



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

*Burns Institute Strategies for
Reducing Racial and Ethnic
Disparities*

New York State Division of Criminal Justice
Services Symposium Series
March 19, 2009



Presentation Outline

- **Burns Institute Process: Components of Successful Work to Reduce Disparities**
- **Common Distracters in Reducing Disparities**
- **Strategies to Identify Disparities and Developing Solutions**
- **Achieving Sustainability– Santa Cruz Example**



BI Philosophy

- Focus on Detention: Secure detention facilities are inherently harmful to youth
- System stakeholders should collaborate with communities to develop sustainable alternatives to incarceration
- Change requires a level of maturity and introspection by systems and communities
- Data collection, analysis, and utilization is key



Reducing DMC:

The essential components

- **Collaboration**
- **Governance Structure**
- **Identifying Success**
- **Data Driven**



DISTRACTERS

1. Global Conversation
2. Blame Game
3. Culture of Politeness
4. Analysis Paralysis



THE GLOBAL CONVERSATION

DMC is caused by:

- Racism
- Poverty
- Levels of Criminality



THE BLAME GAME

It's the fault of:

the kids, the families, the community, the parents, society at large, music videos, television, the police, judges, the mayor, the governor, the President, racism, subtle discrimination, overt discrimination, the “system,” drugs, guns, poor education, inadequate housing, the schools, the kids, the families, the community, the parents, society at large, music videos, the police, judges, the mayor, the governor, the President racism, subtle discrimination, overt discrimination, the “system,” drugs, guns, poor education, inadequate housing, the schools, the kids, the families, the community, the parents, society at large, music videos, the police, judges, the mayor, the governor, the President ,racism, subtle discrimination, overt discrimination, the “system,” drugs, guns, poor education, inadequate housing, the schools ...

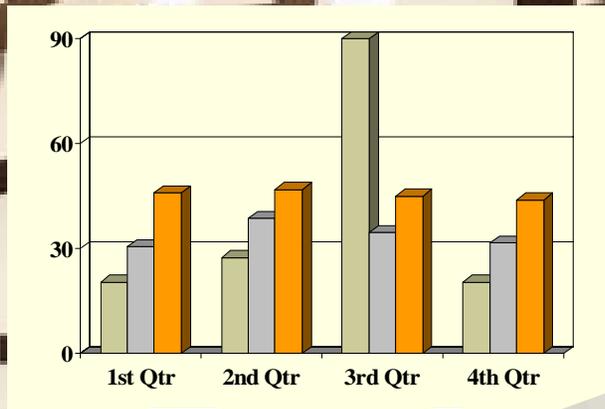
CULTURE OF POLITENESS

- Avoids uncomfortable discussions
- Asserts privilege to express concern without taking real action
- Maintains the Status Quo of Inappropriate Detention, Disparate Racial Treatment and Disproportionality.



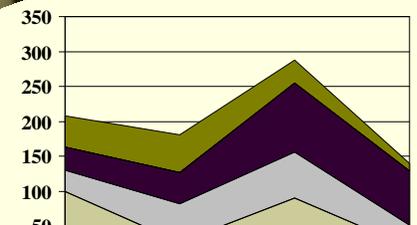
Data Overload:

Do you know what you are looking at and why?



A Cautionary Note :

- Let your questions precede your data collection and analysis.
- Know why you are collecting data and how the data will help to better inform how current policies and practices impact youth of color.



Data Driven

Why is data important?

In fact, it is probably fair to say that no area of domestic policy – not even welfare – has been so thoroughly abandoned to misinformation, overstatement, oversimplification, emotion and disregard for the consequences as has the arena of juvenile justice.

In state after state, juvenile justice policy is now being revised and rewritten on the strength of anecdote, in response to isolated incidents of brutality, or as a result of politically opportunistic pandering to public fears, frustrations and prejudices.”



Uses for Data

- ~~■ Gathering as “Activity” for Reports~~
- ~~■ Gathering to fulfill a grant requirement~~
- ~~■ Research Related to Hypothesis~~
- To Inform and Drive Department Policy



