

# Chapter 3: Preparation at the Local Level

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There are several benefits of preparation prior to launching a local DMC reduction effort. These include establishing relationships with and among key local stakeholders, explaining the key goals of DMC reduction efforts, and identifying available data and research on DMC.

After a brief overview of potential sources of financial support for local DMC reduction efforts, this chapter outlines a six-step preparation process: (1) establishing a steering committee, (2) identifying leadership, (3) reaching consensus, (4) conveying a sense of urgency, (5) setting priorities, and (6) organizing the work. The next section outlines basic tasks for the steering committee, based on lessons learned from the Baltimore City DMC Reduction Initiative. The chapter then briefly describes the W. Haywood Burns Institute approach to building community momentum for DMC reduction efforts and the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI) Framework. The chapter’s appendix presents the JDAI Core Strategies Matrix developed by the Burns Institute and the Casey Foundation.

## An Initial Issue: Financial Support

An initial issue is how to support local efforts financially. The Office of Juvenile Justice and Delinquency Prevention ([www.ojjdp.ncjrs.gov](http://www.ojjdp.ncjrs.gov)) awards Title II Formula Grant funds to the states for system improvement and programmatic efforts as well as technical assistance and other support for DMC reduction and other reforms. OJJDP’s Juvenile Accountability Block Grant and Title V Incentive Grants for Delinquency Prevention Grant funds provide additional financial support to states for juvenile justice reform, intervention, and prevention services in the area of juvenile delinquency. The work of the Burns Institute, described below, is supported in many communities with the Title II Formula Grant funds passed through states to communities. State and county agencies may also support DMC reduction efforts with state and/or local dollars. Local foundations, particularly community foundations, may be a source of funds. The Council on Foundations ([www.cof.org](http://www.cof.org)) and other organizations provide information on locating and contacting community foundations. Several national foundations, such as the Annie E. Casey Foundation ([www.aecf.org](http://www.aecf.org)) and the John D. and Catherine T. MacArthur Foundation ([www.macfound.org](http://www.macfound.org)), support juvenile justice reform initiatives—e.g., the Casey Foundation’s Juvenile Detention Alternatives Initiative and the MacArthur Foundation’s Models for Change—that have DMC reduction components.

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## **Steps in Local Preparation**

### **Establishing a Steering Committee**

The local preparation effort should begin with the establishment of a steering committee. The committee should include key stakeholders in the juvenile justice system, such as the chief judge in the juvenile court, chief juvenile probation officer, senior prosecutor in the juvenile court, senior public defender, and police captain or lieutenant in charge of juvenile cases. It is important to have chiefs or senior officials on the committee to ensure that committee decisions are implemented.

The committee should also include nontraditional stakeholders (i.e., persons with an interest in DMC from the perspective of program services rather than system policies and practices). These representatives are identified from community-level leadership, such as directors of community groups, civil rights organizations, child advocates, parent advocates, and others in the community who are concerned with DMC issues. The committee should also include young people or representatives of young people who are or have been in the system, to anchor the work to the population most affected. For example, the composition of DMC workgroup members in Cook County, Illinois (South Suburbs), is exemplary in its engagement of nontraditional stakeholders, such as community-based service providers, grassroots leaders, and community residents. A community-inclusive steering composition is advantageous to the development and expansion of community-based services and programs as detention alternatives and supports for youth and families within the least restrictive settings.

### **Identifying Leadership**

DMC is a difficult issue to address, so it is critical to identify strong leadership for the steering committee. This usually means the chief judge in the juvenile court or chief juvenile probation officer, since they will most likely control policy changes that may be necessary to implement DMC reduction. Leadership by high-level administrators of the judicial and/or probation system also conveys and lends validity to the message that DMC reduction is an important issue within system agencies.

### **Reaching Consensus**

The first task of the steering committee is to reach consensus on the goals of the DMC effort and the responsibilities of participants in the effort. If the local effort will conduct its activities in conjunction with a state DMC effort, state leaders should use the preparatory phase to introduce DMC as a shared vision and responsibility of both state and local entities. This approach will incorporate the concerns, insights, and innovations of local communities in the broader context of statewide DMC activities.

At the early stage, this foundational step in preparation at the local level will be based more on dialog than on data research. Dialog among all participants on the committee will help establish consensus, prioritize problematic decision points, and create a sense of urgency among local leaders and stakeholder groups.

It should not be surprising if members of the steering committee come to the effort with different expectations and understandings of the goals. The preparatory dialog will reveal the shared agendas and differences of position among stakeholders concerning variables contributing most to DMC. Leadership of the steering committee should anticipate and plan for differences among stakeholders in goals, priorities, or strategies. Creative tension helps the collaborative build consensus and trust.

## **Conveying a Sense of Urgency**

At the same time, however, “urgency” speaks to the level of importance that key stakeholder agencies and opinion leaders assign to DMC. DMC reduction will not occur as an afterthought or a sidelight to other initiatives: the leadership of the steering committee must convey a sense of urgency about the issue. Do the stakeholders consider DMC to be an important issue? Do they believe that fair and equitable treatment of minority youth will improve their outcomes and, therefore, reduce concerns about public safety? What changes in policy are they prepared to consider to reduce DMC? What resources can they bring to the effort? A sense of urgency is a reflection of a search for active solutions to ensure a fair and equitable system.

## **Setting Priorities**

The steering committee should lead the effort to use data that have been gathered to prioritize system decision points and develop targeted interventions. DMC may occur at any key decision point in the system—arrest, referral to juvenile court, diversion, secure detention, petition (charges filed), delinquent findings, probation placement, secure confinement, and transfer to adult court. There is value and wisdom to addressing one decision point at a time. The DMC-related processes of assessment, intervention, and evaluation are often time-consuming and grueling exercises of determination and will on the part of key stakeholders. Agreement about which decision points are the largest contributors to DMC will vary by jurisdiction. Although setting priorities should be based on data, levels of collaboration, cooperation, community readiness for change, and availability of resources in some parts of the system rather than others may also drive priorities.

Consensus, urgency, and priority are keystones of DMC preparation and planning. The process may take months, or even longer, to accomplish. Local communities should not move forward until these prerequisites are met. By the same token, when these prerequisites are met, the community should acknowledge and celebrate them as real successes in the DMC planning process.

## **Organizing the Work**

The next step in local-level DMC preparation is defining success. How do local stakeholders define success based on their own perspective of need and their collective experience in local juvenile justice work? Although the goal is to reduce overrepresentation at particular points in the system, there are many ways to move toward that goal, such as adoption of an objective risk assessment instrument to control detention

admissions, development of new community-based programs and services as alternatives to secure detention, modification of police procedures to better track contacts with minority youth, adoption of policies to reduce transfer to adult criminal court, and reduction in post-dispositional placements in secure confinement. As with the consensus-building process, reaching agreement among stakeholders on the definition(s) of success may be a struggle, but it is an important one.

## **Basic Tasks for the Steering Committee: Examples From the Baltimore City DMC Reduction Initiative**

The lessons learned from the Baltimore City DMC Reduction Initiative during its early planning and preparation activities led to the identification of several basic tasks for the steering committee.

### **Articulating Local DMC Goals and Objectives**

The core goal and objectives of the DMC Initiative in Baltimore City are to reduce overrepresentation of youth of color at the secure detention decision point by altering conditions, policies, and practices that contribute to their overrepresentation in the system and by influencing the culture and values of the system and community toward least restrictive and community-based sanctions. The objectives are clearly articulated within a set of deliverables that detail specific tasks, task assignments, and proposed timelines of the governing body. The deliverables then serve as a tangible workplan to which the governing body, its staff, and consultants hold themselves accountable and by which they measure progress toward policy and practice reforms and, ultimately, DMC reductions. Additionally, routine dissemination of the workplan to partners and community interests helps to communicate the governing body's work, findings, and progress.

### **Mediating Discussions To Acknowledge and Respect Differences of Opinion Without Compromising Progress**

Initial discussions about the key system decision points at which disproportionality was greatest unveiled differences of opinion and perspectives among key stakeholders within the governing body. Although some were of the opinion that disparate law enforcement practices resulted in the high numbers of juveniles being presented at intake, others were convinced that disparate system policies and practices following juvenile arrest were the issue and priority. Opinions differed even more when the jurisdiction began experiencing an increase in the number of difficult-to-place, post-adjudicated juveniles who were in confinement, and thereby increased disproportionality even further. Through its mediation of the DMC discussions and debates, the governing body facilitated a shift from disagreements on the extent of disproportionality at various decision points to a mutually agreeable focus on decision points where DMC reduction victories could be gained more readily and rapidly. City stakeholders agreed that the governing body's influence over policies and practices at the doors of detention was greater than its influence over the public attitudes and perceptions that were driving law enforcement

practices. Ultimately, DMC activities in Baltimore City were better served through this shift.

## **Keeping the DMC Agenda at the Forefront of All Juvenile Justice Activities in the Jurisdiction**

The task of keeping the issue of DMC front and center in all discussions and activities in juvenile justice is strongly tied to the principle of creating and maintaining a sense of local urgency on the issue. Early in the planning process, Baltimore City’s DMC steering group identified all other local planning and strategy initiatives that had responsibility for shaping and driving outcomes for youth of color who were either involved, or at-risk for involvement, in the juvenile justice system. The intention was to establish racial disparity as an agenda item for the other initiatives. This was accomplished through the active involvement of DMC group members in the other initiatives to apply a “racial lens” to their planning and strategies. For example, working partnerships were formed between the DMC governing body and the other committees within Baltimore City’s detention reform initiative to assess and redevelop detention alternatives, expedite case processing, and study the nexus between juvenile justice and child welfare. Through the staff resource of a full-time DMC coordinator in Baltimore City, the DMC governing body has taken the lead on detention utilization studies and community capacity building to increase community-based resources that serve juveniles in less restrictive settings.

## **Moving Ahead With Intervention Strategies**

Jurisdictions must be careful not to allow extended dialog and analyses of assessments to immobilize them so that they fail to move forward with active reduction strategies and interventions. This “analysis paralysis” is a common experience in jurisdictions that lack measurable goals and objectives and a detailed work plan to accomplish those goals and objectives. While the State of Maryland had been examining the issue of DMC through various data analyses, reports, and conferences for several years, local communities lacked viable strategies toward attainable goals. The development of its DMC workplan and the decision to hire a full-time DMC coordinator enabled the Baltimore City DMC collaborative to move beyond abstract discussion and to finally focus on the development and implementation of intervention strategies that address day-to-day agency practices and increase community-based resources and detention alternatives.

