

DISPROPORTIONATE MINORITY CONTACT IN KENTUCKY:
STATEWIDE ASSESSMENT REPORT
SEPTEMBER 2014



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ACKNOWLEDGEMENTS

The authors of this study would like to acknowledge the efforts of the various individuals and agencies that contributed to this project. This report was devised through the collaborative efforts of the:

Kentucky Department of Juvenile Justice (KY-DJJ)

Kentucky Administrative Office of the Courts (KY-AOC)-Family and Youth Services Division

Kentucky Justice and Public Safety Cabinet, Statistical Analysis Center (KJPS-SAC)

Data Analysis and Resource Development (DARD) Team

Juvenile Justice Advisory Board (JJAB)

Subcommittee on Equity & Justice for All Youth (SEJAY)

Criminal Justice Commission - Louisville Metro Government

Louisville Metro Youth Detention Services (LMDYS)

Councilperson Edward Palmer, Radcliff City Council

Christian County Youth Equality Coalition (CCYEC)

Rebecca DiLoreto, Children's Law Center of Lexington

Specifically, thanks to Laura M. McCauley, Kentucky's DMC and Title V Specialist, for her support and guidance throughout the project.



The 2014 Kentucky State DMC Assessment Project and Report was made possible through the 2009-JF-FX-0044 and 2010-JF-FX-0021 Title II Formula Grant funds distributed to the State of Kentucky by the Office of Justices', Office of Juvenile Justice and Delinquency Prevention (OJJDP); supported through recommended allocations of the Kentucky's Juvenile Justice Advisory Board's (JJAB) Subcommittee on Equity and Justice for All Youth (SEJAY); in coordination with the Kentucky's Department of Juvenile Justice and Administrative Office of the Courts Juvenile Services Division. Views and findings, within, were generated from data, research and observations obtained by the University of Louisville's Department of Justice Administration's Research Team.

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ABSTRACT

The disproportionate representation of minority youth in the juvenile justice system is well documented in criminal justice, as well as adolescent development, literature (Bishop, 2005; Kempf-Leonard, 2007; Pope & Leiber, 2005). Despite this recognition, however, there has been no clear consensus as to why Disproportionate Minority Contact (DMC) persists. This project was guided by the 2009 relative rate index of counties across the state of Kentucky and the DMC Contributing Mechanisms distributed by the Office of Juvenile Justice Delinquency and Prevention (OJJDP). To remain in compliance with the Juvenile Justice Delinquency and Prevention Act (1974; as amended in 1992 and 2002), Kentucky has been working to reduce DMC since 1999 with the creation of the state's designated DMC committee – the Subcommittee of Equity and Justice for All Youth (SEJAY). The key component for states to remain in compliance is reporting the minority rate of contact divided by the white rate of contact at nine (9) standardized contact points devised through the OJJDP. This formula yields a number that theoretically ranges from zero to infinity (Feyerherm, 2011). Kentucky's Relative Rate Index (RRI) data has revealed that DMC is a pervasive problem in certain geographical locations in the state, as well as at certain decision points in the juvenile justice system (continuum). This research addressed these issues using a mixed model approach. Secondary data, interviews, survey data and focus groups were utilized to gain further insight into why DMC exists in Kentucky. The research reveals two apparent contribution mechanisms that trouble Kentucky's juvenile justice – indirect effects and differential treatment.

EXECUTIVE SUMMARY

STATEMENT OF PROBLEM

In 2009, the RRI for juvenile arrests (4.25), charges filed (1.04), delinquent charges (1.08), secure confinement (6.36), and transfer to adult court (1.98) across the Commonwealth. The purpose of this project is to assess Kentucky's progress and provide recommendations for reducing Disproportionate Minority Contact (DMC).

**It should be noted that Kentucky's RRI data has since been reviewed and revised. Since this project's inception, a collaborative team was formed to review and develop improvements for identifying DMC across the state.*

METHODOLOGY

GOAL: To conduct a methodological study to assist with determining what factors contribute most to Disproportionate Minority Contact (DMC) throughout the Commonwealth of Kentucky's juvenile justice continuum, including the point of referrals.

OBJECTIVE: To produce a sound state-wide study focusing on DMC in the Kentucky juvenile justice continuum within the timeframe of March 2013 – September 2014.

DELIVERABLES:

- a. A professionally designed and well-written published study, with recommendations on how to reduce Disproportionate Minority Contact (DMC) based on the findings of the study.
- b. Presentations of study findings and recommendations to the SEJAY of the JJAB, and other pertinent juvenile justice continuum stakeholders via meetings, presentations, websites, and/or any other means designated by Kentucky's JJAB/SEJAY in coordination with the DJJ and staff.

The project was guided by the following specific goals:

1. Determine the major factors that play a role in the decisions of the juvenile justice system.
2. Identify the DMC contributing mechanisms for an adequate number of Kentucky counties.
3. Assess perceptions about DMC contributing mechanisms of local stakeholders in an adequate number of KY counties.
4. Recommend promising, evidence based strategies and priorities for reducing the contributing mechanisms of DMC in an adequate number of KY counties.

PROJECT DESIGN AND IMPLEMENTATION

The Disproportionate Minority Contact (DMC) Assessment is theoretically guided by the DMC Reduction Model and OJJDP's identified "contributing mechanisms". This research relied heavily on OJJDP's *Data Types and Expected Patterns Resulting from Various Mechanisms That Create DMC* found on pages 2-11 to 2-14 in the DMC Technical Assistance Manual.

To address the goals and objectives of this project, two types of data are required—quantitative and qualitative. The quantitative data was collected in the following manner. Four Kentucky counties including, Jefferson, Fayette, Hardin and Christian, were selected as study sites to explore the goals and objectives of this study. To ensure that the proper amount of data has been collected, a multiple stage approach was used to collect the data.

SUMMARY OF THE FINDINGS

Systems Data

The data for the Disproportionate Minority Contact (DMC) Assessment was collected from Administrative Office of the Courts, Kentucky Department of Juvenile Justice and Louisville metro Youth Detention Services.

1. DMC exists in all four targeted counties.
2. Each targeted county revealed confirmation of identified racial and/or ethnic disparities at decision points reflected in the relative rate index.
 - a. Fayette County: diversion, delinquent findings, probation, transfer to adult court
 - b. Christian County: diversion, probation
 - c. Hardin County: delinquent findings
 - d. Jefferson County: arrests, delinquent findings, transfer to adult court

Stakeholders Interviews

The interviews were conducted in each-of-the-four targeted Kentucky Disproportionate Minority Contact (DMC) counties. Twenty-five (25) stakeholders participated. The five (5) primary themes that were revealed through the qualitative interviews are as follows:

1. Definitions of DMC
2. Does DMC exist because of prejudices?
3. DMC is expected, because black kids are more delinquent
4. Not everyone sees DMC as important

5. Combatting DMC will require more alternatives, programs and resources (and awareness/education?)

Statewide Stakeholder Survey

The intent of the survey processes was to assure utilization of a purposive sample of stakeholders across the state. The researchers worked with the Department of Juvenile Justice staff; the Administrative Office of the Courts staff, the Juvenile Justice Advisory Board (JJAB), Subcommittee on Equity and Justice for All Youth (SEJAY), and the local DMC/Juvenile Detention Alternatives Initiatives (JDAI) coordinators to disseminate the survey information and invite participants to complete the online survey. The survey revealed the following:

1. DMC is not a problem across the state
2. Racial differences in perceptions about DMC root causes
3. Racial differences in opinions on the reliability of local DMC data
4. Low awareness of local programming to address DMC

Guided Conversation

After the other three methods of data collection were complete, a fourth research component was added. In order to develop a deeper into the “why” of DMC, focus groups were conducted. The two primary themes that were revealed through the guided conversations are as follows:

1. DMC is less about stereotypes and more about implicit and structural bias.
2. Geographical resource allocation and culture impacts justice.

RECOMMENDATIONS

- *Develop and utilize improved data management collection mechanisms; with a significant focus on the ability to address cumulative disadvantage associated with Disproportionate Minority Contact (DMC).*
- *Develop and implement equity assessments and comprehensive training and technical assistance for youth-centered agencies and organizations that incorporate the necessary balance of cultural competency, healing dialogue and implicit bias.*

- *Collect and utilize data on the experiences and perceptions of juveniles who have had contact with the juvenile justice system, as well as families or guardians of these same or similar youth.*
- *Develop and institute an annual joint mandatory training and orientation for all JJAB (SAG) and SEJAY members on cultural competency, healing dialogue and implicit bias; relating it to its pertinence to the State and local communities for adequately addressing and impacting the presence of DMC.*
- *Develop and launch community-specific and DMC focused resources and processes based on advocacy-based philosophies that include, but are not limited to:*
 - a) Information sharing that is “community-friendly” and usable*
 - b) On-going, pertinent research*
 - c) Education and training*
 - d) Technical support, and*
 - e) Community-capacity building*
- *Develop and disseminate usable resource guides by county/region for youth and families.*
- *Adopt restorative approaches, rooted in addressing diversity issues throughout the juvenile justice continuum; emphasizing its pertinence for adequately addressing the presence of DMC.*

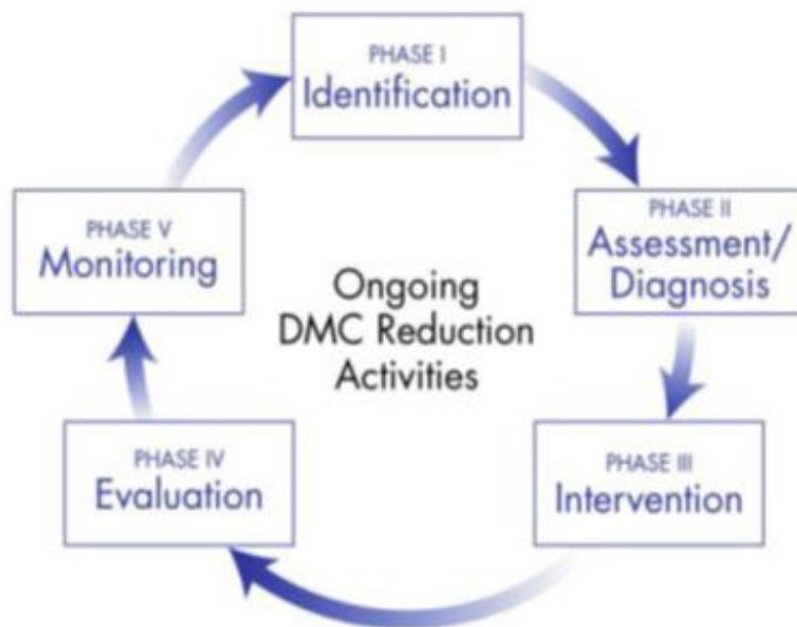
CHAPTER 1

STATEMENT OF THE PROBLEM

Disproportionate Minority Contact (DMC) refers to the over-representation of minority youth at critical decision points in the juvenile justice system. DMC, as a concept, has evolved over time. First referred to as disproportionate minority confinement in 1988, efforts to address DMC were codified in 1992 when it became a core requirement of the Juvenile Justice Delinquency and Prevention Act of 1974 (JJDP Act). In 2002, the DMC definition expanded beyond confinement to contact and began to include other stages of the juvenile justice process.

Since 1992, states receiving JJDP Act Formula Grants have been charged with addressing DMC as a requirement of their funding. More specifically, the purpose of the JJDP Act's Part B Formula Grants program is to "address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system" (Feyerherm, 2011, p. 36).

FIGURE 1. DMC REDUCTION MODEL



The Office of Juvenile Justice and Delinquency Prevention (OJJDP) developed the DMC Reduction Model in efforts to assist states to remain in compliance with the DMC core requirement. The DMC Reduction Model consists of five stages: identification, assessment, intervention, evaluation and monitoring.

In addition to providing a model, the 2009 OJJDP Technical Assistance Manual includes a section

outlining DMC Contributing Mechanisms which are described as "social influences that increase the likelihood of a minority youth coming into contact with the juvenile justice

system." According to this source, there are eight contributing mechanisms that can accumulate throughout a youth's life and increase the likelihood of coming in contact with the juvenile justice system:

1. Differential Behavior
2. Mobility Effects: Importation/Displacement
3. Indirect Effects
4. Differential Opportunities for Prevention and Treatment
5. Justice by Geography
6. Legislation, Policies, and Legal Factors With Disproportionate Impact
7. Accumulated Disadvantage
8. Statistical Aberration

(<http://www2.dsgonline.com/dmc/dmcContributingMechanisms.aspx>)

The disproportionate representation of minority youth in the juvenile justice system is well documented in criminal justice, as well as adolescent development literature (Bishop, 2005; Kempf-Leonard, 2007; Pope & Leiber, 2005). Despite this recognition, however, there has been no clear consensus as to why DMC persists. There are two prevailing explanations for the cause of DMC: (1) the differential offending or differential behavior theory, which holds that youth are disproportionately represented because they commit a disproportionate amount of crime; and (2) the differential treatment theory, which attributes disproportionate minority contact to the unequal treatment of minorities in the juvenile justice process, whether it be inadvertent or intentional.

Most likely, however, a number of factors compatible with each theory contribute to the problem of DMC, including: socioeconomic (Frazier & Bishop, 1995; Hawkins, Laub, Lauritsen, & Cothorn, 2000; Hsia, Bridges, & McHale, 2004; Leiber, 2003), geographical (Feld, 1991; Sampson & Laub, 1993; Sickmund, 2004), institutional/administrative (Kempf-Leonard, Pope, & Feyerherm, 1995), and educational factors (Cohen & Kluegel, 1979). Much scholarly literature acknowledges that, "the causes of DMC are complex, interrelated factors from multiple levels of influence involving the individual, family, communities, and systems of justice" (Kempf-Leonard, 2007, p. 82).

Increased attention has been directed to the problem of, as well as possible solutions to, disproportionate minority contact over the past decade. Because the JJDP Act (do you need to depict the year here?) requires that states investigate and mitigate the possible disproportionate representation of minority youth at every stage of the juvenile justice process. Numerous federal and state-level studies have been conducted in

order to determine the best ways in which DMC can be addressed at each decision point. As Kempf-Leonard (2007) asserts:

Benevolent protection and personal accountability objectives must both be retained but uncoupled and each made explicit aims of juvenile justice procedures. The structural framework also must become more transparent, with consistency in application of procedures and more accountability of official decision making...although the solutions for DMC are nearly as complex, multilevel, and interrelated as the factors that give rise to the problems, the considerable benefits would be well worth the efforts (p. 84).

The classification and assessment of juvenile justice decisions is an important tool in fighting DMC (Kempf-Leonard, 2005; Kempf-Leonard, 2007). In order to develop solutions to DMC, we must better understand the unique form it takes in each community; thus, the individualized assessment of the causes of DMC in various states, cities, or counties is important to the treatment of such problems. However, there are specific tools that have been shown to assist in the management of DMC: (1) accurate and timely information and analysis of data regarding the rate of incidence of DMC in a particular area (state, county, etc.) (Kempf-Leonard, 2007); (2) efforts to increase awareness and education concerning DMC (Mooradian, 2003); and (3) implementation of place-specific policies to address DMC (Bishop, 2005).

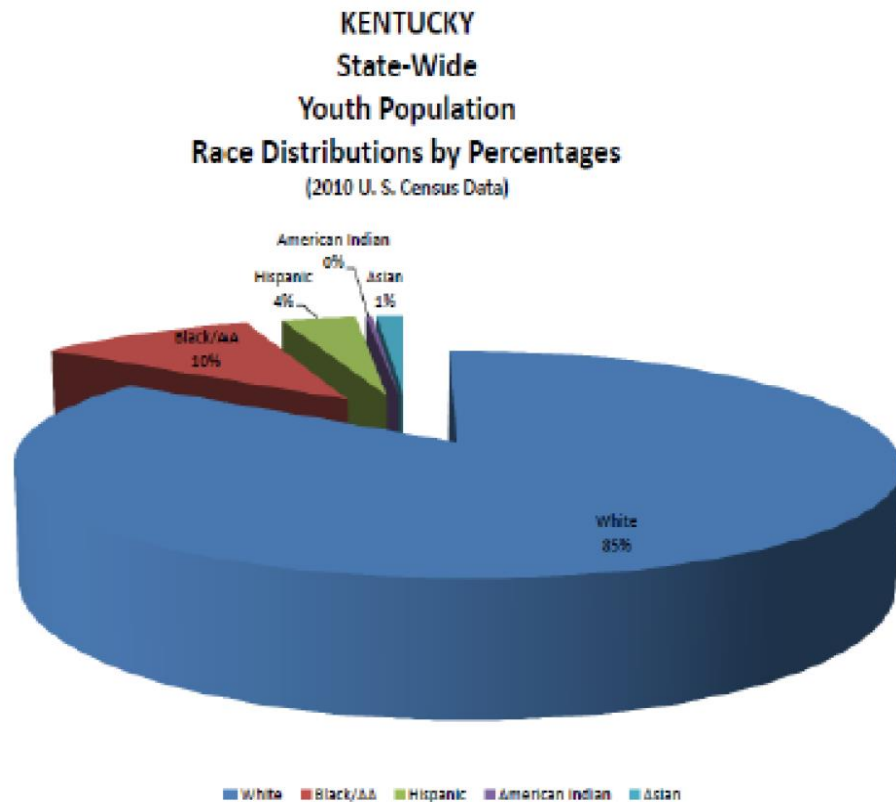
EFFORTS TO ADDRESS DMC IN KENTUCKY

The Relative Rate Index (RRI) was developed as a system of measurement after the 2002 revised DMC initiative. The system includes three components: a system map, a method for computing rates of activity by race/ethnicity, and a method to compare rates of contact for demographic groups at each stage of the justice system (Feyerherm, Snyder, Villamuel, 2009; Feyerherm, 2011, p. 37). The key component for states to remain in compliance is reporting the minority rate of contact divided by the white rate of contact. This formula yields a number that theoretically ranges from zero to infinity (Feyerherm, 2011). An RRI of 1 represents statistical equality. An RRI of 2 represents contact at double the volume and an RRI of 0.5 represents a contact at half the volume.

Kentucky has been calculating the RRI for each county (n=120) since 2007. In 2005-2006, DMC data was computed to determine "Next Tier Jurisdictions" which were intended to guide the SEJAY in where to invest funding for reducing DMC across Kentucky.

In 2009, the RRI for juvenile arrests (4.25), charges filed (1.04), delinquent charges (1.08), secure confinement (6.36), and transfer to adult court (1.98) across the Commonwealth revealed the need for further inquiry.

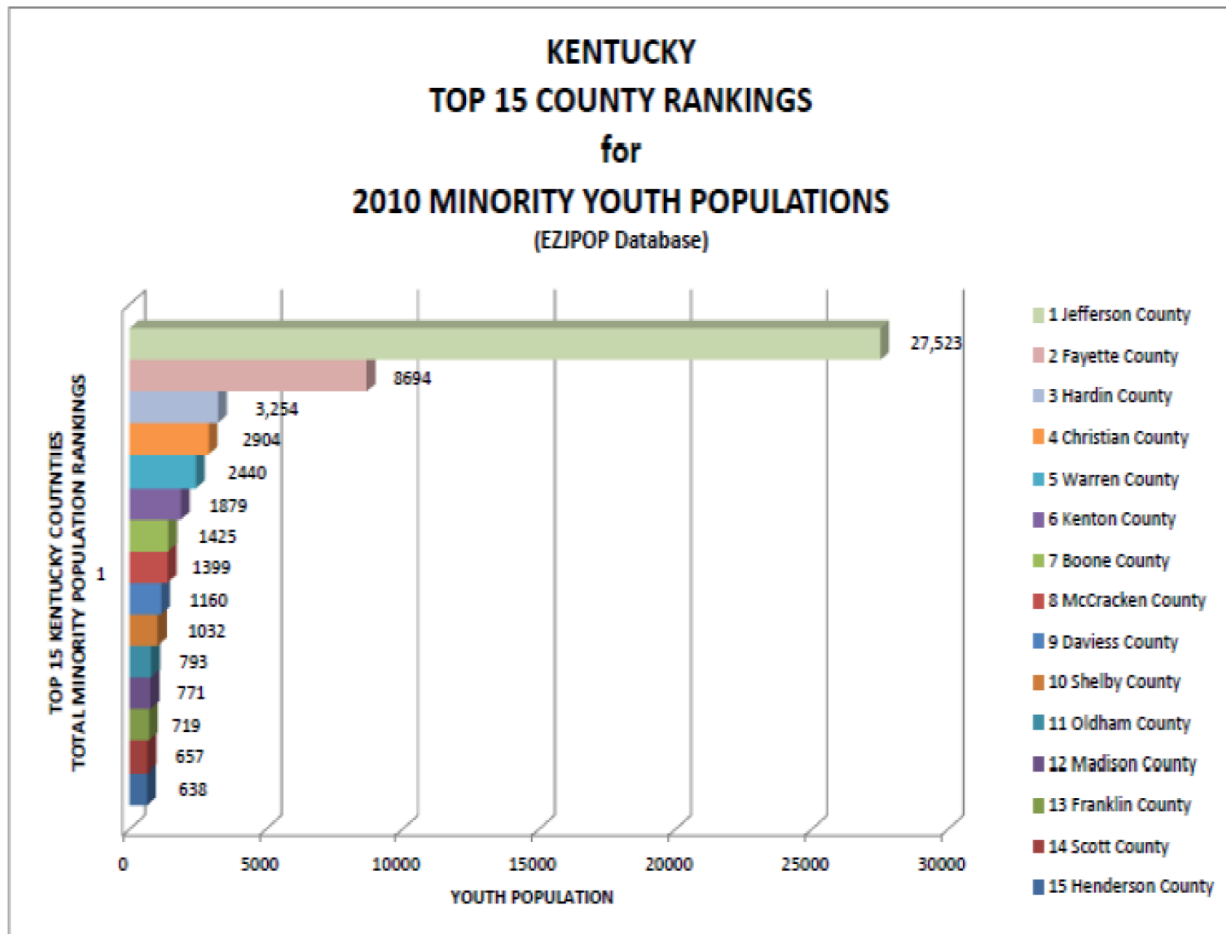
FIGURE 2. KENTUCKY STATEWIDE YOUTH POPULATION BY RACE



To better understand the RRI, it is important to look at the overall population of youth across the state and the racial/ethnic composition of Kentucky youth. Currently, the Kentucky Department of Juvenile Justice (DJJ) is responsible for calculating and reporting the RRI. The most recent calculations utilized the US Census Bureau and Easy Access Juvenile Population Database (EZAPOP). In 2010, Kentucky's total youth population (TYP), ages 10-17 years, was approximately 458, 084. Eighty-five percent (85%) of Kentucky youth ages 10-17 were White. The racial/ethnic breakdown of the minority youth population is: ten percent (10%) African-American, four percent (4%) Hispanic/Not of Another Race; one percent (1%) Asian; less than one percent (1%) American Indian/Native Alaskan (KY DJJ, 2014).

