



COLLECTING AND ANALYZING DATA
ON RACIAL AND ETHNIC DISPARITIES:
THE PEORIA PILOT PROJECT

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COLLECTING AND ANALYZING DATA ON RACIAL AND ETHNIC DISPARITIES: THE PEORIA PILOT PROJECT

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I. OVERVIEW

The W. Haywood Burns Institute (BI) and the John D. and Catherine T. MacArthur Foundation collaborated to develop and pilot a data template that enables local jurisdictions to strategically gather data to reduce racial and ethnic disparities in their juvenile justice systems.

This report represents an effort by the BI and the MacArthur Foundation's *Models for Change* partners – the National Center for Juvenile Justice (NCJJ) and the Center for Children's Law and Policy (CCLP) – to develop and pilot a standards set of data elements and step-by-step tools that are meant to assist local jurisdictions with the process of data collection, analysis, and utilization. In that regard, we tested the data template in Peoria, Illinois, to assess the ability of one local jurisdiction to gather and analyze the prescribed information. The results discussed in this document are based upon the capacity of Peoria in the fall of 2007.

A fundamental value of the BI is that sustainable and systemic reform efforts to reduce racial and ethnic disparities in the juvenile justice system must be based on consistent and reliable data. Data collection and analysis is necessary in order to provide a description of disproportionality in a jurisdiction, and data allow identification of where disproportionality exists and where change strategies can be developed. Systems that ensure reliance on neutral and accurate information use data to drive policy and practice change rather than impulse, politics and "worst case scenarios."

This is especially important for jurisdictions attempting to positively impact racial and ethnic disparities in their systems. Working toward disparities reduction requires consistent collection and analysis of reliable data on key indicators detailed in this publication. It also requires enabling system stakeholders to evaluate the effects of their current policies and practices, and assessing the relationship between modifications of policies and practices and subsequent reductions in disparities. Reliance on data is a hallmark of the MacArthur Foundation's efforts to reduce disparities through its *Models for Change* initiative and *DMC Action Network*.

In recent years, a growing number of jurisdictions throughout the country have been engaging in work to reduce racial and ethnic disparities in their juvenile justice systems. However, many jurisdictions have spent significant time and money attempting to reduce disparities, with very limited results. Moreover, many of these well-meaning jurisdictions do not have the infrastructural capacity to ensure that key indicators of racial and ethnic disparities in their system are analyzed and monitored, and that policy and practice change recommendations are based on those data.

It is important to note that the BI focuses its work primarily on reducing racial and ethnic disparities at the pre-adjudication or "front end" of

the juvenile justice continuum. Therefore, our emphasis is on detention admissions and all decisions that may lead to detention admissions.

To assist jurisdictions in identifying key indicators of disparities, the BI has devised a user-friendly tool that operates as a template for data collection. The template guides jurisdictions by first capturing a snapshot of key front-end decision-making points in the juvenile justice system. Secondly, it assists jurisdictions in identifying which data should be collected and tracked on an ongoing basis, and identifies areas within certain decision-making points that, by virtue of their high levels of disparities, warrant deeper analysis of policy, practice and procedure.

Using the BI template enables jurisdictions to analyze various stages within juvenile justice system processing with an eye towards racial and ethnic disparities. Because the BI has focused its work on reducing disparities at the front-end of the system, the template primarily calls for data on detention admissions and all the decisions that may lead to detention admissions.

The template includes data¹ regarding:

- (1) The jurisdiction's "at risk" youth population;
- (2) Youth arrests;
- (3) Youth referred to pre-adjudication detention facilities;
- (4) Youth admitted to pre-adjudication detention facilities;
- (5) Detention screening;
- (6) Detention overrides;
- (7) Length of stay in detention; and
- (8) Alternatives to detention utilization.

The BI believes a significant benefit of this data template and the approach it represents is increased efficiency in examining racial and ethnic disparities. The elements included in the template are targeted and strategic and therefore assist jurisdictions in identifying disparities quickly, and then – as a result of enacting policies and procedures in response – in administering justice fairly and equitably. Our experience has revealed that it is not difficult for jurisdictions to identify their disparities. However, once disparities are identified, it is incumbent upon local officials to exercise the leadership and political will necessary to embrace data as an important element in driving policies and practices.

Currently, there is a significant cohort of jurisdictions throughout the country participating in data-driven decision-making that have significantly improved the delivery of juvenile justice. These jurisdictions include counties as diverse as Multnomah County, OR; Pierce and King counties, WA; Santa Cruz County, CA; Pima County, AZ; Travis County, TX; Sedgwick County, KS; Peoria and Cook Counties, IL; and Berks County, PA.

¹ It is essential to establish common operational definitions for all data elements included because agencies within each jurisdiction may define key terms differently.

II. BACKGROUND: PILOT SITE

Approximately five years ago, the Peoria County Disproportionate Minority Contact (DMC) Project began directly working to reduce the overrepresentation of youth of color in their juvenile justice system. Their work began with the implementation of the BI approach – and subsequently the Juvenile Detention Alternatives Initiative (JDAI) – which emphasizes the fundamental principles of gathering data and using a collaborative process to resolve the issues the data reveal. Collaboration should include high-level representation from key agencies in the juvenile justice system and community representation from areas that contribute a majority of youth to detention.

Early on, the collaborative in Peoria learned an important lesson applicable to most jurisdictions across the country – that their data was collected only to fulfill the general reporting requirements of state or federal agencies. Peoria found that this level of general aggregate data reporting was inadequate for identifying where disparities exist and analyzing how local policy and practice may contribute to disparities. Once they accepted that their traditional data-gathering approach needed reform, Peoria moved toward gathering data to drive policy rather than retrieving “data for data’s sake,” thereby giving them the foundation to pilot implementation of the BI data template.

The BI data template shown below includes basic data elements that are fairly easy to collect. The BI model requires that all data be disaggregated by a variety of descriptors including Race, Ethnicity, Gender, Geography and Offense (REGGO). This report includes charts populated with data from a “Sample County” (not Peoria County) in order to generally demonstrate how the data can be used to graphically represent disproportionality at each decision-making point. That is for two reasons: 1) Peoria’s data remains sensitive and they are not yet prepared for its public release; 2) Peoria was unable to collect all the necessary information in time for this publication. However, we have used Peoria’s experience in collecting applicable data throughout this report.

DATA COLLECTION CHECKLIST ARREST*				
	Data Collected in Info System	Capacity to Include in Info System	CANNOT Collect	Notes
Youth Demographic Data				
Race and Ethnicity	✓			All arrest data is maintained electronically by the Peoria Police Department and Peoria County Sherriff’s Department which makes it easy for us to retrieve and analyze.
Gender	✓			
Date of Birth	✓			
Residence Zip Code	✓			
Arrest/Offense Data				
Most Serious Offense Charged at Arrest	✓			
Arresting/Referring Agency	✓			
Date of Arrest	✓			
Time of Offense	✓			

DATA COLLECTION CHECKLIST DETENTION ADMISSIONS*

	Data Collected in Info System	Capacity to Include in Info System	CANNOT Collect	Notes
Youth Demographic Data				
Race and Ethnicity	✓			
Gender	✓			
Date of Birth	✓			
Residence Zip Code	✓			
Detention Screening and Admission Data				
Date of Intake	✓			
Most Serious Offense Charged at Intake		✓		These data are not collected electronically, but the information system could be modified to include these data.
RAI Score Level (<i>High, Medium, Low</i>)		✓		(see above)
Detention Decision (<i>Release, Conditions, Admit</i>)		✓		(see above)
Automatic/Policy Hold Reasons		✓		(see above)
Discretionary Override Reasons		✓		(see above)
Total Days in Detention Pre-Adjudication	✓			
Total Days in Detention Post-Adjudication	✓			
Alternatives to Detention				
Date of Entry to ATD	✓			
Date of Exit from ATD	✓			
Reason for Exit (<i>successful completion; Failure</i>)	✓			
Reason for Failure (<i>new offense; AWOL, etc.</i>)	✓			

III. DATA COLLECTION CAPACITY

Using data to reduce racial and ethnic disparities in the juvenile justice system is contingent upon the availability of reliable and consistent data at a variety of decision-making points. Thus, the first step in using data to reduce disparities is to assess a jurisdiction's capacity for data collection and analysis. In other words, we must ascertain what juvenile justice data are maintained by the jurisdiction and how, if at all, the data are currently reported out.

