

2021 Three-Year Plan

Submitted with the 2022 Title II Application
This Plan Includes the 2022 Updates



**U.S. Department of Justice
Office of Juvenile Justice and Delinquency Prevention Program**

**Administered by:
The Office of Juvenile Affairs**

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3. PROGRAM NARRATIVE

Description of the Issue

1. System Description (Condensed): Structure and Function of the Oklahoma Juvenile Justice System

The juvenile code for Oklahoma lists specific agencies as part of the juvenile justice system. The Office of Juvenile Affairs (OJA) is the agency responsible for programs and services for juveniles alleged or adjudicated delinquent or in need of supervision. These services include intake, probation, residential services, and reentry or aftercare. Oklahoma has four (4) statutorily constituted Juvenile Bureaus (JB): Oklahoma, Tulsa, Canadian, and Comanche counties. The other 73 counties operate under the umbrella of OJA. Each JB provides intake and probation services. OJA provides custody, aftercare services in the Bureau counties. A group of non-profit treatment service agencies involved with juvenile justice and delinquency prevention are the 37 statutory Youth Services Agencies (YSA). YSAs provide evidence-based prevention, diversion and intervention programs. Oklahoma has a statewide detention program. There are 13 detention centers with a total of 280 contracted beds. OJA licenses and monitors the operation of all detention centers.

Youth are usually referred to the system by law enforcement. However, parents, educators and public/private agency personnel can also refer youth. When an officer encounters a juvenile for referral, they may take the youth home, to an emergency shelter, a Community Intervention Center (CIC), or the officer may request a screening for detention. Screening guidelines were adopted by the Senate Joint Resolution (SJR) 13 Judicial Oversight Committee for the Oklahoma Supreme Court in 1984. These screening guidelines are crucial to ensuring detention is used only when it is

necessary to assure the appearance of the youth in court or for the protection of the public. All youth apprehended where detention may be appropriate are administered a standardized detention screening tool. The development and support of community-based alternatives to detention programs played an important role in the formulation of the Oklahoma State Plan for Detention.¹ Alternatives may include, but are not limited to, crisis intervention centers (24 hour holding/assessment centers, youth service shelters, attendant care, and electronic monitoring with community-based support services. The appropriate use of detention and detention alternatives safeguards against further traumatizing youth who have encountered law enforcement. Oklahoma children have the highest rates of Adverse Childhood Experiences (ACEs) in the nation.² When a referral is made to the juvenile justice system, a formal intake is completed. A parent/custodian must be present during the intake, and they must be informed of their rights under the law. Demographic data, tribal affiliation, socio-economic, academic, and behavioral information, as well as information on the alleged offense, is gathered. An evidence-based risk screening tool, the YLS screener, is completed. The intake worker uses the data gathered to make a recommendation to the District Attorney. The juvenile court process in Oklahoma is a bifurcated process. After the adjudicatory hearing, a dispositional hearing is set. The dispositional hearing determines the level a youth penetrates the system. Youth adjudicated delinquent are placed on Probation with supervision or in OJA Custody. The objective of custody is to provide rehabilitative services in the least restrictive placement that is closest to the youth's home and takes into consideration the protection of the community. Under Oklahoma law a review hearing must be held every six months while the youth is a ward of the court. Residential Treatment Services

¹ Office of Juvenile Affairs, State Plan for the Establishment of Detention, https://oklahoma.gov/content/dam/ok/en/oja/documents/amended_-_2019_state_plan_for_the_establishment_of_secure_detention_services.pdf

² Tulsa World "Special Report: Oklahoma Leads the Nation in Childhood Trauma. How Does this Affect Our State and What Can We Do", July 8, 2019

are provided in the community for youth who require out-of-home resources. Residential programs include community-based group homes, foster care, and secure institutions. Oklahoma has two state operated secure institutions with a total of 108 beds. In Oklahoma, a youth may be certified to stand trial as an adult pursuant to one of three processes: Certification, Reverse Certification, or Youthful Offender (YO). State law outlines six guidelines for consideration by the court when deciding on certification. The guidelines contemplate: seriousness of the offense; whether the offense was against persons or property; whether the juvenile can distinguish right from wrong; prior record and history of the juvenile; prospects for protection of the public; and likelihood of rehabilitation if treated in the juvenile system. At the conclusion of the certification hearing, the juvenile may be certified as an adult or may remain in the juvenile justice system. The YO Act created a new class of juvenile offenders who can be transferred to the adult criminal justice system if they fail to meet certain conditions related to their stay in the juvenile justice system.

2. Youth Crime Analysis and Needs and Problems Statements

OJA has contracted, as required by Oklahoma state law with a state agency, the Oklahoma Office of Management and Enterprise Services (OMES). This agency is charged with providing data services, research, and budgeting programs for Oklahoma state agencies. OJA maintains a training department and contracts for specialized training as required. Specialized training has included training staff in trauma-focused care, Motivational Interviewing, the four core requirements of the JJDP, and administration of the YLSI 2, SASSI A-2, T-ASI, and other evidence-based instruments to determine treatment needs of youth. During the global pandemic, OJA began utilization of Microsoft TEAMS and held specialized training for all agency staff and system stakeholders and partners via TEAMS or Zoom platforms. This proved to be an effective way to

incorporate specialized training and continue to address training needs for staff and stakeholders serving system involved or youth at-risk of delinquency.

