

2023 YOUTH JUSTICE COUNCIL

REPORT TO THE GOVERNOR

AND THE LEGISLATURE



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2023 YOUTH JUSTICE COUNCIL

REPORT TO THE GOVERNOR AND THE LEGISLATURE

PUBLISHED BY THE MONTANA BOARD OF CRIME CONTROL
AND THE YOUTH JUSTICE ADVISORY COUNCIL

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December 2023

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The mission of the Youth Justice Council is to improve the juvenile justice system by serving the best interest of Montana’s youth, families, and citizens by supporting research-based programs with positive outcomes.



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December 2023

Dear Governor Gianforte, members of the Montana State Legislature, and fellow Montanans:

On behalf of the Youth Justice Council (YJC) of the Montana Board of Crime Control (MBCC), I am excited to submit this report that details the activities of the YJC, along with our recommendations regarding juvenile justice in Montana. I know that you all understand the responsibility we must ensure that all youth in Montana have the best possible chance to succeed, including those who have contact with the juvenile justice system.

This report will familiarize you with the structure and duties of the YJC, and introduce you to its members, who represent a wide variety of individuals from across the state. These people are dedicated to serving some of the most at-risk youth in our state, and I am always inspired by their service. I am also impressed with their insights into the needs of these at-risk youth and the ways that we can improve the system to serve them better. I am honored to serve with them.

Please take the time to read about the issues facing our youth and consider what you can do to help make a difference in their lives. The youth of Montana are facing challenges on several fronts, economic, social, educational, health related, the list goes on. It is crucial that we take steps to both reduce the number of children entering the juvenile justice system and work together to make sure that those who do enter it have the best possible chance of changing their lives for the better because of their experiences there. The YJC funds projects around the state that are working to accomplish those goals, (prevention and improving the juvenile justice system) with remarkable success. Please take this opportunity to learn what your fellow-Montanans are doing.

We at the YJC and MBCC wish you well as we enter this new year and hope that you will keep the needs of Montana's youth at the forefront of your discussions. If there is anything, we can do to aid you in this process, please feel free to contact us.

Sincerely,

A handwritten signature in black ink that reads "Randy Shipman".

Randy Shipman, Youth Justice Council Chairman



2023 Youth Justice Council Board Members

Randy Shipman - Chair

Representing: Public agency concerned with delinquency prevention or treatment

rshipman@dillonelem.k12.mt.us

Mike Chavers - Vice Chair

Representing: Programs that are alternatives to incarceration, including recreation activities

mchavers@ybgr.org

April Gabler - Council Member

Representing: Public agency concerned with delinquency prevention or treatment

aprilgabler@gmail.com

Brie Shulman - Council Member

Representing: Nonprofit

bshulmanlpc@outlook.com

Emily Sallee - Council Member

Representing: Persons licensed or certified in mental health and substance abuse

emily.sallee@umontana.edu

George Real Bird III - Council Member

Representing: Elected Official

grealbird3@bighorncountymt.gov

Georgia Cady - Council Member

Representing: Victim or witness advocacy groups, for sexual abuse, exploitation and trauma

georgia.cady@tumbleweedprogram.org

Geri Small - Council Member

Representing: Tribal Member

gerismall@yahoo.com

Christy Hendricks - Council Member

Representing: Experience & competence in addressing problems related to school violence & vandalism

christy.hendricks@mt.gov

Isaac Nehring - Council Member

Representing: Persons under the age of 28

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Representing: Law Enforcement & juvenile justice agencies, including juvenile & family court judges, etc.

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Lilla Guiberson - Council Member

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Representing: Youth

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Representing: Law Enforcement & juvenile justice agencies, including juvenile & family court judges, etc.

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Executive Summary

The Montana Board of Crime Control (MBCC) is the designated state agency that receives juvenile justice funds from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP). As the State Administering Agency (SAA), MBCC ensures Montana's compliance with the federal requirements of the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP Act, Public Law 93-415) as amended by the Juvenile Justice Reform Act of 2018 (JJRA, Public Law 115-385). The JJRA lists four core protections for juveniles: de-institutionalization of status offenders, sight and sound separation from adult inmates, removal of juveniles from adult jails and lockups, and racial/ethnic disparities (R/ED) reduction. MBCC monitors secure juvenile detention facilities, adult jails, and secure correctional facilities on a regular basis to ensure compliance with these protections.

The Youth Justice Council is a state advisory group to the Montana Board of Crime Control. Governor-appointed members from a variety of fields contribute their expertise regarding the juvenile justice system and youth issues. The YJC also helps MBCC apply for and distribute federal grant funds, build partnerships with outside agencies, and analyze juvenile justice data. Finally, YJC members assist with the creation of Montana's Three-Year Title II and RED Reduction Plan based on data trends, their professional knowledge, and input gathered from youth and families. As an advisory council, the purpose of the YJC is to provide advice to MBCC; not for legislative advocacy.

