



Center for  
Urban and Racial  
Equity



**First Judicial District of Pennsylvania  
Equity Organizational Assessment  
Report**

**July  
2019**

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## Key Findings Summary

The following outlines key findings from the 2019 First Judicial District of Pennsylvania (FJD) equity organizational assessment. Data for the assessment was collected through a staff-wide survey, judge survey, staff focus groups and interviews with FJD administrative leaders and judges. Most survey items are on a 5-point scale. CURE recommends that survey items with averages below 3.5 be given serious consideration for improvement and action.

Overall, staff and judges at the First Judicial District of Pennsylvania report working with a culturally diverse staff and feel respected in the workplace. The assessment findings outlined in the report, however, illuminate a culture of nepotism, mistrust, and racial tension that is constantly brewing – and occasionally bubbling to the surface. Women of color including female judges of color, for example, are experiencing specific harm within FJD’s organizational culture and structure and perceive less organizational commitment to equity than other groups. CURE also observed in qualitative data, a troubling pattern of racial resentment among some white staff and judges, often expressed as a disbelief that institutional and structural racism exists and belief that *reverse racism* is as significant as racism against people of color. There is near-universal agreement that nepotism is a major hinderance to equity at FJD, with participants in all focus groups immediately surfacing this concern as characteristic of FJD’s culture. Judges generally have a more optimistic view of FJD’s culture, commitment to equity and inclusion, and efforts to recruit diverse staff.

Both judges and staff expressed hesitancy that FJD would do the right thing in response to concerns about discrimination in the workplace. Staff expressed a fear and mistrust with human resources and FJD leadership, with many expressing belief that the assessment survey was designed to protect FJD from culpability. Given the urgency of the issues that have emerged from the assessment and existing doubts about whether FJD’s leadership will take staff perspectives seriously, CURE encourages transparent and open communication about the findings and next steps in the equity planning process. For more context, explanation of the findings, and recommendations, we encourage review of the complete organizational assessment report.

### Organizational Commitment and Culture

#### Staff:

- FJD employees generally agreed that a culture of belonging and a commitment to equity, diversity, and inclusion exists at FJD (domain average = 3.73). Participants especially agreed that staff at FJD is culturally diverse (77%), and that they experience respect among culturally diverse staff members (70%).
- Some staff members felt that FJD’s focus on addressing racial equity in the workplace (36%) and programs and services (33%) was “just about right.” A similar percentage of staff, however, felt that FJD’s focus on racial equity in the workplace (32%) and in its programs and services (34%) was lacking or nonexistent.

- FJD employees perceive leaders at FJD as only demonstrating a mild commitment to addressing equity (domain average = 3.07). Staff also rated FJD's leadership low in their participation and support of discussions about racial bias (2.85), gender bias (2.86) and biases experienced among LGBTQ people (2.83).
- Employees from upper middle-class backgrounds (4.10) were more likely to say they feel FJD's culture and work environment is one where they feel that they belong, experience respect, and is supportive of different cultural perspectives compared to employees from middle-class (3.80) and low-income or working poor backgrounds (3.70).
- A large portion of the respondents agreed or strongly agreed that leadership showed a commitment to treating people with respect (70%). However, a similar percentage (71%) of respondents felt neutral or disagreed that leadership includes people from diverse racial or ethnic backgrounds (item average = 2.83).

#### **Judges:**

- Judges rated the culture and staff diversity higher than FJD staff. FJD judges expressed strong agreement that a culture of belonging and a commitment to equity, diversity, and inclusion exists at FJD (domain average = 4.06). Judges especially agreed that they are integral parts of FJD (80%) and that they work with a culturally diverse staff (85%).
- While judges agreed that FJD's focus on addressing racial equity in the workplace (44%) and in programs and services (53%) was at an ideal level, 31-36% of judges believed that there was not enough focus on addressing racial equity in these areas.
- Generally, judges believed that leadership at FJD demonstrated a commitment to addressing equity (domain average = 3.58).
- Female judges of color (2.90) were more likely to rate FJD's leadership's commitment to equity much lower than white female judges (3.8), white male judges (3.8) and male judges of color (4.1). In addition to this finding, other data outlined in this report provide supporting data that female judges of color are experiencing bias and exclusion at FJD. The strongest evidence of this was a racist and sexist note left in the chambers of a black female judge during her campaign for president judge of the Municipal Court in 2018.

#### **Policies and Practices**

##### **Staff:**

- **Fair Treatment** - Staff had favorable views on the fair treatment of employees of diverse backgrounds at FJD (domain average = 4.01). Most respondents agreed or strongly agreed that FJD's policies promoted the fair treatment of employees regardless of their different diversity characteristics (56%); however only 38% (agreed or strongly agreed) indicated that they trusted FJD to be fair to all employees.
- **Grievance Process** - Respondents were less positive in their ratings of the process to confidentially report grievances and unfair treatment, with 75% disagreeing or having a neutral opinion on this item (item average = 2.88).
- **Transparent and Inclusive Communications** - Staff members rated transparent and inclusive communication and decision-making as moderately high across the domain

(domain average = 3.84). Seventy-one percent (71%) of staff say that efforts are made to share information in a timely manner.

- **Hiring** - On average, staff rated diversity hiring practices favorably (domain average = 3.73). It is worth noting, however, that less than fifty percent (47% agreed or strongly agreed) say that when hiring, FJD's outreach is broad and targets culturally diverse people.
- **Retention and Promotion** - Staff rated retention and promotion practices at FJD as only somewhat fair, transparent, and equitable (domain average = 3.21). Most saw themselves still working at FJD in the near future (59% agreed or strongly agreed). However, 67% were neutral or disagreed that their accomplishments were compensated similarly to others who achieved the same goals, while 62% were neutral or disagreed that opportunities for training and professional development are distributed fairly and transparently.

#### Judges:

- **Fair Treatment** - Judges had mildly favorable views on the fair treatment of employees of diverse backgrounds at FJD, suggesting an area for improvement (domain average = 3.41). Most agreed or strongly agreed that FJD's policies promoted the fair treatment of employees regardless of their different diversity characteristics (62%), and acknowledged a responsibility to meet the needs of people with diverse identities (58% agreed or strongly agreed). However, judges were split as to whether FJD treated employees fairly and equally (53% were neutral or disagreed).
- **Transparent and Inclusive Communications** - Judges rated transparent and inclusive communication and decision-making low, with many stating that staff as well judges have little opportunity to have a say in decision-making that affects their work (domain average = 2.93). White female judges and female judges of color rated communication and decision-making (group averages = 2.7 and 2.8, respectively) as less inclusive as their male colleagues.
- **Hiring** - On average, judges rated FJD's hiring practices as neutral (domain average = 2.96) when it comes to broad outreach and recruitment of culturally diverse staff and position descriptions that encourage applications from underrepresented groups. White males judges (group average = 3.5) were more likely to rate FJD favorably on these measures than other judges. Female judges of color, in contrast, rated FJD's efforts to recruit diverse staff much lower than their colleagues (group average = 2.3).

#### Capacity to Act

##### Staff:

- Staff rated organization-wide responsibility and support for addressing discrimination as moderately high (domain average = 3.90). Notably, the majority of respondents (79%) agreed or strongly agreed that all employees at FJD have a responsibility to promote equity, diversity, and inclusion in the workplace.

**Judges:**

- Judges' ratings of organization-wide responsibility and support at FJD for addressing discrimination were moderately high (domain average = 3.61). Judges overwhelmingly (98%) agreed or strongly agreed that all employees at FJD have a responsibility to promote equity, diversity, and inclusion in the workplace.
- However, 64% of judges were neutral or disagreed that FJD would do what is right in response to concerns about discrimination being raised. Additionally, 70% of judges felt neutral or disagreed that FJD supports employees who share their experiences with racialized incidents.
- Among judges, those from upper middle-class households (group average = 4.2) generally were more likely to rate favorably FJD's capacity to act in addressing discrimination than judges from middle-class (group average = 3.6) or low-income (group average = 3.6) backgrounds.

**Teamwork and Collaboration****Staff:**

- Staff ratings of teamwork and collaboration at FJD were rated highly (domain average = 3.96).

**Judges:**

- Judges had moderately low ratings of teamwork and collaboration at FJD (domain average = 3.12). A large segment of judges felt neutral or disagreed that the work environment at FJD encourages teamwork and collaboration (60%) and felt neutral or disagreed that management at FJD supports collaboration between courts or departments (62%).

**EDI Knowledge and Skills****Staff:**

- FJD staff rated their knowledge of equity, diversity, and inclusion (EDI) topics as low to moderate (domain average = 3.30). The highest levels of knowledge were reported for issues of gender bias and sexual harassment (item average = 3.59).
- FJD employees believed that leadership and staff have the most difficulty discussing institutional and structural racism (45%) compared to other equity, diversity and inclusion topics.
- Most (51%) FJD employees have not received EDI training.

**Judges:**

- Judges generally rated their knowledge of equity, diversity, and inclusion topics as fairly high (domain average = 3.76). In general, judges rated themselves most knowledgeable about issues of gender bias and sexual harassment (item average = 3.96), and almost as

knowledgeable about issues of institutional and structural racism and LGBTQ inclusion (item average = 3.84 for both topics).

- In contrast to staff, most judges (60%) report participating in equity, diversity, and inclusion training at FJD and 51% found the training helpful.

## **Personal Experiences of Discrimination**

### **Staff:**

- Average ratings for these items (domain average = 1.80) were low, with few employees reporting experiences of discomfort or discrimination because of their gender identity, sexual orientation, disability status, religion, educational background, or age. Nearly twenty percent (17%) of FJD staff, however, report experiencing discrimination because of their race or ethnicity. There was no major difference between people of color (average score = 1.82) and white respondents (average score = 1.86). Based upon qualitative data (open-ended survey responses), CURE observed that several white employees expressed racial resentment and made claims of “reverse racism,” which may explain the comparable level of white FJD employees reporting discrimination because of their race compared with employees of color.
- Focus group participants of color similarly reported experiencing racial microaggressions including incidents in which they were ignored in meetings and feeling the need to justify their meriting a promotion after advancing to a higher position at FJD.

### **Judges:**

- Judges’ average ratings for experiencing discrimination were generally low (domain average = 2.20); however, a sizable portion (22%) of judges report experiences of discrimination at work. More judges of color (average score = 3.0) reported experiencing discrimination because of their race or ethnicity than did white judges (average score = 2.18).

## **Cultural Humility**

### **Staff:**

- FJD staff rated themselves high on cultural competence and humility measures (domain average = 3.93). Notably, the majority of staff members agreed or strongly agreed (79%) that they regularly have meaningful interactions and learning experiences with people from diverse backgrounds.

### **Judges:**

- Overall, judges rated their cultural competence and humility lower than FJD staff (domain average = 3.51). Judges mostly (87%) agreed or strongly agreed that they had taken steps to understand how their biases affect their interactions with people of different cultures and backgrounds. Additionally, most judges (86%) agreed or strongly agreed that they had meaningful interactions with people from different cultural groups

and backgrounds. However, a large portion of judges were neutral or disagreed that they are comfortable discussing race and racism at work (55%) or that people they interact with at FJD were comfortable discussing issues of race (76%), class (71%), gender (71%) and LGBTQ issues (71%).

### **Organizational Culture of Learning**

#### **Staff:**

- Staff ratings of FJD's culture of learning indicate there is room for improvement in this domain (domain/item average = 3.03). Nearly a third (31%) disagreed or strongly disagreed that FJD has a culture that encourages learning, growth, and change.

#### **Judges:**

- Similar to staff, judges' ratings of FJD's culture of learning indicate a need for more efforts that support learning, growth and change at FJD (domain/item average = 3.27). More than half of judges (52%) were neutral or disagreed that FJD has a culture that encourages learning, growth, and change.

### **Differences Between Staff and Judges**

- There was a large difference in experiences of discrimination between staff and judges. Staff members had much higher average reports of experiencing discrimination at work (average rating = 4.1) relative to judges (average rating = 2.2.). This was among the largest differences observed across all analyses of FJD survey data.



## Introduction

In spring 2019, the First Judicial District of Pennsylvania (FJD) embarked on an organizational assessment to explore organizational practices, policies and culture that hinder or support equity, diversity and inclusion. The organizational assessment also explored the characteristics and competencies that staff believe are needed to build, internalize and make equity a part of everyday practice at FJD.

The assessment was conducted independently by the Center for Urban and Racial Equity (CURE) and included a staff-wide survey, judges survey, interviews with court leadership and judges, and focus groups with employees who represent a cross-section of FJD including executive staff, middle management and line staff. The total number of participants in each of these assessment activities is outlined in the list on the right.

