



YOUTH IN THE JUVENILE JUSTICE SYSTEM

The fourth in the *Snapshots on Minnesota Youth* series is dedicated to describing juvenile justice in Minnesota and the youth who come into contact with the system at its many points.

To the extent possible, this report will enumerate characteristics of youth at key stages or decision points in the system. This report will also include 2007 Minnesota Student Survey responses from youth who were in correctional facilities at the time the survey was administered statewide. Their responses provide valuable insight on how youth in correctional, out-of-home placements are both similar and different from the mainstream student population.

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Finally, this report will briefly describe some of the initiatives in Minnesota working to serve our at-risk youth and reform the juvenile justice system toward better outcomes for youth and public safety.

This *Snapshot* is lengthy in comparison to others because of the size and complexity of the juvenile justice system. Links within the document between definitions, data, and resources will allow the reader to navigate through to find the sections that are of greatest interest or use. If using these navigation tools, note that references or explanations may have occurred in previous sections or at the section headings.

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An important note about the data:

Gathering information on youth in the juvenile justice system is challenging, as no single agency or government department is responsible for the collection or analysis of juvenile data. Data are maintained within different agencies and departments in unique systems that do not necessarily allow for direct comparisons or statewide analysis. Additionally, agencies are not required to record or report juvenile data in a standardized, uniform manner. While certain centralized repositories exist for maintaining juvenile data, data are often difficult to extract or contain inaccuracies.

For these reasons, much of the data presented in this issue of *Snapshots* are based on segments of the system or juvenile populations served. Consequently, what is presented for one population of justice system involved youth should not be construed as applicable to all youth in the system. Data limitations or caveats will be explained where applicable. When possible, the most recent data available will be presented. Please note that different data years are represented throughout this report and should be taken into consideration when drawing comparisons between calendar years or over time.

With regard to the racial and ethnic categories used in this report, different agencies use different categories and terminology to describe both the majority and minority populations. The text and graphs in this report will match the nomenclature used by the data source referenced. If the Hispanic ethnicity is not represented, it is because the source data does not utilize that population category.

Special thanks to Denise Godderz, Ramsey County Juvenile Probation, for her assistance with content and editing.

Overview of the Juvenile Justice System:

The Minnesota House of Representatives Research Department has compiled a comprehensive and user friendly publication entitled *Youth and the Law: A Guide for Legislators*.¹ [<http://www.house.leg.state.mn.us/hrd/pubs/youthlaw.pdf>] This document explains the role of the juvenile court, the stages of the juvenile justice system and the legal criteria applicable to youth at each stage. This report also includes the relevant Minnesota Statutes or Rules of Juvenile Delinquency Procedure governing each stage, making it an excellent reference tool. The following sections describing the juvenile court and defining juvenile offenders, with the exception of topic headings and diagrams, are taken from that document. In some cases content has been altered for clarity or brevity.

What is the role and purpose of the Juvenile Court?

The juvenile court in Minnesota is authorized to hear and decide two main categories of cases:

- Those involving juveniles who commit unlawful acts (Delinquency)
- Those involving children who, for a variety of reasons, are in need of protection or services by or from the juvenile court (CHIPS)

What are the terms used to describe juvenile offenders?

One important type of case generally assigned to the juvenile court involves minors who engage in unlawful conduct. In contrast to the adult courts, the juvenile proceeding in this context is not a criminal proceeding designed to determine criminal responsibility and punishment but, rather, is a civil proceeding designed to protect the child from the consequences of his or her own conduct, develop individual responsibility for unlawful behavior, rehabilitate him or her, and, at the same time, promote public safety. (*Minn. Stat. § 260B.001, subd. 2*)

Youth involved in the juvenile justice system related to committing unlawful acts fall into one of the following categories, depending mostly on the nature of the conduct involved:²

- **Children in Need of Protection or Services (CHIPS):** CHIPS cases only apply to youth under age 18. Three common CHIPS matters are included here out of a long list of potential child protection issues, as these three most often are connected to or predicate delinquency:
 - the child has committed a delinquent act or juvenile petty offense before becoming ten years old
 - the child is a runaway from home
 - the child is an habitual truant from school
- **Petty offenders:** Petty offenses fall into two categories.
 1. Children who engage in conduct that is unlawful for them but not unlawful for adults. These are also commonly known as ‘status offenses’ such as violating curfew, drinking, and smoking.
 2. Children who commit non-violent, misdemeanor level offenses which would also be petty offenses for an adult. There are many offenses that fall into this category. Some examples include disorderly conduct, possession of drug paraphernalia, and petty theft. (*Minn. Stat. § 260B.007, subd. 16*)
- **Delinquents:** individuals under the age of 18 who commit acts which would be unlawful if committed by an adult, except for those the law designates as petty offenses. (*Minn. Stat. § 260B.007, subd. 6*)
- **Extended Jurisdiction Juvenile (EJJ):** children 14 years old or older who commit felony-level delinquent acts may be motioned as being in this category by the prosecutor or the court. EJJ results in remaining under juvenile court supervision until the one’s 21st birthday. (*Minn. Stat. 260B.130*)
- **Certified Adults:** children 14 years old and older who commit felony-level delinquent acts which are serious, violent, and/or involve firearms may be certified as adults by the juvenile court. Once certified as an adult, trial and sentencing transfers to the adult, criminal court. (*Minn. Stat. 260B.125*)

The following chart provides an overview of each offense category, and the upper and lower age limits that most often apply.³

AGES and JURISDICTIONS																						
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	21+
Children in Need of Protection & Services (CHIPS)																						
Delinquency Under Age 10=CHIPS										Juvenile Delinquency Court												
																		Extended Jurisdiction Juvenile				
																		Adult Certification and Sentences				
																		Adult Criminal Court				

What are the stages of the juvenile justice system?

Apprehension (Arrest):

Under certain conditions, a child may be apprehended and taken into immediate custody by the police or a probation officer before any court papers are filed. The following is a partial list of grounds for apprehending youth. The child is: in need of protection or services; a juvenile petty offender; one who has committed a delinquent act; found in dangerous surroundings; the subject of an arrest warrant; subject to arrest; a parole or probation violator; excluded from the parent’s home under an order for protection against the child, or in situations where the parent is unable or unwilling to provide an

alternative safe living arrangement for the child. (*Minn. Stat. §§ 260B.143; 260B.175; 260C.143; 260C.175*)

Pretrial Detention

Children taken into custody must be released as soon as possible to their parent, guardian, or custodian unless: The child is a flight risk; the child's health or welfare would be immediately endangered; or the child is a threat to public safety. In those situations, a child may be held in a juvenile secure facility or a shelter care facility. In order to continue detaining a youth in a juvenile facility beyond initial time limits, the court must hold a detention hearing and find that pretrial detention is necessary. The detention of alleged delinquents in an adult jail or lockup is strictly limited under Minnesota law. (*Minn. Stat. §§ 260B.176 to 260B.181*)

Filing of Petition or Citation

The juvenile court process is begun officially by the filing of a petition or citation with the court. Delinquency petitions are prepared and filed by the county attorney; citations for petty offenses and misdemeanor offenses may be filed by a peace officer. (*Minn. Stat. §§ 260B.141; 260B.143*)

Arraignment Hearing

At the arraignment hearing, the child is given the opportunity to admit or deny the allegations contained in the petition. If the child denies the allegations in the petition or if the court refuses to accept the child's admission, an adjudicatory hearing (trial) is scheduled. If the child admits to the allegations and the court accepts the admission, the court will schedule a disposition (sentencing) hearing. (*Minn. R. Juv. Del. P. 7, 8, 13, and 15*)

Adjudicatory Hearing (Trial)

This hearing is the equivalent of a trial in adult court. Juvenile hearings are held before a judge and there is no right to a trial by jury. Only in EJJ prosecutions does the child have the right to a jury trial on the issue of guilt. At the conclusion of the hearing the court has seven days to decide whether the allegations in the petition have been proven beyond a reasonable doubt. If the allegations have not been proven, the court must dismiss the petition. (*Minn. Stat. §§ 260B.163; 260B.198; Minn. R. Juv. Del. P. 13, 14, and 15*)

Disposition Hearing:

This hearing is similar to a sentencing hearing in adult court. The court has available to it a variety of dispositions, including: Fines, probation, counseling, home detention, sex offender treatment, placement out of the home, loss of driver's license, restitution or community service, and (for delinquents only) commitment to the Commissioner of Corrections for placement in a state juvenile correctional facility. (*Minn. Stat. §§ 260B.193, subd. 5; 260B.198; 260B.225; 260B.235*)

What are 'Certification' and 'EJJ'?⁴

When certain criteria are met a juvenile can be certified to stand trial in adult court and receive adult sanctions in a process known as "certification". In order to be certified, there must be probable cause that the youth committed the offense and clear and convincing evidence that the case would not be better handled in the juvenile court. Once a child has been certified to the adult court for prosecution he or she may be prosecuted, convicted, and sentenced as if he or she were an adult, including time in an adult prison.

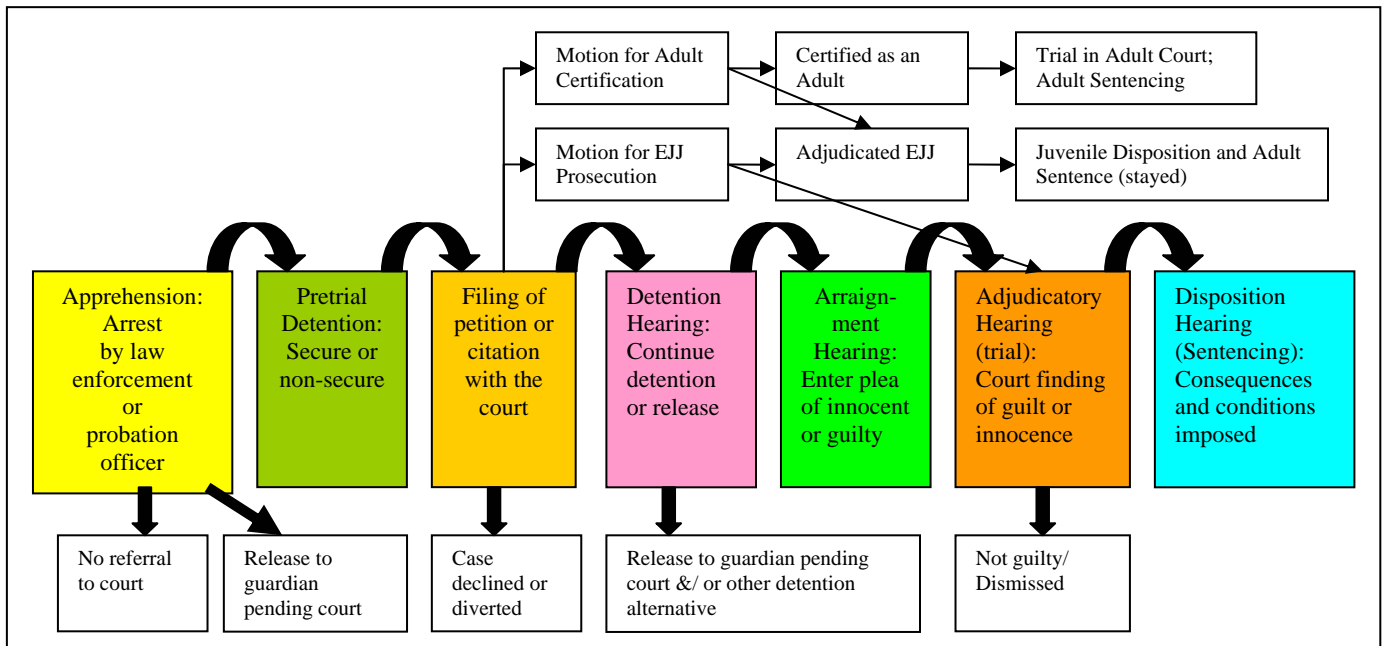
A juvenile can also be designated as “Extended Juvenile Jurisdiction” or “EJJ”. Under these proceedings, a trial occurs in the juvenile court where, if found guilty, the youth receives both a juvenile disposition and an adult sentence. The adult sentence is “stayed”, or not implemented, unless the youth continues to break the law or does not comply with the juvenile court. It is possible to complete EJJ without ever having the adult consequences implemented, as that indeed is the goal.

