



# Pro-Equity Policy Framework

## Research Brief and Policy Toolkit

### Backend Stakeholders

September 2021

## Research Brief

In response to persistent racial and ethnic disparities (RED) in Utah's juvenile justice system, the Pro-Equity Policy Framework for RED was produced to expand the boundary of analysis towards a broader contextual and ecological understanding of how, where, and why such disparities persist. This policy framework introduces significant evidence-based literature on how the context in which disparities among youth occur at the front-end contact with the system is in fact a function of far-reaching societal disparities extending to the socio-ecological environment<sup>1</sup> minority youth uniquely face over their childhood and adolescence. Hence, this disparity can only be comprehensively addressed if it is also addressed in other systems of care for youth and their community at large.

These far-reaching societal disparities shape the starting gate for racial and ethnic minority youth who are born into and expected to thrive in unequal, under-resourced, and punitive social contexts. The conceptual framework of the starting gate for youth presents an intersectional framework for understanding how inequality proliferates across youth outcomes in multiple dimensions of physical, behavioral, and psychological, educational, and other risks factors for delinquency. The empirical literature in the full report indicates that youth delinquency and behavioral issues are manifestations

of the inequalities often set at birth and exacerbated across childhood and adolescent development (Gase et al., 2016; Manduca & Sampson, 2019; Sampson et al., 1997). As a result, minority youth are at a higher risk of facing toxic and punishing environments for their developmental needs which disproportionately influences their contact with the juvenile system (Manduca & Sampson, 2019). This occurs both indirectly and directly by having adverse impacts on their development (i.e. concentrated disadvantages, poverty, adverse childhood effects) and directly through greater proximal risk of unsafe neighborhoods and the associated higher presence of proactive policing in these communities (Gase et al., 2016).

While reversing these inequalities at birth for minority youth are beyond the scope of the juvenile justice system, what is concretely possible is reorienting current policy to invest in evidence-based policy interventions that create social buffers and protective factors for youth, their families, and communities as early as possible to buffer against the adverse effects social inequities has already had on them (or more ideally, prevent these adverse effects as early as possible). The policy interventions introduced in the full report and this policy brief are supported by empirical studies across socio-ecological levels to reduce the risk of youth towards delinquency by addressing the greater context that affects youth's behavior and risks. Policy interventions that are holistic, culturally responsive and multisystemic must center on the understanding that a youth's experience is not only situated within the family and

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<sup>1</sup> *The interlinked and interdependent nature of interactions at the personal, relational and collective levels that shape human development*



school but also critically situated within a place: their neighborhood and community.

As a result, policy efforts will require a multisystemic approach of collaborative interventions that target the wide-ranging ways in which RED manifests across socio-ecological system levels putting minority youth at a significant disadvantage at the “starting gate”. This policy toolkit and research brief, in conjunction with the full report, serves as a guiding tool to ensure that disparities are not only exacerbated but to guide meaningful policy discussions on innovative interventions within the stakeholder’s jurisdiction and to guide meaningful collaborations across agencies to develop a robust continuum of care for youth in Utah. Developing a robust Continuum of Care and Opportunity (see Box 1 in the Front-End Stakeholder version of this policy toolkit) for youth, families, and their communities not only addresses the structural roots of risk factors for delinquency but also prevents future risk factors particularly in communities that have been disproportionately impacted by RED in the juvenile justice system and concentrated disadvantages. By taking this structural and intersectional approach, Utah’s multi-systemic policy approach will be able to center on making progress towards equity for all minority youth and empower the social structures and processes in communities for all youth to thrive in.

## Who is this for?

The system which impacts RED in the juvenile justice system includes stakeholders beyond courts and law enforcement, but also stakeholders responsible for youth care and wellbeing from schools to community organizations. While not an exhaustive list, juvenile justice stakeholders consist of leadership of Juvenile Justice Services (JJS), Law Enforcement, Juvenile Court, Prosecutors, Educators, policy makers, and community leaders. In order to customize relevant policy toolkits and research for stakeholders, three important stakeholder categories have been identified to better target policy guidelines. The first stakeholder category is the “**Front-end**” which consists of leadership in education to community-based organizations. The second category is the “**Gatekeepers**” which includes stakeholders such as the leadership of law enforcement agencies to school-

resource officers. The third category is the “**Back-end**” which includes stakeholders representing the system from Juvenile Justice Services at all points of contact from the courts to probation officers to any staff who have contact with youth.

From community organizations to education to law enforcement to courts, there are a wide array of systems of care and social institutions that significantly influence the development of youth. As a result, these three stakeholder categories were developed to broadly represent the larger system of social institutions that affect youth beyond their formal contact with the juvenile justice system. This importantly highlights the multi-systemic approach of Utah’s *Pro-Equity Policy Framework* to systematically address RED among youth and in their socio-ecological environments. Stakeholders within each category (Front-end, Gatekeepers, Back-end), whether leaders in their local neighborhoods or community organizers or educators or mentors or administrators of agencies, carry an important role in not only preventing the exacerbation of RED in their field of work with youth but to also innovatively prevent RED by adopting the *Pro-Equity Policy Framework* within their field of work. This research brief and policy framework is designed to be used in conjunction with the full report. The research brief offers a snapshot of the report, and the policy toolkit provides an *Action Guide for Racial Equity* which has been adapted for each stakeholder category to include relevant tools and strategies.

