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Readiness Assessment Consultation (**RAC**) Report



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Introduction

Introduction

Over the past two decades, jurisdictions throughout the country have spent significant time and money trying to reduce racial and ethnic disparities in their juvenile justice systems with limited results. Stakeholders often become discouraged by the lack of practical proven approaches and examples that have led to measurable results. Consequently, jurisdictions continue to support studies, well-attended annual conferences and scattershot funding of prevention and intervention programs to address racial and ethnic disparities. While these strategies may have some value, they are not necessarily designed or funded based on their ability to significantly impact racial and ethnic disparities, particularly in secure detention. Ironically, these ideas are often fervently and repeatedly supported by those who want to see change but are overwhelmed by the magnitude and complexity of the issue.

The W. Haywood Burns Institute (BI) is a national non-profit organization that has worked successfully with local jurisdictions to reduce racial and ethnic disparities (RED) by leading traditional and non-traditional stakeholders through a data-driven, consensus-based process. The BI believes that local jurisdictions can engage in strategic, intentional efforts to reduce racial and ethnic disparities at critical decision-making points with a focus on secure detention.

Through its work in many jurisdictions struggling to address racial and ethnic disparities, the BI recognizes the need to provide stakeholders with a safe space to begin a dialogue about the commitment and capacity it takes to effectively confront and successfully challenge disparities.

In assessing readiness, the BI does not assume to predict the actual commitment a jurisdiction will eventually make nor the course of action it will take to address its DMC issues. Further, this assessment is not designed to regurgitate the county's juvenile justice policies. Instead, BI seeks to highlight what might appear as subtle issues that may impact RED; and to identify strengths, weaknesses, assets and challenges which may affect the jurisdiction's ability to engage in an effective DMC reduction initiative.

We appreciate the cooperation and participation of everyone involved with the RAC in Oklahoma County. The stakeholders were generous with their time and forthcoming with their observations.

Methodology and Data Sources

This section describes the overall approach to conducting the Readiness Assessment Consultation (RAC) in Oklahoma County. The RAC was developed by the BI Staff in collaboration with the Institute for Social and Environmental Justice Education.

Evaluation Design

The purpose of this RAC is to identify and assess factors influencing progress in Oklahoma County's ability to successfully address racial and ethnic disparities. The following evaluation goals were established:

- 1) Assess and document the state and extent of racial and ethnic disparities in Oklahoma County.
- 2) Assess and document how the following impact Oklahoma County's ability to address disparities:
 - a. Understanding racial and ethnic disparities
 - b. Purpose of detention and detention utilization;
 - c. Data collection and analysis capacity
 - d. Community engagement and collaboration; and
 - e. System Stakeholders' engagement and collaboration;

Data Collection and Analysis

1) *Interviews*

On August 25 and 26, 2011, BI staff interviewed Oklahoma County juvenile justice stakeholders and community representatives. Stakeholders included representatives from the Judiciary, Court Services, Intake, Probation, Secure Detention, Law Enforcement, Youth Services, the Office of the Public Defender, the District Attorney (DA), community based organizations and community members.

The interviews ranged in length from 45 to 60 minutes.

2) *Document Review*

The following documents were obtained and consulted in the course of the assessment:

1. Oklahoma County Juvenile Bureau (OCJB) Detention Screening Instrument

2. OCJB Policy and Procedure Manual
3. Office of Public Integrity Annual Assessment Report of the Oklahoma County Juvenile Detention Center (Blank Form)
4. Office of Public Integrity SFY 2010 and 2011 Monitoring Reports for the Oklahoma County Juvenile Detention Center
5. OJA Custody Detention Population Sheet (August 17, 2011)
6. Flowchart of juvenile processing
7. Oklahoma County RRI data sheets for July 1, 2004 to June 3,2010
8. DMC Assessment Study (2004)

Findings

This section discusses the BI's findings. It is organized into six sub-sections:

- A. Understanding Racial and Ethnic Disparities
- B. Purpose of Detention
- C. Data
- D. Collaboration
- E. Conclusion
- F. Recommendations

A. Understanding Racial and Ethnic Disparities

1. Current Juvenile Justice Reform Structure for Reducing Racial and Ethnic Disparities

An important aspect of any RED-related initiative is the presence of a collaborative body tasked with working on the issue. Unlike many jurisdictions that engage BI, Oklahoma County lacks an active stakeholder committee or work group dedicated to working on racial and ethnic disparities within the local juvenile justice system. The absence of such a committee provides County stakeholders with an excellent opportunity to establish a group with a clear focus and mission without the “RED baggage” that pervades many stakeholder groups which have existed for years in the name of RED (or in the past DMC). In fact, in many jurisdictions the BI spends a significant amount of time undoing what is perceived as years of RED-related work when in fact little substantive progress was made. Thus, structurally, Oklahoma County is well-positioned to start from ‘scratch’ and establish a stakeholder group to engage in a substantive effort to address work on racial and ethnic disparities.

Importantly, absent a current structure, it is the stakeholders’ responsibility to determine whether they will actively engage in a data driven process to work on racial and ethnic disparities in Oklahoma County. When asked, most of the stakeholders expressed a willingness to participate in a process to better understand policies and practices that may affect racial and ethnic disparities in the County. An expressed willingness to engage in such a serious endeavor is an important first step to moving forward. However, the more difficult next step is to ensure that an established structure, i.e. collaborative body, is created to actively engage in a DMC effort.

For example, two critical components to structuring the work are 1) identifying who will coordinate and guide the effort and 2) establishing an inclusive working committee to address RED. BI’s experience suggests that the presence of a competent, skilled local coordinator is an invaluable factor related to achieving success in RED work. Many well-intentioned stakeholder groups start strong but quickly lose their momentum and become derailed because, absent coordinator support, much of the important in-between meeting work is unable to occur. Thus, collaborative meetings devolve into a repeated rehashing of the previous meeting and little progress is made.

Consequently, people who were initially interested stop attending and soon the group stops meeting. BI is not questioning whether stakeholders were genuine in their expressed interest in participating on a RED-focused collaborative. However, interest alone is insufficient for real change to occur. Therefore, it is important for key juvenile justice leaders to consider hiring a coordinator to help guide this work.

Further, it is important that the committee designated to work on RED has the right balance of traditional and non-traditional stakeholders. The development of a RED committee is a dynamic process that is often as much art as science. However, it is obvious that many of the people who the BI interviewed are natural candidates for committee membership. At a minimum, BI suggests that an initial group include representatives from the Law Enforcement, the DA, Public Defender, Judiciary, Intake, Probation and the Community (e.g. individuals and community-based organizations that work with juvenile justice involved youth) to begin to consider who should participate in this process.

Overall, BI encourages County stakeholders to consider carefully how they might develop an effective collaborative with a governance structure that is supported by a local coordinator and individuals who champion this work.