Certification as an adult or designation as EJJ is not taken lightly. Only certain ages of youth having committed certain offenses are eligible. In addition, the process requires a Certification Study in which the following factors must be taken into account⁵: The seriousness of the offense; the impact upon the victim/s; the child’s level of culpability and involvement; the youth’s prior delinquency record; past attempts at programs and interventions and their participation therein; past certification; and whether the juvenile justice system has appropriate resources to hold the child accountable. Certification studies also include a youth’s social history, educational history, and results of psychological evaluation.

Certification and EJJ Requirements:

- ✓ In order to be certified as an adult or designated as EJJ, an offender must have committed a felony level offense and been at least 14 years old at the time of the offense. The prosecutor may then make a motion to have the case designated as EJJ or an adult certification.
- ✓ While any felony level offense by a youth age 14 and older can result in a motion for EJJ or adult certification, the latter is typically reserved for violent and dangerous offenses with significant harm to a victim.
- ✓ Certification as an adult is “presumptive”, or presumed, if the youth was 16 or 17 at the time of the offense and the offense was one for which an adult committing the same crime would receive prison time of over one year. Certification is also presumptive if the youth was 16 or 17 and committed a felony that included the use of a firearm in any fashion. In the event these youth are not certified as adults, they must instead be designated EJJ.
- ✓ The only offense which *must* result in adult certification is an act of 1st Degree Murder committed by a youth age 16 or 17.

Juvenile Justice System Flow Chart⁶



What is Disproportionate Minority Contact (DMC)?:

Data at both the state and national level reveal that youth of minority races and ethnicities have greater contact and involvement with the juvenile justice system than white youth, who make up the majority of the population. The phenomena known as Disproportionate Minority Contact or (DMC), occurs when a minority group is overrepresented at one of the stages in the juvenile justice system.

Overrepresentation means a larger proportion of a group is present at a certain stage than would be expected based on their proportion in the general population.⁷

What causes DMC?⁸:

One possible explanation for disparity and overrepresentation is, of course, discrimination. This line of reasoning suggests that because of discrimination on the part of justice system decision-makers, minority youth face higher probabilities of being arrested, referred to court, held in detention, petitioned for formal processing, adjudicated delinquent, and confined in a secure juvenile facility. Thus, differential actions throughout the justice system may account for minority overrepresentation.

Disparity and overrepresentation, however, can result from factors other than discrimination. Factors relating to the nature and volume of crime committed by minority youth may explain disproportionate minority confinement. This line of reasoning suggests that if minority youth commit proportionately more crime than white youth, are involved in more serious incidents, and have more extensive criminal histories, they will be overrepresented, even if no discrimination by system decision-makers occurred. Thus, minority youth may be overrepresented within the juvenile justice system because of behavioral and legal factors.

In any given jurisdiction, either or both of these causes of disparity may be operating. Detailed data analysis is necessary to build a strong case for one or the other causal scenario.

How does DMC impact Minnesota?

The Juvenile Justice and Delinquency Prevention Act of 2002, requires that states receiving certain federal funding must “examine the potential disproportionate representation at all decision points within the juvenile justice continuum and implement data-based prevention and system improvement efforts to reduce identify disproportionality”.⁹ Minnesota, like most states, struggles with the issue of Disproportionate Minority Contact at many points in the juvenile justice system. Throughout the rest of this report, data specific to DMC will be included when available.¹⁰ DMC is calculated and reported using the “Relative Rate Index”,¹¹ a tool by which comparisons can be made between the white population and minority populations despite differences in their population sizes. National DMC rates will also be included,¹² however Hispanic ethnicity is not reported on the national level.

What are crime rates nationally and in Minnesota?

In order to put juvenile crime in context, it is worthwhile to have basic information on crime as a whole both in Minnesota and nationally. These figures represent *both adult and juvenile crime*, except where otherwise noted.

According to the Federal Bureau of Investigation (FBI) report *Crime in the United States, 2007*¹³ and the U.S. Bureau of Justice Statistics (BJS) analysis of the *National Crime Victimization Survey (NCVS), 2005*¹⁴, both violent crime and property crime rates in the United States have been decreasing. The FBI report reflects crimes reported to law enforcement, whereas the NCVS is a nationally representative sample of households and includes crimes not reported to the police¹⁵.

- ✓ Both reports indicate that violent crime peaked in 1994 and that current rates of violent crime are at historical lows.

- ✓ Both reports show steady declines in property crime rates. The FBI report shows that reported property crime rates peaked in 1990; The NCVS shows that property crime rates have been declining since 1976 when the survey began, until 2005.
- ✓ The NCVS shows that victims of both property and violent crime have steadily been reporting more crime to the police since the early 1990's.
- ✓ The FBI report indicates that the violent crime rate for Minnesota in 2007 is 288.7 per 100,000 inhabitants (38% below the national average) and 3,036.6 per 100,000 inhabitants for property crime (7% below the national average).¹⁶

According to a National Institute of Corrections (NIC) compilation of state and federal crime data for 2006¹⁷:

- ✓ Minnesota has the second lowest incarceration rate in the nation at 176 adults per 100,000. Consequently, Minnesota's parole rate (supervised release from prison) is also significantly below the national average.
- ✓ Conversely, Minnesota has the 5th highest adult probation rate in the nation.

Is crime in Minnesota increasing or decreasing?

Determining crime trends is not always as easy as looking at the number of arrests or convictions for crimes. Many factors can impact the picture of overall crime including changes in population, in the law, in policing and prosecuting philosophies, or fluctuations in resources. From a research standpoint, it is important to look at overall changes in the population to determine if it factors into fluctuations in crime trends. The following are some key trends related to Minnesota's population:

Minnesota Youth Population¹⁸:

- ✓ Between 2000 and 2007, the total estimated population in Minnesota increased by 5.3 percent to 5,197,621. Despite increases in total population, the estimated percentage of youth under age 18 declined. This is believed to be, in part, because Baby Boomer women aged out of their prime child bearing years.
- ✓ Between 2000 and 2005 Minnesota's population under age 18 was estimated to be at it's lowest before beginning to increase again in 2006. In 2007, youth under age 18 accounted for 24.2 percent of Minnesota's population.
- ✓ Based on youth population estimates compiled by the Office of Juvenile Justice and Delinquency Prevention (OJJDP)¹⁹, Minnesota youth between the ages of 10 and 17 were 46 percent of all youth (11.2% of the total population). This age group is important because it represents the segment of the juvenile population that can become juvenile justice system involved.
- ✓ Nonwhites and Latinos are younger than white Minnesotans, which will continue to be true in the future. In 2015, the projection shows that 19 percent of children under age 15 will be nonwhite, compared to only 5 percent of people over age 65.²⁰
- ✓ According to the Minnesota Kids Count Databook 2008: 78 percent of Minnesota youth under 18 are white; 6 percent are black, 6 percent are Hispanic or Latino; and 1 percent are American-Indian. An additional 3 percent reported being two or more races and less than 1 percent identify as Native Hawaiian or other Pacific Islander.²¹

For additional information on the wellness of youth overall in Minnesota including statistics related to child poverty, costs of childrearing, family income, healthy development, and school aged care and education, the Children's Defense Fund Minnesota: Minnesota Kids Count Data Book 2008 is a current and useful reference. http://www.cdf-mn.org/PDF/KidsCount_08/MNKC_08_FINALrev.pdf

How many youth are arrested in Minnesota?²²

The following are arrest data for the state of Minnesota between 2000 and 2007. Note that arrests are *not* criminal convictions, they merely represent a police officer's determination that probable cause existed that an individual was involved in a crime. Those arrested have not been through due process in court. Not all arrests lead to criminal convictions or juvenile adjudications.

✓ Since 2000, total arrests (adult and juvenile combined) have increased 7 percent.

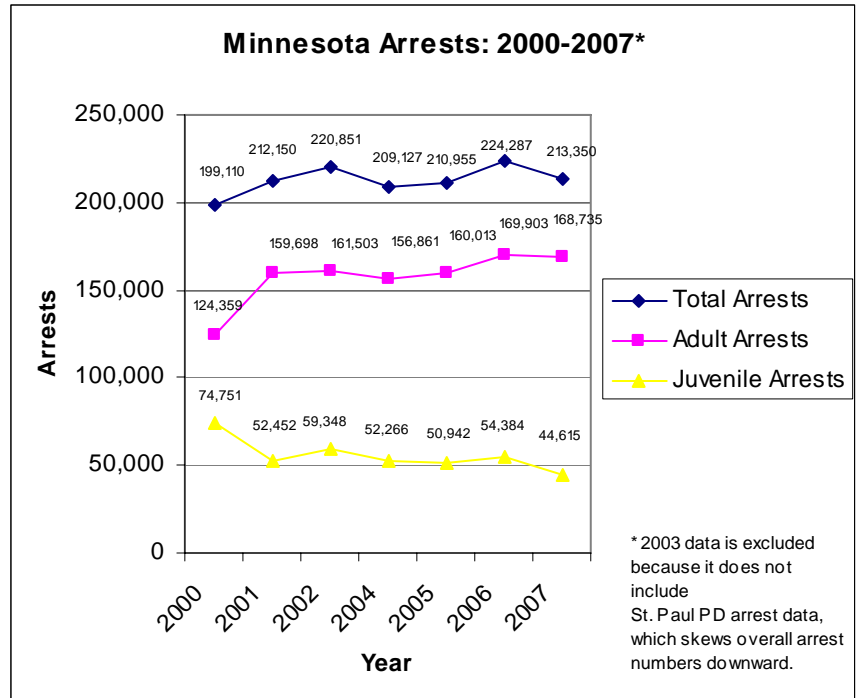
✓ Since 2000, adult arrests have increased 35.7 percent; juvenile arrests have decreased 40.3 percent.

✓ Between 2004 and 2006, juvenile arrests averaged 24.4 percent of total arrests. In 2007, juvenile arrests were at a new low of 20.9 percent of total arrests.

✓ Approximately 72 percent of juvenile arrests were youth ages 14 to 17.

