

May 2023

# Applying the STEPPINGUP Framework to Advance Racial Equity



**BJA**  
Bureau of Justice Assistance  
U.S. Department of Justice



**Justice Center**  
THE COUNCIL OF STATE GOVERNMENTS

THE  
**STEPPINGUP**  
INITIATIVE



This project was supported by Grant No. 2019-MO-BX-K002 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**About the CSG Justice Center:** The Council of State Governments (CSG) Justice Center is a national nonprofit, nonpartisan organization that combines the power of a membership association, representing state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities. For more information about the CSG Justice Center, visit [www.csjjusticecenter.org](http://www.csjjusticecenter.org).

**About Stepping Up:** Stepping Up is a national initiative reducing the overincarceration of people with mental illnesses and is a partnership between The Council of State Governments Justice Center, the National Association of Counties, and the American Psychiatric Association Foundation.

#### **Project Credits:**

*Writing:* Risë Haneberg and Kate Reed, CSG Justice Center

*Research:* Kate Reed and Amund Tallaksen, CSG Justice Center

*Advising:* Ayesha Delany-Brumsey, CSG Justice Center

*Editing:* Katy Albis, CSG Justice Center

*Design:* Justin Crawford, CSG Justice Center

*Web Development:* Catherine Allary, CSG Justice Center

*Public Affairs:* Aisha Jamil, CSG Justice Center

© 2023 by The Council of State Governments Justice Center

**Suggested Citation:** Risë Haneberg and Kate Reed, *Applying the Stepping Up Framework to Advance Racial Equity* (New York: The Council of State Governments Justice Center, 2023).



Individuals who identify as Black, Indigenous, or People of Color (BIPOC) have long advocated for addressing disparities in the behavioral health and criminal justice systems. Since the nationwide social unrest following the murder of George Floyd, counties have increasingly prioritized addressing and eliminating inequities in these systems. Such pervasive inequities can be complex to understand and overwhelming to counties that are just starting to confront them. The Stepping Up framework offers a solid foundation to effect more racially equitable outcomes, specifically among individuals with serious mental illnesses (SMI) in the criminal justice system. The **Stepping Up** initiative seeks to address the overrepresentation of people with SMI in local jails.<sup>1</sup> Individuals with SMI who are in the criminal justice system tend to have longer jail stays and higher recidivism rates than people without SMI.<sup>2</sup> The overrepresentation of individuals who identify as BIPOC in the criminal justice system is similarly well documented,<sup>3</sup> and **those with an SMI who identify as BIPOC hold a “dual disproportionality” in the criminal justice system and experience heightened disparities.**<sup>4</sup> The risk of confinement is particularly high for BIPOC individuals with SMI,<sup>5</sup> who are also less likely than their White counterparts with SMI to have access to and engage in behavioral health and social services in the community upon release from jail.<sup>6</sup> Communities that implement the Stepping Up framework<sup>7</sup> are well-positioned to work toward racial equity in their local criminal justice and behavioral health systems. Following the **six questions blueprint** of the Stepping Up initiative, this brief shows Stepping Up counties how to apply the tools they already have in place to incrementally build policies, programs, and practices that increase racial equity and mitigate disparities.

- 1.** Is your leadership committed?
- 2.** Do you have timely screening and assessment?
- 3.** Do you have baseline data?
- 4.** Have you conducted a comprehensive process analysis and service inventory?
- 5.** Have you prioritized policy, practice, and funding changes?
- 6.** Do you track progress?

## Question 1

# Is your leadership committed?

## Actualizing Racial Equity with Committed, Representative Leaders and Planning Team Members

As with any cross-systems effort that requires widespread buy-in, it is imperative that key county leaders and stakeholders voice their commitment to racial equity. Some county commissions have [passed a resolution](#), or their Stepping Up planning team has publicly declared goals, to achieve racial equity in their justice system and increase access to programs and supports across all races and ethnic groups.<sup>8</sup> Beyond voicing this commitment, leaders must take the next step of actualizing change in their community by identifying, supporting, and funding policy and practice changes.

Stepping Up planning teams need to determine if they will create a separate subcommittee or designated group to focus on racial equity. Such a group would be responsible for proposing recommendations, receiving and implementing feedback on the recommendations from the larger team, and reporting progress to the larger team as well as other relevant stakeholders. Regardless of the organizational structure the planning team chooses for this work, it is imperative that the team membership not only reflects the demographics of the community but also uplifts voices of personal experience with the criminal justice and behavioral health systems. Include members of local or regional groups that specifically represent the experiences and priorities of BIPOC communities. These may be activist, religious, social justice, or other types of groups. Representatives from these organizations can not only help ensure that the planning team's recommendations are reflective of the perspectives, needs, and concerns of BIPOC communities, but also help get the word out about how change is underway. If a local university researcher or other expert consultant is available, include this valuable resource to assist with research, data analysis, and identification of needed policy changes.

Planning teams may find that other agencies in their communities have already articulated a commitment and a plan to reduce racial disparities. Collaborating with public health departments, for example, and other local agencies that prioritize racial equity can be helpful to align goals across the county and de-silo related efforts.

