Implementing Data-Driven System Improvement: Utah's Approach to Creating Better Outcomes for Youth

Coalition for Juvenile Justice Annual Conference
June 21, 2019
Pew and PSPP

The Pew Charitable Trusts: nonprofit organization applies a rigorous, analytical approach to improve public policy, inform the public, and stimulate civic life.

Pew’s public safety performance project works with states to advance data-driven, research-informed, fiscally sound policies and practices in the criminal and juvenile justice systems.

PSPP and our partner, the Crime and Justice Institute, provide technical assistance to states engaging in comprehensive juvenile justice reform.
Path to legislative change

1. Appoint a bipartisan, interbranch task force
2. Analyze data and assess system
3. Review research and practices from other states
4. Draft and support comprehensive legislation
5. Issue final report with recommendations
6. Develop policies and build consensus
7. Engage Stakeholders
The Path to Reform in Utah
Utah Juvenile Justice Working Group Charge

- Promote public safety
- Limit system costs
- Reduce recidivism
- Improve outcomes for youth, families, and communities.

<table>
<thead>
<tr>
<th>Governor</th>
<th>Chief Justice</th>
<th>Senate President</th>
<th>House Speaker</th>
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<tbody>
<tr>
<td>Gary Herbert</td>
<td>Matthew Durrant</td>
<td>Wayne Niederhauser</td>
<td>Gregory Hughes</td>
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Working Group Findings

- Most youth faced low-level charges, but responses inconsistent; diversion showed better outcomes
- Youth often securely detained pre-adjudication on low-level nonviolent charges; reoffense rates higher for those detained
- Costly out-of-home placements were common for low-level offenses and contempts, despite poor public safety benefits
- Racial and ethnic disparities across the system
- Lack of rural services
- Once involved with the juvenile justice system, youth remained involved for years
Most Youth Sent to Court for a First Offense Faced Low-Level Charges

<table>
<thead>
<tr>
<th>Offense</th>
<th>Number of youth</th>
<th>Felony?</th>
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<tbody>
<tr>
<td>Marijuana possession or use</td>
<td>473</td>
<td>No</td>
</tr>
<tr>
<td>Habitual truant citation</td>
<td>258</td>
<td>No</td>
</tr>
<tr>
<td>Possession drug paraphernalia</td>
<td>174</td>
<td>No</td>
</tr>
<tr>
<td>Retail theft under $500</td>
<td>172</td>
<td>No</td>
</tr>
<tr>
<td>Assault – substantial risk of bodily harm</td>
<td>157</td>
<td>No</td>
</tr>
<tr>
<td>Criminal mischief</td>
<td>117</td>
<td>No</td>
</tr>
<tr>
<td>Sexual abuse, child victim under 14</td>
<td>100</td>
<td>Yes</td>
</tr>
<tr>
<td>Alcohol possession or consumption</td>
<td>84</td>
<td>No</td>
</tr>
<tr>
<td>Possession of drug paraphernalia in a drug free zone</td>
<td>82</td>
<td>No</td>
</tr>
<tr>
<td>Possession of tobacco</td>
<td>72</td>
<td>No</td>
</tr>
</tbody>
</table>
Youth Charged with Misdemeanors and Status Offenses Diverted From Court for a First Offense Had Lower Recidivism Rates (But Opportunity Varied)
Most Youth in State Custody Were Not There for Felonies

![Bar chart showing the percentage of youth in state custody based on offense type and disposition.]
Racial, Ethnic Disparities Grew at Deeper Levels of Juvenile Justice System
Racial, ethnic disparity in the proportion of youth receiving diversion for truancy

- **Youth with Petition for Truancy**
  - Other Race/Ethnicity: 7% (34% Black/African American (non-Hispanic), 3% Hispanic, 2% White (non-Hispanic))
  - Youth with Non-Judicial for Truancy
  - Other Race/Ethnicity: 3% (28% Black/African American (non-Hispanic), 67% Hispanic, 2% White (non-Hispanic))
Data-driven Reforms: HB 239

- Limit secure detention use
- Standardize and expand diversion
- Keep low-level school offenses out of court
- Restrict probation length
- Narrow placement eligibility
- Strengthen supervision and treatment
- Augment responses to noncompliance
- Heighten oversight
- Reduce time in placement
- Expand restorative justice
- Revise transfer to adult system
- Reinvest in community and EBPs
Fewer youth are entering the juvenile justice system

