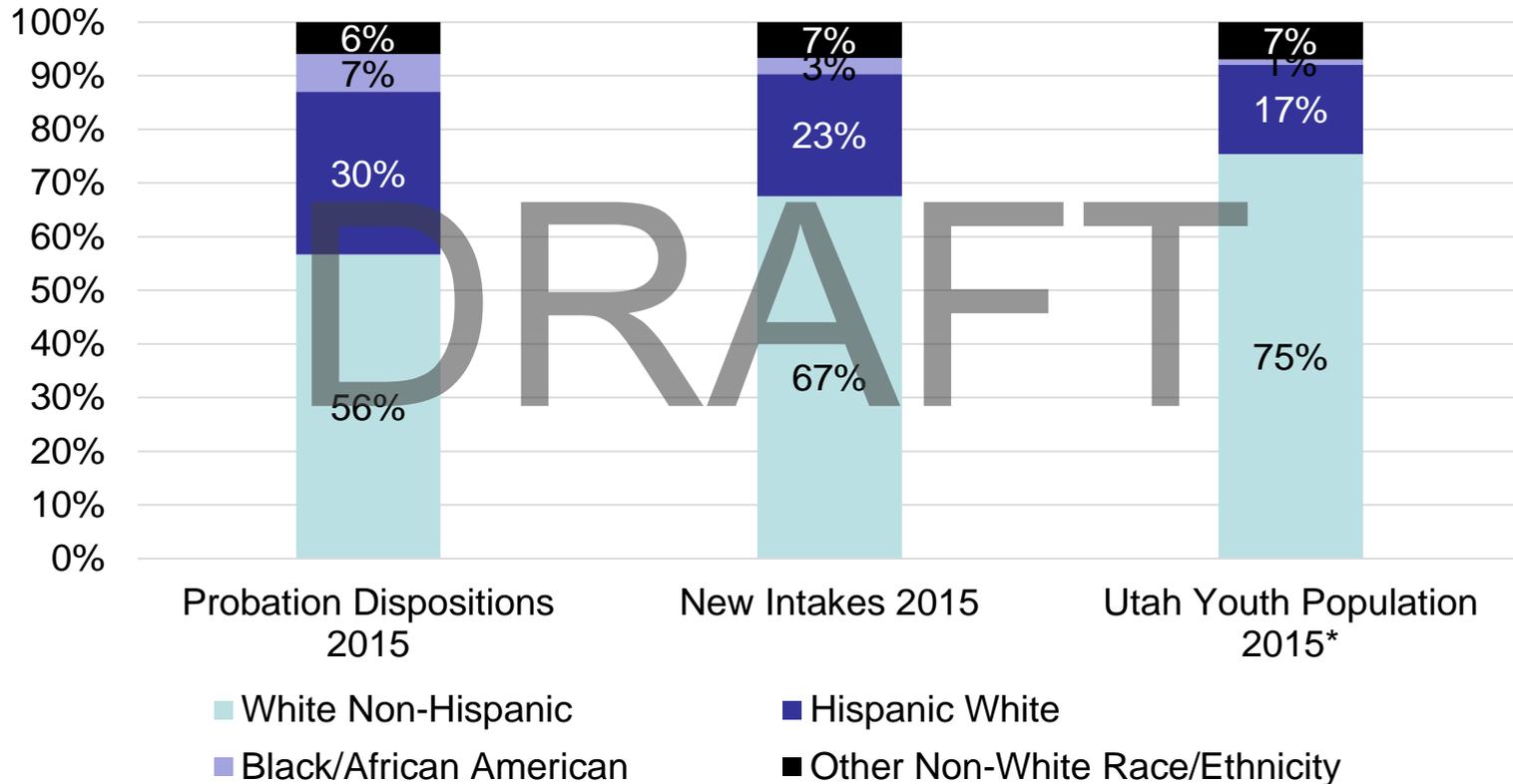


## Contempt, drug offenses most common in top 10 probation dispositions

Top 10 Offenses, Probation Dispositions, 2015	# Youth	% Non-Felony
CONTEMPT - NON-PECUNIARY	194	100%
MARIJUANA POSSESSION OR USE	96	100%
SEXUAL ABUSE, CHILD-V. UNDER 14	86	1%
RETAIL THEFT <\$500	64	98%
CONTEMPT PROBATION	61	100%
ALCOHOL POSSESSION/CONSUMPTION	60	100%
POSSESSION DRUG PARAPHERNALIA	53	100%
ASSAULT-SUB.RISK OF/BODILY INJ	50	100%
CONTEMPT - DRUG	38	100%
BURGLARY – DWELLING	30	0%

# Larger proportion of Hispanic and Black youth in probation dispositions compared to new intakes

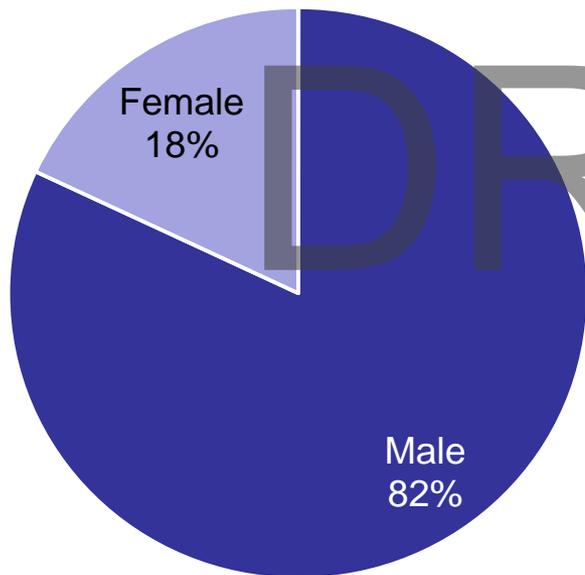
Race and Ethnicity Breakdown



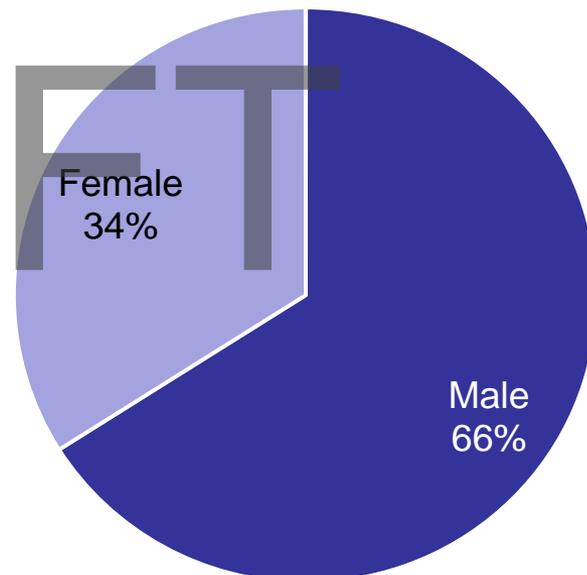
\*State of Utah School Enrollment Demographics Data, 2015

More than 80% of probation dispositions are male; larger portion than new intakes

Probation Dispositions 2015

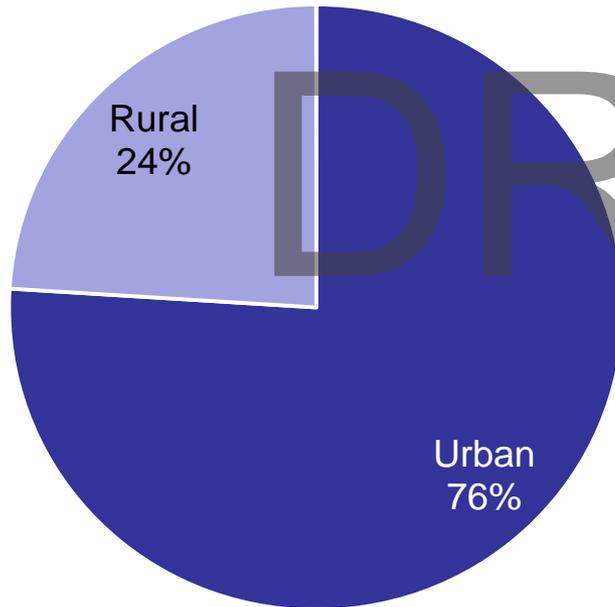


New Intakes 2015

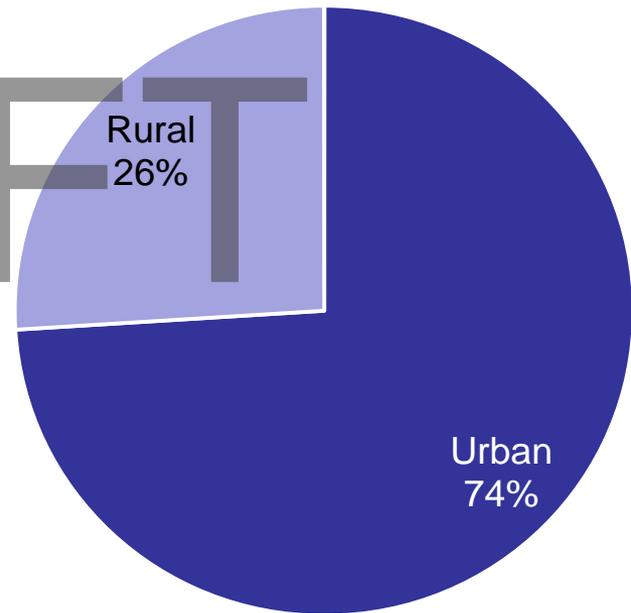


# Similar proportion of probation dispositions coming from rural areas compared to new intakes

Probation Dispositions 2015



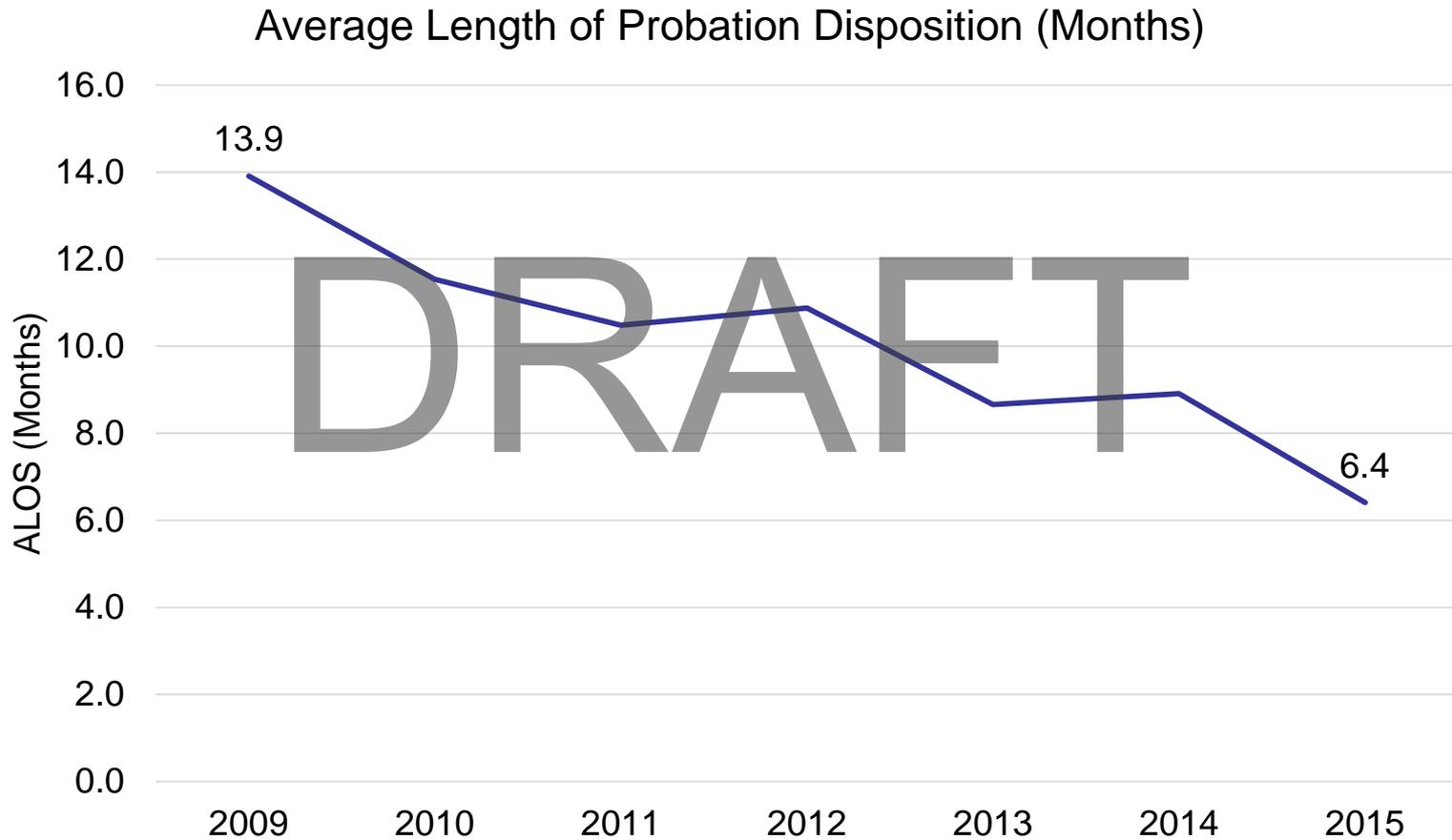
New Intakes 2015



## Slight district variation in proportion of probation dispositions compared to new intakes

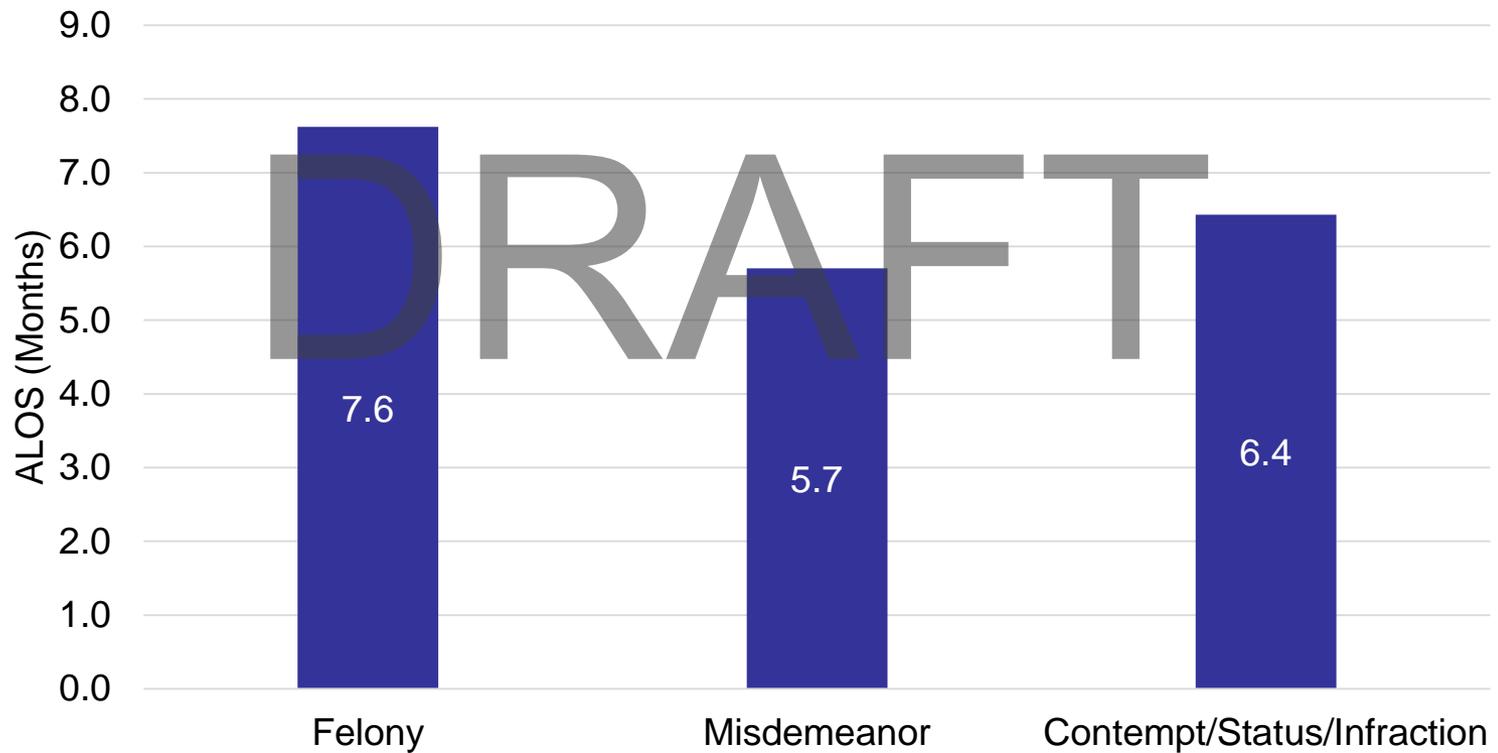
District Breakdown		
	Probation Dispositions 2015	New Intakes 2015
First District	9%	7%
<b>Second District</b>	<b>25%</b>	<b>18%</b>
<b>Third District</b>	<b>37%</b>	<b>36%</b>
<b>Fourth District</b>	<b>14%</b>	<b>20%</b>
Fifth District	5%	8%
Sixth District	4%	3%
Seventh District	3%	3%
Eighth District	3%	4%

# Average length of probation supervision 6.4 months, down 54% since 2009



# Average length of probation disposition varies slightly by offense level

Average Length of Probation Disposition by Most Serious Offense (Months)



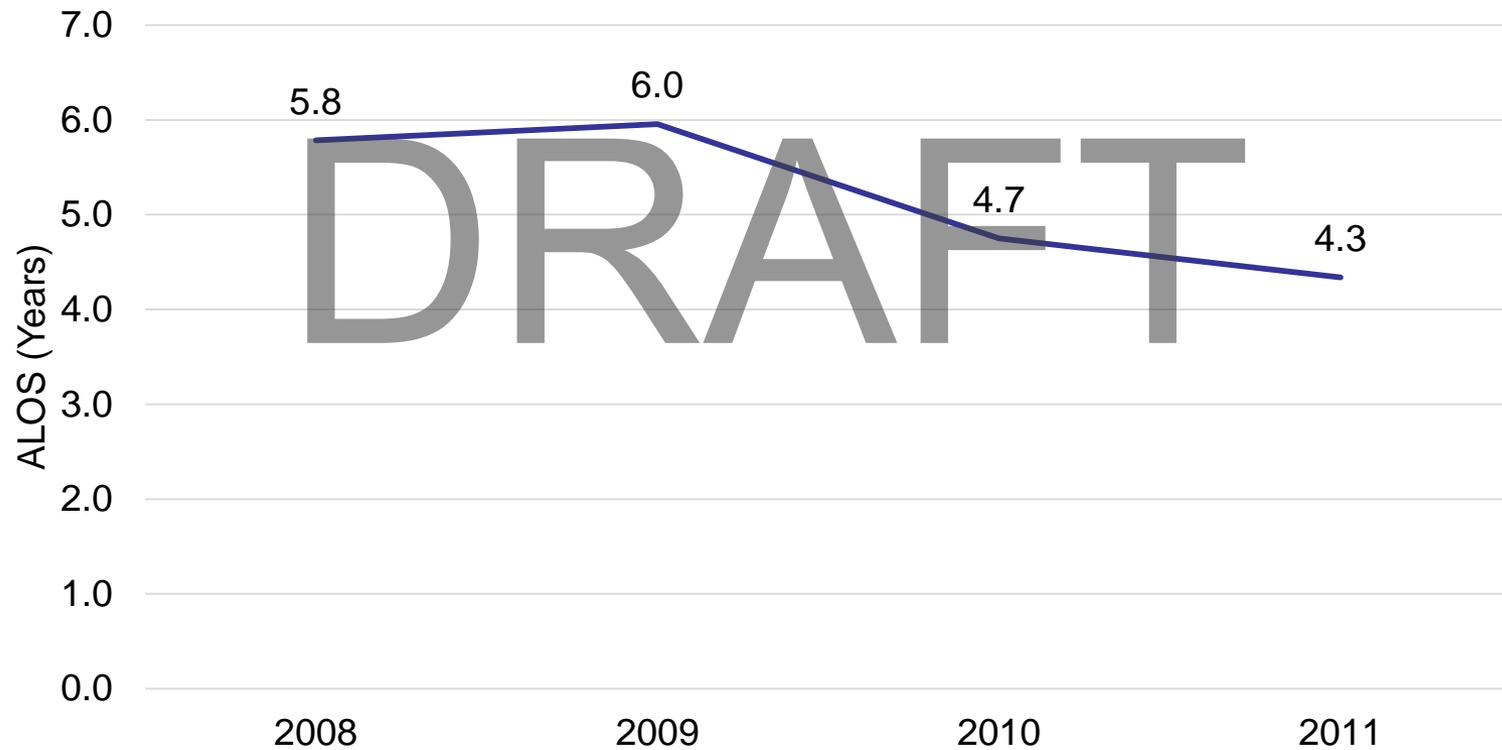
Most youth who spend time on probation have detention disposition, but less than one-quarter have a custody disposition before aging out

Other Custody Dispositions for Youth who Spent Time on Probation who Aged Out, First Intake 2008-2011	
JJS Secure Care	4%
JJS Community Placement	22%
DCFS Custody	9%
JJS Detention	70%
O&A	28%

\*Totals may not add up to 100% because of multiple dispositions

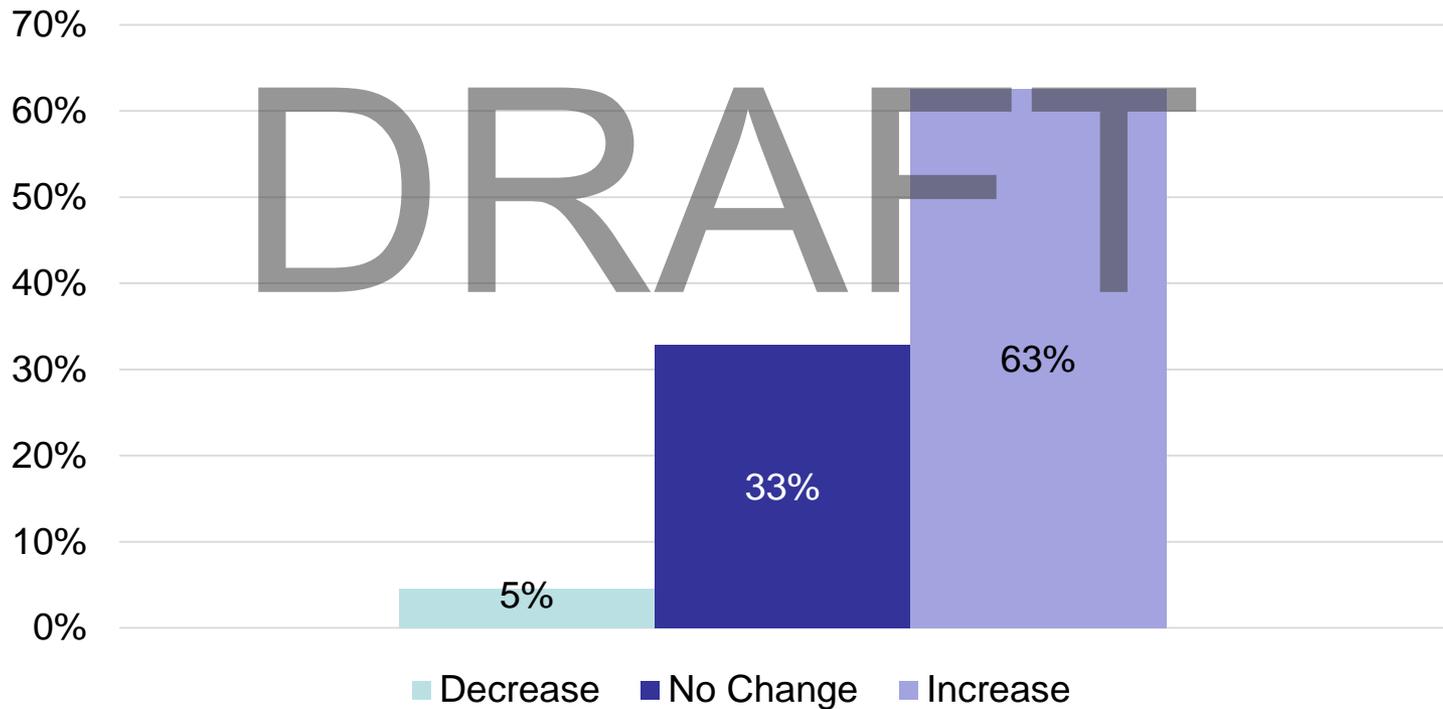
# Youth on formal probation spend 4 years under court jurisdiction on average before aging out

Average Number of Months Under Court Jurisdiction for Youth Who Were on Probation, First Intake 2008-2011



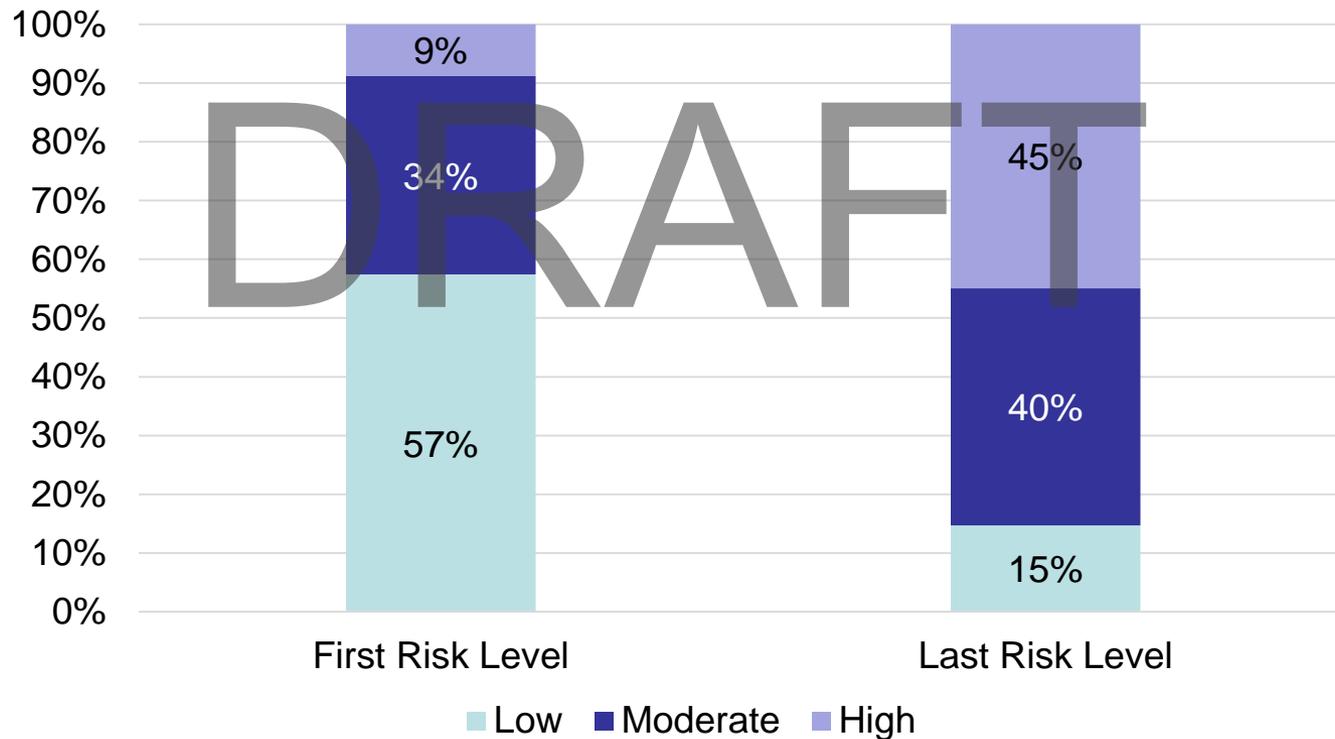
# Most youth who spend time on probation see an increase in their risk level before aging out

Youth on Probation Before Aging Out Who Had Multiple Assessments, First Intake 2008-2012  
Change from First to Last Risk Assessment



While only 9% youth who spend time on probation started as high risk, 45% were high risk by the time they aged out

Youth Put on Probation Before Aging Out Who Had Multiple Assessments, First Intake 2008-2012  
First and Last Risk Assessment



# Probation and Court Monitoring Key Takeaways

- **Decision-making:**
  - No statutory criteria guide judicial choice among standard probation, state supervision, and intake probation
  - Policy may guide probation length, but statute permits up to age 21
  - In addition to 18 standard conditions, probation youth must comply with special conditions; probation policies; and requirements like restitution, fines, fees, and community service
  - There is no clear statutory guidance on responses to technical violations
    - Nearly half of probation officers do not use written guidelines when determining how to sanction technical violations
    - Technical violations may be addressed through either contempt or an order to show cause at the probation officer's discretion
    - Judges may dispose a youth to any originally available disposition upon violation and any disposition other than secure care upon finding contempt
  - There is no clear statutory guidance on circumstances under which youth should be released from probation

# Probation and Court Monitoring Key Takeaways

- **Youth flow:**
  - Probation dispositions have fallen 55% since 2008, a larger decline than the 35% drop in new intakes
  - Contempt and drug offenses are the most common offenses in the top 10 probation dispositions
  - The proportion of Hispanic and Black youth among probation dispositions is larger than their proportion of new intakes and the overall youth population
  - More than one-third of youth put on probation have a detention disposition on the same case
  - Probation supervision lasts more than 6 months on average, slightly longer for felony cases and down 54% since 2009
  - But youth who spend any time on probation spend 4 years under court jurisdiction on average before aging out
    - While only 9% of youth who spent time on probation were high risk when they entered the system, 45% were high risk by the time they aged out
- **Other?**

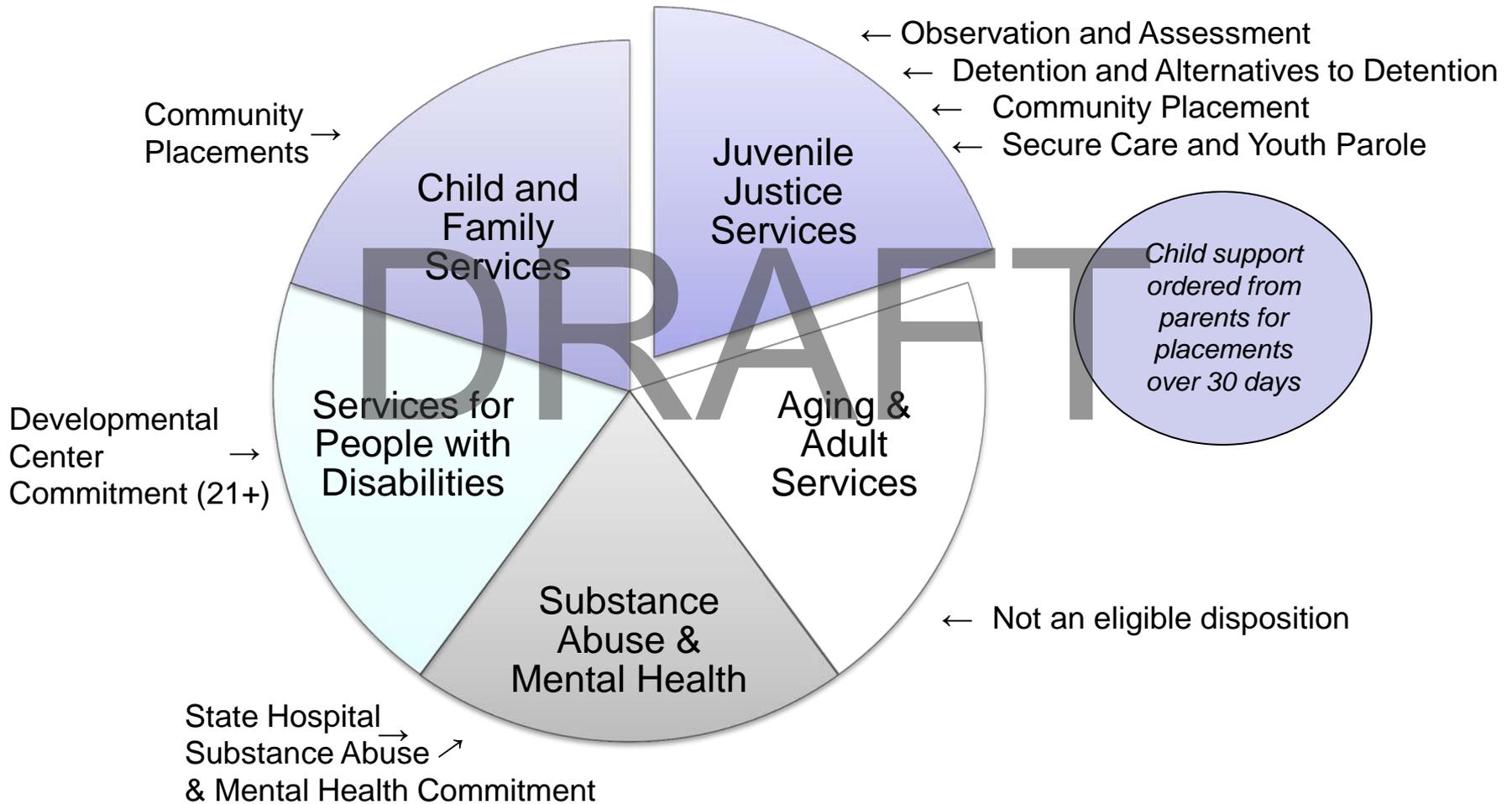
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**Department of Human Services**

**Disposition Options**

Juvenile Justice Services,  
Children and Family Services, other DHS

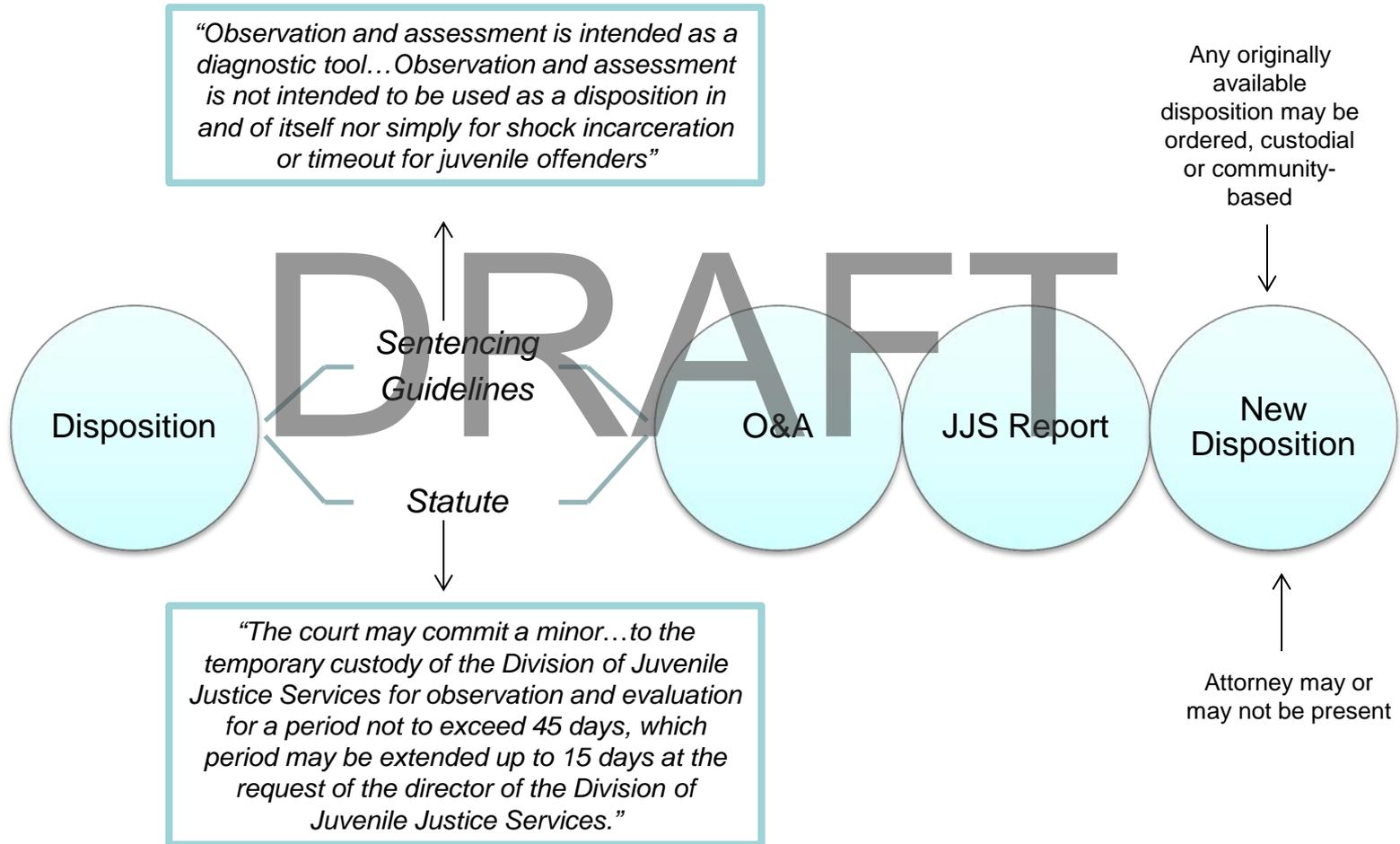
# Delinquent and status youth may be disposed to four out of five Department of Human Services Divisions



