

Plan for Compliance with the Disproportionate Minority Contact Core Requirement

Introduction

The Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 requires states participating in the Formula Grants Program to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system” (section 223 (a)(22)). The Office of Juvenile Justice and Delinquency Prevention (OJJDP) requires States to carry out five phases or core strategies to satisfy this mandate:

- Identification – to determine the extent to which Disproportionate Minority Contact (DMC) exists
- Assessment – to assess the reasons for DMC, if it exists
- Intervention – to develop and implement intervention strategies to address these identified reasons
- Evaluation – to evaluate the effectiveness of the chosen intervention strategies
- Monitoring – to note changes in DMC trends and to adjust intervention strategies as needed

This Strategic Plan makes recommendations pertaining to each of the five phases from identification to monitoring. The Plan will be carried out by the State of Michigan’s DMC Coordinator with assistance from Public Policy Associates, Inc., a subcontractor on this project. The work will be done in consultation with the State of Michigan’s Juvenile Justice Specialist and members of the DMC Sub-committee of Michigan Committee on Juvenile Justice (MCJJ). Taken together, these steps will move Michigan toward the goal of eliminating DMC from its juvenile justice system, and provide the vigilance required to keep DMC from becoming entrenched in the system and therefore more difficult to eradicate.

Phase I: Identification

To address DMC in the juvenile justice system, it is first necessary to determine whether and where DMC is apparent. This is accomplished by compiling statistics related to the numbers of white and minority juveniles who come in contact with various points in the juvenile justice system. These numbers are translated into rates, which are then compared for white and minority youths using the Relative Rate Index.

Currently, data collected for DMC identification purposes in the State of Michigan includes population figures for juveniles aged 10-16 by race/ethnicity, and the numbers of juveniles within each group who have come in contact with the juvenile justice system at nine points: arrest; referral to juvenile court; diversion; secure detention; delinquency petition; delinquent finding; probation placement; confinement in secure juvenile correctional facility; and transfer to adult court.

Racial/ethnic groups included in past identification efforts are: Caucasian/White; Black; Asian; Native American; and Hispanic/Latino. Additional categories may be added as relevant.

Updated DMC Identification Spreadsheets

The most recent available data for localities with focused DMC funded reduction efforts has been entered into the Web-based DMC Data Entry System at www.ojjdp.dmcddata.org/. To be specific, data has been entered for Genesee and Kent counties for calendar year 2008, Genesee and Macomb counties for calendar year 2007, Genesee County for calendar year 2006, and Genesee, Kent and Macomb counties for calendar year 2005. The Relative Rate spreadsheets for these counties have been exported to GMS and are attached to this report as “Attachment #2” with the name of the jurisdiction identified.

Data for Wayne and Washtenaw counties, two new focused DMC funded reduction efforts established during calendar year 2009, are currently being collected for calendar years 2007 and 2008 and will be entered into the Web-based DMC Entry System once vetted and finalized. It should be noted that Wayne and Washtenaw counties represent two of the three jurisdictions with the highest minority concentrations; the third jurisdiction is Oakland county. There is a plan to engage Oakland County as a focused DMC funded reduction site during calendar year 2010 when additional funds become available.

In addition, the available data from calendar year 2005 for the following 31 localities without focused DMC funded reduction efforts has been entered into the Web-based DMC Data Entry System at www.ojjdp.dmcddata.org/:

- | | |
|------------------|----------------|
| ■ Alcona | ■ Leelanau |
| ■ Allegan | ■ Lenawee |
| ■ Alpena | ■ Manistee |
| ■ Antrim | ■ Marquette |
| ■ Barry | ■ Muskegon |
| ■ Bay | ■ Oceana |
| ■ Benzie | ■ Ogemaw |
| ■ Cass | ■ Osceola |
| ■ Cheboygan | ■ Otsego |
| ■ Chippewa | ■ Presque Isle |
| ■ Crawford | ■ Roscommon |
| ■ Dickinson | ■ Sanilac |
| ■ Grand Traverse | ■ Shiawassee |
| ■ Gratiot | ■ St. Clair |
| ■ Kalkaska | ■ Wexford |
| ■ Lapeer | |

Efforts are also underway to secure data from the remaining counties without focused DMC funded reduction efforts through the development of a state-wide data sharing agreement.

