Reducing Racial and Ethnic Disparities (RED) in County Justice Systems

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Poll Questions
Speaker: James Bell

James Bell, JD
Founder, Executive Director & Board President
The W. Haywood Burns Institute
Speaker: Susan Mauriello

Susan Mauriello, JD
County Administrative Officer
Santa Cruz County, CA
REDUCING RACIAL AND ETHNIC DISPARITIES IN COUNTY JUSTICE SYSTEMS

NACO WEBINAR
APRIL, 2016
**Our Mission**
The Burns Institute works to eliminate racial and ethnic disparity in the justice system by building a community-centered response to public safety that is equitable and restorative.

**Our Experience**
- Facilitate community and system stakeholders through a data-driven process aimed at creating community-based alternatives to secure detention.
- Experience in consulting with over 140 jurisdictions in 40 states nationwide to reduce racial and ethnic disparities in the justice system.
- Trained over 10,000 judges, law enforcement, executive and probation personnel.
WHY COMMISSIONERS SHOULD CARE

- Primary Governmental Function
- Expense
- Accountability
- Deprivation of Liberty
- No Locus of Authority Charge
- You Have Power of Purse
Criminal justice costs

Law enforcement and justice costs in Pima County have grown consistently over the years. The total amount includes spending for law enforcement, courts, county attorney, indigent defense, forensic science center and constables.

5/25/15  SOURCE: Pima County CAFR  ARIZONA DAILY STAR
NATIONAL RECIDIVISM

NIJ Rates

1 yr: 57%
3 yrs: 70%
5 yrs: 77%
Overcrowding in the Delta County jail
BY RACHEL DROZE THURSDAY, MARCH 17TH 2016

Jail overcrowding impacting multiple counties – Claremore, OK
NO LOCUS OF AUTHORITY
WHAT YOU SHOULD KNOW

- Budget Allocation
- Recidivism Rate
- Data
- Demographics
- Services
• Baseline number for equity within the jurisdiction
• County population
• Bed capacity
• Annual arrests by REGGO
• Annual referrals to detention
• Annual admissions to detention
• Probation Violations
  • Bed Days
• Average/Median length of stay
• Alternatives Available
We don’t know what to do next”

- “We don’t have a problem, so
  - “We have trainings about race, but…
  - “We collect data about racial/ethnicity, but…
  - “We’ve established an equity work group, but…

We don’t know what to do next”
KEY COMPONENTS TO REDUCING RACIAL AND ETHNIC DISPARITIES
Leadership is critical

Seek Accountability

Establish County Justice Goals
COLLABORATIVE STRUCTURE

- Identify collaborative mission and purpose
- Identify appropriate stakeholders
  - Involvement of Supervisors/Line Staff
  - Community Involvement
- Ensure capacity to access and analyze data
- Ensure capacity and will to modify policy and practices based on data
STAKEHOLDERS

- Community Voice
- Elected Officials/Executive
- Judges
- Police
- Prosecutor/Defense
- Pretrial Services/Probation
- Sheriff
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

- 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 reform goals
  - To select effective strategies
  - To track progress
BI STRATEGY FOR REDUCING RACIAL AND ETHNIC DISPARITIES

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
REDUCING RACIAL AND ETHNIC DISPARITIES IN COUNTY JUSTICE SYSTEMS

SANTA CRUZ COUNTY, CALIFORNIA
ADAPTING OUR CRIMINAL JUSTICE SYSTEM:
A CONTINUOUS IMPROVEMENT STRATEGY

Goals:
- public safety,
- fair and equal treatment,
- restoring lives and
- saving money

Results:
- Reduced our jail population
- Cut our juvenile hall population by more than half
- Reduced minority arrests
- Embraced pretrial assessments
- Implemented custody alternatives
- Data driven
Establishing the Goal: First DMC Committee established in 1999

Phase 1 Activities

- Comprehensive System Analysis
  - Improvements to Information System
  - Identification of Target Populations
- Surveys
- Staff Engagement and Training
HOW WE GOT HERE

