

4. Plan for Compliance with DMC Core Requirement

4a. Updated DMC Identification Spreadsheets

See attachment #3.

4b. DMC Data Discussion

The State of Utah has improved data collection in the last two and a half years. The first, and most notable, improvement is the implementation of the CARE database (Court & Agencies' Record Exchange) in November 2005. This database allows state and local agencies access to youth records. The CARE database collects data on eight points of contact with the juvenile justice system. Only arrest data is not collected by CARE. Arrest data is collected by the Utah Bureau of Criminal Identification (BCI). BCI includes Pacific Islanders in the Asian category for the arrest data. As a result, Pacific Islander doesn't have the RRI in the arrest contact point. The other eight points of contact are calculated separately by race category. FY07 data will be the first completed cycle of using the CARE database for the DMC report.

The second improvement was to the population at risk data. Previously, Utah used the 2000 Census to tabulate the population at risk. This year, the data was gathered from the Utah Department of Education (DOE), 2007 School Enrollment and accounts at an estimated 96% of the total population at risk. The remaining 4% attend private school (3%) or home school (1%) and are not included in the count.

Utah is a state of diversity. It is home to refugees coming from all over the world. The population, however, make up dominantly White. According to the 2000 Census, 89.2% of the 2.23 million total population are White and 11.8% are of other than White. In 2006 Census estimates, the total population has increased about 320,000 but the make up of the population stayed virtually unchanged. An estimated 89.1% of the 2.55 million state total population are White and 11.9% are of other than White.

When comparing 2007 DOE to Census 2000 for the population at risk, it shows that the changes in minority populations are substantial. At a statewide level, population at risk for all minorities increased 2.8%, from 57,277 in 2000 Census to 58,897 2007 DOE data. While the volume are relatively small, Black or African American has the largest increase at 60.9%, from 2,559 to 4,117, followed by Native Hawaiian or other Pacific Islanders, at 58%, from 2,847 to 4,516. Hispanic or Latino remains the largest minority population in the state. In 2000 Census, the population at risk was at 29,285 and has increased to 40,177 in the 2007 DOE, a 37.2% increase. Asian has the lowest increase at 30.7%, from 4,053 to 5,297. As a result of the increase, Black or African American and Native Hawaiian or other Pacific Islanders meet the 1% threshold to analyze for the first time.

White youth, however, has a reduction of 7.7%, from 266,909 to 246,427. It is important to note here that there is an estimated 4% of private or home school population that are not included in the 2007 DOE count. The other decrease, 10.2% was of American Indian or Alaska Native youth. The population at risk in 2000 Census was at 5,334 to 4,790 in 2007 DOE count. These changes in the minorities' population at risk require necessary attention and adjustment of services and programming to adopt to the population changes.

This year, Davis County has shown a population increase and will be added to the three counties previously reported, namely Salt Lake, Weber, and Utah Counties. Salt Lake County accounted for the largest county population in the State. In FY07, it showed a decrease of 18.7% in the White population at risk, the highest decrease in the State, yet showed little change in the minority population. However, it remains home to the largest minority youth population in the state. Utah County reported the largest increase in White youth at risk (10.5%) and a 33.9% increase in minority youth. Yet, the minority volume is still relatively small when compared to Salt Lake County at about 8000 and 28,000 respectively. Weber County has both decreased in minority population (10.6%) and white youth (12.8%).

The FY07 RRI data shows a few noticeable trends when compared with the two previous years. The Black or African American population met the 1% threshold for the first time. The RRI arrest for minorities in state is mixed. The Black or African American and American Indian or Alaska Native are being arrested more than one and quarter times the rate of White youth. While Asian and Hispanic or Latino both have an RRI below 1.0. The three year trend for arrest has gone down significantly. The RRI for all minorities in FY05 was 1.53. Now in FY07 is 0.78.

Minority youth referrals to juvenile court has increased substantially for some populations. The FY05 and FY06 data shows little change for Hispanic or Latino at 1.25 to 1.36, respectively. However, FY07 shows that referrals to juvenile court for this population have almost tripled to 3.76 with an exceptionally high volume of incidents. The RRI is also very high for Black or African American, at 2.35. Meanwhile, Asian and American Indian or Alaska Native show little change in referrals to juvenile court. Asian youth stayed at the lower end of the spectrum, with an RRI fluctuating from .40 to .54 over the three year period. American Indian or Alaska Native, on the other hand, has virtually no change in referrals to juvenile court with an RRI of 1.99 to 2.02 in the three year period.

The FY07 RRI shows that the five points of contact: cases diverted, cases involving secure detention, petitioned, delinquent finding, and probation placement stay relatively within range of 1.0. The RRI fluctuated between 0.77 to 1.37 for all minorities' population. However, when it comes to confinement, the RRI trend goes down but still remains at a high level. For example, Hispanic or Latino RRI goes down from 2.31 to 1.75. All minorities show a decrease in confinement from 2.08 to 1.58 for the FY06 to FY07, respectively.

