

OJJDP FY 2019 TITLE II DMC PLAN

I. Review and Discussion of Statewide Data

The term Disproportionate Minority Contact (DMC) refers to rates of contact with the juvenile justice system among juveniles of a specific minority group that are significantly different from rates of contact for white non-Hispanic juveniles. Pursuant to the 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.” A review of calendar year 2016 statewide data at four points of the juvenile justice continuum has revealed disproportionality at all four points examined.

Juvenile Arrests

Total arrests have decreased by 6.5%, from 21,411 to 20,025 between 2015 to 2016. Black youth had an 8.8% decrease in arrests and White youth had a 4.6% decrease. The number of arrests for index offense for Black and White youth also decreased. In New Jersey, Black youth comprise 17.4% of the juvenile population, while White youth comprise 71.7% of the population. Despite Black youth comprising less of the juvenile population they comprise a larger percent of arrests at 5.6% compared to 1.7% of white youth.

Diversion

In New Jersey, Black youth comprise 17.4% of the juvenile population, while White youth comprise 71.7% of the population. In 2016 Black youth comprised 41.5% of all referrals to

juvenile court, but a smaller percentage (35.2%) of all juvenile court diversions. In comparison, White youth comprised 36.6% of all referrals to juvenile court, but a larger percentage (42.7%) of all juvenile court diversions. These figures changed only slightly from 2015 when Black youth comprised 42.2 % of all referrals to juvenile court and 35.0% of all juvenile court diversions, compared to White youth who comprised 36.8% of all referrals to juvenile court and 43.8% of all juvenile diversions.

Pre-Trial Detention

In New Jersey, Black youth comprise 17.4% of the juvenile population, while White youth comprise 71.7% of the population. In 2016, the number of admissions to detention for White youth increased by 14.2%, while the number of detention admissions of Black youth decreased by 11.1% (1687 from 1897). The increase in detention admissions for Hispanic youth was relatively minor at 2.0%. In 2016, White youth represented 12.1% of the total number of youth admitted to detention and minorities represented 87.9% of total admissions. Black youth had the highest percentage, comprising 63.4% of all admissions. When comparing referrals to court to detention admissions, 7.1% of White youth referred to court were admitted to detention, compared to 64.4% of Black youth, 26.3% of Hispanic youth, and 23.8% of youth identified as non-white or other.

Disposition Commitments (Secure and Nonsecure)

In New Jersey, Black youth comprise 17.4% of the juvenile population, while White youth comprise 71.7% of the population. In 2016, total commitments to JJC facilities (secure and residential) decreased by 6.9% from 2015. Between 2015 and 2016, the number of commitments of White youth to a secure facility decreased by 63.0%. The number of Black youth placed in

secure facilities increased by 6.6%, and secure placement of Hispanic youth increased by 4.1%. The total placements in a Commission non-secure residential community home (on probation status) decreased by 11.4% between 2015 and 2016. The number of probationers admitted to Commission residential community homes showed an increase of 75% for White youth, an increase of 13.3% for Hispanic youth and a decrease of 23.9% for Black youth.

II. Action Plan

1. What do your DMC numbers tell you about your jurisdiction?

In New Jersey, statewide data indicates that despite attention to the issue, minority youth continue to be overrepresented at key points of the continuum. Minority youth are more likely to be arrested, referred to court, placed in county detention facilities, adjudicated delinquent and committed to the Juvenile Justice Commission (JJC). They also are less likely to be diverted by the court from adjudication proceedings despite slight improvement in this area. Note, however, that statewide and RRI data does not account for the role that severity of the offense or prior history plays in decision-making, and thus should be interpreted with caution. New Jersey has concluded that we will focus our DMC reduction efforts at the point of arrest.