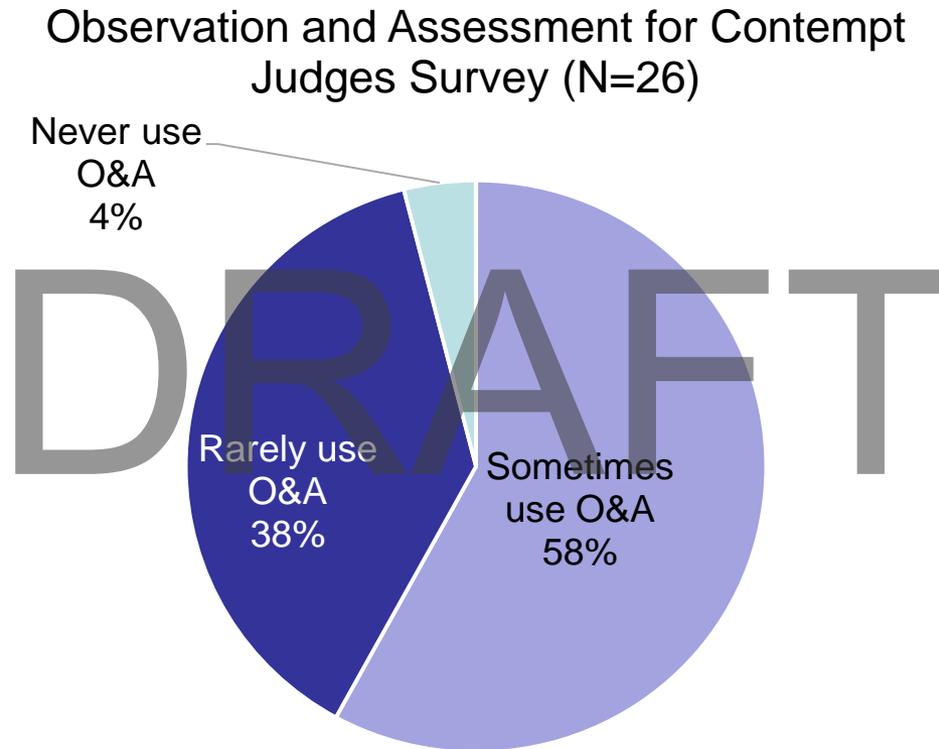


## JJS: Observation & Assessment

# Although O&A is intended as a diagnostic tool, no statutory prerequisites guide placement



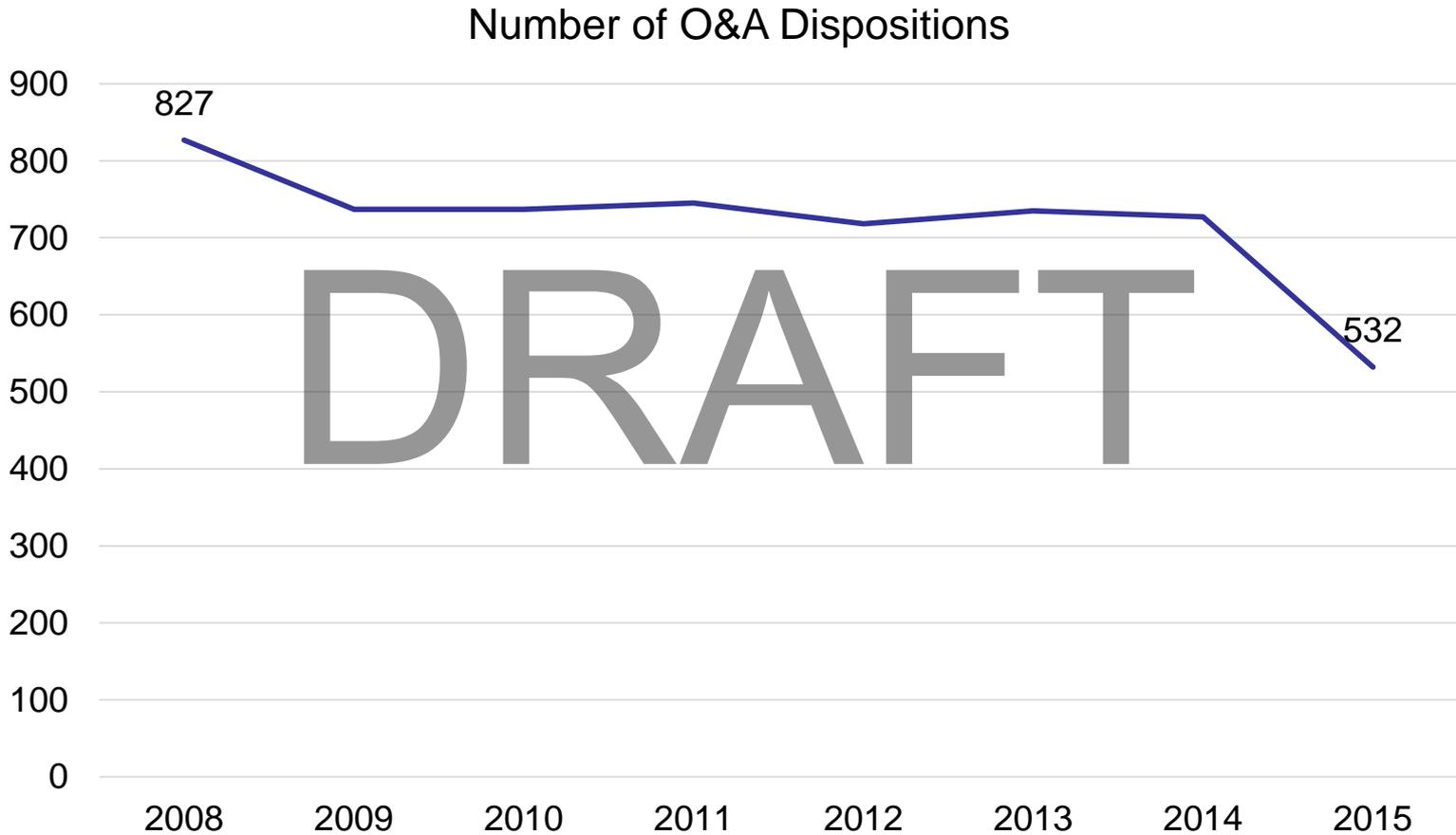
# More than half of judges report using O&A in response to contempt charges



# DRAFT

Observation and Assessment  
Data

# O&A dispositions down 36% since 2008, largest drop in the last year



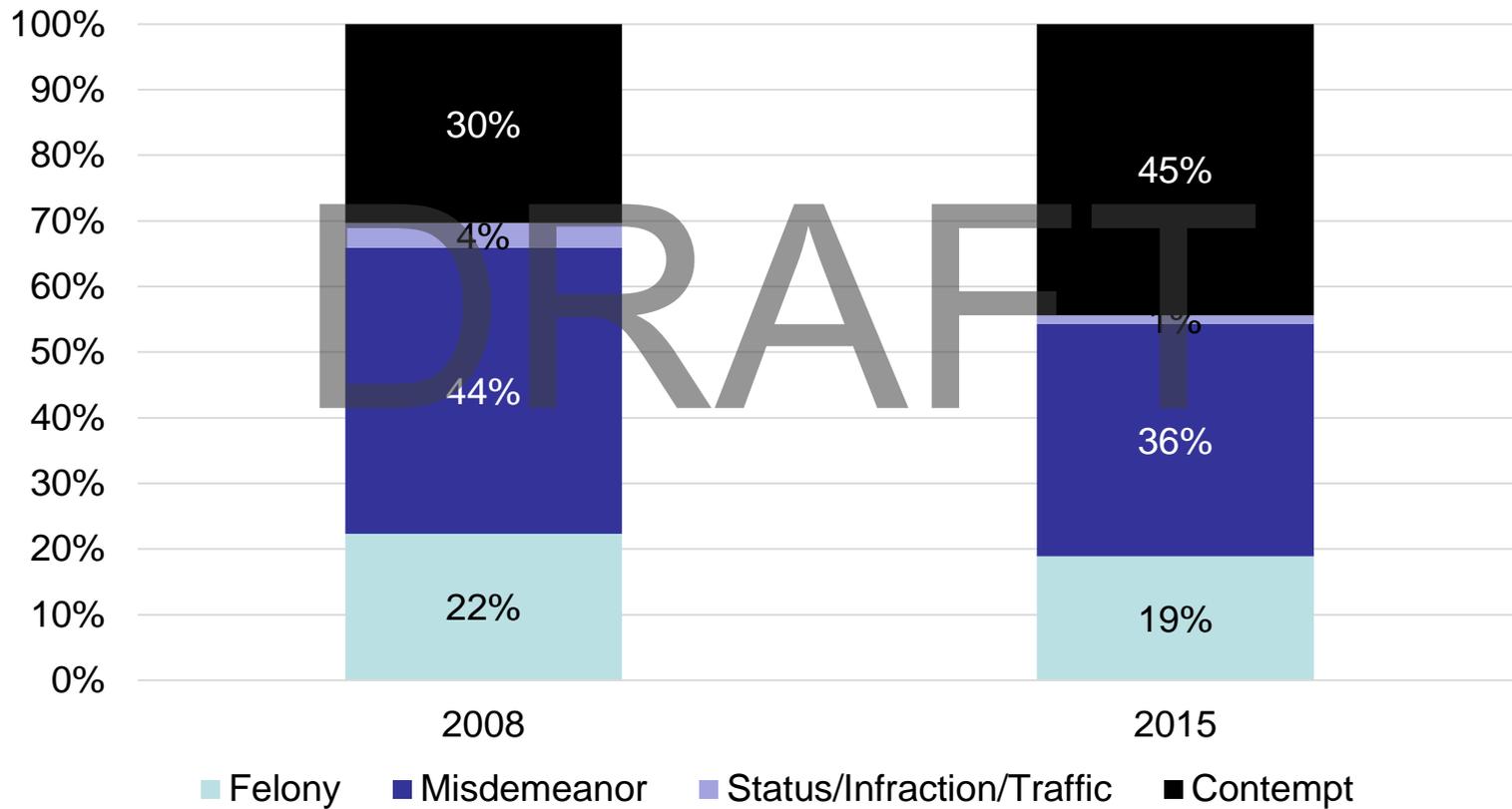
Vast majority of O&A dispositions are not put in long-term placement; 3/4 of them also have a detention disposition

<b>O&amp;A Dispositions with Other Disposition on Same Intake, 2015</b>	
JJS Detention	73%
Probation	28%
JJS Community Placement	21%
DCFS	7%
JJS Secure	0%

\*Totals may not add up to 100% because of multiple dispositions

# Large increase in proportion of O&A dispositions for contempt

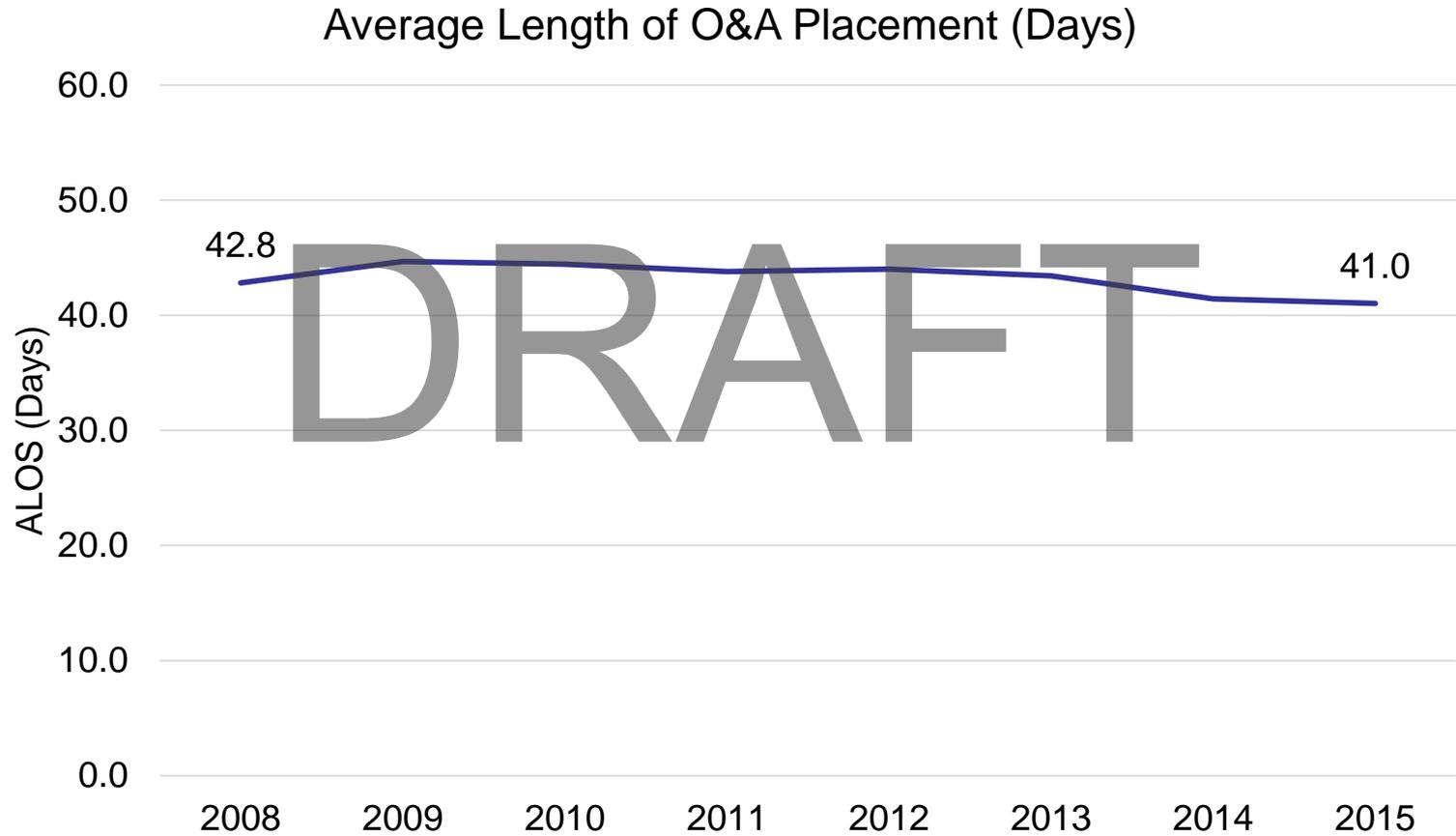
Most Serious Offense on O&A Disposition



Within urban districts, variation in proportion of O&A dispositions compared to proportion of new intakes

<b>District Breakdown</b>		
	O&A Dispositions 2015	New Intakes 2015
First District	6%	7%
<b>Second District</b>	<b>25%</b>	<b>18%</b>
<b>Third District</b>	<b>43%</b>	<b>36%</b>
<b>Fourth District</b>	<b>9%</b>	<b>20%</b>
Fifth District	4%	8%
Sixth District	2%	3%
Seventh District	5%	3%
Eighth District	6%	4%

# Average length of O&A placement consistently 40-45 days



# Observation and Assessment Key Takeaways

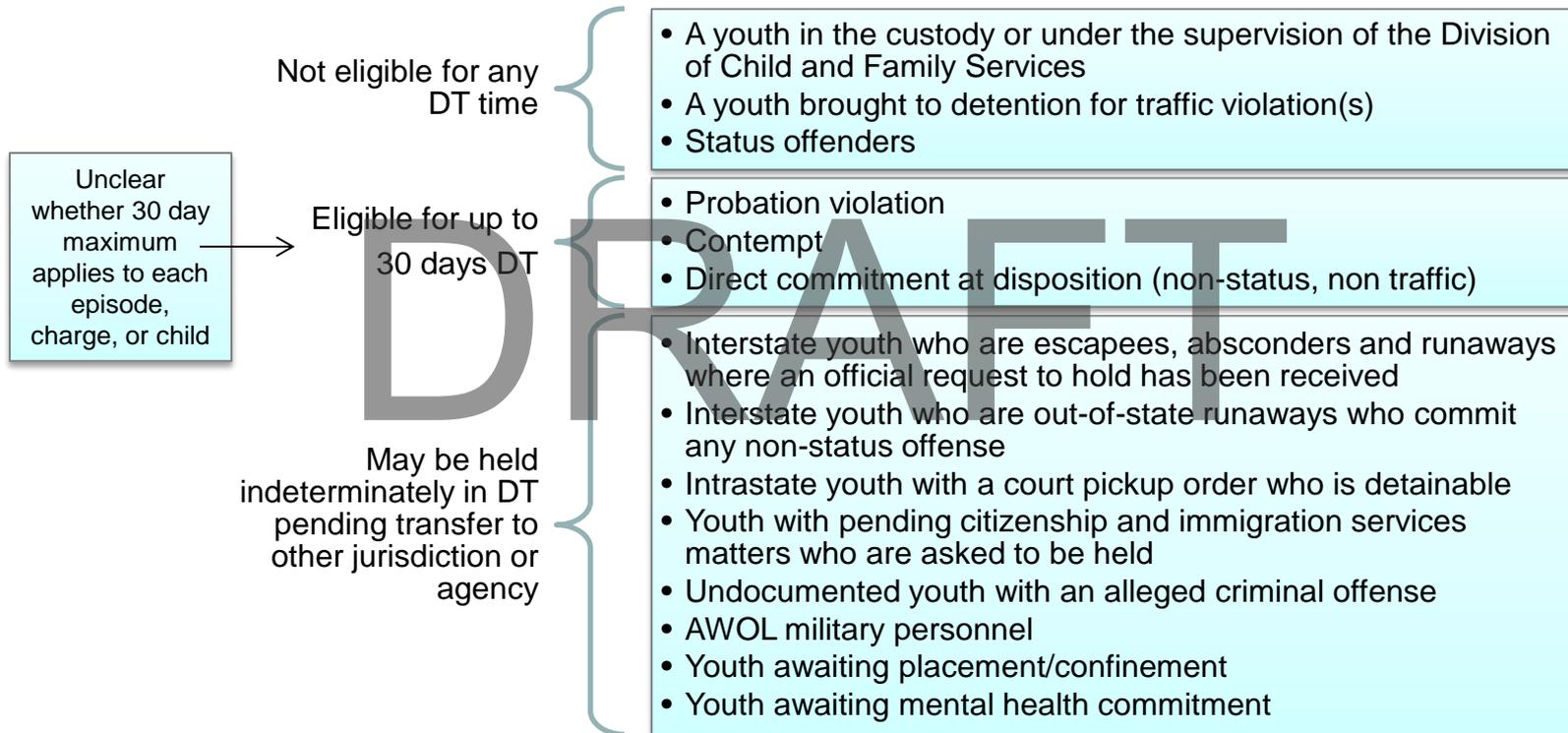
- **Decision-making:**
  - Although O&A is intended to be used as a diagnostic tool, no statutory prerequisites limit placement
    - According to the sentencing guidelines, O&A should not be a disposition in and of itself
  - Following up to 60 days in O&A, the judge may use discretion to dispose the youth to any of the originally available dispositions
    - Attorneys may or may not be present for that disposition hearing
  - More than half of judges report using O&A for contempt charges
- **Youth flow:**
  - O&A dispositions are down 36% since 2008, consistent with the decline in new intakes, but most of that drop came in 2015
    - Districts vary in their proportional use of O&A
    - Contempt is the most serious offense for 45% of O&A dispositions, up from 30% in 2008
  - Three-quarters of youth who are disposed to O&A also get a detention disposition on the same case
- **Other?**



## JJS: Detention & Detention Alternatives

# Status offenders may be confined in secure detention on a finding of contempt for up to 30 days

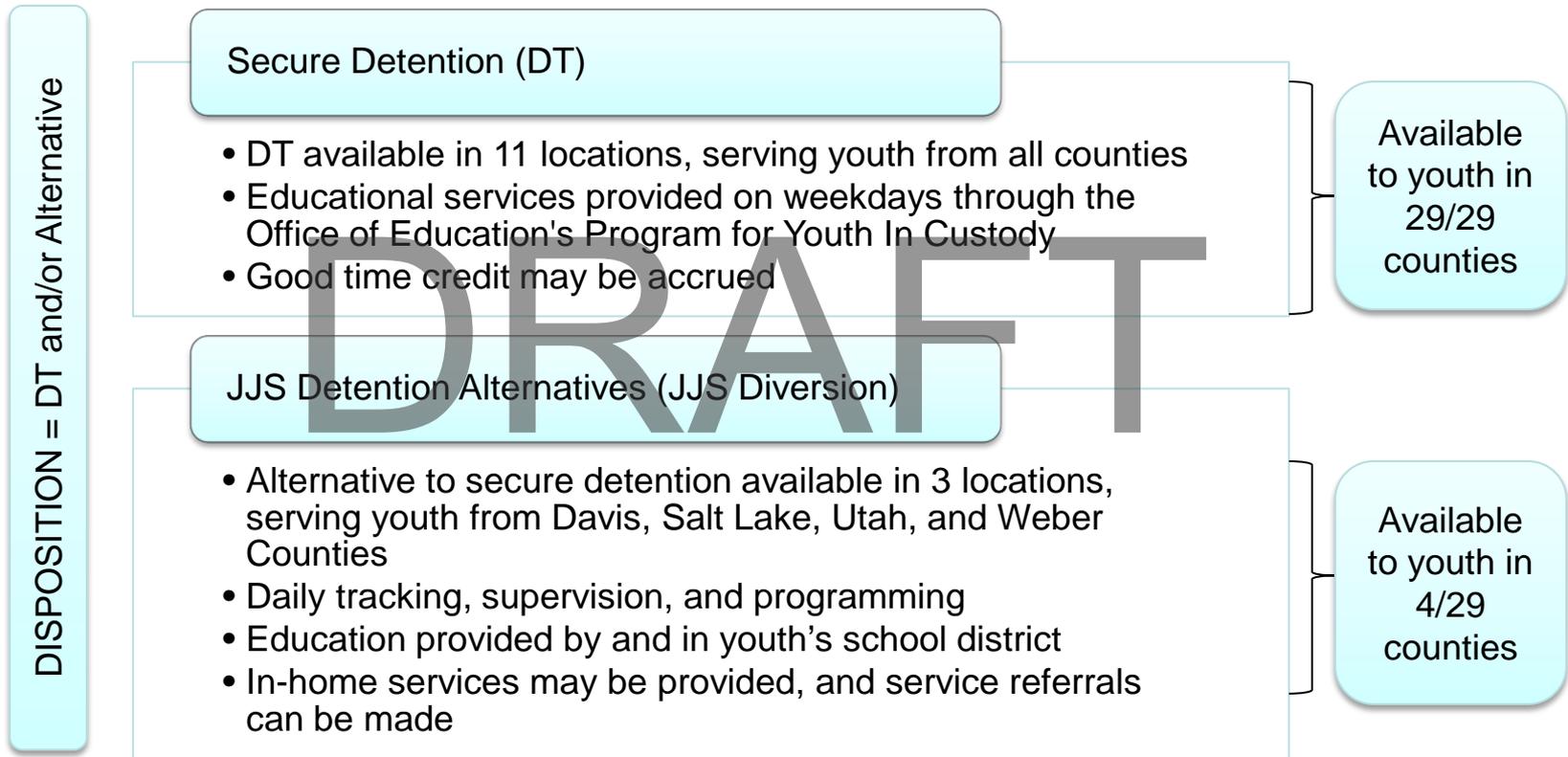
## Post-Adjudication Secure Detention



\*No restriction on overall detention use during the course of a case

\*\*Any commitment to secure detention may be stayed or suspended upon conditions ordered by the court

# Where available, detention alternatives may be ordered in lieu of secure detention at disposition

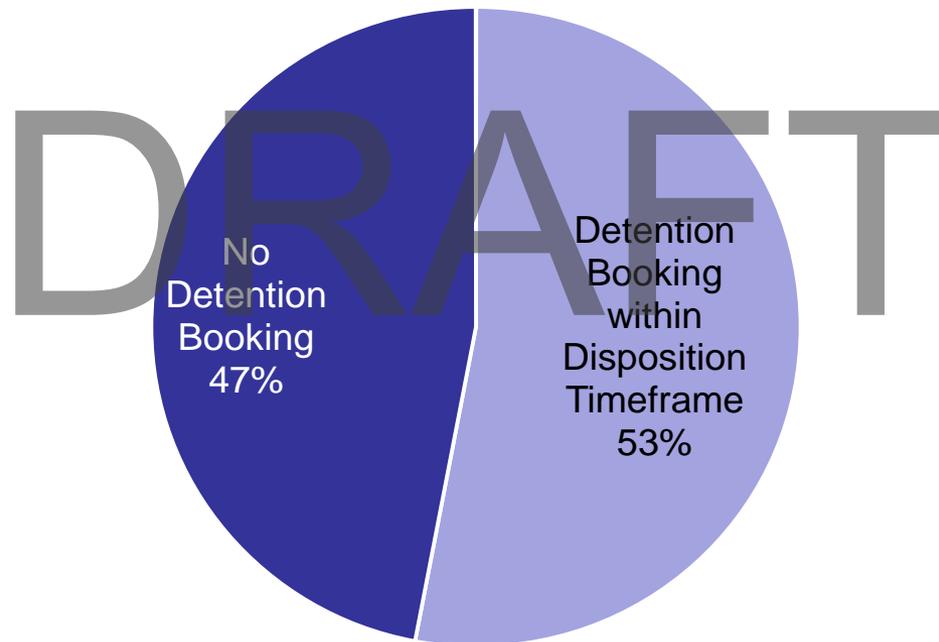


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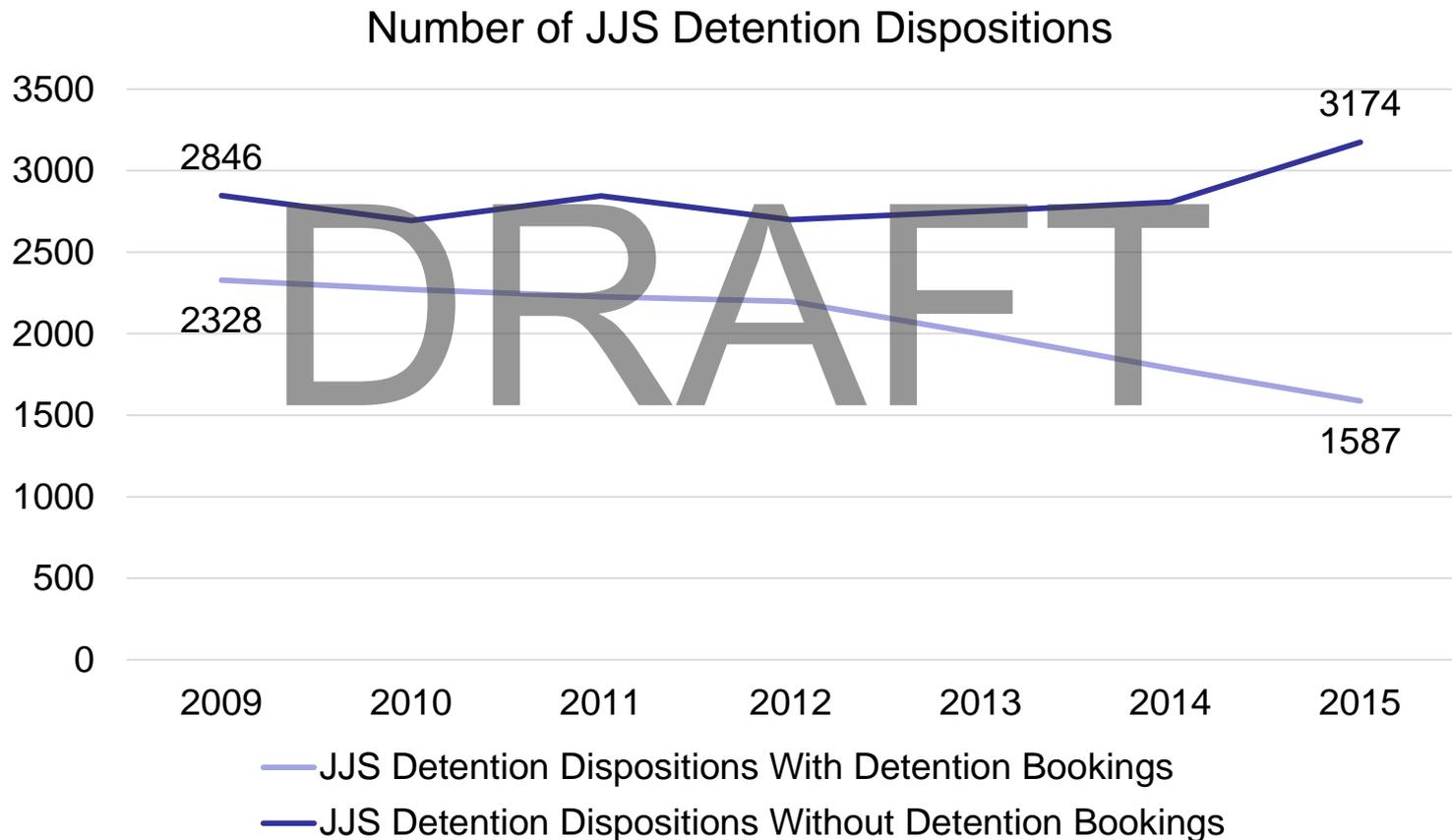
JJS: Detention and Detention Alternatives  
Data

Just over half of JJS detention dispositions result in detention booking

JJS Detention Dispositions 2015



32% decrease in detention dispositions that resulted in detention booking; 12% increase in detention dispositions without detention booking



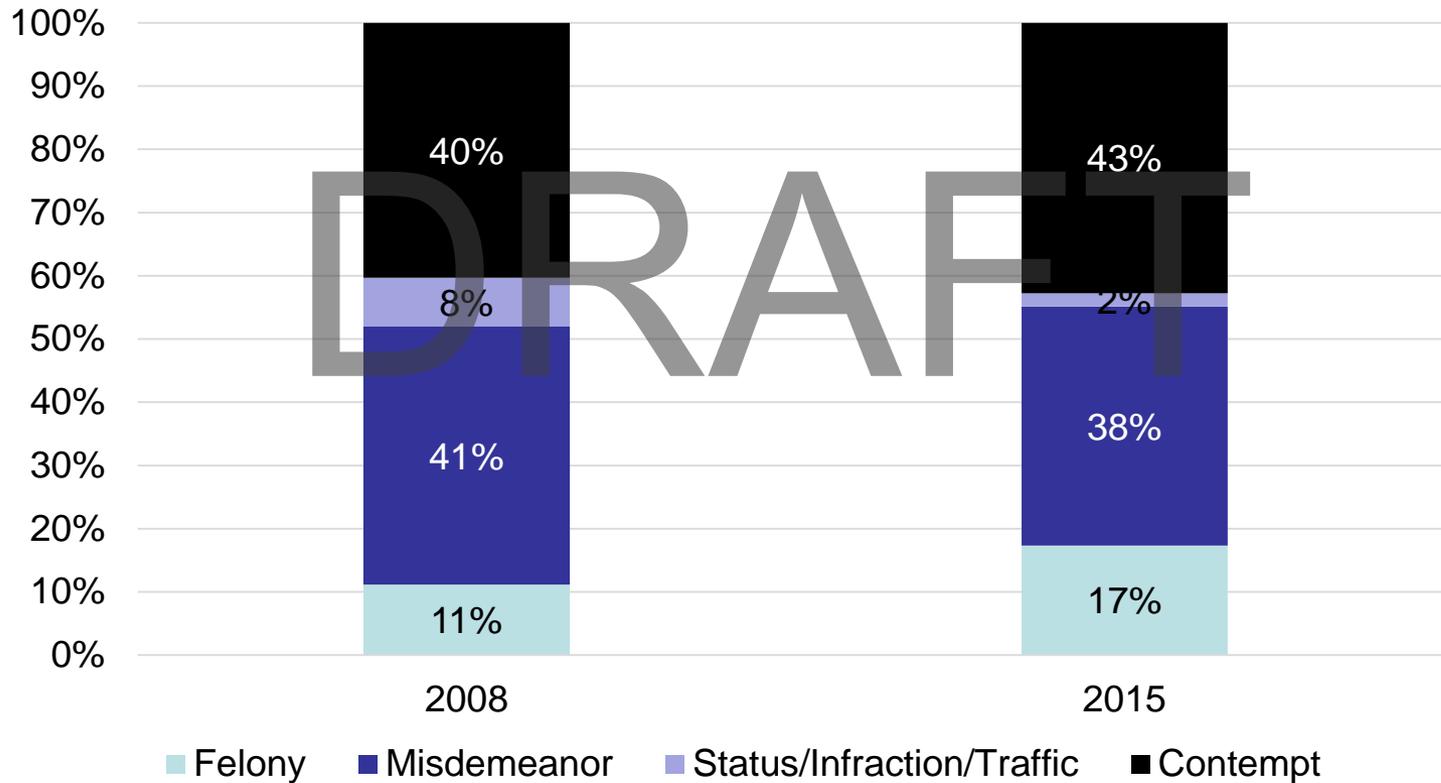
Most youth sent to detention do not have formal probation or custody disposition on same intake

<b>JJS Detention Disposition and Booking with Other Disposition on Same Intake, 2015</b>	
Probation	34%
O&A	26%
JJS Community Placement	22%
JJS Secure	3%
DCFS	8%

