

Minnesota Juvenile Justice Advisory Committee



*Minnesota Juvenile Justice Advisory Committee
visit to grantee, Heartland Girls' Ranch*



2018 Annual Report to Governor Walz and the Minnesota State Legislature

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STATE OF MINNESOTA

Juvenile Justice Advisory Committee

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Richard Gardell, Chair

December 1, 2018

The Juvenile Justice Advisory Committee (JJAC) has been working tirelessly over the past year to forge new partnerships and foster collaborative improvements to Minnesota's juvenile justice system. An advisory body to the Governor and the Legislature, JJAC represents the entire state. JJAC's top priority has been, and continues to be, eliminating the disparate treatment of youth of color in Minnesota's juvenile justice system.

The work of addressing Disproportionate Minority Contact (DMC) requires coordination and allegiance with community as well as experts representing multiple sectors. JJAC has initiated the following projects in 2018 as part of a long-term strategy to eliminate the disparate treatment of youth of color in Minnesota's juvenile justice system:

1. The Listen, Learn, Lead project features fishbowl-style conversations with youth across all ten Minnesota judicial districts. The goal is to listen to young people about their experiences, learn about their ideas for improvement, and incorporate that data into policy and reform efforts.
2. JJAC has partnered with the Legal Rights Center to support their Youth Restorative Justice Initiative (YRJI), a project designed to recognize and develop resources focused on ending racial disparities - improving outcomes for youth, families and communities through the implementation of restorative justice at decision points leading to and within the juvenile justice system.
3. The Minnesota Department of Health and JJAC have developed a program that offers culturally-specific mental health response education for jurisdictions serving tribal populations.
4. JJAC dedicated resources to a contracted position that will be managed by partner, Youthprise. This contractor is tasked with assessing data, convening with community stakeholders to gain added perspective and developing interventions that address racial and ethnic disparities present in the juvenile justice system.

JJAC seeks to add to the body of knowledge growing throughout our country on how to best address racial and ethnic disparities, while partnering with stakeholders to improve Minnesota's juvenile justice system.

Let's make Minnesota a state that's number one in fair and respectful treatment of ALL youth. Please consider the role you could play in helping JJAC achieve this critical outcome – we welcome your partnership.

Sincerely,

Richard Gardell, Chair
Juvenile Justice Advisory Committee

About JJAC

The Juvenile Justice and Delinquency Prevention (JJDP) Act was originally passed by Congress in 1974 and was reauthorized in December of 2018 for the first time in nearly 16 years. JJAC will work with Federal partners to understand changes to the reauthorized act to ensure our continued compliance with guidelines. The JJDP Act guarantees four core protections to America's youth when and if they become involved in the local juvenile justice system. The JJDP Act provides the foundation for each state's committee work plan and responsibilities in juvenile justice. The JJDP Act is comprised of four core requirements:

De-institutionalization of Status Offenders

Each state must ensure that juveniles who are charged with a status offense will not be placed in secure detention or in correctional facilities. Status offenses are those offenses which would not be an offense if committed by a person over the age of eighteen (e.g., truancy, curfew, running away, alcohol and tobacco possession/consumption).

Sight and Sound Separation of Juveniles from Adult Offenders

Each state must ensure that a juvenile charged with a delinquent offense and who is detained or confined in an adult jail or lockup will not have verbal or visual contact with adult offenders.

Removal of Juveniles from Adult Jails and Lockups

Each state must ensure that no juvenile shall be detained or confined in a jail or lockup that is intended for adult offenders beyond specific prescribed time limits – six hours in a Metropolitan Statistical Area (MSA) county and 48 hours in a non-MSA county. (Note that state law adheres to a stricter guideline of 24 hours) Minnesota has a combination of MSA and non-MSA counties and the designation is based on population.

Disproportionate Minority Contact (DMC)

Each state must make an effort to reduce DMC at all nine points along the juvenile justice continuum when each minority proportion exceeds that minority's representation in the overall population of youth within the age range of juvenile court jurisdiction. The nine points of contact are:

1. Juvenile Arrests
2. Referrals to County Attorney's Office
3. Cases Diverted
4. Cases Involving Secure Detention
5. Cases Petitioned (Charge Filed)
6. Cases Resulting in Delinquent Findings
7. Cases Resulting in Probation Placement
8. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities
9. Cases Transferred to Adult Court

Please see Minnesota Youth and Their Involvement in the Juvenile Justice System, pps 11~28 for current data.

For oversight on these requirements, the Minnesota Governor appoints nineteen members to the supervisory Juvenile Justice Advisory Committee (JJAC). JJAC reports annually to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) with current data required for compliance with the above four core requirements.

Additionally, JJAC is responsible for issuing juvenile justice recommendations to the Minnesota Governor and the Minnesota Legislature regarding issues, trends, practices and concerns. JJAC serves as a supervisory entity with a central focus of providing an overall safeguard on the state's activities with youth in Minnesota's juvenile justice system.

About the Juvenile Justice Advisory Committee

JJAC's Specific Responsibilities

- **To develop a comprehensive three-year plan for juvenile justice in Minnesota.**
- **To report to the Governor and Legislature on Minnesota's compliance with the JJDP Act's four core requirements.**
- **To advise the Governor and Legislature in improving Minnesota's juvenile justice system.**
- **To review, award and monitor federal juvenile justice funds appropriated by Congress under the JJDP Act, specifically, Title II and Juvenile Accountability Block Grant (JABG) funding.**

Title II provides funding for prevention, intervention and aftercare programs to youth- serving and community based organizations. (see page 30 for current Title II grantees).

As a state-wide committee, JJAC meets nine times annually in various sites throughout Minnesota, offering JJAC members an opportunity to become familiar with regional issues and allowing specific communities convenient access to the committee. In 2018, JJAC met at the following Minnesota sites: Hastings, Jordan, Willmar, Lino Lakes, Red Wing, Minnetonka, Minneapolis, and St. Paul (2).

Additionally, the JJAC Chair has designated resource professionals who serve as Ex Officio Members for JJAC. They include representatives from other Minnesota state departments which serve youth, as well as professional juvenile justice organizations focused on juveniles.

They represent Minnesota's rural, suburban, and urban areas equally, and they also represent all major ethnic and racial groups residing in Minnesota. They are a working board.

Minnesota Department of Public Safety's Office of Justice Programs is the state administrative agency where JJAC is housed. Office of Justice Programs staff, Callie Hargett, serves JJAC as Juvenile Justice Specialist, Delinquency Prevention Act (JJDP Act) Compliance Monitor, Disproportionate Minority Contact (DMC) Coordinator, and Title II Grant Manager.

JJAC members represent all eight Minnesota congressional districts as well as the following juvenile justice categories: youth, courts, law enforcement, private non-profit youth-serving agencies, public defense, prosecution and private citizens who have acquired special knowledge relating to juveniles.

JJAC Recommendations and Accomplishments

Recommendations for 2019

November 9, 2018, JJAC convened several Minnesota legislators and key partner agencies to discuss critical issues impacting youth and their families. The recommendations featured below are weighted with urgency, demanding immediate cross-sector attention:

Significantly reduce racial disparities in the juvenile justice system.

JJAC will push for uniform data collection across all jurisdictions, to include development of a central data repository. This body will inform judiciary and prosecutors about how other states utilize alternatives to detention and promote widespread use of a Risk Assessment Instrument by juvenile detention facilities. Many effective solutions already exist. JJAC will identify and support creative, community-based approaches for addressing disproportionality, recognizing both formal and informal community-based prevention efforts. Education for all stakeholders will be prioritized, including but not limited to training for law enforcement on implicit bias and alternatives to detention as well as training for youth about their rights..

Increase access to mental health, trauma, and substance abuse services.

JJAC recommends the development and distribution of a needs-based tool that will help identify appropriate services. In order to achieve an expanded level of critical services for youth across the state, we must promote better coordination and communication between service providers and clients. JJAC looks to support the creation of an interagency response team that can assist agencies in triaging major crises with culturally responsive, family-centered treatment services.

Eliminate Juvenile Life without Parole sentence.

Minnesota is out of compliance with a 2012 United States Supreme Court ruling that deemed mandatory sentences of life without the possibility of parole unconstitutional for juvenile offenders. JJAC would like to promote a state statute that would move us into compliance with the federal statute. To make that happen, we educate legislators and community about the collateral damage related to the utilization of this sentence and the implications of remaining out of compliance with Federal statutes.

Stakeholder involvement: *In order to achieve the goals and objectives outlined in this platform, JJAC relies on the expertise and efforts of valuable stakeholder partners.*

In shaping the platform, JJAC has defined “stakeholder” to include: legislators, juvenile justice professionals, law enforcement, youth and their families, community-based program providers, mental health and chemical dependency treatment professionals, educators and school administrators, members of the judiciary, attorneys and prosecutors. In short, no one should feel excluded from establishing a role in this important reform effort.

Previous JJAC Recommendations

JJAC recommends increased utilization of State funds to support the efforts of counties seeking to implement multi-disciplinary team approaches such as the Crossover Youth Model.*

JJAC recommends that all counties be mandated to ensure their systems delivery approach contains the key characteristics of the Cross-over Youth Model, a strategy that is known to reduce levels of recidivism, as well as cost to taxpayers.*

JJAC recommends continued support for expansion of the JDAI model in additional Minnesota counties.**

JJAC recommends all MN educational districts participate in the MN Student Survey.**

JJAC recommends the need for girls programming within the juvenile justice system that reflects the specific needs of girls.**

JJAC recommends the inclusion of GLBT perspectives in all juvenile justice programing.**

*See 2016 & 2017 JJAC Annual Reports for discussion pertaining to the relevant issue

**See 2015 JJAC Annual Report for discussion pertaining to the relevant issue

In 2018, the Juvenile Justice Advisory Committee partnered with subject matter experts to reduce racial and ethnic disparities in the juvenile justice system via the following projects:

- *Listen, Learn, Lead*
- *Youth Restorative Justice Initiative*
- *Equity Specialist Position*
- *Youth Suicide Prevention and Mental Health Project*

Accomplishments in 2018

Listen, Learn, Lead

In an effort to fulfil the mission of enhancing the field of knowledge around disproportionate minority contact (DMC), JJAC approved Title II funding for a two-year project titled, “Listen, Learn, Lead”. In partnership with Restorative Justice Community Action and Coordinated by Dr. Chris Mendez, this project is aimed at collecting important DMC data and building relationships with youth and juvenile justice professionals, while enhancing our knowledge about what might effectively improve and impact DMC across all ten Minnesota judicial districts.

Facilitated by Dr. Raj Sethuraju, gender-specific fishbowl conversations with youth in each district will take place throughout 2019 and 2020. JJAC members and adult stakeholders from each district will participate as listeners and recorders while youth respond to critical questions aimed at uncovering everything from ways in which youth were “let down” to community-based, grassroots efforts underway that are currently working but not “on the radar” of juvenile justice professionals. By the end of the two-year project, data collected from youth participants in each judicial district will be collected, analyzed and distilled into a series of recommendations for the Governor, legislature and juvenile justice professionals.

Youth Restorative Justice Initiative

JJAC has partnered with the Legal Right’s Center to support their Youth Restorative Justice Initiative (YRJI), a project designed to recognize and develop resources focused on ending racial disparities - improving outcomes for youth, families and communities through the implementation of restorative justice at decision points leading to and within the juvenile justice system. Identified decision points impacting youth trajectories include schools, police, prosecutors, and courts. A goal of the Initiative is to develop a comprehensive, sustainable and replicable model of systems change in the Twin Cities by both identifying, evaluating and documenting existing effective practices, and developing, evaluating and documenting practices to fill critical gaps.

In contrast to the often more punitive and expensive traditional criminal justice approach, restorative justice is a theory of justice that focuses on repairing harm and building relationships, with a particular focus on transformation of people, relationships, and communities. Accountability is fundamental to restorative justice. Some of the restorative practices that are utilized in restorative justice include: Peacemaking Circles, Victim Offender Mediation, Community Conferencing, Peer Mediation, and Family Group Conferencing.

The projects funded through this partnership will focus on court, prosecution and police-based diversions.

Within the court sector, a post-charge court-based restorative diversion pilot will be launched in partnership with Hennepin County Juvenile Court. This pilot will provide an opportunity for youth charged in juvenile court to engage in restorative justice as part of the disposition of their case, providing opportunities to avoid adjudications, reduce risk of out of home placement, or potentially have the charges dismissed.

Within the prosecution sector, YRJI will launch a truancy charging diversion pilot in partnership with Hennepin County Attorney's Office through which youth who otherwise would have been petitioned to court for truancy charging will instead be referred for restorative Family Group Conferencing through the Legal Rights Center.

Equity Specialist Position

JJAC dedicated resources to a contracted Equity Specialist position that will be managed by partner, Youthprise. This specialist will be assessing data, convening with community stakeholders to learn from their perspective, and developing interventions that address racial and ethnic disparities present in the juvenile justice system.

Collaboration with system stakeholders will improve the accuracy, timing, and ease of data collection, advocating for a state level central repository of DMC data. This work will also include disseminating DMC data and reporting to required and key stakeholders.

The specialist will research DMC reduction strategies that have been successful in other states and jurisdictions. The Specialist will also convene youth, community, and system stakeholders to generate DMC reduction strategies that are reflective of local needs and compliments what has already been working. The specialist will engage culturally responsive service providers during the early stages of the project in order to gather their ideas and mobilize their support for implementation of DMC reduction strategies.

As a result of this project, we expect that DMC data accuracy and collection will be improved; system stakeholders will implement new policies, practices, procedures, and alternative programs; and new state level DMC data repository will be created. Reductions in out of home placement and congregate care will also be measured using county provided data, RRI data, and other state level data provide by the Minnesota Departments of Corrections and Human Services.

Youth Suicide Prevention and Mental Health Project

The Minnesota Department of Health and JJAC are piloting a project that offers culturally-specific mental health response education for jurisdictions serving tribal populations. Youth involved in the juvenile justice and child welfare systems have a high prevalence of many risk factors for mental, emotional, and behavioral disorders associated with suicide. Juveniles in confinement and foster care have life histories that put them at higher suicide risk. Suicide is preventable.

To most effectively prevent suicide, and suicidal thoughts and

behaviors, communities and juvenile justice facilities need to take a comprehensive approach.

JJAC partnered up with the Minnesota Department of Health's Suicide Prevention Unit to develop a pilot program offered to facilities that serve our state's most under resourced youth of color. Northwestern Minnesota Juvenile Center in Bemidji will serve as the first pilot site for this project, with at least two other facilities to follow. The juvenile justice and mental health cross-sector team will visit the facility to assess the facility's current policies and procedures to prevent and respond to suicide. Following the assessment, the team will work with the facility to develop a strategy that includes a series of free training, policy revisions, and permanent support from one of MDH's Regional Suicide Prevention Coordinators.

The goal of the project is to promote wellness, readiness and connectedness among facility staff and residents. The vision is youth returning to their tribal communities feeling stable and aware of where to turn for needed support.

