



Juvenile Crime In Utah

Report to the Governor and the Legislature
February 1994

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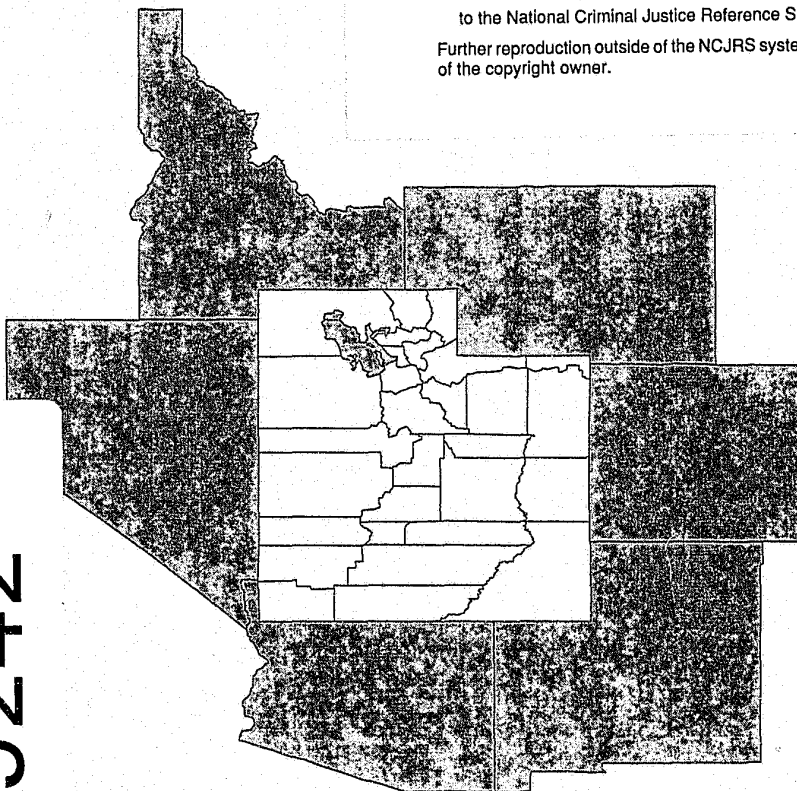
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February 11, 1994

The Honorable Michael O. Leavitt
Governor of the State of Utah

The Honorable Members of the Utah State Legislature

Dear Governor Leavitt and Members of the Legislature:

For better or for worse juvenile justice has been thrust into the public spotlight. Several recent high profile crimes committed by juveniles have caused us to examine whether our existing juvenile justice system and approach satisfies the present needs of the citizens of our state. Media coverage suggests that the problem is out of control, that the present system has failed, and that our approach should be to "get tough" on juvenile offenders. Media scrutiny is generally a valuable process, but only if the public is given a reasonable amount of information and a fair overview of the problem. The purpose of this report is to remove the issue from a simplistic, polarized approach and to provide facts and information to those wishing to make informed decisions about juvenile justice.

Most states have elected the popular solution to the problem by getting tough on juveniles who commit crimes. This policy is manifest by increasing number of secure facilities and additional law enforcement programs. Little thought has gone into the long-term costs and result of such an approach. Inordinate building and filling of more secure facilities clearly is the most expensive response, usually with the least satisfying long-term results, particularly when such facilities are used as a general approach to all juveniles crimes rather than for only the small number of the most serious, violent, and chronic offenders. Consideration must be given to when youth are released from such facilities, since they generally return to the communities from which they were taken, but with new skills learned from associating with the other offending juveniles with whom they were incarcerated. In all likelihood, these youth will end up in the adult system at additional tax payer expense.

Any approach to juvenile justice must balance several factors to be effective in its long-term effects, and any changes to the present system should be evaluated to determine whether such changes weigh too heavily in favor of one aspect to the detriment of the others. The balanced system endorsed by the Utah Board of Juvenile Justice and Delinquency Prevention contains three elements: community protection, accountability, and competency development. Citizens have a right to expect that they will be safe in their persons and property, and children have the right to grow up in supportive, nurturing environments, safe from abuse, neglect, and exploitation. On the other hand, families and youth must be held accountable for their actions, and there must be reasonable sanctions for antisocial and illegal actions. Likewise, public and private agencies which offer services to families and children must be held accountable for the efficacy of those services and the efficient, effective and prudent use of tax dollars. Finally, the goal of all services for youth, whether they be prescribed as "treatment" or "sanctions," should be the development of competency, that is, the acquisition of basic social, educational, vocational, and coping skills--the opportunity to experience success and learn self-mastery to break the patterns of

failure and out-of-control non-responsible behavior which characterize many children in trouble. Over-emphasis or neglect of any one area will lead to a break-down of the whole system.

The national Office of Juvenile Justice and Delinquency Prevention has adopted a comprehensive program dealing with serious, violent, and chronic offenders which deserves consideration. The national office sets forth the following criteria to guide any efforts in the prevention of delinquents and the reduction of juvenile involvement in serious, violent, and chronic delinquent conduct:

Strengthen the family in its primary responsibility to instill moral values in the next generation. Where there is no functional family unit, a family surrogate should be found to nurture the child.

Support core institutions--the school, religious institutions, and community organizations--in their role of developing capable, mature and responsible youth.

Intervene immediately and effectively when delinquent behavior occurs in order to successfully prevent delinquent offenders from becoming chronic offenders--progressively committing more serious and violent crimes.