BI Strategy for Using Data to Reduce Racial and Ethnic Disparities

Ongoing process

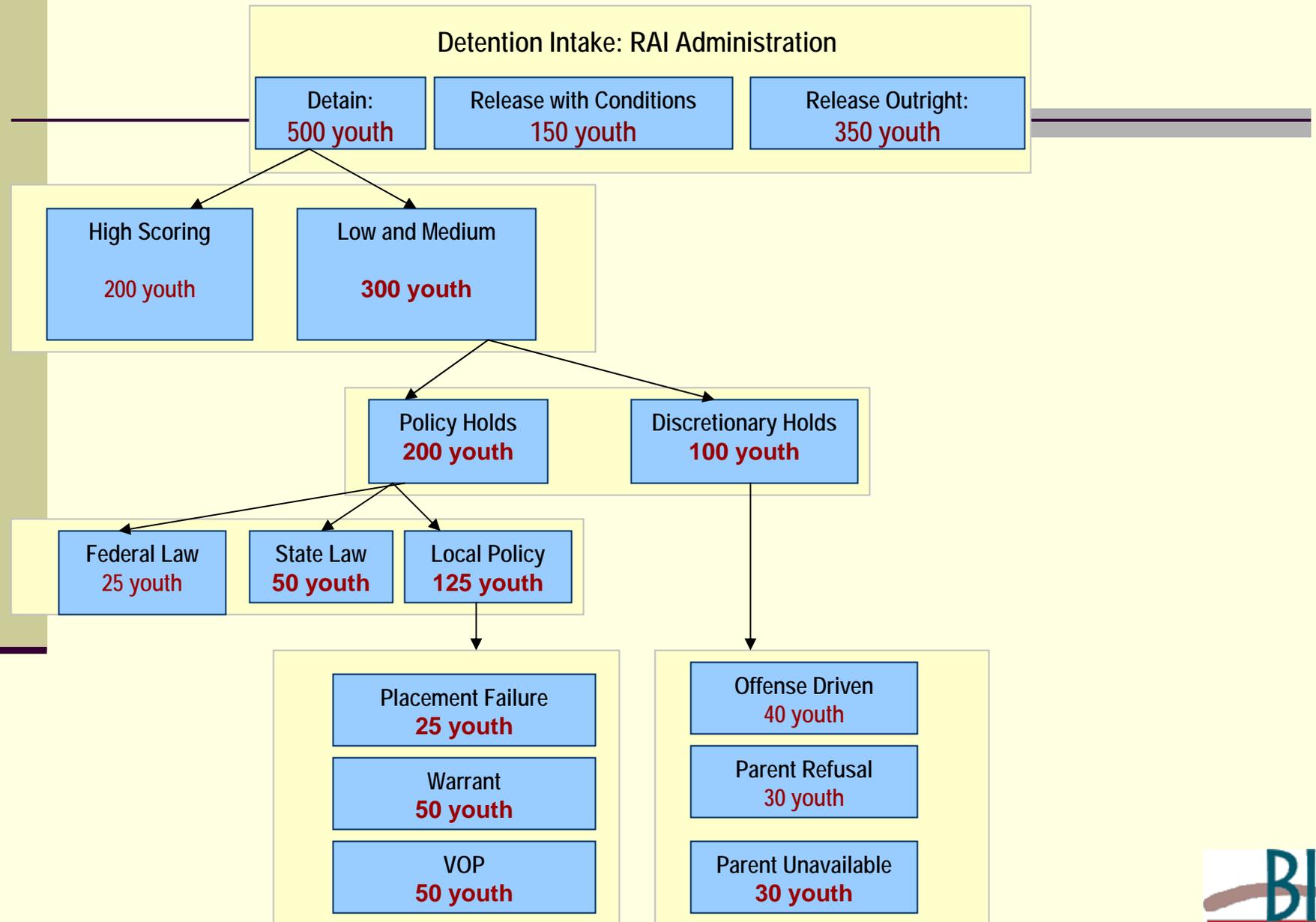
- Maintain ongoing system of data collection and analysis
- Identify whether and to what extent disproportionality exists
- Identify factors contributing to disproportionality
- Dig deeper into factors contributing to disproportionality
- Strategize about policy and practice change to reduce racial and ethnic disparities
- Adopt strategy
- Indicator to monitor effectiveness of each strategy in reducing racial disparities
- Document changes in reducing racial disparities



Digging Deeper: Identifying Disparities

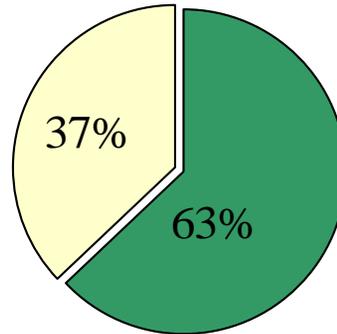
- *Focus breaking down the target population*
- *Focus on detentions most impacting youth of color and “proven effective” strategies for reducing reliance on detention*
- *Focus on consistency in system decision making*

Identifying Disparities: Breaking Down the Target Population



Identifying Disparities: *Baltimore County*

Category of Charge Associated with Baltimore County Secure Detention

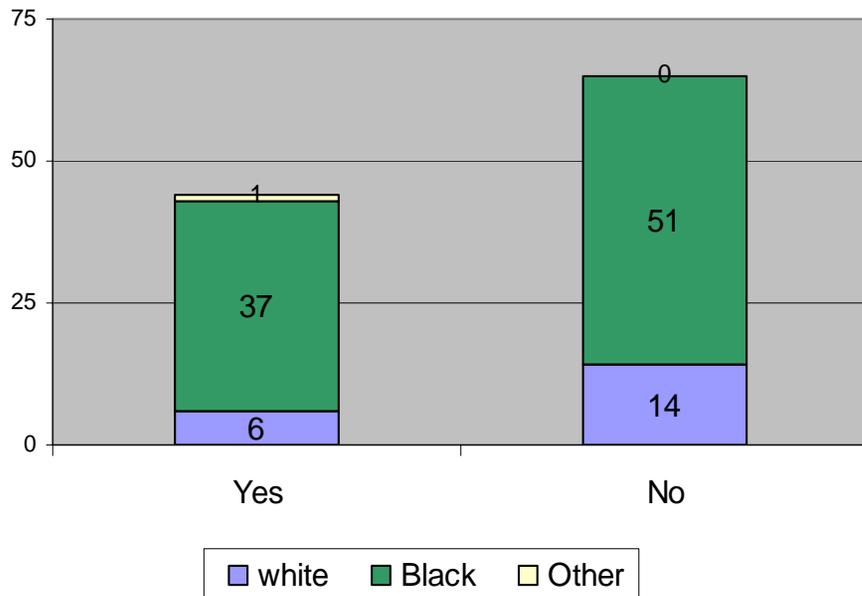


And 45% of the "No New Charges" were Writs for Failures to Appear in Court.

