Introduction:

Minority populations are overrepresented in the justice systems of the United States compared with their proportion within the general population. This disparity contributes to injustice and unfairness, as well as the perception of inequity in the justice system. It also underscores the need to assess, determine, recommend and implement corrective actions that contribute to a more equitable justice system.

Policy Statement:

Correctional agencies and programs do not control the number of minority persons placed in their supervision or custody. Correctional agencies and programs have a responsibility to collaborate with other components of the justice system and non-justice organizations such as victims’ organizations and community-based service providers and organizations to develop systemic solutions to the disparity. Correctional agencies and programs have an obligation to ensure that internal policies and procedures and decision-making tools do not foster disparate outcomes. Parole release policies and procedures, probation and parole revocation policies and procedures, classification and housing determinations, assignments to halfway houses, work release and other temporary release programs, and internal work and program assignments should be designed to operate in a way that does not foster disparate outcomes for minority populations.

ACA recommends that correctional agencies should:

A. Support initiatives and efforts that encourage jurisdictions to identify the problem, assess the reasons for the problem, and develop mitigating strategies;

B. Work with law enforcement, the judiciary, probation, detention intake and other governmental agencies to develop objective screening tools for use in detention decisions to minimize disparity in the confinement of minority populations;

C. Collaborate with the judiciary, other governmental agencies, and community organizations in the development of prevention and early intervention programs to strengthen the protective factors that reduce juvenile and adult crime;
D. Develop and expand culturally-responsive programming that addresses the needs of minority populations;

E. Collect and maintain statistics on minority population disparity in juvenile and adult case processing, in admissions to correctional facilities, and in community programs; report to the judiciary, legislative and executive bodies, and system agencies relevant statistics and information on the decision points where disparity is apparent; and encourage the development and implementation of strategies that minimize disparity;

F. Recruit and advance a qualified and diverse work force, including volunteers, to provide professional role models to all offenders held within correctional systems and programs;

G. Review best and promising practices and models, and their effectiveness, to eradicate the disproportionate confinement and/or contact of minority populations with the justice system; and

H. Play a larger role in mitigating minority population confinement and/or contact with the justice system through cultural training, reentry, in-prison programs, and partnering with community and faith-based groups.

This Public Correctional Policy was unanimously ratified by the American Correctional Association Delegate Assembly at the Winter Conference in Phoenix on Jan. 12, 2005. It was last reviewed and affirmed at the 145th Congress of Correction in Indianapolis, IN on August 19, 2015.