

DMC ACTION NETWORK INAUGURAL MEETING

October 24-25, 2007
Washington, DC

Models for Change
Systems Reform in Juvenile Justice

CENTER FOR
Children's
Law and Policy

What is DMC?

- DMC = Disproportionate Minority Contact with the juvenile justice system
- Goals are to:
 - (1) reduce over-representation of youth of color
 - (2) reduce racial and ethnic disparities
 - (3) prevent youth of color from entering and moving deeper into the juvenile justice system.

DMC is **not**:

- A research project
- Solving the problems of racism or poverty
- The Blame Game - kids, parents, the community, music videos, television, the media, “the system”
- Gotcha!
- Fingerpointing at public officials
- The Abuse Excuse - poor, broken home, bad neighborhood, etc.
- Slap on the wrist for African-American/Hispanic youth

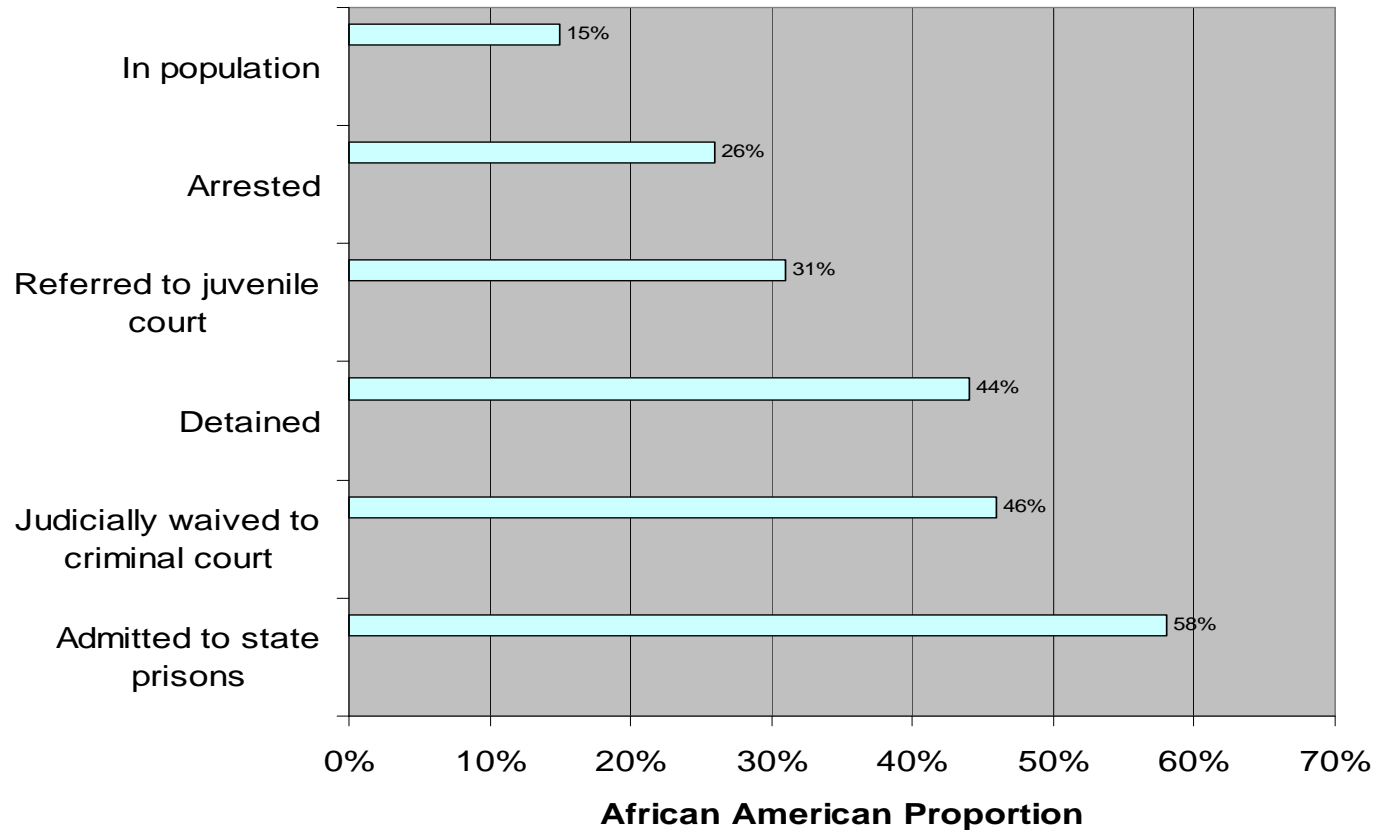
Why does DMC occur?

