



2023 Michigan Data Landscape

Overview of the Criminal Legal System in Michigan: Adults and Youth

March 2024

Center for Behavioral Health and Justice at the
Wayne State University School of Social Work

This report was commissioned by the Public Welfare Foundation and the Michigan Justice Fund.

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The Center for Behavioral Health and Justice envisions communities in which research, data, and best practices are used by multiple stakeholders to enhance the optimal well-being of individuals with mental illness and/ or substance use disorders who come in contact with the criminal/legal system.

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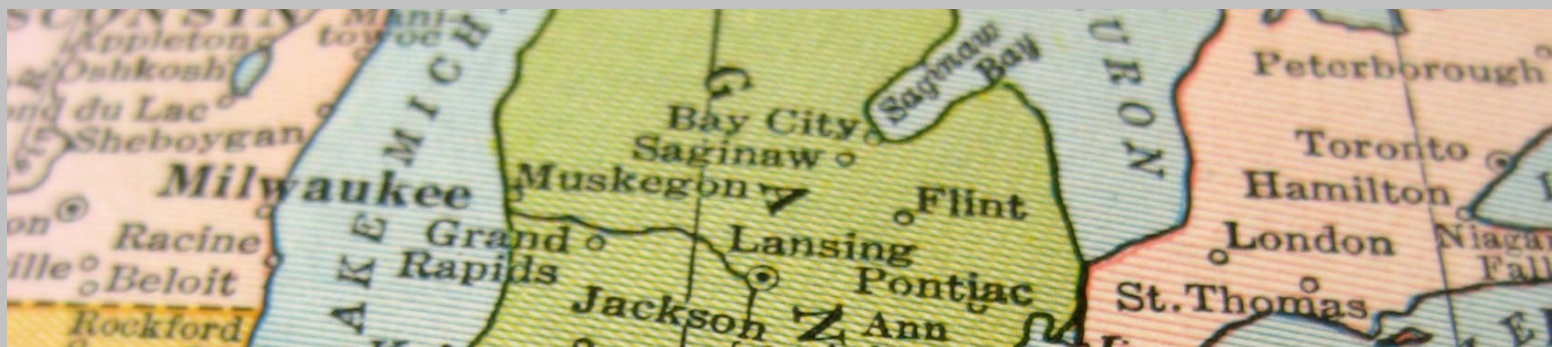
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Executive Summary



In September of 2021, the inaugural ‘landscape’ report was released by the Center for Behavioral Health and Justice at Wayne State University School of Social Work (CBHJ) in partnership with University of Michigan Child/Adolescent Lab. The first report, commissioned by The Public Welfare Foundation, provided an overview of available data on the criminal/legal system in Michigan for youth and adults. The goal of that landscape was to provide a primer of information on various aspects of the criminal/legal landscape in Michigan and set a baseline by which to measure subsequent reform efforts. That first report was fortunate to have a plethora of data produced for the Michigan Joint Task Force on Jail and Pretrial Incarceration (Jail Task Force), because it soon became clear that there was a dearth of available data – and an absence of data that was integrated across multiple sectors of the criminal/legal landscape. Thus, the first report became a catalyst for continuing efforts toward data integration within and between these systems.

This Landscape 2.0 project, also conducted by CBHJ and commissioned by Public Welfare Foundation and the Michigan Justice Fund, builds from the first in reporting and updating similar ‘overview’ data on both adults and youth. The overview sections provide a ‘state of the state’ in terms of available data, with few changes from the 2021 report. However, this report goes further by providing reports on prospective data collection in two areas:

1) Collection of admission/booking data in a dozen jails across the state to assess implementation of legislation associated with the Jail Task Force recommendations; and 2) a review of one county’s implementation, and associated outcomes, of a risk/needs screening instrument used with youth who come to the attention of the court. These two chapters not only illustrate this original data, but also lay the groundwork for future and ongoing transformative work across the state.

Prior to summarizing the highlights of the report, attention to the shifts in the criminal/legal context due to COVID, are warranted. The COVID-19 pandemic had a unique influence on crime, as well as law enforcement behavior, court processes, and practices within carceral settings. This report, like the one prior, straddles those years of the pandemic. In an attempt to assess change over time, and avoid any confounding factors from the pandemic, when necessary, this report compares data from the year before the pandemic (2019) to the year after the legislative reforms (2022) to determine whether there were, in fact, any meaningful observable changes following the policy changes that went into effect.

Impact of Legislative Efforts to Reduce Jail Census

Legislation was enacted in October 2021 that reflected recommendations of the Task Force on Jails. Evaluation of the implementation of these policy changes, focused on five amendments aimed at reducing jail census through use of appearance tickets for most misdemeanors; reclassification of traffic misdemeanors to civil infractions; and non-jail sentences for non-serious misdemeanors. All were codified into law during 2021.

Using a mixed geographic and size group of 12 jails across the state, CBHJ found an overall reduction in bookings once the policy amendments were in effect. Bookings remained far lower than the pre-pandemic period, *dropping 35 percent* from an average of 188 bookings per day in the pre-pandemic period to 122 per day in the post-reform period. Examination of specific infractions (i.e., failure to appear, traffic violations) also saw declines; for example, bookings related to failure to appear dropped about 37 percent and traffic related bookings declined 41 percent across the time periods. However, while both rural and non-rural counties experienced large declines following legislation, *the most recent months of booking data do show evidence of a return to levels similar to the pre-pandemic period for all counties.*

Clean Slate and Driver License Suspension

Since the adoption of Clean Slate legislation on October 1, 2021, the number of revoked or suspended licenses have been drastically reduced. However, even though jail census remains down, *driving on a suspended, revoked or restricted license remained the fourth highest reason for jail bookings* from the pre-pandemic period to the post-reform period. While fewer people are being arrested and booked into jails for these offenses, they account for a large share of jail bookings that are taking place in counties throughout the state.

Implementing Risk/Needs Screening in Youth Justice

In one urban county a process was developed to implement a risk/needs assessment tool to categorize youth on level of risk – but also their needs, strengths and supportive factors. The process was designed to administer the risk assessment once the youth had been petitioned to court but before adjudication or disposition. Completing the risk assessment provides the defense attorney with information related to the youth’s risk of reoffending, allowing them to pursue diversion for youth when appropriate. When low-risk youth are diverted away from the legal system, it enables more resources for intensive services needed for high-risk youth. During the pilot process, over 300 youth piloted the assessment; 51 percent were charged with misdemeanors and 42 percent with felonies (4 percent other). Of those with risk scores, 32 percent scored low dynamic risk, 21 percent scored low-moderate risk, and 33 percent scored moderate risk. In addition, most youth had moderate to very high dynamic protective scores, indicating they had many factors in place to help steer them away from reoffending. **The need for mental health services was the most frequent referral made by the court for the youth and families.**

The final analyses of the assessment tool found over 70 percent of youth were placed in the lowest possible dispositions, either they received no disposition at all (i.e., warned/dismissed) or were placed in specialty courts or low-level probation. Overall, an additional 103 youth were diverted during the study period that would not have been diverted without the information provided through the assessment. *This case study offers an opportunity for courts to be part of changing the narrative around justice-involved youth and provides insights pertaining to implementation of the recently passed reform legislation.*

Data Transparency and Integration

Between the initial report and Landscape 2.0, considerable efforts have been made to facilitate accessible and transparent data that is integrated across criminal/legal systems. An advisory group of legislators, administrators, advocates developed a ‘blueprint’ for the integration of criminal/legal data. In the second phase, focused on implementing the blueprint strategies, administrators from three primary systems – State Court Administrative Office (SCAO), Michigan Department of Corrections (MDOC) and jails – examined cross-system data questions encompassing adult and youth systems.¹ Next steps are to define and operationalize variables, so the data is interpretable across systems. Barriers to integration remain (i.e., horizontal integration across all jails), but administrators are finding utility in the

Next Steps

This report provides an overview of information, but also provides a roadmap to future needs and activities within the state:

1. Juvenile Justice reform put forth in recent legislation can be informed by the risk/needs assessment information found here that can serve as a primer to others.
2. Data integration is moving forward requiring an outcome more robust than enhancing current systems but focused on a facilitation of robust policy discussions.
3. Legislative reforms at the state level are often implemented at local levels. Policies to decrease jail admissions may require more training and communication involving law enforcement.

¹ Center for Behavioral Health and Justice (2022): [Data Integration Between Criminal/Legal Systems for Cross System Integration](#).

Overview Of the Adult Criminal Justice System



Law Enforcement, Crime, and Arrest

Law enforcement in Michigan includes the Michigan State Police (MSP), county sheriffs' offices, and municipal and tribal police departments. In 2022, there were 2,185 sworn officers in the MSP spread throughout 31 statewide posts.² At the county and municipal levels, there were 4,518 and 10,940 officers, respectively, with another 144 officers working for tribal police departments. Of these

nearly 18,000 law enforcement officers spread throughout 590 agencies – just less than two sworn officers per 1,000 Michigan residents – 86 percent were male, and 14 percent were female. After the closing of Kalkaska County Jail in 2021, these arresting officers currently book into 79 jails throughout the state.

Crimes and Arrests

Arrest is generally an inaccurate measure of the universe of crime that has occurred as not all crime comes to the attention of police. Only about 46 percent of violent crimes and 31 percent of property crimes³ in the United States were reported to police in 2021. There are differences in reporting behavior and enforcement of crime across communities. The Annual Review of Criminology cites a prioritization of enforcement in marginalized Black communities as compared to others. The authors argue that there is a mistrust of law enforcement, and this mistrust is notable: in 2020, two-thirds of Black Americans report having little to no confidence in police compared to over 70 percent of white Americans having at least a fair amount of confidence.⁴ Considered together, arrest and reported offense data should be interpreted carefully and with consideration of the various contexts they are influenced by.

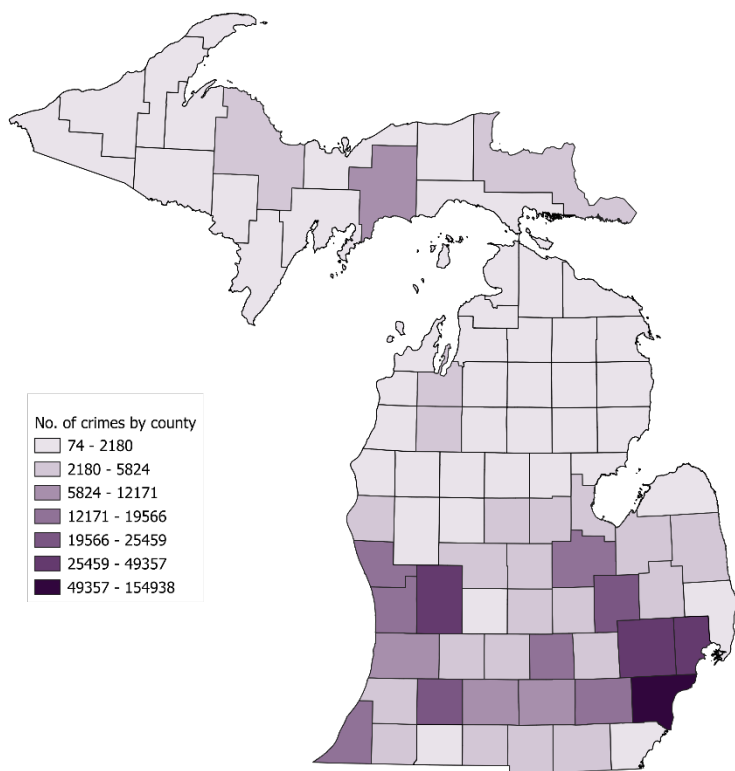
There is considerable variation in crime throughout the state of Michigan. Figure 2.1 shows that there are significantly more crime incidents happening in the southern half of Michigan's lower peninsula relative to the rest of the state, with Wayne, Oakland, Macomb, and Kent County leading the way. When the story of crime is told through rates rather than whole numbers, however, a far different story emerges. As Figure 2.2 highlights, high crime rates are equally distributed throughout both the lower and upper peninsulas. In fact, using crime rates shows us that six of the twelve counties with the highest crime rates in Michigan are in the northern half of the lower peninsula or in the upper peninsula.



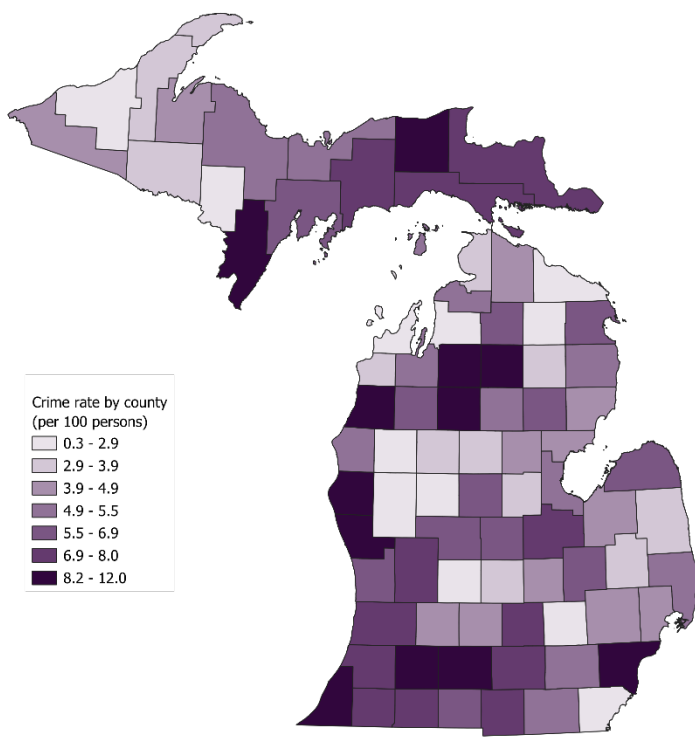
² Michigan Incident Reporting (2022): [2022 Crime in Michigan Annual Report](#).

³ Bureau of Justice Statistics (2022): [Criminal Victimization, 2022](#).

⁴ Marist Poll (2022): [Race Relations in the United States](#).

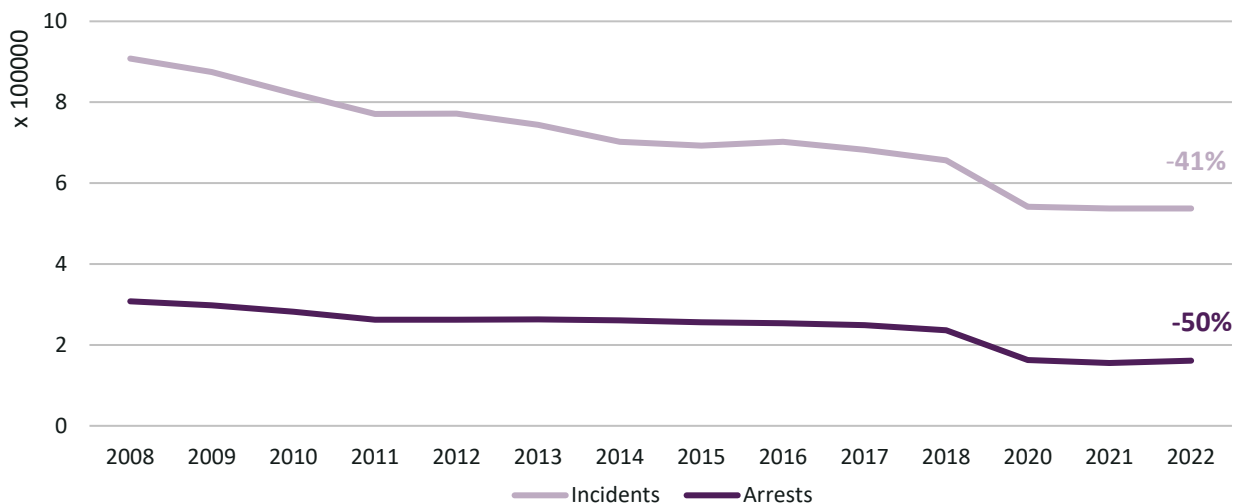
Figure 2.1: Total crimes by county

Data source: Michigan State Police Michigan Incident Crime Reporting (2022)

Figure 2.2: Crime rate by county

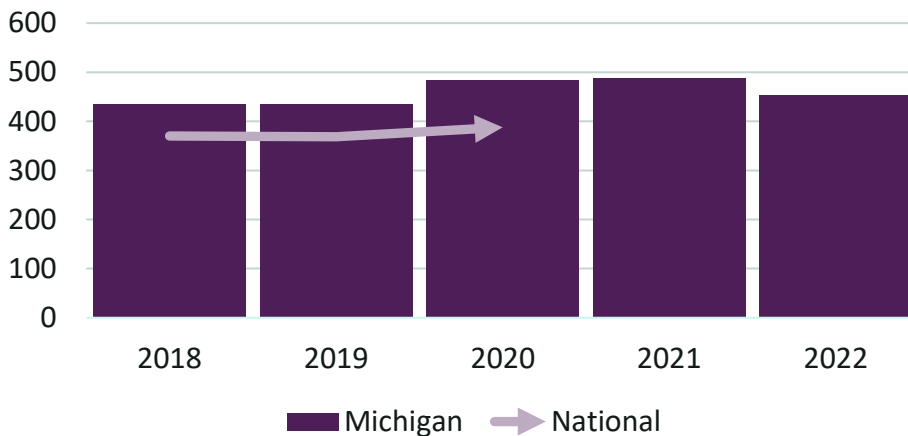
Data source: Michigan State Police Michigan Incident Crime Reporting (2022)

Figure 2.3: Arrests and incidents over time



Data source: Michigan State Police Michigan Incident Crime Reporting (2008-2022)

Figure 2.4: Violent crime rates

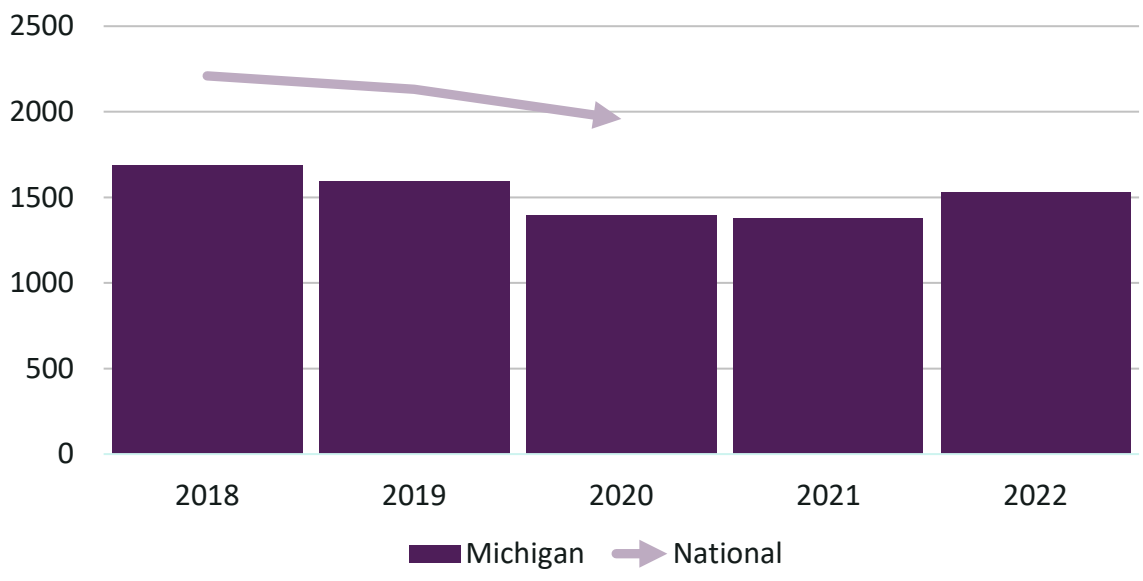


Data source: Michigan State Police Michigan Incident Crime Reporting (2008-2022)

As highlighted in Figure 2.3, Michigan’s overall crime rate changed very little in recent years (2020 to 2022) but is down 41 percent since 2008. Dips in incidents between 2020 and 2022 are likely COVID related with the public health lockdowns keeping people out of public spaces. Similarly, there is a corresponding pattern of decrease with arrests during the same period.

Hidden within that overall trend are more nuanced patterns across crime type, with violent and property offense rates going in different directions in 2022. On one hand, violent offenses reported to police decreased 7.3 percent from 488.5 per 100k residents in 2021 to 452.9 per 100k residents in 2022 but remained unchanged compared to 2018. On the other hand, property crimes reported to police increased about 11 percent from 2021 to 2022 from 1,377 to 1,527 per 100k residents but was still 10 percent lower than in 2018.

Figure 2.5: Property and crime rates



Data source: Michigan State Police Michigan Incident Crime Reporting Annual Report (2022)

In both cases, the COVID-19 pandemic exhibited a unique influence on each body of crime: violent crime increased during the pandemic and property crime decreased. Violent crime has returned to its pre-pandemic numbers, whereas property crime has remained lower than prior to the pandemic.

Of the 562,946 crime incidents reported to police in 2022, only 31.5 percent, or 177,497, were cleared by either arrest or exceptional clearance.^{5,6} Like the reporting of crime to law enforcement, clearance rates vary significantly across crime types as well, with about 41 percent of violent crimes cleared in 2022 compared to only 11 percent of property crimes. Overall, the vast majority of crimes that come to the attention of police are not solved and do not lead to arrest.

There were 161,384 people arrested in Michigan in 2022. As highlighted by Figure 2.3, that equates to a 50 percent reduction in the arrest rate per 100,000

residents since 2008. Across all people arrested in 2022, approximately 72 percent were male, and 28 percent were female (Figure 2.7). The median age group of arrestees was 30-34 years old, representing 17 percent of all arrests in 2022 (Figure 2.6). Further, more than half of all arrests involved people aged 25 to 44 years old. The racial composition of arrested people was approximately 59 percent white, 37 percent Black/African American, and 4 percent across all other racial categories (Figure 2.8), compared to a state population that is 79 percent white and 14 percent Black/African American.⁷ Patterns (Figure 2.8) of over-representation of Black/African American Michiganders in arrests is consistent with data highlighting similar disparities throughout the country at all levels of

⁵ Michigan Incident Reporting (2022): [2022 Crime in Michigan Annual Report](#).

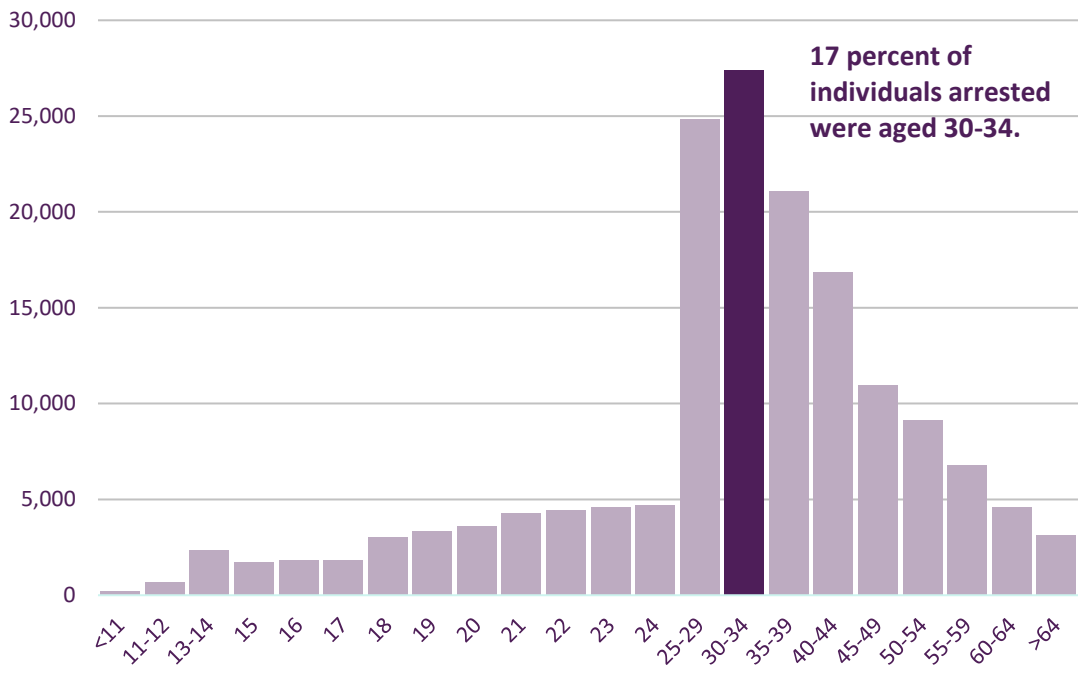
⁶ Exceptional clearance refers to cases in which elements beyond law enforcement's control prevent the agency from arresting and formally charging an offender, including, for example, the death of an offender, the refusal of a victim to cooperate with prosecution after the offender has been identified, etc. Federal Bureau of Investigation Uniform Crime Reporting Program (2013): [Crime in The United States 2013](#).

⁷ U.S. Census Bureau QuickFacts (2022): [Michigan](#).

law enforcement. Research has established that these disparities are largely driven by Black Americans' residence in communities that are, on average, more oppressed, economically disadvantaged, and over-policed than white communities.

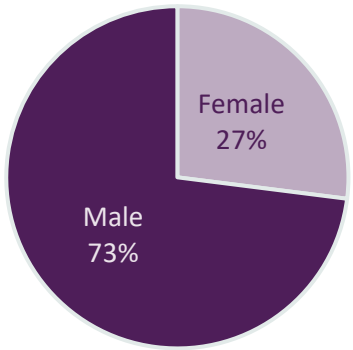
Stated more simply, these differences are not a product of differences of behavior, but rather differences in structural positions associated with crime and the degree to which police enforce the law.

Figure 2.6: Age of individuals arrested



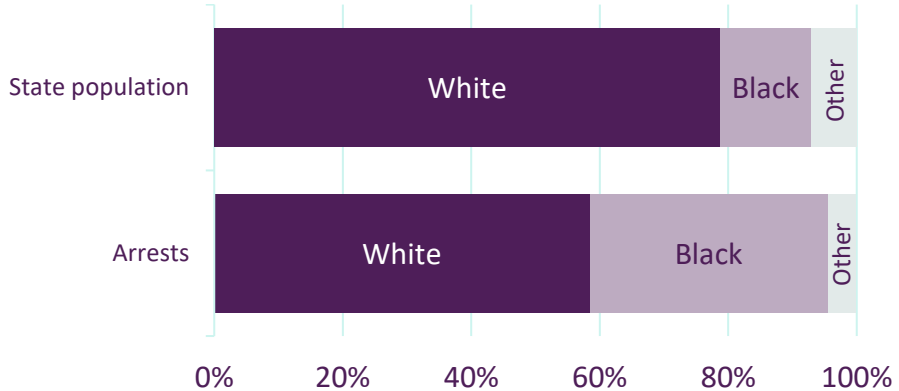
Data source: Michigan State Police Michigan Incident Crime Reporting (2022)

Figure 2.7: Sex of individuals arrested



Data source: Michigan State Police Michigan Incident Crime Reporting (2022)

Figure 2.8: Race of individuals arrested



Data source: Michigan State Police Michigan Incident Crime Reporting (2022)

Confinement

Jails

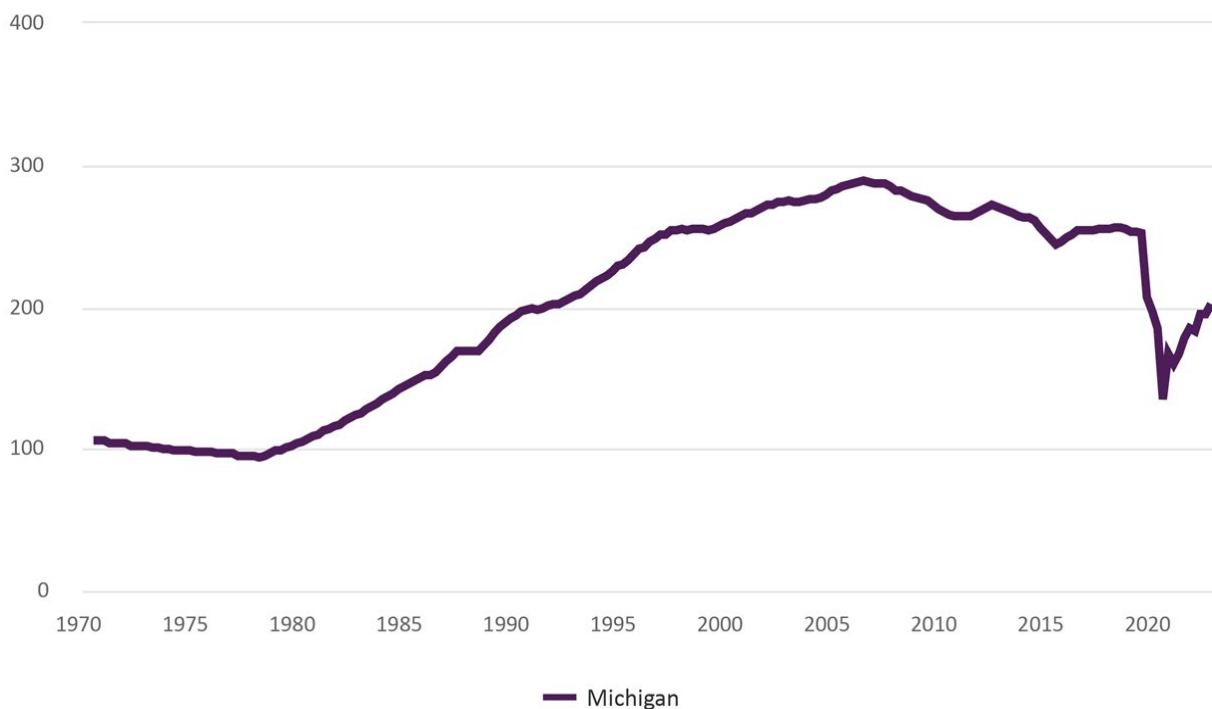
The Bureau of Justice Statistics recently reported that local jails in the United States held 663,100 people at midyear 2022. Although Michigan has no statewide repository of jail data that can indicate changes in annual trends and total number of individuals with some jail interface during any given year, we rely on the limited data available in national archives for the following:

Prospective and retrospective data specific to MI is available from a subset of jails in [Section 4](#).

The total number of people confined in jail and prisons in Michigan has increased 265 percent since 1970. Vera reports that 202 per 100k residents were held in Michigan jails in the fourth quarter of 2022, compared to 183 per

100k in 2021, 160 per 100k in 2020, 197 per 100k in 2019, and 253 per 100k in 2018.⁸ As of the third quarter of 2022, the most recent data available, the total jailed population in Michigan was 12,948 people, down from 17,943 people, or 28 percent, a decade earlier in 2012. Overall, the state’s jail population declined dramatically in the months leading up to and following the onset of the COVID-19 pandemic, plummeting to 8,632 people in the second quarter of 2020, but is on track to return to pre-pandemic numbers at its current pace within the next few years. It should be noted that **these ‘one day’ counts are not reflective of the number of individuals who are booked into jails annually**. Due to the relatively short stay for most, the number of citizens affected annually by jail incarceration is considerably higher than the one-day count.

Figure 2.9: Jail incarceration rate



Data source: Vera Institute of Justice Incarceration Trends, Michigan (2023)

⁸ Vera Institute of Justice (2022): [Michigan Incarceration Trends](#).

It is also the case that local jail usage varies considerably across Michigan counties. According to Vera, Newaygo County had the highest jail incarceration rate in Michigan at 1,099 per 100k residents in 2019, while Washtenaw County had the lowest at 147 per 100k residents.⁹ Relatedly, the largest 10-year increase in jailed population was 65 percent by Ogemaw County, with another five counties experiencing population increases of at least 50 percent during that time. Alternatively, Montmorency County experienced a 120 percent decrease in their jail population from 2009 to 2019, with six others experiencing decreases of at least 35 percent. The largest jail population in 2019 was 1,829 people in Wayne County, followed by 1,305 in Oakland County, 1,097 in Kent County, and 1,034 in Macomb County. Each of these counties' jail populations decreased by at least 15 percent relative to a decade prior.

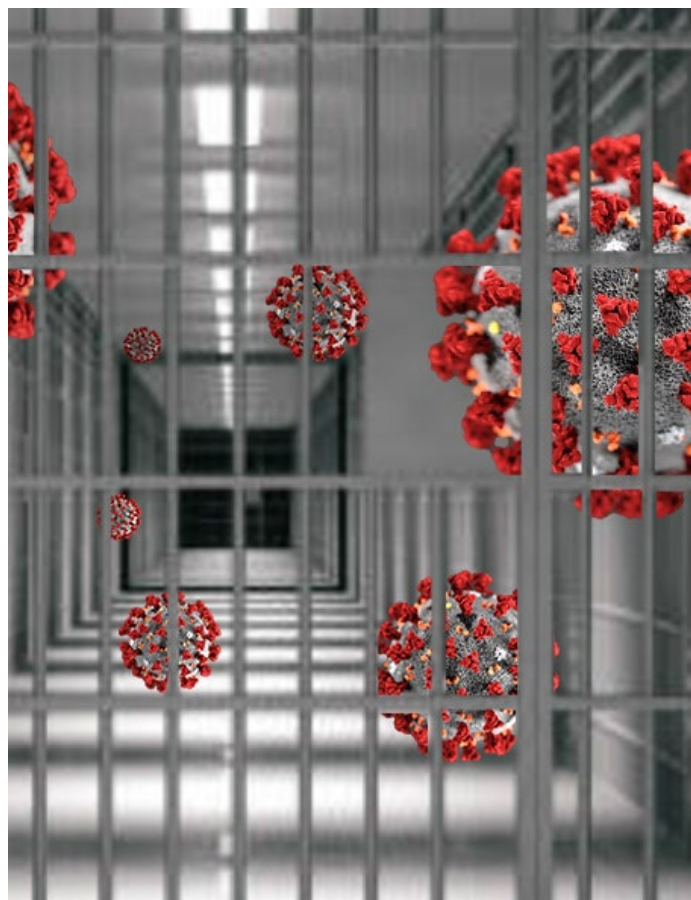
COVID and jails in Michigan

Since carceral settings had been traced to exponential community transmission of COVID-19, efforts to prevent jail transmission are the linchpin to any broader public health strategy. Average jail stay nationally is less than 48 hours,¹⁰ creating a vulnerable and high-risk system during a pandemic. The absence of integrated data across Michigan's 79 jails hindered the state from having the information needed to engage in public health discussions related to testing, treatment, and contact tracing for those in jails in 2020. Decisions about COVID-19 testing and mitigation policies in jails were decided at the county level, with considerable variation across the state, relying on development and implementation of facility-specific protocols.¹¹

In Wayne County, a facility specific protocol emerged after 60 individuals were presumably positive in March of 2020 and three medical staff became casualties of COVID. In the absence of federal or state guidance, a cross-disciplinary collaboration of jail, county health officials, and academics was formed with the goal of developing COVID-19 testing and tracing strategies for the Wayne County Jail. The strategies included hiring public health specialists who could do testing and contact tracing upon jail admission.

The specialists initiated testing of 6,155 jail detainees between May 2020 and March 2021. Of all the people who received testing, 1.1 percent were positive for active COVID (n=65), and 14.0 percent were positive for the antigen that indicated previous exposure to COVID (n=857) with 22 detainees testing positive on both tests. These testing strategies in the early days of COVID helped keep those inside safe and resulted in a CDC Foundation funded toolkit¹² for jails globally.

