

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".



DEFINITIONS

- ***DISPROPORTIONATE MINORITY CONFINEMENT*** (DMC) OCCURS WHEN THE PROPORTION OF MINORITIES IN CONFINEMENT EXCEEDS THEIR PROPORTION IN THE GENERAL POPULATION.



Overrepresentation

- When a larger proportion of a particular group is present at various stages within the juvenile justice system (such as intake, detention, adjudication, and disposition) than would be expected based on their proportion in the general population



Disparity

- The probability of receiving a particular outcome differs for different groups.
- Disparity may lead to overrepresentation.



Discrimination

- Occurs if and when juvenile justice system decision makers treat one group of juveniles differently based wholly, or in part, on their gender, racial, and/or ethnic status.



Causes Of Disparity

- Discrimination
- The nature and volume of crime
- Behavior and legal factors



According to the Research...

- There is substantial evidence of widespread disparity on juvenile justice case processing
- Racial/ethnic differences occur at various decision points within the juvenile justice system



Historical Overview

Denial

Studying the Obvious

Hand wringing

Avoidance



The Global Discussion:

- 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 . . .



What Are We Trying To Achieve?

- Raise Awareness
- Include in Statistics
- Change Policies
- Actual Reduction
- Change Attitudes



Reducing Disproportionality

- **Demographic Analysis**
- **Crimes By Race/Location**
- **Detention**
- **Case Processing**



Successful Projects Are:

- Strategic
- Cooperative
- Voluntary
- Data Driven
- Opportunities for Intervention



Successful Projects Are Not:

- Racial Profiling
- Finger Pointing
- A Research Project
- Mandatory



Stakeholders

- Community Groups/Youth
- Judges
- Politicians
- Law Enforcement
- Advocates
- Detention and Probation



Community Mapping

- Youth/Adult Neighborhood Assessment
 - Physical Mapping
 - Buildings/Lights/Transportation
 - Hot Spots
 - Services & Attitudes
 - Youth Oriented Programs
 - Parents/Community Members