\*Totals may not add up to 100% because of multiple dispositions

# 43% youth are put in JJS detention for contempt

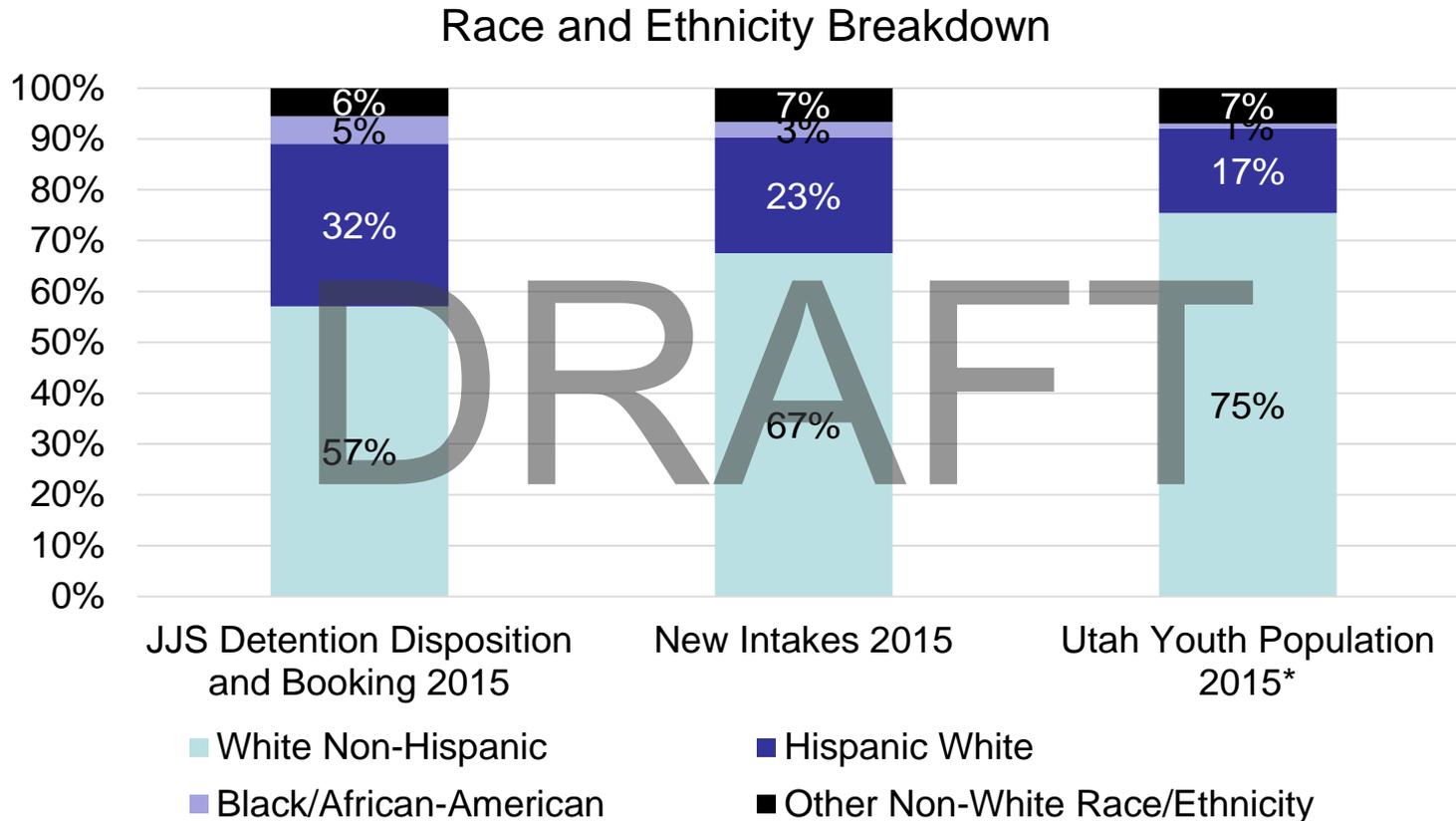
## Most Serious Offense on JJS Detention Disposition and Booking



## Contempt and drug offenses most common for detention dispositions and bookings

Top 10 Offenses, JJS Detention Disposition and Booking 2015	# Youth	% Non-Felony
CONTEMPT - NON-PECUNIARY	286	100%
CONTEMPT - PROBATION	237	100%
CONTEMPT - DRUG	81	100%
ALCOHOL POSSESSION/CONSUMPTION	70	99%
RETAIL THEFT <\$500	48	98%
ASSAULT-SUB.RISK OF/BODILY INJ	46	100%
POSSESSION DRUG PARAPHERNALIA	46	96%
MARIJUANA POSSESSION OR USE	46	98%
SEXUAL ABUSE,CHILD-V.UNDER 14	42	2%
CRIMINAL MISCHIEF	33	97%

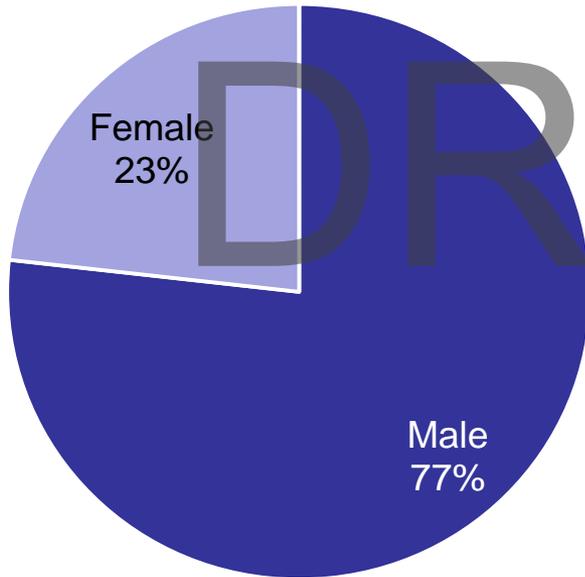
# Larger proportion of Black and Hispanic youth among JJS detention dispositions compared to new intakes



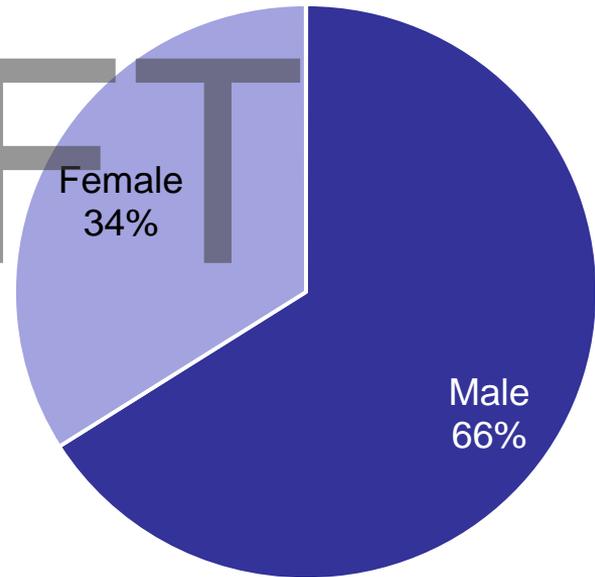
\*State of Utah School Enrollment Demographics Data, 2015

More than three-quarters of JJS detention dispositions are male; larger portion than new intakes

JJS Detention Disposition and Booking  
2015

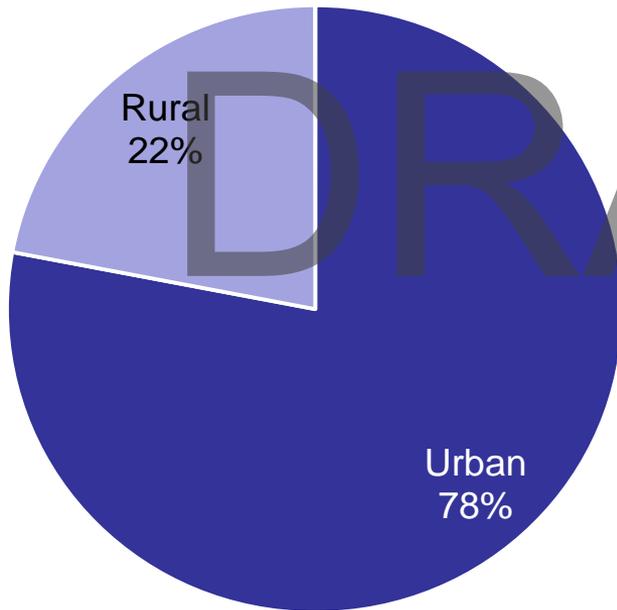


New Intakes 2015

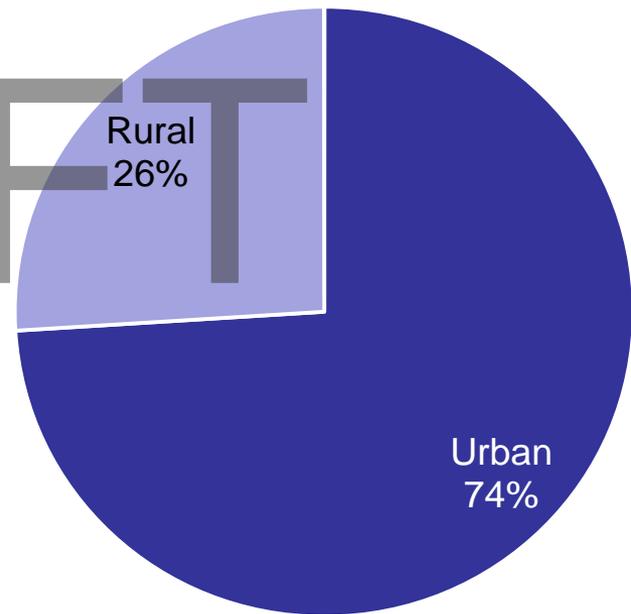


# Similar proportion of JJS detention dispositions coming from rural areas compared to new intakes

JJS Detention Disposition and Booking  
2015



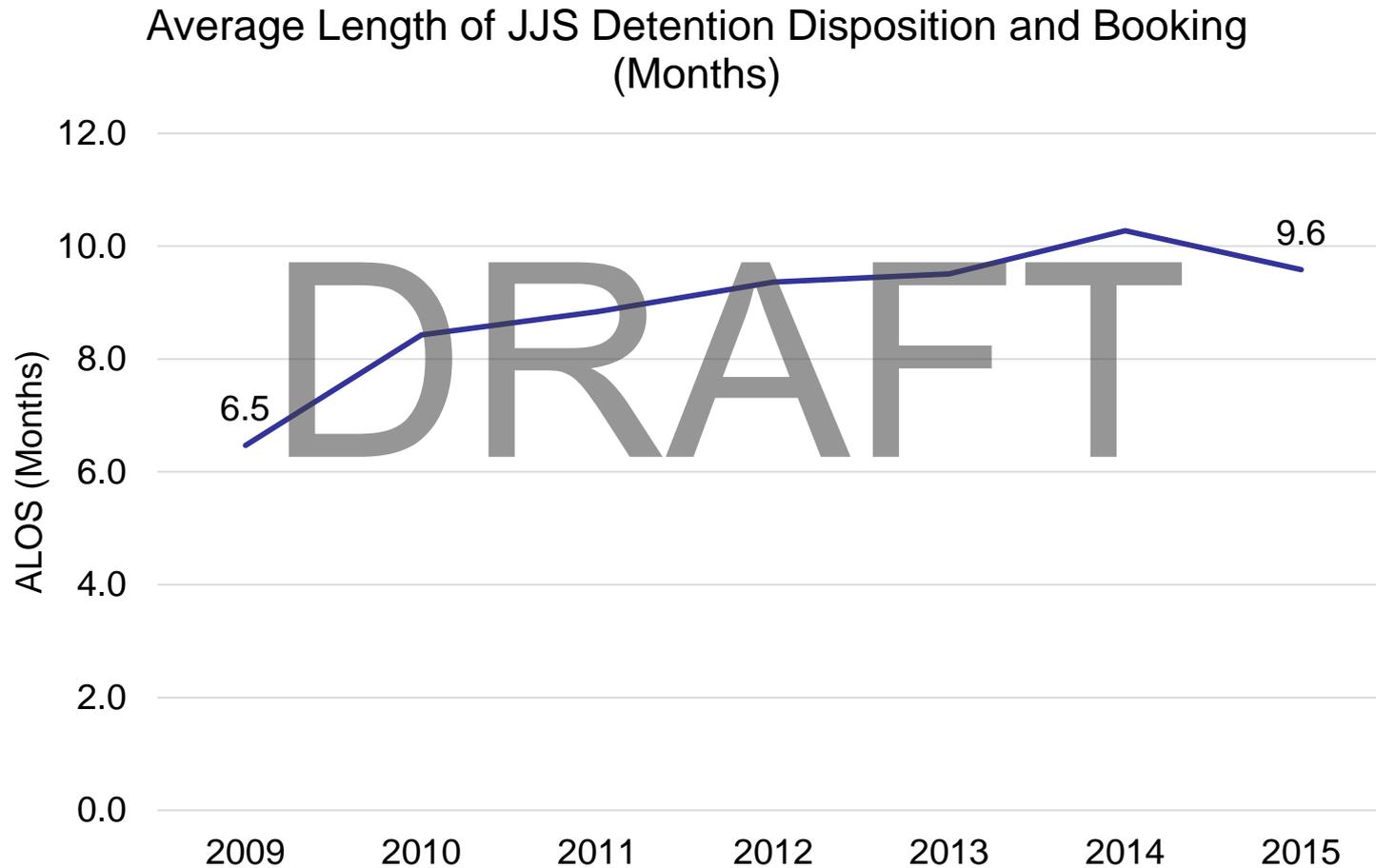
New Intakes 2015



## Variation within urban districts of proportion of detention dispositions compared to new intakes

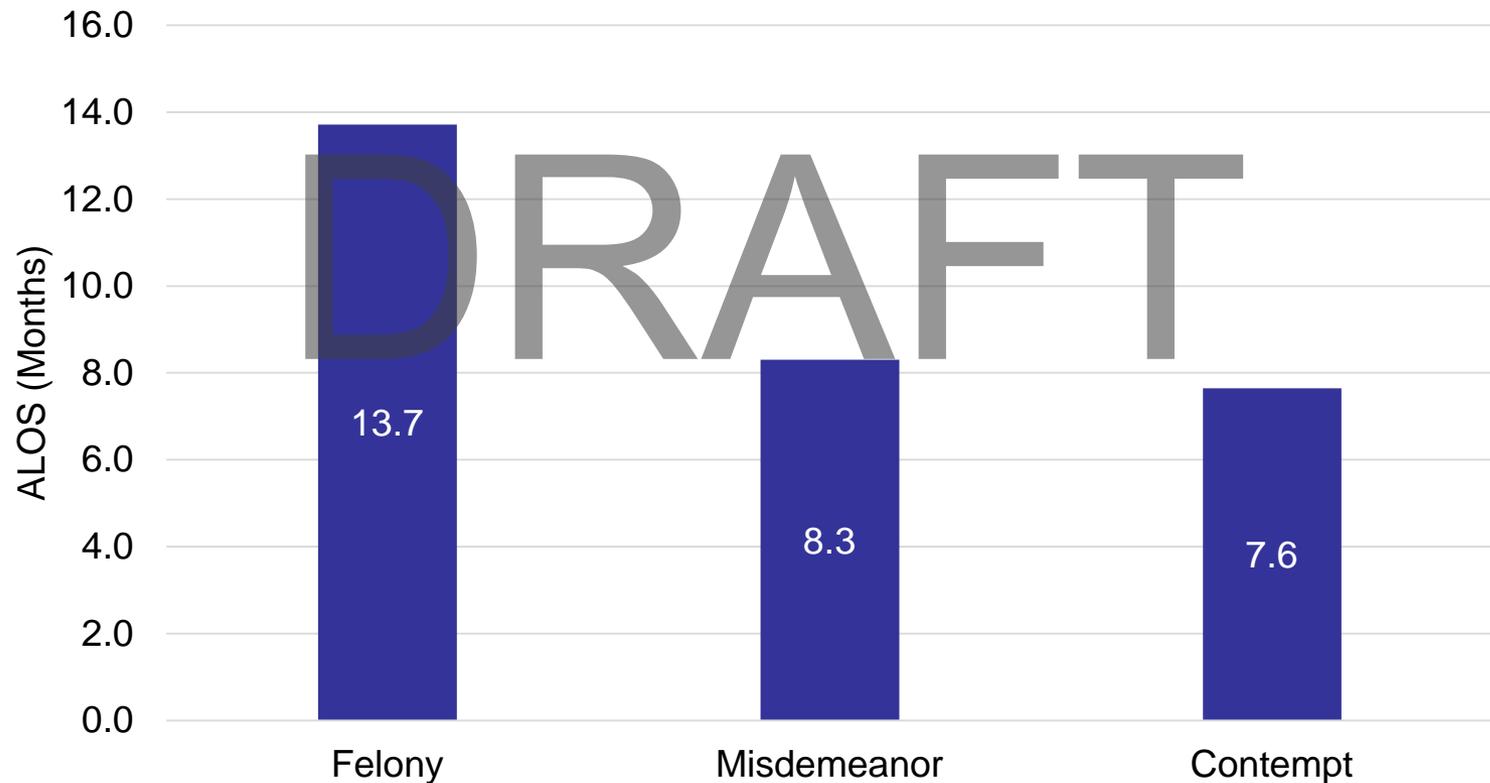
District Breakdown		
	JJS Detention Disposition and Booking 2015	New Intakes 2015
First District	7%	7%
<b>Second District</b>	<b>32%</b>	<b>18%</b>
<b>Third District</b>	<b>34%</b>	<b>36%</b>
<b>Fourth District</b>	<b>11%</b>	<b>20%</b>
Fifth District	7%	8%
Sixth District	3%	3%
Seventh District	3%	3%
Eighth District	3%	4%

Average length of detention disposition is about 10 months, up 48% from 2009

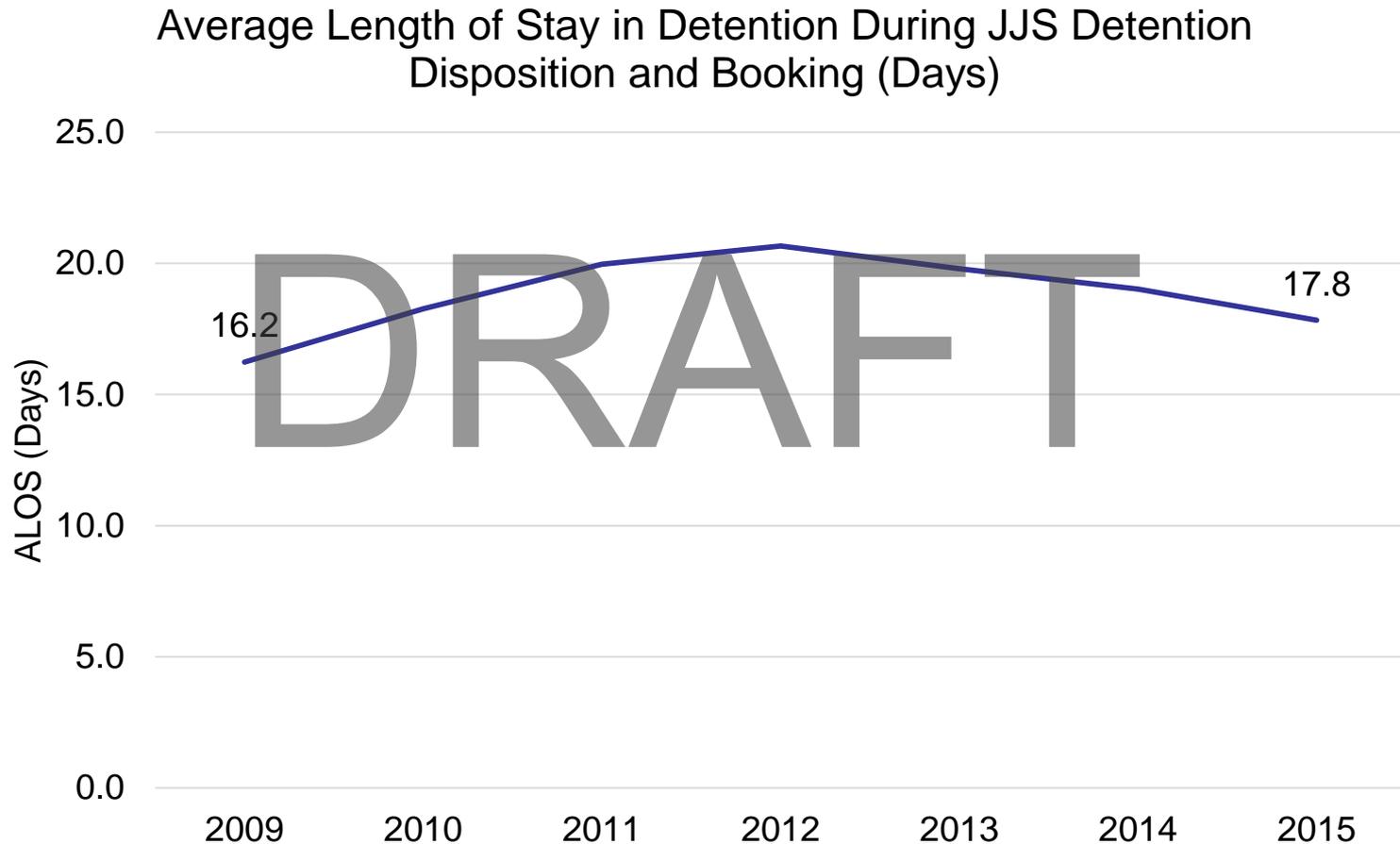


# Felony dispositions to JJS detention are longer than misdemeanor and contempt dispositions

Average Length of JJS Detention Disposition and Booking by Most Serious Offense (Months)

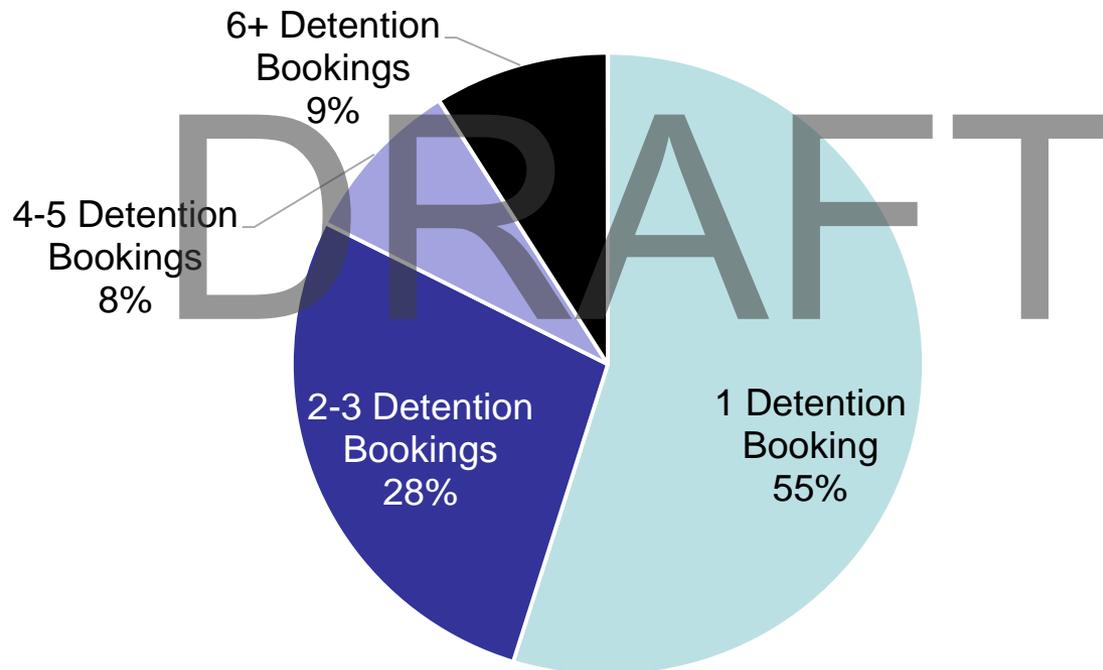


# Youth spend 18 days on average in detention during JJS detention disposition, up 10% since 2009



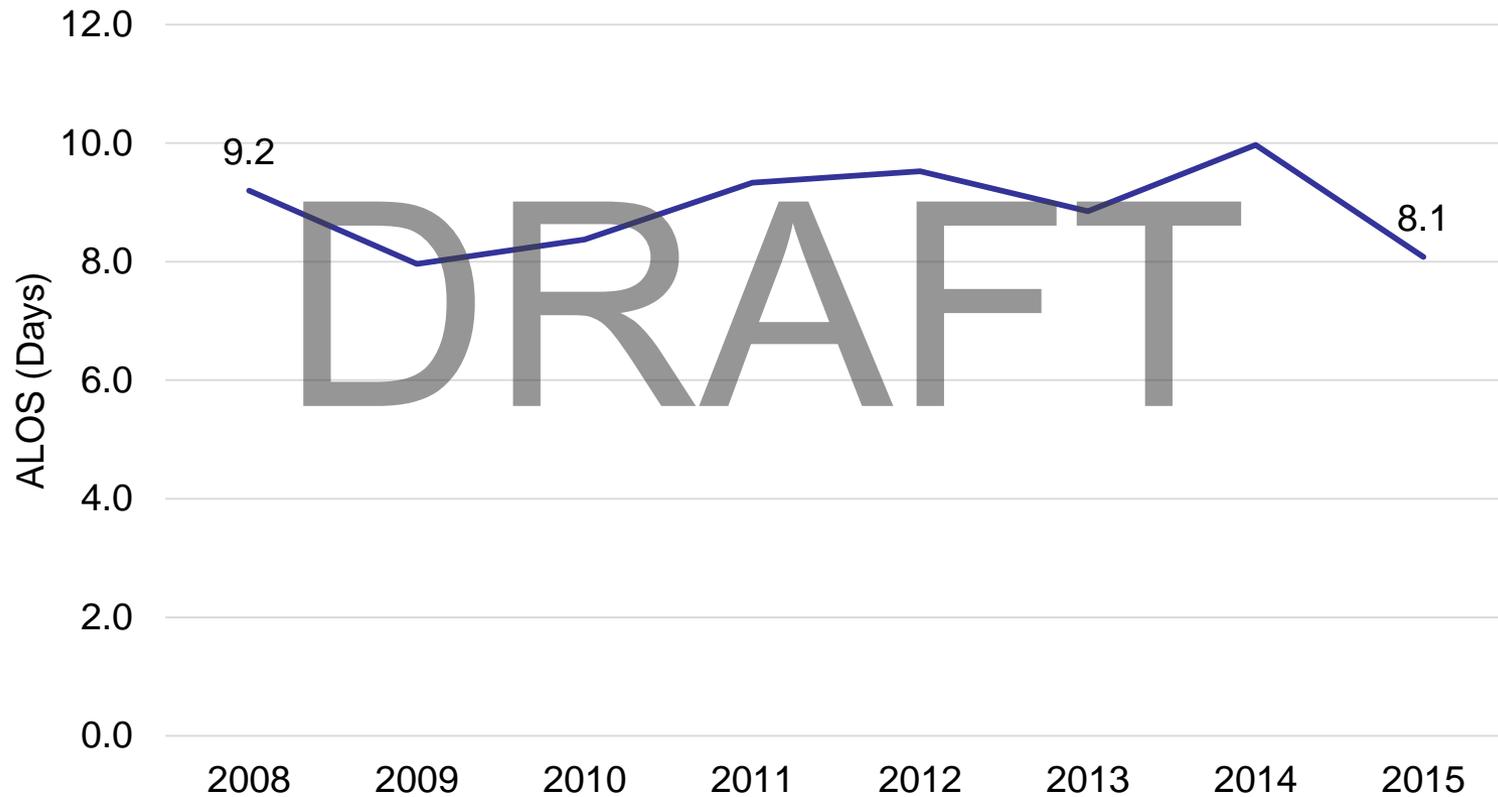
If youth are booked into detention, nearly half have more than one detention booking before the end of their disposition

Number of Detention Stays During JJS Detention Disposition and Booking, 2015



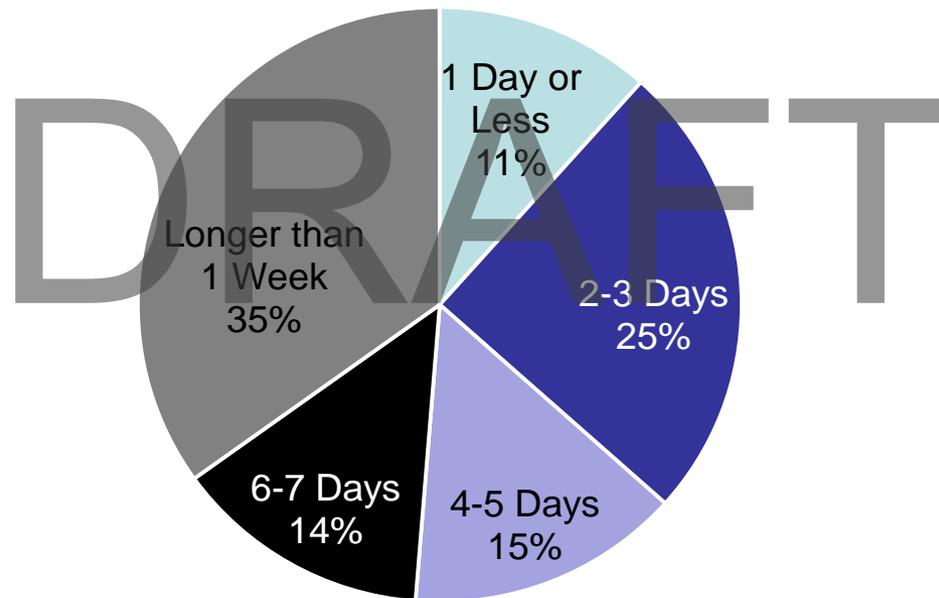
# An average detention stay lasts 8 days

JJS Detention Disposition and Booking  
Average Length of Booking (Days)



More than 1/3 of detention bookings last longer than one week

Length of Detention Booking for Detention Dispositions and Bookings, 2015



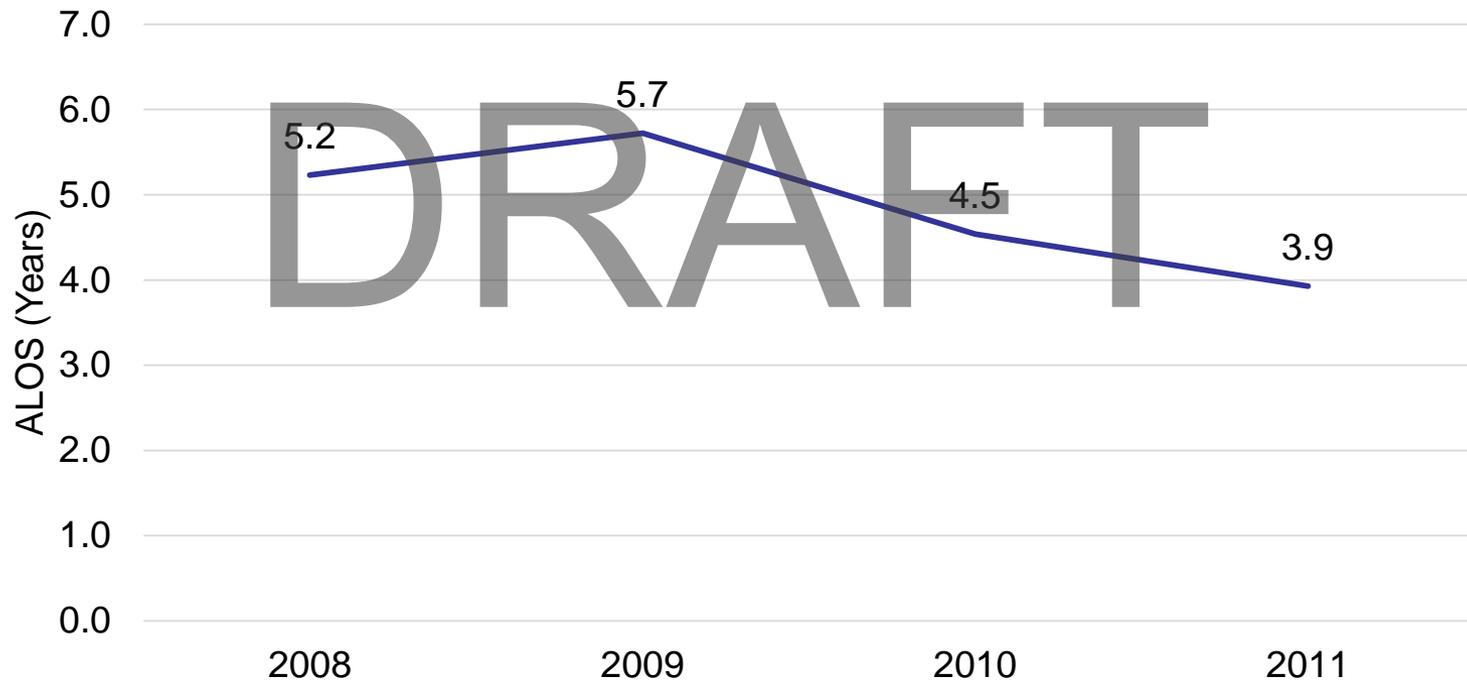
Half of youth with JJS detention disposition also have probation disposition before aging out

<b>Other Probation and Custody Dispositions for Youth who Received JJS Detention Disposition and Aged Out, First Intake 2008-2011</b>	
Probation	50%
JJS Community Placement	20%
DCFS Custody	12%
JJS Secure Care	4%
O&A	24%

\*Totals may not add up to 100% because of multiple dispositions

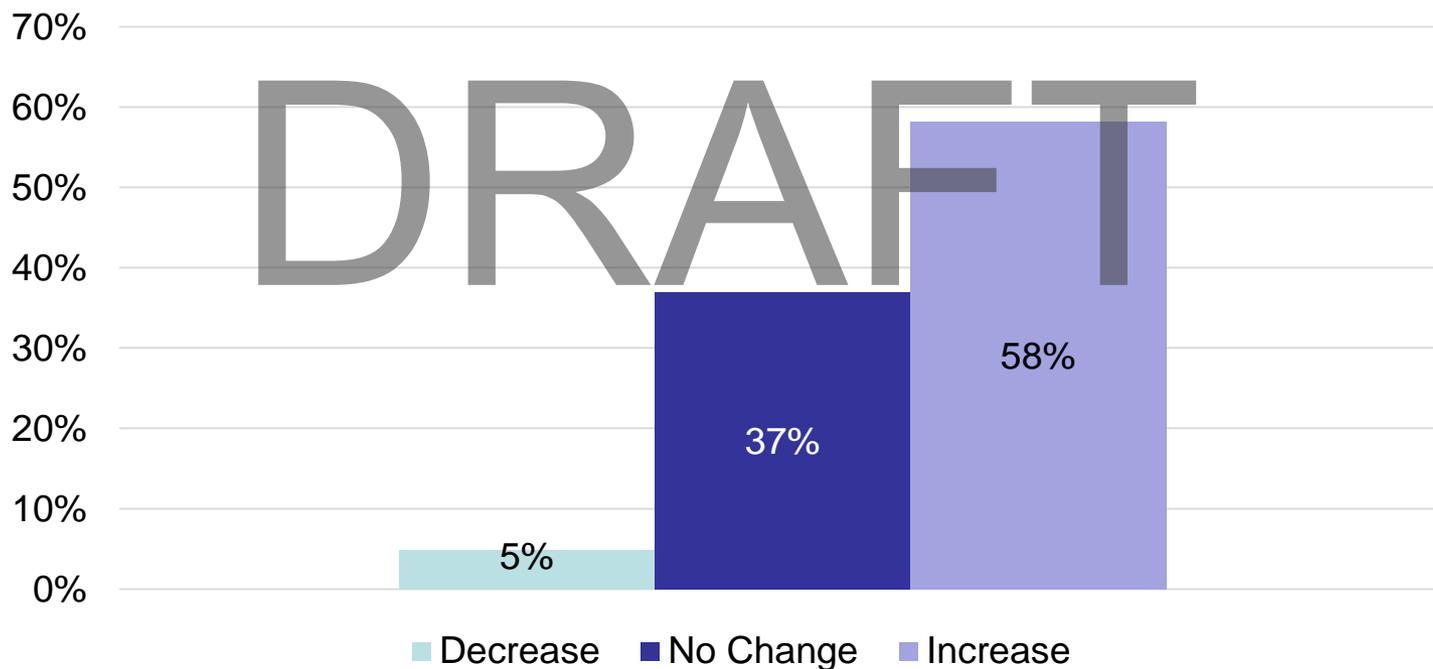
# Youth who have JJS detention disposition before aging out spend 4-5 years under court jurisdiction

Average Length of Time Under Court Jurisdiction for Youth with JJS Detention Disposition (Years)  
Youth Aged Out, First Intake 2008-2011