2. Perceptions of Racial and Ethnic Disparities

a. General RED Knowledge

A critical component for any stakeholder group working to reduce racial and ethnic disparities is to develop a common understanding around what racial and ethnic disparities are and to identify whether and to what extent disparities exist in the local juvenile justice system. Initially, stakeholders should approach their understanding of their local situation by considering two issues. First, stakeholders should determine if youth of color in their jurisdiction are admitted into secure detention (or at some other system point in the juvenile justice system) at a disproportionate rate compared to White youth. Second, stakeholders should discuss whether similarly situated youth of color and White youth are treated disparately or receive disparate outcomes as a result of their involvement in the juvenile justice system.

In many jurisdictions the threshold question regarding whether disproportionality exists at a decision-making point, such as secure detention, is met with defensiveness, anger and skepticism even when data is provided to document the issue. Interestingly, in Oklahoma County, nearly all of the stakeholders with whom we spoke readily acknowledged that African-American youth were disproportionately admitted to secure detention in Oklahoma County. In fact, BI was somewhat surprised by the lack of overall defensiveness regarding this initial threshold question. General consensus regarding the presence of statistical disproportionality for detention admissions is an important initial building block to developing a substantive RED initiative. However, it is often the next question – whether youth are treated in a disparate manner that provides a major hurdle for many RED workgroups.

b. Causes of Racial and Ethnic Disparities

Once a stakeholder group establishes consensus that disproportionality exists, it should discuss whether disparities are present at key decision points such as secure detention. This conversation provides insight into peoples' perspectives regarding the causes of disproportionality in the system. For example, consider a jurisdiction with a DMC collaborative where Latino youth are disproportionately admitted to secure detention for violating probation conditions. If the group's consensus is that the violations are caused solely by poverty, then to address the violations, the collaborative must address poverty. However, a different type of solution is required if the collaborative members believe that the issue is not only poverty but that probation officers lack training and strategies to work more effectively with Latino youth. Thus, different solutions may become apparent based on one's orientation toward the causes of potential racial and ethnic disparities.

This conversation is not meant to establish consensus regarding a neatly articulated single cause for racial and ethnic disparities. BI staff recognizes the complex tangled web of macro and micro societal and systemic factors that have resulted in the disproportionate number of youth of color in the juvenile justice system in nearly every state throughout our country. Yet, it is useful for group members to express their personal opinions regarding the RED problem to the full group to help build trust among group members and provide a foundation as the group begins to identify issues and solutions to DMC related matters.

As discussed below in more detail (see Section D(1): Collaboration, Community Engagement), most of the system stakeholders suggested that DMC was caused by non-juvenile justice specific issues such as poverty, "kids being raised by grandparents," and "schools not educating the kids."

Consequently, BI the stakeholder group should have two discussions. First, stakeholders should engage in a facilitated conversation regarding the causes of disproportionately within the county. It is evident that stakeholders have particular viewpoints that are based on their work and personal experience that will be valuable to the DMC work. Further, the system stakeholders should use data to challenge their own notions of why disproportionality exists in the secure detention facility as a starting place. Again, this discussion is not designed to pinpoint a singular cause of DMC, but instead, to begin to open stakeholders up to various viewpoints including those that push system decision-makers to review their own policies and practices.

Second, a newly formed collaborative body should work to sharpen its definition of racial and ethnic disparities issues as they exist in Oklahoma County. Thus, ideally, as the work moves forward, the group would narrow its focus from the macro, seemingly impossible to solve societal issues such as poverty and family issues to more focused issues related to intake decision-making, admissions criteria and case processing times. The group would use data at each step to help frame the discussion and continually connect it to the areas that the system stakeholders can control on a daily basis. The "definition" discussion is important because the group will rely on its definition as it crafts strategies to combat racial disparities and defines success for the group.

B. Purpose of Detention and Detention Utilization

BI believes that decision-makers should use secure detention only as the least restrictive option, pre and post adjudication. This belief is based on a significant amount of research that indicates that secure confinement is, on the whole, harmful to youth. In addition, research has found that pre-adjudication secure detention negatively affects youth during later stages in the juvenile justice process. For example, detained youth are more likely to receive severe dispositions than their similarly situated non-detained counterparts.¹ Based on this data and the reality that youth of color are disproportionately confined in secure facilities throughout the nation,² the BI supports the best practice of limiting secure detention to those youth who present a significant community safety threat, and - in the case of pre-adjudication detention - a flight risk, when no less restrictive alternatives are available.

In the context of racial and ethnic disparities work, stakeholder groups should establish an overarching philosophy to guide their use of secure detention. This philosophy may not cover every situations but it represents the ideal to which a juvenile justice stakeholder group should aim. To ensure that a system is adhering to its articulated use of secure detention, a stakeholder group should regularly review the reasons for which youth are admitted to secure detention and determine whether those reasons are consistent with the system's philosophy. This is not meant as an abstract exercise but as a means for a stakeholder group, to continually review their views and beliefs regarding the purpose of secure detention. If stakeholders disagree as to why youth are placed in secure detention, it is likely that they will make inconsistent decisions for youth who enter their local juvenile justice system.

In Oklahoma County, stakeholders provided a range of reasons to explain the use of secure detention. Most of the people with whom we spoke stated that the three primary reasons youth were admitted to secure detention were "protection of the community," "protection of the child" and "ensuring a youth returns to court." These are three of the more common reasons expressed by system stakeholders around the country. A smaller, but significant number of people asserted that secure detention was also used as "temporary holding" when other alternatives were unavailable and as a "sanction" by the Court on "occasion." Finally, several individuals also explained that youth were held in secure detention when they were "acting terrible in court" or "misbehaving in secure detention" prior to their detention hearings.

As mentioned above, BI maintains that secure detention be reserved for youth who pose a significant public safety risk and/or

a significant risk of flight. However, it is more important that, in the context of RED work, local Oklahoma County collaborative members discuss the purpose of secure detention to ensure that a common understanding is achieved among group members. Even if the stakeholder group does not reach full agreement, the “purpose of detention” conversation is a critical discussion that provides members with an opportunity to voice concerns about the current use of secure detention and will help the group address problems in the future.

Importantly, the group should use data to inform this discussion or risk getting lost in an abstract conversation. As BI talked with stakeholders many people offered their perceptions and feelings regarding racial and ethnic disparities. While BI does not discount these feelings and perceptions, it is important that stakeholders engage in a facilitated data-driven discussion to help identify how secure detention is presently used, the reasons supporting its present use and whether changes are needed.

This will enable the group to develop a very strategic and intentional process to dig deeper into the detention data to identify youth who decision-makers could place safely back into the community while awaiting subsequent court hearings.

