

**HOUSE APPROPRIATIONS COMMITTEE  
REPRESENTATIVE JON NELSON, CHAIR  
JANUARY 11, 2023**

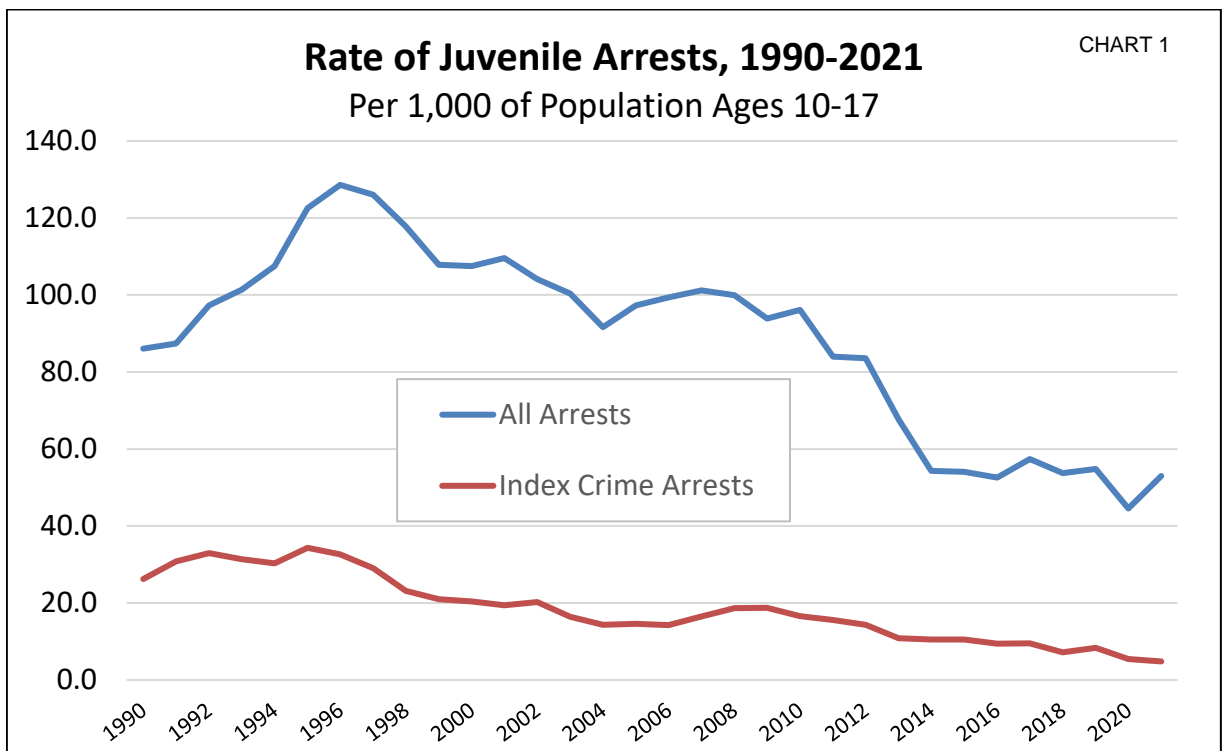
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**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
LISA BJERGAARD, DIRECTOR, DIVISION OF JUVENILE SERVICES  
PRESENTING TESTIMONY IN SUPPORT OF HOUSE BILL 1015**

