DMC UPDATE

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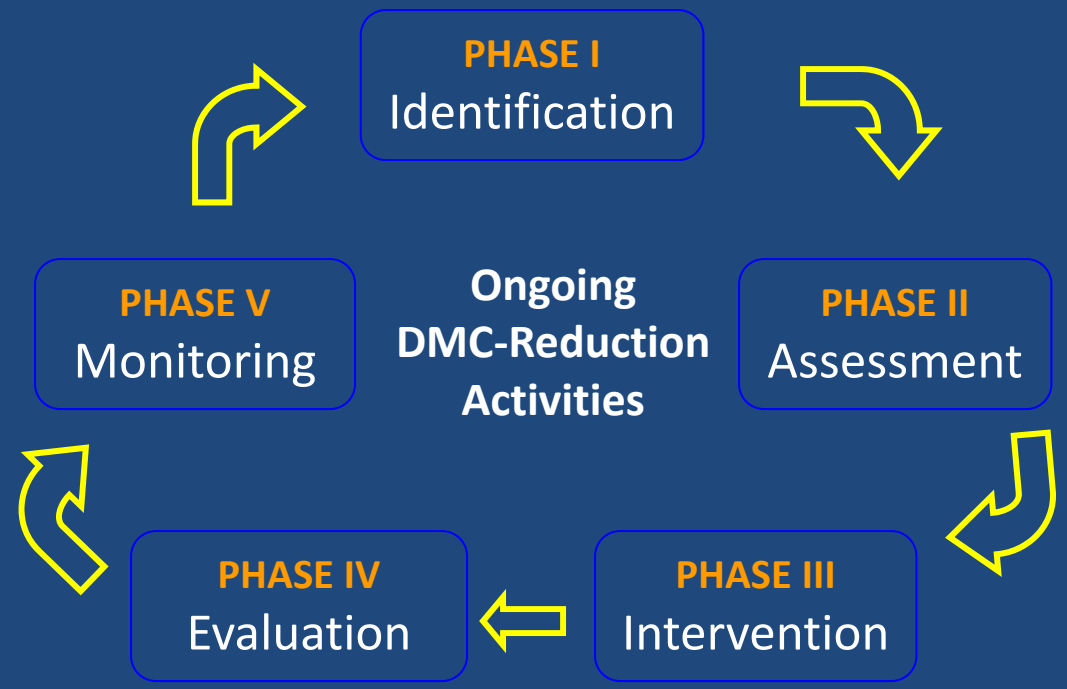
The Five Phases of DMC-Reduction Activity



New York State RRI's

- Statewide, we currently have RRI data for arrest, detention, and confinement points.

- Data shows that minority youth are arrested **1.98** times more than white youth, detained at a rate of **4.77** compared to white youth, and placed **4.47** times more than white youth.

Other Key Findings:

Recent RRI data shows that minority youth are:

- more likely to have a case referred to juvenile court;
- less likely to have their cases adjusted or diverted ;
- more likely to have case petitioned to the presentment agency for formal charges;
- and generally, less likely to receive a disposition of probation than white youth.

Current DMC Plans:
What else are we hoping to do?

- Increase awareness of DMC issues.
- Create a shared definition of DMC measurement across stakeholders (beyond the RRI).
- Look deeper at the numbers…

Looking at the numbers, it is clear that we face significant disproportionality in communities across New York State.

But what do the numbers really mean? Why does DMC exist in communities?

We need to “dig deeper” into the data to identify contributing factors.

General Factors that May Contribute to DMC

- Differential Offending
- Differential Opportunities for Prevention and Treatment
- Differential Handling of Minority Youths
- Indirect Effects
- Legislative Changes/ Administrative Policies/Legal Factors

DIFFERENTIAL OPPORTUNITIES FOR PREVENTION AND TREATMENT

Is there equal access to needed services?

Example: **Two 12 year olds each get caught shoplifting**
$25 worth of goods from a store in their community.
Neither has ever been "in trouble" with the law before.
One youth lives in Community A; the other in Community B.

How the situation is handled can be quite different depending on which community they live in (even if they have both committed the same crime).

•Community A recognizes that although there needs to be some level of accountability, the youth also needs to understand the impact of his actions. The local police department coordinates a restorative justice project (and the community police officer) encourages the store owner to participate in a mediation session and the youth is diverted from arrest.

•Strong community partnerships between police and business owners and arrest diversion projects do not exist in Community B.

DIFFERENTIAL HANDLING OF MINORITY YOUTH

Does "the system" respond to minority youth the same as their white peers?

Example: A group of 8 teenagers is seen standing near a street corner; they are all wearing the same colors.

In deciding whether or not to intervene with this group (and how), what factors might you take into consideration?

- Actual street location?
- Time of day?
- Gender?
- Racial/ethnic make-up of group?

INDIRECT EFFECTS

Are there factors (other than race) that indirectly influence the experience of minorities in "the system"?

Example: Two groups of (3 teenage)boys are at the home of a friend smoking marijuana. One group is at Friend A's home; the other at Friend B's.

The question in this scenario might not simply be how this situation is viewed differently, but rather if it is viewed at all in different communities.

- Friend A lives in a house located on a quiet cul-de-sac in a suburban community.
- Friend B lives in an apartment in an inner-city housing project.

LEGISLATIVE CHANGES/ ADMINISTRATIVE POLICIES/LEGAL FACTORS

Are their policies or rules in place which may have a greater negative impact on communities of color ?

Example:

Two 15 year old kids get into a fight at school.
One attends high school in District A; the other in District B.

How the situation is handled can be quite different depending on which school (and/or district) they attend (even if they both have "zero tolerance policies".)

•District A has a zero tolerance policy regarding fighting and utilizes the police present on campus in handling such situations. It has become regular practice that whenever there is a physical altercation, all students involved are arrested .

•District B also has a policy which prohibits fighting in school. Whenever there is a fight between students, each is suspended from school for 3 days and cannot return until there is a parent conference and mediation .

Local DMC Projects

(in Partnership with W. Hayward Burns Institute)

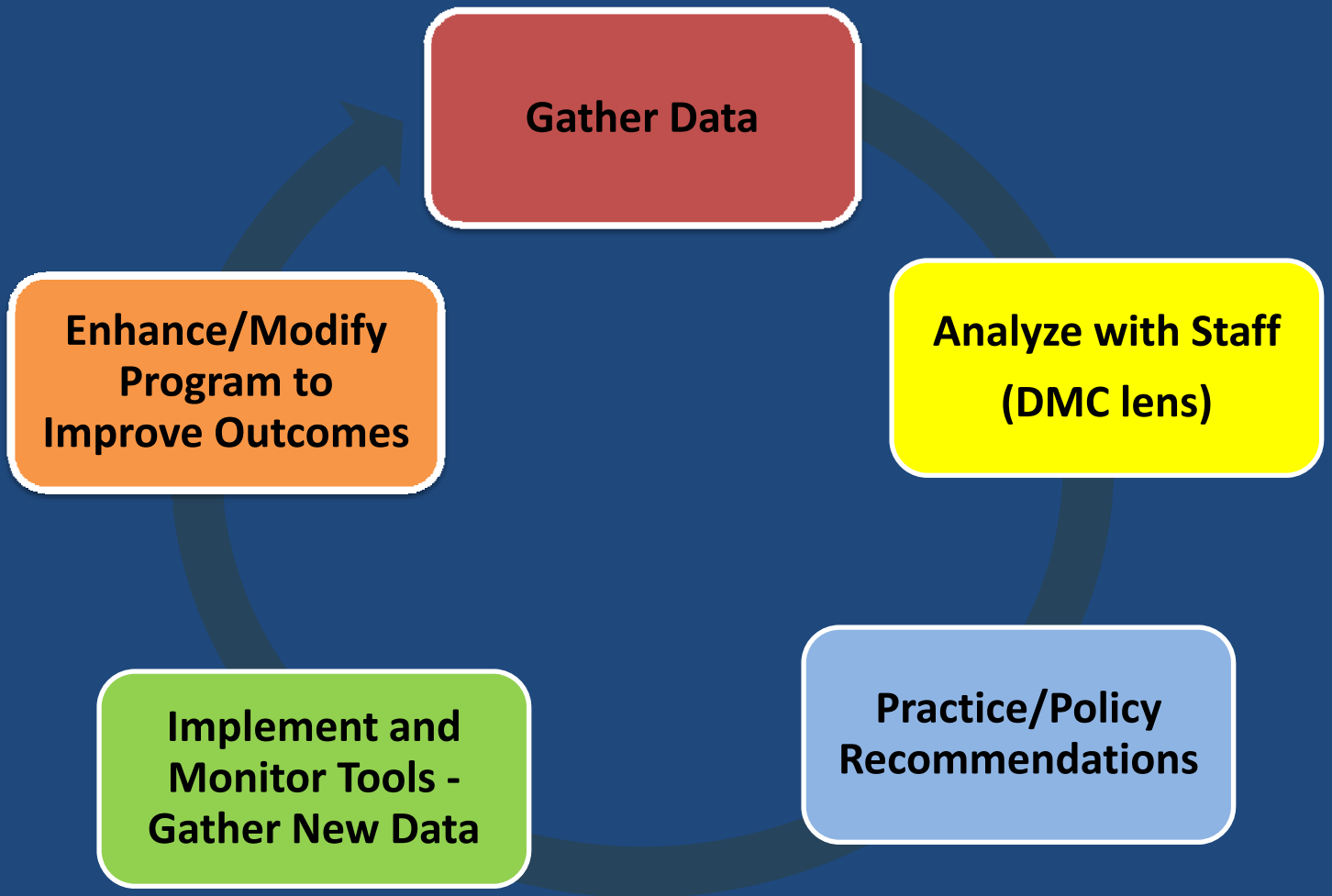
- NYS Division of Criminal Justice Services (DCJS) is working in 3 localities to develop local DMC reduction strategies.

