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PROGRAM NARRATIVE

1. Structure and Function of Juvenile Justice System

Oregon's juvenile justice system is a partnership between thirty-six county juvenile departments and courts and the Oregon Youth Authority (OYA), a state agency created in 1995. The juvenile departments are county government agencies, supported by county general funds. County boards of commissioners appoint the juvenile department directors who administer any juvenile detention facilities maintained by the county, and supervise the staff of the juvenile department.

System Flow

Conditions Under Which a Child May be Taken Into Temporary Custody or Cited in Lieu of Custody A law enforcement officer, juvenile counselor, employee of the Oregon Youth Authority, or any other person authorized by the county juvenile court, may take a child into temporary custody in the following circumstances:

1. In the same circumstances in which an adult could be arrested without a warrant;
2. When the child's condition or surroundings appear to jeopardize the child's welfare; or
3. When the court has issued a summons or has otherwise ordered that the child be taken into temporary custody.

A training school superintendent, or designee, can order the arrest and detention of any student who is absent from the institution, from parole supervision, or from the custody of any person in whose charge the student has been placed. In lieu of taking a child into custody, a law enforcement officer may cite and release a child for the same offenses, and under the same circumstances, that an adult may be issued a citation. The citation must be returned to the juvenile court in the county in which the citation is issued.

Procedures After a Child is Taken Into Custody

A person taking a child into temporary custody must notify the child's parent or other person responsible for the child. The child must be released to the custody of the child's parent, or other responsible person, except when there is a warrant for the youth arrest's arrest, or where there is probable cause to believe the welfare of the child or others may be immediately endangered by the release of the child.

When release of a child is not appropriate, the person taking the child into custody must take the child directly to the juvenile court or to the place of detention, shelter, or public or private agency designated by the court, and then

notify the court as soon as possible that the child has been taken into custody. If the court has appointed a person to make detention decisions for children who cannot be released, the person who takes the child into custody may communicate with the intake worker instead of directly with the court.

Initial Intake Decision

The designated intake worker has the authority to release a child on the child's own recognizance or subject to conditions that will insure the child's safety and appearance in court. The intake worker must comply with the same standards as those imposed on the court when placing a child in detention. If a child is not released, the person who took the child into custody must file additional information with the court, including efforts to notify the person having legal or physical custody of the child, the results of those efforts, the reason for taking the child into custody, the reason the child was not released, and if the child was not taken to court, why the type of placement was chosen.

Once authority has been transferred to the juvenile department, the court may release the child to the custody of the parent or other responsible person; release the child on the child's own recognizance; order that the child remain in shelter care; or, if the child is found to meet the criteria for detention, order the child to be placed in detention.

Detention Procedures

A detention hearing must be held within 36 judicial hours after the child is taken into custody. The deadline is 24 hours for youth taken into protective custody. If an intake worker releases a child, the court may review the decision *ex parte* on the next judicial day, and confirm or revoke the release or change the conditions of release. If the release is revoked, the action must be taken in accordance with the detention standards, and the child has the right to a detention hearing.

Review hearings are required every 10 days, excluding judicial holidays, for a detained child.

Requirements for Detention

A child can be detained only if there is probable cause to believe the child has committed an act that would be a crime if committed by an adult. In addition, the court must find that no means less restrictive than detention will give assurance that the child will appear for an adjudicative hearing. Having made these findings, the court must determine that certain other conditions related to the immediate and/or prior offenses apply.

There are exceptions to the criteria for the following situations:

1. Out-of-state runaways can be held.
2. A juvenile criminal offender can be held up to 36 hours if the child cannot be safely released.
3. Under certain conditions, a juvenile who has violated a condition of formal probation can be held if the child is under the jurisdiction of the court for a criminal offense.

4. Parole violators and training school escapees or absentees may be held for a limited time.

Referrals to Juvenile Departments

Referral is the term for “arrest” when applied to juveniles. All cases referred to a juvenile department must be investigated. The youth can be brought to the juvenile department, or the department receives a paper referral from law enforcement agencies.

Once the department has investigated an alleged crime, it may decide to close the case, enter into an informal disposition agreement with the child of not more than six months, or file a petition with the court.

Formal Accountability Agreements

A voluntary formal agreement may be entered into only when a juvenile department counselor has probable cause to believe that the child would be found within the jurisdiction of the court as a delinquent or status offender. A formal agreement may require participation in or referral to counseling, community service, drug or alcohol education or treatment, vocational training or other activities that are viewed as beneficial to the child. A formal agreement may also require the child to pay restitution to the victim of the alleged offense. Safeguards to protect the rights of a child who enters into a formal agreement include the right to counsel, the right to revoke the agreement at any time, a prohibition against using the agreement as evidence against the child in any adjudicatory hearing, and a requirement that the agreement be executed in writing and language that is easily understandable to the youth and his/her parents. However, the formal agreement does become part of the child’s juvenile court record.

Petitions

A county district attorney, or juvenile department officials authorized by the district attorney, may file a petition in the juvenile court alleging that a child is within the jurisdiction of the court as provided under Oregon Revised Statutes (ORS) 419C.250.

Formal Court Processing

An original adjudicatory hearing on a petition alleging a child is within the jurisdiction of the court must be heard within 60 days from the date of filing of the petition, except as ordered by the court upon a showing of good cause. If the child is in detention, the fact-finding hearing must be held within 30 days, except as ordered upon showing of good cause. If no hearing is conducted within the specified time period, the petition must be dismissed.

Alternatives Available to the Juvenile Court

The court may make an order providing temporary custody at any time after a petition is filed, or may remand the case to the appropriate court handling

criminal actions, or to municipal court, subject to the requirements of Oregon Revised Statutes (ORS) 419C.340.

If a child is found to be within the jurisdiction of the juvenile court, the court may:

1. Order the child to be placed on probation or under protective supervision, and may place certain requirements, including fines and restitution, taking into account present and future ability to pay, the rehabilitative effect on the child, and the method of payment.
2. The court order may require participation in or referral to psycho educational services, community service, drug or alcohol education or treatment, mental health treatment, vocational training or other activities or services which are viewed as beneficial to the child.
3. Place the child in the legal custody of the Oregon Youth Authority, placement and supervision while the court retains wardship. The court may specify the particular type of care, supervision or services to be provided, but the actual responsibility for planning and providing such care and supervision or services are the responsibility of the Oregon Youth Authority. A variety of settings are available including: non-secure settings such as foster care and family shelter care; staff secure placements in professional shelter care, group homes, and youth care centers; or close custody supervision in training schools, youth correction facilities, and work-study camps.
4. After a hearing, order a child 12 years of age, or older, to be placed in a detention facility for children for a specific period of time not to exceed eight (8) days, in addition to time already spent in the facility. **Extended Detention.** A youth may be ordered to be held in detention for a maximum of 30 days, in addition to time spent, under the following conditions: (a) The youth is under court jurisdiction because he/she committed an act which would have been a crime if committed by an adult, or (b) The youth is on formal probation for an act which would have been a crime if committed by an adult has been found to have violated a condition of that probation. The detention facility must have a program plan that conforms to standards required by state law for extended detention programs.
5. Under certain conditions, impose a fine or require the juvenile to perform community service or services to the victim.
6. Under certain conditions, order a parent to assist the court in providing appropriate education or counseling to the child, or order a parent to participate in educational or counseling programs.

Commitments to OYA Facilities

Youth between the ages of 12 and 17 may be committed to the Oregon Youth Authority. The court, while maintaining jurisdiction of the youth offender, may place the youth in the legal custody of the Oregon Youth Authority (OYA) or (as authorized in subsection 3 of ORS 419C.478) the Department of Human Services (DHS) for care, placement, and supervision. Youth offenders in OYA

custody are placed there by a court with jurisdiction over the state's juvenile laws, or they were committed to the Oregon Department of Corrections by an adult (criminal) court.

The court may specify the type of care, supervision, or services to be provided by OYA or DHS, but the actual planning and provision of such care, supervision, security or services are the responsibility of the youth authority or DHS per ORS 419C.478(2).

Commitments to the Oregon Youth Authority are indeterminate; a committed youth may stay under OYA jurisdiction until age 25, but there is no minimum time to be served in close custody. The court must conduct a dispositional review within 18 months after the original placement and periodically thereafter. In addition, state law requires the court's review of cases where a youth is committed to OYA or DHS.

Close custody facilities cannot house more inmates than their designed capacity. The lack of a minimum sentence lets OYA manage the population and prevent overcrowding. It also means that the close custody population will be no greater than the number of available beds.

Offender Groups in Close Custody

The close custody population under Oregon Youth Authority jurisdiction consists of several offender groups.

1. Ballot Measure 11 & Waived Offenders Youths aged 15 to 17 can be treated as adults in the justice system if charged with certain crimes. If convicted in adult court, they are placed in the legal custody of the Oregon Department of Corrections, but may remain in the physical custody of the Oregon Youth Authority until age 25. Ballot Measure 11 (Oregon Revised Statutes (ORS) 137.707) requires that any youth aged 15 to 17 charged with one of 21 crimes be tried as an adult. In addition, Oregon law allows juvenile offenders charged with other serious crimes to be "waived" to the adult system. A waiver must be granted by a court.

State law (Oregon Revised Statutes (ORS) 420.011) directs that waived and Ballot Measure 11 juveniles be transferred to the Oregon Youth Authority. The Oregon Youth Authority must house offenders under age 16. The Oregon Youth Authority may house offenders age 16 or older until they are 25. Oregon Youth Authority may return offenders to the Department of Corrections for discipline or security problems any time after age 16. In contrast to those adjudicated in the juvenile system, these adult offenders have specific sentences ordered by the court. The Department of Corrections computes the total length of stay using the sentencing order of the court.

2. Public Safety Reserve (PSR) A certain number of Oregon Youth Authority beds are reserved for juvenile offenders with commitments for Robbery I, Arson I, Murder, Attempted Murder, Sex Pen I, Sodomy I, Rape I, Kidnap I and Assault I. Under Ballot Measure 11, only youths under the age of 15 at the time of their offense may be adjudicated as juveniles for these crimes.

3. Discretionary Bed Allocation (DBA) Each county or group of counties may maintain a certain inmate population of all other offenders in Oregon Youth Authority close custody. This population, known as the “Cap,” consists of parole violations and new crime commitments for all offenders not part of the Public Safety Reserve or in Department of Corrections’ custody.

Community Corrections

State law defines the responsibility of state and county government in regard to felony offenders. Under Ballot Measure 11, which went into effect on April 1, 1995, there are established minimum mandatory sentences for a specific list of felony offenses to be applied to all adults and juveniles age 15 years and older. The law requires Local Public Safety Coordinating Councils (LPSCC) responsible for:

1. Developing and recommending to the county board of commissioners a plan for the use of state resources to serve the local adult and youth offender population;
2. Planning for the use of state and local resources for that part of the local offender population who are at least 15 years of age and less than 18 years of age. The plans must contain, at a minimum, coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies aimed at crime prevention; and coordinating local adult and juvenile criminal justice policy among affected criminal justice entities.

A. Priority Juvenile Justice System Need

The updated Juvenile Crime Analysis is attached, see Appendix 1-A Due to an illness the final analysis will be submitted within the week.