Other issues related to the pandemic involving jails included discharge without appropriate connections to community resources. This was particularly true for those behavioral and physical health challenges. Jails across Michigan were able to receive technical assistance on embedding encrypted devices (iPads) between jails and community services through a contract with the Center for Behavioral Health and Justice and the Michigan Justice Fund.



⁹ Vera Institute of Justice (2022): [Michigan Incarceration Trends](#).

¹⁰ 10 Lessons Learned from Public Health-Academic Partnerships to Implement Covid-19 Testing in Wayne County Jail During The First Wave of the COVID-19 Pandemic (2022) (*upcoming manuscript*).

¹¹ Mesisca et.al (2022): [Minimizing the Impact of COVID-19 in a County Jail Environment to Protect a Vulnerable Population](#); Epting et. al (2021): Aiming for Zero: Reducing Transmission of Coronavirus Disease 2019 in the D.C. Department of Corrections; Wallace et. al (2020): [Public Health Response to COVID-19 Cases in Correctional and Detention Facilities - Louisiana, March-April 2020](#); Qureshi et. al (2022): [Implementation of a COVID-19 Infection Control Plan in a Large Urban Jail System](#).

¹² Center for Behavioral Health and Justice (2021): [COVID-19 Testing and Contact Tracing within County Jails in Michigan](#).

Expansion Of Administrative Jail Releases During COVID

Another study in Wayne County, followed individuals ‘administratively’ released (Administrative Jail Release – AJR) from the Wayne County Jail between January 2018 and December 2020. The administrative release process was in place pre-COVID – but was used to release primarily individuals with misdemeanor offenses pre-COVID, the majority of AJR cases (70 percent) had misdemeanor arrests.¹³ During COVID – at a time when congregate living was a public health risk due to COVID transmission - county officials (i.e., chief judge, prosecutor, defense bar, etc.) were assessing more applicants who were arrested for felonies (80 percent) for AJR consideration.

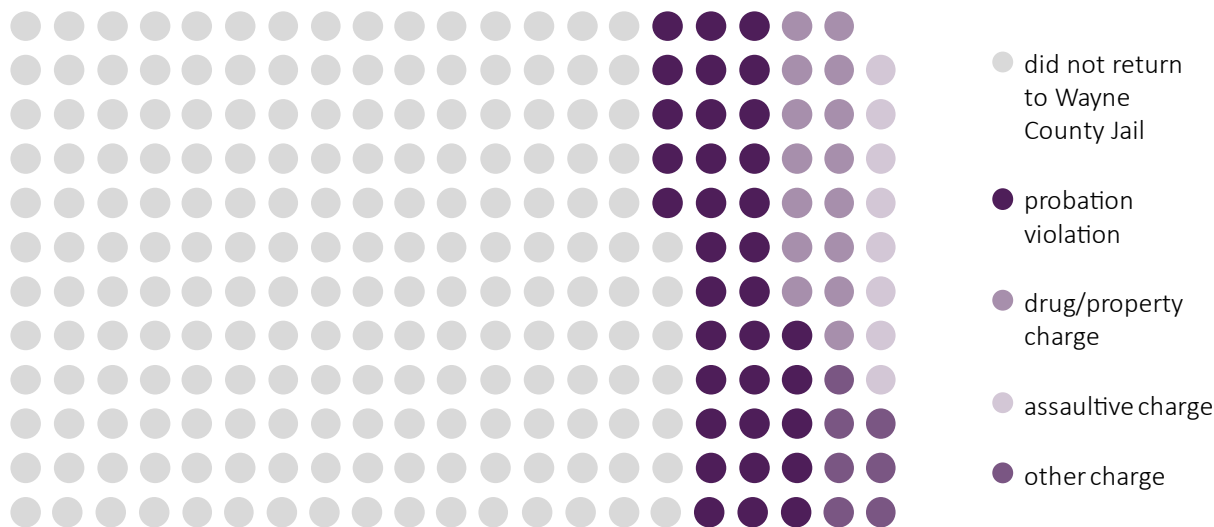
Figure 2.10: Administrative jail release over time



Data source: County jail booking data, n=61,762 (January 2018 – December 2020)

Of 61,762 bookings during this period, there were 402 AJRs identified in this dataset. Of the 402 documented AJR, 62 percent received a COVID-19 AJR (n = 251), beginning in March 2020 at the start of the pandemic (Figure 2.10). Over a third (38 percent) received a Traditional AJR (n = 151) before the COVID-19 pandemic began (January 2018 – March 2020). Of the 251 COVID-19 AJRs, **26 percent returned to the Wayne County Jail, with only eight individuals (3 percent) returning on an assaultive charge** through June of 2021 (Figure 2.11). Thirty-four individuals (14 percent) reentered the jail on a probation violation, 15 (6 percent) on a drug or property charge, eight (3 percent) on an assaultive charge, and seven (3 percent) on other charges.

Figure 2.11: Rebooking among individuals granted administrative early release during Covid-19



Data source: County jail booking data, n=61,762 (January 2018 – December 2020)

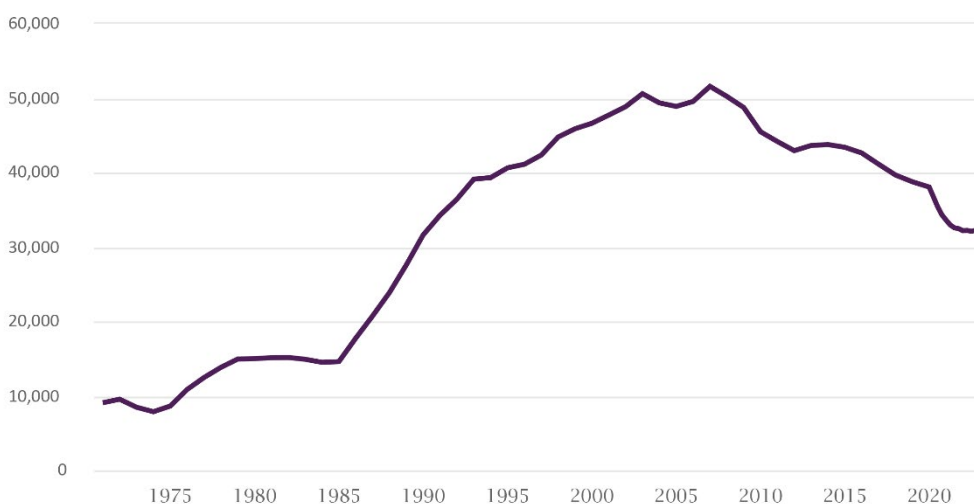
¹³ Center for Behavioral Health and Justice (2022): [Evaluation of Administrative Jail Release Practices During the Covid-19 Pandemic](#).

Prisons

According to the Bureau of Justice Statistics, there was a 2 percent increase in the total number of people in state and federal prisons from year-end 2021 to year-end 2022, from 1,205,100 to 1,230,100 people.¹⁴ The racial composition of people incarcerated in prison in the U.S. at year-end 2022 was 32 percent Black, 31 percent white, 23 percent Hispanic, and 13 percent some other race (i.e., multiracial, American Indian or Alaskan Native, or Asian, Native Hawaiian, or Other Pacific Islander). Overall, the racial composition of prisons was unchanged from 2021 to 2022.

In Michigan specifically, there were 32,227 people in prisons as of third quarter 2022. Compared to the 2021 state prison population, this represents a minor reduction of less than one percent year over year. Importantly, however, it represents a decrease of 18 percent over five years (2022 v 2017) and 26 percent over a decade (2022 v 2012). Overall, the consistent decline in Michigan’s prison population that started in 2006 has continued but shows some evidence of slowing.

Figure 2.12: Michigan prison population over time



Data source: Vera Institute of Justice Incarceration Trends, Michigan (2023)

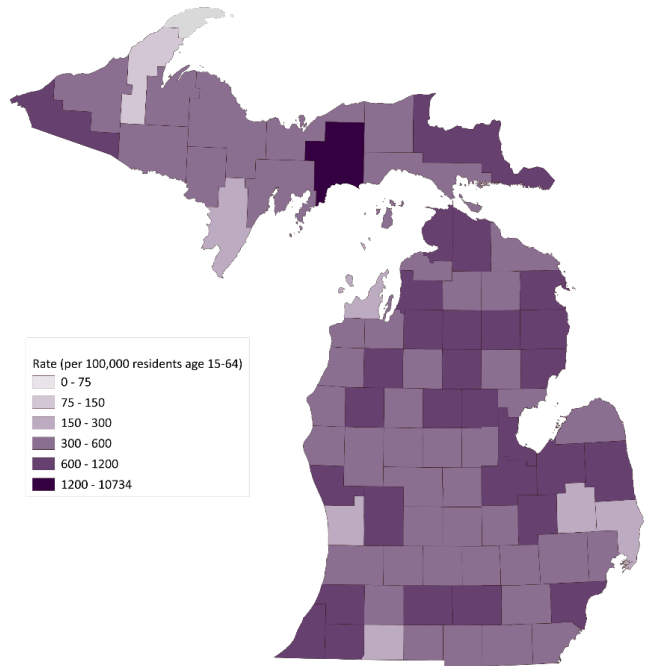
Similar to the rest of the country, the men and women incarcerated in Michigan’s prisons are disproportionately Black or African American. As of 2021, the incarceration rate for Black/African Americans was 1,726 per 100k residents, which is significantly higher than the incarceration rate for white Michiganders of 286 per 100k residents. This means that Black/African Americans are incarcerated in Michigan at a rate 6 times greater than their white counterparts. A similar disparity is evident for Native Americans, who are incarcerated in Michigan at a per capita rate that is 2.1 times higher than that of white individuals.

Like jail incarceration, there are important differences in prison incarceration rates across counties. According to Vera, Schoolcraft County had the highest incarceration rate in 2019 at 10,734 per 100k residents, which represented a 10-year increase of 66 percent, the largest such increase in the state during that span.¹⁵ Alternatively, Houghton County had the lowest prison incarceration rate in Michigan at 141 per 100k residents, while Alger County experienced the greatest reduction in its prison incarceration rate, dropping 119 percent from 2009 to 2019 (Figure 2.14). Without consideration of population size, Wayne County had the most residents incarcerated with 11,370 people in prison in 2019, whereas Ontonagon County had the fewest with 11.

¹⁴ Bureau of Justice Statistics (2022): [Criminal Victimization, 2022](#).

¹⁵ Vera Institute of Justice (2022): [Michigan Incarceration Trends](#).

Figure 2.13: Prison Incarceration rates by county



Data source: Vera Institute of Justice Incarceration Trends, Michigan (2023)

Figure 2.14: Top ten county admissions to state prison by rate and count

County	Rate (per 100k)	County	Total
Schoolcraft	10,734	Wayne	11370
Saginaw	1,147	Oakland	3740
Berrien	1,050	Kent	2856
Crawford	1,019	Genesee	1966
Wayne	1,006	Macomb	11855
Muskegon	933	Saginaw	1372
Gladwin	862	Ingham	1088
Gogebic	821	Muskegon	1028
Calhoun	817	Kalamazoo	998
Chippewa	813	Berrien	996

Data source: Vera Institute of Justice Incarceration Trends, Michigan (2023)

Figure 2.15: Statewide prison commitment rates

Year	Felony dispositions (offenders)	Felony dispositions to prison
2011	50,862	10,287 (20.2%)
2012	50,641	10,476 (20.7%)
2013	50,817	10,989 (21.8%)
2014	49,201	10,732 (21.8%)
2015	47,480	10,159 (21.4%)
2016	47,347	9,648 (20.4%)
2017	46,684	9,188 (19.7%)
2018	45,626	9,108 (20%)
2019	44,177	8,669 (19.6%)
2020	26,591	4,815 (18.1%)
2021	31,401	5,552 (17.7%)
2022	37,938	6,900 (18.2%)

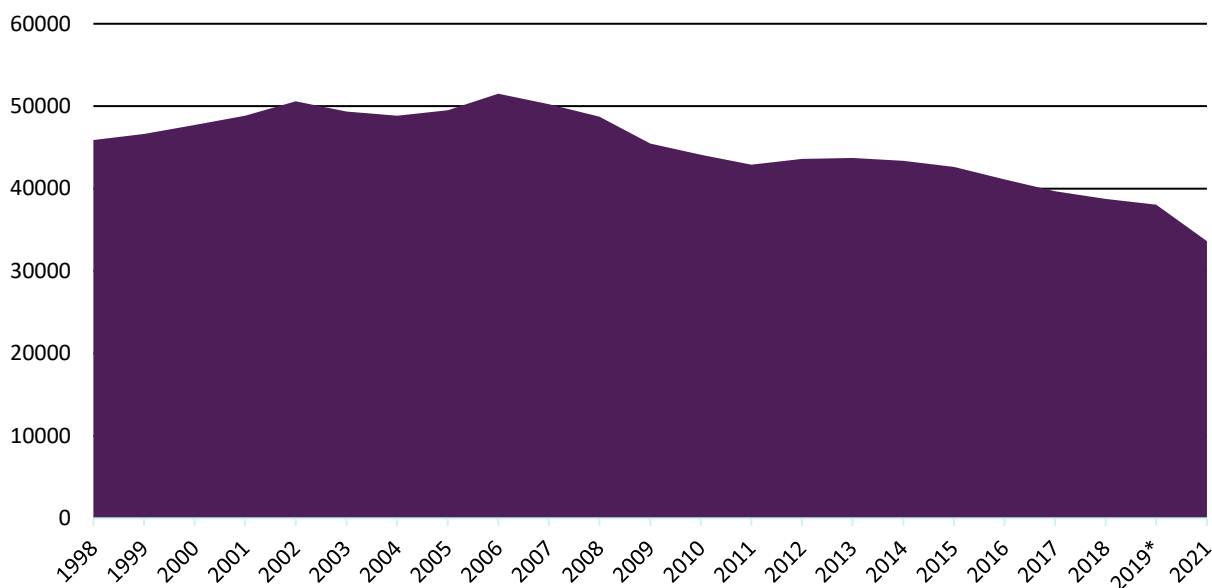
Data source: Michigan Department of Corrections Statistical Report (2022)

Changes in Michigan’s prison population is directly connected to what is happening throughout the state’s courts, especially as it pertains to the number of felony dispositions that are being processed each year and the share of those felony dispositions that result in prison sentences. As seen in Table 2.15, in 2022 there were a total of 37,938 felony dispositions handled by state courts. Of these cases, 6,900, about 18 percent, resulted in people being sentenced to prison. Compared to a decade prior, this represented 25 percent fewer felony dispositions processed by the court and 33 percent fewer individuals sentenced to prison. Further, while about 21 percent of felony dispositions resulted in prison sentences in 2012, only 18 percent of cases were committed to prison in 2022. Overall, the courts are processing fewer felony cases than a decade ago and a smaller share of those cases are resulting in prison commitment, two changes that collectively contribute to a reduced prison population.

Sentence Length

While the prison population in Michigan continues to decrease – standing at 37 percent fewer incarcerated people than in 2006 – such progress runs in stark contrast to other trends (Figure 2.16). For example, as the prison population has continued to shrink, there has been a sizable increase in the average minimum sentence of incarcerated people, increasing from a minimum of 7.5 years in 2006 to a minimum of 10.8 years in 2019 – an increase in average sentence length by 3.3 years, or 44 percent, in just 13 years.

Figure 2.16: Prison population over time



*2022 Data was not available.

Data source: Michigan Department of Corrections via [Safe and Just Michigan](#) (2021)

Juvenile Life Without Parole

One of the policy issues that has received considerable legislative attention over the past few years is juvenile life without parole (JLWOP). Contrary to popular belief, the U.S. Supreme Court did not abolish this sentence with its *Miller v. Alabama*¹⁶ decision, but instead restricted the penalty's use to the most extreme of cases. As of 2023, there remain nearly 300 incarcerated men and women serving life sentences from crimes they committed when they were juveniles, which ranks Michigan second in the nation behind only Pennsylvania. Encouragingly, there has been dozens of people successfully resentenced to terms of years after *Montgomery v. Louisiana*,¹⁷ which applied *Miller v. Alabama* retroactively, often resulting in their immediate release because of the time they had already served. Despite this progress and shifting attitudes surrounding JLWOP locally and nationally, the state of Michigan has yet to follow 26 states and pass legislation abolishing the sentence.

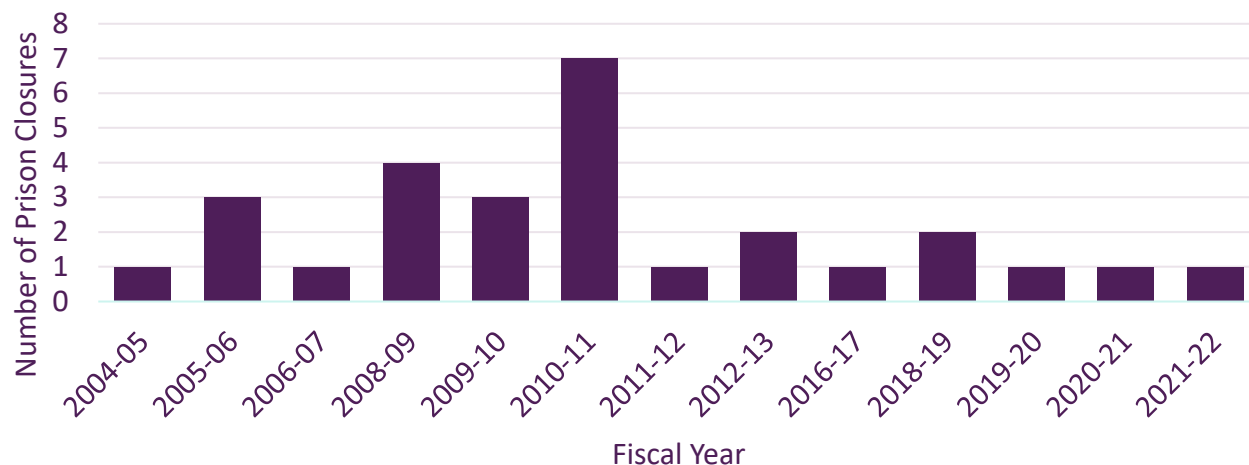
¹⁶ [Miller v. Alabama](#) (2012).

¹⁷ [Montgomery v. Louisiana](#) (2016).

Prison Closings

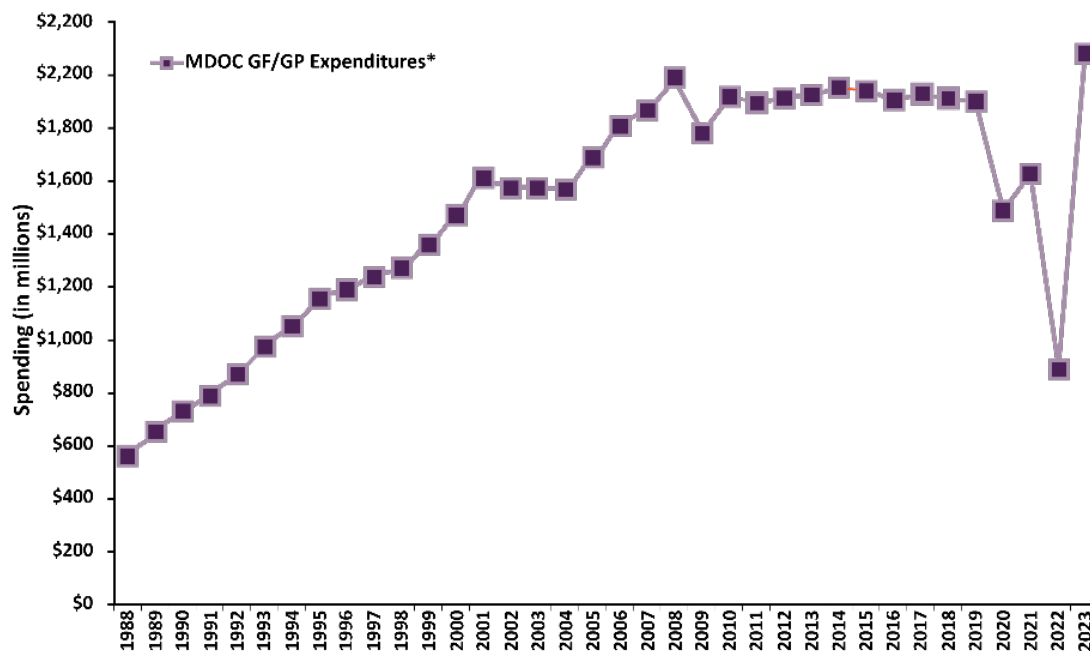
Since our previous report, the Michigan Department of Corrections (MDOC) closed another prison, the Michigan Reformatory, in November of 2022, which marks its 16th closure between 2009 and 2022 (Figure 2.17). As it stands, there are 19 active correctional facilities under the MDOC’s jurisdiction, 18 of which are prisons and one of which is a MDOC supported detention center that holds all pre-arraigned detainees who are 17 years of age or older and will be processed by Detroit’s 36th or 34th district courts. The state’s continually declining incarcerated population, challenges in retention and hiring of correctional officers, and costs are key drivers of the state’s recent decision to close Michigan Reformatory.

Figure 2.17: Michigan prison closures



Data source: House Fiscal Agency (2022)

Figure 2.18: MDOC prisoner population over time



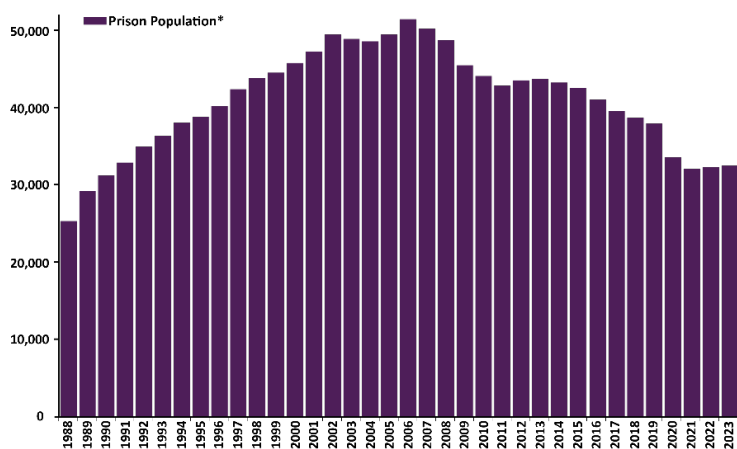
Data source: House Fiscal Agency (2022)

Prison Expenditures

The MDOC’s annual budget for 2022-2023 was \$2,124,968,000, nearly all of which is sourced from the state’s General Fund/General Purpose (GF/GP) revenue.¹⁸ Overall, the MDOC’s budget accounts for 13 percent of the state’s GF/GP budget for 2022-2023, which is about the same as allocated for higher education (10 percent) and the Michigan State Police (3 percent) combined (Figure 2.18). Relative to 2008-2009, the MDOC’s overall budget has increased by slightly more than four percent.

Most of the \$2.1 billion budget is allocated to prison operations (\$1.3 billion), with prisoner health care (\$263 million) and parole/probation services (\$238 million) rounding out the top three budget costs (Figure 2.19). Prisoner mental health care still stands as the smallest item in the MDOC’s budget at a \$52 million, or three percent, allocation. While the MDOC houses fewer incarcerated people and fewer people on parole and probation today than it has over the past 30 years, its budget is notably higher than it has been in any year during that stretch. Much of this divergence can be explained by increasing costs of personnel, facilities, and physical healthcare for its incarcerated population.

Figure 2.19: MDOC prisoner population over time



Data source: House Fiscal Agency (2022)

Community Corrections

Parole

Individuals with felony convictions are supervised by the MDOC through either parole or probation supervision. Those individuals who are placed on parole are typically supervised for two years following their release from prison. Similar to the prison population, the average number of people on parole in Michigan over the past decade has declined precipitously. Figure 3.43 highlights this trend. From 2010 to 2022, the parole population declined by more than 50 percent, dropping from 20,365 people on parole to 9,068.

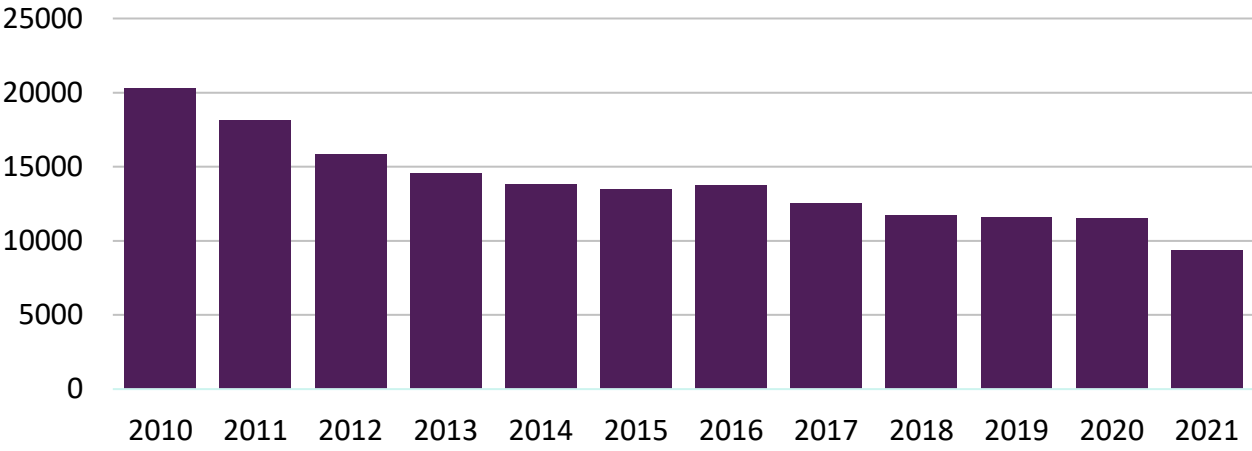
Lower numbers of individuals on parole – while the parole ‘grant rate’ is highest in history (over 70 percent) – may be explained by successful outcomes on parole perhaps due

to more focus on reentry supports and administrative changes in violation policy.

The MDOC also serves as the administrator of Michigan’s parole board. Figure 2.21 contrasts the annual number of parole board interviews since 1999 to the annual number of parole board denials during that span. As of 2021, there were 16,378 parole interviews completed by the state’s parole board. Of those interviews, there were roughly 2,939 denials, which equates to a denial rate of about 18 percent. Overall, parole board denials have continued their decline and are significantly less common than they were in any year from 1999 through 2017.

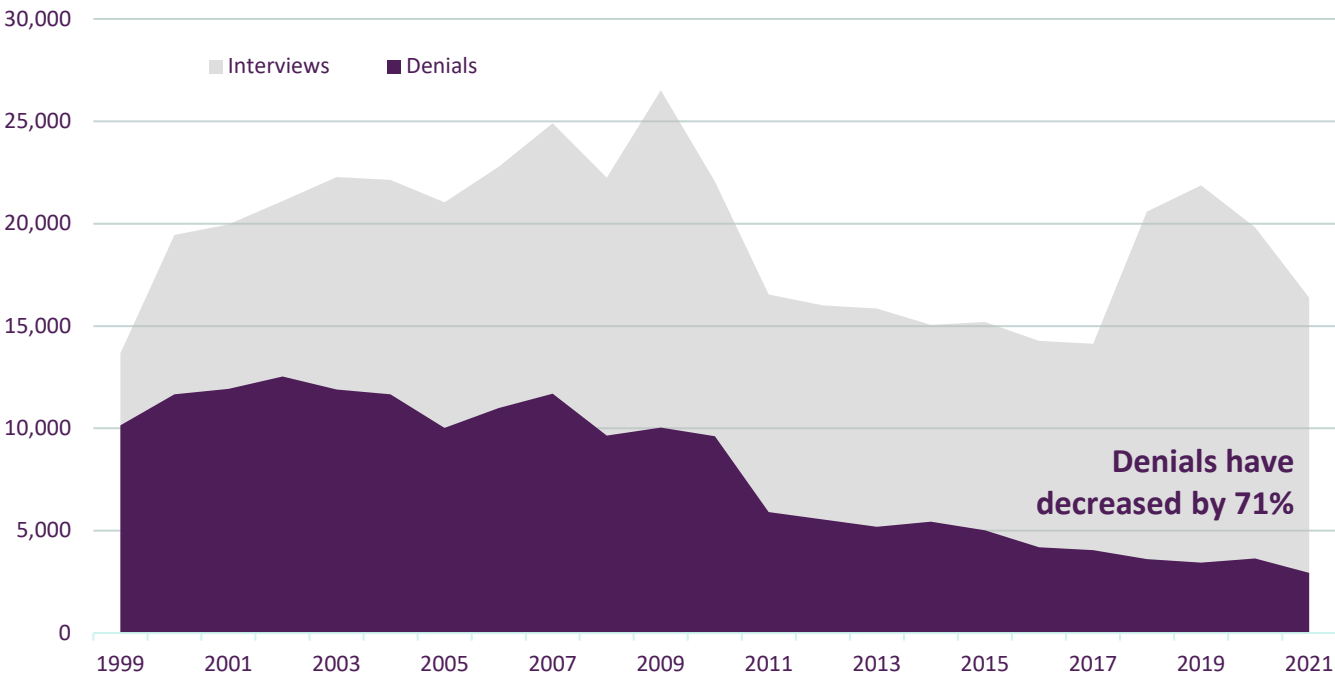
¹⁸ House Fiscal Agency (2022): [Budget Briefing: Corrections](#).

Figure 2.20: Average number of parolees supervised



Data source: Field Operations Administration via the [Michigan Department of Corrections](#) (2021)

Figure 2.21: Michigan parole board activities



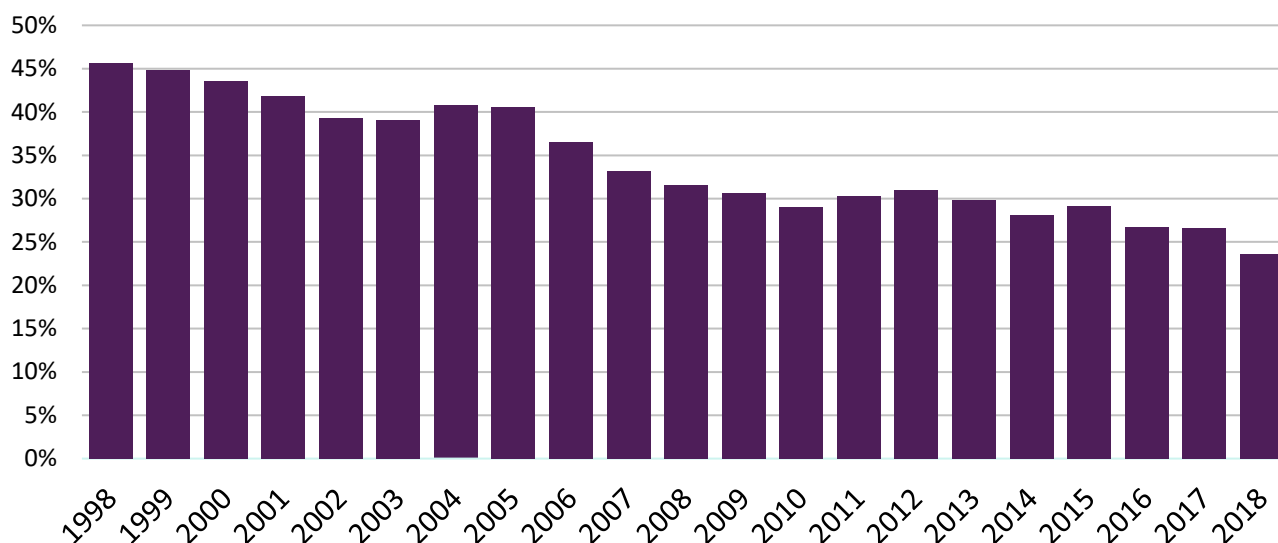
Data source: Field Operations Administration via the [Michigan Department of Corrections](#) (2021)

Parole Outcomes

There are numerous ways to measure success on parole, but the most common approach involves a focus on the three years after release from prison. During that three-year period, individuals may go on to commit a new crime, commit a technical violation, or successfully complete all conditions of their parole and remain crime-free. This three-year period of review was legislatively mandated in 1998, and the MDOC has since kept track of the success and failure of the individuals they have granted parole. Figure 2.22 presents the most recent data on the percentage of people on parole who return to prison

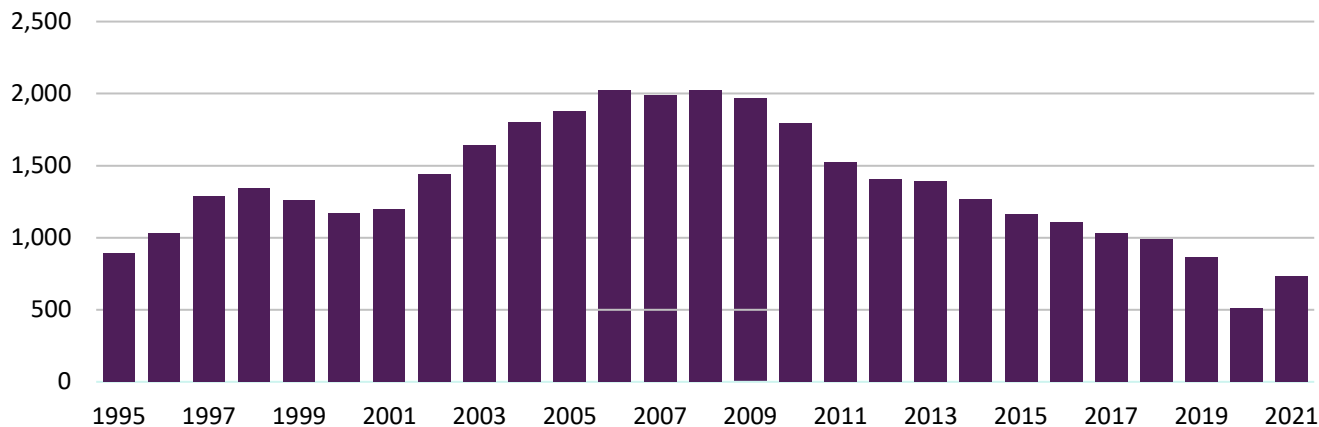
during this three-year window. Overall, there is a three-year return rate of less than 30 percent for people who were placed on parole in 2018. This is a lower return rate than in any year since this review was legislatively mandated, and almost half the size of the 46 percent return rate that was observed in 1998. It is also notably lower, by roughly 5 percent, than the 2017 return rate – a significant change over the course of just one year. Figure 2.23 highlights the number of individuals who violate parole and are given a new sentence.

