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**OJJDP FY2021 Title II Formula Grants Program (CFDA 16.540)  
Grant Solicitation  
Year 1 of 3-year Plan**

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Table of Contents

|  |    |
|--|----|
| Introduction                                       |    |
| Utah’s Juvenile Justice System.....                | 2  |
| Juvenile Justice System Reform .....               | 3  |
| Data Analysis                                      |    |
| Juvenile Justice System Trends .....               | 4  |
| Juvenile Risk and Protective Factors Profiles..... | 7  |
| Project Details                                    |    |
| Design and Implementation .....                    | 12 |
| Goals, Objectives, and Activities.....             | 13 |
| Requirements of 34 U.S.C. § 11133(a).....          | 17 |
| Appendices   |    |
| Appendix A: Data Definitions .....                 | 29 |
| Appendix B: Supplemental Data .....                | 30 |

## **UTAH'S JUVENILE JUSTICE SYSTEM**

Utah's juvenile justice system is grounded in the Balanced and Restorative Justice Model which considers three equally important principles: accountability, competency development, and community protection. The system is primarily a function of State government and includes Juvenile Court (which includes Juvenile Probation), the Division of Juvenile Justice Services (JJS), and the Division of Child and Family Services (DCFS). Defense counsel, prosecutorial services, and law enforcement are provided at the county and city levels.

### **Juvenile Court**

Utah's Juvenile Court is established as a court of record with equal status as District Court. Throughout the state's eight judicial districts, Juvenile Court is responsible for proceedings regarding minors accused of status offenses and/or delinquency, as well as proceedings regarding minors in abuse, neglect, and/or dependency situations. Juvenile probation, the service arm of Juvenile Court, is primarily responsible for supervising minors under Juvenile Court jurisdiction. More information on Juvenile Court can be found in Utah Code Title 80: Utah Juvenile Code.

### **Division of Juvenile Justice Services**

Utah's Division of Juvenile Justice Services (JJS) is established as an official division within the Utah Department of Human Services. JJS provides a continuum of intervention, supervision, and rehabilitation programs including school-based outreach, youth services, juvenile receiving centers, case management, in-home observation and assessment, home detention, locked detention, secure care, and transition to adult living services. More information on JJS can be found in Utah Code Title 80: Utah Juvenile Code.

## **Division of Child and Family Services**

Utah's [Division of Child and Family Services \(DCFS\)](#) is established as an official division within the Utah Department of Human Services. DCFS collaborates with Juvenile Court and JJS to develop and administer a broad range of services in accordance with the Utah Juvenile Code. More information on DCFS can be found in [Utah Code Title 80: Utah Juvenile Code](#) and [Utah Code Title 62A-4a: Utah Human Services Code, Child and Family Services](#).

## **JUVENILE JUSTICE SYSTEM REFORM**

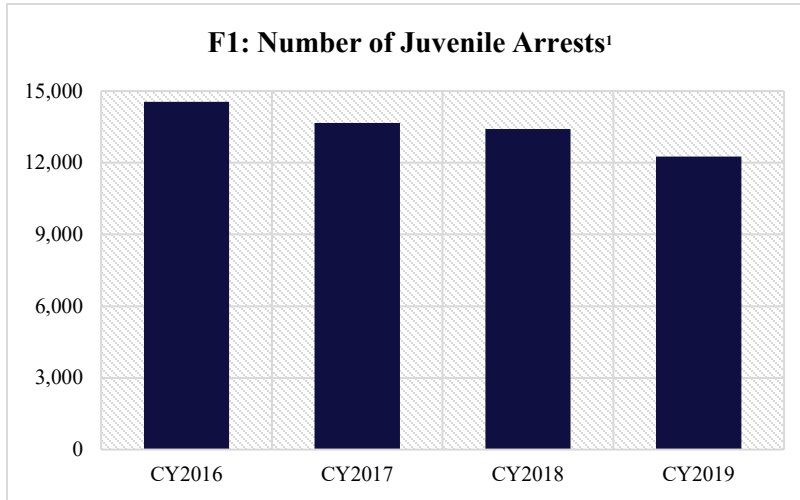
In 2016, an inter-branch and multi-disciplinary working group produced data-driven, research-based [recommendations](#) regarding Utah's juvenile justice system which aimed to:

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

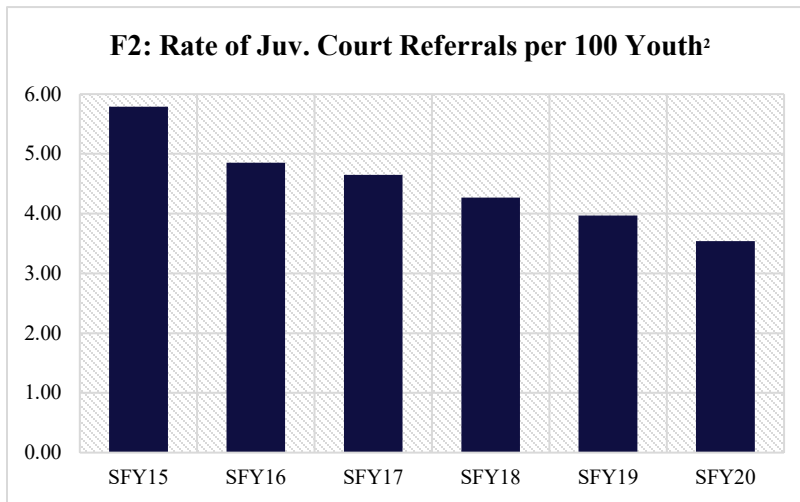
Beginning in 2017 with the passage of House Bill 239, there have been several policy changes designed to fulfill those recommendations. The [Juvenile Justice Oversight Committee \(JJOC\)](#) is statutorily responsible for overseeing the implementation of such changes and for measuring the impact of juvenile justice reform. The JJOC and Utah's state advisory group, the [Utah Board of Juvenile Justice \(UBJJ\)](#), are both components of Utah's designated state agency, the [Utah Commission on Criminal and Juvenile Justice \(CCJJ\)](#). The JJOC and UBJJ collaborate to fulfill the responsibilities of both groups, promote and support each other's efforts, and share information most effectively and efficiently.

## JUVENILE JUSTICE SYSTEM TRENDS

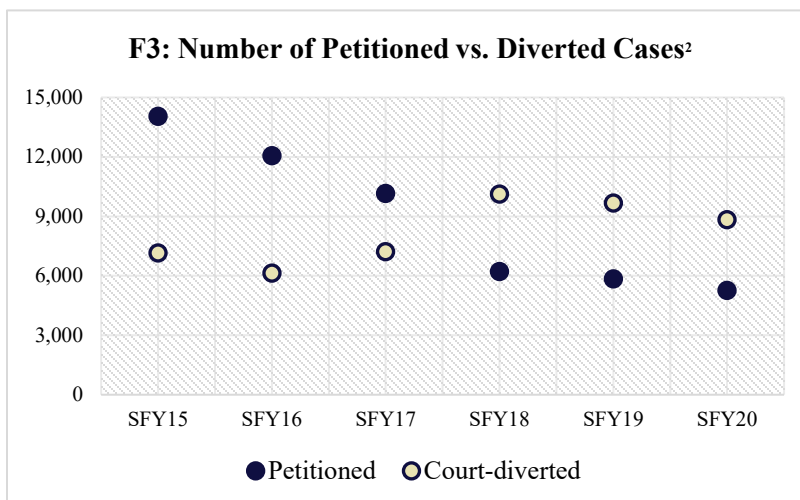
Figures F1-F6 illustrate the downward trajectory of statewide youth involvement across multiple points of contact in the juvenile justice system. See definitions and details in Appendices.



