



**Office of Probation – Community Corrections  
Monroe County, New York**

**Maggie Brooks**  
*County Executive*

**Robert J. Burns**  
*Chief Probation Officer*

**Leslie S. Barnes**  
*Deputy Chief Probation Officer*

**JJDP A Formula Grant Program (JJ09-1029-E00)  
Monroe County – Disproportionate Minority Contact (DMC)  
Reduction Strategy Development Program  
Final Report**

Monroe County Probation (Probation) was awarded a Division of Criminal Justice Services (DCJS) grant provided by the Office of Juvenile Justice and Delinquency Prevention Act (JJDP A) Formula Grant Program. Probation requested funds to support the development of a local Disproportionate Minority Contact (DMC) reduction strategy. This DMC project was designed to assess and make recommendations on how to reduce DMC in the local juvenile justice system. The grant funded a Senior Probation Officer to take the lead as ‘DMC Coordinator’ to champion the effort to bring DMC issues to the forefront of the juvenile justice system. The DMC Coordinator was charged with establishing a work group of local juvenile justice stakeholders and to develop a method for capturing relevant juvenile justice data and analyzing the data with the purpose of developing a local DMC reduction plan. A critical component of the project was to solicit input and information from the community by conducting focus groups with youth, parents, community-based organizations, schools, the faith-based community and other stakeholders. Technical assistance funded under the RFP and assistance from the State DMC Coordinator would be provided.

As research shows that racial disproportionality is often present in the child welfare system and many youth who enter the juvenile justice system have had experience in the child welfare system, Monroe County planned to integrate DMC and Disproportionate Minority Representation (DMR) efforts. Monroe County Department of Human Services (DHS) had entered into a Memorandum of Understanding (MOU) with the Office of Children and Family Services (OCFS) for technical assistance and it was the intention of this project to address cross systems issues.

Probation and DHS held a joint planning meeting in May 2010 to formulate a plan for moving forward and to address the administrative support that would be provided for the collaboration between Probation and DHS. The purpose and agenda for the initial meeting was to form a Planning Committee and to identify a list of potential stakeholders who would comprise the DMC/DMR Strategy Team. The Planning Committee was comprised of high level staff from Probation and DHS. The purpose of the Planning Committee was to act in an advisory capacity to the Strategy Team. The initial meeting in May 2010 included the Chief Probation Officer, the Director of Child & Family Services at DHS, the Deputy Chief Probation Officer, DHS Administrators, a Probation Supervisor, and the local DMC Coordinator. Local stakeholders were identified for the DMC/DMR Strategy Team and on June 4, 2010 a letter was sent to the identified stakeholders jointly signed by the Chief Probation Officer and the Director of Child & Family Services at DHS inviting them to the DMC/DMR Strategy Team kickoff meeting on June 23, 2010. The local stakeholders were drawn from the Juvenile Justice Council, DHS, Law Enforcement, school personnel, Family Court staff including a Family Court Judge, members of

the faith based community, a youth, a parent, mental health staff, representatives from Legal Aid Society, Juvenile Prosecutor's Office and the Office of Children and Family Services (OCFS). The list of members from the Planning Committee and the Strategy Team is attached.

The Planning Committee met on June 2, 2010 and June 11, 2010 to discuss and set the agenda for the DMC/DMR Strategy Team kickoff meeting. The kickoff meeting took place on June 23, 2010 and was well attended. Administrators from Probation and DHS explained the collaboration and expressed support of the project. The Local Coordinator prepared and presented a PowerPoint presentation regarding DMC, local juvenile justice data, the grant timeframe, activities, and expectations of the DMC/DMR Strategy Team. Likewise, DHS Administrators presented DMR child welfare data and local disproportionality issues.

Technical assistance from national experts was provided to both projects. DHS worked with Casey Family Programs, the nation's largest foundation focusing entirely on foster care and improving the child welfare system. Howard Knoll, Senior Director of Casey Family Programs, worked with DHS. Howard Knoll met with the Planning Committee on July 27, 2010 and conducted a presentation on creating work plan and a list of questions for use in developing strategies for DMC/DMR work. Mr. Knoll outlined the following questions in order to develop strategies for DMC/DMR work:

- What reforms are you looking to move forward with your system?
- What are your systems intended to do?
- What would you like them to do?
- What is the process to get there?
- How does the DMC/DMR work impact that goal?

Mr. Knoll introduced the four levels of DMC/DMR work:

- Individual: raising awareness
- Workgroup: recognizing problems
- Agency: creating an environment for conversation
- Community: making policy and practice changes

Mr. Knoll drew parallels between DMC and DMR work and talked about the unfavorable data within both systems. He emphasized that positive outcomes for both would improve quality of life for the citizens of Monroe County, resulting in improved job satisfaction, improved mental health for Caseworkers and Probation Officers and would promote fairness and equity for all children. Mr. Knoll suggested staff in both agencies attend Undoing Racism Training and Elimination of Racial Disproportionality and Disparities. In October 2010, Mr. Knoll returned to Monroe County and conducted a DMC/DMR presentation to DHS and Probation administrators and supervisors.

