

W. HAYWOOD BURNS INSTITUTE



FINAL REPORT OF FINDINGS AND RECOMMENDATIONS 2007

To the County of Los Angeles Probation Department

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Table of Contents

I.	Introduction	2
II.	Disproportionate Minority Contact: A National Perspective	3
III.	Background on the W. Haywood Burns Institute	6
IV.	Los Angeles County DMC Trainings	8
V.	Data Collection and Analysis	10
VI.	Findings Regarding Los Angeles Data Collection and Analysis	11
VII.	Initial Findings Regarding Disproportionality	14
	a. Intake Decision Findings	15
	b. Admissions to Detention Findings	22
VIII.	Additional Factors that Could Impact Disproportionality	26
IX.	The Impact of Probation Staff Perceptions of Racial and Ethnic Disparities in the System: 2007 Survey Findings	27
X.	Conclusion	36
XI.	Glossary	37



Introduction

This report is a summary of the activities of the W. Haywood Burns Institute's work with the County of Los Angeles Probation Department (hereafter "Probation"); it includes recommendations for future steps Probation should take based on the analysis conducted to date.

The California Corrections Standards Authority ("CSA") announced a Request for Proposals (RFP) for up to 5 counties to receive a maximum of \$150,000 for a twelve month grant (January through December 2007) to train probation department staff and develop infrastructure for data collection and analysis to reduce Disproportionate Minority Contact ("DMC"), called the Disproportionate Minority Contact Technical Assistance Project ("DMC TAP"). The grant award included the possibility of refunding for two additional years. The grant required each successful county to hire a DMC reduction expert consultant to assist in carrying out the objectives of the grant.

CSA awarded grants to the Probation Departments of Alameda, Contra Costa, Santa Cruz, San Diego and Los Angeles Counties. The DMC TAP is designed to assist Probation departments in understanding how to identify DMC and to equip them with the tools and resources needed to provide leadership in collaboratives comprised of juvenile justice system partners and community representatives working on DMC reduction.

After being selected as one of the five awardees, the County of Los Angeles instituted a competitive RFP process to hire an expert DMC consultant. The County of Los Angeles County/Probation selected the W. Haywood Burns Institute ("BI") as the DMC expert consultant to work with Probation on the DMC TAP grant in June 2007. Work on the Los Angeles DMC TAP began in late June 2007.

The CSA structured the first year of the DMC TAP grant to be used by the selected Probation Departments to build up infrastructure to be able to begin to seriously undertake efforts to reduce DMC in their jurisdictions. This could include developing in-house DMC staff, or improving data collection and analysis or contracting with an expert consultant to conduct probation staff training sessions on DMC.¹ But, building up infrastructure in preparation for doing DMC reduction work is not the same as actually engaging in DMC reduction work.

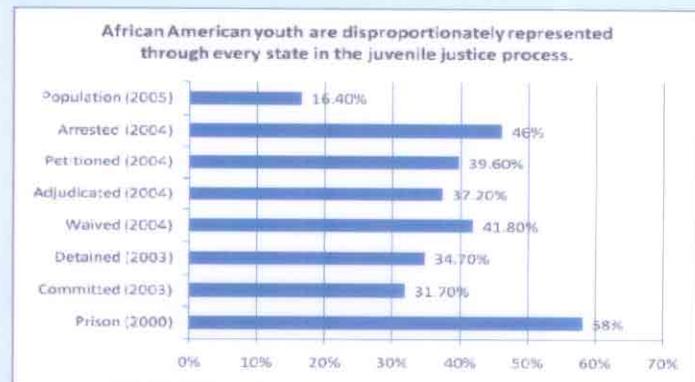
¹ CSA Request For Proposal DMC TAP, July 2006.

Disproportionate Minority Contact: A National Perspective

Youth of color are disproportionately represented at every decision making point in the juvenile justice system, and this disadvantage accumulates as they move through the system.² Youth of color are overrepresented in arrests, referrals to court, secure detentions, and placements in secure correctional facilities. As Figure 1 indicates, African American youth are disproportionately represented at every stage in the juvenile justice process.

While youth of color comprise 35% of the total youth in the United States³, youth of color make up 65% of the population securely detained pre-adjudication. Justice Department data reveal that each year, between 300,000⁴ and 600,000⁵ youth are detained in pre-trial juvenile detention facilities.⁶ African American and Latino youth comprise the overwhelming majority of this disproportionality with Asian Pacific Islanders and Native Americans represented in numbers that need further analysis as well.

Figure 1



Sources: Snyder, H. (2006). *Juvenile Arrests 2004*. Washington, DC: Bureau of Justice Statistics. (2007). "Easy Access to the Census of Juveniles in Residential Placement." Available: <http://ojjdp.ncjrs.gov/oasstat/bb/ezacjrp/>.

The degree of (youth of color) overrepresentation in secure detention far exceeds the rates of (youth of color) offending.⁷ Overall, by 1997, youth of color represented the majority of youth in detention in 30 of the 50 states.⁸ These thirty states contain 83% of

² National Council on Crime and Delinquency. 2007. "And Justice for Some: Differential Treatment of Youth of Color in the Justice System." Oakland, CA: National Council on Crime and Delinquency, available at http://www.nccdcrc.org/nccd/pubs/2007jan_justice_for_some.pdf (last visited November 29, 2007).

³ Eleanor Hinton Hoytt, Vincent Schiraldi, Brenda V. Smith & Jason Ziegenberg, *Reducing Racial Disparities in Juvenile Detention: 8 Pathways to Juvenile Detention Reform*, 10, (Feb 3, 2002), available at <http://www.aecf.org/upload/PublicationFiles/reducing%20racial%20disparities.pdf> (last visited on November 29, 2007).

⁴ *Fact Sheet, BUILDING BLOCKS FOR YOUTH*, available at <http://www.buildingblocksfor youth.org/issues/conditions/facts.html> (last visited November 29, 2007).

⁵ *Id.*

⁶ See Howard N. Snyder & Melissa Sickmund, available at <http://www.ncjrs.org/html/ojjdp/nationalreport99/chapter7.pdf>.

⁷ Bill Rust, "Juvenile Jailhouse Rocked," *AdvoCasey* (Baltimore, MD: Annie E. Casey Foundation, Fall/Winter 1999), available at http://www.aecf.org/upload/PublicationFiles/advocasey_fall1999.pdf (last visited November 29, 2007).

⁸ *Id.*



Congress has made reducing racial and ethnic disparities in the juvenile justice system a Federal juvenile justice priority since 1988. In response to overwhelming evidence that youth of color were disproportionately detained in secure detention facilities, Congress amended the Juvenile Justice and Delinquency Prevention Act (JJDP A) to require States to make efforts to reduce the proportion of minority juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups if such proportion exceeds the proportion such groups represent in the general population.¹⁵

In 1992, Congress amended the JJDP A and elevated the issue of disproportionate minority confinement (DMC) to a “core requirement” of the JJDP A. In doing so, Congress tied twenty five percent of each state’s Federal Formula Grant allocation to compliance. In 2002, Congress amended the JJDP A again and changed the requirement from reporting the proportion of minority juveniles in confinement to include the proportion of minorities at each key point of contact in the juvenile justice system.

By law, the JJDP A must be reauthorized again in 2007. The Burns Institute is working with juvenile justice advocates from around the nation to ensure that States do everything possible to ensure equity and competence with regard to race, ethnicity, culture and language in legal representation before the courts and throughout all system practices and policies.

¹⁵ Public Law 93-415, 42 USC 5601 *et seq.*



Background on Burns Institute’s Process for Reducing Racial Disparities

This section is included, in part, to help the reader distinguish what CSA is asking first year DMC TAP grantees to do and what jurisdictions contracting with Burns Institute typically undertake in the first year. The first year of the DMC TAP grant is designed to ready grantees to do DMC reduction work. Getting ready to do DMC reduction work involves different activities than those associated with doing it. Attached is the Burns Institute ISE Deliverables Grid which illustrates the activities that are usually completed in the first year.

The BI is a non-profit that addresses the needs of poor youth and young people of color, their families, and communities by specifically targeting over-representation in the juvenile justice system. The BI addresses DMC by cultivating a collaborative made up of key stakeholders and community groups that participate in a systemic self-examination of policies and procedures with the intention of reducing disproportionality in jurisdictions around the country. The BI is currently working in twelve jurisdictions to reduce racial and ethnic disparities in their juvenile justice systems.

The BI Model requires the active commitment and participation of the key traditional and non-traditional stakeholders in the juvenile justice system in each site—including judges, prosecutors, public defenders, police, probation, political leaders, service providers and community groups. The BI leads these stakeholders through a data-driven, consensus-based strategic process that focuses specifically and intentionally on changing policies, procedures and practices to reduce racial and ethnic disparities in the juvenile justice system.

The BI's most comprehensive model for working with local jurisdictions to reduce disparities is called the Intensive Site Engagement (“ISE”). The ISE consists of a multi year, collaborative, data-driven process that focuses specifically and intentionally on changing juvenile justice system policies, procedures and practices to reduce DMC. This process is designed to identify the specific policies and practices that contribute to DMC, and build consensus for effective solutions to reduce DMC.

In the first year of work in an ISE site, the following major tasks are typically completed:

- Establish the collaborative,
- Train and orient site coordinator;
- Evaluate data collection;
- Collect and analyze system data
- develop system of tracking data
- Have retreats with the collaborative to determine “What is the Purpose of Detention” and “What is success?”
- Policy and practice mapping (Basic assessment of system process, detention intake procedure and objective detention screening);
- Work with site coordinator to produce a program matrix and identify target community.



