



**ILLINOIS**  
**Racial and Ethnic Impact Research Task Force**

**Final Report**  
**Submitted to the Illinois General Assembly**  
**December 2012**

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## **ACKNOWLEDGEMENTS**

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This report can be downloaded at [www.centerforhealthandjustice.org](http://www.centerforhealthandjustice.org).

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## The Illinois Racial and Ethnic Impact Research Task Force

Hon. Mattie Hunter, Co-Chair ♦ Hon. La Shawn Ford, Co-Chair

Dear Honorable Members of the Illinois State General Assembly:

We are pleased to present this final report from The Illinois Racial and Ethnic Impact (REI) Research Task Force. The Task Force was established in August 2011 as an outgrowth of the Illinois Disproportionate Justice Impact Study (DJIS) Commission. The Commission noted in its final report (2010) that the ways in which information about the race and ethnicity of arrestees in Illinois is captured is often insufficient for purposes of understanding who is involved in the justice system, what factors contribute to such involvement, and what happens as individuals move through various points in the system.

The Commission recommended the creation of a Task Force to help improve the capacity for analyzing, understanding, and eliminating the racial/ethnic disproportionality that occurs in the justice system. In its enabling legislation, the Task Force was charged with determining a practical method for the standardized collection and analysis of data on the racial and ethnic identity of arrestees by State and local law enforcement agencies.

The Task Force has explored numerous initiatives intended to improve and upgrade the collection and standardization of race and ethnicity information associated with people involved in the justice system, and it received public testimony and recommendations from a variety of stakeholders during hearings in Chicago and Springfield. With appreciation for the past and current efforts of many individuals and organizations on this and related issues, and based on the findings of its work over the past year, the Task Force has articulated recommendations intended to improve the collection, standardization, and availability of these data in Illinois.

We hope these findings and recommendations will guide the collectors and keepers of data in improving our collective capacity to count everyone, in ways that will better help us serve the public's interest – including those involved in the justice system – in a just and equitable way.

Sincerely,

Handwritten signature of Mattie Hunter in black ink.

The Honorable Mattie Hunter  
Illinois State Senator, 3rd District  
Majority Caucus Whip

Handwritten signature of La Shawn K. Ford in black ink.

The Honorable La Shawn K. Ford  
Representative, 8th District

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## **TASK FORCE APPOINTEES, PARTICIPANTS, & STAFF**

### **Appointed Members**

Hon. Mattie Hunter (CO-CHAIR) – Illinois Senate, 3rd District  
Hon. La Shawn K. Ford (CO-CHAIR) – Illinois House of Representatives, 8th District  
Hon. Anita Alvarez – Cook County State’s Attorney  
Hon. Patricia R. Bellock – Illinois House of Representatives, 47th District  
Arthur Bishop – Illinois Department of Juvenile Justice  
Hon. Tim Bivins – Illinois Senate, 45th District  
Walter Boyd – Protestants for the Common Good  
Hon. Dorothy Brown – Clerk of the Court, Circuit Court of Cook County  
Hon. Abishi C. Cunningham, Jr. – Cook County Public Defender  
Jack Cutrone – Illinois Criminal Justice Information Authority  
Hon. Thomas J. Dart – Sheriff of Cook County  
Patrick Delfino – Illinois Office of the State’s Attorney Appellate Prosecutor  
Hon. William Delgado – Illinois Senate, 2nd District  
Hon. Timothy C. Evans – Chief Judge, Circuit Court of Cook County  
S. A. Godinez – Illinois Department of Corrections  
Hiram Grau – Illinois State Police  
Hon. Greg Harris – Illinois House of Representatives, 13th District  
Andre Hines – Circle Family Healthcare Network  
Hon. Thomas Johnson – Illinois Senate, 48th District  
Hon. Lisa Madigan – Illinois Attorney General  
Garry McCarthy – Chicago Police Department  
Grady Norwood, Jr. – Franklin Williams Enterprises, Inc.  
Michael J. Pelletier – Illinois State Appellate Defender  
Marian E. Perkins – Cook County Bar Association  
Hon. Dennis M. Reboletti – Illinois House of Representatives, 46th District  
Michael Rodriguez – Enlace Chicago  
Terry Solomon – Illinois African-American Family Commission  
Juliana Stratton – Cook County Justice Advisory Council  
Layla P. Suleiman Gonzalez – Illinois Latino Family Commission  
Lynn Todman – Institute on Social Exclusion, Adler School of Professional Psychology  
Eugene Williams – National Organization of Black Law Enforcement Executives  
Standish E. Willis – Law Office of Standish E. Willis Ltd.

### **Participating Representatives of Appointees**

Luis Carrizales – Enlace Chicago  
Pat Coughlin – Cook County State’s Attorney’s Office  
Parul Desai – Office of the Cook County Public Defender  
Mark Driscoll – Institute on Social Exclusion, Adler School of Professional Psychology  
Harold Goodson – Clerk of the Court, Circuit Court of Cook County  
Rachel Johnston – Chicago Police Department  
Steve Karr – Illinois Department of Corrections  
John Konrad – Cook County Sheriff’s Office  
Art Mitchell – Illinois Office of the Attorney General

Greg Mueller – Illinois State Police  
Mark Myrent – Illinois Criminal Justice Information Authority  
Cara Smith – Illinois Office of the Attorney General  
Lisa Stephens – Illinois Criminal Justice Information Authority  
Sara Sullivan – Illinois Department of Corrections  
Gladys Taylor – Illinois Department of Corrections  
Jessica Trame – Illinois State Police  
Patricia Unsinn – Office of the Illinois State Appellate Defender  
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## EXECUTIVE SUMMARY

In August 2010, Senate Bill 2271 became law in Illinois (Public Act 97-0433), establishing the Illinois Racial and Ethnic Impact (REI) Research Task Force. The Task Force was charged with determining a practical method for the standardized collection and analysis of data on the racial and ethnic identity of arrestees by State and local law enforcement agencies. This report reflects the outcome of that effort in accordance with the law.

The impetus for the Task Force was a recommendation from the Illinois Disproportionate Justice Impact Study (DJIS) Commission in its 2010 final report. Among its findings was the unreliability or lack of data on the race and ethnicity of individuals arrested and involved in the justice system in Illinois. Different agencies (e.g., the State Police, the courts) collect different information, often using different coding schemes, to capture demographic information, thus making it difficult or impossible to match, compare, or analyze data or trends.

If data are to be meaningful and useful, standardization – a system for categorization with minimum requirements – must be implemented. This means race and ethnicity categories must be consistent in meaning and practice, within and across entities comprising the justice system. Decision-makers attempting to address racial/ethnic disparities in the system are hampered by incongruent and insufficient data and the resulting incomplete or inaccurate understanding of who is involved in and moving through the system.

The Commission recommended the creation of a Racial and Ethnic Impact Research Task Force to help improve the capacity for measuring, analyzing, and addressing the racial/ethnic disproportionality that occurs in the justice system. Under the co-chairpersonship of The Honorable Mattie Hunter and The Honorable La Shawn Ford, the Task Force assessed the current state of data collection by justice system entities. Its members sought public input from policymakers, researchers, justice practitioners, service providers, advocacy groups, and community stakeholders to better understand the current landscape, issues, and challenges related to the collection of information on the racial/ethnic identity of justice-involved populations in Illinois.

As a result of its efforts, the Task Force developed eight recommendations for policy or practice change, or other next steps. These recommendations intend to address the complex and challenging issues of collecting racial/ethnic information in the justice system at State and local levels, and to lay a foundation for improved analysis and understanding of racial/ethnic disproportionality. While there are real challenges to implementing standards for the collection of racial/ethnic identity information, they are not insurmountable.

***Recommendation 1:*** In alignment with OMB’s preferred standard and as adopted by the U.S. Census Bureau and others, data collected by local and State justice system entities should include ethnicity and race information as distinct variables, with the following minimum ethnicity and race designations:

1. Ethnicity (*Select Hispanic / Latino origin or Not Hispanic / Latino origin*)
2. Race (*Select one from the following list of options: American Indian / Alaskan Native, Asian / Pacific Islander, Black, White, or Unknown*)

**Recommendation 2:** Racial and ethnic identity should be self-reported by the individual involved in the justice system whenever possible. Clear protocols should be developed for the collection and verification of self-identified race and ethnicity information, and to guide the deduction of such information when self-identification is not possible. Minimum protocols should be adhered to (see full recommendation in Section 4 for minimum protocols). Training and education should be provided to justice system practitioners and data collectors to ensure fidelity to protocols.

**Recommendation 3:** Race and ethnicity information should be collected at the earliest point of justice system contact by justice system entities, and it should follow individuals throughout their involvement in the system, from one entity to another. At each decision-making point, individuals should have the opportunity to verify or correct their race/ethnicity information on record, and the most current version should be carried forward.

**Recommendation 4:** The availability of opportunities to correct race/ethnicity and other demographic information in juvenile and criminal records should be made known to the general public and to criminal justice practitioners. Avenues for information dissemination should include education, training, and public awareness campaigns, including but not limited to annual “free” days on which the fee charged by state or local law justice system entities to individuals requesting a copy of their record would be waived.

**Recommendation 5:** A single data repository containing de-identified criminal/juvenile history, charge, and demographic data on individuals involved in the justice system should be accessible to researchers, community groups, advocates, and justice system practitioners, for purposes including, but not limited to, the creation of Racial and Ethnic Impact Statements. The repository should be housed and maintained under the auspices of Illinois Criminal Justice Information Authority (ICJIA).

