

Reimagining Youth Justice in Oklahoma

AN OVERVIEW OF THE OCTOBER 2024 YOUTH JUSTICE LANDSCAPE REPORT



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OKPOLICY

What is the purpose of the youth justice system?

There is no simple answer, but ideally this system should maintain public safety while **holistically addressing the needs of youth in the communities where they live.**



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Youth Justice System Process

Pre-Arrest

This refers to the time period a young person has not yet been arrested or referred formally to the Office of Juvenile Affairs

Referral

This is a formal request to the Office of Juvenile Affairs that a young person is in need of services. This stage may involve an arrest and detention if law enforcement deems it necessary.

Court Involvement or Adjudication


After referral, a young person may be given recommendations for treatment or be referred to court involvement for more serious offenses. Detention may also be involved at this stage.

Treatment Plan

This is typically after formal court involvement, but young people in the system may also receive a treatment plan without formal court involvement. This may include placement in a secure treatment facility.

Re-Entry

This refers to the time period after completion of a treatment plan, placement, or detention. This may include dedicated services to help a young person transition back to their communities.



“There’s not a lot that is explained when you go through the legal system. It moves fast. There’s a lot of...moving parts. There’s a lot of people talking. You’ve got the judge, you’ve got the attorneys, you’ve got a bunch of people in there on some cases. So sometimes it can be very confusing.”

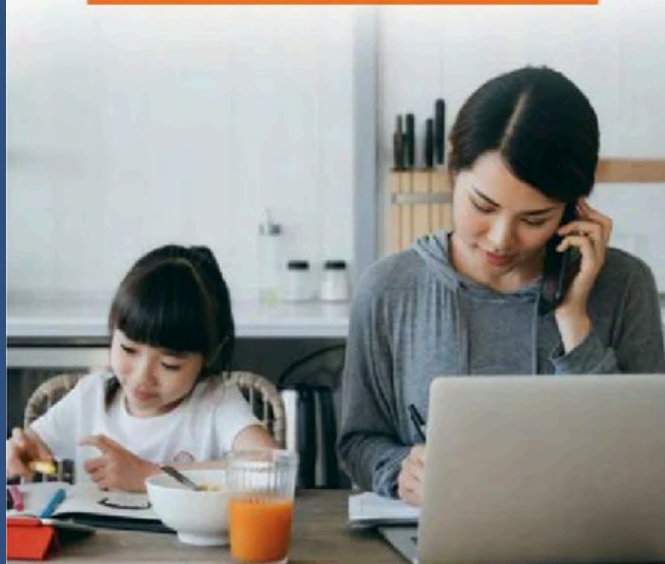
- Anonymous Listening Circle Participant