Figure 2.22: Three-year return to prison rate*



*Includes cases that were returned on Parole Technical Violations or for a new sentence within three years of release.
Data source: Offender Management Network Information via [Michigan Department of Corrections](#) (2021)

Figure 2.23: Violations of parole supervision

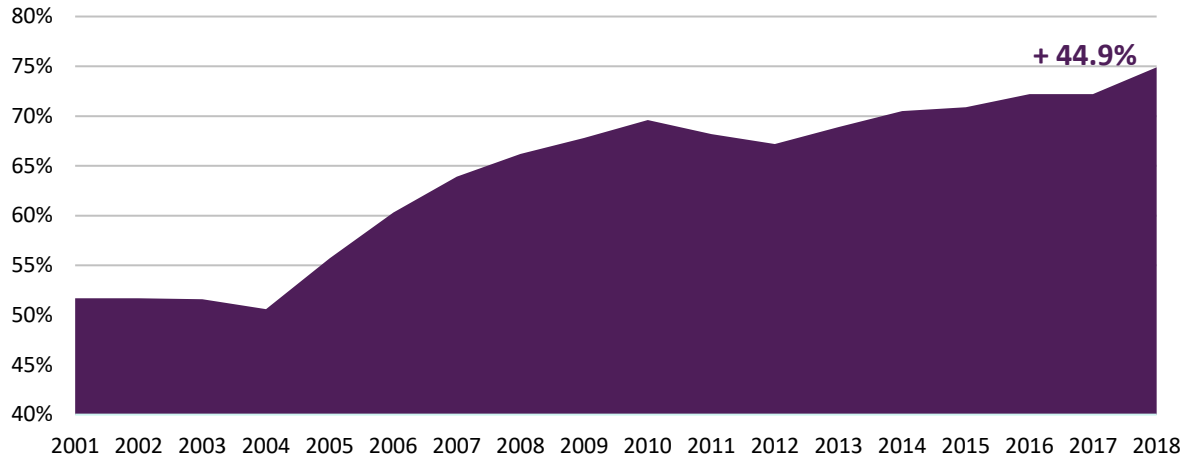


Data source: Michigan Department of Corrections, Offender Management Network Information, Corrections Management Information System, Field Operations Administration via [House Fiscal Agency](#) (2022)

Figure 2.24 highlights the overall percentage of individuals who were successful on parole as of 2018. Overall, the success rate was about three of every four people placed on parole during that year. This represents an increase of success by about 45 percent relative to 2001.

Programs by MDOC such as Vocational Village – where individuals are taught post-release work skills – and ‘offender success’ programming that focuses on reentry may provide more options and supports for those released from prison. Although attention on reentry services is limited to individuals at highest risk on return (about 1/3 of those released) it is possible that a more targeted approach has been successful. Recent legislative support for the implementation and evaluation of Nation Outside’s Trauma-Informed Peer-Led Reentry program may soon provide insight into the promise of such programming. In addition, changes in policy regarding violation for substance use ‘tickets’ may also accelerate success.

Figure 2.24: Success on parole



Data source: Offender Management Network Information via [Michigan Department of Corrections](#) (2021)

Figure 2.25: Trends in parole violation

Technical violation returns <small>(Includes returns from out-of-state)</small>				New sentence returns				Parole revocation hearings	
Year	Male	Female	Total	Year	Male	Female	Total	Year	Total
2010	2,312	79	2,391	2010	1,703	90	1,793	2010	1,952
2011	1,825	70	1,895	2011	1,470	53	1,523	2011	1,881
2012	2,578	116	2,694	2012	1,345	61	1,406	2012	1,240
2013	1,914	115	2,029	2013	1,335	52	1,387	2013	1,383
2014	1,600	82	1,682	2014	1,208	58	1,266	2014	1,146
2015	1,755	99	1,854	2015	1,088	71	1,159	2015	1,642
2016	1,845	111	1,956	2016	1,039	66	1,105	2016	1,512
2017	1,620	72	1,692	2017	973	57	1,030	2017	1,533
2018	1,542	54	1,596	2018	935	53	988	2018	1,306
2019	1,499	47	1,546	2019	831	34	865	2019	1,536
2020	1,073	36	1,109	2020	493	15	508	2020	1,238
2021	1,214	30	1,244	2021	701	32	733	2021	912

Data source: Offender Management Network Information, Field Operations Administration via [Michigan Department of Corrections](#) (2021)

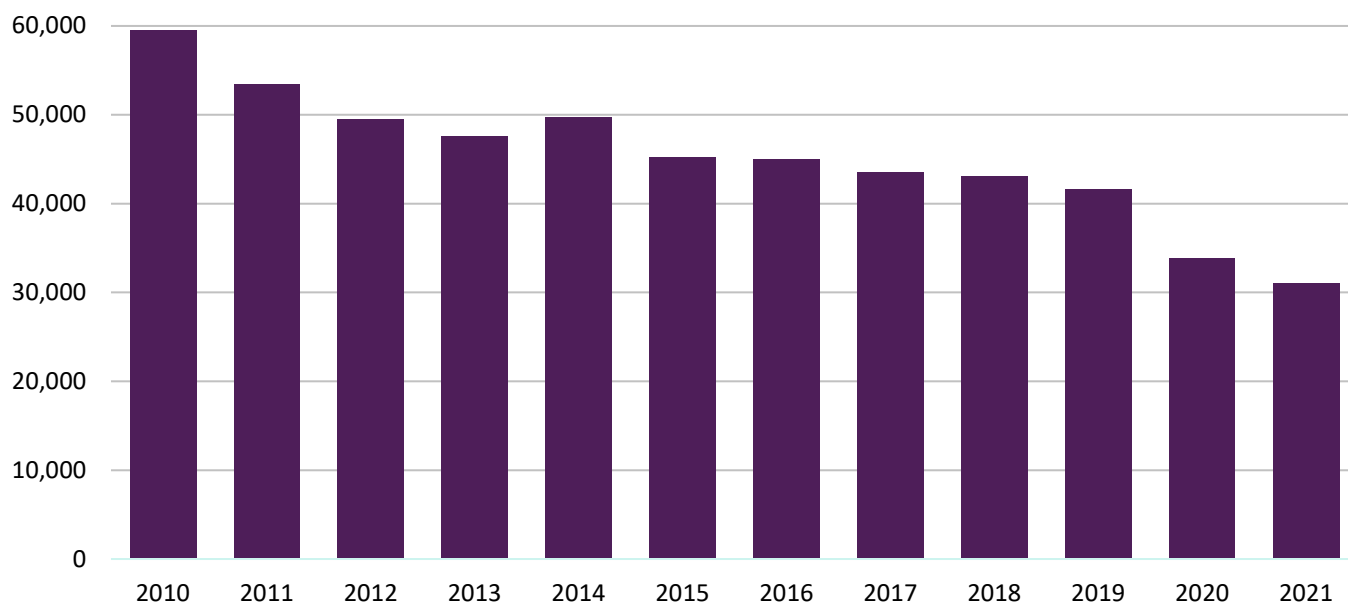


Probation

Probation sentences are imposed at both the felony level, which falls under the jurisdiction of the MDOC, and the misdemeanor level, which falls under the jurisdiction of district courts. While data from district courts is not readily available, the MDOC publishes annual updates on their felony probation population. Importantly, state sentencing guidelines prohibit an individual who is convicted for murder, treason, armed robbery, criminal sexual conduct in the first or third degree, certain controlled substance offenses, or felonies in which a firearm was used from being granted probation terms.

Figure 2.26 shows the number of probationers supervised each year from 2010 to 2021. Similar to the continued decline in the number of people on probation taking place nationally, Michigan has experienced a steady and significant drop in the number of people serving felony probation sentences over the past 11 years. In 2010, there were nearly 60,000 people on felony probation, but in 2021 there were only 30,000 people serving such sentences – a drop of nearly 50 percent in just over a decade.

Figure 2.26: Average number of probationers supervised



Data source: Offender Management Network Information, Field Operations Administration via [Michigan Department of Corrections](#) (2021)

Changes in the Landscape of Youth Justice



Background

When the juvenile court was originally established in the early 20th century, it was founded on rehabilitation principles, seeking to divert youth from the traditional criminal justice system and instead focusing on individualized rehabilitative treatment and opportunities for personal growth. Over time, societal shifts and political pressures during the "tough on crime" era shifted emphasis away from rehabilitation and aligned the treatment of young offenders more closely with that of adults.¹⁹ Unfortunately, this punitive approach resulted in disproportionately high incarceration rates for justice-involved youth, particularly for youth of color, and raised concerns about the effectiveness and fairness of the system.²⁰ The research highlighted the negative consequences of such measures, including increased recidivism rates and the long-term impacts of these interventions on the future prospects of justice-involved youth.

Youth justice reform has emerged as a priority in several states in recent years, reflecting a growing awareness of adolescent brain development and its impact on behavior, and the need to revisit the youth justice system and the outcomes associated with system involvement.²¹ States as

diverse as Kansas,²² Delaware,²³ Nevada²⁴, and Michigan,²⁵ among others, have all engaged in reform initiatives in the past 10 years. Reform efforts across the country seek to redefine the way states approach youthful transgressions, acknowledging that the outcomes of such efforts can profoundly shape the future of both the individual and the community at large.²⁶

Two of the central tenets of youth justice reform are the emphasis on rehabilitation over punishment and diversion in lieu of formal court processing. The goal is to address the causes of behavior and provide youth with targeted interventions to address their specific needs, offering opportunities for growth and change, while also creating benefits and cost savings for the system.

Critics of youth justice reforms have voiced concerns about the potential for leniency and the risk of failing to hold young people accountable for their offenses.²⁷ However, proponents assert that holding young people accountable does not have to equate to harsh punishment. Accountability can be achieved through measures such as restitution, community service, and structured intervention programs that educate youth about the consequences of their actions. This approach

¹⁹ Documented examples include adoption of harsher sentencing policies, mandatory waivers to the adult justice system, and more punitive interventions, despite the well-documented developmental differences among delinquent youth and their potential for change.

²⁰ Desai, S. (2019): [Hurt People, Hurt People: The Trauma of Juvenile Incarceration](#); Mendel, R. (2022) [Why Youth Incarceration Fails: An Updated Review of the Evidence](#).

²¹ Steinberg, L. (2009). [Adolescent development and juvenile justice](#).

²² Pew Charitable Trust (2019): [How State Reform Efforts Are Transforming Juvenile Justice](#).

²³ Husseman, J. and Liberman, A. (2017): [Implementing Evidence-Based Juvenile Justice Reforms](#).

²⁴ Council of State Governments Justice Center (2016): [The Statewide Juvenile Justice Improvement Initiative in Nevada](#).

²⁵ Michigan's Task Force on Juvenile Justice Reform (2021).

²⁶ Decker, T. (2019): [A Roadmap to the Ideal Juvenile Justice System](#).

²⁷ Samples, S (2023): [Juvenile Justice in 'Crisis' Amid Youth Crime Spree, Prosecutor Says](#).



shifts the focus from retribution to personal growth, helping young individuals understand the impact of their choices on themselves, the people close to them and their communities.

Michigan Youth Justice Reforms

Michigan’s policymakers, advocates, practitioners, and the public have increasingly recognized opportunities to improve and update the state’s youth justice system. One recent example is the passage of “Raise the Age” legislation in 2021 raising the age of juvenile court jurisdiction to 18 years old.²⁸ Previously, 17-year-olds were automatically tried and convicted in the adult system for offenses. Another example is the expansion and use of diversion programming throughout the state as a more effective and less costly means of dealing with youth who commit low-level and status offenses.²⁹ However, because the Michigan system of youth justice is decentralized in the fifty-seven circuit courts and 83 counties across Michigan, state-wide reform can be a daunting prospect.³⁰

In 2021, Governor Whitmer created a bi-partisan Juvenile Justice Reform Task Force (JJRTF) to conduct a data-driven analysis of Michigan's youth justice system and recommend evidence-based reform strategies grounded in research and constitutional principles. The Task Force released their report and recommendations on July 22, 2022.³¹ This landmark report offered ten key findings about the current youth justice system in Michigan, along with thirty-two recommendations for improving Michigan’s youth justice system. The recommendations of

the JJRTF spurred the introduction of over twenty pieces of legislation during the 2023 legislative session. Additionally, an unprecedented focus on youth justice was reflected in the Governor’s budget for Fiscal Year 2024 and beyond, including \$32 Million for increased Child Care Fund³² reimbursements for community-based programming and \$2 million for resources to adjust juvenile sentencing.³³

Perception of Rising Crime Rates and Increasing Youth Violence

The JJRTF recommendations come at a time when public perception and the real experience of some Michigan communities suggest that adult^{34,35} and youth³⁶ crime is increasing. This perception and experience are in juxtaposition with the positive direction contemplated by the JJRTF report and national research studies which reflect a consistent overall reduction in the youth crime rate though 2022.^{37,38,39}

In the first year of the pandemic, gun sales increased, as did gun violence and homicide.^{40,41} These facts made national and local headlines. Media attention on serious youth crimes and gun violence makes headlines. In contrast, national data reflects a 3 percent decrease in violent crime between 2020 and 2022. Nationally, the proportion of violent crime arrests involving youth has declined in each offense category through 2022. Youth accounted for a smaller proportion of arrests for murder robbery, and aggravated assault in 2020, compared to 2010.⁴²

²⁸ [Raise the Age Legislation](#).

²⁹ Michigan Center for Youth and Justice (2020): [Michigan Juvenile Justice Continuum of Care Initiative](#); The Sentencing Project (2022): [Diversion: A Hidden Key to Combating Racial and Ethnic Disparities in Juvenile Justice](#).

³⁰ Kubiak, S.P., Gilbert, T.T., Ryan, J.P., Victor, G. (2021): [Overview of the Criminal Legal System in Michigan: Adults and Youth](#).

³¹ Michigan's Task Force on Juvenile Justice Reform (2022): [Report and Recommendations](#).

³² The Child Care Fund (CCF) is the major funding mechanism for youth justice in Michigan. The CCF is a cost reimbursement agreement between the state and county; the state reimburses the county for 75% of the cost of community-based programs and 50% of the cost of out-of-home programs serving justice involved youth.

³³ Burr, A (2023): [Michigan has fourth highest rate of incarcerated girls in the country, report shows](#).

³⁴ Bailey, T (2023): [Detroit Police Release Year-End Crime Totals, Says Youth Violence Rising](#).

³⁵ Szabo, L (2023): [Pandemic Stress, Gangs, and Utter Fear Fueled a Rise in Teen Shootings](#).

³⁶ Berg, K (2023): [Detroit Police: Juveniles Cause Large Increase in Carjackings in 2022](#).

³⁷ Burns, G (2022): [Homicides Are Down But Michigan Has A New 'Most-Violent' city, FBI stats reveal](#).

³⁸ AH Data Analytics (2023): [YTD Murder Comparison](#).

³⁹ Mendel, R (2022): [Data Reveals Violence Among Youth Under 19 Has Not Spiked in The Pandemic](#).

⁴⁰ Ssentongo, P., McCall-Hosenfeld, J. (2021) [Gun Violence Soared During The COVID-19 Pandemic, A New Study Finds - But The Reasons Why Are Complex](#).

⁴¹ Mekouar, D (2022): [Why Homicide rates in US Spiked 30% During COVID Pandemic](#).

⁴² Office of Juvenile Justice and Delinquency Prevention (2022): [Trends in Youth Arrests for Violent Crimes](#).



In 2022, while overall violent crime in Detroit decreased by 11 percent, it was reported that prominent criminal legal leaders across the state were concerned for public safety and the status of youth justice in Michigan because of increased carjackings by youth⁴³ and youth crime sprees.⁴⁴ The narrative of concern around the (actual or potential for) increased youth violence is reflected in statewide calls for additional residential beds and new detention facilities.



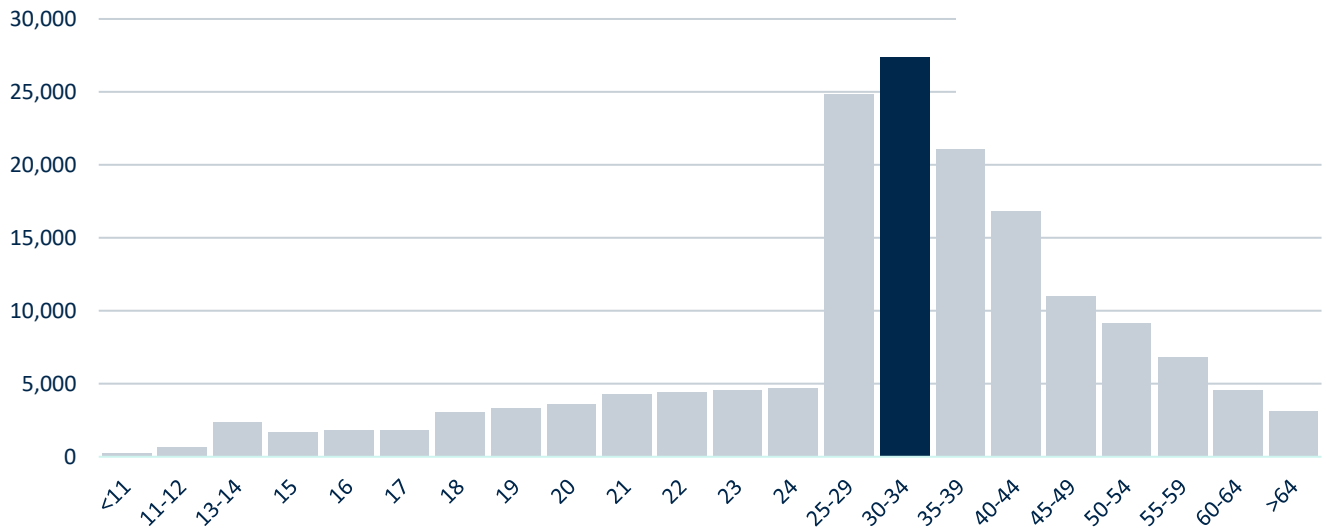
Several of Michigan’s metropolitan areas have reported increases in violent crimes, but it is not clear how much of this increase can be attributed to offenses committed by young people.⁴⁵ Adding to the complexity of unraveling this perception is the difficulty in obtaining data from comparative time periods for specific jurisdictions that are reported using a similar methodology.

Arrest data indicate that 30 – 34 years olds represent the most commonly arrested age-group, with more than half of all arrests involving people aged 25 to 44 years old. Comparatively few arrests involve youth ages 18 years old and younger.

"When you hear stories about 'juvenile crime is this, juvenile crime is that', because of a handful of cases, it kind of leads people to believe that, overall, there's some sort of trend. And there is a trend. The trend is sharply declining juvenile crime, overall, and sharply declining violent juvenile crime."

-Vincent Schiraldi, Maryland Secretary of Juvenile Services, September 4, 2022⁴⁶

Figure 3.1: Age of individuals arrested



Data source: Michigan State Police Michigan Incident Crime Reporting (2022)

⁴³ Berg, K (2023): [Detroit Police: Juveniles Cause Large Increase in Carjackings in 2022.](#)

⁴⁴ Samples, S (2023): [Juvenile Justice in 'Crisis' Amid Youth Crime Spree, Prosecutor Says.](#)

⁴⁵ City of Saginaw (2020): [City of Saginaw Addresses Increase in Violent Crime In Saginaw.](#)

⁴⁶ National Public Radio (2022): [Youth Crime is Down. But Media Often Casts a Different Narrative.](#)

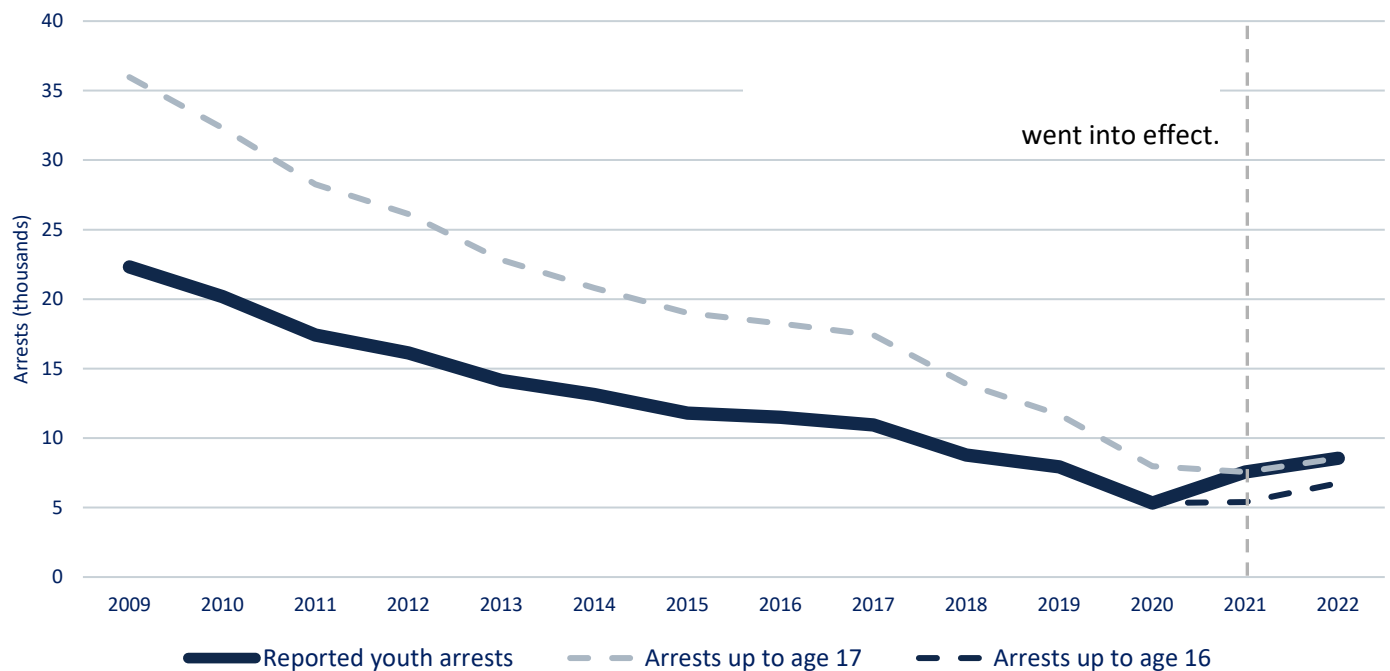


The Impact of Raise The Age on How ‘Youth’ is Defined

As discussed in the [Michigan Youth Justice Reforms](#) section of this report, Raise The Age legislation went into effect in October 2021 and changed the way Michigan systems defined ‘youth’ and reported youth crime data. The bold Black line in Figure 3.2 shows youth arrests reported by the Michigan State Police from 2009-2022. On its face, there appears to be a jump in youth crime post-pandemic, with *reported* youth arrests increasing by eight percent from 2019 to 2022. However, arrest counts adjusted to create *consistent* groups (including 17 years in each year) across time do not show such an increase. As seen in the dotted lines in Figure 3.1, there were 15 percent fewer arrests among young people up to age 16 and 27 percent fewer arrests among young people up to age 17 from 2019 to 2022. The number of arrests among youth in Michigan have not reached pre-pandemic levels.

In order to create a clear picture of youth crime in Michigan and ensure that Michigan State Police data across time accurately portrays what occurred in Michigan, Michigan Incident Crime Reporting figures and statistics on ‘youth’ have been updated for consistency. Where possible, data reported before 2021 has been adjusted to include 17-year-olds.

Figure 3.2: Reported youth arrests (up to age 16) versus adjusted age groups (including 17-year-olds)



Data source: Michigan State Police Michigan Incident Crime Reporting (2009-2022)

Youth Arrests

Arrest rates and adjudication rates for youth vary dramatically from county to county, however, caution must be used in comparing one county against another. Differences in how an “arrest” is defined and recorded, jurisdictional differences in charging and petitioning youth, differing law enforcement presence and focus, use of arrest, citation, deflection, and diversion programming all contribute to variation in arrest, petitions from an arrest, and adjudication as a result of a petition from county to county.



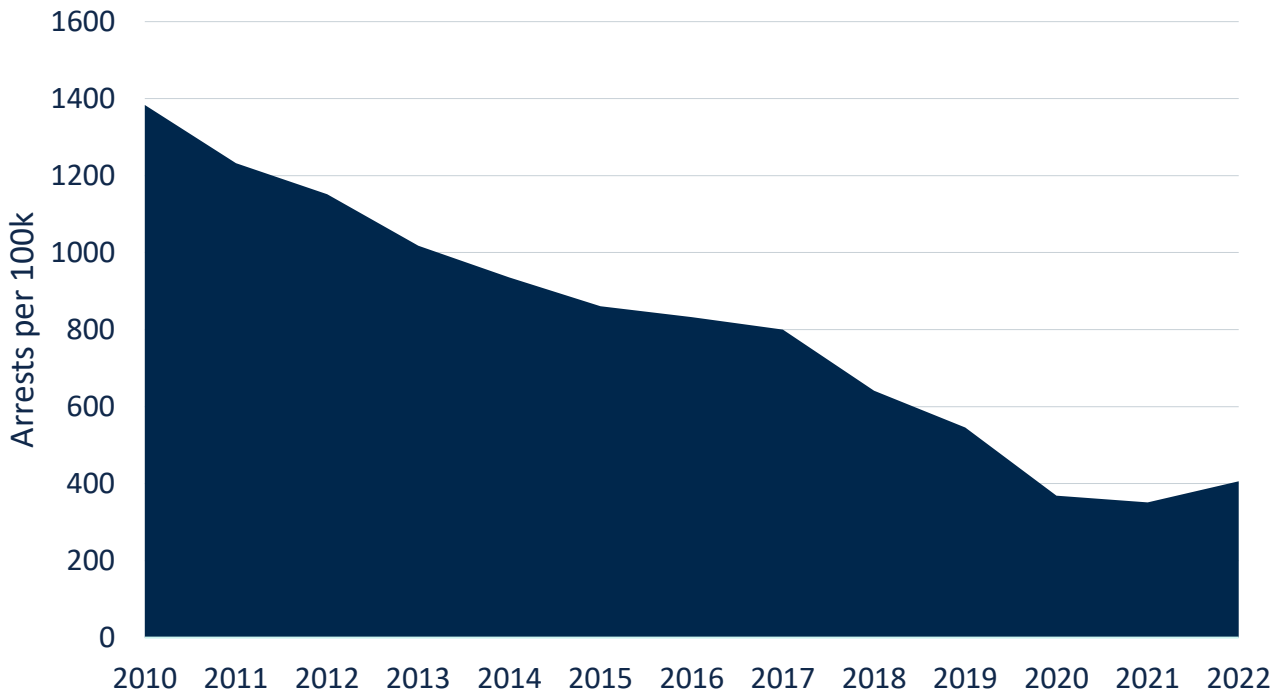


Demographics

Youth arrest rates continue their downward trend. Overall, youth arrests have steadily declined a notable 76 percent from 2009 to 2022 (Figure 3.3). The sharp decline in arrests does not coincide with a decrease in Michigan’s child population, which declined less than 2 percent during this time.⁴⁷ While there was a slight increase in youth arrests after a dramatic decline during the pandemic, youth arrests have continued to decline overall—there were 27 percent fewer youth arrested in 2022 than in 2019 (Figure 3.3).

Most youth in the justice system fall within the age range of 13-17 years old, although younger children have had contact with the youth justice system. Michigan’s population of youth ages 13 – 17 years old was 649,133 in 2020, approximately 6 percent of the total state population that year.⁴⁷

Figure 3.3: Arrest rate of youth up to age 17



Data source: Michigan State Police Michigan Incident Crime Reporting, United States Census Bureau American Community Survey (2010-2022)

Arrest data, as noted in our previous report and in the adult section of this report, are imperfect as an indicator of youth crime due to variations in jurisdictional approaches to arrest, citations, and referral for services.⁴⁸ However, arrests offer more context than adjudication data when trying to determine the extent and impact of crime. National data indicate that convictions account for only about 30 percent of juvenile arrests and “the act of arrest itself has a significant impact on the youth and on the community.”⁴⁹

Youth who are arrested and subsequently incarcerated experience lower quality of health, higher rates of infectious disease and stress-related illnesses, and higher body mass indices.⁴⁹

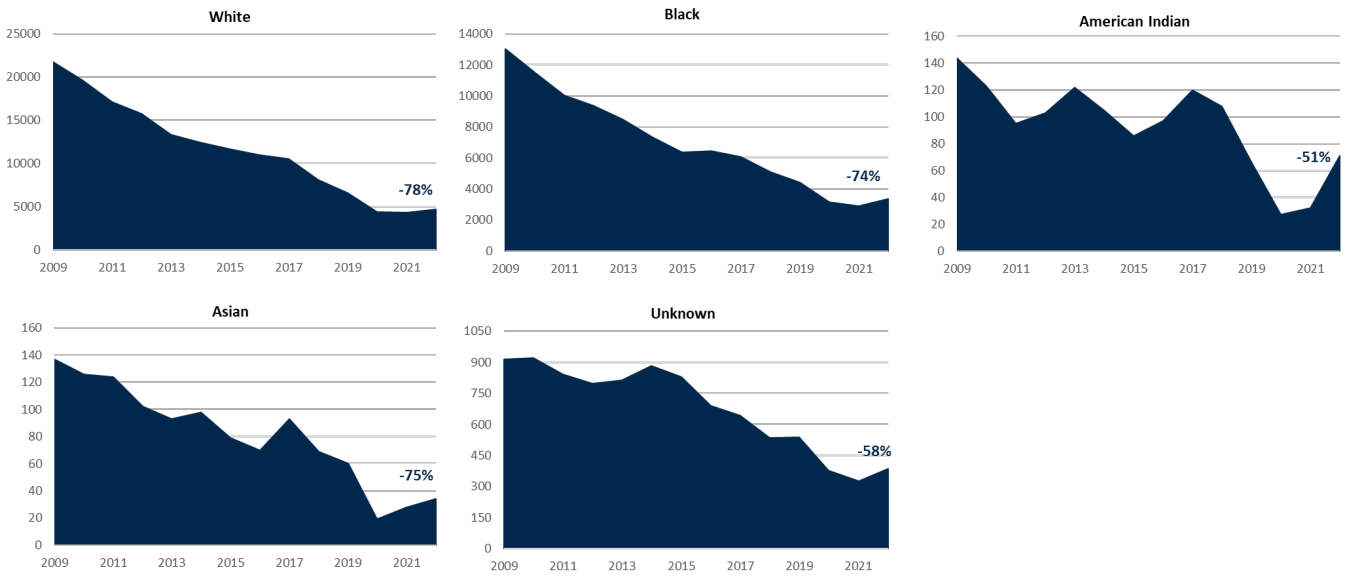
⁴⁷ Annie E. Casey Foundation (2021-2022): [Kids Count Data Center](#).

⁴⁸ Kubiak, S.P., Gilbert, T.T., Ryan, J.P., Victor, G. (2021): [Overview of the Criminal Legal System in Michigan: Adults and Youth](#).

⁴⁹ County Health Rankings (2023): [2023 County Health Rankings National Findings Report](#).

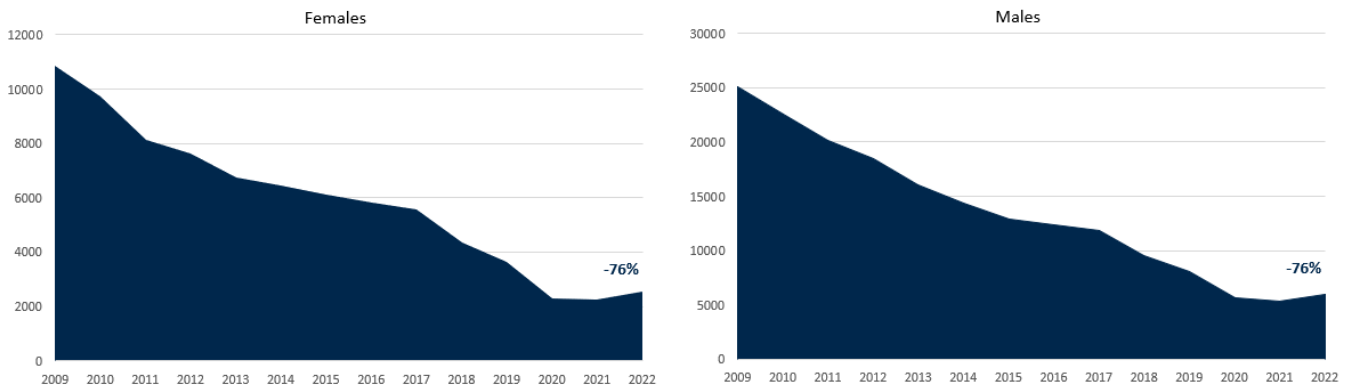


Figure 3.4: Arrests by race of youth up to age 17



Data source: Michigan Incident Crime Reporting Michigan State Police (2009 - 2022)

Figure 3.5: Arrests by sex of youth up to age 17



Data source: Michigan State Police Michigan Incident Crime Reporting (2009 - 2022)

From 2009 to 2022, arrests of white youth declined 78 percent, arrests of Black youth declined 74 percent, and arrests of Asian youth declined 75 percent. Indigenous youth, the smallest youth population represented in the data, experienced the smallest overall decrease in arrests during the same time period at 58 percent. Post-pandemic (2021-2022) arrests of white youth increased by 10 percent, while arrests for Black youth increased by 16 percent followed by Asian youth arrest, which increased at 21 percent. The largest increase in arrests post-pandemic was seen in Indigenous youth, with a 122 percent increase. Importantly, because of their small numbers in the population, only a few additional arrests can serve to increase indigenous youth’s proportional representation in the population. As such, this increase should be monitored across time to determine whether it is temporary or sustained change.

The racial disparities in youth arrests reflect the racial disparities observed throughout the justice system. Nationally, there is no significant difference in the types of crimes that all races of youth commit but youth of color are



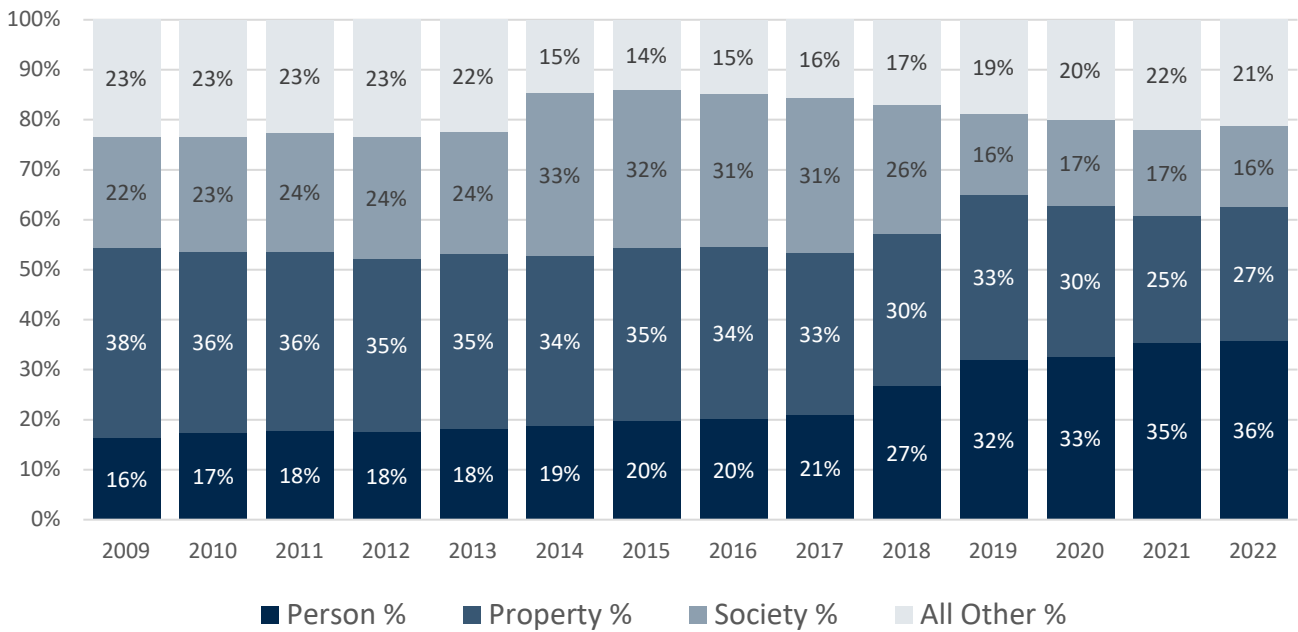
disproportionately represented in the youth justice system.⁵⁰ Indigenous youth are often not represented in data analysis at all due to their small numbers in the total youth population, but data that does exist shows that they have historically been disproportionately represented in arrest and out-of-home placements.^{51, 52, 53}

Youth Arrests by Type of Crime

Although youth crime as measured by arrests has decreased significantly (by 76 percent) since 2009, the reasons for arrests remain fluid over time. Figure 3.6 illustrates the types of crimes for which all youth were arrested. Among the two largest categories, arrests for crimes against persons increased from 2018 to 2022 and accounted for 36 percent of all arrests of youth in 2022, followed by arrests for property crimes which also increased slightly during this same period.⁵⁴

Importantly, Figure 3.6 was adjusted to include 17-year-old youth from 2009 through 2022. Contrasted to the same period, 2009 – 2019 (Figure 3.7), adding the 17-year-olds into the arrest data changes the percentages for the different categories of arrest and provides us with some insight into how the addition of 17-year-old youth changes the dynamics of youth crime in perhaps surprising ways. Notably, the percentage of property crimes and person crimes **decreased** as a percentage of total arrests each year when 17-year-olds are added. Crimes against society and crimes listed as “other” saw the largest percentage increases with the addition of 17-year-olds throughout the thirteen-year period.

