



**RACIAL & ETHNIC
DISPARITIES IN
TREATMENT COURTS**

An Equity & Inclusion State of Mind:

*Washington's Approach to Addressing Racial & Ethnic
Disparities in Therapeutic Courts*
Session I: Statewide Review

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Indigenous Land Acknowledgment

www.native-land.ca

The screenshot displays the Native-Land.ca website interface. On the left is a sidebar with search and filter options. At the top of the sidebar are three toggle switches for 'Territories' (on), 'Languages' (off), and 'Treaties' (off). Below these is a search bar containing 'Seattle, Washington, United Stat...'. Further down are three dropdown menus for 'Search territories', 'Search languages', and 'Search treaties'. At the bottom of the sidebar is a section titled 'Contact local nations to verify:' with a list of four entries, each with a checked checkbox and a right-pointing arrow: 'dx^wsəq^wəbš (Suquamish)', 'dx^wdəwʔabš (Duwamish)', 'bəqəlšut (Muckleshoot)', and 'Cayuse, Umatilla and Walla Walla'. The main area of the page is a map showing various Indigenous territories in the Pacific Northwest, each color-coded. Labels on the map include 'S'Klallam', 'Chimacum', 'Cayuse, Umatilla and Walla Walla', 'dx^wsəq^wəbš (Suquamish)', 'dx^wdəwʔabš (Duwamish)', 'sduk^walbiš^w (Snoqualmie)', 'dx^wlilap (Tulalip)', 'Skykomish', 'Twana/Skokomish', and 'Confederated Tribes of the Colville Reservation'. A blue location pin is placed on the Duwamish territory. The map also shows some geographical features like rivers and water bodies.

Grant Overview

Equity, Treatment, and Training: *The Washington State Opioid and Overdose Treatment Court Response Plan*

01

Create and implement new statewide assessment tools and training protocols for Washington therapeutic courts

02

Ensure Washington's therapeutic courts are serving high-risk and high-need individuals and providing swift program entry

03

Identify and address equity and inclusion challenges in Washington's treatment courts



04

Expand and enhance access to Medications for Opioid Use Disorder

Grant Deliverables

01

Washington Therapeutic Courts Training Support (WATTS) and Washington Assessment Needs Determination Assessment (WANDA)

02

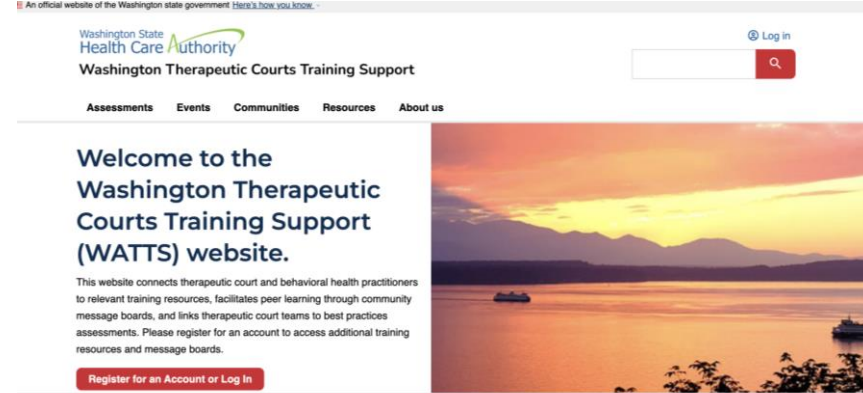
Risk Need Responsivity (RNR) Trainings Series

03

American University Racial and Ethnic Disparities (AU RED) Assessment Tool

04

Washington State Opioid Response Pilot



WEBINAR SERIES Center for Justice Innovation

The Center for Justice Innovation presents two upcoming training opportunities for therapeutic courts:

Webinar 1: MOUD Training Series
"Understanding Opioids in the Context of Whole Person Care for Therapeutic Courts in Washington State"
The first in a series of MOUD webinars for Washington Therapeutic Court practitioners and partners will provide a historical context and understanding of common opioids, their pharmacology, and basic overdose prevention strategies. Attendees will be able to:

- Distinguish between different kinds of commonly known opioids
- Understand the basic effects of opioids on the mind and body
- Analyze the history and context of the opioid crisis in the US

Monday, August 26, 2024 from 12-1:15pm PT
[Register HERE](#)

Webinar 2: RNR Training Series
"Targeting the Right Population: Risk-Need-Responsivity Theory for Therapeutic Courts in Washington State"
This will be a two-hour interactive webinar for Adult Drug Court practitioners who operate at the felony level. All attendees will receive suggested readings and foundational materials. Trainings will include the following content:

- Identifying appropriate target populations
- Background, overview, and appropriate use of RNR tools
- Roles/responsibilities as they relate to RNR
- Best practices for high and low risk populations in therapeutic courts (including a discussion of tracks)

Thursday, September 12, 2024 from 8-10am PT
[Register HERE](#)

Washington State Opioid Response Pilot

Washington State Health Care Authority

WASHINGTON COURTS

Center for Justice Innovation

AU RED Objectives



Identify and address equity and inclusion challenges in Washington's treatment courts

01

Examine the landscape of therapeutic court practice as it relates to topics on RED.