## Policy Objectives

To organize the policy toolkit, the following policy objectives are used as a framework to guide the goals of developing well-defined and meaningful policies to reduce RED in the juvenile justice system. These policy objectives serve as an overarching guide that is embedded in the *Action Guide for Racial Equity* (policy toolkit) as an operationalized tool for policymaking. This policy framework and strategies<sup>2</sup> are significantly borrowed from King County’s progressive work in successfully reducing RED in their jurisdiction with their “Roadmap to Zero Youth Detention” (see Appendix #2, pg.47 of the full report). These objectives apply broadly across

<sup>2</sup> Many strategies are also found in the JDAI Core Strategies Matrix by the Annie E. Casey Foundation on [pages 135-157](#)





## Key Definitions:

- **Pro-Equity:** Pro-equity means being racially just and inclusive, and consistently taking action to eliminate the root causes of inequities.
- **Determinants of Equity:** The social, economic, geographic, political and physical environments and conditions in which people live. Full and equal access to the determinants of equity are necessary to have equity for all people regardless of race, class, gender, language spoken and geography.
- **Restorative Justice:** A suite of approaches focusing on repairing harm through reconciliation of all parties impacted. It starts the process of healing and transformation for both the individual who was harmed and the individual who caused the harm.
- **Equity vs. Equality:** Equity involves trying to understand and give people what they need to enjoy full, healthy lives. Equality, in contrast, aims to ensure that everyone gets the same things in order to enjoy full, healthy lives. Like equity, equality aims to promote fairness and justice, but it can only work if everyone starts from the same place and needs the same things. (Casey 2020)
- **Trauma-informed Approach:** An understanding that trauma and toxic stress can negatively impact the health of individuals, communities, and systems. This includes intergenerational trauma, racism and oppression, and direct and vicarious trauma. A trauma informed approach aspects include: 1) recognizing the signs of trauma in communities; 2) integrating knowledge of trauma into policies and practices; 3) actively promoting healing and preventing re-traumatization among staff, communities and systems.
- **Concentrated Disadvantages:** Concentrated disadvantage is present in communities and neighborhoods where structural barriers such as adverse economic and physical conditions negatively affect the quality of life for residents and result in societal costs.<sup>1</sup> Some examples of concentrated disadvantages that youth may face are: social segregation, high unemployment, gang presence, lack of community resources (i.e. fewer recreational areas and care services), high rates of single-parent families, greater pollution, food deserts, increased alcohol outlets, poor quality education, discrimination and high rates of poverty.
- **Continuum of Care:** (see Box 1)

Source: [Annie E. Casey Foundation Racial Justice Definitions](#) and [King County Roadmap to Zero Youth Detention](#)

for all stakeholders working with youth; however, some will be more relevant for specific categories of stakeholders. For instance, for Front-End stakeholders Objective #1-2, 5 will be most relevant. For Gatekeeper stakeholders' Objective #1, 3-5 will be most relevant and for Back-end stakeholders Objective #1, 4-5 will be most relevant.

## Broad Policy Objectives:

- **Objective 1:** Lead with Racial Equity
- **Objective 2:** Prevent youth from entering the juvenile legal system by focusing upstream and on systems
- **Objective 3:** Divert youth from further law enforcement, formal legal processes and locked detention into community based options
- **Objective 4:** Support youth and families to reduce recurrence of legal system involvement and increase health outcomes
- **Objective 5:** Align and optimize

to have the greatest impact. (See the Determinants of Equity Framework (page 22 of the report) for more on “focusing upstream”)







connections between systems to  
increase effectiveness

## Why Backend Stakeholders?

Backend stakeholders represent the important stakeholders that cover the wide-ranging process between diversion, petition, probation, adjudication, release, and reintegration. This includes stakeholders such as probation management, probation supervisors, judges, prosecutors, public defenders, court staff, residential providers, policymakers, and other juvenile justice services providers at all different points of contact for youth in the system.

Backend stakeholders' reach and coverage is the deepest within the juvenile justice system which makes the task of reducing RED particularly critical for these stakeholders by successfully restoring youth into their communities and preventing recidivism. This will require components addressed in the policy briefs outlined for Front-End and Gatekeeper stakeholders, but also a deeper analysis of how RED in the system can be reduced substantially through youth's various formal points of contact in the system. Backend stakeholders have a pertinent role in ensuring that youth leaving the system at any point of contact have the necessary support, skills, education, and resources to re-integrate back into home, school, and their communities to become healthy well-functioning adults in the labor force. This is particularly important as effective juvenile justice programs that prevent youth from recidivism can have tremendous cost-savings for states and taxpayers. In a [Just Learning report](#), if Southern states implemented effective education strategies (in the system) that helped to prevent 1,000 additional youth from becoming re-offending juveniles and adults, the collective monetary benefits over a lifetime would amount to approximately \$3.9 billion. Or for every youth that leaves the juvenile justice system without the proper education, support, and resources to help restore their development pathway towards a self-sustaining future (without re-offense) could cost their state and local community up to \$2 to \$3 million over the course of 10 years of a youth's life. These costs would continue to accumulate and exacerbate disparities if effective strategies that are developmentally appropriate, culturally responsive,

and trauma-informed are not in place to meet the needs of all youth who have contact with the system. As a result, Backend stakeholders have a significant role in ensuring that these meaningful practices and effective interventions are offered for youth in each stakeholder's field of work.

**Relevant strategies for this support phase (in blue) from Figure #1 (on page 6) to address Objective 4:** *Support youth and families to reduce recurrence of legal system outcomes and improve health outcomes can include:*

1. **Expand family support and engagement opportunities and connections**
2. **Reengage youth from detention into community**
3. **Ensure arrested and detained youth receive trauma-informed, culturally responsive, developmentally appropriate care**

The above strategies should also be paired with strategies for reaching Objective 2 and Objective 3 which are further elaborated in the Front-End and Gatekeeper stakeholder version of this research brief and policy toolkit.

