



A CAMPAIGN OF THE JUVENILE JUSTICE & DELINQUENCY PREVENTION COALITION

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## **FACT SHEET: DISPROPORTIONATE MINORITY CONTACT (DMC)**

### What is the current JJDP A Disproportionate Minority Contact (DMC) core protection?

The JJDP A currently requires States to “address” disproportionate minority contact (DMC) within the juvenile justice system.

### How should this protection be strengthened?

The DMC core protection should be strengthened by requiring States to take concrete steps to reduce racial and ethnic disparities in the juvenile justice system. States should be required to:

- 1) establish coordinating bodies to oversee efforts to reduce disparities;
- 2) identify key decision points in the system and the criteria by which decisions are made;
- 3) create systems to collect local data at every point of contact youth have with the juvenile justice system (disaggregated by descriptors such as race, ethnicity and offense) to identify where disparities exist and the causes of those disparities;
- 4) develop and implement plans to address disparities that include measurable objectives for change;
- 5) publicly report findings; and
- 6) evaluate progress toward reducing disparities.

### Why are these changes needed?

- The JJDP A currently requires States to “address” disproportionate minority contact (DMC) with the juvenile justice system. This vague requirement has left state and local officials without clear guidance on how to reduce racial and ethnic disparities. Jurisdictions need to approach this work with focused, informed, and data-driven strategies.<sup>1</sup>
- Youth of color are significantly over-represented in the juvenile justice system:
  - Latino youth are incarcerated in local detention and state correctional facilities nearly 2 times more frequently than White youth.<sup>2</sup>
  - African-American youth represent 16 percent of the adolescents in this country<sup>3</sup>, but are 40 percent of the youth incarcerated in local detention and state correctional facilities.<sup>4</sup>
- Research demonstrates that youth of color are treated more harshly than White youth, even when charged with the same category of offense:
  - For drug offenses, White youth are much more likely than African American youth to be placed on probation, and African American youth are twice as likely as White youth to be sent to locked facilities.<sup>5</sup>

- Latino youth are incarcerated for twice as long as White youth for drug offenses and are one and a half times more likely to be admitted to adult prison.<sup>6</sup>
- In many parts of the country there are no accurate data on the number of Latino youth in the juvenile justice system. Instead, Latino youth are counted as “White” or “Black,” resulting in significant undercounting of Latino youth.<sup>7</sup> Although some data on Latino youth are available, they may not represent the full extent of disparate treatment for Latino youth in the juvenile justice system.<sup>8</sup> Without accurate data, disaggregated by ethnicity as well as by race, it is difficult for communities to plan and coordinate culturally- and linguistically-appropriate services that are effective for youth and their families.<sup>9</sup>

### Case Studies:

It is established that jurisdictions can achieve measurable reductions in racial and ethnic disparities when they implement data-driven strategies that are guided by collaborative groups of traditional and non-traditional juvenile justice stakeholders.

- Peoria County, Illinois reduced disproportionate referrals of youth of color to the juvenile justice system by working with the school system to strengthen school-based conflict resolution protocols.<sup>10</sup>
- Travis County, Texas reduced its disproportionate incarceration of youth of color who violated probation by establishing a Sanction Supervision Program, which provides more intensive case management and probation services to youth and their families.<sup>11</sup>
- Pennsylvania has recently implemented a system of statewide juvenile justice data collection that captures ethnicity separately from race<sup>12</sup>.
- Santa Cruz County, California reduced disproportionate admissions to detention of Latino youth by focusing on reducing admissions for youth who were initially detained by Probation but released by the Judge at first appearance.<sup>13</sup>
- Baltimore County, Maryland reduced by fifty percent the secure detention of African American youth resulting from bench warrants due to failing to appear in court by instituting a reminder call program.<sup>14</sup>

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<sup>1</sup> W. Haywood Burns Institute For Juvenile Justice and Fairness and Equality, *Working Locally to Reduce Disproportionality* Website Page, available at <http://www.burnsinstitute.org>.

<sup>2</sup> Sickmund, Melissa, Sladky, T.J., and Kang, Wei. (2008) "Census of Juveniles in Residential Placement Databook." Online. Available: <http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/>

<sup>3</sup> Puzanchera, C., Finnegan, T. and Kang, W. (2007). "Easy Access to Juvenile Populations" Online. Available: <http://www.ojjdp.ncjrs.gov/ojstatbb/ezapop/>

<sup>4</sup> Sickmund, Melissa, Sladky, T.J., and Kang, Wei. (2008) "Census of Juveniles in Residential Placement Databook." Online. Available: <http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/>

<sup>5</sup> The National Council on Crime and Delinquency. (2007). *And Justice for Some: Differential Treatment of Youth of Color in the Justice System* at page 21. Available: [http://www.nccdcrc.org/nccd/pubs/2007jan\\_justice\\_for\\_some.pdf](http://www.nccdcrc.org/nccd/pubs/2007jan_justice_for_some.pdf).

<sup>6</sup> *Id* at p. 29 and 34.

<sup>7</sup> *Id.* at p. 1.

<sup>8</sup> Villarruel, Francisco A.; Walker, Nancy; et al., (July 2002) *¿Dónde Está la Justicia? A call to action on behalf of Latino and Latina youth in the U.S. justice system*, p. 42-44. Available: <http://www.buildingblocksforyouth.org/Full%20Report%20English.pdf>.

<sup>9</sup> *Id.*

<sup>10</sup> Conversation with Laurie Brown, Peoria County Site Coordinator, August 6, 2007.

<sup>11</sup> Conversation with Britt Canary, Travis County Juvenile Probation Department, April 4, 2008.

<sup>12</sup> National Center for Juvenile Justice (2006). *Guidelines for Collecting and Recording the Race and Ethnicity of Juveniles in Conjunction with Juvenile Delinquency Disposition Reporting to the Juvenile Court Judges' Commission*. Available: [http://www.jcjc.state.pa.us/jcjc/lib/jcjc/publications/cclp001-race\\_booklet.pdf](http://www.jcjc.state.pa.us/jcjc/lib/jcjc/publications/cclp001-race_booklet.pdf)

<sup>13</sup> Conversation with Scott MacDonald, Santa Cruz County Probation Department, February 13, 2008.

<sup>14</sup> Conversation with Tiana Davis, Baltimore County DMC Coordinator, March 15, 2008.