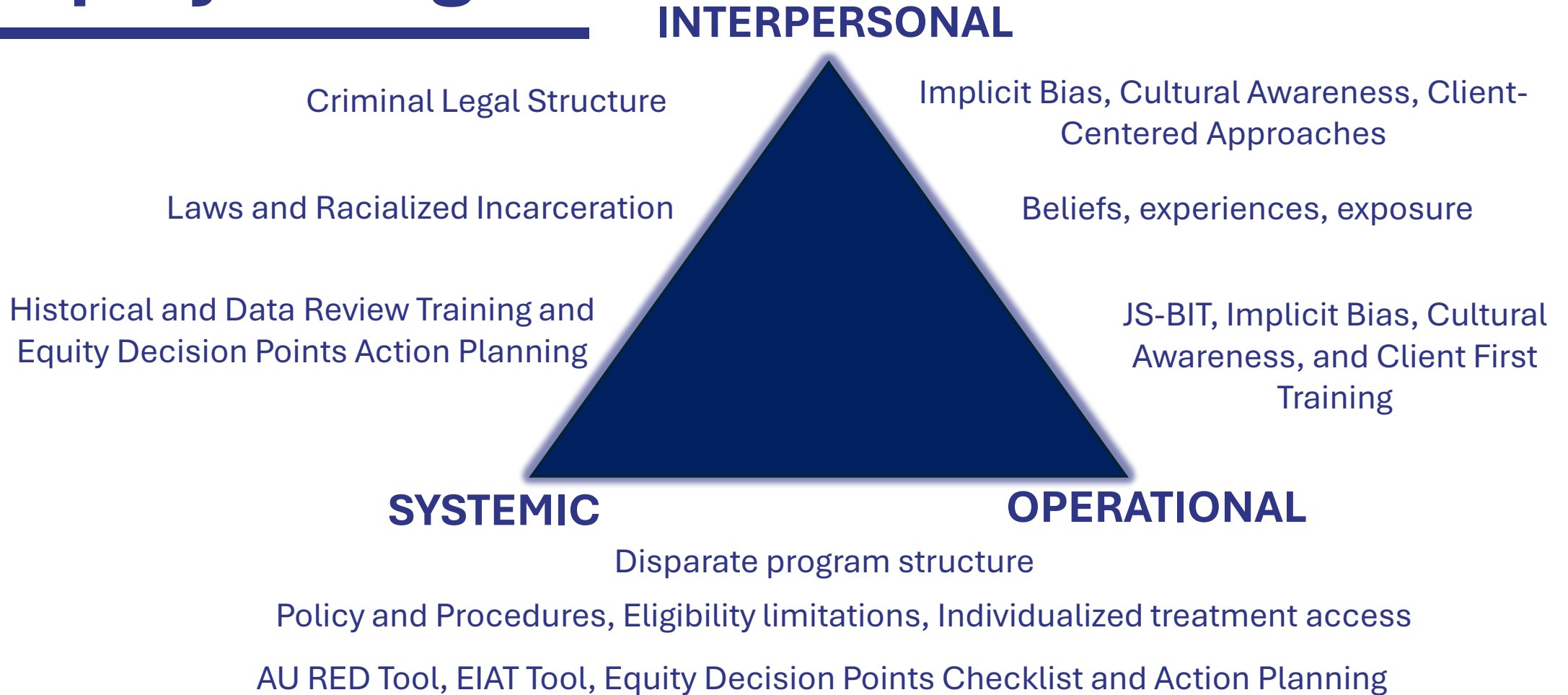
02

Identify and discuss innovative strategies to address RED in therapeutic court operations.

03

Describe how a state successfully executed a statewide RED project to aid in improving outcomes for participants.

Equity Triangle



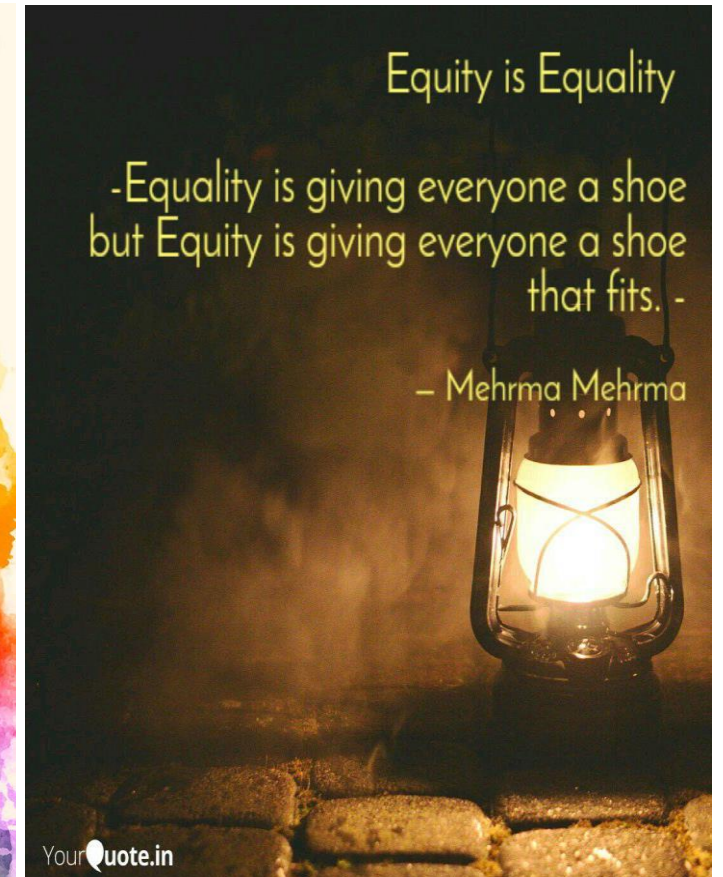
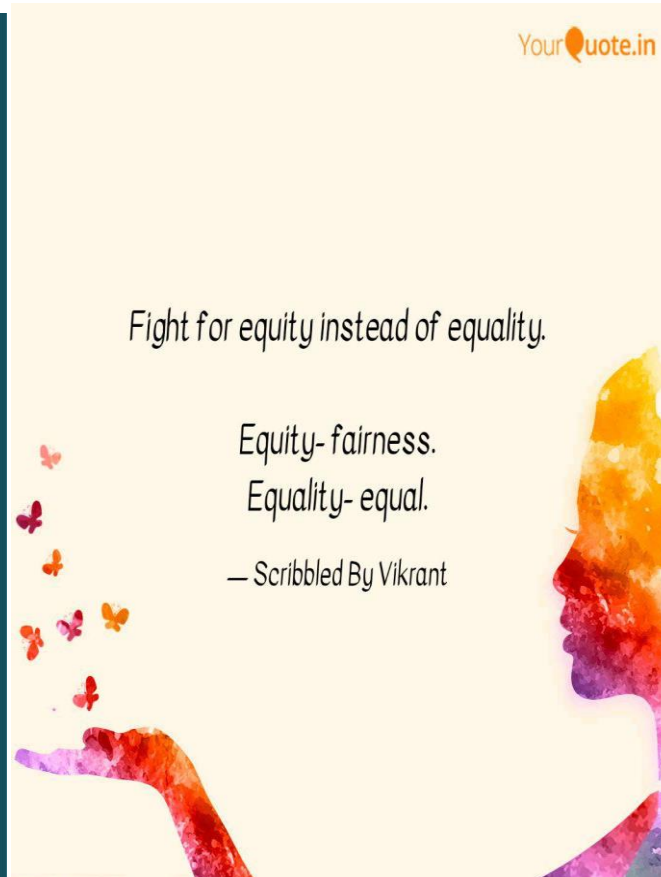
Equity vs. Equality

