

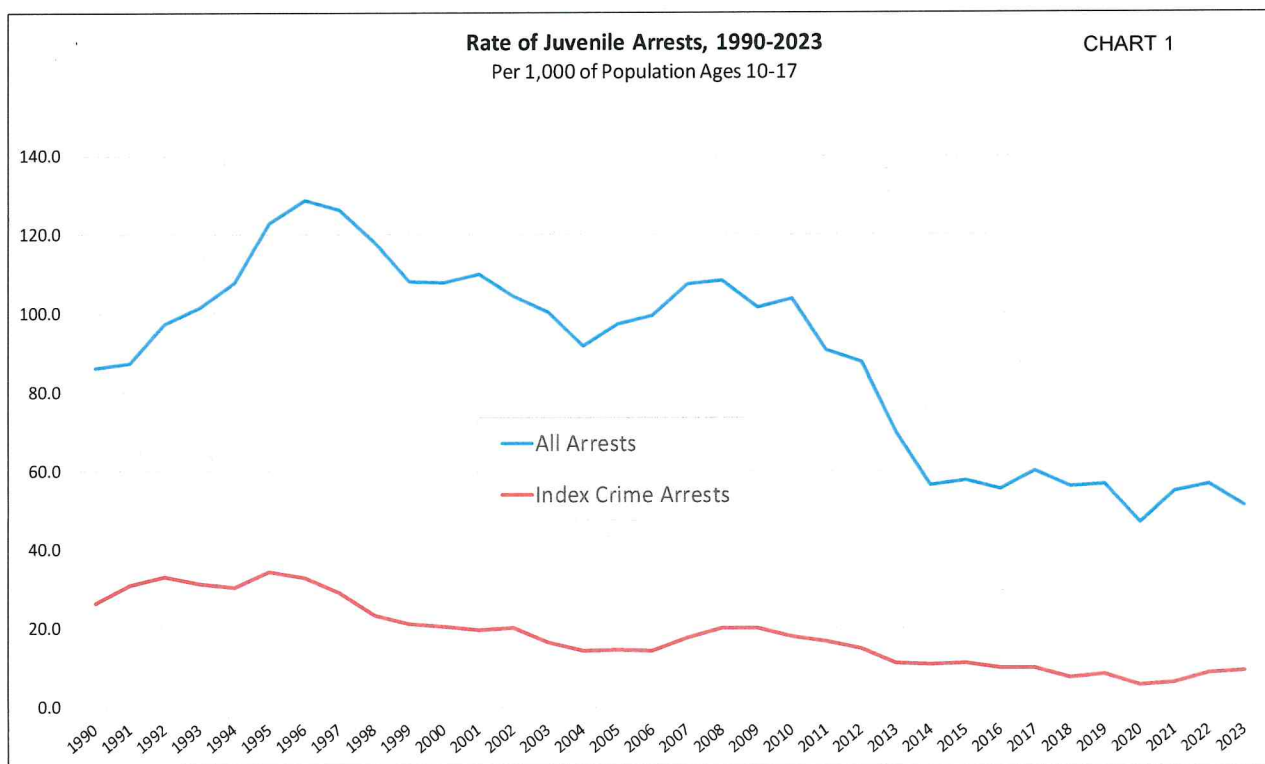
SB 2015
1-16-25

**SENATE APPROPRIATIONS COMMITTEE
SENATOR DICK DEVER, CHAIR
JANUARY 16, 2025**

**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
LISA BJERGAARD, DIRECTOR, DIVISION OF JUVENILE SERVICES
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2015**

