Children's Law and Policy

Understanding the DMC Data Template

THE IMPORTANCE OF DATA TO DMC REDUCTON

Data are the cornerstone of effective Disproportionate Minority Contact (DMC) reduction. However, many jurisdictions face barriers to data-driven decision making. First, most jurisdictions collect only basic information, which is collected by separate agencies or departments. Thus, the police or sheriff's department collects data on arrests; the prosecutor's office collects information on charging; the probation department collects data on referrals, intakes, adjudications, and dispositions; the detention agency or facility collects data on secure detentions; and the corrections agency collects data on commitments to secure facilities. Additionally, many jurisdictions do not collect ethnicity data (i.e., whether a youth is Hispanic or not) at various points in the system. This leads to the continued undercounting of Hispanic youth, and a failure to respond adequately to the linguistic and cultural needs of these youth and their families.

Second, few jurisdictions regularly analyze and utilize data to make policy decisions. Typically, there is no one individual or entity that regularly collects data and reviews it through a race and ethnicity lens to determine the type of reforms that will likely reduce overrepresentation of youth of color at key decision points. Only a handful of jurisdictions have an active committee or coordinating body that performs these tasks by bringing key stakeholders to the table, including the court, prosecutors, defense attorneys, probation, law enforcement, and community members.

Finally, judges, probation officers, and others in the juvenile justice system often respond to the problem of racial and ethnic disparities by relying on past practices that have not proven effective at reducing DMC. Key leaders often fall back on the excuse that "we've always done it this way," or they cite anecdotal information to support reforms that will not yield actual reductions. In many jurisdictions in this country, perhaps a majority, the idea of using data to drive policy is a foreign concept.

THE DMC DATA TEMPLATE

DMC Action Network sites have used a standard data collection reporting template since the Network's inception in 2007. The data template involves quarterly collection and analysis of DMC. The information from the template drives reform strategies that reduce racial and ethnic disparities, as well as monitors the progress of implemented reforms across decision points.

CCLP provides regular technical assistance to sites on use of the template and ways of overcoming data collection barriers. In our experience, sites see benefits almost immediately after adopting the tool. We find that agency leaders become much more involved in learning

their data systems and show increased capacities to ask the right questions about what their systems report or do not report that may be key to the reform process. We also find that the use of the tool has led to efforts to improve data systems in the collection of race and ethnicity data, as well as improving usefulness of data reports. Finally, we find that the format of the template has increased stakeholders' understanding of DMC drivers (i.e., the effects of policies and practices on racial and ethnic disparities) from a youth's first contact with the system through post-adjudication status.

CCLP has utilized two versions of its DMC data template in its work with sites in the DMC Action Network: the Level One Template, and the Expanded Data Template.

Level One Template

The W. Haywood Burns Institute (BI) developed the Level One Template, utilized it to collect data in Peoria, IL and other sites, and made some revisions based on feedback from CCLP. The template covers arrest, secure detention, and use of alternatives to detention, all of which are disaggregated by race, ethnicity, gender, geography (e.g., zip code), and offense.

The template focuses on the front end of the system, arrest to adjudication. However, it also includes violations of probation that lead to secure detention, which are post-dispositional events. It requires data from the agencies that usually work separately (police, courts, probation, detention), and provides cross-tabulations that can be used to pinpoint areas of racial and ethnic disparities. The amount of data requested is not overwhelming. Nevertheless, local and state jurisdictions often have difficulty providing the data, at least initially, because they have never collaborated before or used data in a focused way.

Although the Burns Institute labels the template "Level One" data, it is really a third level of data collection. CCLP considers the Relative Rate Index the first level of data collection, since it provides single indices of overrepresentation (i.e., numbers above or below 1.0, which indicated racial equality) for nine key decisions points in the system, at the state or county level. CCLP regards the Detention Utilization Reports that Juvenile Detention Alternatives Initiative (JDAI) sites are required to prepare as the second level of data collection, since they include utilization of alternatives to detention and disaggregate information by race and gender. JDAI sites report ethnicity, but they usually do so as a racial category. There is no effort in JDAI to promote more accurate collection of ethnicity data through the use of the two-question format required by the federal Office of Management and Budget and now utilized in Pennsylvania and other jurisdictions as a result of Models for Change efforts.

The BI Level One Template is the third level of data collection because it includes the information collected in the first two levels and requires additional information that permits a deeper analysis. Among the most notable additions are the offense and geography categories. The "Top Ten Offense" and "Target Offense" categories for which youth are arrested, referred, and detained broadens the lens beyond the usual "person," "property," "drug," and "public order" categories. This makes it possible to separate offenses, such as simple assault vs. aggravated assault and drug possession vs. drug distribution when they are in the Top Ten. The use of "Target Offenses" enables sites to prioritize offenses or admission types that stakeholders

believe could easily be reduced through minor policy or practice modifications. Secure detention admissions for violations of probation or warrants, for example, frequently fall in that category. In addition, the required data on "geography" make it possible to analyze where offenses occur and where remedial programs and services should be located. Used regularly to track trends and to identify areas for deepened analysis, the Level One Template has proven to be an effective tool to identify where and how disparities exist.

Expanded Data Template

In December 2010, CCLP again partnered with BI staff to expand the data template to capture data at pre- and post-incarceration decision points. Using the same format for reporting data by race, ethnicity, gender, geography, and offense, the expanded template now includes data collection for the following decision points:

- Cases diverted, including utilization of diversion programs;
- Cases petitioned;
- Cases formalized;
- Cases resulting in delinquent findings;
- Probation placements; and
- Placement in secure correctional facilities.

Eight Network sites self-selected to pilot the expanded data template in October 2010. They submitted expanded data reports for the first time in March 2011. CCLP will synthesize the experiences of the local sites and North Carolina, the one state agency participating in the pilot, in order to provide national guidance on the template's adoption and use for DMC reduction.

Data collection and targeted analysis represent critical first steps to assess disparities at each key decision point. However, CCLP continues to emphasize the importance of regular data collection and analysis to guide policy and practice reforms that will eliminate the disparate treatment of youth of color in the juvenile justice system.