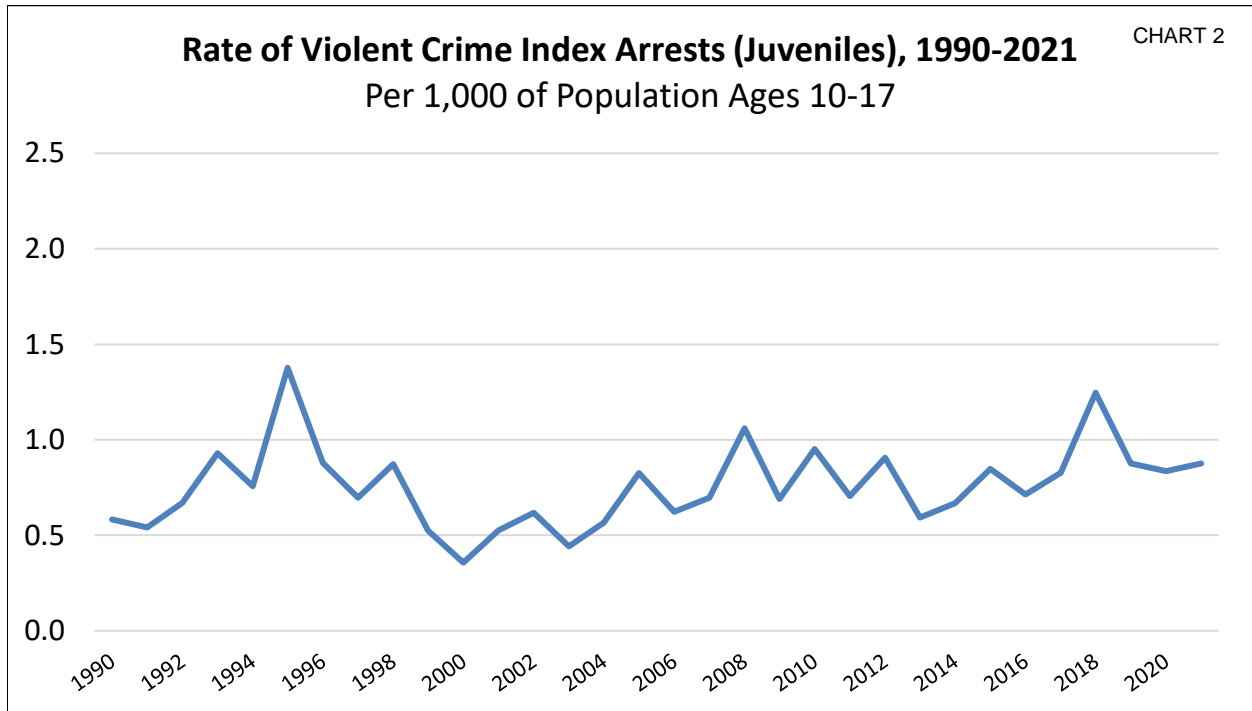
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Chairman Nelson and members of the Appropriations Committee, my name is Lisa Bjergaard, and I am the Director of the Division of Juvenile Services (DJS) for the North Dakota Department of Corrections and Rehabilitation. I am here to testify on behalf of the department in support of House Bill 1015.

Context is always an important element of creating understanding. In order to understand the current juvenile corrections environment, a look-back at historical data will be helpful.

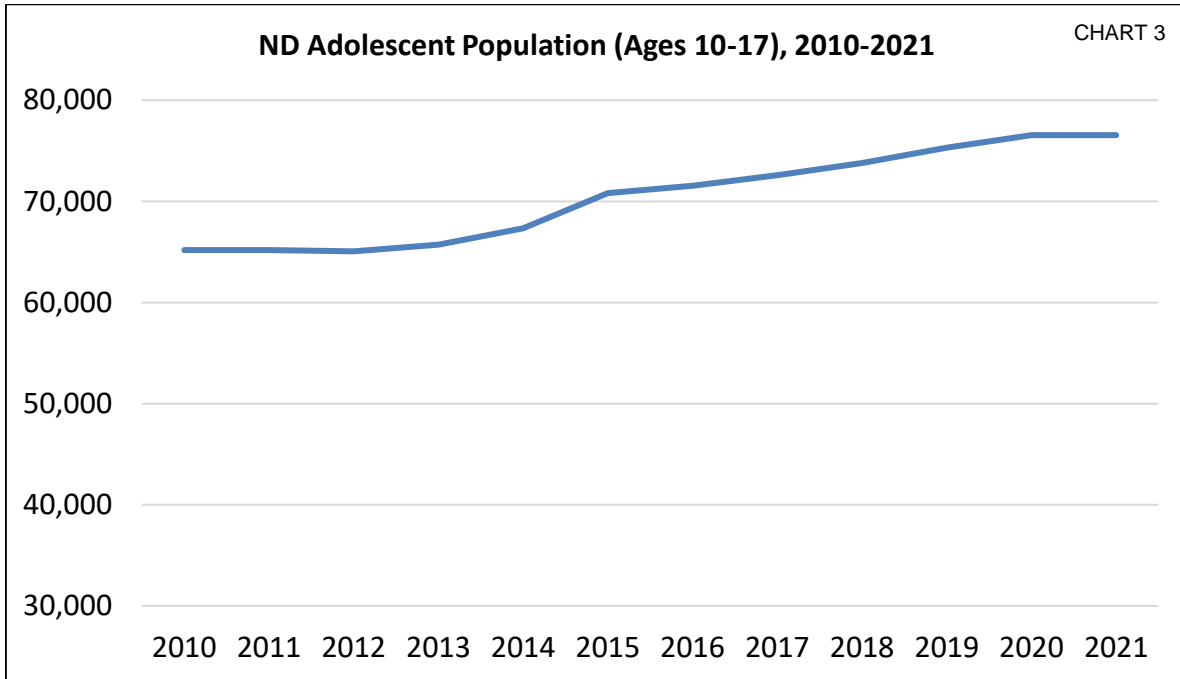


Index Crimes fall into two categories, violent person and property crimes. Violent person crimes include murder/non-negligent homicide, forcible rape, robbery and aggravated assault. Property crimes include burglary, larceny and motor vehicle theft.



