



# THE COLOR OF JUSTICE



A PUBLICATION OF THE CT JUVENILE JUSTICE ALLIANCE  
2015





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## Executive Summary

During 2014 and 2015, the Connecticut Juvenile Justice Alliance hosted public forums on race, ethnicity and how they affect the treatment of youth in the juvenile justice system. These “Color of Justice” forums were centered around a Connecticut Public Television documentary of the same name. The forums drew community members as well as people who work within the juvenile justice system. The response was overwhelming, with the Alliance getting an unexpected number of requests and many forums drawing large and lively crowds.

Participants shared painful stories: an African-American mother worrying that a son, innocently going about his business, would be stopped by police; a high-ranking Kenyan executive being mistaken for a housecleaner; a Latina student led away in handcuffs after striking back at a bully. Clearly Connecticut cannot look at racial and ethnic discrimination as something that happens “somewhere else.” The experiences of our participants tell us that, and so does the statistical evidence coming out of our juvenile justice system, where the majority of youth are racial and ethnic minorities, though the state’s population is 70 percent white.

The forums were extremely successful when judged by attendance or by participant evaluations. These qualitative measures are important, but they do not capture all – or even most – of what the Color of Justice project accomplished. The forums were conversations about race – conversations that many Americans have struggled to have. But we found that, with appropriate support, people were eager to have these conversations. This report details how Color of Justice created an environment for frank and open discussion and the lessons that emerged from those discussions. We hope that our experience will help other groups to do similar work.

The Color of Justice was not “just talk.” These were difficult conversations that were necessary before action could take place. And we did indeed see action. People working directly with system-involved youth told us that Color of Justice made them more sensitive to racial and ethnic disparities and therefore changed the way that they treated people. The forums inspired further community-based activities, such as police and community collaborations and outreach through faith communities.

To state the obvious, the work of reducing bias and making sure that all youth are treated fairly in our juvenile justice system is not finished. The forums helped us develop an action agenda for ourselves and for the broader community. The forums taught us that there is a great willingness to address this problem among many Connecticut residents, some who work inside the juvenile justice system and some whose only interest is a basic belief in fairness and in the potential of all our children.

There is true support for change among many constituencies in Connecticut. Therefore, we urge immediate and significant action to capitalize on this energy. We support the following as next, but not final, steps in creating greater fairness for Connecticut’s youth:

## 1. Continue, expand and deepen the conversation.

The single most important lesson we learned in this process is that many people are eager to discuss and increase competency around these matters in a sustained way. We all must work within our own organizations and roles to consciously create opportunities for these conversations to occur.

State agencies have incorporated Color of Justice into their ongoing training efforts. Smaller groups and individuals are using the toolkit that we developed to host their own forums. Ongoing Color of Justice forums are valuable, but they should not be the only setting where people talk about race and ethnicity, bias and justice.



We strongly recommend that every police officer in the state be trained in youth development and racial and ethnic disparities in the juvenile justice system – what's known as "disproportionate minority contact" or DMC. The state makes such trainings available to patrol officers<sup>1</sup> and school staff<sup>2</sup> free of charge. It also provides grants to police and youth for joint projects that lead to better understanding.<sup>3</sup>

## 2. Support data-driven reform at the state and local levels.

The Alliance will continue to work with the Juvenile Justice Advisory Committee (JJAC) as it embarks on its fourth research study of DMC in the state. The studies are extremely sophisticated and thus are produced approximately every seven years. The Advisory Committee has made policy and practice recommendations based on the outcomes of its studies. We believe that broadly disseminating and discussing the resulting data and recommendations will continue to be critical in efforts to reduce DMC.

The Center for Children's Advocacy's DMC Projects in four cities use data from the state as well as local schools and police departments to identify and address DMC locally. Leaders should be assisted to develop the capacity to continue this work when CCA's project ends.

1. <http://www.ct.gov/opm/cwp/view.asp?a=2974&q=460244>

2. [http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=507648&opmNav\\_GID=1797&opm-Nav=|46656|](http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=507648&opmNav_GID=1797&opm-Nav=|46656|)

3. <http://www.ct.gov/opm/cwp/view.asp?a=2974&q=383636>

We encourage Local Interagency Services Teams (LISTs), local and regional juvenile justice system stakeholders, to focus on DMC data at least annually, and quarterly if data can be made available. The state should provide technical assistance to build the LISTs' capacity to do this work. Systems developed to support CCA's project could supply the data for ongoing, local analysis. The Alliance will help support LIST's in this work. Other stakeholder groups, such as Parent Teacher Organizations, could meet regularly to explore DMC data.

### **3. Strengthen partnerships and emphasize cross-agency collaboration.**

The Alliance will continue to work with various state bodies to advance DMC reduction work. The JJAC produces critical data that the Alliance can help to disseminate and use to inform policy change. It creates and supports numerous other important initiatives and partnerships, including training on DMC and youth, and the Color of Justice itself.

Color of Justice gave us opportunities to work with the Department of Children and Families (DCF) and the Judicial Branch in new ways, particularly as a support to their own training initiatives. Opportunities for similar collaborations should be seized. In 2014 the legislature created a Juvenile Justice Policy and Oversight Committee (JJPOC) that includes all key stakeholders in efforts to address systemic issues. The JJPOC has made DMC a focus of all of its workgroups. The work each of these state agencies is doing individually is critical. Purposeful collaboration across and between DMC-reduction initiatives is needed to ensure maximum impact, effectiveness and efficiency.

LISTs and local communities can build on the momentum created by a Color of Justice forum, as Norwich, East Hartford and Danbury did with police and community events.

### **4. Continue to shrink the juvenile justice system.**

At every forum we heard appreciation for the strides Connecticut has taken to improve its juvenile justice system, along with the recognition that more work is needed. Decreasing system size and increasing system fairness in various contexts will benefit minority youth. From start to finish, the juvenile justice system includes more youth of color than are in the state's population, and as one travels deeper into the system these disparities get more pronounced. Black youth make up 35 percent of total referrals to court and 48 percent of the admissions to the Connecticut Juvenile Training School. In contrast, white youth make up 40 percent of total referrals to court and only 12 percent of the admissions to CJTS.<sup>4</sup> Reducing the system's reach and lowering rates of incarceration will have the greatest impact in communities of color, though this will not necessarily reduce disproportionality.

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4. Source: Office of Policy and Management. Available <http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=47165>



**The Centers for Disease Control conduct nationwide surveys in high schools, in which the students anonymously self-report their behavior. According to these studies, students of all races commit the same crimes with the same frequency.**

FROM *THE COLOR OF JUSTICE*, A CPTV DOCUMENTARY ABOUT RACE AND JUVENILE JUSTICE.

**Want to hear more?**

Find out where you can see the documentary and attend a forum near you:

**[www.ctjja.org/colorofjustice](http://www.ctjja.org/colorofjustice)**



Sponsored by the Connecticut Juvenile Justice Advisory Committee

Sample ecard made available to Color of Justice participants while the project was active. Website still includes link to film and archived materials.



