

Date: 9/21/21
To: Washtenaw Equity Partnership Working Group
Subject: Recommendations for Working Group Subcommittees
From: Vera Institute of Justice

To enable the Working Group to develop a comprehensive plan to increase racial equity in Washtenaw County's criminal legal and juvenile systems, Vera recommends that the Working Group establish several subcommittees to focus on disparities in different areas. The membership of each subcommittee should include people with lived experience, governmental stakeholders, community members, community-based advocacy organizations and service providers, and academic or other subject-matter experts where needed.

Subcommittees should plan on meeting monthly. Each subcommittee will have a chair or co-chairs, preferably members of the Working Group, who will conduct outreach to subcommittee members, set agendas, and run meetings. Subcommittees will be asked to determine their research questions, work plans, and needs in consultation with the Working Group and Vera. Vera staff will assist these subcommittees in facilitating meetings and will provide other support and resources as needed.

We recommend that the Working Group establish subcommittees organized around the following parts of the criminal legal system and subject areas:

- Prevention and front end of the criminal system
This subcommittee would focus on areas such as community-based supports and services; housing instability; pre-charge diversion; arrest decisions; charging; assignment of counsel; and pretrial release/detention and supervision. Members could include people with lived experience; community members; advocacy organizations; community-based service providers; law enforcement; public defenders/private defense attorneys; local and county prosecutors; pretrial services; and district court judges.
- Court process
This subcommittee would focus on the processing of cases by the court system from arraignment through sentencing, including topics such as post-charge diversion; plea offers/plea bargaining; the number and timing of court hearings; continuances; the time it takes to resolve cases; failures to appear; pre-sentence investigative reports; and sentencing. Members could include people with lived experience; community members; advocacy organizations; community-based service providers; public defenders/private defense attorneys; local and county prosecutors; court administration; and judges.
- Post-sentencing and reentry
This subcommittee would focus on probation/parole supervision, post-sentencing incarceration, and reentry issues, including topics such as the type and length of sentences; probation or parole violations and sanctions; fines and fees, reentry planning and services; post-release housing; and collateral consequences. Members could include people with lived experience; community members; advocacy organizations; community-based service providers working with returning

citizens; public defenders/private defense attorneys; local and county prosecutors; judges; district court and MDOC probation; and county jail staff.

- Youth justice and schools

This subcommittee would focus on the juvenile justice and educational systems, including topics such as arrests and detention; case processing; dispositions; post-disposition supervision and detention; disparities in educational resources; and the ways in which school systems can feed into the juvenile or adult criminal systems. Members could include people with lived experience; community members; advocacy organizations and community-based service providers focused on youth; law enforcement; public defenders/private defense attorneys and prosecutors working in the Juvenile Court; Juvenile Court administration; Juvenile Court judge(s); Juvenile Court probation; teachers and school staff; school/school district administration; and experts on youth issues.

- Behavioral health

This subcommittee would focus on the intersections between the behavioral health and criminal legal systems, looking at questions such as how people with mental health or substance use issues are treated by law enforcement, courts, and probation or parole officers; crisis-response training and services; the adequacy of existing community-based services and treatment; and the availability of culturally competent treatment and services. Members could include people with lived experience; community members; advocacy organizations focused on mental health and/or substance use; behavioral health service providers; law enforcement; public defenders/private defense attorneys; prosecutors; specialty court judges; probation officers, and experts on behavioral health issues.

- Data

This subcommittee would focus on improving the collection and analysis of data across agencies and systems to better understand disparities and the sharing of that data increase transparency. It would investigate the potential for better collection and integration of data from different criminal legal agencies and from other systems and how such data could be used to increase accountability and transparency through public dissemination of aggregate data. Members could include people with lived experience; community members; community-based organizations; academic partners; people who handle data collection and/or analysis for law enforcement agencies, pretrial services, the public defender's office, the prosecutor's office, the courts, probation, the county jail, and service providers; and people skilled in creating data visualizations and dashboards.

Subcommittees should develop their research questions, determine the specific issues they plan to examine, do a deep dive into those issues, and develop recommendations based on the Working Group's guiding principles. Subcommittees will be asked to explain how their recommendations reflect and further those guiding principles. In addition to the specific research questions developed by each subcommittee, all subcommittees would be asked to consider the following general questions in their work:

1. How will each of your subcommittee recommendations address racial disparities and/or create more equitable outcomes for system-involved people and families?

2. Has your subcommittee accounted for structural elements in society that result in inequitable outcomes in the juvenile or criminal legal systems?
3. How could the footprint of the criminal legal or juvenile system be reduced?
4. How could the criminal legal or juvenile system support healthier outcomes that value healing over punishment and improve affected communities?
5. How will your subcommittee's recommendations foster improved public transparency and accountability from government agencies?
6. Are there potential unintended consequences of your subcommittee's recommendations?
7. What performance/outcome measures should be used to evaluate whether your subcommittee's recommended interventions are successful?