The Racial Justice Improvement Project (RJIP)

American Bar Association

ABSTRACT

The Racial Justice Improvement Project (RJIP) aims to identify and reform policies and practices that produce racial disparities in local criminal justice systems across the country. The St. Louis County, Minnesota task force focused their reform efforts on pre-trial detention and bail-setting decisions, implementing new pre-trial release resources to help curb problematic discretion and allow for more informed pretrial decision making. These efforts quickly demonstrated success in reducing racial disparity as after the 33 months of the project, 741 new clients were found eligible and participated in pretrial release programs. At a jail per diem of $117.09, this represents a potential savings of over $7.6 million dollars for the community.

OVERVIEW

The Racial Justice Improvement Project (RJIP) aims to identify and reform policies and practices that produce racial disparities in local criminal justice systems across the country. By working with officials in state and local criminal justice systems, RJIP attempts to address racial disparities by developing and implementing evidence-based policy reforms throughout the adjudication process where policies and practices have an adverse impact on people of color. While many jurisdictions have formed criminal justice coordinating committees, RJIP is unique in that it facilitates collaboration among criminal justice officials who otherwise would not (or do not) usually engage or cooperate, and RJIP emphasizes a unified solution to addressing data-identified racial disparities. The creation of standing racial justice task forces, such as those fostered under RJIP, are proven-effective initiatives that ensure local jurisdictions make a sustained institutional commitment to racial justice reform.

Through an award granted from the Bureau of Justice Assistance, in 2010 the Racial Justice Improvement Project chose four project sites to formulate a task force and address a specific local problem through policy reform. The project was expanded in 2012 to include four additional sites. The original four sites have successfully incorporated their reforms and are currently expanding their initiatives while pursuing...
sustainability. The four newest sites will soon be evaluating their pilot projects and opportunities to enhance their initiatives.

Both Kings County, New York and Pennsylvania have worked in the realm of youth diversion. In Kings County, the Brooklyn Task Force implemented a diversion program for 16 and 17 year olds issued desk appearance tickets and, in exchange for participation in a constructive workshop activity, participants have their charges dropped. After three iterations of their program, participants were half as likely to reoffend than their non-participating counterparts. The task force also facilitated trainings on cultural and implicit bias and adolescent brain development which were attended by over 85% of New York City Criminal Judges. The task force is now working to expand their juvenile diversion eligibility and geography, in addition to continuing to provide judicial training on implicit bias and the adolescent mind.

In Montgomery County, Pennsylvania, the task force modified the pre-existing Youth Aid Panel (YAP), expanding eligibility and providing case management services to certain participants resulting in a 100% success rate for case managed participants who appeared at YAP. Additionally, the task force has implemented Aggression Replacement Training (ART) for youth, leading to 21 youth completing the program with improved skills for dealing with feelings and stress, reduced physical aggression, and improved social skills. Currently the task force is wrapping up the YAP case management pilot, working to diversify the YAP panelists, as well as sustain efforts and policies implemented to encourage law enforcement to refer more eligible youth to YAP.

St. Louis County, Minnesota focused their reform efforts on pre-trial detention and bail-setting decisions, implementing a new pre-trial release considerations checklist and a new pre-trial release assessment tool, which were also joined by the Intensive Pre-Trial Release Program (IPTRP) and Community Sanctions Program. These efforts quickly demonstrated success in reducing racial disparity in St. Louis County as after the first 9 months of reform, 141 pretrial detainees had been released resulting in $985,421.69 of in jail savings. Furthermore individuals incarcerated on a felony charge are now screened for pre-trial release based on an objective evaluation that takes into account race-neutral factors. After 33 months of the project, The St. Louis County Intensive Pre-Trial Release Program served a total of 741 different clients. IPTRP clients have spent a total of 65,091 days on the program. At a jail per diem of $117.09, this represents a potential savings of over $7.6 million dollars. The St. Louis County Community Sanctions Program served a total of 305 different offenders during the first thirty-three months of operation. Offenders have spent a total of 75,283 days on the program. The task force is building on their success and will soon implement the Next
Steps Program, which will provide a holistic defense to clients to help them reintegrate and be successful on supervised release.