Environment

2024 KIDS COUNT DATA BOOK
STATE TRENDS IN CHILD WELL-BEING



46TH

Overall Child
Well-Being



THE ANNIE E. CASEY FOUNDATION

HOW OKLAHOMA RANKS

39TH



Economic
Well-Being

49TH



Education

45TH



Health

40TH



Family &
Community



Referrals

Pre-Arrest

Referral

Court Involvement
or Adjudication

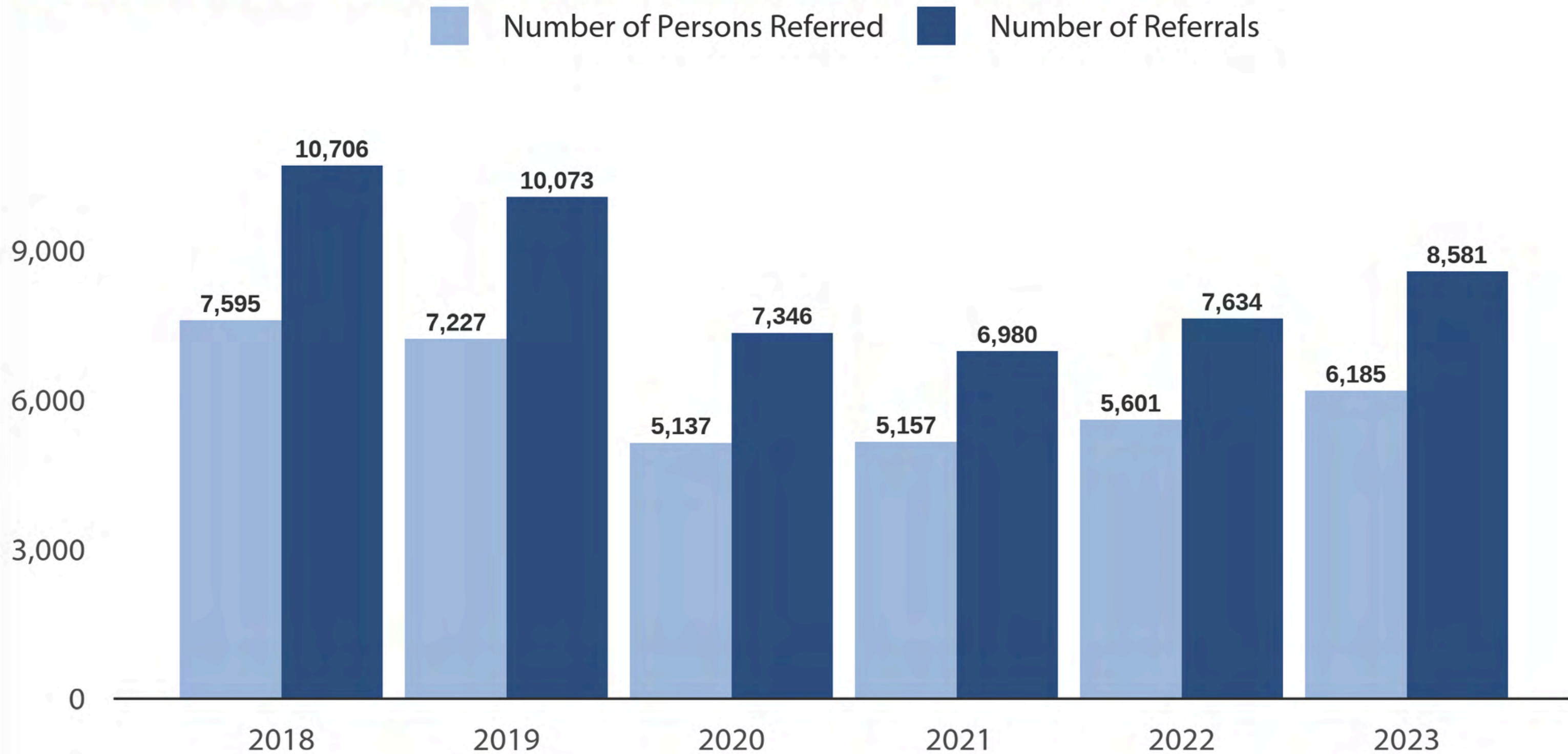
Treatment
Plan

Re-Entry



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Youth referrals to OJA remain below pre-pandemic levels