It is important that the Stepping Up project coordinator has decision-making authority and robust staff support in order to lead this sensitive and often politically and emotionally charged work. The project coordinator will need to have strong facilitation skills to ensure that the planning team culture provides safety to speak respectfully, candidly, and openly. A strong group dynamic will be needed to withstand any outside pressures or criticism that could arise as a result of maintaining transparency with the broader community. Additionally, team members will need to evaluate their own biases and assumptions. Accepting that structural racism is real is a first step to acknowledging persistent barriers to system change. Formal training for team members on recognizing bias and racism is encouraged, and continued conversation around these tough topics is recommended.<sup>9</sup>

## IN PRACTICE

In May 2020, the Franklin County, Ohio, Board of Commissioners passed a resolution acknowledging racism as a public health crisis in America. In so doing, the commission joined the Franklin County Public Health Department, which made a similar declaration the week prior, and a growing chorus of public health officials across the county, in recognizing racism as a social determinant of health. Since then, the Franklin County Stepping Up Collaborative has launched "Stepping Toward Justice," a project that extends the Stepping Up framework to the reduction of disparities in the justice system. "Stepping Toward Justice" is based on the understanding that racism causes people and communities to be overincarcerated and underserved.<sup>10</sup>

## Question 2

# Do you have timely screening and assessment?

## Gathering Accurate Demographic Information during the Booking Process

The Stepping Up initiative [recommends a three-step process](#) for achieving accurate data on the jail population with SMI from the point of intake: (1) setting an agreed-upon, system-wide definition of SMI; (2) universally implementing a validated screening tool; and (3) electronically tracking results of the screening process. Counties can apply the same type of process to ensure that race and ethnicity data are collected consistently and accurately at intake:

### The Limitations of Racial and Ethnic Categories

The U.S. Census Bureau's studies show that a growing number of people find the census's current race and ethnicity categories confusing and not reflective of how they identify. Some census respondents do not identify with any of the official U.S. Office of Management and Budget (OMB) race categories. As a result, respondents increasingly self-identify as "Some Other Race" (SOR).

In 2000 and 2010, SOR was the third largest racial group, due in large part to Hispanic respondents not identifying with any of the OMB race categories. In addition, because OMB standards only measure ethnicity in terms of whether a person is of Hispanic origin or not, people of Middle Eastern and North African descent increasingly identify as SOR.<sup>11</sup> Jails should be aware of these dynamics in collecting race and ethnicity data and how they may impact reporting.

### 1. Agree upon racial and ethnic categories for data collection purposes.

It is common for jails and other criminal justice and behavioral health agencies to collect race and ethnicity data according to the U.S. Census categories.<sup>12</sup> County criminal justice and behavioral health stakeholders should make sure to agree upon system-wide categories of race and ethnicity, ensuring that individuals who identify as BIPOC and people with lived experience in the criminal justice and/or behavioral health systems are included in that decision-making process. Additionally, when counties gather information on American Indian or Alaska Native peoples, they should first understand Tribal data sovereignty and meaningfully partner and consult with Tribal leaders on the categorization, use, and interpretation of the data.<sup>13</sup>

### 2. Universally gather race and ethnicity data at booking via self-identification.

Jail staff should directly ask people entering the jail how they identify their race and ethnicity rather than determining this information on their own. Jail administrators should work with their staff to establish protocols for obtaining this information and accurately capturing the results based on the agreed-upon categories. Implementing these key steps at booking requires full support of jail personnel and often the jail medical contractor as well. It is essential that staff are fully trained on the established protocols and that jail leadership monitors the quality of this data collection for consistency and thoroughness.

### 3. Electronically track race and ethnicity data to enable cross-referencing with SMI screening results.

Entering screening results into the jail management system (JMS) along with the correct demographic information enables data tracking and analysis for the jail population screening positive for SMI and identifying as BIPOC. Once the demographic data entry process is established, the JMS should be updated. However, implementing these changes can take time. It is recommended that county jails begin electronically tracking race and ethnicity data with their existing demographic identifiers as a starting point, even before they have determined countywide race and ethnicity categories, if necessary.

## IN PRACTICE

### Question 3

# Do you have baseline data?

## Analyzing Data on the BIPOC Jail Population with SMI

Communities that have adopted the Stepping Up [four key measures methodology](#) should be able to access data through the JMS on people booked into the jail who have screened positive for an SMI, their average length of stay, connections to care, and re-bookings. Stepping Up planning teams that have this baseline data are well equipped to further analyze their data for racial disparities.

As with the directions for the Stepping Up [Set, Measure, Achieve](#) process, the planning team should determine the time period and number of cases to constitute the pool of data for analysis.

These choices will vary by county, and it is important that the planning team and stakeholders are comfortable with the data and that they accurately represent the county's population. Whenever possible, county leaders should consult with research or academic partners on best practices for choosing datasets and methodology. Planning teams are also encouraged to bring on staff who have experience in data analytics (e.g., researchers or data scientists) to ensure that the county receives accurate information about the jail population.

In general, the data analysis process should involve aggregating data for the general jail population, separating data on those who have screened positive for or been diagnosed with SMI, and then further disaggregating the data on each of the populations by race, ethnicity, age, and gender. For the purpose of this brief, the focus will be on the race and ethnicity factors.

