

Focus on Combatting Racial & Ethnic Disparities

A hallmark of juvenile detention reform is the expanded use of alternative to detention programs that allow youth to remain in the community pending their adjudication hearings.

Reducing disparities is a top priority

Perhaps the most troubling feature of the juvenile justice system is the persistence of unequal treatment of youth from different racial and ethnic backgrounds. One of detention reform's core values is that juvenile justice stakeholders—including law enforcement—have an affirmative obligation to ensure that all youth, regardless of race or ethnicity, are treated similarly.

Disparities cannot be explained by youth behavior.

The vast racial and ethnic disparities plaguing juvenile justice cannot be explained by differences in offending rates. In the most comprehensive review of recent scientific research on the effects of race and ethnicity on juvenile case processing, the vast majority of studies identified (63 of 79) significant disparities in the treatment of youth at one or more of the decision points.



“ With few exceptions, data consistently show that youth of color have been overrepresented at every stage of the juvenile justice system, that race/ethnicity are associated with court outcomes, and that racial/ethnic differences increase and become more pronounced with further penetration into the system through the various decision points. ”

— NATIONAL ACADEMIES OF SCIENCE

Disparities in the juvenile system are most extreme at the point of arrest

And these disparities at arrest continue to widen over time. For instance, in 2003 black youth were 85% more likely to be arrested than white youth; by 2013, black youth were 129% more likely than whites to be arrested.

While juvenile arrests have fallen dramatically and are at their lowest level since arrest data was first collected nationwide in 1974, racial disparities have not similarly declined. Juvenile arrest data, for instance indicates that arrests of black youth in 2019 increased dramatically and represent 33% of all youth arrested. Similarly, the results of the 2015 Bureau of Justice Services survey on police contact found that the highest rates of police-initiated contact, was for black and Hispanic youth aged 16-18, up 68% since 2011.

Right kid + right reason + right time

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Law enforcement practices can contribute disparities

Law enforcement practices sometimes perpetuate or exacerbate racial and ethnic disparities in juvenile arrests.

- Youth of color are more likely to attend schools where law enforcement officers are permanently stationed.
- Strategies such as hot spot policing, gang suppression, drug enforcement, and stop and frisk tend to be concentrated in communities populated overwhelmingly by people of color.
- As in other arms of the justice system, law enforcement officers may unknowingly treat youth (and adults) of color more severely than their white peers due to unconscious bias.

“ While disparities pervade the juvenile justice system, it is at the front of the system—arrests—where disparities are largest and the point at the system at which disparities grew between 2003 and 2013. ”

— THE SENTENCING PROJECT, 2016

Examples of innovative actions by law enforcement to reduce disparities

In several JDAI sites, and some non-JDAI jurisdictions, law enforcement leaders have taken innovative action to reduce disparities.

- **Minimizing school arrests:** Law enforcement leaders in JDAI jurisdictions like Philadelphia; Clayton County, GA; Ramsey County (St. Paul), MN; and Omaha, NE; have taken a leadership role in reducing the number of students of color arrested for low-level offenses at school.
- **Data analysis and strategic action to identify and address points of disparity.** Likewise, law enforcement leaders in JDAI sites like Pima County (Tucson), AZ and Tippecanoe County (Lafayette), IN have used data analyses to uncover enforcement practices that were unnecessarily exacerbating disparities in arrests, and have taken action to correct those practices and reduce disparities.



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Sources: National Research Council. (2013). Reforming Juvenile Justice: A Developmental Approach. Committee on Assessing Juvenile Justice Reform, Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie A. Schuck, Eds. Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press, available at <https://www.nap.edu/catalog/14685/reforming-juvenile-justice-a-developmental-approach>; "Disproportionate Minority Contact (DMC) Webinar Part 2: What the Data and Research Tell Us," OJJDP State Training and Technical Assistance Center, October 24, 2012; and Joshua Rovner, Racial Disparities in Youth Commitments and Arrests, April 1, 2016, available at <http://www.sentencingproject.org/publications/racial-disparities-in-youth-commitments-and-arrests>.
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