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RED Plan for Maine

Racial & Ethnic Disparities Reduction
Plan



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STATE OF MAINE

2022 PLAN FOR COMPLIANCE WITH THE RACIAL & ETHNIC CORE REQUIREMENT OF THE JUVENILE JUSTICE REFORM ACT OF 2018

Pursuant to Section 223(a)(22) of the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP), and the reauthorization of the Act in 2018, states and territories must address specific delinquency prevention and system improvement efforts to reduce, the disproportionate number of Black, Indigenous People of Color (BIPOC) youth who come into contact with the juvenile justice system. Racial and Ethnic Disparities (R/ED) exists if the rate of contact with the juvenile justice system of a BIPOC group is significantly different than the rate of contact for non-Hispanic whites or other BIPOC groups.

Per the JJRA 34 U.S.C. 11133(a)(15)(A), states comply with finding racial and ethnic disparities, by establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian Tribes to reduce racial and ethnic disparities within the State.

The purpose of this core requirement is to ensure equal and fair treatment for every youth (regardless of membership in a BIPOC or a majority population group) involved in the juvenile justice system. A state achieves compliance with this core requirement when it meets the requirements set forth in Formula Grants Consolidated Regulation 28 C.F.R. Part §31.303(j). These include addressing R/ED continually through, assessment, intervention, evaluation, and monitoring. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) require States to carry out these five phases or core strategies to satisfy this mandate:

MAINE’s 2020 R/ED DATA:

<u>Race</u>	<u>White</u>	<u>Black</u>	<u>Native American</u>	<u>Asian</u>	<u>Hispanic</u>
<u>Population</u>	<u>106084</u>	<u>4492</u>	<u>1121</u>	<u>2253</u>	<u>3605</u>
<u>Referral</u>	<u>1333</u>	<u>146</u>	<u>22</u>	<u>4</u>	<u>55</u>
<u>Percentage</u>	<u>1.26%</u>	<u>3.25%</u>	<u>1.96%</u>	<u>0.18%</u>	<u>1.53%</u>

<u>Diversion</u>	<u>522</u>	<u>41</u>	<u>2</u>	<u>2</u>	<u>7</u>
<u>Percentage</u>	<u>0.49%</u>	<u>0.91%</u>	<u>0.18%</u>	<u>0.09%</u>	<u>0.19%</u>
<u>Detention</u>	<u>95</u>	<u>45</u>	<u>0</u>	<u>0</u>	<u>8</u>
<u>Percentage</u>	<u>0.09%</u>	<u>1.00%</u>	<u>0.%</u>	<u>0.%</u>	<u>0.22%</u>
<u>Secure Care</u>	<u>31</u>	<u>6</u>	<u>1</u>	<u>1</u>	<u>3</u>
<u>Percentage</u>	<u>0.03%</u>	<u>0.13%</u>	<u>0.09%</u>	<u>0.04%</u>	<u>0.08%</u>
<u>Adult Transfer</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

ANALYSIS OF THE RED DATA

Maine’s R/ED data for 2020 shows a marked decreased number of youths who were referred, diverted, detained or committed from previous years due to the impact of the Covid 19 Pandemic and the stay-at-home orders that affected Maine from March 2020 – December 2020.

Many populations saw a small decrease as our youth turned 18, in 2020 while a few groups saw a small increase (Asian and Native American). We can still see significant disparities around referrals for BIPOC and Hispanic youth. We continue to record higher level of Black youth being diverted successfully than White youth, but less youth are diverted when it comes to Native American, Asian and Hispanic youth. Washington County and Aroostook County show lower rate of diversion than other counties in Maine. Diversion opportunities vary in scope and scale across the state and Maine wants to ensure that all youth have equal access to appropriate diversion options.

When looking at detentions only in Maine we continue to see significantly higher percentages of Blacks and Hispanics when compared to Whites, but this is due to the smaller number of those populations Maine compared to Whites. Maine did record an overall decrease in the number of youths in detention. The largest decrease 0.73% coming in the Black population.

Overall Maine referred fewer juveniles into the juvenile justice system and detained a total of 46% fewer youth in 2020 than in 2019. Some of this was due the pandemic and the reluctance of putting youth into a congregate care setting. However, there was a 50% increase in commitments within the Black population going from 3 to 6 Black youth committed. Maine will continue to work to improve disparities and work to keep the numbers of detentions and commitments low.

GOAL for 2020 TO REDUCE RED BY 10%:

After comparing 2019 to 2020, referral data Maine was able to reduce R/ED by an average of 35% including maintaining 36% -50% of first-time referrals being diverted by the Juvenile Community Corrections Officers year over year. With the implementation of the goals listed below the R/ED Committee and the JJAG felt this target of a 10% reduction was reasonable.

In 2020 Maine saw more than a 30% decrease across referrals, diversions and detentions for BIPOC groups as well as Whites. Maine attributes this to the pandemic affect rather than to any great change in our police forces or with our Juvenile Community Corrections Officers. What we did learn from the pandemic is that our families benefited from having services to assist them and their youth to stay in the community like help with rent, data bills, food, etc. This was accomplished in a joint effort with DOC Community Corrections flex funds and dedicated funding by the JJAG for Regional Care Teams. On the referral form for the RCT the JCCO's indicated if this was helping keep a youth at home and out of detention, and more than 80% of them answered YES to this question. Supporting the stability of all families within the Maine Juvenile Justice System cannot be understated in its positive effect.

