

**Fifth Report of the
DMC Subject Matter Expert**
*Agreement between the United States
Department of Justice and the St.
Louis County Family Court*

Draft submitted: October 27, 2019

Final submitted: November 17, 2019

DMC Subject Matter Expert: Mark A. Greenwald

Introduction

This is the fifth report of the DMC Subject Matter Expert prepared pursuant to the memorandum of agreement between the United States Department of Justice and the St. Louis County Family Court.

On November 18, 2013, the United States opened an investigation into the administration of juvenile justice at the Family Court which resulted in the July 31, 2015 Report of Findings. While the Family Court disagrees with and disputes the findings made by the United States in its July 2015 report all parties have nevertheless cooperated in arriving at an agreement that is designed to protect the constitutional rights and the best interests of juveniles in St. Louis County.

The parties jointly selected me, Mark A. Greenwald, to serve as the Subject Matter Expert. The agreement provides that I perform compliance reviews every six months with additional reviews as necessary if emergent issues arise. This report below summarizes my findings from compliance reviews conducted between December 2018 through October 2019.

Special Note on the Fifth Report

Previous reports summarized the performance of the court on all measures associated the Memorandum of Agreement executed on December 14, 2016. This particular report, however, will only examine the DMC compliance provisions.

Compliance Review Findings

This report includes a summary of compliance findings as well as a more detailed accounting of compliance in select substantive areas in Part A

Comments from the DMC Subject Matter Expert:

During this review period, the majority of discussions and monitoring have focused around two remaining DMC measures requiring full compliance for the requisite follow-up period (II E. 23, & II G. 44).

Requirement II E. 23:

The memorandum of Agreement provides that “OJJDP or another mutually agreed upon trainer or technical assistance provider, will provide technical assistance in the form of training to the court about DMC training strategy. The Court will propose a DMC training plan and strategy and submit that plan to the United States for approval. The training strategy will be consistent with the requirements of this agreement and coordinated with statewide initiatives and efforts to comply with the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP).”

After the release of the 4th auditing report, it was determined that an additional training was required to ensure continued compliance with the training plan provisions. Over the summer, the parties held a series of conference calls to determine the overall approach and training objectives to be covered. Particular attention was paid to ensuring the training was relevant and provided learning objectives that would assist the court in areas where staff requested further training. In August of 2019, the Court and DOJ mutually agreed upon an additional training strategy and engaged Lisa Hutchinson, Ph.D., to provide follow-up training to court staff. The

intention of this training was to complement previous trainings with a specific focus on the following objectives:

1. Creating a Continued Common Language and Safe Space for Discussing Race and Barriers;
2. Laying the Foundation for Achieving Racial Equity;
3. Creating a Vision for the Court; and
4. Determining Next Steps.

(See also, Appendix A “Training Objectives”; St. Louis County Family Court Training Report submitted by Dr. Hutchinson on October 20, 2019.)

The training occurred at the family court on September 20, 2019 with a follow-up report including observations and recommendations provided to the court on October 20, 2019. The DMC auditor agrees with the recommendations provided by Dr. Hutchinson and encourages the Court to review and adopt strategies and suggestions provided in the report. Through follow-up conference calls, it is the opinion of the DMC auditor that the Court is open to these suggestions and has started internal discussions on how best to implement them.

Requirement II G. 44:

“The Family Court Administrator's bi-annual analysis of and report on DMC data referenced in Section II.G(41) shall include a biannual professional statistical analysis of DMC in the Court's delinquency system, by the Office of State Courts Administrator or by the Court's Principal Analyst, Dr. Bradley Wing. The DMC professional conducting the statistical analysis will have the following qualifications:

- a. understands statistical analyses such as logistic regression and odds ratios; and*
- b. understands the range of factors which might contribute to DMC within St. Louis County.”*

The Court verbally committed to the DMC auditor that, after the Memorandum of Agreement is terminated, the Court will convert the bi-annual reports into an analysis that will be published annually. The first of these annual reports is expected to be released in the first quarter of 2020, which will allow research staff employed by the Court an adequate amount of time to extract and analyze the requisite data. However, since the Memorandum of Agreement has not yet been terminated, it was determined that a bi-annual report was required during this compliance period. After discussion, the parties agreed to the production of a modified bi-annual report that would cover critical data elements.

The Court published a modified bi-annual report on July 31, 2019 that successfully addressed critical data elements suggested by the DMC auditor and agreed to by both the Court and DOJ. A copy of this report can be found [here](#).

