



CRIMINAL JUSTICE COORDINATING COUNCIL

I. Data Collection point:

State- DC (FY2018)	White	Black or African American	Hispanic/Latino	Asian	Native Hawaiian or other Pacific Islander	American Indian or Alaska Native	Other/Mixed	All Minorities	Unknown	Total
Juvenile Arrests (Source: MPD)	27	2549	186	2	0	0	0	2737	28	2792
Referrals to Juvenile Court (Source: CSSD)	10	2168	116	4	0	*	0	2288	12	2310
Cases diverted (pre-arrest) (Source: DHS)	19	190	13	1	1	1	1	207	0	226
Cases diverted (post-arrest) (Source: DHS)	2	263	28	1	0	0	0	292	0	294
Total intakes at secure detention facilities (including overnighters) (Source: DYRS)	13	2983	206	9	*	0	6	3204	0	3217
Cases involving secure detention. (This only includes detention ordered after the initial hearing. Does not include overnighters.) (Source: DYRS)	1	425	27	1	*	0	0	453	0	454
Cases Petitioned (charges filed) Excludes Cert out to Original Judge (Source: DCSC)	4	874	74	1	0	1	9	982	23	986
Cases Resulting in Delinquent Findings (Source: DCSC)	3	380	17	0	0	0	1	405	3	408
Cases Resulting in Probation Placement (Source: DCSC)	3	200	17	0	0	0	0	221	3	224
Cases Resulting in Confinement of Youth Correctional Facilities (Source: DYRS)	0	263	8	0	*	0	0	271	0	271
Cases Transferred to Adult Court (Source: CSSD)	0	40	0	0	0	*	0	40	0	40



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II. Develop an Action Plan.

1. What do your DMC numbers tell you about your jurisdiction?

Disproportionate Minority Contact and Confinement in the District of Columbia (District) requires special analysis. In other jurisdictions, minorities may represent only 12% of the population, but represent higher percentages at points of contact in the juvenile justice system. In those systems, it is theoretically easier to analyze and address DMC when minorities make up 43% of those arrested or securely detained; those results are indicative of minorities being disproportionately arrested or detained.

The picture is different in the District. Based upon OJJDP's EZPOP (2017), the total youth population of the District is 113,971 children under the age of 18. This number is composed of 22,794 Whites, 68,155 Blacks or African Americans, 17,552 Latinos, 2,051 Asians, and 5,926 mixed race. In the District, minorities represent 80% of the at-risk population ages 1 through 17, but more than 98% of those arrested. OJJDP's DMC Reduction is heavily focused on the Relative Rate Index (RRI) at various points in the juvenile justice system. RRIs can be expressed as the minority rate divided by the White rate for the occurrence of an event at any given point of contact. However, so few White youths have penetrated the District's juvenile justice system, that we cannot calculate Relative Rate Indices for any point of contact beyond the referral to juvenile court.

2. What would success in DMC reduction look like for your state?

The District does not use the RRI to assess the disproportionality of minority contact in the juvenile justice system. Instead, the District examines each of the nine contact points to assess the number of minority youth in the juvenile system. Those areas include: arrest (law enforcement referral); referral to court; diversion (pre- and post-arrest); secure detention; petitioning (papering); adjudication (delinquent, guilty finding); probation supervision; secure confinement; and transfer to adult court (Title 16). In the District, successful DMC reduction would look like a decrease of minority youth reported at each of the nine contact points.

(See Table 3: DMC Table)

3. How much do you want to reduce DMC next year?

The District recognizes that monitoring of DMC has to be a continuous and ongoing process. The Compliance Monitor will continue to work with other District and Federal partners to reduce DMC. The District wants to reduce DMC contact at all identifiable contact points to a level lower by comparing percentages from the previous fiscal year.

4. Is that reasonable? If yes, why?

It is reasonable for the District to reduce DMC contact at all identified contact points through ongoing initiatives. The District believes that our initiatives strengthen the knowledge and enhance the skills of practitioners that work directly with juveniles and their families. On-going initiatives include:

I. Juvenile Justice Initiatives addressing DMC

a. DMC Training Sessions

- i. *FY18 DMC Training Session:* The Criminal Justice Coordinating Council (CJCC) hosts training and technical assistance events to improve processes and promote achievement of positive outcomes throughout the District. In FY18, CJCC convened a targeted DMC session, Measuring Disproportionate Minority Contact in the District of Columbia, which served as a forum for justice system stakeholders to discuss the similarities and differences in how justice agencies in the District of Columbia collect data on race and ethnicity, as well as gender.

