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]

2002 Juvenile Justice Contact Points

1. Arrest
2. Complaint
3. Diverted/NA
4. Detention
5. Approved for Court
6. Adjudicated (found responsible)
7. Disposition (sentence)
8. Placement
9. Transfer

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., juvenile 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

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].

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].

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]

Relative Rate Indices (RRI) divide occurrence at contact points by number of youth in the general population for a rate of comparison. OJJDP uses RRI to assess racial and ethnic disparities (RED) 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 juvenile justice system
- Black youth are at least 3.5X more likely to be detained
- Hispanic/Latínx youth are at least 1.8X more likely to have received complaints in the juvenile justice system
- Hispanic/Latínx youth are at least 3X more likely to be detained [5]

DMC/RED Statewide Assessment
Despite fewer overall commitments since 2000, RED rates have increased.

NC DMC/RED Assessment - Stakeholder Survey Data (n=220)

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]
Racial and Ethnic Disparities (RED) in Juvenile Justice

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.

<table>
<thead>
<tr>
<th></th>
<th>FY18-19 NC Youth Population 6-15 (n = 1,300,804)*</th>
<th>2018 NC Youth Misdemeanor Complaints (n = 15,445)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>54%</td>
<td>33%</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>6%</td>
<td>5%</td>
</tr>
<tr>
<td>Other</td>
<td>16%</td>
<td>10%</td>
</tr>
<tr>
<td>White</td>
<td>24%</td>
<td>52%</td>
</tr>
</tbody>
</table>

*Note: Population data for Asian, Multi-Racial, and Native American collapsed to 'Other' to match NCDOJS Complaint data

8 REDuction Strategies

- 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]