RED
PRACTICE
MANUAL

Chapter 3: Reducing Racial and Ethnic Disparities at Arrest

CENTER FOR
Children's
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Reducing Racial and Ethnic Disparities at Arrest

I.   The Issue

Arrest by law enforcement officers is a primary pathway for youth to enter the juvenile justice system. As noted by the National Center for Juvenile Justice (NCJJ), in 2010, 83% of referrals to the juvenile justice system originated from law enforcement agencies.[1] NCJJ data demonstrate that arrest by law enforcement officers is also a significant point of overrepresentation for youth of color.[2] As reflected in the table below, law enforcement officers arrested Black youth at more than twice the rate of their white counterparts.[3] Thus, arrest is a critically important target for reforms to prevent unnecessary entry into the juvenile justice system for youth of color.

2012 Case Processing Summary **Rates for Delinquency Offenses**						
RATE	**All**	**White**	**Minority**	**Black**	**AIAN***	**AHPI****
Juvenile arrests per 1,000 persons in population	37.6	32.0	55.3	73.2	28.7	11.0
Cases referred per 100 juvenile arrests	91.7	89.4	95.9	96.6	106.1	74.4
Cases diverted per 100 cases referred	27.4	30.3	22.2	22.0	23.4	27.7
Cases detained per 100 cases referred	19.9	18.1	22.9	22.8	26.5	20.7
Cases petitioned per 100 cases referred	54.1	51.0	59.4	59.6	57.1	56.5
Cases adjudicated per 100 cases petitioned	56.7	58.7	53.7	53.0	67.0	54.8
Probation cases per 100 adjudicated cases	63.4	64.8	61.3	60.7	63.1	73.2
Placement cases per 100 adjudicated cases	24.9	23.3	27.6	28.0	24.8	19.0
Cases judicially waived per 100 cases petitioned	0.7	0.6	0.9	0.9	0.8	0.4

* AIAN: American Indian or Alaskan Native.
** AHPI: Asian, Hawaiian, or Pacific Islander.

A young person is "considered to be arrested when law enforcement agencies apprehend, stop or otherwise contact them and suspect them of having committed a delinquent act."[4] However, there is growing evidence that contact between law enforcement and youth of color can have harmful effects even if no arrest occurs. A 2013 report[5] in *Crime and Delinquency* found that simply being stopped by the police

can have negative effects on a young person's development and can amplify, rather than deter, the risk of developing delinquent attitudes and behaviors. These findings held true even in cases where an arrest and formal processing did not occur. The report found that, while aggressive policing policies that target youth and communities of color may appear to be effective solutions to crime in the short term, they may produce negative unintended consequences in the long term.

As noted in the Introduction to this Practice Manual, over the past two years the deaths of a number of African-Americans during arrests by white police officers or in police custody have raised new levels of public concern about racial bias and the system of justice in this country. Several events were recorded on video, either on police car dashboard cameras or by witnesses with smartphones, and the videos have been seen on the internet by millions of people all over the world. These events have heightened awareness about the impact of racial and ethnic bias in the system. They have also spurred public officials, policymakers, parents, and community leaders to look with greater determination for effective strategies and programs to reduce the impact of racial and ethnic bias at key decision points in the juvenile justice system and in the structures of our society, beginning with arrest.

We charge law enforcement agencies and their officers with the difficult task of protecting public safety. To do their job effectively, they need resources, training, and the discretion and flexibility to handle a wide variety of situations. However, when implicit racial bias combines with broad discretion in the field, the results can be tragic. The urgency of addressing racial and ethnic disparities at the arrest decision point is clear.

In December of 2014, President Barack Obama established the President's Task Force on 21st Century Policing (Task Force) to examine how law enforcement agencies can best ensure public safety while also building trust and legitimacy with the communities they serve. In its interim report,[6] the Task Force acknowledged the disparate and negative impact of policing on communities of color and recommended that law enforcement agencies recognize the role of "policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust."[7] The Task Force also noted the particular impact that policing practices had on children and youth and implored law enforcement agencies to reduce the use of aggressive tactics that stigmatize and marginalize at-risk youth.

II.   Factors that Contribute to Disparities at Arrest

A. Law Enforcement Deployment Patterns and Policing Strategies

Many factors contribute to disparate rates of contact with law enforcement officers and unnecessary arrests of youth of color. In their efforts to respond effectively to crime patterns within in a community, law enforcement agencies often focus resources on low-income, urban communities of color. Many common deployment and policing strategies are considered effective practices within law enforcement. While increased police presence in these communities may appear necessary and in line with the interests of public safety, it also leads to more frequent contact between police and youth of color.

1. Hot Spot Policing

Hot spot policing is an approach to crime reduction that focuses on the fact that crime tends to cluster in small areas, or "hot spots," within a larger community. The hot spot policing approach assumes that major crime takes hold in a community when minor crimes and public disorder go unanswered. These hot spots, which are often in urban communities with large populations of youth of color, become the targets of aggressive enforcement activities, including increased pedestrian and traffic stops, thereby increasing the likelihood of police contact and arrest for youth of color.

2. Drug Enforcement

Drug enforcement activities tend to target street-level drug trade in urban communities, which is readily visible to police on patrol, as opposed to the drug trade occurring in homes in suburban and rural communities. While rates of drug use and involvement in the trade of illegal drugs are comparable across racial groups, law enforcement officers stop, search, and arrest youth of color at significantly higher rates for drug-related offenses than their white counterparts. According the 2013 Youth Risk Behavior Surveillance Report,[8] marijuana use is only slightly higher among black (28.9%) and Hispanic (27.6%) students than it is for white (20.4%) students. While these data do reflect a slightly higher incidence of marijuana use among Black and Latino youth, they do not account for the fact that, according to National Center for Juvenile Justice's (NCJJ) 2011 National DMC Databook, Black youth are almost 40% more likely to be arrested for a drug law violations than their white counterparts.[9]
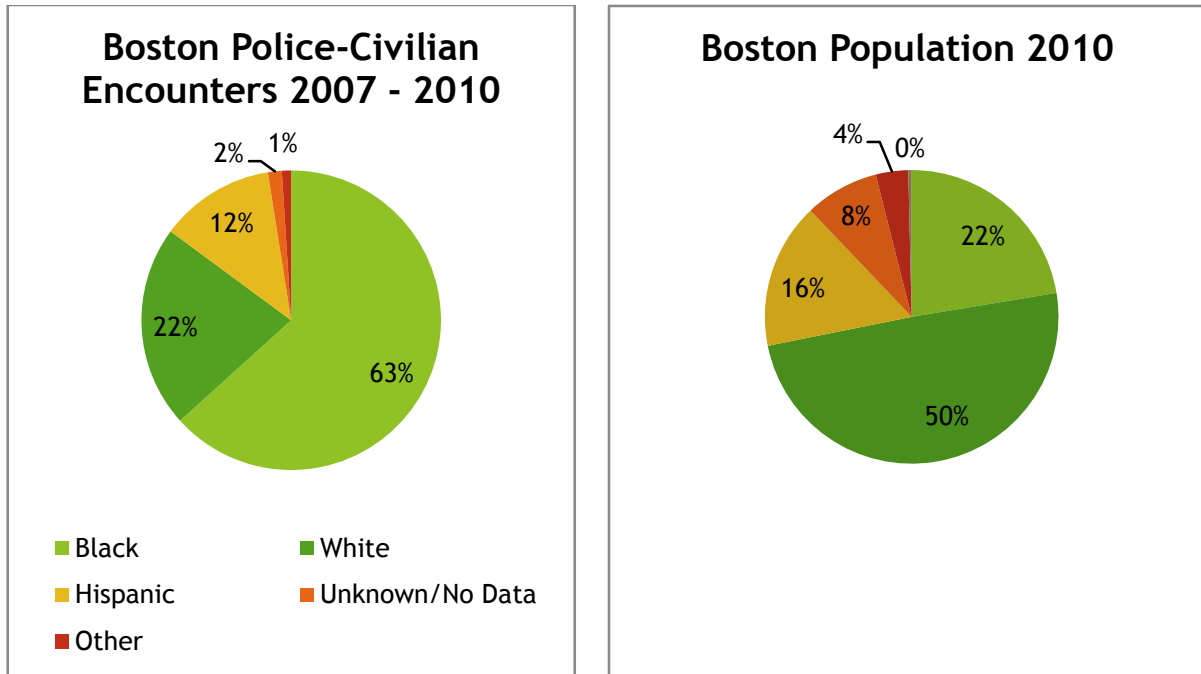
3. Gang Suppression

Law enforcement efforts targeted toward the suppression and dismantling of gangs can also have a disparate impact on levels of police contact and subsequent arrests. As noted in the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Disproportionate Minority Contact Technical Assistance Manual, many law enforcement policies and strategies that "treat gang activity more seriously than comparable activity by non-gang members may place minorities at a disadvantage based on greater likelihood they will be perceived as gang involved."[10] Youth of color dressed in certain styles and engaging in typical interactions with peers in their communities can easily fit into these "gang" profiles, which can make them targets for surveillance and enforcement efforts, even when they are not engaging in criminal activity. The definitions of "gang member" are often applied to typical adolescent behavior.[11] Law enforcement mandates to address gang activity and sweeping definitions of gang involvement can result in significantly increased involvement of youth of color in the justice system.

Common Colors and Styles as Gang Indicators: Examples of Gang Policies and Definitions

From the Chicago Police Department: "All street gangs utilize one or more visible indicators. These identifiers are as varied as the imagination and ingenuity that the members have. Typically gang members use graffiti, hand signs, tattoos, and colors to signify their membership in a gang, and to communicate their gang affiliation to others."

