



Racial and Ethnic Disparities Report
Submitted as part of the OJJDP 2024 Title II Formula Grants Program Solicitation
Year 1

INTRODUCTION

The [Racial and Ethnic Disparities \(R/ED\) Collaborative](#) operates as part of the [Utah Board of Juvenile Justice \(UBJJ\)](#). Both the R/ED Collaborative and UBJJ are overseen by the [Utah Commission on Criminal and Juvenile Justice \(CCJJ\)](#). UBJJ is the State Advisory Group (SAG) and CCJJ serves as the Designated State Agency (DSA) pursuant to the Juvenile Justice and Delinquency Prevention Act (JJDP). ***The R/ED Collaborative is designated as Utah's coordinating body which advises on efforts by the State, units of local government, and Indian Tribes to reduce racial and ethnic disparities.***

This Racial and Ethnic Disparities Report follows the Office of Juvenile Justice and Delinquency Prevention guidelines which encompasses a three-step, research-driven, outcomes-based strategy. The following sections cover Year 1 requirements which include data reporting and an action plan.

SECTION 1: STATEWIDE R/ED DATA

The state of Utah collects race and ethnicity data on school-aged population, arrest, court referral, diversion, pre-trial detention, and disposition commitments. The data source, time frame, definition, and notes are indicated below for each point of contact for the OJJDP 2024 Title II Formula Grants Program Solicitation.

Note regarding incident versus episode: Delinquency charges for a youth that occur during the same episode are counted as incidents. An episode can include multiple incidents.

Example: A youth is alleged to have been involved in a fight. They are charged with assault and disorderly conduct. This represents two incidents, one episode.

Data Point	Notes
School-aged Population	<p>Data source: Utah State Board of Education</p> <p>Timeframe: School Year 2023-2024</p> <p>Definition: Youth in Utah ages 10-17 year old</p>
Arrest	<p>Data source: Utah Bureau of Criminal Identification (BCI)</p> <p>Timeframe: Calendar Year 2022</p> <p>Definition: Youth are considered arrested when a law enforcement agency apprehends, cites, or refers a youth to Juvenile Court for having committed a delinquent act. Delinquent acts are those that, if committed by an adult, would be criminal. This includes crimes against persons, crimes against property, drug offenses, and crimes against the public order. Dataset includes youth ages 10-17 years old.</p> <p>Note: Dataset reflects information submitted through the National Incident-based Reporting System by participating law enforcement agencies. May include duplications.</p>

<p>Court Referral</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Court referrals occur when a matter regarding a potentially delinquent youth is sent forward for legal processing and received by the Juvenile Court. The matter is either the result of law enforcement action or based upon a complaint by a citizen, school, or government entity.</p> <p>Note: Dataset represents episodes. May include duplications.</p>
<p>Court Diversion</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Youth referred to Juvenile Court for delinquent acts are screened by the intake department. Intake may decide to dismiss the case for lack of legal sufficiency or to resolve the matter informally (without the filing of charges, known as a non-judicial adjustment) or formally (with the filing of charges). The intake department may offer a non-judicial adjustment based on the results of an evidence-based screening tool and State statute. The diversion population includes all youth whose matters were resolved through a non-judicial adjustment.</p> <p>Note: Dataset represents episodes. May include duplications.</p>
<p>Detention</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Detention provides short-term locked confinement for delinquent youth awaiting adjudication or placement or who have received a disposition from a Juvenile Court judge to be held in a secure facility for a period of time. Detention is designed to provide short-term care and control of youth who pose an immediate danger to themselves or others. It is also referred to as Locked Detention. Detention does NOT include youth held in shelters, group homes, or other non-secure facilities.</p> <p>Note: Dataset includes pre-adjudicatory detention. May include duplications.</p>

<p>Petition</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: If a youth is not diverted through a non-judicial adjustment, a prosecuting attorney will screen the referral. The prosecuting attorney may file a court petition. If so, the youth will appear before a judge.</p> <p>Note: Dataset represents episodes. May include duplications.</p>
<p>Disposition: Intake Probation</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Intake Probation is a potential disposition of a petitioned referral. Intake Probation is court monitoring that does not include field supervision.</p> <p>Note: Dataset represents episodes. May include duplications.</p>
<p>Disposition: Formal Probation</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Formal Probation is a potential disposition of a petitioned referral. Formal Probation is court monitoring that includes field supervision.</p> <p>Note: Dataset represents episodes. May include duplications.</p>