B. Priority Problem Statements

#1 Priority: Disproportionate Minority Contact (DMC)

Juvenile Justice Advisory Committee members selected addressing disproportionate minority contact (DMC) to be the number one priority for the formula grant program. The extent of DMC varies by jurisdiction, racial/ethnic group and the points of contact within the juvenile justice system. Information from the Juvenile Justice Information System and Law Enforcement Data System indicate that all minority groups are represented in the juvenile justice system at percentage levels greater than their proportion of the total juvenile population.

As a State, Oregon has substantial evidence of disproportionate minority contact, with African-American youth, Hispanic youth, and Native American youth experiencing significantly higher levels of contact with the juvenile justice system. The experiences of each of these three major racial / ethnic groups of non-white youth are different from one another, with African-American youth most likely to

experience higher rates of initial contact (referral), Both African-American youth and Hispanic youth have their highest RRI scores (greatest disparities) at the stage of placement into secure confinement. Native American youth on the other hand experience their highest disparities at the stage of detention and the filing of a formal petition of delinquency. In other words, the likely contributors to DMC, the mechanisms which create the disparities, and therefore the action steps needed to address DMC, are substantively different for these three groups.

The current strategy selected by JJAC for addressing DMC is to focus on several significant communities with the highest relative population of African American and Hispanic youth. This strategy is based on the concentrations of these populations in relatively specific (and urbanized) segments of the State. On the other hand, Native American youth are more likely to be distributed in rural areas of the State, and an alternative strategy needs to be developed to address DMC among these youth.

While the Statewide information supports a priority to be placed on DMC, examination of the specific patterns within each of the major counties indicates that the patterns of DMC are not uniform across those counties. The fundamental rates of contact and the statistical indicators of the operation of the juvenile justice system differ across counties. It is therefore necessary to conduct assessment activity and provide support for DMC reduction efforts within each major jurisdiction rather than providing a single Statewide solution.

Three of the eight targeted jurisdictions completed the phase II assessment and applied for the phase III intervention projects designed to reduce disproportionate minority contact. More details follow in the Section 4 of this application specifically addressing DMC analysis and planning.

#2 Priority: Tribal Youth in the Juvenile Justice System

Oregon continues to use far more than the required federal pass-through to the tribes. Tribal juvenile crime prevention coordinators requested OCCF hire a Tribal Liaison in place of contracting for assistance to the tribes. The liaison is working with each of the nine tribes to develop strong prevention services to reduce the number of tribal youth entering the county and state juvenile justice system.

#3 Priority: Monitoring for Compliance with Federal Requirements

Oregon is committed to assuring all jurisdictions understand and follow the federal requirements. A half-time position was created in the agency to perform the monitoring. The staff previously worked as a county jail commander and has been successful in working closely with professionals in the adult systems to clearly understand the federal requirements. They have been willing to develop policy and procedures if they have been lacking in their agency.

3. Plan for Compliance with First Three Core Requirements and State Compliance Monitoring Plan

A. Plan for Deinstitutionalization of Status Offenders

(Removal of Status Offenders & Non-offenders from Secure Detention & Correctional Facilities)

Oregon State Law

The Oregon Law Commission and its Juvenile Code Revision work group are the bodies responsible for developing recommendations for changes in state law related to the treatment of juveniles. To the extent allowed under applicable federal lobbying restrictions, the Juvenile Justice Advisory Committee (JJAC) and the juvenile justice specialist will take actions to inform the Law Commission and its Juvenile Code Revision work group about the need for statutory revisions in state law to make it congruent with the federal deinstitutionalization and jail removal requirements.

In 2007, Oregon was in compliance with Deinstitutionalization of Status Offenders core requirement with a violation rate of 10.85. This is slightly up from 2005 (9.41) and 2006 (9.8) but down dramatically from 2004 (31.3). Compliance improvements have occurred due to the creation of a part-time Compliance Monitor responsible for working directly with local law enforcement and county juvenile departments and detention centers. Oregon's strategies to continue compliance with DSO for the next three years are noted below.

Juvenile Detention Facilities:

Actions the state will take include:

- *Continue to monitor accuracy of admission data for NORCOR facility from Skamania and Klickitat Counties, Washington and the Confederated Tribes of Warm Springs. Address problems with agency contacts via telephone or in person. Annually as necessary to reduce/elimination violations.*
- *Provide on-site or telephone conference training and technical assistance to County Juvenile Departments and Detention Facility staff regarding the Valid Court Order (VCO) process to ensure compliance. May 2009 and subsequently as needed to reduce/eliminate violations.*
- *Continue to provide Interstate Compact Act training to County Juvenile Departments and Detention Facility staff. Violations will be addressed on annually or as needed to reduce/eliminate violations.*
- *Continue to address with NORCOR facility that ICE contract to hold juvenile federal wards is in violation with JJDP. Reaching agency buy-in is complicated in part due to ICE (Homeland Security) and OJJDP having*

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conflicting requirements. Violations will be addressed annually for duration of contract to hold juvenile federal ward

- *Continue to educate local law enforcement agencies that secure detention of juveniles charged with Minor in Possession (MIP) of alcohol is a DSO violation even though the offense is considered delinquent under Oregon law (ORS 471.430(1)-(4)).*

Adult Jails and Lockups:

Actions the state will take in FY 2009 include:

- *Request data and conduct mid-year on-site visits to the facilities that held status offenders securely.*
- *Contact agencies that did not respond to the 2008 Law Enforcement Facility Classification Certification Survey. Update Monitoring Universe Report accordingly.*
- *Provide, or obtain, on-site training and technical assistance for violating facilities to discuss barriers to compliance and strategies to eliminate violations.*
- *Send copies of correspondence with law enforcement agencies with 100% compliance to the county or city administrator or manager. Annually recognition of agencies.*
- *Share information on resources for effective non-secure temporary placement options for status and non-offenders.*
- *Provide, or obtain, assistance for jurisdictions planning construction of new facilities to ensure that appropriate non-secure areas are incorporated in the designs and plans for operation.*
- *Continue to provide funding, from the state's Formula Grants, for non-construction features and equipment necessary for facilities to comply with juvenile holding requirements.*
- *Collaborate with the state's effort to strengthen communities' continuum of care for homeless and runaway youth and ensure that community programs are informed about the compliance issues created when local police agencies hold runaway youth "for their safety" because there are no local alternatives (shelter and services) available.*
- *Collaborate with DMC Coordinator to develop regional training curriculum for DPSST (State Law Enforcement and County Corrections Academy) on Core*

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Requirements. Receive DPPST curriculum approval and offer at least one training session to local police agencies.

- *Assist technical staff in development of a compliance monitoring section on the OCCF agency's website as means of providing related material to local law enforcement and as means to publicly recognize agencies complying with JJDP Act during reporting period.*

B. Plan for Separation of Juveniles from Adult Offenders (Separation)

As a result of OJJDP Administrator J. Robert Flores' Compliance Monitoring Guidance Memorandum dated February 13, 2008, Oregon is no longer out of compliance with Separation of Juveniles from Adult Offenders. The Oregon Youth Authority (OYA) assessment process implemented in 2006 to guide placement decisions for new youth within the close custody program (six secure facilities) will continue to be utilized. This process is effective in grouping high-risk, high needs offenders separately from lower-risk, lower needs offenders, which results in better separation of older adult law offenders from younger juvenile law offenders in the OYA close custody living units.

The Oregon Commission on Children and Families employs a half-time compliance monitor dedicated to compliance work. This position's responsibilities include assisting Oregon to eliminate noncompliant incidents involving sight and sound contact between juveniles and adult offenders through activities including the following:

- *Request data and conduct mid-year on-site visits to the facilities that reported sight and sound separation violations. Conducted annually.*
- *Send copies of correspondence with law enforcement agencies with 100% compliance to the county or city administrator or manager. Annually recognition of agencies.*
- *Provide, or obtain, on-site training and technical assistance for violating facilities to discuss barriers to compliance and strategies to eliminate violations.*
- *Share information on resources for effective non-secure temporary placement options for status and non-offenders.*
- *Provide, or obtain, assistance for jurisdictions planning construction of new facilities to ensure that appropriate non-secure areas are incorporated in the designs and plans for operation.*
- *Assist technical staff in development of a compliance monitoring section on the OCCF agency's website as means of providing related material to local*

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law enforcement and as means to publicly recognize agencies complying with JJDP Act during reporting period.

- *Continue to provide funding, from the state's Formula Grants, for non-secure construction features and equipment necessary for facilities to comply with juvenile holding requirements.*
- *Collaborate with DMC Coordinator to develop regional training curriculum for DPSST (State Law Enforcement and County Corrections Academy) on Core Requirements. Receive DPPST curriculum approval and offer at least one training session to local police agencies.*

C. Plan for Removal of Juveniles from Adult Jails and Lockups

Oregon is pleased to report that the number of Jail Removal violations is significantly less than in 2004, when Oregon was out of compliance with a Jail Removal rate of 19.8. Oregon's 2007 jail removal rate of 5 per 100,000 juveniles reflects its efforts to improve in this compliance area. Oregon's 2007 jail removal rate is the lowest the state has reported since 2000.

There is still much to be done to ensure that local law enforcement agencies understand the requirements of the federal Juvenile Justice and Delinquency Prevention Act and, in some cases, the requirements of state law as it applies to detaining juveniles.

The Oregon Commission on Children and Families employs a half-time compliance monitor dedicated to compliance work. This position's responsibilities include assisting Oregon to eliminate noncompliant incidents involving jail removal through activities including the following:

- *Request data and conduct mid-year on-site visits to the facilities that held delinquent offenders securely in excess of six (6) hours.*
- *Send copies of correspondence with law enforcement agencies with 100% compliance to the county or city administrator or manager. Annually recognition of agencies.*
- *Provide, or obtain, on-site training and technical assistance for violating facilities to discuss barriers to compliance and strategies to eliminate violations. Emphasis will be included on the need to complete Secure Custody Log fully as missing date/time elements are considered violations.*
- *Provide, or obtain, assistance for jurisdictions planning construction of new facilities to ensure that appropriate non-secure areas are incorporated in the designs and plans for operation.*

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- *Assist technical staff in development of a compliance monitoring section on the OCCF agency's website as means of providing related material to local law enforcement and as means to publicly recognize agencies complying with JJDP Act during reporting period.*
- *Continue to provide funding, from the state's Formula Grants, for non-secure construction features and equipment necessary for facilities to comply with juvenile holding requirements.*
- *Collaborate with DMC Coordinator to develop regional training curriculum for DPSST (State Law Enforcement and County Corrections Academy) on Core Requirements. Receive DPPST curriculum approval and offer at least one training session to local police agencies.*
- *Assist requesting eligible Oregon counties in applying for rural removal exception. Collaborate with the state's effort to strengthen communities' continuum of care for homeless and runaway youth and ensure that community programs are informed about the compliance issues created when local police agencies hold runaway youth "for their safety" because there are no local alternatives (shelter and services) available.*

Section 223(a)(13)(B) and OJJDP regulations provide for a rural removal exception with regard to juveniles accused of delinquent offenses, held in certain rural areas, and who are awaiting an initial court appearance. Under certain circumstances, such juveniles may be temporarily detained beyond the six-hour time limit. One Oregon jurisdiction, Wallowa County, obtained approval to use the rural exception from OJJDP on April 22, 2008. A Rural Removal Exception Certification for Wallowa County is submitted with the 2009 Formula Grant Application as required. In 2008, no juveniles were held in excess of five (5) hours, thus the rural removal exception was not utilized by Wallowa County.