From the Los Angeles Police Department: The uniform of Hispanic gangs is standard and easily recognizable. Most gang members adopt a basic style that includes white T-shirts, thin belts, baggy pants with split cuffs, a black or blue knit cap (beanie) or a bandana tied around the forehead similar to a sweat band. Black gang members are individualistic in their dress. Black gangs tend to identify themselves by adopting certain colors. The 'Crips' identify themselves with the colors of blue or black or a combination of the two. 'Blood' gangs generally use red accessories, such as caps or bandanas, to identify themselves. While clothing alone cannot positively determine membership in a street gang, color and style serve to identify each gang. Green can either mean the gang member is declaring neutrality for the moment or is a drug dealer. Black is worn by some Hispanic gangs and Heavy Metal Anglo gangs. Other common gang colors include brown or purple."

There is certainly a role for geographically-based law enforcement strategies. However, the need for police agencies to base enforcement on crime patterns does not fully explain the disparities seen in arrests for people of color.[12] For example, a 2014 report on stop-and-frisk practices in Boston, Massachusetts, revealed that between 2007 and 2010, officers in the Boston Police Department (BPD) targeted African Americans for 63% of police encounters even though they only account for about 25% of Boston's population.

Statistical analyses revealed that, even after controlling for crime rates and other factors, Boston police officers were more likely to initiate police encounters in black neighborhoods.[13] BPD officers were also more likely to initiate encounters with black people within those neighborhoods.[14] Moreover, the researchers found that few encounters led to finding criminal activity requiring an arrest, and only 2.5 % of the encounters led to the seizure of contraband. Based upon these findings, the researchers concluded that "race was a significant factor driving the BPD's stop-and-frisk practices," even beyond the influence of other more factors such as crime trends, gang affiliation, and arrest history.[15]

B. Bias and Differential Decision-Making

Despite the goal of a colorblind justice system, there is growing evidence that biases influence the thinking and behavior of key decision-makers and practitioners within the juvenile justice system, including police officers.[16] These biases can contribute to

arrest disparities for youth of color. [Studies](#) have found that race significantly influences how police officers judge criminality and culpability.[17] For example, [one study](#) found that when explicitly instructed to make judgments about criminality based solely on a facial photograph, police officers were more likely to judge black faces as criminal over white faces.[18] Moreover, the higher a face was rated on "stereotypicality" for the black race, the more likely officers were to rate the face as criminal. In other words, the more "black" a face appeared, the more likely police were to consider the person a criminal.[19]

Excerpt of FBI Director James Comey's Speech on Law Enforcement and Race Relations in America

On February 12, 2015, in the wake of several high-profile killings of unarmed Black males by police officers, Federal Bureau of Investigations Director James Comey delivered a speech at Georgetown University. During the speech, Director Comey described a series of "hard truths" about the state of law enforcement and race relations in America.[1]

"Much research points to the widespread existence of unconscious bias. Many people in our white-majority culture have unconscious racial biases and react differently to a white face than a black face. In fact, we all, white and black, carry various biases around with us. I am reminded of the song from the Broadway hit, Avenue Q: 'Everyone's a Little Bit Racist.' Part of it goes like this:

Look around and you will find
No one's really color blind.
Maybe it's a fact
We all should face
Everyone makes judgments
Based on race…

But if we can't help our latent biases, we can help our behavior in response to those instinctive reactions, which is why we work to design systems and processes that overcome that very human part of us all. Although the research may be unsettling, it is what we do next that matters most."

Another report found implicit bias among police officers specific to perceptions of culpability among youth.[20] In this study, police officers who were unconsciously primed with stimuli associated with the black race were more likely to judge a youthful offender as more adult-like and, therefore, more culpable and deserving of harsher punishments than those primed with neutral stimuli.[21] The researchers also found that the officers' conscious beliefs about race did not mediate these effects: that is, their underlying biases were stronger than their conscious beliefs.[22] Similarly, another study found that police officers rated young African-American felony suspects as almost five years older than their actual age. Officers also rated black youth as more culpable than Latino youth, and Latino youth as more culpable than their white counterparts.[23]
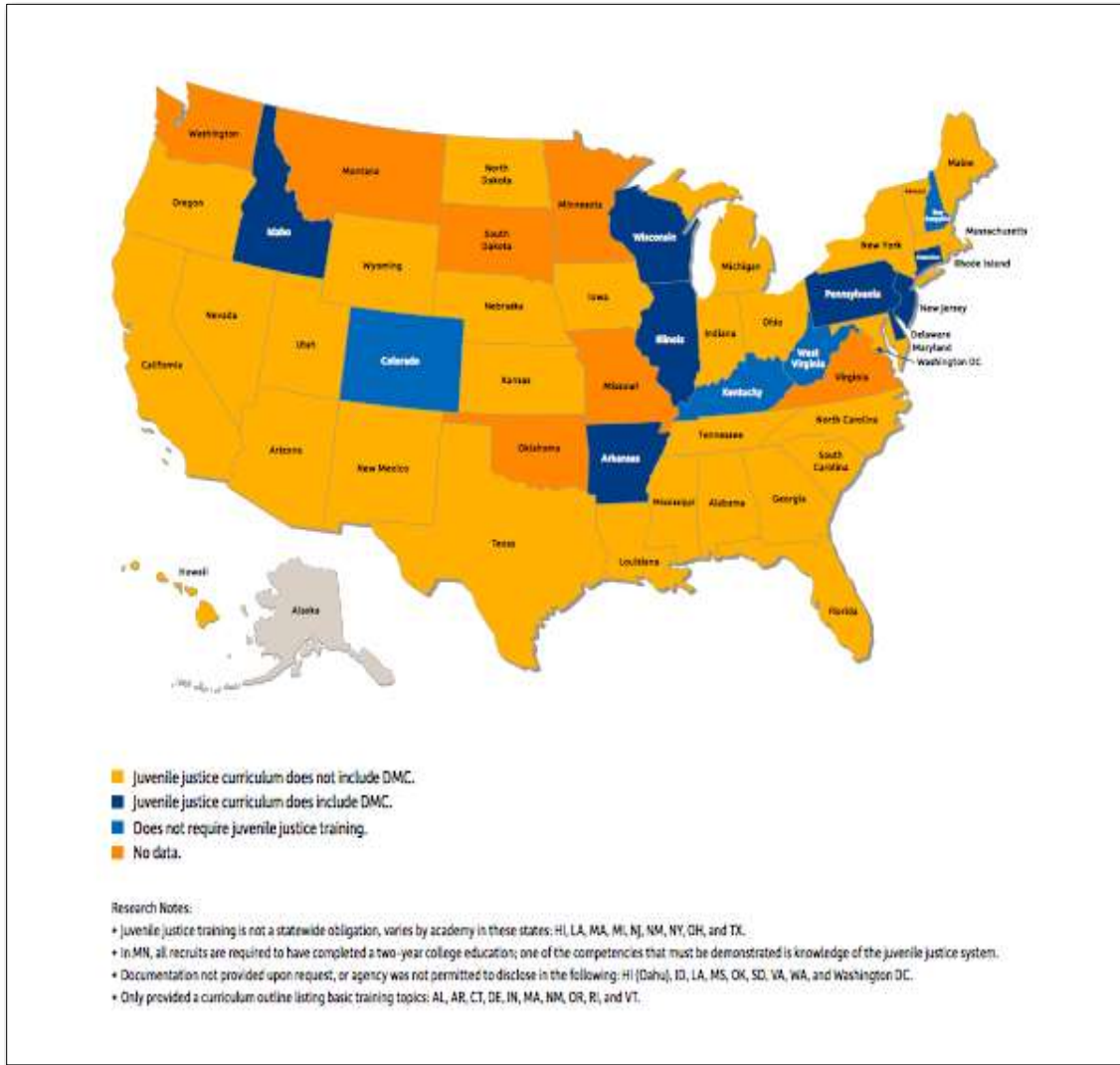
C. Limited Training on Youth Development and Racial and Ethnic Disparities

In 2012, U.S. law enforcement officers arrested 1,249,500 youth. The vast majority of those arrests were for low-level offenses.[24] Despite the high volume of youth arrests, most training opportunities for officers are inadequate. Although a 2011 survey found that 44 states required juvenile justice training in their law enforcement academies (six states have no requirement whatsoever for juvenile content),[25] the academies spend an average of just six hours on topics related to youth, or about 1% of the 600 hour average training course.[26] Of the states that provide juvenile justice training, the vast majority limit topics to juvenile law.

Few law enforcement agencies offer training on adolescent development. Yet officers should know the three primary differences between adolescents and adults which have been cited by the U.S. Supreme Court and which often explain adolescent misbehavior: "lack of maturity and an underdeveloped sense of responsibility," which often result in "ill-considered behavior;" vulnerability and susceptibility to "negative influences and outside pressures, including peer pressure;" and the fact that adolescents' personalities are still forming.[27] Similarly, officers should be aware of the pathway of adolescent development in a variety of domains: physical, cognitive, moral, social, and the development of identity. Officers should receive training on how these areas of development affect adolescent behavior on the street, e.g., that youth may engage in dangerous behavior as a result of peer pressure and a desire to be part of a group, and that adolescent resistance toward authority figures is a normal part of development and not a personal attack on the officer.[28]

There is also little training on racial and ethnic disparities. While 35% of 2012 arrests were of youth of color,[29] only seven states have law enforcement training content specific to racial and ethnic disparities. [30]

Inclusion of Racial and Ethnic Disparities in Juvenile Justice Curricula and Training

Juvenile justice curriculum does not include DMC.