The last DMC contact point is cases transferred to adult court. While the volume of incidents is low, the RRI shows that it needs attention. For all minorities, the transfer to adult court shows an increase of 2.46, from 1.13 to 3.59 from FY06 to FY07. Native Hawaiian or other Pacific Islander has the highest RRI, 8.14. Of the 167 cases transferred to Adult Court in FY07, 111 are minorities.

Utah's evaluation of the LEMY (Legal Equity for Minority Youth) project yielded interesting results. LEMY provided minority youth (especially non-English speaking) with legal representation and the assistance of a culturally competent social service worker. The evaluation team studied the program's effects by observing juvenile court proceedings, interviews with the youth and the court, and analysis of dispositions before and after LEMY as compared to White defendants. The research project is also compared risk and protective factors of LEMY

clients to the local youth population. They also educated court officials on the different experiences of minority youth. The evaluators also completed a profile of the risk and protective factors of youth entering the program.

Preliminary results found that youth in LEMY are at a higher risk than the general population, but when compared to their probation counterparts, they are at less risk in nineteen of the twenty-three factors evaluated.

The Risk and Protective Factor profiles for LEMY were made available in the 2006 Annual Report. And will be replicated one more time in the 2007 Annual Report. These profiles will compare LEMY youth to Hispanic and general population norm groups. Data on differences in charges and sanctions will be available the summer of 2007. This data will compare LEMY youth to matched Hispanic and Caucasian youth.

4c. Progress Made in FY07

Utah planned the following activities in its FY06-08 Three Year Plan:

In working with the Utah Board of Juvenile Justice, Utah's DMC Committee planned following activities in FY07:

1. Hire a DMC Coordinator for Utah.
2. Encourage development of updated cultural competency training curriculum, including an evaluation tool, for use in Juvenile Court and Juvenile Justice Services.
3. Look at ways to integrate cultural competency training into other staff training modules.
4. Encourage Utah's Peace Officers and Standards Training (POST) to implement curriculum on how to better interact with juveniles in the field without having to use physical restraint. Encourage the use of this training for seasoned officers as well.
5. Monitor the entry of racial data in the CARE system. The goal is to reach 90% reporting of racial data in the CARE system, reducing the number of "Cannot Determine" entries to less than 10%.
6. Ensure that cultural competency training continues to be offered throughout the state.
7. Ensure that all sub grantees providing services to youth meet cultural competency requirements.
8. Encourage all agencies providing services within the juvenile justice system provide services in a culturally competent manner.
9. Gather data to determine the number of minority youth participating in Formula Grant projects.
10. Conduct further research to identify causes of disproportionate minority representation in Utah's Juvenile Justice System.
11. Continue to sponsor projects designed to reduce Utah's disproportionate representation of minority youth in the juvenile justice system.
12. Encourage efforts to further diversify the juvenile justice work force.
13. Convert RRI data into narrative form.
14. DMC Committee will meet on a regular basis throughout the year.
15. Update Utah's DMC Strategic Plan.

Accomplishments and progress made in FY07 plan are as follows:

1. The DMC Subcommittee successfully hired the first DMC Coordinator for the State of Utah, Cuong Nguyen. He is a community oriented individual, with a background in social work and has worked many years with minority populations, especially with youth. He is housed at the Utah Commission on Criminal and Juvenile Justice, working with Reg Garff, Utah Juvenile Justice Specialist as his supervisor. He began work on January 16, 2008, and already attended the Orientation for New DMC Coordinators in New Orleans on January 28-30, 2008. The DMC coordinator's primary responsibilities as defined by the Utah's SAG as follows:
 - a. Provide staff support to the DMC Subcommittee of the Utah Board of Juvenile Justice.

- b. Coordinate the State's efforts to address the disproportional contact of minority youth with the juvenile justice system and ensure the State's compliance with the DMC core requirement of the JJDP Act of 1974, as amended.
 - c. Develop and implement the State DMC compliance plan as reported to the Office of Juvenile Justice and Delinquency Prevention.
 - d. Assist in the administration of federal and state grants.
 - e. Provide training and technical assistance to address the needs of the juvenile justice system, law enforcement personnel and related human services systems.
 - f. Work with State and local agencies to design and implement a DMC planning process, specific to each of their communities, to reduce the numbers of minorities in the juvenile justice system and improve services to minority youth. Ensure the participation of local minority officials and community leaders.
2. The UBJJ has given preliminary approval for \$5000 to updated cultural competency training curriculum, including an evaluation tool, for use in Juvenile Court and Juvenile Justice Services. The curriculum, which was developed by an independent contractor, is seven year old and is due for update. James Yapias, author of the curriculum, will work with Reg Garff and other leaders to complete this by year's end.
 3. The required training for all employees of the Courts and Division of Juvenile Justice Services has, in ways, integrated cultural competency training into other staff training modules. Other state agencies, however, conduct their own culture competency training. Work is progressing to encourage all state human service agencies to conduct culture competency training.
 4. Encourage Utah's Peace Officers and Standards Training (POST) to implement curriculum on how to better interact with juveniles in the field without having to use physical restraint. Encourage the use of this training for seasoned officers as well. The DMC Committee has visited POST in the past year and spoken with the POST Director about culture competency training. A good relationship has developed between the Committee and the POST Director. DMC members observed part of the training and notice the lack of scenarios where the officers encounter youth. The Committee suggested that POST to include scenarios where officers engage minority youth and interact appropriately. The Director agreed to consider scenarios developed by the Committee. A working group has formed to complete this task by year's end.
 5. The Board is monitoring the entry of racial data in the CARE system. The goal is to reach 90% reporting of racial data in the CARE system, reducing the number of "Cannot Determine" entries to less than 10%. While data collection has improved between agencies in various level of government, it has yet to reach the targeted goal of 90% reporting on racial data to the CARE system. A fair percentage of cases (25.2%) in the statewide data were associated with youth who were identified as "Can Not Determine" in both Race and Ethnicity. These cases are not included in the FY07 RRI analyses. Furthermore, the CARE system does not have a category for "Other/Mixed." We have contacted the person in charge of administering the system to make sure those data are reported. The administration is currently training both existing and new employees to accurately enter the require information.

