

# **Colorado's FY 2015 Plan for Compliance with the Disproportionate Minority Contact (DMC) Requirement of the JJDP Act**



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Submitted to the Office of Juvenile Justice and Delinquency Prevention

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The Division of Criminal Justice (DCJ)/Office of Adult and Juvenile Justice Assistance (OAJJA) employs a State Disproportionate Minority Contact (DMC) Coordinator at 75% time, whose responsibilities are coordination of the state's DMC efforts to address the DMC core requirement of the JJDP Act. The DMC Coordinator has been a DCJ employee since 1993 and has a thorough understanding of the DMC causes, correlates and contributing mechanisms. The DMC Coordinator attends OJJDP DMC Conferences, participates in DMC conference calls and webinars and is seen as a resident expert on DMC for the State of Colorado. In addition, the Juvenile Justice and Delinquency Prevention Council (SAG) has a DMC committee, the Coalition for Minority Youth Equality (CMYE), in place since 1994 which serves in an advisory capacity to the Council.

## **Phase I: Identification**

### **1. Updated DMC Spreadsheets**

Colorado has entered information for the State, City and County of Denver (Judicial District 2), El Paso County (Judicial District 4), and Arapahoe County (Judicial District 18) in the DMC Data Entry System. The spreadsheets from that system are submitted as Attachment 2.

### **2. DMC Data Discussion**

**(A) Not applicable Colorado has data.**

**(B) Discuss the RRI data, compare the updated data to FY 12-14 (3-Year Plan) data, illustrate how the data inform/guide the state's FY 15-17 DMC reduction efforts. Indicate if data is a duplicated count.**

#### **Comparison prior year's data.**

Two tables condensing several years of data for African American and Hispanic youth is below. These tables provide a format for the state to look at several years of data at once. African American and Hispanic data are separated because the RRI and trends differ greatly between Colorado's two largest minority populations. Asian youth are not represented in a table because they are not over represented in Colorado's juvenile justice system. Native American youth data is not represented in a trend table because while there is a great deal of disproportionate confinement, the volume of youth is small and at times the population has dropped below one percent both of which would produce skewed RRIs. The one area where Native American youth are shown to have DMC is at first initial detention where the rates over the last several years have been, 1.77 in FY 10-11, 2.91 in FY 11-12, 3.36 in FY 12-13 and in the latest year 3.19 in FY 13-14. This has shown a pretty steady increase and will be addressed in this year's DMC Plan.

Colorado's annual collection of data for the RRI tables makes it possible to look at trend data. For the fourth year the state was able to get arrest data from NIBRS so the quality of our arrest data is improving as is our ability to compare trends across the last several years. The state data shown below goes back to FY 2010-11 (the first year we were able to get NIBRS data). It shows an increase in the RRI for African American youth which has gone from 3.65 to a record high of 4.10 for last year, while still showing a decrease of the RRI for Hispanic youth from 1.24 to 1.12. Despite efforts to address the disproportionate number of arrests, the work is not equally affecting African American and Hispanic youth. There needs to be a clear effort to address the disproportionate contact of arrests of African American youth. Also of continued concern is the quality of data from State Judicial which includes the misdemeanor filing and adjudication, felony filing and adjudication and probation data. We recently learned that the initial State Judicial data is populated by the fingerprint scans which do not include a field for ethnicity; this is the main reason for missing data for Hispanic youth. The Juvenile Justice Specialist has been talking to the Colorado Bureau of Investigations to determine if a field for ethnicity can be added to the fingerprint data. It appears that this may be possible although there is a large cost associated with the fix. This "fix" will continue to be pursued. The other effort that can be made is to educate State Judicial, especially probation to help them see the importance of correcting this data once it gets to them. The other area of some focus has been on pre-adjudication detention utilization. The state's total number of youth held in detention continues to decline although DMC still exists to a large extent. The RRI at least showed a small decline between last year and this year from 1.84 for African American youth the previous year

down to 1.64 this year and 1.91 for Hispanic youth the previous year down to 1.87 this last year. We will continue to put emphasis on this area in order to continue to see a reduction in the RRI at this decision point. The number of youth being committed has been on a continuous decline, RRIs have increased substantially but were previously not statistically significant. This year the calculation is statistically significant so this must be one of the issues on our radar screen. We will work to educate the judicial branch in an effort to reduce the number of youth of color being committed to the Division of Youth Corrections.

<b>African-American/Black Youth</b>				
<b>Decision Points</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>	<b>FY13-14</b>
<b>Arrest</b>	<b>3.65</b>	<b>3.31</b>	<b>3.39</b>	<b>4.10</b>
<b>Pre Adjudicated Detention</b>	<b>1.41</b>	<b>1.31</b>	<b>1.84</b>	<b>1.64</b>
<b>Misdemeanor Filing</b>	<b>.16 (not including 2nd JD data)</b>	<b>.24</b>	<b>.24</b>	<b>.24</b>
<b>Misdemeanor Adjudication</b>	<b>.76 (not including 2nd JD data)</b>	<b>**1.17</b>	<b>**1.12</b>	<b>** .83</b>
<b>Felony Filing</b>	<b>.58</b>	<b>.72</b>	<b>** .78</b>	<b>** .67</b>
<b>Felony Adjudication</b>	<b>**1.07</b>	<b>**1.20</b>	<b>1.11</b>	<b>**1.21</b>
<b>Probation Supervision</b>	<b>.12</b>	<b>.07</b>	<b>.92</b>	<b>.95</b>
<b>Probation Sentence to Detention</b>	<b>1.51</b>	<b>N/A</b>	<b>1.21</b>	<b>1.00</b>
<b>Commitment DYC</b>	<b>**3.26</b>	<b>**1.95</b>	<b>**2.42</b>	<b>3.17</b>

\*\*Numbers bolded are statistically significant. The numbers not bolded (and marked with \*\*) were not statistically significant and cannot be used to analyze or make assumptions about the RRI at that decision point. Arrest data was extracted from NIBRS data provided by the Colorado Bureau of Investigations, data included race and ethnicity as reported by law enforcement agencies. Judicial race data often does not distinguish between race and ethnicity (particularly "White" and "Hispanic"). As a result, the ability to accurately interpret this data is limited.

<b>Hispanic/Latino Youth</b>				
<b>Decision Points</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>	<b>FY 13-14</b>
<b>Arrest</b>	<b>1.24</b>	<b>1.10</b>	<b>1.04</b>	<b>1.12</b>
<b>Pre Adjudicated Detention</b>	<b>1.94</b>	<b>1.72</b>	<b>1.91</b>	<b>1.87</b>
<b>Misdemeanor Filing</b>	<b>.14 (not including 2nd JD data)</b>	<b>.19 (not including 2nd JD data)</b>	<b>.17 (not including 2nd JD data)</b>	<b>.15 (not including 2nd JD data)</b>
<b>Misdemeanor Adjudication</b>	<b>** .90 (not including 2nd JD data)</b>	<b>**1.13</b>	<b>**1.17</b>	<b>1.22</b>
<b>Felony Filing</b>	<b>** .31</b>	<b>.47</b>	<b>.41</b>	<b>.32</b>
<b>Felony Adjudication</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Probation Supervision</b>	<b>1.53</b>	<b>1.04</b>	<b>1.38</b>	<b>1.31</b>
<b>Probation Sentence to Detention</b>	<b>1.49</b>	<b>1.54</b>	<b>.88</b>	<b>1.31</b>
<b>Commitment DYC</b>	<b>6.31</b>	<b>**3.68</b>	<b>**4.27</b>	<b>6.10</b>

\*\*Numbers bolded are statistically significant. The numbers not bolded (and marked with \*\*) were not statistically significant and cannot be used to analyze or make assumptions about the RRI at that decision point. Arrest data was extracted from NIBRS data provided by the Colorado Bureau of Investigations, data included race and ethnicity as reported by law enforcement agencies. Judicial race data often does not distinguish between race and ethnicity (particularly "White" and "Hispanic"). As a result, the ability to accurately interpret this data is limited.

**Illustrate how the data inform/guide the state's FY 2015-17 DMC reduction efforts.** The identification data is used by the JJDP Council and its Coalition for Minority Youth Equality to direct recommendations and strategies. It is used to indicate what area of the juvenile justice system to focus on when addressing DMC. The three main areas of concern remain those areas where we have the most reliable data; arrest, detention and commitment.

As mentioned above the more particular area for the arrest decision point will be the very large magnitude of arrests for African American youth. In the detention area we are still focused on decreasing the number of youth being held in detention pursuant to a valid court order exception related to truancy.

Using the calendar year 2014 data collected by our Compliance Monitor along with school population data we are able to see how grossly overrepresented minority youth are in the use of detention for truancy VCO issues. Using school population data from a Denver Post article mentioned below, school population demographics are: 56% White, 5% African American and 38% Hispanic. When we reviewed the demographics of youth entering detention on VCOs related to truancy the demographics are: 22.5% White, 6.9% African American and 69% Hispanic. These percentages are significant as they represent 204 youth. We are continuing to address the issue of truants in detention through our truancy grants; one addressing the prevention of truancy filings by working with the schools to address truancy within the school compounds and three designed to reduce the number of truants going to detention through a truancy problem-solving court model. Already, the problem solving courts which started on May 1, 2014 are showing an impact on the number of truants being detained. For the 1<sup>st</sup> Judicial District in the first half of the year they had 13 truants held but only 6 held in the second half, a reduction of 68%. This affects DMC because of those 19 youth held, 10.5% were black and 53.6% were Hispanic. For the 16<sup>th</sup> Judicial District, in the first half of the year they held four youth and only one in the second half (a reduction of 80%); four of the five youth held were Hispanic. Lastly, the 18<sup>th</sup> Judicial District held 30 youth in detention in the first half of the year and zero the second half an obvious 100% reduction. In this jurisdiction the vast majority of youth impacted are kids of color as of the 30 youth held, 16% were black and 64% were Hispanic. The DMC Coordinator will continue to have a very active role with the truancy pilots using the lessons learned to educate other Colorado judicial districts.

Another school-related problem which is significantly contributing to youth DMC is referrals to law enforcement by schools. This often begins with school discipline practices such as suspending and expelling youth. A May 20, 2014 Denver Post article stated that, " About 38 percent of children enrolled in Colorado public schools last year were Latino, but those students made up 43 percent of all out-of-school suspensions and 38 percent of expulsions in the state. Black students, who are 5 percent of the state's public school population, counted toward 13 percent of all out-of-school suspensions and 13 percent of expulsions." For this reason the Coalition for Minority Youth Equality (State's DMC Committee) has recommended working with a community-based organization working on school based discipline issues.

**Indicate if data is duplicate count.** The data provided for the matrices come from several data sources. NIBRS is used for the law enforcement data so this count is by incident which is a duplicate count since each incident is reported separately. Data for filing, adjudication, and probation comes from the State Judicial Department. This data is a duplicate count because it is reported for each case a youth incurs. Since each youth case is reported separately; a youth with multiple cases would be included in the data for each case. Lastly, the data for pre-adjudicated detention and commitments to Division of Youth Corrections (DYC) are collected from the DYC and are also a duplicated count. They report a youth each time the youth enters detention and each time they are committed on a new case. The state does not need a time-limited plan to determine if the counts are duplicated or unduplicated because the sources of the data have clearly indicated how they count youth contact.

