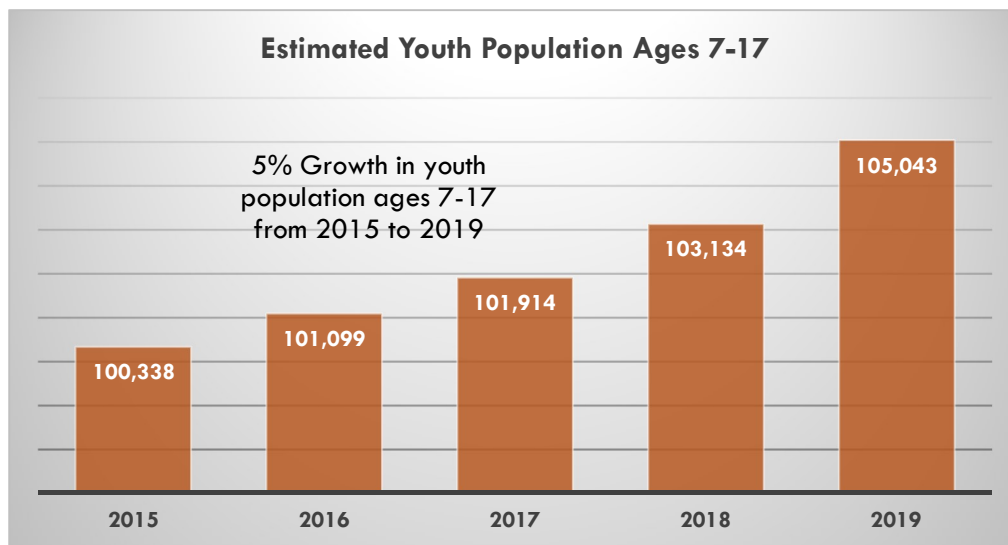


Program Narrative

A. DESCRIPTION OF THE ISSUE

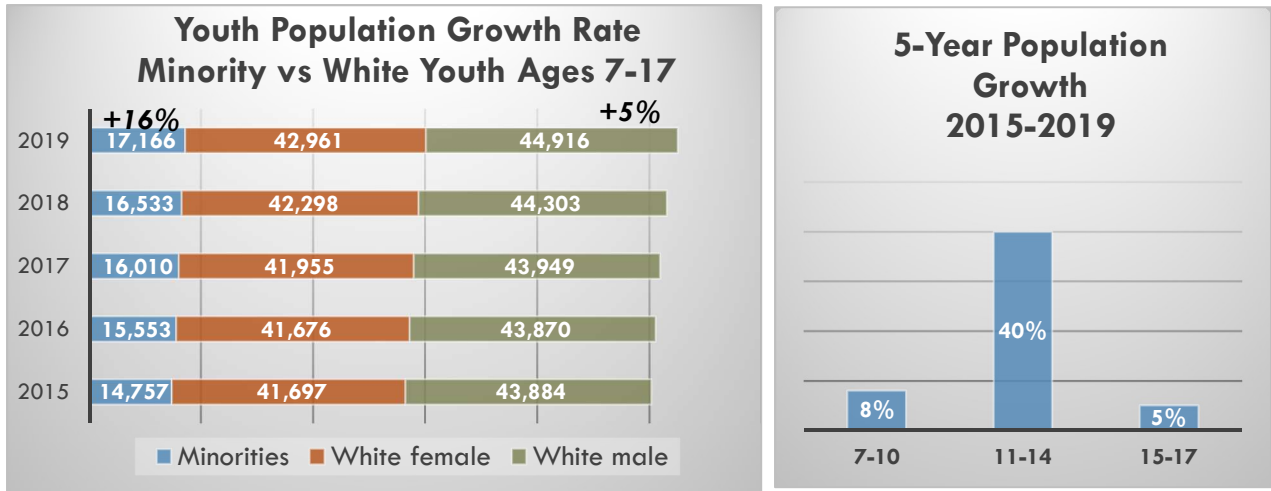
ANALYSIS OF JUVENILE DELINQUENCY PROBLEMS AND NEEDS

The analysis of North Dakota's juvenile crime starts with the state's adolescent population, as any change in youth crime should account for the change in youth population. As shown in the chart below, North Dakota's youth population has continued to grow over the last five years, increasing by 5% per US Census Bureau estimates.

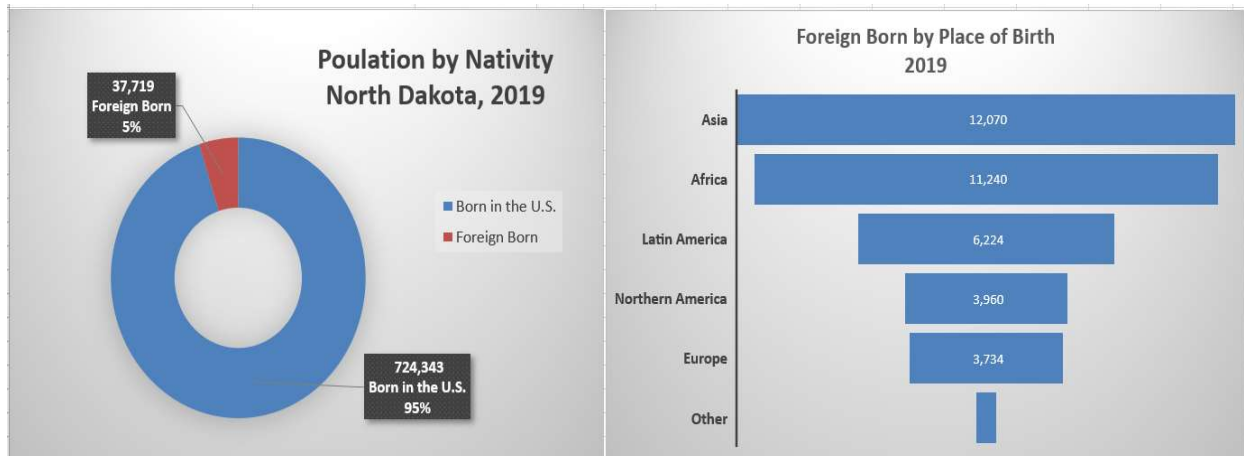


Female youth population ages 7 to 17 grew at a higher rate than male youth, increasing by over 5% from 2015 to 2019, compared to males by less than 4%.

When looking at youth population changes by race and age from 2015 to 2019, the chart below shows a significant increase in minority population at 16% while white youth increased at the same rate as the overall population, at just 5%. The largest increase by age was with the 11-14 age group.

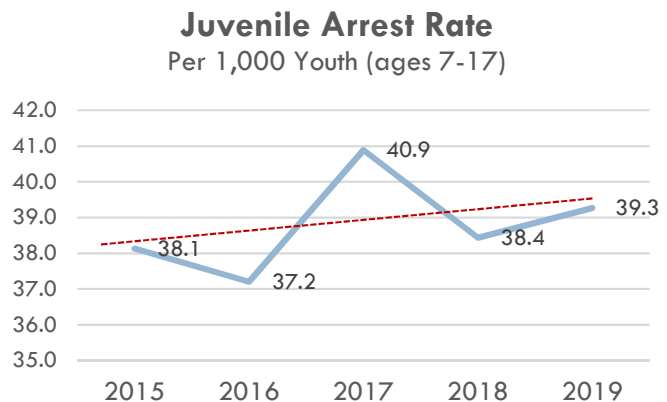


North Dakota has a large new immigrant population not necessarily depicted by the race data. The US Census Bureau estimates that in 2019 there were 37,719 residents that were foreign born, accounting for 5% of the total population, of which 46% are under 18 years old.

