
2024-26 Three-Year Delinquency Prevention Plan

*Submitted Pursuant to the Juvenile Justice and
Delinquency Prevention Act Title II Program*

AUGUST 1

NORTH DAKOTA

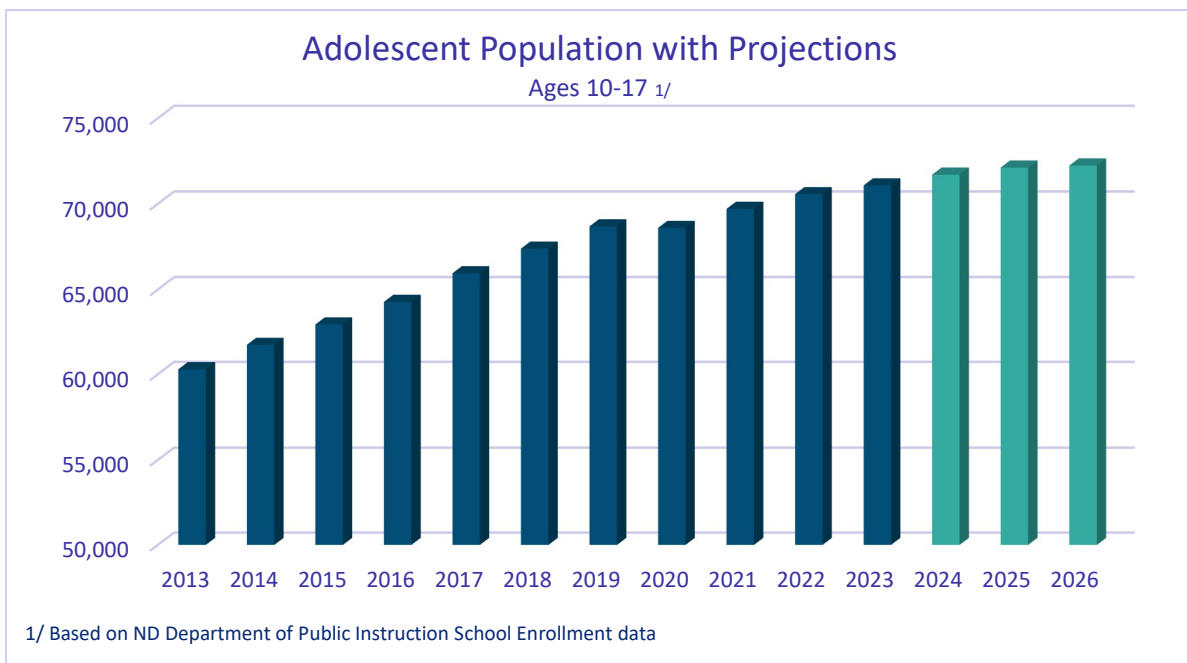
JUVENILE JUSTICE STATE ADVISORY GROUP

Proposal Narrative

A. Description of the Issue

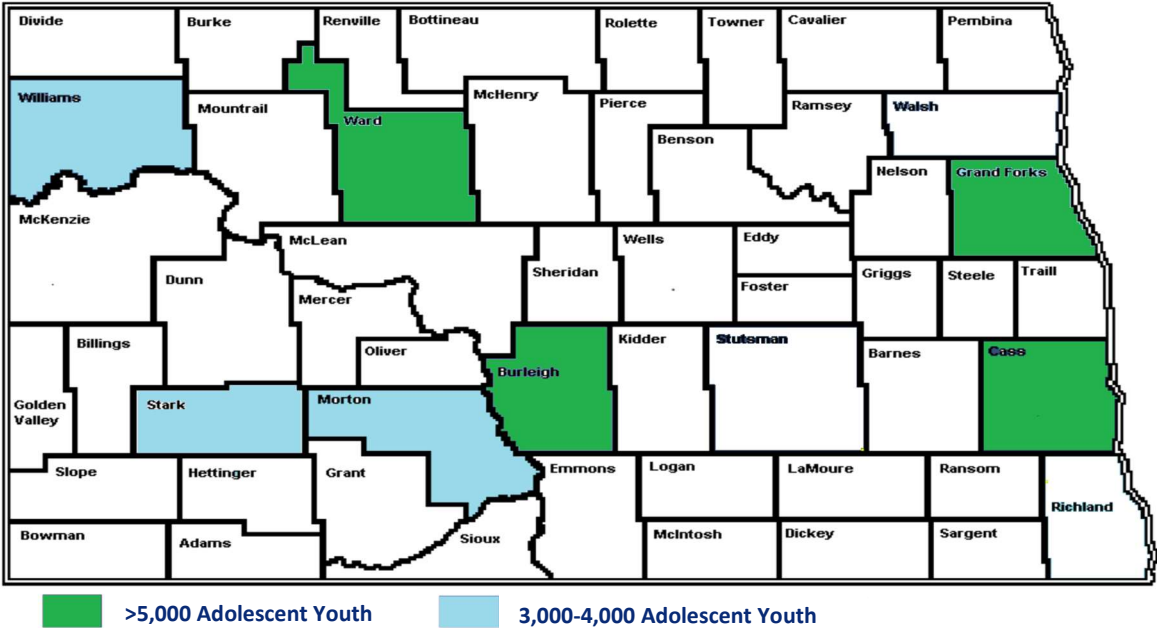
ANALYSIS OF JUVNEILE DELINQUENCY PROBLEMS (YOUTH CRIME) AND NEEDS

The analysis of North Dakota’s juvenile delinquency problems and needs starts with a look at the state’s adolescent population, as any change in delinquency would need to account for the change in youth population (rate of change). The age of North Dakota Juvenile Court jurisdiction is 10-17, and thus the population in which rates are based. As depicted by the chart below, North Dakota’s adolescent population has continued to grow over the last 10 years, and is projected to continue an upward trend. The largest growth has been with Black and Hispanic youth, although Native American youth are still the largest minority group in North Dakota.



As illustrated on the following map, the majority of adolescent youth (over 50%) reside in only four of the fifty-three counties, each with over 5,000 adolescent youth. Cass County is by far the largest, with over 16,000 adolescent youth, followed by Burleigh with 8,500, Ward with 6,300 and Grand

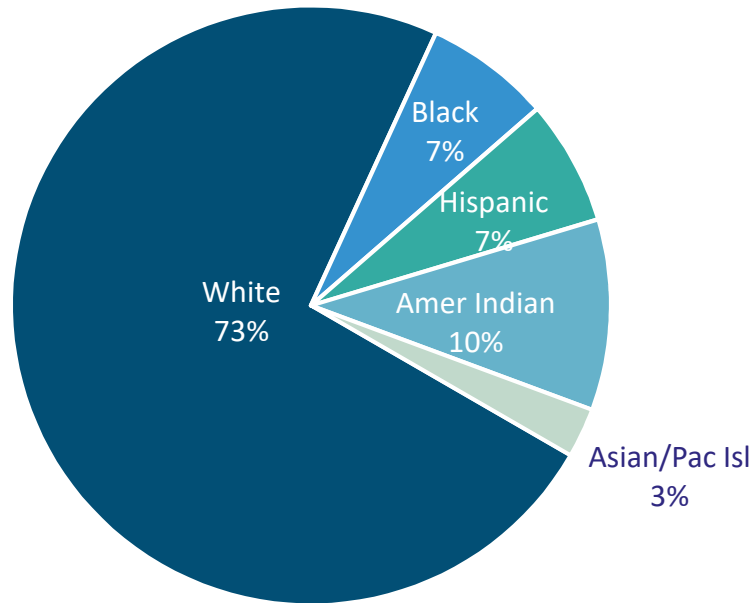
Forks with 5,700 adolescent youth. Three other counties (Morton, Stark and Williams) have between 3,000-4,000 adolescent youth. All other counties have less than 2,000 adolescent youth, and most (38 of the 53 counties – 72%) have less than 1,000 adolescent youth. Although a primary focus will be on where the adolescent youth are, part of the plan is still ensuring services are available in the more rural areas of the state.



Based on school enrollment Data for the 2023-24 school year

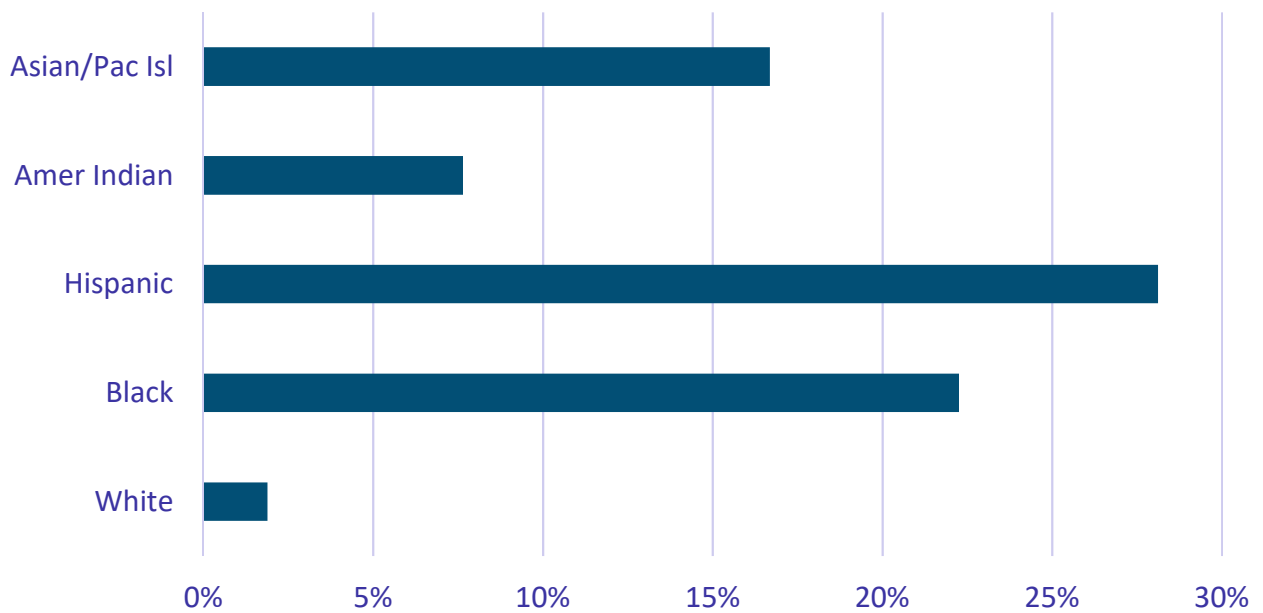
In terms of population demographics, as noted by the chart below, white youth reflect approximately 74% of the state’s adolescent population. The largest minority group is Native American at 10% of the adolescent population, followed by Black and Hispanic youth, each at 7% of the state’s adolescent population. It should be noted that North Dakota has a significant New Immigrant population, particularly in the Eastern part of the state (Cass County), which is not necessarily depicted by the racial demographics. The foreign-born population is very diverse, with significant representation from Asia (China, India, and Nepal) and Sub-Saharan Africa (Somalia, Kenya, Liberia, and Sudan), but also includes Europe, Middle East, North Africa, Central and South America, and the Caribbean.