**Recommendation 6:** The State and local justice system entities should appropriate funds and allow adequate periods of time to support and implement data collection standardization, protocol development, and training for practitioners and data managers throughout the system, and to support the decennial (following the U.S. Census) investigation of and action on current issues and needs relating to data standardization.

**Recommendation 7:** Racial and Ethnic Impact Research Task Force Co-Chairs should engage the Illinois Secretary of State in a collaborative investigation of the advantages and disadvantages involved in the inclusion of race/ethnicity information on State identification cards.

***Recommendation 8:*** Racial and Ethnic Impact Research Task Force Co-Chairs should engage representatives of the Illinois Framework project to explore and promote the integration of Task Force recommendations into the project.

## PROJECT OVERVIEW

In August 2010, Senate Bill 2271 became law in Illinois. Passed unanimously by the Illinois General Assembly and signed by the Governor, Public Act 97-0433 established the Illinois Racial and Ethnic Impact (REI) Research Task Force (the “Task Force”), a non-partisan, multi-disciplinary group of policymakers, agency leaders, justice system professionals and practitioners, researchers, and advocates. As articulated in the enabling legislation, the task force was charged with determining a practical method for the standardized collection and analysis of data on the racial and ethnic identity of arrestees by State and local law enforcement agencies. Among their many uses, these data would help predict the likely impact of proposed drug law changes to different racial and ethnic groups, with the intent of preventing the unnecessary or unintended disproportionate consequences of such laws on the basis of race or ethnicity. This report reflects the outcome of that effort in accordance with the law.

### **The Illinois DJIS Commission**

The legislation enabling the REI Research Task Force, enacted as PA 97-0433, grew out of the Illinois Disproportionate Justice Impact Study (DJIS) Commission’s findings and recommendations. Convening in 2008, the Commission was charged with examining the impact of Illinois drug laws on racial and ethnic groups and the resulting overrepresentation of racial and ethnic minority groups in the Illinois criminal justice system. Its research resulted in the following key findings related to racial and ethnic disproportionality,<sup>1</sup> which were articulated in its 2010 final report (Illinois DJIS Commission, 2010):

- *Racial Disparities in Enforcement:* Nonwhites were arrested at a higher rate than whites relative to their representation in the general population throughout Illinois. Arrest data indicated that disproportionality in drug arrests occurred in 62 of the 102 counties in Illinois, including urban, suburban, and rural areas. Racial disparities for drug arrests varied widely by county but tended to be greater in jurisdictions with smaller populations of nonwhite residents.
- *Limited Access to Alternative Sentencing:* Early contact with the criminal justice system provides an opportunity for rehabilitation programming and diversion from the justice system. The availability of substance abuse treatment services through the criminal justice system appeared to differ for white and nonwhite first-time arrestees throughout Illinois. A limited analysis suggested that whites were more likely than nonwhites to participate in court diversion or probation programs, such as mandatory drug treatment.
- *Racial Disparities in Prosecution:* The study looked at which cases were prosecuted in felony court versus those whose charges were dropped or dismissed. After controlling for other variables, including criminal history, in Cook County, African

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<sup>1</sup> “Disproportionality” refers to the overrepresentation of a particular group of people in a particular system compared to their representation in the general population.

Americans were approximately 1.8 times more likely than whites, and Latinos were approximately 1.4 times more likely than whites, to be prosecuted for any crime.

- *Racial Disparities in Sentencing:* In Cook County, among defendants with a Class 4 (low-level) drug possession charge, African Americans were sentenced to prison at a rate almost five times greater than whites: 19 percent of African-American defendants compared with 4 percent of white defendants. Class 4 drug possession arrestees constituted the majority of those arrested; however, relatively few were sentenced to prison for Class 4 drug possession only (i.e., without other charges). Nevertheless, the Cook County data showed that in 2005, African Americans who were arrested only for Class 4 drug possession were eight times more likely than whites to be sentenced to prison (16 percent vs. 2 percent).

Most germane to the Task Force was the finding that data on the race and ethnicity of arrestees in Illinois were often unreliable or incomplete. Different agencies (e.g., the State Police, the courts) collect different information, thus making it difficult or impossible to match, compare, or analyze data or trends. For example, it was discovered that State Police identified 99 percent of 2005 arrestees as either “black” or “white.” It was unknown if these data were an accurate indicator of the racial identities of arrestees. It was also unknown whether and to what degree people of Hispanic/Latino<sup>2</sup> origin were classified as “black” or “white,” thus favoring race over ethnicity identification as a valued categorization, and making the overall demographic information not wholly reliable.

In its 2010 final report, the Commission recommended the creation of a Racial and Ethnic Impact Research Task Force to improve the capacity for measuring, analyzing, and addressing racial/ethnic disproportionality that occurs at different points in the justice system.<sup>3</sup>

*Illinois DJIS Commission Recommendation 2:* “The State of Illinois should establish a Racial & Ethnic Impact Research Task Force to ensure the standardization collection and analysis of data on the racial and ethnic identity of arrestees. The charge of the Task Force would be to develop a framework for data collection at decision points along the criminal justice system continuum with a goal of standardized information management in the Illinois justice system and all of the State and local components of that system. This information would be used to meaningfully analyze and understand disproportionality that may occur across the justice process, as well as any other benefits such a standardized system would afford.

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<sup>2</sup> The terms “Hispanic” and “Latino” are used interchangeably throughout this report.

<sup>3</sup> In this report, the term “justice system” refers to the process by which criminal conduct is addressed by diverse government entities along a continuum with various points of involvement. “Justice system entities” include but are not limited to local and State law enforcement, jail administrators, courts, probation departments, and the State Department of Corrections.

The findings and recommendations produced by the Illinois REI Research Task Force, reflected in this report, are intended to aid policymakers, justice system entity decision-makers, researchers, and advocates in their work toward program and practice improvements, and on increasing justice and fairness. The Task Force aims to bolster their efforts and potential through increasing the collective ability to impact public policy, infrastructure and programming funding decisions, research focus and resources, and program evaluation and effectiveness.

This report describes the work undertaken by the Task Force in 2011-12, its findings, and its recommendations.

### **Task Force Structure and Process**

Under the co-chairpersonship of The Honorable State Senator Mattie Hunter (D-Chicago, 3rd Senate District and Majority Caucus Whip) and The Honorable State Representative La Shawn Ford (D-Chicago, 8th Representative District), and with members named by the enabling legislation or appointed by State Senate and House of Representatives leaders, the Task Force pursued two primary courses of activity:

*Assessment of Current Data Collection Methods.* The Task Force sought information about recent and current efforts to improve the collection and aggregation of data on the racial/ethnic identity of justice-involved populations in Illinois. Demographic information of people involved in the justice system is currently gathered in different ways under a variety of jurisdictions and at various points in the justice system in Illinois. Through Task Force meetings and staff research, these data collection efforts and initiatives were identified and discussed, along with their inherent purposes and challenges.

*Public Input.* The Task Force convened two public hearings that invited information and perspectives of policymakers, researchers, justice practitioners, service providers, advocacy groups, and community stakeholders. Providers of testimony were asked to share their expertise and recommendations on strategies to improve racial/ethnic identity data collection with regard to justice-involved populations.

As a result of these activities, the Task Force developed eight recommendations for policy or practice change, or other next steps. These recommendations intend to address the complex and challenging issues of collecting racial/ethnic information in the justice system at State and local levels, and to lay a foundation for improved analysis and understanding of racial/ethnic disproportionality.

### **Organization of the Report**

This report is divided into four sections. They present the context for the Task Force's work, information and findings from its meetings and public hearings, and its recommendations.

*Section 1: Background and Context.* This section presents contextual information behind the Task Force's charge. It includes a discussion of the importance of collecting accurate racial/ethnic identity information, the need for standardized data collection methodologies, and best practices offered by various entities with institutional and

research-based oversight and experience. This section explores the benefits, complexities, and challenges inherent in defining and implementing such standardization.

*Section 2: Findings and Information from Task Force Meetings.* This section presents information collected during Task Force meetings, from presentations and through discussions with various representatives of governmental agencies, research institutions, advocacy organizations, and other entities. This information reflects the expertise and experience gained by various initiatives from their efforts to collect racial/ethnic data about people involved in the justice system, and to upgrade or improve the collection of such data.

*Section 3: Findings and Information from Public Hearings.* This section presents information gathered during the Task Force's 2012 public hearings in Chicago (April 30) and Springfield (May 7). Task Force members heard from a variety of stakeholders with broad interests and experiences relating to racial/ethnic disproportionality in justice system contact, research issues, legal requirements and limitations, data collection and transmission methodologies and technologies, and the impacts of inadequate methodologies and technologies.

*Section 4: Task Force Recommendations.* This section enumerates eight recommendations, based on the Task Force's findings, designed to offer a standardized method for the collection of racial/ethnic information in the State of Illinois and its jurisdictions, and to improve the capacity for meaningful analysis that will inform efforts to, among other things, reduce and eliminate racial/ethnic disproportionality in justice system contact and reduce the harm that results from it.

## SECTION 1: BACKGROUND & CONTEXT

The work of the REI Research Task Force was catalyzed by a recommendation from the Illinois DJIS Commission and motivated by a goal of reducing the pervasive, well-documented, disproportionate representation of certain racial/ethnic groups, particularly African Americans, which come in contact with the adult and juvenile justice systems in Illinois. Given that different jurisdictions and justice agencies in Illinois currently use multiple, disconnected methods of collecting racial/ethnic data, the Task Force studied the complexities and strategies for determining a more standardized methodology for the collection of such data.

This section discusses the growing attention paid to the issue of racial/ethnic justice and explores several fundamental conceptual issues relevant to the Task Force's charge.