- Targeted localities: New York City, Onondaga (Syracuse), and Monroe (Rochester) counties.

- Each project will produce a final report of their work, which will include recommendations for strategies to reduce DMC at the local level.

- It is anticipated that other communities will engage in similar efforts to reduce DMC.

BURNS INSTITUTE WORK:



How is “success” defined?

- Reducing numbers of youth of color in detention?
- Reducing detention rate of youth of color?
- Reducing the inappropriate detention of youth of color?
- Increasing the use of alternatives to secure detention?

DMC Success Indicators:

Statistical

- Identify specific decision point (s) that directly impacts DMC reduction for target population(s)
- EXAMPLE: Reduced admissions of AA youth for parent refusal to take custody.

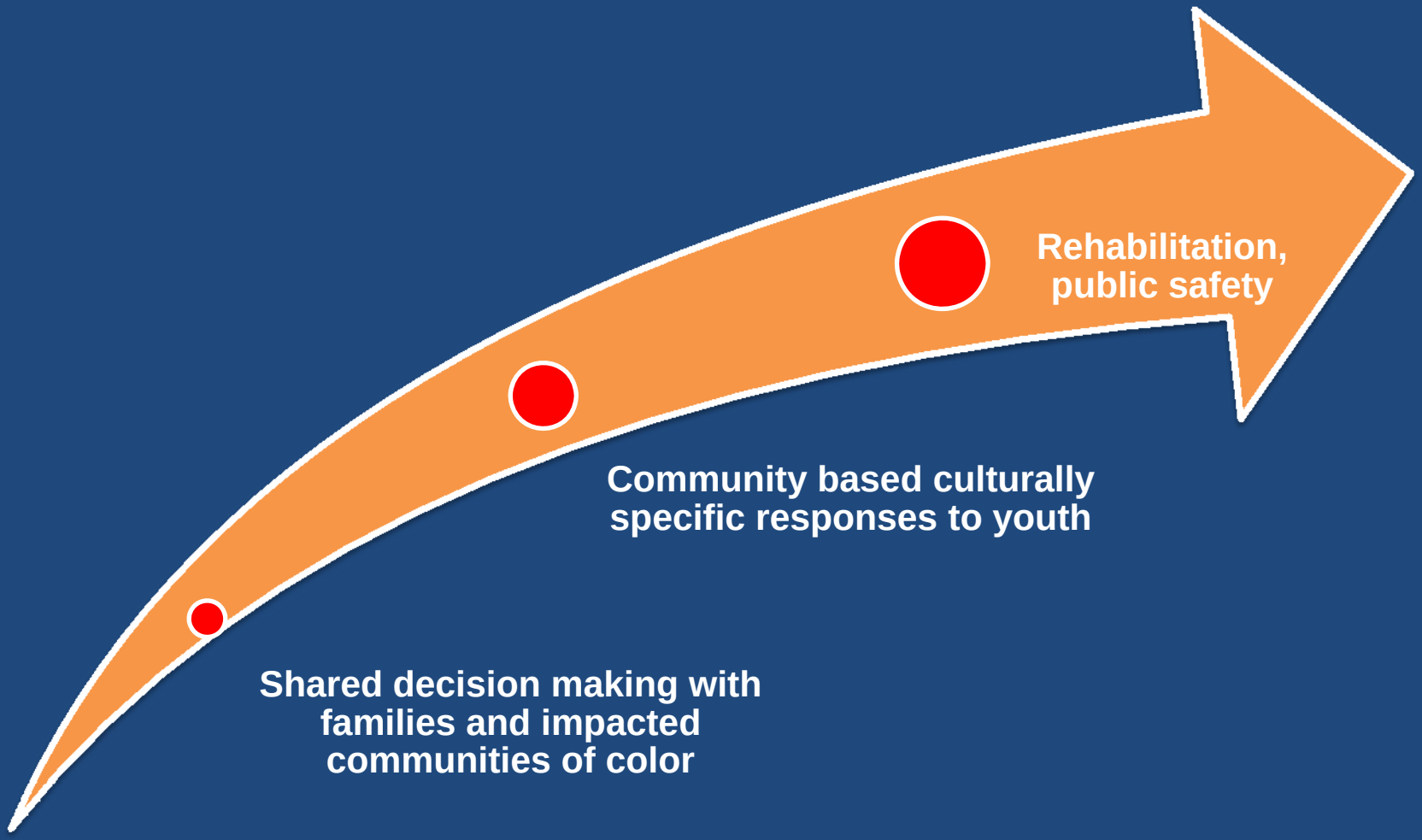
Non-statistical

- Identify specific activity that will reasonably impact DMC and the elimination of racial / ethnic disparities.
- EXAMPLE: All JJS partners engaged in ongoing decision point analysis work.

Community Centered

- Identify level of engagement we seek to have with communities most affected by the JJS based on data.
- EXAMPLE: Increased participation of family and youth in decision making events.