Adolescent Population Racial/Ethnic Breakdown



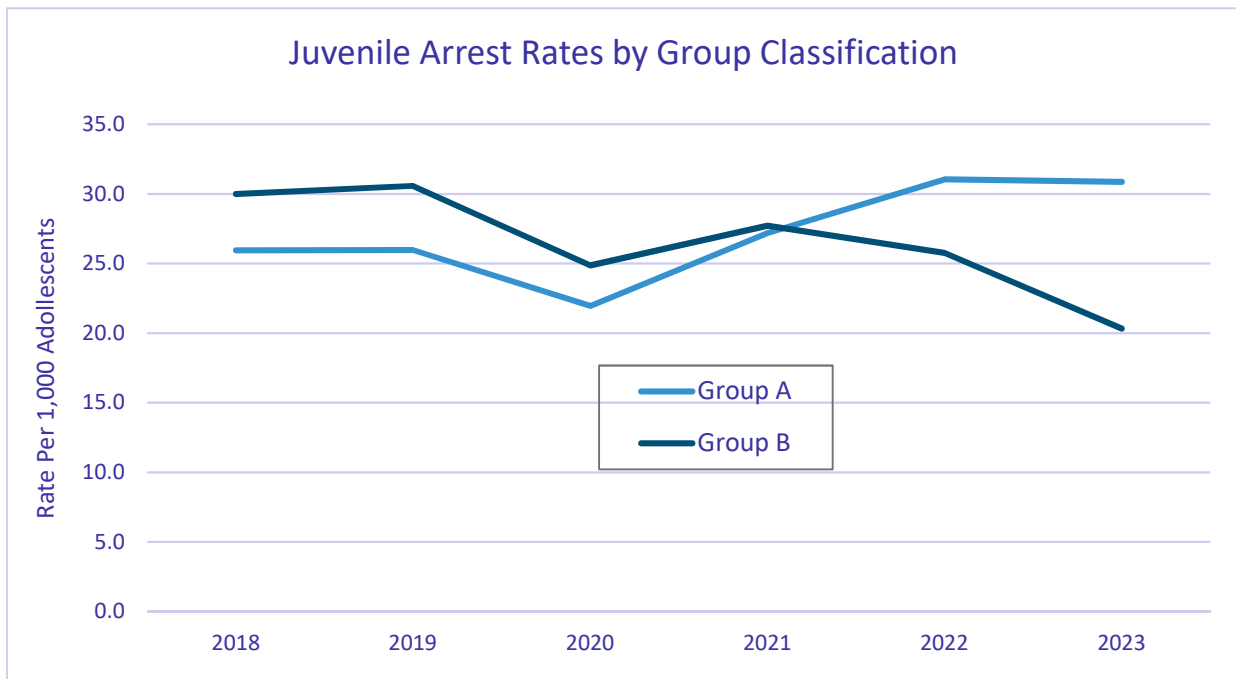
North Dakota is getting more diverse. The largest increases in adolescent population over the last five years were with Black and Hispanic youth with increases between 20-30%.

Adolescent Population Growth by Race (2018 to 2023)



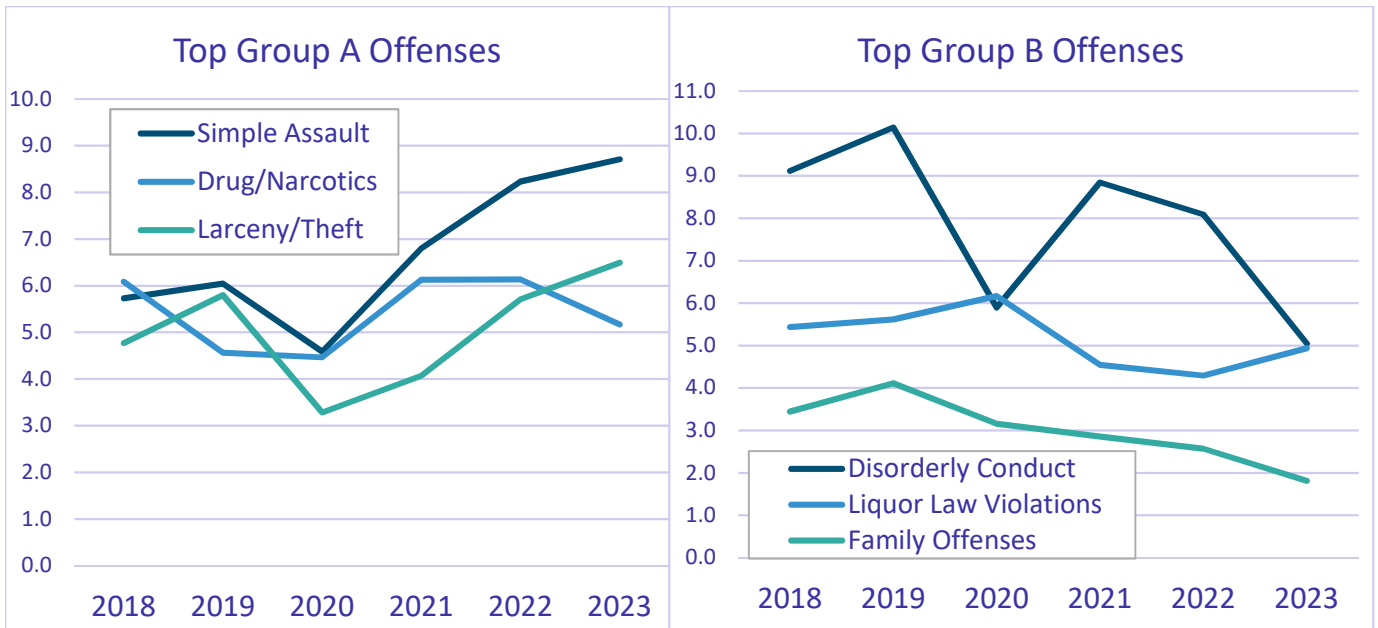
JUVNEILE ARREST DATA

Pursuant to the National Incident Based Reporting System, offenses within an arrest incident are classified as either Group A or Group B offenses. The Group A offenses are the more serious crimes, whereas Group B offenses tend to be minor in nature, such as disorderly conduct. As noted below, Group A offenses for juveniles (ages 10-17) in North Dakota increased whereas Group B offenses decreased. This is due to new state statute that took effect August 2022 resulting in unruly/status offending youth being reclassified as “Children in Need of Services” (CHINS) and completely diverted from the juvenile justice system. CHINS youth cannot be cited and referred to the juvenile court, but rather are referred to human service zones (social services).

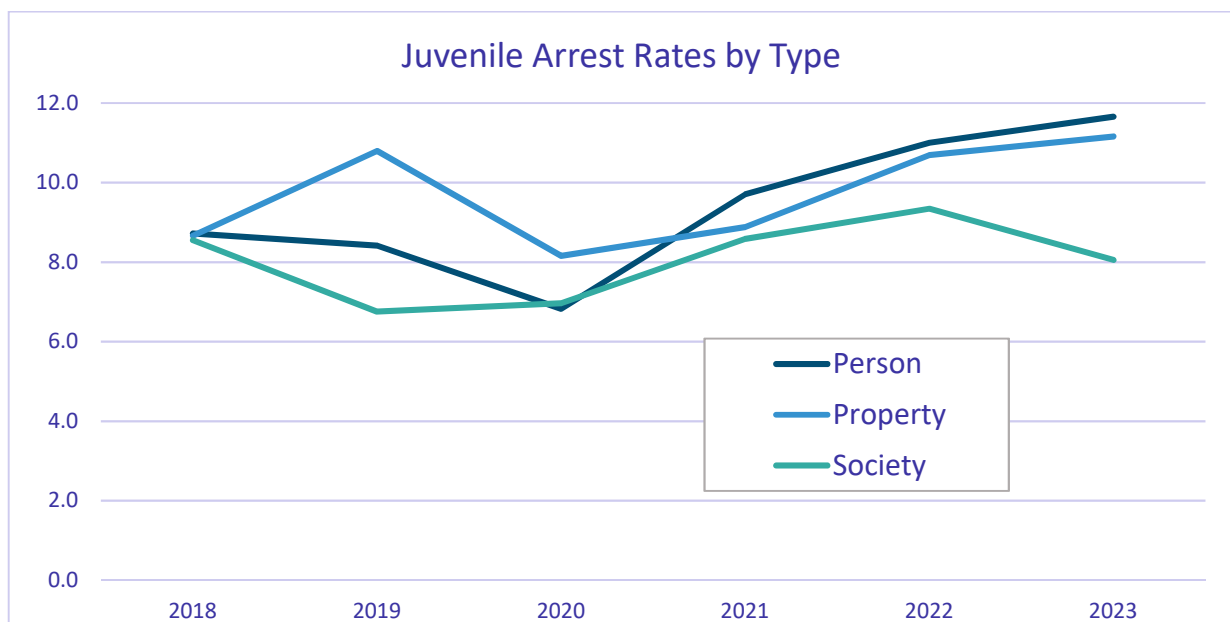


The top Group A and Group B offenses are depicted by the charts below. The largest increases in Group A arrest rates were seen with simple assault and larceny/theft, with increases of 60% and 43%, respectively. Group B arrest rates are decreasing due to statute changes related to CHINS, as

