DATA: THE KEYS TO REDUCING RACIAL AND ETHNIC DISPARITY IN THE NEW JERSEY JUVENILE JUSTICE SYSTEM

Presentation by:
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29th Annual Conference of the National Consortium
1. OVERVIEW
1. Discuss the importance of leadership in addressing racial and ethnic bias.

2. Illustrate the importance of data to pinpoint where racially disparate treatment occurs, generate action, and assess impact.

3. Highlight concrete examples to measure and reduce disparity at multiple points of the juvenile justice continuum in New Jersey.
2. HOW ARE YOU LEADING?
STEP 1:
Text ERICAHEIN071 to 22333.

STEP 2:
Once you’ve received a confirmation text that you’ve joined the poll, text A, B, or C to answer the poll question.
What is the Missouri state bird?

Flamingo
Cardinal
Bluebird

Start the presentation to activate live content
If you see this message in presentation mode, install the add-in or get help at PollEv.com/app
In the past 30 days, in your professional role, have you drawn attention to racial disparities in a meeting, policy discussion, or similar forum?
3. LEADERSHIP & DATA: CORE STRATEGIES FOR ELIMINATING RACIAL BIAS IN THE SYSTEM
Collaboration and Leadership.

Reliance on Data to Identify Reform Opportunities.

Objective Detention Admissions Policies.

Effective Detention Alternatives.

Minimizing Case Processing Delays and Reducing Length of Stay.

Minimizing Reliance on Detention for VOPs, FTAs, awaiting placement.

Ensuring Optimal Conditions of Confinement.

Identifying and Addressing Racial and Ethnic Disparities.
Collaboration and Leadership.

Reliance on Data to Identify Reform Opportunities.

Identifying and Addressing Racial and Ethnic Disparities.
When stakeholders in leadership roles officially declare that reducing racial and ethnic disparities is a goal and responsibility of the larger group, a collaborative process empowers and compels all partners to focus on increasing fairness.
LEADERSHIP IS VITAL TO THIS WORK

- Task forces and consortiums alone will not eliminate systemic racial and ethnic bias.
- As individuals, we are the foundation of the system. To transform the system, we must check our own actions AND assume leadership in addressing racial and ethnic bias in our everyday work.
How can you step up as a leader in this work?

- Champion an understanding of race equity principles among your staff and organization.
- Engage affected populations and stakeholders in the process.
- Gather and analyze data to conduct systems analysis of points of inequities within the system and the causes.
- Identify strategies and target resources to address causes of inequities.
- Continuously evaluate effectiveness and adapt strategies as necessary.
Data Is Your Friend

- Visualizing data effectively changes the conversation as it levels the playing field.

- JDAI’s reliance on data helps pinpoint where disparate treatment occurs in the system, focuses the discussion on facts, and shows where improvements can be made.
4.

NEW JERSEY EXAMPLES
The absence of justice for minority youth in the juvenile justice system occurs not only in confinement but as early as the decision to make the initial arrest and it continues through the sentencing process.

—U.S. CONGRESSMAN BOBBY SCOTT (D-VA), CHAIRMAN, SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY
Enhancing diversionary options for low-risk/high-need youth may help reduce youth of color overrepresented in the JJS.

Implementing objective decision-making admissions practices helps eliminate bias that can result in differential treatment and overreliance on detention for youth of color.

For youth on probation, responding to behavior through a structured approach helps ensure equitable responses and may reduce youth of color detained for noncompliance.
ARREST/CONTACT WITH LAW ENFORCEMENT
Youth of color are overrepresented among court cases docketed and are diverted at lower rates than white youth for similar offenses.

Youth of Color Representation in General Population vs. Cases Docketed, 2012

Diversion Rates for Specific Offenses, by Race/Ethnicity, 2012

- Alcohol/Drug: 43% (White), 24% (Youth of Color)
- DP/PDP: 55% (White), 45% (Youth of Color)
One Solution: Enhanced Stationhouse Adjustment Program

Program Goal

Create a greater opportunity for diversion for low-risk/high-need youth where, absent the program, the police would have typically filed a formal delinquency complaint in court, and to do so in a manner that maintains community safety and reduces racial disparities.
Approach to Implementation

a) identifying the resources available in the community outside of the court system that could provide diversion services,
b) identifying the scenarios most appropriate for the enhanced diversion program, and
c) training law enforcement about the new program – the target population, program goals, and the referral process.
Did the ESHA Program Have an Impact on Racial Disparities?

Change in Cases Docketed, by Race/Ethnicity, 2013 to 2014

- Camden: -19% to -3%
- Ocean: -9% to -18%

% of Cases Docketed Comprised of YOC, 2013 to 2014

- Camden:
  - 2013: 63%
  - 2014: 67%
- Ocean:
  - 2013: 29%
  - 2014: 26%
DETENTION
And, the gap between YOC representation in general population and YOC representation in detention has narrowed by 4 percentage points.
BUT

HOW?! Deliberately tackling and reducing unnecessary admissions to detention and intentionally focusing on length of stay and related case processing issues, with an emphasis on further diagnosing and addressing potential disparities.
Objective, structured policies that control the front gates of detention can help achieve the goal of consistency in decision-making. Consistency promotes fairness and equity, ensuring similarly situated youth are treated similarly. In New Jersey, JDAI sites have implemented the use of the Risk Screening Tool (RST) to serve as an objective admissions tool used when detention is requested by law enforcement.
### OUTCOMES OF USING THE RST

<table>
<thead>
<tr>
<th>%</th>
<th>Drop in admissions of youth of color to detention after implementing the RST.</th>
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<tbody>
<tr>
<td>52%</td>
<td>Youth of color account for 93% of the drop in detention admissions resulting from the use of the RST.</td>
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<tr>
<td>1.2%</td>
<td>Disproportionality in detention admissions has dropped by since RST implementation.</td>
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The RST allows for subjective review in certain circumstances, in which a young person may be overridden to a different level of custody.

The release override rate (i.e., how often youth are released when the RST projects detention) is lower for youth of color (1.1%) than white youth (4.0%).

Encourage sites to develop local solutions to reduce disparity in override rates across racial/ethnic groups.
LENGTH OF STAY IN DETENTION:
The gap in LOS between Youth of Color and White Youth has narrowed since JDAI implementation.
Closing of the gap in LOS between Youth of Color and White Youth is largely the result of an increase in LOS for White Youth.
New Jersey has been committed to reducing reliance on admission to detention for violations of probation (VOPS). A Probation Structured Response System was tested to help standardize the use of sanctions, interventions, and incentives in response to negative and positive behaviors exhibited by youth on probation, and in doing so, effecting continued reduction in reliance on formal VOPs, requests for bench warrants, and admission to detention for VOPs.

Again, standardization/objectivity can be a tool for creating system equity.
Sanctions/interventions grid includes the most serious current behavior exhibited by the youth as one axis and the frequency of negative behaviors over the past 30 days as the other axis. The probation officer then navigates the grid and identifies the box on the grid where the severity rating and frequency meet. Within each box are several sanctions/interventions to choose from.
**PROBATION SRS: WHAT WERE THE OUTCOMES?**

- **Reduction in VOPs Docketed**: -31%
- **Reduction in Youth Detained for a VOP**: -49%

**Youth of color account for 87% of decrease.**

**Youth of color account for 96% of decrease.**
KEY TAKEAWAYS

1. An explicit focus on reducing racial disparities is essential.

2. Reducing racial disparities requires authoritative leadership.

3. Data really helps.

4. Emphasize action, not just discussion or training.

5. It is possible to reduce racial disparities in the system.
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