

Briefings: Patrol Essentials for Treatment Court



Law Enforcement Operationalized Justice Related Responses

Module 6 – Participant Interactions

Disclosure

1. This project was supported by Grant No. 2016-DC-BX-K007 awarded by the Bureau of Justice Assistance (BJA).
2. BJA is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime and the SMART Office.
3. Points of views or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Briefings Training Series Goal

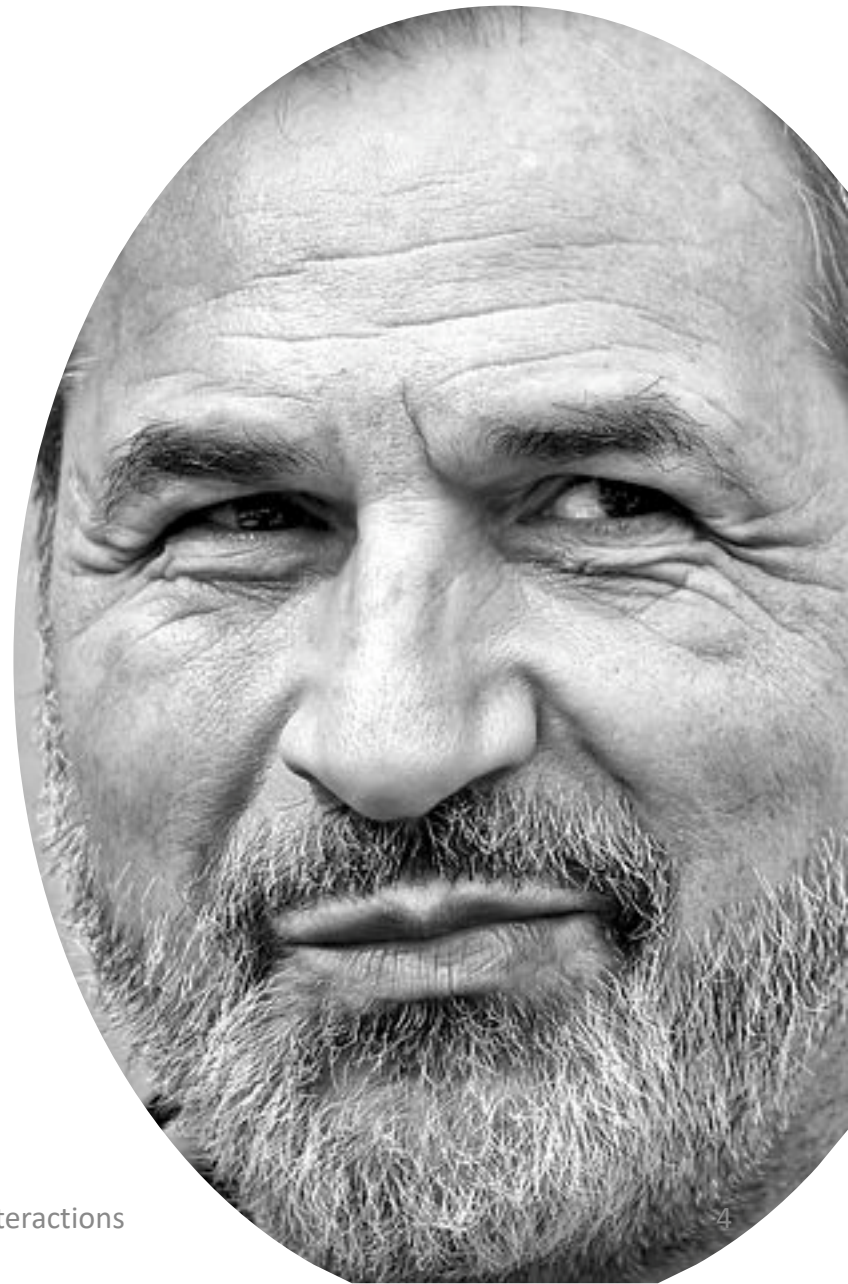
The overall purpose for this series of four virtual trainings is to:

- help participants gain an understanding of the importance of law enforcement involvement in treatment courts.