DMC Data Discussion

For calendar year 2005, quantifiable documentation is not available for all 83 counties in the State of Michigan. The Bureau of Juvenile Justice and the Michigan courts face major challenges in managing the juvenile justice systems because of very limited access to information on the operation of programs, the status of individual cases at the state and county level, and the impact of services on children and families.

Because of these incomplete data, it cannot be determined if DMC exists in every jurisdiction or at the state level. To address this problem, the Bureau of Juvenile Justice has developed a plan to “Improve the strategic use of data collection, analysis and reporting to improve performance of the juvenile justice system as measured by outcomes for families and children.” A part of the plan is to develop a Statewide Automated Child Welfare Information System (SACWIS)-compliant system by October of 2012 to enable reporting statewide reporting. The Bureau of Juvenile Justice is partnering with the Michigan Department of Human Services, the Michigan State Court Administrator’s Office, local courts and the private provider network to build a system that can be used to manage programs, services, resources and staff toward the desired outcomes, and provide regular reporting to the agency and the public. Once the Management Information System is in place it will:

- Allow for the routine collection of data to track progress in DMC reduction
- Allow for the tracking of progress on race equity
- Link child welfare, juvenile justice, court, and private agency data
- Interface with other state data maintained by DHS, the Department of Education, the courts, and other public data sources

The Bureau of Juvenile Justice is still in the process of collecting baseline DMC data for the State of Michigan and local jurisdictions. With the exception of Kent county, a focused DMC funded reduction site that has produced DMC data in calendar year 2005 and 2008, comparisons between updated data and data obtained in earlier years cannot be made at this time. Because the development of a statewide automated system is not expected to fully functional until October 2012, the Bureau of Juvenile Justice’s FY 2009-2011 DMC Compliance Plan will involve the completion of data sharing agreements to gain access to data from local jurisdictions. Significant progress has already been made with the 31 counties listed above. See the attached DMC spreadsheets for the baseline data for Genesee and Macomb counties.

Kent county

Based on the 2005 RRI for Kent county, the local DMC steering team developed a diversion program that was implemented in the fall of 2007. The 2005 RRI for diversion was .86 for all minorities (meaning that minorities were under represented at the diversion decision point); this has remained fairly consistent for 2008 at .84 (meaning that minorities are still under represented). At the surface, this indicates that the diversion program that Kent has implemented has had no impact according to these data. While this could appear troublesome, the good news is that the disparity has not gotten any worse. Discussions are currently under way to expand the program so that a larger number of juveniles can be engaged to reduce the current level of disparity.

Phase II: Assessment/Diagnosis

Data gathered for DMC identification may indicate a need for more in-depth assessments of particular points in the juvenile justice system and/or particular counties where DMC is apparent. The Bureau of Juvenile Justice has not completed a statewide DMC assessment because it is still working on securing data to complete the Identification Stage. A subcontractor was hired in 2007 to collect statewide data and progress is being made; within one year DMC data were collected from 34 counties (only three were provided with funding). The ultimate goal is to have a Statewide Automated Child Welfare Information System (SACWIS)-compliant system by October of 2012 to enable reporting statewide reporting. Between now and October 2012, the Bureau of Juvenile Justice's FY 2009-2011 DMC Compliance Plan will involve the completion of data sharing agreements to gain access to data from local jurisdictions. Significant progress has already been made with the 31 counties listed above and the goal will be to increase the level of participation each year. At this point the goal is to collect data from all 83 counties.

The Bureau of Juvenile Justice could use technical assistance that will contribute ideas to process of developing an efficient and effective data collection infrastructure and strategy. It would be great to have a technical assistance provider at the table during the next three years while the State of Michigan is making a significant investment in creating a statewide Management Information System.

In the case of the five focused DMC funded reduction efforts in the State of Michigan – Genesee, Macomb, Kent, Washtenaw and Wayne counties – only Kent has moved to the Assessment Phase. The efforts in Genesee and Macomb counties utilized resources to establish an infrastructure and ongoing process to collect DMC data. These counties are now capable of producing DMC data so that an assessment can be completed.

At the appropriate point, Public Policy Associates, Inc. will work with DMC sites and their local evaluators to conduct assessments as indicated by DMC identification data, and identify any additional data that would contribute to these assessments.

Phase III: Intervention

Progress Made in 2008

The status of each focused DMC funded reduction effort is described below along with specific progress that has been made.