GOALS of System-Community Partnership



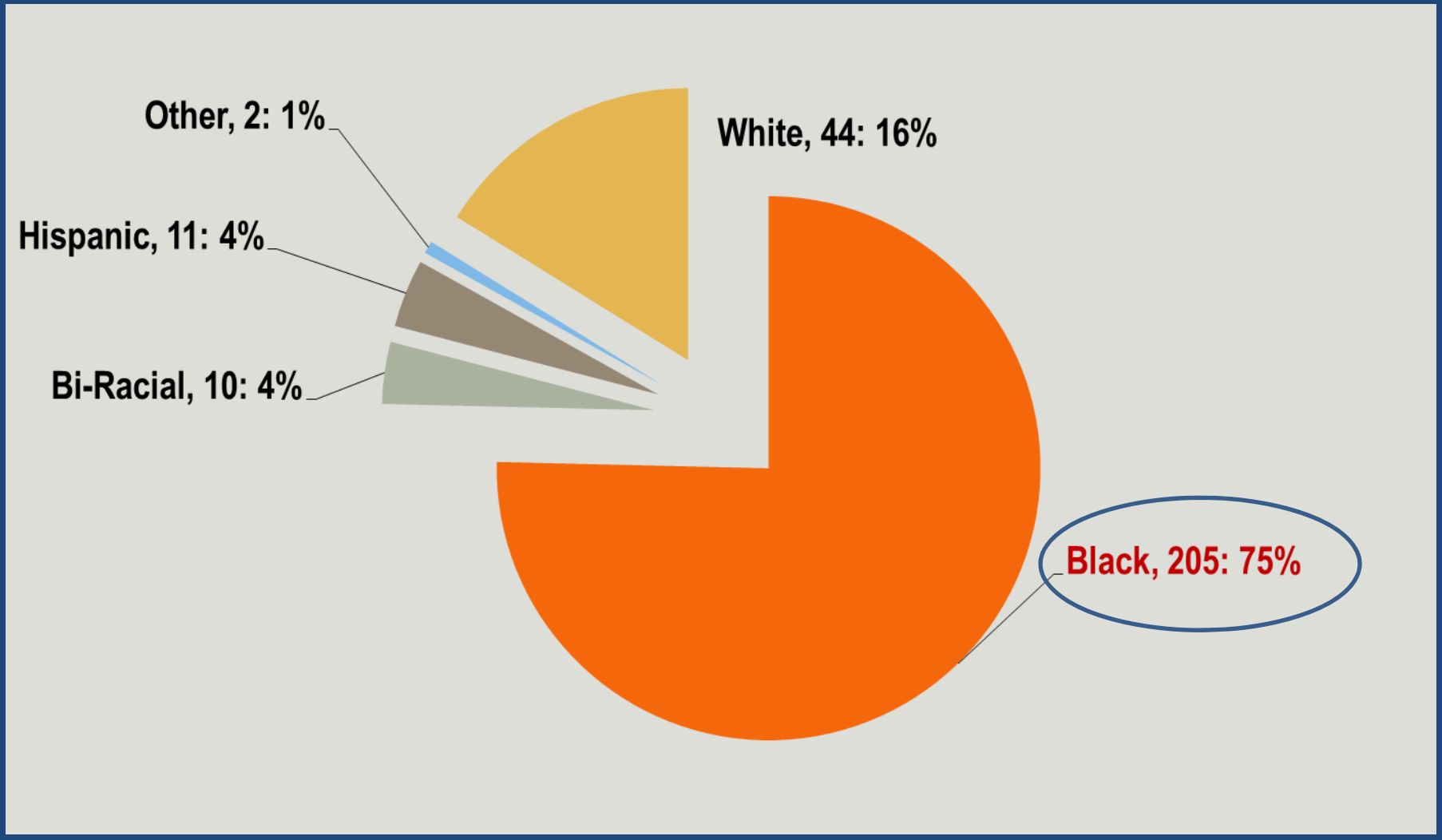
Preliminary Findings from Local DMC Projects

- Although most larger jurisdictions have developed risk assessment instruments (RAI) to determine whether or not to hold a youth in detention, many either don't use it consistently or have a significant amount of "overrides".

- Many smaller jurisdictions have no structured decision-making tools in place.

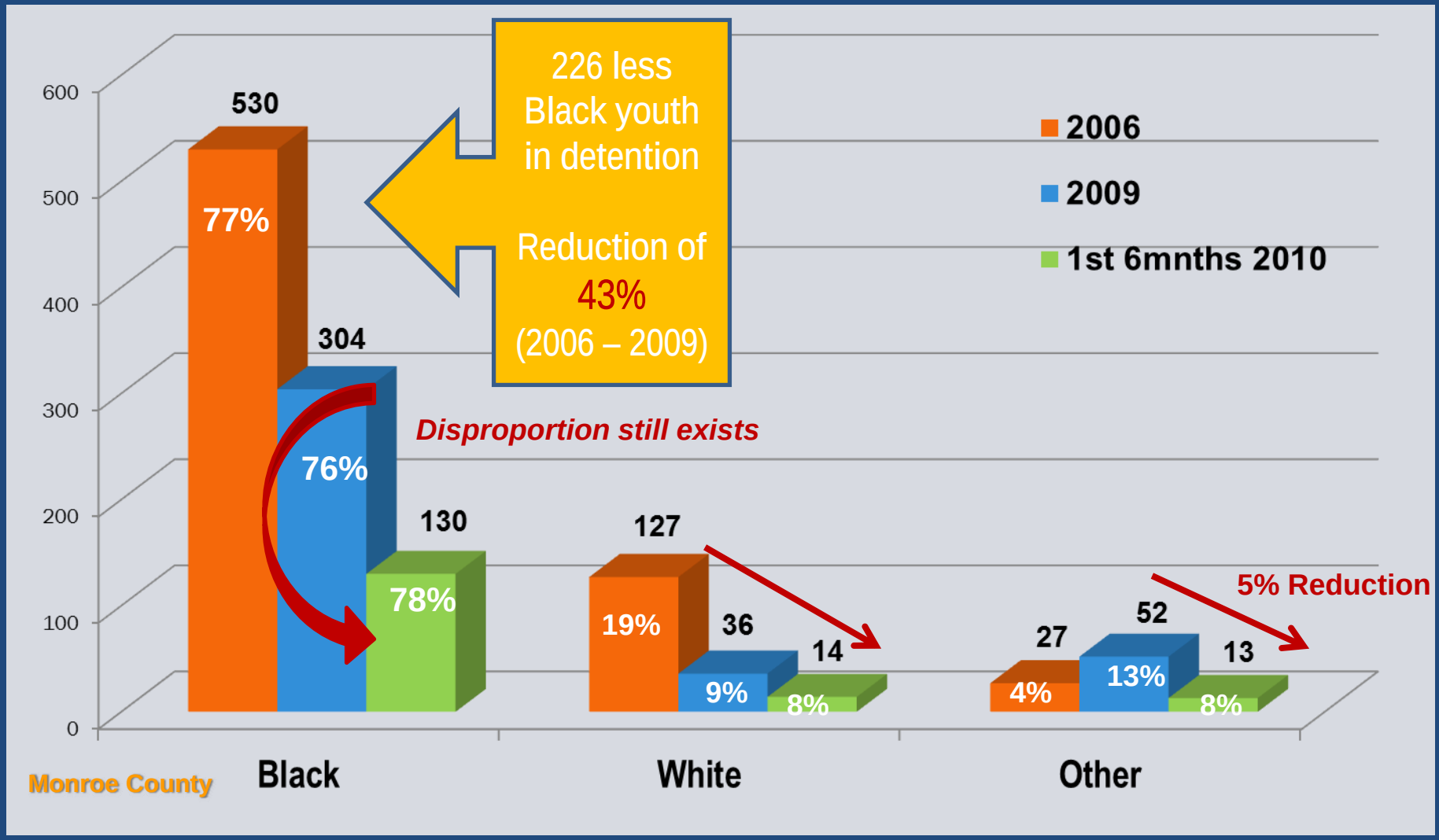
- Smaller jurisdictions tend to utilize detention less frequently.

