



North Carolina Department of Public Safety

Governor's Crime Commission

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RACIAL AND ETHNIC DISPARITIES IN JUVENILE JUSTICE SUBCOMMITTEE (PREVIOUSLY THE DISPROPORTIONATE MINORITY CONTACT SUBCOMMITTEE) OPERATING PRINCIPLES Last updated: 8-23-2019

The Racial and Ethnic Disparities in Juvenile Justice Subcommittee (prior to the 2018 reauthorization of the Juvenile Justice and Delinquency Prevention Act (P.L. 115-385), the Disproportionate Minority Contact (RED) Subcommittee) of the North Carolina State Advisory Group on Juvenile Justice (SAG) / Juvenile Justice Planning Committee (JJPC) developed these operating principles to guide the subcommittee's role, function and actions in order to carry out its purpose as defined below.

I. Statutory Basis

1. Pursuant to section 201(41) of the JJDP Act (P.L. 115-385), racial and ethnic disparities mean that youth populations of color are involved at a decision point in the juvenile justice system at disparate rates as compared to White youth at that decision point." For purposes of this statutory mandate, the White population is defined as White (not Hispanic). Youth populations of color are defined as non-White and grouped as: American Indian or Alaska Native; Asian; Black or African-American; Hispanic or Latino; Native Hawaiian or Other Pacific Islander. These six racial/ethnic categories serve as a minimum standard and permit additional categories provided they can be aggregated to the standard categories.
2. Pursuant to section 223(15-16) of the JJDP Act (P.L. 115-385), states must "implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by:"



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(A) 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;

(B) identifying and analyzing data on race and ethnicity at decision points in State, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and

(C) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B):

(16) provide assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, ethnicity, family income, and disability;

II. Purpose

1. The purpose of the RED Subcommittee is to develop strategies to reduce minority overrepresentation in the juvenile justice system. States undertake efforts to reduce RED by moving through the following phases on an ongoing basis:
 - Identification: to determine the extent to which RED exist.
 - Assessment: to assess the contributing factors to RED, if they exist.
 - Intervention: to develop and implement intervention strategies to address these identified contributing factors.
 - Evaluation: to evaluate the effectiveness of the chosen intervention strategies.
 - Monitoring: to note changes in RED trends and to adjust intervention strategies as needed.
2. Each state must collect and analyze data on racial and ethnic disparities. Requires states to determine which points create RED, and establish a plan to address RED. States report their progress and describe its RED reduction plan for the coming three years and the next year in its comprehensive JJDP three-year plan and subsequent plan updates, respectively. OJJDP reviews the plan and its updates annually. Any state that fails to address the overrepresentation of minority youth in the juvenile justice system or to show progress in its RED reduction plan under review stands to lose 20 percent of its Formula Grants allocation for the year.

III. Vision and Mission (approved by RED Subcommittee July 2018)

1. Vision Statement

The SAG RED Subcommittee envisions a North Carolina where all children are free from crime and violence. If they come into contact with the justice system, the contact should be both just and beneficial to them, and all are treated equitably.

2. Mission Statement

Create a Criminal Justice system that is educated and committed to recognizing the effects of disproportionate minority contacts and creating opportunities to decrease RED in the community. The SAG RED Subcommittee provides leadership, coordination, information, and resources to address RED. The Subcommittee works to identify (determine the extent to which RED exist), assess (ascertain the reasons for RED), intervene (develop and implement strategies to address RED), evaluate (measure the effectiveness of the interventions), and monitor (note changes in RED trends and to adjust intervention strategies as needed), for Racial and Ethnic Disparities in North Carolina's juvenile justice system. The RED Subcommittee supports the efforts of communities to reduce the overrepresentation of youth of color in the juvenile justice system and to ensure the equal treatment for all youth.