Parallel to the involvement of the staff from the Casey Foundation, the Planning Committee met several times in order to formulate a mission/vision statement for DMC/DMR. The mission/vision statement involved ongoing negotiation among the Planning Committee members to encompass the needs of Probation and DHS. The draft mission/vision statement was presented to and approved by the DMC/DMR Strategy Team. The mission/vision statement is attached to this report.

The Local Coordinator participated in an Institutional Analysis (IA) study conducted at DHS regarding DMR issues. The IA study is a diagnostic tool used to examine institutional features that unintentionally produce racial disproportionality and disparity. The IA study was funded by the Casey Family Foundation. The Center for the Study of Social Policy (CSSP) directed the IA study and conducted one week training in March 2011 and the IA study was conducted at DHS for one week in April 2011. The IA study included focus groups, individual interviews, work place observations, and records and policy reviews. Additional focus groups were conducted by the Local Coordinator as part of the DMC project, including parent/caregivers groups, youth groups, and other stakeholders groups. Monroe County was the only county in New York State awarded funding to conduct an IA study and one of a select few nationwide.

Technical assistance (TA) was provided to Probation by the W. Haywood Burns Institute (BI) a nonprofit that helps to protect and improve the lives of youth of color and poor youth in youth serving systems. Clinton Lacey from BI was identified as the TA for Monroe County in September 2010 and made his first site visit with the Planning Committee on October 29, 2010. He held the position briefly and in January 2011 Angelique Kadem became the TA for Monroe County. Throughout the staff transition within BI, the Statewide Coordinator remained available and provided ongoing assistance and direction.

During this timeframe while collaborating with the TA from BI, the focus of the DMC work became more data driven and the target population of youth held in the Monroe County Children's Center (Secure Detention) was identified as the population of focus. Given that this population was also the focus of efforts currently underway by Probation's Alternative to Detention Team, (ATD) the DMC work was merged with the ATD efforts for the last 6 months of the DMC project. The DMC Strategy Team and the ATD Steering Committee were temporarily merged. DMC/DMR took a different path as the IA study focused on foster care data. However, DHS remained actively involved on the Strategy Team. The ATD Steering Committee list is attached.

As stated, youth admitted to Secure Detention became the focus of data collection and analysis. Meetings were held, both in person and via teleconference, with BI, staff from Probation, and Monroe County's Juvenile Justice Planner to advise BI staff of the local juvenile arrest and detention processes to determine what data would be used for the project and the sources for the data.

Data was provided from the Secure Detention Data System, the Unified Court System, Probation, and the Alternatives to Detention monthly logs. BI provided the template used for capturing data from the population admitted to Secure Detention. The data was analyzed relative to race, length of stay, method of entrance to Secure Detention (police admission or court remand), and most frequently occurring charges at time of admission. This target population was analyzed by comparison to the entire local youth population, as well as by breakdown according to race, ethnicity, and method of entrance to Secure Detention. Further analysis of the Secure Detention population was done, by taking a look at the number of admissions to Secure Detention for relatively short periods of time (1 – 4 day lengths of stay). An assessment of the outcomes of the use of Monroe County's Risk Assessment Instrument (RAI) was provided for the first six months of 2010, and included in the BI report is a breakdown of the youth detained, and their score of low, medium, or high on the RAI. Based upon the data collected and analyzed, the BI report provided specific recommendations to address disproportionate minority contact with this target population, including further analysis of the population detained who scored low to medium on the RAI, monitoring the use of the override and reasons an override was given,

extension of the RAI screening process to after Court hours, and further analysis of the RAI data by race/ethnicity to determine any disparities in decisions made relative to the detaining of low to medium risk youth.

For further specific information as to the findings, challenges, and needs identified via the BI data analysis, the BI final report prepared for this initiative is attached to and made part of this report.

Upon completion of the BI report, it was presented to the ATD/Strategy Team for discussion and feedback. Consensus of the group was that efforts to address DMR/DMC would be enhanced upon implementation of a plan to provide 24 hour coverage for completion of the RAI.

In summary, what is abundantly clear from the focus of our efforts over the past eighteen months on Disproportionate Minority Representation/ Disproportionate Minority Contact as concerns the juvenile justice population, is that focused work is needed. The DMR/DMC work will need to be a collaborative effort by community agencies that interact with this population.

Continued collaboration with the community partnerships born of this initiative is a crucial key component of the continued success and implementation of this work. Continued dialogue, collaboration and decision making, inclusive of all stakeholders is necessary for meaningful change to occur.

Ongoing assessment of the effectiveness of available alternatives to detention that currently exist in the community is needed to determine program success, cultural responsiveness, and identify ongoing unmet needs in order to foster program development to address the needs of the target population.