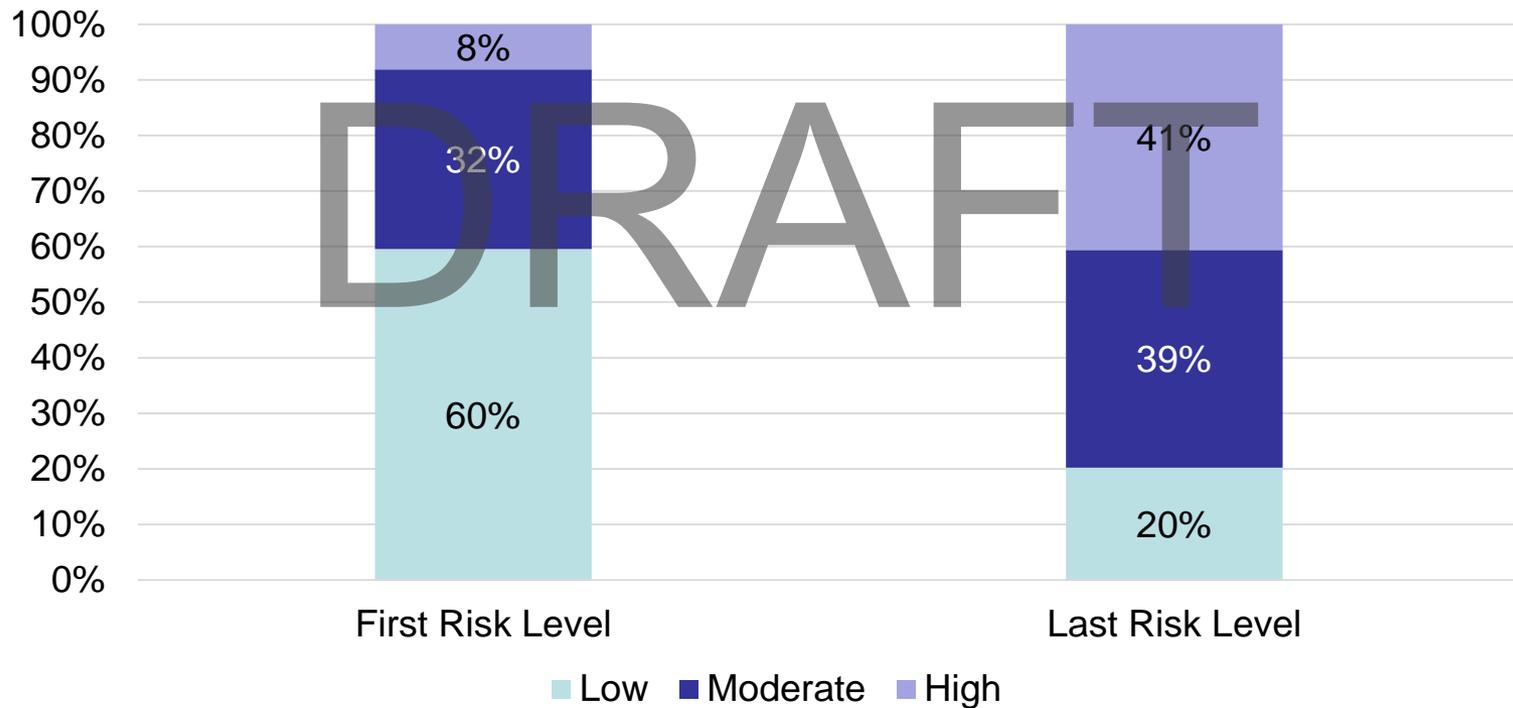
# More than half of youth who spend time in JJS detention increase their risk level before aging out

Youth Disposed to JJS Detention Who Had Multiple Assessments, First Intake 2008-2012  
Change from First to Last Risk Assessment



While 8% of youth sent to JJS detention started as high risk, 41% were high risk when they left the system

Youth Disposed to JJS Detention Who Had Multiple Assessments, First Intake 2008-2012  
First and Last Risk Assessment



# JJS: Detention and Detention Alternatives Key Takeaways

- **Decision-making:**
  - Secure detention may be used at the court's discretion for up to 30 days at each disposition
    - It is unclear if that 30-day maximum is specific to each youth, each case, or each charge
    - Youth awaiting placement could spend more than 30 days awaiting transfer
  - While statute prohibits incarceration of status offenders, the court may incarcerate a status offender through a subsequent finding of contempt
    - Defense counsel may be, but need not be, appointed at that contempt proceeding
  - In 4 urban counties, JJS diversion may be used by the court as a detention alternative

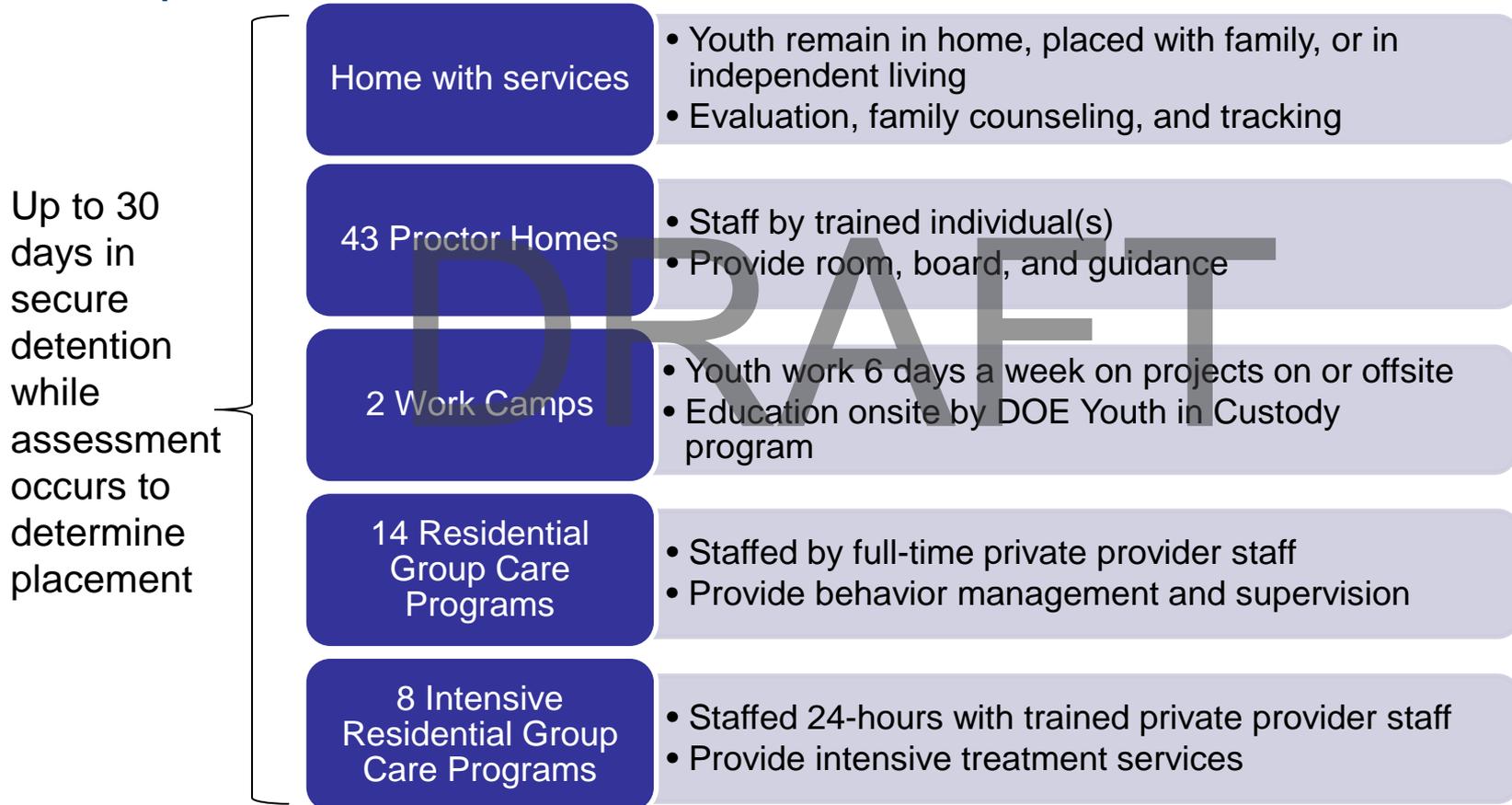
# JJS: Detention and Detention Alternatives Key Takeaways

- **Youth flow:**
  - 53% of detention dispositions result in a detention booking; all other youth have a stay on an order of detention that is not imposed
    - Detention dispositions that resulted in a booking have decreased 32% (consistent with the decline in new intakes since 2008)
    - Detention dispositions with no booking have increased 12%
  - 83% of youth are put in detention on non-felonies, 43% for contempt
  - Detention dispositions with bookings are open an average of 10 months, but youth who are booked spend 18 days in detention on average
    - Of youth who are booked, nearly half have more than 1 stay
    - More than 1/3 of detention bookings last longer than 1 week
  - Youth who have a JJS detention disposition spend roughly 4 years under court jurisdiction on average before aging out
  - While only 8% of youth sent to JJS detention started as high risk, 41% left the system high risk
- **Other?**



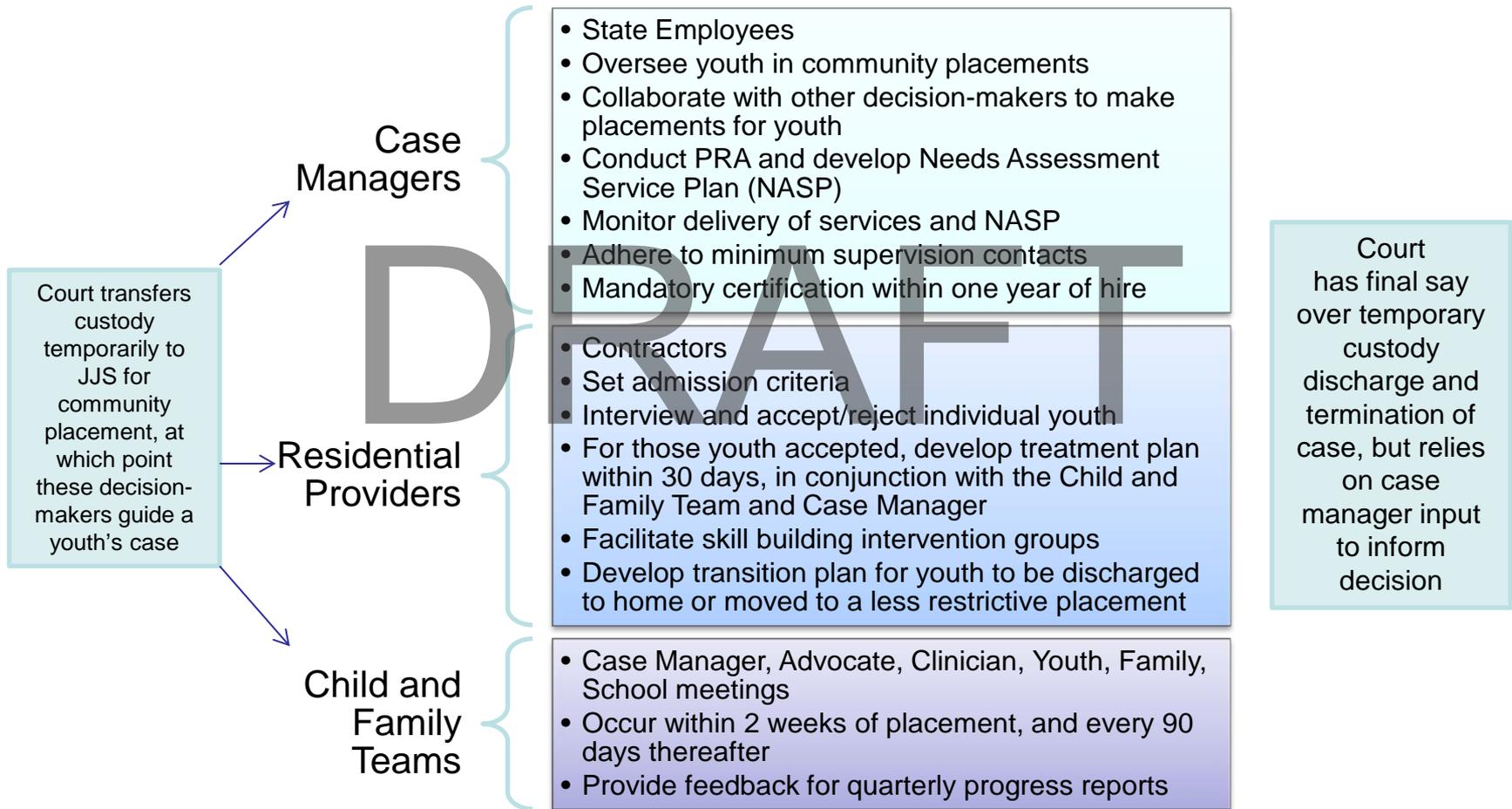
## JJS: Community Placement

# Youth disposed to JJS community placement often held in secure detention while awaiting a non-secure placement option



\*No statutory criteria guide temporary custody transfer dispositions of youth to JJS for non-secure community placement

# After initial placement, case managers may place youth again without court involvement, subject to provider criteria



## Youth risk, needs and service availability guide most judges' non-secure out-of-home placement determination

<b>Factors Guiding Non-Secure Out-Of-Home Placement Judges Survey (N=26)</b>	
Criminal history	100%
Professional judgment	96%
Offense type	92%
Probation officer recommendation	92%
Sentencing guidelines	88%
Risk and needs assessment results	88%
Other assessment results	88%
Predisposition report	85%
Availability of services in out-of-home placement	73%
Needs not being met in the community	73%
Family circumstances that endanger the youth	65%
Availability of services in the community	58%
Statute	42%
Demonstration of possible mental health issues	42%

\*Totals do not add to 100% because categories are not mutually exclusive

## Restitution is most frequently reported factor guiding judges' decision to place youth out of home in a JJS work camp

Factors Guiding JJS Work Camp Placement Judges Survey (N=26)	
Amount of restitution owed	96%
Professional judgment	88%
Probation officer recommendation	88%
Predisposition report	81%
JJS case manager recommendation	73%
Criminal history	69%
Amount of community service hours	65%
Offense type	62%
Risk and needs assessment results	54%
Other assessment results	54%
Statute	35%
Other	27%

\*Totals do not add to 100% because categories are not mutually exclusive

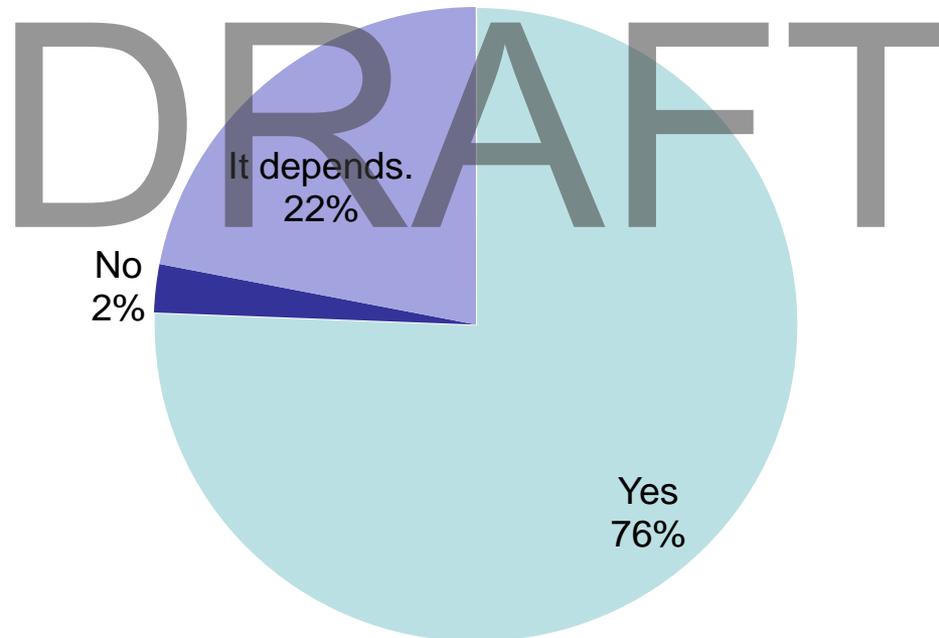
Unsuccessful discharge from non-secure out-of-home placement often determined by technical violations of program rules, treatment goals, and court orders

<b>Factors Determining if Youth in Non-Secure Out-of-Home Placement is Unsuccessfully Discharged</b> <b>JJS Case Managers Survey (N=42)</b>	
Noncompliance with treatment goals	81%
Noncompliance with program rules	76%
New crime	71%
Decision made by the provider	62%
Violations of court order (that are not a new crime)	62%
Professional judgment	55%
Other	26%

\*Totals do not add to 100% because categories are not mutually exclusive

# Most JJS Case Managers can address technical violations by youth residing at home without returning to court

Ability to Address Technical Violations Without  
Returning to Court  
JJS Case Managers Survey (N=41)



All JJS Case Managers report using increased supervision in response to technical violations, nearly half use non-secure out-of-home placements

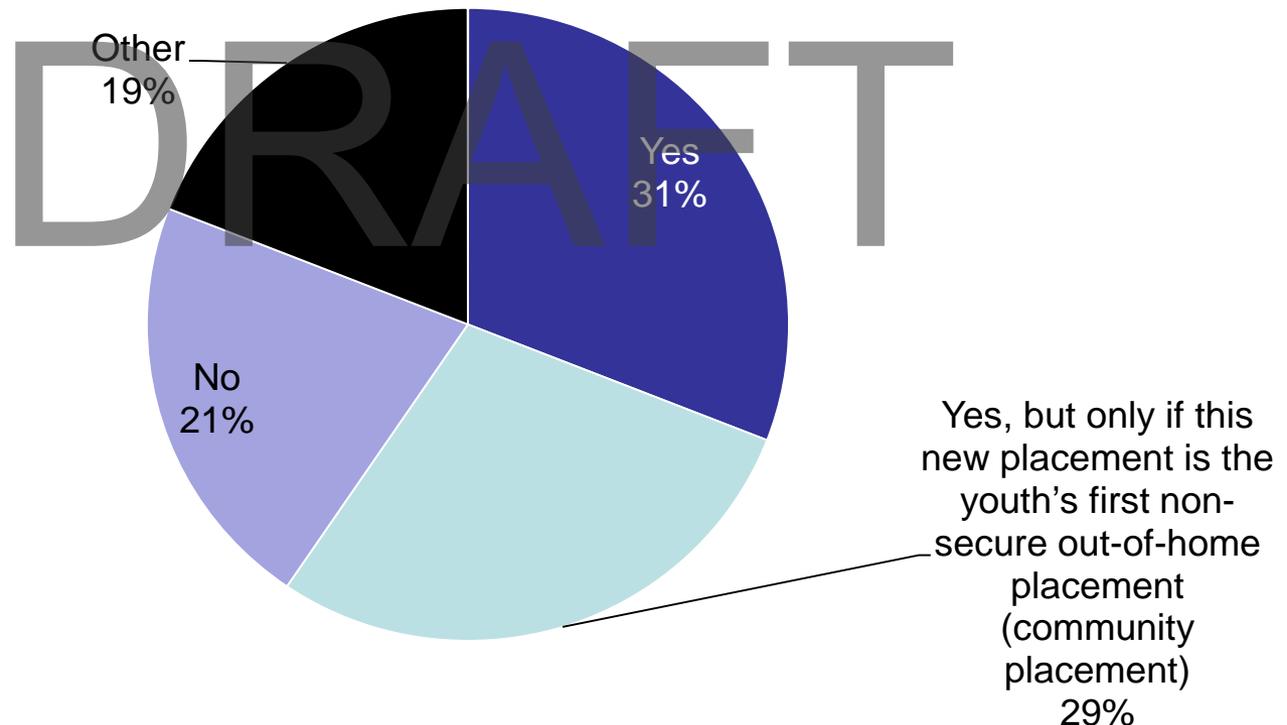
**Sanctions Used to Respond to Technical Violations of JJS Supervision  
JJS Case Managers Survey (N=41)**

Increased supervision	100%
Increased frequency of meetings	98%
Earlier curfew	95%
Drug testing	88%
Substance abuse services (alcohol or drugs)	61%
Non-secure out-of-home placements (community placements)	44%
Community service	29%
Electronic monitoring/house arrest	20%
Secure detention	12%
Restitution	7%
Other	5%
Secure care	0%

\*Totals do not add to 100% because categories are not mutually exclusive

# Variation in whether JJS Case Managers are required to obtain court order before placing youth in non-secure out-of-home placement

Required to Obtain a Court Order for Non-Secure Placement  
JJS Case Managers Survey (N=42)



## Variation in whether orders of the court or out-of-home placement staff are involved in determination of aftercare conditions for youth

<b>Determination of Aftercare Supervision Conditions JJS Case Managers Survey (N=40)</b>	
By JJS Case Manager	90%
By out-of-home placement staff	55%
In court order	48%

\*Totals do not add to 100% because categories are not mutually exclusive

Nearly half of JJS Case Managers do not use written guidelines to determine aftercare completion recommendation for youth released from non-secure out-of-home placement

<b>Factors Determining if Youth Released from Non-Secure Out-of-Home Placement has Completed Aftercare Supervision JJS Case Managers Survey (N=40)</b>	
Timeframe determined by JJS Case Manager	73%
Written guidelines (such as policies and procedures)	53%
Timeframe in court order	30%
Other	23%

\*Totals do not add to 100% because categories are not mutually exclusive

Most frequently cited barriers to JJS youth accessing services while at home are location, transportation, limited capacity, and cost to youth or family

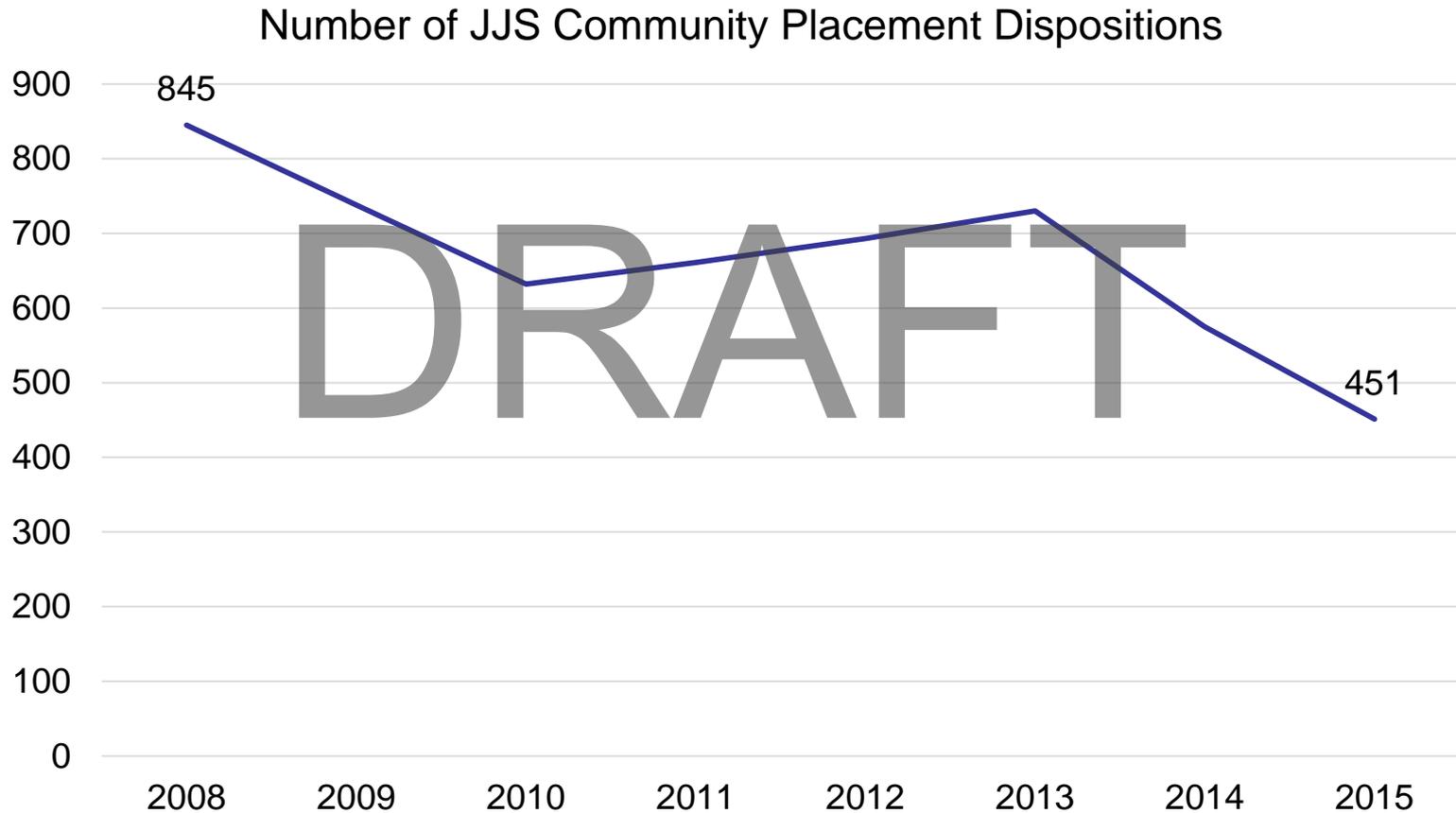
Barriers to Youth Accessing Services While Residing at Home JJS Case Managers Survey (N=42)	
Location of services	88%
Lack of transportation	71%
Limited capacity	67%
Cost of services to youth or family	50%
Long waitlists	33%
Other	21%

\*Totals do not add to 100% because categories are not mutually exclusive

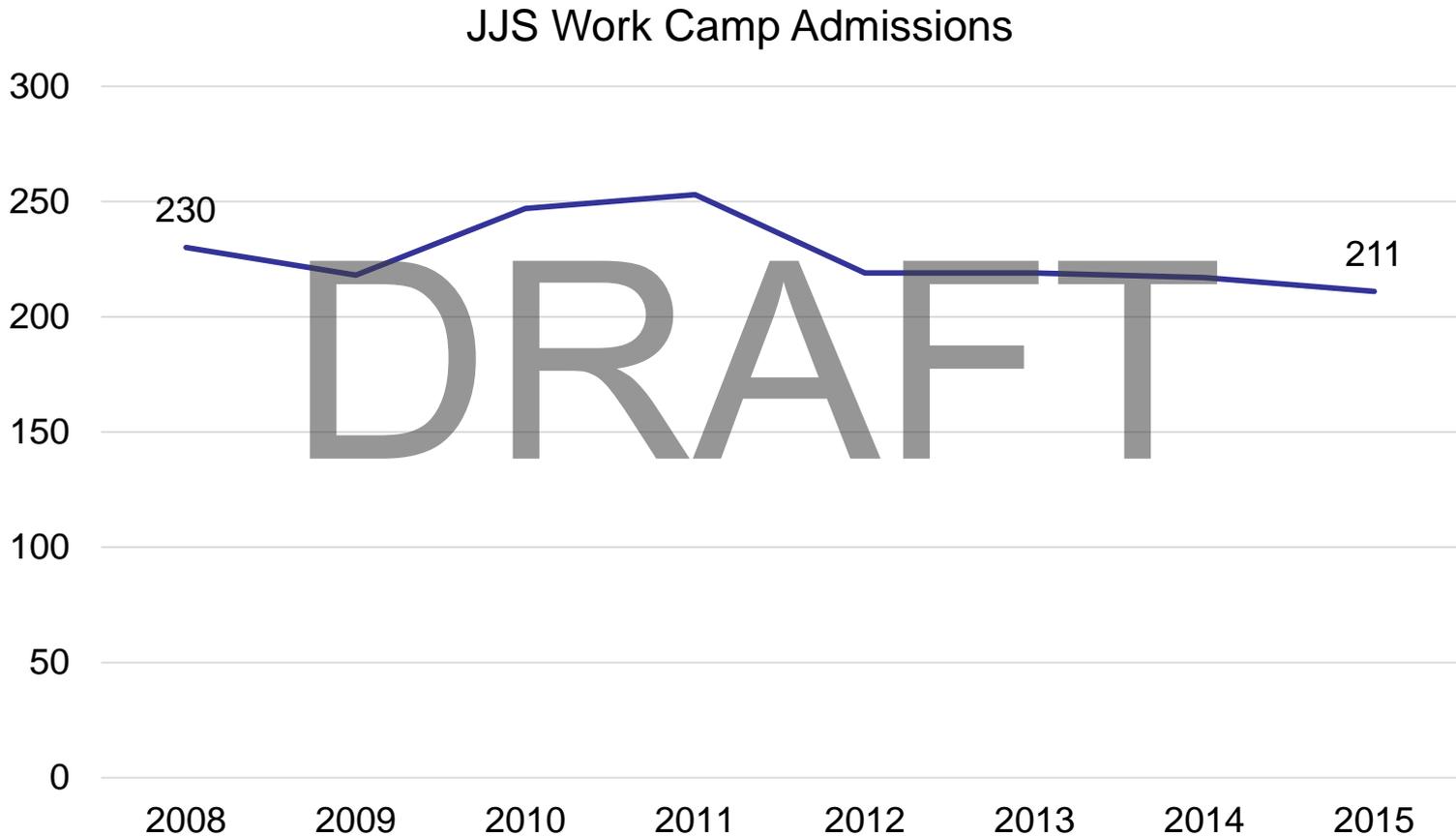
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JJS: Community Placement  
Data

# 47% decline in JJS community placement dispositions since 2008



# More than 200 youth admissions to JJS work camps, down 8% since 2008



Three-quarters of youth put in JJS community placement also have detention disposition on same case; one-quarter also end up in O&A

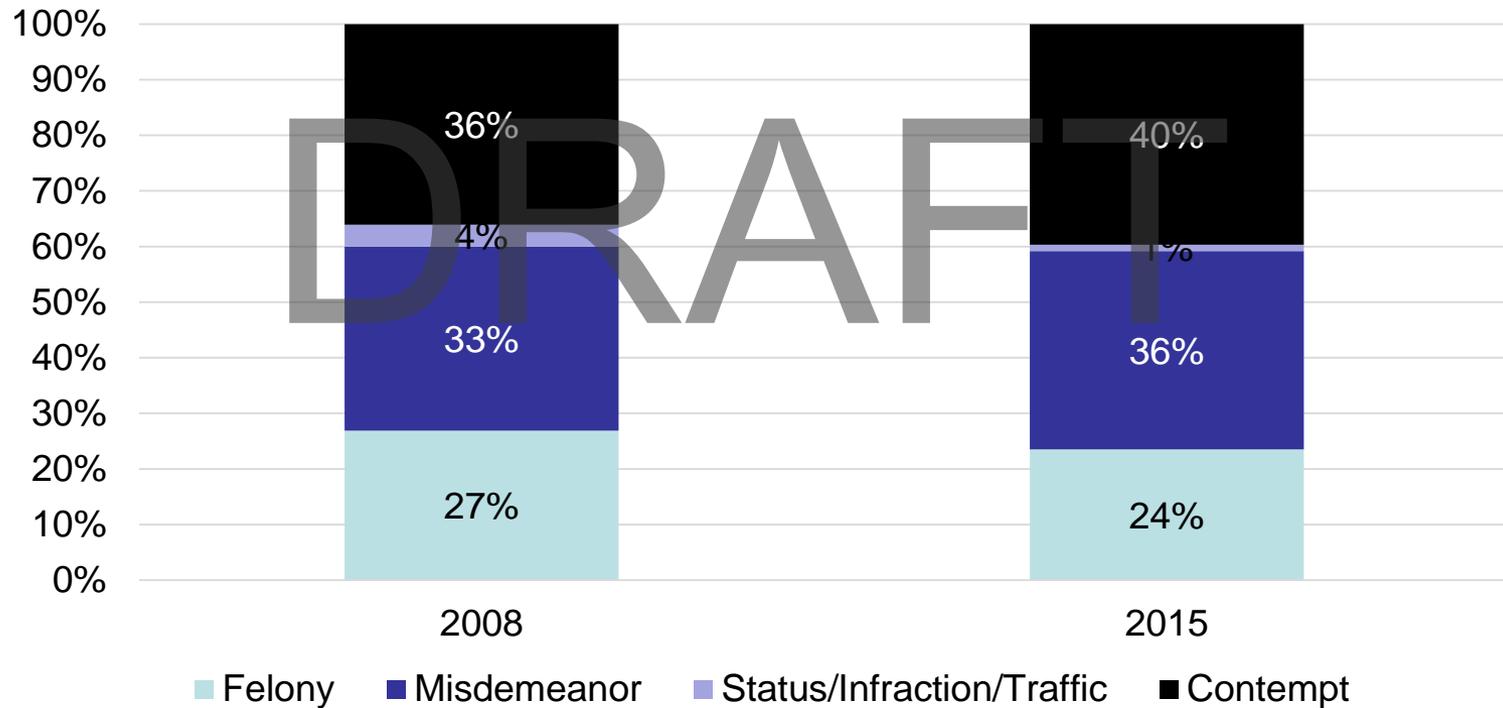
**JJS Community Placement Dispositions with Other Disposition on Same Intake, 2015**

JJS Detention	77%
O&A	25%
Probation	5%
DCFS	0%
JJS Secure	0%

\*Totals may not add up to 100% because of multiple dispositions

# 40% of JJS community placement dispositions are for contempt

## Most Serious Offense on JJS Community Placement Disposition

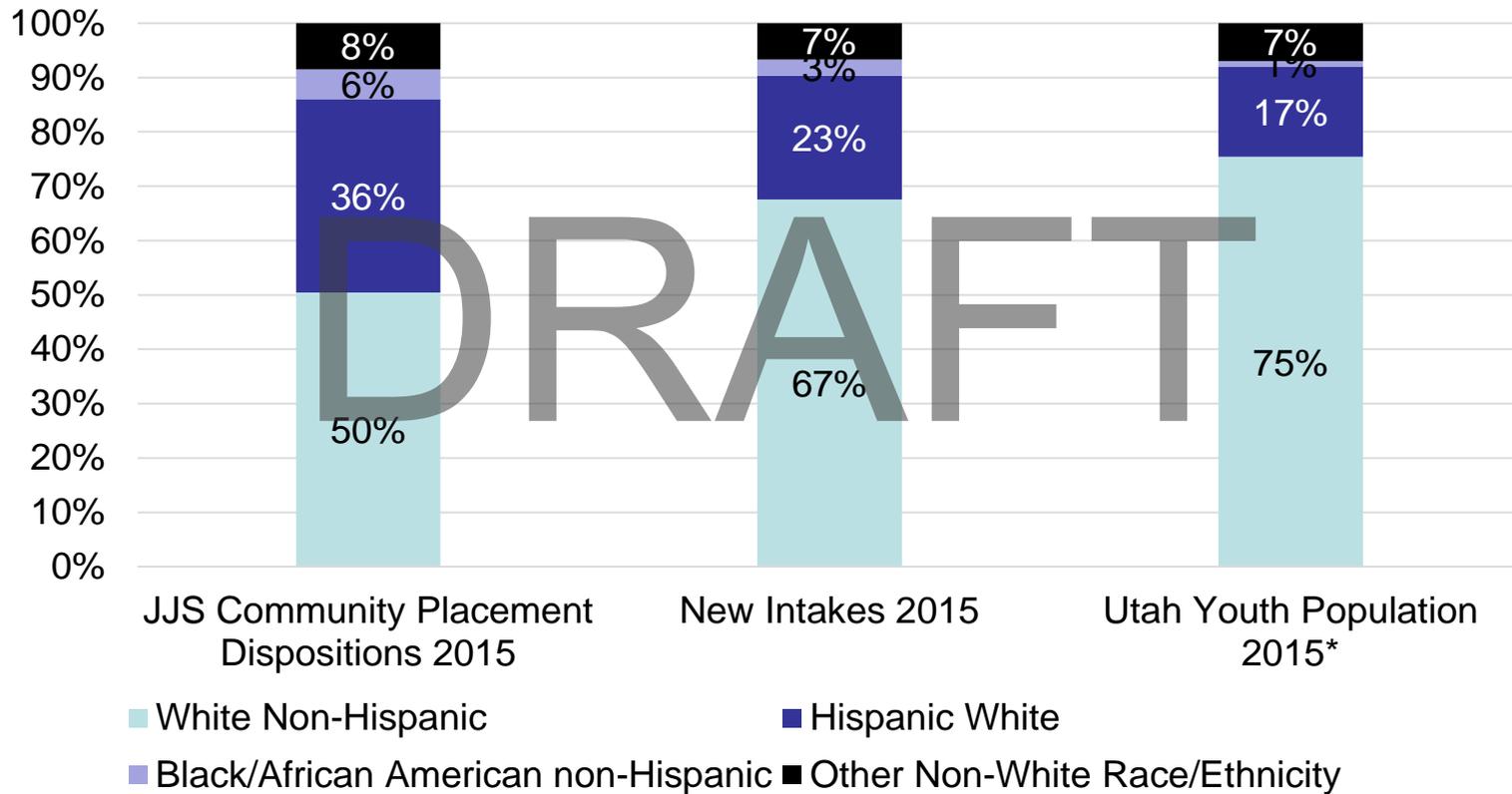


## Contempt, drug, theft offenses most common in top 10 JJS community placement dispositions

<b>Top 12 Offenses, JJS Community Placement Dispositions, 2015</b>	<b># Youth</b>	<b>% Non-Felony</b>
CONTEMPT - PROBATION	109	100%
CONTEMPT - NON PECUNIARY	53	100%
SEXUAL ABUSE, CHILD-V. UNDER 14	20	0%
CONTEMPT - DRUG	14	100%
RETAIL THEFT <\$500	13	85%
ALCOHOL POSSESSION/CONSUMPTION	12	100%
THEFT <\$500	12	75%
ASSAULT-SUB.RISK OF/BODILY INJ	10	100%
JOYRIDE DRIVER-RET.UNDER 24 HR	10	100%
MARIJUANA POSSESSION OR USE	10	100%
FAIL TO STOP AT POLICE COMMAND	10	100%
CRIMINAL MISCHIEF	10	90%