A robust analysis would include creating the following datasets:

Douglas County, Kansas, was named a Stepping Up Innovator in 2018 based on its capacity to accurately set baseline data with respect to the Stepping Up four key measures and track progress. Douglas County leaders are currently participating in Set, Measure, Achieve and have developed a public Stepping Up dashboard on their website to demonstrate their successes and challenges. The county can track all of the measures by race and gender, and these data are reported to key leaders as they work to increase equity and inclusion. In addition to having an active Criminal Justice Coordinating Council, Douglas County employs a data scientist to assist the council with reports, data inquiries, and analysis that position local leaders for thoughtful planning and decision-making.<sup>14</sup>

## Dataset 1



This dataset will distinguish the jail population that screened positive for or was assessed as having SMI from the general population and break down each population by the four key measures as applicable. For further comparisons, this dataset also includes the racial and ethnic breakdown of both the entire jail population and the county at large. County demographics can be found on the U.S. Census website.<sup>15</sup>

- A. General jail population without SMI
- B. Jail population who screened positive for or was diagnosed with SMI
- C. For populations 1A and 1B, disaggregate the Stepping Up four key measures as applicable:
  - i. Bookings
  - ii. Average length of stay (ALOS)
  - iii. Connections to care (*only for population 1B*)
  - iv. Re-bookings
- D. Race and ethnicity breakdown of the *entire jail population*
- E. Race and ethnicity breakdown of the *county population*<sup>16</sup>

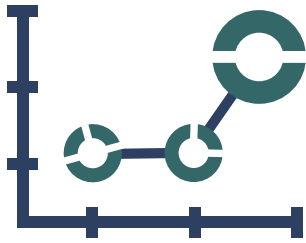
## Dataset 2



This dataset builds on the first by further disaggregating the SMI population and the general jail population by race and ethnicity and analyzing the four key measures for each population.

- A. General jail population without SMI **disaggregated by race and ethnicity**
- B. Jail population who screened positive for or was diagnosed with SMI **disaggregated by race and ethnicity**
- C. For populations 2A and 2B, disaggregate the Stepping Up four key measures as applicable:
  - i. Bookings
  - ii. ALOS
  - iii. Connections to care (*only for population 2B*)
  - iv. Re-bookings

## Dataset 3



This dataset is for sites who decide to further disaggregate their population data by age and gender. This additional dataset can shed light on outcomes for specific groups of individuals, such as BIPOC youth and women,<sup>17</sup> and inform targeted interventions. However, the disaggregation outlined below may involve parsing data into very small subgroups. When analyzing data at this level, it is important to consider that the subgroup at hand may be too small to yield meaningful conclusions.

- A. General jail population without SMI **disaggregated by race and ethnicity**
- B. Population 3A further **disaggregated by age and gender**
- C. Jail population who screened positive for or was diagnosed with SMI **disaggregated by race and ethnicity**
- D. Population 3C further **disaggregated by age and gender**
- E. For populations 3A, 3B, 3C, and 3D, disaggregate the Stepping Up four key measures as applicable:
  - i. Bookings
  - ii. ALOS
  - iii. Connections to care (*only for populations 3C and 3D*)
  - iv. Re-bookings



## Question 4

# Have you conducted a comprehensive process analysis and service inventory?

## Pinpointing Areas of Opportunity to Increase Racial Equity

With the above datasets and corresponding analyses in hand, the planning team can begin to focus on specific policies, practices, and programs in their county that address the need and desire for increased racial equity. It is important for planning teams to be aware that the sheer amount of data and possibilities for further analysis can sometimes be overwhelming and even stall productivity. Combining the knowledge of their baseline data described above with a thorough look at the local systems and processes that impact the BIPOC population with SMI, the following suggested methodology supports the targeted identification of options to dismantle racial inequities across the criminal justice continuum. Stepping Up planning teams can implement this three-tier approach that builds on data collection to create a full picture of opportunities to increase racial equity at the intersection of local criminal justice and behavioral health systems:

### 1. Aligning Policies, Practices, and Programs with Baseline Data

The Stepping Up framework [directs counties to produce an inventory of policies, practices, and programs](#) at all points along the criminal justice continuum. To specifically center racial equity at this stage, it is important first to acknowledge that racial inequities exist across all intercepts and at every stage of the criminal justice process (e.g., contact with law enforcement, arrest, detention, charging, adjudication, sentencing, and probation/parole).<sup>18</sup> Research also indicates that individuals who identify as BIPOC have poorer outcomes at nearly all stages of behavioral health system involvement, including treatment access, engagement, assessment, and service retention.<sup>19</sup> The planning team is encouraged to use this research to ground this layer of analysis.

Planning teams should then group existing policies, practices, and programs under one or more of the Stepping Up four key measures according to their potential impact on each measure. For example, a pre-arrest diversion program would be categorized as a service that can reduce the number of jail bookings and re-bookings (key measures one and four).

Next, alongside their inventory organized by the four key measures, the planning team should identify the biggest disparities in the datasets for each measure. Collating this information allows the planning team to clearly identify opportunities to mitigate racial disparities along the criminal justice continuum. For example, if the BIPOC jail population with SMI has a significantly longer average length of stay than their White counterparts, underlying reasons for this should be further investigated, including focusing on which policies, programs, and procedures the planning team has listed under the related Stepping Up key measure.

In addition to considering data with respect to the four key measures, if counties have program-level data that provides race and ethnicity information, the planning team and stakeholders should use those additional datasets when narrowing the focus on opportunities to address inequities. For example, they should consider the racial breakdown of people accepted into a specialty court program if available.

### 2. Identifying and Assessing Discretionary Decision-Making Points

There are many points along the criminal justice continuum where individuals or small groups of people with discretionary authority make decisions about a person's trajectory in the system. Research has shown that race plays a role in this discretionary decision-making, and at many of these points, individuals who identify as BIPOC are subjected to worse outcomes.<sup>20</sup>

Stepping Up planning teams are encouraged to identify all of the discretionary decision-making points involved in the program, policy, or practice. Planning teams should then assess how those decisions are made, by whom, and why, and brainstorm opportunities to address implicit bias, such as implementation of effective training. County leaders should also keep in mind that sometimes best efforts to address bias by reducing discretionary authority can have unintended consequences. It is essential to follow up with data to confirm that the intended result—reduced bias—was achieved.