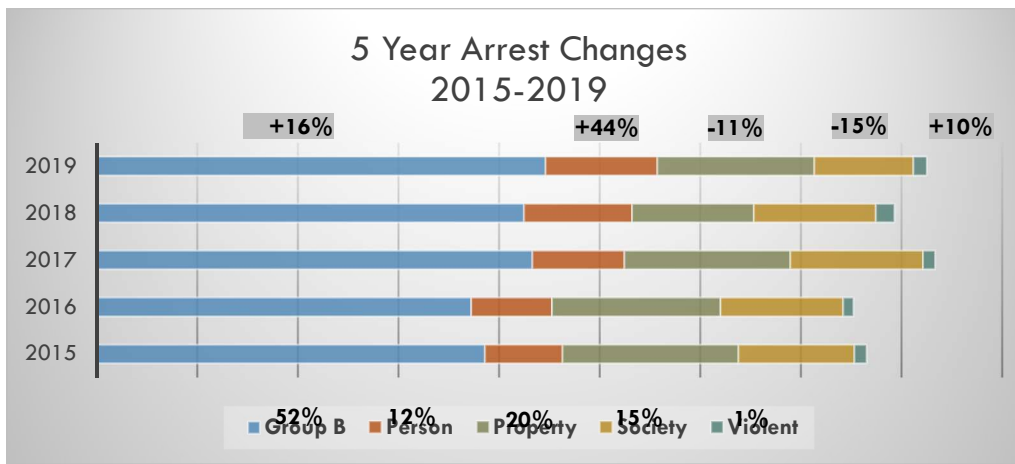


Juvenile Arrests

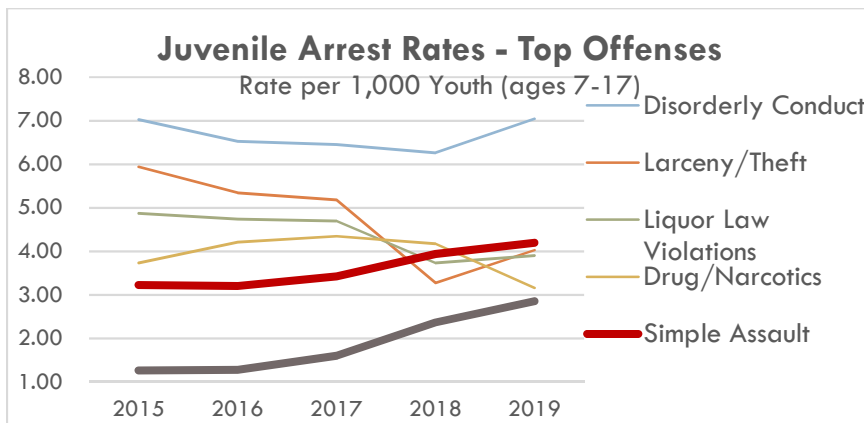
North Dakota’s overall juvenile arrest rate has increased over the most recent five-year period (2015 to 2019), from a rate of 38.1 per 1,000 youth ages 7-17 in 2015 to a rate of 39.3 in 2019.



The chart below compares arrest numbers by type for youth ages 7-17 over the five-year period. The percentage at the top shows the change in offense type over the time period, whereas the percentage at the bottom shows the average proportion of that type to the total for the time period. All offense types increased in number over the 5-years. Of concern is the large increase in numbers seen with Person offenses, with a 44% increase from 2015 to 2019. The majority was attributable to a rise in simple assaults. Group B offenses (primary disorderly conduct and status offenses) and Society offenses (primarily drug violations) also increased. Group B offenses continue to be the largest offense type, attributing to over 50% of the juvenile arrests.

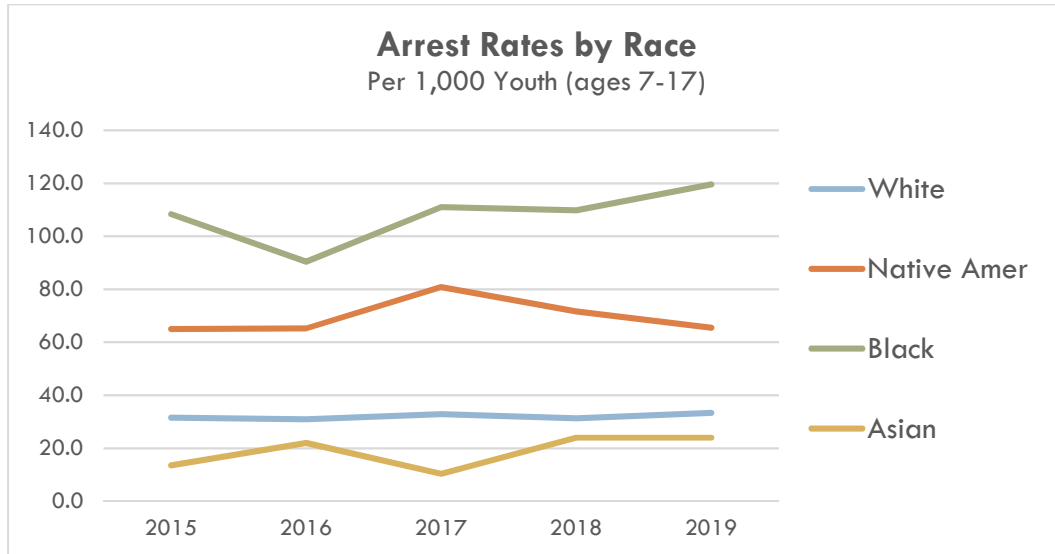


It is important to look at the arrests by rate to get an accurate depiction of the change. The chart below shows the trend in juvenile arrest rates. Those offenses with an increase in rate are bolded. Simple assault and family offenses have increased over the time period. Disorderly

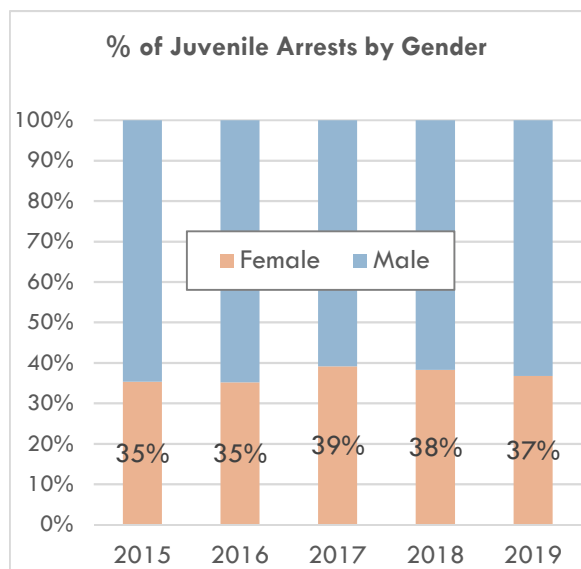
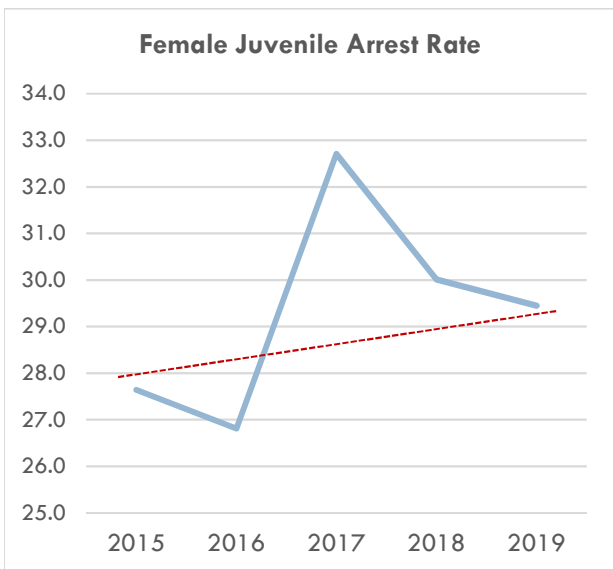


conduct remains the largest number and rate. Violent offenses remain low, with an average of 65 a year and only 1% of total arrests.

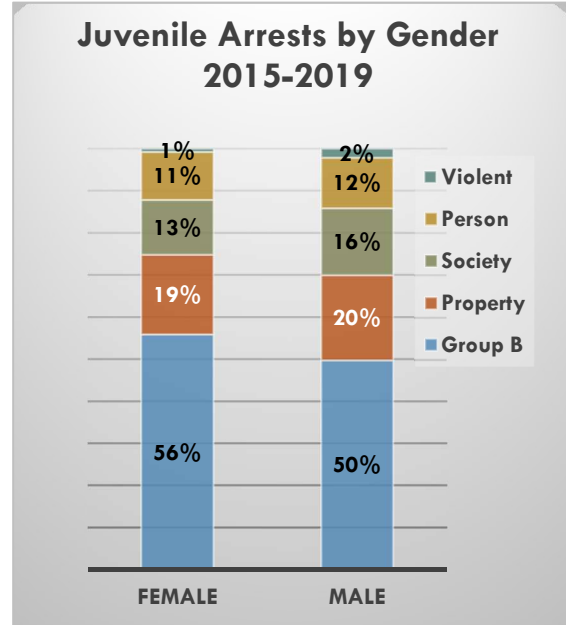
The chart below shows juvenile arrest rates by race over the 5-year period. Black and Native American youth have the highest rates and significantly higher than white. As more fully discussed in the RED plan, the largest number of arrests of Black youth are in Cass County and of American Indian youth are in Burleigh County.



