



**RACIAL & ETHNIC
DISPARITIES IN
TREATMENT COURTS**

An Equity & Inclusion State of Mind:

*Georgia's Approach to Addressing Racial & Ethnic Disparities
in Treatment Courts*

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Objectives

01

Examine the landscape of treatment court practice as it relates to topics on RED.

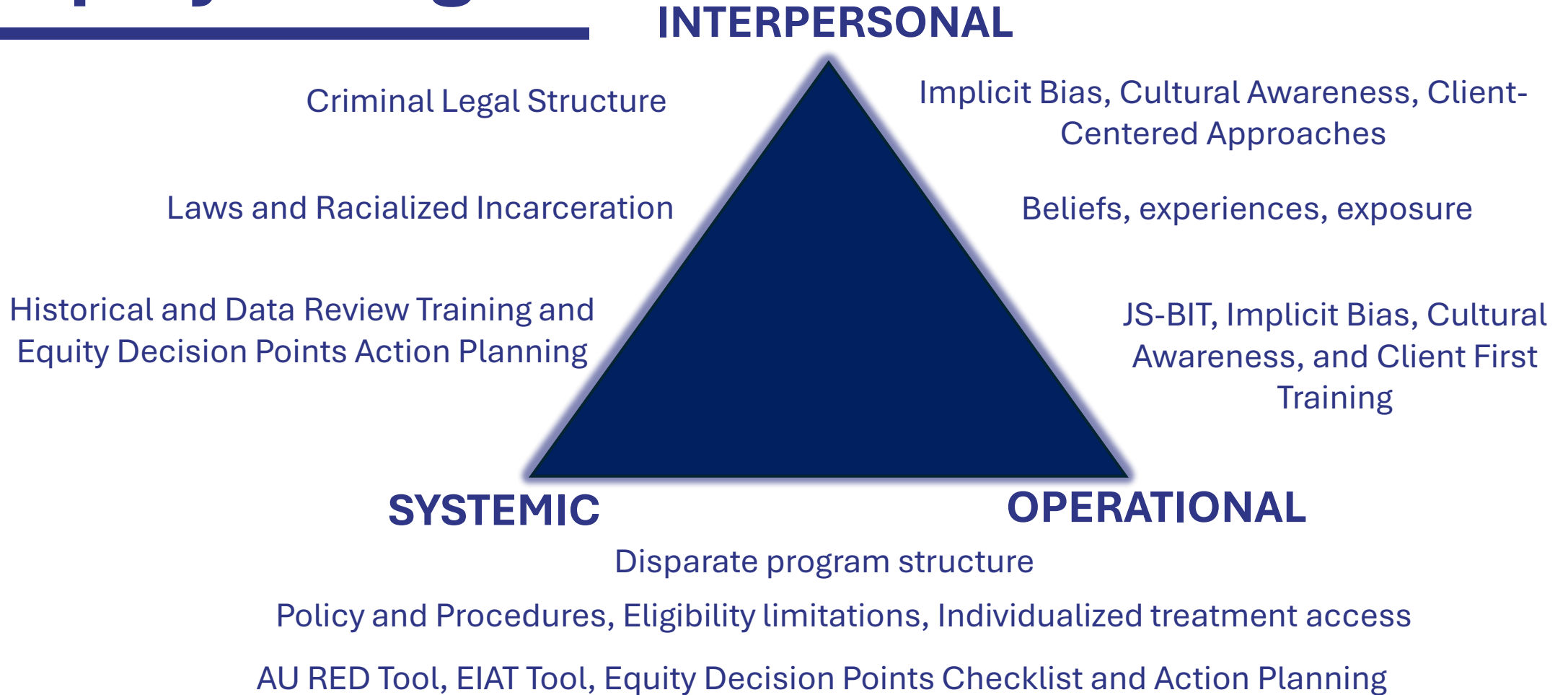
02

Identify and discuss innovative strategies to address RED in treatment court operations.

03

Describe how a state successfully executed a statewide RED project to aid in improving outcomes for participants.