THE PROBLEM

- More than 80% of crime is drug or alcohol fueled
- What if we just put them in prison?
 - 50% are rearrested within 1-year
 - 66% are rearrested within 3-years
- 50% of offenders have a moderate to severe substance use disorder (SUD)
- 75% of persons referred to treatment either never enter or leave prematurely



The Impact of Law Enforcement Attendance on Success of the Team

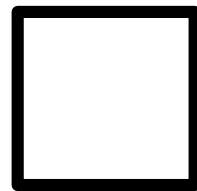
Pre-court Meeting/Staffing

- 50% more effective at **reducing recidivism** when all team members consistently attend

Status Hearings

- With regular law enforcement attendance, over 80% **reduction in crime** and 60% more **cost-effective**

What is the goal of Treatment Courts?



Sobriety

or



Recovery





MODULE 6: PARTICIPANT INTERACTIONS

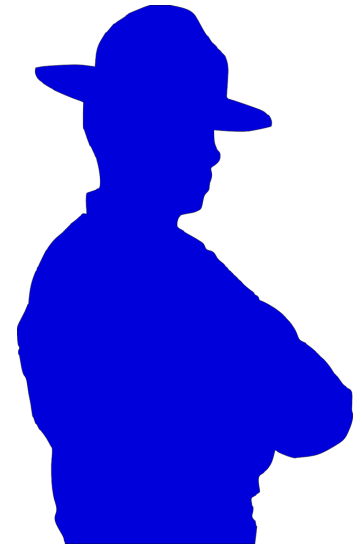
Terminal Performance Objective (TPO): As law enforcement professionals the students will recognize the importance of engaging with participants through culturally effective and trauma informed community interactions.



Briefing

Module 6: Enabling Performance Objectives (EPO)

- Define the role of participant engagement for the law enforcement officer
- Recognize that a key characteristic of law enforcement's work is developing a relationship with participants
- Recognize the importance of cultural competency and implicit bias in engaging with participants
- List elements of trauma informed policing



LAW ENFORCEMENT CORE COMPETENCIES



COMPETENCY 2: Provides information on participant appropriateness from law enforcement sources to the team and makes recommendation to the team

COMPETENCY 6: Is knowledgeable of gender, age and cultural issues that may impact the offender's success

COMPETENCY 7: Provides a monitoring function to the team (along with supervision and treatment): i.e. going on joint home visits, reporting on a participant's activities in the community, and supervising participation in community service

COMPETENCY 8: Provides assistance, information, and support to participants in the community encouraging them to succeed in the program

SUPPORT PARTICIPANT INTERACTIONS

Briefings M6 Participant Interactions

21ST CENTURY POLICING

- POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills
- Topics such as critical thinking, social intelligence, implicit bias, fair and impartial policing, and historical trauma should be offered
- Topics that address capacity to build trust and legitimacy in diverse communities
- Offer better skills for gaining compliance without the use of physical force