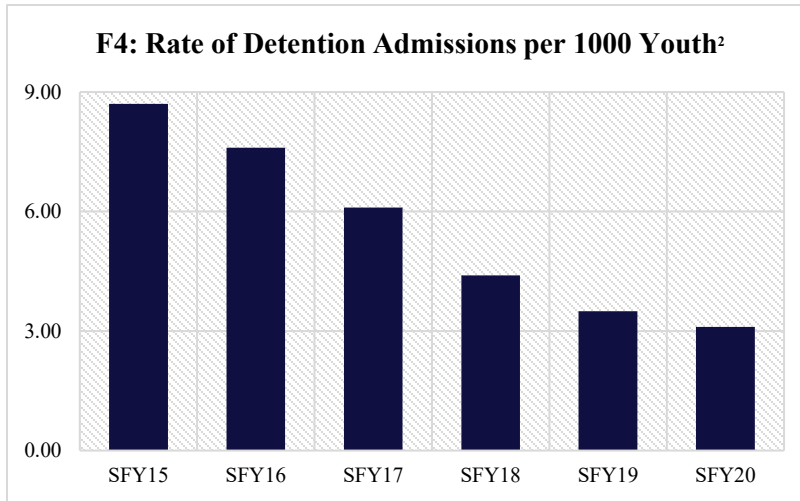
The number of statewide juvenile arrests decreased 8.6% between calendar year (CY) 2018 and CY2019. Utah has seen a 15.8% decrease in arrests between CY2016 and CY2019.



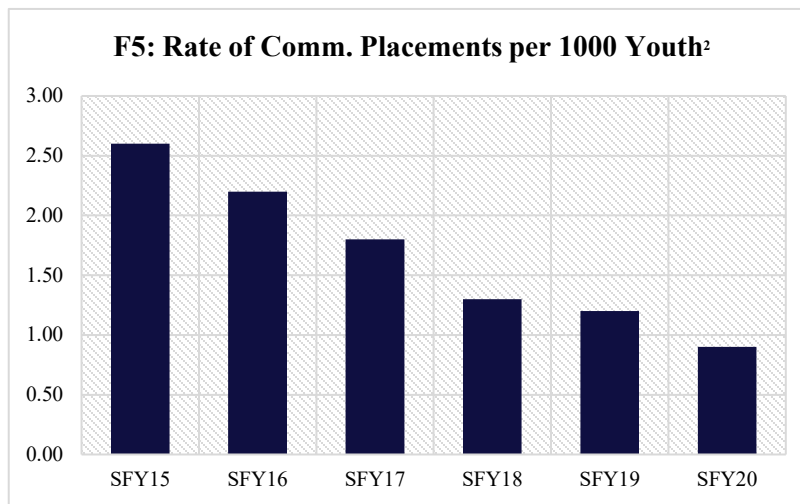
The statewide rate of referrals to Juvenile Court has declined 38.8% between state fiscal year (SFY) 2015 and SFY2020.



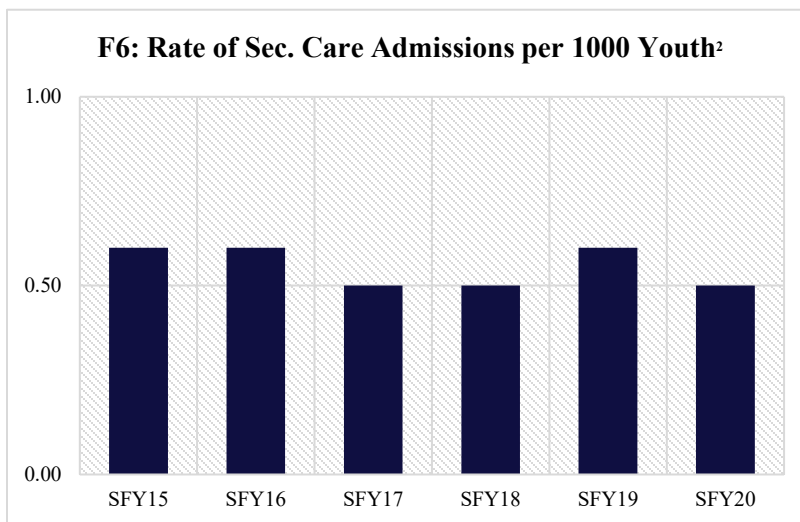
Of the referrals to Juvenile Court referenced in F2, more cases are now diverted than are petitioned.



The statewide rate of detention admissions has declined 64.4% from state fiscal year (SFY) 2015 to SFY2020.



The statewide rate of community placements has declined 65.4% from state fiscal year (SFY) 2015 to SFY2020.



The statewide rate of secure care admissions has remained similar between state fiscal year (SFY) 2015 and SFY2020. The SFY2020 daily average of youth in secure care was 100.

| <b>T1: Percentages of Youth at Points of Contact (POCs) in the Juvenile Justice System by Race and Ethnicity</b> |            |        |          |           |           |                     |             |
|--|------------|--------|----------|-----------|-----------|---------------------|-------------|
|  | Population | Arrest | Referral | Diversion | Detention | Community Placement | Secure Care |
| White  | 73.16%     | 59.84% | 56.03%   | 61.49%    | 47.88%    | 40.99%              | 47.41%      |
| American Indian or Alaska Native   | 1.01%      | 1.44%  | 1.96%    | 1.67%     | 3.06%     | 0.90%               | 0.47%       |
| Asian  | 1.67%      | 1.28%  | 0.97%    | 0.96%     | 1.02%     | 1.61%               | 0.00%       |
| Black  | 1.42%      | 5.36%  | 4.59%    | 3.48%     | 8.75%     | 7.71%               | 4.95%       |
| Latino or Hispanic   | 18.19%     | 18.92% | 27.43%   | 25.73%    | 34.03%    | 40.90%              | 43.04%      |
| Native Hawaiian or Pacific Islander  | 1.58%      | 1.28%  | 1.83%    | 1.83%     | 2.20%     | 3.14%               | 4.13%       |
| Multi-racial or Other Race   | 2.97%      | 0.00%  | 1.25%    | 1.17%     | 1.56%     | 3.95%               | 0.00%       |
| Unknown  | 0.00%      | 11.87% | 5.95%    | 3.68%     | 1.50%     | 0.81%               | 0.00%       |

See Appendix A for Point of Contact definitions.