## Introduction

In 2013, Connecticut Public Television first broadcast *The Color of Justice*, a documentary that exposed the disproportionate involvement of minority youth in Connecticut's juvenile justice system and the unequal consequences they suffered within that system. The documentary also explored the idea of "implicit bias," unconscious judgments that human beings are wired to make, though we can make conscious choices that help us to act with fairness. The film profiled efforts to make our state's juvenile justice system fairer for all young people.

The state's Juvenile Justice Advisory Committee, which developed the idea for and funded the documentary, and CPTV wanted to make sure that the film led to significant and sustained change. So they partnered with the Connecticut Juvenile Justice Alliance, which designed and facilitated forums where the documentary was shown throughout the state. In addition to watching *The Color of Justice*, participants listened to leaders give a data-rich presentation on the topics in the film and then participated in a discussion, co-facilitated by Alliance staff and individuals from partner organizations. The open conversation emphasized issues of race, implicit bias and disparate treatment within the juvenile justice system.

The Alliance created a similar format<sup>5</sup> in 2011 to promote discussion based on a CPTV documentary about arrests in public schools, *Education vs. Incarceration*. Because those forums worked well, we expected the Color of Justice forums to do the same.

Our expectations were far exceeded. More than 2,600 and counting Connecticut residents have come to Color of Justice forums. In diverse groups, they have spent their lunch hours and their evenings talking about race, ethnicity, kids and fairness. Many of these discussions have gone far beyond accepted scripts of how we talk about race and ethnicity in America to true personal searching and to a resolve to act. Using the toolkit we developed, people are holding forums in their workplaces, classrooms and civic groups. People directly involved in the juvenile justice system have talked about how the forums have informed the way they treat youth on the job.

While these forums were going on, the issues they address exploded on the national consciousness with the shooting of Michael Brown in Ferguson, Mo. and later the deaths of Eric Garner in the custody of New York City Police, 12-year-old Tamir Rice, who was shot by Cleveland Police while playing with a toy gun, and Freddie Gray, whose death led to several Baltimore police officers being charged with murder. Events reminded us of how vital this work is – and the forums themselves gave us reason to remain hopeful, in spite of the headlines. We continue to fill halls with people, people of all colors and origins, people who want to learn more, to do better, to make change.

We present this report as evidence that there is a critical mass of people with the desire and courage to make sure that justice is the birthright of all of our children. That desire and that courage are resources that we must not waste.

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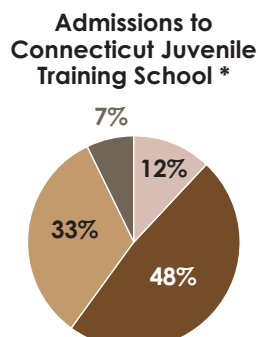
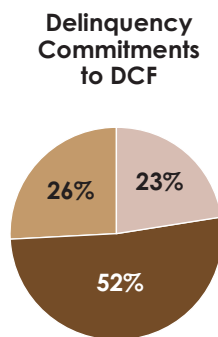
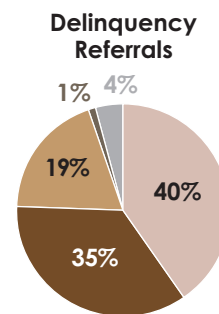
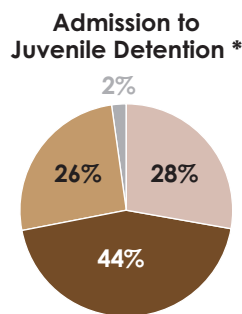
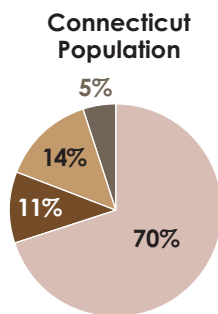
5. See <http://ctjja.org/forum/index.html>

## Race, Ethnicity and Connecticut's juvenile justice system

Behavior is not the only factor that can push a kid into the juvenile justice system. Poor children are more likely to enter the system.<sup>6</sup> So are children with special education needs.<sup>7</sup> The state of Connecticut's own research shows that race and ethnicity also play a huge role, as children of color are more likely to enter the system and are treated more harshly inside it than their white peers.<sup>8</sup>

### Juvenile Justice Statistics by Race

■ White ■ Black ■ Hispanic ■ Other ■ Missing data



Sources  
**Connecticut Population:**  
 U.S. Census, 2012  
**Other Statistics:**  
 Connecticut Office of Policy and Management, 2013

\* Statistics are for unique individuals; multiple admissions of the same person do not increase percentage

The state itself has done three large studies on Disproportionate Minority Contact (DMC), the over-representation and harsher treatment of children of color within the juvenile justice system.<sup>9</sup> The studies show that race and ethnicity influence how youth are treated at some decision points, but that there is greater equity at others. These studies allow state officials and advocates to target particular functions of the system where reform is needed.

These state studies, commissioned by the Juvenile Justice Advisory Committee (JJAC),

6. See Birkhead, Tamara. "Delinquent by Reason of Poverty" Access to Equal Justice Colloquium. Available [http://works.bepress.com/tamar\\_birkhead/17/](http://works.bepress.com/tamar_birkhead/17/)

7. National Council on Disability. "Addressing the Needs of Youth With Disabilities in the Juvenile Justice System: The Current Status of Evidence-based Research" May, 2013. Available <http://www.ncd.gov/publications/2003/May12003>.

8. Spectrum Associates, "A Second Reassessment of Disproportionate Minority Contact in Connecticut's Juvenile Justice System," May, 2009. Available <http://www.ct.gov/opm/cwp/view.asp?a=2974&q=460242>

9. Ibid



specifically controlled for factors like race, ethnicity, age, gender, home neighborhood (size of the community, poverty indicators), and seriousness of offense, among others. Controlling for these factors did not always eliminate DMC. National studies show that young people of different races and ethnicities engage in illegal behavior at very similar rates.<sup>10</sup>

Bottom line: Race and ethnicity affect how a young person is treated by the juvenile justice system, nationally and here in Connecticut.

### Turning viewers into change agents

*The Color of Justice* is a documentary that draws upon data from three state studies of DMC and that interviews national experts as well as people working in or affected by Connecticut's juvenile justice system. As CPTV rolled out the documentary, it was focused on making sure that viewers saw themselves as having a role to play in addressing DMC. "It wouldn't have been anywhere close to as effective without the forums. It made it real. It made it close to home," said Marie MacDonald, of Connecticut Public Television. Participants "talked

about their experiences. They talked about how they felt," she said. And that made the experience personal and certainly not passive.