Three Year Plan

The Juvenile Justice and Delinquency Prevention Act requires that JJAC author a new plan of action once every three years. The purpose of this document is to help this body gain consensus around critical issues and build momentum for change. During the summer of 2017, JJAC dedicated a two-day work session to developing the framework for its new Three Year Plan. For these three years, January 1, 2018 – December 31, 2020, JJAC has pledged to achieve progress toward the following key priorities:

- Educating youth, judiciary, law enforcement, facility staff, and prosecutors about core juvenile justice protections and youth rights
- Phasing out the use of Valid Court Order (VCO)*
- Engaging community in developing new, creative solutions to address racial disparities present in the juvenile justice system
- Better describing Disproportionate Minority Contact (DMC) through consistent statewide data collection and analysis
- Reducing out-of-home placements across Minnesota per capita and per populations of color
- Making a significant contribution to the body of information addressing DMC through creative, community-based approaches

For more information about JJAC's Three Year Plan, visit JJAC's website:

<https://dps.mn.gov/entity/jjac/Pages/default.aspx>

***In 1984, the Juvenile Justice and Delinquency Prevention Act was amended to allow judges to issue detention orders in status offense cases if youth violated a valid court order. For more information on national efforts to phase out VCO, visit www.juvjustice.org**

JJAC Fosters Partnerships Via Ex-Officio Membership

Association of Minnesota Counties (AMC) – Ryan Erdmann:

My name is Ryan Erdmann and I serve as the Public Safety Policy Analyst for the Association of Minnesota Counties (AMC) and represent AMC as an ex-officio member of JJAC. AMC is voluntary association of all 87 Minnesota counties established in 1909 that unites Minnesota's counties to achieve public service excellence. I have held this position at AMC since 2007. A MC appreciates JJAC's leadership on juvenile justice issues in Minnesota.

Minnesota Association of Community Corrections Act Counties (MACCAC) – Nicole Kern:

My name is Nicole Kern and I serve as Director of Community Corrections in Morrison County and represent MACCAC as an ex-officio member of JJAC. I hold a Bachelor's Degree in Social Work and a Master's Degree in Public Safety Administration.

MACCAC supervises 67% percent of all juveniles under probation supervision in the state of Minnesota. MACCAC supports the use of evidence based practices in supervision and employs quality assurance measures to ensure those practices are delivered with fidelity.

MACCAC appreciates the leadership that JJAC has provided for advancing juvenile justice issues within the state of Minnesota. MACCAC is dedicated to continuing the partnership with JJAC and its members to benefit the youth of Minnesota.

Minnesota Association of County Probation Officers (MACPO) – Jim Schneider:

My name is Jim Schneider and I am the Director of Probation in Cass County. Our county seat is in Walker, Minnesota. I am a probation officer appointed by both the 9th Judicial District Court and Leech Lake Tribal Court. We partner with the Leech Lake Reservation on criminal justice issues. MACPO is the oldest association representing community-based probation services in the state. We serve 25 counties in the state; mostly in rural Minnesota.

We appreciate JJAC's leadership with juvenile justice issues in Minnesota. We have reviewed JJAC legislative initiatives and support the four identified topics. We applaud JJAC's willingness to lead these conversations of juvenile life without parole, disproportionate minority contact, mental health funding, and crossover youth.

As a MACPO member, we will continue to communicate with JJAC identified issues that are going on in our local communities that effect our juvenile justice system. By being responsive to the changing needs of counties, collectively we can come up with solutions before problems become crises.

MACPO supports the legislature to provide adequate base funding for probation services in Minnesota. The clear majority of people who experience the criminal justice system are placed on community supervision. We use evidence-based practices in how we assess and supervise our clients. We support outcomes that promote community safety through restorative practices.

JJAC fosters ongoing partnerships with key juvenile justice agencies via ex-officio representatives who regularly attend monthly meetings to advise the work of this body.

Learn from each Ex-Officio member about their unique background and role with JJAC:

Minnesota Department of Corrections (DOC) – Shon Thieren:

My name is Shon Thieren and I am the Superintendent at the Minnesota Correctional Facility in Red Wing (MCF-RW). MCF-RW provides treatment, education and transition services for around 85 serious and chronic male juvenile offenders. Young men are placed at the facility either as a condition of court-ordered probation or as the result of having been committed to the Commissioner of Corrections. MCF-RW is the only secure long-term treatment facility in the state, operated by the Minnesota Department of Corrections (DOC).

MCF-RW is the facility charged with developing programming to address the most “serious and chronic” juveniles engaging in criminal behavior. The admissions criteria permit only those with adjudicated felony-level offenses that would result in a sentence of imprisonment if committed by an adult. This includes numerous cases where adult certification was considered or Extended Jurisdiction Juvenile (EJJ) has been imposed due to the severity of the offense. As an Ex-Officio member of JJAC, we have the opportunity to support and advocate for youth at this end of the continuum.

Minnesota Department of Health (MDH) – Beatriz Menanteau:

My name is Beatriz Menanteau, I am the Violence Prevention Programs Unit Supervisor within the Injury & Violence Prevention Section at the Minnesota Department of Health (MDH). The Violence Prevention Programs Unit (VPP Unit) houses both the Sexual Violence Prevention Program and the human trafficking prevention Safe Harbor Program. Together, these programs work to change systems that perpetuate sexual violence, human trafficking, and exploitation, and ensure appropriate statewide responses to victims of human trafficking. MDH is committed to protecting, maintaining, and improving the health of all Minnesotans and I am grateful for the opportunity to serve as an Ex-Officio member of JJAC.

As an Ex-Officio member of JJAC, MDH is able to highlight and identify intersections with juvenile justice systems and the health and welfare of our youth. JJAC provides MDH insight into how incarceration and system involvement relates to social detriments of health, adverse childhood experiences, and negative health outcomes. MDH seeks to increase justice involved youth’s protective factors, including access to resources and supportive services.

MN Juvenile Detention Alternatives Initiative (JDAI) – Curtis Shanklin:

My name is Curtis Shanklin, I am the MN Juvenile Detention Alternatives Initiative (JDAI) State Coordinator, as well as an adjunct professor at Metropolitan State University. JDAI is a national comprehensive juvenile justice reform model that began over two decades ago as a pilot project to reduce reliance on local confinement of court-involved youth. To date, JDAI has been the most replicated juvenile justice reform model now operating in nearly 400 jurisdictions nationwide, dramatically reducing detention facility populations all while keeping an acute focus on public safety.

Since JDAI started in Minnesota, participating jurisdictions have seen a precipitous reduction of juvenile detention by over 50 percent. This dramatic success has come as juvenile crime rates have remained flat or declined. Most recently, Minnesota JDAI has expanded to include 9 new counties, along with a Tribal Nation focusing on how to reduce the overrepresentation of youth of color in Minnesota’s justice system.

As an Ex-Officio member of JJAC, JDAI both appreciates and looks forward to its continued collaborative partnership with JJAC. Both organizations share the intentional goal of decreasing an institutional response used to address both the mental health and chemical dependency needs of our youth by providing resources, as well as technical assistance to our northern rural communities.

MN Juvenile Detention Association (JDA) – Matthew Bauer:

My name is Matt Bauer and I am the Superintendent for the Dakota County Juvenile Services Center (JSC). The JSC is located in Hastings, MN and provides secure detention and correctional treatment programs for both juvenile males and females.

I represent MNJDA as an ex-officio member of JJAC. MNJDA is an organization that enables personnel of juvenile detention, secure juvenile corrections, and juvenile holdover facilities to join together in mutual efforts to improve youth care standards, facilities, and services. MNJDA’s mission is “improving juvenile justice through collaboration, training, and legislative input”.

MNJDA appreciates the opportunity to have a voice within JJAC as we work to advance juvenile justice issues.

**Through expert advice from these faithful ex-officio partners,
JJAC can confidently develop specific positions on critical juvenile justice issues.**

JJAC fosters ongoing partnerships with key juvenile justice agencies to advise the work of this body.

JJAC'S Ongoing Partnership with the Department of Corrections Inspections and Enforcement Unit

The Juvenile Justice and Delinquency Prevention (JJDP) Act requires annual and biennial inspections of facilities across the state to guarantee the four core requirements of the act are met. In 2018, the responsibility to inspect facilities continued to be divided between Office of Justice Programs' Compliance Monitor, and the Department of Corrections (DOC) Inspection and Enforcement Unit. Specifically, the DOC Inspection Unit inspects county jails and secure juvenile facilities.

The Memorandum of Understanding (MOU) between the Minnesota Departments of Public Safety and Corrections guarantees that DOC inspectors will inspect juvenile facilities or those facilities where juveniles could be held temporarily and will follow the tenets of the JJDP Act.

DOC Inspections and Enforcement Unit includes: Timothy Thompson (Manager), Teresa Smith (Management Analyst), and Inspectors: Shannon Amundson, Lisa Becking, Greg Croucher, Jennifer Pfeifer, Sarah Johnson, and Julie Snyder (retired July, 2018).

Callie Hargett serves as Minnesota JJDP Act Compliance Monitor and works closely together with the DOC Inspections and Enforcement Unit to guarantee that MN's required inspections are completed each year.

JJAC'S Collaboration with other Juvenile Justice Agencies

JJAC has made considerable outreach to three agencies that represent the corrections delivery systems in Minnesota. *Please see Appendices A-C for the 2019 legislative platforms and initiatives of MCA, MACCAC, and MACPO.*

JJAC continues to make outreach to other committed juvenile justice entities all over the state. It currently moves its regular meetings around the state to ensure that JJAC is familiar with all regions and their unique juvenile justice issues.

JJAC'S Outreach to Minnesota's Ten Judicial Districts

The JJAC Disproportionate Minority Contact (DMC) committee sponsored a survey to be conducted within the ten judicial districts in 2012. The ten judicial districts were chosen as an inclusive state-wide structure to ascertain what was going on in juvenile justice throughout each district. Out of this basic information, JJAC decided to fund the Minnesota Corrections Association (MCA) to host forums in each of the districts to further identify juvenile justice reform efforts underway in each judicial district. In 2016, MCA received ongoing guidance from a statewide advisory group, guiding development of a survey to be distributed across all jurisdictions. MCA also completed planning for a Mental Health and Systems Collaboration Forum that took place January of 2017.

JJAC funded MCA to continue this project in 2019, with the following objectives:

- 1) Understand the nature of barriers to case-level information sharing by juvenile justice professionals in Minnesota
- 2) Create a resource to enhance the ability of juvenile justice professionals to share case information about juveniles being served across systems (i.e. health, schools, child welfare, etc.) at the local level
- 3) Identify additional steps to enhance juvenile information sharing needs across systems in Minnesota

Additionally, the Listen, Learn, Lead project (see Recommendations and Accomplishments section for more information), funded by JJAC, will focus on collecting DMC data across all ten judicial districts.

MINNESOTA YOUTH AND THEIR INVOLVEMENT IN THE JUVENILE JUSTICE SYSTEM

The following section begins with a discussion of Minnesota's population, focusing on changes in the racial and ethnic make-up of its youth population from 1997 to 2017. It moves on to provide an overview of youth involved in the juvenile justice system in calendar year 2017. It concludes with a summary of the federal Juvenile Justice and Delinquency Prevention Act and Minnesota's compliance with its four core requirements.

MINNESOTA'S POPULATION, 1997-2017

YOUTH POPULATION¹

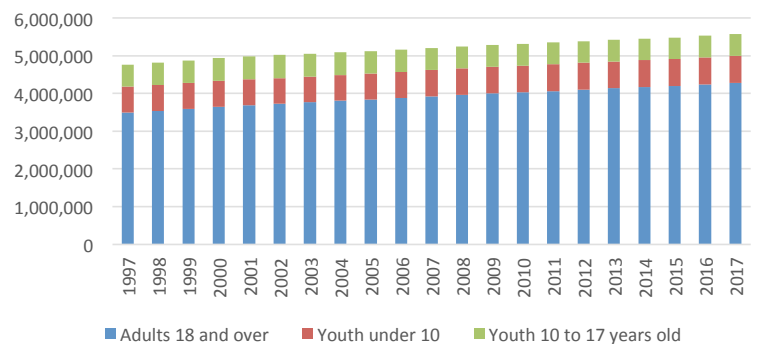
From 1997 to 2017, Minnesota's total population slightly increased² (see Graph 1). While the adult population grew at a very small degree, the youth population marginally decreased. In 1997, youth under the age of 10 made up 14.2% of Minnesota's population, but by 2017, they were 12.8%.³ Similarly, youth between the ages of 10 and 17 were 12.3% of the population in 1997 but 10.5% in 2017. By contrast, the percentage of adults rose from 73.5% in 1997 to 76.7% in 2017.

Of the approximately 5.5 million people living in Minnesota in 2017, nearly 1.3 million were children under the age of 18.⁴ A little under half (45%) of those children were between the ages of 10 and 17, a proportion that has held fairly steady since 1997, evidenced by Graph 2. These youth—10 to 17-year-olds—are at the age at which they could become involved with the juvenile justice system.⁵ Delinquent children under the age of 10 are deemed Children in Need of Protection or Services (CHIPS) as dictated by Minnesota State Statute 260C.007, Subd. 6. As such, the remaining sections of this report focus on the population at risk of entering the juvenile justice, children between the ages of 10 and 17.

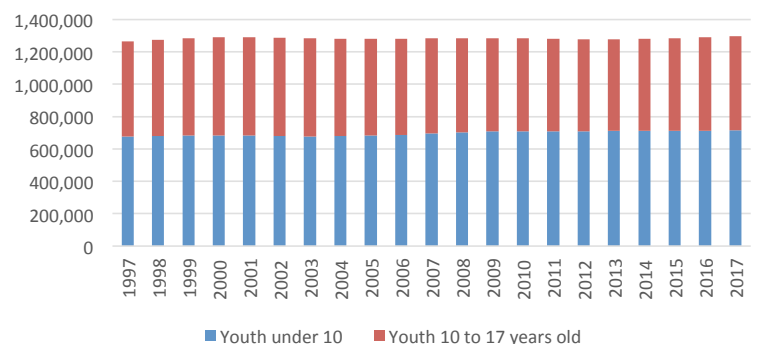
Youth of Color in Minnesota

Over the course of 20 years, there was no significant change in the size of Minnesota's population. However, with regard to the state's racial and ethnic landscape, its population, particularly its youth population, became more diverse. In 2017, youth of color between 10 and 17 years old comprised 28% of the youth population while adults of color made up 16% of the adult population. Graph 3 provides a breakdown of Minnesota's adult population by race and ethnicity from 1997 to 2017.⁶

Graph 1. Minnesota's Population by Age, 1997-2017



Graph 2. Minnesota's Youth Population by Age, 1997-2017



¹ All population data come from Puzzanchera, C., Sladky, A. and Kang, W. (2018). "Easy Access to Juvenile Populations: 1990-2017." Online. Available: <https://www.ojjdp.gov/ojstatbb/ezapop/>.

² See Appendix 1 for a table with the number of people living in Minnesota by age from 1997 to 2017.

³ Note that in discussions about percentages throughout the report, percentages may not total 100 due to rounding.

⁴ See Appendix 2 for a table containing the number of youth living in Minnesota from 1997 to 2017.

⁵ In Minnesota, Juvenile Delinquency Court has jurisdiction over youth who are alleged to have committed a delinquent act while between the ages of 10 and 17. See, Minn. Stat. §260C.007, Subd. 6(12) (2018).