Members of FJD's judicial leadership provided input and approval of the survey instrument prior to distribution to FJD staff. To protect employee anonymity and confidence in the assessment process, CURE managed administration of the survey and has not provided access to survey or qualitative data to FJD. Survey data were analyzed by CURE's PhD-level statistician to identify differences in responses across several key variables including FJD's six courts and respondents' race, gender, sexual orientation and other identify characteristics.

This report summarizes the findings from the assessment and provides preliminary guidance on how to address areas for improvement that have emerged from the assessment process.

The table below outlines the domains assessed in FJD's Organizational Assessment Survey.

### **Organizational Assessment Components & Participants**

#### **Staff Survey**

670 respondents

#### **Judges Survey**

45 respondents

#### **Focus Groups**

Executive Management – 7 participants

Middle Management – 8 participants

Line Staff – 8 participants

#### **Leadership Interviews**

7 participants

Table 1. Assessment Domains

Organizational Characteristics	Workforce Competencies
<ul style="list-style-type: none"> <li>● Organizational Commitment to Equity                             <ul style="list-style-type: none"> <li>○ Culture of Belonging</li> <li>○ Focus on Racial Equity</li> <li>○ Leadership</li> </ul> </li> <li>● Policies and Practices                             <ul style="list-style-type: none"> <li>○ Procedures to Ensure Fair Treatment</li> <li>○ Hiring</li> <li>○ Retention and Promotion</li> <li>○ Communications and Decision-Making</li> </ul> </li> <li>● Responsibility and organizational support for addressing discrimination and inequity</li> <li>● Teamwork and Collaboration</li> <li>● Organizational Culture of Learning</li> </ul>	<ul style="list-style-type: none"> <li>● Professional Development and Self-Assessment</li> <li>● Assessment of EDI knowledge and skills</li> <li>● Cultural Humility</li> <li>● Personal Experiences of Discrimination</li> </ul>

**Understanding and Interpreting the Data**

The presentation of the key findings below includes survey data for which substantial results emerged. CURE suggests that domains and survey items with average ratings below 3.5 be prioritized for improvement at FJD. All scaled items below are on 5-point scales that range numerically from 1 to 5, unless otherwise indicated.

Domain scales where differences in the average ratings between groups (e.g., departments, race, gender) were meaningfully large (1-point difference or more) are also reported and may be considered as areas for improvement.

Comparisons of average ratings across the domains reported below were run between the following groups:

1. Departmental Area
2. Level of staff
3. Race
4. Gender Identity
5. Sexual Orientation
6. Disability Status
7. Economic Background

## 8. Race and Gender Identity (Intersectionality)

Comparisons are not reported in instances where there were no differences found equal to or greater than 1 for any of the items in the survey. Across all tables below, survey respondents who did not respond to a particular item or domain scale are not shown and not included in calculations of averages. Individuals who did not respond to an item or domain scale are not shown in any of the figures below.

## Key Findings

### Demographics - Staff

**Departmental area.** A total of 670 employees across all departmental areas participated in the survey (Figure 1). The majority of respondents are employed in the Court of Common Pleas, Trial Division (48%). About one third are employed in the Court of Common Pleas, Family Division (32%), 10% in Court Administration, roughly 6% in Municipal Court, 2% in Traffic Court, and about 1% in the Court of Common Pleas, Orphans Division.

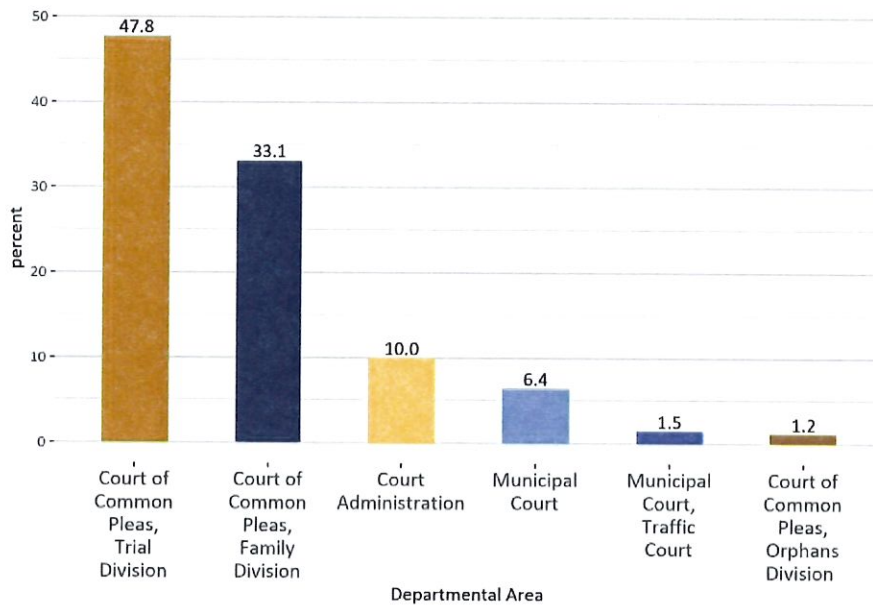


Figure 1. Departmental Areas - Staff

**Employee levels within organization.** The representation of respondents across position levels are summarized in Figure 2. Positions were fairly evenly represented in the sample. Twenty percent of respondents were in administrative positions, 19% in frontline positions, 18% classified as court support staff, and 5% senior management staff. The majority of respondents (26%) however, were in other positions at FJD.

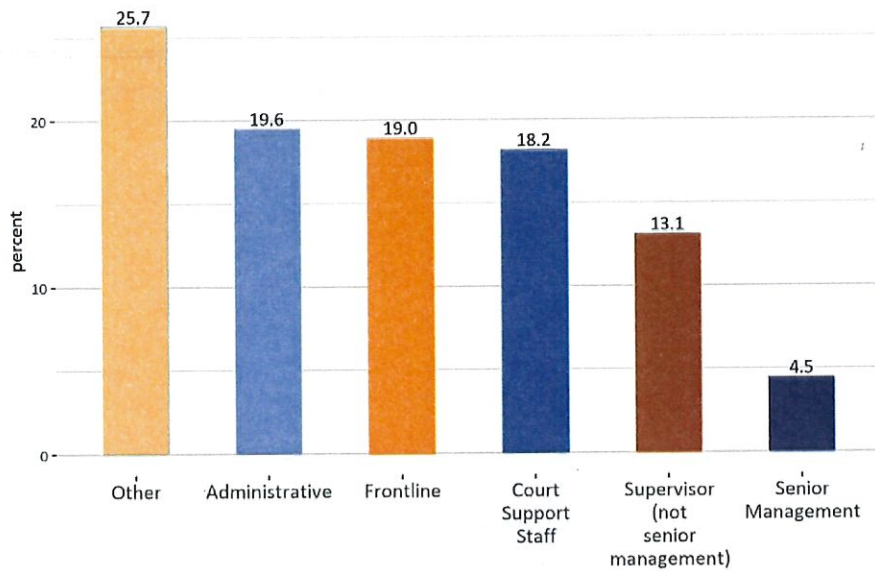


Figure 2. Employee Position Levels - Staff

**Race.** About half of the sample identified as white (51%) while 49% identified as people of color (Figure 3). Among the 49% of the sample who identified as people of color, the largest subgroup of respondents identified as Black/African American (32%), while 11% identified as multiracial, 4% as Latinx/Hispanic, and 1% as Asian. Less than 1% identified as Indigenous/American Indian/Alaska Native and less than 1% as Middle Eastern/Arab.

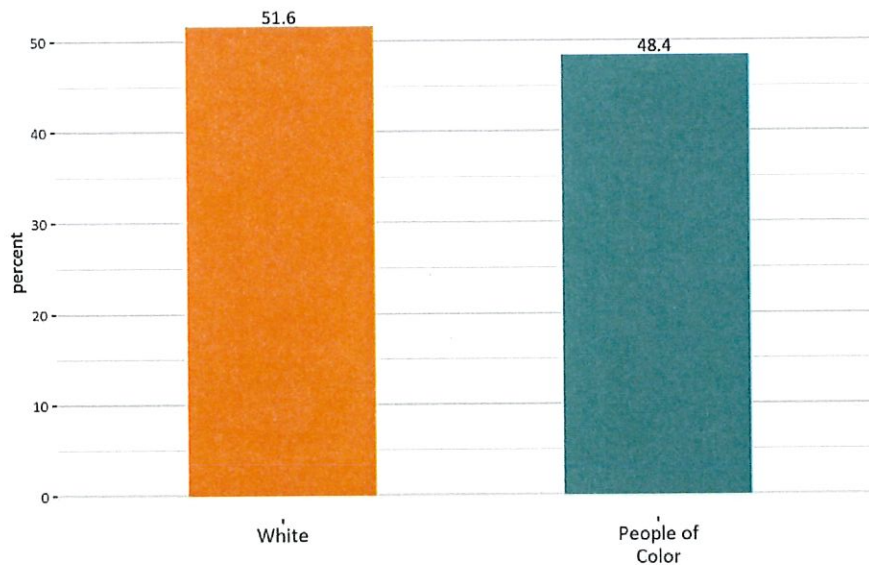


Figure 3. Race - Staff

**Gender identity.** Gender representation is summarized in Figure 4. The majority of respondents identified as female (62%), while 35% identified as male, 1% as non-binary or non-conforming, and 1% preferred not to disclose their gender identity (1% did not respond to the question; not shown in Figure 4).

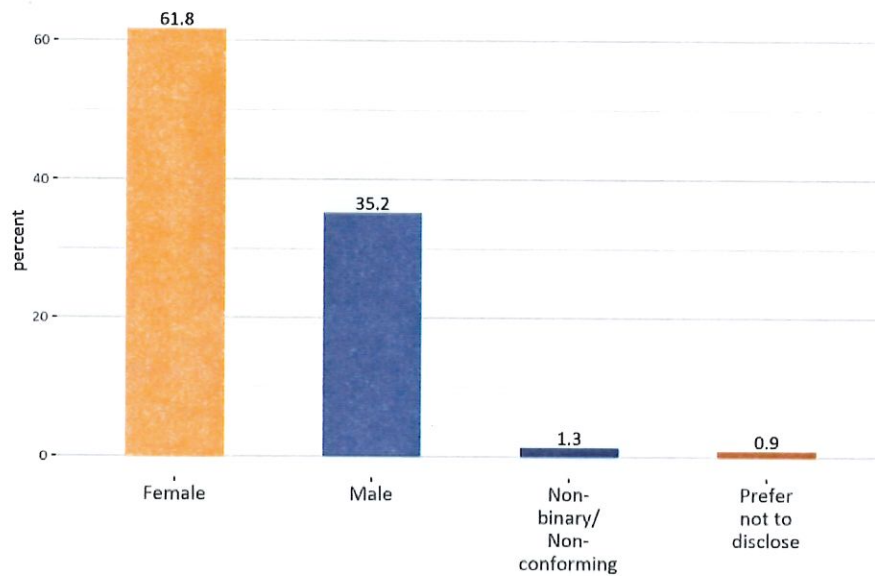


Figure 4. Gender Identity - Staff

**Sexual orientation.** The majority of respondents identified as straight/heterosexual (89%), 5% as gay, lesbian, bisexual or queer and 4% indicated a preference not to disclose (Figure 5).

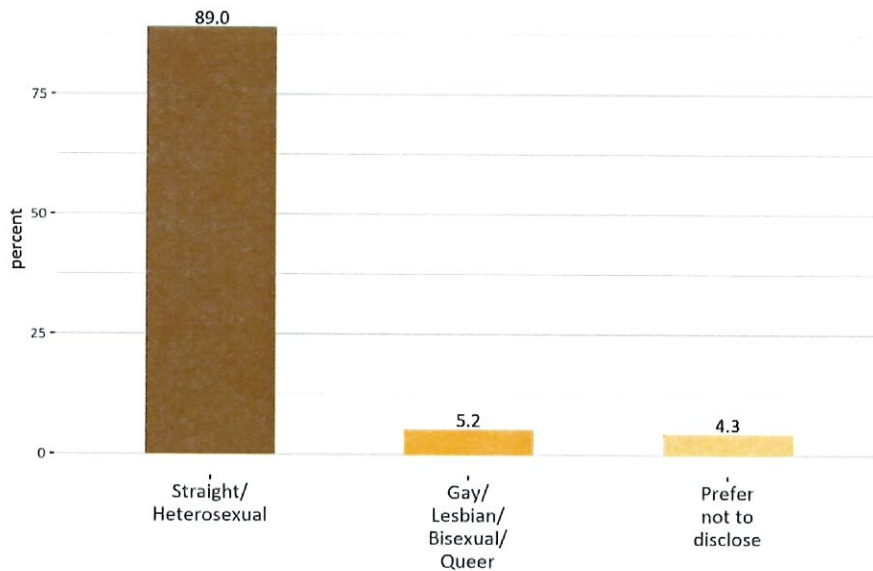


Figure 5. Sexual Orientation - Staff

**Disability status.** The majority of survey respondents did not have a disability (90%) while 4% reported having a disability. Six percent (6%) preferred not to disclose their disability status (Figure 6).