✓ In the past four years, males have consistently accounted for 2/3^{rds} of juvenile arrests and females 1/3rd of juvenile arrests.

✓ During the 2006/07 academic year, Minnesota schools reported a total of 12,842 student referrals to the police for behaviors involving illegal drugs, disruptive or disorderly conduct, insubordination, theft and weapons.²³

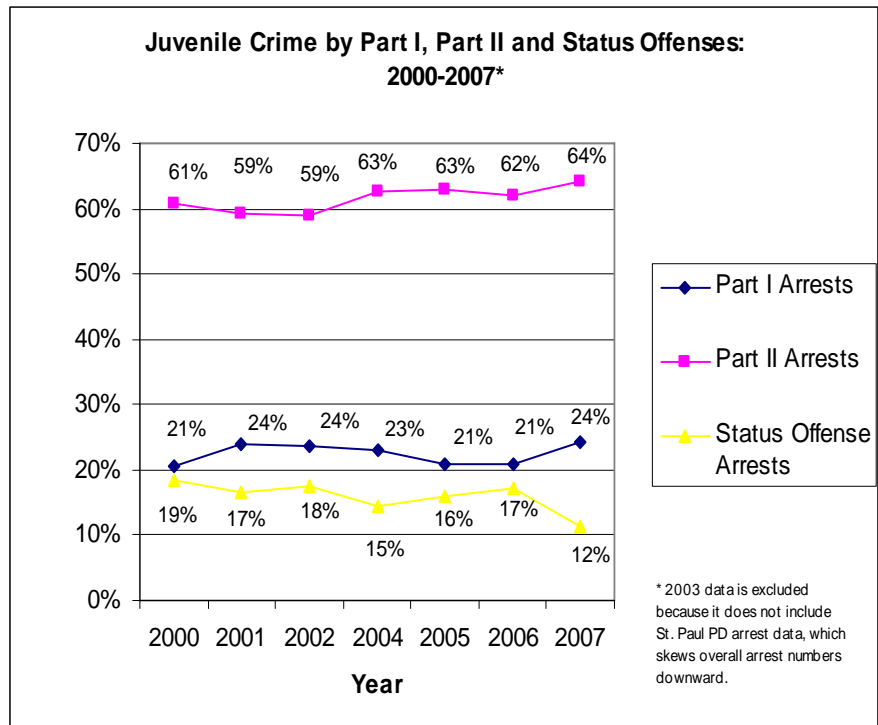


Who are the youth getting arrested and for what type of crime?

Arrests are divided into two categories: Part I crimes, which are typically serious property crimes and violent person related crimes; and Part II crimes, which are typically less serious personal or property related crimes.

The FBI Uniform Crime Report includes a third category, "status offenses" exclusively for juveniles. This category reflects arrests for curfew/loitering and runaway.²⁴

- ✓ Since 2000, Part I arrests have accounted for between one-fifth and one quarter of all juvenile arrests.
- ✓ Most juvenile arrests (roughly 60 percent) are Part II, less serious or property related offenses.
- ✓ In 2007, females were arrested for 33.5 percent of Part I offenses, 29.5 percent of Part II offenses, and nearly half (45.3%) of status level offenses.
- ✓ Both males and females have the same 'top three' charges for which they are arrested: Larceny (theft), Liquor Laws, and "other".²⁵



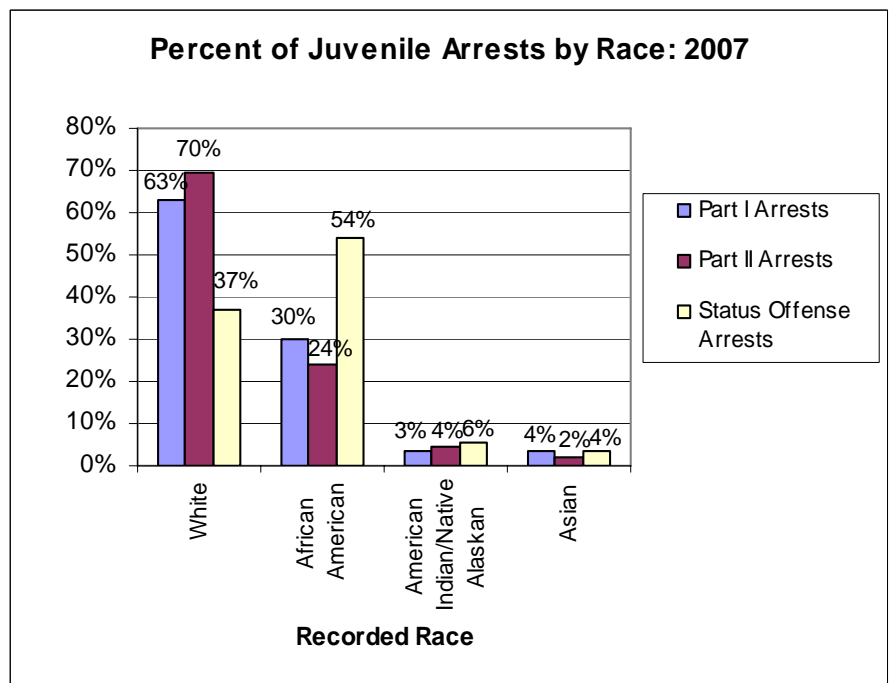
- ✓ The greatest decrease in arrests between 2000 and 2007 has been in the area of status level offenses. In 2000, there were over 13,800 juvenile arrests for curfew/loitering and runaway. In 2007, there were fewer than 5,150.
- ✓ Diverting youth who are committing status offenses is considered best practices because it keep lower risk youth from formally entering the justice system.²⁶ Between 2000 and 2007, juvenile arrests have decreased 73 percent for curfew/loitering and 35 percent for runaway.

Arrests by Race:

- ✓ White youth account for the majority of juvenile arrests (64.3%). White youth are arrested for more Part I and Part II crimes than other races at 63.1 percent and 69.6 percent, respectively.

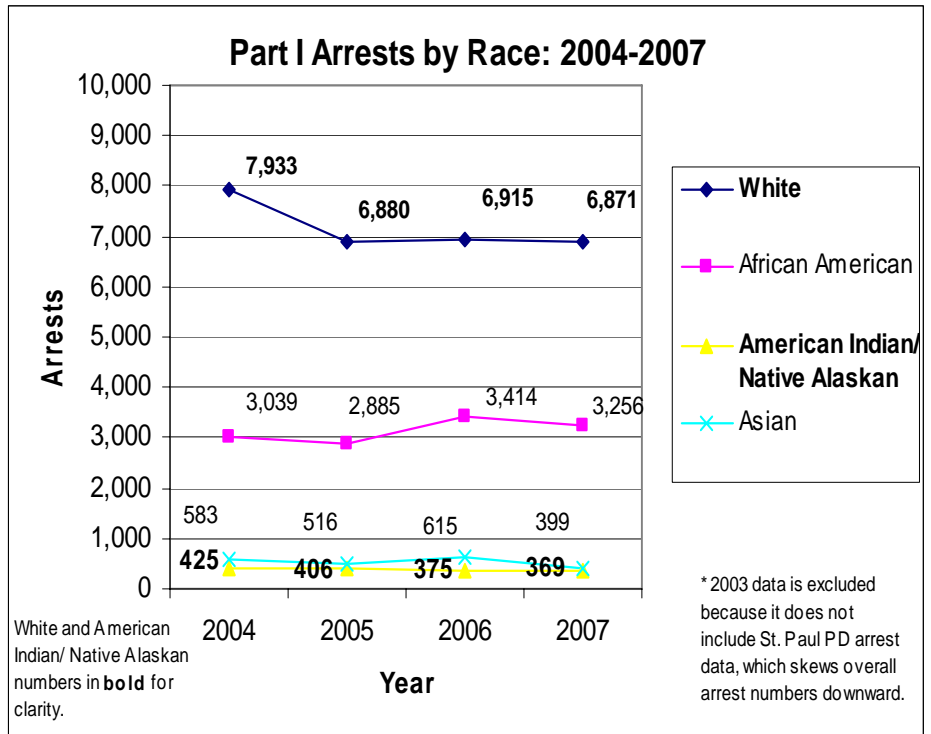
- ✓ **DMC RATES:** Minority youth in Minnesota are just over three times more likely to be arrested than white youth. African-Americans have the highest rate nearing 5 times that of whites; followed by American-Indians at 3.16; and Hispanics at 2.76. Asian youth are one third less likely than whites to be arrested (0.63).

- ✓ Nationally, African-American youth are twice as likely as whites to be arrested. Minority youth as a whole are just under twice as likely to be arrested as white youth.

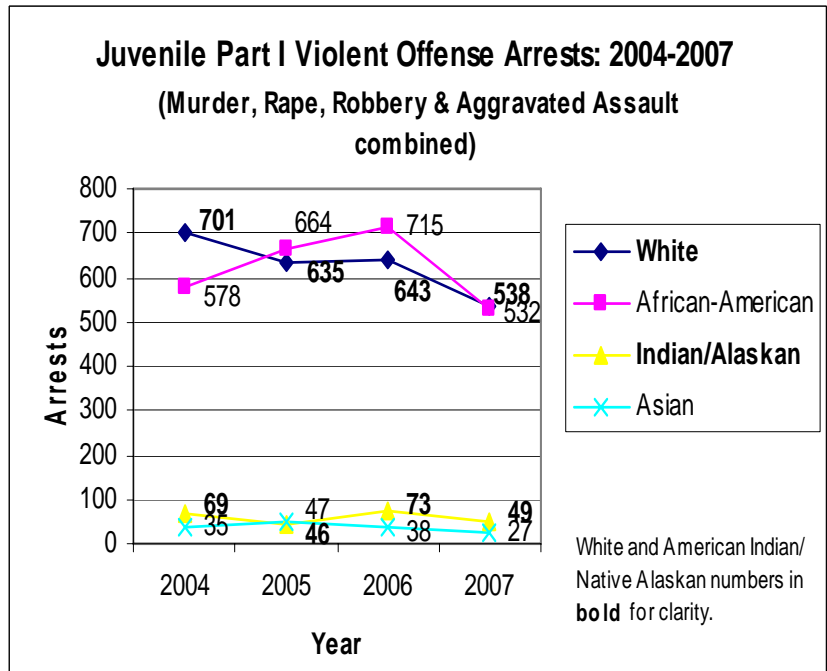


Arrests for Part I Offenses:

- ✓ White youth had more than twice as many arrests (6,871) for Part I offenses in 2007 than African-American youth (3,256).
- ✓ The number of Part I arrests for American-Indian and Asian youth are considerably lower at 369 and 399.
- ✓ The total number of arrests in 2007 for the violent person offenses of murder, rape, aggravated assault and robbery were nearly equal for whites and African-Americans at 538 and 532 arrests, respectively.

