



Maryland's Annual Disproportionate Minority Contact Plan FY 2019

Statewide and Jurisdiction Data

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Governor's Office of Crime Control and Prevention

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March 14, 2019

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Introduction

Pursuant to the Juvenile Justice and Delinquency Prevention (JJDP) Act at 34 U.S.C. § 11133(a)(22), states and territories must “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system.”¹ In addition, states must submit their compliance data for FY 2018 (October 1, 2017 - September 30, 2018) and their disproportionate minority contact (DMC) plans to the Office of the Juvenile Justice and Delinquency Prevention (OJJDP) Compliance Reporting Tool by March 14, 2019.

In accordance with this Act, the Governor’s Office of Crime Control and Prevention (Office) must submit a DMC plan to OJJDP by March 14, 2019, as it relates to the following:

1. Identify statewide data at research-based points of potential disparity, based on the following data collection points:
 - a. Arrest
 - b. Diversion (filing of charges)
 - c. Pre-trial detention (both secure and nonsecure)
 - d. Disposition commitments (secure and nonsecure)
 - e. Adult transfer
2. Develop an Action Plan, based on the following questions:
 - a. What do your DMC numbers tell you about your jurisdiction?
 - b. What would success in DMC reduction look like for your state?
 - c. How much do you want to reduce DMC next year?
 - d. Is that reasonable? If yes, why?
 - e. What do you need from OJJDP to be successful with your plan?

¹ Office of the Juvenile Justice and Delinquency Prevention. [*OJJDP FY 2019 Title II Compliance Data Submission and DMC Plans*](#).

Data Collection Points

This *Maryland Annual Disproportionate Minority Contact Plan FY 2019* (Plan) report captures referral data, in place of juvenile arrest data, for Maryland in FY 2018, and compares its totals with FY 2016 and FY 2017 data. Specifically, the Plan includes referral data from the Maryland Department of Juvenile Services, and information from the Maryland Police and Correctional Training Commissions as it relates to the legal definition of an arrest.² Although juvenile arrest data were available for FY 2016, through the Uniform Crime Report (UCR), it did not include the demographic breakdown to identify issues of DMC. For FY 2017 and FY 2018, however, juvenile arrest data were inaccessible. Because of this, the Office used referral data, and other specific statistics, from the Maryland Department of Juvenile Services, to illustrate the existence of racial and ethnic disparities at the front-end of the juvenile justice system.

This Plan also includes two definitions for each “contact point” of the juvenile justice system to capture the definition provided by OJJDP, as well as the definition provided by the Maryland Department of Juvenile Services (*see [Appendix: Defining Contact Points](#) for more information*).

Arrest

In 2017, the U.S. Census Bureau identified 6,052,177 Maryland residents of which 530,962 consisted of youth between the age of 11 and 17 years old.³ From this total youth population, 55% were white (n = 289,658) and 45% were youth of color (n = 241,304).⁴

In FY 2018, 19,659 youth were referred to intake at the Maryland Department of Juvenile Services which represents approximately 3.7% of the total youth population (n = 530,962).⁵ Of the 19,659 referred to intake, 70.6% (n = 13,879) were youth of color which represents approximately 2.6% of the total youth population. It is important to note that the U.S. Census Bureau and the Maryland Department of Juvenile Services capture slightly different age ranges for youth, and therefore an exact comparison cannot be provided.

As illustrated on the following page, the number of referrals significantly decreased from FY 2016 (n = 22,444) to FY 2017 (n = 21,532), and further decreased in FY 2018 (n = 19,659).⁶

² Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#). Maryland Police and Correctional Training Commissions. (2017). [Digest of Criminal Laws: October 1, 2017](#).

³ Maryland Department of Planning. [U.S. Census Bureau Population Estimates by Age, Race and Gender April 1, 2010 to July 1, 2017](#). This represents the most current data available.

⁴ Ibid. Youth of color include: Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Specific Islander, and two or more races.

⁵ It is important to note that the Maryland Department of Juvenile Services captures youth between the age of “under 11” to 20 years old; whereas the U.S. Census Bureau and the Maryland Department of Planning captures youth between the age of 11 and 17 years old. Because of this, an exact comparison cannot be provided.

⁶ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#).

Even though the number of referrals decreased, youth of color were disproportionately represented at this “contact point” for each fiscal year. For example, in FY 2018, 62% of black youth (n = 12,188) were referred to intake compared to 29.4% of white youth (n = 5,780) and 8.6% of hispanic/other youth (n = 1,691).