IV. Priorities / Goals (approved by RED Subcommittee July 2018)

1. Stabilizing roles and expectations of the committee
2. Connecting with other RED sites to see what they are doing, sharing successes and failures which would help to garner best practices for RED work
3. Putting some of those practices into policies on a broader level (much larger goal)
4. Establishing Racial Impact Statements
5. Develop a complete subcommittee membership
6. Orient all subcommittee members on RED and train them/provide them with a race analysis
7. Create vision/mission statement and update website
8. Revise and resubmit the MOA for data sharing with relevant stakeholders
9. Determine the federal and state timeline for the upcoming RED assessment
10. Set the goals and deliverables desired for statewide assessment
11. Draft the Request for Proposals (RFP)

V. Activities

The RED Subcommittee's activities include, but are not limited to, the following:

1. Providing leadership and a long-term commitment to supporting the reduction of racial and ethnic disparities in juvenile justice across North Carolina.
2. Guiding the North Carolina RED reduction plan. The RED Subcommittee uses current evidence-based racial equity approaches to identify and eliminate structural barriers and inequities in policies, procedures, and practices. The RED Subcommittee reviews the state RED reduction plan annually, monitors North Carolina's RRI statistics, tracks programs designed to address RED, and evaluates any progress made towards reducing RED across the state.
3. Collaborating with the NCDPS – Adult Corrections and Juvenile Justice to develop a uniform data collection system which will allow for the valid and reliable collection of data disaggregated by race. These data are to be collected at all the decision points necessary to provide an accurate assessment of any disparities in decision-making and are reviewed annually to assess NC's RED reduction efforts.
4. Reviewing GCC grants designed to address RED. Each year, the RED Subcommittee assesses grant proposals to determine which proposals best meet the RED Assessment Recommendations and the state's RED reduction plan. The RED Subcommittee provides this information and funding recommendations to the JJ Committee. The JJ Committee's funding recommendations are forwarded to the GCC who then vote on the recommendations and approve the funding of the grants.
5. Participating in ongoing knowledge, values, and skills-building exercises to better understand and practice strategies to reduce racial and ethnic disparities in the juvenile justice system.
6. Increasing statewide collaboration and awareness of racial and ethnic disparities in the juvenile justice system and educating the public, juvenile justice professionals, as well as the full Governor's Crime Commission through conference presentations, print materials, and technical assistance.
7. Supporting local communities with resources necessary to hold constructive dialogue and action that explicitly address reducing racial and ethnic disparities.
8. Advocating for RED reduction Legislation and Public Policy. The RED Subcommittee may submit proposed statutory improvements consistent with its mission or recommendations, or express opinions on other state policy issues. In order to make a recommendation on a RED legislative or policy issue, the matter must be presented to and approved by the RED Subcommittee. Thereafter, the recommendation will be forwarded to the JJ Committee for consideration and if approved, forwarded to the GCC for consideration. If approved, GCC staff will ensure distribution to the appropriate persons or agencies.

IV. Membership

1. The RED Subcommittee shall be comprised of fifteen (15) individuals with knowledge, experience, and demonstrated commitment related to the reduction of racial and ethnic disparities in the juvenile justice system, including but not limited to members representing the following service provision roles. Subcommittee members can only

represent one service provision role though they may have experience in multiple categories and the roles may have more than one representative.

- Juvenile Court Judge
 - Juvenile Defender
 - Prosecutor with juvenile court experience
 - DPS JJ Court Counselor
 - Court Appointed Special Advocate/Guardian ad Litem
 - Formerly Justice-Involved Individuals
 - Family member of Justice-Involved Individuals
 - Pediatric / Adolescent Health Professional
 - Mental Health Professional
 - Law Enforcement / SRO
 - Educator / School Administrator
 - DMC / RED Research / Academic Community Member
 - Race Matters for Juvenile Justice/Racial Equity Institute (or similar equity expertise)
 - Juvenile Crime Prevention Councils (JCPC)
- Juvenile Services - Provider or Community Organization JRace Matters for Juvenile Justice/Racial Equity Institute (or similar equity expertise)
2. The RED Subcommittee strives to attain members who bring diverse perspectives and reflect the varied racial, ethnic, gender, SES, and geographic communities located in North Carolina. Priority will be given to include individuals on the RED Subcommittee who have training, experience, and a demonstrated commitment towards racial equity.
 3. Terms begin on January 1 and end on December 31. Members choose to serve either a one-year or a two-year term, and may be re-elected for a second and third terms if they express interest in continuing to serve and they continue to meet the requirements for service.
 4. Member are expected to attend all RED Subcommittee meetings. In-person attendance is preferred but virtual attendance (e.g., call-in or Webex) is permitted. Members are encouraged to find a representative if the member is unable to attend a meeting. If a member does not attend two (2) consecutive, regularly scheduled meetings of the RED Subcommittee, the Chair, or individual designated by the Chair, will contact the member to discuss the absences, and determine whether or not to recommend that the member be removed. Members must have attended at least 75% of scheduled meetings during their current term in order to be eligible for re-election.