Figure 3.6 Arrests by type of youth up to age 17



Data source: Michigan State Police Michigan Incident Crime Reporting (2009 - 2022)

⁵⁰ Hughes-Shaw, Sroka, Traxler (2020): [Youth of Color Disproportionately Represented In The Justice System](#).

⁵¹ Wang, L (2021): [The U.S. Criminal Justice System Disproportionately Hurts Native People: The Data, Visualized](#).

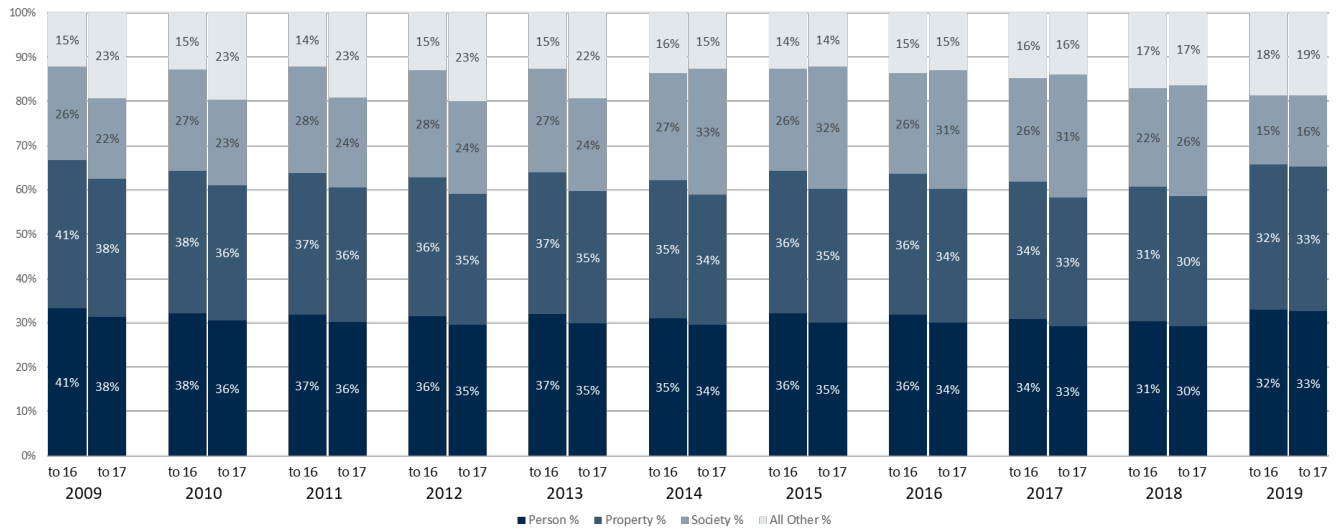
⁵² Office of Justice Programs (2008): [Native American Youth and the Juvenile Justice System](#).

⁵³ National Center for Juvenile Justice (2022): [Youth and the Juvenile Justice System: 2022 National Report](#).

⁵⁴ "The object of Crimes Against Property, e.g., robbery, bribery, and burglary is to obtain money, property, or some other benefit. Crimes Against Society, e.g., gambling, prostitution, and drug violations, represent society's prohibition against engaging in certain types of activity; they are typically victimless crimes in which property is not the object. Crimes Against All Other includes all other offenses."

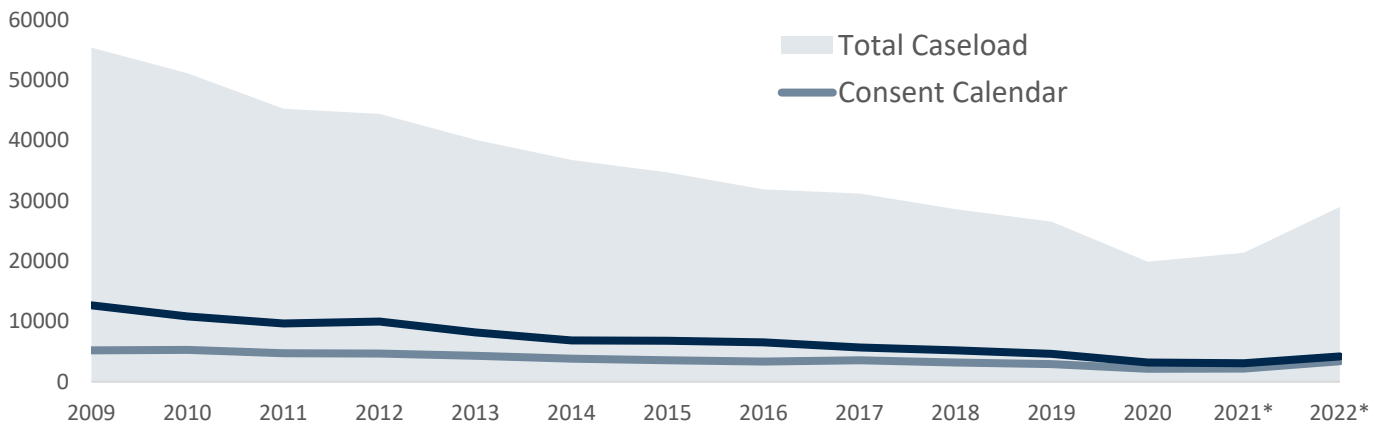


Figure 3.7: Arrests by type of youth up to age 16 versus age 17



Data source: Michigan Incident Crime Reporting, Michigan State Police (2009 - 2019)

Figure 3.8: Delinquency case filings



*With Raise the Age going into effect in October 2021, delinquency cases began including 17-year-olds in 2021.

Data source: State Court Administrative Office (2009 - 2022)

Case Filing Trends

The number of youth involved with the juvenile court continues an overall decrease in Michigan. In parallel with the pattern seen in youth arrests, the number of juvenile court cases significantly decreased from 2009 to 2020, followed by a post-pandemic uptick from 2020 – 2022.⁵⁵ The total caseload in 2020 was 19,919 and the total caseload in 2022 was 28,341 cases.

Figure 3.8 represents the number of juvenile court cases between 2009 and 2022. The shaded area represents all juvenile court cases, whereas the light blue line represents

consent calendar cases, and the dark blue line represents the diversion/not authorized cases. In 2022, diversion cases accounted for 15 percent of all cases filed and consent calendar accounted for 12 percent. Unfortunately, not all courts report their juvenile court data to the State Court Administrative Office, and even among those who do report their data, not all courts report their diversion and/or consent calendar case counts.

⁵⁵ Not all courts report diversion and consent calendar, making these numbers a likely undercount.



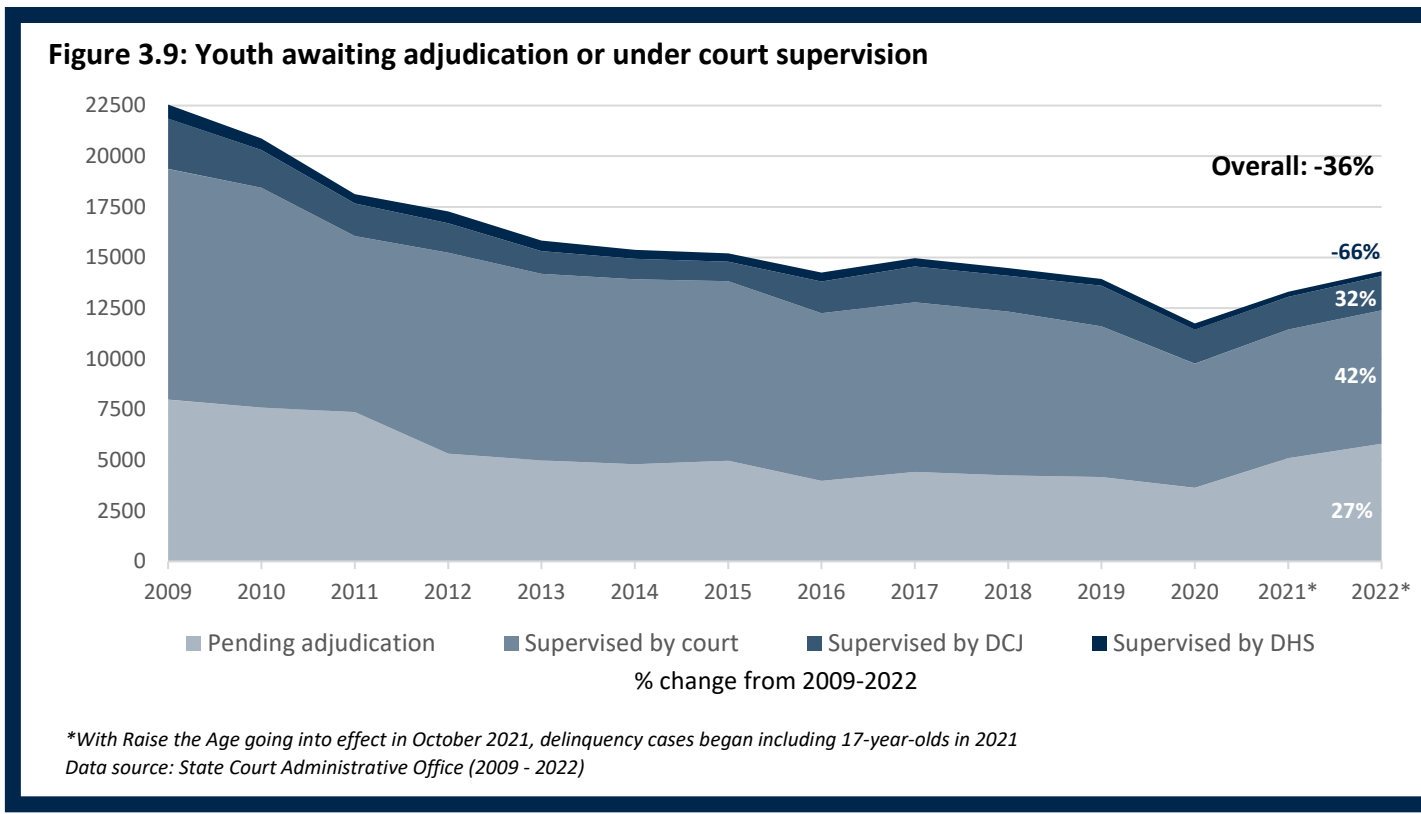
An important recommendation of the JJRTF is to change the reimbursement formula for the Child Care Fund, the primary funding source for youth justice in Michigan. The Child Care Fund is a 50/50 cost reimbursement plan requiring the County to pay for youth justice services and then be reimbursed by the State of Michigan for 50 percent of eligible expenditures. In an effort to increase the diversion of low-risk youth from the justice system and increase community-based interventions (also referred to as in-home programs) the Task Force recommended changing the reimbursement formula to 75/25 for community-based services, meaning that the state will reimburse the counties 75 percent of eligible expenditures for community interventions and 25 percent for other expenditures such as residential placements.

Tied to this incentive is the requirement to use evidence-based practices including a validated risk and needs assessment to determine which youth are at risk of reoffending and which youth may be safely served in the community. The incentive funding also helps ensure that “counties have the necessary resources to adopt, implement, and consistently utilize research-based approaches.”⁵⁶ Most important is the expansion of the use of the Child Care Fund to incorporate pre-arrest

diversion programs, often referred to as deflection programs, which are designed to deflect low-risk youth from the youth justice system at the point of, or even prior to, contact with law enforcement.⁵⁷

Research supports the placement of youth charged with low-risk and low-level offenses in community-based services that provide interventions directly related to their identified needs. The use of secure facilities should be reserved for higher-risk youth who need intensive supervision.⁵⁸ Once these changes are enacted in October 2024, we would expect to see an increase in the use of deflection, diversion, and consent calendar programs and less reliance on formal court involvement and costly out-of-home residential placements. This significant change in the current youth justice system should manifest in better outcomes for youth and cost savings for the counties and their taxpayers.

Youth represented in this chart are those who have been petitioned to court and are either awaiting adjudication (listed as pending) or have been adjudicated and are under the supervision of the court, Michigan Department of Health and Human Services, or the Department of Community Justice (DCJ Wayne County).⁵⁹

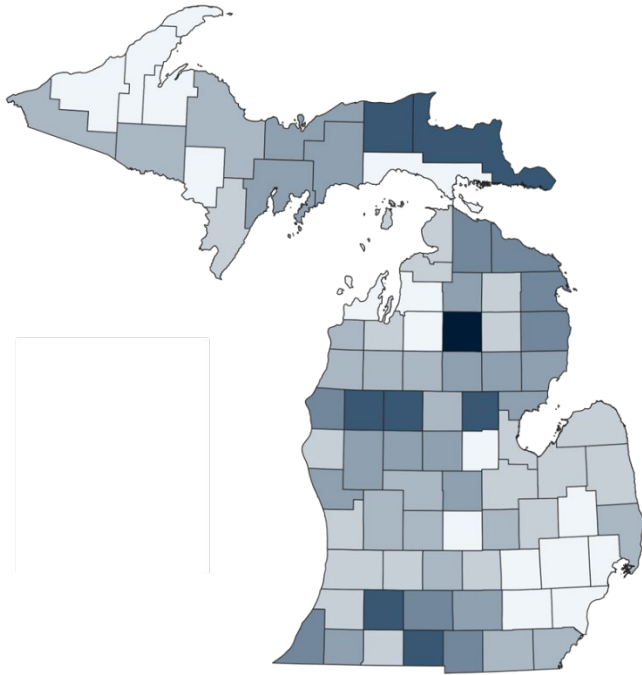


⁵⁶ Michigan Legislature (2023): [House Bill 4624](#) and [Senate Bill 0418](#).

⁵⁷ This change is an amendment to Section 117a of 1939 PA 280, MCL 400.117a, also known as The Social Welfare Act.

⁵⁸ Damosse and Victor (2023): [Opinion: It's Time To reform Michigan's Juvenile Justice System](#).

⁵⁹ The youth included here do not include all youth in contact with the court because not all counties report their data to the State Court Administrative Office, and not all counties report diversion and consent calendar data.

Figure 3.10: Rate of petitioned juvenile cases by county


**With Raise the Age going into effect in October 2021, delinquency cases began including 17-year-olds in 2021
Data source: State Court Administrative Office (2009 - 2022)*

Since 2009, the adjudicated youth population has declined 36 percent. Looking specifically at 2019 to 2022, even with the increase in adjudication post-pandemic and the addition of an entire cohort of youth by moving 17-year-olds into the youth justice system, the adjudicated and pending adjudication youth caseload increased by only 3 percent.

Figure 3.10 shows the number of petitioned cases⁶⁰ per 1,000 youth⁶¹ in each Michigan county in 2019. On average, there were 24 juvenile delinquency court cases per 1,000 youths statewide. This ranged from 0 to 102

cases per 1,000 youths across counties in the state.⁶² This data is used as one factor among many to help determine a county’s health ranking, understanding that arrest and incarceration both impact a person’s length of life and quality of life. A higher petition per 1000 youth may indicate a lower health ranking for that county due to the high impact that arrest, petition and adjudications have on youth. This is one among many measures that a state and a county should review when determining health impacts and outcomes for their citizens as well as planning effective interventions for improving the lives of youth in their county.

Mental Health Crisis

A key factor impacting the youth justice system in Michigan is the mental health crisis among adolescents. In its recent report, the Centers for Disease Control and Prevention declared adolescent mental health as being a “grave concern,” stating that “American teens are mired in a state of emotional catastrophe.”⁶³ Jurists and case managers regularly see the fragility of the mental health status of these youth and the delinquent behaviors that result and cite the need for increased mental health placements. However, there are not enough community-based mental health services for these youth. Nor are there enough short-term inpatient or partial hospitalization beds for youth in need of acute care for a mental health crisis or more long-term care for mental health treatment. As a result, youth awaiting placement for inpatient mental health treatment are held in detention, often for months, until a bed becomes available for them.

⁶⁰ Note, this rate is calculated using the number of petitioned cases, and not youth (one young person could have multiple delinquency violations). Case counts obtained from County Health Rankings (2019): [Juvenile Arrests](#).

⁶¹ Population ages 10-17 as obtained from County Health Rankings (2019): [Juvenile Arrests](#).

⁶² County Health Rankings (2023): [2023 State of Michigan Health Rankings](#).

⁶³ Center for Disease Control and Prevention (2023): [U.S. Teen Girls Experiencing Increased Sadness and Violence](#).

Youth in the Adult Justice System

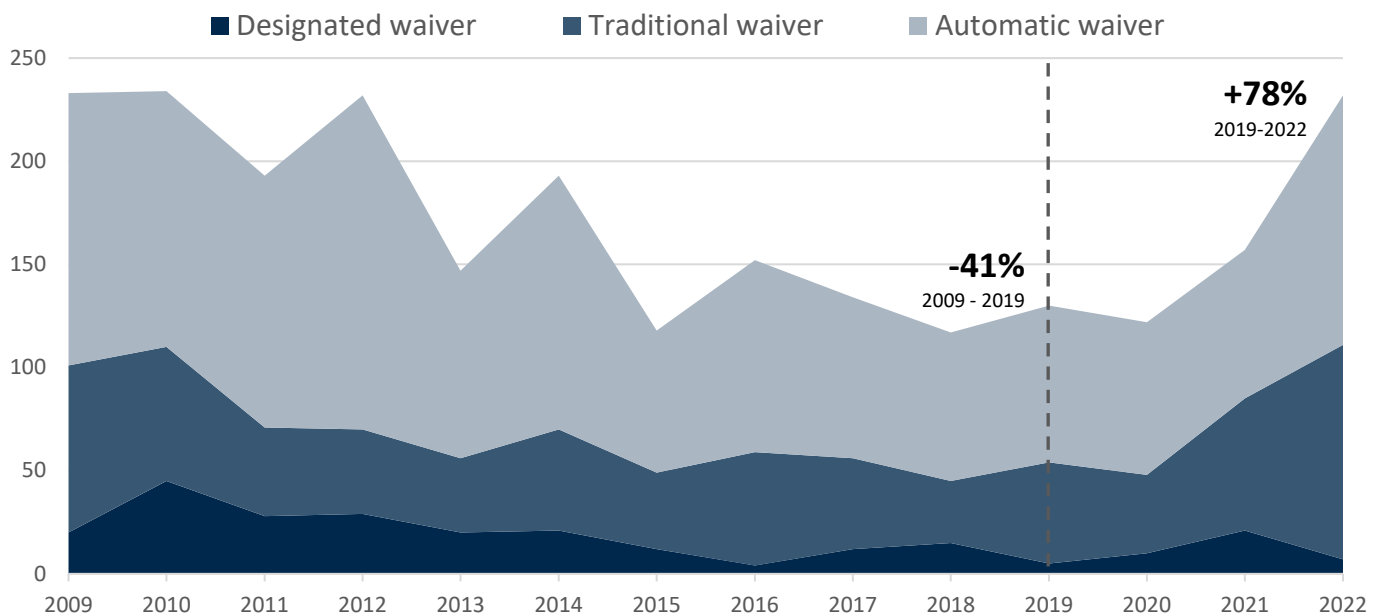
Waivers to the Adult Criminal Justice Court System

Figure 3.11 shows that waivers to the adult system were down 41 percent from 2009 to 2019.⁶⁴ However, waivers to the adult system increased by 78 percent from 2019 – 2022. With this increase in waivers, only one fewer young person was waived into the adult system in 2022 than 2009. Waiver data by age is unavailable, making it impossible to determine the impact of adding 17-year-olds to the youth justice system.

Automatic⁶⁵ and traditional⁶⁶ waivers account for the dramatic rise in cases waived to the adult system from 2019 – 2022. Automatic and traditional waivers increased 78 percent from 2019 to 2022 including the addition of 17-year-olds in 2022. The dramatic increase in waivers represents a relatively small number of youth justice cases. In 2022, there were 121 automatic waivers filed. Detailed data are not available to assess why there has been a dramatic increase in waivers. Information such as severity of offense, age of youth and jurisdiction would provide valuable information about the rise in waivers.

New requirements passed into law in November 2023 revise the factors that may be considered by the court in designating or waiving youth to the adult criminal legal system. Additional requirements must now be met, including only considering prior crimes that would be a crime if committed by an adult, and consideration of the youth’s developmental maturity, emotional and mental health and their ability to receive treatment and rehabilitation needs met in the juvenile court.⁶⁷

Figure 3.11: Waivers to the adult system by type



Data source: State Court Administrative Office (2009-2019)

⁶⁴ A waiver is the process by which a youth is waived to the adult criminal justice system and are tried in the criminal court. They are no longer counted in the youth justice system data.

⁶⁵ An automatic waiver of juvenile court jurisdiction is applied when a young person is facing prosecution for one of 18 “specified juvenile violations” and the prosecutor charges the young person as an adult. MCL 764.1f. Center for Behavioral Health and Justice (2020): [Michigan Data Landscape Report](#).

⁶⁶ Traditional waiver cases are those in which the prosecutor requests the juvenile court to waive its jurisdiction over a youth who has committed a felony, resulting in the trial of the youth in adult court.

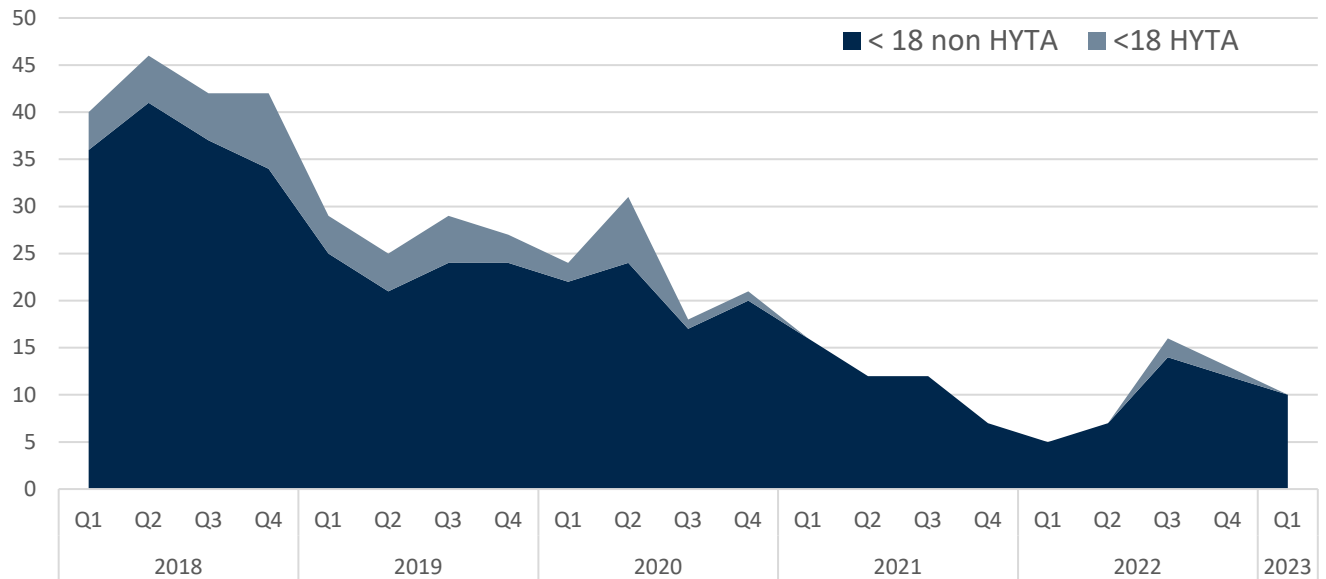
⁶⁷ Michigan Legislature (2023): [House Bill 4633](#).

Youth in Adult Prison

Youth who are waived to the adult criminal justice system (including youth sentenced under the Holmes Youthful Trainee Act (HYTA)⁶⁸ for trial and sentencing may be sentenced to Michigan’s prison system, depending on the type of waiver. The Michigan Department of Corrections (MDOC) no longer reports an annual number of youth in prison, rather they report a quarterly number, and it is not known whether the number each quarter includes imprisoned youth from the last quarter who remain in prison in addition to newly admitted youth prisoners, or whether the quarterly number represents only new admissions each quarter. In the second quarter of 2018, there were 41 youth in prison and in the first quarter of 2023 there were 10 youth in prison. This count is based only on data reported by the MDOC and does not include the number of youth who may be held in county jails. How the number of youth in prison correlates with the number of youths who were waived to the adult system is unknown as the data are not available to connect the two sets of numbers.



Figure 3.12: Youth in adult prison



Data source: Michigan Department of Corrections Youth in Prison Legislative Report (2018-2023)

⁶⁸ In the [first landscape report](#), the Holmes Youthful Trainee Act (HYTA) was discussed in further detail.

Jail Policy Analysis



Background

The Michigan Joint Task Force on Jail and Pretrial Incarceration (Jail Task Force), established in 2019, sought to evaluate jail and pretrial practices in Michigan and identify areas for reform. The Jail Task Force produced a final report that included a set of 18 policy recommendations, most of which were signed into law and became effective throughout 2021.⁶⁹ In April 2021, the Michigan Jail Reform Advisory Council (JRAC) was established through Executive Order 2021-5 to ensure that these laws generated from the Jail Task Force recommendations were properly implemented by law enforcement, jails, and courts throughout Michigan.⁷⁰ The JRAC released a series of recommendations⁷¹ to facilitate the implementation of jail reform legislation, including:

1. Establish unified data and case management systems for courts and jails.
2. Further explore judicial officers and law enforcement's knowledge of reforms.
3. Provide additional training for judges, attorneys, and law enforcement.
4. Establish a new body to review and act on the findings of the Landscape 2.0 project.

This Landscape 2.0 project, conducted by the Center for Behavioral Health and Justice at the Wayne State University School of Social Work (CBHJ), seeks to evaluate the implementation of these policy changes, focusing on five amendments that were codified into law and implemented during March, April, and October of 2021:

1. Use of appearance tickets for most misdemeanors, in lieu of jail (April 1, 2021; PA 393).
2. Summons tickets issued in lieu of arrest warrants for failure to appear in court (April 1, 2021; PA 394).
3. Presumption of non-jail sentences for non-serious misdemeanors (March 24, 2021; PA 395).
4. Driver's license suspensions no longer used for non-driving related offenses (October 1, 2021; PA 376 - PA 380).
5. Reclassification of some traffic misdemeanors to civil infractions (October 1, 2021; PA 382).

The CBHJ analyzed data from 12 county jails⁷² in Michigan see if these five amendments had any observable influence on the rate and nature of jail bookings thereafter. This analysis was conducted to answer the following questions:

1. Is there a reduction in failure to appear charges at booking intake?
2. Is there a reduction in the number of misdemeanor charges found at jail booking?
3. Are there reductions in misdemeanors for traffic related offenses?
4. Are there reductions in driver's license suspensions during court proceedings following Clean Slate?

The 12 jails analyzed are especially diverse in terms of their population, demographics, number of law enforcement organizations, and location throughout the state. In order to explore whether the effects of the policy amendments of interest were equal across "place," counties were categorized as rural (population less than 37,000 people), or non-rural (population greater than 160,000 people).

⁶⁹ Michigan Jail Reform Advisory Council (2022): [2021 Report to the Governor, Legislature, and Supreme Court](#).

⁷⁰ Michigan Executive Order 2021-5: [Michigan Jail Reform Advisory Council Department of Technology, Management and Budget](#).

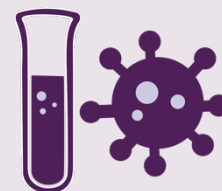
⁷¹ Michigan Jail Reform Advisory Council (2022): [2022 Final Report to the Governor, Legislature, and Supreme Court](#).

⁷² County jail booking data was either provided directly to the CBHJ or obtained through support from the Michigan State Police data warehouse. Counties included were Alger, Antrim, Chippewa, Genesee, Ingham, Kent, Muskegon, Oakland, Oceana, Ogemaw, Ontonagon, and Washtenaw.

Important considerations for evaluating the impact of reform legislation

The COVID-19 pandemic

As discussed in the [Adult Criminal Justice System Overview](#), the COVID-19 pandemic had a unique influence on crime. Furthermore, the acute onset of the pandemic occurred very shortly after the Jails Task Force released its final report and recommendations. This has had direct consequences on the intended impact of arrest and jail policy changes and this evaluation. As noted in the JRAC 2021 report, “...lodging restrictions associated with the COVID-19 pandemic further complicated efforts to isolate and measure the true impact of the jail reforms.”⁷³



In order to evaluate the actual impact of the reforms of March-October of 2021 and avoid any confounding factors from the pandemic, this report compares data from the year before the pandemic (2019) to the year after the reforms (2022) to determine whether there were, in fact, any meaningful observable changes following the policy changes that went into effect.

Considering Changes in Crime

Large fluctuations in crime across time have clear implications for law enforcement outcomes, namely in the number of arrests they make, which in turn has implications for the number and type (e.g., violent, non-violent, etc.) of admissions made at county jails. For example, if there was a significant increase in property crime from the pre-pandemic period to the post-reform period, we might expect that the influence of the policy amendments be less evident because more arrests are being made by law enforcement in response to those changes. On the other hand, if property crime experienced a significant decrease across those periods, that change is likely to be accompanied by fewer misdemeanor-level arrests and thus fewer such bookings into county jails. In either case, it is necessary to employ caution in making sense of the policy amendments' influence on who was entering the jail thereafter.

Figure 4.1 shows change in total offenses⁷⁴, Part I⁷⁵ offenses, and Part II⁷⁶ offenses reported in 2019 and 2022. While overall offenses across all the 12 counties decreased about two percent from 2019 to 2022, that included a three percent increase in Part I crime and slightly more than four percent decrease in Part II crimes. In rural counties, there was an approximately six percent decrease in total crime offenses, which includes a 12 percent drop in Part I offenses and five percent drop in Part II offenses from 2019 to 2022. Finally, in non-rural counties, there was an overall decline of about one percent in offenses, which included an over three percent increase in Part I offenses and four percent reduction in Part II offenses from 2019 to 2022.

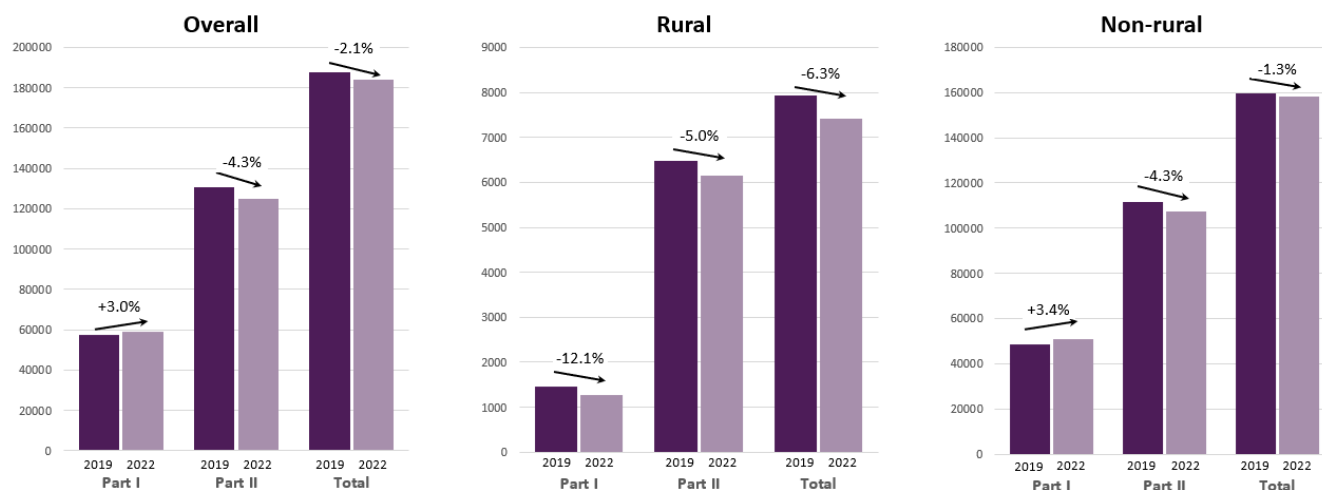
In sum, there were a variety of changes in crime from 2019 to 2022 that occurred in the 12 counties that were analyzed. While these changes are mostly small, it is not possible to discern the exact influence of these shifts on the number and composition of jail bookings that occurred from 2019 to 2022. These changes in crime should simply be held alongside any observed changes that appear to be a consequence of the implementation of the policy reforms of interest. For instance, if rural and non-rural communities observe a reduction in misdemeanor bookings post-reform, it would be fair to assume that at least a small part of that reduction was a consequence of reduced property crimes during that span.

⁷³ Michigan Jail Reform Advisory Council (2022): [2021 Report to the Governor, Legislature, and Supreme Court](#).

⁷⁴ The number of offenses is compared (rather than rates) because there were negligible changes in the populations of sample counties those few years. Offenses are defined by the Michigan State Police as “An unlawful act which has been reported to a law enforcement agency.”

⁷⁵ Part I Offenses are: Murder, rape (includes Forcible Sodomy and Sexual Assault with an Object), robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson).

⁷⁶ Part II Offenses are: All reported criminal offenses of negligent manslaughter, non-aggravated assault, forgery & and counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution & common law vice, sex offenses, narcotic laws, gambling, offenses against family & and children, driving under the influence, liquor laws, disorderly conduct, and all other crimes not listed here or in index crimes.