Demographics	FY2016	FY2017	FY2018
Race/Ethnicity			
Black	63.8%	62.2%	62.0%
White	28.9%	29.9%	29.4%
Hispanic/Other	7.3%	8.0%	8.6%
Sex			
Male	73.8%	74.2%	73.6%
Female	26.2%	25.8%	26.4%
Age			
11 and under	3.6%	3.6%	3.9%
12	4.7%	4.4%	4.7%
13	7.9%	8.1%	8.4%
14	12.9%	13.3%	12.9%
15	19.7%	19.7%	18.9%
16	23.4%	22.3%	22.1%
17	25.1%	25.4%	25.9%
18-20	2.7%	3.3%	3.2%
<i>Total Complaints</i>	22,444	21,532	19,659

In FY 2018, more than half of the referrals occurred from Maryland’s five largest jurisdictions (as illustrated below).

- **Baltimore County** referred 3,556 youth which represents 4.94% of the county’s total youth population (n = 71,941). Of the 3,556 referred youth, 76.4% (n = 2,717) were black, 4% (n = 142) were hispanic/other, and 19.7% (n = 700) were white.⁷
- **Anne Arundel County** referred 2,559 youth which represents 5.25% of the county’s total youth population (n = 48,698). Of the 2,559 referred youth, 53.3% (n = 1,364) were black, 6.7% (n = 171) were hispanic/other, and 40% (n = 1,024) were white.
- **Montgomery County** referred 2,324 youth which represents 2.47% of the county’s total youth population (n = 93,829). Of the 2,324 referred youth, 52.5% (n = 1,220) were black, 31.9% (n = 741) were hispanic/other, and 15.6% (n = 363) were white.
- **Baltimore City** referred 1,783 youth which represents 3.77% of the city’s total youth population (n = 47,215). Of the 1,783 referred youth, 93.9% (n = 1,674) were black, 2% (n = 36) were hispanic/other, and 4% (n = 71) were white.⁸
- **Prince George’s County** referred 1,045 youth which represents 1.33% of the county’s total youth population (n = 78,378). Of the 1,045 referred youth, 79.5% (n = 831) were black, 16.7% (n = 174) were hispanic/other, and 3.8% (n = 40) were white.

⁷ Please note the calculations are approximate figures.

⁸ Ibid.

Diversion

In FY 2018, and for every 10,000 youth in Maryland, 56.4 youth were diverted from the Maryland Department of Juvenile Services (*as illustrated below*).⁹

Region/ County	Population (ages 11-17)	Referred to Juvenile Court/ Intake	Cases Diverted	Cases Involving Secure Detention	Cases Petitioned	Cases Resulting in Delinquent Findings	Cases Resulting in Probation Placement	Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	Cases Transferred to Adult Court
R-I-Balt. City	47,215	377.6	22.7	160.5	294.8	140.4	54.0	10.6	0.0
Baltimore City	47,215	377.6	22.7	160.5	294.8	140.4	54.0	10.6	0.0
R-II-Central	142,166	381.4	44.0	29.2	184.6	84.0	57.7	1.4	1.2
Baltimore Co.	71,941	494.3	46.1	36.6	259.5	109.3	83.3	1.5	1.8
Carroll	15,635	234.1	89.5	14.7	81.9	51.2	26.2	0.6	0.0
Harford	22,969	359.2	10.0	25.3	141.9	74.9	45.7	1.3	0.9
Howard	31,621	213.5	41.1	22.5	96.1	49.3	24.0	1.6	0.6
R-III-Western	45,065	436.9	79.4	41.3	213.0	104.1	73.9	3.6	2.2
Allegany	5,754	731.7	114.7	60.8	259.0	119.9	78.2	1.7	0.0
Frederick	23,997	254.2	37.1	20.4	122.1	78.8	44.2	4.2	1.3
Garrett	2,280	671.2	215.0	39.5	206.2	153.5	127.2	0.0	0.0
Washington	13,034	602.3	118.1	71.3	361.4	135.0	117.4	3.8	5.4
R-IV-Eastern	40,030	713.7	105.9	63.2	233.1	105.9	66.4	3.2	5.5
Caroline	3,074	797.0	81.3	26.0	244.0	100.8	94.3	0.0	3.3
Cecil	9,457	370.1	30.7	55.0	132.2	100.5	46.5	4.2	1.1
Dorchester	2,558	1778.8	340.1	105.6	715.4	273.7	226.8	3.9	0.0
Kent	1,526	458.7	85.2	39.3	91.7	26.2	6.6	0.0	0.0
Queen Anne's	4,474	303.9	78.2	26.8	82.7	69.3	29.1	0.0	0.0
Somerset	2,153	826.7	209.0	74.3	301.9	120.8	92.9	4.6	0.0
Talbot	2,685	569.8	100.6	22.3	145.3	104.3	63.3	0.0	0.0
Wicomico	10,523	727.9	72.2	98.8	273.7	84.6	40.9	6.7	12.4
Worcester	3,580	1407.9	243.0	61.5	298.9	139.7	114.5	0.0	19.6
R-V-Southern	84,279	505.3	78.3	27.9	138.8	68.2	40.7	1.7	2.0
Anne Arundel	48,698	525.5	71.7	20.1	139.4	65.5	39.2	1.4	0.4
Calvert	9,067	419.1	78.3	32.0	113.6	50.7	36.4	0.0	0.0
Charles	15,569	492.0	23.8	36.6	152.2	87.4	48.8	1.3	8.4
St. Mary's	10,945	506.2	185.5	46.6	138.0	67.6	39.3	4.6	1.8
R-VI-Metro	172,207	195.6	47.6	25.4	102.7	44.3	27.6	1.5	0.1
Montgomery	93,829	247.7	65.9	21.8	127.5	49.7	31.0	1.0	0.1
Prince George's	78,378	133.3	25.6	29.7	73.1	37.9	23.5	2.0	0.0
State Total	530,962	370.3	56.4	44.8	166.7	77.0	47.0	2.7	1.3

