

Supporting Maryland in Creating an Equitable Youth Justice System

A proposal from the Vera Institute of Justice

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**Solicitation: Maryland Juvenile Justice Council
Technical Assistance**

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Project Summary

The state of Maryland has embarked on an ambitious path towards a youth justice system that reflects the best available knowledge about what young people need in order to thrive, that attends to the crisis of racial and ethnic disparities that permeate our youth-serving systems. To chart a course towards these goals, the Juvenile Justice Reform Council will need a planning process that learns the lessons of successful past reform efforts, but also breaks free from the notion that systems actors and experts have the all the answers to the problems that plague our systems, the impact of which is borne by young people, families and communities—particularly young people, families, and communities of color.

The Vera Institute of Justice is ideally positioned to assist the JJRC in this effort. The present proposal describes a mixed approach to system reform planning, including qualitative and quantitative methods of research, collaborative methods which position young people and community members as subject-matter experts instead of as subjects, and a systematic policy review with a sharp focus on race equity. This comprehensive system assessment weaves together research, data, practice wisdom, and the deep expertise of justice-impacted communities to inform an efficient, robust, and inclusive planning process that drives the JJRC towards a final set of recommendations and performance measures that will deliver the youth justice system that the communities of Maryland deserve. In order to ensure that the communities of Maryland are engaged in both the process and the outcomes of the JJRC's efforts, Vera will collaboratively plan a communications strategy, aimed at both interim goals and a broad plan to disseminate the findings and recommendations, using 21st century strategies.

Project Narrative

Contemplating comprehensive developmentally-responsive policy change that responds to all young people who come into contact with the justice system in an improved and equitable manner is a complex venture. Indeed, the term “justice system” is a misnomer, collectively referring to multiple systems and agencies that touch the lives of children who come into contact with law enforcement. In addition, meeting the demands of the current era of reform requires an approach different from even some of the most acclaimed reforms of the prior era. Justice reform is a topic of conversation in much broader circles than was previously true, with regular media attention, public awareness and interest has climbed substantially. Leaders across the nation have been spurred to act more boldly than ever before to reduce custody, and to remedy the racial disparities that permeate these systems. Concurrently, there is a growing insistence on processes that derive legitimacy not solely from the knowledge of system actors but also from the deep expertise of the young people, families, and communities that have been most impacted by the failings of our past.

Maryland, through its Juvenile Justice Reform Council (JJRC), has embarked on an ambitious path towards comprehensive reform, generating a strategic plan from an inclusive process that will blend research, data, practice wisdom, and community expertise. Critically, this process will center the aim of race equity in policy and practice. To meet this goal, the JJRC will need dedicated technical assistance to manage, inform, and facilitate the timely completion of its work. The Vera Institute of Justice (Vera) is ideally suited to support the JJRC in this effort, with extensive national juvenile justice expertise and decades of experience working with justice officials, advocates, practitioners, researchers, and other reformers in similar projects.

Based on our experience, and the request outlined in the TA solicitation, we expect our support of this process will include six areas:

- ***Conducting a comprehensive policy and practice assessment that centers the goal of race equity***, examining existing justice system practice statewide, using a mixed method approach which incorporates quantitative and qualitative research and policy analysis;
- ***Supporting a set of regional roundtable meetings***, in partnership with the advisory stakeholder group;
- ***Structuring and supporting a productive planning process***, including establishing work timelines, agendas, and meetings, facilitating discussion, and tracking follow-up steps;
- ***Facilitated development of a statewide plan composed of recommendations*** to improve services for youth, and advance the goal of race equity in these systems, and
- ***Targeted communications support for the work of the JJRC***, including disseminating findings broadly and to a variety of audiences.

These five areas are described in the following proposal.

Conducting a comprehensive policy and practice assessment which centers race equity

Because the ways that young people interact with the justice system are varied, and include many different system actors, a truly comprehensive assessment of how the pieces fit together is essential. To develop the state plan, the JJRC must have a full understanding of the pathways that young people currently follow as they move into and through these systems. Additionally, because we know that our justice systems have frequently been tasked with meeting the complex

human service needs of the young people that other systems either can't, or won't, serve, this assessment must include the ways that other child-serving systems—child welfare, behavioral health, education—interact and intersect with the justice system. The assessment must incorporate multiple sources of information, to illuminate the ways that paths for youth currently vary by geography and by demographic factors like race and gender.

