



**Indiana's Three-Year  
Delinquency Prevention &  
Systems Improvement  
Plan & Application**

**FY 2013 Update**



## **INDIANA CRIMINAL JUSTICE INSTITUTE**

**101 West Washington Street, Suite 1170 East • Indianapolis, IN 46204**

**317/232-1233 Phone • 317/232-4979 Fax**

**Mary L. Allen, Executive Director**

**Ashley Barnett, Youth Division Director/Juvenile Justice Specialist**

**Mary Wellnitz, Juvenile Justice State Advisory Group Chair**

### **BUILDING SAFE COMMUNITIES**

**Every day in Indiana, individuals struggle to keep themselves and their loved ones free from harm...**

In our neighborhoods, home, communities, workplaces, on the roads and in our schools, safety is one issue that affects us all. When public safety is breached and harm comes to individuals, both victims and perpetrators enter a complex legal framework of agencies, advocates and interests constructed with the hope that *justice will prevail*.

Guided by a Board of Trustees representing all components of Indiana's criminal and juvenile justice systems, the Indiana Criminal Justice Institute serves as the state's planning agency for criminal justice, juvenile justice, traffic safety, and victim services. The Institute develops long-range strategies for the effective administration of Indiana's criminal and juvenile justice systems and administers federal and state funds to carry out these strategies.

### **Improving Juvenile Justice & Promoting Positive Youth Development**

Hoosiers under the age of 18 occupy a special place within the State's justice system. Not yet adults, they are cast into a world which often requires maturity beyond their years. Because Indiana's juvenile offenders and at-risk youth have special needs, problems and concerns, the Institute's Youth Division works to improve the juvenile justice system and support projects that prevent and/or reduce juvenile crime while promoting positive youth development through community collaboration.

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## ***A. System Description: Structure and Function of the Juvenile Justice System- NO CHANGE***

## ***B. Analysis of Juvenile Crime Problems & Juvenile Justice Needs***

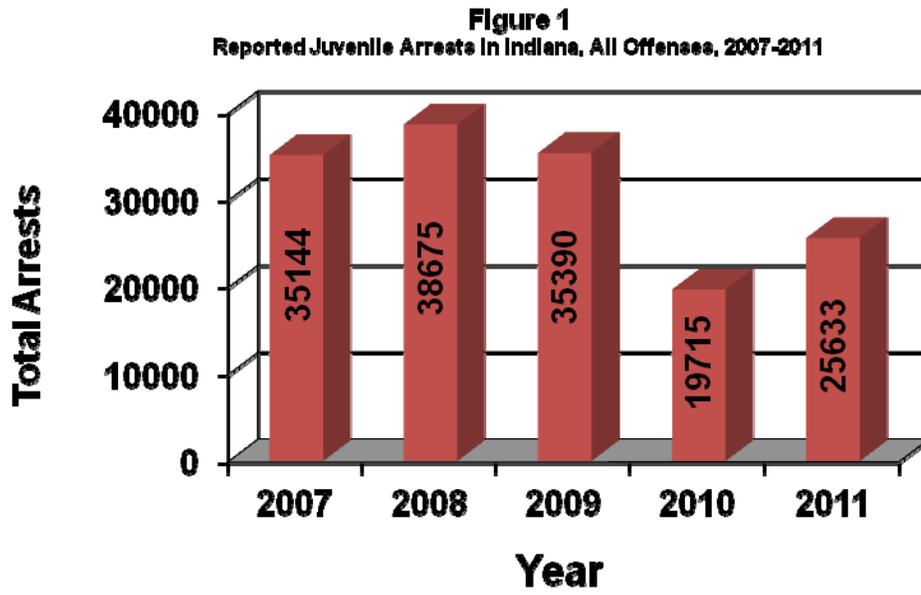
### ***Juvenile Arrests.<sup>1</sup>***

As a whole, law enforcement agencies throughout Indiana reported decrease in the number of juvenile arrests brought to their attention in 2011 when compared to figures reported in 2008 (see Figure 1). This trend was also reflected in reported juvenile arrests for Uniform Crime Report (UCR) Part I property offenses<sup>2</sup> during the same period, going from 8,963 arrests in 2008 to 6,828 arrests in 2011 (see Figure 2). Similar trends are evidenced in juvenile arrests for weapons charges (see Figure 3); buying, receiving, or possessing stolen property (see Figure 4); and the status offenses of curfew (see Figure 6<sup>3</sup>). Figure 5 indicates a decline (though slight) in the number of juvenile arrests for liquor law offenses.

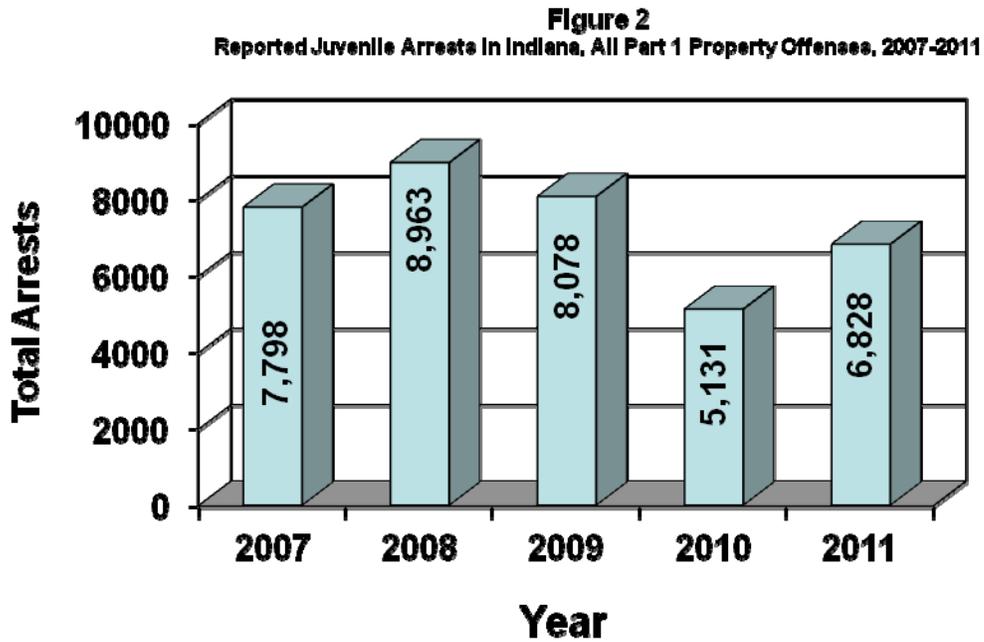
Over the same five-year span, reported juvenile arrests for UCR Part I violent offenses<sup>4</sup> fluctuated between 1,498 arrests in 2008 to 1,187 in 2011 (see Figure 7). Since 2008, the number of reported arrests for drug abuse offenses has remained relatively static, except for a decline in 2010 (see Figure 8); similar trends were seen in the number of other assaults (see Figure 9) and sex offenses other than forcible rape and prostitution (see Figure 10). Juvenile arrests for driving under the influence showed a decline during the same time period (see Figure 11).

The category “larceny theft” was listed as the offense for which the greatest number of juvenile arrests were reported in Indiana (21% of all reported juvenile arrests in 2011), followed by “other assaults” (18% of all reported juvenile arrests in 2011). “All other offenses except traffic violations” (16 % of all reported juvenile arrests in 2011), “drug abuse violations” (9 % of all juvenile arrests) “liquor law violations” (8 % of all juvenile arrests), and “disorderly conduct” (8% of all juvenile arrests) rounded out the top six. (For a breakdown of 2011 reported arrests by percentage of total arrests per category, see Figure 12.)

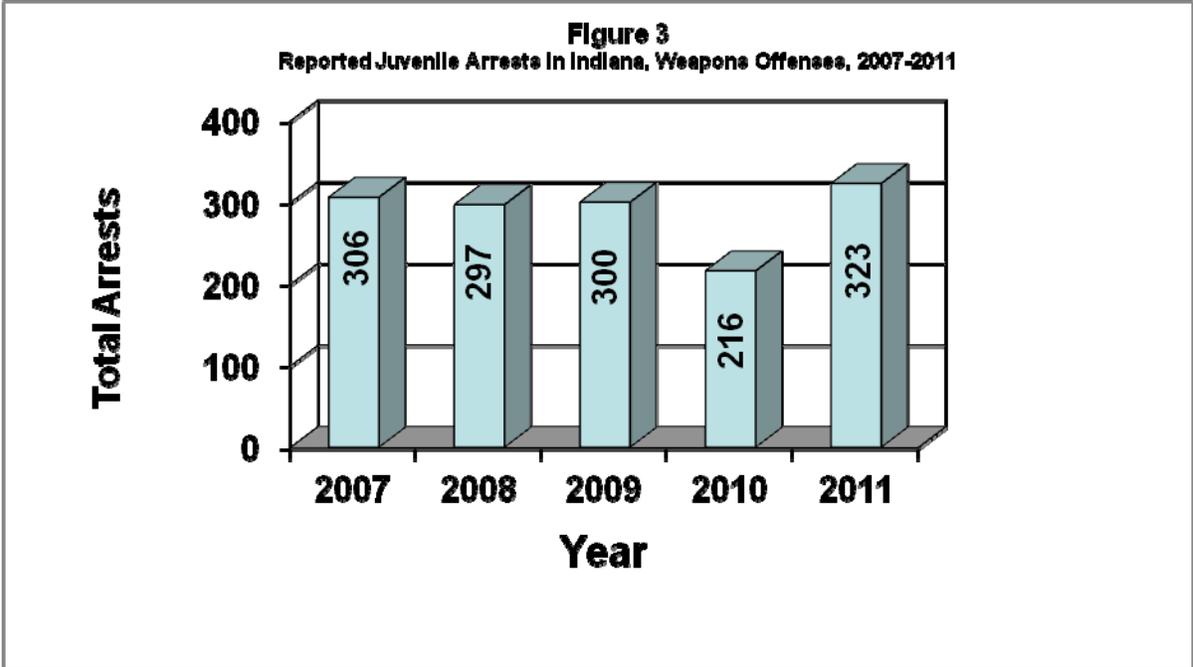
Please note that the information provided was the most detailed information available during the preparation of this report. Data for gender, age, and race was not available to us.



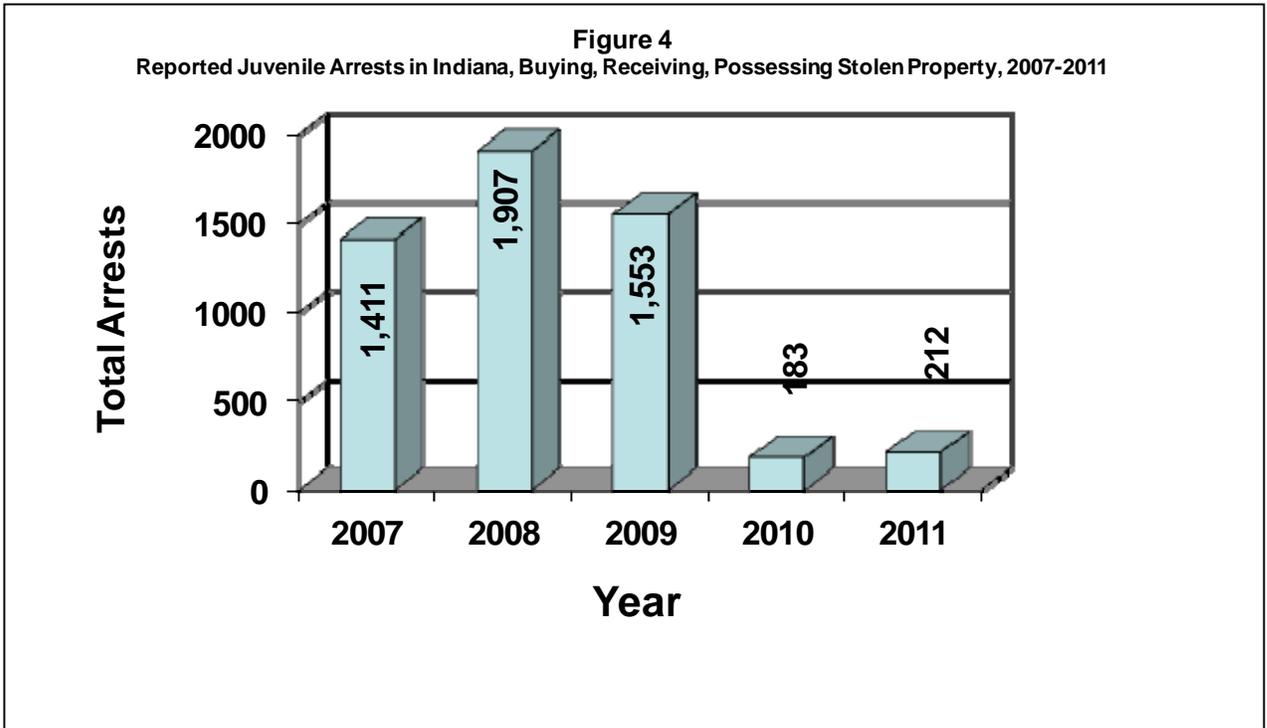
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



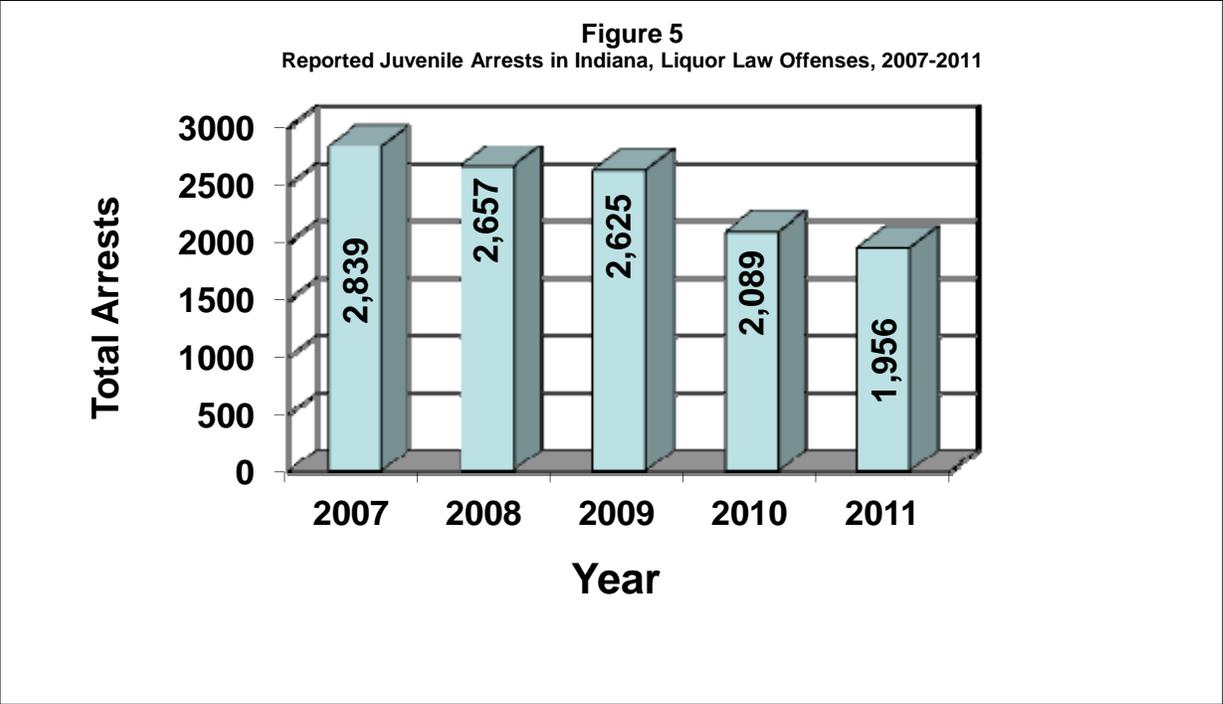
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



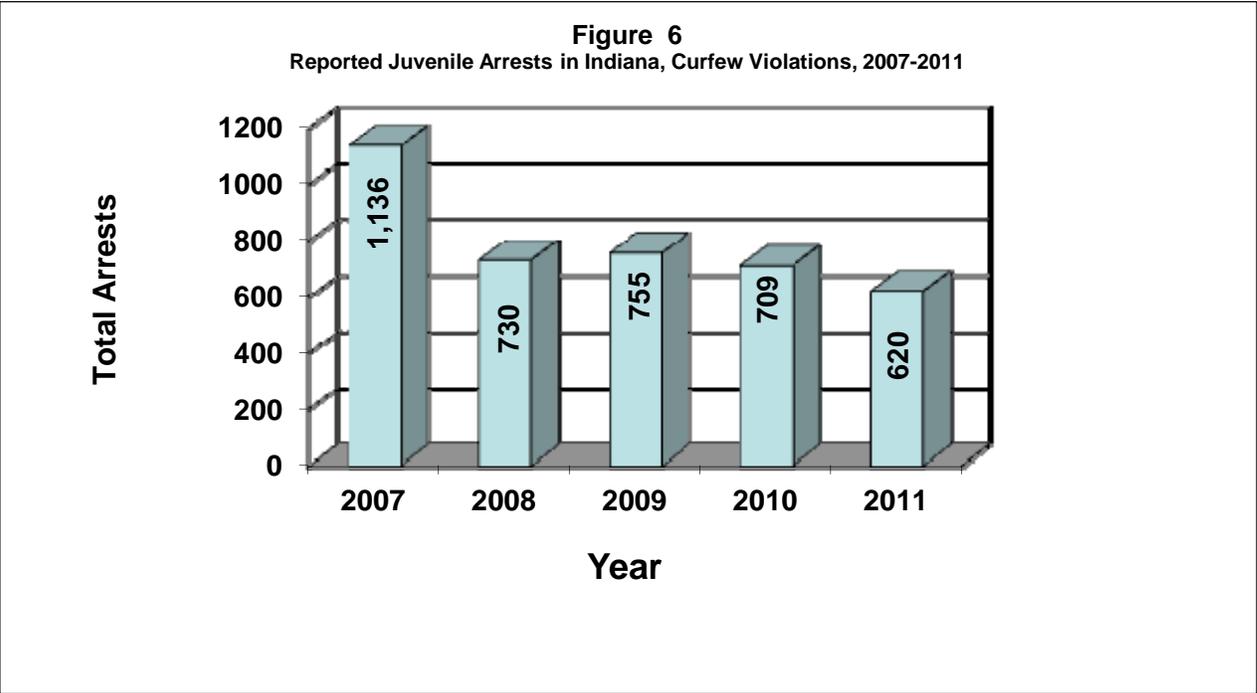
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



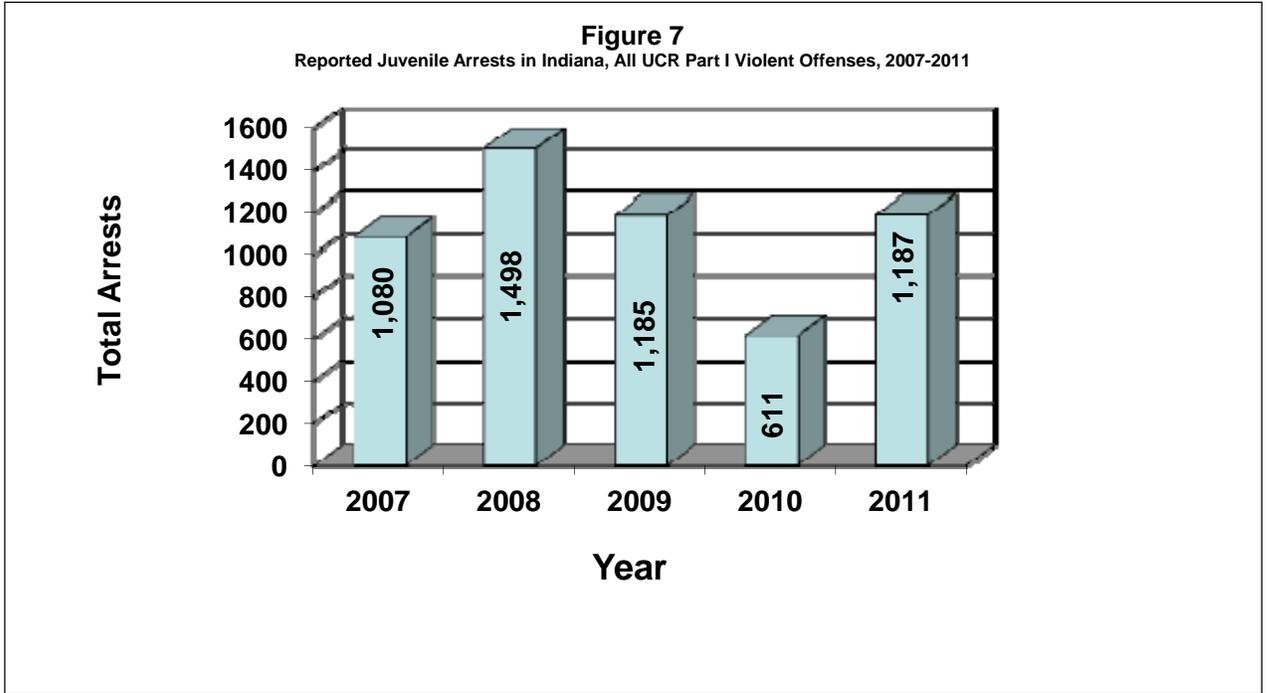
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



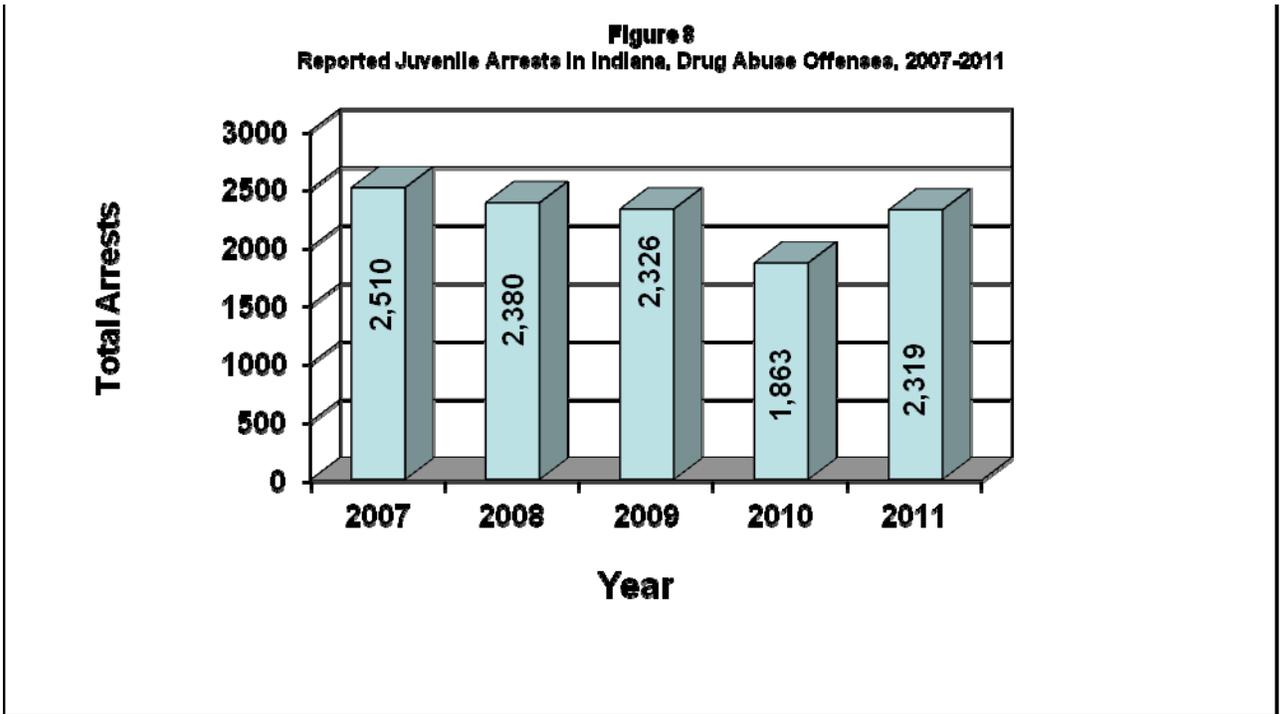
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



