

Disproportionate Minority Contact in the Juvenile Justice System

CHILD WELFARE LEAGUE OF AMERICA
National Center for Program Leadership
Juvenile Justice Division

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Introduction

This monograph describes the prevalent phenomenon of disproportionate minority contact (DMC) in the juvenile justice system. It delineates the extent of racial disparity among juvenile offenders in the arrest, referral, preadjudication detention, adjudication, and postdisposition confinement stages, and examines how statutory and policy shifts have exacerbated DMC. Examples of such shifts include transfer statutes for juveniles to be prosecuted in adult criminal courts, the war on drugs, detention of immigrant youth, and antigang laws. In addition, the monograph reviews the status of federal legislation pertaining to juvenile DMC, causal factors, and lessons from successful state and local models, and includes recommendations for further research, policy, advocacy, and programmatic initiatives. These strategies emphasize ongoing data collection and analysis; mounting public education campaigns; and the use of community-based prevention, early intervention, and alternative-detention programs as efficacious solutions to eradicating DMC in the juvenile justice system.

A Historical Perspective

DMC occurs when the proportion of youth of color who pass through the juvenile justice system exceed the proportion of youth of color in the general population. Disproportionality becomes increasingly worse as youth of color proceed through the system, as decisions that occur early in the process (i.e., arrest and referral) will increase overrepresentation. To define the problem of overrepresentation of youth of color along the juvenile justice continuum, it is necessary to introduce the historical development of DMC.

In 1899, Cook County, Illinois, established the first juvenile justice system separate from the adult criminal justice system. The goals of this new court exclu-

sively for juveniles included constructively intervening in the lives of youthful offenders, diverting them from the more punitive criminal courts, and encouraging rehabilitation based on the individual juvenile's needs. For the next hundred years, through creation of federal statutes, U.S. Supreme Court decisions, and individual state children's codes, courts predominantly retained these goals.

The end of the 20th century, however, revealed a shift in the public's attitude toward juvenile offenders, changing from an emphasis on rehabilitation to that of punishment and accountability (Wrightsman, Greene, Nietzel, & Fortune, 2002). Sparking this shift was a significant increase in juvenile crimes between 1980 and 1993. For instance, juvenile arrests for homicide and aggravated assault doubled in that time frame (Wrightsman et al., 2002). With this new "tough on crime" outlook for juvenile offenders, youth of color became increasingly overrepresented in the juvenile justice system. Researchers found definite differences in the processing of youth of color and that "a youth's racial status made a difference at selected stages of juvenile processing" (Pope, Lovell, & Hsia, 2001, p. 2). Consequently, the differential outcomes became a cumulative disadvantage for youth of color as they penetrated further into the juvenile justice system (Pope et al., 2001). This disturbing phenomenon continued throughout the 1990s, despite federal legislation designed to combat DMC and a nationwide decline in juvenile violence. For example, from 1993 to 2001, a 70% reduction occurred in the juvenile murder rate, and from 1994 to 2001, juvenile arrests for violent behavior dropped 44% (Snyder, 2003).

Purpose

The information in this monograph is provided to educate practitioners, administrators, policymakers, child welfare agencies, juvenile justice agencies, and other organizations about the status and ramifications of DMC in the U.S. juvenile justice system. We hope that it will motivate the reader to become an active participant in the comprehensive and collaborative effort of CWLA's Juvenile Justice Division to improve the lives of our nation's children, youth, families, and communities through the promotion of strategies that will ensure the juvenile justice system employs a fair, effective, and rehabilitative process for all youth involved.

Despite decreases in juvenile violence and arrests, the media continues to portray youth, particularly African American youth, as criminals. This unbalanced image provides the public with an inaccurate depiction of youth crime and likely contributes to juvenile DMC. Racial profiling and other police practices that rely on race or ethnicity also negatively affect youth of color (Villaruel & Walker, 2001). Although many additional factors affect this issue, one fact is indisputable: DMC issues in the juvenile justice system continue to be a relevant concern, demanding greater understanding and informed action.

CHAPTER I

Measuring Racial Disparities in the Juvenile Justice System

DMC was recognized as an important issue when it was “brought to national attention by the Coalition for Juvenile Justice in its 1988 annual report to Congress, *A Delicate Balance*” (Hsia, 2003). Amendments made to the 1988 reauthorization of the Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 96-415, 42 U.S.C. 5601; JJDPA) formally identified racial disparity as an issue in the juvenile justice system. Specifically, these amendments required that states address DMC in their comprehensive plans to access federal juvenile justice funds (Hsia, 2003).

Many methodological barriers to measuring DMC nationally exist. Measurement systems states use to track outcomes of juvenile offenders by race and ethnicity vary, making state-by-state comparisons of disproportionate representation of people of color challenging. No known standard reporting mechanisms that capture racial or ethnic disparities currently exist among states. Furthermore, quantitative analyses that aggregate data from different jurisdictions can conceal important regional inequalities. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) uses a standard equation for assessing the ratio of participation of youth of color in the juvenile justice system to their representation in the general population (Devine, Coolbaugh, & Jenkins, 1998). The overrepresentation index is derived from the percentage of youth of color in the juvenile justice population divided by the percentage of youth of color in the entire juvenile population. Thus, according to OJJDP guidance, ratios of less than one display an absence of overrepresentation of youth of color. A score of one indicates that the number of youth of color in the juvenile justice system is proportionate to the number of juveniles in the general population. A score greater

than one shows the presence of overrepresentation of youth of color. States and localities can use this index to determine where youth of color have unequal probabilities of punitive processing decisions in the juvenile justice system compared to white youth.

Official arrest data, victimization reports, and self-reported surveys provide states with statistics on youth crime and on youth initiating contact with the juvenile justice system. These instruments do not, however, provide information on the various ethnic groups found in the United States. States collect reasonably reliable data indicating a disparity between African American and white youth but maintain different reporting systems for Latinos, Asians, Native Americans, and people of other ethnicities. These data collection discrepancies further complicate efforts to accurately define the issue.

Current Research

Recent research has found various statistical supports for the argument that youth of color are coming into contact with the juvenile justice system much more frequently than white youth. Between 1983 and 1997, approximately four of five new juveniles detained were of color. In 1997 alone, in every U.S. state besides Vermont, the population of detained youth of color exceeded their proportion in the general population. That same year, youth of color represented 63% of all youth detained in juvenile facilities. The proportion is almost double the representation of youth of color in the national population (Hoyt, Schiraldi, Smith, & Ziedenberg, 2001).