The Oklahoma SAG, comprised of leaders representing communities in rural and urban Oklahoma, met during the pandemic once the Governor approved the use of virtual platforms for open meetings. Membership includes one locally elected official representing general purpose local government, one tribal representative who is a retired juvenile judge, tribal legislator, an active Tribal Judge. In December of 2017 and January of 2018, the Governor appointed new members to strengthen the specializations on the board. Members on the board fortify the states' ability to obtain input from system stakeholders, including units of local government, community leaders, members, and those impacted by the system in both rural and urban Oklahoma. The Juvenile Justice Specialist partnered with CCAS to provide training to the new SAG and prepare them for their roles, responsibilities, and the three-year planning. This training has provided a strong foundation in our SAG members and lessons learned were used in the 2021 planning. The Oklahoma SAG analyzes the current juvenile delinquency problems as they relate to the structure and operation of the juvenile justice system in Oklahoma bi-monthly and annually at SAG meetings, at an annual SAG Retreat, and from correspondence from the Juvenile Justice Specialist and SAG support staff. The governing board of the Office of Juvenile Affairs is the supervisory board of the federal grants program. SAG work, including data analysis and the identified priorities, are presented to the OJA Board throughout the year. The global pandemic disrupted the consistency of the data review and planning process. However, the SAG was able to review and analyze fiscal year 2020 Referral Trends, Disposition Findings, Offense Types by age, race, and gender, Detention Admissions, and data reported to OJJDP on the four core requirements. This data was used to identify and develop the priorities for the three-year plan. See Attachment: Charts

Used for Analysis. The source of this data is the centralized Juvenile Online Tracking System (JOLTS). Law enforcement agencies, tribes, units of local government, and private non-profits have limited access to the system and contribute to the data entry for reports and data elements reviewed throughout the year. Discussions regarding data occurs in formal meetings, as well as individual meetings with juvenile justice system stakeholders.

2022 Plan Update on SAG Membership, Training, and Planning

During July and August of 2022, the Governor of Oklahoma began appointing new members to the Oklahoma SAG. These changes occurred because of the availability and needs of the existing SAG members and the effort by Oklahoma leaders to ensure ongoing compliance with the reauthorization of the JJDPa as it relates to the requirements of SAG membership. As indicated on the SAG roster, all requirements have been and will continue to be met. Orientation and planning with new SAG members will occur within the first six months of their appointments. Oklahoma has utilized technical assistance for SAG member training in the past and will continue to utilize this tool if it is needed.

Analysis of Juvenile Crime Problems

Referral Trends FY 2000-2020 (See Table I of Attachment: Charts Used for Analysis)

- The number of juveniles (6,448) continues the trend of decline which began in 2000
- The number of offenses (13,434) committed by juveniles continues the trend of decline
- The number of referrals, arrest reports (9,129) received for intake into the juvenile justice system decreased
- The decreases are statistically significant and reflect the ongoing trend of decline in juvenile crime in Oklahoma.

- The SAG focus on funding only evidenced based programs is the most cost-effective method of improving prevention outcomes for youth.
- Evidence based training for law enforcement, juvenile justice stakeholders, and educators on the four core requirements, adolescent development, the impact of trauma, current scientific research, the importance of examining personal assumptions and attitudes (unconscious and conscious) regarding youth behavior, understanding teen culture, effectively establishing trust, de-escalating difficult situations, and accessing early diversion options improves outcomes for youth.

Referral Offense Types by Age (See Table II Attachment: Analysis of Juvenile Crime Problems)

- Drug/Alcohol offenses demonstrate an increase correlating with age in youth 10-17
- Crimes against persons indicate a younger onset of violence
- School-based interventions could have an impact on the volume of activity for younger offenders
- The majority of referrals are for Property Offenses

Offense Categories by Gender (Table III: 2020 and Table IV: 2017 of Attachment: Charts Used for Analysis)

- The number of girls with a weapons offense declined in 2020
- All categories of offenses are much more likely to be committed by male offenders than female offenders
- Female offense rate in crimes against person has decreased.
- Female offenders are most likely to commit minor offenses, closest in offense rate with males in the category of “status offenses”
- Females would be well served by community-based intervention and family treatment resources for truancy, runaway and family conflict

Offense Type by Race (Table V of Attachment: Charts Used for Analysis)

- Property offenses are the offense most likely to bring youth into contact with law enforcement.
- Overrepresentation is also demonstrated in the crimes against property, persons and weapons categories
- Native American youth stand out as overrepresented in the property offenses and drug/alcohol category

Dispositions of Juvenile Cases 2018-2020 (Table VI of Attachment: Charts Used for Analysis)

- The data indicates more youth were treated in the juvenile justice system instead of the adult system.
- More serious crimes (Youth Offender) increased slightly.
- The number of Probation Cases decreased significantly in 2020.
- The number of Custody cases decreased in 2020.
- The number of youths provided with a diversion opportunity has decreased.
- The number of juvenile offenders diverted to a misdemeanor program increased (Tulsa County Program Only).

Detention Admissions by Category FY 2018-2020 (Table VII)

- Detaining youth charged with Public Order/Public Decency has had a steady decline.
- Detaining youth for a Judicial Citation decreased significantly in 2020.
- Detaining youth for Drug/Alcohol offenses Decreased.
- Detaining youth for Crimes against Property had a slight decrease.
- Detaining youth for Crimes against Persons/Sex Crimes decreased slightly.
- Detaining youth for Crimes against Persons increased.

During 2020, the landscape of detention had significant changes. To have a greater

understanding of the youth who were in juvenile detention during 2020, we looked at data by

race, gender, and age. We compared the 2020 data to the 2017 data.

