



NADCP
National Association of
Drug Court Professionals

Now Serving

Are you serving all races and cultures in Your Collaborative Court?





RESOLUTION OF THE BOARD OF DIRECTORS

ON THE EQUIVALENT TREATMENT OF RACIAL AND ETHNIC MINORITY PARTICIPANTS IN DRUG COURTS

WHEREAS, more than 2.3 million adults are now behind bars in the U.S., representing one out of every 100 adult Americans; **and**

WHEREAS, the burden of incarceration is borne disproportionately by racial and ethnic minority citizens, with one out of every 15 African-American men and one out of every 36 Hispanic men presently incarcerated in this country; **and**

WHEREAS, Drug Courts have been credited with helping to alleviate unfair disparities in the incarceration of racial and ethnic minority citizens for drug-related offenses; **and**

WHEREAS, Drug Courts perform their duties without manifestation, by word or conduct, of bias or prejudice based upon race, gender, national origin, ethnicity, disability, age, sexual orientation, language or socioeconomic status; **and**

WHEREAS, Drug Courts are, first and foremost, *courts*, charged with safeguarding and advancing the constitutional rights of all citizens to due process and equal protection under the law; **and**

WHEREAS, more than one-fifth of Drug Courts cannot report reliable information on the representation of racial and ethnic minority citizens in their programs; **and**

WHEREAS, evidence suggests that racial and ethnic minority participants may be experiencing relatively lower success rates than non-minorities in some Drug Courts; **and**

WHEREAS, the adoption of evidence-based, culturally proficient interventions in Drug Courts has been shown to significantly improve outcomes for minority participants:





RESOLUTION OF THE BOARD OF DIRECTORS

ON THE EQUIVALENT TREATMENT OF RACIAL AND ETHNIC MINORITY PARTICIPANTS IN DRUG COURTS

NOW, THEREFORE, BE IT RESOLVED THAT:

1. All Drug Courts have an affirmative obligation to examine, in an ongoing manner, whether there are potential racial or ethnic disparities in their programs.

At a minimum, the examination of potential racial and ethnic disparities should include the collection of reliable and valid data on:

- the percentage of racial and ethnic minority participants who are enrolled in the Drug Court;
- the degree to which these percentages reasonably reflect the respective arrestee population for Drug Court-eligible offenses in the jurisdiction;
- the factors that might account for any discrepancies in the representation of minorities;
- the percentage of racial and ethnic minority participants who successfully graduate from the Drug Court; and
- the factors that might account for any discrepancies in graduation rates.

2. All Drug Courts have an affirmative obligation to take reasonable actions to prevent or correct any racial or ethnic disparities that may be found to exist by:

- adopting evidence-based assessment tools, treatments and other interventions that have been proven through scientific research to produce equivalent or superior effects for racial and ethnic minority individuals; and



II. HISTORICALLY DISADVANTAGED GROUPS

Citizens who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status receive the same opportunities as other citizens to participate and succeed in the Drug Court.

- A. Equivalent Access
- B. Equivalent Retention
- C. Equivalent Treatment
- D. Equivalent Incentives & Sanctions
- E. Equivalent Dispositions
- F. Team Training

