



State of Utah

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Division of Juvenile Justice Services

BRETT M. PETERSON
Director

Brett M. Peterson
Utah Director of Juvenile Justice
May 13, 2021

Subcommittee on Crime, Terrorism and Homeland Security
Hearing: Juvenile Justice Pipeline and the Road Back to Integration

Opening Statement for Brett Peterson, Utah Director of Juvenile Justice Services, Juvenile Justice Pipeline and the Road Back to Integration, May 13, 2021

Chairman Nadler, Chairwoman Lee, Ranking Member Biggs, and esteemed members of the Subcommittee, my name is Brett Peterson and I am the Director for the Division of Juvenile Justice Services within the Utah Department of Human Services. It is an honor to be here today. Our division operates early intervention, detention, community-based placements, long-term secure care, transition, and parole for youth up to 25 years old. We align within Utah's system of care model to change young lives while holding them accountable and keeping communities safe.

System transformation does not happen overnight. It requires philosophical, policy, and practice change. And it will not occur without an unrelenting commitment to partnership. With this focus, Utah pivoted our treatment approach with public input and Pew research-based transformative legislation in 2017, to realize better outcomes for the youth, their families, and our communities as a whole.

The fundamentals of reform include actively challenging the relics of a system that wrongly believed the best response to low-risk behavior was to incarcerate and institutionalize. We do not criminalize adolescent behavior, especially when overwhelming research, brain science and system wide outcomes show treating children as adults only puts them on a path to worse behaviors and worse public safety outcomes. Buy-in involves consistent education about adolescent brain development science—that children are different from adults. Not to mention we know our youth are more likely to have challenges stemming from socioeconomic and racial bias, to be victims of trauma, and be involved in other areas of Human Services, including behavioral health, disability services, and child welfare.

Systemically we promote and engage in policy decisions that support prevention, researched models, equitable treatment, and the best public outcomes. We put preventative measures in place to avoid an adolescent entering the formal system. We have changed statute each general session since our first reform bill as we learn more, and see results. In Utah, transformative policy changes include the following:

- Elimination of life without parole and death penalty for anyone younger than age 18
- Limitations on shackling of youth in the legal system
- Entitlement to free and effective legal counsel for every youth
- Requirement of parental consent or legal counsel for a youth to waive Miranda Rights
- Elimination of jailing for status offenses
- Limitations on when and how school-based offenses can be referred to juvenile court
- Strict limits on lengths of stay and the use of contempt
- Assurances that youth may only be detained if they pose a public safety risk
- Mandates that programming must be evidence-based
- Elimination of incarceration or court for youth younger than age 12, except for aggravated offenses
- Elimination of isolation and reduction of room confinement

A critical element of our pivot is to flow resources and savings reinvestment to a “no wrong door” early intervention model. We deliver trauma informed care and ensure youth receive the appropriate amounts of evidence-based treatment in the right setting. We established free and

voluntary services in the community to help youth improve risk behaviors and avoid any involvement or deepening in the juvenile justice or child welfare system. We are pioneering new models and partnerships for vocational, employment, and higher education for every incarcerated youth.

And data indicates our endeavor to transform a system is working. Since 2018, I can report the following encouraging outcomes:

- 46% reduction in detention admissions
- 26% reduction in risk to reoffend among our long-term incarcerated population
- Over 130 locked rooms taken offline at juvenile justice facilities
- Over \$9 million in savings captured from a reduction in out of home placements
- 19% increase in early intervention programs, especially in rural areas
- Nearly 100 full-time employees have been reassigned from locked settings to early intervention services

Reform is a journey, not a destination. I recall speaking to a small child of 11 shaking as they sat in a detention center. I have come to know a youth who grew up in our facility, seeing them leave at 21 for prison for an offense committed when they were 15. We still witness heartbreak, tragedy, and loss every day. Our data shows disproportionate system involvement for youth of color. We do not have all the answers.

However, we believe we will continue to see positive results through our proven philosophy, policy and practice. Youth today, and generations to come will benefit from our nations' commitment to changing young lives when they need us most.

Additional Written Information:

The Utah Juvenile Justice Oversight Committee Annual Report provides additional outcomes and information on Utah's reform efforts. It can be accessed at: <https://justice.utah.gov/juvenile-justice/juvenile-justice-oversight-committee/>

A summary of recent outcomes in Utah's juvenile justice system is also included in the following "one-pager" or flier:

Utah's Pivot in Juvenile Justice

Since 2017, Utah's Division of Juvenile Justice Services (JJS) has been pioneering an evidence-based approach to reform and is reinvesting in Utah's juvenile justice system.



Philosophy Change

Research in adolescent brain development and public safety has shown that the formal involvement of youth in the justice system, especially juvenile incarceration, results in:

- Developmental issues
- Increased likelihood to reoffend
- Increased likelihood that youth offenders will return to jail
- Greater expense to taxpayers

Outcomes improve dramatically when social and behavioral interventions begin early, ideally before the law is involved.

