

Orleans Parish Ethnic and Racial Disparity (ERD) Working Group

Recommendation Report

Released July 2021

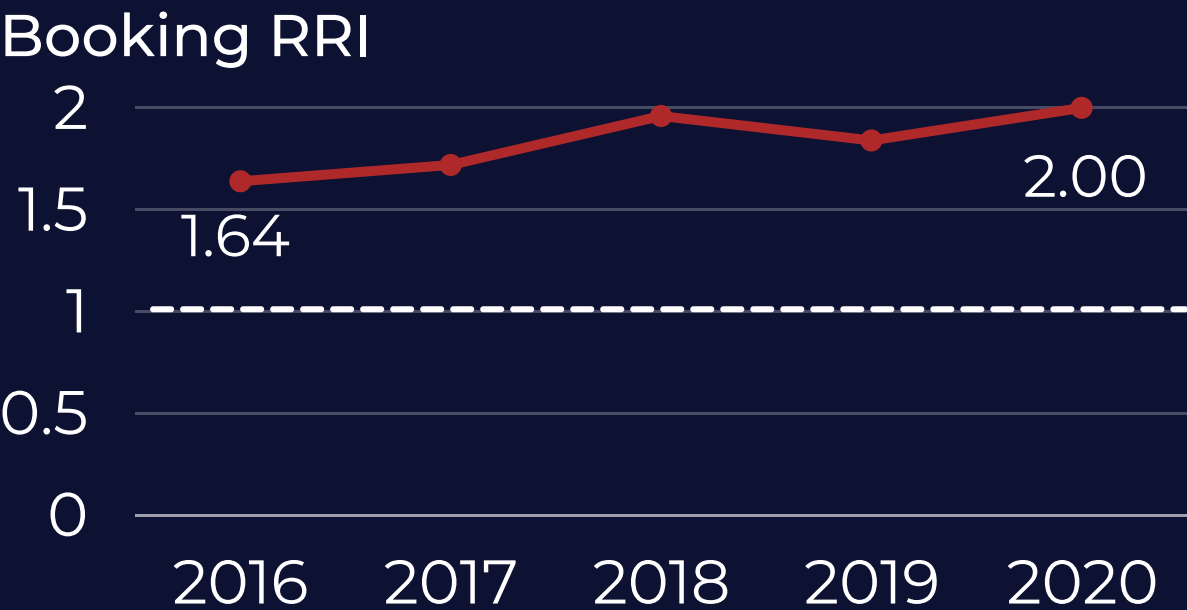
