

**WYOMING
DISPROPORTIONATE MINORITY CONTACT**

2008 PLAN PROGRESS / 2009 PLAN UPDATE

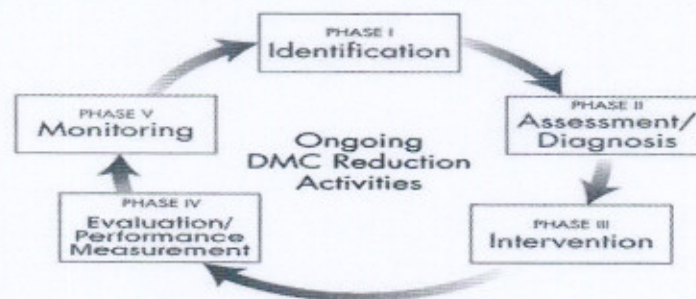
**PREPARED FOR THE
STATE ADVISORY COUNCIL ON
JUVENILE JUSTICE**

**SUBMITTED BY:
CHARLES KRATZ
February 12, 2009**

Plan for Compliance with the Disproportionate Minority Contact Core Requirement

Pursuant to section 223(a)(22) of the JJDP Act of 2002, states and territories must address specific delinquency prevention and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile numbers of minority groups who come into contact with the juvenile justice system. Disproportionate minority contact (DMC) exists if the rate of contact with the juvenile justice system of a specific minority group is significantly different than the rate of contact for non-Hispanic whites or for other minority groups. The method that OJJDP has selected to use to determine the extent of DMC is the Relative Rate Index (RRI). This method involves comparing the relative rate of activity for each major stage of the juvenile justice system for minority and white youth. This method provides a single index number that indicates the extent to which the rate of a particular contact or activity differs for minority and white youth. By using rates of activity to reflect the relative volume of activity, this process provides a means to take into account the relative size of the minority and white populations and the relative amount of activity in each stage of the juvenile justice system. It should be noted that this method does not calculate the odds of particular types of contact, since one is not tracking individual youth across time but rather comparing relative rates of activity within a specific time period. That relative rate may be created by the rapid turnover of a few youth or may be the result of a lower level of involvement of a large number of youth.

The purpose of this core requirement is to ensure equal and fair treatment for every youth (regardless of membership in a minority or majority population group) involved in the juvenile justice system. A state achieves compliance with this core requirement when it meets the following requirements by addressing DMC on an ongoing basis through identification (identify the extent to which DMC exists), assessment (examine and determine the factors that contribute to DMC, if it exists), intervention (develop and implement strategies to reduce DMC), evaluation (evaluate the efficacy of intervention strategies), and monitoring (track changes in DMC trends over time).



Phase I Identification:

This section should summarize the number and characteristics of youth handled at each stage of the process, from arrest through disposition. Applicants must provide a minimum of 3 years of recent data for the areas listed below and the most recent data to the extent possible by county, parish, or city. If the requested data is not available, applicants must describe the problem in obtaining the data and plans to improve collection and reporting efforts, including designated resources for improvement in this area. Applicants should view the data reporting requirements below as the minimum needed for this section of the juvenile crime analysis. They should expand the information within the recommended categories 1–4 below if relevant to analyzing current juvenile crime problems and juvenile justice needs. (1) Juvenile arrests by offense type, gender, age, and race. (2) Number and characteristics (by offense type, gender, race, and age) of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense. (3) Number of cases handled informally (nonpetitioned) and formally (petitioned) by gender, race, and type of disposition (e.g., diversion, probation, commitment, residential treatment). (4) Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups (if applicable). (5) Other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming. *2009 OJJDP Title II Formula Grant

Problem/Needs statement

The ability to determine whether Disproportionate Minority Contact occurs in Wyoming jurisdictions is greatly handicapped by the lack of centralized, consistent and routine reporting of juvenile justice data. There is no central repository of complete juvenile justice data. The only juvenile justice contact point that is reported statewide across jurisdictions and can be analyzed in terms of DMC is juvenile detention. This is through the juvenile detention compliance monitoring and reporting of the WCCA non-participating states juvenile justice project.

