About the CSG Justice Center

National nonprofit, nonpartisan, membership association of state government officials that engages members of all three branches of state government.

Provides practical, nonpartisan research-driven strategies and tools to increase public safety and strengthen communities.
Only National Organization Explicitly Focused on Improving Public Safety and Outcomes for Youth in the Juvenile Justice System

Measuring and Using Juvenile Recidivism Data to Inform Policy, Practice, and Resource Allocation

BACKGROUND

Juvenile justice systems, including for violent crimes, fell by approximately 40 percent from 1977 to 2012, to their lowest levels in more than 20 years. In combination with this deep drop in crime, states and localities have had an increased opportunity to implement evidence-based practices that enhance public safety and improve outcomes for youth who have been involved with the justice system.

The Importance of Measuring Outcomes beyond Recidivism for Youths Involved with the Juvenile Justice System

Juvenile justice systems can use a number of measures to track outcomes for youth under system supervision, including educational attainment, employment trajectories, health indicators, and evidence of recidivism, or other measures that are critical to enhancing youth’s life outcomes. This measure is critical to the measurement of recidivism and the improvements in this area that have been observed in recent years.

CORE PRINCIPLES FOR REDUCING RECIDIVISM AND IMPROVING OTHER OUTCOMES FOR YOUTH IN THE JUVENILE JUSTICE SYSTEM

Transforming Juvenile Justice Systems to Improve Public Safety and Youth Outcomes

MAY 2018

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The Council of State Governments Justice Center

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The Council of State Governments

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The Council of State Governments

MacArthur Foundation
BJS
OJJDP
We’ve Partnered with an Array of States and Counties to Facilitate Systemic Juvenile Justice System Improvement
Our Process is Collaborative, Data-Driven, Research-Based, and Focused on Concrete Policy/Practice/Funding Changes

- Partners with state/local leaders through collaborative taskforces to identify specific goals and priorities
- Leverages and builds upon past and current reform efforts
- Provides an objective, comprehensive, system-wide analysis on performance, outcomes, and equity, including case level data analysis
- Applies the research on what works to help identify opportunities for systemic improvement through legislation, appropriations, and administrative reforms
- Provide implementation support to promote long-term impact and sustainable change
What Challenges Do States Face to Ensuring Resources Are Used Efficiently to Improve Public Safety and Youth Outcomes?
Juvenile Incarceration Rates Have Declined Significantly Over the Last Decade
Texas Case Study: Examining the Impact of De-incarceration and Community Investment

Juvenile Probation and Secure Confinement Data
- 899,101 records
- 452,751 juveniles
- Dispositions and secure releases

Criminal History and Prison Admission Data
- 408,312 records
- 242,541 juveniles
- Arrests and incarcerations

Two Closer to Home Study Cohorts
- Pre-reform cohort: 27,131 juveniles
- Post-reform cohort: 31,371 juveniles
Community Supervision is a Better Public Safety Strategy than Incarceration

One-Year Probability of Rearrest

Released from State-Run Secure Facilities: 41%
Supervised in the Community: 34%

21% more likely to be rearrested
Community Supervision is a Better Public Safety Strategy than Incarceration

First Recidivism Offense a Felony

Released from State-Run Secure Facilities

Supervised in the Community

49% 17%

3x more likely to commit a felony when recidivating
## Texas Invested in Supervision and Services

<table>
<thead>
<tr>
<th></th>
<th>FY2005</th>
<th>FY2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per capita expenditures for local juvenile probation departments</td>
<td>$3,555</td>
<td>$7,023</td>
<td>98</td>
</tr>
<tr>
<td>Expenditures adjusted for inflation – to 2014 dollars</td>
<td>$4,337</td>
<td>$7,304</td>
<td>68</td>
</tr>
<tr>
<td>Percent of local juvenile probation department expenditures contributed by county</td>
<td>77%</td>
<td>71%</td>
<td>-8</td>
</tr>
</tbody>
</table>
### Rearrest Rates Were Comparable Despite Resource Investments

<table>
<thead>
<tr>
<th>Intervention Type</th>
<th>Pre-Reform Study Group One-Year Probability of Rearrest</th>
<th>Post-Reform Study Group One-Year Probability of Rearrest</th>
</tr>
</thead>
<tbody>
<tr>
<td>State incarceration</td>
<td>41%</td>
<td>41%</td>
</tr>
<tr>
<td>Skill-Based Program</td>
<td>29%</td>
<td>27%</td>
</tr>
<tr>
<td>Treatment Program</td>
<td>28%</td>
<td>30%</td>
</tr>
<tr>
<td>Surveillance Program</td>
<td>31%</td>
<td>29%</td>
</tr>
<tr>
<td>Secure County Placement</td>
<td>33%</td>
<td>34%</td>
</tr>
<tr>
<td>Non-Secure County Placement</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>No Intervention</td>
<td>33%</td>
<td>32%</td>
</tr>
</tbody>
</table>
Youth Consistently Received Higher Levels of Supervision than Warranted Based on their Risk Level