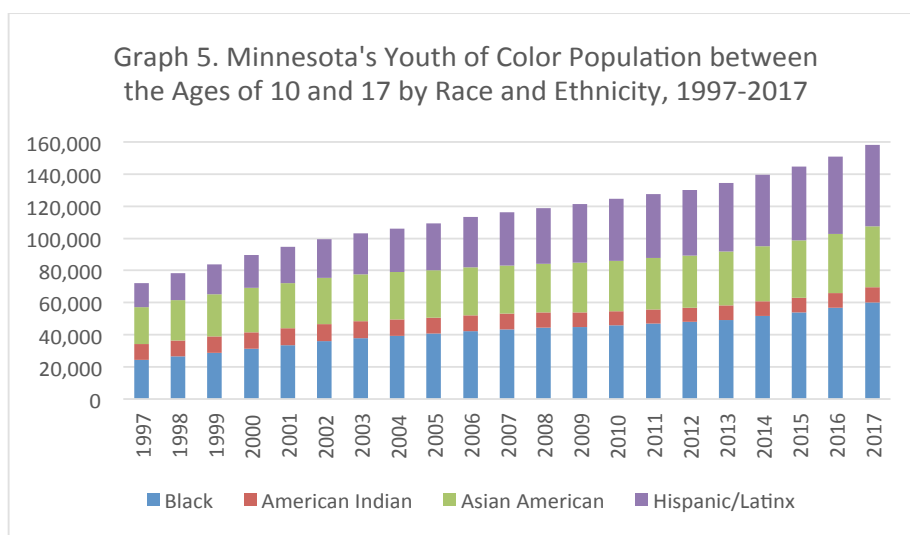
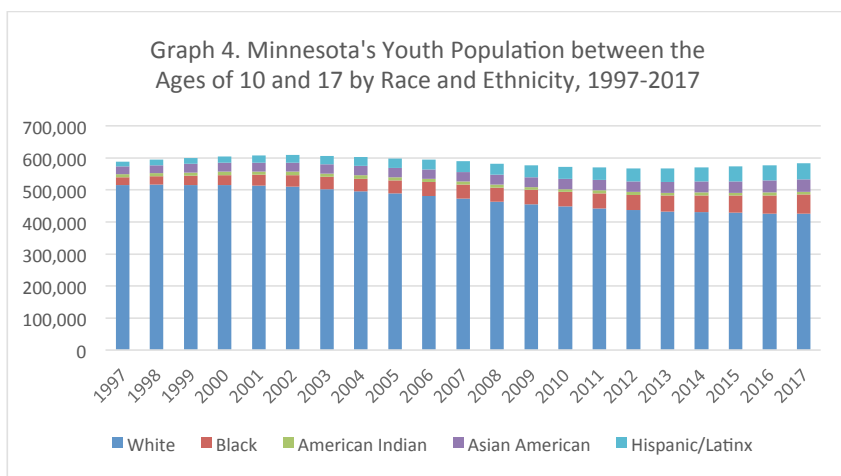
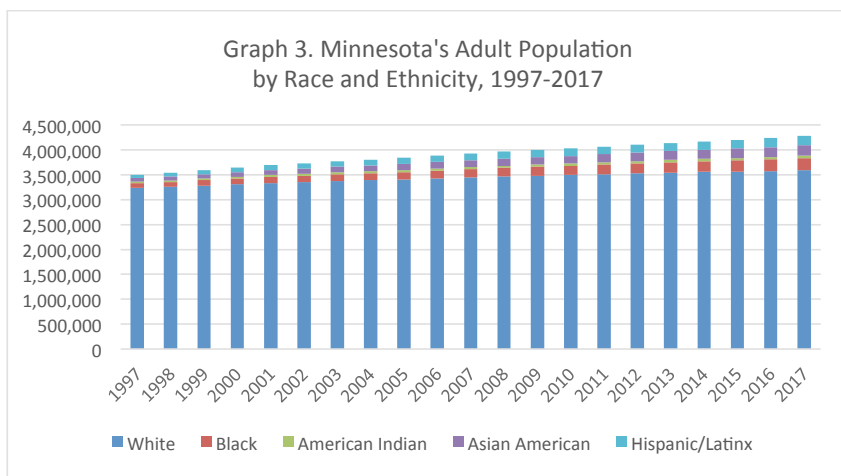
⁶ See Appendix 3 for a table presenting the number of adults living in Minnesota by race and ethnicity from 1997 to 2017.

Minnesota's adult population grew from 3.5 million in 1997 to almost 4.3 million in 2017. The percentage of white adults decreased from 92.5% in 1997 to 84% in 2017. By contrast, the percentage of adults of color grew from 7.5% in 1997 to 16.1% in 2017.

We see similar patterns among Minnesota's youth, though at a greater magnitude as Graph 4 demonstrates.⁷ The number of 10 to 17-year-olds was approximately half a million from 1997 to 2017. In terms of race and ethnicity, the percentage of white youth decreased from 87.7% in 1997 to 73% in 2017 while the percentage of youth of color rose from 12.3% to 27% during that same time period.

With regard to the growth of specific racial and ethnic groups, Graph 5 demonstrates that black youth and Hispanic/Latinx youth made up increasingly larger shares of the youth population over time. Both groups grew by about 6%. Black youth were 4.1% of the youth population in 1997 and 10.3% of the youth population in 2017. Likewise, Hispanic/Latinx youth were 2.6% of the youth population in 1997 and 8.6% of the youth population in 2017. The percent of Asian American youth rose as well, from 3.9% in 1997 to 6.5% in 2017, a 2.6% increase. However, the percentage of American Indian youth remained virtually steady, decreasing from 1.7% to 1.6%.

To summarize, there was not a notable change in the size of Minnesota's population, specifically its youth population between the ages of 10 and 17, from 1997 to 2017. However, there was substantial racial and ethnic change. Minnesota's overall population, especially its youth population, became increasingly diverse. This demographic change will likely continue and have important implications for the juvenile justice system.



⁷ See Appendix 4 for a table displaying the number of youth between the ages of 10 and 17 living in Minnesota by race and ethnicity from 1997 to 2017.

YOUTH INVOLVEMENT WITH THE JUVENILE JUSTICE SYSTEM IN 2017

After examining the demographics of the population at risk, we turn to youths' contact with the juvenile justice system in Minnesota in calendar year 2017. This section investigates juveniles' involvement with various points in the system: arrests, delinquency petitions filed in juvenile court, delinquency adjudications,⁸ probation placement, secure detention and confinement, and transfers to adult court. It focuses on the demographics of those who had contact with the system.

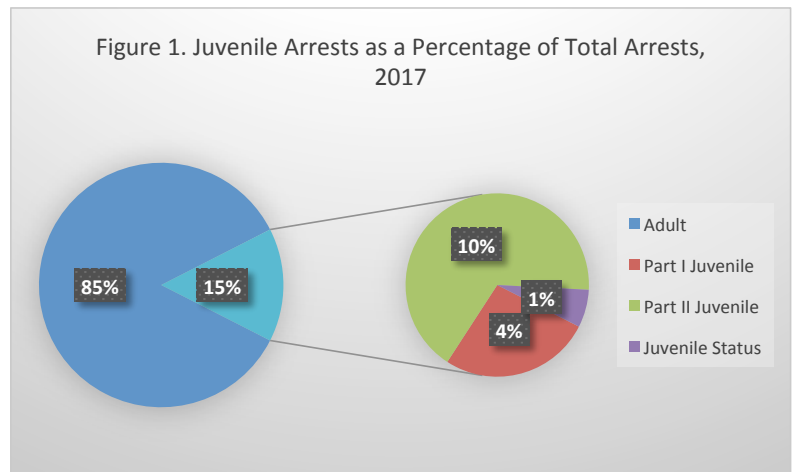
JUVENILE ARRESTS⁹

In 2017, there were 150,036 arrests in Minnesota.¹⁰ Figure 1 presents the percent of those arrested who were adults and the percent who were juveniles. As the figure demonstrates, 85% of arrests were of adults. Juveniles made up 15% of those arrested.

Arrests of juveniles are further subdivided by the type of offense: Part I offenses, Part II offenses, and status offenses. Part I offenses are serious crimes, and examples include homicide, rape, aggravated assault, robbery, and burglary. Crimes such as these are most likely to be reported to law enforcement. Arrests of juveniles for Part I offenses made up 4% of all arrests in Minnesota in 2017.

Part II offenses are considered "less serious." Simple assault, stolen property, drug abuse, vandalism, driving under the influence, and disorderly conduct are examples of Part II offenses. In 2017, 10% of all arrests involved the arrest of juveniles for Part II offenses.

Lastly, status offenses apply only to juveniles, but they do not constitute delinquent acts. As such, juveniles arrested for status offenses are non-offenders, not delinquents. While Part I and Part II offenses are offenses that are illegal for both adults and juveniles, status offenses are acts and behaviors that are legal for adults. Examples of status offenses include alcohol consumption, loitering, and violating curfews. In 2017, arrests for status offenses made up only 1% of all arrests in Minnesota.¹¹



Arrests by Offense Type

A closer look at juvenile arrests in Minnesota in 2017 reveals a majority of arrests were for Part II offenses. Figure 2 (see page 14) displays the percent of juvenile arrests that were for Part I, Part II, and status offenses. Of the 21,864 arrests, 66% were for Part II offenses. A little over one-quarter (27%) of juvenile arrests were for Part I offenses. A much smaller percentage of arrests involved status offenses (7%).

Arrests by Gender and Offense Type¹²

In 2017, the number of girls and boys between the ages of 10 and 17 was almost evenly split. Boys were a slim majority of the youth population, but they were overrepresented among juvenile arrests as Graph 6 (see page 14) demonstrates. In 2017, boys were 51% of 10 to 17-year-olds but 68% of youth arrested. By contrast, girls were underrepresented among those arrested. Girls were 49% of the youth population but only 32% of juveniles arrested.

A breakdown of arrests by offense type reveals similar patterns. Girls were underrepresented, making up about one-third of those arrested for Part I and Part II offenses (34% and 31% respectively). Conversely, 66% of those arrested for Part I offenses and 69% of youth arrested for Part II offenses were males. With regard to arrests for status offenses, boys were overrepresented there as well, making up 63% of youth arrested. By contrast, girls were underrepresented, comprising 37% of youth arrested for status offenses.

⁸ Delinquency adjudications refer to cases in which a juvenile was adjudicated delinquent by a juvenile court. Data do not include cases resulting in a continuance for dismissal or stay of adjudication following a guilty plea or a finding of guilt.

⁹ All arrest data come from the Minnesota Department of Public Safety Bureau of Criminal Apprehension, Minneapolis Police Department, St. Paul Police Department, and the Minnesota Department of Public Safety Bureau of Criminal Apprehension's Uniform Crime Report (<https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/2017-Minnesota-Uniform-Crime-Report.pdf>).

¹⁰ See Appendix 5 for the number of all adult arrests, all juvenile arrests, and juvenile arrests by offense type in Minnesota in 2017.

¹¹ While status offenses under the federal Juvenile Justice and Delinquency Prevention Act (JJDP) include running away and truancy, it is important to note that Minnesota law defines both runaways and truants as Children in Need of Protection or Services. See, Minn. Stat. §260C.007, Subd. 6(13) & (14) (2018).

¹² See Appendix 6 for the number of juvenile arrests in Minnesota by offense type and gender in 2017.

A breakdown of arrests for status offenses yields interesting results. Graph 7 compares the percent of girls and boys arrested for status offenses to their proportion of the youth population. While boys were overrepresented among arrests for curfew and loitering violations (73%), girls were underrepresented (27%).

For the most part, girls and boys were proportionately represented in runaway arrests. Their share of those arrested for running away was proportionate to their share of the youth population. Boys made up 51% of the youth population and 48% of runaway arrests while girls were 49% of the youth population and 52% of those arrested.

Arrests by Race, Ethnicity, and Offense Type

Graph 8 (see page 15) examines the race and ethnicity of youth arrested for Part I and Part II offenses in 2017.¹³ Results demonstrate that some groups were overrepresented among delinquency arrests while others were underrepresented. White youth were among those underrepresented. They were 73% of the youth population between 10 and 17 years of age, but 51% of those arrested for Part I and Part II offenses. Asian American youth were also underrepresented. They were 7% of the youth population but 2% of those arrested.

In contrast, black and Hispanic/Latinx youth were overrepresented among those arrested. Ten percent of youth between the ages of 10 and 17 were black, but 30% of juvenile delinquency arrests were of black youth. There is a similar pattern but to a lesser degree among Hispanic/Latinx youth. While they made up 9% of the youth population, they were 13% of youth arrested.

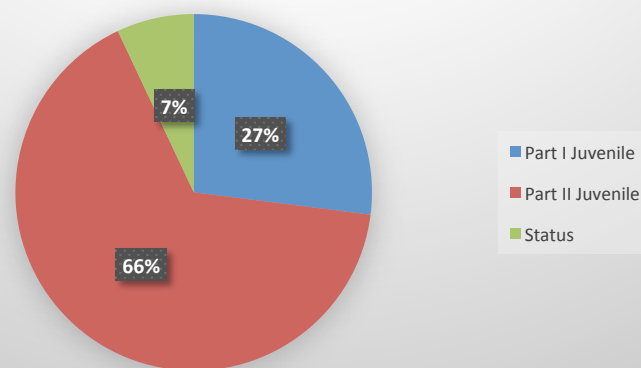
American Indian youth was the only group that was, for the most part, proportionately represented. They were 2% of the youth population and 3% of those arrested.

Similar patterns emerge when we examine juvenile arrests by type of offense and race. Graph 9 (see page 15) presents white youth, black youth, American Indian youth, and Asian American youth as a percentage of the youth population and arrests for Part I offenses, Part II offenses, and status offenses.¹⁴

Again, white youth were underrepresented among those arrested for any type of offense. Seventy-three percent of the youth population was white, but about half of those arrested for Part I offenses and status offenses were white (49% and 48% respectively). To a lesser degree, white youth were underrepresented among youth arrested for Part II offenses. Of those arrested, 62% were white.

Conversely, black youth were overrepresented. In 2017, 10% of the youth population was black, but nearly half of those arrested for Part I offenses (43%) and status offenses (44%) were black youth. Among those arrested for Part II offenses, almost one-third (31%) were black.

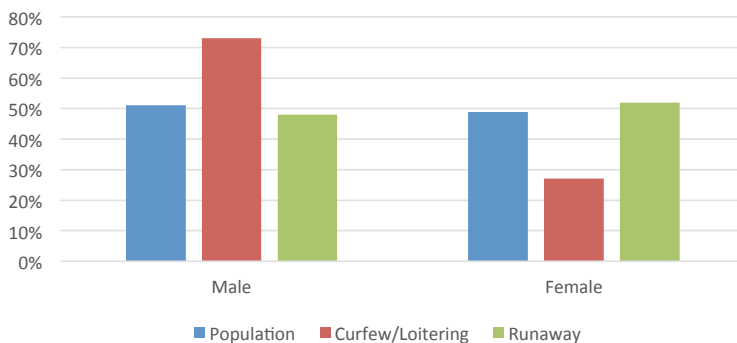
Figure 2. Juvenile Arrests by Offense Type, 2017



Graph 6. Youth as a Percentage of the Population and Arrests by Type of Offense and Gender, 2017



Graph 7. Youth as a Percentage of the Population and Arrests by Type of Status Offense and Gender, 2017



¹³ See Appendix 7 for the number of juvenile delinquency arrests in Minnesota by race and ethnicity in 2017.

¹⁴ See Appendix 8 for the number of juvenile arrests in Minnesota by offense type and race in 2017. Disaggregation of these data by ethnicity was not available.

There was slight disproportionality among arrests of American Indian youth. Two percent of the youth population was American Indian, and 3% of those arrested for Part I offenses and status offenses were American Indian. These youth were 4% of Part II offense arrests.