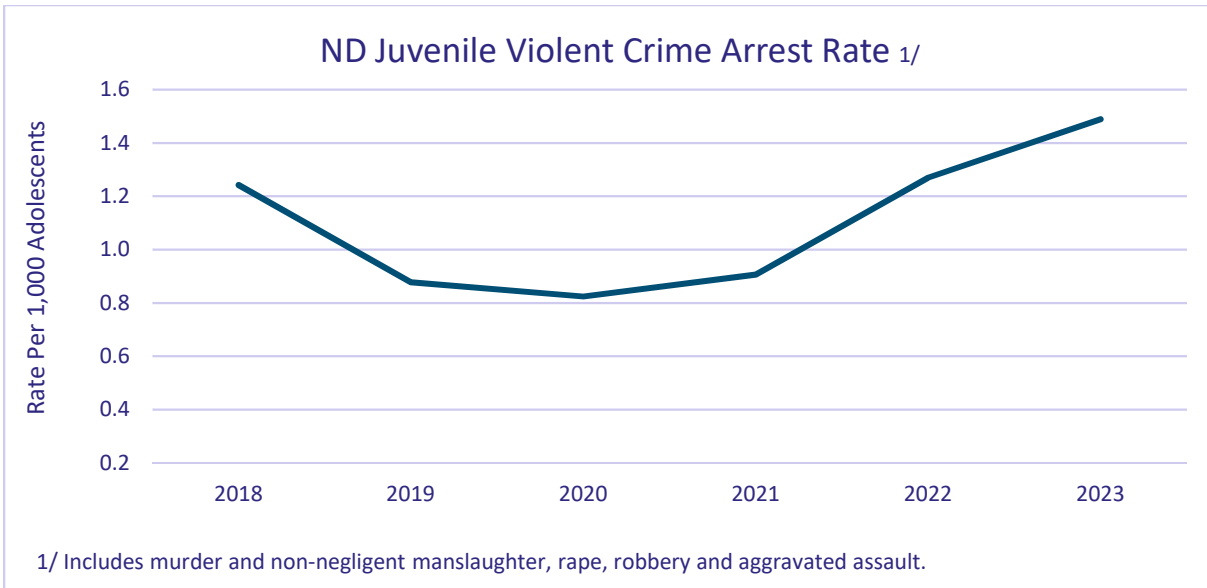
discussed above, as well as statute changes requiring schools to handle misdemeanor and infractions without issuing a citation and referring to juvenile court.



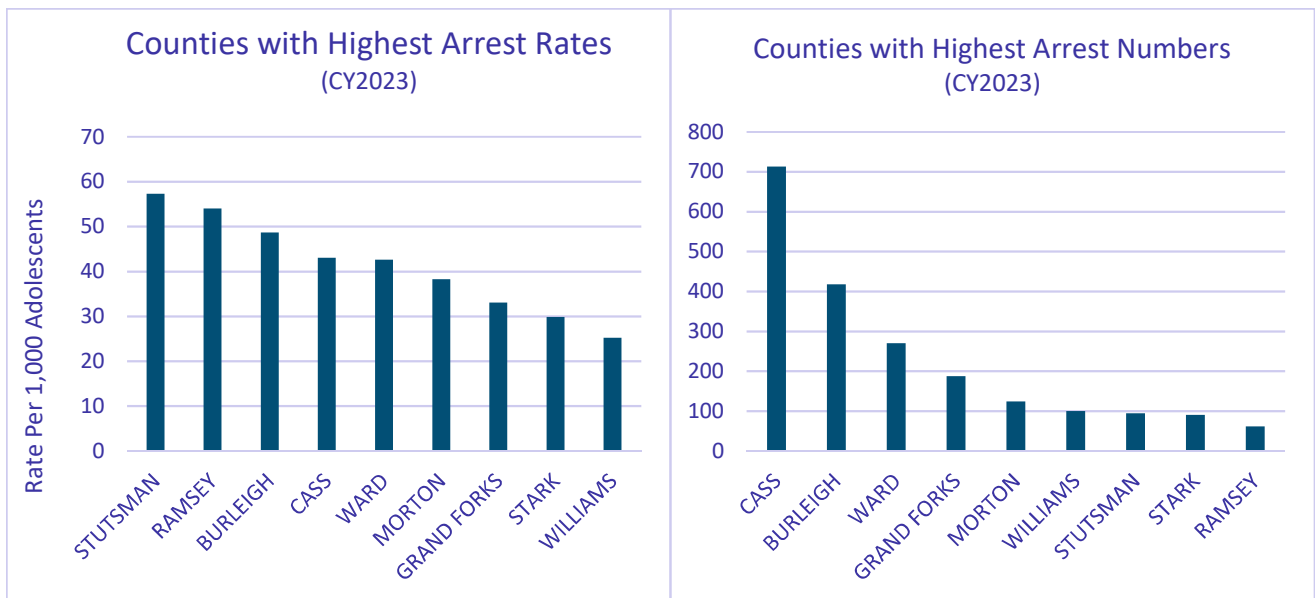
In breaking down the Group A offenses by type, as shown by the following chart, the rates for person and property offenses have increased over the last five years, whereas offenses classified as society overall remained about the same, which is consistent with the increases in simple assault and theft.



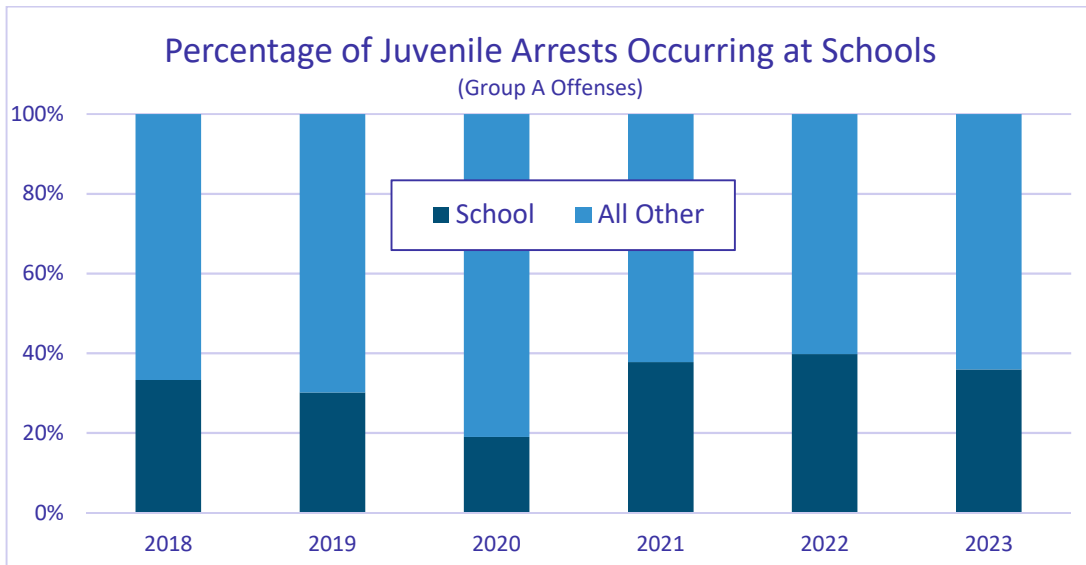
North Dakota’s violent crime arrest rate for juveniles has overall seen an increase, as shown by the chart below. This rise in the rate is due to an increase in arrests for robbery, of which the number of arrest incidents has tripled from 2018 to 2023.



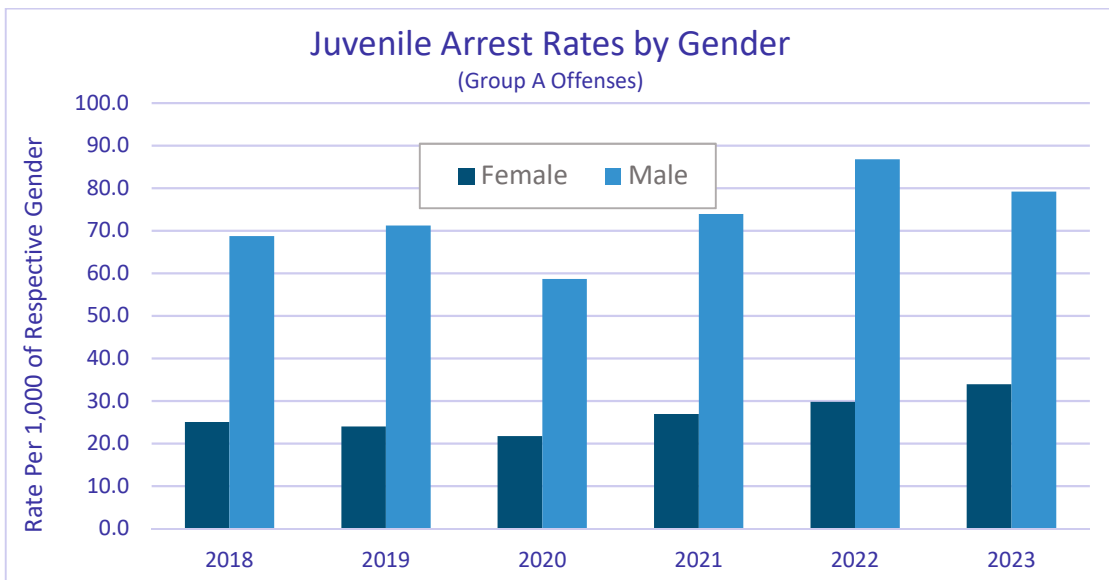
The following charts detail the counties in the state that have the highest juvenile arrest rates based on their adolescent population, as well as those with the highest number of arrest incidents. It will be important to focus prevention and intervention efforts in these counties, balancing the focus on rates with where the volume of arrest incidents are.