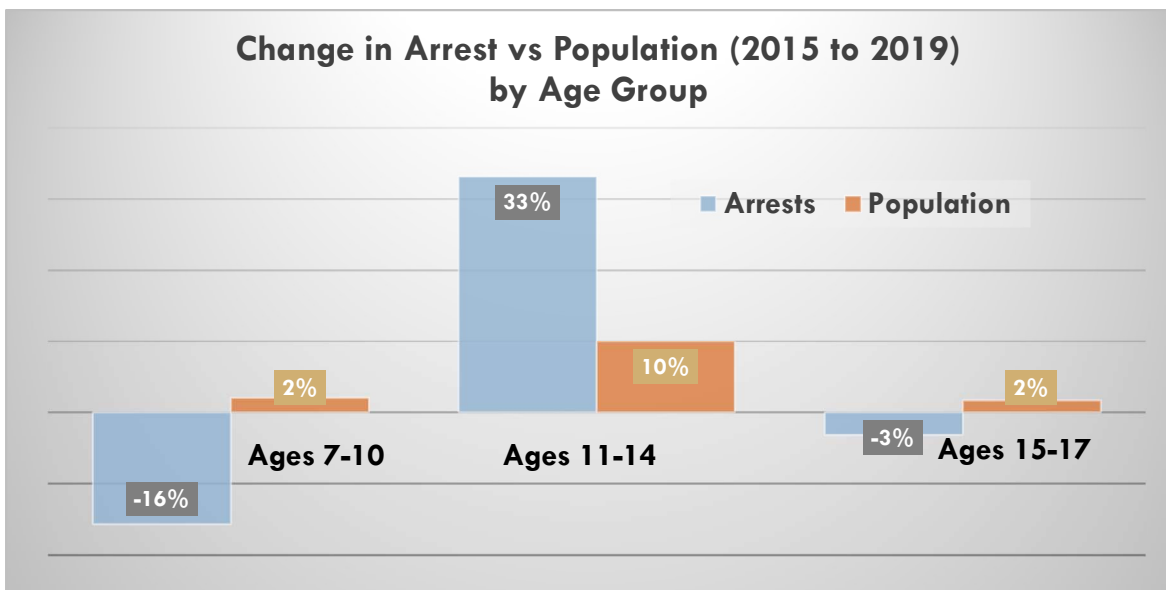
Arrest rates for males have increased only slightly from 48.1 to 48.7 per 1,000 youth; however, as depicted below, female arrest rates have increased from 27.6 in 2015 to 29.4 in 2019. Females make up 37% of all juvenile arrests on average, much higher than the national average of 30%.



The chart to the right is the type of juvenile arrests by gender for 2015-2019. A larger percentage of female arrests are for Group B offenses, primarily liquor law violations and disorderly conduct. Males tend to commit a higher percentage of delinquent offenses compared to females, particularly drug related offenses. However, arrests in the Property and Person categories were very similar for males and females.



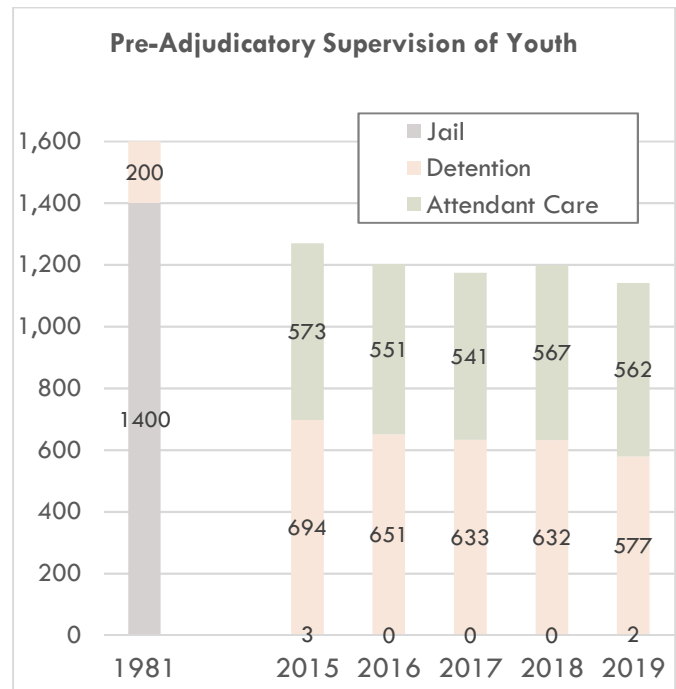
In looking at arrests by age, all age groups experienced a decrease in arrests except the 11-14 age group. The chart below compares the change in arrest numbers to the change in population from 2015 to 2019. Arrests in the Ages 11-14 group increased by 33% during the five-year period while the population for that same age group only increased by 10%. Thus, while the arrest rate for the 7-10 and 15-17 age groups decreased, the rate for 11-14 year olds increased.



Pre-Adjudicatory Supervision Data

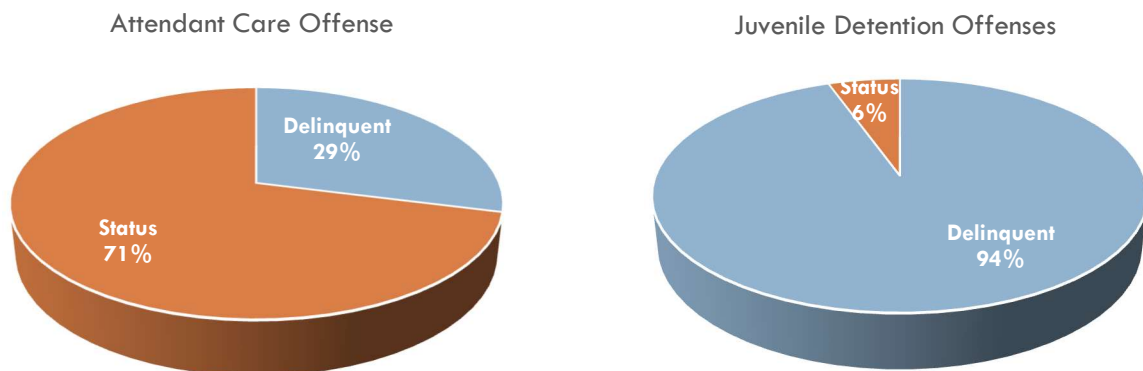
The majority of juveniles cited are released, but some require supervision on a pre-adjudicatory basis awaiting release to a parent/guardian or a court hearing. Over half are placed in non-secure “Attendant Care”. Few, if any, are ever held in adult jail, and only due to false information or

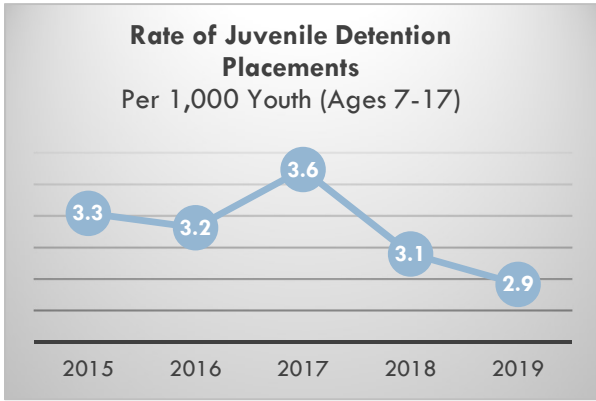
situations in rural areas. The chart contrasts the current pre-adjudicatory supervision with that from 1981 when, prior to the development of non-secure alternatives, the majority of youth were held in adult jail facilities. Attendant Care has been instrumental in changing the way youth are held on a pre-adjudicatory basis, bring the state into alignment with best practice and JJDP Act standards.



Attendant Care is primarily used for status offending youth and whereas juvenile detention is primarily used for more serious delinquent offenders. Very few status offenders are taken to detention, and usually only due to concern of the youth absconding or the Interstate Compact.

Approximately 50% of the youth in Attendant Care and 34% in detention are female.