Genesee county

The Genesee county DMC effort is focused on the goal of diverting minorities from the formal probation unit. With the use of DMC funds, the following accomplishments were made in calendar year 2008:

- A County Case Manager Computer system has been implemented to capture DMC data and is operational.
- An intake interviewer has been hired to:
 - Conduct risk assessments on diverted juveniles to evaluate other needs and follow-up on recommendations
 - Monitor all juvenile cases.
 - Monitor consent calendar probation minorities to prevent further penetration into the system.

Kent county

The Kent county DMC effort is focused on diverting minorities from the formal juvenile justice system. As of January 2009, the following accomplishments have been made through the diversion program:

- 114 juveniles have been referred to the program
- 67 juveniles have been enrolled in the program
- 49 juveniles have successfully completed the program
- 10 juveniles did not complete the program successfully

Macomb county

The Macomb county DMC effort is focused on three specific results to be accomplished with the use of DMC funding:

- Creating the infrastructure and an ongoing data collection process to collect juvenile data records for submission to the Bureau of Juvenile Justice
- Developing and implementing a staff training to institutionalize the process
- Embedding the pursuit of DMC project goals into the ongoing operations of the local court and relationships with other agencies

As of January 2009, Macomb county has:

- Established a process to track juvenile data for every decision point. The county has also collected data for 2004-2008 and is in the process of preparing a DMC data report for calendar year 2008.
- Restructured the juvenile probation department by creating a separate intake unit and establishing a single administrative structure for supervision of juveniles. The reorganization has allowed for rapid and easy response to DMC data related to assessment and supervision of juveniles referred to the Court.
- Consolidated the clerical services department to assist with the collection, generation, and reporting of DMC data.
- A new and carefully organized process for diverting petitioned juveniles from the formal Court process was put in place and expanded. The result is both an increase in the number of

juveniles diverted and greater capacity to identify and respond to any racial disproportions that may occur in the earliest stages of the Court process.

- Baseline data on DMC showed that the primary point of racial disproportion in Macomb's juvenile justice system is at arrest and referral to the Court. More detailed examination of those data led to the conclusion that addressing that disproportion will require community-level programming to reduce the level of juvenile contact with police. The Court has worked within the Macomb County Human Services Coordinating Body (HSCB) to establish a subcommittee of the HSCB to pursue that community-level programming. The result has been an initial plan for developing community-level programming based in the County's school districts. Specific programs in two school districts that contribute disproportionately to African American delinquency petitions have been initiated using DMC project funds.

Public Policy Associates, Inc. and the DMC Coordinator are currently working with Wayne and Washtenaw counties to establish a local DMC Steering Committee and Data Collection subcommittees. These groups will examine identification and assessment data for their respective jurisdictions, work to develop intervention strategies, and be given feedback from future DMC monitoring and evaluations of intervention efforts. Technical assistance will be provided by Public Policy Associates, Inc. and independent evaluators.

DMC Reduction Plan for FY 2009 – 2011

Michigan will continue its progress in local and statewide DMC data collection and the implementation of intervention projects in areas where DMC is found to exist. Ongoing efforts are still in process with the Michigan Department of Human Services and the Michigan State Court Administrator's Office to secure DMC decision point data for all 83 counties (specifically the 60 that currently use the state's Juvenile Information System). In 2008, data were forwarded by 36 counties, but the data were not totally usable due to data inaccuracies and missing racial and ethnic data. The State has established 2012 as the year for launching a statewide juvenile database. Because Michigan has not established the legislative or executive authority for the Department of Human Services to generate statewide DMC data, the MCJJ will become a member of the state's data collection committee to ensure that the elements required to conduct a DMC analysis are included in the database plan. Moving forward, the MCJJ will actively work with this statewide data collection committee and continue to work with local DMC efforts to secure data until the statewide data base is operational.

Additional concerns center on the need for data from the three counties with the highest minority concentrations. In addition to Macomb County, a DMC efforts is currently under way with Wayne County. This county's minority juvenile population comprised 70% of the youth offenders for the State of Michigan. The MCJJ has now established a DMC intervention project with Wayne County that began during the first quarter of calendar year 2009. The local DMC team is in the process of collecting data so that an RRI analysis can be run prior to the end of calendar year 2009. To date the Wayne County DMC team has provided the state with partial DMC decision point data for calendar years 2007 and 2008.

Michigan has also completed a competitive bid process and has a contract with a private agency to complete a crime analysis. The contractor produced a initial crime analysis in 2008 utilizing 2005 UCR data and has submitted a DRAFT 2009 Juvenile Crime Analysis using 2000-2006

trend data. This report will be reviewed by the MCJJ and finalized within the next quarter. The DRAFT report is attached.