Administrative Data Review & Analysis

Administrative data is one core element of any comprehensive system assessment. To ensure that the assessment benefits from Maryland's local expertise and institutional memory, Vera will form a data planning group made up of researchers and officials within state and local agencies, familiar with the landscape of Maryland justice and social service data. The list of agencies that will be asked to contribute data for review by this data planning group includes, but is not limited to, law enforcement, DJS, County State's Attorneys, the Office of the Public Defender, Maryland Judiciary, service providers, local education agencies, Department of Human Services, Department of Health, and any other governmental agency or unit that provides services to justice involved youth. This data planning group will work closely with the Vera team to describe the key questions to be answered with administrative data, to devise the analysis plan, and to gather pertinent existing research, reports, data, and other information already collected on the juvenile and criminal justice systems. Gaining an appreciation for the range and type of data already collected by local and state entities is a critical step in an efficient process because it both avoids "reinventing the wheel" and provides essential information about strengths and gaps in the current reporting systems.

Members of this data planning group will also assist Vera with accessing data necessary to facilitate additional analyses which will build on this foundation of existing research and reports. Where appropriate to their role, the members of the group can produce the analyses, in other instances Vera staff will want to take the lead.

Because even the best data collection systems have limits, it is entirely likely that the technical assistance team, the data planning group, and/or the JJRC members themselves will raise questions that cannot be answered with the administrative data available. These questions will relate to the specific issues in the justice systems, other child-serving systems, or the intersections between these systems. The questions present opportunities to reflect on the systems and tools being used to capture data considered vital to measuring the functioning and impact of these systems, including the ability to measure these outcomes as they relate to race equity. As the assessment proceeds, the Vera team will work with the data planning group and with the JJRC leadership to make strategic decisions about the extent to which measures can be taken to collect additional data immediately to inform the assessment and recommendation planning process, and where the gaps will be the topic of additional technical assistance to be addressed over the long term.

In instances where a specific type of data is not available in regularly maintained datasets, but is considered strategically vital to the assessment, Vera will develop tools to assist with the systematic collection of additional data. Whenever possible, Vera will ensure that the additional data collection can be structured to minimize unnecessary data entry or labor on the part of the

sending jurisdictions. Including local experts in the design process generally assists in getting buy-in and the best end product, and therefore, both the planning group and the data coordinators in the sending jurisdictions can offer expertise on how to best extract and organize the required information.

The data obtained, whether from readily available datasets or from newly collected extracts, then must be analyzed at each decision point along the continuum in order to understand the volume and flow of youth through the system as well as the specific scale and nature of racial disparities. The assessment must cover system points along the continuum from arrest through reentry, including both the criminal and juvenile justice systems. The goals of the assessment must include an understanding of how young people flow through the systems, in terms of the number, charge type, length of interaction with the systems, and outcomes, all of which must be presented to reveal both an overview of the totals, and then disaggregated by race and gender. Wherever possible, data from other child-serving systems will be linked to the justice data for analysis, although in many systems, because of the way that each system collects and keeps its data, this can present many challenges. Again, the challenges—even when insurmountable in the near term—provide critical information about the data and tools that Maryland needs to better monitor the performance of the youth-serving systems.

Qualitative Data Collection & Analysis

Administrative data will document many aspects of the systems in this assessment, but it can only reveal so much, both because of operational challenges and because administrative data necessarily lacks the human stories associated with the actual young people and families represented by the numbers. Complementing the administrative data with qualitative approaches will be critical to better understand the operations and impact of these systems, as well as practices that may or may not align neatly with policy as written. Vera will work with JJRC leadership to plan for qualitative data collection. In past projects, this has included interviews, case file reviews, focus groups, and/or surveys with young people, families, system staff and leadership, as well as members of community advocacy organizations and other change agents. This qualitative data collection will be targeted to fill gaps in the administrative data, and to deliver information about specific issues of interest to the JJRC, as these kinds of opportunities can be shaped to include people with a specific experience—for example, young people who have been transferred to the adult criminal justice system, or probation officers across the state.