Identify and control the small group of serious, violent and chronic juvenile offenders who have committed felony offenses or have failed to respond to intervention and community-based treatment and rehabilitation services offered by the juvenile justice system.

Under such a system approach, it is the family, supported by the public and private social institutions, that has primary obligation to meet the basic needs of out state's children.

With all of the public attention focused on the state's juvenile justice system, now is not the time to be led astray by preconceived assumptions and fears. It is a time for leaders to set a course which will generate lasting solutions based upon sound and reliable information. Therefore, in making decisions about our state's juvenile justice system, we ask you to consider the recommendations contained in this report.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ronald N. Vance", followed by a long horizontal flourish.

Ronald N. Vance, First Vice-Chairperson
Utah Board of Juvenile Justice and
Delinquency Prevention

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Utah Board of Juvenile Justice and Delinquency Prevention

The Utah Board of Juvenile Justice and Delinquency Prevention (Board) was created in 1978 by Governor's Executive Order in response to the requirements of the federal Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act).

Through the JJDP Act, participating states receive federal formula (block) grant funds based on the number of youth under 18 years of age, to support and develop projects and activities for the prevention of juvenile delinquency; for the deinstitutionalization, diversion, care and treatment of juvenile offenders; and for the improvement of the juvenile justice/corrections system. All states participating in the federal JJDP Act must have a state supervisory board whose members are appointed by the Governor, based on their knowledge, training and experience in the prevention, treatment, and administration of juvenile justice issues.

The Utah Board is comprised of 22 members who represent private agencies, governmental units and citizens who have an interest in youth and who often find themselves in contact with some part of the juvenile justice system. The Board members throughout the years have served and committed their time and energy to improving Utah's juvenile justice/correctional system. The Board continues to play a key role in the implementation of the JJDP Act throughout the state.

The responsibilities of the Board include: 1) overseeing the use of all federal JJDP state formula funds; 2) advising the governor and legislature on matters relating to juvenile justice, including compliance with the mandates of the JJDP Act; 3) reviewing, commenting and acting upon all juvenile justice and delinquency prevention grant applications; 4) assisting in the development of a comprehensive state juvenile justice plan; 5) reviewing the progress and accomplishments of programs funded; and, 6) assisting with on-site monitoring of secure juvenile detention and correctional facilities as well as adult jails and lock-ups. In other words, the Board's role is to monitor state compliance with the mandates of the JJDP Act.

Since becoming a participating state in the federal JJDP Act, Utah has received \$6,445,000 in federal funds. These funds have been used to pay for some critically needed services and to bring the state into compliance with mandates of the Act. However, the funds have been used primarily for the development of innovative approaches to serving youth and improving the juvenile justice system.

The JJDP Act is a model of a successful federal, state and local partnership in which the federal government provides direction, assistance and some resources, and the appointed Board members make the decisions regarding the resource allocations based on state and local problems, needs and system/service priorities.

Administrative and staff support for the Board and JJDP programs is provided by the Utah Commission on Criminal and Juvenile Justice (CCJJ). The CCJJ also serves as the state's pass-through agency for subgrantees to receive JJDP funds.

Introduction

The 1994 Utah State Legislative Session will address a variety of issues regarding the juvenile justice system. This report identifies critical issues in juvenile justice reform and offers broad recommendations. The report is intended to be used as a reference in legislative decision-making efforts.

Utah citizens are justifiably concerned about reported increases in violence and juvenile crime. While this concern is valid, it is imperative that public sentiment and official reaction represent a balanced and rational approach to deal with youth crime. Utah's juvenile justice system has been recognized as a model system by many across the nation; if strengthened it can remain so. It is critical during this time of public outcry over juvenile crime, that the state proceed judiciously and make careful choices about the philosophical and fiscal directions it pursues.

The following issues are discussed in the report:

- Trends in juvenile population growth in Utah.
- Trends in juvenile offending and violence.
- Juvenile gangs.
- Long term secure care and community programming.
- Fiscal considerations.
- Boot camps.

- Judicial waiver/transfer of juveniles to adult court.
- The disproportionate representation of minorities in Utah's juvenile justice system.
- The organizational structure of the juvenile justice system in Utah.
- Detention issues.

Concern: Trend in Juvenile Population Growth in Utah

Utah's juvenile justice agencies deal with youth offenders generally ranging from ages 10 through 18--with the vast majority being ages 15 to 17. **Figure 1¹** depicts the trend of this population of juveniles from 1980 to 2000. The number of juveniles in this age group fluctuates substantially as a result of echoes of the post-World War II baby boom. When Utah deinstitutionalized its juvenile justice facilities in the early 1980s, the numbers were declining. The juvenile

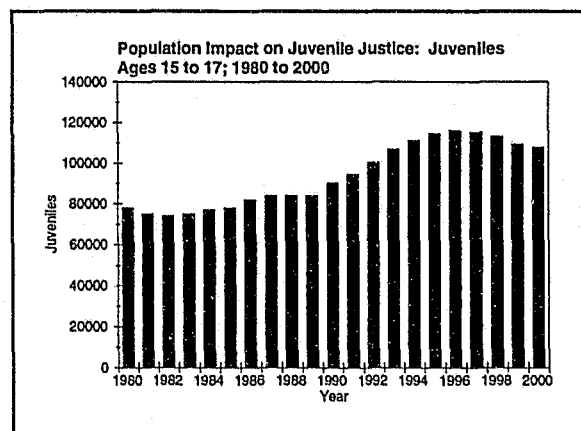


Figure 1

¹ Source: Governor's Office of Planning and Budget.

population started to rise rapidly during the mid-1980s and it should peak in 1996, when it will begin to decline. **However, this decline may be reversed if Utah continues to have rapid in-migration.** Therefore, it is recommended that policy makers seriously review these trends in addressing the present and future needs of the juvenile justice system.