Equity Triangle





Equity vs. Equality



Reality, Equality, Equity, and Liberation



Community Resources

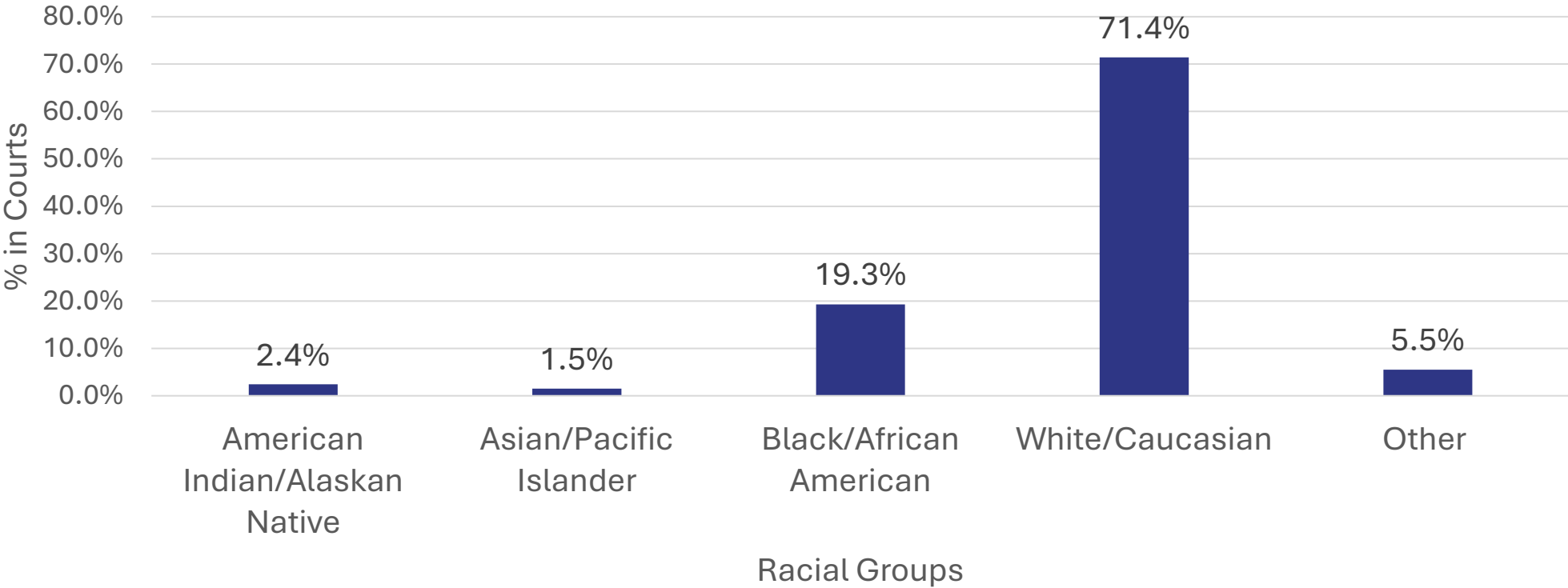


Racial and Ethnic Disparities in the Criminal Legal System

- Racial and ethnic disparities in the criminal legal system remains an issue today.
- Trends show disparities in access to treatment courts.
- Some minoritized participants graduate programs at a lesser rate than their white counterparts.