Based on the illustration above, the following are true:

- Youth were diverted at a higher rate for Dorchester County (340.1), Worcester County (243.0), Garrett County (215.0), and Somerset County (209.0).
- Youth were diverted at a lower rate for Harford County (10.0), Baltimore City (22.7), Charles County (23.8), Prince George's County (25.6), and Cecil County (30.7).

⁹ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#). Data does not contain law enforcement, school-based, or other youth diversion data. It is important to note that the table calculates the rate of contact for each decision point, compared with the general population (ages 11-17).

Because the aforementioned data did not provide a demographic breakdown for race and ethnicity, the Maryland Department of Juvenile Services' Relative Rate Index (RRI) was used to demonstrate the level of disproportionate data for cases diverted in Maryland (youth of color compared to white youth).¹⁰ In FY 2018, the RRI for Maryland (0.70), Prince George's County (0.69), Frederick County (0.64), Baltimore County (0.54), Carroll County (0.43), and Charles County (0.38) were found to be statistically significant in which youth of color were diverted less than white youth (*as illustrated below*).

Region/ County	Referred to Juvenile Court/ Intake	Cases Diverted	Cases Involving Secure Detention	Cases Petitioned	Cases Resulting in Delinquent Findings	Cases Resulting in Probation Placement	Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	Cases Transferred to Adult Court
R-I-Balt. City								
Baltimore City	4.76	**	1.29	1.23	1.38	**	**	**
R-II-Central								
Baltimore Co.	3.73	0.54	1.25	1.19	0.90	1.23	**	**
Carroll	1.58	0.43	1.26	1.35	0.66	**	**	**
Harford	3.40	0.68	1.11	1.30	0.92	1.09	**	**
Howard	2.83	0.54	**	1.47	0.84	**	**	**
R-III-Western								
Allegany	1.65	0.72	1.70	1.28	0.90	**	**	**
Frederick	3.04	0.64	1.41	1.38	0.84	1.36	**	**
Garrett	3.13	**	**	**	**	**	**	**
Washington	4.29	0.69	1.30	1.16	1.25	0.82	**	**
R-IV-Eastern								
Caroline	1.60	1.12	**	1.00	0.78	**	**	**
Cecil	2.33	1.01	1.65	1.43	0.70	1.37	**	**
Dorchester	2.83	1.33	1.30	1.01	0.85	**	**	**
Kent	3.65	**	**	1.06	**	**	**	**
Queen Anne's	1.93	1.14	**	1.19	**	**	**	**
Somerset	2.25	0.60	**	0.90	**	**	**	**
Talbot	2.87	1.03	**	1.31	**	**	**	**
Wicomico	4.23	0.78	2.09	1.09	0.70	**	**	**
Worcester	1.46	1.56	2.41	2.21	0.75	**	**	**
R-V-Southern								
Anne Arundel	2.44	0.89	1.58	1.02	0.99	0.81	**	**
Calvert	1.14	1.35	1.12	0.80	**	**	**	**
Charles	2.76	0.38	**	0.96	0.78	**	**	**
St. Mary's	2.49	1.30	1.87	1.08	1.69	**	**	**
R-VI-Metro								
Montgomery	3.33	0.60	3.26	1.39	1.46	0.97	**	**
Prince George's	2.64	0.69	**	1.10	**	**	**	**
State Total	1.93	0.70	2.39	1.47	0.92	0.96	2.26	2.42