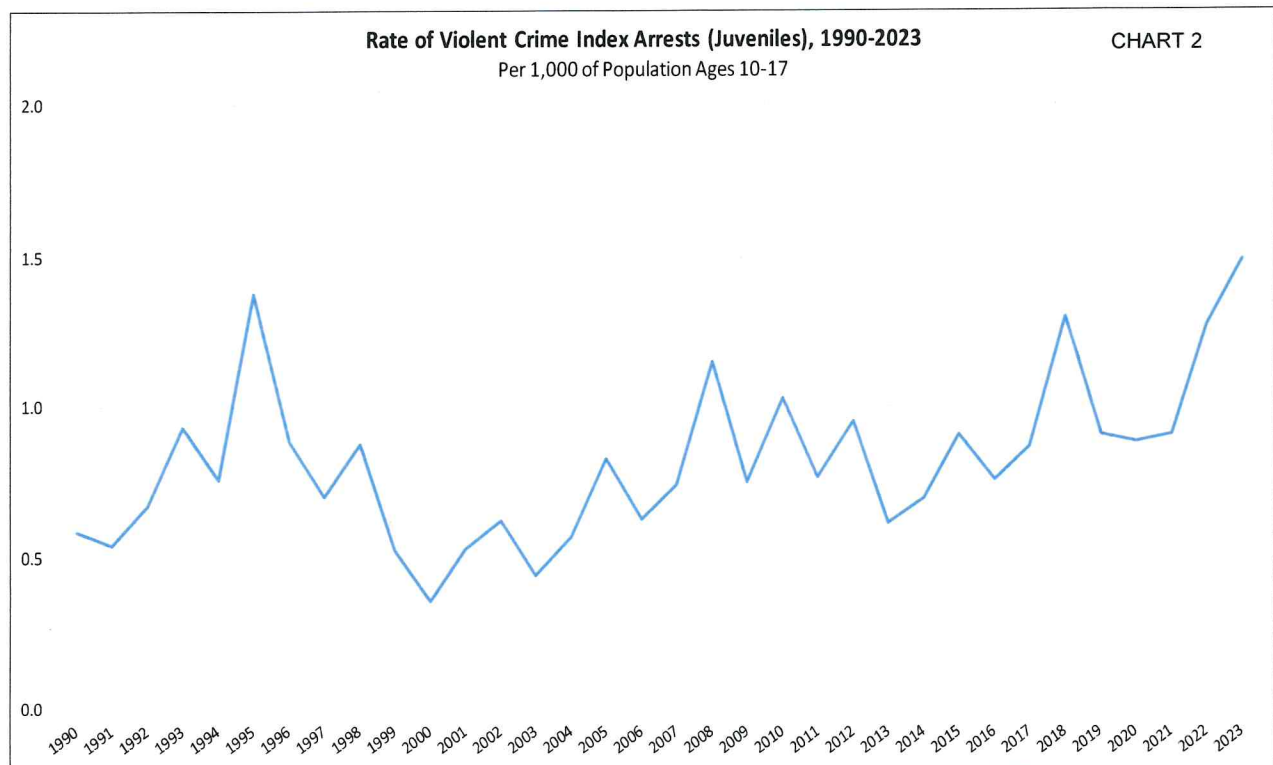
Chairman Dever and members of the Appropriations Committee, my name is Lisa Bjergaard, and I am the Director of the Division of Juvenile Services (DJS) for the North Dakota Department of Corrections and Rehabilitation. I am here to testify on behalf of the department in support of Senate Bill 2015.

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.



The red line shows the number of youth arrested for offenses that meet the federal definition of Index Crimes.