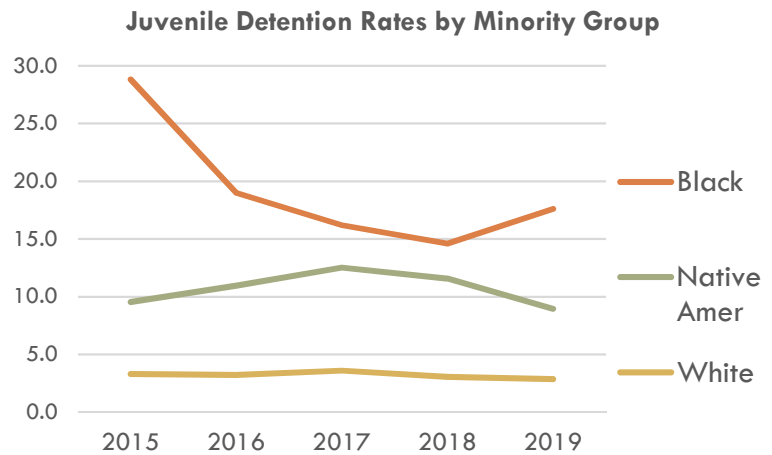




As indicated by the chart to the left, the rate of detention has declined over the 5-year period. However, there are still a significant number of low level offenders being held in secure detention. Based on 2019 detention screening tool data, 40% of the youth held in

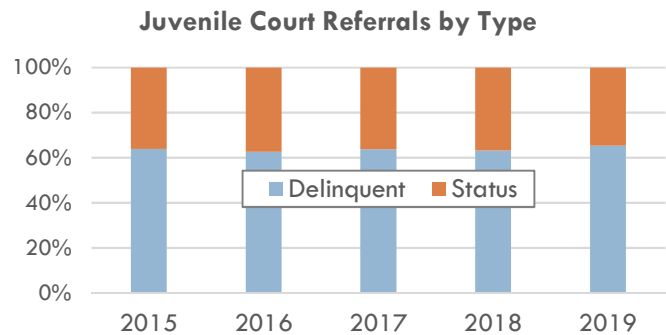
detention scored lower than the indicated need to detain. According to the Census of Juveniles in Residential Placement, North Dakota ranks 34th in the nation for juvenile justice system youth in detention, correctional and/or

residential facilities. In addition, based on the chart below, minority youth are being detained at rates much higher than with youth. Community-based alternatives need to be explored.



Juvenile Court Data

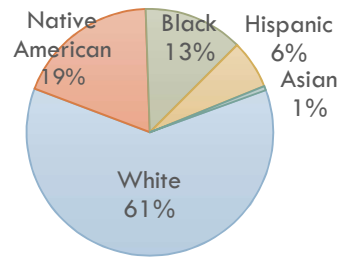
All citations issued by law enforcement are referred to juvenile court. 65% of the referrals are for delinquent offense and that percentage has remained the same over the last five years. The majority of status



offenders are for either running away, minor in possession/consumption, or truancy. The majority of delinquent offenders are for disorderly conduct, larceny/theft, drug violations or simple assault.

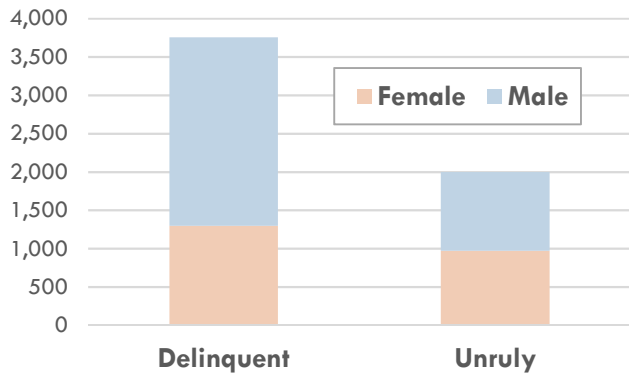
Juvenile court referrals by race and ethnicity show that the minority groups with the highest percentage of referrals are Native American and Black, consistent with the arrest data and RED data analysis.

Referrals by Race

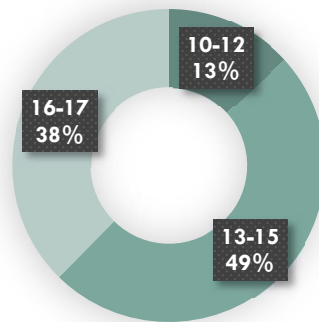


Females make up 35% of the delinquent referrals and almost 50% of the unruly referrals. In looking at referrals by age, the largest percentage of referrals come from the 13-15 age group.

Referral Type by Gender

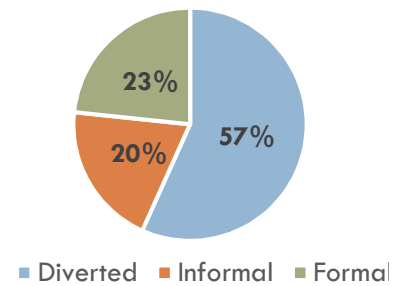


Primary Referrals by Age



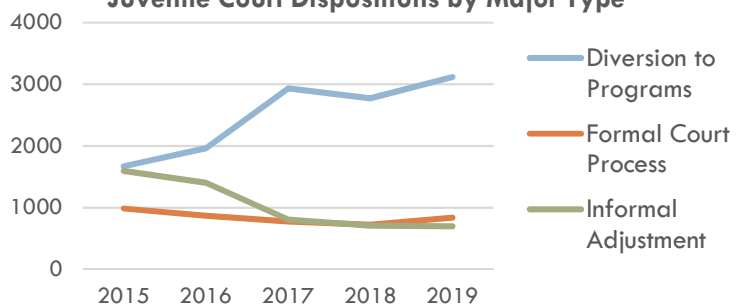
Juvenile court referrals are disposed of either through: 1) diversion; 2) informal adjustment; or 3) formal adjudication. The majority of cases are diverted, either through straight diversion to programs or through the informal process in which there is no formal petition filed. Less than 25% of the cases were formally adjudicated.

Juvenile Court Dispositions
5-Year Avg 2015-2019

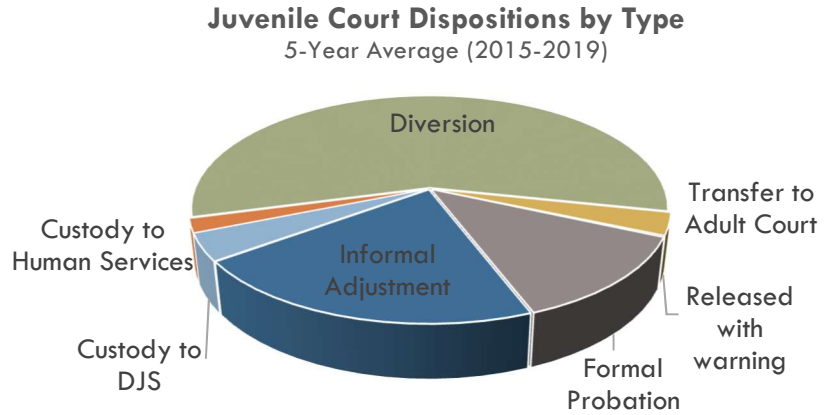


The chart to the right shows juvenile court dispositions by type over time. As depicted, a greater number of youth are being diverted to programs.

Juvenile Court Dispositions by Major Type

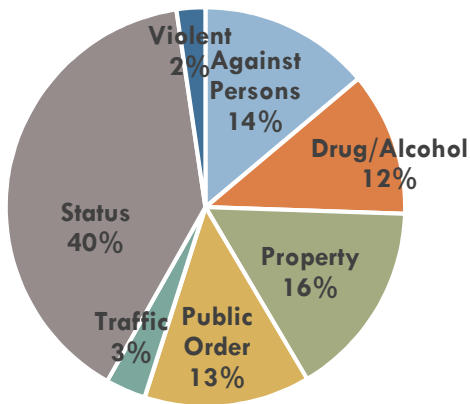


A further breakdown of dispositions by type is detailed in the chart to the right. Very few youth are transferred to adult court.