In addition to systematically reviewing data that are relevant indicators of DMC, BI works with local stakeholders to conduct community profiles of areas that contribute much larger numbers of youth to Detention. The community profile component requires the collaborative to engage with community partners such as parents, youth, community based organizations and community based service providers to assess the strengths and deficits of the target community. The BI believes including community members in the collaborative that is formed to work on DMC reduction efforts is absolutely necessary. Community members have a great deal of knowledge that is useful to the collaborative in devising solutions to the problems that are identified by the ongoing review of system data. Moreover, community collaborative members are extremely useful in carrying out community mapping targeted at specific communities that contribute a high proportion of youth to detention.

Generally, all ISE sites hire or appoint a full time site coordinator. They usually work on the staff of a juvenile justice agency or a community based agency. The coordinator's role is to be the lead person making sure all the tasks agreed upon by the group are accomplished. The site coordinator and local stakeholders engage in various activities such as focus groups, surveys and community meetings to engage community and families in the DMC effort.

Los Angeles County DMC Trainings

In the Probation Department with over 6,000 employees changing policies and practices that contribute to racial and ethnic disparities or DMC requires focused effort, commitment of time and resources, and above all visible and sustained leadership from the Chief and the rest of the top management of the department. To reduce racial and ethnic disparities and DMC, Probation has to change the way it does business. The most consistently successful way to reduce disparities is to identify policies and practices that lead to disparities and DMC. Once such policies and practices have been identified, new policies and practices must be put in place that are specifically designed to achieve reductions in racial and ethnic disparities and DMC.

In order for new policies and practices adopted to reduce racial and ethnic disparities and DMC to be effective they must be consistently implemented by all staff. Therefore, it is necessary that a substantial portion of the Probation staff (at varied levels) is trained accordingly. However, since the staff is so large it is not possible for an outside consultant to train the entire staff. Therefore, if a culture change is going to occur such that throughout the department all staff become committed to continually taking steps to reduce DMC, some way must be found to train a significant portion of the staff on implementing newly adopted policies and practices to reduce DMC. One possible solution is for the members of the DMC committee to take on the responsibility to become trainers of techniques for reducing racial and ethnic disparities.

The BI provided the following trainings:

- **July 26, 2007** training of Probation Department DMC committee on: the history of DMC from a national perspective, the key decision points over which Probation has control, the Relative Rate Index¹⁶ and strategies used in other jurisdictions to reduce DMC. The DMC committee¹⁷ of the Probation Department has been the primary catalyst in moving the Department to address DMC.
- **August 21, 2007**, training for the Probation Department DMC committee on: the results of preliminary data analysis findings of DMC based on the 2005 RRI submitted to the State of California by the County of Los Angeles.
- **September 28, 2007** training of the DMC Sub-committee of the Countywide Criminal Justice Coordinating Committee (CCJCC) on: the history of DMC from a

¹⁶ The Relative Rate Index, often referred to as the RRI, is the analytical tool with which rates of disparity at key juvenile justice decision making points within a jurisdiction can be determined. As a condition of receiving funding the RRI must be reported to state and federal funding sources. The RRI was instituted by the federal Department of Justice Office of Juvenile Justice and Delinquency Prevention to assist jurisdictions to analyze disproportionality across several decision points so as to make it easier to pin point exactly where DMC problems occurred.

¹⁷ The committee is made up of twenty probation staff members from various levels and branches of the Department.

national perspective and the existence DMC at key decision points in Probation based on preliminary data analysis.

- **October 16, 2007** training for the CCJCC DMC Sub-committee of the CCJCC on: the purpose and use of the RRI, analysis of intake data by risk category (i.e. high or low risk based on the Krisberg screening device¹⁸) and strategies used in other jurisdictions to reduce racial disparities.
- **November 15, 2007** training for Probation Field Managers on: the history of DMC from a national perspective, analysis of intake data by risk category based on the Krisberg screening device, strategies used in other jurisdictions to reduce racial disparities and skill development for addressing DMC.
- **November 28, 2007** training for Deputy Probation Officers and supervisors on: the history of DMC from a national perspective, analysis of intake data by risk category based on the Krisberg screening device, analysis of admissions data and strategies used in other jurisdictions to reduce racial disparities.
- **December 6, 2007** training for Probation Intake Investigation and Investigation Deputy Probation Officers on: the history of DMC from a national perspective, analysis of intake data by risk category based on the Krisberg screening device, analysis of admissions data and strategies used in other jurisdictions to reduce racial disparities.
- **December 10, 2007** training for Probation Intake and Detention Control (IDC) and Camp Aftercare (Camp Community Transition Program) Deputy Probation Officers on: the history of DMC from a national perspective, analysis of intake data by risk category based on the Krisberg screening device, analysis of admissions data and strategies used in other jurisdictions to reduce racial disparities..

¹⁸ The Krisberg scale is a screening tool administered to every youth brought to the Probation Department intake unit. It is used to assist in determining whether a youth referred to Probation should be detained or released based on whether the youth is high or low risk. See discussion of the Krisberg scale in the risk assessment section of this report.

Data Collection and Analysis

A fundamental value of the Burns Institute 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 to provide a description of disproportionality. It provides the foundation for identifying whether, to what extent, and at which decision making points disproportionality exists and where change strategies can be developed.

Using data to drive the reform ensures that policy and practice change is informed and based on neutral and accurate information, rather than impulse and politics. Consistent collection and analysis of reliable data on key indicators of disproportionality enables system stakeholders to evaluate the effects of their current policies and practices, assess the relationship between modifications of these policies and practices and subsequent reductions in disparities.

In recent years, the number of jurisdictions throughout the country engaging in work to reduce racial and ethnic disparities in the juvenile justice system has grown. However, many of these jurisdictions have spent significant time and money trying to reduce racial disparities in juvenile justice with very limited results. Many of these jurisdictions do not have the infrastructural capacity to ensure that key indicators of racial and ethnic disparities in the system are analyzed and monitored and that policy and practice change recommendations are based on those data. Moreover, even when data on the impact of race and ethnicity is analyzed on a consistent basis, rarely do system stakeholders have a mechanism for reviewing key indicators and institutionalizing a strategic response.

Findings regarding Los Angeles Data Collection and Analysis

Los Angeles County has great potential to use data to drive policy reform around racial and ethnic disparities in the juvenile justice system. There are several staff positions dedicated to data collection and analysis, and these staff are clearly adept in conducting sophisticated analyses.

However, the Burns Institute identified challenges that stand in the way of using data to reduce racial and ethnic disparities in the juvenile justice system. These challenges, while specific to what BI has learned in Los Angeles County, are not uncommon.

(1) No consistent reporting on racial and ethnic disparities

Clearly, the first step to using data to reduce racial and ethnic disparities in the juvenile justice system is to collect and analyze data disaggregated by race and ethnicity. However, to date, Los Angeles County does not create and disseminate statistical reports that review even basic indicators of racial and ethnic disparities in the juvenile justice system on a consistent basis.

(2) No institutionalized, strategic response for using data.

Once racial and ethnic 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. Thus, part and parcel with the collection and analysis of data is the ability to use those data to develop and implement policy and practice change to reduce racial and ethnic disproportionality. In other words, Los Angeles County needs not only the ability to collect, analyze and assemble data in a meaningful way that provide pictures of disproportionality at various stages in juvenile justice processing, it must also develop the infrastructure for using those data to generate questions about disproportionality and further explore how Probation policy, practice and procedure are impacting the disproportionality.

Probation staff and analysts must not only collect certain data, but they must know the appropriate questions to ask to drive the reform initiative. For example, analyzing data and finding that African American youth are over-represented in secure detention does not provide adequate information to develop change strategies. Even learning that, for example, probation violations is a significant driver of detention utilization for African American youth, may not provide adequate information for developing recommendations to reduce disproportionality.

Probation staff must dig deeper, control for additional independent variables and answer several questions such as:

- Are African American youth detained disproportionately for violating certain probation conditions?; and
- Are alternatives to detention for probation violators available in some neighborhoods and not others; and is this impacting the number of African American youth detained for probation violations?

The foundation for such analysis exists in Los Angeles County. The Probation Department currently maintains and is expanding a centralized system for collecting information relevant to reducing DMC. However, what is currently lacking is a systematic approach to the analysis such that it will reveal where deeper analysis is necessary.

(3) Bridging the gap

In juvenile justice jurisdictions around the country, there is often a significant gap between the understanding of the complexities involved in juvenile justice processes and the information systems that capture data about youth that go through these processes.

For example, it is not uncommon for systems' information staff to have substantial technical skills with regard to data collection and analysis, but not a clear understanding of the juvenile justice system processes that youth experience. Similarly, management and line staff may have a clear understanding of the juvenile justice process, but not the technical workings of the information systems data.

With a juvenile justice system that is as substantial in numbers and complex in its processes, it is not surprising that the County of Los Angeles experiences this gap to some degree. In order for management to effectively use data to make informed policy and practice change based on the data, this gap must be bridged.

(4) Lack of confidence in the data

In the course of training Probation Department staff, the Burns Institute presented many of the findings that proceed. Probation staff reviewing these data was skeptical of the accuracy of some findings. This skepticism was further explored, and an overwhelming majority of the Probation staff present at the training revealed their lack of confidence in the data collection systems. According to Probation staff, data is not consistently entered into the appropriate databases and when it is, it is often collected in way that "tells management what they want to hear." While this statement was the reflection of one Probation staff, this sentiment was echoed by several others.



This finding is disturbing in several regards. Primary, though, is that data analysis is the foundation from which reform efforts to reduce DMC are based. If data are inaccurate, the analysis used to develop policy and practice change recommendations will also be inaccurate.