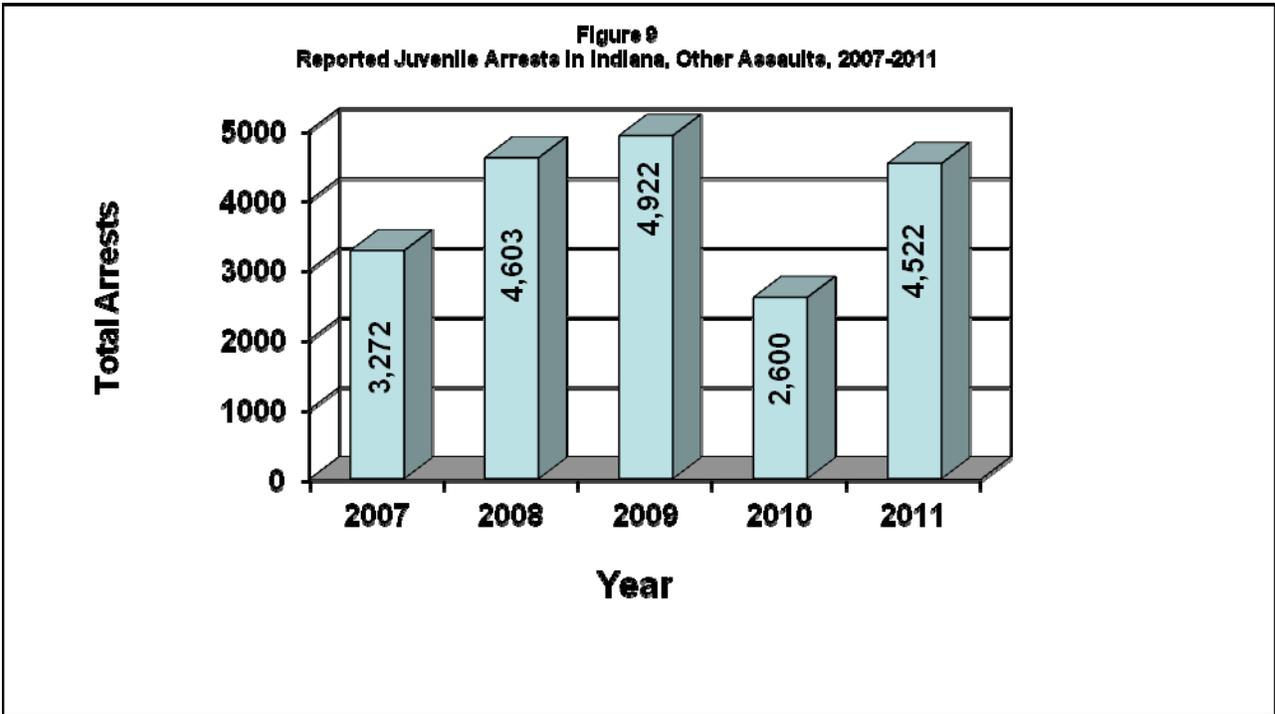
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



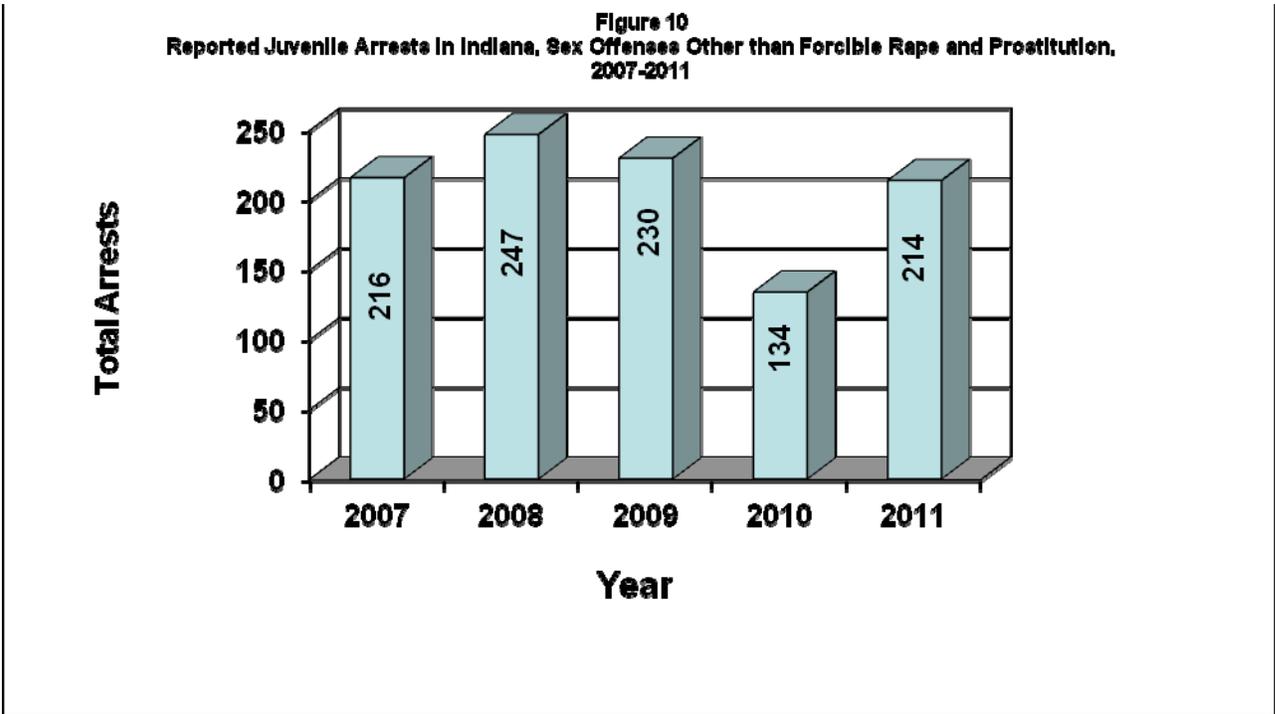
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011

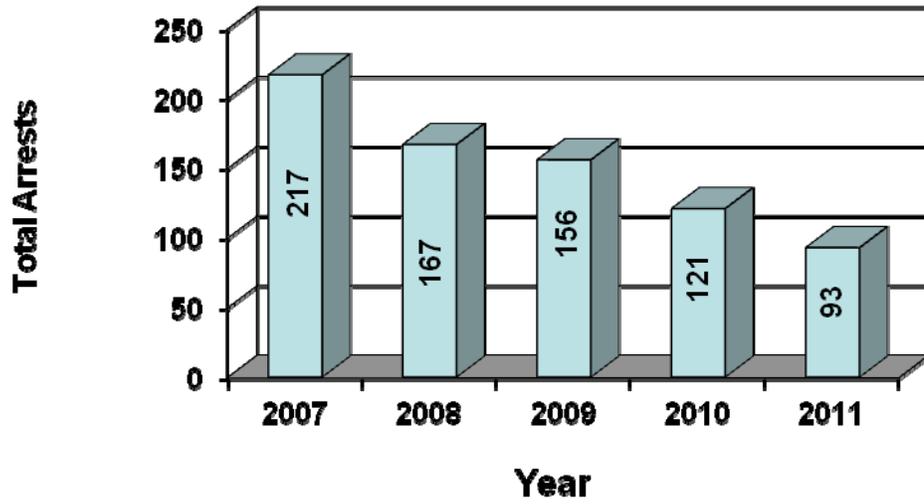


Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011



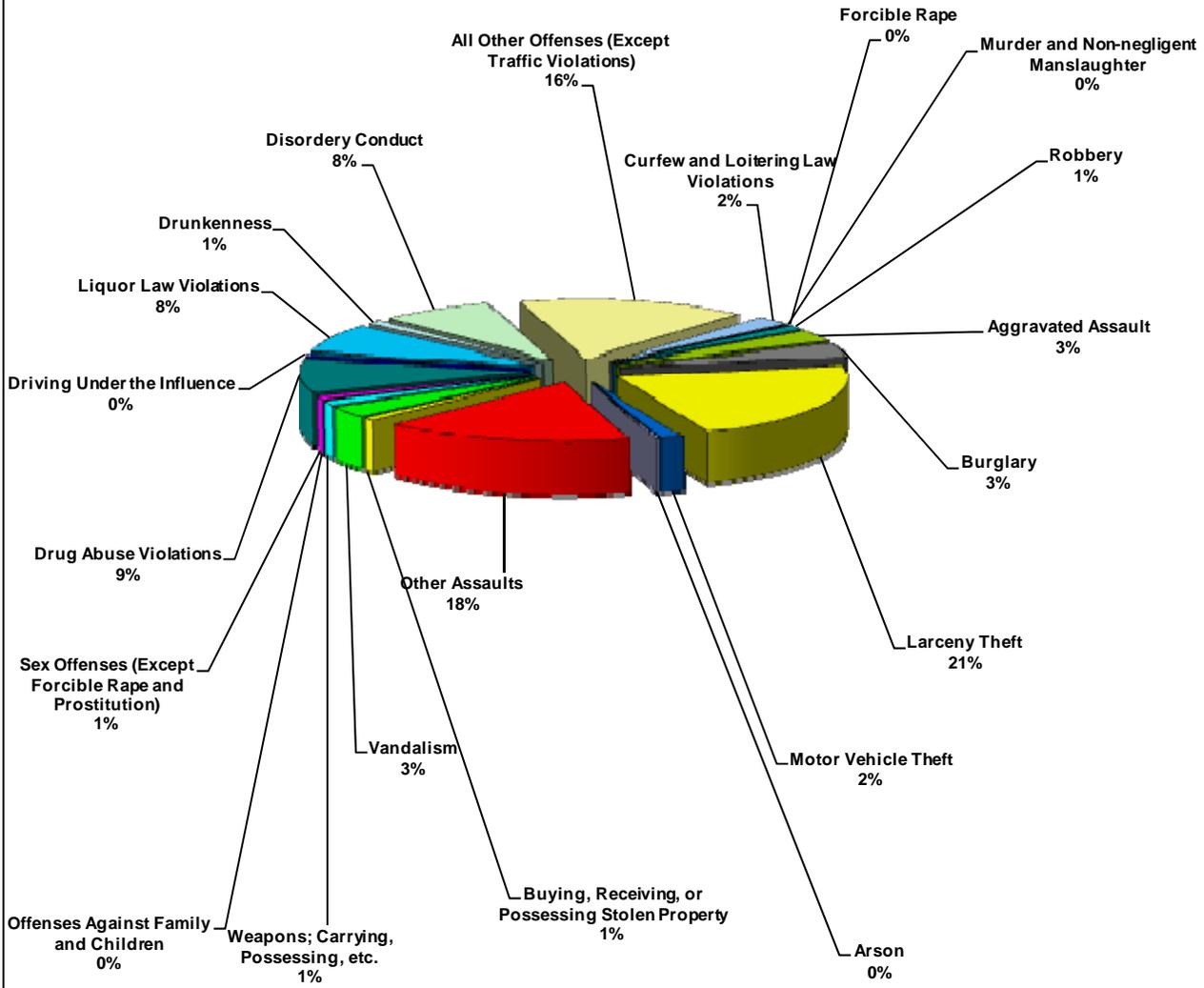
Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011

**Figure 11**  
**Reported Juvenile Arrests in Indiana, Driving Under the Influence, 2007-2011**



Source: Federal Bureau of Investigation Uniform Crime Report, 2007-2011

**Figure 12**  
**UCR Offense Categories by Percentage of Reported Juvenile Arrests in Indiana, 2011**

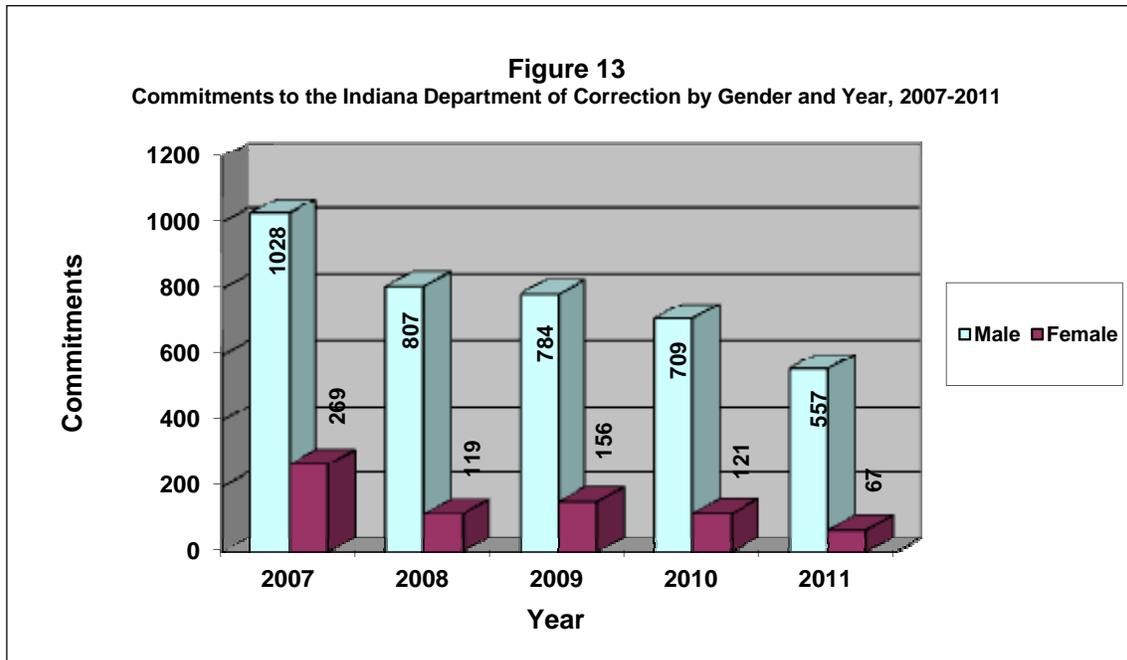


Source: The Federal Bureau of Investigation Uniform Crime Report, 2011

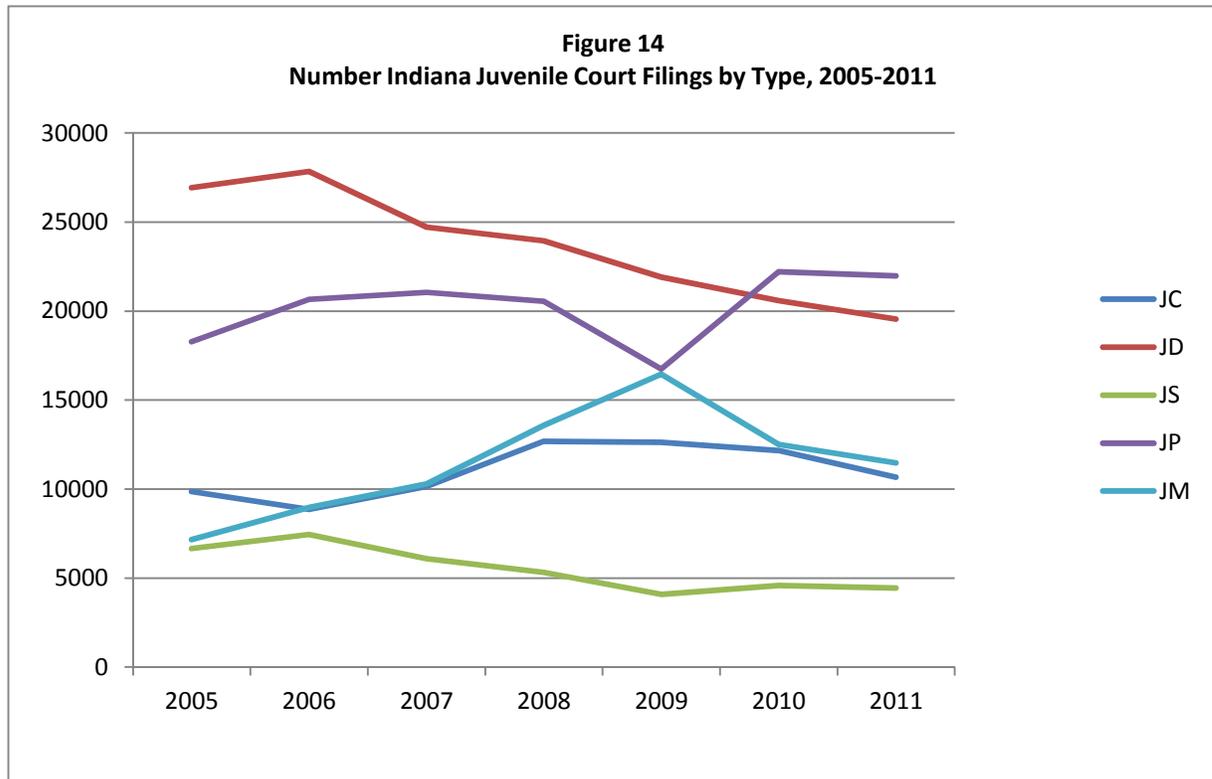
**Reporting**

The number of local law enforcement agencies reporting crime data to the Federal Bureau of Investigation continues to slowly increase. The Indiana Criminal Justice Institute (ICJI) acknowledges the importance of UCR data reporting and all divisions within the agency have identified as a top priority the need for more thorough reporting. A bill has been proposed and is currently going through the legislative process that would require the data division of the Indiana State Police to notify ICJI if a public official or agency dealing with crime and criminals fails to comply with reporting requirement of the Uniform Crime Reporting system. ICJI would then have the authority to withhold certain funds from those entities until they are able to comply with the reporting requirements. If this bill becomes law, Indiana would be one step closer to being able to collect more arrest data.

In 2011, juvenile males represented almost 90% of all youth committed to the Indiana Department of Correction (IDOC).<sup>5</sup> Juvenile male overrepresentation in IDOC commitments can also be found in data for the four years preceding 2011 (see Figure 13).



Source: The Indiana Department of Correction



Source: 2011 Indiana Judicial Services Report

### ***Juvenile Court***

The number of juvenile court filings in circuit, superior, and probate courts varied throughout the State from 2005 to 2011. During this time, delinquency filings decreased, CHINS filings varied but have been slowly decreasing since 2008, status filings decreased, and juvenile miscellaneous filings (filings not fitting into one of the above categories, such as court approval of an informal adjustment) decrease. Pursuant to IC 31-31-10-1, probation departments for the juvenile courts were required by 2000 to maintain information regarding delinquent children and children in need of services who receive *juvenile law services*. The definition of *juvenile law services* was not provided in the statute; thus the Division of State Court Administration, in conjunction with the Juvenile Justice Improvement Committee of the Indiana Judicial Conference of Indiana, developed a definition of *juvenile law services*, which is as follows:

“The filing with a court of a JD (Juvenile Delinquent), JS (Juvenile Status), JC (Juvenile Child in Need of Service or CHINS), or JM (Juvenile Miscellaneous) case as defined pursuant to Administrative Rule 8.<sup>6</sup>

### ***Probation***

Probation departments receive juvenile cases in one of two ways: supervision referrals from the court and direct referrals to the probation department. From 2007 to 2011, the number of juvenile referrals received decreased, from 57,790 in 2007 to 45,138 in 2011. However, during the same time period the number of juvenile supervisions received by Indiana probation departments decreased, going from 23,155 in 2007 to 18,481 in 2011. 38% of juvenile referrals resulted in the formal filing of a petition in 2011, while 16% resulted in a recommendation for a program of informal adjustment. Dismissal was recommended in 16% of 2011 cases; the remaining cases were referred to another agency (5%) or do not fit into any of the aforementioned categories (25.3%).<sup>7</sup>

Supervision types can be divided into three categories: informal, post-judgment, and “other,” which is comprised primarily of transfer acceptances. In 2011, informal supervisions totaled approximately 38% of all supervisions, while post-judgment and “others” represented 55% and 6%, respectively.<sup>8</sup>

Of the 26,462 juvenile probation cases disposed in 2011, 83% were discharged successfully. 7% were closed to other types of supervision, and 4% were modified and committed to a correctional facility. 2% were removed from supervision because of a new offense and 2.5% absconded. The remaining 4% fall into the “other” category.<sup>9</sup>

In 2011, 61% of JD cases involved youth that were Caucasian, 29% of the cases were African-American, 5% of the cases were Hispanic and 4% fell into the category “other.” 72% of JD case referrals were male and 28% were female. The majority of JD case referrals (63%) fell into the 13-17 age range.<sup>10</sup>

In terms of JS case types in 2011, 73% of the cases involved Caucasian youth, 16% involved African-American youth, 5% involved Hispanic youth and 7% fell into the other category. The gender distribution in JS cases was pretty evenly distributed, with males encompassing 53% of JS referrals and females encompassing 47% of JS referrals. As with the JD cases, the majority of JS case referrals (66%) fell into the 13-17 age range.<sup>11</sup>

## **DEMOGRAPHIC and SOCIOECONOMIC TRENDS**

***\*PLEASE NOTE THERE ARE VERY FEW CHANGES TO THIS SECTION, AS MOST OF THE DATA CONTAINED HERE IS THE MOST UP-TO-DATE***

### ***Population Size and Age Distribution***

In 2010, Indiana’s total population was estimated at nearly 6.5 million people,<sup>12</sup> ranking Indiana the 15<sup>th</sup> most populous state in America.<sup>13</sup> Persons under 18 years of age represented 25% of Indiana’s total population in 2010.<sup>14</sup>

### ***Population Diversity***

While Indiana’s population is generally homogeneous, 2010 census data revealed that minority populations are growing, representing approximately 20% of the State’s total population.<sup>15</sup> However, Indiana has continued to experience an increase of internal migration during the past two decades, much of which involves persons of racially and ethnically diverse backgrounds. African-American youth continue to represent approximately 10% of the state’s juvenile population, a figure that has remained relatively unchanged in the last five years.

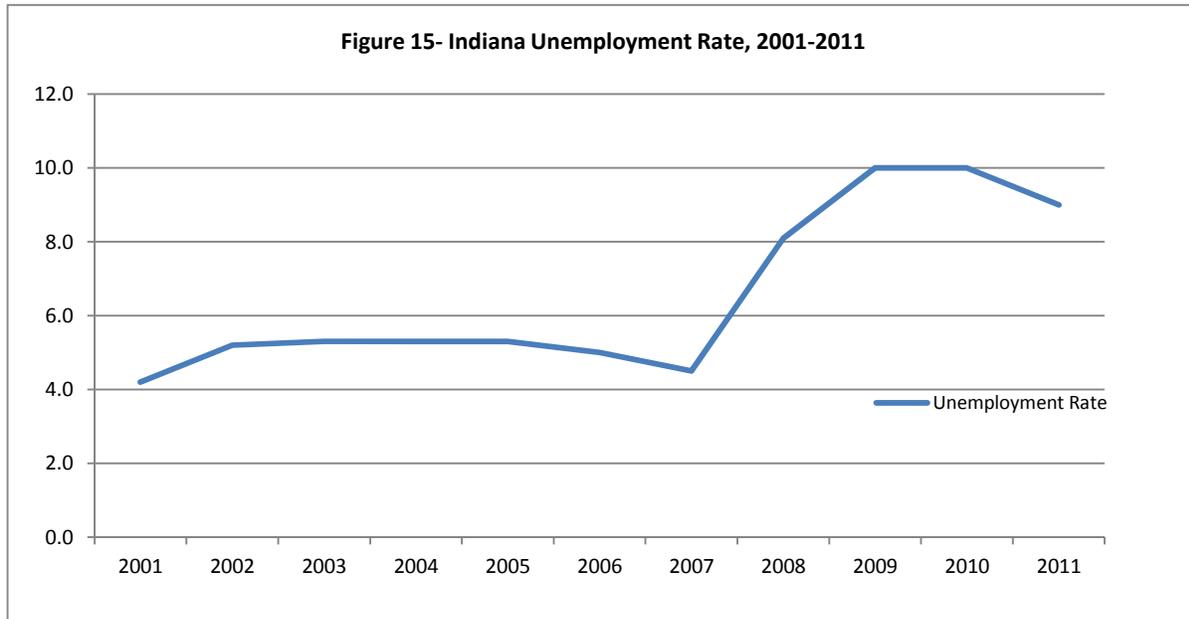
### ***Households and Families***

Single Parent Families and Non-Parental Primary Caregivers While research indicates that the presence of a single parent family alone is not a predictor of future delinquency, there is evidence to suggest that children in single parent homes may be exposed to more risk factors that contribute to delinquent behavior or, at the very least, may be disadvantaged in terms of the economic, emotional, and social support needed for healthy development. In 2010, there were an estimated 475,000 single parent families in Indiana. While the national trend of grandparents raising their grandchild (ren) continues to increase, Indiana saw a decline in the number of grandparents raising grandchildren in 2010.<sup>16</sup>

## ***Economic Indicators***

### Unemployment

Indiana's unemployment rate has been climbing steadily since 2007. Unfortunately, the unemployment rates of the State's smaller, rural counties have also reflected this upward trend and, in most cases, have surpassed it. As indicated in Figure 15 below, the unemployment rate in 2011 was about 9%.