- Structural inequalities and inequities in our society
- Differential offending rates
- Juvenile justice policies that are fair on their face but have unintended negative consequences
- Police responses to crime
- Location of offenses
- Conscious or unconscious use of racial/ethnic stereotypes
- Policy based on anecdote or “gut feeling”
- Inertia
- Failure to use data to drive decisions
- Failure to include all stakeholders in policy decisions

How do we measure DMC?

- Overrepresentation

African American Proportion of Youth



Note: Reflects 1998 population, 1998 arrests, 1997 information on referrals, detentions, petitions, adjudication's, waivers; 1997 residential placements; 1997 state prison admissions.

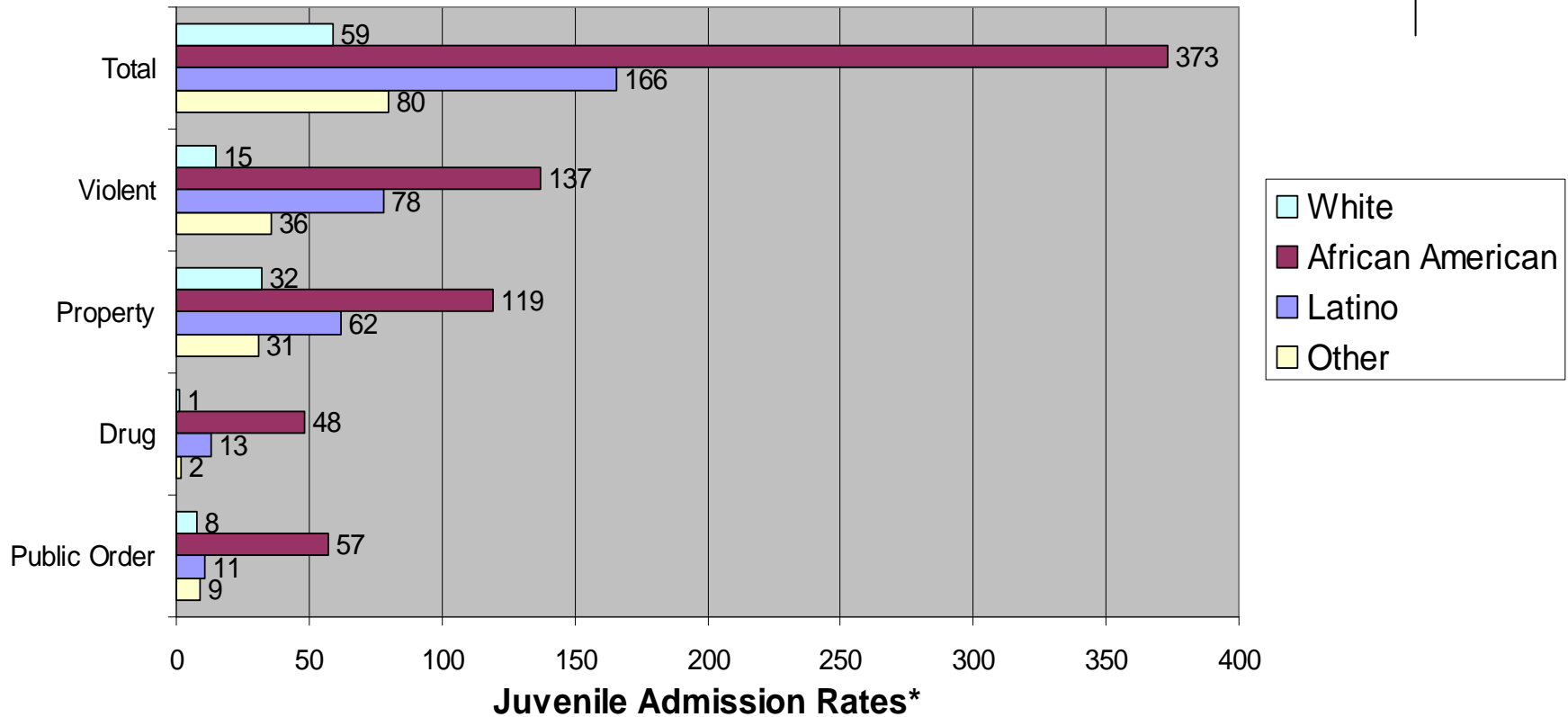
Sources: U.S. Bureau of the Census' *Population Estimates for States by Age, Sex, Race, and Hispanic Origin: 1980-1998*; OJJDP's *Juvenile Arrests, 1998*; OJJDP's *Easy Access to Juvenile Court Statistics: 1988-1997*; OJJDP's *Juvenile Offenders and Victims: 1999 National Report* and BJS's *Profile of State Prisoners Under age 18, 1985-97*.