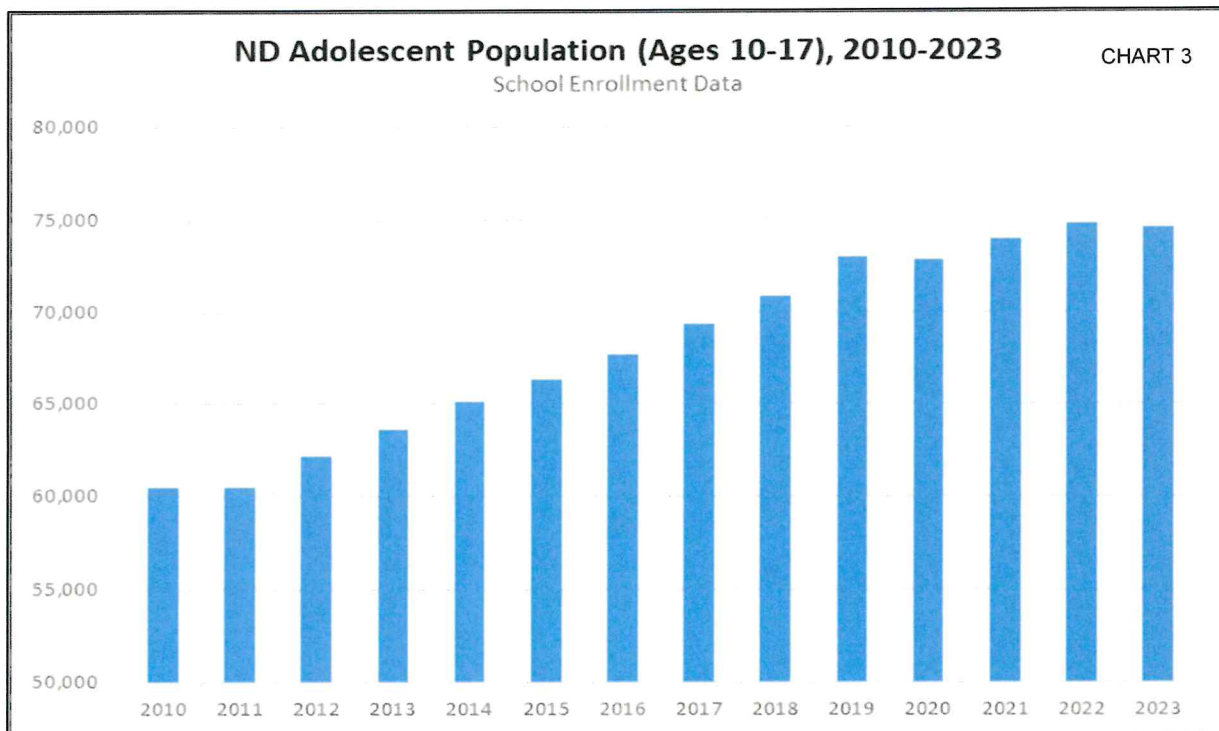
Index Crimes fall into two categories, violent person and property crimes. Violent person crimes include murder/non-negligent homicide, forcible rape, robbery and aggravated assault. Property crimes include arson, burglary, larceny and motor vehicle theft.



This chart shows in more detail the violent index arrests over the same time period, 1990 through 2023. It is important to emphasize the numbers on y-axis (the left side) of this graph. Over the past 35 years, you can see that the rate of youth arrested for violent person crimes has remained constant, between about .5 and up to 1.5 per thousand youth.