2. What would success in DMC reduction look like for your state?

New Jersey aims to impact the decision-making point of arrest which should successfully reduce admissions to detention and lead to an increase in the use of diversion options for minority youth. If successful, this may result in a decrease in rates of commitments to secure and non-secure facilities. In order to impact this decision-making point, the New Jersey Governor's Juvenile

Justice & Delinquency Prevention (JJDP) Committee in partnership with the New Jersey Juvenile Justice Commission, and the New Jersey Council on Juvenile Justice System Improvement (CJJSI), is in the process of contracting with an agency to work with a leadership team to develop and support the implementation of a Juvenile Justice Law Enforcement Training Curriculum. The curriculum, to be piloted in four counties, will be developed through the lens of juvenile justice and youth interaction and focus on recognizing the characteristics of youth that inform their responses to law enforcement; understanding adolescent development and youth culture to better assist in interpreting youth behavior and responses; current trends in adolescent behavior and paths to juvenile justice; communication strategies for de-escalating crisis situations and improving decision making skills; and the ways in which implicit bias can have significant influence on the outcomes of interactions between law enforcement professionals and youth. The goal is to reduce disproportionate minority contact. It is critical that training not be simply developed and taught, but rather a curriculum be implemented and reinforced over time to effect change. The implementation of this training would involve the local Police Academies.

3. How much do you want to reduce DMC next year?

New Jersey anticipates seeing a minimum of 5% in reduction of minority overrepresentation in the identified data collection points. The JJDP Committee has identified an action plan (described above) for the reduction of Disproportionate Minority Contact (DMC) based on statewide data.

4. Is that reasonable, if yes, why?

This is a reasonable goal as it is consistent with the average trajectory of decreases of minority overrepresentation in the area of arrest from 2013 through 2016 (-5.1%). Ultimately, impacting

DMC at the arrest point of the continuum will result in changes to minority overrepresentation at subsequent points of the continuum. We anticipate the implementation of the Law Enforcement Training Curriculum will support a decline in DMC at the arrest level and make these reduction efforts a reasonable goal.

5. What do you need from OJJDP to be successful with your plan?

New Jersey does not require assistance from OJJDP at this time, however, should the need for support present itself, we will utilize the technical support options provided by OJJDP.

6. What safeguards will you put in place to ensure that as you work to reduce DMC, you are still protecting the public, holding youth accountable, and equipping youth to live crime-free, productive lives?

New Jersey currently has and will continue to develop safeguards to ensure public safety while reducing DMC. New Jersey is a Juvenile Detention Alternative Initiatives (JDAI) model site and as such, has a strong infrastructure in place to ensure public safety while reducing reliance on secure detention and developing more alternatives for juvenile offenders. Through the implementation of JDAI's eight core strategies, New Jersey has established a system of checks and balances through various policy, practice, and programming changes. As reported in New Jersey's 2017 JDAI annual report, the following are among several efforts to maintain public safety while ensuring appropriate use of detention and combating disproportionate minority contact: 1) the implementation of the detention Risk Screening Tool to guide admissions; 2) the creation of an array of probation interventions for addressing non-compliance short of filing a violation of probation and requesting a warrant to detention; 3) improved court notification procedures that

increase court appearance rates and reduce warrants to detention for failure to appear (FTA); 4) practices that differentiate between reasons for non-appearance in court, and where appropriate, use alternatives to issuing FTA warrants, such as “day time” warrants and rescheduling hearings, in instances where youth have not in fact absconded; and 5) developing a more robust continuum of detention alternatives that provides the supports necessary to assist youth in meeting release conditions. Successful use of these measures has allowed for New Jersey stakeholders to accurately identify which youth really need to be confined in order to minimize risks to the community and hold the system accountable for public safety results. For example, in 2017 the number of juvenile arrests has declined drastically since the implementation of JDAI (-65.8%) and just 4.6% of youth removed from a detention alternative were removed as the result of a new delinquency charge. This is evidence that New Jersey can successfully improve its approaches to youth justice that balance the goals of minimizing reliance on incarceration and providing community-based programming while maintaining public safety.

III. Outcome Based Evaluation

Per the FY 2019 Title II Solicitation, New Jersey will address outcome-based evaluation questions in the FY 2020 Plan.