The Youth Justice Council recognizes the importance of reducing risk factors for delinquency and increasing protective factors for children, adolescents, and their families. Juvenile justice and delinquency prevention funds support mentorship programs, academic help, job skills training, mental health/substance abuse treatment, restorative justice practices, diversion, trauma-informed care, and other services that assist at-risk and justice-involved youth.

Federal Requirements

Montana's State Advisory Group, the Youth Justice Advisory Council (YJC), was established by a Governor's Executive Order in response to Section 223 of the federal JJDP Act. Pursuant to the JJDP Act, each state must establish a State Advisory Group (SAG) on Juvenile Justice to receive Title II Formula Grant funds. The YJC is a Governor-appointed panel of 15-33 persons from across the state of Montana, each with his/her training, experience, or special knowledge of the juvenile justice system. Members are appointed for two-year terms. The purpose of the YJC is to study juvenile justice issues and make recommendations regarding policy and funding decisions to improve the quality of life for all Montana youth.

Currently the YJC membership is representative of 6 of the 12 Montana Association of Counties (MACo) districts. The YJC meets quarterly in Helena to address juvenile justice issues and trends in Montana and to work on its state and federal responsibilities in accordance with the JJDP Act. Those responsibilities include the following:

- Submit to the Governor, the Board of Crime Control, and the Montana Legislature, at least annually, recommendations regarding state compliance with the federal requirements of the Juvenile Justice and Delinquency Prevention Act Reauthorization of 2018;
- Participate in the development and review of the state's juvenile justice plan prior to submission of the plan to the Board of Crime Control for final action, and develop and review annual updates of the plan;
- Review and comment on all juvenile justice and delinquency prevention grant applications submitted to the Board of Crime Control; and
- Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system and state, local, and private agencies on juvenile justice issues to better coordinate services and efficiently utilize available resources.

Members represent one or more of the following groups:

- Locally elected officials representing general purpose local government
- Representatives of law enforcement and juvenile justice agencies
- Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, child and adolescent mental health, education, child and adolescent substance abuse, special education, recreation, and youth services agencies
- Representatives of private nonprofit organizations, including persons with special focus on preserving and strengthening families, youth development, delinquency prevention and treatment, neglected or dependent children, etc.
- Volunteers who work with delinquent youth or youth at risk of delinquency

- Representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities
- Persons with special experience and competence in addressing problems related to school violence and vandalism, and alternatives to suspension and expulsion
- Persons, licensed or certified by the State of Montana, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency
- Representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma
- Tribal representatives or other individuals with significant expertise in tribal law enforcement and juvenile justice in tribal communities

Core Protections for Juveniles

In 1974 Congress enacted the *Juvenile Justice and Delinquency Prevention (JJDP) Act*; the JJDP Act was reauthorized by Congress in 2002¹ and 2018. The JJDP Act provides funding to states to support four core protections for America’s youth who become involved in the juvenile justice system. These are the basis for the state’s required work plan which is submitted annually to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) by MBCC on behalf of the State of Montana.

The four core protections include the following:

De-institutionalization of Status Offenders (DSO)

The State of Montana must ensure that juveniles who are charged with a status offense are not placed in secure detention or in correctional facilities. Status offenses are those that would not be an offense if committed by someone age of 18 or older.

Sight and Sound Separation

The State of Montana must ensure that a juvenile charged with a delinquent offense and detained or confined in an adult jail or lock-up is separated from adult inmates by both sight and sound at all times.

Racial/Ethnic Disparities (R/ED)

The State of Montana must outline plans to identify and reduce racial and ethnic disparities (R/ED) at five key points of contact in the juvenile justice system: arrest, diversion, detention, secure

confinement, and adult transfer. The Youth Justice Council reports data on all racial/ethnic groups that make up 1% or more of the youth population in Montana.

The table below represents all unduplicated youth ages 10-17 that were referred to youth court or adjudicated in 2022 for any type of offense. Juvenile justice data can be difficult to interpret and has several limitations. Numbers captured by the youth courts can change depending on the time at which data is pulled, and the statuses of juvenile cases change periodically. Sealed and expunged records are also deleted from youth court data. Finally, several racial/ethnic groups have an extremely small population size in Montana. For these groups, the percentages of youth in the juvenile justice system may appear inflated. To avoid duplication of data, all individuals identifying as Hispanic were placed exclusively in the Hispanic/Latinx ethnic category, regardless of race.