### **Growing Attention on Racial/Ethnic Justice**

Efforts to address racial/ethnic disproportionality in the justice system are not new. The problem of disproportionate minority confinement in the juvenile justice system was brought to national attention by the Coalition for Juvenile Justice in the late 1980s (OJJDP, n.d.), and attention to this problem in both the juvenile and adult justice systems has grown since then. A wide-ranging assortment of initiatives aiming to reduce and eliminate racial/ethnic disproportionality in juvenile and criminal justice systems has emerged in Illinois and across the country (Coalition for Juvenile Justice, 2010), led by government entities, practitioners, advocates, and researchers. These initiatives align with increasing requirements by government and private funders to implement evidence-based and data-driven programs and practice, and with growing efforts by policymakers to engage in data-informed policymaking.

Much attention and effort with regard to disproportionate minority contact (DMC) and data collection improvement has focused on the juvenile justice system. For example, The MacArthur Foundation's Models for Change Initiative highlights racial fairness as a critical objective (MacArthur Foundation, n.d.). Included in its portfolio of work on the objective, the group has produced reports recommending racial/ethnic data collection standards. The Illinois Juvenile Justice Commission has focused on DMC as a priority area of concern, as it is a core requirement of federal funding from the Office of Juvenile Justice and Delinquency Prevention. National research and advocacy organizations and institutions, such as The Sentencing Project, Justice Policy Institute, and The Brennan Center for Justice at New York University School of Law, have focused on racial/ethnic disproportionality in the justice system. These are only a few examples of groups addressing DMC; there are many more.

The Task Force has sought to learn from and build upon such efforts. The following two sections of this report include information gathered by the Task Force about relevant practices and initiatives.

### **The Need for Data**

Data are fundamental to facilitate the discovery of facts, trends, and effects previously unobserved, and also to reach an understanding of the factors associated with, and causes

of, observed outcomes. Across domains – criminal/juvenile justice, child welfare, mental health, public health, and others – this need for data is universal.

With regard to the justice system and DMC, data are necessary to identify who is involved in the system, and to enable an understanding of what is happening to specified populations at various points of involvement. Data make possible the research, monitoring, evaluation, and analysis of mechanisms underlying justice system outcomes and trends (e.g., involvement, diversion, recidivism) associated with any particular group of people so that decision-makers can gain an understanding of policies and practices associated with, and potentially contributing to, observed results.

Knowing who is involved in the system permits meaningful interventions to address problems of fairness and justice. While people from different racial/ethnic and cultural backgrounds may receive differential treatment by justice system practitioners, that is not the only potential cause of disproportionality. Others include inequitable access to resources, public policies, and crime patterns and rates.<sup>4</sup> Understanding the constellation of causes is important. Also important is an understanding that different racial/ethnic groups may face different economic and social issues, have different programmatic needs, and respond differently to various interventions. For example, there may be a need to incorporate Spanish-language communications into court- or institution-based programming for Spanish-speaking populations. With data that communicate race/ethnicity information, justice systems should have greater capacity to enact informed responses to a variety of factors contributing to racial/ethnic disproportionality, and to measure the impact – intended and unintended – of those responses.

### **Race and Ethnicity: Defining Concepts and Terms**

The Task Force encountered first-hand the challenge of defining the terms “race” and “ethnicity.” Concepts of race and ethnicity are not concrete; they evolve over time and are subject to the perceptions of self and others. As it sought to understand these terms, the Task Force acknowledged that, as society’s understanding of these concepts continues to evolve, strategies to manage data reflecting them will necessarily change. As such, methods of data collection must be flexible and adaptive.

The terms have historically had imprecise, overlapping definitions, and again, this will likely continue. Differentiating the meaning of “race” from that of “ethnicity” occurs sometimes but not always, and when it does, it happens in different ways. The term “race” often includes concepts of ethnicity, culture, nationality, and ancestry (IOM, 2009). Reflecting scientific findings that there is more genetic variation within racial groups than among them, and that racial categories therefore do not represent major biological distinctions (IOM, 2009), The U.S. Office of Management and Budget (OMB) emphasizes that identified racial and ethnic categories “... represent a social-political construct designed for collecting data on the race and ethnicity of broad population

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<sup>4</sup> For a discussion of commonly identified causes of racial/ethnic disparity in the justice system, see The Sentencing Project’s report: *Reducing Racial Disparity in the Criminal Justice System: A Manual for Practitioners and Policymakers* (see this report’s Additional Resources section).

groups in this country, and are not anthropologically or scientifically based” (OMB, 1997).

An Institute of Medicine (IOM) subcommittee<sup>5</sup> was tasked with examining how data on race, ethnicity, and language are collected in various contexts associated with health care, and with offering recommendations on standardization of the categories. Motivated by a like desire to reduce disparities (in its case, health and health care disparities), the Subcommittee’s report can inform the work of the Task Force.

The IOM Subcommittee adopted the following definitions for the terms “race” and “ethnicity” from an earlier (2003) IOM report: *Unequal Treatment: Confronting Racial and Ethnic Disparities in Healthcare*.

*Race* – A socioeconomic concept wherein groups of people sharing certain physical characteristics are treated differently based on stereotypical thinking, discriminatory institutions and social structures, a shared worldview, and social myths.

*Ethnicity* – A concept referring to a shared culture and way of life, especially reflected in language, religion, and material culture products. Individuals who self-identify as one ethnicity may also self-identify in several different race categories.

### **The Need for Standardization**

If data are to be meaningful and useful, standardization – a system for categorization with minimum requirements – must be implemented. With regard to race/ethnicity data, this means race and ethnicity categories must be consistent in meaning and practice, within and across entities comprising the criminal and juvenile justice systems. Without minimum standards for a uniform process of collecting and categorizing racial and ethnic identity information, analyses will reflect an unreliable and inaccurate accounting of subject populations. Lack of standardization also prevents accurate tracking of populations progressing through various points in the justice system, preventing analysis and understanding of how and why certain movement patterns and trends occur. Decision-makers attempting to address racial/ethnic disparities in the justice system are hampered by incongruent and insufficient data and the resulting incomplete or inaccurate understanding of who is involved in and moving through the system.

The federal Office of Management and Budget (OMB) has defined standards for classification of race and ethnicity (OMB, 1997), an action stemming largely from the need to enforce civil rights laws. Data are used to monitor equal access to resources in many domains (e.g., housing, education, employment, health and healthcare) on behalf of populations historically subjected to discrimination or differential treatment. OMB’s defined standards are used by the U.S. Census Bureau, in surveys, on administrative forms, and in medical research. In 1997, OMB amended its standards to permit the selection of more than one race, a change reflected in the 2000 Census.

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<sup>5</sup> Institute of Medicine’s Board on Health Care Services’ Subcommittee on Standardized Collection of Race/Ethnicity Data for Healthcare Quality Improvement.

Other entities have articulated standards for race/ethnicity data collection. For example, the Federal Bureau of Investigation (FBI) adopted standards from the *Statistical Policy Handbook* published in 1978 by the Office of Federal Statistical Policy and Standards in the U.S. Department of Commerce (FBI, 2004). The race categories set forth in those standards, still in use by the program and the agencies reporting data to it, differ from those in OMB’s standards. The selection of only one race is permitted. Notably absent from the FBI’s categories is Hispanic or Latino, either as a race or an ethnicity category.

<b>OMB / Census Race Categories</b>	<b>FBI Race Categories</b>
American Indian or Alaska Native	American Indian / Alaskan Native
Asian	Asian / Pacific Islander
Black or African American	Black
Native Hawaiian or Other Pacific Islander	White
White	Unknown

OMB, the U.S. Census Bureau, and a growing number of other entities employ methodologies that utilize a two-part question, designating “Hispanic/Latino” as an ethnicity that co-exists along with a race designation. The FBI ceased collecting ethnicity information altogether in 1987 and does not include “Hispanic/Latino” as an option among race categories (FBI, 2004).

When Hispanic/Latino identity information is collected as another race designation rather than as a separate ethnicity, or when it is not counted at all, a likely result is that the Hispanic/Latino population is undercounted. People who self-identify as Hispanic/Latino (and also perhaps as “white” or “black”) may *only* get counted in “white,” “black,” or “unknown” racial categories. This effect can be seen in the Commission’s finding that, within the 2005 Illinois State Police (ISP) data set it analyzed, 99 percent of records were coded as “B” or “W” (“black” or “white”). The Commission concluded that “presumably, both the white and nonwhite categories each comprised unknowable percentages of people of Hispanic/Latino or other ethnic origin.”

The Illinois DJIS Commission found that data collected in Illinois by various entities comprising the justice system is often incomplete, non-existent, and/or incompatible with data collected at other points. Different, non-standardized methodologies are employed, and data often does not translate easily or at all from one phase of the criminal justice process to another. For example, many entities count “Hispanic/Latino” as a discrete race category, along with “black” and “white.” This system is not in alignment with current standards employed by OMB or the FBI.

Even without a reliable accounting of the Hispanic/Latino population’s presence within the justice system in Illinois, the existence of disproportionality in justice system involvement is observable in Illinois and across the nation (Mauer & King, 2007). As noted in the Commission’s final report, the portion of the Illinois Department of Corrections’ (IDOC) supervised population counted as “black” is much greater than the corresponding portion of the state’s general population. In FY2010, 58 percent of IDOC’s population was designated “black,” compared to only 15 percent of Illinois’ general population (IDOC, 2011; U.S. Census Bureau, 2011a). Also, disproportionality in drug

arrests occurred in 62 of 102 Illinois counties (Illinois DJIS Commission, 2010). The circumstances are mirrored in Cook County, the State's most populous county and the one encompassing Chicago, where 67 percent of 2011 admissions to the jail were categorized as "African American," compared to only 25 percent of the county's general population (Olson & Tahier, 2012; U.S. Census Bureau, 2011b).