■ No New Charge ■ New Charge

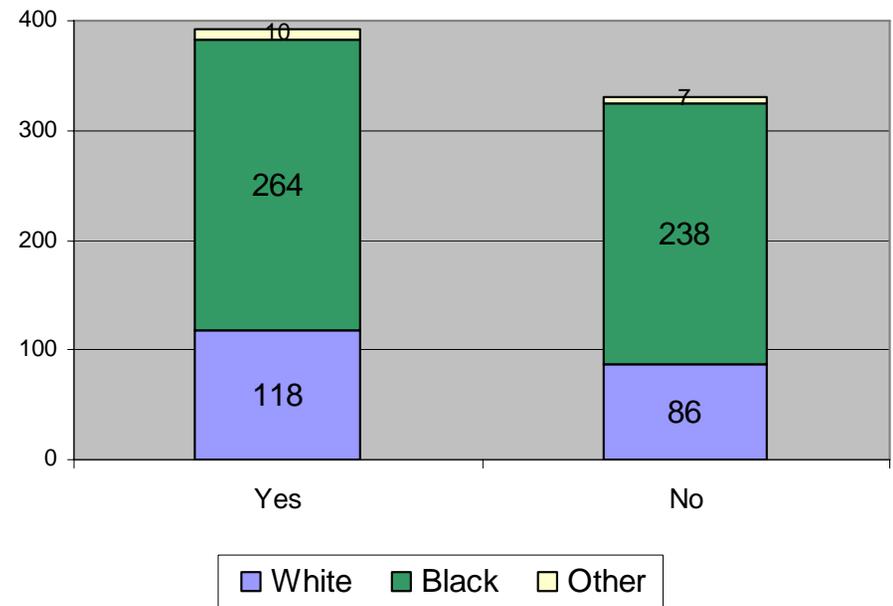
Identifying Disparities: Baltimore County Court Notification

Court Notification Calls Not Attempted
(109 youth)**



Of the total youth not called regarding their Court Appearances, **40% appeared.**

Court Notification Calls Attempted (723 youth*)



Of the total youth called regarding their Court Appearances, **55% appeared.**

Identifying Disparities: Baltimore County Court Notification

Does contact with youth/family and type of contact (Person, message) impact their attendance at Court?

- *Will the % of attendees be greater than 55% when contact is made?*
- *Will the % of attendees be less than 55% when contact is not made?*