- **Phase 2 Activities**
  - Engaging Stakeholders
  - Development of Probation Department Institutional Response to Using Data
  - Continued Committee Work

- **Phase 3 Activities**
  - Continued work on DMC indicators
  - Ongoing work to ensure all DMC indicators are included in new Case Management System
  - Probation Focus on Violations of Probation
  - Work on Developing DMC Model Site Curriculum
  - Training stakeholders regarding BI Methodology for reducing Disparities
ORGANIZING THE DMC WORK

Action Plan

Problem Solving

Burns Institute
* Program Manager
* Information Experts

Probation Department
* Unit Supervisors
* Front-line Staff

Data Discussion and Hypothesis Formation

Core Working Group Convener
* Data Development
* Case studies & review

Training: Needs Identification, Development, and Delivery

Communication: Departmental Circulars, Reports to the Field

Impact Assessments

Field Reports

The Demographics of Detention

72.1%
64.7%
36.5%
48.7%
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%

Minorities as % of detained

Minorities as % of "at risk"
IDENTIFY FACTORS CONTRIBUTING TO DMC
Juvenile Detention Paths & Processes

New Arrests 578
“Probation Failure” 273

Juvenile Hall Bookings 851
Sent Home Immediately: 182 (21%)
147 without conditions
35 with conditions

Detention Hearings 455
Sent Home > 4 hours: 213 (25%)
160 without conditions
53 with conditions

Remain in Detention 312
53%

Goal:
Move these youth

Sent Home 143 (17%)
69 without conditions
74 with conditions

“Probation Failure” 273
New Arrests 578
147 without conditions
160 without conditions
69 without conditions
74 with conditions
53 with conditions
35 with conditions
Success... achieved great success in reducing detention utilization and disparities in detention

But...

- Disparities still exist in detention utilization
- Continuous Improvement
SANTA CRUZ COUNTY


Juvenile Hall Capacity
Santa Cruz County becomes a JDAI Site
WHAT HAVE WE LEARNED FROM DATA

• There was disproportionality at every decision making point reviewed
  ▪ Response—work with police, target alternatives, educate community

• Low and Medium discretionary admissions to detention are substantial (86% of all discretionary holds)
  ▪ Response—work on probation culture and monitor closely

• Length of stay in detention is higher for YOC than white youth.
  ▪ Response—Work with tribes and establish alternatives
VENTURA COUNTY

- Data Revealed Probation Violations
- Community Groups Helped Rework Probation Grid
- Opened Evening Reporting Center
- Instituted Drug Engagement Strategy w/ community
Rates of Detention (per 1,000 youth) have dropped since 2009

- White: 2009 rate 7.5, 2012 rate 6.7
- Black: 2009 rate 30.9, 2012 rate 23.6
- Latino: 2009 rate 20.6, 2012 rate 14.1
- Asian/PI: 2009 rate 3.8, 2012 rate 3.2
- Native American: 2009 rate 5.0, 2012 rate 5.5
PRESENTERS

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Questions?

Type your question into the questions box.
JOIN US!

WEBINAR
An Interactive Virtual Discussion on Reducing Racial and Ethnic Disparities (RED) in County Justice Systems

Apr. 22, 2016, 2:00 pm – 3:00 pm
Contact: Nestassia Walsh
(202) 942-4289
nwalsh@naco.org

www.naco.org/webinars

Join us for the second of a two-part series on Reducing Racial and Ethnic Disparities in County Justice Systems. Racial and ethnic disparity (RED) refers to the unequal treatment of individuals of color in the criminal or juvenile justice systems, which is often represented in jail populations. This interactive virtual discussion will allow participants to ask questions of a national expert at the W. Haywood Burns Institute and county leaders to continue the dialogue on reducing racial and ethnic disparities. Before joining the online discussion, participants are encouraged to watch the webinar on April 7 at 2pm EDT that will outline how county elected officials can identify racial and ethnic disparities in their justice system and discuss how to use this information to inform policy and funding decisions. To register for the April 7 webinar, click here.
Contact Information

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