Figure 4.1: Offenses overall, in rural and non-rural counties

Data source: Michigan State Police Michigan Incident Crime Reporting (2019-2022)

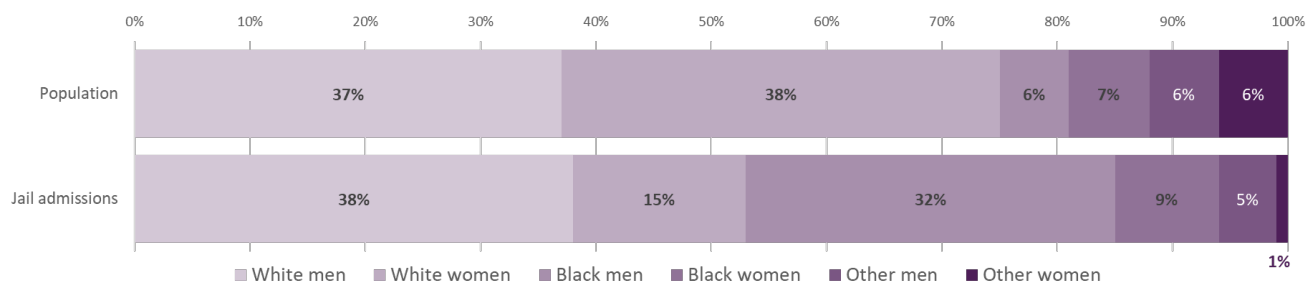
Landscape 2.0 findings

Demographics

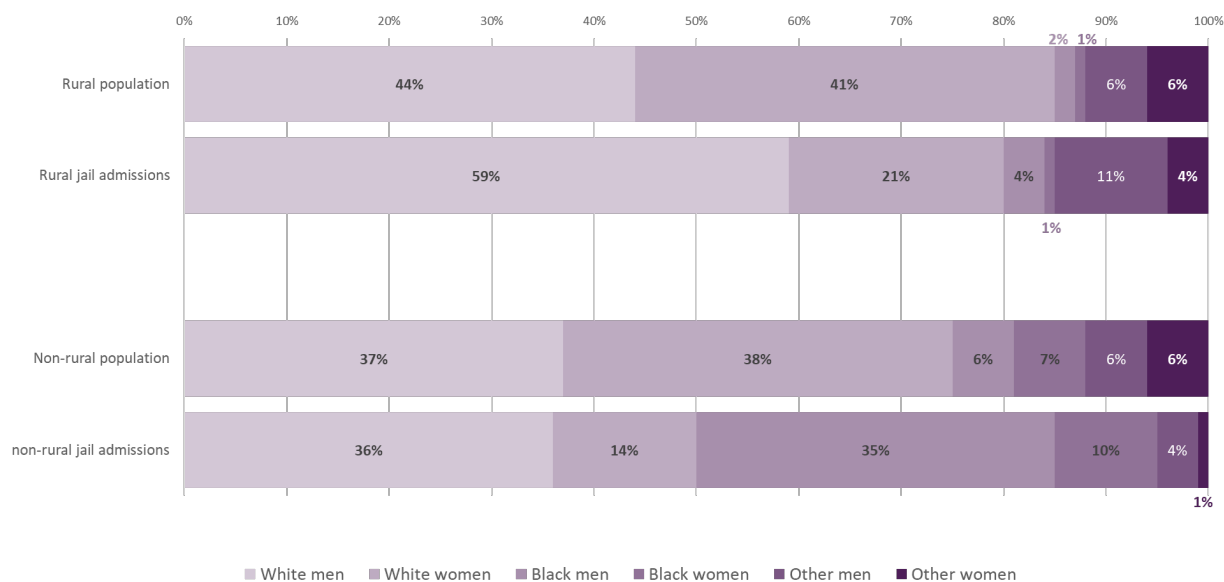
Similar to Pew’s 2021 findings, **Black men and women were overrepresented in jail bookings relative to their numbers in the general population of the 12 counties in our sample.**⁷⁷ Figure 4.2 shows Black men account for just 6 percent of the general population in our sample counties but 32 percent of overall jail admission in those counties – a rate more than five times higher than their numbers in the general population. Further, Black women account for seven percent of the general population in these counties but nine percent of overall admissions. Comparatively, white men account for 37 percent of the general population in these counties and 38 percent of the jail admissions, whereas white women represent 38 percent of the general population but just 15 percent of jail admissions.



⁷⁷ Pew Charitable Trusts (2021): [Michigan Enacts Landmark Jail Reforms](#).

Figure 4.2: Offenses overall, in rural and non-rural counties


Data source: Michigan State Police Michigan Incident Crime Reporting (2019-2022)

Figure 4.3: Jail admission and resident population by race and sex in rural and non-rural counties


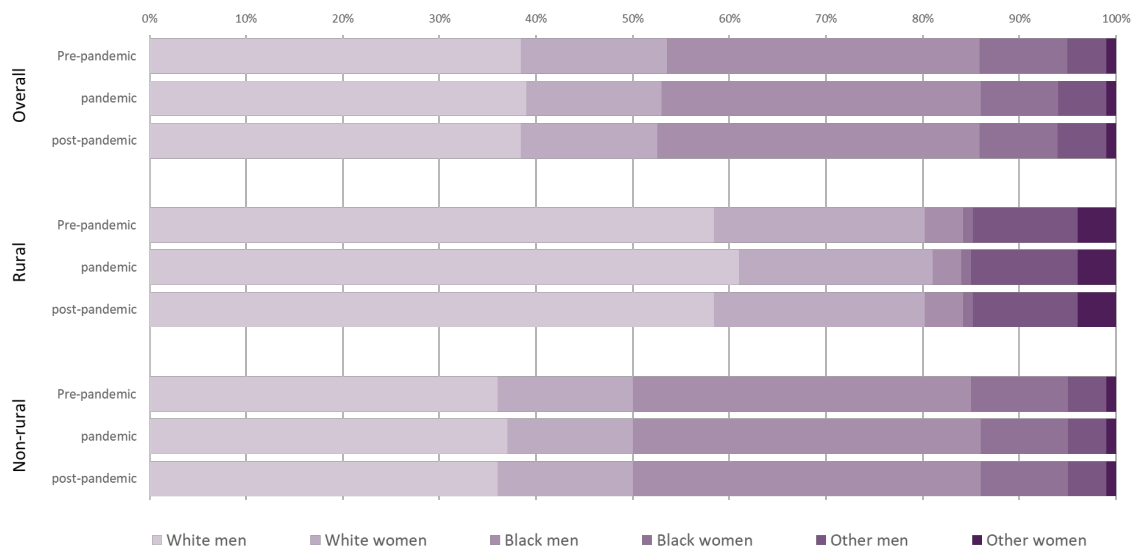
Data source: United States Census Bureau ACS 5-Year estimates (2021), Michigan State Police Michigan Incident Crime Reporting (2022)

Importantly, Figure 4.3 also reveals that there are important differences in these disparities across rural and non-rural counties that must be unpacked. Black men were booked into jail in rural counties at a rate twice as high as their numbers in the general population in those counties (4 percent vs 2 percent), which is far less than the rate of nearly six-to-one in non-rural counties. Thus, it appears that **non-rural counties largely drove the racial disparities in jail admissions** evident in our data.

The pandemic or the policy amendments did not have any discernible influence on the racial composition of jail bookings in our sample counties. Overall, there were negligible differences in who was being admitted into the jail before the pandemic, during the pandemic, or following the policy amendments that are of primary interest to the current evaluation (Figure 4.4). These findings contrast with national research which demonstrated that the COVID-19 pandemic exacerbated pre-existing racial disparities in United States criminal legal systems.⁷⁸

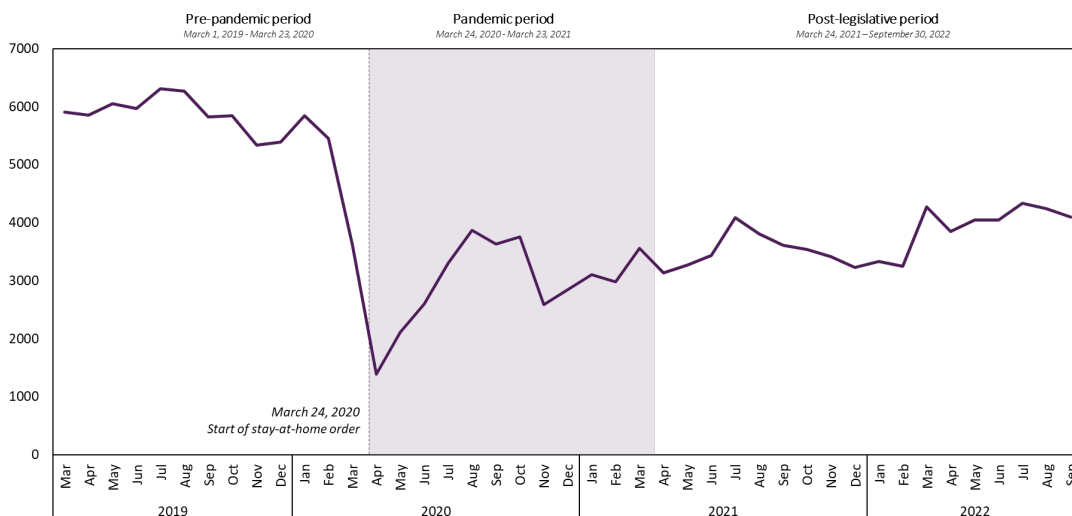
⁷⁸ Klein, B. et al. (2023): [COVID-19 amplified racial disparities in the US criminal legal system.](#)

Figure 4.4: Jail admissions by race and sex over time



Data source: United States Census Bureau ACS 5-Year estimates (2021), Michigan State Police Michigan Incident Crime Reporting (2022)

Figure 4.5: Overall jail booking



Data source: County jail booking data, 3/1/2019 – 9/30/22

Overall Bookings

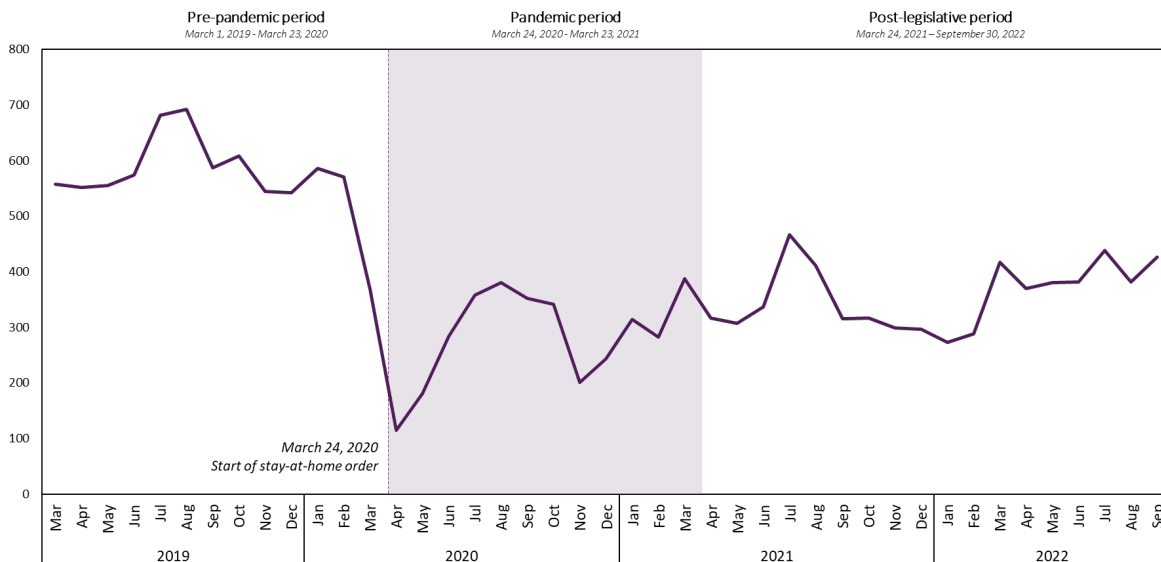
Overall changes in the number of jail bookings were examined to explore whether there is evidence that implementation of PAs 393- 395 was accompanied by a reduction in the number of bookings. Each of these policy amendments prioritized non-jail responses – summons tickets, appearance tickets, and non-jail sentences for non-serious misdemeanors – that should reduce jail bookings.

Not surprisingly, Figure 4.5 reveals that the first and most significant reduction in bookings during the study period occurs in mid-March 2020 at the onset of the COVID-19 pandemic, with bookings declining by roughly three-quarters in less than a two-month period due to the public health mitigation strategies that were employed at that time. While bookings gradually increased as the pandemic persisted, they remained considerably lower than the pre-pandemic period all the way through the point at which the policy amendments were implemented at the end of March and beginning of April 2021. Once the policy amendments were in effect, bookings remained far lower than the pre-pandemic period, dropping 35 percent from an average of 188 bookings per day in the pre-pandemic period to 122 per day in the post-reform period.

The reduction in jail bookings across the study period was evident in rural and non-rural types of counties. In rural counties, average daily bookings per day declined from 19 bookings per day in the pre-pandemic period to about 12 bookings per day following implementation of PA 393-395 – a reduction of nearly 39 percent post-reform (Figure 4.6).

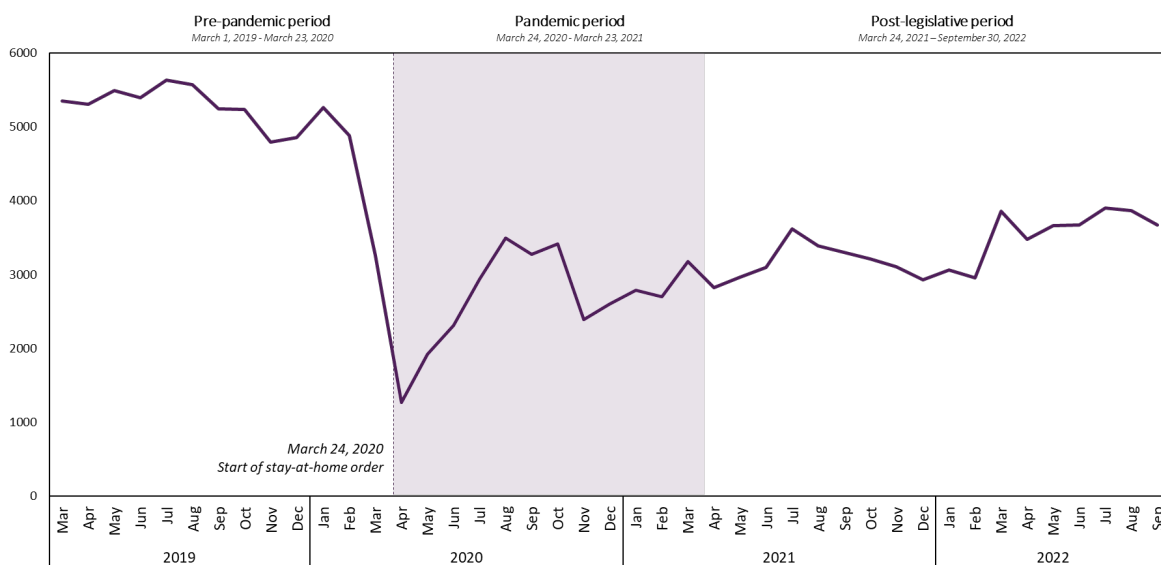
Overall, every single jail experienced a significant reduction in the number of bookings happening at the start of the pandemic followed by gradual increases over the next few months. Without exception, all 12 of the county jail populations remained at levels much lower than their pre-pandemic levels in the post-reform period. Not surprisingly, this same pattern is seen in misdemeanor bookings, though there is evidence of one county returning to a misdemeanor booking level in the post-reform period that is essentially the same as the period preceding the pandemic and the reforms.

Figure 4.6: Overall jail booking in rural counties



Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.7: Overall jail booking in non-rural counties



Data source: County jail booking data, 3/1/2019 – 9/30/22

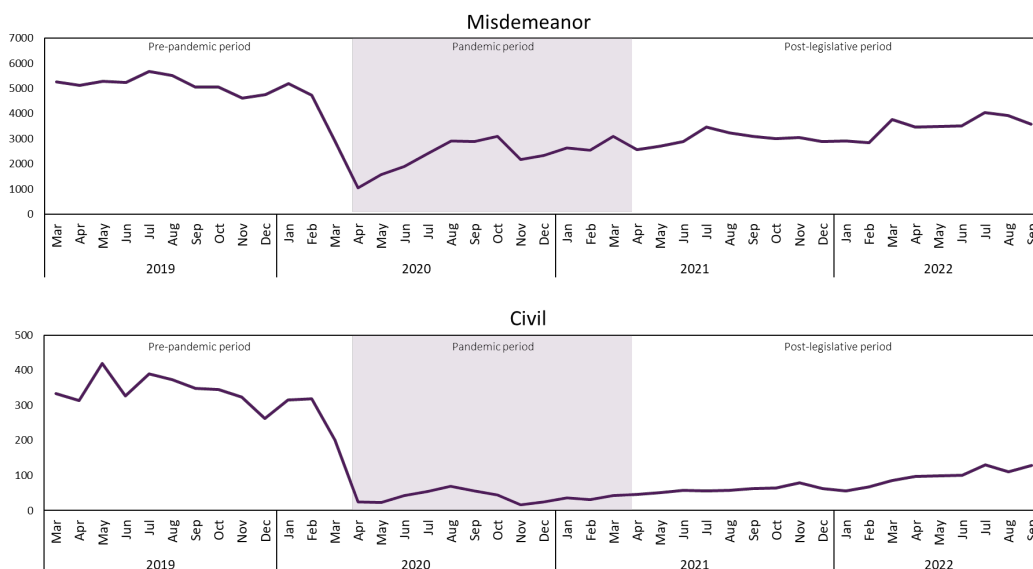
Most Serious Charge

This study looked for changes in the seriousness of booking charges that county jails were processing to evaluate implementation of reforms and PA 395 in particular. Given that the reforms were broadly focused on reducing jail populations through the use of non-jail alternatives, especially for people who commit non-serious misdemeanors, one would expect to see a reduction in misdemeanor charges at jail booking.

Figure 4.8 breaks down jail bookings by seriousness of offenses. First, and most notably, bookings that involved

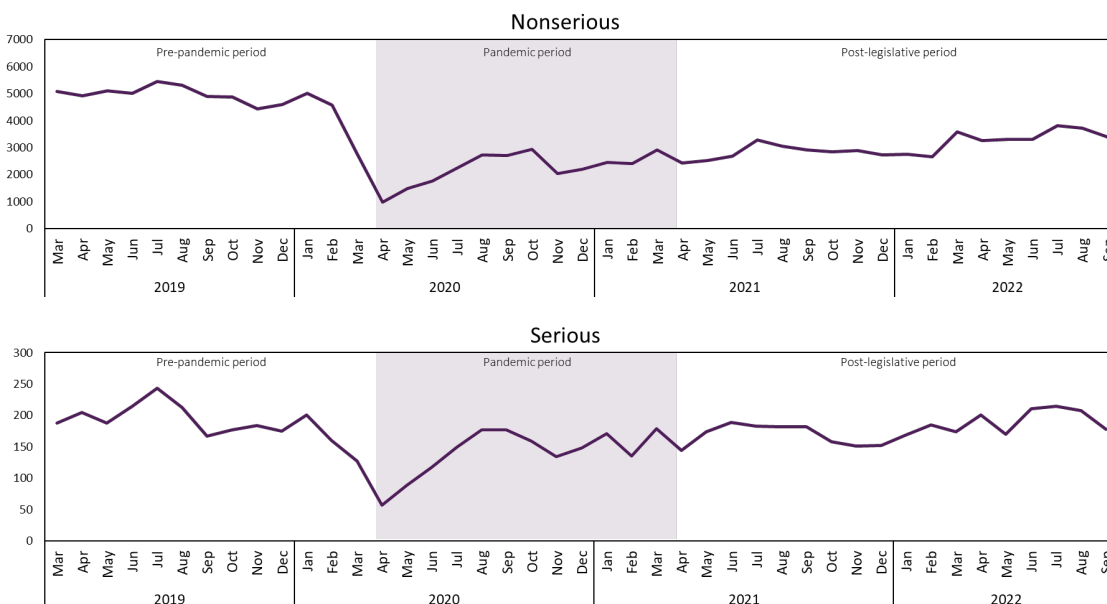
misdemeanors as their most serious charges both declined dramatically from the pre-pandemic to post-reform periods and remained low throughout the duration of the post-reform study period. The post-reform period saw an average of 1,859 misdemeanor-level bookings per month compared to the pre-reform average of 3,245 such bookings per month, or a drop of 43 percent. Civil-level bookings averaged 44 per month in the post-reform period relative to 184 per month in the pre-pandemic average, or a decrease of over 75 percent following the policy amendments.

Figure 4.8: Most serious booking charge, misdemeanor and civil offenses



Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.9: Misdemeanor bookings by seriousness



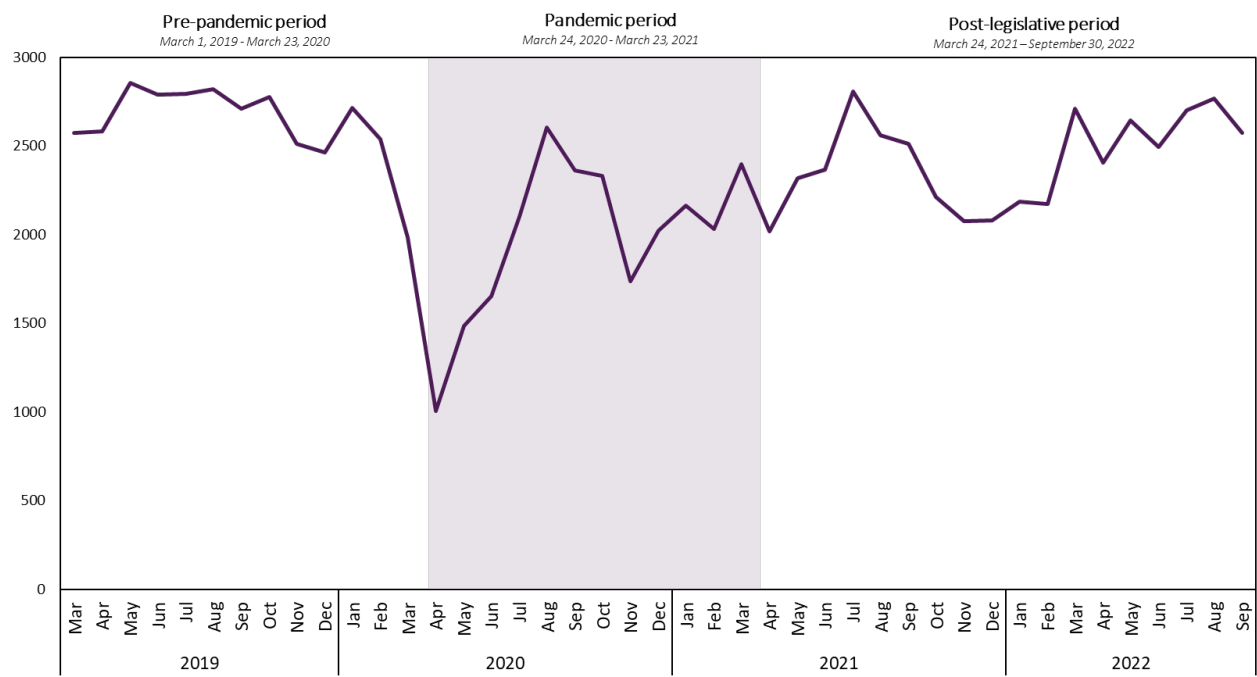
Data source: County jail booking data, 3/1/2019 – 9/30/22

Changes in misdemeanor bookings across the study period based on their seriousness, as defined by MCL 780,811, is highlighted in Figure 4.9. As can be seen, the influx of non-serious misdemeanors bookings experienced and maintained much lower numbers in the post-reform period. Given the suite of reforms’ chief interest in keeping people out of jail, especially for lower-level misdemeanors, this is evidence of at least some success. Continued attention to the recent increase in such bookings should be attended to in future work, however, to ensure that the continued prioritization of reducing the presence of such cases in jails persists.

Second, while felony bookings (Figure 4.10) declined dramatically for a few months at the start of the pandemic, they returned to levels close to their pre-pandemic numbers thereafter, which is not surprising given that the reforms did not necessarily aim to change the system’s response to serious offenses. Still, the monthly average of felony-level bookings in the post-reform period was about 17 percent less than the pre-pandemic period, falling from 2,017 bookings per month before the pandemic to 1,736 bookings after the policy amendments were enacted despite not being a focus of those reforms.



Figure 4.10: Most serious booking charge, felony offenses



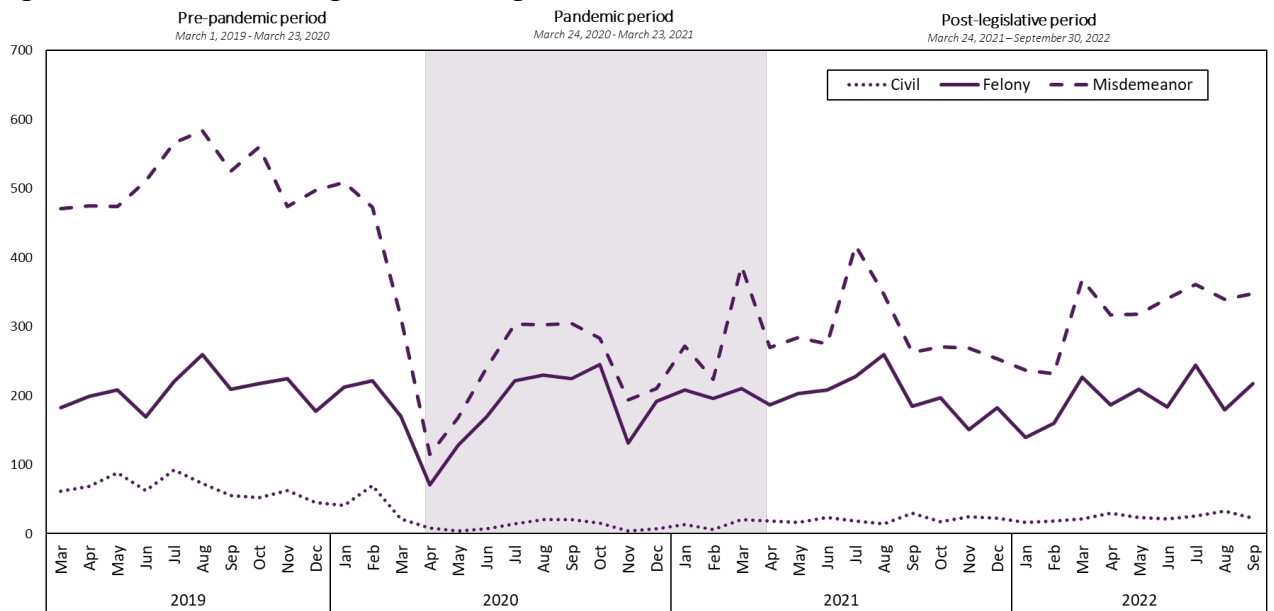
Data source: County jail booking data, 3/1/2019 – 9/30/22

Figures 4.11-12 contextualize changes across in booking serious by county type. In both graphs, the decline in bookings across civil and misdemeanor levels is quickly evident, with reductions in felonies from the pre-pandemic to post-reform period much less obvious. Figure 4.11 shows similar declines in civil and misdemeanor offenses in rural and non-rural counties. In rural counties, civil- and misdemeanor-level bookings declined by 71 and 45 percent, respectively, from the pre-pandemic to post-reform period. In non-rural counties, civil- and misdemeanor-level bookings declined by 77 and 42 percent, respectively, from the pre-pandemic to post-reform period.

percent, respectively, from the pre-pandemic to post-reform period.

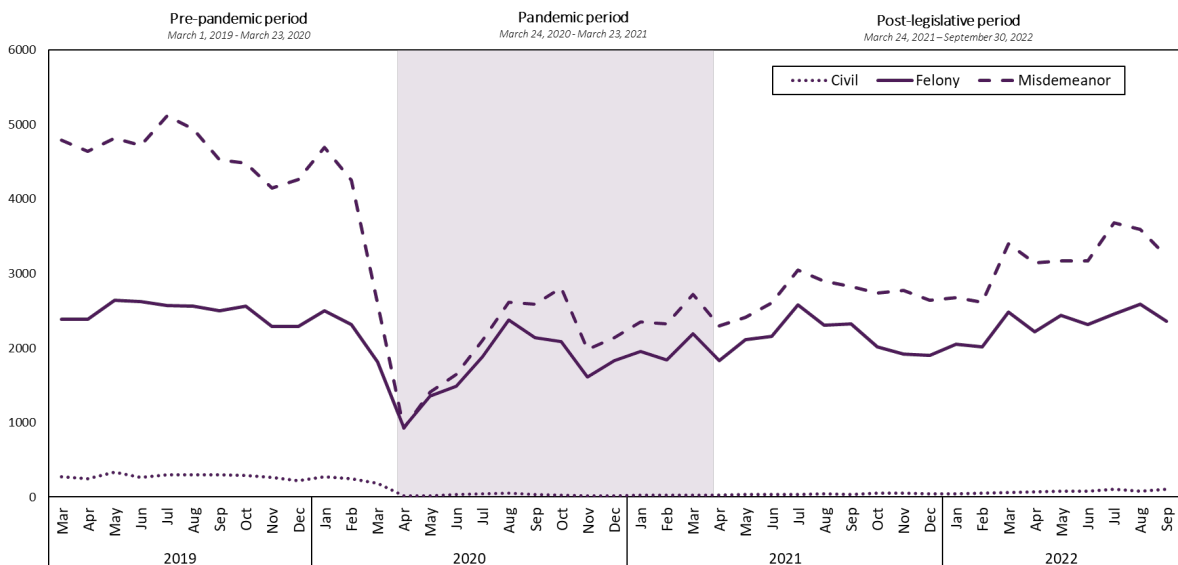
On the other hand, non-rural counties saw a larger decline in felony charges than rural counties. In rural counties, felony-level bookings dropped by a little more than 10 percent. Felony-level charges dropped by about 18 percent in non-rural counties, nearly double the size of the decline in such bookings that was observed in rural counties across those periods.

Figure 4.11: Most booking serious charge, rural counties



Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.12: Most booking serious charge, non-rural counties



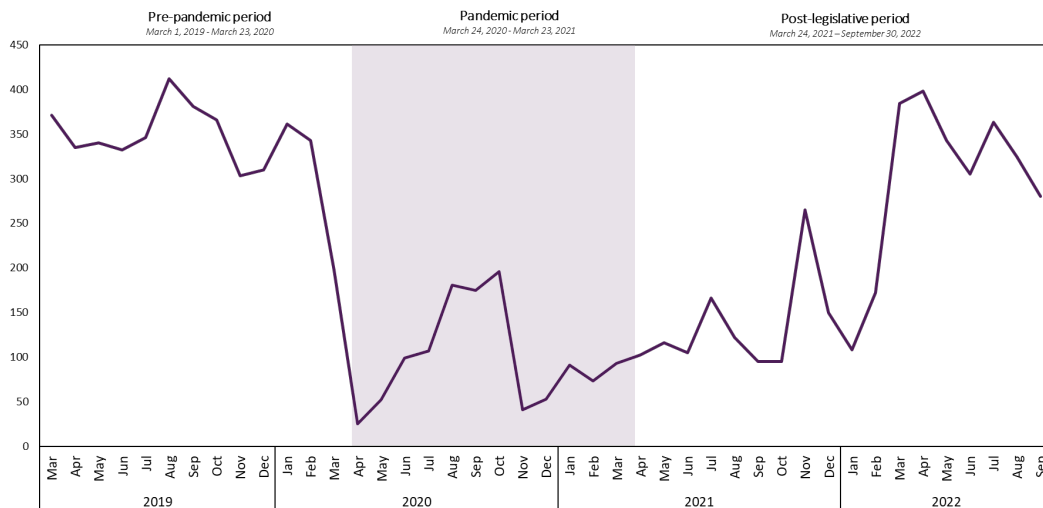
Data source: County jail booking data, 3/1/2019 – 9/30/22

PA 394 focuses on the use of summons tickets in lieu of arrest warrants for failure to appear (FTA) in court, which has historically been a leading contributor to jail bookings in counties throughout the state. The data was analyzed to determine if there was an observable reduction in the frequency of individuals booked into jail on failure to appear charges.⁷⁹

Overall, Figure 4.13 shows that **bookings for failure to appear experienced a precipitous decline at the start of pandemic and stayed significantly lower than the pre-pandemic for about a year and a half.** Across all 12

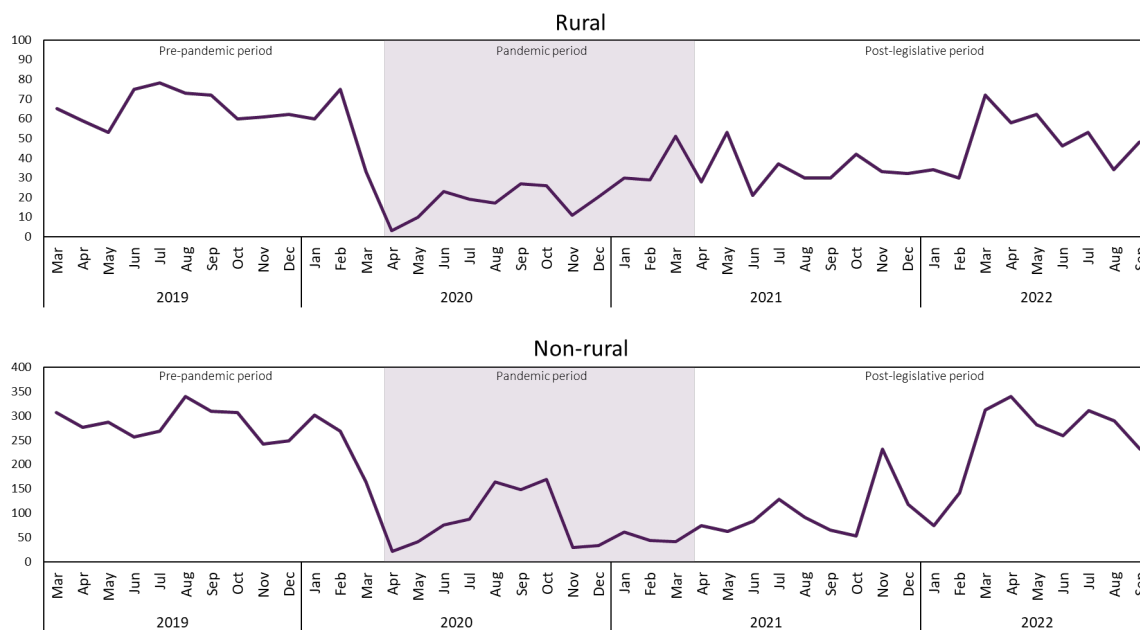
sample counties, there were about 11 bookings for failure to appear charges per day in the pre-pandemic period. Comparatively, the post-reform period saw about 7 bookings per day for failure to appear charges. This represents a decline of about 37 percent across the time periods. Recent spikes in failure to appear bookings are likely attributable to shifts in court operations and longstanding pandemic-related backlogs. Given the policy reforms prioritization of reducing jail time for failure to appear cases, these patterns must be actively monitored as courts continue their return to normal, pre-pandemic operations.

Figure 4.13: Overall failure to appear bookings



Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.14: Failure to appear bookings, rural and non-rural



Data source: County jail booking data, 3/1/2019 – 9/30/22

⁷⁹ This study did not have court data to analyze changes in the use of summons tickets, and thus used available booking data to evaluate implementation of PA 394.

Figure 4.14 shows changes in bookings involving failure to appear across rural and non-rural counties. Overall, the non-rural counties in our sample account for the predominance of failure to appear bookings across all three periods. However, there were several points during the analysis period that there was almost no difference between rural and non-rural FTA bookings. The gap between the counties in these types of bookings does approach zero during the second half of the pandemic period and in the months directly following the reforms before quickly growing again.