## **The Burns Institute Process: An Example of Building Community Momentum**

The W. Haywood Burns Institute is a national organization working with local jurisdictions to reduce the overrepresentation of minority youth in their juvenile justice systems using a data-driven, consensus-based process model that engages both traditional and nontraditional stakeholders. The Institute has a range of services to assist jurisdictions in reducing racial disparities in the juvenile justice system, from consulting to intensive engagement.

The Institute model requires the active commitment and participation of the key traditional and nontraditional stakeholders in the juvenile justice system in each site. This includes judges, prosecutors, public defenders, police, probation, school officials, political leaders, service providers, and community groups. The Institute leads these stakeholders through a process that focuses specifically and intentionally on reducing disproportionate minority contact.

Without a committed and intentional approach to reducing DMC, jurisdictions often lose momentum because of changes in stakeholders, inconsistent approaches, and short attention spans. To ensure that sites stay focused, the Institute has developed a manual and workbook to guide them through the process. The Institute's model of Intensive Site Engagement (ISE) calls for stakeholders to develop a workplan and to meet monthly to move it forward. The model requires each site to hire a full-time local site coordinator to lead the process. In addition, an Institute staff member is assigned to each site, attends all local meetings, and is available for the local site coordinator and stakeholders to contact for technical assistance and guidance. Site coordinators from each of the Institute sites meet twice yearly to compare best practices and are available year-round for consultation with one another. The Institute also provides a Readiness Assessment Consultation (RAC) to enable a site to assess its readiness to address DMC. In 2006, the Institute is working in Baltimore, Maryland; Louisville, Kentucky; Pima County, Arizona; Cook County (Lawndale), Illinois; Cook County (South Suburbs), Illinois; St. Clair County, Illinois; Peoria County, Illinois; San Francisco, California; San Jose, California; and Seattle, Washington.

## **The Juvenile Detention Alternatives Initiative Framework: An Example of Changing the System**

To demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purposes of juvenile detention, the Annie E. Casey Foundation established the Juvenile Detention Alternatives Initiative (JDAI) in 1992. The objectives of JDAI are to reduce the number of children unnecessarily or inappropriately detained, to minimize the number of youth who fail to appear in court or reoffend pending adjudication, to redirect public funds toward successful reform strategies, and to improve conditions of confinement. As minority youth are consistently overrepresented in juvenile detention facilities, the elimination of disparate treatment and decisionmaking for these youth is a core JDAI strategy. The other core strategies are collaboration, reliance on data, objective admissions screening, alternatives to secure detention, expedited case processing, strategies for special detention cases, and rigorous facility inspections.

In May 2005, the Foundation developed system assessment frameworks for sites participating in JDAI. The frameworks provide a structured, content-specific way for local jurisdictions to examine their detention policies, practices, and programs and to gauge progress in the JDAI's eight core strategies for detention reform.

As part of this process, the Foundation and the Burns Institute developed a framework for viewing the JDAI core strategies “through a racial lens.” This JDAI Core Strategies Matrix, which can be found in this chapter’s appendix, can help jurisdictions to examine detention policies, practices, and programs and can also serve as a workplan to help jurisdictions accomplish the following:

- Structuring a diverse DMC collaborative that has authority, common agendas, shared responsibilities, and community inclusiveness.
- Relying on both quantitative and qualitative data to assess and reform detention utilization and to determine the most effective allocation and placement of community resources.
- Eliminating intentional and unintentional biases in detention admission screening.
- Developing culturally and racially competent detention alternatives.
- Equalizing case processing at all system decision points to minimize delay and ensure equity in the judicial process.
- Addressing disparate handling of special detention cases (e.g., writs, warrants, violation of probation).
- Ensuring that confinement conditions are acceptable and competent.

The use of the JDAI Core Strategies Matrix to meticulously examine system practices holds a high value for jurisdictions working within the JDAI core strategy frameworks. Equally important, non-JDAI jurisdictions that are planning or expanding a DMC initiative may also find the DMC framework useful for creating a workplan around the system components most vital to ensuring a racially equitable and competent juvenile justice system.

## Appendix: JDAI Core Strategies Matrix

### Collaboration

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Authority	<ul style="list-style-type: none"> <li>Is there an official imprimatur that reducing racial disparities is an explicit responsibility of the JDAI collaborative?</li> </ul>			
Composition	<ul style="list-style-type: none"> <li>Does the collaborative reflect the diversity of the kids and families involved in your juvenile justice system?</li> <li>Do we have the decisionmakers sitting at the table with the appropriate community representatives?</li> <li>Does the collaborative effort include representatives of the impacted neighborhoods of color?</li> <li>Are civil rights advocates at the table?</li> <li>Are community-based service providers at the table?</li> </ul>			
Organizing the work	<ul style="list-style-type: none"> <li>The intentionality and infusion of the racial lens needs to be driven in unison with decisionmakers and communities of color.</li> <li>Is the current configuration, e.g., work group, ad hoc committee, working?</li> <li>Is each subcommittee held accountable for contributions to reducing racial disparities?</li> <li>Common challenges are “work groups” working in a silo, which are expected to “fix” the problem.</li> </ul>			