<p>Disposition: Community Placement (CP)</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Community Placement is a disposition of residential placement for youth ordered by a judge into the custody of Juvenile Justice and Youth Services. Community placements are usually private residential settings outside of the youth's home. Youth are sometimes able to remain in their home with family support.</p> <p>Note: Dataset represents episodes. May include duplications.</p>
<p>Disposition: Secure Care</p>	<p>Data source: CARE (statewide case management system for Juvenile Court and Juvenile Justice & Youth Services)</p> <p>Timeframe: Federal Fiscal Year 10/1/2022-9/30/2023</p> <p>Definition: Secure Care is a disposition of residential placement for youth in long-term locked confinement. Secure Care is for serious and habitual delinquent youth who are high-risk to reoffend. After a judge orders a delinquent youth to Secure Care, the oversight for the youth is transferred to the Youth Parole Authority. Youth are not committed to Secure Care for a specific length of time. Their stay is based on the guidelines established by the Youth Parole Authority. Unlike the adult correctional system, juveniles placed in Secure Care must receive educational and vocational services. Each youth must complete an individually designed treatment plan, based on their rehabilitative needs, and complete any court-ordered victim restitution as part of the requirements for release.</p> <p>Note: Dataset represents episodes. May include duplications.</p>

Table A: Data for 2024 Title II Solicitation

Race/Ethnicity	Population	Arrest*	Referral	Diversion	Detention	Petition	Intake Prob	Formal Prob	CP**	Sec Care**
White	71.51%	56.18%	57.39%	58.10%	45.38%	59.08%	56.29%	55.20%	56.03%	37.50%
Amer. Indian or Alaska Native	0.91%	3.28%	2.16%	1.82%	3.32%	2.16%	2.42%	3.70%	1.42%	1.39%
Asian	1.59%	3.49%	0.98%	1.03%	0.60%	0.83%	1.13%	0.92%	0.00%	1.39%
Black	1.30%	10.40%	5.20%	3.92%	10.39%	5.98%	4.03%	4.85%	6.38%	6.94%
Latino or Hispanic	19.52%	24.89%	30.56%	30.75%	37.76%	29.13%	32.90%	32.33%	50.50%	48.61%
Nat. Hawaiian or Pac. Islander	1.50%	1.76%	1.81%	2.33%	0.85%	1.10%	2.26%	1.15%	2.13%	0.00%
Multi-racial or Other Race	3.67%	0.00%	1.91%	2.05%	1.69%	1.72%	0.97%	1.85%	3.55%	4.17%
Minority- all	28.49%	43.82%	42.62%	41.90%	54.61%	40.92%	43.71%	44.80%	63.98%	62.50%
Minority- RRI <i>(for internal use only)</i>	-	1.96	1.86	0.97	3.02	0.93	1.12	1.17	1.13	2.41

Table B: Data from 2023 Title II Solicitation

Race/Ethnicity	Population	Arrest*	Referral	Diversion	Detention	Petition	Intake Prob	Formal Prob	CP**	Sec Care**
White	71.68%	68.03%	59.80%	61.12%	46.64%	61.98%	58.68%	53.52%	52.14%	46.58%
Amer. Indian or Alaska Native	0.95%	2.30%	2.15%	1.91%	3.18%	1.99%	3.08%	2.41%	2.86%	2.74%
Asian	1.65%	2.81%	0.93%	0.74%	2.08%	1.03%	0.56%	1.61%	2.86%	1.37%
Black	1.32%	7.79%	5.19%	3.51%	7.89%	6.18%	5.32%	5.84%	8.57%	8.22%
Latino or Hispanic	19.54%	17.66%	28.18%	28.76%	36.96%	25.46%	28.29%	33.60%	30.71%	39.73%
Nat. Hawaiian or Pac. Islander	1.58%	0.89%	1.94%	2.16%	1.04%	1.71%	2.80%	1.41%	0.00%	0.00%
Multi-racial or Other Race	3.26%	0.52%	1.81%	1.80%	2.21%	1.64%	1.26%	1.61%	2.86%	1.37%
Minority- all	28.30%	31.97%	40.20%	38.88%	53.36%	38.01%	41.31%	46.48%	47.86%	53.42%
Minority- RRI <i>(for internal use only)</i>	-	1.19	1.7	0.95	2.90	0.91	1.15	1.42	1.50	1.87

Table C: Data from 2022 Title II Solicitation

Race/Ethnicity	Population	Arrest	Referral	Diversion	Detention	Petition	Intake Prob	Formal Prob	CP**	Sec Care**
White	72.41%	68.38%	59.43%	62.90%	40.53%	61.08%	60.34%	53.10%	49.32%	25.49%
Amer. Indian or Alaska Native	0.97%	1.92%	2.36%	2.03%	3.43%	2.56%	3.68%	3.85%	0.68%	3.92%
Asian	1.62%	1.37%	1.07%	0.81%	1.83%	1.19%	1.38%	1.71%	2.70%	1.96%
Black	1.36%	5.75%	5.40%	3.59%	10.74%	5.96%	5.97%	6.85%	6.08%	9.80%
Latino or Hispanic	18.90%	21.21%	28.95%	27.53%	39.76%	26.94%	26.34%	33.40%	37.16%	50.98%
Nat. Hawaiian or Pac. Islander	1.59%	1.37%	1.68%	1.90%	1.77%	1.43%	1.53%	0.64%	2.03%	5.88%
Multi-racial or Other Race	3.16%	0.00%	1.11%	1.24%	1.94%	0.84%	0.77%	0.43%	2.03%	1.96%
Minority- all	27.60%	31.62%	40.57%	37.10%	59.47%	38.92%	39.67%	46.88%	50.68%	74.51%
Minority- RRI <i>(for internal use only)</i>	-	1.21	1.79	0.86	3.85	0.93	1.03	1.39	1.61	4.59

