

Minority Over-Representation Subcommittee

Minutes

December 9, 2:30PM-4:30PM
700 Kipling, 4th Floor Conference room

ATTENDEES:

Anna Lopez/Division of Criminal Justice

Regi Huerter/ Denver Crime Prevention & Control Commission

Shelley Siman/Division of Criminal Justice (formerly Denver Crime Prevention and Control Commission)

Heather Wells/Department of Corrections (on phone)

Michael Dougherty/Attorney General's office

Alaurice Tafoya-Modi/Private Defense Attorney

STAFF

Paul Herman/CCJJ consultant

Germaine Miera/Division of Criminal Justice

Christine Adams/Division of Criminal Justice

ABSENT

Henry Jackson/Metropolitan State University of Denver

James Davis/Department of Public Safety

<p>Issue/Topic: Welcome and Introductions</p>	<p>Discussion: Paul welcomed the group and went over the agenda due to Jim Davis' absence.</p>
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<p>Issue/Topic: Update/Racial and Ethnic Disparities Reduction Project</p> <p>Action No action needed at this time, Anna will update the group as this project progresses</p>	<p>Discussion: Anna Lopez updates the group on the project that Arapahoe County is involved in through the Children's Center on Law and Policy.</p> <p><u>DISCUSSION POINTS</u></p> <ul style="list-style-type: none"> • This project is in conjunction with the McArthur foundation and it involves not just the 18th JD but more specifically Arapahoe County. • Findings show that three jurisdictions account for most of the DMC issues in Arapahoe County. • Results show that truancy is the number one offense that kids are in detention for, and that the Hispanic population is over-represented. • Arapahoe is also at the top end as far as Dependency and Neglect cases. • The Chief Judge in Arapahoe is favorable toward putting kids in detention for truancy. However, the DA doesn't want to see truants in detention. • As far as sentencing - Aurora probation has no services for youth, 1200 kids get unsupervised probation. • Those kids don't have services or structure. • The Racial and Ethnic Disparities Reduction Project is helping the 18th put a graduated sanctions structure in place including services for MH and substance abuse, and hoping to give more of these kids supervised probation to reach higher success rates. • Kids are often unsuccessful due to not paying their fines. • Another project that's underway includes studying DYC's juvenile detention screening guide. • The analysis centers on looking at DYC's screening guide and comparing it to another instrument – and seeing if the outcomes would be the same. • To see if outcomes are different the screeners in the 18th Judicial District will use the JDSAG and the BERKS assessment on the same youth for comparison. • A private research company is looking at data for a 3 month period to finalize the analysis and the results will (hopefully) show if more kids are getting screened in. • There are five jurisdictions in the state that don't use detention for truants but the 18th is one of those that does use detention. • Denver does not use detention for truants • The 2nd highest arrest in the 18th is for 3rd degree assault and researchers are looking at ways for kids to get a summons rather than probation – but this is also a VRA issue. • The 3rd top issue is Dependency and Neglect.
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<p>Issue/Topic:</p> <p>Update/Racial and Ethnic Disparities Reduction Project</p>	<ul style="list-style-type: none"> • Results show that over a three year period Hispanics were over-represented as far as truancy. • The Chief Judge has the authority to make the decisions, but thinks detention for truant’s works. • This is the first time anyone has looked at a new screening tool. • Could we talk to Chief Justice Bender about this? • DCJ is starting a truancy study looking at kids who get detention for truancy vs. kids who don’t get detention for truancy. • The project runs 18 mos. and will start in January 2014. • Could a study also be done in Pueblo since they just changed to a no detention system?
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<p>Issue/Topic:</p> <p>Recommendation MOR #3</p> <p>Action</p> <p>Have Jim check with CBI to see if they can mandate all law enforcement agencies to use NIBRS AND mandate them to collect race and ethnicity data</p> <p>If CBI can’t mandate, then we will pull together a legislative recommendation.</p>	<p>Discussion:</p> <p>Recommendation MOR #3 states “State and local justice agencies to collect race AND ethnicity information on the populations they serve”.</p> <p>Anna presented follow-up results on the on the survey administered statewide regarding the collection of race and ethnicity data. Since the last meeting there have been 13 more respondents including many of the bigger jurisdictions that hadn’t previously responded.