Specific recommendations and plans to address Monroe County's DMC challenges are as follows:

- Development of a program/process that enables the three major data systems (Probation, Secure Detention, Unified Court System) to communicate and provide the ability to use and analyze collected data. Drill down data is critical to assist in both identifying disparities and setting a course of action.
- Development of a Community Services Matrix. It is clear that the community must be involved and systems must partner with community and faith based organizations to cultivate champions who are open to dialogue about race and bias.
- Monroe County DMC Strategy Team members committed to coach staff in each of their domains to begin an open dialogue with youth and families for self-identification/report of race and ethnicity. A pledge was made that race and ethnicity identification should not come from any source other than the identified client and that systems would work to improve reporting mechanisms. Stakeholders vowed to continue the discussions within their organizations regarding collecting race and ethnicity data. A specific need to gather more accurate information regarding the Latino group was also identified. Team members agreed to continue ongoing discussions on collecting race and ethnicity data and to ensure that uniform categories would be used for data collection. This practice would evolve into policy. Monroe County will improve data collection by developing uniform categories to identify race and ethnicity throughout county agencies

(Probation, DHS, Detention, OCFS). Additionally, Monroe County Family Court (MCFC) is currently in a trial period with a Court Catalyst for Change Initiative (CCCI). One component of CCCI is recording race and ethnicity of youth and family who are involved with MCFC.

- Probation was recently awarded a DCJS Front-End Juvenile Justice Reform Grant. The goal of this project is to increase contact and collaboration among all juvenile justice stakeholders at the earlier stages in the arrest process to objectively assess risk for youth and to explore and implement appropriate alternatives and services to address disproportionality and protect against recidivism. This grant will provide funds for ATD Officers to be on call and allow for the RAI to be completed 24 hours daily, seven days a week. The grant also funds after hours respite. Both of these enhancements to ATD services will allow for youth to be diverted at the point of arrest and assessed for service in lieu of detention.
- The aforementioned grant also funds a Senior Probation Officer whose duties will include exploring enhanced assessment options, acting as Community Services Coordinator and establishing a working database of Community Service Providers and developing a 'Diversion Review Committee' that will review all new arrests prior to a referral to the Juvenile Prosecutors Office. The expected outcomes include a measurable increase in adjustment away from petitions, a decrease in case penetration into the juvenile justice system, and a decrease in the number of low risk black youth admitted to secure detention.

### **Conclusion:**

The review of Monroe County's DMC data determined that disproportionality and disparities exist locally and that black youth are overrepresented in Monroe County's juvenile justice system. According to the BI report, Black youth comprise 21% of Monroe County's youth population but they represent 58% of arrests in 2010 and 76% of detention admissions for 2010. Additionally, black youth were twenty times more likely than white youth to be admitted to secure detention. These statistics represent the extent of disproportionality locally and confirm that race matters; there are potentially institutional biases, and black youth may be treated unfairly/differently when they come into contact with the juvenile justice system. Also, there may be assumed or implied negative expectations of the African American family and their community which may contribute toward detention recommendations for these youth. These concerns need careful contemplation and further discussion to dig deeper for positive changes. To drive DMC work forward, ongoing collaboration and continued engagement among all agencies working with these youth is needed and expected, including input from the community. DMC should always be included in a prominent position on all agendas at all juvenile justice meetings. The DMC/DMR mission/vision statement should be displayed through the Monroe County community and posted noticeably within agencies to demonstrate an irreversible commitment to change.

Submitted by: Hattie Henderson  
Senior Probation Officer  
November 17, 2011

Reviewed by: Anne Goewey  
Probation Supervisor

**Attachments:**

**Vision Mission Statements**

**Planning Committee, Strategy Team, ATD Team Membership lists**

**Burns Institute Final Report**

**Review of Disproportionate Minority Contact (DMC) in Monroe County**

Identifying whether and to what extent disproportionality and disparities exist in the juvenile justice system is a critical first step in developing a process for reducing DMC. According to the Burns Institute Data Template completed by Monroe County, Black youth are overrepresented in Monroe County’s juvenile justice system. Black youth comprise 21% of Monroe County’s youth population<sup>1</sup> ages 10-16, but they represented 58% of arrests<sup>2</sup> in 2010 and 76% of detention admissions for 2010. Moreover, in 2010 the rate at which Black youth were arrested was significantly higher than White youth. For every 1,000 White youth in the Monroe County youth population, there were 5.9 arrests. For every 1,000 Black youth, there were 30.7 arrests.

**Table 1: Overview of DMC in Monroe County**

	<b>White</b>	<b>Black</b>	<b>Latino</b>	<b>Other<sup>3</sup></b>	<b>Total</b>
<b>Youth Population (10-16)</b>	<b>44874</b>	<b>14313</b>	<b>6477</b>	<b>2092</b>	<b>67756</b>
<i>Percent of Youth Population</i>	66%	21%	10%	3%	100%
<u>Arrests</u>	<b>267</b>	<b>439</b>	<b>9</b>	<b>40</b>	<b>755</b>
<i>Percent of Arrested Youth</i>	35%	58%	1%	5%	100%
<i>Rate per 1000 Youth in Population</i>	5.9	30.7	1.4	19.1	1.4
<b>Admissions</b>	<b>78</b>	<b>489</b>	<b>53</b>	<b>25</b>	<b>645</b>
<i>Percent of Admitted Youth</i>	12%	76%	8%	4%	100%
<i>Rate per 1000 Youth in Population</i>	1.7	34.2	8.2	8.2	8.2