Figure 3. Referrals to the Juvenile Court Continued to Decline.
Diversion of Youth from Formal Court Proceedings Rose After H.B. 239

![Bar chart showing the percentage of youth diverted from formal court proceedings from 2015 to 2018. The percentages are as follows: 28% in 2015, 17% in 2016, 22% in 2017, and 55% in 2018.]
Detention Admissions Down 44% Between FY 2016 and FY 2018

Figure 17. Admissions to Detention Continue to Decline.
Nonsecure out-of-home placement continues to decline; reinvestment grows

Reduction in Juvenile Justice Services out-of-home population first quarter FY16 - FY18

$18.9 million Reinvestment in community and evidence-based service expansion
Implementing Data-Driven System Improvement: Utah's Approach to Creating Better Outcomes for Youth
Contacts

Representative Lowry Snow
Utah House of Representatives

Kim Cordova, Executive Director
Utah Commission on Criminal and Juvenile Justice

Pamela Vickrey, Executive Director
Utah Juvenile Defender Attorneys

Nindy Le, Emerging Leader
Utah Board of Juvenile Justice
Juvenile Justice Reform Highlights
Or...What you can track when you keep good data
Diversion
As Referral Totals Decline, Youth Diversions in Kentucky are an Increasing Portion of Referrals

Note: Findings are preliminary and exclude 1,393 referrals for which the use of diversion was unclear (<1% of cases). Unit of analysis is a referral, not individual youth, so youth may appear more than once in the data.
South Dakota’s Successful Diversions Increased 2016-2018; Unsuccessful Diversions Remain Steady

<table>
<thead>
<tr>
<th>Year</th>
<th>Successful</th>
<th>Unsuccessful</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 16</td>
<td>1293</td>
<td>513</td>
</tr>
<tr>
<td>FY 17</td>
<td>1388</td>
<td>416</td>
</tr>
<tr>
<td>FY 18</td>
<td>1964</td>
<td>513</td>
</tr>
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Probation
South Dakota Rates of Probation Completion Have Risen

Completed probation:
- FY14 (N=2224): 85%
- FY15 (N=2330): 90%
- FY16 (N=1923): 94%
- FY17 (N=1541): 96%
- FY18 (N=1478): 95%

Revoked sent to County Detention:
- FY14 (N=2224): 0%
- FY15 (N=2330): 0%
- FY16 (N=1923): 1%
- FY17 (N=1541): 11%
- FY18 (N=1478): 0%

Revoked sent to DOC:
- FY14 (N=2224): 0%
- FY15 (N=2330): 0%
- FY16 (N=1923): 8%
- FY17 (N=1541): 5%
- FY18 (N=1478): 3%

Revoked terminated:
- FY14 (N=2224): 1%
- FY15 (N=2330): 1%
- FY16 (N=1923): 3%
- FY17 (N=1541): 3%
- FY18 (N=1478): 1%
Kansas Earned Discharge Credits Incentivize Probation Compliance

- Policy allows for 7 days off each month of supervision for compliance with conditions of supervision
- First 3 months of implementation July-September 2018
- **777 youth** on community supervision earned a total of **7,308 days** off their probation terms
Commitments
Kentucky: Larger Share of Commitments are Felonies

2012
- Felonies: 43%
- Misdemeanors: 57%

2017
- Felonies: 76%
- Misdemeanors: 24%
Hawaii, Kansas and South Dakota: Placement Declines Exceed 60%

- Hawaii: 2013-2018, 66%
- South Dakota: 2014-2018, 66%
- Kansas: 2015-2018, 63%
Reinvestment
Georgia: Incentive Grants after 5 years

- Combined state and JJDPAA funds ($8.9 million in FY 2018)
- Participating counties must use objective decision tools
- Support non-incarceration Evidence-Based Programs – most common are Multisystemic Therapy (MST), Thinking for a Change and Functional Family Therapy (FFT)
- Counties participating: 58
- Confinement reduction in participating counties: 56%
- Youth served to date: 5640
- 99% of kids are medium and high risk
Kansas Evidence-Based Practices Fund

$30 million
FY2016-2018
Contact

Dana Shoenberg
Senior Manager, Public Safety Performance Project
Pew Charitable Trusts
dshoenberg@pewtrusts.org
202-552-2188