**Collaboration (continued)**

<b>Issue</b>	<b>What We're Looking For, Why This Is Important</b>	<b>Review, Observe, and Interview</b>	<b>Major Findings</b>	<b>Best Practices, Recommendations</b>
Creating a safe place	<ul style="list-style-type: none"> <li>• Are discussions regarding disproportionality undertaken with respect and tolerance?</li> <li>• Are the discussions mainly finger-pointing sessions?</li> <li>• Are deliberations based on facts and supported by data or impressions?</li> <li>• Have efforts been made to ensure equal and full participation in the discussions and deliberations?</li> </ul>			
Forging a common agenda	<ul style="list-style-type: none"> <li>• Do members of the collaborative, including work group members if relevant, have a common understanding of, and embrace, the same agenda: detention as the entry point to the reduction of racial disparities?</li> <li>• Members of the collaborative understand that the work entails changing policies and practices under the control of their juvenile justice system.</li> <li>• Members of the collaborative reach a consensus on the use of detention in their jurisdiction.</li> <li>• A shared value that pretrial detention should not be used as either punishment or treatment.</li> </ul>			

## Reliance on Data

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Disaggregating data by race and ethnicity	<ul style="list-style-type: none"> <li>• Baseline data of youth ages 10–17, disaggregated by race, ethnicity, gender, and geography, should be collected by the foundation to identify the disproportionality and to commence the discussion.</li> <li>• Has the collaborative compared the percentage of youth of color in the juvenile justice system with the percentage of minorities in the general youth population? All ensuing data collection—e.g., admissions by reason, risk assessment instrument (RAI) screening, RAI overrides, length of stay (LOS), average daily population, use of alternatives to detention (ADP)—should be disaggregated by race/ethnicity/gender/geography.</li> <li>• Routine management reports present basic utilization statistics by race/ethnicity/gender to enable stakeholders to identify disparities and to assess trends and change policies and practices.</li> </ul>			
Detention utilization study	<ul style="list-style-type: none"> <li>• One of the first steps in planning for reform is to document how detention is currently used through careful data collection and analysis. A thorough description of recent trends and current practices in detention utilization provides the foundation for the problem identification and analysis, as well as the subsequent development of change strategies. The detention utilization study should provide the collaborative with a quantitative picture of how detention use varies for different categories of youth.</li> </ul>			

**Reliance on Data (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Geocoding and community mapping	<ul style="list-style-type: none"> <li>• Identify the target area(s), that is the geographic area(s) contributing the highest number of kids in detention.</li> <li>• Map the community assets, including community-based organizations currently providing services to youth and their families in the target neighborhoods.</li> <li>• Identifying the target neighborhoods and mapping community-based services will assist in informing strategies for effective and efficient alternatives to detention.</li> </ul>			
Routine management reports	<ul style="list-style-type: none"> <li>• Using data to monitor progress toward reducing racial disparities and disproportionate minority confinement. The JDAI quarterly reports are an example of fundamental management reports. As the data from the reports raise questions, further data queries should be developed to dig deeper and acquire clarity.</li> </ul>			
Qualitative analysis	<ul style="list-style-type: none"> <li>• Digging deeper generally leads to going “behind the data” to look at individual policies and practices to clarify reasons behind the statistics.</li> <li>• What are the practices or policies contributing to the statistical disproportionality?</li> </ul>			
Comprehensive annual analysis of racial disparities	<ul style="list-style-type: none"> <li>• Is the community informed of the state of racial disparities/DMC on an annual basis in your jurisdiction?</li> <li>• Annual reports developed by the system partners help keep eyes on the prize and promote accountability and transparency.</li> </ul>			

## Eliminating Bias in Detention Admission Screening

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Objective criteria and instruments	<ul style="list-style-type: none"> <li>• Collaborative development of a race- and gender-neutral objective detention admission screening instrument based on risk.</li> <li>• The admission screening instrument should be scrutinized to ensure it is eliminating opportunities for disparate decisions. We're looking to control the front gates in an objective and equitable manner.</li> </ul>			
Bias in statutory criteria	<ul style="list-style-type: none"> <li>• Examine your jurisdiction's statutory detention criteria for any bias and determine whether the criteria are mandatory or discretionary. This examination should include which factors must be taken into consideration to detain and consider collaborative efforts for developing local detention criteria to reduce the number of kids of color brought to the front gate.</li> </ul>			
Testing for unintended bias from screening tools	<ul style="list-style-type: none"> <li>• Assess the admission screening instruments' impact on kids of color. The screening scores should be consistently monitored for disparate application and nuances that can reveal unintended biases.</li> <li>• The risk-based detention screening instrument should not add unfair risk points for kids of color. For example: points for being a "gang associate" tend to penalize kids for living in the disinvested neighborhoods where youth of color and their families have long been segregated; limiting release to parent(s) only and not considering extended family members or a responsible adult.</li> </ul>			

**Eliminating Bias in Detention Admission Screening (continued)**

<b>Issue</b>	<b>What We're Looking For, Why This Is Important</b>	<b>Review, Observe, and Interview</b>	<b>Major Findings</b>	<b>Best Practices, Recommendations</b>
Multilingual, multicultural intake staff	<ul style="list-style-type: none"> <li>• Eliminating barriers to returning a youth home.</li> <li>• Intake staff that speak and understand the language spoken by the youth and families to facilitate the release of youth in a more timely fashion.</li> <li>• Implementing intake procedures 24/7.</li> <li>• Intake staff who value, recognize, and appreciate an individual's race/culture and its significance and role in the lives of youth and families.</li> </ul>			
Quality controls	<ul style="list-style-type: none"> <li>• The development of protocols for the implementation of the admission screening instrument.</li> <li>• Leadership providing swift and consistent oversight for compliance with the protocols and with the application and scoring of the admissions screening instrument, as well as monitoring overrides.</li> <li>• Monitoring for consistency and equity in the application of the admission screening instrument by intake staff.</li> </ul>			
Use of overrides	<ul style="list-style-type: none"> <li>• Collecting data to determine if kids of color are being overridden in a disparate manner.</li> <li>• What are the override criteria?</li> <li>• What are the reasons for the overrides?</li> <li>• Do patterns emerge in the criteria invoked for the override relative to youth of color? For instance, criteria that allow for an override if "parent, guardian or responsible relative refuses to take custody." Collecting this information will assist in informing strategies for changes in policies and practices relative to the particular override criteria.</li> <li>• Monitoring for consistency and equity in the application of the</li> </ul>			