### 3. Applying a Racial Equity Tool to Policies, Practices, and Programs

Planning teams should next conduct a deeper analysis of the identified policy, practice, or program with a structured racial equity tool. These tools help to explicitly center racial equity in designing, implementing, and evaluating policies, practices, and programming. The tools comprise structured sets of questions that operationalize a county's commitment to equity and can help actualize strategies to reduce racial disparities. Racial equity tools may vary in the specific questions they ask, but they all generally address the following: (1) the desired goals or outcomes for the policy, practice, or program; (2) data analysis and tracking; (3) community engagement and involvement in designing and driving the policy, practice, or program; (4) analysis of the benefits, barriers, and burdens; (5) plans to minimize harm and unintended consequences; and (6) strategies to achieve racial equity.<sup>21</sup>

Racial equity tools are both “a product and a process,” meaning that they can highlight how current programs address equity as well as provide methodology for decision-making and next steps in creating or reforming policies, practices, or programs to more pointedly address racial equity.<sup>22</sup> After counties use a structured tool, they are well-positioned to pinpoint what improvements need to be made to the chosen policy, practice, or program to work toward racial equity.

#### Example: Assessing Discretionary Decision-Making in Diversion Programming

A mental health diversion program is a decision-making point where law enforcement officers, prosecutors, judges, and behavioral health staff may have the discretionary authority to identify, screen, and serve individuals. To assess how discretionary authority functions at this point, the Stepping Up planning team should ask the following questions:

1. How do law enforcement, prosecutors, judges, and/or behavioral health staff (both individually and as a group) make decisions for diversion and acceptance into the program?
2. Who holds the most weight when making these decisions?
3. Are there firm or soft criteria for diversion program eligibility?
4. What do law enforcement, prosecutors, judges, and/or behavioral health staff prioritize when making decisions?
5. Are there patterns in the decision-making?
6. What assumptions do law enforcement, prosecutors, judges, and/or behavioral health staff make about people at this decision point?
7. Do outcomes vary by groups? By individual decision-makers?
8. How are decisions tracked?
9. What kind of oversight is built into this decision point?
10. Are there opportunities to reduce discretionary authority at this point (e.g., a standardized and unbiased screening tool and eligibility criteria, comprehensive and standardized training grounded in implicit bias and racial equity, raising awareness of potential inequitable outcomes and monitoring outcomes with program staff, establishing consensus around the goals of the program)?<sup>23</sup>

## Question 5

# Have you prioritized policy, practice, and funding changes?

## Moving Forward with System Improvements to Advance Racial Equity: “One Step, One Policy” Approach

For county planning teams to begin addressing racial inequities, the Stepping Up partners recommend a “one step, one policy” approach. As stated, this work can be overwhelming when it may suggest a complete system overhaul. Identifying a specific policy or program change that has strong buy-in and demonstrable impact can result in initial successes to build on. This means breaking the work into manageable pieces and focusing on one policy, practice, or program at a time. The “one-step, one policy” approach can not only enhance feasibility for planning teams, but also help in demonstrating commitment, change, and progress to stakeholders and communities.

To ease into this work, the first policy, practice, or program selected should have adequate data to support the reform, be politically neutral, have broad appeal for multiple stakeholders, and be relatively easy to implement or low in cost. If other potential improvements carry a high price tag or there are concerns about funding and sustainability, The Council of State Governments Justice Center’s [Getting Started: A Guide for Centering Equity in Financial Sustainability Planning](#) is a tool that can assist the planning team in identifying funding to support data-driven strategies while focusing on addressing inequities.

As the planning team moves from analysis to implementation, the specific reforms will look different based on the policy, practice, or program of focus as well as the level of capacity, buy-in, and resources. The text box below shows several examples of strategies to address racial equity and reduce racial disparities that counties can implement under each of the four key measures. The examples are not exhaustive; they represent suggestions for counties to consider after data collection and analysis reveal areas of potential system improvements.

### Types of Racial Equity Tools

Several racial equity tools are available for public use. The Government Alliance on Race and Equity (GARE) developed a racial equity tool specifically for government staff, elected officials, and other community-based organizations and provides supplementary [worksheets](#).<sup>24</sup> GARE recommends that communities begin by using the GARE [Racial Equity Toolkit](#) and subsequently customize based on experience and local needs.<sup>25</sup> Some communities have created their own racial equity tools. The Seattle Race and Social Justice Initiative, for instance, developed a [Racial Equity Toolkit](#) (RET) in 2007 that has been used in the City’s budget, policy, and program decisions, including reviews of existing policies and programs.<sup>26</sup> Several examples of completed RETs can be found on the City’s [website](#).<sup>27</sup> Multnomah County departments in Oregon use their own structured tool, the [Equity and Empowerment Lens](#), to develop more racially equitable policies and programs.<sup>28</sup> Madison, Wisconsin, developed the [Racial Equity and Social Justice Tool](#) and utilizes both a comprehensive version and fast-tracked version in various city agencies.<sup>29</sup>

## Example Strategies to Reduce Racial Disparities under Each of the Four Key Measures

### Key Measure 1 (Reduce Jail Bookings)

- Use cite and release/notices to appear
- Implement community responder programs
- Ensure equitable access to deflection or crisis stabilization
- Conduct anti-racism and implicit bias training for law enforcement officers