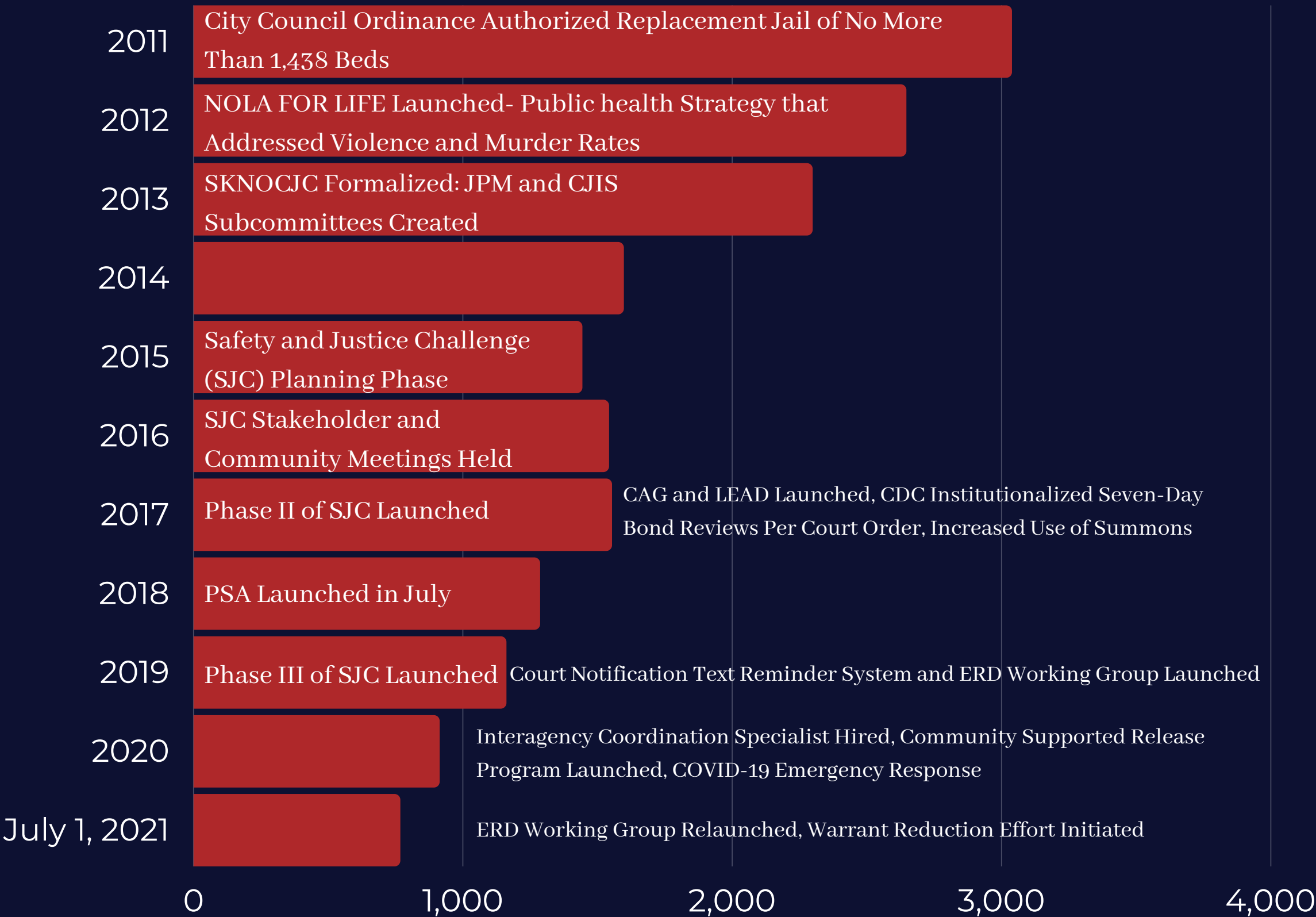
Mayor's Office of Criminal Justice Coordination
in partnership with the Vera Institute of Justice