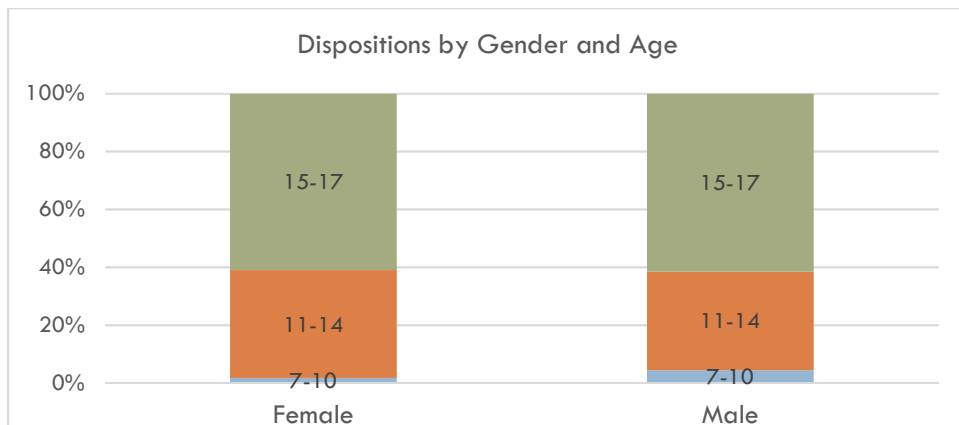
Juvenile Court Case Types

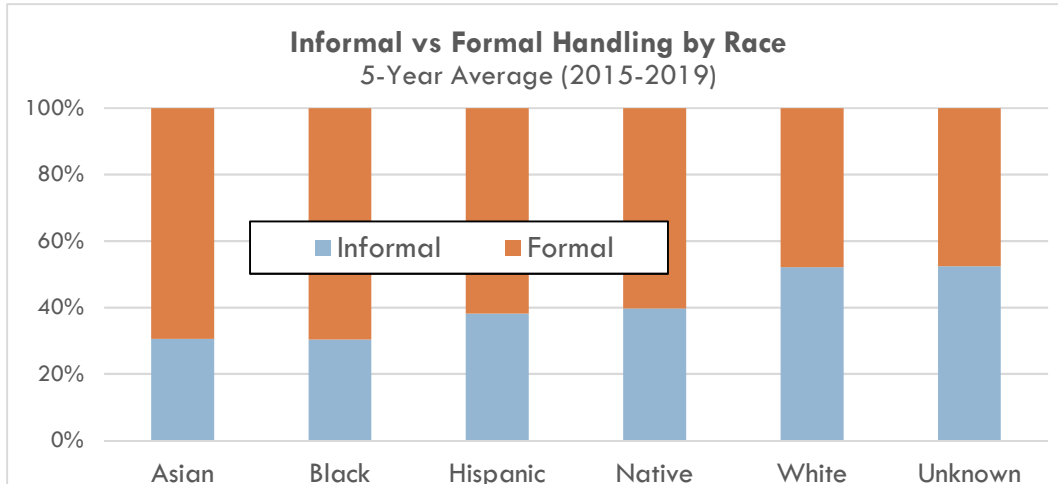
3-Year Average 2017-2019



The chart to the left shows a breakdown of the juvenile court caseload by offense type for the latest three-year period. A significant portion of the cases were for status offenses which explains the high usage of diversion. There were very few violent offense referrals.

On average females make up 38% of juvenile court dispositions and males 62%. When looking specifically at gender and age, in the chart below, there doesn't appear to be much difference in involvement by age between male and female.





A majority of cases are diverted, either with a letter or referral to services, or through informal probation. If the case is petitioned, the juvenile may receive formal probation or be committed to the custody of the juvenile corrections agency, the Division of Juvenile Services.

Mental Health Services and Services in Rural Areas

North Dakota has eight regional human service centers that provide community-based services to youth and families in need. Each human service center serves a designated multi-county area (including rural areas), providing counseling and mental health services, substance abuse treatment, and other services for youth. Mental health services, as well as other prevention and treatment services are detailed in the Plan Requirements section.

Other Social and Economic Conditions

In looking more specifically at the social and economic climate in the state, there are certain data domains to be noted that may have an impact on juvenile delinquency, including economic well-being, family and community, education, and health. North Dakota currently ranks 1st in economic well-being based on the composite index from Kids Count in four of the last five years including 2019; however, there were still 21% of children whose parents lacked secure

employment. The state ranks 31st in **education** based on the composite index. Particularly concerning is the increasing percentage of fourth grade public school students that are below a basic reading level and eighth graders who are not proficient in math. Research shows that children who reach fourth grade without being able to read proficiently are more likely to drop out of high school, and children who lack proficiency in math will more likely not achieve a post-secondary certificate or degree. North Dakota ranks 23rd in **health** based on the composite index from the Kids Count Data. The state had fewer low birth weight babies (7%) than the national index (8.3%) and lower than the nation in both children without health insurance and child and teen deaths per 100,000. In terms of **family and community**, North Dakota ranks 7th on the composite index. The percentage of children living in single-parent families is well below the national average and the percent of children living in high poverty areas (5%) is lower than nationally (9%).

B. PROJECT GOALS AND OBJECTIVES

1. **Goal: Reduce incarceration and institutionalization through access to community-based alternatives (Program Area A)**

Objective 1 – Reduce the use of secure detention for juvenile offenders;

Objective 2 – Reduce the rate of deinstitutionalization of status offenders;

Objective 3 – Reduce the disproportionate confinement of minority youth in detention;

Objective 4 – Reduce the rate of out-of-home placement;

Objective 5 – Increase the use and accurate scoring of the detention screening tool;

The SAG supports community-based alternatives to incarceration and institutionalization as priority area 1, both financially, working in collaboration with local government on non-secure alternatives, and through technical assistance, as needed, to strengthen community-based services. As indicated by the crime analysis, secure detention continues to be used for

over half of offenders on a pre-adjudication basis and approximately 40% of youth in detention aren't screening high on the detention screening tool. In addition, North Dakota's out-of-home placement rate ranks 34th in the nation. Pursuant to recently passed state legislation, a planning committee for alternatives to detention will be established to increase community-based alternatives to juvenile detention. It is the intent that detention be limited to those who pose a substantial risk of serious harm to others or themselves, or who are a flight risk from prosecution. A separate planning committee is being established to develop a service continuum designed to safely maintain youth under system supervision in the community is being established, in order to prevent out-of-home placement. The Council of State Governments Justice Center will provide technical assistance to both committees.

A significant number of youth picked up by law enforcement have numerous precipitating issues, and often present with parent-child conflict and anger. If the youth return home without some sort of intervention, the underlying issues continue to manifest themselves with repeated instances of acting out behavior and future citations. Thus, providing screening and assessment, crisis intervention, diversion, counseling, and/or family reunification services in combination with shelter services could reduce the at-risk behavior and help minimize the need for future placements into detention, foster care, or juvenile corrections.

2. Goal: Reduce the number of youth, particularly minority youth, that are involved in the juvenile justice system through positive youth development opportunities (Program Area L)

- Objective 1 – Increase youth's sense of belonging and membership through developmentally-appropriate activities through safe peer group interactions;
- Objective 2 – Increase youth's sense of self-worth and social contribution
- Objective 3 – Increase youth's sense of independence and control over one's life;
- Objective 4 – Increase youth's sense of closeness in interpersonal relationships.

Funding will be provided via the request for proposal process to address the established goal and objectives aimed at positive youth development and a greater connection to and engagement with the community, particularly for minority youth. As indicated by the crime analysis, a good portion of the youth with contact with the juvenile justice system are low level offenders. In addition, the adolescent population has been growing, particularly ages 11-14. This indicates the need for additional prevention and intervention services that would engage youth within their family and community in a manner that is productive and promotes positive outcomes. Services to be funded would provide mentoring opportunities that build supportive relationships with at-risk youth and families, create leadership roles for youth that will have a positive impact on them and their community, and provide opportunities for skill-building. The services would need to show coordination and collaboration with schools and community partners and support cultural and socio-economic differences.

3. Goal: Decrease the # of girls involved in the juvenile justice system (Program Area V).

Objective 1 – Reduce the rate of arrest for girls;

Objective 2 – Reduce the disproportionate number of minority girls in the system;

Objective 3 – Reduce girl's incarceration and placement.

Funding is allocated for reform efforts for girls, particularly minority girls due to their disproportionality in the juvenile justice system. A recent study by the Vera Institute of Justice showed girls in North Dakota, especially minority, are involved in the juvenile justice system at a rate than nationally and the rate has increased over the last five years. Vera's recommendations will be implemented to the extent practicable. The recommendations included decriminalizing status offense behaviors, confining girls only for public safety, and providing gender-responsive approaches as part of early diversion programs.

C. PROJECT DESIGN AND IMPLEMENTATION

Detailed below are the goals that have been established for the use of Title II Formula funds, as reiterated from above, followed by the activities and services to be provided over the three-year planning period to accomplish the objectives and progress toward the goal.

1. Increase Community-based Alternatives to Incarceration and Institutionalization

Funding will be made available to assist local government, including tribal governments, in operating community-based non-secure “holdover” sites for unruly and delinquent juveniles who have been picked up by law enforcement and need short-term supervision on a pre-adjudicatory basis. JJDP Act funds will be made available to any county or tribe in the state (or private agency authorized by the county or tribe), including those in rural areas.

Other community-based services such as assessment, crisis intervention, and family reunification will be explored to address the issues that may have precipitated the placement. Development of those services in other areas, including the more rural areas of the state and those that service a larger number of minority youth, will be encouraged and supported to the extent possible.

An Alternatives to Detention planning committee will be established pursuant to ND House Bill 1427 to develop additional community-based alternatives to incarceration based on the principle of least restrictive and returning youth to their family or other responsible adult when possible.