In other assessments of state juvenile justice systems, Vera has successfully used “collaborative research” methods, which have roots in “participatory action research”. Participants are engaged not only as informants, but as experts, and invited to offer perspectives on the questions that should be asked, how the data collected should be interpreted, and what interventions could influence change. Typically, we create poster-sized visualizations of key data points and after a short presentation, we give participants the opportunity to review the visualizations and discuss the data in small groups. Participants are invited to share questions, reflections, interpretations, and—importantly—ideas about how to get the numbers to change in positive directions. This type of interaction differs from a traditional focus group in that the wisdom of the participants continues to shape the interpretation and analysis of the data.

Supporting regional roundtable meetings

The regional roundtable meetings offer another opportunity to collect information that will further develop a comprehensive understanding of the systems' functioning and impact. Although these meetings can and will serve other purposes in informing the overall process of the JJRC, a concrete example of the commitment to include community voices, the meetings can also be integrated as a core component of the comprehensive assessment as the largest opportunity to engage impacted community members. At a minimum, Vera will attend all meetings, assisting in documenting the information that is shared, but can also help organize these in partnership with the advisory stakeholder group to ensure that the meetings offer an opportunity for members of the community to share their ideas, experiences, and recommendations.

Although community leaders and members can be relied upon to volunteer their time to contribute to these conversations, care should be taken to arrange the meetings with an eye towards equity. Meetings should be offered at times outside of traditional business hours, in accessible and comfortable locations, and with childcare arrangements and food whenever possible. Community based organizations that are asked to host these opportunities should be compensated for their efforts, in addition to the costs associated with the meeting itself.

Maryland may have specific requirements for the structure of meetings associated with state task forces, but if there is no restriction, Vera will engage the team planning the regional meetings to consider using some of the collaborative research methods described above. Community members can review and discuss initial findings from the assessment, share reflections and interpretations, as well as ideas for additional lines of inquiry and recommendations for policy and practice change. In this style of meeting, community members are invited as experts and partners in the examination of the systems, not the subjects of the assessment.

Regardless of the style of meeting, Vera staff will participate in capturing the results of each meeting and synthesizing the information into a brief document to be shared with the JJRC, but that—with the approval of the JJRC—also can be shared back with the participants and the community to give them a snapshot of how their feedback was captured and is informing the work of the JJRC.

Policy review through a lens of race equity

The data component of the comprehensive assessment will provide a description of the current population of young people impacted by the justice systems, the pathways that they follow as they move into and through the current systems, and the ways that those pathways vary for specific populations of youth, including differences related to race and geography. This part of the assessment will be coupled with a review of the written policies forming the infrastructure of the systems, to identify opportunities for policy change to address problems and disparities.

Vera will conduct the policy review to reach two interrelated goals: to understand how the policies that govern the Maryland systems at each decision point compare to policies broadly accepted as best practices in the treatment of justice-involved youth nationally, and to understand how the Maryland policies compare to national best practices in increasing race equity for

system-involved youth. Without a specific focus on race equity, policies that appear to be “race-neutral” will continue to have disparate impact on youth of color.

Vera’s team will review written policies governing each point in the system continuum as applied to young people who come into conflict with the law. Vera will produce a written document which describes the policies reviewed, the strengths and gaps in the current policies from both a youth justice and race equity perspective, and a set of policy proposals grounded in national best practice for consideration by the JJRC. This information will also populate the briefing materials and presentations delivered to JJRC members in substantive meetings.

Vera brings deep expertise in the national juvenile justice policy landscape, experience conducting this kind of review with an eye towards equity, as well as relationships with other national juvenile justice experts that can be consulted on specific topics.

Structuring and supporting a productive planning process

The JJRC has already begun its work and may have already set out a schedule of meeting topics to be covered throughout the next year. Because much of the content to be discussed in the meetings will be derived from the comprehensive assessment described above, it is essential that the timeline of analyses be realistically aligned with the schedule of meeting topics. Upon award, Vera will work closely with the JJRC leadership and staff from the Department of Legislative Services to review the schedule of meeting topics, understand achievements and challenges to date, and make any necessary adjustments. Vera will use this information to align the pace and structure of the comprehensive assessment, which in turn will inform the creation of meeting agendas and materials.