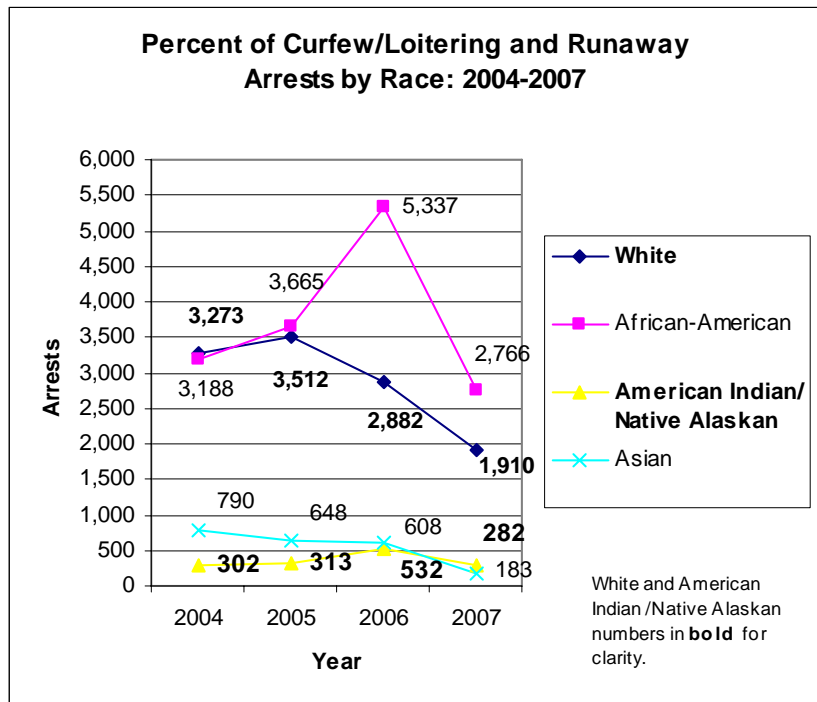


- ✓ The type of violent crime committed by each racial group was not equal, however. White youth had 2.75 more arrests for rape and 1.5 times more arrests for aggravated assault than African-Americans. African-American youth had 4 times more arrests for robbery than white youth. Murder arrests for whites and blacks were almost equal at 4 and 3 arrests, respectively.
- ✓ Of violent offenses, both American-Indian and Asian youth had their highest number of arrests for aggravated assault (36 and 21).



Arrests for Status Offenses:

- ✓ Females account for 60 percent of all arrests for runaway--one of the only offenses for which females are arrested at higher rates than males.
- ✓ Prior to 2001, white youth accounted for the majority of arrests for status level offenses (62-63%). Between 2001 and 2007, white arrests for status offenses have declined.
- ✓ Presently, African-American youth represent over half of all curfew/loitering and runaway arrests. Asian and American-Indian youth have had fluctuating status level arrests rates that are at historical lows.
- ✓ African-American youth are significantly over represented in status level arrests. The reasons for this are undetermined.



Does an arrest always result in a formal charge?

Not all juveniles arrested are subsequently brought to court on charges. In some cases schools, police departments, prosecutor's offices or communities offer Diversion Programs, which allow youth to be accountable for their decisions and repair the harm done by their actions without formally entering the juvenile justice system. Diversion programs are considered to be consistent with "best practices" and an integral part of screening youth out of the formal justice system and detention.²⁷ In other cases, evidence that the youth was culpable for the charge may not be sufficient for the County Attorney's Office to proceed in petitioning the case to court.

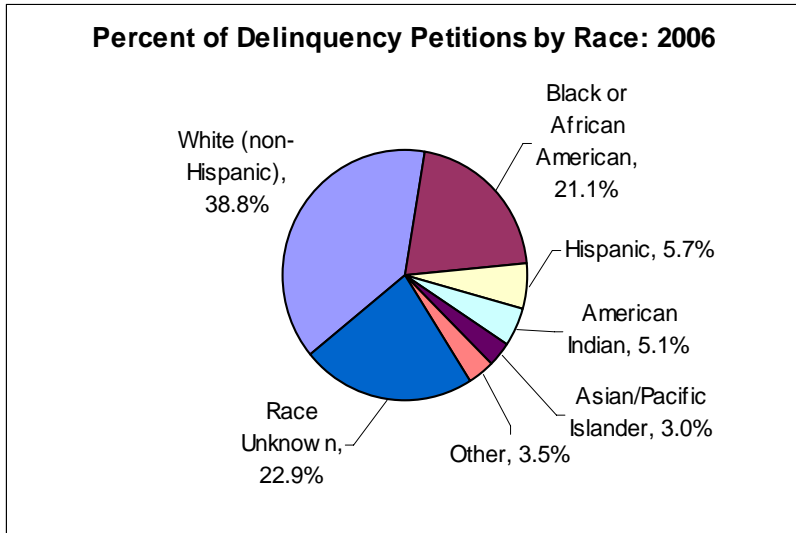
Data on the number of juveniles diverted away from criminal justice system involvement is difficult to obtain because this information is at times couched within small agencies or contracted nonprofits. In addition, there is no statewide requirement to collect data on diversions or their outcomes.

- ✓ **DMC RATES:** Because no reliable statewide data is available, there is no DMC rate available for cases referred to court or diverted from court for Minnesota. National data shows that minority youth are slightly more likely to be referred to court than white youth (1.2) and slightly less likely to be given a diversionary option (0.7).

How many youth appear in juvenile court in Minnesota?

The State Court Administrator's Office (SCAO) maintains data on the number of juveniles brought before (petitioned) to court at the district court level.

Racial comparisons regarding delinquency cases petitioned to court are difficult to describe because of the methodology district courts use to collect race data. As is evident in the chart, the second largest racial category is "unknown".



- ✓ In 2006, 21,595 Juvenile Delinquency cases were petitioned in Minnesota²⁸ (In 2006 there were 54,384 juvenile arrests in Minnesota).
- ✓ White, non-Hispanic youth accounted for just under 40 percent of delinquency petitions in 2006 (38.8). Black or African-American youth make up the second largest known race category at 21.1 percent.
- ✓ Hispanic and American-Indian youth each accounted for between 5 and 6 percent of

delinquency petitions.

- ✓ **DMC RATES:** In 2006, Asian and American-Indian youth were over twice as likely as white youth to have their cases petitioned to juvenile court. Black or African-American youth were 1/3rd times more likely (1.38) than white youth to be petitioned. Hispanic youth were essentially as likely as white youth to be petitioned (0.97).
- ✓ Nationally, minority youth are slightly more likely (1.2 times) to be petitioned to court than white youth.

2000-2003 Petition Trends:

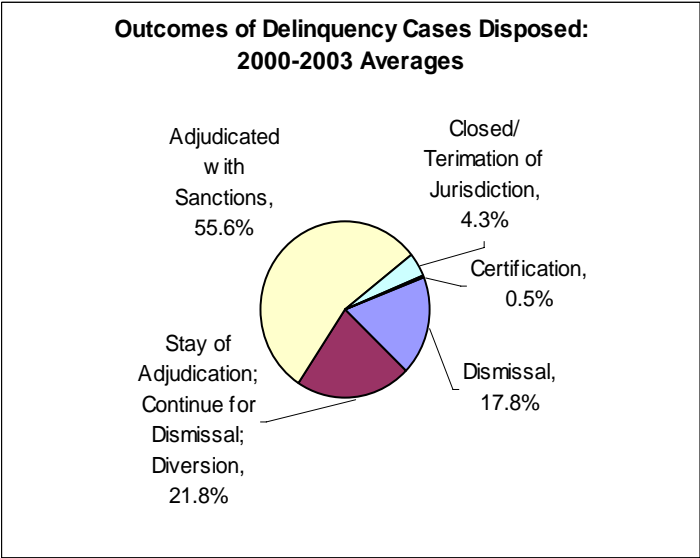
Detailed data related to juvenile petitions by the SCAO ceased to be compiled in a formal, public report after 2005 (using 2003 data). However, in looking at data from 2000 to 2003, trends suggested that generally²⁹:

- ✓ Delinquency Petitions are 35 percent of juvenile cases petitioned per year.
- ✓ Status/Petty Petitions are 45 percent of juvenile cases petitioned per year.
- ✓ And CHIPS Truancy and Runaway are 9 percent of juvenile cases petitioned per year.
- ✓ Other CHIPS petitions (Termination of Parental Rights and Abuse/Neglect) account for the remaining 11 percent.

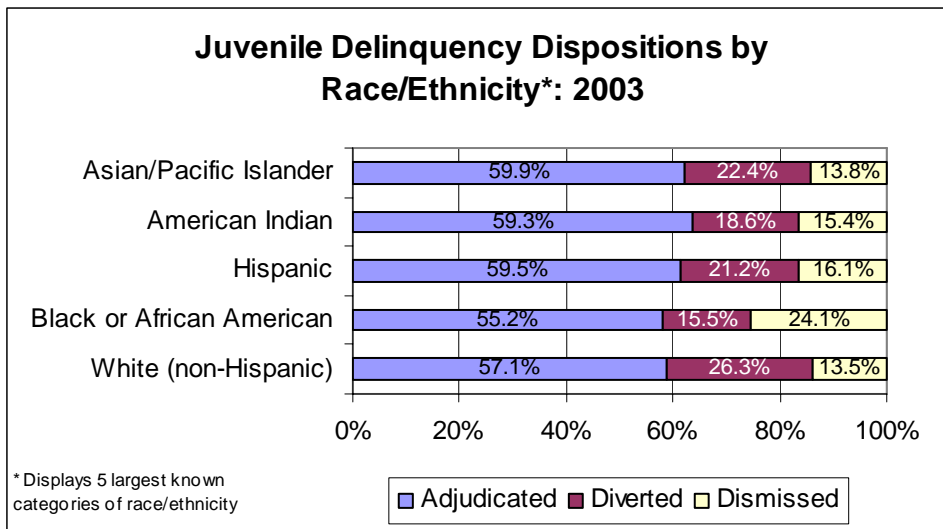
How many petitions result in findings of delinquency?

The State Court Administrator’s Office (SCAO) delinquency petition data between 2001 and 2003 shows that the variation between years in the number of delinquent findings, dismissals, diversions and certifications was low.

- ✓ On average, 56.1 percent of petitions resulted in a formal finding of delinquency with sanctions or an adult certification.
- ✓ On average, 17.8 percent of petitions were dismissed.



- ✓ On average, in 21.8 percent of petitions, youth received a diversion disposition of “continued for dismissal” or “stay of adjudication”. These dispositions can allow the offender the opportunity to not have the adjudication on their record or to have fewer repercussions from their record in the future.



- ✓ Data reported by the SCAO in 2002 and 2003 showed little difference in the number of cases resulting in findings of delinquency between races.

- ✓ However, when looking at the percentage of cases that were “Diverted” (diversion, stay of adjudication, continued for dismissal) and the number of cases that

were “Dismissed”, racial differences do exist.

- ✓ Non-Hispanic white youth, followed by Asian/Pacific Islander youth were most likely to be offered diversionary options in their cases. Black or African-American and American-Indian petitions were least likely to result in stays of adjudication or continuance for dismissal.
- ✓ Almost one quarter (24.1%) of petitions for black or African-American youth resulted in dismissal or findings of not guilty; followed by Hispanics (16.1%) and American-Indians (15.4 %). Non-Hispanic Whites and Asian/Pacific Islanders were least likely to have their cases dismissed. This may say something about the strength of the charges that result in petitions for certain minority groups.

How many youth are in correctional placements in Minnesota?