Racial Justice:

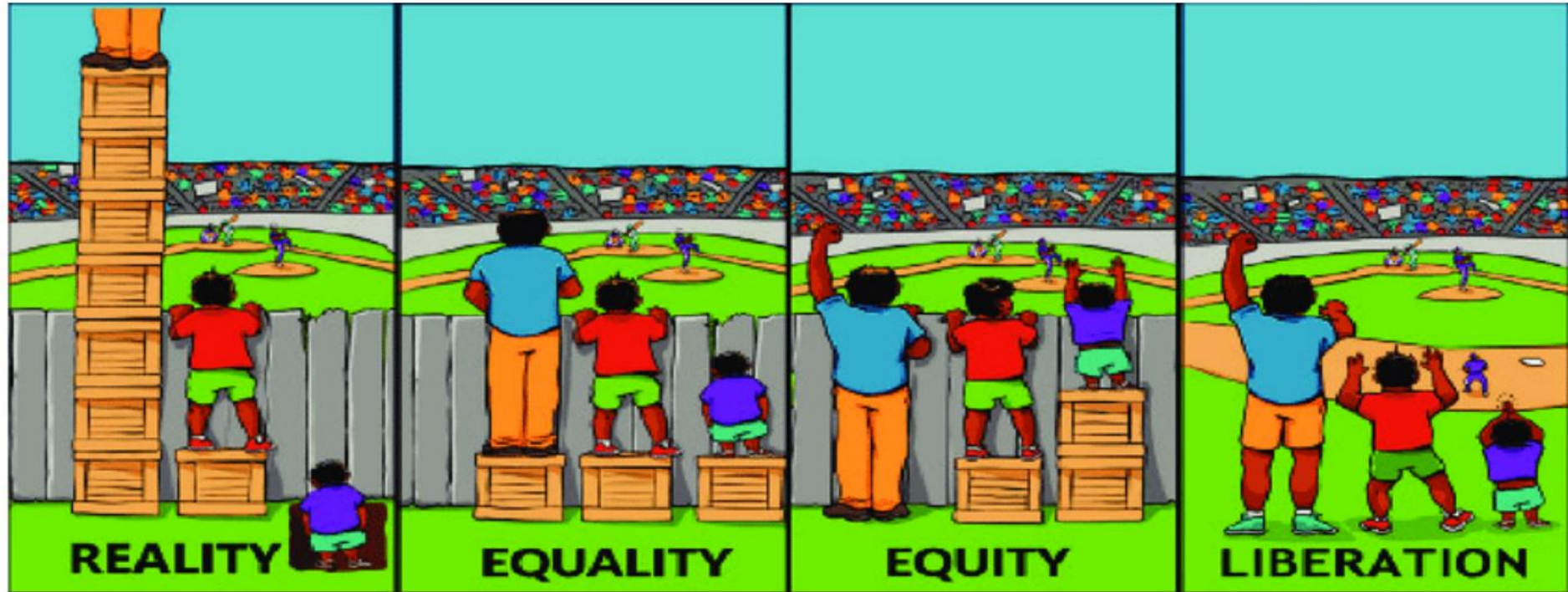
The systematic fair treatment of people of all races, resulting in equitable opportunities and outcomes for all.

Racial justice—or racial equity—goes beyond "anti-racism." It is not just the absence of discrimination and inequities, but also the **presence of deliberate systems and supports** to achieve and sustain racial equity through proactive and preventative measures.