Monroe County Detention Admissions by Race: July – Dec 2010



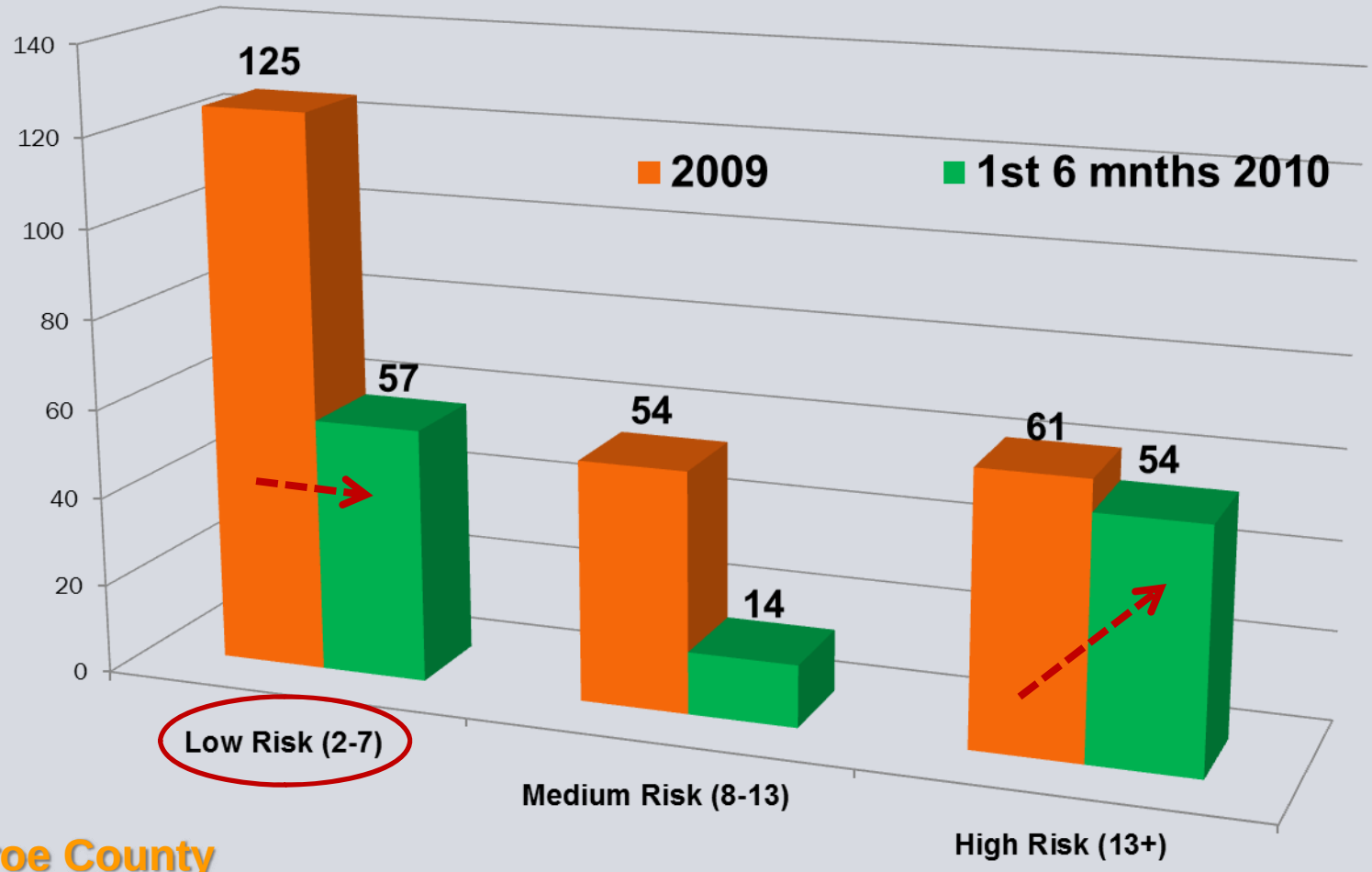
Detention Admissions by Race: New Arrests
2009 – First 6 months 2010