C. Data

An essential component to addressing disproportionality in the system is the capacity to collect, analyze and utilize data. Stakeholders must have the ability to accurately identify which youth are involved in the juvenile justice system to know where to target DMC reduction efforts. To do so, system stakeholders and analysts must not only collect certain data, but they must know the appropriate data-related questions to ask to drive the reform initiative forward. In addition, stakeholders and analysts must evaluate gaps in current data systems and the quality of the available data to assess their capacity to effectively identify and address disproportionality.

To assess Oklahoma County’s Data Collection and Analysis Capacity, the following “readiness” indicators were assessed:

- Are data systems comprehensive and integrated;
- Is there staff capacity to collect accurate data disaggregated by race and ethnicity;
- Is there staff capacity to analyze data and create useful reports;
- Do stakeholders understand data and are they comfortable utilizing data; and
- Is there a practice of utilizing data to drive policy?

BI believes there is strong potential to use data to drive DMC related policy reform in Oklahoma County. The state uses a comprehensive statewide data system called the Juvenile Online Tracking System (JOLTS) to capture local information from a wide variety of sources including intake, probation, parole, shelters, detention facilities, community intervention centers, and placements operated by the Office of Juvenile Affairs (OJA). When youth move through the juvenile justice system in the state of Oklahoma, regardless of whether they cross county lines or move between local and state custody, JOLTS can track data that can be viewed by anyone in the system.

JOLTS can also link to other data systems. For instance, it can link to the Health Care Agency’s data system to pull information about children that is stored there. JOLTS has controls to allow users across the system to view data, but to allow only certain users to enter or change data. For instance, only detention workers can change detention data but others could view information entered by detention staff. This helps to protect the quality and accuracy of the data, and to identify problems with data entry more easily.

There are five staff positions within OJA responsible for maintaining the hardware and software necessary to run JOLTS, as well as the risks and needs assessment (YLSI) case management system and other data systems. In addition, there is at least one OJA Internet Technology (IT) staff member who possesses a deep historical knowledge of JOLTS. She helped to acquire the system in 1994 and has been involved with its development and improvements to the system ever since. She is now partially retired, but works one day per week analyzing data for reports and providing trainings as needed to staff within OJA and the Juvenile Bureaus.

The OJA IT department provides training for everyone who enters data into JOLTS, including staff from the Juvenile Bureaus, OJA, the District Attorney (DA), Probation and detention facilities. For example, in Oklahoma County, the DA is responsible for entering formal charge information into JOLTS, as well as court information (progress review information, disposition, next court date, etc.)

In any system, training of the various staff responsible for entering data is a critical part of collecting reliable and accurate data. OJA IT has provided several trainings for staff in the last few years and data entry across the system has continued to improve over the past year. However, the OJA IT department does not have the authority to mandate training for staff of other agencies, even if a need is visible. This can present a challenge because those in the best position to recognize data entry problems are often not in a position to change the data collection practices and/or mandate training for staff. If significant data entry challenges are identified by the collaborative as the work moves forward, the group should consider how to incorporate the expertise of the IT staff into the process in order to identify and resolve data collection challenges.

Overall, the BI believes there is good staff capacity and infrastructure throughout the system in Oklahoma County—including a well-staffed IT department at OJA, to collect reliable data.

When collecting data on race and ethnicity, there are three important considerations:

1. Do all agencies engage in a practice of asking youth to self-identify (their race and ethnicity)?
2. Does the jurisdiction have a strategy to count Latinos accurately (this is especially important in jurisdictions with a high Latino population).
3. Has the jurisdiction considered its unique local populations (national origins and tribal affiliations)? For instance, if there are a few major Native American tribes in the area, it may be important to collect data on specific tribal affiliation rather than just recording the information as “Native American.”

While stakeholders do have a practice to collect and record data on the race and ethnicity of youth exists, interviews revealed that the current approach may not accurately capture data on bi- and multi-racial youth. This is the type of issue that a RED collaborative should consider. When making decisions about data, it is critical to know why you are collecting and analyzing the data and how the answers you are seeking will advance your work to reduce racial and ethnic disparities. Otherwise, the County’s stakeholders risk getting lost in interesting discussions that ultimately lead nowhere in terms of concrete improvements to the system.

There is also opportunity for improvement in collaboration and communication between OCJB and OJA regarding data collection, analysis and reporting. For instance, data related to the detention screen instrument used by OCJB is not currently entered into JOLTS. In fact, the majority of stakeholders outside of the OCJB intake unit lacked a clear understanding of the detention screening instrument used by OCJB; policies and practices that govern its use; or how data is collected on the detention screen instrument. However, the capacity and infrastructure does exist within JOLTS to integrate this data and to create reports that might be useful to OCJB in gaining a deeper understanding of how the instrument is being used.

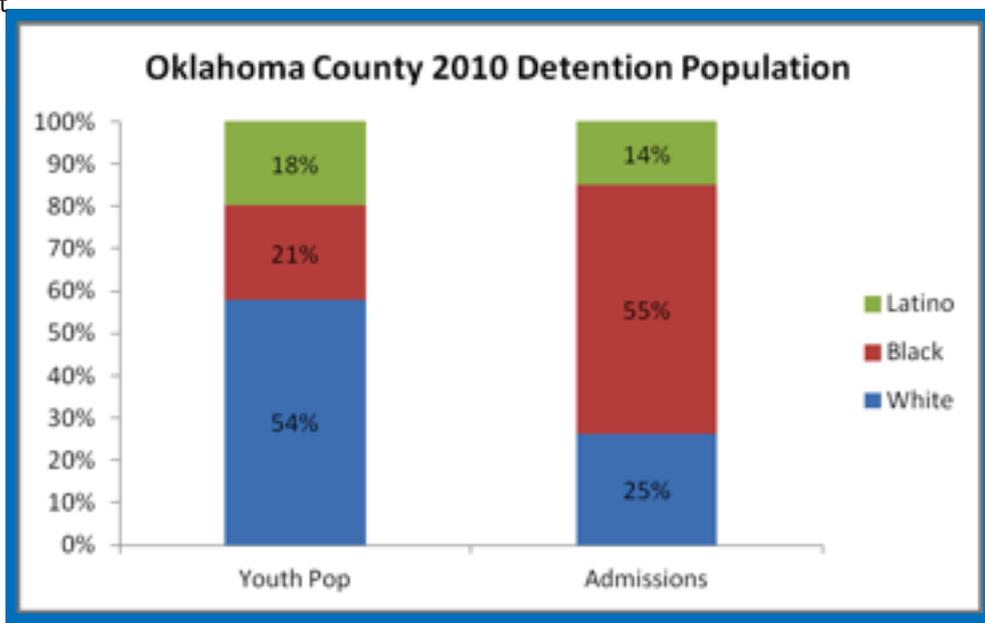
The BI’s experience around the country suggests that utilizing data is critical in making progress in reducing racial and ethnic disparities. Data can inform and drive department policy by helping decision-makers to understand the juvenile justice system, establish reform goals and strategies, and track progress. Additionally, data helps to debunk myths that stakeholders and community members have about juvenile justice systems. Despite minor challenges, as a whole—through the infrastructure provided by JOLTS, as well as through improvements that have been made around data collection and analysis at the local level—Oklahoma County has great potential and capacity to utilize data in its work to reduce DMC and disparities.