2022 Juvenile Offenses and Dispositions by Race/Ethnicity

	American Indian/ Alaska Native	Black	White	Hispanic/ Latinx	Asian	Multi-racial	Unknown	Total
Total Population of Youth Ages 10-17	10,960	1,519	85,083	6,126	1,250	no data	no data	104,938
Youth Referred	532	79	2211	80	23	136	106	3,223
Percent Referred	4.85%	5.20%	2.60%	1.31%	1.84%	-	-	2.35%
Youth Diverted	464	65	2008	68	18	122	99	2,844
Percent Diverted	87.22%	82.28%	90.82%	85%	78.26%	89.71%	93.40%	88.24%
Youth Detained	89	19	249	11	2	19	6	395
Percent Detained	16.73%	24.05%	11.26%	13.75%	8.70%	13.97%	5.66%	12.26%
Youth Securely Confined	9	0	22	1	0	1	0	33
Percent Securely Confined	1.69%	0%	1%	1.25%	0%	0.74%	0%	1.02%
Youth Charged as Adults	1	0	5	0	0	0	0	6
Youth Charged as Adults	0.19%	0%	0.23%	0%	0%	0%	0%	0.19%

Montana continues to see disparities at multiple points of contact for minority youth. Black and American Indian youth are significantly more likely than white youth to be referred to the juvenile justice system. They are also less likely to be diverted, more likely to be detained, and are typically more likely to be placed in a juvenile correctional facility. Hispanic/Latinx youth (of all races) and Asian youth were less likely to be referred than white youth. However, the number of Hispanic youth in particular is likely underreported. Both groups were less likely to be diverted than white youth, and Hispanic youth were slightly overrepresented in detention and secure confinements.

The Youth Justice Council has funded multiple culturally competent youth programs and encourages subgrantees to increase their focus on providing services to youth of color. Some programs, such as YWCA of Missoula, actively recruit volunteers and staff from minority backgrounds to share their unique perspectives and support youth of color. Several other programs are partnering with tribes to expand their services to indigenous communities. The YJC will continue to support inclusive interventions that foster a sense of belonging and improve outcomes for youth from all backgrounds.

Removal of Juveniles from Adult Jails and Lock-ups

The State of Montana must ensure that no juvenile shall be detained or confined in a jail or lock-up intended for adult offenders beyond specific time limits – six hours in a Metropolitan Statistical Area (MSA) county and 24 hours in a non-MSA county. Limited exceptions may be made if adverse travel and/or safety conditions exist.

The reauthorization of the JJDP Act in 2018 added a new requirement regarding the pre-trial detention of juveniles charged as adults. Such juveniles may not be detained in an adult jail/lockup or with sight or sound contact with adult inmates *unless* the court determines, after a hearing and in writing, that it is in the interest of justice to do so. This determination is based on the following factors:

- Age
- Physical and mental maturity
- The present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile
- The nature and circumstances of the alleged offense
- The juvenile’s history of prior delinquent acts
- The relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth, and
- Any other relevant factor(s)

The court must conduct a hearing every 30 days (or 45 days in rural jurisdictions) to reevaluate whether it is still in the interest of justice to continue to detain the juvenile in an adult jail or lockup and, if so, issue a new court order.

YJC Subcommittees

Executive Subcommittee: In the absence of a quorum at a regularly scheduled YJC meeting, or between regular meetings as necessary, the Executive Subcommittee may take limited, time-critical actions to carry out the essential responsibilities of the YJC. This body also makes recommendations to the YJC regarding nominations, federal grant applications, associated deadlines related to the Three-Year Plan, and compliance with the core requirements of Title II legislation.

Tribal Outreach Subcommittee was formed to help the Montana Board of Crime Control develop important and lasting relationships with our Tribal Nations. The committee discusses concerns expressed by tribal members, organizations, and agencies to inform decisions made by the YJC and MBCC.

RED/DMC Subcommittee was formed to maintain compliance with the federal mandate to reduce racial and ethnic disparities (RED) in the juvenile justice system by analyzing data, creating/implementing a RED reduction plan, and reporting progress on statewide goals to OJJDP annually. The committee provides guidance through recommendations to the YJC and MBCC regarding issues of disparity and disproportionality.

Legislative/Mental Health Subcommittee was formed to research best and promising practices for youth and to recommend research-based improvements to Montana's juvenile justice system. Subcommittee members monitor legislation related to youth needs and promote mental health/substance use prevention and treatment services for at-risk and justice-involved youth of all ages.

