



# CRIME & JUSTICE INSTITUTE

## RESHAPING JUVENILE JUSTICE IN UTAH

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The Crime and Justice Institute (CJI), a division of Community Resources for Justice, works to improve public safety and the delivery of justice by providing nonpartisan technical assistance, research, and other services to improve outcomes across the spectrum of the adult and juvenile justice systems, from policing and pretrial through reentry. CJI provides direct technical assistance, assessment, implementation, research, data analysis, training, facilitation, and more. We take pride in our ability to improve evidence-based practices in public safety agencies and gain organizational acceptance of those practices. We create realistic implementation plans, put them into practice, and evaluate their effectiveness to enhance the sustainability of policies, practices, and interventions.

Find out more at [www.crj.org/cji](http://www.crj.org/cji).

### OVERVIEW

Since overhauling its juvenile justice system in 2017, Utah has significantly reduced its reliance on locked detention by diverting more young people into community-based programs that hold them accountable at a lower cost and with better outcomes for youth, families, and communities.

When Governor Gary Herbert signed House Bill 239 in March 2017, it set in motion a shift designed to protect public safety, control costs, and avoid pushing young people deeper into the juvenile justice system. At the time, Utah's juvenile arrest rate was above the national average because of low-level crimes, including truancy and marijuana charges, and underuse of community-based alternatives led to many youth being placed in much costlier and more disruptive locked detention.

While it will take several years to realize and fully measure the impact of Utah's juvenile justice system improvements, data already show that the new policies and procedures spurred by the legislation are having significant benefits: youth are being diverted at a higher rate and admissions to detention have decreased dramatically.

These early indicators suggest Utah is headed in a positive direction. With assistance from the Crime and Justice Institute, stakeholders continue to work diligently to ensure the state has a strong and effective juvenile justice system.

### SHAPING CHANGE

Prior to passage of the system improvement legislation, Utah leaders recognized that the juvenile justice system was sending too many young people into locked detention at too high a cost, both to taxpayers and communities. Confinement in these secure settings costs up to 17 times more than community supervision but does not produce lower recidivism rates.

For youth sent to secure detention, three of the four most common offenses were truancy, assault, and marijuana charges. Many referrals to court were coming from school officials for youths' bad behavior at school. And Utah had no assessment tool to help standardize and inform the decision about whether to place youth in detention or on community supervision.

In response, Utah’s governor, legislative leaders, and judiciary came together to establish the Utah Juvenile Justice Working Group. They charged the new group with examining state data, research on strategies to reduce recidivism, and examples from other states to recommend policies that would promote public safety and hold youth accountable; control costs; and improve outcomes for youth, families, and communities.

Over five months, the Working Group completed an in-depth, data-driven assessment of the state’s juvenile justice system, including an analysis of court and juvenile justice system data and stakeholder feedback gathered from three surveys and more than 30 roundtable discussions with prosecutors, families, judges, victims, youth, probation officers, defense attorneys, educators, tribal representatives, service providers, community partners, and others.

The review found that most youth enter the juvenile justice system for low-level offenses and opportunities to divert them into a community-based program before their initial contact with a court weren’t sufficiently available. Once they were in the system, many youth who had never committed a felony ended up in locked detention, potentially increasing the likelihood that they would reoffend. Fines and other court-ordered conditions caused many youth to end up stalled in the system for long periods.

A lack of statewide standards throughout the entire juvenile justice system created inconsistent responses and disparate outcomes based on race and geography. In particular, access to effective alternatives for supervising youth in the community were largely unavailable to courts across the state. In response to their findings, the working group formed recommendations that served as the foundation for the 2017 legislation. The legislation also significantly narrowed schools’ ability to refer youth to court for delinquent or antisocial behavior occurring in school.

#### WORKING GROUP RECOMMENDATIONS:

◆ **Develop decision-making tools and procedures to standardize responses to youth behavior and keep youth who pose a low-risk of committing additional offenses out of locked detention**

◆ **Expand community-based services and evidence-based programming to effectively supervise youth without removing them from their homes**

◆ **Promote individualized dispositions and effective case planning practices**

◆ **Increase staff training to encourage standard practices throughout the system and increase the use of evidence-based practices**

## IMPLEMENTATION

Utah's changes are broad in scope, making implementation a long and sometimes complicated process, but cross-agency collaboration has kept up the forward momentum. Utah leaders created the Juvenile Justice Oversight Committee to maintain momentum and to oversee implementation and long-term sustainability. Stakeholders from across the juvenile justice system have embraced the change and implementation process in order to improve outcomes for youth, including avoiding unnecessary detention and keeping youth in their communities while maintaining public safety.

Rolling out the changes has required the development of new tools and procedures. With assistance from the Crime and Justice Institute, Utah gathered feedback from communities across the state to identify gaps in services and opportunities to increase utilization of community-based programs and expand their availability. Reinvesting savings from decreased use of more expensive locked detention has created a funding mechanism for expansion of these programs.

Utah leaders also took their message of improving outcomes for youth, families, and communities on the road in an intensive campaign to educate stakeholders about new policies and procedures. In town hall-style meetings across the state, they informed stakeholders about the changes and dispelled misinformation, increasing buy-in and encouraging greater standardization in how the juvenile justice system responds to young people's behavior.

In another step toward standardization and consistency, the Crime and Justice Institute worked with state leaders to develop a data- and research-driven risk assessment tool to help inform decisions on whether community supervision is a good option for youth instead of locked detention.

To ensure that all of these steps are promoting better outcomes and protecting public safety over time, Utah also identified multiple performance measures to track.

## EARLY OUTCOMES

While implementation is still an ongoing process, Utah's changes are already having direct, positive impacts on youth, families, and communities, with the use of locked detention falling significantly while the use of diversion is on the rise across the state.

Youth charged with low-level offenses are being diverted into community-based programs at much higher rates than before the changes in every judicial district, freeing up judicial resources to focus on cases involving more serious offenses.

As referrals to juvenile court are on the decline, referrals to receiving centers designed to evaluate young people's need for services are increasing. Availability of these community-based early intervention programs expanded between summer of 2017 and spring of 2018, serving more than 1,000 youth.

## EARLY OUTCOMES, FISCAL YEARS 2016-2018

55%



of youth who came into contact with the juvenile justice system were diverted to community-based programs, a 38 percent increase



25%↓

Referrals to juvenile court



44%↓

Admissions to locked detention



69%↓

Youth sent to detention for contempt of court

However, these gains have not impacted youth equally across all racial and ethnic groups and disparities remain. Use of community-supervision alternatives that divert youth away from the court system has increased across all subgroups, but the increase has been smaller for nonwhite youth. These remaining disparities require additional work and should be an area of focus going forward.

## CONCLUSION

Utah leaders recognized that the state's juvenile justice system was putting too many young people with low-level offenses into locked detention even when less expensive and effective alternatives to hold them accountable in the community existed. Through careful analysis of data and research, Utah embraced bold changes that have already begun to reshape how the system responds to young people's behavior, assesses their need for services, and determines appropriate levels of supervision.

While additional work remains to fully implement the system improvements and ensure all youth are benefitting equally, early results suggest that Utah has already begun to make lasting changes that will improve outcomes for youth, families, and communities.

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