It is important for local stakeholders who collect and analyze data to understand the difference between aggregate and case-level data.

Aggregate Data vs. Case Level Data

Aggregate Data present the total number of occurrences within a decision-making point, not individual data, over a given period of time.

Case Level Data reporting is "line-listed" information. In other words, each case is reported on an individual basis with the core set of variables. Collecting data on a case level allows more refined analysis than aggregate data.

Aggregate Data vs. Case Level Data

Aggregate data present the total number of occurrences within a decision-making point over a given period of time. This information provides important insight into trends in disproportionality. When collected regularly for an extended period of time these data can show whether trends have remained constant, risen, or declined. The data in the BI template is collected in the aggregate, which provides an indication of the general status in the overrepresentation of youth of color in a juvenile justice system, but does not allow "digging deeper."

Thus, if a jurisdiction discovers, for example, that referrals to detention for probation violations are a significant contributor to detention, the jurisdiction may want to learn more about the probation violations. They may want to explore questions such as: *What conditions of probation were violated? What was the underlying offense? Was the underlying offense a detainable offense? Was a system of graduated sanctions exhausted prior to admitting the youth to detention?* Answers to these types of questions are essential to understanding how decisions in the juvenile justice system disparately impact youth of color, and how policy and practices that result in such overrepresentation may be modified. But the answers can only come with refined analysis, which requires case level data. Case level data reporting is "line-listed" information where each case is reported on an individual basis with the core set of variables.

Collecting Data at Key Juvenile Justice Decision-Making Points

In some jurisdictions, work to reduce racial and ethnic disparities may

stall because data collection is viewed as too difficult. Jurisdictions encounter difficulties because in some instances the data is not available, or if it is, agencies are protective of its disclosure and may not regularly make it available. Unfortunately, fear around how data information will be used, and the possibility of finger pointing, often prevents stakeholders from sharing data.

Fostering trusting relationships and stressing the necessity of an overall will for reform is of utmost importance in the process of data collection. Moreover, there should be a clear statement detailing why the collection of the data described in this publication is necessary *in order to lower fears* among collaborative partners. It is important to note that the analysis of data is only possible when it is made available. There must be a willingness to share information to impact positive change.

With that said, the BI and *Models for Change* have identified several key decision-making points at which data must be collected to determine whether and to what extent disparities exist within a jurisdiction. We know that decision-making points vary by jurisdiction. While all juvenile justice systems have the same general process, each operates with distinct laws, policies and practices that affect youth at every stage of the juvenile justice process, particularly in the procedures that lead up to admission to detention pre-adjudication. The data template can be easily modified to account for variation in a jurisdiction's policy and practice.

The checklists below include relevant variables related to these key decision-making points. These data are required to complete the BI data collection template. Completing the data checklist will assist the jurisdiction with learning which decision-making points are relevant to the jurisdiction and which data are readily available. The data checklists are separated into two categories: (1) Data concerning factors related to youths' arrest; and (2) Data concerning factors leading up to and related to pre-adjudication detention utilization. The checklists are divided as such because law enforcement agencies typically maintain databases that are unable to communicate with databases from detention facilities or probation departments.

The information included below is drawn from Peoria's experience in assessing their data collection capacity. Indeed, Peoria was unable to collect certain data, but they were still able to identify where disparities existed in their juvenile justice system and to make significant strides toward disparities reduction.

As you will see, the data required to complete the BI data template is fairly basic. This is intentional because most jurisdictions' information systems include these variables. However, it is important to note that the data alone may not provide the ability to immediately develop recommendations on policy and practice change. *Models for Change* sites will probably need to "dig deeper" into the data and this may require specific technical assistance from the National Resource Bank.

IV. DATA COLLECTION AND ANALYSIS: USING THE TEMPLATE

It is important to review both reports of trends and snapshot data reports on a consistent basis.

A. Trend Data

The data collected in the “Annual Trend” worksheet of the template is referred to as “trend data.” These reports track trends at various decision-making points that jurisdictions should be concerned about over time (e.g. admissions to detention over a five-year period). Tracking trends also provides indication of the impact that policy/practice change has on various decision-making points.

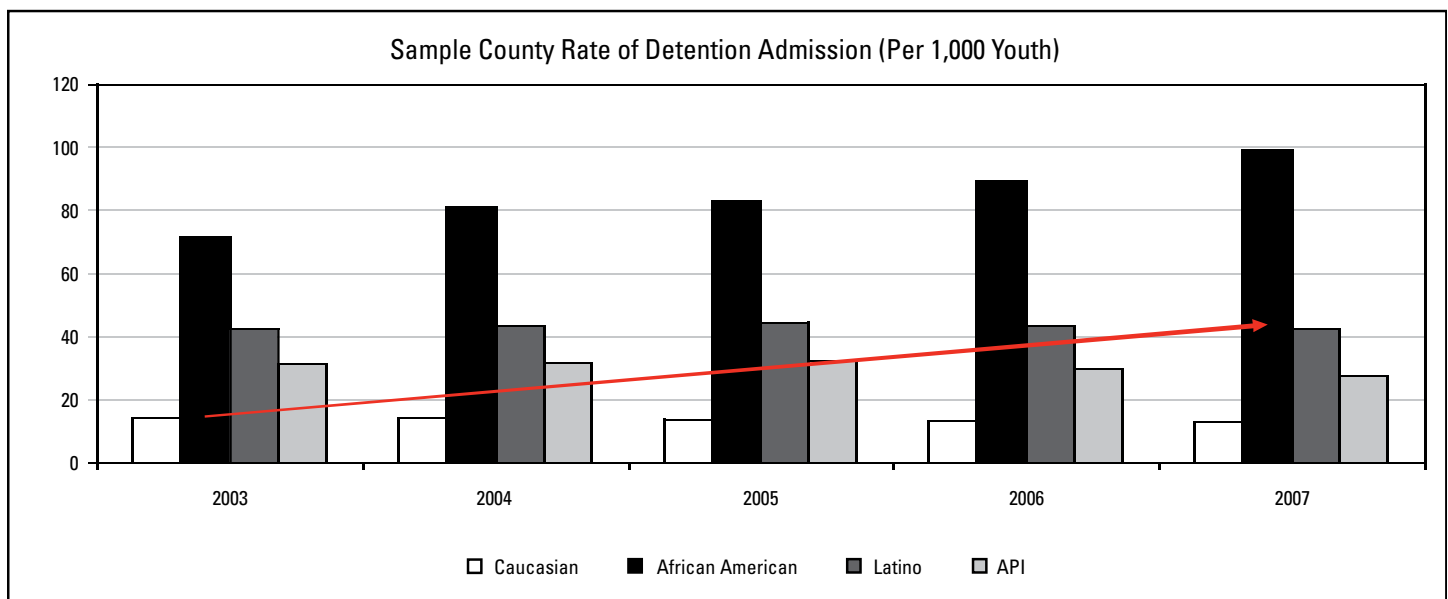
1. ANNUAL TREND DATA

It is important to have a fundamental understanding about the involvement of youth of color in the juvenile justice system over time because this

level of analysis provides for objective and data-driven change in policies, procedures and methods. Thus, the first analysis in the data template examines changes in the youth population by race and ethnicity, along with changes in arrests, referrals and admissions to detention, and average lengths of stay in detention over a five-year period.² This information allows for a visual comparison of youths’ rates of arrest, referral, and admission to detention in relation to their numbers in the overall county population. It also allows for the identification of trends that lead to deeper inquiries regarding disparities.

Once a jurisdiction collects the prescribed annual trend data – with clear indicators of levels of disparities over time and the areas that need deeper analyses – they are prepared to identify areas of racial and ethnic disparities that should be examined more closely to inform potential policy and practice changes.

Figure 1: Rates of Detention



		2003	%	2004	%	2005	%	2006	%	2007	%
Youth Population	Caucasian	108465	46%	107465	46%	107465	46%	104465	45%	103,597	45%
	African American	35,666	15%	32,042	14%	31,842	14%	30,225	13%	28,555	12%
	Latino	67,877	29%	68,877	29%	71,877	29%	73,877	31%	76,742	33%
	API	17898	8%	17998	8%	18198	8%	18498	8%	18658	8%
	Other	5212	2%	5112	2%	5292	2%	5112	2%	5040	2%
	Total	235,118	100%	231,494	100%	234,674	100%	232,177	100%	232,592	100%

² Sample charts are included as examples of the type of information the data template provides. In the actual template, detailed tables with all raw data and additional charts are included.

