



Youth Justice Oversight Committee

Data Work Group Meeting Minutes

I. Meeting Details

Date and Time of Meeting: December 20, 2022 at 11:00 AM – 1:00 PM

Location of meeting: Fuse Conference Center, 201 N. Illinois St, Indianapolis, IN

Minutes prepared by: Lisa Thompson

II. Attendees

Members present in-person:

- Dr. Matt Aalsma, Indiana University School of Medicine, Chair
- Mary Kay Hudson, Indiana Office of Court Services, Co-Chair
- Christine Reynolds, Indiana Criminal Justice Institute
- Melanie Pitstick, Marion County Juvenile Probation
- Nancy Wever, Indiana Office of Court Services, JDAI
- Kristi Bruther, Johnson County Juvenile Detention Center
- Kaitlyn Christian, Management Performance Hub
- Traci Lane, Madison County Juvenile Probation
- Josie Fasoldt, Governor's Office of Equity, Inclusion and Opportunity
- Judge Sarah Mullican, Vigo Circuit/Superior Court 3
- Judge Paul Felix, Hamilton Circuit Court

Members present electronically via Zoom:

- Olga Volokhova, Indiana Youth Institute
- Nikki Ford, Indiana Department of Child Services

Members absent:

- Sarah Schelle, Indiana Department of Correction

Guests present:

- Eric Ballenger, Indiana Department of Correction
- Julie Whitman, Commission on Improving the Status of Children

Staff present:

- Lisa Thompson, Indiana Office of Court Technology

- Jana Lowe, Indiana Office of Court Technology
- David Sexton, Indiana Office of Court Services

III. Approval of Minutes from November 15, 2022 Meeting

Committee members were provided a copy of the November 15, 2022 Minutes prior to today's meeting. Nancy Wever made a motion to approve the Minutes; Judge Mullican seconded the motion. Committee members unanimously approved the November 15, 2022 meeting Minutes.

IV. RED - Minimally Viable Performance Measures

Dr. Aalsma opened discussion regarding the use of the Racial and Ethnic Disparities (RED) initiative as a framework to achieve minimally viable performance measures. RED definitions already apply to all counties through the Federal Act under the Office of Juvenile Delinquency and Prevention (OJJDP). Expanding on the RED initiative would allow the state to gather reliable, accurate and consistent data from all counties.

In the meantime, the JDAI initiative, which already has a robust data dictionary and has been adopted in many counties, will continue to operate and expand. Nancy Wever commented that seeing where JDAI definitions align is a good start, as the JDAI terms initially relied heavily on the RED definitions.

Mary Kay Hudson pointed out that although the RED data is already being gathered statewide, the data isn't used for much within the state. We have an opportunity to reinvigorate what we can do with the RED data.

Christine Reynolds pointed out that the RED data is currently used by the Indiana Criminal Justice Institute (ICJI) as part of their Juvenile Justice Racial & Ethnic Disparities Plan and their Title II Grant Program. Christine further explained that ICJI's Youth Compliance Monitor, in conjunction with the Office of Judicial Administration, have been working with counties to ensure the RED data is submitted in a timely manner and that any anomalies are addressed.

The Work Group members agreed to look at the RED decision points and evaluate the current definitions for expansion to this initiative. Christine explained that any changes to the RED definitions would need to be vetted through OJJDP, as the current set of definitions align with the federal requirements and have already been approved by OJJDP. Additionally, the current RED definitions and decision points are required as part of the Supreme Court's Administrative Rule 1(G), so any changes may also need to be updated through the Administrative Rules.

Further discussion was held regarding the ability for the RED initiative to address the issue of equity and inequality, as data is already gathered around race and

ethnicity. Josie Fasoldt asked if the group could further discuss race, ethnicity, gender, and other demographics to ensure data collection aligns with other state initiatives involving equity and inclusion. The RED initiative does not collect gender, only sex, and does not collect any information regarding disability. A recommendation was made to look at the Census Bureau categories for race and ethnicity.

V. Crosswalk of RED vs. JDAI Definitions

Dr. Aalsma introduced a “Crosswalk” document, which compared similar definitions between the RED initiative and JDAI. It was noted that for the federal report to OJJDP, RED does not include status offenses; however, Indiana still collects data on status offenses, as well as two additional decision points beyond what OJJDP requires.

Discussion was held regarding using the word “arrest” versus “taken into custody” for youth. It was also pointed out that for the RED initiative, Indiana does not report Arrest data; RED begins with Referral. The history of the RED project was discussed, as well as the historical interpretation of the federal definitions. The federal definition of Arrest includes youth taken into custody “and/or referred to the juvenile court”. The RED committee (formerly known as the DMC committee) received approval to start with the Referral decision point, as that also (loosely) covers Arrest. Mary Kay Hudson commented that we need to make some statements as to why we don’t collect and/or report Arrest data. Christine Reynolds added that the lack of Arrest data is becoming problematic for ICJI when reporting data to OJJDP.

Conversation continued around what happens after a youth has contact with law enforcement so that we can accurately track the difference between youth who are detained versus those who are referred to the juvenile court. How would we track instances where law enforcement didn’t detain or refer a youth and simply allowed them to return home (no report made)? Mary Kay Hudson proposed that a long-term study may be needed to include the collection of data from a law enforcement perspective. Monroe County is currently working on a deep-dive initiative regarding law enforcement contact with youth. Melanie Pitstick commented that in other jurisdictions, law enforcement can divert a youth to a program without making a referral to the juvenile court. The Work Group will focus on drafting some language around the definition of Arrest at the next meeting.

Juvenile Referrals, while its RED definition has some overlap with Arrest, are being reported on a regular basis and data is more consistent across jurisdictions. Nancy Wever expressed concerns with some referrals only being reported to Prosecutors and never getting counted in the RED data. The RED initiative only counts written

referrals. Discussion held regarding non-written referrals and the process that may follow (e.g., phone calls, parent writing out incident on paper, etc.). Regardless of the type of Referral, an “investigation” must occur when the referral is received. A recommendation was made to evaluate any statutory reference to the receipt of a juvenile referral, specifically, IC 31-37-8-1 and IC 31-37-8-5. Additional commentary should be added to the Referral definition to outline what happens after a referral is received.

VI. Next Meeting

The next Data Work Group meeting be on **Friday, January 13th from 9:00 am to 4:00 pm at the Indiana Office of Court Services, Indianapolis.**

The next Youth Justice Oversight Committee Meeting is **February 8th from 10:00 am to 12:00 pm.** at Indiana Government Center South, Conference Room C, Indianapolis. There will be a live webcast of this meeting available on the Youth Justice Oversight Committee website: www.in.gov/youthjustice.