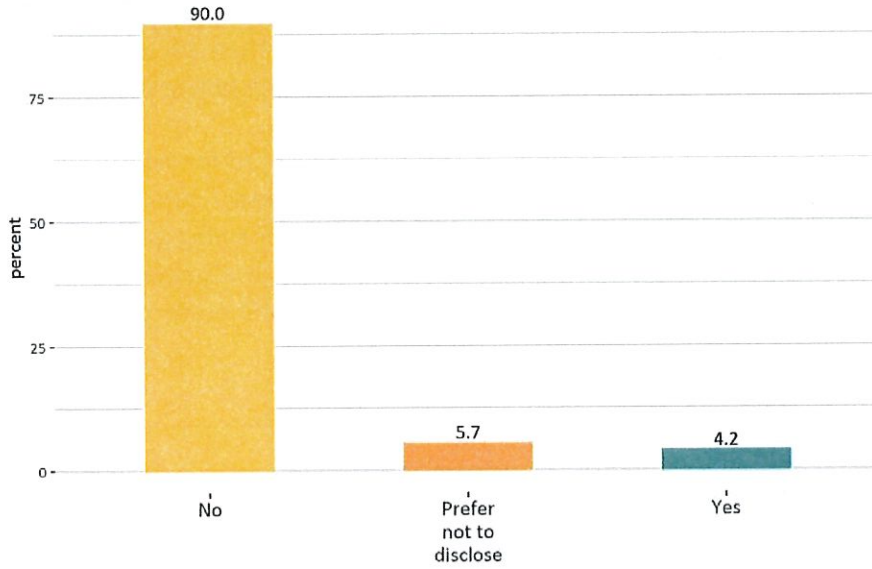


Figure 6. Disability Status - Staff

**Economic background.** Economic backgrounds were somewhat widely represented in the sample. The majority of survey respondents reported growing up in middle-class households (48%) while 35% were from working class/poor households. Six percent (6%) were from upper middle-class households and less than 1% from wealthy households (Figure 7).

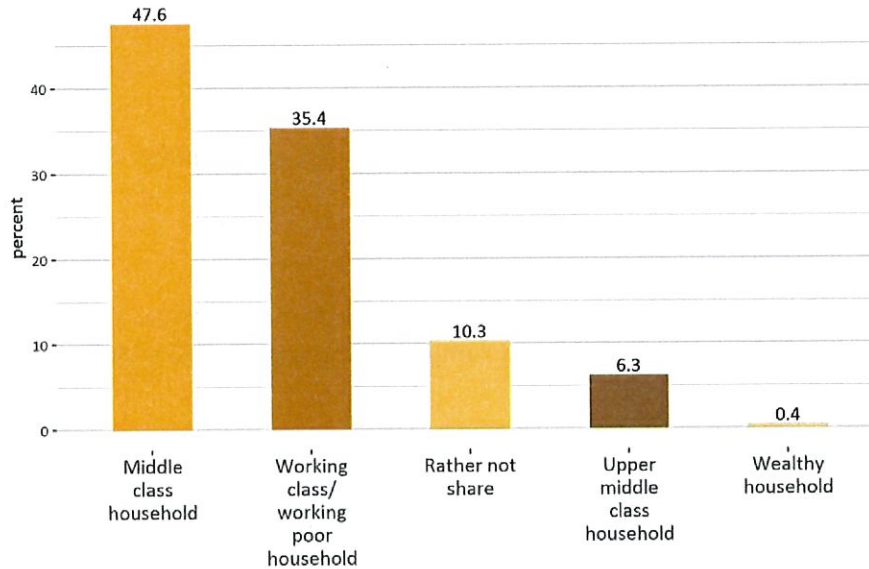


Figure 7. Economic Background - Staff

**Intersection of race and gender identity.** The intersectional breakdown of race by gender identity is summarized in Figure 8. The largest group in the sample was comprised of women of color (33%). Thirty percent of respondents identified as white women and 22% identified as white men. Men of color comprised 14% of respondents. Less than 2% of the sample identified as white non-binary or non-conforming or non-binary/non-conforming people of color.

Because of the large number of categories, differences presented for intersectional groupings of race and gender identity below should be interpreted with reservations (i.e., there were no more than 6 respondents in each race by non-binary/non-conforming grouping, making differences in average ratings more likely to occur and less generalizable to the larger population). Domain scale differences of 1 point or more are still presented for exploratory purposes.

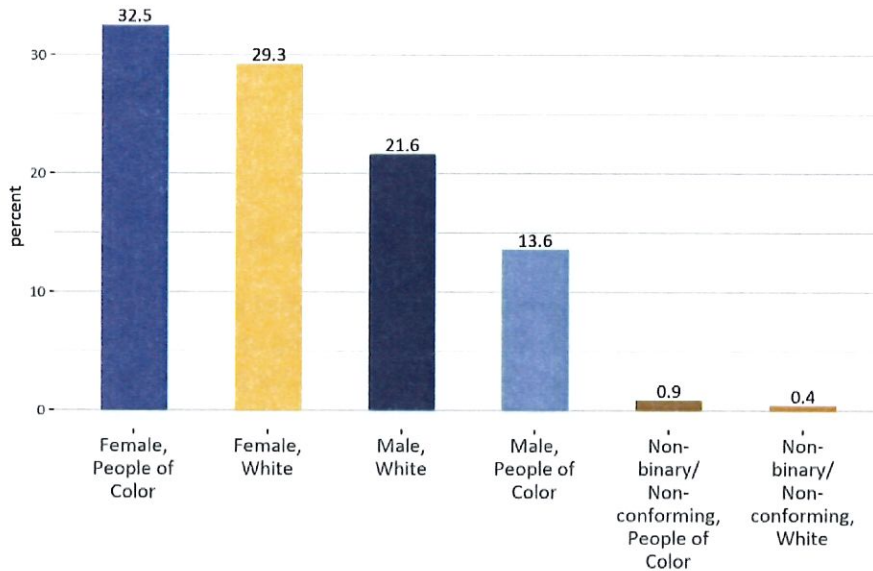


Figure 8. Intersectional Representation of Race x Gender - Staff

### Demographics - Judges

**Departmental area.** Among the 45 judges who participated in the survey, the majority serve in the Court of Common Pleas (91%) while the remaining 9% serve in FJD’s Municipal Court (Figure 9).



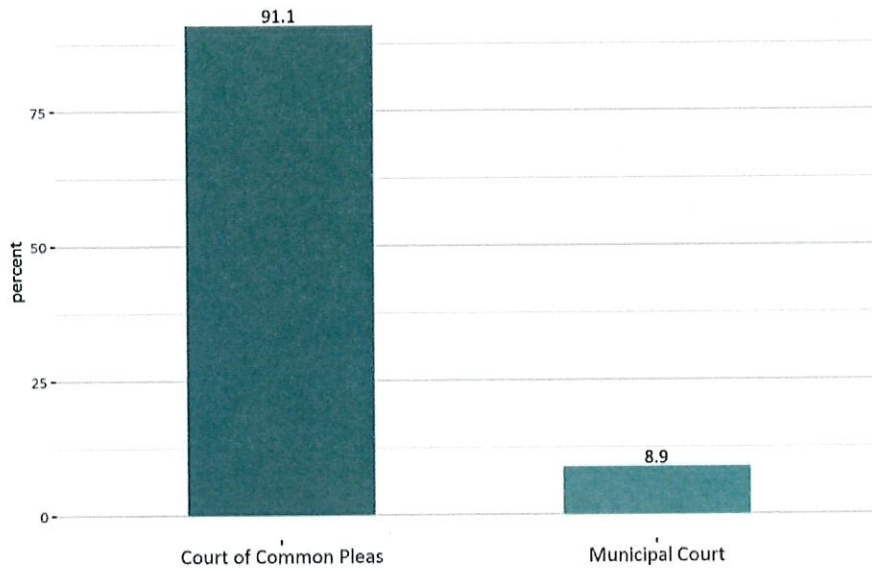


Figure 9. Court Representation - Judges

**Race.** The majority of judges identified as white (62%) while 38% identified as people of color (Figure 10). Among the 38% who identified as people of color, 27% identified as Black/African American, 7% as multiracial, and 4% as Asian/South Asian.

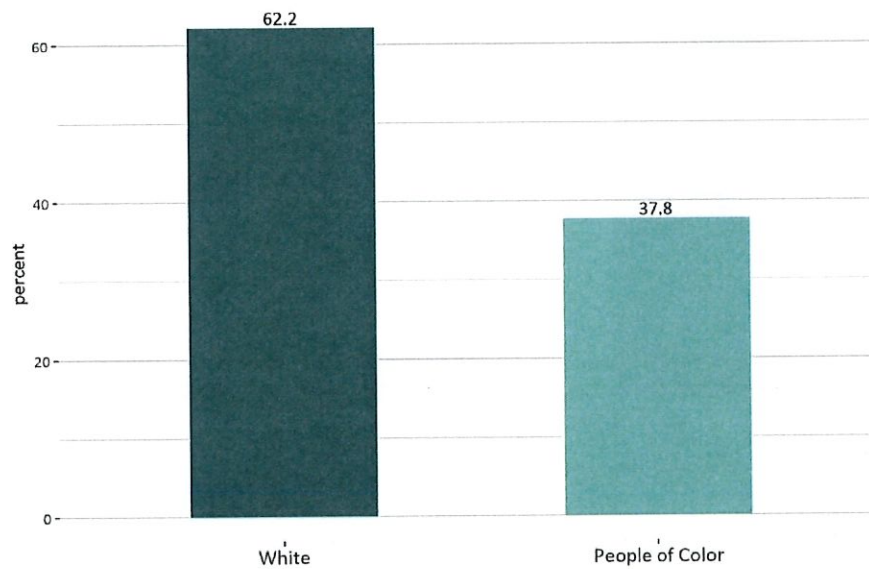


Figure 10. Race - Judges

**Gender identity.** Fifty-three percent (53%) of judges identify as male and 47% as female (Figure 11).

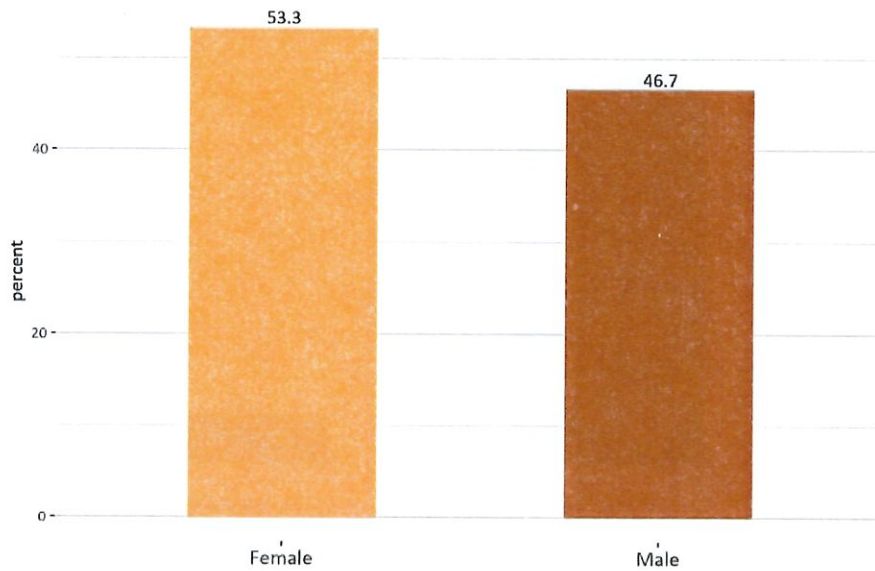


Figure 11. Gender Identity – Judges

**Sexual orientation.** The majority of judicial respondents identified as straight/heterosexual (84%), 11% as gay, lesbian, bisexual or queer, and 4% did not wish to disclose (Figure 12).