-Race Forward



Reality, Equality, Equity, and Liberation



The difference between the terms equality, equity, and liberation, illustrated; © Interaction Institute for Social Change | Artist: Angus Maguire

Community Resources

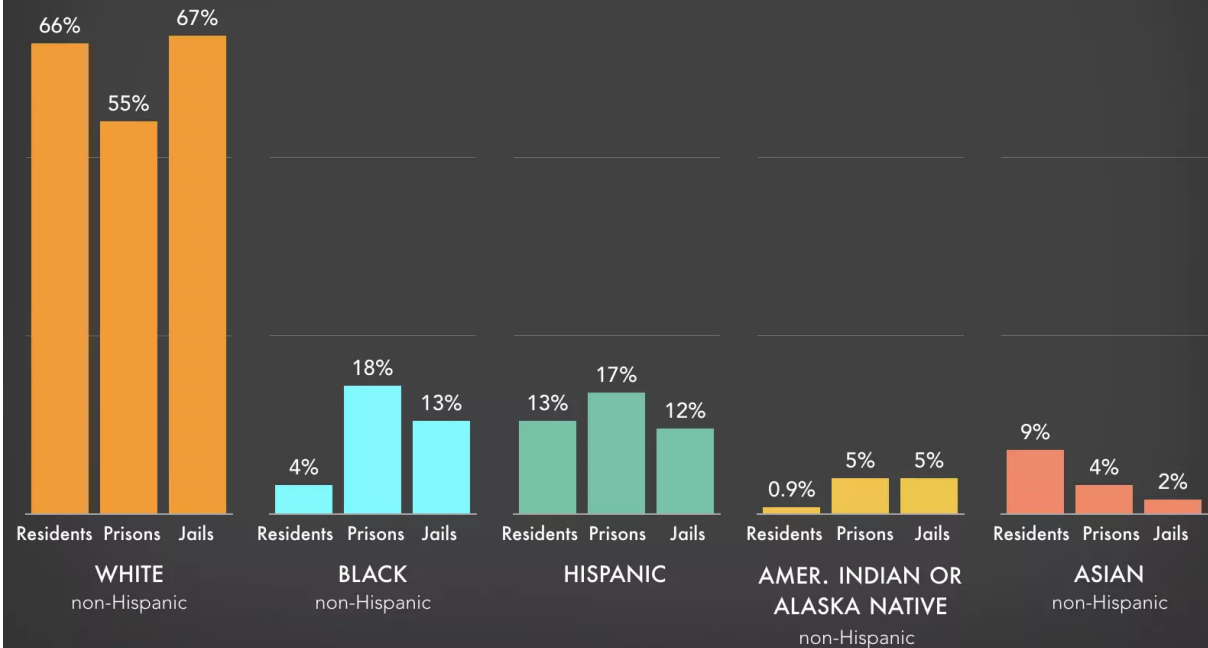


Racial and Ethnic Disparities in the Criminal Legal System

- Racial and ethnic disparities in the criminal legal system remains an issue today.
- Trends show disparities in access to treatment courts.
- Some minoritized participants graduate programs at a lesser rate than their white counterparts.

Comparing Washington's resident and incarcerated populations

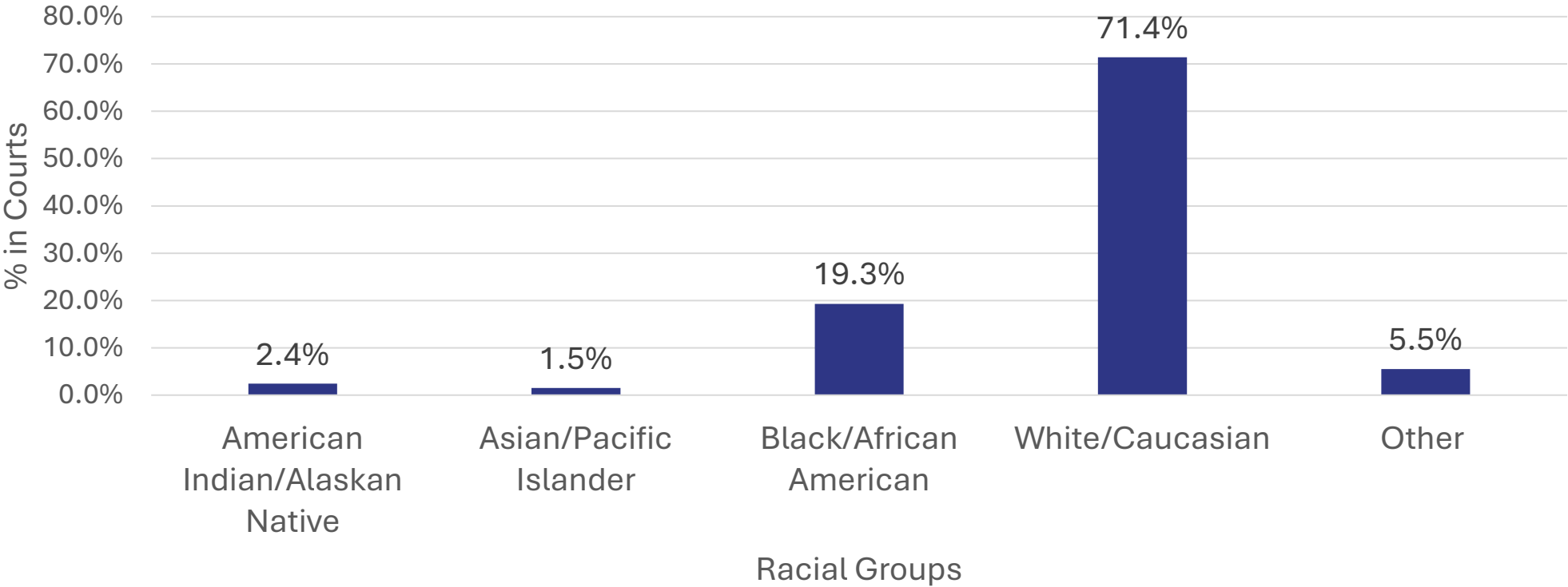
Percentage of state residents, by race or ethnicity, compared to the percentage of people in the state's prisons in 2021 and in local jails in 2019, by race or ethnicity. Compared to the total state population, Black and Native people are overrepresented in the incarcerated population, while Asian people are underrepresented.