		2003	%	2004	%	2005	%	2006	%	2007	%
Detention	Caucasian	1,564	20%	1,514	19%	1,484	18%	1,394	17%	1,346	16%
	African American	2,555	33%	2,598	33%	2,658	33%	2,708	33%	2,835	35%
	Latino	2,894	37%	2,994	38%	3,194	39%	3,204	40%	3,254	40%
	API	554	7%	567	7%	588	7%	544	7%	511	6%
	Other	234	3%	219	3%	224	3%	239	3%	254	3%
	Total	7,801	100%	7,892	100%	8,148	100%	8,089	100%	8,200	100%

		2003	2004	2005	2006	2007
Rate per 1,000 Youth	Caucasian	14.4	14.1	13.8	13.3	13.0
	African American	71.6	81.1	83.5	89.6	99.3
	Latino	42.6	43.5	44.4	43.4	42.4
	API	31.0	31.5	32.3	29.4	27.4
	Other	44.9	42.8	42.3	46.8	50.4
	Total	33.2	34.1	34.7	34.8	35.3

Figure 1 illustrates rates of admission to detention over a five year period in Sample County. By comparing the youth populations with detention admissions for each year, Sample County can review how detention admissions have increased or decreased, generally, and how youth population changes may impact rates of detention. As Figure 1 illustrates, rates of detention have increased for African American youth in Sample County. When reviewing the data, we learn that while the youth African American youth population has decreased over the past 5 years, African American youth admitted to detention has increased. Consequently, the rates of detention have increased.

2. TOTAL COURT-AGE YOUTH POPULATION

Collecting total court-age youth population data allows for the establishment of a baseline of the age group that can be arrested and brought to detention. For most jurisdictions, this includes youth between the ages of 10-17, but age of juvenile court jurisdiction varies by state. The template reviews population changes by year and over a five-year span. These data are compared to population changes at

arrests; referrals to juvenile detention; and admissions to juvenile detention over time (Fig. 1) and within a one-year period (Fig. 2).

Prior to engaging in work to reduce racial and ethnic disparities, Peoria County did not collect data regarding the court-age youth population. However, this information was easily obtained through OJJDP's online Statistical Briefing Book³ or from the U.S. Census.

Figure 2: Decision Point Percentage Comparison

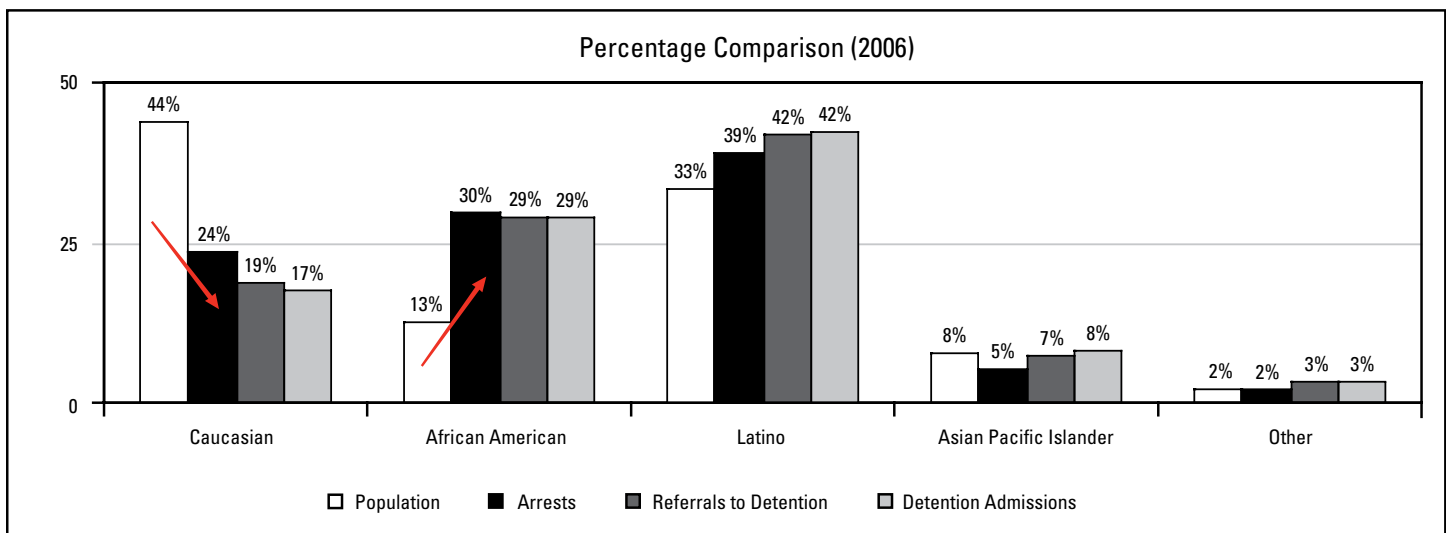


Figure 2 captures percentage representation from arrest to admission into the juvenile facility. In this example, African American youth represent a larger disparity between population and admission. Latino youth represent a smaller disparity, but are also a larger population in actual numbers.

³ Puzanchera, C., Finnegan, T. and Kang, W. (2007). "Easy Access to Juvenile Populations" Online. Available: <http://www.ojjdp.ncjrs.gov/ojstatbb/ezapop/>

B. Quarterly Data

The quarterly data collected in the template is “snapshot data.” Snapshot data reports review decision-making points at one moment in time (e.g. Quarter 2, 2007 top offenses admitted). Reviewing a snapshot of data is important because it alerts the jurisdiction if there is something happening in the system that stakeholders should be aware of. When reviewing the snapshot of data, the jurisdiction is able to develop questions to dig deeper.

These data should be collected on an ongoing basis — the BI recommends collecting these data every quarter:

- (1) Arrest;
- (2) Referral to Detention Facility;
- (3) Detention Admission Screening;
- (4) Admission to Detention Facility;
- (5) Detention Utilization; and
- (6) Alternatives to Detention.

It is important to note that gathering the quarterly data required to complete the template will not answer all of a jurisdiction’s questions about disparities. However, it is a significant first step in learning about whether and to what extent racial and ethnic disparities exist in a juvenile justice system. It is likely that jurisdictions will need to dig deeper into the data as they strategize about policy and practice that may actually reduce racial and ethnic disproportionality.

1. ARREST DATA

It is important to collect arrest data because law enforcement has the first contact with youth charged with an offense. A police officer typically has two options when coming into contact with a youth in trouble with the law: (1) to divert the youth out of the system; or (2) to arrest the youth. Upon arrest, the youth’s case is typically processed in one of two ways. They are either: (1) taken to the juvenile detention facility to be screened for admission; or (2) given a citation or “paper referral” directing him or her to juvenile court or probation.

The data template reviews total arrests within the jurisdiction and disaggregates the arrests in order to help a jurisdiction begin to establish if youth are arrested for committing certain offenses by race or ethnicity. Additionally, a jurisdiction should disaggregate arrests by:

- (1) Offense Charged at Arrest⁴
- (2) Gender
- (3) Time of Offense

PEORIA’S EXPERIENCE

Arrest data disaggregated by race and ethnicity is kept electronically by the Peoria Police Department, which made it easy to retrieve and analyze. The collaborative working on this project gathered total arrests by year and then disaggregated by race and ethnicity. Not all jurisdictions maintain arrest data electronically, unfortunately, and the manual retrieval of information is a much more time-consuming endeavor. Additionally, in many jurisdictions several law enforcement agencies make arrests of youth involved in the local court system and detention. Often these different law enforcement agencies do not collect data in a uniform fashion, making it difficult to aggregate arrests.