Based on findings in the 2008 crime analysis, the MCJJ targeted Washtenaw County has a new DMC site and established a DMC intervention project during the first quarter of 2009. The contractor is currently working with the local DMC team to collect data so that an RRI analysis can be run prior to the end of calendar year 2009.

This contractor will also assist in the development of appropriate interventions for specific communities in Wayne and Washtenaw, Kent Counties based on recommendations that are developed by these local DMC sites. The Genesee and Macomb DMC intervention projects are scheduled to conclude in 2009. The state expects to receive a final evaluation report of the impact of the DMC initiative for both of these sites.

Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement

At this point, the Bureau of Juvenile Justice has established DMC reduction projects in Kent, Genesee, Macomb, Wayne and Washtenaw counties. The first three counties mentioned above have begun to establish DMC intervention for the decision points that were identified in the RRI assessment process. We expect that they will move to the evaluation and monitoring phases during the next 12 months. Wayne and Washtenaw Counties are just beginning the identification stage with the assistance of Public Policy Associates.

Public Policy Associates has also collected a full set of decision point data for 36 counties for calendar years 2004-2006 and will begin to assess that data to determine if DMC exists. The RRI analyses could not be completed for 6 counties because racial and demographic data were not available and the remaining counties had several data inconsistencies that needed to be overcome. Public Policy has informed the Michigan State Court Administrator's Office of the data problems and is working with the Michigan Department of Human Services to secure more reliable data through the state's 2012 juvenile data warehouse project.

Until Michigan establishes a statewide data collection strategy, the Michigan Committee on Juvenile Justice will continue to fund local DMC efforts and establish the capacity to collect data at the local level. The 5 counties that are currently receiving funding have successfully secured the data or are currently in the process of collecting the data.

Collecting and Sharing Juvenile Justice Information

Michigan shares and receives data and information through memorandum of understanding (MOU), intra-agency and inter-agency agreements with various state agencies. The Crime Analysis Report is comprised of data from the State Court Administrative Office (SCAO) which is a judicial arm of the state, the Department of State Police, and local court agencies. The Crime Analysis Report was just recently prepared and has been included with the submission of the 2008 three- year plan. This document is comprehensive and will be distributed to key policy makers at the community level, state and local municipalities, law enforcement, public and

private residential facilities, and other agencies servicing youth. The State Department of Corrections provides information through their Jail Population Information System (JPIS) regarding youth seventeen years of age and below who have been jailed, in lockups or in detention. Intra-agency agreements have been established with various divisions within the DHS to share information regarding child abuse and neglect policies, procedure and potential issues impacting juvenile justice.

Data Quality

Missing data related to the race/ethnicity of juveniles has been an on-going problem. However, a commitment by Director Ismael Ahmed of the Michigan Department of Human Services to establish a statewide Management information system that captures race/ethnicity data should help address this problem. Public Policy Associates, Inc. will work with the DMC Coordinator to monitor improvements in the quality of race/ethnicity data by evaluating court data and provide feedback to the Court Administrator's Office concerning the percentage of missing race/ethnicity data.

It is also common practice for law enforcement agents to not record the race/ethnicity of arrested juveniles. Consequently, race/ethnicity data are not always available. This suggests that interventions with law enforcement officers are also needed. Public Policy Associates, Inc. will also work with DMC Coordinator to engage the Michigan of Association of Police Chiefs and Sheriffs to standardize juvenile arrest and intake processes to include the race/ethnicity of the individual involved.

Frequency of Data Collection

Although OJJDP requires submission of DMC identification data and RRI's only every three years, annual data collection is recommended. Identifying DMC points and relevant geographic areas early will allow for more rapid intervention efforts. DMC points that have become entrenched in the juvenile justice system will be more difficult to eradicate than those that are newly identified. Trends can also be seen more easily when more years of data are accumulated. Public Policy Associates, Inc. will work with the DMC Coordinator to collect DMC identification data and calculate RRI's on an annual basis, and look for patterns and trends over time.