In comparing these rates, Black youth were five times more likely than White youth to be arrested. Black youth were also admitted to secure detention at significantly higher rates than White youth in 2010. For every 1,000 White youth in the Monroe County youth population, there were 1.7 admissions to secure detention. For every 1,000 Black youth, there were 34.7 admissions to secure detention. In comparing these rates, Black

<sup>1</sup> Puzzanchera, C., Sladky, A. and Kang, W. (2010). "Easy Access to Juvenile Populations: 1990-2009." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

<sup>2</sup> In Monroe County, youth are arrested under three circumstances: (1) arrested and booked at the detention facility; (2) arrested and brought to Probation/ATD during court hours, and (3) arrested and released with an appearance ticket. In Table 1, arrest includes (1)+(2)+(3). Additionally, arrests in Table do not include arrests for violations of probation. Admissions to detention, however, do include violations of probation. Thus, in order to make comparisons about rates of deeper penetration into the juvenile justice system (ie. to answer the question how many arrested youth are detained), one would need to extract all violation of probation admissions from the total admissions to make the comparison.

<sup>3</sup> "Other" youth in the overall youth population in Monroe County include Asian youth (1882 youth) and Native American youth (210 youth). "Other" youth in Monroe County arrests and admissions includes youth from all other races or ethnicities not represented in the table along with youth who had data regarding race or ethnicity missing in the Monroe County database.

youth were twenty times more likely than White youth to be admitted to secure detention.

According to Department of Human Services detention data, Latino youth<sup>4</sup> comprise 10% of Monroe County’s youth population ages 10-16, but they represented 1% of arrests in 2010 and 8% of detention admissions for 2010. Moreover, in 2010 the rate at which Latino youth were arrested was lower than White youth. For every 1,000 Latino youth, there were 1.4 arrests. In comparing this to the rate at which White youth were arrested, White youth were four times *more* likely than Latino youth to be arrested.

The rate at which Latino youth were admitted to secure detention is significantly higher than rates for White youth in 2010. For every 1,000 White youth in the Monroe County youth population, there were 1.7 admissions to secure detention. For every 1,000 Latino youth, there were 8.2 admissions to secure detention. In comparing these rates, Latino youth were nearly four times more likely than White youth to be admitted to secure detention.

Because of the variability in the rates of system involvement from arrests to detention admissions, it is possible that Monroe County is not accurately identifying or recording Latino youths’ juvenile justice system involvement.

**Recommendation:** Monroe County stakeholders across departments and agencies should ensure that there is a consistent and accurate methodology that allows youth to self-identify ethnicity as well as their race. Likewise, there should be a consistent methodology for recording these data to allow comparisons across juvenile justice decision making points. Monroe County stakeholders across departments and agencies should engage in a discussion on collecting race and ethnicity, identify racial/ethnic categories that will be collected - as an example, pulling out Latino as a stand-alone group, and design new policy and practice to guide engaging youth to self-report.

❖ **TARGET POPULATIONS**

The Burns Institute experience is that stakeholders achieve significant reductions in racial and ethnic disparities by identifying, analyzing and strategizing around target populations. A “target population” generally refers to youth detained as the result of low level, non-violent offenses and technical or administrative violations. These youth are often detained as the result of policies, practices or procedures that stakeholders generally agree may be modified to safely and effectively reduce detention utilization. “Target populations” may also be referred to as “low hanging fruit,” and often include youth detained for a variety of low level criminal law offenses and technical or administrative violations. Additionally, “target populations” may be identified by

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<sup>4</sup> “Latino” youth in the Monroe County youth population include youth who are identified as Hispanic, regardless of their race.



reviewing local policy and practice and inter-agency decision making. For example, reductions in detention utilization may be possible by reducing the number of youth who are admitted to detention by Rochester Police Department but soon after released by the judge.

The work to reduce disparities becomes more manageable and therefore more achievable when focusing on these populations. Moreover, across the nation, youth detained for low level offenses and technical or administrative violations consistently comprise an overrepresentation of youth of color.

**Monroe County Family Court (MCFC) Detention Process**

As part of a larger effort to reform detention practices, stakeholders from Monroe County designed a juvenile detention risk assessment instrument (RAI) to help guide juvenile detention decisions. The RAI is designed to determine the likelihood that a given youth will fail to appear in court or re-offend prior to adjudication. The underlying assumption behind the tool is that *only* those youth who pose a substantial risk of re-offending or failing to appear in court should be detained (following state statute), and youth who would be better served in their communities should be directed to an appropriate level of supervision there. The county’s RAI measures two types of risk: risk of failure to appear, and risk of re-offense. Point values are assigned to each item within the two risk types, as well as to the severity of the offense.