A recent report by the Building Blocks for Youth Initiative found that more than 100,000 youth are housed in local detention and state correctional systems (Poe-Yamagata & Jones, 2000). The report noted that although youth of color represented just 34% of the population in the United States in 1997, they make up:

- 62% of youth in detention,
- 67% of youth committed to public facilities, and
- 55% of youth committed to private facilities.

In addition, youth of color were more likely to be waived to adult criminal court than white youth, among all offense categories, and a greater percentage of white juveniles were placed on probation than juveniles of color, for all offense types (Poe-Yamagata & Jones, 2000).

Findings from Snyder (2003) indicated this disparity, especially for African Americans, as recently as 2001, as demonstrated by the following:

- The racial composition of the juvenile population was 78% white, 17% African American, 4% Asian, and 1% American Indian.
- The arrest rate for violent crime for African American juveniles was more than three times the rate for American Indian juveniles and white juveniles and almost seven times the rate for Asian juveniles.
- The arrest rate for property crime for African American juveniles was 40% greater than the rate for American Indian youth, double the rate for white juveniles, and more than three times the rate for Asian juveniles.

This same report also revealed that the disparity in violent crime between African American juveniles and white juveniles declined substantially between 1980 and 2001 (Snyder, 2003). This reduction in disparity of arrests “was primarily the result of the decline in black-to-white arrest disparities for robbery” (Snyder, 2003). Despite this decline over the past 20 years, prevalent racial disparity still exists in arrest rates.

Racial Disparity and African American Youth

Racial disparities in the juvenile justice system are most pronounced for African American youth. The National Academy of Sciences (2000) reported that in 1997, African American juveniles represented:

- 15% of the U.S. population ages 10 to 17 years,
- 26% of juvenile arrests,
- 30% of delinquency referrals to juvenile court,
- 45% of preadjudication decisions in juvenile court,
- 33% of petitioned delinquency cases,
- 40% of juveniles held in public long-term institutions, and
- 46% of cases waived to adult criminal court.

African American youth also accounted for 58% of all youth admitted to state prisons in that same year (Hoyt et al., 2001). Overrepresentation of youth of color intensifies as juveniles proceed through the juvenile justice system. These statistics exemplify the cumulative disadvantage that youth of color often experience as they advance through the system.

In every offense category, including personal, property, drug, and public order offenses, the police detained a significantly larger percentage of African American youth than white youth. Studies have found that juvenile courts are more likely to formally charge African American youth than white youth, even when they are referred to the court for similar offenses (Poe-Yamagata & Jones, 2000). Courts were more likely to sentence African American juveniles to incarceration, when controlling for the adjudicated offense, than white youth. They also gave African

American youth longer sentences than white or Latino youth for almost all offense types (Juszkiewicz, 2000). Courts are more likely to send white youth who steal or commit assault to a mental health facility for treatment, whereas they are more likely to confine African American youth charged with similar crimes in the juvenile justice system (National Academy of Sciences, 2000).

Racial Disparity and Latinos and Latinas

Latino and Latina youth also experience racial disparity in the juvenile justice system. As mentioned, the lack of uniform data collection regarding race and ethnicity is particularly challenging when studying issues affecting Latinos/Latinas. The classification of this population varies from state to state and even among communities. Making matters even more complicated, reports frequently classify people of Latino/Latina descent as white.

Despite the complicated nature of collecting data, *Donde Esta la Justicia* (Villaruel & Walker, 2001) discusses the unique issues faced by Latino/Latina youth. According to the report, between 1996 and 1998, compared with white youth, Latino/Latina youth were:

- arrested 2.3 times more often,
- prosecuted as adults 2.4 times more often, and
- imprisoned 7.3 times more often.

Latino and Latina youth are also more likely than white youth to be admitted to state facilities, even when charged with a similar offense. In 14 states and the District of Columbia, Villaruel and Walker (2001) found disparities in admission rates to state public facilities. The rate for Latino/Latina youth was:

- 13 times that of white youth for drug offenses,
- 5 times that of white youth for violent offenses,
- 2 times that of white youth for property offenses, and
- 1.3 times that of white youth for public order offenses.

Overall, Latino/Latina youth were two to three times more likely than white youth to be incarcerated (Villaruel & Walker, 2001).

The detention of immigrant youth has also caused an increase in DMC, especially in the Latino/Latina youth population. “The majority of immigrant youth who are detained never obtain access to a lawyer. Immigrant youth have no right to government-appointed counsel or a guardian ad litem” (Villaruel & Walker, 2001, p. 6). This factor has had a disparate racial effect on Latino/Latina youth, who comprise a large percentage of detained juvenile immigrants.

The ability to understand the unique components of DMC for any given population requires good data collection and analysis. To get an accurate picture of

the Latino/Latina youth involved in the juvenile justice system, the field needs the collection of complete and accurate data as well as additional research in this area.

Racial Disparity and American Indians

Current research does not have nearly the same amount of information about American Indian youth in the juvenile justice system as research about African Americans. Therefore, the statistics are minimal, but they clearly reveal the need for much more assessment and research in this area. The greatest concern to American Indians is the increasing number of violent crimes being committed by juveniles in tribal communities (Andrews, 2003). Specifically, “the number of American Indian youth in Federal Bureau of Prisons (BOP) custody has increased 50% since 1994 and more than 70% of youth in BOP custody on any day are American Indians” (Andrews, 2003).

One of the main reasons for this large overrepresentation is that certain crimes committed on tribal lands are federal offenses and therefore subject to federal punishment. American Indian youth who commit these crimes on tribal lands are often brought to federal court. Yet if these youth commit offenses outside of tribal lands, the offenses are usually violations of state or local law. In those cases, American Indian youth would be tried in the relevant state or local court jurisdiction (Andrews, 2003). American Indian youth are therefore not subjected to the same treatment for some crimes as other youth simply because crimes committed on tribal lands have different standards for their violations (Andrews, 2003). Nonetheless, the federal juvenile population predominantly consists of American Indian youth. As of 2004, the federal juvenile population is made up of:

- 167 American Indian youth,
- 20 African American youth,
- 19 white youth,
- 18 Latino youth, and
- 1 Asian youth. (Schindler, 2004)

These statistics highlight the seriousness of the situation and the urgency of the need for a response to the disparity in treatment for American Indian youth. Several compounding factors could also lead to the disproportionate numbers of American Indian youth in federal prisons. Not unlike other communities where people of color live, American Indian youth often face issues such as unemployment, drug and alcohol use, poverty, and lack of housing—research-established risk factors for future delinquency. These compounding problems create environments of stress, anxiety, and hopelessness, none of which are positive supports for a child or adolescent (Campbell, 2000).