Detention Admissions by Race FY 2017 compared with FY 2020 (Tables VIII & IX of Attachment: Charts Used for Analysis)

- White youth detained for sex crimes against persons stayed consistent in FY 2020.
- White youth detained for crimes against persons and crimes against property decreased significantly.
- Black youth detained for crimes against persons stayed the same but crimes against property increased.
- Native American and Black youth detained for drug/alcohol offenses declined.
- Detaining for Judicial Citations decreased among all youth populations.

Detention Admissions by Gender (Table X)

- Judicial citations remain the primary reason youth are placed in detention.
- Crimes against property and person follow, respectively.
- Fewer female juvenile offenders are placed in detention (Table IX).
- Continued education of all Oklahoma stakeholders in the appropriate use of detention remains ongoing.
- Continued focus on R/ED efforts with law enforcement agencies statewide and detention center operators must continue.
- Girls are detained more for Crimes against Persons with Judicial Citations nearly equal in volume.

B. Projects Goals and Objectives

The Oklahoma SAG looked at the priorities proposed in 2020 and evaluated the progress made and challenges faced. The Youth Emerging Leaders (YEL) Sub-committee of the SAG was formed in 2019 and now includes current and former system involved youth. The SAG recognizes the strength, credibility, and momentum the youth bring to the mission and purpose of the SAG. The YEL committee remained active despite the pandemic and contributed to the planning session. The full SAG adopted their recommendations for system change. Now that the state has reopened from the pandemic, the YEL are returning to travel throughout the state to visit shelters, group homes, secure residential facilities, and other service providers. The purpose of the site visits is to engage the youth currently receiving services and hear how the services are impacting them. The feedback provided are organized and feedback is disseminated through a written report to be administered to the provider, the SAG, and agency leadership. This feedback is used to create recommendations for improvement to service providers and for current and future state planning. The Positive Youth Development Activities have truly created a sense of purpose and belonging, while empowering these young leaders to use the challenges they have faced to make a difference in their communities and the system they have found themselves in. During 2020, the SAG voted to dedicate funding to the YEL for Positive Youth Development activities. Although the pandemic slowed this down, the SAG and the governing board approved an allowance for the time YEL members spend serving in their roles as system improvement leaders. The input and investment of these young leaders has proven to be a key component of the plan for compliance and adherence to the Juvenile Justice and Delinquency Prevention Act.

Priority Number One: Empower Oklahoma Youth Impacted by the Juvenile Justice System to Become National and Statewide Leaders

Oklahoma benefits from the Positive Youth Development Activities and Lived Testimony of the

Youth Served in the Juvenile Justice System. Through the YEL Committee, youth who are delinquent or at-risk obtain a sense of safety and structure; a sense of belonging and membership; a sense of self-worth and social contribution; a sense of independence and control over one's life; and a sense of closeness in interpersonal relationships. The Oklahoma SAG and OJA recognize and support the work of the YEL committee.

The Oklahoma YEL committee is comprised of youth members who currently are or who have been system-involved; youth members who have special experience or interest in serving in the juvenile justice system; and SAG members who have chosen to serve the youth as an ally. Staff support is provided to the committee. The role of every adult present for the meetings is as an ally. Allies may be "invited" into the meeting. Parents are welcome to attend meetings, they too sit in the audience to support the work of the committee. Youth have ownership of their stories and are not required to share their story to participate. Guidelines and boundaries are addressed in meetings and in the application process for membership. Youth who have invested in the committee and express an interest in the SAG are invited to apply for appointment to the SAG. All YEL members are ad-hoc members of the SAG, as revised in the SAG by-laws in October 2019.

Oklahoma proposes to 1) fund programs for positive youth development that assist delinquent and at-risk youth in obtaining a sense of safety and structure; a sense of belonging and membership; a sense of self-worth and social contribution; a sense of independence and control over one's life; and a sense of closeness in interpersonal relationships; 2) YEL members will become a trauma-informed support to youth who returning to the community after an out of home residential placement; 3) provide funding to support positive development youth activities among system-involved youth; and 4) develop statewide and national youth leaders on best practices in juvenile justice through in state and national trainings.

Priority Number Two: Reducing Minority Over-Representation at Specific Contact Points in the Juvenile Justice System (Compliance Purpose Area)

Pursuant to 34 U.S.C. § 11133(a)(15) of the Federal JJDP Act, as amended in 2018, the States participating in the Formula Grants program are required to implement policy, practice, and system improvement strategies at the State, territorial, local, or tribal levels to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system. To address R/ED issues, Oklahoma proposes to: 1) educate juvenile justice system stakeholders (including representatives of the educational system) about reducing racial and ethnic disparities; 2) prioritize funding to those grant proposals including programs and services addressing R/ED as indicated through the analysis of data on racial and ethnic disparity at decision points in the juvenile justice system; 3) Develop method and protocol for administrators holding juveniles in adult jails and lockups to report race and ethnicity data and utilize this data to educate and train on best practices and system improvement strategies; and 3) fund Compliance Specialist with a knowledge and experience in training stakeholders on R/ED and facilitating local and state strategies designed to address and reduce racial and ethnic disparity in the juvenile justice system.

Priority Number Three: Oklahoma Must Protect Children who come Into Contact with the Juvenile Justice System by Eliminating Violations of the Core Protections of the Juvenile Justice and Delinquency Prevention Act (Compliance Purpose Area)

Pursuant to U.S.C. § 1133(a)(11-14) Oklahoma must protect Oklahoma children from the improper uses of detention, adult jails, and lockups. The racial and ethnic disparity at every decision point, including the use of adult jails and lockups, must be examined, and addressed.