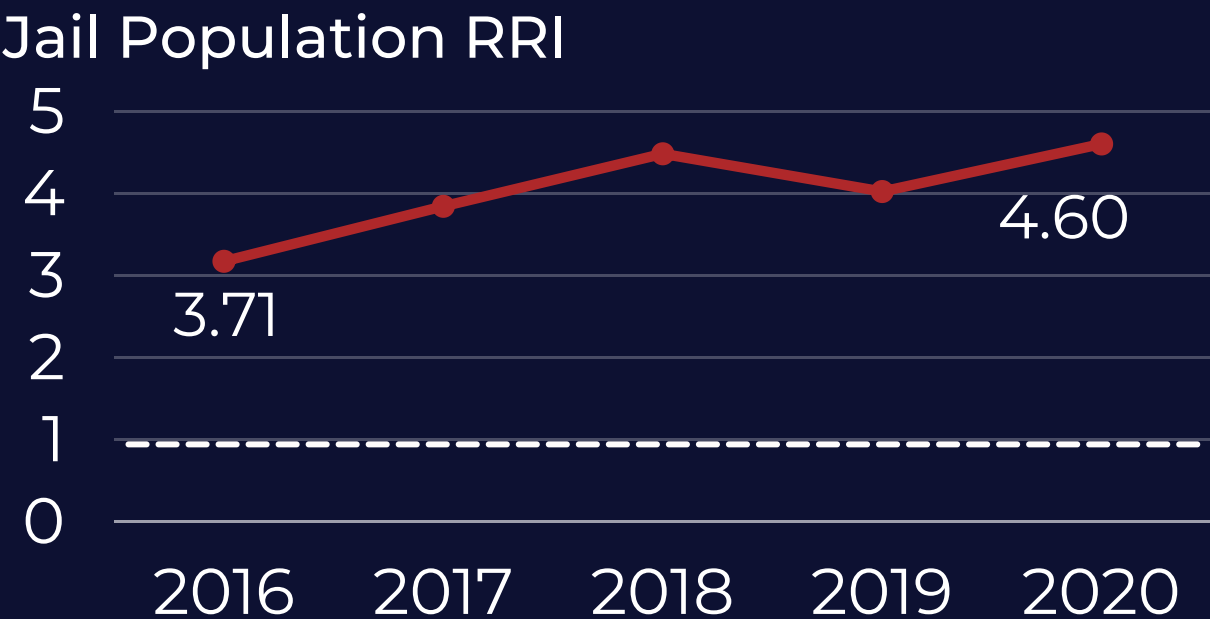
Background

Relative Rate Index (RRI) =
$$\frac{\frac{\text{\# of White Individuals Booked}}{\text{White Population}}}{\frac{\text{\# of Black Individuals Booked}}{\text{Black Population}}}$$

