

Policy Platform

RACIAL AND ETHNIC DISPARITIES IN JUVENILE JUSTICE SYSTEMS

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Crime policies and school, police and juvenile court practices frequently lead to a disproportionate focus on—and more punitive response to—the behavior of youth of color.¹ The end result of these policies and practices is the overrepresentation of youth of color, both boys and girls, at all stages of the juvenile justice system, often referred to as disproportionate minority contact (DMC).² They are arrested, charged, and incarcerated more than white youth who have engaged in similar conduct.³ Youth of color are disproportionately detained pre-adjudication,⁴ and they often receive more severe sanctions than white youth charged with the same offense.⁵ These research results demonstrate that racial and ethnic disparities pervade the juvenile justice system and must be addressed.

The National Juvenile Justice Network makes the following recommendations:

Commitment

- States and local jurisdictions must make concrete and firm commitments to end racial and ethnic disparities in juvenile justice systems.
- Jurisdictions must allocate staff and resources to analyze the causes of racial and ethnic disparities and take action to address such disparities in juvenile justice systems.
- The federal government, supported by federal legislation and appropriations, should increase assistance to states and localities to end racial and ethnic disparities in juvenile justice systems by providing additional leadership, training, technical assistance, and grants.

Collaboration

- Jurisdictions must effectively engage key stakeholders to analyze data collected, identify potential solutions, implement systemic changes, and evaluate the ongoing impact of initiated changes. Key stakeholders should include, but are not limited to, community

members, families of court-involved youth, youth who have been involved in the juvenile justice system, policy makers, systems officials, and juvenile justice professionals.

- Jurisdictions should ensure that other systems that work with at-risk youth are involved in efforts to reduce racial and ethnic disparities in juvenile justice systems. Specifically, collaborations should include individuals from mental health, education, child welfare, substance abuse, physical/developmental disability, and human services authorities/agencies, as well as community-based organizations.
- Jurisdictions should work in concert with communities and families to implement proven practices for reducing racial and ethnic disparities, including linguistically and culturally appropriate and community- and family-supported practices, policies and programs for youth of color.

Collection of Data

- State and local jurisdictions must respond to racial and ethnic disparities using data-driven solutions. Juvenile justice systems that lack effective, transparent data collection procedures should establish or improve them.
- Jurisdictions must collect and analyze data at each stage of juvenile justice systems—from first to last contact. Data collection systems should track race, ethnicity, youth/family language capability, gender, age, disability, type of offense, location of offense, time of offense, and location of youth’s residence.
- Jurisdictions should develop preventive, proactive and corrective action plans to respond to racial and ethnic disparities made apparent by data, and should set measurable objectives for racial and ethnic disparity reduction based on the data.
- In order to ensure accountability in the process, aggregate, non-identifying data related to youth at various points of contact in the juvenile justice system, as well as action plans, objectives and documentation of progress toward reducing racial and ethnic disparities, should be made publicly available.
- Where possible, juvenile justice systems should work within their own agencies and departments (e.g., courts, probation, detention) and with other youth-serving systems (e.g., law enforcement, child welfare, mental health, substance abuse, education) to develop uniform definitions and measures that permit the integration of data within the juvenile justice system, as well as across all child-serving systems to better understand the multiple decisions that exacerbate racial and ethnic disparities.

For more information:

- “Guidelines for Collecting and Recording the Race and Ethnicity of Juveniles in Conjunction with Juvenile Delinquency Disposition Reporting to the Juvenile Court Judges’ Commission,” National Center for Juvenile Justice and the Center for Children’s Law and Policy (October 2006) – http://www.cclp.org/simple.php/racial_ethnic_disparities
- The W. Haywood Burns Institute for Juvenile Justice Fairness and Equity – www.burnsinstitute.org

- Models for Change Disproportionate Minority Contact Action Network – <http://www.modelsforchange.net/about/Action-networks/Disproportionate-minority-contact.html>
- Annie E. Casey Foundation Juvenile Detention Alternatives Initiative – <http://www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative.aspx>
- Office of Juvenile Justice and Delinquency Prevention – <http://www.ojjdp.ncjrs.gov/dmc/>

¹ This platform defines the term “youth of color” as youth who are African American, African Caribbean, Latino/Latina, Asian American/Pacific Islander, and American Indian/First Nations/Native American.

² “Disproportionate Minority Confinement Update 2002,” *Office of Juvenile Justice and Delinquency Prevention* (2004): 2 and “And Justice for Some: Differential Treatment of Youth of Color in the Justice System,” *National Council on Crime and Delinquency* (January 2007): 9.

³ “And Justice for Some: Differential Treatment of Youth of Color in the Justice System,” *National Council on Crime and Delinquency* (January 2007): 3.

⁴ Eleanor Hynton Hoytt et al., “Reducing Racial Disparities in Juvenile Detention: Pathways to Juvenile Detention Reform,” *Annie E. Casey Foundation* Volume 8 (2001): 10.

⁵ “Adoration of the Question: Reflections on the Failure to Reduce Racial and Ethnic Disparities in the Juvenile Justice System,” *W. Haywood Burns Institute* (December 2008): 9.