Additional service options for youth who are not able to return home will be explored. The committee will also explore the use and validation of the detention screening tool.

An online database application will be maintained for the collection of data on juveniles held whether secure or non-secure. This data will be used to measure the accomplishment of the established objectives.

2. Goal: Reduce the number of youth, particularly minority youth, that are involved in the juvenile justice system through positive youth development opportunities

Funding will be provided via a request for proposal process for programs and services that create positive youth development opportunities, and thus a greater connection to and engagement with the community, with the greatest emphasis on minority youth. Services to be funded would provide mentoring opportunities that build supportive relationships with at-risk youth and families, create leadership roles for youth that will have a positive impact on them and their community, provide opportunities for skill-building, and/or increase trust among minority youth and families. Programs and services funded will be required to provide measurement of the established objectives for this goal.

Goal: Decrease the number of girls involved in the juvenile justice system

Funding will be used to address gaps in meeting the needs of girls in order to impact their involvement with the juvenile justice system, particularly minority girls. North Dakota was selected by the Vera Institute of Justice (Vera) to receive technical assistance as part of their Initiative to End Girls' Incarceration. Vera offered recommendations to address gaps that will be implemented to the extent practicable, including decriminalizing status offense behaviors, confining girls only for public safety, and developing an effective continuum of gender-responsive programming that include the most promising elements in programming for girls (relational, restorative, socio-culturally anchored, individualized, multi-level, community-based and strengths-based). While some efforts will require policy and practice changes others will require funding. Formula grant funding will be provided via a request for proposal process for gender-responsive programming, with a particular emphasis on minority girls. Services funded will be required to provide measurement of the established objectives for this goal.

Plan Requirements:

PLAN SUPPORTED BY SCIENTIFIC KNOWLEDGE REGARDING ADOLESCENT DEVELOPMENT

North Dakota's state plan recognizes that a juvenile justice system centered on a development approach will respond to offending behavior by providing services that: 1) have youth focus on repairing the social injury and taking responsibility for their actions; 2) offer a diverse array of activities for normal growth; and 3) are delivered in environments that are appropriate to the ages of the youth involved. It is with those principles in mind that the goals for the North Dakota's Three-Year Plan were developed. All of the JJDP Act funding is allocated by North Dakota's Juvenile Justice State Advisory Group under the established goals, and all of the programs and services to be funded should be centered on a development approach based on the principles listed above. In addition, the majority of funding will be allocated via a request for proposal process that prioritizes evidenced-based programs that would support a developmental approach.

EQUITABLE DISTRIBUTION OF AWARDS FUNDS WITHIN THE STATE

JJDP Act funding allocated for alternatives to detention is available to any city, county or tribe that would like to provide services, and statewide guidelines have been established about the services to be covered, thus providing for an equitable process in the distribution of those funds. The remaining funds are distributed via a request for proposal process, with specific criteria that is based on the quality of the application and the effectiveness of the services to be provided.

GENDER-SPECIFIC SERVICES FOR THE PREVENTION/TREATMENT OF DELINQUENCY

An analysis of gender-specific involvement in North Dakota's juvenile justice system completed by the Vera Institute of Justice in January 2021 showed that when compared to national statistics, girls in North Dakota experience higher rates of arrest and detention. Minority girls, particularly

Native American and Black girls, were disproportionately represented across all system points. While some gender-specific services are being provided throughout the state by different agencies, as detailed below, community-based services for girls are limited and thus, **services for the prevention and treatment of girl's delinquency will be a priority of JJDP Act funding.**

The Juvenile Court provides cognitive restructuring groups that are gender-specific. Topics cover decision-making, social skills, conflict resolution, and relationships. The girls group is designed to promote self-esteem, assertiveness, and self-awareness.

Regional human service centers, the Juvenile Court, and the DJS operate a SPARCS for girls. This group intervention is designed to address the needs of traumatized adolescents who may be living with ongoing stress and experiencing problems. These areas include difficulties with affect regulation and impulsivity, self-perception, relationships, somatization, dissociation, numbing and avoidance, and struggles with their own purpose.

The DJS also provides a program titled "Girl's Circle". Girl's Circle is a model of structured support groups for girls designed to foster self-esteem, help girls maintain authentic connection with peers and adult women in their community, counter trends toward self-doubt, and allow for genuine self-expression through verbal sharing and creative activity.

PROVIDING SERVICES FOR THE PREVENTION/TREATMENT OF DELINQUENCY IN RURAL AREAS

Since North Dakota is predominantly a rural state, a good portion of the programs and services to be supported by the SAG are for the prevention and treatment of delinquency in rural areas, including six of the nine Attendant Care sites supported as an alternative to detention. As detailed in the data analysis section, eight regional human service centers serve designated multi-county areas, providing counseling and mental health services, substance abuse treatment, and other

services for youth. In addition, with technical assistance from the Council of State Governments Justice Center, through an OJJDP juvenile justice system improvement grant, North Dakota will be exploring juvenile justice system enhancement strategies over the next two years with a particular focus on strengthening evidence-based service delivery in rural communities.

ALTERNATIVES TO DETENTION FOR STATUS OFFENDERS/COMMERCIAL SEXUAL EXPLOITATION

Alternatives to detention are provided through non-secure holdover programs, referred to as “Attendant Care”, and are available to status offenders as well as low-level delinquents. There are nine Attendant Care sites, one in each region of the state. Many of the Attendant Care sites also offer shelter services for non-offenders through contracts with county social services and/or regional human service centers. For survivors of commercial sexual exploitation there is a Human Trafficking Housing Continuum program, which funds short term stays in shelter care or host homes. Case managers ensure that survivors receive the support they need, including shelter, food, and access to medical, emotional and legal support, on a 24-hour basis.

In addition, pursuant to a bill (House Bill 1427) passed recently by the North Dakota legislature, a planning committee will be established by 8/15/21 to develop additional alternatives to juvenile detention. Community-based alternatives will be based on the least-restrictive setting and returning a child to a responsible adult whenever possible. Detention is to be limited to those youth who pose a substantial risk or who are a flight risk from prosecution.

REDUCE THE NUMBER OF CHILDREN HOUSED IN SECURE DETENTION AND CORRECTIONS FACILITIES WHO ARE AWAITING PLACEMENT IN RESIDENTIAL TREATMENT PROGRAMS

Because North Dakota’s residential facilities are only at about 50% capacity, youth are not staying at the state’s correctional facility or in detention facilities to await placement in residential treatment programs. Since 10/1/19, North Dakota has contracted with a third party to

screen youth for placements in residential treatment facilities using the Child and Adolescent Needs and Strengths assessment instrument. This assessment has been developed to support decision-making relative to the level of care needed, strengths-based service planning, and allow for the monitoring of outcomes and services.

ENGAGE FAMILY MEMBERS IN THE DELIVERY OF DELINQUENCY PREVENTION AND TREATMENT

North Dakota has a family centered engagement strategy at the front end of the system that is accessible statewide. It is designed to create participatory and inclusive processes to improve outcomes for children involved in both the child welfare and juvenile justice systems.

Parent and family resource centers are also available to provide evidence-based parent support and education to create healthy relationships with their children.

Intensive in-home therapy services are provided to families who are at risk of one or more children being placed in out-of-home care with intensive in-home crisis intervention, family education, and therapy. Intensive in-home family therapy can also be provided to support and sustain reunification following an out-of-home placement.

With specific regard to post-placement family engagement, the youth corrections agency (the only juvenile justice agency that can place youth out of their home) has a “family engagement specialist” position that works to connect youth and families during and after placement. A period of assessment occurs immediately following commitment and once completed, a full staffing is convened and a case plan is developed. The parents are part of the staffing, and learn the results of any assessment or screening and participate in case plan development. When a youth is returning home following a period of placement, the case manager, the parents and the youth develop a community placement agreement, which outlines the expectations.

COMMUNITY-BASED SERVICES TO RESPOND TO AT-RISK YOUTH OR YOUTH IN CONTACT

North Dakota's community-based services are offered by both public and private providers.

There are eight regional human service centers that provide community-based services to youth and families. Each human service center serves a designated multi-county area, providing counseling and mental health services, substance abuse treatment, and other services for youth.

There are also private youth-serving agencies that offer a wide variety of community-based services for at-risk youth, aimed specifically at diverting youth from the juvenile justice system and avoiding out-of-home placement. Diversion services provide early intervention to youth that have had contact with the system. Services include assessment, counseling, case management, crisis intervention, mentoring, anger management, academic assistance and independent living.