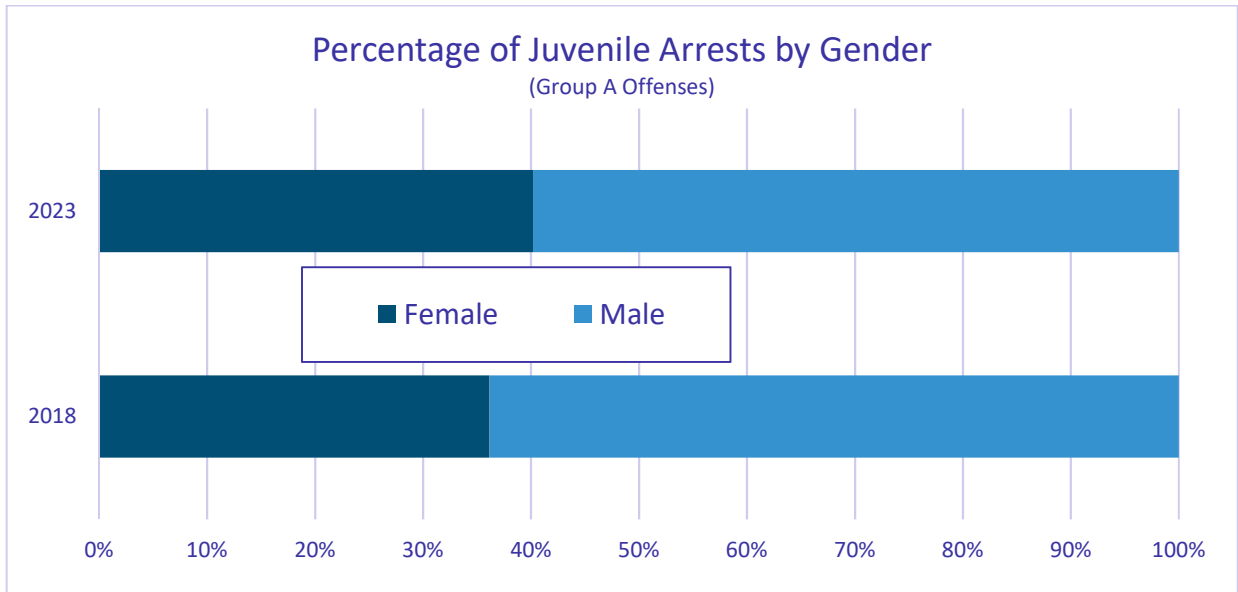
Almost 40% of juvenile arrest incidents are occurring in schools, as reflected by the following chart, and that percentage appears to be growing. One of the largest offenses is simple assault, with over 25% of the arrests based on a three-year average. Part of the plan will be to support schools to be able to intervene with students early and in a way that provides accountability without criminalizing.



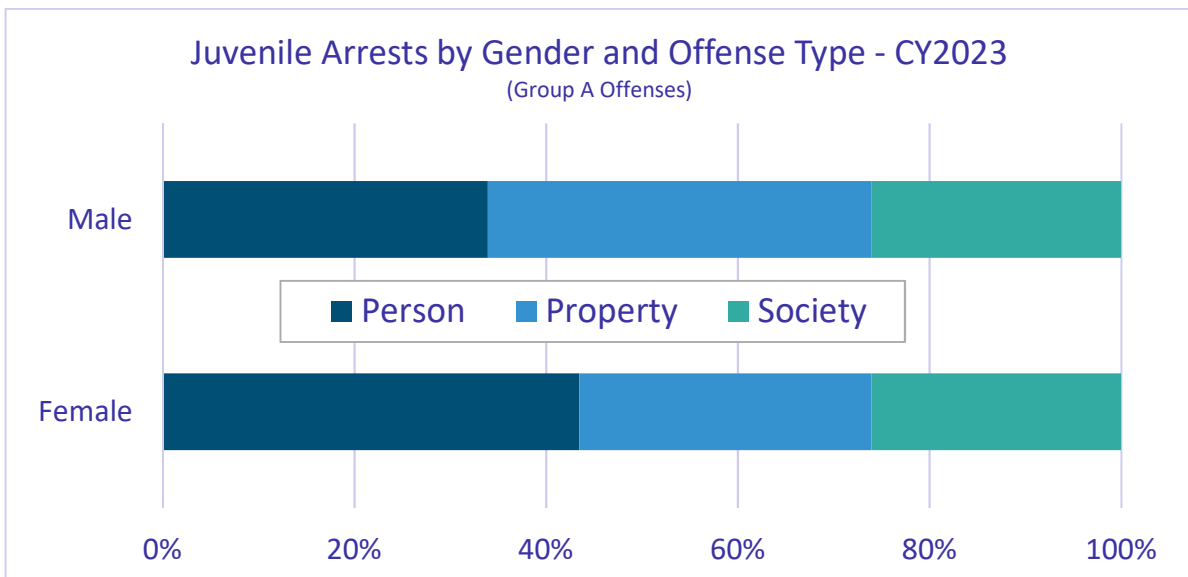
The arrest rates for both females and males has increased over the last 5 years, as depicted by the following chart. The arrest rate for females has increased significantly more than males, with the rate for females increasing by 36% from 2018 to 2023, versus the rate for males increasing by 15%.



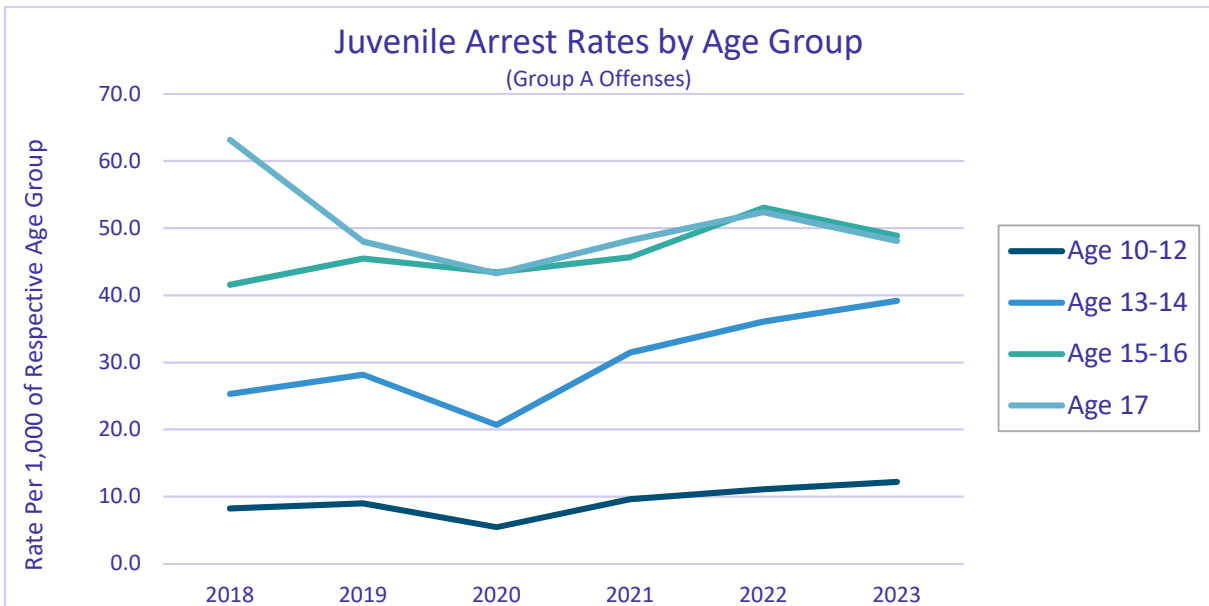
Correspondingly, females are now making up a larger percentage of juvenile arrests, increasing from 36% of the total juvenile arrests in 2018 to 40% of the total juvenile arrests in 2023.



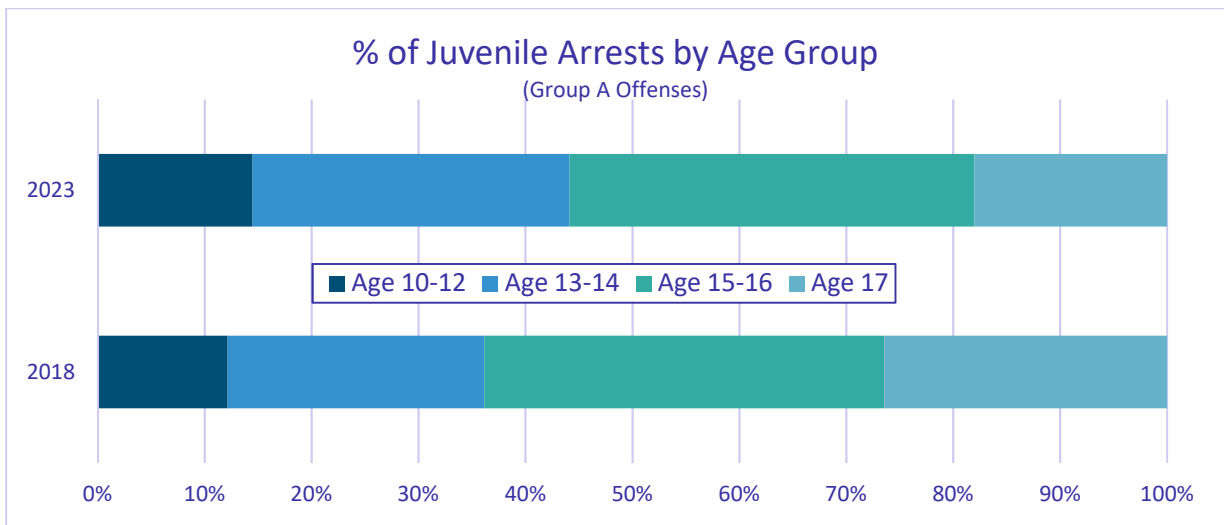
Whereas the largest percent of male juvenile arrests are for property offenses, the largest percent of female juvenile arrests are for person offenses, as illustrated below. This is associated with females accounting for a large number of the juvenile arrests for simple assault (person offense), and males accounting for a large number of the juvenile arrests for theft and vandalism (property offenses).