Source: Original analysis of data provided by the Office of Juvenile Affairs



2023

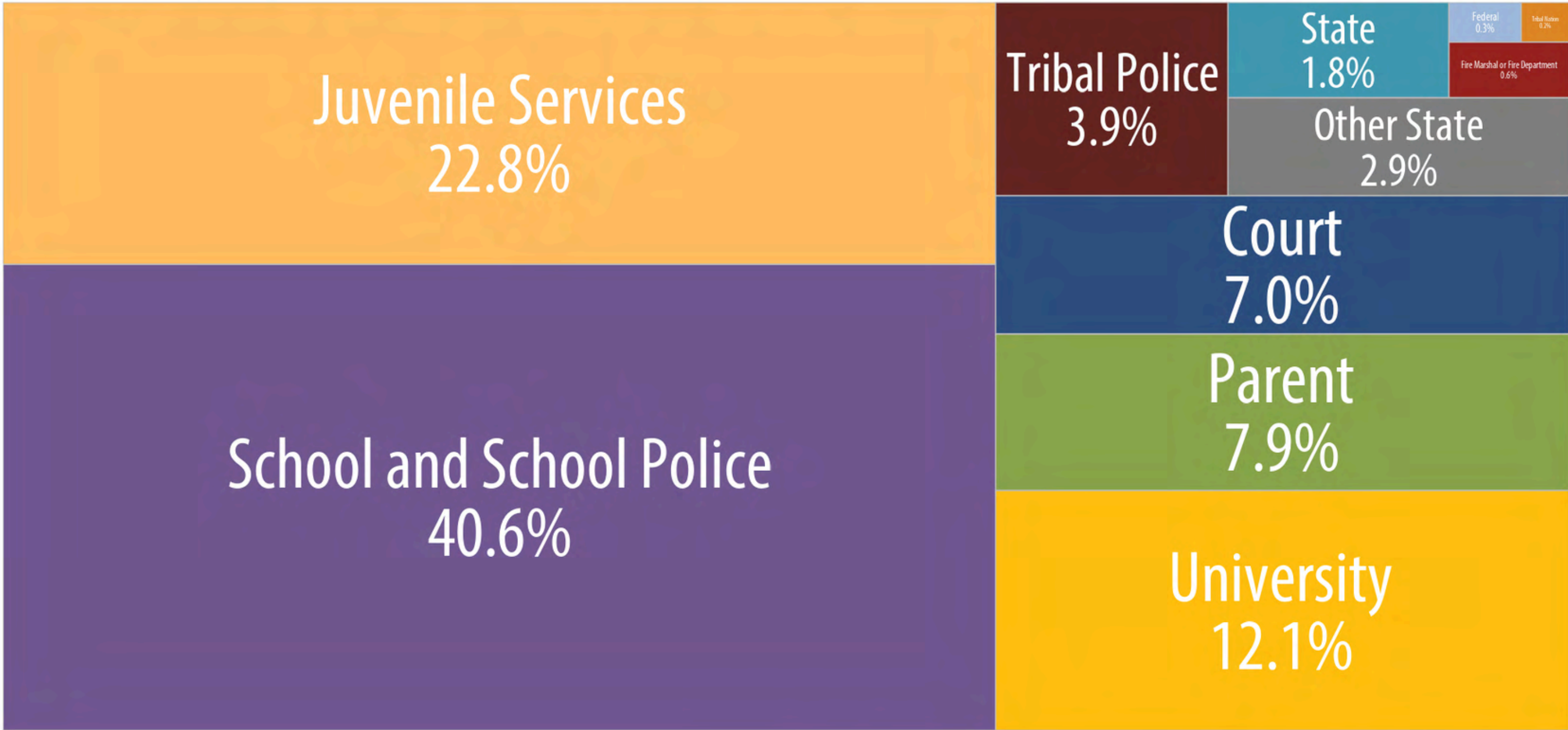


Note: Cimarron county had no referrals to OJA in 2023 and this is represented in dark grey on the map.



