

Identifying Racial and Ethnic Disparities in the Criminal and Juvenile Justice Systems through Data Collection

Panelists:

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The Council Of State Governments Justice Center

Corrections



Courts



Justice Reinvestment



Law Enforcement



Mental Health



Reentry



Substance Abuse



Youth



**National nonprofit,
nonpartisan**
membership association
of state government
officials

**Represents all
three branches of
state government**

**Provides practical
advice** informed by the
best available evidence



the NATIONAL REENTRY RESOURCE CENTER

— A project of the CSG Justice Center —

- Authorized by the passage of the Second Chance Act in April 2008
- Launched by The Council of State Governments in October 2009
- Administered in partnership with the Bureau of Justice Assistance, U.S. Department of Justice



Overview

Identifying Racial and Ethnic Disparities in the Criminal and Juvenile Justice Systems through Data Collection

Strategies to Identify and Address Racial and Ethnic Disparities

Pierce County, Washington Experience

Ask the Experts

Strategies to Identify and Address Racial and Ethnic Disparities

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Improving Life
Opportunities for
Youth, Families,
and Communities
of Color

Using Data to Engage Racial and Ethnic Disparities in the Justice Sector

Webinar--Council of State
Governments November 2016

Current Themes in Equity Work

7

- Foundation Driven Site Based Engagements
- Initial population reduction/Disparities Increase/Fatigue/Nothing Works
- Search for the Magic Intervention
 - Implicit Bias
 - Boutique Courts
- Sites Ready to Go Deeper
 - Culture of Inquiry
- Probation Violations & Alternatives

Common Challenges in Data Collection and Analysis

Data Reports Are Extensive But Do Not Highlight Race/Ethnicity

- Data Rich/ Analysis Poor
- Data Overload/Not Internalized by Decision-Makers



Uses for Data

9

9

- ~~Grant applications~~
- ~~Reporting requirements (federal or state law)~~
- ~~Academic studies (testing a hypothesis)~~
- To Inform and Drive Department Policy
 - To understand your system
 - To define and refine the problem
 - To establish goals
 - To select effective strategies
 - To track progress

Data/Disparities Lens

Detention Eligible Youth Population

Arrest

Referrals

Admissions

Risk Score

Length of Stay

—

- ▣ Disaggregate By

- ▣ Race

- ▣ Ethnicity

- ▣ Gender

- ▣ Geography

- ▣ Offense



BI Strategy for Reducing Racial and Ethnic Disparities

Ongoing process

1. Identify Disparities

- Identify whether and to what extent racial and ethnic disparities exist

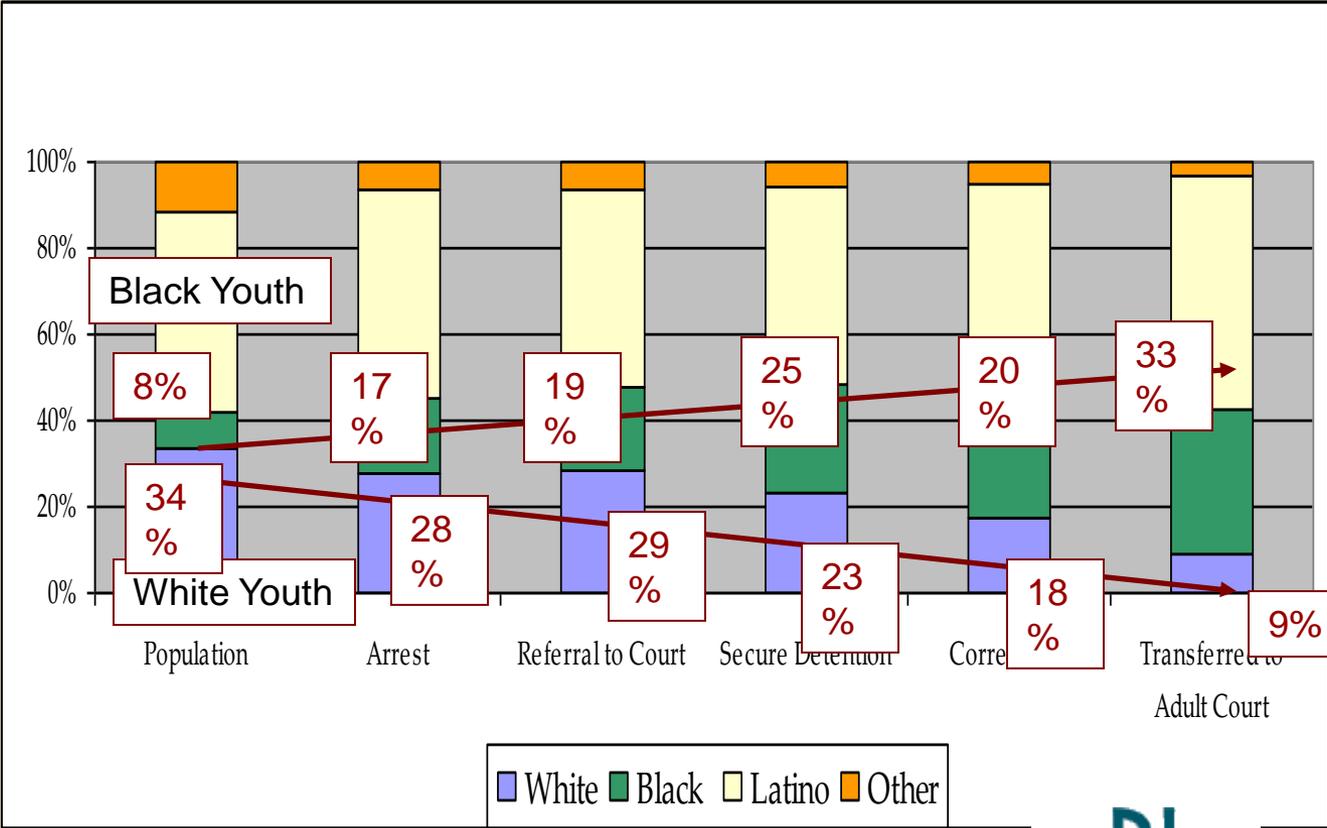
2. Identify, Analyze and Strategize around a “Target Population”