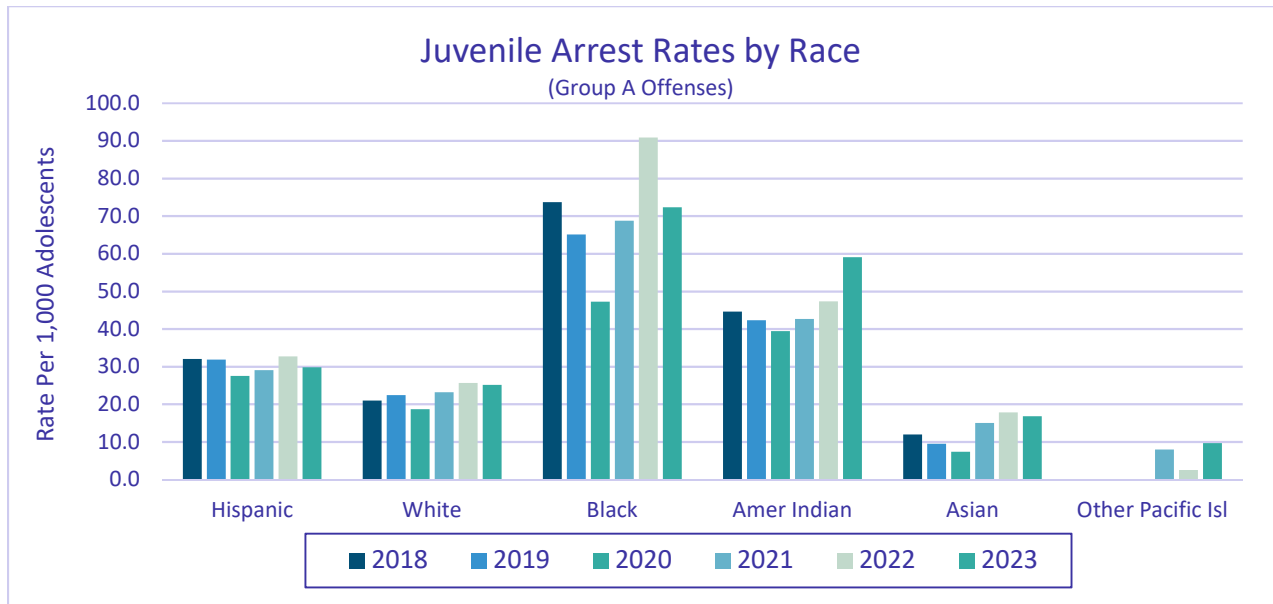
All groups saw an increase in arrest rates except 17 year-olds, which saw a significant decrease. As illustrated by the chart below, it appears that juvenile crime is happening at a younger age. The 15-16 age group had an increase in rate of 18%, whereas the 10-12 and 13-14 age groups had an increase of 37% and 44%, respectively, from 2018 to 2023.



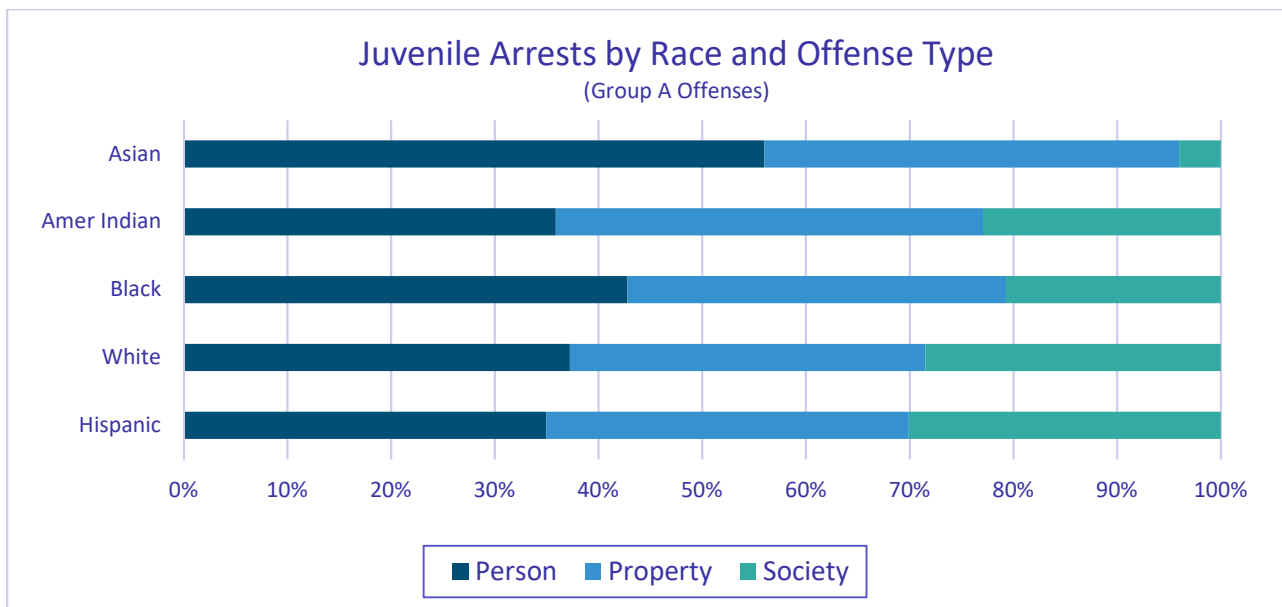
The chart below reiterates that point by showing the change in the percentage of total arrests by age group. Again, arrests of 17-year olds have decreased and younger age groups are accounting for a larger percentage of total arrests, growing from 36% of the total to 44% of the total.



In looking at juvenile arrest rates by race, as shown on the following chart, Black and American Indian youth have significantly higher rates than other racial/ethnic groups. In addition, the juvenile arrest rates have increased from 2018 to 2023 for all race/ethnic groups except Hispanic and Black youth.

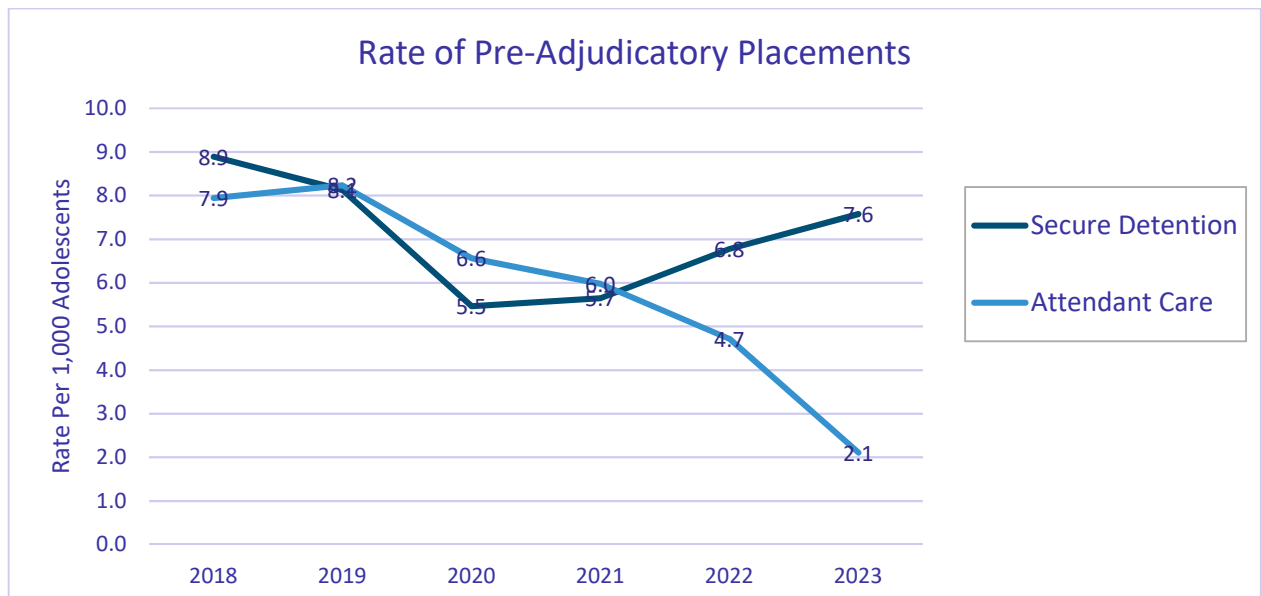


In terms of arrest types, the highest percentage of arrests for Asian, Black and White youth were for person offenses, with arrests for simple assault being the primary offense for all racial/ethnic groups, whereas for American Indian youth it was for property offenses, with theft being the primary offense.



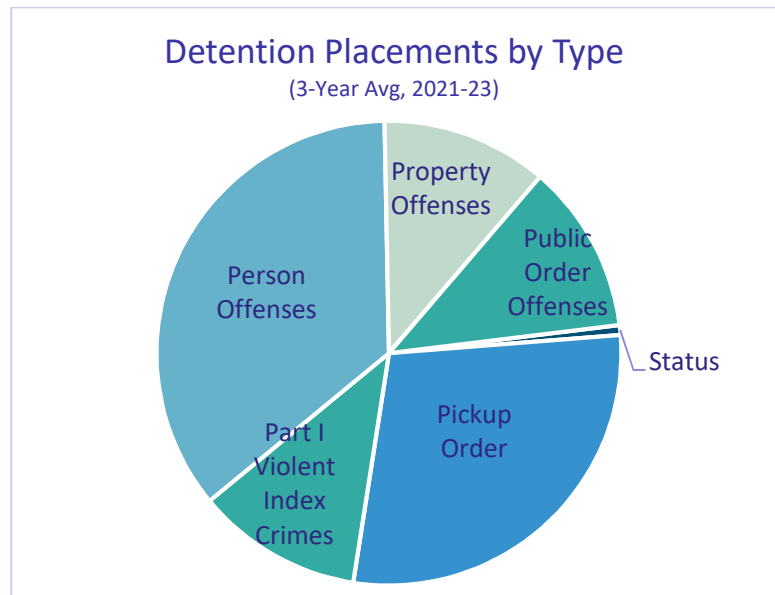
PRE-ADJUDICATORY PLACEMENTS

The majority of the juveniles that are arrested are cited and released, but some do require supervision on a pre-adjudicatory basis to await release to a parent/guardian or a court hearing. Post-adjudication placement in secure detention is not allowed pursuant to state statute. Youth picked up by law enforcement are either placed in secure detention or a program called “attendant care”, which serves as an alternative to secure placement. No juveniles are held in adult jail or lockup facilities. The decision regarding placement is based on the scoring of a detention screening tool by law enforcement. Because accurate scoring of the tool is dependent upon criminal history information, the court has an agreement in place that provides for the sharing of criminal history data with several facilities that operate on a 24/7 basis and serve as “call centers” for law enforcement when completing the tool. As noted by the chart below, the rate of pre-adjudicatory placements overall has decreased since 2018, but the rate of detention appears to again be increasing since the lower number of placements in 2020 due to the COVID-19 pandemic. Statute changes that took effect in August 2022 resulted in the significant decline of placements into attendant care due to status offenders being reclassified as CHINS and no longer being part of the juvenile justice system,