Schools are the second highest source of referrals

Excluding referrals made by county or municipal police in 2023

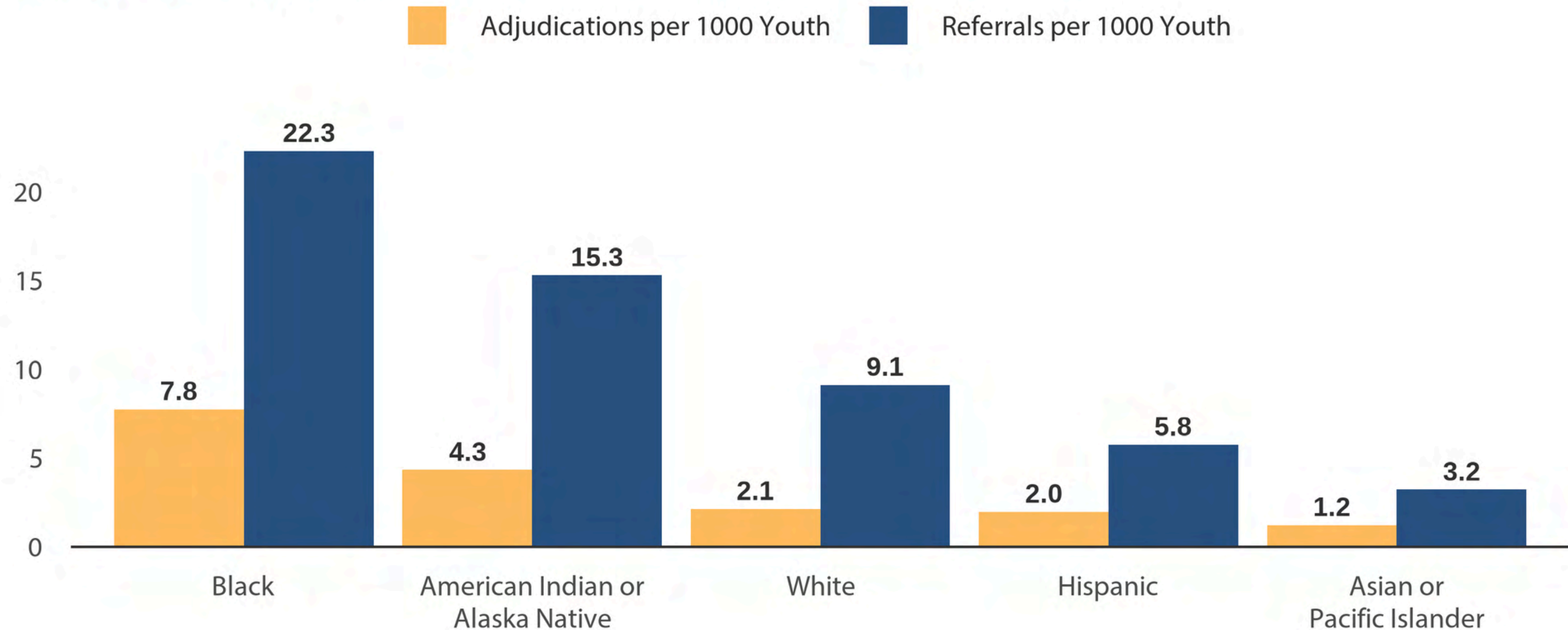


Source: Original analysis of data provided by the Office of Juvenile Affairs.



Black and American Indian youth were referred at higher rates and adjudicated at more than twice the rate of White youth