Disproportionality and Girls

During the past 20 years, girls have increasingly become involved in the criminal justice system. Statistically, girls have shown a dramatic increase in arrests that is disproportionate to males. In 2001, “females accounted for 23% of juvenile arrests for aggravated assaults and 32% of juvenile arrests for other assaults” (Snyder, 2003). In terms of violent crimes, the Violent Crime Index (Acoca, 1999) showed that arrest rates for girls between 1981 and 1997 rose 103% compared with a 27% increase for boys. Furthermore, Acoca (1999) found indications of a greater number of delinquency cases for girls being referred to the court (68% increase) than for boys (40% increase).

Although troublesome, these data must be viewed with proper perspective. To date, the juvenile justice system still includes a significantly lower number of girls than boys (50,000 vs. 150,000, respectively), making the numbers appear inflated (Center on Juvenile and Criminal Justice, 2000). Yet even in this context, girls are a population that is increasingly demanding specialized attention.

For girls, the disparate treatment of youth of color is also a significant factor in DMC. Approximately two-thirds of the girls in the juvenile justice system are of color, primarily African American and Latina. Acoca’s (1999) study findings reflect disparate treatment. For example, although white females reported the most drug use, Acoca identified their most current offense type as probation violation. African Americans and Latinas reported far less drug involvement, but their most recent charge was for a drug or property offense (Acoca, 1999). Chesney-Lind and Sheldon (1998) also indicated disparate treatment between white girls and girls of color. For instance, white girls (75%) were far more likely to be recommended for treatment rather than placement in detention compared with African American (20%) and Latina (35%) girls.

It is evident that girls are quickly becoming a significant group of offenders in the juvenile justice system. The fact that girls are one of the least-served juvenile justice populations is a great cause for concern. Issues relating to DMC further complicate matters for girls of color, putting them at an even greater disadvantage. Consequently, girls of color involved with the juvenile justice system are likely to be significantly affected by disparate treatment.

CHAPTER 2

Policy Changes and Their Effect on Disproportionate Minority Confinement

In the 1990s, four salient policy shifts arguably exacerbated the problem of DMC among youth in the juvenile justice and criminal justice systems: transfers and waivers for juveniles to be prosecuted in adult criminal courts, the war on drugs, detention of immigrant youth, and antigang laws.

Transfers and Waivers

Over the past 20 years, an increasing number of juvenile offenders have been transferred or waived to criminal court jurisdiction. Between 1985 and 1997, the number of youth admitted to state prisons doubled in the United States (Poe-Yamagata & Jones, 2000). Between 1992 and 1999, 49 states and the District of Columbia passed laws making it easier for juveniles to be tried as adults through statutory exclusion, mandatory waiver, direct file by prosecutors, or presumptive waiver legislation. These laws mandating that youth be tried as adults and transferred to adult prisons disproportionately affect youth of color.

In California, African American, Latino, and Asian juveniles are 6, 12, and 3 times more likely than white juveniles to be transferred to an adult court, respectively (Leadership Conference Education Fund, 2001). In some urban areas, the racial disparity is even more extreme. For instance, in 1996, for Los Angeles County's population from 10 to 17 years of age, whites comprised 25%, Latinos 51%, African Americans 13%, and Asians and other races 11%. Data from the Los Angeles Probation Department, however, indicated that 95% of the cases that it transferred to adult criminal court involved youth of color (Villaruel & Walker, 2001). On the national level, in 1997, three out of four youth admitted to state

prisons were youth of color (Poe-Yamagata & Jones, 2000). Youth of color are much more likely than white youth to have their cases waived to criminal court, even when charged with similar offenses. Between 1988 and 1997, the percentage of cases waived to adult criminal court involving African American juveniles increased by 35%, whereas the percentage of cases waived involving white youth increased by 14% (Juszkiewicz, 2000).

The result of this overwhelming statutory action is particularly pernicious for youth of color, because compared with youth in the juvenile justice system, research findings indicate that youth in adult prisons are:

- eight times more likely to commit suicide,
- five times more likely to be sexually assaulted,
- two times more likely to be assaulted by the prison staff, and
- 50% more likely to be attacked with a weapon than youth in juvenile facilities. (Villaruel & Walker, 2001)

Although the sight and sound separation provisions of JJDPA prohibit juveniles from being within sight or hearing of adult inmates, the provisions do not apply to youth under the jurisdiction of adult criminal court. Thus, youth prosecuted as adults may legally be locked up with adult inmates in prisons. In addition, youth prosecuted in adult criminal courts who have similar case characteristics and offense records experience higher recidivism rates and subsequently commit more serious crimes than youth who remain in the juvenile justice system (Villaruel & Walker, 2001). Juszkiewicz's (2000) study suggests that:

- 85% of decisions over whether to charge a juvenile offender as an adult were not made by judges. This percentage increases to 89% for African American youth.
- African American juveniles were nearly three times more likely to have their cases transferred back to juvenile court from adult criminal court than white youth.

The data also suggest that the race effect may be more prevalent for juveniles than adults in the criminal justice system. For example, 55% of the juvenile offenders in adult jails and prisons were African American, whereas 48% of the adult offenders were African American (Austin, Johnson, & Gregoriou, 2000).

The War on Drugs

America's war on drugs has been significantly concentrated in urban areas and has consequently produced a noticeably disparate racial effect. Arrests are easier for police to make in inner-city neighborhoods, where dealers of color generally operate, compared with suburban neighborhoods, where white dealers are more preva-

lent. The distribution system for urban drug deals is under greater surveillance than in the suburbs. For example, an Illinois law automatically prosecuted any 15- or 16-year-old youth in adult criminal court who is charged with a drug crime within 1,000 feet of a school or public housing project. This law was responsible for automatically transferring 259 youth to adult criminal court in Cook County, Illinois, over a one-year period. Only one youth was white (Soler, 2001). Nationwide, approximately three-quarters of drug-related cases involving African American juveniles in 1997 were formally processed, compared with approximately half of cases involving other juveniles (Poe-Yamagata & Jones, 2000). In addition, “for youth convicted of drug charges, only 37% of African American youth received probation, compared to 44% of white and 53% of Latino youth” (Juszkiewicz, 2000).

Despite this disparate treatment of African Americans for drug-related crimes, self-report measures reveal that white youth are just as much or more involved in the selling and abusing of drugs. For example, in the 2002 National Survey on Drug Use and Health, American Indian youth between the ages of 12 and 17 reported the most drug use (20.9%), whites reported the second-highest level (12.6%), Hispanics reported the fourth-highest level (10.7%), African American’s reported the second lowest level (10.0%), and Asian youth reported the lowest rate (4.8%) (SAMHSA, 2003). The National Household Survey on Drug Abuse also found that “white youth ages 12–17 reported selling drugs a third more frequently than African American youth” (Poe-Yamagata & Jones, as cited in Hoyt et al., 2001, p. 21).