Concern: Trends in Juvenile Offending and Violence

Overall, the number of juvenile arrests has increased at about the same rate as the population growth of juveniles ages 15 to 17, indicating that the juvenile crime rate has not actually increased. This is shown in Figure 2.²

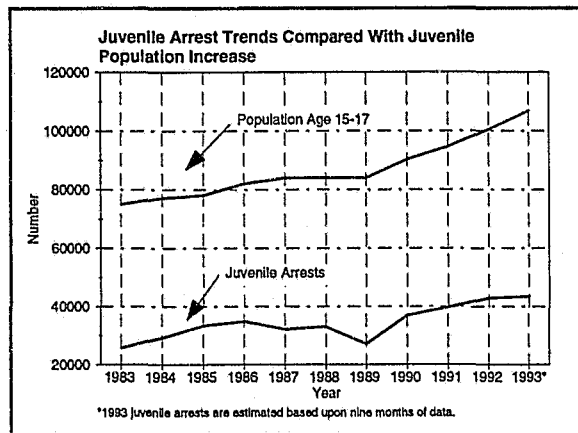


Figure 2

However, there has been an increase in the number of serious and violent offenses committed by juveniles in Utah in the past several years. According to Juvenile Court statistics, felonies against persons increased

109% in the last five years. The number of youth referred one or more times for felonies against persons increased 120% during that same time. Interestingly, 46% of this increase was for sex offenses; and 35% of the increase is attributed to aggravated assault charges. The trend of juvenile violence is demonstrated in Figure 3.³

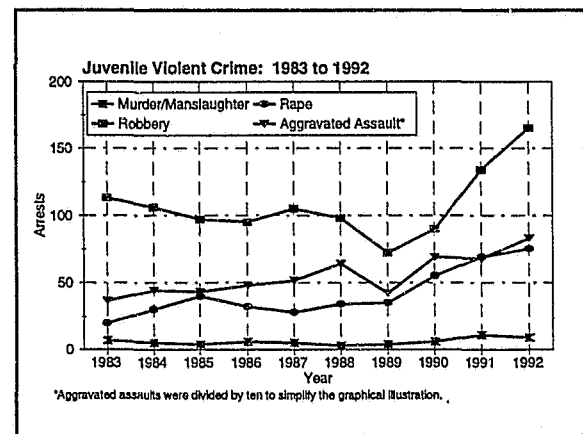


Figure 3

In Utah approximately one out of three juveniles is referred to the Juvenile Court for a criminal or status offense during their teen years. Three out of 10 are referred for a criminal offense. About 50% of youth referred to the Court are referred once, usually for a misdemeanor. However, **of the total referred only slightly more than 1% become chronic felony offenders.**

Studies indicate, both in Utah and nationally, that a small percentage of youth offenders are responsible for a large share of juvenile crimes. It is this small group that is the focus of much national and local attention. Recent studies by Elliott (1989, 1993) support prior

² Sources: Crime in Utah, 1992; and Governor's Office of Planning and Budget.

³ Source: Crime in Utah, 1992.

findings indicating that a small number of youths commit a disproportionate share of crime. According to Elliott,

"The evidence suggests that the current escalation in adolescent violence is most likely a result of increasing individual offending rates, longer careers and increasing levels of injury (weapon use) on the part of a relatively constant group of active offenders, not an increase in the proportion of youth involved in violence."

While it is important that strong measures be taken to deal with chronic offenders, it is also critical that the numbers are kept in perspective. As the public clamors for "get tough" policies, policy makers must be careful not to over emphasize ineffective policies that incarcerate large numbers of our juvenile delinquent population that can be more effectively served in the community.

In the early 1980s, Utah deinstitutionalized its juvenile offender facilities and its training school because the state was faced with threats of lawsuits for illegal conditions of confinement. The State then proceeded to successfully design and manage its delinquent population in a continuum of secure and community based programs.

The Utah juvenile justice system has functioned well for a number of years. Yet, funding has not kept pace with the unprecedented juvenile population growth. For example, today the state does not have sufficient detention or long term secure beds to handle young serious and chronic offenders nor does the Juvenile Court have adequate staffing to process youth in a timely fashion. In addition, the small proportion of offenders handled by the Utah Division of

Youth Corrections (DYC) has become more chronic and violent. However, most juveniles have been and can continue to be safely and effectively managed in the community, at much less cost to the taxpayer and without compromising public safety. In other words, if Utah wants to remain as a nationally recognized leader in juvenile justice reform, decisions need to be made by taking all these factors into consideration.

Recommendations:

The Utah Board of Juvenile Justice and Delinquency Prevention (Board) recommends to the Governor and the Legislature the following:

- Strengthen Utah's juvenile justice system by building detention and long-term secure beds to meet juvenile population growth and to meet the needs of chronic and serious offenders.
- Recognize that resources are scarce and that incarceration is our most expensive yet least effective alternative.
- Provide funding to the Juvenile Court to increase the number of probation/ intake officers so that juvenile offenders may be served and held accountable in a timely fashion.
- Examine and support policies that restrict juveniles access to guns.