2018 OJA Referrals and Adjudications



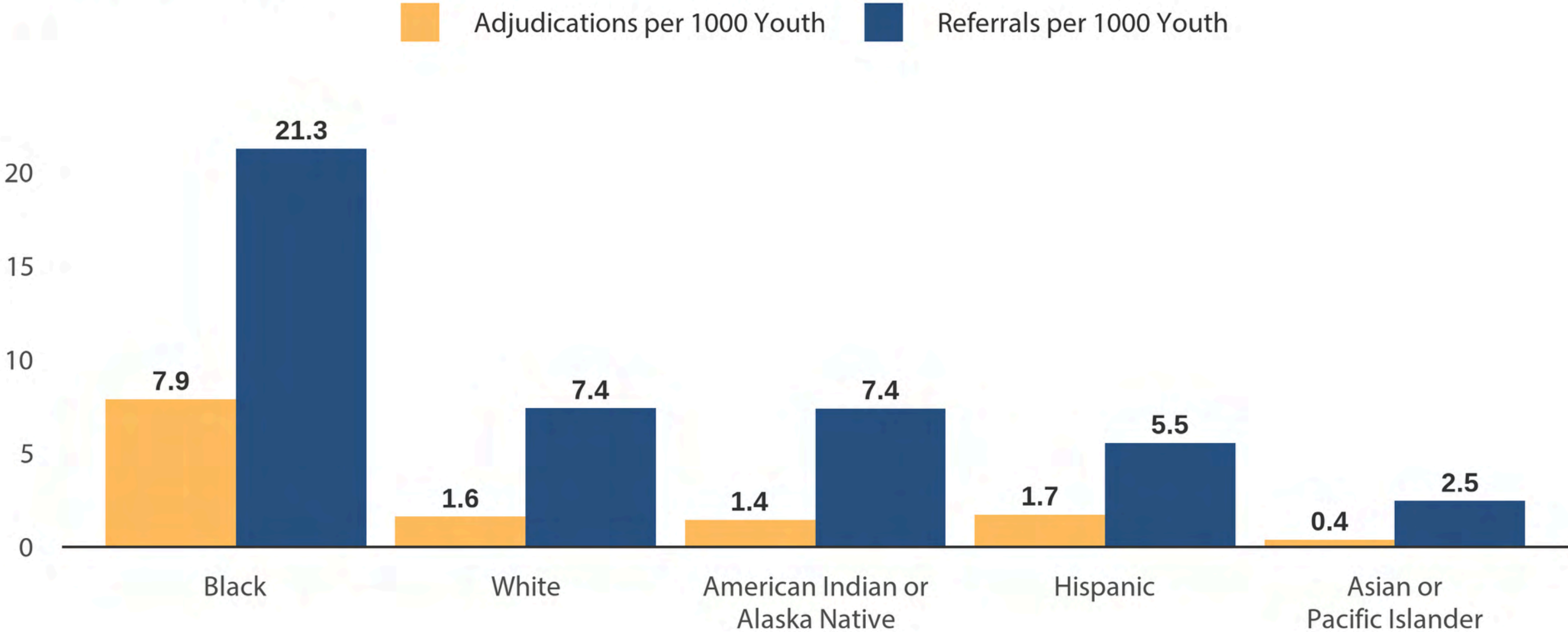
Source: Office of Juvenile Affairs, NVSS, and U.S. Census Bureau (2020).

Population data is for youth 18 and under. All racial categories except Hispanic include only the non-Hispanic population.



Black youth were referred at more than 2.5 times and adjudicated at more than 4.5 times the rate of White youth

2023 OJA Referrals and Adjudications



Source: Office of Juvenile Affairs, NVSS, and U.S. Census Bureau (2020).

Population data is for youth 18 and under. All racial categories except Hispanic include only the non-Hispanic population.





“And it definitely is a race thing.
It’s a big fucking race thing.”

- Anonymous Listening Circle Participant



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Court Involvement

Pre-Arrest

Referral

Court Involvement
or Adjudication

Treatment
Plan

Re-Entry



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Racial disparities persist as youth become court-involved

RACE	OFFENSES	REFERRALS	PEOPLE REFERRED	ADJUDICATED OFFENSES	ADJUDICATED REFERRALS	ADJUDICATED PEOPLE	PERCENT OF ALL REFERRALS	PERCENT OF ALL ADJUDICATIONS	ADJUDICATIONS AS A PERCENT OF REFERRALS
American Indian or Alaska Native	1,422	891	619	314	175	116	10.4%	7.6%	19.6%
Asian or Pacific Islander	91	70	57	21	11	10	0.8%	0.5%	15.7%
Black	3,604	2,247	1,520	1,384	833	593	26.2%	36.4%	37.1%
Hispanic	1,618	1,012	781	537	315	249	11.8%	13.8%	31.1%
Other	240	154	123	57	33	25	1.8%	1.4%	21.4%
White	6,171	4,207	3,085	1,500	921	696	49.0%	40.3%	21.9%

Source: Original analysis of data provided by the Office of Juvenile Affairs.
All racial categories except Hispanic include only the non-Hispanic population.