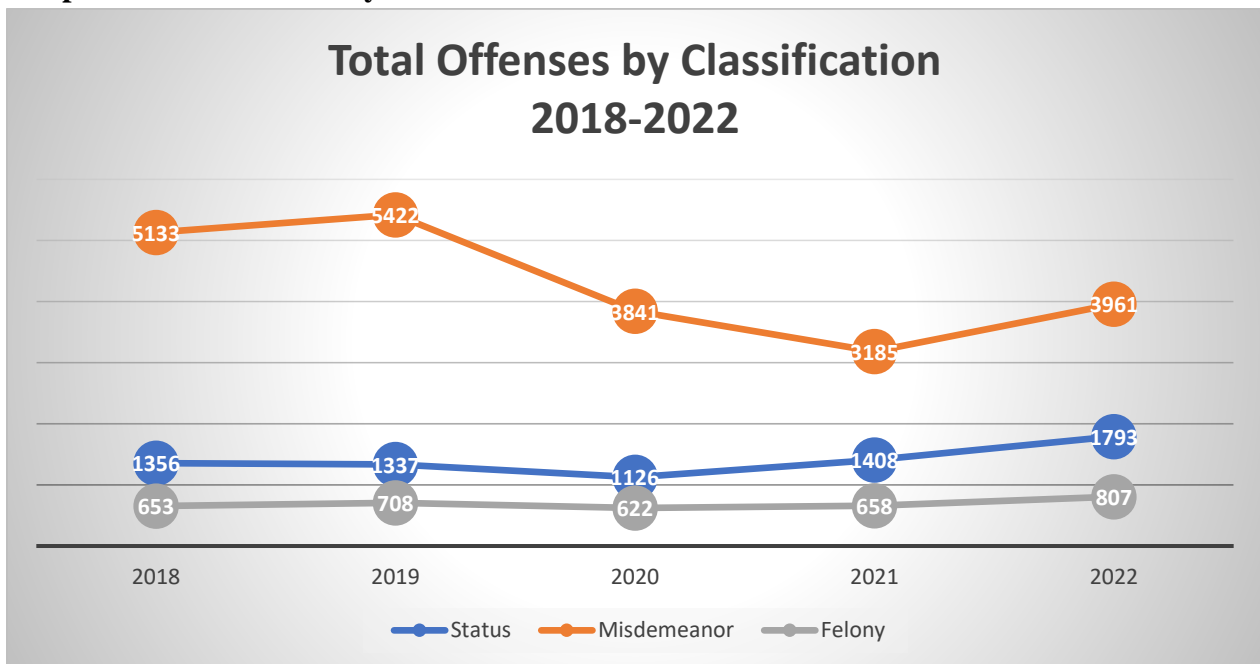
Youth Subcommittee members meet to discuss issues of interest to youth in Montana. They draw from their own experience, surveys completed by juveniles in detention facilities, and state data to advocate for local youth. The committee is youth-led with support from a few adult YJC members and MBCC staff. Youth members may create their own initiatives based on issues they are passionate about. Multiple youth also serve on (and take leadership roles in) other subcommittees in addition to their contributions at quarterly YJC meetings.

Application Review Committee members work with MBCC staff to review subgrant applications for Title II and discretionary grant funds. The committee submits subgrant funding recommendations to the YJC for approval. The YJC's approved recommendations are forwarded to MBCC for review and final award or denial.

Data Trends

Montana experienced a rapid increase in most areas of juvenile crime in 2022. The YJC anticipated this increase following a sharp decline in juvenile arrests during the pandemic. The graphs below include data from years prior to the pandemic, where practical, to provide additional context. The data below show the total offenses recorded in youth court data between 2018 and 2022. One youth can have multiple referrals, and there can be up to ten offenses per referral. In 2022, 3,271 unduplicated youths were referred to the juvenile justice system. While this was a substantial increase from the 2,635 juveniles referred in 2021, the number of juveniles in 2022 was slightly lower than those referred in 2018 and 2019. Additional information on justice-involved juveniles can be found in the next section.

