Enhancing Equity in the Criminal Justice System: A Self-Reflection Tool

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SUPPORTING DOCUMENT: CHECKLIST	JUNE 2021

To build a supportive system that respects the dignity and humanity of all individuals served, criminal justice system stakeholders should enhance their understanding of criminogenic needs and criminal thinking. Use the checklist below to explore how your agency can become more equitable.

Develop an Equity-Informed Lens

Our beliefs about people that are convicted of crimes inform how we act towards them and the decisions we make regarding their care. Without an equity-informed lens, these beliefs can perpetuate injustice. Developing an equity-informed lens means accounting for our biases when framing issues around criminal thinking or interacting with a justice-involved person. This is a lifelong process that encourages us to do the following:

- ☐ Recognize that we all have biases that influence the way we act toward others
- ☐ Examine and challenge our own biases, to reduce their negative influence
- ☐ Acknowledge the impact of systemic racism and historic and racialized trauma on behavior
- ☐ Consider how issues of power and privilege affect our interpretation of a person's behavior
- ☐ Monitor how our values are driving our expectations of the person
- ☐ Affirm the person's cultural identity and value the individual's wisdom regarding their needs
- ☐ Watch for misinterpretations of individual characteristics that result in perceptions of increased risk
- ☐ Avoid confusing needs (which inform services and interventions) with risks (which inform containment or supervision)

Reconceptualize Criminal Thinking

When working with people from any marginalized identity, it is profoundly important to consider how we approach what we deem criminal thinking. Most often, the beliefs of marginalized people who do things that are against the law are neither faulty nor irrational and are frequently based on experiences of marginalization. It is important to invite the individual to share their experiences to understand their motivations better. Try to do the following:

- ☐ Be respectfully curious about the person's lived experience

- ☐ Ask questions from a place of compassionate interest versus judgment
- ☐ Check presumptions of faulty or irrational thinking before engaging with the individual
- ☐ Focus on the utility of the thoughts given the individual's context versus their external validity or rationality
- ☐ Seek to understand the person's worldview and get curious about the impact of race, identity, or intersectionality on the development of certain beliefs
- ☐ Validate their feelings and their experiences and acknowledge that we live in a society that isn't always fair
- ☐ Challenge thoughts that reinforce internalized racism and result in an identity shaped by biases
- ☐ Work to change the environment where possible before trying to change or challenge the person's beliefs
- ☐ Emphasize strengths and supports when determining next steps

Expand Your Understanding of Interventions and Evidence-Based Practices

Although many interventions or programs have been deemed evidence-based practices, not all have been evaluated in terms of efficacy with a diverse population. When selecting interventions for people in the criminal justice system, consider interventions that meet the following criteria:

- ☐ Value the wisdom of each individual and are person-centered
- ☐ Attend to the cultural, social, and psychological needs of the individual
- ☐ Have been validated on a diverse population and are culturally responsive
- ☐ Focus on self-determination and success instead of containment and control
- ☐ Utilize a trauma-informed lens

About

SAMHSA's GAINS Center for Behavioral Health and Justice Transformation focuses on expanding access to services for people with mental and/or substance use disorders who come into contact with the justice system.

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