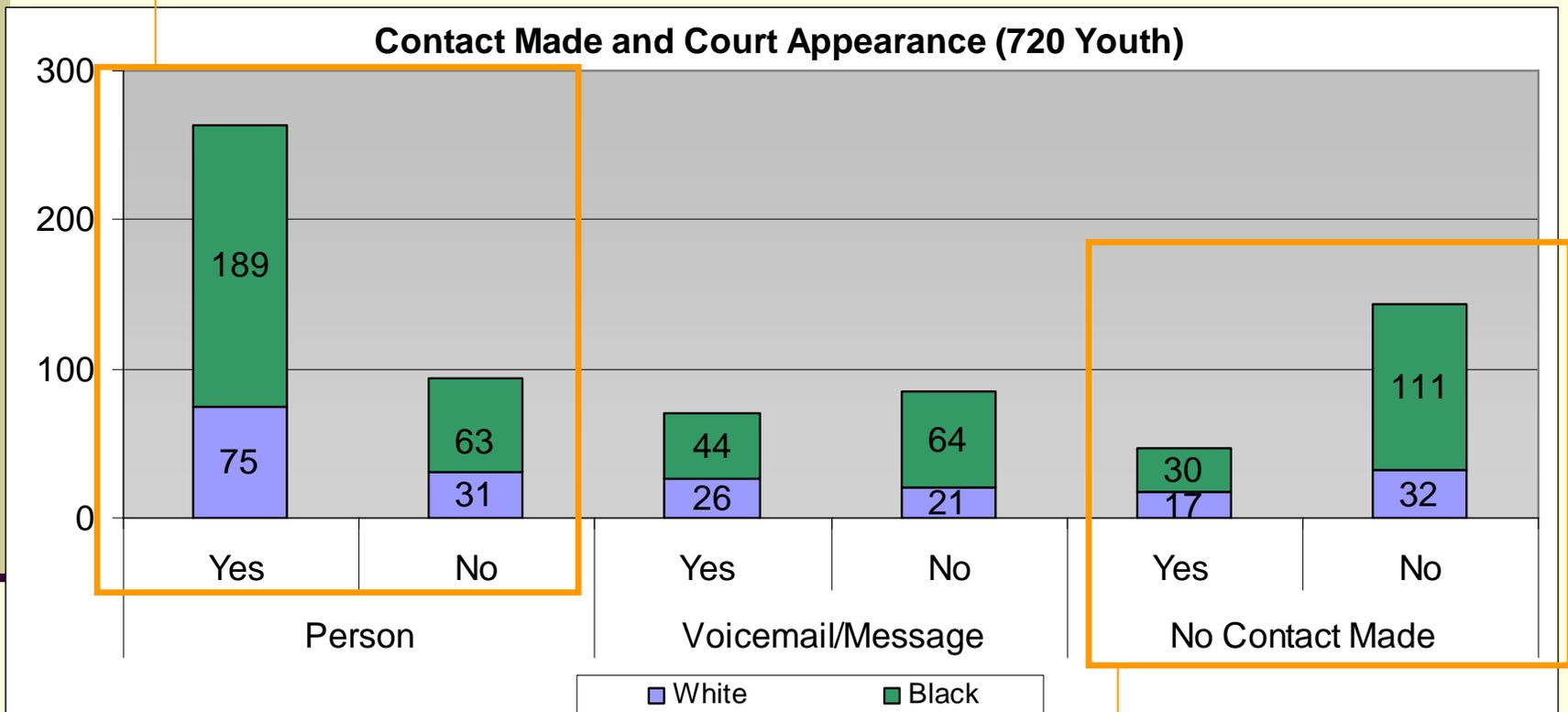




Baltimore County Court Notification

Of all 358 youth/families contacted in person, **74% appeared in Court.**

Of all 252 Black youth/Families contacted in person, 75% appeared in Court.