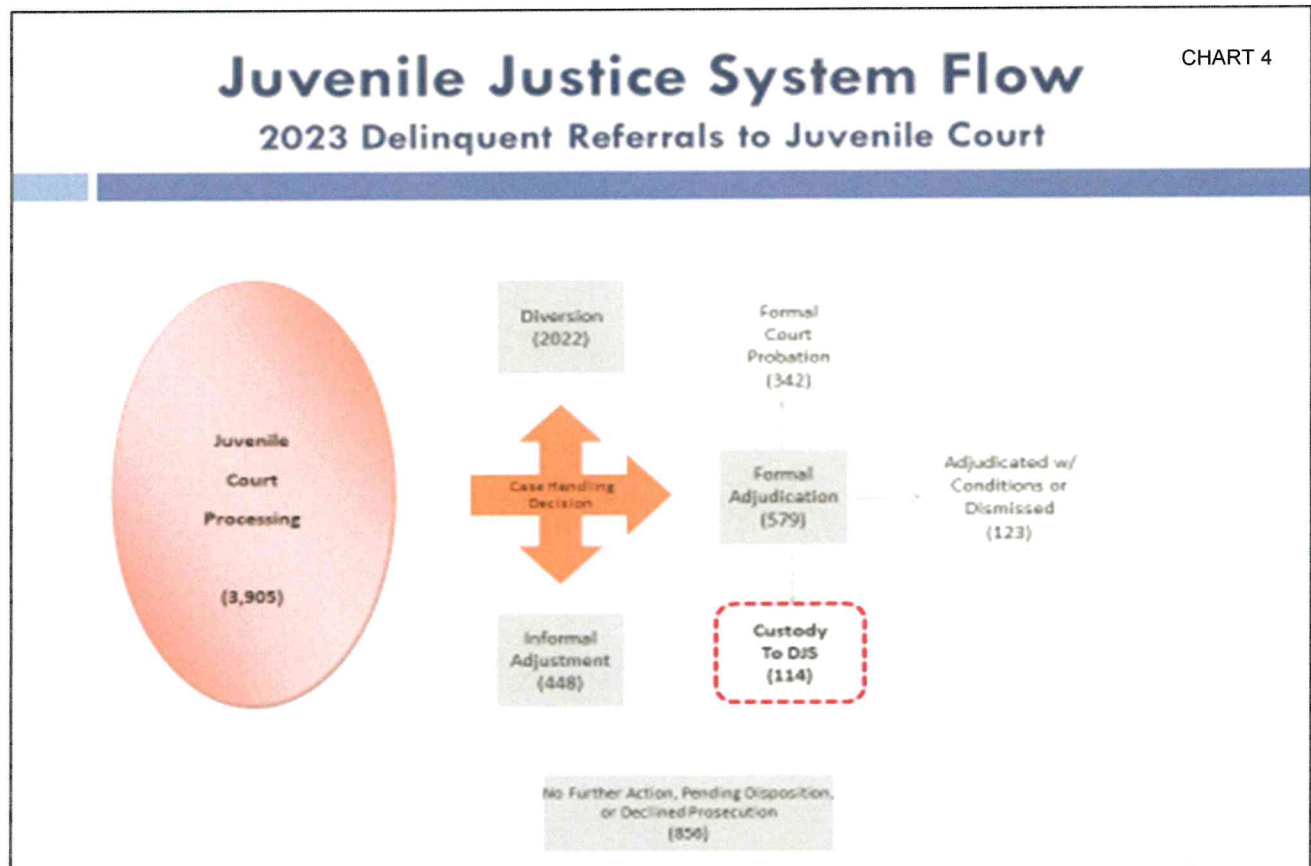
The violent index crime group are youth who represent a threat to public safety. These high-risk youth are the most likely to require a period of secure confinement over the course of their adolescence.

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 data in Chart 3 is taken from public school enrollment numbers and indicates the growth in the numbers of youth who are in the age range of adolescence. Since 2010, the number of youth in this age range has grown by over 14,000 young persons.

Harkening back to Chart 1, you will recall that the 2023 rate of juvenile arrests was 51.2 per 1,000 youth. The number of delinquency offenses reported by the juvenile court in 2023 was 3,905. Chart 4 is included to help explain the juvenile justice system process, and to illustrate how cases are disposed to the DJS.