### **Challenges**

To aid policymakers, justice system decision-makers and practitioners, researchers, and advocates in realizing the tremendous potential of data toward understanding and addressing racial/ethnic disproportionality in the justice system, it is critical to understand how and where disproportionality occurs. This requires the collection of valid data that adheres to a system of standardization consistent throughout justice entities comprising the system.

The Task Force identified several key challenges to determining and implementing a standardized method for the collection of racial and ethnic data. While there was much agreement about the need for such a method that would be utilized by all entities comprising the juvenile and adult justice systems, Task Force members noted that there is sometimes a disconnection between data collectors/holders and data users, a circumstance that may contribute to the lack of urgency or incentive to address data collection and standardization shortcomings. Another identified challenge lies in securing the necessary investments in resources, personnel, and time required to upgrade information collection systems, protocols, and technologies that would be required to make changes to current processes and infrastructures. A third challenge, one that has the potential to help address the first two, is that of the ability to garner political will to prioritize these issues, mandate change, and appropriate resources. Finally, the changing nature of society's understanding of race and ethnicity, and the relative prioritization of this understanding as a key issue, will present an ongoing challenge, especially in the context of many other related and complex issues, including immigration, homeland security, and overall funding decisions.

While these challenges are real, they are not insurmountable. As indicated, efforts to implement and update racial and ethnic data collection and standardization methodologies and practices have been undertaken at federal, state, and local levels. The Task Force included representatives from many Illinois justice system entities responsible for the collection of racial/ethnic data, along with knowledgeable representatives from research and advocacy institutions. These members brought with them their organizational experience with data collection – past, current, and future plans. Additionally, the Task Force received information from a variety of perspectives, through presentations and discussions at meetings and public hearings. This broad participation, input, and effort provides evidence of the acknowledgement that accurate and reliable data is needed to propel program and quality improvement, and to increase justice.

## **SECTION 2: FINDINGS & INFORMATION FROM TASK FORCE MEETINGS**

This section presents the proceedings and information gathered by the Task Force during its meetings.

Task Force members and staff identified organizations and individuals with experience and expertise on initiatives and issues germane to the Task Force's charge – identifying and implementing standards for race/ethnicity data collection – and they were invited to present to the Task Force to inform its investigation. Seven presentations were made at Task Force meetings over the course of its work.

### **October 14, 2011 – Chicago**

The Task Force convened its first meeting on October 14, 2011. After the Co-Chairs provided context for the charge of the group and outlined its goals and prospective activities for the coming year, members heard presentations from four individuals representing research and data collection experts and community advocates. Their presentations described their organizations' experiences with racial and ethnic data collection, discussed current and best practices for data collection methodologies, and laid out the importance of having standardized data collection methods in place for purposes of conducting research and with respect to ensuring fair and just treatment for people involved in the justice system.

The information they presented is described here, along with a summary of key issues discussed by the group.

#### Illinois Criminal Justice Information Authority (ICJIA) – Mark Myrent

Mark Myrent, an associate director for ICJIA<sup>6</sup> who oversees its Research & Analysis Unit, provided the Task Force an overview of the criminal justice data collection landscape in Illinois. He explained that data are drawn from state and local systems, and indicated that there are serious deficiencies with regard to collecting data on individuals' racial and ethnic backgrounds in state systems. He discussed problems associated with lack of standardized methods to collect such information (i.e., when race and ethnicity information is combined into a single variable). He articulated the need for system capacity, along with training and education, to better collect this information, noting that any deficiencies existing at the front end of justice system contact are very likely perpetuated through the life course of individuals' involvement in the system.

Mr. Myrent indicated that, though no method is without challenges, a gold standard for this type of data collection exists. He highlighted the U.S. Census Bureau method as a model that reflects such a standard and presented several of its key characteristics: 1) racial/ethnic identity information is self-reported, and 2) ethnicity and race are treated as

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<sup>6</sup> Created in 1983, ICJIA is a state agency dedicated to improving the administration of criminal justice. The Authority brings together key leaders from the justice system and the public to identify critical issues facing the criminal justice system in Illinois, and to propose and evaluate policies, programs, and legislation that address those issues. The statutory responsibilities of the Authority fit into four areas: grants administration; research and analysis; policy and planning; and information systems and technology.

separate variables. Further, he recommended the development of protocols for collecting self-report data, acknowledging the difficulties in collecting such data in potentially tense or confrontational situations (i.e., at arrest) and when individuals express confusion or discordance about their racial/ethnic identity in alignment with a methodological scheme. He indicated the particular need to improve racial/ethnic data collection with regard to the Hispanic/Latino population, noting that this community is growing and that current methods for data collection tend to undercount its members. Finally, he suggested that enhancements to ISP's criminal history record system should be considered, given that this could yield demographic information at multiple decision points in the justice system.

#### Models for Change Illinois – Randell Strickland

Randell Strickland, the former coordinator for Models for Change (MFC) Illinois,<sup>7</sup> offered support for many of Mr. Myrent's statements and recommendations. He agreed that best practices include the self-reporting of race and ethnicity information, and the collection of race and ethnicity as two separate variables. He echoed the importance of making improvements to address the tendencies of current systems and methods to undercount the Hispanic/Latino community's members, noting the challenges inherent in the complex issue of how people understand and ascribe their racial and ethnic identities.

Mr. Strickland presented information on an initiative in which he had been involved to collaboratively develop a best practices document for racial/ethnic data collection and reporting in the Illinois juvenile justice system using a model developed by MFC in Pennsylvania. The resulting 2008 document, *Guidelines for Collecting and Recording the Race and Ethnicity of Youth in Illinois' Juvenile Justice System*, laid the groundwork for improvements by making recommendations across Illinois' juvenile justice system and incorporating federal models and methods as articulated by OMB. He reported that the initiative's attempts to reach out and to develop race and ethnicity data collection standards were met overall with political resistance and ambivalence in the community.

#### Enlace Chicago – Luis Carrizales

Luis Carrizales, violence prevention collaborative coordinator at Enlace Chicago,<sup>8</sup> provided information about the importance of improvements to data collection on racial and ethnic identity, particularly for the Hispanic/Latino community in Illinois. He articulated his organization's interest in and focus on youth in Hispanic/Latino communities, in advocating community-based alternatives to incarceration, and the need for good data in order to advocate effectively. He expressed concern that a lack of good

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<sup>7</sup> Supported by the John D. and Catherine T. MacArthur Foundation, MFC collaborates with selected states to advance juvenile justice reforms that effectively hold young people accountable for their actions, provide for their rehabilitation, protect them from harm, increase their life chances, and manage the risk they pose to themselves and to public safety. One of the MFC's focus areas is reducing racial and ethnic disparities in the juvenile justice system.

<sup>8</sup> Enlace Chicago is dedicated to making a positive difference in the lives of the residents of Chicago's Little Village Community by fostering a physically safe and healthy environment in which to live and by championing opportunities for educational advancement and economic development. Directly serving more than five thousand youth and adults, its work is focused in four program areas: community education, community enrichment, economic development, and violence prevention.

data can result in inadequate programs and services, citing the example that Hispanic/Latino individuals may be detained in areas settings without Spanish language resources. As a result, they may not be aware of what is expected of them and cannot act accordingly.

Mr. Carrizales concurred with previous presenters that this community is likely undercounted in the juvenile and criminal justice systems. He indicated that Enlace Chicago was involved in the MFC initiative discussed by Mr. Strickland, and that Enlace was collaborating with the National Council of La Raza (NCLR) on a forthcoming paper that identifies gaps in data collection with regard to Hispanic/Latino youth in the Illinois juvenile justice system and makes recommendations to address the gaps.

#### The Illinois Traffic Stop Study – Alex Weiss

Alex Weiss, a research consultant overseeing the Illinois Traffic Stop Study,<sup>9</sup> provided information about the study and discussed how lessons learned could inform the work of the Task Force. He explained that the study was born out of concerns about racial profiling (i.e., racial and ethnic disparities in traffic stops), which garnered significant media attention in the late 1990s. He indicated that, in some parts of the U.S., it was estimated that 85 to 90 percent of the drivers stopped by police officers were minorities, while minorities comprised only about 5 percent of drivers on those roadways. To counteract this trend, many states, including Illinois, adopted laws that required collection of traffic stop data. Dr. Weiss indicated that, in spite of early opposition in Illinois, the study eventually received the support of law enforcement when its leaders realized that they could address accusations of racial profiling with data that were previously unavailable.

The enacted law was very specific about data collection metrics that must be collected; however, data elements did not align correctly with the U.S. Census Bureau categories. Eventually, officials determined a system for reconciling collected data with Census data.

Dr. Weiss described the law’s requirements for data collection. Officers were required to record the race/ethnicity of every stopped driver. Of major concern was that officers could not ask an individual to self-report his racial/ethnic identity. Officers’ categorizations are based on their perception for each individual. The categorization method outlined explicitly in the Illinois law treated “Hispanic” as a separate option among other race categories, not as a separate ethnicity variable, and did not allow for selection of more than one race. The original study was expansive, involving approximately eleven hundred law enforcement agencies across the State.