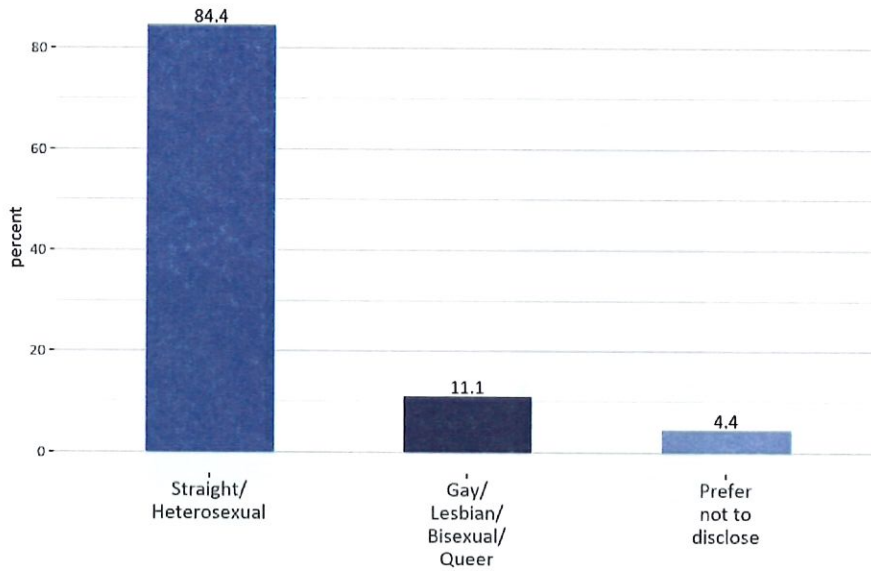


Figure 12. Sexual Orientation - Judges

**Disability status.** Figure 13 shows the breakdown of disability status among judges in the sample. The majority did not have a disability (89%) while 11% reported having a disability.

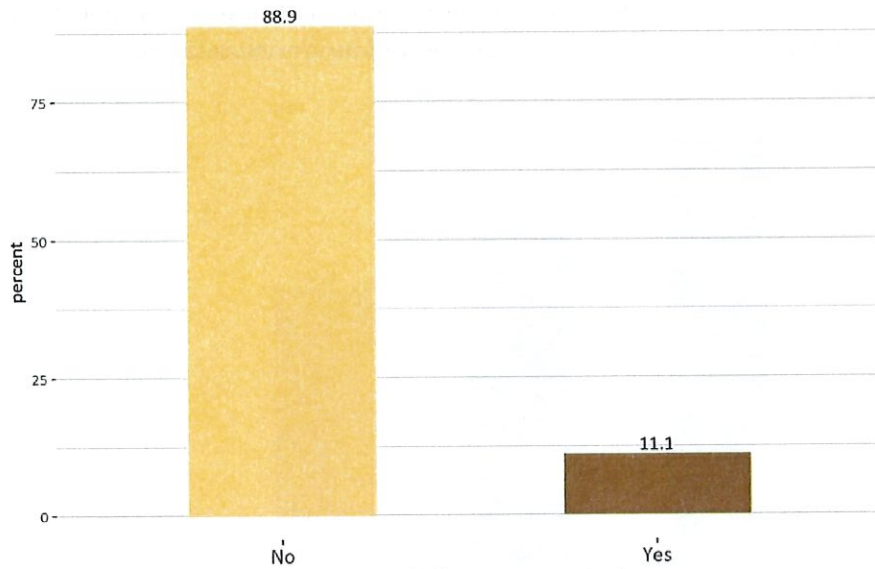


Figure 13. Disability Status - Judges

**Economic background.** The largest group of judges in the survey consisted of respondents from middle class backgrounds (44%), with a similarly sized segment from working class/poor households (42%). Seven percent (7%) were from upper middle-class households and 7% preferred not to disclose their economic backgrounds (Figure 14).

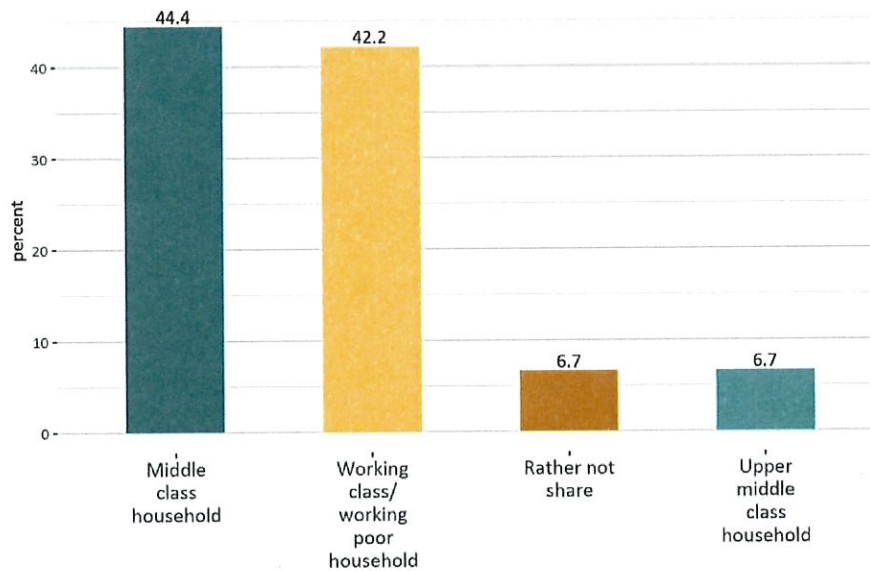


Figure 14. Economic Background - Judges

**Intersection of race and gender identity.** White men comprised the largest group of respondents (38%), while women of color (29%) and white women (24%) were represented

about equally (Figure 15 below). Men of color comprised the smallest group (9%) of judges. There were no judges who identified as gender non-binary/nonconforming.

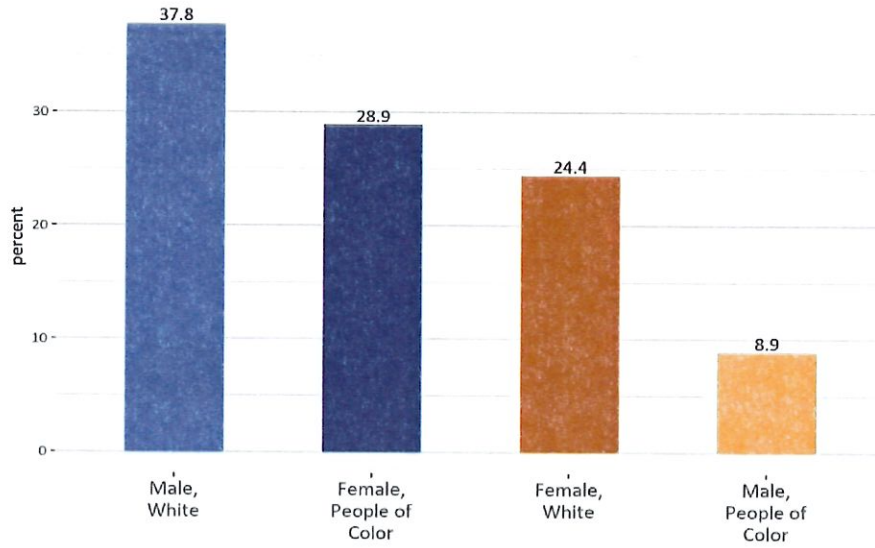


Figure 15. Intersectional Representation of Race x Gender - Judges

## Domain Assessments

### Organizational Commitment to Equity - Staff

**Culture of Belonging.** Staff members generally agreed that a culture of belonging and a commitment to equity, diversity, and inclusion exists at FJD (domain average = 3.73). FJD employees especially agreed that the staff at FJD is culturally diverse (77%) and that they experience respect among culturally diverse staff members (70%). Domain scores are summarized in Table 2 below.

Table 2. Organizational commitment to equity

<b>I work with a culturally diverse staff.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
5%	7%	11%	47%	30%	670
Average Rating (5-point scale)					3.89
<b>My work environment is supportive of different cultural perspectives.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
5%	9%	20%	42%	25%	670
Average Rating (5-point scale)					3.71
<b>I feel that I am an integral part of the organization.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
6%	7%	21%	40%	26%	670
Average Rating (5-point scale)					3.70
<b>I experience respect among individuals and groups with various cultural differences.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	8%	18%	47%	23%	670
Average Rating (5-point scale)					3.77
<b>I have felt that I could recommend this organization as a good place to work.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
6%	10%	23%	40%	20%	670
Average Rating (5-point scale)					3.56

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

While staff generally agree that respect and support for cultural difference are present at FJD, there is less agreement on whether they would recommend FJD as a good place to work. The qualitative data illuminates underlying racial tensions in the areas of hiring and promotion, racial harassment, salaries, and nepotism. While these tensions are discussed further in the report, CURE noticed a trend in survey comments, focus groups, and interviews that nearly all staff and leadership recognize:

1. That hiring within FJD is heavily influenced by who has political connections;
2. That while this is understood, it is rarely spoken about transparently and there are no efforts to change this.

In the qualitative data, staff of color and LGBTQ staff were the more likely to comment on this phenomenon – often described as nepotism. This is especially important to consider given higher numbers of white judges and heterosexual judges at FJD. One focus group participant, remarked “It’s discouraging because you come in. You come in to do your due diligence. You pay your dues. You show that you’re dedicated to the department. You show you have compassion. You show that you stand by, and yet and still, those kind of things happen.

## Group Differences

**Economic Background.** Across economic backgrounds, staff from upper middle-class households rated (4.1) FJD’s culture of belonging higher compared to staff from middle-class (3.7 average rating), working class/poor (3.8 average rating) or wealthy households (3.8 average rating). Differences are summarized in Figure 16 below.

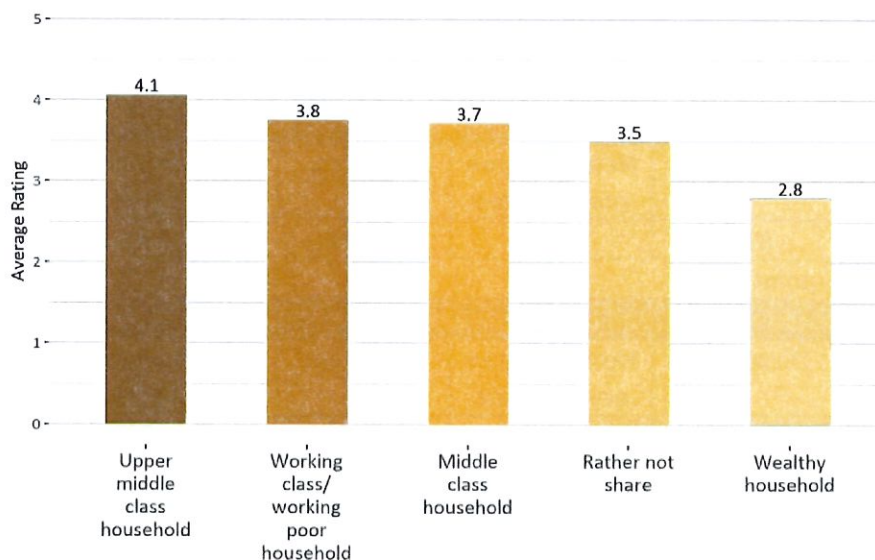


Figure 16. Ratings of FJD culture of belonging, by economic background - Staff

**Focus on Racial Equity.** Some staff members felt that FJD’s focus on addressing racial equity in the workplace (36%) and programs and services (33%) was “just about right.” A similar percentage of staff, however, felt that FJD’s focus on racial equity in the workplace (32%) and in its programs and services (34%) was lacking or nonexistent (Table 3).

Table 3. Focus on racial equity

In your opinion, how much does FJD focus on addressing racial equity within the workplace?					
There is no focus on racial equity at all	There is not enough focus on racial equity	There is about the right amount of focus on racial equity	There is too much focus on racial equity	I dont know	n
16%	16%	36%	7%	25%	670
In your opinion, how much does FJD focus on addressing racial equity in its programs and services ?					
There is no focus on racial equity at all	There is not enough focus on racial equity	There is about the right amount of focus on racial equity	There is too much focus on racial equity	I dont know	n
16%	18%	33%	5%	29%	670

\*‘Don’t know’ responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

Disagreement among staff about FJD’s level of focus on racial equity was also expressed in qualitative data, with open-ended survey responses, focus group participants, and senior leadership expressing a wide range of sentiments in regards to racial equity. In the survey responses in particular, CURE noted some trends: 1) white men were more likely to leave positive comments regarding FJD’s current approach to equity and diversity 2) white women were more likely to leave comments related to “reverse racism” or discrimination against white people, and 3) people of color, and particularly black women, were more likely to note significant experiences of racism, harassment, and lack of internal mobility at FJD.