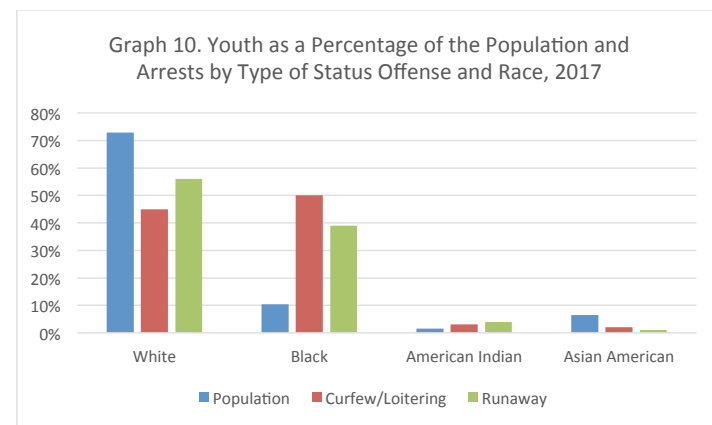
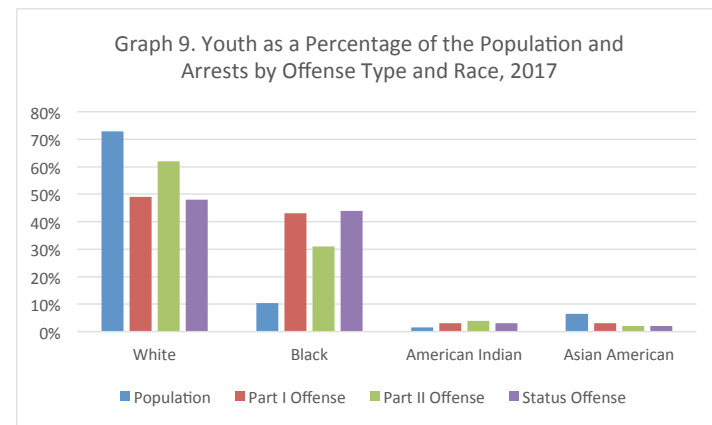
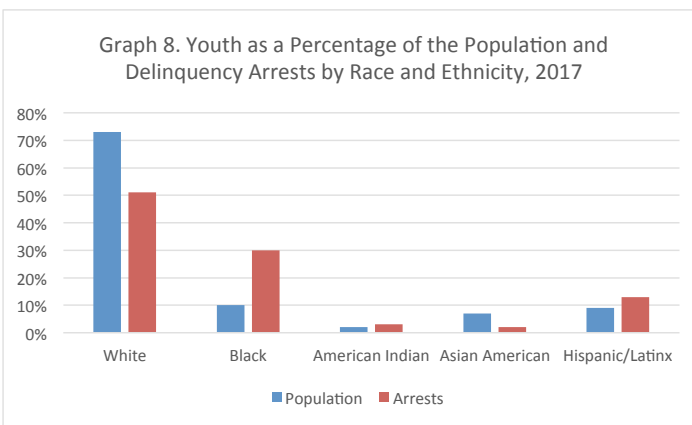
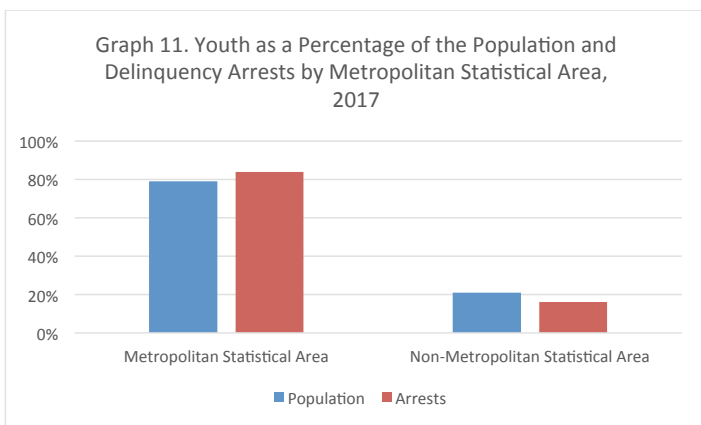
Asian American youth were slightly underrepresented among juvenile arrests. Seven percent of the youth population was Asian American, but 3% of Part I offense arrests and 2% of youth arrested for Part II offenses and status offenses were Asian American youth.

A disaggregation of arrests for status offenses by type of offense and race also reveals disproportionately among youth. Graph 10 compares the percentage of youth arrested for curfew/loitering violations and running away with their share of the youth population.¹⁵ White youth made up approximately half the youth arrested for these offenses (45% and 56% respectively) but were nearly three-quarters (73%) of the youth population. While white youth were underrepresented, black youth were significantly overrepresented. Black youth were only 10% of the population but approximately half of those arrested were black youth. Specifically, half of those arrested for violating a curfew or loitering were black, and 39% of youth arrested for running away were black.

Very small percentages of youth arrested were American Indian. These youth were 3% of those arrested for curfew/loitering offenses and 4% for running away, percentages slightly disproportionate to their population. Asian American youth were underrepresented, making up 7% of the youth population and 2% and 1% of those arrested for breaking curfew/loitering laws and running away, respectively.

Arrests by Metropolitan Statistical Area¹⁶

Lastly, we compare juvenile delinquency arrests among youth in Metropolitan Statistical Areas (MSA) and non-Metropolitan Statistical Areas (non-MSAs) in Minnesota. MSAs are



parts of the state with at least one area with at least 50,000 residents.¹⁷ Graph 11 displays the percent of youth living in MSAs and non-MSAs in 2017. It also shows the percent of juvenile delinquency arrests occurring in MSAs and non-MSAs.

As the graph demonstrates, there is some disproportionality in population and arrests. Seventy-nine percent of youth lived in an MSA, where 84% of juvenile arrests took place. While youth living in non-MSAs comprised 21% of the youth population, they made up 16% of those arrested.

¹⁵ See Appendix 9 for the number of juvenile arrests in Minnesota by type of status offense and race in 2017. Disaggregation of these data by ethnicity was not available.

¹⁶ See Appendix 10 for the number of youth between the ages of 10 and 17 and juvenile delinquency arrests in Minnesota by Metropolitan Statistical Area in 2017.

¹⁷ Counties in MSAs include: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Le Sueur, Mille Lacs, Ramsey, Scott, Sherburne, Sibley, Washington, Wright, Carlton, St. Louis, Benton, Stearns, Dodge, Fillmore, Olmsted, Wabasha, Blue Earth, Nicollet, Houston, Polk, and Clay. See <https://apps.deed.state.mn.us/assets/lmi/areamap/msa.shtml>.

CASES PETITIONED AND CASES RESULTING IN DELINQUENCY FINDINGS¹⁸

The arrest stage is one of several points of contact youth potentially have with the juvenile justice system. Following a delinquency arrest, law enforcement may refer the case to the county attorney. The county attorney decides whether to decline, divert or file charges by petitioning the case to court. Diversion can be either pre- or post-charge. In Minnesota, many county attorney's offices provide pre-charge diversion services, giving youth the opportunity to avoid a juvenile court record while holding the child accountable. All county attorneys are required by statute to have pretrial diversion programming available for eligible juvenile offenders.¹⁹

Because no state-wide data collection system exists in Minnesota for referral and diversion data, state-level data on the number of cases referred to county attorneys and number of cases diverted are not available. Requiring all 87 counties to collect and report to the state their juvenile diversion referral and completion data, disaggregated by race, ethnicity, and gender has long been one of JJAC's goals and remains a priority for 2019 and beyond. However, absent the necessary data, the next part of the analysis focuses on the number of cases petitioned in juvenile court.

Cases Petitioned

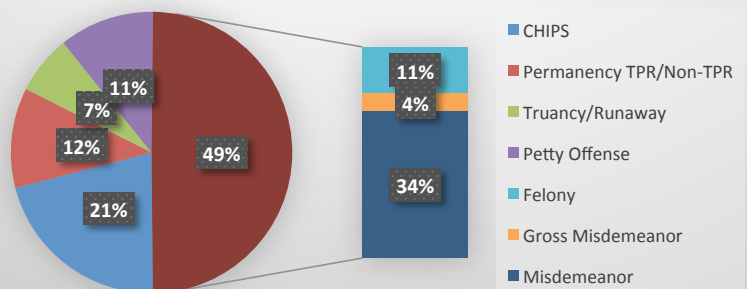
In 2017, there were 33,521 cases filed in juvenile court. Figure 3 displays the percent of cases petitioned by case type and level in Minnesota.²⁰ Approximately half the cases (49%) were delinquency petitions. Cases involving felony charges made up 11% of all delinquency cases petitioned, and cases with gross misdemeanor charges were 4%. A little over one-third (34%) of all delinquency cases dealt with misdemeanor charges. Eleven percent of all cases involved petty offenses.

The remaining 40% of the 2017 juvenile court filings involved child welfare cases, including CHIPS (Children in Need of Protection or Services) petitions (21%), permanency through the transfer of custody and the termination of parental rights cases (12%), and the smallest percentage of cases, truancy and runaway cases (7%).

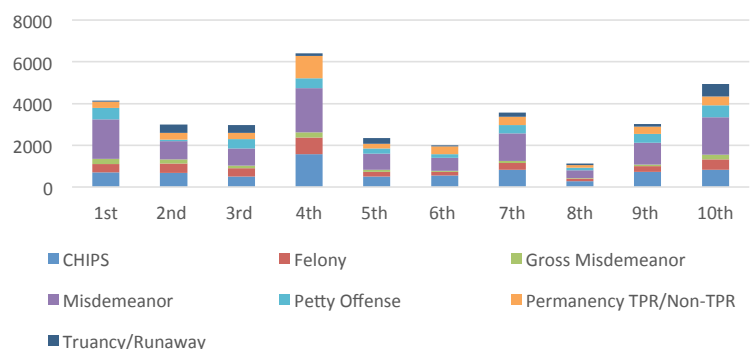
Graph 12 presents the distribution of cases across Minnesota's ten judicial districts by case type and level. A plurality of petitions (19%) were filed in the 4th district, which is made up entirely by Hennepin County. The 10th judicial district, encompassing eight counties including a couple in the metropolitan area, received the next-highest share of petitions (15%). Twelve percent of petitions were filed in the 1st district, composed of seven counties including three located in the metropolitan area. Almost 11% of petitions were filed in the 7th district, comprised of 10 counties in west central Minnesota. The 8th district received the fewest percentage of petitions (3%). The remaining districts received 6-9% of petitions.

With regard to specific charges, the 4th district amassed the largest share of petitions in most types of cases. A plurality of CHIPS petitions (22%) and cases involving felony charges (22%) were filed in the 4th district. Additionally, 18% of gross misdemeanor petitions and 18% of misdemeanor petitions were filed in the 4th district. Over one-quarter (28%) of petitions dealing with custody transfers and parental rights terminations were filed in the 4th district. Charges for petty offenses were most prevalent in the 1st and 10th districts; each district received 16% of those types of petitions. A little over one-quarter (27%) of truancy and runaway petitions were filed in the 10th district.

Figure 3. Cases Petitioned in Juvenile Court by Case Type and Level in Minnesota, 2017



Graph 12. Number of Cases Petitioned in Juvenile Court by Case Type, Level, and Judicial District, 2017

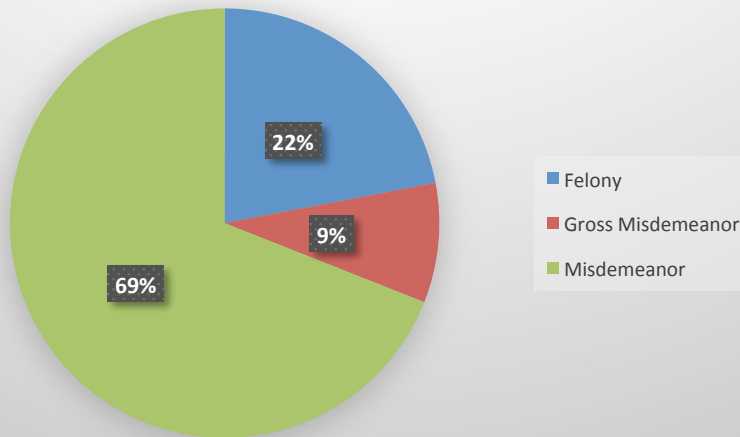


¹⁸ Juvenile case filing and disposition data provided by the Minnesota State Court Administrator's Office, upon request, and the Minnesota Judicial Branch Data Dashboard (<http://www.mncourts.gov/Help-Topics/Data-Requests/Dashboards.aspx>).

¹⁹ Minn. Stat. §388.24 (2018).

²⁰ See Appendix 11 for the number of cases petitioned in Minnesota by offense level and judicial district in 2017. See Appendix 12 for a list of counties in each judicial district.

Figure 4. Delinquency Petitions in Juvenile Court by Offense Level in Minnesota, 2017



The next figure focuses on delinquency petitions filed in juvenile court in 2017. Figure 4 provides a breakdown of the percent of delinquency petitions by offense level in Minnesota. A little over two-thirds (69%) of all delinquency petitions involved misdemeanor charges. Nearly one-quarter (22%) had felony charges, and 9% dealt with gross misdemeanors.

Turning to the distribution of delinquency petitions across Minnesota, Graph 13 displays the number of cases involving felony, gross misdemeanors, and misdemeanors in each judicial district. Nineteen percent of all delinquency petitions were filed in the 4th district, and 15% were filed in both the 1st and 10th districts. Ten percent of all delinquency cases were filed in the 7th district. The 8th district had the lowest percentage of delinquency case filings (3%).

Regarding specific charges, 22% of all felony cases were filed in the 4th district. Fourteen percent of all felony cases were filed in the 10th district, and 12% took place in the 2nd district. The 1st and 3rd districts each comprised 11% of cases involving felony charges.

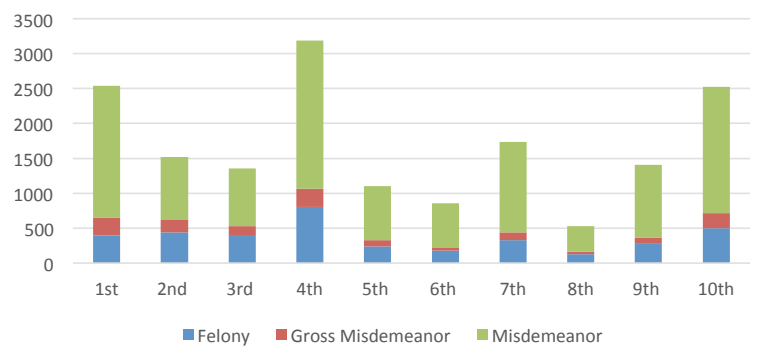
The 1st and 4th districts each filed 18% of all gross misdemeanor petitions. These charges were also prevalent in the 10th district (15%) and 2nd district (13%). A plurality (18%) of misdemeanor petitions were filed in the 4th district. The 1st and 10th districts each filed 16% of all misdemeanor cases. Eleven percent of misdemeanor charges were filed in the 7th district.

Graph 14 turns to a comparison of the race and ethnicity of youth arrested and youth whose cases were petitioned by county attorneys in juvenile court in Minnesota in 2017.²¹ Since the number of referrals to county attorneys is not available, to determine disproportionality, comparing delinquency petitions to delinquency arrests is the next-best option.

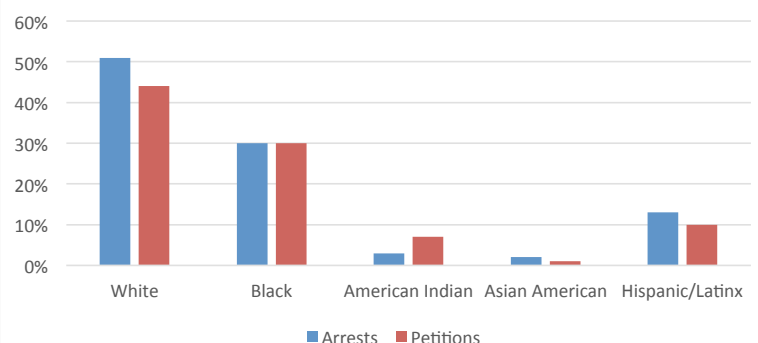
As the graph shows, there was some disproportionality between delinquency arrests and cases petitioned. While white youth were 51% of those arrested, they were 44% of those whose cases were petitioned. Hispanic/Latinx were also underrepresented; they were 13% of delinquency arrests but 10% of delinquency petitions filed. Meanwhile, American Indian youth were overrepresented, making up 3% of juveniles arrested but 7% of cases petitioned to the court.