Probation Database/2006 DHS Detention Database – baseline year



RAI Scores 2009 – First 6 months 2010

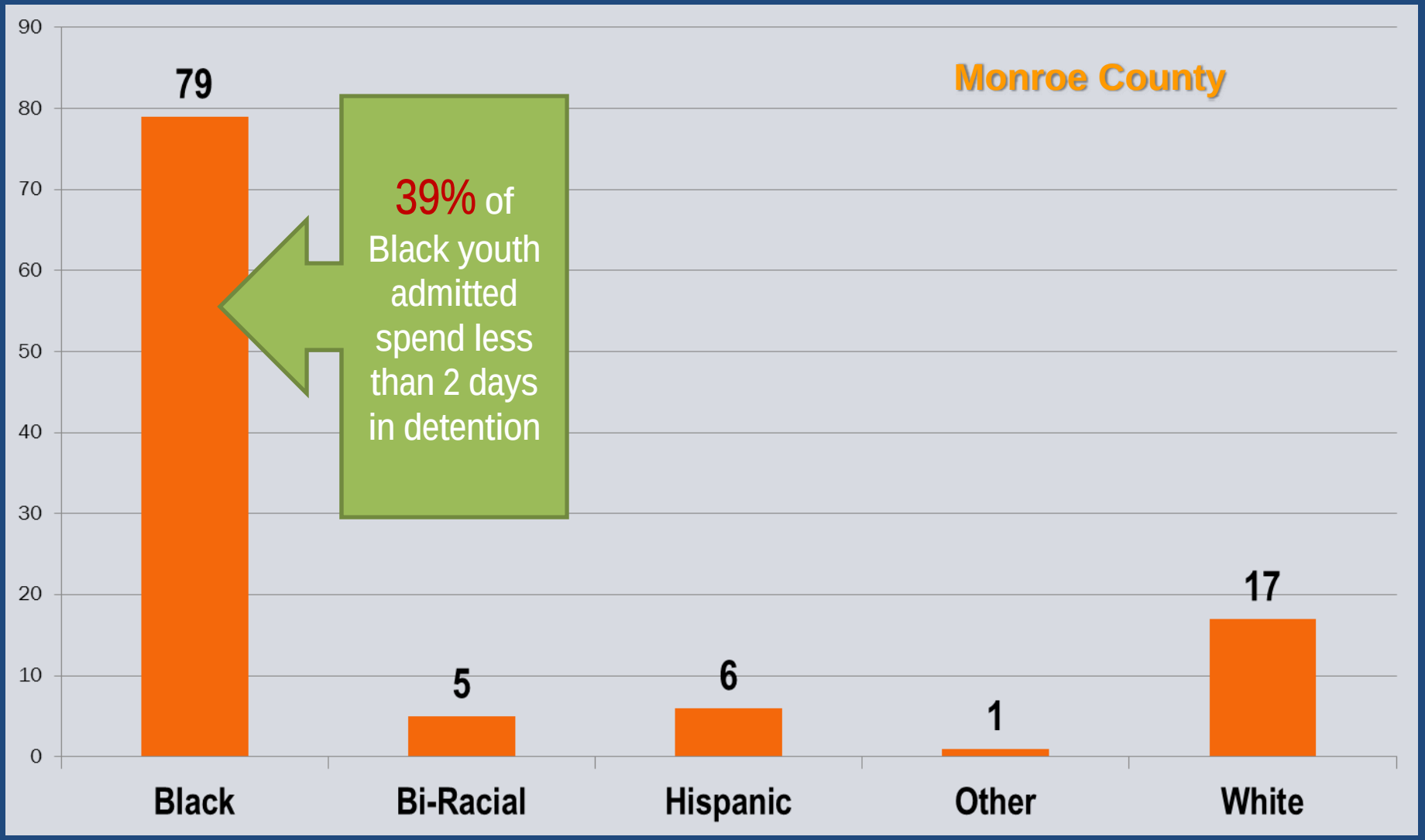
Probation Database



Monroe County

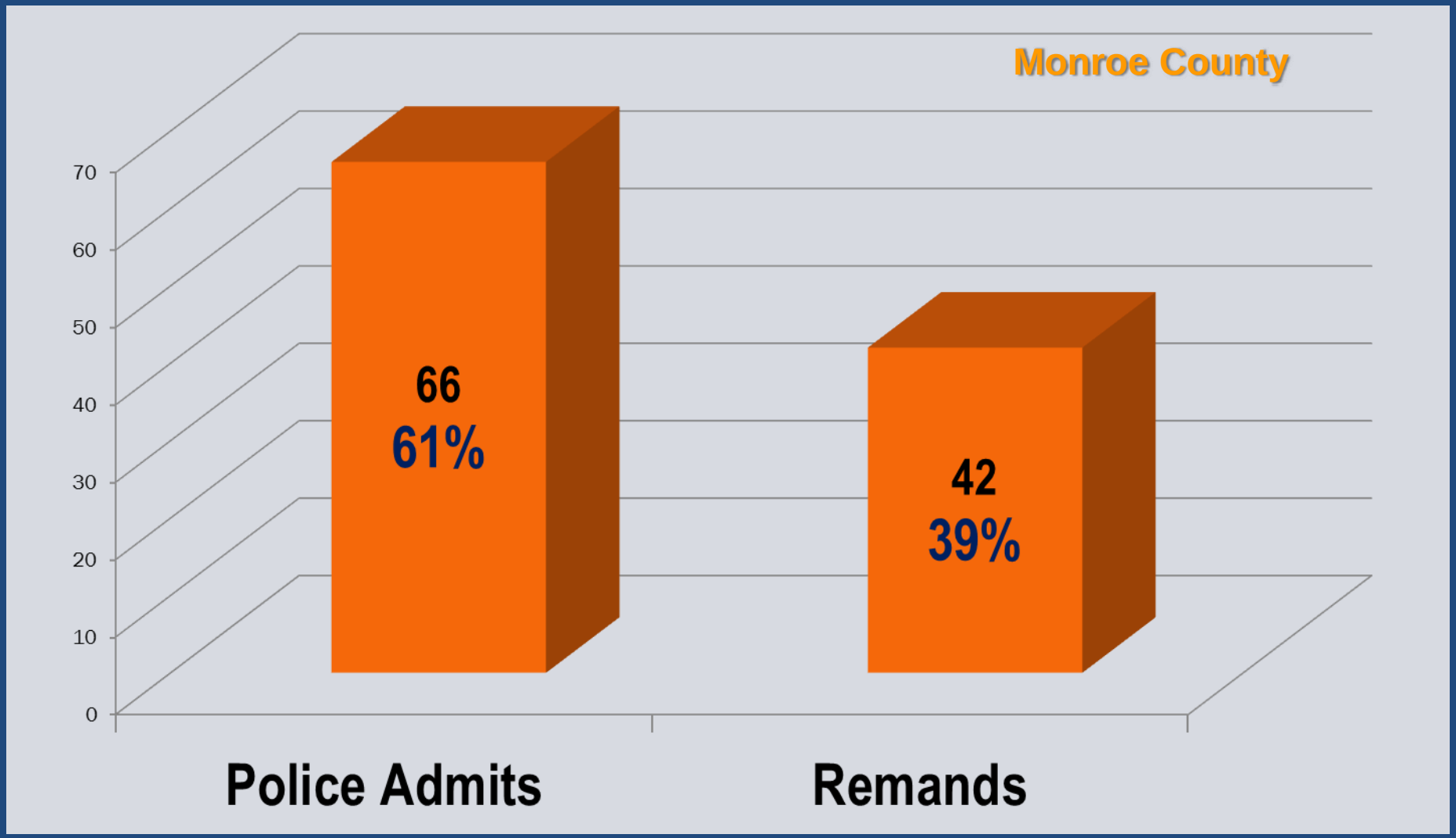
Number of youth in detention for 2 days or less:

DHS Detention Database July – Dec 2010



2 Detention Days or Less by Referral Source:

DHS Detention Database July – Dec 2010



Youth held for 2 days or less by RAI scores:

DHS Detention Database July – Dec 2010

Monroe County

74% of youth held for 2 days or less *do not score* for secure detention

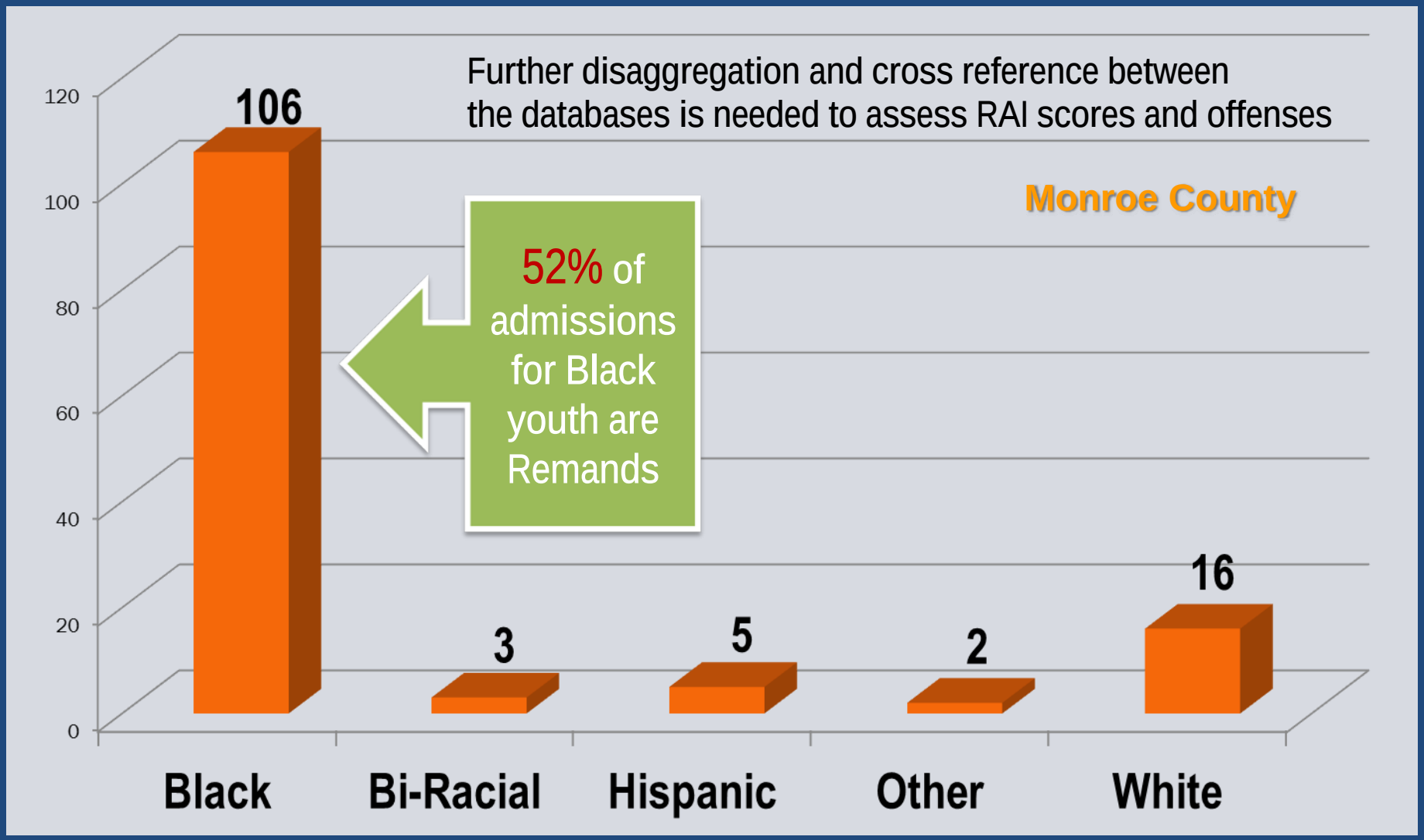
- 39% of all Black youth admitted spent 2 days or less in detention

Key Questions

- Does this fit with the purpose of detention?
- Could this be a target population to reduce DMC?

Remands by Race:

