ModelsforChange

Systems Reform in Juvenile Justice

Innovation Brief

Reducing Racial and Ethnic Disparities in Pennsylvania

Across the United States, youth of color are disproportionately represented at every stage of the juvenile justice system, with the greatest disparities at the deepest end of the system. Although every state is required to address racial and ethnic disparities as a condition of receiving federal juvenile justice funds, few places have gotten beyond studying the problem. In Pennsylvania, with support from the Models for Change initiative, several jurisdictions took the next steps and implemented effective, data-driven reforms to reduce disparities. These reforms included improved data gathering and analysis, increased cultural competence, implementation of objective screening instruments, development of alternatives to detention and out-of-home placement, improved probation practices, work with the faith-based community, and training and collaboration with law enforcement. State agencies played an important role in improving data collection and replicating innovations in other jurisdictions. Pennsylvania and other states also participated in the Disproportionate Minority Contact (DMC) Action Network, a peer learning and support network funded through Models for Change and operated by the Center for Children's Law and Policy.

The Issue

Racial disparities in juvenile justice are stark: from 2002 to 2004, African-Americans constituted 16 percent of the nation's youth, 28 percent of juvenile arrests, 37 percent of detained youth, 38 percent of youth in residential placement, and 58 percent of youth admitted to state adult prisons. Latino youth are 50 percent more likely than white youth to receive an out-of-home placement in the juvenile justice system or to be charged and tried in the adult system. These disparities have many causes, some that can be addressed within the juvenile justice system and others—like differences in poverty, housing, and societal racism—that cannot.

Efforts to reduce disparities can address three goals: reduce over-representation of minority youth in the justice system, reduce differential treatment at each decision-making point, and prevent minority youth from entering and moving deeper into the system. All require data-driven strategies, and many jurisdictions collect data about the problem. But they often find it hard to interpret the data, to understand which reforms can be effective at specific decision points, and to implement reforms successfully.

Innovations

Expanding collaboration. When Models for Change began in Pennsylvania, the groundwork for collaboration was already under way. Judges, prosecutors, defenders, probation staff, and others were working to reduce racial and ethnic disparities, largely through the DMC Subcommittee of the state's Juvenile Justice and Delinquency Prevention

Accumulated Disadvantage for African-Americans 2002-2004
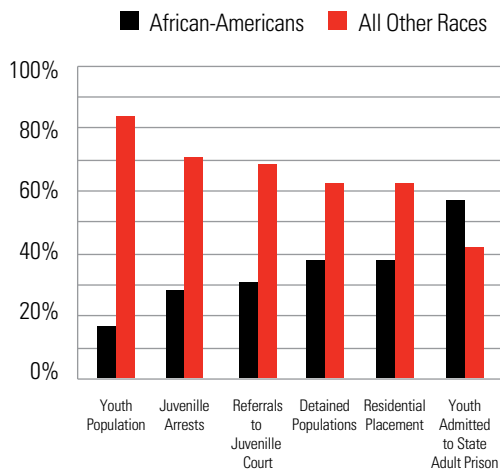

■ African-Americans ■ All Other Races

figure 1

Committee. The Subcommittee was able to identify jurisdictions that were ready for reform, serve as a sounding board throughout the process, and help disseminate strategies and lessons learned from projects in the counties.

Recognizing that community members could bring new energy and urgency to the work, sites brought in youth and families formerly involved in the system, clergy, police, schools, members of community organizations, mental health service providers, and mentoring groups to work alongside other stakeholders. The new voices have helped court-related agencies create more culturally competent services, attract new service providers to work with juvenile justice-involved youth, coordinate more closely with other agencies serving children, and work collaboratively on longstanding challenges. For example, in one jurisdiction, agencies had been unsuccessful in getting a federal grant to start a YouthBuild program, which helps at-risk youth gain practical skills and experience in building trades along with academic studies. With the right players at the table and the support of technical assistance, the community finally won a federal YouthBuild grant.