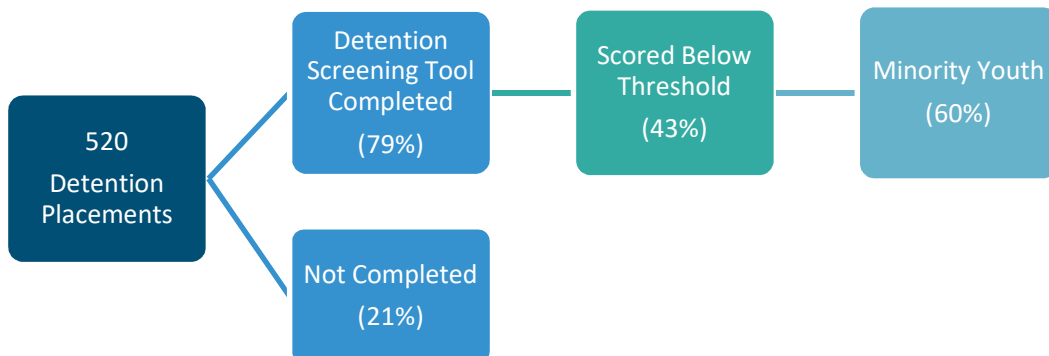


The following chart breaks down the offense types for youth placed into secure juvenile detention based on a three-year average. As noted, person offenses, including Part 1 violent crimes, make up a majority of the placements into detention. However, pickup orders are a result of almost 30% of the placements, which raises concerns regarding the need for secure placement for some youth. As indicated by North Dakota’s compliance data submission, very few status offenders end up in detention, and the ones that did were prior to the statute change that took effect in 2022, reclassifying those youth to CHINS.

Based on detention screening tool data for a recent 12-month period, as illustrated below, there is a high percentage of youth that do not score high enough on the tool but are placed into secure detention due an override of the tool by law

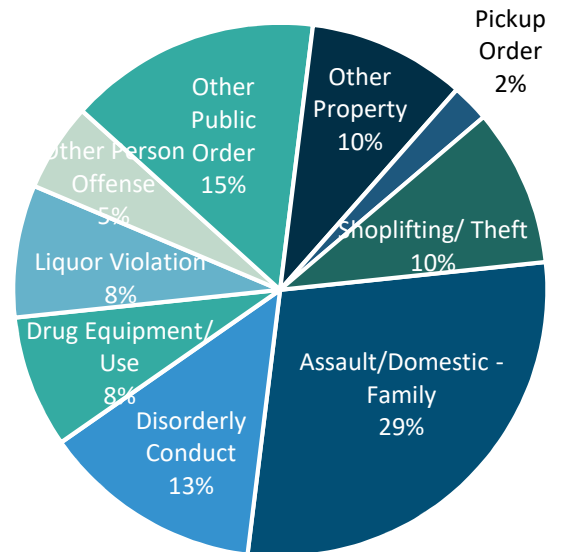


enforcement. In addition, a significant percentage of the overrides involve minority youth. The use of detention will be further analyzed, and advocating for the use of detention alternatives through education and possible policy and/or statute changes is part of the plan goals and objectives.



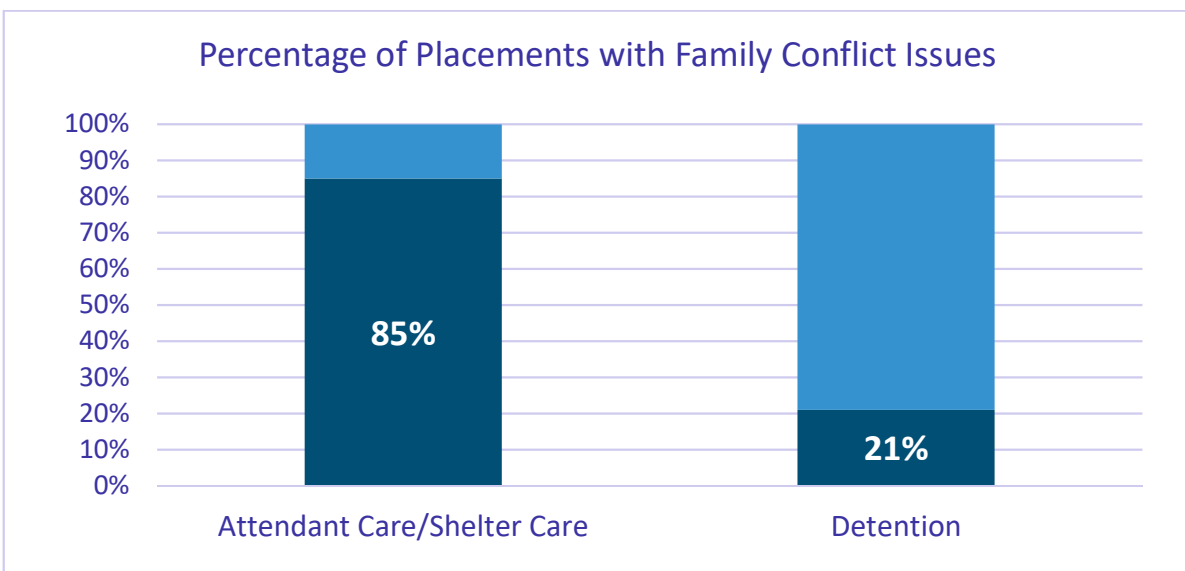
The chart to the right depicts the offense types for youth placed by law enforcement into the non-secure Attendant Care Program, from the date that statute changes took effect on August 1, 2022 through June 30, 2024. As noted, the largest percentage of placements were associated with charges related to domestic violence or family simple assault. This underscores the need for additional family-based interventions. Also, due to the statute changes, no status offenders were placed as they are placed in shelter care.

**Attendant Care Placements
(8/1/22-6/30/24)**



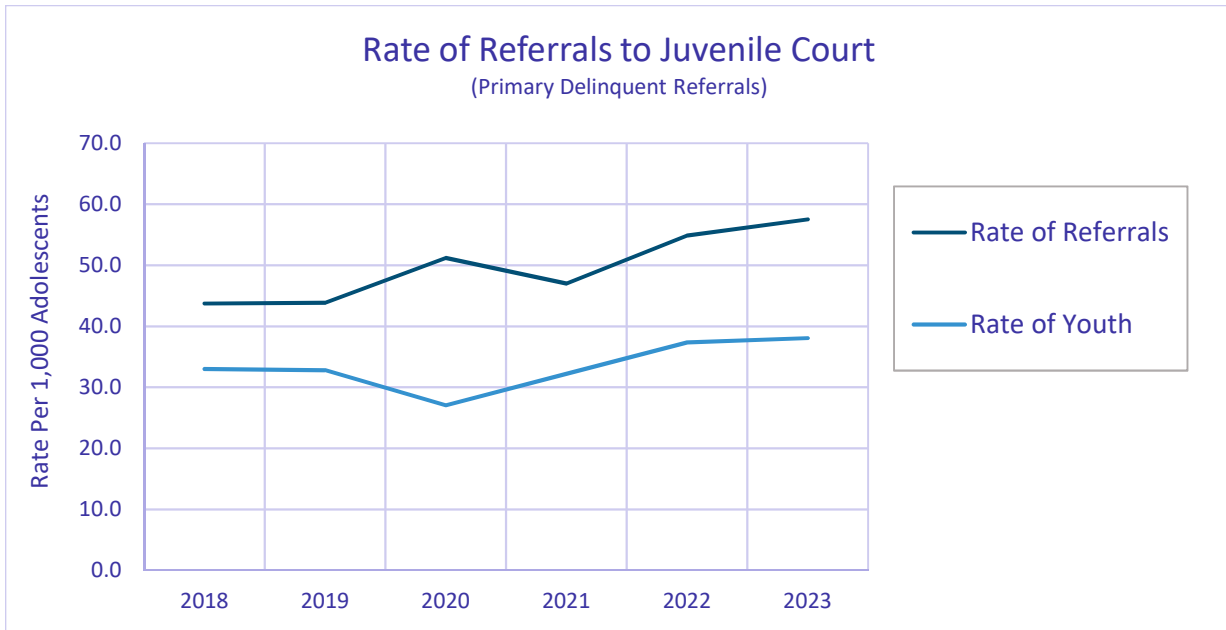
In addition, based on an analysis of pre-adjudicatory placements by law enforcement between January 2022 and June 30, 2023, it is estimated that approximately 85% of placements into attendant care (delinquent youth) or shelter care (unruly/CHINS youth), and 21% of placements into secure detention involved family conflict issues. Part of the plan will be to pilot crisis intervention and family mediation/counseling services at attendant care and shelter care sites.