</p> <p><u>DISCUSSION POINTS</u></p> <ul style="list-style-type: none"> • Anna reviewed some of the highlights from the survey. <ul style="list-style-type: none"> -Overall there were 78 respondents -14 identified themselves as a state agency -61 identified themselves as a local agency -65 jurisdictions collect race data, but of those its only mandatory for -23 jurisdictions (hence lots of missing data). -50 of the 78 collect ethnicity data, but again it’s only mandatory for 15 of the 50. -One survey question asked if there were any planned upgrades to data collection systems in the various jurisdictions. 19 jurisdictions said yes they planned on upgrades, but 38 replied no. -The respondents from the bigger agencies included State Patrol, CBI, and DOC. -All of these agencies collect race data, including Hispanic. And when determining race, two out of three of these agencies ask the person their race. -Ethnicity data collection is varied, but since all agencies included Hispanic in the race category, we’re at least picking up that ethnic information. • If there is not a separate field for ethnicity, it’s possible that Hispanic is not collected in race.
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<p>Issue/Topic:</p> <p>Recommendation MOR #3</p>	<ul style="list-style-type: none"> • All seven larger districts collect race data, but determine it in very different ways. • The race field is only mandatory for four districts. • The upside is that we now have more information from our survey and we received much needed feedback from some larger jurisdictions. • However, there’s nothing significantly different than earlier responses but definitely a bigger sample size. • Evidence-based practice has shown it is best to separate out race and ethnicity. • NIBRS separates race and ethnicity data, but only race is mandatory, ethnicity is not. • Everyone is collecting something, but it’s hard to differentiate what’s what. Jurisdictions are collecting in many different formats. • Smaller jurisdictions don’t use NIBRS. • If we wanted to make a recommendation for everyone to use the NIBRS system we would have to have police on board. • One problem is that law enforcement agencies don’t see this data collection as being essential to their core functions. • There was a big push by the Feds for all agencies to use NIBRS, so at a state level what does that translate to? • The Feds want people to use NIBRS but don’t mandate it, and allow jurisdictions to use UCR instead • Who would be the “owners” of this initiative in Colorado? • Hopefully Judicial, CBI, Sheriffs and Chiefs – but there’s no statewide group that takes responsibility for this currently. Feds take responsibility nationwide. • CBI runs this on behalf of the Feds, and then gets the data to the feds. • CBI is where the conversation about numbers came up. Police don’t want to switch to a NIBRS system because with NIBRS crime data is reported by the number of charges for any one case, rather than by one individual criminal case. Initial reports after a switch to NIBRS will indicate a (false) large increase in crime. • Regardless of this problem, we need to push the conversation. • NIBRS is the only common system available to all jurisdictions and agencies. We need to reach the places that don’t use NIBRS and ask them why and get them to start. NIBRS doesn’t mandate ethnicity to be tracked, and we would want to make sure that filed is mandated in NIBRS to collect ethnicity. • Let’s write up a recommendation, take it to the Commission and push this issue. • Check with CBI – is it possible to mandate all agencies to fill the
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<p>Issue/Topic:</p> <p>Recommendation MOR #3</p>	<p>ethnicity field? Is there a federal restriction? We need definitive action.</p> <ul style="list-style-type: none"> • Check with CBI on their authority to mandate collecting ethnicity field and also if they can mandate everyone to use NIBRS. • If the answer is no, should there be a statutory requirement mandated? • Can CCJJ put forth a legislative recommendation? Yes. • In essence, the recommendation will be for all agencies and jurisdictions to use NIBRS AND be mandated to fill both the race and ethnicity fields. • This will be easier for us if CBI can mandate that everyone use this before going forward. • If there's no CBI authority, then we will have to try to move it legislatively. • 1/3 of police don't use NIBRS. <p><u>What's next</u></p> <p>-Have Jim check with CBI to see if they can mandate this for everyone. -If CBI can't mandate, then we will pull together a legislative recommendation.</p>