**ADULT DRUG COURT
BEST PRACTICE STANDARDS**

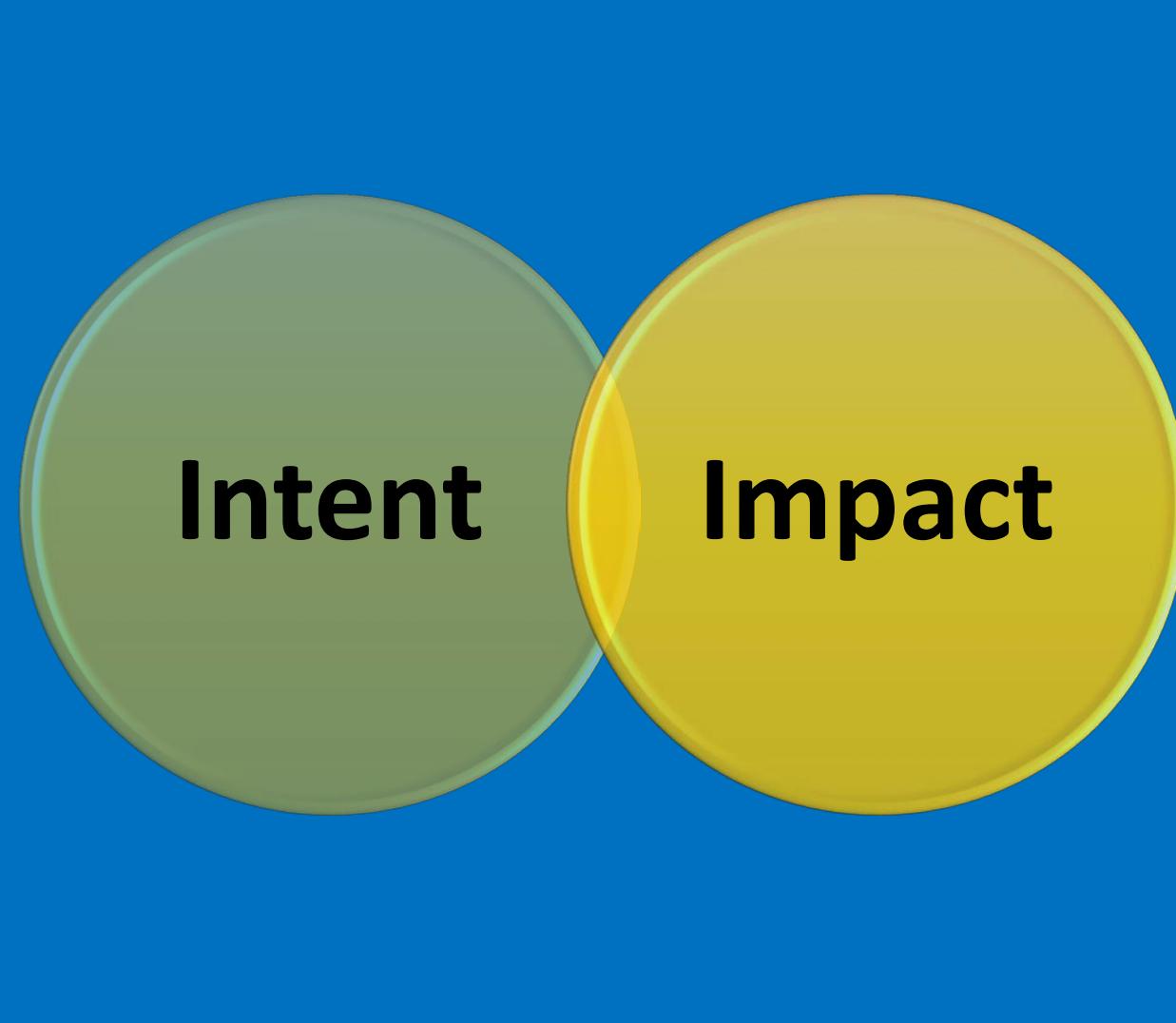
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NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS
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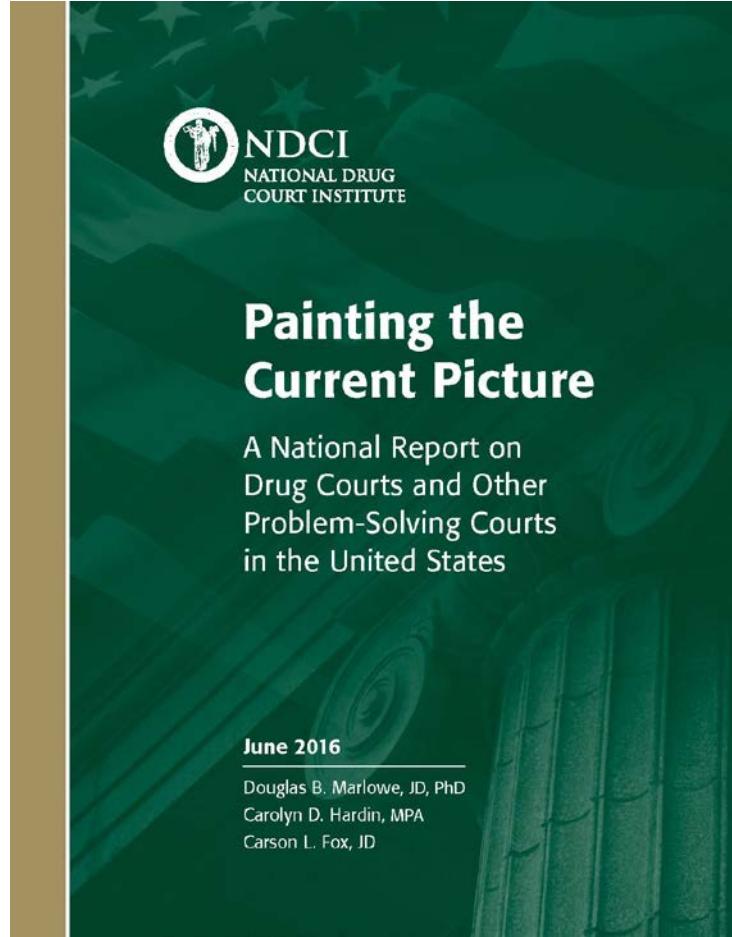