Percentage of Placements with Family Conflict Issues

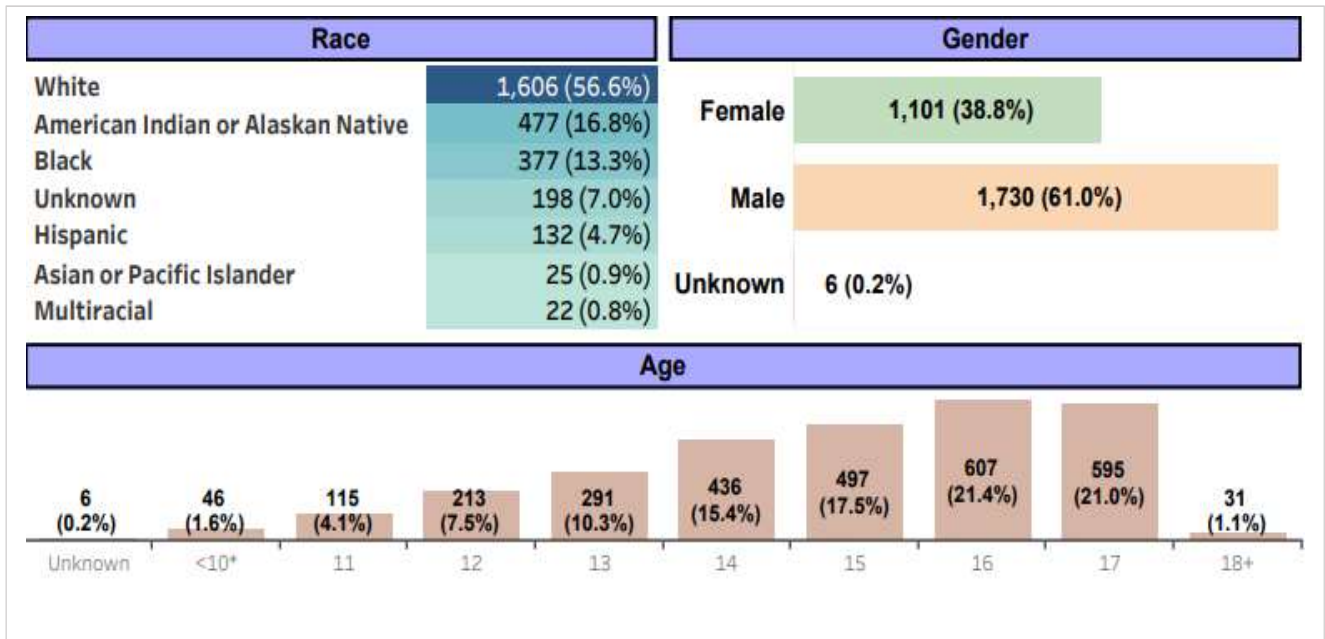


JUVENILE COURT DATA

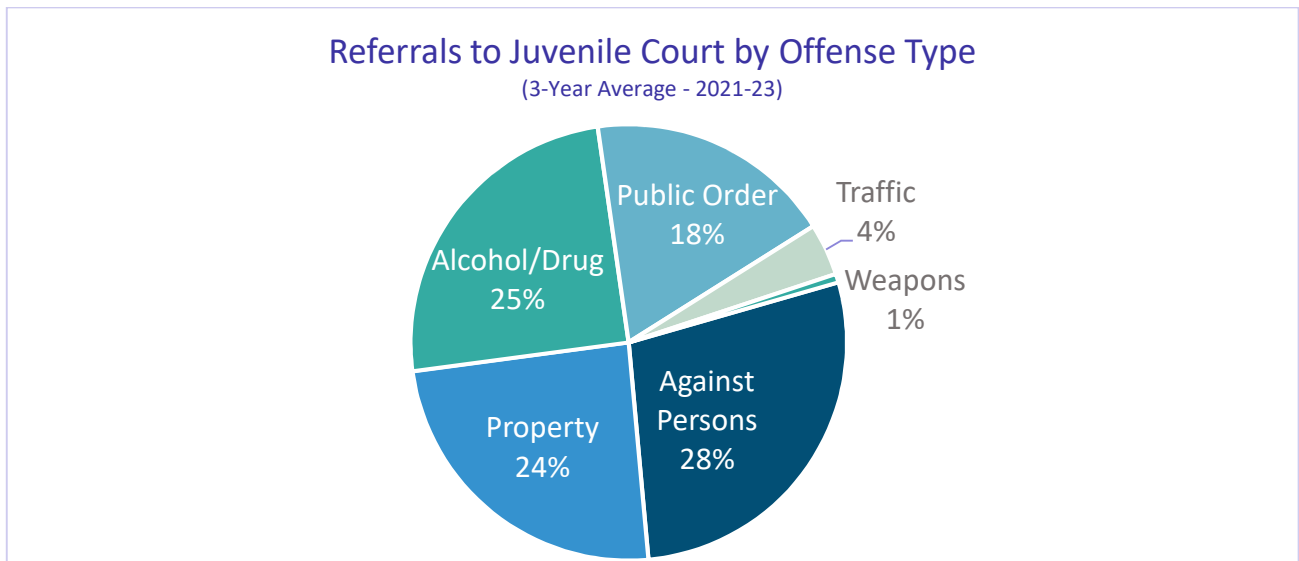
Similar to juvenile arrests, the rate of referrals to juvenile court has increased since 2018. The chart below shows the rate of referrals as well as the rate of youth referred. The data reflects delinquent youth only as due to North Dakota statute changes, status offenders are no longer referred to juvenile court.



In looking specifically at the characteristics of the youth referred to the juvenile court, as detailed with the most recent calendar year (2023) below, White youth are the predominant race referred, followed by American Indian and then Black youth. Males were 61% of the delinquent referrals to juvenile courts while females accounted for 39% of referrals. The most common age of youth referred to the juvenile court for delinquent behavior was 16. Juveniles 13 and younger accounted for 31% of all referrals.

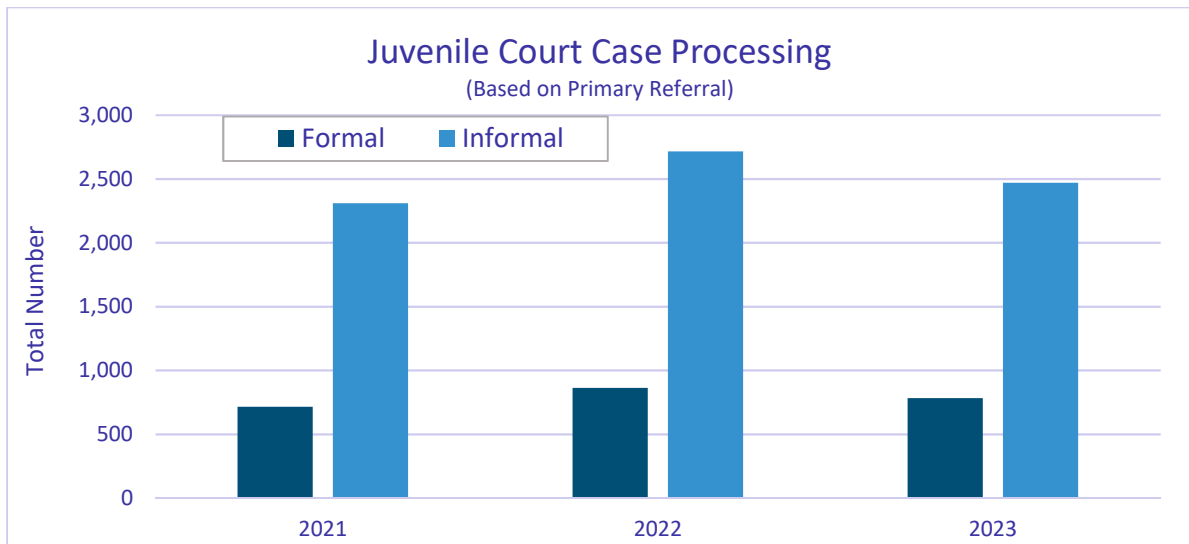


Based on a three-year average of referrals to juvenile court by offense type, offenses against persons was the largest percentage of referrals followed closely by alcohol/drug and property offenses. This is consistent with the arrest data analysis.

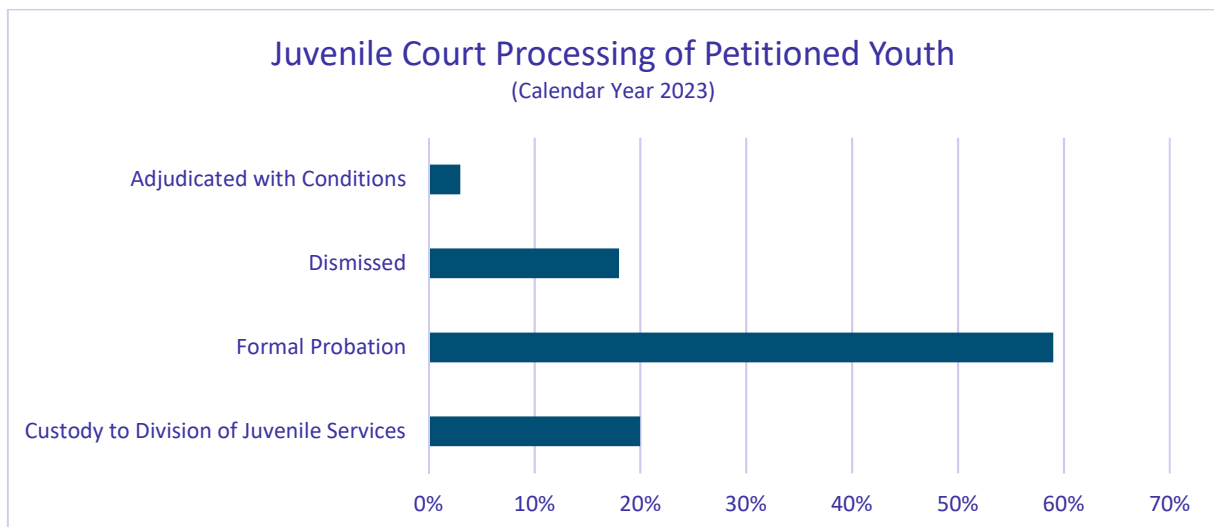


North Dakota law requires that juvenile court dispositions 1) be individualized based on the outcome of the youth’s risk and needs assessment and include steps to repair harm caused to the victim, 2) treat and rehabilitate the youth, and 3) ensure the safety of the community. The North Dakota

Juvenile Court works to connect delinquent youth and their families to appropriate programs in the community. As indicated by the chart below, a large number of youth are handled informally, with most (approximately 80%) being diverted to programs. The remaining 20% are handled through an informal adjustment process, which involves a meeting of the youth, parents, court officer and victim.