(5) No centralized database

Not unlike most juvenile justice systems in the Country, Los Angeles County does not have one centralized database that maintains data on youth throughout their experience in the juvenile justice system. Thus, it is not possible to accurately compare how one decision making point, arrest for example, impacts subsequent decision making points, disposition, for example.



Initial Findings Regarding Disproportionality

The Burns Institute received seven years of data flat files from three different databases. With a jurisdiction the size of Los Angeles County, the amount of data received was overwhelming. As discussed in greater detail below, the findings that follow are preliminary. Even still, the amount of information gleaned from just an initial analysis indicates that there is a significant overrepresentation of youth of color, and Probation policy and practice change *may* significantly reduce the disproportionality.

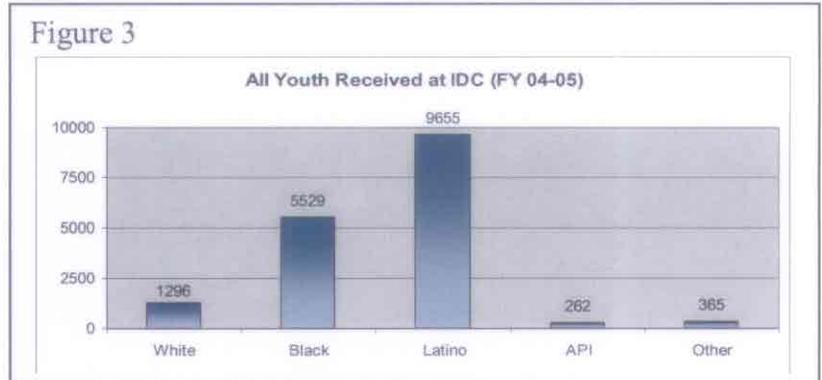
To be sure, the findings that follow are preliminary. Understanding the degree to which racial and ethnic disparities exist in the juvenile justice system and within Probation Department decision making requires more sophisticated analysis. That is, Probation staff must dig deeper into the initial findings and include additional independent variables. For example, knowing that African American youth are securely detained at a disproportionate rate does not reveal whether racial disparities exist in intake decisions. The analysis must control for factors such as type of charge and youths' prior involvement with the juvenile justice system.

Thus, recommendations on policy and practice change at this time would be premature and imprudent. The recommendations are included as possible solutions that have been successfully implemented in other jurisdictions around the country.

Intake Decisions Findings

Probation provided Burns Institute with Probation's Intake and Detention Control (IDC) data for FY 2004-2005. These data represent all youth who were physically referred to the front door of a Los Angeles juvenile hall for detention admission (predominantly) pre-adjudication.

As Figure 3 represents, IDC applied the Krisberg Scale instrument to 17,107 youth in fiscal year 2004-2005.



As Figure 4 indicates, there is a disproportionate number of youth of color who are received at IDC. Youth of color represent 78% of the youth population but are 92% of youth received at IDC.

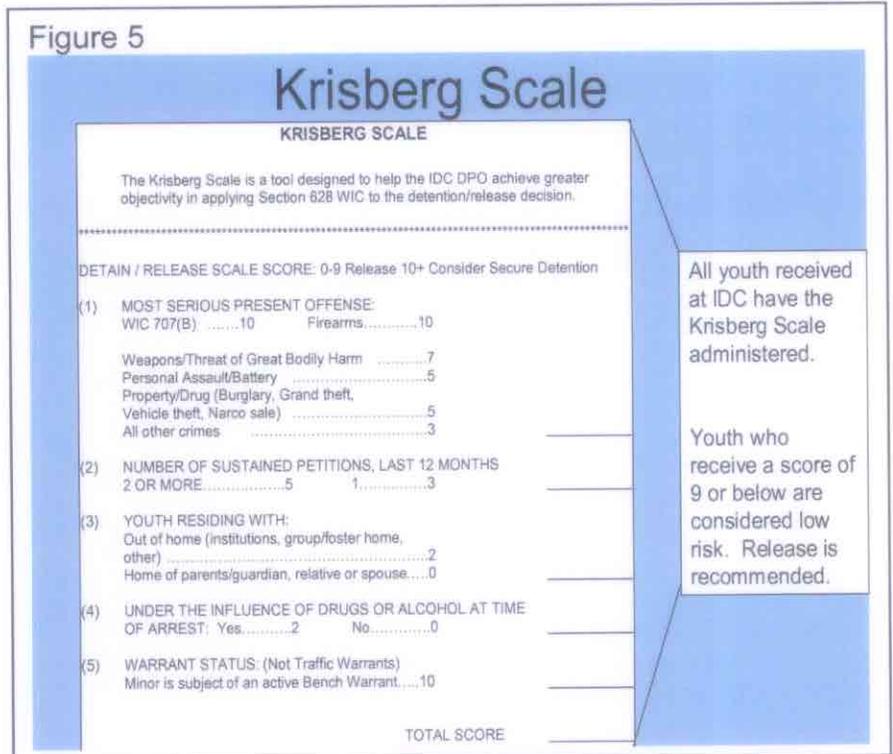


The Probation Department currently uses the Krisberg scale to assess youth referred to IDC for admission into Juvenile Hall. The Krisberg Scale is a screening instrument used by the Intake and Detention Control (IDC) Deputy Probation Officer to help achieve greater objectivity in applying section 628 WIC¹⁹ to the decision of whether to detain or release each referred youth.

¹⁹ California Welfare and Institutions Code section 628 specifies the grounds upon which a youth can be detained by a Probation Department. See the text of WIC 628 online at: <http://law.onecle.com/california/welfare/628.html>

The Krisberg Scale is administered to every youth brought to IDC. As Figure 5 represents, the tool has five items; each item yields a range of possible points. The points yielded from all five items are added to determine the total score. Youth who receive a total score of nine or below are recommended for release. Youth who receive a total score of ten or above are recommended for juvenile hall detention. For example, Item (5)

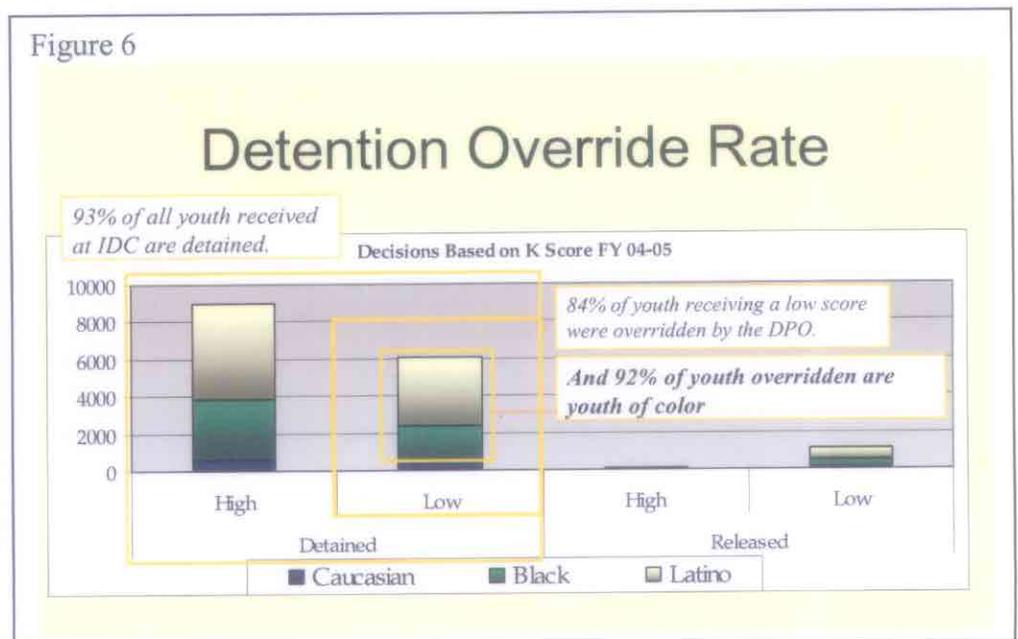
Figure 5



“Warrant Status” confers ten points to youth who have an active Bench Warrant. Thus, any youth with an active Warrant will have sufficient points to be detained. In some cases the recommendation of the Krisberg scale is not followed by staff. This is called an override. According to Probation policy, all overrides must be authorized by intake supervisors.

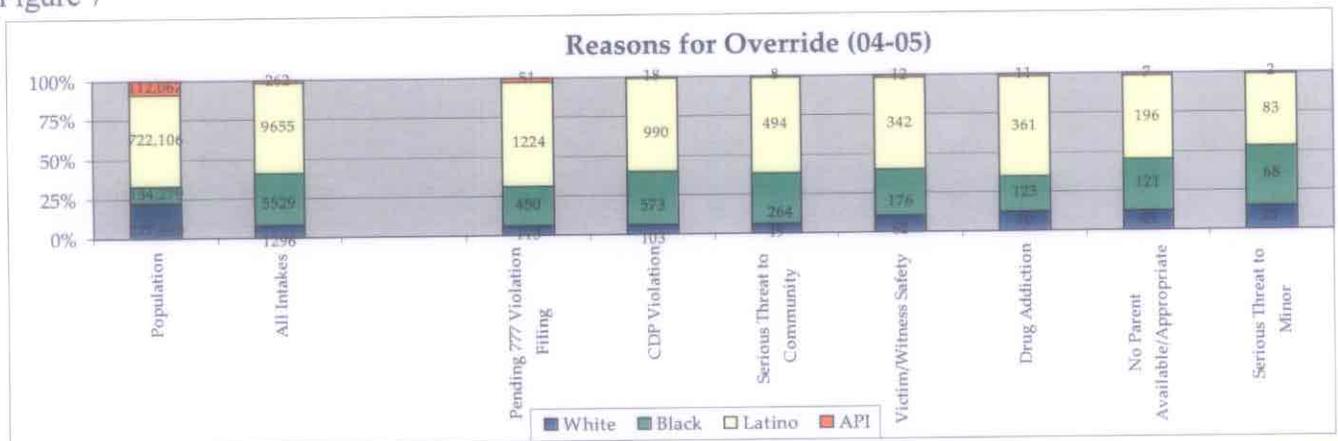
Figure 6 separates detention decisions into youth who were detained (on the left side of the chart) and released (on the right side of the chart). 93% of all youth received at IDC were

Figure 6



detained. Conversely, only 7% were released. Significantly, the detention override rate is 84%. That is, of all youth who were deemed low risk by the Krisberg scale, 84% were detained (overridden) despite the Krisberg Scale's release recommendation. Of those that were overridden, 92% were youth of color. Moreover, a high override rate, like

Figure 7



84%, generally indicates that the staff does not believe the Risk Assessment Instrument accurately evaluates risk of the youth brought to detention.