*Dataset reflects information submitted through the National Incident-based Reporting System by participating law enforcement agencies. This is a change of database from previous R/ED data submissions to OJJDP.

**Sample sizes for CP and Secure Care are significantly smaller than other points of contact.

SECTION 2: R/ED ACTION PLAN

Analysis of Most Recent Data

Decades of literature has shown that juvenile justice system resources are best reserved for youth who have been assessed as moderate to high risk to engage in sustained delinquent behavior. Historically in Utah, as with the nation as a whole, the common practice was to refer youths to the juvenile justice system regardless of offense type or risk to reoffend. This practice resulted in high short term costs and poor long term outcomes. A [deep dive into Utah's juvenile justice data](#) also found that disparities by race and geography persist at every stage of the system and are most pronounced for youth removed from their homes. Utah's state leaders responded by shaping policies that support the system reaching better outcomes through a more tailored approach. Through collaborative effort Utah has adopted a package of policies, starting with House Bill (HB) 239 in 2017, to help the juvenile justice system toward better:

- Preventing deeper involvement in the juvenile justice system for lower level youths;
- Standardizing responses to reduce disparities based on race, ethnicity and geography;
- Protecting public safety by focusing system resources on youth who pose the highest risk to public safety; and,
- Improving outcomes through reinvestment and increased system accountability.

According to Utah's most recent [2023 Juvenile Justice Report](#), the per capita referral rate of school age children to Juvenile Court was 4.99 per 100 youths during State fiscal year 2017. That rate decreased to 3.34 per 100 youths in State fiscal year 2023. This represents a 33% decrease. This overall reduction in court referrals is significant because Utah's youth population also steadily grew during that same time period.

Over the past 3 reporting periods, Utah's minority youth population has steadily grown- from 27.60% in the 2021/2022 school year, to 28.30% in 2022/2023, to 28.49% in 2023/2024. Looking back further, there has been a nearly 14% increase in the minority youth population from 2017 (~25%). In the 2023-2024 school year, the largest minority youth population was youth identified as Latino or Hispanic (19.52%), followed by Multi-racial or Other Race (3.67%), Asian (1.59%), Native Hawaiian or Pacific Islander (1.50%), Black (1.30%), and American Indian or Alaska Native (<1%).

For FFY 2023, minority youth represented 43.82% of arrests, 42.62% of court referrals, 54.61% of pre-trial locked detention, 40.92% of petitions, 43.71% of intake probation dispositions, 44.80% of formal probation dispositions, 63.98% of community placement dispositions, and 62.50% of secure care dispositions. The percentages for arrest, court referral, detention, petition, community placement, and secure care all indicate an increase from the previous reporting period. The percentages for intake probation and formal probation both decreased from the

previous reporting period, even though the percentage of minority youth in the overall population increased. Minority youth represented 41.90% of diversions, which is an increase from the previous reporting period and indicates more minority youth were diverted from the traditional juvenile court process.

To further examine the presence of racial and ethnic disparities, utilization of the Relative Rate Index (RRI) is calculated for internal analysis purposes. The RRI is a valuable tool to help stakeholders understand if the magnitude of disparity stays the same, increases, or decreases as a youth moves further along in Utah's juvenile justice system.

For FFY 2023, at the point of arrest and taking into account the population size, minority youth were close to two times (RRI 1.96) more likely to be arrested when compared to White youth. This is an increase compared to the FFY 2022 RRI of 1.19. There was also an increase between the RRI for FFY 2022 and FFY 2023 at the point of court referral, from 1.70 to 1.86, and pretrial locked detention, from 2.90 to 3.02. However, there was an increase in RRI for diversion opportunities for minority youth between FFY 2022 and FFY 2023 from 0.95 to 0.97, respectively.

Looking back further to the 2015 data utilized at the time and calculating the RRI to compare to the most recent year, variations in the magnitude of RRI are observed. Specifically, there is an increase at the point of court referral from an RRI of 1.35 in 2015 to 1.86 in 2023. For the points of petition and community placement the RRI has decreased in that same timeframe. Diversion opportunities have increased for minority youth between 2015 and 2023, which was one of the major changes the implemented 2017 reform policies.