Juvenile justice curriculum does include DMC.

Does not require juvenile justice training.

No data.

Research Notes:

+ Juvenile justice training is not a statewide obligation, varies by academy in these states: HI, LA, MA, MI, NJ, NM, NY, OH, and TX.

+ In MN, all recruits are required to have completed a two-year college education; one of the competencies that must be demonstrated is knowledge of the juvenile justice system.

+ Documentation not provided upon request, or agency was not permitted to disclose in the following: HI (Oahu), ID, LA, MS, OK, SD, VA, and Washington DC.

+ Only provided a curriculum outline listing basic training topics: AL, AR, CT, DE, IN, MA, NM, OR, RI, and VT.

Source: Thurau, L.H. (2013, February). If not now, when?: A survey of juvenile justice training in America's police academies. *Strategies for Youth*.

III. Collaboration: Working with Law Enforcement

As noted earlier, the cornerstone of any successful juvenile justice reform effort is effective collaboration among key juvenile justice partners. In order to achieve meaningful reform and measurable reductions in racial and ethnic disparities at the arrest stage, law enforcement agencies should partner with other juvenile justice stakeholders at the local level to identify disparities and implement strategies to ensure equitable treatment for youth of color.

Achieving this type of collaborative partnership among law enforcement and other juvenile justice agencies is often easier said than done. There is often a disconnect between law enforcement and other juvenile justice agencies. In 2013, the [International Association of Chiefs of Police](#) (IACP), commissioned a [national survey of law enforcement leaders](#) to assess attitudes, knowledge, and experiences dealing with youth and collaborating with juvenile justice system partners.[31] While 79% of the leaders believed that they have a significant role to play in juvenile justice system reform, only 22% of the law enforcement leaders indicated that they serve on juvenile justice advisory groups, and just over one-third of the respondents indicated that others in their departments served on such groups. Similarly, only about one in six law enforcement leaders indicated that juvenile justice agencies or community groups *often* seek input on juvenile justice matters from their department (71% said they are consulted occasionally).

A. Strategies for Successful Partnerships with Law Enforcement

Engaging law enforcement leaders in juvenile justice reform can be a challenge, particularly when the focus of the reform effort is on addressing racial and ethnic disparities. Some law enforcement officials may be reluctant to participate out of concern that they will be blamed for racial and ethnic disparities in the juvenile justice systems. Others may not be aware of disparities in their communities or within their own agencies, and don't consider the issue a priority. Still others believe that participating in a disparity reduction effort is futile because there are few effective solutions. Other common challenges are described below, along with strategies to address them.

1. Problem: Competing Priorities

Law enforcement agencies have to address many responsibilities: protecting public safety, addressing the needs of many communities, respecting the civil and constitutional rights of members of the public, responding to inquiries or pressure from politicians, avoiding the appearance of being "soft on crime," and using their limited resources in the most effective ways. As the most visible public face of the

juvenile and criminal justice systems, law enforcement agencies are often the target of the public's frustration and anger when things go wrong.

a. Solution: Developing Strategic Coalitions

Effective partnerships with law enforcement require strategic coalition building. Agencies and individuals championing racial equity reform at the local level should work to develop broad-based partnerships. This collaborative can help to frame the local conversation around public safety, law enforcement, juvenile delinquency, and racial and ethnic disparities.

Although juvenile justice leaders and advocates are the individuals most likely to carry the banner for racial and ethnic disparities reform, elected officials, community leaders, and media partners can often be important allies in framing the public discourse. They can disseminate information and research that effective, community-based diversion and alternative programs will benefit public safety and enhance equity in the juvenile justice system. Juvenile justice partners should find frequent

opportunities to engage law enforcement agencies in public forums about reform as a show of solidarity and mutual support.

In Alachua County Florida, one of CCLP's Racial and Ethnic Disparities Reduction Project sites, Gainesville Police Department (GPD) Chief Tony Jones developed such a coalition. The local, broad-based community group originally convened to address high rates of crime within Gainesville's African American communities. By fostering an ongoing partnership with this group and by aligning GPD's goals for addressing RED with the coalition's focus on public safety, Chief Jones was able to bolster support for reform, both within his department and among other juvenile justice stakeholders.

2. Problem: Bridging the Divide

A significant gap often exists between law enforcement agencies and other organizations that comprise a local juvenile justice system. Depending on the state, the constellation of agencies and actors that comprise the juvenile justice system can operate at the state, county, or municipal levels; within the executive or judicial branches of government or non-governmental organizations; and with multifaceted lines of authority and a complex arrangement of relationships between them.

While courts, probation, public defenders, prosecutors and juvenile justice service providers have regular involvement in the juvenile justice process, law enforcement agencies usually have less engagement in the system. They often have a limited understanding of what happens after they drop a youth at intake. For example, if they don't know about detention reforms in the jurisdiction, they may be puzzled and frustrated when they arrest a youth for a non-violent offense, take the youth to intake, and see the youth quickly released on the basis of a low score on the detention screening instrument.

These gaps in understanding can be significant barriers to racial and ethnic disparities reform. Law enforcement agencies may not understand why they are asked for data on race, ethnicity, gender, geography, and offense, or why other agencies are asked for similar data.

a. Solution: Information Sharing

Collaboration for racial and ethnic disparities reform can create opportunities for child-serving agencies to share information on internal and cross-agency policies and practices that affect how youth of color move through the juvenile justice system. The process of information sharing can lead to a better collective understanding of system functioning and enhance opportunities for stakeholders to identify policies and practices that drive disparities. Many local collaboratives find it useful to develop a map of the key decision points in the process, the primary decision makers at each

point, and the options for youth to move out of the process through diversion, dismissal, or community supervision. A generic map of the juvenile justice process is below. Through Models for Change, organizations such as the Juvenile Law Center and others have developed a series of resources to assist agencies in sharing information.[32]

The Juvenile Justice Process:
Key Decision Points and Pathways Out

Arrest: Law enforcement Schools Probation Child welfare	**Referral:** Intake staff	**Detention:** Judge	**Petition:** Prosecutor	**Adjudication:** Judge	**Disposition:** Judge

Transfer to adult court

- Diversion
- Community service
- Youth court

- Diversion
- Informal process
- Consent decree

- Diversion
- Release home
- Alternative to detention

- Diversion
- Informal process
- Dismissal

- Diversion
- Post-adjud
- ATD
- Dismissal

- Probation
- Non-secure placement
- Non-residential treatment

b. Problem: Multiple Law Enforcement Agencies

In many counties across the country, there are several law enforcement agencies, including city police departments and the county sheriff's office. This situation can complicate efforts to identify and address racial and ethnic disparities as they pertain to the collaborative process and using data to drive reforms. It may be challenging enough to achieve effective collaboration with one law enforcement agency, let alone several.

a. Solution: Identifying the Primary Law Enforcement Agency

It is perfectly reasonable, and often necessary, to identify one law enforcement agency as the primary partner at the outset of the racial and ethnic disparities reduction effort. Data should drive this decision. The collaborative should extend an invitation to all agencies, but the law enforcement agency with the most extensive jurisdiction over communities with the majority of arrests for youth of color should be the primary target for outreach and engagement activities. This agency should be a key member of the collaborative group.

Law enforcement agencies should also look to the recommendations of national law enforcement associations, such as the International Association of Chiefs of Police (IACP), for guidance and support in engaging law enforcement partners. In 2013, the IACP convened a multidisciplinary group of 90 juvenile justice stakeholders from across the country for its National Summit on Law Enforcement Leadership in Juvenile Justice. The purpose of this convening was to develop strategies to elevate the role of law enforcement executives and agencies in juvenile justice reform.

The summit report, *Law Enforcement's Leadership Role in Juvenile Justice Reform: Actionable Recommendations for Practice & Policy*,[33] yielded 33 recommendations that law enforcement leaders can pursue in collaboration with local, state, and national partners to ensure a more efficient and effective juvenile justice system. Among others, the report emphasizes the importance of prioritizing juvenile justice reform, achieving effective collaboration, and addressing racial and ethnic disparities.[34]

IV.   Using Data to Identify Disparities and Plan Reforms

A. Qualitative Data Collection

1. Mapping the Arrest, Referral, and Diversion Continuum

Collecting qualitative data means gathering information on policies and practices that affect the process of arrest, referral, and diversion. Jurisdictions should understand what happens at the point of police contact and arrest. The analysis should include options are available to law enforcement officers when they encounter

> **Phases of Arrest Mapping**
>
> - Information Collecting
>
> - System Mapping
>
> - Generating the System Map

youth, how and when officers exercise those options, and the directives (laws, policies, administrative guidelines) that govern officers' decision making.