**In the next section, we explore how these strategies can be operationalized in the policy toolkit.**

## Policy Toolkit: Action Guide for Racial Equity

While the menu of policy options and strategies are wide ranging and many are offered in the literature presented in the full report, what this policy toolkit aims to do is to provide a structured tool to guide stakeholders to have meaningful discussions to develop policy strategies that is most appropriate to the youth they serve and the communities they live in. This toolkit adopts the *Race Equity and Inclusion Action Guide: 7 Steps To Advance And Embed Race Equity And Inclusion Within Your Organization* by The Annie E. Casey Foundation given its wide-ranging use in justice reform and the foundation's [Juvenile Detention Alternative Initiative](#) (JDAI).

The following *Action Guide for Racial Equity* has **seven**







## Box #1: Innovations in Juvenile Justice

### State of Washington:

The Washington State Judicial Colloquies project developed a guide to achieve developmentally appropriate dialogues in juvenile court. The project developed model colloquies and forms outlining conditions of release and probation for youth to better understand with developmentally appropriate language. Pilot sites that implemented the colloquies and accompanying forms found that communication between the court and youth significantly improved which led to more positive outcomes for youth involved in the system. See more at [Using Language in Court That Youth Can Understand: the Washington Judicial Colloquies](#)

### New Mexico: Bernalillo County Juvenile Probation Stress Pass

In response to potential conflict at home, often out of the youth's control, Bernalillo County developed a Probation Stress Pass as an alternative tool for youth in unique circumstances. The Stress Pass allows parents, youth, and juvenile probation officers (and behavioral health clinicians when necessary) to settle on an alternative location for meeting. Since its deployment, it has reduced youth moving deeper into the system when their caregivers (e.g., alcohol, substance abuse) were unable to give the youth a safe place at home. Between the stress pass and staff trainings, probation violations from two targeted zip codes in the South Valley have declined by 40 percent (Source: [New Mexico in Depth](#)). For the official stress pass refer to: [Bernalillo County Juvenile Probation Stress Pass](#)

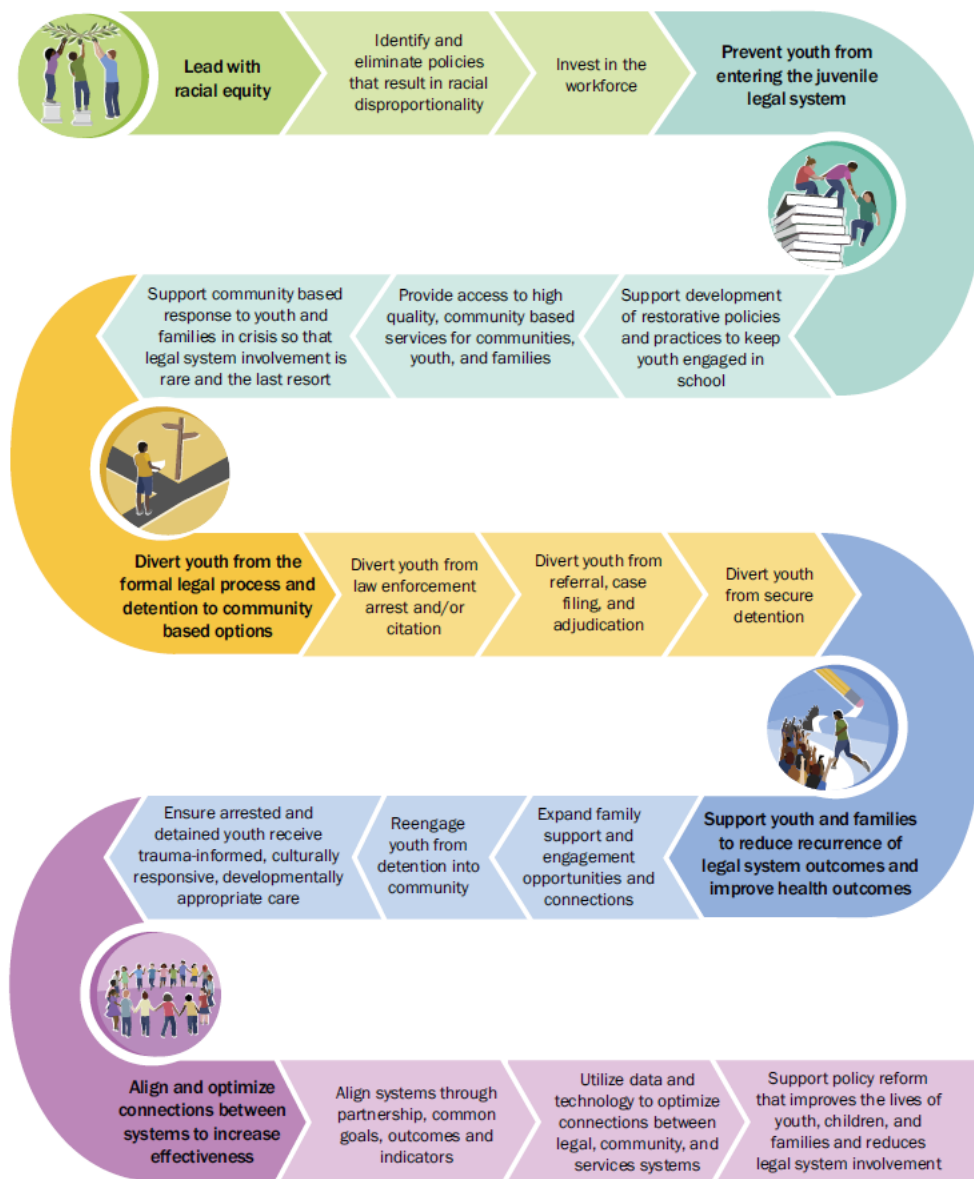
### Maryland: Graduated Sanctions

The Maryland Department of Juvenile Services (DJS) implemented a graduated response system called Accountability and Incentives Management (AIM) in 2016. AIM encouraged staff to hold youth accountable for their actions without pushing them deeper into the justice system unnecessarily. This was accomplished by incorporating incentives aligned with positive youth behaviors and a graduated sanction grid that helped reduce disparities across the state on technical violations. See more on this case study on page 17 of [Transforming Juvenile Justice Systems](#) and the [AIM grid](#) on page 13 (Appendix H).

