



Juvenile Justice in Mecklenburg County

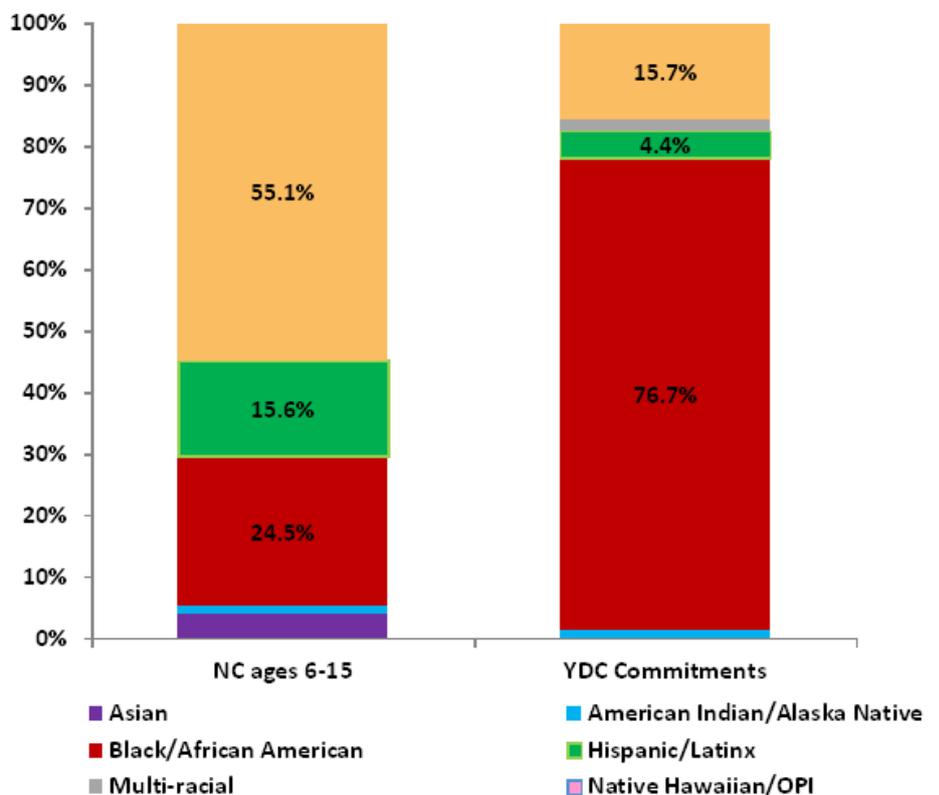
National Juvenile Justice Awareness Month
October (2018)

Disproportionate Minority Contact (DMC)

Understanding DMC

- The Office of Juvenile Justice and Delinquency Prevention (OJJDP) defines DMC as the disproportionate representation of minorities in the juvenile justice (JJ) system. [1]
- Juvenile Justice and Delinquency Prevention Act (JJDP) of 2002 mandates addressing DMC. States out of compliance forfeit federal funding. [1]
- JJDP was amended to broaden DMC from Disproportionate Minority Confinement to Disproportionate Minority Contact which had the effect of blaming the victim less and examining the system's decision points more. [3]
- The broadening from Confinement to Contact shifted focus to all levels of the justice system, not just youth in jails, prisons, and detention facilities. [4]
- Despite minor differences in offense commission, there are no data to support the notion that DMC is a result of differential behavior between White youth and youth of color. [7]
- Black youth are more likely to be arrested than their White peers and incarcerated eight times more frequently. [5]