Youth that have a formal delinquency petition receive a pre-dispositional assessment to ensure that each disposition is targeting the youth’s risk and needs. As indicated below by the chart below, of the youth petitioned, the majority receive formal court probation. Commitment to the juvenile corrections agency, the ND Division of Juvenile Services, is used as a last resort, only when other



OTHER SOCIAL AND ECONOMIC DATA

As part of the process of developing North Dakota's Three-Year Plan, a statewide survey was sent to youth, parents, school administrators, service providers, and system agencies. The survey incorporated the latest research on adolescent development, including the hallmarks of a developmental approach. Survey respondents were asked to rank program/service areas they felt were most needed in North Dakota. The following ranked as the top three items for consideration for advisory group support:

1. Family-based interventions to improve family functioning and decrease at-risk behavior;
2. Community-based services aimed at meeting the individual needs of youth and families through validated assessment; and
3. Restorative justice practices in schools and communities.

North Dakota has been working on juvenile justice reform and improvement the last three years, and through a federal discretionary grant, technical assistance has been provided by the Council of State Governments (CSG) Justice Center. Research-based policy and practice reforms were adopted into law, including but not limited to: a new legal category and service system for youth who commit status offenses (CHINS) that excludes these youth from justice system involvement; limitations on the use of detention; and limitations on school referrals to the juvenile justice system for minor offenses. Planning committees were established to assist with implementation of the reforms. A number of recommendations were developed based on the work of the planning committees, including increasing youth and family engagement services, building capacity around cultural competence, and providing family intervention and assessment as part of attendant care and shelter care services. This is consistent with the survey ranking above, and areas that have been included in North Dakota's plan goals and objectives.

Kids Count Data

In looking at the social and economic climate in the state, there are certain data domains to be noted that may have an impact on juvenile delinquency, including economic well-being, education, health and family and community. North Dakota currently ranks in the first quartile for overall child well-being based on the composite index from Kids Count. However, the state ranks 40th in education based on the composite index. Particularly concerning is the increasing percentage of fourth grade public school students that are not proficient in reading, growing from 66% to 69% from 2019 to 2022, as well as eighth graders who are not proficient in math (72%). Research shows that children who reach fourth grade without being able to read proficiently are more likely to drop out of high school, and children who lack proficiency in math are more likely not achieve a post-secondary certificate or degree. North Dakota's health domain ranking has improved based on the composite index from the Kids Count data, however within that domain, teen deaths has increased from 2019 to 2022. In terms of family and community, North Dakota ranks 6th on the composite index. The percentage of children living in single-parent families is well below the national average and the percent of children living in high poverty areas has improved from 6% in 2019 to 3% in 2022. Teen births have also declined.

Youth Risk Behavior Survey

A number of the risk factors related to substance abuse and mental health were reviewed from the Youth Risk Behavior Survey, a national system of surveys used to monitor behaviors in school-aged children that can lead to poor outcomes. The survey is conducted in partnership with the Centers for Disease Control and Prevention. Based on survey responses, alcohol use among high schools students in North Dakota has decreased over the last 10 years, however the percentage of student reporting that they have drunk alcohol or were considered to be binge drinking (within 30 days prior

to the survey) is still greater than the nation. In looking at factors related to mental health, the percentage of high school students in North Dakota who reported they felt sad or hopeless (almost every day for greater than two weeks) has risen significantly over the last ten years, from 25% in 2013 to 35% in 2023. In addition, the number of students who reported that they seriously considered attempting suicide during the previous 12 months increased from 11.5% in 2013 to 17.5% in 2023.

FirstLink Data

FirstLink is a non-profit organization that answers the 2-1-1 Helpline and 9-8-8 Crisis Line for North Dakota. FirstLink is a free, confidential service offering listening and support, referrals to resources, and crisis intervention 24 hours a day. FirstLink received almost 1,500 calls in 2023 from youth under age 17, and almost all of the calls were related to mental health. As more fully discussed in North Dakota's mapping of the state plan requirements document, programs related to youth mental are administered by ND Department of Health and Human Services, Behavioral Health Division, and services are delivered through local human service centers. However, additional support is needed by FirstLink to ensure that information about 2-1-1/9-8-8 resources get out to youth, parents, service providers and schools. In addition, additional support is needed to provide training for schools, services providers, and agencies related to identifying, understanding and responding to signs of mental illnesses.

PLAN FOR COMPLIANCE WITH THE RACIAL AND ETHNIC DISPARITIES REQUIREMENT

North Dakota's plan for reducing racial and ethnic disparities, which utilizes the required three-pronged, research-driven, outcome-based strategy, is being provided as a separate attachment in the Compliance Monitoring Tool, as required.

B. Project Goals and Objectives

1. Goal: Reduce incarceration and institutionalization through access to community-based alternatives (Program Area A)

Objective 1 – Reduce the use of secure detention for 70 juveniles on an annual basis that do not qualify for secure placement based on the detention screening tool

Objective 2 – Reduce the disproportionate detention of minority youth by 1% from year to year

Objective 3 – Increase fidelity to the detention screening tool used to determine the use of secure detention by decreasing the percent of overrides of the tool by 2% each year; and

Objective 4 – Reduce the risk of out-of-home placement and system involvement by providing community-based family interventions for 75 youth, including in rural areas

In order to accomplish the established goals and objectives, support for the Attendant Care

Program will continue as an alternative to secure detention, including on a Native American

Reservation (Native American pass-through). Due to the high percentage of overrides of the

detention screening tool, particularly for minority youth, as detailed in the data analysis section,

the advisory group will advocate for fidelity to the detention screening tool and use of detention

alternatives through education and possible practice, policy and/or statute changes. Provider

capacity will continue to be expanded to ensure availability and use of alternatives. In addition,

work will continue to increase the number of certified shelter care sites for status offenders. To

address family conflict issues, prevent system involvement and reduce the risk of out-of-home

placement, as indicated by the data analysis, additional services will be piloted at attendant care

and shelter care sites, including screening to identify individual needs, crisis intervention, and/or

family mediation and counseling. Subsequently, care coordination services will be explored for

youth and families to assist with connection to services and supports immediately upon release.

Providing family-based interventions and meeting individualized needs corresponds with the

results from the statewide survey that was conducted in developing the plan.

2. Goal: Reduce the number of youth, particularly minority youth, involved in the juvenile justice system by supporting programs and services that seek to meet the needs of youth and families (Program Area C)

Objective 1 – Increase intervention services in school environments for 100 youth, particularly female youth, each school year

Objective 2 – Increase fidelity to restorative justice services by providing technical assistance and training and/or resources to 5 schools or community providers annually, including in rural areas

Objective 3 – Improve outcomes for 100 youth and families annually through community-based services and supports

Objective 4 – Identify and reduce barriers to service for 50 youth, particularly minority youth, on an annual basis

Due to the growing number of adolescents and increased involvement in the juvenile justice system at a younger age, as shown by the crime analysis, support for delinquency prevention services is crucial. With the high number of arrests happening at school, as well a change in state statute requiring schools to handle infractions and misdemeanor offenses without referring to court, support will be provided to schools to intervene with youth, particularly female youth given their rising arrest rate, and to do so earlier and in a way that provides accountability without criminalization. Support for additional restorative justice practices will be explored, particularly as an early intervention resource. Collaboration with the recently established Restorative Practices Council will continue in order to provide training and technical assistance to schools and community providers to increase fidelity and cultural competency with restorative justice services. As additional support for schools, liaisons to serve as an identified point of contact for collaboration between CHINS workers and schools/school districts will be piloted as of way of assisting youth and families in accessing needed services and supports.

To support needed family interventions and address mental health concerns, as shown by the data analysis, help-seeking as a strength will be promoted by providing information about 9-8-8

resources to youth, parents, service providers, schools, clergy, etc. In addition, opportunities for collaborating with FirstLink to provide training to schools, service providers and/or agencies on identifying, understanding, and responding to signs of mental illness will be explored.

To address racial disparities, as demonstrated by the data analysis section and North Dakota's Reducing Racial and Ethnic Disparities Plan, the advisory group will contract with consultant(s) that are Black, Indigenous, or Other People of Color to identify service needs and reduce barriers to service for minority youth and families, as well as increase cultural competency among programs and providers. Technical assistance will be provided to the extent possible in order to increase capacity for culturally specific organizations. In addition, an effort will be made to increase awareness of unconscious bias and cultural responsiveness by providing training and technical assistance to system agencies and providers.

C. Collecting and Sharing Juvenile Justice Information

Data related to juvenile justice system involvement, including arrests, pre-court supervision, juvenile court referrals and dispositions, and juvenile corrections commitments and placements is available upon request of the respective agency. Data queries of each agency's database systems have been established to gather necessary information for analysis. Arrest data is gathered through the State's incident-based reporting system. A web-based application is used for the collection of pre-adjudicatory supervision numbers (attendant care, detention and/or jail facilities). The North Dakota Juvenile Court has a case management system that maintains referral and disposition data, which is available upon request. The juvenile corrections agency maintains an automated system and data is queried as needed. There are no specific barriers that have been encountered with regard to the

sharing of juvenile justice information. However, it can be difficult to analyze data across systems as there is not a unique identifier for youth that can be used to track involvement.

D. State Advisory Group (SAG) Roster

North Dakota's State Advisory Group (SAG) roster is being provided as a separate attachment utilizing the recommended template.

E. State Agency Contact Information

North Dakota's state agency contact information is being provided as a separate attachment utilizing the recommended template.

F. Pass-Through Waiver Request

North Dakota is not requesting a waiver of the pass-through requirement. Except for funds used for administration and the state advisory group, all funding is passed-through to units of local government, local private agencies, and eligible Indian Tribes.

G. Plan for Collecting the Data Required for This Solicitation's Performance Measures

Title II Formula Grants Program Performance measurement data will be collected from each subgrantee for reporting in JustGrants. Grant applicants are required as part of the application process to identify those performance measures applicable to the program/services proposed to be funded with Title II funding. The documentation of the measures is made part of the grant agreement. Subgrantees report quarterly on grant progress and at least annually on the federal performance measures that were designated in their application and made part of their grant agreement.