Pro-Equity Policy Framework
Research Brief and Policy Toolkit
Gatekeeper 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[1] 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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1   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[2] 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

2   *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.1 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

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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

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

- **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

connections between systems to increase effectiveness

Why Gatekeeper Stakeholders?

Gatekeeper Stakeholders are the most important stakeholders that make up the social institutions that interact with youth at the point between school/community referral and detention. At this in-between phase of referral and detention, Gatekeeper stakeholders have the critical role in achieving both Objective 2 (Prevent youth from entering the juvenile legal system by focusing upstream and on systems to have the greatest impact) and Objective 3 (Divert youth from further law enforcement, formal legal processes and locked detention into community-based options) which is illustrated in the figure below in yellow. Stakeholders leading efforts to achieve these objectives can include school resource officers to patrol officers to law enforcement officers to law enforcement chiefs. As members directly linked to the juvenile justice system, these stakeholders play a critical role in initiating diversion efforts and interventions.

Gatekeeper stakeholders should be focused on providing youth who do have contact with the system, a wide array of diversion interventions and referrals to community-based services to meet the deeper underlying needs of youth. For instance, youth in Utah, particularly racial and ethnic minority youth face a disproportionate burden of mental health needs (See Box#1). This paired with the reality that minority youth often face under-resourced socio-ecological environments and are less likely to have access to mental health services makes their risk factors for delinquency disproportionately a burden they face. To address these disparities for all youth who come into contact with the system, Gatekeeper stakeholders will need to coordinate and collaborate with justice system partners, schools, community members, and health providers to work towards a Continuum of Care and Opportunity for youth as a meaningful alternative to detention. This is imperative to shape the restorative pathway for youth as community-based diversion interventions provide more meaningful and immediate accountability for youth while also maintaining their connection to their support networks in their community and family.

Moreover, investing in the basic needs of youth to successfully access, participate, and complete diversion interventions will be imperative for their long-term success and avoiding future contact with the system.

Relevant strategies for this diversion phase from Figure #1 (on page 6) to address Objective 3 can include:

1. Divert youth from law enforcement arrest or citation

2. Divert youth from referral, case filing, and adjudication

3. Divert youth from locked detention

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 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 Gatekeeper Stakeholders?

Box #1:
Mental Health Disparities Among High Needs Youth

Section #1 of the full report (pg. 4 "Unique Challenges among Utah's Youth") highlights the particularly high needs youth in Utah face in mental health. The latest Student Health and Risk Prevention (SHARP) 2019 survey in Utah illustrates a relatively high percentage (69.3 percent) of students reporting moderate depressive symptoms which increases across grade levels. This section in the report also highlights how these elevated measures of high needs in mental health is also exacerbated among racial and ethnic minority youth. This gravely suggests that there is not only a high need in addressing mental health for the youth population in UT, but particularly so for Hispanic and Non-White youth who disproportionately shoulder mental health risks which are often tied to risk factors for delinquency. A study on youth suicide in Utah found that 63 per cent of suicide victims had contact with the juvenile courts which raises deep concern regarding the interwoven nature of mental health status and juvenile justice (Gray et al., 2011).

This disparity in mental health and juvenile justice also applies to those with developmental disabilities who are overrepresented in detention. This suggests that the current Continuum of Care and Opportunity for youth is inadequate to readily support high needs youth and detention would only exacerbate their unique circumstances. Research on juvenile offenders has shown that 50-70 percent of youth in the system have a diagnosable mental health disorder and 60 per cent have co-occurring substance abuse disorder (Underwood 2016).[1]

And youth with co-occurring disorders in the system have poorer outcomes and higher rates of recidivism (National Center for Mental Health and Juvenile Justice). As a result, expanding the range of community-based diversion options to meet the needs of nearly all youth, including complex needs youth, will be necessary until it becomes the primary response for youth's contact with the system. This is particularly important as the literature on juvenile justice consistently highlights the harmful effects detention has on youth's mental health, developmental outcomes and future recidivism. A report on Transforming Juvenile Justice Systems highlighted that adjudicated youth are more likely to be rearrested and less likely to succeed and complete school than similar youth who had not been arrested or were diverted from court.