Minnesota has a range of residential services for youth involved in the juvenile justice system, the majority of which are owned and operated by county governments or private organizations. Youth may have very brief encounters with detention following arrest or before court appearances, or can be long-term placements exceeding a year depending on the severity and nature of the offense. Residential settings are most effective when a validated risk assessment tools³⁰ are in place to match the needs of the youth with the level of security and services the facility provides.

As of 2007, the Minnesota Department of Corrections (DOC) licenses forty-two Children’s Residential Facilities in-state. Of these, twenty-one facilities have secure³¹ detention beds and/or secure residential programs.³² These facilities have 611 secure beds, 1,479 non-secure beds; and 158 corrections foster licensed foster residence beds.³³

Determining the exact number of admissions to residential correctional programs is difficult, as each facility maintains their own records. In addition to other data collection efforts by the DOC, at the end of the calendar year facilities self-report their total admissions. The following admissions were reported to the DOC Inspection and Enforcement Unit³⁴ at the end of 2006*:

- ✓ Secure Detention and Secure Residential: 18,194 admissions (79.1% male; 20.9% female).

- ✓ Non-Secure Detention and Non-Secure Residential: 5,059 admissions (65.4% male; 34.6% female).
- ✓ Non-Secure Corrections Foster Placement: 207 admissions (61.4% male; 38.6% female).

*Please note that these admission data do not represent the number of individuals admitted, rather the number of admission events. The same individual can have multiple admissions to facilities over the course of a year. In addition, an individual admitted to detention and subsequently admitted to a placement would be counted twice; once in each program.

Minnesota Correctional Facility Redwing (MCF-RW) is a state operated facility for juvenile males. Red Wing is reserved for serious and chronic juvenile male offenders, certain juvenile sex offenders, and juveniles who have been designated EJJ. Minnesota Statute also indicates that MCF-Redwing should primarily be used when all other resources at the county level have been exhausted.³⁵

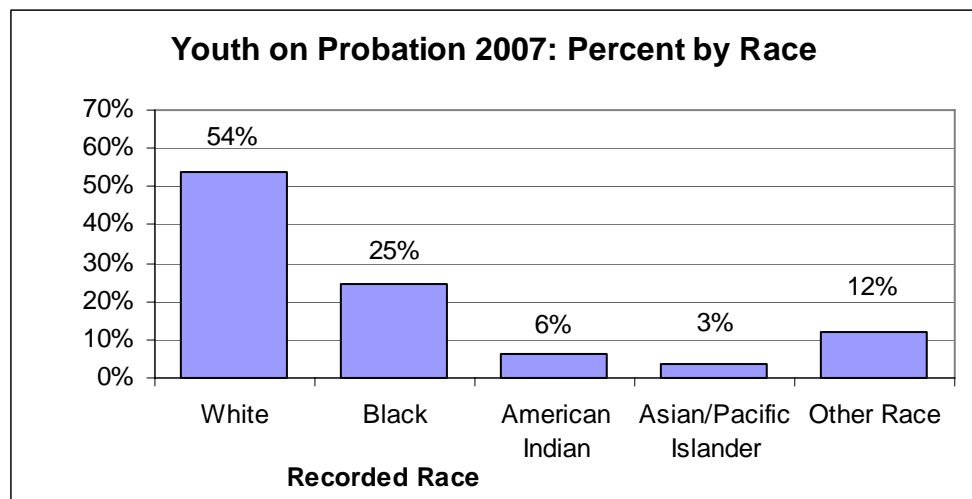
As of January 1st, 2008:³⁶

- ✓ 109 juvenile males were placed at MCF-Red Wing.
- ✓ Of these, 33 percent were Caucasian, 29 percent were African-American and 22 percent were Native American.
- ✓ The average age was 17.9 years.
- ✓ MCF-Red Wing does not house females. As of July 1st, 2008, two girls meeting the same serious/chronic offender criteria are being held in contracted facilities in Minnesota.³⁷
- ✓ **DMC RATES:** In 2006 in Minnesota, Asian youth were 4.24 times more likely to be placed in secure detention following arrest than white youth. American-Indian youth had the second highest detention rate of 3.44, followed by African-Americans at 2.66 times the white rate of secure detention. Hispanics had a rate closest to white youth at 1.45.
- ✓ Nationally, secure detention rates following arrest are 1.4 times those of whites for minority youth.
- ✓ Similarly, minorities in Minnesota are also more likely to be ordered to secure placement as a part of their court disposition, though the rates are lower than those for post arrest detention. Asian youth have the highest secure placement rate at 2.28, followed by Hispanics at 1.66 and Native American youth at 1.53. African-American youth had the lowest DMC rate of 1.40.
- ✓ Nationally, secure placement rates as a part of disposition for minority youth are 1.2 times that of white youth.

How many juveniles are on probation in Minnesota?³⁸

The Minnesota Department of Corrections (DOC) completes an annual Probation Survey in which county probation offices statewide are asked to report on the changes in their probation population over the calendar year.

- ✓ As of 2007, there were 14,181 youth on probation in the state of Minnesota. Youth currently account for 10 percent of all persons on probation.
- ✓ Both the number of youth on probation and youth as a percentage of all



probationers has been declining since 2000 when there were 16,695 juvenile probationers (12.7% of all probationers).

- ✓ Juvenile probationers are approximately 70 percent male and 30 percent female.
- ✓ Statewide, white youth account for just over half of probationers (54%). There is a difference between the seven county metro area, which has 38 percent white probationers, versus the non-metro counties which have 69 percent white probationers.
- ✓ Agencies are also asked to report the most serious offense for which juveniles were on probation. Since 2004, the top offenses were reported as: Status/Federal/Miscellaneous (21-23%); assault (10-13%); disturbing peace (9-12%); theft (8-11%); property damage (6-7%); and non-DWI traffic (5-6%).
- ✓ **DMC RATES:** Unlike many stages in the juvenile justice system where minority youth are over-represented, minority youth are under-represented in community supervision. American-Indian youth were half as likely (0.55) and African-American youth were one third as likely (0.64) than white youth to receive probation. Hispanic youth and Asian youth received probation in rates close to that of white youth (0.84 and 0.92, respectively).
- ✓ Nationally, minority youth receive probation at a comparable rate to white youth (0.90).

How many youth are designated EJJ in Minnesota?

Public data on EJJ designations in Minnesota are not currently available. A study completed by the National Center for State Courts in conjunction with the OJJDP in 2002 evaluated the impact of EJJ or “Blended Sentencing” in Minnesota. In this report, they found that in the late 1990s, EJJ designations constituted about 300 delinquency petitions annually.³⁹

Data on the following number of EJJ revocations were supplied by request by the Minnesota Sentencing Guidelines Commission.

- ✓ In 2007, 32 individuals had their EJJ revoked implementing the adult sentence. Because EJJ supervision can continue until age 21, not all revocations were still juveniles. Note that this sample may be indicative of trends of youth who *failed* EJJ, not all those who receive the EJJ designation.
- ✓ Revocations were 100 percent male. Forty-seven percent of revocations were African-Americans; 38 percent were white, and 12 percent were American-Indian.
- ✓ Of all minorities who experienced revocation in 2007, 75 percent of their offenses originated as Person offenses and over half involved the use of a firearm or other dangerous weapon.
- ✓ Of all revocations for white offenders, only one was a Person offense and only one involved the use of a weapon. Two thirds of white offender revocations, however, originated as felony level Sex Offenses.

How many youth are transferred to adult court for certification in Minnesota?

In 2006, the State Court Administrator’s Office reported:

- ✓ 98 youth, or 0.5% of all delinquency petitions, were transferred to adult court. This percentage is consistent with previous years.

- ✓ 45 percent of certified youth were minority youth. African-Americans comprised 30 percent of the minority youth. Thirty-two percent of the youth were categorized as 'unknown' as a race or ethnic identity.
- ✓ **DMC RATES:** Calculating a DMC rate requires that a sufficient number of cases be present to be statistically relevant. The number of Asian and Hispanic youth receiving certification is insufficient to calculate their rate for Minnesota. In 2006, American-Indian youth were three times more likely to be certified (2.99) than white youth. African-American youth were over two times more likely to be certified as adults (2.32).
- ✓ Nationally, the rate for minority certification is almost equal to white youth at 1.1. However, American-Indian youth have the highest certification rate at twice that (1.9) of white youth.

Youth Incarceration:

- ✓ According to the Minnesota Department of Corrections Adult Inmate Profile as of January 1, 2008, there were 13 inmates in Minnesota's adult prison system under the age of 18.
- ✓ There were a total of 321 inmates in prison who had been certified as adults at the time of sentencing, meaning they likely entered prison when under age 18.
- ✓ Certified youth who are age 17 or under when they enter an adult prison facility are sent to MCF-St. Cloud (males) or MCF- Shakopee (females) to participate in Youthful Offender Programming designed to specifically meet the needs of adolescents.⁴⁰
- ✓ According to the Department of Corrections Daily Inmate Report 10/13/08, there are no females under the age of 18 either as adult certification or EJJ currently at MCF-Shakopee.⁴¹

In what ways are youth in correctional placements similar to and different from mainstream youth?

In 2007, youth across the state completed the Minnesota Student Survey (MSS) in which 9th and 12th graders were asked to self-report on a variety of behaviors, attitudes and wellness indicators. Fourteen correctional placements, many of which are secure programs, also participated and administered the survey to 587 residents through their education programs.

Creating a Comparison Group: The corrections youth who participated in the survey were 77 percent minority race or ethnicity, were 86 percent male, and were between the ages of 11 and 20. Mainstream youth respondents were 15 percent minority race or ethnicity, were 49 percent male and, were between ages 13 and 20.⁴²

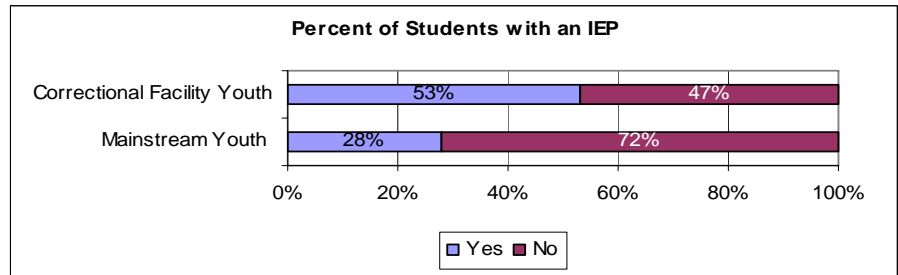
In order to reduce the impact of demographic differences between the two groups of respondents, the responses from the correctional facility youth were matched by age, race and gender with mainstream public school youth who took the Secondary Minnesota Student Survey. This created a public school comparison group that very closely mirrored the corrections youth group.