In advance of each scheduled meeting, Vera will convene a planning conversation with JJRC leadership and the Department of Legislative Services staff to establish meeting objectives, review relevant substantive material related to the assessment findings and policy options, and cover logistics. Based on the plan, Vera will create digestible briefing materials, high level summaries of each topic for members to allow them to efficiently prepare for, and participate in, meetings. Drawing on the components of the assessment described above in this document, Vera will compile available administrative and qualitative data in a clear and visually compelling manner, always showing the shape and scope of racial and ethnic disparities. This current picture of the young people flowing through Maryland’s systems will be augmented with information from other sources in order to shape the landscape of possible reforms: prior “failed” efforts to address similar problems in Maryland; effective policy and practice examples from jurisdictions both within Maryland and beyond; key findings from published academic and other policy research on the topic; and information gathered from expert interviews. Potential policy options will be offered as a baseline for discussion among the members.

The information in the briefing materials will be presented at a high level, serving as a foundation for an in-depth presentation in the meeting. The Vera team can prepare to deliver the substantive presentation and—where requested—work to organize speakers to present expert testimony on the topics under discussion. The presentations will give members a shared understanding of the current status of the systems, as well as a set of possible policy changes presented with potential strengths and challenges.

During meetings, Vera staff will provide support to JJRC leadership in ensuring that each meeting is productive, structured so that the members' discussion benefits from the full range of expertise in the room, and facilitated to ensure that by the end of the topical discussion it is clear where consensus-based recommendations have been reached and where additional information will be required for the JJRC to reach a conclusion. Vera will then organize the additional information gathering before the next meeting.

Facilitated development of a statewide plan

As each topic is concluded, both in terms of the comprehensive assessment and the decision-making by the JJRC, Vera will document the analysis and recommendations and proposed performance measures in a draft summary brief, suitable for review by key stakeholder groups. Vera will work with the JJRC to determine which groups should be invited to review each topic, and who is best poised to offer that invitation. Once the reviewers' feedback has been requested, Vera will track their responses, and compile the feedback and requested edits into a document for consideration by the JJRC leadership and members. If additional discussion is required, Vera can schedule and facilitate conference calls between meetings and/or add the review items to the agenda for the subsequent meeting.

These briefs will form the substance of the final plan. The final plan will be a written compilation of the topics reviewed and discussed by the JJRC, with each section made up of the final recommendations, supported by the findings of the comprehensive assessment, including administrative data, qualitative data, and input from the regional roundtable meetings, policy review, and best practice information. Each section will highlight the issues/achievements related to that topic in terms of race equity, including existing successes in specific Maryland jurisdictions, transparent descriptions of data indicating disparities, and a description which links the recommendations and performance measures to goals of improvement.

An additional component of the plan will capture the lessons learned about the data collection and reporting systems currently in use across the youth-serving systems in Maryland. This component will describe the strengths and gaps encountered in the assessment, descriptions of successes and challenges offered by the data planning group, and a set of recommendations for system improvements and tools that will enhance Maryland's ability to monitor these systems' performance and outcomes, with a specific emphasis on race equity.

Targeted communications support

The current era demands that multi-agency stakeholder groups such as the JJRC pay special attention to messaging and community engagement that goes beyond regional meetings. Vera has built an efficient and effective communications team that has experience communicating to a wide audience about striving towards goals of race equity in justice systems (www.vera.org). Our team will support the JJRC in developing a plan for communicating the mission, findings, and recommendations to a variety of audiences. The final plan for dissemination will be determined through discussions with the JJRC. The primary focus will be on disseminating the findings of the Council's review, but the Vera team will collaboratively plan towards a set of interim goals, designed to encourage the communities of Maryland to engage with the JJRC process and to make their voices heard. Events and milestones related to the regional roundtables as well as the ongoing process of the JJRC will translate into opportunities to communicate the

mission and the work. Throughout the work of the JJRC, the Vera Communications team can be a reliable and creative partner that can assist with nimble messaging and strategy in times of celebration as well as in more challenging times.