Kentucky's minority youth population is primarily concentrated in four counties – Jefferson, Fayette, Hardin and Christian (see Figure 3). The 2010 data is consistent with the original three targeted DMC counties – Jefferson, Lexington and Christian – and shows magnitude and volume support for the selection of Hardin County as the fourth community assessed in this study.

FIGURE 3. TOP 15 KENTUCKY COUNTIES BY RACE



Across the country states have faced difficulties in obtaining accurate and adequate data to produce the best RRI possible. As such, this problem is not unique to Kentucky and has been addressed in OJJDP's DMC Technical Assistance Manual. The primary data issue in Kentucky is the fragmentation of the juvenile justice process. Several agencies operate Kentucky's juvenile justice system. Each agency has their own method for recording systems data with some having more of a data management approach rather than data collection. As such, the analysis of existing systems data is

troubled. In addition, the OJJDP decision points are not an accurate match with Kentucky's process further aggravating the ability for the state to provide verifiable, accurate RRI's.

Since this project's inception, a collaborative team was formed to review and develop improvements for identifying DMC across the state. The team is comprised of the Department of Juvenile Justice's DMC Specialist, Juvenile Justice Specialist and data staff; the Administrative Office of the Courts (AOC) data specialist; the Justice Cabinet's Statistical Analysis Center (JC-SAC) staff; and representatives from the Subcommittee on Equity and Justice for All Youth (SEJAY). The team has developed a working document - *Kentucky Data Collection Resource Reference and Plans for Improvement Tool* – that serves as a promising first step towards aligning Kentucky's juvenile justice continuum with OJJDPs definitions for contact points.

METHODS

GOALS, OBJECTIVES AND DELIVERABLES

The purpose of this project is to assess Kentucky's progress and provide recommendations for reducing Disproportionate Minority Contact (DMC). The previous DMC Assessment study resulted in a number of recommendations for future research, several of which are included in this study (Talley, Rajack-Talley & Tewksbury, 2002). In addition, many of its policy, programmatic and procedural recommendations have been addressed in recent years. When possible, an examination of those changes will be included in the research as well.

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DELIVERABLES:

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The project was guided by the following specific goals:

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To address the goals and objectives of this project, two types of data are required—quantitative and qualitative. The quantitative data was collected in the following manner. Four Kentucky counties including—Jefferson, Fayette, Hardin and Christian—were selected as study sites to explore the goals and objectives of this study. To ensure that the proper amount of data has been collected, a multiple stage approach was used to collect the data.

1. **Recruitment of Stakeholders:** In each of the four counties, study participants were recruited using purposive design. The individuals for this particular part of the study had knowledge, experience, and/or interest in the issue of DMC in Kentucky.
2. **Interviews of Stakeholders:** A small cohort of stakeholders was interviewed to gain a "rich" perspective as to their ideas of the causes and potential solutions of DMC in Kentucky.
3. **Online Survey:** Along with interview information, a survey was sent to a larger cohort of stakeholders. These surveys captured additional information about the causes and potential solutions of DMC in Kentucky.
4. **Analysis of Local Perspectives:** The analysis of local perspectives provides information that can guide policymakers and other stakeholders about the causes and potential solutions of DMC.

5. **Decision Point Analysis:** This is an analysis of different decision points in the juvenile justice system. This analysis is not restricted to one county also used available data from all targeted counties. This was an ongoing research component contingent on accessibility and availability of systems data.

The specific methods associated with these identified stages are outlined as follows:

1. Recruitment of Stakeholders

DMC is an important issue that requires a substantial amount of information from a number of important stakeholders. The stakeholders must come from agencies serving youth at risk of justice involvement; agencies that have contact with youth in the juvenile justice system; and other community leaders. The important stakeholders include: school personnel (i.e., administrators, discipline program staff, education program staff at all levels of education), prevention program representatives (i.e., YMCA, Boys and Girls Clubs), child advocates (i.e., CASA Advocates, child protective services, and mental health), law enforcement (i.e., police officers, school resource officers, probation officers, administrators, criminal and family courts, criminal and family specialization, diversion program personnel), and faith community.

For each group, a purposive sample was used. During the month before the interviews, an initial contact person was identified by position in each of the key counties. The initial contact helped the research team gain access to the stakeholders by identifying colleagues with unique positions and perspectives to be able to inform the project's goals and objectives. Identified individuals were drawn from various points of the juvenile justice process, bringing to the project a diversity of experiences, perspectives and points of view. For the quantitative study, a total of approximately two-hundred and fifty (250) individuals in all five (5) counties were invited to participate in the study.

2. Interviews of Stakeholders

After recruiting the requisite number of stakeholders, in-depth interviews of the stakeholders in each targeted county were performed. The interviews gathered information on the juvenile justice process. The resulting information provides data that will enrich knowledge of DMC in the juvenile justice process.

3. Online Survey

An anonymous and confidential online survey was sent to stakeholders that were identified and recruited. The survey contained a number of items that capture their beliefs about whether, how and where DMC may be occurring and their attitudes toward DMC. In addition, the survey contained items related to basic demographics (i.e., age, gender, race, education level, and seniority). Four (4) vignettes were

presented in the survey. These vignettes were used to perform a factorial experiment. The race and gender, in the vignettes, were randomized throughout each of the surveys completed; resulting in a 3 (race/ethnicity) X two 2 (gender) factorial experiment. This experiment allowed for the determination of how the stakeholder would treat a male or female that is white, African-American, or Hispanic. In combination, the belief, attitude, and demographic data also highlighted the stakeholders' decision-making in the factorial experiment.

4. Data Analysis

The data analysis took place in two phases:

Phase I

The first phase of this study utilized mixed methods; by incorporating interviews (qualitative) and quantitative analysis of systems data. The qualitative component includes using field notes and verbatim transcriptions, which are analyzed for themes. The themes provide a rich understanding of the DMC issues in Kentucky with possible indicators of contributing mechanisms.

The quantitative data analysis during this first phase of the research examined systems data at various decision points. Data from the Administrative Office of the Courts (AOC) and the Kentucky Department of Juvenile Justice (DJJ) were obtained and used to determine correlates to decision-making at the identified points in the juvenile justice process. This aspect of the research provided insight into how contributing mechanisms impact minority youth in Kentucky. The primary focus was on the correlates outlined in the OJJDP's RRI.

Phase II

The second phase of this study incorporated the information gathered in Phase I; then moved further into the quantitative analysis. Phase II consists of survey research to assist in further understanding what systems stakeholders believe about DMC problems, contributing factors and solutions.

Note: The DMC Assessment counties were altered, in consultation with the SEJAY's Data Analysis and Resource Development (DARD) Team and the statewide DMC Specialist; to include the existing identified DMC targeted communities and one additional community that has been exhibiting community-readiness and initiative for preliminary discussions and community-readiness towards addressing DMC. Beyond the inclusion of statistical data for state-wide tabulations, all other counties in the state, with no known DMC initiatives or efforts other than Juvenile Detention Alternatives Initiative (JDAI), were excluded from the individual county-level research for this study.

CHAPTER 2

DMC LITERATURE REVIEW

In order to determine how the research should proceed, the current available literature on empirical tests of selected DMC contributing mechanisms was reviewed; specifically, differential treatment, differential offending, indirect effects, and differential opportunities for prevention and treatment. The studies included within this review include diverse sample sizes representative of several populations and cross multiple geographical areas. This examination focuses on the methods utilized within the study and the results presented, both of which being important foundations on which to conduct the current research.

DIFFERENTIAL PROCESSING

Differential processing refers to minority youth being handled differently and disadvantageously as compared to the White youth. According to the DMC Technical Assistance Manual, this difference can be apparent in “determining program eligibility, implementing diversion programs, and selecting alternative decision outcomes (p. 2-7). McGuire (2002) argues that cumulative disadvantages play a significant role effecting disproportionality within the juvenile justice system. To determine this, the author examined a dataset of 86,118 cases referred to the juvenile courts of Missouri in 1997. After removing cases that did not involve delinquent offenders, a sample size of 64,466 cases remained, with almost every county within the state represented (no data was available for Jasper County). Specific stages- detention, adjudication, and commitment- were utilized as dependent variables to determine the effect and influence of race, which was the independent variable of primary concern. Detention was also used as a dependent variable to assess how race influenced likelihood of adjudication and confinement. Control factors such as seriousness of offense, prior record, age, presence of a detention facility in the jurisdiction, and decision to detain were also considered.

Within the results, baseline population figures were used to determine disproportionality. While seventeen and a half percent (17.5%) of the youth population was minorities, they represented almost 28 percent of the cases referred to the juvenile court; almost forty-five percent (45%) of those cases resulted in detention pending adjudication for African Americans. A formal adjudication of “guilt” represented thirty-one percent (31%) of African American youth, with over a sixteen and a half percent (16.55%) chance. Approximately thirty-five percent (35%) of cases that resulted in commitment involved African Americans. Findings suggested that disproportionality was pronounced for

African American boys; while accounting for nine percent (9%) of the population, they had slightly above an eighteen percent (18.03%) chance of being detained, and twenty percent (20%) of the cases referred to the juvenile justice system involved them. One-quarter of the cases that resulted in a formal adjudication involved African American boys. When considering the independent variables, the strongest correlation existed between offense and detention, though each variable made a statistically significant contribution to the decision to adjudicate the minor as "guilty". Detention holding made the largest contribution to the decision, followed by prior delinquency, offense, concurrent delinquency, prior status referrals, race, age, and proximity of a detention facility. At commitment, race loses significance. At this contact point, detention is indicated to be the most important variable, followed by prior delinquency, age, presence of a detention facility, concurrent delinquency, prior status referral, and offense.

Leiber, Brubaker, and Fox (2009) examined the individual and combination relationships of gender and race within juvenile justice decision-making, stating their data supports the theory that there is significant differential treatment of African Americans and females compared to Whites and males. To reach this conclusion, they utilized two questions: 1) what are the effects of gender and race on decision-making once relevant legal and extralegal considerations are controlled, and 2) to what extent does race temper the effects of gender on case outcomes? Data was collected from a single county in a Midwestern state by examining cases filed involving youth referred to court for a delinquent offense over a period of twenty-one (21) years (1980-2000); within the selected sample of 5,722, approximately thirty-eight percent (38.06%) were African American. Background variables included gender, race, family structure, and school factors. Results focused on secure detention, intake decision making, and findings for case outcomes representing formal court proceedings (petition, initial appearance, adjudication, and judicial disposition). Regarding secure detention, the data indicated that gender and race were statistically significant- being female reduced the odds, while African Americans were more than two-and-a-half (2.5) times more likely more to be detained; however, race was only statistically significant for males. Intake decisions were influenced by gender alone in regards to release, with females more likely to be released than males; race was influential when the intake decisions involved outcomes of court referral when compared to diversion and diversion relative to release. While African Americans were less likely to participate in diversion, those that did had a higher likelihood of being released. As for formal court proceedings, the authors again found evidence that gender and race influence decision making. At petition, being female decreased the odds; being female and African American increased the odds of not being petitioned. For judicial disposition, African American males looked to receive lenient treatment at this stage and resulted in being more likely to receive probation than out-of-home placement. However, detention had a statistically significant effect

with decision making at initial appearance, adjudication, and judicial disposition; being male and African American increased the odds of being detained, affected intake decision making, and had further implications throughout the system, including more severe outcomes.

Davis and Sorenson (2012) attempted to address a theoretical gap in the literature by examining the racial threat hypothesis and its relationship to Black-White disparity in out-of-home placements within the juvenile justice system. The authors utilized two hypotheses: an increase in percentage Black population will result in greater Black-White placement disparity; and a decrease in the inequality of the ratio of Black to White unemployment will result in greater Black-White placement disparity. Data sources and samples were gathered from multiple sources. The Office of Juvenile Justice and Delinquency (OJJDP) provided data on incarcerated juveniles, which also provided information on gender, age, race, placement authority, most serious offense charged, court adjudication status, date of admission, and security status. For the purpose of this particular study, individuals over 18 years of age that were still serving their sentence in juvenile institutions were removed from the sample. Data specifically regarding Black and White juveniles in secure confinement by offense of adjudication was extracted. Arrest by race and offense was gathered from the Federal Bureau of Investigation's Uniform Crime Report and utilized to calculate the expected racial distribution of incarcerated juveniles by crime type. UCR data on ethnicity was invalidated due to underreporting. The sample includes thirty-eight (38) states at five (5) observation points, though incomplete UCR reporting and/or Black population rates under 1percent led to the exclusion of Florida, Idaho, Kansas, Main, Montana, New Hampshire, North Dakota, South Dakota, Utah, Vermont, Wisconsin, and Wyoming. Categories for placed juveniles by state were limited to person-violent crime index, person other, property crime index, property other, drug, public order, technical violations, and status offenses.

Calculation of the results included outcome measures, predictor measures, and control measures. On average, for states measured across the entire time frame, Black juveniles were placed into residential placement eighty-eight (88%) more often than White juveniles. Regarding predictor and control measures, percentage living in an urban area, population per square mile, and state population were found to be highly correlated. The authors postulated that if racial threat were evident, there would be a significant positive coefficient for percentage Black, indicating that as the Black population grows the Whites feel threatened and use formal control mechanisms in response to the threat. Additionally, racial threat would be supported through a significant negative coefficient within the ratio of Black-White unemployment, indicative that Whites feel economically threatened when a higher degree of parity is present in the workforce, which also would result in the use of formal control

mechanisms as a response. While the signs for the racial threat variables move in the anticipated direction, only the percentage Black was significant (.10).

Within the thirty-eight (38) states present in the study, results indicated Black juveniles were placed in residential facilities almost ninety percent (90%) more often than White juveniles (controlling for arrest). Regarding the primary purpose of the study, the examination of involvement of the racial threat hypothesis regarding minority representation in placements, mixed support exists. Support was found for the first hypothesis with marginal significance, but the second hypothesis was not proven, as racial ratio of unemployment was not significant.

Davis and Sorenson (2013) conducted a study examining how successful U.S. juvenile justice systems have been successful in reducing disproportionate minority confinement, focusing specifically on disproportionate African American incarceration. Prior findings had found that racial disparities present later in the system were a direct result of decisions made during early case processing. In order to conduct their study, the authors utilized data provided by the Office of Juvenile Justice and Delinquency Prevention on incarcerated juveniles, which also provided information on gender, age, race, placement authority, most serious offense charged, court adjudication status, date of admission, and security status. From this, race of juveniles was singled out to find the number of Black and White juveniles in secure confinement by offense of adjudication. Race and offense figures were gathered through the Federal Bureau of Investigation's Uniform Crime Reports to calculate an expected racial distribution of incarcerated crime type, though UCR data on ethnicity was invalid due to underreporting. Due to limited ability in detecting selection bias from changes of law enforcement practices, Black-White disproportionality is examined as a cumulative measure of the level of systemic bias resulting from decisions made after juveniles have been taken into custody.

Results indicated that total placement rates fell, including rates for both Whites and Blacks; Blacks experienced a thirty percent (30%) decrease in placement rates from 1997 to 2006, with a twenty-five percent (25%) decrease in placement rates for Whites throughout the same period. However, for Whites, the initial rates of arrest were lower, the mix of offenses was less severe, and their likelihood of ending up in placement for such offenses was lower. When accounting for group arrest rates, in 2006, the expected percentage of Blacks in juvenile placements was slightly over thirty-four percent (34.1%); however, the actual percentage was higher at closer to forty-two percent (42.1%). Crime-specific measures of racial disproportionality for placements were also examined; analysis showed that for homicides, Whites were more likely to be placed in juvenile institutions compared to Blacks when accounting for relative arrest rates, though this could stem from a host of factors- for example, the greater likelihood of transferring Black juveniles in (or transferring them to) adult court for homicide. The

authors state that overall, violent crimes tended to have the highest percentage of Black-White disproportionality in placement accounted for by arrest (above 80%), while certain property crimes, drugs, and public order crimes had much lower percentages. Finally, the interpretation of overall levels of disproportionality not accounted for by arrests was examined. Results from this analysis suggests that, on average, a reduction occurred of nearly one-fifth across the United States in regards to the disproportionate Black-White ratio of juvenile placements; as this reduction occurred post-arrest, it can be reasonable concluded that there has been a system-wide reduction in disproportionate minority confinement across the nation within the previous decade.

DIFFERENTIAL OFFENDING/INDIRECT EFFECTS

Differential offending refers to a commonly used reason for the overrepresentation of minority youth in the juvenile justice process. The mechanism attributes DMC to the idea that minority youth behavior is worse, the age of onset is lower, and incidence and prevalence of delinquency is higher than their White counterparts.

Leiber and Fox (2005) examined how both differential offending and selection bias can impact further court processing by utilizing data from one juvenile court jurisdiction in the state of Iowa. They conclude that through detention, race has direct/interaction/indirect effects that work to disadvantage African American youth, hypothesizing that race would have indirect effects through detention at other decision-making stages. To determine this, data was collected from juvenile court referrals over a twenty-one (21) year period (1980-2000) from one juvenile court involving youth accused of delinquent behavior; with a sample size of 5,554, 30 percent of which identified as African American. Decision making was captured as a dependent variable at six stages: initial detention, intake (intake 1 being release or diversion vs. further court processing, intake 2 being release vs. diversion or further court processing), petition, initial appearance, adjudication, and transfer to adult jurisdiction. Independent variables included detention (differentiated from the dependent calculation by definition as 'youth detained at any point prior to or at the particular stage examined'), demographics (including race, gender, age, and family living status), school status, previous legal history (number of prior contacts, under court authority at time of current referral, severity of prior referral), characteristics of the current offense (number of charges, seriousness of offense, type of delinquency, whether a weapon was involved), and legal counsel.

At detention and intake, while race was not statistically significant in decisions to refer for further court proceedings, detention was: being detained increased the likelihood of receiving the more severe outcome at intake by nineteen percent (19%), meaning that African American youth were more likely to be referred for further court

proceedings due to the fact that they were more likely to be detained (being African American increased likelihood of detention by 5%). When examining family status, involvement in person offenses, drug offenses, and decision to release, a definite interaction with race could be observed: African Americans from single-parent households were six percent (6%) less likely to be released at intake, those involved with person offenses were eighteen percent (18%) less likely to be released at intake, and those with drug offenses were sixteen percent (16%) less likely to be released at intake. For other decision-making points, both detention and race correlate with each other and other independent variables to influence case proceedings and case outcomes. At petition, being African American and having a more severe prior referral increases chances of being petitioned by three percent (3%). From there, race in combination with counsel predict decision making at initial appearance; chances of moving from this stage to adjudication increase by eighteen percent (18%) if the youth had been detained, and for African Americans, the absence of legal counsel increases the chance of a more severe outcome by seventeen percent (17%). At adjudication, with correction for sample bias, if an African American youth had been detained, their probability of being adjudicated was increased nineteen percent (19%); in combination with other corrections for sample bias, indicative factors at this stage predict outcomes at judicial disposition in an inverse manner by sixty-eight percent (68%).

After analysis of this data, the authors conclude that African American youth were more likely to receive the more severe outcome at detention, initial appearance, and adjudication as compared to White youth when controlling for relevant legal and extralegal criteria and legal representation. They found that most relationships involved interactions between being African American and committing a drug offense, being from a single-person household, committing crimes against persons, not having counsel, and the severity of the outcome for a prior referral. African Americans moved further through the system because of the effect of detention on decision making at intake, initial appearance, and judicial disposition. They then determine that the presence of African Americans in the juvenile justice system can be attributed to differential involvement in delinquency, differential selection, and detention.