- A) Eliminate Deinstitutionalization of Status Offenders (DSO) Violations in Oklahoma by monitoring for compliance with the core requirements and providing training and

- technical assistance to secure facilities.
- B) Decrease the Frequency of Jail Removal Violations in Oklahoma by monitoring for compliance with the core requirement and providing training and technical assistance to secure facilities, judges, attorneys, and juvenile justice system field staff.
 - C) Eliminate Separation Violations by monitoring for compliance with the core requirement and providing training and technical assistance to secure facilities.
 - D) Strengthen the quality of training for secure facility staff who work with both adults and juveniles by requiring the Effective Police Interactions with Youth training or similar evidence-based model for facility staff in jails who are approved to hold.
 - E) **2022 Update:** Fund law enforcement youth specialists to serve as subject matter experts in best practices for law enforcement and youth interactions. The Officer (s) who serve as a Youth Specialist will be trained in Effective Interactions with Youth, Trauma and Resiliency, the Core Requirements, and adolescent development. As a YS, these officers will support other officers in coordinating services and effective interventions with youth who are not appropriate for placement in secure care settings (jails, detention, lock-ups, etc.).

Priority Number Four: Increase the amount of funding to Native Nations to support Compliance with the four core Protections and Support the Strengthening of their Juvenile Justice Programming (Tribal Youth Programs Pass Through)

In order to seriously commit to addressing juvenile delinquency prevention strategies for Native American Youth, Oklahoma will solicit the development of programs, which are specifically designed to meet the needs of Native American youth.

Oklahoma has a significant Native American population representing more than 13% of the total population. Oklahoma values and respects the rich cultural heritage of Native Nations. Oklahoma wants to partner with Native Nations to ensure the best outcomes for Native youth, who face unique life challenges. As a result of the Supreme Court ruling, *McGirt v. Oklahoma*, the Oklahoma juvenile justice system is rapidly changing for native youth and families. The Office of Juvenile Affairs is committed to partnering with the tribes to strengthen their juvenile justice systems.

To address Native American issues, Oklahoma proposes to 1) continue a statewide system of liaisons to Oklahoma Native Nations; 3) collaborate to support Native Nations' ability to operate their own prevention, diversion and re-integration programs; 4) and provide pass through funding to Native Nations to assist them with complying with the four core requirements and strengthening culturally relevant prevention programming.

Goals and Objectives

Priority Number One

Program Area: Positive Youth Development Activities

Goal:

Increase a Sense of Belonging and Social Contribution for Oklahoma Youth Impacted by the Juvenile Justice System through Positive Youth Development Activities.

Objectives:

Develop and strengthen state level youth committee to guide changes in the juvenile justice system.
Educate stakeholders on the impact of service provision from the perspective of the youth served.
Utilize the YEL and SAG allies to oversee grant funds used for the implementation of comprehensive delinquency prevention programs meeting the criteria of evidence-based or

promising programs as defined by the Juvenile Justice and Delinquency Prevention Act, as reauthorized.

Priority Number Two

Program Area: Racial and Ethnic Disparities

Goal:

Reduce Minority Over-Representation at Relevant Contact Points (See R/ED Plan and Data)

Objectives:

Develop state level R/ED stakeholder leadership.

Develop and strengthen local community stakeholder collaborations.

Develop and build strong relationships with law enforcement entities across the state, including rural and tribal jurisdictions.

Reduce the disparate arrest of minority youth.

Reduce the disparate admission of minority youth to juvenile detention.

Reduce the disparate number of minority youth placed in secure confinement.

Assist local community stakeholders, including law enforcement, with developing evidence based or promising, trauma informed alternatives for low level offenses (Property Offenses, Judicial Citations, etc.).

Priority Number Three

Program Area: Compliance

Goal: Eliminate Violations of the Core Protections of the Juvenile Justice and Delinquency Prevention Act (See Compliance Plan)

Objectives:

Monitoring for compliance with the core requirements and providing training and technical

assistance to secure facilities, judges, attorneys, child welfare and juvenile justice system leaderships and field staff.

Strengthen the quality of training for secure facility staff who work with both adults and juveniles by requiring the Effective Police Interactions with Youth training or similar evidence-based model for facility staff in jails who are approved to hold juveniles.

Assist local community stakeholders, including law enforcement, with developing evidence based or promising, trauma informed alternatives for low level offenses.

Priority Number Four

Program Area: Indian Tribe Programs

Goals:

Reduce Native American youth contact with the Juvenile Justice System.

Improve outcomes for Native Youth involved with the Juvenile Justice System.

Objectives:

Develop clear channels of communications between state juvenile justice system and Native Nations

Support the development and sustainability of culturally relevant evidence-based juvenile justice and delinquency prevention services for at-risk Native American youth.

Develop Native nations' ability to implement prevention, early intervention and diversion programs for youth targeting low level offenses (e.g., Property Offenses).

Planning and Administration

Goals:

Improve the juvenile justice system through statewide coordination and collaborative planning and development of a state plan, with the assistance of all relevant agencies, communities, families,

and youth who are impacted by this system.

Ensure planning and administration of all federal monies for Juvenile Justice Programs awarded to the Office of Juvenile Affairs are administered according to federal guidelines.

Objectives:

Sustain the efforts of a state advisory group and YEL sub-committee which represents the full spectrum of the juvenile justice system and delinquency prevention efforts.

Develop and implement a cohesive comprehensive plan.

Complete federal reports and annual reports.

Increase knowledge and practical application of proven programs and effective policies.