Source: Bureau of Justice Statistics and U.S. Census Bureau data. For sourcing details and dataset, including race definitions and categories not displayed above, see: www.prisonpolicy.org/data/race_bystate_2021.xlsx.



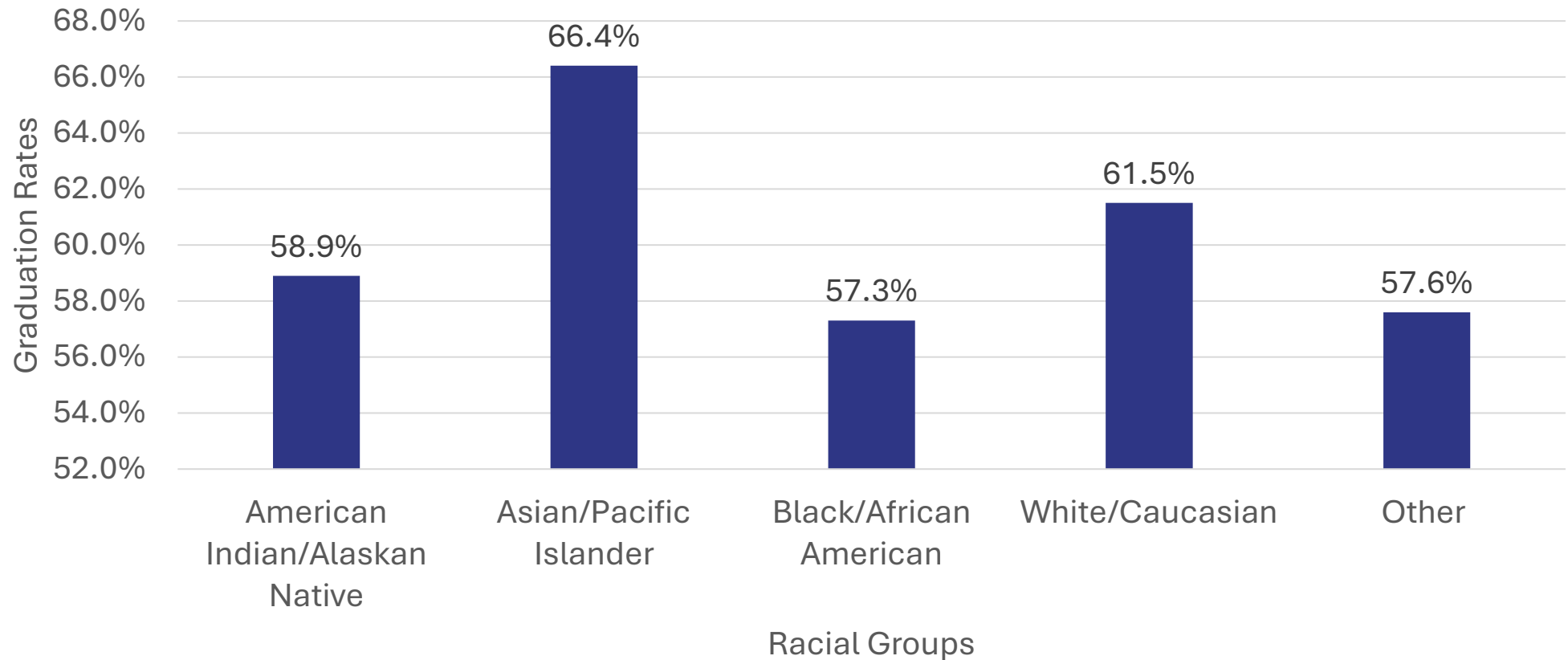
Treatment Courts are Majority White



DeVall, K., Lanier, C., & Baker, L. (2023). *Painting the Current Picture: A National Report on Treatment Courts in the United States*. National Drug Court Resource Center.



Black/African Americans Have the Lowest Graduation Rate



DeVall, K., Lanier, C., & Baker, L. (2023). *Painting the Current Picture: A National Report on Treatment Courts in the United States*. National Drug Court Resource Center.

The Racial and Ethnic Disparities (RED) Program Assessment Tool



Designed to capture information about treatment courts' operations and procedures, with an emphasis on examining areas where racial and ethnic disparities may exist in their courts.