The state has implemented a front-end engagement strategy known as Family Centered Engagement, which is designed to create participatory and inclusive processes that bring together those with relationships to the children and those who are service providers to improve outcomes for youth involved in both the child welfare and juvenile justice systems.

The state has also been funding several community-based services with a therapeutic approach to prevent further involvement in the system and enable youth to stay in their home community and avoid out-of-home placement. Intensive In-Home Services uses high quality professionals to provide family-based services that strengthen the family. Day Treatment Programming provides school-based treatment for students at-risk of out-of-home placement or more restrictive placement because of their behaviors. The program provides assessment, counseling, anger management, social skills training, behavior management, and academic remediation.

In addition, eight public community health clinics and four satellite clinics provide behavioral health services for youth. Crisis services, including telehealth crisis assessment and psychotherapy, in-person and tele-psychiatry services, including specialized adolescent psychiatrists, and medication/psychiatry services are provided. Specialized Multi-systemic Therapy Services are also provided to youth and families within the state's largest region.

PROMOTE EVIDENCED-BASED AND TRAUMA-INFORMED PRACTICES

When determining subgrant awards, the North Dakota's Juvenile Justice State Advisory Group (SAG) uses evaluation criteria that includes points for applications that include evidenced-based practices, and have shown through controlled research to result in improved outcomes across multiple research groups. Also, if the Designated State Agency procures a service they include terms so that trauma-informed or evidence-based practices will be weighted heavier and judged accordingly. In addition, the North Dakota Department of Human Services adopted trauma-informed care as a core and all team members working in behavioral health to be trained in trauma-informed practices. The department has also provided funding for juvenile court, the juvenile corrections agency, and social services to be trained in trauma screening.

ELIMINATE THE USE OF RESTRAINTS OF KNOWN PREGNANT JUVENILES HOUSED IN SECURE DETENTION AND CORRECTION FACILITIES

The North Dakota's Division of Juvenile Services, which oversees the operation of the North Dakota Youth Correctional Center (the state's only correctional facility), as well as the operation of a regional detention center, has a policy that prohibits the use of restraints of any kind on female juveniles who are pregnant. Of the other two juvenile detention facilities in the state, one has a policy that restraints on pregnant juveniles will only be used if necessary for safety and security and the other has a policy that only soft restraints will be used for known pregnant

juveniles. The North Dakota Department of Corrections, which oversees the operation of detention facilities and administers North Dakota’s Juvenile Detention Rules, is recommending new policies for the detention facilities that restraints will not be used on pregnant juveniles.

UTILIZATION OF EVIDENCED-BASED AND PROMISING JUVENILE DELINQUENCY PROGRAMS, PROGRAMS OPERATED BY PUBLIC/PRIVATE ORGANIZATIONS

The North Dakota Department of Human Services has had their Federal Title IV-E plan approved. The IV-E plan outlines a number of evidence-based programs. CFS has granted money to the juvenile corrections agency train their family therapy staff in Brief Strategic Family Therapy, an evidence-based model of intensive in-home therapy. Staff will begin delivering the service on July 1, 2021. When there is room available the additional spots will be offered to other youth-serving agencies, including human services, juvenile court, schools or anyone who makes a referral through the CFS “portal”. Cognitive Based Interventions for Substance Abuse, an evidence-informed model of substance abuse intervention is also provided. Day treatment programs, a partnership program with schools, are shifting to a standardized use of Collaborative and Proactive Solutions, an evidence-based and trauma-responsive approach.

Evidenced –based programs are also provided at the Youth Correctional Center. The substance use disorder intervention is CBI-SA. The Phoenix New Freedom curriculum, a cognitive-based intervention that is designated as “promising” has been implemented. Girl’s Circle and Boy’s Council are also being used and are evidence-based. The facility measures and monitors all activities with Performance-based Standards, a system of continuous quality improvement.

PROCEDURES FOR PROTECTING THE RIGHTS OF RECIPIENTS OF SERVICES AND FOR ASSURING APPROPRIATE PRIVACY WITH REGARD TO RECORDS

Pursuant to North Dakota statute, all files and records of the juvenile court, whether in the office of the clerk of district court or juvenile court, are closed to the public and only open to inspection

by judges and court staff, parties involved in the proceeding, and public agencies providing supervision or needing background checks in certain circumstances.

A SYSTEM TO ENSURE THAT IF A JUVENILE IS BEFORE A COURT IN THE JUVENILE JUSTICE SYSTEM, PUBLIC CHILD WELFARE RECORDS (INCLUDING CHILD PROTECTIVE SERVICES RECORDS) RELATING TO SUCH JUVENILE THAT ARE ON FILE IN THE GEOGRAPHICAL AREA UNDER THE JURISDICTION OF SUCH COURT WILL BE MADE KNOWN TO SUCH COURT

The North Dakota Juvenile Court has exclusive jurisdiction over proceedings in which a child is alleged to be a delinquent, Child in Need of Services (CHIN) or a Child in Need of Protection (CHIP). State law (section 50-25.1-05.2) requires that the child protective services team report all “services required” findings to the North Dakota Juvenile Court. Section 50-25.1-11 makes abuse and neglect records available to the court. Child welfare data is entered into the juvenile court’s database and included as part of a child’s record. Thus, juvenile court records, whether related to the juvenile justice or child welfare systems, are in a combined file, and child welfare record information is made known to the court in any geographical area in the state if/when that child is before the court on a juvenile justice matter. State law requires that all evidence be presented at disposition, allowing child protection services reports/services to be part of a delinquency proceeding or vice versa. This information is also included as part of the court history information that is provided to custodial agencies to be made of a youth’s treatment plan.

PROVIDE THAT THE DSA WILL: (A) GIVE PRIORITY IN FUNDING TO PROGRAMS AND ACTIVITIES THAT ARE BASED ON RIGOROUS, SYSTEMATIC, AND OBJECTIVE RESEARCH THAT IS SCIENTIFICALLY BASED; AND (B) NOT LESS THAN ANNUALLY, REVIEW ITS PLAN AND SUBMIT TO THE ADMINSTRATOR AN ANALYSIS AND EVALUATION OF THE EFFECTIVENESS OF THE PROGRAMS AND ACTIVITIES

The designation of the Division of Juvenile Services (DJS) as the agency responsible for the three-year plan was established per Executive Order 1989-7 signed by Governor George Sinner on July 7, 1989. The DJS is the designated state agency responsible for preparation and

administration of the three-year plan. North Dakota's SAG participates in the development and review of the state's juvenile justice plan and, to the extent practicable, gives priority in funding to programs and services that are based on rigorous, systematic, and objective research that is scientifically-based. The SAG has no more than 30 days to review and comment on all juvenile justice and delinquency prevention grant applications submitted to DJS. The SAG contacts and seeks regular input from juveniles currently under the jurisdiction of the juvenile justice system. Data and information on the effectiveness of programs and services funded under the plan is provided to the Administrator at least annually as well as modifications to the plan, if necessary. The SAG submits recommendations to the governor and the state's legislative body regarding the state's compliance with paragraphs (11), (12), and (13) of the JJDPa at least annually.

North Dakota complies with the core requirements of the JJDPa. Documentation of compliance with the Deinstitutionalization of Status Offenders (DSO) core requirements can be found on pages 2-3 of North Dakota's compliance monitoring manual and the information submitted in the DSO section of the Compliance Monitoring Tool (CMT). In determining compliance with the DSO core requirement, North Dakota does not use the Valid Court Order (VCO) exception. Documentation of compliance with the Separation core requirement can be found on pages 5-8 of North Dakota's compliance monitoring manual and the information submitted in the Separation section of the CMT. Documentation of compliance with the Jail Removal core requirement can be found on pages 9-11 of North Dakota's compliance monitoring manual and the information submitted in the Jail Removal section of the CMT.

North Dakota complies with the requirement to provide for an effective system of monitoring jails, lock-ups, detention facilities, and correctional facilities to ensure that the JJDPa core

requirements are met, and provides annual reporting of the results of such monitoring to the Administrator of OJJDP. Documentation in this regard can be found on pages 12-28 of North Dakota's compliance monitoring manual.

PROVIDE FOR THE COORDINATED USE OF FUNDS PROVIDED UNDER THE AWARD WITH OTHER FEDERAL AND STATE FUNDS

DJS as the designated state agency and the SAG work together to ensure that JJDP Act funds are coordinated with other state and federal funds being received. Many of the state agencies, who also receive federal and state funds, are represented on the SAG and thus, help to ensure the coordination of different funding streams and the identifying and filling of gaps.