Historically Disadvantaged Groups

- Why “consciousness” research?
 - Unintended consequences of Drug
- ies?
- 



**THE
NEED TO
KNOW**



National Report Card:

How did we do?

A Review of the
Scientific Literature

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Painting the Current Picture

- On average, Caucasians represented two-thirds (67%) of participants in respondents' Drug Courts in 2014, African-Americans represented 17% of participants, and Hispanics represented 10%.
- In 2014, representation of African-American and Hispanic individuals in respondents' Drug Courts was lower than the arrestee, probation, and incarcerated populations.

Painting the Current Picture

Based on available data from roughly one-half of U.S. states and territories, African-American and Hispanic participants graduated from some Drug Courts at rates substantially below those of other Drug Court participants.



Painting the Current Picture

- Women represented approximately one-third (32%) of participants in respondents' Drug Courts in 2014, and appear to have received at least proportionate access to Drug Courts.
- Based on available data from roughly one-half of U.S. states and territories, female participants graduated from some Drug Courts at rates substantially below those of male Drug Court participants.



Please DON'T





Reasons WHY courts don't check.....

1. We have no diversity or HDG.
2. We treat everyone the same.
3. Issues of discrimination are no longer relevant, even the Supreme Court agrees with that.
4. We don't have the data.
5. If we find something, what can we do about it.

Action Step



Equity Assessment Tool

How does this program increase, reduce, limit or eliminate programs or services that are vital to communities of color, immigrant and refugee communities and/or people living with a disability?



Identifying Impacts Worksheets

Once you have identified the populations/ communities impacted, use the following chart to name the potential burdens and benefits.



Review Your Program



Drug Court Cultural Needs Assessment

1. Has the court done a formal needs assessment during the 3 years pertaining to the racial/ethnic population it serves?
2. Is the collected data compared with comparable data from the population at large?
3. Is the collected data compared with comparable data from the jail population?



Drug Court Cultural Needs Assessment

4. Are the collected data used in the annual Criminal Justice Statistics or the Department of Corrections offender characteristic report?
5. Are the collected data used for self-evaluation?
6. Are the collected data used for criminal justice, correctional or institutional planning?

Training Needs Assessment

1. Has the program required any training to enhance the cultural competence of its professional staff during the past 3 years?

2. Have TASC evaluators, probation officers, court officers, criminal case management staff, or Drug Court team members been trained in cultural competency during the past 3 years?

3. Have the treatment providers (all staff) received training to enhance the cultural competency of its professional and support staff during the past 3 years?