Figure 3: Top Offenses Arrested

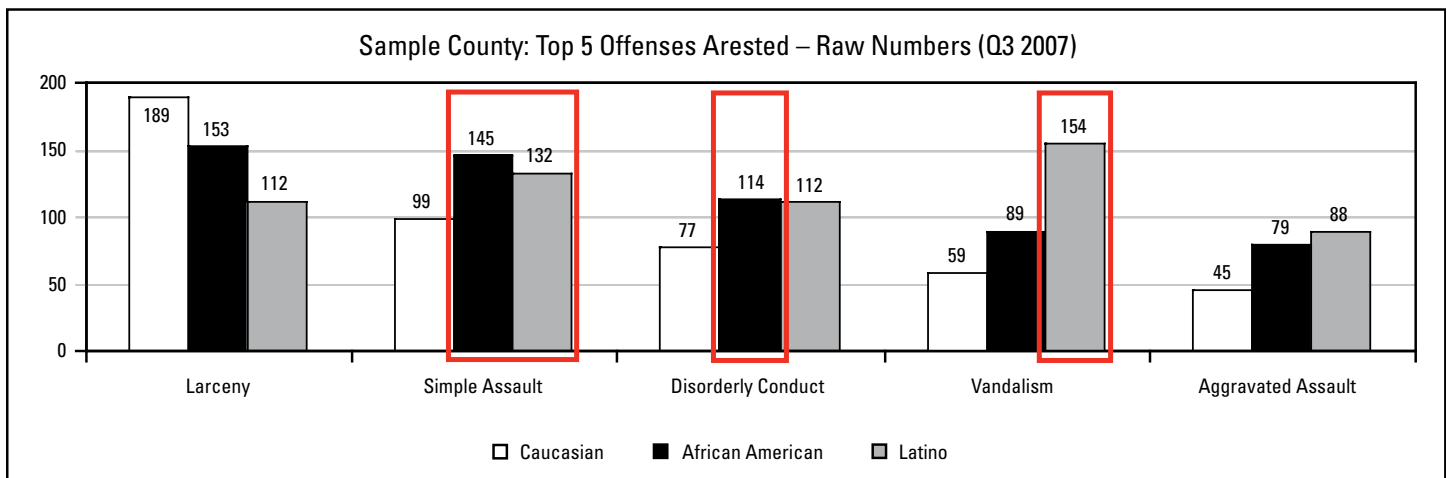


Figure 3 includes the top five offenses for which youth are arrested in Sample County. It reveals that the two populations that might be targeted for disparity reductions are African Americans arrested for “disorderly conduct” or Latinos arrested for “vandalism.” Additionally, the Sample County may want to look into arrests for simple assaults. For all of these arrests, Sample jurisdiction will dig deeper and may ask, for example: (1) What other decision making options were available to the arresting agency? (2) When comparing the other decision making options utilized for white youth versus youth of color, can we note any disparities? If so, what might account for those disparities? (3) How many of those youth were arrested in schools? (4) How many of these youth were referred to a juvenile detention facility versus cited and released? Can we note any disparities there?

⁴ The BI collects these data in accordance with the Uniform Crime Report. Under the UCR, a single arrest with multiple charges will show up in the UCR data as one arrest. The most serious crime for which the person was arrested should be the charge listed. For example, if a youth is arrested and subsequently charged with robbery and drug possession, the UCR would only indicate one arrest for the robbery charge.

Figure 4: Time of Arrest

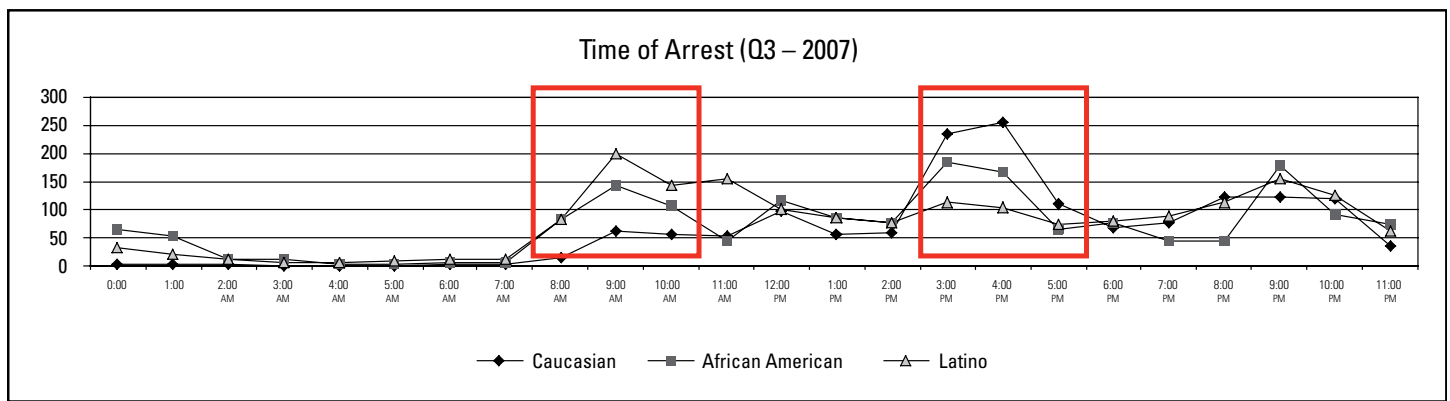


Figure 4 This includes the top 10 offenses for which youth are most frequently referred. Of particular concern are those arrests occurring during school hours. As Figure 4 represents, a high number of African American and Latino youth are arrested during school hours between 8 a.m. and 10 a.m., whereas there are high number of White youth arrested between 3 p.m. and 5 p.m., after school hours. Sample County may look more closely at the arrests occurring during these times to learn what might account for these differences.

2. REFERRAL TO JUVENILE DETENTION

Referrals to juvenile detention should not be confused with admissions. It is important to collect referral data in order to track which agencies are seeking detention for particular youth. Referral data queries are concerned with all pre-adjudication youth referred to juvenile intake at juvenile detention facilities, regardless of whether they are admitted.

In addition to always disaggregating referrals to detention by race and ethnicity, the data template provides for the collection of characteristics related to referral, including:

- (1) Most Serious Offense⁵
- (2) Gender; and
- (3) Referral Source.⁶

Figure 5: Comparison of Youth Population and Referrals

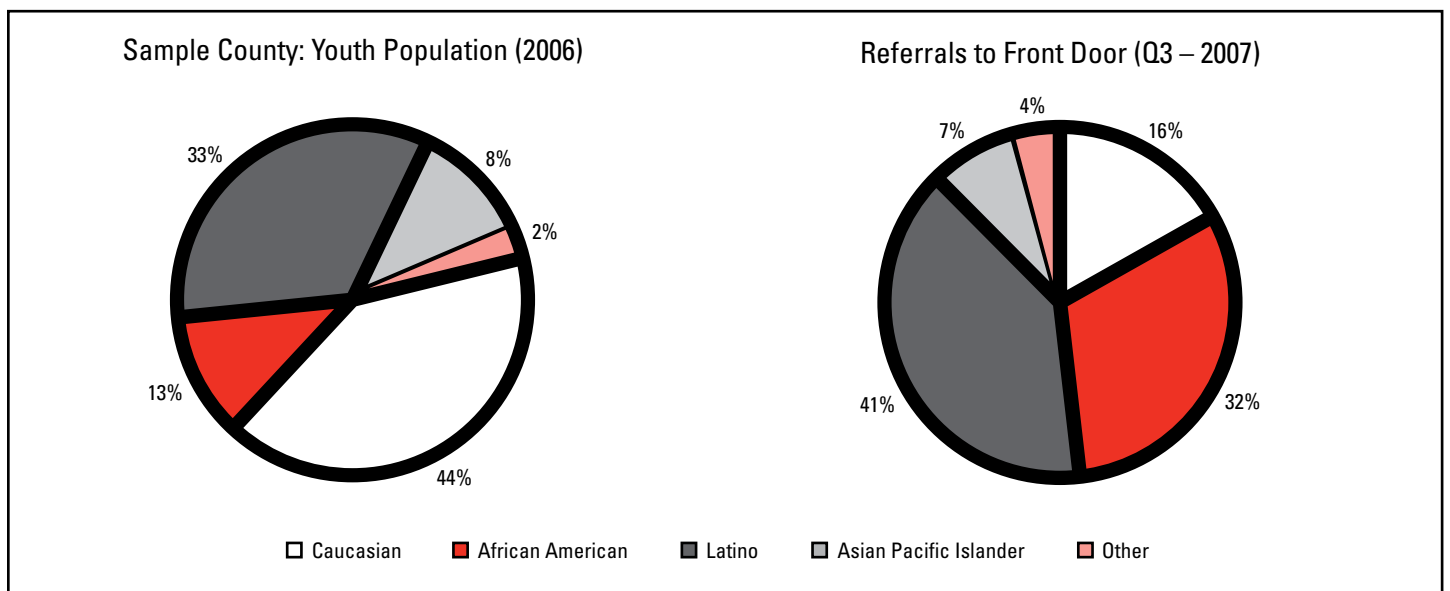


Figure 5 includes a comparison of the overall youth population in Sample County with the total referrals for Quarter 3 of 2007. As the chart indicates, African-American youth represent 13% of the overall youth population, but 32% of referrals to detention. Caucasian youth, on the other hand, represent 44% of the overall youth population, but only 16% of referrals to detention.