### Key Measure 2 (Reduce Average Length of Stay)

- Amend bond schedules
- Provide legal representation at first court appearance
- Conduct judicial training on implicit bias
- Ensure equitable access to diversion or specialty court programs

### Key Measure 3 (Increase Connections to Treatment and Services)

- Ensure equitable access to referrals to treatment, housing, and services
- Establish culturally responsive treatment and service options
- Train treatment and community-based organization staff on anti-racism<sup>30</sup> and cultural humility<sup>31</sup>

### Key Measure 4 (Reduce Re-bookings into Jail)

- Set culturally responsive community supervision orders
- Ensure equity in applying technical violations

## IN PRACTICE

Philadelphia County, Pennsylvania, began the process of operationalizing racial equity by focusing on a single, noncontroversial practice for reentry housing. In 2020, Philadelphia's Department of Behavioral Health and Intellectual disAbility Services (DBHIDS) partnered with several city agencies to develop a Master Lease initiative, in which a nonprofit community-based provider assumes property management responsibilities under a long-term lease for several units to provide continuous, accessible reentry housing for people released from jail. The initiative was specifically geared toward individuals with behavioral health needs who remained in jail during the early months of the COVID-19 pandemic and would not have stable housing upon release. In early implementation, the initiative team examined the racial and ethnic breakdown of reentry housing referrals as compared to Philadelphia's jail population, finding that individuals who identified as BIPOC were underrepresented and White individuals were overrepresented. The team addressed these disparities by conducting data analyses and sharing the results with the project partners, examining decision-making practices around referrals with all stakeholders, expanding referral sources to include additional agencies, holding weekly meetings to vet referrals, and adding race and ethnicity information to the weekly meeting materials to monitor ongoing trends. The weekly meetings allow the team to track progress toward equity and ensure that the referrals proportionately reflect the race and ethnicity demographics in Philadelphia jails.<sup>32</sup>



## Question 6

# Do you track progress?

## Measuring Advancements Toward Racial Equity

Once policies, programs, practices, or any combination of strategies are implemented to address racial inequity, it is essential to track their progress. Following the Stepping Up [Set, Measure, Achieve](#) process, the first step will be to set baselines based on the identified disparity. For example, if BIPOC people with and without SMI are disproportionately represented in the jail as compared to the general county population, that rate needs to be established as a baseline. As the planning team implements a policy or practice to reduce this disparity, such as increasing inclusion in jail diversion policies, BIPOC representation in the jail population should better match the overall county demographics.

Counties are encouraged to set targets for their desired level of improvement. The Stepping Up [Set, Measure, Achieve Progress Survey](#) can be used to consistently track metrics related to improving outcomes for people with SMI, including racial equity measures. However, the survey does not support additional data breakdowns related to age and gender. Counties that have the capacity to analyze datasets with age and gender breakdowns are encouraged to use internal technology resources and specialized staff, such as data scientists and data analysts, to track progress on these metrics. Tracking progress should involve qualitative data in addition to quantitative. BIPOC members of the planning team with lived experience in the criminal justice and behavioral health systems should be consulted to confirm that data aligns with real-life experience and offer suggestions for ongoing improvements and adjustments as needed.

## IN PRACTICE

Indianapolis and Marion County, Indiana, participated as a [Data-Driven Justice](#) site to develop and validate an on-scene diversion screening tool for law enforcement. Developed in collaboration with New York University, the tool was launched in conjunction with the opening of the Indianapolis Assessment and Intervention Center (AIC) for diversion in December 2020. Indianapolis law enforcement officers were trained on the use of the tool and the protocol to quickly divert individuals to the AIC when the tool indicated eligibility for diversion.

Early assessment of these practices revealed two primary concerns: (1) law enforcement infrequently referred people to the AIC for diversion and (2) that resulted in people of color disproportionately not receiving access to the AIC.

AIC program administrators responded with additional law enforcement training, including promoting the benefits of the AIC, such as quick drop-off turnaround rates, services for the clients to reduce rearrest, and supports for law enforcement while at the facility. Additionally, program administrators reached out to key leaders such as the sheriff and police chief to gain full support of the program and communicate “top-down” expectation of the use of the AIC for all qualifying individuals. Data played a key role in informing the program administrators of the inequities that appeared in the early stages of the program and the ongoing analysis of the facility’s reach.<sup>33</sup>

## Conclusion

This brief has outlined how the Stepping Up framework can help counties take action toward increasing racial equity among individuals with SMI who encounter the criminal justice system. However, structural racism operates in domains beyond the behavioral health and criminal justice systems. The importance of addressing and analyzing other social determinants of health (e.g., housing, food security, financial stability, health care access) cannot go unnoted as jurisdictions advance their efforts toward achieving racial equity.

There is no right place to start—only the directive to start somewhere—and the Stepping Up framework provides a data-driven foundation for counties to choose where exactly that somewhere is.

The Stepping Up partners recognize that many jails may not account for racial and ethnic categories comprehensively in their JMS. But as jails implement changes to document demographics more accurately, it is recommended that they collect race and ethnicity data according to guidance set by [Justice Counts](#), a national initiative to provide policymakers with more accurate, accessible, and actionable criminal justice data. Justice Counts follows federal guidance on categorizing race and ethnicity and reporting them as distinct traits (i.e., a person has both a race and an ethnicity, and one does not necessarily dictate the other). For more information on how the federal government, including the U.S. Census Bureau, categorizes race and ethnicity, see [Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity](#), [U.S. Census Bureau Guidance on the Presentation and Comparison of Race and Hispanic Origin Data](#), and [About the Hispanic Population and its Origin](#).