The evidence is clear: youth are best served in their homes, schools and communities.



Policy Change

Policy changes to support reform and reinvestment thus far include HB 239 (2017), 404 (2019), 384 (2020), 262 (2020), and other efforts. These policy changes share a common thread: they place limits to entering and remaining in the formal system (courts and detention).



Practice Change

As reliance on the "deep end" of the formal system decreases, changes must occur, including an increased focus on the Youth Services Model, in which front-end services are accessible without court or law enforcement involvement. These services include:

- Assessment and screening
- Family engagement
- Skill-building programs
- School liaisons
- Mentoring
- Counseling/therapy
- Parent education
- Crisis support services, including residential
- Employment programs

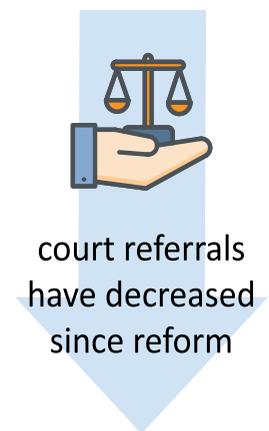
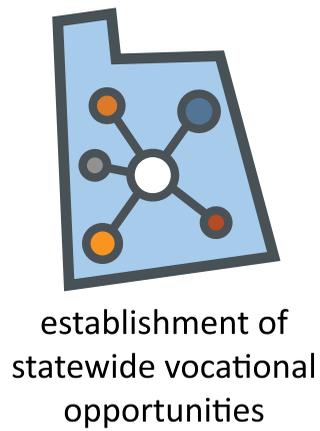
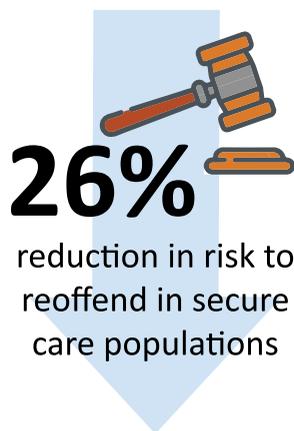
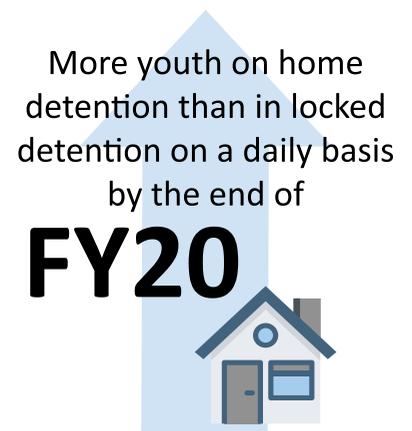
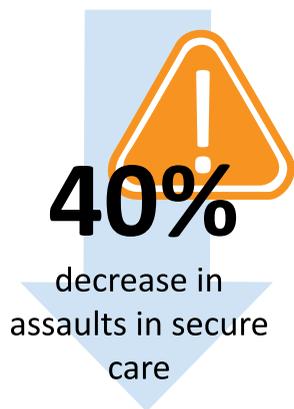
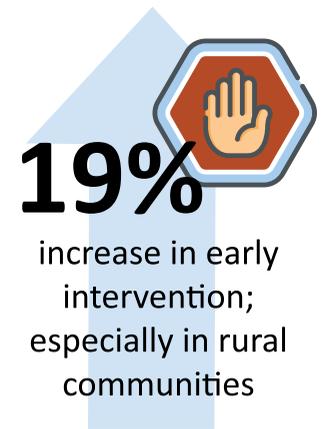
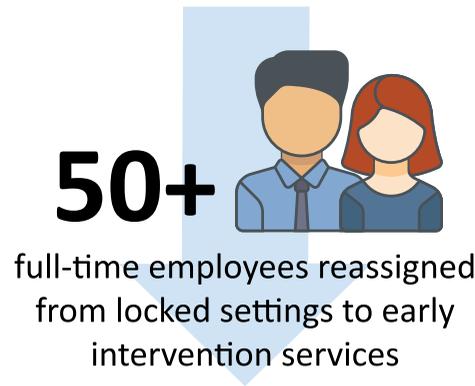
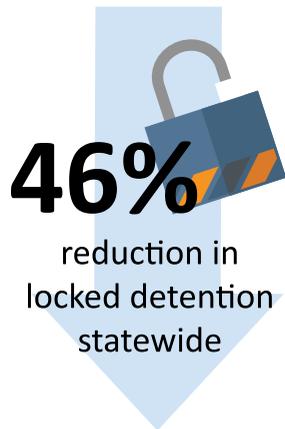


Partnership

Reform and reinvestment requires collaboration and partnership among courts, schools, law enforcement, and agencies working to serve youth at home, in schools, and in communities.

Juvenile Justice Reform and Reinvestment is working in Utah

So far, we have seen:



* Data and reported outcomes from FY17 to FY20