Successful Strategies to Reduce Racial/Ethnic Disparities in JDAI Jurisdictions
History of Juvenile Justice System
Enlightenment Period: Hull House and Juvenile Court

- Jane Addams and the Hull House (West Chicago)
- Social services
- Creation of Juvenile Court In Chicago (1899)
Historically Juvenile Justice Reform has benefited from the significant contributions of community members; everyday people can fundamentally change the function, form and philosophy of juvenile justice.

The first “Children’s Court” was developed in 1899 in Chicago by community activist Jane Addams.

Juvenile Probation was started in Boston by Shoemaker John Augustus who bailed out 19 boys ranging in age from 7 – 15 years.

Jane Addams and John Augustus represent the historical role of community members providing cutting edge leadership within juvenile justice reform movements of the past.

A community activist and a shoemaker with no institutional authority were able to make lasting contributions to reform that to this day are still fundamental components of juvenile justice systems across the nation.
Detention of youth of color has increased since 1985. By 2010, more than 70% of detained youth nationwide were youth of color.

National Detention Rates
One Day Count (1997-2010)

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</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>54</td>
<td>54</td>
<td>52</td>
<td>47</td>
<td>43</td>
<td>41</td>
<td>33</td>
<td>-39%</td>
</tr>
<tr>
<td>Black</td>
<td>264</td>
<td>258</td>
<td>225</td>
<td>213</td>
<td>228</td>
<td>222</td>
<td>179</td>
<td>-32%</td>
</tr>
<tr>
<td>Latino</td>
<td>122</td>
<td>116</td>
<td>111</td>
<td>105</td>
<td>103</td>
<td>97</td>
<td>78</td>
<td>-36%</td>
</tr>
<tr>
<td>Native American</td>
<td>125</td>
<td>133</td>
<td>134</td>
<td>138</td>
<td>152</td>
<td>99</td>
<td>88</td>
<td>-30%</td>
</tr>
<tr>
<td>Asian</td>
<td>48</td>
<td>41</td>
<td>37</td>
<td>37</td>
<td>27</td>
<td>22</td>
<td>16</td>
<td>-67%</td>
</tr>
<tr>
<td>Total</td>
<td>613</td>
<td>602</td>
<td>559</td>
<td>540</td>
<td>553</td>
<td>481</td>
<td>394</td>
<td>-36%</td>
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</tbody>
</table>

In a one-day count of detention facilities around the nation, youth of color were overrepresented in detention.

- Latino youth were **2.4 times** as likely to be detained as White youth.
- Native American youth were **2.7 times** as likely to be detained as White youth.
- Black youth were **5.4 times** as likely to be detained as White youth.

Components:
- Site Based Work
- Community Justice Network for Youth (CJNY)

Philosophy:
- Incarceration is harmful
- Data is key
- Local communities can play a critical role in juvenile justice reform
Creating a Safe Space: Avoid the Global Conversation

DRIVERS OF DETENTION

Racism
Implicit Bias
Family Dynamics
Poverty

Doors of Detention

SOCIETAL

SYSTEMIC

Differential Enforcement
Differential Processing
Commitments
Administrative/Technical Violations
Creating a Safe Space:
Avoid the Blame Game

It’s the fault of:

the kids, the families, the community, the parents, society at large, music videos, television, the police, judges, the mayor, the governor, the President, racism, subtle discrimination, overt discrimination, the “system,” drugs, guns, poor education, inadequate housing, the schools, the kids, the families, the community, the parents, society at large, music videos, the police, judges, the mayor, the governor, the President, racism, subtle discrimination, overt discrimination, the “system,” drugs, guns, poor education, inadequate housing, the schools ...
Why are data important?

- In fact, it is probably fair to say that no area of domestic policy – not even welfare – has been so thoroughly abandoned to misinformation, overstatement, oversimplification, emotion and disregard for the consequences as has the arena of juvenile justice.

- In state after state, juvenile justice policy is now being revised and rewritten on the strength of anecdote, in response to isolated incidents of brutality, or as a result of politically opportunistic pandering to public fears, frustrations and prejudices.”

Douglas W. Nelson, Former President, Annie E. Casey Foundation
When we compare the **percentage** of Latino youth in the youth population and the **percentage** of Latino youth in the detention population, it appears that Latino youth are not overrepresented.
Rate vs. Percent

Hope County Detention Rates (2009)
(per 1,000 youth)

<table>
<thead>
<tr>
<th>Group</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian</th>
<th>Native American</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Pop. (10-17)</td>
<td>30,000</td>
<td>10,000</td>
<td>50,000</td>
<td>7,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Detained</td>
<td>100</td>
<td>250</td>
<td>425</td>
<td>25</td>
<td>50</td>
</tr>
<tr>
<td>Rate</td>
<td>3</td>
<td>25</td>
<td>9</td>
<td>4</td>
<td>17</td>
</tr>
</tbody>
</table>

**But...** When we compare the **rate** at which Latino youth are detained to the **rate** at which White youth are detained, we note that Latino youth are **detained at 3 times the rate** of White youth.