Graph 1: Total Offenses by Classification

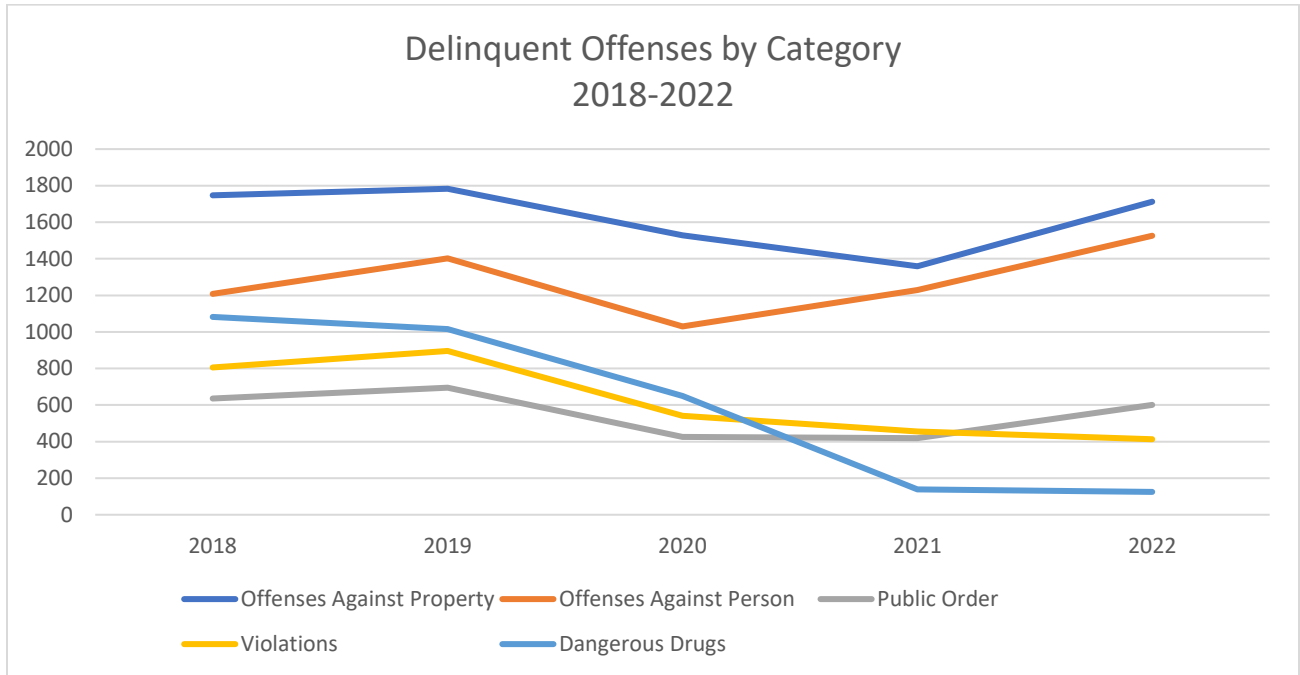


The number of offenses in youth court dropped significantly during the pandemic. The change to at-home learning and activities temporarily reduced opportunities for youth to commit (or report) certain crimes. For example, between 2019 and 2020 misdemeanor assaults and disorderly conduct charges dropped by about 62% and 42%, respectively. Moderate reductions in status offense referrals (age-based offenses) and a slight reduction in felony referrals were also noted.

Offending slightly increased overall in 2021 and continued to increase in 2022. While the number of misdemeanors continued to decrease in 2021, they quickly rebounded in 2022. Status offenses also increased, in part due to the legalization of marijuana. Many marijuana offenses, which used to be classified as misdemeanors, are now recorded as status offenses. While most of these increases were anticipated, the rise in felony offenses beyond pre-pandemic levels is concerning. Robberies, assaults with a weapon, burglaries, and felony sexual offenses experienced some of the

largest increases between 2021 and 2022. While 2023 data is not yet complete, local partners continue to report concerns about serious crimes committed by juveniles.

Graph 2: Delinquent Offenses by Category



Delinquent offenses refer to misdemeanor and felony crimes committed by juveniles. Status offenses such as a minor in possession of alcohol, truancy, etc. were included in Graph 1. For simplicity, offenses against public administration and violations of city/county ordinances have also been excluded.

Offenses against property are consistently the most common delinquent offenses, followed by offenses against the person or family. While most of these crimes are misdemeanors, as discussed above there has been an increase in violent felony offenses. So far, this category is the only one to surpass pre-pandemic levels. Public order offenses such as disorderly conduct also fell during the pandemic and have gradually risen over the past two years. Two offense categories, violations and dangerous drugs, both fell during the pandemic and have either continued to decrease or remain stable in 2022. The reason that violations have not increased is unclear. However, “dangerous drug” offenses are not expected to return to pre-pandemic levels due to the removal of low-level marijuana possession from this category.

A Profile of Montana's Justice-Involved Youth

- In 2022, the number of referrals peaked at age 15. The second most common age at the time of offense was 16, followed by 14 and 17.
- 70% of referred youth were white and 17% were Native American. Three percent of youth were Black, three percent were Hispanic, and the remaining eight percent identified as multiracial or other. Native American and Black youth continue to be overrepresented in the juvenile justice system compared to the general population of Montana.
- 39% of youth referred to the juvenile justice system are female.
- 54% of youth referred to the juvenile justice system had a household income under \$40,000.
- 40% of justice-involved youth lived in a single-parent household.
- The most common mental health diagnoses reported by justice-involved youth include Attention Deficit/Hyperactivity Disorder, Depression, Anxiety, and Posttraumatic Stress Disorder.
- Justice-involved youth in Montana continue to experience higher rates of adverse childhood experiences such as emotional abuse/neglect, physical neglect, parental loss, intimate partner violence, substance abuse, and mental illness than adults in the original ACEs study.
- In 2022, 191 youth were sent to an out-of-home placement (17.3% reduction compared to 2021). Of these, 60 youth were sent out of state. Out-of-state placements are far more costly and longer on average than in-state placements.
- 11% of juveniles were referred for a new offense while under supervision.
- 20% of juveniles were referred for a new offense less than one year after case completion for a previous offense.
- There were 536 detentions in 2022. Of these, 23% (about 124) stayed in detention for more than 30 days.