# Larger proportion of Hispanic and Black youth among JJS community placement dispositions compared to new intakes

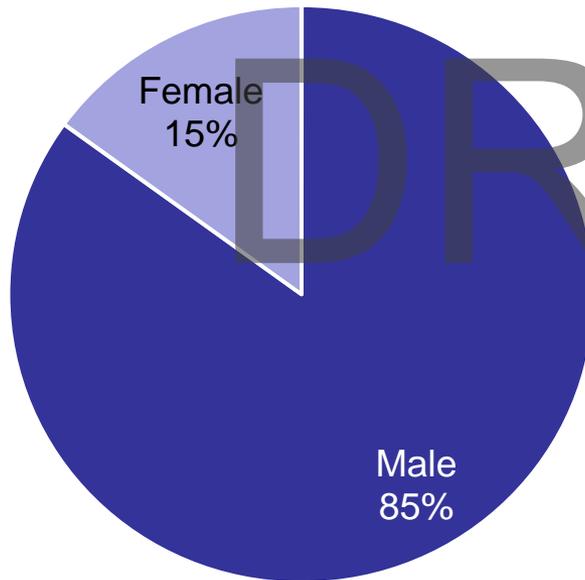
Race and Ethnicity Breakdown



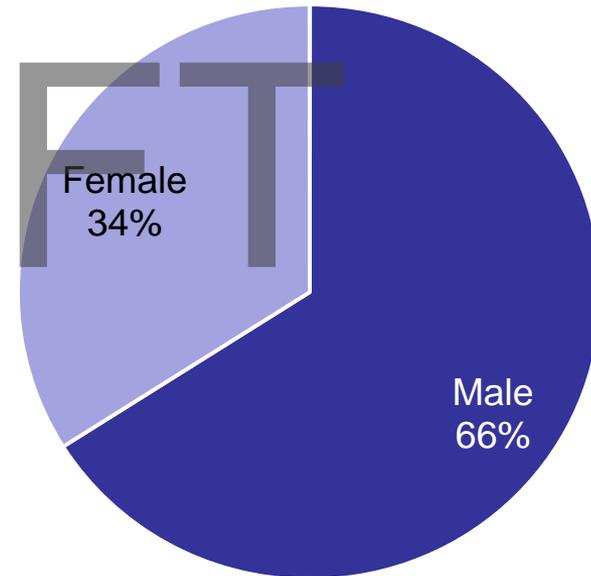
\*State of Utah School Enrollment Demographics Data, 2015

85% of JJS community placement dispositions are male;  
larger portion than new intakes

JJS Community Placement  
Dispositions 2015

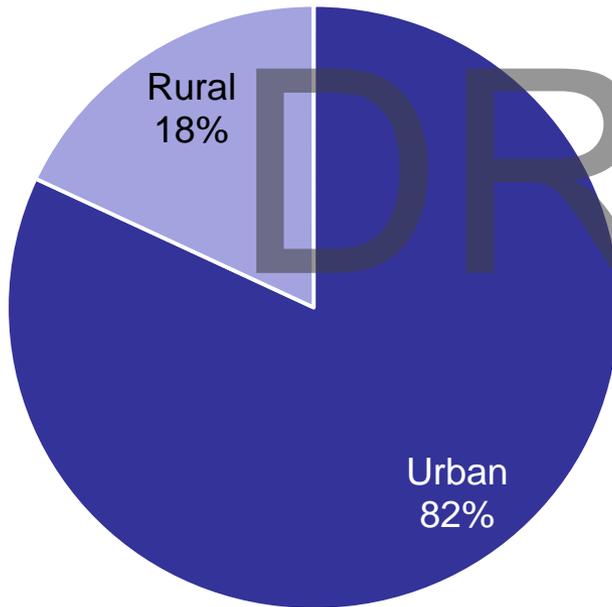


New Intakes 2015

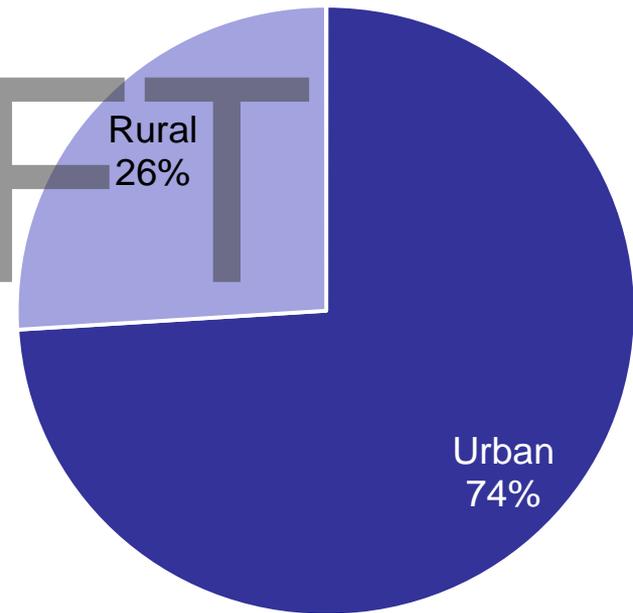


# Slightly higher proportion of JJS community placement dispositions from urban areas compared to new intakes

JJS Community Placement Dispositions 2015



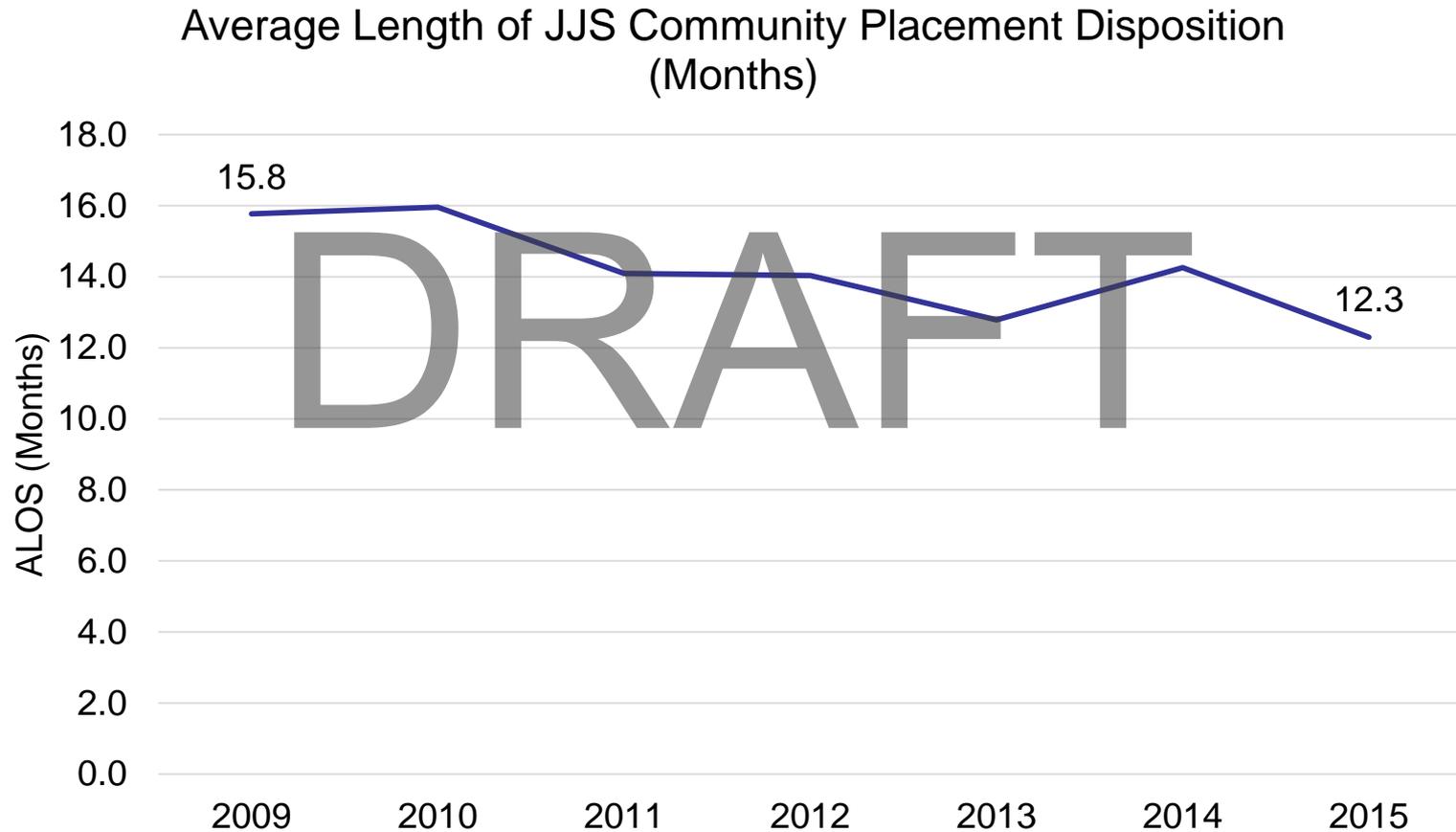
New Intakes 2015



## Variation within urban districts in proportion of JJS community placement dispositions compared to new intakes

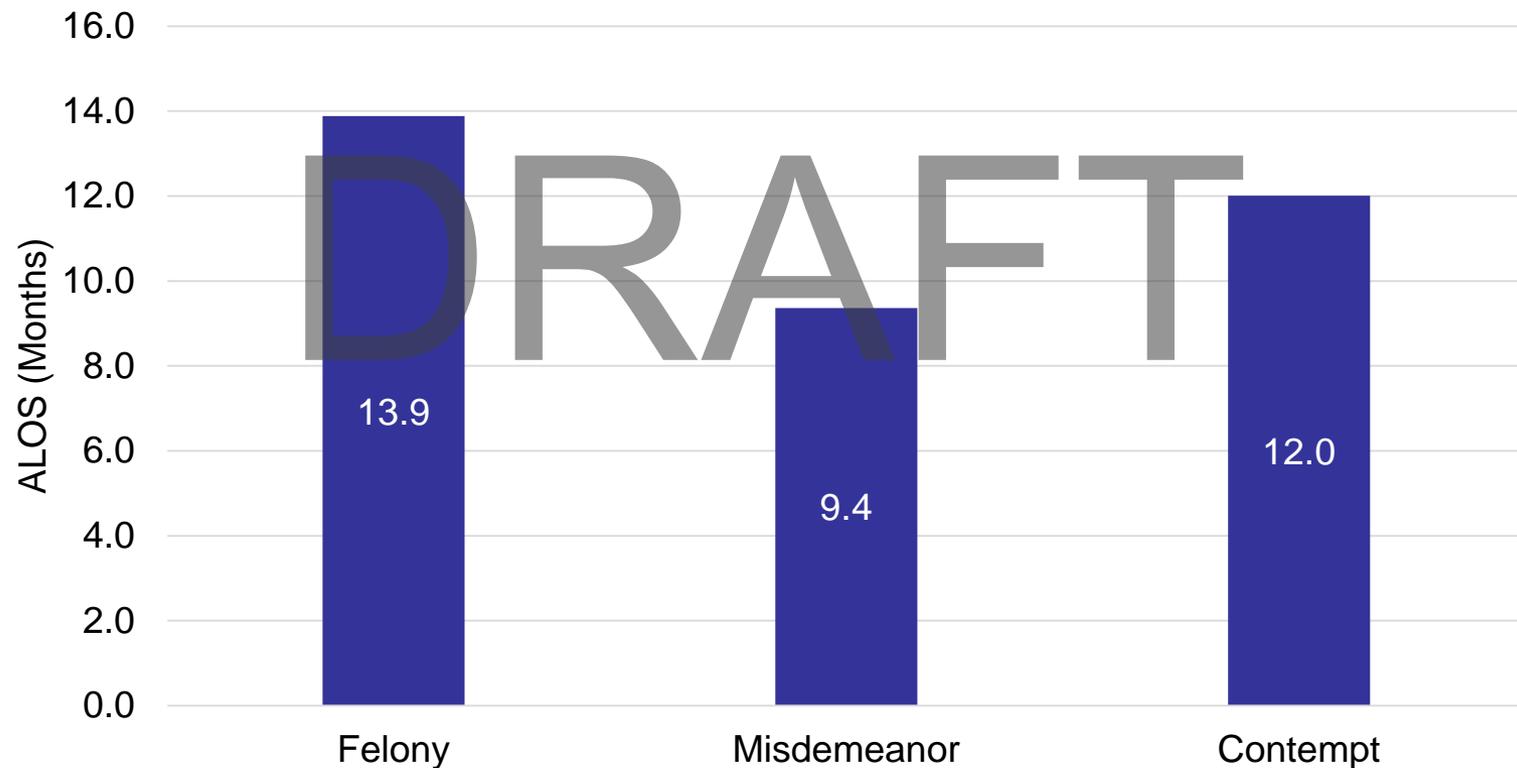
District Breakdown		
	JJS Community Placement Dispositions 2015	New Intakes 2015
First District	4%	7%
<b>Second District</b>	<b>24%</b>	<b>18%</b>
<b>Third District</b>	<b>45%</b>	<b>36%</b>
<b>Fourth District</b>	<b>12%</b>	<b>20%</b>
Fifth District	4%	8%
Sixth District	3%	3%
Seventh District	3%	3%
Eighth District	5%	4%

Average length of JJS community placement disposition is 12 months, down 22% since 2009

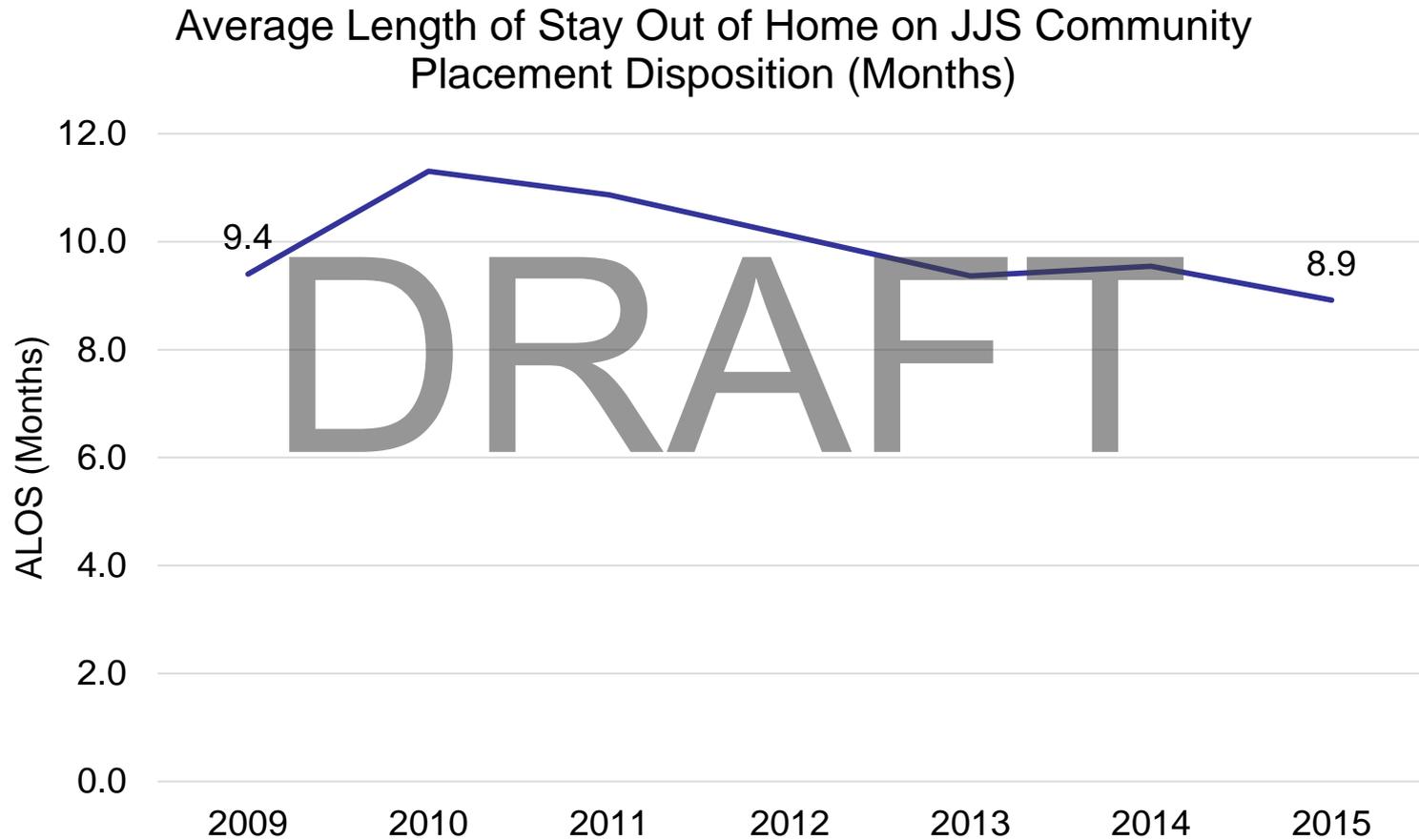


# Youth in JJS community placement for contempt or felony offense serve longer than misdemeanants

Average Length of JJS Community Placement Disposition by Most Serious Offense (Months)



# Youth average 9 months out of home on JJS community placement disposition; down 5% since 2009



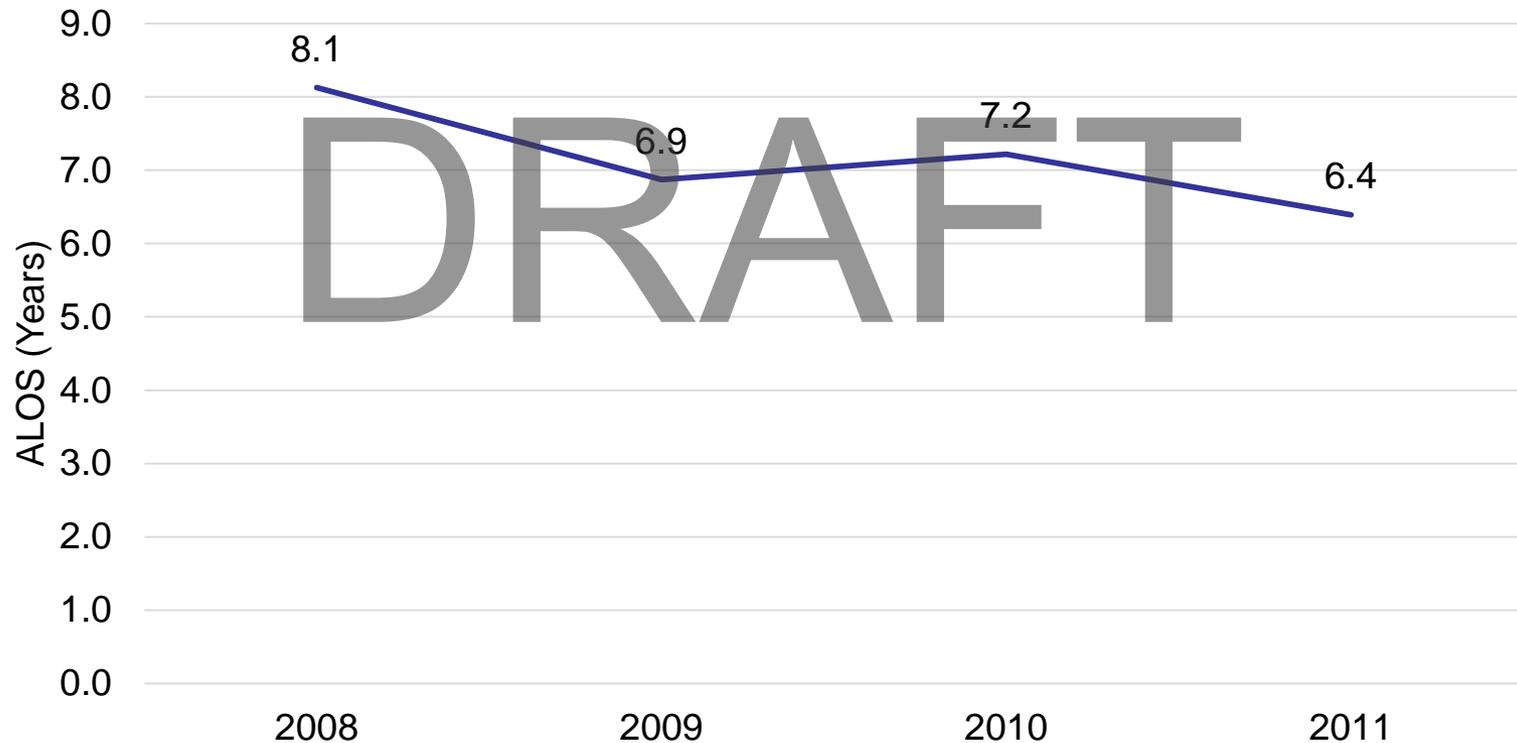
Most youth who go to JJS community placement have probation, detention or O&A dispositions before aging out

<b>Other Probation and Custody Dispositions for Youth who Spent Time in JJS Community Placement who Aged Out, First Intake 2008-2011</b>	
Probation	75%
JJS Secure Care	14%
DCFS Custody	11%
JJS Detention	93%
O&A	64%

\*Totals may not add up to 100% because of multiple dispositions

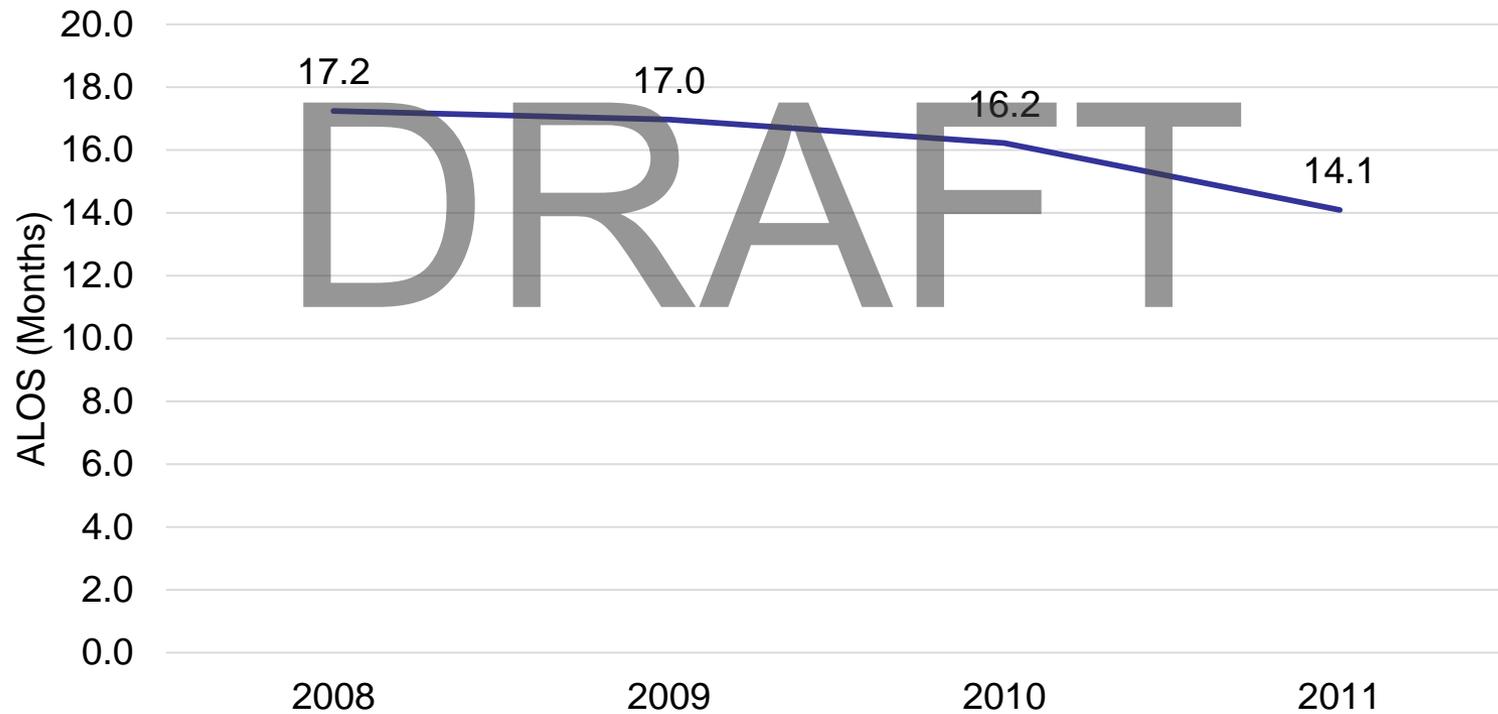
# Youth who were in JJS community placement average more than 6 years under court jurisdiction before aging out

Average Length of Time Under Court Jurisdiction for Youth with JJS Community Placement (Years)  
First Intake 2008-2011



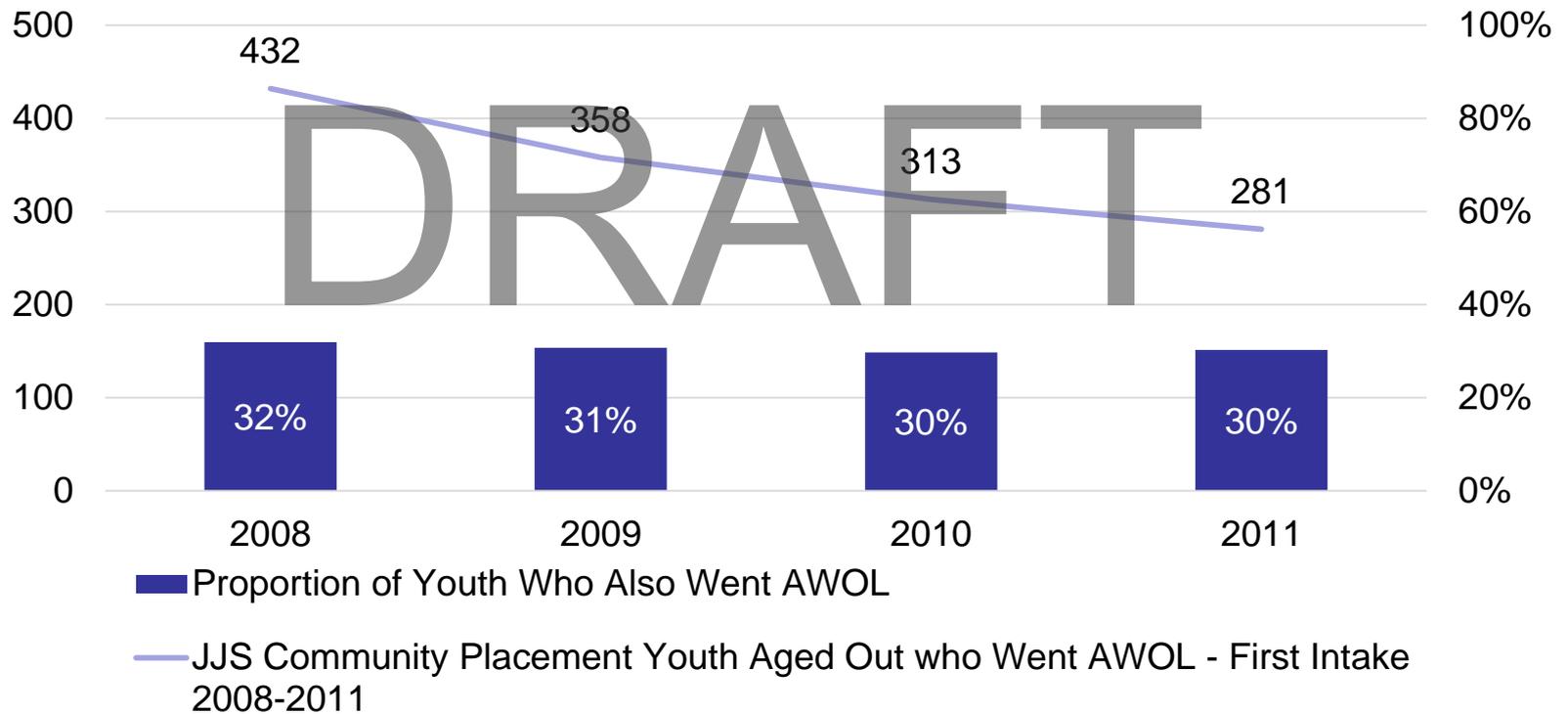
Youth who were in JJS community placement spent 14 months out of home on average before aging out

Average Length of Stay Out of Home for Youth with JJS  
Community Placement (Months)  
Youth Aged Out, First Intake 2008-2011



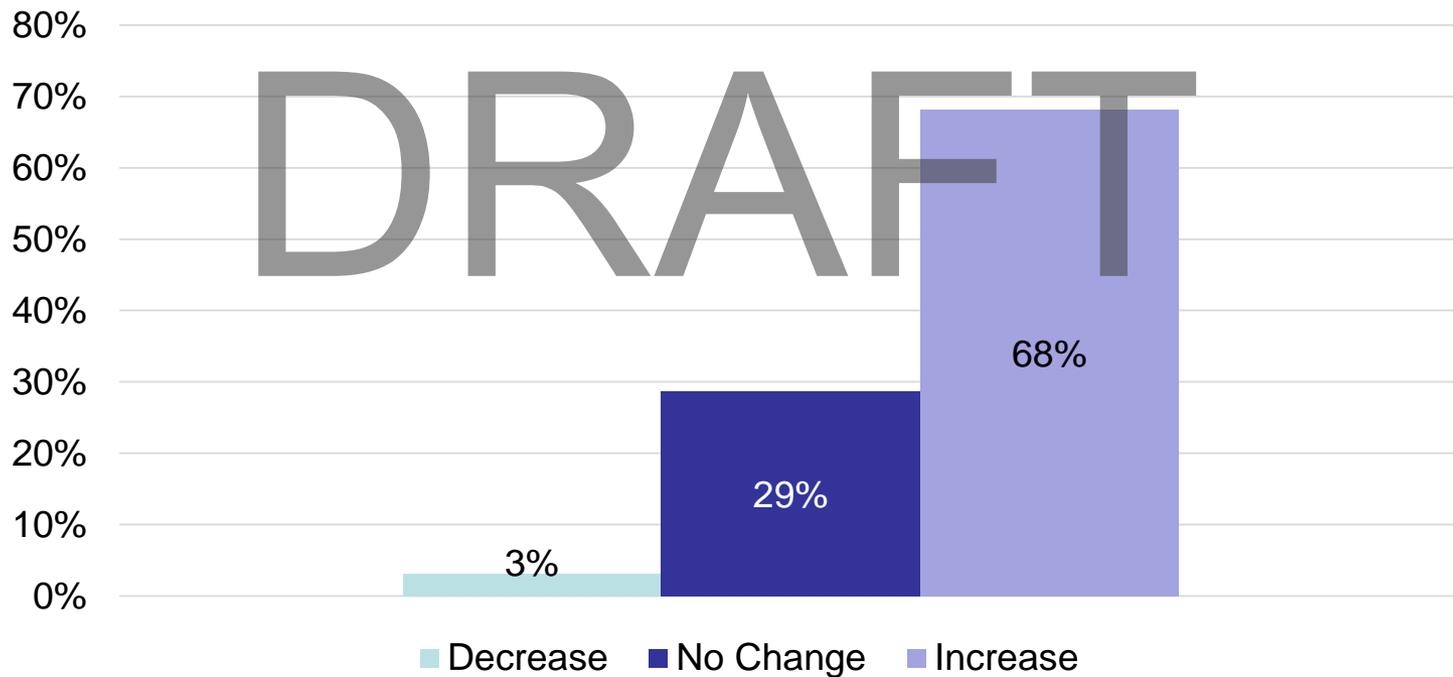
# Almost one-third of youth who spend time in JJS community placement also went AWOL before aging out

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



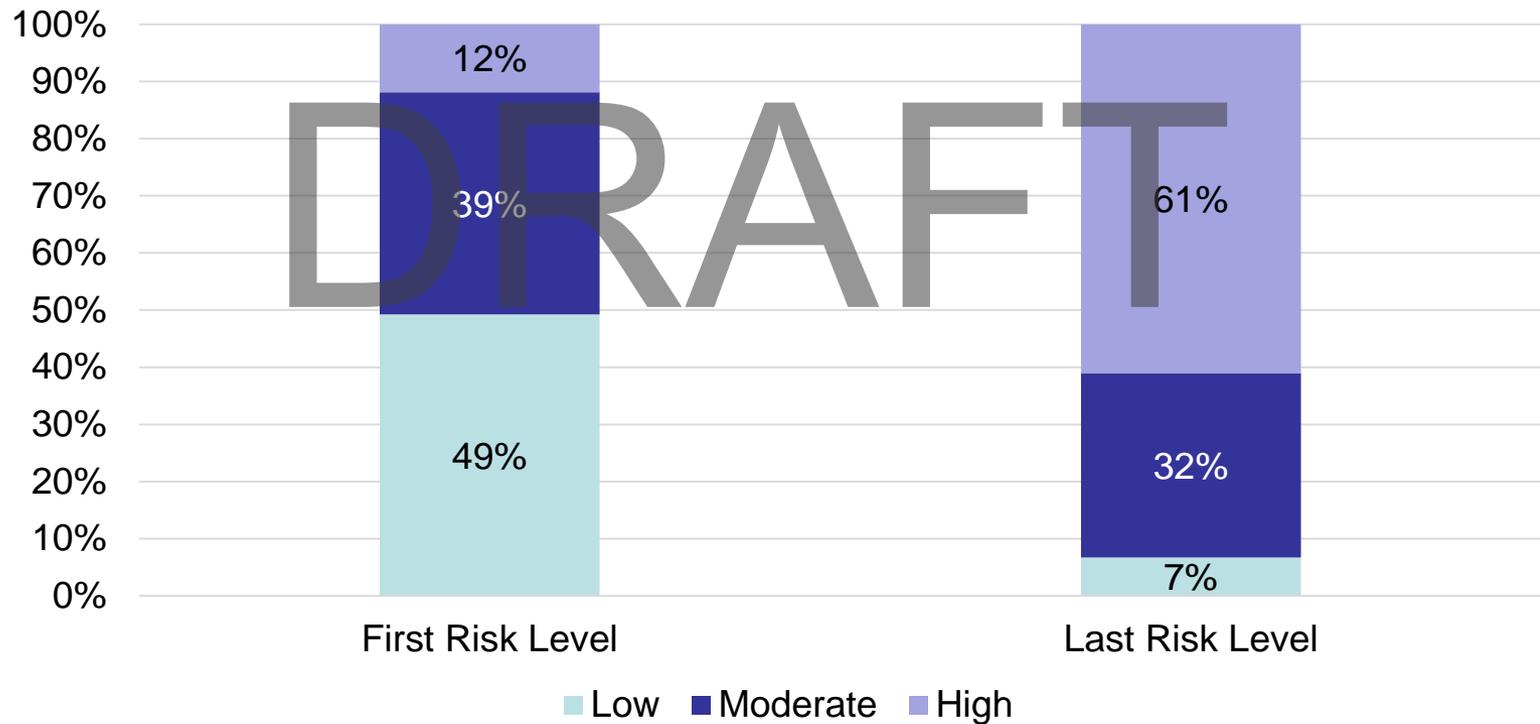
# More than 2/3 of youth who spend time in JJS community placement increase their risk level before aging out