In McCarter's (2009) study, legal and extralegal factors and their effects were examined on processing and sanctions of 2,233 African American and Caucasian males in Virginia's juvenile justice system. Methodology included utilization of juvenile cases from all thirty-five (35) Virginia Court Service Units (CSU) where quantitative data was collected on juveniles' previous felonies, previous misdemeanors, previous violations of probation/parole, previous status offenses, recent criminal charges, intake action on those charges, pre-disposition(s) of those charges, court disposition(s) of those charges, and demographics. Exact sample size was determined by filtering for race

and sex. Qualitative data was gathered from interviews with a sample consisting of thirty-six (36) juvenile judges, Commonwealth's attorneys, defense attorneys, police officers, and youth and their families. Survey instruments contained open- and closed-ended questions, with the participants granted confidentiality.

Results showed that eighty-six percent (86%) of the African American youth came from an annual family income of \$25,000, came from mother-only families located in urban locations, and were more likely to have repeated a grade; additionally, those same youth were more likely to have a prior misdemeanor on their record. As for processing, less African American youth were granted an official diversion, though the majority of both groups were petitioned to court. Juvenile justice sanctions, with incarceration being measured as the most severe sanction, was examined next, showing that African American youth were more than twice as likely to be incarcerated.

Examining the role of race while acknowledging influence of other independent variables (race, family income level, grade repeated, family structure, geo-type, severity of the crime committed, and number of prior misdemeanors) showed that severity of the crime was the only significant predictor variable in diversion regression, while four of the seven independent variables increased the chance of incarceration: race, grade repeated, severity of the crime committed, and number of prior misdemeanors. Findings suggest that African American youth were over one-and-a-half times (1.62) as likely to be incarcerated, with the extralegal factor most contributing to the likelihood of incarceration being grade repeated (1.6 times as likely), prior misdemeanors caused almost one-and-a-half (1.42) greater chance, and severe crimes having right at one (1.04) greater chance. Overall the quantitative results suggested that being African American increased the likelihood of being incarcerated.

Within the qualitative data, professional respondents were much more likely to respond that race was a factor on juvenile justice processing and sanctions when it was mentioned alone than when mentioned with other extralegal factors, supplemented by the interviews with stakeholders, who also believed that race played a role in a youth's treatment within the system. Professionals and the youth and their families believed racial bias influenced decision-makers and the overall system. In general, though, when considering other factors, professionals did not believe race played the biggest role in a youth's treatment, and stated that legal factors played the biggest role, including extralegal factors such as family structure.

As evidenced above, differential offending indirect effects are often discussed in tandem because many studies sufficiently show their overlap. These studies often reveal significant differential involvement in delinquency for minority youth but use the indirect effects variables to contextualize the reasons.

INDIRECT EFFECTS

Indirect effects refer to factors in a youth's life that is beyond his/her control, such as school performance, neighborhood variables, access to resources, and juvenile justice system decision making factors.

Rodriguez (2010) conducted a study on the cumulative effects of race and ethnicity in juvenile court outcomes by examining how race and ethnicity influence diversion, petition, detention, adjudication, and disposition decisions. Two research hypotheses were proposed: diversion, petition, adjudication, and disposition outcomes were expected to vary based on race and ethnicity (e.g., whites, blacks, Latinos/as, and American Indians), producing more severe treatment of minority youth than white youth; and adjudication and disposition outcomes will vary based on detention outcome, producing more severe treatment of detained youth than non-detained youth. To answer these questions, data from the Arizona Juvenile On-Line Tracking System (JOLTS) database and the 2000 U.S. census was utilized. Multiple racial and ethnic groups within Arizona's population allowed for an empirical focus on Latino/as and American Indians, as these two groups have received less empirical attention in studies of juvenile court outcomes. Within the population, fifty percent (50%) of the youth under eighteen (18) years old were white, over thirty-eight percent (38.8%) were Latino, five percent (5%) were black, and almost two percent (1.9%) were American Indian. A random sample consisting of 23,156 delinquent and status offenders inside of the Arizona juvenile justice system during 2000 was drawn from the JOLTS system, which captures information on court processing from the time of referral to disposition. Unit of analysis was the juvenile offender, and each was followed through five distinct court outcomes- diversion, detention, petition, adjudication, and disposition. Extralegal and legal variables were included inside of the analysis, including demographic indicators, most serious offense at referral, and whether or not the youth had prior referrals to the court; a control for school status at the time of court referral was also utilized, and population density was used to create an urban county-level measure.

Among youth within the sample, half were white, thirty-eight percent (38%) were Latino/a, seven percent (7%) were Black, and five percent (5%) were American Indian, with sixty-seven percent (67%) involving males and thirty-three percent (33%) involving females. For diversion/informal processing, the mean rate proved to be influenced by race/ethnicity. Black youth were over half-the-times (.60%) and American Indian youth (.73) more likely than white youth to be informally processed. Informal processing was shown to be lower for males than females, and both offense type/seriousness and prior record influenced the rate of detention. For pre-adjudication detention, racial and ethnic biases were also present, as Black, Latino/a, and American Indian youth were more likely than White youth to be detained, at rates slightly below one-and-a quarter ,

reaching almost two-times more often of ($B=1.49$, $L=1.24$, and $AI=1.93$), respectively. Those youths with offenses for obstruction of justice and youth with a prior record had higher odds, while person felony offenders and status offenders had lower odds than property felony offenders. Youths attending school were less likely than youth not attending school to be detained, and those juveniles living in areas characterized by structural disadvantage had a higher probability as well.

Decision to file a petition was not influenced directly by race or ethnicity, though youth who were detained pre-adjudication were more likely to have a petition filed than youth that were not detained, by a margin of almost five times (4.9). Obstruction of justice offenders and those with a prior record had higher odds of a petition being filed, while person misdemeanor, public order, property misdemeanor, status, and drug offenders were less likely. For judicially dismissed petitions, Black youth were over the one-and-a quarter (1.37) times more likely than White youth to have petitions dismissed, and the odds of petition dismissal were not different for Latino/a, American Indian, and White youth. Pre-adjudication detention had lower odds of petition dismissal, as did younger youth, those with a prior record, and youth attending school. Youth with a person misdemeanor, property misdemeanor, public order, and status offenders were more likely than property felony offenders to have petitions dismissed. Regarding out-of-home placement, the decision was influenced directly and indirectly by race. Black youth were close to one-and-three-quarters (1.7) times more likely than white youth to have petitions dismissed, and once again pre-adjudication detention was associated with higher odds of out-of-home placement. Boys, older youth, youth with a prior record, and property offenders also had higher odds, with first-time offenders, property misdemeanor, and status offenders less likely to be ordered an out-of-home placement. From this analysis, it is concluded that the findings reveal race and ethnicity as factors producing disparities in justice system outcomes, as black, Latino/a, and American Indian youth were treated more severely than white youth in front-end court processes as well as back-end processes and outcomes.

Bishop, Leiber, and Johnson (2010) worked to explore the impact of race on juvenile justice processing by way of examining the organizational context in which decisions are made, utilizing a theoretical perspective. The authors integrate the organizational coupling and focal concern perspectives and posit that the relative effects of legal, demographic, and contextual factors on case processing are stage-dependent, and are subject to the influence of racial stereotyping. Methodology included examination of juvenile justice processing in a single county with the largest African American presence (11-13%) in a Midwestern state.

Data from juvenile court case files over twenty-one (21) years (1980 through 2000) was utilized; random sampling produced a sample size of 5,722. Within this sample, thirty-eight percent (38%) were African American and sixty-two percent (62%) were White,

seventy-three percent (73%) were male and twenty-seven percent (27%) were female, with an average age a-little-over fifteen (15). Multiple legal variables were incorporated, including two measures of offense history (prior contacts with the system and whether or not the youth was already under formal court authority) and three measures to capture dimensions of the current offense (number of charges/counts, crime severity, and offense type). On average, youth had two prior referrals, and twenty-three percent (23%) were under court authority at the time of their most recent offense; most cases were classified as misdemeanors (85%) and most involved property crimes (51%). Contextual variables included family structure and school status, with fifty-one percent (51%) of youth residing in single-parent households; seventy-five percent (75%) of juveniles were attending school with no problems noted, sixteen percent (16%) were attending but having problems, and nine percent (9%) had dropped out. Dependent variables were set at four (4) processing junctures- intake, where thirty-four percent (34%) were referred for further court proceedings; formal charges, which consisted of a vast majority of those referred for formal processing (96%); adjudicatory stage, where eighty-one percent (81%) of youth who were formally charged were subsequently adjudicated delinquent; and judicial disposition, where sixty-eight percent (68%) of youth received a disposition involving residential placement or waiver.

Results indicated that intake decisions were affected by race, gender, age, each of the legal variables, and each of the contextual variables; decisions at this stage which involved referring cases for court processing were affected most strongly by the legal variables. Those arrested for felony crimes were more than five times as likely to be recommended for formal processing as those arrested for misdemeanors, juveniles already under court supervision were nearly three times as likely to be referred than those who were not, and each additional charge against the youth nearly doubled the likelihood of a referral. As for contextual variables, youth from single-parent homes, those who are having problems at school, and those who have dropped out of school were significantly more likely to be recommended for formal prosecution than others by twenty-two percent (22%), forty-three percent (43%), and seventy-one percent (71%), respectively. Evidence was found of race-based and gender-based decision making at this stage, with the odds that an African American being referred for formal processing over fifty percent (50%) higher than the odds for a White, with males at a twenty-one percent (21%) higher chance than females to be referred. Family structure, while having no effect on processing decisions for Whites, increased the odds of referral for African American youth by over eighty percent (80%). White youth with drug offenses were significantly less likely to be recommended for formal processing than African Americans.

Decisions to file formal charges were not significantly affected by the variables, but there were two significant race interactions. African American youth charged with

felony crimes were more likely to be formally prosecuted than White youth, while the odds of being formally prosecuted increases significantly with each additional arrest charge for Whites but has no effect on the decisions for African American youth. For the adjudicatory stage, only legal variables influence adjudicatory decisions, though an interaction occurs between race and number of prior referrals; among Whites, prior record had no effect on adjudicatory decisions, while African Americans with lengthier prior records were more likely to be adjudicated delinquent. At final disposition, socio-demographic characteristics, legal variables, and the contextual variable of school status had a role in disposition decisions. School dropout is a strong predictor of more severe outcomes, with youth who dropped out of school having a two (2) times greater chance of being removed from their homes. Prior record was also influential, as prior referrals "upped the ante" at disposition regardless of the nature and severity of the current offense. Age and race showed direct effects, with older youth receiving harsher sanctions than their younger counterparts, and White youth more likely to be committed to residential placement or transferred. One significant race interaction was found in that Whites convicted of property offenses were significantly less likely to be removed from their homes than Whites convicted of other offenses or than African Americans convicted of property crimes; among African Americans, however, offense type did not have a significant impact on dispositional outcomes. The authors concluded that when diverse organizational players have input into decision making, the resulting decisions frequently lack internal consistency; at intake and judicial disposition, the action set responsible for decision making was loosely coupled, with the adjudication and charging stages being tightly coupled, as well as being more rational and internally consistent.

In a study conducted by Desai, Falzer, Chapman, and Borum (2012), mental illness is explored as a possible contributor and explanatory factor in disproportionate minority contact. To accomplish this, they attempt to answer two questions: are mental health problems similar among ethnic groups; if so, than emphasis on mental health interventions on minority communities might be useful to address DMC, and if not, which considerations would be useful for making progress on this issue. Data was collected from intake interviews from juveniles admitted to one of three juvenile detention centers in Connecticut between 2002 and 2003 who had both a violence risk assessment and a mental health assessment. The Structured Assessment of Violence Risk in Youth (SAVRY) was administered at intake, and the number of violence risk factors was determined by the number of SAVRY risk factor items that were rated as either moderate or high. Racial differences are not apparent when seven or fewer risk items are present, as disparities between ethnicities start to increase at midrange. Each youth was evaluated by a Human Services Worker trained in SAVRY administration. Additionally, the Massachusetts Youth Screening Instrument 2nd ed. (MAYSI-2) was administered at intake to screen for psychiatric disorders, and alerts potential problems

in seven areas: alcohol/drug use, anger/irritability, depression/anxiety, somatic complaints, suicidal ideation, thought disturbance, and traumatic experiences. Three other additional measures were administered as well- the Suicidal Ideations Questionnaire (SIQ), Drug Abuse Screening Test for Adolescents (DAST-A), and the Adolescent Alcohol Involvement Scale(AAIS). Variables extracted from detention records included gender, age, race/ethnicity, and the type of violation for the most serious charge at intake, categorized as serious/non-serious and violent/non-violent.

While the results indicated no statistical difference across race in the gender of detainees or within their age groups, there was a significant difference indicated for race difference in the type of charges at intake. African Americans were less likely than Caucasians to be detained for a technical violation, a non-violent or non-serious juvenile offense (SJO), or a violent non-SJO; they were more likely to be detained for a violent SJO or an A/B felony offense. Summary Risk Rating (SRR) indicated that both African American and Hispanic detainees have a significantly lower score than Caucasian detainees on this rating scale and this was then modified to include age and gender to determine whether these factors mediate the effects of race. Analysis found that the association between race and SRR is quite strong, and that older detainees appeared to have significantly higher SRR scores, with no differences across gender. With the addition of the violence of charges and the MAYSI-2 subscales. The angry/irritable subscale showed significant association with the SSR score, as those who scored above concern cutoffs for anger symptoms were almost two-and-a-half (2.44) times more likely to have a higher SRR. Association between race and SRR remained significant for African Americans and attenuated among Hispanics. Overall, the results of the analyses suggest that disproportionate minority contact cannot be solely explained by differences in mental health or degree of violence risk. However, alcohol and drug measures, as well as measures of anger and irritability, overcome the predictability of race from SSR. The authors feel that these findings may have implications for reducing DMC and for decision-making within the criminal justice system.

DIFFERENTIAL OPPORTUNITIES FOR PREVENTION AND TREATMENT

Differential opportunities refer to the disparities associated with community resources. Its premise is that youth may encounter more challenges when program access, eligibility, implementation or effectiveness is factored in. Kakar (2006) conducted a qualitative study examining the cause of disproportionate minority contact from the perspective of the stakeholders, communities, and parents. As the author established from existing literature that minority overrepresentation in the juvenile justice system seemed to be the result of both system and non-system factors, it was hypothesized that the problem could not be analyzed from the data acquired within the juvenile justice system alone.

Therefore, those who worked with youth in significant capacities were targeted. A list of individuals who were available and willing to participate was created in metropolitan South Florida to establish an opportunity sample, resulting in sixty (60) people divided into four (4) focus groups of fifteen (15) participants. Backgrounds of those involved varied- eight (8) from schools, two (2) from the juvenile assessment center, two (2) from the state attorney's office, eight (8) police officers, four (4) school resources officers, eight (8) from faith-based organizations, three (3) from mental health service providers, four (4) from the Department of Corrections, six (6) parents, four (4) church ministers, and four (4) business representatives.

Results of the focus groups resulted in the participants identifying multiple causes of DMC. Discussion generally focused on systemic bias and the characteristics of the community and the juveniles. Many agreed that crime was concentrated in certain areas and that these areas were primarily inhabited by minorities. Being that there was a higher police presence in areas that produced a higher concentration of crime, an increased probability of arrest for the juveniles existed. A common theme identified by the author is that the cause is based more in the characteristics of the community and the juveniles than the system; while acknowledging that systemic bias may be present, its contribution to DMC in relation to community and neighborhood factors was small. Within the focused group discussions, factors that contribute to DMC were: system factors (bias, lack of alternatives to arrest, inadequate resources, inequitable access to programs, higher police presence), social factors (distressed and unstable neighborhoods, lack of role models, inadequate services, lack of concern, inadequate alternatives, lack of incentives, lack of attachment to place), family/parental factors (family structure, conflict, lack of attachment, lack of concern, family history, parenting and discipline, lack of nurturing, lack of awareness, illiteracy, lack of skills), education factors (disciplinary problems, poor performance, lack of commitment, inadequate curriculum, dropout, truancy), individual factors (physical/mental development, temperament, friends, inadequate resources, lack of belief in society and system, self-esteem, lack of responsibility, lack of motivation), and economic factors (extreme poverty, inadequate resources, lack of employment opportunities, media).

When discussing variables that influence law enforcement officers to arrest, it was revealed that influence came from characteristics of youth such as race, gender, demeanor, family situation, characteristics of contact, type of crime, reason for referral and arrest, involvement of a weapon, place of contact, and presence of bystanders. Additionally, the decision could be affected by the officer's characteristics, such as age, race, gender, education, length of service, prior knowledge of the suspect, and/or the victim's characteristics (age, race, gender, victim's wish to press charges, relationship between youth and victim). Community characteristics such as economic situation, racial/ethnic composition, extent of racial segregation, and status of race

relations were also identified as possible influences on the decision to arrest. Lastly, family and offender characteristics and characteristics of the current offense could influence the officer's decision. Another aspect of the focus group discussions centered on identifying community assets. Participants identified community and faith-based organizations as significant, as well as local businesses, after school programs, and local parks. A theme emerged indicating that if community assets are utilized efficiently and effectively, that can contribute to the reduction of DMC.

Finally, the group discussion arrived at proposed strategies to reduce DMC by way of identifying solutions to the inherent cause. Participants concluded that in order to reduce DMC, everyone must work collaboratively to address the causes, enhance prevention, utilize diversion programs, and expand alternatives to secure detention and corrections. The author concludes that to reduce DMC, each category of the contributing factors must be identified and addressed.

SUMMARY OF THE FINDINGS – LITERATURE REVIEW

By examining the current literature regarding DMC, one can now see how to proceed with the proposed research. Regarding differential treatment, offending, and indirect effects, results indicated that African-Americans that had higher incidences of being detained affected intake decision-making and resulted in more severe outcomes in both front-end and back-end court processing. They too were more likely to be placed in residential facilities experiencing differential treatment and greater contact with the police (Davis & Sorenson, 2012; Fitzgerald & Carrington, 2011; Leiber et al., 2009; Leiber & Fox, 2005; McGuire, 2002; Rodriguez, 2010).

Legal and extralegal factors also contribute to African-Americans having a higher chance of incarceration, though professionals were most likely to respond that race was more of a factor on juvenile justice processing and sanctions when mentioned alone than when mentioned with other extralegal factors; additionally, African-Americans were more likely to be formally prosecuted and school status had a strong role in disposition decisions and that the resulting decisions frequently lack internal consistency (Bishop et al., 2010; McCarter, 2009). Furthermore, no evidence was found to support the idea that mental health or degree of violent risk had an effect on DMC, though alcohol/drug measures as well as measures of anger and irritability do, having possible implications for reducing DMC and effects on decision-making within the criminal justice system (Desai et al., 2012). Yet another study showed that in order to reduce DMC, everyone must work collaboratively to address the causes, enhance prevention, utilize diversion programs, and expand alternatives to secure detention and corrections, and that the categories of contributing factors must be identified and addressed (Kakar, 2006).