Remands are judicial orders for detention. Youth remanded by MCFC theoretically should be limited to the two risk measures screened by the Risk Assessment Instrument (RAI). However, anecdotally youth are remanded by MCFC for other reasons at the discretion of individual Family Court Judges

**Table 2: Department of Human Services Detention Data: Detention Admissions in 2010**

	<b>White</b>	<b>Black</b>	<b>Latino</b>	<b>Other</b>	<b>Total</b>
Total Admissions	<b>78</b>	<b>489</b>	<b>53</b>	<b>25</b>	<b>645</b>
MCFC Remands	27	191	28	11	257
<i>Percent of Admissions that are Remands</i>	35%	39%	53%	44%	40%
<i>Race/Ethnicity</i>	11%	74%	11%	4%	100%

MCFC Remands was the most frequent source for detention admissions in 2010. According to 2010 DHS Detention data, MCFC Remands comprise 40% of all

admissions to secure detention. Of all White youth admitted to detention, 35% were admitted as the result of a MCFC Remand; of all Latino youth admitted to detention, 53% were admitted as the result of a MCFC Remand.

*In Monroe County, the following target populations were identified:*

(1) Admissions for Technical and Administrative Violations

Technical or administrative violations include any detention admissions that were based not on allegations of a new criminal law violation, but rather on a technical or administrative violation associated with an underlying or prior criminal law violation.

**Table 3: Detention Admissions 2010 by Admission Reason: Monroe County Burns Institute Data Template**

	<b>Whites</b>	<b>Blacks</b>	<b>Latino</b>	<b>Other</b>	<b>Total</b>
Total Admissions	<b>78</b>	<b>489</b>	<b>53</b>	<b>25</b>	<b>645</b>
MCFC Warrant	7	15	4	1	27
Technical VOP	9	47	9	3	68
Abscontion VOP	0	14	2	0	16
OCFS and DHS Warrants	15	50	1	2	68
<b>Total Technical/Administrative Violations</b>	<b>31</b>	<b>126</b>	<b>16</b>	<b>6</b>	<b>179</b>
Percent of Total Admissions that are Tech/Admin	40%	26%	30%	24%	28%

According to 2010 DHS Detention data, Technical or Administrative Violations comprise 28% of all admissions to secure detention. The most frequent technical or administrative violations contributing to detention admissions was technical violations of probation (68 youth) and OCFS or DHS Warrants (68 youth).

The percentage of total detention admissions that were technical or administrative was higher for White youth than for youth of color. Of all White youth admitted to detention, 40% were admitted as the result of a technical or administrative violation; of all Black youth admitted to detention, 26% were admitted as the result of a technical or administrative violation; of all Latino youth admitted to detention, 30% were admitted as the result of a technical or administrative violation.

(2) Low Level Criminal Law Offenses

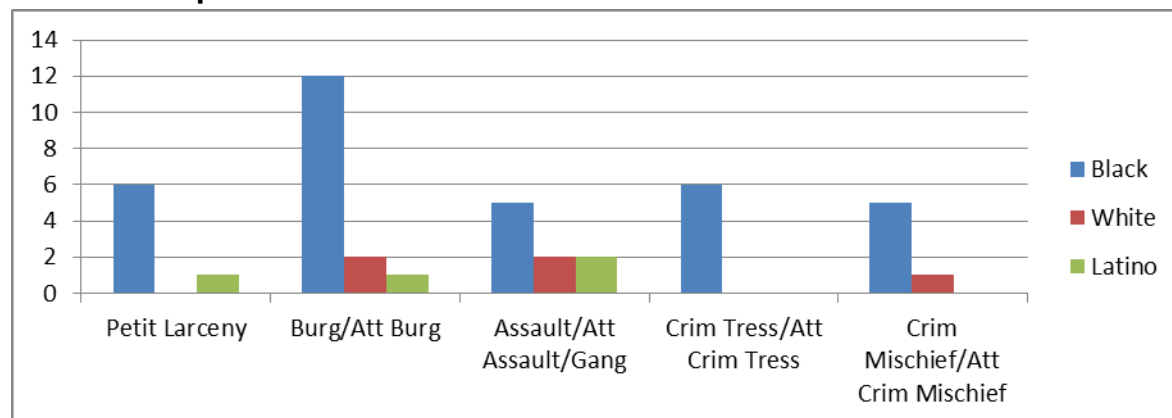
On a quarterly basis, Burns Institute monitors the five most frequent criminal law charges that result in detention admission. In 2010, Criminal Mischief/Attempt Criminal Mischief was included in the top five criminal charges every quarter.

**Table 4: Detention Admissions for Criminal Mischief 2010: Monroe County BI Data Template**

	White	Black	Latino	Other	Total
Q1	1	5	0	1	7
Q2	3	6	0	0	9
Q3	0	6	0	0	6
Q4	3	3	0	0	6
2010 Total	7	20	0	1	28

Other low level criminal law charges that were included in some, but not all, quarters of 2010 include Petit Larceny/Attempt Petit Larceny, Criminal Trespass/Attempt Criminal Trespass.