This data capacity will serve stakeholders well in moving forward with any work to reduce racial and ethnic disparities in Oklahoma County. The challenge will be to transition to a culture where the available data is used as a regular part of business and where the resources provided by OJA are utilized more fully. The stakeholder group should consider how it will institutionalize a practice of using data to understand the system and strategize about policy and practice change.

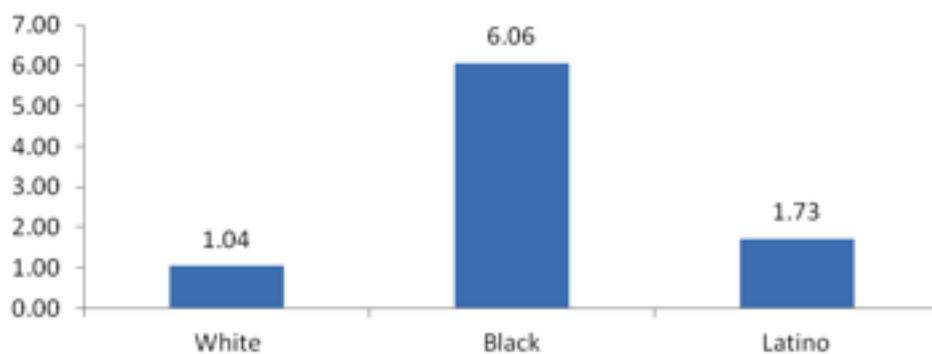
1. Analysis of Disproportionality

As part of our assessment, BI requested data about admissions to the Oklahoma County juvenile detention facility in 2010. The requested data provides some basic information about the detention population, broken down by race/ethnicity. It is important to understand that this initial data represents a first look at DMC in Oklahoma County, and provides “red flags” where the stakeholder group will want to learn more. This initial data cannot definitively provide all the reasons DMC is occurring, how much each factor might contribute to DMC, or provide solutions to the problem. Answering these questions, however, is an important initial step in the process, and can provide the stakeholder group with useful information about how the system works, including:

1. Why youth are being detained (most serious offense at admission);
2. Where youth live (last known zip code of residence);
3. Agencies responsible for referring the youth to detention; and
4. Length of stay (average and median).



Oklahoma County 2010 Detention Rates per 100 youth in population



The staff responsible for providing the information

reported the data were not difficult to pull from the system. Moreover, the data provided were organized in a simple yet clear format. The availability of these data is another indicator that the County's capacity to collect and analyze data is strong.

The data provided include youth admitted to pre-adjudication detention and youth admitted post-disposition (commitments). The data include individuals who were admitted to detention on more than one occasion during 2010. Youth are counted once for

each admission (by the most serious offense). According to the data, there were 1,615 admissions to detention in 2010. African American youth (ages 10-17) represent 21% of the overall youth population in Oklahoma County, but represent 55% of detention intakes for 2010. African American youth were detained at 5.8 times the rate of White youth and Latino youth were detained at 1.7 times the rate of White youth.

	White	Black	Latino	Asian	Nat. Am.	Other	Total
Youth Population	38,232	14,681	13,129	2,474	2,541	-	71,057
Admissions	399	890	227	10	85	4	1,615
% of youth population	54%	21%	18%	3%	4%	0%	100%
% of Admissions	25%	55%	14%	1%	5%	0%	100%
Rates per 100 youth in population	1.04	6.06	1.73	.40	3.35	-	2.27

The most frequent offenses for which youth were detained in 2010 are shown in the following tables and charts. Understanding more about these offenses and why youth are detained is an important part of working to reduce racial and ethnic disparities. BI calls this process "digging deeper" into the data.

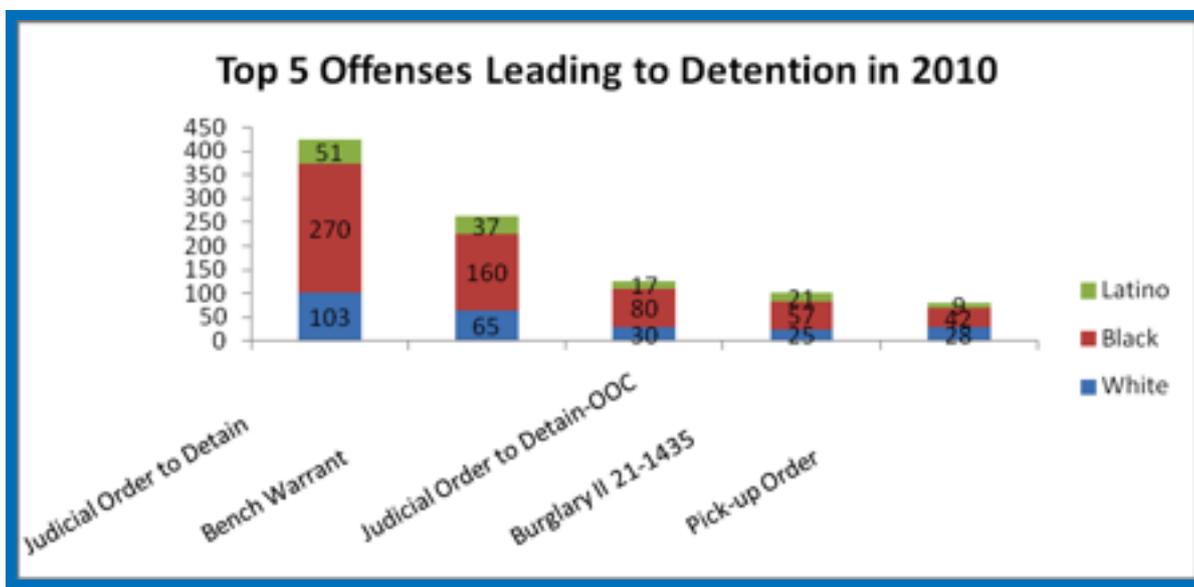
Most Serious Offense	White	Black	Latino	Asian	Nat. Am.	Other	Total	% of Total
Total	399	890	227	10	85	4	1615	100%
Judicial Order to Detain	103	270	51	5	23		452	28%
Bench Warrant	65	160	37		21	2	285	18%
Judicial Order to Detain-OOC	30	80	17	2	3		132	8%
Burglary II 21-1435	25	57	21		6		109	7%
Pick-up Order	28	42	9		10		89	6%
Domestic Abuse-Misdemeanor 21-644	38	33	9	2	3		85	5%
Unauthorized Use of Motor Veh. 47-4-102	10	24	7	1	1		43	3%
Assault w/Dangerous Weapon 21-0645	9	12	6		2		29	2%
Poss. CDS w/Intent to Distribute 63-2401	6	13	5		3		27	2%
Concealing Stolen Property 21-1713	10	12	1				23	1%