To conduct an arrest mapping process, local juvenile justice stakeholders should move through several phases of structured activity.
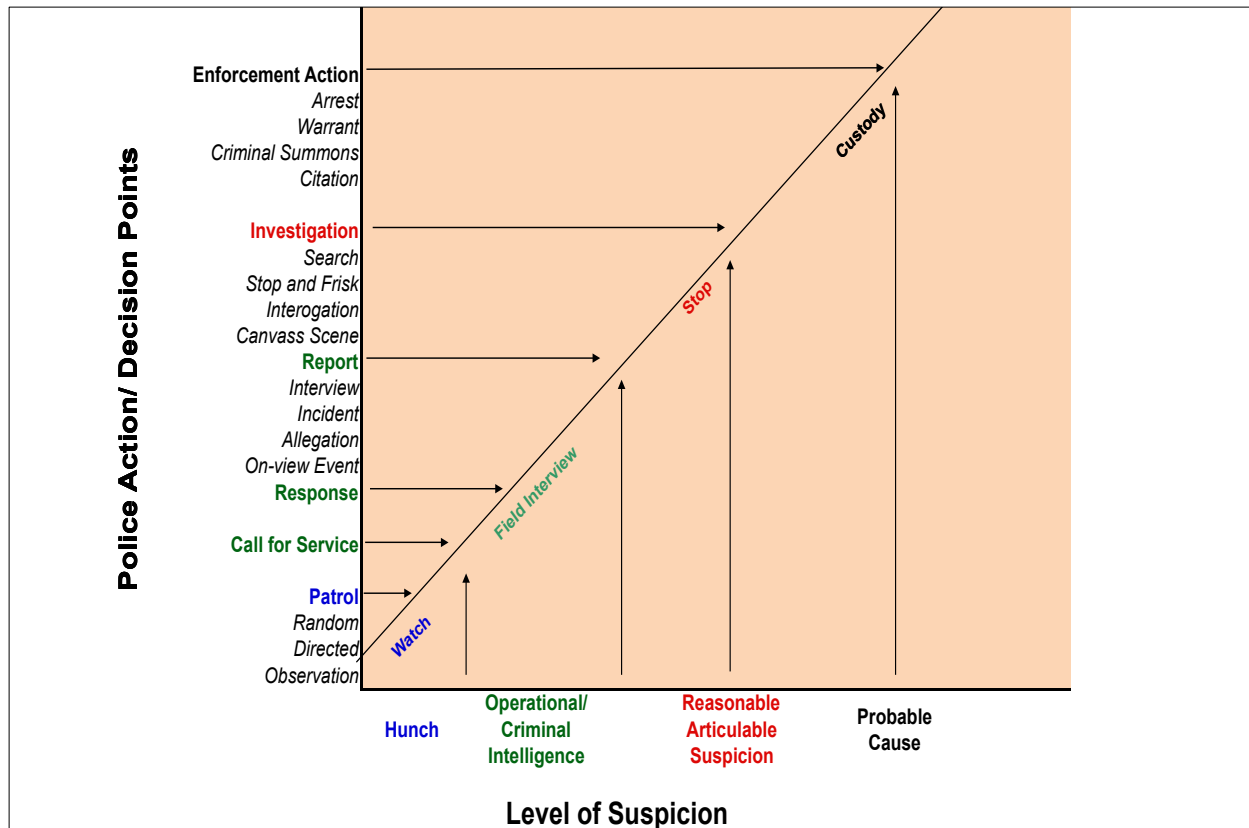
Information Collection: Police and partner agencies should compile information on how each is involved in juvenile arrests, which legal and policy documents govern the process, and what practices are standard at the arrest decision point.

System Mapping: Stakeholders should participate in a mapping session in which each agency shares information about how they handle juvenile delinquency cases. Often, agency personnel have inadequate information or misinformation about how other agencies work. Through this process, stakeholders can begin to identify how policies and practices within their agencies, and interactions between agencies, might contribute to racial and ethnic disparities at arrest.

Generating a System Map: Stakeholders should use the information they gathered to document the juvenile justice process in both visual and narrative form. Stakeholders can then use the map to inform the collection of quantitative data to identify racial and ethnic disparities, identify potential causes for disparities, and guide the implementation of interventions that will produce measurable disparity reductions.

2. Mapping Law Enforcement Decisions

Just as law enforcement agencies should participate in decision point mapping with other partner agencies, they should also engage in the same process within their departments. The agencies will gain a better understanding of how their officers make decisions. Law enforcement officers make many of their key decisions about arrest and diversion in contexts that that are outside the scope of direct supervision. Additionally, officers do not routinely document their decisions. The mapping process will help law enforcement leaders understand how well current policies and protocols align with actual arrest and diversion practices. It will also begin to highlight areas where there could be improvement in policies and procedures.

Police Action/ Decision Points (y-axis)

Enforcement Action
Arrest
Warrant
Criminal Summons
Citation

Investigation
Search
Stop and Frisk
Interogation
Canvass Scene
Report
Interview
Incident
Allegation
On-view Event
Response

Call for Service

Patrol
Random
Directed
Observation

Custody — *Stop* — *Field Interview* — *Watch*

Hunch — **Operational/ Criminal Intelligence** — **Reasonable Articulable Suspicion** — **Probable Cause**

Level of Suspicion (x-axis)

The diagram above, from the Baltimore Police Department, depicts the multiple decision points that occur when a police officer encounters a youth in the community.[35] Police leaders should consider how current laws and administrative guidelines influence these decision points in practice. Vague policies that lack clear guidance on how officers should engage with young people at the decision points create opportunities for bias to enter the decision-making process, which can result in the disparate treatment of youth of color. The diagram on the next page, from the ACLU of Massachusetts, is a different depiction of the same issue.

18

What can happen in police-pedestrian encounters?

At different steps governing police-pedestrian encounters, police have different rights, and so do you.

denotes what police can do

denotes what you can do

Increasing standards

Probable Cause

Stop
Question
Frisk

Search
Arrest

Ask "Am I under arrest?" and "What's the charge?"

Reasonable Suspicion - Armed & Dangerous

Stop
Question
Frisk

Ask "Am I being detained?" If yes, you are not free to leave

Reasonable Suspicion - Crime

Stop
Question

Ask "Am I being detained?" If yes, you are not free to leave

Speculation or Hunch

Make a consensual stop

You are free to leave

If police have No Suspicion

Make a consensual stop

You are free to leave

Standards governing police encounters {

suspicion or hunch: a feeling or guess based on intuition rather than facts

reasonable suspicion of crime: some specific and articulable facts that a person is involved in crime

reasonable suspicion armed and dangerous: some specific and articulable facts that a person is armed with a weapon and is dangerous

probable cause: enough information to reasonably believe the person has committed a crime

consent stop: Police can always stop you if you agree to be stopped. Therefore ask the police, "Am I free to leave?"

stop: a brief detention. Police can hold you for a reasonable amount of time

frisk: a pat down to the outer clothing to search for weapons only

search: more extensive than a frisk. Police can look in pockets , bags and containers for evidence of the alleged crime

arrest: A person is taken into police custody based on evidence of a crime

ACLU

aclum.org/stopandfrisk

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B. Quantitative Data Collection

The success of any effort to reduce racial and ethnic disparities at arrest requires the collection and targeted analysis of quantitative population and law enforcement data. Effective data analyses allow system stakeholders to accurately identify overrepresentation and disparities at the arrest decision point. Stakeholders will also understand whether youth of color are unnecessarily entering the juvenile justice system through contact with law enforcement, and if so, how many are entering and for what reasons. From these analyses, system decision-makers will be better equipped to develop and implement data-informed policy, practice, and program strategies.

While sophisticated statistical analysis may yield insights into the causes and correlates of racial and ethnic disparities, practice-driven data analysis should be the focus of arrest data collection. In other words, quantitative data analysis should focus on yielding concrete strategies to address the disparities as opposed to studying and restudying the problem.

Inquiry at the arrest decision point should begin with the collection and analysis of aggregate data. In order to diagnose whether disparities exist, stakeholders should first define the target population and develop a demographic profile of the youth within the jurisdiction who are at risk of contacting the juvenile justice system.[36] Stakeholders should use this profile for comparison with aggregate baseline police contact and arrest data to identify disparities. OJJDP's Easy Access to Juvenile Populations online tool provides access to national, state, and county level population profiles disaggregated by age, sex, race, and ethnicity. OJJDP based these profiles on U.S. Census data and routine population estimate updates. Stakeholders who are beginning their racial and ethnic disparities data inquiry can use this tool to create detailed demographic profiles.[37]

The table below, generated by OJJDP's online tool, reflects national population estimates for youth ages 10-17, by race and ethnicity, for 2014.[38] Juvenile justice stakeholders can use the tool to generate population profiles at the state and local levels. In addition to race and ethnicity, the tool also allows disaggregation of several other variables that are essential to RED analysis.

United States: Race by Ethnicity Population Estimates

Count	Non Hispanic	Hispanic	Total
White	18,427,847	6,776,952	25,204,799
Black	4,996,324	441,420	5,437,744
American Indian	333,243	266,195	599,438
Asian	1,802,862	142,326	1,945,188
Total	25,560,276	7,626,893	33,187,169

Suggested Citation: Puzzanchera, C., Sladky, A. and Kang, W. (2015). "Easy Access to Juvenile Populations: 1990-2014." Online. Available: http://www.ojjdp.gov/ojstatbb/ezapop/

Collecting aggregate data on police contacts and arrests by race and ethnicity across agencies can be challenging. The federal government requires law enforcement agencies to collect arrest data for the FBI's Uniform Crime Reporting System (UCR). These data are useful for compiling juvenile arrest data across law enforcement agencies because the different departments collect uniform data. However, UCR data has limited utility when identifying racial and ethnic disparities at arrest because the data do not disaggregate race from Hispanic or Latino ethnicity.

One source of aggregate data that jurisdictions can access is the Relative Rate Index (RRI), which each state receiving Juvenile Justice and Delinquency Prevention Act funds must report to the Office of Juvenile Justice and Delinquency Prevention. States are required to provide population data for youth at risk for involvement with the juvenile court, as well as aggregate arrest data, disaggregated by race and ethnicity. The RRI also compares the arrest rate for white youth with the arrest rate for youth of color.