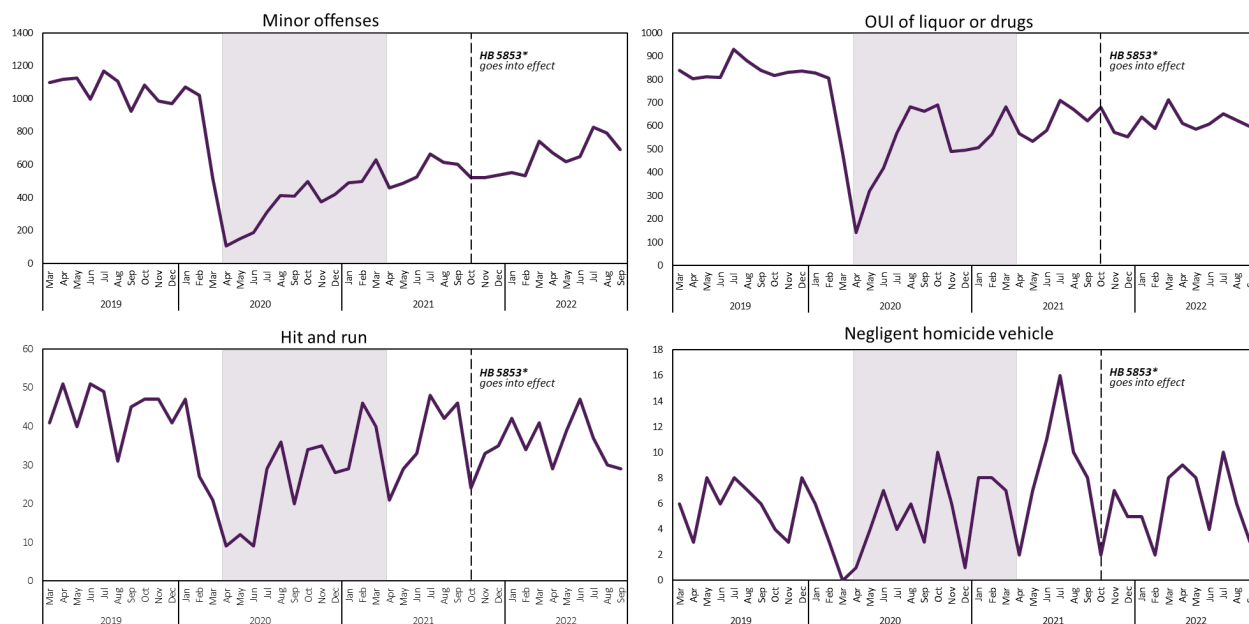
In the period after PA 394’s implementation, non-rural counties in our sample experienced 5.7 failure to appear bookings per day compared to 9.1 per day in the pre-pandemic period, or a drop of about 38 percent. Rural counties saw a drop of 36 percent from 2.1 failure to appear bookings per day in the pre-pandemic period to 1.4 in the post-reform period. While both rural and non-rural counties experienced large declines following PA 394, the most recent months of booking data do show evidence of a return to levels similar to the pre-pandemic period for all counties.

Traffic-Related Bookings

Traffic-related bookings, and minor⁸⁰ traffic-related offenses in particular, were analyzed for observable reductions to evaluate implementation of reforms. Figure 4.15 shows a drop to near-zero bookings at the start of the pandemic for all traffic-related offenses, which is likely due to a combination of very few people driving (due to emergency stay-at-home orders and remote work arrangements) and law enforcement’s de-prioritization of traffic-related stops (due to public health risks inherent within traffic stops).

After the first few months of the pandemic, all traffic-related bookings quickly returned to about two-thirds of their pre-pandemic levels. Yet across the entire post-reform period, **all categories of traffic-related bookings remain lower than their pre-pandemic numbers**, dropping 41 percent from an average of about 40 traffic-related bookings per day in the pre-pandemic period to about 24 per day post-reform.

Figure 4.15: Misdemeanor traffic level bookings



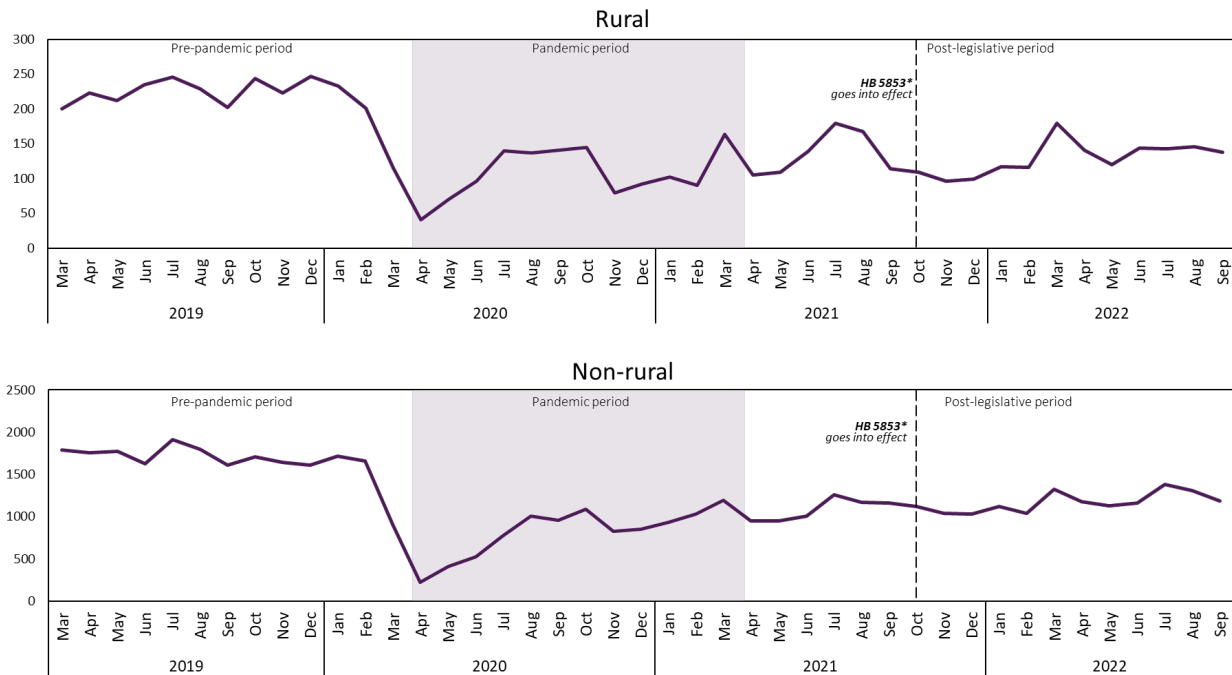
**HB 5853 (2020 PA 382, effective October 1, 2021) changed most, but not all, misdemeanors in the Michigan Vehicle Code to civil infractions
Data source: County jail booking data, 3/1/2019 – 9/30/22*

⁸⁰ Minor offenses are charges in: motor vehicle fraud; traffic violation; violation of rules; traffic, non-criminal; and, motor carrier safety acts categories.

Figures 4.16 show that both rural and non-rural counties in our sample experienced fewer bookings for traffic-related offenses in the post-reform period than the pre-pandemic period. Rural counties experienced a decline of about 49 percent in such bookings following the reforms, whereas non-rural counties experienced a lesser but still significant drop of about 40 percent.

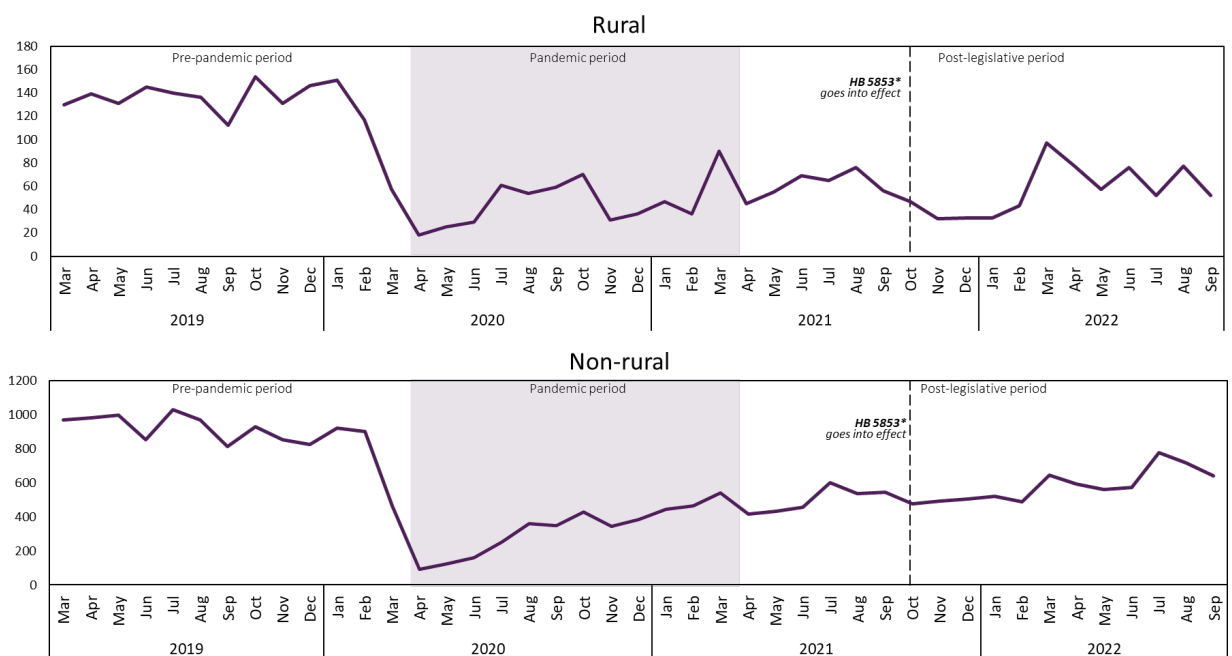
Focusing on minor traffic-related offenses shows that they remained at about half their pre-pandemic levels in the post-reform period in both rural and non-rural counties. Overall, there is preliminary evidence that the reforms contributed to the diversion of at least some of the non-serious traffic-related offenses they aimed to reduce in jails, though the size of their influence requires closer analysis in future evaluations.

Figure 4.16: Overall misdemeanor traffic bookings, rural and non-rural



Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.17: Minor misdemeanor traffic bookings, rural and non-rural counties

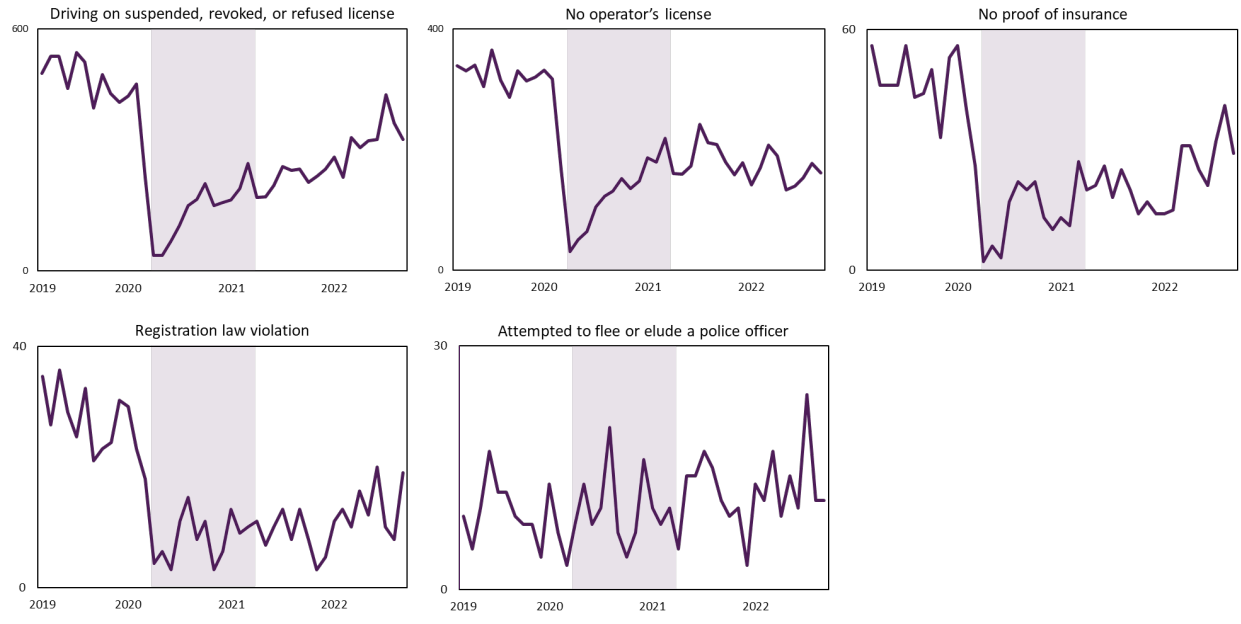


Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.18 provides broader insight into the five most common misdemeanor traffic offenses evident in the bookings for our sample of counties. These offenses include: 1) driving on a suspended, revoked, or refused license; 2) no operator’s license; 3) no proof of insurance; 4) registration law violations; and 5) attempted to flee or elude a police officer. Overall, the top four offenses have

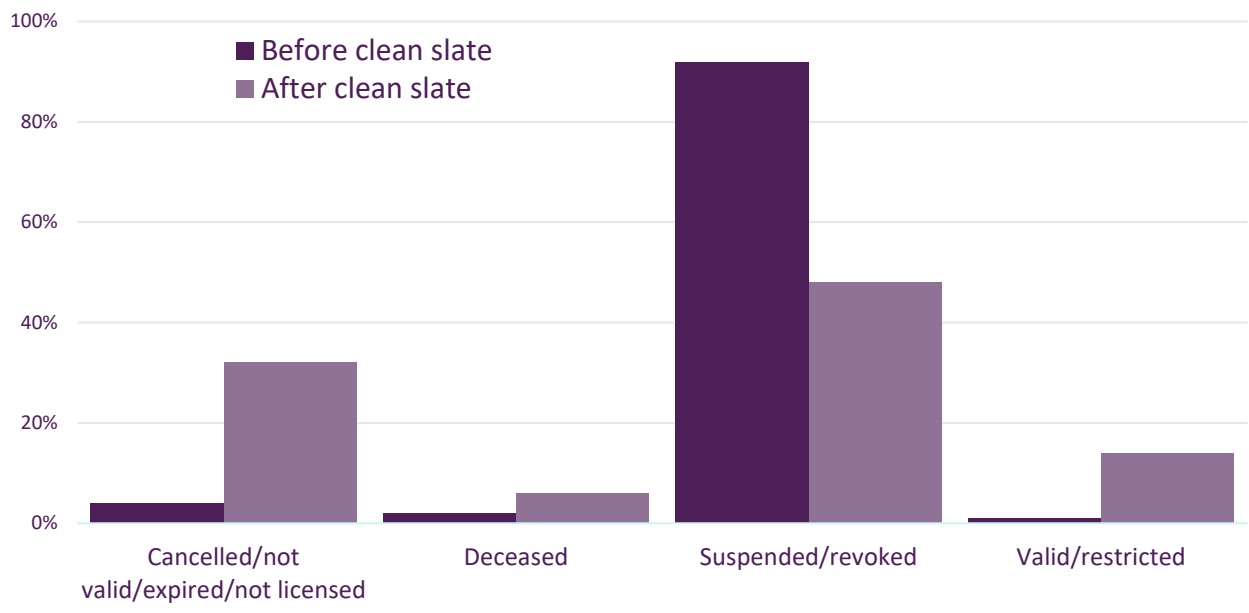
become less common among this sample of jails in the post-reform period, but there is clear evidence suggesting driving on a suspended, revoked, or refused license slowly returning to its pre-reform, pre-pandemic levels as of September 2022. Attempted to flee or elude a police officer charges increased across the entire study period.

Figure 4.18: Five most common traffic offenses



The Pandemic Period (3/24/20 – 3/23/21) is marked on purple in each timeline.
 Data source: County jail booking data, 3/1/2019 – 9/30/22

Figure 4.19: Driver status impacted by Clean Slate



Data source: County jail booking data, 3/1/2019 – 9/30/22

Driver’s License Suspensions

The final component of our analysis reviews data provided to us by the Michigan Secretary of State that highlights changes in status of license suspensions following adoption of Clean Slate⁸¹ on October 1, 2021. Specifically, the data provided to us examines what happened to individuals who, prior to the implementation of Clean Slate, had suspended or revoked licenses. We also make use of booking data to determine whether bookings involving a suspended, revoked, or refused license remain one of the leading bookings charges across our sample.

Figure 4.19 highlights changes in driver status among roughly 323,000 Michigan residents who, as of September 30, 2021 (one day before implementation of Clean Slate) had a suspended or revoked driver’s license. As of April 6, 2023, there was a remarkable reduction in the number of suspended/revoked licenses, from 92 percent to just 48 percent six months later. Relatedly, while just one percent of those drivers had a valid/restricted license before Clean

Slate, approximately 14 percent had valid/restricted licenses in the six-month follow-up period.

Additionally, jail booking data was reviewed to determine whether there was an observable change in the frequency of arrests involving license suspensions or revocations from the pre-pandemic period to the post-reform period. Tables 4.20-22 show a list of top 10 bookings charges across the two periods. In both periods, the offense that accounts for the 4th highest number of bookings is driving on a suspended, revoked, or refused license. While our previous analysis shows a reduction in overall traffic-related bookings in our sample across study periods, it remains the case that driving without a valid license remains a leading cause of jail incarceration. While fewer people are being arrested and booked into jails for these offenses, they account for a large share of jail bookings that are taking place in counties throughout the state.

Table 4.20: Top ten booking charges pre-pandemic

Rank	N	Offense type	Offense	MICR Code
1	9,172	Non-aggravated assault	Simple assault	1313
2	7,153	Obstructing justice	Probation violation	5012
3	6,789	OUI of liquor or drugs	Operating UI of intoxicating liquor (motor vehicle)	8041
4	5,924	Traffic violation	Driving on suspended, revoked or refused license	8273
5	4,382	Obstructing justice	Failure to appear	5015
6	4,049	Traffic violation	No operator’s license	8271
7	3,517	Family, abuse/neglect non-violent	Neglect child	3806
8	3,487	Obstructing justice	Contempt of court	5005
9	2,463	Retail fraud, theft	Retail fraud, 3rd degree	3078
10	2,368	Retail fraud, theft	Retail fraud, 2nd degree	3074

Data source: County jail booking data, 3/1/2019 – 3/25/20

Table 4.21: Top ten booking charges post pandemic

Rank	N	Offense type	Offense	MICR Code
1	12,554	Non-aggravated assault	Simple assault	1313
2	7,586	OUI of liquor or drugs	Operating UI of intoxicating liquor (motor vehicle)	8041
3	5,102	Obstructing justice	Probation violation	5012
4	5,035	Traffic violation	Driving on suspended, revoked or refused license	8273
5	3,905	Obstructing justice	Failure to appear	5015
6	3,369	Weapons offense, concealed	Carrying concealed	5202
7	3,189	Traffic violation	No operator’s license	8271
8	3,028	Aggravated assault	Assault (other)	1399
9	2,797	Obstructing justice	Contempt of court	5005
10	2,611	Obstructing police	Resisting officer	4801

Data source: County jail booking data, 3/1/2019 – 3/25/20

⁸¹ Michigan Department of State (2024): [Road to Restoration and Clean Slate to Drive laws](#).

Implications

This analysis of over three years of booking data from 12 Michigan jails offer some of the first data-driven insights about the state's jail landscape following the 2021 policy reforms and a number of key implications:

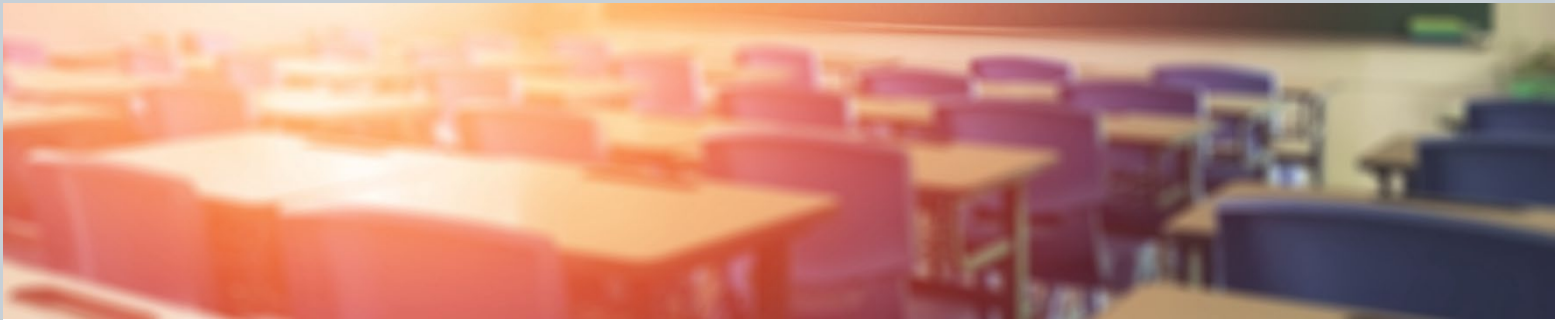
1. **Changes in the frequency and nature of jail bookings following reform.** While the pandemic presents a serious challenge to isolating the size and scope of the effect of the 2021 legislative reforms on jail populations, this analysis reveals broader evidence of their impact beyond the influence of the pandemic, and also shows that specific infractions (failure to appear, traffic violations, etc.) experienced declines that legislation aimed to facilitate.
2. **Changes in jail bookings vary across counties.** Analysis of booking data shows that misdemeanors bookings were lower in the post-reform period than the pre-pandemic period, offering some preliminary evidence of the policies' broader impact. Importantly, however, the magnitude of changes varies across counties, which points to the need for continued attention, and perhaps deeper analysis, of jail populations in individual counties as time goes on. Relatedly, it is important to consider factors not addressed in this analysis, including, for instance, court backlog following the pandemic, which numerous community partners have pointed to during this project.
3. **Emerging evidence of jail populations returning to pre-pandemic levels.** While this analysis highlights broad changes to jail bookings that would be expected following the reforms, there are some instances of returns to pre-pandemic levels. Attending to whether these changes are temporary or lasting is an important area of inquiry, particularly if the expectation is that reform results in enduring change. If there are places where bookings, particularly bookings for non-serious misdemeanors, return to pre-pandemic levels, those reversals should be taken seriously and explored so that they can be understood and, if possible, addressed.

Conclusion

Broadly considered, this analysis offers preliminary evidence of changes to jail populations following the adoption of legislative reforms in 2021 that aimed to keep non-serious misdemeanors out of jail and in the community to avoid the disruptive influence of jail on people's lives and on the criminal legal system as well. In particular, data points to a meaningful decline in misdemeanors broadly, and non-serious misdemeanors especially, following the reforms, which included declines in bookings involving failure to appear charges and minor traffic-related offenses, as some of the reforms focused on. Importantly, it is clear that changes in crime happening in these counties during the study period was not driving trends in bookings that were uncovered in this analysis. That said, the pandemic's disruption on the criminal legal system cannot be understated and had clear impacts on the 12 county jails in this study sample. The extent to which the influence of the pandemic is still alive and underlying the booking patterns observed is an important question that will need to be examined in the coming years. For now, this evidence should be taken as encouraging in that booking levels for those offenses connected to legislation in most counties remain lower than they were before the pandemic, but also with caution as recent evidence points to waning influence of the reforms on who is entering some jails.



Readying the Landscape for Change: Implementation of a Risk Assessment in Youth Justice



Background

Youth justice experts suggest that the most effective approach to reducing recidivism is to 1) identify and focus supervision and services on those youth at highest risk for reoffending, 2) identify and address the key factors and needs that are contributing to the youth's delinquent behavior, and 3) match youth to services based on their strengths and responsiveness to treatment.⁸² A significant body of evidence suggests that the use of this risk-need-responsivity principle (RNR) will lead to better outcomes in the justice system, mainly concerning decreased recidivism rates⁸³ and decreased reliance on more intense or restrictive levels of probation supervision.⁸⁴

The principles underlying this approach are:

- **Risk Principle:** The intensity of services should match the youth's risk of reoffending.
- **Needs Principle:** Interventions should target the criminogenic (dynamic) factors associated with the youth's delinquency and risk of reoffending.
- **Responsivity Principle:** Services should be targeted based on the domains where the highest criminogenic needs are present and should be tailored to each youth's unique abilities and learning styles.

The Youth Assessment and Screening Instrument™ (YASI) is part of the Risk-Needs-Responsivity (RNR) approach to youth justice planning and decision-making.⁸⁵ The YASI encompasses 10 domains: legal history, family, school, community/peers, alcohol/drugs, mental health, violence/aggression, attitudes, adaptive skills, and use of free time/employment. The risk assessment scores consider both static (i.e., unchanging across time) and dynamic (i.e., changeable across time) risk and protective factors.

Case Study

More than 1,500 youth come through one of Michigan's large circuit court systems annually. The Chief Judge convened a group of key partners in the youth justice system in 2019, including representatives from the community mental health and education systems, to review the assessment process. **The best solutions emerge out of deliberative, comprehensive, and inclusive processes where diversity of perspective is invited and encouraged.** This inclusive, open process ensures that the result is generated by the whole community, with a sense of collective stake in its success.⁸⁶ To that end, the Court engaged the services of the Center for Behavioral Health and Justice at the Wayne State University School of Social Work (CBHJ) to facilitate a series of weekly meetings that would result in decision-making regarding the assessment, processing and outcomes of youth entering the justice system.

⁸² Park, I., Sullivan, C.J., & Holmes, B. (2022): [An Assessment of Juvenile Justice Reform in Ohio: Impact on Youth Placement and Recidivism From 2008 to 2015](#).

⁸³ Andrews, D.A., & Bonta, J. (2010): [Rehabilitating criminal justice policy and practice](#); Dowden, C. & Andrews, D.A. (1999): [What Works for Female Offenders: A Meta-Analytic Review](#); Lipsey, M.W. (2009). [The primary factors that characterize effective interventions with juvenile offenders](#).

⁸⁴ Luong, D. and Wormith, J.S. (2011). [Applying risk/need assessment to probation practice and its impact on the recidivism of young offenders](#).

⁸⁵ Lipsey et.al (2017): [Juvenile Justice System Improvement: Implementing an evidence-based decision-making platform](#).

⁸⁶ Heath, R. & Frey, L. (2004): Ideal Collaboration: A Conceptual Framework of Community Collaboration.

Participants jointly created a process map that outlined the various pathways by which youth currently entered the youth justice system and the various pathways they might take prior to termination. A list of strengths of the current system was created as well as potential challenges and barriers to implementing change. This list was continually updated as the project moved forward. Group members were provided information on the current research on brain development and national best practices in youth justice. Since no current data was available, the Court conducted a retrospective analysis of the historical patterns of disposition decisions, their relationship to the type and seriousness of crimes committed, and their impact on youth placements, supervision, and security levels. The retrospective analysis served to increase key partner's understanding of the imperative for change. It also allowed participants to check their assumptions about the youth, including assumptions about the types of offenses for which youth were being adjudicated and the dispositions that were rendered related to those offense levels.

Implementing the Youth Assessment and Screening Instrument

The Court's focus on the front end of the youth justice system was made with the goal of increasing the number of youths diverted from the system. Research has demonstrated that the severity of the first offense is not a significant indicator of future offending⁸⁷ and that most low-risk youth are unlikely to re-offend, even with little to no intervention.⁸⁸ Given the high costs of the youth justice system, especially the costs of confinement, it benefits justice-involved youth, the court, and youth justice agencies to categorize youth by risk, and then divert low-risk youth away from the system as soon and as often as possible, allowing resources for intensive services focused on high-risk youth.⁸⁹

To assess a youth's risk, the court decided to implement the YASI risk and needs assessment tool (see [Appendix A](#)) to determine each youth's risk of reoffending. The YASI was selected after the committee reviewed the various risk assessments available for youth in the justice system. The decision was made based on the YASI being used in other Michigan courts, the factors measured by the

assessment seemed to best fit the issues that youth petitioned to the court were experiencing and there were a number of research studies documenting the validity and efficacy of the assessment. The committee weighed the options around using the YASI screener versus the YASI comprehensive assessment and decided that the depth offered by the comprehensive assessment would be most valuable. The tool will be used with the youth who enter the youth justice system annually, administered at the front end of the process after a petition has been filed but before adjudication. The Global Appraisal of Individual Needs – Short Screener (GAIN-SS) can also be used to detect mental health issues and substance use disorders.

The YASI encompasses 10 domains: legal history, family, school, community/peers, alcohol/drugs, mental health, violence/aggression, attitudes, adaptive skills, and use of free time/employment. The risk assessment scores consider both static (i.e., unchanging across time) and dynamic (i.e., changeable across time) risk and protective factors.

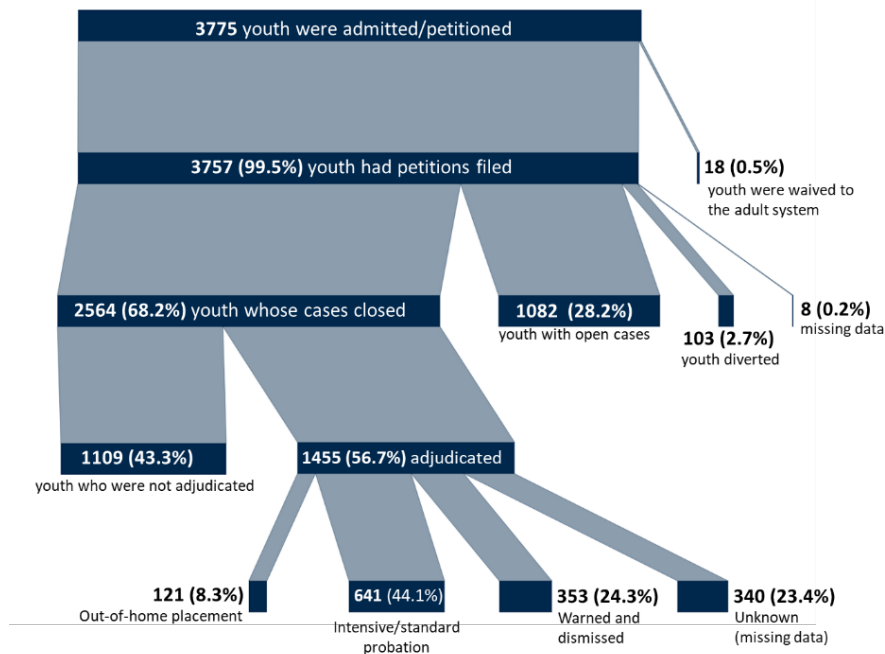
⁸⁷ Mulvey, E.P., et. al. (2010): [Trajectories of desistance and continuity in antisocial behavior following court adjudication among serious adolescent offenders.](#)

⁸⁸ Lipsey, M.W. (2009). [The primary factors that characterize effective interventions with juvenile offenders.](#)

⁸⁹ Vincent, G.M. (2016): [Risk assessment matters, but only when implemented well: A multisite study in juvenile probation.](#)



Figure 5.1: Case pathways



Data source: Michigan Department of Corrections Youth in Prison Legislative Report (2018-2023)

Case Study Results

During the 28 months of this study, 3,775 youths were charged and petitioned to the Court. In 2021, as an example year, the total number of youth petitioned to the Court was slightly over 1 percent of the youth population in the county ages 13 – 17 years old.⁹⁰ Figure 5.1 shows the case pathways of the youth in this analysis.

Of the 2564 closed cases, 1109 were not adjudicated. A juvenile court case may close without an adjudication for several reasons.⁹¹ In all, 1455 youths were adjudicated by the Court. At the end of the study, 1082 cases remained open.⁹² Due to missing and incomplete data, the outcome is unknown for 340 (23.4 percent) adjudicated youth.

One hundred and three youth were diverted from the youth justice system. **Prior to the implementation of the risk assessment, these youth would have entered the juvenile court system.** Aside from warn and dismiss or placement on consent calendar-type programs, there were previously no diversion decisions made by the Court. Diversion decisions were made prior to petition by the prosecutor’s office. The prosecutor’s office had been referring youth to local diversion providers for over 15

years at the point that this study commenced. Eligibility criteria for the prosecutor’s diversion program were rather strict, therefore low-risk youth who had prior offenses, for example, were referred to the Court.

Among the cases that closed during the study, 641 youth (42 percent) were placed under standard probation or intensive probation. 121 youth (8.3 percent) were placed in out-of-home placement. An out-of-home placement may be secure or not secure and may be in foster care, independent living, a group home, or a residential facility. The specific type of out-of-home placement these youth were sent to was not gathered.

Nearly a quarter of youth cases that proceeded to adjudication, 24 percent were 'warned and dismissed'. Youth are warned and dismissed when the Court reviews the facts of the case and decides to dismiss the youth with a warning not to offend again or their prior offense may be taken into consideration in determining the response to another offense. Youth who are warned and dismissed do not receive any services.

⁹⁰ The Annie E. Casey Foundation (2021-2022): [Kids Count Data Center](#).

⁹¹ A juvenile court case may close without adjudications because the case may have been dismissed, the youth may have failed to respond to a warrant, the youth failed to appear or was unable to be located, or the case was waived to the adult.

⁹² Cases may have remained opened because it had just recently been opened, because services were ongoing, the youth may not have completed their treatment plan, or the youth was awaiting a hearing.



Overview of YASI Implementation

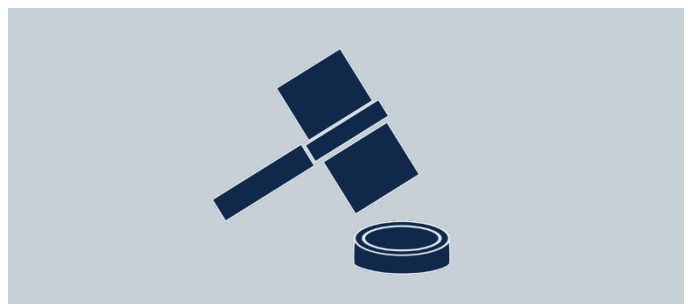
As originally conceived, the risk assessment process was aimed at diverting additional youth from justice system involvement. The process was designed to administer the risk assessment once the youth had been petitioned to the Court but before adjudication or disposition. Completing the risk assessment at this point would provide the defense attorney with information related to the youth’s risk of reoffending and therefore allow them to pursue diversion for youth when appropriate. If the youth was at low risk for reoffending and had high dynamic/supportive factors, or other combinations that make them a good candidate for diversion, the defense attorney had grounds to seek diversion from the prosecutor. Diverting eligible youth at this point prevents youth from entering the formal justice system.