Black youth were proportionately represented. They made up 30% of juvenile arrests and 30% of delinquency petitions. Asian American youth were also proportionately represented. They comprised 2% of arrests and 1% of cases petitioned.

Graph 13. Number of Delinquency Petitions Filed in Juvenile Court by Offense Level and Judicial District, 2017



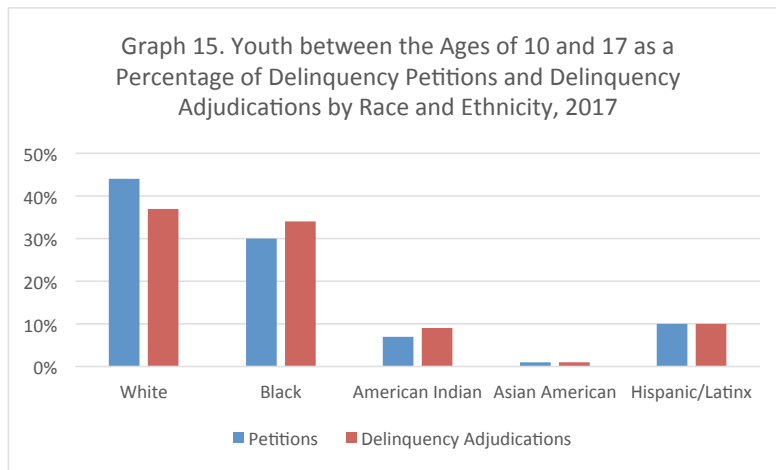
Graph 14. Youth as a Percentage of Arrests and Delinquency Petitions by Race and Ethnicity, 2017



²¹ See Appendix 13 for the number of cases petitioned and number of cases resulting in delinquency adjudications in Minnesota by race and ethnicity in 2017.

Cases Resulting in Delinquency Adjudications²²

Graph 15 presents the percentage of delinquency petitions and delinquency adjudications disaggregated by race and ethnicity. As evidenced by the graph, there was some disproportionately among white, black, and American Indian youth but not Asian American or Hispanic/Latinx youth.

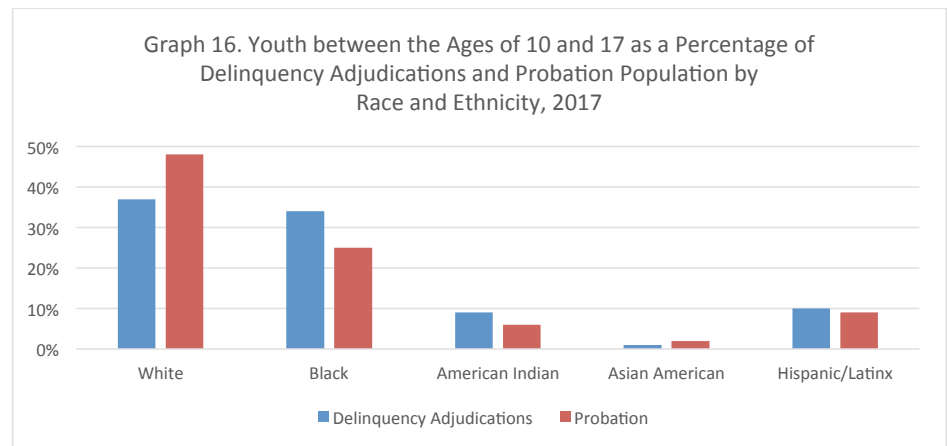


Of the cases resulting in a delinquency adjudication, a little over one-third (37%) involved white youth. Recall that white youth comprised 44% of delinquency petitions. Conversely, black youth made up 30% of delinquency petitions and 34% of delinquency adjudications. In a similar vein, but to a smaller degree, 7% of cases petitioned and 9% of delinquency adjudications involved American Indian youth. There was no disproportionately among Asian American youth and Hispanic/Latinx youth. Asian Americans were 1% and Hispanic/Latinx youth were 10% of cases petitioned and cases resulting in an adjudication of delinquency.

CASES RESULTING IN PROBATION PLACEMENT²³

Graph 16 presents the percentage of youth on probation by race and ethnicity compared to the percentage of cases resulting in a delinquency adjudication. Like the previous findings, there was significant disproportionately among white youth and black youth. The former was overrepresented among youth on probation, while the latter was underrepresented. Thirty-seven percent of delinquency adjudications were of white youth, but nearly half (48%) of those on probation were white. Conversely, black youth made up 34% of delinquency adjudications but one-quarter of youth on probation.

We observe some underrepresentation among American Indian youth. They made up 9% of cases resulting in an adjudication of delinquency and 6% of cases resulting in probation placement. There was very little disproportionately among the remaining youth. Ten percent of delinquency adjudications and 9% of probation placements were of Hispanic/Latinx youth. Asian American youth comprised 1% of delinquency dispositions and 2% of cases with a probation outcome.



YOUTH IN SECURE FACILITIES²⁴

Pre-Adjudication

Graph 17 (see page 19) examines youth held in secure detention during court processing prior to disposition in 2017. To calculate disproportionately, the percent of youth held in secure detention is compared to the percent of youth arrested for delinquency offenses. This data point is used since data on referrals to county attorneys are unavailable.

²² As referenced in Footnote 8, under Minnesota law a juvenile can plead or be found guilty of a delinquent act, receive a stay of adjudication and be placed on probation. At the time of the writing of this report, data on youth who received a stay of adjudication was not available. Therefore, all calculations in this section are based only on those cases in which the youth was adjudicated delinquent.

²³ Probation data provided by the Minnesota Department of Corrections, upon request, and the Minnesota Department of Corrections 2017 Probation Survey (https://mn.gov/doc/assets/2017%20Probation%20Survey%20Final_tcm1089-335645.pdf). See Appendix 14 for the number of cases resulting in probation placement in Minnesota by race and ethnicity in 2017.

²⁴ Data on youth in secure facilities provided by the Minnesota Department of Corrections, Hennepin County Juvenile Detention Center, Ramsey County Juvenile Detention Center, Boys Totem Town, Dakota County Juvenile Services Center, Arrowhead Juvenile Detention Center, and the Minnesota Correctional Facility- Red Wing, upon request. See Appendix 15 for the number of youth in secure detention and secure confinement in Minnesota by race and ethnicity in 2017.

There is disproportionality among most groups. White youth and Hispanic/Latinx youth were underrepresented, and black youth and American Indian youth were overrepresented. The percentage of Asian Americans arrested and securely detained (2% and 1% respectively) were more or less proportionate.

Among juveniles arrested, 51% were white. However, 40% of youth in secure detention were white. Likewise, but to a lesser degree, Hispanic/Latinx youth were 13% of those arrested but 9% of those securely held pre-adjudication.

In the opposite direction, black youth comprised 30% of delinquency arrests but a little over one-third (36%) of youth held securely. Similarly, 3% of arrests but 11% of secure detentions were of American Indian youth.

Post-Adjudication

Next, we investigate the race and ethnicity of youth held in secure confinement after court processing. Graph 18 presents this information along with the percent of youth with delinquency adjudications.

There was no disproportionality among Asian American youth and Hispanic/Latinx youth. Asian American youth were 1% of those with delinquency adjudications and 1% of those in secure confinement. Ten percent of cases resulting in delinquency adjudications and 10% of those held in secure confinement were Hispanic/Latinx.

White youth and American Indian youth were overrepresented among those held securely post-adjudication. While white youth made up 37% of delinquency adjudications, they were 44% of those in secure confinement. American Indian youth were 9% of those with a delinquency adjudication but 13% of those confined securely.

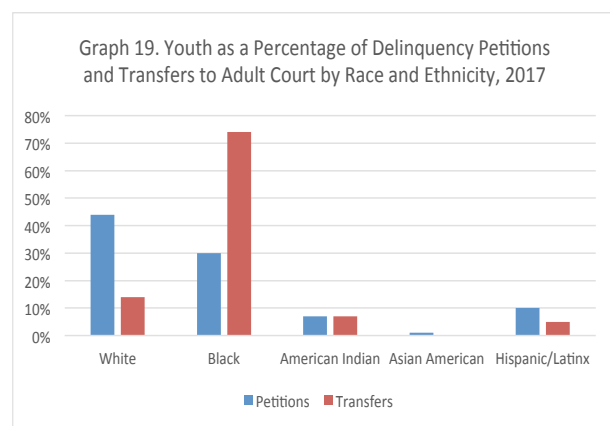
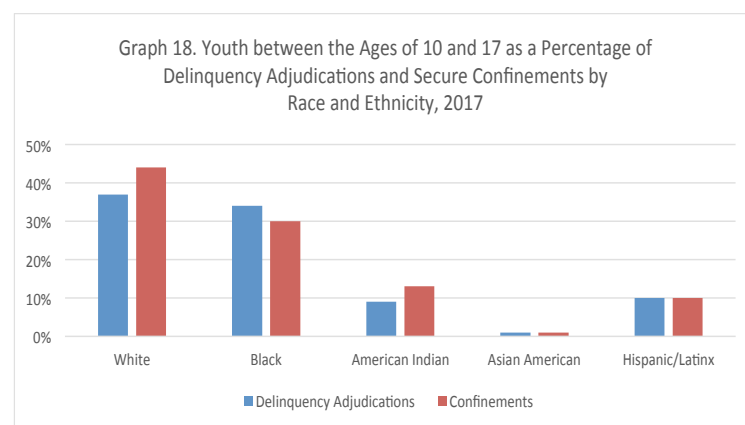
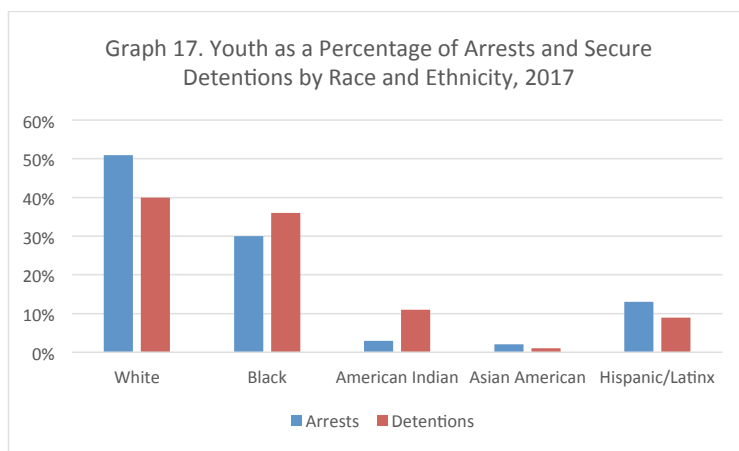
Black youth were underrepresented. Thirty-four percent of delinquency adjudications involved black youth. Of those in secure confinement, 30% were black.

CASES TRANSFERRED TO ADULT COURT²⁵

Lastly, we turn to youth transferred to adult court in 2017. Under Minnesota law, youth 14 or older alleged to have committed a felony-level offense may be transferred to adult court for prosecution.²⁶ The process of transferring a case to adult court is called “certification” under Minnesota’s statutes. In 2017, of the 3,694 felony cases filed (which includes youth under 14 not eligible for certification) only 42 cases were transferred to adult court (1.14%).

Graph 19 compares the percent of youth petitioned to juvenile court to the percent certified to adult court. As the graph shows, there was significant disproportionality among white youth and black youth. White youth comprised 44% of delinquency petitions, but only 14% of youth transferred to adult court. By contrast, black youth were 30% of those petitioned in juvenile court, but three-quarters (74%) of those certified as adults.

Hispanic/Latinx youth were slightly underrepresented. They were 10% of delinquency petitions and 5% of those transferred to adult court. American Indian youth were proportionately represented in adult court. Seven percent of delinquency petitions and 7% of transfers involved American Indian youth. Asian American youth made up 1% of cases petitioned in juvenile court, but none were certified as adults.



²⁵ Data on transfers to adult court provided by the Minnesota State Court Administrator’s Office, upon request. See Appendix 16 for the number of cases transferred to adult court in Minnesota by race and ethnicity in 2017.

²⁶ Minn. Stat. §260B.125 (2018).

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

CORE COMPLIANCE REQUIREMENTS

In 1974, Congress passed and President Ford signed into law the Juvenile Justice and Delinquency Prevention Act (JJDP).²⁷ A landmark piece of legislation, it was the first federally-supported effort to address juvenile delinquency across the United States. Its aim was to prevent delinquency and create a uniform approach to improve the juvenile justice system. Among other things, the JJDP established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to implement and enforce the law and authorized state funding for delinquency prevention and intervention programs.

In its first iteration in 1974, the JJDP instituted two core requirements: the separation of juveniles from incarcerated adults and the deinstitutionalization of status offenders. Congress amended the JJDP in 1992, and the separation requirement was strengthened to require the sight and sound separation of juveniles from adults. Congress also added two more requirements—jail removal and disproportionate minority confinement—bringing the total number of core requirements to four. In 2002, disproportionate minority confinement was amended to disproportionate minority contact.

The JJDP enjoys broad bipartisan support and has been reauthorized numerous times, most recently in 2018. Compliance with all 4 core requirements is required in order to receive federal funding under the JJDP.²⁸ The remaining sections discuss Minnesota's compliance with the core requirements.

JAIL REMOVAL

The jail removal requirement limits the length of time juveniles accused of committing delinquent acts may be detained and confined in adult jails and lock-ups. According to the JJDP, jails and lock-ups may not securely hold juveniles for more than 6 hours. Youth requiring detentions longer than 6 hours must be transferred to a juvenile facility. There is, however, an exception for jails and lock-ups located outside of Metropolitan Statistical Areas and without acceptable alternative placements. Such jails and lock-ups may obtain a rural exception and, if one is granted, have up to 48 hours to transfer a youth to a juvenile facility. In federal fiscal year 2017, 33 adult jails received a rural exception.

From October 1st, 2016 to September 30th, 2017 (the federal fiscal year), there were 12 jail removal violations²⁹ in Minnesota. The jail removal violation rate was 0.93 per 100,000 juveniles. Compliance with the jail removal requirement allows a state removal rate at or below 8.41 per 100,000 juveniles, so Minnesota is well within compliance rates.

SIGHT AND SOUND SEPARATION

The 1974 JJDP proscribed detaining or confining juvenile offenders, or those juveniles suspected of offending, with incarcerated adults. In 1992, Congress amended the act to prohibit any type of contact between juvenile and adult inmates, known as the sight and sound separation requirement. In short, juvenile offenders must be out of sight and sound of adult offenders.

To assess compliance with the sight and sound separation requirement, Minnesota's Compliance Monitor and the Department of Corrections' Inspection and Enforcement Unit conduct facility audits. In federal fiscal year 2017, there was 1 sight and sound violation. States with a sight and sound separation rate at or below 0.32 per 100,000 juveniles are in compliance. Minnesota, with its rate of essentially 0, is compliant.

DEINSTITUTIONALIZATION OF STATUS OFFENDERS

The deinstitutionalization of status offenders (DSO) is one of the JJDP's original core requirements. Established in 1974, it bans holding juvenile status offenders or those charged with committing status offenses in secure detention and correctional facilities. Prior to 1974, incarcerating juvenile status offenders in secure facilities with those who committed crimes was standard practice.³⁰ The DSO requirement recognizes that status offenses—acts and behaviors that are legal for adults—should be treated differently from delinquent acts and other crimes.

