

Plan for Compliance with the Disproportionate Minority Contact Core Requirement

Phase I: Identification

(1) Updated DMC Identification Spreadsheets

(2) DMC Data Discussions

In South Carolina, Blacks, Other/Mixed, and All Minorities meet the one percent threshold. According to relative rate index (RRI) data for the period of July 2007 to June 2008, statistically significant DMC rates occur on a statewide basis at the arrests (2.45), detention (1.39), and commitment (1.22) phases of the system. The statewide RRI for Blacks is 2.50 for arrests, 1.38 for secure detention, and 1.23 for secure commitment. At all other phases of the system, Blacks are underrepresented or the data are not statistically significant. Three counties were selected for RRI analysis, of which one (Greenville) was selected because it participated in the state's DMC study several years ago and the remaining two were selected because they have served as DMC analysis counties (Charleston and Spartanburg). Only one county, Greenville, had sufficient cases of Other/Mixed youth for analysis in the remaining phases, and the data indicated that these youth were underrepresented. Two counties had DMC at secure detention for Blacks (Spartanburg, 1.56; Greenville, 1.68). Two of the three counties had statistically significant DMC at the secure commitment phase (Charleston, 1.42; Spartanburg, 1.09).

Phase II: Assessment/Diagnosis

In the past two years, the rate of DMC as measured by RRI has increased at the detention stage statewide and in two of the focus counties (Spartanburg and Greenville). The secure detention RRI increased from 1.30 to 1.38 statewide, a trend mirrored by the two counties. The RRI for secure commitment increased from 1.14 to 1.23 statewide and from .92 to 1.02 in Greenville County, but decreased in Richland, Spartanburg, and Florence Counties (1.49, 1.09, and insufficient number of cases for analysis, respectively).

The 2009-2011 Plan will address these data in a number of ways. South Carolina has chosen Charleston, Greenville, and Spartanburg Counties as the focus counties. Jail Removal and Alternatives to Detention are the priority funding areas for both the Formula (to include Disproportionate Minority Contact, Diversion, Gangs, and Juvenile Justice System Improvement) and JABG (Graduated Sanctions) programs. These priority areas will support the development of staff secure and nonsecure detention alternatives as well as supporting training and technical assistance to improve the detention process. The CLC and the SC's SAG DMC Subcommittee took the opportunity to provide information about DMC to School Counselors to increase their overall awareness. The School Counselors were provided specifics about how to define DMC and far reaching effects of the DMC problem because educational disadvantages increases the risk for youth to become involved in the juvenile justice system. The CLC (using JABG grant funding) and DJJ have developed a Risk Assessment Instrument for use by law enforcement, which could impact the disproportionate arrests, referral, and secure detention rates if used appropriately. The use of the instrument has been tested in three pilot sites. It is no longer in use; however, SC plans to reexamine the use of the risk assessment instrument in the determination of arrests and detention decisions in the focus counties. The CLC has also hired a full-time DMC Program Facilitator using Formula grant funding. This facilitator will provide training to community stakeholders, law enforcement, local DJJ staff, and Solicitor's Offices.

Phase III: Intervention

(1) Progress Made in FY 2009

During 2009, seven Formula and six JABG subgrants to impact DMC were operational. Six of these were alternatives to detention, three were graduated sanctions, one was risk and needs assessment, and three were state level initiatives. The first of the three statewide initiatives was to increase DMC awareness, provide training and technical assistance to local jurisdictions, and improve policies and procedures. The second was to provide effective assistance to counsel, and the third was to screen juveniles for proper placement within the juvenile justice system. Youth in the graduated sanctions programs improved their grades, attendance, decision-making skills, and behavior.

The Children's Law Center (CLC) at the University of South Carolina has implemented projects that address DMC in South Carolina's juvenile justice system. Phase one included staffing a full-time position dedicated to coordinating and disseminating information and data about DMC throughout the state. As an expanded educational initiative, multiple levels of DMC trainings were developed and presented to numerous groups to include law enforcement, educators, juvenile justice and other human service professionals, as well as faith-based and non-profit organizations. The Children's Law Center's web site serves as the state's resource bank for locating information about DMC along with local and statewide DMC reduction activities. Phase two of the Children's Law Center effort is the "Community DMC Reduction Initiative", which works directly with local communities across the state in helping to determine the most appropriate DMC reduction strategies to meet their identified needs. These projects have produced the following results:

- By end of 2009, 61.5 hours of training provided to more than 2,000 participants
 - Creation of the "SC DMC Fact Sheet" with distribution to more than 1,100 individuals
 - Development and creation of three DMC trainings (Basic, Intermediate, and Advanced)
 - Coordination of the 2008 3rd Annual DMC Conference, with more than 340 participants
 - DMC awareness and knowledge increased as a result of training and produced the following results:
 - 22.5 percent of participants indicated that they had 'skilled' level DMC knowledge prior to training sessions. Following training sessions, 42.8% of participants had reached the skilled level.
 - 5.2 percent of participants indicated that they had 'advanced' level DMC knowledge prior to training sessions. Following training sessions, 23.7% of participants had reached the advanced level.
- *2008 Evaluation Report, System Wide Solutions, Inc.*
- DMC presentations at several state/national conferences:
 - National Association of Blacks in Criminal Justice (NABCJ)
 - SC Public Health Conference
 - Richland School District I Male Leadership Conference
 - Brookland's Black Male Conference
 - SC School Counselors' Professional Development Conference
 - SC Community Empowerment Symposium

The Children's Law Center is continuously and actively involved in the development of several community work groups which are specifically attempting to address contributing factors to DMC within their local communities. Requests for DMC related training and information have significantly increased over the past few years.

(2) DMC Reduction Plan for FY 2009 – 2011:

(a) Activities

- Detention liaisons/case managers are funded at the state DJJ detention center and in the Berkeley County area of the Lowcountry to reduce inappropriate use of secure detention and excessive lengths of stay; a specialized case manager will work with local law enforcement in order to promote local resources and alternatives in lieu of secure detention in Berkeley, Dorchester, Orangeburg, Clarendon, Williamsburg, Georgetown and Horry Counties. (Jan-Dec 2010)
- GJJAC – Continue sub-committee work group to develop and disseminate DMC strategies. (ongoing)
- GJJAC – Provide the Criminal Justice Academy (CJA) with materials regarding DMC for training. (ongoing)
- GJJAC – Encourage and collaborate with the CJA to incorporate principles of DMC in existing juvenile specific training. (Oct 2010 – Sept 2011)
- GJJAC – Reexamine to determine the feasibility of the use of the risk assessment instrument in the determination of arrests and detention decisions in the focus counties.
- GJJAC – Prioritize funding to encourage concentrated community programming in the focus counties of Charleston, Greenville, and Spartanburg (e.g., funding a high school and feeder middle schools to increase likelihood of reductions in DMC in selected communities). Community groups seeking funding will be encouraged to build partnerships across youth and family serving organizations, including faith based and grassroots entities.(Oct 2010 – Sept 2011)
- GJJAC/CLC – Provide technical assistance to School Resource Officers that encourages enhancing positive school climates in an effort to interrupt the transition from school problems to juvenile justice involvement (i.e., to reduce juvenile arrests in school settings). (Jan – Dec 2010)
- CLC/DJJ –Work with the focus counties in developing and implementing plans to reduce DMC. (Jan-Dec 2010)
- CLC/DJJ – Continue to host DMC regional summits and host a statewide DMC summit. (Jan-Dec 2010).
- GJJAC – DMC sub-committee will continue to provide resource materials, training, and technical assistance regarding DMC to state agencies, local jurisdictions, family court judges, private nonprofit organizations, and other community groups. (Jan-Dec 2010)
- SCDPS/GJJAC - continue to solicit and fund grant applications within both the Formula and JABG programs that support detention reform. (Oct 2010-Dec 2011)
- SCDPS – Continue to provide training for potential applicants explaining the concepts of DMC and detention reform and outlining the state strategy at the annual Grant Application Workshop each fall. (Nov 2010)

(b) Timeline

South Carolina's DMC / Detention Reform Work Plan, FY 2010: See Section 2(a)

(c) Program Description

Refer to Section 7, State of the Problem/Program Narrative, and Appendix A, Program Highlights, for details.

Phase IV: Evaluation

Each successful grant application will be required to contract with a consultant to evaluate the project. The evaluation component should be included in the budget as well as in the project description, but no specific names/organizations should be stated in the application unless they are providing the service free of charge. If the application is awarded funds, state procurement regulations must be followed when soliciting and selecting an evaluator. Successful applicants selecting an evaluator should require that the evaluator have substantive experience in program and/or social science research methods and statistical analysis, and an evaluator should be selected on the basis of an open, competitive process as required by State law.