(C) Relative Rate Index tracking sheet.

<b>COLORADO 2014 RELATIVE RATE INDEX (RRI) ANALYSIS AND TRACKING SHEETS</b>				
<b><i>FY 13-14 RRI Data for African American Youth – State and Judicial Districts</i></b>				
Identification of Statistical Significance (S), Magnitude (M) and Volume (V); Not sufficient numbers = NS#				
<b>Decision Points</b>	<b>State</b>	<b>2<sup>nd</sup> JD</b>	<b>4<sup>th</sup> JD</b>	<b>18<sup>th</sup> JD</b>
<b>Arrest</b>	<b>4.10</b> <b>S,M,V</b> <b>4671</b>	<b>3.55</b> <b>S,M,V</b> <b>1463</b>	<b>3.63</b> <b>S,M,V</b> <b>621</b>	<b>6.54</b> <b>S,M,V</b> <b>2053</b>
<b>Detention (Pre-adjudication)</b>	<b>1.64</b> <b>S,M,V</b> <b>1171</b>	<b>1.72</b> <b>S,M,V</b> <b>393</b>	<b>1.63</b> <b>S,M,V</b> <b>212</b>	<b>1.22</b> <b>S</b> <b>396</b>
<b>Cases petitioned (Felony Charges Filed)</b>	<b>**0.67</b> -- 1237	<b>**0.44</b> -- 312	<b>**1.24</b> -- 293	<b>**0.62</b> -- 382
<b>Delinquent Findings (Felony Adjudications)</b>	<b>**1.21</b> -- 563	<b>NS#</b> -- 168	<b>**0.72</b> -- 124	<b>1.31</b> <b>S</b> <b>166</b>
<b>Probation Supervision</b>	<b>.95</b> <b>S</b> <b>430</b>	<b>1.55</b> <b>S,M,V</b> <b>104</b>	<b>**0.84</b> -- 82	<b>.82</b> <b>S</b> <b>142</b>
<b>Commitment NYC</b>	<b>3.17</b> <b>S,M,V</b> 102	<b>NS#</b> -- 34	<b>1.95</b> <b>S,M</b> 21	<b>2.92</b> <b>S,M</b> 26
<b>Direct File Adult Court</b>	<b>**1.57</b> -- 19	<b>NS#</b> -- 7	<b>NS#</b> -- 2	<b>NS#</b> -- 6

<b><i>FY 13-14 RRI Data for Hispanic Youth – State and Judicial Districts</i></b>				
Identification of Statistical Significance (S), Magnitude (M) and Volume (V); Not sufficient numbers = NS#				
<b>Decision Points</b>	<b>State</b>	<b>2<sup>nd</sup> JD</b>	<b>4<sup>th</sup> JD</b>	<b>18<sup>th</sup> JD</b>
<b>Arrest</b>	<b>1.12</b> <b>S</b> <b>8361</b>	<b>1.28</b> <b>S</b> <b>2267</b>	<b>.77</b> <b>S</b> <b>403</b>	<b>2.05</b> <b>S,M,V</b> <b>1697</b>
<b>Detention (Pre-adjudication)</b>	<b>1.87</b> <b>S,M,V</b> <b>2391</b>	<b>1.48</b> <b>S,M,V</b> <b>524</b>	<b>2.69</b> <b>S,M,V</b> <b>227</b>	<b>.97</b> <b>S</b> <b>261</b>
<b>Cases petitioned (Felony Charges Filed)</b>	<b>.32</b> <b>S</b> <b>1065</b>	<b>.23</b> <b>S</b> <b>250</b>	<b>**0.72</b> -- 111	<b>**0.25</b> <b>S</b> <b>127</b>
<b>Delinquent Findings (Felony Adjudications)</b>	<b>NS#</b> -- 525	<b>NS#</b> -- 118	<b>NS#</b> -- 47	<b>NS#</b> -- 63
<b>Probation Supervision</b>	<b>1.31</b> <b>S</b> <b>601</b>	<b>**2.57</b> -- 117	<b>**0.88</b> -- 40	<b>1.23</b> <b>S</b> <b>83</b>
<b>Commitment NYC</b>	<b>6.10</b> <b>S,M,V</b> 198	<b>NS#</b> -- 47	<b>3.39</b> <b>S,M</b> 17	<b>3.72</b> <b>S,M</b> 13
<b>Direct File Adult Court</b>	<b>**0.46</b> -- 10	<b>NS#</b> -- 2	<b>NS#</b> -- 1	<b>NS#</b> -- 0

The DMC Coordinator completed the RRI Analysis and Tracking Sheet and identified areas that were statistically significant and of those statistically significant those with the greatest magnitude and for those that were statistically significant and had magnitude identified those with volume. Filling in the DMC tracking charts with not only the identification of statistical significance, volume and magnitude but also the RRI and the number of youth represented assists in getting a true picture of what is occurring in the state. By continually using this method there is a greater understanding of the trends, particularly of areas where both the RRI and number of youth are increasing and transversely areas where we are seeing a reduction in RRI and the volume of youth. Please note the charts above are filled-out using the customized in-state matrix forms created by Dr. Feyerherm for Colorado. The customized charts break out decision points further than the DMC database. For this reason some of the numbers in this table may differ from the DMC database reports.

Below is a discussion of the state and three jurisdictions the City and County of Denver (2<sup>nd</sup> Judicial District), El Paso County (4<sup>th</sup> Judicial District), and Arapahoe County (18<sup>th</sup> Judicial District). The discussion includes:

**1. Statistical Significance (statistical parity), 2. Magnitude, 3. Volume, 5. Context - discussed below.**

**4. Comparison** - Not applicable, Colorado is not including a comparison of its communities to others in the nation because the national data sets are missing Hispanic data making the comparison less significant based on the large number of Hispanic youth in Colorado.

#### **State of Colorado**

Data: The racial and ethnic population of Colorado youth age 10-17 is: white youth 59%, African American youth 4.7%, Hispanic youth 31%, Asian youth 3.8% and American Indian youth 1.09%. The data table shows that African American Youth data is statistically significant at arrest, pre-adjudication detention, probation supervision and commitment to the Division of Youth Corrections. The RRIs for Hispanic youth differ slightly; the statistically significant numbers are at arrest, pre-adjudication detention, felony filings, probation supervision and commitment to the Division of Youth Corrections.

The greatest volume of youth in the state is at the arrest and pre-adjudication decision points. African American arrests represent 4,671 youth and Hispanic arrests represent 8,361 youth. The number of African American youth held in pre-adjudication detention was 1,171 and the number of Hispanic youth held was 2,391 youth. These are very large numbers of youth entering the juvenile justice system. The arrest volume is especially concerning as this is the entrance to the system and last year over 13,000 minority youth were arrested. This is still a reduction from FY 10-11 when almost 14,000 minority youth were arrested. Another positive area is the volume of youth in the most restrictive parts of the system such as direct file only represents 19 African American youth and 10 Hispanic youth. This is a reduction from previous years. Also while the RRI for commitment has increased from FY10-11 the number (volume) of youth of color committed remains stable even slightly less in number.

Magnitude is still a concern for both African American and Hispanic youth at commitment with a RRI value of 3.17 for African American youth and 6.10 for Hispanic youth. The magnitude in this area severely increased from last year. We will continue to monitor this decision point as the total number of committed youth is going down for the state but not at the same rate for youth of color. In addition, the arrest magnitude is still concerning for African American arrests at 4.10 which is a significant increase from last year at 3.39. Lastly, we continue to look at the trend in the rise of the magnitude at the pre-adjudication decision point which showed a slight decrease from last year to this year from 1.84 to 1.64 for African American youth and 1.91 to 1.87 for Hispanic youth. While this is not a dramatic deference it is movement in the right direction. Intervention efforts for this decision point will continue this coming year.

The statistical parity tool has been very useful. It is a very tangible way to look at DMC. Some of the information from the statistical parity tool show us that in order to have parity Colorado needs to arrest 3,531 less African American youth and 894 less Hispanic youth. It also shows to reach parity at the pre-adjudication decision point we need to detain 455 less African American youth and 1,109 less Hispanic

youth. Using these numbers makes the problem real for the people who are trying to impact DMC including the DMC Coordinator, the DMC Committee and the SAG.

Context: The arrest RRI's continue to be a focus of attention. As seen in the table there is significant DMC at arrest for African American youth who were arrested at a rate of four times more than white youth. As mentioned previously this will be a focus of intervention strategies, specifically looking at African American arrests as the rate for Hispanic youth has remained close to a 1 to 1 ratio. We will specifically develop a working group to work on intervention strategies to address the high number of African American youth being arrested. At this time there is not a solid hypothesis as to why the trend for African American arrests has continually increased. Ultimately based on the amount of juvenile justice funds available the best method we currently have is to address the disproportionate number of arrests through collaboration and development of some system improvement strategies. Some focus on the number of school referrals is needed. Students of color are disproportionately represented in these type of referrals so reducing this number is one of our strategies for addressing DMC at the arrest decision point. One way to address the DMC for African American youth is to target the areas we focus on to those with larger populations of African American youth.

For pre-adjudicated detention we are still seeing higher RRIs then we would like to see. The number did go in the right direction being reduced ever so slightly. There are some efforts beginning to address the high number of youth who are coming into detention without being arrested; those youth coming in on Failure to Appear and Failure to Comply warrants. Any youth that is screened for detention who has a warrant is automatically detained. If they screen to a different placement, that decision is overridden and the youth is detained at least until the first detention hearing. The intervention strategy being developed is based on the MacArthur/OJJDP Reducing Racial and Ethnic Disparities project in Arapahoe County, CO and includes a tiered warrant system where youth that get picked up on a failure to appear, failure to comply, misdemeanor or traffic warrant who screens low risk are held until parents can pick them up and then issued a new court date. For warrants for truancy the first step is the same but the second time a youth is picked up for this violation the youth is issued an ankle monitor and ordered to go to court the next day. This has not yet been implemented so we do not know how it may work but we are informing other jurisdictions about it and there has been some interest by at least one other jurisdiction to look into the feasibility of implementing a similar structure. Implementation of this strategy will lead to a lower number of low risk youth entering detention and the hope is that it affects disproportionate minority contact as youth of color are over represented in the number of youth entering detention for a failure to appear warrant.

Also, from the Reducing Racial and Ethnic Disparities project the state was able to analyze the screening tool being used for detention screening, the Juvenile Detention Screening and Assessment Guide (JDSAG). The study looked at 301 cases in the 18<sup>th</sup> Judicial District (where Arapahoe County is) to determine if the tool itself was contributing to Disproportionate Minority Contact (DMC). This determination was made by administering the JDSAG along with another instrument to the 301 youth who came into the 18<sup>th</sup> Judicial District during the study period. The other tool used was from Berks County, Pennsylvania. The youth who came in during the study period were interviewed at intake and the answers were used by the screener to fill-out both the JDSAG and the Berks instrument this allowed for a comparison between the two outcomes. By doing this with 301 cases it was determined that the JDSAG as an instrument was not contributing to DMC. Although the JDSAG did screen in slightly more youth (4% more) then the Berks instrument and so these findings were presented to the Division of Youth Corrections (DYC), the agency in charge of detention. The result is that the DYC is going to take a look at the JDSAG since it has not been updated in over 20 years. The goal of looking at the tool is to incorporate current best practice for screening tools and to take a look at the questions related to need and self-harm and determine if those questions are leading to the many youth entering detention with low criminogenic risk but high behavioral health needs. We anticipate that if you reduce the number of youth entering detention with low risk that you will positively affect DMC.

