



WWW.NCJFCJ.ORG

EXHIBIT D - ChildWelfare  
Document consists of 23 pages.  
Entire document provided.  
Meeting Date: 05-09-12

# National Council of Juvenile and Family Court Judges

## Disproportionate Minority Contact in the Juvenile Justice System



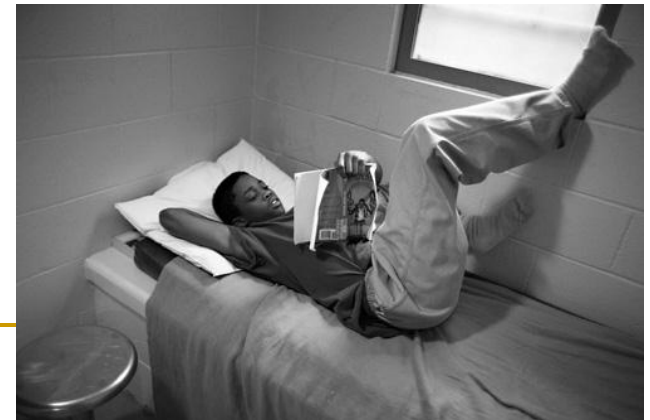
# What is DMC?

DMC refers to the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.



# What is DMC?

In most jurisdictions, disproportionate juvenile minority representation is not limited to secure detention and confinement, but is evident at nearly all contact points of the juvenile justice system continuum.



# Does DMC Exist?

Across the country, low-level offending youth of color and poor youth who come into the contact with juvenile justice systems are often jailed even though they do not pose a public safety risk.



# Does DMC Exist?

Youth of color comprise 38 percent of the youth population in the U.S., yet comprise nearly 70 percent of those who are confined. That is because youth of color are arrested, charged and incarcerated more than White youth for *similar conduct*, a majority of which are minor status offenses such as consumption of alcohol, tobacco smoking, truancy, or running away from home.



# Does DMC Exist?

**National data from 2006 indicates that compared to White youth:**

- **African-American youth were nearly 6 times as likely to be detained**
- **Latino youth were more than twice as likely to be detained**
- **Native youth were nearly four times as likely to be detained**



# Does DMC Exist?

According to the latest Survey of Youth in Residential Placement, considering custody rates, survey results indicate that multiracial youth have a substantially greater custody rate as compared with other race/ethnicity categories



# Does DMC Exist?

## Survey of Youth in Residential Placement

<b>Race/Ethnicity</b>	<b>Custody Rate per 100,00 Youth in the General Population</b>
White only, non-Hispanic	123
Black or African-American only, non-Hispanic	463
Hispanic (any race)	317
Other single race, non-Hispanic	145
Mixed race, non-Hispanic	751



# Juvenile Justice and Delinquency Prevention Act

States participating in the JJDNA Part B formula grants program are required to address juvenile delinquency prevention and system improvement efforts designed to reduce DMC within their jurisdictions.



# JJDPA

JJDPA requires States to develop and implement plans to reduce the proportion of minority youth detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups if they exceed the percentage of the minority groups in the general population.



# JJDPA

In 1992, amendments to JJDPA elevated efforts to address DMC to a “core requirement” and tied 25% of grant funds to State compliance.

In 2002, reauthorization of JJDPA expanded the DMC core requirement from “confinement” to “contact”.



# JJDPA

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), which administers the JJDPA formula grants, requires States participating in the Formula Grants program to:

- Identify the extent to which DMC exists within their jurisdictions
- Assess the reasons for DMC
- Develop and implement intervention strategies
- Evaluate and monitor the effectiveness of the intervention strategies.