Adopting a risk assessment upon petition to the Court was not without barriers, the largest of which is that, early in a court proceeding, participation in the risk assessment was fully voluntary on behalf of the youth and family. In addition, defense attorneys were hesitant to recommend that a client volunteer to participate in the risk assessment for fear that their client could make a statement that would incriminate them and be used against them should the case go to adjudication. This potential to violate a client's Fifth Amendment right to protect themselves against self-incrimination will be corrected by the proposed state legislation requiring the use of a risk and needs assessment prior to detention placement and prior to disposition. HB 4627, for example, adds language that helps to protect the youth against self-incrimination by specifying that “A risk and needs assessment conducted..., and any information obtained from a minor in the course of the assessment (including any admission, confession, or

incriminating evidence), would not be admissible in evidence in any adjudicatory hearing in which the minor is accused and would not be subject to subpoena or any other court process for use in any other proceeding or for any other purpose.”⁹³

The risk assessment was voluntary at the beginning stages of the court process and was not made mandatory at the pre-disposition stage, so not every youth who was adjudicated received a risk assessment to help inform their disposition. As risk assessments become mandatory for courts under the new Justice for Kids⁹⁴ bill package, we would expect to see additional youth diverted, and more youth given lower-level dispositions due to the large numbers of youth with low or moderate assessed risk.

By assessing all youth who come into contact with the Court as soon as a petition is filed, the Court, prosecution, and defense can make more informed decisions about who to refer for adjudication and who to refer for diversion. The decision becomes based on the combination of offense and the assessed risk of reoffending as well as the youth’s strengths and needs, rather than solely on the offense and possibly on other subjective factors.



Demographics

Most youth in the youth justice system are between the ages of 13 and 17 years old. The average age for youth petitioned to court in this study was 15 years old, with an age range of 8 years old to 19 years old. In general, youth as young as 8 – 10 years old are determined not competent to stand trial.

Figure 5.4 illustrates that over half of the youth (51.4 percent) who received a YASI were charged with a misdemeanor, 3.1 percent were charged with a status offense,⁹⁵ and 3.9 percent were charged with “other” offenses (e.g., obstruction of justice, disorderly conduct, weapons). The remaining 41.7 percent of youth were charged with a felony.

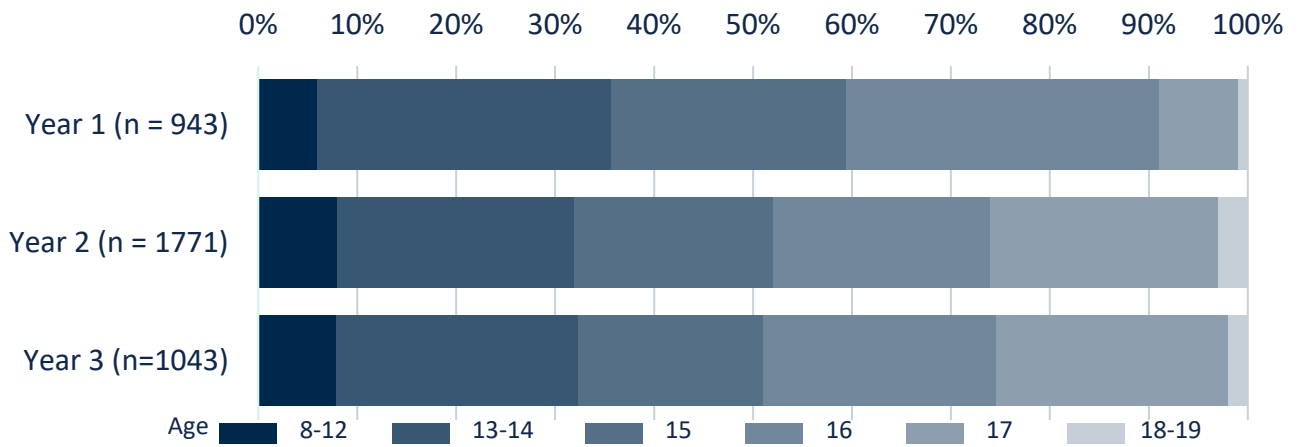
⁹³ Michigan Legislature (2023): [Senate Bill 421](#).

⁹⁴ State of Michigan Office of the Governor (2023): [Michigan Justice for Kids Bill Package](#).

⁹⁵ Few youth with status offenses were assessed due to both the voluntary nature of participation and the fact that many youth with low-level offenses, such as status offenses were already screened and accepted into the prosecutor’s diversion program.

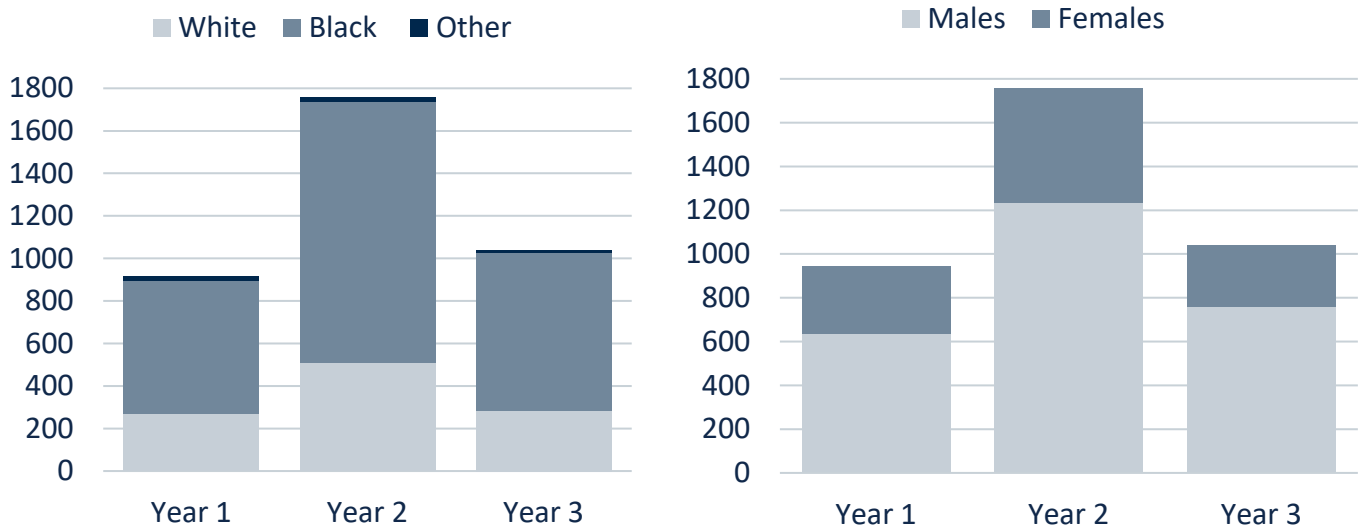


Figure 5.2: Age



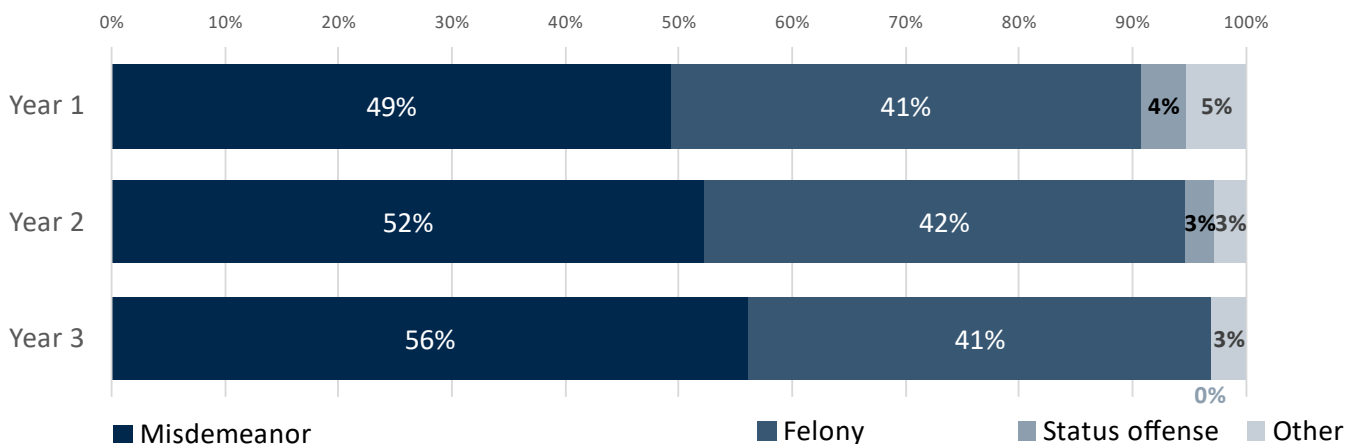
Data source: Circuit Court (n=3757), 10/1/20 – 4/30/23

Figure 5.3: Race and sex



Data source: Circuit Court (n=368), 10/1/20 – 4/30/23

Figure 5.4: Offense severity



Data source: Circuit Court (n=360), 10/1/20 – 4/30/23

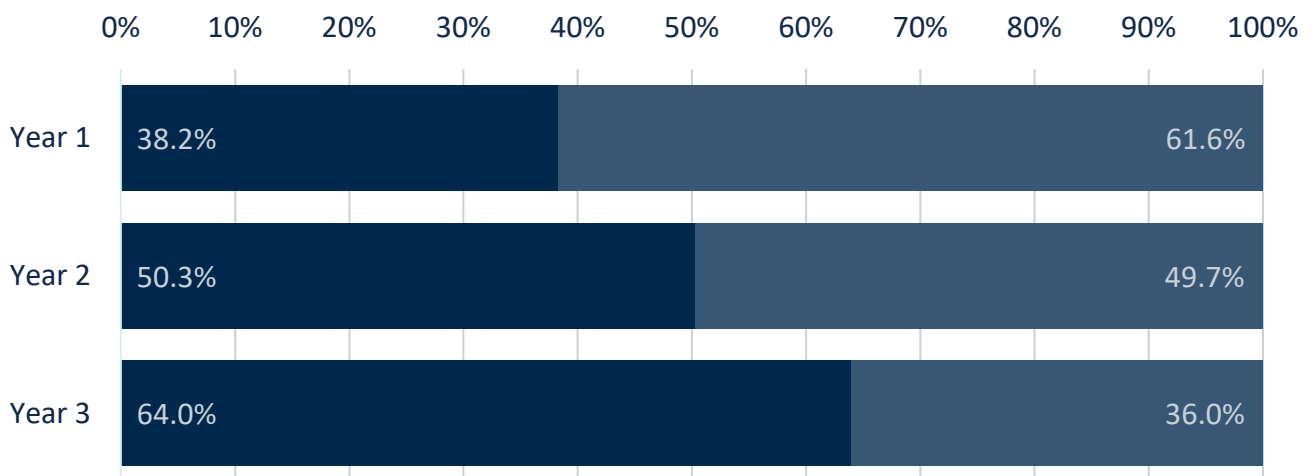


Service Referrals

The YASI identifies services needed to address the underlying factors that contributed to the youth’s current offense. The Court theorized that if a youth and family could receive services at the earliest point possible, they would have a head start on addressing identified needs and may be able to more quickly resolve the issues that brought the youth to the Court. Youth who did not receive a referral may already be participating in services, were deemed not to need early intervention services, or the family may have refused service referrals. Figure 5.5

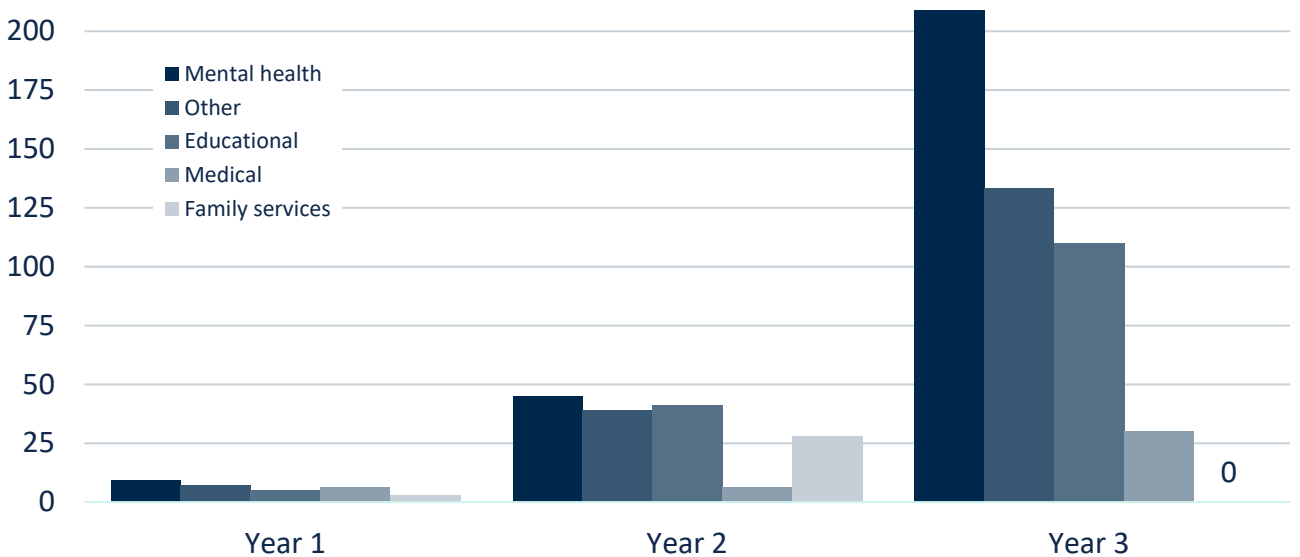
shows that 183 youth who received a YASI were referred to services. Of note is that the percentage of youth receiving referrals has increased over the time of the project, from 38.2 percent in year one to 64 percent in year three. The increase in referrals could be accounted for by better record-keeping and improved data entry over time. Figure 5.5 demonstrates that mental health services were by far the most frequently assessed need of the youth who received a YASI. Educational services such as tutoring were the next most frequently assessed need and referral.

Figure 5.5: Service referrals



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23

Figure 5.6: Types of service referrals



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23



Risk Scores and Dispositional Outcomes

The foundational components of the YASI are static and dynamic risk and protective factors. Dynamic risk factors are factors that contribute to recidivism and are amenable to change through appropriate interventions and support, such as:

- Lack of prosocial skills.
- Substance misuse.
- Academic underperformance.
- Peer influences.
- Mental health and emotional dysregulation.

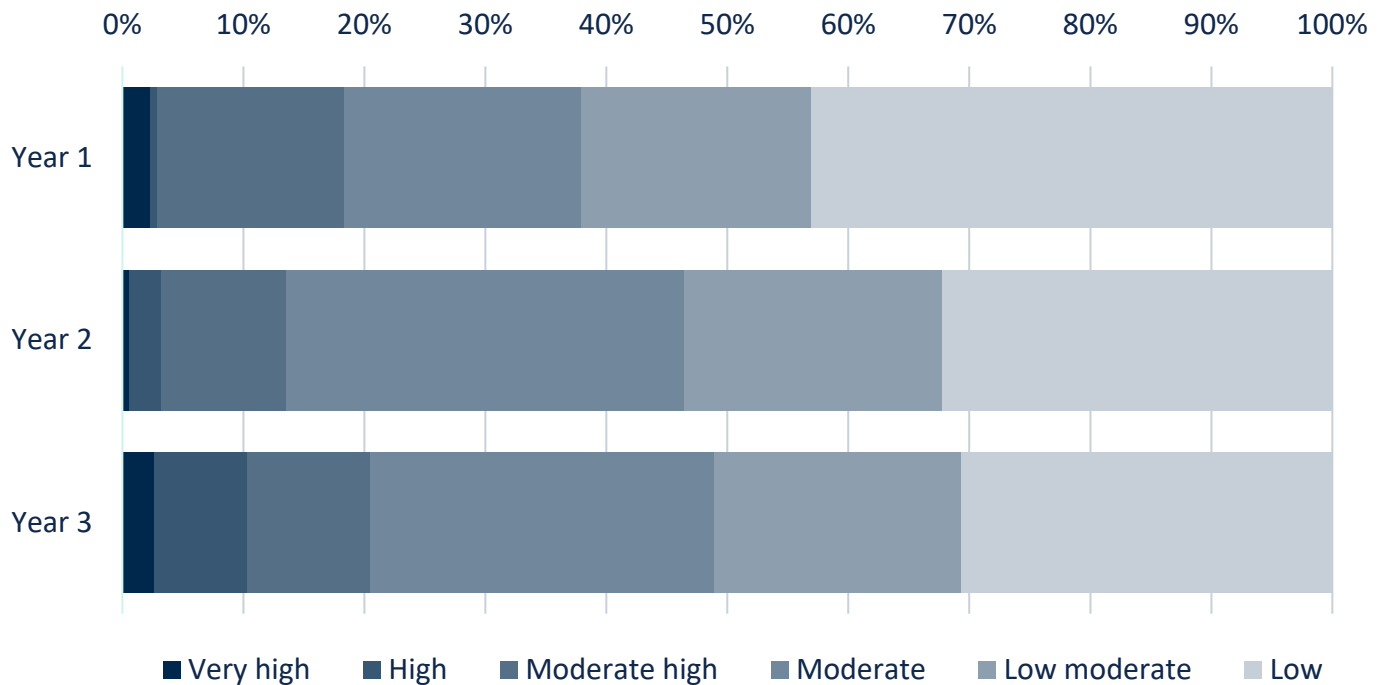
Dynamic protective factors are those that are likely to decrease recidivism and are amenable to change, such as:

- Positive peer relationships.
- Academic success and engagement.
- Mental health support.
- Caregiver involvement and support.

Youth who received a YASI primarily had low to moderate dynamic risk scores (Figure 5.7), meaning their risk for reoffending was minimal and changeable with the targeted interventions that align with their specific needs. Overall, 32 percent scored low dynamic risk, 21 percent scored low-moderate risk, and 33 percent scored moderate risk. In addition, most youth had moderate to very high dynamic protective scores (Figure 5.8), indicating they had many factors in place to help steer them away from reoffending.

Dynamic risk scores are mitigated by dynamic protective scores and most youth in the study had moderate or high dynamic protective factors. This means that while they had changeable risk scores, they also had a high level of protective factors such as positive peer relationships or caregiver involvement or support. The presence of dynamic protective factors can help a youth overcome the circumstances that led to their offending behavior and lower their risk of reoffending.

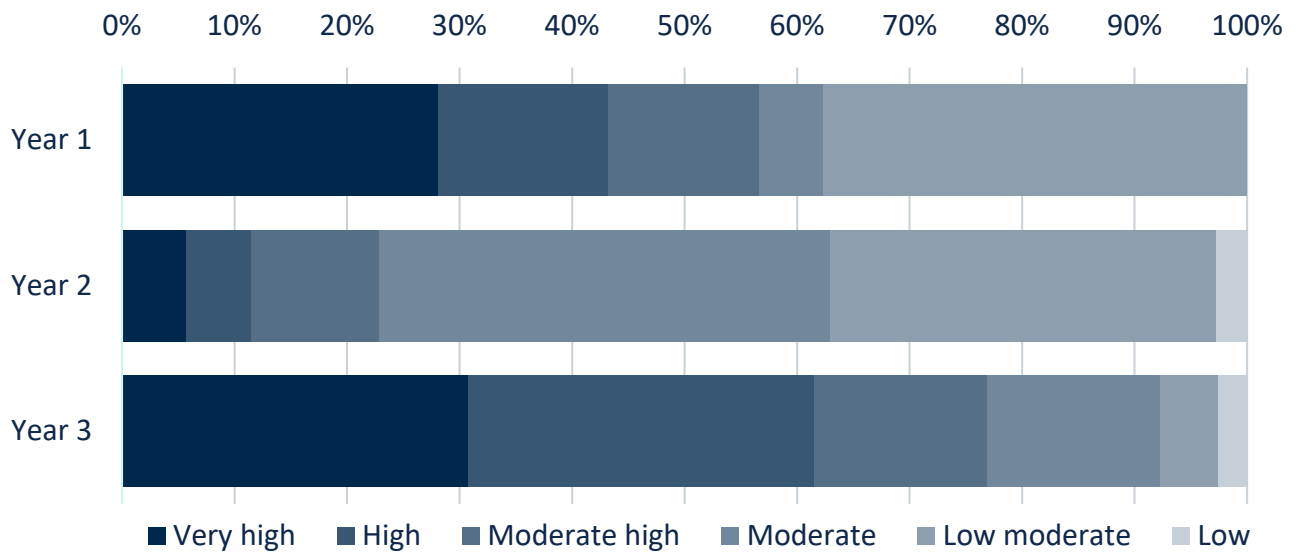
Figure 5.7: Dynamic risk scores



Data source: Circuit Court (n=331), 10/1/20 – 4/30/23



Figure 5.8: Dynamic protective scores



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23

Figure 5.9: Dispositional outcomes and dynamic risk scores

	Low	Low moderate	Moderate	Moderate high	High	Very high	Total
Warned and dismissed	13	7	2	1	0	1	24
Level 1 Probation	14	18	21	12	2	1	68
Level 1.5 Probation	3	3	8	3	2	1	20
Level 2 Probation	1	3	9	6	0	0	19
Juvenile Mental Health Court (JMHC)	3	6	9	3	1	0	22
Supervised treatment for alcohol and narcotic dependency (STAND)	1	1	7	3	0	1	13
Total	35	38	56	28	5	4	166

Data source: Circuit Court (n=332), 10/1/20 – 4/30/23

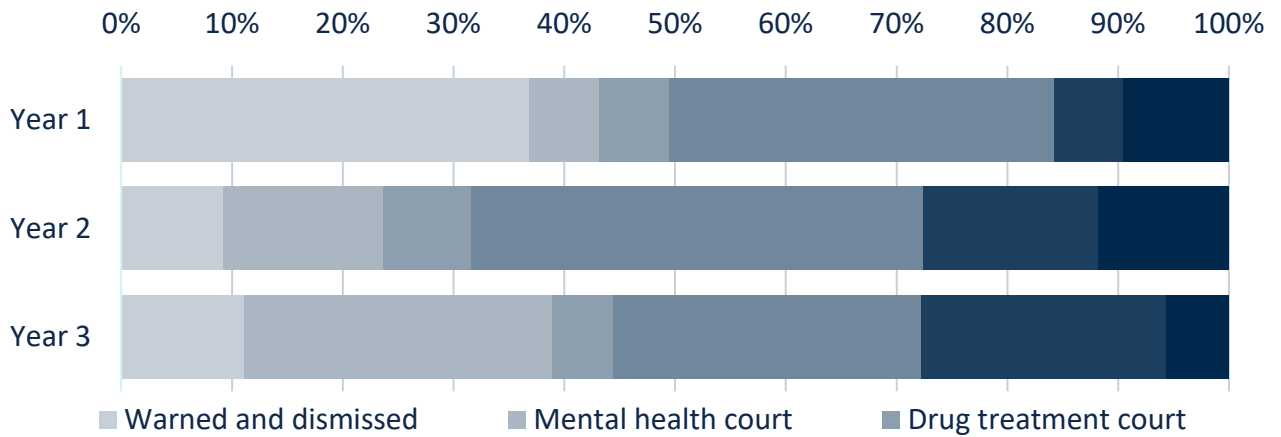
Figure 5.9 highlights the disposition outcomes of a subset of youth based on their dynamic risk of reoffending and offense. It shows that dispositions are fairly aligned with the level of dynamic risk. Seventy seven percent of youth with low risk and 65.8 percent with low moderate risk were either warned and dismissed or given Level 1 probation. Among youth with very high dynamic risk, 50 percent were either warned and dismissed or received Level 1 probation, perhaps indicating that the Court

considered the factors involved in their specific case and believed that their risk for reoffending could be lowered by providing targeted interventions.

Figure 5.10 provides a summary look by year at all youth who received a YASI in this study and who had a formal court disposition. Over 70 percent of youth were placed in the lowest possible dispositions (specialty court or Level 1 regular probation) or were warned and dismissed.

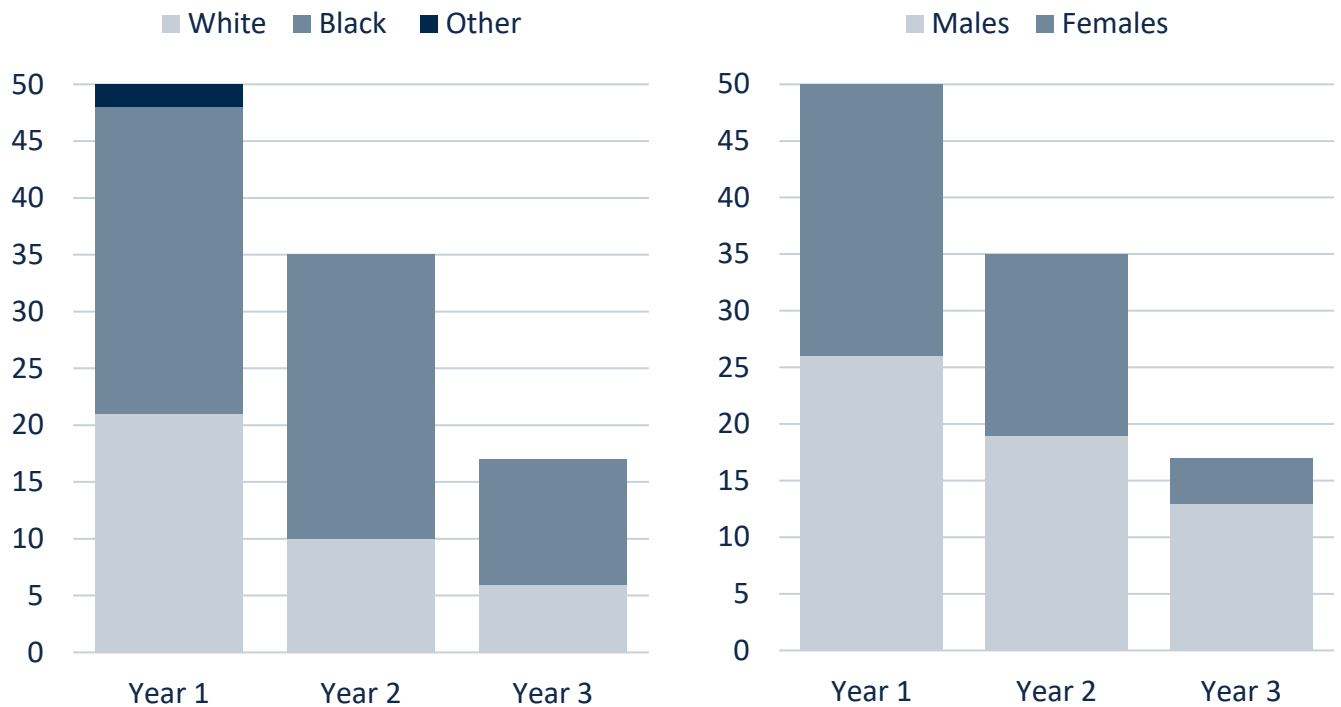


Figure 5.10: Dispositional outcomes



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23

Figure 5.11: Race and sex of diverted youth



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23

Diverted Youth

103 youth were diverted during the study period, which included 58 (56.9 percent) males and 44 (43.1 percent) females. These diversions were to the Youth Assistance Programs (YAP) or another community service, to the juvenile mental health court or the juvenile drug court. These two specialty court programs operate very much like consent calendar programs in that the Court orders

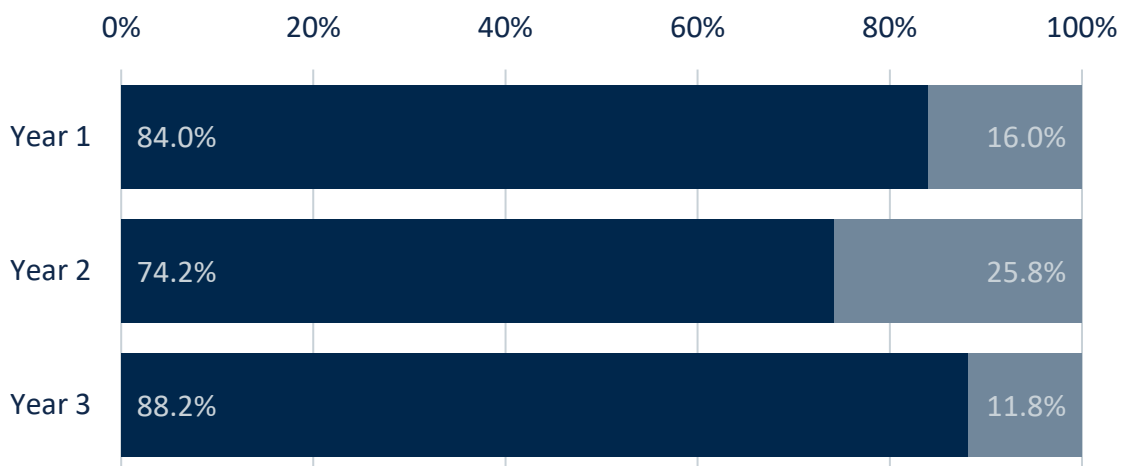
the youth to fulfill specific requirements within a specified time period. If the youth successfully fulfills the requirements and meets their treatment goals, the case is dismissed, and the youth has no record. If the youth fails to meet their treatment goals, then their case is adjudicated, and they receive an appropriate disposition.



As shown in Figure 5.11, most of the diverted youth received the YASI (82 percent), which provided the Court with meaningful guidance in their decision to ultimately divert. Youth who were diverted without having received the YASI were likely diverted at the request of the defense attorney due to specific circumstances surrounding their case. Thus, diversion does not require the administration of the YASI, but it is far more likely when the Court has access to information it provides about a youth’s risk and needs.

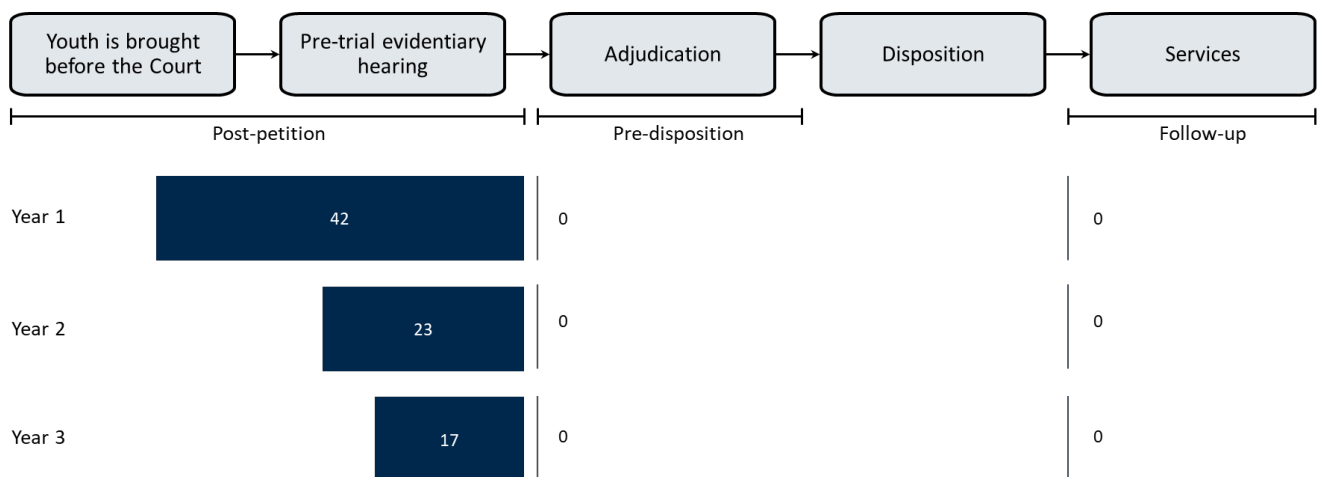
Figure 5.13 shows that all youth who were diverted received the YASI prior to adjudication. This makes sense, as these youth have a higher likelihood of being diverted if they are low risk, and therefore their defense counsel was more willing to produce them for the YASI prior to adjudication.

Figure 5.12: Diverted youth who were and were not assessed with the YASI



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23

Figure 5.13: Stage at which diverted youth were assessed with the YASI



Data source: Circuit Court (n=332), 10/1/20 – 4/30/23



Implications

In addition to offering the Court additional information about the youth that appear before it, the findings from this study suggest additional pathways for examination that could help strengthen the Court's commitment to providing the best opportunities for justice-involved youth.

1. **Objective risk assessment as a tool for reducing racial disparities.** One of the challenges of this and most other courts is the over-representation of Black youth, both male and female, who come before the Court. While Black youth represent approximately 43 percent of youth in this county, 63 percent of youth who were referred to the Court in our retrospective data analysis were Black, and in our evaluation study, it was 71 percent. The use of an objective risk assessment tool could help ensure that youth who are adjudicated are done so based on factors such as the severity of the offense and risk of recidivism. The fact that there was no racial disparity among the 103 youth who were diverted as compared to the percentage of youth who appeared before the Court shows the impact of using objective factors such as severity and risk.
2. **Reducing out-of-home placements for youth who committed a first-time status offense.** This retrospective analysis showed that 29 percent of youth with first-time status offenses received an out-of-home placement at some point in their court involvement. Given the low severity status offenses, the evidence documenting the harmful effects of out-of-home placement, and the high cost of out-of-home placement, it would benefit courts to consider the most appropriate options for youth who are low-risk and committed low-level offenses. This may mean that courts need to critically assess their service array and develop new services to address the current and emerging needs of youth and families. A reduction in the use of out-of-home placement could allow resources to be used for community-based services for youth through a reinvestment strategy that sets aside cost-savings for reinvestment in additional community-based services.
3. **Disposition matrix as an additional tool for determining appropriate disposition.** Courts may need to develop a disposition matrix to guide decision-making. The disposition matrix provides a grid that matches the risk of reoffending and the severity of offense with a range of graduated sanctions most appropriate for the youth. The disposition matrix helps to standardize the Court's response to youth who come before the Court. While most youth were warned and dismissed in this study, or placed on regular probation, the use of the YASI risk assessment, combined with the Court's disposition matrix, can help ensure that youth are given the most appropriate placement based on their offense and risk of recidivism.
4. **Collaboration to increase mental health services.** The need for mental health services was the most frequent referral made by the Court for the youth and families. While expanding mental health services is beyond the scope of the Court, they are an invaluable partner in advocating for additional community-based mental health services for youth.



Conclusion

Youth justice experts suggest that the most effective approach to reducing recidivism is to 1) identify and focus supervision and services on those youth at highest risk for reoffending, 2) identify and address the key factors and needs that are contributing to the youth's delinquent behavior, and 3) match youth to services based on their strengths and responsiveness to treatment.⁹⁶ A significant body of evidence suggests that the use of this risk-need-responsivity principle (RNR) will lead to better outcomes in the justice system, mainly concerning decreased recidivism rates⁹⁷ and decreased reliance on more intense or restrictive levels of probation supervision.⁹⁸

The decision made by this Court to focus on the front end of the youth justice system was guided by an extensive review of existing research evidence and by the desire to divert more youth from justice system involvement as appropriate. Additionally, following research evidence, the Court wanted to ensure that youth who are adjudicated are placed in the most appropriate supervision levels and provided with specific interventions to meet their unique needs to reduce reoffending. Using the results of a normed, validated, and objective risk and needs assessment tool – the YASI – to determine each youth's risk for re-offending, their strengths, and their needs provides valuable additional information about each youth and helps the Court make informed decisions pertaining to the best course of action.

While this county already operated a sizable diversion program, an additional 103 youth were diverted from court during this case study. Through the implementation of the YASI risk and needs assessment, the Court was able to divert 85 youth of the 103 youths specifically due to the information obtained on their risk of reoffending. For the other 267 youth who participated in the YASI but were not diverted, the additional information helped to determine dispositions that were more aligned with the information obtained at trial and their assessed risk of reoffending.

