



## Juvenile Disproportionate Minority Contact Tracking Update

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*Sarah Veele, Ph.D., MPH*

### **Background**

On December 20, 2012 the Washington State Minority and Justice Commission [announced the release](#) of [five year averages \(2007-2011\)](#) of state and county indicators of disproportionate minority contact (DMC). These indicators were developed by the Washington State Center for Court Research ([WSCCR](#)) and the National Center for Juvenile Justice ([NCJJ](#)). This document outlines this project, its relevance in relationship to other work being done in Washington State, and national efforts to address DMC and how they can be applied to the future of DMC research in Washington.

### **Center for Court Research Data Release**

The Center for Court Research provided the juvenile courts with annual Relative Rate Index (RRI) reports for 2007-2011 for 6 of the 9 [decision points](#) recommended by the United States Department of Justice's Office of Juvenile Justice and Delinquency Prevention ([OJJDP](#)) (see box below). Probation supervision, detention, and

#### **DMC Decision Points Recommended by the Office of Juvenile Justice and Delinquency Prevention**

1. Juvenile arrests
2. Referral to juvenile court
3. Diversion from system
4. Detention
5. Petition filed (charged)
6. Transfer/Waiver to adult court
7. Delinquent (guilty) finding
8. Probation
9. Secure confinement

secure confinement are currently omitted from the report due to inadequate data. Prior to the December release, the courts were asked for review and comment on their information. After a 30-day review period, the five years of data were averaged and released publicly.

### **Work to Address DMC in Washington State**

There is a great deal of work being done across the state to address disproportionality in the juvenile justice system. Examples include the Washington State Partnership Council on Juvenile Justice ([WA-PCJJ](#)), the MacArthur Foundations Models for Change initiative ([MfC](#)), the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative program ([JDAI](#)), and multiple county-level initiatives.

In addition to the data tables released by WSCCR, the WA-PCJJ also publishes data on DMC indicators. As part of the Federal Juvenile Justice and Delinquency Prevention Act, WA-PCJJ [reports](#) statewide indicators of DMC. The WA-PCJJ report is far more encompassing than the work done by WSCCR, including DMC indicators in additional arenas such as education, employment, and adolescent pregnancy. Within the arena of juvenile justice, the [WA-PCJJ reports](#) on Relative Rate Index indicators for 8 of the 9 decision points recommended by OJJDP. The only OJJDP recommended decision point not included is probation supervision. The majority of the court level data included in the WA-PCJJ reports is provided by the Administrative Office of the Courts ([AOC](#)).

In late 2012, OJJDP published a [fact sheet](#) on national efforts to reduce DMC, including summaries of states activities to reduce DMC. The Partnership Council pro-

vided Washington State information to OJJDP for this publication. In the fact sheet OJJDP identified the following data related areas for potential improvement in Washington:

- 1) Report data for all nine decision points in the juvenile justice system
- 2) Update data annually (more frequently than OJJDP's minimum requirement of every 3 years)

### ***How the work being done by the Center is unique from other DMC efforts in Washington***

The work being done by WSCCR is different from other Washington DMC efforts because 1) it is statistical reporting intended to inform decision makers, not the development of policies to reduce DMC, 2) unlike the WA-PCJJ report, the other major statistical DMC data release in Washington, it disaggregates DMC indicators by county across the state, allowing courts to identify decision points that may uniquely affect their jurisdiction, 3) the RRI indicators are calculated using available administrative data produced by the juvenile courts, reducing the amount of time necessary to collect data and ensuring that courts are familiar with the information feeding the RRI calculation, and 4) WSCCR has taken the unique step of providing individual court counts and proportions of data with missing racial and/or ethnic designations, allowing court staff to understand and address the quality of their locally-produced data.

While both WSCCR and the WA-PCJJ obtain much of their data from the AOC, there are a few minor differences between the RRI indicators reported by the two groups. These differences are the result of variation in the inclusion/exclusion criteria used when extracting the data for the reports. WSCCR, in partnership with the WA-PCJJ and with the help of AOC Information Services Division (ISD), continues to work to refine the data definitions for each of the OJJDP decision points. Depending on their reporting needs, WA-PCJJ will be able to use the same data definitions as WSCCR or maintain unique reports. While differences between the two reports may be confusing to a broader audi-

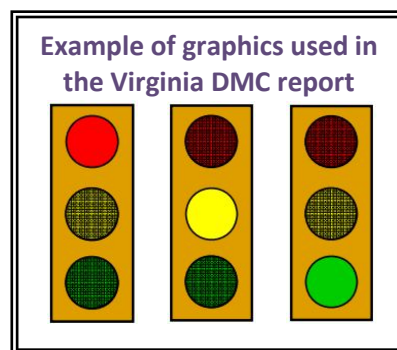
ence, WSCCR and WA-PCJJ are working to develop clear documentation of the similarities and differences between their data releases.