For instance, we might pose the following questions about the Bench Warrants (the second most frequent reason for detention in 2010, according to the data):

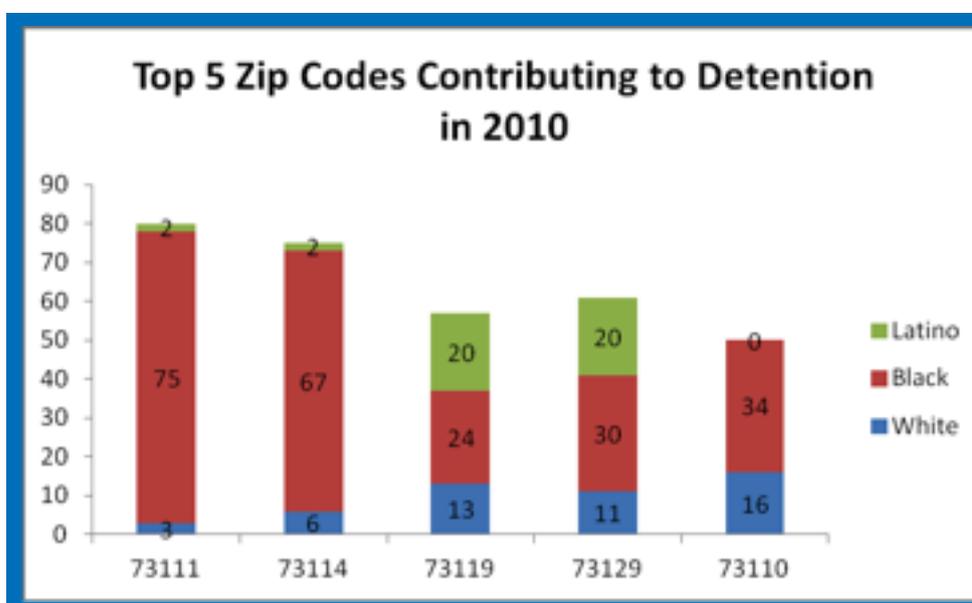
1. What were the warrants issued for?
2. How many of the warrants were issued for failure to appear?
3. Is there a system of court reminder in place? If so, what is it?
4. Are warrants ever issued and held or are they immediately released when a youth fails to appear?
5. Where in the court process are the warrants being issued?
6. Were youth wards of the court when the warrant was issued?
7. If a youth is arrested and has an outstanding warrant, is it an automatic detention?
8. How long are youth staying in detention for warrants?

If these data are available within the information system, they could be accessed fairly quickly. However, if the data were not reliable (interviewees indicated this level of detail is not always entered into the information system), then a sample case file review might be necessary to answer these questions.

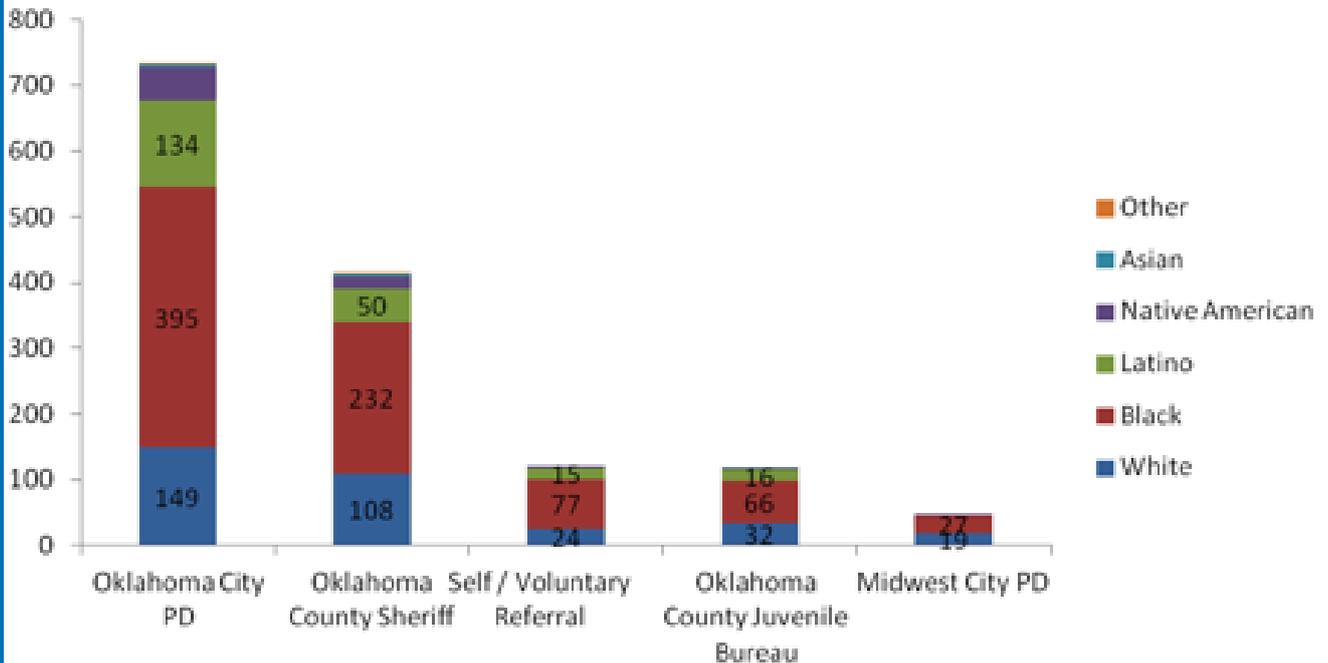
It is worth repeating this word of caution when digging deeper into the data: it's important to know why you are collecting and analyzing data and how the answers to your questions might inform policy and practice. It can be easy to get lost in "interesting" questions about the data that will not have any practical application in terms of reducing disparities or the unnecessary detention of youth of color.



Another important aspect of any DMC effort is determining whether youth admitted to secure detention are coming from particular parts of a community. This type of information is important because stakeholders gain an increased understanding of the relevant resources that are present near where the youth live. Further, the stakeholder group may identify potential community partners located in these areas to collaborate with to develop alternatives to detention and provide crucial support to youth and their families. The next two tables reveal that the top five zip codes contributing to detention are 73111, 73114, 73119, 73129, and 73110.