Figure 7 further illustrates youth brought to IDC to determine the most frequent reasons for override of the Krisberg score recommendation to release. The bars on the left (youth population [ages 10 through 17] and all intakes) are provided for comparison. The bars to the right include the reason youth were overridden by IDC. The raw numbers are included within each bar, and the chart is oriented to show the percentage of youth impacted by each override reason.

The most frequent reason for an override is "Pending 777 filing".²⁰ There is a disproportionately high number of Latinos in the Pending 777 filing category in comparison to both the youth population and all intakes.²¹ The next most frequent override reason is "CDP Violations," violations of the conditions of Probation for the Community Detention Program. African American youth are overrepresented in this override category.²² These two reasons for override should be examined further to determine why these disparities exist.

The third most frequent reason for override is "Serious Threat to Community". That "Serious Threat to Community" is so frequently cited as a reason for override is

²⁰ 777 Violations refers to Welfare and Institutions Code section 777, violations of the conditions of probation.

²¹ 65% of "777 filings" overrides are Latinos, yet Latinos are 56% of the youth population and 56% of all intakes.

²² African Americans make up 34% of CDP violations, but are 11% of the youth population and 32% of all intakes.

puzzling. The Krisberg Scale is designed to account for this type of threat in its risk analysis. It appears the purposes of the instrument (releasing low risk youth) are being defeated by staff overriding on this basis. Given the high disproportionality of the total group of overrides, this reason must be examined very closely by Probation management. One possible explanation is IDC staff does not believe in the ability of the Krisberg Scale to accurately predict risk. Or perhaps, the staff has not been trained to use the instrument in the way in which it was intended. If either or both of these reasons are in fact the case, they need to be addressed immediately.

Recommendation: Revise Override Policy

Probation should revise the RAI override policy. As the override policy is currently used the third most frequent reasons for override is a youth is a serious threat to the community. The risk of being a threat to the community is addressed by the items in the Krisberg scale such that this should not be an acceptable reason for override. Therefore, while Probation continues to use the Krisberg scale, it should seriously consider eliminating threat to the community as an acceptable reason for override. Moreover, Probation should evaluate its current policy that requires every override to be approved by an IDC supervisor to assure it is being implemented appropriately.

Recommendation: Revise Risk Assessment Instrument

Probation should develop a new Risk Assessment Instrument ("RAI") that utilizes a three level (high, medium and low risk) decision model to replace the current two level (high, low risk) Krisberg Scale. The three levels of risk correspond with to three options for IDC. Low risk youth generally should be released without conditions. Medium risk youth should generally be released with conditions to alternatives to detention. High risk youth generally should be detained in secure detention. The overwhelming majority of jurisdictions that have risk assessment instruments utilize this three level risk analysis. The rationale for this approach is that youth being considered for detention can be separated into three categories: High risk youth who should be detained, medium risk youth who can be released with conditions (for example released into an electronic monitoring program,²³ evening center,²⁴ home supervision²⁵ or other alternative to detention program) and release with no conditions for low risk youth.

²³ Electronic monitoring is a program which requires a youth released into the community to keep on their person an electronic device that indicates his or her position.

²⁴ Evening Centers are programs that offer programming in the community and supervision of youth from the end of the school day to later in the evening generally 8:00 or 9:00pm.

²⁵ Home supervision is when a deputy Probation Officer supervises a youth on probation who is staying at home.

Recommendation: Validate Risk Assessment Instrument

Once a new RAI is developed and implemented it should be validated.²⁶ Implementing a validated RAI is the first step of eliminating the possibility of biased decision-making in the juvenile justice system. The RAI is used to objectively guide detention intake personnel in making the critical decision of whether to detain or release a referred juvenile. Detaining the appropriate youth through objective decision-making while maintaining public safety, is the goal of detention admissions. A validated RAI uses a range of factors to derive a score that is shown to be associated with the youth's risk to public safety, or likelihood to return for Court appearances. That is, higher scores indicate a higher risk of failing to appear (FTA) for subsequent court dates or a higher risk to commit a new law violation pending adjudication. (See, Dedel, Kelly, and Davies, Garth. (2007), Validating Multnomah County's Juvenile Detention Risk Assessment Instrument. Attached) Using a RAI not only affirms the commitment of the County to remove as much bias as possible from decisions regarding admission to detention, it recognizes that expensive secure detention resources are used only for those youth at highest risk of re-offending or not attending court hearings.

Recommendation: Implement an Electronic version of the RAI

Probation should implement an electronic version of the RAI, so that completion of the RAI will allow automated scoring of items that are already maintained in the Probation Department's information systems. Moreover, trends in the use of the RAI and overrides can be tracked with greater ease.

Recommendation: Ensure reliability of RAI

Probation must ensure that the Risk Assessment Instrument developed is reliable. That is, the instrument is applied as intended by all staff. Probation should train all staff that are responsible for completing the RAI. It is crucial to get the full buy-in of all staff that completes the RAI as well as other stakeholders such as managers, judges, prosecutors, defense attorneys, law enforcement and others. Unless those who use the RAI believe that it really does what it purports to do there will not be fidelity in its use. This means the RAI must be validated and all those who will be implementing it must be trained on its proper use.

²⁶ A validated Risk Assessment Instrument is one which has been reviewed using a scientifically valid method to show that it does predict risk category accurately.

Recommendation: Initiate Conversation with CCJCC Partners and Internally on the Purpose of Detention

Probation should initiate a conversation with its partners on the CCJCC DMC subcommittee to build a consensus on the appropriate use of detention. Additionally, Probation should develop a consensus among its own staff on the appropriate use of Detention. Ideally a consensus can be built around the two purposes for Detention: to detain youth who are likely to re-offend prior to adjudication or are likely to fail to appear at scheduled Court appearances.²⁷ Detention should be seen as a last resort and youth should be treated in the least restrictive environment. When policy decision-makers are not clear about the appropriate use of Detention, it is very hard to develop admissions policy that is uniform, fair and connected to outcomes the system is attempting to accomplish. Thus, if there is no uniform understanding of the appropriate use of detention, there is no reason to preclude staff from putting young people in custody to "teach them a lesson" or "give them a time out".

Recommendation: Alternatives to Detention

In order to best implement a RAI that evaluates for three levels of risk, Probation must have appropriate alternatives to detention for youth judged to be medium risk by the RAI.²⁸ Ideally there would be a robust range of alternatives to detention suited to match the range of scores within the medium range of risk from the RAI. For example home supervision may be appropriate for a youth scoring on the lower side of the medium range, whereas electronic monitoring may be more appropriate for a youth scoring on the high side of the medium range. Alternatives designed to meet the programmatic needs of youth scoring in the medium risk category should be provided as well.

Probation should develop community based and community run alternatives to detention in the neighborhoods that contribute the most youth to detention.²⁹ The development of community based alternatives to detention should be pursued using evidence based practices. The Probation Department should conduct research to determine the needs of the youth who will be released with conditions to ascertain what type of programs will work best for this population. Probation should seek to develop enough capacity in the community run programs so that all youth determined to be medium risk will have appropriate program space available when release decisions are made. While lack of resources is often cited as a reason why alternatives to detention cannot be

²⁷ Pathways To Juvenile Detention Reform, Controlling the Front Gate, effective admissions policies and practices, The Annie E. Casey Foundation.

²⁸ Moreover, providing more alternatives to Detention will certainly reduce detention population and likely reduce DMC.

²⁹ In addition to the Probation run alternatives that now exist.



developed, the alternatives typically cost counties significantly less than detention utilization.

Finally, Probation should evaluate the current programs it uses as alternatives to detention to assess how successfully they meet the needs of the youth.