During the federal fiscal year 2017, there were 13 DSO violations. This yielded a violation rate of 1.01 per 100,000 youth. The threshold for compliance with the DSO requirement is 8.5 per 100,000 juveniles. States with rates at or below this threshold are in compliance, so Minnesota is compliant.

²⁷ Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. No. 93-415, 88 Stat. 1109 (1974).

²⁸ The Office of Juvenile Justice and Delinquency Prevention is, among other things, tasked with ensuring states' compliance with the four core requirements. Each year, the Minnesota Office of Justice Programs reports data on the core requirements to the OJJDP. The reporting calendar for the jail removal, DSO, and sight and sound separation requirements is the federal fiscal year from October 1st to September 30th. The reporting calendar for DMC is the calendar year from January 1st to December 31st.

²⁹ There were 227 juvenile offenders held for more than 6 hours and 2 juvenile non-offenders held securely, for a total of 229 hold violations. However, 217 of those juvenile offenders were held in jails or lock-ups with a rural exception. Therefore, there were a total of 12 jail removal violations.

³⁰ Hughes, D'lorah L. 2011. "An Overview of the Juvenile Justice and Delinquency Prevention Act and the Valid Court Order Exception." Retrieved from <http://media.law.uark.edu/arklawnotes/files/2012/01/Hughes-Overview-of-the-Juvenile-Justice-and-Delinquency-Prevention-Act-ArkansasLawNotes-2011.pdf>.

DISPROPORTIONATE MINORITY CONTACT ³¹

The fourth JJDPa core requirement is disproportionate minority contact (DMC), originally conceived of as disproportionate minority confinement. In 1988, Congress reauthorized and amended the JJDPa, and it called on states to address the disproportionate confinement of youth of color. Four years later in 1992, Congress elevated disproportionate minority confinement to a core requirement. In 2002, Congress amended and broadened the scope from confinement to contact. The disproportionate minority contact requirement requires states to address racial disparities in youths' contact with the juvenile justice system.

For the purposes of determining compliance with the JJDPa, DMC is calculated using the Relative Rate Index (RRI). At its core, the RRI determines whether a racial disparity exists at a particular stage of the juvenile justice system. It does so by comparing the outcomes for youth of color relative to the outcomes for white youth. For instance, black youths' RRI at the arrest stage compares their rate of arrest to white youths' rate of arrest and tells us whether there is a racial disparity.

In addition to identifying racial disparities, the RRI reveals their magnitude and direction. With regard to the former, the RRI shows the severity of the disparity. With regard to the latter, the RRI indicates whether youth of color are overrepresented or underrepresented relative to white youth at a particular point of contact in the juvenile justice system.

To interpret the RRI table below, a score of 1.0 means the outcome for a particular racial/ethnic group is equivalent to the outcome for white youth. For example, a score of 1 at the arrest stage means no racial disparity exists as compared to white youth and the chance of arrest for youth from a particular racial/ethnic group and white youth is the same.

Scores above 1.0 indicate overrepresentation. Using arrest as an example, overrepresentation means that relative to white youth, youth from a particular group are more likely to be arrested. In other words, the rate at which they are arrested is higher than the rate at which white youth are arrested.

Scores below 1.0 indicate underrepresentation. Referring to arrest again, underrepresentation means that relative to white youth, youth from a particular group are less likely to be arrested. To put it another way, their chances of getting arrested is lower than that of white youth. Note that underrepresentation still indicates a racial disparity and is cause for concern.

The RRI matrix in Table 1 (See page 22) reveals racial disparities at almost all stages of the juvenile justice system in 2017.³² The far right-hand column demonstrates that youth of color were overrepresented at several stages. Relative to white youth, youth of color (2.61) were almost 3 times more likely to be arrested. They were a little over 1.5 times more likely to be held in secure detention than white youth. The rate at which youth of colors' cases was petitioned in juvenile court was higher than that of white youth (1.31). Delinquency adjudications were slightly more likely for youth of color than white youth (1.33). Youth of color were transferred to adult court at much higher rates than white youth. They were nearly 5 times more likely to be certified as adults.

There were a couple stages at which youth of color were underrepresented. They were half as likely as white youth to receive a probation placement and about one-quarter less likely to receive secure confinement. Recall that underrepresentation still constitutes a racial disparity and is problematic.

Youth of color are not a monolithic group, and though it is important to note differences in treatment between white youth and youth of color, it is also important to note differences in treatment among youth of color. A disaggregation of youth of color by race and ethnicity reveals important differences in youths' experiences with the juvenile justice system. While some groups were overrepresented at various stages, other groups were underrepresented.

At the arrest stage, black youth were much more likely than white youth to get arrested. Their arrest rate was 4.12 times higher than that of white youth. Similarly, but to a lesser degree, American Indian youth (2.86) were almost 3 times more likely to be arrested than white youth. Likewise, the arrest rate among Hispanic/Latinx youth was 2.15 times higher than that of white youth. By contrast, Asian American youth were significantly underrepresented (.35). They were 65% less likely to face arrest than white youth.

It is worth noting that compared to the other stages of the juvenile justice system, the arrest stage is one in which youth of color have a wide range of experiences relative to white youth and to one another. The severity in disparity is great, ranging from .35 for Asian American youth to 4.12 for black youth. The former are much less likely to get arrested than white youth, while the latter are much more likely to get arrested. Save for the stage at which cases are transferred to adult court, there is no other stage at which youth of color have vastly different outcomes from white youth and from each other.

Statewide data on cases referred to county attorneys and cases diverted are not available, so the next point of contact to examine is secure detentions. Black youth (1.56) were more likely than white youth to be held securely prior to adjudication. Similarly, and to a much greater degree, American Indian youth were overrepresented (4.62). They were nearly 5 times more likely than white youth to be securely held during court processing. Asian American youth (.89) and Hispanic/Latinx youth (.86) were a little less likely than white youth to receive secure detention.

³¹ It is a misconception that DMC results from racial differences in crime rates and types of crime committed instead of structural racism and racial biases. See *On the Level: DMC in Minnesota's Juvenile Justice System* for further discussion (https://dps.mn.gov/divisions/ojp/forms-documents/Documents/On%20The%20Level_FINAL.pdf).

³² See Appendix 17 for the number of youth in the population at risk and the number of youth involved with each stage of the juvenile justice system by race and ethnicity in 2016. See Appendix 18 for the relative rate index calculations for 2016.

Table 1. Relative Rate Index Calculations Comparing Outcomes for Youth of Color to White Youth, 2017.

	Black	American Indian	Asian American	Hispanic/Latinx	All Youth of Color
Juvenile Delinquency Arrests	4.12*	2.86*	.35*	2.15*	2.61*
Referrals to County Attorneys	-	-	-	-	-
Delinquency Diversions	-	-	-	-	-
Cases Involving Secure Detention	1.56*	4.62*	.89	.86*	1.55*
Cases Petitioned	1.16*	2.61*	.83*	.89*	1.31*
Cases Resulting in Delinquency Adjudication	1.37*	1.45*	1.1	1.21*	1.33*
Cases Resulting in Probation Placement	.53*	.61*	1.01	.68*	.51*
Cases Resulting in Secure Confinement	.73*	1.23*	.93	.83*	.73*
Cases Transferred to Adult Court	7.65*	**	**	**	4.71*
- No state-level data are available.					
* Results are statistically significant.					
** Insufficient number of cases for analysis.					

Turning to cases petitioned in juvenile court, county attorneys were a little more likely to file charges when the youth was black (1.16) instead of white. When the youth was American Indian (2.61), county attorneys were almost 3 times more likely to petition the court than when the youth was white. Conversely, county attorneys were a little less likely to file a delinquency petition when the youth was Asian American (.83) or Hispanic/Latinx (.89) versus white.

Regarding cases resulting in delinquency adjudications, there were racial disparities and all youth of color were overrepresented. American Indian youth (1.45) and black youth (1.37) were almost 1.5 times more likely than white youth to be adjudicated delinquent. Cases resulting in delinquency adjudications were somewhat more likely for Hispanic/Latinx youth (1.21) and Asian American youth (1.1) than white youth.

Compared to white youth, black youth, American Indian youth, and Hispanic/Latinx youth were less likely to receive a probation placement. Black youth (.53) were about half as likely, and American Indian youth (.61) were nearly 40% less likely. Hispanic/Latinx youth (.68) were about one-third less likely to be placed on probation than white youth. By contrast, there was virtually no disparity between Asian American youth (1.01) and white youth. Their rates of probation placement were virtually identical.

With regard to cases resulting in secure confinement following disposition, some youth of color were underrepresented relative to white youth. Black youth (.73) were about one-quarter less likely to be held securely post-disposition, and Hispanic/Latinx youth (.81) were nearly 20% less likely. There was very little disparity between Asian American youth (.93) and white youth. However, American Indian youth (1.23) were more likely than white youth to receive secure confinement.

Although the number of cases transferred to adult court was small (only 42), the RRIs for cases transferred to adult court are startling. For one, there was no RRI calculated for American Indian youth, Hispanic/Latinx youth, and Asian American youth as there was an insufficient number for analysis. However, black youth were significantly more likely than white youth to be certified as adults. Black youth (7.65) were transferred to adult court at nearly 8 times the rate of white youth.

Like the arrest stage, the transfer stage is one in which youth of color have different outcomes relative to white youth but also to one another. Both points of contact are stages at which disparities between youth of color and white youth, as well as among youth of color, are most severe. It is worth emphasizing that the point of arrest and transfer to adult court are critical stages affecting youths' trajectory through the juvenile justice system. Not only does the RRI identify racial disparities between youth of color and white youth, but it also demonstrates that youth of colors' experiences with the juvenile justice system are far from uniform.

APPENDIX

Appendix 1. Minnesota Population by Age, 1997-2017.

Year	Adults 18 and over	Youth under 10	Youth 10 to 17 years old	Total Population
1997	3,499,142	676,490	587,761	4,763,393
1998	3,537,472	681,609	594,333	4,813,414
1999	3,590,379	683,817	599,285	4,873,481
2000	3,643,977	684,919	604,796	4,933,692
2001	3,691,535	683,484	607,777	4,982,796
2002	3,730,140	679,413	609,382	5,018,935
2003	3,769,885	677,830	605,857	5,053,572
2004	3,805,767	680,042	601,904	5,087,713
2005	3,839,041	682,255	598,302	5,119,598
2006	3,881,174	687,498	594,883	5,163,555
2007	3,922,129	695,970	589,104	5,207,203
2008	3,962,839	702,510	581,669	5,247,018
2009	3,997,100	708,080	576,023	5,281,203
2010	4,027,516	710,673	572,522	5,310,711
2011	4,065,228	710,385	570,354	5,345,967
2012	4,100,216	710,413	567,066	5,377,695
2013	4,137,217	711,455	567,402	5,416,074
2014	4,170,298	711,724	570,627	5,452,649
2015	4,198,636	711,493	573,109	5,483,238
2016	4,234,412	713,351	577,287	5,525,050
2017	4,277,949	715,504	583,153	5,576,606

Appendix 2. Minnesota Youth Population by Age, 1997-2017.

Year	Youth under 10	Youth 10 to 17 years old	Total Youth Population
1997	676,490	587,761	1,264,251
1998	681,609	594,333	1,275,942
1999	683,817	599,285	1,283,102
2000	684,919	604,796	1,289,715
2001	683,484	607,777	1,291,261
2002	679,413	609,382	1,288,795
2003	677,830	605,857	1,283,687
2004	680,042	601,904	1,281,946
2005	682,255	598,302	1,280,557
2006	687,498	594,883	1,282,381
2007	695,970	589,104	1,285,074
2008	702,510	581,669	1,284,179
2009	708,080	576,023	1,284,103
2010	710,673	572,522	1,283,195
2011	710,385	570,354	1,280,739
2012	710,413	567,066	1,277,479
2013	711,455	567,402	1,278,857
2014	711,724	570,627	1,282,351
2015	711,493	573,109	1,284,602
2016	713,351	577,287	1,290,638
2017	715,504	583,153	1,298,657

Appendix 3. Minnesota Adult Population by Race and Ethnicity, 1997-2017.

Year	White	Black	American Indian	Asian American	Hispanic/Latinx
1997	3,235,797	91,896	32,966	75,663	62,820
1998	3,252,741	98,850	33,767	81,397	70,717
1999	3,282,545	106,496	34,744	87,801	78,793
2000	3,308,772	114,382	36,172	95,691	88,960
2001	3,334,873	121,501	36,912	101,902	96,347
2002	3,353,825	128,028	37,555	107,823	102,909
2003	3,373,887	134,956	38,271	113,539	109,232
2004	3,390,759	141,799	38,944	119,410	114,855
2005	3,405,075	148,405	39,467	125,215	120,879
2006	3,425,853	156,505	40,038	131,784	126,994
2007	3,446,500	164,409	40,641	137,931	132,648
2008	3,466,988	172,234	41,375	143,738	138,504
2009	3,481,967	179,527	41,907	149,441	144,258
2010	3,493,214	186,818	42,564	155,393	149,527
2011	3,511,352	194,095	43,153	163,225	153,403
2012	3,526,792	201,195	43,537	170,957	157,735
2013	3,543,200	209,050	44,134	178,360	162,473
2014	3,555,610	217,332	44,435	185,831	167,090
2015	3,562,352	225,851	44,822	193,388	172,223
2016	3,573,202	236,069	45,240	201,544	178,357
2017	3,588,084	247,341	46,017	210,687	185,820

Appendix 4. Minnesota Youth Population between the Ages of 10 and 17 by Race and Ethnicity, 1997-2017.

Year	White	Black	American Indian	Asian American	Hispanic/Latinx
1997	515,521	24,325	9,767	23,049	15,099
1998	516,013	26,580	9,950	24,916	16,874
1999	515,496	28,810	10,208	26,256	18,515
2000	515,073	31,204	10,458	27,447	20,614
2001	513,136	33,655	10,561	28,041	22,384
2002	510,021	35,972	10,620	28,821	23,948
2003	502,796	37,967	10,427	29,158	25,509
2004	495,772	39,301	10,190	29,398	27,243
2005	488,969	40,641	10,050	29,532	29,110
2006	481,573	42,399	9,837	29,854	31,220
2007	472,912	43,478	9,635	30,099	32,980
2008	462,805	44,385	9,353	30,357	34,769
2009	454,827	44,895	9,152	30,831	36,318
2010	448,042	45,750	9,003	31,363	38,364
2011	442,746	46,868	8,949	32,031	39,760
2012	436,824	47,911	8,923	32,584	40,824
2013	433,062	49,313	8,968	33,657	42,402
2014	431,127	51,657	9,001	34,620	44,222
2015	428,403	54,040	9,003	35,637	46,026
2016	426,242	56,956	9,086	36,746	48,257
2017	425,155	60,216	9,213	38,174	50,395

Appendix 5. Number of All Arrests in Minnesota, 2017.

Juvenile Arrests				Adult Arrests	Total Arrests
Part I	Part II	Status	Total		
5,977	14,392	1,492	21,863	128,172	150,036

Appendix 6. Number of Juvenile Arrests in Minnesota by Offense Type and Gender, 2017.

Males				Females					
Part I	Part II	Status		Total	Part I	Part II	Status		Total
3,926	9,969	Curfew/Loitering	Runaway	14,828	2,051	4,425	Curfew/Loitering	Runaway	7,035
		645	288				243	316	

Appendix 7. Number of Juvenile Delinquency Arrests in Minnesota by Race and Ethnicity, 2017.

