

## MISSOURI’S RED ACTION PLAN – FY2022

**I. Submit statewide data at key juvenile justice decision points where research has shown that potential disparity may occur. Data collection must occur for at least four of the five points below. At each data point, your state must provide the definition of the contact point and percent distribution of race or ethnic groups compared to the general population distribution in the most recent U.S. Census data.**

In Missouri, we defer to the federal definitions for each contact point unless specified otherwise below:

- 1. Arrest-** In Missouri, juveniles do not get “arrested”. Rather, youth are taken into custody and *referred* to the juvenile justice system. As such, the term “referral” will be used in lieu of “arrest”.
- 2. Diversion-** For the purposes of this plan diversion and informal adjustment are synonymous.
- 3. Pre-trial Detention**
- 4. Secure Confinement-**For the purposes of this plan secure confinement and DYS are synonymous.
- 5. Adult Transfer-** In Missouri, the process of transferring a youth to the adult system is referred to as “certification”. As such, the term “certification” will be used in lieu of “adult transfer”.

Missouri tracks data for the entire state based on the federal fiscal year (FFY) from October 1, 2021, to September 30, 2022. Missouri also tracks data for calendar year 2022 for the purpose of including information in the Juvenile and Family Division annual report produced by the Missouri State Courts Administrator.

### FFY22 Statewide Data:

Race:		Race					
		White	Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander
Population		506127	96288	43352	4868	17432	0
Arrest	Number	18480	7580	736	55	129	0
	Percentage	3.65%	7.87%	1.70%	1.13%	0.74%	#DIV/0!
Diversion	Number	16325	6219	627	50	123	0
	Percentage	88.34%	82.04%	85.19%	90.91%	95.35%	#DIV/0!
Pretrial Detention	Number	844	682	56	4	4	0
	Percentage	4.57%	9.00%	7.61%	7.27%	3.10%	#DIV/0!
Secure Confinement	Number	288	121	15	0	0	0
	Percentage	1.56%	1.60%	2.04%	0.00%	0.00%	#DIV/0!
Adult Transfer	Number	22	58	4	0	0	0
	Percentage	0.12%	0.77%	0.54%	0.00%	0.00%	#DIV/0!

*Please note for all tables: Native Hawaiian or Other Pacific Islanders are included with our Asian population and Native Alaskan with our American Indian population.*

## FFY22 Missouri Statewide Disparity Ratios:

Race:		Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander
Arrest	Ratio to Whites	2.16	0.46	0.31	0.20	#DIV/0!
Diversion	Ratio to Whites	0.93	0.96	1.03	1.08	#DIV/0!
Pretrial Detention	Ratio to Whites	1.97	1.67	1.59	0.68	#DIV/0!
Secure Confinement	Ratio to Whites	1.02	1.31	0.00	0.00	#DIV/0!
Adult Transfer	Ratio to Whites	6.43	4.57	0.00	0.00	#DIV/0!

## II. Develop an Action Plan

**Describe composition of SAG & RED coordinating body.** Missouri’s RED work is led by a statewide steering committee chaired by our State RED Coordinator and has members from the Juvenile Justice Advisory Group, juvenile officers, law enforcement, education, local RED Coordinators, Missouri Juvenile Justice Association, Department of Public Safety Juvenile-Justice Specialist, Representative from Department of Mental Health, MJJA’s RED Consultant and our RED Data Analyst. This steering committee reports to the Juvenile Justice Advisory Group.

### 1. What do your RED numbers tell you about your jurisdiction?

Disparities for Black youth continue to exist at all contact points within the Missouri juvenile justice system. The greatest disparities exist at the referral (arrest), pretrial detention, and certification (adult transfer) contact points. Significant disparities also exist for Hispanic or Latino youth at detention, secure confinement and certification. While the actual number of Black youth who received an informal adjustment (diversion) increased, the rate for Black youth compared to White youth receiving an informal adjustment (diversion) actually decreased slightly from FFY21 further widening the gap toward reaching parity for Black youth at the informal adjustment (diversion) contact point. Of particular concern is the rate at which Black youth are certified (adult transfer) as adults, which is over six times greater than the rate for White youth and over four times greater for Hispanic or Latino youth although the number for Hispanic youth is much smaller (4 youth).

