Using Local Innovation to Address Racial Disparities in Behavioral Health and Criminal Justice Programs

September 20, 2022 | 2–3:30 p.m. ET | National League of Cities

Presentation Outline

I. Welcome and introductions

II. Strategies to decrease racial disparities and implement programs with equity

III. Local examples of prioritizing race equity in the development of criminal justice and behavioral health programs

IV. Facilitated discussion with local leaders

V. Questions and answers

Speakers

- Jazmone Wilkerson, *Project Manager, Behavioral Health, CSG Justice Center*

- Felicia Lopez Wright, *Senior Policy Analyst, Behavioral Health, CSG Justice Center*

- Kirby Gaherty, *Program Manager, Justice Initiatives, National League of Cities (NLC)*

- Tony McCright, *Senior Specialist, Justice Initiatives, NLC*

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Speakers

- Julia Martin, *Assistant to the City Manager, City of Charlotte*

- Federico Rios, *Assistant Director, Housing and Neighborhood Services Department, City of Charlotte*

- Taylor Crouch-Dodson, *Program Manager, Office of Performance and Innovation, City of Minneapolis*

- Wilford Pinkney, *Director of the Mayor's Office of Children, Youth, and Families, City of St. Louis*

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The Council of State Governments Justice Center

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

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How We Work

- We bring people together

- We drive the criminal justice field forward with original research

- We build momentum for policy change

- We provide expert assistance

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Our Goals

Break the cycle of incarceration

High rates of recidivism increase taxpayer costs, diminish public safety, and tear apart families and communities. We work with partners inside and outside of government to reduce crime and incarceration among youth and adults in contact with the justice system.

Advance health, opportunity, and equity

Efforts to make communities safer and healthier are hampered by insufficient behavioral health services, barriers to economic mobility, homelessness, lack of support for victims, and racial and gender inequity. We bring people from diverse systems and perspectives together to improve policy and practice related to these challenges.

Use data to improve safety and justice

Data holds the power to help us understand and change justice systems for the better. And yet, states and counties still know far too little about how their systems perform. Our work transforms information into meaningful insights for policymakers.

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Equity and Inclusion Statement

The Council of State Governments Justice Center is committed to advancing racial equity internally and through our work with states, local communities, and Tribal Nations.

We support efforts to dismantle racial inequities within the criminal and juvenile justice systems by providing rigorous and high-quality research and analysis to decision-makers and helping stakeholders navigate the critical, and at times uncomfortable, issues the data reveal. Beyond empirical data, we rely on stakeholder engagement and other measures to advance equity, provide guidance and technical assistance, and improve outcomes across all touchpoints in the justice, behavioral health, crisis response, and reentry systems.

The U.S. Department of Justice Bureau of Justice Assistance

Mission: BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support state, local, and Tribal justice strategies to achieve safer communities. BJA works with communities, governments, and nonprofit organizations to reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system.
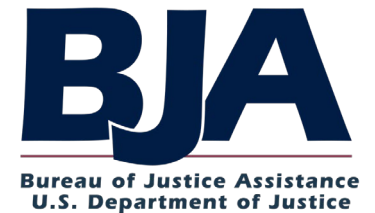
Justice and Mental Health Collaboration Program

The Justice and Mental Health Collaboration Program (JMHCP) promotes innovative cross-system collaboration and provides grants directly to states, local governments, and federally recognized Indian Tribes. It is designed to improve responses to people with mental health conditions and substance use disorders who are involved in the criminal justice system.

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National League of Cities' Justice Initiatives Institute for Youth, Education, and Families

IYEF

The Institute for Youth, Education, and Families (IYEF) is the go-to place for city leaders seeking to improve outcomes for children and families. With expertise in early childhood success, education & expanded learning, promoting a culture of health, youth & young adult connections, and economic opportunity & financial empowerment, the YEF Institute reaches cities of all sizes and brings together local leaders to develop strategies via technical assistance projects, peer learning networks, leadership academies, and Mayors' Institutes.

Justice Initiatives Team

- Builds on the work of the Reimagining Public Safety Task Force

- **Technical Assistance:**
  - Reducing Harm through collaborative solutions
  - Municipalities reimagining community safety

- **Peer Learning Networks**
  - City Justice Policy Advisors Network (CJPAN)
  - Young Adult Justice Community of Practice (YAJCOP)
  - Municipal Reentry Leaders Network (MRLN)

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Objectives

- Understand how racial equity is linked to the social determinants of health and diminished opportunities.

- Define and understand the importance of implementing a racial equity lens into their programs.