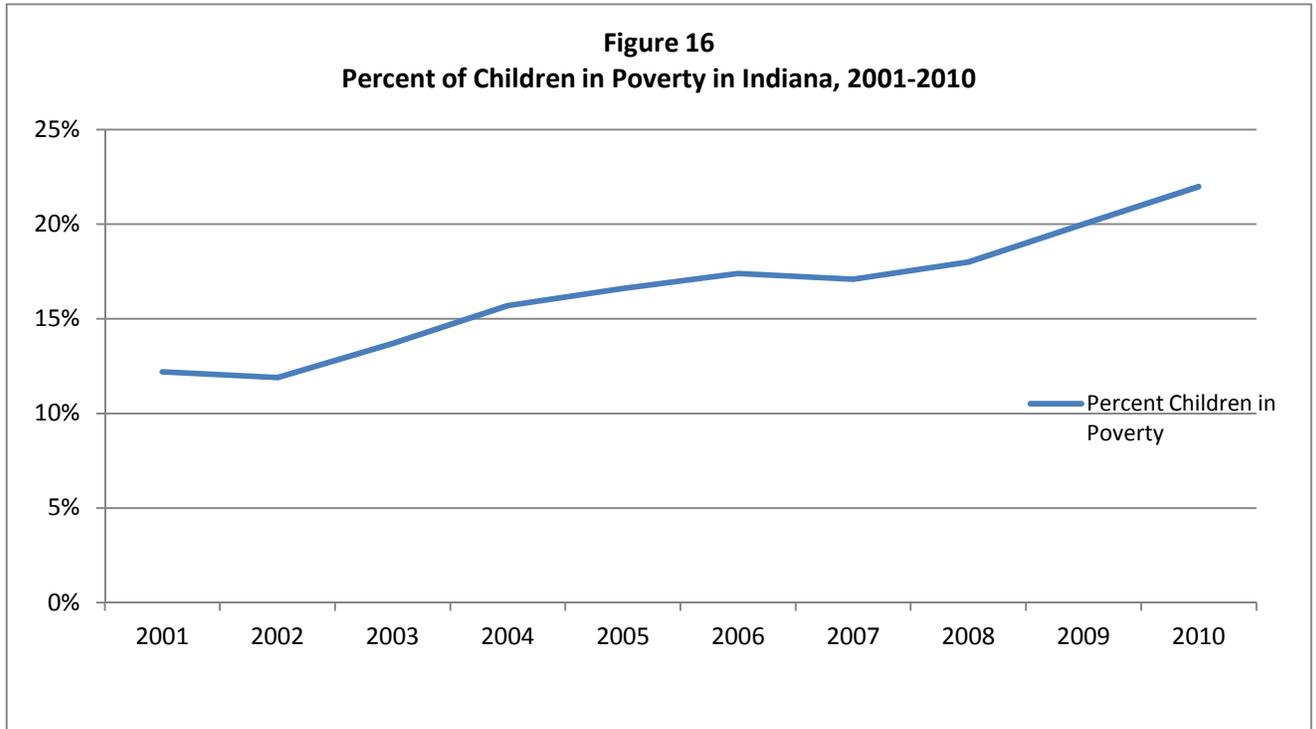


Source: Indiana Youth Institute Kids Count Database

### Poverty

In 2010, approximately 21.7% of Indiana's children lived below the poverty line, a figure almost identical to the national average of 21.6% (see Figure 16 below).<sup>17</sup>

A large number of Indiana children were living in low-income working households that struggled to provide for their families. This is evidenced by the 40,135 families in State Fiscal Year 2010 that required Temporary Assistance for Needy Families (TANF) funds each month.<sup>18</sup> Similarly, number of Indiana's students who are eligible for free or reduced lunch has increased steadily over the last five years, with more than 45% of Indiana public school students eligible during the 2010 school year.<sup>19</sup>



Source: Indiana Youth Institute Kids Count Database

### ***Child Abuse and Neglect***

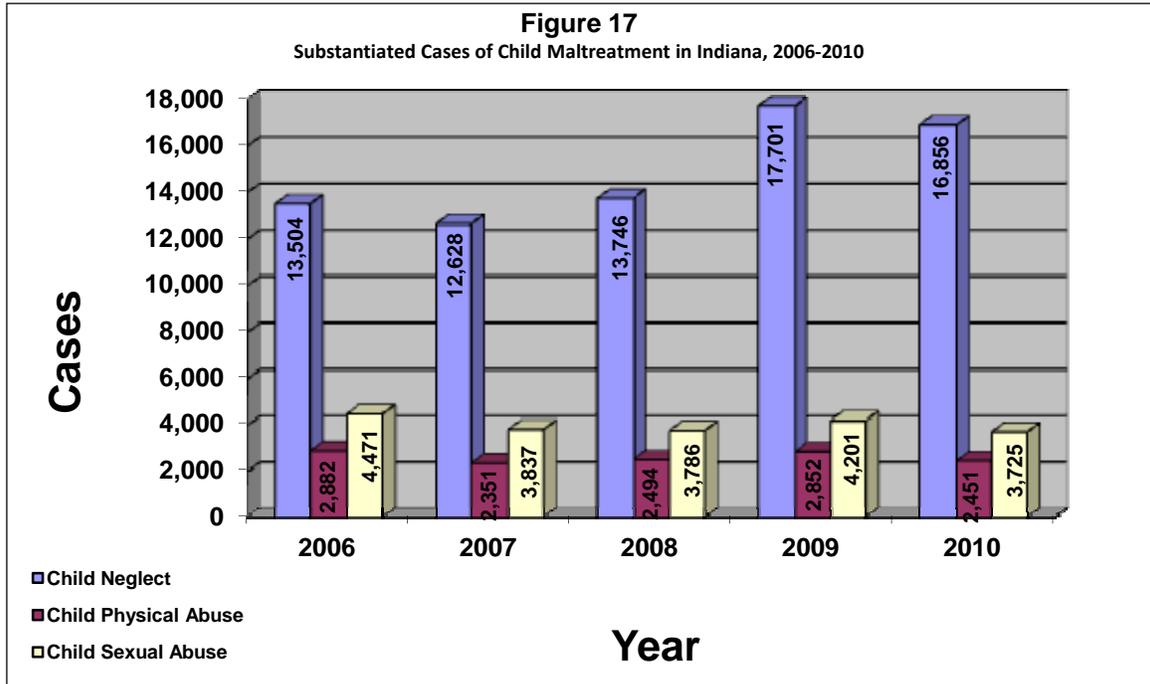
Continued concern about child abuse and neglect nationwide stems not only from the desire to reduce the harm done as a result of the immediate physical and emotional trauma, but also from a growing recognition of the potential for long-term, developmentally negative implications that maltreatment has on the child and the role it can play in the onset of future delinquent behaviors.

Changes to Indiana’s child welfare system led to significant increases of reported cases of child maltreatment and improved efforts to substantiate instances of abuse and neglect. The latter was the result of years of frustration with the former system. Efforts to combat the vagary produced by a lack of means to document the veracity of neglect and abuse claims culminated in a classification system to differentiate between “substantiated” and “unsubstantiated” cases of child maltreatment. Indiana further demonstrated its commitment to child abuse and neglect issues by hiring more caseworkers and implementing an improved caseworker training program. As a result, the State experienced declines in the number of substantiated cases of child maltreatment since 2000, though this trend has been reversing itself since 2006 (see Figure 17). In 2003, the Indiana General Assembly passed legislation to further strengthen child protection services (CPS) throughout the State by allowing CPS report writers greater latitude in executing their duties via the inclusion of a determination on the presence or absence of abuse and neglect indicators. House Enrolled Act 1437 (2003) requires local CPS offices to provide to caseworkers training on the statutory and constitutional rights of persons subject to investigation. It also established a statewide Child Fatality Review Team to investigate fatalities involving children and requires the release of information relevant to establishing the facts and circumstances concerning the death of a child determined to be the result of abuse, abandonment, or neglect.

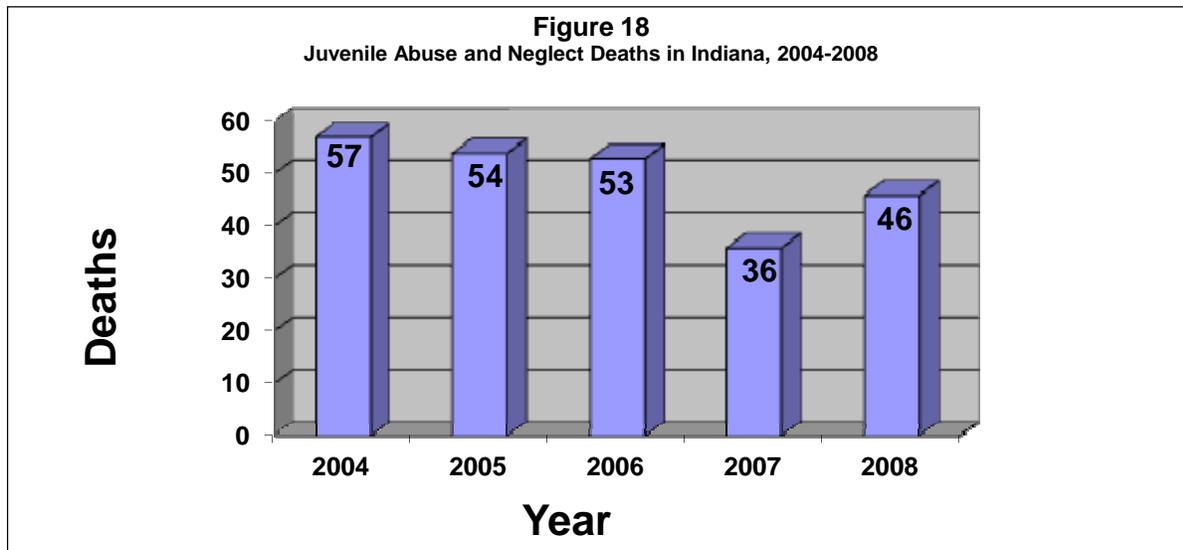
## Mortality

### Child Deaths

The child death rate (deaths to children between 1 and 14 years of age per 100,000 population) in Indiana has seen an overall decline over the past 5 years, going from 57 in 2004 to 46 in 2008 (see Figure 18). Although the State is making strides in reducing the number of child deaths, there is still much work to be done if Indiana is to improve to the level of the nation's leaders.



Source: Indiana Youth Institute Kids Count Database

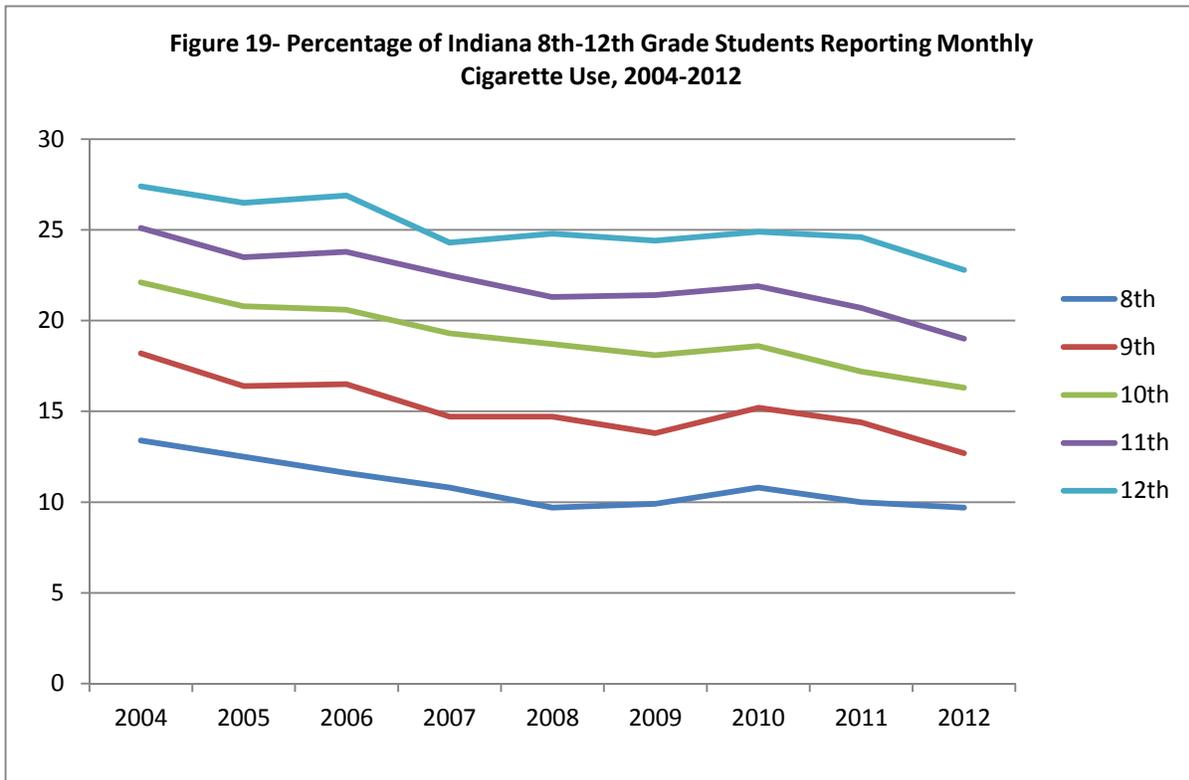


Source: Indiana Youth Institute Kids Count Database

Alcohol, Tobacco, and Other Drugs (ATOD)

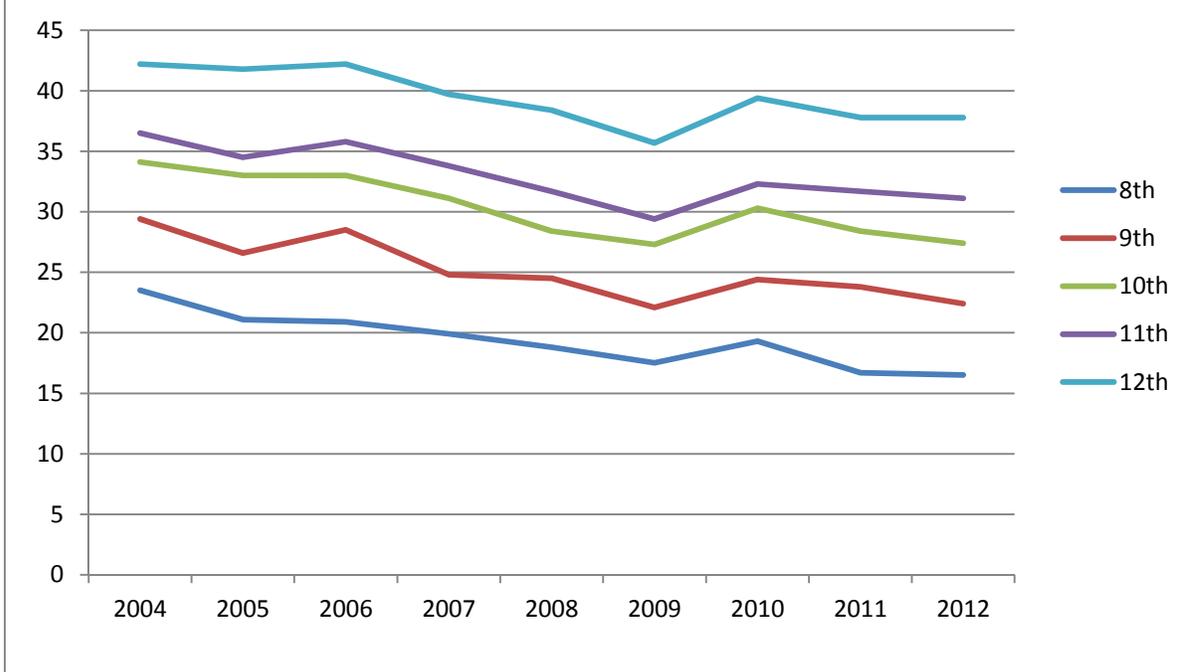
Since 1991, the Division of Mental Health and Addictions (DMHA) of the Family and Social Service Administration (FSSA), has sponsored a survey of ATOD use by Indiana students in grades 6 through 12. Indiana University’s Indiana Prevention Resource Center (IPRC) conducts the survey and provides invaluable trend data regarding the use of and attitudes towards ATOD by Indiana’s youth.<sup>20</sup>

In February, March and April of 2012, the IPRC surveyed 138,519 students in 418 public and non-public Indiana schools. The survey’s results are encouraging, as Indiana’s 8<sup>th</sup> through 12<sup>th</sup> grade students have reported decreases in reported monthly use of cigarettes and alcohol since 2007 (see Figures 24 and 25).

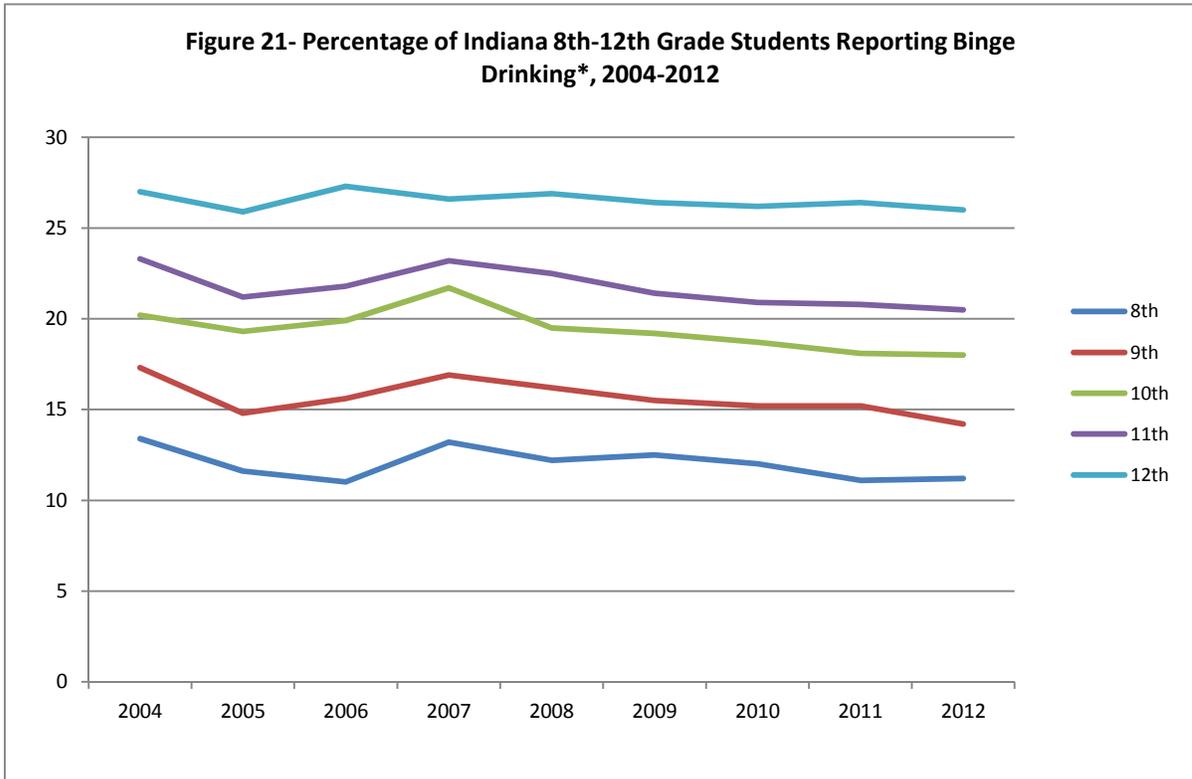


The Indiana Prevention Resource Center 2012 Survey of Alcohol, Tobacco and Other Drug Use by Indiana Children and Adolescents

**Figure 20- Percentage of Indiana 8th-12th Grade Students Reporting Monthly Alcohol Use, 2004-2012**



The Indiana Prevention Resource Center 2012 Survey of Alcohol, Tobacco and Other Drug Use by Indiana Children and Adolescents



The Indiana Prevention Resource Center 2012 Survey of Alcohol, Tobacco and Other Drug Use by Indiana Children and Adolescents

\*Binge drinking refers to drinking at least five alcoholic drinks at a sitting in the two weeks prior to administration of the survey (“Alcohol, Tobacco, and Other Drug Use by Indiana Children and Adolescents”, IPRC 2008.)

## *Priority Juvenile Justice Needs/Problem Statements*

The following problem statements have been developed that define and describe the problems surrounding youth development, delinquency and the juvenile justice system in Indiana. In addition, because of the drastic decrease in the amount of funds available this year, it is been determined that Indiana will give priority to maintaining compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP). As such, plans for gender-specific services and programming for rural areas have not been addressed. However, in addition to the problem statements listed below, the ICJI continues to recognize the importance of addressing the mental health needs of youth in the juvenile justice system. As such, funding will continue to be provided to the Juvenile Mental Health Screening and Assessment Project. A detailed description of the project is in Section I. The problem statements are provided below in ranking order.

**Table 3**  
**Prioritized Problem Statements**

<i>Rank</i>	<i>PROBLEM STATEMENT NARRATIVE</i>
<b>1</b>	In order to maintain the State’s compliance with the disproportionate minority contact (DMC) core requirement of the Act, the top priority will be to allocate funds to cover the salary and benefits of a full-time DMC coordinator. She will be responsible for determining which recommendations to implement from the completed DMC Assessment Study, as well as guiding the State’s efforts to navigate through the DMC Reduction Model. She will also work closely with the JJ Specialist and JDAI Statewide Coordinator to ensure that Indiana’s JDAI expansion efforts complement the activities described in the DMC Compliance Plan described below.
<b>2</b>	In order to maintain compliance with the deinstitutionalization of status offenders (DSO), separation and jail removal core requirements of the JJDP Act, our second priority will be to allocate funds to retain the Youth Law T.E.A.M. of Indiana (YLT) as the contractor to provide compliance monitoring services on behalf of the Indiana Criminal Justice Institute. Indiana has been recognized for its compliance monitoring system and it is imperative that the YLT remain as compliance monitors so that Indiana’s compliance with the JJDP Act can be maintained.
<b>3</b>	The Indiana Criminal Justice Institute, in collaboration with the Indiana Supreme Court and Indiana Department of Correction, has formally launched the statewide expansion of the Juvenile Detention Alternatives Initiative (JDAI) in eight (8) jurisdictions across the state of Indiana. In an effort to support these jurisdictions that are undertaking reform, the ICJI and JJSAG have committed to providing financial support through the funding of innovative program strategies to support ongoing activities in local JDAI sites. Such activities include local infrastructure building, development of appropriate alternatives to detention and building data capacity at the state and local levels to ensure decisions made are based on sound data.

## ***C. Plan for Compliance with the First Three Core Requirements of the JJDP Act and the State's Compliance Monitoring Plan.***

### **1. Plan for Deinstitutionalization of Status Offenders (DSO)**

#### Data Analysis

Indiana's rate of noncompliance for DSO for 2007 was 18.22, and the rate of noncompliance for calendar year 2008 was 16.02. In FY 2009, the rate had decreased to 15.80, and in 2011, the rate was 9.87. While the implementation of the 2006 web-based reporting system continues to result in more accurate reporting and more accurate determination of violations, the rate of non-compliance continues to decrease.

Regarding the types of DSO violations occurring in the past, Indiana saw that the vast majority of these violations involved alcohol offenses. Now, the violations are scattered and do not constitute a pattern with the exception of adjudicated non-offenders (i.e. CHINS) detained in juvenile correctional facilities (i.e. secure residential treatment facilities). In 2011, 3 status offenders were held in a secure portion of adult lockups and 6 were held in an adult jail. In the FY 2011, Indiana saw 35 accused status offenders securely detained for longer than 24 hours in juvenile detention centers. This number increased from 19 in 2010 and 26 in 2009, but was markedly lower than the 141 similar violations in FY 2008. Additionally in FY 2011, 13 adjudicated status offenders, 99 adjudicated non-offenders, and 0 federal holds were detained in juvenile detention and training schools. Any adjudicated status offender is a violation because it did not follow Indiana's VCO statutory process. None were status offenders held in secure residential treatment facilities, and all were incorrectly held in secure detention. The 99 non-offenders were held in two different secure residential facilities. The most significant change in the adjudicated status offenders was the elimination of federal wards. In FY 2009, Indiana's violations included 120 federal wards. All of those 120 federal holds were in one private facility which no longer has a contract with ICE. Also, through the expansion of the compliance monitoring universe, it was discovered that Children in Need of Services or "CHINS" (i.e. non-offenders) were being placed in secure facilities. Due to intensive training and technical assistance, Indiana has seen a significant decrease in the number of status and non-offenders being securely detained in detention and training schools.

#### Plan for Maintaining Compliance

Indiana will address the issue of status offenders in adult jails and lockups through continued training and technical assistance. In the past, a majority of the DSO violations in adult jails and lockups have involved alcohol offenders. As of March 2011 these alcohol offenses were no longer counted as violations of the DSO requirement. In addition, Indiana's Compliance Monitor is working with both the Indiana Department of Children Services (DCS) and the Indiana Association of Residential Child Care Agencies (IARCCA), a state association of children and family services provider agencies to solve the issue of status and non-offenders placed in secure residential facilities.