### 2. What would success in RED reduction look like for your state?

Goal 1: Reduction in Black youth referred to the juvenile office.

Goal 2: Increased opportunities for diversion among Black youth.

Goal 3: Reduction in admissions to pretrial detention for Black youth.

Goal 4: Reduction in Black youth certified as adults.

We believe that by focusing on reducing the number of Black youth being referred to the juvenile office, we will ultimately impact the other contact points as less youth will be referred to the juvenile office due to pure diversion opportunities/programs being utilized and by increasing the use of diversion through the informal adjustment process less youth will be detained, and less youth will ultimately be placed in secure confinement or be certified as adults.

Below is a quick description on how we plan to accomplish these goals and a more detailed strategy is in Appendix A.

1. Ensure that everyone has a clear understanding of what RED is, the role RED plays within the juvenile justice system, and what true RED reduction looks like. In order to effectively impact RED at all contact points, system partners must understand the issue and their role in addressing racial and ethnic disparities.
2. Increase the use of diversion, and specifically restorative justice responses as a disposition for referrals. Diverting youth from being referred to the juvenile justice system and/or from formal involvement with the system should ultimately impact the pretrial detention and secure confinement contact point.
3. Expand the number of counties/jurisdictions committed to working closely with the State RED Coordinator, Data Analyst and State Steering Committee to address RED at the local level. By increasing the number of counties/jurisdictions who are actively working to address RED in their communities should impact contact points at the local and state level.
4. Improve relationships and collaboration with law enforcement across the State. By focusing on relationships and improving communication with law enforcement collaboration between law enforcement and juvenile officers will increase and lead to a reduction in referrals for Black youth.

### **3. How much do you want to reduce RED next year?**

- Reduce the number of Black youth referred to the juvenile office.
- Increase the number of Black youth referrals disposed through the informal adjustment process.
- Reduce the number of Black youth admitted to pretrial detention.
- Reduce the number of Black youth certified as adults.

### **4. Is the reduction reasonable? If yes, why?**

Yes, we feel these reductions are reasonable as we have a plan with a concentrated focus on educating, training and advocating for more diversion opportunities to be provided to Black youth specifically through utilization of restorative justice practices. We believe that if we have a primary focus on the referral contact point that we will ultimately reduce the disproportionality of minority youth at subsequent decision points such as detention, and secure confinement.

### **5. What do you need from OJJDP to be successful with your plan?**

Missouri would benefit from technical assistance to assist in training and educating law enforcement across Missouri what RED is, what role they play in it, and how they can work to address it; to assist in addressing various contact points; to foster the sharing of information; and for any other training needs that may present. Training and support for the State RED Coordinators by OJJDP continues to be beneficial. Additionally, the bi-monthly RED calls

provide access to timely updates from OJJDP, offer opportunities for learning, and foster open dialogue between states.

**6. What safeguards will you put in place to ensure that as you work to reduce RED, you are equipping youth to live productive lives?**

Missouri will continue to use the Juvenile Detention Assessment (JDTA). “The JDTA provides juvenile officers with objective criteria for evaluating the need to detain a juvenile. The JDTA is a validated, evidence-based practice that provides guidance for detention for juvenile office personnel as to the need for placement in secure detention based on a risk to public safety, the juvenile’s failure to appear in court, the need for alternatives to detention, or the recommendation to release or not detain the juvenile with or without conditions pending further action by the juvenile officer.<sup>1</sup> The JDTA instrument helps eliminate the subjectivity when determining whether detention is necessary.