Stakeholders can review national RRI information and the raw numbers used to generate the RRI online using OJJDP's National Disproportionate Minority Contact Databook. This website also provides guidance on how to generate the RRI and direct links to sources of data necessary to complete the RRI matrix. The Bureau of Justice Assistance offers an Arrest Data Analysis Tool that stakeholders can use to generate agency-level arrest data for youth by age, gender, and race. Stakeholders should be able to access similar or more detailed juvenile arrest data from their state or local law enforcement agencies.

2013 Case Processing Summary: by race
Counts for Delinquency Offenses

DECISION POINTS	All	White	Minority	Black	AIAN**	AHPI***
Population at risk (ages 10-17)	33,147,200	25,234,700	7,912,500	5,430,600	597,000	1,884,900
Juvenile arrests	1,249,500	811,500	438,000	400,700	17,200	20,200
Cases referred to juvenile court	1,058,500	654,200	404,300	374,100	17,000	13,200
Cases diverted	283,900	195,200	88,600	81,000	4,000	3,500
Cases detained	221,600	121,600	99,900	93,000	4,100	2,800
Cases petitioned	582,800	338,600	244,200	227,200	9,400	7,700
Cases adjudicated	323,300	196,700	126,600	116,200	6,100	4,300
Adjudicated cases resulting in probation	205,300	127,400	77,900	71,000	3,700	3,200
Adjudicated cases resulting in placement	78,700	44,800	33,800	31,600	1,500	800
Cases judicially waived	4,000	2,100	1,900	1,800	100	<50

** AIAN: American Indian or Alaskan Native.
*** AHPI: Asian, Hawaiian, or Pacific Islander.
NOTE: At the time of our latest update, 2013 national arrest estimates were not available. As such, 2012 arrest estimates are also being used for 2013.

Suggested Citation: Puzzanchera, C. and Hockenberry, S. (2015). National Disproportionate Minority Contact Databook. Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention. Online. Available: http://www.ojjdp.gov/ojstatbb/dmcdb/

2013 Case Processing Summary: by race
Relative Rate Indices[1] for Delinquency Offenses

	RELATIVE RATES	Minority	Black	AIAN**	AHPI***
trends	Arrest rate	1.7	2.3	0.9	0.3
trends	Referral rate	1.1	1.2	1.2	0.8
trends	Diversion rate	0.7	0.7	0.8	0.9
trends	Detention rate	1.3	1.3	1.3	1.1
trends	Petitioned rate	1.2	1.2	1.1	1.1
trends	Adjudicated rate	0.9	0.9	1.1	1.0
trends	Probation rate	1.0	0.9	0.9	1.1
trends	Placement rate	1.2	1.2	1.1	0.8
trends	Waiver rate	1.3	1.3	1.4	*0.6

[1] All RRI's are relative to whites.
* Interpret data with caution; rates and RRI's are based a small number of cases.
** AIAN: American Indian or Alaskan Native.
*** AHPI: Asian, Hawaiian, or Pacific Islander.
NOTE: At the time of our latest update, 2013 national arrest estimates were not available. As such, 2012 arrest estimates are also being used for 2013.

Suggested Citation: Puzzanchera, C. and Hockenberry, S. (2015). National Disproportionate Minority Contact Databook. Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention. Online. Available: http://www.ojjdp.gov/ojstatbb/dmcdb/

As noted in the table above, the national RRI for black youth at the arrest decision point was 2.3 in 2013. This means that black youth were more than two times as likely to be arrested as their white peers. Calculating the RRI for arrest at the state or local level will provide a broad indicator of whether youth of color are arrested at greater rates than white youth.

While this basic indicator can help to identify disparate rates of arrest for youth or color, stakeholders must engage in a deeper analysis to guide reforms that will be effective. One strategy for digging deeper into the data is to generate arrest RRIs by offense or offense type. While the RRI for all arrests can help stakeholders see the overrepresentation of youth of color at arrest, offense-specific RRIs can shed light on which offenses are driving the overarching trends.

The W. Haywood Burns Institute developed the Burns Level One Data instrument as a guide for collecting aggregate data to inform and monitor racial and ethnic disparities reduction efforts. In partnership with the Burns Institute, CCLP expanded this data tool for use by jurisdictions involved in the Models for Change DMC Action Network. The tool contains a template specific to arrest and diversion and templates for subsequent decision points in the juvenile justice process. You can download the template by clicking here.

Key Data Points for Analyzing Arrest Data

Jurisdictions should collect data at several key data points to paint a comprehensive picture of racial and ethnic disparities at arrest, referral, and diversion. Stakeholders should collect each data point by race, ethnicity, gender, geography and offense to effectively identify disparities.
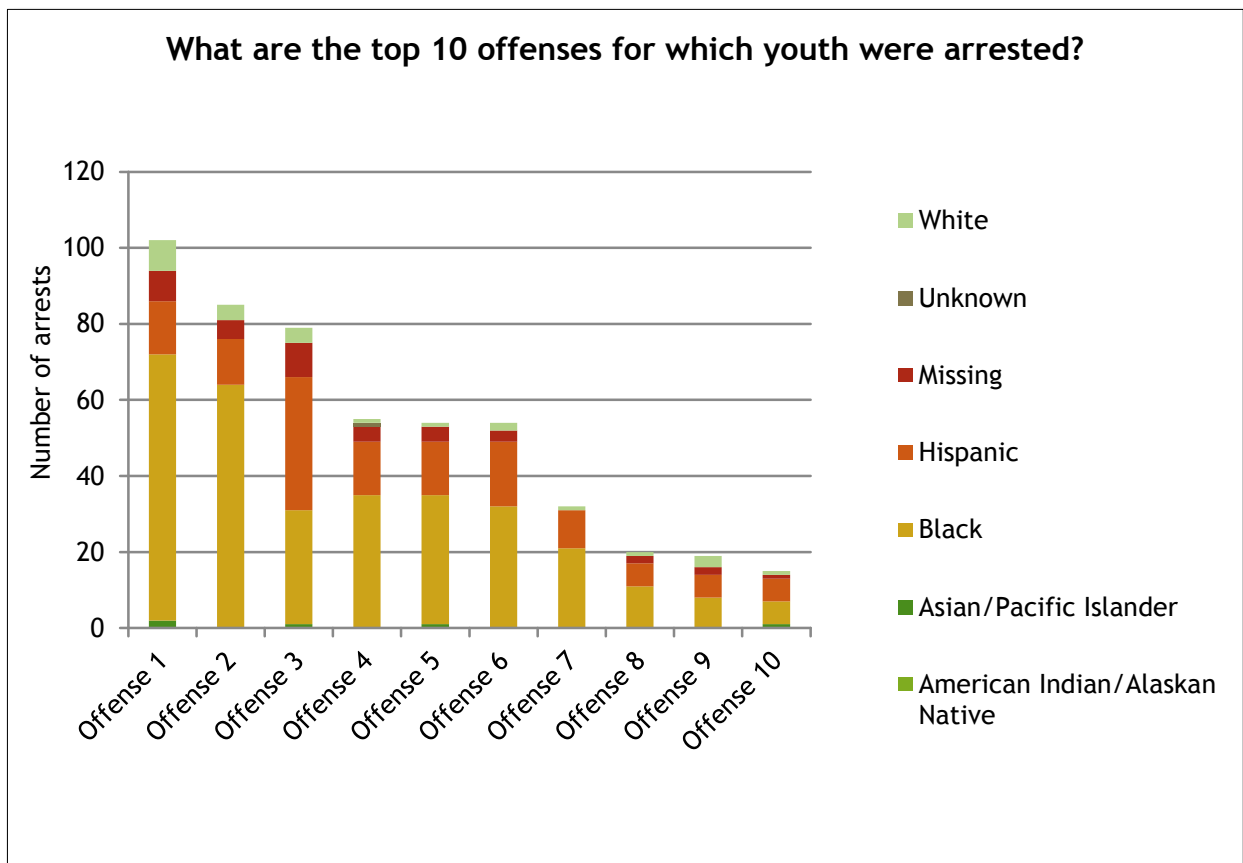
- Law Enforcement Contact
- Law Enforcement Arrest
- Diversion and Court Referral