PILLAR 5 – TRAINING AND EDUCATION

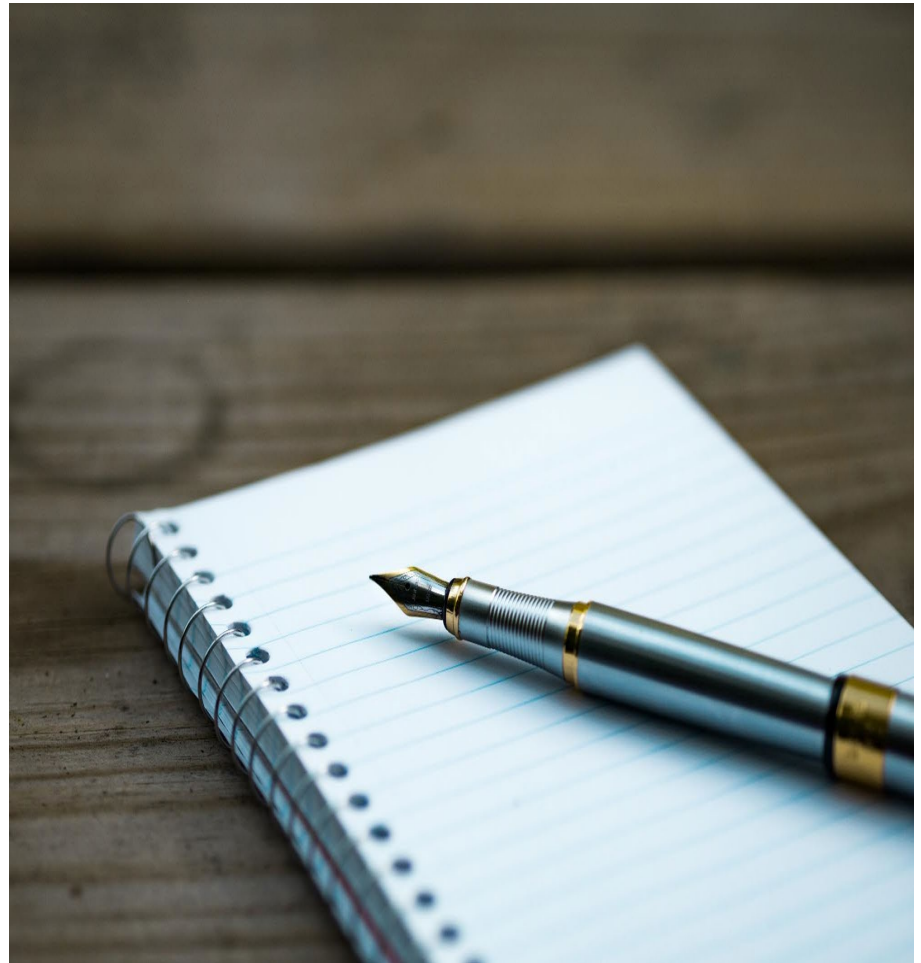
ACTIVITY: Associations

- Say the word five (5) times together out loud
- Spell the word out loud
- Answer the question
- Repeat
- Discuss



TREATMENT COURT DISPARITIES

- African Americans are underrepresented in drug courts by 15-20%
- Hispanic/Latino populations are underrepresented in drug court by 10-15%
- African Americans, Hispanics/Latinos, and Female participants are less likely than Caucasian males to graduate from programs (some studies show 25-40% less likely)



Marlowe, Hardin & Fox, 2016

PILLAR 5 – TRAINING AND EDUCATION

IMPLICIT BIAS



- Unconscious and unfair prejudice in favor of or against one thing, person, or group as compared to another
- Occurs automatically
- Based on associations we make
- Brain makes quick judgments based on past experiences and background
- Results are certain people benefit and other people are penalized
- Many implicit/unconscious biases affect minority groups based on class, gender identity, sexual orientation, race, ethnicity, religious beliefs, age, HIV Status, and substance use



Video: Peanut Butter and...

- [Implicit Bias: Peanut Butter, Jelly, Racism](#) 2.26

CULTURAL SMOG



“We're all breathing in misinformation. We're all being exposed to stereotypes, and we all have to think about how we have been impacted by that. You sometimes hear people say there is not a prejudiced bone in my body. But I think when somebody makes that statement, we might gently say to them check again. That if we have all been breathing in smog, we can't help but have had our thinking shaped by it somehow... We all have been exposed to misinformation that we have to think critically about.”

Why are all the Black Kids Sitting Together in the Cafeteria? By Beverly Daniel Tatum, PhD

POLL #1: DIVERSITY SELF-ASSESSMENT

I have a number of friends who are not my age, race, gender identity, or sexual orientation:

1. Strongly agree
2. Agree
3. Not sure
4. Disagree
5. Strongly disagree

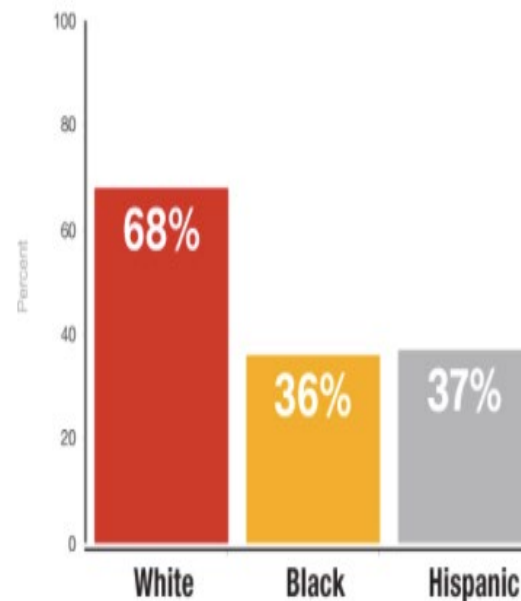


In-group

Research suggests that implicit biases and stereotypes, positive and negative, are maintained through persistent ***lack of contact*** with others beyond your "ingroup."

The people you socialize with are all or mostly the same race as you.