Antigang Laws

In the United States, DMC is also affected by the recent increase in antigang legislation. The 1998 National Youth Gang Survey (Wilson, 2000) revealed the following regarding the racial and ethnic composition of gangs:

- African America 34%,
- Latino 46%,
- white 12%, and
- Asian 6%.

Youth of color represent the majority of youth involved in gangs. Consequently, laws directed toward gangs and gang activity will disproportionately affect youth of color. Antigang laws have made it easier to transfer juveniles charged with a range of offenses previously dealt with in the juvenile justice system to the adult court system. For example, California’s Proposition 21 gives prosecutors the option of transferring a juvenile to adult court if it is “alleged that an

offense is ‘gang related’” (Villaruel & Walker, 2001). Likewise, gang enhancement laws “sometimes impose sentences which far exceed what the criminal law would have imposed for the same offense had it not been gang related” (Villaruel & Walker, 2001, p. 8). In jurisdictions in which these laws exist, youth charged with a delinquent offense stand to face additional, more serious penalties if it is determined the offense was committed with gang involvement or direction. In addition, these laws have also legalized the practice of “‘gang-profiling’ which allows police to...use aggressive tactics against any youth” they believe is in a gang (Villaruel & Walker, 2001). This negatively affects youth of color who are already assumed targets due to their appearance, neighborhood, clothing, and other factors unrelated to illegal activity.

CHAPTER 3

Federal Legislation Mandating Reduction of DMC

In 1988, Congress legislated amendments to JJDP A requiring that states participating in JJDP A's Part B Formula Grants program address the disproportionate confinement of youth of color in secure facilities. For the purpose of this act, OJJDP defined youth of color as African Americans, Native Americans, Asians, Pacific Islanders, and Latinos/Latinas. The amendments required each state to assess the level of disproportionate minority confinement and to implement strategies to reduce the disparity. In 1991, OJJDP created the Disproportionate Minority Confinement initiative to help states comply with the related requirements of the Formula Grants program. OJJDP selected five states to pilot the initiative (Hsia, 2003). The pilot programs in Arizona, Florida, Iowa, North Carolina, and Oregon found that the most efficacious way to reduce racial disparity was to implement plans that reduce disproportionate minority representation at all decision points in the juvenile justice system, rather than focusing solely on confinement (Devine et al., 1998).

In 1992, Congress strengthened its commitment to addressing disproportionality by elevating the issue to a core requirement of JJDP A. JJDP A now required states to address DMC on an ongoing basis through identification, assessment, intervention, evaluation, and monitoring. Each state then had to report on its progress to OJJDP as a part of its requirement to receive federal funding for this program (Hsia, 2003). States that failed to develop approved plans to reduce DMC faced a potential reduction of allocated formula grant money for that year.

Congress enacted further statutory change on November 2, 2002. This reauthorization resulted in a fundamental change of language of the act regarding this issue. The law now referred to disproportionate minority confinement as dispro-

portionate minority contact. This change broadened the scope of the examination of youth of color to include all decisionmaking stages of the juvenile justice system (Hsia, 2003).

Despite these federal requirements, “in 1997 the OJJDP found the population of detained youth of color still [exceeded] their proportion in the general population in all states except one” (Hoyt et al., 2001, p. 11). One year later, 55 of 57 eligible states and territories were participating in the formula grants program and developing or implementing intervention plans to reduce DMC (Snyder & Sickmund, 1999). Despite these promising and important statutory actions, DMC remains a problem throughout our nation’s juvenile justice system.

CHAPTER 4

Causal Factors of Juvenile DMC: The Problem of Compound Risk

The factors that contribute to DMC in the juvenile justice system are often polarized in academic debates in behavior-based explanations that are external to the justice system and racial bias in the justice system. “The three most common approaches to measuring delinquency and crime—self-report surveys, victimization surveys and official arrest and conviction records—all indicate high rates of serious offending among young blacks” (National Academy of Sciences, 2000). One could conclude that if youth of color commit proportionately more crime, engage in more serious offenses, and maintain longer criminal histories than white youth, they will be disproportionately represented all along the juvenile justice continuum.

Although individual behavior and racial bias may contribute to DMC, the field must address broader, multisystemic causes to produce long-term change. Compounding effects of even small racial disparities both outside and within the juvenile justice system can produce large differences in outcomes (Pope et al., 2001). Youth of color tend to be disproportionately subjected to multiple risk factors (i.e., poverty, substance abuse, mental health problems, poor school performance, family history of incarceration, maltreatment, trauma) that increase the likelihood of delinquent behavior. To justify the reality of DMC based on the behavior of youth of color is a gross oversimplification of the problem.

Familial Factors

Youth of color involved in the juvenile justice system disproportionately reside in single-parent, low-income households (Devine et al., 1998). In addition, youth of

color are less likely than white youth to be raised in households in which at least one resident parent is fully employed (National Academy of Sciences, 2000). Single parents who are working or looking for work often have less time to supervise youth. A lack of a strong familial foundation may contribute to some youth of color becoming involved in delinquent behavior.

Community Factors

According to the National Academy of Sciences (2000), various community factors can also contribute to youth being involved in the juvenile justice system. Families of color often live in different social contexts and face different levels of risk than white families. Research has associated differences in offense rates between African American and white youth with social and economic deprivation in many predominantly African American inner-city communities. In these communities, African American youth are more likely to live in poor neighborhoods with high unemployment and school dropout rates. Studies have proffered that the “concentrated disadvantages in poor neighborhoods, with little mobility, and little racial heterogeneity, have been found to be strongly correlated with assault and burglary rates as measured through calls to police” (National Academy of Sciences, 2000). Other socioeconomic factors that are correlated with high rates of delinquency include joblessness, household disruption, housing density, limited health care services, and poverty (National Academy of Sciences, 2000).

Although the United States has a higher absolute number of impoverished white families than African American families, poor white families are less likely to live in areas where most of their neighbors are also poor, thus facilitating socioeconomic mobility for these families (National Academy of Sciences, 2000). The frequent geographic isolation of many communities of color increases the risk of educational failure, unemployment, unwed parenthood, crime, and mortality for youth of color. Although the majority of poor African American youth live in cities, most poor white youth reside in rural areas and small towns, which may protect them to a large extent from some forms of crime control that are prevalent in large cities (National Academy of Sciences, 2000). Therefore, where the offense occurs greatly influences the potential for arrest (Hoyt et al., 2001).