Differences and similarities between these two matched groups will hopefully illuminate how the behaviors, attitudes, experiences and life circumstances of youth who enter juvenile correctional facilities differ from similar youth in the community. Youth in correctional placements do not represent the attitudes and experiences of all justice system involved youth, but hopefully this data can provide insight for further support and interventions for these youth. A full analysis and report on this topic is in progress through the Office of Justice Programs, however here are some key findings:

Differences:

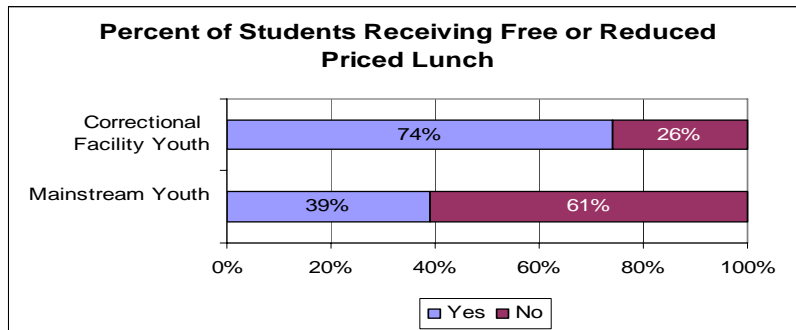
Individualized Education Plans (IEPs):

- ✓ Mainstream youth and youth in correctional facilities of the same race, age and gender demographics have significant differences in their involvement in Special Education Services. Less than one third (28%) of mainstream youth had IEPs



whereas over half (53%) of correctional facility youth had IEPs. No information is available from this survey regarding if the IEPs are related to physical, emotional or developmental disabilities.

Free or Reduced Price Lunch:

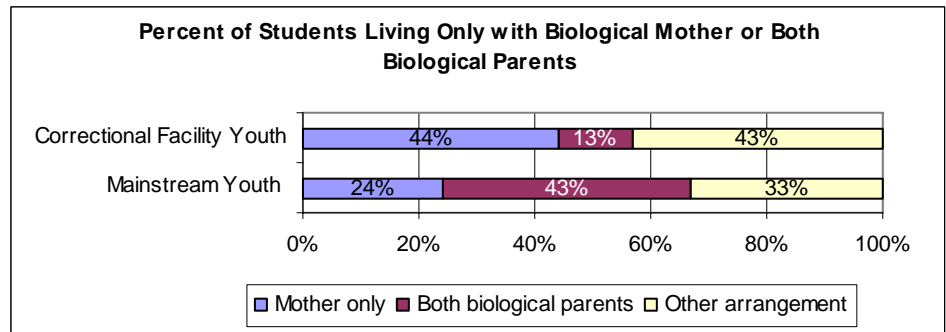


- ✓ Mainstream youth and youth in correctional facilities of the same racial and gender demographics have significant differences in whether or not they receive free or reduced priced lunch; the only economic indicator on the Minnesota Student Survey. Almost twice as many correctional facility youth (74%)

reported they received free or reduced priced lunch in the most recent school year, as opposed to 39 percent of students in the community.

Living Arrangement:

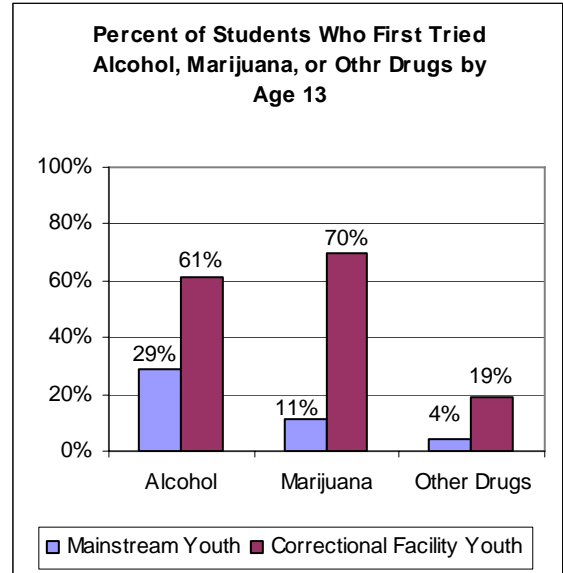
- ✓ The family living arrangement is also substantially different for the matched group of students. Students completing the survey had many living arrangements from which to choose, but the following two categories had large



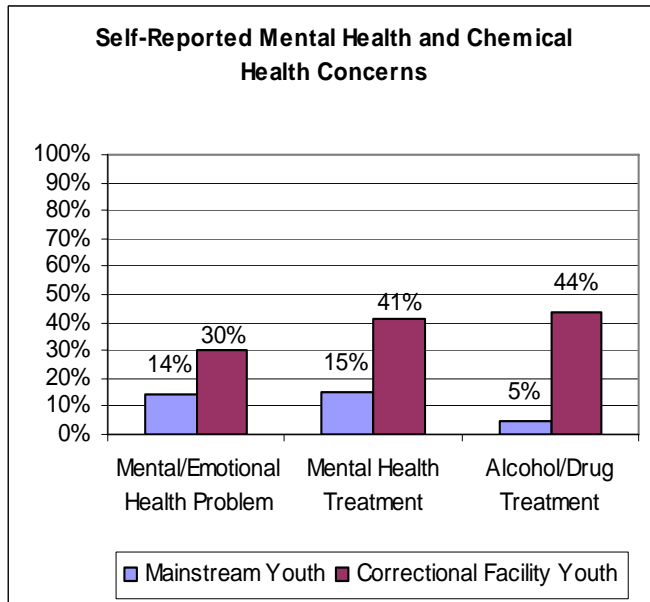
differences: Mainstream youth were more likely to live with both biological parents (43%) versus 13 percent of youth in correctional facilities. Conversely, 44 percent of youth in correctional facilities lived with only their mother versus less than one quarter (24%) of mainstream youth.

Chemical Use:

- ✓ The 2007 Minnesota Student Survey also found that youth in correctional facilities began using drugs at an earlier age. Correctional facility youth have higher rates than mainstream youth of trying the following by the age of 13: Alcohol (61% vs. 29%), marijuana (70% vs. 11%) and other drugs (19% vs. 4%).
- ✓ Youth in correctional facilities reported significantly more current drug and alcohol use than their mainstream peers. In addition, youth in correctional facilities self-identified consequences associated with using at higher levels such as problems with family, relationships, health, abstaining, and the law.



Mental Health:



- ✓ The 2007 Minnesota Student Survey found that youth in correctional facilities reported being treated for chemical dependency (44%) and mental health (41%) at a rate significantly higher than youth in mainstream schools (15% and 5%).⁴³
- ✓ Youth in correctional facilities reported higher rates of having an emotional or mental health problem lasting longer than 12 months (30 % vs. 14%).
- ✓ Youth in correctional placement self reported more issues than mainstream youth on almost all the mental health related questions including feeling stressed, sad, angry/irritable, hopeless, poor concentration, impulsive, and

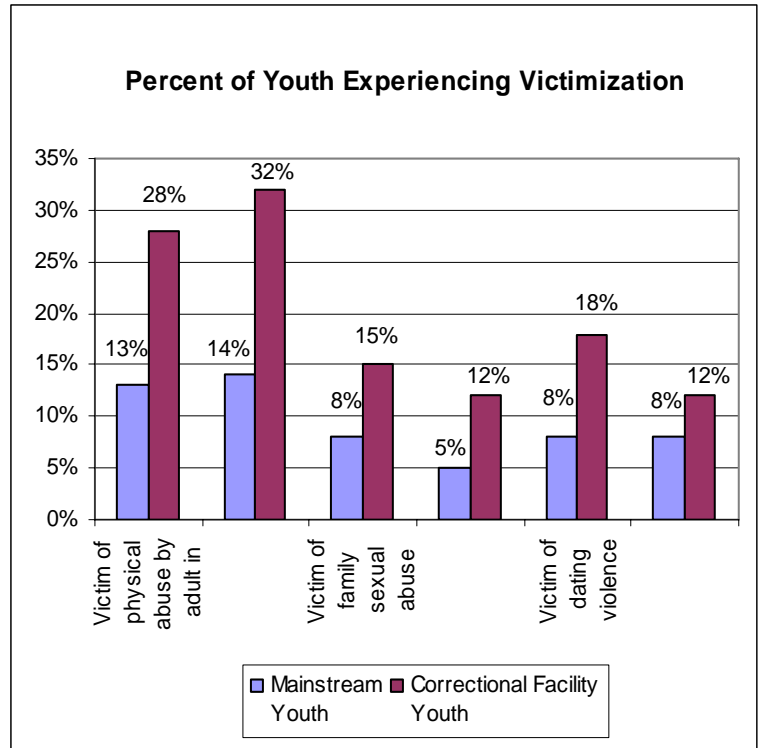
attempting suicide.

- ✓ Self-reported suicide attempts are two times higher for youth in correctional facilities (20% v. 10%).

Self-reported Victimization:

While youth in placement generally self-report engaging in more criminal behavior and victimization of others, they also report being victimized more than mainstream youth.

- ✓ Youth in correctional facilities report over twice the physical abuse by an adult or other person in their household than mainstream youth.
- ✓ Youth in correctional facilities report being victims of almost twice as much sexual abuse both by a family member and by non-family members.
- ✓ Youth in correctional placements report over twice as much dating violence and slightly more forced sexual behavior within dating relationships. When female responses are separated from the males, the percentage experiencing forced sexual behavior in a dating relationship skyrockets from 12 percent to 37 percent.
- ✓ Correctional youth in Minnesota overall appear to experience greater victimization at the hands of family, dating partners and non-familial relationships than mainstream youth, which must be taken into account when providing services and interventions.

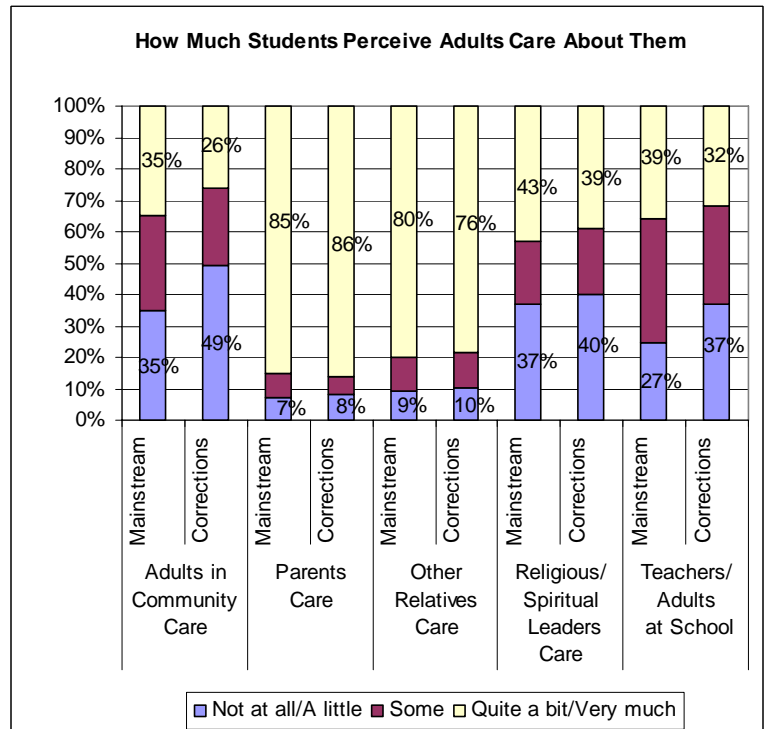


Similarities:

Whereas there are many differences between these groups of youth, there are also some fundamental similarities in their experiences and perceptions. In several areas there was no statistical difference between correctional facility youth responses and mainstream youth responses.