JJS Community Placement Youth Who Had Multiple Assessments, First Intake 2008-2012  
Change from First to Last Risk Assessment



While only 12% of youth sent to JJS community placement started as high risk, 61% were high risk when they aged out

Youth Disposed to JJS Community Placement Who Had Multiple Assessments, First Intake 2008-2012  
First and Last Risk Assessment



# JJS: Community Placement Key Takeaways

- **Decision-making:**
  - No statutory criteria guide the temporary custody transfer of youth to JJS community placement or length of stay
    - Nearly three-quarters of JJS Case Managers report needs not being met in the community as a factor guiding the placement
  - While awaiting non-secure placement, youth are frequently spend time in secure detention
  - After the initial placement, JJS Case Managers have statutory authority to place youth in a non-secure facility without court involvement
    - But JJS Case Managers report varied regional practices
    - Nearly half of JJS Case Managers report using non-secure out-of-home placements as a response to technical violations
  - The court has final say over temporary custody discharge and termination of the case, but relies on JJS Case Manager input to inform the decision
    - Nearly half of JJS Case Managers do not use written guidelines to determine aftercare completion recommendations for youth released from non-secure out-of-home placement

# JJS: Community Placement Key Takeaways

- **Youth flow:**
  - There has been a 47% decline in JJS community placement dispositions since 2008, larger than the decline in new intakes
  - More than 200 youth were admitted to JJS work camps, an 8% decline since 2008 that has not kept pace with the decline in new intakes
  - More than 3/4 of JJS community placements are non-felonies; 40% of JJS community placement dispositions are for contempt
  - There are larger disparities for Hispanic and Black youth among JJS community placement dispositions compared to new intakes
  - The average length of a JJS community placement disposition is about 12 months, with youth spending nearly 9 months out of home on average
  - Youth who go to JJS community placement spend roughly 6 years in the court system on average before aging out
  - Almost one-third of youth who spend time in JJS community placement also went AWOL before aging out
  - While only 12% of youth sent to JJS community placement started as high risk, 61% were high risk when they aged out
- **Other?**



## JJS: Secure Care and Youth Parole

A youth adjudicated for any offense other than status or contempt may be placed in secure care at the court's discretion

## Statute

Upon adjudication the court may... commit a minor to the Division of Juvenile Justice Services for secure confinement

- A minor under the jurisdiction of the court solely on the ground of abuse, neglect, or dependency under Subsection [78A-6-103\(1\)\(c\)](#) may not be committed to the Division of Juvenile Justice Services.
- Not permitted for status or contempt

## Rule

The division shall maintain and operate secure facilities for the custody and rehabilitation of youth offenders who:

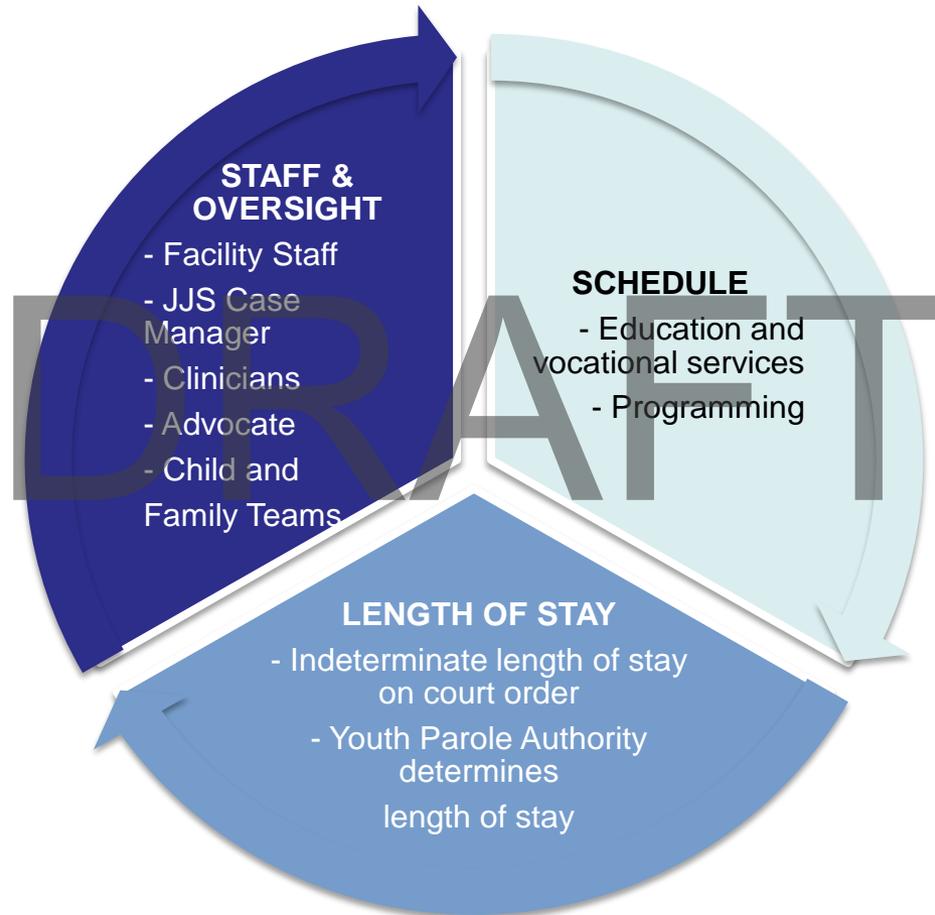
- Pose a danger of serious bodily harm to others
- Cannot be controlled in a less secure setting, or
- Have engaged in a pattern of conduct characterized by persistent and serious criminal offenses which, as demonstrated through the use of other alternatives, cannot be controlled in a less secure setting

## Guidelines

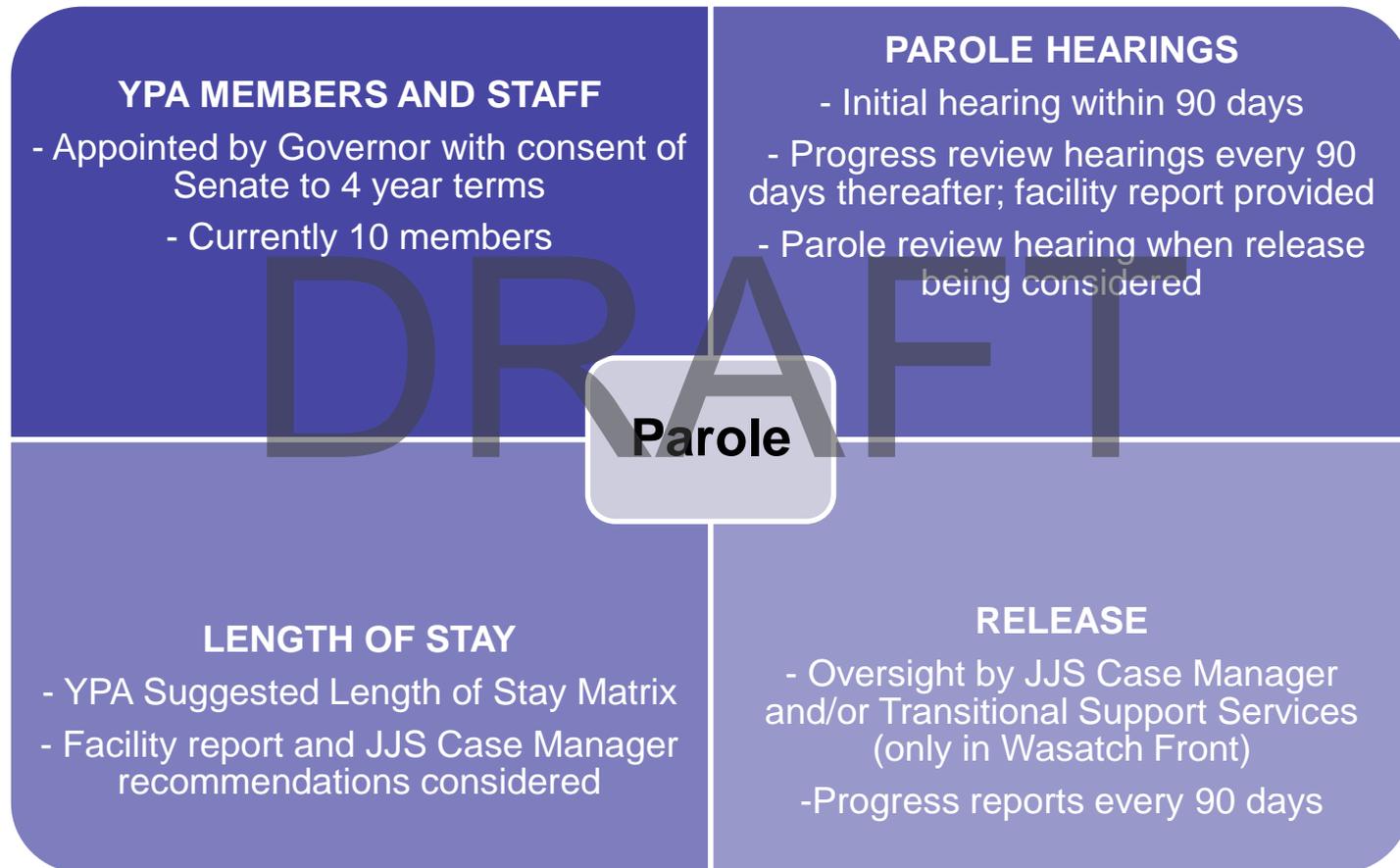
Secure facility placement is the most intrusive sentencing option under the guidelines and should be reserved for:

- The most dangerous or
- Chronic offenders that remain in the juvenile justice system

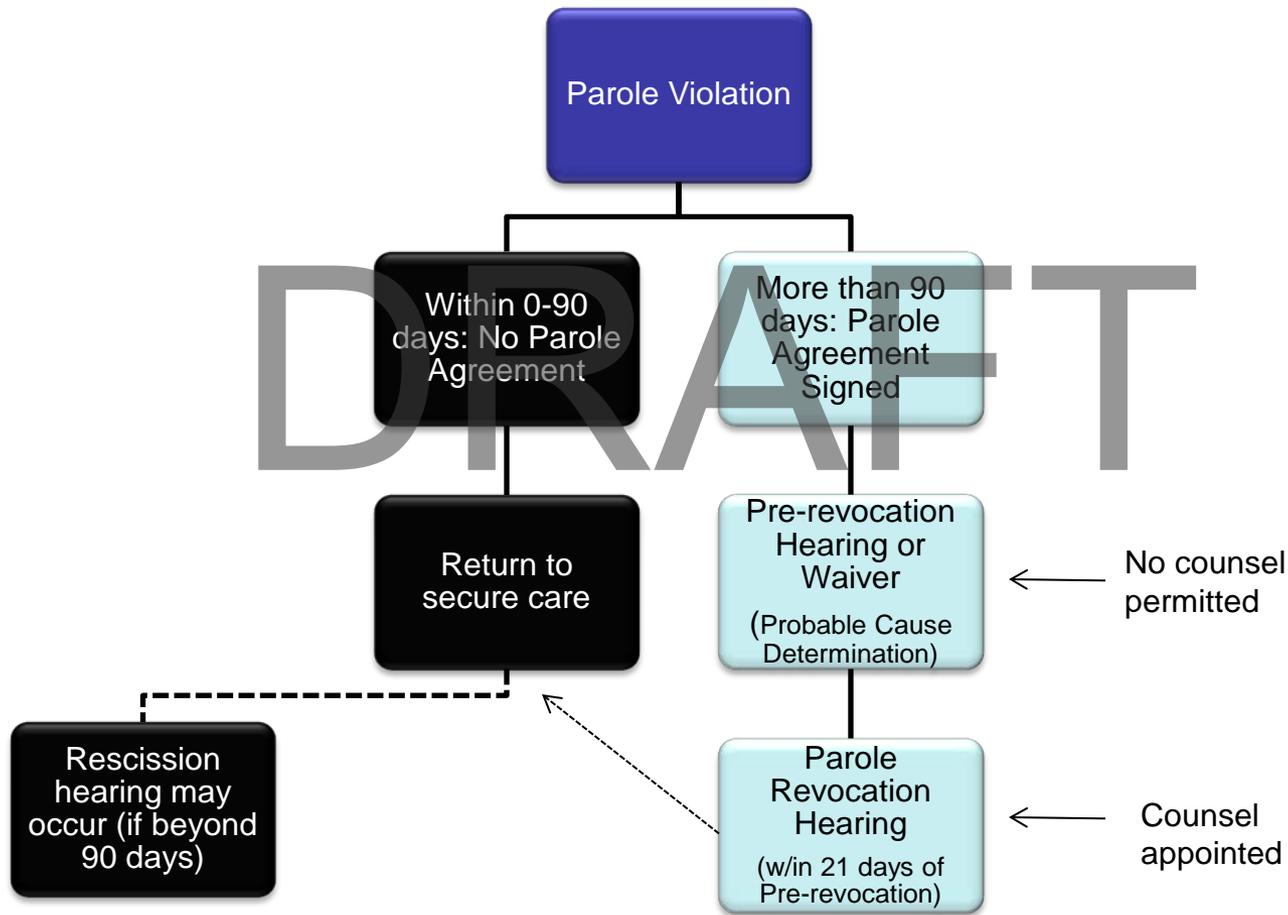
JJS operates six secure care facilities, with overall capacity to incarcerate 202 youth



YPA determines secure care conditions and release date sometime within a youth's first 90 days of incarceration



For paroled youth, technical violations may lead to rescission or revocation and a consequent return to secure confinement



## Availability of services and family circumstances may factor into some judges' secure care placement determinations

<b>Factors Guiding Secure Care Placement Judges Survey (N=26)</b>	
Criminal history	96%
Sentencing guidelines	96%
Offense type	92%
Professional judgment	85%
Probation officer recommendation	81%
Risk and needs assessment results	81%
Predisposition report	73%
Other assessment results	73%
Needs not being met in the community	50%
Statute	42%
Availability of services in out-of-home placement	38%
Availability of services in the community	35%
Other	35%
Family circumstances that endanger the youth	31%

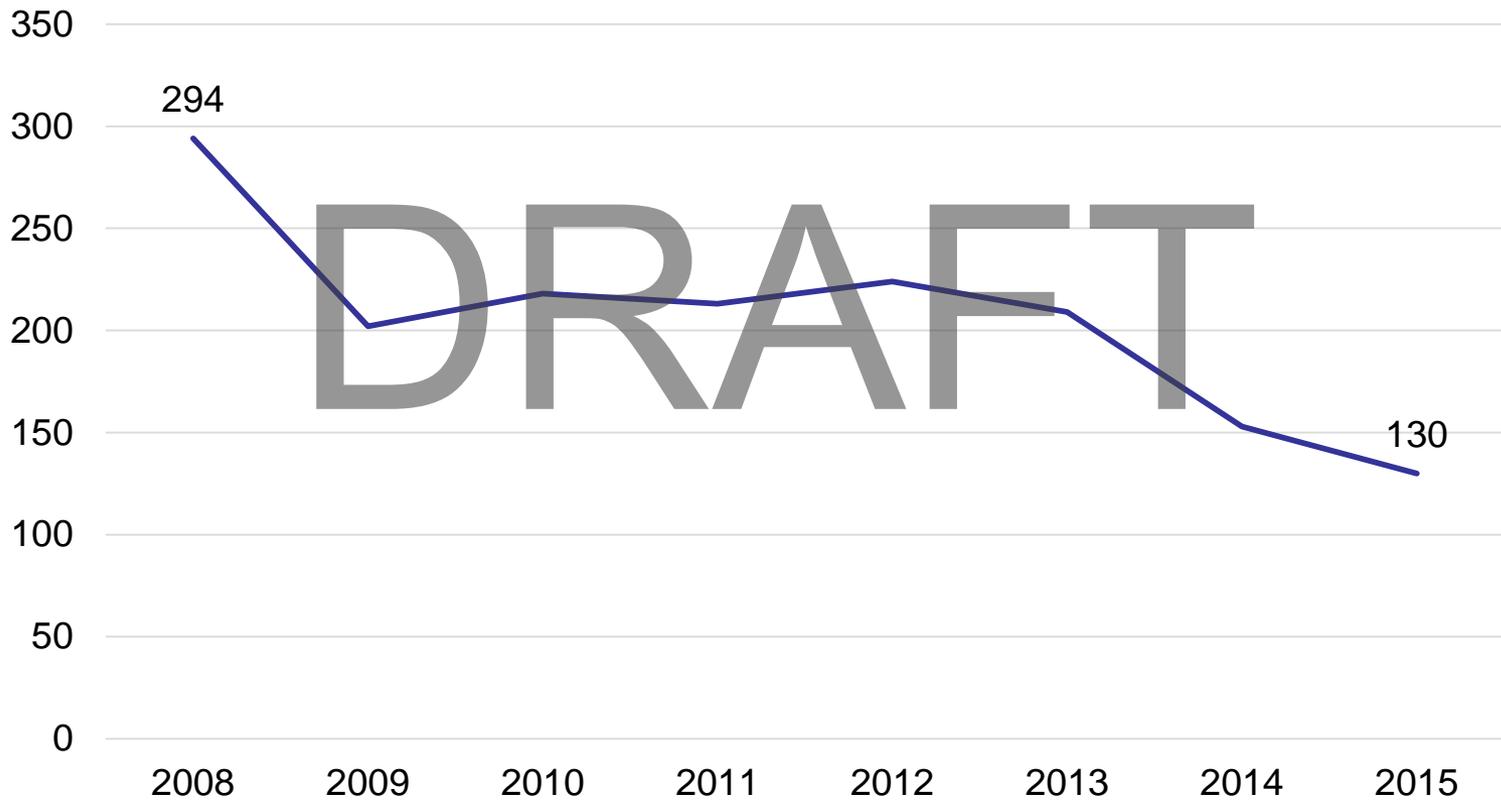
\*Totals do not add to 100% because categories are not mutually exclusive

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JJS: Secure Care and Parole  
Data

# 55% decline in secure care dispositions since 2008

Number of JJS Secure Care Dispositions



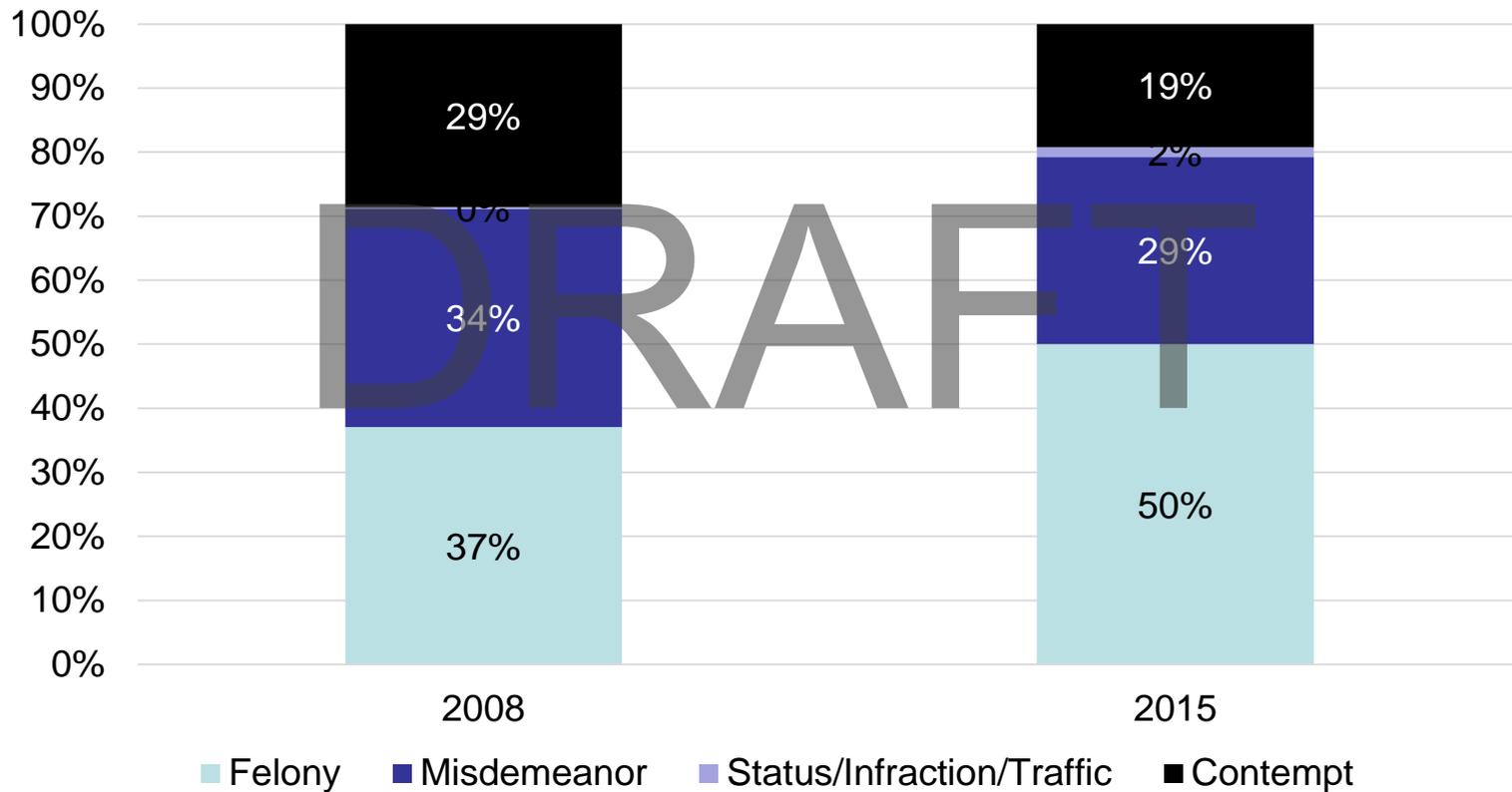
Only overlapping disposition with secure care is JJS detention

<b>JJS Secure Care Dispositions with Other Disposition on Same Intake, 2015</b>	
JJS Detention	52%
Probation	0%
O&A	0%
JJS Community Placement	0%
DCFS	0%

\*Totals may not add up to 100% because of multiple dispositions

# Contempt still most serious offense listed on 19% of JJS secure care dispositions

Most Serious Offense on JJS Secure Care Disposition

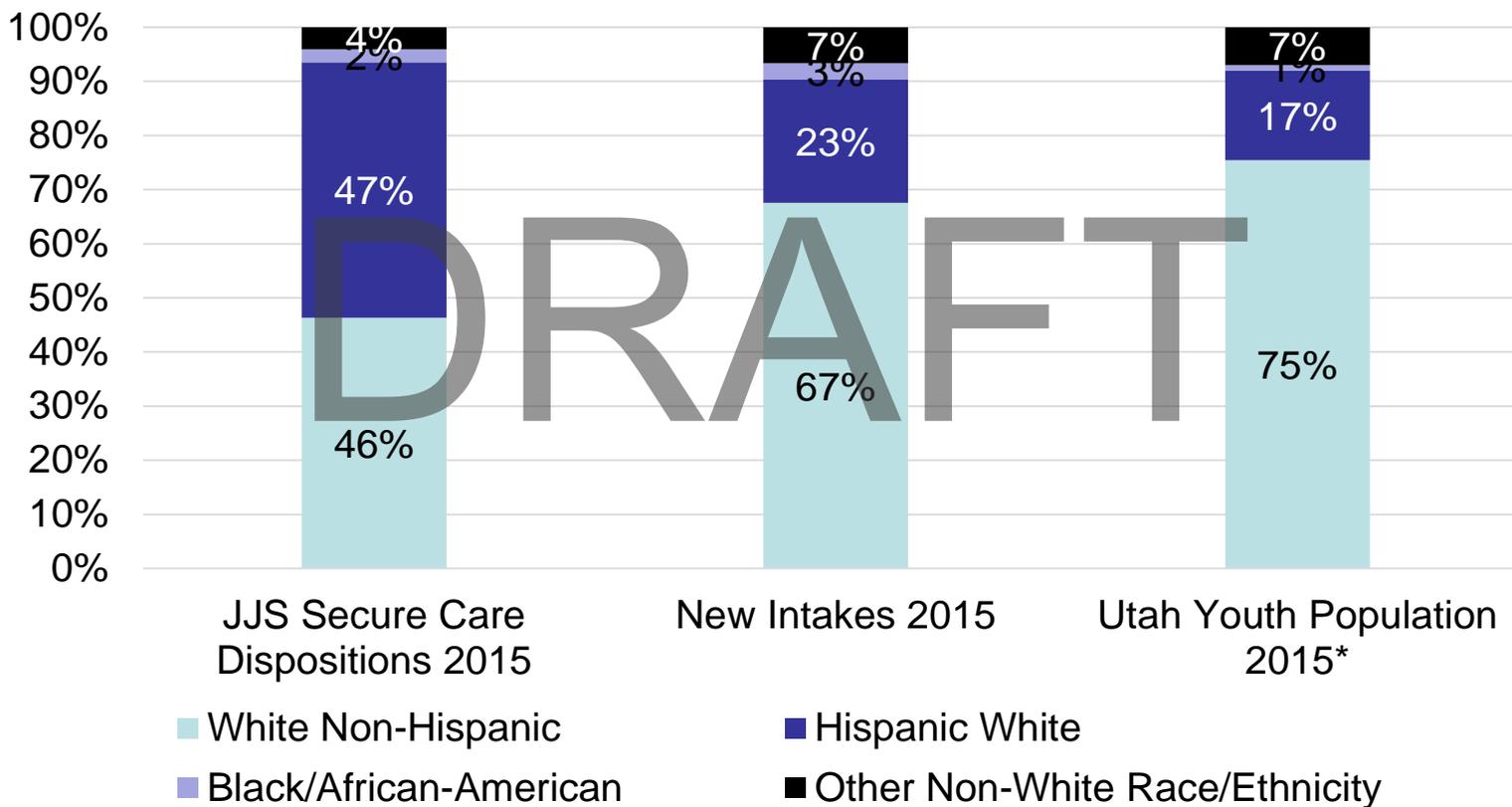


Except contempt, top JJS secure care disposition offenses are felonies or misdemeanor assault

Top 10 Offenses JJS Secure Care Dispositions, 2015	# Youth	% Non-Felony
CONTEMPT - NON-PECUNIARY	21	100%
CAR THEFT	9	0%
ASSAULT-SUB.RISK OF/BODILY INJ	7	100%
ASSAULT BY PRISONER	5	40%
CRIMINAL MISCHIEF	5	100%
BURGLARY - DWELLING	4	0%
FLEEING A PEACE OFFICER	4	0%
POSSESSION OF STOLEN VEHICLE	4	0%
AGGRAVATED ROBBERY	4	0%
THEFT \$1500 TO <\$5000	4	0%

# Twice as large a portion of Hispanic youth represented in JJS secure care compared to new intakes

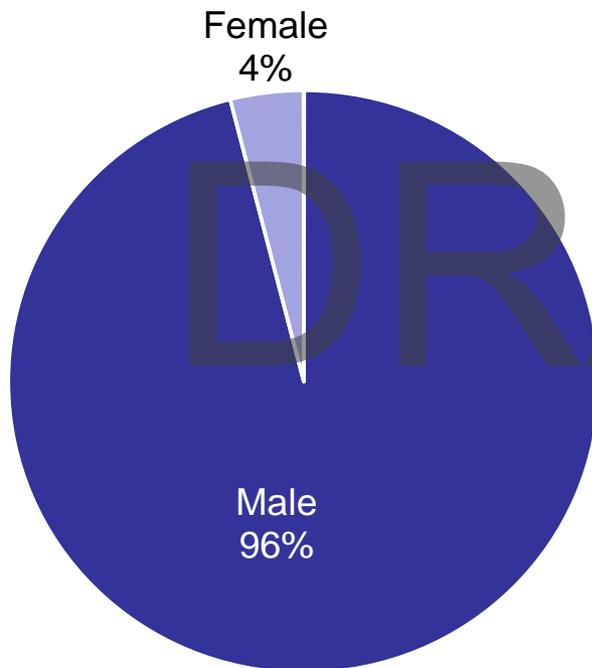
## Race and Ethnicity Breakdown



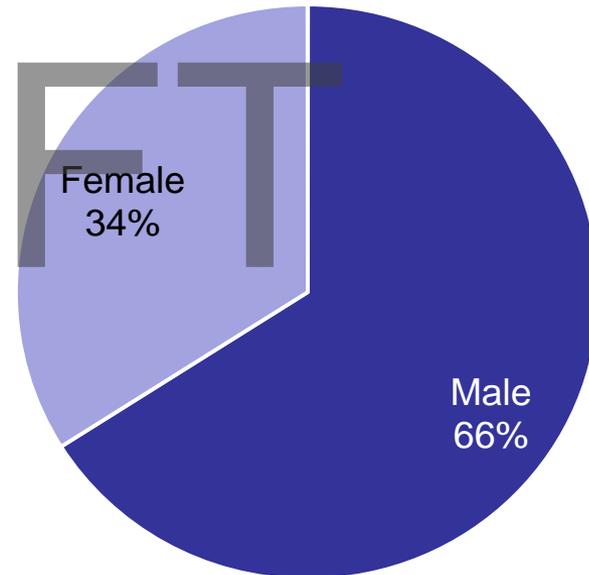
\*State of Utah School Enrollment Demographics Data, 2015

96% JJS secure care dispositions are male; larger portion than new intakes

JJS Secure Care Dispositions 2015

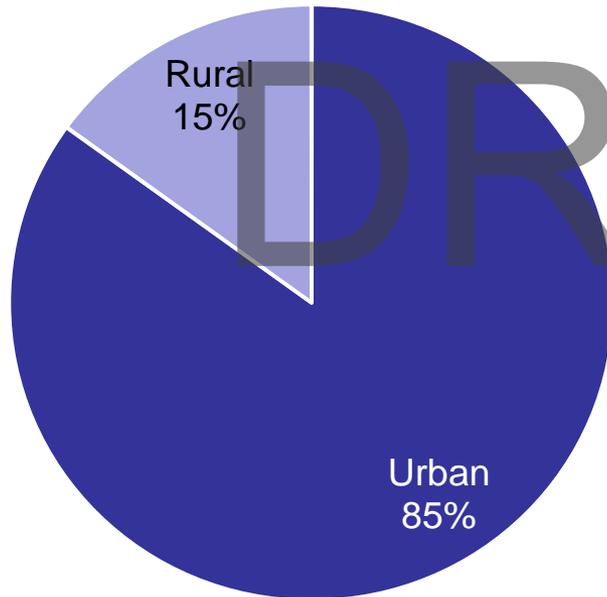


New Intakes 2015

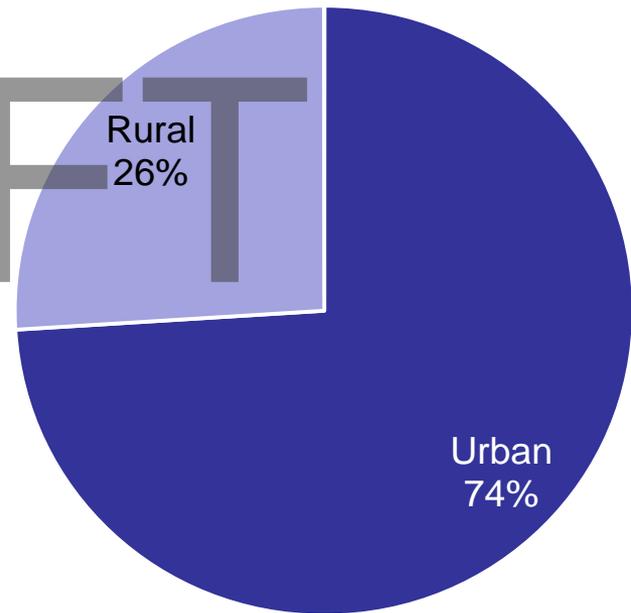


# Higher proportion of JJS secure care dispositions from urban areas compared to new intakes

JJS Secure Care Dispositions 2015



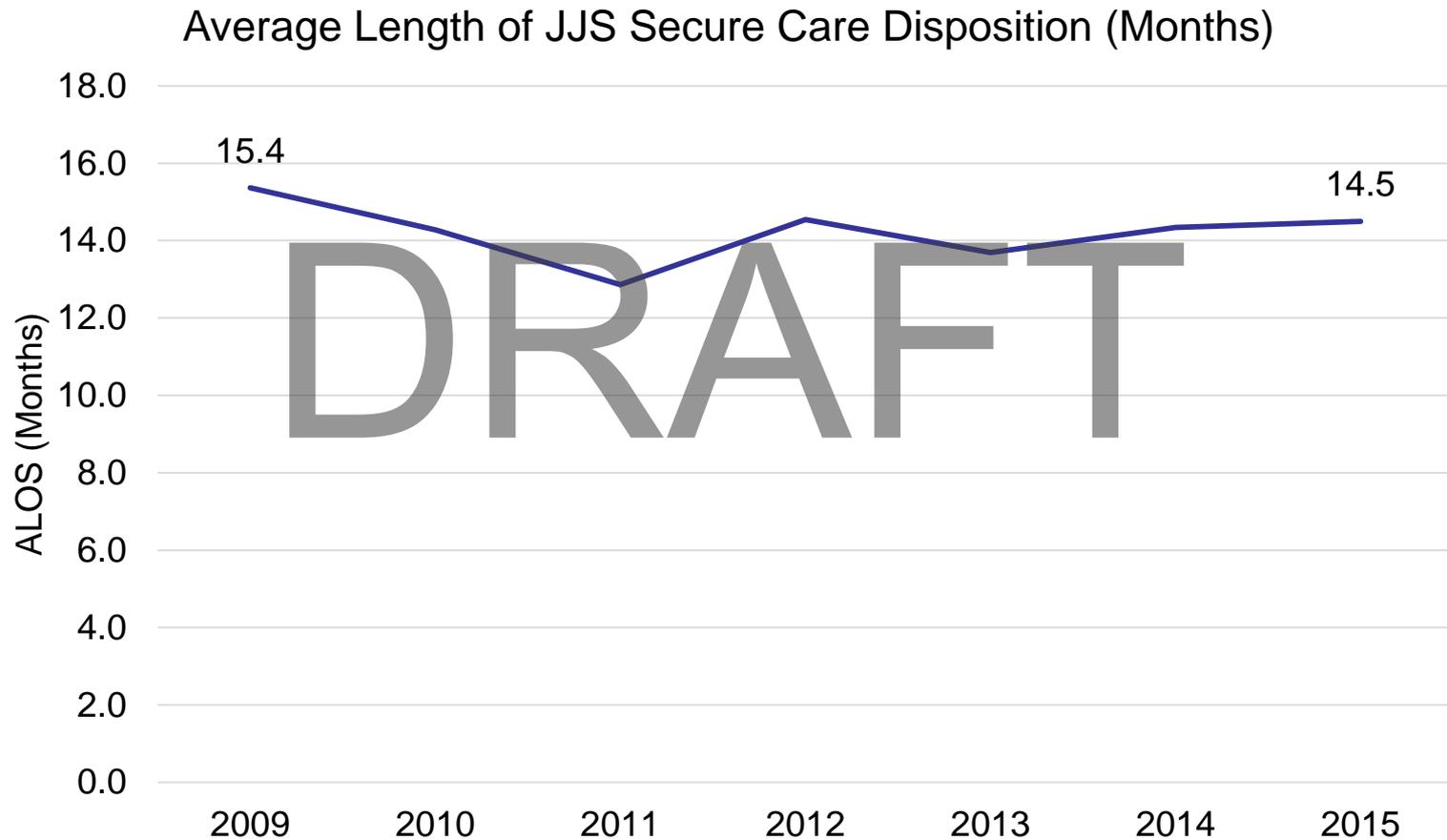
New Intakes 2015



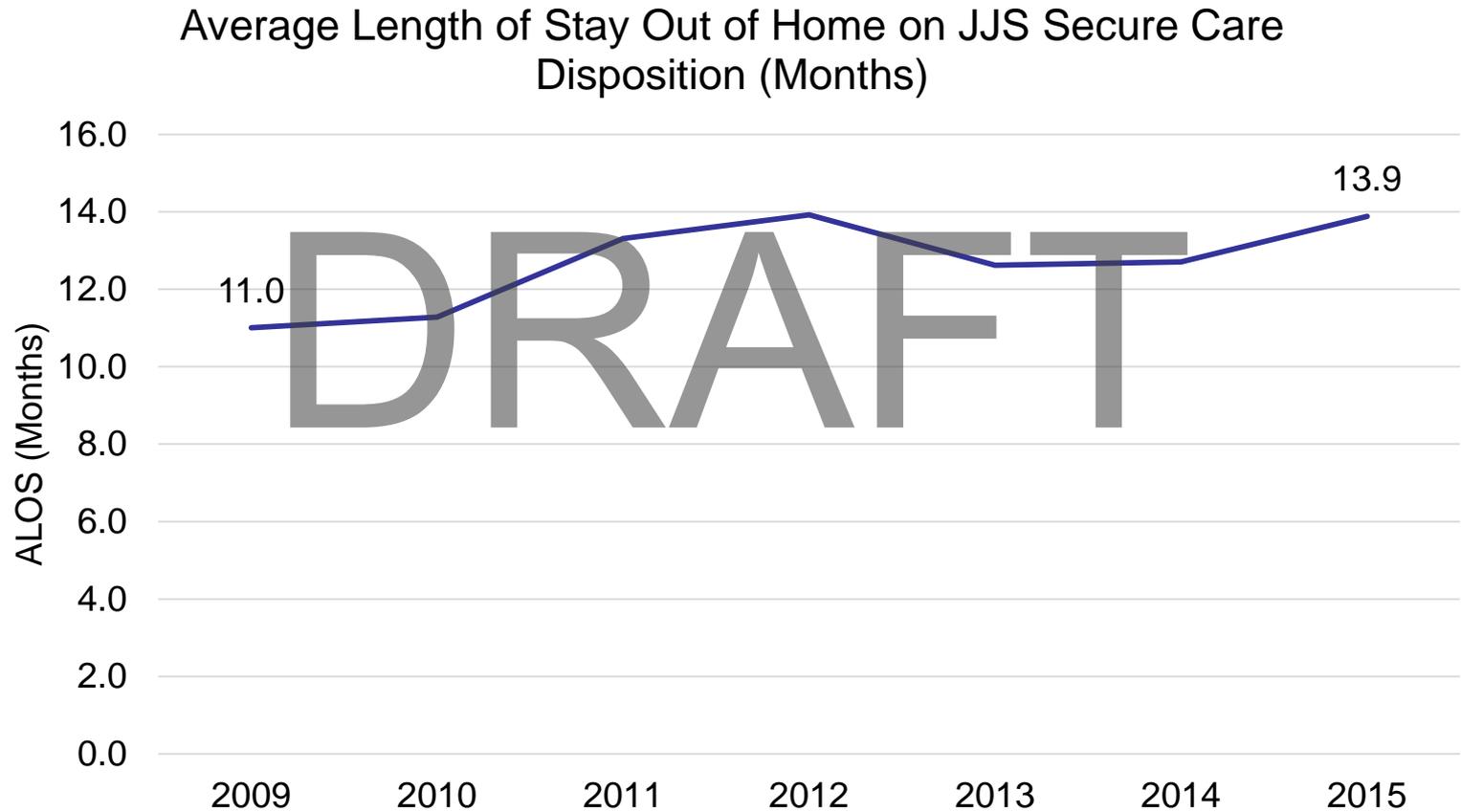
## District variation in proportion of secure care dispositions, compared to new intakes

