



### *The History of Race Matters for Juvenile Justice - Charlotte*

The seeds of the *Race Matters for Juvenile Justice* were planted when Mecklenburg County court officials partnered with Community Building Initiative (CBI) in 2000 to examine the factors of race, ethnicity, power, and privilege, and their impact on the overall justice system.<sup>1</sup> This effort appropriately came to be called Judicial Leadership in a Diverse Community (JLDC), and it encouraged, focused, and facilitated discussions that impacted the participating judges profoundly.<sup>2</sup> However, there were few resulting systemic changes to the Mecklenburg County Court.

Fast forward to 2006, when the Juvenile Justice Partnership, a collaborative involving juvenile judges and local leaders, began discussing the impact that race and ethnicity have upon the outcomes for children across systems. Several judges who had participated in the JLDC project suggested a similar approach for the Juvenile Justice Partnership. Again, CBI agreed to initiate a series of examinations of race to explore personal views and experiences, strategies to strengthen racial and ethnic inclusion and equity in the juvenile justice system, and the status of minority overrepresentation in the Charlotte-Mecklenburg juvenile court system. This time the discussions led to a nine-point strategic plan for the Juvenile Justice Partnership, who began to examine racial and ethnic bias within child-serving systems.

Around the same time in 2008, the Mecklenburg County Model Court adopted the Courts Catalyzing Change agenda for implementation in the county. Partially funded by Casey Family Programs and the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care initiative was introduced by the National Council of Juvenile and Family Court Judges (NCJFCJ).<sup>3</sup> Its purpose was to bring “together judicial officers and other systems’ experts to set a national agenda” to reduce both the disproportionate representation of and disparate outcomes for children of color in “dependency court systems.” The key components of this initiative include: (1) engaging national, state, local, and tribal stakeholders, community partners, children, and families; (2) transforming judicial practice from the

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<sup>1</sup>. See *About Us*, CBI CHARLOTTE, <http://cbicharlotte.org/who-we-are/about-us-menu> (last visited Mar. 8, 2017) (stating that the organization’s mission is “[t]o intensify the commitment and increase the capacity of individuals and organizations to build a more inclusive and equitable community”) (on file with the Washington and Lee Law Review).

<sup>2</sup>. See Hon. Shirley L. Fulton, *Judicial Leadership in a Diverse Community*, MECKLENBURG BAR NEWS, Jan. 2003, at 4–5, [http://www.meckbar.org/newsevents/mcb\\_news\\_1\\_03.pdf](http://www.meckbar.org/newsevents/mcb_news_1_03.pdf) (offering the personal account of Judge Fulton and her experiences on the bench).

<sup>3</sup>. See *Courts Catalyzing Change*, NAT’L COUNCIL JUV. & FAM. CT. JUDGES, <http://www.ncjfcj.org/our-work/courts-catalyzing-change> (last visited Mar. 8, 2017) (describing the origin and purpose of Courts Catalyzing Change) (on file with the Washington and Lee Law Review).

bench; (3) participating in policy and law advocacy; (4) examining and employing research, data, and promising practices; and (5) impacting service array and delivery.<sup>4</sup>

Implementing the Juvenile Justice Partnership and the Courts Catalyzing Change strategies, the court's Juvenile Justice Advisory Committee hosted a public forum called "Race Matters" on September 11, 2009, at Johnson C. Smith University with almost 100 community attendees.<sup>5</sup> The goal was to examine the racial composition and outcomes for Charlotte-Mecklenburg youth engaged in the juvenile court system.<sup>6</sup> Two months later, on November 20th, the Model Court Advisory Committee hosted a juvenile conference titled "Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care."<sup>7</sup> Courageous conversations were emphasized as attendees explored critical questions relating to the impact of race and ethnicity on families interfacing with the child welfare system.<sup>8</sup>

During that same year, beginning on February 6, 2009, at the urging of Mecklenburg County court officials, North Carolina Supreme Court Chief Justice Sarah Parker convened a series of meetings to examine the rate of racial disproportionality in the juvenile court populations in North Carolina and develop a statewide strategic plan to address it.<sup>9</sup> With the expertise and support of the NCJFCJ and Casey Family Programs, Chief Justice Parker appointed a working committee of state judges and administrators whom she charged with implementing strategies to transform judicial practice.<sup>10</sup>

On January 16, 2010, Superior Court Judge Hugh Lewis coordinated a retreat to bring together key stakeholders interested in working with the court to reduce overrepresentation and disparate outcomes for families and children of color. At the retreat, participants agreed to expand the Courts Catalyzing Change focus to include disparities in both dependency and delinquency courts.