The categories and descriptions below are based on race and ethnicity definitions in [U.S. Census Bureau - About the Topic of Race](#).

### Race Categories

- **American Indian or Alaska Native:** People whose race is listed as Native American, American Indian, Native Alaskan, or similar. This includes people with origins in the original populations or Tribal groups of North, Central, or South America.
- **Asian:** People whose race is listed as Asian. This includes people with origins in China, Japan, Korea, Laos, Vietnam, as well as India, Malaysia, the Philippines, and other countries in East and South Asia.
- **Black:** People whose race is listed as Black or African-American. This includes people with origins in Kenya, Nigeria, Ghana, Ethiopia, or other countries in Sub-Saharan Africa.
- **Native Hawaiian or Pacific Islander:** People whose race is listed as Native Hawaiian, Pacific Islander, or similar. This includes people with origins in the original populations of Pacific islands such as Hawaii, Samoa, Fiji, Tahiti, or Papua New Guinea.
- **White:** People whose race is listed as White, Caucasian, or Anglo. This includes people with origins in France, Italy, or other countries in Europe, as well as Israel, Palestine, Egypt, or other countries in the Middle East and North Africa.
- **More than one race:** People whose race is listed as more than one race, such as White and Black.
- **Other race:** People whose race is listed as some other race, not included above.
- **Unknown race:** People whose race is not known.

### Ethnicity Categories

- **Hispanic or Latino:** People whose ethnicity is listed as Hispanic or Latino. This includes people with origins in Mexico, Cuba, Puerto Rico, the Dominican Republic, and other Spanish-speaking countries in Central or South America, as well as people with origins in Brazil or other non-Spanish-speaking countries in Central or South America.
- **Not Hispanic or Latino:** People whose ethnicity is not listed as Hispanic or Latino.
- **Unknown ethnicity:** People whose ethnicity is not known.

Jails should ultimately incorporate the racial and ethnic combinations in the chart below into their JMS as options and categorize data accordingly. Using this chart, it is possible that a single dataset could have up to 24 unique racial and ethnic combinations. As county jails modify their JMS to track additional combinations of race and ethnicity, reporting will become more robust and more accurately reflect the demographics of the jail population.

In the meantime, however, one common challenge counties may have in collecting race and ethnicity data is when their existing JMS does not record race and ethnicity as separate variables, and therefore the combinations of race and ethnicity detailed below are not possible to jointly track. If your local jail does not record ethnicity separately from race and treats “Hispanic or Latino” as a race category, it is recommended to count anyone whose race is listed as Hispanic or Latino in the Unknown race – Hispanic or Latino category (cell H). Count people of all other races as Not Hispanic or Latino and in their appropriate race category (cells I through P).

If your jail does not track whether a person is of Hispanic or Latino origin, either as a race category or as an ethnicity, count everyone as Unknown ethnicity and in their appropriate race category (cells Q through X).

## Racial and Ethnic Categories

	Hispanic or Latino	Not Hispanic or Latino	Unknown Ethnicity
<b>American Indian or Alaska Native</b>	<b>A</b>	<b>I</b>	<b>Q</b>
<b>Asian</b>	<b>B</b>	<b>J</b>	<b>R</b>
<b>Black</b>	<b>C</b>	<b>K</b>	<b>S</b>
<b>Native Hawaiian or Pacific Islander</b>	<b>D</b>	<b>L</b>	<b>T</b>
<b>White</b>	<b>E</b>	<b>M</b>	<b>U</b>
<b>More than one race</b>	<b>F</b>	<b>N</b>	<b>V</b>
<b>Other race</b>	<b>G</b>	<b>O</b>	<b>W</b>
<b>Unknown race</b>	<b>H</b>	<b>P</b>	<b>X</b>