How do we measure DMC?

- Overrepresentation
- Differential (disparate) treatment

1993 Admissions Rates* of Juveniles to State Public Facilities

Youth With No Prior Admissions**



*Rates are calculated per 100,000 youth age 10 to the upper age of juvenile court jurisdiction in each state.

** States includes AK, AZ, AR, CA, DE, GA, ID, IL, IN, IA, KY, LA, ME, MD, MA, MN, MS, MO, NE, NH, NJ, NY, ND, OH, OK, OR, SC, SD, TN, TX, UT, VT, VA, WV, WI.

Note: Persons of Hispanic origin may be of any race. White and African American categories do not include youth of Hispanic origin.

Total contains offenses not shown.

Source: *The Juveniles Taken Into Custody Research Program: Estimating the Prevalence of Juvenile Custody Rates by Race and Gender*. National Council on Crime and Delinquency (1993).

How do we measure DMC?

- Overrepresentation
- Differential (disparate) treatment
- Relative Rate Index (RRI)

Allegheny County, 2000-2002

Summary of Black to White Relative Rate Ratios

The "relative rate index" (RRI) is a way to compare processing rates of youth of color to white youth. If the rate for youth of color is identical to that of white youth, the relative rate index is "1."

| | Arrest | Referral | Informal | Detention | Petitioned | Adjudicate | Probation | Placement | Waiver |
|---------------------|--------|----------|----------|-----------|------------|------------|-----------|-----------|--------|
| Both Genders | | | | | | | | | |
| For all offenses | 2.8 | 5.5 | 0.8 | 1.8 | 1.1 | 0.9 | 1.2 | 1.7 | -- |

"--" indicates that there were too few cases to calculate reliable rates.

The data analysis presented here was prepared by the National Center for Juvenile Justice.

How can we reduce DMC?

Build on the work of pioneers in DMC reduction:

W. Haywood Burns Institute

Annie E. Casey Foundation's
Juvenile Detention Alternatives Initiative

How can we reduce DMC?

- Develop oversight body of all stakeholders
- Closely map juvenile justice process from first contact
- Analyze data at all stages of the juvenile justice system
- Identify gaps in the data and improve data availability and accuracy
- Identify specific decision points where racial or ethnic disparities exist or there is unnecessary juvenile justice system involvement
- Create interventions to reduce disparities or unnecessary involvement
- Monitor implementation

Most juveniles tried as adults in criminal court were black male person offenders

| Offender characteristics | Percent of juvenile transfer felony defendants in criminal court |
|--------------------------|--|
| Age | 100% |
| 14 or younger | 8 |
| 15 | 24 |
| 16 | 27 |
| 17 | 40 |
| Sex | 100% |
| Male | 92 |
| Female | 8 |
| Race | 100% |
| White | 31 |
| Black | 67 |
| Other race | 2 |
| Offenses | 100% |
| Person | 66 |
| Murder | 11 |
| Rape | 3 |
| Robbery | 34 |
| Assault | 15 |
| Property | 17 |
| Burglary | 6 |
| Theft | 8 |
| Drug | 14 |
| Public order | 3 |

- About two-thirds of juveniles prosecuted in criminal courts in the Nation's 75 largest counties were charged with a felony person offense.