- Understand how to use race equity data to implement program change.

- Learn from local leaders how to apply a racial equity lens in services and diversion opportunities.

- Obtain strategies to address racial disparities through local equitable innovation.

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Racial Equity Defined

Racial equity is both an outcome and a process. As an outcome, we achieve racial equity when race no longer determines one's socioeconomic outcomes and when everyone has what they need to thrive, no matter where they live. As a process, we apply racial equity when people most impacted by structural racial inequity are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives.

Source: Race Forward, "What Is Racial Equity?" October 5, 2021, https://www.raceforward.org/about/what-is-racial-equity-key-concepts.

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Racial Equity and Opportunity

- **Every community is hindered by systemic racial inequities.** Even in the states that are doing the best at racial equity, there are significant and preventable racial inequities.

- **Inclusive prosperity remains elusive among America's metros and cities.** It is very rare for communities to have high levels of prosperity and high levels of inclusion.

Source: "The Racial Equity Index: A New Data Tool to Drive Local Efforts to Dismantle Structural Racism," National Equity Atlas, accessed August 2, 2022, https://nationalequityatlas.org/research/index-findings#:~:text=Because%20equity%20means%20both%20closing%20racial%20gaps%20and,population%20is%20doing%20overall%20on%20those%20same%20indicators.

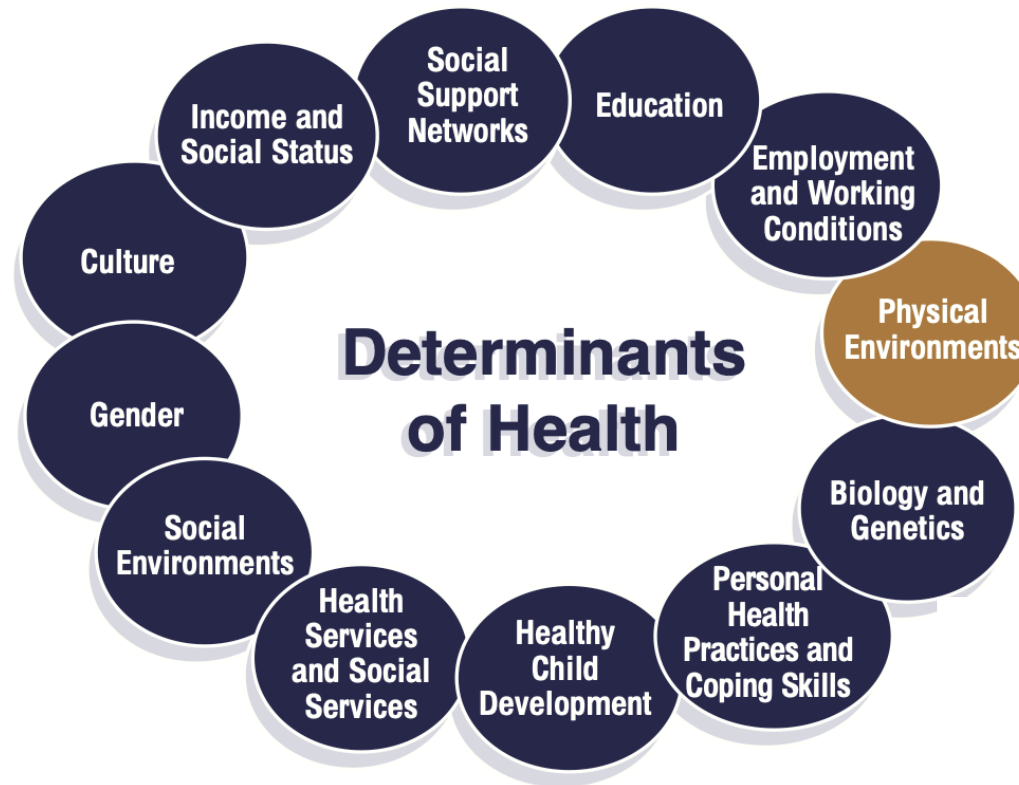CSG | Justice Center

Social Determinants of Health (SDOH)

Image source: Health Canada, "Health and the Environment: Critical Pathways," *Health Policy Research* 4, no. 1 (2002): 1.

SDOH Impacts on BIPOC

- BIPOC experience higher rates of poverty.

- Poverty is a main risk factor that can predict the likelihood of being detained and remaining incarcerated.

- Combined with increased policing in communities of color, biases in prosecutorial discretion, and sentencing policies, BIPOC represent a disproportionately high percentage of people who are incarcerated.