Pretrial Jail Population 2011 - 2021 and Snapshot of Reform Initiatives

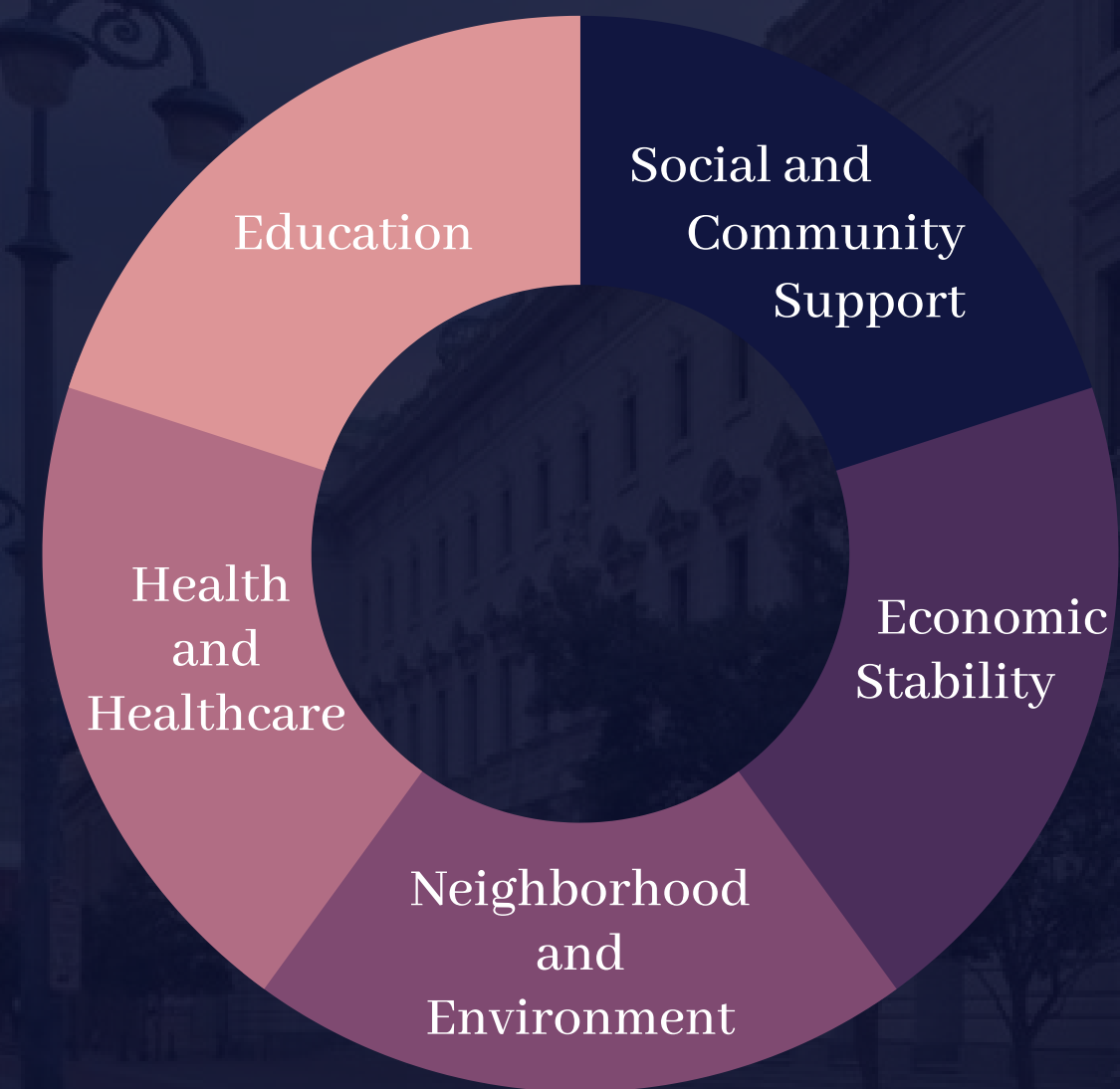


Comparing booking rates in 2020, Black people were booked at twice the rate of white people.



Examining the jail population in 2020, Black people were overrepresented in jail at a rate of 4.6 to 1 compared to white people.

Research has shown that using race-neutral strategies alone cannot address racial disparities; and, in fact, in many cases colorblind policies actually cause adverse effects. Consequently, policy strategies that aim to decrease racial disparities must include a specific focus on race.



Disparities within the criminal legal system do not exist in a vacuum, but within the broader context of the social determinants of justice, which serve to perpetuate structural racism and white supremacy.

Report Recommendations

Increase racial equity within the criminal legal system by way of the Prosecutorial Diversion Program.

Increase racial equity within the Law Enforcement Assisted Diversion (LEAD) Program as the program scales city-wide.

Support and fund both traditional and non-traditional organizations and efforts that deliver services to individuals who are underserved and overrepresented within the criminal legal system, in particular Black, Indigenous, People of Color.

Prosecutorial Diversion Program Background

The role of the Prosecutorial Diversion program is to connect individuals to community-based services, as well as prevent further involvement and adverse impacts of the criminal legal system.

Prosecutorial Diversion has the potential to reduce disparities by diverting individuals out of the criminal legal system and breaking cycles of incarceration and recidivism by addressing root causes of criminal legal system involvement, such as mental illness or chemical dependency. In order to reduce disparities, prosecutors must utilize a deliberate racial equity lens in diversion program design and implementation.



Prosecutorial Diversion Program Recommendations

Recommendation 1: The Prosecutorial Diversion Program enrollment process must be equitable and culturally competent.

Recommendation 2: Quantitative and qualitative data must be collected and analyzed to determine the existence and extent of disparities within the components of the diversion program.

Recommendation 3: Program completion must be attainable, resulting in completion rates of 90% or above. Completion rates should be equal across race, age, and gender.