Top 5 Referral Sources to Detention (2010)



Digging deeper questions about where youth reside might include:

1. Why do so many records (520 of 1615) have no current address or zip code (84 of 1615)? How can this data entry issue be addressed?
2. What juvenile justice related resources and services exist in these zip codes?
3. Where are these zip codes in relation to the detention facility?

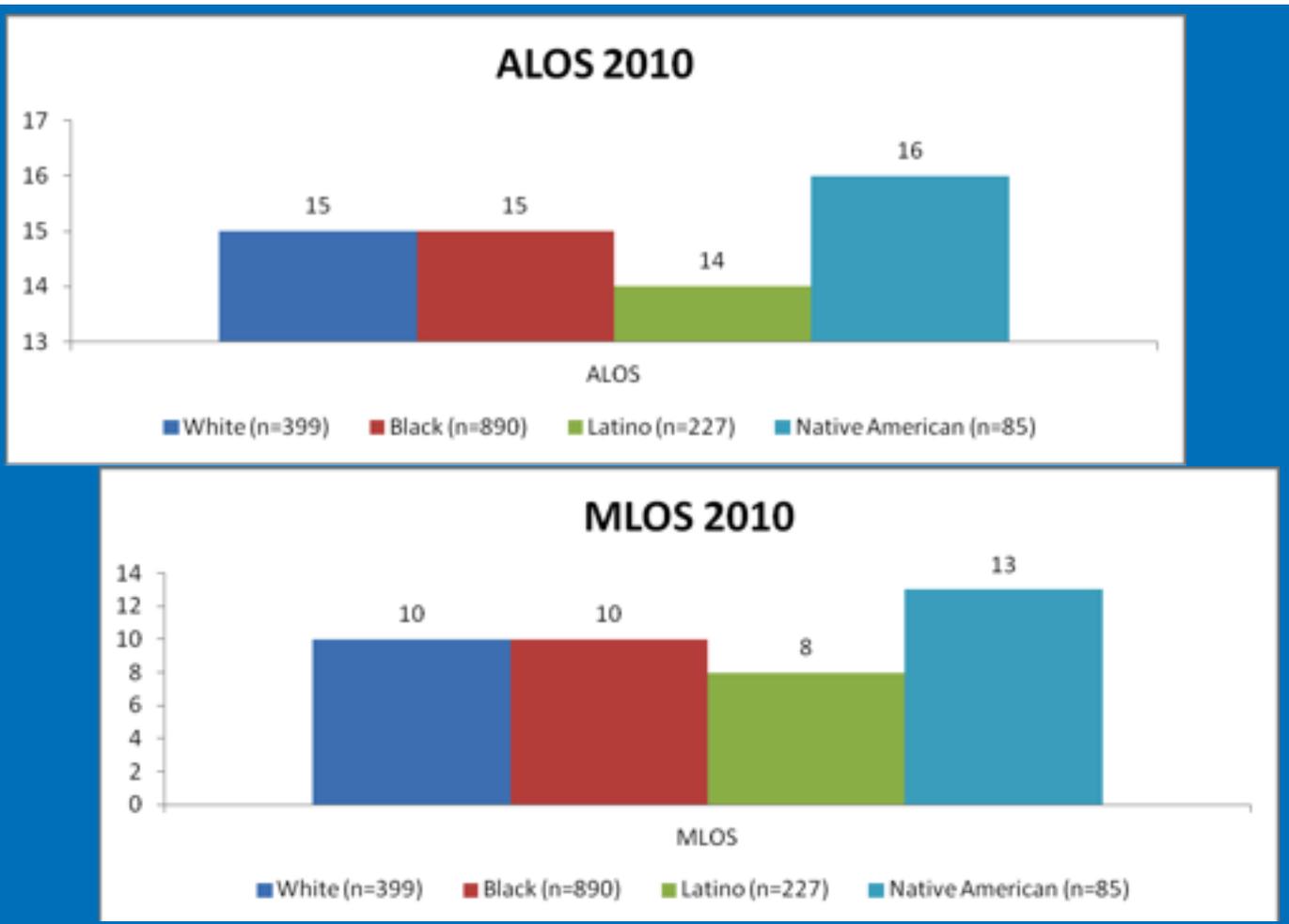
Understanding which agencies refer youth to detention is important because it helps the stakeholder group know which agencies are critical to involve when examining policies and practices which lead to detention. The top five referral sources are: The Oklahoma City Police Department, Oklahoma County Sheriff's Department, Oklahoma County Juvenile Bureau, and Midwest City Police Department.

Digging deeper questions about referral sources might include:

1. What is a "self/voluntary referral"? (This is the third largest referral source).
2. What led youth in this category to detention and under which agency's discretion?
3. How are referrals by the court classified?

Another important factor to consider is reviewing data on lengths of stay. This data is important for at least two reasons: First, so that stakeholders understand how long youth are staying in secure detention and to ensure that the actual practices fit with their beliefs regarding the purpose of detention and "the shelf life" of detention. In other words, are youth staying longer for any particular reasons, such as violations of probation or awaiting placement, than system stakeholders think is appropriate? Second, so that stakeholders can examine whether or not certain groups of youth are staying different amounts of time for the same offenses.

There was not a significant difference in overall lengths of stay for youth of color as compared to white youth. The charts below show average and median length of stay for 2010 broken down by race and ethnicity. It is important to look at both the average and median, since average length of stay can be affected by outliers (for example, just a few youth who have extremely long or short lengths of stay). The median tells us the length of stay for the youth right in the middle—half the youth stayed longer and half the youth stayed less time than this youth. The "Asian" and "other" categories were composed of a small number of youth (n=10 and n=4, respectively), so they are omitted from the charts.



In examining this data, BI noticed that the median lengths of stay in Oklahoma County are actually relatively short compared to many other jurisdictions. This begs additional questions about the group of youth who do have very short stays (see below):

Digging deeper questions about length of stay might include:

1. Are there youth who are being arrested and detained, but released by the judge at the detention hearing? If so, are they lower-risk youth who might be effectively served in the community?
2. Are there any differences in length of stay for particular offenses or technical violations?
3. Are there any offenses for which we believe the length of stay is too long?

Overall, the above described data demonstrates Oklahoma County's capacity to access relevant data which is another fundamental component of racial and ethnic disparities work. This type of data will help focus a DMC effort and enable a willing collaborative to avoid, if they choose, many of the distracting conversations that can occur without accurate data to help frame the work.

D. Collaboration

Collaboration is a key component of any reform effort. This is particularly true in the difficult work to reduce racial and ethnic disparities. It is critical that the collaborative include key traditional (e.g. Police, Probation, the Judiciary) and non-traditional (e.g. community providers, neighborhood leader, parents) stakeholders. Then, these stakeholders should work to establish a data-driven action plan with clear goals and objectives to tackle DMC. A well-functioning committee should benefit from the natural tension that often exists between traditional system stakeholders and community members and collaboratively develop sustainable solutions to improve the efficiency, effectiveness and objectivity of the juvenile justice system. In fact, any collaborative focused on RED issues should take advantage of the collective expertise of both the traditional and non-traditional stakeholders and identify the unique ways both sets of stakeholders can support RED-related work.