In addition to the JDTA, Missouri utilizes both a risk assessment and a separate needs assessment. The risk assessment is designed to assess the relative likelihood that a juvenile referred to the Court for a status or law offense will return on a new offense referral. The needs assessment identifies areas the juvenile officer should provide competency development opportunities for the young person so they will not recidivate. Some of those services include therapy, anger management classes, substance abuse treatment, restorative justice practices, and life skills classes. In combination, these tools allow the juvenile justice professionals to maintain public safety while holding youth accountable and providing services tailored to each individual’s needs. While not perfect, the screening tools allow for more objective decision making when determining risk level and the need for detention which correlates with our mission to address disparities at contact points within our system.

**III. Conduct an outcome-based evaluation.**

Below are RED State data for FY2022 and FY2021 to assess any change in the data from the past year. *(\*Note: FFY22 data includes 17-year-olds for the entire reporting period. FFY21 data only included data on 17-year-olds from July 1, 2021-September 30, 2021. July 1, 2021 was the date the age of juvenile court jurisdiction was expanded to include 17-year-olds.)*

**FFY22 Statewide Data:**

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<sup>1</sup> Juvenile Standards Work Group (2017) [Missouri Juvenile Office Performance Standards](#), Page 23

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### FFY22 Statewide Disparity Ratios:

Race:		Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander
Arrest	Ratio to Whites	2.16	0.46	0.31	0.20	#DIV/0!
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Secure Confinement	Ratio to Whites	1.02	1.31	0.00	0.00	#DIV/0!
Adult Transfer	Ratio to Whites	6.43	4.57	0.00	0.00	#DIV/0!

Please note for all tables: Native Hawaiian or Other Pacific Islanders are included with our Asian population and Native Alaskan with our American Indian population.

### FFY21 Statewide Data:

Race:		White	Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander
Population		468307	93166	43352	3323	16567	N/A
Arrest	Number	13842	5101	479	34	99	N/A
	Percentage	2.96%	5.48%	1.10%	1.02%	0.60%	#VALUE!
Diversion	Number	11873	4164	393	31	77	N/A
	Percentage	85.78%	81.63%	82.05%	91.18%	77.78%	#VALUE!
Pretrial Detention	Number	823	544	39	3	6	N/A
	Percentage	5.95%	10.66%	8.14%	8.82%	6.06%	#VALUE!
Secure Confinement	Number	204	123	13	1	0	N/A
	Percentage	1.47%	2.41%	2.71%	2.94%	0.00%	#VALUE!
Adult Transfer	Number	10	22	1	0	0	N/A
	Percentage	0.07%	0.43%	0.21%	0.00%	0.00%	#VALUE!

Please note for all tables: Native Hawaiian or Other Pacific Islanders are included with our Asian population and Native Alaskan with our American Indian population.

### FFY21 Statewide Disparity Ratios:

Race:		Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander
Arrest	Ratio to Whites	1.85	0.37	0.35	0.20	#VALUE!
Diversion	Ratio to Whites	0.95	0.96	1.06	0.91	#VALUE!
Pretrial Detention	Ratio to Whites	1.79	1.37	1.48	1.02	#VALUE!
Secure Confinement	Ratio to Whites	1.64	1.84	2.00	0.00	#VALUE!
Adult Transfer	Ratio to Whites	5.97	2.89	0.00	0.00	#VALUE!

### 1. What are your new numbers?

Above are the OJJDP Juvenile Data Tool Tables for FY2022 as well as FY2021. Compared to our FY2021 data, disproportionality still exists for black youth at all 5 contact points.

Overall, juvenile referrals in Missouri increased by almost 38% (37.97%) from FFY2021 to FFY2022. This increase in referrals could be explained by the expansion of juvenile court jurisdiction to include 17-year-olds as well as Missouri moving into the post-pandemic era where schools were in session for the entire year. For Black youth the disparity ratio increased from 1.85 to 2.16. The change in legislation does not account for the disparity in the numbers of referrals for Black youth versus White youth. Referrals for Hispanic or Latino youth increased over 50% (53.65%), higher than the increase in referrals for all youth. Additionally, for Hispanic or Latino youth the disparity ratio also increased from .37 to .46.