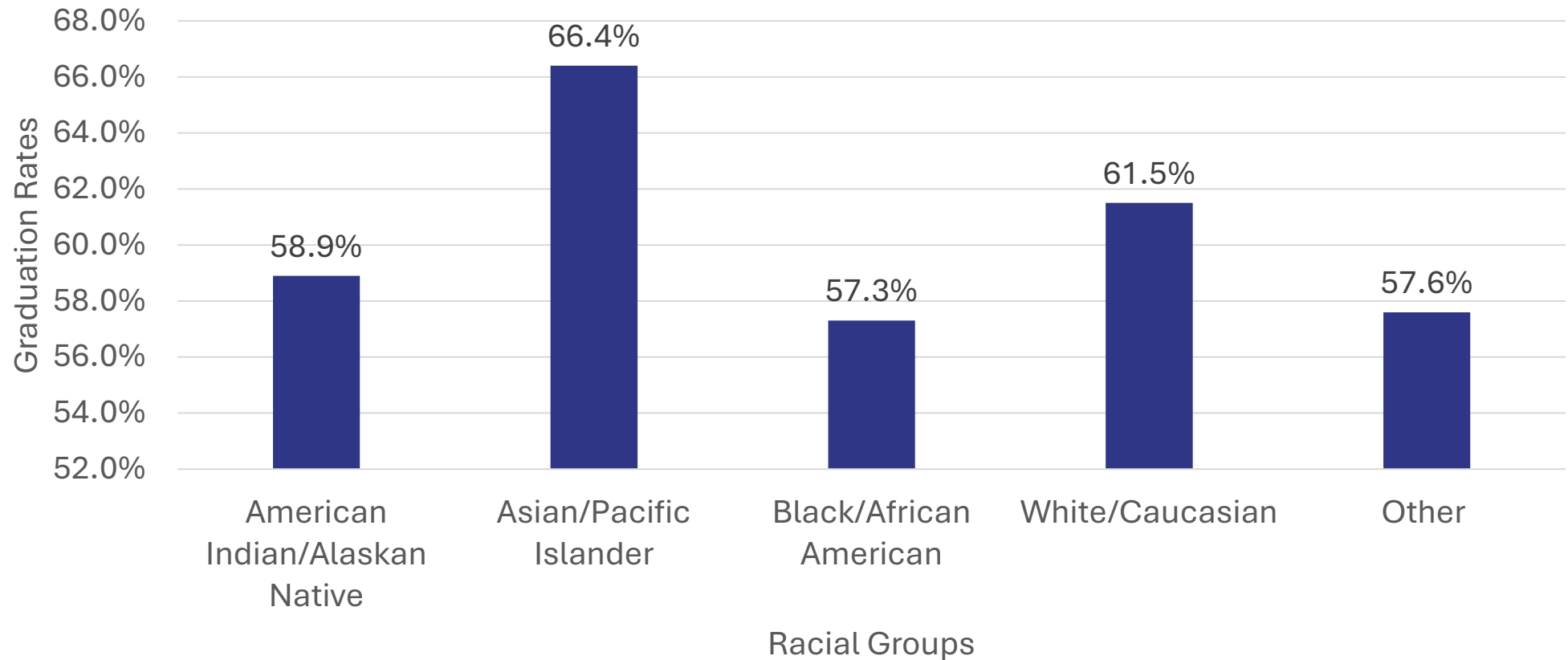
Treatment Courts are Majority White



DeVall, K., Lanier, C., & Baker, L. (2023). Painting the Current Picture: A National Report on Treatment Courts in the United States. National Drug Court Resource Center.



Black/African Americans Have the Lowest Graduation Rate



DeVall, K., Lanier, C., & Baker, L. (2023). *Painting the Current Picture: A National Report on Treatment Courts in the United States*. National Drug Court Resource Center.



The Racial and Ethnic Disparities (RED) Program Assessment Tool



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:

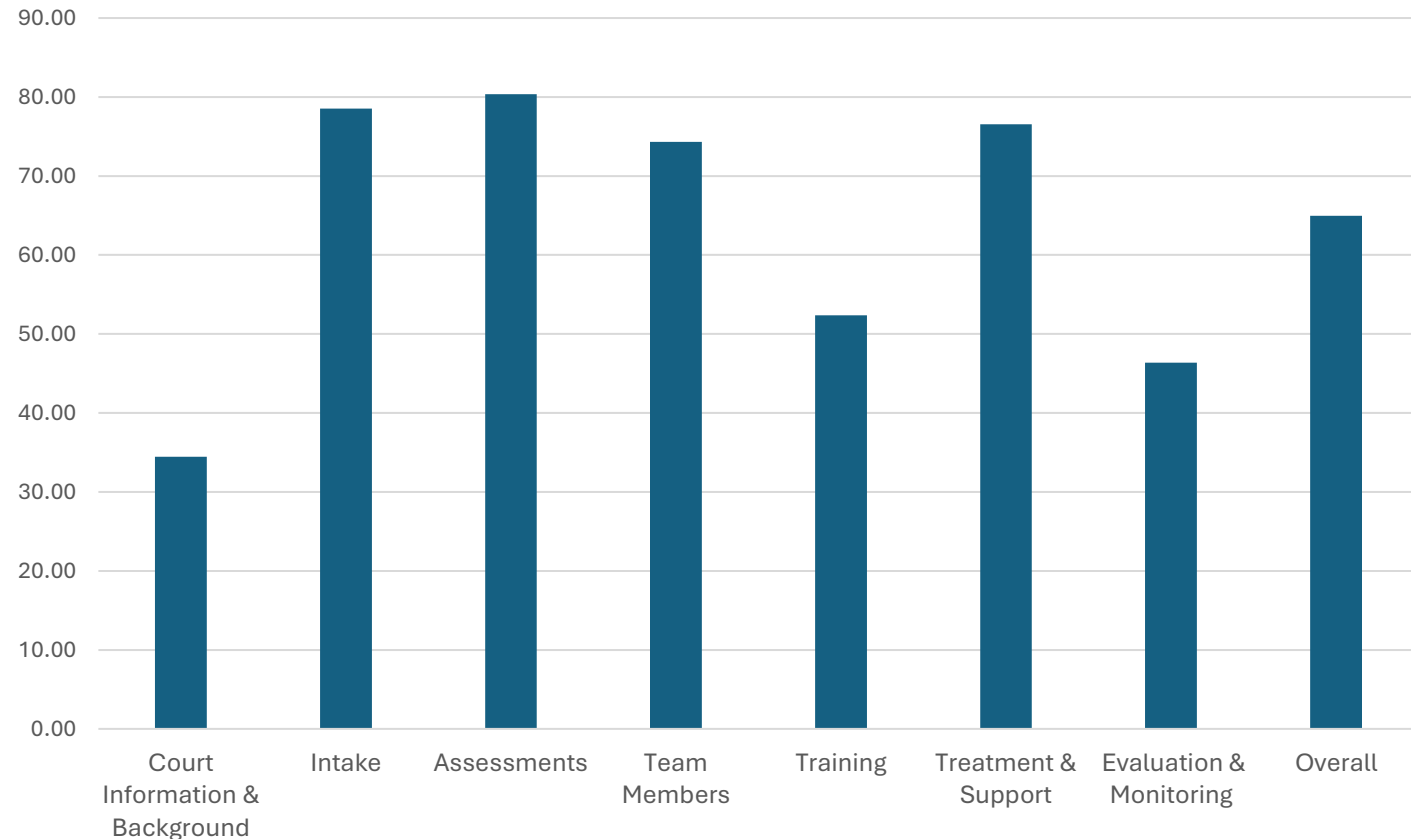
- Raising awareness about RED in treatment courts;
- Assisting courts identify RED in their systems and processes; and
- Offering recommendations on alleviating racial/ethnic disparities.

Key Findings from GA's Statewide RED Report



- 32 treatment courts completed the RED tool between August and October 2022.
- Courts scored highest on Intake and Assessments.
- Courts scored lowest on Court Policies and Documentation and Evaluation & Monitoring.

GA State Mean Scores by Section



Key Findings from GA's Statewide RED Report



- 75% of courts address racial equity in staff / internal documents - but less than 20% address it in public facing documents
- Only 16% of courts who served non-English speakers were able to provide program materials in the participant's native language
- 97% of courts have their eligibility requirements in writing - but only 68% share those requirements with all referral sources.

Key Findings from GA's Statewide RED Report



- 55% of courts agreed that non-white participants face more barriers to completion than white participants.
- Less than 15% of courts have BIPOC staff members in positions of authority
- 38% of courts regularly examine graduation data by race and ethnicity to determine disparities.