This split related to racial equity is particularly crucial given the urgency of FJD’s work. As one participant noted, “You have the same who are not appreciating and understanding the seriousness of what they’re doing. You have control of so many people’s lives right in your hand. And if I tell you that you made some mistakes, it’s all our responsibility.”

**Leadership.** Generally, staff members believed that leaders at FJD demonstrated a mild commitment to addressing equity (domain average = 3.07), suggesting considerable room for improvement (Table 4). Staff rated FJD leadership’s current level of communication about the importance of equity and inclusion to the organization low (2.97). Similarly, staff perceive low

levels of participation in and support of discussions of racial, gender, and LGBTQ bias and inequities that occur in the workplace or in the community, among FJD's leadership.

Most respondents agreed or strongly agreed that leaders were committed to treating people with respect (57%). A small majority believed that FJD's leadership include people from diverse backgrounds (55%).

Table 4. Leadership

<b>Leadership often speak about or communicate that equity and inclusion are important for our organization.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
12%	19%	34%	28%	7%	670
Average Rating (5-point scale)					2.97
<b>People in leadership positions participate in and support discussion of racial bias and inequities that occur in the workplace or in the community.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
14%	20%	38%	23%	6%	670
Average Rating (5-point scale)					2.85
<b>People in leadership positions participate in and support discussion of gender bias and inequities that occur in the workplace or in the community.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
14%	18%	38%	24%	5%	670
Average Rating (5-point scale)					2.86
<b>People in leadership positions participate in and support discussion of bias and inequities that LGBTQ people face in the workplace or in the community.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	19%	41%	21%	5%	670
Average Rating (5-point scale)					2.83
<b>Leadership is committed to treating people respectfully.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
9%	10%	25%	40%	17%	670
Average Rating (5-point scale)					3.46
<b>Leadership includes people from diverse racial or ethnic backgrounds.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n



10%	12%	18%	41%	19%	670
Average Rating (5-point scale)					3.45

\*\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

This domain suggests that leadership is a significant area for improvement, and qualitative data indicates that this is both at the level of judges and administrative leadership. It is noteworthy that although leadership is rated moderately in its commitment to treating people respectfully, ratings of leadership drop in most other domains related to support for equity-related conversations. In a court system, a lack of support for these conversations can foster a culture of implicit and explicit bias and brand marginalized people expressing these concerns as troublemakers rather than whistleblowers.

### Organizational Commitment to Equity - Judges

**Culture of Belonging.** Judges generally agreed that a culture of belonging and a commitment to equity, diversity, and inclusion exists at FJD (domain average = 4.06). Judges especially agreed that they are integral parts of FJD (80%) and that they work with a culturally diverse staff (85%). Domain scores are summarized in Table 5 below.

Table 5. Organizational commitment to equity

I work with a culturally diverse staff.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
0%	9%	7%	49%	36%	45
Average Rating (5-point scale)					4.11
My work environment is supportive of different cultural perspectives.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	11%	13%	31%	42%	45
Average Rating (5-point scale)					4.00
I feel that I am an integral part of the organization.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	7%	9%	33%	47%	45
Average Rating (5-point scale)					4.11
I experience respect among individuals and groups with various cultural differences.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
0%	9%	18%	33%	40%	45

Average Rating (5-point scale)					4.04
<b>I have felt that I could recommend this organization as a good place to work.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	4%	18%	38%	38%	45
Average Rating (5-point scale)					4.04

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

**Focus on Racial Equity.** Only forty-four (44%) of judges agreed that FJD's focus on addressing racial equity in the workplace was "just about right." A higher percentage (53%) stated that FJD's focus on racial equity in its programs and services was "just about right." In sum, judges note a gap in focus on racial equity internally. Additionally, a plurality (31-36%) of judges indicated there was not enough focus on addressing racial equity in both of these areas (Table 6).

Table 6. Focus on racial equity.

<b>In your opinion, how much does FJD focus on addressing racial equity within the workplace?</b>					
There is no focus on racial equity at all	There is not enough focus on racial equity	There is about the right amount of focus on racial equity	There is too much focus on racial equity	I dont know	n
7%	29%	44%	9%	11%	45
<b>In your opinion, how much does FJD focus on addressing racial equity in its programs and services ?</b>					
There is no focus on racial equity at all	There is not enough focus on racial equity	There is about the right amount of focus on racial equity	There is too much focus on racial equity	I dont know	n
7%	24%	53%	0%	16%	45

\*\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

**Leadership.** Generally, judges believed that leadership at FJD demonstrated a commitment to addressing equity (domain average = 3.58). Scores are summarized in Table 7 below. Over seventy percent (71%) of judges agreed that leadership is committed to treating people respectfully. Judges were slightly more tempered in their opinions of whether leaders participate in and support discussions of racial bias and inequities in the workplace or community (46% were neutral or disagreed; item average = 3.38).

Table 7. Leadership

<b>Leadership often speak about or communicate that equity and inclusion are important for our organization.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	22%	20%	38%	18%	45
Average Rating (5-point scale)					3.47
<b>People in leadership positions participate in and support discussion of racial bias and inequities that occur in the workplace or in the community.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	20%	22%	40%	13%	45
Average Rating (5-point scale)					3.38
<b>People in leadership positions participate in and support discussion of gender bias and inequities that occur in the workplace or in the community.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	20%	18%	42%	16%	45
Average Rating (5-point scale)					3.44
<b>People in leadership positions participate in and support discussion of bias and inequities that LGBTQ people face in the workplace or in the community.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	18%	18%	40%	20%	45
Average Rating (5-point scale)					3.53
<b>Leadership is committed to treating people respectfully.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	7%	18%	38%	33%	45
Average Rating (5-point scale)					3.89
<b>Leadership includes people from diverse racial or ethnic backgrounds.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	16%	4%	47%	29%	45
Average Rating (5-point scale)					3.80

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

## Group Differences

**Intersectional Differences: Race by Gender.** Male judges were more likely to rate FJD’s leadership favorably on its commitment to equity and inclusion compared to female judges. The difference in perception of leadership’s commitment was especially notable between male judges and female judges of color. Female judges of color rated leadership’s commitment the lowest (2.9), compared to males judges of color (4.1) and white male (3.8) and white female judges (3.8). Differences are summarized in Figure 17 below.

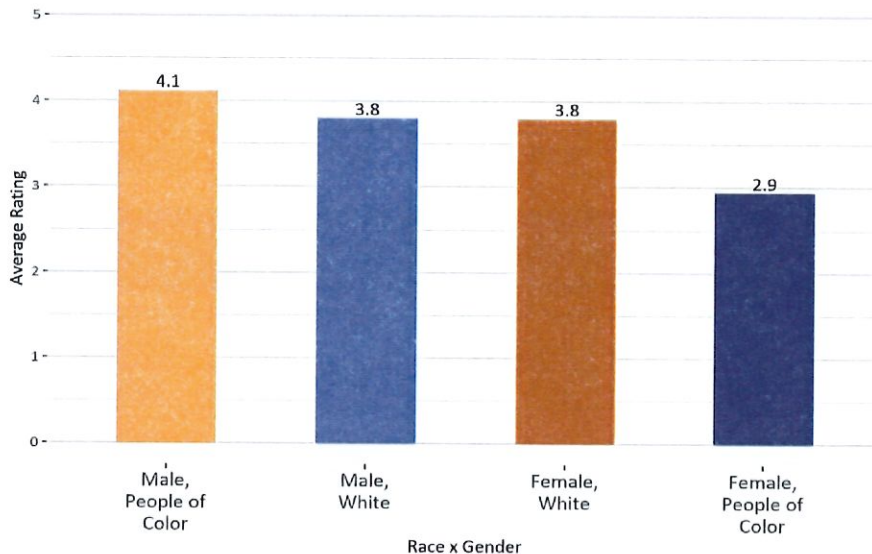


Figure 17. Perception of FJD’s leadership commitment to addressing equity - Judges

The data here suggest that judges have a slightly more optimistic view of FJD’s culture of equity, diversity, and inclusion than staff do, which aligns with the qualitative data. Our findings also indicate that women of color perceive less organizational commitment to equity than other groups, suggesting that women of color are experiencing specific harm within FJD’s organizational culture and structure.

## Professional Development and Self-Assessment - Staff

Less than half (40%) of FJD staff has participated in equity, diversity, and inclusion training at FJD and found it helpful. Most (51%) FJD staff have not received EDI training. Additionally, employees were neutral as to whether FJD helps employees recognize biases that foster workplace discrimination (27% agreed; item average = 2.85). The majority (51%) of staff

members indicate that as an organization, FJD has not engaged in discussions of how racial equity affects FJD’s mission and work. Domain scores are summarized in Table 8 below.

Table 8. Professional development and self-assessment

<b>I have received training on equity, diversity and inclusion while employed at FJD.</b>						
Yes, the training was helpful		Yes, the training was not helpful		No, I have not participated in equity and inclusion training at FJD		n
40%		9%		51%		670
<b>FJD helps employees to recognize biases that foster workplace discrimination or exclusion.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	I dont know	n
13%	18%	30%	23%	4%	12%	670
Average Rating (6-point scale)						2.85
<b>At FJD, we have engaged in discussions about what racial equity means to our mission and for how we work.</b>						
Yes		No		I dont know		n
23%		51%		26%		670

\*‘Don’t know’ responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Professional Development and Self-Assessment - Judges

In contrast to FJD staff, most judges (60%) report participating in equity, diversity, and inclusion training at FJD and 51% found the training helpful. Judges moderately agreed (42%) that FJD helps employees recognize biases that foster discrimination. Nearly forty percent (38%) have engaged in discussions about how racial equity relates to FJD’s mission and work. Judges’ scores are summarized in Table 9 below.

Table 9. Professional development and self-assessment

<b>I have received training on equity, diversity and inclusion while employed at FJD.</b>				
Yes, the training was helpful	Yes, the training was not helpful	No, I have not participated in equity and inclusion training at FJD		n
51%	9%	40%		45

FJD helps employees to recognize biases that foster workplace discrimination or exclusion.						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	I dont know	n
9%	16%	27%	33%	9%	7%	42
Average Rating (6-point scale)						3.38
At FJD, we have engaged in discussions about what racial equity means to our mission and for how we work.						
Yes	No	I dont know			n	
38%	36%	27%			45	

\*‘Don’t know’ responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

Again, the data suggests that judges overall have a more optimistic view of racial equity training and staff engagement with discussions on racial equity. Considering the work the court is undertaking in regards to pretrial reform, with an eye towards reducing the impacts of structural racism, these conversations must be elevated at the staff level and staff training and development on issues related to structural racism would be pertinent to successfully implement such interventions.

### Assessment of EDI knowledge and skills – Staff

FJD staff rated their knowledge of equity, diversity, and inclusion topics as low to moderate, leaving room for improvement in this domain (domain average = 3.30). The highest levels of knowledge were present for issues of gender bias and sexual harassment (item average = 3.59). All scores are summarized in Table 10 below.

Table 10. Assessment of equity, diversity, and inclusion knowledge and skills

Institutional and structural racism					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
10%	12%	26%	35%	17%	670
Average Rating (5-point scale)					3.35
Gender bias and sexual harassment					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
7%	7%	23%	44%	18%	670
Average Rating (5-point scale)					3.59

LGBTQ inclusion					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
12%	11%	29%	36%	12%	670
Average Rating (5-point scale)					3.23
Ableism and issues affecting people with disabilities					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
12%	15%	31%	32%	10%	670
Average Rating (5-point scale)					3.12
Class-based inequities and bias					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
13%	13%	28%	33%	13%	670
Average Rating (5-point scale)					3.19

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

Respondents also reported on staff and leadership's ability to discuss or address EDI topics (Table 11). Most staff members believed that leadership had the most difficulty discussing issues of institutional and structural racism (45%) followed by class-based inequities and bias (19%).

