



Office of Justice Programs – Youth Justice Office

Juvenile Justice Advisory Committee

Gary Charwood, Chair Trahern Pollard, Vice Chair

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Written/Oral Testimony Working Group on Youth Interventions December 13, 2023

Co-Chairs and Committee Members of the Youth Interventions Working Group,

Housed within the Youth Justice Office at DPS-Office of Justice Programs (DPS-OJP), the Governor's Juvenile Justice Advisory Committee (JJAC) oversees Minnesota's compliance with the core protections of the federal Juvenile Justice and Delinquency Prevention Act (JJDA). Minnesota Statute 299A.72 establishes the Department of Public Safety as the sole agency responsible for implementing the state plan for juvenile justice required under the JJDA; this work will transition to the newly established Department of Children, Youth, and Families (DCYF), July 1, 2025.

For the past 40 years, JJAC has worked to improve Minnesota's juvenile justice system by aligning stakeholders and fostering collaboration. As an advisory body to the Governor and the Legislature, JJAC partners with communities across the state to ensure accountability, rehabilitation, and positive engagement for youth who encounter the juvenile justice system, as well as those at-risk for involvement.

JJAC's cross-disciplinary membership bodyⁱ has given careful thought to the many challenges in providing best practice intervention services and recommends a mental health-centered response.ⁱⁱ **Youth Justice Office and JJAC's Priority: Make children's mental health services mandatory in delinquency cases and establish a continuum of care for youth that addresses their mental and behavioral health needs.**

The juvenile justice system is currently not equipped to meet the complex and substantial mental and behavioral health needs of many justice-involved youth. Mental health providers are often not equipped to respond to the violent and disruptive behaviors demonstrated by some of these same youth.

Professionals who care for youth in a variety of settings are asking for coordination of care such that youth with high-level mental health needs receive the appropriate level of therapeutic service, while also maintaining public safety. Lack of funding and system collaboration are two of the main causes for our state's failure to provide appropriate mental health services for youth involved in the juvenile justice system.

The needs of system involved youth and families are best met through a coordination of collaborative state and community-based agencies to focus on these critical service needs. This is what we mean by a continuum of care. Not only are youth in juvenile justice settings more likely to have a mental health diagnosis, many of these youth experience symptoms of multiple mental health disorders. Research has shown that more than three-quarters of youth in the juvenile justice system diagnosed with at least one mental health disorder live with multiple disorders. Further, when comparing youth with up to three diagnoses, greater numbers of diagnoses were associated with a greater likelihood of committing a crime.

We are also painfully aware that the lack of appropriate services impacts some communities more than others, which exacerbates our already significant ethnic and racial disparities. JJAC values making swift and substantial efforts to uplift and center the humanity of our Black, Brown, and Indigenous Youth. Meaningful, fundamental systems change must be governed and measured by reliable and current data. **Youth Justice Office and JJAC's Priority: Establish a statewide data system that gathers data consistently, using the same definitions, data points and measures.** A statewide juvenile justice data hub is necessary to implement systemic and policy changes and measure the impact of these changes.

Data transparency is necessary to ensure stakeholders uniformly report data on a regular basis. A statewide data hub would allow real time tracking of numbers and demographics of youth involved in the juvenile justice system, including data relating to the number of youth in detention facilities and correctional out-of-home placements. JJAC is not alone in identifying a statewide data hub as critical to monitoring and reform. The Governor's Childrens Cabinet as well as others support the creation of this data hub.

Additionally, many youth in the child welfare system become dually involved in the juvenile justice system. This crossover/dual involvement is known to lead to higher rates of recidivism, academic struggles, substance abuse, and mental health challenges – and data has longtime demonstrated that Minnesota's Black, Indigenous, People of Color (BIPOC) communities are disproportionately impacted. Last legislative session, \$1M per year in funding was issued to the Youth Justice Office for grants to local government to support the Crossover Youth/Dual Status Youth Model. These programs are centered on shared case planning and coordinated care and service delivery between systems to increase a child's likelihood for successful rehabilitation and avoid further juvenile justice system involvement. **Youth Justice Office and JJAC's Recommendation: Offer Crossover Youth/Dual Status Youth programming statewide by renewing (and increasing) this funding in an upcoming session.**

This Crossover/Dual Status approach is especially appropriate for children under 13 who commit delinquent acts. For these youth we must explore alternatives, including developing a complementary system for 10–12-year-olds that mandates a Crossover/Dual Status response which includes child welfare services for youth who are committing delinquent acts at that age. **Youth Justice Office and JJAC's Recommendation: Establish a clear "mandatory dual-status response" set forth by law that supports children 10-12 as those in need of services.**

- Simply raising the age of delinquency jurisdiction does not solve the problem because these children fall outside the child welfare system's legal purview. A new statute would be required, outlining qualification and response standards.
- An associated funding stream should be established to ensure that the needs of these children are met, and the behaviors are addressed to reduce further involvement in the juvenile justice system.

Additional strategies could include:

- Creating a pilot program that would significantly reduce or eliminate referrals to the juvenile justice system for youth under the age of 13.
- Barring admission to secure detention facilities for youth under the age of 13 except in extraordinary and rare cases.

The Youth Justice Office and JJAC are eager to support your work in any way possible. Please know we are an available resource to you as you finalize your recommendations related to youth justice interventions.

We share your goal of ensuring bright futures for all Minnesota youth.

Sincerely,

Callie Hargett

Callie Hargett
Director
Minnesota Youth Justice Office

Trahern Pollard

Trahern Pollard
Acting Chair
Minnesota Juvenile Justice Advisory Committee (JJAC)

ⁱ See Attachment A for a list of all JJAC Governor-Appointed and Ex-Officio members.

ⁱⁱ See Attachment B for the Executive Summary and full 2024 Policy and Legislative Priorities of the Minnesota Juvenile Justice Advisory Committee.