Data collected during traffic stops were compared to data reflecting the racial/ethnic composition of an area’s overall driving population. In most areas, the numbers of

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<sup>9</sup> In 2003, a new law established a four-year statewide study of traffic stops – the Illinois Traffic Stop Study – to collect data to identify racial bias. The study began on January 1, 2004, and was scheduled to end December 31, 2007. However, Public Act 96-0658 extended the study through 2015. The Illinois Department of Transportation (IDOT) is responsible for collecting and compiling the data. In 2011, Public Act 97-0396 changed the race categories for data collection, effective January 1, 2012.

racial/ethnic minorities subject to traffic stops were not disproportionate to their proportion in the general driving population. These early findings suggested little or no evidence of racial/ethnic bias in traffic stops. Although the number of consent searches<sup>10</sup> continues to be disproportionate, this has been improving over time. The study also found that the reason for a stop and the officer's disposition were also consistent across racial/ethnic categories. A finding that Hispanic/Latino individuals were more likely to be given a traffic citation than African Americans was thought to be due possibly to the presence of undocumented individuals lacking driver's licenses.

### Discussion

Task Force members discussed the challenges of collecting data uniformly, and explored several other key issues.

A representative from the Illinois State Police indicated that officers are not legally permitted to ask for self-report racial/ethnic identity information during a traffic stop. A suggestion was made to consider including a self-report racial/ethnic designation on State-issued identification cards to make collecting information at traffic stops and during other justice system points of contact easier and more consistent; group consensus on this was not reached.

Task Force members representing the IDOC and the Illinois Department of Juvenile Justice (IDJJ) noted that they are both in the process of building and implementing new data systems and expressed interest in ensuring that the right racial/ethnic data fields are included.

The group discussed how to handle, in terms of a race/ethnicity categorization scheme, individuals of Middle Eastern descent, who are currently likely to be counted as either Asian or Caucasian. As with the Hispanic/Latino population, this community's ethnic identity may be of concern with regard to disparate treatment and cultural and linguistic need in the justice system. A suggestion was made to seek information about how this population is handled in an area with a large Middle Eastern community, such as in the southeastern part of Michigan.

### **January 20, 2012 – Chicago**

The Task Force convened its second meeting on January 20, 2012. Members heard presentations from three individuals representing justice practice, research and data collection, and community advocacy, respectively. Their presentations laid out the current race/ethnicity data collection practices utilized by State law enforcement, the importance and potential of data to inform program improvement and public policy, and recommendations for race/ethnicity data collection standards in the juvenile justice system.

The information they presented is summarized here, along with key issues discussed by the group.

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<sup>10</sup> A warrantless search permitted when the person whose person or property is being searched gives his or her consent.

### Illinois State Police (ISP) – Tammi Kestel

Tammi Kestel, assistant bureau chief, presented information on the Illinois Criminal History Record Information (CHRI) system, managed by the State Bureau of Identification (BOI), to capture information including race/ethnicity data. She stressed upfront that whatever the recommendations of the Task Force, funding must be included in order to get the system programmed and to cover costs of data reentry.

Ms. Kestel distributed three documents (see appendix):

- The ISP Bureau of Identification Electronic Fingerprint Submission Specifications (EFSS)
- Ethnicity Utilization in the Criminal History Record Information Database Discussion
- An Arrest Card

She explained that the CHRI database contains 5.7 million active criminal records, and that The Criminal Identification Act (20 ILCS 2630/2.1) requires all agencies in the State making arrests for offenses with statutory reporting requirements to submit fingerprints, charges, and descriptions daily to ISP. Ms. Kestel explained the manual, hard copy way of reporting arrest information, and referenced the provided fingerprint card. She reported that 92 percent of records, however, are reported to the department electronically. Task Force members queried whether ISP is moving toward only utilizing electronic forms, and while ISP representatives affirmed this is the case, they noted that securing funding for this change would be a challenge.

She identified the “race” field in the EFSS document, explaining that ISP utilizes the FBI’s Criminal Justice Information Services’ field tag 2.025 to collect racial identity information. The field is mandatory (i.e., it requires an answer and cannot be left blank). This information is captured and then reported to the FBI. She noted that the FBI has no field tag to collect ethnicity information, and likewise, the ISP currently does not have a an “ethnicity” field to capture subjects’ ethnic identity information.

Ms. Kestel indicated that it may be possible to add an “ethnicity” field adjacent to the “race” field. She indicated that the major cost of adding an ethnicity field in the CHRI database would be the support staff for programming, a cost for which has not been quantified.

She indicated that changing their system and process to collect ethnicity information would require significant programming and incur significant costs to do so. In addition to costs associated with modification of the manual arrest fingerprint card, there would be costs associated with updating the electronic reporting format. Additional costs to update information collection devices would be incurred by stakeholders around the State that submit reports electronically.

To better understand how information is gathered by law enforcement, Task Force members discussed various information collection scenarios. If an arrest takes place

during a traffic stop, officers are not permitted to ask about individuals' race/ethnicity. However, at booking, defendants are able to change the documentation of race. The "race" field is mandatory on the form, but the code "U" for unknown is considered a valid response. Ms. Kestel recommended that fields be mandatory to ensure that the data are reliable. ISP noted that there are approximately 20 fields collected that are not sent to the FBI, reflecting the potential to mitigate the requirement to abide strictly to FBI race codes. The group inquired about the frequency of ISP officer training, and the number and character of fields on the form, discussing the need for training to ensure that any changes to the current system are implemented properly by officers and data managers. It was recommended that instructions for officers and data handlers be made very clear.

A Task Force representative from the Office of the Clerk of the Circuit Court of Cook County explained the racial/ethnic identity coding system and process that happens at the county level, describing the reconciliation of data transmitted between justice system entities that utilize different coding schemes. He also affirmed that Hispanic/Latino ethnicity information is counted as a race variable in their system.

#### Illinois Sentencing Policy Advisory Council (SPAC) – Kathy Saltmarsh

Kathy Saltmarsh, executive director of the Illinois SPAC,<sup>11</sup> provided information about her organization and its charge, which is to objectively inform sentencing and corrections policy decisions. She mentioned SPAC's 2010 data gap report, *Illinois Sentencing Policy Advisory Council (SPAC): The Utility of State Criminal Justice Data Systems for the Analysis of Sentencing Practices*. Its authors surveyed public data collecting agencies and organizations around the State to find gaps in the existence and availability of data, and identified a data wish list. She indicated that SPAC is investigating ways to follow up on the report. She noted that SPAC's work is reliant on data, and that if SPAC is asked to do analyses, having access to good data is critical.

Ms. Saltmarsh described the convening of a State information technology working group charged with finding a way to collect data so that it can be shared throughout systems. She indicated that it is a significant undertaking involving the Illinois Department of Corrections (IDOC), the Illinois State Police, ICJA, and a representative from the Governor's office, among others.

She emphasized that without research and analysis, the power of data is non-existent. She called for implementation of evidence-based practices and policymaking, and for investments in research because of its potential to help policymakers make informed decisions that maximize scarce resources.

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<sup>11</sup> SPAC, created by Illinois Public Act 96-0711, draws on criminal justice information collected by other agencies to explore sentencing issues and practices and how they impact the criminal justice system as a whole. SPAC is charged with objectively informing sentencing and corrections policy decisions. To perform this function, SPAC is responsible for collecting and analyzing data, conducting correctional population projections based on simulation models, and producing fiscal impact statements for the legislature. In addition, SPAC is charged with ensuring that effective evidence-based practices are used in policy decisions and within the criminal justice system. SPAC consists of a nonpartisan group of 18 key stakeholders from across state and local criminal justice systems, including legislators, retired judges, prosecutors, defense attorneys, corrections and administrators of the court officials, law enforcement, victim's rights advocates, and academics.

She described a major project on which SPAC was currently working – an analysis of the drivers of the Illinois prison population. This project grew out of a request from the Illinois Senate President and the State’s interest in justice reinvestment strategies.<sup>12</sup> She noted that the idea is to understand who is entering Illinois prisons and for what crimes, and to identify the needs of and problems facing the offending populations. The group will be able to gain an understanding, for example, about why the prison population is growing despite decreases in crime. Once the population drivers are known, there will be a more informed understanding of, among other things, why people are being arrested and why lengths of stay differ. The result will be an increased capacity to better target resources and evaluate the results of these efforts.

Ms. Saltmarsh indicated that ten to fifteen Illinois counties are driving the IDOC population, and called for research to understand where and how to affect the greatest policy changes with available resources. She identified a useful cost-benefit calculator from the Washington State Institute for Public Policy (WSIPP), noting that SPAC wants to do a similar study that would show legislators the cost-benefit outcomes of correctional alternative programs funded by the State. Further, she indicated that the WSIPP tool can take variables such as service needs and programming into account. For example, with data, the tool could provide information about how funding cuts to substance abuse and mental health treatment services would affect costs in the criminal justice system.

She reported that SPAC had been in productive communication with the Office of the Clerk of the Circuit Court of Cook County to facilitate a major data request, which would greatly benefit its work. She noted that SPAC seeks access to the marginal costs associated with each additional individual coming into the system, and also the probability of further system penetration beyond arrest through every point in the justice system. Indicating that the goal is a justice system better able to achieve reductions in costly recidivism and overall incarceration rates, she provided examples of common legislative actions that often result instead in increased sentencing severity and lend themselves to perpetuating or increasing incarceration rates: 1) turning misdemeanor offenses into felony offenses, 2) increasing the class of felony offenses (e.g., turning a class 4 offense into a class 3 offense), and 3) responding legislatively to single events that have garnered media attention.