### Key Points from System Trends:

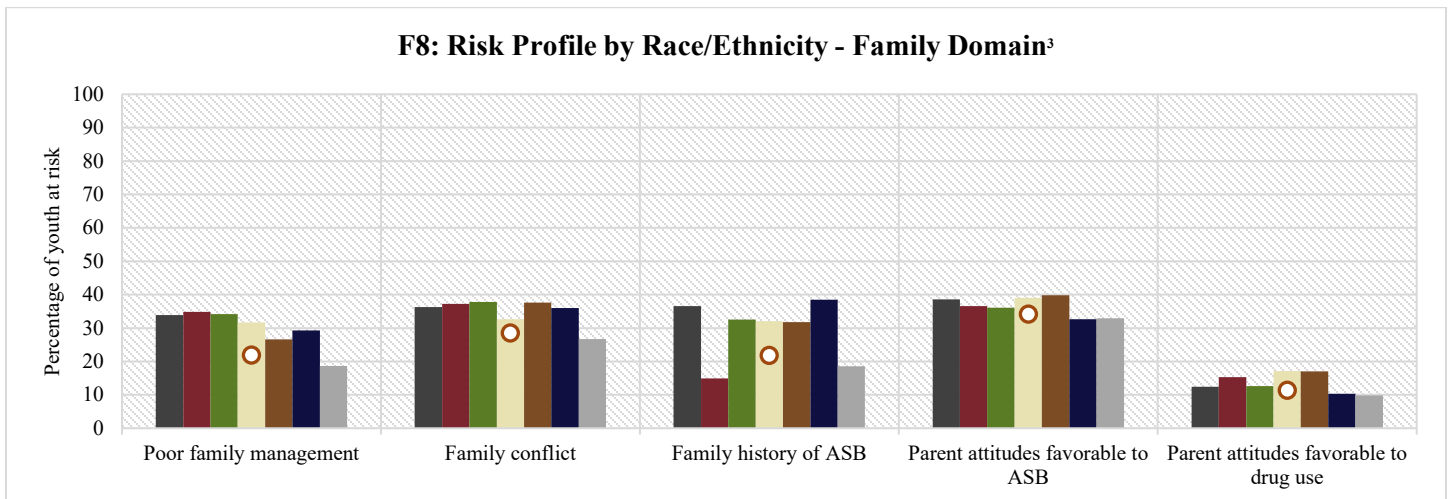
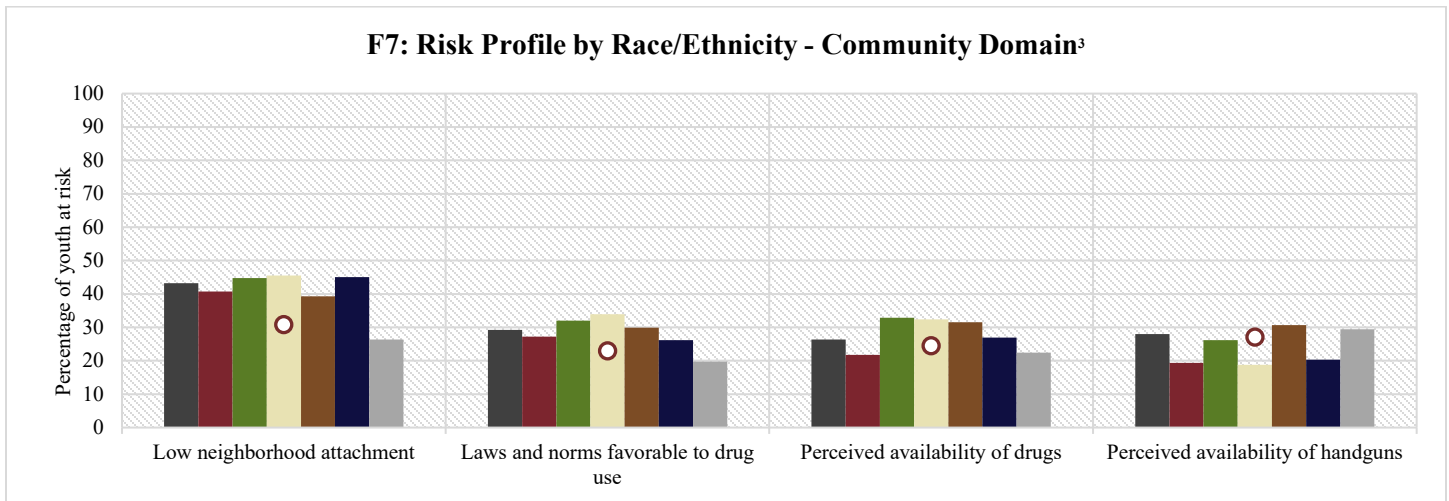
- While the downward trends illustrated in F1-F6 are encouraging, inequities are clear when data are viewed by race and ethnicity (T1).
- Black and Latino or Hispanic youth are overrepresented at 83.33% of the POCs.
  - Black youth are overrepresented 3.23-6.16 times their proportion of the population.
  - Latino or Hispanic youth are overrepresented by as much as 2.37 times their proportion of the population.
- Native Hawaiian or Pacific Islander youth are overrepresented at 66.67% of the POCs.
- American Indian or Alaska Native youth are overrepresented at 50.00% of the POCs.
- Asian youth are underrepresented at all POCs, including Diversion- which means they are diverted at a *lower* percentage than their proportion of the population.
- Four minority groups (American Indian or Alaska Native, Black, Latino or Hispanic, and Native Hawaiian or Pacific Islander) are overrepresented at the Diversion POC- which means they are diverted at a *higher* percentage than their proportion of the population.

## JUVENILE RISK AND PROTECTIVE FACTORS PROFILES

Figures F7-F14 illustrate juvenile risk factors and juvenile protective factors profiles based on findings from the 2019 Utah Prevention Needs Assessment (PNA) Survey that is conducted as part of the Student Health and Risk Prevention (SHARP) Statewide Survey. The survey is conducted every other year. The 2019 survey was administered to 6<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup>, and 12<sup>th</sup> grade students in 95% of school districts as well as 17 charter schools and 1 private school across Utah.

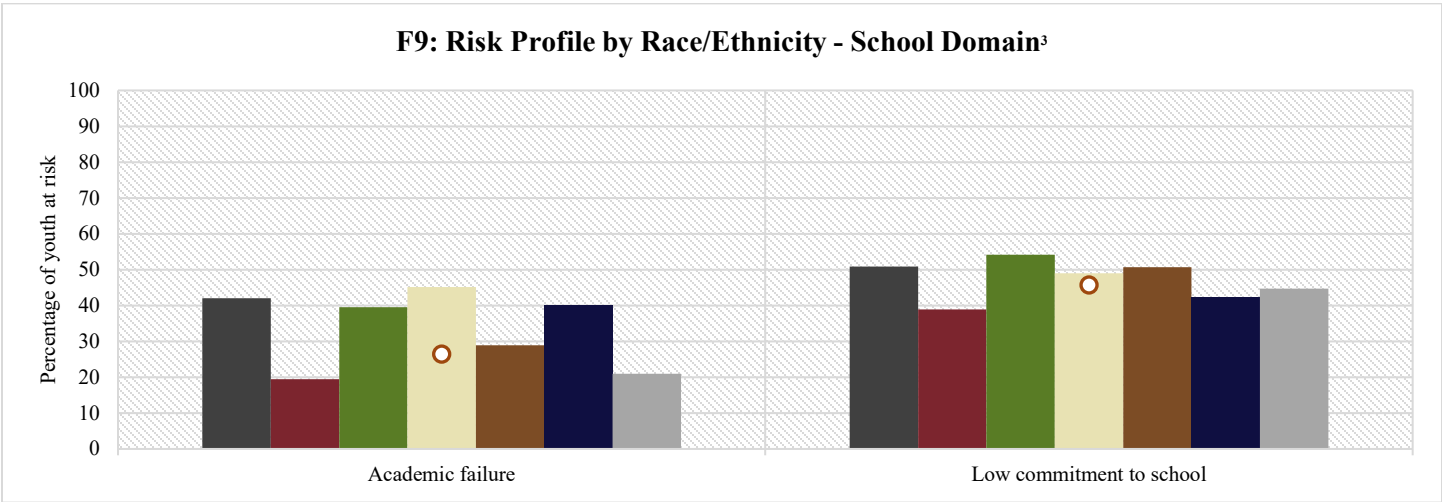
### Risk Factors Profiles

■ American Indian 
 ■ Asian 
 ■ Black 
 ■ Hispanic 
 ■ Multi-racial 
 ■ Pacific Islander 
 ■ White 
 ○ State Overall

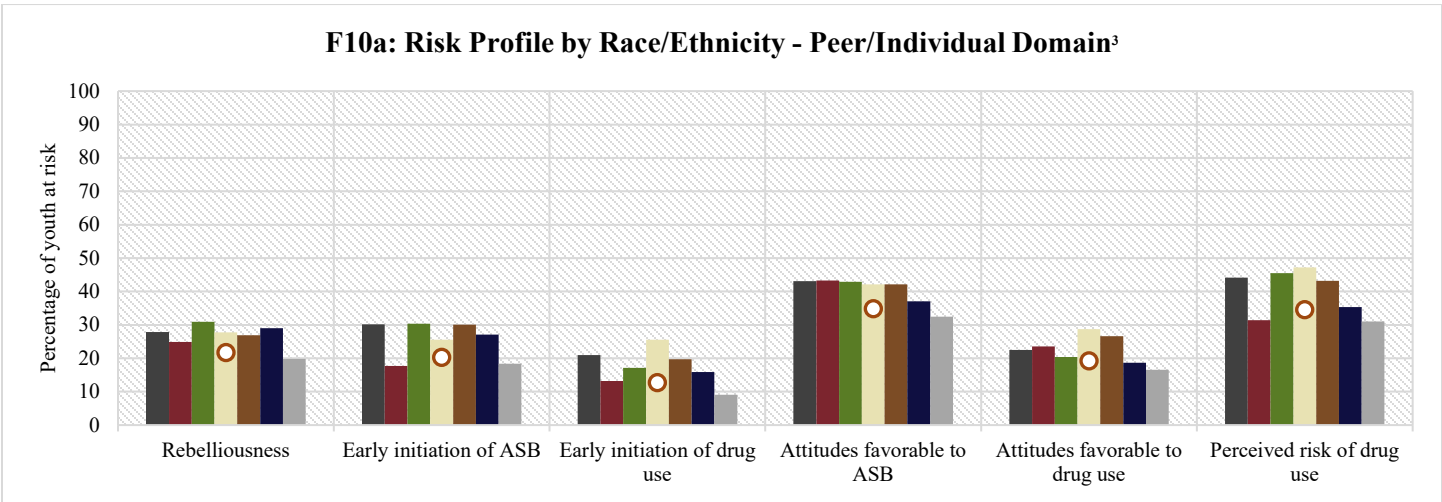


■ American Indian ■ Asian ■ Black ■ Hispanic ■ Multi-racial ■ Pacific Islander ■ White ○ State Overall