C. Project Design and Implementation

In October of 2019, the Oklahoma SAG modified their mission statement, by-laws, and priorities to reflect the changes to the reauthorization of the Juvenile Justice and Delinquency Prevention Act. The OJA governing board approved these changes and are on record supporting the priorities of the SAG.

The Oklahoma State Advisory Group (SAG) advises the Office of Juvenile Affairs, the Governor, and the Legislature on best practices for youth at-risk or involved in the juvenile justice system. The SAG administers federal funds through the Juvenile Justice and Delinquency Prevention Act as reauthorized in the 2018 Juvenile Justice Reform Act. The SAG advises on innovative solutions designed to promote healthy development that prevents and reduces future crime for at-risk youth.

Oklahoma SAG Mission Statement
Adopted October 2019

The SAG priorities and recommendations guiding this plan are as follows:

To implement Policy, Practice, and System Improvement Strategies to

- Ensure the protection and the safety of all youth who come into contact with the juvenile justice system in Oklahoma.

- Ensure Statewide Compliance of the Core Protections of the JJDPA/JJRA
- Strengthen Collaborative Learning between the Tribes and the State-Listening to Native Voices
- Support Tribes in the Implementation of Culturally Relevant Delinquency Prevention Programming by Providing Training and Technical Assistance to Carry Out the Requirements of Grant Awards
- Empower Oklahoma Youth to Assist with Shaping Policy, Practice, and System Improvement Strategies by Becoming Their Allies- “Nothing About Us, Without Us”.
- Support a Continuum of Evidence-based or Promising Programs (delinquency prevention, intervention, mental health, behavioral health and substance abuse treatment, family services for children exposed to violence) that are trauma-informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth who come into contact with the justice system.

Recommendations to the Office of Juvenile Affairs (OJA Board Approved each Recommendation)

- OJA Presents on the Juvenile Justice Reform Act of 2018 to Judges, Oklahoma Sheriffs and Jail Administrators-Scheduled for Fall 2021 (Date subject to change due to COVID19 Pandemic)
- Continue Coordination with the Jail Inspection Division of the Oklahoma Department of Health to Coordinate all Annual Jail Inspections and to Increase the Quality of Oversight and Frequency of Compliance Monitoring
- After Jail/Lock-Up Re-Certification, provide lists of facility designations to all Judges, Law Enforcement Facilities, District Attorneys, State, County, and Municipal Justice Entities.

- JJDP Unit provides support and training to OJA field staff on the core protections and assign compliance responsibilities to Assistant District Supervisors in each jurisdiction.
- Outcomes of monitoring are entered into JOLTS and reported to the JJDP Unit

In preparation of the JJRA and overall efforts to improve the juvenile justice system, the Office of Juvenile Affairs developed a plan for the establishment of detention. During December of 2019, the OJA Board voted to approve the new state detention plan. A formula was created to determine the number of contracted beds (See Table I Below). This formula considers the misuse of detention and the need for alternatives. This detention plan is implemented by the OJA, the DSA tasked with implementation of the three-year plan.

Table I: FY 2020 Formula for Determining Contracted Detention Bed Needs

Projected Need based on Most Recent Trend Line
PLUS 10% normalizing/conservative factor
LESS unlawful detention stays (status offenses-adjusted for accuracy)
PLUS estimated beds needed for Youthful Offenders being moved from adult lockup to detention
LESS youth that would be better served in alternatives to detention
LESS increase in therapeutic beds up to average youth in detention waiting on placement
EQUALS detention bed Need for upcoming year

2019 OJA State Plan for the Establishment of Detention
<http://oja.ok.gov/detention-centers>

Describe how the state plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents; 34 U.S.C. § 11133(a). Contain a plan to promote evidence-based and trauma-informed programs and practices; 34 U.S.C. § 11133(a)(7)(B)(viii).

The Oklahoma Juvenile Justice System is a graduated sanctions system designed to provide a continuum of evidence-based, trauma-informed prevention and intervention services to youth who are at-risk of delinquency or further penetration into the juvenile justice system. Each youth referred has an individualized treatment plan which considers their unique circumstances and

developmental milestones. Oklahoma children have the highest rates of Adverse Childhood Experiences (ACEs) in the country.ⁱ Youth who come into contact with the juvenile justice system typically have high ACE scores. The Oklahoma Juvenile Justice System strives in every aspect to respond to young Oklahomans with this in mind. It is our mission to reduce exposure to trauma instead of compounding it. The State of Oklahoma collaborates with the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) and 37 accredited Youth Service Agencies, to provide for the mental health treatment services for at-risk youth. Services provided consider the current scientific research regarding adolescent development and behavior.ⁱⁱ State and federal funds are used to support evidence-based or promising prevention and intervention programs that take into account adolescent development and behavior. Ongoing plans includes the provision of trauma-informed and evidence-based programming and practices for all service providers, staff, and system stakeholders such as, judges, prosecutors, and defense attorneys. The Oklahoma Department of Mental Health and Substance Abuse Services provides training and resources to understand and implement Trauma Informed programming and practices.ⁱⁱⁱ This resource, as well as other resources support service provision throughout the juvenile justice continuum.

A main priority of the SAG is Support a Continuum of Evidence-based or Promising Programs (delinquency prevention, intervention, mental health, behavioral health and substance abuse treatment, family services for children exposed to violence) that are trauma-informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth who come into contact with the justice system. Through the SAG, the OJA Board, the OJA Chief Psychologist and agency leadership, this message is conveyed to every service provider and sub-grantee through contracting procedures, payment for services, messaging, training, and consultation from the Chief

Psychologist. Pilot projects will continue to be pursued to assist system stakeholders and providers with understanding and demonstrating responses to Oklahoma youth that strengthen hope, resilience, and focuses on the supports needed to lead healthy successful lives.