Concern: Juvenile Gangs

According to the Salt Lake Metro Task Force (Task Force), there are 235 gangs and 1,837 gang members in the Salt Lake

Metropolitan area. Since the late 1980s membership in gangs has increased dramatically not only in metropolitan Salt Lake, but also in other areas of the state. However, it is important to acknowledge that **only 33% of gang members and associates are juveniles** (Salt Lake area). In fact, while adult membership in gangs grew by 9% during 1993, juvenile membership actually declined slightly during this time period.

These data suggest that gangs in Utah are primarily an adult issue more than a juvenile problem. Public and media attention concerning gang crime have focused on juvenile gang activity while **two thirds of gang members are adults and 64% of gang related crimes are committed by adults**. The Task Force identified 598 juvenile gang members in Salt Lake County in 1993. **These youth represented 1/2 of one percent of the 119,000 juveniles age 10 to 17 in Salt Lake County.**

Local and national experts examining reasons why youth decide to join gangs have found that peer pressure, substance abuse, social disorganization, failure of basic institutions such as families, schools and employment, and poverty or lack of social opportunities are related to gang involvement (Jenson, 1994; Spergel, Chance and Curry, 1990). Intervention programs that have been found to be the most promising in addressing the gang problem include community mobilization efforts and the provision of educational and employment opportunities for youth.

Recommendations:

The Board recommends to the Governor and the Legislature:

- Continue to support law enforcement efforts that identify and apprehend the most serious and chronic offenders who belong to juvenile gangs.
- Expand community based prevention and intervention programs that target youth who are frequently exposed to gang activity.
- Support the implementation of community based policing in high-risk neighborhoods which show promise in helping to mobilize community efforts to deal with gangs.
- Support the development of youth employment and job training programs as well as the expansion of community services for youth such as Boys and Girls Clubs, community centers, schools and churches.
- Support the development of more drug treatment services that are needed in high risk neighborhoods.

Recent local efforts to deal with the gang problem have included most of the outlined recommendations. Many of these efforts, if adequately funded and supported, could make a difference in reducing Utah's gang problem.

Concern: Long Term Secure Care and Community Programming

In 1978, Utah faced federal litigation for civil rights violations at its 254 bed training institution for juveniles. A state juvenile justice task force recommended that Utah pursue a policy of deinstitutionalization of facilities following a model successfully developed and implemented in Massachusetts. In place of the training school, Utah constructed two 30-bed secure units for the most serious and chronic offenders. The remaining youth were placed in community programs such as group homes, shelter care, outreach programs and tracking programs modeled after the Massachusetts system. The original plan called for the expansion of secure beds over time to accommodate Utah's growing juvenile population. If the original plan had been fully implemented, Utah would now have at least 120 long-term secure beds. Unfortunately, due to inadequate funding, there are only 80 secure beds available in 1994.

Consistent with the Massachusetts model, Utah utilizes incarceration very selectively for violent and chronic offenders. The National Council on Crime & Delinquency (NCCD) conducted a 3 year longitudinal study of the Utah system and found that:

Recidivism data for Youth Corrections offenders strongly indicate that the imposition of appropriate community-based controls on highly active serious and chronic juvenile offenders does not compromise public protection (NCCD, 1988).

The mission statement of the DYC mandates provision for a continuum of supervision and rehabilitation programs to meet the needs of juvenile offenders in a manner consistent with public safety. The goal is to individualize treatment in a way that will give maximum benefit to youth, but does not compromise public safety.

Community based alternatives to incarceration provide opportunity for delinquent youth to work on their problems in structured surroundings while maintaining daily contact with their communities and families. Most of these services are provided by private providers who contract with the DYC to provide both residential and non-residential programs that compliment the activities of the DYC's case managers.

Residential programs are located throughout the state. They provide 24 hour a day supervision and treatment options to youth in close proximity to their families and communities. These programs stress strong community linkages with family, school and employment to help youth to learn and generalize appropriate behavior into a non-secure community environment.

Non-residential services generally provide supervision, treatment, and education. Tracker services provide intensive supervision of youth through daily contact and counseling focused on employment, education, family and life skills. Various types of therapy are provided by clinicians trained to deal with dysfunctional family dynamics and antisocial behaviors.

In Fiscal Year (FY)1993, 704 youth were served by the DYC in residential programs. DYC has successfully and economically

managed the majority of delinquent adolescents in community based programs. However, it is important that the Legislature continue to fund and support community based programming in order to meet the challenges of juvenile population growth and to address the critical issues relating to gangs and youth violence.

Recommendations:

The Board recommends to the Governor and the Legislature to build additional secure beds and to continue allocating resources to community based programs and delinquency prevention efforts. However, the need for the construction of long term secure beds should be limited for the confinement of the most serious, chronic and delinquent offenders. Thus, by limiting the number of secure beds, scarce financial resources will be preserved for community based programs and delinquency prevention efforts. The recommendations include:

- Limit the expansion of secure long-term beds to 60 as DYC has currently requested.
- Expand programs for sex offenders and mentally ill juvenile offenders.
- Continue to develop innovative community based programs for gang affiliated juvenile offenders.
- Develop more community based programs sensitive to the needs of the large numbers of ethnic minorities in the juvenile justice system.
- Develop support programs for juveniles who are released from secure facilities in

order to ease community reintegration and reduce recidivism.

