

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



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]

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.

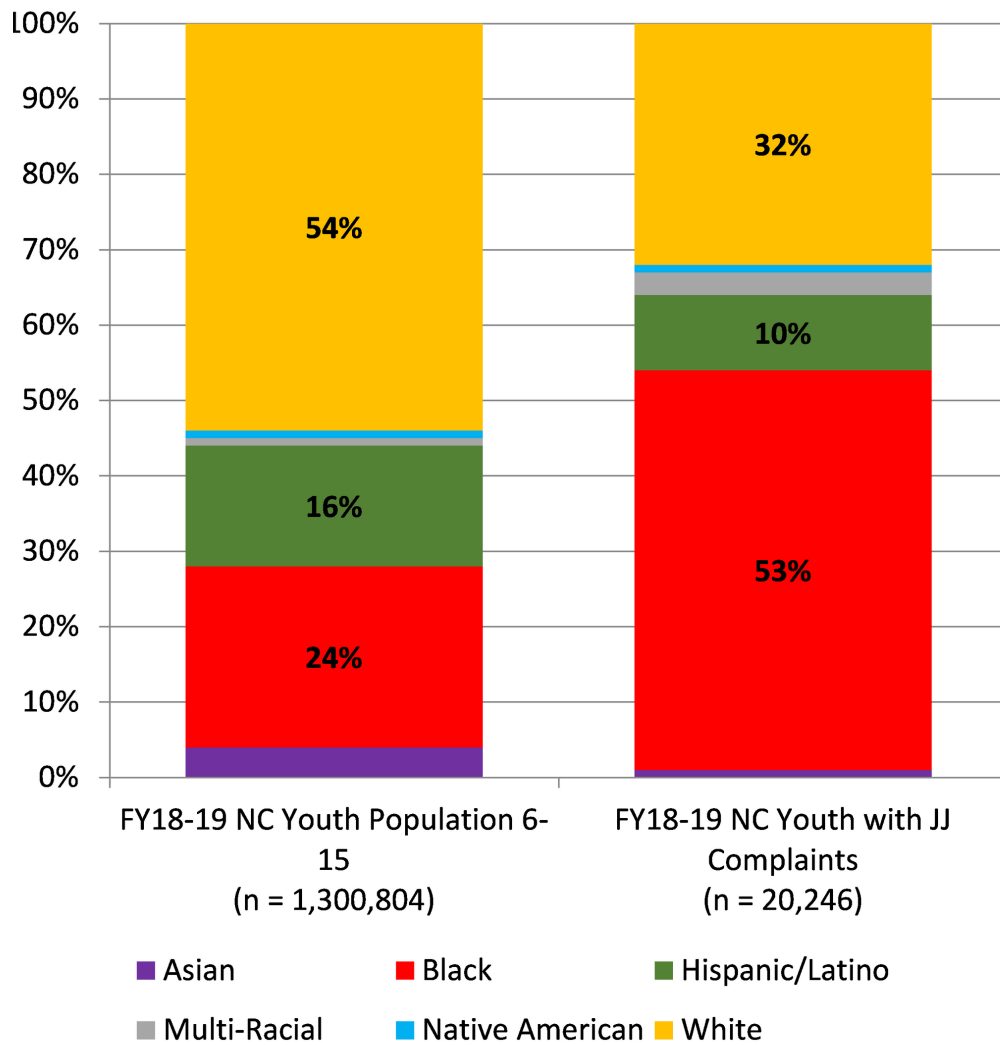
Racial and Ethnic Disparities (RED) in Juvenile Justice

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.
- Differential opportunities for prevention and treatment.
- 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 (RRIs) divide occurrence at contact points by number of youth in the general population for a rate of comparison. OJJDP uses RRIs to assess racial and ethnic disparities (RED) in jurisdictions, using White youth as the reference group.