Maine's goal for the FY 23 is to once again see racial and ethnic disparities continue to decline at 10% or more, as the R/ED Committee plan moves into its second year of implementing goals in Maine's BIPOC communities.

WHAT SUCCESS IN MAINE WOULD LOOK LIKE

Success in Maine will be reflected by keeping detention and commitment numbers for youth at below 40 youths. Success will be the ability to establish smaller more therapeutic facilities for youth detained or committed inside or closer to their home communities. Success will be having attendant care beds available in Auburn as an alternative to detention. Success will be supporting more of our families within their own communities and ensuring that more crisis beds are available to our youth rather than detention beds. Success will be ensuring all our local police forces in Maine have access to community -based diversion options and know about them. Main JJAG will continue to support restorative justice programs, alternatives to detention and incarceration, alternative to suspension or detention in our schools, and helping youth grow, thrive and find their voices and speak out for their needs within their local communities.

WHAT MAINE CAN USE FROM OJJDP:

Maine could benefit from Information on how to ensure accuracy and fidelity with these small pockets of BIPOC youth around the State.

Information on working with immigrant and refugee youth, ideas on how support youth in dealing with the two worlds they often live in. Ideas on supporting parents in understanding what their children are experiencing.

Help for our R/ED Committee in understanding how to form a community collection of professionals and community members to study and address these issues around Maine.

WHAT SAFEGUARDS WILL BE PUT IN PLACE TO ENSURE PUBLIC SAFETY WHILE HOLDING YOUTH ACCOUNTABLE AND REDUCING RED:

Youth can still be held accountable by restorative justice measures within their own community. With the Juvenile Community Correction Officer's using their substantial motivational interviewing skills and knowledge of the stages of change to assist youth in developing emotionally socially and academically and showing them how successful they are and how to build on that for positive behavior change. Maine JJAG has invested in a school program in Lewiston to reduce or eliminate the use of out of school suspension and detention for immigrant youth. With its first two programs, Lewiston Middle School made a positive progress on those goals over last academic years numbers. We look forward to seeing how the next full year of programming goes and how the youth and school community respond. Maine remains committed to the Credible Messenger's program and it continues to grow and expand in the Lewiston and Auburn areas. This program serves youth inside of Long Creek Youth Development Center as well as youth on community integration. Maine remains committed to the Youth Advocate Program for youth on formal probation or on community reintegration.

JJAG has supported the hiring of Cultural Engagement Mentors for the Houlton Band of Maliseet's tribe as well as the Miq'Mak tribes in Norther Maine. This effort has brought 35 unique youth to each Club to participate in activities that teach social and emotional growth, decision making, tribal values, traditional crafts, dance and stories, and nutritional food and snacks.

RED GOALS:

RED Goal #1: The R/ED Committee will connect with community-based organizations that serve youth at each point of the juvenile justice system (Arrest, Diversion, Detention, Reintegration).

- **RED Objective #1:** The R/ED Committee will identify community-based programs, whose staff reflect the youth they are working with, to directly source funding for racial and equity programming, at each point of the system.
- **RED Objective #2:** The R/ED Committee will hold a quarterly meeting (4 per year) with identified community-based organizations to create collaboration across the continuum of care.
- **RED Objective #3:** The DMC coordinator will meet with JCCO's working in regions where RED magnitude is greatest on a weekly basis to ensure challenges and success are accounted for and incorporated into the development of RED strategies.

RED Goal #2: The R/ED Committee will assist community-based organizations with support to address needs of vulnerable populations.

- **RED Objective #1:** The R/ED Committee will organize or support racial and equity trainings to community-based organizations who work with vulnerable youth, across the state.
 - **RED Objective #2:** The R/ED Committee will analyze available data of vulnerable populations and make data-informed decisions for program improvements across all points of the system.
 - **RED Objective #3:** The DMC coordinator will meet weekly with YOC that are securely detained to improve understanding of factors that may have impacted outcomes across various points of contact.
- **RED Goal #3:** The DMC Coordinator/RED Committee will work with youth serving systems to update juvenile policies and procedures.
 - **RED Objective #1:** The DMC Coordinator/RED Committee will organize or support training for judges, courts, defense attorneys, police academy, and other juvenile justice personnel on adolescent development, race and equity, and gender-responsivity, across the state. The committee will prioritize training based on opportunity.

- **RED Objective #2:** The DMC Coordinator/RED Committee will organize or support racial equity training for the Juvenile Justice Advisory Group (State Advisory Group).
- **RED Objective #3:** The DMC Coordinator/RED Committee will organize or support Effective Police Interactions with Youth (EPIY) training, across the state.
- **RED Objective #3:** The DMC Coordinator/RED Committee will work collaboratively with all youth serving systems to advance juvenile policies and procedures that improve racial equity across all points of system contact.
- **RED Goal #4:** The DMC Coordinator/RED Committee will work with systems, schools and community-based organizations to connect with justice involved youth across all parts of the system, to amplify youth voice to help promote racial equity.
 - **RED Objective #1:** The DMC Coordinator/RED Committee will seek to involve youth on the committee.
 - **RED Objective #2:** The DMC Coordinator/RED Committee will organize and begin a 'RED Youth Group,' to improve youth voice in the system.
 - **RED Objective #3:** The DMC Coordinator/RED Committee will organize and support the EIPY & Mirror/Mirror Project training.