Concern: Fiscal Considerations

Secure care is the most expensive option for managing juvenile offenders. For example, 1993 Utah's figures reported that the cost for secure care is \$ 137.00 a day per youth. On the other hand, Utah's community based programming cost for juvenile offenders ranges from \$12.00 a day for non-residential services to \$120.000 a day for a residential treatment program for sex offenders. Nationally, the cost per day for community based programs ranges from \$8.00 a day for non-residential services to \$350.00 a day for an intensive in patient psychiatric setting. The average cost per day, nationally for community based programs is \$40.00 a day. **In 1991 national figures reflected that it costs about \$40,000 to \$110,000 to build one secure bed (variance depends on the specifications involved).**

Recommendations:

Consistent with the current state philosophy, the Board recommends to the Governor and to the Legislature to use secure care only for the most serious, chronic and delinquent juvenile offenders thereby preserving scarce resources which can be used to fund community based programs.

Concern: Boot Camps

Boot camps are popular across the country as a correctional placement option for young offenders. Currently, it is estimated that there are 50 boot camps in the United States serving roughly 8,000 young adults and

juvenile offenders. Boot camps were created to accommodate the increase in the number of young adults and juveniles referred to correctional systems for drug and violent offenses, and as a reaction to public sentiment favoring more severe punishment of offenders. Perceived advantages include: 1) boot camps are less costly than other long term secure care programs; 2) "shocking" young offenders into good behavior is viewed as appropriate and effective by a majority of the public; and, 3) offenders can be treated in a short period of time and released.

Unfortunately, there is no indication that boot camps have measurably reduced recidivism or have saved states money in correctional costs. No program has yet demonstrated a statistically significant difference in recidivism between youth placed in boot camps and offenders serving other types of sentences (Mackenzie, 1991). In addition, data regarding cost effectiveness are also unavailable. While boot camps may be an appropriate placement option for some offenders, it is important that such camps not be used to "widen the juvenile justice net" by using these programs for less serious offenders who could be successfully managed in the community at lower costs.

Recommendations:

The Board recommends to the Governor and the Legislature the following regarding the development of boot camps:

- Utah should be cautious in the development of boot camps because of little or no evidence available as to the effectiveness of these programs.

- If Utah chooses to test the boot camp model, the state needs to observe the guidelines set by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). The OJJDP juvenile boot camp model includes enriched program components such as diagnostic assessment, a complete educational program, health and hygiene instruction, substance abuse prevention and treatment services, and vocational skills development.

Also, an essential element of any boot camp program is the development of a strong follow up program that continues to work with juveniles after their release (Steinhart, 1993).

Concern: Judicial Waiver/Transfer of Juveniles to Adult Court

Concern about juvenile crime has led many states to incorporate a "get tough" policy of transferring juveniles to adult court because it is believed that juveniles will encounter stronger consequences at the adult court level. Few studies have examined this strategy or the effects it had on offenders. However, in regard to harsher sentences, Fagan (1991) and Champion (1988) indicate that, in a number of jurisdictions, juveniles waived to the adult courts rarely end up with lengthy sentences and experience a higher acquittal rate than they would have received in the juvenile system.

Recommendations:

The Board recommends to the Governor and the Legislature that the adult court and correctional system develop a fiscal and

programmatic impact statement regarding the certification of juveniles to the adult system. This needs to be accomplished prior to the enactment of legislation that would increase the likelihood of certification of juveniles as adults.

Concern: The Disproportionate Representation of Minorities in Utah's Juvenile Justice System

Minority youth are disproportionately represented in juvenile justice systems across the United States. Numerous studies, and a recent review by the OJJDP supports these findings. For example, from arrest through sentencing and incarceration, disproportionate representation and differential treatment are evident along the entire continuum of juvenile justice programs (Pope & Feyerherm, 1990).

Utah's juvenile justice system is no exception. For example, youth of color account for 8.2% of all youth in Utah, but represent 30% of the total DYC population. The disproportionate representation of minorities in juvenile correctional facilities in Utah increases as the system becomes more punitive; 42% of all youth admitted to long term secure care in Utah are members of a minority group.

Recommendations:

The Board recommends to the Governor and the Legislature that Utah should continue to study the causes of disproportionate representation of minorities in the juvenile

justice system.⁴ In addition, the state should monitor the key decision making points that may lead to differential treatment of minorities. Utah should also increase funding for community based programs specifically designed to prevent minority youth from becoming involved in the juvenile justice system.

Concern: The Organizational Structure of the Juvenile Justice System in Utah

Public outcry has prompted the request for an assessment of the organizational structure of Utah's juvenile justice system. Demands for organizational reform and system accountability include the possibility of conversion to a youth authority that would be responsible for the placement of offenders. Others have recommended that Utah should examine the possibility of creating a separate Department of Children, Youth and Family that would serve a wide variety of youth.

Recommendations:

The Board recommends to the Governor and the Legislature to continue supporting the Utah Commission on Criminal and Juvenile Justice (CCJJ) efforts to review the organizational structure of the juvenile justice system in Utah.

⁴ The Board recently approved the funding of a study that will examine the disproportionate representation of minorities in the juvenile justice system.