b. Juvenile Diversion Programs

- i. Alternatives to the Court Experience (ACE) is a program for youth who have committed status offenses and low-level delinquency offenses whom the government has elected not to prosecute. The program is operated by the Department of Human Services (DHS), in collaboration with the Court Social Services Division (CSSD), the Metropolitan Police Department (MPD), the Office of the Attorney General (OAG), the Department of Behavioral Health (DBH), and community-based service providers.
- ii. The Parent and Adolescent Support Services (PASS) program, through the DHS, serves District families with youth ages 10-17 who have committed status offenses. The PASS program works cooperatively with juveniles and their families and provides intensive case management services to identify and address behavior and service needs designed to reduce the need for intervention from the juvenile justice system.
- iii. MPD Diversion. The Juvenile Processing Center (JPC) within the Youth and Family Services Division (YFSD) of MPD is responsible for processing juveniles arrested in the District of Columbia, including booking, fingerprinting, photographing, and reviewing the circumstances of the arrest to make the appropriate charge. The Juvenile Process Center (JPC) makes determinations about juvenile diversion if the offenders meet certain established criteria.
- iv. The Redirect Diversion program offers those with non-violent misdemeanor charges an opportunity to avoid judicial processing by engaging in pro-social education or employment programming. A partnership between The DC Superior Court (DCSC), the Department of Employment Services (DOES) and the Office of the State Superintendent of Education (OSSE). Redirect is a deferred sentencing diversion program that links youth without a high school diploma with OSSE's Reengagement Center, as well as unemployed adults with DOES's Career Connections and Project Empowerment programs.
- v. OAG's Restorative Justice Diversion Program provides juvenile defendants with an opportunity to have their cases dismissed by taking responsibility for their actions and entering into a resolution agreement with the

victim of the crime. Offered as both a deferred prosecution and deferred disposition agreement, this diversion opportunity can only be entered into if the victim, the offender, and the offender's parents agree to participate.

c. Specialty Court

- i. There are a significant number of juveniles who exhibit behaviors as a result of the commercial sexual exploitation. Recognizing the importance of reducing the commercial sexual exploitation of children (CSEC), the Here Opportunities Prepare you for Excellence (HOPE) Court was created. HOPE Court connects eligible and suitable juveniles and their parent(s), guardian, or custodian with supports. HOPE Court intensely monitors engagement with services designed to reduce CSEC involvement and provide care and rehabilitation for delinquent and status offender youth.
- ii. Juvenile Behavior Diversion Program (JBDP) is an intensive and non-sanction-based mental health court designed to link juveniles and status offenders to and to engage them in appropriate mental health services and supports in the community.
- iii. East of the River Community Court (ERCC) expanded city-wide in 2012. The Community Court provides eligible low risk defendants charged with misdemeanors (other than domestic violence) and defendants charged with certain traffic offenses with access to deferred prosecution or deferred sentencing diversion opportunities.

d. Collaboration among Juvenile Justice Agencies: Minority youth encompass 98% of those in the District's juvenile justice system, and thus, the following committees and their strategic areas of work also contribute to decreases in minority contact and decreases in system penetration for system-involved youth. Their efforts also promote system equity and performance improvement initiatives for the overall juvenile justice system in the District. (See Table 1)

- i. *The Juvenile Justice Committee (JJC)*: The District's Juvenile Justice Committee (JJC) serves as the executive body for the juvenile justice system and is charged with setting juvenile justice strategic priorities. The JJC is chaired by the presiding judge of the Family Court Division of the D.C. Superior Court and has several subcommittees and workgroups to help fulfill its goals:
 1. *The Juvenile Data Committee (JJDC)*: The Juvenile Data Committee is under the direction of the JJC and is committed to using data to identify critical questions regarding juvenile detention reform, expose shortages in programming and/or services and drive policy and decision-making. In FY19, the JJDC expanded its scope to examine data beyond pre-adjudicated youth in the system.
 2. *Dual Supervision/Case Management and Information Sharing (DS)*: The Dual Supervision/Case Management and Information Sharing group works to maximize the exchange of information with respect to juveniles who are supervised or monitored by multiple agencies.
 3. *Restorative Justice Workgroup (RJ)*: The Restorative Justice Workgroup is comprised of District agencies and nonprofits that facilitate restorative justice programs in the juvenile justice and education sectors. The workgroup is working to formulate a standard philosophy, strategic goals, and a set of guiding principles that all members would adhere to when administering their respective programs.

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4. *The Supporting PINS/Runaways Workgroup (PINS)*: The Supporting PINS/Runaways Workgroup is comprised of juvenile justice, health and human services, and education partners. The workgroup's purpose is to understand the profile of the youth who abscond or repeatedly run away, determine whether or not any of the youth had recently been provided health services, and identify what additional services or supports should be put in place to prevent further run-away behavior.
 5. *The Transfer of Title 16 Youth (Title 16)*: The CJCC convened a series of interagency meetings with federal and local partners focused on the transfer of Title 16 youth (the District's transferred, waived, and certified youth) to help identify logistics for the transfer of custody of Title 16 youth from the District's secure adult facility to a juvenile correctional institution.
 6. *Youth Service Center Population Call (YSC)*: On a monthly basis, the CJCC convened YSC Population Calls, which included several local and Federal partner agencies to exchange information about juveniles that have been securely detained for more than 30 days.
- ii. *Every Day Counts (EDC) Taskforce*: The citywide EDC Taskforce is charged with reducing truancy and improving school attendance among juveniles identified as being chronically absent from school.
1. *EDC Data Committee*: The Data Committee collects data on an ongoing basis for two specific purposes: (1) to assist with tracking compliance with the Attendance Accountability Amendment (AAA) Act¹ and (2) to use the data to inform policy and practice.