¹⁰ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#). It is important to note that the table captures the RRI for all minorities compared with white youth for each decision point.

Pre-trial Detention

As illustrated below, the number of pre-trial detention placements decreased from FY 2016 (n = 3,643) to FY 2017 (n = 2,991), and further decreased in FY 2018 (n = 2,679).¹¹

- In FY 2016, and of the 3,643 pre-trial detention placements, 85.6% were for youth of color (n = 3,118).
- In FY 2017, and of the 2,991 pre-trial detention placements, 82.6% were for youth of color (n = 2,471).
- In FY 2018, and of the 2,679 pre-trial detention placements, 85% were for youth of color (n = 2,277).

Demographics	FY2016	FY2017	FY2018
Race/Ethnicity			
Black	79.8%	76.4%	77.4%
White	14.4%	17.4%	15.0%
Hispanic/Other	5.8%	6.2%	7.6%
Sex			
Male	85.6%	84.7%	83.7%
Female	14.4%	15.3%	16.3%
Age			
11 and under	0.2%	0.2%	0.3%
12	1.8%	1.0%	0.7%
13	4.7%	4.6%	4.0%
14	9.6%	12.1%	12.5%
15	18.7%	20.7%	21.0%
16	24.9%	23.3%	24.9%
17	28.1%	25.3%	24.4%
18-20	12.0%	12.8%	12.2%
Total Placements	3,643	2,991	2,679

Disposition Commitments (Secure and Non-Secure)

As illustrated on the following page, the number of committed placements decreased from FY 2016 (n = 1,062) to FY 2017 (n = 988), and further decreased in FY 2018 (n = 825).¹² The number of Maryland Department of Juvenile Services operated facilities also decreased over the same time frame.

¹¹ Ibid.

¹² Ibid.

	Placements			FY2018	
	FY2016	FY2017	FY2018	ADP	ALOS
Foster Care	61	40	31	23.6	271.9
Group Home	237	220	188	90.2	169.4
Indep. Living	23	15	12	11.7	313.6
ICFA	85	56	17	1.4	24.4
RTC	227	206	157	82.5	180.9
State Operated	494	456	405	118.2	117.4
<i>Staff Secure</i>	394	360	331	85.5	108.5
<i>Hardware Sec.</i>	100	96	74	32.7	142.4
Silver Oak	54	71	43	34.9	228.5
Out-of-State	53	61	75	49.0	275.1
<i>RTC</i>	6	8	7	6.2	184.8
<i>Staff Secure</i>	25	37	51	27.2	283.2
<i>Hardware Sec.</i>	22	16	17	15.7	346.0
Total*	1,062	988	825	411.5	169.1

Although the total number of committed placements decreased from FY 2016 to FY 2018, to include the number of youth of color in committed placements, the percent of such youth in committed placements increased over the same time frame (*as illustrated below*).

Demographics	FY2016	FY2017	FY2018
Race/Ethnicity			
Black	72.7%	69.2%	72.6%
White	20.7%	21.9%	18.7%
Hispanic/Other	6.6%	8.9%	8.7%
Sex			
Male	84.0%	84.0%	88.7%
Female	16.0%	16.0%	11.3%
Age			
11 and under	0.1%	0.0%	0.0%
12	0.9%	0.5%	0.2%
13	4.6%	3.0%	2.5%
14	9.3%	8.2%	9.6%
15	16.7%	20.5%	17.9%
16	27.1%	26.9%	29.7%
17	29.5%	26.9%	28.1%
18-20	11.8%	13.9%	11.9%
Total Placements	1,062	988	825

- In FY 2016, and of the 1,062 committed placements, 79.3% (n = 842) were for youth of color, whereas, 20.7% (n = 220) were for white youth. The number of committed placements (n = 1,062) represents 0.02% of the total youth population (n = 530,962).¹³

¹³ Maryland Department of Planning. [U.S. Census Bureau Population Estimates by Age, Race and Gender April 1, 2010 to July 1, 2017](#).

