An Overview of the Racial and Ethnic Disparities (RED) Program Assessment Tool

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Topics for Discussion

- Introductory remarks
- A snapshot of the RED Tool
- Mecklenburg County addresses RED in treatment courts
- Questions and answers
RED Assessment Working Committee

- Julie Baldwin, Ph.D., Justice Programs Office
- Evan Elkin, Ph.D., Reclaiming Futures
- Zephi Francis, M.S., Justice Programs Office
- John Gallagher, Ph.D., Indiana University
- Preeti Menon, M.A., Justice Programs Office
- Darryl Turpin, M.P.A., Heat Time
Value Statements

• Treatment courts are a good thing.

• Addressing racial and ethnic disparities in treatment courts has value.

• We all have a role and responsibility to create a justice system that is fair for all people.
Sameness is not Fairness

EQUALITY doesn't mean EQUITY
Race and the Criminal Justice System

Drugs

Courts

Arrests

Policing

Prison
Racial/ethnic minorities engage in more criminal activity than Caucasians and as a result, they have a greater involvement in the criminal justice system.

Or

The criminal justice system treats racial/ethnic minorities differently than Caucasians, which leads to their greater involvement in the system.
Minorities Graduate Treatment Court Programs at a Lesser Rate Than Their White Counterparts

Graduation Rates for African Americans vs. All Participants

Graduation Rates for Hispanics/Latinos vs. All Participants

Source: (Marlowe, Hardin, & Fox, 2016)
An Austin American-Statesman News Article: “Drug court failing black offenders”
Due to strict screening requirements for many treatment courts, minorities are less likely given a chance to enter treatment court programs (NACDL, 2009).

Minorities face hurdles in completing treatment court programs due to strict treatment plan requirements (Gross, 2010).

African Americans perceived that they were sanctioned unfairly compared to Caucasian and Hispanic participants (Gallagher, 2013).
Research on RED in Treatment Courts

- Whites graduate treatment court programs at a higher rate than minorities (Dannerbeck et al., 2006).

- More than one-fifth of treatment courts cannot report information on racial/ethnic representation in their programs (Hardin, 2016).

- Most treatment court evaluations do not report outcomes separated by race/ethnicity (Marlowe, 2013).
Research on RED in Treatment Courts

• One study found that African American participants in a Kentucky treatment court out-performed Caucasian peers. The program was led by an African-American male who used culturally sensitive interventions (Vito & Tewksburg, 1998).

• African American treatment court participants wanted more staff of color, because they believed the staff would be able to relate to them (Gallagher, 2013).

• NA/AA treatments were not effective or well received for African American Participants (Gallagher & Nordberg, 2016).
Adult Drug Court Best Practice Standards (Equity and Inclusion)

This groundbreaking set of evidence-based standards is your blueprint to dramatically improve outcomes for individuals involved in the justice system due to substance use disorders and mental health conditions. Representing 25 years of empirical study on addiction, pharmacology, behavioral health, and criminal justice, these Standards are the foundation upon which all adult drug courts should operate. They hold the keys to transform how the justice system responds to people in crisis. Whether you are a researcher, subject matter expert, drug court practitioner, state or federal policymaker, or concerned citizen, the NADCP Adult Drug Court Best Practice Standards are vital to your understanding of effective justice system reform.

DOWNLOAD: WWW.NADCP.ORG/STANDARDS
The Racial and Ethnic Disparities (RED) Program Assessment Tool is designed to capture information about treatment courts’ operations and procedures, with an emphasis on examining areas where racial and ethnic disparities may exist.
Goals of RED Tool

- Raise awareness about RED in treatment courts.
- Assist users identify RED in their system and processes.
- Offer recommendations on alleviating racial/ethnic inequities in programs.
Home Page

RED Program Assessment Tool

About RED Program Assessment Tool

The Racial and Ethnic Disparities (RED) Program Assessment Tool was designed to capture information about treatment courts' operations and procedures, with an emphasis on examining areas where racial and ethnic disparities may exist in their courts. The underlying goals of the RED tool are:

1. Raising awareness about RED in treatment courts;
2. Assisting courts identify RED in their systems and processes; and
3. Offering recommendations on alleviating racial/ethnic disparities.

Testimonials

Identity accessibility initiatives in our courts

The RED Program Assessment Tool proved helpful for our court in taking a purposeful approach to our operations, ensuring we are intentional in addressing race and ethnic disparities.