**How are rates calculated?**

\[
\text{Rate} = \frac{\text{Youth Detained}}{\text{Youth in Population}} \times 1,000
\]

\[
= \frac{425}{50,000} = .009 = 9
\]

12 = 9 Latino youth detained per 1,000 Latino youth in the population
1. **Identify Disparities**
   - Identify whether and to what extent racial and ethnic disparities exist

2. **Identify, Analyze and Strategize around a “Target Population”**
   - Identify target population to focus the work.
   - “Dig deeper” into target population to learn more about policy, practice, and/or procedure and other factors contributing to disparities.
   - Strategize around how policy, practice, and/or procedure change might result in reductions in disparities.
   - Pilot or adopt policy change

3. **Measure Progress**
   - Monitor Effectiveness of Policy Change
   - Document changes in disparities
Target Populations

- Detention Admissions for lower level offenses and technical violations.
- Once identified, the stakeholder group must determine whether the system can safely supervise these youth admitted for “target populations” in the community.

Why is this important?

Bl targets these types of offenses/violations because our experience reveals that these are the types of offenses for which youth of color are often unnecessarily securely detained.
Identifying a Target Population

1. **Disparate Treatment of Similarly Situated Youth**
   - Override rates
   - Lengths of stay for specific offenses charged

2. **Inappropriate or Unnecessary Detention Utilization for Youth of Color**
   - Special Detention cases
   - Lower level offenses

3. **Inconsistent Decision Making**
   - Between agencies
   - Within an agency
Next, BI will focus on policy holds.

Harder to change federal and state law, so focus on local policy holds.

What is the racial and ethnic breakdown of the policy holds?

Release Outright: 350 youth
Release with Conditions: 150 youth
Detain: 500 youth

Detention Intake: RAI Administration

High Scoring: 200 youth
Low and Medium: 300 youth
Policy Holds: 200 youth
Federal Law: 25 youth
State Law: 50 youth
Local Policy: 125 youth
Placement Failure: 25 youth
Warrant: 50 youth
VOP: 50 youth
Parent Unavailable: 30 youth

We want to know more about local policy holds.

(1) What kind of policy holds exist?
(2) What is the racial and ethnic breakdown for each local policy hold?
(3) What is the justification for each policy hold?
(4) Which department or agency is the policy mandated by? (i.e. Courts; Probation)

Finally, BI will focus on discretionary holds.

(1) How many of these youth were policy holds and how many of these youth were discretionary holds?
(2) What is the racial and ethnic breakdown for each discretionary hold?
(3) What type of authorization is required for discretionary holds?
Digging Deeper: Asking the Right Questions
Asking the Right People

- **The Issue with Disparities:**
  - In a review of detention utilization in San Francisco County, officials noticed that African American girls had a higher placement failure rate than other girls.

- **Reasons: The possibilities are endless!**

- **The Process: Dig Deeper!**
  - First, the group reviewed approximately 25 files of girls and found the vast majority were sent back to juvenile hall for “assault.”
  - Next, the group talked to the girls.

- **The Findings: It’s all about hair.**
  - The interviews revealed that girls were assaulting because of “hair” policies—use of hair care products, frequency of washing mandates and style restrictions.

- **The Solution:**
  - A change in “hair policy” resulted in decrease in placement failures for African American girls.
Why Involve the Community

- **Community brings urgency**
  - Community sees youth in detention as their own, and thus, are the stakeholders who push the hardest for reform.

- **Community brings insight**
  - Community members from the neighborhoods contributing to detention bring intimate knowledge and important insight into youth and the issues they face in their community.

- **Community brings resources**
  - Community members offer potential resources or conduit to resources within communities most impacted by system involvement. Often, these resources can be tapped as community based alternatives to formal system involvement.
What are the responsibilities of the system stakeholders in engaging community?

- Respect (timing and location of meetings)
- Transparency (sharing information)
- Power sharing
- Open to criticism
- Education – training on policy/practice and general Juvenile Justice language.
Burns Institute Approach to Community Engagement

1) Coach Up Community Stakeholders
   - Juvenile Justice, DMC, & Detention Alternatives 101
   - Review of past and current reform efforts

2) System and Policy Map
   - Identify each agency and the various decision points within their discretion that may contribute to racial and ethnic disparities
   - Request data be regularly collected, analyzed and made public by Race, Ethnicity, Gender, Geography, and Offense at all decision points throughout the system

3) Establish Sustainability Strategy
   - Community stakeholders maintain their role and voice within the collaborative
   - Community Task Force on DMC
Success Is Built on Relationships...

- Relationships: the bedrock of community engagement

- System and community stakeholders: need trust and respect to deal with these tough and often emotional issues

- Tension between system and community stakeholders is often a sign of movement towards addressing deep-rooted systemic issues.
Contact Us

Please note our new address!

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