### ***National work***

Issues of disproportionality are not unique to Washington State and occur throughout the country. The [Office of Juvenile Justice and Delinquency Prevention \(OJJDP\)](#) is a national leader and clearinghouse for [information](#) on disproportionate minority contact. Because of the importance of identifying, tracking, and addressing DMC, the 1974 [Federal Juvenile Justice and Delinquency Prevention Act](#) was amended to require states participating in the program to address disproportionate minority confinement (1988-2002) and disproportionate minority contact (2002-present) in their state juvenile justice and delinquency prevention plans. As part of this requirement, every three years states must provide a report to OJJDP identifying the extent to which DMC exists in their jurisdiction. In Washington State, the WA-PCJJ is tasked to do this reporting.

In addition to information provided by OJJDP, many states take it upon themselves to publicly report on DMC and to go beyond the OJJDP requirement of reporting state level numbers and disaggregate reports by county or smaller jurisdictions. While each presentation is unique, states including [Colorado](#), [Florida](#), [Georgia](#), [Iowa](#), [Ohio](#), [Maine](#), [Maryland](#), [Michigan](#), [Montana](#), [Nebraska](#), [Utah](#), and [Virginia](#) publish annual county level indicators of DMC. All of these reports include county level RRIs for most, if not all, of the OJJDP recommended decision points. In addition, many of the reports rank counties' minority overrepresentation relative to each other and the state.

[Colorado](#) has an interactive tool that allows the user to manipulate variables and display them on the state map. [Virginia](#) uses a stoplight graphic to



easily display how a county is doing on each DMC decision point and highlight areas to focus improvement efforts.

The report developed by [Florida](#) is probably the most extensive of those publicly available. In addition to county level relative rate indices, the report also includes summary demographic information, a school referral index (a measure of what proportion of school-related referrals are attributable to minority representation at the referrals-received stage of the juvenile justice system), county specific resources, and county specific recommendations for reducing DMC.

While not all states have publicly-available reports that disaggregate information at the county level, it is possible that other states are producing disaggregated reports but are not publicly releasing them. Additionally, some states, such as [Hawaii](#), [Louisiana](#), [South Dakota](#), and [Tennessee](#) produce disaggregated reports but do not appear to produce them on an annual basis.

### *Next steps*

There are multiple steps ahead in the DMC reporting process. Some of them will be the responsibility of WSCCR, while many others will be collaborations with key stakeholders such as the [Washington Association of Juvenile Court Administrators](#), the Minority and Justice Commission, the MacArthur Foundation Models for Change partners, and the Partnership Council. Next steps (not necessarily in chronological order) include:

- Develop a catalog of the efforts being taken throughout the state to address DMC. This will acknowledge courts' innovative approaches to addressing DMC, allow courts to learn from each other's efforts, and provide a reference of initiatives for future evaluation and identification of effective practices.
- Develop a report that assists the reader in interpreting published DMC measures by providing context about the various counties, the youth they serve, and the efforts they are making to address DMC. Development of this report will be in-

formed by the juvenile courts. The various state reports identified above will be used to help guide the content and design of the report.

- Provide the juvenile courts access to the data queries used to extract their information for RRI calculations. This will allow courts to 1) query DMC RRI information in real time and 2) examine the underlying information (person specific files) to confirm the accuracy of the calculations. Secure online access will be provided through the AOC data warehouse using the querying software BOXI.
- Continue to refine the definitions of each of the RRI decision points based on feedback from the juvenile courts and other partners working to address DMC.
- Access detention data from the courts currently not reporting their information to AOC so that this decision point can be added to future reports.
- Develop and implement statewide best practices for the collection of race and ethnicity data.
- Add analysis of DMC decision points that statistically controls for charge type and charge severity.
- Add analysis of DMC decision points that statistically controls for offense history.
- To supplement RRI indicators, include an indicator of the cumulative impact of disproportionality across stages of the juvenile justice system.

### *Timeline*

The WSCCR DMC webpage will be updated to reflect progress on this project, which will be made as time and resources permit. If you have any questions, please feel free to email [wscrr@courts.wa.gov](mailto:wscrr@courts.wa.gov).