Phase IV: Evaluation

Intervention strategies should be evaluated, both to encourage accountability among grantees and to assure the effectiveness of intervention efforts. This can be accomplished in a variety of ways. Successful interventions will hopefully reduce DMC, and this will be reflected in data compiled for identification and monitoring purposes. Programs that receive grants for intervention programs should also be required to include an evaluation component to assess the program's impact. Public Policy Associates, Inc. is currently working with Kent, Washtenaw and Wayne counties to establish an evaluation methodology. The Kent, Wayne and Washtenaw county DMC efforts are being evaluated by a third-party.

The Kent county process evaluation recommended the following revisions to the program:

- Hire a learning specialist whose work focuses on at-risk youth using insights from cognitive psychology, neuroscience, and social cognition
- Hire an on-site investigator (or team) from a local research university who conducts systematic research on programs, learning processes, and academic achievement for at-risk youth
- Update the model to facilitate parental involvement and ensure that no urban communities will be left behind
- Connect research programs in education, criminology, psychology, sociology, and other social sciences around an Institute for Successful Achievements that is focused on transforming at-risk youth, their families, and communities
- Implement DMC training for staff, mentors, and investigator as continuing education
- Educate the Progressions board and management accordingly
- Adopt the Strengthening Families curriculums for at-risk youth as sanctioned by OJJDP

A report has not been developed for the Wayne and Washtenaw efforts as they just began in 2009. Findings from future process and/or outcome evaluations for these efforts will be shared when the findings are released.

Phase V: Monitoring

As previously indicated, OJJDP requires reporting of DMC identification data every three years, but Michigan's plan calls for Public Policy Associates, Inc. to work with the DMC Coordinator to collect data and produce RRI calculations on an annual basis to allow for earlier detection of DMC and the development of appropriate interventions. This will also allow for trends to be monitored more easily. DMC intervention grants to community partners and agencies will also be monitored on a quarterly basis for program effectiveness and to identify additional problem areas that might point to a need for new identification, assessment, and/or intervention strategies.

Timeline

The time period for implementation of the activities outlined in this Strategic Plan is July 1, 2009-June 30, 2012.

Summer, 2009:

- Update FY 05 data and begin any assessments of that data (additional years if possible)
- Host regional DMC forums
- Update three-year plan, and present to DMC Committee
- Work on establishing data-sharing agreements
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Fall and Winter, 2009:

- DMC identification using FY 06 data (additional years if possible)
- Begin work to standardize juvenile arrest process
- Begin assessment of FY 06 data (additional years if possible)
- Work on establishing data-sharing agreements
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Spring and Summer, 2010:

- Implement standardized juvenile arrest process by regions
- Implement new DMC sites in Oakland and Kalamazoo; plan/schedule initial meeting
- Finish any assessments of FY06 data
- Produce crime analysis report
- Work on establishing data-sharing agreements
- Review data for completeness of race/ethnicity demographics
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Summer, 2010:

- Update FY 06 data and begin any assessments of that data (additional years if possible)
- Host regional DMC forums
- Update three-year plan, and present to DMC Committee
- Work on establishing data-sharing agreements
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Fall and Winter, 2010:

- DMC identification using FY 07 data (additional years if possible)
- Begin work to standardize juvenile arrest process
- Begin assessment of FY 07 data (additional years if possible)
- Work on establishing data-sharing agreements
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Spring and Summer, 2011:

- Implement standardized juvenile arrest process by regions
- Implement new DMC sites in Chippewa and Ingham; plan/schedule initial meeting
- Finish any assessments of FY07 data (additional years if possible)
- Produce crime analysis report
- Work on establishing data-sharing agreements
- Review data for completeness of race/ethnicity demographics
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Summer, 2011:

- Update FY 07 data and begin any assessments of that data (additional years if possible)
- Host regional DMC forums
- Update three-year plan, and present to DMC Committee
- Work on establishing data-sharing agreements
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Fall and Winter, 2011:

- DMC identification using FY 08 data (additional years if possible)
- Begin work to standardize juvenile arrest process
- Begin assessment of FY 08 data (additional years if possible)
- Work on establishing data-sharing agreements
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees

Spring and Summer, 2012:

- Implement standardized juvenile arrest process by regions
- Implement new DMC sites in 2 new sites; plan/schedule initial meeting
- Finish any assessments of FY08 data (additional years if possible)
- Produce crime analysis report
- Work on establishing data-sharing agreements
- Review data for completeness of race/ethnicity demographics
- Monitor interventions implemented by grantees; provide technical assistance as needed (e.g., evaluation component)
- Participate in development of statewide Management Information System
- Review reports submitted by intervention grantees