- <sup>1</sup> Henry J. Steadman et al., “Prevalence of Serious Mental Illness Among Jail Inmates,” *Psychiatric Services* 60, no. 6 (2009): 761–65, <https://doi.org/10.1176/ps.2009.60.6.761>.
- <sup>2</sup> Jennifer Bronson and Marcus Berzofsky, *Indicators of Mental Health Problems Reported by Prisoners and Jail Inmates, 2011-12* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2017), 1–16; The Council of State Governments Justice Center, “Judicial Work at the Interface of Mental Health and Criminal Justice” (webinar, The Council of State Governments Justice Center, New York, May 31, 2017).
- <sup>3</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012), 6–9; Zhen Zeng, *Jail Inmates in 2018* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2020), 4; William B. Hawthorne et al., “Incarceration Among Adults Who Are in the Public Mental Health System: Rates, Risk Factors, and Short-Term Outcomes,” *Psychiatric Services* 63, no. 1 (2012): 29.
- <sup>4</sup> Bethany Joy Hedden et al., “Racial Disparities in Access to and Utilization of Jail- and Community-Based Mental Health Treatment in 8 U.S. Midwestern Jails in 2017,” *American Journal of Public Health* 111, no. 2 (2021): 277; Melissa Thompson, “Race, Gender, and the Social Construction of Mental Illness in the Criminal Justice System,” *Sociological Perspectives* 53, no. 1 (2010): 114–15.
- <sup>5</sup> Hawthorne et al., “Incarceration Among Adults,” 28–31.
- <sup>6</sup> Hedden et al., “Racial Disparities in Access,” 280–81.
- <sup>7</sup> Risë Haneberg et al., *Reducing the Number of People with Mental Illnesses in Jail: Six Questions County Leaders Need to Ask* (New York: The Council of State Governments Justice Center, 2017), <https://csgjusticecenter.org/publications/reducing-the-number-of-people-with-mental-illnesses-in-jail-six-questions-county-leaders-need-to-ask/>.
- <sup>8</sup> American Public Health Association, *Analysis: Declarations of Racism as a Public Health Crisis* (Washington, DC: American Public Health Association, 2021), 1–12, [apha.org/-/media/Files/PDF/topics/racism/Racism\\_Declarations\\_Analysis.ashx](https://apha.org/-/media/Files/PDF/topics/racism/Racism_Declarations_Analysis.ashx).
- <sup>9</sup> “The Roadmap to Intercultural Competence Using the IDI,” Intercultural Development Inventory, accessed January 16, 2023, <https://idiinventory.com/>.
- <sup>10</sup> Franklin County Board of Commissioners, “Commissioners Join Health Department in Declaring Racism Public Health Crisis,” news release, May 19, 2020, <https://commissioners.franklincountyohio.gov/news/2020/commissioners-join-health-department-in-declaring>.
- <sup>11</sup> Kelly Mathews et al., *2015 National Content Test: Race and Ethnicity Analysis Report—A New Design for the 21st Century* (Washington, DC: U.S. Census Bureau, 2017) <https://www2.census.gov/programs-surveys/de-cennial/2020/program-management/final-analysis-reports/2015nct-race-ethnicity-analysis.pdf>; Karen R. Humes, Nicholas A. Jones, and Roberto R. Ramírez, *Overview of Race and Hispanic Origin: 2010* (Washington, DC: U.S. Census Bureau, 2011), <https://www.census.gov/content/dam/Census/library/publications/2011/dec/c2010br-02.pdf>; Merarys Ríos, Fabián Romero, and Roberto Ramírez, *Race Reporting Among Hispanics: 2010* (Washington, DC: U.S. Census Bureau, 2014), <https://www.census.gov/content/dam/Census/library/working-papers/2014/demo/shedding-light-on-race-reporting-among-hispanics/POP-twps0102.pdf>; Elizabeth Compton et al., *2010 Census Race and Hispanic Origin Alternative Questionnaire Experiment* (Washington, DC: U.S. Census Bureau, 2013).
- <sup>12</sup> Eric Jensen et al., “Measuring Racial and Ethnic Diversity for the 2020 Census,” *Random Samplings* (blog), U.S. Census Bureau, August 4, 2021, <https://www.census.gov/newsroom/blogs/random-samplings/2021/08/measuring-racial-ethnic-diversity-2020-census.html>.
- <sup>13</sup> Sallie Miliam, *Data Governance Strategies for States and Tribal Nations* (Edina, MN: The Network for Public Health Law, 2020), <https://www.networkforphl.org/resources/data-governance-strategies-for-states-and-tribal-nations/?msclkid=d41c5fbda92d11ecb58179dd429446a4l>.
- <sup>14</sup> Correspondence between The Council of State Governments Justice Center and Matt Cravens, senior data analyst from Douglas County, Kansas, December 2022.

<sup>15</sup> “County Population Totals, 2020-2021,” U.S. Census Bureau, accessed January 17, 2023, <https://www.census.gov/data/tables/time-series/demo/popest/2020s-counties-total.html>.

<sup>16</sup> Counties may consider using a relative rate index (RRI) to measure the extent to which disparities exist in their jail. An RRI is a standardized way to compare the experiences of two groups, e.g., two racial or ethnic groups within the justice system. Typically, a BIPOC group is compared to a White group. An RRI greater than 1 indicates worse outcomes for the BIPOC group relative to the White group; an RRI lower than 1 indicates better outcomes for the BIPOC group. See, for example, Jennifer Ferguson, *Racial and Ethnic Disparities and the Relative Rate Index (RRI): Summary of Data in Multnomah County* (South Easton, MA: Justice System Partners, n.d.), [https://www.aclu-or.org/sites/default/files/RED\\_Report\\_Mult\\_Co.pdf](https://www.aclu-or.org/sites/default/files/RED_Report_Mult_Co.pdf); “Racial/Ethnic Fairness,” Juvenile Justice Geography, Policy, Practice & Statistics, accessed January 16, 2023, <http://www.jjgps.org/racial-fairness>.

<sup>17</sup> Ida Haahr-Pederson et al., “Females Have More Complex Patterns of Childhood Adversity: Implications for Mental, Social, and Emotional Outcomes in Adulthood,” *European Journal of Psychotraumatology* 11, no. 1 (2020): 1–12, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6968572/>; Xiaoyan Zhang and Shannon M. Monnat, “Racial/Ethnic Differences in Clusters of Adverse Childhood Experiences and Associations with Adolescent Mental Health,” *SSM – Population Health* 17 (2022): 1–9, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8693281/>; Meryl Schulman and Alexandra Maul, *Screening for Adverse Childhood Experiences and Trauma* (Trenton, NJ: Center for Health Care Strategies, 2019), [https://www.chcs.org/media/TA-Tool-Screening-for-ACEs-and-Trauma\\_020619.pdf](https://www.chcs.org/media/TA-Tool-Screening-for-ACEs-and-Trauma_020619.pdf).

<sup>18</sup> Alexander, *The New Jim Crow*, 97–139; Sarah Y. Vinson and Andrea L. Dennis, “Systemic, Racial Justice-Informed Solutions to Shift ‘Care’ From the Criminal Legal System to the Mental Health Care System,” *Psychiatric Services* 72, no. 12 (2021): 1429–32; Supriya Misra et al., “Structural Racism and Inequities in Incidence, Course of Illness, and Treatment of Psychotic Disorders Among Black Americans,” *American Journal of Public Health* 112, no. 4 (2022): 626.