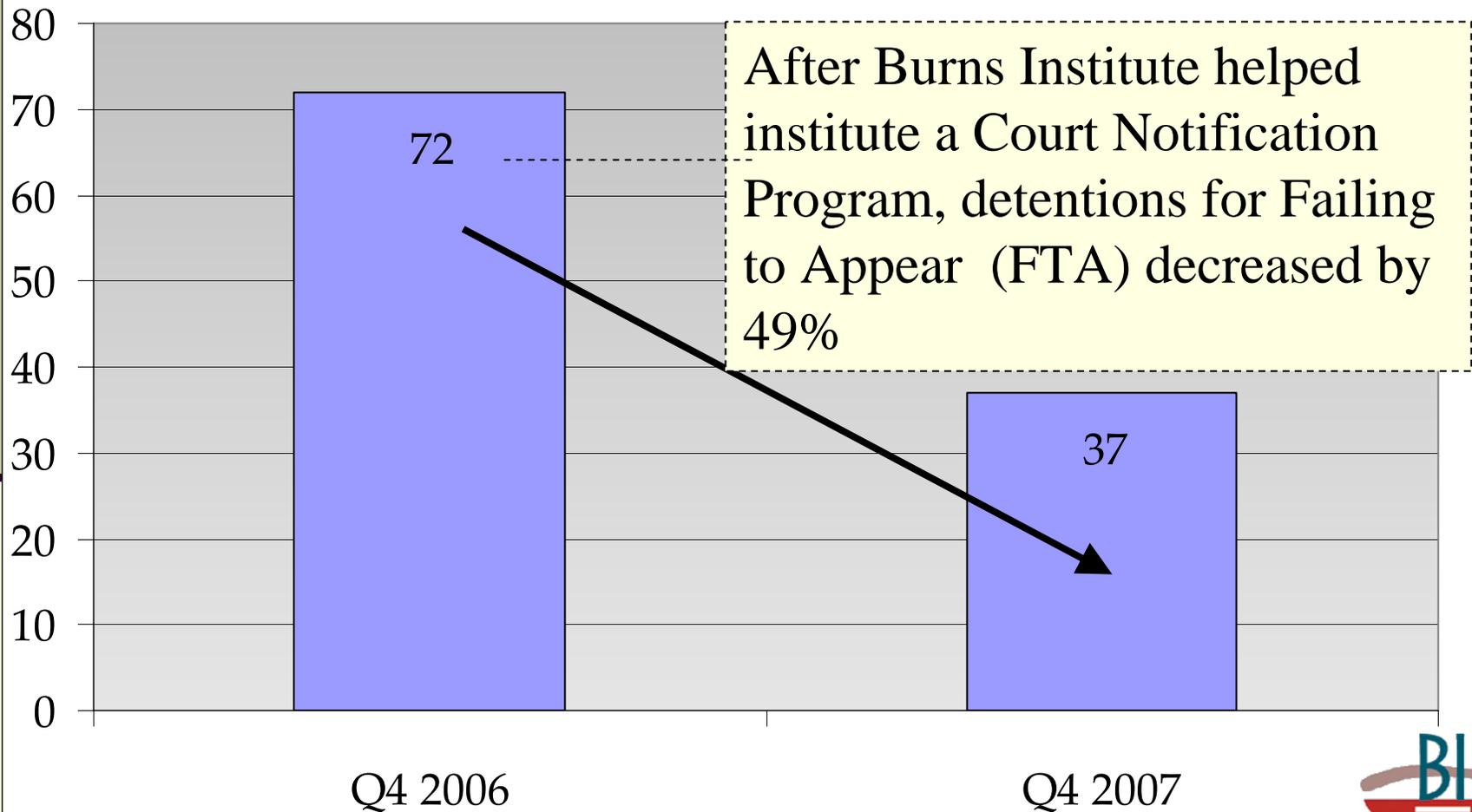


Of all 190 youth/families not contacted at all, **25% appeared in court.**

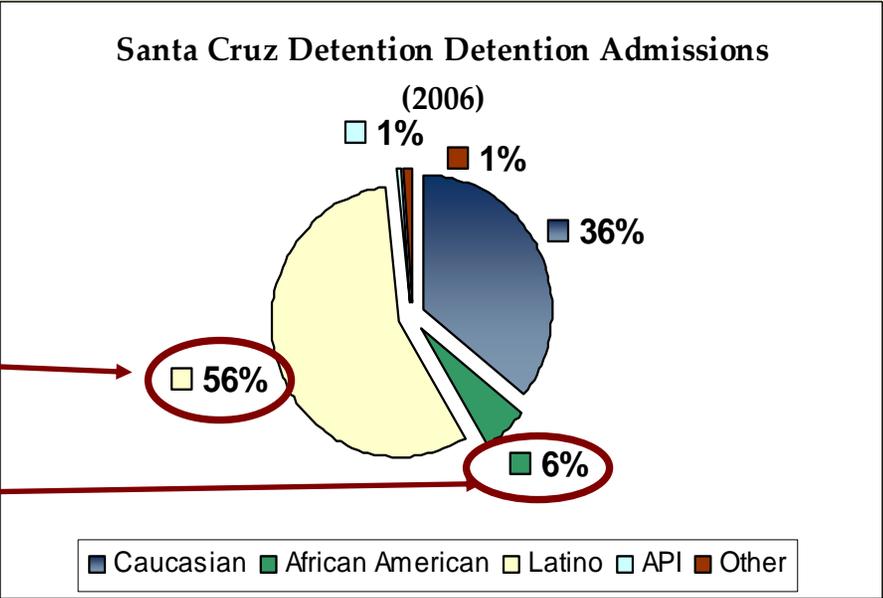
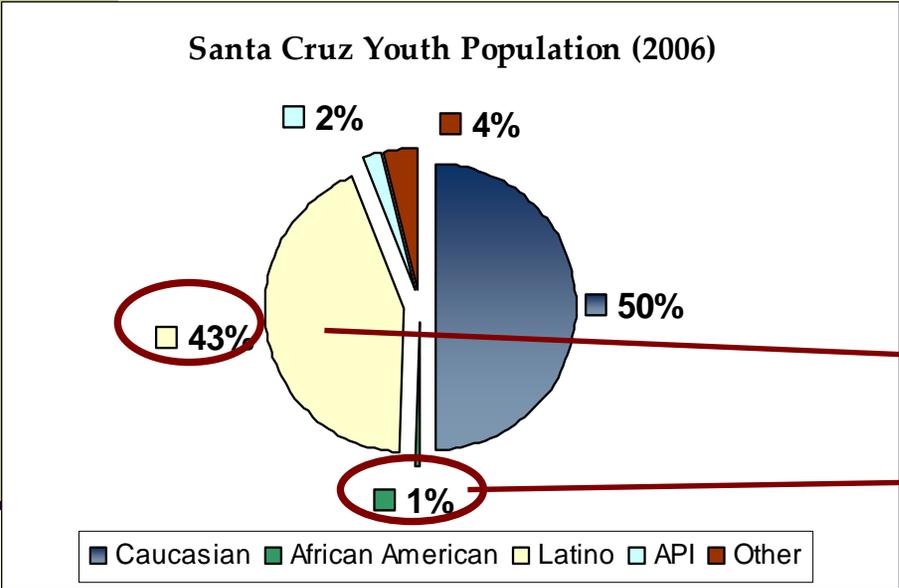
Of all 141 Black youth/families not contacted, 21% appeared in court.