Incorporating Data into Decision-Making.
Effective systems change requires an understanding of the characteristics and circumstances of youth involved in the system. This means collecting information such as the race,

ethnicity, gender, offenses, ages, and home locations of youth at key stages in the juvenile justice system. The committees and stakeholder agencies learned to use these data to guide their work to reduce racial and ethnic disparities.

Some information is not readily available through aggregate data sources, but can be extracted through individual file reviews. For example, one large jurisdiction was concerned that too many youth returned unsuccessfully from placements. With assistance from national experts funded by Models for Change, the jurisdiction conducted an in-depth study of the youth and circumstances surrounding their returns, and created an agenda for improvements in choosing placements and working with providers.

Data Improvements. Pennsylvania wanted more accurate information about race and ethnicity. Previously, there was no uniform method for collecting this information, no standard categories, and a mixture of data on race and ethnicity: a youth could not be recorded as both Black and Latino in the database, even though several Pennsylvania counties have many youth who are both. By separating race and ethnicity questions, the state has improved the accuracy of its data and become a nationwide model.

Objective Screening Tools. Several jurisdictions in Pennsylvania developed and adopted tools to help probation officers make structured decisions about when to detain newly arrested youth and those who violate probation. These assessment tools provide risk scores based on standard, objective criteria such as current charges, previous failures to appear in court, and previous violations of the conditions of release. Because they reduce the impact of individual discretion and unconscious bias, they are key tools in reducing racial and ethnic disparities.

Alternatives to Detention and Out-of-Home Placement. Because disproportionate numbers of minority youth are detained and sent to out-of-home placement, several jurisdictions addressed racial and ethnic disparities by developing alternatives. These included non-secure shelters for youth who can't safely return home but don't require locked detention, evening reporting centers for youth awaiting

hearings, use of electronic monitoring for youth whose families don't have telephone lines at home, and expanded use of evidence-based treatment programs in the community. Reducing the use of placement also means that fewer youth are held in detention awaiting their placements.

Graduated Responses for Youth on Probation. Some jurisdictions found that a significant percentage of placements for youth of color were the result of probation violations: youth whose primary offenses were minor enough to warrant probation ended up in placements because of technical violations such as drug use, truancy, or missed appointments. By increasing the range of incentives and sanctions for youth on probation, they were able to reduce placements and serve youth close to home without jeopardizing public safety.

Linguistic and Cultural Competence. Jurisdictions with growing Latino populations recognized the value of increasing the cultural competence of court personnel. Some engaged community stakeholders to help translate court forms and information, ensuring that the translations were understandable in their communities. Some invested money and time in building the Spanish-language proficiency of their staff. Others focused on current practices. For example, where officials realized that probation officers with special language or cultural competence skills were ending up with higher caseloads and extra translation responsibilities, they adjusted assignments to distribute responsibilities more equitably.

Work with the Faith-Based Community. Many religious organizations were already working with young people and shared goals of fairness and equity, but they hadn't connected with the juvenile justice system. To bridge that gap, one jurisdiction surveyed every religious and secular youth-serving organization in the county to understand the opportunities available and help build connections. Another community is working with faith leaders to create an agenda for change in the juvenile justice system, and engaging them as partners to create new youth-serving programs.

Youth-Police Relationships. Many jurisdictions have a history of bringing youth and police together in annual discussion forums. More recently, leaders in Philadelphia developed a training curriculum for new law enforcement cadets. The Philadelphia Minority Youth Law Enforcement Curriculum addresses adolescent development, youth culture, and youth coping strategies, and brings youth-police dialogue into the training experience. The training helps officers distinguish between normal adolescent behavior and criminal conduct, and helps them understand the environmental and developmental bases for adolescent behavior. The curriculum is now being expanded for use with other police departments.