Ms. Saltmarsh indicated that the availability of sentencing or incarceration alternatives for people of color is a primary concern. In response to a Task Force member’s query about SPAC’s capacity to provide analyses based on demographic characteristics (e.g., race, ethnicity, age, gender), she indicated that it is possible to analyze likelihood of

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<sup>12</sup> Justice reinvestment is a data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and strengthen neighborhoods. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost-effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable. States and localities engaging in justice reinvestment collect and analyze data on drivers of criminal justice populations and costs, identify and implement changes to increase efficiencies, and measure both the fiscal and public safety impacts of those changes (Bureau of Justice Assistance, n.d.).

recidivism following release from prison based on a host of factors that include offender demographics.

The Task Force discussed the feasibility of tracking individuals throughout their involvement in and progress through different points in the justice system, in order to inform an understanding about whether and how various groups of people progress through the system differently, specifically with regard to racial/ethnic disproportionality. Ms. Saltmarsh noted that the current state of data collection and sharing generally prohibits such analyses. A Task Force member suggested that, in order to do this, and to develop a cost-benefit model useful for Illinois policymakers, additional cohort studies should be conducted using CHRI and IDOC data.

#### Enlace Chicago – Michael Rodriguez

Michael Rodriguez expressed appreciation for the Task Force’s distinction between race and ethnicity, noting that ethnicity is an important variable in its work. He described Enlace’s efforts, and shared that it is a member institution of the National Council of La Raza (NCLR). He presented a recent NCLR report, *Counting Latino Youth in the Illinois Juvenile Justice System* (the same report mentioned by Luis Carrizales at the previous Task Force meeting), by noting that, between 2000 and 2009, the Hispanic/Latino youth population in Illinois increased by approximately 20 percent. He observed that while IDJJ and the Chicago Public Schools (CPS) are doing as good a job as any group at reporting on Hispanic/Latino youth in their systems, there remains a data gap with regard to this population. He provided an example: CPS recently reported on the occurrence of suicides in Little Village, a majority Hispanic/Latino community in Chicago. He noted that the report observed no occurrences involving Hispanic/Latino youth, and suggested that this is a very unlikely scenario given the neighborhood’s demographic composition. It is likelier, he said, that there were Hispanic/Latino students who committed suicide, but that they were not counted as Hispanic/Latinos.

Mr. Rodriguez noted that the NCLR report (2011) makes several recommendations, including that Illinois use the two-field race/ethnicity question in data collection in order to ensure best practices for IDJJ. He noted the importance of being consistent with the practices used by the U.S. Census Bureau, and he asserted that this is critical in order to know who is involved in public systems, to be able to offer culturally competent practices and policies, to inform lawmakers about what is happening in their districts, and to examine the issue of disproportionality accurately in consideration of the common occurrence of counting Hispanic/Latinos as “white.” The report also recommends that the State legislature require data collection that includes ethnicity at all nine points of contact within the juvenile justice system,<sup>13</sup> noting that it is currently only collected at two points.<sup>14</sup>

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<sup>13</sup> The nine points of contact articulated in the report are: arrest, referral, diversion, detention, petition, delinquency findings, probation, secure confinement (commitment to the Illinois Department of Juvenile Justice), and transfer to adult court.

<sup>14</sup> According to the report, the only two points at which data are available statewide for Hispanic/Latino youth are detention and secure confinement.

### **SECTION 3: FINDINGS & INFORMATION FROM PUBLIC HEARINGS**

The Task Force held two public hearings, in Chicago and Springfield, to invite information and input from the public. Task Force members gathered testimonies from representatives of organizations based in different parts of the State and from various fields and disciplines, including researchers, State commissions, an elected official, advocates, and people with first-hand experience of justice system contact. This section presents summaries of these hearings (see appendix for witness lists, notes, and written testimonies).

#### **April 30, 2012 – Chicago**

The Task Force held its first public hearing in Chicago, receiving testimony from ten individuals. The first speaker was the executive director of the Illinois Juvenile Justice Commission. She spoke about the importance of collecting accurate and standardized data on race and ethnicity to improve fairness in the adult and juvenile justice systems, the need to reduce subjectivity in decision-making through the implementation of tools that have been evaluated for their effectiveness, and the need for ongoing monitoring of disproportionality and progress made by any implemented interventions so adjustments can be made.

The second speaker was the chair of the criminal justice committee for the Chicago Westside Branch of the National Association for the Advancement of Colored People (NAACP), and also represented the NAACP Illinois State Conference, which is comprised of multiple branches of the organization throughout the State. She expressed the group's concern about disparate treatment of minority community members at all phases of justice system involvement, strained relations between community members and law enforcement, and racial/ethnic disproportionality in sentencing. She highlighted the need for access to valid data for the advocacy community so its members can identify and monitor problems of disproportionality, and advocate public policies intended to protect the rights and interests of communities of color.

The third speaker represented Enlace Chicago, a community advocacy group located in a community with a significant Hispanic/Latino presence on Chicago's near south side. He described the group's work with foundation partners to address issues of data collection with regard to Hispanic/Latino youth involved in the State's juvenile justice system. Noting the growth in this population and the importance of ensuring culturally competent services, he expressed the group's recommendations to collect data at every point of contact in the juvenile justice system, and for a two-part race/ethnicity question that would allow individuals to self-identify as both Hispanic/Latino and within another race category.

The fourth speaker was the associate director of the Illinois Consortium on Drug Policy at Roosevelt University. She described problems associated with current data collection practices that hamper the efforts and understanding of researchers studying the justice system and trends.

The fifth speaker was acting director of the Illinois Latino Family Commission. She described the growth in the Hispanic/Latino population and the importance of issues related to race/ethnicity data collection and standardization, not only for justice and corrections systems but also within public health and other domains. She explained the persistent undercounting of Hispanic/Latinos because of current data collection practices, noting that it leads to their “invisibility” in the justice system. She recommended capacity building techniques that will facilitate the collection of data in a manner that will not be considered intimidating by subjects, use of a two-part question to capture both race and ethnicity information, and training for data collectors and handlers so they know how to gather information and for what purpose. She suggested that political will must be strong to move the initiative forward, and noted that the State is moving aggressively to improve and combine its data sets and systems, so the time for these changes is ripe.

The sixth speaker represented the John Howard Association, a prison reform group. She spoke about the benefit to advocates of having racial/ethnic demographic data available to evaluate and monitor decision-making within correctional facilities, for the dual purposes of addressing real instances of bias and disproportionality, and also to promote an understanding of fairness among incarcerates when bias is shown not to be present. She expressed the group’s recommendations to limit discretion in decision-making in favor of the use of evidence-based tools.

The seventh speaker was founder of Green Acres Consulting Company. He spoke about disparities faced by African-American and Hispanic/Latino communities, and stressed the importance of making sure that data are accurate and used to address these disparities.

The eighth speaker was Cook County Commissioner Earlean Collins. She spoke about the need for data that will accurately reflect the problems of mental illness, particularly within underserved populations in the Hispanic/Latino and African-American communities in the county. She called for resources to address the mental health needs of the community and thusly to prevent crime.

The ninth speaker was the parent of a person who died during an incident with a police officer. She described the situation leading to his death, and explained that she was seeking legal assistance.

A tenth individual submitted written testimony, describing an incident in which he was involved with law enforcement. He testified that he was unjustly arrested and the victim of racial profiling, and he described the harmful effects of the incident on his health and employment.

### **May 7 – Springfield**

The second public hearing was held in Springfield. Task Force members received testimony from six individuals representing four organizations. The first testimony was presented by two individuals with the Center for Prevention Research and Development at the University of Illinois’ Institute of Government and Public Affairs. They indicated that they were currently engaged in a project focused on racial/ethnic disproportionality and decision-making in the State juvenile justice system. They described the problem of

racial/ethnic disproportionality in the juvenile justice system, noting that an understanding of causes and contributing factors is limited by the quality and complexity of data. One such limitation is that data are currently collected through multiple systems that differ in structure. Their recommendations included instituting system-side standards that align with federal methodologies, capturing police contact data, sharing data between and among juvenile justice agencies, and utilizing data to address racial/ethnic disproportionality.

The next speaker was a representative from the American Civil Liberties Union (ACLU) of Illinois. She noted that her organization has done extensive work on the problem of racial profiling, and recommended that the State law requiring a study of traffic stops be made permanent in order to monitor the occurrence of bias based on race/ethnicity, and also that it be extended to include sidewalk stops.

The third testimony was provided by a representative of the Macon County State's Attorney's office. She shared with the Task Force the work her office had done to create a juvenile justice community profile, which includes health, social, crime, and justice metrics (including racial/ethnic identity information) of area juveniles. She noted that the profile was compiled in order to inform change efforts, and that the process of compiling information and data led to a coalition of agencies, programs, and individuals. She highlighted key metrics in the profile, and noted that they were not particularly flattering to the county. However, she indicated that identifying and acknowledging realities such as these are a critical step toward addressing disproportionality. She recommended that financial support be provided to counties across Illinois to undertake similar efforts and to share results.

The fourth testimony was provided by two individuals representing the Springfield branch of the NAACP as well as the NAACP Illinois State Conference. They expressed their organization's concern with the estranged relationships between law enforcement and communities of color, which often have limited resources, and they expressed the need for data that will permit monitoring and investigation of the phenomenon. They also expressed concern about racial/ethnic disproportionality in access to diversion-from-prison programs and mechanisms. They recommended making data available to the public so that advocates and agencies can address these problems.

Additionally, written testimony was submitted by a psychologist engaged in research at the Adler School of Professional Psychology's Institute on Social Exclusion's (ISE). His testimony described the research, which is investigating the potential influence of arrest history on the mental health and well-being of residents of a community on the south side of Chicago. Early findings include that individuals arrested in African-American communities with high rates of arrests experience greater rates of risk factors associated with adverse mental health outcomes and worse mental health outcomes.