**Table 5: Top Five Admission Offenses Q1 2010 by Race/Ethnicity: Monroe County BI Data Template**



*Petit Larceny is not a “top five” reason for admission for every quarter—it was missing from Q2 2010 and Q4 2010. However, because it was in the top 5 for Q1 (total of 8 admissions) and Q3 (total of 10 admissions), it may be a good target offense to monitor in the template on an ongoing basis.*

**(3) Youth Detained for 1-4 Days**

Of youth placed in Monroe County juvenile detention, 39% of total admissions for all youth in 2010 stayed for 1 – 4 days (N=251). Further analysis indicates that:

- MCFC remands and OCFS warrants constitute 57% (144) of 1 - 4 day admissions
- 35% (89) are MCFC remands
- 22% (55) are OCFS warrants
- 43% (107) of 1 - 4 day admissions are Police admits
- 63% of 1 - 4 day admissions stay 1 day
- MCFC remands and Police admits comprise 78% of 1 day admissions (each are at 39%).

A length of stay in detention for one day raises questions of the level of public safety risk these youth pose.

**Recommendations:**

- ✓ Monroe County should further analyze the reasons for judicial use of detention for youth placed for 1 - 4 Days. Analysis of the offenses for 2010 one day detention placements, indicate 19 of the 67 Remands (28%) were Burglary/Robbery charges. The second most frequent offense (10%) was Assault 3, which includes domestic assault. Other charges ranged from Criminal Possession of a Controlled Substance to Criminal Mischief 4th.
- ✓ Similarly, police admissions to detention that stay only 1 day should be further analyzed. Burglary/Robbery is the most frequent offense at 26% (27 of 105) followed by Assaults (13%).

**(4) Youth with a Low RAI Score**

During regular court hours, Monroe County uses the risk assessment instrument (RAI) to guide decision making around detention admissions. According to protocol, youth who achieve a low score on the RAI should be released; youth who achieve a medium score on the RAI should be released to an alternative to detention; and youth who achieve a high score should be securely detained.

Youth who are referred to secure detention after court hours, are admitted to secure detention and screened by the RAI the following day.

During the first six months of 2010, there were 115 youth who were screened by the RAI and subsequently detained. Sixty two percent of these detained youth received either a low or medium score on the RAI. Fifty percent of these youth (57 youth) were low scoring youth.

Table 6: RAI outcomes Jan-Dec 2010: DHS Detention Data

	Jan	Feb	Mar	Apr	May	Jun	First 6 months of 2010	Percent of youth detained with RAI risk Level
Low	6	10	9	10	12	10	57	50%
Med	2	2	4	3	2	1	14	12%
High	5	5	3	8	13	10	44	38%
	13	17	16	21	27	21	115	100%

One key indicator for measuring fidelity to the RAI is the override rate. An override is a decision to securely detain a youth who is eligible for release or release to a detention alternative according to their risk assessment instrument (RAI) score. An override is either administrative or judicial. Overrides within the Monroe County Office Probation are only authorized by the Deputy Chief Probation Officer or her designee. It is the Court’s prerogative to follow the probation recommendation. The override rate for any given period is properly calculated as the number of youth who are eligible for release or release to a detention alternative according to their RAI score and who are detained (eg. youth who score low or medium on the RAI who are detained) divided by the total number of youth in the same period who are eligible for release or release to a detention alternative (eg. all youth who score low or medium on the RAI).

**Recommendations:**

- ✓ Monroe County stakeholders should ‘dig deeper’ to understand why youth who score for release still comprise close to half of admissions to detention for those youth screened with the RAI. It should be assessed whether these youth are Probation authorized overrides or remands.
- ✓ *Screening process:* To ensure equity, all youth should be screened with the RAI - including after Court hours, before detention’s front door.
- ✓ *Override Rate should be monitored and reasons for overrides should be monitored.*
- ✓ RAI data should be broken down by race/ethnicity to learn more about whether and to what extent we can note disparities in the decision to detain low or medium risk youth.

❖ **COLLABORATION**

Collaboration is a key component of any reform effort. This is particularly true in the difficult work to reduce racial and ethnic disparities. It is critical that the collaborative include key traditional (e.g. Police, Probation, the Judiciary) and non-traditional (e.g. community providers, neighborhood leader, parents) stakeholders. Then, these

stakeholders should work to establish a data-driven action plan with clear goals and objectives to tackle DMC. A well-functioning committee should benefit from the natural tension that often exists between traditional system stakeholders and community members and collaboratively develop sustainable solutions to improve the efficiency, effectiveness and objectivity of the juvenile justice system.

**Recommendations:**

1. Monroe County should ensure that all juvenile justice agency representatives such as judges, law enforcement, prosecutors, probation, public defenders and impacted communities of color are at the table consistently for meaningful deliberation and decision making to ensue.
2. The DMC/DMR committee should review its vision/mission statement with a broader stakeholder group that includes community partners from the African American community,
3. The collaborative should also ensure sufficient staff to fulfill the analytical, community engagement and coordination needed to do effective racial disparities work. Consistent use of data to assess, drive and monitor reforms will be needed, collaboration and partnership building with impacted communities of color, and coordination and communication of reforms.