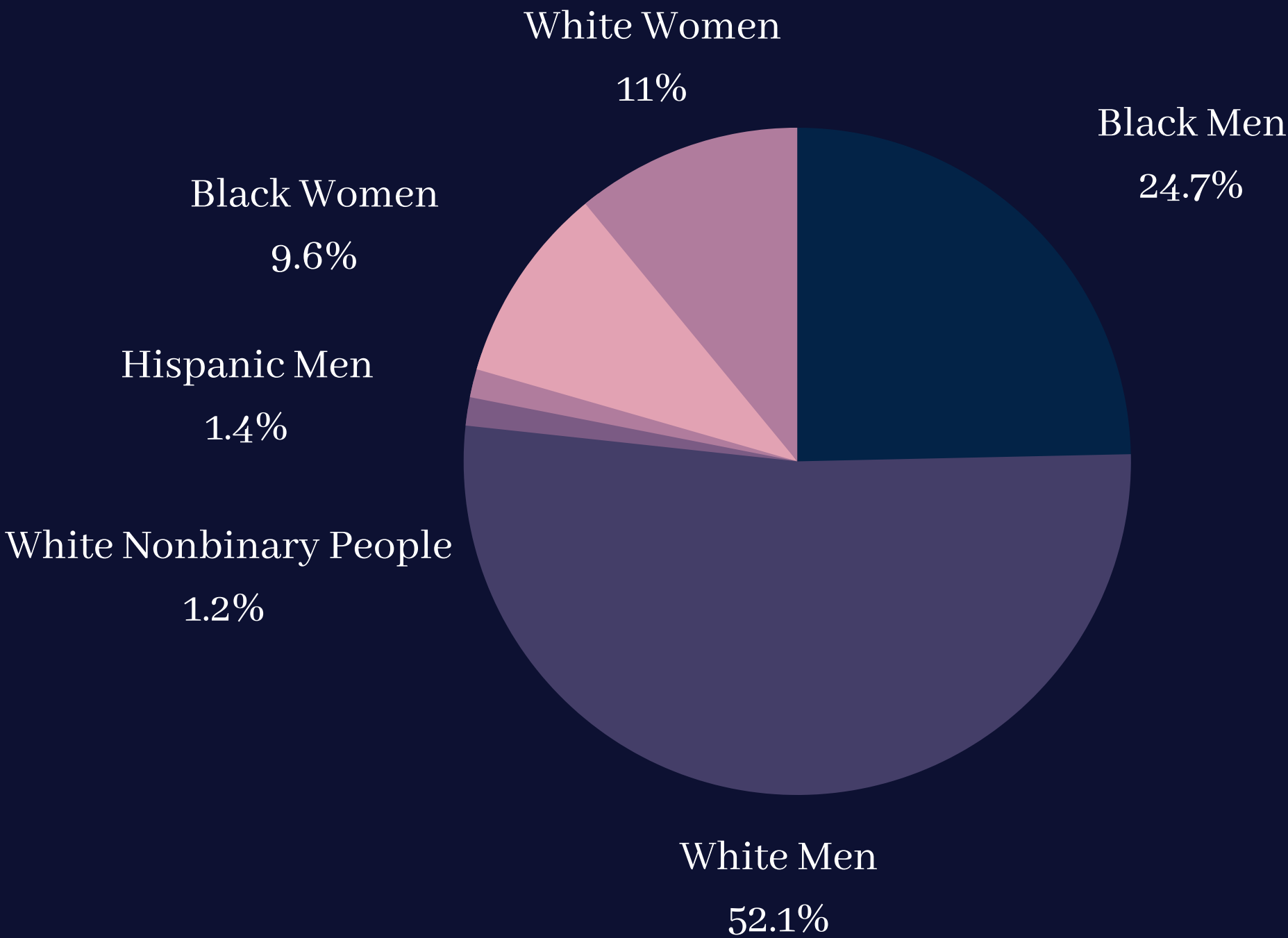
Recommendation 4: The District Attorney's Office should expand their diversion program partners to include 20-30 community-based organizations city-wide.

Recommendation 5: The Prosecutorial Diversion Program should be publicized and championed by the District Attorney's Office, as well as other criminal legal system stakeholders.

Law Enforcement Assisted Diversion

Background

LEAD Program Participants (74 Total)



Piloted in the 8th District in 2017

Based on a national model, LEAD is a public health approach to policing for those who are criminalized for underlying and unmet behavioral health needs

Program Eligibility and Entrance

LEAD Eligible Charges: Low-level municipal charges

Social contact Referrals: Officers identify and refer individuals, who are typically frequently incarcerated and are most at risk for arrest for LEAD-eligible offenses, and who, in the opinion of the officer, would benefit from treatment or services.

Point of Arrest: Officers will make an initial assessment regarding charge eligibility and demonstrations of signs or symptoms of mental illness, addiction, or trauma.

National Model

Started in Seattle as a response to the disproportionate impact of the War on Drugs on communities of color

Harm-Reduction Framework

Law Enforcement Assisted Diversion Recommendations

Recommendation 1: Include system-impacted individuals in LEAD decision-making processes, including the Policy Coordinating Committee and the LEAD Expansion Plan.

Recommendation 2: Institute initial and ongoing training regarding cultural competency and trauma-informed approaches for officers involved in the LEAD Program. Training should include Mental Health First Aid, as well as trauma-informed care training.

Recommendation 3: Enrollment in the LEAD Program should be standardized to ensure equitable enrollment.