**Eliminating Bias in Detention Admission Screening (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<p>admission screening instrument by intake staff. If one worker, for example, is overriding the RAI at a significantly higher rate than other workers or at a significantly higher rate for kids of color, the pattern should be identified and addressed immediately.</p>			
Automatic detention cases	<ul style="list-style-type: none"> <li>• Collecting and analyzing the data to determine whether youth of color fall disproportionately into this category.</li> <li>• Conducting a qualitative analysis to determine if changes in policies are necessary; e.g., warrants, and policies that will promote detention alternatives.</li> <li>• Monitoring the data to ensure that the automatic detention category is not being disparately applied to youth of color.</li> </ul>			

## Culturally and Racially Competent Alternatives to Detention

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Target populations	<ul style="list-style-type: none"> <li>• The ATD should serve kids who otherwise would be detained.</li> <li>• Is the target population based on risk level, e.g., RAI score, or status, e.g., violations of probation (VOPs)?</li> <li>• Collect and monitor data informing which kids are being referred to ATD.</li> <li>• Are youth of color treated disparately in referrals to ATD?</li> <li>• Conduct a qualitative analysis of the target population to determine the needed intervention necessary to inform responsive ATD.</li> </ul>			
Program design	<ul style="list-style-type: none"> <li>• Programs that respond to the needs and circumstances of youth of color.</li> <li>• Good ATD programs are relationship based, not technology based. Successful ATD programs include partnerships with community-based organizations to provide the appropriate culturally and racially relevant and responsive interventions.</li> <li>• Pre-adjudication ATD programs are intended to ensure court appearance and minimize re-arrest risk. Post-adjudication programs will typically feature more treatment interventions (e.g., counseling) and sanctions.</li> <li>• The ATD is limited in duration of purpose—don't create a purgatory that will set kids up for failure. Does supervision include face-to-face contact? Is the level of supervision based on risk? ATD that offer more than one level of alternative? Collect data on entry to and exits from the programs.</li> </ul>			

**Culturally and Racially Competent Alternatives to Detention (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<ul style="list-style-type: none"> <li>• Collect data on the rate of referrals by RAI scores to Electronic Monitoring Programs (EMP). Is there an overreliance on the use of EMP with kids of color?</li> <li>• Collect data to monitor terminations/failures. Is there a high failure rate of kids of color by a particular program?</li> <li>• Conduct a qualitative analysis to determine reasons for failure to inform needed program changes or enhancement and development of ATD. Does the program have a “no reject” policy?</li> </ul>			
Service providers	<ul style="list-style-type: none"> <li>• Community-based organizations that provide culturally or racially relevant and appropriate services.</li> <li>• Do current service providers have the capacity and are they appropriate, to work with kids of color?</li> </ul>			
Location and access	<ul style="list-style-type: none"> <li>• Are programs located in the neighborhoods where relevant youth and families reside? Programs that are accessible to the youth, e.g., getting to the program, isn't going to pose a hazard to the youth's safety.</li> <li>• Accessing and partnering with community-based organizations that are in the neighborhoods already working with, and touching on, the lives of youth of color and their families.</li> </ul>			
Language and culture	<ul style="list-style-type: none"> <li>• Program staff that have the skills set and values to meet the youth's language and cultural needs.</li> <li>• Eliminate barriers, posed by staff's language limitations that hamper the youth's success on the ATD.</li> <li>• Principles that acknowledge that “culturally responsive” also includes understanding and tolerance of “youth culture.”</li> </ul>			

**Culturally and Racially Competent Alternatives to Detention (continued)**

<b>Issue</b>	<b>What We're Looking For, Why This Is Important</b>	<b>Review, Observe, and Interview</b>	<b>Major Findings</b>	<b>Best Practices, Recommendations</b>
Staffing and services	<ul style="list-style-type: none"> <li>• Staff who relate, and are responsive to, the needs and circumstances of youth of color and their families.</li> <li>• Staff who appreciate the culture of youth and who want to work with youth and help them succeed.</li> <li>• Staff who have an awareness and understanding of the dynamics of the neighborhoods where youth and their families reside.</li> <li>• Staff who look like, and live in or around the same neighborhoods as, the youth of color and their families.</li> <li>• Activities and services that value and honor the race/ethnicity/culture of the youth and their families.</li> <li>• Are activities and services designed as a “one size fits all,” or designed to respond to individual needs?</li> <li>• Are services designed to build on the strengths of the youth and their families? Are there cultural and relevant racial competency trainings for staff?</li> <li>• Is the program’s physical environment reflective of the clientele’s race/ethnicity/culture?</li> </ul>			
Results-based accountability	<ul style="list-style-type: none"> <li>• Assess current ATD for effectiveness, efficiency, and responsiveness.</li> <li>• Does the ATD affect bed displacement of kids of color?</li> <li>• Whether the ATD is provided for solely by system folks or in partnership with community-based organizations, results/outcomes must be established and monitored.</li> <li>• Measurable results for pre-adjudication ATD include minimizing re-arrest and failure to appear (FTA).</li> <li>• Contractual agreements between</li> </ul>			