Concern: Detention Issues

In 1993, CCJJ was directed by the Legislature to study the juvenile detention system. A Juvenile Detention Study Committee (Committee) established by CCJJ focused their efforts on these critical issues: 1) detention use and admission procedures; 2) alternatives to detention; 3) ethnic minority disproportionate representation in detention; and, 4) purpose of detention. Some of the Committee's findings include:

- Overcrowding is a problem in several Utah detention centers. Overcrowding was experienced in the Salt Lake Detention Center 98% of all nights and Mowoda 51% of all nights during Fiscal Year 1993.
- Ethnic minorities are disproportionately represented in juvenile detention admissions. Youth of color account for 8.2% of all youth in Utah and 27.5% of statewide detention admissions.
- Youth of color stay in detention longer than Caucasians. African American youth stay one and a half days longer and Hispanics one day longer than Caucasians.
- The number of convictions prior to detention does not differ according to ethnicity, except for Native Americans placed in detention, who had fewer prior offenses than other ethnic groups.
- Ethnic minority staff are under-represented in juvenile detention centers in contrast to the youth they serve. For example, only 7.4% of detention staff are

Hispanic whereas Hispanic youth account for 16.3% of detention admissions.

Recommendations:

The Board endorses the following recommendations made to the Legislature by the Detention Study Committee.⁵ The recommendations include:

- Allocate funds to develop and enhance alternatives to detention in order to reduce overcrowding.
- . Appropriate funds to construct additional secure detention beds.
- Appropriate funding to develop *Juvenile Receiving Centers* or expand current Youth Services Centers for troubled youth in need of services who cannot be placed in either detention or current youth services facilities.
- Allocate funds for community based programs targeting high-risk youth with an emphasis on ethnic minority youth who are at risk for secure detention.
- Increase the number of ethnic minority staff at detention center facilities.
- Provide detention staff with multi-cultural sensitivity training.
- Allocate funds to study reasons for over-representation in the juvenile justice system.

⁵ The Board does not endorse all recommendations made to the Legislature by the Detention Study Committee.

- Increase the number of minority intake officers, probation officers, and judges in the juvenile justice system.
- Modify the Third District Juvenile Court (Consent Decree) Admission Guidelines so that they conform with the Statewide Detention Admission Guidelines.
- Provide a detailed analysis of the Lone Peak juvenile facility operation to include its impact on juvenile detention during the first year of operation.

Conclusion

During the 1994 Legislative Session, Utah is in position to advance the cause of juveniles, families, and communities. Juvenile justice experts recognize there are many multi-systemic causes of delinquency. Influences of family, peers and schools are important as well as neighborhood, social and economic factors. Far too many Utah juveniles are growing up poor and in environments that lack adequate developmental support. All youth need strong families, quality health care, good child care options, adequate housing, safe communities and good schools in order to thrive. Too many juveniles are growing up without the assurance of these basic supports.

As we struggle with ways to respond to the pressing issue of juvenile crime, we must be working simultaneously and aggressively to address the root causes of these problems.

Incarceration for Utah's most chronic, serious and violent youth offenders coupled with community based programming and extensive prevention efforts are necessary if we want to

decrease the number of juvenile who become delinquent or develop other serious and debilitating problems.

References

Austin, J., Joe, K., Krisberg, B. & Steele, P. A. (1990). The Impact of Juvenile Court Sanctions: A Court That Works (NCCD Focus, March 1990). San Francisco, CA: National Council on Crime and Delinquency.

Detention Study Committee. (1993). Detention Study Committee Report. Salt Lake City, UT: Utah Commission on Criminal and Juvenile Justice.

Division of Youth Corrections. (1992) Utah Tomorrow Report Salt Lake City, UT: Utah State Division of Youth Corrections.

Elliott, D. (1989, May) Adolescent Violence. Testimony for the House Select Committee on Children Youth and Families.

Jenson, J. M. (1994). Factors Related to Gang Involvement Among Juvenile Probationers in Utah. Salt Lake City, UT: University of Utah, Graduate School of Social Work.

Mackenzie, D. L. & Souryal, C. C. (1991). Boot Camp Survey: Rehabilitation, Recidivism Reduction Outrank Punishment as Main Goals. Corrections Today, 53(6) (October 1991), 90-92, 94-96.

National Coalition of State Juvenile Justice Advisory Groups. (1992). Myths and Realities: Meeting the Challenge of Serious, Violent, and Chronic Offenders. (1992 Annual Report) Washington, D.C.: National

Coalition of State Juvenile Justice
Advisory Groups.

Pope, C.E. & Feyerherm, W. Summary
Report: Minorities in the Juvenile Justice
System Unpublished. Washington, D.C.:
Office of Juvenile Justice and Delinquency
Prevention (1990).

Salt Lake Area Gang Project. (1993).
Statistics. (run date: November 30, 1993).
Salt Lake City, UT.

Salt Lake City Mayor's Gang Task Force.
(1992) Findings/Conclusions
/Recommendations. Salt Lake City, UT.

Spergel, I. A., Chance, R.L. & Curry, G.D.
(1990). National Youth Gang Suppression
and intervention Program. (Juvenile Justice
Bulletin No. 222 June 1990) Washington,
D.C.: U.S. Department of Justice, OJJDP.

Steinhardt, D. (1993). Boot Camps: Solution
for Juvenile Justice or Passing Fad? Youth
Law News, XIV (1) (January-February
1993), 1-4.

Utah Commission on Criminal and Juvenile
Justice (1993). How Do Ethnic Minorities
Fare In The Utah Juvenile Justice System?
Unpublished document.