### Juvenile Justice Reinvestment Toolkit:

The following toolkit [Youth Justice Reform and Reinvestment: Key Strategies and Fiscal Tools for Success](#) provides policy makers and juvenile justice stakeholders a guideline on developing reform and reinvestment strategies in communities where RED and youth incarceration is most prevalent. This toolkit provides various fiscal tools and mechanisms that ensure reinvestment in communities are adequate and held accountable. And most importantly, that these reinvestments can ensure that all youth can access the services and resources they need to become thriving adults.





**Figure 1:** King County's Roadmap to Zero Youth Detention, Support Phase

separate steps to take towards reducing RED. Under each step there are guiding questions to address and examples of specific strategies/action items. These strategies would, however, vary depending on the RED issues facing your organization and the unique needs of your organization.

**Thus, how can the Pro-Equity Policy Framework for Racial and Ethnic Disparities (RED) be operationalized for Backend Stakeholders?**

## Step 1: Establish an understanding of race equity principles

Step 1 importantly covers *Objective 1: Lead with racial equity by aligning staff towards common goals, outcomes, and shared understanding of racial equity.* This will require engaging all members within the stakeholder to commit to addressing RED in the system or field of work by aligning efforts to address these disparities.



### Guiding Questions:

- For example, what does Racial Justice & Equity<sup>3</sup> mean for your organization?
- Does your staff understand the difference between Equality and Equity?
- What are the shared values in your organization around the concept of equity?
- Is the issue of RED and its consequences (i.e. school to prison pipeline) well understood across staff members?

### Strategies:

- **Invest in the organization's workforce through appropriate training and cultural competency.**
  - This includes culturally responsive training on implicit bias, adolescent brain development, service delivery approaches, existing services and system navigation, specific cultural beliefs, traditions, language, religious practices and systemic challenges.
  - Increase staff's understanding of trauma and its impact on youth, particularly Adverse Childhood Experiences. And how these are often disproportionately experienced by racial and ethnic minority youth. (See pg. 8 of the full report on ACEs)
- **Diversify workforce to reflect racial diversity of youth and families being served**
  - For instance, is the intake staff multilingual and multicultural? Does staff speak and understand the language of the youth and their families being served?
  - Do staff reflect the racial/ethnic composition of detained youth?

## Step 2: Engage Affected Populations and Stakeholders

Step 2 aims to engage stakeholders who have active connections to their communities and RED in the juvenile justice system. It is important however to not only engage stakeholders with their input/insights but to empower their ability to take leadership in making decisions and contributing to solutions/strategies. For instance, for racial and ethnic minority youth disproportionately represented in your agency: Are the stakeholders most relevant to these youth represented and empowered to contribute solutions to RED in the system? Are stakeholders with the most interaction with youth engaged?

### Guiding Questions for Stakeholder Analysis:

- Who is most adversely affected by the issue (i.e., school disciplinary actions, school environment, teacher-student relations, school climate) being addressed? Who faces racial barriers or bias related to this issue?
- How are people of different racial groups differently situated or affected by this issue?
- Ideally, what would the racial composition of the leadership look like?
- In what ways are stakeholders most affected by the issue already involved in addressing it? How can these efforts be supported and expanded?
- How can diverse communities and leaders be engaged from the outset so they have a real opportunity to shape the solutions and strategies?
- How can community engagement be inclusive, representative and authentic?
- How will stakeholders exercise real leadership and power?
- Who can be allies and supporters and how can they be engaged?
- Who needs to be recruited or invited to join the effort to address this issue? Who will approach them? How? When? What will they be asked to do to get involved?

### Strategies:


- **Diversify leaders in important discussions and decision-making**
- **Engage nontraditional partners/community-based organizations (CBOs) who are already**

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<sup>3</sup> Racial justice is the systematic fair treatment of people of all races that results in equitable opportunities and outcomes for everyone. All people are able to achieve their full potential in life, regardless of race, ethnicity or the community in which they live. Racial justice — or racial equity — goes beyond “anti-racism.” It’s not just about what we are against, but also what we are for. A “racial justice” framework can move us from a reactive posture to a more powerful, proactive and even preventative approach. ([Annie E. Casey Foundation](#))







working with youth of color and families in their neighborhoods

- **Communities of color are at the table providing their unique perspectives in the decision-making process**
  - Does your agency have the decisionmakers sitting at the table with the appropriate community representatives? Does the collaborative effort include representatives of the impacted neighborhoods of color?
- **Are families treated as true partners in youth cases? Does the system make affirmative efforts that families have a meaningful voice in the decision-making process at both the case and systems reform level? Is family defined broadly to include supportive adults and siblings as well?**
- **See the following report for tips on identifying the right community partners and templates/tools to engage partners: [Focus on Youth and Families: A Guide for Conducting Focus Groups with Youth and Families Impacted by the Juvenile Justice System](#)**


### Step 3: Gather and Analyze Disaggregated Data

Reducing RED in the system and those affected in your organization will require important data analysis (race, gender, demographic) to track progress measures and to guide improvements in ongoing efforts. Data can be an important tool to better understand where disparities lie and how to better allocate resources necessary to help youth and their families thrive. In order to start the discussion on how to reduce the recurrence of legal system outcomes for youth and their improved outcomes, it will be necessary to understand why and how they come into contact with the system, remain in the system, and move deeper into the system. This will require efforts for each juvenile justice system partner to map the decision-making points in their field of work and collect data for each decision points where data can be disaggregated. For instance, are there disparities in case status by race and ethnicity? Do minority youth have longer lengths of stay? Do minority youth face more frequent technical violations?