Race/Ethnicity	Number of Delinquency Arrests
White	10,011
Black	5,845
American Indian	621
Asian American	315
Hispanic/Latinx	2,552
Other/Mixed Race	381

Appendix 8. Number of Juvenile Arrests in Minnesota by Offense Type and Race, 2017.

Race	Part I	Part II	Status
White	2,927	8,940	711
Black	2,590	4,431	658
American Indian	196	542	49
Asian American	173	270	26

Appendix 9. Number of Juvenile Arrests in Minnesota by Type of Status Offense and Race, 2017.

Race	Curfew/Loitering	Runaway
White	379	332
Black	429	229
American Indian	23	26
Asian American	19	7

Appendix 10. Number of Juvenile Delinquency Arrests in Minnesota by Metropolitan Statistical Area, 2017.

	Metropolitan Statistical Area	Non-Metropolitan Statistical Area
Youth Population	460,691	122,462
Delinquency Arrests	16,569	3,156

Appendix 11. Number of Juvenile Cases Petitioned in Minnesota by Case Type, Level and Judicial District, 2017.

	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th	Total
Felony	392	443	404	807	237	178	328	126	276	500	3,694
Gross Misdemeanor	260	184	128	261	92	42	114	39	91	217	1,428
Misdemeanor	1,884	889	820	2,119	776	637	1,296	365	1,043	1,808	11,637
Petty Offense	561	72	457	459	261	162	414	118	411	557	3,472
CHIPS	696	686	497	1,562	493	549	820	274	719	825	7,121
Permanency TPR/Non-TPR	298	320	289	1,074	210	376	395	134	359	428	3,883
Truancy/Runaway	58	410	370	127	287	62	192	60	114	609	2,289
Total	4,149	3,004	2,965	6,409	2,356	2,006	3,559	1,116	3,013	4,944	33,521

Appendix 12. Counties in Minnesota's Ten Judicial Districts.

Judicial District	Counties
1 st	Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott, Sibley
2 nd	Ramsey
3 rd	Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Rice, Steele, Wabasha, Waseca, Winona
4 th	Hennepin
5 th	Blue Earth, Brown, Cottonwood, Faribault, Jackson, Lincoln, Lyon, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rock, Watonwan
6 th	Carlton, Cook, Lake, St. Louis
7 th	Becker, Benton, Clay, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Wadena
8 th	Big Stone, Chippewa, Grant, Kandiyohi, Lac Qui Parle, Meeker, Pope, Renville, Stevens, Swift, Traverse, Wilkin, Yellow Medicine
9 th	Aitkin, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau
10 th	Anoka, Chisago, Isanti, Kanabec, Pine, Sherburne, Washington, Wright

Appendix 13. Number of Cases Petitioned and Number of Cases Resulting in Delinquency Adjudication in Minnesota by Race and Ethnicity, 2017.

Race	Cases Petitioned	Cases Resulting in Delinquency Adjudication
White	6,026	1,076
Black	4,071	995
American Indian	974	253
Asian American	158	31
Native Hawaiian or Pacific Islander	18	3
Hispanic/Latinx	1,368	295
Other/Mixed Race	1,090	247

Appendix 14. Cases Resulting in Probation Placement in Minnesota by Race and Ethnicity, 2017.

Race	Cases Resulting in Probation Placement
White	3,380
Black	1,656
American Indian	482
Asian American	98
Hispanic/Latinx	630
Other/Mixed Race	34
Unknown	1,250

Appendix 15. Number of Youth in Secure Facilities Pre-Adjudication and Post-Adjudication in Minnesota by Race and Ethnicity, 2017.

Race	Youth in Secure Detention	Youth in Secure Confinement
White	3,194	520
Black	2,918	351
American Indian	916	150
Asian American	89	14
Native Hawaiian or Pacific Islander	1	0
Hispanic/Latinx	697	119
Other/Mixed Race	195	7
Unknown	15	20

Appendix 16. Number of Cases Transferred to Adult Court in Minnesota by Race and Ethnicity, 2017.

Race	Cases Transferred to Adult Court
White	6
Black	31
American Indian	3
Asian American	0
Hispanic/Latinx	2
Other/Mixed Race	0

Appendix 17. Number of Youth in the Population at Risk and Number of Youth Involved at Each Stage of the Juvenile Justice System by Race and Ethnicity, 2016.

	White	Black	American Indian	Asian American	Native Hawaiian or Pacific Islander	Hispanic/Latinx	Other/Mixed Race
Population at Risk	426,402	55,740	9,060	37,022	-	48,146	-
Juvenile Arrests	9,007	7,648	665	477	-	1,010	386
Cases Involving Secure Detention	2,998	2,856	841	116	-	770	246
Cases Petitioned	5,807	4,019	1,022	183	20	1,364	1,066
Cases Resulting in Delinquency Adjudication	1,150	1,064	291	35	9	353	262
Cases Resulting in Probation Placement	3,299	1,732	533	119	-	622	35
Cases Resulting in Secure Confinement	656	366	135	4	-	145	4
Cases Transferred to Adult Court	7	25	4	0	-	6	3

- Data not available.

Appendix 18. Relative Rate Index Calculations Comparing Outcomes for Youth of Color to White Youth, 2016.

	Black	American Indian	Asian American	Hispanic/Latinx	All Youth of Color
Juvenile Delinquency Arrests	6.5*	3.47*	.61*	.99	3.22*
Referrals to County Attorneys	-	-	-	-	-
Delinquency Diversions	-	-	-	-	-
Cases Involving Secure Detention	1.12*	3.8*	.73*	2.29*	1.42*
Cases Petitioned	.82*	2.38*	.6*	2.09*	1.17*
Cases Resulting in Delinquency Adjudication	1.34*	1.44*	.97	1.31*	1.33*
Cases Resulting in Probation Placement	.57*	.64*	1.19	.61*	.53*
Cases Resulting in Secure Confinement	.60*	.81*	**	.72*	.57*
Cases Transferred to Adult Court	5.16*	**	**	3.65*	4.11*

- No state-level data are available.

* Results are statistically significant.

** Insufficient number of cases for analysis.

Office of Juvenile Justice and Delinquency Prevention Allocations to Minnesota by Federal Fiscal Year: 2004 – 2018

TOTAL ALLOCATIONS FOR MINNESOTA		
Federal Fiscal Year	Amount	Percentage Change per year
2004	\$3,916,600	- 25%
2005	\$2,197,085	- 44%
2006	\$1,683,550	- 23%
2007	\$1,722,489	+ 2%
2008	\$1,674,760	- 3%
2009	\$1,841,786	+ 10%
2010	\$1,814,245	- 1%
2011	\$1,441,803	-20.5%
2012	\$836,490	- 42%
2013	\$753,720	-9.9%
2014	\$634,699	-15.8%
2015	\$630,804	-0.61%
2016	\$534,940	- 15.20%
2017	\$571,435	+ 6.39%
2018	\$718,569	+ 25.75%
Title II: Formula Grants		
2004	\$1,060,000	- 10%
2005	\$1,104,000	+ 4%
2006	\$932,000	- 16%
2007	\$962,000	+ 3%
2008	\$893,000	- 7%
2009	\$977,000	+ 9%
2010	\$934,000	- 4%
2011	\$769,114	- 17%
2012	\$455,587	- 40.8%
2013	\$461,583	+1.3%
2014	\$621,559	+34.7%
2014 PREA*	\$13,140	n/a
2015	\$630,804	+1.49%
2016	\$534,940	-15.20%
2017	\$571,435	+ 6.39%
2018	\$718,569	+ 25.75%
Title V: Community Delinquency Prevention		
2004	\$0	NA
2005	\$246,000	NA
2006	\$56,250	- 77%
2007	\$75,250	+ 34%
2008	\$48,360	- 36%
2009	\$33,486	- 31%
2010	\$84,945	+ 154%
2011 Ended	\$50,000	- 41.1%
Juvenile Accountability Block Grant (JABG)		
2004	\$2,644,600	- 23%
2005	\$847,085	- 68%
2006	\$695,300	- 18%
2007	\$685,239	- 1%
2008	\$733,400	+ 7%
2009	\$831,300	+ 13%
2010	\$795,300	- 4%
2011	\$622,689	- 21.7%
2012	\$380,903	-38.8%
2013 Ended	\$292,137	-23.3%

*This amount represents the 5% penalty for Minnesota's 2014 non-compliance with the Prison Rape Elimination Act.

Note: The high point in OJJDP allocations to the states was in 2002. MN's total allocation that year was \$6,152,300. The decrease from that year is at 88%. However, all compliance mandates are still in effect.

JJAC GRANTS

2019 Title II Grants Overview

Title II one-year grants: 12

Title II two-year special project grants: 2

Positions supported with grant funds: 37

Program Participants: 1,143+

Impact of this funding: Through JJAC funding, dually-involved youth and those at risk for involvement in the Juvenile and/or Child Welfare Court Systems receive early intervention, prevention, diversion, cultural education, and deep-end intervention and therapy services.

Additionally, all projects funded will enhance the body of knowledge available around Disproportionate Minority Contact, juvenile justice policy reform, and information sharing.

Funding total: \$812,902

Breakdown by grantee:

Beltrami Area Service Collaborative

Positions supported with grant funds: 3

Program Participants: 150

2019 award amount: \$70,000

Impact statement: 150 dually-involved youth at risk for involvement in the Juvenile and/or Child Welfare Court Systems will receive early intervention, prevention, diversion, and deep-end intervention services.

Children's Health Care

Positions supported with grant funds: 3

Program Participants: 50

2019 award amount: \$70,000

Impact statement: 50 crossover youth and their families will receive wraparound services proven to foster resiliency and restore them to a healthy developmental trajectory.

Faribault Diversity Coalition

Positions supported with grant funds: 3

Program Participants: 350

2019 award amount: \$50,000

Impact statement: 350 crossover and at-risk youth will benefit from direct crossover services aimed at decreasing school absences, truancy and disciplinary referrals.

Heartland Girl's Ranch

Positions supported with grant funds: 3

Program Participants: 350

2019 award amount: \$50,000

Impact statement: Girls will participate in gender-specific programming and equine therapy. Participants will build life-skills, positive thinking abilities, and cultural connectedness through goal work, skills groups, and therapeutic treatment.

Leech Lake Band of Ojibwe

Positions supported with grant funds: n/a

Program Participants: 60

2019 award amount: \$50,000

Impact statement: 60 Native American youth and adult partners will participate in cultural enrichment programming and education that fosters development of protective factors, resiliency and academic performance.

Legal Rights Center

Positions supported with grant funds: 4

Program Participants: 50

2019 award amount: \$60,902

Impact statement: This pilot will provide an opportunity for youth charged in juvenile court to engage in restorative justice as part of the disposition of their case, providing opportunities to avoid adjudications, reduce risk of out of home placement, or potentially have the charges dismissed.

Minneapolis American Indian Center

Positions supported

with grant funds: 2

Program Participants: 100

2019 award amount: \$60,902

Impact statement: 100 Native American youth will participate in cultural enrichment programming, therapy and education that fosters development of protective factors, resiliency and academic performance.

**Minnesota Department of Health –
Safe Harbor Unit**

Positions supported with grant funds: n/a

Program Participants: n/a

2019 award amount: \$10,000

Impact statement: This initiative will provide outreach and education about human trafficking and Safe Harbor Programming for youth in Minnesota's residential facilities.

Minnesota Juvenile Alternatives Initiative

Positions supported with grant funds: 1

Program Participants: n/a

2019 award amount: \$75,000

Impact statement: This funding will support MN JDAI's Northern Region expansion into eight counties within the ninth judicial district. These efforts encompass an acute focus and strategy to decrease the disproportionate secure confinement of Native American youth.

Urban Boatbuilders

Positions supported with grant funds: 5

Program Participants: 50

2019 award amount: \$70,000

Impact statement: 50 dually-involved (or at risk for dual involvement) youth will participate in this in-depth, paid apprenticeship program aimed at removing barriers to employment and reducing juvenile justice and child welfare system contact.

White Earth Band of Chippewa

Positions supported with grant funds: 1

Program Participants: 78

2019 award amount: \$70,000

Impact statement: 78 Native American youth who are involved with Child Welfare and Juvenile Justice will participate in this crossover programming that works with State and Tribal Courts across departments to coordinate essential case planning and therapy services.

Youthprise

Positions supported with grant funds: 1

Program Participants: n/a

2019 award amount: \$75,000

Impact statement: An expert will assess the level of racial disproportionality in Minnesota's juvenile justice system and develop community-based, culturally informed, and system feasible data collection and intervention strategies.

Title II Special Project:

Juvenile Justice 21 Project,

Minnesota Corrections Association

Positions supported with grant funds: 2

Program Participants: n/a (research project)

2019 award amount: \$120,000 for two years

Impact statement: The Juvenile Justice 21 Project will assist with the development of more effective juvenile justice policies and practices throughout Minnesota by: increasing the understanding and ability of juvenile justice professionals, encouraging the expansion of dual status youth programs, increasing stakeholder support for juvenile justice policy recommendations, and supporting resource and information sharing.

Title II Special Project:

Listen, Learn, Lead Project,

Restorative Justice Community Action

Positions supported with grant funds: 11

Program Participants: 200+

2019 award amount: \$126,000 for two years

Impact statement: Youth across all ten Minnesota judicial districts will participate in facilitated conversations about Disproportionate Minority Contact. Local adult stakeholders will attend as listeners with the intention of incorporating youth voice into their work.

2018 Grants

Title II

Beltrami Area Service Collaborative (Bemidji)

Children's Hospitals and Clinics of Minnesota (St. Paul)

Faribault Diversity Coalition (Faribault)

Leech Lake Band of Ojibwe, Youth Services Division
(Leech Lake Reservation)

Minneapolis American Indian Center (Minneapolis)

Northwestern Minnesota Juvenile Center (Bemidji)

Urban Boatbuilders (Saint Paul)

White Earth Band of Chippewa (Mahnomen)

Title II/Juvenile Accountability Block Grants

Dakota County Community Corrections (Hastings)

Martin County Corrections (Fairmont)

Minneapolis Health Department (Minneapolis)

Rice County Attorney's Office (Faribault)

JJAC Membership, Advisors, Staff & Subcommittees

MEMBERS:

Chyenne Boyce (Youth Member) Minneapolis	Rodney Hanson Willmar	Shelley McBride Rochester
Freddie Davis-English (Co-Vice Chair) Plymouth	Scott Knight Chaska	Kevin Nguyen (Youth Member) Stillwater
William Dykes (Youth Member) Saint Paul	Amadu Kondeh Minneapolis	Rachel Prudhomme (Elected Official) Thief River Falls
Dana Erickson Sartell	Rhonda Larkin (Co- Vice Chair) Minneapolis	Kate Richtman Saint Paul
Richard Gardell (Chair) Saint Paul	Samantha Loe (Youth Member) Arden Hills	Raj Sethuraju Chaska
	Michael Mayer Eagan	Richard Smith Plymouth

EX-OFFICIOS:

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Ryan Erdmann Association of Minnesota Counties	Curtis Shanklin Minnesota Juvenile Detention Alternatives Initiative
Nicole Kern Minnesota Association of Community Corrections Act Counties	Shon Thieren Minnesota Department of Corrections
Beatriz Menanteau Minnesota Department of Health	
Jane Schmid Minnesota Corrections Association	

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MN National Alliance on Mental Illness

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Members:

Freddie Davis-English
Rhonda Larkin
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Kevin Nguyen

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Members:

Freddie Davis-English
Richard Gardell
Elijah Kondeh



2019 MACCAC Legislative Platform

Community corrections in the form of probation and supervised release is the backbone of Minnesota's criminal justice system. With adequate investment and funding, community corrections can fulfill vital roles in both public safety and recidivism reduction by using research-driven approaches to address the challenges that lie ahead.