⁵ The *Most Serious Offense* includes referral frequencies for the top ten offenses for which youth are admitted, rather than the top ten offenses for which youth are referred. The template gathers these data in order to allow a comparison in the rate of admission for those youth referred for specific offenses. The template automatically populates the *Most Serious Offense* with the offenses entered into the admissions table. Offenses will vary with each jurisdiction, and they will vary from quarter to quarter. All offenses that are not included in the top most frequent offenses should be placed in the *Other Offense* category.

⁶ This includes the department or agency that referred the youth to intake at juvenile hall. Common referral sources include city police; county sheriff's departments; probation departments; local schools; parents and social services. Tracking these data help to inform which partners are necessary for the collaborative and which policies are implicated.

PEORIA'S EXPERIENCE

Peoria does not track referrals separately from admissions to detention. Although Peoria was not able to collect such aggregated data, we believe significant efforts should be made to gather information including which agencies in a jurisdiction are referring youth to detention because that often informs where changes to policies and procedures may be concentrated.

3. DETENTION SCREENING

The collection of detention screening data is important because it allows a jurisdiction to determine whether detention is being used only for appropriately detained high-risk youth and whether that decision is being made equitably.

The template includes a worksheet for detention screenings, and assumes there is some form of pre-adjudication Risk Assessment Instrument (RAI) in place. A RAI is an objective tool that assesses a youth's likelihood of appearing in court and not reoffending before their first appearance in court. It differs from a screening tool like the

Massachusetts Youth Screening Instrument (MAYSI), which is given to a youth who *will be detained*.

A core belief at the heart of the BI data collection and disparities reduction process is that secure confinement should only be utilized when it is the "least restrictive option," both pre- and post-adjudication. That is, detention should be utilized only when youth present a community safety threat, and – in the case of pre-adjudication detention – a flight risk, and no other less restrictive alternatives are available. This belief is based on a substantial body of research indicating that secure confinement is, on the whole, harmful to youth.⁷

A RAI is often utilized to help detention intake staff determine which youth represent a high risk of flight and public safety and should therefore be detained. Likewise, the instrument helps detention intake staff determine which youth should be released outright or to a detention alternative by classifying youth into high, medium, and low-risk scoring categories.

Figure 6: Detention Screening Data

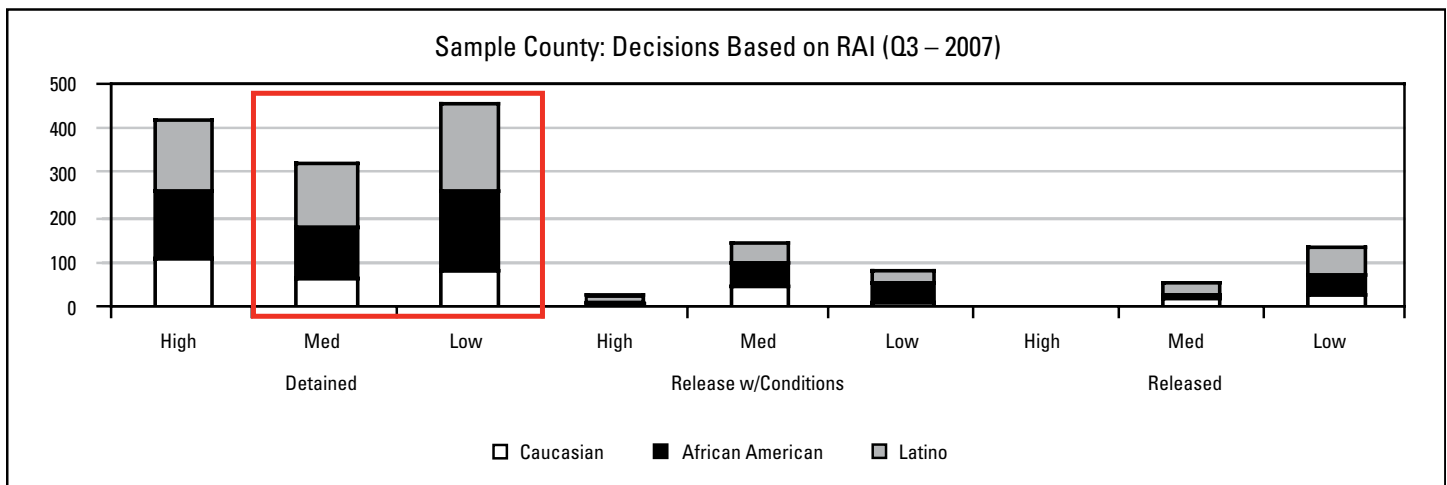


Figure 6 captures the number of youth detained who are low, medium and high risk for re-offense or failing to appear at their next court date by race/ethnicity. In a jurisdiction that has high fidelity to its risk assessment instrument, there would be a high number of high scoring youth detained; a high number of medium scoring youth released with conditions; and a high number of low scoring youth released outright. In this example, there are more low risk youth detained than high risk, and low risk youth of color are detained disproportionately. This indicates that challenges are present in the use of the RAI in this jurisdiction.

When a RAI is used appropriately, only youth identified as high-risk should be detained. Medium-risk youth should be released with conditions that may include supervision or other conditions, and youth who are low-risk should be released outright. As Figure 6 shows, high numbers of medium and low scoring youth are detained, and African American and Latino youth are disproportionately represented in admissions for low and medium scores.

PEORIA'S EXPERIENCE

Peoria currently does not gather this data partly because it is not available electronically. In order for them to track this data, it would require analyzing the screening instrument and doing hand calculations to disaggregate by race and ethnicity. Peoria would be able to easily handle about 100 admissions monthly in this manner (albeit by hand). Electronic capacity is preferred, but not essential to monitor detention screenings.

⁷ Holman, Barry and Ziedenberg, Jason, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Congregate Facilities*. Baltimore, Maryland: Annie E. Casey Foundation.

4. OVERRIDES

Collecting override data is important to determine if low and medium-risk scoring youth, who by department policy are deemed eligible for release or release with condition, are being detained. It also allows a jurisdiction to learn whether youth of color are being disproportionality impacted.

An override provides detention or intake staff the ability to hold a youth in detention even though they scored below the detention or “high risk” threshold on the RAI. Overrides are calculated by dividing the total low and medium-risk scoring youth held in detention by the total low and medium-scoring youth at detention intake. Analyzing overrides answers the question: Of the youth eligible for release, how many were detained?

RAI scores may be overridden when there is federal, state or local policy mandating that certain youth be automatically held. Overrides may also occur at the discretion of the intake officer for a variety of reasons. Because of this, in addition to always disaggregating overrides by race and ethnicity, the data template provides for the collection of various characteristics related to overrides. The data collected include:

- (1) Automatic/Policy Holds vs. Discretionary Holds;
- (2) Reasons for Automatic/Policy Holds; and
- (3) Reasons for Discretionary Holds