- In FY 2017, and of the 988 committed placements, 78.1% (n = 772) were for youth of color, whereas, 21.9% (n = 216) were for white youth. The number of committed placements (n = 988) represents 0.18% of the total youth population.¹⁴
- In FY 2018, and of the 825 committed placements, 81.3% (n = 671) were for youth of color, whereas, 18.7% (n = 154) were for white youth. The number of committed placements (n = 825) represents 0.16% of the total youth population.¹⁵

Adult Transfers

In Maryland, the number of youth charged as adults pending transfer increased from FY 2016 (n = 308) to FY 2017 (n = 396), and decreased from FY 2017 to FY 2018 (n = 349).¹⁶ In FY 2017, and of the 396 youth charged as adults pending transfer, 77.5% (n = 307) were black, 13.9% (n = 55) were hispanic/other, and 8.6% (n = 34) were white (*as illustrated below*).¹⁷

Demographics	Alfred D. Noyes Children Center	Balt. City Juvenile Justice Center	Charles H. Hickey Jr. School	Cheltenham Youth Facility	Lower East Shore Children's Center	Thomas J.S. Waxter Children's Center	Western Maryland Children's Center	Statewide
Race								
Black	50.0%	96.4%	80.4%	71.0%	60.0%	64.7%	64.0%	77.5%
White	4.2%	1.4%	13.7%	6.0%	33.3%	29.4%	28.0%	8.6%
Hispanic/Other	45.8%	2.1%	5.9%	23.0%	6.7%	5.9%	8.0%	13.9%
Sex								
Male	85.4%	100.0%	100.0%	100.0%	66.7%	0.0%	100.0%	92.7%
Female	14.6%	0.0%	0.0%	0.0%	33.3%	100.0%	0.0%	7.3%
Age								
14	0.0%	0.7%	0.0%	0.0%	0.0%	0.0%	4.0%	0.5%
15	0.0%	2.9%	5.9%	2.0%	0.0%	0.0%	4.0%	2.5%
16	39.6%	45.7%	43.1%	34.0%	46.7%	41.2%	28.0%	40.4%
17	58.3%	47.9%	47.1%	59.0%	46.7%	52.9%	56.0%	52.5%
18-20**	2.1%	2.9%	3.9%	5.0%	6.7%	5.9%	8.0%	4.0%
Total Admissions	48	140	51	100	15	17	25	396*
ADP	8.9	56.2	14.4	22.2	3.6	3.0	6.0	114.2
ALOS	72.4	114.2	80.0	69.7	39.3	62.7	67.9	103.3

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#). Maryland Department of Juvenile Services. (2017). [Data Resource Guide Fiscal Year 2017](#). Data provided for FY 2016 and FY 2017 were retrieved from the Data Resource Guide Fiscal Year 2017 report, whereas, data provided for FY 2018 were retrieved from the Data Resource Guide Fiscal Year 2018 report.

¹⁷ Maryland Department of Juvenile Services. (2017). [Data Resource Guide Fiscal Year 2017](#). The number of youth charged as adults pending transfer could not be compared with the U.S. Census Bureau data due its limited size.

In FY 2018, and of the 349 youth charged as adults pending transfer, 81.7% (n = 285) were black, 10.9% (n = 38) were hispanic/other, and 7.4% (n = 26) were white (as illustrated on the following page).¹⁸

