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Racial Disparities in Juvenile Justice: Disproportionate Minority Confinement in Wisconsin

by [Aubrie Divine-Scott](#) (based on interview with **Hugh Griffith, Racine County Human Services**)

In Wisconsin, as in almost every state, youth of color are overrepresented in the juvenile justice system. Minority youth make up only 21 percent of the population of 10- to 17-year-olds in Wisconsin, but a full 63.5 percent of youth incarcerated in secure facilities.⁽¹⁾ In 1998, 42 percent of juvenile arrests for violent crime involved African-American youth, while African-American youth only made up roughly 8 percent of the population.⁽²⁾ Minority youth in Wisconsin, particularly African-Americans, are much more likely to be detained than white youth who commit the same offenses. In addition, a national study showed that in Milwaukee, 83 percent of cases waived to adult courts involved minority youth.⁽³⁾

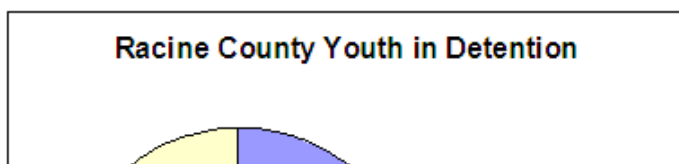
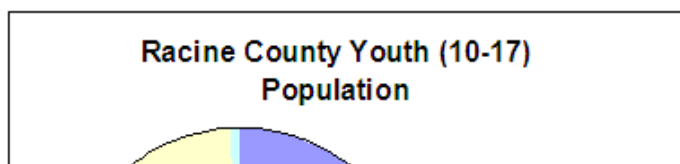
In 1988, in the amendments to the Juvenile Justice and Delinquency Prevention Act (JJDP), Congress required that each state address disproportionate minority confinement (DMC), and work to reduce the proportion of youth of color in detention if it exceeds the proportion of that population group in the state. Then, in the JJDP of 2002, the definition of DMC was broadened to include disproportionate representation of youth in any part of the juvenile justice system, as reflected by the new term disproportionate minority *contact*. Minority youth are not simply *detained* more than white youth; they are also arrested more, stay longer in detention, and are referred to juvenile court more often than white youth.⁽⁴⁾

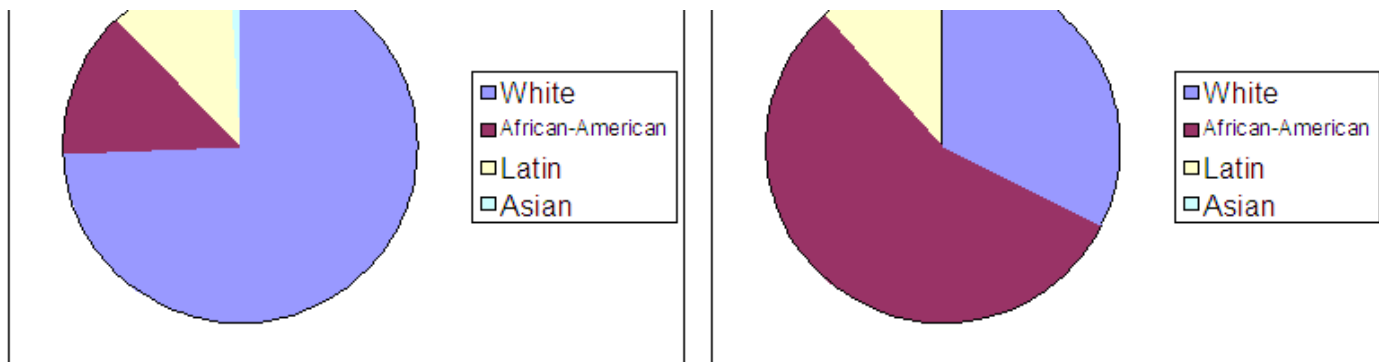
Efforts Underway

Six counties in Wisconsin--Rock, Dane, Milwaukee, Brown, Racine and Kenosha--have received funding from the Office of Justice Assistance (OJA) to reduce DMC as part of the federal DMC Reduction Initiative. The counties began by collecting data about DMC and looking at points of arrest, detention and incarceration to determine how much each point in the system contributed to the high detainment rate among minority youth. They are all working to reduce DMC at the point where it is most problematic. Many counties have opted for diversion programs to keep minority youth out of the system. Racine County is one of those counties.