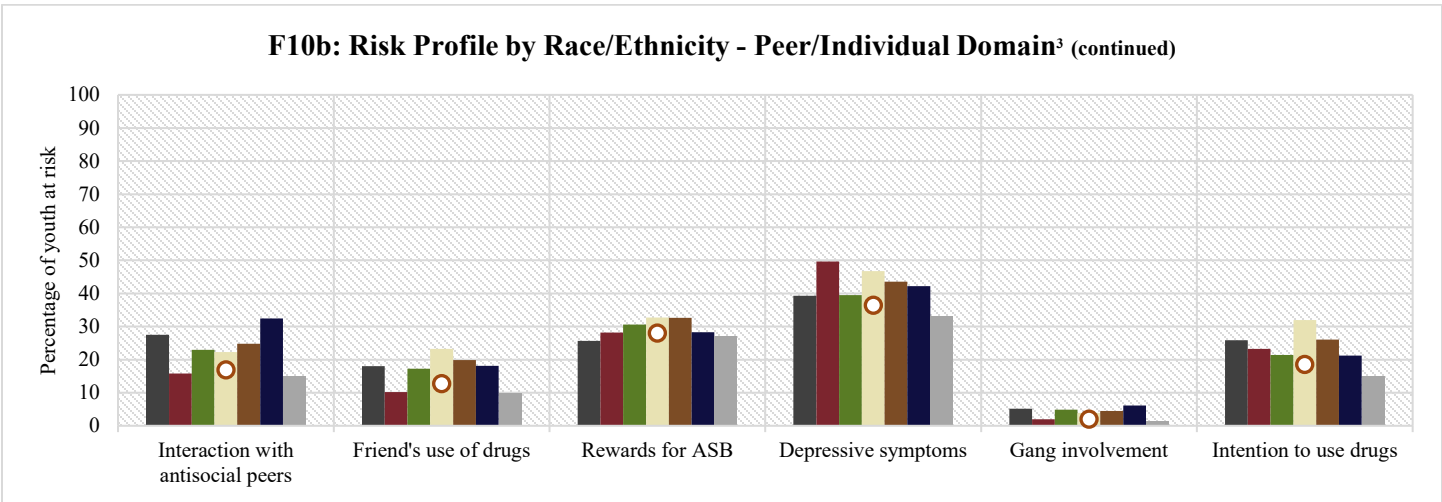
**F9: Risk Profile by Race/Ethnicity - School Domain<sup>3</sup>**



**F10a: Risk Profile by Race/Ethnicity - Peer/Individual Domain<sup>3</sup>**



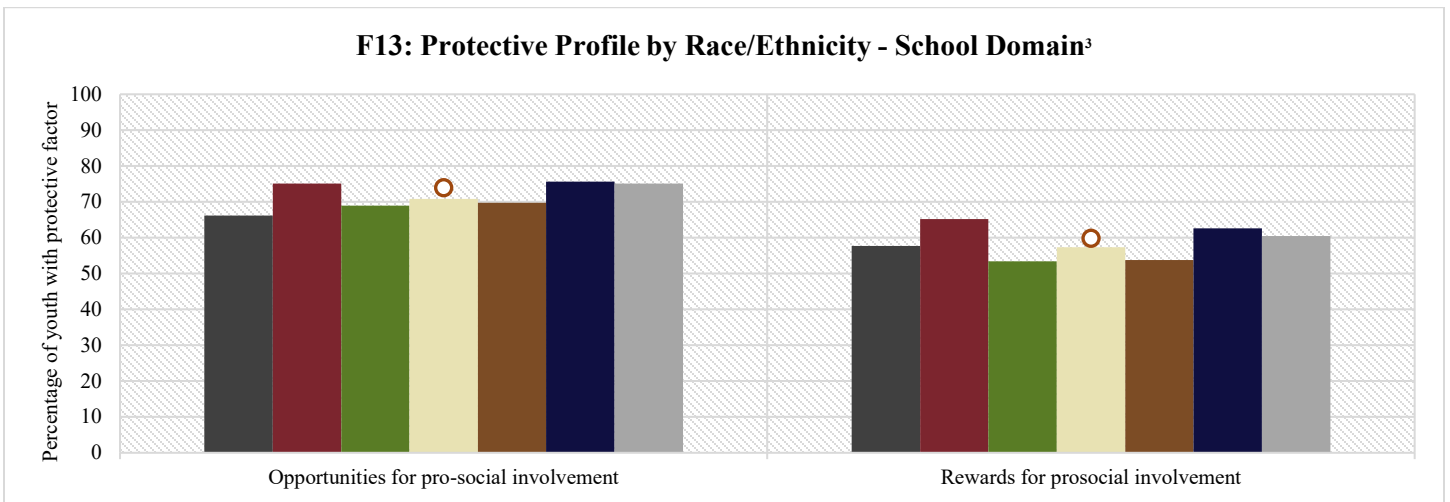
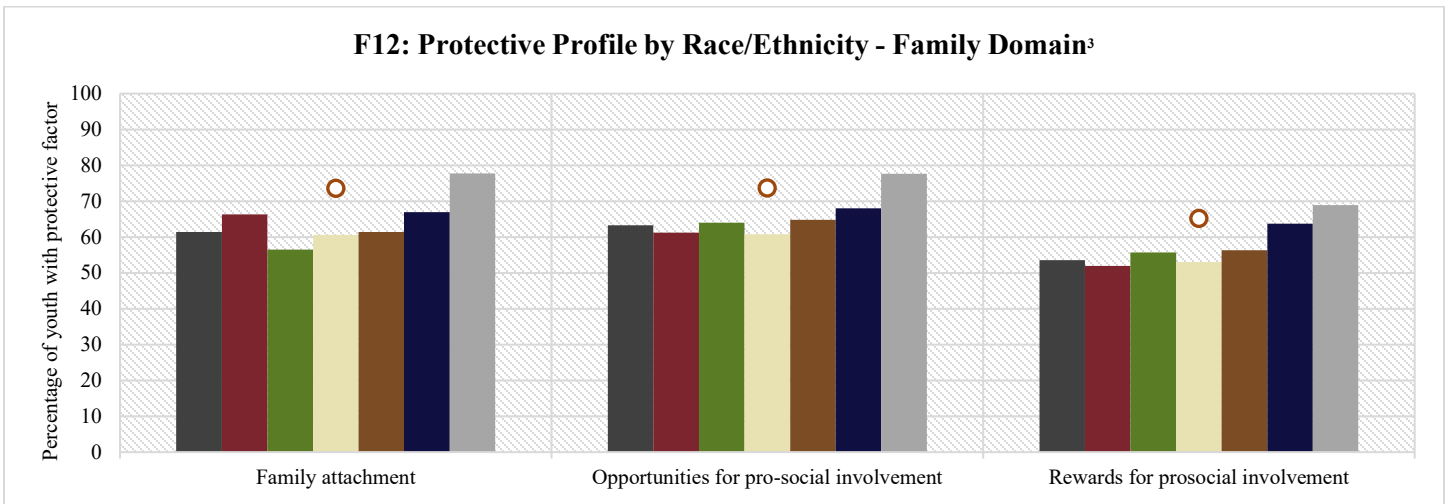
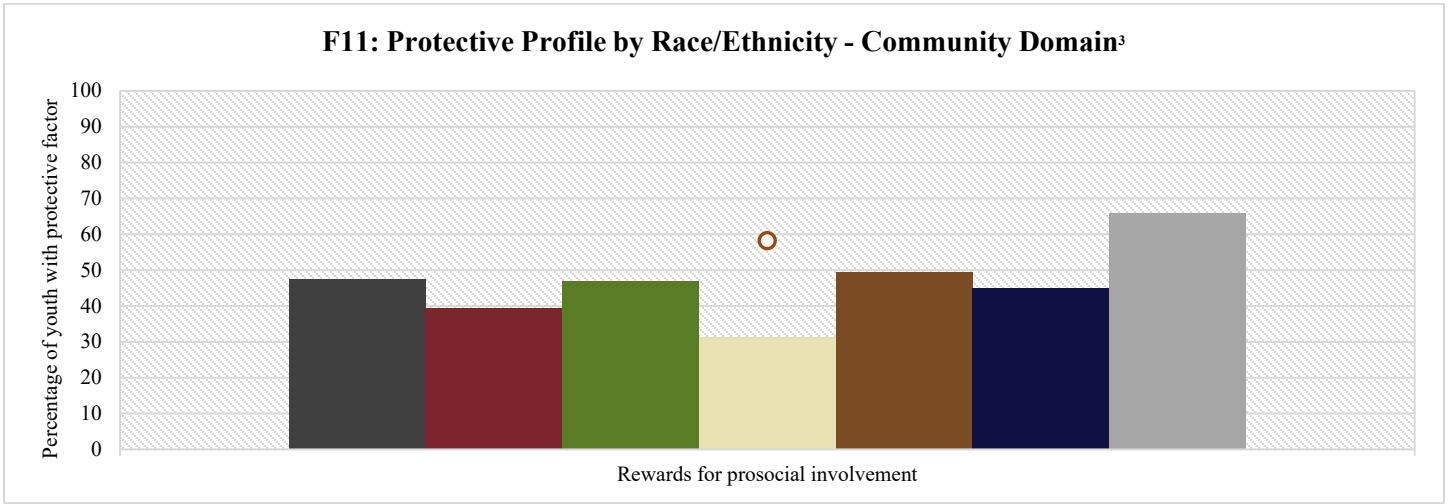
**F10b: Risk Profile by Race/Ethnicity - Peer/Individual Domain<sup>3</sup> (continued)**