- Identify target population to focus the work.
- “Dig deeper” into target population to learn more about policy, practice, and/or procedure and other factors contributing to disparities.
- Strategize around how policy, practice, and/or procedure change might result in reductions in disparities.
- Pilot or adopt policy change

3. Measure Progress

- Monitor Effectiveness of Policy Change
- Document changes in disparities

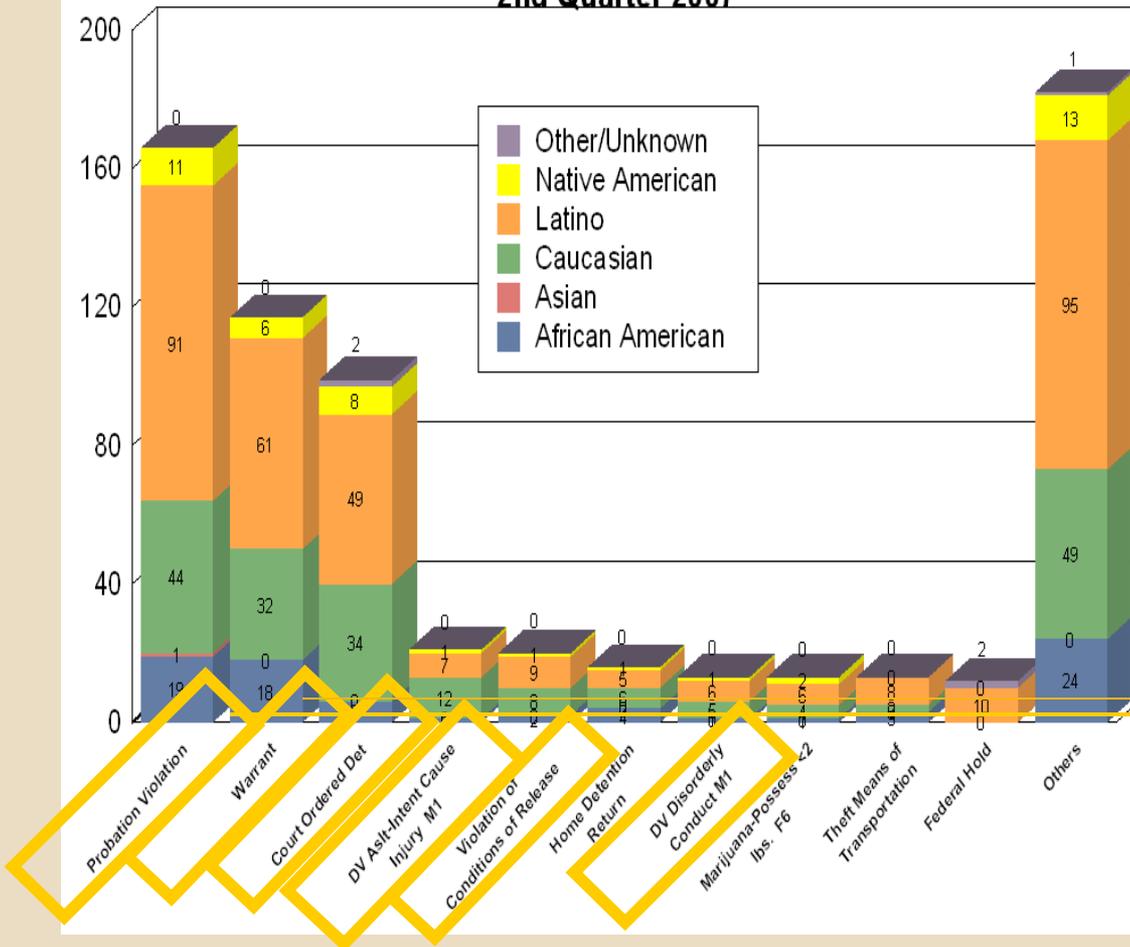
Disproportionality in Decision Points





Digging Deeper : *Disparities by Offense*

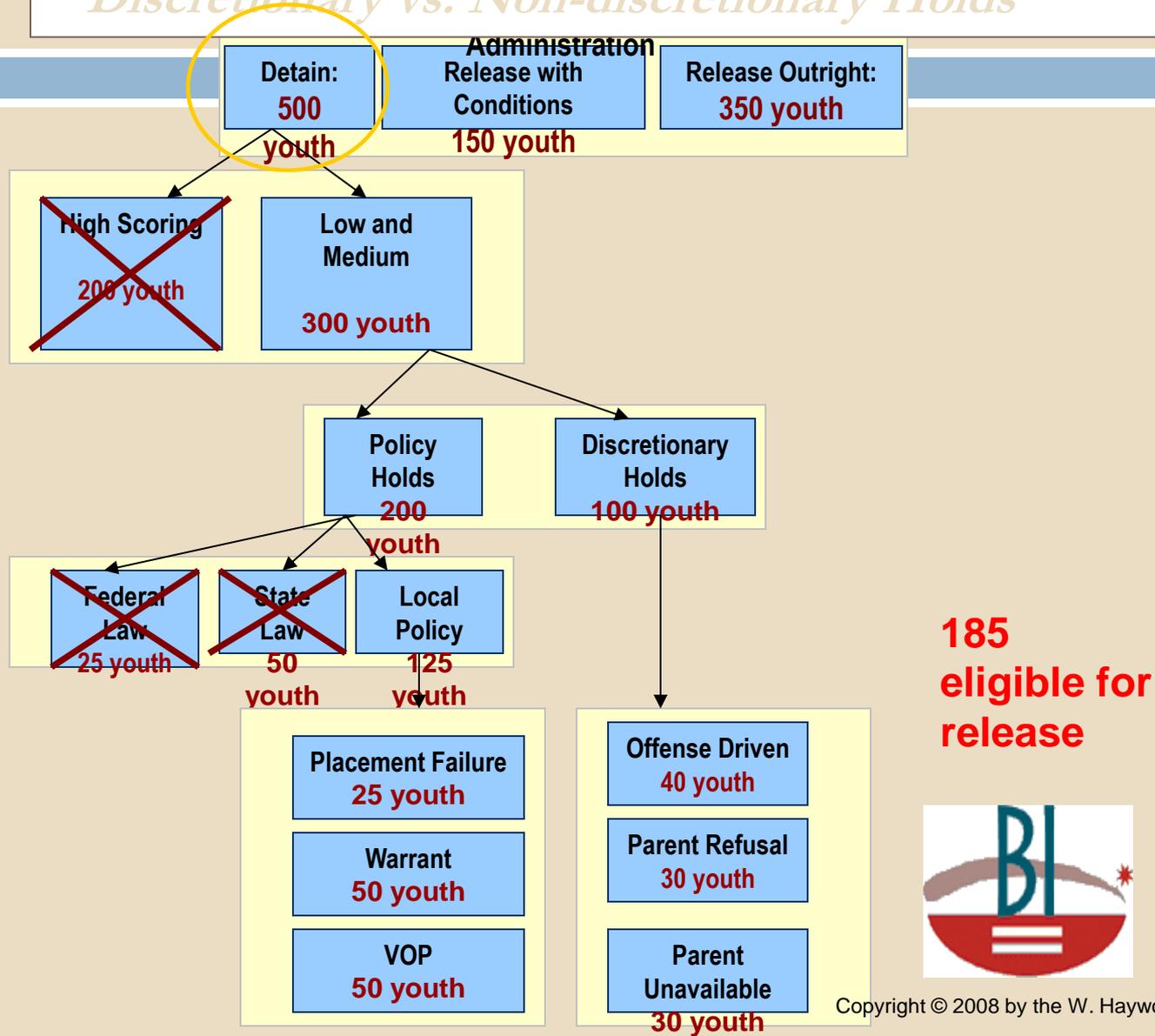
Admissions to Detention by Top 10 Offenses & Race-Ethnicity 2nd Quarter 2007



Offenses identified to dig deeper into and to track.