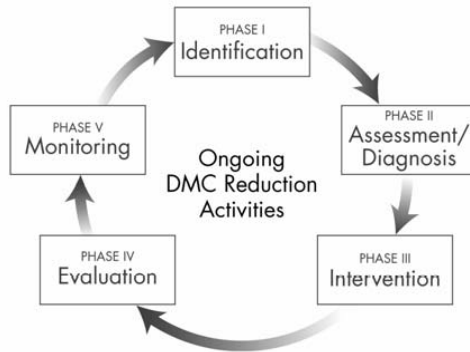
It is anticipated that Oregon will experience an increase in requests for rural removal exception from eastern Oregon counties in 2009 as a result of the planned closure of the Umatilla County Juvenile Detention facility in June 2009, due to fiscal constraints. This closure will leave several eastern Oregon counties without juvenile detention services as they currently contract for detention beds with Umatilla County. This being the situation, the Compliance Monitor will:

- *Provide inquiring agencies with information on the Rural Removal Exception requirements and offer assistance in the agency's completion of the OJJDP Rural Removal Exception application process. Provide as requested.*
- *Submit Rural Removal Exception Certifications with Oregon's Formula Grant Application for all agencies with prior OJJDP Rural Removal Exception approval.*

Attachment 3: FY 2008 Plan Update

4. Plan for Compliance with the Disproportionate Minority Contact Core Requirement

DMC Reduction Cycle



Phase I: Identification

- (1) **Updated DMC Identification Spreadsheets (Attachment 2).**

Available on DMC website and as an Appendix to this report.

(2) DMC Data Discussion.

Phase II: Assessment/Diagnosis

This section is based on the Disproportionate Minority Contact identification method described in the OJJDP Technical Assistance Manual. Specifically we make extensive use of the measure known as the Relative Rate Index, or RRI. That measure is constructed by dividing the rate of contact at a particular stage of the juvenile justice system for minority youth by the corresponding rate for white youth. The resulting index reflects the extent to which the minority rate of contact is higher (or smaller) than the rate of contact for white youth. In addition, we present the rates of contact for each stage so that a sense of magnitude can be achieved and jurisdictions may be compared to one another not only in terms of their relative levels of DMC, but also the underlying levels of contact for all youth in the juvenile justice system.

Following the model proposed by OJJDP, we have identified eight stages of the juvenile justice system, rather than the nine used by OJJDP. We are at this time unable to obtain appropriate arrest information separated by race and ethnicity in a fashion that will permit its inclusion in the DMC analysis. Figure 1 on the following page provides a summary of the basic DMC analysis for the State as an entirety for calendar year 2007, the most recent year for which we have available data.

Figure 1 is presented in three sections. In the top section we see the rates of contact for stages in the juvenile justice system. For example, for white youth, the rate of referral into juvenile courts is 93.8 per 1,000 youth. This may represent unique youth, or more likely has some youth referred to the courts for multiple events during the year. Statewide, the rate of referral for African-American youth is 232.9 per 1,000 African-American youth, a rate which is 2.48 times higher than the rate of referral for white youth. In the middle section of the figure this calculation is presented to show that the relative rate index for African American youth for referral is 2.48. In addition, that number is in red, indicating that the RRI value is statistically significant. In other words, the likelihood of a value this large or larger occurring by chance is less than 5%. This simply means that the RRI value is likely 'real' and not simply a result of random variations in court statistics. Finally in the bottom section of the figure we present a calculation to help determine the scale of change needed in order to achieve statistical parity. In the case of African American youth and the referral process, we would need to have some method(s) of reducing the number of referrals for African American youth by 1551 referrals Statewide in order to achieve an RRI value of 1.00. In a similar fashion we would need to address other (non-referral) options for 1,434 Hispanic youth in order to achieve parity in their contact rate (referral rate). This does not mean that JJAC should require or blindly seeks to eliminate these numbers of referrals; it simply gives a sense of the scale of the disparity issue in the State. It also means that although the RRI value for secure confinement is high and significant for both African American youth (2.87) and Hispanic youth (2.32), those disparities can be addressed by finding alternative means of handling just over 100 youth (56 African American and 51 Hispanic).

Figure 1

See attachment Phase I, Figure 1

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Oregon has been tracking the levels of DMC in eight counties: five selected because for their relatively higher degree of urbanization and volume of activity involving minority youth (Clackamas, Lane, Marion, Multnomah and Washington counties) and three smaller counties that have relatively high proportions of youth in a variety of racial and ethnic minority groups (Hood River, Malheur, and Jefferson counties). In the following tables we explore the variations across these eight counties, starting with the referral process.

County	Referral Rate (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	74.3	208.3	87.4	67.0	2.8	1.2	*
Hood River	107.8	142.9	100.7	58.8	*	0.9	**
Jefferson	89.7	38.5	107.2	154.3	**	1.2	1.7
Lane	83.0	135.9	57.7	91.2	1.6	0.7	1.1
Malheur	182.1	264.7	295.0	386.4	*	1.6	2.1
Marion	70.4	239.1	148.6	112.2	3.4	2.1	1.6
Multnomah	59.4	247.6	82.0	153.3	4.2	1.4	2.6
Washington	68.7	233.2	133.1	40.5	3.4	1.9	*
Statewide	93.8	232.9	119.4	129.2	2.5	1.3	1.4

As can be seen, while the State rate of contact for white youth is roughly 94 referrals per 1,000 youth, even among white youth there is considerable variability, ranging from a contact rate of under 60 per 1,000 in Multnomah County to a high three times that level in Malheur County. But if we continue examining Malheur County, we see that the rates of referral for non white youth are dramatically higher, leading to the conclusion that there is a DMC issue within that county, particularly with Indian youth. Turning to the RRI levels for African American youth, we see a range from over 4 (Multnomah) to less than half that value (1.6 in Lane County)

In Figure 3 we turn to the second contact point, diversion. The rates here are expressed as the number of cases involving diversion per 100 referrals to juvenile justice, so the State figure indicates that for every 100 cases for white youth, there were nearly 72 diversions. The use of diversion appears to be primarily an urban phenomenon, with the highest rates occurring in Multnomah, Lane and Marion counties. Low rates of diversion occur in Hood River, Malheur and Jefferson counties, along with Washington. The result of these combinations is that although within any single county there is no county in which the rate of diversions for Black youth is higher than for white, since the overall rate of diversions is higher in Multnomah and since most of the African American youth live in Multnomah, the overall state RRI value for African American youth indicates that this group has a higher State rate of diversions than do white youth.

County	Diversion Rate (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	64.2	58.2	55.6	70.8	0.9	0.9	*
Hood River	40.0	0.0	36.7	0.0	*	0.9	0.0
Jefferson	57.7	0.0	42.1	27.4	**	0.7	-31.0
Lane	76.5	54.3	69.5	53.1	0.7	0.9	0.0
Malheur	42.7	55.6	40.3	41.2	*	0.9	0.0
Marion	77.6	65.6	62.8	76.8	0.8	0.8	0.0
Multnomah	84.9	78.1	79.1	82.5	0.9	0.9	0.0
Washington	49.8	51.3	49.5	37.5	1.0	1.0	0.0

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Statewide 71.7 77.0 66.1 57.8 1.1 0.9 0.0

In Figure 4 we turn to Detention, the first of the stages at which major deprivation of liberty (confinement) may occur. Again a pattern emerges, with considerable variation in the rates of detention use (detention cases per 100 referrals to court) Although there is considerable evidence of the impact of reform efforts to reduce the use of detention (for example the JDAI programs of the A.E. Casey Foundation) significant disparities exist in the use of detention, reflect in RRI values that are quite substantial for both African American and Hispanic youth.

Figure 4	Detention Rate (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	13.8	23.3	22.7	54.2	1.7	1.6	*
Hood River	33.5	33.3	37.8	50.0	*	1.1	0.0
Jefferson	33.3	0.0	35.5	83.6	**	1.1	*
Lane	25.2	46.7	59.8	61.2	1.9	2.4	0.0
Malheur	9.5	0.0	23.8	5.9	*	2.5	0.0
Marion	20.3	39.0	37.7	33.9	1.9	1.9	0.0
Multnomah	18.1	35.7	18.4	23.3	2.0	1.0	0.0
Washington	13.1	13.4	15.9	12.5	1.0	1.2	0.0
Statewide	25.3	33.8	31.6	49.8	1.3	1.2	0.0

In Figure 5 we turn to the stage in which a petition alleging delinquency is filed. The rates here are calculated on the number of petitions filed per 100 referrals to the juvenile justice system. At the Statewide level the filing of petitions does not provide significant evidence of disparity, with RRI values of .9 for African American youth and 1.1 for Hispanic youth. Native youth are more likely to reside in areas with high petition rates (for example, Jefferson, Hood River and Lane counties), resulting in a higher State rate for them. However, within Multnomah County the differential between African American and white youth is striking and notable, leading to an RRI value over 2.0, suggesting that the petition filing decision may be a fruitful target for attention in this county.

Figure 5	Rate for Filing of Petitions (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	23.3	21.2	27.8	37.5	0.9	1.2	*
Hood River	42.4	66.7	37.8	50.0	*	0.9	**
Jefferson	53.7	100.0	63.2	83.6	**	1.2	1.6
Lane	29.1	55.4	56.7	55.1	1.9	1.9	1.9
Malheur	44.3	55.6	57.0	23.5	*	1.3	**
Marion	29.9	49.4	41.5	41.1	1.6	1.4	1.4
Multnomah	15.5	32.2	18.6	14.6	2.1	1.2	0.9
Washington	20.0	9.1	18.5	37.5	0.5	0.9	*
Statewide	32.5	29.6	37.0	45.8	0.9	1.1	1.4

Once a petition is filed, the next major step is the finding of delinquency, typically either through some form of agreement or a contested hearing. In figure 6 we examine the rate at which youth are found delinquent. It is notable that the rates of delinquent findings are slightly lower for African American and Native American youth than the rates for white or Hispanic youth. Taken as a whole, the rates are remarkably similar to one

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another, and the RRI values generally do not depart markedly from 1.00, indicating a general similarity in the rates of activity across race and ethnicity.

Figure 6	Rate of Delinquent Finding				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	65.8	71.0	71.3	33.3	1.1	1.1	*
Hood River	73.6	50.0	91.2	100.0	*	1.2	**
Jefferson	72.7	100.0	83.3	83.6	**	1.1	1.1
Lane	57.6	47.1	63.4	33.3	0.8	1.1	**
Malheur	79.6	80.0	75.9	50.0	*	1.0	**
Marion	79.9	84.2	76.2	78.3	1.1	1.0	**
Multnomah	61.4	34.0	66.4	60.0	0.6	1.1	**
Washington	54.2	17.2	54.0	66.7	**	1.0	*
Statewide	65.4	57.0	67.2	58.9	0.9	1.0	0.9

In Figure 7 we explore the most frequent consequence of a delinquent finding, placement on probation. At the Statewide level there is a slightly higher likelihood of both Black and Hispanic youth receiving a probation placement, probably because the rate of probation placement is somewhat higher in Multnomah County, which is the primary residence for African American youth in the State. As a result the probation rate for African American youth in the State is more likely to reflect the impact of Multnomah County, whereas the probation placement rate for white youth is more likely to reflect a larger set of jurisdictions. As indicated in the RRI columns, there is little evidence of substantive disparity in the placement on probation.