-Joseph T. Johnson Jr., Equity and Inclusion Specialist
Medford County

Take The RED Assessment

Log In

Enter Court ID
Password

Forgotten Court ID?
Don't have a Court ID?
Please contact us to register

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What’s on the Assessment?

- Court Information
- Intake
- Assessments
- Demographics
- Team Members
- Training
- Drugs/Treatment/Support Services
- Evaluation and Monitoring
The **Court Information** section covers the background of the court (e.g., geographical location), policies, procedures, and interactions with non-English-speaking participants.
The **Intake** section addresses the referral process and the court’s eligibility requirements.

**Section 2: Intake**

**Question 10**

Do referral agencies have a copy of your written eligibility requirements?

- None
- Some
- All
- Don't Know
The **Assessments** section includes questions on risk and needs, substance use disorder, and mental health assessments.
The **Demographics** section address the racial/ethnic makeup of program participants.
The **Team Members** section covers the racial/ethnic makeup of the team. In addition, there are several topics such as team members’ understanding of factors that contribute to racial/ethnic disparities and their understanding of cultural needs among participants.

### Section 5: Team Members

**Question 39**

Thinking about your current team, please indicate the following for each role. If your team does not have a position, please write “0” in the first column.

<table>
<thead>
<tr>
<th>Role</th>
<th># Team</th>
<th>% Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case manager(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Coordinator(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Community-based outreach specialist(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Defense attorney(s)/public defender(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Judge(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Law enforcement officer(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Mental health provider(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Probation officer(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Program director(s)/manager(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Prosecutor(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Substance use disorder treatment provider(s)</td>
<td>7</td>
<td>%</td>
</tr>
<tr>
<td>Veterans Justice Outreach (VJO) specialist(s)</td>
<td>7</td>
<td>%</td>
</tr>
</tbody>
</table>
Training section focuses on the court’s experience with racial/ethnic disparity and cultural competency training.
The Drugs/Treatment/Support Services section focuses on the participants’ primary drug of choice(s), treatment available, sanctions, incentives, and ancillary services.
The Evaluation and Monitoring section addresses the type(s) of evaluations that may have been conducted in the past. Also, several questions on tracking participants’ program completion outcomes.
Scoring

Results:

RED Program Assessment Tool
Total Score

51

Section 1: Court Information
- View Answers

Section 2: Intake
- View Answers

Section 3: Assessments
- View Answers

Section 4: Demographics
- View Answers

Section 5: Team Members
- View Answers

Section 6: Training
- View Answers

Section 7: Drugs / Treatment / Support Services
- View Answers

Section 8: Evaluation & Monitoring
- View Answers

Section 4: Demographics
(Not Scored)

Scores:

- Section 1: 48
- Section 2: 78
- Section 3: 68
- Section 4: (Not Scored)
- Section 5: 55
- Section 6: 56
- Section 7: 52
- Section 8: 0
Recommendations

Section 1: Court Information

- Create a vision statement that discusses racial/ethnic equity.
- Create a staff policy and procedure manual that discusses racial/ethnic equity.
- Create a written participant handbook that discusses racial/ethnic equity.
- Consider implementing policies to assess for racial and ethnic disparities in outcomes.
- Consider implementing policies to support staff in providing culturally responsive interventions.
- To ensure participants understand the legal implications of participation in the treatment court, translators/translator services should be made available.
- Continue assessing your court’s policies and procedures in this category to further reduce racial and ethnic disparity.

Section 2: Intake

- Eliminating barriers like participant fees make programs more accessible to participants who may be from lower socioeconomic groups.
- Eliminating barriers like having access to transportation make programs more accessible to participants who may be from lower socioeconomic groups.
- Excluding participants who have a prior arrest, limits access to racial/ethnic minorities who are arrested at higher rates than Whites.
Data Security

- Data stored on AU’s secure server.
- No individual level data collected.
- Data will only be reported in the aggregate.
RED Pilot Site Visits

