

**DMC Requirements from OJJDP
December 4, 2018**

In the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002, Congress required that States participating in the Formula Grants Program "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" (see section 223(a)(22)).

- I. Identification (FY 2019)
 - a. Collect data for 5 contact points
 - b. Consider all factors
 - i. Criminal conduct of youth
 - ii. Socioeconomic
 - iii. Bias
 - iv. Unintended consequences of state laws
 - v. Under resourced jurisdictions
 - vi. Distressed communities
 - c. Calculate percentage of population for these 5 contact points
 - d. Under what the data is saying at each contact point
 - e. Use the data to develop a problem statement or statements
 - f. No longer have to report using the Relative Rate Index (RRI)

- II. Develop and Action Plan (FY 2019)
 - a. Plan must be action oriented
 - b. How will the state address DMC
 - c. Require a reduction target in the Plan
 - d. What does success look like in the state
 - e. What safeguards are in place to ensure that the state is reducing DMC while still protecting the public, holding youth accountable, and equipping youth to live a crime free life

- III. Outcome Based Evaluation (FY 2020)
 - a. What progress did the state make regarding the reduction target in the Plan
 - b. Did the state meet its goal
 - c. If not, what barriers where there in meeting the stated goal

5 Contact Points (Unduplicated counts):

- 1) Arrest – Youth are considered to be arrested when law enforcement agency apprehended, stop, or otherwise contact them and suspect them of having committed a delinquent act.

- 2) Diversion – Youth referred to the juvenile court for delinquent acts are often screened by an intake department. The diversion population includes all youth referred for legal processing but handled without the filing of formal charges.

- 3) Detention – Youth held in secure detention facility during court processing of delinquency cases, prior to disposition. The detention population may also include youth held to await placement

following a court disposition. For the purposes of DMC, detention may include youth held in jails and lockups.

- 4) Confinement – Following a court disposition, youth placement in secure residential or correctional facilities for delinquent offenses. The confinement population should not include all youth placed in any form of out of home placement.
- 5) Transfer to Adult Court – A youth is transferred to criminal court as a result of a judicial finding in juvenile court. Juvenile may be transferred to adult court through a variety of other methods, but most of these methods are difficult if not impossible to track from within the juvenile justice system.

Contact Points Nevada Currently Collects:

- 1) Referral: Referral is when a police report or any report is received. Some may lead to an arrest and some may not.
- 2) Referral Source: Where are the referrals coming from?
- 3) Arrest: Arrest is when a youth is booked on probable cause. This may be the same number as referrals and/or secure detention in some areas.
- 4) Diversion: This can be informal probation, other informal activities, or a diversion by the juvenile court.
- 5) Secure Detention: Youth placed in a county juvenile detention facility or a county adult jail based on a charge and booking. Detention does NOT include youth held in shelters, group homes, or other non-secure facilities.
- 6) Petitioned: The youth will face delinquent charges in juvenile court or a formal hearing process. This is when charges are filed. Note: Petitioned doesn't necessarily mean a youth will face delinquent charges aka adjudicated delinquent. They could be placed on deferred status; the petition could be dismissed, or the youth could be certified as an adult.
- 7) Probation: Formal placement on probation by the court, this is not informal probation used as a diversion tactic, formal only.
- 8) Misdemeanor: May be determined formally or informally.
- 9) Citation: May be determined formally or informally.
- 10) County Camp: Placement in China Springs, Aurora Pines, or Spring Mountain Youth Camps at the county level prior to deeper involvement in the system or commitment to a state correctional facility.

- 11) Secure Confinement: Commitment to a state correctional facility. The court commits the youth to DCFS – NYTC, CYC, Or Summit View.
- 12) Certified: This is done either through a direct file or through the juvenile court. If the youth will face charges as an adult through both direct file and juvenile court. Note: If a youth is certified their case will no longer be heard in juvenile court. Everything will be handled through the adult system.
- 13) Delinquent: Youth are found to be delinquent during adjudicatory hearings in juvenile court. Being found (or adjudicated) delinquent is roughly equivalent to being convicted in criminal court. It is a formal legal finding of responsibility.
- 14) Possession of a Firearm: At arrest for a delinquent offense.
- 15) Poverty: At or below poverty or above poverty.
- 16) LGBTQQ: For arrested youth.
- 17) Charge: Highest level charge per arrest.

New for FFY 2019:

- 1) Re-Arrest: Arrest is when a youth is booked on probable cause. This may be the same number as referrals and/or secure detention in some areas.
- 2) Felony Diversion: Total youth diverted with a felony charge.
- 3) Gross Misdemeanor Diversion: Total youth diverted with a gross misdemeanor charge.
- 4) Misdemeanor Diversion: total youth diverted with a misdemeanor charge.
- 5) Petitioned Status Offender: The youth will face status offender charges in juvenile court or a formal hearing process.
- 6) Supervision Level: Indicate the supervision levels of all youth placed on formal probation.
- 7) Probation Violations: For youth on formal probation only:
- 8) Type of Probation Violations: May create a list of the top five to ten and attach it to this report. Must be clearly marked *Type of Violations of Probation*.
- 9) Re-Adjudications: Total youth adjudicated in FY 19 as compared to FY 18
- 10) Household Composition: Of the arrested child.

**Compliance Update
FFY 2018**

Facilities Reviewed (On Site) Every Three Years			
Type of Facility	Total Facilities Survey	2018 On Site	Percentage
Adult Jail	25	12	48.0%
Adult Secure	87	37	42.5%
Juvenile Detention & Youth Camp	9	3	33.3%
Juvenile Correctional	3	2	66.7%
Total	124	54	43.5%

Spot Check Reviews (On Site)			
Type of Facility	Total Facilities Survey	2018 On Site	Percentage
Adult Non-Secure Spot Check	143	29	20.3%
Juvenile Parole/Probation Admin Spot Check	30	4	13.3%
Adult Correctional	7	2	28.6%
Juvenile Providers	34	27	79.4%
Adult Conservation & Federal Courts	10	1	9.1%
Total	224	63	28.0%

2018 Survey Only (No on site required)			
Type of Facility	Total Facilities	2018 Survey Completed	Percentage
Federal Court Houses	2		0.0%
Adult Conservation Camps	8		0.0%
Total	10	0	0.0%

Will send out 358 survey's and will visit 137 facilities by the end of January.
FFY 2018 Summary

- 324 total status offenses
 - 53 MIC
 - 104 Runaway
 - 56 Incurrigible
 - 74 CHINS
 - 37 Curfew
- 8 DSO violations in a juvenile detention facility
- 19 juveniles held in an adult jail or lockup
 - 4 certified/direct filed
 - 7 released within 6 hours

- 7 date and time missing (Kayla to follow up)
 - 1 MIC
 - 1 DSO violation in an adult Jail
- 0 Sight/Sound violations
- 0 Uses of a Valid Court Order