Staffing Patterns:

1. What percent of the drug court team reflects the composition of the population served?
2. What percent of the staff is bilingual or multilingual?
3. What percent of staff is trained in cultural competence?



Staffing Patterns:

4. What percent are people of color represented on the drug court steering committee and/or planning committee?
5. What percent of people of color represented on an advisory board?
6. What percent of people of color are represented at the judicial and/or administrative level?



Prior Performance Patterns

1. Are there linkages with organizations, churches, CBO's and other institutions in the community that serve people of color or diverse ethnicities?

2. Are contract awards given to ethnic/racial service providers for issues specifically related to communities of color or special needs population? If the answer is no...Why?



Prior Performance Patterns

3. Does the drug court mission statement provide for culturally competent services and or training?
4. Does the court adjust holidays to accommodate cultural/religious diversity?
5. Does the target population evaluate the court performance? What is the target population's perception of court effectiveness?



Prior Performance Patterns

6. Is the court or program located in the community it serves, or does it have a satellite facility where the target population reports?
7. Do service hours reflect client accessibility?
8. Is cultural competence considered in treatment matching?



Prior Performance Patterns

9. Does the treatment environment reflect the culture of the target population?
10. Does the court distribute materials in languages that its target population understands? Are court-approved interpreters available to the drug court team and treatment providers?



Prior Performance Patterns

11. Have the drug court researchers or evaluator included in their research design (in addition to race and ethnicity) questions drafted to elicit cultural practices and /or idiosyncrasies?
12. Has the drug court researcher analyzed treatment outcomes based on race, ethnicity, gender, and sexual orientation?
13. Does the court seek to improve relations between and among culturally based organizations throughout the larger community?

A black and white photograph showing a person's lower legs and feet walking up a series of wide, light-colored concrete steps. The person is wearing dark trousers and dark, lace-up boots. The steps are separated by thin, dark metal railings. The lighting creates strong shadows, emphasizing the texture of the concrete and the movement of the person.