#### Intensive Training and Technical Assistance

The YLT has developed a comprehensive 3-hour JJDP Act Compliance training curriculum. Facilities experiencing more than isolated, non-systemic violations are offered this training, and if any county is found out of compliance with any core requirement, training must be conducted as part of the corrective action plan required by the Indiana Criminal Justice Institute (ICJI). Additionally, the YLT is able to provide technical assistance to facilities during site visits. Alternatives such as designating a

non-secure area of the facility (such as an administrative office area), for the holding of status offenders are explored and recommended, if possible.

### Increased Awareness of the JJDP Act

In past years, Indiana has had a significant number of DSO violations resulting from status offenders not being released prior to 24 hours after the initial court appearance due to the failure of the DCS to take custody of runaway youth in time or confusion about the time allowed. Once this issue was identified, the YLT provided, and continues to provide where needed, intensive technical assistance to the violating counties. As a result, judicial orders have been issued to help ensure that the 24 hour requirement is met. Should violations begin to increase once again, the ICJI and JJSAG will work together to engage the DCS and encourage the development and implementation of policies and procedures at the State level that will ensure compliance with the DSO requirement.

While Indiana has seen a decrease in the number of violations of the VCO exception, violations do still occur. Indiana's VCO process is very prescriptive and can be confusing. The YLT JJDP A Compliance training specifically addresses the VCO process. This training will continue to be provided to communities experiencing VCO violations. The YLT will continue to work with the Indiana Judicial Center to ensure that judges receive all pertinent information regarding JJDP A compliance, including access to VCO forms and checklists through the Judges' Delinquency Bench book. Additionally, YLT will continue to work with the statewide Indiana Juvenile Detention Association to educate and relay pertinent information about proper detention of juveniles subjected to the VCO process. Finally, the YLT has provided intensive technical assistance to the Indiana Department of Correction regarding the VCO process and a policy has been instituted whereby the DOC determines compliance with the VCO process prior to accepting placement of a status offender.

It is recognized that probation officers often make the initial determination to place a juvenile in secure detention. While the YLT has provided significant training and technical assistance to juvenile detention personnel to maintain compliance with the VCO exception, additional training and technical assistance needs to be provided to probation officers on a statewide basis. Thus, efforts have been made to offer training to all probation departments. Also, YLT has made efforts to work with the Probation Officers' Professional Association of Indiana (POPAI) to make JJDP A compliance information available at their events, as well as inviting them to events where the information will be presented.

The expansion of the compliance monitoring universe presents additional challenges to maintaining compliance with the DSO core requirement. It was discovered that CHINS (i.e. non-offenders) are being placed in residential treatment facilities that meet the federal definition of secure. While [I.C. 31-34-20-1](#) provides that CHINS cannot be placed in secure facilities, the Indiana definition of a shelter care facility (i.e. a non-secure facility), contains a provision that a facility may be locked if the facility administrator deems it necessary for the safety of the child ([I.C. 31-9-2-117](#)). Additionally, residential treatment facilities are licensed by the DCS, and licensing regulations permit the placement of CHINS in "child caring institutions" that may be locked for the safety of the child.

Indiana continues to experience violations where non-offenders and status offenders are placed in secure psychiatric residential treatment facilities (PRTFs). In 2011, YLT met with the attorney for one of the state's largest PRTF providers. The provider's position is that the PRTF facilities should not be classified as "Juvenile Detention Facilities" for purposes of the JJDP A. Although they acknowledge that the facilities offer services as licensed by the Indiana Department of Child Services, in secure, locked facilities, and that some of the juveniles placed in these facilities are non-offenders or status offenders, the provider's position is that the juveniles are placed because of a social and emotional

behavioral health diagnosis, not because of a CHINS (child in need of services) or delinquency status. However, because the CHINS and status offenders are under juvenile court authority, are not placed under our separate state law governing civil mental health commitments, and, in practice, are ordered to PRTFs prior to the determination of whether the child meets the requirements for Medicaid coverage, it has been Indiana's interpretation of the OJJDP requirements that the juveniles under court authority who are placed in private secure treatment facilities do fall under the JJDP. Absent a different directive from OJJDP, these juveniles must be counted as DSO violations. In 2012, Indiana's SAG sought written clarification from OJJDP regarding these facilities but a response has not yet been provided. Until that time YLT will continue to count status offenders and non-offenders in PRTFs as violations, and YLT will continue to work with the facilities to explore solutions, such as the installation of delayed egress doors.

The YLT has provided JJDP Compliance Training to residential treatment facility personnel through IARCCA. This training and relationship developed with IARCCA has resulted in certain facilities classified as secure for JJDP purposes installing delayed egress mechanisms. The installation of these devices allows facilities to meet the federal definition of non-secure. In addition, various facilities continue to remove locks from doors to comply with this definition. To maintain compliance with DSO requirement, the YLT will continue this effort of providing direct technical assistance to residential treatment facilities

While future training and technical assistance will assist in maintaining compliance, changes in legislation and DCS licensing regulations will be explored. YLT, ICJI and the JJSAG will and/or have engaged the DCS to explore potential solutions that will ensure compliance with the DSO core requirement.

## **2. Plan for Separation of Juveniles from Adult Offenders**

### Data Analysis

Over the past three reporting periods, Indiana experienced 0 separation violations. Prior to July 2008, Indiana had a jurisdictional provision that if a juvenile has been waived to adult criminal court and subsequently commits an act that would be a crime if committed by an adult, that act is excluded from juvenile court jurisdiction ([I.C. 31-30-1-2](#)). Also prior to July 1, 2008, Indiana's jurisdictional statutes allowed juveniles to be charged in adult criminal court on certain misdemeanor offenses. Legislation was passed in January 2008, effective July 1, 2008, that changed jurisdictional statutes to ensure that juveniles would be under adult criminal court jurisdiction only on felony level offenses ([I.C. 31-30-1](#)). This change in state law has eliminated most of the violations Indiana had been experiencing.

While preparing for the August 2007 OJJDP Compliance Audit, it was discovered that the Indiana Department of Correction was using adult inmate workers at its juvenile facilities. Specific times, places, locations, etc. could not be determined. As a result, IDOC now submits a request to YLT anytime projects are to be completed at a juvenile facility by adult inmates. This request includes a plan for sight and sound separation during the project; the YLT will visit the facility to determine if the plan meets the mandates of the Separation requirement, then approve or deny the request. If the request is approved, YLT will make unscheduled visits to the facility during the time adult inmates are on the grounds of the juvenile facility to ensure compliance with the Separation requirement.

### Plan for Maintaining Compliance

Effective July 2008, changes to Indiana's jurisdictional statutes have prevented separation violations from re-occurring. Only juveniles facing a felony level offense are subject to adult criminal court jurisdiction.

To maintain compliance with the Separation core requirement within local law enforcement agencies, the YLT will continue to carefully inspect all facilities during current compliance monitoring activities. Generally, if a facility has the potential of having juvenile and adult offenders within sight or sound contact of each other, it is recommended that juveniles not be held in that area. The YLT will explore other options within the facility that comply with Separation requirement, and annual surveys are sent to all facilities to ensure that changes have not occurred.

To ensure compliance with the Separation requirement at all DOC juvenile facilities, the YLT has inspected all facilities with DOC central office personnel. All potential uses of adult inmate workers have been discussed and all affected areas of the facility and youth movement have been evaluated. The DOC has adopted specific policies and procedures outlining all potential uses of adult inmate workers for each facility. All policies and procedures have been submitted to the YLT for approval. Additionally, the YLT will closely monitor DOC juvenile facilities at times that adult inmate workers may be present. The DOC has agreed to allow the YLT to conduct unannounced compliance monitoring visits. The DOC has also agreed to request prior approval from the YLT for any special use of adult inmate workers that were not part of the original plan.

### **3. Indiana's Plan for Removal of Juveniles from Adult Jails and Lockups**

Pursuant to Section 223(a)(13) of the JJDP Act, Indiana has developed a plan to ensure no juvenile shall be detained or confined in any adult jail or lockup, except as OJJDP's Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002 (revised January 2007) allows.

#### Data analysis

Indiana's jail removal violation rates increased during fiscal years 2005 – 2007, and then decreased and remained low in 2008-2011. In the 2005 – 2006 reporting period, there were 143.51 jail removal violations resulting in a violation rate of 8.95. In the 2006 supplemental report (covering July – December 2006), there were 152.59 violations resulting in a violation rate of 9.52. In 2007, there were 249.45 violations, resulting in a violation rate of 15.56. In 2008, the number of violations dropped to 60.98, resulting in a violation rate of 3.84. In 2009, the number of violation was 14.21 and the violation rate was .90. In 2010, the violations number was 22.44 and the violation rate was 1.41, and in 2011, the number of violations was 14.03, resulting in a violation rate of .87.

The prior increase in the number of violations reported was largely due to the implementation of the web-based reporting system, as well as improvements in the identification and classification of the compliance monitoring universe. In 2005 – 2006, 90 adult jails were identified; 74 were reporting data, and 18 were visited. Additionally, 208 adult lockups were identified, all were reporting data, and 22 were visited. By 2011, 95 adult jails were identified; 95 reported data, and 32 were visited. 402 adult lockups were identified; 398 reported data, and 152 were visited.

During the 2005 -2007 reporting periods, the majority of jail removal violations were attributed to misdemeanor handgun offenders, aged 16 – 17, under adult court jurisdiction, being held in adult jails. Prior to 2008, Indiana's jurisdictional statutes provided that at age 16, possession of a handgun

without a license was directly filed in adult criminal court, and pursuant to Indiana law, such offenses are misdemeanors. Thus, any juvenile under adult criminal court jurisdiction on a misdemeanor handgun offense held in an adult jail violated the Jail Removal Requirement.

In the 2008 legislative session, HEA 1122 was enacted and became effective July 1, 2008. HEA 1122 changed Indiana's jurisdictional statutes to ensure that juveniles would be tried in adult criminal court only on felony level offenses. Thus, the misdemeanor handgun offenses now fall under juvenile court jurisdiction. As a result, in 2010, there were 14.03 jail removal violations resulting in a violation rate of .87. Four (4) of the nine (9) Jail Removal violations attributable to County Sheriff departments occurred in two counties. Both counties were under the assumption that because certain status offenders could be held up to 24 hours before court in a juvenile detention facility that they could be held securely in the jail awaiting transport to the center. Alternatives to securely detaining these status offenders were explored with the assistance of the YLT and ICJI. Both counties received technical assistance with regard to the JJDP Act in 2011. The five remaining violations each occurred due to processing errors by county jail staff.

The three (3) Jail Removal violations attributable to local police departments in 2011 do not constitute a pattern or practice. They were all processing errors by the local police department staff.

#### Plan for maintaining compliance

Based upon compliance monitoring by the YLT, the State will continue to implement its policy with regard to withholding funding to programs in noncompliant counties. It is current policy of the Indiana Criminal Justice Institute to withhold or restrict funding to programs in counties that have significant instances of noncompliance with the JJDP Act Core Requirements. The mere potential enforcement of this executive policy has definitely had an impact on instances of noncompliance. Several counties, including Marion County (Indianapolis) have revised policies and procedures to ensure that funding for local programs is not jeopardized. The potential enforcement of this executive policy has not ensured complete compliance with the Jail Removal Mandate, but changes have been made in the largest counties with the largest number of violations.

With most of the adult jails and lockups reporting via the web-based system, an intensified effort is being undertaken by YLT to provide real-time technical assistance in response to the real-time data that is being submitted. As a result, increased training opportunities have been made available to all facilities, with the goal being that all adult jails and police departments, identified as noncompliant, be familiar with and come into compliance with requirements regarding juveniles under the jail removal provisions of the federal as well as the new state law provisions.

The judiciary, law enforcement, probation and other juvenile justice professionals have received ongoing training and technical assistance from the YLT to eliminate violations of the Jail Removal Mandate.

The YLT has and will continue to monitor potential legislation in order to provide information to ICJI on proposed new laws that could affect Indiana's compliance with the JJDP Act. For example, in a recent legislative session, HB 1342 was introduced that would have provided for direct file in adult court for youth age ten (10) years and older if they had at least 6 prior misdemeanor charges. ICJI and the YLT worked in conjunction with each other to be ready to offer information on the impact of the legislation as to potential jail removal violations under the JJDP Act and the consequences of non-compliance with the JJDP Act.

## ***D. Plan for Compliance Monitoring for the First Three Core Requirements of the JJDP Act***

Responsibilities of the Compliance Monitoring Program are as follows:

### ***1. Policies and Procedures***

In 2006, the JJSAG adopted Indiana's Compliance Monitoring Policy and Procedure Manual which outlines Indiana's Compliance Monitoring Program, developed by the Youth Law T.E.A.M. of Indiana. Attached is the 2011 Updated Version of the Policy and Procedure Manual. Also, in 2006, Indiana implemented a web-based reporting system and as of 2011, all juvenile detention facilities, 100% of county jails and 99% of the local lockups required to report data were reporting detention data via the web-based system. The remaining facilities which currently report data via hard copy are being transferred to the web-based system on an ongoing basis. The implementation of the web-based reporting system has resulted in more accurate information, as well as more timely information, which has resulted in the ability of the Compliance Monitor to identify and address potential compliance issues in a timelier manner.

### ***2. Monitoring Authority***

[I.C. 5-2-6-3](#) designates the Indiana Criminal Justice Institute as the state agency to administer the Juvenile Justice and Delinquency Prevention Act. The ICJI is provided authority to inspect detention records through [I.C. 31-39-3-3](#), which provides that "records relating to the detention of any child in a secure facility shall be open to public inspection."

As per the JJDP of 2002, states must ensure that there is an adequate system for monitoring compliance with the core requirements of the JJDP. One element of an adequate compliance monitoring system is having legal authority to inspect and monitor all facilities that hold juveniles. Historically, the authority was inferred from the Indiana Criminal Justice Institute's statutory designation as the agency mandated to administer the OJJDP funding. With the legislative information and assistance provided by the Youth Law T.E.A.M. of Indiana, HEA 1122 (which became effective July 1, 2008) expressly grants the Indiana Criminal Justice Institute the authority to conduct JJDP compliance monitoring. Section 4 (which became effective July 1, 2008) was added to [IC 31-37-4-4](#) and reads as follows: "Any facility that is used or has been used to house or hold juveniles shall give a representative or designee of the Indiana Criminal Justice Institute's compliance monitoring program reasonable access to inspect and monitor the facility to ensure that the requirements of the Juvenile Justice and Delinquency Prevention Act are maintained."

### ***3. Monitoring Timeline***

Indiana's Compliance Monitoring Master List, which includes facility name, survey dates and results, reporting and certification status, as well as the dates of last visit and upcoming scheduled site visits, is attached.

Indiana's Compliance Monitoring Policy and Procedure Manual includes a Description and Timetable of the Compliance Monitoring Tasks.

### ***4. Violation Procedures***

When the Compliance Monitor receives a complaint of a violation of one of the JJDP Act core requirements, the Compliance Monitor will inform the facility, in writing, of the alleged violation and

request a documented response. After receiving the facility's response, the Compliance Monitor will perform an on-site inspection, if necessary, and will determine if a violation exists. The Compliance Monitor will then complete a JJDP Act Violation Report, which will be given to the facility contact person, the Juvenile Justice Specialist, and will be put into the facility's file.

Facilities with a pattern of practice that violates the JJDP Act and facilities that refuse to provide documentation responding to violation allegations will be subject to the following sanctions, as determined by the Indiana Criminal Justice Institute:

- The withholding of federal funds to the facility and the county that houses the facility.
- Pursuit of legal remedies (i.e. writ of habeas corpus) on behalf of individual juveniles by the State Public Defender's Office.
- The approval of a Corrective Action Plan, including required training and technical assistance.

(See Indiana's Compliance Monitoring Policy and Procedure Manual pages 21-22.)

### 5. Barriers and Strategies

- Monitoring Authority

An adequate compliance monitoring system provides either legislative or executive branch authority allowing the state agency to collect data and enter and inspect facilities for JJDP Act compliance. Such express authority now currently exists in Indiana. Compliance monitoring had previously been conducted in Indiana upon informal agreements between facilities and the Indiana Criminal Justice Institute (ICJI), as well as reliance upon a vague statute ([I.C. 31-39-3-3](#)) that had not been interpreted by Indiana Courts. This barrier was removed by the adoption of HEA 1122, effective July 1, 2008, (codified at [I.C. 31-37-4-4](#)).

- Conflict between state law and JJDP Act

The JJDP Act allows the holding of juveniles under adult court jurisdiction in adult facilities only on felony level offenses. In February 2008, HEA 1122 was signed into law and became effective July 1, 2008. Now state law ensures that juveniles will only face initial adult criminal court jurisdiction on felony offenses, thereby preventing the detention of juveniles in adult facilities in violation of the JJDP Act. Thus, the conflict between state law and the JJDP Act has been remedied. Ongoing training and technical assistance is provided by the Youth Law T.E.A.M. to the judiciary, law enforcement, probation and other juvenile justice professionals to ensure all are aware of this change in Indiana Code

- CHINS and Status Offenders in secure residential facilities

Pursuant to the JJDP Act, non-offenders (i.e. CHINS) and status offenders may not be housed in secure facilities except under limited circumstances. Based upon JJDP Act training conducted by the Youth Law T.E.A.M. of Indiana with residential facility staff and continued expansion of the monitoring universe, CHINS have been found in secure residential facilities. This barrier is being overcome by completing the compliance monitoring universe identification and classification function; requiring the facilities classified as secure to submit data via the web-based reporting system; and providing JJDP Act training and technical assistance to judges, DCS case managers, CASAs/GALs and facility staff. HEA 1001, effective January 1, 2009, amended [IC 31-37-7-1](#) to provide a status delinquent may not be held in a shelter care facility, forestry camp or training school

that houses persons charged with, imprisoned for, or incarcerated for crimes. DCS facilities have been surveyed by both the Youth Law T.E.A.M. and the DCS and are being individually instructed on the distinction between DCS licensing and JJDP classification pertaining to the determination of their status as secure, staff secure, or non-secure.

(See Indiana's Compliance Monitoring Policy and Procedure Manual pages 20, 55-59.)

## 6. Definition of Terms

Government units need to comply with definitions that are compatible with those found in the Formula Grants Regulations at 28 C.F.R. 31.304. Preferably, compatible definitions will be included in the state code. Where this is not the case, the YLT will adopt and follow the OJJDP definitions for monitoring.

**Separation** requires that juveniles be “sight and sound separated from incarcerated adult persons who have been convicted of a crime or are awaiting trial on criminal charges, including trustees” [42 U.S.C. 5633].

**Jail Removal** prohibits the detention of juveniles in adult jails or lockups with certain exceptions.

### **Exceptions**

**6 Hour Rule** Juveniles alleged to have committed an act that would be a crime in committed by an adult may be securely held in an adult jail or lockup for up to six (6) hours upon arrest [28 C.F.R. Sec. 31.303 (e)(2)]. This exception is limited to the temporary holding of a juvenile for the specific purposes of identification, processing and transfer to other facilities. Where such a temporary holding is permitted, the separation requirement prohibits the juvenile from being in sight or sound contact with adult offenders.

**Juveniles Under Adult Court Jurisdiction** The Jail Removal requirement does not apply to ‘those juveniles formally waived or transferred to criminal court and against whom felony charges have been filed, or juveniles over whom a criminal court has original or concurrent jurisdiction and such jurisdiction has been invoked through the filing of criminal felony charges’ [28 C.F.R. Sec. 31.303 (e) (2)].

## 7. Identification of the Monitoring Universe

The following agencies will be contacted annually to obtain a current list of facilities that hold juveniles under public authority: (1) Indiana Department of Child Services (2) Indiana Department of Correction (3) Indiana Sheriffs' Association (4) Indiana Association of Chiefs of Police (5) Indiana Association of Residential Child Caring Agencies and (6) Indiana Juvenile Detention Association. After receiving the current list, surveys will be submitted each year to the administrators of those facilities. Information collected, via the surveys, pertaining to the identification of facilities that hold juveniles under court jurisdiction will be recorded on the appropriate JJDP Compliance Monitoring Facility Master List.

(See Indiana's Compliance Monitoring Policy and Procedure Manual pages 36-37.)

## 8. Classification of Monitoring Universe

The information collected via the identification surveys submitted by juvenile holding facilities, pertaining to the classification of facilities will be recorded as (1) private or public (2) juvenile, adult, or collocated and (3) secure or non-secure on the appropriate Compliance Monitoring Facility Master List. The self-reported classifications of all facilities new to the compliance monitoring universe will be verified via on-site inspection. The classification of “collocated” must be reviewed annually with an onsite facility inspection.

(See Indiana’s Compliance Monitoring Policy and Procedure Manual page 43.)

## 9. Inspection of facilities

Facility administrators will be contacted to schedule a date and time for a site inspection. The following will be performed at each inspection: (1) review of the physical accommodations (2) the obtaining of a facility layout (3) the obtaining of the facility’s policies and procedures (4) determination of how each facility maintains its records (5) a review of original data source for consistency with records reported to the ICJI Compliance Monitor and (6) the provision of training and technical assistance, when needed. Each facility will receive a copy of the Monitoring for Compliance with the JJDP Act manual. The Compliance Monitoring On-Site Summary Results will be made available to the facility as a record of findings of the inspection. Issues of facilities’ noncompliance with site inspection requests will be addressed with the Juvenile Justice Specialist in written form, with a copy being sent to the non-cooperating facility. The site inspection records will be maintained in the facility’s file. Frequency of on-site inspection will occur according to facility type: (1) all juvenile detention facilities will be inspected on an annual basis (2) at least 10% of juvenile correctional facilities (including IDOC facilities and all identified residential facilities) will be inspected annually, with all facilities inspected within 3 years (3) at least 10% of all adult jails and lockups will be inspected annually, with all inspected within 3 years.

(See Indiana’s Compliance Monitoring Policy and Procedure Manual pages 44-54.)

## 10. Data Collection and Verification

- Data Collection

Data will be collected in the following manner: (1) facilities identified and classified as secure will be required to report relevant data via the web-based reporting system. Facility staff will be trained on the web-based system; (2) facilities in counties using the Quest case management system will consult with the ICJI Compliance Monitor to ensure that data required under the JJDP Act is accurately reported through Quest; (3) facilities identified and classified as non-secure will submit written certification of non-secure status on an annual basis. Violation reports and data gathered will be maintained at the office of the ICJI Compliance Monitor for one year. Thereafter, the data will be maintained at the Indiana Criminal Justice Institute.

- Data Verification

The web-based reporting system will generate a Violation Report of potential JJDP Act violations. The Violation Report will be reviewed on-site and compared to the original data source maintained by the facility. At least 10% of all VCO’s will be verified by acquiring the appropriate court and detention documentation. Additionally, a random sample of all data reported will be reviewed on-site and compared to the original data source maintained by the facility. During the data verification

process, identified and classified facilities which do not report data will be identified. The ICJI Compliance Monitor will send letters to those facilities offering Training and Technical Assistance in the development of record keeping systems.

(See Indiana's Compliance Monitoring Policy and Procedure Manual pages 66-68.)

Narrative portions of the annual report to the OJJDP will be written collaboratively by the ICJI Compliance Monitor and Juvenile Justice Specialist and submitted at least two weeks prior to the due date set by OJJDP.

(See Indiana's Compliance Monitoring Policy and Procedure Manual pages 27-32.)

### Training and Technical Assistance

Training and technical assistance on JJDP Act Compliance will be made available to all facilities and agencies within the JJDP Act compliance monitoring universe.

### Contracted Compliance Monitor for the Designated State Agency

Indiana's Compliance Monitoring function is funded by a \$200,000 contract on an annual basis to the Youth Law T.E.A.M. of Indiana. The Youth Law T.E.A.M. of Indiana (located at 445 N. Pennsylvania Street, Suite 520, Indianapolis, IN 46204, 317-916-0786) has been the state's contracted Compliance Monitor since 2005. Several key components of the Compliance Monitoring Program were initiated in 2006 as a part of the state's 3-year plan. These components outlined above continue to be expanded, refined, and improved upon during the contractual period. The Youth Law T.E.A.M. of Indiana will continue initiatives which will ensure the state has an adequate system for monitoring for compliance with the Core Requirements of the JJDP Act, 2002, as amended. In order to ensure the terms of the contractual agreement are met, the Youth Law T.E.A.M. of Indiana submits monthly reports to the Indiana Criminal Justice Institute, outlining progress made on the monitoring timeline as well as providing information on any issues that may result in violations. The Indiana Criminal Justice Institute retains all information in hard and electronic format for review as necessary.