### Guiding Questions for Data Analysis:

- Are racial and ethnic minority youth disproportionately facing school disciplinary actions? Is this data tracked regularly and evaluated disaggregated by race, gender, and disability status?
- It is critical to design a set of research questions that will help identify the type of data needed. For example, “Are racial and ethnic minority youth more likely to have warrants or be charged with technical violations of probation?” or “Are racial and ethnic minority youth less likely to be referred to alternatives to detention? Are minority youth receiving disparate treatment in referrals?”. This research question would as a result require data from different decision-making points and survey data of youth to address the question.

### Strategies:

- **Each juvenile justice system partner maps the decision-making points in their field of work and collect data for each decision points where data can be disaggregated by precinct, race, ethnicity, gender, sexual orientation, disability status, school district, mental health status.**
    - For example: The district attorney measures all filing decisions and processes by race/ethnicity/gender or the public defender measures requests for continuances (e.g., reasons, frequency, by race/ethnicity/gender; the probation department’s recommending or opposing alternatives to detention).
  - **Conduct routine analysis and reports on data. Monitor decision point data for trends.**
    - For example, data analysis for disparities in arresting charge vs. actual charge filed vs. resulting adjudication is tracked each quarter and data trends are communicated across stakeholders.
  - **Monitor data to ensure that the automatic detention category is not being disparately applied to youth of color**
  - **Use data to monitor progress towards any reductions and improve practices to achieve outcomes**
    - For example: Develop an initial mapping of the jurisdiction’s case processing, including time frames for each of the case processing steps. Collect the data to determine any disparate outcomes based on race/ethnicity/
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gender. Use the data to inform changes in policies and practices.

- **Expand data sharing between schools, districts, county/state departments and agencies to improve transparency while maintaining privacy**
  - Do practitioners have access to comprehensive deep end data and statistics, including demographic information, most serious current offense, prior history, risk-level, placement, and length of stay?
- **Develop data and evaluation capacity to assess current needs, gaps and to inform services coordination and alignment**
  - Routine management reports present basic utilization statistics by race/ethnicity/gender to enable stakeholders to identify disparities and to assess trends and change policies and practices
  - Does capacity exist to conduct in-depth analyses of that data? Is the data made available to stakeholders and regularly used to inform decision-making about policy/practice change, and to evaluate policies, practices, and programs that are already in place?
- **Implement a technological solution to provide real time program and services availability, eligibility, and referrals**

## Step 4: Conduct System Analysis of Root Causes of Inequities

Step 4 aims to examine the root causes of differential outcomes by considering the cumulative impacts race, class, neighborhood, family background, culture and other demographic features have on existing disparities. Step 4 refers to the socio-ecological framework of RED, see Figure 4: *Youth's Ecology of Risks: Concentrated Disadvantages and Adverse Childhood Experiences* (page 9) in the full report, of how multi-systemic RED manifests for youth. This structural analysis of RED provides a more holistic approach in understanding the root causes and solutions to combat these disparities.

### 1. Identify root causes and contributing factors




2. Surface possible strategies and solutions for addressing the problems

3. Help discern among the options generated which strategies and solutions can leverage desired changes and make transformative systemic impacts

This step also integrates Trauma-Informed Care (TIC) by using the science of ACEs by asking “*What has happened to this youth? What structural barriers in their home and neighborhood has exacerbated their trauma?*” instead of “*What is wrong with this youth?*” which closes off the opportunity from understanding the structural barriers minority youth disproportionately face. For example, if racial and ethnic minority youth disproportionately face technical violations then the real disparity to investigate is what systems of care these youth may be missing from achieving success or what structural barriers (in their home, school, and/or community) are causing such violations. Instead of asking “What is the right punishment to motivate the youth?” it should be replaced with “How can we ensure that youth can have positive experiences that lead to healthy and productive behavior?”. And instead of asking “What is the right treatment for their problem?” it is better addressed by asking “How can we develop interventions in partnership with families, schools and community-based groups to fully support the youth’s development and success?”

Other relevant questions that could be asked, for example, could include: *Does the youth live in a safe neighborhood and environment at home? Can the student get to school safely and without fear? What does the average day look like for this youth? Do they have enough nutrition? Is the student able to have restful sleep at home? Is there economic hardship in the family? What is the student’s mental health status, has there been a mental health screening at any decision-making points? Is there re-occurring trauma at home? Does the youth work a late-night shift? Does the student have distressed*



or unsupportive caregivers? Does the student face a significant transportation barrier? Does the youth have a friend or someone they can talk to? These questions are examples of how important it is to look beyond the surface level of behavioral issues alone but rather what underlies the manifestation of these behavioral issues.<sup>4</sup>

### Guiding Questions for System Analysis:

- What are the racial inequities, barriers or negative outcomes involved in the problem being examined? Who is burdened most and who benefits most?
- What institutions are involved? What unfair policies and/or practices are involved?
- What social conditions or determinants contribute to the problem (such as poverty, housing segregation, education)?
- What other compounding dynamics are involved (such as income or gender inequities)?
- What cultural norms, myths or popular ideas justify or maintain the problem? How did things get this way and what are some of the cumulative impacts?
- What are the key causes or contributing factors?
- What solutions or interventions could eliminate the inequities?
- What can be learned from prior efforts to solve the problem or change the system?
- What strategies could result in systemic change and advance equitable solutions?