- "Racial disparities in incarceration cause disproportionate economic, health, and social harms to communities of color."—Vera Institute

"Incarceration Trends," Vera Institute of Justice, accessed August 15, 2022, https://trends.vera.org/#:~:text=People%20of%20color%E2%80%95and%20Black,of%20the%20criminal%20legal%20process; "Mass Incarceration: The Whole Pie 2022," Prison Policy Initiative, accessed August 15, 2022, https://www.prisonpolicy.org/reports/pie2022.html; The Sentencing Project, *Report of the Sentencing Project to the United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance Regarding Racial Disparities in the United States Criminal Justice System* (Washington, DC: The Sentencing Project, 2018).

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Importance of Racial Equity in Criminal Justice and Behavioral Health Programming

- Criminal justice and behavioral health systems have not provided equitable outcomes for BIPOC communities/communities of historic divestment.

  - Historical mistrust of behavioral health systems by BIPOC due to racism, pathologizing of racial/cultural differences, and misdiagnosis

- People most harmed by these systems historically must now be at the table (planning, implementation, sustainability).

Source: Derek H. Suite et al., "Beyond Misdiagnosis, Misunderstanding and Mistrust: Relevance of the Historical Perspective in the Medical and Mental Health Treatment of People of Color," *Journal of the National Medical Association* 99, no. 8 (2007): 879.

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Racial Equity Data

- Must look at the root cause of disparities in justice involvement—arrests and sentencing—to understand how to make progress.

- Examine the link between the social determinants of health outcomes and those involved in the justice system with mental health conditions.

- Building a more equitable justice system starts from within the community.

Source: "Advancing Equitable Justice," Tableau, accessed August 2, 2022, https://www.tableau.com/foundation/data-equity/equitable-justice#:~:text=To%20inform%20efforts%20for%20a%20more%20equitable%20justice,and%20policies%20to%20eliminate%20it.%20Why%20it%20matters.

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Racial Equity Criminal Justice and Behavioral Health Analysis

Choice Points defined

- Examples:
  - Connecting people to community-based supports
  - Arrest
    - Community alternatives i.e., treatment, etc.
  - Sentencing
    - Diversion opportunities
    - Equitable sentencing structures
  - Post-incarceration decisions
    - Probation or parole, violation decisions
    - Connections to community supports that can provide increased opportunities to promote stability and entry back into communities

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Racial Equity Criminal Justice and Behavioral Health Analysis

Choice Points

- Example Questions:
  - Where are the decision-making points that affect racial inequality?
  - What decisions/actions may reenforce the status quo, implicit bias, and current inequities?
  - What are some alternative actions that could produce equity? Which action will best advance equity?
  - What supports or accountability systems can be structured into routine practices to center equity as a priority?

Source: Race Forward, An Introduction to Race Equity Assessment Tools, March 2014, https://racc.org/wp-content/uploads/2015/12/An-Introduction-to-Racial-Equity-Assessment-Tools.pdf.

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Strategies to Decrease Racial Disparities

- **EQUITY CANNOT EXIST WITHOUT INCLUSION**

- Consider creating or adopting racial impact assessments.

- Acknowledge the cumulative nature of racial disparities.

- Encourage communication across players in all decision points of the system.

- Know that what works at one decision point may not work at others.

- Work toward systemic change.

- Equitable implementation works to address cultural, systemic, and structural norms that privilege some groups over others.

Source: The Sentencing Project, *Reducing Racial Disparity in the Criminal Justice System, A Manual for Practitioners and Policymakers* (Washington, DC: The Sentencing Project, 2008); "Equity at the Center of Implementation," Equitable Evaluation Initiative, accessed August 2, 2022, https://www.equitableeval.org/blog-main/2020/4/7/equity-at-the-center-of-implementation

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City Leaders

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SAFE Charlotte Plan

Office of Equity, Mobility & Immigrant Integration

Violence Interruption & Civilian Response

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Equity, Mobility and Immigrant Integration (EMII)

In 2019, the City of Charlotte formed its Office of Equity, Mobility and Immigrant Integration (EMII) to address systemic and community barriers that limit opportunities for Charlotte's vulnerable communities.

- Key Program Area: Addressing Community Violence

  - Policing alone will not solve violent crime or its underlying causes. So, the City of Charlotte, Mecklenburg County, and partners are taking a public health approach to violence prevention. This approach includes an analysis of research, putting findings in the context of our community, and **incorporating the perspectives of people most impacted by the issue.** Charlotte is taking a public health approach (via SAFE Charlotte & more).