DHS Detention Database July – Dec 2010



Summary & Recommendations

Monroe County

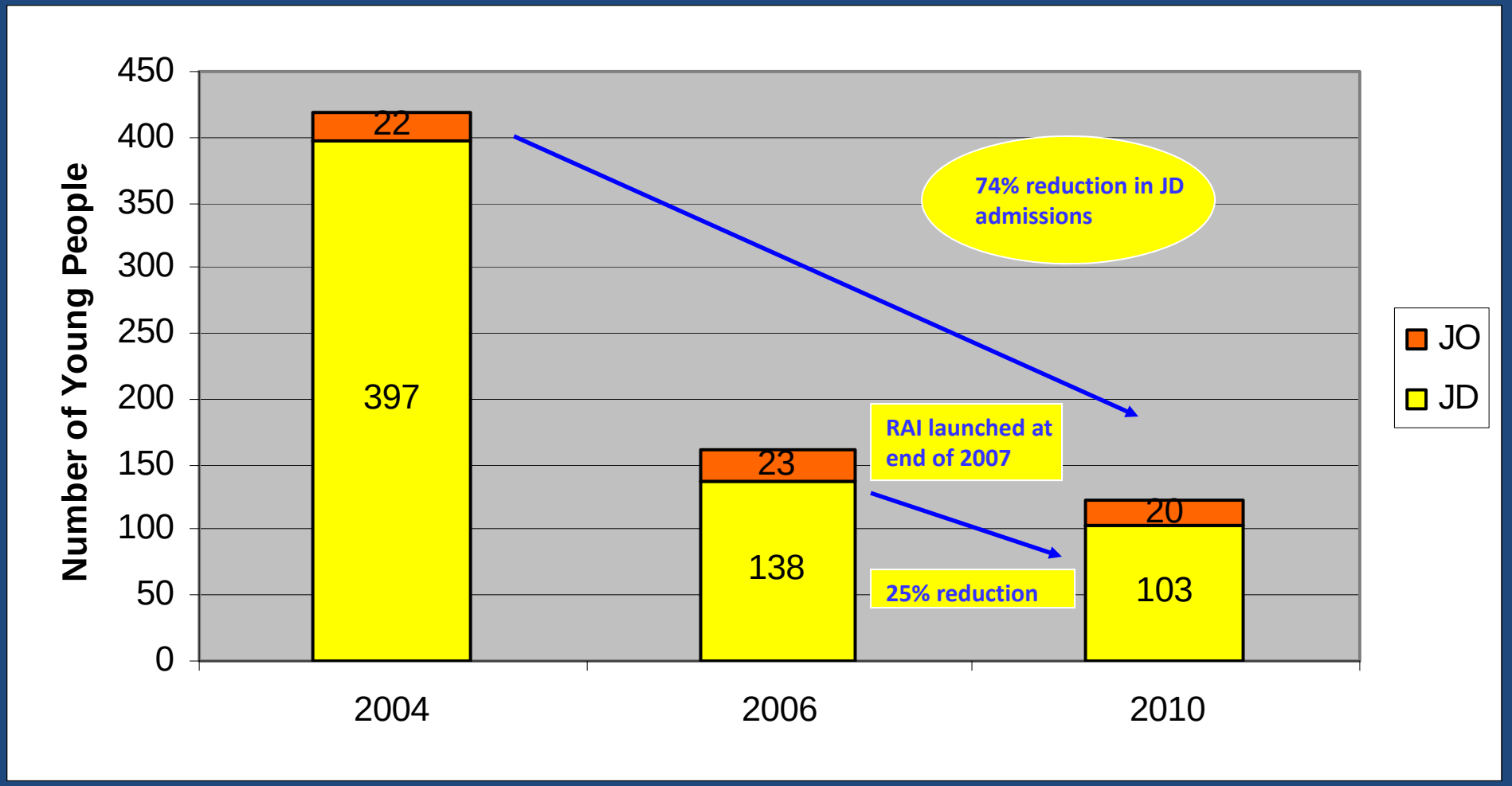
- **RAI Screening Process**
  - To ensure equity, all youth should be screened with the RAI - including after Court hours
- **Address Youth held in Detention for 2 Days or Less**
  - Do these youth fit with the purpose of secure detention?
  - *Assess what the issues are*:
    - Offense driven?
    - Lack of overnight alternatives for Police?

Summary & Recommendations

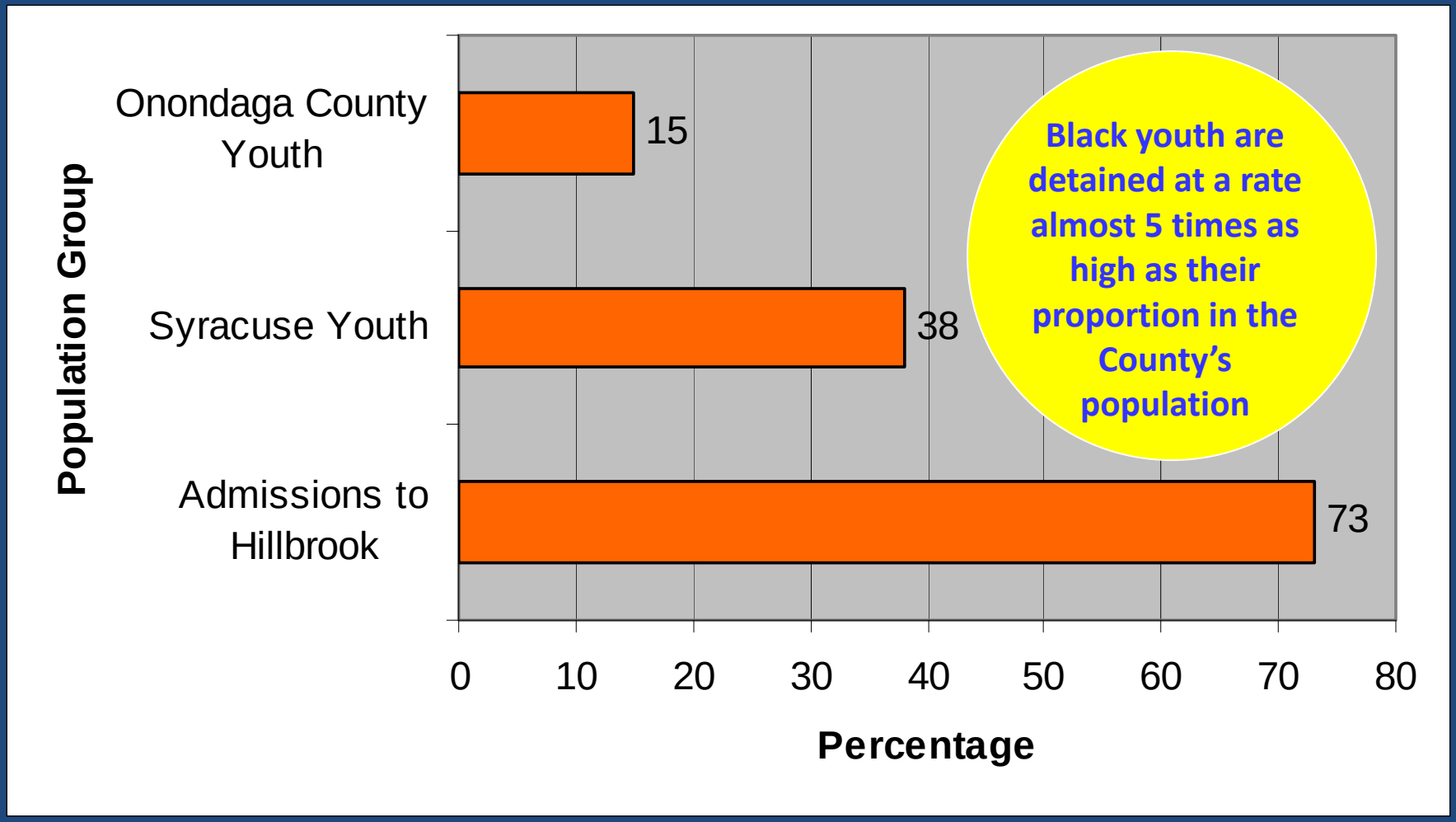
Monroe County

- **Address Remands**
  - ***52% of admissions for Black youth between July and December 2010 were Remands*** – DHS Detention Database
    - Analyze the connected offenses and other admission reasons
- **Community Engagement and Partnership for Alternatives**
  - The youth served are primarily African American – what programs are in place to provide alternatives?
  - What are the success rates?
  - Is there a partnership with the African American community to provide culturally specific community alternatives?