The figure illustrated in this box highlights the different tiers of needs for youth and the potential corresponding care responses to these needs (Fazal 2014). For elements of effective community-based programs for high needs youth refer to Page 26 of the report Safely Home: Reducing youth incarceration and achieving positive outcomes for high and complex needs youth through effective community-based programs.

Source:

Fazal, S. (2014). Safely Home: Reducing youth incarceration and achieving positive youth outcomes for high and complex need youth through effective community-based programs, Washington, DC.

National Center for Mental Health and Juvenile Justice. () Mental Health Needs of Juvenile Offenders. Juvenile Justice Guide Book for Legislators. https://www.ncsl.org/documents/cj/jjguidebook-mental.pdf

Underwood, L. A., & Washington, A. (2016). Mental Illness and Juvenile Offenders. International journal of environmental research and public health, 13(2), 228. https://doi.org/10.3390/ijerph13020228
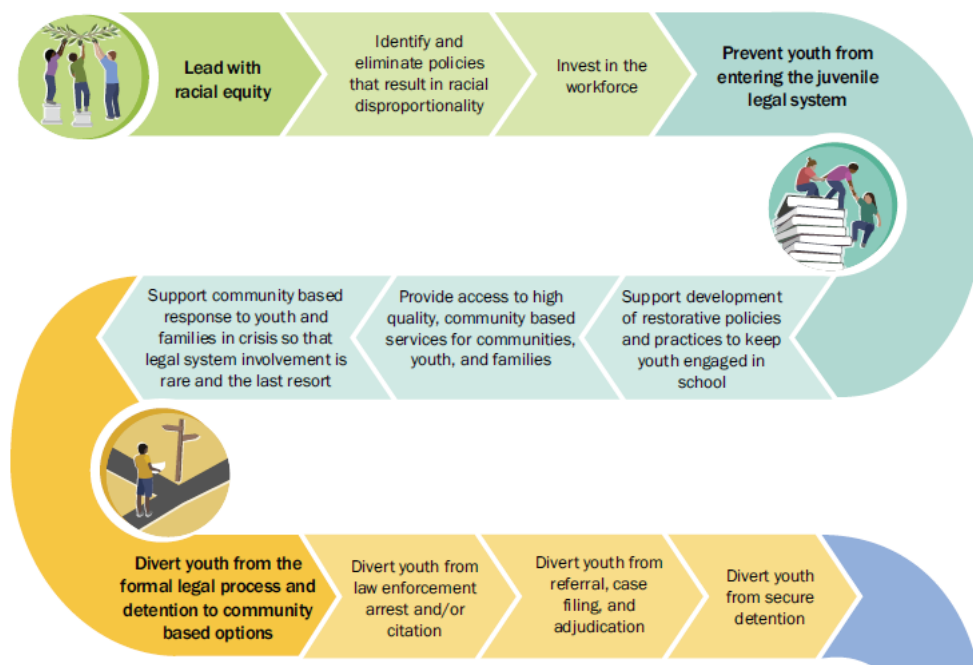
Figure 1: King County's Roadmap to Zero Youth Detention, Diversion Phase

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 stakeholders 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[3] 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?

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3   *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)*

- 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, does the demographic makeup of School Resource Officers reflect the demographic of the schools they serve. See more at (Gill, et al. 2016) on how this was a

strategy for Seattle schools as a case study.[4]

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 facing frequent referrals to law enforcement from the community or frequent referrals to school resource officers for school disciplinary actions. Are the stakeholders most relevant to these youth represented and empowered to contribute solutions to RED in youth referrals to law enforcement? Are members of the community where frequent referrals arise 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?
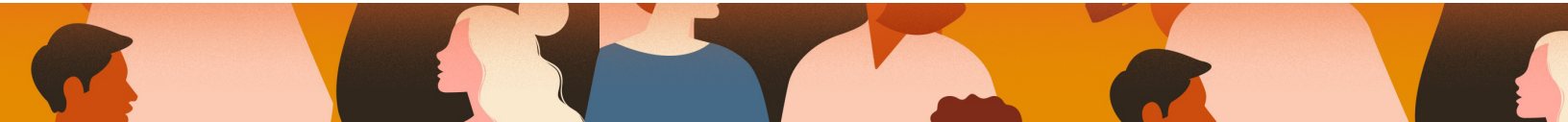
Strategies:

- **Diversify leaders in important discussions and decision-making**
- **Engage nontraditional partners/community-based organizations (CBOs) who are already 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?
- **Include parents/family members in decision making and consider family in case conceptualization and intervention approach (O'Malley, et al. 2018)[5]**
  - 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

4   Gill, C., Gottfredson, D. and Hutzell, K. (2016), "Can school policing be trauma-informed? Lessons from Seattle", Policing: An International Journal, Vol. 39 No. 3, pp. 551-565. https:// doi.org/10.1108/PIJPSM-02-2016-0020

5   O'Malley, M. D., Wolf-Prusan, L., Lima Rodriguez, C., Xiong, R., & Swarts, M. R. (2018). Cultural-Competence Considerations for Contemporary School-Based Threat Assessment. Psychology in the Schools, 1-21, DOI: 10.1002/ pits.2219

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 prevent youth from entering the system, it will be necessary to understand why and how they first come into contact with the system. Thus, measuring youth's first referral/booking and for what types of offense and from where will be critical to help understand different touch points and where the disparities lie. For example, data collection should include first referral to the juvenile legal system by race, offense level, and year so that this data can be communicated annually on the unique first referral of youth within each year disaggregated by demographic features and offense levels.

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 referred to law enforcement also facing mental health symptoms or learning disabilities disproportionately?" or "Are racial and ethnic minority youth referred to law enforcement also facing chronic poverty at home?". This research question would as a result require data from mental health screenings or survey data of youth to address the question.
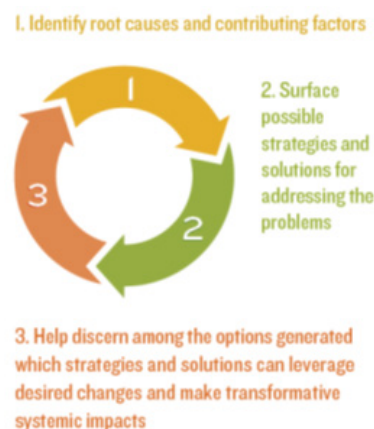
Strategies:

- **Disaggregate data on youth by precinct, race, ethnicity, gender, sexual orientation, disability status, and school district**

- **Conduct routine analysis and reports on data. For example, data analysis of referrals/arrest and racial disparities is tracked each quarter and data trends are communicated across stakeholders**

- **Use data to monitor progress towards any reductions and improve practices to achieve outcomes**

- **Expand data sharing between schools, districts, county/state departments and agencies to improve transparency while maintaining privacy**

- **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

- **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: Y*outh'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.

I. 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 school referral or community referral is disproportionately

common among minority youth then the real disparity to investigate is what systems of care these youth may be missing or why community referrals are disproportionately coming from the same neighborhood?

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 prior to an official school disciplinary action? 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.[6]

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?

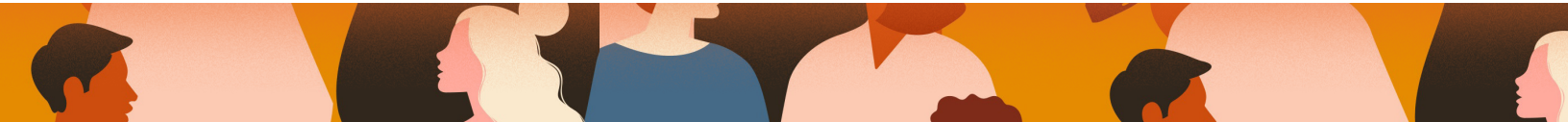- What solutions or interventions could eliminate

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 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

- **Convene school partners to improve school discipline practices with a focus on restorative justice**