Mecklenburg RRI's for 2018/19:

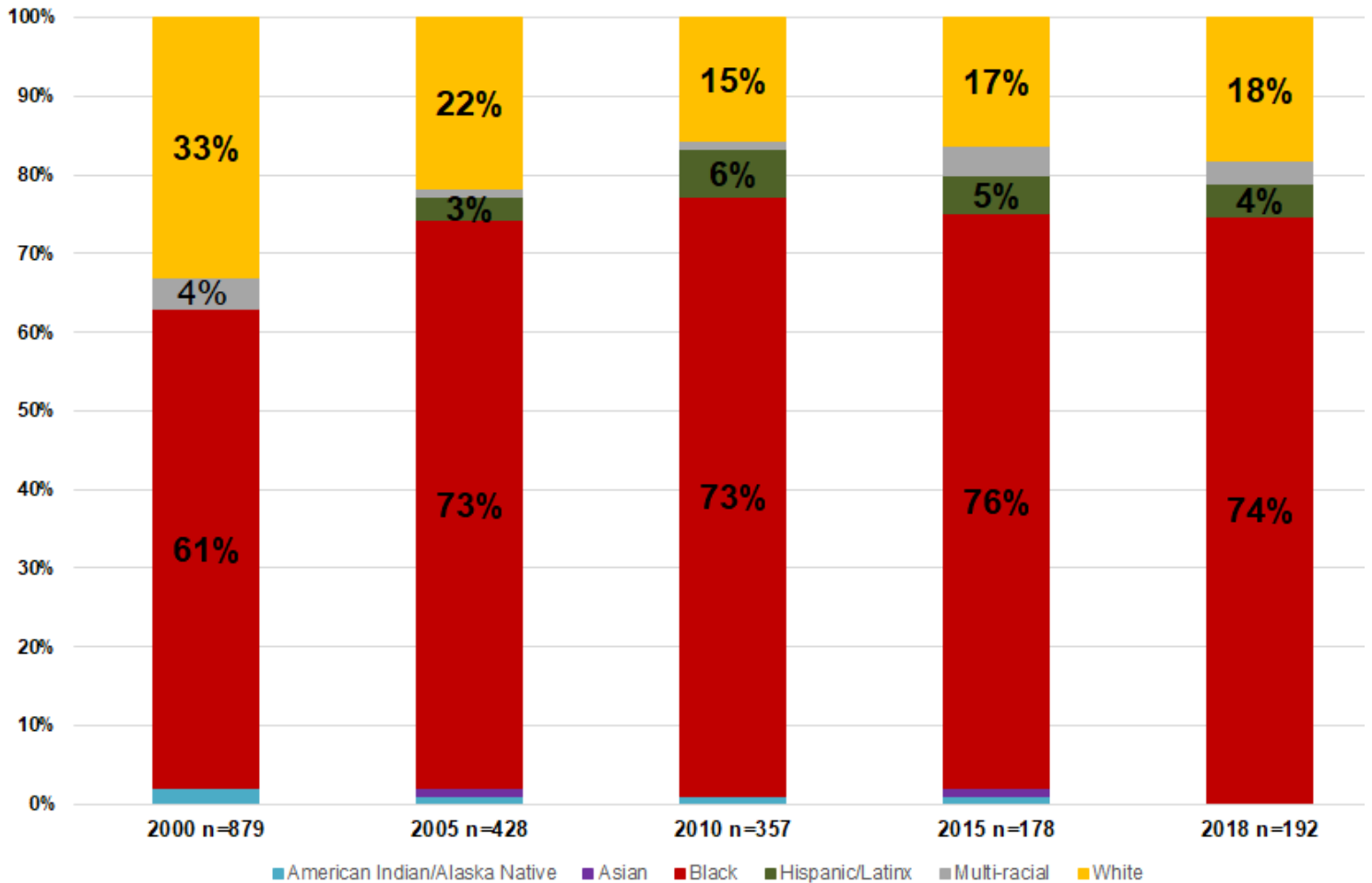
- Black youth are at least 9X more likely to have received complaints in the juvenile justice system
- Black youth are at least 3.5X more likely to be detained
- Hispanic/Latinx youth are at least 1.8X more likely to have received complaints in the juvenile justice system
- Hispanic/Latinx youth are at least 3X more likely to be detained [5]

DMC/RED Statewide Assessment

<https://www.ncdps.gov/About-DPS/Boards-Commissions/Governors-Crime-Commission/Publications>