**Culturally and Racially Competent Alternatives to Detention (continued)**

<b>Issue</b>	<b>What We're Looking For, Why This Is Important</b>	<b>Review, Observe, and Interview</b>	<b>Major Findings</b>	<b>Best Practices, Recommendations</b>
	<p>system agencies and community-based organizations that specify expected results and define success.</p> <ul style="list-style-type: none"> <li>• Agreed-upon data collection and methodology, e.g., FTA, rearrest, successful completion, LOS.</li> </ul>			

## Equalizing Case Processing

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Analysis of decision points	<ul style="list-style-type: none"> <li>• Each of the juvenile justice system partners map the decisionmaking points relevant to their discipline, that touch upon the children's lives as they "process" through the system.</li> <li>• Collect data relative to each of the decision points and analyze for racial disparities. (Some examples of specific decision points: the District Attorney measuring all filing decisions and processes by race/ethnicity/gender; the Public Defender measuring requests for continuances, e.g., reasons, frequency, by race/ethnicity/gender; the probation department's recommending or opposing ATD.)</li> <li>• Monitor decision point data for trends.</li> <li>• Monitor for disparities in arresting charge vs. actual charge filed vs. resulting adjudication.</li> </ul>			
Examining "race effects" throughout case processing	<ul style="list-style-type: none"> <li>• Develop an initial mapping of the jurisdiction's case processing, including time frames for each of the case processing "steps." Collect the data to determine any disparate outcomes based on race/ethnicity/gender. Use the data to inform changes in policies and practices.</li> </ul>			
Minimizing unnecessary delay	<ul style="list-style-type: none"> <li>• Critical examination of case processing with an eye to reveal unnecessary delay for kids of color which contribute to longer lengths of stay in detention.</li> <li>• Efficient court and placement system with short lengths of stay in detention.</li> <li>• Measure length of stay by race/ethnicity/gender to inform changes in policies and practices.</li> <li>• Dedicated staff/expeditor assigned to monitor the status of detained youth and identify any disparities.</li> </ul>			

**Equalizing Case Processing (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<ul style="list-style-type: none"> <li>Examine for and reduce delays that can result in pushing kids into detention, e.g., delays leading to FTA, resulting in the issuance of a warrant in turn resulting in detention.</li> </ul>			
Ensuring equal access and due process	<ul style="list-style-type: none"> <li>The administration of justice that is responsive to the circumstances of youth of color and their families.</li> <li>Public transportation conveniently located in the impacted communities and in proximity to court services.</li> <li>Multilingual court personnel, including courtroom interpreters, to minimize barriers for youth of color and their families.</li> <li>Defense counsel knowledgeable of, and experienced in, juvenile law. Defense counsel who understand the circumstances of youth of color. Sufficient number of public defenders to support the caseload. A fair and honest rate of pay for appointed counsel. Ensure that youth are represented by counsel at every stage of the proceedings.</li> <li>Monitor for waivers of counsel by youth, and eliminate such policies and practices.</li> <li>Monitor for disparities in adjudicatory outcomes for kids of color.</li> </ul>			
Consistency and equity	<ul style="list-style-type: none"> <li>Ensuring that kids who are similarly situated are treated in an equitable manner from courtroom to courtroom.</li> <li>A determined and intentional commitment to equitable and consistent treatment of kids of color that reflect the principles of JDAI.</li> </ul>			

## Race and “Special” Detention Cases

Issue	What We’re Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Data analysis	<ul style="list-style-type: none"> <li>• Are there disparities in case status by race/ethnicity? Often, kids of color are more likely to have warrants, be charged with VOPs, etc.</li> <li>• If disparities are found statistically, are there policy or practice reasons for them?</li> <li>• Do youth of color have longer lengths of stay?</li> <li>• This is especially likely in the pending placement group; what causes these differences?</li> <li>• What are the reasons for warrants, VOPs, and delayed placements? For example, are most warrants for FTA? Most VOPs for positive drug tests?</li> </ul>			
Warrant reduction strategies	<ul style="list-style-type: none"> <li>• Are FTA rates high, at first appearance? High FTA rates often include many unintentional absences.</li> <li>• Is there a court notification system? FTA can be reduced simply by reinforcing notification of court dates. (Similar gains can be made regarding VOPs by decreasing likelihood that youth miss visits with probation.)</li> <li>• Are warrant cases screened with RAI? Many warrant cases pose low public safety risks (after all, the kid was not detained in the first instance), but “automatic” detention policies often mean that risk is never assessed.</li> <li>• Is there a differential warrant policy? Do judges indicate whether individual warrants must be detained, or is there simply a blanket policy.</li> </ul>			