Demographics	Alfred D. Noyes Children's Center	Balt. City Juvenile Justice Center	Charles H. Hickey Jr. School	Cheltenham Youth Facility	Lower East Shore Children's Center	Thomas J.S. Waxter Children's Center	Western Maryland Children's Center	Statewide
Race								
Black	78.3%	92.5%	88.4%	68.3%	81.8%	70.0%	53.8%	81.7%
White	5.0%	2.2%	7.2%	6.1%	9.1%	25.0%	34.6%	7.4%
Hispanic/Other	16.7%	5.2%	4.3%	25.6%	9.1%	5.0%	11.5%	10.9%
Sex								
Male	88.3%	100.0%	100.0%	100.0%	77.3%	0.0%	100.0%	92.3%
Female	11.7%	0.0%	0.0%	0.0%	22.7%	100.0%	0.0%	7.7%
Age								
14	0.0%	0.0%	0.0%	1.2%	4.5%	5.0%	0.0%	0.6%
15	3.3%	2.2%	8.7%	3.7%	0.0%	0.0%	0.0%	2.9%
16	30.0%	35.1%	50.7%	32.9%	50.0%	25.0%	15.4%	36.7%
17	48.3%	55.2%	37.7%	58.5%	45.5%	65.0%	84.6%	53.6%
18-20	18.3%	7.5%	2.9%	3.7%	0.0%	5.0%	0.0%	6.3%
Total Admissions	60	134	69	82	22	20	26	349*
ADP	9.2	49.6	22.7	16.9	3.8	3.2	7.8	113.0
ALOS	51.9	136.3	100.9	84.6	64.7	51.3	95.7	124.2

The number of youth charged as adults pending transfer decreased in Baltimore City and Prince George's County from FY 2017 (143 and 74, respectively) to FY 2018 (141 and 61, respectively).¹⁹ These jurisdictions were found to have the highest number of youth charged as adults pending transfer. In addition, and as illustrated below, the number of youth charged as adults pending in Baltimore County also decreased from FY 2017 (n = 53) to FY 2018 (n = 48).

¹⁸ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#). The number of youth charged as adults pending transfer could not be compared with the U.S. Census Bureau data due its limited size.

¹⁹ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#).

Region/County	Placements		FY 2018	
	FY 2017	FY 2018	ADP	ALOS
R-I- Balt. City	143	141	56.5	148.6
Baltimore City	143	141	56.5	148.6
R-II- Central	56	56	17.9	108.1
Baltimore Co.	53	48	16.0	110.3
Carroll	0	0	0.0	0.0
Harford	1	3	1.4	132.6
Howard	2	5	0.6	70.8
R-III- Western	38	19	9.1	163.7
Allegany	2	2	0.4	127.7
Frederick	19	9	5.4	175.0
Garrett	0	0	0.0	0.0
Washington	17	8	3.3	151.4
R-IV- Eastern	15	15	4.0	113.7
Caroline	1	0	0.0	0.0
Cecil	0	1	0.1	0.0
Dorchester	1	0	0.0	0.0
Kent	0	0	0.0	0.0
Queen Anne's	0	0	0.0	0.0
Somerset	0	0	0.0	0.0
Talbot	0	0	0.0	0.0
Wicomico	12	14	3.7	113.2
Worcester	1	0	0.2	119.8
R-V- Southern	28	13	4.3	113.3
Anne Arundel	18	9	3.1	103.4
Calvert	5	1	0.7	175.4
Charles	4	2	0.5	105.9
St. Mary's	1	1	0.0	0.0
R-VI- Metro	115	89	18.4	84.6
Montgomery	41	28	4.9	59.1
Prince George's	74	61	13.6	92.7
Out-of-State	7	16	2.8	67.3
Statewide	402	349	113.0	124.2

Action Plan

Maryland's DMC Numbers

Although the overall number of referrals, secure confinement, and secure detention decreased in FY 2018, disproportionate findings were apparent for each “contact point” (*as illustrated below*).

- Of the 19,659 referred to intake, 70.6% (n = 13,879) were youth of color which represents approximately 2.6% of the total youth population (n = 530,962).
- Of the 2,679 pre-trial detention placements, 85% were for youth of color (n = 2,277).
- Of the 825 committed placements, 81.3% (n = 671) were for youth of color, whereas, 18.7% (n = 154) were for white youth. The number of committed placements (n = 825) represents 0.16% of the total youth population.

In Maryland, our goal is to reduce racial and ethnic disparities at each “contact point” of the juvenile justice system, especially the front-end (arrest and referrals). Although statewide referrals, secure confinement, and secure detention numbers recently decreased, additional efforts are necessary to reduce issues of DMC for these “contact points.”

Success in DMC Reduction

The Office continues to expand on prior successes to include the planning and implementation of prevention-centered practices, programs, and initiatives at the front-end of the juvenile justice system. In partnership with our public safety partners, these initiatives will help combat Adverse Childhood Experiences (ACEs), trauma, and specific contributing factors (exposure to violence, negative peer influence, low-socioeconomic status, low-performing academic institutions, family risk factors and more), all of which are known to increase the risk of involvement with the juvenile justice system. The Office anticipates that this collaborative effort will decrease the number of contacts for arrests/referrals.