Figure 7	Probation Rate (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	63.0	59.1	61.3	66.7	**	1.0	*
Hood River	86.8	100.0	90.3	100.0	*	1.0	**
Jefferson	81.3	100.0	95.0	92.2	**	1.2	1.1
Lane	65.3	62.5	66.1	55.6	**	1.0	**
Malheur	52.6	50.0	73.2	100.0	*	1.4	**
Marion	55.1	70.3	67.8	66.7	1.3	1.2	**
Multnomah	89.3	85.9	91.0	100.0	1.0	1.0	**
Washington	70.4	400.0	83.0	100.0	**	1.2	*
Statewide	62.2	66.7	73.1	71.9	1.1	1.2	1.2

From Probation we turn to the other end of the spectrum in terms of sanctions once a youth has been found delinquent, placement in secure confinement. In Figure 8, we can see that the differentials are relatively low, or are based on such small numbers that we cannot have statistical confidence in the results, with one notable exception, the case of Multnomah County. In Multnomah County the rate of secure confinement for African American youth is four times higher than for white or Hispanic youth. Explanations for this differential have not been explored, but it represents a very high level of disproportionate treatment.

Figure 8	Rate of Secure Confinement (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	10.2	22.7	16.1	33.3	**	1.6	*
Hood River	13.2	0.0	9.7	0.0	*	**	**

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Jefferson	12.5	0.0	5.0	3.9	**	**	**
Lane	14.4	29.2	23.7	22.2	**	1.6	**
Malheur	7.5	0.0	15.6	0.0	*	2.1	**
Marion	12.2	9.4	8.2	11.1	0.8	0.7	**
Multnomah	8.3	35.9	9.0	0.0	4.3	1.1	**
Washington	19.4	180.0	14.1	0.0	**	0.7	*
Statewide	7.9	20.8	11.0	10.8	2.6	1.4	1.4

Finally we have, in Figure 9, the last of the stages in the juvenile justice system, the transfer to adult court jurisdiction. Since there are relatively few youth for whom this is an option that is exercised, the calculation of RRI values within most Counties is not presented, since they would be somewhat unreliable. However it is noteworthy that for the State as a whole the rate of transfer to adult court for African American youth is nearly three times higher than for white, Hispanic, or Native American youth. However within Multnomah County the RRI values are nearly 1.0, reflecting a relatively even treatment. The issue becomes clearer however when one looks at the rate of use, which averages 3 transfers per 100 court referrals for white youth across the State, but is at 14.3 transfers for white youth in Multnomah County. Multnomah clearly has a much higher rate of transfer, which in turn means that the State rate of transfer for African American youth will be much higher than for those (white) youth who are in areas outside of metropolitan Portland. What appears to be a DMC issue at the State level is more likely a substantive difference in the operating philosophies of different justice systems rather than an issue of race or ethnicity.

Figure 9	Transfer Rate (per 1,000 youth)				RRI		
	White	Black	Hispanic	Native	Black	Hispanic	Native
Clackamas	1.8	0.0	4.6	0.0	**	**	*
Hood River	4.2	50.0	0.0	0.0	*	**	**
Jefferson	1.5	0.0	2.1	0.0	**	**	**
Lane	1.8	0.0	4.3	0.0	**	**	**
Malheur	1.8	0.0	1.1	0.0	*	**	**
Marion	2.5	1.3	1.6	4.3	**	0.6	**
Multnomah	14.3	11.6	16.4	6.7	0.8	1.1	**
Washington	4.5	6.9	6.8	0.0	**	1.5	*
Statewide	3.0	8.7	3.6	1.8	2.9	1.2	0.6

Conclusions

1. As a State, Oregon has substantial evidence of disproportionate minority contact, with African-American youth, Hispanic youth, and Native American youth experiencing significantly higher levels of contact with the juvenile justice system.
2. The experiences of each of these three major racial / ethnic groups of non-white youth are different from one another, with African American youth most likely to experience higher rates of initial contact (referral), Both African-American youth and Hispanic youth have their highest RRI scores (greatest disparities) at the stage of placement into secure confinement. Native youth on the other hand experience their highest disparities at the stage of detention and the filing of a formal petition of delinquency. In other words, the likely contributors to DMC, the

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mechanisms which create the disparities, and therefore the action steps needed to address DMC, are substantively different for these three groups.

3. The current strategy selected by JJAC for addressing DMC is to focus on several significant communities with the highest relative population of African American and Hispanic youth. This strategy is based on the concentrations of these populations in relatively specific (and urbanized) segments of the State. On the other hand, Native American youth are more likely to be distributed in rural areas of the State, and an alternative strategy needs to be developed to address DMC among these youth.
4. While the Statewide information supports a priority to be placed on DMC, examination of the specific patterns within each of the major counties indicates that the patterns of DMC are not uniform across those counties. In other words, a specific analysis of the DMC issue and a solution for Multnomah County is unlikely to be applicable in other communities in which DMC is located at different stages of the juvenile justice community. Moreover, the fundamental rates of contact and the statistical indicators of the operation of the juvenile justice system differ across counties. It is therefore necessary to conduct assessment activities and provide support for DMC reduction efforts within each major jurisdiction rather than providing a single Statewide solution.

Additionally, in 2008, three of the eight targeted jurisdictions completed the phase II assessment and applied for the phase III intervention projects designed to reduce disproportionate minority contact. The excerpts from the proposals submitted by the counties are provided below.

1. Multnomah County

The percentage of African Americans and Latinos supervised by the Multnomah County Department of Community Justice Juvenile Services Division is higher than the percentages of these groups in Multnomah County. The criminal referral rate for African American youth compared to their numbers in the population is four times higher than that of white youth. African American and Hispanic youth are more likely to be placed on probation and less likely to receive diversion than white youth. African American youth are more likely to be committed to a youth correctional facility than white youth (source: Multnomah County Department of Community Justice Juvenile Minority Overrepresentation Reports). In 2007 African American youth comprised 10 % of the population in Multnomah County, but 43% of the youth in detention on the average day.

In 2007 department's Research & Evaluation unit made the following findings about African American youth as they experience our system:

Criminal Referrals

Between 2002 and 2006, the proportion of African American youth charged with criminal referral increased from 26% to almost 29%. During this same time period, the proportion of White youth charged with a criminal referral decreased by 4%.

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In 2006, there were 255 felony assault allegations, almost 44% of these were charged to African American youth. Of those charged to African American youth, 42% were charged to girls.

There were 203 robbery allegations in 2006. Of these, 62% were charged to African American youth.

Recidivism

The proportion of African American youth recidivating has increased steadily in the past three years:

30% in 2002

37% in 2004

39% in 2005

Chronic offenders are defined as having three or more criminal referrals within 12 months of their previous criminal referral. Chronic offenders in 2005 represented 9% of the recidivating population yet accounted for 55% of the total recidivism referrals.

Since 2002, the proportion of African American youth in the chronic offender group has risen from 37% to 52%. African American girls accounted for 13% of the chronic offender population in 2005, a 1% increase from 2004.

Sixty-five percent of chronic offender African American youth had their first criminal referral at age 13 or younger. This is compared to 56% of chronic offending White youth.

Detained Youth

Of the total criminal referrals for African American youth in 2005, 25% resulted in the youth being brought to detention. In 2006, this increased slightly to 26%. However, there was a marked increase in the proportion of those detention episodes that resulted in detainment. Of those brought to detention in 2005, 37% resulted in the youth being detained. In 2006, this rose to 44% while the proportion of White youth who were detained decreased from 29% to 26%.

The average number of criminal referrals for all youth at the time they were brought to detention in 2005 was 4.60. The average number for African American youth was 5.87 and for White youth 3.58. When Ballot Measure 11 youth were excluded the averages were approximately the same. Of all youth who were detained, the average number of criminal referrals was 6.52. For African American youth, the average was 7.91 and for White youth, it was 5.31. African American youth who are brought to detention and who are detained have a higher number of criminal referrals than White youth. This remains true for youth brought in for Ballot Measure 11 charges.

Dispositions

Disposition data for 2004 and 2005 indicate that African American youth are less likely to receive Diversion/Informal than White youth and are more likely to be adjudicated and receive probation. Additionally, in 2005, African American youth were more likely to have their cases closed or dismissed before adjudication than White youth as well as the overall percentage for all dispositions. However, of the dispositions that were adjudicated, African American youth were less likely to have their case court dismissed.

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2. Clackamas County

Assessment of DMC in Clackamas County over the last five years has shown that minority youth experience differential treatment at several crucial contact points in the system:

- Black/African American youth are arrested at 3.5 times the rate of White youth
- Black/African American youth are referred to Juvenile Court at almost 3 times the rate of White youth
- Hispanic/Latino youth are less likely to be referred to local diversion programs (relative rate = 0.87)
- African American youth and Hispanic youth cases are more likely to involve secure detention (relative rate = 1.69, 1.64 respectively)
- African American youth and Hispanic youth cases are more likely to result in delinquent findings (relative rate = 1.08 for both populations)
- Hispanic/Latino youth cases are more likely to have formal charges filed against them (relative rate = 1.19)
- Hispanic/Latino youth cases are more likely to result in secure confinement in juvenile correctional facilities (relative rate = 1.59)

An in-depth examination of the 2007 data regarding minority referral to CCJD reveals several noteworthy points:

- Males are more likely to be referred to CCJD than females
- Geographically, African American youth are more likely to be referred from Milwaukie and Oregon City, while Hispanic youth are typically referred from Milwaukie, Canby, Oregon City, Clackamas, and Wilsonville
- Both populations exhibit a significant increase in delinquent behavior at age 13
- The JCP risk assessment tool indicates that school, peer relationships, family functioning, and behavioral issues are the highest risk factor domains for both populations
- The JCP risk assessment also indicates that 27% of the African American youth have no protective factors and another 19% have only one protective factor (research suggests that protective factors help youth cope and serve to mitigate the influence of identified risk factors)

3. Malheur County

Juvenile Arrests/delinquency

Forty percent of all arrests made in Malheur County are juveniles (ages 10 through 17). In the Ontario School District there have been 1,759 juvenile arrests due to drugs, violence, vandalism and gang related crimes since the beginning of the 2006-2007 school year. In addition, at the local middle school alone, there were 350 suspensions and eight expulsions during the 2006-2007 school years for burglary, fighting, drugs, alcohol, and bullying.

There are four known gangs as of December 1, 2008 ("Eastside 13th Street," "14th Street," "18th Street," and "BMC 13th Street"), in the Ontario area. According to County Ordinance #2007-1311 and Ontario City Ordinance #2591-2007 designating individuals as gang members, currently there are 34-youth (30-males and 4-females) approximately 90% are Hispanic (Ontario Police Department/Malheur County & Ontario City Gang Ordinance for gang designation).

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Major decision points this project will examine include referral to court, diversion from court, admission into secure detention, court petitioning, petitioning resulting in a delinquent finding, probation placement, admission into a secure juvenile correctional facility, and transfer to adult court. We will work closely with Juvenile Department, District Attorney's office, and Judges to improve systems where inequity seems apparent.