- **Effective supervision and offender programming in the community are key to reducing prison growth, while producing preferable offender outcomes.** Changes in Department of Corrections (DOC) policies related to Intensive Supervised Release (ISR) eligibility criteria and Supervised Release (SR) revocation criteria are expected to have impacts on caseload and programming resources in CCA counties and will likely continue to do so at an increasing rate in the future. These changes are grounded in good correctional practice and are not an issue in principle, but there has been no commensurate increase in state funding to address the associated caseload/workload increase or to develop local housing, treatment and other resources that are needed to successfully implement these changes in the community.
- **Community corrections supervision must address both short and long-term issues in order to reduce recidivism and protect public safety over the long term.** Research shows that the use of offender risk and needs assessment, case planning, and targeting interventions specific to client needs yields improved public safety. These supervision methods cannot be implemented effectively without increased financial support at the state level. Minnesota counties will not be able to sustain current efforts to utilize proven evidence-based practices without increased state funding. The recent Minnesota Management and Budget Results First Cost-Benefit Analysis highlighted great return on taxpayer investment through the use of evidence-based community interventions.
- **Increased emphasis on pre-trial services will require additional correctional resources.** MACCAC recognizes the research-supported national trend to move away from cash bail in favor of proven practices that more effectively address public safety. The Minnesota State Judiciary has followed suit and implemented statewide changes in pre-trial bail evaluation methods meant to standardize assessments and release decisions. These changes will place additional demands on county resources, and call for commensurate state funding.
- **Community Corrections Act agencies have benefitted from progress made in the last three biennia towards improved funding of basic services.** However, over the last decade and a half, statewide funding for community corrections has not kept pace at the level required to provide effective correctional practices proven by research to keep incarceration rates low, reduce recidivism, and increase public safety.

Minnesota Association of Community Corrections Act Counties

Ryan Erdmann, Director and Legislative Liaison

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2019 MACCAC Policy Positions

Community Corrections Act (CCA) Jurisdictions

MACCAC supports the expansion of CCA counties with full and ongoing state funding. MACCAC supports the removal of systemic or statutory requirements that act as barriers to counties in choosing the correctional delivery system that best meets their individual needs.

Distribution of Funds

Future funding should be allocated using an equitable and transparent model that considers the need of each county.

Mental Health and Substance Abuse

MACCAC supports legislation to provide a continuum of effective mental health and substance abuse services for offenders suffering from these issues. This should include providing adequate and effective mental health treatment in a timely manner, access to substance abuse assessments followed by the appropriate type and length of treatment, and strong collaboration between the criminal justice, public health, and social service partners. MACCAC also urges the legislature to address the urgent need for appropriate treatment and residential settings for juveniles with serious mental health issues.

Sex Offender Supervision

MACCAC supports legislation that takes a strong statewide approach to sex offender supervision by effectively monitoring overall behavior and activities of offenders using risk assessment and evidence based practices that enhance public safety.

State funding must be increased for local implementation of any enhanced state standards for the supervision of sex offenders, particularly those offenders that may transition to the community from the state Minnesota Sex Offender Program (MSOP). Additionally, MACCAC supports the following principles related to sex offender supervision:

- Residency restriction laws do nothing to address offender treatment or overall risk reduction, which are paramount to protecting public safety.
- Lengthy probation terms (in excess of the current 12-year average) are not consistent with correctional best practices and will have costly caseload impacts for counties.
- Juvenile sex offender registration requirements should focus on the appropriate group of the most serious offenders.

Probation Length

MACCAC recognizes that a robust discussion and evaluation of probation lengths is needed as part of a broader review of sentencing policy and potential new practices.

Human Trafficking

MACCAC supports ongoing efforts to treat victims of human trafficking with trauma specific and trauma sensitive services rather than subjecting them to the criminal justice system, as well as prosecution of offenders who are subjecting these victims to exploitation. MACCAC supports continued education and awareness efforts to eliminate human trafficking.

Re-Entry

MACCAC supports the development and implementation of comprehensive initiatives and expanded transitional housing to assist juvenile and adult offenders' reintegration back into their communities and reduce recidivism and its public costs.



MACPO 2018 LEGISLATIVE PLATFORMS

TIER 1

CPO May Supervise Felons

MACPO supports Section 1. Minnesota Statutes 2014, section 244.19, subdivision 1, is amended to read:

Subdivision 1. Appointment; joint services; state services. (a) If a county or group of counties has established a human services board pursuant to chapter 402, the district court may appoint one or more county probation officers as necessary to perform court services, and the human services board shall appoint persons as necessary to provide correctional services within the authority granted in chapter 402. In all counties of more than 200,000 population, which have not organized pursuant to chapter 402, the district court shall appoint one or more persons of good character to serve as county probation officers during the pleasure of the court. All other counties shall provide adult misdemeanor and juvenile probation services, and may provide adult felon probation services, to district courts in one of the following ways....

FUNDING

Goal: Increase CPO funding

Goal: Streamline funding in combining CPO funding – merging caseload workload funding and 50% reimbursement funding into one-line item.

- Delineate funding for all three delivery systems (DOC, CPO, CCA) into separate line items for each delivery system in the Commissioner of Corrections budget

- * Use actual 50% reimbursement numbers in new delineated line items for CPO in Governor's budget

- * County-based probation systems are in need of additional funding to support basic functions, with policy changes related to pre-trial assessments and supervision have increased caseloads.

- Support legislation study of DOC and CPO funding stream if proposed

DRIVERS LICENSE RESTRICTION REFORM for DWI Offenders

Currently, persons charged with DWI offenders are required to participate in the Interlock Program. Minnesota Department of Public Safety (DPS) works to assist in reinstatement but there are still restrictions on the ability to persons to drive. With the restrictions participants are challenged to fit in work, treatment, and court ordered obligations.

MACPO supports legislation that person that are successfully participating in the Interlock Program be able to drive without restriction.

DPS supports this legislation.

Bail Evaluation Funding

MACPO supports a statewide uniform bail evaluation form as suggested Judicial Bail Evaluation Task Force. Reinstatement reimbursement for bail evaluations at \$25 per evaluation as per MS 629.74 stating "local corrections department or designee shall conduct pretrial bail evaluation. The local corrections department shall be reimbursed \$25 by the Department of Corrections for each evaluation performed."

Mental Health

MACPO supports legislation for the system to provide effective mental health services for juveniles and adults involved in the criminal justice system. Having timely access to community resources. Available services may reduce the warehousing person in jails and prisons. Increase state funding for implementation of full continuum of mental health services available at the local level.

Increase the number of crisis beds and other reforms that promote early intervention and stabilization, to reduced health care and jail

costs for counties and provide better care. Creating forums to work with community partners and state agencies to address the growing population of mentally ill offenders.

Human Trafficking

MACPO supports legislation that addresses the enforcement, prosecution, awareness, education, and elimination of human trafficking. As well as, the funding for victim services to support and improve victims lives.

OFFICER SAFETY

Support any legislation for field services and prison staff to increase safety and security of all staff.

Retirement

MACPO supports a systematic change to give probation officers the opportunity to retire at age 60.

Juvenile Sentencing to Life Without Parole

Goal to eliminate the sentence of life without the possibility of parole for juveniles; sentencing should be revised to life with possibility of parole after serving a minimum, align with adult sentencing guidelines.

Review of the life sentence should be performed by the Commissioner of Corrections and based on relevant factors including background and conduct during imprisonment.

- MACPO fully supports JJAC proposal and further recommends that these statutory changes "shall be applied retroactively to all in individuals currently serving life sentences without parole for the applicable crimes committed when the individual was under the age of eighteen years".

HF 714 – MACPO supports the proposal as proposed.

We support JJAC language:

In 2013 the MN Supreme Court decision, Chambers v. Minnesota, was decided based

Appendix B: MACPO Platform and Initiatives

on the Supreme Court decisions *Miller v. Alabama* and *Jackson v. Hobbs* which had dictated adjustments to each state's procedure for imposing juvenile life without parole. At about the same time JJAC formed a subcommittee to research and arrive at a position that would take into consideration the US Supreme Court decisions. Six months later with the subcommittee working assiduously, JJAC developed its recommendation to the Governor and Legislature regarding the imposition of Life Without Parole sentences on juvenile offenders. Here is the recommendation:

1. Minnesota laws should be amended to eliminate the sentence of life without the possibility of parole for juveniles.
2. For the crimes that currently result in a sentence of life without the possibility of parole, juveniles should instead receive a sentence of life with the possibility of parole after serving a minimum of 20 years.
3. To ensure meaningful review of a life with the possibility of parole sentence, Minnesota law should further provide that "The Commission of Corrections shall review the juvenile's conduct in prison, participation in programming, the juvenile's age at the time of the commission of the crime, the facts of the present offense, the juvenile's prior offenses, educational and family background, the opinion of the victim(s) and any other factors relevant to rehabilitation and make the determination as to whether the juvenile should be paroled."
4. In the interests of fundamental fairness, JJAC further recommends that these statutory changes "shall be applied retroactively to all individuals currently serving life sentences without parole for the applicable crimes committed when the individual was under the age of eighteen years.

Opioids

Fund resources necessary to improve public safety response to the opioid epidemic. Enact legislation that improves the accountability of doctors prescribing medications in that a central/statewide data collection system we be put in place.

TIER 2

Support federal and state financial and program assistance to counties to relieve cost for uncompensated medical

and dental care of adults and youth while in correctional facilities

This includes funding for preventative and ongoing physical and mental health care services in jails and maintenance of Social Security Insurance, Veterans benefits, Medical Assistance, and MinnesotaCare.

EX: when a child incarcerated because of Mental Health, Chemical Dependency/Opiate and or behavior issues for their own and public safety should not be denied access to their medication and or treatment because of this law, policy or rule. The child is experiencing behavior issues that requires the higher level of care/incarceration at that time to reframe the child's release back into the community and when medications have to be denied and treatment withheld because there is no funding can make it harder to get the child returned to the community.

Support Offender Reentry

Transition from incarceration and court sanctions to the community is key to offender success and therefore critical for improving public safety and saving taxpayer money. Policies that support offender education, housing, employment, and mental health services will reduce recidivism.

Support Smart Sentencing and Supervision

- Provide more mental health and chemical dependency treatment options, especially essential for veterans who need services to address issues related to their service in recent conflicts
- Revise Minnesota's drug sentencing laws to remove disparities and ineffective minimums
- Ensures adequate and safe supervision in the community
- Consider revising Sentencing Guidelines to help reduce the prison commits, therefore, reducing prison beds and current overcrowding.

Juvenile Predatory Offender Registration

MACPO supports amending current predatory offender registration laws for juvenile in order to increase public safety while using interventions that decrease recidivism and increase rehabilitation. Reducing lifelong collateral consequences for juveniles.

Courts should be allowed to use legal criteria at any time in the supervision process to determine if a juvenile adjudicated delinquent

for a predatory offense should be registered. Specific criteria should be established.

Courthouse Security Grant Program

Support efforts to create a state funded grant program for courthouse enhancements to allow additional flexibility for counties to use other existing revenue sources for this purpose. With the goal of safety and security of those work within the judicial system and the public's safety.

Supporting Community Supervision as an Alternative to Prison Expansion

Work to support existing community supervision infrastructure and increase the funding that supports county efforts toward community supervision rather than have the state invest those limited corrections resources in new prison facilities.

TIER 3

Supporting Program for Early Release from Prison if judged to be able to live successfully in community without public danger

MACPO supports legislative action to create and fund a release program for inmates in the custody to Commissioner of Corrections to have the ability to release into the community if deemed to be able to live successfully and without public danger. The application for release would be submitted to the commissioner then would be forwarded to a panel of 3 Judges. The release would approved by majority vote. Inmates would be eligible for release application after 60% of sentence.

Supporting Community Supervision as an Alternative to Prison Expansion

Work to support existing community supervision infrastructure and increase the funding that supports county efforts toward community supervision rather than have the state invest those limited corrections resources in new prison facilities.

Voting Rights Restoration

Minnesotans convicted of a felony but live in the community should have the fundamental right to vote. It is a way to increase positive engagement in the community.

11/16/18 approved by Legislative Committee/ Executive Board



MINNESOTA ASSOCIATION OF COUNTY PROBATION OFFICERS 2019 LEGISLATIVE INITIATIVES

The MACPO Legislative Committee developed the following initiatives, which were approved by the MACPO Executive Board

- Increase County Probation Officers funding
- Streamline funding in combining caseload workload funding and 50% reimbursement funding into one-line item
- Delineate funding for all three delivery systems (DOC, CPO, CCA) into separate line items using actual numbers for each delivery system in the Commissioner of Corrections budget
- Restore funding for mandates
- Legislation to amend 244.19 subdivision 1; to allow CPO Agencies the option to supervise felons
- Supports mental health legislation
- Supports revision of sentencing of juveniles without parole statute
- Supports Probation Officer Safety
- Supports State and Federal reform in health care cost for incarcerated adults and juveniles
- Support legislation for retirement options
- Legislation to address enforcement human trafficking

For further information on MACPO's 2019 Legislative Initiatives, please contact:

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11/08/2018

2019 LEGISLATIVE AGENDA



Needs of Adults and Juveniles in the Areas of Mental Health and Substance Abuse

Incarceration is too often serving as a response to needs for mental health services. A particular concern is how military veterans, especially those with service-related mental health diagnoses, interact with the criminal justice system, and the extent to which veterans are diverted from the courts. People with mental health diagnoses often have related substance abuse problems. We need to adequately address the mental health and substance abuse needs of our probationers, the incarcerated population, those on supervised release, and those within our juvenile justice system.

According to the National Center for Mental Health and Juvenile Justice: 60-70% of arrested youth meet the criteria for at least one mental disorder; 60% of them with at least one mental disorder experience a co-occurring substance use disorder; and at least 75% of youth in the juvenile justice system have experienced traumatic victimization. Surveys of juvenile justice professionals indicate that there is a severe shortage of juvenile mental health and substance abuse treatment options in Minnesota.

Support is needed to adequately fund juvenile-specific mental health and substance abuse assessment, treatment, family support, and Trauma Informed Care Training for professionals.

Offender Reentry

Effectively transitioning people from incarceration and supervision to the community is critical to enhancing public safety and saving tax dollars. Policies that support education, housing, employment, and mental health services will reduce recidivism.

The courts should be allowed to use legal criteria at any time during the supervision process to determine if a juvenile adjudicated delinquent for a predatory offense should be required to register. Residency restrictions, which have increased dramatically during the past several years, severely restrict where certain registered predatory offenders may live. These restrictions have shown no positive correlation to reduced recidivism. The research clearly demonstrates that housing instability undermines public safety and complicates community supervision.

Restoring voting rights to those in the community is a reasonable component of reintegration. While it often takes a back seat to the required basic human needs of housing and employment, it is still a vital part of citizenship.

Smart Sentencing and Supervision

Public safety can be enhanced while saving taxpayer money by continuing to revise Minnesota drug sentences to remove disparities and ineffective mandatory minimums; and understanding the collateral consequences of sentencing decisions.

Staffing Levels

Attention to prison staffing and security technology needs is an ongoing issue statewide. Similarly, staffing and support needs in the community must be addressed to include both supervision staffing levels and to reflect the positive effects of community-based intervention, each of which decreases the need for prison expansion.

Juvenile Sentencing to Life without Parole

The U.S. Supreme Court has held that Minnesota's life without the possibility of parole statute for juveniles is unconstitutional.

- Minnesota's juvenile life without parole statute should be revised to life with the possibility of parole after serving a minimum of twenty years, and apply retroactively to the small number of juveniles currently sentenced to life without the possibility of parole.