To identify the success of this Plan, the Office will use the following indicators to measure its outcome:

- Decrease in referrals in targeted jurisdictions for prevention-based services and programming;
- Decrease in arrest totals (statewide and local jurisdictions); and
- Increase in diversion data (statewide and targeted stakeholders).

Anticipated Reduction in DMC

In FY 2018, Maryland continued its efforts to reduce DMC at the first point of contact (also known as arrest). For FY 2019, the Office will continue to work with its partners to reduce DMC by 5% for arrests/referrals, based on available data.

Reasonable Reduction in DMC

Although the number of statewide referrals decreased from FY 2016 (n = 22,444) to FY 2017 (n = 21,532), and further decreased in FY 2018 (n = 19,659), the statewide RRI rates increased from FY 2016 (0.99) to FY 2017 (1.95) and remained relatively constant in FY 2018 (1.93).²⁰ Because disparities continue to exist in Maryland, the Office will continue to work with its partners to reduce statewide referrals by 5% (-983).

In partnership with our public safety partners, the Office will plan and implement jurisdiction-specific efforts that are geared around evidence-based and prevention-centered programming and support services to achieve this goal. Some of these efforts will include:

- Implementing pre-diversion opportunities;

²⁰ Maryland Department of Juvenile Services. (2016). [Data Resource Guide Fiscal Year 2016](#). Maryland Department of Juvenile Services. (2017). [Data Resource Guide Fiscal Year 2017](#). Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#). It is important to note that the rate is based on referrals to the Maryland Department of Juvenile Services' intake.

- Supporting holistic programming that extends beyond our youth to combat familial risk factors and generational barriers; and
- Providing social programming experiences to improve social skills development and foster successful outcomes for youth.

Necessities for Success

In order to achieve these goals, several immediate needs are required of OJJDP (*as illustrated below*):

- Funding opportunities to effectively support DMC reduction.
- Technical assistance and continued guidance to generate DMC reduction in Maryland.

Additionally, the Office requests that learning curriculum and academy training be provided for new DMC Coordinators to provide additional and necessary support as they transition into their new roles.

Accountability

In Maryland, Title II funding is used for community-based and/or evidence-based programming that prioritize youth accountability and deters further involvement from the juvenile justice system. For example, the Office supported the expansion of community conferencing programs which provide a proven restorative practice model throughout our State. Community conferencing is solution-oriented process that serves as a community-based alternative to juvenile court, and reduces recidivism and DMC. Along with community mediation - a consensual self-determined process where participants work with trained mediators to reduce and address conflict - these opportunities effectively prevent crime while building safer communities and allowing victims to feel that justice was served.

Appendix: Defining Contact Points

This Plan includes two definitions for each “contact point” of the juvenile justice system to capture the definition provided by OJJDP, as well as the definition provided by the Maryland Department of Juvenile Services (*as illustrated below*).

Arrest

OJJDP’s Definition: “Youth are considered to be arrested when law enforcement agencies apprehend, stop, or otherwise contact them and suspect them of having committed a delinquent act. Delinquent acts are those that, if an adult commits them, would be criminal, including crimes against persons, crimes against property, drug offenses, and crimes against public order.”²¹

Maryland’s Definition: The Maryland Department of Juvenile Services defines an arrest as the “arrest of juveniles by law enforcement;” whereas, the Maryland Police and Correctional Training Commission defines arrest as “the taking, seizing, or detaining of the person of another (1) by touching or putting hands on him; (2) or by any act that indicates an intention to take him into custody and that subjects him to the actual control and will of the person making the arrest; or (3) by the consent of the person to be arrested.”²² The Maryland Department of Juvenile Services also defines an intake as the “process for reviewing a complaint against a youth and determining whether the juvenile court has jurisdiction and whether judicial action is the best interest of the public and/or the youth.”²³

Diversion

OJJDP’s Definition: “Youth referred to juvenile court for delinquent acts are often screened by an intake department (either within or outside the court). The intake department may decide to dismiss the case for lack of legal sufficiency, to resolve the matter informally (without the filing of charges). The diversion population includes all youth referred for legal processing but handled without the filing of formal charges.”²⁴

Maryland’s Definition: “A program or practice where the primary goal is to reduce the occurrence of juvenile crime by diverting a youth from the traditional juvenile justice system and providing an alternative to formal processing. Diversion programs and practices vary in terms of the juvenile justice contact point at which the youth is diverted and the type of services provided.