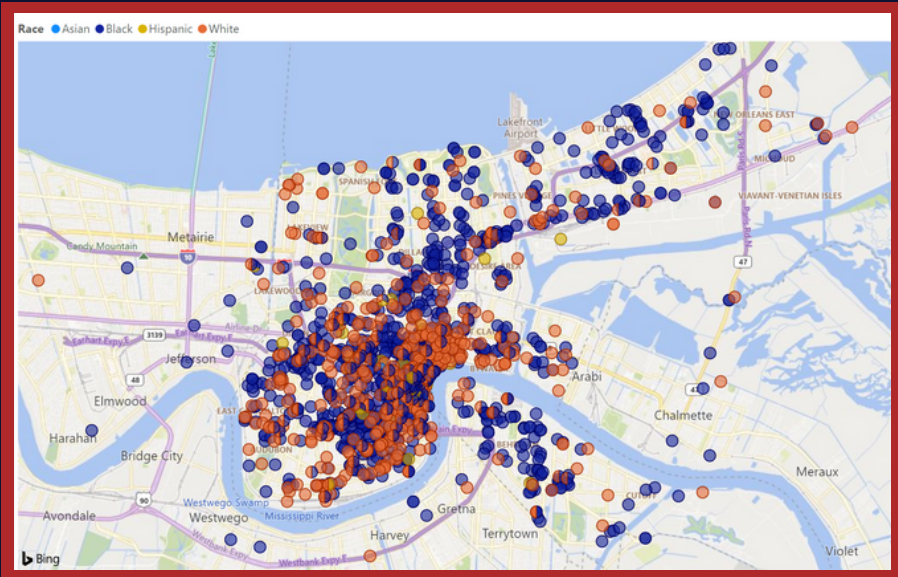
Recommendation 4: The LEAD Program must collect and track quantitative and qualitative data to better understand and address disparities within the program. Data and trends should be reviewed on a quarterly basis, and any racial equity deficiencies should be identified and addressed through programmatic changes.

Law Enforcement Assisted Diversion Recommendations

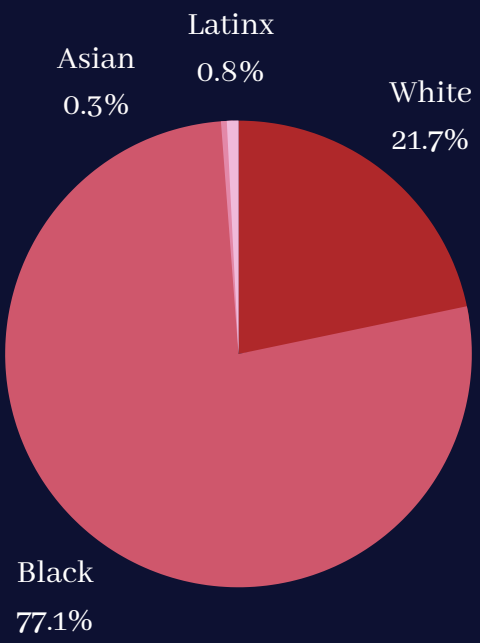
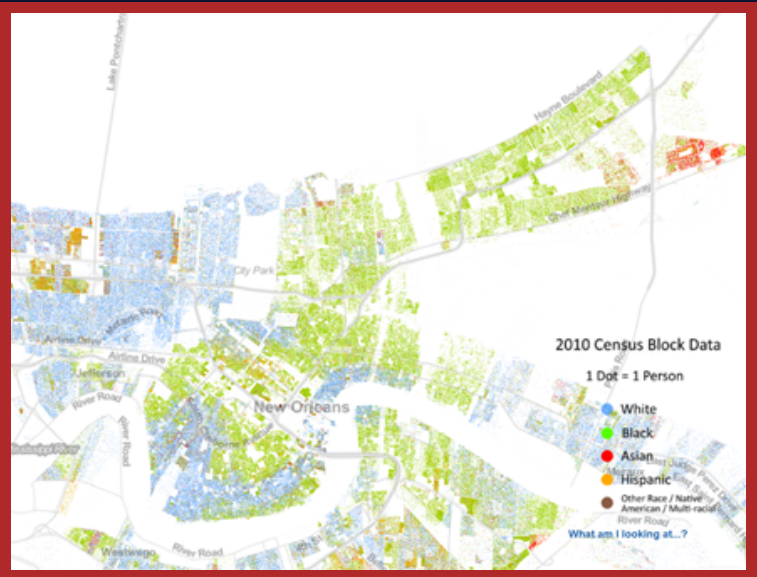
Recommendation 5: Police Districts 7, 1, and 6 should be considered for LEAD initial expansion, with District 7 being a priority target for expansion.