## SECTION 4: TASK FORCE RECOMMENDATIONS

As a result of its investigation, and in consideration of the expertise offered by researchers, data users, justice system practitioners, policymakers, advocates, and community members, the Racial and Ethnic Impact Research Task Force offers the following eight recommendations. Among many uses, these recommendations aim to be useful in determining a practical method for the standardized collection of data on the racial and ethnic identity of arrestees by State and local law enforcement agencies, and to help predict the likely impact of policy and practice changes on racial/ethnic minority populations, many of which are overrepresented in the justice system.

**Recommendation 1:** In alignment with OMB’s preferred standard and as adopted by the U.S. Census Bureau and others, **data collected by local and State justice system entities should include ethnicity and race information as distinct variables**, with the following minimum ethnicity and race designations:

- 1) Ethnicity (*Select Hispanic / Latino origin or Not Hispanic / Latino origin*)
- 2) Race (*Select one from a list of options*)

To comply with the FBI’s National Crime Information Center (NCIC) standards, a requirement for the Illinois State Police and other law enforcement agencies across the State that use the Criminal History Record Information (CHRI) system, race categories should include:

- American Indian / Alaskan Native
- Asian / Pacific Islander
- Black
- White
- Unknown

Changes in data collection methodology reflecting these standards and formats should be reflected in paper and electronic data collection tools.

### *Justification and Issues:*

This recommendation puts in place minimum standards and formats for data collection of race and ethnicity data in Illinois’ justice system. The Task Force’s recommendation for use of separate race and ethnicity variables and common race categories aim to achieve several improvements.

The Task Force learned that justice system entities use varied race/ethnicity data collection standards, formats, and processes. Some do not collect data on “Hispanic/Latino” populations, some count “Hispanic/Latino” within race categories, and there is variation in how groups including Asian, Pacific Islander, Native Hawaiian, and Native American are handled in categorization schemes. The lack of standardization results in some degree of incomplete and invalid data, which presents fundamental problems for research, analysis, and policy and program improvements.

This recommendation is intended to more accurately count groups of people identifying with various racial and ethnic groups, first by standardizing race categories, and second, by providing a standardized mechanism to capture ethnicity that is designed to reflect the Hispanic/Latino population, addressing the “invisibility” problem. This will permit meaningful analysis of where and how racial/ethnic disproportionality may be occurring so it can be addressed in policy and funding decisions. Further, knowing who is involved in the justice system and how any particular group of people move through it permits their specific programmatic needs to be better identified and addressed.

The recommendation sets a single minimum standard for race categories. Implementation of a unified minimum standard by justice system partners across the system is intended to ensure more valid, consistent, and usable data. Additional information beyond what is articulated in this standard may be collected by any entity wishing to do so; collaboration and coordination with regard to standard practices and definitions for additional data is advised.

The Task Force faced a particular challenge in selecting uniform race categories. OMB’s minimum race categories differ slightly from those adopted by the FBI and used by law enforcement agencies across Illinois. OMB permits the selection of more than one race category, to allow people of multi-racial backgrounds reflect their identities, whereas FBI standards do not. Because the Task Force is cognizant of the restrictions placed on law enforcement agencies that are required to align data collection and reporting methods with existing FBI standards reflected in the CHRI system, and because it falls outside of the purview of this Task Force to make recommendations to a federal agency, the Task Force identified the race categories utilized by the FBI and permits selection of only one race as required by FBI standards.

The Task Force considered whether other ethnic groups should be included in addition to “Hispanic/Latino.” For example, the possibility of including an ethnicity designation available for people who identify with cultures of the Middle East was considered. The Task Force opted to adopt the standard offered by OMB, based on its assessment that expansion beyond this standard would require further guidance from federal standard setting entities, and also perhaps from entities in geographic areas with significant Middle Eastern populations.

***Recommendation 2: Racial and ethnic identity should be self-reported by the individual involved in the justice system whenever possible.*** Clear protocols should be developed for the collection and verification of self-identified race and ethnicity information, and to guide the deduction of such information when self-identification is not possible. Training and education should be provided to justice system practitioners and data collectors to ensure fidelity to protocols.

At a minimum, information collection protocols should include the following:

- Interviewers should ask individuals to self-report answers to the two-part race/ethnicity question (see Recommendation 1). Interview questions should be

delivered as follows. “I am now going to ask you some questions about how you prefer to describe yourself.”

- *Part 1:* “Are you Hispanic or Latino?” (Yes/No)
- *Part 2:* “Please tell me which race you consider yourself to be. Select one.”  
Hand individuals a printout of the entire list of category options.
- If an individual does not provide answers, the question should be repeated. If an individual still does not provide answers, the interviewer should deduce answers based on observation or information provided by another source. If individuals have difficulty answering the race question, interviewers should encourage them to choose a response that falls within the identified race categories, and should avoid prompts and explanations.
- Interviewers should be required to indicate whether answers were self-reported or not.

*Justification and Issues:*

This recommendation works together with Recommendation 1 to promote a standardized method and format for collecting data on race and ethnicity, toward a goal of more valid, usable data to inform policy, funding decisions, and program and practice improvements.

Additionally, this recommendation seeks to balance the constraints exhibited in Recommendation 1 by retaining the right of individuals to define their identity within a particular racial or ethnic group (within the limitations necessitated by FBI standards), something that can be “a deeply personal and sensitive issue” (IJJC & MFC, 2008). The Task Force acknowledges the limitations on individuals who would self-identify as multi-racial but are not permitted to select more than one race.

The minimum protocols for obtaining race and ethnicity information are intended to provide guidance that will foster justice system practitioner sensitivity during situations that have potential to be tense or confrontational. Asking an individual who has just been arrested about his or her race and ethnicity may be perceived as threatening, considering the power dynamic and the potentially heightened emotional state of either or both parties. The Task Force heard suggestions from several of its own members and from providers of testimony that promoting sensitivity among justice system practitioners lends itself to increased buy-in, both from them and from individuals involved in the justice system. They proposed that encouraging trust between individuals, communities, and the justice system has the potential to improve community and correctional safety, as well as program and racial/ethnic justice outcomes.

Finally, this recommendation intends to provide support for justice practitioners so they are equipped to do what is being required of them, and to increase fidelity to the format and process so as to maximize answer rates and data validity and usefulness.

Nothing in the recommendation should be construed as a recommendation against collecting additional information. When additional information on race/ethnicity is collected, the Task Force recommends collaboration and coordination with other justice

entities, and guidance from those currently collecting additional information, to promote alignment with existing best practices, standards, and definitions.

**Recommendation 3: Race and ethnicity information should be collected at the earliest point of justice system contact by justice system entities, and it should follow individuals throughout their involvement in the system, from one entity to another.** At each decision-making point, individuals should have the opportunity to verify or correct their race/ethnicity information on record, and the most current version should be carried forward.

*Justification and Issues:*

This recommendation seeks to apply a standardized process to guide information sharing and management between various entities comprising the justice system.

The Task Force learned that data collection efforts are often duplicated by individual entities rather than shared between them. Not only is such duplication an inefficient use of resources, but also it does not permit analysis of the movement of individuals and groups through the justice system, and it can contain contradictory information. The capacity to track individuals and groups through the justice system pipeline is critical to understanding where and how disproportionality and other identified outcomes of interest may be occurring, and to facilitate meaningful programmatic and policy responses.

As discussed in Recommendation 2, an individual's identification with a racial or ethnic group may be a personal and sensitive issue. The current recommendation's provision to permit self-identification at each decision point is intended to retain the right of individuals to designate their own racial and ethnic identities.

The Task Force considered the challenge of information sharing and management between justice entities that cannot adopt the uniform standards recommended in this report. For example, law enforcement officers are legally prohibited from asking individuals about their race/ethnicity during traffic stops, and instead are required to deduce/infer it.<sup>15</sup> The Task Force proposes that, in cases where traffic stop data differs from self-reported information collected at a later point in the justice system, the self-reported information should be prioritized and carried forward. This principle – prioritizing self-reported information and carrying it forward – should be applied in other similar cases.

**Recommendation 4: The availability of opportunities to correct race/ethnicity and other demographic information in juvenile and criminal records should be made known to the general public and to criminal justice practitioners.** Avenues for information dissemination should include education, training, and public awareness campaigns, including but not limited to annual “free” days on which the fee charged by state or local law justice system entities to individuals requesting a copy of their record would be waived.

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<sup>15</sup> The manner in which information is collected at traffic stops is mandated by 625 ILCS 5/11-212.

*Justification and Issues:*

Like Recommendation 2, this recommendation seeks to retain the right of individuals to define their own identities. It also aims to promote the collection of valid data by encouraging the correction of erroneous information.

The Task Force learned that, in addition to cases in which individuals were classified incorrectly, justice system entities and the people involved in the system face the problems of identity theft and fraud, which can have long-term, harmful repercussions for individuals.

The provision of record request “free” days in this recommendation is in recognition of the challenge encountered by individuals who cannot afford to pay the fee(s) associated with record requests (see appendix for information about how to view and challenge criminal history records).

**Recommendation 5: A single data repository containing de-identified criminal/juvenile history, charge, and demographic data on individuals involved in the justice system should be accessible to researchers, community groups, advocates, and justice system practitioners,** for purposes including, but not limited to, the creation of Racial and Ethnic Impact Statements.<sup>16</sup> The repository should be housed and maintained under the auspices of Illinois Criminal Justice Information Authority (ICJIA).