Rural Area Services

Oklahoma is predominately a rural state, and our statewide juvenile justice system is set up to deliver prevention and treatment services to accommodate this geographic reality. Each county has a local OJA office, which is mandated by state law to provide intake, probation and parole services countywide. These offices also provide pre-court intervention services such as diversion, deferred filing and informal adjustments (deferred prosecution agreements). Each county is served by one of the 37 Youth Service Agencies, which are mandated by state law to provide outreach, prevention early intervention and first-time offender services to local juveniles and their families. OJA will use state funds to support restorative justice programming in rural communities during SFY 2022. These programs divert low-level offenders from the juvenile justice system and provide needed accountability and access to local treatment resources. Each process for grant funding, state funded prevention, and intervention services considers the unique needs and service gaps found in rural Oklahoma. OJA and the SAG are committed to ensuring equitable distribution of Title II funding within the state.

Gender Specific Services

Analysis of Oklahoma's Juvenile Crime Problems demonstrates female juvenile offenders account for only a small percentage of statewide juvenile crime. This fact is disconcerting when you consider that the state of Oklahoma incarcerates more adult females than any other state. Research is continuing to determine the factors contributing to this discrepancy.

The State of Oklahoma provides individualized treatment for all juveniles on probation or in

custody. Female offenders are recognized as particularly challenging. Female offenders are provided services in an equitable manner with male offenders. Yet their disparate needs are taken into consideration when addressing treatment options. Offenders are given an YLSI assessment of risks and needs and case plans are developed for each based upon their risk levels, needs and strengths. Oklahoma requires gender specific services be provided by treatment providers in the community setting and out of home placement providers. These services include, but are not limited to; individual, group and family counseling, substance abuse treatment and trauma focused treatment. Oklahoma detention operators provide gender specific services to female offenders during their temporary stays in detention facilities. Female offenders who are placed on probation and remain in their homes receive these services from community treatment providers. Oklahoma does not co-mingle genders in out of home treatment programs. Traditional foster care, therapeutic foster care and group home settings are out of home placement options for female juvenile offenders, contracted for by the State of Oklahoma. These contractors are aware of and mandated to address the treatment needs which are specific to female juvenile offenders. Oklahoma contracts for the operation and secure placement and treatment of females who have committed serious offenses. Additionally, Trauma-Informed Treatment and Motivational Interviewing training is provided to all staff and is the basis for all treatment interactions with juvenile offenders throughout the system but is of particular importance in the treatment of female offenders who, research has shown, are highly likely to have experienced significant trauma prior to contact with the juvenile justice system.

Contain a plan to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or

treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system; 34 U.S.C. § 11133(a)(7)(B)(iv).

“The development and support of community-based alternatives to detention programs played an important role in the formulation (of the) State Plan (for Detention). Legislation prohibits status offenders from being detained solely on a status offense or violations of a valid court order. This legislation, coupled with increased education of stakeholders, has led to a reduction of low-level offenders being detained.”^{iv} OJA contracts with Hope Rising, a shelter for young girls who are survivors of commercial sexual exploitation. This treatment program has proven to be an impactful alternative. Youth are usually referred to the juvenile justice system by law enforcement. However, parents, educators, and public/private agency personnel also refer youth. When officers encounter a young person who has committed a status or low-level offense, they may take the youth home, to an emergency shelter, or a Community Intervention Center (CIC).^v

Contain a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs; 34 U.S.C. § 11133(a)(7)(B)(v).

The 2019 State Plan for the Establishment of Detention contains a plan to minimize the number of children housed in secure detention and corrections facilities who are awaiting placement. The state formula for bed capacity reduces future beds based on the number of therapeutic beds needed (determined by average number of youths awaiting placement). See Table I: Formula for Determining Contracted Detention Bed Needs.

Table I: FY 2020 Formula for Determining Contracted Detention Bed Needs

Projected Need based on Most Recent Trend Line
PLUS 10% normalizing/conservative factor

LESS unlawful detention stays (status offenses-adjusted for accuracy)
PLUS, estimated beds needed for Youthful Offenders being moved from adult lockup to detention
LESS youth that would be better served in alternatives to detention
LESS increase in therapeutic beds up to average youth in detention waiting on placement
EQUALS detention bed Need for upcoming year

Source: 2019 OJA State Plan for the Establishment of Detention <http://oja.ok.gov/detention-centers>

It is the position and intent of OJA, to minimize the length of stay in detention so youth can access services in the community or the least restrictive setting as possible. OJA collaborates with the Oklahoma Department of Mental Health and Substance Abuse Services to develop and implement strategies designed to improve outcomes and minimize the adverse effects of detainment. OJA Proposed rule, policy, contractual language, and legislative changes in the state plan as it relates to OJA Custody youth awaiting placement. The proposed policy change states, OJA will pay 100% of the approved detention rate for all OJA Custody youth on the OJA placement waiting list for an out-of-home placement. However, if OJA, as the placement authority, determines the youth will not be placed in an OJA contracted or operated facility, and the youth continues to be held in detention, OJA will recoup costs of continued detainment at 100% from the county of jurisdiction.”^{vi} During 2020, the JJDP staff established a collaboration with the Child Welfare Division of the Department of Human Services to identify youth with Deprived, Abused, or Neglected backgrounds that are inappropriately directed for Secure Detention. This has allowed the Compliance Monitor to advocate with DHS on their behalf.

Contain a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement; 34 U.S.C. § 11133(a)(7)(B)(vi).