The Alliance went into the project with three goals:

1. Open minds and increase understanding of
  - Connecticut's juvenile justice system
  - the racial and ethnic disparity within the system
  - systemic and individual bias
2. Engender a productive public dialogue about racial and ethnic disparities in Connecticut's juvenile justice system
3. Inspire specific action to improve the system
  - through local and statewide advocacy
  - by helping participants continue and expand the conversation

### The R-word

Before showing the documentary, Alliance facilitators begin their presentation with a clip from *The Daily Show with Jon Stewart*. "The R-word" cuts between white correspondent Samantha Bee interviewing a focus group of black people about racism and black correspondent Jessica Williams doing the same exercise with a group of white

10. Centers for Disease Control. Youth Risk Behavior Survey – United States, 2013. Available <http://www.cdc.gov/healthyyouth/yrbs/index.htm>

**Project impact**  
**49** forums  
**2,670** attendees  
**4** facilitator trainings

**Who Attended?**  
Parents  
Youth  
Educators  
Judges  
Public defenders  
Prosecutors  
Elected and appointed officials  
Clergy  
Clinicians  
Probation staff  
Juvenile justice social workers  
Court staff  
DCF staff  
Police  
Youth serving professionals  
Advocates

people. The two groups see racism in starkly different ways. The black group, almost all of who have been stopped by police, sees it as a huge problem. The white group does not and in fact says that *talking* about racism causes problems. At one point, Bee is perspiring profusely. "It is called hyperhidrosis and it causes me to sweat when I think things are going great," she says.

The clip serves as an icebreaker and as a way to acknowledge that what the participants are about to do is hard and probably uncomfortable work.

The mere act of talking about race is challenging for some Americans; even more difficult is talking about it in diverse groups. Thought leaders like Mellody Hobson, however, tell us that we *must* talk about race if we are ever to make progress on issues like DMC or equality in general:

Now, race is one of those topics in America that makes people extraordinarily uncomfortable. You bring it up at a dinner party or in a workplace environment, it is literally the conversational equivalent of touching the third rail. There is shock, followed by a long silence. And even coming here today, I told some friends and colleagues that I planned to talk about race, and they warned me, they told me, don't do it, that there'd be huge risks in me talking about this topic, that people might think I'm a militant black woman and I would ruin my career. And I have to tell you, I actually for a moment was a bit afraid. Then I realized, the first step to solving any problem is to not hide from it, and the first step to any form of action is awareness.<sup>11</sup>



In 1997, President Bill Clinton called for a "national conversation about race."<sup>12</sup> In 2008, presidential candidate Barack Obama repeated the call for Americans to talk seriously and honestly about race, as he would continue to do throughout his presidency:

The fact is that the comments that have been made and the issues that have surfaced over the last few weeks reflect the complexities of race in this country that we've never really worked through – a part of our union that we have yet to perfect. And if we walk away now, if we simply retreat into our respective corners, we will never be able to come together and solve challenges like health care, or education, or the need to find good jobs for every American.<sup>13</sup>

11. Hobson, Mellody. "Color Blind or Color Brave," TED Talk, March, 2014. Available [http://www.ted.com/talks/mellody\\_hobson\\_color\\_blind\\_or\\_color\\_brave/transcript?language=en](http://www.ted.com/talks/mellody_hobson_color_blind_or_color_brave/transcript?language=en)

12. Available <http://participedia.net/en/organizations/president-clintons-initiative-race>

13. Obama, Barack. "A More Perfect Union, " speech delivered March 18, 2008, Philadelphia.

## Voices in conversation

*What participants had to say*

**One judge would send kids home if he didn't feel the child was dressed appropriately. A girl was sent home for wearing shorts and tank top, but the judge didn't realize until later that the girl had walked a mile and a half to the court in sweltering summer heat.**

Connecticut leaders concur that honest conversation is a critical part of making positive change. As Juvenile Matters Chief Administrative Judge Bernadette Conway said:

Probably the most effective way to eliminate bias, and therefore DMC, is to talk about it, and to talk about it repeatedly and to get people to engage in the conversation, to make it a give and take conversation.

While the conversation is touted as essential, it can provoke extreme anxiety, as seen in Bee's comic portrayal. Conway described a Color of Justice forum for juvenile court personnel where people came in with arms crossed and making nervous jokes. "It's one thing to talk about it when you are in a room of people who are the same color – and it's another thing when it's a mix," she recalled. But the facilitators found "a way to get them to open up without getting defensive," she said.

"Some of the interactions may have been a little bit guarded," said Probation Supervisor Michaelangelo Palmieri, who also acts as a Color of Justice co-facilitator. "But there were people ready to add personal experience and personal thoughts."

Troy Brown, supervisor of the Court Support Service Division (CSSD) Training Academy, has delivered many trainings on cultural competency. The key to success is to present something unexpected, where people cannot figure out the "right" answer. "I'm trying to trick you," he explained. "I'm trying to get you to be real." Often being real means coming face-to-face with one's own biases.

## Implicit bias

The Color of Justice forums emphasize implicit bias, unconscious judgments that all human beings make – simply because we are wired that way.<sup>14</sup> They can be based on many factors: such as style of dress, age, gender and obviously race and ethnicity. "Implicit bias is such a tough concept for people to accept," Brown said. But it shows up too often in decision-making. "It's amazing how the kid who looks like you is a 'good kid,'" he said.

*The Color of Justice* documentary shows police officers in a training<sup>15</sup> where they have to describe pictures of young people. Based on differences in clothing and facial expressions, the same kids who are described in positive terms in one photo are seen

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Available [http://blogs.wsj.com/washwire/2008/03/18/text-of-obamas-speech-a-more-perfect-union/?mod=googlenews\\_wsj](http://blogs.wsj.com/washwire/2008/03/18/text-of-obamas-speech-a-more-perfect-union/?mod=googlenews_wsj).

14. See [http://med.stanford.edu/diversity/FAQ\\_REDE.html](http://med.stanford.edu/diversity/FAQ_REDE.html)

15. See [www.rightresponsect.org](http://www.rightresponsect.org)

by the officers in highly negative terms in another. The lesson in that training, and in the forums themselves, is that we make snap judgments based on appearance, not substance. Attendees at the forum participate in a similar exercise. Many people who attended the forum noted the picture exercise as key to their understanding of implicit bias.

While people are loath to admit that they have implicit bias – despite a body of science saying that we all do – it is an effective vehicle to engage people in discussion. No one is pegged with having bad intent. Even people who consciously choose to be fair are subject to implicit bias. In other words, good people can make bad decisions.

“You have to be able to remove the sense of blame in order for you to really open up,” said Tasha Hunt, a CSSD regional manager.

“Everybody has implicit bias,” said Allon Kalisher, a regional administrator for the Department of Children and Families (DCF). “The effort is to help us get further educated and sensitive ... We come in with the assumption that people involved with this work have a desire to do that.”

### **Color of Justice reach**

Talking about race and ethnicity is difficult. That was an organizing principle for The Color of Justice project. The Alliance originally planned to do 18 forums. Because of continuing requests from groups that want to host forums, we have already done 49 – and demand is still strong. The Alliance also held four facilitator trainings to create and expand the corps of people ready to co-facilitate and/or lead a Color of Justice forum. Two of these trainings were community-based; the others were tailored for the DCF Training Academy's Racial Justice Initiative and FAVOR, a statewide family advocacy organization. Ten individuals worked alongside Alliance staff to co-facilitate most of the 49 forums, and many others ran independent showings of the film and subsequent discussion.