Table 1: Agencies' Committee Participation

¹ D.C. Law 20-17. Attendance Accountability Amendment Act of 2013.

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	<u>JJC</u>	<u>JJDC</u>	<u>RJ</u>	<u>EDC</u>	<u>Title 16</u>	<u>PINS</u>	<u>YSC</u>	<u>DS</u>
DYRS	X	X	X	X	X	X	X	X
DOC	X	X	X	X	X	X		X
OAG	X	X	X	X	X	X	X	X
USAO	X	X	X	X	X	X		X
MPD	X	X	X	X	X	X		X
OVSJG	X		X	X		X		X
DCSC (CSSD)	X		X		X		X	X
CSOSA			X					X
PSA					X			X
DBH								
CFSA								X
USMS								
DHS								X
OSSE			X	X		X		
DCPS			X	X		X		

Table 2: Acronyms and Agency Focus

Agency	Focus	Acronyms
Department of Youth and Rehabilitation Services	Juvenile Justice Agency	DYRS
Department of Corrections	Adult Corrections	DOC
Office of the Attorney General	Juvenile Prosecution	OAG
United States Attorney’s Office	Adult Prosecution	USAO
Metropolitan Police Department	Law Enforcement	MPD
Office of Victim Service and Justice Grants	State Administering Agency	OVSJG
District of Columbia Superior Court	Court	DCSC
Court Services and Offender Supervision Agency	Adult Probation/ Supervised Release	CSOSA
Pretrial Service Agency	Adult Pre-trial	PSA
Department of Behavioral Health	Mental Health and Substance Abuse	DBH
Child and Family Services Agency	Child Welfare	CFSA
United States Marshal Services	Court Holding	USMS
Department of Human Services	Social Services	DHS
Office of the State Superintendent of Education	Education	OSSE
District of Columbia Public Schools	Education	DCPS

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5. What do you need from OJJDP to be successful with your plan?

The District relies on the available webinars, and other no-cost TTA opportunities from OJJDP.

6. What safeguards will you put in place to ensure that as you work to reduce DMC, you are still protecting the public, holding youth accountable, and equipping youth to live crime-free, productive lives?

The District has various protections and legal requirements that exceed the minimum standards set by the Juvenile Justice and Delinquency Prevention Act. Such mechanisms are in place to ensure that the public is being protected, youth are held to account, and youth that touch the justice system are provided with programming and services to address their needs. For example, the Comprehensive Youth Justice Amendment Act (CYJAA) passed by DC Council strengthens the presumption against pre-disposition detention of a child, reduces the number of unnecessary arrests of children, bans the secure detention of status offenders, transfers youth charged as an adult to the custody of the DYRS, ends the commitment to the DYRS of children under 10 years of age, terminates the commitment of status offenders on their 18th birthday, improves communication between the families of committed juveniles about their commitment and the resources available to them, and authorizes the sealing of juvenile arrest records.

The District holds youth accountable for their actions through agencies (Federal and Local) restorative justice programs, practices, and policies. Restorative Justice (RJ) involves to the extent possible, those who have a stake in a specific offense to collectively identify and address harms, needs, and obligations to heal and put things as right as possible. At its core, RJ values accountability, healing, and inclusion. RJ programs hold youth accountable by helping them to address the harm they may have caused in their community, to their victims, and their families or schools. The youth perform community service, pay restitution, and participates in victim-offender mediations, circles, and conferences.

III. Outcome-Based Evaluation

The CJCC completed a recidivism analysis of youth completing juvenile system interventions during calendar year 2015. Recidivism was defined to include rearrests, new case filings, and new adjudications or convictions for both juvenile and adult offenses that occurred in the 12 months, following release or completion of court-ordered programming. The Juvenile Justice Data Committee has decided that this baseline information provided useful insight and, if continued, would continue to help partner agencies in pursuing best practices for justice-involved youth in the District. In 2019, the CJCC will complete a second analysis, examining two cohorts. First, the CJCC will utilize the same 2015 completion cohorts from ACE diversion, probation, and commitment to DYRS, and will now follow their outcomes for 24 months. Second, the CJCC will also analyze recidivism for a 2016 cohort for a 12-month follow up. The intent is that this will be replicated annually thereby improving baseline understandings and enhancing the JJC's ability to monitor trends in youth outcomes. Overall, this data informs policy decisions

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and recommendations for programmatic and administrative improvements amongst the juvenile justice agency partners in the District.