



Criminal Justice Planning Agency

Office of the Governor

Commonwealth of the Northern Mariana Islands

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
FY 21 RACIAL ETHNICS DISPARITIES PLAN (“R/ED” PLAN)**

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FY 21 Racial Ethnic Disparities Plan (“R/ED” Plan)**

**U.S. Department of Justice, Office of Justice Programs,
Office of Juvenile Justice and Delinquency Prevention**

CNMI SAIPAN, MP R/ED Plan Prepared By:

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Commonwealth of the Northern Mariana Islands (CNMI)

OJJDP Racial & Ethnic Disparities Plan for FY2021

I. Submit statewide data at key juvenile justice decision points where research has shown that potential disparity may occur. Data collection must occur for at least four of the five points below. At each data point, your state must provide the definition of the contact point and percent distribution of race or ethnic groups compared to the general population distribution in the most recent U.S. Census data.

DATA COLLECTION POINTS:

CNMI adheres to the federal definitions for each *contact point* unless specified otherwise below:

1. **Arrest**
2. **Diversion**
3. **Pre-trial Detention**
4. **Secure Confinement**
5. **Adult Transfer**

*It should also be noted that the latest population data for the CNMI during the creation of this R/ED plan is from the 2010 CNMI Census. Therefore, the juvenile population data that will be used for reference and comparison purposes throughout this R/ED plan is based on the [2010 CNMI Census](#).

Statistics At A Glance (October 01, 2019 - September 30, 2020).

FY21 Statewide Data:

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
Population		4,658	815	692	5,499	354	143	10
Arrest	Number	31	10	52	17	3	3	1
	Percent	0.6%	1.2%	7.5%	0.3%	0.8%	2%	10%
Diversion	Number	4	1	4	3	1	0	0
	Percent	0.09%	0.12%	0.58%	0.05%	0.28%		
Pretrial Detention	Number	5	1	4	3	0	0	0
	Percent	0.11%	0.12%	0.58%	0.05%			
Secure Confinement	Number	2	0	3	0	0	0	0
	Percent	0.04%		0.43%				
Adult Transfer	Number	0	0	0	0	0	0	0
	Percent							

II. Develop an Action Plan

Describe composition of SAG & R/ED coordinating body.

The CNMI's SAG (State Advisory Group) functions as a committee consisting of council members appointed by the CNMI Governor. The SAG reviews grant packages prepared by the CJPA staff that consist of all applications from sub-grantees or new applicants who outline their proposals and project goals that support the best interests in CNMI's youth community and adhere to OJJDP guidelines. The key responsibilities and functions of CNMI's SAG are detailed as follows: **A)** to advise the Northern Marianas Commonwealth Council for the improvement of the Criminal Justice System and the Criminal Justice Planning Agency on all issues relating to the improvement of the juvenile justice system and its services to youth in the CNMI; **B)** to advise the CNMI Governor and the CNMI Legislature on issues of concern to juvenile justice and delinquency prevention, including the activities of the Advisory Council and to issue annual reports on the status of the CNMI's compliance with the Juvenile Justice and Delinquency Prevention (JJDP) Act mandates; **C)** To review and comment on all sub-grantee applications for the Juvenile Justice and Delinquency Prevention Act (hereinafter referred to as the JJDP Act) grant funds; **D)** To participate in the development and review/approval of the Juvenile Justice and Delinquency Prevention portion of the comprehensive state plan and its annual update; **E)** To seek annual input from juveniles currently under the jurisdiction of the juvenile justice system; and **F)** To review progress and accomplishments of programs funded with the JJDP Act grant funds.

It should be noted that The CNMI SAG Bylaws were written in 2010 and the CNMI is in the process of updating its bylaws to include language that references a coordinating body for Racial and Ethnic Disparities (R/ED).

The [2021 State Advisory Group \(SAG\)](#) is composed of members who hold positions in various areas of government. As of 2021, there are 16 members under CNMI's SAG. The latest SAG roster is composed of individuals who represent a multitude of Professions, all of which play a key role in the realm of juvenile justice and delinquency prevention. These professions include the following: A Member of the CNMI Legislature, a School Mental Health Director, a Family Court Manager, a School Counselor, a Juvenile Probation

Supervisor, a Victim Advocate, a Community Guidance Center Director , a Fiscal Specialist and Child Protective Services Staff.

1. What do your R/ED numbers tell you about your jurisdiction?

The base population data for juveniles was taken from the 2010 CNMI Census. However, the numbers for each point illustrated in the table above reflect the time frame of October 2019 - September 2020. Analysis and findings of the population data are enumerated as follows:

- According to the data, youth from the Republic of Palau (ROP), White and African American youth represent the minority groups within the CNMI.
- The two main ethnic groups within the CNMI--Chamorro and Carolinian youth--represent roughly 35% of arrests, collectively.
- Youth from the Federated States of Micronesia (FSM) represent the largest percentage arrested (44.4%), followed by Chamorros (26.4%) .
- It is clear from the numbers yielded from the data that FSM, Chamorros, Asians and Carolinian youth represent the largest portion of arrests made (94%) compared to youth from the Republic of Palau (ROP), Whites and African Americans (6%).
- Amongst the entire juvenile population in the CNMI, youth from the ROP, Whites, African Americans and the FSM make up only 9.8%. Chamorros, Carolinians and Asians account for 90.1% of all juveniles in the CNMI.
- FSM is also the highest percentage in secure confinement.

2. What would success in R/ED reduction look like for your state?

Success in R/ED can initiate with the increase of diversion programs in order to reduce the number of arrests. Additionally, the CNMI through various entities that will provide counseling services, education to employment opportunities, and implement crime prevention tactics toward the community's juvenile population. Any reduction in juvenile arrests would be considered a success. A long-term, sustainable approach is key to ensuring

that juveniles remain out-of-contact with the juvenile justice system. In order to continue reducing the number of juvenile arrests being made, several strategies have been outlined:

- *Data Collection and Analysis*: Collecting data and analyzing that data are integral to decision-making on what programs are effective and sustainable. This also ensures that progress can be tracked. Creation of an accurate and plausible R/ED Plan is only possible through access and collection of relevant data. In CNMI's case, its previous FY19 R/ED Plan did not capture all five data collection points. In this FY21 R/ED Plan, CNMI achieved the collection of data from all five data collection points (**arrest, diversion, pre-trial detention, secure confinement, adult transfer**).
- *Networking Partnerships with Key Agencies to increase Diversion programs*: It has been commonplace—even prior to the implementation of the new elements under the 2018 JJRA—for agencies within the CNMI that work with youth to collaborate with one another in helping youth and their families. The Criminal Justice Planning Agency (CJPA) hopes to establish partnerships within the year in order to meet consistently with key agencies whose primary focus is on helping youth stay out of contact with the juvenile justice system and become contributing members to society. One of the integral steps that has been taken is to enhance the OJJDP team to focus solely on OJJDP grants. Additionally, through the OJJDP Program Coordinator, CJPA will engage in collaborative discussions with key partners to discuss data collection and to conjure ideas, plans and—subsequently—programs that ensure a sustainable approach of ensuring juveniles remain law-abiding citizens of society. These agencies include:
 1. [CNMI's Division of Youth Services \(DYS\)](#): [DYS](#) is a CNMI government entity whose services center around providing essential services through various programs catered to the improvement of youth welfare, family growth, sheltering, and juvenile probation.
 2. [Department of Corrections \(DOC\)](#): The main and single correctional facility in the CNMI where adult inmates and juveniles in detention are confined in, either awaiting court appearance or serving their sentence. A separate section inside DOC that is collocated in the facility is the Juvenile Detention Uni (JDU) that confines all juveniles who are detained after arrests awaiting for court hearings or those who are serving a sentence.
 3. [CNMI Public School System \(PSS\)](#): CNMI's primary educational providing entity. PSS offers relevant programs such as Early Intervention, Cooperative Education and its Incarcerated Youth Program
 4. [Community Guidance Center \(CGC\)](#): is the primary provider of mental and behavioral health services in the CNMI, offering comprehensive services for children, adolescents, adults, and elderly people living with emotional, behavioral, or substance abuse-related issues.

5. [The CNMI Department of Public Safety](#): The local police department of the CNMI performs general policing responsibilities and law enforcement actions around the community.

3. How much do you want to reduce R/ED by next year?

Arrests had the highest number compared to the data for other contact points. A reduction in arrests made for the next year across all ethnic groups would be a success. Chamorros and FSM youth accounted for 70% of all arrests made. A reduction in arrests made on Chamorro, and FSM juveniles would be a milestone achievement considering these arrests account for more than half of total arrests made.