#### **Voices in conversation**

*What participants had to say*

**African-American kids used to come to court with their hair looking like “a hot mess,” because detention only provided hair care products made for Caucasians.**

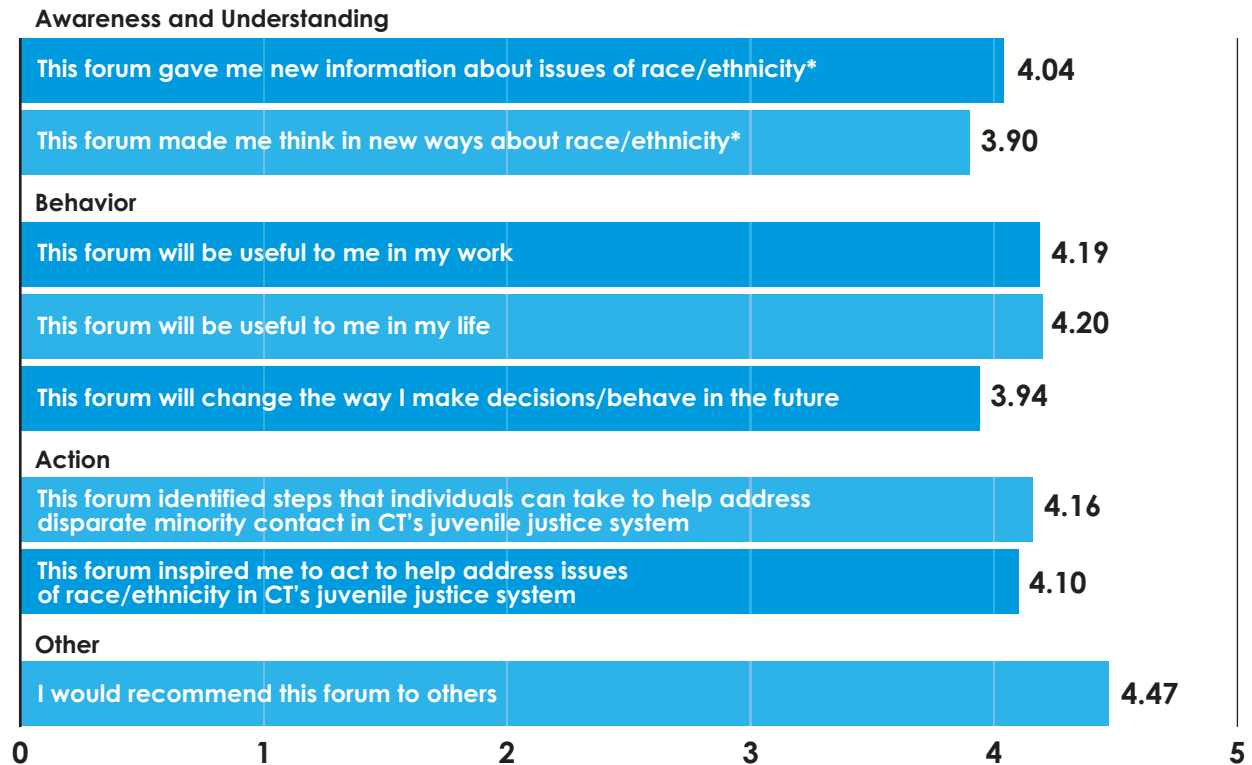
In addition, the Alliance built a website full of free resources that would allow anyone to host a forum – everything from tips on the logistics of getting space, to a primer on facilitating discussion, to a library of fact sheets.<sup>16</sup> While some people have reported using these resources to host their own forums, it is impossible to track everyone who might have done so. We also offered DVDs of the full documentary or an abridged version, with or without Spanish subtitles, to anyone planning a forum. Anyone who attended the forums was directed to the [ctjja.org/colorofjustice](http://ctjja.org/colorofjustice) site that includes ecards and sample Tweets and Facebook posts that they could use to spread key messages.

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16. See [www.ctjja.org/colorofjustice](http://www.ctjja.org/colorofjustice)

## Participant evaluations

All participants were asked to fill out evaluations rating various aspects of the forum on a scale of one to five, with five being the highest score. On six out of eight questions, average scores were four or higher.



\* Many stakeholders attending came in aware of DMC, so lower scores on those questions don't necessarily mean ineffectiveness.

*Common open-ended positive comments:* enjoyed the documentary; forum was very informative and relevant; liked the open discussion.

*Common open-ended negative comments:* wished there were more attendees (and law enforcement in particular); wish there were more time for discussion; wanted more detail about the research studies; would like the action steps tailored to my professional role.<sup>17</sup>

## What people said

### *About implicit bias*

A self-described "old white lady" stood up at one forum to acknowledge her own biases. People working within the system spoke of their own efforts to scrutinize their actions to prevent biases from guiding their work with youth. Several probation officers said they were afraid to speak up about bias, because they did not know how their concerns would be received. Another officer, however, said that he found a prosecutor

17. We responded to the call for action steps tailored to the professional role by adding facilitators from within the agency hosting the forum where possible.

very receptive when he raised the issue in a specific case, after they had attended a forum together.

#### *About DMC*

Some participants came to the forums with a great deal of knowledge about DMC. Others said they were shocked by the data and wanted to know if there were checks and balances in place to limit DMC.

Mental health was often raised in discussions about DMC. Professionals talked about youth of color not getting mental health evaluations in court – in other words, being seen as simply delinquent where white youth may be seen as ill. Participants also talked about cultural attitudes about seeking mental health treatment.

#### *About youth/family empowerment*

Many participants spoke about the need to involve young people and/or parents in designing services for adolescents. There was also an emphasis on leadership development and giving young people training to be effective advocates for their own interests.

#### *About diverting youth from the juvenile justice system entirely*

Attendees talked about Juvenile Review Boards, which hold youth accountable for their actions without involving them in the juvenile justice system. About a third of Connecticut communities do not yet have JRBs. There was strong support for access to high quality substance abuse and mental health services. Many participants called for better training for police officers – as illustrated in the documentary – that could decrease arrests. Schools, a frequent site of youth arrests, are starting to do away with zero tolerance policies in favor of school climate work, in keeping with recommendations by the U.S. Departments of Justice and Education.<sup>18</sup> Connecticut is making efforts to reduce the number of court referrals that originate in schools, resulting in a 10-percentage point drop in the past two years.<sup>19</sup> Some attendees also talked about memoranda of understanding that decriminalize school discipline<sup>20</sup>.

#### *About race and ethnicity*

Facilitators made a point of trying to guide the conversation to race and ethnicity's effect on *the juvenile justice system*. People were eager to discuss a broad range of topics related to race – far broader than our time constraints allowed. There was anger and frustration about the deaths of Trayvon Martin, Michael Brown, Freddie Gray, 12-year-old Tamir Rice, and the responses to them. This was amplified as new cases, such as the lack of grand jury indictment in the chokehold death of Eric Garner, made the news in December 2014 and into the spring of 2015.