In addition to the number of minority youth entering detention for warrants there are also a disproportionate number of minority youth entering detention because they are over represented in truancy filings. Some of these youth (a disproportionate number of them youth of color) end up in detention for failing to comply with a court order based on the truancy filing. These figures were discussed

in the above data section. The pilots that have been implemented to address the issues related to truancy in the 1<sup>st</sup>, 6<sup>th</sup>, 16<sup>th</sup>, and 18<sup>th</sup> judicial districts were also discussed above. It is the intent of the state SAG to support the truancy pilots for three years. This should be enough time to gather data to show the outcomes related to implementing this type of intervention strategy both on truants and on DMC.

**Highlights of Work in Three Jurisdictions:** There are twenty-two Judicial Districts in Colorado. The three Judicial Districts (2<sup>nd</sup>, 4<sup>th</sup> and 18<sup>th</sup>) have been selected for several reasons. The 2<sup>nd</sup>, 4<sup>th</sup> and 18<sup>th</sup> Judicial Districts make up 44% of the state's total youth population ages 10-17 and for that same age range represent 81% of African American youth and 41% of Hispanic youth in the state. In addition, those three judicial districts account for 50% of the state's total juvenile arrests, 88% of the state's African-American youth arrests and 52% of the Hispanic youth arrests. Since each of these jurisdictions differ so greatly the intervention strategies and plan for addressing DMC differs in each of those districts.

### **City and County of Denver (2<sup>nd</sup> Judicial District)**

Data: The City of Denver is the capital of Colorado and has the most diverse population in the state where Hispanic youth in the 10-17 age range represent a majority of the youth population with a representation of 56%, white youth 25%, African American youth 13%, Asian youth 4.4% and Native American youth 1%. Calculating the rate of disproportionate contact for Hispanic youth at arrest is complicated for Denver since Hispanic youth represent the majority; therefore the percentage of youth is also looked at to show a clearer picture.

The arrest RRI for African American youth rose from 2.89 to 3.55. The trend for Hispanic arrests is showing a similar pattern increasing slightly from 1.04 to 1.28, although if you look at the over representation issue using percentages you will see that Hispanic youth represent 56% of the population but only 49.5% of the arrests. If we continue to look at over representation, the picture for African American youth is still concerning as they represent 13% of the population but 32% of the arrests. Lastly, we looked at the Native American arrest rate and found that it was not statistically significant.

The problem in Denver continues to be the arrest decision point for African American youth. Last year the RRI for African American arrests was 2.89 so this year the magnitude was significantly higher (3.55). In addition to the magnitude of the RRI the volume it represents is significant, representing 1,463 African American youth. To reach statistical parity for arrests in Denver they would have to have arrested 1,051 less African American youth and 500 less Hispanic youth.

Denver does not have statistically valid data for felony adjudications for African American youth or felony filings for Hispanic youth. There is not a sufficient number of direct filed youth to generate an RRI. This is a good thing. Colorado has experienced a decline in direct files over the last several years. Denver only direct filed on 7 African American youth and 2 Hispanic youth similar to last year.

The number of youth committed to the Division of Youth Corrections was not sufficient to calculate an RRI. It represents 34 African American youth and 47 Hispanic youth.

Context: To address Minority Over Representation in juvenile justice the Youth Crime Prevention Committee of the Denver Crime Prevention and Control Commission, has been looking at DMC in the juvenile justice system for the last year. They started by applying and for and being selected to participate as one of the case study participants funded by Colorado's SAG. They elected to look at the arrest decision point. Data was provided for a five year period by the Denver Police Department for juvenile arrests. The evaluation organization used was able to analyze the data and look for differences in offenses, geography, severity of offenses, and gang involvement. There was no significant difference founds in offense type, severity or gang involvement. Geographical hotspots of activity involving youth of color were identified. The committee will be taking the information learned from the case study and use it to develop an intervention plan. The DMC Coordinator attends the Youth Committee meetings and will continue to assist them especially when they need to use the findings to develop intervention strategies. (More of the findings of this cases study can be found in the Assessment area of this report.)

Denver also has a minority over representation committee, the Racial and Gender Equity Committee which has been meeting for five years and focuses on DMC in the adult system. This is also a committee



of Denver's Crime Prevention and Control Commission (CPCC). The DMC Coordinator has participated on this committee for four years. They continue to pilot the curriculum they developed, *Creating a Culturally Responsive Criminal Justice System* intended for criminal justice professionals to address cultural responsiveness and DMC. They are in a planning stage for future work. The DMC Coordinator will continue to participate on this committee as many of the strategies used to address adult DMC have a positive impact on youth DMC.

The Denver Office of the Independent Monitor successfully applied for and received Justice Assistance Grant to implement a Youth Outreach Project, called Bridging the Gap. This project seeks to proactively improve relationships between youth and law enforcement in Denver by educating youth on their rights and responsibilities when in contact with law enforcement, and educating officers on the key aspects of adolescent development and de-escalation techniques when contacting youth. The youth rights and responsibilities piece will be done by developing a curriculum. The curriculum development includes Denver police officers and youth and the target audience is youth of color. The curriculum is being developed based on similar curriculums in other states. A draft of the curriculum is ready and they are piloting it with a few schools before going broader. The plan is to use information from the pilots to refine the curriculum and get it finalized for larger dissemination. To make sure there is the capacity to get the training out broadly they will be training direct service providers in how to deliver the curriculum so they can reach more youth of color. The law enforcement training part includes teaching law enforcement officers about adolescent development, communication skills, as well as providing some instruction related to DMC. They had trainers from Connecticut's Effective Police Interactions with Youth train about 25 officers on May 8. This project will continue for another year with the goal of taking the curriculum for youth of color from the piloting stage to widespread dissemination. The goal is to reach 500 youth in year two and 40 police officers. The DMC Coordinator serves as the grant manager for this project so she will continue to monitor the progress and look for replicability.

One last initiative in Denver addressing DMC issues is the My Brother's Keeper Initiative. This is the President's initiative to get cities across the country to look at issues related to youth and young men of color ending up in the justice system. There was a one-day kick off Summit held in April with 120 participants. There were four focus areas for the day; education, workforce development, juvenile justice and social and emotional health. The DMC Coordinator will continue to work on this initiative through her participation in the juvenile justice committee a group that will be on-going and has just begun developing its purpose statement. This committee will follow-up its purpose statement by developing very tangible activities to be implemented through-out the next year.

#### **El Paso County (4<sup>th</sup> Judicial District)**

Data: The 10-17 year old population in the 4<sup>th</sup> Judicial District is 65.7% White, 7% African American, 21.5% Hispanic, 4% Asian and 1.4 percent Native American. Their African American arrest RRI rose slightly from last year when it was 3.42. This year the magnitude of their African American arrests is 3.63 and the statistical parity chart shows that they would have needed to arrest 450 less African American kids to reach a RRI of 1. The data also indicates that the RRI was statistically significant. The Hispanic arrest rate is also statistically significant but the magnitude shows that Hispanic youth were under represented in the number of arrests; their RRI is .77 representing a volume of 403 youth. This represents a decline over the last three years. In FY10-11 the RRI was 1.64 and is now .77.

Looking at the detention decision point for the rest of the youth population the trend continued with African American youth being detained at 1.63 times the rate of white youth and Hispanic youth being detained at close to three times (2.69) the rate of white youth. The magnitude for both populations is a concern as is the volume which represents 212 African American youth and 227 Hispanic youth. To reach statistical parity the 4<sup>th</sup> judicial district would have had to detain 82 less African American youth and 143 less Hispanic youth. Unfortunately these numbers show a trend of a rise in the RRI at this decision point from last year.

The last area where there is reliable data to review is sentences to the Division of Youth Corrections. The RRI is not statistically valid for African American youth representing 26 youth. The RRI is statistically significant for Hispanic youth showing a sentencing rate of 3.39 to one. Although the magnitude is high for

Hispanic youth the volume is low, representing 17 youth. To reach parity in detention rates 82 less African American youth should have been detained and 143 less Hispanic youth should have been detained.

Context: The 4th Judicial District is important to the state's efforts to address DMC in particular because 21% of the state's overall African American population ages 10-17 live there. Secondly, the 4<sup>th</sup> Judicial District has had a Minority Over Representation (MOR) committee for over fifteen years. The MOR Committee of the 4th Judicial District had a busy and productive year. They previously developed a Power Point presentation designed to educate the public concerning the existence and potential causes of MOR. The presentation is also intended to facilitate a broader discussion of race and implicit bias. Members of the MOR Committee gave the presentation at a number of different venues this past year. By way of example, the presentation was given on three separate occasions to the Probation Department of the 4th Judicial District reaching all members (approximately 150 individuals) of the 4<sup>th</sup> JD's Probation Department. The presentation was also done as part of the Diversity University monthly program series sponsored by Judge Walter. In addition an abbreviated version of the presentation was given to the Colorado Springs Police Department Commanders.

The 4<sup>th</sup> Judicial District also offered the presentation as part of the Colorado Institute for Faculty Excellence in Judicial Education (COIFE). This is a training session designed to help judicial officers become more effective educators/presenters. The COIFE training relies heavily upon adult learning theory concepts. Program participants are required to present a program using these concepts. The programs are then summarized and included in a notebook which is available to judicial officers and members of the public throughout the State. A judge in the 4<sup>th</sup> Judicial District attended the COIFE training last year, and used the MOR presentation as their program, which was then included among the programs in the notebook. Through that process, judges from the 18th Judicial District (Arapahoe and Douglas Counties) became aware of the 4<sup>th</sup> Judicial District's MOR program and asked the 4<sup>th</sup> JD to present the program to their judicial officers (this was done on March 19). Through the same process, they have also been contacted by the State of Colorado's Division of Probation Services, and they will be presenting the MOR program to them as well.

The MOR Committee remains vibrant and active. They have a nice combination of long standing committee members coupled with new members who bring a new enthusiasm and perspective. Committee members include individuals from local law enforcement, school administration, judges, probation officers, department of human services, and students. They continue to meet on a monthly basis.

The DMC Coordinator provides technical assistance to the MOR Committee and the Judge who is a champion for this project through phone calls and email. The DMC Coordinator has participated in meetings in-person when needed.

#### **Arapahoe County (18th Judicial District)**

Data: The 18<sup>th</sup> Judicial District is unique in that it is comprised of four counties, Douglas, Elbert, Arapahoe and Lincoln but the majority of the youth population and the majority of the minority population is concentrated in one county. Arapahoe County is home to 60% of the judicial district's 10-17 population, 81% of the judicial district's Hispanic and 94% of the district's African American youth age 10-17. Conversely Arapahoe County only has 49% of the entire judicial district's white youth 10-17 population. The population of the district as a whole is 65% white, 7.7% African American, 20% Hispanic and less than 1% Native American. The entire judicial district encompasses 33% of the state's African American youth population ages 10-17, making it an essential part of the state's DMC efforts.