Steps to Take

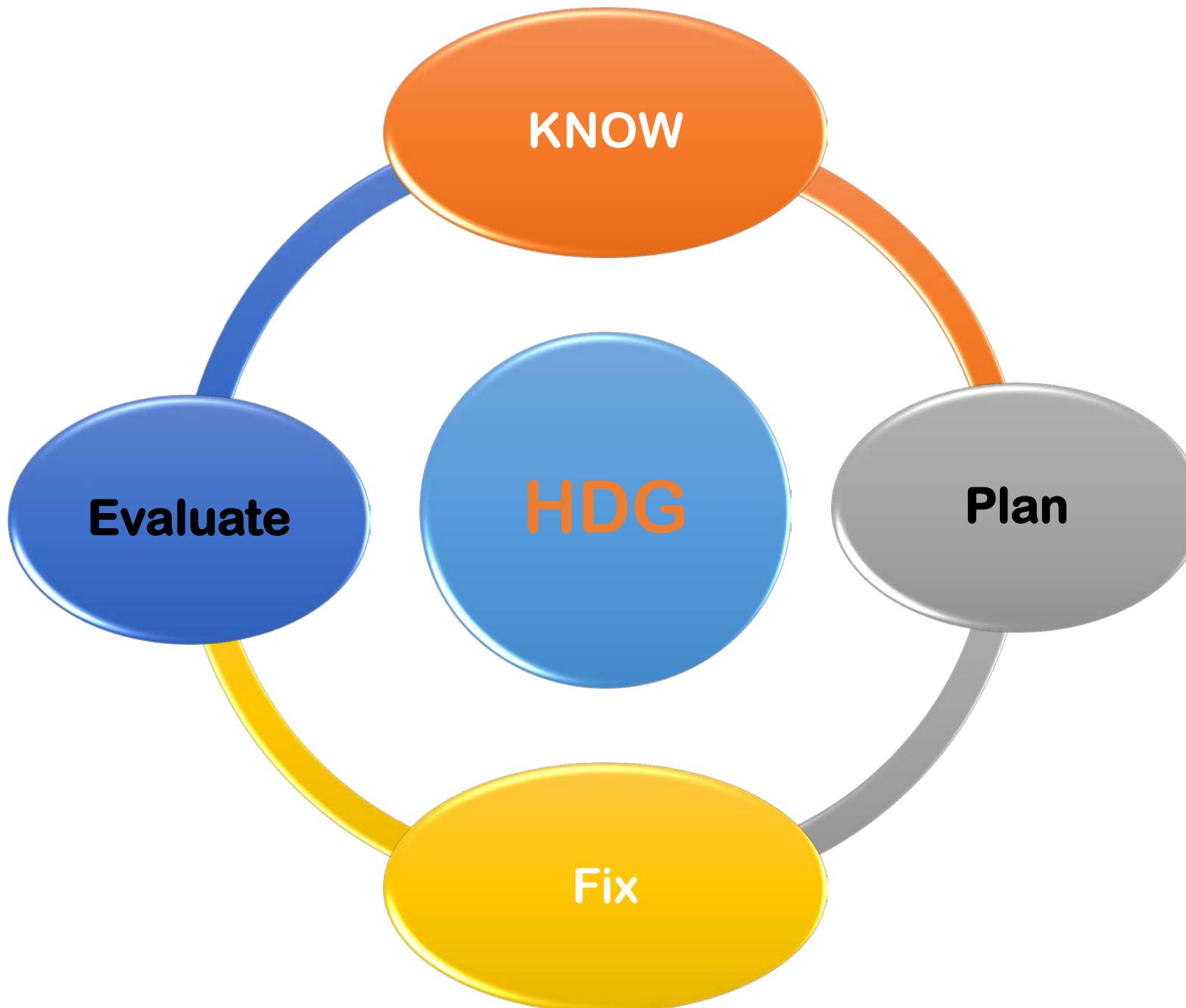


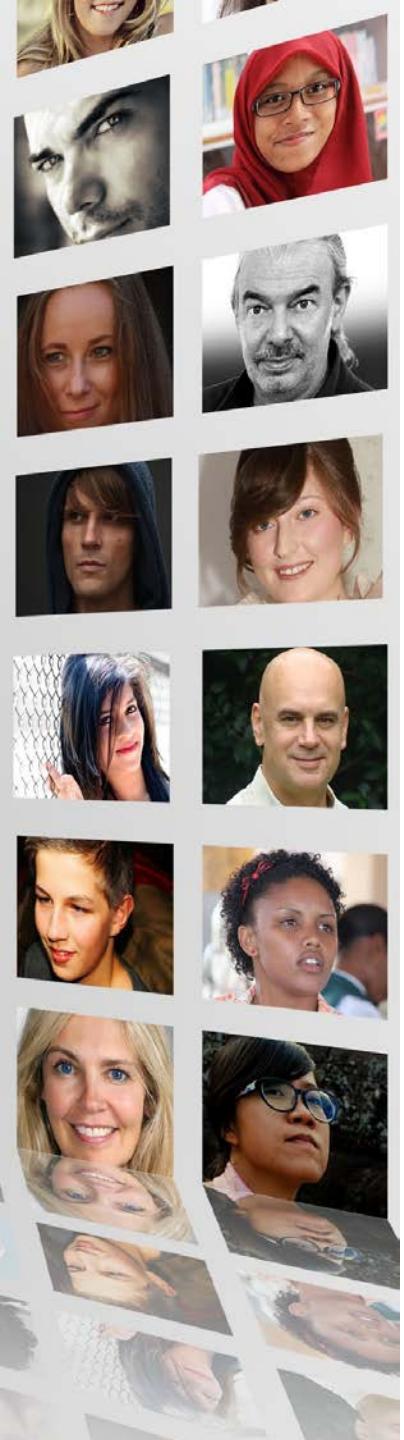
Homework – Take the Test

Implicit Association Test at Harvard

<https://implicit.harvard.edu/implicit>

Tests developed to identify hidden bias in terms of race, gender, age, sexual orientation.





Resources

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