District Breakdown		
	JJS Secure Care Dispositions 2015	New Intakes 2015
First District	1%	7%
<b>Second District</b>	<b>32%</b>	<b>18%</b>
<b>Third District</b>	<b>38%</b>	<b>36%</b>
<b>Fourth District</b>	<b>11%</b>	<b>20%</b>
Fifth District	4%	8%
Sixth District	2%	3%
Seventh District	3%	3%
Eighth District	5%	4%

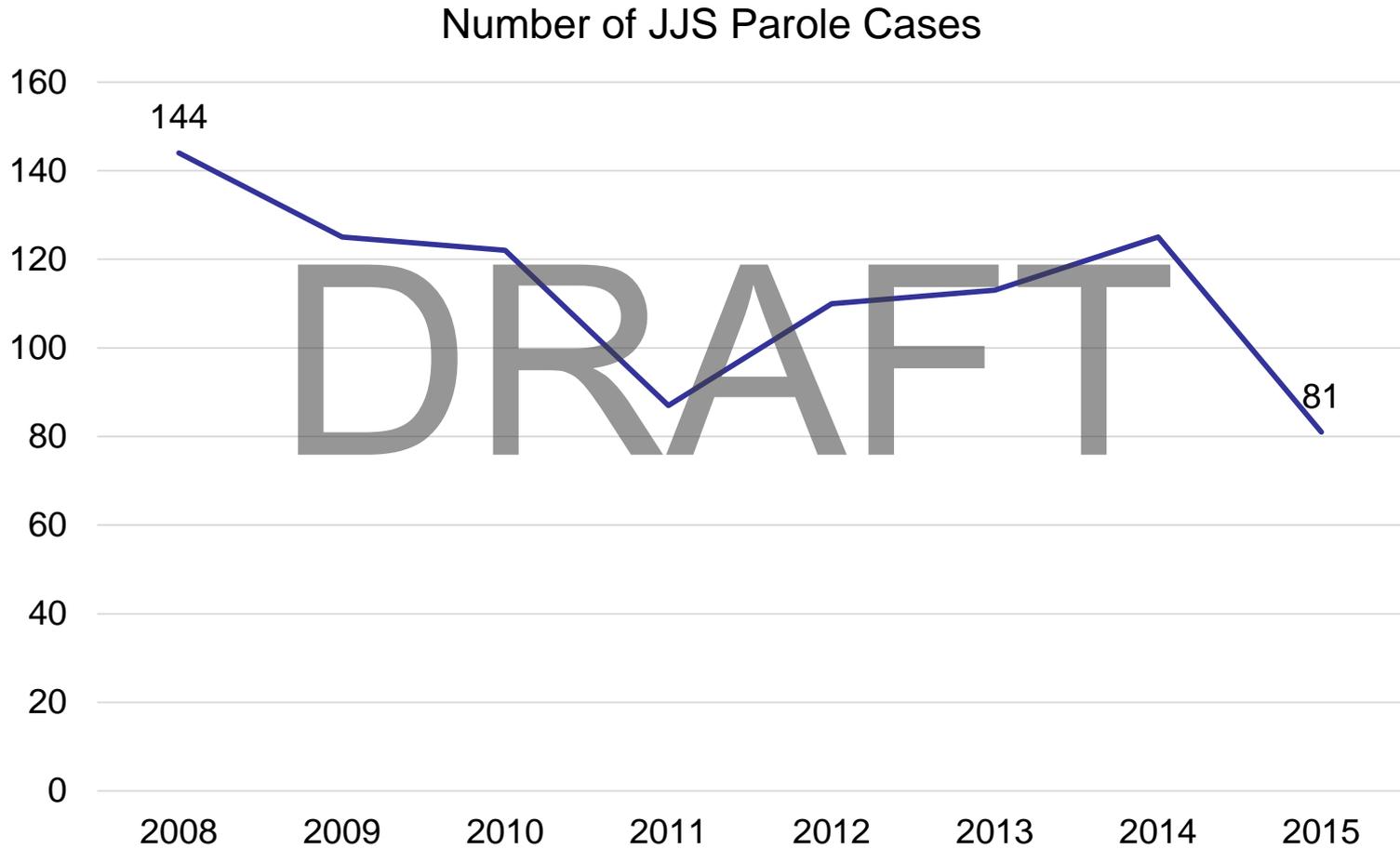
Average JJS secure care disposition is 14.5 months, down 6% since 2009



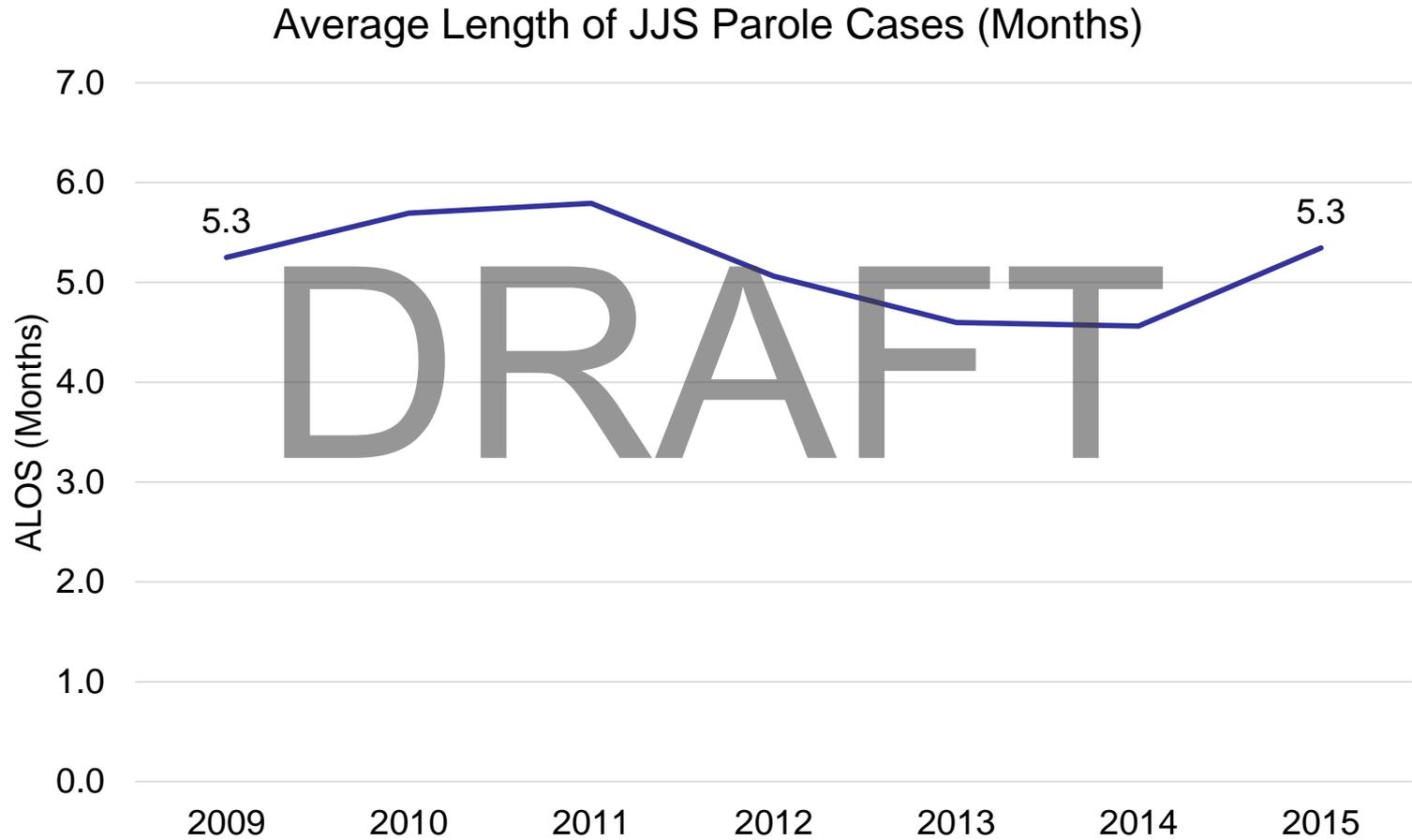
Youth spend 13.9 months out of home on average JJS secure care disposition, up 26% since 2009



# 44% decline in JJS parole dispositions since 2008



# Average length of parole is 5 months, consistent over time



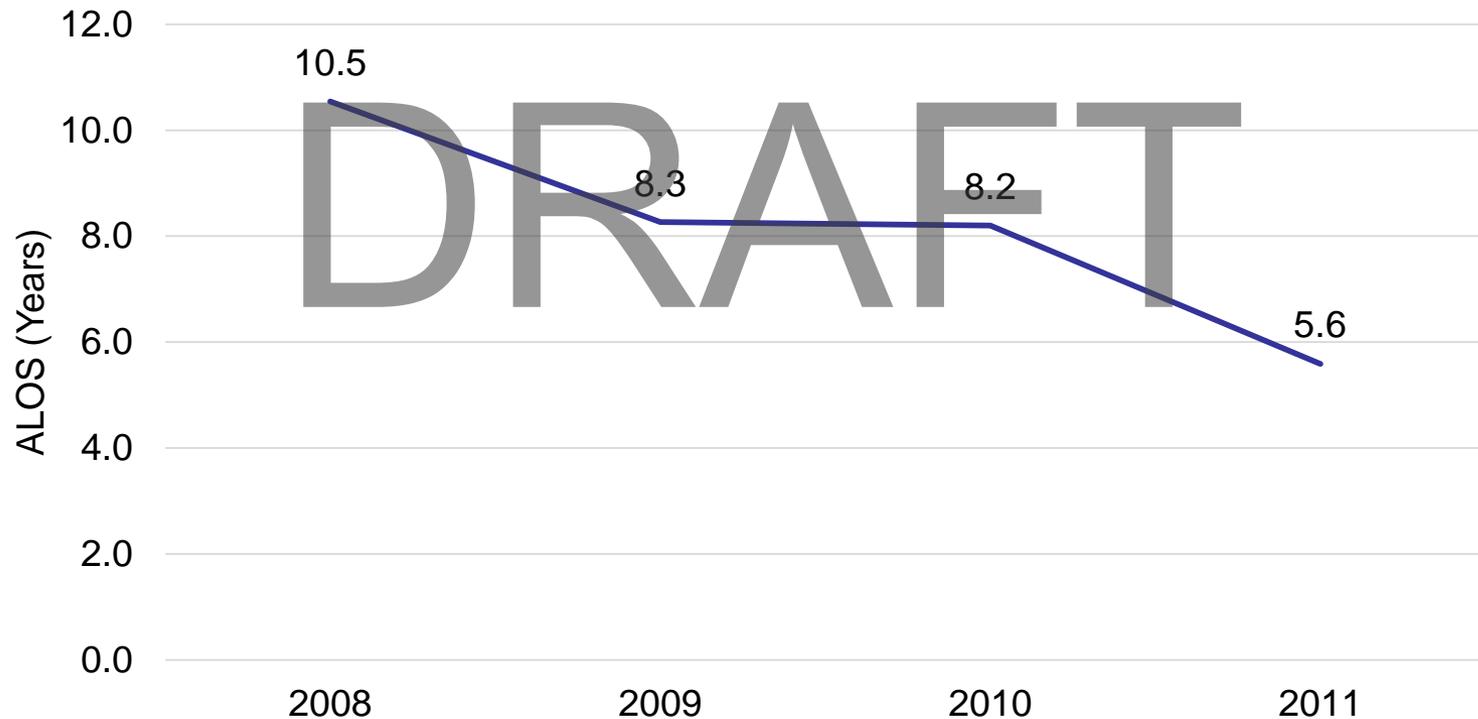
Most youth who go to secure care have other probation or JJS custody dispositions before aging out

<b>Other Probation and Custody Dispositions for Youth who Spent Time in Secure Care who Aged Out, First Intake 2008-2011</b>	
Probation	62%
JJS Community Placement	59%
DCFS Custody	16%
JJS Detention	86%
O&A	55%

\*Totals may not add up to 100% because of multiple dispositions

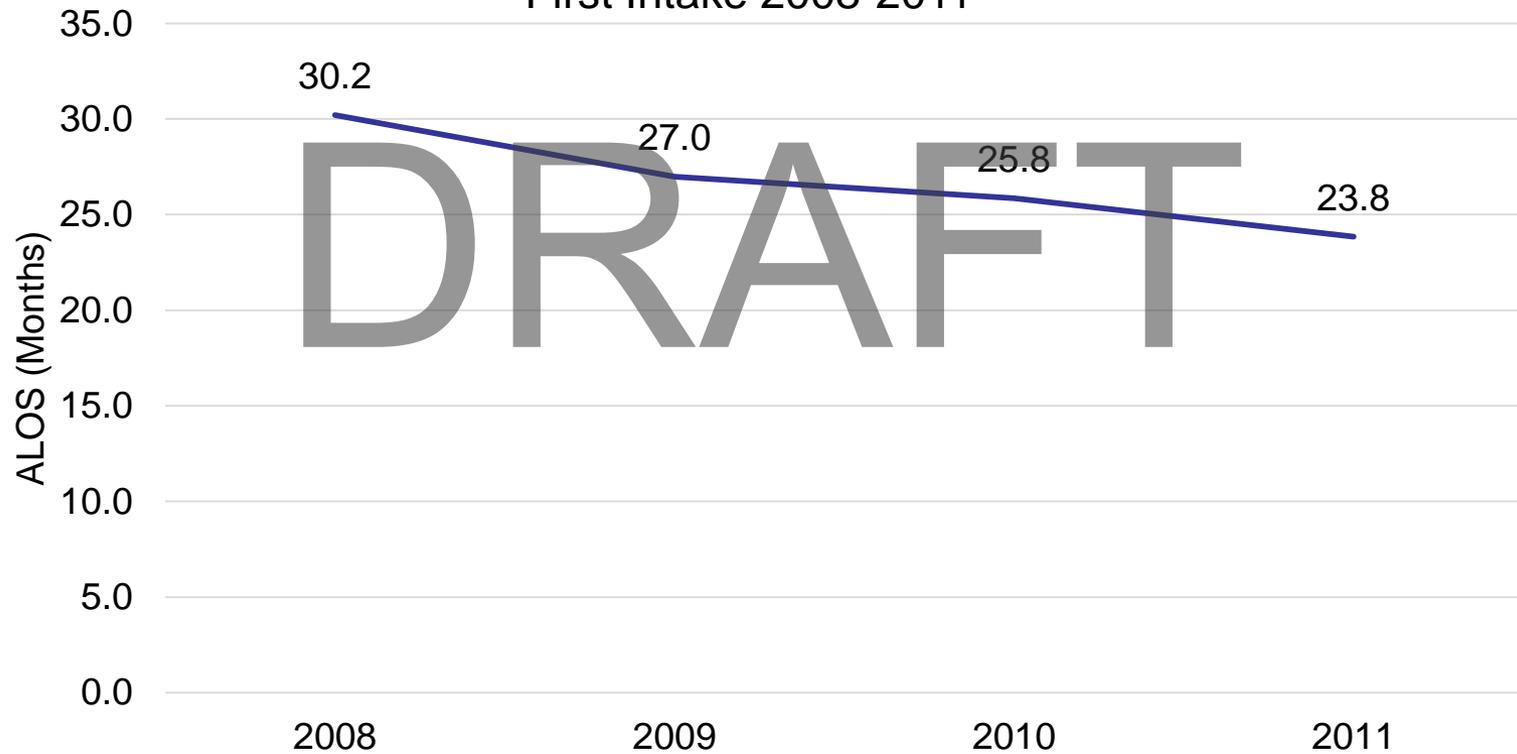
# Youth who go to secure care are under court jurisdiction for about 5-10 years before aging out

Average Length of Time Under Court Jurisdiction (Years) for Youth who Spent Time in Secure Care who Aged Out, First Intake 2008-2011



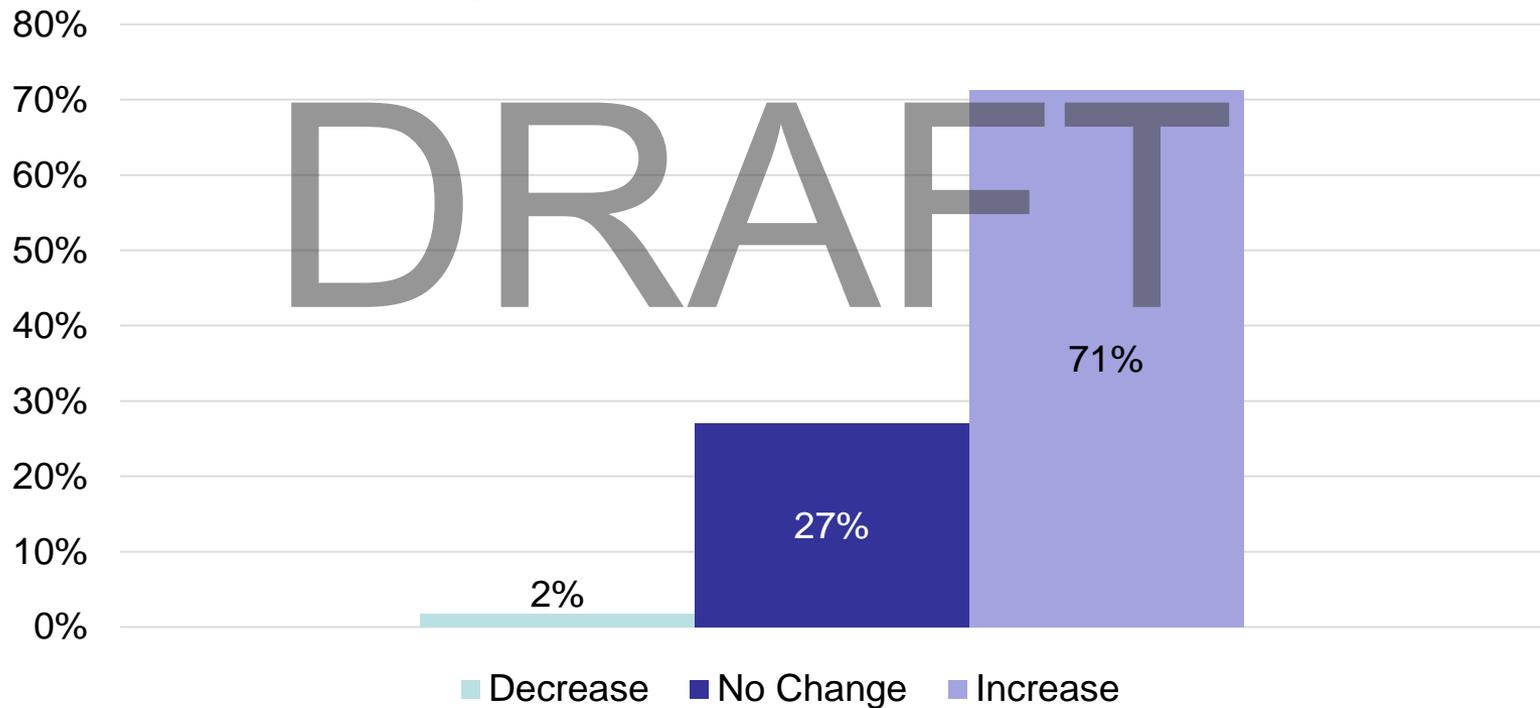
# Youth who go to secure care average 24 months out of home before aging out

Average Length of Stay Out of Home (Months) for Youth who Spent Time in Secure Care who Aged Out  
First Intake 2008-2011



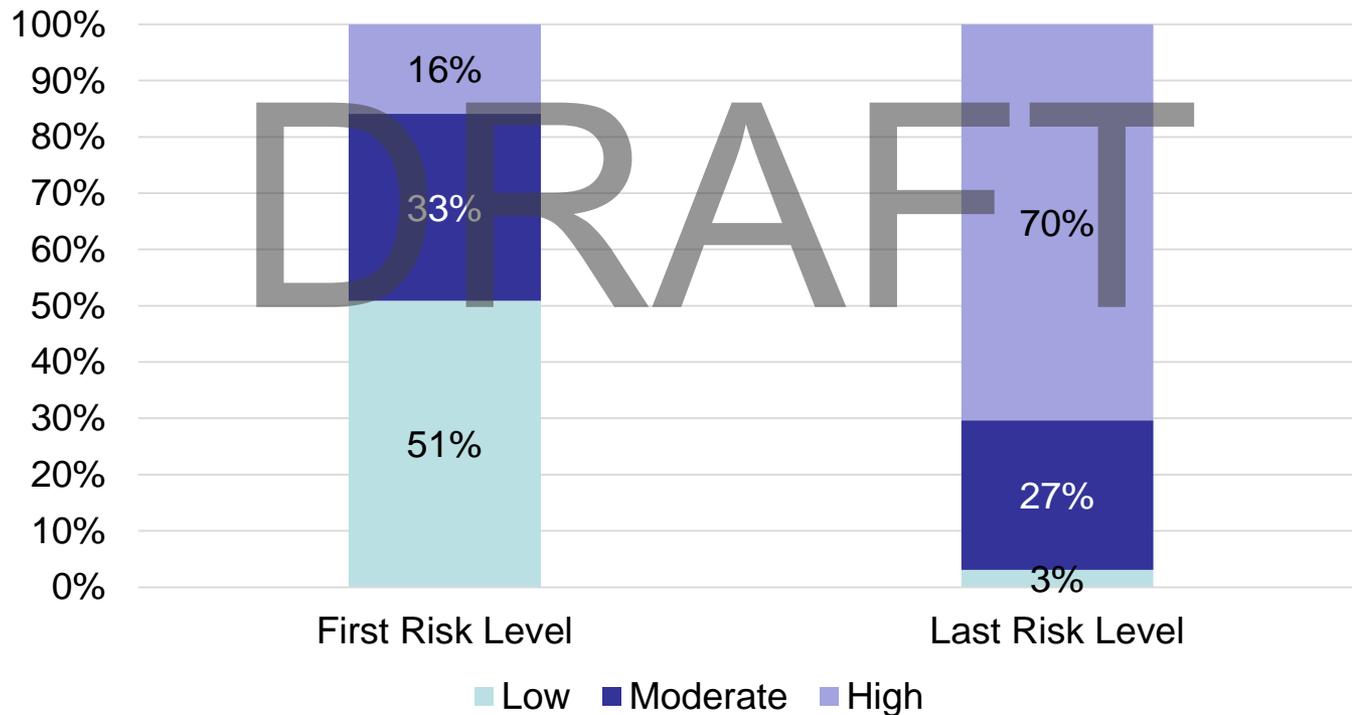
# Nearly 3/4 of youth who went to JJS secure care increased their risk level before aging out

Youth Disposed to JJS Secure Care Who Had Multiple Assessments, First Intake 2008-2012  
Change from First to Last Risk Assessment



While only 16% of youth who went to JJS secure care started as high risk, 70% left the system high risk

Youth Disposed to JJS Secure Care Who Had Multiple Assessments, First Intake 2008-2012  
First and Last Risk Assessment



# JJS: Secure Care and Parole Key Takeaways

- **Decision-making:**
  - The court may commit a youth to secure care for any offense other than status or contempt
    - While sentencing guidelines and JJS rules indicate that secure care should be reserved for the most dangerous or chronic offenders, statute makes no such qualification
    - Technical violations at any stage, for eligible offenses, can lead to secure care placement
    - Some judges report that availability of services and a youth's family circumstances may factor into their secure care placement decisions
  - When a judge commits a youth to secure care, JJS may keep the youth until age 21
    - YPA determines estimated length of stay within 90 days of a youth entering a facility, updates that length of stay every 90 days, and determines release
    - Paroled youth may be returned to secure care within 90 days without a hearing on a technical or other violation

# JJS: Secure Care and Parole Key Takeaways

- **Youth flow:**
  - There has been a 55% decline in secure care dispositions since 2008, much larger than the decline in new intakes
  - Only 50% of secure care dispositions are for felonies
  - Twice as large a proportion of Hispanic youth are represented in JJS secure care dispositions than in new intakes
  - Half of secure care dispositions are for non-felonies
  - The average secure care disposition is 14 months; 14 months is spent out of home on average, up 26% since 2009
  - JJS parole dispositions declined 44%; the average length of parole is about 5 months
  - Most youth who go to secure care have other probation or JJS custody dispositions before aging out, spending 5-10 years under court jurisdiction on average
  - While only 16% of youth who went to JJS secure care started as high risk, 70% left the system high risk
- **Other?**

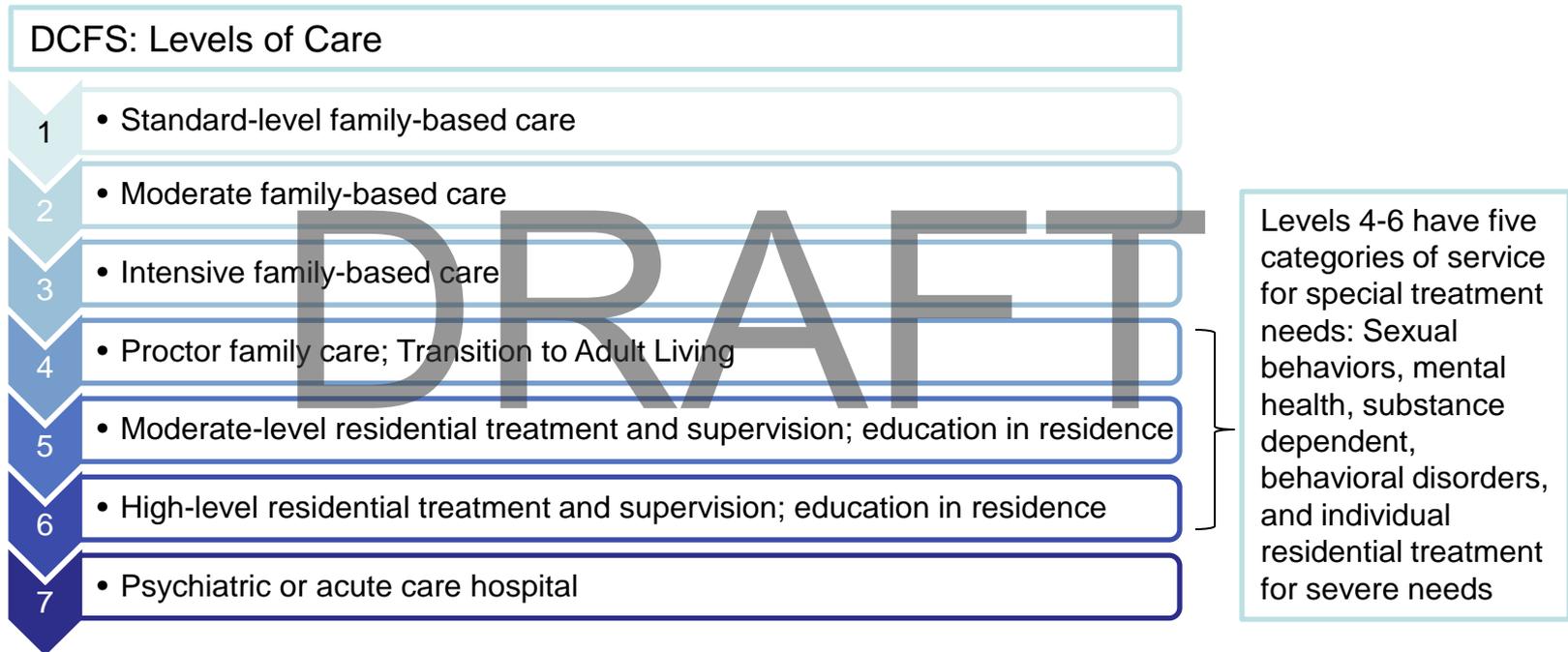


## DCFS Placement

# Judges use discretion to commit delinquent or status youth to DCFS custody without finding abuse, neglect, or dependency

Guidance to Commit	<ul style="list-style-type: none"><li>• May come from Multi-Agency Staffing</li></ul>
Judicial Finding	<ul style="list-style-type: none"><li>• Before committing a child to DCFS custody, the court shall make a finding as to <b>what reasonable efforts have been attempted to prevent the child's removal from the child's home</b></li><li>• No finding of abuse, neglect, or dependency required</li></ul>
Supervision	<ul style="list-style-type: none"><li>• Department of Children and Family Services</li></ul>
Family Involvement	<ul style="list-style-type: none"><li>• Cannot mandate parental involvement</li></ul>
Placement	<ul style="list-style-type: none"><li>• Non-secure, out-of-home</li></ul>
Duration	<ul style="list-style-type: none"><li>• Indeterminate</li></ul>
Review	<ul style="list-style-type: none"><li>• At 12 months</li></ul>
Release	<ul style="list-style-type: none"><li>• At review, in the discretion of the Juvenile Court</li><li>• No permanency plan required</li></ul>

# DCFS supervises delinquent and status youth according to its levels of care but does not use the statutory processes or protections that protect abused and neglected youth



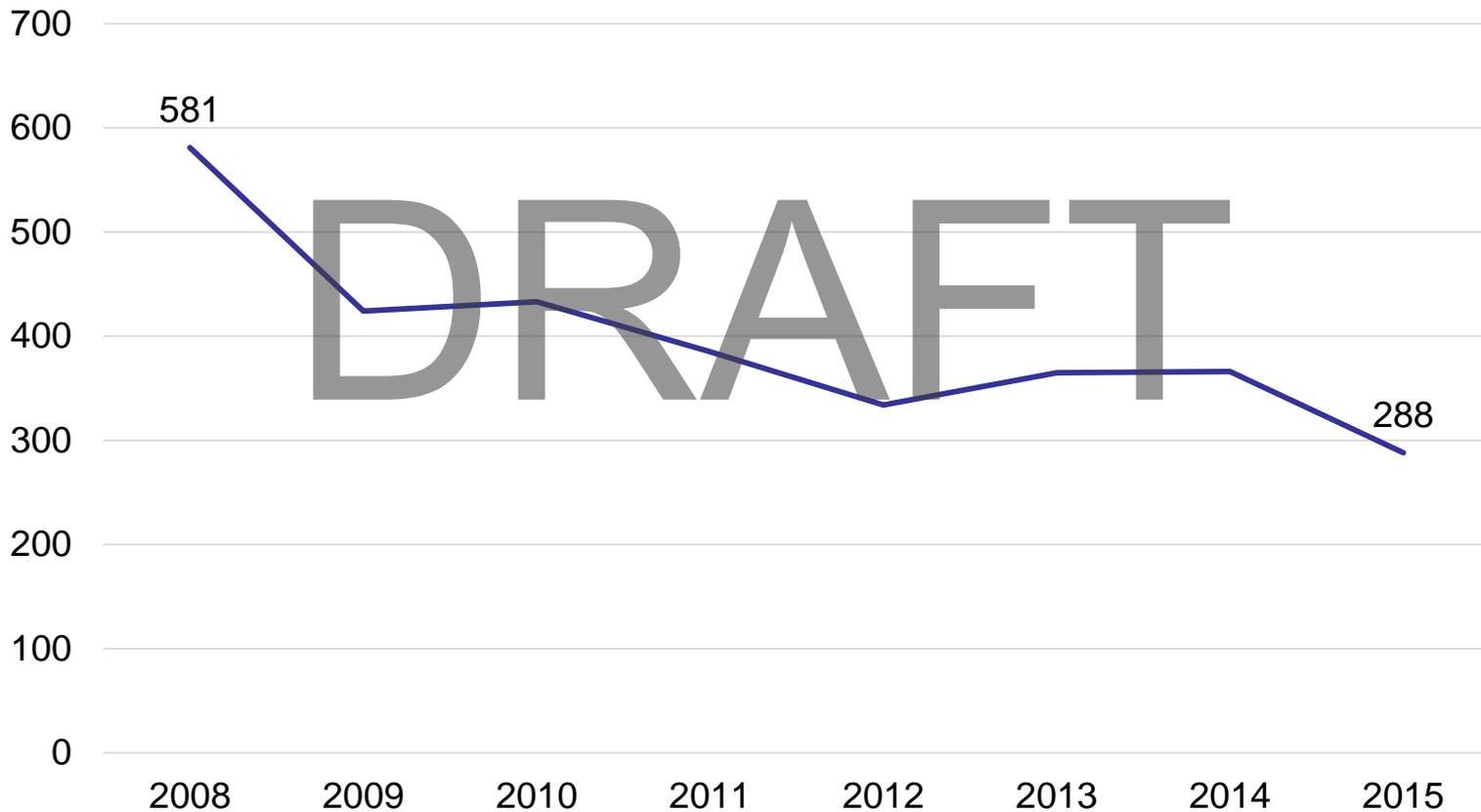
**STATUTE:** *“The processes and procedures designed ...to meet the needs of minors who are abused or neglected, are not applicable to a minor who is committed to the custody of the [DCFS] on a basis other than abuse or neglect and who... [have] been placed in custody primarily on the basis of delinquent behavior or a status offense.”*