Societal Factors

Teenagers of color are also more likely than white youth to be exposed to broader societal risk factors, such as living below the poverty line; having higher rates of infant mortality, lower birth weights, and greater exposure to lead; and fewer

mothers receiving early prenatal care. The data from one study demonstrate that on average, whites are better off than African Americans, Latino/Latinas, Asians, and other people of color on every indicator of social well-being (Hoyt et al., 2001). These societal risk factors may also contribute to DMC.

White households are, on average, wealthier than those of African Americans. Studies indicate that police and school authorities handle children from wealthier families differently than children from poorer families (Amnesty International, 1999). For example, according to Amnesty International (1999), school authorities are more likely to call a parent than the police and are less likely to detain and formally charge a child from a relatively affluent family.

Access to Counsel

Youth of color are significantly less likely to be represented by private counsel in the juvenile justice system. Although 21% of white youth obtain private attorneys, only 11% of African American youth do so (Juszkiewicz, 2000). Juveniles who have retained private counsel are less likely to be convicted, and if prosecuted in adult criminal court, are more likely to be transferred back to juvenile court, regardless of racial or ethnic background (Juszkiewicz, 2000). Public defenders are burdened by excessive caseloads and often have little background in representing youth offenders. Conversely, private counsel usually have smaller caseloads, more time to remain abreast of changing juvenile codes, and greater resources to devote to the representation of their clients.

Education

Youth of color coming from a disadvantaged background disproportionately feel the effects of a strained education, leading to a higher risk of school failure and the resulting increased risk of delinquent behavior (White, 2001). Some of the most reliable predictors of juvenile delinquency are related to education: school failure, poor reading performance, and truancy (White, 2001). Juveniles who do not have access to appropriate education or do not receive additional services for special needs (i.e., learning disabilities) are more likely to become involved in delinquent activity.

Police Decisions

Police decisionmaking may also contribute to the level of DMC, with particular regard to the discretionary authority concerning arrest decisions (Pope & Snyder,

2003). Police must make rapid decisions often based on limited informational cues. Readily observable characteristics such as race, gender, and demeanor are among those cues that initially shape the officers' assessment when responding to calls to investigate or arrest suspects. Police exercise increased discretion, particularly when dealing with youth who commit less serious offenses. Increased discretion also augments opportunities for biased decisionmaking. Although Pope and Snyder (2003) found "no evidence to support the hypothesis that police are more likely to arrest nonwhite juvenile offenders than white juvenile offenders, once other incident attributes are taken into consideration," they did find an indirect bias effect in the arrest of youth of color. Police also tend to concentrate patrols in low-income neighborhoods. Urban communities, consisting primarily of people of color, report that police unjustly target their male residents as potential suspects.

Institutional Racial Bias in the Juvenile Justice System

Examples of institutional racial bias in the juvenile justice system include: lack of adequate diversion programs for youth of color, lack of culturally appropriate juvenile services, lack of cultural understanding among juvenile justice system staff, barriers to parental input and participation because of limited understanding of the system, and poor integration of the juvenile justice system and other child- and family-serving systems and the community.

Selection bias occurs when the juvenile justice system scrutinizes the histories of youth of color more carefully or strictly than those of white youth. Institutional bias can affect youth of color at various decision points in the juvenile justice system. These include decisions regarding arrest; formal petitions versus informal diversion; removal from the youth's current living arrangements, which may include placement in secure detention; and dispositional recommendations from court or other youth service professionals. Regarding the dispositional recommendations of court staff, research has found significant differences in probation officers' attributions about the causes of offenses committed by white youth and youth of color (National Academy of Sciences, 2000). Probation officers usually attributed crime committed by African American juveniles to "negative attitudinal traits and personality defects." Probation officers, however, generally attributed crime committed by white juveniles to external environmental factors, such as family dysfunction, drug abuse, and harmful peer influence.

The different ascriptions lead to disparate assessments of the risk of reoffending and dispositional recommendations when adjusting for case and offender

characteristics. Juvenile court judges often follow the sentencing recommendations of probation officers. The same study also found that race indirectly affected the juvenile courts' decisions to detain youth during preadjudication periods considering factors involving school performance and family composition and controlling for the offense type. African American youth are more likely than whites or Latinos/Latinas to live in single-parent families. Personal beliefs about single parents and their ability to provide sufficient supervision can influence probation officers' recommendations about detention (National Academy of Sciences, 2000).

Youth of color may also experience differences in outcomes depending on the jurisdiction that processes their case. Cases in urban jurisdictions, where a preponderance of youth of color live, are more likely to receive punitive outcomes at various decisionmaking stages in the juvenile justice system than are cases in suburban jurisdictions (National Academy of Sciences, 2000).

It is also worth noting the research that reflects the potential long-term effect of discriminatory practices specific to a particular race. As a result of youth exposure to multiple discriminatory experiences, the ramifications may include the youth perceiving the system as unfair and developing reactive coping strategies, hostile attributions, and psychological disengagement (National Academy of Sciences, 2000).

CHAPTER 5

Effective Methods for and Approaches to Reducing DMC

JJDPA and the supporting regulatory guidance on the DMC core requirement, enforced by OJJDP (Devine, Coolbaugh, & Jenkins, 1998) and addressed by the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) (Hoyt et al., 2001), have provided some valuable practical lessons from successful state and local models that have significantly decreased DMC. Any one effort alone will not successfully reduce DMC. Rather, a comprehensive plan that addresses disparity across the spectrum of decision-making and the continuum of services has proven to yield the most significant effects. Critical components of these efforts are detailed below.

Organizational Responsibility

States or localities must assign organizational responsibility for addressing DMC. This step may include determining the most appropriate lead organization that will maintain accountability, appointing an individual coordinator, and allocating sufficient human and financial resources to plan and implement specific action steps (Devine et al., 1998). Assigning organizational responsibility can be greatly facilitated if senior-level officials use their formal and informal authority to demonstrate that reducing DMC is a priority to all staff. Senior-level officials should encourage everyone to make reducing DMC an important organizational objective; they also must incorporate this priority in the development of all detention reform strategies (Hoyt et al., 2001).

JDAI sites demonstrated that core detention reform strategies alone are not sufficient to produce a decrease in DMC or confinement. The state or locality

should consider establishing an interagency steering committee with relevant stakeholders, such as a juvenile court judge, pertinent court services and probation officials, the public defender, juvenile detention, police, the district attorney, health and human services groups, community-based and advocacy groups, and representatives from the region's racial and ethnic minority communities (Hoyt et al., 2001). The interagency committee should formulate a checklist or work plan of action steps that it will undertake to address DMC.