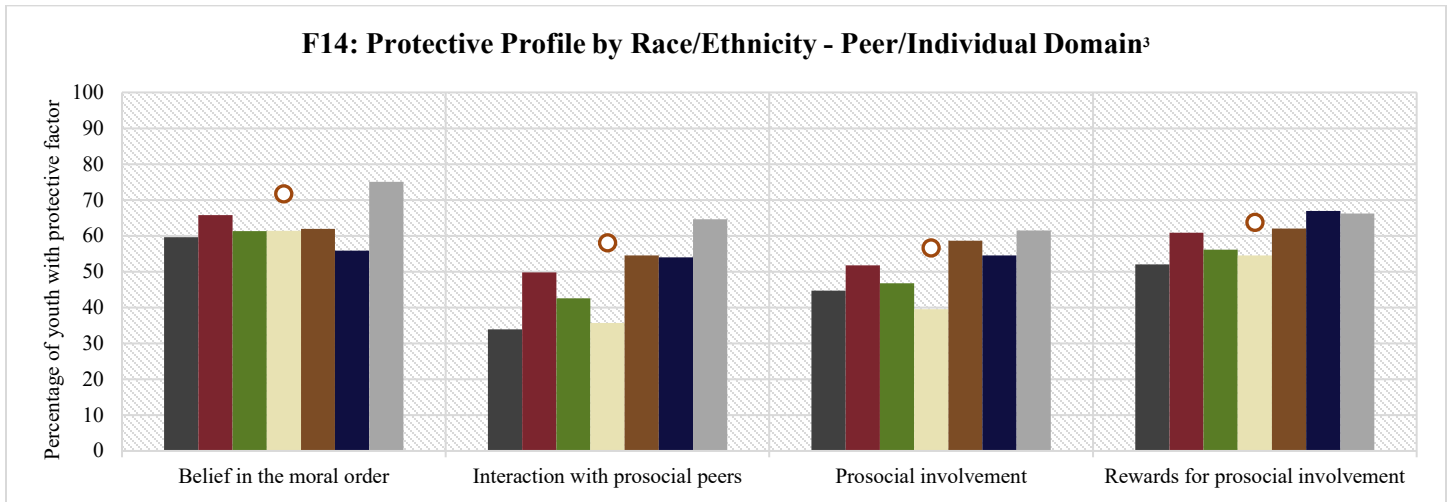


### Protective Factors Profiles

■ American Indian ■ Asian ■ Black ■ Hispanic ■ Multi-racial ■ Pacific Islander ■ White ○ State Overall



■ American Indian ■ Asian ■ Black ■ Hispanic ■ Multi-racial ■ Pacific Islander ■ White ○ State Overall



### Key Points from the Risk and Protective Factors Profiles:

- Overall

- Statewide between 2017 and 2019: 65.2% of risk factors decreased and 50.0% of protective factors increased, however inequities are clear when data are viewed by race and ethnicity.

- Risk Factors

- Pacific Islander youth reported higher percentages than White youth in 87.0% of risk factors and higher percentages than the overall State percentages in 78.3% of risk factors.
  - Asian youth reported higher percentages than White youth in 73.9% of risk factors and higher percentages than the overall State percentages in 60.9% of risk factors.
  - White youth reported lower percentages than every minority racial/ethnic group in 65.2% of risk factors and lower percentages than the overall State percentages in 95.7% of risk factors.
  - Multi-racial youth reported higher percentages than White youth and the overall State percentages for 100% of risk factors, Black youth and Hispanic youth for 95.7%.

- American Indian youth reported higher percentages than White youth in 91.3% of risk factors and higher percentages than the overall State percentages in 95.7% of risk factors.

- Protective Factors

- American Indian, Black, and Hispanic youth reported lower percentages than White youth and the overall State percentages for 100% of protective factors, Asian youth for 80.0%, and Pacific Islander youth for 70.0%.
- Multi-racial youth reported lower percentages than White youth in 100% of protective factors and lower percentages than the overall State percentages in 90.0% of protective factors.
- White youth reported higher percentages than every minority racial/ethnic group in 70.0% of protective factors and higher percentages than the overall State percentages in 100% of protective factors.

## **DESIGN AND IMPLEMENTATION**

UBJJ meets every other month to carry out its goals and objectives. Committees meet regularly and report back to the full Board. Committees include: the Racial and Ethnic Disparities Advisory Committee, the Legislative Committee, and the Youth Committee. Working groups are established to accomplish project-specific goals and report to the full Board. Past working groups have included: the Grant Application Development Working Group, the Grant Application Review Working Group, the Focus Group Development Working Group, and the Youth Justice Action Month Working Group. UBJJ, the committees, and the working groups are staffed by a Juvenile Justice Specialist/Compliance Monitor and a Racial and Ethnic Disparities Coordinator.

The overall mission of UBJJ is to promote the advancement of equitable, effective, and coordinated systems serving youth, families, and communities in the State of Utah. Based on data analysis outlined in the previous section, UBJJ has decided to direct its efforts towards supporting opportunities for youth to participate in programs and receive services which will prevent them from involvement with the juvenile justice system. UBJJ will prioritize funding towards programs and services working with minority populations. UBJJ will continue to support system reform efforts and collaborate with the Juvenile Justice Oversight Committee, the Utah Commission on Criminal and Juvenile Justice, and other system stakeholders. UBJJ will also direct funding towards juvenile record expungement services. And, as always, UBJJ will fulfill the administrative duties and requirements of the Juvenile Justice and Delinquency Prevention Act- including monitoring for compliance of the core requirements. Specific goals, objectives, and activities are outlined in the next section.

## **GOALS, OBJECTIVES, AND ACTIVITIES**

Goal: Promote the advancement of equitable, effective, and coordinated systems serving youth, families, and communities in the State of Utah.

Program Area(s): Planning and Administration, State Advisory Group

### Objectives:

- Maintain compliance with the Federal Juvenile Justice and Delinquency Prevention Act.
- Administer a system through which Federal funds are available to eligible entities to support the goals and objectives of the state advisory group.
- Provide staff support services to the state advisory group, the designated state agency, the Governor, and the Legislature regarding matters related to Utah's juvenile justice system.
- Engage with other agencies and organizations involved with juvenile justice, delinquency prevention, education, and related fields.