Youth Justice Council Recommendations

To prevent juvenile delinquency and its escalation into chronic criminality, the Youth Justice Council supports prevention services for at-risk youth of all ages and their families, diversion for youth with low-level offenses, wrap around services, and alternatives to detention or incarceration whenever possible. The YJC recommends interventions that are trauma-informed, developmentally appropriate, restorative in nature, community-based, and incorporate family input and traditional cultural practices when appropriate.

The following recommendations were compiled by the Youth Justice Council based on state and national research, input from youth and families, and the expertise of individual members:

- Update state statute to incorporate new federal requirements
- Require courts to consider time served during sentencing for juveniles held in pre-trial detention facilities
- Study and address long court processing times for juveniles in detention facilities
- Invest in programs and services that support at-risk youth before they enter the justice system
- Provide continuing services and support for juveniles after their probation ends
- Expand in-state mental health and substance use treatment options for youth
- Encourage the use of social-emotional learning programs in schools

Student Recommendations

The following recommendations were made by middle school students to address the issue of youth violence in Montana:

- Educate youth about drugs, alcohol, and youth violence
- Support healthy coping skills and stress management for youth
- Increase access to school counselors and other mental health providers
- Provide activities for youth outside of school, especially during the summer
- Support programs that improve communication between kids and parents
- Encourage youth-led support groups
- Encourage proper training and secure gun storage for firearm owners
- Create alcohol-free spaces for children and teens during community events

2021-2022 Federal Grants and Funding Priorities

Title II – Formula Grant

The Title II Formula Grant supports state and local efforts to develop and implement more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs. Programs address juvenile delinquency as well as initiatives to improve the juvenile justice system per Section 221(a) of the JJDP Act. Funds are allocated to states and territories based on their population of youth under the age of 18.

In 2023, MBCC awarded Title II funds to the following agencies:

- Big Brothers Big Sisters of Butte, Big Sky Country, and Northwest MT
- Boys and Girls Club of Missoula County & the Hi-Line
- Chippewa Cree Tribe
- Friendship House of Christian Service
- Bitterroot Ecological Awareness Resources Inc.
- CASA of Missoula
- YWCA of Missoula
- Center for Restorative Youth Justice

Subgrant programs are on track to serve nearly 1,500 at-risk and justice-involved youth by the end of 2023. Title II funds were also used for monitoring detention centers for compliance with the JJDP Act and for funding *Do the Write Thing*. *Do the Write Thing* is a national program that encourages seventh and eighth grade students to write about youth violence and make a commitment to reduce violence in their schools and communities.

Title V – Delinquency Prevention Program

The Montana Board of Crime Control was awarded \$1 million from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to expand restorative justice programming in rural areas, high-poverty areas, and Qualified Opportunity Zones. The program model, which also emphasizes mentoring and case management, was based on the Adolescent Diversion Project, an evidence-based program that has been highly successful in lowering delinquency and recidivism rates.

MBCC awarded funds to the Missoula County Community Justice Department and the Missoula City-County Health Department. The Community Justice Department partnered with a nonprofit that provides Outdoor Behavioral Healthcare and ongoing youth/family support. The program provides 6-week summer expeditions for youth who struggle with self-destructive behavior, mental health issues, addictions, trauma, and negative peer/family relationships. Participants are accompanied by a therapist, a wilderness guide, and experienced staff. Parents/guardians work with a case manager while the youth is away to learn new tools and address family concerns.

The Missoula City-County Health Department partnered with Friends of the Children, a long-term mentoring program for at-risk youth. Professional mentors are paired with children as young as 4-6 and continue the mentoring relationship until the child turns 18. The program has impressive results for preventing juvenile justice involvement and improving graduation/employment rates as mentees enter adulthood.

Subgrantee Success Stories

Below are just a few success stories from nearly 1,500 youth who were served in 2023.

“CRYJ often comes into contact with teens in crisis, when what is needed most is an interruption. This summer and fall, CRYJ worked with a 17-year-old managing a variety of stressful life circumstances, all of which were severely impacting his overall mental health. This teen was trying hard to maintain sobriety and spend less time with negative peer influences, all while navigating being on formal probation, getting expelled after bringing a firearm to school, and being evicted with his family from the property where they’d been parking their camper. On his own volition, this teen continued to come to CRYJ beyond the requirements of his program agreement. During this time, CRYJ facilitated a meeting between this teen and a local Job Service representative to help place him with a job, connected him to the local community college’s free HiSet prep course which he now attends four days per week, and introduced him to a therapist who now has a first appointment scheduled with. This teen still attends CRYJ workshops to access positive peer relationships, but now has other longer term supports in place.”