Digging Deeper: Structural System Based Decisions

Discretionary vs. Non-discretionary Holds



Strategies to Identify and Address Racial and Ethnic Disparities

Pierce County, Washington Experience

Ask the Experts



JUVENILE COURT 2016



Tacoma Community Boat
Builders Program

Empowering Youth Strengthening Families Investing in the Community

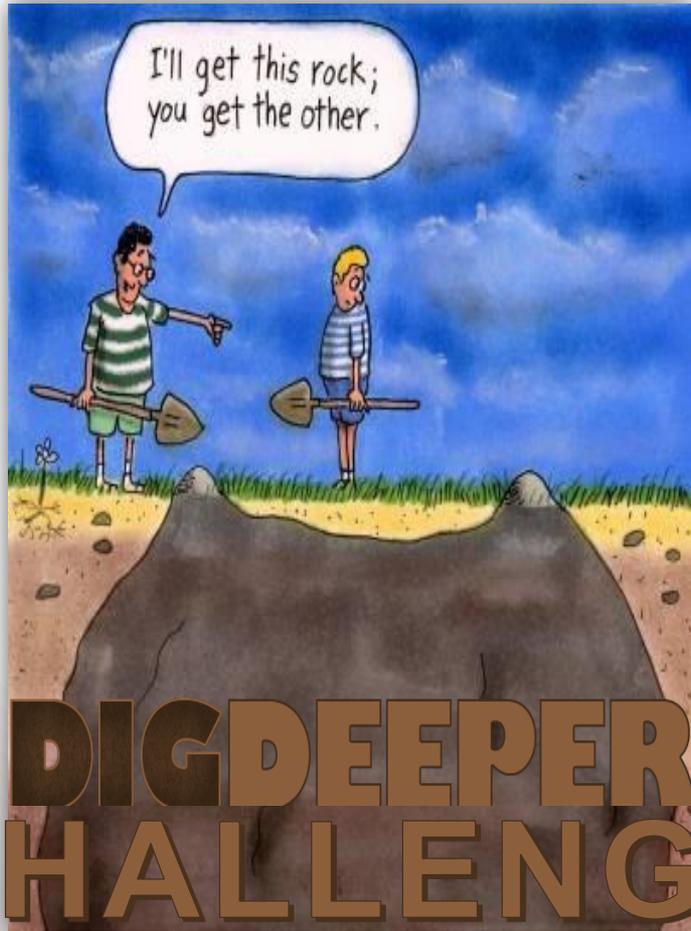
Washington State

✓ 2nd Most populous county in the State approaching **843,954** people

✓ Almost **86,938** youth from ages 10 – 17 years old



Burns Institute Training in Baltimore 2009



Perception Vs. Reality

DETENTION RISK ASSESSMENT INSTRUMENT

PIERCE COUNTY JUVENILE COURT DETENTION RISK ASSESSMENT INSTRUMENT

Name: _____ JUVIS No. _____ DOB _____

Admit Date: _____ Admit time: _____ Race: _____ Sex: M F

Primary referral offense: _____ Offense Class: _____ (A-E)

DESCRIBE AND CITE CODE SECTION IF KNOWN

A. OFFENSE (Score only the most serious instant offense)

Class A+, A or A- or B+ felony offense or Escape Charge	10
Minor possessed or used firearm	10
Other assaultive or sex felonies against persons	8
Felony property including auto	5
Felony drug possession, possession for sale	4
Gross misdemeanors	3
Misdemeanors	2
Domestic Violence	1

B. PRIOR OFFENSE HISTORY (Score only one of the following)

Felony petition pending, on probation for a felony offense or on parole	6
Prior adjudication for B+ or above felony within last 2 years	5
Prior adjudication on a B, C+ or C felony within the last 2 years	4
Prior adjudication on two or more misdemeanors within the last 2 yrs	3
Prior adjudication, one misdemeanor within the last 2 years	1
Documented escape from secure custody, last 18 months	6
Documented court FTA within the last 12 months	2

C. AGGRAVATING FACTORS (Add all that apply, up to 3 points)

Multiple offenses are alleged for this referral	1
Crime or behavior alleged was particularly severe or violent	1
Confirmed runaway history or minor has no known community ties	1
Minor is under the influence of drugs/alcohol at arrest	1

D. MITIGATING FACTORS (Subtract all that apply, up to 3 points)

Involvement in offense was remote, indirect or otherwise mitigated	1
Parent or relative can assume immediate responsibility for minor	1
No arrests or citations within the last year	1
Minor demonstrates stability in school or employment	1

TOTAL RISK SCORE (A + B + C - D) →

DECISION SCALE: 0-6 Release,
Diversion Only
0-9 PRR
10+ DETAIN

SPECIAL DETENTION CASES (Check as applicable)

- PCJC Bench or arrest warrant (minor not authorized for release)
- Probation Violation warrant
- Minor is active runaway
- All Parole activities
- ADS failure
- WARRANTS, Transfers and Holds from another jurisdiction or institution (minor not authorized for release)

DETENTION OVERRIDE

- Parent, guardian or responsible relative cannot be located
- Parent, guardian or responsible relative refuses custody
- Other. Minor is detained because _____