### The Youth Law T.E.A.M.'s Qualifications and Related Experience with the Act

- In 1988, Indiana had over 7,500 violations of the Jail Removal Mandate. Federal funding was withheld until an acceptable plan for compliance was submitted. A collaborative initiative was undertaken between the Indiana Supreme Court, the Public Defender of Indiana, and the Department of Correction. (The two attorneys who were responsible for this initiative work for the Youth Law T.E.A.M. of Indiana as Compliance Monitors today.) Violations were reduced to less than 100 by 1991.
- With the 2002 reauthorization of the JJDP Act, the Office of Juvenile Justice and Delinquency Prevention, has placed greater emphasis and greater scrutiny on states to ensure that there is an adequate system of compliance monitoring.
- In 2003, Indiana struggled to maintain compliance due to the lack of an adequate system of compliance monitoring and in 2004 a full-time Compliance Monitor was hired and this position remains in effect.
- In 2005, Indiana continued to struggle to maintain compliance, and OJJDP conducted a Compliance Monitoring audit. The state still had major gaps in its compliance monitoring system including identifying the complete monitoring universe (i.e. identifying **all facilities** in the state that could hold youth under public authority), as well as having an accurate data

collection system. A centralized compliance monitoring program was also recommended by OJJDP, and was implemented through the Youth Law T.E.A.M. of Indiana.

- In 2006, a web-based data reporting system was designed by staff of the Youth Law T.E.A.M. and implemented, resulting in more accurate and timely reporting. The improved data reporting, as well as the increased monitoring capacity (approximately 900 facilities have been identified), has identified violations of the JJDP core requirements that have been previously occurring but have gone undetected. As a result Indiana continues to struggle to maintain compliance.
- In 2007, OJJDP conducted another Compliance Monitoring audit, and Indiana had achieved great progress with regard to establishing an adequate compliance monitoring system and was recognized as having one of the most comprehensive systems in the nation. One area of identified weakness in Indiana's compliance monitoring system is the lack of statutory authority for the JJDP compliance monitoring function. This was rectified in 2008 with the passage of HEA 1122.
- In 2008, the executive director of the Youth Law T.E.A.M. of Indiana was appointed by OJJDP to a group of ten (10) national experts to provide training and technical assistance on behalf of OJJDP to states and territories regarding Compliance issues
- In 2009, the Youth Law T.E.A.M. of Indiana was featured in the Office of Juvenile Justice and Delinquency Prevention's national periodical *The SAGazette* (2009, Vol. 2, No. 1 (p.3). The article recognized the training and technical assistance program which Indiana employs to introduce the JJDP Act to communities and stakeholders as well act as a part of a corrective action plan to bring those who are out of compliance, into compliance. Also in 2009, the YLT was requested to provide training during 6 sessions of the OJJDP National Conference.
- The YLT staff consists of two (2) Attorneys, one (1) former Juvenile Justice Specialist (1) Compliance Monitor and one (1) Program Manager with combined experience and expertise of over 65 years with the Juvenile Justice and Delinquency Prevention Act.

The Youth Law T.E.A.M. of Indiana was created in 2005 in response to the OJJDP suggestion that Indiana's JJDP Act Compliance Monitoring services be centralized in one organization which would enhance Indiana's ability to develop and implement an adequate compliance monitoring system as required by the JJDP Act. The Youth Law T.E.A.M. has been providing the JJDP Act Compliance Monitoring services on behalf of the Indiana Criminal Justice Institute since that time. The Youth Law T.E.A.M. is a not-for-profit organization and manages several statewide juvenile justice related programs.

### ***E. Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement***

#### **Phase I: Identification**

##### **A. Updated DMC Identification Spreadsheets (NO CHANGE)**

The most recent (CY 2009) DMC data for the all of Indiana's 92 counties have been entered into the national Web-based DMC data Entry System at [www.ojjdp.dmcdata.org/](http://www.ojjdp.dmcdata.org/). The Relative Rate Index (RRI) spreadsheets for the state and three targeted jurisdictions (LaPorte, Vanderburgh, and Allen Counties) have been exported to GMS and labeled as "Attachment #2-Indiana Statewide (2009), Attachment #2-LaPorte County (2009), Attachment #2-Vanderburgh County (2009), and Attachment #2- Allen County.

## B. DMC Data Discussion

As a direct result of a two year statewide DMC data collection project, Indiana now has DMC data available for all 92 counties, for 2005 through 2009. RRI values can now be calculated for eight of the nine juvenile justice decision points. Case level data was captured and therefore reflects a duplicated count. So, one youth might appear in the data multiple times in the same year, and might even appear multiple times across different counties. As illustrated in Table 1, data is available for every decision point with the exception of arrest.

**Table 1: Indiana’s Current DMC Data Availability**

Point of Contact	Currently Being Collected	Data Source
1. Arrest	No	
2. Referrals	Yes	Juvenile Court & Probation Department
3. Diversion	Yes	Juvenile Court & Probation Department
4. Detention	Yes	Juvenile Court & Probation Department
5. Petition Filed	Yes	Juvenile Court & Probation Department
6. Delinquent Finding	Yes	Juvenile Court & Probation Department
7. Probation	Yes	Juvenile Court & Probation Department
8. Secure Confinement	Yes	Juvenile Court & Probation Department
9. Waived to Adult Court	Yes	Juvenile Court & Probation Department

### RRI Analysis and Interpretation Discussion

As recommended by OJJDP, Indiana analyzed and interpreted its RRI values using the following process:

1. Identify the RRI values that are **statistically significant**. In other words, determine whether it is a statistically significant difference in the rate of activity, at a particular decision point, between white and minority groups. This difference in rate, whether large or small, is unlikely to have occurred by chance. The statistical significance is calculated using a chi square distribution at a 95% confidence level.
2. Keeping in mind the RRI values that are statistically significant, identify those with the greatest **magnitude**, that is, those that have the greatest degree of disproportionality. If the rates are equal, the RRI should be 1.0. A value more than or less than 1.0 means there is disproportionate contact at that particular decision point. The further the value is from one, the higher the degree of disproportionately.

When determining the magnitude of the RRI values, for now, Indiana will focus on values that exceed 1.50 and those that are less than .86 for the probation and diversion decision points.

3. Among the decision points with RRI values that are statistically significant, identify those that involve the greatest **volume** of activity---in other words, identify the decision points that are statistically significant and have the largest number of minority youth involved. Indiana will define “high volume” as anything that exceeds 100 cases.

4. Keeping the degree of disproportionality in mind and the number of youth affected, conduct a **comparative analysis** between jurisdictions in Indiana and similar jurisdictions across the country. Indiana will not be completing a comparative analysis because Indiana’s most recent data (2009) is two years older than the national data (2007).

5. Examine the local **context** for each RRI values identified in steps 1-3 to determine which jurisdictions are better positioned to develop and implement strategies designed to reduce DMC.

The analysis was completed for the entire state as well as three targeted jurisdictions, for CY 2009. LaPorte, Vanderburgh, and Allen Counties have been selected as the three potential target jurisdictions. The aforementioned counties were selected over others with larger youth and minority population and greater degree of disproportionality. This was done intentionally because larger and more diverse counties such as Marion, Lake, Elkhart, and Tippecanoe counties are JDAI sites and are currently developing/will develop a racial disparities and DMC reduction plan as part of their juvenile justice system reform efforts.

### ***Statewide RRI Analysis***

In CY2009, minority youth comprised approximately 20% of Indiana’s 10-17 at risk youth population. As illustrated in Table 2, there are three minority groups that meet the 1% threshold in the state. The groups are Black/African American (12.14%), Hispanic/Latino (6.85%), and Asian (1.46%).

**Table #2: Indiana's Statewide Volume, Rate and RRI Summary Sheet (2009)**

	Total Youth	White			Black/African American			Hispanic/Latino			Asian			Native Hawaiian or Pacific Islander			American Indiana/ Alaska Native			Other/Mixed			All Minorities		
		#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI
<b>Population (10-17)</b>	703,909	558,031		85,443			48,189			10,311			0			1,935		*	0		*	145,878			
<b>Referral</b>	39,561	24,088	43.2	11,904	139.3	<b>3.23</b>	2,373	49.2	<b>1.14</b>	103	10.0	<b>0.23</b>	7	57.1	*	42	21.7	*	1,044		*	15,473	106.1	<b>2.46</b>	
<b>Diversions</b>	21,686	13,538	56.2	6,276	52.7	<b>0.94</b>	1,265	53.3	0.95	52	50.5	0.90	4	28.6	*	21	50.0	*	530	50.8	*	8,148	52.7	<b>0.94</b>	
<b>Secure Detention</b>	10,506	5,210	21.6	4,248	35.7	<b>1.65</b>	657	27.7	<b>1.28</b>	27	26.2	1.21	2	42.9	*	13	31.0	*	349	33.4	*	5,296	34.2	<b>1.58</b>	
<b>Petition Filed</b>	17,875	10,550	43.8	5,628	47.3	<b>1.08</b>	1,108	46.7	<b>1.07</b>	51	49.5	1.13	3	66.7	*	21	50.0	*	514	49.2	*	7,325	47.3	<b>1.08</b>	
<b>Delinquent Findings</b>	13,838	8,488	80.5	4,037	71.7	<b>0.89</b>	869	78.4	0.97	40	78.4	0.97	2	50.0	*	17	81.0	*	385	74.9	*	5,350	73.0	<b>0.91</b>	
<b>Probation</b>	10,554	6,761	79.7	2,873	71.2	<b>0.89</b>	595	68.5	<b>0.86</b>	30	75.0	0.94	1		*	11	64.7	*	283	73.5	*	3,793	70.9	<b>0.89</b>	
<b>Secure Confinement</b>	1,146	628	7.4	407	10.1	<b>1.36</b>	77	8.9	1.20	5	12.5	**	0		*	0		*	7	7.5	*	518	9.7	<b>1.31</b>	
<b>Transferred to adult court</b>	286	191	1.8	85	1.5	<b>0.83</b>	8	0.7	<b>0.40</b>	0		**	0		*	0		*	0	0.4	*	95	1.3	<b>0.72</b>	
<b>Meets 1% rule</b>		<b>Yes 79.28%</b>			<b>Yes 12.14%</b>			<b>Yes 6.85%</b>			<b>Yes 1.46%</b>			<b>No</b>			<b>No</b>			<b>No</b>					

key  
 The RRI values for White is 1.00 at all the decision points  
 Arrest data is not being collected at this time  
**RRI values are statistically significant**  
 \* Group was less than 1% of the youth population.  
 \*\* Insufficient number of cases for analysis.  
 The population numbers are not available for the Other/Mixed category and native Hawaiian or Other Pacific Islander groups.

As illustrated in Table 2, population information was not collected for the Native Hawaiian or Other Pacific Islander and Other/Mixed minority groups, therefore, the RRI values were not calculated. The American Indian or Alaska Native minority group was less than 1% of the general youth population; therefore the RRI values were not calculated. Finally, the Asian minority group had an insufficient number of cases at the secure confinement and transferred to adult court decision points for analysis.

As recommended by OJJDP, Table 3 summarizes the 2009, statewide RRI analysis.

**Table 3: Statewide RRI Analysis and Tracking Sheet (2009)**

State: Indiana Statewide	Black/African American	Hispanic/ Latino	Asian	Native Hawaiian/Pacifi c Islander	American Indian/ Alaska Native	Other/ Mixed	All Minorities
Juvenile Arrests	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Referrals to Juvenile Court	S M V Ct 3.23	S 1.14	S V 0.23			V	S M V Ct 2.46
Cases Diverted	S V Ct 0.93	V 0.95				V	S V Ct 0.94
Cases Involving Secure Detention	S M V Ct 1.65	S V 1.28				V	S M V Ct 1.58
Cases Petitioned (Charges filed)	S V 1.08	S V 1.07				V	S V 1.08
Cases Resulting in Delinquent Findings	S V 0.89					V	S 0.91
Cases Resulting in Probation Placement	S V Ct 0.89	S M V 0.86				V	S V Ct 0.89
Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	S V 1.36						S V 1.31
Cases transferred to Adult Court	S 0.83	S 0.40					S 0.72

Key: S=Statistically Significant M=Magnitude of RRI V=Volume of Activity Cm=Comparative with other jurisdiction Ct=Contextual Consideration

### 1) Statistical Significance

- The overrepresentation for Black /African American, Hispanic/Latino and all minority youth combined is statistically significant at the point of referral. Black/African American youth are referred to the juvenile justice system at a rate that is 3.23 times higher than white youth. Hispanic/Latino youth are referred to the system at a rate that is 1.14 times higher than their white counterparts. All minority youth combined are referred at a rate that is 2.46 times higher than white youth.
- Black youth are underrepresented at the diversion stage at a rate that is statistically significant (0.94).
- Black, Hispanic, and all minorities combined are overrepresented at the secure detention decision point at rates that are statistically significant, 1.65, 1.28, and 1.58 respectively. The aforementioned groups are also overrepresented at the petitioned stage with statistically significant rates of 1.08, 1.07, and 1.08 respectively.
- Black, Hispanic, and all minority youth combined are underrepresented at the probation decision point, at rates that are statistically significant 0.89, 0.86, and 0.89 respectively.

### 2) Magnitude of RRI

- Keeping in mind the 1.50 threshold mentioned earlier, Black/African American youth experienced the greatest degree of overrepresentation at referral with rate of 3.23
- When all minorities are combined, they experienced the second greatest degree of overrepresentation at referral with a rate of 2.46.
- The Black/African American youth experienced the third greatest degree of overrepresentation at secure detention with a rate of 1.65.
- The fourth greatest degree of overrepresentation is experienced by all minority youth combined at secure detention, with a rate of 1.58.
- Hispanic/Latino youth experienced the fifth greatest degree underrepresentation at probation with a RRI value of 0.86.

### 3) Volume of Activity

- There are high volumes of activity at most the decision points, for all the minority groups with the exception of Native Hawaiian and American Indian, and Asian. However, Table 2 illustrates that the highest volume of activity involves Black/African American youth at the referral and secure detention decision points. By focusing on aforementioned minority group and decision points, the greatest impact will be made on a statewide level.

#### 4) Contextual Consideration

- Indiana has committed to improving its juvenile justice system by implementing the Juvenile Detention Alternatives Initiative (JDAI); Indiana currently has 8 JDAI sites. The long term goal is to add the additional 84 counties, beginning with those counties with detention centers, high degrees of over/underrepresentation, and high volume of minority youth.
- As a statewide JDAI site, Indiana is currently implementing eight interconnected core strategies and approaches that are designed to create a fairer, more efficient, and effective juvenile justice system. The JDAI strategies and approaches foster the collaboration of both traditional and non-traditional stakeholders including judges, law enforcement, probation officers, and schools. This collaboration is evident in the Indiana Statewide JDAI Steering Committee that was developed to oversee the implementation of JDAI throughout the state. Present at the table are state and local representatives from each of the decision points along the juvenile justice system continuum. Having this type of representation on a statewide, consensus-based committee will present the opportunity to work collaboratively to identify and implement strategies designed to reduce the number of minority youth that are referred to the system and placed in secure detention.
- There is currently a Racial and Ethnic Disparities and DMC Subcommittee of the JDAI Steering Committee that will ensure that all JDAI strategies and approaches are strategically viewed and implemented through a racial lens.
- The state has access to competent and experienced researchers and other experts who are committed to further exploring the issues of racial disparities and DMC, with the objective of reducing the disproportionate rate at which minority come in contact with the juvenile justice system in Indiana.
- Finally, Indiana has a full-time DMC Coordinator who focuses primarily on the coordination of racial disparities and DMC reduction efforts.

#### *Allen County's RRI Analysis*

In CY2009, minority youth comprised approximately 27.28% of Allen County's 10-17 at risk youth population. As illustrated in Table 4, there are three minority groups that meet the 1% threshold. The groups are Black/African American (16.02%), Hispanic/Latino (8.37%), and Asian (2.47%).

**Table #4: Allen County's Volume, Rate and RRI Summary Sheet (2009)**

	Total Youth	White		Black/African American			Hispanic/Latino			Asian			Native Hawaiian or Pacific Islander			American Indiana/ Alaska Native			Other/Mixed			All Minorities		
		#	Rate	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI
Population (10-17)	40,907	29,746		6,555			3,424			1,010			0			172		*	0		*	11,161		
Referral	2,645	1,234	41.5	1,074	163.8	<b>3.95</b>	177	51.7	<b>1.25</b>	29	28.7	<b>0.69</b>	0		*	7	40.7	*	124		*	1,411	126.4	<b>3.05</b>
Diversion	1,168	573	46.4	451	42.0	<b>0.90</b>	77	43.5	0.94	7	24.1	0.90	0		*	2	28.6	*	58	46.8	*	595	42.2	<b>0.91</b>
Secure Detention	1,296	564	45.7	567	52.8	<b>1.16</b>	82	46.3	1.01	14	48.3	1.21	0		*	3	42.9	*	66	53.2	*	732	51.9	<b>1.14</b>
Petition Filed	1,477	661	53.6	623	58.0	<b>1.08</b>	100	56.5	1.05	22	75.9	1.13	0		*	5	71.4	*	66	53.2	*	816	57.8	<b>1.08</b>
Delinquent Findings	1,095	472	71.4	469	75.3	1.05	83	83.0	1.16	16	72.7	0.97	0		*	3	60.0	*	52	78.8	*	623	76.3	1.07
Probation	578	264	55.9	234	49.9	0.89	45	54.2	0.97	8	50.0	0.94	0		*	1	33.3	*	26	50.0	*	314	50.4	0.90
Secure Confinement	57	12	2.5	32	6.8	<b>2.68</b>	3	3.6	**	4	25.0	**	0		*	0		*	6	11.5	*	45	7.2	<b>2.84</b>
Transferred to adult court	1	1	0.2	0	1.5	**	0		**	0		**	0		*	0		*	0		*	0		**
Meets 1% rule		Yes 72.72%		Yes 16.02%			Yes 8.37%			Yes 2.47%			No			No			No					

key  
 The RRI values for White is 1.0 at all the decision points  
 Arrest is not being collected at this time  
**RRI values are statistically significant**  
 \* Group was less than 1% of the youth population.  
 \*\* Insufficient number of cases for analysis.  
 The population numbers are not available for the Other/Mixed category and native Hawaiian or Other Pacific Islander groups.

As illustrated in Table 4, population information was not collected for the Native Hawaiian or Other Pacific Islander and Other/Mixed minority groups, therefore, the RRI values were not calculated. The American Indian or Alaska Native minority group was less than 1% of the general youth population; therefore the RRI values were not calculated. Finally, the Asian minority group had an insufficient number of cases to analysis at the secure confinement and transferred to adult court decision points. As recommended by OJJDP, Table 5 summarizes the 2009, Allen County RRI analysis.

**Table 5: Allen County’s RRI Analysis and Tracking Sheet (2009)**

State: Indiana County: Allen	Black/African American	Hispanic/ Latino	Asian	Native Hawaiian/Pacifi c Islander	American Indian/ Alaska Native	Other/ Mixed	All Minorities
Juvenile Arrests	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Referrals to Juvenile Court	S M V 3.95	S V 1.25	S V 0.69			V	S M V 3.05
Cases Diverted	S V 0.90	V 0.94					S V 0.91
Cases Involving Secure Detention	S V Ct 1.16						S V Ct 1.14
Cases Petitioned (Charges filed)	S V 1.08	V 1.05					S V 1.08
Cases Resulting in Delinquent Findings	V 1.05						
Cases Resulting in Probation Placement	V 0.89						V 0.09
Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	S M 2.68						S M 2.84
Cases transferred to Adult Court							
Key: S=Statistically Significant M=Magnitude of RRI V=Volume of Activity Cm=Comparative with other jurisdiction Ct=Contextual Consideration							

## 1) Statistical Significance

- The overrepresentation for Black, Hispanic and all minority youth combined is statistically significant at the point of referral. Asian youth have a referral rate that is statistically significant; however, the rate is less than 1.00. Black/African American youth are referred to the juvenile justice system at a rate that is 3.95 times higher than white youth. Hispanic/Latino youth are referred to the system at a rate that is 1.25 times higher than their white counterparts. All minority youth combined are referred at a rate that is 3.05 times higher than white youth.
- Black youth and all minorities combined are underrepresented at the diversion stage with statistically significant RRI values of 0.90 and 0.91 respectively.
- Black and all minorities combined are overrepresented at secure detention, at rates that are statistically significant. When compared to their white counterparts, Black youth are 1.16 times more likely to be securely detained; and all minority youth are 1.14 times more likely to be securely detained when compared to white youth.
- Black youth and all minority youth combined are overrepresented at the petitioned stage at a rate that is statistically significant (1.08).
- Black, Hispanic, and all minority youth combined are overrepresented at the secure confinement stage, at a rate that is statistically significant (2.68).

## 2) Magnitude of RRI

- Keeping in mind the 1.50 threshold mentioned earlier, Black youth experienced the greatest degree of overrepresentation at the referral decision point with a rate of 3.95.
- All minorities combined experienced the second greatest degree of overrepresentation with a referral rate of 3.05.
- The Black youth experienced the third greatest degree of overrepresentation at secure confinement with a RRI value of 2.68.

## 3) Volume of Activity

- There are high volumes of activity for many of the minority groups at most of the decision points. However, as Table 4 illustrates, a large number of Black/African American youth were referred to the system, sent to secure detention, and had charges filed against them when compared to other youth. By focusing on the groups mentioned above, the greatest impact will be made in Allen County.

#### 4) Contextual Consideration

- Allen County is one of the largest counties in the state, and is known to be a leader when it comes to juvenile justice system efforts. It is Indiana's goal to replicate JDAI in every county, so we anticipate that Allen County will eventually become a site. Allen County participated in the DMC assessment study, which allowed ICJI staff and the researchers of the project to speak with the juvenile judge and other court representatives to learn more about the county and their ability and desire to address DMC.

#### *LaPorte County's RRI Analysis*

In CY2009, minority youth comprised approximately 21.87% of the 10-17 at risk youth population in LaPorte County. As illustrated in Table 6, there are two minority groups that meet the 1% threshold. The groups are Black/African American (14.01%) and Hispanic/Latino (6.97%).

**Table #6: LaPorte County's Volume, Rate and RRI Summary Sheet (2009)**

	Total Youth	White		Black/African American			Hispanic/Latino			Asian			Native Hawaiian or Pacific Islander			American Indian/Alaska Native			Other/Mixed			All Minorities		
		#	Rate	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI
Population (10-17)	11,673	9,120		1,635			814			58			0			46		*	0		*	2,553		
Referral	792	464	50.9	281	171.9	<b>3.38</b>	30	36.9	0.72	0		*	0		*	1	21.7	*	16		*	328	128.5	<b>2.53</b>
Diversion	253	156	33.6	79	28.1	0.84	13	43.3	**	0		*	0		*	1	100.0	*	4	25.0	*	97	29.6	0.88
Secure Detention	243	128	27.6	109	38.8	<b>1.41</b>	3	10.0	**	0		*	0		*	0		*	3	18.8	*	115	35.1	<b>1.27</b>
Petition Filed	539	308	66.4	202	71.9	1.08	17	56.7	**	0		*	0		*	0		*	12	75.0	*	231	70.4	1.06
Delinquent Findings	372	221	71.8	129	63.9	0.89	13	76.5	**	0		*	0		*	0		*	9	75.0	*	151	65.4	0.91
Probation	320	191	86.4	108	83.7	0.97	13	100.0	**	0		*	0		*	0		*	8	88.9	*	129	85.4	0.99
Secure Confinement	46	26	11.8	19	14.7	1.25	0		**	0		*	0		*	0		*	1	11.1	*	20	13.2	1.13
Transferred to adult court	20	7	2.3	13	6.4	<b>2.83</b>	0		**	0		*	0		*	0		*	0		*	13	5.6	<b>2.48</b>
Meets 1% rule		Yes 79.13%		Yes 14.01%			Yes 6.97%			No			No			No			No					

key  
 The RRI values for White is 1.0 at all the decision points  
 Arrest is not being collected at this time  
**RRI values are statistically significant**  
 \* Group was less than 1% of the youth population.  
 \*\* Insufficient number of cases for analysis.  
 The population numbers are not available for the Other/Mixed category and native Hawaiian or Other Pacific Islander groups.

As illustrated in Table 6, population information was not collected for the Native Hawaiian or Other Pacific Islander and Other/Mixed minority groups, therefore, the RRI values were not calculated. The American Indian or Alaska Native and the Asian minority groups was less than 1% of

the general youth population, therefore the RRI values were not calculated. Finally, the Hispanic/Latino minority group had an insufficient number of cases for analysis at all the decision points with the exception of referral. As recommended by OJJDP, Table 7 summarizes the 2009 LaPorte County RRI analysis.