The arrest data template provides a structure for cross-tabulating arrest data by race and ethnicity. Since Latino youth can be of any race, stakeholders should disaggregate race and ethnicity data for reporting and analyzing their juvenile arrests. If the capacity does not already exist, law enforcement agencies should update their data systems to capture race and ethnicity information separately. However, many jurisdictions currently working to address disparities do not currently disaggregate their race and ethnicity data in this manner. Therefore, CCLP created an alternative version of the template to match the current data capabilities of jurisdictions working in the field. You can download that template by clicking here.
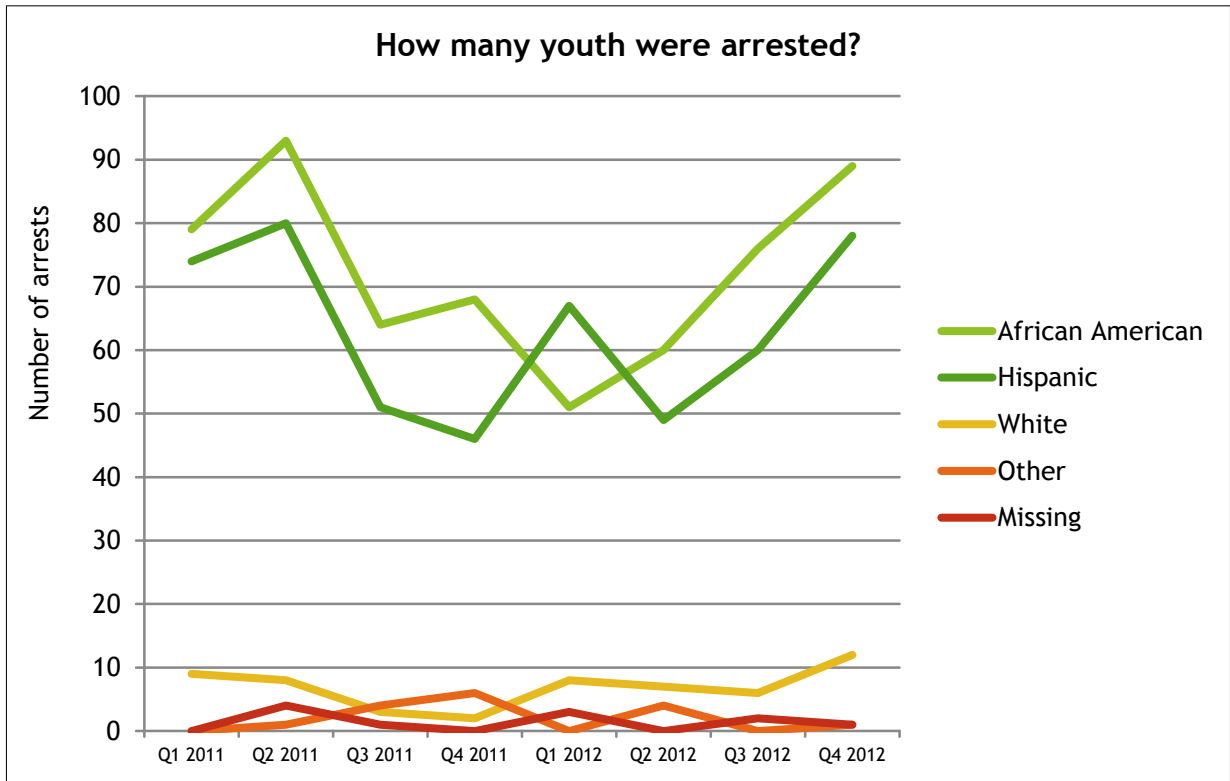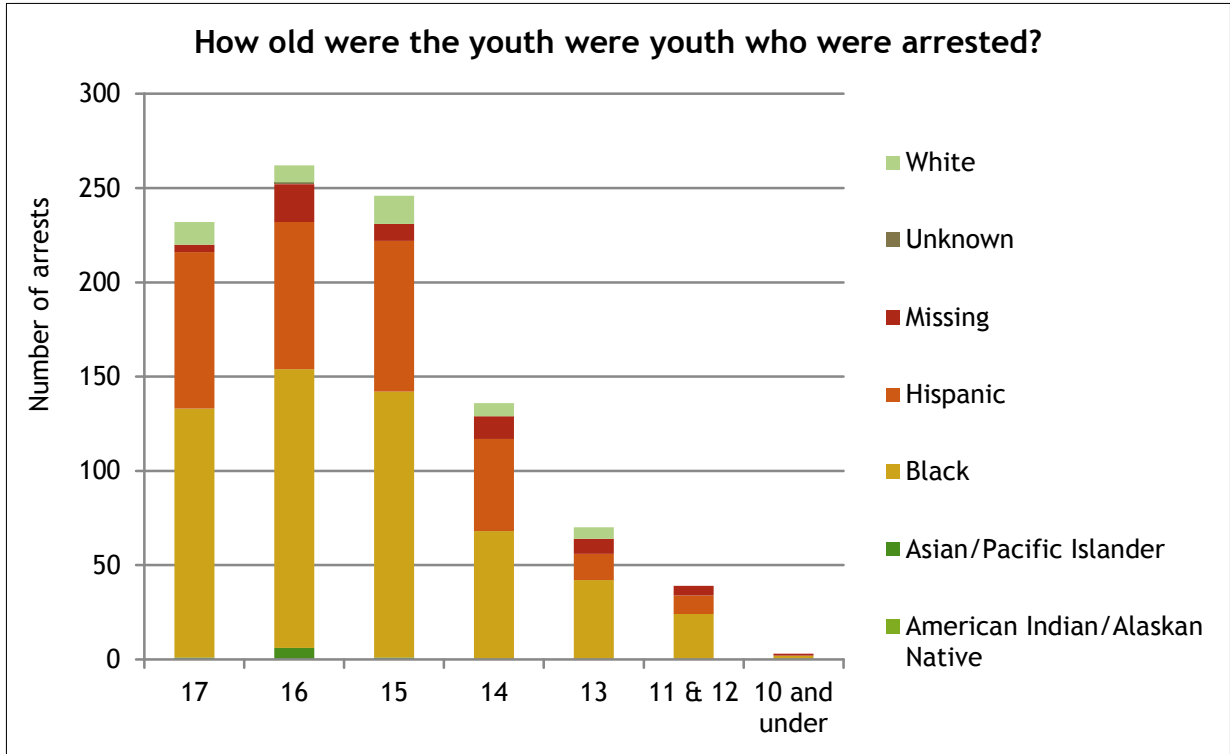
In jurisdictions where the police have the option of issuing a citation to a youth instead of making an arrest, stakeholders should collect data on citations in the same format as arrest data. They should analyze the civil citation data and compare it to arrest data to identify relevant trends and points of disparity for youth of color. Similarly, stakeholders should include diversion data in their analyses.

C. Using Quantitative Data to Drive Reforms

Once available, how can stakeholders translate aggregate arrest data into meaningful reforms? When data is too voluminous, or when its presentation is not easily digestible, reform efforts are not likely to yield results. Effective presentation of data is necessary to drive reforms.

The following are examples of useful ways to analyze and present arrest data. The charts should cover a specific time period. You can right click on the charts and select "Edit data" to enter your jurisdiction's information, or copy and paste the charts into a document or PowerPoint and edit them there.

How old were the youth were youth who were arrested?

How many youth were arrested?

Questions to Keep in Mind When Preparing Charts

- Do the arrests reflect the types of offenses that are threats to public safety?

- Are there arrests for minor offenses that may be candidates for diversion or community-based intervention (e.g., shoplifting)?

- Are specific racial and ethnic groups overrepresented in arrests when compared to their representation in the general youth population?

- Are youth of particular racial and ethnic groups more likely to be arrested for certain specific offenses?

- Are there gender differences in the types of arrests?

- Are there changes in the list of top 10 offenses over time?

- Are there trends in the volume of referrals over time? Is the increase attributable to referrals for particular offenses?

- By cross-referencing school-based referral information, what percentage of total referrals come from incidents at school?

Evaluating aggregate arrest data, as outlined above, can help stakeholders identify particular points of disparity for youth of color. Stakeholders should use this data to identify target populations for alternative handling through policy, practice and program reform.

V. Strategic Approaches for Addressing Racial and Ethnic Disparities at Arrest

By using data, stakeholders should identify points of disparity for youth of color at arrest and pinpoint the subpopulations they will target for alternative handling. Law enforcement leaders should shift departmental culture towards a developmentally appropriate and culturally responsive approach to policing that balances public safety with the commitment to equitable treatment of all youth. Some examples of effective strategies are discussed below.

A. Establish Supervisory and Centralized Review of Arrest and Diversion Decisions

Reforms must be monitored. A law enforcement agency can promulgate new policies to address racial or ethnic disparities in arrests, but officers on the street need flexibility and discretion in carrying out their duties. Because implicit or explicit racial bias by officers may influence the exercise of such discretion, law enforcement leaders should establish supervisory review of arrest and diversion decisions. This review will ensure that officers apply policies equitably, e.g., access to pre- and post-arrest diversion opportunities that is comparable to their white counterparts. In instances where officer arrest and diversion decisions depart from policy, agency leaders should require police officers to provide reasons for the differences.

There are a number of ways to achieve appropriate oversight. In Gainesville, Florida, one of CCLP's Racial and Ethnic Disparities Reduction sites, the Gainesville Police Department decided to modify its juvenile diversion policy for first-time misdemeanor offenses. Instead of arrest and transport to intake, the youth receives a civil citation and release. The Department implemented a review process requiring that the arresting officer's immediate supervisor review all juvenile arrest decisions. When an arrest is inconsistent with policy, the sergeant and others in the chain of command provide verbal counseling to the officer. If there is a pattern of departure from department policy, supervisors can provide additional training and, if necessary, departmental discipline.

Law enforcement agencies can also conduct a centralized review of all juvenile arrest records. In Bridgeport, Connecticut, officers forward all juvenile arrest reports to a centralized location, which is the police department's Youth Bureau. The unit's sergeant screens the reports for eligibility for the local Juvenile Review Board (JRB), a community-based diversion program, before forwarding the case to juvenile court intake. If a line officer fails to make an appropriate referral to the JRB, this centralized review creates a second opportunity to divert the case before referral to

court. Following the implementation of this centralized screening protocol in January of 2012, police referrals to the Juvenile Review Board went from 3 per month in December 2011 to 13 per month by May of the following year. This and other reforms contributed to a 31% overall reduction in court referrals for youth of color between 2011 and 2014.

In Maryland, the Baltimore County Police Department enhanced centralized diversion with its Juvenile Offenders in Need of Supervision (JOINS). In this collaborative diversion model, a designated officer from each precinct teams up with a case manager from the Maryland Department of Juvenile Justice, which performs the juvenile court intake function. Together they screen arrest reports and diversion-eligible cases before an official referral moves forward to intake. Of the 836 youth who participated in JOINS during 2013, 61.8% were youth of color.[39]

B. Enhancing Officers' Knowledge and Skills to Ensure Effective Interactions with Youth of Color

Contacts between law enforcement officers and young people carry a high potential for misunderstanding and unnecessary escalation. Officers may interpret normal adolescent behavior – such as resistance to authority, impulsivity, risk-taking, and inability to see future consequences – as disrespectful, suspicious, uncooperative, challenging, and aggressive. Law enforcement officers, like most other people in our society, also carry implicit (i.e., unconscious) racial biases.