Recommendation 6: The LEAD Program should expand diversion eligibility to include individuals with alleged offenses of possession.

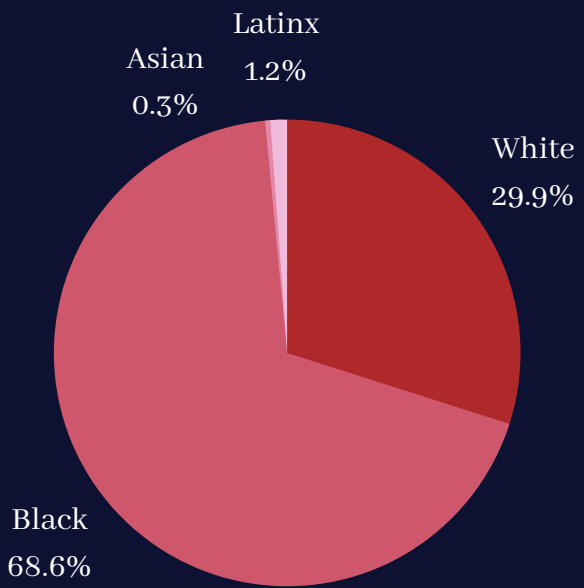
LEAD Eligible Arrests Map (2016-2020)



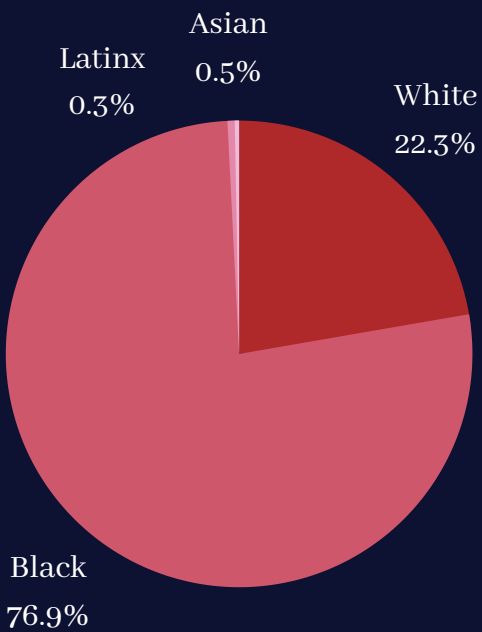
Census Map (2010)



All Alleged Offenses
Racial Breakdown
(2016 - 2020)



LEAD- Eligible Alleged Offenses
Racial Breakdown
(2016 - 2020)



Possession Alleged Offenses
Racial Breakdown
(2016 - 2020)

Law Enforcement Assisted Diversion Recommendations

Recommendation 7: The New Orleans LEAD model should consider implementing the national programmatic changes to LEAD enrollment, which decenter law enforcement as gatekeepers to LEAD services.

Recommendation 8: Pre-Arrest Diversion programs, like LEAD, must be communicated to the public and service provider community.