*Justification and Issues:*

This recommendation seeks to increase the availability of and access to data, thereby enabling research, monitoring, and analysis with regard to any number of issues related to justice system practice, policy, evaluation and improvement initiatives, and racial/ethnic disproportionality.

The Task Force learned that even when useful data exist, various barriers can impede access to them. The Task Force aims to engender transparency in policymaking, program implementation, and justice practices through this recommendation. Increased access to data can empower individuals and communities to advocate their needs and recommend solutions to problems they face. Additionally, the availability of data enables criminal justice practitioners to use them as a management tool in implementing, evaluating, and improving programs and policies.

This recommendation is also intended to assist and encourage the Illinois Sentencing Policy Advisory Council (SPAC) to regularly include Racial and Ethnic Impact Statements in its analyses of proposed changes to Illinois criminal laws.

The Task Force acknowledges the many challenges inherent in maintaining a single data repository. If circumstances prevent the achievement of this, the Task Force recommends

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<sup>16</sup> Such statements would provide analyses of the likely race/ethnicity of individuals who would be arrested or incarcerated under proposed changes to drug laws or other criminal laws, for the purpose of assessing its potential for racial/ethnic disproportionality.

that data managers facilitate data sharing efforts adherent (or as close to adherent as possible) to the standards recommended in this report.

***Recommendation 6: The State and local justice system entities should appropriate funds and allow adequate periods of time to support and implement data collection standardization, protocol development, and training for practitioners and data managers throughout the system,*** and to support the decennial (following the U.S. Census) investigation of and action on current issues and needs relating to data standardization.

*Justification and Issues:*

This recommendation intends to promote the provision of necessary resources to achieve the upgrades to data collection and management capacity and infrastructure in Illinois recommended in this report. The Task Force acknowledges that implementing these recommendations will require funds, and that changing and upgrading data management software, systems, and processes will require time.

Based on input from members representing justice system entities significantly impacted by recommendations requiring system upgrades and staff training, the Task Force recommends allowing a minimum of six to twelve months to complete this work, including navigation through the State's procurement process.

This recommendation seeks the realization of likely benefits that will result from implementing these recommendations. For example, the elimination of duplicative or redundant data collection efforts can reduce workforce demands in justice system entities and free up staff time for other purposes.

***Recommendation 7: Racial and Ethnic Impact Research Task Force Co-Chairs should engage the Illinois Secretary of State in a collaborative investigation of the advantages and disadvantages involved in the inclusion of race/ethnicity information on State identification cards.***

*Justification and Issues:*

This recommendation emerges from discussion among Task Force members about the benefits and risks involved in including race/ethnicity information on State identification cards. It seeks to collect more information and partner with the State Secretary of State, within whose jurisdiction this change would fall.

The Task Force learned about the challenges faced by law enforcement in collecting race/ethnicity information as self-reported data during potentially contentious encounters. Collecting self-identified race/ethnicity information while issuing an identification card would permit the collection of self-reported data during a less contentious point of contact, easing the burden on law enforcement to collect such information. Additionally, it could facilitate greater consistency and validity throughout an individual's involvement in the justice system.

However, asking citizens and residents to display their race/ethnicity on their identification card may risk alienating communities with particular concerns about racial

profiling, including but not limited to Hispanic/Latino communities with sensitivity to issues concerning immigration policy.

The Task Force acknowledges that it needs more information to fully and responsibly consider this option, and this recommendation aims to achieve this in collaboration with the State Secretary of State.

***Recommendation 8: Racial and Ethnic Impact Research Task Force Co-Chairs should engage representatives of the Illinois Framework project to explore and promote the integration of Task Force recommendations into the project.***

*Justification and Issues:*

In recognition of the fact that individuals are often involved in more than one public system with oversight by various local and State agencies (for example, local courts and jail systems, the State correctional system, and State-funded addiction or mental health treatment systems) and that health and human service outcomes are also subject to racial/ethnic disparities, this recommendation aims to build upon and inform current efforts by the State to improve its health and human services information and delivery system. It intends to bring the findings and recommendations of the Task Force to this initiative, so that the experiences and needs of individuals involved in the justice system and the health and human service systems in Illinois are reflected and best served.

The Task Force applauds the Illinois Framework stakeholder engagement project<sup>17</sup> and its goal to develop an integrated and efficient healthcare and human services delivery system that provides “no wrong door” access to high-quality services. The project’s objectives<sup>18</sup> align with goals and recommendations of the Task Force. Given the health and human service needs of the justice-involved population (CSG Justice Center, n.d.), and the potential for service and infrastructure improvements and cost savings with impacts across systems, the Task Force intends this recommendation to advance an investigation of linking justice system data to health and human services data within the current Framework project.

**Notes on the Recommendations**

The Task Force intends the data collection standards and practices articulated in these recommendations for application beyond the early justice system phase (i.e., arrest) that was articulated in the enabling legislation. Through its exploration of current practices and key issues, the Task Force learned that to make meaningful improvements in the justice system’s capacity to understand, prevent, and address racial/ethnic disproportionality, and to make other programmatic improvements, the standards and

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<sup>17</sup> The Illinois Framework project is an integrated and efficient healthcare and human services delivery system that provides convenient access to high-quality services, using multiple locations and ways to seek and deliver services that the State provides or funds, in order to (1) improve customer attainment of well being, economic self-sufficiency and independence as an outcome of service provision, and (2) to create administrative efficiencies.

<sup>18</sup> Expedite and simplify access to services; streamline administration and data sharing; return the focus of frontline staff to casework; maximize federal funding for qualifying programs and services; enhance planning capacity, program evaluation and fraud detection/prevention; and simplify service reporting and other business interactions.

practices recommended in this report should be applied by entities throughout the justice system, including State and local law enforcement, county jails, courts, probation departments, and the State department of corrections. Additionally, the Task Force realized that the benefits of data collection improvements have the potential to have an impact beyond helping to inform legislative proposals to change drug laws; thusly its recommendations are designed to be broader in scope than that.

With recognition of and appreciation for past and ongoing work of many individuals and organizations engaged in similar efforts, the Task Force intends its recommendations to integrate with such efforts, and to provide information, guidance, and assistance that will encourage collaboration and coordination. Additionally, these recommendations are intended as components of an overall approach to improving the state of data collection in Illinois. The success of many recommendations hinges on the adoption and implementation of others.

Finally, the Task Force does not intend that its recommendations will be a final step in efforts to make improvements. Instead, the aim is to provide guidance and foster coordination through laying out critical principles and issues. The Task Force acknowledges that much work lies ahead for justice system partners to reach agreements, revise protocols, and address details beyond the scope of its charge.

## ADDITIONAL RESOURCES

### Selected Organizations / Initiatives:

Illinois Criminal Justice Information Authority | [www.icjia.state.il.us](http://www.icjia.state.il.us)

Illinois Framework | [www.illinoisframework.org](http://www.illinoisframework.org)

Illinois Juvenile Justice Commission | [www.dhs.state.il.us/page.aspx?item=32000](http://www.dhs.state.il.us/page.aspx?item=32000)

Illinois Sentencing Policy Advisory Council | [www.icjia.state.il.us/spac/](http://www.icjia.state.il.us/spac/)

Illinois Traffic Stop Study | [www2.dot.state.il.us](http://www2.dot.state.il.us)

Justice Policy Institute | [www.justicepolicy.org](http://www.justicepolicy.org)

Models for Change | [www.modelsforchange.net](http://www.modelsforchange.net)

The Sentencing Project | [www.sentencingproject.org](http://www.sentencingproject.org)

### Selected Reports:

National Council of La Raza & Models for Change Initiative (2011). *Counting Latino Youth in the Illinois Juvenile Justice System*. Washington, DC: author. Available for download: [www.modelsforchange.net/publications/322](http://www.modelsforchange.net/publications/322)

The Illinois Disproportionate Impact Study Commission. (2010). *Illinois Disproportionate Justice Impact Study Commission: Final Report*. Chicago, IL: author. Available for download: [www.centerforhealthandjustice.org/resources.html](http://www.centerforhealthandjustice.org/resources.html).

Illinois Juvenile Justice Commission (IJJC) and Models for Change (MFC). (2008). *Guidelines for Collecting and Recording the Race and Ethnicity of Youth in Illinois' Juvenile Justice System*. Springfield, IL: Authors. Available for download: <http://www.modelsforchange.net/publications/185>.

Myrent, M., Reid, M., Tardy, M., and Karr, S. (2010). *Illinois Sentencing Policy Advisory Council (SPAC): The Utility of State Criminal Justice Data Systems for the Analysis of Sentencing Practices*. Chicago: Illinois Criminal Justice Information Authority. Available for download: [www.icjia.state.il.us/spac/pdf/SPAC%20Data%20Gap%20Report.pdf](http://www.icjia.state.il.us/spac/pdf/SPAC%20Data%20Gap%20Report.pdf)

The Sentencing Project. (2008). *Reducing Racial Disparity in the Criminal Justice System: A Manual for Practitioners and Policymakers*. Washington, DC: Author. Available for download: [www.sentencingproject.org/doc/publications/rd\\_reducingracialdisparity.pdf](http://www.sentencingproject.org/doc/publications/rd_reducingracialdisparity.pdf)

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## APPENDICES

Complete appendices for this report are available for download at [www.centerforhealthandjustice.org](http://www.centerforhealthandjustice.org).

- Appendix A: Enabling Legislation (Public Act 97-0433)
- Appendix B: Schedule of Task Force Meetings, Public Hearings
- Appendix C: Documents Disseminated at January 2012 Task Force Meeting
- Appendix D: Public Hearing Witness Lists, Notes, Testimony
- Appendix E: “Viewing and Challenging Your Criminal History Record” Brochure