18. See <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>

19. Source Connecticut Judicial Branch, Court Support Services Division

20. See [www.rightresponsect.org](http://www.rightresponsect.org)





People talked about their own discomfort with the subject, including fears that they might choose their words poorly and give offense. That raised another question for discussion: If we as adults struggle, how can we talk with our children about race and ethnicity? There was also discussion about self-identification and labels assigned by the system. For example, Latinos may identify as white or black, but be categorized differently. Some conflated race and ethnicity with class and culture, and others felt strongly that race and ethnicity – on their own – influenced experience.

There was agreement that racial and ethnic disparity – DMC and related issues – affects us all and that we must have more conversations to move the issue forward.

### **Voices in conversation**

*What participants had to say*

**Made me question whether I treat young people in my court differently because of race or ethnicity.**

### **What people did**

The forums inspired a considerable amount of activity, both on the part of community members and of the state agencies that run Connecticut's juvenile justice system. Educators showed the documentary and used our materials in classes. Groups and individuals planned to gather data tracking DMC in their own communities. Many people who came to Color of Justice forums, then facilitated forums themselves for civic groups, faith communities, workplaces and so on.

A Color of Justice forum, along with national events, inspired a partnership between Norwich's police department and the NAACP. "You can't change the world. I work on Norwich," said Sergeant Michael McKinney, a school resource officer in the city. McKinney wears other hats as well, including serving on the city's NAACP Criminal Justice Committee and acting as a trainer for the state's Juvenile Justice Advisory Committee.

After attending a Color of Justice forum, he decided to work with the police department and NAACP to do a public forum – he hopes the first of many – where police talked about their own procedures. "We talked about reasons we do the things we do," said McKinney. They also gave attendees information on how to make a complaint against an officer and promised that the department holds police officers accountable for their actions. "It's not just us versus them," he said.

The forum was also inspired by the events in Ferguson, Mo. "Why wait until something happens?" asked McKinney. "I live here. I'm committed to making the community better."

"It was phenomenal," Tariko Satterfield said of the Norwich forum. "We wish more people would have been there to hear it." Satterfield works at Norwich public schools and has started his own youth development organization. He said that less than 30 residents turned out for the event, but that it was refreshing to come to a program that both en-

## Voices in conversation

*What participants had to say*

**A white student hit the principal. His parents were called. At the same school, a Latina student hit another student who had bullied her. Two cruisers showed up, and the girl was taken away in handcuffs.**

gaged police and acknowledged that race plays a role in how youth are treated.

In Danbury, the Unitarian Universalist Congregation worked with the NAACP to host a Color of Justice forum. George Coleman facilitated. Coleman had some unique experiences to bring to the forum. He chairs the Connecticut Commission on Children, which hosted the Alliance's first Color of Justice forum, and is a retired state deputy commissioner of education. The congregation had to use a reserve space to accommodate an overflow crowd.

"My goal was to create an awareness to a new audience for the plight of black males – but more than that, the almost inevitability for (involvement in the juvenile or adult system) to happen. We are building institutions for this purpose and the need to maintain these institutions necessitates an influx of vulnerable young people," said Coleman.

He came away from the forum recommitted to diversion. "What can we offer as an alternative to families and communities to redirect the energy and the trajectory of these kids?" Coleman asked.

An East Hartford forum hosted by community groups and churches brought out an engaged crowd. When the forum ended, "nobody was leaving. You knew they were hungry to continue the conversation," said Gloria Mengual of Everyday Democracy. That led Everyday Democracy to host a follow up forum with additional discussion time. After that forum, 60 percent of the people there signed up for additional opportunities to take action.

The Color of Justice forums are also playing a large role in the training activities of the two agencies responsible for Connecticut's juvenile justice system, DCF and the Judicial Branch. Both are using them in their training academies and have created a number of opportunities for staffers to attend forums. Both state agencies sent representatives to facilitator trainings.

Vannessa Dorantes, co-chair of DCF's Racial Justice Workgroup and a regional administrator, said that the Color of Justice gave anti-DMC efforts "an action verb." Anyone looking to find a way to address the disparities now has a simple way to get started by holding a forum.

"We have had a huge influx of new trainees, new players to our workforce, plus we have veteran workers who say, 'We've talked about this before. Nothing changes,'" Dorantes said. "This gives us a way to say: The way you've been practicing can be different."

For Palmieri, the CSSD probation supervisor who is a trained Color of Justice facilitator,

projects like brown bag lunches that continue to present the Color of Justice forums are an opportunity to align practice and values:

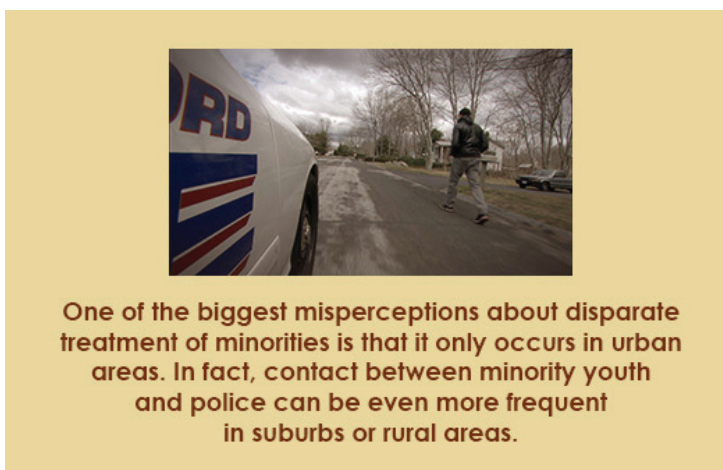
... it's an important conversation for communities to have, but especially for those of us working in juvenile justice and adult justice to have. I think people have a certain set of values that they're raised with that they live by, but sometimes your actions are not in line with what you see. I think this breaks the ice to have that kind of conversation.

He knows that the forums are making a difference. After they had all attended one, he conferred with a defense attorney and prosecutor in his courthouse about whether a youth of color was being treated fairly. They were able to discuss the case and come to a resolution that all three agreed was more fair. "If it's happening here, I would say it's happening in other locations as well," said Palmieri. "It at least allows people to have a kind of civil dialogue."

It is critical to note that The Color of Justice forums are not the only initiatives to address DMC, either within DCF and the Judicial Branch, or statewide. Most of the DCF and Judicial Branch employees interviewed for this report stressed that the Color of Justice project would not be effective if it were not part of a multi-faceted training strategy within their workplaces.

DCF has a Racial Justice Initiative that aims to address racial and ethnic disparities throughout the agency and specifically regarding child welfare and juvenile justice practice. The Judicial Branch has a Cultural Competency Advisory Committee that works on trainings, policy and practice. The Center for Children's Advocacy has partnered with the national Center for Children's Law and Policy to address the disproportionate rate at which black and Latino youth in Hartford, Bridgeport, Waterbury and New Haven are arrested in school, arrested in DCF placements, suspended from school and expelled. The team's data driven approach has led to student arrests in Bridgeport, for example, being cut in half.