Decision Making

- Intake/Detention
 - Analysis of Risk Assessment Instrument

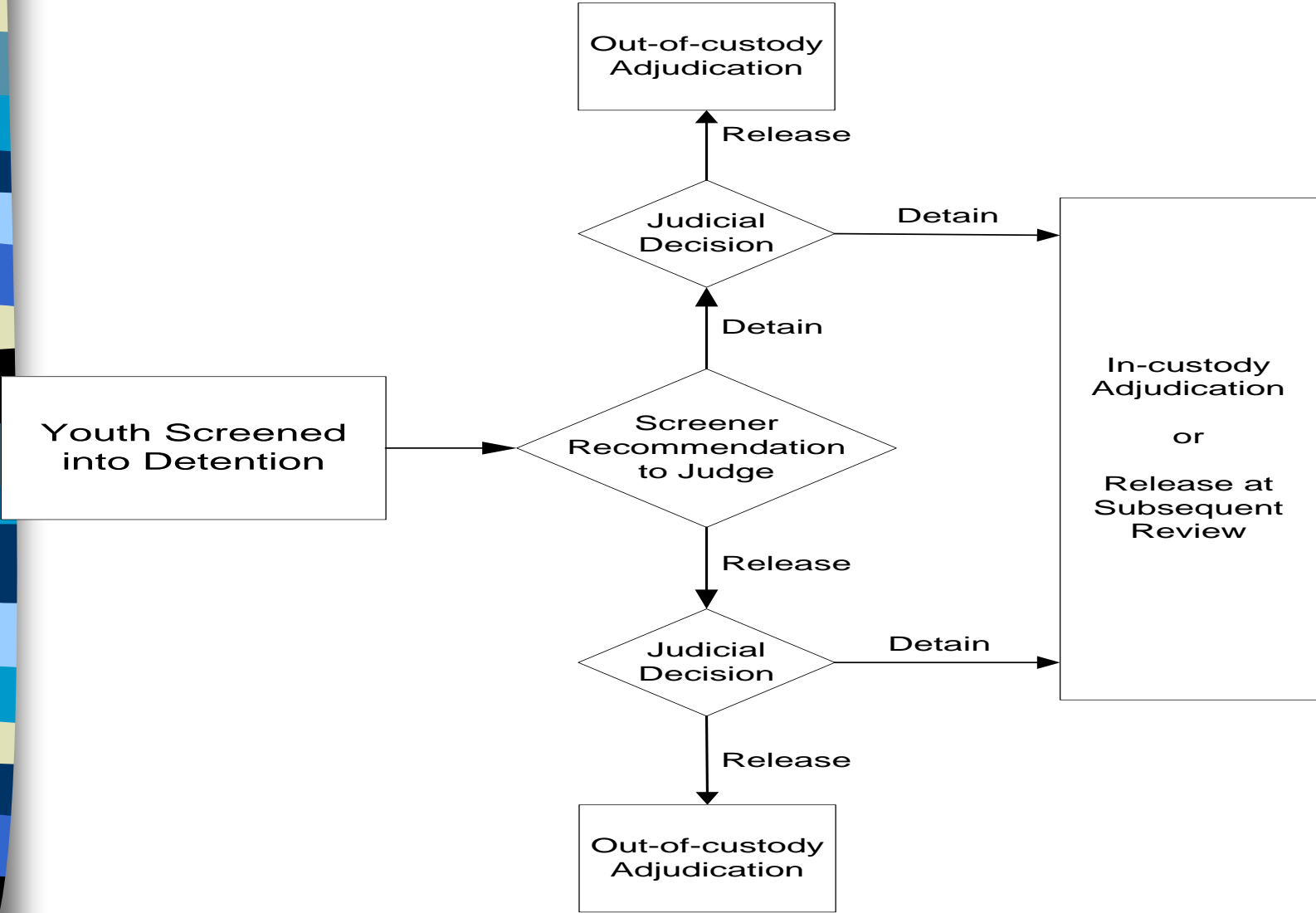


Detention Issues

- Staff Must Ask Different Set of Questions
- Creation of Alternatives in Community
- Race Neutral Assessment Instrument
- Constant Monitoring

System Mapping

Consider Mapping Decision Making Points





Risk Assessment Instrument

Should Objectively Separate Youth into Three Categories:

- **Low Risk—0-7 Pts.**
 - Eligible for immediate full release.
- **Medium Risk—8-10 Pts.**
 - Eligible for placement in non-secure alternative.
- **High Risk—11 Pts.**
 - Eligible for placement in secure detention.



Specific Detention Issues

- **Over-Rides of Risk Assessment Instrument**
- **Probation Violations**
 - **Bench Warrants**
- **Placement Failures**
- **Post Disposition Placement Time**
- **Adult Court**
- **INS/Special Jurisdiction Holds**



Subjective Factors of Screeners

- ◆ **Threat to the Community**
- ◆ **Danger to Self**
- ◆ **School Issues**
- ◆ **Stability of Living Situation**
- ◆ **Drug and Alcohol Problems**
- ◆ **Mental Health & Behavioral Issues**



Decision Making

- **Disposition**
 - **Pre/Post Adjudication Decisions**
 - **Judges and Prosecutors**



WHO IS WORKING ON THE PROBLEM

- PORTLAND ORE. AND SANTA CRUZ, CA. INITIATIVES DEMONSTRATE EFFORTS MADE TO ADDRESS DMC.
- PORTLAND REDUCED THE TOTAL NUMBER OF JUVENILES IN THE SYSTEM.
- PENNSYLVANIA