### Strategies:

- **Staff should actively integrate trauma-informed training in their work in order to have a scientifically driven understanding of how trauma from ACEs can manifest in youth's behavior, posttraumatic reactions, and stress responses.**
  - Develop shared policies that are informed by public health approaches in trauma-informed and developmentally appropriate services and supports
  - Modify existing crisis intervention training

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<sup>4</sup> Asking students "How much sleep are you getting?" Is an insightful question to understanding of whether youth need mental health support. "Tell me what happens when you wake up in the morning?" or "Tell me what happens when you walk into school?" (Reducing public admonishment) or "Do you have friends or someone you can talk to?"

for educators to include adolescent brain development and unique skills for working with youth

- Ensure detained youth receive trauma-informed, culturally responsive and developmentally appropriate care and service
- See more on Positive Youth Development with [Strengthening Youth Justice Practices with Developmental Knowledge and Principles](#) which applies lessons from the science of adolescent development to the routine practices of youth-serving organizations
- **Geocoding and community mapping**
  - Identify target geographic areas contributing the highest number of youths in detention and where the largest racial and ethnic disparity lies.
  - Map community assets including community-based organizations that provide services for youth and their families in the identified target areas. This will better identify appropriate place-based interventions for youth that is culturally responsive and in partnership with existing and accessible social support systems.
- **See how St. Louis City conducted their system assessment and their findings: [Sample System Assessment Presentation from St. Louis City](#)**

## Step 5: Identify Strategies and Target Resources to Address Root Causes of Inequities

After identifying the structural barriers and root causes of the disparities, engage important stakeholders and community members (identified in Step 2) on strategies and solutions to resolve the issue to achieve *Objective 4: Support youth and families to reduce recurrence of legal system outcomes and improve health outcomes*. Work with relevant stakeholders and partners to identify resources and investments into solutions that impact the system where the inequities arise. Organizations, agencies, and systems should target programs, resources, investments, and strategies to groups of people who are particularly in greater need or have limited access to resources/opportunities. These strategies should promote







increased opportunities while simultaneously decreasing disparities. If for instance youth under probation are facing significant accessibility issues regarding transportation or internet access, ensure there is equal access for these youth by providing alternative solutions to these accessibility issues that have disproportionate effects on some youth. For instance, ensure that public transportation is conveniently located in the impacted communities and in proximity to court services. Or minimize barriers for racial and ethnic minority youth and their families through multilingual court personnel and translated materials.

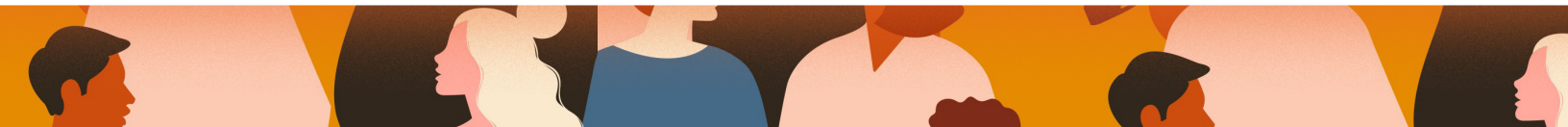
Most importantly, these strategies should be specific, measurable, attainable, relevant and timely. The strategies should also be well funded, staffed, and documented for accountability and evaluation.

### **Guiding Questions for Developing Racially Equitable Solutions:**

- What racial disparities do you want to eliminate, reduce or prevent?
- What groups most adversely affected by the current problem do you want to benefit?
- How can those most adversely affected by the issue be actively involved in solving it?
- What is a specific change in policy that could help produce more equitable outcomes?
- How will your proposed solution address root causes and advance systemic change?
- What change do you ideally want (not just what you would settle for)?
- What positive principles or shared values are reflected in this proposed reform?
- Does the proposal have clear goals, plans and timetables for implementation, with sufficient funding, staffing, public reporting, accountability and evaluation?
- Who can be allies and supporters and how can they be engaged?

### **Strategies:**

- **Ensure that system stakeholders and all staff members are held accountable to the ethical standard of “first, do no harm” when it comes to court-involved youth:**
  - Are policies, practices, and programs examined to ensure they do not derail safe and healthy adolescent development?
  - Are policies, practices and programs developmentally appropriate for youth? Does the system seek and measure positive achievements and outcomes for youth?
  - Detention staff should be trained in restorative mediation and interpersonal communication so that they can strengthen their skills to build rapport with youth
- **Improve probationary practices with a focus on restorative justice and trauma-informed support services to avoid unnecessary detention for technical violations**
  - Adopt opportunity-based probation models that have goal-oriented rewards and strength centered community activities.
  - Incorporate strength-based principles by connecting youth with community-based support services that build on each youth’s unique skills and interests. Agencies can identify goals that are in domains such as, education, family relationships, peer relationships, community engagement, workforce development, health and mental health, and creative self-expression that are most relevant for each youth.
  - Adopt a system of well-designed graduated responses to promote positive goals to build the skills of youth and address their needs. See more at [Graduated Response Toolkit: New Resources and Insights to Help Youth Succeed on Probation](#)
  - If a youth fails to appear or there is noncompliance, deploy a field worker to meet with youth at school or home to identify reasons for not coming to court or not complying with conditions.