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<p>Issue/Topic:</p> <p>Recommendation MOR #1</p> <p>Action</p> <p>Denver to hold January 17th follow-up pilot</p> <p>Denver will make tweaks after the pilot, present to the Denver Commission, then present the final version to the CCJJ</p>	<p>Discussion:</p> <p>Recommendation MOR #1 calls for "Comprehensive cultural competency training for all agencies and for all treatment and service organizations used by justice system agencies".</p> <p>Michael, Regi and Shelley spoke to the group about the most recent developments with Denver's Cultural Responsivity toolkit, which the Commission has always hoped to piggy-back on:</p> <p><i>DISCUSSION POINTS</i></p> <p>Michael Dougherty reports on Jefferson County-</p> <ul style="list-style-type: none"> • Michael Dougherty lets the group know that Jefferson County held its first cultural responsivity training two weeks ago and it was well received. This, however, was not in conjunction with the Denver initiative. • Michael stated that Jeffco's employment attorney presented the cultural competency training and has performed various other DA trainings. • The POST board manages these kinds of trainings in conjunction with
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<p>Issue/Topic:</p> <p>Recommendation MOR #1</p>	<p>DA’s offices.</p> <ul style="list-style-type: none"> • Part of this conversation in this MOR group has been to make cultural competency training a part of POST. But there are very limited training hours allotted at the academy. • POST may not be the best place for cultural competency training as it’s best to reach officers who have been a year or two in the field, not just fresh out of the academy. • If cultural competency were a certified course, it could be offered with accredited hours. <p>Shelley Siman reports on Denver’s Initiative –</p> <ul style="list-style-type: none"> • The Denver team held a run through of the toolkit workshop back in August 2013. • At that time, the training was down to 6 modules. • The group attending this pilot training reported that things got dragged down after the first three modules. • With that information, the team revised the training from 6 modules down to 3 modules, and added an introduction. • Shelley distributed a handout to the group with the new module layout, showing training elements as follows: <ul style="list-style-type: none"> -A workshop introduction -Unit One: Culture, Cultural Responsiveness and the Criminal Justice System -Unit Two: Implicit Bias and Micro-Messages -Unit Three: Leading Organizational Change • Another pilot run through is scheduled for Friday, January 17th • In its current state, the training is very Denver centric. • The Denver team has been pulling in some national resources from the Sentencing Project on race and ethnic disparity. • Unit one of the training dives into the topic of culture and activities, and incorporates videos and group exercises. Pilot participants felt this was the most successful unit – so the team didn’t change much in unit one. • The Denver group also tried to work in some cognitive principles and activities around defining culture groups, and groups defined is “In groups” and “Out groups”, etc. • The goal is to get people comfortable about discussing culture before going into unit 2. • Unit 2 objectives include: <ul style="list-style-type: none"> -Describe concepts of “implicit bias” and “social cognition” -Explore how thinking influences behavior -Understand micro-messages, micro-affirmations, and micro-aggressions.
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<p>Issue/Topic:</p> <p>Recommendation MOR #1</p>	<p>-Demonstrate the ability to recognize micro-inequities and transform them into micro-affirmations.</p> <ul style="list-style-type: none"> • During Unit two there is a short film called the lunch date about bias and social categorization that is a great attention grabber. • There’s also an exercise on transforming aggressions into affirmations. • The Implicit Bias message is one of the most meaningful areas in the training. • Unit 3 has not been piloted yet but includes the following objectives: <ul style="list-style-type: none"> -Explore Denver models of implementing an inclusive work culture -Understand how culture intersects with power and the perspectives of others -Understand basic concepts of motivational interviewing and cognitive behavioral techniques • People in Law Enforcement and the Sheriffs who attended the pilot training got it and liked it. They talked about diversity as the concept but inclusiveness as the action. The dealt with it from a power structure. • As part of the creating the training, the Denver team interviewed 10 leaders in Denver known for inclusive workplace action. • The training models the literature around inclusiveness. • There’s an audio exercise in the training that shows the intersection between power and culture. That segment is call “The view from in here” from NPR’s This American Life. • There are always ongoing questions around power and culture. • The next exercise in the training goes into the cognitive portion again, building on empathy skills and building on MI skills. • The hopeful outcome for this cultural responsivity workshop is that it would provide a tool to help people lead their organizations around cultural responsiveness. • The focus is to raise awareness about what’s going on around you in terms of culture in general, criminal justice system culture, and how the two interact. • Change is incremental and really starts with each individual. • 25 people participated in original pilot, police officers, sheriffs, Chrissy Adams from DCJ, judges, former inmates, etc. • For the next pilot, the Denver team is considering sending the invitation to CCJJ. • Denver plans to make the toolkit available to all department heads, then provide to Denver’s CJ commission, then open up to staff after that. • Denver would also like to be able to tailor the training for departments that want their own.