6. Ensure that cultural competency training continues to be offered throughout the state. Beside the adoption of the Juvenile Court and Juvenile Justice Services Division, which house under Utah Department of Human Services, other state agencies conduct their own culture competency training. However, the DMC Committee has representatives from various state agencies. The goal is for these agencies to adopt one culture competency curriculum for use by all human service agencies.
7. The requirement for all sub grantees to include cultural competent when providing services to youth is in place. The Board continues to look for this element in sub grantees applications, and will monitor for compliance for those projects receiving awards.
8. Encourage all agencies providing services within the juvenile justice system to provide services in a culturally competent manner. Besides required cultural competency training for all personnel who work in the juvenile court and juvenile justice services, we are working with the Human Resources Department to encourage the hiring of minorities to reflect the diverse work force. The intent is to have working forces that represent the population the agency serve. This will be an on going goal as recruiting and hiring person who qualify for the job can be a challenge, not to mention retaining them in the position of their expertise.
9. Gather data to determine the number of minority youth participating in Formula Grant projects. Sub grantee has the duty to report on the number of client/participant they served and report on client/participant's race/ethnicity. Subgrantees continue to report this data in quarterly progress reports.
10. Conduct further research to identify causes of disproportionate minority representation in Utah's Juvenile Justice System. Beside the expertise that DMC members bring to the board, the new DMC Coordinator will work with various agencies conducting research to identify causes of disproportionate minority representation in Utah's Juvenile Justice System. This will require the Coordinator to out-reach and network with the community and citizens where data show DMC to exist.
11. Continue to sponsor projects designed to reduce Utah's disproportionate representation of minority youth in the juvenile justice system. Part of the CARE Database was funded through UBJJ grant. It has proven to be a useful and informative tool. We continue to work with the Utah Criminal Justice Center who conducts research on issues related to juvenile justice to provide data analysis. One of their researcher is a member of DMC board and is very supportive of this effort.
12. The DMC Committee outreached human resource managers encouraging efforts to further diversify the juvenile justice work force. The Utah Department of Human Services' employee charged with diversifying their work-force now participates on the DMC Committee.
13. Utah's RRI data is converted into narrative form on an annual basis and routinely used in the SAG's annual reports to the Governor and Legislature.
14. The DMC Committee meets approximately ten times a year, on a regular basis.
15. Utah's DMC Strategic Plan is updated at least annually.

4d. DMC-reduction Plan for FY 2008

The UBJJ, DMC Committee will continue the following activities in FY08:

1. Complete development of updated cultural competency training curriculum, including an evaluation tool, for use in Juvenile Court and Juvenile Justice Services.
2. Look at ways to integrate cultural competency training into other staff training modules.
3. Create youth scenarios for Utah's Peace Officers and Standards Training (POST) to adopt in their training curriculum.
4. Monitor the entry of racial data in the CARE system. The goal is to reach 90% reporting of racial data in the CARE system, reducing the number of "Cannot Determine" entries to less than 10%.
5. Ensure that cultural competency training continues to be offered throughout the state.
6. Ensure that all sub grantees providing services to youth meet cultural competency requirements.
7. Encourage all agencies providing services within the juvenile justice system provide services in a culturally competent manner.
8. Gather data to determine the number of minority youth participating in Formula Grant projects.
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10. Continue to sponsor projects designed to reduce Utah's disproportionate representation of minority youth in the juvenile justice system.
11. Encourage efforts to further diversify the juvenile justice work force.
12. Convert RRI data into narrative form.
13. The DMC Committee will meet on a regular basis throughout the year.
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The ongoing research into the disproportionality found in Utah will drive any new Formula Grant projects. At a minimum Utah plans to sponsor three to five projects targeting minority youth. This reduction in programming is due to a reduction in the availability of Formula Grant Funds.