***Define the purpose of secure detention***

A key component to confronting racial and ethnic disparities in juvenile detention facilities is for stakeholders to develop a common understanding regarding the purpose of secure detention. If stakeholders disagree as to why youth are placed in secure detention, it is likely that they will make inconsistent decisions for youth who enter their local juvenile justice system.

Monroe County developed a Risk Assessment Instrument (RAI) which was implemented in 2009. The county has seen a 43% reduction in its annual detention population from its baseline year 2006 to 2009. However, analysis of youth in detention in 2010 indicates that low scoring youth are still being placed in detention. The RAI is also not applied at the front door of detention. Snap shot detention data provided by DHS from July to December 2010 indicate that close to 50% of admissions to detention are court remands, leaving almost half the detention population being admitted by Police – cases where no objective screening is done.

**Recommendations:**

- ✓ Monroe County should continue to revisit its ‘purpose of detention’. Judicial buy-in to appropriate detention use coupled with front door screening of police admissions should aid in creating greater objectivity and mitigate DMC in detention.
- ✓ Monroe County has developed indicators, such as re-arrest and failure to appear, to monitor efficacy of the RAI. These data should be disaggregated by race, ethnicity, gender and offense; and should be reported regularly.

- ✓ Outcomes for ATDs should also be disaggregated by race, ethnicity, gender and offense, and reported regularly.

## ❖ COMMUNITY ENGAGEMENT

Key to ensuring successful services that address drivers to youths' system involvement, and subsequently successful exit, are effective programs. Both juvenile justice best practice and Evidenced Based Practice treatment approaches underscore the effectiveness of family centered, community based programs and treatment. Basic indicators of success include program place, structure, philosophy, curriculum and outcomes that fit with who young people are (culture), where they live, and what their underlying issues are.

The youth served in Monroe County's juvenile justice system are primarily African American. African American youth comprised 76% of detention admissions for 2010. The County has expanded detention alternatives beyond Probation ATDs as of April 2011 to include community partners, diverting youth to less restrictive settings through its *Reinvesting in Youth Program*. This OCFS grant with Hillside targets specific zip codes and links to community anchors in those areas (Hillside partnership).

### Recommendations:

- ✓ Monroe County should assess its detention alternatives and other treatment and accountability programming in relationship to youths' success rates, cultural responsiveness and defined outcomes. (Culturally responsive programs, definition: Price (1996, p 1-2) 'program philosophy compares and interacts with the cultural values of the target population, and outcomes compare to the functional expectations of individuals of the cultures/ethnicities/socioeconomic status being served.')
- ✓ Develop a community program resource matrix: *In partnership with community stakeholders*, the county should assess community capacity to provide community run and culturally specific detention alternative programs such as community coaches, community reporting centers and respite options.
- ✓ Develop success measures for community alternatives and track – this should be a collaborative effort that includes juvenile justice, community service providers and African American community stakeholders.

## ❖ DATA CAPACITY

An essential component to addressing disproportionality in the juvenile justice system is the capacity to collect and analyze reliable and consistent data. Stakeholders must have the ability to identify which youth are involved in the juvenile justice system to know where to

target DMC reduction efforts. To do so, system stakeholders and analysts must collect the “right” data and ask the “right” data-related questions to drive the reform initiative forward. In addition, stakeholders and analysts must evaluate gaps in current data systems and the quality of the available data to assess a county’s capacity to effectively identify and address DMC.

Monroe County detention is operated separately from Probation and the Courts, with each having separate databases.

Each needs to be able to disaggregate data connecting race, ethnicity, gender, zip code and offense for a thorough understanding of youth being placed in detention, the appropriateness of those placements and the impact to racial disparities. Critical to successful reforms and monitoring of policy and practice changes, is the ability of the detention database to report actual admission reasons, such as the distinction between violations of probation versus new charges.

**Recommendations:**

- ✓ Monroe County should invest in information system changes that would allow reporting by race, ethnicity, gender, zip code and offense (REGGO).  
The following fields should be included:
- ✓ Actual detention admission reasons
- ✓ RAI scores and overrides
- ✓ Findings – results of detention hearings: dismissals, adjudications, stays of adjudication
- ✓ Dispositions
- ✓ Court process timelines
- ✓ Alternative to detention admissions, exits, success and failure rates
- ✓ Lengths of stay in detention and alternative to detention programs
- ✓ Detention average daily population
- ✓ Detention average length of stay
- ✓ RAI success rates – public safety indicators

❖ **SUSTAINABILITY**

**System wide commitment to reform** – working to eliminate racial and ethnic disparities in juvenile justice is work that requires ongoing diligence to reform and monitoring system changes. Monroe County will need to develop broader system commitment to racial disparities work beyond the Monroe County Office of Probation. As stated earlier, it will require all juvenile justice agencies and impacted community partners to address the outcomes for youth of color. There will also need to be both financial and personnel investment in the work that drives the discussion for change – information systems changes, staff to compile ongoing analysis and to develop



community partnerships.