The primary focus of the communications strategy will be the final set of proposals, and the final strategy may include a combination of opportunities, including the required report, accompanied by more accessible briefing materials on specific topics, infographics depicting key findings, a coordinated social media strategy timed to the release of the report, and/or an event that allows for discussion of the findings and recommendations.

Potential Timeline and Deliverables

Activities	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20	Jul 20	Aug 20	Sept 20	Oct 20	Nov 20
Initial planning call with JJRC leadership													
Workplan submitted to JJRC leadership													
Creation of data planning group													
Data planning group meetings													
Initial analysis plan and data requests													
Data collection and analysis – quantitative & qualitative													
Planning calls with JJRC leadership and staff													
JJRC meetings													
Interim report - 12/1													
Regional roundtable meeting planning													
Regional roundtable meetings													
Drafting topical summary briefs													
Collecting feedback on proposals from stakeholder groups													
Drafting final report													
Developing communications strategy for final report													
Final report delivered to Governor													
Communications activities related to public release													

Budget Information

The total cost for the 13-month project will be \$374,000, distributed across the following expense categories:

Salary Costs – This includes all salary costs for Vera employees. This team will be led by a senior staffer with over 20 years of experience in the juvenile justice and child welfare fields and a policy associate with at least 5 years of experience. The research activities will be conducted by a research associate with at least 5 years of experience, and activities will be overseen by the youth justice research director. Total cost: \$178,145

Fringe Benefit Costs – Fringe benefits include mandated fringe benefits such as State Employment Insurance (SUI), employer share of FICA, workers' compensation, and short-term disability. It also includes other benefits which Vera provides such as health and dental insurance, life insurance, pension for eligible employees, long- and enhanced short-term disability insurance, and accidental death and dismemberment coverage. Unused vacation days and tuition reimbursement, if any, also appear as fringe costs in actual expense reports. Total cost: \$51,648

Other Direct Expenses – This category includes all other costs to be charged to this award, including consultant fees for specialized skills and expertise subject to approval from JJRC, staff travel costs, printing costs, and costs associated with cellular phones for staff. Total cost: \$26,981

Vera utilizes three multipliers to calculate centralized costs not associated with the indirect cost rate. These rates are explained below. Total cost: \$48,787

Workplace Support Multiplier - Vera's Workplace Support Multiplier includes expenses for occupancy, network support and technology, and office services support. The cost pool includes costs for rent, utilities, real estate taxes, IT software and hardware, central supplies and telephone, as well as the staffing expenses to support these functions. The costs are separate and apart from Vera's indirect cost rate (ICR). The costs will be allocated using a 14% rate on personnel service and other than personnel service (OTPS) expenses excluding subcontractor and subgrantee expenses. The rate will also include a 2% charge on subcontractor and subgrantee expenses, if any.

Strategic Communications and Public Affairs Multiplier - The Strategic Communications and Public Affairs Multiplier includes a portion of the expenses for Vera's strategic communications and public affairs outreach function. This is a mission-centric function which ensures that Vera's work and brand are presented both accurately and effectively through media relations, digital engagement, editorials, and other communications efforts. These costs are separate and apart from Vera's ICR. The costs will be allocated using a 3% rate on personnel and OTPS expenses excluding subcontractor and subgrantee expenses.

Program and Research Strategy Multiplier - The Program and Research Strategy Multiplier includes a portion of the expenses for Vera's program and research executive team. The team is important to the organization's goals as they are responsible for crucial governance, management, and fundraising support for all the centers and programs within Vera. This team also provides strategic direction for Vera's work as well as works with Vera's President and Director, and the

rest of Vera's Leadership Team, in making critical decisions and identifying new opportunities for work. The costs will be allocated using a 2% rate on personnel and OTPS expenses excluding subcontractor and subgrantee expenses.

Indirect costs: Vera's indirect cost methodology is based on the guidelines promulgated by the Federal Government under OMB Circular A-122 "Cost Principles for Non-Profit Organizations." On March 21, 2018, the U.S. Department of Justice, Office of Violence Against Women executed a two-year Negotiated Indirect Cost Rate Agreement certifying federal approval of Vera's 23 percent indirect cost rate for use in determining indirect costs on its various grants and contracts. However, if there are state requirements related to maximum allowable costs in this category, this can be adjusted.

Total cost: \$68,439