- **Diversion Expected (N=6,625)**
  - Diverted: 21%
  - Not Diverted: 79%

- **Deferment Expected (N=5,639)**
  - Deferred: 37%
  - Not Deferred: 63%

- **Probation Expected (N=4,373)**
  - Probated: 57%
  - Not Probated: 43%
Youth were Detained at Far Higher Rates than Warranted

Percent of Cases Where Detention was Expected

- Expected (N=1,596)
- Not Expected (N=15,344)

Percent Detained in Cases Where Detention Not Expected

- Not Detained
- Detained
Both Low and Higher Risk Youth Received Higher Levels of Supervision than Warranted

Percent of Cases with Points Over Expected Levels of Supervision by Risk Level

Low Risk (N=8,840)
- 23% Zero
- 27% 1 to 2
- 34% 3 to 5
- 16% 6 or more

High Risk (N=2,572)
- 25% Zero
- 12% 1 to 2
- 13% 3 to 5
- 50% 6 or more
Black Youth Consistently Received Higher Levels of Supervision than Warranted Compared to their Peers

Percent of Cases that Received Higher Levels of Supervision/Detention than Expected by Race/Ethnicity

- White
  - Zero: 22%
  - 1 to 2 points: 26%
  - 3 to 5 points: 28%
  - 6 or more points: 24%

- Hispanic
  - Zero: 29%
  - 1 to 2 points: 22%
  - 3 to 5 points: 24%
  - 6 or more points: 25%

- Black
  - Zero: 19%
  - 1 to 2 points: 17%
  - 3 to 5 points: 29%
  - 6 or more points: 35%
Youth Were Not Well Matched to Services

<table>
<thead>
<tr>
<th>County</th>
<th># of Youth Identified as Having a Substance Abuse Need at Referral</th>
<th>% of These Youth in Substance Abuse Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>659</td>
<td>2</td>
</tr>
<tr>
<td>Travis</td>
<td>497</td>
<td>27</td>
</tr>
<tr>
<td>Victoria</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Harris</td>
<td>3,731</td>
<td>12</td>
</tr>
<tr>
<td>Lubbock</td>
<td>131</td>
<td>32</td>
</tr>
<tr>
<td>Cameron</td>
<td>287</td>
<td>25</td>
</tr>
<tr>
<td>Dallas</td>
<td>1,835</td>
<td>23</td>
</tr>
<tr>
<td>El Paso</td>
<td>518</td>
<td>0</td>
</tr>
</tbody>
</table>
# High-Risk Youth Spent Less Time in Programs

## MEDIAN NUMBER OF DAYS SPENT IN A PROGRAM

<table>
<thead>
<tr>
<th>County</th>
<th>Low-Risk Youth</th>
<th>High-Risk Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>105</td>
<td>77</td>
</tr>
<tr>
<td>Travis</td>
<td>115</td>
<td>112</td>
</tr>
<tr>
<td>Victoria</td>
<td>125</td>
<td>69</td>
</tr>
<tr>
<td>Harris</td>
<td>75</td>
<td>104</td>
</tr>
<tr>
<td>Lubbock</td>
<td>167</td>
<td>118</td>
</tr>
<tr>
<td>Cameron</td>
<td>193</td>
<td>135</td>
</tr>
<tr>
<td>Dallas</td>
<td>94</td>
<td>124</td>
</tr>
<tr>
<td>El Paso</td>
<td>136</td>
<td>133</td>
</tr>
</tbody>
</table>
Registry of Programs Lacked Clear Standards on What “Evidence-Based” Actually Entails

- Functional Family Therapy
- Equine Therapy
- Midnight Basketball
- Drug Education Classes
- Aggression Replacement Training
Data Was Collected But Not Used to Track Fidelity and Outcomes and to Hold Providers Accountable

- Define Key Performance Measures and Collect Data
- Data Analysis by Key Demographic, Provider, and Community Variables
- Regularly Share Data, Develop Remediation Plans, Invest in What Works
Focus on reducing reliance on incarceration has been successful and warranted—keeping youth in the community whenever possible is the most cost-effective public safety strategy.
Despite the increased use of structured decision making tools, youth—particularly youth of color—are often not well matched to the appropriate level and type of supervision and services.
Most jurisdictions struggle to ensure that the services that youth receive are actually based on research, implemented with fidelity, and effective.
Lessons Learned for Using Resources Efficiently to Improve Public Safety and Youth Outcomes

What doesn’t get measured, and *acted upon*, doesn’t get done.
North Dakota Juvenile Justice
Preliminary Assessment Process
Assessment Process Goal and Objectives

**GOAL**: Position ND to develop a consensus-based, data-driven statewide plan that ensures that the juvenile justice system more effectively protects public safety, reduces disparities, and improve outcomes for youth.