- Identify and pay for additional community support that the youth and family may need to increase success (e.g. after school tutors, transportation vouchers, food vouchers, mentoring programs, mental health services).
- For drug/alcohol referrals, provide up-front behavioral strategies with treatment and youth development activities rather than arrest and detention.
- See more recommended probation guidelines available in the report: [Transforming Juvenile Probation](#) which includes [A Checklist for Juvenile Probation Agencies on Racial And Ethnic Equity and Inclusion](#) (pg. 37).
- See more resources at [Positive Youth Development 101: A Curriculum for Youth Work Professionals](#)
- **Ensure objective criteria and instruments:**
  - Develop a race and gender-neutral objective detention admission screening instrument based on risk in collaboration with system partners.
  - Ensure the screening instrument eliminates opportunities for disparate decisions. Test for unintended bias from screening tools.
  - Risk-based detention screening instrument should not disproportionately penalize racial and ethnic minority youth. For example, adding risk points for being a “gang associate” tend to penalize kids for living in disinvested neighborhoods where minority youth and their families have long been segregated or limiting release to parent(s) only and not considering extended family members or a responsible adult.
  - Instead of asking if a youth resides with both parents, a race-neutral assessment might ask if two adults capable of supervising a youth live in the home or responsible adult willing to ensure youth’s appearance in court (Hoytt et al., 2002).<sup>5</sup> Productive activity can also be added to “school attendance” as a mitigating factor as part-time employment can be an important feature of community placement for youth (Hoytt et al., 2002).
- **Revise intake questions that unnecessarily disadvantage minority youth.** For instance, the new risk assessment instrument developed by Cook County, Illinois reduced the weight given to criteria more often associated with minority arrests, like prior police contacts or living in a single-parent household (Hoytt et al., 2002).
- **Eliminate bias in statutory criteria:**
  - Examine your jurisdiction’s statutory detention criteria for any bias and determine whether the criteria are mandatory or discretionary. This examination should include which factors must be taken into consideration to detain and consider collaborative efforts for developing local detention criteria to reduce the number of racial and ethnic minority youth brought to the system’s front gate.
- **Provide equal access and due process:**
  - From transportation to internet access to multilingual staff, ensure that these structural barriers don’t limit youth’s success.
  - For example, employ as many Spanish-speaking intake and case management staff as the proportion of Spanish-speaking youth in the detention center (Hoytt et al., 2002).
  - Ensure defense counsel are knowledgeable of and experienced in juvenile law. And ensure they are also familiar with the unique circumstances of racial and ethnic minority youth. See for example the disproportionate mental health challenges minority youth face in Box #1 of the Gatekeeper stakeholder version policy toolkit.
  - Do system-involved youth have prompt access to well-trained defense attorneys that advocate on their behalf and help them navigate the highly complex legal system while ensuring that the young people’s voices are heard?
  - Do juvenile defense attorneys develop their own dispositional recommendations for the court’s consideration? Are those plans developed in consultation with youth? Are they presented to the court in writing? Do juvenile defense attorneys continue to actively represent youth post-disposition?

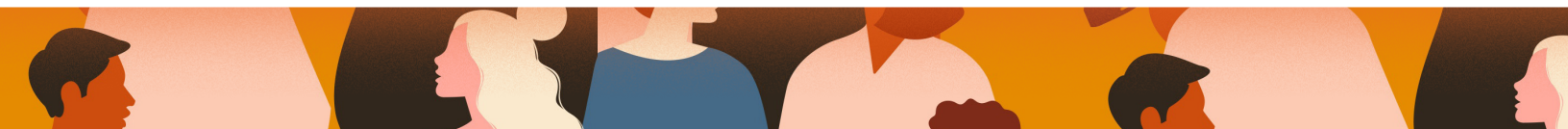
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5 Hoytt, E. H., Schiraldi, V., Smith, B. V., & Ziedenberg, J. (2002). *Pathways to juvenile detention reform: Reducing racial disparities in juvenile detention*. Pathways to Juvenile Detention Reform Series, Vol. 8. Baltimore, MD: Annie E. Casey Foundation.






- Ensure there are enough public defenders to support caseload.
- Ensure that youth are represented by counsel at every stage of proceedings.
- Monitor for disparities in adjudicatory outcomes for racial and ethnic minority youth.
- Provide printed, culturally responsive materials for families involved with the juvenile legal system regarding services and processes
- Develop options to help families attend scheduled hearings. This can include revision of courts hours to include weekend and evening hours and videoconferencing for remote participation to prevent youth or family members from missing school or work.
- **Minimize unnecessary delay in case processing:**
  - Examine for any unnecessary delay for minority youth which contributes to long lengths of stay. Measure length of stay by race/ethnicity/gender and dedicate staff to monitor trends on disparities to inform changes in policies and practices.
- **Expand the range of community-based diversion options until it becomes primary response for most youth who come into contact with the legal system, including youth who have complex needs.**
  - Make sustained investments in the Continuum of Community-Based Care and Opportunity for Youth (Box 1 in Front-end Stakeholder version) to serve high needs youth and their families.
  - Strengthen behavioral health staff by increasing their availability, quality, and diversity to meet the needs of youth
  - Invest in no barrier residential units with services for youth as alternatives to locked detention
  - Increase in a continuum of treatment service options for substance use disorder treatment including inpatient beds, out-patient treatment and day treatment programs
  - Look beyond traditional community partnerships to identify and fill gaps in services particularly for racial and ethnic minority youth
- See more at the following link with a list of [Evidence-Based Programs Available for Youth Justice](#) (pg. 5) and their corresponding efficacy levels
- **Develop a comprehensive community resource list to support diversion and treatment for youth. Share across all stakeholders.**
  - See more at [Utah's Juvenile Justice Options by District](#)
- **Provide responsive programming for detained youth**
  - This includes workshops, healing circles, asset development, cultural history, and life and leadership skills
- **Fair conditions of confinement:**
  - Are youth able to see their lawyers? Detained youth should be able to contact their lawyers by phone and there must be private space for consultations.
  - Can youth call home? Facilities need to provide opportunities for youth to call home in order to maintain contact.
  - Are visitation policies sufficient to maximize likelihood of contact between youth and family members? If visitation days and times are restrictive, youth are less likely to maintain effective contact with family and it will exacerbate mental health symptoms such as depression.
  - Is the use of various disciplinary actions, including loss of privileges, room restrictions and placement in restraints equal across racial and ethnic groups?
  - Is there a sufficiently detailed and observed set of due process protections in place? Is there an accessible, genuine grievance process available to detained youth? Do youth of color experience more incident write-ups or infractions?
  - Do racial and ethnic minority youth feel safe and respected in facility?
- **Re-Entry and Re-Integration Support:**
  - Are aftercare plans initiated when youth first enter out-of-home placement, developed with input from youth and their families, and are those plans revised regularly as needed?
  - How do stakeholders from facilities, probation, and court systems collaborate







with each other and with families to prepare youth to re-enter the community as soon as possible, and to ensure families are prepared to support them?