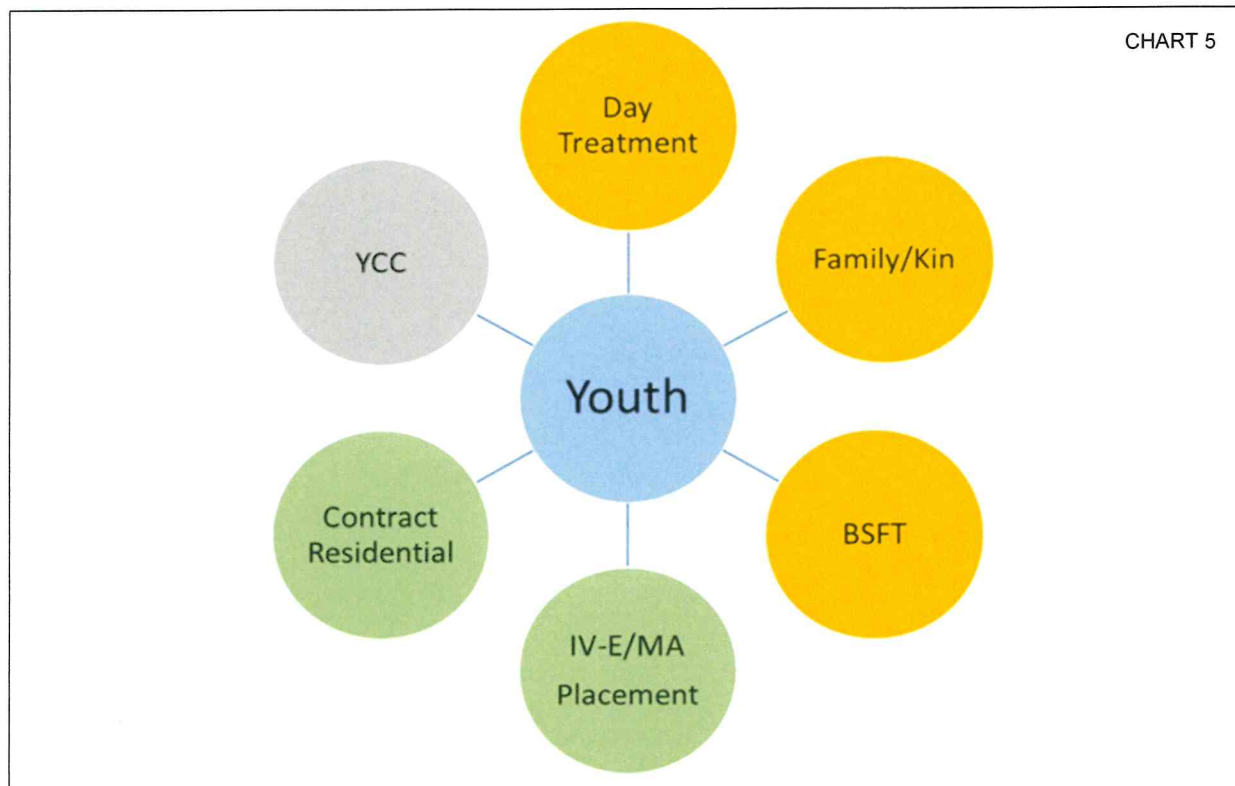


Where there is a formal petition filed, disposition can include formal court probation or a disposition to the custody of the DJS. Youth committed to the care, custody and control of the DJS generally are returned to the custody of their parents in about 18 months.

All youth who are committed to the youth corrections systems are as a matter of law found to be in need of treatment and rehabilitation. 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 sometimes 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 traumatic experiences, family instability, problems in school, trouble with impulsivity and poor decision making, and significant delays in social skills.

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.

Please see the Division of Juvenile Services summary document for further details and outcomes of the Day Treatment Program.

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.

Please see the Division of Juvenile Services summary document for further details and outcomes of the family therapy program.

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.

Contract Housing:

Even though access to the funding stream has changed, the needs of the youth have not. This critical funding allows DJS to contract for residential placement beds for a limited number of youth, to meet a variety of placement needs. DJS currently has contracts in place for 15 beds.

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 of 60 youth are admitted to the YCC each year. 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. Just over 100 youth are admitted for pretrial detention each year.

Additional Activities

Interstate Compact: The Interstate Compact for Juveniles regulates the interstate movement of juveniles who are under court supervision or have run away to another state. The compact is a contract adopted as law throughout the United States. All state and local officials are legally bound to honor and enforce the terms of the Compact.

Young Adult Parole and Probation Project: The DJS and Parole and Probation are in their second year of working together to pilot project that hopes to improve outcomes for young adults with an adult probation sentence. 4 DJS case management staff have completed Parole and Probation training and are now acting as probation officers for some of the emerging adults who have received a probation sentence.

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 and Rehabilitation.