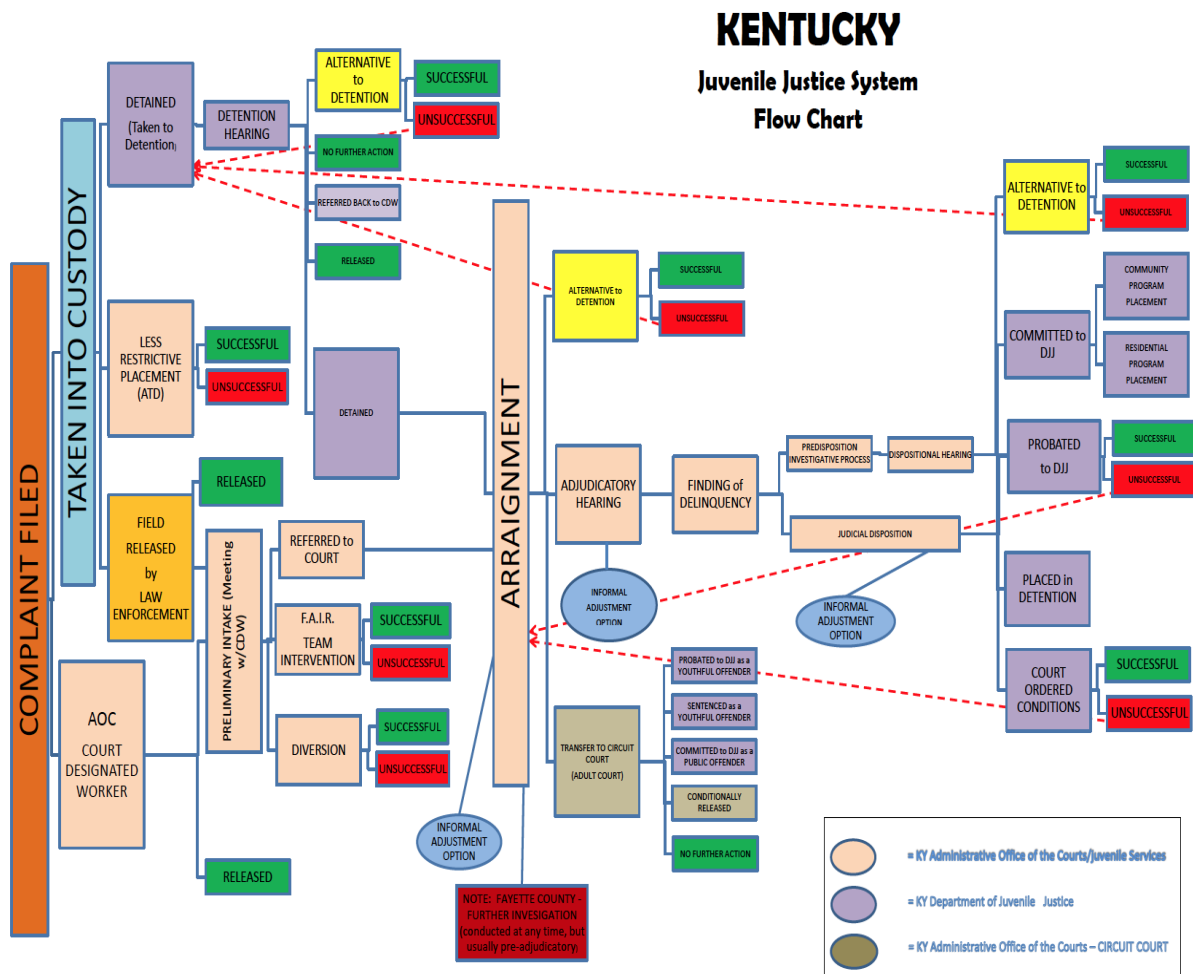
Looking at the effectiveness of working to reduce DMC, programs have been effectively implemented that result in lower placement rates for African-Americans and Whites, with a reduction of one-fifth across the United States related to the disproportionate African-American/White ratio of juvenile placements from 1997 to 2006 (Davis & Sorenson, 2013). Therefore, one can infer that by understanding the root causes and influences on DMC, significant headway for changing these conditions can be made in a relatively short amount of time. In order to accomplish this, the current study proposes an examination of stakeholder's views on the causes, perceptions, and awareness of DMC occurs in order to identify areas to implement reduction strategies throughout the state of Kentucky. Proposed recommendations will be provided with the premise of further decreasing DMC within the juvenile justice system as a whole.

CHAPTER 3

SYSTEMS DATA ANALYSIS

The first phase of data analysis includes an assessment of the existing systems data obtained through a Memorandum of Agreement (MOA) was signed between the University of Louisville, the Administrative Office of Courts (AOC) and the Kentucky Department of Juvenile Justice (DJJ). In addition, Louisville Metro Youth Detention Services (LMYDS) provided detention data specific to Jefferson County juvenile services and data collection.

The following graphic displays the current conceptualization of the Kentucky Juvenile Justice Process.



The data for this evaluation comes from multiple sources (i.e., administrative data and survey data). These data allow addressing multiple issues. While these data contain information from every county in the Commonwealth of Kentucky, the evaluation focused on four targeted counties that were identified, with consideration given to magnitude and volume, as having relative rate index (RRI) figures high enough--based on OJJDP standards--to indicate DMC.

It should be noted that the data for this assessment had a number of issues impacting the analysis. First, the data were clustered around the individual. This required statistical methods that handled the clustering. To properly use these statistical methodologies, the identification of duplicate entries for individuals was a key consideration. A specialized program was written in SPSS to perform this task. After the identification of the duplicate entries, the specialized statistics were able to be performed that were part of the STATA package. To alleviate the issue of finding the duplicate entries, the data should have been coded in a way that indicated that entries were duplicates. In addition, it is instructive that data analysis without taking the clustered structure of the data will result in biased and misleading results. Therefore, it is recommended that these statistical types become the norms when dealing with these types of data.

Second, the data appear to have been collected for purposes other than data analysis. This creates the problem of having to make assumptions about the data and wording used to describe the data. For instance, the data were part numeric and alpha numeric. This made cleaning the data extensive. We recommend that the departments that submitted data for this evaluation work with an external data analyst to develop systems that would allow for smoother data analysis. With this type of investment, the data collected in the systems will be able to provide better evidence that will lead to better decisions.

NOTE: All tables for this section can be found in Appendix D.

THE ADMINISTRATIVE OFFICE (AOC) OF THE COURT-COURT DESIGNATED WORKER (CDW) DATA

Since 1986, the Kentucky Court Designated Worker Program (CDW) has operated under the Kentucky Administrative Office of the Courts (AOC). The CDWs are responsible for processing complaints against individuals under the age of 18. Complaints are categorized as either public offenses or status offenses. Public offenses are behaviors consistent with adult crimes. Status offenses are behaviors that are noncriminal but classified as offenses due to the individual being underage. The CDW process is guided by uniform criteria that distinguish which juvenile complaints are formally processed in

juvenile court or informally processed. The CDW data analysis includes: Complainant, Charge Level, Charge Class, Intake Actions, Diversion, and Additional Complaints.

These are data that the CDW's collect, in the course of their work, and were collected for calendar years 2009-2012. The results of this analysis can only be attributed to the four years captured in this data. A number of key variables are present in these data that will allow for an examination of several issues pertaining to Disproportionate Minority Contact. The variables in these data are African American (1=African American, 0=White), reoffender (1=yes, 0=no), diversion (1=yes, 0=no), status offense (1=yes, 0=no), complainant (1 = law enforcement, 2 = DJJ, 3 = school, 4 = family, and 5 = victim), intake description (1=child not taken into custody, 2=child released by CDW, 3=child released by peace officer, and 4=extension of detention), and charge class (X, A, B, C, and D).

RESULTS

In the table below (Table 1) it indicates across all of the years and all of the counties, except Hardin, that African Americans are the majority of the sample. This data indicated that Hardin County represented the lower-end (37%) for individuals receiving additional complaints; while Christian County representing the higher-end (52%) for this category. All of the counties have twenty-nine percent (29%) for diversion of cases. The percentage of status offenses ranges from twelve-to-twenty-nine (12-to-29). In Jefferson and Christian counties (see Tables 2 & 5), the average complainant identified is law enforcement. In Hardin and Fayette, the average complainant is Department of Juvenile Justice (DJJ) (see Tables 3 & 4). The average charge across the counties is an "A" offense. The CDW data indicated that a youth being released is most common in the intake description.

TABLE 1. COURT DESIGNATED WORKER -- DESCRIPTIVE STATISTICS

MEASURE	Jefferson		Hardin		Fayette		Christian	
	Mean	S. E.	Mean	S. D.	Mean	S. D.	Mean	S. D.
Black	59%	---	35%	---	54%	---	58%	---
Reoffender	48%	---	37%	---	43%	---	52%	---
Diversion	29%	---	29%	---	29%	---	29%	---
Status Offense	12%	---	16%	---	29%	---	13%	---
Complainant	1.72	0.01	2.03	0.05	2.15	0.03	1.78	0.05
Charge	1.56	0.06	1.14	0.05	0.97	0.06	1.08	0.03
Intake Description	2.45	0.03	2.27	0.07	2.21	0.07	2.50	0.13

COMPLAINANTS

The results regarding complainants are presented in Tables 2 through 5. The “complainant” refers to an individual signing a public or status complaint; either on his/her own behalf or as a representative for another party. A “complaint” is a “statement that sets forth allegations in regards to a child which contains sufficient facts for the formulation of a subsequent petition” (AOC Column Reference Guide, nd). In Jefferson County, in 2010 through 2012, the major complainants were law enforcement for African-Americans. With the exception of 2012, where the major complainants were family, victims were the second highest complainant. Hardin County showed differences in only race in only one year, 2012. Here, whites had a higher percentage of law enforcement complaints.

CHARGE CLASS

Tables 6 through 9 show the results of the charge class analysis. Charge Class “distinguishes the amount of punishment which someone convicted of the crime can receive. Felonies are classified for the purpose of sentencing, into five categories - Capital, Class A, Class B, Class C and Class D.” (AOC Column Reference Guide, nd). The results show that African American juveniles had higher charges than white juveniles in Jefferson and Fayette counties in 2009 through 2012. Hardin County does not show any statistical differences in charge class across race. Finally, the African Americans had higher percentages of charges across all levels in Christian County in 2009 and 2010.

INTAKE ACTIONS

The results related to intake actions are depicted in Tables 10 through 13, Intake action “identifies the disposition of a juvenile at the time of the referral” (AOC Column Reference Guide, nd). In Jefferson and Fayette Counties, from 2009 to 2012, African Americans had higher percentages across all categories of intake. In Hardin County, no statistical differences are present in the percentages across races. In Christian County, all intake actions are statistically different in 2009 and 2012. For Christian County, African-Americans had higher percentages across all categories suggesting racial disparities.

DIVERSION

The results that examine racial differences at the diversion stage of the system are indicated in Tables 14 through 17. Diversion is a response to juvenile behavior that halts formal proceedings against a suspected offender that requires a collaborative agreement consisting of conditions related to the alleged offense. In Kentucky, CDWs are responsible for monitoring diversion agreements. As it relates to Diversion, the only

statistically difference came amongst African-Americans in 2012, in Christian County. African-Americans received a higher percentage of diversion than whites. The other counties had some differences in percentages, but the differences were not statistically relevant Status Offenses.

Tables 18 through 21 presents the results related to the percentages of status offenses in the four counties. The results show that Jefferson County had racial differences in status offenses across all four years. In 2009 and 2010, the whites had higher percentages of status offenses; however, in 2011 and 2012, African-Americans had slightly higher percentages of status offenses. In Hardin County, in 2010, the racial differences were between Whites and African-Americans. In Fayette County, in 2011 and 2012, whites had higher percentages of status offenses than African-Americans. In Christian County, in 2009 to 2011, whites had higher percentages of status offenses than African-Americans.

ADDITIONAL COMPLAINTS

Tables 23 through 25 show the percentage differences for receiving additional charges (i.e. more than one referral in Court Monitoring Services (CMS)) in the four counties across the four-year period. The results show that significant racial differences were found in all four years in Jefferson County with African-Americans receiving additional charges at higher percentages. In Hardin County, racial differences were present as well. Whites in 2009 and 2012 received additional charges at higher percentages. In Fayette County, racial differences were present. African-Americans received additional charges at higher percentages than Whites from 2009 through 2011. In Christian County, higher percentages of African-Americans received additional charges than Whites.

SUMMARY OF THE FINDINGS – COURT DESIGNATED WORKER DATA

Table 26 includes an overview of decision points for each county and highlights the most significant findings for each.

TABLE 26. DECISION POINTS BY COUNTY- SIGNIFICANT FINDINGS

	JEFFERSON	HARDIN	FAYETTE	CHRISTIAN
COMPLAINANT	African Americans: Law Enforcement 2010/2011/2012	DJJ 2009/2010/2011; Whites: Law Enforcement 2012	DJJ	Law Enforcement
CHARGE LEVEL	African Americans had higher charges	n/a	African Americans had higher charges	African Americans had higher charges in 2009/2010
CHARGE CLASS	African Americans had higher percentages of Class A charges	n/a	African Americans had higher percentages of Class B charges	African Americans had higher percentages of Class A charges in 2009/2011/2012; higher Class B charges
INTAKE ACTIONS	African Americans had higher percentages across all categories of intake	n/a	n/a	African Americans had higher percentages across all categories of intake
DIVERSION	n/a	n/a	n/a	African Americans had a higher percentage of diversion in 2012
ADDITIONAL COMPLAINTS	African Americans had higher percentages	Whites had higher percentages in 2009/2012	African Americans had higher percentages 2009/2010/2011	African Americans had higher percentages

THE COURT NET DATA

The Court Net data was obtained from the Administrative Office of the Courts. These data cover calendar years 2010-2012. The results of this analysis can only be attributed to the three years captured in this data. A number of key variables are present in these data that will allow for an examination of several issues pertaining to Disproportionate Minority Contact. The variables in these data are male (1=male, 0=female), Delinquency offense (1=yes, 0=no), acquitted outcome (1=yes, 0=no), amended decision (1=yes, 0=no), dismissed outcome (1=yes, 0=no), dismissed (1=yes, 0=no), informal adjustment (1=yes, 0=no), finding of delinquency (1=yes, 0=no), transfer to adult system (1=yes, 0=no), age of juvenile, and charge level (1=felony, 2=misdemeanor, 3=violation, 4 = local ordinance, and 5=other).

ANALYSIS PLAN

It is instructive to point out that these data are hierarchical in nature. This means that each juvenile may have multiple records in the data. To account for this, the data provided were examined for duplicate juveniles in the data. After identifying the duplicate juveniles in the data, the duplications were coded. The code was used as a cluster variable in these data, to take the hierarchical nature of the data into account. Performing the analysis takes place using Stata 12.0's Inter-cooled complex data modules. The analysis begins with a presentation of the pooled descriptive statistics (i.e., means and linearized standard errors) for each of the four counties identified, to have excessive DMC based on the relative rate index (RRI) information. The analysis then moves to cross-tabulations of the racial differences of the variables presented above that takes the clustering into account.

RESULTS

The descriptive statistics are presented in Table 27. The majority of the juveniles represented in the Court Net data were male. The majority of the offenses indicated in the Court Net data were for delinquency and not status offenses. None of the cases in the data were for acquittals. A small percentage of cases were amended. Further, some variation exists among the dismissed cases (4%-35%), but this could be due to population differences and numbers of juveniles in the system. A small number of informal adjustment cases are present in the Court Net data. In addition, the percentage of cases that resulted in a finding of delinquency ranged from zero-to-forty-seven percent (0-to-47%). The average age of the juveniles ranges from over fourteen to slightly above fifteen (14.86 to 15.26). The average charge levels in these data ranges from misdemeanors to violations.

TABLE 27. KY COURTS/COURT NET DATA -- DESCRIPTIVE STATISTICS

MEASURE	JEFFERSON		HARDIN		FAYETTE		CHRISTIAN	
	Mean	S. E.	Mean	S. D.	Mean	S. D.	Mean	S. D.
Male	74%	---	70%	---	67%	---	74%	---
Delinquency	90%	---	85%	---	69%	---	87%	---
Acquitted	---	---	0%	---	0%	---	0%	---
Amended	5%	---	6%	---	8%	---	0%	---
Dismissed	35%	---	4%	---	13%	---	14%	---
Diversion	---	---	0%	---	4%	---	0%	---
Guilty	15%	---	47%	---	39%	---	0%	---
Transfer	3%	---	1.9%	---	2%	---	4%	---
Age	14.98	0.23	14.86	0.24	15.06	0.30	15.26	0.24
Charge Level	2.02	0.09	2.85	0.06	3.18	0.05	2.92	0.08
Commitment CHR	0.00	0.00	0.00	0.00	1.4%	0.02	1%	0.01
Commitment DJJ	2%	0.00	3%	0.01	5.8%	0.01	5%	0.01

DELINQUENT OFFENSE

Presented in Tables 28 through 31 is an examination of the racial differences in delinquent offenses. The results show in Jefferson County that African American juveniles had a higher percentage of delinquent offenses across all three years than white juveniles. In Hardin County, racial differences are only statistically present in 2010, but they are the opposite of Jefferson County--white juveniles have a higher percentage of delinquent offenses than African American juveniles. In Fayette County, 2012 presents the only year where African American juveniles have a statistically higher percentage of the delinquent offenses than white juveniles. Christian County does not show any statistical differences in the percentages of delinquent offenses in these data.

CHARGE LEVEL

Tables 32 through 35 show the results charge level. In Jefferson County across all three years, African American juveniles had higher percentages of across all charge levels (i.e., felony, misdemeanor, violations, and other charges). The data are not complete in Hardin County making it impossible to present statistical results. The data do not indicate that Fayette County has statistically different percentages for charge levels. In Christian County, in 2012, African American juveniles had higher percentages of charges, at three of the four levels, than White juveniles.

AMENDED CASES

Tables 36 through 39 present the results concerning amended cases. In 2011 and 2012, in Jefferson County, African American juveniles had a higher percentage of cases that were not amended as white juveniles. In the remaining counties (i.e., Hardin, Fayette,

and Christian), no statistically different percentages across African American juveniles and White juveniles.

DISMISSED CASES

Tables 40 through 43 present the results for dismissed cases. Jefferson County, in 2012, shows the only racial differences for dismissed cases. Specifically, African American juveniles had a statistically higher percentage of cases that were not dismissed compared to White juveniles. In all of the other counties (Hardin, Fayette, and Christian), white and African American juveniles had statistically similar percentages of dismissed cases.

INFORMAL ADJUSTMENT

Table 44 presents the results of informal adjustment. In these data, only one county had appreciable statistical differences. In 2011, Fayette County's informal adjustment variable was statistically different (i.e., more whites than African Americans). In other words, in 2011, African-Americans did not receive an informal adjustment at the same percentages as Whites. In fact, African-Americans were not as likely to receive an informal adjustment as Whites. In these data, the other counties did not have enough cases to produce statistics. Keep in mind, that this analysis takes into account the hierarchical nature of the data using a cluster variable. The lack of reporting that was present in the data in combination with the cluster analysis may be the reason for these other counties not producing statistics in this area. Additional data will be analyzed to further explore this issue.

DELINQUENT FINDINGS

Tables 45 through 47 present the results of a finding of delinquency. In Jefferson County, in 2010 and 2011, African American juveniles had statistically higher percentages of a finding of delinquency than white juveniles. Hardin County, in 2010, shows the same issue is present. Fayette and Christian counties do not show any racial differences in a finding of delinquency outcome in these data. Christian county does not contain enough data to determine statistical differences in this outcome.

TRANSFER TO ADULT COURT

Tables 48 through 51 present the results concerning transfer to adult court. In 2010, Jefferson County shows that African Americans had a higher percentage of not being transferred to adult court as Whites. In Fayette county across all three years shows statistical differences in the percentages of transfers. In particular, White juveniles are being transferred to adult court at higher percentages than African American juveniles. In the other counties, no statistically different percentages of transfers to adult court are present in these data.

COMMITMENT

Table 27 showed that commitment to CHR ranged from 0 to 1.4% for all of the counties. In addition, it showed that commitment to DJJ ranged from two to over five-and-three quarters percent (2 to 5.8%) for all of the counties. Tables 53 to 56 showed the racial differences in commitments to CHR. The tables showed that blacks had a higher percentage in Jefferson County in 2011 than whites. Whites had a higher percentage in Christian County than blacks in 2012. Hardin County did not show any racial differences. Further, no racial differences were apparent in Fayette County. Tables 57 to sixty (60) showed the racial differences in commitment to DJJ. The only racial differences were in Fayette County, in 2010. Blacks were committed to DJJ at a higher percentage than Whites. For all the other counties, during 2010 to 2012, no racial differences were apparent in these data.

SUMMARY OF THE FINDINGS – COURTNET DATA

TABLE 61. DECISION POINTS BY COUNTY- SIGNIFICANT FINDINGS

	JEFFERSON	HARDIN	FAYETTE	CHRISTIAN
DELINQUENT OFFENSES	African Americans had higher percentages	Whites had higher percentages in 2010	African Americans had higher percentages in 2012	n/a
CHARGE LEVELS	African Americans had higher percentages across all levels	n/a	n/a	African Americans had higher percentages at 3 of 4 levels in 2012
CASES AMENDED	Whites had higher percentages	n/a	n/a	n/a
CASES DISMISSED	Whites had higher percentages in 2012	n/a	n/a	n/a
INFORMAL ADJUSTMENT	n/a	n/a	Whites had higher percentages in 2011	n/a
DELINQUENT FINDINGS	African Americans had higher percentages of delinquent findings in 2010/2011	African Americans had higher percentages of delinquent findings in 2010	n/a	n/a
TRANSFER TO ADULT COURT	Whites had higher percentages of transfer in 2010	n/a	Whites had higher percentages of transfer	n/a
COMMITMENT TO "CHR" (DCBS)	African Americans had higher percentages in 2011	n/a	n/a	Whites had higher percentages in 2012
COMMITMENT TO DJJ	n/a	n/a	African Americans had higher percentages in 2010	n/a

THE LOUISVILLE METRO YOUTH DETENTION SERVICES (LMYDS) DATA

The evaluation moves to the data from LMYDS. These are data from the Louisville Metro Youth Detention Services. A number of key variables are present in these data that will allow for an examination of several issues pertaining to Disproportionate Minority

TABLE 62. DESCRIPTIVE STATISTICS

MEASURE	PERCENTAGE
White	30.0%
Sex	73.1%
Bench	11.4%
Bench Warrant	17.0%
DJJ Hold	00.1%
Fresh Arrest	52.8%
Commissioner Warrant	00.8%
Circuit Ct	00.1%
Courtesy Hold	00.1%
District Ct	21.9%
Family Ct	6.4%
Fed Ct	00.0%
Other	00.3%
Status Change	00.0%
Arrest Law Enforcement	64.0%
Felony	57.0%
Misdemeanor	27.4%
Severity	10.4%
Ordinance	00.0%
Violation	5.01%
Admitted	66.8%
Alternative Program Services	8.13%
Awaiting	66.8%
Home Incarceration Program	15.6%
Home Supervision Program	9.14%
West Chestnut Character Program	00.3%

Contact. Table 62 (Left) provides the descriptive statistics for this data set. The variables in these data are African American (0=African American, 1=White). For descriptive purposes, the analysis includes a measure of biological sex (1=male and 0=female). Measures of alternative program services (1=yes, 0=no=0), home supervision program (1=yes, 0=no), and home incarceration program (1=yes, 0=no) were included in the analysis. A number of additional variables were used in the analysis and all were coded as (1=yes and 0=no). They are as follows: bench, bench warrant, Department of Juvenile Justice holding juvenile, a new or fresh arrest, commissioner warrant, courtesy hold, district court, family court, federal court, other reason, status change, the arrest by law enforcement, misdemeanor,

ordinance, violation, or admitted. The analysis is the same as it is for the Court Net, Court Designated Worker, and the JORI data and the data are dissected by year.