**Table 7: LaPorte County’s Relative Rate Index (RRI) Analysis and Tracking Sheet**

State: Indiana County: LaPorte	Black/African American	Hispanic/ Latino	Asian	Native Hawaiian/Pacifi c Islander	American Indian/ Alaska Native	Other/ Mixed	All Minorities
Juvenile Arrests	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Referrals to Juvenile Court	S M V Ct 3.38						S M V Ct 2.53
Cases Diverted	V 0.84						V 0.88
Cases Involving Secure Detention	S V Ct 1.14						S V Ct 1.27
Cases Petitioned (Charges filed)	V 1.08						V 1.06
Cases Resulting in Delinquent Findings	V 0.89						
Cases Resulting in Probation Placement	V 0.97						V 0.99
Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	S M 1.25						S M 1.13
Cases transferred to Adult Court							
Key: S=Statistically Significant M=Magnitude of RRI V=Volume of Activity Cm=Comparative with other jurisdiction Ct=Contextual Consideration							

## 1) Statistical Significance

- The overrepresentation for Black and all minority youth combined is statistically significant at the point of referral. Black/African American youth are referred to court at a rate that is 3.38 times higher than white youth. All minority youth combined are referred at a rate that is almost 2.53 times higher than their white counterparts.
- Black/African American and all minorities combined are overrepresented at secure detention at rates that are statistically significant. Black/ African Americans and all minority youth combined are admitted to secure detention at a rate that is 1.41 and 1.27 times higher than their white counterparts.
- Black/ African American and all minority youth combined are transferred to adult court at rates that are statistically significant. Black youth are 2.83 times more likely to be transferred to adult court when compared to their white counterparts, and all minorities combined are 2.48 times more likely to be transferred to adult court compared to white youth.

## 2) Magnitude of RRI

- Black youth experienced the greatest degree of overrepresentation at the referral decision point with a rate of 3.38
- Black youth combined experienced the second greatest degree of overrepresentation at the transferred to adult court decision with a RRI value of 2.83.
- All minority youth combined experienced the third greatest degree of overrepresentation at the referral stage with a rate of 2.53, following by transferred to adult court with rate of 2.48

## 3) Volume of Activity

- Black youth have the highest volume of activity a different decision points along the juvenile justice system continuum, particularly at the referral stage. Therefore, focusing on the aforementioned minority group and decision point would have the greatest impact in LaPorte County.

## 4) Contextual Consideration

- LaPorte County has continuously expressed interest in becoming a JDAI site, and is very interested in implementing strategies to reduce racial disparities and DMC in their county. The hope is that the DMC assessment study and future DMC work will serve as a prelude to them becoming involved in the initiative.

*Vanderburgh County's RRI Analysis*

In CY 2009, Vanderburgh County had three minority groups that met the 1% threshold required for separate analysis: Black/African American (14.51%), Hispanic or Latino (1.86%), and Asian (1.72%).

**Table #8: Vanderburgh County Statewide Volume, Rate and RRI Summary Sheet (2009)**

	Total Youth	White		Black/African American			Hispanic/Latino			Asian			Native Hawaiian or Pacific Islander			American Indiana/ Alaska Native			Other/Mixed			All Minorities		
		#	Rate	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI
Population (10-17)	16,117	13,162		2,339			299			277			0			40		*	0		*	2,955		
Referral	39,561	620	47.11	421	179.99	<b>3.82</b>	9	30.10	0.64	3	10.83	**	0	0.00	*	2	50.0	*	6	0.00	*	441	149.24	<b>3.17</b>
Diversion	21,686	363	58.55	222	52.73	0.90	8	88.98	**	2	66.67	**	0	0.00	*	2	100.00	*	5	83.33	*	239	54.20	0.93
Secure Detention	10,506	226	36.45	192	45.61	<b>1.25</b>	1	22.22	**	1	33.33	**	0	0.00	*	0	0.00	*	1	16.67	*	196	44.44	<b>1.22</b>
Petition Filed	17,875	257	41.45	199	47.27	1.14	0	11.11	**	1	33.33	**	0	0.00	*	0	0.00	*	1	16.67	*	202	45.80	1.11
Delinquent Findings	13,838	247	96.11	178	89.45	<b>0.93</b>	0	0.00	**	1	100.00	**	0	0.00	*	0	0.00	*	1	100.00	*	180	89.11	<b>0.93</b>
Probation	10,554	207	83.81	151	84.83	1.01	0	0.00		1	100.00	**	0	0.00	*	0	0.00	*	1	100.00	*	153	85.00	1.01
Secure Confinement	1,146	27	10.93	27	15.17	1.39	0	0.00		0	0.00	**	0	0.00	*	0	0.00	*	0	0.00	*	27	15.00	<b>1.37</b>
Transferred to adult court	286	2	0.78	5	2.51	**	0	0.00	**	0	0.00	**	0	0.00	*	0	0.00	*	0	0.00	*	5	2.48	**
Meets 1% rule		Yes <b>81.67%</b>		Yes <b>14.51%</b>			Yes <b>1.86%</b>			Yes <b>1.72%</b>			No			No			No					

key  
 The RRI values for White is 1.0 at all the decision points  
 Arrest is not being collected at this time  
**RRI values are statistically significant**  
 \* Group was less than 1% of the youth population.  
 \*\* Insufficient number of cases for analysis.  
 The population numbers are not available for the Other/Mixed category and native Hawaiian or Other Pacific Islander groups.

As illustrated in Table 8, population information was not collected for the native Hawaiian or Other Pacific Islander and Other/Mixed minority groups, therefore, the RRIs were not calculated. The American Indian or Alaska Native minority group was less than 1% of the general youth population, therefore the RRI s were not calculated. The Asian minority group in all stages had an insufficient number of cases for analysis. The Hispanic/Latino minority group had an insufficient number of cases for analysis in all stages except referrals. Cases transferred to adult court for Black/African American had an insufficient number of cases for analysis.

**Table 9: Vanderburgh County’s Relative Rate Index (RRI) Analysis and Tracking Sheet**

State: Indiana County: Vanderburgh	Black/African American	Hispanic / Latino	Asian	Native Hawaiian/Pacific Islander	American Indian/ Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	NA	NA	NA	NA	NA	NA	NA
3. Referrals to Juvenile Court	S M V 3.82						S M V 3.17
4. Cases Diverted	V 0.90						V 0.93
5. Cases Involving Secure Detention	S V Ct 1.25						S V Ct 1.22
6. Cases Petitioned (Charges filed)	V 1.14						V 1.11
7. Cases Resulting in Delinquent Findings	V 0.93						V 0.93
8. Cases Resulting Probation Placement	V 1.01						S V 1.01
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities							
10. Cases transferred to Adult Court							
<b>Key:</b> S=Statistically Significant M=Magnitude of RRI V=Volume of Activity Cm=Comparative with other jurisdiction Ct=Contextual Consideration							

### 1) Statistical Significance

- The overrepresentation of Black/African American youth is statistically significant at the referral and secure detention decision points with rates of 3.82 and 1.25 respectively.
- The overrepresentation for all minorities combined is statistically significant at the points of referral and secure detention. All minority youth combined are 3.17 times more likely to be referred to the juvenile system when compared to their white counterpart. They are 1.22 times more likely to be admitted to secure detention when compared to white youth and had 3 times the volume of court referrals when compared to their white counterparts. All minority youth combined had 1.22 times the volume of white youth at the detention stage.

### 2) Magnitude of RRI

- Based on the magnitude of the RRI values, the greatest degree of overrepresentation is at the stage of referral to juvenile court for Black/African American and all minority youth with RRI values of 3.82 and 3.17 respectively.

### 3) Volume of Activity

- Black youth are overrepresented at referral, secure detention and cases resulting in secure confinement. Not only is the overrepresentation statistically significant at the referral and cases petitioned stages, but they also have the greatest volume of activity involving Black youth. Therefore, focusing on referral will more than likely yield the greatest results and have the largest impact in Vanderburgh County.

### 4) Contextual Consideration

- The juvenile court judge has expressed continued interest in improving outcomes for juveniles. He once served on the Indiana Juvenile Justice Improvement Committee. He has mentioned the overrepresentation of minority youth in the system, but may need to be educated on the intricacies of DMC.
- Several entities, including the juvenile court, currently receive Title II and JABG funding for youth related services.
- Vanderburgh County has the most racial and ethnic diversity south of Indianapolis.
- There are several universities that can be tapped for research assistance.

In sum, the RRI analysis reveals that Black/African American, Hispanic/Latino, and all minority youth combined are overrepresented in the juvenile justice system. This overrepresentation is more pronounced at the referral, secure detention, and secure confinement decision points. Because the RRI values, when considered individually, cannot conclusively describe the reasons for the overrepresentation, it is necessary to further explore the findings through an assessment study.

## **Phase II: Assessment/Diagnosis**

As a follow up to the Statewide DMC data collection project that was completed during CY 2012 during which it was determined that DMC exists in many of Indiana's local jurisdiction, an assessment study was recently completed with the objective of identifying the mechanisms that are contributing to DMC in three target jurisdictions. Below is the executive summary that was taken directly from the report. The full report will be submitted as a separate attachment with this grant application.

### **Executive Summary**

African American youth represent 16% of the adolescent population in the United States, and almost 40% percent of the youth in local detention and state correctional facilities. The Juvenile Justice Delinquency Prevention (JJDP) Act of 1974, as amended in 2002, requires states to implement delinquency prevention and systems improvement strategies to reduce the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system. To guide states in these efforts, the office of Juvenile Justice and Delinquency Prevention (OJJDP) developed a five-phase Disproportionate Minority Contact (DMC) Reduction Cycle. Criminologists contracted from Indiana University Purdue University Indianapolis' Center for Criminal Justice Research conducted Indiana's Phase I DMC study (the identification phase) in every county across the State of Indiana. This Phase II study is the second step in the DMC Reduction Cycle: Assessment. Three jurisdictions were selected for the assessment phase in order to assess and diagnose possible causes of disproportionality that was identified during the Phase I study. The three Indiana counties (Allen, LaPorte, and Vanderburgh) were selected on the basis that they were relatively large metropolitan areas with appropriate case volume and significant DMC. The current study is the work of researchers from Community Solutions Inc., in collaboration with researchers from the Center for Criminal Justice Research at IUPUI, the IU School of Medicine, and the American Institutes for Research.

The DMC assessment process utilized a mixed-methods case study approach to examine and identify potential causes of DMC. Profiles of the counties were generated, including basic demographic and juvenile risk factor data. Additionally, interviews were completed with 112 probation-involved and detained youth across the three jurisdictions. Finally, we conducted focus groups with key stakeholders working in the local juvenile justice systems, including: Judges and Magistrates, Prosecutors and Public Defenders, Probation and Detention Center Staff, School Personnel, Police Officers, and Community Service Providers. In total, 19 focus groups with 106 participants were conducted. We used qualitative analysis techniques to analyze the content gathered from focus group interviews.

### Overall Findings

Data analyses based on youth survey results and focus group discussions for each jurisdiction are presented in detail within the report. We also present a set of county-specific conclusions and recommendations in each county's section. Detailed below are a number of common, cross-cutting themes shared by the jurisdictions.

1. Overall, stakeholders in the jurisdictions involved in the current study (Phase II) were energized to address DMC in their community. Additionally, leaders from these jurisdictions were motivated to begin or continue innovative juvenile justice reform efforts. This is a very positive finding for the state as there are interested and willing change agents in each of these counties.

2. In trying to pinpoint reasons for DMC within the juvenile justice system, there was much attention focused on the earliest stages of juvenile justice system. When system-involved youth were asked to describe if they felt they were discriminated against by juvenile justice professionals, police officers received the highest perceived discrimination scores. Moreover, during the focus group portion of this study, police officers were often described by other non-police focus group members as needing intervention (e.g., training, programming with kids) to reduce DMC. During focus groups with police officers, officers clearly stated they were open to receiving additional training, as long as the training was aimed at improving their interactions with minority youth.

3. Focus group participants provided a wide variety of reasons for DMC. Geographic location impacted which factors focus group participants thought were important causes of DMC. Additionally, the mechanisms that focus group participants identified as leading to DMC included contextual factors such as: disorganized neighborhoods with little to offer youth; poverty; institutional racism; family structure, lack of parental involvement and poor parenting practices; policies and procedures that are differential applied (e.g., detention decisions and alternatives to detention, the influence of gang participation on all areas of system decision making); poor access to services, migration, and cultural and language differences. One thing was clear in each location; there is not one major reason for DMC. DMC (during the study period and likely beyond) is a result of a mixture of important individual, community and system level factors, which in combination contribute significant amount DMC at various decision points in the three jurisdictions in this study.

### Recommendations

As previously mentioned, there are sets of recommendations that are specific to each individual county. Those recommendations are not included here; they can be found at the end of each county's section. Provided below are several cross-cutting recommendations that were common to all of counties.

#### 1. Local DMC taskforce

Each community would benefit from creating a local DMC Taskforce. There are significant local issues that impact DMC as well as cross-cutting issues evidenced by each jurisdiction. Models of successful DMC taskforces exist both across the country and in the State of Indiana. Another example of this type of community council whose focus is to deal with a specific concern in a community is Indiana's Local Coordinating Councils (LCC). LCCs are the planning and coordinating bodies for addressing alcohol and other drug problems in a county. These councils are comprised of stakeholders from a variety of sectors including education, treatment, social services, and local police.

#### 2. Police officer training

A primary issue identified by both youth and adult stakeholders in all three of the jurisdictions included interactions between youth and police officers. It is recommended that each jurisdiction consider offering or requiring specific training (on a regular basis) that provides information to the police about adolescent development and communication, signs of distress in a youth, and enhanced de-escalation techniques, aimed at improving police officer-adolescent interactions. While this training is recommended for officers who interact regularly with youth in general, the greatest need seemed to be for those officers that interact with minority youth regularly.

### 3. Cultural competency training (or cultural adaptation frameworks)

This recommendation includes two parts: re-conceptualizing current training and expanding the frequency in which it is offered. First, cultural competency training, termed cultural adaptation frameworks, is recommended to increase the utilization of evidence-based practice to improve outcomes of youth. A cultural adaptation framework focuses on the adaptation of evidence-based practice to the specific population targeted. Therefore, jurisdictions are encouraged to re-frame training in the area of cultural competency as a way to increase the uptake of evidence based practice with diverse populations. Second, few of the participants that we spoke with that work with youth regularly stated that they had received some form of this training (or if they had it occurred long ago). Since the desire for such training was a consistent theme in all three counties, it is necessary for all youth-serving agencies to require cultural adaptation training when they hire their staff and to provide “booster sessions” periodically to prevent staff from returning to old patterns of behavior.

### 4. Extensive arrest records

Some youth develop an extensive juvenile records quickly and at an early age. Prior criminal records greatly influence every decision point and minority children often have longer prior juvenile records. In order to combat this effect, the involved jurisdictions would benefit from developing a reception center that is separate from the detention center. This reception center could be for youth with minor charges were they are processed, screened, and then both the parent and youth are connected to community resources. We understand that LaPorte County recently started one; we recommend that they assess monthly data to see if their reception center is, in fact, reducing admissions to their detention center.

### 5. Relationship between community and police

A universal problem identified for each jurisdiction included the relationship between community members and the police. This is not only specific to the collaborating jurisdictions but is a nationwide issue. Thus, recommendations are detailed in the report to educate youth regarding interactions with police, educate parents about the ramifications of their youth having a record with police, and improving funding for police officer programs that allow officers to interact with youth in a positive manner.

### 6. Indiana House Bill 1001

A cross-cutting issue that adversely affects outcomes with minority youth was Indiana House Bill 1001. Juvenile court personnel reported that the change in funding streams has made getting juvenile justice-involved youth into appropriate treatment more difficult. The suggestion was made across sites that Indiana House Bill 1001 exacerbates DMC when funding is denied for treatment or a placement for pre-adjudicated youth. Thus the system is forced to hold the youth in detention and sometimes must be adjudicated to receive the services they need. It is recommended that counties continue to dialogue with DCS regional representatives regarding this difficulty as well as advocate for change within their respective professional groups.

### 7. Parent volunteer networks

Each of the jurisdictions involved in the Phase II study identified difficulty in empowering families to become and stay involved with their youth during the juvenile justice process. One recommendation is to explore the possibility of developing volunteer groups of parents of system-involved youth to serve as a network of support and advocacy for each other.

#### 8. Disciplinary referrals from school

Each jurisdiction identified school systems as being one place where youth of color are disproportionately referred. A possible solution is to develop an initial hearing court.

#### 9. The importance of early childhood intervention

Virtually all of the focus group participants identified the important need for early childhood intervention. Effective programming exists, such as Nurse-Family Partnership and Head Start/Early Head Start. Jurisdictions are encouraged to explore implementing or expanding these and other evidence-based early childhood intervention programs in their jurisdictions.

#### 10. Employment opportunities

Few of the agencies believed that they have enough minority male and female staff members, and recruitment of qualified minority candidates should be a priority. Human Resource departments within agencies should develop strategies for increasing racial and ethnic diversity within the organization, even in communities with relatively small minority populations. For example, agencies could conduct a coordinated recruiting effort twice per year near the end of the semester at Indiana college campuses. Many minority students are earning degrees in fields related to criminal justice and are seeking employment in the field.

#### 11. Trade education

Although this is a far-reaching recommendation, each of the jurisdictions involved identified the need for trade education. The claim was made that students who do not excel in traditional academics should be offered trade classes (e.g., shop, electrician training) to provide youth an avenue for success, a way to build competence and self-esteem, and to protect these youth from dropping out of school which eventually could impact their likelihood of entering the juvenile justice system. While this is clearly a school issue, probation personnel could also play a role by referring their clients to trade training programs should they learn that their charges are at risk of dropping out of school and show an interest or aptitude in the trades.

Just as there is no single cause of DMC in any of the three jurisdictions involved in the Phase II study, there is no single solution. The cross-cutting recommendations, coupled with County- and State-level recommendations included in the full report of the Phase II study, identify a variety of ways that stakeholders across sectors can work individually and collectively to reduce DMC within their communities.

### **Phase III: Intervention**

Indiana completed its assessment study in March 2013, and so no DMC reduction programs have been implemented as a direct result of the study's findings. The DMC Coordinator will work with other key stakeholders during 2013 to develop an intervention plan based on the findings and recommendations from the assessment study. Some of the preliminary ideas have emerged during recent conversations, including: implicit bias trainings (we plan to submit a TA request to OJJDP for this particular training), data driven system improvement efforts, and an additional study to determine if youth of color are committing more violent crimes when compared to their white counterparts.

## Progress Made in FY2012

### 1. State Level Activities

Indiana completed many of the activities outlined in the FY2012-2014 DMC Compliance Plan. Below is a discussion of the activities that were completed, as well as a discussion of the activities that were not completed and why there were not completed.

#### *State level Data Collection Efforts*

During the statewide data collection project completed in 2012, it was determined that Indiana is not in the position to collect DMC data as required by OJJDP. This is because the capacity to gather the information at the local level is practically non-existent. There is also a lack of uniformity in the manner in which data is collected, as well as how the decision points are defined. With this in mind, a number of the recommendations focused on building Indiana's capacity to collect and maintain data, as well as examining the decision points and how they are defined from jurisdiction to the next.

Conversations are currently occurring regarding the development of centralized juvenile justice data repository that would house juvenile justice data, including DMC data from across the state and across the different juvenile justice system improvement efforts that are currently underway. The conversations are currently being guided by a number of entities including ICJI, the Indiana Judicial Technology and Automation Committee (JTAC), and the Indiana Judicial Center. One of the challenges that continue to emerge is the lack of uniformity in data collecting and reporting practices at the local level. We are currently identifying ways to overcome this challenge.

Under the leadership of the Indiana Judicial Center, a workgroup was recently established and tasked with defining the decision points. The hope is that the efforts of the workgroup will create uniformity in the manner in which the decision points are defined across the state, thus reducing the ambiguity during future data collection efforts. The workgroup is comprised of juvenile court judges, Chief Probation Officers, and the statewide DMC Coordinator. The group held its first meeting in February, and is hoping to complete its work by the end of the 2013.

During the statewide data collection project we did not collect arrest information because it is not readily available. During the 2013 legislative session, a bill was proposed that would require the data division of the Indiana State Police Department to notify ICJI if a public official or agency dealing with crime and criminals fails to comply with reporting requirement of the uniform crime reporting system. ICJI would then have the authority to withhold certain funds from those entities until they are able to comply with the reporting requirements. If this bill becomes law, Indiana would be one step closer to being able to collect some arrest data.

#### *Racial and Ethnic Disparities & DMC Subcommittee*

Indiana was able to form a statewide Racial and Ethnic Disparities and DMC Subcommittee. The committee is a subcommittee of the statewide JDAI Steering Committee, and is comprised of partners from local JDAI sites as well as state agencies, and Indiana University. The group is chaired by the statewide DMC Coordinator. The purpose of the group is to ensure that all youth who come into contact with Indiana's juvenile justice system receive fair and equitable treatment regardless of race and ethnicity. Some of the specific tasks of the subcommittee are to:

- Ensure communication across JDAI sites and state leaders about the current status of racial and ethnic disparities.

- Share information on sites' RED efforts and potentially acting as a connecting point to sites engaged in work with the Burns Institute (BI).

Guide and coordinate state and local level data collection and analysis, system reforms, and other methods of progress towards eliminating racial and ethnic disparities.

- Ensure that local JDAI sites examine current and future policies and practices through a racial and ethnic lens with the objective of determining whether they have a disparate impact on youth of color.
- Provide support and guidance to sites as they develop and implement data driven strategies and practices specifically designed to eliminate racial and ethnic disparities (RED) and DMC.
- Address RED and DMC related cross-cutting issues identified by local communities.
- Promote the notion that JDAI and BI strategies are meant to work together to achieve the best possible outcomes in creating systemic equity.
- Assure that JDAI and BI tasks and strategies in local and state work plans are complementary.

During CY 2012, subcommittee members spent some time learning about the concept of RED and DMC through literature and training provided by the Burns Institute.

In CY 2013, the subcommittee will focus on coordinating the racial disparities and DMC reduction work that is occurring in the local JDAI sites, which will be discussed below in more detail. The group sees a need for implicit bias training, and will therefore focus on securing training on implicit bias for local jurisdictions and other state agencies. We are currently in the process of clearly defining our needs and desired results. Once that is complete, we will likely submit a TA request to OJJDP in order to bring an expert to Indiana to conduct the training.

## 2. Local Level/JDAI Activities

Indiana continues to fully support the notion that DMC reduction work must be localized in order for it to be successful. ICJI also continues to use JDAI as the primary vehicle to advance its DMC agenda both at the state and local level. This is evident in the support and guidance that local JDAI sites have received and will continue to receive from the state. In 2012, each JDAI sites received Title II and other OJJDP funds to support JDAI/DMC Coordinator positions and other initiatives related to JDAI and DMC. The JDAI sites are Marion, Lake, Porter, Tippecanoe, Johnson, Howard, Elkhart, and Clark counties.

### *Marion County*

In CY 2012, Marion County continued to work to address racial disparities and. They completed their third year of intensive site engagement with the Burns Institute and continued to collaborate with local school districts to implement alternatives to arrest, suspension, and expulsions. In an effort to reduce VOPs among kids of color, they developed the Restoring Adolescent Cognitive Excellence (RACE) Project, a mentor based initiative. The project targets youth of color and utilizes the Cognitive Life Skills Curriculum authored by the National Curriculum and Training Institute. The County applied for and was awarded funding for the program through the Mayor's Community Crime Prevention Grant program. Marion County also trained (using the "train the trainer" format) 17 community members in the Community Justice Network for Youth, (CJNY) Youth & the U.S. Justice System curriculum. The Youth & the U.S. Justice System curriculum is designed to educate stakeholders about the development of policies and practices in the juvenile system in 1500's to policies and practices today.

Marion County will continue its racial disparities and DMC reduction efforts in CY 2013. As a result of a data driven process facilitated by the Burns Institute, it was determined that law enforcement training is needed in zip code 46218 in an effort to reduce the number of youth of color that are referred to the system. Through a Title II grant, the county was able to secure Strategies for Youth Policing the Teen Brain Training. In 2013, trainers will be trained to provide training to law enforcement officers that patrol the 46218 zip code. Law enforcement trainings will occur throughout the year. In addition to the law enforcement training, the county will continue to implement the RACE project. Marion County plans to begin using the Youth Justice History Curriculum to engage youth and their parents in the juvenile justice system reform effort in Marion County. As a result of result of this engagement, the county is hoping to establish a JDAI Youth/Parent Advisory Board.

### *Other JDAI Sites*

During CY 2012, Lake Porter, Johnson, Tippecanoe, Clark, Howard, and Elkhart counties continued their juvenile justice system improvement efforts. System assessments were completed in Clark, Elkhart, and Howard Counties. The system assessment is designed to do a thorough analysis of detention policies, practices, and programs in each jurisdiction. Each site and the state as a whole, was provided with a full report outlining observations and recommendations for each of the eight JDAI Core strategies.