Supports:

- ✓ Youth overwhelmingly agreed that they can talk to their mothers about problems they are having. Seventy-eight percent of youth in correctional facilities agreed versus 73 percent of mainstream youth.
- ✓ There was no statistical difference between how much youth in both groups felt their parents cared about them; other adult relatives cared about them; and how much religious and spiritual leaders cared for them.



- ✓ Mainstream youth were more likely than correctional facility youth to say that teachers or other adults at school and other adults in their community cared about them.
- ✓ Parents and other adult relatives are clearly a great resource for youth, as both groups feel cared for by their family and expressed ability to talk about their problems, especially with their mothers. This illustrates why it is imperative that families be included in processes and programming decisions about their children.

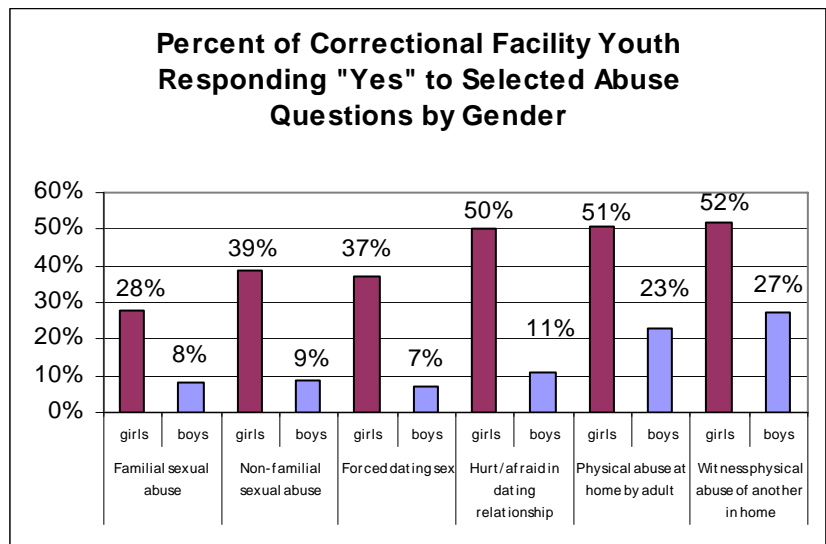
How are girls in the correctional facilities unique?

It is generally accepted that male and female youth do not enter the juvenile justice system for the same offenses or because of the same risk factors in their lives. This phenomenon is illustrated by differences in male and female responses to the Minnesota Student Survey within the cohort of youth in correctional facilities.

Though the statistical differences between the genders are too plentiful to explain in this *Snapshot*, they will be explored by the Office of Justice Programs in a future report. Suffice it to say at this time, the environmental factors and personal drivers contributing to girls' involvement in the juvenile justice system are unique and speak to the importance of programming and interventions responsive to the needs of girls.

Victimization of Girls:

- ✓ Victimization rates are significantly higher for female youth in correctional facilities than males. Over half of girls reported experiencing physical abuse in their home by an adult or in their home by another. Over half also reported being hurt or afraid in a dating relationship. For males the rates were closer to one quarter for abuse in the home.
- ✓ Between one quarter and one-third of girls in correctional facilities (28%) reported experiencing familial sexual abuse. Over one third (39%) report sexual abuse by someone outside their family and forced sexual behavior in dating relationships (37%). For males in correctional facilities, none of these rates exceeded 10 percent.



- ✓ Two thirds of corrections girls reported having run away from home at least once in the past year, as opposed to one third of boys. This mirrors arrest rates for males and females for runaway.

Chemical and Emotional Health:

- ✓ More girls than boys report using drugs for the first time before age 13 (28% vs. 17%).
- ✓ Over 50 percent of girls agreed or mostly agreed that they get a lot of headaches, stomach aches or sickness (61%); that they are often irritable or angry (79%); they are often unhappy, depressed or tearful (51%); they have felt sad all or most of the time in the past month (51%); and that they

feel under pressure or stress in the past month (62%). All were higher than the male response rates to these questions.

- ✓ Girls are more likely than boys to report having been treated for a mental or emotional health problem (56% vs. 38%). This may or may not represent a difference in diagnoses or willingness to follow through with treatment recommendations.
- ✓ Girls had significantly higher rates of self harm: Fifty-nine percent reported hurting themselves on purpose; 61 percent reported suicidal thoughts, and 41 percent reported suicide attempts. One quarter or less of boys reported self harm or suicidal thoughts and 15 percent had a suicide attempt.

The Institute for Women's Policy Research in partnership with the Women's Foundation of Minnesota created a 2008 report entitled: *Status of Girls in Minnesota: Research Overview*. This document has myriad wellness indicators about girls using current Minnesota Student Survey data and other resources. This document also makes policy recommendations as it relates to strengthening supports and improving outcomes for female adolescents. Though it is an examination of all girls versus juvenile justice system involved girls, it addresses juvenile justice system risk factors and is a useful reference tool:

http://www.wfmn.org/PDFs/StatusOfGirlsInMN_ResearchOverview.pdf

What is the State of Minnesota doing to help kids in the juvenile justice system?

The following organizations are currently involved in juvenile justice policy, system reform, and youth focused diversion at a statewide level in Minnesota. The list is not exhaustive, nor does it include the essential work done by Minnesota's professional youth serving and justice organizations, private foundations, educational settings or individual service providers.

- ✓ The Juvenile Justice Advisory Committee (JJAC): JJAC is charged, under the federal Juvenile Justice and Delinquency Prevention Act, with providing advice and recommendations to the Governor and the State Legislature on issues, trends and practices of the state's juvenile justice system. JJAC has long held that all youth in our society are at risk due to enormous challenges they face during the maturation process. However, some are more at risk than others due to the demographics of poverty, family dysfunction, chemical and mental health issues, disparities based on cultural and ethnic discrimination and a society that accommodates violence on many levels. These high risk juveniles are those that JJAC believes can most benefit from an inclusive and comprehensive approach to juvenile justice and it is with these youth that JJAC is most concerned and committed.⁴⁴
- ✓ Juvenile Justice Coalition of Minnesota: The mission of the JJC is to improve the health and welfare of youth and their families involved with (or who are at immediate risk of involvement with) the juvenile justice system in Hennepin County and the state of Minnesota, through policy enhancement and partnerships with communities. By serving as an innovator and convener, the JJC promotes statewide reforms to spread successful collaborative models and advocates for best practices.⁴⁵
- ✓ Juvenile Detention Alternatives Initiative (JDAI): The State of Minnesota, Hennepin, Ramsey and Dakota Counties, and the Annie E. Casey Foundation are engaged in a three-year Juvenile Detention Alternatives Initiative. JDAI studies how to end overcrowding, poor conditions of confinement and disproportionate minority confinement in detention facilities. Data in decision making is emphasized and the need for collaboration with the Juvenile Court, corrections, law enforcement, schools, child welfare, prosecution, legal defense and community is an integral part of the Initiative.⁴⁶

- ✓ Disproportionate Minority Contact (DMC): DMC refers to the disproportionate number of minority youth who come into contact with the juvenile justice system. The Juvenile Justice and Delinquency Prevention Act of 2002 requires all states receiving Federal Formula Grant money to staff a State DMC Coordinator. This individual is charged with collecting and reporting racial disparities to the federal government, as well as creating and coordinating efforts to reduce DMC in each state. This position is currently housed within the Minnesota Department of Public Safety, Office of Justice Programs.⁴⁷
- ✓ Juvenile Drug Courts: Minnesota currently has four juvenile drug courts; Ramsey County Juvenile Substance Abuse Court, Chisago County Juvenile Substance Abuse Court, Dakota County Juvenile Drug Court, and Brown County Juvenile Alcohol and Other Drug Court.⁴⁸ In juvenile drug court delinquency cases and status offenders are referred for handling by a designated judge. The youth referred to this court have issues with alcohol or other drugs. The juvenile drug court judge maintains close oversight of each case through regular status hearings with the parties involved. The judge both leads and works as member of a team that comprises representatives from treatment, juvenile justice, social and mental health services, school and vocational training programs, law enforcement, probation, the prosecution, and the defense.⁴⁹
- ✓ The Minnesota Youth Intervention Programs Association (YIPA): has been serving the needs of youth service providers since 1978. YIPA's mission is to provide:
 - Training and professional development opportunities for youth service professionals
 - Program development opportunities and educational products for youth serving agencies
 - Collaboration, networking and advocacy for early intervention youth service organizations in Minnesota
 - A voice for the youth of Minnesota.⁵⁰
- ✓ The Minnesota Department of Public Safety, Office of Justice Programs: OJP administers federal Title II, Title V, and Juvenile Accountability Block Grants with the following goals: To address overrepresentation of youth of color in the juvenile justice system and gender specific services through prevention, intervention, diversion and aftercare; to support local governments to implement comprehensive delinquency programming; and to reduce juvenile crime by encouraging accountability-based reforms at state and local levels.⁵¹

FLASHBULBS: Highlights from the Data

- The number of juvenile arrests in Minnesota declined between 2000 and 2007, and is currently at a historic low. The greatest decline in arrests has been in the category of status offenses.
- Males make up the majority of youth in the juvenile justice system. Males account for 2/3rds of all arrests, 80 percent of all secure facility admissions, and 70 percent of juvenile probationers.
- Females account for nearly half (45%) of arrests for status offenses. Runaway is the only category for which females are arrested in greater numbers than males.
- Presently, white youth, who make up the majority of the population, also account for the majority (2/3rds) of juvenile arrests for delinquency offenses. Conversely, minority youth account for approximately 2/3rds of arrests for status offenses (63%).
- Minorities as a whole in Minnesota are three times more likely to be arrested than white youth. African-American youth are almost five times more likely, followed by American-Indian and Hispanic youth who are three times more likely. Asian youth were less likely than white youth to be arrested.