GA's Statewide Data Analysis Report

February 2024

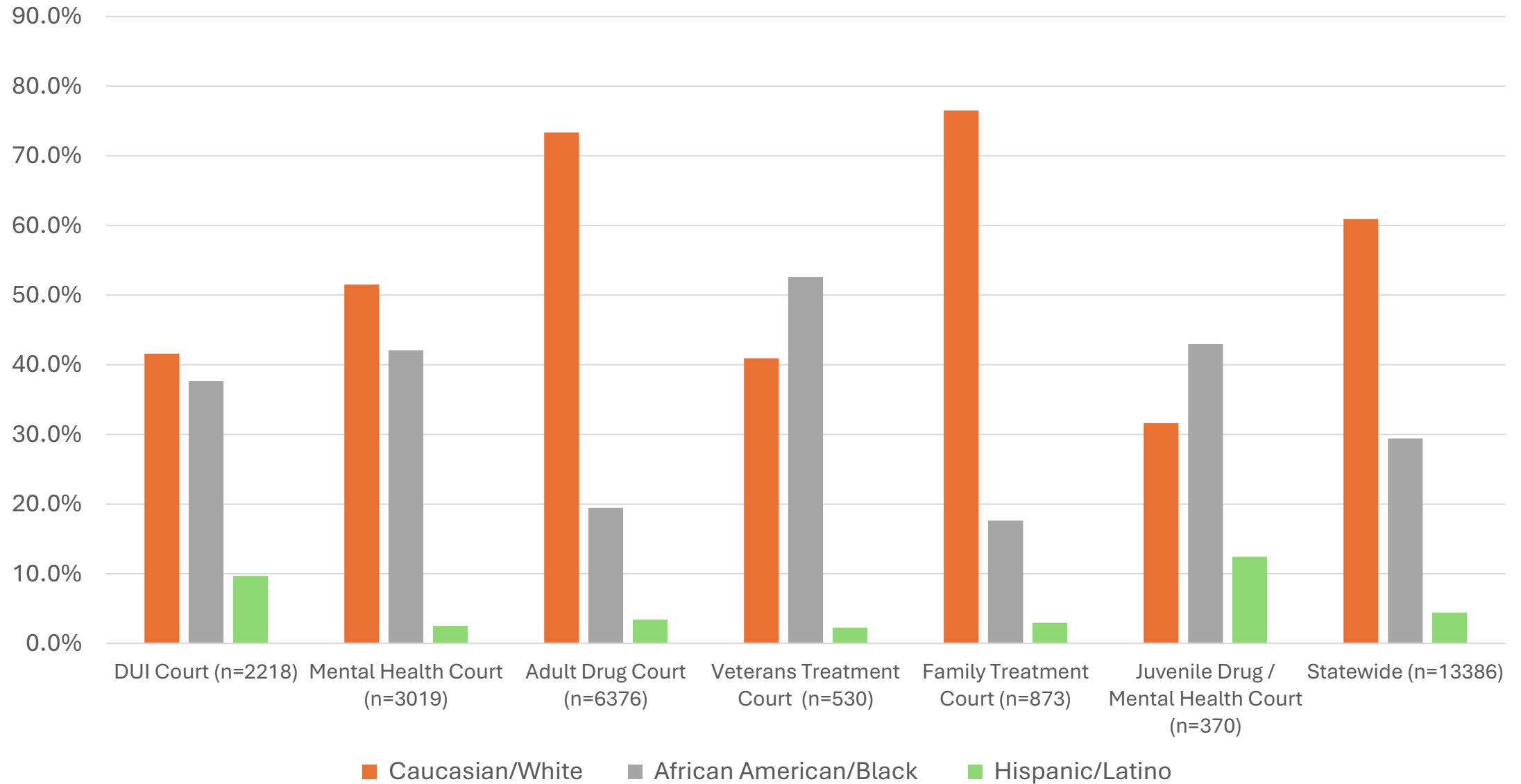
- The Center and AU analyzed FY 2021 – 2023 statewide aggregated racial and ethnicity data to support the 2022 statewide RED project.
- Data from all GA's accountability courts were included in the analysis.
- The statewide data elements included court type, program declines, treatment access, incentives and sanctions, days in program, termination, and graduation data.