<sup>19</sup> Vinson and Dennis, “Systemic, Racial Justice-Informed Solutions,” 1430; William J. Sabol, Thaddeus L. Johnson, and Alexander Caccavale, *Trends in Correctional Control by Race and Sex* (Washington, DC: Council on Criminal Justice, 2019), <https://counciloncj.org/wp-content/uploads/2021/09/Trends-in-Correctional-Control-FINAL.pdf>.

<sup>20</sup> Tri Keah S. Henry, “Revolving Doors: Examining the Effect of Race and Ethnicity on Discretionary Decision-Making in Parole Revocations,” *American Journal of Criminal Justice* 46, no. 2 (2020): 291–94; Ojmarrh Mitchell and Michael S. Caudy, “Examining Racial Disparities in Drug Arrests,” *Justice Quarterly* 32, no. 2 (2015): 288–313; Caislin L. Firth et al., “Did Marijuana Legalization in Washington State Reduce Racial Disparities in Adult Marijuana Arrests?” *Substance Use & Misuse* 54, no. 9 (2019): 1582–1587; Darrell Steffensmeier, Jeffery Ulmer, and John Kramer, “The Interaction of Race, Gender, and Age in Criminal Sentencing: The Punishment Cost of Being Young, Black, and Male,” *Criminology* 36, no. 4 (1998): 763–798; Ellis P. Monk, “The Color of Punishment: African Americans, Skin Tone, and the Criminal Justice System,” *Ethnic and Racial Studies* 42, no. 10 (2019): 1593–1612; Fatos Kaba et al., “Disparities in Mental Health Referral and Diagnosis in the New York City Jail Mental Health Service,” *American Journal of Public Health* 105, no. 9 (2015): 1914–16; Sarah Steen, Rodney L. Engen, and Randy R. Gainey, “Images of Danger and Culpability: Racial Stereotyping, Case Processing, and Criminal Sentencing,” *Criminology: An Interdisciplinary Journal* 43, no. 2 (2005): 435–468; Jennifer L. Eberhardt et al., “Seeing Black: Race, Crime, and Visual Processing,” *Journal of Personality and Social Psychology* 87, no. 6 (2004): 876–893.

<sup>21</sup> Julie Nelson and Lisa Brooks, *Racial Equity Toolkit: An Opportunity to Operationalize Equity* (New York: The Local and Regional Government Alliance on Race and Equity, 2015), [https://www.racialequityalliance.org/wp-content/uploads/2015/10/GARE-Racial\\_Equity\\_Toolkit.pdf](https://www.racialequityalliance.org/wp-content/uploads/2015/10/GARE-Racial_Equity_Toolkit.pdf).

<sup>22</sup> Racial Equity & Social Justice Initiative, *Racial Equity and Social Justice Tool: Process Guide* (Madison, WI: City of Madison), <https://www.cityofmadison.com/civil-rights/documents/RESJIprocessguide.pdf>.

<sup>23</sup> Correspondence between The Council of State Governments Justice Center and Shebani Rao, former racial equity manager for the Managing Director’s Office of Criminal Justice, Philadelphia, Pennsylvania, March 2022.

<sup>24</sup> Nelson and Brooks, *Racial Equity Toolkit*.

<sup>25</sup> Nelson and Brooks, *Racial Equity Toolkit*, 5.

<sup>26</sup> Seattle Race and Social Justice Initiative, *Racial Equity Toolkit to Assess Policies, Initiatives, Programs, and Budget Issues* (Seattle: Seattle Race and Social Justice Initiative, 2012), <https://www.seattle.gov/documents/Departments/RSJI/Resources/Racial-Equity-Toolkit-Fillable-RSJI-August-2012.pdf>.

<sup>27</sup> “Racial Equity Toolkit,” Seattle Office for Civil Rights, accessed January 16, 2023, <https://www.seattle.gov/civilrights/what-we-do/race-and-social-justice-initiative/racial-equity-toolkit>.

<sup>28</sup> “Equity and Empowerment Lens,” Multnomah County Office of Diversity and Equity, accessed January 16, 2023, <https://www.multco.us/diversity-equity/equity-and-empowerment-lens>.

<sup>29</sup> Racial Equity & Social Justice Initiative, *Racial Equity and Social Justice Tool: Process Guide 4*

<sup>30</sup> See, for example, “What Does It Mean to Be an Anti-Racist,” National League of Cities, access January 17, 2023, <https://www.nlc.org/article/2020/07/21/what-does-it-mean-to-be-an-anti-racist/>.

<sup>31</sup> See, for example, Alexandria G. Bauer et al., *Building Bridges: Resources to Center Cultural Humility* (Piscataway, New Jersey: Center of Alcohol & Substance Use Studies, Graduate School of Applied and Professional Psychology, Rutgers University, 2022), <https://alcoholstudies.rutgers.edu/wp-content/uploads/Building-Bridges-Cultural-Humility-Toolkit.pdf>.

<sup>32</sup> Correspondence between The Council of State Governments Justice Center, Christy Giallella, and Mark O’Dwyer from Philadelphia Department of Behavioral Health and Intellectual disAbility Services, July 2022.

<sup>33</sup> Correspondence between The Council of State Governments Justice Center and Lena Hackett, Community Solutions, Inc., Indianapolis, Indiana, November 2022.