  - Train educators on the limit of SRO activity and how to handle disciplinary issues without police involvement

  - Create opportunities for positive non-enforcement interactions among police, girls of color and the community. (See more guidelines on this topic with [Be Her Resource: A Toolkit about School Resource Officers and Girls of Color](#))[7]

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6 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?"*

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7 Morris, M.W., Epstein, R. & Yusuf, A. (2016). *Be Her Resource: A Toolkit About School Resource Officers and Girls of Color.* Retrieved from https://www.law.georgetown.edu/poverty-inequality-center/wp- content/uploads/sites/14/2018/05/17_SRO-final-_Acc.pdf

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 3: Divert youth from further law enforcement, formal legal processes and locked detention into community-based options*. Work with important 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 being referred to law enforcement are facing significant mental health issues, identify resources in the community and in the system to support youth to have the necessary and culturally appropriate resources. Or if referred youth are from single-parent family household with little supervision after school, link youth with culturally relevant and relatable mentors or programs in the community during after school hours to strengthen their protective factors as a potential strategy. For example, the city of Cambridge, Massachusetts developed the Safety Net Collaborative, which is a multiagency integrated model of preventive services for at-risk youth involving mental health providers, police officers, schools, and the department of youth and families. Community arrest decreased by over 50% since the Safety Net Collaborative model was implemented.[8] 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.

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8   Barrett, J. G., & Janopaul-Naylor, E. (2016). *Description Of a Collaborative Community Approach To Impacting Juvenile Arrests. Psychological Services, 13(2), 133-139*

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:
- **Improve school discipline practices with a focus on restorative justice and trauma-informed support services**
  - Training SROs should include training on alternative responses and diversion interventions
  - Develop incident protocols and decision-making instruments for SROs
  - See more policy tools for schools: A Model Code on Education and Dignity and Model Code Comparison Tool. The Model Code presents policymakers with recommended language for alternatives to school pushout and zero-tolerance discipline practices.
- **Convene law enforcement and communities to develop and test alternative responses to formal arrest**
  - For example, use alternative housing or electronic home monitoring instead of locked detention for youth 14 and younger
- **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

- **Develop a comprehensive community resource list to support diversion and treatment for youth. Share across all stakeholders.**

- **Expand access to knowledge and resources through the relevant disbursement of information translated for youth and families of different cultural backgrounds**

  - Provide culturally and linguistically appropriate services

  - Consider historical experiences and cultural mistrust

  - Identify culturally adapted interventions for skills building for youth. (See more at Cultural-Competence Considerations for Contemporary School-Based Threat Assessment)[9]

- **Invest in a robust and accessible pathway for law enforcement agencies to redirect youth to family and community-based interventions and support**

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9   O'Malley, M. D., Wolf-Prusan, L., Lima Rodriguez, C., Xiong, R., & Swarts, M. R. (2018). Cultural-Competence Considerations for Contemporary School-Based Threat Assessment. Psychology in the Schools, 1-21, DOI: 10.1002/pits.2219

- For instance, while top law enforcement leaders are included in shaping detention screening instruments, make sure that patrol officers and other law enforcement personnel receive the same information.

- Give officers predictable and timely detention determinations and guidance. Make the screening process consistent and case process expeditious. (See further guidelines at JDAI Forging Partnerships Implementation Tools)

- Make the process of referral straightforward for law enforcement, with clear guidelines, minimal paperwork, thorough in-service training and regular refreshers sessions for officers

- **Create wallet-sized cards for Police Officers with a list of the basic detention intake criteria and the phone number of the detention screening unit**

  - See more at Utah's Juvenile Justice Options by District

- **Invest in meeting the basic needs of youth that may prevent their participation and completion in diversion interventions**

- **See more on a youth diversion case study example of the Youth Advocate Model where 90% of youth participants avoided felony re-arrest within 12 months of enrollment and less than 10% of participants received a felony adjudication in juvenile (family) court.**

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
- **Support state legislation that provides state funding for youth to access behavioral health services before coming into contact with the juvenile justice system**
- **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

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