The observations and recommendations for the racial and ethnic disparities core strategy were similar across the three jurisdictions. Based on data provided prior to the assessment, it was determined that youth of color were overrepresented in detention in Howard and Elkhart Counties. Issues with Clark County's data made it difficult to draw inferences about the representation of minority youth in their system. The recommendations were similar across the three jurisdictions. Some of the suggestions included the mapping of decision points to gain a better understanding about how youth of color move through the system and how they are treated throughout the process. It was also recommended that the locals work to better include the community of color on decision making collaborative, as well as ensure that new stakeholders are given a system orientation so that everyone is on the same page.

Lake and Porter Counties completed their Readiness Assessment Consultation (RACs). Once the report was completed, representatives from the Burns Institute presented the findings and recommendations to stakeholders in each county. It was determined that Porter County does not have a dramatic level of disproportionality compared to some of the other counties in Indiana. It was also noted that during the interview, some stakeholders referred to a "demographic shift" that is currently occurring in Porter County. BI representatives noted that the term has a deeper meaning that the DMC collaborative should work to identify. Some of the next steps that were outlined in the report include the conversations in the

DMC committee regarding its focus, community engagement, and using data to further their conversation about why youth of color are detained.

Lake County is similar to many counties, including Marion County, in that youth of color are disproportionately represented in detention. The RAC revealed that although there is an existing DMC subcommittee, the right people are not at the table, nor is the committee focused enough to be effective. Some of the recommendations include the evaluation of the existing committee, engaging the community, and using data to help further their conversation about target populations and why youth of color are detained. The full RACs with all the findings and recommendations for Lake and Porter counties are included with this update.

### **Update on DMC Reduction Plan for FY 2012-2014/Progress Made in CY 2012**

**Goal 1:** Improve and institutionalize the collection, reporting, and analysis of accurate and uniformed DMC/juvenile justice data in Indiana.

**Objective 1:** Continue to assess juvenile justice data availability and data collection and analytical capacity at the state and local levels.

#### **Activities:**

- FY 2012-2014: Utilize the Data Subcommittee of the JDAI Steering Committee to help coordinate the assessment of data availability and data collection and analysis. The collaborative is comprised of representatives from local JDAI sites as well as the state. The group is charged with ensuring appropriate, valid, and reliable data are available at the state and local level to help improve the juvenile justice system and track outcome of change over time.

#### **STATUS: Ongoing**

In CY 2012, the JDAI Data/Detention Utilization Work Group continued working to identify and address gaps related to data collection and reporting in JDAI sites. The group is currently coordinating the completion of the Detention Unitization Study for each of the JDAI sites, with the purpose of identifying how detention is currently being utilized. All the information that is gathered in the study is disaggregated by race and ethnicity. This information will help to shed additional light on the treatment of youth of color in detention, which is critical considering the fact that youth of color were almost twice as likely to be detained in Indiana when compared to their white counterparts.

- FY 2012-2013: ICJI submitted a grant proposal for funds to be awarded to the Statistical Analysis Center (SAC) to enhance DMC data collection capabilities. The application was submitted under the minority overrepresentation in the criminal justice or juvenile justice special topic area. If funding is awarded, experts will work with selected counties to gain a better understanding of what it will take for Indiana to gather juvenile justice data. The project will be called Indiana State Juvenile Data Evaluation, Quality and Use Improvement Pilot (J-EQUIP) Project.

#### **STATUS: Ongoing**

ICJI was awarded the grant to implement the Indiana State Juvenile Data Evaluation, Quality and Use Improvement Pilot (J-EQUIP) Project. There are two main goals of the J-EQUIP Project. The first includes data validation and repository. In order to inform statewide juvenile justice efforts, information needs to be gathered and collated in a usable format. For example, a troubling issue that has arisen through the Indiana Mental Health Screening, Assessment and Treatment Project

is the lack of uniformity across electronic database management systems in Indiana. As stated earlier, counties use a variety of formats to collect juvenile justice data. Utilizing a data repository across the various criminal justice systems will allow for more effective evaluations, and for uniform data to be gathered for youth across the state and across systems (juvenile justice, DCS, DOC). Additionally, the validity of the four primary juvenile computer-based case management systems has not been explored. Thus, through this project we seek to validate the uniformity and completeness of data across systems. The second goal is to provide data consultation to JDAI sites. JDAI and DMC are data driven efforts that warrant intensive county level intervention. Few counties currently have the infrastructure (including data systems and capacity in place) or personnel (individuals with data programming experience) that are needed for effective, ongoing data gathering and analysis. Thus, on a consultative basis, the J-EQUIP Project team can be available for consultation regarding the development of infrastructure, development of personnel or aid in the expertise needed to utilize data effectively.

A number of steps have been taken regarding both goals. The project team is made up of professors, data programmers, and clinicians in the field have attended data reporting meetings in Marion County and met with stakeholders, court administrators, case management system developers, and data managers in order to understand where problems in data uniformity originate. The team has reviewed crime severity reporting categories for a number of counties to gain an understanding of crime charge variability, particularly as it contributes to reporting inconsistency. Initial contact with case management system developers regarding a plan for data validation was made. Additionally, we have offered technical assistance to all counties involved in the JDAI initiative. A number of conference calls were conducted with JDAI/DMC coordinators, and additional meetings are currently being scheduled.

- FY 2012: Review recommendations presented by the Indiana University Center for Criminal Justice Research regarding the ability of counties to report DMC data on a consistent basis and see how they inform and guide the work that will be completed under the SAC grant and by the JDAI Data Subcommittee.

**STATUS: Complete**

As a direct result of the findings and recommendations made by the Indiana University Center for Criminal Justice Research regarding Indiana's ability to routinely report data, the J-EQUIP project was developed to identify and validate a process through which counties can report the information to the state.

- FY 2012-2014: Ensure a clear message is sent regarding OJJDP DMC data requirements and why it is necessary to report the information.

**STATUS: Ongoing**

The findings and recommendations from the statewide DMC data collection project gave us a platform to have conversations about why we are collecting the information and why it is important for us to have accurate and reliable data. One such conversation occurred when the DMC Coordinator was asked to present to the Indiana Juvenile Justice Improvement Committee. The Committee is comprised of juvenile court judges from across the state, and works to improve policies and practices affecting juveniles and juvenile courts in Indiana. Similar conversations are also occurring under the auspice of JDAI and other system improvement efforts, which are receiving a great deal of statewide attention and support.

- FY 2012-2014: Utilize JDAI quarterly reporting system to help gather data that is disaggregated by race and ethnicity in a centralized and uniformed fashion. Work with Annie E. Casey Foundation and other Indiana based data system developers to ensure that data provided by the counties are presented in a manner than can be analyzed.

**STATUS: Ongoing**

Each JDAI site submit quarterly reports disaggregated by race and ethnicity as required. The information is compiled at the state level and is currently being analyzed by the JDAI data subcommittee. The subcommittee continues to work to address emerging issues related to data collection and data quality. Once these issues are resolved, this information will be used to help make decisions regarding how youth of color are treated in the juvenile justice system.

**Objective 2:** Continue to identify and address barriers to collecting DMC data

**Activities:**

- FY2012: Identify barriers(s) to collecting statewide arrest data, including Indiana’s failure to submit UCR data. The DMC Coordinator, JJ Specialist, and Statewide JDAI Coordinator will identify best method to gather this information.

**STATUS: Ongoing**

As mentioned earlier, legislation was recently introduced that is designed to encourage local law enforcement entities to report UCR data.

- FY2012: Examine the possibility of introducing legislation that will require counties to report DMC data on a consistent basis.

**STATUS: Currently on hold**

This activity is currently on hold because there might be a possibility for data to be collected and reported without legislation. Many relationships are being built through JDAI and other juvenile justice system improvement effort that are constantly opening doors for conversations surrounding other issues, such as the lack of ability to collect DMC data. If it is determined at a later date that legislation will be necessary, we will revisit this activity.

- FY2012: Develop a plan to provide training to those who are responsible for data entry at the local level. If necessary, identify additional training needs based on the outcome of the J-EQUIP.

**STATUS: Did not complete**

- FY 2012-2014: Utilize the JDAI detention snapshot and detention utilization studies to identify data gaps in JDAI sites.

**STATUS: Ongoing**

The snap study is in the process of being completed. A number of unforeseen challenges have prevented us from making as much progress as we wanted. Nevertheless, the JDAI Data subcommittee is currently working to complete the study by summer 2013.

**Objective 3:** Begin the process of developing a centralized juvenile justice data repository at the state level

**Activities:**

- FY2012: ICJI will ask graduate students from Indiana University-Purdue University to conduct a capstone project pertaining to statewide data collection systems from around the country, as well as the feasibility of developing such a system in Indiana.

**STATUS: Complete**

Below is the executive summary of the report that was produced by the graduate students.

“...Out of the 92 counties in Indiana, there are 91 separate criminal justice data collection processes using a variety of data collection methods. The result of this disparate methodology for data collection has been potentially unreliable information that is being used to drive the juvenile detention decision making process at the state level. The disparity in data collection makes for a tedious and inefficient process for reporting. Deadlines associated with this data are often linked to federally-required reporting and financial grants.

Therefore, there is a strong need for a uniform, accurate, and quality data collection system. A comprehensive and centralized statewide juvenile justice data system allows for the informed development of juvenile justice policies and practices in the state with the goal of improving outcomes for youth involved in the criminal justice system. JADS Consulting's research determines the feasibility of developing a statewide juvenile justice data system in Indiana and makes recommendations to inform the system development process. *See Appendix 1 for JADS Consulting's Scope of Work.*

JADS Consulting used the following methodology to develop a set of recommendations for future actions:

- A review of the literature on juvenile justice initiatives and statewide data systems and implementation
- A survey of state government juvenile justice professionals to determine how many states in the country have a statewide juvenile justice data system
- Interviews with state government juvenile justice professionals from states with a statewide juvenile justice data system to learn how they implemented their system
- Interviews with professionals from selected criminal justice agencies within Indiana to determine how data is collected and the strengths and weaknesses of developing a system in the state
- Analysis of this information to determine feasibility and make recommendations

Based on this research, JADS Consulting recommends that Indiana develop a statewide juvenile justice data system. We advocate the following in regards to implementing a statewide juvenile justice data system in Indiana:

- Build a system that does more than collect Disproportionate Minority Contact (DMC) data. A centralized “*juvenile justice*” system will allow for timely, accurate and comprehensive decision making at all levels of the juvenile criminal justice system.
- Develop a system that can be used to fulfill as many aspects of management as possible. Billing, case management, record tracking, etc. can increase the validity and usability of the system for all users.
- Emphasize the information sharing and collaboration that occurs across all segments of the juvenile justice system in addition to the data tracking and report building aspects of the system. In other words, do not only focus on the “reports” that can be created by the system because there are additional results that are also important.
- Realize that, although the process of developing a system like this is complex and time consuming, the value it adds to policy development and decision making is beyond measure.
- Hire a consulting firm or subject matter expert to create the system. While it is costly, it can save months in development time over all. The users of the system are very seldom the developers of the system.
- Establish strategic collaboration with stakeholders including criminal justice agency leaders, legislators, and potential identified system users. This will ensure an atmosphere of validation and inclusion. We recommend a juvenile justice summit as a way to create this environment for all involved. Stemming from this summit, we recommend the formation of a steering committee.

Although a statewide juvenile justice data system would provide many benefits, there are also many potential obstacles. It is important to remember that significant legislative, monetary, and statewide organizational support will be needed to get a system successfully started and effectively utilized as the primary tool for juvenile justice data collection in counties and organizations throughout Indiana. The team further recommends that ICJI undertake additional research in order to explore funding options and potential opportunities and obstacles.”

The project findings are informative and will be kept in mind as we continue to have conversations about developing a centralized juvenile justice data system.

- FY 2012: ICJI submitted a grant proposal for funds awarded to the Statistical Analysis Center (SAC) to enhance DMC data collection capabilities. The application was submitted under the minority overrepresentation in the criminal justice or juvenile justice special topic area.

**STATUS: Complete**

Indiana was awarded the funding to enhance DMC data collection capabilities. Again, this is being completed through the J-EQIP project.

- FY 2012-2013: If the SAC grant is awarded, the J-EQUIP project team will work to accomplish two goals during the fall 2012 and the spring and summer 2013. The first goal will be to provide technical assistance to help increase data collection and reporting capabilities across the state. The second goal will be to begin working with key state level stakeholders to develop a statewide data repository.

**STATUS: Ongoing**

See information presented above about the J-EQUIP project.

- FY 2012-2013: Members of the juvenile justice subcommittee of the Board for the Coordination of Programs Serving Vulnerable Individuals (BCPSVI) will work to address the following recommendation made by the now dissolved Commission of Disproportionality in Youth Services:
- The Indiana Supreme Court, in collaboration with juvenile justice courts, practitioners and stakeholders, should develop a statewide juvenile justice data collection system that disaggregates data based on race and ethnicity at all decision points through the juvenile justice system. Data collection systems at the county level must be consistent with uniform collection and reporting systems implemented at the state level and should be easily accessible to juvenile justice practitioners and the public.

**STATUS: Ongoing**

As mentioned in other parts of this update, conversations are currently occurring to determine how this particular goal can be accomplished.

- FY 2012-2014: The DMC Coordinator will ensure that all activities are coordinated, while ensuring there is no duplication of efforts.

**STATUS: Ongoing**

The DMC Coordinator and others that are currently working to improve the juvenile justice system in Indiana continuously work to reduce duplication of efforts and services by collaborating and sharing what is occurring in their respective areas and jurisdictions. A specific example of this can be seen in our current efforts to streamline responses to all the data needs that currently exist for the different juvenile justice system improvement effort that are occurring, include JDAI, the Juvenile Mental Health Screening, Assessment and Treatment Project, hence the development of the J-EQUIP grant, as well as the involvement of JTAC.

**Goal 2: Implement the Assessment and Intervention Phases of the DMC Reduction Model**

**Objective 1:** IU Center for Criminal Justice Research will complete the DMC assessment study by March 2013. Contract amount: \$88,000 (from FY 2011 funding)

**Activities:**

- FY 2012 (May-June): Create DMC Library and write DMC literature review.
- FY 2012 (Spring): Identify and collect additional quantitative data for use in regression models.
- FY 2012 (May-December): Clean and run diagnostics on datasets; integrate data collected during the identification phase.
- FY 2012 (Spring/Summer): Develop case studies of the assessment sites to be used during focus groups.
- FY 2012 (July): Convene stakeholder groups in each site to develop framework for the meeting. Identify appropriate stakeholders; build trust and support; and learn more about the local context.
- FY 2012 (May-June): Develop youth interview instrument

- FY 2012 (July-September): Conduct hour-long interviews with system-involved youth in the three target jurisdictions (approximately 40 youth per jurisdiction).
- FY 2012 (September-November): Conduct analysis and interpretation of youth interview data.
- FY 2012 (July 2012): Develop focus group protocol
- FY 2012 (August-September): Conduct focus groups with the various stakeholder groups (12-15 groups)
- FY 2012 (October-December): Analyze the focus group data
- FY 2012 (Winter 2013): Synthesize quantitative and qualitative data
- FY 2013 (February 2013): Draft report of findings and recommendations
- FY 2013 (March 2013): Submit final assessment study to OJJDP

**STATUS: Complete**

The outcomes of the above activities were discussed in the Assessment section of the plan update.

**Objective 2:** Once the assessment study is complete, identify and support intervention strategies that have been proven effective in addressing disproportionate minority contact.

**Activities:**

- FY 2013: Research data-driven programs and approaches that have been proven to successfully reduce RED and DMC. As part of the research process, arrange site visits to jurisdictions that have successfully reduced DMC, if appropriate. Members of the SAG and other key stakeholders will attend site visits.
- FY2013: Targeted counties will develop a data-driven work plan that will include identifying successful RED and DMC reduction strategies that will work for their respective jurisdictions, including selecting target populations, development and validation of risk assessment instruments, and a plan to implement, evaluate, and monitor the progress.
- FY2014: Begin implementing target jurisdictions' RED/DMC reduction plan.

**Goal 3: Continue to utilize JDAI as a vehicle to advance RED and DMC reduction in Indiana.**

**Objective 1:** Work to integrate the goals and requirements of the DMC core requirement, JDAI/ Burns Institute, and other RED and DMC efforts, thus reducing and ultimately eliminating duplication of efforts.

**Activities:**

- FY2012: Identify principles and requirements of OJJDP, JDAI/BI and other DMC and document the difference and similarities. Once completed, determine where there is duplication and gaps, and then develop a plan to address them.

**STATUS: Ongoing**

- FY2012-2013: The DMC Coordinator and the Executive Director of the Indiana Judicial Center were selected as a team to be apart of the Annie E. Casey Applied Leadership Network (ALN) class of 2012-2013. The ALN “provides participants the opportunities to grow their leadership and become highly skilled visionary leaders who work for the benefit of youth involved in the juvenile justice system.” The Indiana team identified Objective 1 of Goal 3 as an issue that they will focus on during the class. With the assistance of ALN leaders, the Indiana JDAI Steering Committee, and other key stakeholders, the team will identify and address specific activities and timelines to successfully accomplish the objective.

**STATUS: Complete**

Over a 12 month period, The DMC Coordinator and the Executive Director of the Judicial Center participated in ALN. During this time, the DMC Coordinator was exposed a great deal of knowledge regarding results-based leadership, and how to use this approach to advance juvenile justice reform efforts, including the reduction of racial disparities and DMC. The leadership skills and information gathered during this program will put Indiana in a position to better serve youth while ensuring that all youth receive fair and equitable treatment regardless of their race, ethnicity, gender, and geographical location.

**Objective 2:** Always view and implement the JDAI core strategies through a racial lens.

**Activities:**

- FY 2012-2014: Continue promoting the notion that JDAI efforts are RED and DMC reduction efforts. Nevertheless, more success will be realized if DMC specific-strategies are developed.

**STATUS: Ongoing**

In Indiana, it is continuously articulated that racial disparities should be an overarching issue in juvenile justice system reform, and should therefore be kept at the forefront of all decisions made. Another way that this is demonstrated is through the close working relationship between the Statewide DMC Coordinator and the Statewide JDAI Coordinator. Along with others, the two work in coordination to provide technical assistance and guidance to local sites as they work to improve their juvenile justice systems.

- FY 2012-2014: Utilize documents, such as JDAI Core Strategies: Through a Racial Lens, to guide the state and local process of doing JDAI work through a racial lens.

**STATUS: Ongoing**

All the JDAI sites have access to this document.

- FY 2012-2014: Ensure that all JDAI data that is collected, analyzed, and reported is disaggregated by race and ethnicity.

**STATUS: Ongoing**

The JDAI sites are constantly reminded that whenever they collect data, it should be disaggregated by at a minimum, race and ethnicity.

- FY 2012-2014: Ensure that all local and state level JDAI collaboratives have a formal mandate that includes the responsibility of reducing RED and DMC.

**STATUS: Ongoing**

Members of the JDAI Steam Team are currently having conversations about developing a MOU between the JDAI counties and the state; keeping racial disparities at the forefront of every decision that is made will be incorporated into the MOU. This was already done in the MOU between the three lead agencies that are responsible replicating JDAI statewide.

- FY 2012-2014: DMC Coordinator will continue to work closely with the Statewide JDAI Coordinator, Juvenile Justice Specialist, and others to staff the JDAI Steering Committee, while ensuring that RED and DMC reduction remain at the forefront of all JDAI efforts.

**STATUS: Ongoing**

The DMC Coordinator continues to work closely with the Statewide JDAI Coordinator and others to ensure that RED and DMC are overarching issues all the juvenile justice improvement efforts currently underway in Indiana.

**Objective 3:** Support and coordinator BI's engagement in JDAI sites

**Activities:**

- FY 2012: The BI conducted RED/DMC 101 training on March 22<sup>nd</sup>, 2012.

**STATUS: Complete**

Burns Institute Complete the RED/DMC 101 training on March 22<sup>nd</sup>, 2012. The training was attended by representatives from Tippecanoe, Johnson, Lake, and Howard Counties. Members of the RED/DMC Subcommittee were also present. The training was designed to introduce key stakeholders to the concept of RED/DMC, as well as demonstrate how data can and should be used to drive decisions pertaining to racial equity in the juvenile justice system.

- FY 2012: Develop a contract with BI to conduct a Readiness Assessment Consultation (RAC) in four JDAI sites. The RAC will be completed in Lake, Porter, Tippecanoe, and Johnson Counties. The jurisdictions will use the assessment reports as guides when developing their result-based RED/DMC reduction work plans. Once the RACs are completed, it will be determined if they will participate in an intensive site engagement. Contract amount with the Burns Institute: \$127,250 (from FY 2011 funding)

**STATUS: Complete**

In 2012, a contract was instituted between the BI and the Indiana Criminal Justice Institute. BI was contracted to complete a RED/DMC 101 training and four RACs. The training and two RACs (in Lake and Porter) occurred in 2012, while the remaining two RACs (in Tippecanoe and Johnson) will occur in March 2013. The RAC report will be available 45-60 days thereafter. The findings for Porter and Lake Counties were outlined earlier in this report.

- FY 2013: Sites that will participate in the BI intensive site engagement will work on their RED/DMC reduction plan.

**STATUS: In Progress**

The JDAI sites that participated in the RAC are currently in the process of developing their work plans based on the findings and recommendations presented by the BI in the report.

- FY 2013: Coordinate RED/DMC 101 training for the second cohort of JDAI sites.

**STATUS: In Progress**

We currently have the RED/DMC 101 training schedule for early this summer. This time frame is subject to change because there are a series of events that need to occur prior to the training. Elkhart, Clark, and Howard Counties will participate in the training as well other key stakeholders.

- FY 2013: Work with JDAI sites to develop a RED/DMC collaborative.

**STATUS: In Progress**

Lake and Porter counties are currently in the process of developing their RED/DMC work plans based on the recommendations presented by the BI. The work plans should be completed by the end of spring 2013.

- FY 2013-2014: First JDAI cohort will continue to implement their work plans, while the second cohort will have their RACs.

**STATUS: Ongoing**

As indicated above, Lake and Porter County completed their RAC. Johnson and Tippecanoe counties completed their RACs by March 1<sup>st</sup>, 2013.

In addition to the goals and objectives outlined above, ICJI will support, if appropriate, RED and DMC reduction efforts that are may not be occurring under the JDAI and OJJDP umbrella. The DMC Coordinator will continue to serve on the Indiana Disproportionality Committee. The Indiana Disproportionality Committee (IDC) has been in existence since 2004. The purpose of the committee is to ensure that children of all races and ethnicities are served equitably by Indiana education, child welfare, mental health, and juvenile justice systems. The committee has subcommittees for each of the four disciplines, including juvenile justice. To ensure there are no duplication of efforts, IDC's juvenile justice subcommittee recently decided to focus on identifying cultural competency/training/best practices at the different points of contact along the juvenile justice system continuum. This information will then be shared with stakeholders at the state and local levels that are now leading racial and ethnic disparities and DMC efforts. The DMC coordinator will also continue to serve as a member of the BCPSVI, while using the collaborative as a platform to advance the state's DMC agenda.

The DMC Coordinator will stay abreast of racial disparities and DMC reduction efforts, including research that is occurring around the country; this information will be shared with key stakeholders including members of the SAG and RED/DMC Subcommittee. Finally, The DMC Coordinator will continue to increase awareness about DMC in Indiana's juvenile justice system through conversations and presentations.

**Phase IV: Evaluation**

Indiana is in the initial stage of the DMC Reduction Model, and has yet to implement DMC reduction strategies as a direct result of findings in the Identification and Assessment phases. Therefore, no formal process or outcome evaluation has been conducted. Nevertheless, Title II and Title V dollars have been used to support a number of DMC related events, including the salary and training for local JDAI/DMC Coordinators as they work to build local infrastructure conducive to DMC reduction work. The jurisdictions are required to submit reports that align with the DMC program area's performance measures.

## **Phase V: Monitoring**

Because Indiana is in the assessment phase of the Reduction Model, there are no programs that are being formally monitored. Nevertheless, the state of Indiana currently has a full-time DMC Coordinator. The Coordinator will continue to work in collaboration with stakeholders at the state and local levels to implement the DMC Reduction Model. The Coordinator will continue to monitor and document the ongoing changes in the State's youth population, as well as other DMC specific data trends. As new data becomes available, it will be entered into the web-based DMC Data Entry System.