Throughout the reporting period, the DMC Auditor was provided with all requested documentation necessary ensure compliance. To that end, I would also like to specifically thank Mr. Ben Burkemper and his executive secretary Anne Hollin assisting with requests for information and organizing the aforementioned interviews with staff. Finally, I would like to thank Dr. Brad Wing for his dedication to these important issues and his willingness to provide detailed, yet simple to understand analyses to both the DMC auditor and other stakeholders.

Compliance Ratings Overview & Comparison

Non-compliance means that the Court has made no notable progress in achieving compliance on any of the key components of the provision.

Beginning compliance means that the Court has made notable progress in achieving compliance with a few, but less than half, of the key components of the provision.

Partial compliance means that the Court has made notable progress in achieving compliance with the key components of the provision, but substantial work remains.

Substantial compliance means that the Court has met or achieved all or nearly all the components of a particular substantive provision, that the deviation from the obligations set forth in the provision is slight, and that the United States received substantially the same benefit it would have from literal performance.

Table 1: DMC Compliance Ratings by Provisions

	Description of Provision	1 st Report Rating	2 nd Report Rating	3 rd Report Rating	4 th Report Rating	5 th Report Rating
II.E.22	Training for Court and Staff: DMC trainings	PC	SC	SC	SC	SC
II.E.23	Training for Court and Staff: OJJDP technical assistance	N/A	BC	PC	SC	SC
II.E.24	Training for Court and Staff: documentation of attendance at in-person DMC trainings	N/A	SC	SC	SC	SC
II.E.25	Training for Court and Staff: requirement that DMC trainings occur at least annually	N/A	SC	SC	SC	SC
II.E.26	Training for Court and Staff: Inclusion of Office of State Court Administrator	PC	SC	SC	SC	SC
II.F.27	Equal Protection Duties and Responsibilities	N/A	SC	SC	SC	SC
II.G.28	Data Collection and Reporting: statewide case management system	PC	SC	SC	SC	SC
II.G.29	Data Collection and Reporting: public availability of data	N/A	SC	SC	SC	SC
II.G.30	Data Collection and Reporting: informal resolution and delinquency petition data	PC	SC	SC	SC	SC
II.G.31	Data Collection and Reporting: certification to adult court data	PC	SC	SC	SC	SC
II.G.32	Data Collection and Reporting: detention data	PC	SC	SC	SC	SC
II.G.33	Data Collection and Reporting: detention screening data	BC	SC	SC	SC	SC
II.G.34	Data Collection and Reporting: alternatives to detention data	PC	SC	SC	SC	SC
II.G.35	Data Collection and Reporting: data on delinquency findings	PC	SC	SC	SC	SC
II.G.36	Data Collection and Reporting: alternatives to DYS commitment data	PC	PC	SC	SC	SC
II.G.37	Data Collection and Reporting: availability of counsel data	PC	SC	SC	SC	SC
II.G.38	Data Collection and Reporting: disposition data	PC	SC	SC	SC	SC
II.G.39	Data Collection and Reporting: capacity to summarize and analyze DMC data	SC	SC	SC	SC	SC
II.G.40	Data Collection and Reporting: data analysis of key decision points	N/A	SC	SC	SC	SC
II.G.41	Data Collection and Reporting: bi-annual DMC report	N/A	SC	SC	SC	SC
II.G.42	Data Collection and Reporting: proposed plan based on bi-annual DMC report	N/A	SC	SC	SC	SC
II.G.43	Data Collection and Reporting: Family Court en banc meetings	N/A	SC	SC	SC	SC
II.G.44	Data Collection and Reporting: bi-annual DMC professional statistical analysis	N/A	SC	SC	SC	SC
II.G.45	Data Collection and Reporting: DMC professional statistical analysis methodology	N/A	PC	SC	SC	SC

NC = Non-Compliance; BC = Beginning Compliance; PC = Partial Compliance; SC = Substantial Compliance