This is the third year in a row that the magnitude for African American arrests has increased. They went from a low of 1.45 in FY 10-11 to last year at 5.73 and then this year's RRI of 6.54. The RRI for African American arrests was statistically significant, represents a volume of 2,053 youth and it would take decreasing the number of African American youth arrested by 1,739 to reach statistical parity. This is clearly an issue that needs to be looked at by the 18<sup>th</sup> judicial district's MOR Committee. While the magnitude of the Hispanic rate of contact is lower than that of African American youth they are still a little over 2 times more likely to be arrested than white youth. Again this number is statistically significant, represents a rather large volume of 1,697 youth and it would take arresting 871 less Hispanic youth to

reach statistical parity. Based on this information it is necessary for the committee to address DMC issues at arrest in its entirety.

The next decision point, pre-adjudication detention has an African American rate of contact of 1.22 which is not that high of a magnitude yet is statistically significant representing a volume of 396 youth. The judicial district would have to detain 72 less African American youth to reach statistical parity. The magnitude for Hispanic youth is even better at .97 basically indicating that there is parity at the detention decision point for Hispanic youth. This rate was statistically significant and represents a volume of 261 youth. The MOR Committee, as part of their Racial and Ethnic Disparities grant from the MacArthur Foundation and OJJDP, has been addressing this decision point and there has been significant improvement. Prior to the grant, the FY10-11 RRI for African American youth at detention was 4.05 and 4.11 for Hispanic youth.

The commitments to the Division of Youth Corrections are low volume-wise only 26 African American youth and 13 Hispanic youth but the RRI is statistically significant and the magnitude was significant with an RRI of 2.62 for African American youth and 3.72 for Hispanic youth. There are positive outcomes for youth being direct filed on which was only 6 African American youth and no Hispanic youth.

Context: The 18<sup>th</sup> Judicial District is similar to the 4<sup>th</sup> Judicial District in that it has a longstanding MOR Committee. They have consistent monthly meetings with good attendance from schools, community, and faith-based organizations. They also have members from the Division of Youth Corrections, Probation Department, and the local Juvenile Assessment Center. The DMC Coordinator attends these monthly meetings to provide technical assistance. This method works well as the committee can keep progressing in addressing their goals and objectives because if questions arise during the meeting they can generally be answered by the DMC Coordinator immediately.

With the joint grant from the MacArthur Foundation and OJJDP the committee has been able to move forward in implementing strategies to address DMC. The data that was used to direct the project indicated a high number of youth of color entering detention with low risk, including kids on truancy warrants. One of the conclusions was that a high number of youth of color were being detained solely for a warrant issue whether it was for Failure to Appear (FTA) or Failure to Comply (FTC). The intervention strategies included applying for and successfully receiving JABG grant to start a Truancy Problem Solving Court. The intent was that this specialty court would be able to offer resources to get youth back engaged with school as well as offering sanctions and incentives for school attendance. The problem solving court looked at the data and the disparities and decided that detention was not an option that would be used for youth in the Truancy Problem Solving Court. Additionally, the JJ Specialist presented to judges and magistrates within the 18<sup>th</sup> Judicial District and they decided that it is not best practice to detain truants even for warrants or by use of the VCO exception. This has been working, in the first part of the year there were 30 truant youth held in detention and after the intervention strategy and the presentation from the JJ Specialist they have not held any youth since. This is a huge improvement for this jurisdiction as they were one of the biggest users of detention for truants. There hasn't been enough time to pull all the data for detention use and see how this has affected DMC but it will be done in the upcoming year.

Another strategy for addressing the high use of detention for youth of color is the on-going efforts to put in place a tiered warrant system. This would mean that youth with a warrant for certain offenses including truancy would not be held on the warrant but released to parent with a promise to appear in court. The second tier in that process is that if youth do not appear for court and are later picked up on a new warrant they still do not get detained but are issued an ankle monitor and have to appear in court the very next day. This process has been developed and is in the hands of the Chief Judge so that he can make it a permanent policy in this district.

Since there has been a lot of focus on keeping youth out of detention the district was looking for other ways to sanction youth. The result is that the 18<sup>th</sup> Judicial District now has an Evening Reporting Center where kids are ordered to go instead of detention. It is being utilized by the Alternatives to Detention project, the truancy court, and social services. The program runs Monday to Friday from 4 to 9 p.m. This is a recent strategy but it seems to be working so far. Close attention will be paid as to what youth are offered this option.

One other strategy has been implemented; this one aimed more at preventing arrests of youth of color. Through the Reducing Race and Ethnic Disparities project the 18<sup>th</sup> Judicial District brought in trainers to train direct service providers in three evidence-based, culturally appropriate curriculums. The first training was Strong African American Families. Thirty facilitators were trained to deliver this program to youth including school personnel. The curriculum will be delivered to all 5<sup>th</sup> and 6<sup>th</sup> grade African American boys in the Aurora School District. The goal is to reduce future arrests in the target population.

The second and third curriculums were El Joven Noble and Xinachtli both curriculums aimed to address Rights of Passage issues for Hispanic youth and to teach them about responsibilities and becoming successful adults through character building. 25 men were trained in El Joven Noble curriculum so that they can facilitate male Hispanic groups and 25 women were trained in Xinachtli. Most of the individuals trained in these two curriculums were community direct service providers. The plan was to get more culturally appropriate resources into the community for the districts growing Hispanic population.

## **Phase II: Assessment/Diagnosis**

### **(1) Brief Summary of the Findings – DMC Assessment Study**

Colorado started an assessment project in early 2010 which was completed in 2011. The completed products include an Executive Summary, State Report, 4<sup>th</sup> Judicial District Report and 18<sup>th</sup> Judicial Report (emailed to OJJDP February 2013). Below is a brief summary of the findings.

Priorities identified in Colorado's Three-Year Juvenile Justice and Delinquency Prevention (JJDP) Plan for compliance with the DMC core requirement included increasing capacity to document DMC for youth at the point of arrest and developing an understanding of contributing factors and strategies for addressing DMC. With these priorities in mind, DCJ contracted with OMNI Institute to conduct an evaluation that focused on two core areas: Statewide Measurement and Monitoring of DMC and Local-Level Work to identify DMC Contributing Factors and Reduction Strategies.

Emphasis was placed on the latter, evaluating the perspectives, efforts, and needs of community-level coalitions and stakeholders. Understanding how DMC is measured and monitored, the factors contributing to it, and the strategies expected to help mitigate it, requires an understanding of local context. See the full report for a detailed description of the evaluation activities, methodologies, and data sources.

## **FINDINGS**

### **State- level Work**

**MOR committees and coalitions should ensure sufficient capacity and readiness before beginning local level work (assessments); and have realistic expectations**

The criteria used to select judicial districts for participation in the local 'case studies' proved to be critical, it is not recommended that committees engage in this process unless they are sufficiently established, comprise diverse sectors, and most importantly, are able to acknowledge and honestly discuss complex and sensitive race and class issues at both theoretical and practical levels. A data-driven approach to selecting intervention and prevention strategies is critical, yet even successfully obtaining the data, much less analyzing and interpreting it, can take considerable time.

**DCJ should provide state-level orientation/training and resources to MOR committees prior to beginning efforts (case studies/assessment/interventions)**

While MOR committee members and stakeholders may be well versed in how DMC plays out in their communities, they may not be as familiar with broader theoretical and practical frameworks for understanding and addressing DMC. DCJ can play a valuable role in educating and increasing readiness of interested committees. Key recommendations, outlined further in the full report, are:

- Provide training(s) that teach the OJJDP framework for addressing DMC, and outline how to implement data-driven approaches to DMC
- Develop and provide useful resources and tools for communities/coalitions that have been trained and are ready to begin the process of engaging in local 'case studies'. Facilitate opportunities for

more experienced local MOR committees to share successes and learnings; and to serve as consultants to less experienced groups

### **Local-level Work to identify DMC Contributing Factors and Reductions Strategies**

While most judicial districts in Colorado have DMC, in order to develop a more in-depth understanding at the local level, a process was conducted to identify and recruit judicial districts to take part in intensive 'case studies'. The following criteria led to selection of the 18<sup>th</sup> and 4<sup>th</sup> judicial districts for participation: Past state data indicating *disproportionate rates of arrest* for African American and/or Hispanic/Latino youth in the district (with significant population for study); existence of a *local, active MOR/DMC committee or coalition*; *willingness and ability to examine local data critically*, and *limited opportunity and resources available* to study the issue otherwise.

Finally, both the 18<sup>th</sup> and 4<sup>th</sup> JD MOR committees communicated the value of more nuanced perspectives from community members who could speak to the experiences of youth and families of color with school and juvenile justice systems and practices.

### **Key Characteristics and Circumstances of Arrested Youth**

**A common assumption is that disproportionality in arrests for youth of color is explained by factors such as gang-related activity, or commitment of more severe offenses.**

- An objectively low percentage of youth of color who were referred to the Juvenile Assessment Center (JAC) in the 18<sup>th</sup> JD were identified as having gang associations and in both the 18<sup>th</sup> and 4<sup>th</sup> judicial districts, available data showed no further overrepresentation of youth of color among arrests for more serious offenses.

**For youth brought into the 18<sup>th</sup> JD Juvenile Assessment Center (JAC) and assigned to detention, a greater share of African American youth had holding statuses of 'Failure to Appear' or 'Failure to Comply' and were also more likely to have the Court identified as the holding authority.**

- This pattern suggests that socio-economic barriers may adversely and disproportionately impact African American youths' justice outcomes. The transportation and job security hurdles of parents, particularly single parents, may undermine youths' ability to comply with court requirements, leading to more severe sanctions.

**Examination of youth arrest data from the Colorado Springs Police Department (CSPD) revealed that both Hispanic/Latino and African American youth were overrepresented in charges of disorderly conduct.**

- Disorderly conduct is more subjectively determined than other offenses. Research indicates that cases where individuals' judgment or discretion must be applied are more likely to result in bias, even if unintentional.

**Data on the timing of youth arrests by the Colorado Springs Police Department indicated that for all youth, regardless of race and ethnicity, a larger proportion of arrests occurred during week days than on the weekends and, further, over half of all incidents occurring on weekdays took place during school hours (between 8am and 3pm).**

- This finding indicates that youth are commonly engaging in activities leading to arrest when they should be attending school, and supports intervention strategies targeted at engaging youth and reducing crime during school hours. The connection of youth suspended, expelled or who have dropped-out to the higher rates of delinquency during school hours should be explored to further refine appropriate intervention strategies.

### **The Relationship of School Policies and Practices to DMC**

The national trend in schools toward zero-tolerance policies and utilization of assigned police officers (known as School Resource Officers, or SROs) has led to identification of a phenomenon known as the 'School to Prison Pipeline' whereby school policies and practices are contributing to increased justice

system involvement of youth, particularly youth of color. To explore the potential relationship of school policies and practices to youth DMC in Colorado, OMNI (vendor selected to facilitate the intensive 'case studies') reviewed a number of state and local policy documents, as well as broader literature on school-based recommendations to reduce DMC. Publicly available school disciplinary action data were also obtained from the Colorado Department of Education (CDE) website for all school districts in the 18<sup>th</sup> and 4<sup>th</sup> judicial districts.