With respect to how legally sufficient referrals were handled, our data shows that from FY2021 to FY2022 we had a 41.15% increase in the number of cases handled through an informal adjustment process (diversion) rather than being formally processed, which goes hand in hand with the increase in referrals. This is a positive change however; Black youth and White youth are still not being diverted at the same rate. Only 6,219 Black youth were diverted while 16,325 White youth were diverted. The disparity ratio decreased from .95 to .93 for Black youth. The Informal Adjustment (Diversion) disparity ratio remained the same at .96 for Hispanic or Latino youth.

Next, we examined our detention admissions data. We had a slight increase in detention admissions by just over 12% (12.37%, 175 admissions). The disparity ratio for Black youth increased from 1.79 to 1.97. The disparity ratio for Hispanic or Latino youth increased from 1.37 to 1.67.

The overall number of youth committed to Division of Youth Services (secure confinement) increased by 24.34% (83 more youth). The data for FFY2022 shows that this overall increase in the number of youth committed to Division of Youth Services could be attributed to the expansion of juvenile court jurisdiction to age 17 as 84 youth committed were 17-years of age. Black youth did see a slight reduction in the disparity ratio from 1.64 to 1.02 as did Hispanic or Latino youth with the disparity ratio going from 1.84 to 1.31.

The most significant change in data from FFY21 to FFY22 was in the number of youth certified as adults (adult transfer). 84 youth were certified compared to last year's 33 youth; this reflects a 154.55% increase from FFY21. Once again, the FFY22 data shows that of the 84 youth certified as adults 68 or 80% were 17 years of age or older and 60% (51) of these 17-year-olds were Black youth. The disparity ratio for Black youth increased from 5.97 to 6.43.

In summary, disparities continue to exist at all contact points for Black youth. We did see progress in secure confinement (DYS); however, this was very slight, with only two fewer black youth being committed to DHS. Referrals for Black youth increased by 48.6%, detention admissions increased by just over 25% (25.37) and 58 Black youth were certified in FFY22 compared to 22 in FFY21. Referrals for Hispanic or Latino youth increased over 50% (53.65%), higher than the increase in referrals for all youth. 4 Hispanic or Latino youth were certified in FFY22 compared to only one in FFY21. It is fair to say that the addition of 17-year-olds to the juvenile justice system had a tremendous impact on all of the contact points and that it also increased disparities for referral, certification, and commitment to DHS.

## **2. Did you meet your goals?**

**Goal 1:** Reduction in Black youth referred to the juvenile office.

**Outcome:** We did not meet our goal for FY2022. The number of Black youth referred increased by 48.60%. Also, important to note is that Black youth are still twice as likely to be referred to the juvenile office compared to White youth.

**Goal 2:** Increase opportunities for diversion among Black youth.

**Outcome:** While the actual number of Black youth who received an informal adjustment (diversion) increased, the rate for Black youth compared to White youth receiving an informal adjustment (diversion) actually decreased slightly from FFY21 further widening the gap toward

reaching parity for Black youth at the informal adjustment (diversion) contact point. So, while we did technically have more Black youth who received an informal adjustment (diversion) which was our goal, this would not be a true measurement of success.

**3. If yes, what worked? What drove success? If no, what were the barriers? How might you overcome them next year? What partners do you need?**

This past year we continued to heavily promote the use of diversion, and mostly pure diversion. We had success creating awareness and educating juvenile justice system partners as well as community partners on what racial and ethnic disparities are and how youth are impacted. We did this largely by offering training and education opportunities; discussions and by conducting ongoing review and analysis of our data. We also held in person RED Action Plan trainings across the State with the expertise of OJJDP to bring awareness and importance to each jurisdiction helping to create an actionable plan to address racial and ethnic disparities in their respective counties.

As for barriers, most jurisdictions continue to struggle with understanding their data and what their data is telling them. Some continue to make decisions based on anecdotal data and situations rather than embracing the wealth of data available to them. Further, we have encountered some turnover with our local RED Coordinators. For new staff, it takes time to develop the knowledge and relationships necessary for the work.