Note: General offense categories include offenses other than those displayed. Detail may not total 100% because of rounding.

Source: Authors' adaptation of Strom, Smith, and Snyder's State Court Processing Statistics, 1990–94: Juvenile felony defendants in criminal courts.

Table 3

WHITE OVER-COUNT OF PRISONERS (1997)

| | <i>Percentage White prisoners reported</i> | <i>Actual percentage White prisoners</i> | <i>Percentage White over- count</i> |
|------------|--|--|---|
| Federal | 58.0 | 31.3 | 26.7 |
| Arizona | 79.6 | 48.8 | 30.8 |
| California | 30.1 | 30.1 | 0.0 |
| Colorado | 71.0 | 45.0 | 26.0 |
| Florida | 42.5 | 36.0 | 6.5 |
| Idaho | 80.9 | 68.8 | 12.1 |
| New Jersey | 25.8 | 17.7 | 8.1 |
| New Mexico | 83.0 | 28.9 | 54.1 |
| New York | 42.9 | 18.3 | 24.6 |
| Texas | 27.6 | 27.6 | 0.0 |
| Utah | 86.2 | 68.2 | 18.0 |

Source: Holman, B. (2001). *Masking the divide: How officially reported prison statistics distort the racial and ethnic realities of prison growth*. Alexandria, VA: National Center on Institutions and Alternatives. Figure 4: Percent of prison population that is White, 1985 & 1997.

Findings regarding Latino youth

Latino youth are significantly overrepresented in the justice system

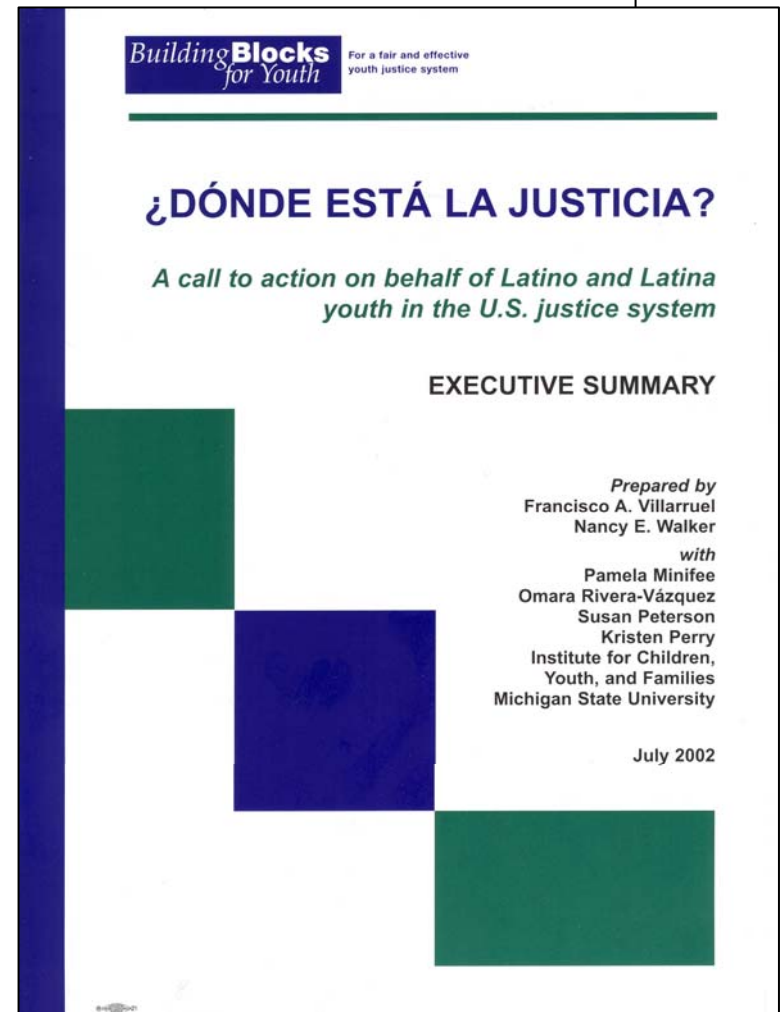
Data collection mechanisms are inadequate