**The review revealed several potential contributing factors to disproportionate school disciplinary actions for youth of color in Colorado. These factors are explained in further detail in the full report and included:**

- Heavy reliance on parent/guardian involvement (e.g. for notification, meetings, appeals process)
- Requirements for special handling of gang-related activities
- Unclear definitions of and harsh consequences for students determined to be "habitually disruptive"
- Guidelines allowing students to be disciplined (including expulsion) for committing crimes outside of school

**OMNI analyzed disciplinary action data for school districts in the 18<sup>th</sup> and 4<sup>th</sup>, with a focus on assessing disproportionality in rates of in- and out-of-school suspension and expulsion for youth of color compared to White youth.**

- The data showed varying rates of disproportionality for youth of color across school districts and types of disciplinary action. Closer examination and comparison of these districts' policies and practices might help further reveal areas where schools are either contributing to or helping limit contact of minority youth with the justice system.

#### **Experiences of Minority Youth and Families**

**To provide additional context for the case studies, focus groups and interviews were conducted. The results validated the MOR Committees' perceptions of the following potential contributors to DMC in their districts:**

- Differential or discretionary treatment of student delinquency among school personnel;
- Insufficient communication and parental engagement by schools on student disciplinary issues and protocols;
- Difficulty for families in navigating court systems and complying with requirements (including those influenced by socioeconomic barriers); and
- The need for improved cultural competence and training for staff (e.g., case workers, law enforcement officers) who work with minority youth and families.

#### **CONCLUSION**

The purpose of this project was to assist DCJ in identifying ways to help the state and local communities assess and address DMC utilizing various research methods. Much was accomplished through this collaborative process, and the emphasis on local-level engagement with selected judicial districts proved highly beneficial and rewarding. One step that can begin immediately is to explore opportunities to implement the 'case study' approach with other interested and qualified committees. Developing a competitive application process would allow DCJ to apply criteria that have proven to be critical, and to build training, resources, and tools into the requirements of the funding. These steps would ensure committees' capacity and readiness, and further standardize the process. An additional benefit to DCJ of these local-level efforts is that they encourage collaboration across key players and 'guardians' of data within each judicial district, including attorneys, law enforcement, and school officials. Utilizing MOR committee members to engage these stakeholders in conversations about DMC and related data needs, can facilitate better collection, coding, analysis, and reporting of race and ethnicity data across the state.

**In addition to the assessment study completed on juvenile justice in late 2012 a case study of two more judicial districts was completed in October 2014. The findings were released and presentations were made to the JJDP Council and the state's DMC Committee in 2014. Below is a summary of the results of those two case studies.**

#### **Case Study – Denver (2<sup>nd</sup> Judicial District) and Mesa County (21<sup>st</sup> Judicial District)**

While DCJ closely monitors state and judicial level data on DMC, it has also dedicated resources to work with local communities on expanding understanding of DMC and potential strategies to address it at the local level. Understanding how DMC is measured and monitored, the factors contributing to it, and the strategies expected to help mitigate it, all require understanding of the local context. This is particularly true for states like Colorado with a state-supervised, county administered structure, where 'local control' may hamper the state's ability to standardize and mandate data collection procedures, and to widely implement policies that can effectively address DMC. Further, DMC may look different in different communities, with a range in level of severity as well as contributing factors. Thus, DCJ has deliberately pursued a 'bottom-up' process whereby broader learnings and strategies for Colorado could begin to be identified through intensive and reflective work conducted throughout various communities.

Both the 2nd and 21<sup>st</sup> judicial district DMC committees expressed a need and commitment to grow local understanding of the critical factors impacting DMC for youth of color in their districts. A common theme for these two districts was an established acknowledgement of the existence of DMC in their jurisdictions, as well as a committed group of stakeholders prepared to explore the issues. Additionally, neither district had yet had the opportunity to sufficiently explore local data that could inform DMC-related efforts and interventions. Each judicial district was asked to narrow their work to one decision point; the 2<sup>nd</sup> Judicial District selected arrest while the 21<sup>st</sup> looked at detention.

The process of data exploration for both communities was deliberately exploratory, iterative, and participatory with the specific priorities, content and structure of the research activities being determined by local DMC committee members. The process first included identifying data sources and assessment areas of interest. OMNI then completed preliminary analyses and worked with the each committee to examine initial findings and develop subsequent assessment questions. A series of committee discussions and deeper explorations of data were then completed to consider all available data findings for possible factors contributing to DMC at the local level. Final discussions focused on potential next steps to further inform efforts to reduce DMC in each community.

- First, local committees should continue to capitalize on the work they have accomplished in the way of forming partnerships between local entities in school and juvenile justice systems. Expert sources of information (e.g., DPD, SB-94) can provide ongoing access to data as well as critical contextual information about decision-making, processing and documentation.
- Next, both communities should commit to ongoing dialogue with key systems professionals to continue to contextualize the information, interpret the data and understand the underlying implications of findings as they relate to local DMC-related efforts.
- Both communities also expressed interest in exploring ways to better track youth trajectories throughout school and juvenile justice entities, in order to identify characteristics of high-risk youth early in their involvement with these systems.
- A number of areas specific to the work of each community were identified as related to the initial data patterns observed:
  - For Denver, it will be critical to monitor arrest activity in key neighborhoods and hot spots and to identify additional neighborhood-level factors that may be influencing arrests (e.g., environmental issues such as key locations and socioeconomic risk factors that may increase risk for delinquent behavior; local policies that may influence the way youth behavior is handled in certain areas) for youth in key neighborhoods. It will also be important to explore factors that may increase the likelihood of youth of color (particularly Hispanic/Latino youth) having custodial versus cite and release arrests (e.g., decision-making protocols, socioeconomic factors that may limit the ability of police to make contact with parents/guardians, etc.).
  - For Mesa, it will be important to further explore variation in data patterns across school years as related to the consistency of discipline strategy implementation and data reporting, along with looking at additional disciplinary actions a school can take outside suspensions and expulsions (e.g., warning/reprimand; contract; community service, etc.). Further contextualizing the patterns observed within juvenile justice system data will also be critical, and will require consistent commitment from each key system to interpret the initial findings from these data.

## **Potential Opportunities for Interventions**

OJJDP recommends a comprehensive, multimodal approach to addressing DMC. This means employing strategies aimed at multiple decision points where DMC exists, as well as focus on multiple contributing factors. A compilation of strategies is suggested by OJJDP in order to both address gaps in programmatic efforts (e.g., direct services for youth and families) and larger systemic issues (e.g., personnel-focused training and policy change). While each local community is in the best position to identify appropriate strategies based on the data and deeper understanding of other contextual factors, several OJJDP approaches can be considered broadly in identifying possible local DMC-related intervention strategies.

## **School-Specific Strategies**

School systems surfaced as having a critical impact on DMC within each community. The national trend in schools toward zero-tolerance policies and utilization of assigned police officers (known as School Resource Officers, or SROs) has led to identification of a phenomenon known as the 'School to Prison Pipeline' whereby school policies and practices are contributing to increased justice system involvement of youth, particularly youth of color. Exploration of strategies aimed at system-level changes involving school policies and practices (e.g., disciplinary protocols) as well as interventions to enhance school culture and engagement could therefore be critical within both communities.

- **Partnerships with local advocacy organizations** working on school discipline issues (e.g., Padres Y Jovenes Unidos) could be sought to explore implications of current school discipline legislation (e.g., Colorado Smart School Discipline Law) and to develop effective and culturally responsive disciplinary approaches.
- Communities can also further explore the school level of discretion in decision-making about consequences. Further, **identifying and tracking youth interactions with law enforcement** at the school level could be highly beneficial.
- Continued **implementation of evidence-based direct service strategies** focused on mitigating youth risk factors for specific behaviors or offenses. There is also increasing emphasis in Colorado on **school-based alternatives** to discipline through restorative justice practices, which help schools and youth resolve disputes (and, indirectly, reduce truancy, suspensions, and expulsions) without the engagement of law enforcement.
- **Dedication of resources to cultural responsiveness training** for teachers and other school personnel could also be a critical next step in enhancing understanding of youth background, risk factors and potentially effective support strategies.

## **Additional Strategies**

For both communities, findings suggest possible benefits of implementing strategies outside of school systems.

For Mesa, further interpretation and contextualization of the findings presented on the juvenile justice touch points is critical. Doing so would further enhance local understanding of the data and allow for deeper dialogue regarding specific strategies. More generally, the OJJDP acknowledges that minority overrepresentation may exist at one, several or every decision point within a given geographic area or juvenile justice system. Many general approaches to reducing DMC at early stages of contact with the system have shown promise. Prevention and early intervention programs have successfully impacted differential offending and differential opportunities for services (including indirect effects such as economic status, etc.).

For Denver, preliminary findings revealed higher rates of arrest for youth of color in certain geographical locations, with these associations typically reflecting (a) where youth of color reside; and/or (b) where all youth are congregating and engaging in delinquent activity. Thus, the overall picture of arrests of youth of color may be most significantly impacted by activity and decision making in these geographic areas. It may be critical, therefore, for extra steps to be taken by these communities, and their schools and law enforcement agencies, to mitigate system penetration for youth of color through more innovative, responsive approaches.

An additional goal for these local case study efforts was to derive broader learnings for how DCJ can continue to support other local coalitions and committees across Colorado in their efforts to address DMC in their communities. The following learnings emerged from observations by the evaluation team, analysis



of committee meeting minutes and other project documentation, and ongoing discussions regarding process with local and DCJ stakeholders.

### **Ensure sufficient community capacity and readiness**

The involvement of professionals from all key systems is paramount to the success of local DMC case studies. Committee members need to be consistently active and engaged in efforts to ensure access to data, as well as the sharing of critical context needed to interpret and understand the implications of data findings.

### **Establish access to data in advance of the case study project**

The success of local case study efforts are dependent upon access to needed data. Communities should establish data sharing agreements with key entities and outline general expectations of data analysis and/or additional data collection prior to initiating the project.

### **Outline reasonable goals in advance of the case study project**

It is important to outline realistic goals for each community that are based on local readiness as well as prior data collection efforts. Clarifying expectations of the data gathering effort early in the process will ensure that all stakeholders are clear on the level of detail that may emerge from data findings as well as what reasonable next steps might entail.

### **Provide additional support prior to the case study project**

As recommended following the first round of case studies in 2010-11, it continues to be important to enhance community preparation efforts and overall readiness prior to beginning the case study process. Potential opportunities and ideas for this support include the following:

- State-level orientation/training
- Resources such as guides related to understanding DMC and similar efforts in other communities; templates for data sharing; committee confidentiality agreements; data collection tools (e.g., focus group guides)
- Opportunities to communicate with and learn from other jurisdictions that have completed similar work

While utilizing established criteria to select local communities for participation in case study process is essential, these additional recommendations will help facilitate the continued success of local DMC projects.

### **(b) Plan and Time-line for completion of the Assessment**

Not applicable, Colorado completed an assessment in December 2011 and additional case studies in 2014.

