

Proposal Narrative

a. Description of the Issue

Analysis of juvenile delinquency problems (youth crime) and needs.

Oregon's juvenile justice system has made considerable progress towards community safety through the implementation of developmentally, culturally appropriate and trauma-informed best and emerging practices supported by research in the juvenile justice field. Oregon's juvenile justice system is risk-based and provides a continuum of services and interventions for low-, medium-, and high-risk youth. Oregon conducts risk assessments and implements evidence-based practices, which seems to have contributed to a decline in juvenile crime. Oregon's Juvenile Justice Information System (JJIS) <http://www.oregon.gov/oja/pages/jjis.aspx> provides comprehensive case information about juvenile offenders and the services they receive from Oregon's state and county juvenile justice agencies. JJIS tracks all juvenile offenders and reports on juvenile crime, treatment, sanctions, accountability and outcomes at every level. It assists agencies and providers in managing individual cases and in tracking juveniles through the system; it aids in planning, developing, and evaluating services designed to reduce juvenile crime; and it recognizes and supports the partner agencies' common business needs.

In 2024, Youth Development Oregon contracted with NPC Research <http://npcresearch.com/> to conduct a Statewide Juvenile Crime Analysis. The full analysis is included as an attachment. The report covers an unusual 3-year period. The COVID-19 pandemic impacted youth, families, schools, juvenile justice systems, and data collection. Schools were closed across 2 academic years, services were reduced or adjusted, and staffing levels declined. In addition, this period reflects the years following a substantive legal change in 2019 that impacts Oregon youth. The

change removed the requirement that youth 15-17 years old with specific criminal allegations would be automatically waived to adult court.

These factors make the interpretation of data in this report complicated. While many desirable results are seen in the data, such as reductions in law enforcement referrals of youth to the juvenile justice system, these reductions are beginning returning to pre-pandemic levels. We have compared the 2023 data to what the trends were through 2019, the last year before significant impacts of the public health crisis and legal changes and pointed out where legal changes may have shifted the landscape for the future.

The analysis noted the following trends and key findings (trends and recommendations):

Positive trends:

- The number of youth with referrals has not returned fully to pre-pandemic levels, nor have disposition or detention rates.
- The patterns of reductions in the number of youth referred were similar across race, gender, and age.
- Referrals for noncriminal allegations, such as substance-related issues, have decreased.
- Referrals for person crimes have remained low for Native youth, and those for white and Black youth are below pre-pandemic levels.
- The number of females with a referral for being a runaway continued to decline in 2023.
- Black and Hispanic youth, and youth who are economically disadvantaged, saw an increase in graduation rates in 2023, compared to pre-pandemic levels.

Juvenile Justice: Highlights

- Overall, youth referrals decreased notably in 2020 and continued a decline in 2021, because of the pandemic. While they increased about one third (32%) from 2021 to 2023, they are still not as high as before the pandemic.
- The patterns of reductions in the number of youth referred were similar across race, gender, and age, with slightly greater increases after 2021 for males and 13-15-year-olds.
- The number of youth with property crimes increased more than for other crime types from 2021 and non-criminal referrals continued to decrease (resulting in 58% fewer youth referred overall for noncriminal allegations since 2019). Youth with person crimes reached a low point in 2020 rather than 2021 as was seen for the other categories.
- In earlier years, the numbers of property and noncriminal referrals were notably higher than for person crimes, but these numbers were all similar in 2020-2023. Noncriminal referrals are primarily substance related (marijuana, alcohol, and tobacco, in that order) with some curfew violations and violations related to motor vehicles.
- The increase in the number of youth with person crimes was driven by the number of youth referred for assaults (which in 2023 was 7% higher than pre-pandemic levels). Sex offenses, on the other hand, decreased and were at their lowest point (since 2013) in 2023. Homicides had decreased from 2015 to a low point in 2019 (pre-pandemic), and since then have increased 200%, from 13 in 2019 to 39 in 2023. These numbers may reflect youth being retained in the juvenile justice system rather than being addressed in the adult system.