Table 11. Leadership and staff difficulty addressing equity, diversity, and inclusion topics

Given your understanding of the current workplace environment at FJD, which of the following topics do you think staff and leadership have the most difficulty discussing or addressing?					
Institutional and structural racism	Gender bias and sexual harassment	LGBTQ inclusion	Ableism and issues affecting people with disabilities	Class-based inequities and bias	n
45%	11%	18%	7%	19%	670

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

## Assessment of EDI knowledge and skills – Judges

Judges generally rated their knowledge of equity, diversity, and inclusion topics as fairly high (domain average = 3.76). In general, judges rated themselves most knowledgeable about issues of gender bias and sexual harassment (item average = 3.96), and almost as knowledgeable about issues of institutional and structural racism and LGBTQ inclusion (item average = 3.84 for both topics). All scores are summarized in Table 12 below.

Table 12. Assessment of equity, diversity, and inclusion knowledge and skills

Institutional and structural racism					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
4%	4%	18%	49%	24%	45
Average Rating (5-point scale)					3.84
Gender bias and sexual harassment					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
7%	0%	16%	47%	31%	45
Average Rating (5-point scale)					3.96
LGBTQ inclusion					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
2%	2%	29%	42%	24%	45
Average Rating (5-point scale)					3.84
Ableism and issues affecting people with disabilities					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
9%	4%	36%	40%	11%	45
Average Rating (5-point scale)					3.40
Class-based inequities and bias					
No knowledge	Aware, but little knowledge	Some knowledge	Working knowledge	Advanced knowledge	n
7%	7%	22%	36%	29%	45
Average Rating (5-point scale)					3.73

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.



Judges believed that staff and leadership had the most difficulty discussing institutional and structural racism (47%) and class-based inequities and bias (22%). Item details are summarized in Table 13 below.

Table 13. Leadership and staff difficulty addressing equity, diversity, and inclusion topics

Given your understanding of the current workplace environment at FJD, which of the following topics do you think staff and leadership have the most difficulty discussing or addressing?					
Institutional and structural racism	Gender bias and sexual harassment	LGBTQ inclusion	Ableism and issues affecting people with disabilities	Class-based inequities and bias	n
47%	16%	2%	13%	22%	45

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

The finding that a plurality of staff and judges rank institutional and structural racism as the category that FJD is most likely to have difficulty discussing is indicative of a need for more transparent and honest conversations about racism and racial equity. Building knowledge and understanding of these topics, and comfort addressing them, is critical given the role that institutional and structural racism have played in the development of American law and policy.

### Policies and Practices – Staff

**Fair Treatment.** Staff had favorable views on the fair treatment of employees of diverse backgrounds at FJD (domain average = 4.01). Most respondents agreed or strongly agreed that FJD’s policies promoted the fair treatment of employees regardless of their different diversity characteristics (56%). Considerably less staff (38% agreed or strongly agreed) trust FJD to be fair to all employees (Table 14).

Table 14. Fair treatment policies and practices

Policies promote fair treatment of employees regardless of their different diversity characteristics.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
9%	13%	22%	41%	15%	670
Average Rating (5-point scale)					4.06
Personnel policies and procedures acknowledge the organization's responsibility to meet the needs of people with diverse identities (e.g., care for dependents, religious observances, etc.)					
Strongly	Disagree	Neither Agree	Agree	Strongly	n

Disagree		nor Disagree		Agree	
6%	13%	28%	39%	14%	670
Average Rating (5-point scale)					3.97
<b>There is a clear process to confidentially report grievances and instances of unfair treatment.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
9%	15%	29%	35%	11%	670
Average Rating (5-point scale)					3.98
<b>I trust FJD to be fair to all employees.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
18%	19%	26%	28%	10%	670
Average Rating (5-point scale)					4.03

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

**Hiring practices.** On average, staff rated hiring practices (domain average = 3.73) favorably, with most stating that outreach and recruitment is broad and targets culturally diverse people (47% agreed or strongly agreed), and that position descriptions explicitly encourage applications from people in underrepresented groups (54% agreed or strongly agreed). Details for this area are shown in Table 15.

Table 15. Hiring practices

<b>Outreach for hiring new employees is broad and includes a variety of strategies to recruit culturally diverse staff members.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Don't Know	n
13%	15%	16%	32%	15%	8%	670
Average Rating (6-point scale)						3.79
<b>Position descriptions explicitly encourage applications from underrepresented groups such as people of color, women, LGBTQ people and people with disabilities.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Don't Know	n
14%	10%	13%	40%	14%	8%	670
Average Rating (6-point scale)						3.67

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

**Retention and Promotion Practices.** Staff rated retention and promotion practices at FJD as somewhat fair and transparent, although there is room for improvement in this domain (domain average = 3.21). Domain scores are summarized in Table 16 below.

Most respondents saw themselves still working at FJD in two years (59% agreed or strongly agreed). However, respondent ratings were more mixed across several other items. Specifically, 67% were neutral or disagreed that their accomplishments were compensated similarly to others who achieved the same goals (2.82), while 62% were neutral or disagreed that opportunities for training and professional development are distributed fairly and transparently (2.99).

Table 16. Retention and promotion practices

<b>Opportunities for training and professional development are distributed fairly and transparently.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
14%	24%	24%	29%	9%	670
Average Rating (5-point scale)					2.94
<b>Performance reviews are based on objective criteria that minimize personal biases and prejudices.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
10%	12%	31%	38%	10%	670
Average Rating (5-point scale)					3.28
<b>I receive recognition and praise for my good work similar to others who do good work.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
12%	16%	23%	37%	12%	670
Average Rating (5-point scale)					3.20
<b>I am confident that my accomplishments are compensated similar to others who have achieved their goals.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
17%	23%	27%	24%	8%	670
Average Rating (5-point scale)					2.82
<b>When there are career advancement opportunities, I am aware of them.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
12%	23%	27%	30%	9%	670
Average Rating (5-point scale)					2.99

Staff of my racial background remain long-term employees.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	5%	32%	43%	16%	670
Average Rating (5-point scale)					3.60
Staff of diverse ethnic, racial and cultural backgrounds are equitably promoted.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	15%	34%	29%	9%	670
Average Rating (5-point scale)					3.07
I see myself still working here in two years.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
5%	6%	20%	39%	29%	670
Average Rating (5-point scale)					3.80

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

## Policies and Practices - Judges

**Fair Treatment.** Judges had mildly favorable views on the fair treatment of employees of diverse backgrounds at FJD (domain average = 3.41). Details for this domain are shown in Table 17 below. Most judges agreed or strongly agreed that FJD's policies promoted the fair treatment of employees regardless of their different diversity characteristics (62%) and acknowledged a responsibility to meet the needs of people with diverse identities (58% agreed or strongly agreed). However, judges were split as to whether FJD treated employees fairly (53% were neutral or disagreed).

Table 17. Fair treatment policies and practices

Policies promote fair treatment of employees regardless of their different diversity characteristics.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	7%	27%	49%	13%	45
Average Rating (5-point scale)					3.60
Personnel policies and procedures acknowledge the organization's responsibility to meet the needs of people with diverse identities (e.g., care for dependents, religious observances, etc.)					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	2%	38%	47%	11%	45

Average Rating (5-point scale)					3.62
<b>There is a clear process to confidentially report grievances and instances of unfair treatment.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	11%	51%	24%	9%	45
Average Rating (5-point scale)					3.22
<b>I trust FJD to be fair to all employees.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
11%	13%	29%	40%	7%	45
Average Rating (5-point scale)					3.18

\*\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

**Hiring practices.** judges rated FJD's hiring practices as neutral (domain average = 2.96) when it comes to broad outreach and recruitment of culturally diverse staff and position descriptions that encourage applications from underrepresented groups (Table 18).

Table 18. Hiring practices

<b>Outreach for hiring new employees is broad and includes a variety of strategies to recruit culturally diverse staff members.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Don't Know	n
9%	11%	16%	42%	11%	11%	40
Average Rating (6-point scale)						2.96
<b>Position descriptions explicitly encourage applications from underrepresented groups such as people of color, women, LGBTQ people and people with disabilities.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Don't Know	n
13%	9%	7%	56%	11%	4%	43
Average Rating (6-point scale)						2.96

\*\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

## Group differences

**Intersectional differences: Race x Gender.** There was a notable difference among race and gender groups in their perceptions of FJD’s efforts to recruit and hire culturally diverse staff (Figure 18). Specifically, average ratings among white male judges (group average = 3.5) were notably higher than those for female judges of color (group average = 2.3).

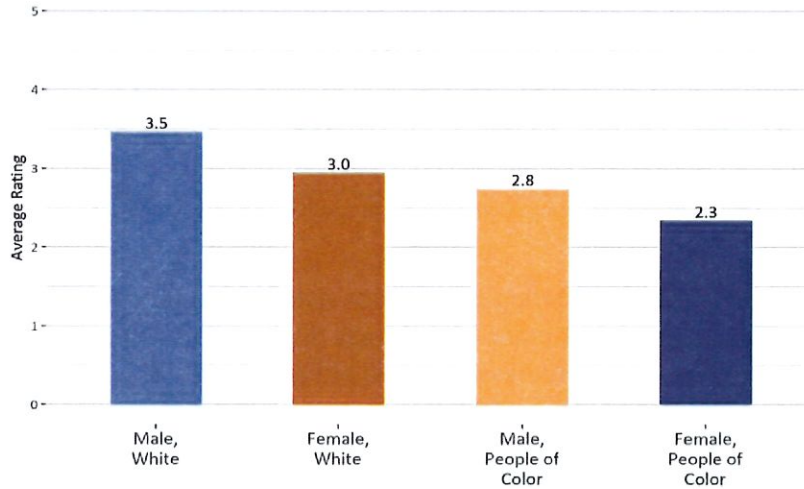


Figure 18. Average ratings of hiring practices by race and gender - Judges

FJD staff in focus groups and in open-ended survey responses, consistently expressed concern about a lack of fairness in hiring and promotion, with a balance towards individuals with political connections. Furthermore, staff expressed a fear and mistrust with the human resources department and noted they would rather keep complaints to themselves. Several survey participants, for example, believed the survey was designed to protect FJD from culpability and did not trust in the objectivity or confidentiality of the survey. One participant summarized these tensions in a focus group with: “Some people have been put in positions because of politics but not on their qualifications. And I know that some people are in positions, too, who I know there were other individuals who were much more qualified and deserving of that position. But they just got skipped over because they didn’t have somebody politically.”

## Transparent and inclusive communication and decision-making – Staff

Staff members rated transparent and inclusive communication and decision-making as fairly high across the domain (domain average = 3.84). In particular, staff believed that efforts are made to share information in a timely manner (71% said this happens sometimes, usually or always). Domain details are summarized in Table 19.

Table 19. Transparent and inclusive communication and decision-making

When decisions are made that directly affect my work, I am included in the decision-making process and/or review of a proposed decision prior to it being finalized.					
Never	Rarely	Sometimes	Usually	Always	n
25%	22%	23%	19%	11%	670
Average Rating (5-point scale)					3.58
Supervisors and managers in my department or unit encourage employees to speak up when they disagree with what is being said.					
Never	Rarely	Sometimes	Usually	Always	n
16%	18%	23%	25%	18%	670
Average Rating (5-point scale)					3.94
Efforts are made to ensure information is shared consistently throughout FJD in a timely manner.					
Never	Rarely	Sometimes	Usually	Always	n
13%	17%	30%	29%	12%	670
Average Rating (5-point scale)					3.99

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Transparent and inclusive communication and decision-making – Judges

Judges rated transparent and inclusive communication and decision-making low, with many expressing a lack of say in decision-making that affects their work as well as those of FJD staff (domain average = 2.93) (Table 20). Nearly three-quarters of judges (69%) state they never, rarely, or sometimes are included in decisions that affect their work. Seventy-three percent (73%) of judges stated that efforts are never, rarely, or sometimes made to encourage employees to speak up when they disagree with what is being said. Only 36% of judges believed that efforts are usually or always made to ensure information is shared consistently throughout FJD in a timely manner.

Table 20. Transparent and inclusive communication and decision-making

When decisions are made that directly affect my work, I am included in the decision-making process and/or review of a proposed decision prior to it being finalized.					
Never	Rarely	Sometimes	Usually	Always	n
13%	27%	29%	24%	7%	45
Average Rating (5-point scale)					2.84

Judicial leadership encourage employees to speak up when they disagree with what is being said.					
Never	Rarely	Sometimes	Usually	Always	n
11%	31%	31%	20%	7%	45
Average Rating (5-point scale)					2.80
Efforts are made to ensure information is shared consistently throughout FJD in a timely manner.					
Never	Rarely	Sometimes	Usually	Always	n
4%	20%	40%	27%	9%	45
Average Rating (5-point scale)					3.16

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Group differences

**Intersectional differences: Race x Gender.** Across race and gender groups among FJD judges, white female judges and female judges of color rated communication and decision-making (group averages = 2.7 and 2.8, respectively) as less transparent and inclusive compared to their male colleagues (Figure 19).