In Malheur County

- Juvenile arrest rate in 2006 was 247 per 10,000 juveniles, compared to 197 in Oregon.
- Juvenile arrest rate decreased by 34 percent from 1990 to 2006. This compares to Oregon's decrease of 47 percent. (Northwest Area Foundation 2007)

Demographics: Malheur County is in the southeastern corner of Oregon. We are nearly 10,000 square miles with the designation of "frontier." (Area Resource File, 2005: US Department of Health and Human Services, Health Resources and Services Administration, Bureau of Health Professions, Rockville, MD). The three most populated cities are located in the northern end of the county, Ontario (11,325), Nyssa (3,220) and Vale (2,050). The county has a total of 31,725 residents; over half live in the city of Ontario. This includes nearly 8,000 Hispanics. The Hispanic population has increased 47.2% since 1990. The majority (over 50%) of the youth in the public school systems are of Hispanic descent (Malheur County & Public Schools data 2006). The proportion of Hispanic residents has changed in Malheur County from 14.1 percent in 1980, to 19.8 percent in 1990, and to 27.7 percent in 2007 (Northwest Area Foundation 2007).

Education: Malheur County's largest school district, Ontario Public Schools, face many challenges related to the disproportional performance of Hispanic versus white students. This is evidenced early on when students enter their kindergarten program. According to a measure of early reading skills (Dynamic Indicators of Early Literacy Skills or DIBELS) 53% of Hispanic students enter their kindergarten program with "intensive" instructional needs. This compares to 32% of white students who enter with "intensive" instructional needs. Nine percent of Hispanic students enter our school system with skills that are expected of kindergartners or what they refer to as "benchmark" level skills, while 27% of white students enter the system at "benchmark".

The achievement gap is considerably more difficult to close as students' progress through the school system. They also know that students who are not doing well in school often exhibit challenging behaviors in the school environment. When analyzing data regarding students who received long term suspensions (over 10 days) or expulsions we can see that Hispanic students are more likely to receive this type of disciplinary measure than the white students. In the 2007-2008 school year Ontario Public Schools was flagged for disproportionate discipline in the area of special education. Oregon Department of Education figures indicate that nine white students received long term suspensions or expulsions while 35 Hispanic students received similar disciplinary measures. At this time, the overall student population is approximately 51% Hispanic and 44% white. The discrepancy between ethnic groups is cause for concern in the school system when they consider both academic and discipline measures (8C School District).

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Phase III: Intervention

(1) Progress Made in FY 2008:

In 2008, the DMC Subcommittee developed a set of recommendations for JJAC's review and approval to guide the DMC intervention activities funded by formula grants. The FY 2008 DMC Reduction Plan included State level activity, County level activity, and the general development of Program and Systems interventions to reduce DMC.

State Level Activities were designed to focus on reduction of disproportionate contact by promoting both systemic changes and supporting minority youth programming. Previously identified eight target counties remained the focal areas for DMC remained a priority.

Actions and Planned Activities:

1. Develop recommendations to JJAC for future funding allocation, primarily Formula Grant dollars to reflect focus areas.

Progress Reported:

In 2008, JJAC members selected addressing disproportionate minority contact (DMC) to be the number one priority for the formula grant program. The extent of DMC varies by jurisdiction, racial/ethnic group and the points of contact within the juvenile justice system. Information from the Juvenile Justice Information System and Law Enforcement Data System indicate that all minority groups are represented in the juvenile justice system at percentage levels greater than their proportion of the total juvenile population.

Preference for FY 2008 Formula Grants was given to applicants who proposed to implement strategies designed to reduce and eliminate disproportionate minority contact and overrepresentation of minorities in the juvenile justice system. Proposals must have demonstrated that existing data supported the need for the DMC reduction efforts at one or more decision points in the Juvenile Justice System. The previously identified counties with the largest numbers and/or percentages of minority youth were given preference in the application process.

Counties were instructed to submit proposals for projects designed to implement DMC reduction strategies, based on the DMC data analysis, and specifics of an individual community. The proposals were to address a) systems' change, policy and practice, and/or b) direct services on a program level.

Grants were awarded to communities for one of the three phases of activities: 1) Assessment and analysis of current policies and practices; 2) Intervention planning and implementation; 3) Intervention program development, implementation and evaluation. Five jurisdictions applied and received the awards to implement projects based on the specifics of their communities.

2. Develop a recommendation for JJAC on the development of policy analysis – a mechanism to fulfill our advisory function with respect to factual analyses of the DMC impact of selected State legislation and policies.

Progress Reported:

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A report to research of statewide policy and practice that influence DMC was prepared for the Oregon Commission on Children and Families and the Juvenile Justice Advisory Committee. The report entitled “Reducing Racial Disproportionality and Disparities within Human Service Systems through Evidence-Based Management and Performance Management: A Conceptual Framework and Specific Methods of Effective Practice, Research, and Management for Child Welfare and Juvenile Justice Systems”.

This comprehensive report concerns the relationship between the concepts of disparities and disproportionality and their consequences for communities of color, most notably African Americans. Part I of this report emphasizes key considerations in articulating the full scope and ramifications of the problem of disproportionality in the human services, and particularly in child welfare and juvenile justice. Part II of the report presents a comprehensive plan for reducing disproportionate minority contact (DMC) in child welfare and juvenile justice.

DMC data trends from 2003 through 2007 analysis report was prepared for the Juvenile Justice Advisory Committee review and became the foundation for the state’s 2009-2011 DMC Reduction Plan.

3. Revisit the structure and purpose of the Governor’s summit, participate in planning and cosponsor the event.

Progress Reported:

The Summit’s format was revised to accommodate several tracks by disciplines to encourage commitment and planning for change process. The Summit was planned and held in partnership with the Coalition for Juvenile Justice and Multnomah County Public Safety Coordinating Council. The theme: “Building Momentum for the Next Decade; Strengthening Partnerships; Affirming Milestones”. The State DMC Coordinator co-chaired the Planning Committee, and several JJAC members took active part in the planning process and during the Summit. With over 650 participants from 15 states in attendance the two-day conference was a success.

County Level Activities were designed to support the development of DMC data collection and analysis as required by the OJJDP, and to support the development of appropriate local level DMC reduction committees and efforts.

1. Work with JJIS on data collection and DMC data submission as required by OJJDP.

Progress Reported:

2006 and 2007 statewide and county specific DMC data at all decision points has been collected, analyzed and shared with JJAC members. Juvenile arrest data disaggregated by race and ethnicity is still not available on a county level. JJAC members and the DMC coordinator have been working with the Criminal Justice Commission staff to make this information available through the Law Enforcement Information System.

2. Continue to provide technical assistance to county committees and processes, including accessing additional resources such as pilot DMC/TCAP project in Clackamas County, Annie E. Casey Foundation Juvenile Detention Alternative Initiative project by

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Eastern and Central Oregon Juvenile Justice Consortium, Juvenile Justice Council of Multnomah County, and others.

Progress Reported:

JJAC piloted a DMC reduction project in Clackamas County. The project is completed and the findings became the foundation for the County's formula grant proposal.

State DMC Coordinator assisted the Central and Eastern Oregon Juvenile Justice Consortium's (CEOJJC) JDAI Leadership Team in development and implementation of the DMC reduction strategies as recommended by the Annie E. Casey foundation. State DMC Coordinator and CEOJJC JDAI Leadership Team members participated in the Burns Institute's Training of Trainers "Successful Strategies to Reduce Racial/ Ethnic Disparities in JDAI Jurisdictions" in Baltimore, MD.

Several JJAC members and the DMC Coordinator have participated in the work of Multnomah County Juvenile Justice Council. DMC reduction has been and remains a main area of focus for the council.

Programs and Systems Level Activities

1. Develop an inventory of existing programs across the state and provide technical assistance on evidence-based and culturally appropriate approaches.

Progress Reported:

An inventory of Evidence-Based Practices in the State is being developed as a supplement to national efforts. A training program on evidence-based and culturally appropriate approaches has been developed and implemented. The process of technical assistance is designed to help local communities select, implement, monitor and evaluate culturally and gender specific Evidence-Based Practices (prevention or intervention) that are appropriate for the target population and fit the local services continuum.

"A Practical Policy Implementation Analysis of Senate Bill 267: A General Framework for Analyzing Human Service Innovations" was prepared to address the increasing legislative requirement to direct funding for prevention and intervention towards evidence-based programs. This report to the Oregon Commission on Children & Families describes an evidence-based and cultural competence-focused framework for analysis of the implementation of Senate Bill (SB) 267.

2. Develop additional resources to help communities to address the DMC related issues.

Progress Reported:

FY 2008 Formula grant funds were dedicated and awarded to the targeted jurisdictions to address the DMC related issues.

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3. Partner with other agencies and organizations to comprehensively and collectively address disproportional minority contact and overrepresentation of minorities across systems.

Progress Reported:

JJAC members and State DMC Coordinator lead the selection of speakers and programs that have direct relevance for DMC reduction efforts and supported their presentations at several conferences and especially the Governor's Summit, where various DMC reduction efforts from across the nation and specific to Oregon were showcased at 45 workshops presented by over a hundred invited speakers.

4. Increase collaboration among Child Welfare and Juvenile Justice Systems and advance policy and practice in order to reduce racial disparities.

Progress Reported:

Nationwide strategies have been explored and a framework to address and reduce racial disparities across the two systems in Oregon is being developed by aligning DMC reduction strategies with Reconnecting Families Initiative of Partners for Children and Families.

In 2008, Oregon became a site for the Casey Family Programs Foundation Racial Disparities in Child Welfare Initiative. Following an Executive Order by the Governor, the State DMC Coordinator was appointed to co-lead the work of a Governor's Task Force on Disproportionality in Child Welfare. The task is to examine overrepresentation of children of color in the Oregon's child welfare system, and African-American and Native-American children in particular. In Oregon, statewide and county specific data indicate that disparities exist for the children of color in the child welfare system. The task is to examine the disproportionate rates at all decision points, identify contributing factors, and develop strategies to eliminate disparities where found. The goal is to increase accountability and develop a system of care that treats all children and their families with respect, dignity, and equity that they deserve.

In May 2008, JJAC supported and participated in Overrepresentation in Child Welfare Conference organized by the National Council of Juvenile Court Judges.

In March 2008, JJAC members and the State DMC Coordinator participated in the Center for Juvenile Justice Reform and Chapin Hall Center for Children Symposium "The Overrepresentation of Children of Color in America's Juvenile Justice and Child Welfare Systems."