Similar to the Minnesota Task Force, the North Carolina Task Force is focusing their reform on disproportionate representation in the pre-trial release process after a report found that prior offenses have less of an impact on bond amount than race in pre-trial determinations and revealed that 15% of total jail population were low risk offenders who were detained simply because they were unable to post bail. In response, the task force piloted a new risk assessment tool which resulted in the discovery that one third of the Halifax County Jail pre-trial population are low-risk, low-level offenders that remain in jail because they lack the ability to post bail and there is no structured program to allow for their release. To address this, the task force is currently developing a program to divert these offenders.

The state of Delaware chose to implement reform in the violation of probation process. Initial research found that Blacks’ probation was violated 4 percent more than whites. This disparity, in addition to efforts in the state to institutionalize the Delaware Criminal Justice Council’s Declaration of Leading Practices to Protect Civil Rights and Promote Racial and Ethnic Fairness in the Criminal Justice System, led to training for all officers in implicit bias and the use of graduated sanctions based on objective and predefined criteria when violating somebody’s probation. Following promising results, the state took over racial justice initiatives in the state and is ensuring that all new cadets receive implicit bias training.

**New Orleans has implemented four new diversion programs**—two as a part of the RJIP and two independently. Initially, they created an alternative to the pre-existing Diversion Treatment Program. By having an alternative program for those without substance abuse or mental health needs, the New Orleans Task Force hoped for more individuals opting in, receiving more targeted diversion, and successfully completing diversion. Building on the success of the first program, the municipality of New Orleans created a diversion program for sex workers, Crossroads Diversion Program. So far, 80 women have graduated from the program. Having better working relationships with criminal justice stakeholders in the city, the Adult Misdemeanor Diversion Program and the Post Plea Diversion Program were both recently established and are now accepting participants. The new diversion programs all supplement Treatment Diversion and offer additional opportunities for eligible participants to avoid the negative consequences of developing a criminal record and having prolonged contact with the criminal justice system.

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1 The task force modified Virginia’s validated Pretrial Risk Assessment Instrument.
Dane County, Wisconsin took a somewhat different direction for their reform, targeting parents arrested for physical abuse to a child resulting from excessive corporal punishment. The Deferred Prosecution Child Abuse Initiative (DPCAI), requires participants to take parenting classes and the parents and/or children may also be referred for treatment and support services. Five participants have already completed DCPAI and 67 children have received referrals and/or services through the program. In March 2016, it was announced that the DCTF entered into a partnership with one of the nations' leading criminal justice funders—the Laura and John Arnold Foundation (LJAF) — to reform the County’s pretrial assessment process. Dane County will utilize the Public Safety Assessment (PSA), a risk assessment tool developed by LJAF that helps judges make accurate, efficient, and evidence-based decisions about which defendants should be detained prior to trial and which can be safely released.

Following the collaboration and promising results in each jurisdiction, RJIP has initiated the next phase of the project and has been securing the necessary resources and partnerships to ensure all reform efforts can be effectively and efficiently sustained. Project staff have built a data base of public and private grant opportunities and are actively pursuing new supporters. Additionally, members from the various Task Forces have been attending national conferences and conventions presenting on the important and successful work of RJIP in hopes of inviting new stakeholders to the table. Project staff maintain a website which provides information to the public in addition to serving as a central provider of various toolkits on implementing reform to jurisdictions across the country. The website also acts as a reporting resource for RJIP task forces to detail their progress and highlight their accomplishments. The RJIP team has also partnered with several major news outlets and publications to garner interest in the Task Force Model and implementing policy reforms in the criminal justice system. Such sources include the American Bar Association State of Criminal Justice yearly publication, The Criminal Justice Section annual magazine, and The Atlantic. Finally, the RJIP team is continuing efforts to offer valuable and informative training sessions for members of the criminal justice system to promote best practices and provide insight into the leading causes of disparity and inequity. These efforts are made possible by the tireless efforts of a committed and hardworking staff and team.

Beyond working with each individual task force on their chosen reform, RJIP has worked on a larger scale to help facilitate criminal justice reform. RJIP provides training on the Task Force Model, implicit bias, and project evaluations. Additionally, RJIP has worked to build relationships with local organizations and activists, as well as creating open lines of communication with organizations with similar focus and goals, allowing for collaboration and more effective and impactful work to be done.