The underlying goals of the RED tool are:

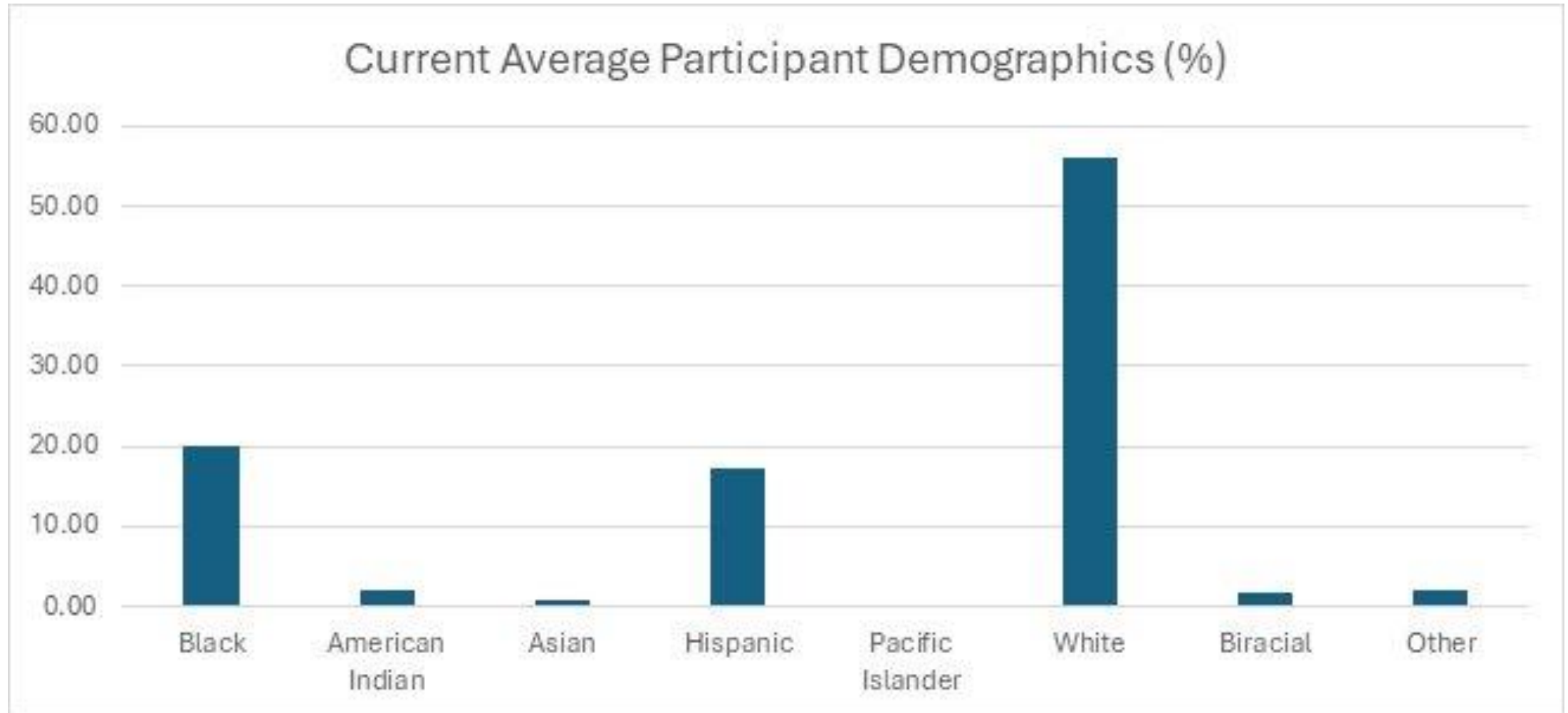
- Raising awareness about RED in treatment courts;
- Assisting courts identify RED in their systems and processes; and
- Offering recommendations on alleviating racial/ethnic disparities.

Key Findings from RED Report



8 therapeutic courts completed the RED tool between July and September 2024.

Participant Race





Key Findings from RED Report

- All courts agree or strongly agree that their team is committed to addressing racial equity.
- All courts have written eligibility criteria.
- All courts have received cultural competency training within the past 5 years.
- All courts report that evidence-based practices are used in treatment.
- All courts use counselors who are licensed and trained to provide evidence-based treatment.