Results and Lessons

Measurable Change. Where detention and placement populations have high concentrations of minority youth, reducing these populations overall especially benefits youth of color. That makes these results particularly significant:

• Berks County reduced the use of detention 60 percent from 2007 to 2011. This meant that that, on average, 16 fewer Latino youth and 5 fewer African-American youth were in detention on any given day.

Berks County Average Daily Detention Population 2007-2011

figure 2
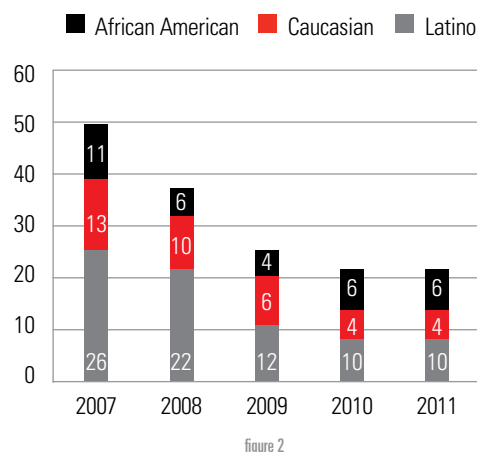
• Finding new ways to handle probation violations and increasing the use of community-based and evidence-based practices helped Berks County reduce its use of out-of-home placement by 67 percent between 2007 and 2012—from 339 placements per year to 111. By

serving 228 more youth in their homes rather than costly placement facilities far from their families, the county also saved about $2 million per year.

- At any given time, the graduated sanctions court in Philadelphia serves about 75 youth, all of whom were about to be sent to placement when they entered the program. About half have avoided long-term placement and were discharged from probation.
- Lancaster County, which implemented a detention assessment instrument and an evening reporting center, saw a 12 percent drop in its detention population and has also reduced the percentage of minority youth being detained—a difficult thing to accomplish even as the overall population is dropping.

Disseminating Success. Pennsylvania state leadership has helped expand successful innovations across jurisdictions. For example:

- The Minority Youth Law Enforcement Curriculum has been used to train approximately 700 officers in Philadelphia, 30 in Lancaster, and 40 in Pittsburgh. Other states now using the program include Florida, where staff from Philadelphia have prepared new trainers.
- Building on the success in Berks County, the Pennsylvania Commission on Crime and Delinquency has funded detention risk assessment and evening reporting centers in five other Pennsylvania jurisdictions, and is supporting case processing reforms and other innovations that can reduce unnecessary detentions.

Lessons Learned. Pennsylvania's work to reduce racial and ethnic disparities has been successful in part because it provided local reformers the opportunity and support to build on their own ideas and turn them into models. Along the way, some important lessons have emerged:

- Creating measurable reductions in racial and ethnic disparities requires regular data collection and analysis.

- Jurisdictions can also collect important data about the youth in their system by looking at individual files.
- Involving diverse members of the community enriches the work and enhances its energy and urgency.
- Aligning state funding to support replication of innovations helps disseminate successes.
- Change takes time, courage, leadership, and sustained commitment.

Looking Forward

Pennsylvania's next reform initiative, the Juvenile Justice System Enhancement Strategy (JJSES), is a compilation of lessons learned from Models for Change and other reform efforts. State judicial and probation leaders are using this strategy to set the structure and pace for reform in Pennsylvania. Reducing racial and ethnic disparities, improving availability of data, and using data to inform policy and practice changes are all part of the JJSES, and more Pennsylvania counties have now made reducing disparities a key goal. In jurisdictions that have successfully instituted policy and practice changes, fairness and equity are now a lasting part of agency and court culture.

Resources

Guidelines for Collecting and Recording the Race and Ethnicity of Juveniles
http://modelsforchange.net/publications/138

Monograph: *Pennsylvania's Juvenile Justice System Enhancement Strategy* http://www.modelsforchange.net/publications/342

Video: *Reducing Racial and Ethnic Disparities in Berks County* http://www.modelsforchange.net/reform-progress/79?src=hometxt

Center for Children's Law and Policy DMC e-News Reports
http://www.cclp.org/DMC.php