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<p>Issue/Topic:</p> <p>Recommendation MOR #1</p>	<ul style="list-style-type: none"> • The Denver team wants to involve CCJJ members, present this to the Commission, then have commissioners present to their agencies. • Unit 1 is more Denver specific, but could be written for folks to insert their specific system background instead. • Once this training gets a bit more refined and finalized, it would be great to give it to CCJJ members and they could use it wherever they want. • The next pilot is on January 17th – Denver will take feedback at that time, determine changes, then that wraps up this workshop for the time being in terms of it being delivered in a variety of places. • One thought is that this could be an ongoing workshop and that activity groups organizations could gather around this particular issue. • The hope is for this to be more than an initial workshop, but more of a go-to presentation for agencies and individuals to be change agents, and identify people to be more responsive. • When the word “toolkit” is used, is that synonymous with “workshop”, or are there other processes that fall under this? • ABA curriculum has a facilitator’s manual, training, and expanded areas that can be delved into. • If people like this training and wanted to make it part of their agency, what other areas could we develop workshops around? • Originally, the cultural competency training was separate from the toolkit. Where Denver is right now is focusing on the training and putting together materials to support the training. From there, and maybe with the help from ORS and its expertise around analysis, we can work on how we can measure this. At that point we could then build in questions around what an actual toolkit might be. This would then go more toward implementation science. • Right now this is more about “awareness”, not sure what the ‘next thing’ would look like. • Then there’s another element, and this is the other piece of training from Ty in the police department. That training is specifically for law enforcement. • That was the Perspectives training presented to CCJJ last year, but that training is now called “Respectives”. • Need to check with Jim about his contact with Ty on the Respectives training. Did this move forward with state patrol? Next steps. • Jim could go straight to Commander Dodge, Regi can help facilitate this.
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<p>Issue/Topic:</p> <p>Recommendation MOR #1</p>	<p><u>What's next</u></p> <p>Could we make the first segment of the presentation tailored to CCJJ? Where is your implicit bias in your job, etc.?</p> <p>What about an evaluation component? How the training affected the trainee, How does this affect client's, etc.?</p> <p>Who supports this in Denver? This is one of the areas of the Denver Commission's work, the Mayor's office supports as does the manager of safety. Director of HR, all departments.</p> <p>Next steps on this –Chrissy and DCJ to look at the first unit and see if there's a way to make this friendly for others and for distribution more widely. Are there templates, steps to follow? DCJ could maybe create a boiler type template, sort of with a "put your agency name in here", this is how you should deliver this.</p> <p>Define why this curriculum is being delivered, definition of terms, people could add for own local terms, etc. Attachments, Sentencing project, ABA curriculum, history part.</p> <p>Denver will hold the next pilot on January 17th, then perform a final revamp from the feedback and then roll out to Denver's full commission. Once the toolkit is in its final form the training will be presented to CCJJ commissioners with the goal of commissioners then being able to distribute to their agencies.</p>
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<p>Issue/Topic:</p> <p>Next Steps</p>	<p>Discussion:</p> <p><u>NEXT STEPS</u></p> <ul style="list-style-type: none"> • Jim to check with CBI on mandated NIBRS. If this is a no-go the MOR group will pull together a legislative recommendation mandating NIBRS. • Denver to hold another pilot test for the Cultural Responsivity Toolkit training, make tweaks, present to the Denver Commission, then present to the CCJJ.
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Future Meeting Dates: TBD