1. Community Collaboration

The active participation of community leaders from the neighborhoods most affected by the juvenile justice system is a critical component of the work to reduce racial and ethnic disparities. These community-based, non-traditional stakeholders often bring information, insight about the community and a heightened sense of urgency to the work. This

relationship serves the dual purposes of ensuring youth are properly supervised in the community and potentially providing youth with access to positive role models, programs and community based services. BI commonly refers to such collaboration between community representatives and system officials as “community engagement.”

Similar to other jurisdictions around the country, in Oklahoma County there is a level of tension between non-traditional and traditional stakeholders which, if not addressed, will hinder future racial and ethnic disparities work. Interestingly, when asked about potential causes of DMC in the County, several system stakeholders explained that the local DMC issue is perpetuated by factors such as “family problems,” “poverty,” “gang involvement” and a lack of positive role models. Generally, system stakeholders provided explanations that focused on community issues outside of their control. As one system stakeholder noted, “[the] system is just responding to what they see.”

Conversely, the youth and parents with whom we spoke provided a different lens to consider juvenile justice involved youth. They expressed their own frustration with the overall system process and its impact on families. Several people shared the sentiment expressed by one person who stated the system was “not fair” in part because it is “very slow.” For example, a series of postponed court hearings resulted in one mother losing her job. Another mother explained that without the aid of an energetic private attorney “she would have lost her son to the system” because “she wouldn’t have known which questions to ask.” She said the entire process made her “feel dumb.”

In BI’s experience these widely varying views are normal, expected and important. A RED focused collaborative should discuss these varying perspectives with the understanding that they will only strengthen the group. Further, the County does have some community partners who could play important roles in a DMC effort. For example, the Office of Juvenile Affairs has contracted with community programs to provide alternatives to court involvement for some youth. Currently, Oklahoma County utilizes the Community Intervention Centers (CIC) to provide temporary placement for first-time misdemeanants. These centers provide a community-based setting for youth to be held for 24 hours awaiting parent/guardian pick-up. They also facilitate programming to help youth on probation search for employment and address issues of accountability. It is important to assess, however, the level of cultural competency offered by staff and programming at the CIC, as well as the accessibility of the location of the facility for families.

Nearly every person we interviewed identified Jimmy Rogers as an excellent community partner who is affecting the lives of many young people in Oklahoma County. System stakeholders appear to have embraced Mr. Rogers’ efforts which often require non-traditional strategies that do not occur during the regular 9am – 5pm workday. Clearly, Mr. Rogers has established trusting relationships with the Court and Probation and decision-makers definitely see the value of what many might consider a non-traditional resource. This is an excellent example of a system/community partnership that is vital to effectively addressing racial and ethnic disparities.

Further, several system stakeholders spoke highly of Effective Transitions (ETI), an agency that is no longer contracting with the County. ETI, owned and operated by people of color, was located in a neighborhood that contributes high numbers of youth of color to the detention hall. Stakeholders stated that ETI had credibility in the community and provided excellent programming, including transportation services to far-off placement facilities around the County.

As mentioned above, similar to many jurisdictions around the nation, Oklahoma County’s juvenile justice system is impacted by a subtle, yet significant negative attitude towards system involved youth, their families and neighborhoods. The BI believes the prevalence of negative perceptions and low expectations of system involved youth, their families and communities poses great challenges to the county’s ability to successfully address DMC. Failure to value, engage and incorporate community voices into DMC reduction efforts precludes the collaborative and other relevant stakeholders from tapping into the wealth of insight, resources and relationships that the community possesses.

Nevertheless, as cited above the County also has a recent history of collaborating with community partners to the benefit of young people. Thus, stakeholders, particularly system stakeholders should embrace the discomfort and tensions that can occur when developing strategies to effectively engage community partners in a DMC effort. As an important step, once a collaborative is developed the group should establish consensus regarding the value of community participation and make measurable efforts to incorporate community representatives into the collaborative.

2. System Stakeholders’ Engagement

During our interviews, system stakeholders articulated a newfound level of confidence that system stakeholders were collaborating more effectively than in the past. Several stakeholders noted improved communication between OCJB and OJA staff and overall communication to and from the Judiciary. Clearly, there are subtle underlying issues that affect how various agencies work together as is generally the case in many bureaucracies. Moreover, some stakeholders expressed frustration at issues they believed were less the result of good practice and more about bureaucratic inertia. Yet, on the surface system stakeholders presented a respectful, collegial climate.

Since Oklahoma County is not involved in a formal, in-depth initiative to reduce racial and ethnic disparities. If the County

embarks on an effort toward identifying and reducing racial and ethnic disparities, it must avoid the “culture of politeness. Traditionally, BI describes the culture of politeness as a level of professional politeness and courtesy that can stifle “real” conversations and avoids putting people in positions where the perception could exist that they are at fault or accountable for identifiable issues. In the realm of racial disparities, the culture of politeness distracts from the work and is important to overcome in order to develop trust among diverse stakeholders.

As a County body begins this work, stakeholders must create space for candid, sometimes uncomfortable, data driven conversations that are often difficult to sustain. For example, when a RED collaborative addresses the purpose of secure detention in Oklahoma County, stakeholders should have the freedom to challenge the various notions of secure detention described to BI during our interviews. These types of conversations are not always easy but definitely necessary in any RED initiative. Further, these types of discussions will help County stakeholders avoid distracting discussions that blame one or two stakeholders for all of the problems associated with RED.

Finally, it is clear that system stakeholders have healthy relationships with one another. Therefore, it is important that the group engage in facilitated conversations that help them clearly define racial and ethnic disparities, the purpose of detention and what does success look like as the initiative progresses. These conversations will serve as the foundation to future RED-related work.

Conclusion

Conclusion

Oklahoma County is well-positioned to begin engaging in an effort to identify policies and practices that may impact racial and ethnic disparities. During our two day visit the stakeholders with whom we spoke were thoughtful and realistic about their system. While people expressed confidence that they are doing a good job, several individuals, unprompted, acknowledged that the system could benefit from reviewing their policies and practices.

Further, most everyone acknowledged that youth of color, particularly African-American youth, were disproportionately admitted to secure detention and expressed an interest to work on that issue. In addition, the County has excellent data capacity which, as mentioned above, is critical to DMC work. Therefore, the initial pieces are in place for the County to embark on an endeavor to determine whether its policies and practices are playing any role in the disproportionate number of youth of color admitted to secure detention.

However, interest and good data capacity does not necessary lead to substantive change. Local juvenile justice decision-makers will need to determine whether they are committed to the type of transparency, introspection and, ultimately, power sharing that is required in a successful DMC initiative.