Data Collection and Analysis

The state or locality must collect and analyze juvenile justice data. This work must include collecting or acquiring accurate quantitative data, a systematic data analysis, and interpretation of the data within the particular state or local political and social context. The process must engage a broad and inclusive base of all stakeholders in the data analysis process. In addition, a lead agency should implement internal audits and ensure that data collection is disaggregated at each decisionmaking point within the juvenile justice system to examine where racial disparities exist for youth of color (Devine et al., 1998; Hoyt et al., 2001).

Prioritize and Build Consensus

By collecting information on factors that contribute to DMC, agencies can build consensus about risk factors that they must address to reduce DMC. Some JDAI sites organized community forums designed to explore recommended methods to reduce such risk factors through community-agency partnerships. Involvement of local parents and youth in developing community-based asset mapping for violence prevention and early-intervention initiatives has also proven useful in building community consensus (Hoyt et al., 2001). Other JDAI sites have convened an annual conference on multicultural family violence prevention to raise awareness of support services for youth and families (Hoyt et al., 2001). The conferences also facilitated communication between communities of color and governmental service providers.

Training

As communities and jurisdictions create multiple DMC reduction interventions and enhance preexisting interventions, it is important that they develop a coordinated training plan so they can effectively implement these approaches. This

effort must involve the broadest base of affected stakeholders. Cultural diversity and communication training is also a popular way to heighten the awareness necessary among agency staff to reduce DMC. The “training the trainer” model creates organizational capacity to focus on addressing racial stereotypes and racial bias in agency decisionmaking (Hoyt et al., 2001). Once again, it is important to train all relevant staff, including the police, members of the judiciary, public defenders, juvenile detention center staff, state attorney’s office staff, juvenile probation officers, and court services workers. JDAI sites found that educating the police, particularly community-policing officers, in the detention reform and DMC reduction efforts helped divert some youth of color from involvement with the juvenile justice system. Another DMC reduction tactic is to increase the number of staff of color in agencies. One benefit of this approach is to ensure that agencies have an appropriate number of bilingual staff to serve youth clients and to assist in easing the youth’s transition back to families and communities (Hoyt et al., 2001).

Community Based

Agencies can make significant strides toward addressing barriers to diversion among youth of color by implementing culturally appropriate interventions for the youth. For example, JDAI sites found that a probation office partnering with a community-based agency to conduct home supervision and electronic monitoring programs resulted in the creation of effective detention alternative programs for juveniles of color. Another barrier is that alternatives to detention and postdisposition services are often located in areas that are geographically inaccessible to youth of color (Hoyt et al., 2001). In view of this factor, agencies form partnerships with community-based providers in neighborhoods where large numbers of youth of color in the juvenile justice system reside. This allows more available access for youth to local social services and programs.

Risk Assessment Instrument

The development of a revised risk assessment tool for detention intake cases, with relevant considerations of race included, may enhance decisionmaking. Agencies should devise the risk assessment tool with the assistance of a cross-agency team and should aim to ensure that they only confine those youth who need to be detained for public safety reasons. The tool should define specific criteria that guide those decisions (Hoyt et al., 2001).

Access to Counsel

The juvenile justice system can also improve the quality of counsel that youth of color receive through the public defender's office. One JDAI site established a detention response unit consisting of two paralegal personnel who interviewed detained youth prior to their custody hearing, conducted discovery about the youths' charges, investigated community support systems, and communicated with families to emphasize the importance of their presence at the youths' court hearings. The paralegals were in close contact with the public defenders conducting the youths' hearings (Hoyt et al., 2001). The goal of the detention response unit is to provide the juvenile court with increased understanding of each juvenile's circumstances and possibilities for community-based alternatives to secure detention. Such community-based alternatives may include nonprofit centers that provide intense, individualized supervision of referred youth during nonschool hours while delinquency proceedings are pending (Hoyt et al., 2001). Another option includes development of a standardized sanctions grid to guide staff when dealing with juveniles who violate parole. This makes staff's decisionmaking contingent on the youth's risk status and violation type (Hoyt et al., 2001).

Evaluation

Finally, agencies must incorporate means to measure the effect of all DMC-reduction interventions. They should select an internal or external monitoring division or organization. They can use monitoring systems at the local and state levels to capture holistic information on DMC-reduction efforts in the juvenile justice system (Hoyt et al., 2001).

CHAPTER 6

Successful Models

Santa Cruz County, California

Santa Cruz County's probation department began its work to reduce DMC with the creation of a taskforce that included stakeholders from recognized multiple systems. Its results were remarkable and can serve as a guide for other departments that wish to affect disproportionate representation in their juvenile justice system. Prior to taking action, the Santa Cruz probation department looked closely at where the problems were occurring and found that although societal issues made juveniles of color more vulnerable to risk factors for delinquency, an exacerbation of disparity at each decision point involving the juvenile justice agencies still existed (Cox, 2000).

Santa Cruz's probation department took a step-by-step approach to addressing DMC at the departmental level. First, the administration worked to ensure that it adequately recognized the reduction of DMC as a key organizational objective. Specifically, it put in place a cultural competence coordinator to monitor the progress of plans developed to affect the issue. In addition, the department brought in a broad range of individuals and organizations to raise their level of awareness of the DMC issue and expand their view of the current landscape (Cox, 2000).

The second step was to map the key decision points of law enforcement by producing quarterly depictions of arrests, bookings, detentions, and program placements by ethnicity. Once this information was clear, the taskforce developed and monitored objective criteria for each decision point to ensure the elimination of an unintended racial bias (Cox, 2000). It also placed special importance on the cultural competence of staff. A commitment to staff with bilingual capacity

ensured that staff could communicate more effectively to link services and programs to a diverse client population. The probation department also conducted surveys to identify existing barriers to service and family involvement. These barriers ultimately contributed to high failure rates despite well-intentioned efforts at intervention. Family conferencing and parental involvement at all levels helped reduce barriers and DMC.

Another key decision point was arrest. The lack of adequate diversion options greatly increased DMC. As a result of this examination, the taskforce added four new diversion programs, which more than doubled the number of youth diverted out of the system (Cox, 2000). Finally, the taskforce added a family preservation program, a school-based day treatment program, and a culturally competent residential drug treatment program to provide a full continuum of treatment, supervision, and placement options. These new initiatives have helped to eliminate the gaps in the local service continuum as well as reduce DMC. Overall, Santa Cruz has produced astounding results and proved that one agency—working collaboratively with community partners—can make a difference in the elimination of DMC.