Part A: Detailed Compliance Ratings for DMC Provisions

II.E.22 Training for Court and Staff – DMC trainings	
Settlement Agreement Provision	<p>II.E.22</p> <p>The Court and Staff will ensure personnel who are directly involved in decision-making processes of the Court or the Juvenile Office concerning juvenile delinquency will participate in accredited DMC trainings provided or funded by OJJDP. Accredited DMC trainings will occur in St. Louis County.</p>
Compliance Rating	Substantial Compliance
Discussion	<p>The Court has conducted two (2) implicit bias trainings since the execution of the MOU and before the drafting of the first site visit report. The first training occurred on March 3, 2017 and the second training occurred on April 21, 2017. Both trainings were facilitated by Dr. Juanita Simmons of Northwest Missouri State University. Documentation provided by the court indicates that 82 staff are directly involved with youth or otherwise involved with the juvenile decision-making process. This list includes staff in a variety of conditions including Deputy Juvenile Officer, Youth Advocates, and Others.</p> <p>On September 28 & 29, 2017, the Court received additional training facilitated by OJJDP. The trainings were conducted by staff from the Haywood Burns Institute and the Center for Law and Policy. The trainings covered a variety of topics, including:</p> <ul style="list-style-type: none"> - Defining racial and ethnic disparities (RED) - Brief history of youth of color in the justice system - Systemic barriers to healthy adolescent development - Using data to reduce racial and ethnic disparities - Community engagement - Confronting and countering implicit bias <p>On September 20th, 2018 & September 21, 2018, the court received an additional round of training for core personnel provided by Dr. Lisa Hutchinson. This training led to the formation of a DMC committee that is following up on the recommendations from staff and the trainer. Dr. Hutchinson provided an additional training on September 20, 2019 with a follow- up report including observations and recommendations provided to the court on October 20, 2019.</p>
Recommendations for Reaching Compliance	The Court is complying with this requirement and has adequately documented both the trainings and the staff who attend the trainings.
Evidentiary Basis	Discussions with staff; review of implicit bias training flyer; list of court staff; attendance sign-in sheets provided by court staff, monitors on-site observations and participation in trainings.

II.E.23 Training for Court and Staff – OJJDP technical assistance	
Settlement Agreement Provision	<p>II.E.23</p> <p>OJJDP or another mutually agreed upon trainer or technical assistance provider, will provide technical assistance in the form of training to the court about DMC training strategy. The Court will propose a DMC training plan and strategy and submit that plan to the United States for approval. The training strategy will be consistent with the requirements of this agreement and coordinated with statewide initiatives and efforts to comply with the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP Act).</p>
Compliance Rating	Substantial Compliance
Discussion	<p>The Court and DOJ mutually agreed upon a training strategy and engaged Lisa Hutchinson, Ph.D., to provide additional training to court staff. On September 21, 2018 the DMC Auditor attended a targeted DMC training conducted by Lisa Hutchinson, Ph.D. The intention of this training was to build upon the topics discussed previously and to specifically target areas of interest noted by the court. Creating a shared vision & measuring for success.</p> <p>The training is discussed in greater detail in the training report provided to the court on November 8th, 2018. This report was submitted by Dr. Hutchinson and outlined the overall training, feedback, as well as recommendations for next steps.</p> <p>In August of 2019, the Court and DOJ mutually agreed upon an additional training strategy and engaged Lisa Hutchinson, Ph.D., to provide follow-up training to court staff. The intention of this training was to complement previous trainings with a specific focus on the following objectives:</p> <ol style="list-style-type: none"> 5. Creating a Continued Common Language and Safe Space for Discussing Race and Barriers; 6. Laying the Foundation for Achieving Racial Equity; 7. Creating a Vision for the Court; and 8. Determining Next Steps. <p>(See also, Appendix A “Training Objectives”; St. Louis County Family Court Training Report submitted by Dr. Hutchinson on October 20, 2019.)</p> <p>The training occurred at the family court on September 20th, 2019, with a follow- up report including observations and recommendations provided to</p>
Recommendations for Reaching Compliance	The Court is complying with this requirement and has adequately documented both the trainings and the staff who attend the trainings.
Evidentiary Basis	Discussions with staff; correspondence with DOJ and the Court, participation in training events.

II.E.24 Training for Court and Staff – documentation of attendance at in-person DMC trainings	
Settlement Agreement Provision	II.E.24 The training shall be in person and Staff will document attendance of all staff who participate in the training.
Compliance Rating	Substantial Compliance
Discussion	At the time of this report, Court staff have participated in a number of DMC related trainings. Documentation and sign-in sheets for each of these trainings has been provided to the DMC auditor for review and verification.
Recommendations for Reaching Compliance	The Court is complying with this requirement and is adequately documenting both the trainings and the staff that attend the trainings.
Evidentiary Basis	Discussions with staff; correspondence with Court staff, participation in training events, review of training sign-in sheet documentation.