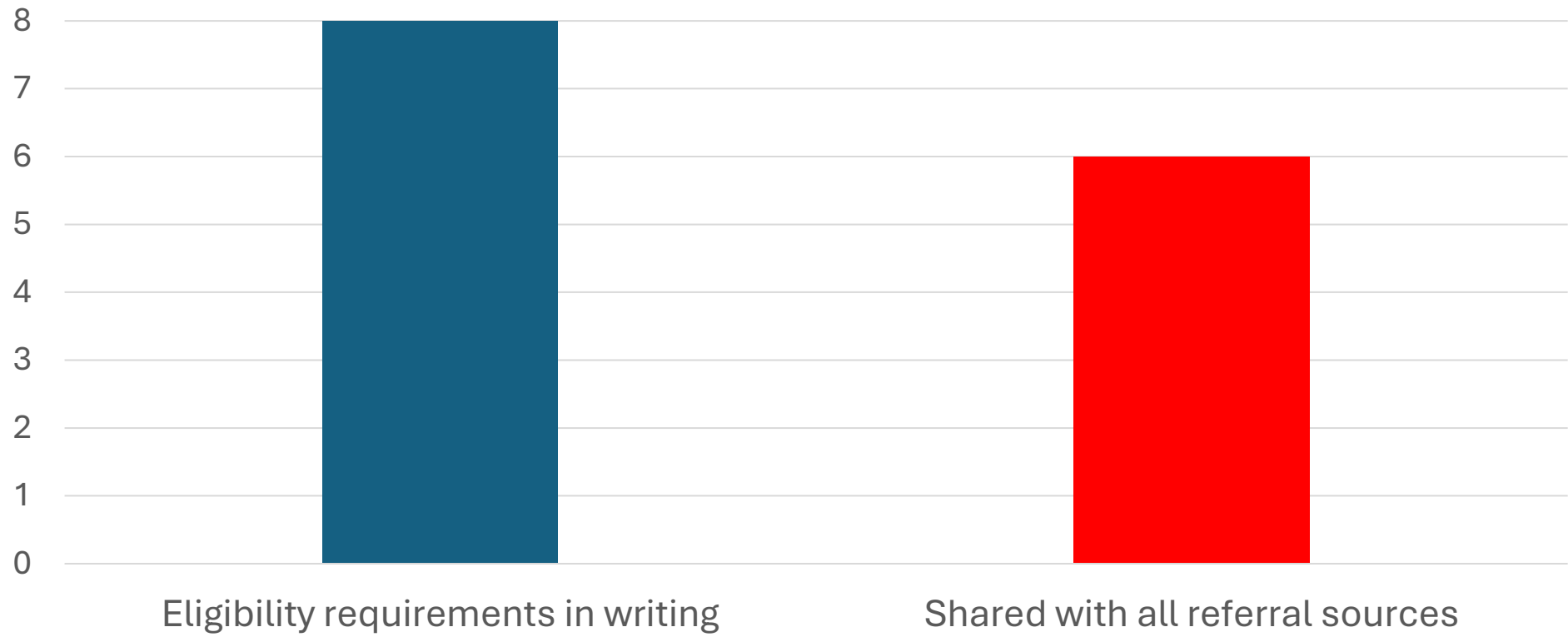


Key Findings from RED Report

- Most courts either lack a mission or vision statement, or their existing statements do not reference a commitment to racial equity.
- Courts typically lack formal policies for regularly assessing disparities.
 - Many courts do track RED regularly, even without a formal policy in place.
- Courts generally do not have policies to ensure that staff diversity reflects the demographics of their participant population
- A large percentage of courts reported not implementing or not knowing if changes were made after attending cultural competency training.

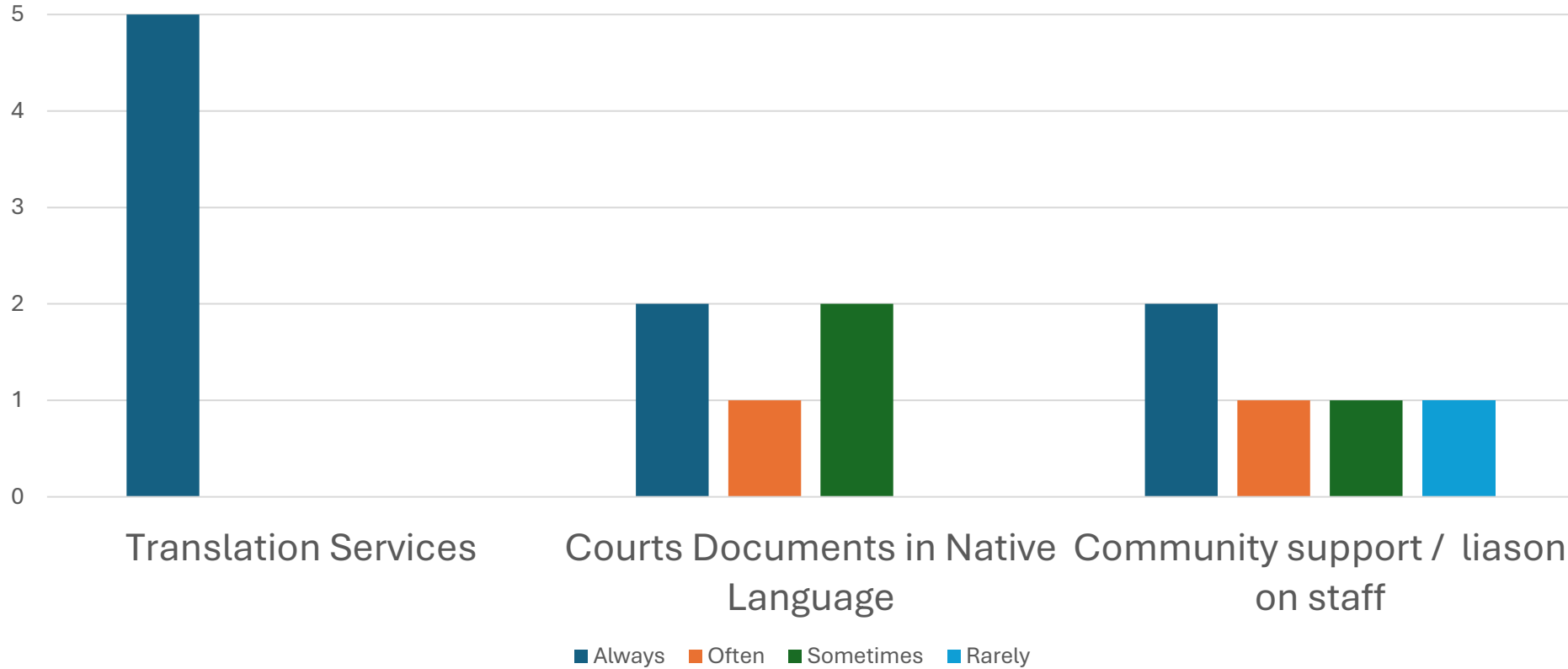


Eligibility Requirements Documented





Services Provided to Non-English Speakers



Main RED Target Areas



DATA



POLICY



TRAINING

Decision Point Handout

1. Target population:

- o Look at policies and procedures that contribute to access barriers?
- o Is there written eligibility criterion that includes eligible charges shared with all partners?
- o Does the team vote on eligibility?
- o Is criminal history a disqualifier?
- o Does your program use an RNR tool pre-acceptance into the accountability court to identify high-risk/high needs participants?
- o Relevant participant data to review:
 - o Eligibility Denial Source and Reason (Denials and Participant Declines)
 - o Referral Source and eligibility decisions (Eligibility Denial Source and Reason)
 - o Referring Charges and eligibility decisions (Eligibility Denial Source and Reason)
 - o Risk/Need Level and eligibility decisions (Eligibility Denial Source and Reason)

