

## CNMI FY24 Compliance Data Submission and Racial Ethnic Disparities (R/ED) Plan

- I. **Red Identification:** Identify statewide data at research-based points of potential disparity. Data collection must occur for at least four of the five points below. At each data point, your state must provide the percent distribution of race or ethnic groups compared to the general population distribution in the most recent U.S. Census data.

In order to assess disparity among the racial and ethnic juvenile population in the CNMI, data collection is chosen for the following five points:

- Arrests
- Diversion (Filing of Charges)
- Pre-Trial Detention
- Disposition Commitments
- Adult Transfer

It should also be mentioned that the latest CENSUS data available for the CNMI is from 2010. Therefore, the juvenile population data that will be used for comparison purposes throughout this R/ED plan is based on the [2010 CNMI Census](#).

Statistics At A Glance (October 01, 2022 - September 30, 2023):

R/ED Identification		Chamorro	Carolinian	FSM	Asian	ROP	Caucasian	African-American
	Population Data	4,658	815	692	5,499	354	143	10
Arrests/Referrals	Number	18	10	11	11	1	0	0
	Percentage	0.3%	1.2%	1.5%	0.2%	0.2%	0%	0%
Diversion	Number	1	1	1	2	0	0	0
	Percentage	.02%	.02%	.02%	.03%	0%	0%	0%

For Detention, Commitment and Transfer from Adult Court cases, the data obtained did not have them broken down by ethnicity/race for the 2020-2021 time period.

**Figure 1.1: October 1, 2022 - September 30, 2023 Arrest Data**

Month	Male	Female	Cham	Car	FSM	Asian	ROP	Caucasian	Afri-Ameri	Total
October 2022										
November 2022										
December 2022										
January 2023	3	3	2		2	2				6
February 2023										
March 2023	6	2	2	3	1	2				8
April 2023	2			1		1				2
May 2023	4	3	5	2						7
June 2023	3					2	1			3
July 2023	5		1	1	2	1				5
August 2023	6		3	2	1					6
September 2023	14		5	1	5	3				14
TOTAL	43	8	18	10	11	11	1			51

**Figure 1.2: October 1, 2021-September 30, 2022 Arrest Data**

Month	Male	Female	Cham	Car	FSM	Asian	ROP	Caucasian	Afri-Ameri	Total
October 2021	2		1			1				2
November 2021	4		1	1	1	1				4
December 2021	3	1	2		2					4
January 2022	1				1					1
February 2022	4		1		2		1			4
March 2022	5		3		1	1				5
April 2022										
May 2022	2		1		1					2
June 2022	2	1	1	1	1					3
July 2022	2		1		1					2
August 2022	3		1		2					3
September 2022	3	1		1	1	2				4
TOTAL	31	3	12	3	13	5	1			34

Chamorro (Cham) and Carolinian (Car) are the primary ethnic group in the CNMI. The Federated States of Micronesia (FSM) comprises Chuuk, Yap, Pohnpei and Kosrae. Asian, will comprise Chinese, Filipino, Japanese etc. ROP refers to the Republic of Palau.

**Figure 1.3: October 1, 2021 - September 30, 2022 Juvenile Case/Juvenile Probation Data**

1. **Arrests:** See tables above for arrest data
2. **DIVERSION:** (filing of Charges)

**Diversion Data for Fiscal Years' 2021 - 2023**

**Figure 2.1** Diversion Referrals

	Males	Females	Total
FY 21-22	7	1	8
FY 22-23	15	4	19
FY 23-24 <sup>1</sup>	7	3	10

**<sup>1</sup>As of August 05, 2024**

Diversion is a three-month program with a possible additional three-month extension. It is designed for first time non-violent offenders. Referrals are from the Attorney General’s office. Few of the cases such as traffic cases are filed in court and then diverted to the program.

Total male diversion numbers increase by 15 or 114%. However, this number decreased by the same amount for FY2023. For females from FY21 to FY22, there was an increase of 3 up to 4 in FY22; this number decreased back down to 3 for FY23. In terms of total diversion referrals, from FY21-22 to FY23-24, there was an increase of 137.5% from FY21 to FY22; however this number decreased by 90% or 19 down to 10 from FY22 to FY23.

3. **Pre-Trial Detention:** During the 2021-2022 fiscal year there were a total of 31 juveniles who were detained under Pre-Trial status. This figure increased to 51, or 65.5%, for FY22-23 but decreased by 70%, to 30 pre-trial detentions’ for FY23-24. As far as genders are concerned, female juveniles have remained low compared to males for all three years’. Year-over-year from FY21-22 to FY22-23, there was an increase of 60%; this number dropped by half for FY23-24. For males, during the same time period, there was an increase of 65.3%; this number decreased by the same percentage from 43 down to 26 again in FY23-24.

**Figure 2.2** Pre-Trial Detention

	Males	Females	Total
FY 21-22	26	5	31
FY 22-23	43	8	51
FY 23-24 <sup>2</sup>	26	4	30

**<sup>2</sup>As of August 05, 2024**

4. **Disposition Commitments:** Of the total number of dispositions in FY21-22, 24 or 80% were male. Males represented 150% of total dispositions for FY22-23 and 88% for FY23-24. When looking at total numbers, from FY21-22 to FY22-23 there was an increase in total juvenile dispositions from 30 to 46 or 53.3%; this number decreased by 70% for FY23-24.

**Figure 2.3** Disposition Commitments

	Males	Females	Total
FY 21-22	24	5	30
FY 22-23	39	7	46
FY 23-24 <sup>3</sup>	24	3	27

<sup>3</sup>As of August 05, 2024

5. **Adult Transfer:** There were no adult transfer cases during the above-reference years’.

