Measuring Racial Equity Across Criminal-Legal Decisions in Indiana

Scope of Work

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Introduction

In an era of increasingly visible—and often harmful—interactions between people of color and the criminal-legal system, there are growing calls to understand the prevalence and scope of racially disparities in criminal-legal decision-making. Empirical research broadly has shown evidence of disparities, particularly between Black and White individuals, at multiple stages of criminal-legal system processing: arrest (Gelman et al., 2007), pretrial detention (Kutateladze et al., 2014; Wooldredge, 2012), formal charging (Wu, 2016), and sentencing (Abrams et al., 2012; Sweeney & Haney, 1992). However, there is less evidence documenting the cumulative effects of these decisions on people of color across various stages of criminal-legal processing (Kurlychek & Johnson, 2019) and their potential role in reproducing disparate outcomes.

There is a tremendous opportunity to understand critical decision points that may contribute to racially disparate outcomes in criminal-legal processing. Knowledge of these decision points may inform policy and practice interventions to address disparities and further equitable outcomes for people of color. **The purpose of this proposal is to advance understanding of disparities in criminal-legal processing in the State of Indiana.**

To this end, the goals of this proposed scope of work are four-fold:

1) To document local and statewide data sources to measure criminal-legal decision-making.
2) To identify key measures for assessing racial equity in criminal-legal decision-making reflecting both available data and empirical trends.
3) To understand criminal-legal decision points contributing to racially disparate outcomes.
4) To further data collection efforts at local and state level that can facilitate improved tracking of criminal-legal decisions.

To accomplish these goals, I propose a two-part investigation. The first part of this investigation will establish a baseline understanding of available data sources at the local and state level, identify potential decision-making measures, and report on baseline descriptive outcomes by race in 3-4 local jurisdictions. The second part will complement this investigation by increasing the rigor of causal inferences about disparate decision-making. Specifically, this study will collect data on factors that contribute to disproportionate involvement in the criminal-legal system. Together, outcomes from these complementary investigations (Part 1 and Part 2) can be compared to understand the role of broader systemic disparity in contributing to disparate outcomes. Below I outline objectives and deliverables for these respective investigations.

Part 1: Mapping Data Systems and Developing Equity Measures

Objectives

1. Recruit 3-4 local jurisdictions of varying sizes, urbanicity, and racial composition that have the data infrastructure and resources to facilitate data procurement.
2. Identify and document available criminal-legal data sources at local and statewide level.
3. Identify decision points in data sources to establish racial equity measures.
4. Assess feasibility of retrospective data linkage to report descriptively on decision points across participating local jurisdictions.
5. Where feasible, conduct retrospective data linkage in local jurisdictions and report descriptively on racial equity measures across points of criminal-legal system contact.

Key Deliverables

- Compendium of data sources and data points at local and state level.
- Uniform list of decision points in criminal-legal processing that can inform racial equity measures.
- Preliminary list of key racial equity measures in criminal-legal processing.
- Recommendations for improved data tracking at local and state level.
- Common barriers and considerations for collecting and reporting on racial equity measures.

Part 2: Prospective Data Collection and Analysis to Inform Drivers of Disparities

Objectives

1. Develop a short tool to collect information on factors (e.g., socioeconomic status, neighborhood, prior justice contact, intergenerational impacts, health and well-being, etc.) affecting involvement in criminal-legal system at the time of jail intake.
2. Implement and pilot tool in participating local jurisdictions for a 6-month period to develop a cohort of individuals entering criminal-legal processing.
3. Track criminal-legal outcomes from initial arrest to post-conviction supervision on cohort.
4. Conduct data analysis on key decision points, controlling for factors affecting criminal-legal system involvement, that contribute to cumulative disparities.

Key Deliverables

- Empirical findings on the role of systemic disparities in contributing to disproportionate criminal-legal system involvement.
- Updated guidance on the high priority racial equity measures that contribute most to racially disparate outcomes.
- Recommendations to guide statewide data collection and data integration efforts on criminal-legal decision-making.
- Recommendations on where to focus resources and intervention to improve racial equity in criminal-legal decision-making and outcomes.

Proposed Timeline

	Year 1												Year 2												Year 3											
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Part 1: Mapping Data Systems and Developing Equity Metrics																																				
Recruit Jurisdictions	X																																			
Identify and Procure Local Data Sources		X	X	X	X	X																														
Identify and Procure Statewide Data Sources		X	X	X	X	X																														
Identify Decision Points							X	X	X																											
Establish Racial Equity Measures							X	X	X																											
Feasibility Assessment							X	X	X																											
Retrospective Data Linkage										X	X	X	X	X																						
Descriptive Reporting of Outcomes															X	X	X																			
Part 2: Prospective Data Collection and Analysis to Inform Drivers of Disparities																																				
Develop Tool to Measure Disproportionate Involvement	X	X	X																																	
Implement Tool into Jails				X																																
Pilot Tool for 6-Month Period				X	X	X	X	X	X																											
Track Criminal-Legal Outcomes				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
Data Analysis and Reporting																																		X	X	X

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<u>References</u>

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