Figure 7: Automatic vs. Discretionary Overrides

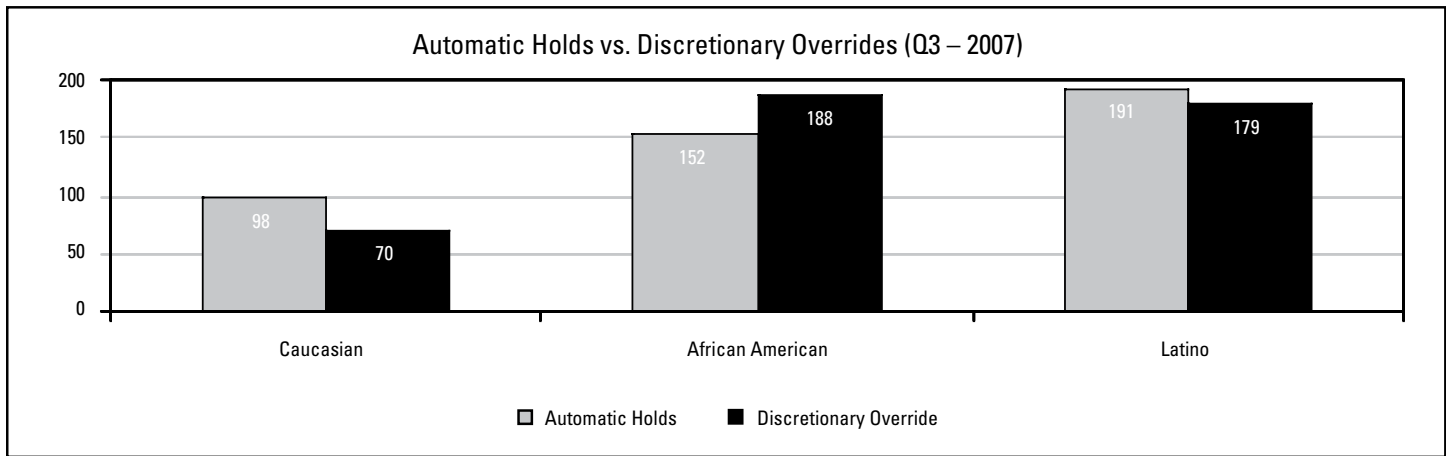


Figure 7 illustrates all youth detained despite a low or medium score on their Risk Assessment Instrument. It includes youth held on “automatic hold” as well as youth held as the result of a “discretionary override.” In other words, it compares the youth who were held as the result of federal, state, or local policy to those youth held at the discretion of the intake officer. As the graph illustrates, Caucasian and Latino youth are more often held as the result of an automatic hold, while African American youth are more often held as the result of a discretionary hold. Next, the jurisdiction should look at the reasons for both automatic holds and discretionary overrides.

Figure 8: Reasons for Discretionary Overrides

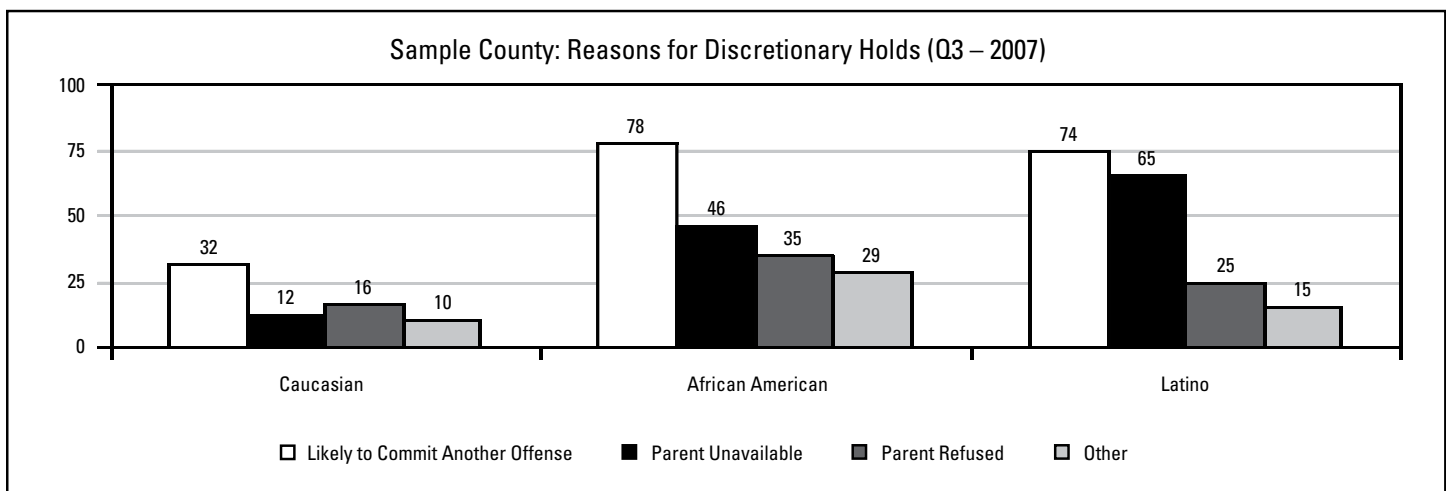


Figure 8 illustrates the typical reasons for discretionary overrides and indicates that a high number of youth of color are overridden because the intake officer believed the youth was “likely to commit another offense.” As mentioned above, this first level data reveals data that requires digging deeper. In this case, the BI would ask why these youth were held. Additionally, Figure 8 indicates that a significant number of youth of color are detained because their parents are unavailable or refused to pick them up. As a result of these findings, the jurisdiction might explore a variety of solutions that might reduce the number of youth of color held for such reasons, including transportation or releasing youth to relatives.

PEORIA'S EXPERIENCE

Peoria has a policy in place that forbids overrides for low-risk youth. In order to monitor the detention of medium-risk youth, Peoria collects the data by hand and compiles information on the race and ethnicity of the youth in Excel. Peoria is then able to track automatic holds by looking at the offenses. Discretionary holds must be analyzed by examining by hand the written reason for the override.

5. DETENTION ADMISSIONS

Detention should be utilized only when youth present a community safety threat, and – in the case of pre-adjudication detention – a flight risk and no other less restrictive alternatives are available. This principle is based on a substantial body of research indicating that secure confinement is, on the whole, harmful to youth. Incarcerated youth have higher recidivism rates than youth supervised in other kinds of settings, and youth with a history of detention are less likely to graduate from high school; more likely to be arrested and imprisoned as an adult; and more likely to be unemployed as

an adult. Studies also show that unnecessarily detaining youth may even contribute to future offenses.

In order to examine detention admission data, it is important to identify what “admission” to juvenile detention means within a particular jurisdiction. In some, juvenile detention may classify a youth as admitted to detention the moment that his or her paperwork is completed. In others, a youth is not “admitted” until they have been in detention for a certain amount of time, often six hours. In addition to always disaggregating admissions to detention by race and ethnicity, the data template provides for the collection of various characteristics related to youth admission including:

- (1) Top Ten Offenses Admitted;⁸
- (2) Target Offenses Admitted;⁹
- (3) Gender; and
- (4) Residence Zip Code.¹⁰

Figure 9: Admission Comparison

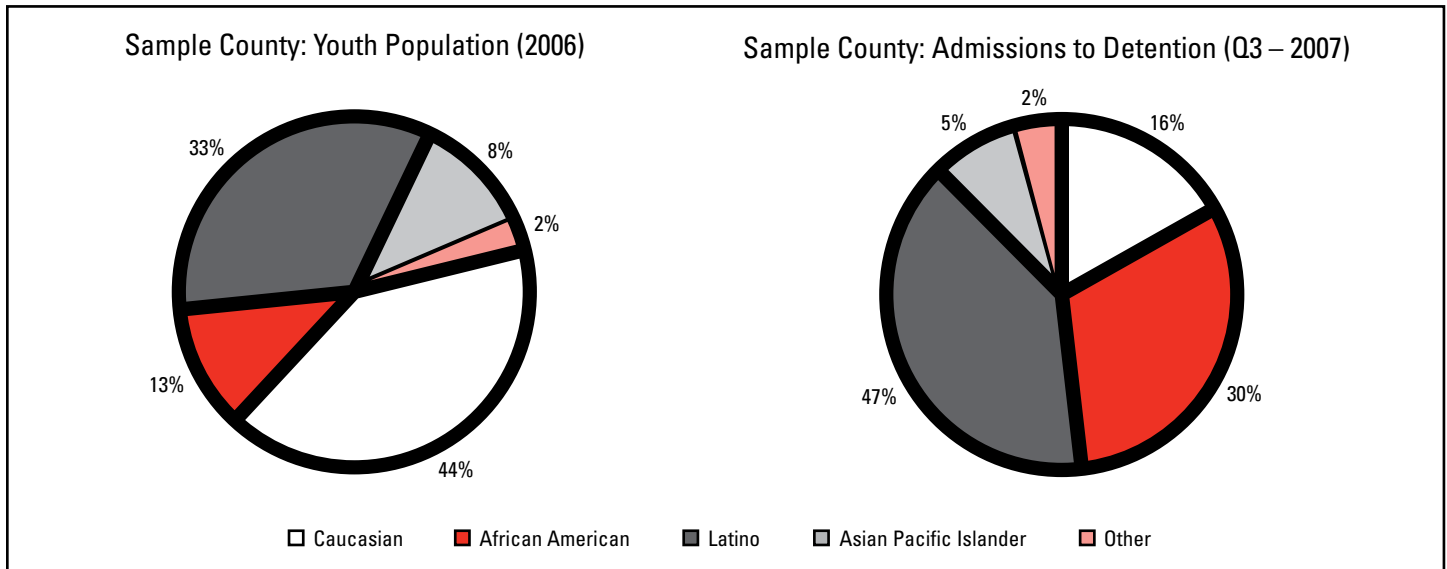


Figure 9 includes a comparison of the overall youth population in Sample County with the total admissions for Quarter 3 of 2007. As the chart indicates, African American youth represent 13% of the overall youth population, but are 30% of admissions to detention.