The significant results for bench warrants are as presented in Tables 63 and 64. The only racial differences that were significant were in 2010 - African-Americans have a higher percentage of bench warrants than Whites.

In the context of the Department of Juvenile Justice holding the juvenile or a fresh arrest, no significant differences are present in these data (see Table 65 and 66) .

No significant differences, including racial differences, were evident for a courtesy hold, as depicted in Table 69. In the context of district court, Blacks had a higher percentage than Whites in 2010, but not for any other year as displayed in Table 70.

Blacks were in family court at higher percentages than Whites in 2010 and 2011 (Table 71). The results for federal court did not reveal any percentage differences (Table 72).

TABLE 79. SUMMARY OF FINDINGS – LOUISVILLE METRO YOUTH DETENTION SERVICES DATA

	2009	2010	2011
BENCH WARRANT	n/a	African Americans had higher percentages	n/a
DJJ HOLDING	n/a	n/a	n/a
FRESH ARREST	n/a	n/a	n/a
COMMISSIONER WARRENTS	n/a	n/a	n/a
CIRCUIT COURT	n/a	n/a	n/a
COURTESY HOLD	n/a	n/a	n/a
DISTRICT COURT	n/a	African Americans had higher percentages	n/a
FAMILY COURT	n/a	African Americans had higher percentages	African Americans had higher percentages
FEDERAL COURT	n/a	n/a	n/a
STATUS CHANGE	n/a	Whites had higher percentages	n/a
ARREST BY LAW ENFORCEMENT	n/a	African Americans had higher percentages	African Americans had higher percentages
MISDEMEANORS	African Americans had higher percentages	African Americans had higher percentages	n/a
SEVERITY	n/a	African Americans had higher percentages	African Americans had higher percentages
ALTERNATIVE PROGRAM SERVICES	n/a	African Americans had higher percentages	n/a
HOME INCARCERATION PROGRAMS	n/a	African Americans had higher percentages	n/a

Whites had a higher percentage of status offenses in 2010 than blacks, according to as Table 73. For either race, the percentage is less than one.

The results presented in Table 74 presents racial differences in arrests by law enforcement. In 2010 and 2011, African-Americans had higher percentages of arrests by law enforcement

than Whites. In 2009 and 2010, African-Americans had higher percentages of misdemeanor offenses than Whites, but percentage differences were not present in 2011 (Table 75).

The Severity of Offense table (Table 76) indicates that African-Americans had higher percentages than Whites in 2010 and 2011. The following table (Table 77) shows that there were a higher percentage of African-Americans than Whites in alternative program services. In 2011, there were higher percentages of African-Americans on home incarceration programs than Whites in 2011 (Table 78).

THE JUVENILE OFFENDER RESOURCE INFORMATION DATA (JORI)

The evaluation moves to the data from JORI, provided by the Department of Juvenile Justice. A number of key variables are present in these data that will allow for an examination of several issues pertaining to Disproportionate Minority Contact. The variables in these data are African American (1=African American, 0=White. The disposition types examined in this analysis were: committed (1=yes, 0=no), confined (1=yes, 0=no), dismissed (1=yes, 0=no), judicial discretion (1=yes, 0=no), pending trial (1=yes, 0=no), and probated ((1=yes, 0=no). In the analysis, offender type was also examined: public ((1=yes, 0=no) and youthful (1=yes, 0=no). The analysis is the same as it is for the Court Net data with the exception that the data are dissected by year.

The results for the analysis from the JORI data, as shown in Tables 80 and 81, show significance for Christian County. In these results, two variables were significant—judicial discretion and probated. Further, the results indicated that judicial discretion was used less for African-Americans than Whites. In addition, the results showed that African-Americans received probation less than Whites.

The results for cases that were dismissed in Fayette County are portrayed in Table 82. The results indicated that African-Americans had a higher percentage of cases that were dismissed than Whites, but the largest percentage came with African-Americans receiving a higher percentage not receiving dismissals. The issue is that there are racial disparities, and African-Americans received fewer dismissals.

The results for the racial differences that occurred in Hardin County are presented in Tables 83 and 84. The differences indicated were in the use of judicial discretion. Whites appeared to have been given more judicial discretion than African-Americans. Further, the results showed that Whites were given probation more often than African-Americans.

The results regarding racial differences for Jefferson County are shown in Tables 85 and 86. The results indicated that non-DJJ detention occurred at a higher percentage for African-Americans than Whites. Further, the results showed that African-Americans were not probated at a similar percentage as Whites.

An overview of decision-points for each county and the highlights of the most significant findings for each county, are presented in the following chart (Table 87).

SUMMARY OF THE FINDINGS – JUVENILE OFFENDER RESOURCE INFORMATION (JORI) DATA

TABLE 87. DECISION POINTS BY COUNTY- SIGNIFICANT FINDINGS

	JEFFERSON	HARDIN	FAYETTE	CHRISTIAN
DISMISSED	n/a	n/a	African Americans received fewer dismissals	n/a
JUDICIAL DISCRETION	n/a	Used less for African Americans	n/a	Used less for African Americans
DJJ DETENTION	African Americans had a higher percentage	n/a	n/a	n/a
DJJ PROBATED	African Americans received less probation	African Americans received less probation		African Americans received less probation

CHAPTER 4

QUALITATIVE INTERVIEWS – INDIVIDUAL LEVEL

In order to provide a well-rounded and comprehensive understanding of the ways that Disproportionate Minority Contact (DMC) is experienced, perceived and responded to in Kentucky, this assessment also includes a qualitative examination of the issue in four counties. This portion of the assessment is designed to provide a depth of understanding and definition of issues and experiences that are identified and examined across the Commonwealth in the remaining portions of the assessment.

METHODS

The qualitative component of the assessment is based on in-depth, in-person interviews with a total of twenty-five (25) individuals in four counties. Interviews were conducted in four diverse counties, representing large, medium and small populations, urban and rural areas in the eastern, central and western regions of the state. Interviewees represented a wide range of individuals, personally and professionally. Demographically the interview sample is close to evenly distributed across males and females. Approximately one-third of the interviewees are African American, ages ranging from late twenties (20s) to mid-sixties (mid-60s). Professionally, interviewees included Department of Juvenile Justice officials, law enforcement officers, juvenile prosecutors, judges, defense attorneys, youth advocacy organizations, the faith community, public schools, court staff, community activists, and youth social services representatives.

Interviews lasted between forty-five (45) and sixty (60) minutes and were all conducted either at the interviewee's place of work or at a central location (such as a county DMC coordinator's office). All interviews were confidential, and no identities are associated with any included quotations. Prior to conducting any interviews, the project was approved by the University of Louisville Institutional Review Board.

FINDINGS

Reported below are the findings of the qualitative interviews conducted with juvenile justice system officials, community leaders and youth advocacy leaders. The findings, discussed and elaborated on in this section, are organized based on five distinct themes. These themes are:

1. Definitions of DMC
2. Does DMC Exist Because of Prejudices?
3. DMC is Expected, Because Black Kids Are More Delinquent
4. Not Everyone Sees DMC as Important
5. Combatting DMC will Require More Alternatives, Programs and Resources

DEFINITIONS OF DISPROPORTIONATE MINORITY CONTACT (DMC)

One goal of the present investigation was to identify how individuals, especially those involved in juvenile justice, youth services, and related positions, define and think about the issue of DMC. As such, interviews opened with a request for the interviewee to define what they knew DMC to be. Answers show that most interviewees were aware of the issue, had a somewhat accurate working definition, and they could identify DMC as a problem, and why such would be a problem.

Some interviews, especially with those actively involved in community efforts to combat DMC held and expressed sophisticated understandings of the issue and what it entails. Whereas some interviewees could only express vague and unspecified ideas about "different" treatment for different types of juveniles, others correctly addressed and succinctly defined the issue as higher rates of contact AND deeper processing into the judicial system for minorities.

"Disproportionate minority contact or confinement, and means that African Americans are disproportionately confined and arrested at higher rates than other classes of people."

"DMC means to me, of course, disproportionate minority contact. It means we're trying to explore whether and more importantly, why, minorities are disproportionately involved in the court system and why and what can be done about that."

Similarly, another official from another community defined DMC as "trying to acknowledge the individuals that come through our court system and do we have reasons where they are becoming incarcerated that deal with the socioeconomic status, the neighborhoods where they are and if they weren't in those neighborhood environments could they have had a better outcome?" Here the emphasis is on confinement, but also and more importantly, the definition does not mention race, but instead implies socioeconomic and cultural factors.

The lack of an emphasis on race in the definitions provided for DMC is interesting. Just as often as race was mentioned in the responses, so too was the issue of economics. In short, a majority of interviewees expressed the belief that DMC is a direct consequence of poverty, the conditions in which poverty-stricken individuals live, and the lack of community structures and informal social controls in poverty-riddled communities for managing the behaviors of community juveniles.

In the eyes and beliefs of some interviewees, DMC is an issue that is heavily centered, and attributed to, some particular component of the justice system. Among those with such a view, most often the focused-upon justice system component is law

enforcement. For some there is a belief that law enforcement efforts are disproportionately targeting minority group members. As one explanation of DMC went, *"It means that law enforcement has a disproportionate relationship or contact with people of color versus Caucasian. That's basically what it means to me, and then of course you get into all of the lies."* What these lies are was not specified, but this interviewee, and a handful of others, repeatedly mentioned *"the lies"* when addressing statistics or previous findings regarding DMC in their communities.

For other interviewees, the idea and concept of DMC is heavily focused on the issue of incarceration, or "disproportionate minority confinement. As this was explained,

"DMC is trying to figure out what's going on with the kids in our community and especially those of non-white race, whether Latino or African American and finding out if there's a disproportion and for what reasons there is a disproportionate rate of incarceration."

Or, in the words of another system official in a different community,

"My understanding is disproportionate minority confinement refers to the difference, or I guess basically the gap, between the rates of incarceration for minorities and Caucasian citizens."

And, some system representatives displayed a lack of knowledge about what DMC is, with some incorrectly thinking such is an organization, *"I think it's an agency that makes sure that kids that are involved in juvenile issues in school have fair representation when it comes to the legal process or whatever."* Or, most disturbing was the nearly 5 year juvenile court official in one community who when asked "what does DMC mean to you?" responded with *"I'm sorry, I don't really know. I've never heard of the term until I was asked to talk to you."* Luckily this is the exception, although the fact that any experienced juvenile justice system worker would be unaware of the issue may be suggestive of a problem.

DOES DISPROPORTIONATE MINORITY CONTACT (DMC) EXIST BECAUSE OF PREJUDICES?

For the majority of interviewees, the fact that Disproportionate Minority Contact (DMC) exists in the state, and in individual communities, is seen as an unintentional consequence of other system and structural influences. When asked directly whether they believed or had experienced DMC being fueled by prejudice nearly all individuals indicated that they did not see this as an intentionally created situation. The suggestion of the possibility that DMC might be the result of "prejudice" or "discrimination" was nearly universally met with strong denials. Such practices would be illegal, unethical, and *"just not how we do things in this agency."* However, when discussing their experiences, it was interesting to note that many interviewees

suggested a possible role for “biases” or “personal values of difference” that might be at play in many instances.

In responding to a question about whether prejudiced views might be a contributing factor to an over-representation of minority youth in the judicial system several responses of “Oh no, I don't think there is profiling going on” were quickly received. Others contested this view, although interestingly frequently not whole-heartedly, but at least in part. As another interviewee from the same community, and who worked not infrequently hand-in-hand with the previous interviewee said, *“It might be some profiling or some targeting but I don't really think there is a whole lot of that.”*

The idea of racial stereotypes and active profiling activities by system officials is largely dismissed by interviewees as “not likely” or “not possible” because of both “the people who we have working here” and procedural, structural issues pointed to in communities.

However, there are also others who acknowledge that stereotypes and biases may very well play a significant role in DMC, although few are willing to admit that such biases are consciously recognized. Biases, coupled with discretion built into most of the decision points of the juvenile justice system, can seemingly easily lead to biases becoming influential. As one interviewee explained this,

“I guess the way I think about it is that in the process of incarcerating someone that you encounter a number of different decision makers and starting with the first with the arresting officer and then the CDW, I think we have that statewide and the prosecutor and judge I think that there are biases and all of those different parties have a certain level of discretion. Whenever there is discretion, even without intending to, I think people allow their own prejudices to inform how they exercise their discretion. I think that's how we wind up having more minorities incarcerated. It's because I think a lot of time without intending to they allow those biases to seep into their decision making and I think that's why we have people locked up, more minorities locked up.”

Or, in the words of another interviewee, the biases and assumptions all people hold can only be expected to be influential on behaviors.

“I think its attitude and probably the stereotypes that people already believe there is trouble to begin with. When they have contact with minority students or minorities in general they already assume there is something wrong and consequently you talk long enough and the conversation will go south and consequently it will cause an arrest or cause an attack.”

DISPROPORTIONATE MINORITY CONTACT (DMC) IS EXPECTED, BECAUSE BLACK KIDS ARE MORE DELINQUENT

A third theme that emerged from the data arose from the discussion of stereotypes and why interviewees believed DMC existed in the Commonwealth and their individual communities. This theme is that a majority of interviewees acknowledged that minority, especially African American, youth were overrepresented in the juvenile justice system, but this was seen as expected, logical and due to the fact that, as multiple interviewees directly stated, *"You have to remember, black kids are just more likely to commit crime."* A few interviewees suggested that law enforcement officials may spend more time and effort in communities where (poor) African-Americans are concentrated, but even without this practice, a theme regarding the greater likelihood of criminality among African-American youth was prevalent.

Recognizing that there are high numbers of minority youth in contact with the juvenile/criminal justice system the majority of interviewees believed that there was no *"problem"* necessarily, so long as the numbers of youth arrested were disproportionately African Americans. Essentially, what the police report and the people they arrest and process are seen as accurate reflections of the distribution of delinquents/criminals in the community. In the words of one official, *"When you're looking at law enforcement making the contact, at that point I'm tending to think that it's legitimate."*

For others, the idea of more delinquency/criminality being exhibited by African-Americans is not necessarily the problem of DMC, but instead, there is only a problem when the differences in contact with the system differ from the distribution of races at the point of arrest (because, supposedly, arrest reflects realities of crime). In the words of one interviewee working in a juvenile court, it is unfair to point to disproportionate rates when looking simply at the number of individuals in contact with the system in comparison to that racial group's representation of the population. Instead, it is advocated that *"disproportionate"* should be judged by comparison of case outcomes based on race compared to the distribution of offenders associated with particular offenses by race. In this view, so long as the proportion of all juveniles adjudicated delinquent for an "A" offense "that are minority is roughly the same as the proportion of all juveniles sent to detention for "A" offense that are minority, there is no disproportionate problem. Implied here is that we cannot expect to have lower rates of "A" offenses committed by minorities, because minorities are simply more like to commit offenses, including "A" offenses.

Throughout the majority of the interviews conducted the idea that "black kids get into trouble more, so of course they are in the system in great numbers" was implied and

hinted at, although most often not directly stated. One court officer explained this saying

"I honestly feel that, and I'm sure everybody honestly feels, that in our system and in our court everybody is treated the same. That's my honest belief, and I don't feel like there are certainly no conscious efforts to treat anybody different than anybody else. But, I would say it is very accurate to say that African Americans are in particular at disproportionate levels in our court system. I don't think there is any question about that."

Or, expressed a little bit differently, but still pointing to the same conclusion,

"I think there's a tendency on law enforcement to target certain areas and part of it may be socioeconomic. But, the bottom line is they step up their patrols in areas where more crimes are reported already, and that has a tendency to be the black areas and so once they're arrested, you've got the situation to deal with."

More implicitly and more veiled is the comment of one court official that the reason more African American juveniles are present in the judicial system is because "a lot of it has to do with what are the beliefs of the people around you?" Such a view points to the community, family and residential environment from which juveniles entering the judicial system come, and for the disproportionately high numbers of African American juveniles, they primarily come from environments where they are surrounded by other African Americans.

In these ways, juvenile justice system officials and other community leaders take the position that while it may be true that there is a higher than population average rate of African American's in the juvenile/criminal justice system, this is not a "problem" because it is the reality of the distribution of crime/delinquency in society. So, why do we have more black kids in the system? *"Well.....because black kids are more likely to commit crime."*

NOT EVERYONE SEES DISPROPORTIONATE MINORITY CONTACT (DMC) AS IMPORTANT

While most interviewees identified Disproportionate Minority Contact (DMC) as an important and significant issue in the juvenile justice system, the degree to which this was perceived varied by how involved individuals are in efforts to combat and eliminate DMC in their communities. Those individuals who were actively involved in local committees, task forces or other similar efforts tended to see the issue as wide-ranging, important for the entire system and a top priority for their community.

However, the idea that DMC is a high priority in the community is limited to only those who are already involved in the issue. It is recognized that other community members,

those not actively involved in efforts to combat the issue are generally unaware of the issue and its consequences.

"I think the individual departments that it touches are aware and probably in certain instances actively looking for things to do. . . . But, I've never heard anybody in the community talk about it that I didn't bring it up."

More disturbing than recognizing that some (if not most) of the community is unaware and/or unconcerned about DMC is that many front line workers and system officials believe that DMC is something to be addressed, but only because there are mandates and encouragements to do such from "higher ups" especially those "in Frankfort." This leads to a sense that front line workers are being blamed for a problem, told to fix the problem, and yet not being provided with necessary support (especially funding) to do so.

"From the top down, the top could care less. Yeah, the top could care less. They want you to think they are doing the best for the community, 'oh we're doing this, we're doing that,' but it's all fluff and stuff. . . . As it trickles down it becomes a little bit more dedicated. I guarantee you that if you walk up the mayor's office and ask him what DMC is, I guarantee you that he will not be able to tell you one iota about what it is."

"I think it's just to say we're doing it. We're doing 'something.' So, I think that's all well and good, but I think it's just something to say we're working on it."

As an issue that either may or may not be considered important and pressing, some interviewees point to the idea that while they care, and have been involved in the issue and do believe that there needs to be some kinds of changes occur to disrupt the pattern of higher rates of contact and deeper processing of juvenile cases, this is only one of myriad issues that demand one's attention. Or, more directly stated,

"I'm on all of the committees, and I get all of the emails. I get like one hundred and five emails a day on average though, so sometimes I don't see them all. So, my interaction is limited, but with all of the other boards and committees I sit on it kind of both all comes together and touches one another and it gets lost in the shuffle too."

Similarly, another court-based official in a different community commented that,

"Everybody is so busy day to day that you don't take a step back and think outside of the box and identify bigger picture issues. You're just

worried about what on your docket this day and what's coming up later in the week and stuff."

This same idea is applicable as well to the broader community, those who do not work in the juvenile or criminal justice system. Rather, just as with professionals in the field being overwhelmed and having multiple issues with which to contend, so too is there a (even larger) number of issues and problems for community members to be aware of and toward which to direct their efforts and energies.

"I don't think most people in the community have any wide understanding of this as a problemwe have a DMC committee and have discussed DMC issues for a few years. But, you can question how much we've accomplished in that time. But, we've at least discussed it."

In the end, the fact that at least some system actors are misinformed or not very aware of DMC should not be too surprising, for as one interviewee explained, *"I don't think the general public sees it as an issue. They don't see it as an issue. I think it is only those of us who are involved in the system who see it as an issue."* When only those already working on an issue see and believe the issue to be a significant community problem, there are clearly major hurdles to overcome if any progress in combatting the issue is to be achieved.

COMBATTING DMC WILL REQUIRE MORE ALTERNATIVES, PROGRAMS AND RESOURCES

A fifth theme to emerge from the interviews, and one often voiced very clearly as a complaint, was that system officials perceive few options for managing and responding to juveniles who come into contact with the system. This is, in turn, seen as at least a contributing factor to the over-representation of minority youth in detention. Recall the strong undercurrent of belief that *"black kids just get in more trouble,"* and couple this with a belief that once into the flow of the juvenile justice system there are few options for how to handle and respond to a case. In such a situation, then, it is explained as *"natural"* and *"expected"* that minority youth – because they are more likely to commit crimes – are over-represented in confinement statistics.

