

Proposed Recommendations to *Reduce Minority Overrepresentation in the Criminal Justice System*

Compiled from the discussion at the June 2011 Commission meeting

Recommendation #1 (Policy)

Require comprehensive cultural competency training for all justice agencies and for all treatment and service organizations used by justice system agencies.

Discussion

This training is vital to move discussions of race and crime beyond “controversy and silence”¹ and should reflect the steadily growing empirical literature that has provided insights into the current state of race, crime and justice.² These studies of racial differences in crime and violence include corresponding factors that range from differential offending patterns to unemployment, residential segregation, community disorganization, and economic inequality that includes extreme concentrated disadvantage.³ The Commission should partner with existing entities and initiatives to further current work in this area.

Recommendation #2 (Policy)

All justice agencies should track the racial and ethnic diversity of their staff. Every organization should actively recruit minority candidates for both job opportunities and as members of boards and commissions.

Discussion

The Commission should partner with existing entities and initiatives to further current work in this area.⁴

Recommendation #3 (Agency policy/administrative rule/legislation)

State and local justice agencies should collect race and ethnicity information on the populations they serve.

Discussion

Many agencies collect either race or ethnicity but not both. This results in important gaps in the information necessary to track minority over-representation in the justice system. For example, some agencies collect race but not ethnicity which results in Hispanic ethnicity being placed in the White race category. Collecting this information is critical to promote analyses that improve our understanding of which decision points in the system are more and less likely to result in disproportionality.

¹ Sampson, R.J. and Wilson, W.J. (1995:35). *Toward a theory of race, crime, and urban inequality*. In John Hagan and Ruth D. Peterson (Eds.) *Crime and inequality*. Stanford CA: Stanford University Press.

² See Parsons-Pollard, N. (2011). *Disproportionate Minority Contact*. Durham: Carolina Academic Press.

³ See for example Peterson, R.D. & Krivo, L.J. (2009). Segregated spatial locations, race-ethnic composition, and neighborhood violent crime. *The Annals of American Academy of Political and Social Science*, 623, 93-117.; Clear, T.R., Waring, E., and Scully, K. (2005). Communities and reentry. In Jeremy Travis and Christy Visser (Eds.), *Prisoner reentry and crime in America*. Cambridge, UK: Cambridge University Press; Walker, S., Spohn, C., & Delone, M. (2006). *The color of justice: Race, ethnicity, and crime in America*. Belmont, CA: Wadsworth.

⁴ The San Francisco Sheriff's Department uses an exemplary array of methods to recruit from minority communities, for example. For a description of these efforts by the SFSD, see a report prepared by the Division of Criminal Justice, Office of Research and Statistics, available at http://www.dcj.state.co.us/ors/pdf/PREA/Building_Block_Bulletins/BB_No3_SF_ver4_rev.pdf.

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Recommendation #4 (Legislative)

Develop a mechanism that requires a specific review of proposed justice legislation to determine whether the legislation will have an adverse impact on minority over-representation. Some states refer to this as a Minority Impact Statement.

Discussion

Other states have pursued initiatives that recognize the potential for certain legislation to disproportionately affect minorities and have included a mechanism for review of proposed legislation.

Recommendation #5 (Commission)

The Commission should develop and maintain a disproportionate minority representation web site to promote recognition and understanding of this problem. The site should have local, state and national data and link to educational resources.

Discussion

This web site would provide data and information to the public, agency staff and administrators, those writing training curricula and grant applications, and other interested parties.

Recommendation #6 (Commission)

To serve as a model for its expectations of criminal justice agencies, the Commission should develop and implement a Commission-specific mentoring program for minority juveniles and young adults who are interested in working in the criminal justice system.

Discussion

This is an opportunity for the Commission to lead by example by providing opportunities for minority juveniles and young adults to explore career opportunities in the criminal and juvenile justice systems.

Recommendation #7 (Commission)

The Commission's Sentencing, Drug, and Juvenile Task Forces shall review recommendations to ensure those proposals do not have a negative impact on minority over representation.

Discussion

Just as the Commission recommends a minority impact statement on proposed justice legislation, the internal work of the Commission should be subject to the same requirements it asks of the legislature.