Many youth of color, on the other hand, believe that police officers are only interested in harassing them and arresting them on some charge. Such beliefs are bolstered, in many communities, by a long history of mistrust and animosity between members of the community and the police.

One way to address this issue is for law enforcement agencies to offer specific training on adolescent development, implicit bias, and the juvenile justice system. Training curricula that bring together law enforcement officers and young people, to discuss their attitudes toward each other, have been particularly effective. There are several law enforcement training programs used around the country.

> *Effective Police Interactions with Youth Training Curriculum*, offered by Connecticut's Office of Policy Management, provides patrol officers with information to better understand youth behavior and practical strategies for interacting with young people in positive ways. The training aims to reduce the likelihood that interactions between police and young people will result in police action or arrest, particularly for youth of color. Certified police trainers teach officers about racial and ethnic disparities and the key role that they

play in helping to eliminate the problem of racial and ethnic disparities. Officers learn why adolescents tend to have difficulty controlling impulses and making sound judgments. They also learn why young people test boundaries and challenge authority and work to adopt skills for communicating more effectively with youth.

Pennsylvania DMC Youth/Law Enforcement Curriculum is a one-day training for police academy cadets and seasoned law enforcement officers and youth. The training, originally developed through Philadelphia's efforts during Models for Change, provides officers with information about adolescent brain development and the distinctive characteristics of race, ethnicity, and youth culture that can influence interactions between youth of color and police. Officers learn about the environmental and physiological reasons that teenagers think and behave differently from adults and specific skills to respond to these behaviors in the field. In a separate session, youth learn to identify how adolescent development and environmental influences can affect their behavior with police and discuss options that can contribute to safe and positive interactions. Youth and police also join together in facilitated discussions designed to break down stereotypes and enhance understanding between the two groups, and in role-play sessions that allow both police and youth to practice new skills that they've learned.

Policing the Teen Brain is a training program offered by Strategies for Youth that provides officers with the information and skills they need to interact effectively with youth. This two-day training translates adolescent brain research into practical skills for officers to improve interactions with children and youth. These trainings are targeted for patrol officers as well as specialized units, such as school resource officers. Officers learn strategies to assert authority effectively with youth, thereby making interactions with youth easier, faster, and less contentious. This training arms officers with new knowledge and skills intended to reduce reliance on force and arrest.

C. Key Components of Youth Training Curricula for Law Enforcement

Normal Adolescent Development: Understanding the cognitive, biological, moral, and social development of adolescents, including structural developments in the adolescent brain that affect perception, processing, and response.

Recognizing Behavior of Compromised Teens: Recognizing and responding appropriately to the most prevalent behavioral health issues among teens.

Understanding Trauma and Traumatized Responses to Police: Review sources of trauma and their impact on brain structure, the psyche, and behavior, and the best strategies for working with traumatized youth.

Working Effectively with Learning and Language Disabled: Demonstrate differences in learning/language disabled youths' ability to perceive, and adults' inability to see different perceptions and capacities of youth. Tactics for recognizing and responding appropriately to youth of different abilities.

Trying it for Size: Officers have an opportunity to participate in dialogues and role- plays with youth to explore the responses and perceptions of both groups.

Showcasing Youth Serving Community Based Organizations: Introduce officers to local organizations that work with youth, alternatives to arrest and referral processes.

Experiential Learning: Officers spend 7 to 14 hours working directly with youth in a community setting and visit local detention and training schools

Juvenile Law for Law Enforcement: Review of juvenile law and court decisions. Review of options to arrest or divert, informed by state data on juvenile court case dismissal rates. Review collateral consequences of arrest and system involvement on youths' life chances

Demographic Factors that Influence Youth Behavior: Review of data on socio-economic risk and protective factors that affect youth delinquency, including child welfare involvement.

Cultural Factors that Influence Youth Behavior: Review of cultural influences on how youth interact and respond to the assertion of authority.

Bias and Reducing Racial and Ethnic Disparities: Review of mental processes related to implicit bias and methods of "self-checking" for personal bias. Review of data on racial, ethnic, gender and sexual orientation disparities in the juvenile justice system.

Asserting Authority Effectively: Review of triggers that escalate incidents and understanding the connection between procedural justice and police department relations with the community.

* This list is adapted from [If Not Now, When? A Survey of Juvenile Justice Training in America's Police Academies](), Strategies for Youth, 2013.

VI. School-Based Arrests

A. The Issue

In 1994, in response to concerns about increasing levels of gun violence in schools, Congress passed the Gun-Free Schools Act. The law required local educational agencies to have in effect a policy that required expulsion, for a period of not less than one year, of any student who brought a weapon, including a firearm, to school. As passed, the statute imposed a zero tolerance policy for violations.[40]

The Gun-Free Schools Act became the model for zero tolerance policies in schools across the country. Over time, school administrators and other public officials expanded the definition of "weapon" to include a wide variety of items that *could* pose a danger to students or faculty. Some administrators extended the prohibition to replicas, toys, and even images or written descriptions of objects that could be considered weapons. When combined with federal and state prohibitions on possession of alcohol and drugs in schools, the laws provided school administrators with powerful tools to remove misbehaving students from their schools.

B. The Problem

In many communities around the country, zero tolerance policies have resulted in the criminalization of many forms of normal adolescent behavior and marked racial disparities in enforcement. Zero tolerance laws have provided the basis for the "school-to-prison pipeline." Harsh disciplinary procedures, mandatory reporting of minor behavioral incidents, and the use of school exclusion as a punishment for misbehavior have become common in many areas.[41]

Racial differences in school discipline are widely reported, and black students across the United States are more than three times as likely as their white peers to be suspended or expelled.[42] Under zero tolerance policies, students of color are more likely to be placed out of schools and into the juvenile justice system.[43] In 2006, one in every fourteen students was suspended at least once during the academic year. In the same year, according to the NAACP Legal Defense Fund, African-American students represented 17% of public school students in the country, but accounted for 37% of school suspensions and 38% of school expulsions nationwide.[44]

In addition to unnecessary suspensions and expulsions, and over-representation of youth of color in school discipline, referral to the juvenile court carries significant negative consequences. Many youth referred to court are held in secure detention. The "dangers of detention" are well-documented, including interruption of education,

difficulty in re-enrolling in school, separation from family, and the trauma of incarceration.[45]

This section of the Practice Manual provides examples of effective alternatives to school-based arrests.

C. The Solutions: Alternatives to Zero Tolerance Policies and School-Based Arrests

The goal of an effective school disciplinary system is to ensure a safe school environment while avoiding practices that unnecessarily suspend or expel students or impose disproportionate punishment on students of color. Several jurisdictions have led the way in developing effective reforms.

Many of these efforts are based on principles of restorative justice. School-based restorative justice programs in the United States have grown significantly in recent years. Within the school context, restorative justice is an approach to discipline engaging all parties in a balanced effort to bring together all people impacted by an issue or behavior. In system reform initiatives, school-based restorative justice efforts allow schools, communities, and courts to work together to resolve conflict, promote academic achievement, and address school safety in a fair and equitable way.[46]

1. Clayton County, Georgia

Recognizing the large numbers of low-risk youth referred to his court by the local school system, Family Court Judge Steven Teske partnered with schools, law enforcement, juvenile justice officials, and service providers to develop an agreement to curb the trend. The Memorandum of Understanding, reached in 2004, aimed to limit the role of law enforcement officers on school campuses and ensure that misdemeanor offenses like fighting and disorderly conduct in schools did not result in a referral to the juvenile justice system. Following the implementation of the protocol, school-based referrals to the Clayton County Juvenile Court fell by 70% between 2003 and 2010. Many of the reductions have been for African American youth.[47]

2. Chicago, Illinois

After many years of conflict over zero tolerance policies in city schools, the Chicago Board of Education issued a Student Code of Conduct to address concerns. The Code of Conduct specifically provides for the use of peacemaking circles, or circles of understanding, as well as community service, peer juries, restorative group conferencing, victim impact panels, and victim offender conferencing.[48]

3. Philadelphia, Pennsylvania

In Philadelphia, efforts to decrease school-based arrests led to a 54% reduction in school-based arrests during the 2014-2015 school year. The implementation of the School-Based Diversion Program, which prohibits police officers from arresting students for minor offenses, decreased school-based arrests from 1,582 to 724. A total of 486 students were diverted from arrest to targeted services. Only six diverted youth (1.2%) have since been arrested for other offenses in school or in the community. The program is cited in the *Final Report of the Presidential Task Force on 21st Century Policing*[49] and in the ACLU report, *Beyond Zero Tolerance*.[50]

4. Memphis, Tennessee

The School House Adjustment Program Enterprise (SHAPE) began in 2007 with a pilot grant from the Tennessee Commission and Youth. The goal of the program is to reduce the number of Shelby County (Memphis) students sent to Juvenile Court for minor infractions. Students charged with criminal trespassing, disorderly conduct, simple assault with no injuries, and gambling are eligible for the SHAPE program. SHAPE provides immediate consequences for misbehavior (e.g., community service or restitution) and a convenient resolution for the victim, while avoiding the stigma of a juvenile court record. The SHAPE curriculum consists of homework assistance, tutoring, mentoring, counseling, and social and life skills training. Students stay in the program for 90 days. In the 2012-2013 school year, 68 percent of students (173 out of 255) completed the program successfully.