RELEASE OVERRIDE

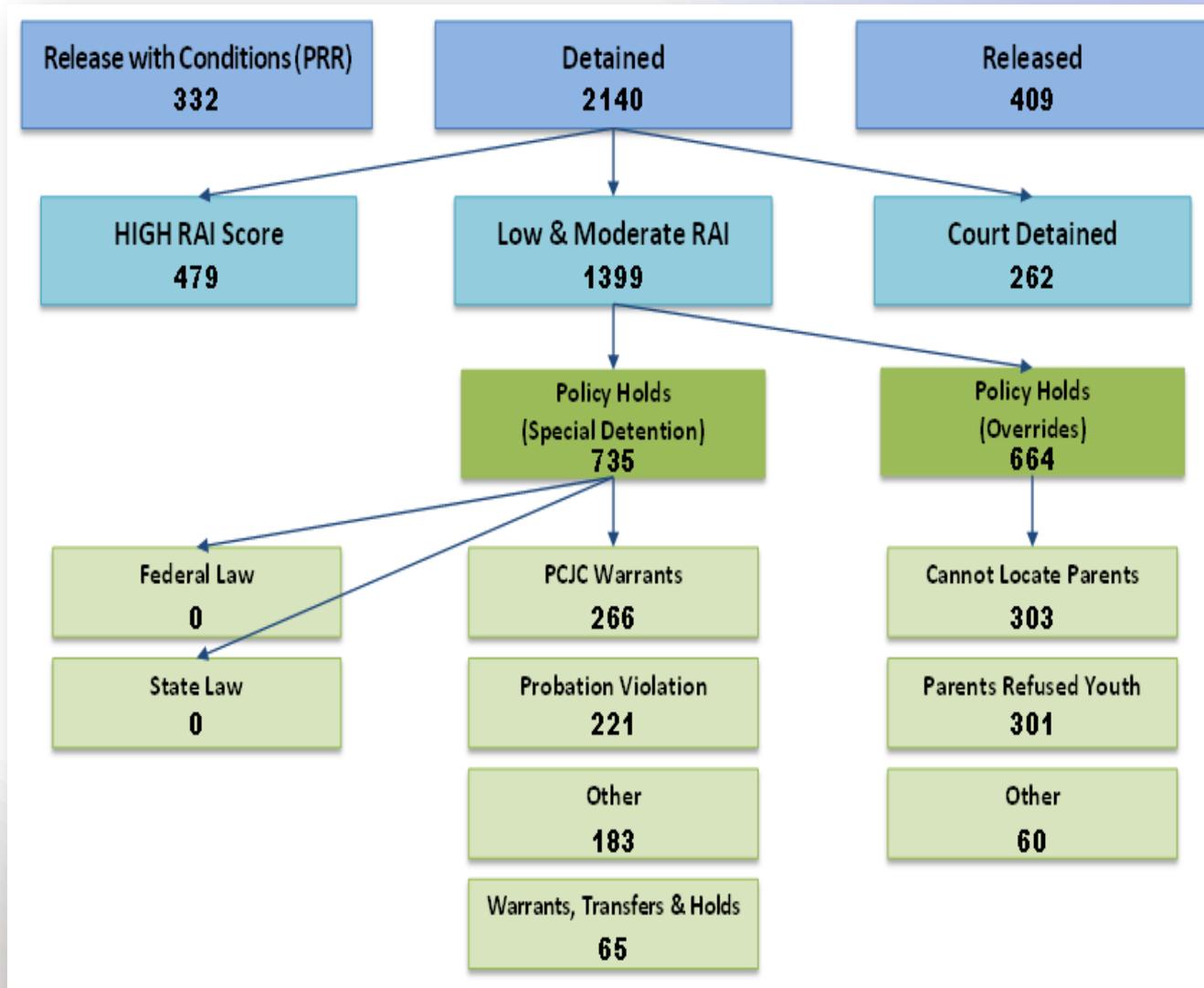
- The minor is released because: _____

OVERRIDE APPROVAL : Approved by: _____, Supervisor

INTAKE DETENTION RESULT: ___ Detained ___ PRR ___ Released (Released to: _____)

COURT DETENTION RESULT: ___ Detained: Detention Reason Code _____

Detention Risk Assessments 2009 (N=2881)



Reducing Violations

PROBLEM:

In 2007 African American Youth represented only **11%** of the County's population, yet they accounted for almost **35%** of the youth being detained for probation violations.

RESPONSE:

Assembled a data committee to utilize staff creativity, increase support, and brainstorm ideas to combat ethnic and racial disparities.

GOAL:

Decrease detention admissions, bed nights, and average length of stay for African American youth due to probation violations.

Data Committee – “The experts are already in the room”



“A good leader recognizes he or she doesn’t have [and doesn’t need to have] the answer for every challenge encountered by the team.”