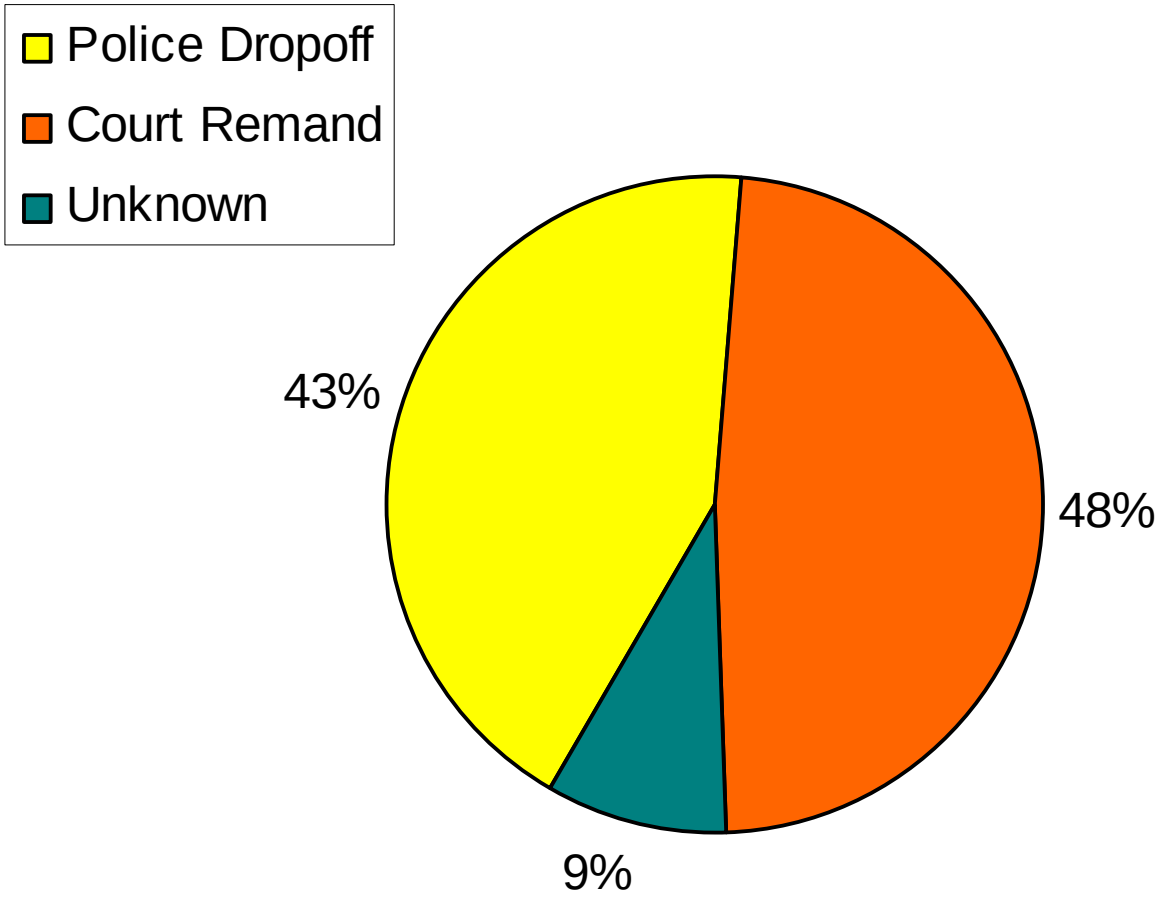
Onondaga County: Reduction in Admissions to Secure Detention, 2004-2010



Black Youth as a Percentage of…



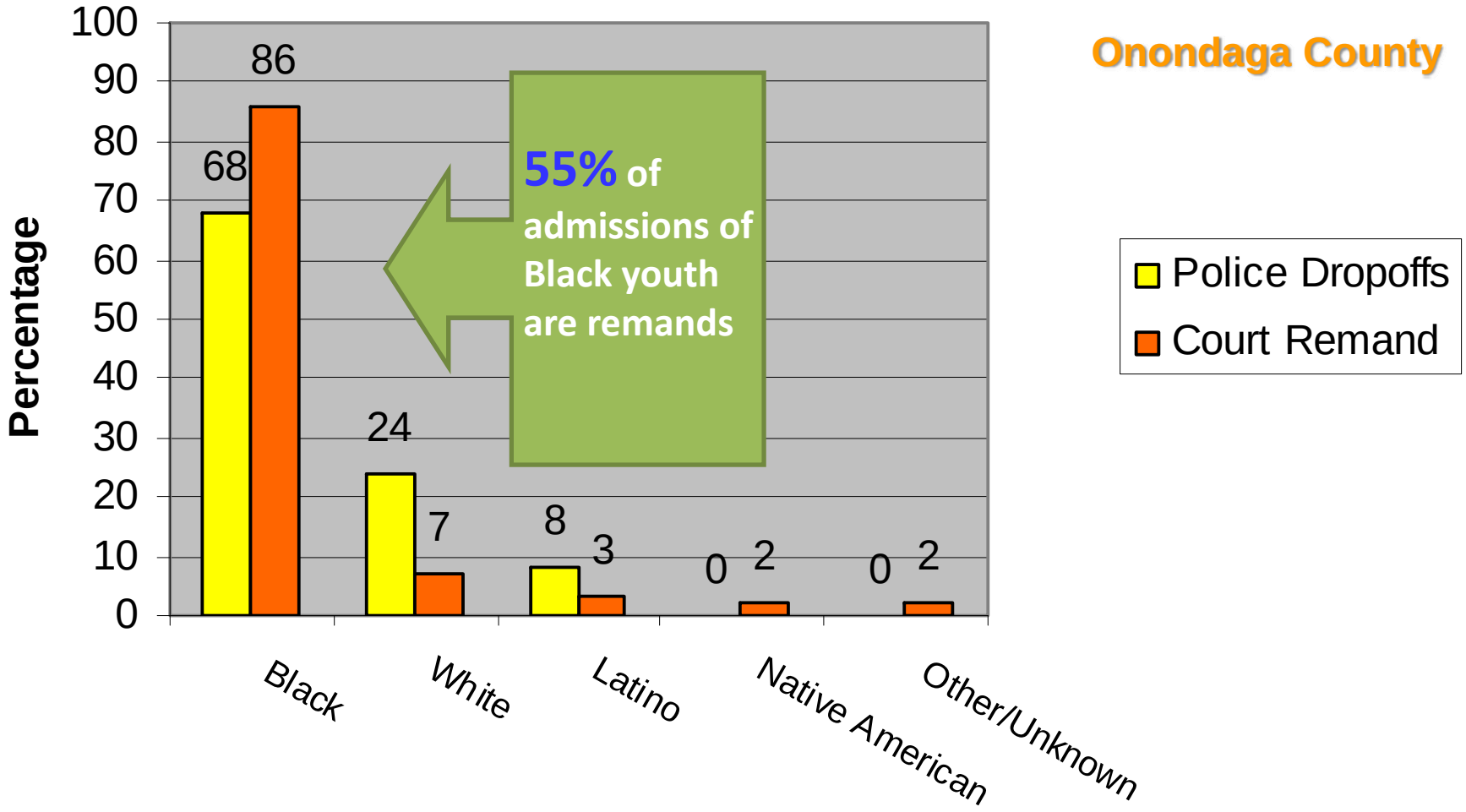
Referral Source, 2010 JD Admissions for New Offenses