Decision Points:

2. Equity and Inclusion:

- o Who identifies and determines eligibility?
- o Does your court review data to ensure incentives and sanctions, and therapeutic adjustments are equitable?
- o Is equity and inclusion included in the statewide standards, certification, or fidelity review process?
- o Relevant participant data to review:
 - o Sex at Birth, Race, Ethnicity, Gender Identity distribution of referrals accepted, denied, declined, and by Referral Source
 - o Sex at Birth, Race, Ethnicity Gender Identity distribution of incentives and sanction by Phase

Decision Points:

Access the JS-BIT



Equity Decision Points Checklist and Action Plan Contact List



End: Session I



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Session II: Action Planning

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Session Overview

- We're going to action plan based on Statewide RED Report Recommendations and best practices
- Each attendee will count off 1 – 6 so there are six groups
- Each group will identify as many objectives as possible
- Each group will report out the objectives
- The Center will add to an action plan, clean up the text and send to all attendees so they can complete it with their courts





Key Findings from RED Report

Areas of strength:

- All courts agree or strongly agree that their team is committed to addressing racial equity.
- All courts have written eligibility criteria.
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- All courts use counselors who are licensed and trained to provide evidence-based treatment.

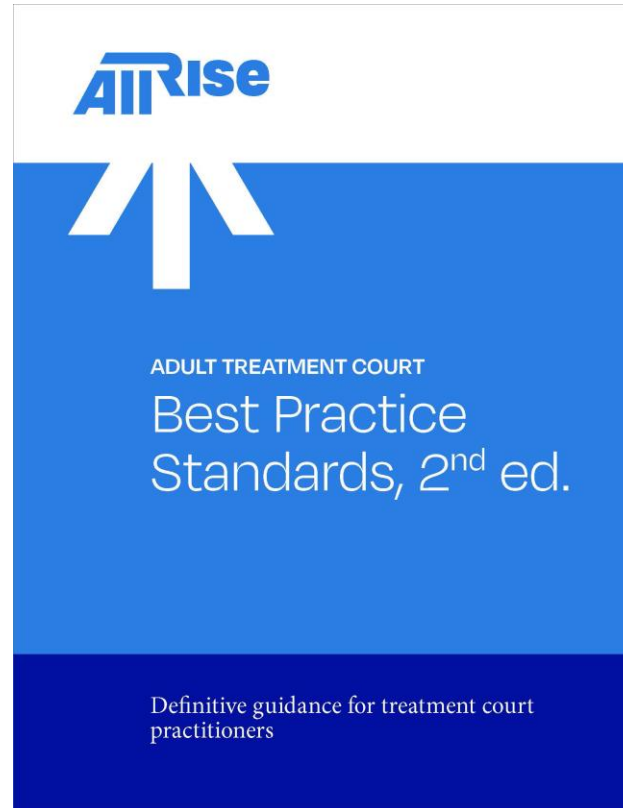


Key Findings from RED Report

Areas for improvement:

- Most courts either lack a mission or vision statement, or their existing statements do not reference a commitment to racial equity.
- Courts typically lack formal policies for regularly assessing disparities.
 - Many courts do track RED regularly, even without a formal policy in place.
- Courts generally do not have policies to ensure that staff diversity reflects the demographics of their participant population
- A large percentage of courts reported not implementing or not knowing if changes were made after attending cultural competency training.

The Framework: The National Adult Best Practice Standards I, II, VIII, and X



www.allrise.org

RED Report Recommendations (Goals)

1. **Promote Racial and Ethnic Equity in Court Operations** (*Target Population and Equity & Inclusion*)
2. **Develop a Racial Equity Dashboard and Training Resources** (*Equity & Inclusion and Monitoring & Evaluation*)
3. **Enhance Program Operations through Implementation of Training Practices** (*Multidisciplinary Team*)
4. **Enhance Language Support Services** (*Equity & Inclusion*)
5. **Improve Program Access During the Intake Process** (*Target Population*)
6. **Increase Monitoring and Evaluation Efforts** (*Monitoring & Evaluation*)

Action Planning

Priority Area(s): Target Population				
Goal 1: Promote Racial and Ethnic Equity in Court Operations				
Objective 1A:	Action Steps	Persons Responsible	Timeline	Performance Measures
Incorporate equity language into mission and vision statements, participant handbooks, and policies and procedures for therapeutic courts		•		
Priority Area(s): Equity and Inclusion and Monitoring and Evaluation				
Goal 2: Develop a Racial Equity Dashboard and Training Resources				
Objective 2A:	Action Steps	Persons Responsible	Timeline	Performance Measures
Establish a dedicated racial equity dashboard on the state court website that includes a comprehensive racial equity dashboard and other relevant data on racial and ethnic disparities.		•		
Objective 2B:	Action Steps	Persons Responsible	Timeline	Performance Measures
Develop additional resources and trainings		•		

Access the JS-BIT



Equity Decision Points Checklist and Action Plan Contact List





Thank You!

Contact Us:

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Courtney Williams (cwilliams@innovatingjustice.org)