### Activities:

- Manage a state advisory group pursuant to 34 U.S.C. § 11133(a)(3).
- Develop, implement, and report on all plans and other documentation required by OJJDP.
- Coordinate subgrantee application and selection process.
- Monitor subgrantees receiving Federal funding.
- Maintain a sound financial accounting system.
- Engage in the development of policy and legislation related to juvenile justice.
- Submit a report to the Governor and Legislature at least every 2 years.
- Participate in local, state, and national meetings, conferences, and workshops.

Goal: Maintain compliance with 34 U.S.C. § 11133(a)(11) through 34 U.S.C. § 11133(a)(15) of the Juvenile Justice and Delinquency Prevention Act.

Program Area(s): Compliance Monitoring (including RED)

Objectives:

- Prevent and monitor for the inappropriate placement of juveniles pursuant to 34 U.S.C. § 11133(a)(11).
- Insure and monitor for sight and sound separation pursuant to 34 U.S.C. § 11133(a)(12).
- Restrict and monitor for the inappropriate detention and confinement of juveniles pursuant to 34 U.S.C. § 11133(a)(13).
- Provide for an effective system of monitoring pursuant to 34 U.S.C. § 11133(a)(14).
- Implement strategies pursuant to 34 U.S.C. § 11133(a)(15).

Activities:

- Maintain and implement a plan for compliance monitoring- or equivalent manual.
- Maintain and implement a racial and ethnic disparities plan.
- Submit all required plans and reports to OJJDP.
- Provide training and technical assistance regarding compliance monitoring, upon request.

Goal: Increase opportunities for youth to participate in programs and receive services which will prevent them from involvement with the juvenile justice system.

Program Area(s): Delinquency Prevention, School Programs, Positive Youth Development, After-school Programs

Objectives:

- Promote funding opportunities in rural areas, to programs and services specifically for American Indian youth, and to community-based organizations.
- Decrease risk factor profiles for youth statewide- with an emphasis on minority youth.
- Increase protective factor profiles for youth statewide- with an emphasis on minority youth.

Activities:

- Allocate Federal funding for programs and services which align with the following:
  - 34 U.S.C. § 11133(a)(9)(C)
  - 34 U.S.C. § 11133(a)(9)(E)
  - 34 U.S.C. § 11133(a)(9)(L)
  - 34 U.S.C. § 11133(a)(9)(Q)
- Allocate Federal funding for programs and services for Indian Tribe Programs.
- Work with grantees to identify and address racial and ethnic disparities in the populations they serve.
- Provide training and technical assistance regarding program management, upon request.

Goal: Increase opportunities for individuals to expunge their juvenile court records so that they are no longer burdensome to employment, education, housing, etc.

Program Area(s): Expungement Services

Objectives:

- Promote juvenile record expungement services statewide.
- Increase public awareness about the necessity for juvenile record expungement.

Activities:

- Allocate Federal funding for programs and services related to juvenile record expungement.
- Assist in the operation of juvenile record expungement services through in-person clinics throughout the state.
- Provide training and technical assistance regarding juvenile record expungement, upon request.



**REQUIREMENTS OF 34 U.S.C. § 11133(a)**

**34 U.S.C. § 11133(a)** - Utah's plan focuses on a risk and protective factor model of prevention which takes into consideration scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. The plan focuses on increasing opportunities for youth to participate in programs and receive services which will decrease their risk factors and increase their protective factors. The plan aims to direct Federal funding towards programs and services which will prevent involvement with the juvenile justice system, providing age-appropriate support while avoiding criminalizing non-delinquent adolescent behavior.

**34 U.S.C. § 11133(a)(3)(D)(i)** - UBJJ will advise CCJJ, and its supervisory board, on juvenile justice issues.

**34 U.S.C. § 11133(a)(3)(D)(ii)** - UBJJ will submit to the Governor and the Legislature of the State at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements.

**34 U.S.C. § 11133(a)(3)(D)(iii)** - UBJJ will contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system.

**34 U.S.C. § 11133(a)(4)** - UBJJ will continue to provide for the active consultation with and participation of units of local government or combinations thereof in the development of a state plan which adequately takes into account the needs and requests of units of local government,

except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the state from making grants to, or entering into contracts with, local private agencies or the advisory group.

**34 U.S.C. § 11133(a)(6)** - Utah's plan incorporates the following elements: 1) providing funding opportunities statewide, 2) promoting such opportunities directly to rural areas, and 3) considering the geographic area and the populations served of proposed programs and services when allocating Federal funds. Utah's juvenile justice system is primarily a function of State government. The assessment service availability statewide is an ongoing priority for system stakeholders.

**34 U.S.C. § 11133(a)(7)(B)(i) & 34 U.S.C. § 11133(a)(7)(B)(ii)** - Gender-specific services are provided by a variety of agencies and organizations across Utah. Juvenile Court and JJS both provide gender-responsive interventions and services designed to match the needs of youth along the entire gender spectrum. The Gemstone program at JJS "provides residential responsive support to youth that includes education, evidence-based groups, family support services and skills development" geared towards female youth.

**34 U.S.C. § 11133(a)(7)(B)(iii)** - See section on 34 U.S.C. § 11133(a)(6).

**34 U.S.C. § 11133(a)(7)(B)(iv)** - Status offenders are not eligible to be held in locked detention per Utah Administrative Code Title R547-13-4(4).

Utah Code 76-10-1315 mandates that, "(2) Upon encountering a child [an individual younger than 18 years of age] engaged in commercial sex or sexual solicitation, a law

*enforcement officer shall: (a) conduct an investigation regarding possible human trafficking of the child; (b) refer the child to the division [of Child and Family Services]; (c) bring the child to a juvenile receiving center; and (d) contact the child's parent or guardian, if practicable. (3) When law enforcement refers a child to the division [of Child and Family Services] the division shall provide services to the child; (4) A child may not be subjected to delinquency proceedings for prostitution or sex solicitation.” Utah Code 62A-4a-105(1)(b)(ix) requires the Division of Child and Family Services to, “[provide] services for minors who are victims of human trafficking or human smuggling...” so that, when applicable, such youth are diverted from the juvenile justice system to the child welfare system for support and services.*

All juveniles entering detention are screened for several circumstances and issues. Detention staff members complete a Post-traumatic Screening Inventory (PSI) which identifies, among other things, potential victims of commercial sexual exploitation. If a screening indicates potential victimization, the juvenile is further assessed by a clinician, support services are put in place, and a victim referral/report is made to law enforcement for investigation.

Youth brought to detention are administered the Detention Risk Assessment Tool (DRAT) upon intake. The DRAT is an evidence-based, validated tool that assesses a youth's risk of failing to appear in court or reoffending prior to adjudication for the current offense(s). Youth who are assessed as low risk are diverted from detention to a variety of alternatives including: sent home to a parent/guardian with a signed promise-to-appear court notification (no supervision), sent home to a parent/guardian with JJS supervision, transported to a Juvenile Receiving Center, or voluntary placement at Crisis Residential housing.

All youth referred to Juvenile Court, regardless of offense, are evaluated using the Pre-Screen Risk Assessment (PSRA) which is a validated assessment that gauges a youth's risk to

reoffend. The PSRA classifies youth as low, moderate, or high risk to reoffend. The PSRA results, along with the youth's current offense(s), help to inform whether a youth is diverted on a non-judicial adjustment (NJA) or petitioned to Juvenile Court. An NJA is a pre-court diversion in which a youth may avoid formal Juvenile Court proceedings so long as they complete the requirements of the agreement. Youth assessed by the PSRA as moderate or high risk and who enter into an NJA are referred to and able to access the same assessments and services as moderate or high-risk youth who go through the formal Juvenile Court process. These services include, but are not limited to: mental health and substance abuse assessments, cognitive behavioral therapy, treatment through provider contracts with the Department of Human Services, and skill-building interventions and groups offered by the probation department.

**34 U.S.C. § 11133(a)(7)(B)(v)** - Community placement for youth in Utah is restricted unless:

1) there is a need for residential treatment as assessed by a validated risk and needs assessment; 2) all non-residential options have been exhausted; and, 3) the youth has been adjudicated for one of the following: a felony offense, a misdemeanor offense and the youth has five prior misdemeanor or felony adjudications arising from separate delinquency episodes, or a misdemeanor offense involving the use of a dangerous weapon. The rate at which youth are ordered to community placement between Utah's fiscal year 2015 and fiscal year 2020 has steadily declined- from 2.6 to 0.9 per 1,000 youth. A lower rate of youth ordered to community placement equates to a reduction in the number of youth eligible to be housed in secure facilities while they are awaiting placement.