Center for Restorative Youth Justice

“Boys & Girls Club of Missoula County is serving youth who are currently living at the YWCA’s new Meadowlark facility here in Missoula. A 6th grader living at the Meadowlark has been attending one Club since the beginning of the school year. This young man has witnessed severe abuse at home and had been perpetuating unsafe and violent behavior at Club. The Club staff have been working tirelessly to support this Club Member and make Club a successful, positive, and impactful environment for him. They have spent this past school year brainstorming solutions together as a team. They have tried implementing a variety of changes at Club, such as creating specific spaces for this Club Member, setting unique goals for him, and finding ways to integrate him with his other Club Members while ensuring he and everyone else at Club remain safe. This past week, we learned from staff that this same Club Member has not been engaging in unsafe or harmful behaviors and ‘loves coming to Club.’”

Boys and Girls Club of Missoula County

“When attending a local elementary school for a match introduction, our Site-Based Coordinator ran into a Little who was returning to the program after the summer break. The Little was ecstatic to see the coordinator and ask about her Big and when they would start seeing each other again because, "seeing her big was the best thing that happened every week!"

Big Brothers Big Sisters of Northwest MT

“A female client successfully completed the program after being charged with Minor in Possession. Her attendance and grades improved and joined the volleyball team. She started getting along better with her parents and has not reoffended. She completed all of her requirements within 30 days, had amazing grades, and graduated the program with ease. Reengaging with her cultural upbringing has helped her turn back to culture to deal with issues rather than substances.”

Chippewa Cree Tribal Court

“When CASA Susan Monahan was appointed to her case, all four of the children in the family were living in an RV with their parents. Both parents were addicted to methamphetamine, and the mother was violent toward the father. The family was in so much upheaval that none of the children were in school and one of the four girls had been sexually assaulted by a family friend; nothing had been done to protect her. It was November of 2019.

The road to safety was a rocky one. In Mineral county, where this was taking place, the court met infrequently, and more things seemed to get done informally in the time it took the court to catch up. Susan saw this and immediately reached out to the foster placements, and formed a close team with the CPS on the case. Together, they helped the four children recover from the trauma of their early childhoods in safe placements. When Susan heard the twins wanted to move back in with their dad, who was in treatment, she realized it was her role to help the family court case stay at the pace of his recovery. Across two foster placements in two different counties during four years, Susan would check in with the twins each month and make sure they were paying as much attention to school as they were to their court dates. This summer, the twins moved in with their baby half sister and their father. They say they’ve never been happier: they have a new grandmother the mother of their father’s new partner, and a sense of belonging they say they never had in their foster homes. The case will officially close in December.”

CASA of Missoula

Restorative Justice in Montana

Restorative justice is a theory that emphasizes repairing the harm that is done to the community and to the victim through the criminal behavior. Restorative justice is based on three principles. First, those who have been injured or harmed must be restored, to the degree possible, to their condition prior to the harm. Second, those who have been most directly impacted by the crime should be offered the opportunity to participate in the process. Finally, the community's function is to maintain peace and safety. Restorative justice takes work and commitment.