5. Positive Behavioral Interventions and Supports (PBIS)

Positive Behavioral Interventions and Supports, also known as School Wide Positive Behavior Supports, is a three-tiered prevention model focused on prevention, multi-tiered support, and data-based decision making. According to Jeffrey R. Sprague and Robert H. Horner from the University of Oregon, the evidence shows that Positive Behavioral Interventions and Supports can change the trajectory of at-risk-children engaging in harmful behavior, and prevent the onset of risky behavior in other children. Most importantly, the goal is to ensure a safe and effective learning environment by emphasizing appropriate student behavior and simultaneously working to reduce punitive disciplinary measures while keeping children in school.[51]

6. Federal Efforts to Improve School Discipline and Reduce School-Based Arrests

On July 21, 2011, during a meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention, U.S. Attorney General Eric Holder and Secretary of

Education Arne Duncan announced the launch of the Supportive School Discipline Initiative (SSDI). SSDI encourages effective disciplinary practices that ensure safe, supportive, and productive learning environments and promotes evidence-based practices that keep students in schools and out of the courts. The initiative provided for coordination with the efforts of nonprofits and philanthropic communities seeking to reduce the use of zero tolerance policies. The goals of the initiative are to build census for action among federal, state, and local education stakeholders; collaborate on research and data collection to be well informed in decision making; develop guidance for effective and equitable school discipline policies and practices; comply with the nation's civil rights laws; promote positive disciplinary options to keep kids in schools; improve the climate for learning; and promote awareness, knowledge, and intentionality surrounding evidence-based, promising policies and practices among educators and justice stakeholders.[52]

D. Practice Tips

Dismantling the school-to-prison pipeline and implementing alternatives to zero tolerance policies take time and commitment. However, if law enforcement and school districts make a concerted effort to implement the aforementioned strategies, and community advocates and parents keep schools accountable, schools can prepare all students to succeed.

- ✓ Use data to better understand the consequences that zero tolerance approaches have on youth of color.

- ✓ Review the mandated policies and procedures for school discipline at the federal, state, and local levels.

- ✓ Gather a diverse group of stakeholders to assist in the review and development of fair and equitable school discipline approaches, law enforcement responses, and court involvement.

- ✓ Stakeholder groups should include school administrators, law enforcement, prosecutors, public defenders, court personnel, community service providers, parents and youth advocates.

[1] Sickmund, M., & Puzzanchera, C. (Eds.). (2014). *Juvenile offenders and victims: 2014 National Report* (pp. 94). Pittsburgh, PA: National Center for Juvenile Justice.

[2] Puzzanchera, C. & Hockenberry, S. (2015, February). National disproportionate minority contact databook. *National Center for Juvenile Justice.*

[3] Data on Hispanic youth are not shown because the arrest data displayed were collected as part of the FBI's Uniform Crime Report effort and reflect the FBI's racial designations White, Black, American Indian or Alaskan Native, and Asian or Pacific Islander. Data on Hispanic ethnicity are not captured. It is important to note that many Hispanic youth may have been counted as white, which could significantly deflate or underestimate the disparity gap between rates for white youth and those for youth of color.

[4] Office of Juvenile Justice and Delinquency Prevention, (2009, July). *Disproportional minority contact technical assistance manual.*

[5] Wiley, S.A. & Esbensen, F. (2013, July). The Effect of Police Contact: Does Official Intervention Result in Deviance Amplification? *Crime & Delinquency.*

[6] Ramsey, C.H., & Robinson, L.O. (2015, March). *Interim report of the president's task force on 21st century policing.*

[7] Id.

[8] Kann, L., Kinchmen, S., Flint, K.H., Hawkins, J., Harris, W.A., Lowry, R., et al. (2014). Youth Risk Behavior Surveillance Report for 2013. 63, 4.

[9] Puzzanchera, C. and Hockenberry, S. (2015, February). National disproportionate minority contact databook. *National Center for Juvenile Justice.* It should be noted that this disparity gap is likely much higher due to the fact that OJJDP/NCJJ data do not disaggregate Hispanic ethnicity. The data for white youth likely includes counts for Hispanic and Latino youth. If Hispanic youth were removed from the white youth counts, analyses would likely reveal even greater disparities for Black youth and disparities for Latino youth, as well.

[10] Office of Juvenile Justice and Delinquency Prevention, (2009, July). *Disproportional minority contact technical assistance manual.*

[11] W. Haywood Burns Institute. (2009, December). *The keeper and the kept reflections on local obstacles to disparities reduction in juvenile justice systems and a path to change.*

[12] ACLU Foundation of Massachusetts. (2014, October). *Black, brown and targeted: a report on Boston police department street encounter from 2007-2010.*

[13] Id.

[14] Id.

[15] Id.

[16] Kirwan Institute for the Study of Race and Ethnicity. (2013). *Implicit bias review 2013.* This publication reviews the key literature on bias among police officers and informed the content in this Chapter.

[17] Eberhardt, J. L., Goff, P. A., Purdie, V. J., & Davies, P. G. (2004). Seeing Black: Race, crime, and visual processing. *Journal of Personality and Social Psychology*, 87 (6), 876-893; Goff P.A., Jackson, M.C., Lewis Di Leone, B.A., Culotta, C.M., DiTomasso, N.A. (2014). The essences of innocence: Consequences of dehumanizing black children. *Journal of Personality & Social Psychology,* 106(4), 526-545; Graham, S. & Lowery, B.S. (2004). Priming unconscious racial stereotypes about adolescent offenders. *Law and Human Behavior*, 28(5), 483-504.

[18] Eberhardt, J. L., Goff, P. A., Purdie, V. J., & Davies, P. G. (2004). Seeing Black: Race, crime, and visual processing. *Journal of Personality and Social Psychology*, 87 (6), 876-893.

[19] Id.

[20] Graham, S. & Lowery, B.S. (2004). Priming unconscious racial stereotypes about adolescent offenders. *Law and Human Behavior*, 28(5), 483-504.

[21] Id.

[22] Kirwan Institute for the Study of Race and Ethnicity. (2013). *Implicit bias review 2013.*

[23] Goff P.A., Jackson, M.C., Lewis Di Leone, B.A., Culotta, C.M., DiTomasso, N.A. (2014). The essences of innocence: Consequences of dehumanizing black children. *Journal of Personality & Social Psychology,* 106(4), 526-545.

[24] Puzzanchera, C. & Hockenberry, S. (2015, February). National disproportionate minority contact databook. *National Center for Juvenile Justice*.

[25] Thurau, L.H. (2013, February). If not now, when?: A survey of juvenile justice training in America's police academies. *Strategies for Youth*.

[26] Id.

[27] Roper v. Simmons, 543 U.S. 551, 568-570 (2005).

[28] National Juvenile Defender Center and Juvenile Law Center. (2009). *Toward developmentally appropriate practice: A juvenile court training curriculum. Adolescent development: Module 1* (Washington, DC: National Juvenile Defender Center).

[29] Puzzanchera, C. & Hockenberry, S. (2015, February). National disproportionate minority contact databook. *National Center for Juvenile Justice*.

[30] Id.

[31] Casanova, M., Daugirda, R., Kurash, A., & Rhudy, K. (2013, September). *Law enforcement's leadership role in the advancement of promising practices in juvenile justice*.

[32] Models for Change: http://www.modelsforchange.net/searchresults.aspx?q=information+sharing.

[33] Casanova, M., Daugirda, R., Kurash, A., & Rhudy, K. (2013, September). *Law enforcement's leadership role in the advancement of promising practices in juvenile justice*.

[34] Id.

[35] Adapted from an internal document from Baltimore Police Department Training and Education Department (2013).

[36] The population will vary from state to state based on the age of juvenile court jurisdiction as established by state law.

[37] *Easy Access to Juvenile Populations: 1990-2013.* (n.d.) Retrieved May 11, 2015, from http://www.ojjdp.gov/ojstatbb/ezapop/

[38] Puzzanchera, C., Sladky, A. and Kang, W. (2015). "Easy Access to Juvenile Populations: 1990-2014." Online. Available: http://www.ojjdp.gov/ojstatbb/ezapop/.

[39] *Juvenile offenders in need of supervision*. (n.d.).

[40] The Gun-Free Schools Act was repealed and re-enacted as part of the No Child Left Behind Act, and became effective on January 8, 2002. Under the revised version, the chief administrative officer of a local educational agency can modify an expulsion for a student, in writing, on a case-by-case basis. In addition, the revised statute allows a local educational agency to provide an expelled student with an alternative educational setting.

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[45] Holman, B. & Ziedenberg, J. (2006). *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*. A Justice Policy Institute Report.

[46] Gonzalez, T. (2012). *Keeping Kids in Schools: Restorative Justice, Punitive Discipline, and the School to Prison Pipeline*. Journal of Law and Education 41, no. 2:281-335.

[47] Judge Steve Teske seeks to keep kids with minor problems out of court. Washington Post. https://www.washingtonpoist.com/lifestyle/judge-steve-teske-seeks-to-keep-kids-with-minor-problems-out-of-court/2011/09/21/gIQA1y8ZsL_story.html. October 17, 2011.

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[50] Beyond Zero Tolerance (2010). Discipline and Policing in Pennsylvania Public Schools. American Civil Liberties Union of Pennsylvania.

[51] Castillo, J. (2013). *Tolerance in Schools for Latino Students: Dismantling the School-to-Prison Pipeline*. Harvard Journal of Hispanic Policy, 2643-58.

[52] US Department of Education (2011). *Supportive School Discipline Initiative*. https://www2.ed.gov/policy/gen/guid/school-discipline/appendix-3-overview.pdf.