II.E.25 Training for Court and Staff – requirement that DMC trainings occur at least annually	
Settlement Agreement Provision	II.E.25 DMC training for personnel from the Court and Staff shall occur on at least an annual basis. OJJDP's separate communication to the Court includes information about the development of curriculum and training based on the DMC-related needs.
Compliance Rating	Substantial Compliance
Discussion	The primary DMC training occurred on September 28 & 29, 2017 with additional trainings on September 20 & 21, 2018. Dr. Hutchinson provided an additional training on September 20, 2019 with a follow-up report including observations and recommendations provided to the court on October 20, 2019. At the time of this report, Court staff have participated in a number of DMC related trainings, including training specific to implicit bias. Documentation and sign-in sheets for each of these trainings has been provided to the DMC auditor for review and verification.
Recommendations for Reaching Compliance	The Court is complying with this requirement and staff have attended implicit bias and more detailed DMC trainings during the review period.
Evidentiary Basis	Discussions with staff; correspondence with Court staff, participation in training events, review of training sign-in sheet documentation.

II.E.26 Training for Court and Staff – inclusion of Office of State Court Administrator	
Settlement Agreement Provision	<p>II.E.26</p> <p>The Court will invite personnel from the Office of State Court Administrator (“OSCA”) to participate in any training on juvenile delinquency data collection.</p>
Compliance Rating	Substantial Compliance
Discussion	<p>Representatives from OSCA were invited to the initial DMC training scheduled in 2017, however no one from the Court extended the invitation to subsequent trainings in 2018 and 2019. The lack of an invitation was an oversight by the court. However, it’s important to note that OSCA has limited staff and they were unable to attend the initial trainings offered by the Court. Additionally, Dr. Brad Wing, who was formally an analyst with OSCA, is now a primary research analyst with the St. Louis County Family Court.</p>
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	<p>Discussions with court staff; review of implicit bias training flyer; list of court staff; review of attendance sign-in sheets provided by court staff, participation in training events</p>

II.F.27 Equal Protection Duties and Responsibilities	
Settlement Agreement Provision	<p>II.F.27</p> <p>Within three months of the Effective Date, the Court shall expand the duties of the Family Court Administrator to include:</p> <ul style="list-style-type: none"> a. oversight of the Court’s efforts to monitor, evaluate, and minimize DMC; and b. responsibility for reporting on and evaluating these efforts and outcomes arising out of the efforts.
Compliance Rating	Substantial Compliance
Discussion	<p>The Court is complying with this provision of the agreement. Shortly after the Agreement was signed, the duties of the Family Court Administrator were expanded and now include oversight of the Court’s efforts to monitor, evaluate, and minimize DMC. On November 28, 2017, the Family Court Administrator presented the findings from the first bi-annual DMC report at the Court en banc meeting. On August 27, 2019 Dr. Brad Wing provided the court with an update on the most recent bi-annual DMC analysis.</p>
Recommendations for Reaching	The Court is complying with this provision of the agreement.

Evidentiary Basis	Discussions with Court staff; participation in en banc meetings. En Banc meeting information is available on the Court website .
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II.G.28 Data Collection and Reporting – statewide case management system
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Settlement Agreement Provision	II.G.28 The Court will use the Justice Information System (JIS) or some other approved statewide case management system to collect data on sex, race, age, and juvenile offense information. The Court will develop and use the JIS or another
Compliance	Substantial Compliance
Discussion	The Court published the second bi-annual DMC report on May 18, 2018. The report included a comprehensive overview of a number of decision points, and includes data specific to sex, race, and age. The Court published a modified bi-annual report on July 31, 2019 that successfully addressed critical data elements suggested by the DMC auditor and agreed to by both the Court and DOJ. A copy of this report can be found here .
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim and on-going data reports conducted by the Court.

II.G.29 Data Collection and Reporting – public availability of data	
Settlement Agreement Provision	<p>II.G.29</p> <p>The Court will make publicly available the data required by this Section through bi-annual reports of the Family Court Administrator and the Family Court en banc meeting process, as described in this Agreement.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner and has posted them publicly, shared the key findings at banc meetings, as well as at community forums hosted by the Court.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with Court staff; participation in en banc meetings, participation in public meetings; review of the Family Court website.