## **Phase III: Intervention**

### **(1) Progress made in FY 2014**

#### **Activities and Timelines**

#### **GOAL #1: IDENTIFICATION (DATA)**

Improve the DMC data collection and use of DMC data in Colorado

**OBJECTIVE 1:** Improve DMC data usability and accessibility by local jurisdictions.

#### **Activities/Year:**

**2014**

- ✓ Continue to update the on-line database that makes data accessible to jurisdictions and systems through the web.
- ✓ Assist communities in understanding what the DMC identification (matrix) data means in their community.

- (1) **Activities implemented:** The state's Statistical Analysis Center (SAC) developed an on-line system of publishing the identification data annually. The DMC Coordinator works with the SAC to update the data annually. The system allows people to see their RRI data and to map it out by different decision points. This year the DMC Coordinator is working with the SAC to develop an on-line tool that will represent a judicial district's trend data for three-years of data.

In addition to the on-line mapping system technical assistance is provided either in person or by telephone to communities to explain their DMC data and what direction they should take based on that data. The DMC Coordinator explains the RRI and how it is calculated, walks people through their data sheet and helps them identify which decision points are showing the most volume and magnitude. The DMC Coordinator also discusses the best way to present their data to others in their community.

- (2) **Activities not implemented:** All activities implemented.

**GOAL # 2: ASSESSMENT (RESEARCH)**

Identify DMC contributing mechanisms to direct intervention strategies

**OBJECTIVE 1:** Expand DMC-related data available beyond the DMC RRI Matrices

**Activities/Year:**

**2014**

- ✓ Provide funding and assistance to one rural jurisdiction to complete a DMC case study of one juvenile justice decision point.
- ✓ Present the additional information/data from the case study to the JJDP Council. (Revised)

- (1) **Activities implemented:** An Announcement was developed to solicit a rural jurisdiction to participate in a case study to look at one decision point in their jurisdiction. The announcement was disseminated to all the eligible jurisdictions based on size. The announcement was distributed to all SB94 (Alternatives to Detention) Coordinators because they have an established group of cross-discipline individuals that work on juvenile justice issues with the thought that their juvenile justice group may take the lead on this project. We did not receive any applicants to participate in a rural case study. We can hypothesize that it was because the rural jurisdictions do not have large populations of youth of color, that they do not have an awareness of their DMC issues or that there just was not interest amongst rural communities to look at their DMC issues. Past work has taught us that if a jurisdiction does not actively want to participate in a case study it is impossible to accomplish because the buy-in of certain individuals is required to get the data needed for this type of project. At this time we will not be soliciting rural jurisdictions for a case study but will continue to work with them to raise awareness about DMC issues.

A presentation on the information from the DMC case studies was presented to the Juvenile Justice and Delinquency Prevention Council at their March 2015 meeting. The findings and recommendations from the two case studies done in the 2<sup>nd</sup> and 21<sup>st</sup> judicial district along with the recommendations were presented by the evaluation organization that conducts the case studies. There was great discussion about the findings and implications. Information from the case studies will be used when developing future DMC intervention strategies.

- (2) **Activities not implemented:** While the state solicited rural jurisdictions to participate in a case study this did not occur. Past experience has told us that trying to cajole a community into participation has not been successful. The funds for this activity were returned to the formula grant funds and will be used for other interventions.

**GOAL # 3: INTERVENTIONS (PROGRAMS, POLICIES AND PRACTICE)**

Improve the Juvenile Justice System response to minority youth and their families.

**OBJECTIVE 1:** Assist the JJDP Council when making funding decisions for minority over representation programs to ensure they are funding effective programs to address DMC.

**Activities/Year:**

**2014**

- ✓ The Coalition will review all available data and information and formulate recommendations to give to the JJDP Council for their next three year plan.
- ✓ Use what is learned through the OJJDP/MacArthur project in Arapahoe County as best practice to disseminate state-wide.

(1) **Activities implemented:** The Coalition for Minority Youth Equality (CMYE) received a presentation by Padres Y Jovenes Unidos an organization that advocates for the protection of youth's rights in school discipline issues including suspension, expulsion and referral to law enforcement in August of 2014. The content of the presentation focused on school data that was used to develop a report card on how school districts are doing in relation to out-of-school suspensions, expulsions and referrals to law enforcement. This data was also broken out by race and ethnicity and showed that youth of color were disproportionately represented. Padres also presented information on the Colorado Smart School Discipline Law passed in 2012 that requires school districts, law enforcement and district attorney's offices to report outcome data related to youth who were referred to law enforcement. To date not many are complying with the law and there are no consequences in the legislation for such circumstances. The CMYE continued a dialogue with Padres throughout 2014 and made recommendations to the JJDP Council to support some of Padres efforts to educate school districts, law enforcement and district attorney's offices about their requirement to report data as well as to work on a norming campaign to help schools and law enforcement use other types of discipline then suspensions, expulsions and referrals to law enforcement. The JJDP Council will be receiving a formal request for funds from Padres based on the CMYE's recommendation to partner with them in addressing DMC issues within school discipline issues.

In addition, the CMYE meets quarterly and reviews the progress of the state in meeting its objectives and implementing activities and gets an update on what is coming up for the DMC Coordinator. This allows the Coalition to provide input as things move forward in the implementation of the DMC Plan each year.

The MacArthur/OJJDP Reducing Racial and Ethnic Disparities (RRED) Project formally ended in March 2015. The Division of Criminal Justice received the funds to administer on behalf of Arapahoe County. There were many accomplishments during this project including looking at the State's Juvenile Detention Screening and Assessment Guide (JDSAG) to determine if the tool itself was contributing to DMC. The findings showed that the instrument itself was not producing results that are leading to DMC, however, the tool does screen in more youth then the comparison instrument used in Berks County, PA. The findings of this study were presented to the Division of Youth Corrections and they have agreed that the division needs to take a look at the JDSAG and seriously discuss revisions to the tool in light of the findings and the length of time they have been using the tool without revision. Other things implemented through the RRED project include looking at tiered waivers to address the large number of youth being detained for failure to appear, addressing truancy through a Truancy Problem Solving Court to address the large number of Hispanic males sent to detention for violations of a Valid Court Order, looking at the Chief Judge's Order which sets out who should be detained as over rides to the JDSAG, training on evidence-based curriculum for providing direct service interventions to both Hispanic and African American youth (Strong African American Families and El Joven Noble) and lastly the opening of an Evening Reporting Center to be used as an alternative to detention. Arapahoe County has presented their work at a SB94 (Alternatives to Incarceration) conference and a judicial

conference. In addition in May they will present to the CMYE and the many community members that sit on the CMYE and may be asked to present to the JJDP Council.

**(2) Activities not implemented:** All activities implemented.

**OBJECTIVE 2:** Provide programs/communities the tools necessary to address DMC appropriately.

**Activities/Year:**

**2014**

- ✓ Continue technical assistance to at least two communities and training.
- ✓ Develop a method for distributing the decision point assessment questions. (New)
- ✓ Distribute the DMC Assessment questions to systems to use as they look at their own policies and practices. Distribute the Assessment questions to communities to use in their work to address DMC. (New)
- ✓ Develop and keep updated a DMC page on the Office of Adult and Juvenile Justice Assistance website. (New)
- ✓ Oversee the five projects addressing truants; both prevention and decreasing those that get detained for violations of a valid court order. The primary population being detained for truancy is Hispanic males. Ensure strategies being implemented in the five communities are addressing the over representation issue. (New)

**(1) Activities implemented:** Technical Assistance in-person is provided to the 2<sup>nd</sup> and the 18<sup>th</sup> judicial districts on a monthly basis this year that has included providing technical assistance to Denver's My Brother's Keeper Initiative. In addition, this year technical assistance has been provided to the 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup>, and 21<sup>st</sup> judicial districts by phone and email. Training was provided at a Judicial Conference, to the Youth Justice Coalition, to the city and county of Denver at a televised community meeting and at the state Latina Policy Forum.

The DMC Assessment questions are almost completely developed. The DMC Coordinator just has to finish the questions to ask about DMC on the decision to file, decision to adjudicate and decisions made in probation. Once the document is completely finished which will be in the next couple of months at a minimum the document will be on the DMC website. We will also look for other ways to disseminate the document which may include emailing it out specifically to certain groups.

A DMC webpage was developed and added to the Division of Criminal Justice's, Office of Adult and Juvenile Justice Assistance site. The DMC site includes a description of the problem, the CMYE meeting schedule and the 2012-2014 DMC Plan in addition to a link to the DMC website being managed by the SAC. The DMC Coordinator did not want to duplicate what is already on the other DMC site which she has already helped create. Items on the SAC DMC site include the DMC matrix data, definitions, and resources.

The DMC Coordinator oversees four pilot projects addressing truancy issues in direct response to the DMC data mentioned above related to the number of youth of color being detained pursuant to the VCO exception. The first three pilots funded with JABG funds are for youth who have been filed on, the three jurisdictions are implementing a truancy problem solving court model. The three jurisdictions are the 1<sup>st</sup>, 16<sup>th</sup> and 18<sup>th</sup>, they all started May 1, 2014 and started serving youth in the problem solving court around the start of the school year in September. The jurisdictions were asked to put together a truancy problem solving court team to assist in the development and implementation of the project. The teams were trained through a partnership with state judicial on a problem solving court implementation model. Their goal is to keep youth out of detention for truancy related matters. As you read above since the pilots have started the number of truants held in detention in these three jurisdictions has been reduced significantly. The three pilots have identified issues with providing culturally relevant services. The DMC Coordinator already works very closely with the DMC efforts in the 18<sup>th</sup> judicial district and the problem solving court coordinator sits on the 18<sup>th</sup> Judicial District's MOR Committee. The 1<sup>st</sup> Judicial District has just sought out

assistance from the DMC Coordinator and a training for judicial officers and other juvenile justice and cross discipline professionals is scheduled for June 30. The other judicial district, the 16<sup>th</sup> has acknowledged the disparity issue but nothing formal has taken place yet. The DMC Coordinator will continue to discuss the issue and look for opportunities to assist the 16<sup>th</sup> Judicial District.

The other two pilots were prevention pilots funded with Formula Grant funds designed to address truancy before youth have been filed on. They were in the 10<sup>th</sup> and 6<sup>th</sup> Judicial Districts. The DMC Coordinator worked very hard with the 10<sup>th</sup> Judicial District to get their grant program started. They had several turn-overs in staff and never started the project. Unfortunately, the funding had to be discontinued to the 10<sup>th</sup> Judicial District. The prevention pilot in the 6<sup>th</sup> Judicial District is going well. They mainly serve Hispanic youth as that is the population most seen in truancy violations. They are working with an elementary, middle and high school to provide a Check and Connect staff person who monitors youth daily and follows up with parents when youth miss school. There is also a treatment component to the project for those youth and families who need these services.

The JJDP Council has committed to fund these projects for three-years. The DMC Coordinator will continue to oversee them and support their truancy efforts and infuse other DMC strategies when appropriate.

There is one more truancy related project that is administered by the DMC Coordinator this is a study to look at the Use of Detention for Truant Youth. The hypothesis is that youth who are detained for truancy have the same or worse outcomes then youth who were not detained. This study is being funded by Justice Assistance Grant Funds. The project is currently in its last six months. The contracted evaluation organization has been able to access data from the Division of Child Welfare, Department of Education and Division of Youth Corrections. They will be matching youth throughout those systems to determine the outcomes for youth who were detained. The results of this study will include information by race and ethnicity.