Best Practice Suggestion:

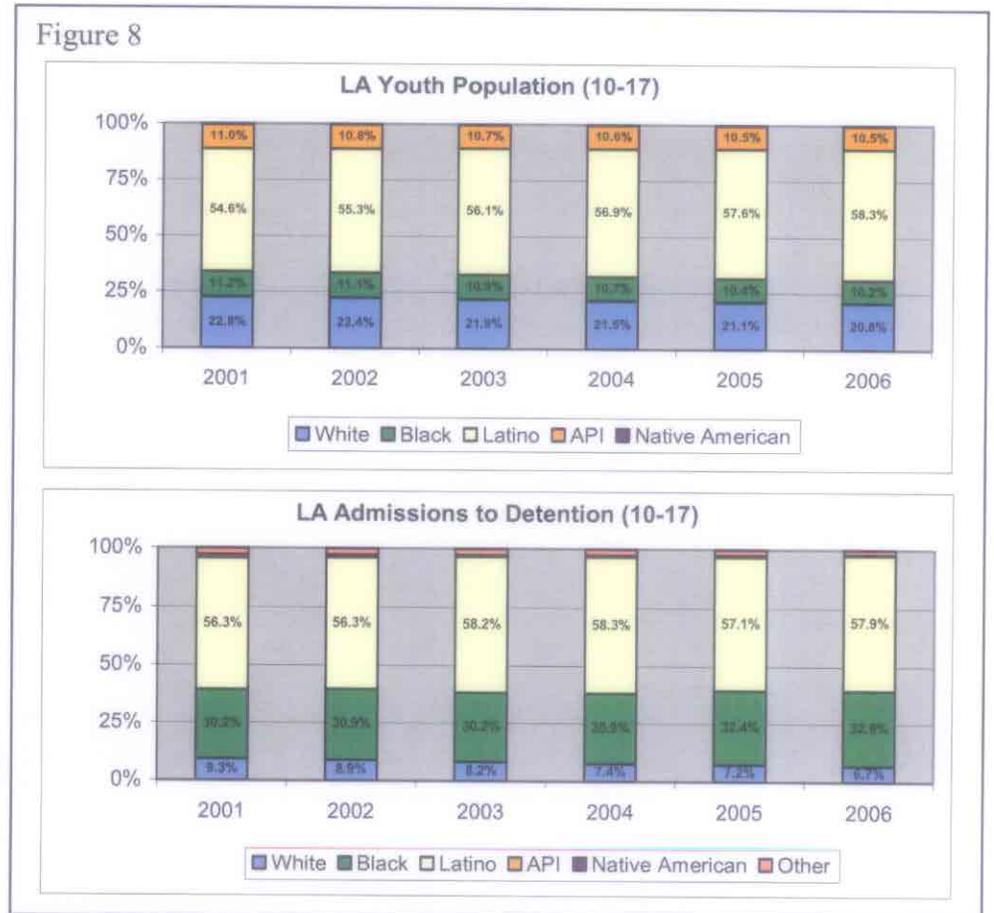
The BI reviewed several studies related to risk assessment instruments including Virginia, Cook County, King County and Pima County AZ. It is clear after such review that the most advanced study, scientifically, and the most "state of the art" is the study conducted by Multnomah County, (Portland, OR). (Attached).

One conclusion from that study which Probation should consider: there should be fewer items on the instrument. The study found fewer items reduce the chance of scoring error by reducing the work load of intake staff, and caused the instrument to be more reliable.

Admissions to Detention Findings

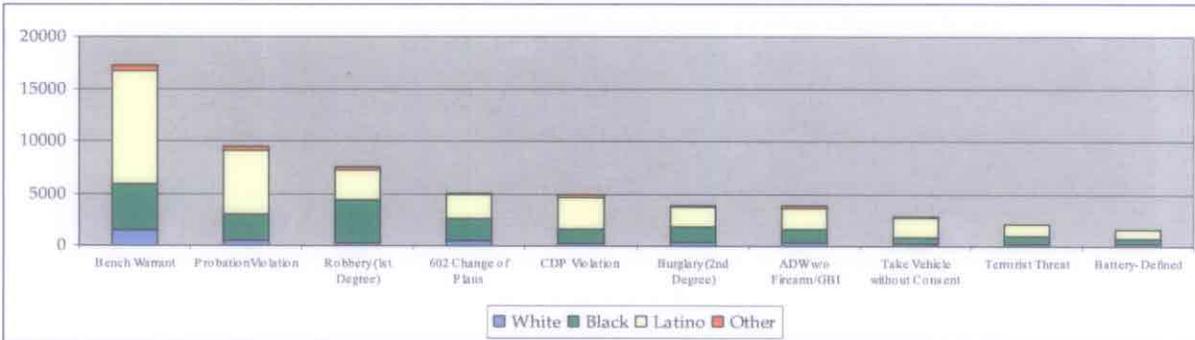
Probation provided Burns Institute with admissions to detention data for seven years from the Probation Detention System (PDS-Juvenile Hall Automated System). These data represent all youth who were admitted to detention to a Los Angeles juvenile hall. The count is duplicated. That is, youth who were admitted more than once are counted separately for each admission.

Figure 8 illustrates the extent to which youth of color are overrepresented in Los Angeles County Juvenile Halls by comparing the percentage of youth in the overall Los Angeles youth population (ages 10-17) with percentage of youth admitted to detention. As Figure 8 illustrates, the African American youth population has decreased from 11.2% in 2001 to 10.2% in 2006. In contrast, the percentage of African American youth admitted to detention has increased from 30.2% to 32.9%.



An examination of the offenses for which youth were admitted to detention from 2001-2007 reveals that the most frequent offense for which youth are admitted to detention is Bench Warrants. The second most frequent offense for which youth are admitted to detention was Probation Violations. As Figure 9 indicates, probation violations and Warrant 602s account for 40,343 admissions, 29% of the total 141,403 admissions to detention over during this seven year period.

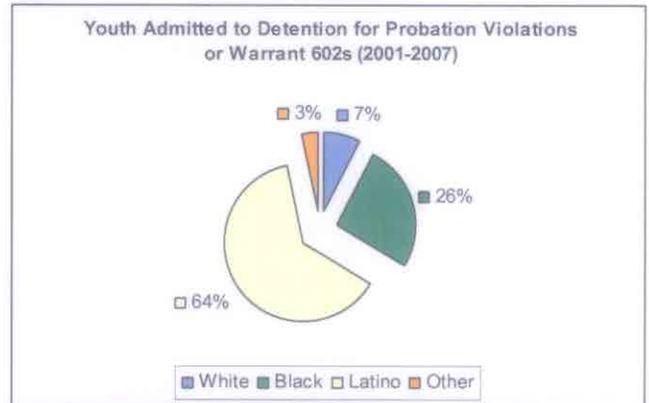
Figure 9



What is more, youth of color are clearly overrepresented in the admissions to detention for both Bench Warrants and Probation Violations. As Figure 10 indicates, youth of color make up 93% of all admissions for Probation violations and Warrant 602s.

In jurisdictions around the country, detentions as a result of probation violations and certain warrants are considered “low hanging fruit.” That is, these offenses are often picked in introducing policy and practice change to reduce detention utilization because the youth detained for these offenses are often low risk and may be better served in a community alternative to detention.

Figure 10

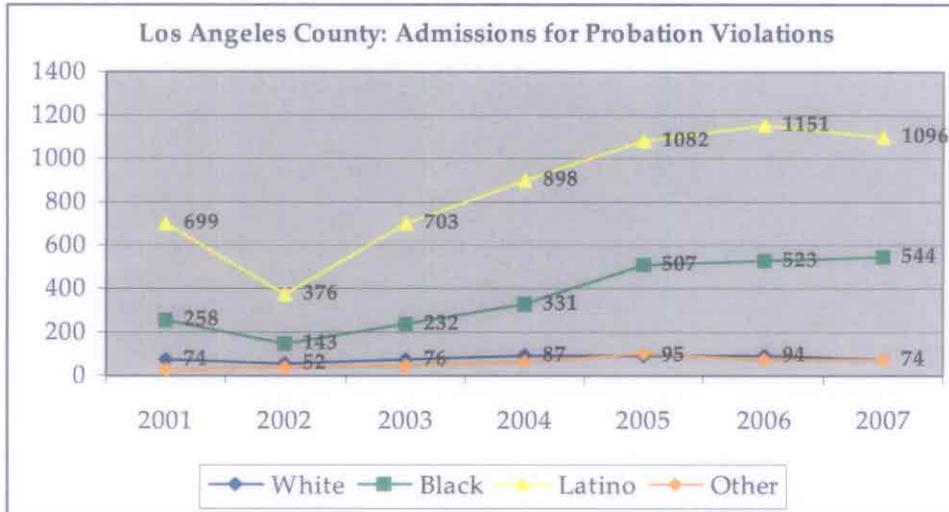
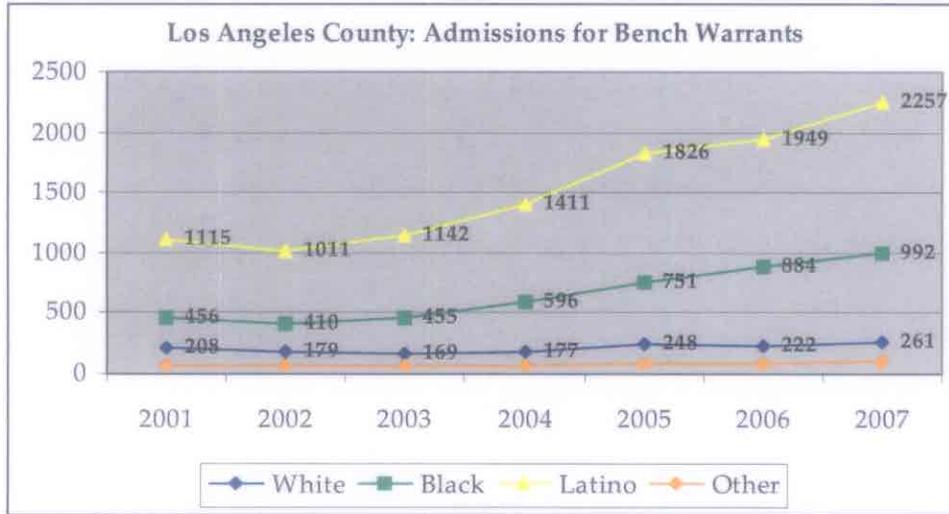


As Figure 11 illustrates, admissions to detention for probation violations and warrant 602s is increasing, particularly for African American and Latino youth. Clearly, more questions must be answered in order to develop policy and practice change that may reduce these numbers. For example, further analysis must be done to determine:

- *What were the conditions of probation that were violated?*
- *How many out of detention sanctions were attempted before detention was utilized?*
- *What was the underlying offense for the probation violation—was it a detainable offense?*
- *What probation caseload type was the youth on?*

Similarly, deeper analysis is necessary to determine how many of the warrants 602s were bench warrants, and how many of these were the result of a youths' failure to appear for a court appearance.