North Dakota affirms that any assistance provided under the JJDP Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) of any currently employed employee; activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved. North Dakota has strong internal fiscal controls and fund accounting procedures to ensure prudent use, proper disbursement, and accurate accounting of funds. The Financial Management and Internal Controls questionnaire, signed by the Financial Point of Contact, is attached. North Dakota assures that federal funds made available supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds, and will in no event replace such state, local, and other nonfederal funds.

North Dakota affirms that funds will not be used for programs where the recipient has failed during the preceding two-year period to demonstrate (before the expiration of the two-year

period), that the program achieved substantial success in achieving the specified goals. Programs submit quarterly progress reports and when subaward applications are reviewed, prior program performance is considered as one of the factors for additional funding. North Dakota affirms that if the state receives an amount that exceeds 105% of the amount received in fiscal year 2000, all such excess would be expended through or for programs as part of a comprehensive and coordinated community system of services. North Dakota has compared the amount received in fiscal year 2000 (\$423,402) to the amount received in fiscal year 2018 (\$402,829), and the amount exceeds 105%. North Dakota will expend the excess funds through or for programs as part of a comprehensive and coordinated community system of services.

North Dakota provides assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income and disability.

POLICIES, PROCEDURES, TRAINING FOR THE STAFF OF JUVENILE CORRECTIONAL FACILITIES TO ELIMINATE THE USE OF PRACTICES, RESTRAINTS, AND ISOLATION

The North Dakota Youth Correctional Center (YCC) uses a de-escalation and behavior management program, Mandt, promotes building healthy relationships and addressing behaviors based on where the juvenile is at on a crisis cycle. The YCC has facility improvement plans that address any and all isolation and restraint. The YCC has policy stating “Training emphasizes the use of alternative and de-escalating methods and techniques prior to the use of restraint” it also states “Staff shall utilize de-escalation and less restrictive intervention techniques to prevent and respond to noncompliant, disruptive, aggressive, and violent youth behavior”.

EVIDENCED-BASED METHODS USED TO CONDUCT MENTAL HEALTH AND SUBSTANCE ABUSE SCREENING, ASSESSMENT, REFERRAL AND TREATMENT FOR JUVENILES IN A SECURE FACILITY

As indicated, North Dakota has eight regional human service centers that provide community-based services to youth and families. Each center serves a multi-county area, providing counseling and mental health services, substance abuse treatment, and other services for youth. Juveniles who request a screening or shows signs of needing a screening can be referred to the regional human service center. There they are assessed in an integrated fashion for both mental health and substance use simultaneously using a multitude of screening tools.

The trauma informed practices includes screening for trauma in addition to the use of valid screening tools for suicide risk. Identified trauma-based symptoms initiate recommendations for treatment using Trauma-Focused Cognitive Behavioral Treatment (TF-CBT) and/or Dialectic Behavior Therapy (DBT), both of which are evidenced-based therapies for traumatized youth.

Youth held in a juvenile detention facility are screened using the MAYSI, an evidenced-based mental health screening, as well as other screening to identify substance abuse and medical issues. If further assessment and treatment is needed youth are referred to the human service center or local hospital. Treatment is continued at the detention facilities via tele-medicine visits.

Youth that are placed at the North Dakota Youth Correctional Center (YCC) receive a screening and assessment using the MAYSI-2, as well as the Symptom Checklist 90 Revised (SCL-90-R) and the Averse Childhood Experiences (ACE) test. A number of evidenced-based and/or trauma-informed tools/practices for mental health and substance abuse treatment are also used.

REENTRY PLANNING TO INCLUDE A WRITTEN CASE PLAN BASED ON AN ASSESSMENT OF NEEDS THAT INCLUDES THE PRE-RELEASE AND POST-RELEASE PLANS, THE LIVING ARRANGEMENT TO WHICH THE JUVNEILES AE TO BE DISCHARGED, AND ANY OTHER PLANS

A case plan is developed by the juvenile's case manager after a 21-day assessment. A staffing with family is conducted immediately following the assessment. The case plan addresses both

risks and needs of the youth that will be addressed during placement as well as after the youth is released. It includes discharge plans, including living arrangements upon release from placement. Juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).

POLICIES TO SCREEN FOR, IDENTIFY, AND DOCUMENT VICTIMS OF DOMESTIC HUMAN TRAFFICKING, AND THE PROCEDURE TO DIVERT TO APPROPRIATE PROGRAMS OR SERVICES

The North Dakota Human Trafficking Task Force (NDHTTF), which is a network of law enforcement and service providers to work in tandem to build capacity and combat trafficking statewide, responds to victims of trafficking; providing comprehensive services, investigating traffickers and solicitors, and prosecuting offenders. The NDHTTF trains local multidisciplinary teams to respond to victims and assist response agencies and communities with development of response protocol. The process: 1) A victim is identified; 2) Task force members screen a victim as confirmed or suspected; 3) Victims are offered comprehensive services to address immediate needs (food/clothing/shelter), intermediate needs (therapeutic/mental health services, legal services), and long-term needs (life skills, self-care, education opportunities). Suspected or confirmed victims are tracked in both the Trafficking Information Management System (TIMS) and the Performance Management Tool (PMT).

CONSULTATION AND PARTICIPATION OF UNITS OF LOCAL GOVERNMENT

Consultation with and participation of local government is conducted through extensive collaboration with the North Dakota Association of Counties (NDACo). NDACo staff are on the SAG and participate in the development of North Dakota's Three-Year Plan.

AFFIRM A SYSTEM TO ENSURE THAT IF A JUVENILE IS BEFORE A COURT IN THE JUVENILE JUSTICE SYSTEM, PUBLIC CHILD WELFARE RECORDS (INCLUDING CHILD PROTECTIVE SERVICES RECORDS) RELATING TO THE JUVENILE WILL BE MADE KNOWN TO SUCH COURT.

North Dakota affirms that, to the maximum extent practicable, a system has been implemented to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to that juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court. The North Dakota Juvenile Court has jurisdiction over proceedings in which a child is alleged to be delinquent, unruly or deprived. State law requires that the child protective services team is to report all “services required” findings to the North Dakota Juvenile Court. State law makes abuse and neglect records available to the court. Child welfare data is entered into the juvenile court’s database and included as part of a child’s record. Thus, the Juvenile Court’s Case Management System (CMS) is a statewide system automating data for youth in both the juvenile justice and child welfare systems. CMS streamlines record keeping and service delivery in all of North Dakota’s counties, regions, and facilities. Local detention screeners are able to contact their local juvenile court to determine whether the juvenile is applicable for pre-trial release. CMS is also accessible to all judges, referees and probation offices. Child welfare record information is made known to the court in any geographical area in the state if/when that child is before the court on a juvenile justice matter. State law requires that all evidence be presented at disposition, allowing child protection services reports/services to be part of a delinquency proceeding or vice versa. This information is also included as part of the court history information that is provided to custodial agencies to be made of a youth’s treatment plan.

PROVIDE FOR COLLABORATION WITH LOCAL EDUCATION AGENCIES

DJS as the designated state agency collaborates with local education agencies, including those receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965, to ensure that (A) student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll; (B) the credits of adjudicated juveniles are transferred; and (C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and in order to support educational progress.

COLLECTING AND SHARING JUVENILE JUSTICE INFORMATION

Data related to juvenile justice system involvement, including arrests, pre-court supervision, juvenile court referrals and dispositions, and juvenile corrections commitments and placements is available upon request of the respective agency. Data queries of each agency's database systems have been established to gather necessary information for analysis. Arrest data is gathered through the State's Incident-Based Reporting System. A web-based application is used for the collection of pre-court supervision numbers (attendant care, detention and/or jail facilities). The Juvenile Court has a case management system that maintains referral and disposition data. The juvenile corrections agency maintains an automated system and data is queried as needed. Data on youth risk factors, such as mental health, substance abuse, teen pregnancy, special education, school drop-out and violence, abuse and neglect, and suicide are provided by the Departments of Public Instruction and Human Services upon request. There are no specific barriers that have

been encountered with regard to the sharing of juvenile justice information. However, it can be difficult to analyze data across systems as there is not a unique identifier for youth that can be used to track involvement. In addition, some of the databases do not have the same breakout of race/ethnicity that makes for disparity across the system.

D. PLAN FOR COLLECTING THE DATA REQUIRED FOR PERFORMANCE MEASURES

Title II Formula Grants Program Performance measurement data will be collected from each subgrantee for reporting in JustGrants. Potential subgrantees are required as part of the application process to identify those performance measures applicable to the program/services to be funded with Title II funding. The documentation of the measures is made part of the grant agreement. Subgrantees report quarterly on grant progress and no less than annually on the federal performance measures.