- Hispanic youth had higher rates of person-related referrals in 2023 than before the pandemic. White and Black youth saw increases since their pandemic lows but have not yet reached pre-pandemic levels. Native youth are remaining at pandemic-era low rates.
- Unlike other referral types, allegations of runaway continued to remain flat and increased minimally (less than 2%) from 2021 to 2023.
- The number of runaways reached a low point in 2021-2022, with male rates starting to increase in 2023 and female rates still decreasing. Hispanic youth are seeing an increasing trend in referrals for being a runaway since 2021 with a 29% increase from 2022 to 2023. Native youth had the highest number of runaway referrals per youth with a spike in 2022 that almost reached pre-pandemic levels.
- Despite 2023 showing the number of youth with referrals trending upwards toward pre-pandemic levels, services did not keep pace. Services (such as competency development and family services) continued to decrease in 2022 and then data were not published in 2023. Overall, approximately 1/3 of youth with a referral received a service in 2022.
- The exception to the service trend was mental health services, which in 2022 exceeded pre-pandemic levels. Approximately 6-7% of youth were receiving mental health services each year since 2013, but in 2022 it was 11%. Youth were not served equitably though, as the increases were notably higher for males and for white youth. Black youth saw a 41% decline in mental health service episodes from 2019 to 2022.
- Detention rates in 2023 were still reflective of the pandemic levels, though they increased slightly since their low in 2021. Pre-adjudicatory detention rates are increasing while detentions as a result of a warrant are decreasing. Post adjudicatory detentions are still occurring less often than during the pandemic.

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- Hispanic youth saw larger increases in detention, probably because of their higher rate of person crimes. Detention rates increased for all races from 2021 to 2023 except for Asian youth (who experienced a 57% decrease).
- Youth ages 16-17 saw a sharp increase in detention admissions in 2023 from low levels in 2020-2022. Rates were lower for other age groups in 2023 compared to 2022. There were similar patterns for females and males, though females in 2023 still represented about ¼ of detention admissions.
- Detention stays of 1-3 days or 9-59 days were more common than before the pandemic.
- Like referrals, dispositions are trending back up, though in 2023 they were still lower than pre-pandemic levels. Numbers decreased 45% from 2019 to 2021 and then increased 29% from 2021 to 2023.

Recommendations:

There are several areas that continue to illustrate areas of need for the youth of Oregon, and disparities between youth of color and White youth. Some findings raise questions and suggest additional data collection, analysis, and conversations with key partners would be beneficial to understand more fully the reason for the patterns. Other areas prompt action steps related to youth-level (e.g., enhanced or expanded services) or system-level (e.g., staff training, policy development) responses.

- Gather additional information about person-related criminal referrals, such as why the number of assaults has increased and whether communities need skill-building services for youth (and training for staff to provide those services) related to de-escalation, self-

management, negotiation, and communication. These skills might be introduced and practiced in schools, juvenile departments, or other youth programs.

- Explore the reasons why older youth (16-17-year-olds) experienced such a dramatic increase in detention admissions in 2023. Adoption or expansion of diversion or prevention services focused on this age group may be needed.

Additional recommendations related to the need for enhanced support and services for youth:

- Continue to fund and encourage use of culturally responsive services and supports.
- Provide support for Hispanic/Latino youth and families, to address the increases in person-related criminal referrals and their overrepresentation in petitions and detention.
- Work with community partners to identify and create opportunities for culturally responsive resources, including prevention and early intervention programs.
- Ensure that family services are provided to youth who are referred for running away from home. Since Hispanic youth experienced a substantial increase from 2022 to 2023 and Native youth had the highest number of runaway referrals per youth, these groups might benefit from culturally responsive services.
- Mental health services for Black youth, which had increased before the pandemic, saw a substantial decline from 2019 to 2022. Explore where services are needed to recover from these losses.
- Continue to support training for juvenile justice and youth service staff regarding disproportionality, implicit bias, cultural responsiveness, and the importance of cultural

connections. Share data regarding disproportionality and explore ways to decrease disparities in referrals and subsequent decision points.

Oregon's plan for compliance with the Racial and Ethnic Disparities (RE/D) Core requirement was submitted as a separate attachment in the Compliance Monitoring Tool.

b. Project Goals and Objectives

In 2023, Oregon legislature established a Juvenile Justice Policy Commission within the Oregon Criminal Justice Commission to analyze key drivers of system involvement and recommend improvements in law, policy, practice, and appropriation to improve public safety, youth outcomes and system disparities. The Oregon Senate appointed the Chair of the Juvenile Justice Committee of the State Advisory Group (SAG) to serve on the Commission. The Commission will commence its work in July 2024 and Youth Development Oregon's Director has applied to be considered for appointment.