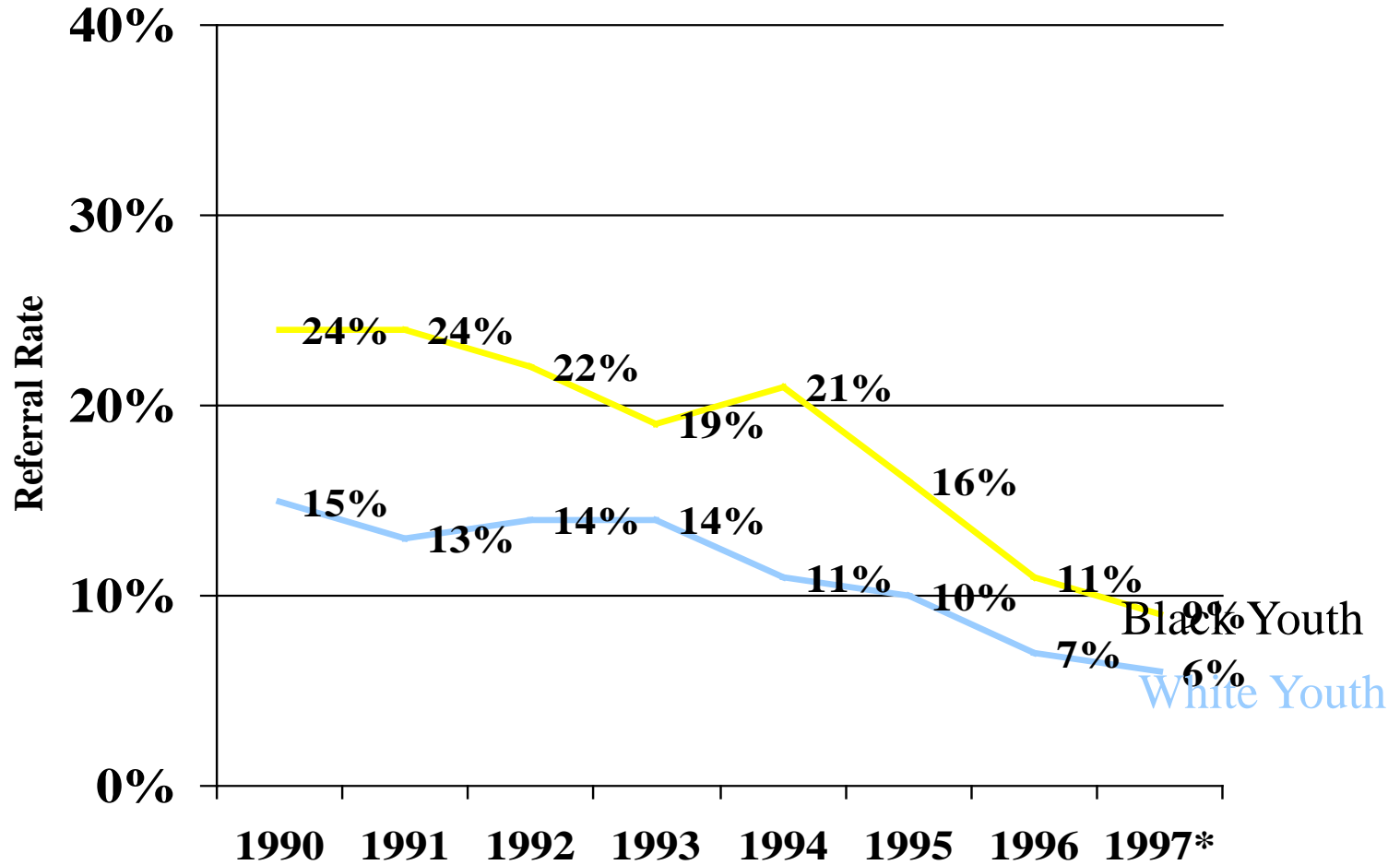


THE SANTA CRUZ PLAN

1. ADMINISTRATIVE EMPHASIS, SUPPORT AND LEADERSHIP
2. DECISION POINT MAPPING & DATA REVIEW
3. OBJECTIVE CRITERIA FOR DECISION MAKING
4. STAFF
5. ELIMINATION OF BARRIERS TO FAMILY INVOLVEMENT
6. DEVELOP ALTERNATIVES TO FORMAL HANDLING & INCARCERATION
7. DEVELOP A FULL CONTINUUM OF TREATMENT, SUPERVISION & PLACEMENT OPTIONS

Multnomah County

Proportion of Delinquency Referrals with Pretrial Detention¹ By Year and Race/Ethnicity of Juvenile



¹Includes Measure 11 cases.

* Based on first half of 1997.



WHAT CAN YOU DO?

- TOTAL AGENCY COMMITMENT TO REDUCING DMC.
- ON-GOING RESEARCH AND MONITORING.
- COMPREHENSIVE TRAINING.
- DIVERSITY IN HIRING.
- REVIEW AGENCY POLICIES AND ASSESSMENT TOOLS TO ENSURE RACIAL NEUTRALITY.



What You Can Do – Cont'd

- TARGET RESOURCES FOR IMPACTED COMMUNITIES.
- DEVELOP MORE DIVERSION PROGRAMS.
- DEVELOP MORE CULTURALLY SENSITIVE POST PLACEMENT OPTIONS.



Lessons Learned . . .

- You Cannot Manufacture “Good Will”
- Judiciary and Law Enforcement Must Participate
 - Data are Critical
- Need an Objective Risk Assessment Instrument (RAI)
 - Great Leadership is Critical