The RED staff will continue to educate jurisdictions and provide technical assistance as needed to identify and address policies and practices that negatively impact youth of color.

Those who serve on our state steering team, as well as those identified at the local level, will continue their ongoing partnership to address racial and ethnic disparities.

**4. How can OJJDP help you next year? What do you need from us?**

Missouri would like to see continued training and development opportunities for the State RED Coordinator. The webinars provided by OJJDP provide great opportunities for learning. The yearly OJJDP conference provides continued updates, offers opportunities for learning, and fostering conversations between states working towards resolution of the same problem. Missouri would continue to benefit from technical assistance opportunities that will assist stakeholders with community engagement and training opportunities. We would also like continued guidance with the RED core requirements and would like assistance in training and educating law enforcement across Missouri what RED is, what role they play in it, and how they can work to address it in an effort to improve overall communication with law enforcement.

**5. What safeguards will you put in place to ensure that as you work to reduce RED, you are equipping youth to live productive lives?**

Missouri continues to use the Juvenile Detention Assessment (JDTA) to screen all youth who are presented for detention. Missouri also continues to utilize Risk and Needs assessments for youth. The needs assessment identifies areas the juvenile officer should provide competency development opportunities for the young person so they will not recidivate. Some of those services include therapy, anger management classes, substance abuse treatment, restorative justice practices, and life skills classes.



With the combination of these practices/tools juvenile justice professionals will continue to maintain public safety while holding youth accountable and providing services tailored to each individual's needs.

In addition to the above, MJJA offers two educational conferences along with one virtual conference specific to RED each year where there are workshops and plenary sessions that educate juvenile justice professionals on how to address racial and ethnic disparities.

## **6. What are your goals for next year?**

Goal 1: Reduction in Black youth referred to the juvenile office.

Goal 2: Increase opportunities for diversion among Black youth.

Goal 3: Reduction in admissions to pretrial detention for Black youth.

Goal 4: Reduction in Black youth certified as adults.

We believe that by focusing on reducing the number of Black youth being referred to the juvenile office, we will ultimately impact the other contact points as less youth will be referred to the juvenile office due to pure diversion opportunities/programs being utilized and by increasing the use of diversion through the informal adjustment process less youth will be detained, and less youth will ultimately be placed in secure confinement or be certified as adults.

Below is a quick description on how we plan to accomplish these goals and a more detailed strategy is in Appendix A.

1. Ensure that everyone has a clear understanding of what RED is, the role RED plays within the juvenile justice system, and what true RED reduction looks like. In order to effectively impact RED at all contact points, system partners must understand the issue and their role in addressing racial and ethnic disparities.
2. Increase the use of diversion, and specifically restorative justice responses as a disposition for referrals. Diverting youth from being referred to the juvenile justice system and/or from formal involvement with the system should ultimately impact the pretrial detention and secure confinement contact point.
3. Collect and analyze additional certification and pretrial detention data disaggregated by age, race, and type/level of offense.
4. Expand the number of counties/jurisdictions committed to working closely with the State RED Coordinator, Data Analyst and State Steering Committee to address RED at the local level. By increasing the number of counties/jurisdictions who are actively working to address RED in their communities should impact contact points at the local and state level.
5. Improve relationships and collaboration with law enforcement across the State. By focusing on relationships and improving communication with law enforcement collaboration between law enforcement and juvenile officers will increase and lead to a reduction in referrals for Black youth.