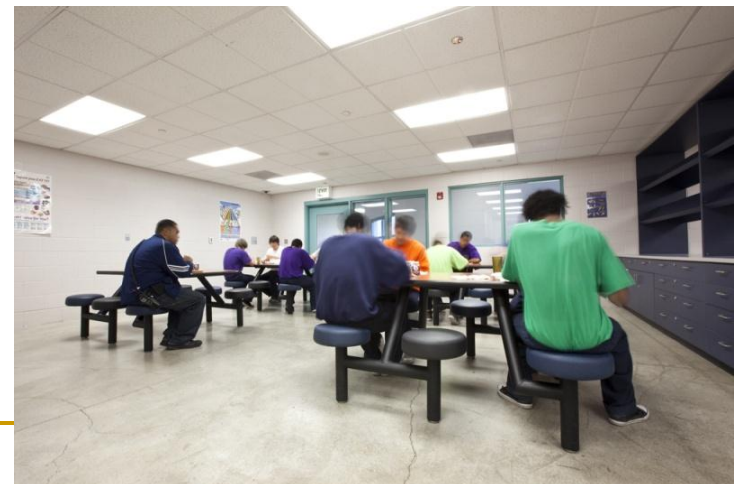
# JJDPA

Each State reports progress in a comprehensive 3-year plan and annual plan updates. All grantees are required to collect and report data that measure the results of funded activities.



# Causes of DMC

Contributing factors to DMC are multiple and complex and reducing DMC requires comprehensive and multipronged strategies that include programmatic and systems change efforts.



---

# OJJDP's DMC Reduction Model

## Five Phase Reduction Model

### Phase 1

**Identification** – States calculate disproportionality at 9 contact points in the juvenile justice system (i.e., arrest, referral to court, diversion, case petitioned, secure detention, delinquency finding, probation, confinement in secure correctional facility, and case transferred, certified, and waived to adult criminal court)

---

---

# OJJDP's DMC Reduction Model

## Five Phase Reduction Model

### Phase 2

**Assessment/Diagnosis** – States assess the mechanisms that contribute to DMC, including discussing each probable explanation, asking questions about data and information collected, and consulting other data sources to verify the explanation.

---



---

# OJJDP's DMC Reduction Model

## Five Phase Reduction Model

### Phase 3

**Intervention** – plans for appropriate delinquency prevention and systems improvement should be implemented. Activities may include diversion, alternatives to secure confinement, advocacy, training on cultural competency, legislative reforms, policy and procedural changes, use of decision-making tools.

---

---

# OJJDP's DMC Reduction Model

## Five Phase Reduction Model

### Phase 4

**Evaluation** – States conduct a systematic, objective, and unbiased evaluation of a program's implementation and effectiveness.

---

---

# OJJDP's DMC Reduction Model

## Five Phase Reduction Model

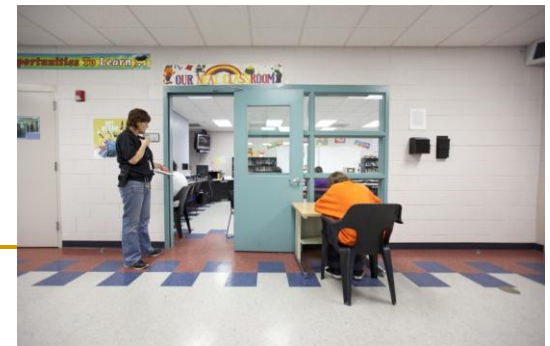
### Phase 5

**Monitoring** – States look for changes in demographics that affect DMC trends, looking for fluctuations in DMC rates that may require adjustments in intervention strategies and sustaining DMC reduction efforts.

---

# What We Know

- DMC exists for minority youth at many points in the juvenile justice system, not just in confinement
- The root causes of DMC are still elusive and research is ongoing
- Some jurisdictions have experienced success in reducing DMC through the use of objective decision making tools, community partnerships and collaboration, and expansion of diversion, programming options and alternatives to secure detention



# Suggested Action

1. Support to continue to expand understanding of all processes contributing to DMC.
2. Support to continue to develop tools and interventions to meaningfully reduce DMC.
3. Support to continue development of judicially-led collaborative approaches to guide development and implementation (and testing) of these tools/interventions.
4. Support the training and education on the role of implicit bias for decision makers, which could be contributing to the problem of overrepresentation.



# Suggested Action

Continue to try new and innovative measures to reduce DMC. Success is often achieved through trial and error. The pursuit of reducing DMC is a long term process that takes commitment and determination.



# CONTACT INFORMATION

Cheri Ely, MA, LSW

Program Manager

NCJFCJ

P.O. Box 8970

Reno, Nevada 89507

[cely@ncjfcj.org](mailto:cely@ncjfcj.org)

(775) 784-6854

[www.ncjfcj.org](http://www.ncjfcj.org)