Consistently throughout the interviews, in all communities and from persons as diverse as law enforcement officers, prosecutors, judges, defense attorneys, DJJ officials and community activists, calls for after-school programs, mentoring programs, recreational activities, anything that could be used as a diversion to detention or even simple processing into the system were common. Primary among these calls were for there to be alternatives to the judicial system to be used by and in the public schools. In each community where we interviewed system officials the public schools were pointed to as the primary source of juveniles entering the system. In most cases interviewees said they believed their case loads were lighter in the summer months, simply because this

means there were not referrals or arrests coming in from the schools. One interview, conducted just a couple of weeks prior to the start of the school year lead a court system worker to say *"I'm concerned now that school is starting you be seeing all of these little, what I call Mickey Mouse, abuse of a teacher, and disorderly conducts and all of that kind of stuff in court."* Or, as one prosecutor succinctly stated, *"I hate to throw schools under the bus, but when we got to summer we'll see a definite down tick in charges."*

The practice of looking to other agencies, other groups and other government entities to point to as a cause, contributor, or hurdle in the way of; was common in many interviews. In a few cases, community, court, detention and other officials pointed to the police, suggesting that the police are the only agency with any true discretion regarding who gets drawn into the system. As entities *"farther along in the process"* many officials claimed they could not and should not be held responsible for any evidence of disproportionate minority contact, because they simply process the cases that come to them. They are unable to weed out cases, or discriminate, because of having few (if any) options on how to handle particular, individual cases.

For a minority of other officials the DMC issue is one that is a product of state (or perhaps federal) government looking at *"simple statistics"* and making judgments about communities. While this may create an environment and culture that may be frustrating and difficult to work within, the problem was frequently seen as being exasperated by a lack of meaningful programs, initiatives, efforts, etc. to address the problem. As best said by one interviewee,

"I think this is a matter of coming down from Frankfort. They see it's a problem, they know it's a problem, but they also see there's not much that can be done about the problem. I just don't feel that there is any effort being done to solve the problem."

SUMMARY OF THE FINDINGS – QUALITATIVE INTERVIEWS – INDIVIDUAL LEVEL

In the end, the vast majority of individuals interviewed for this project recognize that there may be some differences in the rates at which majority and minority youth are brought into contact with the juvenile justice system, but the problem is one that has no available, evident answers. At the very least, officials call for additional means of handling individual decisions about juvenile cases, and not having to rely on detention or *"just sending the kid home."* Simply, *"the bottom line is that I've got to have something other than detention or sending the kid home. And, for the most part, I don't have that."*

As a familiar refrain, the chorus of voices discussing DMC in this project resonated with a call for more “*programs*”. These include prevention, early-intervention, alternatives to prosecution, alternatives to detention and any other possible programs to keep youth busy, to keep youth productively occupied, and to keep youth from being placed in detention. While calling for such, and frequently claiming that only if and when we come up with such opportunities will juvenile crime be meaningfully addressed, so too is the reality of funding and implementation recognized. Most interviewees were less than optimistic that new programs, and new streams of funding, would be available and viable in the foreseeable future.

CHAPTER 5

SURVEY DATA ANALYSIS

After the systems data and interview data was collected and analyzed, a statewide survey was developed to further explore concepts that arose. The survey was a modified version of a California DMC Survey. It included 25 items designed to explore the perceptions of stakeholders across Kentucky. The survey was comprised of four sections:

Section 1: Background Information

Section 2: Knowledge about DMC

Section 3: Perception of DMC Efforts

Section 4: Juvenile Justice Vignettes

The survey was administered via Survey Monkey. A snowball sampling method was used. The researchers identified and contacted juvenile justice system stakeholder groups and asked for assistance in disseminating the survey and recruiting participants. The survey questions are located in Appendix B. The survey contained a number of items or variables. The items covered a number of content areas that included: demographics, knowledge of DMC, perceptions of DMC efforts, and vignettes from juvenile justice. The demographics for the survey data were job title, seniority working in current position (1=less than one year, 2=1-2 years, 3=3-5 years, 4=6=10 years,. 5=11-20 years, 6=21-29 years, and 7 = 30 years or more), seniority working the juvenile justice field (1=less than one year, 2=1-2 years, 3=3-5 years, 4=6=10 years,. 5=11-20 years, 6=21-29 years, and 7 = 30 years or more), biological sex (1=male and 0=female), age (1=18-24, 2=25-34, 35-44, 45-54, 55-64, 65-74, 75 or older), race/ethnic background (1=white, 0=African-American), education (1=less than high school, 2=high school diploma, 3=associate's degree, 4=bachelor's degree, 5=master degree, 6=doctoral degree, 7=other), and county that the respondent resided.

A number of items were designed to capture knowledge. The knowledge items consisted of three open-ended questions and seven closed-ended items. The open-ended items queried respondents about what they believed was the root cause of DMC, what additional factors contributed to the differential minority presence in the juvenile justice system compared to whites, and have there been any significant changes that may contribute to DMC in our jurisdiction. The two closed-ended items consisted of the following: how serious did they think the issue of minority over-involvement in the juvenile justice system is in your city (1=not very serious to 5=very serious), and are there particular minority groups who are especially over-represented in

the juvenile justice system (1=yes and 0=no). The remaining five closed-ended items were designed to capture whether the commonly cited reason for DMC in their area was a weak explanation. The respondents were asked to check whether they felt that reason was weak or strong using a 5-point scale (1=weak explanation and 5=strong explanation). These items included: 1) minority youth commit more crime, 2) minority youth do not have the same opportunities to participate in delinquency prevention and early intervention programs as non-minority youth, 3) Minority youth aren't treated the same as nonminority youth by police, judges, and other juvenile justice system actors, 4) Legislative and administrative policies such as "zero tolerance policies" can end up affecting minority youth differently than nonminority youth, and 5) When data are collected in your jurisdiction that indicates a disproportionate presence in part of this system, how reliable do you believe this data is? (1 indicates not reliable at all, 5 indicate extremely reliable).

The perception of DMC efforts contained a number of items. One item in this section was open-ended, and is follows: What strategies or programs are you aware of, if any, to reduce disparate minority involvement in the juvenile justice system in your city? (Please list any current *and/or* past efforts that you know of). Two sets of items contained information about perceptions of awareness and commitment to reducing DMC by the following agencies: police department, juvenile court, county attorney's office, other you service agencies, youth detention services, and school system. The respondents were asked to check whether they thought the agency had a (1) very low commitment, (2) low commitment, (3) neutral/unsure, (4) high commitment, or (5) very high commitment.

In addition to this information, the respondents were asked to respond to a vignette. The vignette was part of a larger experimental design. In each vignette, the race and biological sex of the actor was experimentally manipulated. The vignettes are as follows:

Chris and Kelly are having a conversation while walking down a hallway in a high school. Chris, a (Black/White) (Male/Female) bumps into Jason who is at his locker. Jason drops his books, and he spins around and yells a Chris. The two begin screaming at each other. The school resource officer comes up and takes Chris away and makes a referral to the criminal justice authorities.

Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a (Black/White) (Male/Female), and Jeff is a White male. When the authorities arrive, (Chris/Jeff) is taken to into custody.

After reading the vignette, the respondents were asked whether they agreed with the actions of the school resource officer, or agreed with taking the teenager into custody.

ANALYSIS PLAN

The analysis plan for this study took place in three ways. First, the descriptive statistics for the items used were calculated and presented along with bar graphs that show the count for the respective answer choices of the items. Second, two analysis of variance (ANOVA) analyses were performed to determine the differences in the answers to the vignettes. Third, a series of cross-tabulations were performed to examine the items for racial differences. The racial differences were between the respondent and their answer choices. In the conservation of space, the only cross-tabulations that were presented were those that were statistically significant.

DESCRIPTIVE STATISTICS

Figure 1 presented the results for the item that asked the respondents to indicate their current position. Forty-three percent of the respondents indicated that they were court designated workers (CDW). This was the largest percentage of all the positions that were respondents.

FIGURE 1. CURRENT JUVENILE JUSTICE WORK POSITION

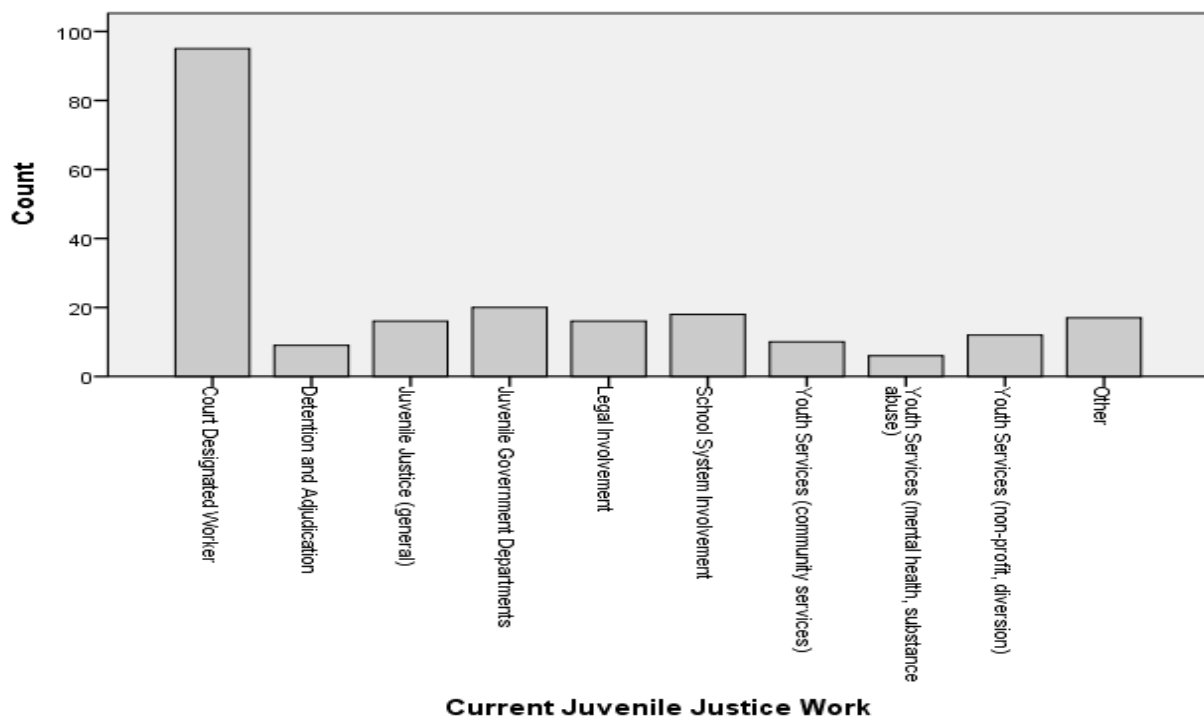


FIGURE 2. SENIORITY IN CURRENT POSITION

The average, however, was 3-5 years of time working in the current position. The modal category was 6-10 years had the higher percentage of respondents' seniority.

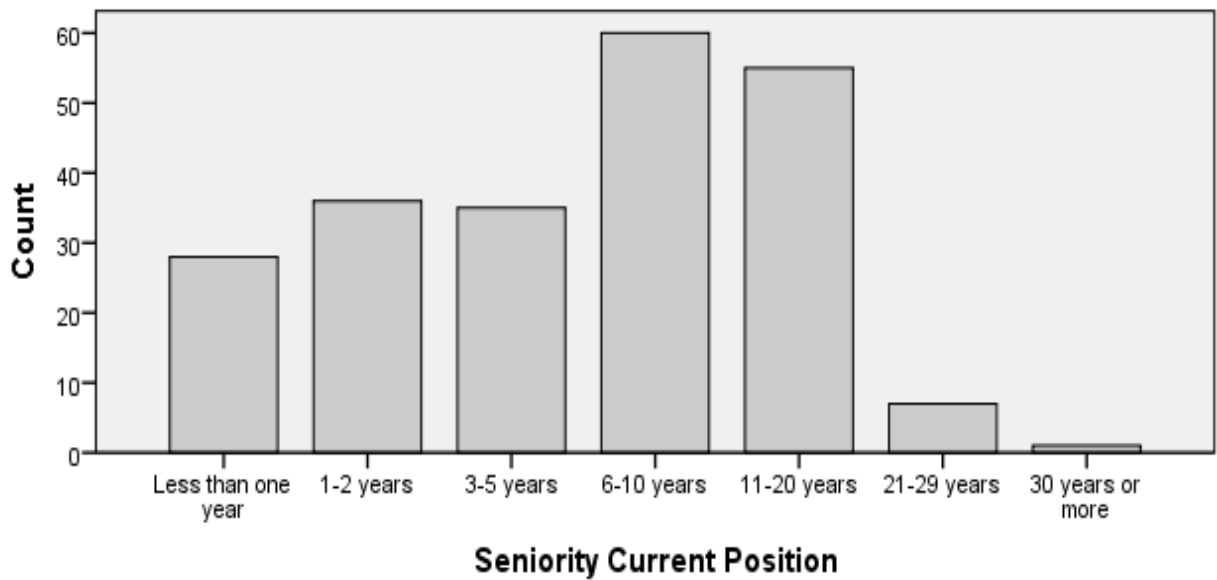
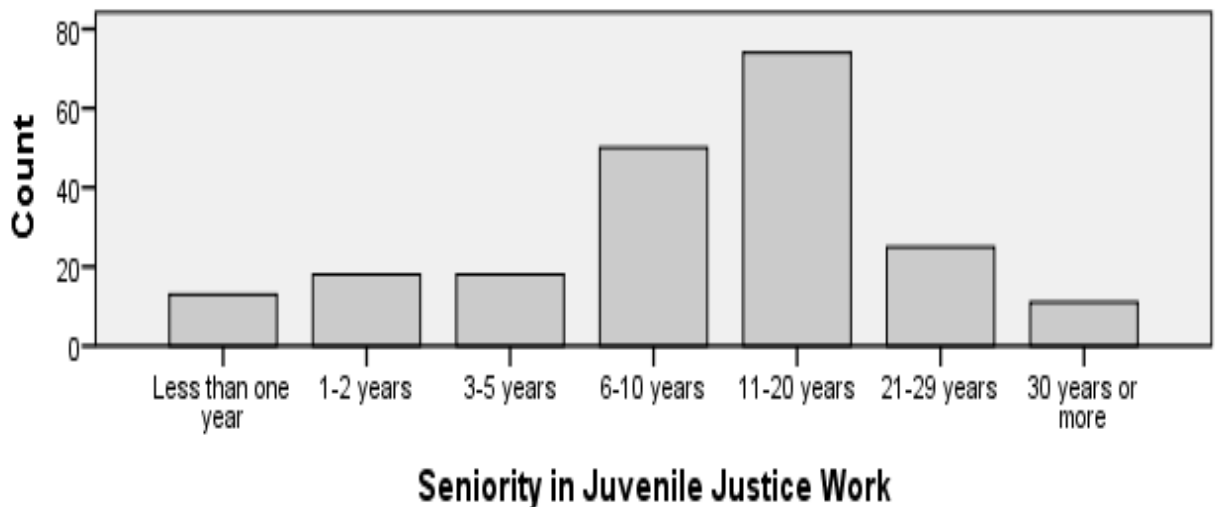


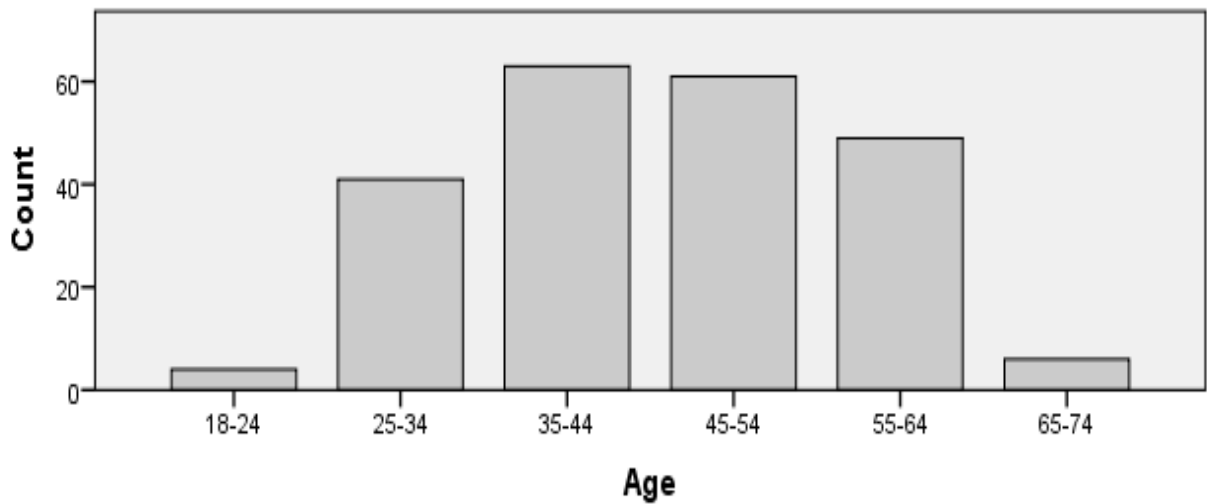
FIGURE 3. SENIORITY IN JUVENILE JUSTICE WORK

The average amount of seniority in juvenile justice work was 6-10 years, but the modal category was 11-20 years.



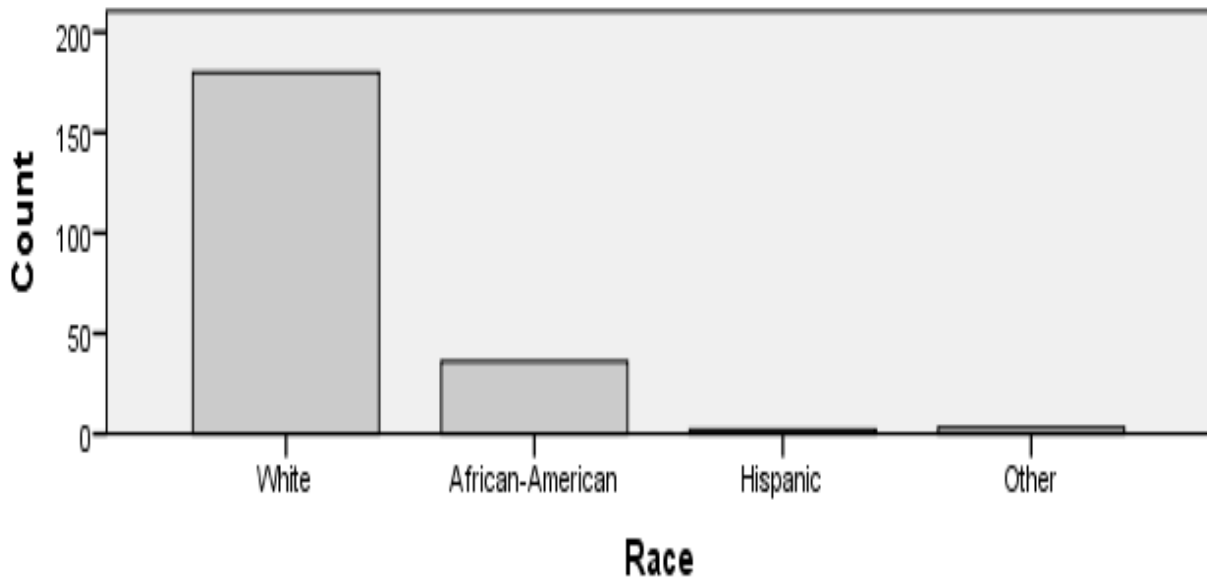
The majority of the respondents in the study were females (71%). The average age of the respondents was 35-44, and this was the modal category (see Figure 4).

FIGURE 4. AGE OF RESPONDENTS



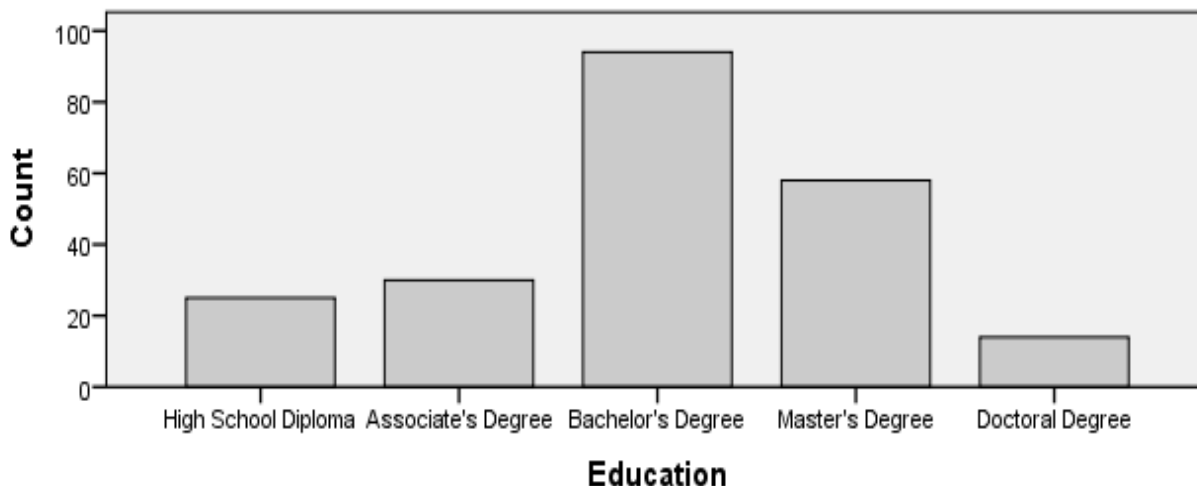
Next, Figure 5 presented race. The highest percentage of race was white that was followed by African-American. Hispanic and other were the smaller categories.

FIGURE 5. RACE OF RESPONDENTS



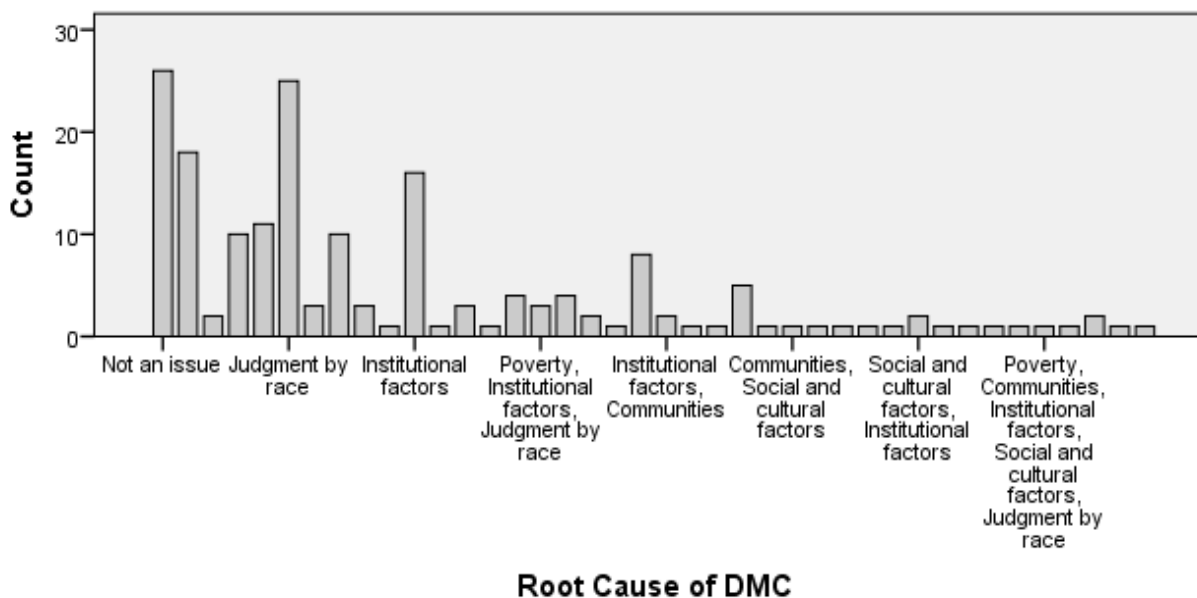
The mean education level of the respondents was a bachelor degree, and Figure 6 showed that this was also the modal category.

FIGURE 6. EDUCATION LEVEL OF RESPONDENTS



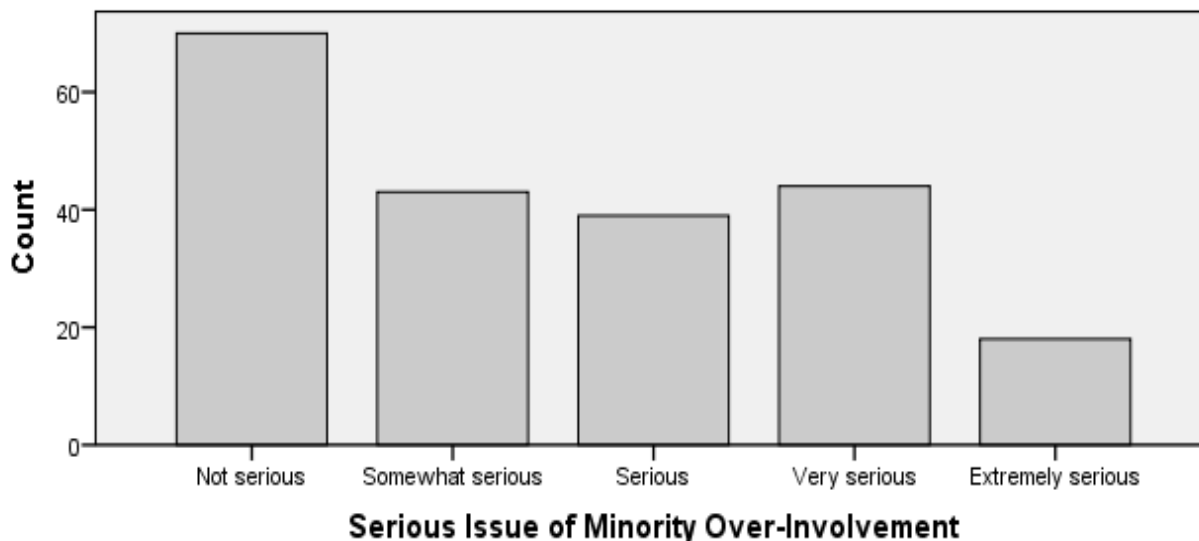
The respondents were asked to enter what they considered to be the root cause of disproportionate minority confinement (DMC). Figure 7 showed that not an issue and judgment by race had the highest percentages.

FIGURE 7. ROOT CAUSE OF DMC



The respondents were asked to rate how serious do you think the issue of minority over-involvement in the juvenile justice system is in your city. Figure 8 showed that the respondents indicated that was not serious.

FIGURE 8. SERIOUS ISSUE OF MINORITY OVER-INVOLVEMENT



The respondents were asked if there were particular minority groups who are especially over-represented in the juvenile justice system. Figure 9 showed that the respondents felt yes there was particular minority groups over-represented in the juvenile justice system.

FIGURE 9. MINORITY GROUPS OVER-REPRESENTED IN THE JUVENILE JUSTICE SYSTEM

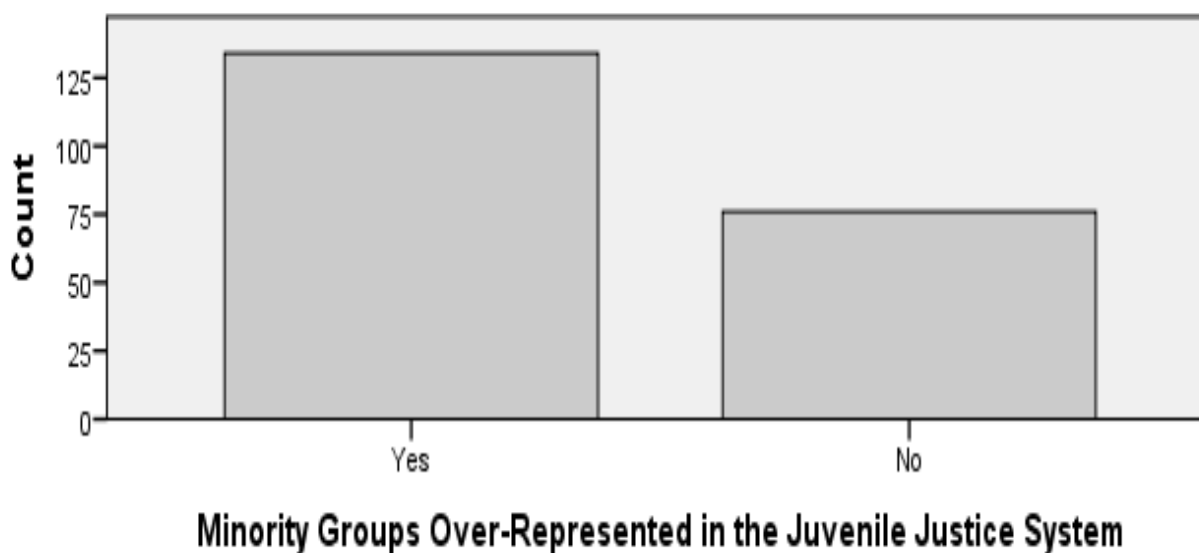


Figure 10 showed minority youth commit more crime was a weak explanation of DMC. The second highest category was a normal explanation of DMC.

FIGURE 10. MINORITY YOUTH COMMIT MORE CRIME

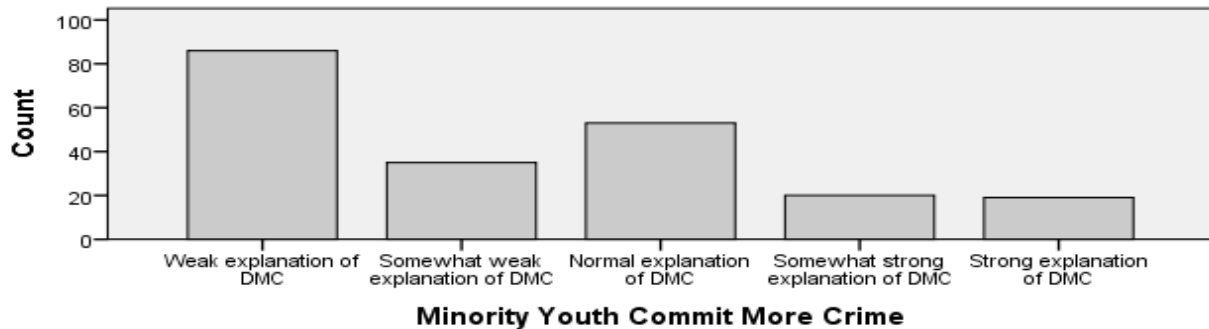


Figure 11 showed that the highest count for minority youth not having the same opportunities as nonminority youth was a weak explanation. The second highest category was normal explanation of DMC.

FIGURE 11. MINORITY DO NOT HAVE THE SAME OPPORTUNITIES

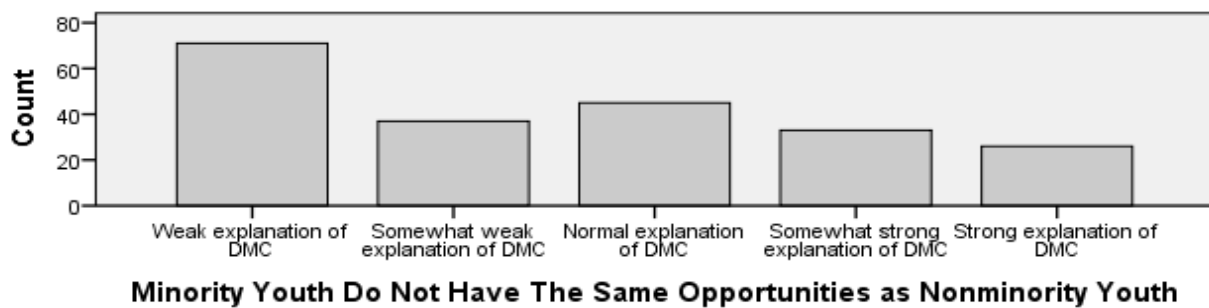


Figure 12 showed that the highest count for the explanation that minority youth are not treated the same as nonminority youth was that it was a weak explanation. The second highest category was that it was a somewhat strong explanation of DMC.

FIGURE 12. MINORITY YOUTH ARE NOT TREATED THE SAME

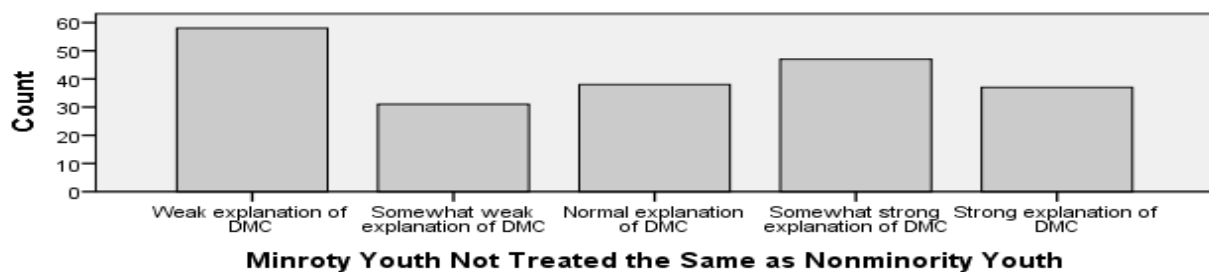


Figure 13 showed that the policies affecting minority youth differently than nonminority youth was a weak explanation. The second highest category was strong explanation.

FIGURE 13. POLICIES ARE DIFFERENT

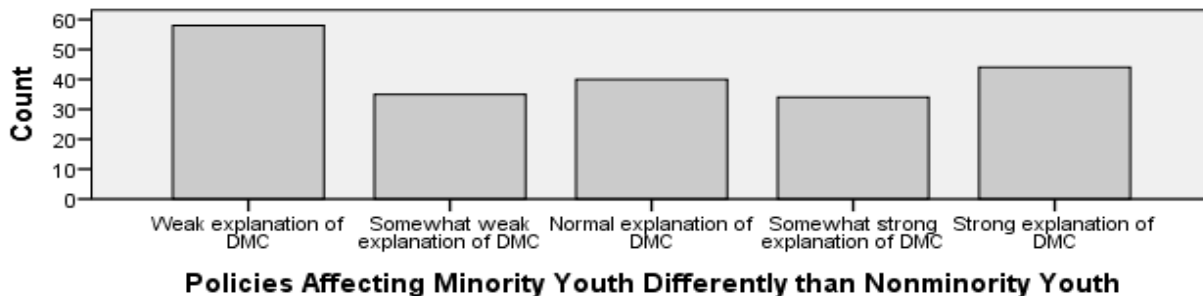


Figure 14 showed that no significant changes provided contributions to DMC had the highest category.

FIGURE 14. SIGNIFICANT CHANGES THAT CONTRIBUTE TO DMC

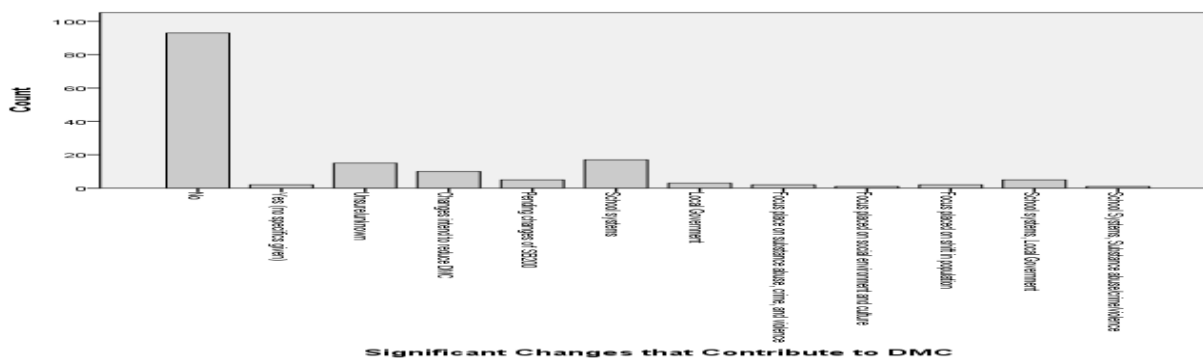


Figure 15 showed that the respondents felt that the data that demonstrated DMC was reliable. The second highest category was that it was somewhat reliable.

FIGURE 15. RELIABILITY OF DATA

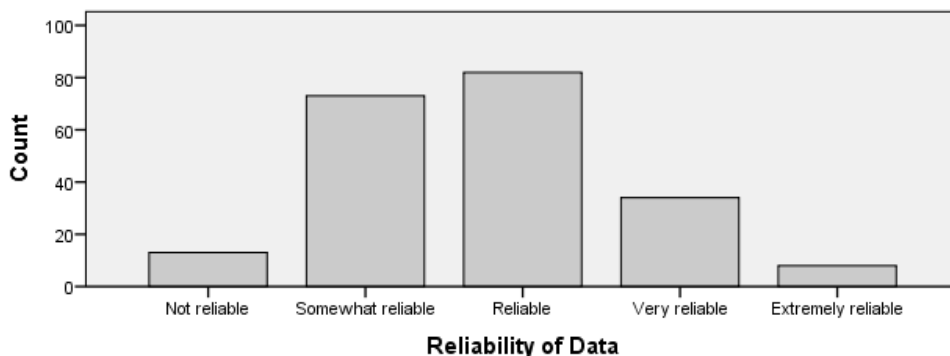
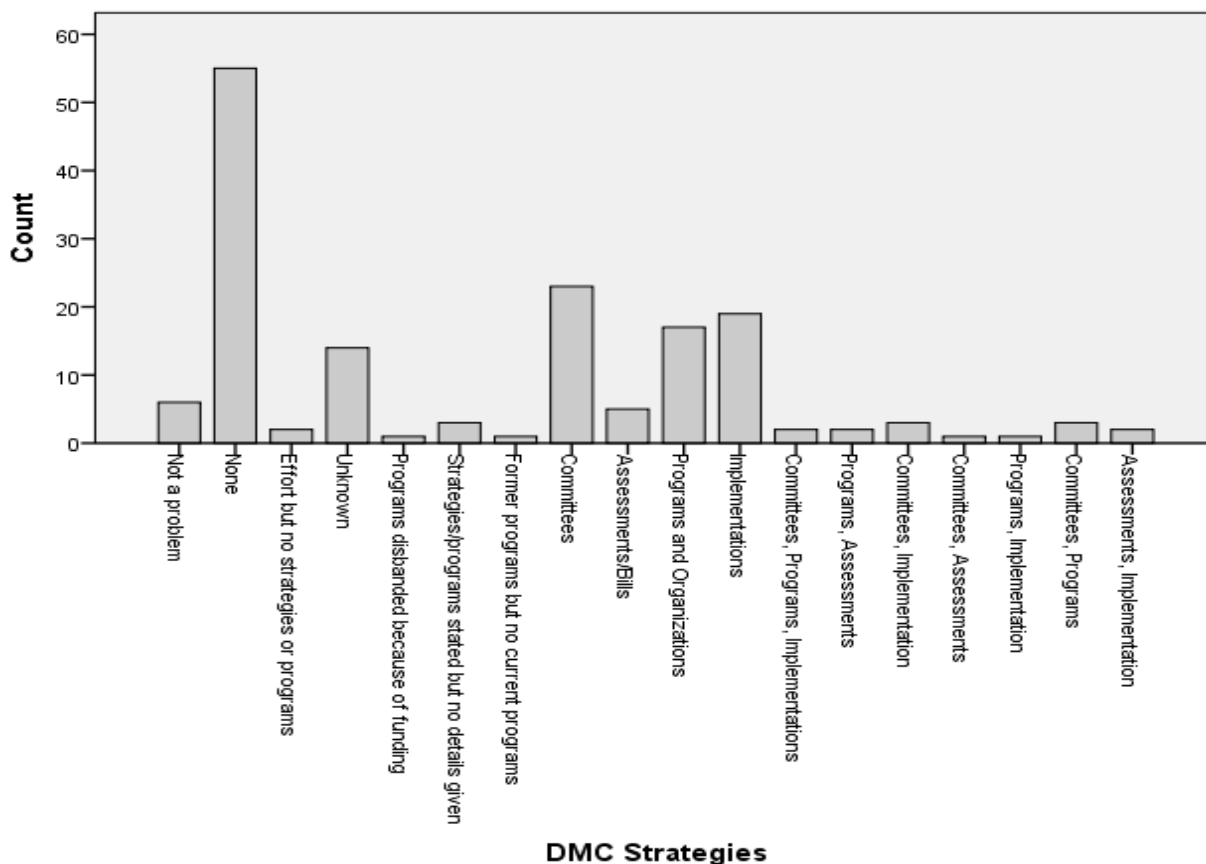


Figure 16 showed that the respondents were not aware of programs to reduce disparate minority involvement in the juvenile justice system in their city.

FIGURE 16. RESPONDENTS UNAWARE OF PROGRAMS TO REDUCE DMI



Figures 17 through 22 showed the respondents were neutral in their belief that these agencies were aware of DMC in their city. For each of these figures, the second highest category was a high commitment.