## Appendix A

Through a collaborative approach, at both the state and local levels, Missouri will reduce and ultimately eliminate racial disparity within the juvenile justice system. The statewide steering committee led by the State RED Coordinator provides guidance, technical assistance and oversight to the local jurisdictions. We use data to inform our decisions and to assist us in developing a strategy to tackle RED. Our strategy consists of the following:

1. Ensure that everyone has a clear understanding of what RED is, the role RED plays within the juvenile justice system, and what true RED reduction looks like. In order to effectively impact RED at all contact points, system partners must understand the issue and their role in addressing racial and ethnic disparities. We will accomplish this objective by:
  - a. The State RED Coordinator will promote the airing of our [Public Service Announcement](#) on television stations across the State, in trainings and virtual learning opportunities, and will continue to add additional content to our [stopRED](#) webpage;
  - b. The State RED Coordinator and Data Analyst will assist local RED Coordinators to monitor data and identify processes that have affected RED (either negatively or positively) at decision points; State RED Coordinator and data analyst will welcome valid requests for Missouri data and reports.
  - c. The State RED Coordinator will observe local Juvenile Office operations (informal and formal practices and programs) and juvenile court proceedings to determine if existing policies/procedures positively or negatively affect RED reduction efforts;
  - d. The State RED Coordinator and State Steering Committee will continue researching best practices and evidence-based programs and share with local RED Coordinators and Collaborative teams;
  - e. The State RED Coordinator will work closely with the RED consultant to offer technical assistance and guidance to local RED sites as well as a monthly blog and virtual learning opportunities;
  - f. Offer virtual lunchtime learning opportunities for cross-system training for juvenile office staff, police officers, school resource officers, school personnel and community partners;
  - g. The State RED Coordinator and Data Analyst will work with jurisdictions to develop and update RED plans and assist sites in identifying, analyzing and responding to policy and practice changes without increasing RED disparities or reducing public safety;
  - h. The State RED Coordinator and Data Analyst will continue holding bi-monthly conference calls with the local RED Coordinators to provide educational, funding, and training information;

- i. The State RED Coordinator will reach out to OJJDP for assistance in collaborating and building relationships with law enforcement across the State to address RED.
2. Increase the use of diversion as a disposition for referrals. Diverting youth from being referred to the juvenile justice system and/or from formal involvement with the system should ultimately impact the pretrial detention and secure confinement contact point. The following tasks have been identified for increasing the use of pure diversion opportunities/programs as well increasing the percentage of referrals for Black youth that are disposed of through the informal adjustment process:
  - a. The State RED Coordinator and local RED Coordinator will educate community partners on how pure diversion works by facilitating presentations at various events, sharing research, etc.;
  - b. The State RED Coordinator will assist local RED Coordinators in the development of diversion programs;
  - c. RED Coordinator and State Steering Committee will assist jurisdictions with creating policy for pure diversion including identifying restorative justice practices.
  - d. RED Coordinator and Data Analyst will work with jurisdictions on determining a method of capturing data on the number of youth offered pure diversion;
  - e. Educate juvenile justice staff and community partners on how informal processing can prevent a youth from going deeper into the juvenile justice system;
  - f. Educate staff and community partners on how utilizing informal processing reduces costs to the juvenile justice system;
3. Collect and analyze additional certification and pretrial detention data disaggregated by age, race, and type/level of offense in an effort to identify possible causes for the significant increase in disparities for Black youth. Upon completion of a deeper data dive at these contact points, we will work to identify next steps.
4. Expand the number of counties/jurisdictions committed to working closely with the State RED Coordinator, Data Analyst and State Steering Committee to address RED at the local level. By increasing the number of counties/jurisdictions who are actively working to address RED in their communities should impact contact points at the local and state level. We will accomplish this by:
  - a. Evaluating our 2022 RED statewide data to determine which jurisdictions have the highest rates of disproportionality at various contact points as well as analyze their readiness to address RED and become RED sites;

- b. Assist jurisdictions in creating and maintaining RED action plans which are required by the Juvenile Officer Performance Standards;
- 5. Improve relationships and collaboration with law enforcement across the State. By focusing on relationships and improving communication with law enforcement collaboration between law enforcement and juvenile officers will increase and lead to a reduction in referrals for Black youth.
  - a. We will work with OJJDP to receive assistance in training and educating law enforcement across Missouri what RED is, what role they play in it, and how they can work to address it in an effort to improve overall communication with law enforcement.