"I think doing a one-shot deal, a lot of people will go and think: That's interesting," said Julia O'Leary, deputy director of CSSD. O'Leary said that change would only come with an "ongoing conversation."



The Color of Justice, a CPTV film

### Voices in conversation

*What participants had to say*

**Because I'm black doesn't mean I can do this work (talking honestly about bias) any better than you.**

## What we learned

### 1. Connecticut is not immune.

In our Northern and relatively progressive state, people told stories of encountering prejudice: in their neighborhoods and churches, on the job and when dealing with police. The statistics show that race and ethnicity affect the way that children are treated in the juvenile justice system. The experiences that people shared in these forums prove that this treatment is indicative of a much larger problem that all of us who call Connecticut home must confront.

### 2. People in Connecticut are ready to have a substantive conversation about race.

Attendance and the positive feedback on evaluations show that, as does the ripple effect of people delivering the forum in their own workplaces or communities. The central question, according to Judge Conway, is whether the forums inspire frank and open discourse. "Are we going to get true dialogue or are we going to get people just saying what they think they are supposed to say?" she asked. The more such conversations we engage in, the easier it becomes to go deeper, she said.

### 3. Format, framing and facilitating matter.

The emphasis on implicit bias allowed the discussion to progress without finger-pointing. It acknowledged that people may treat children differently without having any ill or even conscious intent to do so. But discussions of implicit bias are by no means easy. After years of doing similar training, CSSD's Brown has found people of color to be somewhat relieved if they find they are biased in favor of their own group, rather than against it. Whites, on the other hand, are resistant to the idea that they harbor any biases, no matter how unintentional.

The discussion was also aided by occasional bits of humor, notably *The Daily Show* clip.

The film is preceded and followed by informational presentation, and the event closes with a facilitated discussion where people share their own experiences. This format worked well. The film was effective because it was about "our youth, our kids, our system," said Christine Lau, DCF regional administrator.

Many attendees cited the skills of their facilitators as essential to the success of the forum. The two facilitators from the Alliance were white. They made sure to recruit, orient and work with a racially and ethnically diverse group of trainers and facilitators so that almost all forums were co-led by a multicultural team with diverse professional experience and roles.

Because of the high demand for forums, the Alliance trained 40 people to be independent Color of Justice facilitators, in addition to the core group of four co-facilitators who

#### Voices in conversation

*What participants had to say*

**Changing systems takes a while, but we can change our own behavior immediately.**

## Voices in conversation

*What participants had to say*

**Juvenile justice work had been centralized at DCF until about three years ago. For those of us with less experience with kids in the juvenile justice system, the forum made us say, “Those are our kids, too.”**

worked closely with the Alliance.

### **4. The conversation changes according to who is in the room.**

Most people who came to these forums had involvement with the system, either through state agencies, or as private providers or educators. That cut down the learning curve and also made sure that the people in the room were in a position to make change.

We heard mixed views about putting people who have different professional roles in the same room. “The conversation is so hard unless you’re in a really safe environment, and that’s really hard to produce,” said CSSD’s O’Leary. She attended a forum where court staff with many roles were present. She questioned whether people felt free to speak unguardedly, particularly in deference to the judges in the room. Brown, of CSSD’s Cultural Competency Committee, said that, “you might have a truer dialogue” with a group outside the system. Probation Supervisor Palmieri (see above), however, spoke of how having a mixed group of professionals gave them a common reference point and made it easier to discuss fairness in individual cases. Groups that included police officers as well as community members were effective at dispelling negative beliefs about police.

Youth themselves responded positively to the forum. Participants included young people who had been directly involved with the juvenile justice system. The experience was positive because of the framing. Youth came with adults they trusted and were empowered with action steps when they left.

Several people interviewed for the report suggested that breaking into smaller groups might encourage more participation in the discussions that conclude the forums.

### **5. Data are essential and difficult.**

The documentary draws on data from state studies of disproportionate minority contact. The presentation at every forum uses that same data in more depth as well as national studies. Great care was taken to synthesize the data in a way that is user-friendly. Relying on data from non-advocacy sources, such as the state itself and the U.S. Centers for Disease Control and Prevention, helped establish DMC as a real problem that could not be explained away by other factors, such as poverty or patterns of offending.

Local communities want and can benefit from more data but lack the resources to analyze it so that it is usable in policy and practice. Technical assistance should be provided to assist local groups taking on this work.

## 6. Talking is the first, but not the last step, in reducing DMC.

Talking is a good first step, according to Jack Glaser, an associate professor at University of California Berkeley, and an expert on decision-making in the criminal justice system:

My view is that having sincere conversations about the prevalence of implicit bias – to the extent that the people talking about it acknowledge it, that they're up to it and really do buy into it – has a good chance of improving their behavior in terms of making them less prone to make discriminatory judgments.

However, Glaser warned that standalone experiences could have an “ironic effect,” convincing people that “I’m covered. I’m good with that.” The ironic effect would be less likely if people did not consider the forums a formal training, he added.

Our experience was that forums within the workplace were productive. While issues of DMC may be commonly discussed among minorities at home or among homogeneous social groups, the forums created conversations among racially and ethnically diverse participants, often in a professional setting. These frank and productive conversations inspired people to take action.

As stated earlier, both state agencies have ongoing training efforts to combat DMC, efforts that now incorporate Color of Justice. “We can use this as a vehicle to start the conversation in a real way,” said DCF’s Dorantes.



## 7. Reaching police is a challenge.

We hoped for more police attendance at the forums. Attendees frequently had questions about or objections to police conduct. Having officers represented at the forums could have led to productive discussions – as was the case in Norwich and Stratford. Police were more receptive to participate in the wake of high profile cases, which seemed to increase their desire to better community relations.

## What's next?

The following recommendations encapsulate much of what we heard at the forums, and many points that we heard repeatedly. Some of these action steps are things that the Alliance can do itself or in collaboration with our partners. Others are more global and call on other stakeholders to champion change. The Alliance strongly endorses all of these action steps.



## 1. Continue, expand and deepen the conversation.

The single most important lesson we learned in this process is that many people are eager to discuss and increase competency around these matters in a sustained way. We all must work within our own organizations and roles to consciously create opportunities for these conversations to occur.

State agencies have incorporated Color of Justice into their ongoing training efforts. Smaller groups and individuals are using the toolkits that we developed to host their own forums. Ongoing Color of Justice forums are valuable, but they should not be the only setting where people talk about race and ethnicity, bias and justice.

Everyday Democracy is using the documentary, or sometimes parts of it, to help communities talk about discrimination. The national organization based in Connecticut engages people who do not have a deep knowledge of the juvenile justice system. The Alliance will be referring communities eager to continue the work they started with Color of Justice to Everyday Democracy.