Multnomah County, Oregon

In response to alarming data indicating racial disparities, Multnomah County set up a disproportionate minority confinement committee whose objective was to “promote fair and equitable decisions about police custody and detention and to ensure that system resources were accessible, culturally relevant and appropriately used for all racial and ethnic communities” (Hoyt et al., 2001, p. 55).

First, the committee established a series of detention alternatives. These included shelter care, foster homes, home detention, and a day reporting center, all of which were put into place in communities where youth of color lived and to which they had easy access. At the same time, the committee developed a risk assessment instrument (RAI) to guide admission decisions. It established a cross-agency team consisting of judges, defense attorneys, prosecutors, probation officers, detention counselors, school officials, and researchers to develop the instrument. The goal was to use the instrument to ensure that the most appropriate youth were detained (Hoyt et al., 2001).

Parallel to the RAI’s implementation, the committee created a new detention intake team of six to seven intake workers to provide daily reviews of the youth in detention, including examining risk assessment scores, case status, and the youth’s amenability to community-based programs. In addition, it put a sanctions grid into place to eliminate unnecessary confinement for parole violations. The grid

established that line staff could not place a youth in detention for a parole violation without first trying other identified sanctions. In response to an increase in the indigent youth population, the county hired four part-time trial assistants to help attorneys in pretrial placement and ultimately enhance the use of alternatives for youth who would normally face secure detention (Hoyt et al., 2001). Moreover, similar to initiatives in Santa Cruz, the probation department also sought to diversify its staff.

A final initiative resulted in the establishment of a community policing effort that brought police into contact with youthful offenders in a different way than traditional policing approaches. Staff trained the community police in the goals of JDAI and thus helped divert youth from referrals to the juvenile justice system. The objectives and programs established in Multnomah County also proved that DMC could be reduced substantially through the collaborative effort of many agencies working toward a fair and just process for all youth.

Cook County, Illinois

Cook County began its initiative with the establishment of a “Disproportionate Representation Committee” (Hoyt et al., 2001). The committee included a presiding judge, representatives of court services and probation, the public defender, juvenile detention staff, police, state’s attorneys, community-based groups, and advocacy groups. The main objective of this committee was to build diversity in the system and provide a more effective system for all youth (Hoyt et al., 2001). The committee targeted a reduction of the number of youth detained overall and focused on helping detained youth experience better outcomes.

First, the county developed a successful train-the-trainer model, which focused on racial stereotypes and bias in decisionmaking (Hoyt et al., 2001). The training also focused on cultural diversity and communication and provided participants with the opportunity to learn from one another. The training improved values and created a more positive work culture.

Second, the county developed a new risk assessment tool affecting decisions to detain a youth. The tool heightened awareness of the context of the lives of youth of color. For example, the tool’s designers sought to reduce the effect of assessment criteria that were more commonly associated with youth of color, such as whether a youth came from a single-parent household (Hoyt et al., 2001).

Third, the county included a larger social support aspect in the court process. Paralegals interviewed detained youth prior to hearings, verified community ties, contacted families to stress the importance of their presence at hearings, and taught youth about procedural and behavioral expectations during the hearing. In

addition, the paralegals also suggested alternative programs to the lawyers. The work reduced the gap in the quality of defense that youth of color received; essentially, these were areas that public defenders could not afford to marshal on their own (Hoyt et al., 2001). In addition, paralegals helped bridge the gap and make a connection among families, the community, and the court.

The most distinguished and notable detention reform strategy was the development of a continuum of detention alternatives. Community-based organizations run by people of color became more common and culturally competent. Nonprofit community-based organizations in neighborhoods with high rates of referrals for youth of color developed and operated evening reporting centers (ERCs). The program's goal was to reduce the risk of youth reoffending by providing intense, individualized supervision during the peak hours of criminal and delinquent activity while the youth's delinquency proceedings were pending (Hoyt et al., 2001). ERCs also ensured that youth appeared in court while remaining in school and living at home.

In sum, the goals of this project were achieved through interagency communication and by attaining a greater understanding of and sensitivity to cultural issues. The county formed community coalitions that contributed to the diversification of services available to detained youth. Cook County reduced DMC throughout the system. It also achieved the goals of reduction of the average daily detention population and improved outcomes for detained youth through this comprehensive approach to reform.

CHAPTER 7

Multiple Intervention Strategies

The successes of the efforts detailed in Chapter 6 all reflect a commitment to an inclusive, comprehensive approach to the DMC issue. Several components serve as foundation activities for these changes. What follows is a brief articulation of three of these activities: research, integration and collaboration, and advocacy, all of which are important aspects of sustainable DMC reform work.

Research

The conduct of both qualitative research (including field and observational studies) and quantitative research (including multivariate models sensitive to direct and indirect race effects) on the juvenile justice system is critical. Ideally, researchers should study the internal decisionmaking processes in the juvenile justice system and the efficacy of community-based alternatives to detention. Researchers should examine multiple decisionmaking points. Although significant methodological challenges exist, research should also focus on police encounters with juveniles at the initial arrest stage and on the decisionmaking processes of judges in various districts (Devine et al., 1998; Hoyt et al., 2001).

In addition, researchers should collect and analyze standardized data on additional racial and ethnic categories beyond African American and white youth. The data available on additional groups are often limited because states do not routinely and systematically collect data that separate Latino/Latina youth from white youth or distinguish between different ethnic backgrounds in the Latino grouping, such as youth of South American, Central American, Mexican, or

Caribbean descent. The lack of distinct data on Latino/Latina youth inflates the incarceration rate of non-Hispanic white youth, which could falsely decrease the rate of DMC (Villaruel & Walker, 2001).

The field should also expand research efforts to include rural and suburban jurisdictions in addition to inner-city areas. It may be useful to examine the influence of the community characteristics on juvenile justice decisionmaking where large groups of detained youth of color live (National Academy of Sciences, 2000). It is also noteworthy that race effects might be hidden when studies combine data on a statewide or countywide basis. Institutionalization of reform will require the implementation of a long-term systematic monitoring procedure to regularly calculate the numbers of youth of color being processed at each decisionmaking point in the juvenile justice system (Hoyt et al., 2001).