Most of the youth who participated in the YASI scored low to moderate risk for reoffending. By providing the right interventions targeted at the youth's specific needs, most of the youth assessed using the YASI stand a good chance

of reducing their risk for future re-offending and reducing their chance of entering the adult criminal justice system.

Although the population of youth who come to the attention of the Court illustrates a serious over-representation of Black youth, the group of youth who were diverted upon petition to the Court in this case study reflects that Black youth were diverted proportionate to their numbers in the population when compared with White youth. Importantly, because most of the youth who are petitioned to court are charged with misdemeanors, a risk assessment provides the opportunity to develop targeted services in the community to prevent further offending and even to prevent court involvement in response to delinquent behavior. Finally, the use of risk assessments to guide disposition decisions will help to reduce racial disparities across the range of dispositions, including reducing the over-representation of Black youth in out-of-home placements.

This case study offers an opportunity for courts to be part of changing the narrative around justice-involved youth. While the terms "at-risk" and "youthful offender" have been used to obtain services and opportunities for youth over the years, this simplified language for a complex construct often fails to provide a more nuanced framework that incorporates the strengths and resilience of the youth and their families. A tool such as the YASI provides a multi-layered, multi-faceted view of each youth that challenges the oversimplified labels applied to justice-involved youth. Instead, by looking beyond what the youth has been charged with and considering the different domains in their life - such as the circumstances of family life, attitudes and skills, use of free time, relationships with peers and the broader community, mental health status, and other areas - we can see them perhaps more closely to how they see themselves—as individuals who are involved with the court system and face certain challenges but who also have strengths, interests, passions, hopes and dreams. Adding the richness of the YASI to our narrative about youth could change not just our views of individual youth but also have a much-needed ripple effect throughout the youth justice system and beyond.

⁹⁶ Park, I., Sullivan, C.J., & Holmes, B. (2022). [An assessment of juvenile justice reform in Ohio: Impact on youth placement and recidivism from 2008 to 2015.](#)

⁹⁷ Andrews, D.A. and Bonta, J. (2010). [Rehabilitating criminal justice policy and practice](#); Dowden, C. and Andrews, D.A. (1999) [What Works for Female offenders: A Meta-Analytic Review](#); Lipsey, M.W. (2009). [The primary factors that characterize effective interventions with juvenile offenders: A meta-analytic overview.](#)

⁹⁸ Luong, D. and Wormith, J.S. (2011). [Applying risk/need assessment to probation practice and its impact on the recidivism of young offenders.](#)

Progress Toward Integrating Criminal Legal Data



The Potential of Integrated Data

Integrating data across the various intercepts of the criminal legal systems holds immense potential to inform policy, assess improvements, and build to more comprehensive integration with allied systems (i.e., behavioral health data). It can have a transformative effect in shaping policy, allocating resources, measuring performance, conducting research and evaluation, building public goodwill, and establishing effective cross-system collaboration. Additionally, shared data offers significant benefits to the operational efficiency of courts, jails, and prisons. Unfortunately, cross system data is limited at both the local and state levels. Developing and building an integrated data system is complex and requires intense commitment and collaboration among partners within the larger criminal legal system continuum. This process is protracted and time consuming and often lacks a champion.

Similar to many other states, Michigan faces challenges in integrating data across the criminal legal system. These challenges hinder the assessment of performance and evaluation of outcomes that require data from across systems (such as jails, and Michigan Department of Corrections (MDOC), courts and youth detention facilities). Despite these challenges, there is a clear need for developing *vertical* data integration within each system (for example, across jails), *horizontal* data integration across multiple systems (for example, between courts and jails), and at different levels of government (municipal, county, or state). Since 2021, and with the support of the Michigan Justice Fund, concerted efforts have been undertaken to address these issues through the Cross-system Data Integration Project (CDIP).

The Cross-system Data Integration Project

The inaugural landscape report, published in September 2021, provided a roadmap and baseline for advancing change in data collection and reporting within Michigan’s adult and youth justice systems. The report helped identify limitations in Michigan’s comprehensive data.⁹⁹ Following the development of said report, the authors and other vital partners recognized the need and value of integrated data, thus the Center for Behavioral Health and Justice, in collaboration with partners, the Consensus Building Institute (CBI), developed a multiphase approach to achieve integrated criminal legal system data through the Cross-system Data Integration Project. The CDIP, supported by the Michigan Justice Fund, aimed to improve the efficiency and transparency of adult criminal legal and youth justice system data through collaboration between state and county-level partners.

⁹⁹ Kubiak, S.P., Gilbert, T.T., Ryan, J.P., Victor, G. (2021): [Overview of the Criminal Legal System in Michigan: Adults and Youth](#).

Phase I: Establishing an Advisory Board and Writing a Blueprint for Cross-system Data Integration in Michigan.

One of the 2019 recommendations from the Task Force on Jails and Pretrial Incarceration was to “Standardize criminal justice data collection and reporting.” The Task Force final report states:



- Direct local and state criminal justice agencies to collect, record, and report data from arrest to disposition of a case, and through completion of any applicable sentence.
- Collected data should be accurate, comparable, and useful for monitoring the outcomes of statewide policy changes and should be made publicly available to the greatest extent possible while protecting the privacy of justice-involved individuals.
- A new or existing body should be directed to identify standards for collecting data and design a detailed plan for improving data collection and reporting.

Coinciding with the release of the inaugural landscape report, Lt. Governor Garlin Gilchrist convened the initial meeting of the Data Convening Advisory Board to meet the recommendations of the Task Force. The invitation from the Lt. Governor was co-signed by Michigan Association of Counties, Michigan Sheriff Association, State Court Administrator's Office (SCAO), Center for Behavioral Health and Justice, Michigan Council on Youth Justice, Safe and Just Michigan, Measures for Justice, Public Welfare Foundation, and Michigan Justice Fund.

The purpose of this Advisory Board was stated as follows:

Vision: Michigan will be a national leader in efforts to improve the veracity, accuracy and transparency of adult and youth criminal/legal system data through the collaboration of state and county level stakeholder and resources.

Mission: This data convening is focused on ensuring the reliability, transparency and integration of adult and youth criminal legal data at the local and state level by engaging in the creation of a ‘blueprint’ for prioritizing actions and resources over a 10-year period.

Value: The data convening planning committee and advisory board believe in the use of adult and youth criminal legal data to shape policy, measure the efficacy of interventions/policy changes, and provide internal/external oversight.

In addition to the organizations mentioned above (and individuals associated with them), legislators, law enforcement, MDOC, jail administrators, Michigan Indigent Defense Commission, defense and prosecutor representatives were brought together. A series of convenings were held with this group, in collaboration with Consensus Building Institute (CBI) and Measures for Justice, to develop a blueprint, timeline, and next steps for

integrated, accurate, consistent, and transparent criminal/legal system data.¹⁰⁰ This blueprint report outlined the steps required for integrating data in Michigan, serving as a foundational guide for subsequent faces with the ultimate goal of a comprehensive and integrated data system for all systems within the criminal legal system continuum.

¹⁰⁰ Center for Behavioral Health and Justice (2022): [A Blueprint for Cross System Integration](#).

Phase II: Carrying Out the First Steps of the Blueprint

The CDIP Data Reporting Work Group commenced Phase II in Fall of 2022 with an in-person meeting of the ‘Governance Committee’ consisting of decision-makers in MDOC, SCAO and Michigan Sheriff’s Association. The goal was to set the direction and cadence for implementation of a process to integrate data across these three systems using the Blueprint as a guide. By rigorously evaluating the needs across each system (e.g., courts, jails, MDOC, and youth justice partners), through vital and collaborative dialogues, the group meticulously identified and crafted key questions that required comprehensive, horizontally integrated cross-system data to address.

Some examples of key cross-system questions:

How are the communication efforts of risk and needs facilitated between different systems within the larger criminal legal system?

How do sentence length and time served compare among individuals charged with felonies who have similar offenses and offense variable/prior record variable (OV/PRV) scores across different races and ethnicities

Are individuals who experienced pre-trial incarceration more likely to be convicted?

What is the average length of stay in detention within the youth justice system, both overall and when analyzed by offense category and demographic groups?

Developing examples of important questions that required integrated data to answer generated valuable insights into what would be required of whom to meet these expectations. Work group members highlighted the value of real-time data sharing across the youth justice and criminal legal systems (e.g., courts and MDOC) to support operational efficiency and effectiveness. The current information gap from a lack of real-time data sharing poses challenges in making informed decisions and can lead to delays in implementing appropriate interventions. The Data Reporting Work Group members, along with their respective affiliations and areas of representation within the youth justice and criminal legal systems, are listed in [Appendix B](#).

Following the development of example cross-system questions, along with the identification of data elements required to answer the formulated questions, the work group initiated a process to pinpoint the “source(s) of truth” for the identified data elements. These source(s) of truth are the authoritative data repositories or systems from which specific data elements are defined, and it is considered the most accurate representation of the information.



Some examples of data elements needing data standardization and source(s) of truth verified:

<u>Data element</u>	<u>Source(s) of truth</u>
Sex	Adult criminal legal system Self-identify on Driver's License/State ID and jails must categorize; Pre-sentence investigative report (MDOC).
	Youth Justice System Intake interview with client.
Gender	Adult criminal legal system Pre-sentence investigative report (MDOC).
	Youth Justice System Intake interview with client.
Race and Ethnicity	Adult criminal legal system Pre-sentence investigative report (MDOC).
	Youth Justice System Petition from the prosecutor (may not be complete data).

When identifying the source(s) of truth for individual data elements collected through an integrated system, standardization in identifying the source(s) of truth reduces potential conflicts and misunderstandings in interpreting said data elements. Additionally, standardizing the actual source(s) can enhance the reliability of the integrated system by providing a singular, apparent reference for all data elements. The work group's brainstorming and collaborative discussions laid the groundwork for integrated system development.

Participants noted the challenges of addressing the various sources for data elements across systems and explored the potential use of the National Open Court Data Standards (NODS) as a model framework for data elements with multiple sources of truth.¹⁰¹ For instance, demographic data (like gender, race and ethnicity) received by the Court from charging documents completed by law enforcement officers may vary due to inconsistencies in data collection due to the lack of a standardized process across counties in the state. NODS accounts for multiple entities capturing gender, race and ethnicity, so an integrated system would ideally capture and store values from multiple sources such as this.

Opportunities for Continued Advancement

Comprehensive Environmental Scan

Exploring the current landscape of youth justice and criminal legal data integration efforts through a comprehensive environmental scan could provide valuable insights into existing practices, challenges, and initiatives related to data integration. These findings could inform the strategies of future phases, offering a valuable foundation for the further exploration.

Data Standardization Emphasis

Emphasizing the standardization of data elements, formats, definitions, and business rules across systems might be a focal point. Developing data dictionaries, collected through the in-depth environmental scan of various systems, utilizing the existing systems with already defined data as a reference, could contribute to consistency without prescribing specific methodologies.

¹⁰¹ National Center for State Courts (2019): [National Open Court Data Standards \(NODS\)](#).

Robust Governance Establishment

Consideration could be given to the development of effective governance mechanisms. Defining clear roles, responsibilities, and accountability frameworks for data management could be explored. Policies, protocols, and agreements outlining the rights and obligations of key partners involved in data sharing might enhance trust and transparency.

Acknowledgment of Past and Ongoing Efforts

The Center for Behavioral Health and Justice and our partners express immense gratitude to the Advisory Board, Governance Committee, Data Reporting work group members, and the Michigan Justice Fund for their contributions to the Cross-system Data Integration Project. The Data Landscape Report provided the foundation to raise awareness of the need for an integrated system across the criminal legal continuum. The efforts of all involved in this initial phase of development were instrumental in advancing the project's goals of a transparent and integrated cross-system data system in Michigan.

While transparency and shared access of integrated data across systems remains a lofty goal, the Cross-system Data Integration Project successfully initiated crucial conversations among siloed systems through collaboration between key partners. Although much work remains, this project fostered collaboration and discussions that are essential in finding solutions to these complex issues. The conversation has been initiated, laying the groundwork for future progress in achieving an integrated, transparent, and reliable data-driven youth justice and criminal legal system in Michigan.

Appendix A: The Youth Assessment and Screening Instrument (YASI)

 <p>YASI Youth Assessment & Screening Instrument</p>	<p>Youth Assessment & Screening Instrument</p>	<p>Full Assessment</p>
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Name:	Last: <input type="text" value="Steven"/> First: <input type="text" value="Steven"/>	Case I. D.:	<input type="text"/>	Date Administered:	<input type="text" value="MM/DD/YYYY"/>
DOB:	<input type="text" value="MM/DD/YYYY"/>	<input type="radio"/> Male	<input type="radio"/> Female	Zip Code:	<input type="text"/>
Type:	<input type="radio"/> Probation <input type="radio"/> CUS <input type="radio"/> Referred to Court (outcome pending) <input type="radio"/> Informal Supervision <input type="radio"/> Diversion without Informal Supervision				

Section 1 Legal History - Pre-Screen

▶ Enter "0" in the boxes if there were no occurrences of the identified incidents. These items must include information about the current referral/offense or current circumstances.

- No
 Yes

1. **Previous police contacts for delinquent/criminal offenses:** Check **No** if this is the first police contact. Check **Yes** if there were any previous police contacts that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless of whether successfully completed).
- 2. **Age at first police contact for delinquent/criminal offense:** Include any police contacts for delinquent/criminal offenses that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless of whether successfully completed).
- 3. **Number of police contacts:** Total number of police contacts for any delinquent/criminal offense that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless of whether successfully completed).
- No
 Yes

4. **Police contacts for felony offenses:** Police contacts for felony offenses that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless of whether successfully completed).
- 5. **Transfers to criminal court:** Total number of transfers to adult court.
- 6. **Weapon offenses:** Total number of police contacts for firearm/weapon offenses that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless of whether successfully completed).
- 7. **Police contacts for offenses against another person:** Total number of police contacts for offenses against another person that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless of whether successfully completed). Includes threats, force, or physical harm to another person such as homicide, murder, manslaughter, assault, any sexual offenses, robbery, kidnapping, domestic violence, coercion, harassment, intimidation, obscene, or harassing phone call, etc.
- No
 Yes

8. **Police contacts for felony offenses against another person:** Police contacts for felony offenses against another person that resulted in adjudication/conviction, diversion/station adjustment, deferred adjudication, or deferred disposition (regardless whether successfully completed).
- 9. **Placements:** Total number of placements in the custody of DCFS, Probation/Court Services, CCBYS/DHS, or other placements.
- 10. **Juvenile Detention:** Total number of times youth has been confined in a juvenile detention center *for any reason*.
- 11. **DOC Custody:** Total number of times youth has been committed to a DOC facility *for any reason* including evaluations.
- 12. **Escapes:** Total number of attempted or actual escapes from detention or a DOC facility.
- 13. **Failure-to-appear in court:** Total number of failures-to-appear court (juvenile or adult) that resulted in a warrant being issued.
- 14. **Number of Petitions for Violations of Probation or Supervision:** Total number of petitions or requests for petitions for violations of probation or supervision. If any, check all types that apply:
 Technical Violation
 New Offense
 Absconder

Section 2 Family

Check if family items do not apply to this client :

1. **Runaways or times kicked out of home:** Include times the youth did not voluntarily return within 24 hours. Include incidents not reported by or to law enforcement. *Enter 0 if none, up to a maximum of 5.*

	Times kicked out/locked out
	Number of runaways

2. **Has there ever been a family court finding of any child neglect** (relating to a custodial parent): No Yes

3. **Compliance with parental rules:**

- Youth usually obeys and follows rules
- Youth sometimes obeys or obeys some rules
- Youth often disobeys rules
- Youth consistently disobeys, and/or is hostile
- No pro-social rules in place
- Not Applicable

4. **Circumstances of family members who are living in the household:**

• Check all that apply.

- Non-applicable
- No problems
- Alcohol/Drug Problems
- Mental Health Problems
- JD/Criminal Record
- JD/Violent Criminal Record

	Mother	Father	Step-Parent	Sibling	Other
Non-applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol/Drug Problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental Health Problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JD/Criminal Record	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JD/Violent Criminal Record	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. **Historic problems of family members who lived in the environment in which the youth was primarily raised:**

• Check all that apply.

- Non-applicable
- No problems
- Alcohol/Drug Problems
- Mental Health Problems
- JD/Criminal Record
- JD/Violent Criminal Record

	Mother	Father	Step-Parent	Sibling	Other
Non-applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol/Drug Problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental Health Problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JD/Criminal Record	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JD/Violent Criminal Record	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. **Youth's current living arrangements:** • Check all that apply.

- | | | |
|--|--|---|
| <input type="checkbox"/> Mother (biological or adoptive) | <input type="checkbox"/> Siblings | <input type="checkbox"/> Foster/group home |
| <input type="checkbox"/> Father (biological or adoptive) | <input type="checkbox"/> Other relatives | <input type="checkbox"/> Independent |
| <input type="checkbox"/> Stepparent | <input type="checkbox"/> Other adult | <input type="checkbox"/> No permanent address/shelter |
| | | <input type="checkbox"/> Other _____ |

7. **Parental/custodial supervision:** Parents know whom youth is with, when youth will return, where youth is going, and what youth is doing.

- Good supervision
- Some good supervision
- Some inadequate supervision
- Frequently inadequate supervision
- Consistently inadequate supervision
- Not Applicable

8. **Appropriate consequences for bad behavior:** Appropriate means clear communication, timely response, and response proportionate to conduct.

- Consistently appropriate consequences
- Usually appropriate consequences
- Sometimes appropriate consequences
- Usually not appropriate consequences
- Never appropriate or no consequences
- Not Applicable

- 9. Appropriate rewards for good behavior.** Rewards include affection, praise, or other tangible means.
- Consistently appropriate rewards
 - Usually appropriate rewards
 - Sometimes appropriate rewards
 - Usually not appropriate rewards
 - Never appropriate or no rewards
 - Not Applicable
- 10. Parental attitude toward youth's maladaptive behavior:**
- Disapproves of youth's maladaptive behavior
 - Some disapproval of youth's maladaptive behavior
 - Minimizes, denies, justifies, excuses maladaptive behavior
 - Accepts youth's maladaptive behavior as okay
 - Proud of youth's maladaptive behavior
 - Not Applicable
- 11. Support network for family; extended family and friends who can provide additional support:**
- Strong family support network
 - Some family support network
 - No family support network
 - Not Applicable
- 12. Family member(s) youth feels close to or has good relationship with:**
• Check all that apply.
- | | |
|--|--|
| <input type="checkbox"/> Mother/female caretaker | <input type="checkbox"/> Male sibling |
| <input type="checkbox"/> Father/male caretaker | <input type="checkbox"/> Extended family |
| <input type="checkbox"/> Female sibling | <input type="checkbox"/> No one |
- 13. Family provides opportunities for youth to participate in family activities and decisions affecting the youth:**
- Family engages in frequent or regular activities
 - Engages in some activities
 - No engagement in activities as a family
 - Not Applicable
- 14. Family provides opportunity for youth to learn, grow, and succeed:**
- Ongoing opportunities for growth provided
 - Some opportunities for growth provided
 - No opportunities for growth provided
 - Not Applicable
- 15. Parental love, caring and support of youth:**
- Consistent love, caring, and support
 - Usually Demonstrates love, caring, and support
 - Inconsistent love, caring, and support Indifferent,
 - uncaring, uninterested, unwilling to help Hostile
 - toward youth, berated and belittled
 - Not Applicable
- 16. Level of conflict between parents, between youth and parents, and among siblings:**
• Check all that apply.
- No Conflict
 - Some conflict that is well managed
 - Some conflict that is distressing
 - Verbal intimidation, yelling, heated arguments
 - Threats of physical violence
 - Physical violence between parents
 - Physical violence between parents and children
 - Physical violence between siblings
 - Not Applicable

Section 3 School

Check if School items do not apply to this client :

▶ Complete this section based on information from the interview, school records, contacts with the school.

1. **Youth's current school enrollment status, regardless of attendance:** If the youth is in home school as a result of being expelled or dropping out, check the expelled or dropped out box, otherwise check enrolled if in home school.
- Graduated, GED Dropped out
 Enrolled full-time Suspended
 Enrolled part-time Expelled
 Not Applicable
2. **Youth's attendance in the last 3 months of school:** Full-day absence means missing majority of classes. Partial-day absence means attending the majority of classes and missing the minority.
- Attends regularly (at least 90% of time)
 Some partial-day unexcused absences
 Some full-day unexcused absences
 Five or more full-day unexcused absences per quarter
 Not Applicable
3. **Youth's conduct in the last 3 months of school.**
- Positive behavioral adjustment Intervention by school administration (calls to parents, principal or superintendent involvement, hearing)
 No problems reported Police reports filed by school
 Infractions reported Not Applicable
4. **Youth's academic performance in the last 3 months of school:**
- B+ or above Failing some classes
 C or better Failing most classes
 C- or lower Not Applicable
5. **Youth's current school conduct:**
- Consistent, stable Worsening
 Improving Not Applicable
6. **Youth's current academic performance:**
- Consistent, stable Worsening
 Improving Not Applicable
7. **IF youth is a special education student or has been found to have a learning, behavioral, or other disability; or has a formal IEP:** • Check all that apply
- No Special Education Status Intellectual Disability
 Learning Organic Brain Damage (ADHD / ADD)
 Behavioral Other: _____
8. **Youth believes receiving an education is beneficial to him or her:**
- Believes Does not believe
 Somewhat believes Not Applicable
9. **Youth believes school provides a supportive and encouraging environment for him or her:**
- Believes Does not believe
 Somewhat believes Not Applicable
10. **Total number of out of school suspensions in the last 2 years:** Enter the number up to 10, if none enter 0.
Total number of in-school suspensions in the last 2 years: Enter the number up to 10, if none enter 0.
Total number of expulsions since the first grade: Enter the number up to 10; if none enter 0
- Number of out-of-school suspensions
 Number of in-school suspensions
 Number of expulsions
11. **Age at first expulsion:** Enter 0 if never expelled.
- Age at first expulsion

12. **Youth's involvement in school activities during most recent school year:** School leadership; social service clubs; music, dance; drama, art; athletics; other extracurricular activities.

- Involved in two or more activities
 Involved in one activity
 Interested but not involved in any activities
 No interest in school activities
 Not Applicable

13. **Teachers/staff/coaches youth likes or feels comfortable talking with:** Enter the number of adults; if none enter 0.

Names:

 Number of teachers/staff/coaches

Section 4 Community and Peers

1. **Associates the youth spends his/her time with:**

• Check all that apply.

- Friends who have a positive pro-social influence
 No friends or companions, no consistent friends
 Friends who have a negative delinquent influence
 Associates or has been seen with gang members
 Family gang members
 Youth is a gang member
 None of the above

2. **Attachment to positively influencing peer(s):**

• Check all that apply.

- Youth maintains contact with peers who are responsible and goal-focused
 Youth admires or emulates older adolescents in school and/or work
 Youth has a best friend who is supportive and a positive influence
 None of the above

3. **Admiration/emulation of high risk anti-social peers:**

• Check all that apply.

- Youth does not admire, emulate anti-social peers
 Youth minimally admires, emulates anti-social peers
 Youth admires, emulates anti-social peers
 Youth is a delinquent leader

4. **Number of months youth has been associating with negatively influencing/delinquent friends/gang:** Enter 0 if no anti-social friends/gangs.

Months has associated with anti-social friends

Months has associated with gang

5. **Amount of free time youth spends with negatively influencing/anti-social peers:**

- No anti-social peers
 Spends one or two hours of free time per week
 Spends three to seven hours of free time per week
 Spends eight to 14 hours of free time per week
 Spends all or nearly all of free time

6. **Strength of negatively influencing/anti-social peer influence:**

• Check all that apply.

- No anti-social peers
 Does not go along with anti-social peers
 Sometimes goes along with anti-social peers
 Usually goes along with anti-social peers
 Leads anti-social peers

7. **Number of existing positive adult relationships in the community:** Adults who provide support and model pro-social behavior, such as a religious leader, club member, community person, mentor, previous employer or any other non-family adult(s). Enter number of adults up to 5, if none enter 0. Exclude school-based relationships.

Number of existing adult relationship(s) in the community

8. **Pro-social community ties:** Youth is involved in community organizations that provide explicit opportunities for learning pro-social behavior and attitudes (e.g., church, community service clubs, volunteer activities).

- Highly Involved
 Involved
 Not Involved

Section 5 Alcohol and Drugs



"Disrupts function" involves problems in any one of these four life areas: education, family conflict, peer relationships, or health (Disrupted functioning usually indicates that treatment is warranted – refer for further assessment by a qualified professional).
Alcohol/Drugs contributes to behavior means that use typically precipitates the commission of crime or other reasons youth's delinquent/criminal activity is related to alcohol and/or drug use).

1. Alcohol and Drug Use

 Yes Alcohol/Drug Use

 No Alcohol/Drug Use

	Ever Used	Times used last 3 months	Disrupts function	Contributes to behavior	Age at 1 st use	Attempts to cut back
Alcohol	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Marijuana	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Cocaine/crack	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Ecstasy or other club drugs	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Heroin	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Hallucinogens (LSD, Acid)	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Inhalants /huffing	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Amphetamines (Speed)	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Prescription drug misuse	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>

2. Youth is receptive to participation in alcohol/drug treatment:

 N/A No problem

 Receptive

 Not Receptive

3. Previous alcohol/drug treatment:

 N/A No problem

 Yes

 No

Section 6 Mental Health



Any indications of the following 7 items indicate the need for further assessment by a qualified health professional. Indicators in item 1 should be confirmed by a health care professional.

1. Mental Health Problems:

Mental Health Problems

No Mental Health Problems

Psychoses

Bi-Polar

Other Mood/Affective Disorders

Schizophrenia

Thought/Personality and Adjustment Disorders

Other: _____

(Exclude substance abuse and special education since those are considered elsewhere. Exclude oppositional defiant and conduct disorders).

	Diagnosed	Current Treatment	Past Treatment	Current Medication	Past Medication
Psychoses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bi-Polar	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Mood/Affective Disorders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schizophrenia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thought/Personality and Adjustment Disorders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Homicidal Ideation: Attempts or has thoughts to seriously harm others.

- No indications
 Indications

3. Suicidal Ideation: Attempts or has thoughts to harm self.

- No indications
 Suicidal thoughts
 Suicide attempt

4. Sexual aggression: Indications of aggressive sex, sex for power, sex with younger children, voyeurism, exposure, etc.

- No indications
 Indications



For abuse, include any history that is suspected, whether or not substantiated but exclude reports of abuse proven false.

5. History of physical or sexual abuse: Parents include biological parents, stepparents, adopted parents, and legal guardians.

• Check all that apply.

Abused By:	Parent	Sibling	Other Family	Outside Family
None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Victimization: Indications that the youth has been victimized by a peer or older person.

• Check all that apply.

- No indications
 Sexual vulnerability/exploitation
 Victim of bullying
 Victim of physical assault
 Victim of property theft/vandalization

Section 7 Aggression

1. **Violence:** Indications of any of the following:
 - Check all that apply.
 2. **Hostile interpretation of actions and intentions of others in a common non-confrontational setting:**
 3. **Tolerance for frustration:**
 4. **Belief in use of physical aggression to resolve a disagreement or conflict:** (e.g., fighting and physical intimidation)
 5. **Belief in use of verbal aggression to resolve a disagreement or conflict:** (e.g., yelling and verbal intimidation)
- No reports of violence
 - Displaying a weapon
 - Use of a weapon (i.e., illegally)
 - Bullying/threatening people
 - Violent destruction of property
 - Assaultive behavior
 - Assault causing serious injury (requiring medical attention)
 - Deliberate fire starting
 - Animal cruelty
 - Can easily tolerate criticism or hostility directed by others
 - Shows constraint in dealing with conflict from others
 - Recognizes that most people do not have malicious intentions
 - Frequently attributes hostile intentions to non-confrontational behavior
 - Attributes almost all neutral actions of people as hostile and antagonistic
 - Never gets upset over small things or has tantrums
 - Rarely gets upset over small things or has tantrums
 - Sometimes gets upset over small things
 - Frequently gets upset over small things or has tantrums
 - Highly volatile with reputation for fits of anger and rage
 - Believes violence is rarely appropriate or necessary
 - Believes violence is sometimes appropriate or necessary
 - Believes violence is often appropriate or necessary
 - Believes verbal aggression is rarely appropriate or necessary
 - Believes verbal aggression is sometimes appropriate or necessary
 - Believes verbal aggression is often appropriate or necessary

Section 8 Attitudes

1. **Accepts responsibility for anti-social/criminal behavior:**
 2. **Understands the impact of his or her behavior on others:**
 3. **Willingness to make amends:**
 4. **Optimism:**
- Voluntarily accepts full responsibility for anti-social/criminal behavior
 - Recognizes that he or she must accept responsibility
 - Indicates some awareness of the need to accept responsibility
 - Minimizes, denies, justifies, excuses or blames others
 - Openly accepts or is proud of behavior
 - Fully understands the nature of harm caused to others
 - Indicates awareness that harm has been caused
 - Does not understand or fully appreciate effects on others
 - Minimizes or denies harm caused
 - Total lack of empathy for harm caused to others (e.g., callous)
 - Eagerly indicates plans for making amends
 - Indicates a desire to make amends
 - Willing to cooperate with making amends
 - Non-committal toward making amends
 - Unwilling to make amends
 - Is very confident that the future will be bright
 - Looks forward to the future with anticipation
 - Believes some things matter and he or she has a future
 - Believes little matters because he or she has no future
 - Believes nothing matters; fatalistic

5. **Attitude when engaged in anti-social/criminal act(s):**
- Nervous, afraid, or worried
 - Uncertain, or indecisive
 - Unconcerned or indifferent
 - Hyper, excited, or stimulated
 - Confident, or brags
6. **Law-abiding attitudes:**
- Clearly positive commitment toward law-abiding behavior
 - Expresses a desire to live in a law-abiding manner
 - Expresses neutral attitude toward law-abiding behavior
 - Feels law-abiding behavior does not apply to him or her
 - Openly admits unwillingness to demonstrate law-abiding behavior
7. **Respect for authority figures:**
- Indicates respect for the role of authorities
 - Appreciates the role of authorities
 - Expresses neutral attitude toward authorities
 - Expresses resentment toward authorities
 - Views all authorities with contempt
8. **Readiness for change:** Is the youth willing to address issues that contribute to problem behavior?
- Actively committed to working on change
 - Shows co-operation in taking steps toward positive behavioral change
 - Believes there may be a need to change
 - Exhibits only passive or no support for change
 - Hostile or unwilling to make positive behavioral change

Section 9 Skills

1. **Consequential thinking skills:**
- Acts to obtain good and avoid bad consequences
 - Can identify specific consequences of his/her actions
 - Understands there are good and bad consequences of actions
 - Sometimes confused about consequences of action
 - Does not understand there are consequences of actions
2. **Social perspective-taking skills:**
- Can accept other points of view without necessarily agreeing
 - Tries to understand other points of view
 - Can reason there are two sides to a situation
 - Difficulty understanding there are other points of view
 - Unwilling to recognize there can be other points of view
3. **Problem-solving skills:**
- Can apply appropriate solutions to problems
 - Can generate different solutions to problems
 - Can identify or describe problem behaviors or situations
 - Can sometimes identify problem behaviors or situations
 - Cannot identify when problem behaviors or situations occur
4. **Impulse-control skills to avoid getting in trouble:** Self-control techniques include reframing, replacing anti-social/criminal thoughts with pro-social thoughts, diversion, relaxation, problem solving, negotiation, relapse prevention.
- Uses self-control techniques to avoid trouble
 - Knows some self-control techniques to respond to triggers
 - Can identify triggers (e.g., persons, events, situations, thoughts, emotions, physical cues)
 - Usually fails to identify triggers
 - Cannot identify triggers that cause problem behaviors
5. **Loss of control over delinquent/criminal behavior:**
- Recognizes problem behavior is controllable and accepts full responsibility
 - Strives for some control over own behavior
 - Recognizes that some problem behavior is controllable
 - Believes that most problem behavior cannot be controlled
 - Believes problem behavior is completely out of his or her control

- 6. Interpersonal skills:**
- Demonstrates social appeal through positive interpersonal skills
 - Can appropriately express needs and feelings in an assertive, non-confrontational way
 - Recognizes the need to nurture positive interpersonal relations with others
 - Has some difficulty in expressing needs and feelings effectively
 - Cannot express needs to others without an element of inter-personal conflict
- 7. Goal-setting skills:**
- Carefully sets out realistic goals and plans and takes active steps to achieve them
 - Demonstrates skills in developing realistic goals and plans
 - Recognizes the need to plan, but may set unrealistic plans
 - Lacks skills and motivation for developing realistic goals and plans
 - Exhibits no interest or desire to set goals and make plans for the future

Section 10 Employment and Free Time

- 1. History of employment:** (Exclude odd jobs or babysitting unless a regular paid job)
- Currently employed
 - Never employed
 - Prior successful employment
 - Was fired or quit because of poor performance
 - Was fired or quit because he or she could not get along with employer or coworkers
- Check all that apply.



Complete following section only if the youth has ever been employed. Enter 0 for items 2-4 if the items are non-applicable.

- 2. Total number of times youth has been employed:** Number of times
- 3. Number of weeks of longest period of employment:** Number of weeks
- 4. Positive personal relationship(s) with current employer(s) or adult coworker(s):** Number of adults
- 5. Structured recreational activities:** Youth participates in structured and supervised pro-social community activities such as religious group/church, community group, cultural group, club, athletics, or other community activity (Exclude activities already counted in the School section).
- Involved in two or more activities
 - Involved in one activity
 - Interested but not involved
 - Not interested in any activities
- 6. Unstructured recreational activities:** Youth engages in positively influencing activities – may include reading, artwork, music, computers, hobbies, etc.
- Involved in two or more activities
 - Involved in one activity
 - Interested but not involved
 - Not interested in any activities
- 7. Challenging/exciting hobbies/activities:** Youth identifies a hobby or activity that is or could be especially challenging, intense, or exciting.
- Identifies hobby(s) or activity (s) that are currently challenging/exciting
 - Can identify hobby(s) or activity (s) that would be challenging/ exciting
 - Cannot identify hobby(s) or activity (s) that would be challenging/exciting
- 8. Decline in interest in positive leisure pursuits:** Decline in interest during the past year due to involvement in negatively influencing activities (e.g., substance abuse, gang involvement, delinquent peer groups, illegal activity):
- No change or never experienced positive leisure pursuits
 - Decline in interest in positive leisure pursuits
 - Recent increase in interest in positive leisure pursuits

Appendix B: Cross-system Data Integration Project Membership

Kaj Althaus

Youth Policy Lab/State Court Administrator's Office
Youth Justice System

Cassie Larrieux

Safe & Just Michigan
Advocates/Criminal Legal System

Jeff Anderson

Michigan Department of Corrections
State Corrections

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Ottawa County
Youth Justice System

Thomas Boyd*

State Court Administrator's Office
Courts

Sarah Lightner

Michigan House of Representatives
Legislature

Lyndsie Cole

Kent County/Michigan Sheriffs' Association
County Jails

Doug Powell

Michigan State Police
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Jeff Cook

Eaton County/Michigan Sheriffs' Association
County Jails

John Ropp

State Court Administrator's Office
Courts

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Measures for Justice
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Brittenee Simpson

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State Court Administrator's Office
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