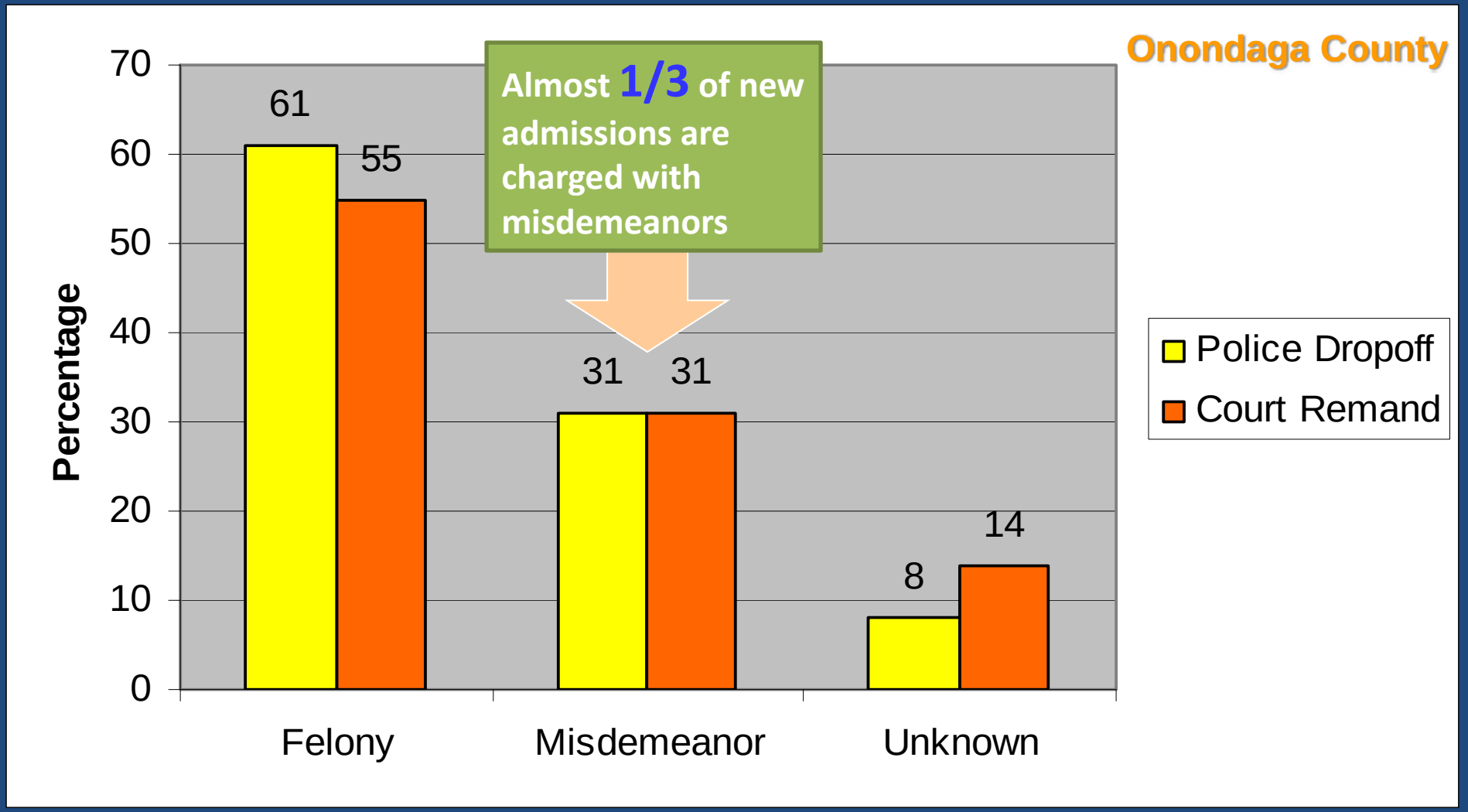
48% of admissions come from court, where no RAI is administered

Onondaga County

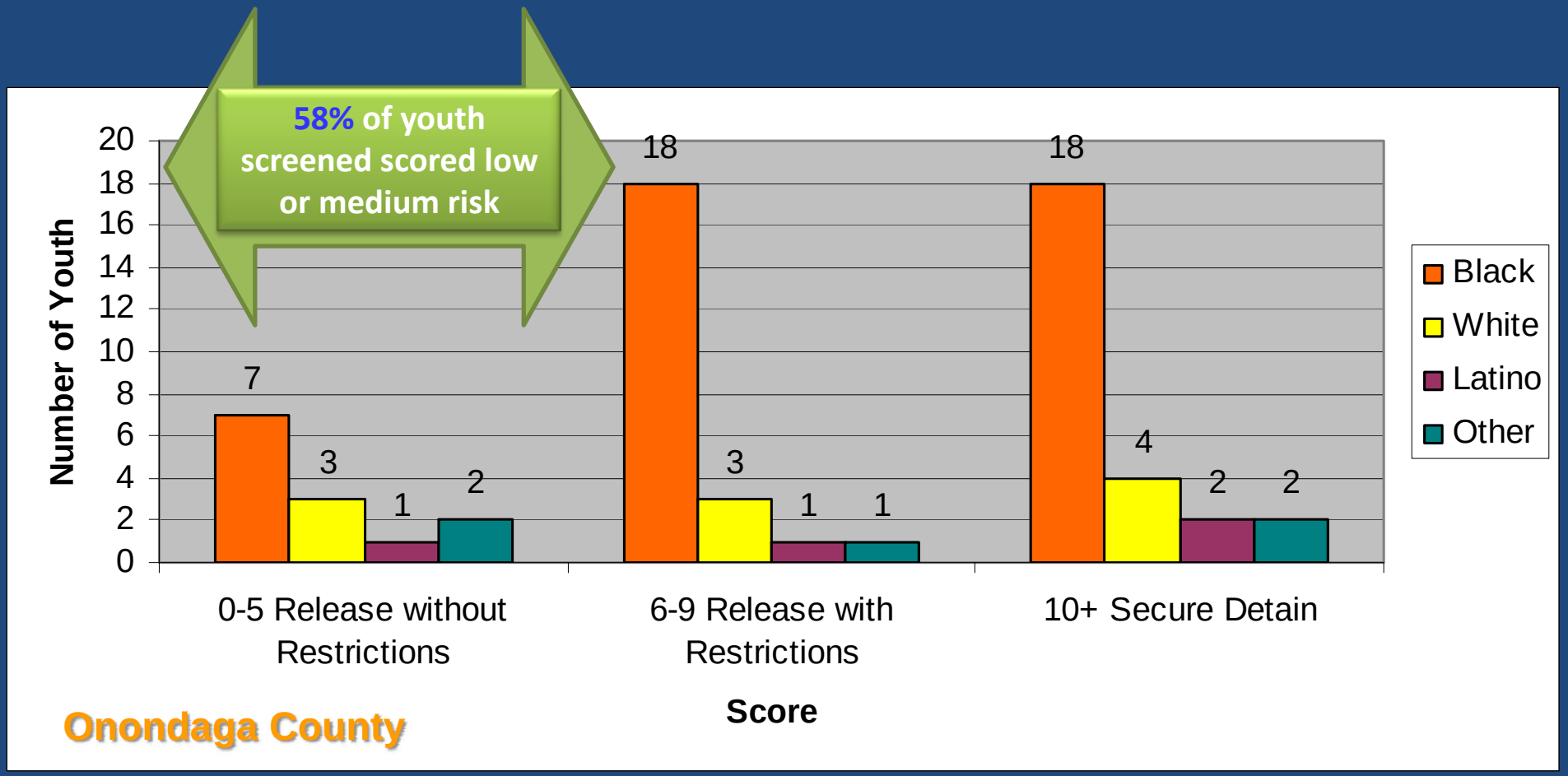
Race of Youth, by Referral Source, 2010 JD Admissions for New Offenses



Offense Type, by Referral Source, 2010 JD Admissions for New Offenses



RAI Scores, by Race, 2010



RAI Override Rates, 2010

Onondaga County

20 of the 36 youth who did not score for detention were detained.

That's a 56% override rate!

65% of the youth detained on overrides were Black.

10% were white.

Potential Areas for Intervention

- **RAI**
  - Has it been validated?
  - Reduce overrides
  - Would youth detained on remands score for detention?
  - Implement RAI for all admissions to detention

- **Violations of Probation**
  - Can we disaggregate by type of technical violation?
  - Reduce detention for technical VOPs

Potential Areas for Intervention

- **Alternatives to Detention**
  - How do they engage with communities and families?
  - What are the success rates?
  - Even youth with very serious charges have done well in ATDs in other areas of the state and around the country

- **Build Capacity for Data Analysis**
  - Success of reforms cannot be measured without effective data collection and analysis
  - Need to include data from all sources: police, courts, probation, RAI database, ATDs, non-secure detention, secure detention

Next Steps for Data Analysis

- **Obtain data from the following sources:**
  - Probation and ATDs
  - Non-secure detention
  - Police
  - Courts

- **Analyze the following data:**
  - Length of stay in detention
  - Access to ATDs
  - Arrests by race, zip code, offense, and school-based vs. community-based
  - Placement sites

NYC

- Initiative led by Vera Institute in collaboration with Burns and Criminal Justice Coordinator's Office.
- Project began in January
- There have been 3 local meetings
- Key stakeholders are all "at the table"
- Still working to identify the target population

Will discuss this project in greater detail at next meeting.

HELP!

- Looking for JJAG members to join DMC State Advisory Committee.
- Upcoming Meetings:

  June 20th 12:30 to 2:30 pm

  September TBD

Please contact DMC Coordinator if you are interested in participating on this committee.