**II. Develop an action plan.**

1. **What do RED numbers tell you about your jurisdiction?** The total number of arrests increased 17 from FY21-22 to FY22-23. In both years’, males still represent the largest number of arrests; the same can be set for both diversion and pre-trial detention numbers. Chamorros’ and Carolinians’, the indigenous population of the islands, have had the relatively highest number of arrests, followed by those individuals’ from the Federated States of Micronesia and the Asian population, majority comprised of juveniles of Filipino descent. There has been an increase year-over-year from FY21-22 to FY22-23 for both Chamorros’ and Carolinians’. However, diversion numbers have a tale to tell in the story, as well. For instance, although Chamorros’ had the highest number of arrests in FY22-23, this was also the year we the highest number of diversions’, not to mention majority of them being males. This essentially says that the justice system is working towards a rehabilitative solution for juveniles by diverting them to programs that will hopefully curtail these numbers. Recreational programs’ and activities have also been the focal point of our legislature. In order to deter juveniles from committing offenses, some of our legislators have set aside funds to renovate/repair basketball courts, for instance. This provides an opportunity for the juvenile population to spend their time with friends and family, engaging in fun physical activity with the ultimate goal of deterring them away from crime. The Juvenile Detention Unit (JDU) also works closely with the CNMI Public School System to provide instruction to the juvenile population within the JDU.
2. **What would success in R/ED look like for your state?** (Strategy and/or a vision and/or a plan, goals or outcomes that should reflect what success looks like)—Emphasize more prevention activities with the Chamorro, Carolinian, FSM and Asian juvenile populations. Any reduction in juvenile arrests would be considered a success, as this is the first point of contact. 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:* 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 the CNMI’s Division of Youth Services (DYS)—who handle the administrative functions with respect to juveniles—as well as the Department of Corrections (who operate the Juvenile Detention Unit). Youth Risk Behavior Surveys and DHS continued partnership with the CNMI Public School System (PSS), as well as continued support from our legislators also play a key role in keeping R/ED numbers low.

*Continued Implementation of Youth-Centric Programs:* The Division of Youth Services, CNMI Public School System and the Community Guidance Center (CGC) provide programs with the focus of assisting youth stay out of contact with the juvenile justice system.

3. **How much do you want to reduce R/ED next year?** —The goal is to reduce the numbers for both the indigenous populations to the CNMI—Chamorros and Carolinians—as well as to reduce the number of juvenile arrests for those from the FSM as they represented the highest percentage within their ethnic group for FY22-23. The continued partnership between the DHS Juvenile Probation Unit, the Public School System and the legislature will undoubtedly have an impact on how we deter the juvenile population(s) from committing misdemeanor or even violent offenses. It is hoped that by looking at the numbers year-over-year on what recreational programs work, and by continuing to invest in the renovation and upkeep of recreational sports facilities that these will provide these juvenile populations with an avenue to engage with friends and family and ultimately deter them from committing future offenses.
4. **Is the Reduction reasonable?** By continuing to work with agencies that foster youth-centric programs targeted at juveniles—and focusing on the philosophy of long-term sustainability—a 5% reduction is a reasonable goal. A reduction in the numbers of arrests across all the ethnic groups would also be reasonable, as well as an increase in diversion.
5. **What do you need from OJJDP to be successful in your plan?** —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 in turn may tailor it to the needs of the CNMI.

6. **What safeguards will you put in place to ensure that as you work to reduce R/ED, you are still protecting the public.** —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. 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 Crimes and Criminal Procedure for Juvenile Justice 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. The increase in diversion numbers clearly supports this approach. By diverting first-time, non-violent offenders, it is hoped that this will begin their journey to becoming non-offense-committing, contributing members of society.

### **III. Conduct an Outcome-Based Evaluation.**

1. **What are your new numbers?** In comparing FY21-22 to FY22-23 R/ED numbers, there was a definite increase in the total number of arrests made. However, for FY22-23 there was also an increase in diversion numbers, meaning the system places heavy emphasis on rehabilitating the juvenile population, at least for first-time non-violent offenders. There was a 33.3% increase in terms of total arrests. However, there was also an increase in the number of diversions from 8 in FY21-22 to 19 in FY22-23, an increase of more than 100%.
2. **Did you meet your goals?** The goal in 2020 was to reduce the number of arrests for the FSM population—as there was a total of 52 arrests made that year for juveniles of FSM descent. This number decreased to 13 in FY21-22 and 11 in FY22-23. Since 2020, this represent a decrease of about 78.8%. Seeing how this trend is going, it is believed that by the continued implementation of youth-centric programs and continued key partnerships amongst various agencies that this number will decrease further not only for the FSM juvenile population, but across all ethnic groups, as well. It is the goal that by reducing the rate of male arrests, that the overall number among all contact points will be reduced, as well.
3. **If yes, what worked? What drove success? If not, what were the barriers? How did you overcome them? What partners do you need?** It is believed that the continued diversion of juvenile offenders has helped drive success, as well as support from a proactive legislature in investing to renovate old, dilapidated facilities, such as basketball courts and playgrounds.
4. **How can OJJDP help you next year?** OJJDP can help by continue to provide training and informing the territories on trends of what the other states are implementing and how those programs are reducing their R/ED numbers.
5. **How did you protect the public, hold juvenile offenders accountable, and equip them to live a crime-free life?** As mentioned earlier, the diversion program for first-time offenders is believed to be working well. It comes down to what activities juveniles can engage in that will ultimate result in deterrence from committing crimes.

6. **What are your goals for next year?** Our goal is to reduce the number of arrests for the Chamorro, Carolinian, FSM and Asian juvenile population(s). Even a reduction of 2% of the total number of arrests would be considered a success as we continue to strive to reduce the number of juveniles coming into contact with the criminal justice system.