Americans age 18-34



SOURCE: CNN/Kaiser Family Foundation Poll, Aug.- Oct. 2015

Sampling error: +/-12%

POLL #2: DIVERSITY SELF-ASSESSMENT

I feel guilty or angry when in a discussion with a person of another culture about racism:

1. Strongly agree
2. Agree
3. Not sure
4. Disagree
5. Strongly disagree



POLL #3: DIVERSITY SELF-ASSESSMENT

I understand what unearned privileges are (gender identity, sexual orientation, race):

1. Strongly agree
2. Agree
3. Not sure
4. Disagree
5. Strongly disagree



Dominant Culture

- **Dominant Culture**
 - has **majority** members
 - wields more **power**
 - has more **privilege**
 - creates **inequities**
-
- What is the dominant culture in the US?
 - What is the impact of this on the judicial system?
 - On Drug Treatment?
 - On Treatment Courts?

Video: What is Privilege?

Video link

<https://youtu.be/4K5fbQ1-zps>

- An unearned right, advantage or immunity granted to or enjoyed beyond the common advantages of all others; an exemption in many certain cases from burdens of liabilities.
- Those with privilege rarely understand its full impact on those who do not have privilege.
- Members of the dominant culture enjoy privileges.
- Privileges create inequities.

White Privilege

Male Privilege

1. I can move wherever I want to move.
2. I can do well in a challenging situation without being called a credit to my race.
3. I can choose bandages in flesh color and have them more or less match my skin.
4. I can take a job without my coworkers suspecting I got it because of my race.
5. My medical provider will be aware of cultural values and traditions related to my healthcare.

1. When competing against a female for a job, the odds are probably in my favor.
2. My odds of being raped are low.
3. I can be assertive without being labeled with a derogatory name.
4. If I have sex with a lot of people, it will not make me an object of contempt or stereotyping.
5. I am not expected to spend my entire life 20-40 pounds underweight.

The Case for Team Diversity

Phillips & O'Reilly, Report on analysis of 80 studies examining the relationship between diversity and performance, 1998; & Chugh, D.

- Diversity can cause
 - discomfort
 - rougher interactions
 - a lack of trust,
 - greater perceived interpersonal conflict,
 - lower communication,
 - less cohesion,
 - more concern about disrespect

- Diversity will
 - change how you work,
 - make people work harder to process information,
 - Help you share unique information more readily,
 - generate more nuanced and complex thinking

PERCENT DECREASE IN DISPARITY IN GRADUATION RATES BETWEEN BLACK AND WHITE PARTICIPANTS

	Best Practice	Decrease in Disparity
1	Defense attorney attends treatment court team meetings (staffing).	50%
2	Probation, if applicable, attends treatment court team meetings (staffing).	55%
3	Coordinator attends treatment court team meeting (staffing).	72%
4	Defense attorney attends treatment court status hearing.	63%
5	Representative from treatment attends treatment court status hearings.	51%
6	Coordinator attends treatment court status hearings.	50%
7	Law Enforcement attends treatment court team meetings (staffing).	80%

PERCENT DECREASE IN DISPARITY IN GRADUATION RATES BETWEEN BLACK AND WHITE PARTICIPANTS

	Best Practice	Decrease in Disparity
8	Treatment court census (number of active participants) is <125	75%
9	The treatment court offers family/domestic relations counseling	78%
10	Participants are expected to have more than 90 days sober (negative drug tests) before graduation.	68%
11	A new arrest for possession does not automatically prompt termination.	105%
12	Review of the data &/or regular reporting of program statistics has led to modifications in treatment court operations.	59%
13	The treatment court has an advisory committee that include community members.	145%

Journal for Advancing Justice, V1, **Identifying and Rectifying Racial, and Gender Disparities in Treatment Courts**, 2018

Stress can Impact Your Work Performance

- Implicit biases are more likely to manifest in an atmosphere of high levels of stress.
- **Vicarious or Secondary Trauma, Compassion Fatigue**
 - Constant exposure to people suffering, the responsibility of protecting the public, having to control your emotions in tense situations
 - Build up over time, impacting your perspective and creating health issues.
- Seek your own **stress relievers** to help ensure fair decision making, and reduce the likelihood that biases come up



ADDRESSING IMPLICIT BIAS - FIVE STEPS

1. You must be **aware** of your biases
2. You must be concerned about the **consequences** of your biases
3. Find your **Triggers**
4. **Slow down**
5. Do **one small thing differently**



THANK YOU!

**Questions
and
Answers**