PEORIA'S EXPERIENCE

Peoria was able to collect all of the characteristics listed by working with the Detention Superintendent to assemble the quarterly admission to detention list and disaggregating the data by all the relevant variables. Detention admission information is maintained electronically

in Peoria, which made the collection of annual admissions data simple. However, adjustments had to be made to the information system in order to enable it to disaggregate data by race and ethnicity. This was a simple change made by the staff operating detention, in cooperation with the Director of Probation and Court Services.

⁸ Top Ten Offenses are offenses for which youth are most frequently admitted to detention during the reported quarter. Again, when a youth admitted to detention is charged with more than one offense, list only the most serious offense.

⁹ Target Offenses include those offenses that the jurisdiction agrees should be monitored on a regular basis regardless of whether they are within the top ten most frequently admitted offenses. Target offenses vary based on jurisdiction, but typically include youth admitted for technical violations such as bench warrants, probation violations, and placement failures.

¹⁰ At which the youth resides at the time of arrest.

Figure 10: Most Frequent Offenses Admitted

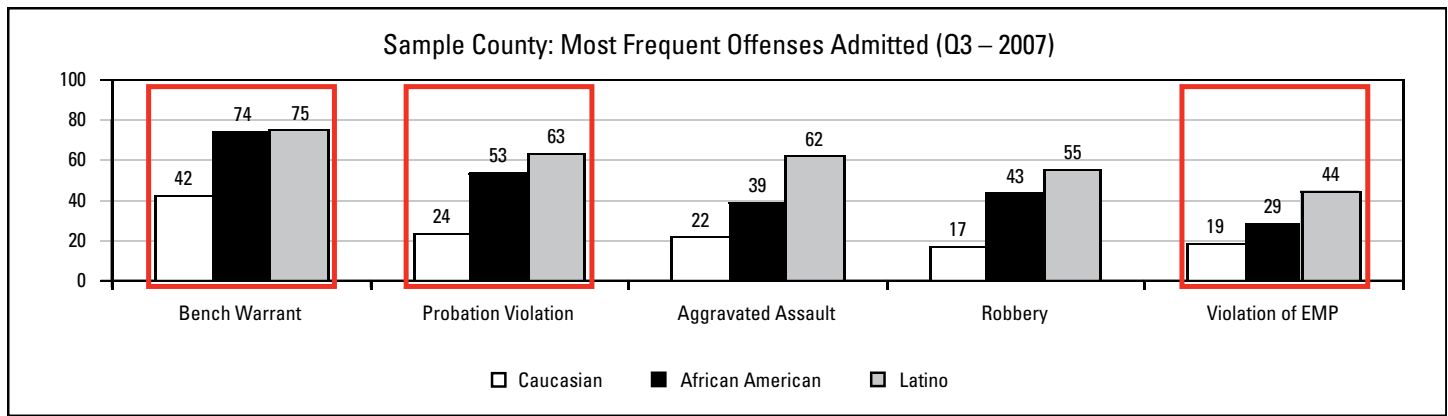


Figure 10 illustrates the offenses for which youth are admitted most frequently in Quarter 3 of 2007. As the chart indicates, the offenses for which youth are admitted most frequently include several technical offenses including Bench Warrants, Probation Violations and Violations of Electronic Monitoring Program (EMP). Sample County may dig deeper into these offenses to learn more about how admissions to detention for these offenses are contributing to disproportionality and whether policy or practice change may reduce detention admissions and disproportionality.

Figure 11: Zipcodes

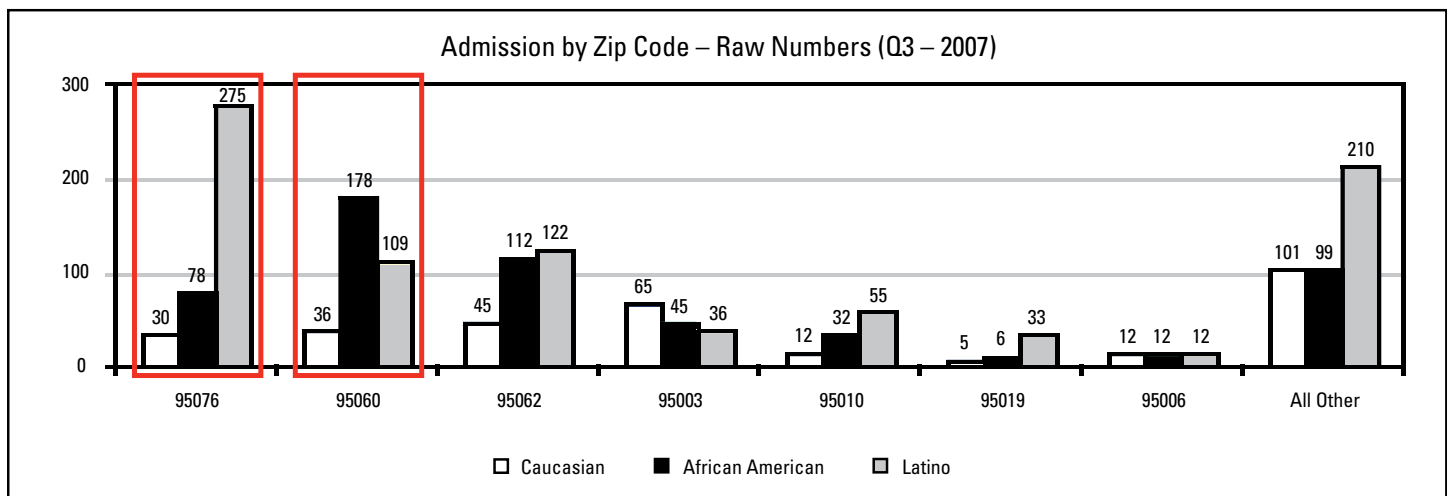


Figure 11 illustrates which zip codes youth admitted to detention reside. As the chart indicates, Latino youth from 95076 and African American youth from 95060 are admitted with great frequency. As Sample County continues its disparity reduction efforts, they will need to learn more about the assets and deficits within these zip codes, and identify whether or not there are particular neighborhoods on which to focus. For example, are there specific problem locations in the neighborhood, such as vacant lots, drug houses, or liquor stores that open in the morning and sell beer to high school students? Are there neighborhood strengths such as community centers, Boys and Girls clubs, and athletic resources?

6. AVERAGE LENGTH OF STAY (ALOS)

The collection of ALOS data is important in order for a jurisdiction to determine whether youth are staying in detention for similar lengths of time for similar offenses. In addition to always disaggregating ALOS by race and ethnicity, the template provides for the collection of various characteristics related to the length of stay, including:

- (1) **Pre- and post-adjudication.** If it appears that youth are staying in detention post-adjudication for long periods, it helps to separate post-adjudication youth into those who are awaiting specific placement opportunities; youth awaiting a commitment to State Corrections; youth serving out a dispositional sanction; and youth who remain in detention for other reasons;
- (2) **Top Offense;** and
- (3) **Target Offenses.**

Once again, monitoring the average length of stay by offense informs a jurisdiction as to whether youth of color remain in detention for longer periods of time than White youth – even when charged with the same offense.

PEORIA'S EXPERIENCE

In Peoria, such data is collected by probation and detention staff. The data is also separated into pre-adjudication and post-adjudication lengths of stay, encompassing admission to release from detention in order to monitor the spikes in lengths of stay caused by youth awaiting adult adjudication. Peoria is able to collect all of the characteristics listed, but must also do a specific length of stay analysis by conducting hand calculations.