**Race and “Special” Detention Cases (continued)**

<b>Issue</b>	<b>What We’re Looking For, Why This Is Important</b>	<b>Review, Observe, and Interview</b>	<b>Major Findings</b>	<b>Best Practices, Recommendations</b>
Violations of probation	<ul style="list-style-type: none"> <li>• How are conditions of probation established; are they too numerous? If there are lots of unnecessary conditions, it is easy to violate youth.</li> <li>• Are detained VOP cases equally distributed across staff? Differences between probation officers in use of detention for VOPs indicates that the underlying policies do not structure decisions or control for individual idiosyncrasies.</li> <li>• Are graduated sanctions available as alternatives? Systems ought to have options short of detention that are based upon seriousness of the violation, etc.</li> <li>• Is there court policy requiring court intervention for technical violations?</li> <li>• Can the department handle routine violations administratively?</li> <li>• What do we know about the quality of probation supervision generally? In some systems, for example, high caseloads typically mean ineffective case management which, in turn, leads to youth “failures,” negative results that might be avoided through improved supervision.</li> </ul>			
Pending placement cases	<ul style="list-style-type: none"> <li>• Do placement options reflect diversity of client population? Are they culturally competent? If placements are not available for non-English speaking youth, for example, they will languish as staff look for a program that can communicate with the clients. Similarly, culturally incompetent programs will surely have higher failure rates as youth abscond or get frustrated and alienated.</li> <li>• What are program policies regarding rejection of referrals or termination of clients? Contract conditions can reduce pending placement cases simply by</li> </ul>			

**Race and “Special” Detention Cases (continued)**

Issue	What We’re Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<p>ensuring that referred clients are accepted or by limiting the numbers of youth getting recycled because of unnecessary ejection from programs.</p> <ul style="list-style-type: none"> <li>• Is there effective dispositional planning? Many places have long pending placement lists because they are uncreative or rigid in their approach to crafting individualized dispositions.</li> <li>• Does the placement process delay release? If placement paperwork is not prepared in a timely way, or only sent to one program at a time, days will be wasted.</li> <li>• Are there intensive home-based services available? Overreliance on out-of-home placements is often the result of limited non-residential program options.</li> </ul>			
Effectiveness of counsel	<ul style="list-style-type: none"> <li>• Does counsel take steps to reduce likelihood of warrants, or to clear old warrants? Defense lawyers can reduce clients’ jeopardy of detention for FTA simply by taking steps to ensure their clients appear in court as scheduled.</li> <li>• Does counsel have capacity to provide effective dispositional advocacy? In many places, the defense fails to offer the court non-residential alternatives that could minimize pending placement backlogs. Similarly, failure to advocate for appropriate conditions of probation increases odds that violations will occur.</li> <li>• Does counsel challenge VOPs? Detention use in VOP cases can be avoided if counsel presents a case against the allegations or the detention.</li> <li>• Does counsel review “special” detention cases internally or participate in system case reviews? Placement cases languish absent prodding to expedite arrangements. Warrants may be cleared and set the stage for renewed applications for</li> </ul>			

**Race and “Special” Detention Cases (continued)**

<b>Issue</b>	<b>What We’re Looking For, Why This Is Important</b>	<b>Review, Observe, and Interview</b>	<b>Major Findings</b>	<b>Best Practices, Recommendations</b>
	release. These developments are more likely if there is a structured review process, either in counsel’s office or by the system generally.			

## Conditions of Confinement

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Staff competencies	<ul style="list-style-type: none"> <li>• Do staff reflect the racial/ethnic composition of detained youth? Detainees are more likely to be able to communicate, feel safe, etc. if the staff reflect them. Similarly, staff biases are less likely to manifest themselves when staff are more diverse.</li> <li>• Of particular importance, do non-English speaking youth have staff with whom they can communicate?</li> <li>• Do staff routinely receive diversity training? If we want staff to do their jobs in culturally competent ways, they may need training and consistent reinforcement.</li> <li>• Are staff efforts to perform work in culturally sensitive and competent ways routinely reinforced? If we want staff to act in certain ways, or reflect certain values, management should create incentives for such behavior (or disincentives for its opposite).</li> </ul>			
Facility programming	<ul style="list-style-type: none"> <li>• Does facility offer culturally appropriate programs? Failure to celebrate relevant holidays, or to give equal attention to various racial or ethnic groups, will create an us/them environment.</li> <li>• Are there faith-related resources that reflect diversity of religion? Whether for formal services or individual counseling, the diversity of faiths ought to be accommodated by the detention programs.</li> </ul>			
Health and hygiene supplies	<ul style="list-style-type: none"> <li>• Are products familiar to different racial/ethnic groups available? Differences across groups need to be accommodated lest minority groups be forced to use “foreign” supplies.</li> </ul>			

**Conditions of Confinement (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Access and visitation	<ul style="list-style-type: none"> <li>• Are youth able to see their lawyers? Detained youth should be able to contact their lawyers by phone and there must be private space for consultations.</li> <li>• Can youth call home? Facilities need to provide opportunities for youth to call home (collect) in order to maintain contact.</li> <li>• Are visitation policies sufficient to maximize likelihood of contact between youth and family members? If visitation days and times are restrictive, kids are less likely to maintain effective contact with family and will be more likely to be depressed, etc.</li> </ul>			
Food	<ul style="list-style-type: none"> <li>• Does food service reflect diversity of detainees?</li> </ul>			
Discipline, restrictions, and restraints	<ul style="list-style-type: none"> <li>• Is the use of various disciplinary actions, including loss of privileges, room restrictions and placement in restraints equal across racial and ethnic groups?</li> <li>• Is there a sufficiently detailed and observed set of due process protections in place?</li> <li>• Is there an accessible, genuine grievance process available to detained youth?</li> <li>• Do youth of color experience more incident write-ups or infractions?</li> </ul>			
Overall climate	<ul style="list-style-type: none"> <li>• Do youth of color feel safe in facility?</li> <li>• Do youth of color feel respected in facility?</li> <li>• Does housing tend to segregate youth by race/ethnicity?</li> <li>• Are there tensions and hostilities across racial and ethnic groups?</li> </ul>			