Key Findings from GA's Statewide Data Analysis Report

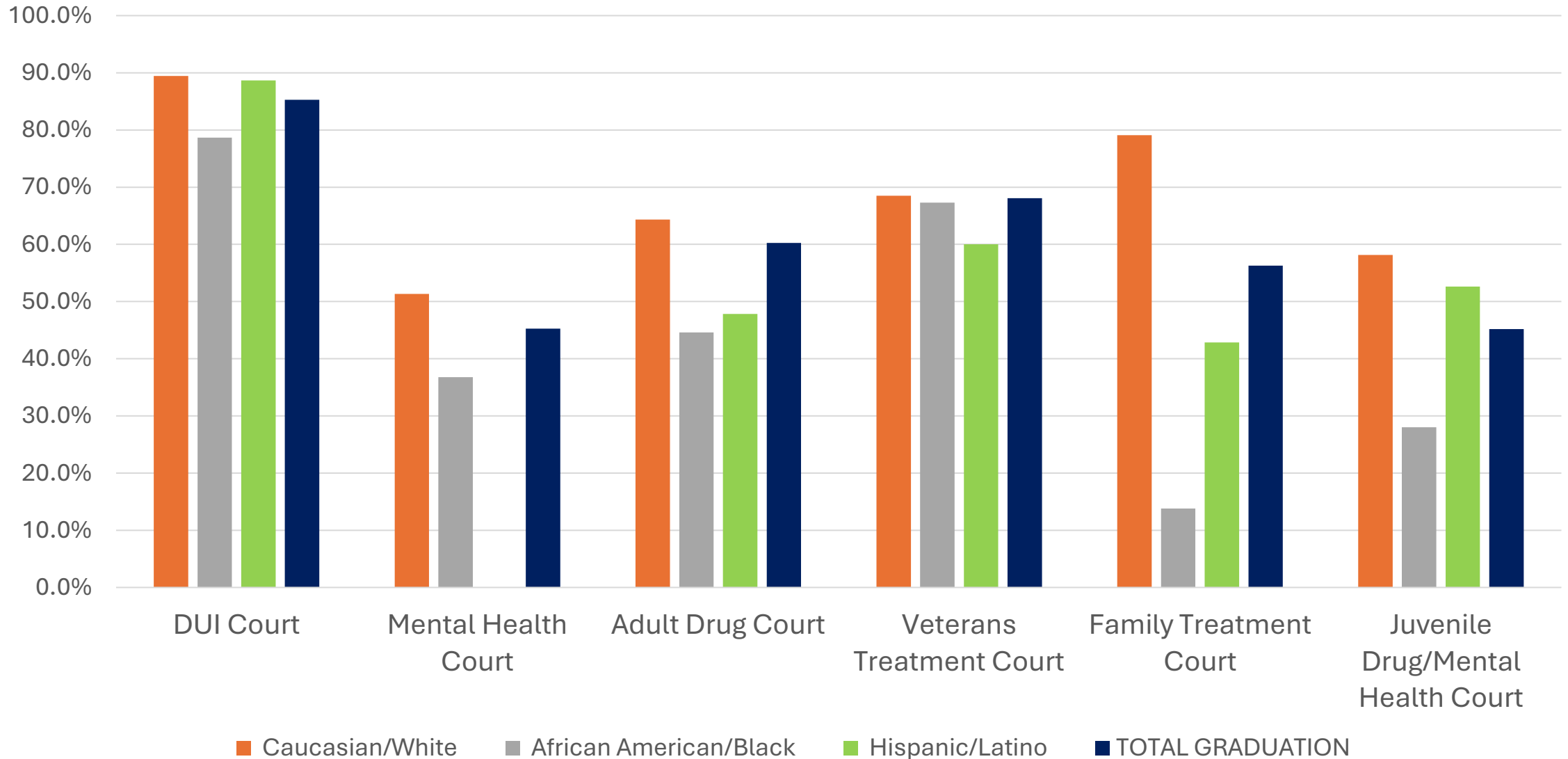


- White participants made up majority of treatment court participants.
- Decline rates have improved between 2021 to 2023 across all races/ethnicities.
- Differences between white and Black graduation was identified.