- Data from 2002-2003 showed that almost one quarter of African-American delinquency cases disposed were dismissed by the court. This may indicate that the court stage helps balance the high arrest rate for African-Americans.
- White and Asian youth were least likely to have their case dismissed in court but were most likely to receive a dispositional alternative over traditional sanctions. These diversions can provide youth with a valuable opportunity to keep formal charges off their juvenile record.
- Juvenile placement data is difficult to report precisely, however it appears there were roughly 18,000 admissions to secure juvenile facilities in 2006. This number reflects multiple admissions by the same individual, as well as individuals who have a change in programming status or move between different programs, as is common.
- Currently, minority youth as a whole are 2.5 times more likely to receive secure detention following arrest than white youth in Minnesota. Asian youth have the greatest disparity of over 4 times more likely to be securely detained, followed by American-Indian youth who are over 3 times more likely to be securely detained.
- The number of youth on probation has been declining since 2000. In 2007, just over 14,000 juveniles were on probation at year's end.
- The juvenile probation population is just over ½ white youth (54%). Currently, American-Indian youth are one-half as likely to receive probation as white youth, followed by African-Americans, who are 1/3rd less likely.
- Approximately one-half of one percent of delinquency cases are certified for adult prosecution annually. American-Indian youth have the greatest disparity of all minority groups as they are 3 times more likely to be certified than white youth.
- Youth in correctional facilities who took the 2007 Minnesota Student Survey reported more chemical use starting before age 13 than a matched sample of mainstream youth. Seventy percent of youth in correctional facilities had used marijuana by age 13 versus 11 percent of mainstream youth. Sixty-one percent of youth in correctional facilities had used alcohol before 13 versus 29 percent mainstream youth.
- Youth in correctional facilities were considerably more likely than a matched sample of mainstream youth to have undergone chemical treatment (44% vs. 5%) or mental health treatment (41% vs. 15%).
- On average, twice as many youth in correctional facilities reported experiencing physical abuse by a member of their household (30%) as well as familial and non-familial sexual abuse (14%) than a mainstream youth matched sample. While correctional interventions must address young offender's victimizing behavior, they cannot dismiss that these youth also have high rates of being victimized.
- Half of girls in correctional facilities reported physical abuse at home and, on average, 1/3rd reported familial or non-familial sexual abuse in their history. Additionally, 2/3rds of girls reported having run away from home in the past year. Programming for girls in the juvenile justice system must be responsive to their high rates of physical and sexual victimization.
- Both youth in the mainstream population and in the correctional facilities reported that they felt cared for by their parents and other adult relatives. On average, 75 percent of all youth, correctional and mainstream, felt they could speak to their mothers about problems they were having. This speaks to the importance of family engagement and involvement in correctional interventions and decision-making.

- Minnesota has Disproportionate Minority Contact (DMC) rates that are, at times, significantly above the national average. Whenever prudent to public safety, youth should be diverted away from arrest and secure detention where over-representation is the greatest. In order to accomplish this, alternative options are needed for law enforcement and correctional facilities.

¹ Youth and the Law: A Guide for Legislators. 2006. Minnesota House of Representatives Research Department.

<http://www.house.leg.state.mn.us/hrd/pubs/youthlaw.pdf>

² Section excludes the category "Juvenile Traffic Offender".

³ Not a part of the Youth and Law 2006 Report. Created by the Department of Public Safety, Office of Justice Programs. 2008.

⁴ In addition to material derived from the Youth and the Law: A Guide for Legislators document, this section includes material from the Minnesota Judicial Branch: Minnesota Rules of Juvenile Procedure: Delinquency, Juvenile Petty Offenses and Juvenile Traffic Offenses. http://www.mncourts.gov/documents/0/Public/Rules/JuvDelinqRules_eff_1-1-08.doc#i1905

⁵ Minnesota Statute 260B.125.

⁶ Not a part of the Youth and Law 2006 Report. Created by the Department of Public Safety, Office of Justice Programs. 2008.

⁷ US Department of Justice, 1999 National Report Series: Minorities in the Juvenile Justice System.

<http://www.ncjrs.gov/pdffiles1/ojdp/179007.pdf>

⁸ The following two sections related to DMC are taken from: US Department of Justice, 1999 National Report Series: Minorities in the Juvenile Justice System. <http://www.ncjrs.gov/pdffiles1/ojdp/179007.pdf>

⁹ OJJDP Program Overview: Disproportionate Minority Contact. <http://ojdp.ncjrs.org/Programs/ProgSummary.asp?pi=18>

¹⁰ Minnesota DMC data in this report reflects calendar year 2006. DMC data is compiled by the Minnesota Office of Justice Programs for submission to the Federal Office of Juvenile Justice and Delinquency Prevention.

¹¹ C. Puzanchera, B. Adams, H. Snyder. (2008). An Interpretation of the National DMC Relative Rate Indices for Juvenile Justice System Processing in 2005. National Center for Juvenile Justice.

http://ojdp.ncjrs.org/ojstatbb/dmcdp/pdf/dmc_interpretations.pdf

¹² All national DMC data in this report come from the National Disproportionate Minority Databook developed and maintained by the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

<http://ojdp.ncjrs.org/ojstatbb/dmcdp/index.html>

¹³ U.S. Department of Justice, Federal Bureau of Investigation. Crime in the United States by Volume and Rate per 100,000 inhabitants, 1988-2007. http://www.fbi.gov/ucr/cius2007/data/table_01.html

¹⁴ U.S. Department of Justice, Bureau of Justice Statistics. Key Crime and Justice Facts at a Glance.

<http://www.ojp.usdoj.gov/bjs/glance.htm>

¹⁵ National Archive of Criminal Justice Data: NCVS Resource Guide. <http://www.icpsr.umich.edu/NACJD/NCVS/>

¹⁶ U.S. Department of Justice, Federal Bureau of Investigation. Crime in the United States by State, 2007.

http://www.fbi.gov/ucr/cius2007/data/table_05.html

¹⁷ National Institute of Corrections: State Corrections Statistics, 2006. <http://www.nicic.org/Features/StateStats/>

¹⁸ Unless otherwise noted, all further population estimates for Minnesota in this report are from the US Census Bureau: Estimates of the Population by Selected Age Groups for the United States and States and for Puerto Rico.

<http://www.census.gov/popest/archives/2000s/index.html>

¹⁹ Puzanchera, C., Finnegan, T. and Kang, W. (2007). "Easy Access to Juvenile Populations"

<http://www.ojdp.ncjrs.gov/ojstatbb/ezapop/>

²⁰ Minnesota Department of Administration, State Demographic Center. Media Release 01/12/05.

<http://www.demography.state.mn.us/resource.html?id=10959>

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- ²¹ Children's Defense Fund Minnesota: Minnesota Kids Count Data Book 2008. http://www.cdf-mn.org/PDF/KidsCount_08/MNKC_08_FINALrev.pdf
- ²² All Minnesota arrest data in this report come from the Minnesota Bureau of Criminal Apprehension: Minnesota Crime Information Reports. Reports for each year beginning in 1997 are available on line at <http://www.bca.state.mn.us/CJIS/Documents/Page-15-02.html>
- ²³ MN Dept. of Education, Disciplinary Incident Data.
- ²⁴ The FBI has a quick reference of definitions of crimes that are included in Part I, Part II, and Status Offenses at the following link: http://www.fbi.gov/ucr/05cius/about/offense_definitions.html
- ²⁵ "Other offenses" as described in the Minnesota Crime Information report, 2007. "All Other Offenses - Include in this class every other state or local offense not included, except traffic. This encompasses abduction and compelling to marry, abortion (death resulting from criminal abortion, according to statutes, is a criminal homicide), bastardy and concealing death of a bastard, bigamy and polygamy, blackmail and extortion, bribery, contempt of court, discrimination and unfair competition, kidnapping, offenses contributing to juvenile delinquency, perjury, possession, repair, manufacturing, etc., of burglary tools, possession or sale of obscene literature and unlawful use, possession, etc., of explosives, etc."
- ²⁶ M. Kirlycheck, P. Torbet, & M. Bozynski. (1999). Focus on Accountability: Best Practices for Juvenile Court and Probation. National Center for Juvenile Justice. <http://www.ncjrs.gov/pdffiles1/177611.pdf>
- ²⁷ B. Holoman & J. Ziedenberg. (2006). The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities. Justice Policy Institute. http://www.justicepolicy.org/images/upload/06-11_REP_DangersOfDetention_JJ.pdf
- ²⁸ 2006 Delinquency Petitions data provided by request by the State Court Administrator's Office.
- ²⁹ 2000-2003 delinquency data obtained through the State Court Administrator's Office in reports entitled "Summary Information on Juvenile Delinquency Petitions in Minnesota Courts. <http://www.mncourts.gov/?page=519>
- ³⁰ Annie E. Casey Foundation. (2006). A Practice Guide to Juvenile Detention Reform: Juvenile Detention Risk Assessment. <http://www.aecf.org/upload/PublicationFiles/JJ3622H5038.pdf>
- ²² Minnesota Administrative Rules. Chapter 2960.0020 Subd. 66. "Secure program" means a residential program offered in a building or part of a building secured by locks or other physical plant characteristics intended to prevent the resident from leaving the program without authorization."
- ³² Department of Human Services, Division of Licensing. DHS and DOC Facility List by County Report. <http://www.dhs.state.mn.us/Licensing/ProgramLists/pdf/flcrf.pdf>
- ³³ These do not include residential beds licensed by the Minnesota Department of Human Services which include mental health and chemical treatment beds, shelter care, non-correctional group homes and 4,072 additional foster homes.
- ³⁴ Minnesota Department of Corrections, Inspection and Enforcement Unit. In-state Juvenile Placement Data, 2006
- ³⁵ Minnesota Statute 242.21
- ³⁶ Minnesota Department of Corrections, Juvenile Inmate Profile as of 01/01/2008. <http://www.doc.state.mn.us/aboutdoc/stats/documents/JuvenileProfile01-01-08.pdf>
- ³⁷ MN Department of Corrections Juvenile Inmate Profile As of 07/01/2008. <http://www.doc.state.mn.us/aboutdoc/stats/documents/JuvenileProfile07-01-08.pdf>
- ³⁸ All probation data in this Snapshot come from the MN Department of Corrections Probation Survey. Completed annually, editions since 2000 are available online at <http://www.doc.state.mn.us/publications/publications.htm>
- ³⁹ National Center for State Courts. (2002) Blended Sentencing in Minnesota: On Target for Justice and Public Safety? An Evaluation. http://www.ncsconline.org/WC/Publications/Res_Senten_BlendedSentenceMNPub.pdf
- ⁴⁰ Minnesota Department of Corrections. Division Directive, 07/03/07: Youthful Offenders in Adult Facilities. <http://www.doc.state.mn.us/DocPolicy2/Document/204.020.htm>

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- ⁴¹ Minnesota Department of Corrections, Minnesota Correctional Facility-Shakopee: Inmate Report 10-13-08. <http://www.doc.state.mn.us/facilities/tourreport/04FacilityInmateProfile.pdf>
- ⁴² 2007 Minnesota Student Survey Statewide Tables.
- ⁴³ The Minnesota Student Survey 2007 Report on Youth in Correctional Facilities will be released in the upcoming months. Additional information on the self-reported experiences, opinions and behaviors will be included.
- ⁴⁴ Minnesota Juvenile Justice Advisory Committee. 2008. <http://www.ijac.state.mn.us/>
- ⁴⁵ Juvenile Justice Coalition of Minnesota. 2008. <http://www.jjcmn.com/>
- ⁴⁶ To gain a broad understanding of the JDAI, begin at the Annie E. Casey Foundation website. <http://www.aecf.org/Home/MajorInitiatives/JuvenileDetentionAlternativesInitiative.aspx>
- ⁴⁷ To learn more about DMC, visit the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention website. <http://ojjdp.ncjrs.org/dmc/>
- ⁴⁸ For more information on Drug Courts, visit the Minnesota Judicial Branch website: <http://www.mncourts.gov/?page=494>
- ⁴⁹ National Drug Court Institute. 2008. <http://www.ndci.org/>
- ⁵⁰ Minnesota Youth Intervention Programs Association. 2008. <http://www.mnyipa.org/control.php?ezSID=523ceaae24c1e3a40410efd8c82c7315&topgroupname=&groupname=&subgroupname>
- ⁵¹ Minnesota Department of Public Safety, Office of Justice Programs. 2008. <http://www.ojp.state.mn.us/Grants/JAC/index.htm>