Racial and Ethnic Disparities (RED) in Juvenile Justice

NC YDC Commitments 2000-2018



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]

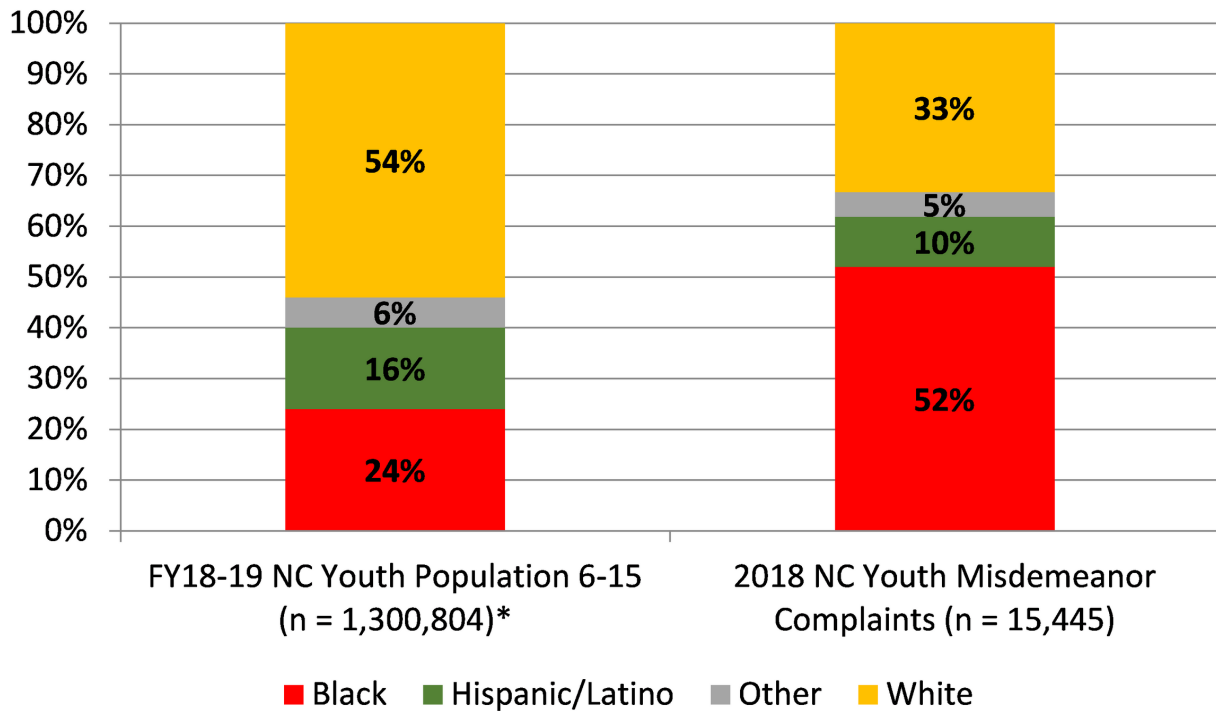
"I do not see our county having this problem."
[School Resource Officer]

"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.



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

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*Race Matters
for Juvenile Justice*



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- [1] Office of Juvenile Justice and Delinquency Prevention -DMC Technical Assistance Manual, <https://www.ncjrs.gov/html/ojjdp/>
- [2] 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
- [3] Burns Institute. (nd). What is RED? Retrieved from <https://www.burnsinstitute.org/what-is-red/>
- [4] The National Juvenile Justice and Delinquency Prevention Coalition. Overview of the Juvenile Justice Reform Act of 2018. <http://www.act4jj.org/sites/default/files/resource-files/JJDP%20Reauthorization%20Summary%20December%202018.pdf>
- [5] Orchowsky, S., Leiber, M.J., & Jaynes, C.M. (2019). Disproportionate minority contact in North Carolina: An assessment study. Retrieved from <https://www.ncdps.gov/About-DPS/Boards-Commissions/Governors-Crime-Commission/Publications>
- [6] Spinney et al. (2016) Case Studies of Nine Jurisdictions that Reduced Disproportionate Minority Contact in their Juvenile Justice Systems <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/250301.pdf>

Authors: