

2022

Criminal Justice Planning Agency
Office of the Governor
Commonwealth of the Northern Mariana Islands

Commonwealth of the Northern Mariana Islands
FY 22 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 FY2022

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**

*For all reviewers who access this R/ED Plan, there are two critical points enumerated below that is importantly noted:

- It should also be noted that the latest population data for the CNMI during the creation of CNMI's 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](#).
- It should be noted that in the month of October 2020, the [2020 CNMI Census](#) was published. The population data of the 2020 CNMI Census was decided not to be used as reference statistics for this R/ED plan because the juvenile population (ages 18 below) included the 19 years of age population. Using said data would develop inconsistencies and confusion in the content of this plan as it would not coincide with the definition of juvenile—again, 18 years of age and below.

Statistics At A Glance (October 01, 2020 - September 30, 2021).

FY22 Statewide Data:

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
Population		4,658	815	692	5,499	354	143	10
Arrest	Number	14	4	7	0	1	2	0
	Percent	0.30%	0.49%	1%	0%	0.28%	1.4%	0%
Diversion	Number	1	1	1	2	0	0	0
	Percent	0.02%	0.12%	0.14%	0.03%	0%	0%	0%
Pretrial Detention	Number	5	1	1	0	0	0	0
	Percent	0.10%	0.12%	0.14%	0%	0%	0%	0%
Secure Confinement	Number	1	0	3	0	1	0	0
	Percent	0.02%	0%	0.43%	0%	0.28%	0%	0%
Adult Transfer	Number	0	0	0	0	0	0	0
	Percent	0%	0%	0%	0%	0%	0%	0%

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 2022 State Advisory Group \(SAG\)](#) is composed of members who hold positions in various areas of government. As of 2022, 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 are for the FY October 2020 - September 2021. 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 80% of arrests, collectively.
- White youth represent the largest percentage arrested, followed by the Federated States of Micronesia (FSM).
- It is clear from the numbers yielded from the data that FSM, White, Chamorro and Carolinian youth represent the largest portion of arrests made.
- Although the FSM juvenile population is the fourth smallest when comparing the data, they may also be considered a minority group when compared to the cumulative population of the Chamorros and Carolinians--both of whom are the main ethnic groups 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 starts with increasing diversion programs in order to reduce the number of arrests. Emphasize more prevention activities with the Chamorro 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.
- Networking Partnerships with Key Agencies to increase Diversion programs: Meet consistently with key agencies whose primary focus is on helping youth stay out of contact with the juvenile justice system and contributing members to society. These collaborative discussions are also opportunities for our 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 Unit (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?

When analyzing the data amongst the entire juvenile population in the CNMI, it is clear that there are a large number of arrests made 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. A reduction in arrests made on Chamorro, and FSM juveniles would be a milestone achievement considering these arrests account for most of the 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 the 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?

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 the CNMI’s recently updated R/ED plan 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 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 to become a wholesome member of the community. 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 2021 and FY 2020 to assess any change in the data from the past year.

Statistics At A Glance (October 01, 2020 - September 30, 2021).

FY21 Statewide Data:

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
Population		4,658	815	692	5,499	354	143	10
Arrest	Number	14	4	7	0	1	2	0
	Percent	0.30%	0.49%	1%	0%	0.28%	1.4%	0%
Diversion	Number	1	1	1	2	0	0	0
	Percent	0.02%	0.12%	0.14%	0.03%	0%	0%	0%
Pretrial Detention	Number	5	1	1	0	0	0	0
	Percent	0.10%	0.12%	0.14%	0%	0%	0%	0%
Secure Confinement	Number	1	0	3	0	1	0	0

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
	Percent	0.02%	0%	0.43%	0%	0.28%	0%	0%
Adult Transfer	Number	0	0	0	0	0	0	0
	Percent	0%	0%	0%	0%	0%	0%	0%

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

FY20 Statewide Data:

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
Population¹		4,658	815	692	5,499	354	143	10
Arrest	Number	31	10	52	17	3	3	1
	Percent	0.67%	1.23%	7.51%	0.31%	0.85%	2.10%	10%
Diversion	Number	4	1	4	3	1	0	0
	Percent	0.09%	0.12%	0.58%	0.05%	0.28%	0%	0%
Pretrial Detention	Number	5	1	4	3	0	0	0
	Percent	0.11%	0.12%	0.58%	0.05%	0%	0%	0%
Secure Confinement	Number	2	0	3	0	0	0	0
	Percent	0.04%		0.43%	0%	0%	0%	0%

¹ 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.

	Race:	Chamorro	Carolinian	FSM	Asian	ROP	White	African American
Population¹		4,658	815	692	5,499	354	143	10
Arrest	Number	31	10	52	17	3	3	1
	Percent	0.67%	1.23%	7.51%	0.31%	0.85%	2.10%	10%
Diversion	Number	4	1	4	3	1	0	0
	Percent	0.09%	0.12%	0.58%	0.05%	0.28%	0%	0%
Pretrial Detention	Number	5	1	4	3	0	0	0
	Percent	0.11%	0.12%	0.58%	0.05%	0%	0%	0%
Adult Transfer	Number	0	0	0	0	0	0	0
	Percent	0%	0%	0%	0%	0%	0%	0%

States must address the following questions designed to assist in determining progress toward reductions in R/ED:

1. What are your new numbers?

ARRESTS

The number of arrests dropped from FY 20 to FY21 for all the juvenile ethnic populations within the CNMI. For the two smallest minority groups in the CNMI, Whites and African Americans, the number of arrests dropped by 33.3% and 100%, respectively. For the two main ethnic groups in the CNMI, Chamorros and Carolinians, the number of arrests dropped by 55% and 60%, respectively. Juveniles from the Federated States of Micronesia (FSM) accounted for the highest number of arrests (52 or 44.4%) in FY20, which also accounted for the largest reduction of arrests, from 52 FSM arrests in FY20 to only 7 FSM arrests in FY21. In FY21, juveniles from FSM accounted for just 25% of arrests, a drop of 19% from the previous year. So what does this tell us? The three smallest groups in the CNMI are African Americans, Whites and Palauans from the Republic of Palau. Cumulatively, these groups accounted for less than 6% of total arrests in FY20. However, in FY21 Whites and Palauans accounted for 10% of total arrests, with no arrests being made for African Americans. The key statistic to look at, however, is that the number of arrests reduced for these three ethnic groups from FY20 to FY21.

DIVERSION

Diversion is a program with the purpose of diverting first time non-felony offenders from the formal sanction system of the Family Court Division 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 the Division of Youth Services (DYS). In this point of contact, we want to see an increase in use of diversion services. Although the number of diversions dropped from the previous year for every ethnic group in the CNMI, the percentage of diversions increased (Chamorro youth .09% to .30%; Carolinian youth .12% to .49%; FSM youth .58% to 1.0%, FY20 to FY21 respectively).

There were no new diversions for either whites or african americans (no change from the previous year).

PRETRIAL DETENTION

There was no change for the two main ethnic groups--Chamorros and Carolinians--coming under pretrial detention compared to the previous year. Similarly, there was no change for the three smallest groups--Palauans, whites or African Americans. There was a drop in the number of FSM juveniles in pretrial detention. In FY20, there were 4 juveniles on pretrial detention. This number dropped to 1 for FY21, a drop of 75%. The number of Asian juveniles dropped by 100%, from 3 in FY20 to none in FY21.

SECURE CONFINEMENT

In FY21, juveniles in secure confinement dropped by 50% for Chamorros and there was one Palauan juvenile held. There was no change for FSM juveniles. For all other ethnic groups there were no juveniles in secure confinement.

ADULT TRANSFER

There were no adult transfer cases for juveniles in both FY20 and FY21.

2. Did you meet your goals?

Goals were ultimately achieved. Along with the percentage decrease in contact points, pertinent and relevant statistics for all five contact points were collected, broken down by nationality, and were able to be located and implemented in this RED Plan. The prior administration of the CNMI CJPA office had set goals of reducing FSM arrests from 60 in [FY19](#) to 50 in [FY20](#). It is important to note that the same format and language was used by the prior administration from FY20 to FY21. In FY20, there were 52 arrests for FSM juveniles. However the goal that was stated said reducing that number from 60 to 50, which was a clear typographical error. It would have made more sense to say reducing FSM

juvenile arrests from 52 to 42 as that aligns with the reported numbers. Regardless, FSM juvenile arrests dropped from 52 in FY20 to just 7 in FY21, a drop of 86.5%.

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?

It is important to note that the CNMI was going through the COVID-19 Pandemic, beginning in January 2020. During the early months of 2020 when the COVID-19 Pandemic rose to be a critical concern in our island community (increased numbers of COVID-19 positive individuals from incoming flights entering Saipan), the situation warranted our executive leadership to act in response to the pandemic. Our CNMI Governor, had issued an [Executive Order](#) that set forth curfew hours for all CNMI residents (adults and minors).

The COVID-19 Pandemic brought about not only a reduction in arrests for FSM juveniles but juveniles in general, amongst all ethnic groups within the CNMI. With regard to diversions, the CNMI has shifted focus from a “punitive” approach to one that focuses more on rehabilitation. For instance, the CNMI Systems of Care (SOC) works alongside the CNMI Division of Youth Service Juvenile Probation Unit (JPU). The DYS JPU refers juveniles to SOC so that they and their families receive services catered for rehabilitation.

The ultimate goal of the juvenile justice system is to reach an outcome that serves in the best interest of the juvenile and to settle mediation with any affected victims, with the involved entities (DOC, courts, DYS, DPS, SOC) through their various services all contribute their roles to meet that outcome.

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

Support from OJJDP will always be needed in order to ensure teams working with OJJDP related grant funding are always kept abreast of the new regulations and/or updates to statutes being made within the realm of juvenile justice. This was never more evident than with the new requirements made by the 2018 Juvenile Justice Reauthorization Act (JJRA). The CNMI team had to adjust and work closely with government agencies in order to comply with the new requirements, 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. Youth from the Republic of Palau (Palauans), Federated States of Micronesia (FSM), and Whites accounted for 35% of arrests in FY21. However, since the number of juvenile arrests for Palauans and Whites is relatively small, 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 these minority 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.

Lastly, the new CNMI Criminal Justice Planning Agency (CJPA) administration has been staffed with new personnel from diverse backgrounds, ranging from law enforcement to human resources. These personnel have experience in working with numbers and networking with integral partners, with the goal of ensuring that last year's typographical error (reducing FSM arrests) is not repeated. The CJPA OJJDP team works closely with the CNMI Department of Corrections and DYS frequently to ensure that data is accurate for the respective contact points (arrests, diversion, pre-trial detention, etc.).