This chart shows the detail of violent index arrests over the same time period, 1990 through 2021. It is important here to emphasize the numbers on y-axis (the left side) of this graph. Over the past 33 years, you can see that the rate of youth arrested for violent person crimes has remained constant, between .5 and less than 1.5 per thousand youth.

Although the rate has remained constant, the number of youth in the age group 10-17 has changed over time. As the number of youth changes, the number of youth arrested for violent person crimes should go up and down, assuming that the **rate** of violent behavior will remain relatively consistent.



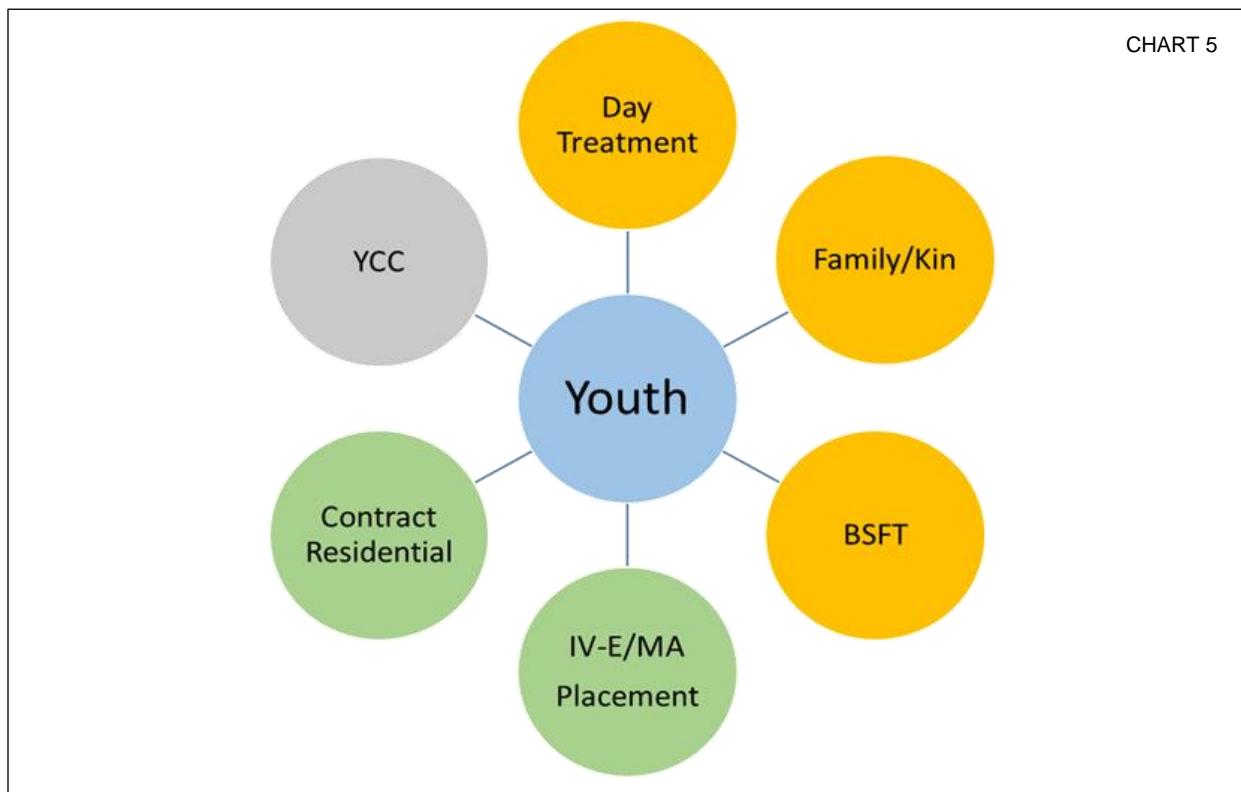
The violent index crime group are youth who represent a threat to public safety. These high-risk youth are the most likely to require a period of secure confinement over the course of their adolescence.