Utah Division of Youth Corrections (1993)
Annual Report 1993. Salt Lake City, UT:
Utah State Division of Youth Corrections.

Utah State Juvenile Court (1993). Annual
Report 1993. Salt Lake City, UT:
Administrative Office of the Courts
Report for the Utah Board of Juvenile
Justice and Delinquency Prevention.

APPENDIX:

- The Four Mandates of the Juvenile Justice and Delinquency Prevention of 1974
- Projects Active During 1993
- Projects Currently Funded 1993-1994

STATUS OF STATE COMPLIANCE WITH MANDATES OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.

THE FOUR MANDATES OF THE JJDP ACT INCLUDE THE FOLLOWING:

1. Removal of status offenders and non-offenders from secure detention and correctional facilities--DSP (Deinstitutionalization). This mandate requires the removal of status offenders (non-delinquent youth) and non-offenders (youth who have not been adjudicated for a delinquent or status offense) from the State's secure juvenile detention facilities and long-term secure correctional-facilities.

Compliance Status: Utah is in full compliance with the deinstitutionalization requirement of Section 223(a)(12)(A) of the JJDP Act.

2. Separation of juveniles from adult offenders in adult (jail) facilities. The objective of this mandate is to insure that juveniles, if held, are held completely separate from adults in adult jails. The intent is to prevent any commingle or association between adults and juveniles.

Compliance Status: The State is in compliance with Section 223(a)(13) of the JJDP Act, which requires that juveniles not be detained or confined in any institution in which they have regular contact with incarcerated adults.

3. Removal of juveniles from adult jails and lockups. The intent of this mandate is to remove and/or prevent juveniles from being held in county adult jails and or police lockups. The philosophy being that if juvenile are to be detained, they should be detained in juvenile facilities and should not be commingled with adult offenders.

Compliance Status: Utah is in full compliance with the jail and lockup removal provision, Section 223(a)(14) of the JJDP Act.

4. Disproportionate representation of minorities in the juvenile justice system. The 1988 amendments to the JJDP Act require the states to eliminate the disproportionate representation of minority youth in secure confinement as a fourth mandate. Each state is to determine whether such youth are being confined in disproportionate numbers in its secure facilities and must establish a strategy for addressing a racial imbalance where it is present.

Compliance Status: The Utah juvenile justice system, while a model for other states in the number of youth it incarcerates, tends to follow the national trends in terms of who it incarcerates. Like most other states, Utah has a pronounced disproportionate representation of minority youth in its juvenile justice system. A large percentage of minority youth find their way into the system at all points, making up a disproportionate number in long-term secure care, probation and detention.

Although the State is aware that minorities are disproportionately represented through out its juvenile justice system, it is not understood clearly as to why this occurs. In order to understand this issue more fully, the Utah Board of Juvenile Justice and Delinquency Prevention has approved a grant to the University of Utah to study this issue in depth. As a result of this study it is hoped that there will be sufficient data to make a more accurate assessment as to the reasons minorities are overrepresented. As data is collected and analyzed, and the study completed, strategies will be developed and implemented to help address the disproportionate representation problem.

Although much is not understood about this issue, and while further research is needed, the State should not wait but should move ahead in addressing the problem. It is the intent of UBJJDP to do what it can to address this concern. For specific additional information on this subject, please see pages 8 and 9 of this report.

PROJECTS ACTIVE DURING 1993

Grant # and Award Amount	Grant Title/Subgrantee	Project Director and Grant Period
1-JD91 \$2,500.00	YWCA Therapeutic Recreation For Troubled Youth YWCA of Salt Lake City 322 East 300 South Salt Lake City, Utah 84111	Jane Edwards 5/1/92 - 4/30/93
2-JD91 \$40,350.00	Juvenile Justice Act Compliance Planning, Monitoring and Evaluation Division of Youth Corrections, Department of Human Services 120 North 200 West, Fourth Floor Salt Lake City, Utah 84103	Wayne Holland 2/2/92 - 2/1/93
3-JD91 \$75,000.00	Delinquency Prevention Program Ogden City School District 2444 Adams Avenue Ogden, Utah 84401	Cher King 8/1/92 - 7/31/93
4-JD91 \$18,691.00	Elementary At-Risk Program Ogden City School District 2444 Adams Avenue Ogden, Utah 84401	Cher King 9/1/92 - 8/31/93
5-JD91 \$9,600.00	Weber State University and Project Success At-Risk Youth Project Weber State University Ogden, Utah 84408-4002	Ruth V. Knight 9/1/92 - 8/31/93
6-JD91 \$48,085.00	Glendale Community Mobilization Project Glendale Community Improvement Association 327 East 200 South Salt Lake City, Utah 84111	Alicia Primack 9/1/92 - 9/30/93
7-JD91 \$14,075.00	Home Detention Program South West Utah Detention Center 270 East 1600 North Cedar City, Utah 84720	Ed Weaver 10/1/92 - 9/30/93
8-JD91 \$11,700.00	Juvenile Jail Removal Division of Youth Corrections, Department of Human Services 120 North 200 West, Fourth Floor Salt Lake City, Utah 841093	Wayne Holland 10/1/92 - 9/30/93
9-JD91 \$18,150.00	In-Home Services for Washington County "At-Risk" Youth St. George Office of Social Services 168 North 100 East St. George, Utah 84770	Gene Ashdown 10/1/92 - 9/30/93
10-JD91 \$18,750.00	Evaluation and Treatment Planning Program Division of Family Services, Department of Human Services 120 North 200 West, Third Floor Salt Lake City, Utah 84103	Joe Leiker 10/1/92 - 9/30/93
11-JD91 \$24,937.00	Cache Detention Diversion Project Division of Youth Corrections, Department of Human Services 145 North Monroe Boulevard Ogden, Utah 84404	Clint Farmer 10/1/92 - 9/30/93