II.G.30 Data Collection and Reporting – informal resolution and delinquency petition data	
Settlement Agreement Provision	<p>II.G.30</p> <p>The Court will continue to collect and make available data showing whether a juvenile delinquency matter referred to the Court was resolved informally prior to the filing of a delinquency petition and collect data on matters resolved through delinquency petition. This data will include disaggregation by sex, race, age, and the most serious charged offense.</p>

Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.31 Data Collection and Reporting – certification to adult court data	
Settlement Agreement Provision	<p>II.G.31</p> <p>The Court will continue to collect and make available data showing whether a juvenile delinquency case was certified to the criminal court and will, for each such case, record the sex, age, and race of the juvenile, the most serious offenses for which the Court certified a case to the criminal court, and the most frequent geographic areas (identified by zip code) within the county from which juvenile delinquency cases were certified.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.32 Data Collection and Reporting – detention data	
Settlement Agreement Provision	<p>II.G.32</p> <p>The Court will continue to collect and make available data to monitor DMC regarding detention of juveniles awaiting adjudication hearings. This data will be disaggregated by age, sex, race, and most serious charged offense. This data will also track—for each juvenile so detained—the length of the juvenile’s detention.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.

Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports
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II.G.33 Data Collection and Reporting – detention screening data	
Settlement Agreement Provision	II.G.33 The Court will collect and make available data on detention screening and detention criteria as performed and utilized by the Court’s Juvenile Office.
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.34 Data Collection and Reporting – alternatives to detention data	
Settlement Agreement Provision	II.G.34 The Court will collect and make available data on its use of alternatives to detention.
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.35 Data Collection and Reporting – data on delinquency findings	
Settlement Agreement Provision	II.G.35 The Court will collect and make available data showing the cases within a given date range where the Court made findings of delinquency in a juvenile’s case, disaggregated by age, sex, and race, and indicating the most serious offenses for which the Court found a juvenile delinquent.
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.

Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.36 Data Collection and Reporting – alternatives to DYS commitment data	
Settlement Agreement Provision	<p>II.G.36</p> <p>The Court will collect and make available data showing the type or nature of the alternatives to commitment to the Division of Youth Services (“DYS”) that were available for consideration by the Court in cases where the Court’s initial dispositional ruling commits the juvenile to DYS. This data will be collected through JIS or some other approved statewide case management system.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement. It is the opinion of the DMC auditor that the report complies with the agreement. The Court published a modified bi-annual report on July 31, 2019 that successfully addressed critical data elements suggested by the DMC auditor and agreed to by both the Court and DOJ. A copy of this report can be found here .
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.37 Data Collection and Reporting – availability of counsel data	
Settlement Agreement Provision	<p>II.G.37</p> <p>The Court will continue to collect and make available data recording whether counsel was made available to the juvenile for dispositional proceedings. This</p>

	data will be collected through JIS or some other approved statewide case management system.
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.38 Data Collection and Reporting – disposition data	
Settlement Agreement Provision	<p>II.G.38</p> <p>The Court will, in collecting this data, include the number of cases in each of the following categories: cases where the Court’s initial disposition committed the juvenile to DYS; cases where the Court’s initial disposition placed the juvenile on conditions equivalent to probation, and later committed the juvenile to DYS due to violations of those conditions; and cases where the Court conditionally suspended an initial disposition committing the juvenile to DYS, and later executed that disposition due to violations of its conditional suspension. The data will include various date ranges, the most serious offenses for which the Court selected DYS commitment and the most frequent geographic areas (identified by zip code) within the county from which juveniles found delinquent were committed to DYS. This data will be disaggregated by age, sex, and race.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.39 Data Collection and Reporting – capacity to summarize and analyze DMC data	
Settlement Agreement Provision	<p>II.G.39</p> <p>JIS or some other approved statewide case management system will maintain the capacity to summarize and analyze data to review DMC at the points identified by this Agreement and place that data in standard file and report formats.</p>
Compliance Rating	Substantial Compliance
Discussion	The Juvenile Information System (JIS) collect a variety of metrics that will be useful in assessing the extent to which disproportionate minority contact (DMC) at various stages of the juvenile justice system.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Reviewed data entry process and screens with court staff.

II.G.40 Data Collection and Reporting – data analysis of key decision points	
Settlement Agreement Provision	<p>II.G.40</p> <p>Within six months of the effective date, the Family Court Administrator or his/her designee shall work with the Court’s department heads responsible for delinquency matters to access and analyze the data available through the JIS system or some other approved statewide case management system at five decision points in the juvenile justice process. These decision points include: formal petitions; pretrial detention; findings of delinquency; commitment to Division of Youth Services as initial disposition; and commitment to Division of Youth Services due to a violation of conditions equivalent to probation.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.41 Data Collection and Reporting – bi-annual DMC report	
Settlement Agreement Provision	<p>II.G.41</p> <p>The Family Court Administrator or his/her designee, with the assistance of the Court’s department heads responsible for delinquency matters, shall conduct for the Court an analysis of this DMC data on a bi-annual basis, produce to the Court a report, and, when appropriate, provide suggestions to the Court for changes to policy, procedure, or practice to minimize DMC. The Court Administrator’s analysis and report shall address each decision point identified by Section II.G(40) that reveals DMC.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.

Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.42 Data Collection and Reporting – proposed plan based on bi-annual DMC report	
Settlement Agreement Provision	<p>II.G.42</p> <p>Within 60 days of each bi-annual report, the Court, in collaboration with the Family Court Administrator, shall develop a proposed plan, including proposed changes to policy, procedure, or practice, as well as additional staff training, as needed, to address concerns found in the report. On a bi-annual basis, the Family Court will provide the data, report, suggestions (where applicable), and proposed plan (where applicable) to the Family Court en banc.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement. The courts current implementation plan can be found here .
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports

II.G.43 Data Collection and Reporting – Family Court en banc meetings	
Settlement Agreement Provision	<p>II.G.43</p> <p>The Family Court en banc shall meet no later than 90 days after receipt of this material. The Court will add the bi-annual report, any proposed plan, and any suggestions to the proposed agenda for that meeting. The Court en banc meetings where the bi-annual report, any proposed plan or any other information related to the report is on the agenda will be open to the public. The Court will post an announcement of the meeting and add the final minutes of meetings en banc on its public website. The Court will post every</p>

	bi-annual report, proposed plan and any related documents to be considered at the Court en banc meeting on its public website. During the meeting the Family Court en banc will discuss these materials, and, where applicable, consider any suggestions from the Court Administrator as well as any proposed plan from the Court.
Compliance Rating	Substantial Compliance
Discussion	<p>The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.</p> <p>On August 27, 2019 Dr. Brad Wing provided the court with an update on the most recent bi-annual DMC analysis.</p>
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports an en banc meeting minutes.

II.G.44 Data Collection and Reporting – bi-annual DMC professional statistical analysis	
Settlement Agreement Provision	<p>II.G.44</p> <p>The Family Court Administrator's bi-annual analysis of and report on DMC data referenced in Section II.G(41) shall include a biannual professional statistical analysis of DMC in the Court's delinquency system, by the Office of State Courts Administrator or by the Court's Principal Analyst, Dr. Bradley Wing. The DMC professional conducting the statistical analysis will have the following qualifications:</p> <ol style="list-style-type: none"> understands statistical analyses such as logistic regression and odds ratios; and understands the range of factors which might contribute to <ul style="list-style-type: none"> DMC within St. Louis County.
Compliance Rating	Substantial Compliance

Discussion	<p>The Court published a modified bi-annual report on July 31, 2019 that successfully addressed critical data elements suggested by the DMC auditor and agreed to by both the Court and DOJ.</p> <p>Additionally, the Court has committed to the release of an annual DMC report beginning in 2020. This report is understood to be similar in scope and content to the bi-annual reports but will focus on data resulting from an annual rather than bi-annual analysis. It is the opinion of the DMC monitor that annual reports are appropriate and over time will allow for more detailed longitudinal analyses.</p>
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Compliance	Substantial Compliance
Evidentiary Basis	Discussions with court staff; OSCA analyst interviews; review of interim and on-going data reports.

II.G.45 Data Collection and Reporting – DMC professional statistical analysis methodology	
Settlement Agreement Provision	<p>II.G.45</p> <p>This DMC professional statistical analysis shall refer to the OJJDP “Disproportionate Minority Contact Technical Assistance” Manual and analyze DMC by using the Relative Rate Index, logistic regression, and odds ratio formulas. This analysis will include an assessment of the collected DMC data referenced in this Agreement and proposals, if appropriate, for technical assistance and improvement of data collection/recording. The professional statistical analysis will be conducted with the award from the Department of Justice to collect and analyze data on DMC in Missouri’s juvenile justice system.</p>
Compliance Rating	Substantial Compliance
Discussion	The court continues to release bi-annual DMC reports in a timely manner, which thoroughly covers this provision of the agreement.
Recommendations for Reaching Compliance	The Court is complying with this provision of the agreement.
Evidentiary Basis	Discussions with court staff; review of interim data reports; review of bi-annual DMC reports.