Characteristically of the Wyoming juvenile justice system, data collection is conducted in a piece meal fashion. There are literally a hundred or more agencies collecting juvenile data, and none of them are consistent in terms of the type of data collected, which juvenile contact points in the system are collected, where the data is reported, and the time the data is held before being deleted. Often there are agencies and entities collecting juvenile justice data within a political boundary (e.g. county), but the data each agency collects is confined by jurisdictions within the county and the type of data can vary from agency to agency.

Who is responsible for reporting juvenile justice data?

The Division of Criminal Investigation:

The Juvenile Justice Information System is the responsibility of the Division of Criminal Investigation under W.S. 7-19-501. W.S. 7-19-501-505; Article 5, Juvenile Justice Information System, the Division of Criminal Investigation within the Office of the Attorney General shall create and maintain a database for a juvenile justice information system as provided in this act. This pertains only to juveniles' who are adjudicated delinquent under Title 14 for a "qualifying offense" which is defined as; "Qualifying offense"; "means conduct that, if committed by an adult, would constitute a felony under the provisions of W.S. 6-1-104(a)(xii) or 35-7-1031 or under similar federal law".

"The division (DCI) shall promulgate reasonable rules and regulations necessary to carry out the provision of this act. The division (DCI) shall annually report by March 1 to the joint judiciary interim committee on the numbers of entries and usage of the database". This information is not currently collected or reported.

The Division of Criminal Investigation is responsible for the Uniform Crime Report which is published annually, and contains juvenile arrest, type of crime, sex, and is listed by law enforcement jurisdiction throughout the State. This statewide report is lacking because it does not produce juvenile arrests by racial category and there is no way to track the arrest data that is available beyond the sole contact point of "arrest."

The Department of Family Services:

The Department of Family Services is responsible for District Juvenile Court adjudications, which comprise approximately 15% of juvenile arrests statewide. DFS maintains a database on all these clients. For instance, DFS is able to provide the number of cases filed as delinquency petitions and the number of placements by county in each Judicial District. The problem is this database pertains to only juveniles placed on probation for a delinquent act, through the District Juvenile Courts of the State. The DFS report thereby ignores the additional 85% - 90% of juvenile cases that are filed throughout Wyoming in Circuit Courts and Municipal Courts.

Law enforcement:

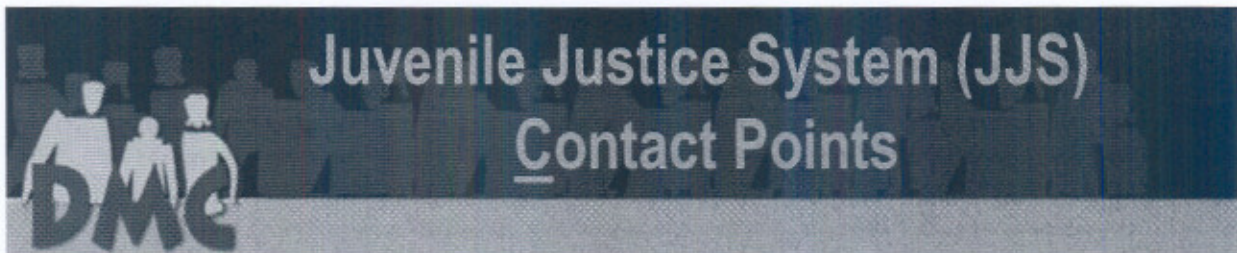
Law enforcement – local police, sheriff's department, state highway patrol collect and report juvenile arrest data to DCI for use in the Uniform Crime Report. Local law enforcement jurisdictions include juvenile arrests, crime, sex, and additionally, most include race in their reports to DCI. DCI on the other hand does not compile racial data even though the FBI would like for this data to be included.