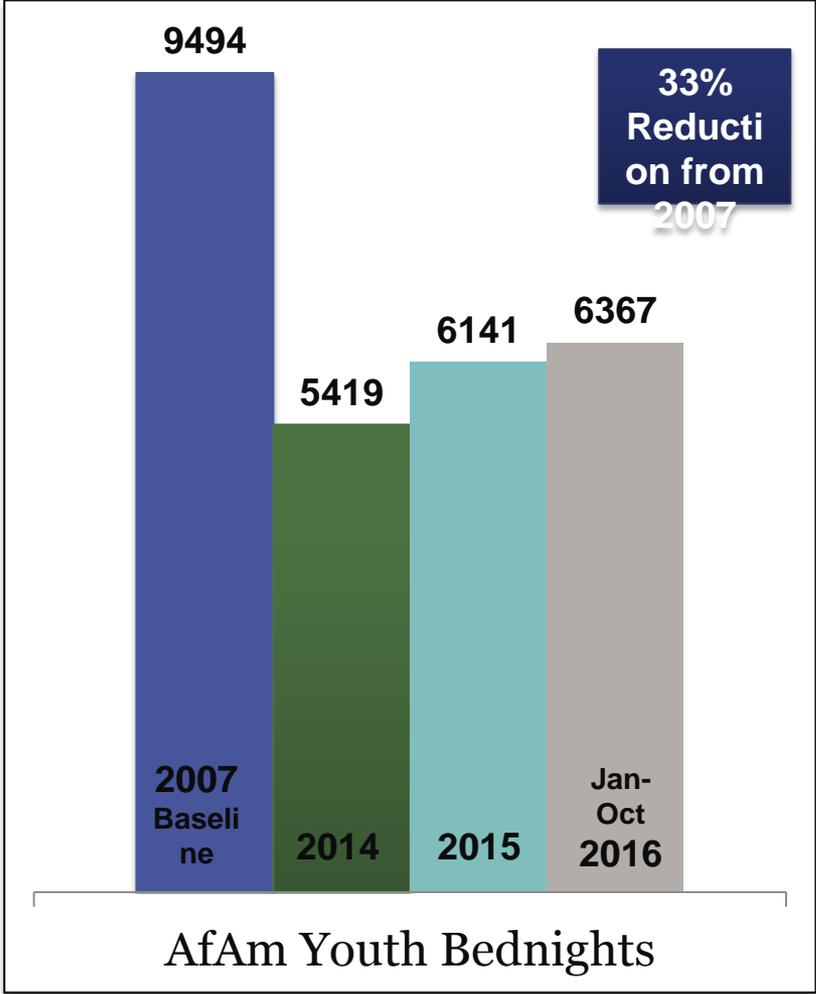
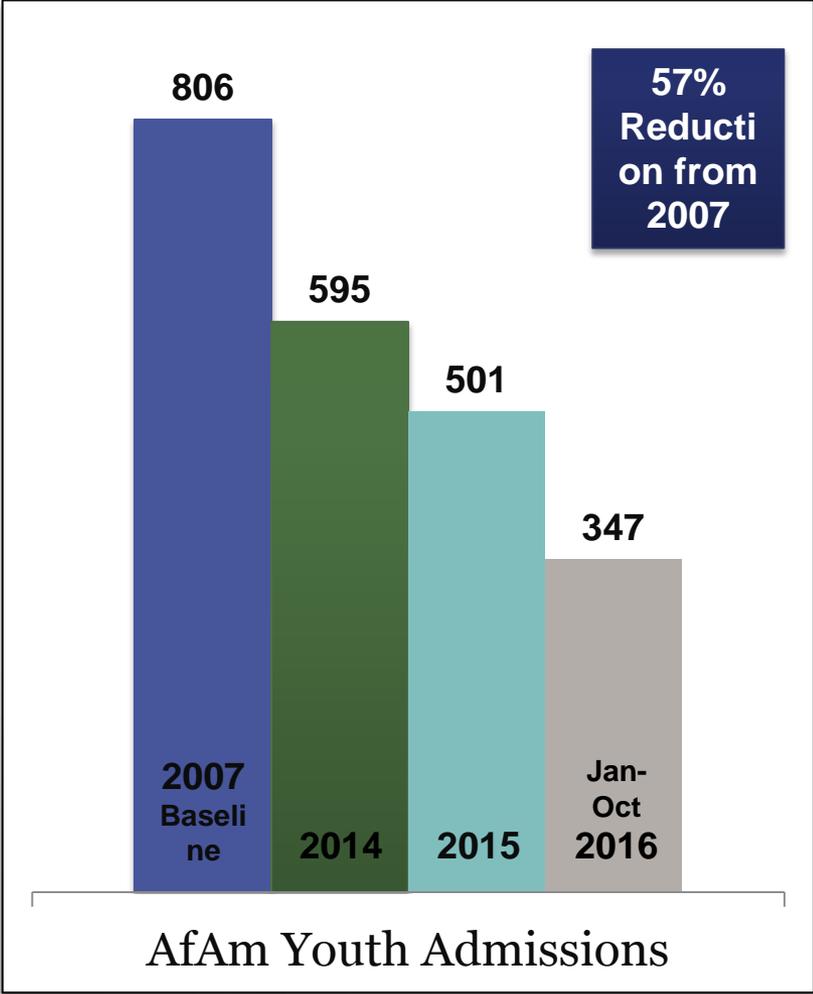
FTR Bench Warrant Guide