### ***F. Coordination of Child Abuse and Neglect and Delinquency Programs***

#### **(1) Reducing Probation Officer Caseloads**

Pursuant to Section 223(a)(25) of the JJDP Act of 2002, the state may provide incentive grants to units of local government that reduce the caseload of probation officers in an amount not to exceed 5% of the state's allocation (other than funds made available to the SAG). Indiana's FY 2013 Program Plan does not include specific funds to reduce probation officer caseloads but incentive grants will be considered on a case-by-case basis once compliance with the JJDP Act is determined.

#### **(2) Sharing Public Child Welfare Records with Juvenile Courts**

Pursuant to Section 223(a)(26) of the JJDP Act of 2002, the state must implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of the court will be made known to such court.

Investigation of the current statutes governing child welfare records and juvenile justice procedures and discussions with justice system stakeholders regarding the court's policies and practices regarding the inclusion of child welfare records revealed that while a system has yet to be formally adopted statewide to **ensure** that child welfare records are **made** known to the court, that statute and the current policies and practices of many local courts, particularly family courts, does promote such a system. Click [here](#) to view Indiana Code 31-33-18.

Whether such records are made known to the court relates to Indiana Code 31-37-8-2, which outlines the contents of a preliminary inquiry to include information on the child's:

- background;
- current status; and
- school performance.

While it is not explicitly required that the intake officer conducting the preliminary inquiry contact the Department of Child Services (DCS) local office, it is common practice for the intake officer to investigate the existence of such records in order to determine the "current status" of the child before the court. The preliminary inquiry procedures greatly increase the likelihood that child welfare records regarding a child before the juvenile court will be made known to the court.

### **(3) Establishing Policies and Systems to Incorporate Child Protective Services Records into Juvenile Justice Records**

Pursuant to Section 223(a) (27) of the JJDP Act of 2002, the State must establish policies and systems to incorporate relevant child protective records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders. The JJDP Act, under Section 223(a) (28), also requires the State to provide assurances that juvenile offenders whose placement is funded through Section 472 of the Social Security Act receive the protections specified in Section 471 of such Act, including a case plan and case plan review as defined in Section 475 of such Act, and effective January 1, 2009, Indiana code provides this assurance.<sup>21</sup> In addition, there is legislation pending that would allow probation departments and child welfare offices to share records, so long as federal law is not violated.<sup>22</sup>

With regards to the first issue, the establishment family courts, SHOCAP/SAFE POLICY (information-sharing programs), wrap-around programming, child protection teams, and most recently a move towards systems-of-care have led many counties to begin the process of incorporating relevant child protective records into juvenile justice records for the purposes of treatment plan development. Moreover the Division of State Court Administration, under the leadership of Indiana's Supreme Court, are working to formally adopt this incorporation through the Indiana Supreme Court's *Judicial Technology and Automation Committee (JTAC)*.

With respect to providing assurances that juvenile offenders whose placement is funded through Section 472 of the Social Security Act receive the protections specified in Section 471 of such Act, including a case plan and case plan review as defined in Section 475 of such Act, [Indiana's Title IV-E State Plan](#) submitted to the federal Department of Health and Human Services from the Indiana Family & Social Services Administration, Department of Family and Children provided the necessary information to assure that the State provides the protections specified in Section 471 of the Social Security Act.

### ***H. Disaster Preparedness Plan***

[Click here](#) to view a Memorandum of Understanding among Indiana's juvenile detention facilities. Developed by the Indiana Juvenile Detention Association (IJDA), this MOU was created to facilitate the transfer of youth in detention to a safe and secure facility in the event of an emergency that would place the youth at risk for harm in their current facility. At the present time, five (5) Indiana juvenile detention facilities have signed the MOU with at least one other facility. The IJDA is working to ensure all of Indiana's juvenile detention facilities sign the MOU within the next three years.

The Indiana Juvenile Detention Association (IJDA) is a statewide collaboration between juvenile detention centers and professionals in Indiana. The IJDA is the sole organization in Indiana dedicated to addressing issues and concerns related to the secure detention of juveniles, including issues affecting the staff that serves these youth. The IJDA membership includes detention administration, detention staff, probation, private and public agencies, universities, legislative and government bodies, mental health professionals and juvenile justice professionals.

### ***I. Suicide Prevention***

The Indiana Criminal Justice Institute recognizes that suicide is a major public health issue and that the majority of youth suicides are youth involved with the juvenile justice system. As such, ICJI has chosen to address this issue by providing funding support to the Juvenile Mental Health Screening

and Assessment Project. Since 2006, this Project has been providing Indiana with a systematic method to screen and assess children with mental health disorders in the juvenile justice system. Seventeen counties across the state of Indiana (Bartholomew, Clark, Dearborn, Delaware, Elkhart, Grant, Hamilton, Howard, Jackson, Johnson, Knox, Lake, LaPorte, Marion, Porter, Tippecanoe and Vigo counties) currently participate in the initiative and have begun to develop and implement protocols, and policies and procedures; receive training on the MAYSI-2 screening instrument and meet on a monthly basis to discuss successes and challenges throughout the development process. One of the priorities of the state is to expand the implementation of mental health strategies across the state by increasing its funding support to reach out to more counties over the next few years. The Project hopes that each of Indiana's 22 detention facilities will be participating within 3 years. \$50,000 has been allocated for the continuation of this project.

The Project has helped to develop assessment capacity in the sites in order to be able to respond to mental health treatment needs of youth identified. The project promotes collaboration and cooperation among agencies, including detention centers, the courts, juvenile defense, prosecuting attorneys, probation and mental health providers. At the state level, the Project promotes collaboration and cooperation among state agencies, between disciplines and from state to local stakeholders. The Project benefits from unique partnerships with the Indiana State Bar Association and Indiana University School of Medicine. The Project has provided the basis for a study regarding connection to mental health care for youth leaving detention and the planned development of a motivational interview model to effect system wide intervention, providing assistance and information at crucial points in the re-entry process to improve the ability and motivation of youth identified through mental health screening to improve follow up and connect with mental health care after their release from detention.

### ***J. Collecting and Sharing Juvenile Justice Information***

The Title II Formula Grant program is coordinated with other federal and state programs focusing juvenile justice by virtue of its administration under the Youth Division of ICJI. The Youth Division Director serves as the State's Juvenile Justice Specialist, overseeing the administration and planning for funds received from OJJDP, including JABG, Title V, Title II and EUDL. The Division also administers the state Safe Haven Education Program funds targeted at after-school programming and school safety and receives Safe and Drug Free Communities funds through the Indiana Family and Social Services Administration (FSSA), Division of Mental Health and Addictions (DMHA) to implement other related activities under the Commission for a Drug-Free Indiana.

The ICJI continues to work with agencies and stakeholders, including the courts, seeking to coordinate efforts to develop a unified information sharing and data collection system. It is only through such a coordinated effort that Indiana will have the ability to share information and access data in an effective and efficient manner, resulting not only in better services to families and children, but also resulting in better information for use in the process of identifying trends and future priorities. Currently, juvenile justice statistics are gathered from sources such as the FBI

Uniform Crime Report, Indiana Youth Institute, and information-sharing data repository, QUEST. Inconsistencies in data reporting, county incapacity or outdated information cause barriers to statewide sharing of data. Even information sharing among silos of youth service systems are hindered by the limitations of data systems and repositories. However, discussions are currently taking place with the Indiana Judicial Center and Judicial Technology & Automation Committee (JTAC) and a number of workgroups have been formed regarding the development of a single application that will allow court staff, probation officers, juvenile detention staff and others to input juvenile justice data. The goal is for this application to have the capability to compile the data as required for reporting to OJJDP. This data will be made available by use for other stakeholders who can benefit from the information collected as well.

***K. Indiana’s Three-Year Program Plan Update (FY 2013)***

**Program Narrative- Planning and Administration (23)**

**A. Program Goal(s):** To increase the capacity of the Youth Division of ICJI to adequately administer the Title II Formula Grants Program, and serve as the State’s leader in juvenile justice planning.

**B. Program Objective(s):** Continue to improve the administration of and planning for the Title II Formula Grant Program in Indiana.

**C. Activities:**

- 1) Continue implementation of changes in application process, reporting, monitoring and evaluation procedures of the Formula Grants Program, including the rollout of the Egrants application for Title II applicants.
- 2) Conduct regular programmatic sites visits.
- 3) Determine training and technical assistance needs.
- 4) Provide technical assistance regarding application and administration procedures at the local level as needed.
- 5) Target funding to priority purpose areas and projects as indicated.

**D. Performance Measures:**

- 1) Number of FTEs funding with FG funds
- 2) Number of plans or plan updates submitted
- 3) Number of sub grants awarded
- 4) Number and percent of programs using evidence-based models
- 5) Number of programmatic site visits conducted
- 6) Number of SAG and Board of Trustees meetings staffed
- 7) Number of planning meetings conducted
- 8) Number of programmatic site visits conducted

**E. Budget**

<b>Fiscal Year</b>	<b>Formula Grant Funds</b>	<b>State/Local Funds</b>	<b>Total Funds</b>
2013	\$53,368	\$53,368	\$106,736
2014	\$53,368	\$53,368	\$106,736
2015	\$53,368	\$53,368	\$106,736

**Program Narrative- State Advisory Group Allocation (31)**

**A. Program Goal(s):** To raise the level of participation, involvement and capability of the JJSAG to engage in statewide planning for juvenile justice improvement, monitor for compliance with the JJDP, and serve in an advisory capacity regarding the use of federal funds.

**B. Program Objective(s)**

- 1) Maintain JJSAG membership as required by the JJDP Act.
- 2) Increase the capacity of the JJSAG to engage in planning and evaluation activities.
- 3) Work to obtain input from juveniles that are involved in the juvenile justice system.

**C. Activities**

- 1) Work with ICJI Executive Staff to identify and appoint new JJSAG members as needed.
- 2) Complete the SAG Annual Report and submit the Governor
- 3) Engage in training opportunities that focus on the role of the JJSAG, federal juvenile justice priorities and evidence-based practices.
- 4) Conduct a SAG-sponsored statewide summit focusing on Indiana’s juvenile justice priorities.
- 5) Coordinate with ICJI staff to attend site visits and other funded activities.
- 6) Hold regular planning meetings.
- 7) Continue committee development and fulfill committee goals.

**D. Performance Measures**

- 1) Number of JJSAG meetings held
- 2) Number of JJSAG sub-committee meetings held
- 3) Annual report submitted to the Governor
- 4) Number of grants funded with FG funds
- 5) Number and percent of programs using evidence-based models
- 6) Number of grant applications reviewed and commented on
- 7) Number and percent of SAG members contributing to plan or plan update

**E. Budget**

Fiscal Year	Formula Grant Funds	State/Local Funds	Total Funds
2013	\$5,000		\$5,000
2014	\$5,000		\$5,000
2015	\$5,000		\$5,000

**Program Narrative- Alternatives to Detention (2)**

**A. Program Goal(s):** To improve alternatives to secure detention and court processing by expanding the Juvenile Detention Alternatives Initiative (JDAI) statewide.

**B. Program Objective(s)**

- 1) Continue to identify and educate key stakeholders in the State of Indiana about the Juvenile Detention Alternatives Initiative (JDAI).
- 2) Continue partnerships with the Annie E. Casey Foundation and W. Haywood Burns Institute as expansion of JDAI continues in the current 8 counties.
- 3) Implement the model for replication of JDAI across other interested jurisdictions in Indiana.

**C. Activities**

- 1) Provide current JDAI sites with the tools to implement the 8 core strategies in their communities.
- 2) Continue discussions at the state and local levels about the development of a statewide data repository for required JDAI data collection.
- 3) Maintain a contract with the Youth Law T.E.A.M. of Indiana to continue providing statewide coordination for the JDAI.

**D. Performance Measures**

- 1) Number of program youth served
- 2) Number and percent of program youth completing program requirements
- 3) Number of MOUs/contracts developed
- 4) Number of hours of training provided to stakeholders
- 5) Number of planning activities conducted
- 6) Number of risk assessment instruments (RAIs) developed and implemented

**E. Budget**

<b>Fiscal Year</b>	<b>Formula Grant Funds</b>	<b>State/Local Funds</b>	<b>Total Funds</b>
2013	\$125,396		\$125,396
2014	\$125,396		\$125,396
2015	\$125,396		\$125,396

**Program Narrative- Compliance Monitoring (6)**

**A. Program Goal(s):** To maintain Indiana’s compliance monitoring system to ensure continued compliance with the JJDP Act.

**B. Program Objective(s)**

- 1) Continue to identify and classify facilities for Indiana’s compliance monitoring universe.
- 2) Ensure Indiana’s compliance monitoring schedule as required by the JJDP Act of 2002.
- 3) If applicable, address violations in facilities, police and sheriff departments.

**C. Activities**

- 1) Maintain compliance monitoring contract with the Youth Law T.E.A.M. of Indiana.
- 2) Provide technical assistance to facilities and other state and local partners to ensure statewide compliance with the JJDP Act of 2002.
- 3) For facilities, police and sheriff departments where violations are noted, develop and carry out corrective action plans.

**D. Performance Measures**

- 1) Number and percent of program staff trained
- 2) Number of hours of program staff training provided
- 3) Funds allocated to adhere to Section 223(a)(14) of the JJDP Act of 2002
- 4) Number of activities that address compliance with Section 223(a)(14) of the JJDP Act of 2002
- 5) Number of facilities receiving TA

**E. Budget**

<b>Fiscal Year</b>	<b>Formula Grant Funds</b>	<b>State/Local Funds</b>	<b>Total Funds</b>
2013	\$200,000		\$200,000
2014	\$200,000		\$200,000
2015	\$200,000		\$200,000

**Program Narrative- Disproportionate Minority Contact (10)**

**A. Program Goal(s):** To utilize the information obtained from the DMC Assessment Study to inform subsequent activities as part of the DMC Reduction Model.

**B. Program Objective(s)**

- 1) Continue to develop a foundation, at the state and local level that is conducive to DMC reduction based on OJJDP’s DMC Reduction Model.
- 2) Develop a method for continual collection of DMC data.
- 3) Collaborate with agencies that have a similar mission of reducing disparities for youth in the juvenile justice system.
- 4) Collaborate with JDAI jurisdictions in an effort to develop and implement data-driven and DMC specific strategies that will have an impact on the entire system.
- 5) Provide technical assistance to Indiana communities surrounding the issue of DMC.

**C. Activities**

- 1) Assess and implement DMC intervention strategies as recommended in the DMC Assessment Study.
- 2) Engage the W. Haywood Burns Institute to work closely with selected JDAI jurisdictions in an effort to ensure that DMC-specific strategies are being incorporated that will impact the entire juvenile justice system.

**D. Performance Measures**

- 1) Number of FTEs funded by Formula Grant funds
- 2) Number and percent of program staff trained
- 3) Number of hours of program staff training provided
- 4) Number of planning activities held
- 5) Number of assessment studies completed
- 6) Number of data improvement projects implemented
- 7) Number of objective decision-making tools developed

**E. Budget**

<b>Fiscal Year</b>	<b>Formula Grant Funds</b>	<b>State/Local Funds</b>	<b>Total Funds</b>
2013	\$104,920		\$104,920
2014	\$104,920		\$104,920
2015	\$104,920		\$104,920

**Program Narrative- Mental Health Services (20)**

**A. Program Goal(s):** To address suicide prevention and promote and support the development of comprehensive and coordinated mental health services for at-risk and delinquent youth.

**B. Program Objective(s)**

- 1) To increase statewide capacity to address the multi-faceted needs of both at-risk and delinquent youth exhibiting mental health or co-occurring disorders through coordinated mental health services and/or systems-of-care.

**C. Activities**

- 1) Collaborate with the Indiana State Bar Association on the Juvenile Mental Health Screening, Assessment and Treatment Project.

**D. Performance Measures**

- 1) Number of program youth served
- 2) Number of youth screened/assessed
- 3) Number of juvenile detention facilities participating in Juvenile Mental Health Screening, Assessment and Treatment Project
- 4) Number of MOUs developed

**E. Budget**

Fiscal Year	Formula Grant Funds	State/Local Funds	Total Funds
2013	\$45,000		\$45,000
2014	\$45,000		\$45,000
2015	\$45,000		\$45,000

***SAG Membership***

The following JJSAG Members serve in an **advisory** capacity to ICJI:

Name	Represents	Full-Time Government	Youth Member	Date of Appointment	Residence
*Mary Wellnitz	E			December 2006	LaPorte
Jane Seigel	B	X		March 2005	Indianapolis
Robert Bingham	E			December 2006	Indianapolis
Steve Owens	C	X		December 2006	Indianapolis
Dr. Roger Jarjoura	D			December 2006	Indianapolis
Bruce Lemmon	B	X		January 2011	Indianapolis
Doug Cox	A	X		August 2011	Franklin
Aaron Negangard	B	X		December 2006	Lawrenceburg
Connie Keith	D			December 2006	Greenville
Brandon Jordan	E		X	August 2011	Indianapolis
Derreck Roper	E		X	August 2011	Indianapolis
Scott Johnson	D			August 2011	Salem
Rebecca Humphrey	C	X		December 2006	Tippecanoe
Frank Freeman	E		X	August 2011	Ft. Wayne
Kathryn Bernel	E			August 2011	LaPorte

\*JJSAG Chair

***Formula Grants Program Staff***

The following people serve as staff for the Youth Division of the Indiana Criminal Justice Institute (ICJI). Planning and Administration funds received from the Formula Grant Award and matched by the State are used to support these positions for the individual percentages of time listed:

<b>EMPLOYEE</b>	<b>% OF TIME</b>	<b>POSITION</b>
Mary Allen	10%	Executive Director
Gabriel Paul	5%	General Counsel
Ashley Barnett	100%	JJ Specialist
Kim Snyder	100%	Program Manager, Title II, Title V and JABG
Tashi Teuschler	100%	DMC Coordinator
Josh Ross	5%	Research Staff
Mica McQueen	5%	Communications Director
Ryan Miller	5%	Director of Accounting

**PROGRAMS ADMINISTERED BY THE YOUTH DIVISION**

The Youth Division of ICJI administers all funds received by the State from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), including the following:

- Title II Formula Grants Program;
- Title V Community Prevention Grant (remaining funds);
- Enforcing Underage Drinking Laws (EUDL) Grant (remaining funds); and
- Juvenile Accountability Block Grants (JABG) program.

The Youth Division administers one state-funded grant program as well. The Governor’s Safe Haven Education Program is a \$2 million state funded grant program that provides funds for public school corporations and communities to jointly develop plans for opening school buildings for extended hours to implement programs that reduce substance abuse, violent behavior, and/or promote educational progress. Funds are also available to improve the safety and security of school facilities. The coordinator for this program is funded solely through state funds.

**DESCRIPTION OF JJ SPECIALIST & OTHER DIVISION STAFF DUTIES**

The **Youth Division Director** serves as the **State’s JJ Specialist** and is responsible for direct oversight of all federal funds received from OJJDP, including the Title II, Title V, EUDL and JABG grants. She also serves as Indiana’s EUDL Coordinator. Duties include:

- Development of state plans/federal grant applications to be submitted to OJJDP;

- Development of request for proposals and grant application materials to be distributed to potential applicants across the State;
- Administrative review of grant proposals and grant applications and preparation of grant review materials for review by the Juvenile Justice State Advisory Group (JJSAG) and ICJI Board of Trustees;
- Staffing of the JJSAG and ICJI Board of Trustees;
- Administration and oversight of all sub-grants awarded under the grant programs listed above, including direct supervision of one full-time program manager to aid in grant administration;
- Oversight of the State's Compliance Monitoring Program, including supervision of a full-time contract staff Compliance Monitor and coordination of part-time contract staff to implement statewide training and technical assistance for compliance monitoring;
- Supervision of one full-time staff person responsible for addressing DMC;
- Supervision of one full-time staff person responsible for oversight of the Governor's Safe Haven Education Program described above; and
- Responsible for state-level planning and policy development for juvenile justice issues, including serving as representative on juvenile justice related committees and commissions on behalf of the ICJI.

The **Youth Division Program Manager** is responsible for the administration of programmatic paperwork for the grant programs listed above, including:

- Preparation of sub-grant award packets and grant files, including electronic financial histories;
- The receipt sub-grant reports (both fiscal and programmatic) and entering of data into sub grant financial histories;
- Direct contact with sub-grants regarding reporting issues, questions, and delinquent reports;
- Support staff for completion of federal reporting requirements, including compliance monitoring data entry; and
- Other duties as assigned to aid in the administration of OJJDP grant programs.

The Youth Division contracts with the Youth Law T.E.A.M. of Indiana to provide the Institute with the services of one full-time Compliance Monitor who is responsible for the following:

- Receipt, coding and entry of self-reported intake data from secure juvenile and adult facilities;
- Administration of compliance monitoring records and facility files;
- Conducting scheduled and random on-site compliance monitoring visits to both secure and non-secure juvenile and adult facilities to verify self reported data, determine sight/sound separation, verify non-secure status and determine technical assistance/training needs;
- Address potential violations reported to ICJI by making telephone contact within 48 hours and if necessary conducted an on-site visit to coordinate a corrective action plan with the facility director;
- Coordinating with the ICJI Research Division staff to analyze compliance monitoring data and annually submit the State's Compliance Monitoring Report to OJJDP; and
- Develop a policy and procedure manual for the ICJI Compliance Monitoring Program.

## ENDNOTES

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<sup>1</sup>All arrest data is compiled from the Federal Bureau of Investigation's Uniform Crime Report. These data include the offenses of murder and non-negligent manslaughter; forcible rape; robbery; aggravated assault; burglary; larceny; motor vehicle theft; arson; other assaults; forgery and counterfeiting; fraud; embezzlement; stolen property, buying, receiving; vandalism; weapons, carrying, possessing; prostitution and commercialized vice; sex offenses (except forcible rape and prostitution); drug abuse violations; gambling; offenses against family and children; driving under the influence; liquor laws; drunkenness; disorderly conduct; vagrancy; all other offenses (except traffic offenses); suspicion; curfew and loitering law violations; and runaways.

<sup>2</sup>The Uniform Crime Report Part I property offenses include burglary, larceny theft, motor vehicle theft, and arson.

<sup>3</sup>In July 2000, U.S. District Court Judge John Tinder struck down Indiana's curfew law on the grounds that it was too restrictive and that it interfered with the First Amendment rights of minors. The following year, the Indiana General Assembly passed a curfew law that included exceptions for youth engaging in religious, free-speech, or assembly activities with the permission of their parents. The 7<sup>th</sup> Circuit Court of Appeals ruled 3-0 against the revised law in January 2004, stating it impinged on minors' First Amendment rights and the right of parents to raise their children as they see fit. These decisions and the resulting uncertainty surrounding Indiana's curfew law are mostly likely the cause in the dramatic decrease in curfew arrests.

<sup>4</sup>The Uniform Crime Report Part I violent offenses include murder and non-negligent manslaughter; forcible rape; robbery; and aggravated assault.

<sup>5</sup>[http://www.in.gov/idoc/files/IDOC\\_2010\\_ADMISSIONS.pdf](http://www.in.gov/idoc/files/IDOC_2010_ADMISSIONS.pdf)

<sup>6</sup><http://www.in.gov/judiciary/admin/files/rpts-prob-2011-probation1-summary.pdf>

<sup>7</sup><http://www.in.gov/judiciary/admin/files/rpts-prob-2011-probation1-summary.pdf>

<sup>8</sup><http://www.in.gov/judiciary/admin/files/rpts-prob-2011-probation1-summary.pdf>

<sup>9</sup><http://www.in.gov/judiciary/admin/files/rpts-prob-2011-probation1-summary.pdf>

<sup>10</sup><http://www.in.gov/judiciary/admin/files/rpts-prob-2011-probation1-summary.pdf>

<sup>11</sup><http://www.in.gov/judiciary/admin/files/rpts-prob-2011-probation1-summary.pdf>

<sup>12</sup><http://quickfacts.census.gov/qfd/states/18000.html>

<sup>13</sup><http://www.iyi.org/resources/pdf/KC-DATA-BOOK-IYI-2011.pdf>

<sup>14</sup><http://www.iyi.org/resources/pdf/KC-DATA-BOOK-IYI-2011.pdf>

<sup>15</sup><http://quickfacts.census.gov/qfd/states/18000.html>

<sup>16</sup><http://www.iyi.org/resources/pdf/KC-DATA-BOOK-IYI-2011.pdf>

<sup>17</sup><http://www.iyi.org/resources/pdf/KC-DATA-BOOK-IYI-2011.pdf>

<sup>18</sup><http://www.iyi.org/resources/pdf/KC-DATA-BOOK-IYI-2011.pdf>

<sup>19</sup><http://www.iyi.org/resources/pdf/KC-DATA-BOOK-IYI-2011.pdf>

<sup>20</sup>[http://www.drugs.indiana.edu/publications/survey/indianaSurvey\\_2012.pdf](http://www.drugs.indiana.edu/publications/survey/indianaSurvey_2012.pdf)