- **Objective 1**: Assess alignment of North Dakota’s legislative code with research/best practice on what works to reduce disparities and improve outcomes for youth, and identify opportunities for improvement.

- **Objective 2**: Identify opportunities to leverage and build upon past and current juvenile justice reform efforts for development of the statewide plan.

- **Objective 3**: Establish initial priorities for system improvement shared by a range of stakeholders, and secure buy-in from these stakeholders for a collaborative statewide assessment, planning, and improvement process.

- **Objective 4**: Evaluate North Dakota’s current capacity to collect, report, and share key juvenile justice data critical for developing a data-driven statewide plan and for positioning the SAG, legislature, Commission, and other system stakeholders to measure system performance and progress.

- **Objective 5**: Establish initial priorities for system improvement shared by a range of stakeholders, and secure buy-in from these stakeholders for a collaborative statewide assessment, planning, and improvement process.
We Will Employ a Range of Methods to Facilitate the Preliminary Assessment of ND’s Juvenile Justice System

**Review Recent Reform Efforts**
- Review analyses and reports related to past and current juvenile justice system improvement efforts, annual reports, strategic plans, and other available information
- Ensure that the initial assessment and statewide plan builds upon system strengths and is not duplicative

**Legislative review**
- Review current juvenile justice legislative code, including NDCC 27-20 and other relevant statutes
- Identify strengths and key gaps in relation to research and best practice, as well as areas of confusion/concern
- Make initial recommendations on potential revisions that reflect research and best practices.
We Will Employ a Range of Methods to Facilitate the Preliminary Assessment of ND’s Juvenile Justice System (cont.)

**Stakeholder Interviews and Focus Groups**

- Conduct focus groups with policymakers, DJS, Juvenile Court judges and Probation staff, prosecutors and public defenders, law enforcement, providers, education and other youth service systems, local equity committees, and the youth and families most impacted by the system, including Native American/tribal communities.
- Facilitate one-on-one meeting with system leaders and decision makers
- Solicit feedback from and help serve as a point of coordination amongst array of juvenile justice reform groups

**Data Collection and Use Analysis**

- Assess North Dakota’s capacity to collect and analyze the case-level juvenile justice data critical to developing a data-driven statewide plan, including system performance, youth outcome, and disparity data
- Partner with research/IT staff to identify data collection, quality, analysis, reporting, and use strengths and gaps
Framework for the Assessment is Based on the Core Principles for What Research Shows Works to Reduce Recidivism and Improve Youth Outcomes

<table>
<thead>
<tr>
<th>1.</th>
<th>2.</th>
<th>3.</th>
<th>4.</th>
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<tbody>
<tr>
<td>Base supervision, service, and resource allocation decisions on the results of validated risk and needs assessments</td>
<td>Adopt and effectively implement programs and services demonstrated to reduce recidivism and improve other youth outcomes, and use data to evaluate the results and direct system improvements</td>
<td>Employ a coordinated approach across service systems to address youth’s needs and promote positive youth development</td>
<td>Tailor system policies, programs, and supervision to reflect the distinct developmental needs of adolescents</td>
</tr>
</tbody>
</table>
### Assessment Deliverables Will Help North Dakota Advance a Concrete Plan for Statewide System Improvement

#### SUMMARY REPORT

- Recommendations for potential revisions of North Dakota’s juvenile justice legislative code
- Consensus priorities for system improvement across stakeholder groups
- Pre-requisites for conducting a successful comprehensive assessment and developing a state plan
- Assessment of the current status of North Dakota’s juvenile justice data; what improvements are needed; and what data would be available to guide a statewide plan
- Roadmap for developing a statewide plan including recommended qualitative and data analysis, statewide oversight structure, key partners and buy-in plan, and deliverables/timelines.

*Will present report key takeaways and recommendations to the SAG, interim Judiciary Committee, Commission on Juvenile Justice, and/or other stakeholders as desired*
## Preliminary Assessment Timeline

<table>
<thead>
<tr>
<th>Key Objectives</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb (SV1)</th>
<th>March (SV2)</th>
<th>April</th>
<th>May</th>
<th>June (SV3)</th>
<th>July</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective 1: Assess alignment of North Dakota’s legislative code</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Objective 2: Identify opportunities to leverage and build upon past and current juvenile justice reform efforts for</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Objective 3: Establish initial priorities for system improvement shared by a broad range of stakeholders</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Objective 4: Evaluate North Dakota’s current capacity to collect, report, and share key juvenile justice data</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Objective 5: Prepare and present a report to all key stakeholders</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Key Questions
Barriers and Challenges

What do you see as the most significant barriers and challenges to improving outcomes for youth placed in the juvenile justice system?
What potential areas of focus do you think should be included during the initial assessment process? What key groups do we need to speak with to ensure an array of perspectives and voices are heard?