  - In February, Council confirmed this approach by adopting a framework to address violence that can be used to guide policies, practices, and programs. This approach will be used in areas that were identified as having the highest concentration of violent crime over time. One component of this work is sharing data between agencies and with the community through the Community Violence Dashboard.

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Framework to Address Violence

Purpose: City, County, Partners, and Community work together to reduce violence, increase economic opportunity, and build healthier, more resilient communities—**with a race equity focus.**

Inter-governmental Collaboration	Invest in Community-Led Efforts (EQUITY)	Interrupt Violence	Community Collaboration in Priority Areas	Use Data and Evidence

PROGRAMS	POLICY	PRACTICE

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Safety and Accountability for Everyone: SAFE Charlotte

Collaboration with Johns Hopkins and GovEx	Framework to Address Violence

Corridors of Opportunity

Reimagining Policing

SAFE Charlotte

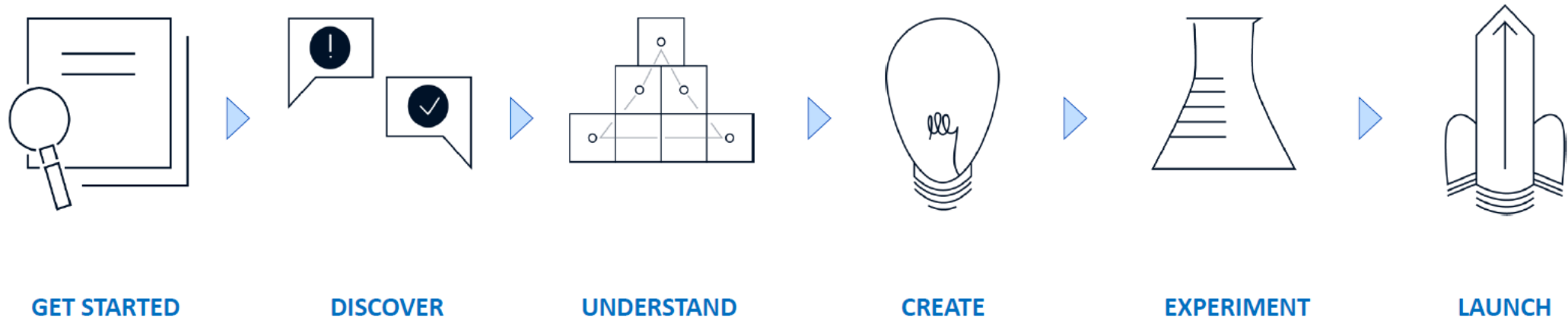Sept 2019   Jan. 2020   March 2020   June 2020   Sept. 2020   Jan. 2021

The City of Charlotte has solidified and implemented public safety policy improvements developed through conversations with residents and community leaders. We understand that a safer Charlotte goes beyond changes to policing and public safety. **It means tackling systemic issues to ensure a community of equity and opportunity.** Taking a holistic approach, we have rolled up our sleeves to address such intertwined factors as unemployment, housing, transportation, and workforce development.

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SAFE Charlotte Reimagining Policing Recommendations

- **Recommendation 1 –** Provide $1M from the city's current budget to help Charlotte-based nonprofits address violence in the community.

- **Recommendation 2 –** Work with an external partner to develop a comprehensive recommendation to convert low-risk sworn duties to non-uniform officers.

- **Recommendation 3 –** Work with an external partner to provide an independent analysis of areas such as police-civilian contact and police calls and responses.

- **Recommendation 4 –** Expand Community Policing Crisis Response Team (CPCRT) and develop a nonsworn officer responder model for mental health and homeless calls.

- **Recommendation 5 –** Engage a university or independent organization to evaluate selected youth programs on an annual basis.

- **Recommendation 6 –** Enhance recruitment efforts and develop a program to provide additional residency incentives to officers living in priority areas, including down payment incentive.

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Minneapolis—Behavioral Health Crisis Response

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OPI's Inclusive Design Process

| GET STARTED | DISCOVER | UNDERSTAND | CREATE | EXPERIMENT | LAUNCH |

Adapted from: G. Allen (Obiri) et al., Public safety staff directions update [Public Health & Safety Committee presentation], City of Minneapolis, MN, Nov. 5, 2020, https://lims.minneapolismn.gov/RCA/6975.

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Context

In November 2020, the **Office of Performance & Innovation** presented a series of unarmed public safety recommendations in response to a Council directive asking staff to **identify and design alternatives to police responses**.

Those unarmed public safety pilots include:

- Launch the Behavioral Crisis Response (BCR) team to handle mental health crisis calls via 911 instead of police.