Figure 12: Average Length of Stay (ALOS) by Offense

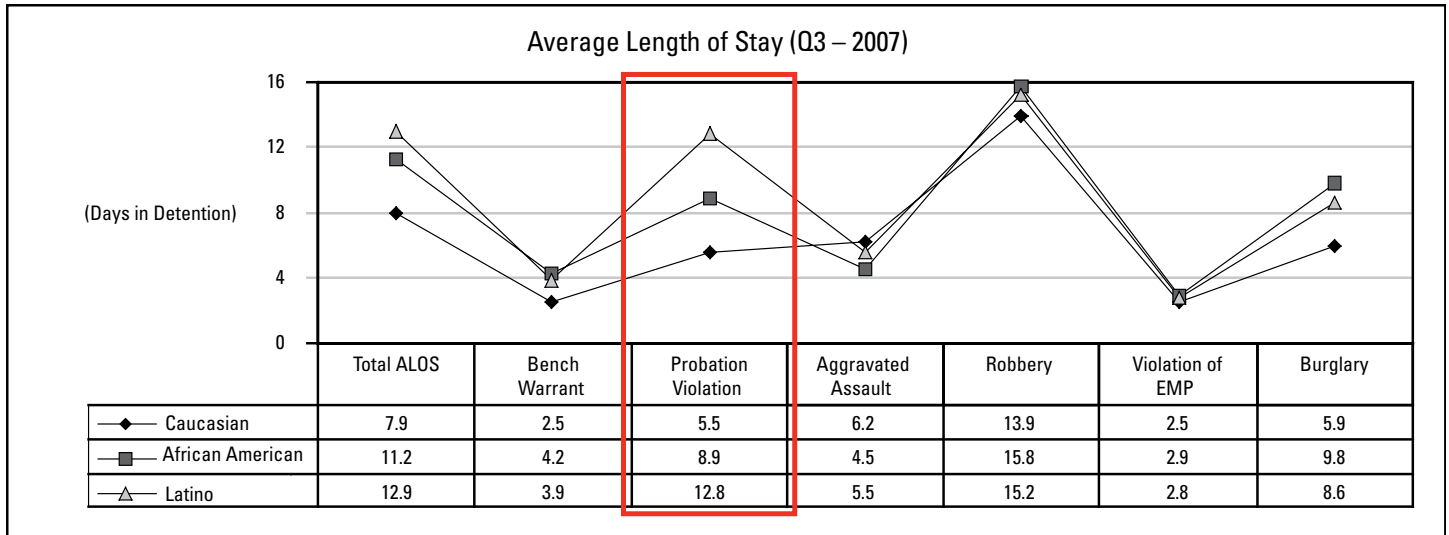


Figure 12 illustrates the average length of stay in detention pre-adjudication by race/ethnicity and offense. Upon reviewing the chart, we can note that youth of color are often detained for longer periods of time for the same offenses as Caucasian youth. For example, on average, Caucasian youth are detained for 5.5 days as the result of a probation violation charge. African American youth and Latino youth are detained for a longer period of time, 8.9 days and 12.8 days, respectively.

7. ALTERNATIVES TO DETENTION (ATD) UTILIZATION

ATD Utilization collection is important because the data measures the impact of alternatives to detention on disparities. In addition to always disaggregating by race and ethnicity, the template provides for the collection of:

- (1) Number of youth in various alternatives at the beginning and end of the quarter;
- (2) Number of normal, "successful" exits; and
- (3) Number of failed, "failure to appear or re-offense" exits.

PEORIA'S EXPERIENCE

Peoria's major alternatives to detention are home detention, Evening Reporting, and Electronic Monitoring. Home detention successes and failures are tracked by Peoria on a regular basis. The chart below from Sample County illustrates how a jurisdiction would show this data.

Figure 13: Alternatives to Detention

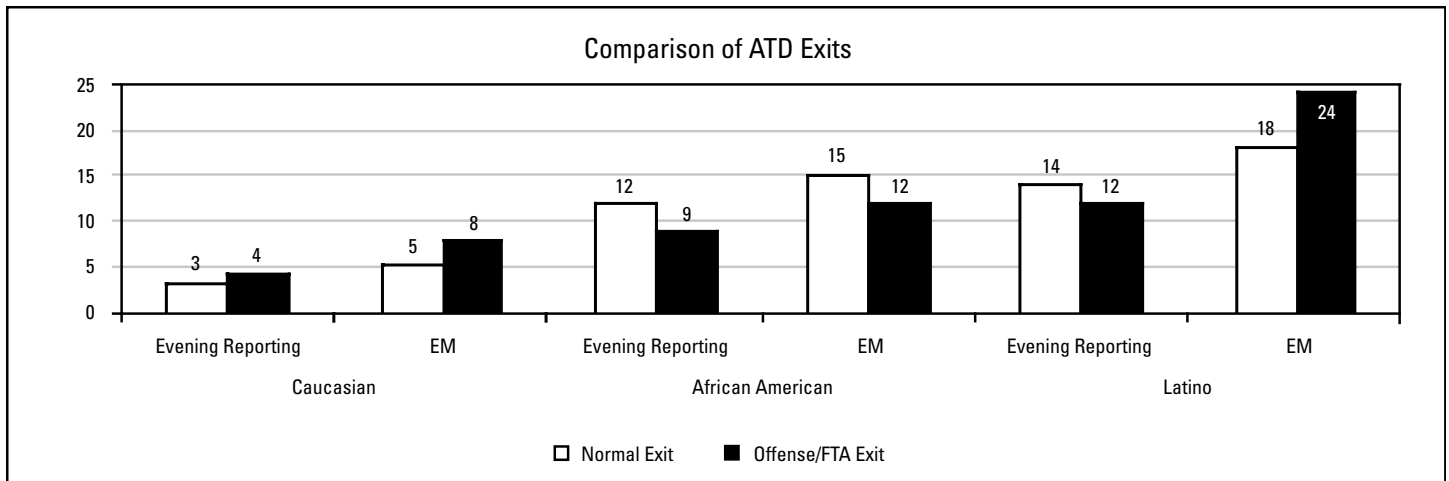


Figure 13 illustrates the which alternative programs have "successful" or normal exits versus those that are "unsuccessful" or result in the youth leaving the program as the result of committing a new offense or failing to appear.

V. SUMMARY

The reduction of racial and ethnic disparities is often viewed as a daunting and overwhelming task for a local jurisdiction to undertake. However, efforts in a variety of jurisdictions reveal that reducing racial and ethnic disparities while also maintaining public safety is a realistic goal when using data collection to inform practice. The template developed by the BI provides the elements necessary to reduce disparities intentionally and strategically.

By using this tool, stakeholders in Peoria were able to achieve their goals regarding the identification of racial and ethnic disparities. A critical lesson learned from this pilot project is that cooperation goes a long way toward getting the data necessary to achieve results. Although Peoria's data systems may be somewhat more sophisticated than other jurisdictions, its stakeholders still needed to employ the political will and leadership necessary to go the extra mile.

For sites that are committed to ensuring fairness, but that do not currently capture this type of data, this data collection template is especially helpful as they begin the process of using data to improve and reform their juvenile justice system. Sites using this tool may, as Peoria did, need to adjust their data collection process to obtain some of the DMC data elements.

Peoria found that, although much of the information was recorded as part of their arrest or detention process, it was not available in a format conducive to sorting and disaggregating. Therefore, in order to acquire the data for the template, they had to make minor adjustments to accommodate this level of specificity about racial and ethnic disparities. It should also be noted that all of the data is disaggregated by gender in order to track those disparities. Jurisdictions should also have the capacity to identify and assemble data on ethnic groups increasingly populating detention (i.e. Latino, Asian, Pacific Islander, East African and Native American).

By using a data-driven approach, Peoria determined that a significant number of African-American boys were being detained for aggravated assaults or battery. A majority of the incidents were school fights and arrests pursuant to zero-tolerance policies. Armed with this data, the collaborative approached their education colleagues to pilot a project to address school fights internally rather than with police, resulting in a reduction of African-American admissions to detention. Once implemented, the school-based policy resulted in a 35% reduction in school referrals to detention.

We know that there are hundreds of thousands of youth involved in the juvenile justice system, and that almost 4 out of 5 are youth of color. We hope that this publication assists you in your efforts to assure that justice is administered with fairness and equity in your jurisdiction.

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The sections of the report were written by James Bell, Executive Director of the Burns Institute; Laura John Ridolfi, Law and Policy Analyst at the Burns Institute; and Lori Brown, Site Coordinator, Peoria, Illinois. The report was designed by Robert Lewis.

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