Participant Race



Graduation Rates



Court Spotlight – Columbia County

Rhoda Kimble-Wheeler

Promoting and explaining the court to participants and partners

- Creating a “drug court for dummies” 2-page guide for all judicial partners (especially defense attorneys)
- Creating a poster with quotes from participants to display in the jail
- Creating testimonial videos from alumni
- Creating a (potential) participant FAQ sheet to address common issues and fears

Court Spotlight – Fulton County

John Collins

Modifying hiring to recruit more Diverse Staff

- Thinking critically about the needs of the position
 - Including bilingual speakers as desirable qualification
- Working with HR to promote position more effectively
- Building trust and relationships with multicultural and minority treatment providers affinity groups / sub committees to generate referrals

Court Spotlight – Rome / Floyd Cam Parks

Reviewing data for equity, and updating intake criteria

- Working with CACJ and Connexis to pull data on racial equity
 - Reviewing referral data quarterly during all staff meetings
 - Paying closer attention to the use of jail as a sanction
- Updating intake criteria
 - Reducing reliance on categorical (charge based) exclusions
 - Reaching far more participants, and including some violent or gun charges
- Quarterly staff meeting to review program data and progress

What Has CACJ Done Since Engaging in the Initial RED Statewide Project?



- Engaged in action planning.
- Formed committees to address report findings.
- Reviewed statewide data and data dictionary.
- Continued to partner with AU and the Center on research and TTA requests.



Image from the Center

The Council of Accountability Court Judges' (CACJ) Commitment to Equity and Inclusion in Treatment Courts



- Judges and staff prioritize addressing RED.
- Developed a partnership with AU and the Center.
- Rolled out a statewide RED project.



Image from CACJ

GA's Main Target Areas



DATA



POLICY



TRAINING



Examples in Progress

Data

Working on dashboards that have layered demographics for existing measures (e.g., for active participants) and additions (e.g., income and employment levels by phase, ethnicity distribution for sanctions and incentives by phase, exit status by race and sex)

Ensuring RED is a focus of the statewide evaluation process

Analyses currently in the works:
outcomes by demographics, housing stability literature review

Policy

Adding access to justice as a guiding principle and drafting equity pledge for courts to adopt

Updating peer review process to ensure diverse participants are included in participant focus groups and team make-up is included in interview questions

Developing universal screening tool for accountability court referrals

Updating state standards and fidelity review strategies

Training

Enhancing equity training at operational tune-ups, annual conference, webinars

Developing training for courts on cultural responsiveness

Developing self-governing coordinator workgroup to identify additional areas of interest

Enhancing training topics to include training teams on strength-based approach to recognize more incentive-worthy behavior



Decision Point Handout

1. Target population:

- o Look at policies and procedures that contribute to access barriers?
- o Is there written eligibility criterion that includes eligible charges shared with all partners?
- o Does the team vote on eligibility?
- o Is criminal history a disqualifier?
- o Does your program use an RNR tool pre-acceptance into the accountability court to identify high-risk/high needs participants?
- o Relevant participant data to review:
 - o Eligibility Denial Source and Reason (Denials and Participant Declines)
 - o Referral Source and eligibility decisions (Eligibility Denial Source and Reason)
 - o Referring Charges and eligibility decisions (Eligibility Denial Source and Reason)
 - o Risk/Need Level and eligibility decisions (Eligibility Denial Source and Reason)

Decision Points:

2. Equity and Inclusion:

- o Who identifies and determines eligibility?
- o Does your court review data to ensure incentives and sanctions, and therapeutic adjustments are equitable?
- o Is equity and inclusion included in the statewide standards, certification, or fidelity review process?
- o Relevant participant data to review:
 - o Sex at Birth, Race, Ethnicity, Gender Identity distribution of referrals accepted, denied, declined, and by Referral Source
 - o Sex at Birth, Race, Ethnicity Gender Identity distribution of incentives and sanction by Phase

Decision Points:



Thank You!

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