**34 U.S.C. § 11133(a)(7)(B)(vi)** - Regularly scheduled Child and Family Team (CFT) meetings are held from the time a youth first enters the system until they termination of

services/supervision. These meetings include the juvenile, family/guardian, legal representation, service providers, school representatives, and/or other personnel pertinent to the youth's case management plan. The CFT meetings are tailored to the needs of the youth and family while attending to court-ordered requirements. Meetings might include: assessing the current status of the youth and family; connecting the youth and family to State and community services to address a variety of factors including mental/emotional health, criminogenic risks, education, vocational training, food, healthcare, legal, etc.; setting benchmarks and goals to measure progress; reviewing setbacks; and strategizing for success.

**34 U.S.C. § 11133(a)(7)(B)(vii)** - Utah Code 63M-7-208(1)(e), indicates that juvenile justice reform oversight, vested in CCJJ, shall prioritize community-based programming.

The Youth Services model operated by JJS provides opportunities for support and services to youth and families regardless of whether they are involved formally in the juvenile justice system. Youth can be referred to the Youth Services model by any source, including: a parent/guardian, a division of the Department of Human Services, law enforcement, a community member, a school, and Juvenile Court. Youth can even refer themselves for services. A youth does not have to have been referred to Juvenile Court for a status or delinquent offense to access services. This provides an opportunity for youth and families to get resources before any system involvement occurs. The model recognizes that the best way to serve youth is to do so in their communities when they can stay with their families.

When a youth is referred to Youth Services they are screened to identify immediate needs and potential areas for future assessment. Each youth is screened using the Massachusetts Youth Screening Instrument-2 (MAYSI-2, behavioral health), Post-traumatic Screening Inventory (PSI,

trauma) and Columbia (suicide risk) screening tools. Based on the results of the screening tools, the youth and family are connected to services in their community for further support.

If the results of the screening tools indicate further assessment is necessary, the youth's potential criminogenic factors are determined and an inventory of the youth and family's strengths and needs is completed. If necessary, further behavioral and mental health and/or substance abuse assessments are completed. Short-term case management is provided to the youth and family with the expressed intention of connecting them to community-based services for continued support.

**34 U.S.C. § 11133(a)(7)(B)(viii)** - Utah Code 63M-7-208, specifically states that the programs and practices of Utah's juvenile justice system shall be evidence-based (EB). Statute indicates that the reform oversight, vested in CCJJ, shall:

- *“(1)(a) support implementation and expansion of EB juvenile justice programs and practices, including assistance regarding implementation fidelity, quality assurance, and ongoing evaluation;”*
- *“(1)(e) ...make recommendations to prioritize the reinvestment and realignment of resources into community-based programs for youth living at home, including the following: ...(iii) statewide availability of EB programs/practices including cognitive behavioral and family therapy programs for minors assessed by a validated risk/needs assessment as moderate or high risk; (iv) implementation and infrastructure to support the sustainability and fidelity of EB juvenile justice programs, including resources for staffing, transportation, and flexible funds;”*

- *“(1)(i) develop a reasonable timeline within which all programming delivered to minors in the juvenile justice system must be EB or consist of practices that are rated as effective for reducing recidivism by a standardized program evaluation tool;”*

Utah Code 63M-7-208 goes on to say that training to juvenile justice stakeholders, *“(2)... should include instruction on EB programs and principles of juvenile justice...”* and that a developed performance-based contracting system, *“(3)...shall provide incentives for: (a) the use of EB juvenile justice programs and practices...; and (c) EB programs and practices for minors living at home in rural areas.”*

**34 U.S.C. § 11133(a)(7)(B)(ix)** - JJS Policy 05-06 requires staff to have been trained in crisis intervention and on restraint protocol and procedure before using restraints on juveniles. The policy states that, in general for all youth housed in secure facilities, restraint devices *“shall be used with caution and only to the extent necessary to maintain safety and security after less restrictive options have proven unsuccessful. The use of restraint devices shall be limited to: precaution against escape during transport, protection of the juvenile against self-injury, and prevention of injury to others.”* Policy 05-06 goes on to state that restraint devices, *“shall never be used as punishment.”*

Regarding the use of restraint devices on pregnant juveniles in secure detention and correction facilities Policy 05-06 states, *“(1)...staff shall modify [restraint] procedures for a juvenile who is pregnant; (2) staff shall handcuff with arms to the front of the juvenile’s body, without the use of a belly chain, rather than utilizing full restraints (belly chain and shackles); (3) additional staff may be utilized to enhance security; (4) during medical visits or once the juvenile is the hospital’s care, staff shall remove the handcuffs to facilitate the medical evaluation and treatment of the juvenile and the baby; (5) the pregnant juvenile shall not be*

*restrained during labor, delivery, or recovery; (6) staff shall apply leg shackles only after the juvenile has been medically cleared by a physician; (7) handcuffs will not be reapplied until the juvenile is transported back to the facility.”*

**34 U.S.C. § 11133(a)(8)** - See section on 34 U.S.C. § 11133(a)(7)(B)(viii).

**34 U.S.C. § 11133(a)(11)(B)** - UBJJ will provide a plan, as part of the compliance submission in the Compliance Monitoring Tool, describing how it will comply with the Interest of Justice requirement by December 21, 2021.

**34 U.S.C. § 11133(a)(16)** - CCJJ and UBJJ assure that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability.

**34 U.S.C. § 11133(a)(17)** - CCJJ and UBJJ assure that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible).

**34 U.S.C. § 11133(a)(18)** - Recipients of Federal funding are required to follow all State and Federal laws regarding civil rights, non-discrimination, and privacy. More information [here](#).

**34 U.S.C. § 11133(a)(19)** - CCJJ and UBJJ assure that— (A) Any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the



hours of non-overtime work, wages, or employment benefits) of any currently employed employee; (B) Activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and (C) No such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.

**34 U.S.C. § 11133(a)(21)** - CCJJ and UBJJ assure that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, tribal, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, tribal, and other non-Federal funds.

**34 U.S.C. § 11133(a)(22)(A)** - The subgrantee application process includes prioritization of funding to evidence-based and trauma-informed programs. Ongoing monitoring of subgrantees includes analysis and evaluation of the effectiveness of programs and activities. Such information will be provided to OJJDP as required.

**34 U.S.C. § 11133(a)(22)(B)** - UBJJ will from time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary.

**34 U.S.C. § 11133(a)(22)(C)** - CCJJ and UBJJ will not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to

demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency.

**34 U.S.C. § 11133(a)(24)** - CCJJ and UBJJ assure that if the State receives under section 222 for any fiscal year an amount that exceeds 105 percent of the amount the State received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services.

**34 U.S.C. § 11133(a)(26)** - CCJJ and UBJJ assure that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court so as to provide for— (A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and (B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect.

**34 U.S.C. § 11133(a)(27)** - CCJJ and UBJJ assure that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).

**34 U.S.C. § 11133(a)(28)** - UBJJ and CCJJ coordinate efforts with the respective organizations and with other grant-making entities to maximize the usage of funding directed at juvenile delinquency prevention and intervention programs.

**34 U.S.C. § 11133(a)(29)** - JJS Policy 05-06 regarding the use of restraints was discussed in the previous section. JJS Policy 05-05 outlines the guidelines for use of confinement and isolation as behavior management methods. Policy 05-05 states that confinement or isolation may be used as a behavior management method, *“if all other methods of negotiation and de-escalation have been tried without success for a juvenile who: presents an immediate threat of physical harm to another person or to property; poses a threat of absconding; or engages in continued rule infractions which result in significant disruptions of program operations.”* The policy goes on to state that confinement and isolation are, *“not to be used merely for the convenience of staff, or as a substitute for valid treatment programming.”* Policy 05-05 provides specific criteria for: the use of confinement or isolation; conditions that must be met while a juvenile is in confinement or isolation; and proper authorization for, monitoring of, and documentation of the use of confinement or isolation.