LOW RESPONSE	MODERATE RESPONSE	HIGH RESPONSE
<p><u>Misdemeanor</u> Theft 3, MIP, Assault 4, MM 3, UPFGLM, etc.</p>	<p><u>Felony Property</u> Res. Burg, Theft 1, TMVWOP, etc.</p>	<p>Firearm, Felony against Person; Assault, Robbery, Sex Offense, etc.</p>
<p><u>0 – 2 prior FTR's</u></p> <ul style="list-style-type: none"> ➤ Ask the parent to file a run report ➤ Issue a non-custody BW in 24hrs 	<p><u>0 – 2 prior FTR's</u></p> <ul style="list-style-type: none"> ➤ Ask the parent to file a run report ➤ Issue a non-custody BW in 24hrs ➤ CDET will make daily phone and face to face contacts pending court 	<p><u>Regardless of FTR History</u> Issue a custodial BW in 24hrs</p>
<p><u>3 – 5 prior FTR's</u></p> <ul style="list-style-type: none"> ➤ Ask the parent to file a run report ➤ Issue a non-custody BW in 24 hours ➤ CDET will make daily phone calls pending court 	<p><u>3 + prior FTR's</u></p> <ul style="list-style-type: none"> ➤ Issue a custodial BW in 24 hours 	
<p><u>6 + prior FTR's</u></p>		<p><u>Overrides</u></p>

Probation Violations – Detained AfAm Youth

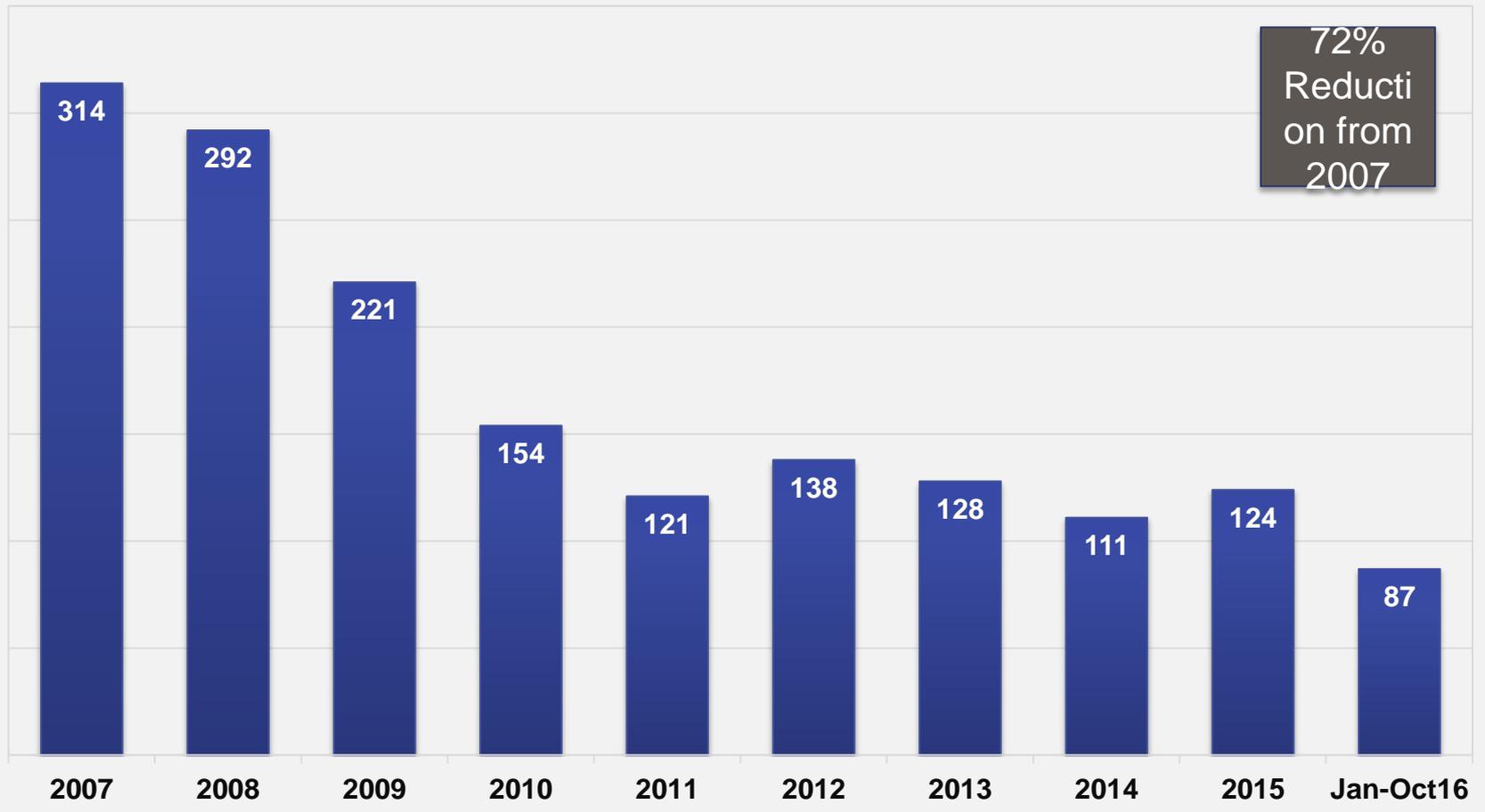
Reduce Detention Admissions and ALOS for African American Youth with Probation Violations		2007 (Baseline)	2015	2016 Jan - Oct
<ul style="list-style-type: none"> Standardize sanctions with supervisor staffings & implement staffing guide Utilize ATDs in lieu of detention New procedures for failure to reside 	Admissions	111 (35%)	37 (30%)	23 (26%)
	Bednights	1465 (37%)	542 (43%)	304 (31%)
	ALOS	9.4 Days	13.5 Days	9.7 Days