In 2021, Chief Justice Meagan Flynn established Juvenile Delinquency Improvement Program (JDIP) with support from Oregon's Legislature to create a program modeled after JCIP federal grant program. Its vision is to improve Oregon's response to youth who are involved in the delinquency system to improve outcomes for youth, families, victims, and their communities. JCIP partnered with the Center for State Governments to assess Oregon's juvenile justice system and make recommendations to improve it. In 2022, JDIP was also awarded a federal grant through the Office of Juvenile Justice and Delinquency Prevention to expand resource development and support family engagement initiatives. JDIP is guided by a statewide Advisory Committee, which includes judges, court staff, and system partners, as well as a Juvenile Justice Youth Advisory Board. Youth Development Division and members of the SAG have been actively involved in the work of the Advisory Board.

In 2023, Oregon was selected to participate in the Probation Reform efforts led by the Coalition for Juvenile Justice and Annie E. Casey Foundation. Oregon's SAG is committed to supporting justice and youth development reform that increases youth's success while on probation and when exiting the juvenile justice system. Our focus includes leading with equity for over-represented populations and aligns with both CJJ and the AECF mission.

Oregon will focus on the implementation of probation reform in the next Three-Year Plan and will dedicate Title II funds to support this effort in selected jurisdictions. Oregon is partnering with the Oregon Judicial Department on its juvenile delinquency improvement project that is focused on evaluating and standardizing justice system and probation practices statewide. An outcome of the project would be developing and implementing training opportunities and identifying model sites (county jurisdiction) for probation reform. The SAG would also seek to develop, align, and execute restorative, incentive, family engagement and re-entry policies and practices with County Juvenile Departments and with the Oregon Youth Authority, the state agency responsible for youth correctional facilities.

Goal 1: Reforming Juvenile Probation

1) Objective: Evaluate and standardize justice system, courts, and probation practices statewide while addressing disparities.

Program Area: Graduated and Appropriate Sanctions: Programs to encourage courts to develop and implement a continuum of post-adjudication restraints which include expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, translation services and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation. Programs to assist in design

and use of evidence-based risk assessment instruments to aid in application of appropriate sanctions.

The state will collaborate with the Juvenile Delinquency Court Improvement Project, Coalition for Juvenile Justice, and Annie E. Casey Foundation to support selected jurisdictions' efforts to reform juvenile probation practices by issuing subawards and providing technical assistance.

Goal 2: Supporting Juvenile Delinquency Prevention Efforts

2) Objective: Reduce the numbers of referrals to the juvenile justice system by supporting culturally and developmentally appropriate delinquency prevention services across the state.

Program Area: Delinquency Prevention: Comprehensive juvenile justice and delinquency prevention programs that meet needs of youth through collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services.

The state will issue subawards to successful applicants to deliver culturally specific, developmentally appropriate and research-based programs that aim at reduction of referrals to the juvenile justice system and reduction of racial and ethnic disparities.

Goal 3: Maintaining Compliance with the JJDP Core Requirements

3) Objective: Ensure that Oregon and its jurisdictions comply with the provisions of the Juvenile Justice Reform Act of 2018. Additionally, we will review how the three of the core Juvenile Justice & Delinquency Prevention Act (JJDP) monitoring requirements are currently connected with identification of racial and ethnic disparities.

Program Area: Compliance Monitoring

The state will support a full-time position dedicated to data collection, on-site visits, and other activities necessary to ensure compliance with the JJPDA.

c. Collecting and Sharing Juvenile Justice System Information

The Juvenile Justice Information System (JJIS) is Oregon’s primary method for providing information about youths in the juvenile system across state, county, and local agencies.

ORS 420A.223 <https://www.oregonlaws.org/ors/420A.223> requires establishment and maintenance of the Juvenile Justice Information System (JJIS) JJIS, an electronic information system, is administered by the state through the Oregon Youth Authority (OYA). The OYA establishes rules governing the administration of the JJIS including, but not limited to:

(a) Confidentiality of information,

(b) State and county roles and costs; and

(c) County reporting requirements.

(2) The OYA develops and administers the Juvenile Justice Information System according to the Criminal Justice Information Standards program established under ORS 181.715.