Baltimore County Court Notification

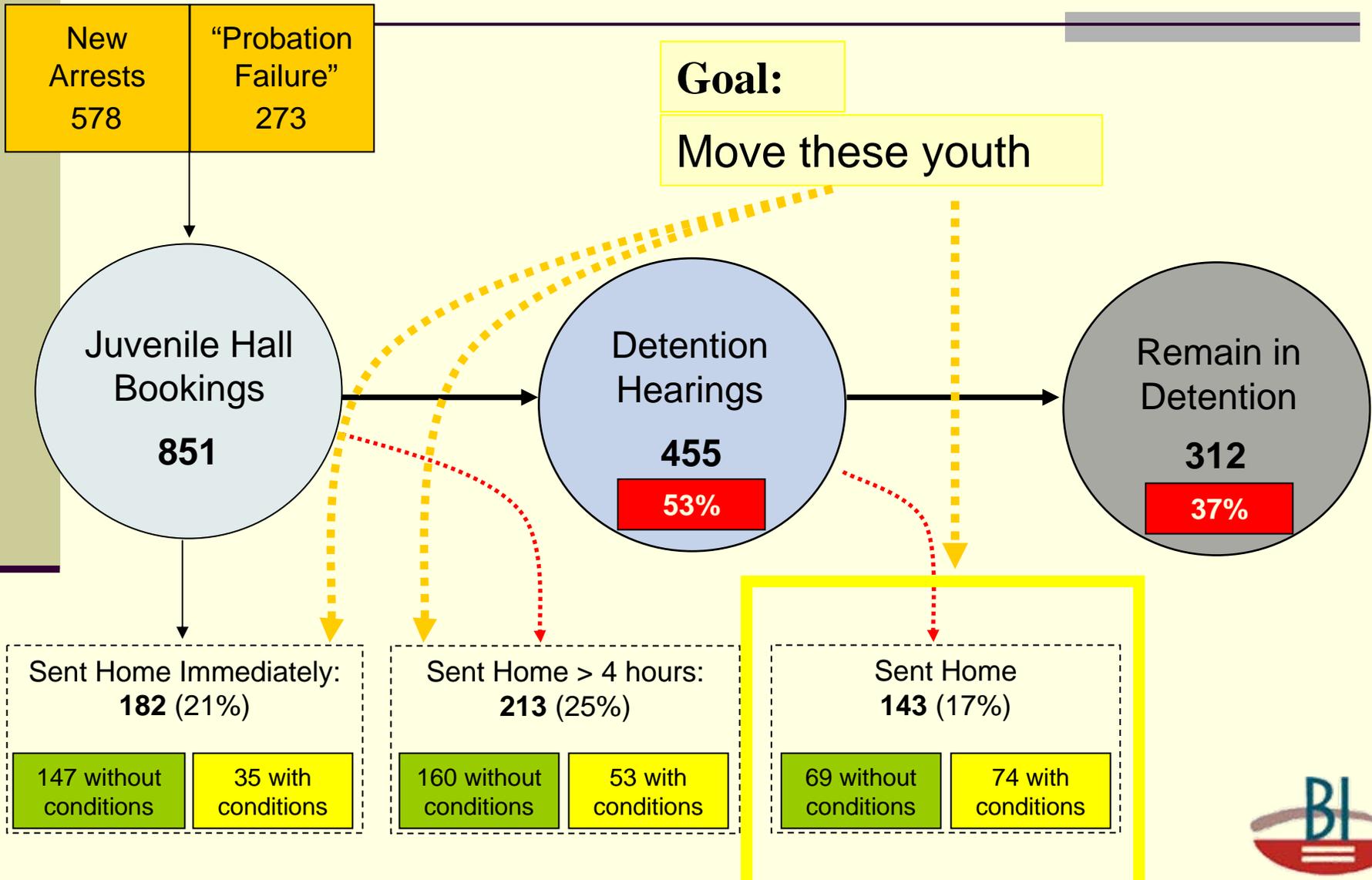
Baltimore County: FTA Detentions



Santa Cruz: DMC at a Glance



Identify Factors Contributing to DMC: Juvenile Detention Paths and Processes



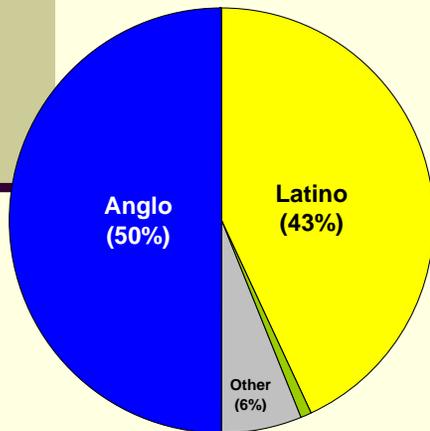
Identify Factors Contributing to DMC: Youth Held by Probation but Released by the Judge

Sent Home **143** (17%)

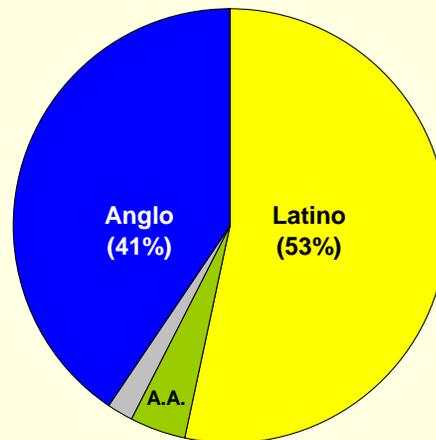
69 without
conditions

74 with
conditions

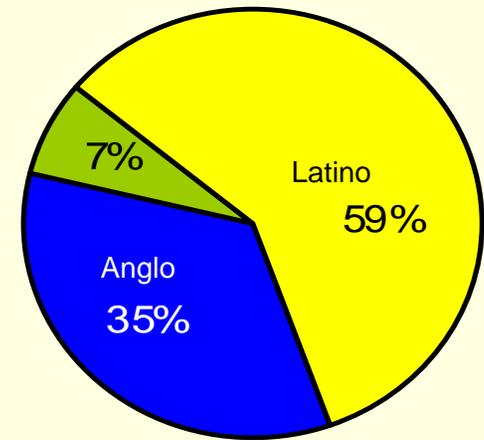
Youth Population



Bookings



Held by Probation but
released at Detention Hearing



Identify Factors Contributing to DMC: Youth Held by Probation but Released by the Judge

- Currently, Probation has little authority to release:
 - Youth with a High RAI Score
 - Youth for whom EMP is appropriate
 - Youth with “Special Detention” Status

Strategy for Reducing Racial Disparities: Where Does Probation have Decision Making Authority?