Reducing RED Gaps

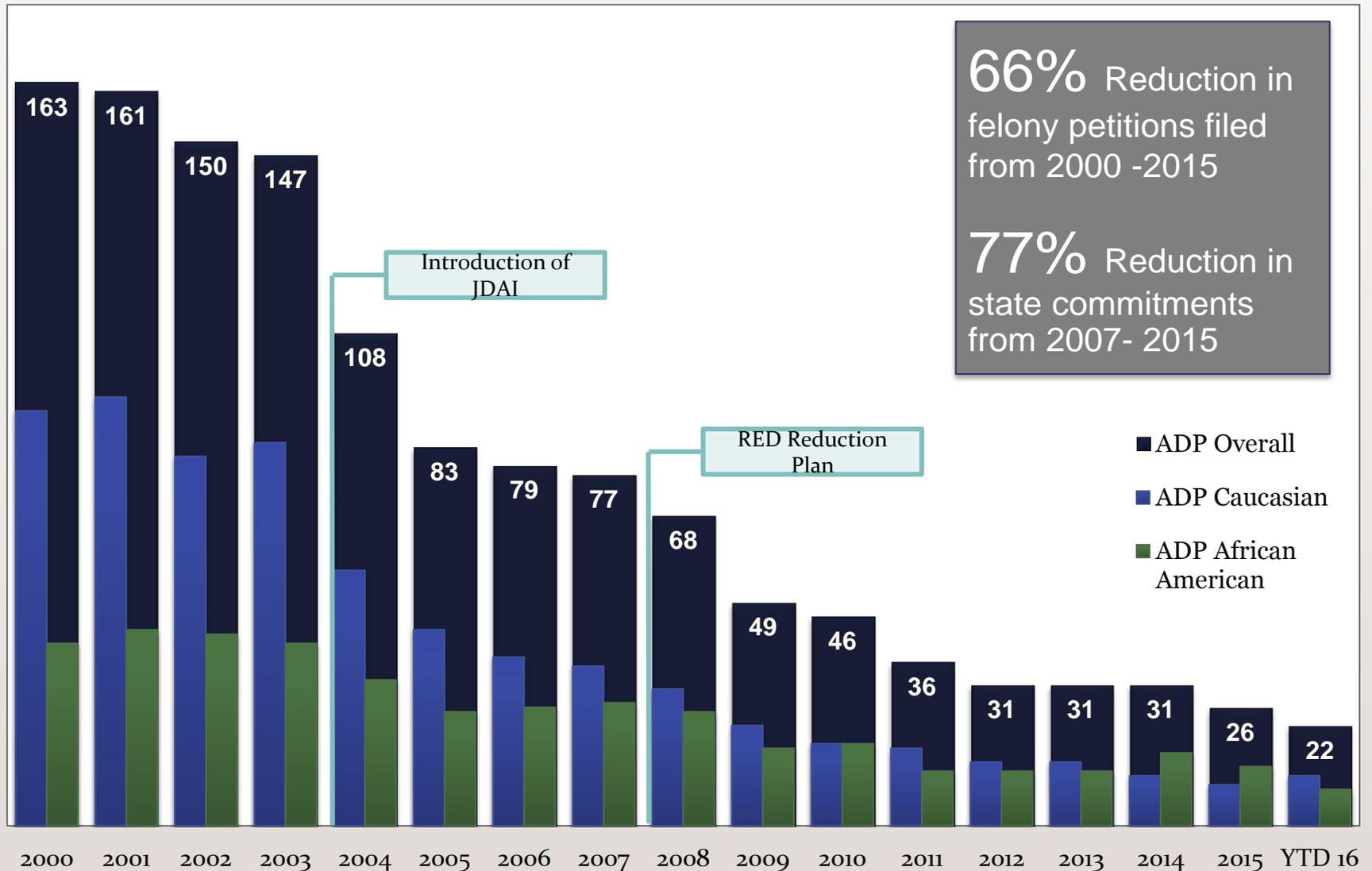


Special Detention Probation Violations

Special Detention Probation Violations Over Time



Average Daily Population - Detention



Juvenile Court Professional Development



Equity Team

The Equity Team is committed to recognizing and bringing awareness to disparities. We will seek solutions through training, relationship building and policy discussions so that every employee is valued, supported, and empowered to do their best work



Employee Appreciation Team

The goal of the Employee Appreciation Team is to ensure that employees feel valued, connected, supported and encouraged, ultimately making our individuals and departments stronger and more effective

View From the Balcony

- *BI Framework* provided direction in identifying target populations
- Successful collaboration can accelerate results
- Building your bench will assist in sustaining efforts
- Undoing institutional racism & eliminating disparities is complex, challenging and risky
- Find the right balance of focusing on results & healthier employees (*which we believe will get better results*)

Contact Information



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Ask the Experts

Thank You

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For more information, contact Cynthia Thaler (cthaler@csg.org)



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