The majority of adjudicated youth plead guilty

2023

Adjudicated by Stipulation/Plead Guilty

Adjudicated--Plea of No Contest

Adjudicated by Stipulation-Non Jury

Adjudicated as Youthful Offender

Adjudicated - Blind Plea

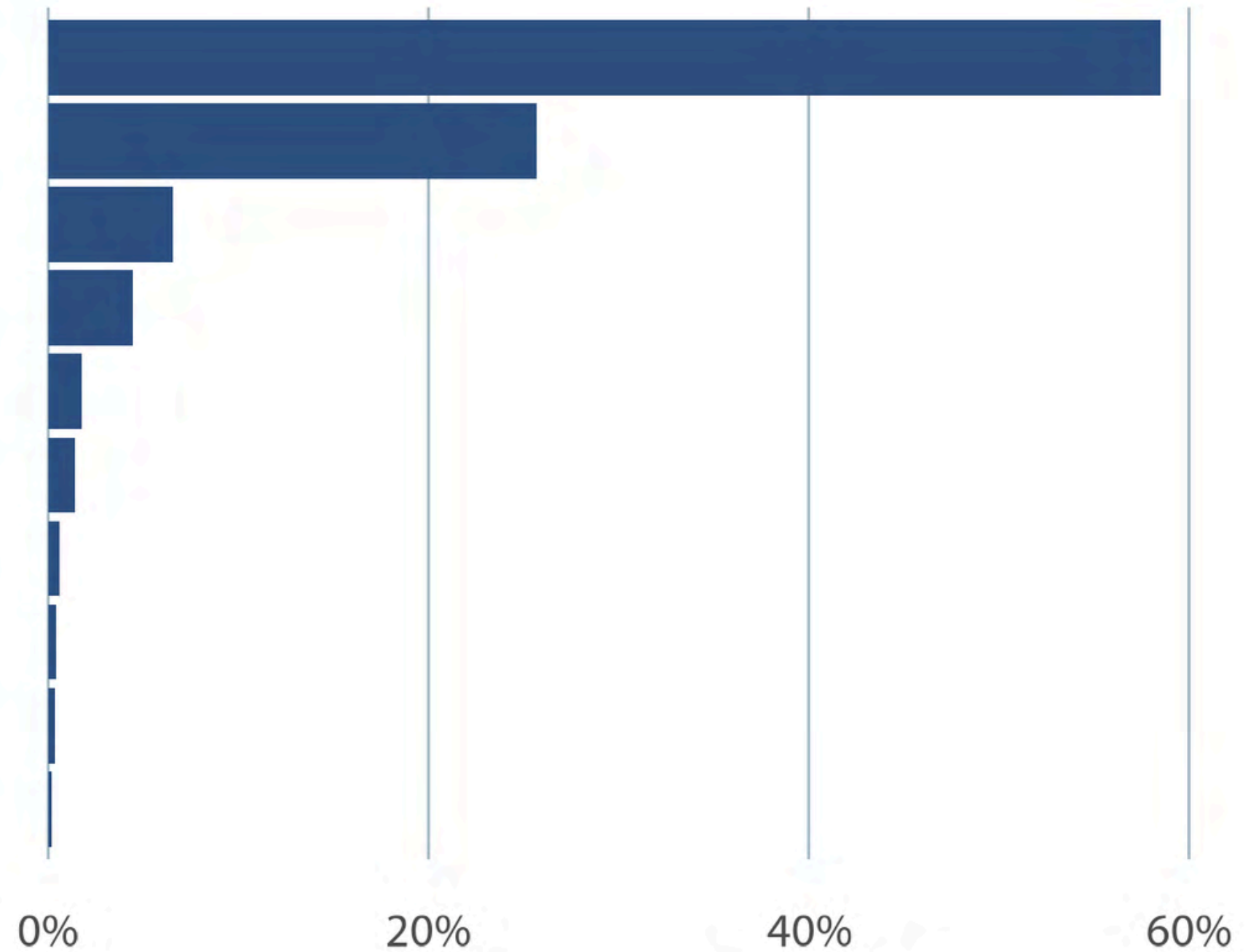
Adjudicated Delinquent/Deprived

Adj. by Judge--Finding of Guilty

Adjudicated In Need of Supervision


Adjudicated INS by Stipulation

Adj. by Jury--Finding of Guilty



Source: Original analysis of data provided by the Office of Juvenile Affairs





“I didn’t pay for a lawyer, **so I had to fight my case myself**, and I didn’t have someone represent me.”