Significant undercounting

Failure to separate race from ethnicity

Lack of adequate bilingual services

Lack of culturally competent staff



Models for Change

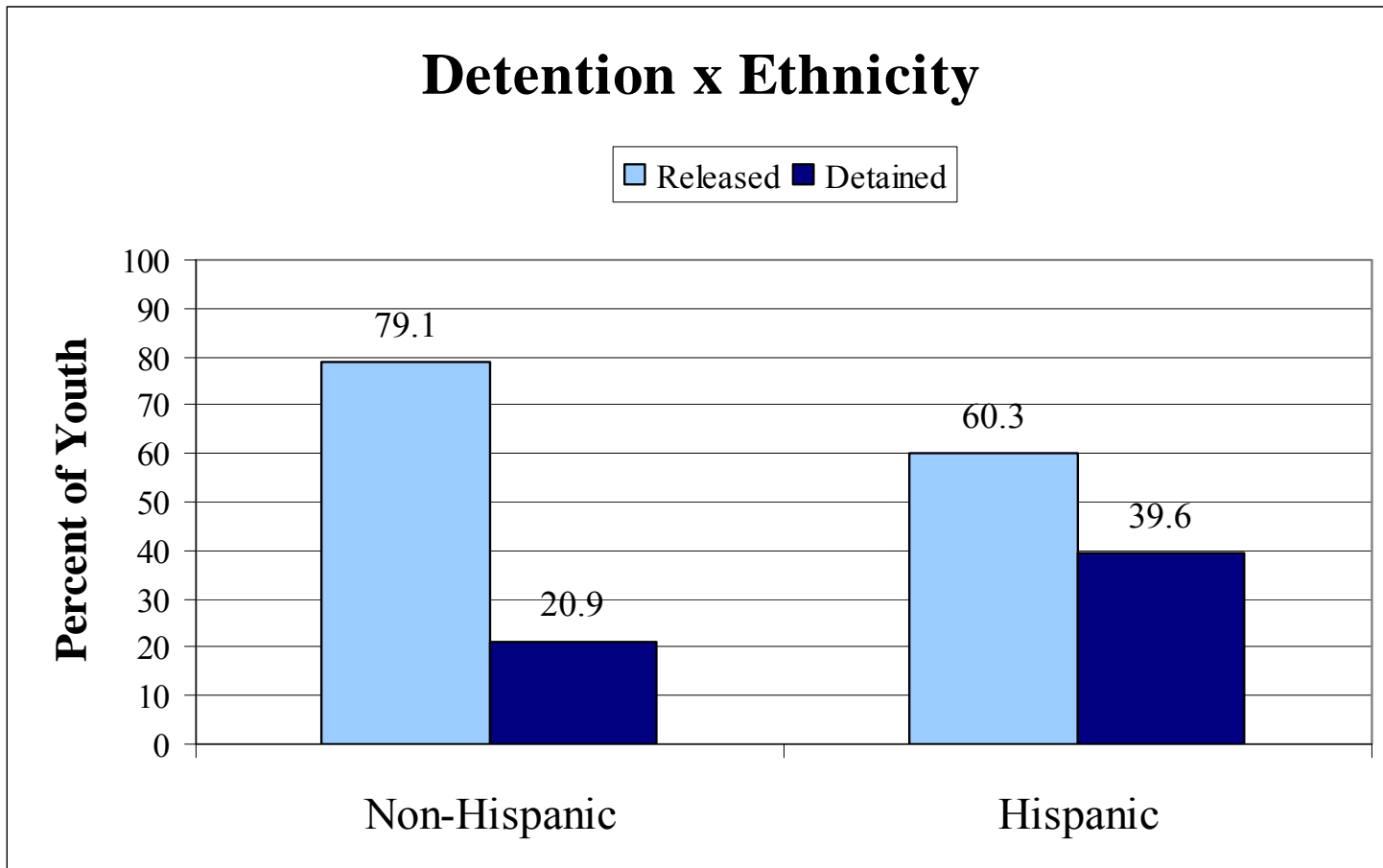
Latino Juvenile Justice Networks

Angela Arboleda

Cassandra Villanueva

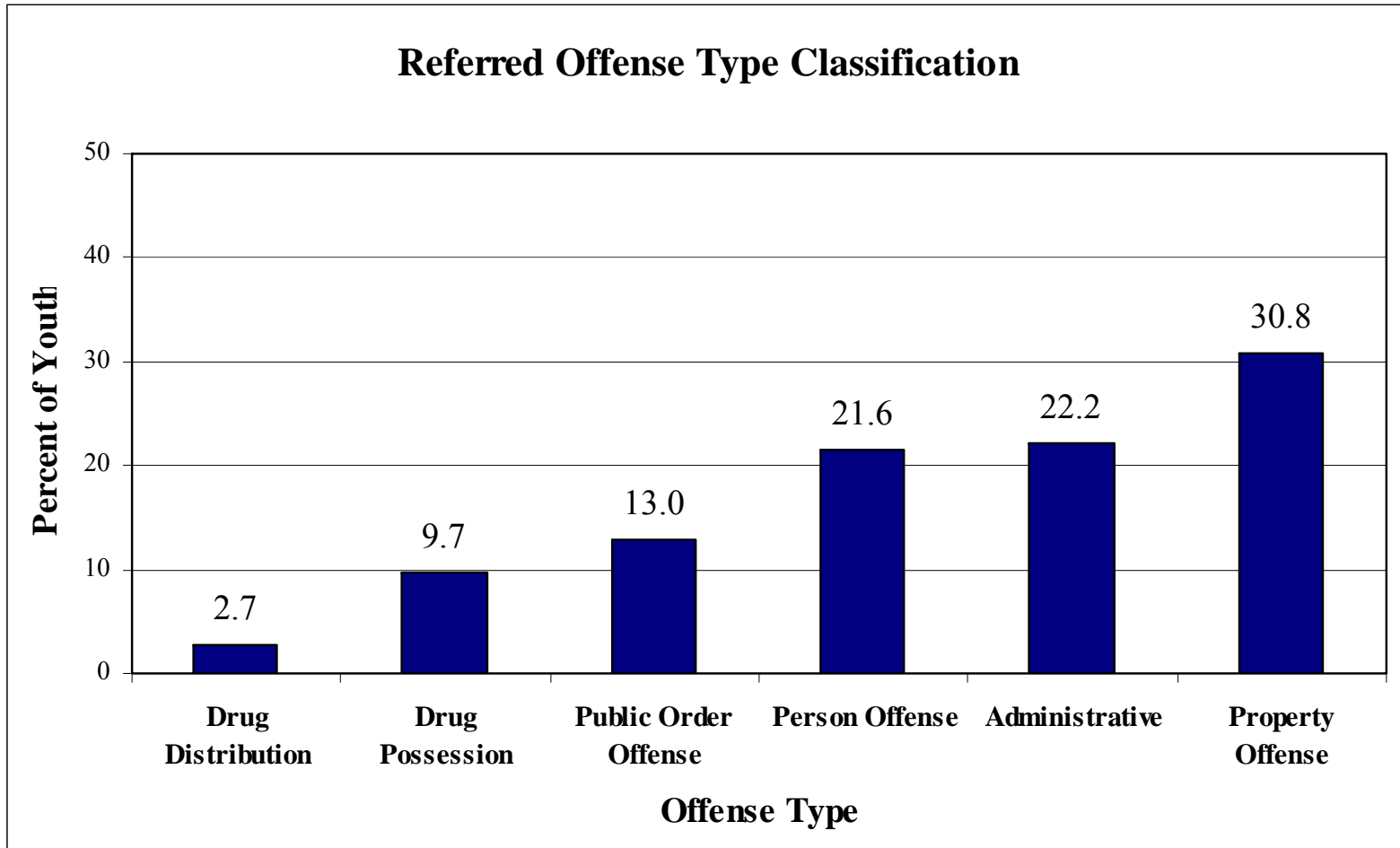
National Council of La Raza

Berks County, PA Youth Detained by Ethnicity



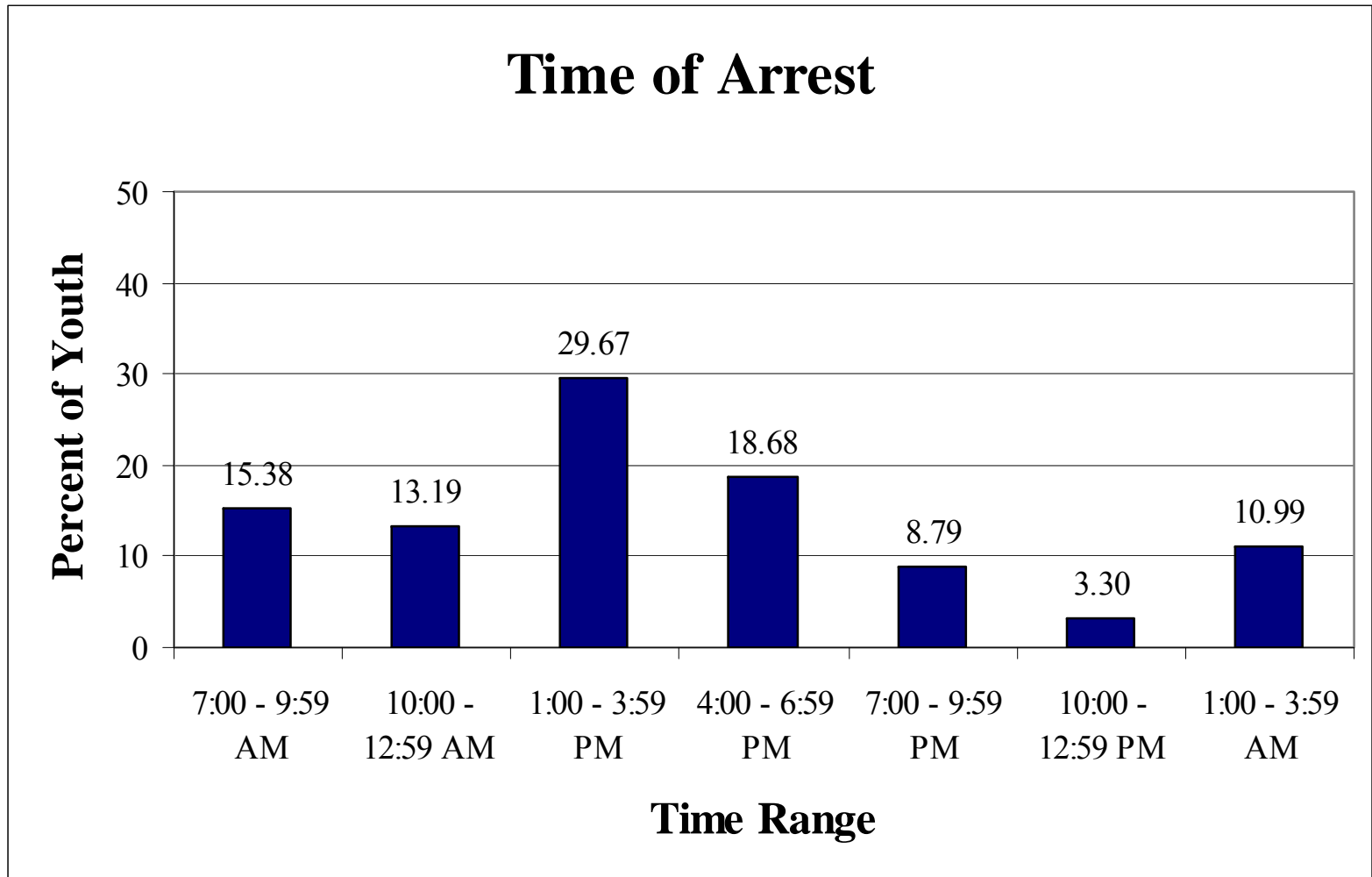
Berks County, PA

Referred Offense Classification



Berks County, PA

Time of Arrest



Berks County, PA

Locations: Home Zip Codes

44 Home ZIP Codes were represented (183 youth)
The top 5 ZIP Codes accounted for 57.38% of the data

1. 19601 (45 cases, 24.59%)
2. 19604 (26 cases, 14.21%)
3. 19602 (21 cases, 11.48%)
4. 19606 (7 cases, 3.83%)
5. 19518 (6 cases, 3.28%)

Berks County, PA

Locations: Arrest Zip Codes

26 Arrest ZIP Codes were represented (145 youth)
The top 5 ZIP Codes accounted for 64.8% of the data

1. 19601 (47 cases, 32.41%)
2. 19610 (17 cases, 11.72%)
3. 19604 (15 cases, 10.35%)
4. 19605 (9 cases, 6.21%)