4. Is the reduction reasonable? If yes, why?

A reduction in arrests made would result in a reduction amongst all other contact points. Placing an emphasis on reducing arrests is reasonable considering there are various programs administered through partner agencies within the CNMI, such as the Department of Public Safety (DPS), the Division of Youth Services (DYS) and the Office of Youth Affairs. The CNMI DYS, for instance, implements programs for youth—such as Afterschool Programs and Youth Camps during the summer that focus on sporting and cultural activities. DYS is also composed of a Juvenile Probation Unit (JPU) that—in addition to monitoring juveniles on probation—aids in providing outreach to families and youth through brochures and social media platforms. The CNMI Office of Youth Affairs implements programs with the strategic goal of promoting positive youth development, partnering with youth advocate agencies that create opportunities for youth and diversion services. The police departments on the islands of Saipan, Tinian and Rota also play a major role in encouraging diversion programs for first time juvenile offenders. The continued partnership with CNMI's local police departments are paramount to ensuring continued reduction among all points of contact under the R/ED plan. The programs administered by these partnering agencies ensure youth continue to be exposed to activities that discourage criminal activity and ultimately coming into contact with the juvenile justice system.

5. What do you need from OJJDP for your plan to succeed?

This R/ED Plan for FY21 was created by CNMI's DSA (Criminal Justice Planning Agency "CJPA") newest employees of this year. Through their efforts and progress of completing this R/ED Plan, CJPA's OJJDP Title II Program Manager and Grants Financial Analyst had identified a number of avenues that OJJDP can assist in ensuring success in their endeavors. The CNMI is always open to training that focuses on R/ED reduction strategies, particularly those that deal with youth populations in the Pacific coastal areas and our neighboring islands, such as the Federated States of Micronesia and Guam. As such, the CNMI Criminal Justice Planning Agency welcomes the opportunity to assess other counties or states current plans and at the same time share its own plans, thereby strengthening improved networks of communication and collaboration with one another. Considering that this is CNMI's most recent project completed by CJPA's newest staff, we desire continued training with TTAs provided at least until the next grant solicitation in FY23 for the OJJDP Title II grants. This allows for our agency's staff assigned to manage the OJJDP Title grants staff to develop more familiarity with producing required reports, gained quality knowledge of both the territory's and federal juvenile justice system components, and improve networking strategies with state/federal partners through seeking their assistance and expertise in the completion of projects at least for the first couple of years.

6. What safeguards will you put in place to ensure that as you work to reduce R/ED, you are equipping youth to live productive lives?

It will always be the goal for core entities in the CNMI (e.g. Police, Courts, Corrections, Juvenile Probation) that every juvenile who enters the juvenile justice system, will be held accountable but, at the same time, rehabilitated to where they can one day become productive members of society upon reentry. The CNMI courts' ultimate aim is to assist the juvenile in the judicial process by ensuring all juveniles receive equal adequate treatment, safeguarding their due process and right to legal representation . This is evidenced in the CNMI Commonwealth Code Juvenile Justice ([Title 6 Division 5](#)) where juveniles are not restricted to placement in juvenile detention facilities; other placements include, but are not limited to, parents of the juvenile, relatives of the juvenile, foster care, group care, among others. This represents a shift from a "punitive" approach to one that focuses on rehabilitation. Furthermore, as alluded to

earlier there are ongoing programs administered through youth-centric government agencies and advocacy groups that focus on providing activities to promote youth development.

III. Conduct an Outcome-based Evaluation

Below are R/ED State data for FY 2020 and FY 2019 to assess any change in the data from the past year.

Statistics At A Glance (October 01, 2019 - September 30, 2020).

FY20 Statewide Data:

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
Population		4,658	815	692	5,499	354	143	10
Arrest	Number	31	10	52	17	3	3	1
	Percent	0.6%	1.2%	7.5%	0.3%	0.8%	2%	10%
Diversion	Number	4	1	4	3	1	0	0
	Percent	0.09%	0.12%	0.58%	0.05%	0.28%		
Pretrial Detention	Number	5	1	4	3	0	0	0
	Percent	0.11%	0.12%	0.58%	0.05%			
Secure Confinement	Number	2	0	3	0	0	0	0
	Percent	0.04%		0.43%				
Adult Transfer	Number	0	0	0	0	0	0	0
	Percent							

Statistics At A Glance (October 01, 2018 - September 30, 2019).

FY19 Statewide Data:

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African ¹ American
Population²		4,658	815	692	5,499	354	143	10
Arrest	Number	29	22	60	8	6	1	No Data
	Percent	0.6%	2.7%	8.7%	0.14%	1.7%	0.7%	No Data
Diversion	Number	0	1	0	2	1	0	No Data
	Percent		0.1%		0.03%	1.7%		No Data
Pretrial³ Detention	Number	No Data	No Data	No Data	No Data	No Data	No Data	No Data
	Percent	No Data	No Data	No Data	No Data	No Data	No Data	No Data
Secure⁴ Confinement	Number	No Data	No Data	No Data	No Data	No Data	No Data	No Data
	Percent	No Data	No Data	No Data	No Data	No Data	No Data	No Data
Adult Transfer	Number	0	0	0	0	0	0	No Data
	Percent							No Data

¹ No demographic data was collected for the African American Ethnic Group during the year [2018-2019](#) (except for CENSUS population data).