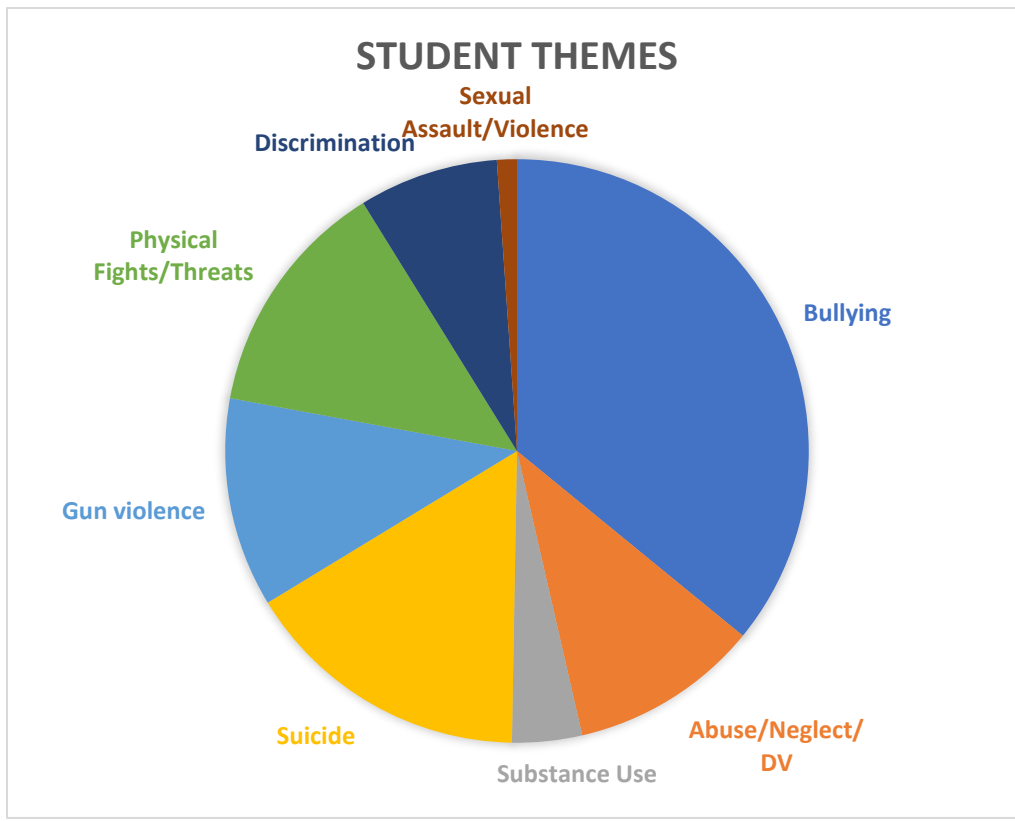
Restorative justice is a different way of perceiving crime and the way we respond to it. By focusing on the harm caused by the crime and the harm done to victims, offenders are required to take responsibility for their actions and the harm they have caused. Criminal acts are not simply defined by the law or laws broken and the punishment merited; rather, the victims' needs are recognized, and community plays a strong role in the reintegration of the offender. Restorative Justice is rated as a promising practice by the National Institute of Justice for reducing juvenile reoffending, increasing victims' satisfaction with the justice process, and improving youth compliance with restitution requirements.

The most common restorative intervention used with young offenders in Montana is the restorative circle. Restorative circles include the juvenile(s) who caused harm, the individuals who were impacted by the offense, guests invited to support the victim and/or offender, and a trained facilitator. Each individual is given an opportunity to discuss their perspective on the incident that occurred. The victim can also express the challenges that he/she experienced as a result of the offense and ask questions about the incident. During this process, the facilitator maintains a calm and respectful environment. Once all individuals have shared, the group discusses potential options for repairing the harm. For example, a juvenile that vandalized property may be asked to contribute labor or money to fix the damage. Restorative circles bring clarity to victims, encourage youth to take responsibility for their actions, and allow every participant to contribute to a resolution.

The YJC continues to support restorative justice efforts across Montana. In addition to funding the Center for Restorative Youth Justice, the Title II and Delinquency Prevention Program grants have funded an annual Restorative Practices training for the past five years. This training, provided at MBCC's Crime Prevention Conference, has taught detention and corrections officers, educators, school resource officers, probation officers, and others to effectively provide restorative interventions and accountability for youth. Attendees have reported positive impacts from the training in a variety of situations, from school discipline to resolving conflicts in a correctional setting. The most recent training in October 2023 produced nine new trainers who have agreed to provide low-cost training to agencies in rural and impoverished areas.

Montana's Do the *Write* Thing Challenge

For the past 16 years Montana has participated in the Do the *Write* Thing Challenge, a writing campaign that provides 7th and 8th grade students with the opportunity to examine how youth violence impacts their lives, learn the causes of youth violence, and make a commitment to reduce youth violence. Students write essays and poems to voice the effects of violence in their schools, communities, and homes and to express what they can do about youth violence. Seven schools participated in 2023. Over 700 students wrote about youth violence, and 157 submitted their essays for consideration. Common themes included bullying, suicide, assault, and gun violence (see below):



Each year Montana selects ten finalists who are recognized at the state celebration in Helena. One boy and one girl are selected to represent Montana as student national ambassadors. These two students travel with their parents and teacher to Washington, D.C., where they attend a four-day gathering with other student ambassadors. Students tour the city, attend workshops, and speak to legislators. A leather-bound book containing the ambassadors' writings is presented to the Library of Congress.

The Montana Board of Crime Control and the Youth Justice Advisory Council would like to congratulate Montana's 2023 Do the *Write* Thing Student National Ambassadors:

Lucimae Pittman
Fairfield Middle School
Fairfield, Montana

Augustyn Bertucci
Laurel Middle School
Laurel, Montana

Montana's Finalists

The Montana Board of Crime Control and the Youth Justice Advisory Council would also like to acknowledge Montana's 2023 Do the *Write* Thing Finalists:

Natalie Crossman, Chloe Jewell, Indro Pramanik, Jordyn Hillman, CJ Huestis, Seven McGary, Savanna Norwick, and Garrett Tackett

Finally, the Youth Justice Council thanks all of the teachers, parents, volunteer judges, and staff who make this program possible.



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