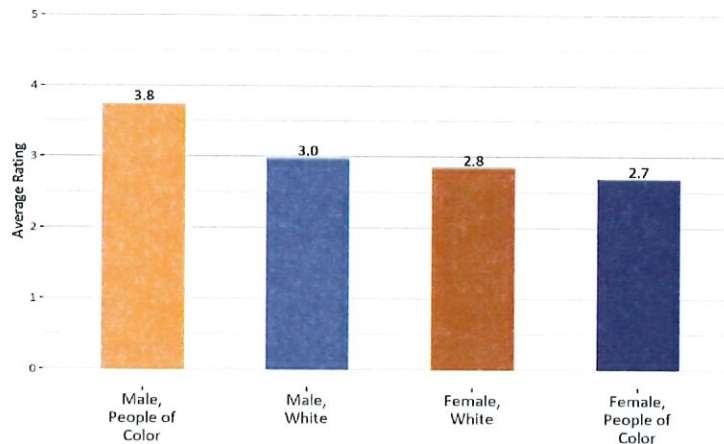


Figure 19. Ratings of FJD's communication and decision-making: race by gender identity - Judges

Judges tended to rank their involvement in policies that affect their work lower than staff did, which may be attributable to how judges are expected to enforce adherence to the law without authority to determine what the law is. While staff ranked transparency in communications and decision-making fairly high, the qualitative data indicates that at least some staff feel that



transparency in decision-making could be better. In particular, management expressed a desire to have more say and insight into how staff hires were made, and line staff wanted more insight and inclusion in the implementation of criminal justice reform initiatives.

### Personal Experiences of Discrimination/Discomfort at Work – Staff

The experiences of discrimination scale is the only scale where the improvement decision criterion is reversed – that is, because high scores on these items indicate negative experiences (Table 21). Average ratings for these items (domain average = 1.80) were low, with few employees reporting experiences of discomfort or discrimination because of their gender identity, sexual orientation, disability status, religion, educational background, or age. Nearly twenty percent (17%) of FJD staff, however, report experiencing discrimination because of their race or ethnicity. There was no major difference between people of color (average score = 1.82) and white respondents (average score = 1.86). Based upon qualitative data (open-ended survey responses), CURE observed that several white employees expressed racial resentment and made claims of “reverse racism,” which may explain the comparable level of white FJD employees reporting discrimination because of their race compared with employees of color.

Table 21. Personal experiences of discrimination/discomfort at work

<b>I have felt uncomfortable or out of place at work because of my race or ethnicity.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
30%	31%	18%	11%	6%	3%	670
Average Rating (6-point scale)						2.13
<b>I have felt uncomfortable or out of place at work because of my religion.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
35%	38%	14%	4%	3%	6%	670
Average Rating (6-point scale)						1.77
<b>I have felt uncomfortable or out of place at work because of my sexual orientation.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
35%	35%	13%	3%	2%	12%	670
Average Rating (6-point scale)						1.71
<b>I have felt uncomfortable or out of place at work because of my disability.</b>						

Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
27%	27%	14%	2%	1%	28%	670
Average Rating (6-point scale)						1.68
<b>I have felt uncomfortable or out of place at work because of my gender identity.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
32%	31%	15%	3%	1%	18%	670
Average Rating (6-point scale)						1.68

\*'N/A' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Personal Experiences of Discrimination/Discomfort at Work – Judges

Judges' average ratings for experiencing discrimination were favorably low (domain average = 2.20); however, a sizable portion (22%) of judges report experiences of discrimination at work (Table 22). Judges of color reported more discomfort due to race or ethnicity (average score = 3.0) than did white judges (average score = 2.18).

Table 22. Personal experiences of discrimination/discomfort at work

<b>I have felt uncomfortable or out of place at work because of my race or ethnicity.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
22%	33%	11%	18%	4%	11%	40
Average Rating (6-point scale)						2.49
<b>I have felt uncomfortable or out of place at work because of my religion.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
29%	49%	11%	7%	0%	4%	43
Average Rating (6-point scale)						2.00
<b>I have felt uncomfortable or out of place at work because of my sexual orientation.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
33%	36%	11%	2%	2%	16%	38
Average Rating (6-point scale)						2.04
<b>I have felt uncomfortable or out of place at work because of my disability.</b>						

Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
24%	22%	16%	2%	0%	36%	29
Average Rating (6-point scale)						2.31
<b>I have felt uncomfortable or out of place at work because of my gender identity.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
29%	31%	11%	2%	2%	24%	34
Average Rating (6-point scale)						2.18

\*'N/A' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

While experiences of personal discrimination are low on average, FJD's size makes even the small percentages significant. Focus groups participants of color noticed microaggressions such as: "You have some people who just because of what I may look like won't even acknowledge that I'm in the room" and "Some of us when we get in these positions, we have to justify why we're here." In the context of hires and promotions often being seen as part of political connections, often with a racialized framework that prioritized white judges and leadership prioritizing white hiring and promotion, these may contribute to feelings of discomfort at work.

### Cultural Competence and Humility – Staff

Staff members had high average ratings of their cultural competence and humility across this domain (domain average = 3.93). Details for all items are shown in Table 23 below. Notably, the majority of staff members agreed or strongly agreed (79%) that they regularly have meaningful interactions and learning experiences with people from diverse backgrounds.

Table 23. Cultural competence and humility

<b>I am aware of how my beliefs, values and privileges hinder or help my understanding of the perspectives and experiences of people of different cultures and backgrounds from my own.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n	
2%	2%	25%	53%	18%	670	
Average Rating (5-point scale)						3.94
<b>I have taken steps (for example through trainings, self-reflection, personal relationships, etc.) to understand how my biases affect how I interact with people of different cultures and backgrounds from own.</b>						
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n	

1%	5%	27%	49%	18%	670
Average Rating (5-point scale)					3.96
<b>I regularly have personally meaningful interactions and have learned from people of different cultures and backgrounds from my own.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	3%	16%	51%	28%	670
Average Rating (5-point scale)					4.14
<b>I am familiar with the strengths and resources of the community that we serve.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
1%	5%	26%	51%	16%	670
Average Rating (5-point scale)					3.95
<b>FJD provides flexibility regarding dress and appearance in the workplace and supports individual styles and differences.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
10%	17%	31%	33%	9%	670
Average Rating (5-point scale)					3.95
<b>I feel comfortable talking about race and racism at work.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
16%	21%	31%	25%	7%	670
Average Rating (5-point scale)					3.96
<b>Staff I interact with at FJD are comfortable talking about race and racism.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	20%	38%	24%	6%	670
Average Rating (5-point scale)					3.88
<b>Staff I interact with at FJD are comfortable talking about class and classism.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
11%	18%	41%	24%	6%	670
Average Rating (5-point scale)					3.81
<b>Staff I interact with at FJD are comfortable talking about gender bias and LGBTQ issues.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
11%	18%	43%	22%	5%	670
Average Rating (5-point scale)					3.80

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

## Cultural Competence and Humility – Judges

Judges' average ratings of their cultural competence and humility across this domain were notably lower than FJD staff (domain average = 3.51). Details for this domain are in Table 24 below. Judges mostly (87%) agreed or strongly agreed that they had taken steps to understand how their biases affect their interactions with people of different cultures and backgrounds. Additionally, most judges (86%) agreed or strongly agreed that they had meaningful interactions with people from different cultural groups and backgrounds. However, in general judges scores suggest that they and others approach discussions of EDI topics with apprehension. Specifically, a large portion of judges expressed discomfort (neutral or disagreed) with talking about race and racism at work (55%) and similarly believed that people they interact with at FJD were uncomfortable discussing issues of race (76%), class (71%), and gender and LGBTQ issues (71%).

Table 24. Cultural competence and humility

<b>I am aware of how my beliefs, values and privileges hinder or help my understanding of the perspectives and experiences of people of different cultures and backgrounds from my own.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	2%	13%	51%	31%	45
Average Rating (5-point scale)					4.07
<b>I have taken steps (for example through trainings, self-reflection, personal relationships, etc.) to understand how my biases affect how I interact with people of different cultures and backgrounds from own.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
0%	0%	13%	51%	36%	45
Average Rating (5-point scale)					4.22
<b>I regularly have personally meaningful interactions and have learned from people of different cultures and backgrounds from my own.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
0%	0%	13%	53%	33%	45
Average Rating (5-point scale)					4.20
<b>I am familiar with the strengths and resources of the community that we serve.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
0%	4%	20%	49%	27%	45
Average Rating (5-point scale)					3.98
<b>FJD provides flexibility regarding dress and appearance in the workplace and supports</b>					

individual styles and differences.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	7%	47%	36%	9%	45
Average Rating (5-point scale)					3.42
I feel comfortable talking about race and racism at work.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	22%	20%	38%	7%	45
Average Rating (5-point scale)					3.02
Staff I interact with at FJD are comfortable talking about race and racism.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	27%	36%	20%	4%	45
Average Rating (5-point scale)					2.76
Staff I interact with at FJD are comfortable talking about class and classism.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
9%	20%	42%	24%	4%	45
Average Rating (5-point scale)					2.96
Staff I interact with at FJD are comfortable talking about gender bias and LGBTQ issues.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
9%	18%	44%	22%	7%	45
Average Rating (5-point scale)					3.00

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

The difference between judges and staff on talking about race/racism are particularly interesting. One staff member noted: "They give us training all the time. Why can't management and all get trainings?" The room for improvement in feeling comfortable with and having conversations related to equity, marginalization, and race must be taken seriously as a court that frequently encounters community members of color and is charged with decisions that can seriously impact the course of a resident's life.

### Capacity to Act in Addressing Discrimination and Inequity – Staff

Staff rated organization-wide responsibility and support for addressing discrimination as moderately high (domain average = 3.90). Notably, the majority of respondents (79%) agreed or strongly agreed that all employees at FJD have a responsibility to promote equity, diversity, and inclusion in the workplace. Item details for this domain are shown in Table 25.

Table 25. Responsibility and organizational support for addressing discrimination

<b>All employees have a responsibility to promote workplace equity, diversity and inclusion.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
2%	2%	16%	46%	33%	670
Average Rating (5-point scale)					4.19
<b>I feel I have organizational support to promote racial equity.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
8%	14%	38%	31%	9%	670
Average Rating (5-point scale)					3.84
<b>If I raised a concern about discrimination, I am confident FJD would do what is right.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
11%	16%	33%	30%	9%	670
Average Rating (5-point scale)					3.91
<b>There is support for people who share their experiences with racialized incidents.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
10%	13%	50%	21%	6%	670
Average Rating (5-point scale)					3.68

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Capacity to Act in Addressing Discrimination and Inequity – Judges

Judges' ratings of organization-wide responsibility and support at FJD for addressing discrimination were moderately high (domain average = 3.61). Judges overwhelmingly (98%) agreed or strongly agreed that all employees at FJD have a responsibility to promote equity, diversity, and inclusion in the workplace. Sixty-four percent (64%) of judges were neutral or disagreed that FJD would do what is right in response to concerns about discrimination being raised. Additionally, 70% of judges felt neutral or disagreed that FJD supports employees who share their experiences with racialized incidents. Item details for this domain are shown in Table 26.

Table 26. Responsibility and organizational support for addressing discrimination

<b>All employees have a responsibility to promote workplace equity, diversity and inclusion.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
0%	0%	2%	40%	58%	45
Average Rating (5-point scale)					4.56

I feel I have organizational support to promote racial equity.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
4%	11%	24%	40%	20%	45
Average Rating (5-point scale)					3.60
If I raised a concern about discrimination, I am confident FJD would do what is right.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
11%	13%	40%	24%	11%	45
Average Rating (5-point scale)					3.11
There is support for people who share their experiences with racialized incidents.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
7%	16%	47%	18%	13%	45
Average Rating (5-point scale)					3.16

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Group Differences

**Economic Background.** Among judges, those from upper middle-class households rated FJD's capacity to act in addressing discrimination higher (group average = 4.2) than did those who from middle-class (group average = 3.6) and working class/working poor backgrounds (Figure 20). Consistently across several data points, judges from higher-income backgrounds express more confidence in FJD as a fair workplace where sufficient efforts are made to hire diverse staff and where discrimination complaints would be addressed.