²¹ Office of the Juvenile Justice and Delinquency Prevention. (2018). *Documenting Definition Differences*.

²² Maryland Police and Correctional Training Commissions. (2017). *Digest of Criminal Laws: October 1, 2017*. The arrest definition was pulled from the Digest of Criminal Laws (Bouldin v. State, 276 Md. 511, 515-516 (1976)).

²³ Maryland Department of Juvenile Services. (2018). *Data Resource Guide Fiscal Year 2018*. It is important to note that intake data were used in the Plan to capture arrests/referrals.

²⁴ Office of the Juvenile Justice and Delinquency Prevention. (2018). *Documenting Definition Differences*.

Juveniles may be diverted by law enforcement before arrest, during” the Maryland Department of Juvenile Services intake, “or between adjudication and disposition.”²⁵

Detention

OJJDP’s Definition: “Detention refers to youth held in secure detention facilities at some point during contact (i.e., prior to disposition). In some jurisdictions, the detention population may also include youth held in secure detention to await placement following a court disposition. For the purposes of DMC, detention may also include youth held in jails and lockups. Detention should not include youth held in shelters, group homes, or other secure facilities.”²⁶

Maryland’s Definition: “The temporary care of respondents who, pending court dispositions and other hearings, require secure custody for the protection of themselves or the community, in physically restricting facilities or circumstances. A youth may be detained if a court determines that they might fail to appear for a future hearing, continue to break the law, or pose a threat to the public or themselves. Detention may be utilized for pending hearings before adjudication or after disposition. A youth’s detention status is required to be reviewed every 30 days.”²⁷

Secure Confinement

OJJDP’s Definition: “Confined cases are those in which, following a court disposition, youth are placed in secure residential or correctional facilities for delinquent offenders. The confinement population should not include any youth placed in any form of out-of-home placement. Group homes, shelter homes, and mental health treatment facilities, for example, would usually not be considered confinement.”²⁸

Maryland’s Definition: Confinement is defined as youth placed in a secure committed program to include: Victor Cullen, Carter Center, or staff and hardware secure private out-of-state programs.²⁹ It is important to note that Maryland’s definition of confinement is similar to OJJDP’s in which youth placed in group homes, shelters, mental health, and substance abuse treatment facilities are not considered to be in a secure confinement setting.

Transfer to Adult Court

OJJDP’s Definition: “Waived cases are those in which a youth is transferred to criminal court as a result of a judicial finding in juvenile court. During a waiver hearing, the juvenile court usually files a petition asking the juvenile court judge to waive jurisdiction over the case. The

²⁵ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#).

²⁶ Office of the Juvenile Justice and Delinquency Prevention. (2018). *Documenting Definition Differences*.

²⁷ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#).

²⁸ Office of the Juvenile Justice and Delinquency Prevention. (2018). *Documenting Definition Differences*.

²⁹ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#).

juvenile court judge decides whether the case merits criminal prosecution. When a waiver request is denied, the matter is usually scheduled for an adjudicatory hearing in the juvenile court. If the request is granted, the juvenile is judicially waived to criminal court for further action. Juveniles may be transferred to criminal court through a variety of other methods, but most of these are difficult or impossible to track from within the juvenile justice system, including prosecutor discretion or concurrent jurisdiction, legislative exclusion, and the various blended sentencing laws.”³⁰

Maryland’s Definition: “Youth ages 17 and under alleged to have committed a criminal act excluded from juvenile court jurisdiction may be held in pre-trial adult detention facilities.”³¹ In accordance with § 4-202 of the Maryland Criminal Procedure, Maryland “provides an avenue for the adult court to order a youth to be held in a juvenile detention if he or she is eligible for transfer of jurisdiction. These youth may be held in juvenile detention pending a transfer hearing to determine if jurisdiction should remain in the adult court or be transferred to the juvenile court.”³²

³⁰ Office of the Juvenile Justice and Delinquency Prevention. (2018). *Documenting Definition Differences*.

³¹ Maryland Department of Juvenile Services. (2018). [Data Resource Guide Fiscal Year 2018](#).

³² Ibid.