The Oklahoma Office of Juvenile Affairs recognizes and values the importance of supporting and engaging family members in the design and delivery of services. Services to strengthen families

and prevent delinquency are supported and invested in throughout the continuum of care. Aftercare or reentry begins upon placement. Parents are encouraged to meet with service providers at the placement and in the returning community. The Youth Emerging Leaders (YEL) committee of the SAG is comprised of current and former system involved youth/young adults, as well as youth/young adults who have special experience or interest in serving the juvenile justice system. Parents and families of system involved youth are encouraged to participate as allies in all meetings and training opportunities. This new aspect of the committee provides a safe and empowering environment for the youth and their families.

Contain a plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system; 34 U.S.C. § 11133(a)(7)(B)(vii).

The Oklahoma juvenile justice system is comprised of 37 statutory youth service agencies (YSAs) to provide community-based services to youth at risk or who have come into contact with the juvenile justice system. YSAs provide evidence-based prevention, diversion, and intervention programs at no cost.

Contain a plan that shall be implemented not later than December 21, 2020, to: 1) Eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; 2) Eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless: (a) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or (b) reasonable grounds

exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method; 34 U.S.C. § 11133(a)(7)(B)(ix).

OJA Policies P-35-03-02 and 35-03-06, approved in December of 2019, notes that written policy, procedure, and practice prohibits the use of restraints on female juveniles during active labor and the delivery of a child. Any deviation from the prohibition requires approval by, and guidance on, methodology from the medical authority and is based on documented serious security risks. The medical authority provides guidance on the use of restraints on pregnant juveniles prior to active labor and delivery.

Describe policies, procedures, and training in effect, if any, for the staff of juvenile state correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques; 34 U.S.C. § 11133(a)(29).

OJA Policy P-35-03-06 pursuant to Title 10A O.S. 2-7-604 and as authorized by Terry D. Settlement Agreement dated August 10, 2012 and approved on January 24, 2013, Part VII, Mechanical Restraints specifies procedures to eliminate dangerous practices and unreasonable restraints. OJA Policy P-35-11-01 describes the juvenile disciplinary process, behavior management techniques, and training procedures for all staff in the institution setting. This policy references state statutes, OJA Rules, and ACA Standards. OJA Policy P-34-11-04 allows for and sets procedures for solitary confinement. “Solitary confinement is a serious and extreme measure to be imposed only in emergency situations.”^{vii} This policy references OJA Rules 377:3-13-144 and ACA Standards 4-JCF-3C-03 and 4-JCF-3C-04.

Describe: (A) The evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who: (i) request

a screening; (ii) show signs of needing a screening; or (iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and (B) How the state will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment; 34 U.S.C. § 11133(a)(30).

The evidence-based methods used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who request a screening or show signs of needing a screening are as follows:

- 1) For youth who request a screening, a referral is made to a local youth service agency for assessment by a qualified behavioral health professional or licensed/certified drug and alcohol counselor. The T-ASI is the primary tool for initial assessment of all youth who have tested moderate or high for substance use on the YLS-CMI 2.0 risk and needs assessment. The YLS-CMI is used for all youth placed on Informal Adjustments, Probation, or Custody. The T-ASI is used to guide the frequency and length of service provision.
- 2) For youth who request an immediate screening or exhibit signs of needing a screening, the Youth Crisis Mobile Response Unit is available and easily accessible. This same resource is used for youth placed in detention, who upon arrival are exhibiting a need for immediate mental health treatment. Youth are administered the MAYSI-2 within twenty-four hours of admission. Youth scoring moderate or high are also referred to the Crisis Response Unit. In cases where the Youth Crisis Mobile Response Unit is activated, field staff initiate steps to secure an inpatient treatment bed. Within forty-eight hours of admission, and prior to the initial detention hearing, a standardized detention screening is used to give all parties

the level of risk the youth pose to the community and if further detention is necessary or appropriate. Low risk youth shall not remain in detention.^{viii}

- 3) For youth placed in an OJA secure residential placement, OJA Policy P-35-15-05 defines and prescribes the Mental Health Treatment protocol. Within the first hour of admission, the MAYSI 2 is administered by a mental health professional. The entire assessment process is designed to identify mental health and substance abuse treatment needs to be addressed during youth's confinement within the first seven days of admission. Juveniles referred for a mental health evaluation and/or mental health treatment will receive a comprehensive evaluation by a qualified mental health care professional with the first thirty day of the referral request date. A mental health treatment plan is developed for youth being treated on an ongoing basis by a qualified mental health professional. Treatment plans include juvenile participation to the extent that is possible. When necessary, youth with severe mental illness or who are severely developmentally disabled are referred for placement in non-correctional facilities or units specifically designated for handling the unique needs of this type of individual. Emergency transfers to mental health facilities are approved and supervised by the responsible health care practitioner and/or mental health authority and reported to the court the next working day.^{ix}

Describe how reentry planning by the state for juveniles will include (A) A written case plan based on an assessment of needs that includes (i)the pre-release and post-release plans for the juveniles; (ii)the living arrangement to which the juveniles are to be discharged; and (iii)any other plans developed for the juveniles based on an individualized assessment; and (B) Review processes; 34 U.S.C.§ 11133(a)(31).