Figure 11



Detention Admissions for Bench Warrants have increased over time, particularly for youth of color. From 2001 to 2007, admissions for Warrant 602s increased by:

- 117% for Black youth
- 102% for Latino youth
- 25% for White youth

Detention Admissions for Probation Violations has increased over time, but only for youth of color. From 2001 to 2006, admissions for probation violations include:

- 110% increase for Black youth
- 57% increase for Latino youth
- No change for White youth

Because of the high number of detention admissions that are the result of warrant 602s, Probation should consider developing a court appearance notification policy.³⁰

The Probation Department should consider assigning staff (or otherwise arrange for staffing) to call and make personal contact with youth who have upcoming court appearances one or two days prior to the appearance. Several jurisdictions have shown that this is a very effective way to reduce the number of youth who fail to appear at scheduled Court appearances. It has been found in other large urban jurisdictions such as Cook County (Chicago), IL, Baltimore County, MD and King County (Seattle), WA that personal contact to remind youth of pending

³⁰ As previously noted, further investigation to determine the number of Warrant 602 that are the result of youths' failure to appear in court must be conducted.

court appearances has dramatically reduced the percentage of youth who fail to appear for court appearances. (See attached Cook County Manual, Baltimore study PowerPoint and King County Analysis)

Cook County, a jurisdiction that is similar in size of operation to Los Angeles County, implemented this approach. Cook County implemented a notification program with the specific intention of reducing FTAs. Cook County Juvenile Probation Department rearranged the duties of six support staff to allow them to send out mail reminders and call every youth one business day prior to their scheduled appearance. The notification program obtains the youth's contact information from the law enforcement report that is forwarded at the time of arrest.

Baltimore also implemented a notification program. It conducted a study of its effectiveness and found it to be successful. The outcomes of 809 youth were reviewed. During the period of the study, August, September and October 2007, Baltimore attempted to call every youth with a scheduled Court appearance. 69% of the youth called were African American, 28% were White and 3% were other. Of the total youth called (i.e. either a person reached or a message left) to remind of Court appearances, 55% appeared. Of the total youth not called, 40% appeared. (No reminder calls were made on 5 court days during the study period.) When the youth or a family member was contacted personally, 74% appeared in Court. For African Americans, if personal contact was made 75% appeared in Court.³¹

Implementing this simple practice change has the potential to reduce FTAs and thereby reduce the number of youth in detention. Moreover, since this strategy has been shown in other jurisdictions to be particularly effective with youth of color, it is also very likely implementing this practice change will reduce DMC.

³¹ See attached Seattle study of their reminder program. It revealed when reminder calls were made, the overall FTA rate dropped from 23.5% to 19%. The change was greatest for minority youth, especially African American girls (FTA rate dropped from 33% to 17.2%). The reduction in FTAs is even greater for those where some personal contact was made (FTA rate of 16.7) and best when the staff spoke with the defendant (FTA rate of 10.9%). The attached report gives more details and explains the methodology.



Additional Factors

Recommendation: Hire at Least One Full Time Local Coordinator.

Local Coordinator: Probation should dedicate a staff person full time to coordinating the DMC reduction effort. The time demands of seeking partnership and working collaboratively with other juvenile justice system participants and community representatives, which is the thrust of the second year under the DMC TAP grant, requires the full attention of the person responsible for moving the project forward.

Recommendation: Improve Language access

In one of the trainings provided by the BI it was expressed by a manager that one reason Latinos have longer lengths of stay in detention than white youth is because some staff have difficulty communicating with monolingual Spanish speaking parents or guardians. Probation should evaluate staffing patterns and make whatever adjustments are necessary to ensure that it has sufficient staffing with Spanish language skills so that Latino youth are not detained longer because staff cannot communicate with Spanish speaking parents.

County of Los Angeles Probation Staff Perceptions of Disparities

The Burns Institute administered a survey regarding County of Los Angeles Probation staffs' perceptions of racial and ethnic disparities in the juvenile justice system to 378 Probation staff. Staff responding to the survey hold the following positions within probation:

Role	#	%
Manager	16	4%
SDPO : Investigation	9	2%
SDPO: IDC	4	1%
SDPO: Supervision	23	6%
DPO 2: Investigation	65	17%
DPO2: IDC	11	3%
DPO 2: Supervision	167	44%
DPO 2: CDP	15	4%
Court officer	7	2%
Other	61	16%
Total	378	100%

The following is a brief summary of findings from the survey.

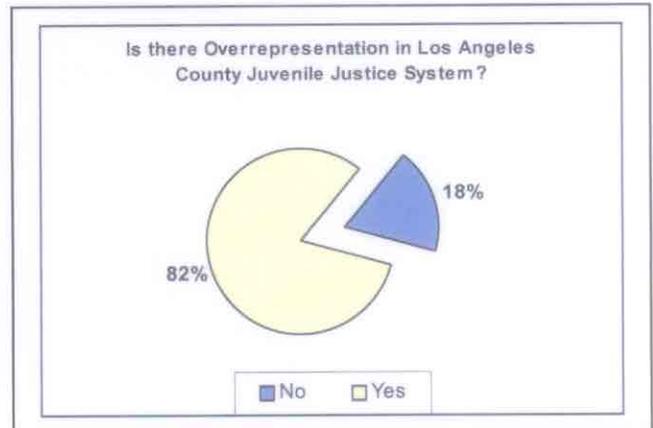
Racial Disparities/Disproportionality

The first section of the survey dealt with Probation Staffs' perceptions about whether youth of color overrepresentation exists in the Los Angeles County juvenile justice system, whether staff feels they have a role in reducing racial and ethnic disparities, and whether Probation staff feels equipped with strategies to reduce racial and ethnic disparities.

The overwhelming majority of Probation Staff indicated that they believe that youth of color are overrepresented in the Los Angeles County juvenile justice system. Of the 349 respondents to the question "*Is there youth of color overrepresentation in the Los Angeles County juvenile justice system?*," 82% responded 'Yes.'

When asked an open question about what informs that response to the question regarding whether there is youth of color overrepresentation, 97 staff responded with a variety of answers including:

- Observation (19%)
- Experience (9%)
- Caseload (8%)
- Data/Facts (6%)





Strategies to Reduce Racial and Ethnic Disparities

In general, few staff feels equipped with strategies to reduce racial and ethnic disparities. When asked, "Do you feel well equipped with strategies for reducing racial disparities?," 71% of respondents indicated that they do not. The responses varied slightly by position within the Probation Department.

Do you feel equipped with strategies to reduce racial and ethnic disparities?

	No		Yes		Total #
	#	%	#	%	
Manager	8	50%	8	50%	16
SDPO : Investigation	7	88%	1	13%	8
SDPO: IDC	3	75%	1	25%	4
SDPO: Supervision	16	73%	6	27%	22
DPO 2: Investigation	45	70%	19	30%	64
DPO2: IDC	10	91%	1	9%	11
DPO 2: Supervision	114	70%	48	30%	162
DPO 2: CDP	7	47%	8	53%	15
Court Officer	5	100%	0	0%	5
Other	37	79%	10	21%	47
Total	252	71%	102	29%	354

Those who indicated that they are equipped with strategies to reduce racial and ethnic disparities had varied responses to the question "What strategies do you use?" including:

- Common Sense
- Employing alternative methods of secure detention
- I always emphasize their religious principles and those laid out by the Founding Fathers to give them a sense of what's right and what's wrong
- Fairness
- My broad base knowledge of cultural issues and cultural differences
- I supervise juveniles, not arrest them and parent them
- We have nothing to do with who is arrested
- Start with policing
- I can refer to agencies that do not differentiate between cultures
- Listen, be open, don't discriminate
- Treat People Equally



Staffs' Role in Reducing Racial and Ethnic Disparities

Staff was asked whether they believe they have a role in reducing disparities.

<i>Do you Play a Role in Reducing Racial and Ethnic Disparities</i>					
	No		Yes		Total
Manager	6	38%	10	63%	16
SDPO : Investigation	4	50%	4	50%	8
SDPO: IDC	2	67%	1	33%	3
SDPO: Supervision	11	52%	10	48%	21
DPO 2: Investigation	40	62%	25	38%	65
DPO 2: Supervision	99	60%	67	40%	166
DPO2: IDC	6	60%	4	40%	10
DPO 2: CDP	9	64%	5	36%	14
Court Officer	6	100%	0	0%	6
Other	27	56%	21	44%	48
Total	210	59%	147	41%	357
<i>Are you able to fulfill that role?</i>					
	No		Yes		Total
Manager	3	30%	7	70%	10
SDPO : Investigation	2	50%	2	50%	4
SDPO: IDC	0	0%	0	0%	0
SDPO: Supervision	5	50%	5	50%	10
DPO 2: Investigation	8	36%	14	64%	22
DPO 2: Supervision	28	44%	35	56%	63
DPO2: IDC	0	0%	3	100%	3
DPO 2: CDP	2	40%	3	60%	5
Court Officer	0	0%	0	0%	0
Other	2	11%	16	89%	18
Total	50	37%	85	63%	135

Staff had a variety of answers to the question, "What is your role in reducing racial disparities?" including:

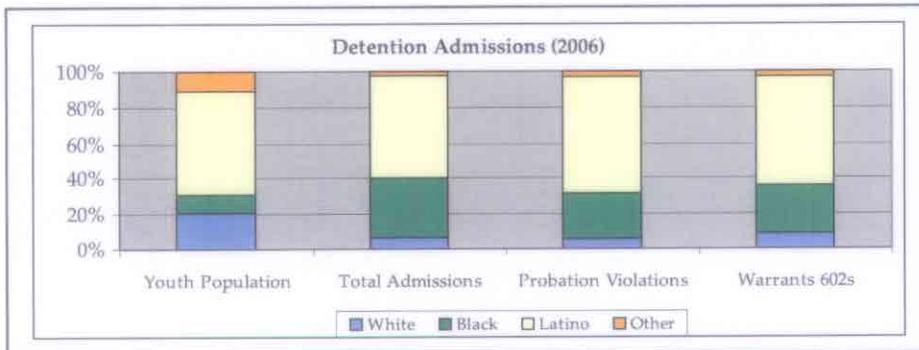
- Appropriate release of minor; Divert minors and families from the juvenile justice system.
- Change minor's self image and self expectations
- Counseling minors/prevention techniques
- Education
- Fairness in recommendations, early intervention, education of judges DA, Supervisors
- Learn more about cultural differences
- Making culturally appropriate referrals
- More detention at home
- Not perpetuate racial profiles
- Offering encouragement and suggestions for self esteem building and alternative lifestyles
- Preparing pre-plea reports that are informative and start an effective case plan for minor
- Referring Community based organizations such as Big Brother Program or Boy Scouts
- Refusing to file 652 petitions when it is not necessary or violating a minor when counseling is merited
- Take people just as they are and not chalk everything up to race. However, when you see it going on it hurts.
- Treating everyone the same.

Offenses Contributing to Overrepresentation in Detention

Staff was asked to identify, from their perspective, the offense category that contributes most to youth of color overrepresentation in Los Angeles County detention facilities.

What offenses contribute to overrepresentation in detention		
Offense	#	%
<i>Serious, violent felonies</i>	54	23%
<i>Drug Offenses</i>	53	22%
<i>Property felonies</i>	46	19%
<i>Misdemeanor person offenses</i>	24	10%
<i>Misdemeanor property offenses</i>	21	9%
<i>Probation Violations</i>	21	9%
<i>Bench warrants</i>	4	2%
<i>All of the above</i>	17	7%
Total	240	100%

Staff had the perception that the offenses which contribute the most to youth of color overrepresentation in detention facilities are serious, violent offenses. Data is not collected in the County of Los Angeles in such a way that "Serious, violent felonies" and "Drug Offenses" can be categorized into one offense category. So, further analysis is required to determine whether the perceptions of Probation staff are, in fact, the reality in detention. However, analysis does indicate that the offense for which youth of color are admitted with the greatest frequency is probation violations followed by Warrant 602s, and analysis reveals that youth of color are significantly overrepresented in detention admissions for both offenses.



In 2006 in Los Angeles County, youth of color represented:

- 79% of the overall youth population;
- 93% of admissions generally;
- 94% of admissions for Probation Violations; and
- 92% of admissions for Warrant 602s



Cultural Competency

Approximately half of the County of Los Angeles Probation Department staff has received cultural competency trainings. In general, Managers and Unit Supervisors were more likely to have received the trainings. Of those staff receiving the trainings, 77% indicated that they feel more culturally competent. Staff believes that they should receive additional trainings—83% of staff responded “Yes” when asked if staff should receive more cultural competency trainings.

Have You Received Cultural Competency Training?					
	No		Yes		Total
	#	%	#	%	#
Manager	2	13%	14	88%	16
SDPO : Investigation	1	11%	8	89%	9
SDPO: IDC	1	25%	3	75%	4
SDPO: Supervision	9	39%	14	61%	23
DPO 2: Investigation	34	56%	27	44%	61
DPO2: IDC	3	30%	7	70%	10
DPO 2: Supervision	80	49%	82	51%	162
DPO 2: CDP	7	50%	7	50%	14
Court Officer	3	43%	4	57%	7
Other	29	62%	18	38%	47
Total	169	48%	184	52%	353

Do You Feel More Culturally Competent?					
	No		Yes		Total
	#	%	#	%	#
Manager	1	8%	12	92%	13
SDPO : Investigation	1	13%	7	88%	8
SDPO: IDC	0	0%	3	100%	3
SDPO: Supervision	5	33%	10	67%	15
DPO 2: Investigation	9	26%	26	74%	35
DPO2: IDC	1	13%	7	88%	8
DPO 2: Supervision	22	26%	63	74%	85
DPO 2: CDP	1	14%	6	86%	7
Court Officer	2	50%	2	50%	4
Other	2	14%	12	86%	14
Total	44	23%	148	77%	192

Should Staff Receive More Cultural Competency Training?					
	No		Yes		Total
	#	%	#	%	#
Manager	2	13%	14	88%	16
SDPO : Investigation	2	22%	7	78%	9
SDPO: IDC	1	25%	3	75%	4
SDPO: Supervision	3	14%	19	86%	22
DPO 2: Investigation	12	20%	48	80%	60
DPO2: IDC	2	18%	9	82%	11
DPO 2: Supervision	29	18%	128	82%	157
DPO 2: CDP	5	36%	9	64%	14
Court Officer	1	17%	5	83%	6
Other	3	6%	44	94%	47
Total	60	17%	286	83%	346

Purpose of Pre-Adjudication Detention

Staff was asked what they believe the purpose of pre-adjudication detention is in the County of Los Angeles. They were asked to circle all responses they would describe as the purpose of detention including:

- (a) To prevent youth from committing additional offenses while charges are pending.
- (b) To protect youth from an unsafe home/community environment.
- (c) To ensure youth appears in court.
- (d) To ensure community safety.
- (e) To punish youth for their wrong doings.
- (f) To ensure youth get the rehabilitative services they need.
- (g) Other.

It is important that Probation staff have a common understanding of what the purpose of detention is. If staff disagree as to why youth should be held in juvenile detention facilities, there will be inconsistent decision making by staff as youth are processed through the juvenile justice system. Staff had varied responses regarding the purpose of detention. The top seven responses include:

Purpose of Detention	#	%
To ensure community safety.	39	11%
To prevent youth from committing additional offenses while charges are pending.	37	10%
a,b,c,d (see above)	36	10%
All of the Above	33	9%
a,b,c,d,f (see above)	24	7%
a,c,d	21	6%
To ensure youth get the rehabilitative services they need.	15	4%

The Burns Institute was particularly interested in the number of respondents who indicated that the purpose of detention includes, among other things, punishment; the protection of youth from an unsafe home environment; and to ensure youth receive the rehabilitative services they need. Fifty-one percent of staff surveyed indicated that one purpose of detention is to protect youth from an unsafe home/community environment.

Purpose of Detention	#	%
To protect youth from an unsafe home/community environment	172	51%
To ensure youth get the rehabilitative services they need.	108	30%
To punish youth for their wrong doings.	77	22%

Juvenile Justice System Policies and Practices

Staff was asked if they believed that there are certain policies and practices that contribute to racial and ethnic disparities in the County of Los Angeles. The majority of staff surveyed, 57%, indicated that they do not believe certain policies and practices contribute to racial and ethnic disparities.

	No		Yes		Total #
	#	%	#	%	
Manager	10	71%	4	29%	14
SDPO : Investigation	2	25%	6	75%	8
SDPO: IDC	1	33%	2	67%	3
SDPO: Supervision	7	39%	11	61%	18
DPO 2: Investigation	37	64%	21	36%	58
DPO 2: Supervision	78	55%	65	45%	143
DPO2: IDC	7	88%	1	13%	8
DPO 2: CDP	9	69%	4	31%	13
Court officer	4	67%	2	33%	6
Other	21	54%	18	46%	39
Total	176	57%	134	43%	310

Of those staff that indicated that certain policies and practices do contribute to racial and ethnic disparities, the policies and practices cited include:

- A group of Black or Brown boys hanging out at the corner and a group of Whites or Asian boys hanging out at the corner, which group will be considered a gang or boys socializing?
- Black, Brown in, White out
- Certain crimes rate an automatic detention and unless individual factors are evaluated some minors are detained that may not need or warrant detention
- Downey HQ racial favoritism to certain individuals of color or family relation- who own the agencies that service minorities
- improper training
- LASD institutional mind set. Deputies are trained in jail + then see the world from that perspective
- law enforcement practices
- Minorities are guilty until proven innocent
- Minors of color received different treatment for same or similar crimes
- more rights are given to the minor + this hinders effective supervision in the hall
- over site of laws pertaining to illegal immigration
- Probation officer's passing judgment on offender simply based on police officers arrest report
- racial profiling
- stereotype- preset mind that certain crime is associated w/ certain group of people
- stiffer sentences for rock cocaine, compared to powdered cocaine
- the D.A. is somewhat over-zealous in filing petitions
- underlying + overt racism
- Varying detention practices by IDC at juvenile hall
- we are too accommodating and refuse to let people be accountable for their actions behaviors, etc
- School system b/c teaches first racial disparities exist, & lead to failure of the youth. The school teaches youth destructive philosophy of life. That homosexuality is good, Christian values are evil, & that right and wrong is therefore relative.



• Community Relationships

The Burns Institute believes that active participation of community leaders from the neighborhoods most affected by the juvenile justice system is a critical component to addressing racial and ethnic disparities. Non-traditional stakeholders bring information and knowledge about the community to the table as well as a sense of urgency that is often missing from groups that consist solely of traditional system stakeholders.