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DCFS Placement  
Data

# 50% decline in DCFS custody dispositions for delinquency and status offenses since 2008

Number of DCFS Custody Dispositions



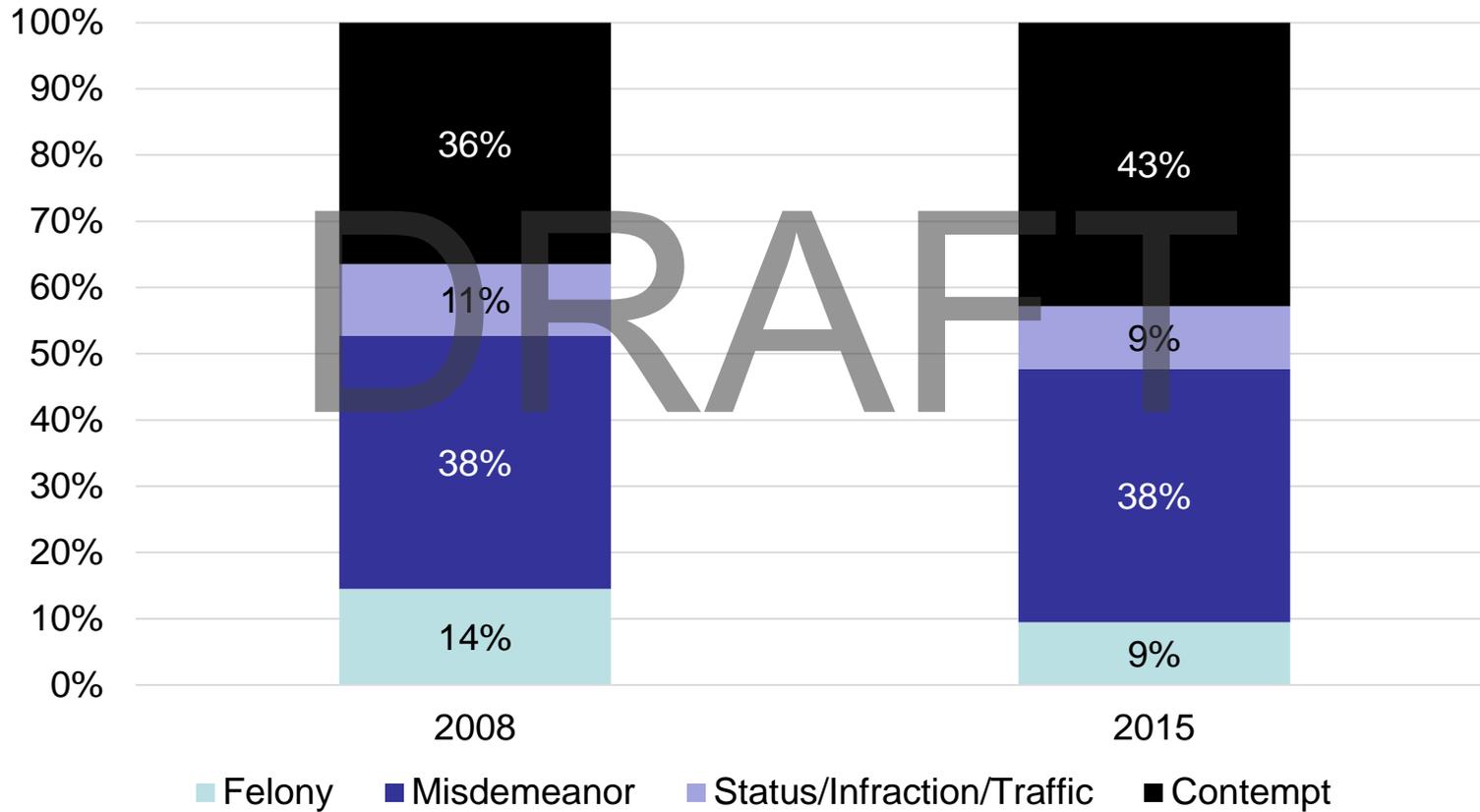
46% of DCFS custody dispositions also have detention disposition on same case

DCFS Custody Dispositions with Other Disposition on Same Intake, 2015	
JJS Detention	46%
Probation	16%
O&A	14%
JJS Community Placement	0%
JJS Secure	0%

\*Totals may not add up to 100% because of multiple dispositions

# 43% of DCFS custody dispositions are for contempt

## Most Serious Offense for DCFS Custody Disposition

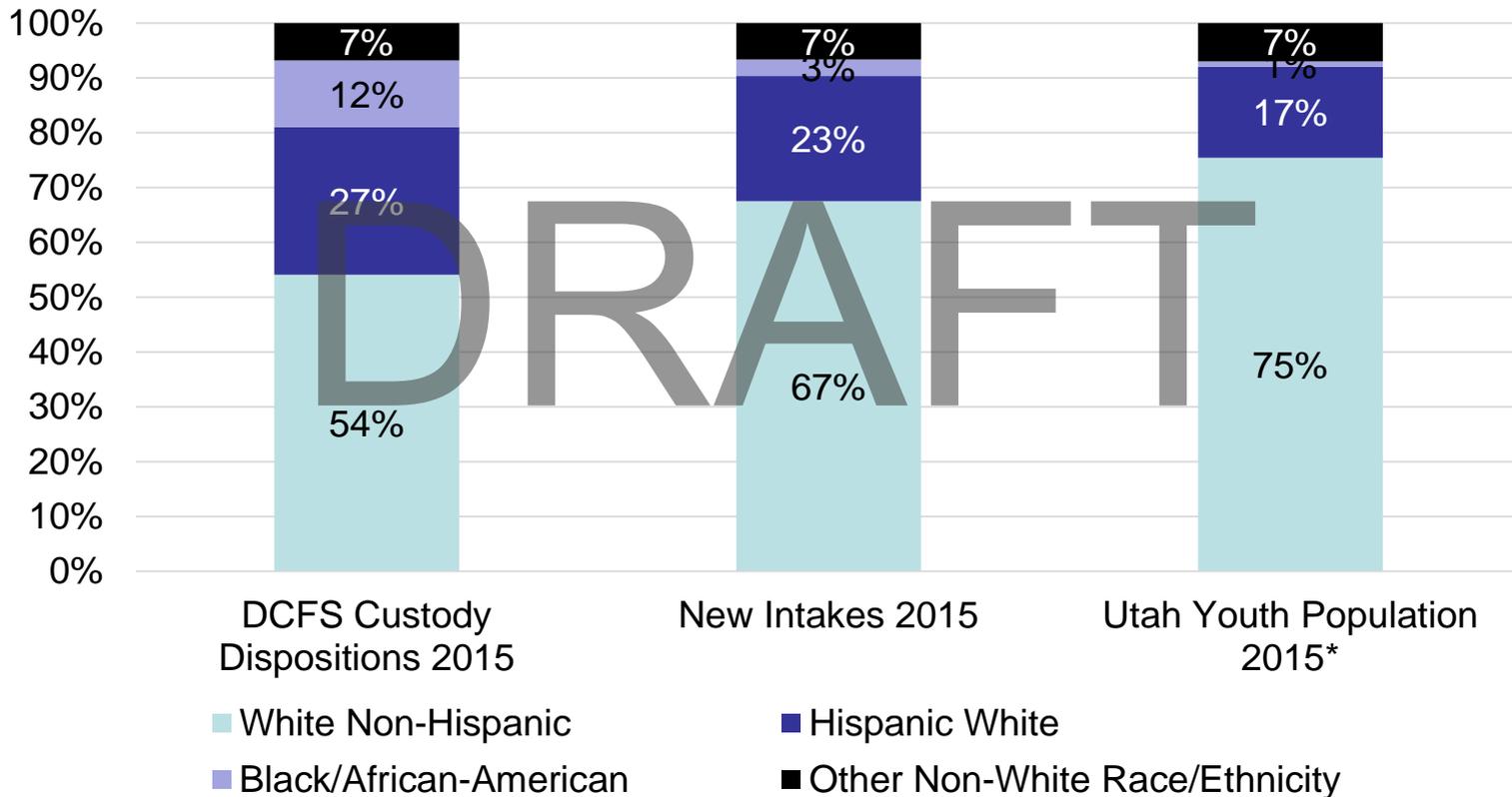


## Contempt and truancy are top offenses for DCFS custody disposition

<b>Top 9 DCFS Custody Dispositions 2015</b>	<b># Youth</b>	<b>% Non-Felony</b>
CONTEMPT - NON-PECUNIARY	74	100%
CONTEMPT - PROBATION	26	100%
HABITUAL TRUANT CITATION	22	100%
ASSAULT-SUB.RISK OF/BODILY INJ	17	100%
SEXUAL ABUSE,CHILD-V.UNDER 14	10	10%
RETAIL THEFT <\$500	10	100%
THEFT <\$500	8	100%
CONTEMPT - DRUG	8	100%
CRIMINAL MISCHIEF	7	100%

# Four times as high a proportion of Black youth sent to DCFS custody than new intakes

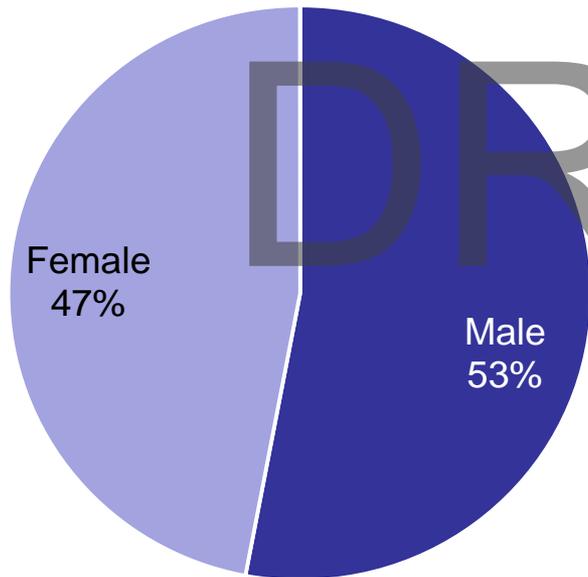
Race and Ethnicity Breakdown



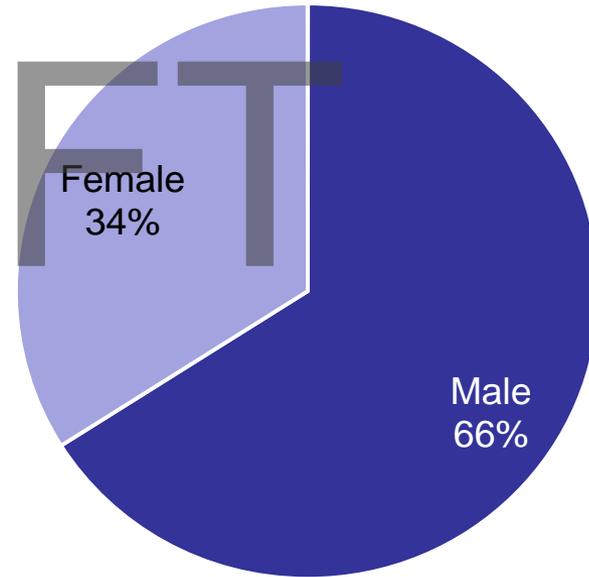
\*State of Utah School Enrollment Demographics Data, 2015

Nearly half of DCFS placement dispositions are female;  
higher proportion than new intakes

DCFS Custody Dispositions 2015

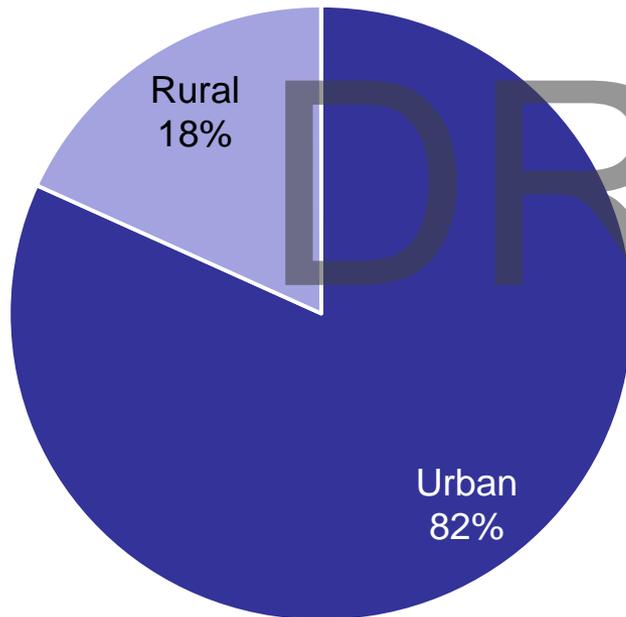


New Intakes 2015

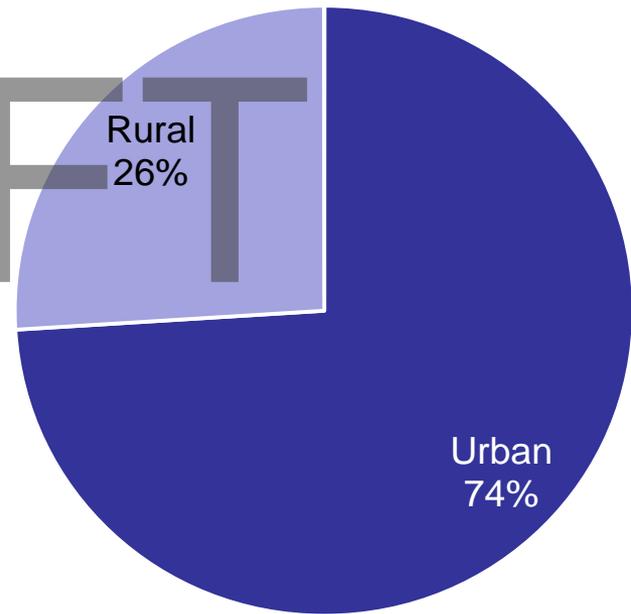


# Slightly lower proportion of DCFS custody dispositions from rural areas compared to new intakes

DCFS Custody Dispositions 2015



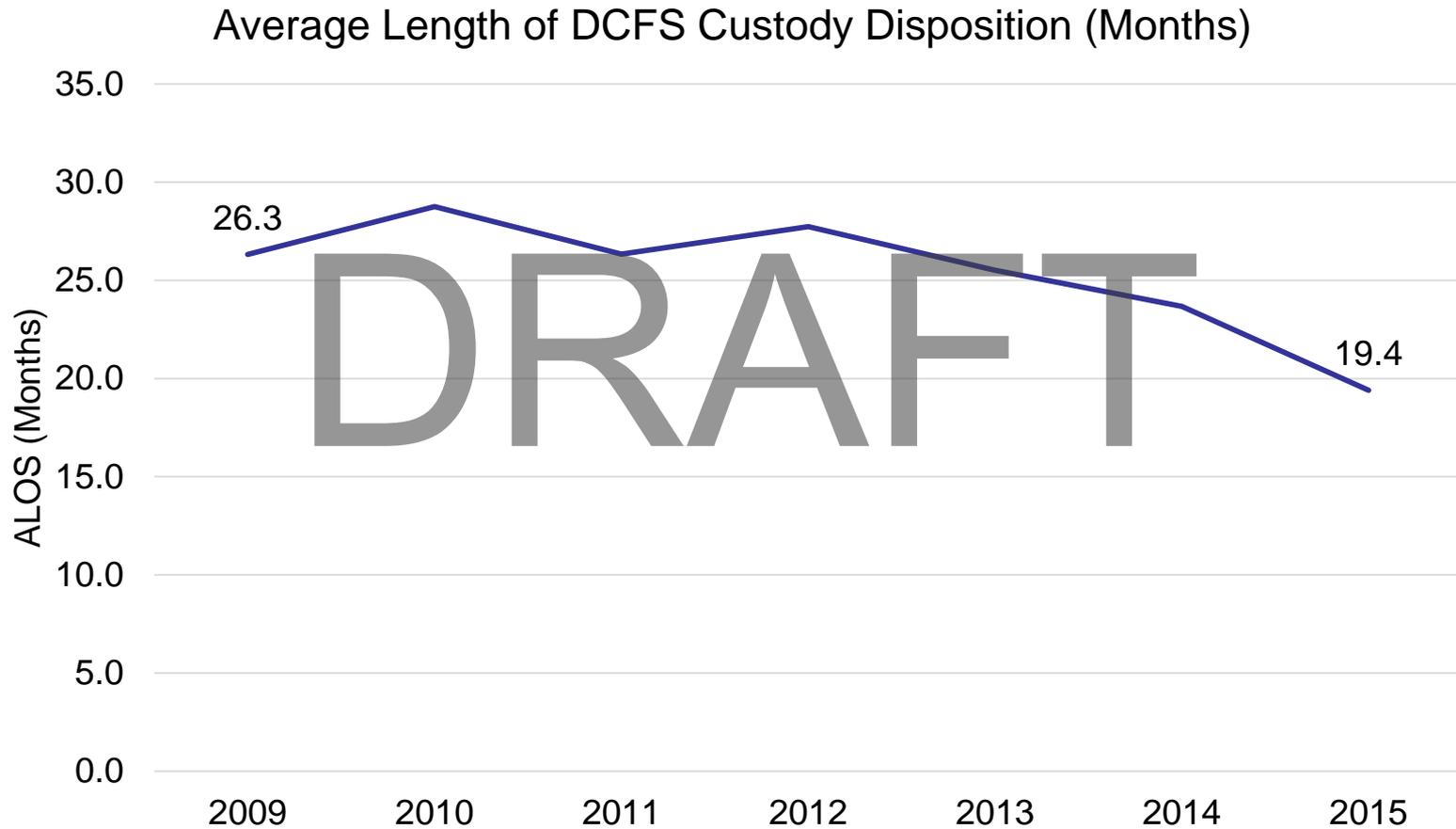
New Intakes 2015



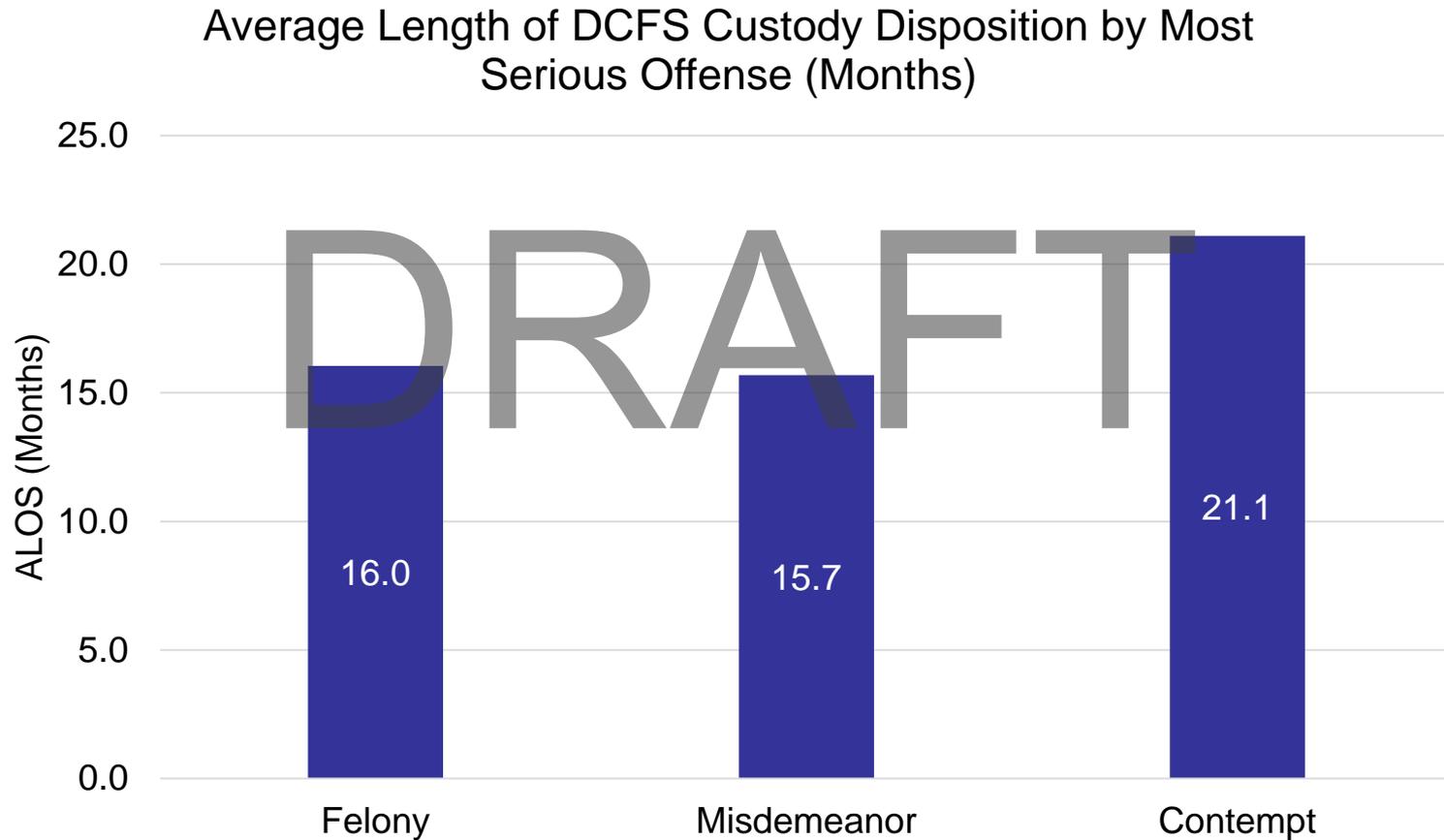
## Large district discrepancy in proportion of DCFS custody disposition compared to new intakes

District Breakdown		
	DCFS Custody Dispositions 2015	New Intakes 2015
First District	1%	7%
<b>Second District</b>	<b>9%</b>	<b>18%</b>
<b>Third District</b>	<b>56%</b>	<b>36%</b>
<b>Fourth District</b>	<b>16%</b>	<b>20%</b>
Fifth District	0%	8%
Sixth District	3%	3%
Seventh District	11%	3%
Eighth District	2%	4%

Average length of DCFS custody disposition is 19.4 months;  
down 26% since 2009



# Contempt dispositions to DCFS have longest average disposition length



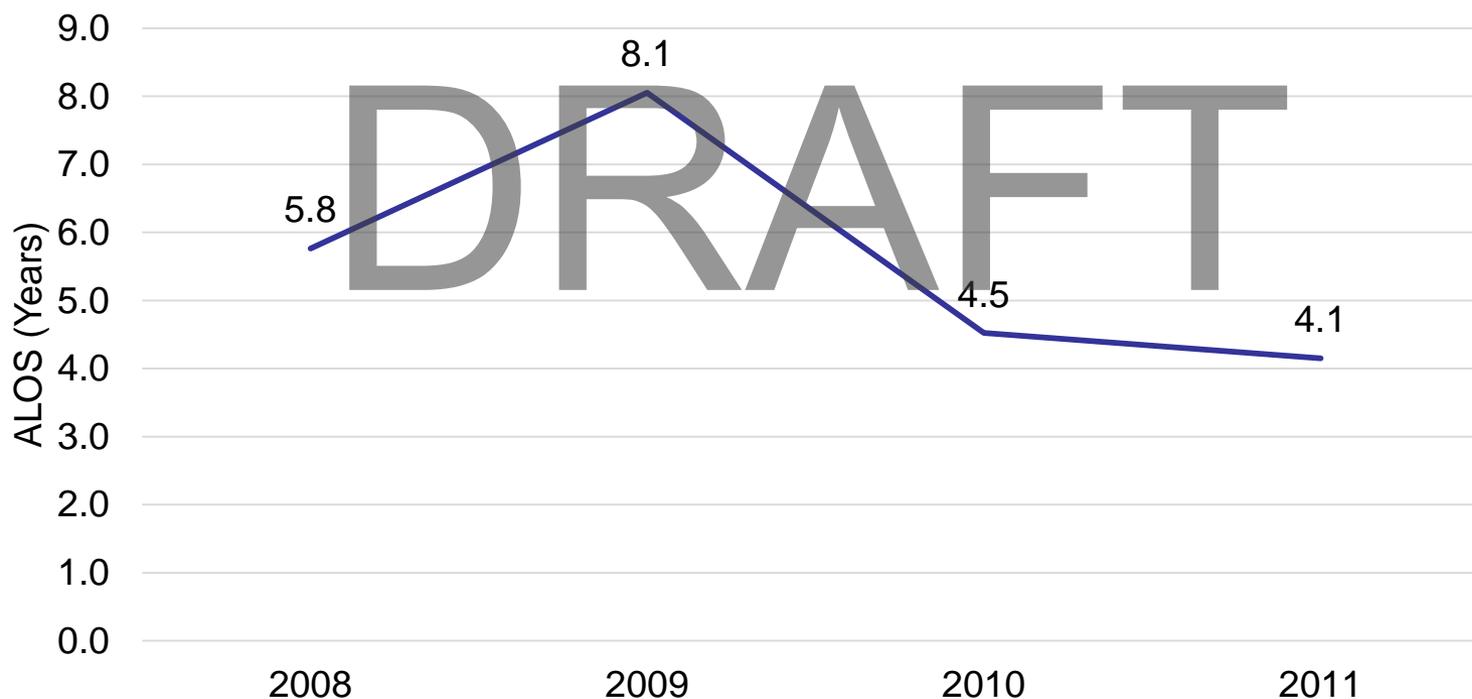
Most youth who go to DCFS custody have detention disposition, but a lower proportion have JJS custody dispositions before aging out

<b>Other Probation and Custody Dispositions for Youth who Spent Time in DCFS Placement who Aged Out, First Intake 2008-2011</b>	
Probation	33%
JJS Secure Care	4%
JJS Community Placement	12%
JJS Detention	59%
O&A	21%

\*Totals may not add up to 100% because of multiple dispositions

## Range in average time under court jurisdiction from 4-8 years for youth placed with DCFS

Average Length of Time Under Court Jurisdiction for Youth Sent to DCFS Custody (Years)  
Youth Aged Out, First Intake 2008-2011



# DCFS Placement Key Takeaways

- **Decision-making:**
  - Statute permits commitment to DCFS on any status or delinquency disposition without a corresponding finding of abuse, neglect, or dependency
    - The only requisite finding is that reasonable efforts have been attempted to prevent removal from home
  - Youth in DCFS custody may remain there indeterminately until aging out
    - Statutory processes and protections enacted for abused and neglected youth, like permanency planning reviews, do not apply to this cohort of youth
      - Further, parents cannot be compelled to be involved
  - Most youth are placed out of home in non-secure residential placements

# DCFS Placement Key Takeaways

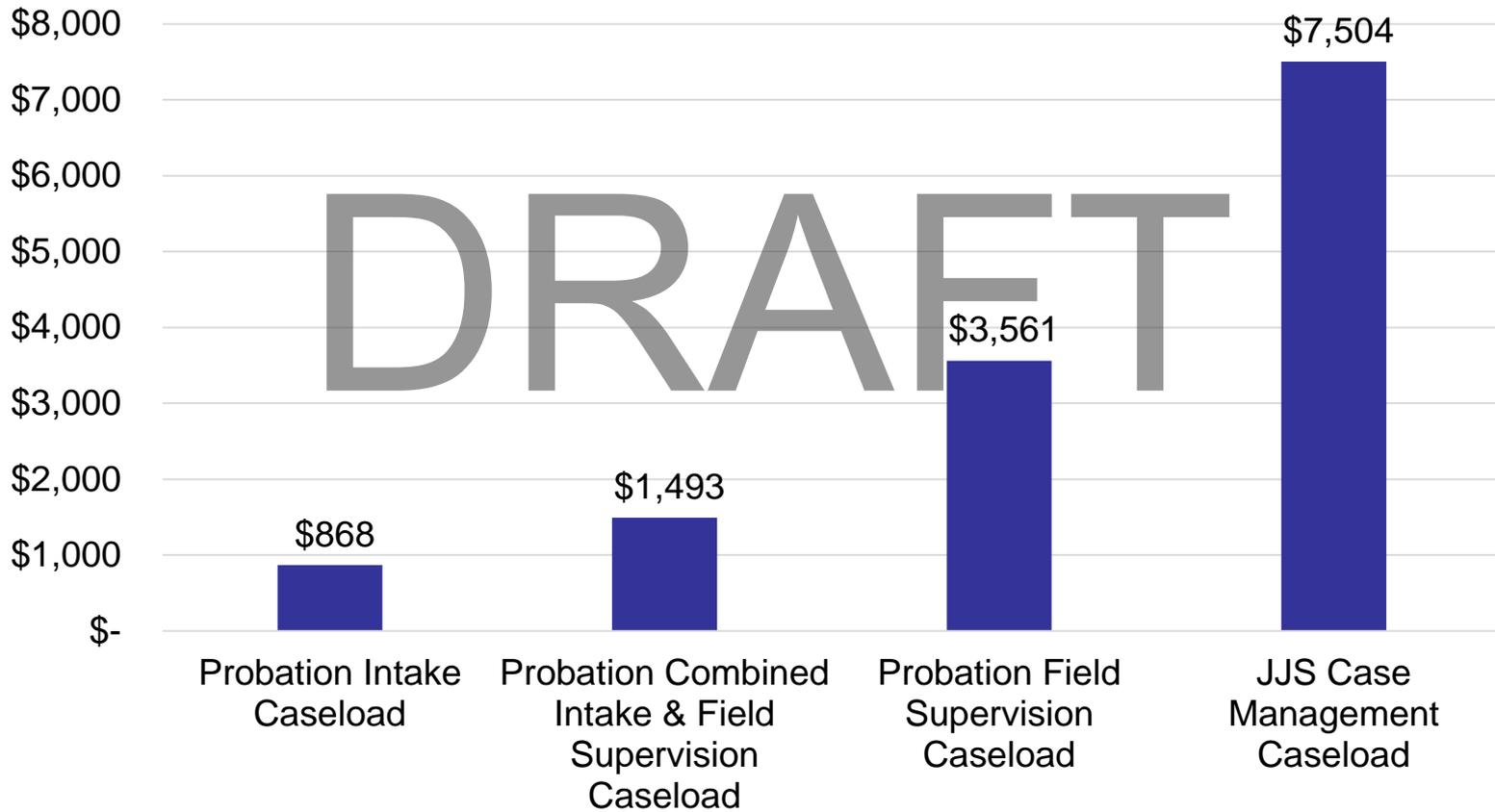
- **Youth flow:**
  - There has been a 50% decline in DCFS custody dispositions for delinquency and status offenses since 2008
  - 46% of DCFS custody dispositions also have a detention disposition on the same case
  - 43% of DCFS custody dispositions are for contempt
  - The proportion of Black youth disposed to DCFS custody is four times as large as the proportion of Black youth among new intakes
  - The average length of a DCFS custody disposition is more than 19 months, and the longest is for contempt dispositions
    - The range is 4-8 years under court jurisdiction on average before aging out
- **Other?**

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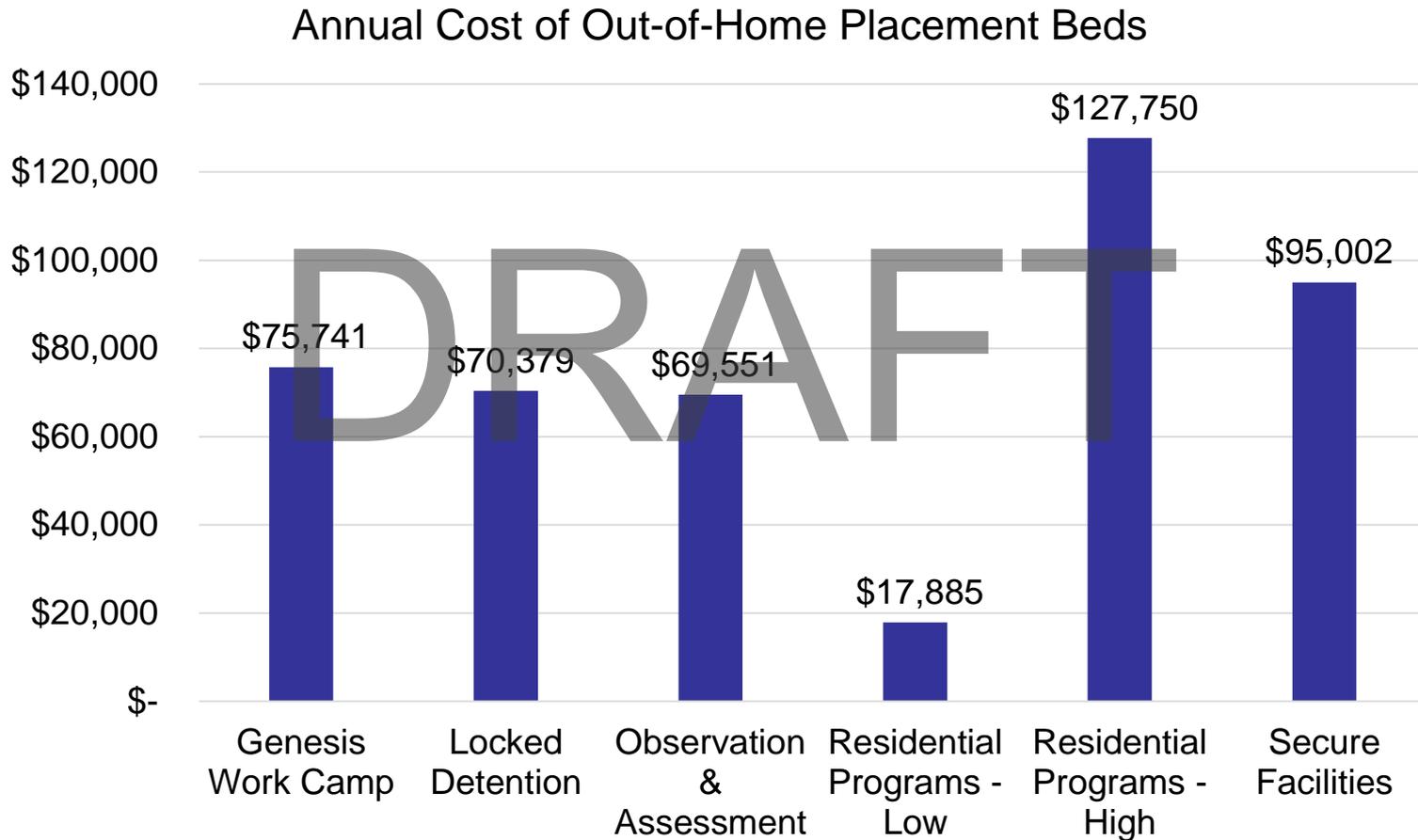
**System Costs**

Probation costs less than \$4,000 per youth per year, JJS case management community supervision costs \$7,500

Annual Cost of Community Supervision



JJS residential beds cost as much as \$127,750 annually;  
secure care beds cost more than \$95,000



# Overall Key Takeaways

- **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

- **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

- **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
  - Youth put on formal probation or disposed to detention average 4 years under court jurisdiction before aging out; youth who were sent to JJS custody or DCFS custody average more than 5 years under court jurisdiction before aging out
    - Almost all of these 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
- **Other?**

# Future Meetings

- September 1
  - September to October (Subgroup Meetings)
- October 6
- November 3

# Next Steps

- Continued stakeholder outreach
  - Roundtables
  - Individual Meetings
- Research Presentation
- Subgroup Planning