PROJECTS ACTIVE DURING 1993

Grant # and Award Amount	Grant Title/Subgrantee	Project Director and Grant Period
12-JD91 \$43,848.00	Box Elder Detention Diversion Project Division of Youth Corrections, Department of Human Services 145 North Monroe Boulevard Ogden, Utah 84404	Clint Farmer 10/1/92 - 9/30/93
13-JD91 \$42,070.00	Minority Juvenile Justice Prevention Project Institute of Human Resources Development (IHRD) 205 West 700 South, Suite 301 Salt Lake City, Utah 84101	1/1/93 - 9/30/93
14-JD91 \$22,050.00	Juvenile Justice Act Compliance Planning, Monitoring and Evaluation Division of Youth Corrections, Department of Human Services 120 North 200 West, Fourth Floor Salt Lake City, Utah 84103	Wayne Holland 3/1/93 - 8/27/93
15-JD91 \$5,899.00	Parks and Recreation/DYC Work Diversion Project Division of Youth Corrections, Department of Human Services 145 North Monroe Boulevard Ogden, Utah 84404	Pat Lambert 9/1/93 - 9/30/93
16-JD91 \$1,073.00	Restitution Training and Education Project Administrative Office of the Court (Juvenile Court) 230 South 500 East, #300 Salt Lake City, Utah 84111	Mike Phillips 9/1/93 - 9/30/93
17-JD91 \$2,700.00	Enhancing Safety For Youth - A Work Restitution Initiative Administrative Office of the Court (Juvenile Court) 230 South 500 East, #300 Salt Lake City, Utah 84111	Mike Phillips 9/1/93 - 9/30/93

PROJECTS CURRENTLY FUNDED 1993-1994

Grant # and Award Amount	Grant Title/Subgrantee	Project Director and Grant Period
9201-JD01 \$15,000.00	Non-Secure Care as an Alternative to Secure Detention for Youth Project Division of Youth Corrections, Department of Human Services 120 North 200 West Salt Lake City, Utah 84103	Wayne Holland 7/1/93 - 6/30/94
9202-JD02 \$1,500.00	Jail Removal and Transportation of Juveniles Project Ute Indian Tribe, Juvenile Court P.O. Box 9 Fort Duchesne, Utah 84026	Judge D. Ridley 10/1/93 - 9/30/94
9203-JD03 \$43,000.00	Juvenile Justice Act Compliance: Planning, Monitoring and Evaluation Division of Youth Corrections, Department of Human Services 120 North 200 West, Fourth Floor Salt Lake City, Utah 84103	Wayne Holland 8/28/93 - 8/28/84
9204-JD04 \$11,264.00	Juvenile Jail Removal Project Division of Youth Corrections, Department of Human Services 120 North 200 West, Fourth Floor Salt Lake City, Utah 84103	Wayne Holland 10/1/93 - 9/30/94
9205-JD05 \$56,250.00	Delinquency Prevention Program Ogden City School District 2444 Adams Avenue Ogden, Utah 84401	Cher King 8/17/93 - 8/16/94
9206-JD06 \$43,277.00	Glendale Community Mobilization Project Glendale Community Improvement Association 327 East 200 East Salt Lake City, Utah 84111	Alicia Primack 10/1/93 - 9/30/94
9207-JD07 \$44,778.00	Service Delivery to Educationally Disadvantaged Children Project Provo City School District 280 West 940 North Provo, Utah 84604-3394	George Bayles 9/1/93 - 6/30/94
9208-JD08 \$45,000.00	Antelope Island Diversion Project Division of Youth Corrections, Department of Human Services 145 North Monroe Boulevard Ogden, Utah 84404	Patrick Lambert 12/1/93 - 9/30/94
9209-JD09 \$29,232.00	Box Elder Detention Diversion Project Division of Youth Corrections, Department of Human Services 145 North Monroe Boulevard Ogden, Utah 84404	Clint Farmer 10/1/93 - 9/30/94
9210-JD10 \$56,250.00	Multi-Cultural Juvenile Justice Prevention Project Institute of Human Resource Development (IHRD) 205 West 700 South, Suite 301 Salt Lake City, Utah 84101	Olga Canon 10/1/93 - 9/30/94

PROJECTS CURRENTLY FUNDED 1993-1994

Grant # and Award Amount	Grant Title/Subgrantee	Project Director and Grant Period
9301-JD11 \$44,138.00	Union High School In-School Alternative Project Duchesne School District P.O. Box 446 Duchesne, Utah 84021	Lloyd Burton 8/30/93 - 5/30/94
9302-JD12 \$5,000.00	Gang Prevention for Girls Project YWCA of Salt Lake City 322 East 300 South Salt Lake City, Utah 84111	Jane Edwards 10/1/93 - 6/15/94
9303-JD13 \$29,491.00	L.E.A.P. (Life Enhancement Alternative Program) Salt Lake County Division of Youth Services 92 West 3900 South, Suite 101 Salt Lake City, Utah 84107-1432	LaMar Eyre 1/1/94 - 12/31/94