Altogether, these findings suggest racial and ethnic disparities are still present at all points of contact, however the magnitude of such disparity can vary when we take into account the RRI as well as the year of comparison. There is a continued level of disparity at the point of court referral. Additional data analysis would need to be evaluated to meaningfully understand the significance of percentage share and RRI, as both calculations do not consider factors such as the level of referred offenses or risk assessment levels.

Mission and Vision for Successful R/ED Reduction

The mission of Utah's Racial and Ethnic Disparities (R/ED) Collaborative is to make available quality data, research, and culturally responsive recommendations to address and prevent racial and ethnic disparities in Utah's youth justice system.

Successful R/ED reduction in Utah looks like empowered stakeholders and communities implementing practices that employ data-driven and best-practice approaches at all levels within and outside of the juvenile justice system. Utah's R/ED Collaborative envisions a youth justice

system that provides fair treatment for all youth at all points of contact in the system. Such a system requires the following:

- Stakeholders and communities working together to identify areas of disparities and creating opportunities for impacted areas to be well informed and provide input towards recommendations and implementation.
- Agencies and practitioners effectively providing evidence-based services that employ data-driven, best practices approaches at all levels of the youth justice system.

Desire and Goals to Reduce R/ED

Utah continues to be committed to reducing R/ED across the State's juvenile justice system. As implementation and ongoing monitoring of juvenile justice reform efforts in Utah continues, R/ED issues are being closely monitored at all points of contact. Utah is tracking the specific contact points required by OJJDP as well as other contact points important to the review and monitoring of the State's juvenile justice system.

The goals of the R/ED Collaborative include:

- Fostering strong communication and expanding partnerships between the youth justice system, law enforcement, schools, other resource providers, and geographical areas where disparities exist.
- Raising awareness among youth and their families about the youth justice system.
- Educating stakeholders on current and anticipated issues (based on data, research, and other project findings) impacting system-involved youth and their families.
- Provide opportunities for youth who have had contact with the youth justice system and their families to be involved with R/ED Collaborative efforts and to have their opinions and perspectives shared.

For the upcoming year there is a continued focus to identify areas in the state of Utah where there are high rates of court referrals. Utah is currently undertaking a statewide geospatial study that expands the following completed research:

1. [Geospatial Study Proposal](#) in which it is described, "Exposure to adverse experiences (i.e., trauma, chronic stress, risk factors) are uniquely situated within a local environment from the zip code to the local neighborhood. The proposal offers methodology resources for jurisdictions which are aiming to conduct geospatial analysis of their unique population and community.
2. [Salt Lake County Geospatial Study](#). The methodology described above was applied to one of Utah's largest counties. Findings from this study helped establish the foundation to

expand this study statewide through a data sharing agreement. As of June 2024, the Utah Commission on Criminal and Juvenile Justice has received the data and is currently conducting the analysis with the goal of presenting preliminary findings to stakeholders in August 2024.

The results of the statewide geospatial study will identify spatial clusters of disparate impacts which in turn can help guide the R/ED Collaborative to work with local stakeholders to reinvest resources into those areas with the goal of reducing an identified disparity. This goal is reasonable as we know improving the outcomes and lives of the juvenile justice-involved population and their communities must occur with the full understanding of what underlies the risks and maladaptive outcomes that have led to their system involvement in the first place. As such, geospatial analysis takes into account ecological contexts and place-based interventions with overlapping considerations for youth developmental factors to address racial and ethnic injustices. Targeting specific areas in a more local and collaborative way will help reduce overall juvenile justice system R/ED impact.

Support from OJJDP

Utah needs:

1. Increased funding for juvenile justice programs and support.
2. National expertise into “what works” in reducing R/ED at all points of contact.
3. An annual standalone R/ED-specific conference/training.
4. Coordinated effort between national, state, and local authorities to create a platform for a safe discussion and partnership to address the complexities of R/ED reduction.
5. Ongoing training and support to state-level staff that leads out on R/ED reduction efforts.

Safeguards for Public Safety, Accountability, and Skill Development

Utah’s plan is data-driven, and uses evidence-based, best-practices approaches that incorporate adolescent brain development to establish appropriate interventions. Any action taken to reduce R/ED requires careful planning and consultation with partners. When there are gaps in expertise, the R/ED Collaborative solicits subject matter experts to weigh in and provide advice and recommendations. Broad-based partnerships and effective communication are at the forefront of efforts to build trust with stakeholders to begin addressing R/ED so that the public is protected while juveniles are fairly and justly held accountable.

The R/ED Collaborative supports the UBJJ Grant Program which provides funding to programs and services for juveniles involved with the juvenile justice system and juveniles at-risk of such involvement, as well as their parents/guardians and families. Discretionary Title II funds are focused towards this effort.