**(2) Activities not implemented: All activities implemented.**

**OBJECTIVE 3:** Provide DMC-related policy and practice information to the CMYE and the JJDP Council.

**Activities/Year:**

**2012 – 2014 ALL ACTIVITIES ON-GOING ANNUALLY**

- ✓ DMC Coordinator will keep abreast of DMC policies and practices in other states to keep both the CMYE and the JJDP Council informed.
- ✓ Participate on the DMC Coordinator calls, and take other opportunities to learn what is going on in other states related to DMC policies and practices.
- ✓ Convene meetings to discuss implications of new policies.
- ✓ CMYE will make policy/practice recommendations to the JJDP Council when appropriate.
- ✓ CMYE advocate that all systems and criminal justice agencies report by race/ethnicity.

**(1) Activities implemented:** The DMC Coordinator has kept abreast of policies and practices of other states through participation in the DMC Coordinators calls and trainings. Information is relayed to the CMYE and the JJDP Council as needed.

Instead of convening meetings to discuss policies this was incorporated into the CMYE's current meetings. Policies discussed include pending and newly enacted legislation especially around school discipline policies and the negative impact they have on DMC. One practice recommendation was made to the JJDP Council related to partnering with Padres Y Jovenes Unidos to work on the school to prison issues.

There was continued participation by the DMC Coordinator on the MOR Committee of the Colorado Commission on Criminal and Juvenile Justice. Their work this past year included a

recommendation that all law enforcement agencies collect race and ethnicity data. This recommendation did not make it out of the Commission as people thought it would be an unfunded mandate. In the mean-time the JJ Specialist has been in contact with the Colorado Bureau of Investigations to determine if the finger print cards sent to AFIS can be changed to include ethnicity. This would assist in the collection of both law enforcement data but also judicial data as talked about earlier in this plan.

**(2) Activities not implemented:** All activities implemented.

**OBJECTIVE 4:** Enhance connections to feeder systems such as child welfare, mental health and education

**Activities/Year**

**2014**

- ✓ Work to develop joint projects with partners.
- ✓ Continue to provide expertise to other initiatives.

**(1) Activities implemented:** The DMC Coordinator and the JJ Specialist have continued to participate in other initiatives and make sure that the initiatives are addressing issues related to the over representation or under representation of minority youth in juvenile justice and feeder systems. The goal of being part of other initiatives is to ensure that information is communicated both to the initiatives and from the initiatives to the DMC Coalition.

The DMC Coordinator has been active on many other initiatives, committees and boards. This includes the Cultural and Linguistic Appropriate Services (CLAS) Standards Learning Committee which is delving deeper into the standards in order to develop best practices for implementing them in various systems. The Educational Stability committee which is addressing the educational stability issues for youth in foster care, a system where kids of color are often over represented. Also looking at the child welfare system is the Pathways to Success Steering Committee specifically looking at issues of homelessness for youth aging out of the child welfare system. Services to address this at risk population are being developed and it will be important that these services are culturally appropriate. The DMC Coordinator will be on the committee assuring this happens. The DMC Coordinator also actively participates in two of the SAG's committees. The Low Risk High Needs Committee at this time primarily addressing truant youth through the truancy pilots that the DMC Coordinator manages. The other committee is the Evidence-Based Programs and Practices Committee which is focusing on assisting communities in addressing what evidence based service needs they have. It will be crucial that as communities look at their data to identify needs that they pay attention to minority populations as well as addressing minority populations when selecting evidence based practices and programs. Lastly, the DMC Coordinator had the opportunity to participate in Denver's My Brother's Keeper initiative. AS mentioned in Denver's section, this is the President's initiative to get cities across the country to look at issues related to youth and young men of color ending up in the justice system. The DMC Coordinator participated in the planning of a one-day kick off Summit and in the Summit itself which had about 120 attendees. There were four focus areas for the day; education, workforce development, juvenile justice and social and emotional health. The DMC Coordinator will continue to work on this initiative through her participation in the juvenile justice committee a group that will be on-going and has just begun developing its purpose statement. The committee will follow-up its purpose statement by developing very tangible activities to be implemented through-out the next year.

CMYE (DMC Coalition) is still seen as a place where other initiatives can come and get input related to DMC or cultural issues. This includes the initiatives mentioned above.

**(2) Activities not implemented:** All activities implemented.

**OBJECTIVE 5:** Provide staff support to the CMYE membership to assist in DMC planning and work.

**Activities/Year:**

**2014**

- ✓ Build the capacity of CMYE members so that they can use the knowledge they gain in their local DMC efforts or their agencies' work.
- ✓ Continue staffing of CMYE, annual training and recruitment as needed.

(1) **Activities implemented:** The focus of this year's CMYE meetings has been on increasing the knowledge of its members. This has included a presentation on the Child Welfare MOR Study done in the city of Denver, a presentation on the school to prison pipeline by Padres Y Jovenes Unidos and lots of opportunities for the agencies and organizations that attend the CMYE meetings to share what is happening in their organizations and what they are doing as communities or agencies to address DMC. Communication to the Coalition between meetings on information and funding opportunities occurs through email. This provides more timely information than a newsletter.

The DMC Coordinator provided staff support for four CMYE meetings in 2014 this included communication, scheduling, planning and minutes. The DMC Coordinator and the CMYE chair are actively recruiting new members. They have recruited a child welfare representative and are working on getting a representative from the Division of Youth Corrections and probation. Work to recruit new members will continue as needed.

(2) **Activities not implemented:** Training of new members did not occur this past year because there were no new members. There have been some new members added recently so training will take place in 2015.

**GOAL # 4: EVALUATION AND MONITORING**

Measure the impact of Colorado's DMC interventions

**Objective 1:** Ensure that interventions implemented are impacting DMC factors.

**Activities/Year:**

**2014**

- ✓ DMC Performance Measures and RRI data will be collected and reported annually. (Revised)

(1) **Activities implemented:** The DMC Coordinator and the Formula Grant Manager have developed a method to collect performance measures and report annually. The DMC Coordinator keeps a log of the work through-out the year which is then used to respond to the performance measures on DCTAT. In addition trend data is used to look for impact in communities where DMC work is occurring.

(2) **Activities not implemented:** All activities implemented.

**OBJECTIVE 2:** Identify changes in DMC at the state and local level and at each decision point.

**Activities/Year:**

**2014**

- ✓ Collect matrix data and look for changes in DMC.
- ✓ Disseminate RRI information to communities.

(1) **Activities implemented:** Matrix data is collected annually and is used to populate trend charts. Trend information is used to determine the focus of the next year's intervention strategies and on which decision points extra emphasis should be placed. Based on this year's data work will continue to address arrest especially for African American youth, pre-adjudication detention and take a look at commitments.

To address the issue of communities or people's access to data, the matrix data is used by the state's SAC to populate an on-line data system. This system allows people to view their DMC data whenever they need to. In addition they can see other communities' DMC data for comparison. This year the state is working on an on-line tool that will show judicial districts their trend data for a three-year period.

**(2) Activities not implemented:** All activities implemented.

**(2) Identification of DMC Sites but Have Not Implemented Activity**

Not Applicable, Colorado has implemented system improvement interventions in the 2<sup>nd</sup>, 4<sup>th</sup>, 18<sup>th</sup> and 21<sup>st</sup> Judicial Districts.

**Phase IV: Evaluation**

Due to the reduction in funds over the last several years the JJDP Council has not funded any direct service programs or intervention strategies for the last three years. Our intervention strategies have included training and technical assistance to the communities mentioned above (2<sup>nd</sup>, 4<sup>th</sup>, and 18<sup>th</sup>). The other intervention that took place in 2014 was the case study conducted in Denver (2<sup>nd</sup>) and Mesa County (21<sup>st</sup>). Since the work in the 2<sup>nd</sup> and 21<sup>st</sup> judicial districts has just been completed they are currently in the process of discussing intervention strategies so there may not be any changes in their numbers at this time. Lastly, the other intervention strategy aimed at addressing the large number of youth of color being held in detention was discussed previously and evaluation outcomes of this intervention strategy were also discussed above.

An arrest RRI comparison of jurisdictions where DMC has been addressed at least by having an MOR Committee is below. As you can see with the exception of the 21<sup>st</sup> all the judicial districts have had quite a significant increase in the RRIs for African American youth (this will be a focus for future intervention strategies). For Hispanic youth the numbers have remained relatively similar although the 4<sup>th</sup> judicial district has experienced a shift in the right direction for Hispanic youth.

<b>African American Arrest RRI's</b>	<b>FY 2012</b>	<b>FY 2014</b>
<b>2<sup>nd</sup> JD</b>	2.88	3.55
<b>4<sup>th</sup> JD</b>	2.80	3.63
<b>18<sup>th</sup> JD</b>	5.43	6.54
<b>21<sup>st</sup> JD</b>	2.51	** .54

<b>Hispanic Arrest RRI's</b>	<b>FY 2012</b>	<b>FY 2014</b>
<b>2<sup>nd</sup> JD</b>	1.20	1.28
<b>4<sup>th</sup> JD</b>	1.14	.77
<b>18<sup>th</sup> JD</b>	1.97	2.05
<b>21<sup>st</sup> JD</b>	.75	.72

For the pre-adjudication decision point there is a slight increase in the 2<sup>nd</sup> and 4<sup>th</sup> judicial districts for African American youth. There is also a small increase in the RRI for Hispanic youth in the 2<sup>nd</sup> judicial district and an alarming rise in the RRI for Hispanic youth in the 4<sup>th</sup> judicial district. A refocus on this decision point will be a priority for FY15. In the 18<sup>th</sup> Judicial District which received the Macarthur/OJJDP Reducing Racial and Ethnic Disparities (RRED) funding and intense technical assistance from the Center for Children's Law and Policy the numbers were reduced for a second year in a row. Pre-adjudication detention is the main focus for of the RRED initiative.

<b>African American Pre-Adjudication RRIs</b>	<b>FY 2012</b>	<b>FY 2014</b>
<b>2<sup>nd</sup> JD</b>	1.49	1.72
<b>4<sup>th</sup> JD</b>	1.46	1.63
<b>18<sup>th</sup> JD</b>	1.26	1.22
<b>21<sup>st</sup> JD</b>	2.45	--



Hispanic Pre-Adjudication RRIs	FY 2012	FY 2014
2 <sup>nd</sup> JD	1.37	1.48
4 <sup>th</sup> JD	1.30	2.69
18 <sup>th</sup> JD	1.20	.97
21 <sup>st</sup> JD	1.31	1.82

Lastly to look at the decision point at the furthest end of the system, the table below shows the RRIs for commitment to the Division of Youth Corrections. Due to the reduction in the overall number of youth being committed the RRI is not statistically significant for any of the communities.

African American Commitment RRIs	FY 2012	FY 2014
2 <sup>nd</sup> JD	--	--
4 <sup>th</sup> JD	**1.29	**1.95
18 <sup>th</sup> JD	**1.32	**2.92
21 <sup>st</sup> JD	---	--

Hispanic Commitment RRIs	FY 2012	FY 2014
2 <sup>nd</sup> JD	--	--
4 <sup>th</sup> JD	**1.08	**3.39
18 <sup>th</sup> JD	**2.51	**3.75
21 <sup>st</sup> JD	--	--

Since we will continue to do system improvement work in these jurisdictions we will continue to evaluate impact on the DMC RRIs in the future.