- Anonymous Listening Circle Participant

The decision to adjudicate is discretionary

2023

TOP 10 ADJUDICATED MISDEMEANORS WITH NO FELONY CHARGES	IS ALSO IN TOP 10 NON-ADJUDICATED MISDEMEANOR OFFENSES
Poss Firearm Minor Misd 21-1273	✓
Assault/Battery 21-0644	✓
Domestic Assault & Battery 21 OS 644.C	✓
Poss. of Controlled Dangerous Substance	✗
Threaten Act of Violence 21-1378 Misd	✓
Malicious Injury to Property	✓
Obstruction of Public Officer 21-0540	✓
Poss. of Marijuana	✓
Assault 21-0641	✓
Poss. of Drug Paraphernalia	✓

Source: Original analysis of data provided by the Office of Juvenile Affairs.



Detention Centers



Alternatives to Court Involvement



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Alternatives to Court Involvement

- **Restorative justice** is emerging across the nation as an effective alternative to court involvement, and empowers youth with problem-solving and interpersonal skills
- **Community violence intervention** programs have also shown promising impacts for youth, and effectively reduces gun violence while strengthening and empowering communities
- The **credible messenger model** employs formerly justice-involved mentors to guide youth toward success
- **Tribal healing to wellness courts** are culturally responsive alternatives to traditional courts catered toward American Indian youth
- **Strengthening existing services and programs** offered at youth service agencies



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Sentencing and Treatment Plan

Pre-Arrest

Referral

Court Involvement
or Adjudication

Treatment
Plan

Re-Entry



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**Nearly 1 in 3
referrals with a final
status resulted in
probation**

Top 10 categories for referral final status

Status assigned in 2023

FINAL STATUS CATEGORY	OFFENSES*	REFERRALS	PERCENT OF REFERRALS
Probation	1,196	1,083	31.4%
Deferred Filing	757	757	22.0%
Informal Adjustment	485	485	14.1%
OJA Custody	324	252	7.3%
Deferred Adjudication	201	197	5.7%
Misdemeanant Alt. Prog. Referral	197	197	5.7%
First Offender Program Referral	134	134	3.9%
Other Deferred Sentences	114	113	3.3%
Youthful Offender	106	102	3.0%
Functional Family Therapy Referral	47	47	1.4%

* Since multiple offenses can comprise a single referral, each referral may be associated with multiple final statuses.

Source: Original analysis of data provided by the Office of Juvenile Affairs.

Some referrals filed in 2023 are still ongoing and therefore do not have a final status assigned.

Of the cases with a final status in 2023, approximately 3% were initiated in 2022, with the rest from 2023.



Youth assigned to OJA Custody are disproportionately Black

Individuals assigned to OJA Custody or Supervision

2023

RACE	OFFENSES	PEOPLE	PERCENT OF PEOPLE ASSIGNED*
Black	191	152	43.2%
White	166	117	33.2%
Hispanic	59	55	15.6%
American Indian or Alaska Native	49	24	6.8%
Other	< 10	< 10	1.1%

* All individuals with Youthful Offender (YO) status are placed in OJA Custody or supervision. However, not all individuals assigned to OJA Custody or OJA Supervision are processed under the Youthful Offender Act.

Source: Original analysis of data provided by the Office of Juvenile Affairs.



Recommendations

- Fund and implement new approaches to diversion, while strengthening existing supports
- Create guidelines for when diversion should be used
- Remove developmentally inappropriate aspects of the adult criminal justice system from the youth justice system including
 - Establish a minimum age of criminal responsibility
 - Ban the use of juvenile life without parole (JLWOP)
 - Eliminate all youth fines and fees
- Strengthen advocacy efforts by uplifting lived experienced leadership of youth
- Increase transparency and accountability
- Strengthen investments and supports for Oklahoma youth and families



We aim to learn more about...

- Tribal-state coordination youth service provision
- Use and effectiveness of legal representation for youth
- School-to-prison pipeline
- Youth with child welfare involvement in the legal system





Thank you!



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STAY CONNECTED



JOIN THE JUSTICE
FOR OKLAHOMA YOUTH
COALITION TODAY!