Each of us can get better at recognizing and confronting *implicit and system bias*. We can help create environments where it is acceptable to speak up when we think we see bias. We can encourage organizations to have regular, informal or formal processes to facilitate conversations about bias in our lives. A wide range of group activities, such as staff lunches, book clubs or other small group conversations can help increase our ability to air these issues. Teams of individuals making decisions can help, creating checks and balances, rather than relying on just one person.

Police and youth can and should be part of these conversations. At forums they both attended, there was much richer conversation and understanding. We strongly recommend that every police officer in the state be trained in youth development and DMC. The state makes such trainings available to patrol officers<sup>21</sup> and school staff<sup>22</sup> free of charge. It also provides grants to police and youth for joint projects that lead to better understanding.<sup>23</sup>

The Alliance is available to train or refer partners to enable them to facilitate Color of Justice forums and conversations about race and ethnicity and implicit bias. The Alliance has prepared a much less data-intensive version of the PowerPoint<sup>24</sup> used in its Color of Justice forums to make them more useful for a general community audience. This PowerPoint, the Color of Justice film and other tools for facilitators are available at <http://ctjja.org/colorofjustice>.

### Voices in conversation

*What participants had to say*

**For me, it's about not being so dismissive of someone else's experience.**

21. <http://www.ct.gov/opm/cwp/view.asp?a=2974&q=460244>

22. [http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=507648&opmNav\\_GID=1797&opmNav=|46656|](http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=507648&opmNav_GID=1797&opmNav=|46656|)

23. <http://www.ct.gov/opm/cwp/view.asp?a=2974&q=383636>

24. [www.ctjja.org/colorofjustice](http://www.ctjja.org/colorofjustice)

## 2. Support data-driven reform at the state and local levels.

The Alliance will continue to work with the Juvenile Justice Advisory Committee as it embarks on its fourth research study of DMC in the state. The studies are extremely sophisticated and thus are produced approximately every seven years. The Advisory Committee has made policy and practice recommendations based on the outcomes of its research studies. We believe that broadly disseminating and discussing the resulting data and recommendations will continue to be critical in efforts to reduce DMC.

Data analysis is an ongoing process and continues, to a lesser degree, between state-wide studies. This analysis is also an ongoing challenge as data mining is a capacity issue, and budgets are tight. The Center for Children's Advocacy's (CCA) DMC Projects in four cities use data from DCF and CSSD as well as local schools and police departments to identify and address DMC.

Local Interagency Services Teams (LISTs) are local and regional juvenile justice system stakeholders (providers, parents, advocates, DCF, CSSD) who play an important role in improving Connecticut's juvenile justice system. We encourage LISTs to focus on DMC data at least annually, and quarterly if it can be made available. CSSD and DCF should provide technical assistance to build the LISTs' capacity to do this work, utilizing the reports developed for use with CCA's DMC Projects. We will support them in this work. Other stakeholder groups that could meet regularly to explore DMC include Parent Teacher Organizations. These groups can look specifically at data related to school exclusion (in-school and out-of-school suspension, expulsion, arrest).

## 3. Strengthen and emphasize cross-agency collaboration.

The Alliance will continue to work with various state bodies to advance DMC reduction work. The JJAC produces critical data that the Alliance can help to disseminate and use to inform policy change. It creates and supports numerous other important initiatives and partnerships, including training on DMC and youth, and the Color of Justice itself.

This project gave us opportunities to work with DCF and the Judicial Branch in new ways, particularly as a support to their own training initiatives. Opportunities for similar collaborations should be seized. In 2014 the legislature created a Juvenile Justice Policy and Oversight Committee (JJPOC) that includes all key stakeholders in efforts to address systemic issues. The JJPOC has made DMC a focus of all of its workgroups.

### Voices in conversation

*What participants had to say*

**After we moved to a predominately white town, my husband was constantly being pulled over by police. He worked second shift, and I would stay up at night until he got home. Being a female, lighter skinned, less intimidating than some, I didn't automatically place race in the forefront of my mind. Marrying a man who is of a darker complexion – and of course a man – looking at the world through his eyes is a very different perspective.**

LISTs and local communities can build on the momentum created by a Color of Justice forum, as Norwich, East Hartford and Danbury did with police and community events.

The work each of these state agencies and organizations are doing individually is critical. Purposeful collaboration across and between these initiatives is needed to ensure maximum impact, effectiveness and efficiency.

The success of the documentary and the associated forums shows that the Color of Justice model works. It could be replicated specific to other states or as a national program and project.



#### **4. Continue to shrink the juvenile justice system.**

At every forum we heard appreciation for the strides Connecticut has taken to improve its juvenile justice system, along with the recognition that more work is needed. Decreasing system size and increasing system fairness in various contexts will benefit minority youth. From start to finish the juvenile justice system includes more youth of color than are in the state's population, and as one travels deeper into the system these disparities get more pronounced. Black youth make up 35 percent of total referrals to court and 48 percent of the admissions to the Connecticut Juvenile Training School. In contrast, white youth make up 40 percent of total referrals to court and only 12 percent of the admissions to CJTS.<sup>25</sup> Reducing the system's reach and lowering rates of incarceration will have the greatest impact in communities of color, though a smaller system will not necessarily have less disproportionality.

There are overarching strategies that Connecticut should use to shrink the system and reduce disproportionate impact, including better trauma services, improved access to mental and behavioral health care, immediate assistance to children exposed to trauma and school discipline reforms.

Specific strategies to shrink the system include:

- Increase access to community-based prevention services (e.g. after-school activities, recreational opportunities, mentoring, etc.) that don't require court involvement for participation.
- Increase access to in- and out-patient detox and substance abuse/use treatment programs for both court and non-court involved youth.

25. Source: Office of Policy and Management. Available <http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=471654>

## Voices in conversation

*What participants had to say*

**When a former Kenyan diplomat joined a predominately white church, a congregant told her that she was joining the church at the right time, because the church was in need of a new cleaning lady.**

**“I thought about what I should say to her, and I often default to being a diplomat, because that’s my training for all these years, so I said to her, ‘The woman who cleans my house may have some extra time, so I will let her know.’”**

- Reject “zero-tolerance” policies in accordance with recent federal guidelines; minimize use of discipline techniques that remove children from the school setting.
- Increase diversion from juvenile justice system involvement through mechanisms such as Juvenile Review Boards.
- Develop processes to divert youth with mental health and/or substance use/abuse issues from court (e.g., record expungement after successful program completion).
- Increase the adoption throughout the juvenile justice system of balanced and restorative justice techniques that strengthen community connections, such as peace-making circles, victim-offender dialogue and mediation.
- Reduce the use of incarceration; remove from the community only that small percentage of youth who present a serious risk to public safety.

## Conclusion

In addition to other possible leverage points, frank and personal discussions about the roles that race and ethnicity play in our lives can be critical precursors to concrete action that will reduce DMC in the juvenile justice system. These discussions are by no means easy, but people are hungry to have them. With proper support, conversations about race and ethnicity can be revelatory and productive. Moving forward, the Connecticut Juvenile Justice Alliance will look for more opportunities to have these kinds of conversations, and we will support others who are doing similar work.