**Performance Measures:** The DMC Coordinator along with the Formula Grant Manager work together to ensure the State is collecting all of the necessary performance measures. The performance measures used for DMC in Colorado are:

**Outputs:**

Required - Number of program youth served

Optional - Number of FTEs funded with FG \$; Number of programs implemented; Number and percent of program staff trained; Number of hours of program staff training provided; Number of planning activities conducted; Number of assessment studies conducted

**Outcomes:**

Required - Number and percent of program youth who offend during the reporting period (short term); Number and percent of program youth who offend during the reporting period (long term); Number and percent of program youth who re-offend (short term); Number and percent of program youth who re-offend (long term)

Optional – Number of minority staff hired; Number and percent of program youth completing program requirements (short-term); Number and percent of program staff with increased knowledge of program area (short-term)

**Phase V: Monitoring**

**1. Time limited Plan for Tracking Changes/DMC Trends over time.**

Colorado collects and reports identification data annually which enables the tracking of trends to be more thorough. The DMC Coordinator works with the State's Statistical Analysis Center (SAC), which has taken on the duty of collecting the RRI matrix data from the other state agencies and entering it in the state individualized matrices developed by Dr. Feyerherm for this purpose. The SAC also provides technical assistance on data questions, as well as assists the DMC Coordinator in making decisions on the best sources of data to represent each decision point most accurately.

The only barrier in annual data collection has been when a better source of data has been identified or a change to the data collection method has had to be made which impacts the accurate comparison across time. While this is a loss, the data is still a valuable source of information to guide Colorado's intervention strategies.

**2. Description How the State will Monitor Intervention Strategies.**

The State DMC Coordinator is responsible for monitoring activities in the DMC Plan including the state's system improvement efforts and other activities from the state plan implemented to reduce DMC. The DMC Coordinator monitors this progress by working with many of the communities across Colorado working to address DMC, keeping track and analyzing trend data, and working with the state's DMC Coalition.

**3. Who is Responsible for Monitoring**

Responsibility for monitoring DMC lies with the DMC Coordinator. In Colorado the DMC Coordinator is currently a 75% time position. Items monitored include changes in RRI data and other factors in jurisdictions the DMC Coordinator is working in and this would include monitoring any grants or contracts Colorado has with agencies to assist in addressing DMC.

**4. Timeline for current and/or future monitoring activities**

The goal is to continuously look at the RRI data at least annually and utilize the information to drive the state's DMC intervention strategies.

**DMC Reduction Plan for FY 2015**

**(a) Activities and Timelines**

**GOAL #1: IDENTIFICATION (DATA)**

Improve the DMC data collection and use of DMC data in Colorado

**OBJECTIVE 1: Continue to collect and analyze DMC data annually.**

**Activities:**

- ✓ Collect DMC data with the assistance of the Office of Research Statistics (SAC).
- ✓ Analyze data at the state level and for at least three of the largest jurisdictions annually.
- ✓ Post data on Commission on Criminal and Juvenile justice's website

**OBJECTIVE 2: Improve DMC data usability and accessibility by local jurisdictions.**

**Activities:**

- ✓ Continue to update the on-line database that makes data accessible to jurisdictions and systems through the web. Examine the possibility of adding trend data to the website.
- ✓ Assist communities in understanding what the DMC identification (matrix) data means in their community.

**GOAL # 2: ASSESSMENT (RESEARCH)**

Identify DMC contributing mechanisms to direct intervention strategies

**OBJECTIVE 1: Continue to look for opportunities to assess "why" DMC is occurring in communities.**

**Activities:**

- ✓ Work with the JJDP Council (SAG) to develop opportunities to assess DMC in jurisdictions or systems.
- ✓ Shore up funding for assessment projects if needed and available.

**GOAL # 3: INTERVENTIONS (PROGRAMS, POLICIES AND PRACTICE)**

Improve the Juvenile Justice System response to minority youth and their families.

**OBJECTIVE 1: Update current Power Point presentation to make it more solution focused.**

**Activities:**

- ✓ Look at the current Power Point being used for training and update it.
- ✓ Look at ways to create a module on DMC that can be added to other people's Power Point presentations.

**OBJECTIVE 2: Market the DMC Core Requirement.**

**Activities:**

- ✓ Provide training to at least two organizations/systems/conferences a year.
- ✓ Look at the feasibility of presenting detention data at a SB 94 (alternatives to incarceration) plenary session?
- ✓ Develop a more robust DMC website.
- ✓ Develop materials that refer to statistics that get people's attention.

**OBJECTIVE 3: Provide technical assistance on DMC issues to jurisdictions and agencies.**

**Activities:**

- ✓ Provide technical assistance on the DMC data.
- ✓ Provide technical assistance on solutions to DMC.
- ✓ Provide technical assistance to help communities start or continue an Action Plan for DMC.
- ✓ Provide technical assistance to local MOR committees.

**OBJECTIVE 4: Create a method (report card) for disseminating the data identified as most reliable to communities.**

**Activities:**

- ✓ Since the "best" data is at arrest, detention and commitment should focus on those three purpose areas.
- ✓ Start there and state the limitations/shortcomings of the data but get something out as a starting point.
- ✓ Determine the most useful way to present the data so that people receiving can immediately tell if they are doing well or not doing well.
- ✓ Determine who to distribute the report cards to and how best to distribute them.
- ✓ Determine if it is best to release the Report Card to a few jurisdictions as a pilot
- ✓ First Report Card should be a soft release giving communities the ability to correct data they think is incorrect. Provide a grace period where data can be corrected before it is more widely shared.

**OBJECTIVE 5: Provide staff support to the CMYE membership to assist in DMC planning and work.**

**Activities:**

- ✓ DMC Coordinator will provide staff support to the CMYE under the DMC Staff support Formula grant; at a minimum support will include scheduling, agenda development, meeting set up, and minutes.
- ✓ Train CMYE (new members) annually.
- ✓ Identify any deficits in membership and work to fill those roles.
- ✓ Continue a method of disseminating information on resources and funding opportunities to CMYE Members.

**OBJECTIVE 6: Engage more systems people in CMYE.**

**Activities:**

- ✓ Focus on SB94 and other agencies, initiatives, systems that are important to addressing DMC.
- ✓ Designate one CMYE meeting a year to invite stakeholders to the table and have a discussion on what can be done to address DMC.

**OBJECTIVE 7: Provide DMC-related policy and practice information to the CMYE and the JJDP Council.**

**Activities:**

- ✓ DMC Coordinator will keep abreast of DMC policies and practices in other states to keep both the CMYE and the JJDP Council informed.
- ✓ Participate on the DMC Coordinator calls, and take other opportunities to learn what is going on in other states related to DMC policies and practices.
- ✓ CMYE discusses and addressed implications of new policies.
- ✓ CMYE will make policy/practice recommendations to the JJDP Council when appropriate.

**OBJECTIVE 8: Continue collaboration with other initiatives and systems so that they are aware of DMC issues in their work.**

**Activities:**

- ✓ Include working with established initiatives. This should include Educational Stability, Pathways to Success, Systems of Care, Restorative Justice Council, CLAS Learning Collaborative and other initiatives that complement the DMC work.
- ✓ Serve as a resource to other initiatives and systems.
- ✓ Connect resources to initiatives.
- ✓ Support the implementation work of other initiatives and systems in addressing MOR issues.

**OBJECTIVE 9: Address the large number of youth being referred by schools to law enforcement.**

**Activities:**

- ✓ Partner with other stakeholders to work on school issues.
- ✓ Identify what would be the most useful strategies to address both discipline issues and law enforcement referrals given the current resources.
- ✓ Implement strategies to mitigate the number of youth being referred by law enforcement as well as the disproportionate number of youth being suspended and expelled (disciplined).

**OBJECTIVE 10: Use what was learned from the Arapahoe County OJJDP/MacArthur Reducing Racial and Ethnic Disparities project and assist other communities in implementing similar strategies.**

**Activities:**

- ✓ Present the data and solutions to the CMYE.
- ✓ Present the data and solutions to other communities.
- ✓ Provide documents created to other communities.

**OBJECTIVE 11: Oversee truancy work and address DMC issues in the work.**

**Activities:**

- ✓ Oversee the prevention pilot in the 6<sup>th</sup> Judicial District.

- ✓ Oversee the three truancy problem solving court pilots.
- ✓ Ensure strategies being implemented in the four communities are addressing the over representation issue.
- ✓ Oversee the truancy study on the use of detention and ensure that race and ethnicity will be addressed in the report.

**OBJECTIVE 12: Address the disproportionate contact at the arrest decision point.**

**Activities:**

- ✓ Develop a work group to look at the arrest problem.
- ✓ Partner with others to address this issue.
- ✓ Develop a plan with 2-3 tasks to begin addressing the issue.
- ✓ As develop plan stay aware the largest disparity is for African American youth.
- ✓ Develop next steps for the following year.

**Objective 13: Continue to address the number of youth detained pre-adjudication.**

**Activities:**

- ✓ Continue to educate the Senate Bill 94 (Alternatives to Detention) local committees and the coordinators about DMC in their judicial district.
- ✓ Provide them information on solutions that have worked in other judicial districts.

**OBJECTIVE 14: Look at the under representation of youth of color in state funded diversion programs.**

**Activities:**

- ✓ Work with the Diversion evaluator on the under representation of youth of color issue.

**GOAL # 4: EVALUATION**

Measure the impact of Colorado's DMC interventions

**Objective 1: Evaluate the increased knowledge people have after DMC training.**

**Activities:**

- ✓ Develop a post test that measures the increase in knowledge for training participants.
- ✓ Use the evaluation results to modify DMC training.

**OBJECTIVE 2: Evaluate any direct service interventions implemented.**

**Activities:**

- ✓ Evaluate direct service intervention strategies by minimally tracking RRI data.

**OBJECTIVE 3: Evaluate other intervention strategies implemented as possible.**

**Activities:**

- ✓ Assess if there is a way to evaluate the intervention strategy.
- ✓ Evaluate the strategy.
- ✓ Use outcomes to guide further intervention strategies.

**GOAL # 5: MONITORING**

Assess the changes to the RRI matrix annually

**OBJECTIVE 1: Develop a report that shows jurisdictions trend data for the previous three-years.**

**Activities:**

- ✓ Work with the SAC to develop this type of report.

## **OBJECTIVE 2: Report on DMC Performance Measures**

### **Activities:**

- ✓ Track information for the DMC Performance Measures.
- ✓ Enter data into DMC Database annually as required.

### **(b) Funding**

#### **2015**

75% DMC Coordinator, CMYE activities, state plan implementation - \$110,072  
Community Case Study - \$25,000  
Total- \$135,072

#### **2016**

75% DMC Coordinator, CMYE activities, state plan implementation - \$110,072  
Community Case Study - \$25,000  
Total- \$135,072

#### **2017**

75% DMC Coordinator, CMYE activities, state plan implementation - \$110,072  
Community Case Study - \$25,000  
Total- \$135,072