Staff was asked what role they believe community currently plays in reducing racial and ethnic disparities and what role they believe the community should play in reducing racial and ethnic disparities in the juvenile justice system. Staff had a variety of responses, but generally, many staff was unsure of what role the community currently plays. Some staff believes that the community currently plays too little a role in reduce racial and ethnic disparities, and some staff indicated they believe that community plays a major role. Staff believes the community *should* play a stronger participatory role in programming and youth offender accountability. Below are some of the answers to the question about community role:

Role the Community Plays	Role the Community <i>Should</i> Play
<ul style="list-style-type: none"> • \$64,000 question! • A major role • Any community agencies that help the young people and their families acquire healthy relationship + life skills helps reduce racial disparities in the justice system. • Being cultural aware • Cannot pinpoint • Communication- between groups • Cultural programs • Don't know • Education • It serves as a barometer of racial tension in the community • Minimal • None- the community has voted to make diversity worse-propositions 187 + 209 • Not enough • Providing resources • Sharing information • Small/ family is most important • Some communities work together to bring resources into their community • The community tolerates injustice • Very little • Very significant • Very weak 	<ul style="list-style-type: none"> • A better collaborative effort • Active and involved • Become more involved in what they do instead of leaving correcting behaviors up to law enforcement. • Develop more program • Education • Get youth involved in community projects + service • hold youth accountable • I do not believe the community has a role in changing the juvenile justice as that is why we pay law makers • Major • Minors should too hold accountability • More involvement with at risk youth prior to contact with juvenile justice system • More programs for people of color and inner city • Provide a strong, appropriate support system • Providing consequences for negative racial misconduct. Providing relevant programs for minors • Stop worrying about making the all mighty dollar and start raising and interacting with their kids. • Teach the children to be proud of who they are and respect everybody respective of nationality • Should engage in grassroots programs through fundraisers (outside their community) and churches. The city, county, state agencies has constantly fueled the community on every level. • The community should continue to speak to racial disparities until a perceived sense of equilibrium in the community is achieved • to receive more assistance to provide them with more quality services • Zero tolerance. Back the police or the child but make a decision



Data Collection and Analysis

The Burns Institute believes that the collection and analysis of reliable data is essential to reducing racial and ethnic disparities in the juvenile justice system. What is more, juvenile justice stakeholders must have access to and comfort with reviewing these data, so that they can use these data to elicit questions about policies and practices that may be contributing to disproportionality.

Staff was questioned about their current comfort level with using data, and whether they currently review statistical reports in their capacity as Probation staff. In general, Probation staff from all units indicated that they were very or somewhat comfortable in reviewing data reports. However, very few staff (10%) indicated that they review data reports on a consistent basis.

Comfort Level with Data

	Very		Somewhat		Not Very		Not at All		I do not see any Reports		Total #
	#	%	#	%	#	%	#	%	#	%	
Manager	4	27%	4	27%	0	0%	0	0%	7	47%	15
SDPO : Investigation	4	50%	0	0%	0	0%	0	0%	4	50%	8
SDPO: IDC	2	50%	2	50%	0	0%	0	0%	0	0%	4
SDPO: Supervision	5	23%	8	36%	1	5%	0	0%	8	36%	22
DPO 2: Investigation	8	13%	15	25%	5	8%	1	2%	32	52%	61
DPO2: IDC	3	50%	2	33%	0	0%	1	17%	0	0%	6
DPO 2: Supervision	28	18%	33	22%	14	9%	2	1%	75	49%	152
DPO 2: CDP	4	27%	2	13%	0	0%	0	0%	9	60%	15
Court officer	0	0%	1	20%	0	0%	0	0%	4	80%	5
Other	10	22%	10	22%	2	4%	2	4%	21	47%	45
Total	68	20%	77	23%	22	7%	6	2%	160	48%	333

Currently Review Data

	Yes, Regular Review.		No, Once in a While.		No, Never.		Total #
	#	%	#	%	#	%	
Manager	0	0%	8	50%	8	50%	16
SDPO : Investigation	1	13%	4	50%	3	38%	8
SDPO: IDC	2	50%	2	50%	0	0%	4
SDPO: Supervision	4	17%	9	39%	10	43%	23
DPO 2: Investigation	1	2%	25	40%	36	58%	62
DPO2: IDC	2	20%	5	50%	3	30%	10
DPO 2: Supervision	17	11%	59	37%	85	53%	161
DPO 2: CDP	2	13%	4	27%	9	60%	15
Court officer	0	0%	3	43%	4	57%	7
Other	6	13%	15	33%	24	53%	45
Total	35	10%	134	38%	182	52%	351



Conclusion

Reducing racial and ethnic disparities and DMC in a juvenile justice system is a long arduous journey. It is neither quick nor easy, but with great effort, focus and commitment the destination will be reached.

So it is in Los Angeles. In the first phase of the DMC TAP grant the foundation has been laid for productive work to reduce disparities and DMC going forward. However, the journey ahead is long and the work will take much effort and commitment. As this report indicates, Probation began this work with ambition, yet there is still much more work to be done.

Glossary of Terms

CCJCC (Countywide Criminal Justice Coordinating Committee): duties of CCJCC focus on improving the criminal justice system through greater coordination and cooperation at local level; developing system wide strategies and funding priorities; securing needed State legislation and action; improving day-to-day coordination of local criminal justice agencies; and acting as the local coordinating and planning body for the new Criminal Justice Block Grant Program under the Department of Justice.

CSA (California Department of Corrections and Rehabilitation, Corrections Standards Authority): mandated in the California State Law (Welfare & Institutions and Penal Codes) is responsible for: 1) Ensuring the establishment and continual re-evaluation of minimum standards for local juvenile and adult detention facilities, conducting "problem solving" inspections of all local detention facilities biennially, and reporting to the Legislature on the results of those inspections; 2) Reviewing the architectural plans for construction and remodeling of all local detention facilities; 3) Establishing recruitment, selection, and training standards for all local corrections personnel working in jails, juvenile detention facilities, or probation departments; 4) Administering federal and state detention facility capital construction monies for the construction or renovation of local detention facilities; 5) Administering state-funded local corrections at-risk and offender pilot, demonstration and continuum of care programs and; 6) Conducting studies in crime and penology and creating, upon its own initiative or upon the request of the Governor, special commissions to assist the Board in the study of crime. (CSA is the State of California Agency with responsibility for overseeing Enhanced Disproportionate Minority Contact Technical Assistance Project)

Disproportionality: refers to a situation in which a particular racial/ethnic group of children are represented...at a higher percentage than other racial/ethnic groups (Child Welfare League of America)

Disproportionate Minority Confinement: Under the Juvenile Justice and Delinquency Prevention Act (JJDP), disproportionate minority confinement (DMC) exists when the proportion of youths detained or confined in secure detention facilities, secure correctional facilities, jails and lockups who are members of minority groups exceed their groups' proportions in the general population (OJJDP)

DMC (Disproportionate Minority Contact): Contact addresses the overrepresentation of minority youth in the juvenile justice system at all points in the juvenile justice process (Disproportionate Minority Contact, n.d., OJJDP).

DMC TAP: Enhanced Disproportionate Minority Contact (DMC) Technical Assistance Project through the California Department of Corrections and Rehabilitation, Corrections Standards Authority (CSA) - The grant's design focuses on assisting agencies with understanding and identifying DMC and equipping agencies with the tools and



resources needed to provide leadership in developing and/or strengthening community-based DMC reduction activities.

Electronic Monitoring: Electronic Monitoring is a program by which a youth is released into the community but has to either keep on their person an electronic device that indicates his or her position or respond to a telephonic device in the home.

Ethnicity: A quality assigned to a specific group of people historically connected by a common national origin or language. Ethnic classification is used for identification rather than differentiation (University of Maryland: Diversity Database).

Evening Centers: Evening Centers are programs that offer programming in the community and provide supervision of youth from the end of the school day to later in the evening (generally 8:00pm).

Home Supervision: Home supervision is when a deputy Probation Officer supervises a youth on probation at home.

IDC (Intake and Detention Control): The operation, housed at each of Probation's three (3) Juvenile Halls, that receive all youth referred to Probation for detention. IDC screens all such youth utilizing the Krisberg Scale to determine whether to release or detain.

ISE (Intensive Site Engagement): Burns Institute process which consists of a multi year, collaborative, data-driven methodology that focuses specifically and intentionally on changing policies, procedures and practices to reduce DMC.

Krisberg Scale: The Krisberg Scale is an objective screening instrument the Intake and Detention Control Deputy Probation Officer uses to help to decide whether to detain or release each youth referred for detention.

Minority: a part of a population differing from others in some characteristics and often subjected to differential treatment; the smaller in number of two groups constituting a whole (Online Merriam-Webster Dictionary).

Overrepresentation: particularly in reference to African American children has traditionally been used to define the high numbers of children of color in the child welfare system that are larger than their population in the general population (Child Welfare League of America -1).

Race: Classification of humans based on genetic characteristics. 2. Classification of people based on common nationality, history, or experiences (University of Maryland).

Pre-adjudicated: refers to the status of a juvenile who is subject to court proceedings that have not reached disposition or dismissal.



Risk Assessment Instrument: Risk Assessment Instruments objectively evaluate the risk of re-offense or failure to appear in Court for youth referred to detention.

RRI (Relative Rate Index): Is the analytical tool with which rates of disparity at key juvenile justice decision making points within a jurisdiction can be determined. The RRI was instituted by the federal Department of Justice Office of Juvenile Justice and Delinquency Prevention to assist jurisdictions to analyze disproportionality across several decision points so as to make it easier to pin point exactly where DMC problems occurred.

Validated Risk Assessment Instrument: Validated Risk Assessment Instrument is one which has been reviewed in a scientifically accepted method to show that the device as a whole and the individual items do predict risk category accurately.