We will continue to advocate for changes in policy and practice that will make the system more fair for all Connecticut’s young people. And we will do so with renewed hope. DMC has long been seen as the immovable object in juvenile justice. No matter how much better the system gets, youth of color still enter it at shockingly high rates and are treated more punitively than their white peers.

DMC has always been a fact of life in America. That does not mean that it always has to be. The Color of Justice project revealed a strong public will to do better by all Connecticut’s children. We look forward to realizing that vision.

## Partners

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ACCESS Agency  
ACES Whitney High School North  
Connecticut General Assembly, Achievement Gap Task Force  
Connecticut General Assembly, Black and Puerto Rican Caucus  
Bridgeport Board of Education  
The Bridge Family Center, Inc.  
Center for Children's Advocacy  
Central Connecticut State University  
City of Hartford Department of Families, Children, Youth and Recreation  
City of New Haven Youth Service Department  
Commission on Children  
Commission on Racial and Ethnic Disparity in the Criminal Justice System  
Community Foundation for Greater New Haven  
Community Health Center, Middletown  
Congregation B'Nai Israel, Bridgeport  
Connecticut General Assembly members  
Connecticut Valley Hospital  
Connecticut Voices for Children  
Connecticut Youth Services Association and many member youth service bureaus  
Department of Children and Families  
Eastern Connecticut State University, Sociology Department, and Center for Community Engagement  
Enfield Youth Services  
Fairfield University and First Year Experience Program  
Family Reentry  
FAVOR, Inc.  
Glastonbury Martin Luther King Community Initiative

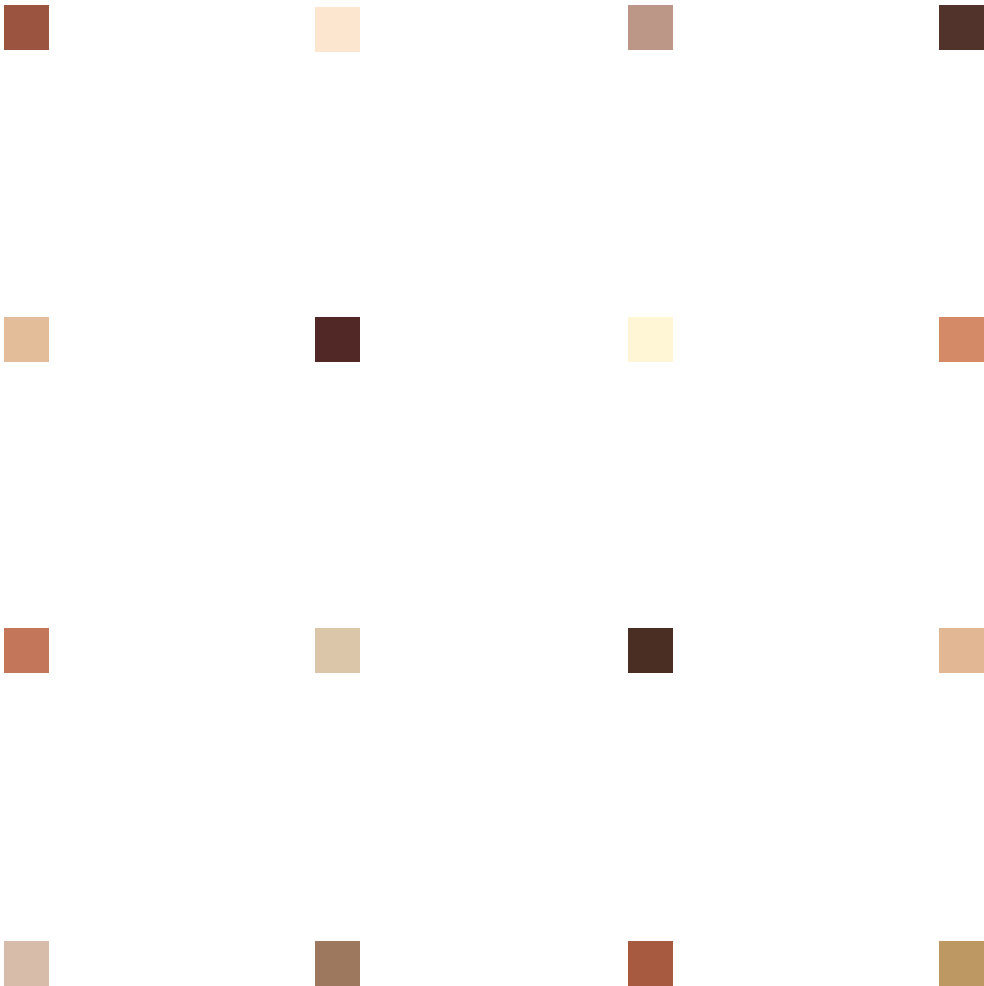
Glastonbury Police Department  
Greater Hartford Legal Aid  
Harriet Beecher Stowe Center  
Hartford Public Library  
Hartford Public Schools  
Hearing Youth Voices (New London Youth Affairs)  
Judicial Branch, Superior Courts for Juvenile Matters, Chief Administrative Judge for Juvenile Matters, and Court Support Services Division  
Kelly Middle School, Norwich  
Local Interagency Services Teams (LISTs)  
The Mark Twain House & Museum  
Middletown Mayor Daniel Drew  
Middlesex Coalition for Children  
Middletown Mental Health Collaborative  
Middletown Ministerial Alliance  
Middletown Police Department  
Middletown Public Schools  
Middletown Youth Services  
Montville Youth Service Bureau  
Naugatuck Valley Community College  
New London Community & Campus Coalition  
New London Senior Center  
North End Action Team, Middletown  
Norwich Juvenile Justice Alliance  
Norwich Youth and Family Services  
Office of the Chief Public Defender  
Office of the Chief State's Attorney  
Parent Leadership Training Institute/Parent SEE Programs  
Planned Parenthood of Southern New England  
Post University  
Quinnipiac University School of Law

Richard J. Kinsella Magnet School of Performing Arts  
Riverfront Community Center, Glastonbury  
RYASAP (Regional Youth Adult Social Action Partnership)  
Southern Connecticut State University  
Stamford Youth Service Bureau  
St. Joseph's of Stratford  
Stratford Community Services  
Windham System of Care Collaborative  
TEEG  
Three Rivers Community College  
Torrington High School  
Torrington Area Youth Service Bureau, Inc.  
Tow Youth Justice Institute  
Trumbull Police Department and Police Cadet Post  
United Way of New Haven  
University of Connecticut, Urban and Community Studies

University of Connecticut Health Center  
University of Connecticut School of Social Work  
University of Connecticut Stamford Campus, Human Development and Family Studies  
University of New Haven Henry C. Lee College of Criminal Justice and Forensic Sciences  
The Village Center of Thompsonville, Enfield  
Waterbury Youth Service System, Inc.  
Wesleyan Center for Prison Education  
Wexler-Grant School, New Haven  
William J. Pitkin Community Center, Wethersfield  
Windham Public Schools  
Windham Youth Service Bureau







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