In addition to this cohort, there are other youth who find their way into the youth corrections system. These youth, although they may not pose a direct threat to public safety, represent a section of the population of youth with significant and chronic social problems. These youth pose a lower risk to public safety, but they tend to have high needs that have not been met through traditional services. This includes substance abuse, behaviors related to trauma, family instability, problems in school, trouble with impulsivity and poor decision making, and significant delays in social skills.

**DJS Custodial Youth** CHART 4

79% have <b>mental health issues</b>	72% have <b>substance abuse issues</b>	85% have <b>family instability issues</b>	74% have <b>academic problems</b>	99% have <b>criminogenic risk factors</b>	96% have issues with <b>cognitive reasoning</b>	85% lack <b>adequate social skills</b>
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This cohort of youth present with complex and challenging cases. All youth newly committed to DJS custody first undergo an assessment and case planning phase. Services are matched to needs, and a level of care determination is made. Generally speaking, the level of care determination might include placement at home (or with kin), a foster care setting, or a residential setting. Secure correctional placement is reserved for those youth who pose an imminent risk to public safety.



Science has long told us that the three most salient factors in developing healthy adolescent psychology are: the presence of positive peers, the involvement of positive adults, and the opportunity for prosocial activities. Building on that knowledge, we recognize that when any youth or child is removed from their home, whatever positive attachments and activities present in their lives is disrupted.

Therefore, we remain committed to delivering interventions in the normative environments of home and school. Two time-tested programs have the backbone of community based DJS services for over 30 years: intensive in-home family therapy and school-based Day Treatment. These interventions include precisely the strategies that research now identifies as most effective.

### ***Community Based Placement***

#### *Day Treatment:*

The core treatment team for the program is comprised of a: (1) teacher; (2) social worker; and (3) paraprofessional. All staff need to be full time and not assigned to other duties in the school district. Class size is to be 8 to 15 youth per unit.

Chart 6 (Day Treatment Overview)

#### *Brief Strategic Family Therapy (BSFT):*



Brief Strategic Family Therapy® (BSFT®), an evidenced-based, family-focused intervention that treats the family system as a whole and is designed to:

- Prevent, reduce, and/or treat youth behavior problems.
- Improve family functioning, including effective parental leadership and involvement with the youth. (Improve youth's behavior by improving family relationships.)

The BSFT® Program targets children and adolescents between the ages of 6 and 17 who are displaying or are at risk for developing behavior problems, including substance abuse, conduct problems and delinquency. The BSFT® Program has been implemented as a prevention, early intervention and intervention strategy for delinquent and substance-abusing adolescents.

### ***Residential Placement***

Sometimes, a period of placement outside of the home becomes necessary. Examples include the period of initial assessment, a period of particularly intense parent child conflict, a youth whose behavior requires more supervision than a home can provide, or youth who require a foster parenting setting.

#### ***IV-E and MA reimbursed placements:***

These placements include PATH treatment foster care, Dakota Boys and Girls Ranch, Home on the Range, Eckert Youth Home, and Luther Hall. These settings are licensed by DHHS, and are funded with a combination of federal and state dollars. DJS

historically relied heavily on access to these beds, but changes in federal guidelines have now restricted access.

*Proposed Contract Housing:*

Even though access to the funding stream has changed, the needs of the youth have not. This critical funding will allow DJS to contract for residential placement services for a limited number of youth, to meet a variety of placement needs.

***Youth Correctional Center (YCC) and Juvenile Pre-trial Detention***

Secure care is reserved for only those youth who pose a substantial risk to public safety. An average census is around 25 youth on any given day, and in the first year of the biennium YCC served 100 unique youth. Youth are required to attend school. Depending on their specific needs, youth also attend substance use disorder treatment, group-based cognitive interventions, anger replacement training, individual therapy, spiritual life activities, and recreation in a highly structured and regimented environment.

In addition to providing secure care for youth committed to DJS, the YCC provides detention services for Burleigh and Morton Counties, in addition to other counties in the southwest region of North Dakota. During the first year of the biennium, 115 youth were securely detained.

***Additional Activities***

*Interstate Compact:* During the first year of the biennium, 282 Interstate Compact for Juveniles transactions were completed.

*Young Adult Parole and Probation Project:* A few DJS case management staff have completed Parole and Probation and are now able to act as probation officers for young adults aged 18-24. To date, 127 adult cases have been supervised by DJS staff, with 72 of those cases currently active. 2 of the young men reside in the Restoring Promise unit at NDSP.

Thank you for your time and consideration. I am always grateful for the opportunity to share with you the activities and operations of the youth-serving division of the Department of Corrections.