Integration and Collaboration

The improved outcomes related to DMC reform clearly reflect the value of juvenile justice agencies' development of interagency collaboration. Children who experience multiple risk factors are at an increased risk for involvement in juvenile delinquency. Therefore, if youth of color are already overrepresented in other systems, the probability of being trapped in the DMC continuum in the juvenile justice system is greatly increased. The interagency collaboration can improve work to share information about the needs of juvenile offenders. This work with other social service, mental health, and child welfare agencies will help prevent youth from unnecessarily entering the juvenile justice system when some of them would be more appropriately served by other agencies.

Available research confirms a connection between populations served in the child welfare system and youth who become involved in the juvenile justice system. Significant evidence links child abuse and neglect with an early onset of juvenile crime (Wiig & Widom, 2003). One study found that early child abuse and neglect increased the risk of arrest as a juvenile by 55% (Wiig & Widom, 2003). The child welfare system also serves a disproportionate number of youth of color. In September 2000, youth of color represented 59% of the total youth in foster care alone (National Data Analysis System, 2004). To reduce the number of youth who migrate from child welfare into juvenile justice, these systems must improve integration and coordination of services. Programs that prevent abuse and neglect will simultaneously prevent delinquency. Juvenile justice and child welfare agencies can decrease DMC by working together to develop prevention and early-intervention programs in communities of color, institute cultural competency training for staff, and ensure that diversion programs are located near youth of color.

Advocacy

In addition to a variety of policy and procedural changes, advocacy efforts serve as an important component of reform. The news media frequently and disproportionately depicts youth of color as criminals (Dorfman & Schiraldi, 2001). News portrayals of juvenile justice issues significantly influence public opinion and policymakers' decisions regarding public safety. According to one national poll:

Twice as many whites believe they are more likely to be victimized by a person of color than another white person despite the fact that whites are actually three times more likely to be victimized by other whites than by minorities. (Dorfman & Schiraldi, 2001, p. 4)

Public opinion, if properly and accurately informed, can be used to help influence elected officials. A poll conducted by Building Blocks for Youth found that 90% of the public supports prevention and rehabilitation rather than imprisonment of youth (Soler, 2001). Furthermore, the public endorses action to ensure equal treatment of youth of color in the juvenile justice system. More than 8 of 10 people polled support the requirement for diversity training for staff involved with juvenile offenders. Nearly 7 of 10 support revised risk assessment tools to address racial disparities. Efforts to accurately inform the public of the important issues facing the juvenile justice system will help mold their expectations of policies and lawmakers to respond in appropriate, proven effective ways. The result will be a combination of improved policy and statutes that will help ensure each youth in the juvenile justice system is treated fairly and judged individually.

CHAPTER 8

A Call to Action

CWLA was established in 1920 to guard children's rights and to serve children's needs. CWLA is an association of more than 900 public and private nonprofit agencies devoted to serving vulnerable children, youth, and families. CWLA envisions a future in which families, communities, organizations, and governments ensure that all children and youth are provided with the resources necessary to develop and grow into healthy, contributing members of society. It is this organizational history and mission that makes it imperative that we address the issue of disproportionate minority representation in our youth-serving systems.

CWLA believes that system reform is best accomplished through a comprehensive, strategic planning process that embraces and values inclusion of youth, families, and a broad-based representation of youth-serving agencies and organizations. This approach uses the best available information, research, and practices to guide the process. With the release of *A Framework for Community Action: Making Children a National Priority* (Morgan, Spears, & Caplan, 2003), CWLA reaffirmed and deepened its commitment to support families, communities, agencies, and policymakers in their efforts to improve the lives of America's children and youth. The Framework offers a broad, inclusive vision of what America's children need to be healthy, safe, and thriving, and what it will take for all families and communities to meet those needs.

Since the creation of the CWLA Juvenile Justice Division in July 2000, through the generous and ongoing support of the John D. and Catherine T. MacArthur Foundation, CWLA has focused on the connections between the child welfare and juvenile justice systems and established the goal of developing

an integrated, multisystem approach to strategic planning, program development, service delivery, and allocation of resources. Using proven-effective models and resources, and the core principles articulated in the Framework, to guide recommended actions, the CWLA Juvenile Justice Division has developed an action-oriented method to assist state and local jurisdictions to achieve this goal, the details of which are captured in the *Guidebook for Integration and Coordination of Child Welfare and Juvenile Justice Systems* (Wiig & Tuell 2005).

With a significant amount of national and state data on disproportionate minority representation in the juvenile justice system, as well as practical policies and programs that have reduced DMC in model sites, states and localities now have the opportunity to overcome barriers and replicate successful practices in their own jurisdictions. As DMC is most effectively pursued in the context of comprehensive detention reforms, we must generate political will both internally and externally. Throughout the reform process, heightened communication and cultural understanding are integral to a fair, efficient, and effective juvenile justice system. Data collection and analysis can propel the agenda forward. Using data to reinforce the direction of reforms and depersonalize decisions in the juvenile justice system can enhance more equitable decisionmaking. Cross-system collaboration to code racial and ethnic categories identically based on uniform, national data collection standards is an important core commitment to improving the utility of these data. CWLA recommends that jurisdictions engaged in reform perform outcome evaluations on all DMC reduction efforts to assess their progress. Through internal reforms, interagency collaboration, and community-based partnerships, DMC reductions can occur and result in a juvenile justice system that is fair for all youth involved.

It is critical we understand that DMC will not be sufficiently remedied by the juvenile justice system alone. The compounding risk factors that influence a youth's path to delinquency are too intertwined in multiple systems to be ignored. Children who are victims of abuse and neglect are at a heightened risk for involvement in delinquency. It is critical for child welfare and juvenile justice systems to work in an integrated, coordinated manner in behalf of the children, youth, and families commonly served. This includes those youth finding themselves active participants in both systems and those children and youth in the child welfare system who demonstrate risk of delinquent behavior. Equally important is for both systems to jointly engage in primary prevention services to simultaneously address maltreatment and delinquency.

CWLA's *Children of Color in the Child Welfare System: Overview, Vision, and Proposed Action Steps* (2003) defined the issue, proposed action steps, and prioritized and defined values related to the disproportionate number of children of

color in the child welfare system. CWLA has made a commitment to “strive to develop, promote and implement policies, programs, and practices that result in significant and sustained reductions in the number of children of color who are inappropriately referred to and subsequently served by the child welfare system” (CWLA 2003, p. 4). Through CWLA’s combined focus on cultural diversity issues in the child welfare and juvenile justice systems, and commitment to the core components articulated in this monograph that have proven effective in jurisdictions throughout the nation, we can reduce the disproportionate number of minority youth served by the juvenile justice and child welfare systems. CWLA invites you to join with us as we work on this challenge. We look forward to partnering with you and your agency, organization, or jurisdiction in this important endeavor.

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