40

30

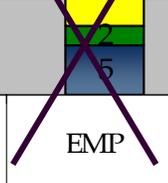
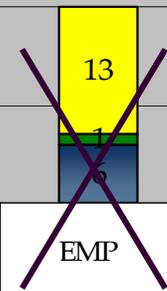
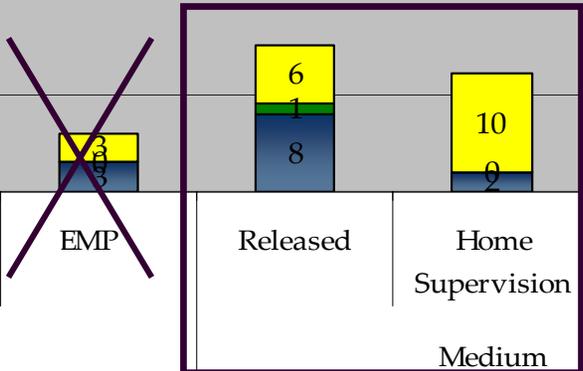
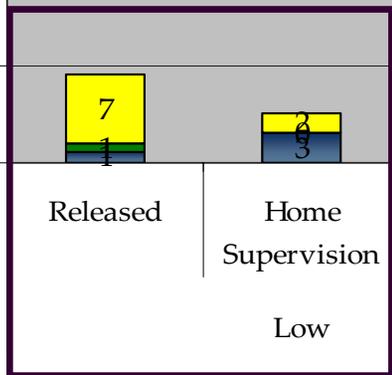
20

10

0

If we also delete the youth for whom EMP is appropriate and the high RAI scoring youth, we are down to only 41 youth.

But... 66% of these youth (27 youth) are youth of color



■ Anglo

■ African American

■ Latino

Released

Home
Supervision

EMP

Released

Home
Supervision

EMP

Released

Home
Supervision

EMP

Low

Medium

High

What did we learn about youth held by Probation and Released by the Judge?

- **Volume:** *The number of youth decreases significantly when controlling for RAI score; EMP holds; and policy holds. From 143 youth down to 41 youth (but 66% were youth of color).*
- **Probation Caseload:** *61% of the youth were probation intakes; 39% were already on probation caseload*
- **Discretion within Policy Holds:** *There may be room for improved Probation decision making with policy holds*
 - *71% of policy holds were non-releasable bench warrants and 68% of these holds were youth of color.*
 - *The majority of bench warrants were FTAs. We need to investigate the number of FTAs that were on Probation and whether and why they were violated.*

Action

- **Policy/Practice Change:**
 - Reinstated Call Notification
 - Management Approval for overrides
 - EMP available at Detention

- **Digging Deeper**
 - Probation Violation Research and Review
 - Bench Warrant Research and Review
 - Additional Research into Linguistic Barriers
 - Staff “Indicator” tracking



Results

■ Results for Target Population

(youth Held by Probation Released by Judge):

- Population decreased by 20%
 - (30% for Y.O.C)
- Technical Probation Violations decreased by 71%
 - (81% for Y.O.C.)
- Probation Overrides decreased by 62%
 - (61% for Y.O.C.)



Engaging Staff to Achieve Sustainability

You've got data...

You know where disparities exist...

You know where policy/practice change could impact the numbers...

Now What?



Engaging Staff to Achieve Sustainability

- Education: DMC 101; DMC 201; DMC 301
- Survey of Staff on Perceptions of DMC
- Institutionalizing Response to Using Data for Change that involves all staff

DMC 101 Survey

Do you have a role in reducing racial and ethnic disparities?

	Yes	No	Total	% Yes
Juvenile Hall Staff and Supervisors	5	6	11	45%
DPO 1-2	9	8	17	53%
DPO 3	4	2	6	67%
Manager	4	0	4	100%
Total	24	16	44	63%

The higher level the Probation staff, the greater the perception that they have a role in reducing disparities.



Engaging Staff to Achieve Sustainability

- Making Staff the Drivers of the Process
 - Staff volunteered at DMC 101 for committees
 - The committees implemented initiative
 - Staff committed to learning more about how their decisions impacted disproportionality

Engaging Staff to Achieve Sustainability

Developing Institutional Response

- DPO III's regularly review indicators noting trends and anomalies
- DPO IIIs will report every 6 weeks regarding:
 - Status of DMC indicators:
 - Has disproportionality increased or decreased? Has the number of youth impacted increased or decreased?*
 - Unit Response to Status of Indicators:
 - What can explain the increases or decreases?*
 - Is a deeper investigation under way to identify what could be contributing to increases in disproportionality?*
 - Are there recommendations based on this investigation?*
 - Should a policy/practice change be adopted? How will that policy/practice change address the findings of what is contributing to disproportionality?*
 - How has the policy/practice change impacted disproportionality?*

General Supervision Unit Indicators

Data Collected and Monitored:

1. Probation Violations
2. Bench Warrants

Reason for Collecting Data

1. Monitor for any disparities between north and south county
2. Monitor for racial/ethnic disparities in examining who gets probation violations
3. Look at additional resources we need for our clients