## Specific Strategies To Reduce Racial Disparities

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
Formulate a vision and goals	<ul style="list-style-type: none"> <li>• Determined leadership! No specific strategy seems more important than the tangible commitment of system leaders to racial justice. System leaders make reduction of racial disparities in detention their priority and use both their formal and informal authority to focus agency strategies to reduce DMC. System leaders engaging staff in the development of a vision establishing the reduction of racial disparities fundamental work.</li> <li>• Establishing measurable objectives that are within the control of each partner's respective system/discipline.</li> </ul>			
Establish formal structures to keep eyes on the prize	<ul style="list-style-type: none"> <li>• Intentionality! Intentionality! Intentionality! Keeping all eyes on the prize requires intentionality.</li> <li>• Ensure that technical changes are transformed to "adaptive changes." Establish the organizational infrastructure to sustain system changes. For example: developing and implementing an RAI is a technical change. However, if the infrastructure (e.g., training, protocols, monitoring the data, quality control, etc.) is not developed, addressed, and adhered to, then the change has not been "adapted"; the change will slip into the status quo.</li> </ul>			
Build ties to communities of color	<ul style="list-style-type: none"> <li>• Successful efforts to reduce racial disparities and DMC include communities of color at the table. This isn't an issue that white people are going to solve on their own without the unique perspectives of people of color who are impacted by the policies and practices.</li> <li>• Relinquishing power to meaningfully engage and promote the unique perspectives and lens brought by people of color.</li> </ul>			

**Specific Strategies To Reduce Racial Disparities (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<ul style="list-style-type: none"> <li>Promoting system accountability and transparency.</li> <li>Building allies with communities of color to effectively reduce racial disparities and DMC.</li> </ul>			
Diversify system workforce	<ul style="list-style-type: none"> <li>Establish measurable goals to establish a workforce reflecting the demographics of the jurisdiction's children and families.</li> <li>A multicultural workforce of men and women whose values reflect the principles of detention reform and the reduction of racial disparities and DMC.</li> <li>Key positions have bi/multilingual staff.</li> </ul>			
Conduct cultural and relevant racial competency training	<ul style="list-style-type: none"> <li>Ongoing system training to develop staff cultural and relevant racial competencies.</li> <li>Implementation of cultural and racial competence standards by all of the juvenile justice departments.</li> </ul>			
Create new or utilize current capacities in key neighborhoods	<ul style="list-style-type: none"> <li>Engaging nontraditional partners/community-based organizations (CBOs) who are already working with youth of color and families in their neighborhoods.</li> <li>Commitment to, and assisting in, developing the capacities of CBOs to partner in efforts to reduce unnecessary and inappropriate detention, including disproportionality.</li> <li>Informed by the quantitative and qualitative data developed relative to assessing ATD, create ATD in key neighborhoods where kids of color and their families reside.</li> </ul>			
Develop objective tools for key decision points	<ul style="list-style-type: none"> <li>Key decisions, not just the decision to detain, are supported by objective tools.</li> <li>These decision points should be</li> </ul>			

**Specific Strategies To Reduce Racial Disparities (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<p>identified from the mapping of the decision points of all system partners; “peeling the onion” at each point to determine how the decision impacts kids of color.</p> <ul style="list-style-type: none"> <li>Tools defined by solutions to the disparities uncovered at any decision point. Examples of objective tools include: detention criteria developed in partnership with law enforcement; customer surveys that identify service barriers; criteria without racial bias for assignment to intensive caseloads; criteria for removal from intensive caseloads; partnering with culturally and racially relevant CBOs to improve success rates of kids in pre-and post-adjudication services; multi-lingual/cultural/racial intake officers to facilitate the youth's release from detention.</li> </ul>			
Improve defender services	<ul style="list-style-type: none"> <li>Recognition by defenders of their role in policy reform, exposing abusive practices in detention, the overuse of detention, overcrowding, DMC, and disparities in case processing and outcomes for kids of color.</li> <li>Ongoing training in defense advocacy of juveniles.</li> </ul>			
Stop “dumping” of youth from other systems	<ul style="list-style-type: none"> <li>School administrators/ decision-makers and key mental health personnel must be at the table and actively participate in reaching a consensus as to the use of detention and the implementation of JDAI strategies.</li> <li>Reach a common understanding that it is harmful to children, and inappropriate, to detain kids in order to provide for their health and mental health needs.</li> <li>Develop a “system of care” to leverage resources and provide comprehensive services to children outside of detention.</li> <li>Minimize school as the entry</li> </ul>			

**Specific Strategies To Reduce Racial Disparities (continued)**

Issue	What We're Looking For, Why This Is Important	Review, Observe, and Interview	Major Findings	Best Practices, Recommendations
	<p>point into detention by stopping the criminalization of school-based behaviors.</p> <ul style="list-style-type: none"> <li>• Eliminate responsibilities that have been transferred from schools to the juvenile justice system.</li> <li>• STOP opening the front door to detention so readily.</li> </ul>			
<p>Include communities of color in decision making</p>	<ul style="list-style-type: none"> <li>• It's not enough to build ties with communities of color; they must be included in, and have an equal voice in the decisions necessary to foster change.</li> <li>• Communities of color are at the table providing their unique perspectives in the decision-making process.</li> </ul>			