❖ **FOCUS GROUP FEEDBACK**

Focus groups are qualitative research to obtain information about participants’ perceptions, opinions beliefs and attitudes - in this case their experiences in the juvenile justice system. The objective is to look for common themes within the group and common themes in similar groups. Monroe County’s DMC Coordinator, Hattie Henderson, engaged a variety of stakeholders of youth and parents to hear their reflections and experiences of Monroe County juvenile justice. The majority of the participants were primarily African American, and a few Latino parents. Below are some of the key findings from these discussions. Identical questions were asked in each group. Incentives were provided such as gift cards and food. Evaluation questionnaires were completed by each participant at the conclusion of each group.

Two groups were held with parents/caregivers, two with youth, a group with Rochester City School District Staff: (Administrators, Principals, Counselors and staff from NYU Steinhardt School of Culture Education and Human Development), and a group with the Juvenile Prosecutor’s Office.

Youth reported that secure detention was a strict environment with a great deal of physical restraints. Overall experiences were negative, but some met positive adults whom they built a relationship with which helped them want to do better. Both parents and youth expressed poor relationships with Rochester Police Department. Parents experienced time youth spent in detention as a relief because they know where they are, but stated there were no long term benefits to youth behavior as a result of time in detention. They also expressed that there was not enough communication from professionals in the justice and school systems, a need for culturally competent staff and desired ‘help, no judging’.

**Recommendations from parents and youth include:**

- ✓ A forum for parents/youth to participate in planning meetings with stakeholders
- ✓ An opportunity to share their opinions and ideas through more accessible groups for parents and child
- ✓ A community based location with professions to ask questions regarding resources (transportation, babysitting and mental health)
- ✓ More services on the weekends and during evening hours from professional staff (i.e. curfew checks, alcohol/drug treatment, and mental health services)
- ✓ More community based educational training and Jobs programs.

**The Monroe Detention Reform Strategy and DMC Team members individually identified the following priorities and next steps to address racial disparities in Monroe County at the close of the last meeting.**

**PRIORITIES**

- Revisit the purpose of detention conversation.
- Revisit the RAI and develop public safety indicators aligned with detention timeframes.

- Address Alternatives to Detention (ATDs) – their purpose, outcomes and success measures. Specifically address a need for programs for violence, sex offenses, and domestic assault in the family.
- Administering the RAI at front door of detention – Monroe County Probation has secured funding that will allow Probation to screen youth beyond court hours. They are also planning on being able to provide more alternatives post court hours, envisioning that this will address low scoring youth who only stay for 1 day.
- What can we do differently? – “need the community-system partnership”
  - ✓ Understanding what families are dealing with at the core, to better target community interventions
  - ✓ Community education
  - ✓ Respite that addresses domestic assault
  - ✓ For sustainability, need to know what the causes are and partner with community to address
- Defining success with DMC in Monroe County\*
  - ✓ What are the indicators that tell us we are progressing?
  - ✓ What is culturally competent/relevant programming?
  - ✓ What is the help the community needs?

❖ **INDIVIDUAL STAKEHOLDER COMMENTS: IDENTIFIED SYSTEMS CHANGE PRIORITIES**

- Historically the system did not require race – getting staff to ask information about race/ethnicity as opposed to guessing
- Family engagement – sustainability – making sure family has support network such as community coaches
- Focus groups that lift up youth voice
- Finding tangible ways to engage children and families at every step
- Community involvement/mentoring
- Shifting DMC from the side bar – how does it become institutionalized? This process has brought community into the mix who are not at the other tables
- Mapping what we have and what it does – ATDs – both system and community resources
- Systems identifying what the underlying issues are and being able to make immediate referrals to an alternative
- Courageous conversations, changing institutional culture – we must get our staff thinking about and talking about race and the outcomes
- OCFS – reduction in placements, feel hopeful, looking at everything before place youth
  - a. More mental health resources for both parents and youth – community resources, getting appointments, families and follow through
  - b. Large mental health clinic opening up in this community in next few months
- Detention center: is treatment centered, youth coming to our facility are well serviced. It is currently the emergency room for the juvenile justice and child welfare system.

- More qualitative information about why kids are coming to detention such as zip codes. These young people are also cycled through child welfare - “what is the break, what is the problem?”
  - DMC work should be a way of practice that should be imbedded in every system – with or without funding
  - I don’t see people who look like me at these tables - families and youth feel intimidated, not understood, don’t know what is happening in their communities – what about diversity recruiting?
  - Case processing timelines need to be addressed. The turn-around time for clients is too long
    - c. Community coaches - we underestimate the faith based community – kids come to church
  - Going beyond zip codes and get services by the block:
    - d. Deeper data analysis – let’s see which judges are placing youth, which attorneys, which Public Defenders, which police officers – look at decision making
  - DATA – must address making this more accessible
  - School districts – addressing teacher/administrator perceptions of youth
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The DMC Report Written by Angelique Kedem, Burns Institute Technical Assistant and Reviewed by Hattie M. Henderson, Monroe County DMC Coordinator 10/11

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