- Are aftercare plans designed to help work through the obstacles that a youth may face as he/she transitions back to his/her community?
- Ensure that a well thought out and individualized plan is in place to support youth as they exit confinement and reintegrate into their homes, schools, and communities. This will require re-engagement services and resources to meet the needs of youth within their family and community context to support stable and safe positive youth development.
- Implement warm hand off to community providers for each youth exiting detention (housing, education, employment, physical and behavioral health)
- Link existing youth and families with community ambassadors, credible messengers, community mentors, and relevant providers
- Increase mentorship opportunities including academic programs and work readiness programs for youth
- Implement “Know your Rights” training for youth and families and record sealing clinics
- Establish housing options for youth transitioning out of detention or the legal system, such as community embedded housing.

## Step 6: Conduct Race Equity Impact Assessment for All Policies and Decision Making

A racial equity impact assessment is a systematic examination of how a proposed action or decision will likely affect different racial and ethnic groups. The Annie E. Casey Foundation provides guidelines on how to do [Race Equity Impact Assessments](#) with their Racial Equity Impact Toolkits. This is a useful tool to assess the actual or anticipated impact of proposed policies, institutional practices, programs, plans and budgetary decisions. The racial equity

impact assessment can be a useful tool to reduce any exacerbation in RED and further eliminate these disparities for youth in the system.

### Guiding Questions for Race Equity Impact Assessment:

- Are all racial and ethnic groups that are affected by the policy, practice or decision at the table?
- How will the proposed policy, practice or decision affect each group?
- How will the proposed policy, practice or decision be perceived by each group?
- Does the policy, practice or decision worsen or ignore existing disparities?
- Based on the above responses, what revisions are needed in the policy, practice or decision under discussion?

## Step 7: Continuously Evaluate Effectiveness and Adapt Strategies

Policy changes and strategies that invest in system reform and improved program delivery are critical in removing disparities and structural barriers for youth. It is important that youth’s access to equitable opportunities is consistently assessed on whether policy investments are achieving the collective goals of reducing RED and achieving racial equity within your organization. This assessment should be an ongoing process of evaluation and improvement based on data, stakeholder feedback, and outcome results. Adjusting, when necessary, will be meaningful to make this an iterative, participatory, and collaboratively learning process to make significant progress in reducing RED across systems working with youth. Step 7 importantly addresses policy *Objective 5: Align and optimize connections between systems to increase effectiveness.*






## Strategies:

- **Embed restorative justice principles and practices throughout Utah's services and programs affecting youth**
- **Establish partnerships with relevant stakeholders, such as law enforcement, so that they know the wide-ranging services that exist for youth**
- **Actively seek stakeholder feedback from staff, youth, community members, families and other members**
  - For instance, get feedback from patrol officers on detention screening on implementation issues, make this a collaborative process for both law enforcement officers, youth, and their families.
  - Support data sharing agreements across departments, agencies, and communities
- **Align systems through common goals, outcomes, and indicators**
  - Develop mutually agreed upon juvenile justice related outcome goals for youth across a city/county governing departments
  - See more guidance on developing specific [Output and Outcome Performance Measures for RED](#) (pg. 263 -269)
- **Consider developing a platform for system wide accountability with a performance measure dashboard**
  - For example, King County's [Zero Youth Detention Dashboard](#)
- **Support state legislation that provides state funding for youth to access behavioral health services before coming into contact with the juvenile justice system**
  - Refer to the fiscal tools and strategies for reinvestment in: [Youth Justice Reform and Reinvestment: Key Strategies and Fiscal Tools for Success](#)
- **Once diversion interventions take place, collect data to monitor terminations and failures. This will be necessary to adjust programs to meet the needs of youth, particularly complex needs youth.**
  - The data should address whether there is a disparity in successful participation and completion of diversion intervention among racial and ethnic minority youth. And why this occurs.
- For instance: Are programs located in the neighborhoods where relevant youth and families reside? Programs that are accessible to the youth, e.g., getting to the program, isn't going to pose a hazard to the youth's safety. Or are there additional barriers of staff's language limitations that hamper the youth's success?
- **Assess the effectiveness, efficiency, and responsiveness of diversion alternatives. Establish youth outcomes to monitor.**
  - Are there contractual agreements between system agencies and community-based organizations that specify expected results and define success? Have agreed-upon data collection and methodology, e.g., failure to appear, rearrest, successful completion, length of stay.
  - Are activities and services designed as a one size fits all, or designed to respond to individual needs? Activities and services that value and honor the race/ethnicity/culture of the youth and their families?
  - Are services designed to build on the strengths of the youth and their families? Are there cultural and relevant racial competency trainings for staff? Is the program's physical environment reflective of the clientele's race/ethnicity/culture

For more resources on reform strategies and tools, refer to [Annie E. Casey Foundation's Deep End Resource Guide](#).





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ECONOMIC EVALUATION UNIT  
DEPARTMENT OF ECONOMICS, UNIVERSITY OF UTAH  
UTAH COMMISSION ON CRIMINAL & JUVENILE JUSTICE

**Prepared by Sheena Yoon**  
email: [sheena.yoon@utah.edu](mailto:sheena.yoon@utah.edu)