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(2) DMC Reduction Plan for FY 2009 – 2011:

Level of Activity	Goal and Area of Focus	Strategies and Activities	FY
State	<p>1. Reduction of DMC through implementation of systems' change initiatives and activities that support minority youth</p> <p>2. Previously targeted communities remain a priority while special attention is paid to emerging issues across the state</p>	<p>1. Work closer with the grantees (currently five targeted jurisdictions: Clackamas, Malheur, Marion, Multnomah, and Washington counties) to share information and monitor progress.</p> <p>2. Support second year of formula grant funding for continuation of projects started in the five targeted jurisdictions. Current emphasis is on outputs and outcomes, while more in depth evaluation will be conducted at a later stage.</p> <p>3. Collect data and evaluate DMC RRI for several additional jurisdictions with emerging minority related issues.</p> <p>4. Support the Annual Governor's Summit on Eliminating Disproportionate Minority Contact in Juvenile Justice and Child Welfare Systems.</p> <p>5. Collaborate with Washington Governor's Juvenile Justice Advisory Committee on regional projects and knowledge sharing.</p>	<p>FY2009 FY2010</p> <p>FY 2009 FY 2010</p> <p>FY 2009 FY 2010 FY 2011</p> <p>FY 2009 FY 2010 FY 2011</p> <p>FY 2009 FY 2010 FY 2011</p>
County & Tribe	<p>1. Participate in and support the development of DMC data, including the analysis of the data submission requirements from OJJDP.</p>	<p>1. Work with Juvenile Justice Information System, Law Enforcement Information System and Criminal Justice Commission on data collection and DMC data submission as required by OJJDP.</p>	<p>FY 2009 FY 2010 FY 2011</p>

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	<p>2. Conduct comprehensive data analysis to identify the contributing factors and examine minority over-representation and explain differences at all contact stages in the juvenile justice system.</p> <p>3. Support the development of appropriate local level DMC reduction committees and efforts.</p> <p>4. Support tribal efforts to reduce Native American youth contact with the juvenile justice system.</p>	<p>2. Provide technical assistance to county committees and processes, including accessing additional resources such as OJJDP, Oregon’s DMC/TCAP project, Annie E. Casey Foundation Juvenile Detention Alternative Initiative, and others.</p> <p>3. Assist counties in ensuring that they are using objective decision making criteria at each of the contact points.</p> <p>4. Support the efforts of the nine federally recognized tribes to address reported growing youth gang involvement, trafficking of methamphetamines, and other issues affecting youth.</p>	<p>FY 2009 FY 2010 FY 2011</p> <p>FY 2009 FY 2010 FY 2011</p> <p>FY 2009 FY 2010 FY 2011</p>
<p>Programs & Systems Intervention</p>	<p>1. Provide technical assistance on evidence-based practices and culturally appropriate approaches.</p> <p>2. Develop additional resources to help communities address DMC related issues.</p> <p>3. Partner with other agencies and organizations to comprehensively and collectively address disproportional minority contact and overrepresentation of minorities across systems.</p> <p>4. Increase collaboration between Child Welfare and Juvenile Justice</p>	<p>1. Expand the inventory of programs within the State as a supplement to national efforts.</p> <p>2. Provide ongoing technical assistance on selection, implementation, monitoring and evaluation of culturally appropriate and gender specific evidence-based practices that are best suited for the target population and fit into a local service continuum, as well as systematic improvements.</p> <p>3. Develop and sustain a system to support local communities and groups in the development of funding proposals for DMC reduction. These might be proposals to federal or other State agencies, private foundations, etc.</p> <p>4. Collaborate with the Federal Compliance Monitor to develop regional training curriculum for</p>	<p>FY 2009 FY 2010</p> <p>FY 2009 FY 2010</p> <p>FY 2009 FY 2010 FY 2011</p> <p>FY 2009 FY 2010 FY 2011</p>

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	<p>Systems and advance policy and practice in order to reduce racial disparities.</p>	<p>DPSST (State Law Enforcement and County Corrections Academy) on Core Requirements. Receive DPPST curriculum approval and offer at least one training session to local police agencies.</p> <p>5. Coordinate DMC reduction strategies with the implementation of EUDLE initiative in the state.</p> <p>6. Participate in the work of Governor’s Task Force on Overrepresentation of Minorities in Child Welfare System and develop a framework to address and reduce racial disparities in both systems.</p> <p>7. Support the analysis of racial and ethnic disparities in Oregon’s Child Welfare system. The report will use the RRI methodology as the basis for the data analysis at all decision points in the Child Welfare System.</p> <p>8. Collaborate with the Model Court Initiative to examine disproportional representation of minority youth in dual jurisdiction cases (dependency and delinquency cases).</p>	<p>FY 2009 FY 2010 FY 2011</p> <p>FY 2009 FY 2010</p> <p>FY 2009 FY 2010</p> <p>FY 2009 FY 2010</p>
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Phase IV: Evaluation

Not applicable

Phase V: Monitoring

State DMC Coordinator (full-time) and DMC Subcommittee are responsible for monitoring and tracking changes in DMC trends overtime.

State DMC Coordinator collaborates with the Oregon’s Juvenile Justice Information System, Law Enforcement Information System, and Criminal Justice Commission to research existing data and analyze annual reports compiled by these entities to monitor trends pertaining to DMC.

**5. State of Oregon Commission on Children and Families -
Coordination of Child Abuse and Neglect and Delinquency Programs**

Introduction The JJDP Act emphasizes interagency coordination and collaboration in addressing the prevention and treatment of juvenile delinquency.

- A. Reducing the Caseload of Probation Officers** Section 223(a)(25) of the JJCP Act allows states to use no more than 5 percent of their annual allocation (other than funds made available to the state advisory group) to provide incentive grants to units of local government that reduce the caseload of probation officers. **State Response:** Oregon does not propose to use any of its FY 2006 – FY 2008 Formula Grants for this purpose because it is not consistent with the Oregon’s three year plan to focus primarily on DMC issues. Probation officers are included in what Oregon calls “Basic Services” distributed to the counties by the Oregon Youth Authority (OYA).
- B. Sharing Public Child Welfare Records with the Courts in the Juvenile Justice System** Pursuant to Section 223 (a) (26) of the JJDP Act, the state shall to the maximum extent practicable implement a system to ensure that if a juvenile is before a court in the juvenile justice system, that juvenile’s public child welfare records (including child protective services records) for the geographical area under the jurisdiction of that court will be made known to such court. **State Response:** Senate Bill 231 passed by the 2005 Oregon Legislative Assembly establishes access and disclosure requirements for transcripts and other records of juvenile court proceedings. The bill applies to the “legal file” and to the “social file” which involves reports or material provided to the court for consideration but not admitted as exhibits. It makes clear that the following entities have access to juvenile records: district attorney, assistant attorney general, Department of Human Services, and the OYA and it provides for sharing of juvenile records among those agencies.
- C. Establishing Policies and Systems to Incorporate Relevant Child Protective Services Records into Juvenile Justice System Records** Pursuant to Section 223(a)(27) of the JJDP Act, the state must establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for offenders. **State Response:** This requirement does not comport with current Oregon laws governing confidentiality of agency records. However, the Oregon Law Commission, through its Juvenile Code Workgroup, supports a work group to revise mandatory child abuse reporting laws and the jurisdictional bases of the juvenile court relating to child abuse. This work resulted in proposed legislation for consideration by the 2007 Legislative Assembly.
- D.** Pursuant to Section 223(a) (28) of the JJDP Act, the state must provide an assurance that juvenile offenders whose placement is funded through Section 472 of the Social Security Act (42 U.S.C. 672) receive the protections

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specified in Section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in Section 475 of such Act (42 U.S.C. 675).

State Response: This requirement applies only to placements supported with funds from Title IV-E of the Social Security Act. Oregon juvenile courts place youth offenders in the physical custody of the Oregon Youth Authority (OYA). That agency does not use Title IV-E funds.

Recent developments include:

“Reconnecting Families Initiative” links youth with family prior to aging out of the foster care system. Oregon Commission on Children and Families and the Department of Human Services Child Welfare staff have piloted and are continuing to develop this initiative in eight counties (2007).

In 2008, Oregon became a site for the Casey Family Programs Foundation Racial Disparities in Child Welfare Initiative. Following an Executive Order by the Governor, the State DMC Coordinator was appointed to co-lead the work of a Governor’s Task Force on Disproportionality in Child Welfare. The task is to examine overrepresentation of children of color in the Oregon’s child welfare system, and African-American and Native-American children in particular. In Oregon, statewide and county specific data indicate that disparities exist for the children of color in the child welfare system. The task is to examine the disproportionate rates at all decision points, identify contributing factors, and develop strategies to eliminate disparities where found. The goal is to increase accountability and develop a system of care that treats all children and their families with respect, dignity, and equity that they deserve.

In May 2008, JJAC supported and participated in Overrepresentation in Child Welfare Conference organized by the National Council of Juvenile Court Judges.

In March 2008, JJAC members and the State DMC Coordinator participated in the Center for Juvenile Justice Reform and Chapin Hall Center for Children Symposium “The Overrepresentation of Children of Color in America’s Juvenile Justice and Child Welfare Systems.”

6) Collecting and Sharing Juvenile Justice Information

State’s Process: The Juvenile Justice Information System (JJIS) is Oregon’s primary method for providing information about youths in the juvenile system across state, county, and local agencies.

Senate Bill 1, which created the Oregon Youth Authority (OYA) in 1995, stated that the juvenile justice system “shall be open and accountable to the people of Oregon and their elected representatives.” Centralized juvenile justice data can provide accurate and timely information to assist decision makers in making key decisions, such as those relating to program direction and the allocation of resources to areas that appear to have the greatest effect on reducing juvenile crime. A centralized system, such as JJIS, also provides access, for authorized users, to individual youth records which are important for informed and

coordinated decisions affecting custody, diversion, and service/treatment planning. Oregon's JJIS has centrally tracked and provided information about youths in the juvenile justice system across state, county and local agencies since 1999. The OYA uses JJIS data to produce annual reports, for the state and each of the 36 counties, on detention, referrals, dispositions, recidivism, and restitution/community service. The reports are available on this website: http://www.oregon.gov/OYA/jjis_data_eval_rpts.shtml

In addition to the published reports, JJIS users have access to more than 250 special reports that they can customize for their particular needs.

Data from JJIS reports is incorporated in Oregon's three-year plan and annual updates in three ways:

- Demographic, referral, and offense data for the analysis of juvenile crime problems and juvenile justice system needs
- Detention data for compliance monitoring, and
- Detailed data about race and ethnicity of youth at all decision points (except arrest) for the identification and analysis of disproportionate minority contact.

Barriers: The JJIS system does not collect data about the following:

- Juvenile arrests.
- Education services provided to incarcerated juveniles through the state's Youth Corrections Education Program.

7. Statement of Problems/Program Narrative

Program Descriptions

1. Planning and Administration

Standard Program Area: 23

Program Problem Statement: Planning and administration of the Formula Grant program is carried out by the staff of the Oregon Commission on Children and Families in consultation with the Juvenile Justice Advisory Committee (JJAC), the state advisory group; the Juvenile Crime Prevention Advisory Committee (JCPAC).

Program goals: To improve the juvenile justice system through statewide coordinated and collaborative planning. To ensure that Oregon and its jurisdictions comply with the provisions of the Juvenile Justice and Delinquency Prevention Act (JJDP) Act of 2002.

Program objectives: State staff and advisory committee members are actively involved with state and local partners to ensure appropriate, efficient and effective services for at-risk youth. JJAC is actively engaged in becoming a recognized resource for information about juvenile justice issues and best practices. The state will use

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Formula Grant funds to complement and enhance Oregon’s Juvenile Crime Prevention (JCP) program.

Activities and services planned: Staff and the JJAC will work to improve the juvenile justice system through supporting programming at the local and state levels; ensuring that issues such as disproportionate minority contact are addressed; specifically working with tribes to serve tribal youth in their community; and monitoring for compliance with federal requirements for youth custody.

Output Measures: Mandatory measure – (1) Formula grant funds used for planning and administration and (7) # of subgrants awarded.

Outcome Measures:

Mandatory measure – (1) Average time from receipt of subgrant application to date of award.

Budget: The state provides a 100% match for planning and administration funds. The amounts shown for FY 2009 are based on assumptions that the state’s total grant allocation will be identical to FY 2008.