Many of the jurisdictions BI has worked with in recent years were already engaged in a juvenile justice reform initiative such as the Juvenile Detention Alternatives Initiative or the MacArthur Foundation's Models for Change prior to their work with BI. Thus, these stakeholders had already demonstrated some level of "systemic maturity" necessary to engage in reform. This type of "systemic maturity" also means that the stakeholders in these sites had participated in many of the difficult conversations that occur between colleagues interested in making, in some cases, fundamental changes to how they do their work. While these sites are not without problems, the introduction, or in many cases, re-introduction of racial and ethnic disparities as an area of concern and focus was not foreign to them. Importantly, they had mastered the language of reform, witnessed its benefits and viewed DMC merely as another issue they had to tackle in the context of their overall reform work.

From BI's perspective, Oklahoma County's juvenile justice system, while not perfect is not in a state of emergency. While that reflects well on the current stakeholders, it also can make it challenging to get stakeholders, who are not already part of a larger reform initiative, to voluntarily focus on a controversial issue such as racial and ethnic disparities. Further, system stakeholders, absent what they see as an obvious incentive may not run toward an issue that encompasses in some manner complicated issues such as race, class and youth culture.

While BI could assume, the question on the table for the County is whether there exists the requisite level of political will to start this work. BI cannot answer this question. The purpose of this assessment is to provide a roadmap to guide County leaders if they elect to move forward and tackle racial and ethnic disparities. This report seeks to outline the key issues that Oklahoma County stakeholders will need to address if they are interested in engaging in an effort to address racial and ethnic disparities in their juvenile justice system. The report's purpose is not to judge or critique County stakeholders. Instead, based on BI's extensive experience working on this issue, the report is designed to identify potential issues and provide strategies to overcome some of the traditional stumbling blocks that prevent well-meaning individuals from engaging in a serious effort to identify and reduce racial disparities.

Recommendations

Recommendations Regarding Committee Development and Decision Making Structures

- Key County juvenile justice stakeholders (e.g. Court, OJA, Law Enforcement, DA, Public Defender, Probation (OCJB/OJA), community based agencies/organizations,) should collaborate with the State DMC Coordinator and State Juvenile Justice Specialist to determine whether the County wants to establish a DMC Committee
- If the County elects to move forward with a DMC Initiative, DMC Committee (Committee) members should establish consensus regarding a decision-making structure
- Committee should identify the initial Committee membership and conduct outreach to bring missing members onto the group
- Committee should determine a process to educate new members
- Committee should consider establishing a meeting schedule for the next six months
- Committee should develop a work plan to guide their work. The work plan will incorporate specific goals, tasks, timelines and who is responsible. Also, the plan should include a consistent review of data and a thorough review of departmental policies and practices that may contribute to disparities.
- Committee should define success by developing multiple measures of success for the racial disparities work.
- As part of the work plan development the Committee should engage in a discussion (and or discussions) regarding three areas:
 - o Causes of DMC in Oklahoma County
 - o Purpose of Secure Detention in Oklahoma County
 - o Defining Success for Oklahoma County's DMC work

These conversations may occur over the course of 1-3 meetings and should occur in conjunction with a review of secure detention admission data as discussed above. The group should establish consensus on each issue.

Recommendations Regarding Data Collection and Analysis

- Committee should use data to identify “target populations” or youth who may be safely supervised in the community rather than being detained. Oklahoma County should track these offenses on an ongoing basis.
 - o It may be useful for this group to begin by answering some of the “digging deeper” questions highlighted in this report (See Appendix A).
- Identify a key set of indicators regarding youth of color involvement in the juvenile justice system and generate reports of these indicators on a regular basis (monthly or quarterly). The indicators should help gauge whether, and to what extent, progress is being made towards reducing disproportionality, as well as whether youth who could be safely supervised in the community are being inappropriately detained.
- Once indicators of disproportionality are identified, the County should establish an institutional response to using the data to drive policy and practice change. The forum for this response is typically within a DMC collaborative or a “data sub-committee” within the collaborative.
- Committee should consider reviewing the current categories for capturing race and ethnicity; to standardize them across agencies; and to consider providing training to ensure that all agencies are using a practice of “self identification” rather than observer identification.
- OCJB and OJA should discuss ways that JOLTS could be used to begin tracking and analyzing data related to the detention screen instrument used by OCJB.

Recommendations Regarding Collaboration

- Committee should receive training regarding RED, national efforts and effective interventions from other jurisdictions
- Committee should receive training on how to develop an effective process for community engagement
- Committee should assess the community-based programs that already exist in the county to determine the level of cultural competency, accessibility, and capacity to serve system-involved youth
- Committee should consider strategies (e.g. community forum) to help educate community partners about how the system works and RED

Appendix A- Digging Deeper

Top Offenses:

1. Bench Warrants:
 - a. What were the warrants issued for?
 - b. How many of the warrants were issued for failure to appear?
 - c. Is there a system of court reminder in place? If so, what is it?
 - d. Are warrants ever issued and held or are they immediately released when a youth fails to appear?
 - e. Where in the court process are the warrants being issued?
 - f. Were youth wards of the court when the warrant was issued?
 - g. If a youth is arrested and has an outstanding warrant, is it an automatic detention?
 - h. How long are youth staying in detention for warrants?
2. What is included in the most frequent offense “judicial order to detain”
3. What is included in “pick-up order”?
4. How/in which category are violations of probation recorded?
5. How/in which category are placement failures recorded?

Residence Zip Code:

1. Why do so many records (520 of 1615) have no current address or zip code (84 of 1615)? How can this data entry issue be addressed?
2. What resources and services exist in these zip codes?
3. Where are these zip codes in relation to the detention facility?

Referral Sources:

1. What is a “self/voluntary referral”? (This is the third largest referral source).
2. What led youth in this category to detention and under which agency’s discretion?
3. How are referrals by the court classified?

Length of Stay:

1. Are there any differences in length of stay for particular offenses or technical violations?
2. Are there any offenses for which we believe the length of stay is too long (offenses for which we would like to reduce the length of stay)?

Notes

¹ Leiber, M., and Fox, K. 2005. “Race and the impact of detention on juvenile justice decision making.” *Crime & Delinquency* 51(4):470–497.

² See Sickmund, M., Sladky, T.J., and Kang, W. (2004), “Census of Juveniles in Residential Placement Databook,” <http://www.ojjdp.ncjrs.org/ojstatbb/cjrp/>. According to the Census of Juveniles in Residential Placement Survey, 214 African Americans and 106 Latinos were detained for every 100,000 juveniles. Only 47 whites for every 100,000 juveniles were detained. According to 2003 data, African American youth were detained at a rate 4.5 higher than White youth, and Latino youth were detained at twice the rate of White youth.

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