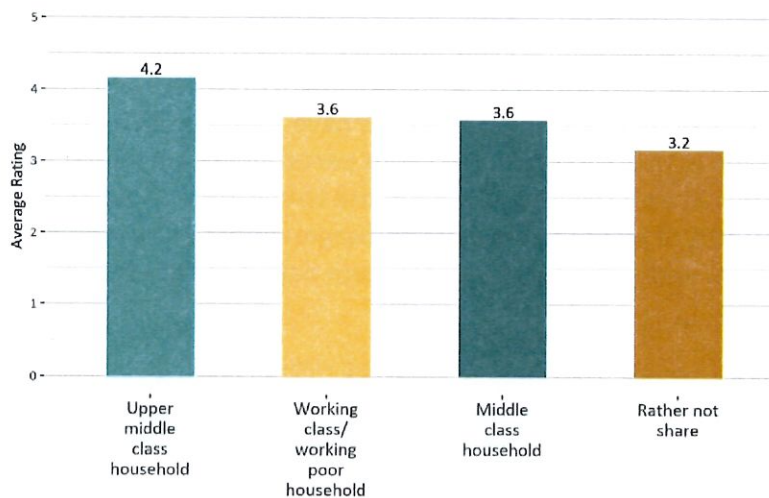


Figure 20. Ratings of FJD organizational capacity to address discrimination, by economic background - Judges



In open-ended survey responses and in focus groups, staff expressed a high level of mistrust. One participant shared a personal experience: “I don’t go to HR, and I’ll tell you why...I would see the head of HR go down and talk to [another staff member] about private issues affecting other people. I’ve heard it.” This rift between staff and human resources also put some of the higher ratings of FJD in context: it is possible that staff are afraid to provide negative feedback in fear of losing their jobs and a lack of trust that their responses will be kept confidential. One focus group participant noted: “I feel like if I say something, I’m not safe. I’m not going to be okay. It’s going to be just brushed under the rug, and I’m still going to have to deal with the repercussions day in and day out.”

### Teamwork and Collaboration – Staff

Staff ratings of teamwork and collaboration at FJD were moderately high (domain average = 3.96). Item score details are provided in Table 27 below.

Table 27. Teamwork and collaboration

The environment encourages teamwork and collaboration.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
8%	12%	25%	38%	12%	638
Average Rating (5-point scale)					3.99
There is support from management for collaborations between work units or divisions.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
11%	15%	31%	33%	9%	663
Average Rating (5-point scale)					3.94

\*“Don’t know” responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Teamwork and Collaboration – Judges

Judges had moderately low ratings of teamwork and collaboration at FJD, suggesting potential areas for improvement (domain average = 3.12). A large segment of judges felt neutral or disagreed that the work environment at FJD encourages teamwork and collaboration (60%) and felt neutral or disagreed that management at FJD supports collaboration between courts/departments (62%). Item score details are given in Table 28 below.

Table 28. Teamwork and collaboration

The environment encourages teamwork and collaboration.					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n

Disagree		nor Disagree		Agree	
11%	9%	40%	33%	7%	45
Average Rating (5-point scale)					3.16
<b>There is support from management for collaborations between work units or divisions.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	9%	40%	31%	7%	45
Average Rating (5-point scale)					3.09

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

### Organizational Culture of Learning – Staff

Staff ratings of FJD's culture of learning indicate there is room for improvement in this domain (domain/item average = 3.03). Nearly a third (31%) disagreed or strongly disagreed that FJD has a culture that encourages learning, growth, and change (Table 29).

Table 29. Organizational culture of learning

<b>FJD has a culture that encourages learning, growth, and change.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
13%	18%	30%	31%	8%	670
Average Rating (5-point scale)					3.03

### Organizational Culture of Learning – Judges

Similar to staff, judges' ratings of FJD's culture of learning indicate a need for more efforts that support learning, growth and change at FJD (domain/item average = 3.27). Slightly more than half of judges (52%) were neutral or disagreed that FJD has a culture that encourages learning, growth, and change (Table 30).

Table 30. Organizational culture of learning

<b>FJD has a culture that encourages learning, growth, and change.</b>					
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
9%	16%	27%	38%	11%	45
Average Rating (5-point scale)					3.27

\*'Don't know' responses excluded in average rating calculation. Percentages may not add up to 100 due to exclusion of missing responses.

## Differences between Staff and Judges

There was a large difference in experiences of discrimination between staff and judges. These differences are summarized in Figure 27. Staff members had much higher average reports of experiencing discrimination at work (average rating = 4.1) relative to judges (average rating = 2.2). This was among the largest differences observed across all analyses of FJD survey data.

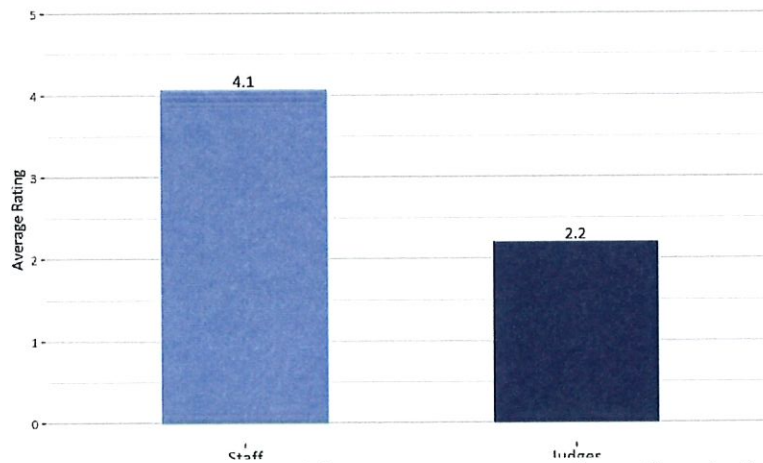


Figure 27. Experiences of discrimination at work: Staff vs. Judges

## Conclusions and Recommendations

Overall, staff and judges at the First Judicial District of Pennsylvania report working with a culturally diverse staff and feel respected in the workplace. Most staff indicate that they see themselves working at FJD in the next two years. Judges and staff believe that FJD's policies promote fairness and that they regularly experience meaningful interactions with people from diverse backgrounds, indicating structural and interpersonal potential for an equitable and inclusive FJD. The assessment findings outlined in this report, however, illuminate a culture of nepotism, mistrust, and racial tension that is constantly brewing – and occasionally bubbling to the surface.

It is noteworthy that although staff rate FJD leadership moderately in its commitment to treating employees respectfully, ratings noticeably decline in most other domains related to leadership's support for equity-related conversations. A lack of support for these conversations in a court system where there have been widely known incidents of racism can foster a culture of implicit and explicit bias and brand marginalized people expressing these concerns as troublemakers rather than whistleblowers.

We find that among some white staff and judges, there is a sense of disbelief that institutional and structural racism are a significant factor in modern society. For example, a white FJD employee expressed that “[a]s far as “ethnicity”, in my life experience, he who cries “racism” is usually steeped in racism,” and a white judge observed that “Black coalitions seem to now rule.” Some white staff and judges believe that *reverse racism* is as significant as racism against people of color. An incident in which a black woman judge received a racist letter was not taken seriously, and staff of color – particularly women of color – took note that the intersection of racism and sexism is not taken seriously by white employees throughout FJD.

Although many staff believed that nepotism would never be addressed at FJD, it is clear that judges and administrative leadership are deeply aware of its presence and are either unwilling to change it or do not believe that they have the capacity to challenge it. While this system works for many staff – staff hired through political connections – black staff in particular report not being promoted, not receiving recommendations for promotions, and having to fight for menial increases in salary. These tensions are causing additional stress on staff of color who spoke about not only having to do their jobs, but also serve as a support system to each other – acting as “psychiatrists” on top of everything else.

CURE is recommending a series of interventions to address structural, institutional, and interpersonal determinants of inequity at FJD.

## Organizational Culture:

- **Move leadership from “it is what it is” to “this is not how it should be, let’s work together” [to correct it].** Staff are struggling as they believe that leadership does not understand or care about the issues that exist within FJD. For example, some white staff and judges do not believe racial harassment is occurring at FJD or perceive it as occurring more against white people. Nepotism, however, was universally observed as a problem at FJD. Across race, position levels and courts, most assessment participants (including staff and judges) agreed that nepotism was a significant part of the daily experience at FJD. Nepotism is an equity issue and a racial equity issue as people of color are less likely to have connections that open doors to job opportunities and promotions. Judges and administrative leadership should work with staff members to shift power from the politically connected to those who have a vision for eliminating racism and nepotism within the court system.
- **Implement equity and inclusion training across FJD.** Most FJD staff have not received equity and inclusion training. CURE recommends implementing a system-wide anti-racism and equity and inclusion training program that includes FJD staff as well as administrative leaders and judges. Implementing a train-the-trainer program to institutionalize these trainings at FJD will be critical for continuity and normalization of racial equity discussions, as well as operationalization of equity concepts across the court’s culture and organizational practice. Under CURE’s current contract, the firm will develop a training plan based on the assessment findings and implement select trainings by March 2020.
- **Conduct trainings throughout the year, not just when judges are on vacation.** Judges schedules dictate the lives of staff, so much so that staff professional development is based on judge’s schedule. While some leadership were said to have an “this is at-will employment” mindset, meaning that if staff don’t like the way things are they should just leave, a stronger organizational culture would recognize that the courts cannot run equitably without a strong team of staff.

## Hiring, Retention, Advancement

- **Perform an equity review of all salaries and promotions for racial equity and seniority.** This equity review should be conducted by an outside party and made publicly available to all staff within the organization. These audits should be conducted periodically on departments, and may include accuracy of job descriptions, and effectiveness of staff in accomplishing goals.
- **Make internal salary ranges available to all staff and write explicitly into performance reviews why someone is at their existing salary.** This will improve accountability when staff ask for salary increases and promotions, and provide FJD an opportunity to give

people a realistic understanding of their movement and growth.

- **Provide mechanisms to temporarily compensate and reflect on evaluations when an employee fills in on interim basis by doing duties of vacant position.** Many staff noted that over the course of their time at FJD, they took additional responsibilities but were not compensated monetarily or given a title change or promotion. Performance evaluations were also not seen to appropriately record these differences to support future promotion or raises. Developing a tool to address this would change some of these dynamics.

### **Communication and Decision-Making**

- **Publish this report publicly for accountability.** Staff raised concerns that this report would primarily be used to protect FJD and keep them from being held accountable. Publishing this report publicly would be an important step toward changing this dynamic and would go a long way in communicating that FJD is serious about working to make change.
- **Increase transparency in communication related to hires.** Managers asked for an opportunity to have a say in who is part of their departments. This suggests that managers are not provided information about how and why members are added to their teams, further instilling mistrust and disempowering staff members. More explicit conversations may provide the first step to change that is needed.
- **Have an anonymous box for complaints/suggestions from employees.** Particularly since HR is not perceived as a trusted entity by many, an anonymous place for staff to suggest feedback and provide an alternative method for grievances may support deeper trust – but only if feedback is addressed. A public forum in which comments are addressed from the anonymous box can support this.

### **Programs and Services**

- **Shift customer service protocols to be more welcoming.** Some members of management noted that some line staff believe that all defendants accessing the court are criminals, which runs contrary to the principles of a trial-based justice system. Training to address this explicit bias, as well as internalized bias regarding defendants and criminalization is crucial to developing a more equitable court system.
- **Include staff and resident voices while developing criminal justice reform initiatives.** Many staff noted that the pretrial reform initiatives are not being communicated with staff in a way that meaningfully includes their voices. Furthermore, residents and community members who will be most affected by these initiatives must also have a strong understanding of these initiatives. As one participant noted, this is a significant

shift: “We’re trying to get people out of jail, eliminate the cash bail system, which I’m fine with. But in all of this, where are we? Where are the line staff workers and mid-level supervisors? Where are we in any of this? You know, what’s going to explain to us after all those years we’ve been told, lock them up, lock them up, lock them up, lock them up. Jail, jail, jail.” Programs should be integrated vertically across leadership levels, rather than only focusing on judges.

### **Facilities and Operations**

- **Conduct a thorough language access assessment and implement a plan to provide translation services.** Staff noted that there were not enough Spanish interpreters to meet the demand, which meant a lack of equity for non-English speaking residents interacting with the court and creates a burden for the Spanish speaking court staff who often serve as intermediaries even though this falls outside of their job duties.

### **Community Engagement and Partnerships**

- **Publish this report for the wider Philadelphia community.** A court system is meant to serve the residents of a community – for public and individual safety. The health of that court system is the business of the residents of Philadelphia, and this report should be accessible to them. Accountability is crucial for organizations serving the public, and leadership of this institution should not solely belong to judges or administration, but to community members who are the primary recipients of its services.