The Courts:

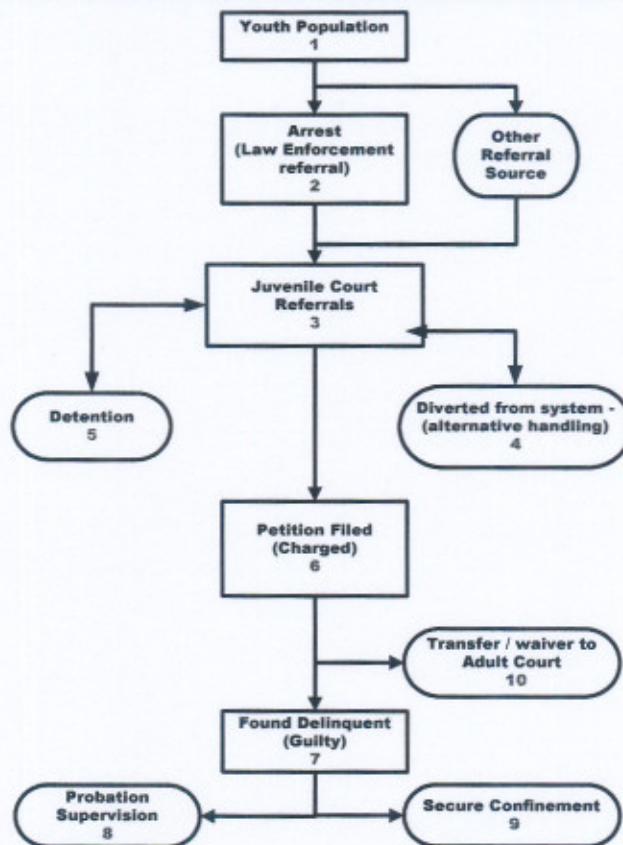
The District Juvenile Court reports caseload information to the state. These records should be captured by the DFS database.

The Circuit Courts which are part of the State Court system, do not distinguish between juvenile defendants and adult defendants, as this jurisdiction considers all defendant's the same. Circuit Courts do not compile separate juvenile aged data.

The Municipal Court is independent and does not have reporting requirements to the State. Municipal Courts individually maintain their own records.



Juvenile Justice System (JJS) Contact Points



- 5) Detention – Yes, statewide data collection and data base; by jurisdiction, race, offense, age, sex, court, referring agency, pre-court or post adjudication. This is the WCCA Juvenile Justice Project. Available from 2007 forward.
- 6) Petition Filed – No, only number of petitions adjudicated.
- 7) Found delinquent – Yes, but for only approximately 15% of total juvenile arrest cases which are filed in the District Juvenile Court. This would not provide a valid contact point for calculating the Relative Rate Index.
- 8) Probation supervision – DFS only reports statewide data, by County in District Juvenile Court. Does this include Campbell and Sweetwater Co. Juvenile Probation? Local jurisdictions may or maynot keep their own data.
- 9) Secure Confinement – DFS: Wyoming Boys' School and Wyoming Girls' School have data.

Recommendations to the State Advisory Council on Juvenile Justice:

1. Develop comprehensive data needs for all juvenile justice OJJDP mandates and juvenile crime analysis.
2. Explore contracting with Assessments.com to assist in developing database for Wyoming based upon our needs. This could be in conjunction with WCCA/VOA juvenile detention; and DFS PACT Assessment; both of which are using Assessments.com for web based juvenile justice data.
3. Consider re-writing of W.S. 7-19-501 Juvenile Justice Information Act.

AGENDA

State Advisory Council on Juvenile Justice
Family Success Center
130 Hobbs Avenue, Cheyenne, WY
February 12-13, 2009

GOALS:

- To facilitate and achieve compliance between the State of Wyoming and the JJDP Act.
- To help participants understand the need for change, and provide them with the tools to promote change, in the juvenile justice system.

Thursday, February 12

- 1:00- 1:30 p.m. **Opening Session**
Donna Sheen, Chair
- Welcome
 - Meeting overview
- 1:30- 2:30 p.m. **WCCA Juvenile Justice Project Team**
Beth Evans
DeAnn Roll
Chuck Kratz
- 2:30- 3:00 p.m. **VOA Update**
Craig Fiskus
Debby Lynch
- 3:00- 3:15 p.m. **Break**
- 3:15- 4:15 p.m. **Detention Standards and Level of Care Continuum Update**
Tony Lewis, Director
- 4:15- 4:45 p.m. **Discussion regarding Pat Arthur correspondence**
Donna Sheen, Chair