- Embed a mental health professional in 911 to assist with call triage.

- Shift additional non-emergency calls from 911 to 311.

- Establish an overnight shift for Traffic Control to handle overnight parking issues instead of police.

- Run a media and print campaign to increase awareness of the city's unarmed public safety solutions.

*Permission to use image granted by City of Minneapolis

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Racial Equity Supports and Barriers

Supports

- Nature of OPI's work and use of our inclusive design process

- Collected demographic information

- Analyzed racially disaggregated data

- Explicitly prioritized engagement from marginalized communities

- Increased community representation on workgroup and in workshops

Barriers

- Institutional racism and resistance

- Desire to use predetermined solutions that are a different version of the status quo

- Time constraints/pressure

- Distrust between community and the city/MPD

- Difficult to collect demographic information during crisis response

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Significant Findings

- Across both surveys, many respondents expressed that they called 911 for help, even though they were uncomfortable with it. For many, the discomfort comes from the association of police response when it is not wanted.

- Protection of self or others, particularly for Black, Indigenous, and People of Color (BIPOC), was identified as a reason that issues were not reported or police presence was not desired when reporting.

- Excellent customer service and empathetic treatment are desired, regardless of incident type.

- Autonomy was a major theme. Respondents want a choice in the type of response they receive.

St Louis—Putting the Public Back in Public Safety

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Center for Policing Equity Report Findings

The number of use of force incidents per year decreased 18.2 percent between 2012 and 2019.

Black people were subjected to force 4.3 times as often as White people per year.

After accounting for crime rates, poverty rates, and neighborhood demographics, Black people were subjected to force 3.3 times as often per resident as White people.

Black people, who make up 47.5 percent of the population of the City of St. Louis, made up 65.4 percent of all drivers stopped in the report period.

White people, who make up 42.9 percent of the population of the City of St. Louis, made up 32.3 percent of all drivers stopped in the report period.

The total number of pedestrian stops per year decreased 82 percent between 2012 and 2019.

Black pedestrians were stopped 2.3 times as often as White pedestrians per year on average.

Source: Center for Policing Equity, *Reimagining Public Safety in the City of St. Louis, A Vision for Change,* (California: Center for Policing Equity, 2022).

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Recommendations

Invest in Youth Programming

Strengthen IPV Response

Engage Community in the Development of Public Safety Strategies

Expand the Use of Place Based Technology

Establish alternative response function(s)

Establish a Community-centered review of the Civilian Oversight Board

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Moving Toward Community-Centered Solutions Equitably

- 911 Diversion
- Cops & Clinicians (co-response)
- Civilian Response
- Juvenile Diversion (Youth Violence Prevention Partnership)
- Violence Interruptions
- Community Violence Interventions

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Presentations: Racial Equity Themes

- How race equity was centered in their work to launch this initiative

- The impact of current racial disparities on their efforts

- How communities most harmed by current systems have been involved in the work

- How they hope this work will lessen disparities and lead to more equitable outcomes

- The intersections of equity, health, and justice

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Questions & Answers

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Additional Resources

- Minneapolis, MN, Transforming Community Safety: Engagement Plan and Deliverables Outline
  - Minneapolis Behavioral Crisis Response
  - *Reimagining Public Safety* Awareness Campaign Videos
- Reimagining Public Safety Toolkit for Cities and Towns
- SAFE Charlotte
- Race Equity Impact Assessment
- MN Racial Equity Impact Assessment

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Additional Resources

- Ensuring Racial Equity in the CJ System

- Incorporating Racial Equity into Criminal Justice Reform

- Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System

- Racial Equity Practice Tools

- Guide for Centering Equity in Financial Sustainability Planning

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Additional Resources

- Reimagining Public Safety in the City of St. Louis
- Addressing Community Violence in the City of St. Louis: Existing Strategies, Gaps, and Funding Opportunities

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Webinar Follow-Up: Race Equity Office Hours

- Facilitated by CSG Justice Center and NLC

- Dates and Times:
    - September 26, 2022, 4–5 p.m. EDT - "Inclusion of Impacted Voices in Safety, Justice, & Behavioral Health Initiatives"
    - September 27, 2022, 12–1 p.m. EDT - "Exploring Alternative Response Equitably"

- Registration links will be shared in the chat and can be requested at fwright@csg.org

Contact Information

Kirby Gaherty, The National League of Cities, gaherty@nlc.org

Tony McCright, The National League of Cities, mccright@nlc.org

Jazmone Wilkerson, The Council of State Government, jwilkerson@csg.org

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For more information, please contact Jazmone at jwilkerson@csg.org