(3) Counties provide the OYA with required data elements in the format required by the rules of the OYA at no cost to the state. [1999 c.595 §1]

Senate Bill 1, which created the Oregon Youth Authority (OYA) in 1995, stated that the juvenile justice system “shall be open and accountable to the people of Oregon and their elected representatives.” A centralized juvenile justice data system provides accurate and timely information to assist decision-makers in making key decisions, such as those relating to program direction and the allocation of resources to areas that may have the greatest effect on reducing

juvenile crime. A centralized system, such as JJIS, also provides access, for authorized users, to individual youth records which are important for informed and coordinated decisions affecting custody, diversion, and service/treatment planning. Oregon's JJIS has centrally tracked and provided information about youths in the juvenile justice system across state, county, and local agencies since 1999. The OYA uses JJIS data to produce annual reports for the state and each of the thirty-six counties on detention, referrals, dispositions, recidivism, and restitution/community service. The reports are available on this website:

http://www.oregon.gov/oia/Pages/jjis_data_eval_rpts.aspx

JJIS data include a series of annual reports providing information that supports public safety and reduction of juvenile crime. Statewide and county-specific reports are produced for recidivism, referrals, dispositions, detention, and length of stay, restitution, community service, and programs and services. Reports enable tracking of such factors as admission reason and detention length by demographics and detention length by admission reason. The reports aid researchers, juvenile justice, and corrections agencies, and public safety partners in planning, developing and evaluating programs designed to reduce juvenile crime. JJIS maintains confidentiality and protection of information contained in the database.

All JJIS reports, statewide and individual counties, are located at:

http://www.oregon.gov/oia/Pages/jjis_data_eval_rpts.aspx

In addition to the published reports, JJIS users have access to more than 250 special reports that can be customized for specific needs. Data from JJIS reports are incorporated in Oregon's Three-Year Plan and annual updates in three ways:

- Demographic, referral, and offense data for the analysis of juvenile crime problems and juvenile justice system needs.

- Detention data for compliance monitoring, and
- Detailed data about race and ethnicity of youth at all decision points (except arrest) for the identification and analysis of disproportionate minority contact.

ORS 419A.255 https://oregon.public.law/statutes/ors_419a.255 establishes access and disclosure requirements for transcripts and other records of juvenile court proceedings. The statute applies to the “legal file” and to the “social file” which involves reports or material provided to the court for consideration but not admitted as exhibits. It makes clear that the following entities have access to juvenile records: district attorney, assistant attorney general, Department of Human Services, and OYA; it provides for sharing of juvenile records among those agencies.

Oregon Department of Human Services Child Welfare “Responding to Subpoenas, Summons and Court Order” Policy can be found at <https://www.oregon.gov/odhs/rules-policy/Documents/cw-procedure-manual.pdf>

Pursuant to Section 223(a) (28) of the JJDP Act, the state must provide an assurance that juvenile offenders whose placement is funded through Section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in Section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in Section 475 of such Act (42 U.S.C. 675).

This requirement applies only to placements supported with funds from Title IV-E of the Social Security Act. Oregon juvenile courts place youth offenders in the physical custody of the Oregon Youth Authority (OYA). That agency does not use Title IV-E funds.

ORS 418.030 <https://www.oregonlaws.org/ors/418.030> directs the Oregon Department of Human Services to provide consultation services related to the prevention, control and treatment of juvenile delinquency to local and statewide public and private agencies, groups and individuals or may initiate such consultation services.

d. State Advisory Group Roster

Please see a separate attachment

e. State Agency Contact Information

Please see a separate attachment

f. Pass-Through Waiver

Oregon is not seeking a waiver.

g. Plan for Collecting the Data Required for this Solicitation Performance Measures

All Title II sub-grant recipients will be required to provide quarterly progress reports, submit quarterly requests for reimbursement to the YDO, and place a claim in the Electronic Grants Management System (EGMS). Projects selected for funding must, at a minimum, designate a qualified staff person, to ensure that federal performance measures are collected and reported. A submission of a logic model that clearly states objectives, activities, output measures short-term and long-term outcome measures, and includes target figures – is a funding requirement under Oregon Formula Grant Program.

Each project's logic model will identify the federal Formula Grant program area and will include corresponding output and outcome measures. The applicants must indicate the data sources that will be available for outcomes and outputs reporting. Applicants will be advised that federal funds may not be used to supplant the level of state or other funds. The state will monitor progress and evaluate outcomes of individual programs. The state will compile and submit annual progress reports.

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Please see submitted Mapping State Requirements Tool for the demonstration of Oregon's satisfaction with the 33 Formula Grants Program eligibility requirements.