Pursuant to Title 10A O.S. § 1-4-704 at the dispositional hearing, each youth has an individualized case plan based on findings from the YLS/CMI 2.0 risk and needs assessment and a psychosocial assessment. This individualized plan becomes part of the dispositional order. The individualized plan includes 1) a history of the child and family; 2) time-limited reunification plans; 3) identification of specific services to be provided to the child (educational, vocational educational, medical, drug or alcohol abuse treatment, counseling, or other treatment services); and 4) a description of the transition planning (i.e. educational, vocational, employment, health care, transportation, money management, housing, establishing/maintaining connections with family and community, social and recreational skills). This plan may be modified as needs and resources may change. Each time the youth transitions, a new YLS/CMI 2.0 risk and needs assessment is administered and the individualized plan is adjusted accordingly.

Describe policies and procedures, if any, to (A) Screen for, identify, and document in records of the state the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and (B) Divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable; 34 U.S.C. § 11133(a)(33).

Oklahoma does not currently have a screening protocol to identify victims of domestic human trafficking or those at risk of trafficking. During the SAG Planning Retreat during the upcoming year, this will be a topic of exploration and planning.

Provide for the for the coordination and maximum utilization of evidence-based and promising juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreations, health, and welfare programs) in the state; 34 U.S.C. § 11133(a)(8).

Plan Development, Strategic Planning, Data Sharing

To obtain input on activities and services, SAG members and staff at the designated state agency, including JJDP staff; maintain ongoing relationships with stakeholders representing Units of Local Government. Each new appointment to the SAG was strategically identified to strengthen the need for ongoing input from stakeholders at each decision point. Funding opportunities to implement evidence based delinquency prevention programs with federal and state dollars have been and will continue to be made available to units of local government, state agencies, Native tribes, and private non-profit agencies. In addition to the direct work with 172 county and municipal law enforcement agencies throughout the state during compliance activities, the JJDP Unit and DSA collaborated with the following Units of Local Government: 1) Representatives from local Health Departments in five rural counties to connect youth and family needs to resources that assist in preventing and diverting youth from entrance into the juvenile justice system. The collaborations identified ways to implement local diversion strategies; 2) the “Uth Take Lead” operated under the umbrella of the Community-Based Youth Service agency in three rural counties that encourages youth to address and provide solutions for community problems that impact families; 3) assisted five local court jurisdictions by providing OJA’s juvenile justice system data to assist them in recognizing the existence of disparities and begin the process of identifying contributing factors and arriving at solutions; 4) The JJDP Unit has assisted and collaborated with Community Based Youth Service agencies that provide prevention and diversion services across all 77 counties with establishing an evidence-based best-practice community needs assessment model to better connect the priority needs of youth and families to program development and implementation to meet those unmet needs; 5) provide technical assistance and support, including hearing feedback from non-profit agency providers, county juvenile bureaus, law enforcement, tribal nations, sister agencies serving at the local level, and a myriad of other providers. Opening the Effective Police

Interactions with Youth training to all system stakeholders combined with the social distancing restrictions, provided multiple opportunities to hear from leaders at every level of the juvenile justice system. In addition, collaborations were established with school systems in six counties to implement, “Handle with Care” and to connect behavioral health services to students with identified needs. The culmination of all of these projects brought rural and urban law enforcement, school personnel, juvenile justice personnel, and direct care providers (group home staff, counselors, residential care staff, etc.) together to discuss the strengths and gaps in the juvenile justice system. The SAG and YEL sponsored and participated in these trainings along with JJDP staff.

OJA has contracted, as required by Oklahoma state law with the Oklahoma Office of Management and Enterprise Services (OMES). This agency is charged with providing data services, research, and budgeting programs for Oklahoma State agencies. Data sharing agreements are in place between state level agencies within the juvenile justice system. The juvenile code for Oklahoma lists the following agencies as part of the juvenile justice system: “ the courts, the District Attorney's Council and offices of the district attorneys, state and local law enforcement agencies, juvenile bureaus, the Department of Human Services, the Department of Juvenile Justice of the Office of Juvenile Affairs, the Oklahoma Commission on Children and Youth, the Department of Corrections, the Criminal Justice Resource Center, any other state agency responsible for the care, custody or supervision of youth alleged or adjudicated to be delinquent, and educational, treatment or residential services, local school districts and area vocational-technical schools and other public or private agencies not otherwise specifically included in subparagraph of the paragraph, compromising the children and youth service system.”

In 2017, a multi-agency data sharing agreement was finalized and signed by the following

agencies: Oklahoma State Departments of Health, Human Services, Mental Health and Substance Abuse Services, Corrections, Office of Juvenile Affairs, Health Care Authority, Commission on Children and Youth, Rehabilitation Services, and the State Department of Education. This agreement removed the majority of the barriers to access cross-systems data.

ⁱ Tulsa World, "Special Report: Oklahoma Leads the Nation in Childhood Trauma. How Does this Affect Our State and What can We Do?", July 8, 2019

ⁱⁱ Oklahoma 2018 Three-Year Plan, Page 25

ⁱⁱⁱ https://www.ok.gov/odmhsas/Mental_Health_/Trauma_Informed_Services/

^{iv} OJA State Plan for the Establishment of Juvenile Detention Services, <http://oja.ok.gov/detention-centers>

^v Oklahoma 2018 Three-Year Plan, Page 2

^{vi} OJA State Plan for the Establishment of Juvenile Detention Services, [http://oja.ok.gov/detention-centers ,page 19](http://oja.ok.gov/detention-centers_page_19)

^{vii} Policy P-35-11-04, Solitary Confinement, Office of Juvenile Affairs

^{viii} OJA State Plan for the Establishment of Juvenile Detention Services, <http://oja.ok.gov/detention-centers> , page 11

^{ix} Policy P-35-15-05, Mental Health Treatment, Office of Juvenile Affairs