² The latest [CNMI Census data for 2020](#) was not used as it was impossible to identify the juvenile age group. The only demographic data that was available was for those individuals between the ages of 15 - 19. Therefore, the [CNMI 2010 Census data \(under Table 2-4\)](#) was used.

³ There was no data collected for Pre-Trial Detention for FY19. However, this data was collected for ensuing years, FY20 going forward.

⁴ There was no data collected for Secure Confinement for FY19. However, this data was collected for ensuing years, FY20 going forward.

1. What are your new numbers?

(Comparison between FY19 and FY20 R/ED Plans statistics)

ARRESTS

The number of arrests for all the juvenile ethnic populations in FY20 dropped from the numbers in FY 19. According to the CENSUS data, although the African American juvenile population was the lowest amongst the entire juvenile population in the CNMI, there was no data at any contact point for this group. Therefore, we are not able to analyze data for African American youth. For the three smallest minority groups in the CNMI—Whites, youth from the Republic of Palau (ROP) and youth from the Federated States of Micronesia (FSM)--the number of arrests dropped by 13.4%, from 67 arrests in FY19 to 58 arrests in FY20, collectively for these minority groups. For the two main ethnic groups in the CNMI, Chamorros and Carolinians, the number of arrests dropped by 19.6%, from 51 arrests during FY19 to only 41 arrests in FY20. Juveniles from the Federated States of Micronesia (FSM) accounted for the highest number of arrests (60 or 47.6%) in FY19; however, this number dropped for FY20 to just 52 arrests or 44.4% of total Juvenile arrests made. So what does this tell us? Youth from FSM represent the fourth smallest juvenile population group in the CNMI, yet they account for nearly half of arrests made. The key statistic to look at, however, is that the percentage of arrests has been reduced for the FSM group. They accounted for close to half of the arrests in FY19 (47.6%), yet this dropped to just 44.4% in FY20.

DIVERSION

Diversion is a program with the purpose of diverting first time non-felony offenders from the formal sanction system of the Juvenile Probation Unit under the CNMI Department Youth Services (DYS) by placing the minor voluntarily on a INFORMAL PROBATION status; it is a form of voluntary probation with conditions & treatment plans designed for the needs of each individual client as set forth by DYS. In this point of contact, we want to see an increase in use of diversion services. From FY19 to FY20, for the three minority groups (FSM, Palauan and Whites) there was an increase at the diversion contact point for youth from FSM. During FY19, only 1 youth from the Republic of Palau (ROP) received diversion

services. However, for FY20, there were 4 youth from FSM who received diversion services, with no change for ROP. There was also no change for whites—no youth representing the whites ethnic group received diversion services during both FY19 and FY20.

PRETRIAL DETENTION

Under the pretrial detention confinement category, data was not collected in the previous FY19 R/ED Plan therefore no comparison can be made accordingly. CJPA will address this shortcoming by assuring that in its future R/ED Plan, statistics will be collected for this contact point.

SECURE CONFINEMENT

Under the secure confinement category, data was not collected in the previous FY19 R/ED Plan therefore no comparison can be made accordingly. CJPA will address this shortcoming by assuring that in its future R/ED Plan, statistics will be collected for this contact point.

ADULT TRANSFER

There were no adult transfer cases for juveniles in both FY19 and FY20.

2. Did you meet your goals?

Frankly put, goals were not fully achieved. This is the case because the previous FY19 R/ED Plan failed to capture all 5 data collection points. Despite this shortcoming, CJPA's goals were to eventually report the following: percentage decrease in contact points, pertinent and relevant statistics for all five contact points and to categorize all statistics broken down by nationality. It is CJPA's prerogative that in the future R/ED Plans all data collection points are captured to support comparison findings.

3. If yes, what worked? What drove the success? If no, what were the barriers? How might you overcome them next year? What partners do you need?

Unfortunately, goals were not fully achieved. The primary barrier stems from the incomplete gathering of statistics from a previous R/ED Plan that resulted in preventing this R/ED Plan from making further findings and analysis. At this point, because the root barrier has been identified, the CJPA staff assigned to work on implementing future R/ED plans can be well aware to capture all necessary statistics from all required points of contact, therefore ensuring sufficient content is elaborated in future R/ED plans.

Key partners that are critical in ensuring the creation of a successful and sufficient R/ED Plan will come from local, state, and federal levels. CJPA will make the effort to coordinate with past partnering entities and discover new entities as well. CJPA will also seek out the effective assistance from state/federal entities from OJJDP, DOJ, and OJP to request guidance and training.