Fiscal Year	Formula Grant Funds	State/Local/Private Funds	Total Funds
2009	\$ 60,800	\$ 60,800	\$ 121,600
2010	\$ 60,800	\$ 60,800	\$ 121,600
2011	\$ 60,800	\$ 60,800	\$ 121,600

2. State Advisory Group (SAG) Allocation

Standard Program Area: 31

Program Problem Statement: The Juvenile Justice and Delinquency Prevention Act of 2002 requires states to have a state advisory group of 15 – 33 persons who oversee the Formula Grant program. In Oregon, the group is named the Juvenile Justice Advisory Committee (JJAC).

Program goals: To improve the juvenile justice system through statewide coordinated and collaborative planning. To ensure that Oregon and its jurisdictions comply with the provisions of the Juvenile Justice and Delinquency Prevention Act (JJDP) Act of 2002.

Program objectives: Advisory committee members are actively involved with state and local partners to ensure appropriate, efficient and effective services for at-risk youth. The JJAC is actively engaged in becoming a recognized resource for information about juvenile justice issues and best practices.

Activities and services planned: The JJAC will work to improve the juvenile justice system through supporting system change efforts and programs at the local and state levels, ensuring that issues such as disproportionate minority contact are addressed; specifically working with tribes to serve tribal youth in their community; and monitoring for compliance with federal requirements for youth custody.

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Output Measures: Mandatory measures – (1) Number of SAG committee meetings held, (2) Number of SAG subcommittee meetings held, (3) Annual report submitted to the Governor, (4) Number of grants funded with Formula Grants funds, and (5) Number and percent of programs using evidence-based models.

Outcome Measures: Mandatory measure – (1) Number and percent of plan recommendations implemented.

Budget: The amount shown for FY 2009 is based on the assumption that the federally allowed amount for SAG use will be identical to FY 2008.

Fiscal Year	Formula Grant Funds	State/Local/Private Funds	Total Funds
2009	\$ 30,000	\$ 0	\$ 30,000
2010	\$ 30,000	\$ 0	\$ 30,000
2011	\$ 30,000	\$ 0	\$ 30,000

3. Compliance Monitoring

Standard Program Area: 06

Program Problem Statement: The Oregon Commission on Children and Families is responsible for administering the state’s Formula and Title V grants and for monitoring state and local facilities for compliance with federal mandates in the Juvenile Justice and Delinquency Prevention Act of 2002. The state must submit Annual reports to the federal Office of Juvenile Justice and Delinquency Prevention.

Program goals: The state will use Formula Grant funds to ensure compliance with the federal core requirements and monitoring requirements. This is fully described in the compliance monitoring section of this plan.

Program objectives:

Objective 1: All public and private facilities that hold juveniles securely do so in compliance with the requirements of the JJDP Act of 2002.

Objective 2: Facility operators receive appropriate and timely technical assistance to help them comply with the JJDP Act of 2002.

Activities and services planned: Oregon uses Formula Grant funds for part-time permanent staff to collect, verify (on site), analyze, and report statistically valid data; to advise the JJAC about needed improvements in the state’s monitoring system; and to present training and technical assistance to local law enforcement personnel, county juvenile departments and others on the federal requirements. Oregon also contracts for assistance in preparing the annual report.

Output Measures: Mandatory measure – (4) Funds allocated adhere to Section 223 (a) (14) of the JJDP Act of 2002; (1) Number of MOU’s developed; (6) Number of activities

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that address compliance with Section 223(a) (14) of the JJDP Act of 2002; and (3) Number of hours of program staff training provided.

Outcome Measures: Mandatory measure – (1) Submission of complete Annual Monitoring Report to OJJDP.

Budget: The amount shown for FY 2009 is based on the assumption that the federally allowed amount for SAG use will be identical to FY 2008.

Fiscal Year	Formula Grant Funds	State/Local/Private Funds	Total Funds
2009	\$ 50,000	\$ 0	\$ 50,000
2010	\$ 50,000	\$ 0	\$ 50,000
2011	\$ 50,000	\$ 0	\$ 50,000

4. First Nations Program - Native American

Standard Program Area: 22

Program Problem Statement: This program area is Oregon’s alternative to the federally required “pass-through” of Formula Grant funds to Indian tribes. There are nine federally recognized tribes in Oregon. About 65 percent of the state’s Indian population lives in urban areas compared to 35 percent who reside on or near reservations. These tribes existed prior to the formation of the United States of America and retain a unique legal status. The importance of recognizing the relationship that exists between the tribes and state government cannot be understated. The OJJDP calculation of the FY 2007 pass-through amount is \$1,976 total for all nine tribes in Oregon. As in previous 3-year grant cycles, the tribes in Oregon supported an alternative to the distribution of the very small amount of pass-through Formula Grant funds to individual tribes.

Program goals: Promote tribal capacity to invest in youth juvenile delinquency prevention activities, and educate non-tribal persons and entities about the needs of Native American youth.

Program objectives: Coordinate tribal juvenile crime prevention efforts with county comprehensive plans and state juvenile crime prevention activities. Assist tribes to obtain discretionary grants and other resources for tribal youth and family support programs.

Activities and services planned: Instead of a pass-through, Oregon has budgeted \$46,000 per year from state Formula Grants to support a Native American Liaison between the tribes and the state’s juvenile crime prevention programs. In addition to the liaison position, Oregon has includes tribes with the entities eligible to apply for Formula Grant funds during annual competitions. Tribes are also eligible to apply for funding directly from the federal agency under the Tribal Youth Program. The Native American Liaison provides assistance to tribes in preparing applications.

Output Measures: Mandatory measure – (9) Number of program youth served.

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Outcome Measures: Mandatory measures – (4) Number and percent of program youth completing program requirements. The mandatory measures for intervention and prevention programs are not selected because this is a systems development activity.

Budget: The amount shown for FY 2009 is based on the assumption that the state’s total grant allocation will be identical to FY 2008.

Fiscal Year	Formula Grant Funds	State/Local/Private Funds	Total Funds
2009	\$ 57,590	\$ 0	\$ 57,590
2010	\$ 57,590	\$ 0	\$ 57,590
2011	\$ 57,590	\$ 0	\$ 57,590

5. Disproportionate Minority Contact (DMC)

Standard Program Area: 10

Problem Statement: Minority youth are overrepresented in Oregon’s juvenile justice system. The extent of over-representation varies by jurisdiction, minority/ethnic group and the stages of the system. Information from the Juvenile Justice Information System and Law Enforcement Data System indicate that African American youth, in particular, are represented in the juvenile justice system at percentage levels greater than their proportion of the total juvenile population. No simple explanation exists for the over-representation. It is a systemic problem resulting from many interdependent decisions, services and treatments.

Program goals: Increase statewide capacity to understand the extent to which youth of color are involved the juvenile justice system and meet the needs of minorities who are at high risk of involvement, or of continuing to be involved, in the juvenile justice system. This is fully described in the DMC section of this three-year plan.

Program objectives: Fund projects and programs that increase system capacity by helping county juvenile departments, the courts, the schools and other local partners identify potential disproportionate minority contact, analyze the reasons for the over-representation, and develop, fund, implement, and evaluate strategies for intervention to reduce the number of minority youth who are incarcerated for delinquency and who are recommitted for delinquent acts.

Activities and services planned: For FY 2009, Oregon’s focus will continue to be on system improvement activities to help state and local partners to use the OJJDP Relative Rate Indicator data and other statistics to identify decision points where there may be over-representation. The state will use grant funds for a DMC coordinator to assist the SAG and its DMC Subcommittee by providing data analysis, specialized research services and technical assistance for state and local agencies. The primary focus of the SAG is on DMC in the following counties: Clackamas, Malheur, Marion, Multnomah, and Washington. Access to technical assistance is open to all counties.

Grant funds will also support presentations on what works in addressing DMC at the annual Governor’s Summit on Eliminating DMC the Juvenile Justice System and other

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statewide and regional conferences. Other planned activities are included in the 2009-2011 DMC Reduction Plan.

Performance Measures:

Output Measures:

Mandatory measures – (2) Number of programs implemented and (8) Number of program youth served.

Additional measures – (11) Number of planning activities conducted, (12) Number of assessment studies conducted; and (15) Number of program/agency policies or procedures created, amended, or rescinded.

Outcome Measures:

Mandatory measures – (4) Number and percent of program youth who offend or reoffend; (6) Number and percent of program youth completing program requirements; (11) Number of contributing factors determined from assessment studies; (13) Number of contact points reporting reduction in disproportionality at the local level; and (14) Number and percent of recommendations from assessment studies implemented.

Budget

The amount shown for FY 2009 is based on the assumption that the state's total grant allocation will be identical to FY 2008 without penalties.

Budget

The amount shown for FY 2009 is based on the assumption that the state's total grant allocation will be identical to FY 2008 without penalties.

Fiscal Year	Formula Grant Funds	State/Local/Private Funds	Total Funds
2009	\$ 409,610	\$ 0	\$ 409,610
2010	\$ 409,610	\$ 0	\$ 409,610
2011	\$ 409,610	\$ 0	\$ 409,610

8. Subgrant Award Assurances

Subaward Selection

The State of Oregon will incorporate the following into its selection process for subgrants funded by FY 2008 Formula Grant funds:

1. Communities will be encouraged to reference OJJDP's Model Program Guide and Database, as well as DMC websites to explore existing evidence based juvenile justice strategies that will fit their needs and enhance their likelihood for success.
2. Priority will be given to evidence based practices per Section 223(a)(21)(A) and (B) of the JJDP Act. Formula grant projects must comply with the definition of evidence based practice as adopted by the

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OCCF and satisfy the requirement under one or more of the following approaches: evidence based program with cultural adaptation, evidence based practice that is culturally appropriate and gender specific, evidence based management, and practice based evidence.

3. Eligibility for continuation funding per Section 223(a)(21)(C) of the JJDP Act will be supported by the Oregon's policy to provide a maximum of three subgrants for a single project. Applications for continuation funds must describe solid outcomes and progress in the first year(s) of funding. Continuation applicants must also describe how the requested funds will be used to build on strengths and address weaknesses identified in the prior project.

Geographic Information

Oregon will assist the federal Office of Justice Programs with the development of geographic information system (GIS) strategic planning capacity by providing geographic information to the OJJDP for each subgrant. This information will include a physical address and a map and street description for the locations where the state's subgrantees provide Formula Grant-funded services. The Oregon Commission on Children and Families will compile and submit the information upon receipt of instructions from the Office of Justice Programs.

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9. Oregon Juvenile Justice Advisory Committee (JJAC)

STATE ADVISORY GROUP - March 2009

Name	Represents	F/T Govt.	Youth Member	Date of Appointment	Residence
Jay Dixon, Acting Chair	A	X		01/2006	Corvallis
Jim Brougham	B-4	X		04/005	La Grande
Rodney Cook	C-7	X		04/2002	Oregon City
Faye Fagel	B-4	X		03/2003	Corvallis
Jacob Love	E		X	07/2005	West Linn
Sean Green	E		X	02/2008	Lake Oswego
Robert Milesneck	D-6			09/2008	Portland
Merri Souther Wyatt, Judge	B-1	X		02/2002	Portland
Elaine Walsh	E			04/2001	Portland
Renee' Hernandez	E		X	03/2009	Salem
Brian Steckler	E			03/2009	Cottage Grove
Johnny Lake	E			03/2009	Eugene
Kelly Dedel	D			03/2009	Portland
Gary Williams	A			03/2009	Cottage Grove
Debra Patterson	B-4			03/2009	Prineville
Debra Hansen	B-4			03/2009	Portland
The JJAC serves as the [] supervisory or [X] advisory board.					

