Juvenile Justice in Mecklenburg County

National Juvenile Justice Awareness Month
October (2019)

Racial & Ethnic Disparities (RED) in Juv. Justice (formerly DMC)

What is DMC?
Disproportionate Minority Contact (DMC) refers to the overrepresentation of minority youth in the juvenile justice system (OJJDP) [1, 2]

NEW in 2018! Abbreviated (5) JJ Contact Points

1. **Arrest**: law enforcement, schools, probation, or child welfare officials have discretion to give a child a warning, issue a citation, or bring a child into custody.

2. **Diversion** (and charging decision): School Resource Officers (SROs) and court counselors have the discretion to file formal charges, place youth on diversion or close the case completely.

3. **Detention**: judges must consider the safety of the youth and the public to determine whether a child should remain in detention.

4. **Confinement**: judges can order a child an out-of-home placement in a Youth Development Center (i.e., youth prison).

5. **Transfer**: depending on charges, prosecutors can request a hearing and transfer a child’s case to adult court.

Why change DMC to RED?
The word minority isn’t always accurate – in some jurisdictions, youth of color actually comprise the majority. Stakeholders advocate for achieving racial and ethnic equity – not simply reaching proportionality [3]
Racial and Ethnic Disparities (RED) in Juvenile Justice

Reauthorization of JJDPA in 2018
- Strengthens deinstitutionalization of status offenders
- Improves jail removal and sight/sound separation from adults
- Recognizes exposure to violence and trauma
- Provides comprehensive services for youth
- Incentivizes use of evidence-based practices
- Improves juvenile justice confinement conditions
- Ends use of certain restraints on pregnant juveniles
- Addresses unique needs of system-involved girls
- Adds protections for Tribal youth
- Provides judicial training and promotes fairness
- Reduces juvenile justice contact points from nine to five
- Changes DMC to RED (Racial and Ethnic Disparities) [4]

Why is there RED in Juvenile Justice?
- Conscious and unconscious racial/ethnic differential treatment (explicit/implicit bias) at the individual and system levels.
- Legislation that appears fair but has unintended consequences for youth of color.
- Failure to use data to drive decisions [1].

What is RED in Juvenile Justice?
- Over-representation of youth of color in the justice system.
- Different processing, treatment, and outcomes for youth in juvenile justice based on their race/ethnicity.
- Unnecessary entry into the justice system and or more severe consequences in the juvenile justice system for youth of color [1].

Relative Rate Indices (RRIs) divide occurrence at contact points by number of youth in the general population for a rate of comparison. OJJDP uses RRIs to assess DMC in jurisdictions, using White youth as the reference group.

Mecklenburg RRI’s for 2018/19:
- Black youth are at least 9X more likely to have received complaints in the JJ system
- Black youth are at least 3.5X more likely to be detained
- Hispanic/LatinX youth are at least 1.8X more likely to have received complaints in the JJ system
- Hispanic/LatinX youth are at least 3X more likely to be detained [5]

DMC/RED Statewide Assessment

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Racial and Ethnic Disparities (RED) in Juvenile Justice

Ten stake-holding groups were surveyed: defense attorneys, district attorneys, Juvenile Crime Prevention Council (JCPC) Chairs, judges, juvenile court counselors, local program managers/service providers, police chiefs, SROs, sheriffs, and YDC/detention center directors.

Most respondents felt DMC/RED was a problem, but law enforcement, police chiefs, and sheriffs, collectively, regarded it as less of a problem [5].

"There is no issue of DMC in my county. All juvenile contacts are treated the same based on the severity of the crime and the person's previous criminal history." [Sheriff]

"I do not see our county having this problem." [School Resource Officer]

"I do not think either plays a part with our youth. I think youths are treated very fairly in our area regardless of race, sex or origin." [Police Chief]
In 2018, misdemeanor complaints comprised 72% of all youth complaints, meaning the majority of complaints against youth are for low-level offenses. Despite no evidence of differential behavior, youth of color were over-represented in misdemeanor complaints.

**Racial and Ethnic Disparities (RED) in Juvenile Justice**

Disaggregate data by race and ethnicity and use data to inform policy and practice.

Collaborate with state and local agencies, police, judges, and community stakeholders.

Change culture from punitive/procedural focus towards what’s best for the youth, family, and community.

Affiliate with national JJ reform initiatives.

Create alternatives to detention, secure confinement, and formal system involvement.

Develop an intentional focus on RED reduction.

Cultivate leadership at both state and local levels.

Make reducing RED a Long-Term Priority. [6]

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