2017 NC Youth Population & YDC Commitments



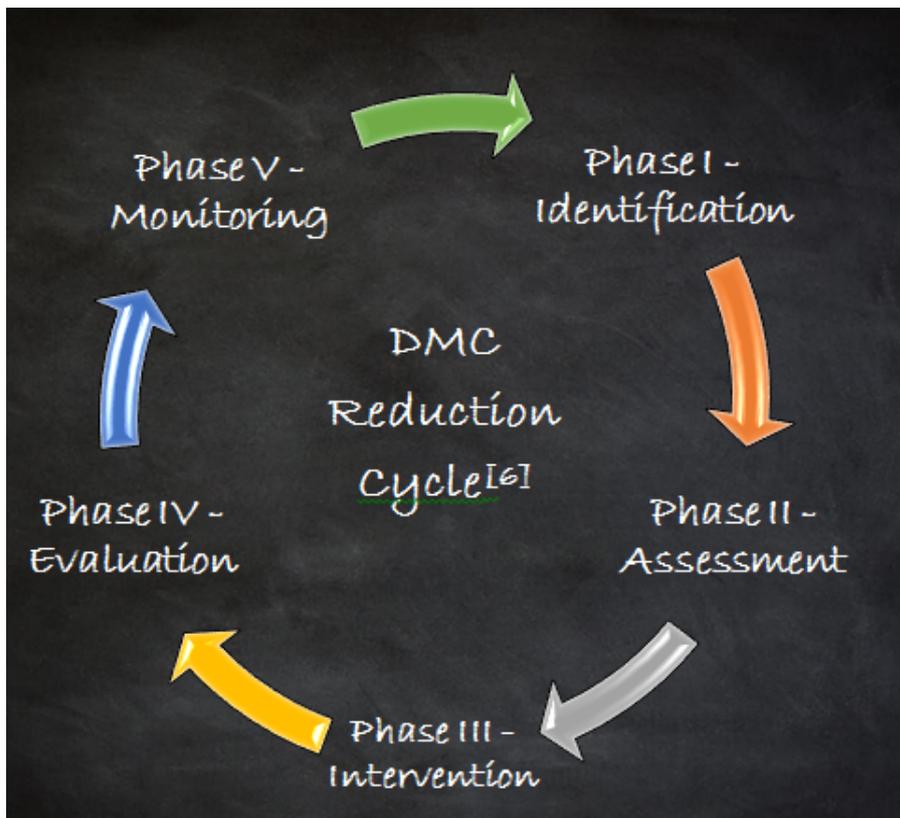
Relative Rate Indices (RRIs):

divide occurrences at decision points by number of youth in the general population to provide a rate for comparison. OJJDP uses RRIs to assess DMC in jurisdictions, using White youth as the reference group.

Mecklenburg County RRIs for 2016/17:

- Black youth are 7.78x more likely to have court referrals
- Latinx youth are 2.19x more likely to have court referrals
- Black youth are 3.63x more likely to be detained
- Latinx youth are 1.69x more likely to be detained
- Youth of color are less likely to have cases NOT approved for court, and are instead more likely to have their cases approved for court, and be adjudicated and disposed.

Disproportionate Minority Contact (DMC)



JJ Decision Points

OJJDP identified six decision points in which DMC can be disrupted or perpetuated:

1. Arrest:

After law enforcement is alerted about an alleged offense, they have discretion to give a child a warning, issue a citation, or bring a child into custody.

2. Diversion (and Charging Decision):

Court Counselors have the discretion to file formal charges, place a youth on a diversion plan (e.g. community based intervention), or close the case completely if circumstances of the case do not warrant court involvement.

3. Adjudication:

At adjudication, the court weighs the evidence and determines whether or not the child is responsible for the alleged offense.

4. Disposition:

When children are adjudicated, the court has options about how to hold them accountable such as community service, mental health services, mentoring, youth prison (YDCs), etc.

5. Detention:

Throughout the case, a judge must consider the safety of the youth and the public to determine whether a child should remain in detention.

6. Transfer:

Depending on charges, a prosecutor can request a hearing and transfer a child's case to adult court where he/she/they face adult consequences and the potential of an adult record.

Reducing Disproportionate Minority Contact

- Regular collection, analysis, and monitoring of key data
- Diverse stakeholders and leadership guided by a race analysis
- Objective criteria with local focus for each JJ decision point
- Continuum of diversion and alternatives-to-detention programs
- Cross-system collaboration (e.g., Education, Child Welfare)
- Family and community engagement
- Identification of champions for DMC and system reform [7]



[1] Office of Juvenile Justice and Delinquency Prevention - DMC Technical Assistance Manual, https://www.ncjrs.gov/html/ojjdp/dmc_ta_manual/dmcfull.pdf

[2] U.S. Census Bureau, <https://www.census.gov/quickfacts/fact/table/charlottecitynorthcarolina,nc,US/AGE295217#viewtop>

[3] McCarter, S. A. (2011). Disproportionate minority contact in the American juvenile justice system: Where are we after 20 years, a philosophy shift, and three amendments? *Journal of Forensic Social Work*, 1(1), 96-107. DOI: 10.1080/1936928X.2011.541217

[4] Donnelly, E. (2015). The disproportionate minority contact mandate: An examination of its impacts on juvenile justice processing outcomes (1997-2011). *Criminal Justice Policy Review*, 1-23.

[5] Kakar, S. (2006). Understanding the causes of disproportionate minority contact. *Journal of Criminal Justice*, 34, 369-381.

[6] Hanes, M. (2012). Disproportionate minority contact. Retrieved from <https://www.ojjdp.gov/pubs/239457.pdf>

[7] Center for Children's Law and Policy. (2015). Racial and ethnic disparities reduction practice manual. Washington, DC.

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