Racine County

In a recent interview with Hugh Griffith, Coordinator of Internal Programs for Racine County, we discussed what makes their Alternative to Detention (ATD) program such an effective one. While African-Americans made up 14 percent of the Racine County youth in 2002, they made up 56 percent of youth in detention.⁽⁵⁾ In contrast, Latinos were more proportionately represented; they made up 11 percent of the youth population and 12 percent of youth in detention.





Key components of Racine County's Saturday ATD program include tutoring, study skills training, career guidance, job interviewing and employment skills. Since the program began, Racine County has seen a decline in the number of minority referrals to their detention facility.⁽⁶⁾ During the current fiscal year, the program is expected to serve 40 to 60 juveniles a month, approximately 70 percent males and 30 percent females. The success of the program lies in building youth competencies. According to Griffith, the participants enjoy the program; some of the youth even invite fiends along, and other graduates returning to speak to the current participants.

The ATD program has brought in local businessmen in to speak to the youth about different career options, and is planning field trips to local two-year and technical colleges. These interventions are intended to give the youth more options for their lives. Many of these youth do not envision college as an option for themselves. "The kids are very interested in our speakers," Griffith said. "They need dreams, goals, and encouragement."

The ATD class is now being used in place of detention for youth with nonviolent offenses. Since the program began in October 2003, only 12 out of 272 juveniles served in the program have committed new crimes while participating in the program.

Griffith cited alcohol, drug abuse and truancy as three of the biggest issues facing youth in the juvenile justice system. Many also have mental health or special needs that may contribute to the AODA problems and truancy. The program was originally one week in length, but was expanded to five weeks because the juveniles have too many needs to address in a one week program.

A number of issues contribute to the high DMC in Wisconsin, according to Griffith. They include poverty, lack of funding for intervention, racial bias, and communication issues with police. Lack of options for youth, lack of alternatives to detention, and flaws in the educational system are other issues that have been shown to contribute to high DMC.⁽⁷⁾

According to Griffith, the Racine County program is effective because they have a strong policy board made up of people who are committed to the issue. "You need the right people committed to creating change," said Griffith. "We picked the best people for the policy board." The board, which meets once a month, includes juveniles and parents as well as professionals. Griffith also attributes their success to the program's emphasis on education and career development, and the support of the local judges.

The policy board found that DMC was due to juvenile intake policies and methods of punishing juveniles in Racine County. When a juvenile violated a court order, they were immediately sent to detention. Children who were runaways and who were in the system for non-violent offenses were also sent to detention. If a school called the police, then the child was detained. The board is now working more closely with the schools on this issue to try to reduce the number of children placed in detention. It remains a difficult issue.

The policy board has also focused its efforts on revising police department policies. The police officers that are present in schools are talking to the kids about their options instead of simply apprehending them. In addition, the ATD program has brought in officers to speak to the youth about how to respond to police officers and other authorities in an appropriate way. The hope is that this will have two effects: reducing referrals to Human Services, and reducing the recidivism rate.

Threat of Reduced Funding

The ATD program has plans to expand to bring youth to universities. The point is to expose kids to a world of

opportunities of which they may not have been aware. While not expensive, trips to colleges and universities will have some logistical costs. This will only be possible if program funds are preserved in the next budget cycle. Since the program's inception, the budget has already been reduced by \$17,000 dollars.

According to Griffith, prevention-not band-aid solutions--is key to solving DMC. A program such as Racine's ATD effort is effective because it focuses on so many different facets of the problem. Griffith thinks educating the public is another big part of solution. Many people are unaware of the disproportionate number of minorities in juvenile detention. An increase in funding for ATD programs, along with a public education campaign, are the first steps toward reducing DMC in Wisconsin.

Notes

(1) Office of Justice Assistance (2005). *Disproportionate Minority Contact Materials*. Phillip Rangsuebsin, State DMC Coordinator and Federal Compliance Specialist.

(2) Wisconsin Disproportionate Minority Confinement (2000-2002). Building Blocks for Youth:
<http://www.buildingblocksforyouth.org/statebystate/widmc.html>

(3) Ibid.

(4) The law defines minority populations as African-Americans, American Indians, Asians, Pacific Islanders, and Hispanics.

(5) Wisconsin Disproportionate Minority Confinement Phase I Index Matrix (2002).

(6) Office of Justice Assistance (2005). *Disproportionate Minority Contact Materials*. Phillip Rangsuebsin, State DMC Coordinator and Federal Compliance Specialist.

(7) U.S. Department of Justice. Office of Juvenile Justice and Delinquency Prevention. *Disproportionate Minority Confinement: 2002 Update*.