The Case for Additional Programs at the Point of Arrest

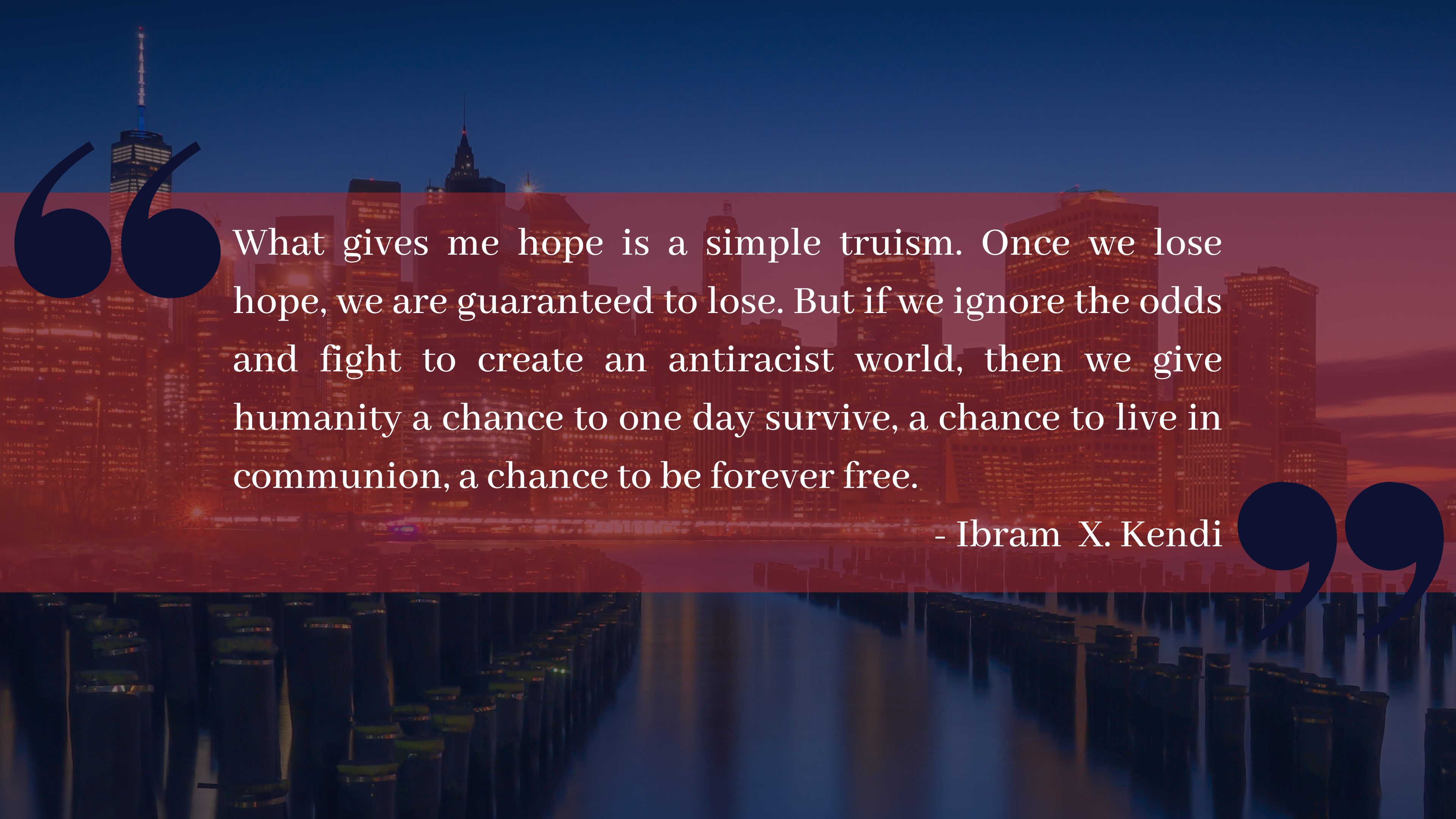
The City of New Orleans should support a mobile crisis-intervention program, like the Crisis Assistance Helping Out On The Streets (CAHOOTS), modeled in Eugene, Oregon.

Recommendations to Support BIPOC-Centered Community Organizations and Efforts

Recommendation 1: The City of New Orleans and Orleans Parish criminal legal system stakeholders should regularly and authentically engage with the community, particularly system-impacted individuals.

Recommendation 2: In the short-run, the City of New Orleans should consider instituting a micro grants program to give BIPOC-centered organizations the funding and support to try innovative approaches to criminal legal system prevention and reform efforts.

Recommendation 3: The City of New Orleans should implement elements of the national Office of Neighborhood Safety model, which typically serves as a hub for all non-punitive approaches to public safety.

The background of the image is a night cityscape, likely New York City, with numerous skyscrapers illuminated. A semi-transparent red rectangular overlay covers the middle portion of the image, serving as a backdrop for the text. Large, dark blue quotation marks are positioned on the left and right sides of the red overlay. The text is in a white, serif font.

What gives me hope is a simple truism. Once we lose hope, we are guaranteed to lose. But if we ignore the odds and fight to create an antiracist world, then we give humanity a chance to one day survive, a chance to live in communion, a chance to be forever free.

- Ibram X. Kendi