5. Vacancies in membership shall be filled as soon as practical. If a vacancy is filled mid-term, the new member will serve the rest of the prior member's term and be eligible for two terms thereafter.
6. New member nominations will be taken in September of each year. Current members can nominate potential members. The RED Subcommittee Vice-Chair will make initial contact with the nominees to solicit their interest and to obtain a brief biography and statement of interest. The list of candidates, their biographies, and statements will be distributed to the RED Subcommittee members prior to the final quarterly meeting during which meeting the RED Subcommittee will vote on new members. GCC staff will receive and tally votes from members and will share the results with the subcommittee. The newly elected members will receive an invitation to join the subcommittee and upon their acceptance will be added to the roster for January and will be provided a copy of these Operating Principles, the current three-year state assessment and RED reduction plan, and RED Subcommittee Roster.

V. Officers

1. Officers of the RED Subcommittee shall consist of a Chair and Vice-Chair who are elected to staggered two-year terms.
2. The Duties of the Chair include:
 - A. Leading the RED Subcommittee toward its goals;
 - B. Appointing ad hoc committees as needed;
 - C. Overseeing federally required assessments;
 - D. Presiding at RED Subcommittee Meetings; and
 - E. Preparing a written agenda for meetings of the RED Subcommittee.
3. The Vice-Chair shall preside at meetings in the absence of the Chair, shall oversee the nomination process, and perform other duties as may be assigned by the Chair or be necessary in the absence of the Chair.
4. Election of Officers shall occur at the last quarterly meeting of the year. Nominations are from the floor and require no second. Elections are by voice vote of a quorum of attendees. The Chair is elected for a two-year term and may be re-elected for one additional term. The Vice-Chair is elected for a two-year term and may be re-elected for one additional term.

VI. Meetings

1. The RED Subcommittee shall meet at least four times a year, with additional meetings called by the Chair if necessary. A meeting schedule with at least three future meeting dates set shall be established at the last quarterly meeting of the year. The Chair shall

establish meeting dates in consultation with the RED Subcommittee members and GCC staff.

2. The RED Subcommittee may adopt a position, plan action, or amend a recommendation upon a majority vote of members in attendance, at a duly announced meeting, provided that a written agenda has been distributed to all members at least five business days in advance. Although additional items may arise for discussion at a meeting, no final action shall be taken without written notice to all members unless there is unanimous consent of those in attendance, and a quorum exists.
3. The attendance of a majority of RED Subcommittee members at a meeting shall constitute a quorum.
4. Members must be in attendance to vote on matters under consideration by the RED Subcommittee, except in the case of elections or matters previously discussed at a meeting which may be carried out by e-mail ballot. Only duly elected RED Subcommittee members are permitted to vote. And each RED Subcommittee member shall have one vote.
5. RED Subcommittee meetings shall be conducted in accordance with the most current version of Robert's Rules of Order unless otherwise specified by these operating principles.

VII. Conflicts of Interest

A RED Subcommittee member has a duty to disclose any potential individual or organizational conflict of interest that might occur on an issue before the RED Subcommittee unless that conflict is obvious or previously disclosed. Each RED Subcommittee member shall annually sign a Conflict of Interest Disclosure Form.

VIII. Amendments

These Operating Principles may be amended by the RED Subcommittee membership at a duly announced meeting where a quorum exists, provided that proposed amendments are distributed to members at least five business days in advance of the meeting.