**10. Formula Grants Program Staff
Organization Chart (Appendix 10-A)**

**Staff of the Formula Grants Program
STAFFING**

Name: Barbara Carranza

Title: Juvenile Justice Specialist

FTE: 1.0

Funding Sources: 50% Formula Grant Admin 50% State General Fund

% Time JJDP Programs: 100% Duties: The purpose of this position is to fulfill a federal requirement that every state that accepts funding under Title II (Formula Grant) of the federal Juvenile Justice and Delinquency Prevention Act of 2002 (JJDPA) must have a full-time employee dedicated to assuring that the state complies with JJDPA requirements. The federal term for the position is “Juvenile Justice Specialist.” In Oregon, the specialist functions as the lead staff for several key functions related to the state’s use of federal JJDPA funds including, but not limited to: administration of funding programs, documentation and evaluation of state and local compliance with JJDPA requirements, coordination of effort with the state’s High-risk Juvenile Crime Prevention (JCP) program and local delinquency prevention efforts.

(Temporary Employee during Recruitment)

Title: Grants Monitor

FTE: 0.50

Funding Sources: 50% Formula Grant Admin 50% State General Fund

% Time JJDP Programs: 100%

Duties: This position serves as Grant Monitor for the Juvenile Crime Prevention program.

This position ensures financial accountability reviews, and program performance of funded agencies. Provides technical assistance to county and tribal organizations, and resolves technical issues. Monitors the Juvenile Crime Prevention database and provides technical assistance to users. Develops and issues monthly monitoring and management reports for internal use.

The grant monitor is responsible for state and federal juvenile crime prevention program monitoring activities that include ensuring compliance with program regulations and contract requirements; monitoring reports to ensure that they are timely and complete; conducts onsite review of program operations for compliance with and adherence to program and contract standards.

Name: Anya Sekino

Title: State DMC Coordinator

FTE: 1.0

Funding Sources: 100% Formula Grant DMC

% Time JJDP Programs 100% Duties: The purpose of this position is to fulfill a federal requirement that every state that accepts funding under Title II (Formula Grant) of the federal Juvenile Justice and Delinquency Prevention Act of 2002

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(JJDP) to address disproportionate minority youth involvement and confinement in the juvenile justice system and to ensure State's compliance with the Disproportionate Minority Contact (DMC) core requirement of the JJDP Act of 1974, as amended. In Oregon, the State DMC Coordinator leads the State's efforts to reduce and eliminate disproportional representation of minority children, youth and families across all social services systems. The State DMC Coordinator is responsible for the development and implementation of state-level policies to ensure equal access and meaningful participation in state-funded prevention activities for all racial, ethnic, gender, sexual orientation and other diverse populations.

The State DMC Coordinator serves as a primary staff person to the DMC Subcommittee of Juvenile Justice Advisory Committee (JJAC). State DMC Coordinator is primarily responsible for collecting information from several data systems and sources and analyzing it under the federal protocol for comparing jurisdictions using relative rate index. It requires understanding various local systems and how they collect data on racial and ethnic minorities. Takes lead responsibility in directing OCCF and state advisory committees on evaluating what the state and communities are, and should be doing to meet the federal DMC core protection and to design strategies and activities to reduce the over-representation of minority youth in the state's juvenile justice system.

State DMC Coordinator is primarily responsible for development and implementation of the State's three-year DMC reduction plan and its annual updates required as required by the Office of Juvenile Justice and Delinquency Prevention application for federal funding. This work includes establishing priorities based on juvenile justice data analysis, strategies to reduce DMC on state and local level, and funding development. The State plan includes statewide planning and implementation of the DMC reduction strategies on cross-systems policy and service program levels. The State DMC Coordinator directs this statewide project by establishing funding eligibility, developing program standards, overseeing grant selection, and monitoring the funded programs' performance and outcomes.

Name: Holly Russell

Title: Compliance Specialist

FTE: 0.50

**Funding Sources: 100% Federal Formula Grant-Compliance Monitoring
% Time JJDP Programs 100%**

Duties: The primary purpose of this position is to fulfill a federal requirement that every state that accepts federal funding for juvenile justice and delinquency prevention programs ensures that facilities within the state that securely hold juveniles under public authority do so in compliance with the Juvenile Justice and Delinquency Prevention Act of 2002. The focus of this position is on the JJDP requirements in Section 223 (a) (11) deinstitutionalization of status offenders (DSO); Section 223 (a) (12) sight and sound separation of juveniles

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from adult inmates (separation); and Section 223 (a) (13) removal of juveniles from adult jails and lockups (jail removal). In Oregon, the Compliance Monitor is responsible for inspecting facilities within the established monitoring universe, providing training and technical assistance to agencies regarding the JJDP Act, including the Valid Court Order and Rural Exception processes, collecting data from secure and non-secure facilities, working collaboratively with a contractor to complete the annual OJJDP report, and serving as a resource for information regarding the Act to the Juvenile Justice Advisory.

Jessie Ickes

Title: Juvenile Crime Prevention - Tribal Planning Coordinator

FTE: 0.50

Funding Sources: 100% Formula Grant Tribal Pass Through

%Time JJDP Programs: 100%

Duties: The purpose of this position is to provide technical assistance and guidance to the nine federally recognized tribes in Oregon as they develop and implement plans to prevent juvenile crime and improve access to juvenile services. A function of this position is to build and maintain a strong and healthy working relationship between the agency and the tribes.

Planning: Work with tribal social services and prevention staff to:

- Strengthen planning and service connections between the tribes and surrounding counties;
- Develop plans to provide services to meet the strengths and needs of Native-American youth ages 10-17, who are at-risk of entering or becoming further involved in the juvenile justice system;
- Assist in building capacity and streamlining state, county and tribal processes and requirements to increase staff focus and resources on delivering services to youth and families;
- Assist the state with streamlining planning, applications and reporting processes required of tribes;
- Identify strategies to address implementation of culturally appropriate Evidence-Based Practices that may include: Evidence-Based Programs with Cultural Adaptation, Evidence-Based Practices, Evidence-Based Management and Practice-Based Evidence.

Plan Implementation: Work with tribal social services and prevention staff to:

- Promote policies and procedures that are appropriate for tribal youth and families;
- To access juvenile justice programs and systems for tribal youth with delinquency and dependency issues;
- Assist tribes with completing Juvenile Crime Prevention (JCP) reports;
- Measure performance and evaluate methodologies which are culturally appropriate;

Work in conjunction with OCCF's Resource Developer in assisting tribes in obtaining grants and other resources for youth and family support programs.

Title: Regional Coordinator – JCP Specialist

FTE: 1.0

Funding Sources: 100% State General Fund

JJDP Programs: 20% Duties: The purpose of the Juvenile Crime Prevention Program is to reduce and prevent juvenile crime in the state of Oregon. The purpose of the position includes providing direction development, maintenance, oversight and management of Juvenile Crime Prevention partnerships with state, county, community based organizations, and nine Native American tribes in the state of Oregon. This position serves as staff for the 26 member Juvenile Crime Prevention Advisory Committee (JCPAC) responsible for identifying and framing Juvenile Crime Policy issues, finding solutions to resolve the issues, and identifying resources to implement the solutions. **Duties:** The purpose of the Juvenile Crime Prevention Program is to reduce and prevent juvenile crime in the state of Oregon. The purpose of the position includes providing direction, development, maintenance, oversight and management of Juvenile Crime Prevention partnerships with state, county, community based organizations, and nine Native American tribes in the state of Oregon. Under auspices of the Oregon Commission on Children and Families, this position serves as the principal staff for the 26 member Juvenile Crime Prevention Advisory Committee (JCPAC) responsible for identifying and framing Juvenile Crime Policy issues, finding solutions to resolve the issues, and identifying resources to implement the solutions.

Name: Sandra Flickinger

Title: Grants Monitor

FTE: 1.0

Funding Sources: 100% State General Fund

% Time JJDP Programs: 20%

Duties: Monitor, maintain and account for all federal grants received by the State Commission on Children and Families; Administer and maintain a variety of personnel duties and processes; and Act as the agency's Procurement Specialist. The position functions within the program by providing technical expertise in the area of grants, personnel and procurement. Additionally, this position acts as lead accountant in preparation of the Statewide Financial Report (SFR). Monitors, maintains and accounts for all grants received by the Commission. This involves interpreting and understanding federal rules and regulations on the use of funds, communicating and preparing sub-recipient grants, monitoring expenditure of these funds and making requests for reimbursements. Completes required federal reports, prepares yearly schedule of federal financial assistance (SEFA); communicates with independent auditors of sub-recipients; and interprets, analyzes, and provides technical assistance on all federal rules and regulations. Completing required reporting, reconciliations, and funds requests from pass-through agencies, maintaining contact with agency partners.

State of Oregon – 2009 Formula Grant Application

The Grant Monitor is responsible for developing, analyzing, monitoring and evaluating contracts and contract files to ensure that contracts are legally managed and technically sufficient. The grant monitor develops and monitors grants and contracts to county and tribal organizations for the purpose of implementing each organization's juvenile crime prevention plan. The grant monitor reviews and monitors the activities carried out through grants, contracts and agreements. The types of contracts include but are not limited to professional services, intergovernmental, interagency and interstate. The person in this position is responsible for preparing and administering Request for Proposals (RFP's) and other solicitation documents (Requests for Qualifications, Requests for Applications, Requests for Information, etc.) to obtain services for the agency consistent with the agency mission and values. Ensures that OCCF contracts comply with all statutory and legal regulations; OCCF policies, program guidelines; federal law; administrative rule; Department of Administrative Services (DAS) contracting rules; Department of Justice model rules and other established criteria.

Organizational Chart

See Next Page

Other Programs Administered by the Oregon Commission on Children and Families

The agency administers the following programs and initiatives:

- Healthy Start – a voluntary home visitation/family support program offering services to new families during the prenatal period or at the time of birth.
- Court Appointed Special Advocates (CASA) – funds a coordinator in each county to manage cases of children referred by the judges.
- Positive Youth Development – 100% federally funded program providing opportunities for state and community partners to develop and support effective youth development strategies and policies.
- Homeless and Runaway Youth Initiative
- Reconnecting Families Initiative
- Relief Nurseries – a system of comprehensive family services for low income families.
- Basic Capacity – funding for local Commissions on Children and Families’ to develop and implement county comprehensive plans.
- Great Start – state funding for communities to implement research-based, best practice programs and stimulate local investments in ensuring that the state’s youngest children reach the first grade ready to learn.
- Children, Youth and Families Grants – state funding for communities to implement research-based systems, programs, or initiatives identified as priorities in local comprehensive plans.
- Childcare and Development Block Grant – federal funds passed through to communities to increase and stabilize the supply and quality of childcare for low income working parents.
- Youth Investment – federal Title XX funds to community prevention and intervention services targeted to at-risk, non-delinquent youth who are chronically acting out or are victims of neglect.
- Safe and Stable Families Act (Family Preservation and Support) – federal funds for communities to expand family support and family preservation services and stimulate systemic reform.
- Community Schools Initiative – a partnership with the state education department to initiate and develop standards for community schools.
- Juvenile Crime Prevention (JCP) Program for Oregon counties and tribes – state funds for community grants to target high risk youth, reduce their risk factors to commit offenses and reduce the re-offense rate and seriousness of offenses.