4. How can OJJDP help you next year? What do you need from us?

Considering there are new requirements outlined under the 2018 Juvenile Justice Reauthorization Act (JJR), support from OJJDP will always be needed in order to ensure CJPA staff assigned to manage OJJDP related grant funding are always trained to be skilful and adept in the performance of their duties. This is to include the training necessary to educate and help staff familiarize the regulations and/or updates to statutes being made within the realm of juvenile justice OJJDP guidelines and key provisions of the 2018 JJRA. To adhere to the new requirements, the CJPA staff first and foremost had to seek guidance and education from its federal/state counterparts through the assistance from OJP, OJJDP, and CCAS. Additionally, CJPA had to perform extensive coordination with partnering entities who were familiar with the 2002 JJRA guidelines and assist them to transition to be familiar of the updated OJJDP Title II requirements and provisions of the 2018 JJRA, such as the Valid Court Order (VCO) exception and Racial and Ethnic Disparities (R/ED). The simple fact is that with the recent staff turnover that has occurred within the past several years at the CNMI Criminal Justice Planning Agency (CJPA), training is essential to ensure key staff working on OJJDP related grant funding remain educated in new requirements as they relate to juvenile justice.

With the necessity and importance of assistance from OJJDP identified by CJPA, the agency respectfully asks for next year if OJJDP can provide the following:

- ***Continued support through TTAs.*** CJPA's new staff who were assigned to handle the OJJDP Title II funds experienced tremendous help from every single TTA that they have been through with the pending projects.
- ***Training and Education Opportunities.*** Any form of networking, certification program, conference meeting will be most helpful if provided to CJPA. Aside from the work experience and knowledge from CJPA staff, it is always beneficial and rewarding if we can network with state/federal partners and share expertise and skills with one another.
- ***Funding Opportunities.*** CJPA is open to other OJJDP/OJP funding opportunities. Newsletter or monthly updates will be useful in tracking and getting alerts for funding availability.
- ***Guidance.*** Because of the current situation of CJPA's Title II grant (2018-2021 funds are currently placed on a financial hold), CJPA's newly employed staff did their very best with the limited amount resources at their disposal to perform necessary corrective actions, complete pending tasks/projects that were left unfinished in the past year, and establish communication with personnel from OJP, OJJDP, CCAS, and others. CJPA is humbly requesting if OJJDP can continue to provide its assistance through various ways to help CJPA reach compliance and ultimately resolve the financial hold on their Title II grants.

5. What safeguards will you put in place to ensure that as you work to reduce R/ED, you are equipping youth to live productive lives?

The CNMI will continue to work with justice partners, including juvenile detention personnel and youth-centric agencies within the CNMI, to track R/ED data, assess current services directed at youth intervention and diversion, with the goal of ensuring compliance with R/ED requirements. The CNMI is in the process of updating its Juvenile Justice Act which was passed in 2008 in order to incorporate the requirements set forth by the 2018 JJRA, including compliance for Racial and Ethnic Disparities.

In order to allow youth to live productive lives as members of society, there are currently programs in place, as the juvenile probation diversion program under the Division of Youth Services (DYS), as well as programs under the CNMI's Systems of Care (SOC), who provide youth and their families with services such as Suicide Prevention, Youth Mental Health and Substance Abuse Treatment and Recovery.

6. What are your goals for next year?

A goal for the CNMI through its R/ED Plan is to address the Arrest contact point and work towards the decrease of juvenile arrests for not just one specific ethnic group but for all youth ethnic groups identified in this plan. It is also a goal to use demographic data for all contact points for African American youth to compare with FY21 data. Youth from the Republic of Palau (Palauans), Federated States of Micronesia (FSM), Whites and African Americans during FY20 accounted for approximately 50% of arrests. A reasonable goal would be to reduce arrests for all juvenile ethnic groups. The CNMI aims to reduce this number by 5 percentage points at the data collection point of arrests. It is hoped that the services provided by agencies such as CNMI DYS and SOC will aid in deterring youth from coming into contact at the first contact point—arrests. It is also further hoped that by reducing the arrests for all ethnic groups within the CNMI that the number of other contact points will be reduced as well. It is also a goal that by helping these agencies with funding awarded from the grant, that they will continue to provide or expand service focused on diverting those youth that were arrested.

The CJPA OJJDP team will work closely with CNMI partnering agencies from the past and hopefully new agencies that will be reached out to to ensure that data is accurate for the respective data collection points (arrests, diversion, pre-trial detention, secure confinement, adult transfer.).