Concerns

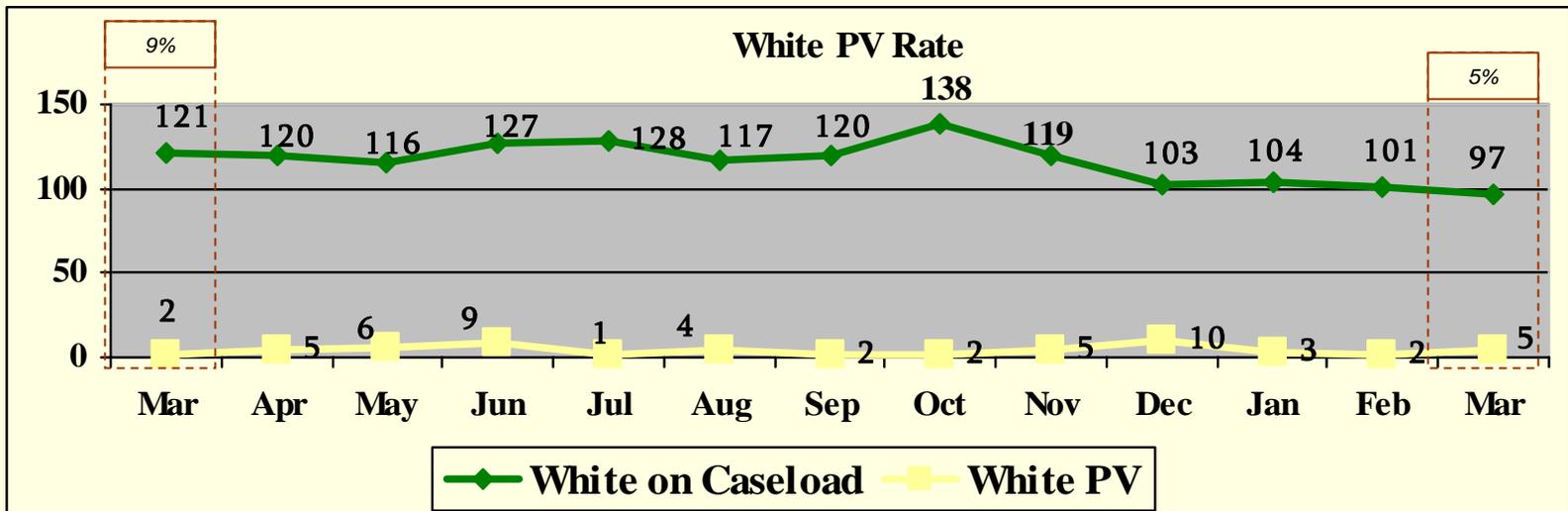
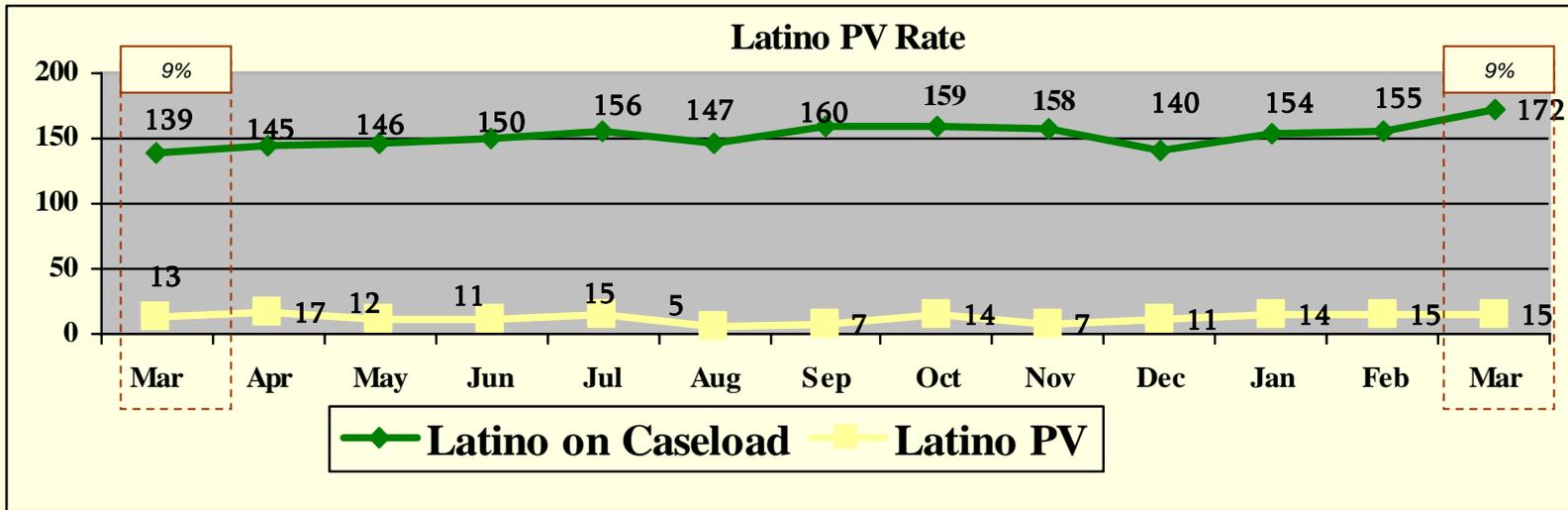
Informal responses to non-compliance issues are not accounted for.

Probation Review Indicators

- Are Probation Violations Inequitable?
 - For example—
 - Positive tests—different by race/ethnicity?
 - Gangs—what was basis for this designation?
 - School Based Violations?
 - Why Aren't Youth of Color Going to Counseling?



General Supervision Probation Violations





DEAD HORSE

- *Native American Wisdom: When you discover you are riding a dead horse, the best strategy is to dismount.*

- *Bureaucratic Wisdom: The Horse Is Dead—So Let's*
 - BUY A STRONGER WHIP
 - CHANGE RIDERS
 - Say “THIS IS THE WAY WE HAVE ALWAYS RIDDEN THIS HORSE.”
 - APPOINT A COMMITTEE TO STUDY THE HORSE.
 - DECLARE “NO HORSE IS TOO DEAD TO BEAT.”

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