5. 19606 (6 cases, 4.14%)

Berks County, PA Language Capability

- 11.7% (22 youth) needed a translator (either for themselves or for their parent)
- 13.3% (25 youth) had a parent who preferred Spanish
- 0.5% (1 youth) had Spanish Forms on File

Examples of Berks County Data-Driven Recommendations

- Address over-representation at detention
- Focus on low- to moderate-risk youth
- Develop programs and services available in the afternoons and evenings
- Locate those programs and services in zip codes 94601 and 94604
- Ensure availability of translators
- Translate all forms into Spanish

Look at Key Decision Points

- Arrest
- Referral
- Informal resolution
- Detention
- Petition
- Adjudication
- Probation
- Placement
- Waiver

Models for Change Approach to DMC Reduction

1. Development of steering committee to oversee DMC work, including all stakeholders
2. Quantitative research: initial data collection and analysis
3. Regular data collection and reporting to steering committee
4. Qualitative research: juvenile justice system process mapping, review of policies, focus groups, interviews with stakeholders

Models for Change Approach to DMC Reduction

5. Deeper quantitative research: focused case reviews to gain more information on target questions
6. Development of Risk Assessment Instrument (RAI) for detention
7. Identification of pre-adjudication programs and services
8. Examination of cultural competence and relevance of programs and services

Models for Change Approach to DMC Reduction

9. Development of new pre-adjudication programs and services, revised policies
10. Identification of post-adjudication programs and services
11. Development of new post-adjudication programs and services, revised policies
12. Regular monitoring of effectiveness of pre-adjudication and post-adjudication programs, policies and services

How should we define success?

Long-term Goals:

- > Reduction in DMC
 - Overrepresentation
 - Disparate treatment
 - Unnecessary entry/penetration into the justice system
- > Increased effectiveness and responsiveness of the juvenile justice system

How should we define success?

Short-term Objectives

- > Collaboration among all stakeholders
- > Mapping juvenile justice process from first point of contact
- > Collection and analysis of key data
- > Identification of existing programs, policies, and services
- > Use of data to develop interventions
- > Regular monitoring and evaluation of implementation

DMC Action Network

12 sites working on DMC reduction

8 sites in 4 Models for Change states:

Pennsylvania -- Allegheny, Berks, Philadelphia

Illinois -- Peoria

Louisiana -- Jefferson, Rapides

Washington -- Pierce, Benton-Franklin

DMC Action Network

12 sites working on DMC reduction

4 sites in 4 new states:

Kansas - Sedgwick County

Maryland - Baltimore City

North Carolina - Union County

Wisconsin - Rock County

Strategic Innovations

- Data collection and analysis
- Cultural competence and community responsiveness
- Ethnicity and language data collection
- Risk screening tools
- Alternative program and diversion services
- Post-dispositional DMC issues

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