JJS implements a comprehensive behavior management system (BMS) in secure facilities. BMS matrices of non-compliance and pro-social behavior are utilized to monitor juveniles and provide tailored responses. Information is tracked over time to gauge a youth's progress. Staff members are trained to respond to non-compliant behavior with an appropriate level of intervention without resorting to dangerous practices, restraints, confinement, or isolation. Staff members are also trained to recognize pro-social behavior so they can respond in a timely and appropriate manner to foster continued growth and improvement.

**34 U.S.C. § 11133(a)(30)** - Please see the section pertaining to 34 U.S.C. § 11133(a)(7)(B)(vii) for more information on the Youth Services model operated by JJS. The same evidence-based screening methods implemented in the Youth Services Model are administered when a juvenile is admitted into a secure juvenile facility. Based on the results of the screening tools, the youth is connected to necessary services. Juveniles receive treatment while they are held securely and arrangements are made, generally through private providers or the local mental health authority, for continued services once the youth released.

**34 U.S.C. § 11133(a)(31)** - Reentry planning for a juvenile begins when they enter the secure facility. The variety of screening tools discussed in previous sections, as well as others, are used to develop the treatment plan while a juvenile is held securely and the reentry plan for their continued success. A juvenile is not released without an adequate plan for living arrangements. If the juvenile has mental health and/or substance abuse services established while in a secure facility those services are carried over into the community by the local mental health authority in their area. While a juvenile is held securely they are able to receive educational and vocational services which also carry over once they are released. The Child and Family Team meetings described in a previous section continue after a juvenile is released so that the reentry plan can be reviewed on a regular basis with all parties involved.

**34 U.S.C. § 11133(a)(32)** - CCJJ and UBJJ assure that the Utah State Board of Education's Youth-In-Custody services fulfill this requirement.

**34 U.S.C. § 11133(a)(33)** - See Section on 34 U.S.C. § 11133(a)(7)(B)(iv).

| <b>T2: Point of Contact (POC) Definitions</b> |  |                       |  |
|---|--|-----------------------|--|
| Term  | Definition   | Time Period           | Source   |
| Population                                    | Youth who are between the ages of 10 and 17.   | 2020/2021 School Year | Utah State Board of Education  |
| Arrest  | Youth are considered to be arrested when law enforcement agencies apprehend, cite, or refer youth to Juvenile Court for having committed a delinquent act.   | Calendar Year 2019    | Utah Bureau of Criminal Identification                                     |
| Referral                                      | When a youth is "referred" to Juvenile Court for legal processing either as a result of law enforcement action or upon a complaint by a citizen, school, or other government entity.               | 10/01/2019-09/30/2020 | CARE- the statewide electronic case management system for juvenile records |
| Diversion                                     | The diversion population includes all youth referred to Juvenile Court for legal processing but handled without the filing of formal charges.  | 10/01/2019-09/30/2020 | CARE- the statewide electronic case management system for juvenile records |
| Detention                                     | Detention provides short-term locked confinement for delinquent youth awaiting adjudication or placement, or who have received a disposition to be held in a secure facility for a period of time. | 10/01/2019-09/30/2020 | CARE- the statewide electronic case management system for juvenile records |
| Community Placement                           | Community Placement is for youth ordered into the custody of Juvenile Justice Services (JJS). Community Placement is usually a private residential settings outside of the youth's home.           | 10/01/2019-09/30/2020 | CARE- the statewide electronic case management system for juvenile records |
| Secure Care                                   | Secure care refers to a secure facility for the long-term placement of youth, similar to adult prisons.  | 10/01/2019-09/30/2020 | CARE- the statewide electronic case management system for juvenile records |
| Transfer                                      | When, based on the seriousness of the offense(s), a youth's case is forwarded to District Court for processing.  | 10/01/2019-09/30/2020 | CARE- the statewide electronic case management system for juvenile records |

| <b>T3: Percentages of Youth at Points of Contact (POCs) in the Juvenile Justice System</b> |                                |            |        |          |           |           |                     |             |          |
|--|--------------------------------|------------|--------|----------|-----------|-----------|---------------------|-------------|----------|
|  |                                | Population | Arrest | Referral | Diversion | Detention | Community Placement | Secure Care | Transfer |
| Race/Ethnicity   | White                          | 73.16%     | 59.84% | 56.03%   | 61.49%    | 47.88%    | 40.99%              | 47.41%      | 66.67%   |
|  | Amer. Indian or Alaska Native  | 1.01%      | 1.44%  | 1.96%    | 1.67%     | 3.06%     | 0.90%               | 0.47%       | 0.00%    |
|  | Asian                          | 1.67%      | 1.28%  | 0.97%    | 0.96%     | 1.02%     | 1.61%               | 0.00%       | 0.00%    |
|  | Black                          | 1.42%      | 5.36%  | 4.59%    | 3.48%     | 8.75%     | 7.71%               | 4.95%       | 0.00%    |
|  | Latino or Hispanic             | 18.19%     | 18.92% | 27.43%   | 25.73%    | 34.03%    | 40.90%              | 43.04%      | 33.33%   |
|  | Nat. Hawaiian or Pac. Islander | 1.58%      | 1.28%  | 1.83%    | 1.83%     | 2.20%     | 3.14%               | 4.13%       | 0.00%    |
|  | Multi-racial or Other Race     | 2.97%      | 0.00%  | 1.25%    | 1.17%     | 1.56%     | 3.95%               | 0.00%       | 0.00%    |
|  | Unknown                        | 0.00%      | 11.87% | 5.95%    | 3.68%     | 1.50%     | 0.81%               | 0.00%       | 0.00%    |
| Gender   | Female                         | n/a        | 30.76% | 26.35%   | 31.64%    | 20.57%    | 12.29%              | 1.53%       | 0.00%    |
|  | Male                           | n/a        | 69.24% | 73.65%   | 68.36%    | 79.43%    | 87.71%              | 98.47%      | 100.00%  |
| Age  | 9 and under                    | n/a        | 0.86%  | 0.13%    | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | 10-12                          | n/a        | 5.79%  | 2.23%    | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | 13-14                          | n/a        | 22.94% | 14.02%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | 15                             | n/a        | 19.93% | 15.90%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | 16                             | n/a        | 23.95% | 20.12%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | 17                             | n/a        | 26.54% | 24.63%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | Unknown                        | n/a        | n/a    | 22.97%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
| Offense Type   | Against a Person               | n/a        | See T4 | 14.41%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | Against Property               | n/a        |        | 22.79%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | Against Public Order           | n/a        |        | 40.54%   | n/a       | n/a       | n/a                 | n/a         | n/a      |
|  | Other                          | n/a        |        | 22.26%   | n/a       | n/a       | n/a                 | n/a         | n/a      |

See Appendix A for Point of Contact definitions.

| <b>T4: Arrests by Offense Type</b> |        |  |   |        |
|------------------------------------|--------|--|---|--------|
| Arson                              | 0.32%  |  | Liquor Laws                             | 5.34%  |
| Assault                            | 14.23% |  | Motor Vehicle Theft                     | 0.82%  |
| Burglary                           | 1.43%  |  | Murder and Non-Negligent Manslaughter   | 0.05%  |
| Curfew/Loitering                   | 1.68%  |  | Offenses Against Family and Children    | 0.32%  |
| Disorderly Conduct                 | 3.04%  |  | Robbery                                 | 0.47%  |
| Driving Under the Influence        | 1.56%  |  | Sex Offenses                            | 2.80%  |
| Drug Manufacture/Sale              | 0.70%  |  | Stolen Property (buy, receive, possess) | 0.62%  |
| Drug Possession                    | 16.63% |  | Vagrancy                                | 0.25%  |
| Drunkness                          | 0.38%  |  | Vandalism                               | 7.12%  |
| Embezzlement                       | 0.06%  |  | Weapons (carrying, possessing, etc.)    | 1.50%  |
| Forgery/Counterfeiting             | 0.06%  |  | All Other Offenses (not traffic)        | 22.34% |
| Fraud                              | 0.61%  |  | Unknown                                 | 0.37%  |
| Larceny/Theft                      | 17.31% |  |   |        |

See Appendix A for Arrest definition.