The name, "Race Matters for Juvenile Justice," was chosen, and the mission and vision statements were crafted. The RMJJ vision is "a Charlotte-Mecklenburg Community where the composition and outcomes of juvenile courts cannot be predicted by race and or ethnicity."<sup>11</sup> The RMJJ mission is "to build a collaboration of community stakeholders who will bring their constituencies to the table and partner in the Court's effort to reduce disproportionality and disparities."

The participants present throughout this mission and visioning process became the original members of the *Race Matters for Juvenile Justice* Leadership Team.<sup>12</sup> And the

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4. *Id.*

5. *History*, RACE MATTERS FOR JUV. JUST., <https://www.rmjj.org/who-we-are/history/> (last visited Mar. 8, 2017) [hereinafter *History*, RMJJ] (on file with the Washington and Lee Law Review).

6. *See id.* (providing that the goal of the conference was to "reduce the disproportionate representation of and disparate outcomes for children of color in dependency court system").

7. Russell Hendrix, *Family Court Holds 2nd Annual Abuse, Neglect, and Dependency Conference*, 13 ON THE RECORD 3, 3 (2010), <http://www.nccourts.org/county/mecklenburg/documents/vol13iss1.pdf>.

8. *See id.* (noting that much of the conference focused on the overrepresentation of minority youth in the juvenile justice and foster care systems).

9. *Id.*

10. STATE OF NORTH CAROLINA, 2009 CHILDREN'S JUSTICE ACT 3-YEAR STUDY 2 (2009), <https://ncdps.s3.amazonaws.com/s3fs-public/documents/files/CJTaskForce09.pdf> (detailing the current juvenile justice system "so as to provide context and ground for the system improvements Recommendations" in the report).

11. *Vision & Mission*, RACE MATTERS FOR JUV. JUST., <https://www.rmjj.org/who-we-are/vision-mission/> (last visited Mar. 8, 2017) (on file with the Washington and Lee Law Review).

12. Participants in the initial RMJJ race analysis training included representatives from: the 26th Judiciary, the Family Court Administrator's Office, Area Mental Health, Guardian ad Litem, Charlotte-Mecklenburg Police Department, Charlotte-Mecklenburg Schools, Charlotte-Mecklenburg Department of Social Services, the Council for Children's Rights, the District Attorney's Office, the Court Counselor's Office, the

Leadership Team sought to engage stakeholders, community partners, and children and families and thus, decided to host its first public symposium with that focus.

To that end, on January 28, 2011, RMJJ and its community partners hosted a historic, groundbreaking symposium at the Westin Hotel, to publicly examine and bring awareness to the disproportionality and disparities in the child welfare and juvenile justice systems.<sup>13</sup> Over 300 judges and elected officials, court administrators, attorneys, child welfare experts, social workers, law enforcement officers, juvenile court counselors, child advocates, faith-based leaders, small business owners, and non-profit representatives attended. This symposium further coalesced the group of stakeholders who initially began these courageous conversations and strengthened the institutional commitment from the community, putting RMJJ's "*Charlotte Model*" on the map.<sup>14</sup> By the end of 2011, RMJJ stakeholders crafted an organizing blueprint, adopting the Alliance for Racial Equity in Child Welfare's six dimensions of change which include: (1) Public Will and Communication; (2) Workforce Development; (3) Research, Evaluation, and Data-Based Decision-Making; (4) Practice Change; (5) Youth, Parent, and Community Partnerships; and (6) Legislation, Policy Change, and Finance Reform.<sup>15</sup>

During this organic organizational building process, RMJJ began searching for the best training to undergird its work in the community. RMJJ hoped to bring together institutional leaders from across regional systems to participate in a process that would foster a common language, build a deeper understanding of the issues, and establish the framework for addressing both individual biases and structural racism.<sup>16</sup> RMJJ leaders participated in a host of workshops and learned many lessons from these trainings, but it was not until 2012 that RMJJ found the best fit for the work in Charlotte-Mecklenburg.

On January 30, 2012, RMJJ's founding members—leaders from the courts, law enforcement, social services, mental health, juvenile defense, K-12 schools and higher education, Guardian ad Litem (GAL), District Attorney's (DA's) office, and non-profits—travelled to Greensboro to participate in the Racial Equity Institute's "Dismantling Racism" training and race analysis, now called "Racial Equity Workshop." This workshop became the catalyst to meeting the Workforce Development goal for RMJJ, and through the end of 2016, RMJJ has hosted 64 workshops and trained 1,974 individuals. In retrospect, the voluntary participation of leaders of this caliber for a two-day, out-of-town training was profound. The intensive workshop provided participants with a comprehensive race analysis (affording a common understanding and dispelling misinformation) and fostered cross-agency rapport, trust, and a unified purpose.<sup>17</sup> Currently, the RMJJ Leadership Team

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University of North Carolina at Charlotte, Charlotte-Mecklenburg Community Relations, and ForeSight Leadership Institute.

<sup>13</sup>. See *History*, RMJJ, *supra* note 5 (providing a synopsis of the "Inaugural Race Matters for Juvenile Justice Symposium").

<sup>14</sup>. *Id.*

<sup>15</sup>. ALL. FOR RACIAL EQUITY IN CHILD WELFARE, POLICY ACTIONS TO REDUCE RACIAL DISPROPORTIONALITY AND DISPARITIES IN CHILD WELFARE: A SCAN OF ELEVEN STATES 3–6 (2009) [hereinafter POLICY ACTIONS], <http://www.antiracistalliance.com/PolicyActionstoReduceRacialDisproportionalityandDisparitiesinChildWelfare.pdf>.

<sup>16</sup>. See *Workforce Development/Race Analysis*, RACE MATTERS FOR JUV. JUST., <https://www.rmjj.org/current-initiatives/workforce-development-race-analysis/> (last visited Mar. 8, 2017) (describing the goal of Workforce Development as to "oversee the Dismantling Racism workshop logistics and participation, support and promote workforce development for RMJJ partners, [and] develop local training resources") (on file with the Washington and Lee Law Review).

<sup>17</sup>. See *Dismantling Racism Training*, RACE MATTERS FOR JUV. JUST., <https://www.rmjj.org/events-2/dismantling-racism-training/> (last visited Mar. 8, 2017) (outlining the purpose and RMJJ's participation in the "Dismantling Racism" trainings) (on file with the Washington and Lee Law Review).

includes a majority of those original members and their agencies plus a member from the Community Building Initiative, the faith community, a national research associate, and the Possibility Project–Charlotte.<sup>18</sup>

On May 29, 2013, the Leadership Team convened regional stakeholders to examine data across systems and work toward *RMJJ–Charlotte Model’s* value of using empirical evidence to inform decision-making and the goal of “Research, Evaluation, and Data-Based Decision-Making.” Leaders present included chiefs of local police departments, sheriffs, judges, the Superintendent of Schools, the Director of Social Services, the Chief Court Counselor, the Director of GAL, county officials, and other community leaders. National data were first presented to provide an objective context and then the local data were presented across systems (with permission) to provide a first-time collective examination of the racial disproportionality evident in each institution within the community.<sup>19</sup> The impact and reactions were powerful. Those present credit the previous months of work collecting data, the shared race analysis, and the rapport and trust built among stakeholders as the reasons that, for the first time, many community leaders and agency directors recognized the problem, defined it collectively (versus believing it was only evident in their agency), and committed to collaborative action.<sup>20</sup>

Evidence of this commitment was demonstrated a year later when, for the first time in the district’s history, a presentation covering national and local data on school-based offenses, consequences, and programs—“Every Child, Every Day, For a Better Tomorrow”—was delivered to the Charlotte-Mecklenburg Board of Education.<sup>21</sup> Per the Superintendent’s request, the presentation was in part, delivered by the Co-Chair of RMJJ and many members of the Leadership Team were in attendance. Again, the feedback from the presentation of these empirical, local data was that the presentation raised awareness regarding a problem about which few were knowledgeable.<sup>22</sup> This presentation also highlighted the importance of informing legislators—in this case, members of the Board of Education—charged with policy-setting and decision-making for at the time, all 168 schools; 9,253 teachers; and 146,140 students in the district.<sup>23</sup>

### ***RMJJ Stakeholders***

To *RMJJ*, the importance of stakeholders in this work cannot be overstated. The RMJJ collaborative consists of national, state, and community partners.<sup>24</sup>

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<sup>18.</sup> See *Leadership Team*, RACE MATTERS FOR JUV. JUST., <https://www.rmjj.org/who-we-are/leadership-team/> (last visited Mar. 8, 2017) (listing members of the RMJJ leadership team and other partners along with their organizational affiliation) (on file with the Washington and Lee Law Review).

<sup>19.</sup> Chance Lewis, Susan McCarter & Rebecca Hefner, SCHOOL DISCIPLINARY POLICY AND PRACTICE, A NORTH CAROLINA REGIONAL CONVENING OF STAKEHOLDERS INCLUDING: POLICE DEPARTMENTS, SCHOOLS, JUDGES, COUNTY OFFICIALS, DEPARTMENTS OF PUBLIC SAFETY, GUARDIANS AD LITEM, SHERIFFS’ OFFICES, DEPARTMENTS OF SOCIAL SERVICES, CHILD ADVOCATES, AND COMMUNITY LEADERS (2013).

<sup>20.</sup> Interview with C. Pete Davis, Captain (retired), Charlotte-Mecklenburg Police Dep’t and Vicki Foster, Deputy Chief, Charlotte-Mecklenburg Police Dep’t, in Charlotte, N.C. (June 3, 2013).

<sup>21.</sup> MINUTES OF THE REGULAR MEETING OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION CHARLOTTE-MECKLENBURG, <http://www.cms.k12.nc.us/boe/Board%20Meeting%20Docs/Minutes-04-22-2014.pdf> (recounting the presentation and the comments of Board and community members).

<sup>22.</sup> Interview with Tom Tate, Bd. of Educ., Charlotte-Mecklenburg Sch., in Charlotte, N.C. (Apr. 22, 2014).

<sup>23.</sup> <http://www.cms.k12.nc.us/mediaroom/aboutus/Documents/CMS%20Fast%20Facts%20Sheet%202015-2016.pdf>.

<sup>24.</sup> See *Who We Are*, RACE MATTERS FOR JUV. JUST., <http://www.rmjj.org/who-we-are/> (last visited Mar. 8, 2017) (listing affiliations of leadership team members and partners) (on file with the Washington and Lee Law Review).

National and state partners include: the Natl. Council of Juvenile and Family Ct. Judges, Casey Family Programs, N.C. Administrative Office of the Courts, N.C. Division of Juvenile Justice, and the Racial Equity Institute.<sup>25</sup> The *RMJJ* collaborative Leadership Team is comprised of representatives from: Juvenile Court Judges of the 26th Judicial District, the Clerk of Superior Court; Mecklenburg Co. Dept. of Social Services and Youth and Family Services; Charlotte-Mecklenburg Police Dept.; Charlotte-Mecklenburg Schools; Judicial District 26 Guardian ad Litem; Mecklenburg Co. District Attorney's Office; Council for Children's Rights; Chief Court Counselor; Charlotte-Mecklenburg Community Relations Committee; the University of North Carolina Charlotte; Community Building Initiative; ForeSight Leadership Training Institute; national policy research, the faith community, and the Possibility Project–Charlotte.<sup>26</sup>

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<sup>25.</sup> *Id.*

<sup>26.</sup> *Id.*