Conducted Interviews

Attended Staffings

Observed Status Hearings

Provided Recommendations to Address RED
## Average Scores for 3 Pilot Sites

<table>
<thead>
<tr>
<th>Section</th>
<th>Average</th>
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<tbody>
<tr>
<td>Overall Average</td>
<td>65.9%</td>
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<tr>
<td>Section 1 (Court Information) Average</td>
<td>35.7%</td>
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<tr>
<td>Section 2 (Intake) Average</td>
<td>76.9%</td>
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<tr>
<td>Section 3 (Assessments) Average</td>
<td>81.8%</td>
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<tr>
<td>Section 4 (Demographics)</td>
<td>Not Scored</td>
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<tr>
<td>Section 5 (Team Members) Average</td>
<td>29.4%</td>
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<tr>
<td>Section 6 (Training) Average</td>
<td>55.4%</td>
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<tr>
<td>Section 7 (Drugs/Treatment/Support Services) Average</td>
<td>71.3%</td>
</tr>
<tr>
<td>Section 8 (Evaluation and Monitoring) Average</td>
<td>50.0%</td>
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</tbody>
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# RED Resources

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<table>
<thead>
<tr>
<th></th>
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<tr>
<td><strong>Website</strong></td>
<td><strong><a href="https://redtool.org">https://redtool.org</a></strong></td>
</tr>
<tr>
<td><strong>Tutorial Video</strong></td>
<td><strong>Racial and Ethnic Disparities Program Assessment Tool Tutorial</strong></td>
</tr>
<tr>
<td><strong>Issue Brief</strong></td>
<td><strong>Racial and Ethnic Disparities (RED) in Treatment Courts</strong></td>
</tr>
<tr>
<td><strong>Webinar</strong></td>
<td><strong>An Overview of the Racial and Ethnic Disparities Program Assessment Tool</strong></td>
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</tbody>
</table>
Mecklenburg County's Criminal Justice Services (CJS) & The Commitment To Racial Equity
Mecklenburg County Racial Equity Timeline (Part 1)

1993
NC 26th Judicial District Recognized A Significant Increase In Cases.

1995
The First S.T.E.P. (Supervision, Treatment, Education, Prevention) Drug Treatment Court Session Was Held.

1998
A Second Court Was Created Per A Program Refinement To Address Further Disparities.

2000
The Success Of These Two Courts Created The DWI Treatment Court.
Mecklenburg County Racial Equity Timeline (Part 2)

- **2003**: A Juvenile & Family Drug Treatment Court was created.
- **2005**: Mecklenburg County opened its Mental Health Court.
- **2010**: Race Matters For Juvenile Justice (RMJJ) was created.
- **2015**: Mecklenburg County’s Drug Treatment Court wins the NADCP’s Cultural Leadership Award.
2017
Mecklenburg County's Criminal Justice Services Was Awarded A $2 Million Grant From The John D. & Catherine T. MacArthur Foundation.

2018
The Drug Treatment Court Was Renamed “Recovery Court” So That Our Language Could Be Inclusive & Less Stigmatizing.

2018
Mecklenburg County’s Criminal Justice Services Began Hiring Equity & Inclusion Specialists.

2019
Mecklenburg County’s Executive Leadership Team Named Criminal Justice As A Foundational Component In Its Equity Action Plan.
The Experience

• Eye Opening Experience

• Comfortable Environment

• Data
Value of Assessment/Next Steps

- CJS Equity & Inclusion Specialists
- CJS Racial and Ethnic Disparity (RED) Committee
- MacArthur Foundation Safety and Justice Challenge (SJC)
- Government Alliance on Race and Equity (GARE)
Scenario

During a court hearing, an African American male participant told the judge that he feels like people of color are treated unfairly in the treatment court program.

Later, the judge asked the treatment court team members to investigate if racial and ethnic disparities exist in the program.

What steps would your team take address this situation?
Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

**Step 1. Set Outcomes.**
Leadership communicates key community outcomes for racial equity to guide analysis.

**Step 2. Involve Stakeholders + Analyze Data.**
Gather information from community and staff on how the issue benefits or burdens the community in terms of racial equity.

**Step 3. Determine Benefit and/or Burden.**
Analyze issue for impacts and alignment with racial equity outcomes.

**Step 4. Advance Opportunity or Minimize Harm.**
Develop strategies to create greater racial equity or minimize unintended consequences.

**Step 5. Evaluate. Raise Racial Awareness. Be Accountable.**
Track impacts on communities of color overtime. Continue to communicate with and involve stakeholders. Document unresolved issues.

**Step 6. Report Back.**
Share information learned from analysis and unresolved issue with Department Leadership and Change Team.
Questions?
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zfrancis@american.edu
CJSEquityandInclusion@mecklenburgcountync.gov