FIGURE 17. POLICE DEPARTMENT AWARE OF DMC

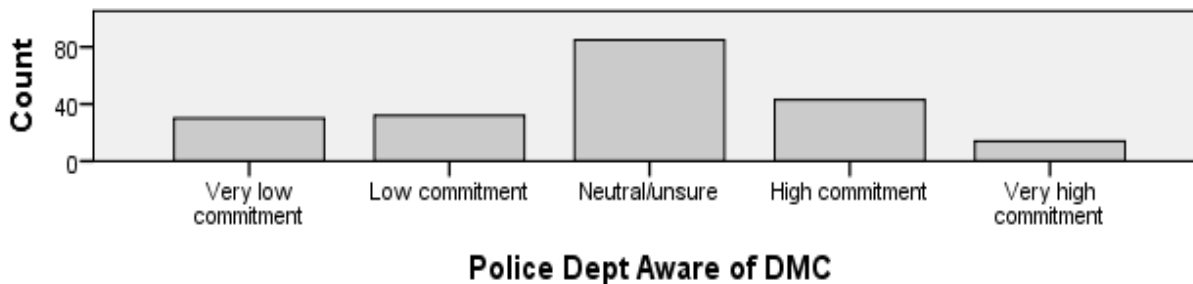


FIGURE 19. JUVENILE COURT AWARE OF DMC

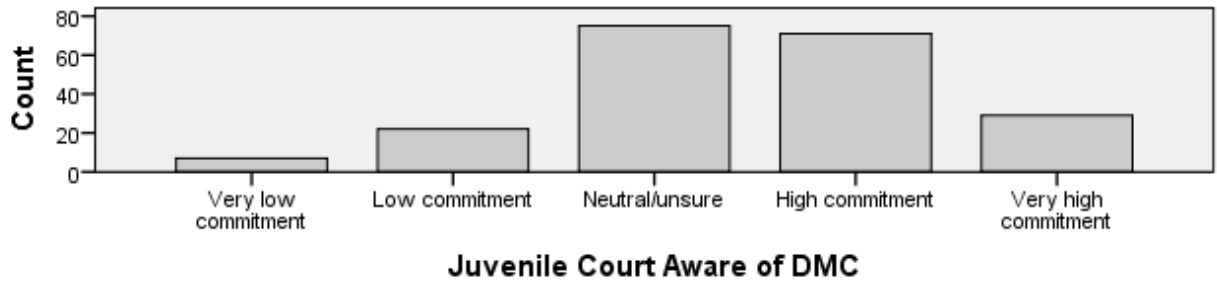


FIGURE 20. COUNTY ATTORNEY'S OFFICE AWARE OF DMC

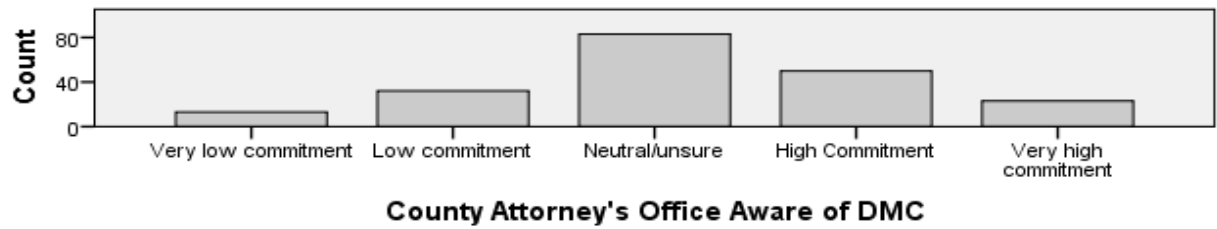


FIGURE 21. OTHER YOUTH SERVICES AGENCIES AWARE OF DMC

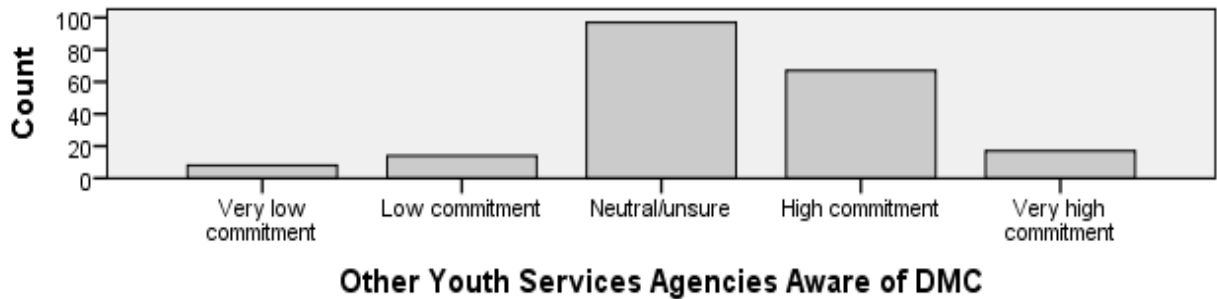


FIGURE 22. YOUTH DETENTION SERVICES AWARENESS OF DMC

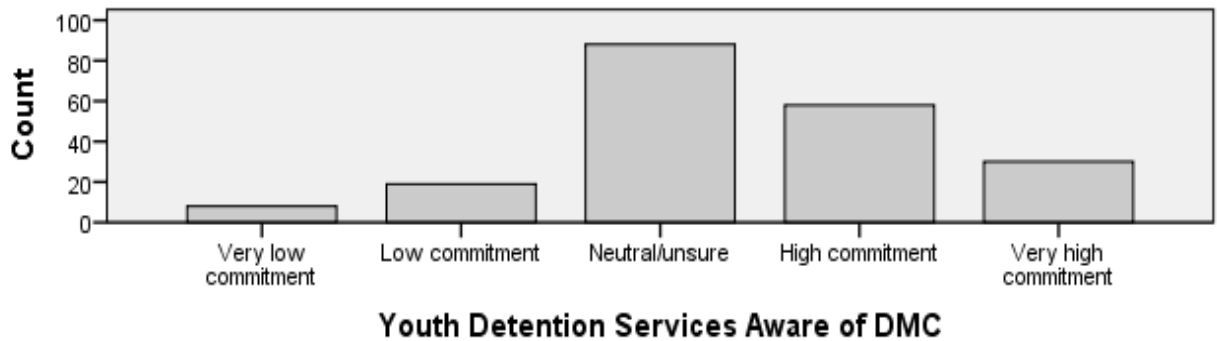
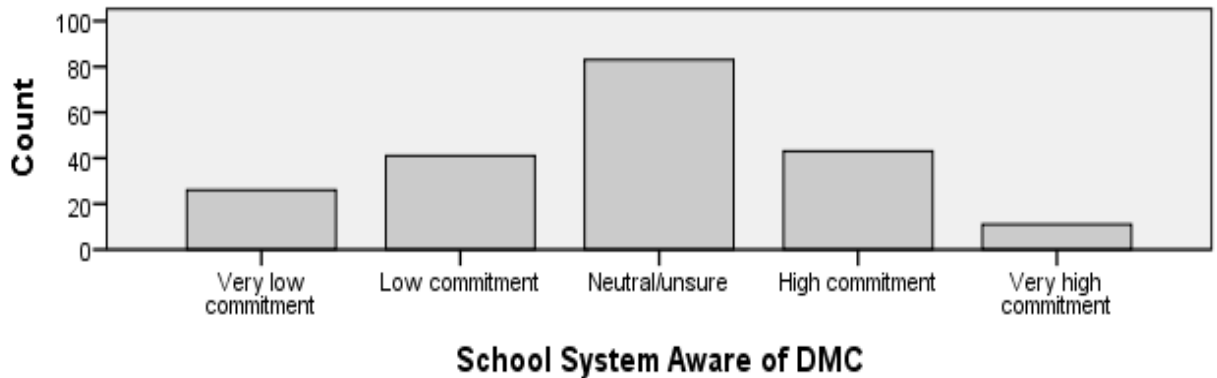


FIGURE 23. SCHOOL SYSTEM AWARE OF DMC



Figures 24 through 29 showed that the respondents were neutral in their belief that these agencies were committed to reducing DMC. For each of these figures, the second highest category was a high commitment.

FIGURE 24. POLICE DEPARTMENT COMMITTED TO REDUCING DMC

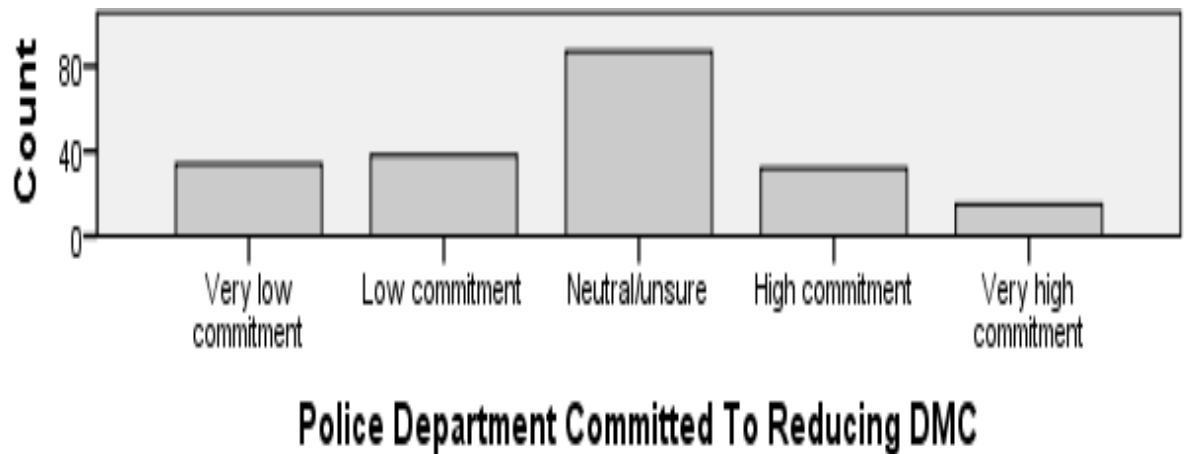


FIGURE 25. JUVENILE COURT COMMITTED TO REDUCING DMC

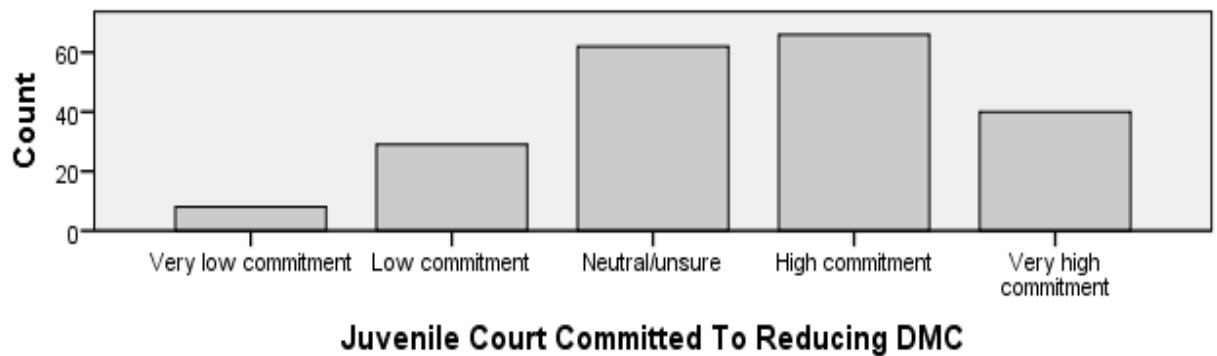


FIGURE 26. COUNTY ATTORNEY'S OFFICE COMMITTED TO REDUCING DMC

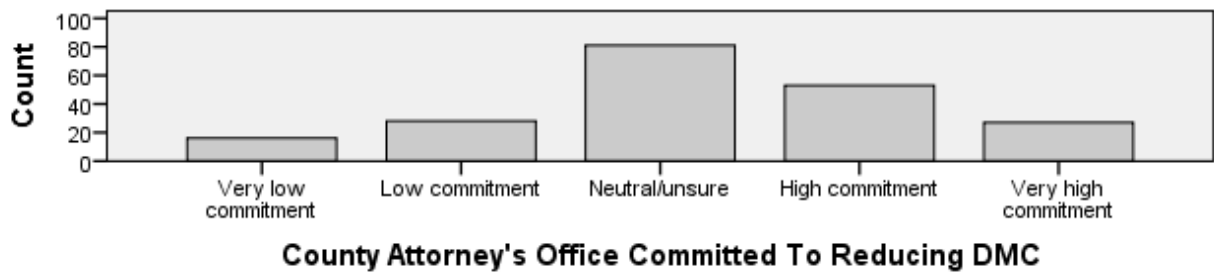


FIGURE 27. OTHER YOUTH SERVICES AGENCIES COMMITTED TO REDUCING DMC

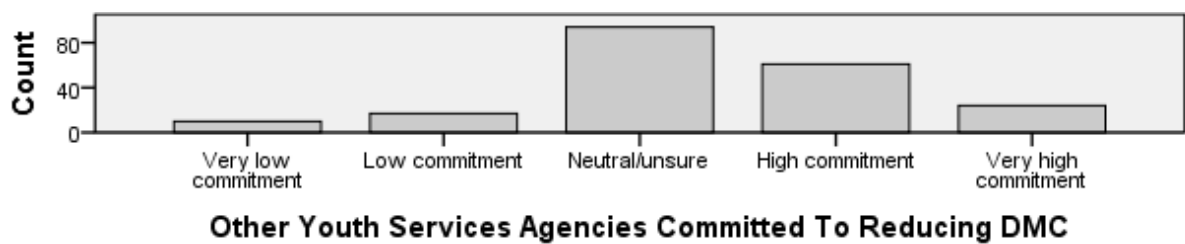


FIGURE 28. YOUTH DETENTION SERVICES COMMITTED TO REDUCING DMC

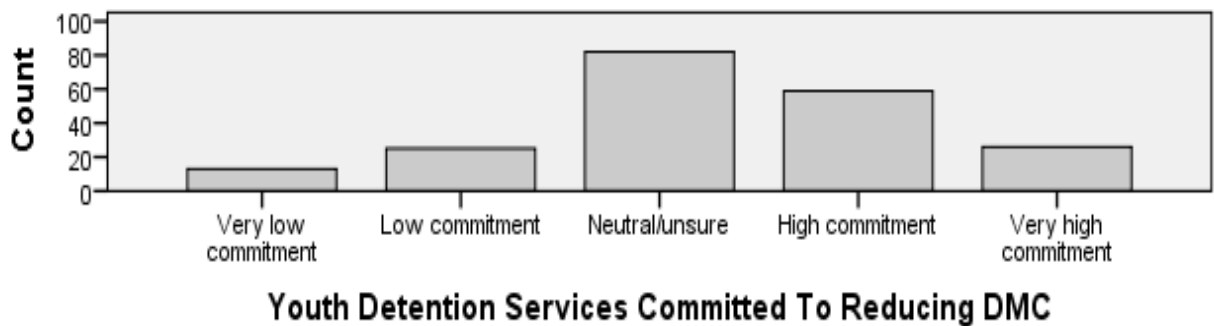
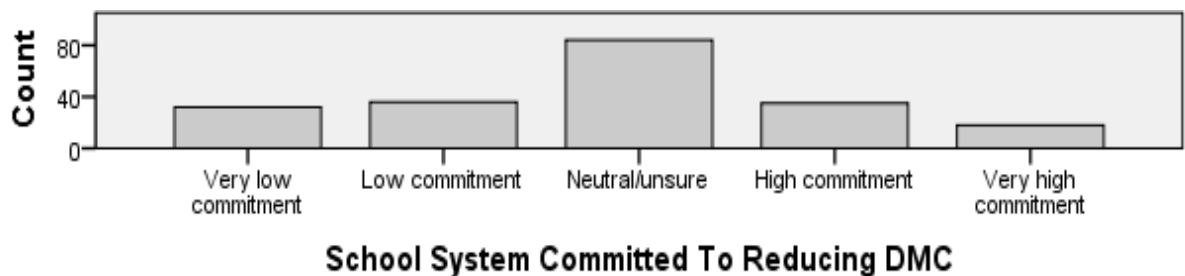


FIGURE 29. SCHOOL SYSTEM COMMITTED TO REDUCING DMC



ANOVA ANALYSIS

To determine if there are differences in the two vignettes, analysis of variance was performed. The first vignette is as follows:

Chris and Kelly are having a conversation while walking down a hallway in a high school. Chris, a (black/white) (male/female) bumps into Jason who is at his locker. Jason drops his books, and he spins around and yells at Chris. The two begin screaming at each other. The school resource officer comes up and takes Chris away and makes a referral to the criminal justice authorities.

The ANOVA analysis did not show any differences between the experimentally manipulated conditions in the vignette. In statistical terms, the f-statistic was not significant. This indicates that the average responses for each set of conditions were not different from one another.

The second vignette is as follows:

Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a (black/white) (male/female), and Jeff is a white male. When the authorities arrive, (Chris/Jeff) is taken into custody.

The ANOVA analysis showed that significant mean differences were present with this vignette. In other words, the f-statistic was significant (f-value = 3.83, p=0.01). This indicates that there were mean differences between the experimentally manipulated conditions. Using a Tukey's B Post Hoc test, the differences were between a black male and a white male named Chris.

CROSS-TABULATIONS

The cross-tabulations for this study examined the racial differences among some of variables. For instance, Table 88 showed the racial differences that came from the root cause item. Specifically, this table shows the racial comparison of whether DMC is not an issue or whether it has a root cause. The table showed that no African-American felt that DMC was not an issue, and that twenty-six (26) White respondents felt that it was not an issue. All of the African-Americans felt that there was a root cause to DMC. Further, almost eighty-two percent (82%) of the White respondents felt that there was root cause to DMC.

Table 89 presented the cross-tabulation for the racial differences in perceptions of weak or strong explanation for DMC in the context of minority versus nonminority youth having the same opportunities. The largest percentage of African-Americans suggested that this was a somewhat strong explanation of DMC, but the highest

percentage of Whites suggested that this was a weak explanation. These differences are statistically different.

TABLE 90. POLICIES AFFECT MINORITY YOUTH DIFFERENT THAN NONMINORITY YOUTH

			White		Total
			.00	1.00	
Policies Affect Minority Youth Different than Non-Minority Youth	Weak explanation of DMC	Count	2	54	56
		% within White	5.6%	32.3%	27.6%
	Somewhat weak explanation of DMC	Count	1	34	35
		% within White	2.8%	20.4%	17.2%
	Normal explanation of DMC	Count	11	29	40
		% within White	30.6%	17.4%	19.7%
	Somewhat strong explanation of DMC	Count	5	26	31
		% within White	13.9%	15.6%	15.3%
	Strong explanation of DMC	Count	17	24	41
		% within White	47.2%	14.4%	20.2%
Total	Count	36	167	203	
	% within white	100.0%	100.0%	100.0%	

Chi-square = 31.50, P=0.00, df 4

The table presented to the left (Table 90) indicates the results that legislative and administrative policies such as “zero tolerance policies” can affect minority youth differently than nonminority youth. The highest percentage of African-Americans felt that this was a strong explanation, but the highest percentage of Whites felt that this was a weak explanation. These differences are significant.

Table 91 presented the racial differences that minority

over-involvement was a serious issue. Highest percentage of African-Americans felt that this was an extremely serious issue. The highest percentage of Whites felt that this was not a serious issue.

Table 92 presented the racial differences in the results that the data collected on DMC are reliable. The results showed that the highest percentage of African-Americans felt that the data were somewhat reliable, but whites felt that the data were reliable. These differences were significant.

Table 93 showed the results for the racial differences that the police department was aware of DMC. The results showed that the highest percentage for African-Americans was neutral or unsure, and the same category had the highest percentage for Whites. These differences were significant.

SUMMARY OF THE FINDINGS – SURVEY DATA ANALYSIS

The majority of respondents in the study were Court Designated Workers (43%), with an average time inside of their current position at 3-5 years and the average amount of seniority in juvenile justice work at 6-10 years. Respondents were mostly female (71%) with an average age of 35-44 years old; the majority of respondents were White,

followed by African-American. The level of education indicated that the majority of respondents had a Bachelor's degree.

In response to what the respondents considered to be the root cause of disproportionate minority confinement, the majority answered that it was not an issue, followed with judgment by race. When the respondents were asked how serious they thought the issue of minority over-involvement was in the juvenile justice system within their city, the majority indicated that it was not serious. Respondents were then asked if there were particular minority groups who are especially over-represented within the juvenile justice system, and the majority consensus was yes. Next, the respondents were asked about possible explanations of DMC. The majority of respondents felt that "minority youth commit more crime," "minority youth do not have the same opportunities as nonminority youth," "minority youth not treated the same as non-minority youth," and "policies affecting minority youth differently than non-minority youth" were all weak explanations of DMC.

Respondents were then asked if there had been any significant changes within their area that might contribute to DMC in the jurisdiction, the majority answered no. In consideration of reliability of the data, when respondents were asked how reliable they believed data demonstrating DMC in their jurisdiction has been/would be, the majority answered that the data was/would be reliable. Regarding awareness of programs to reduce disparate minority involvement in the juvenile justice system in their city, the majority answered that they were not aware of any such programs.

When respondents were questioned on awareness of DMC within specific agencies in their jurisdiction, the majority answered that they were neutral in their belief that police departments, juvenile courts, county attorney's office, other youth services agencies, youth detention services, and school systems were aware of DMC in their city. Additionally, when asked about the commitment of the above agencies to reducing DMC, the majority of respondents answered that they were neutral in their beliefs that those agencies were committed to reducing DMC.

For the vignettes, while the first showed that the average responses for each set of conditions were not different than one another, the second showed mean differences within the conditions, specifically between a black male and a White male named Chris.

From cross-tabulations, multiple questions revealed a racial difference in responses. While no African-American felt that DMC was not an issue, twenty-six (26) white respondents felt that DMC was not an issue. All of the African-American respondents and eighty-two percent (82%) of White respondents felt that there was a root cause to DMC. Within the questions regarding possible explanations of DMC, several questions

presented these differences as well. For the explanation that stated “minority youth do not have the same opportunities as nonminority youth”, the largest percentage of African-Americans suggested that this was a somewhat strong explanation of DMC, while the highest percentage of whites suggested that this was a weak explanation. For the explanation stating that “policies affect minority youth differently than nonminority youth”, the highest percentage of African-Americans felt that this was a strong explanation of DMC, while the highest percentage of Whites felt that this was a weak explanation. When asked if minority over-involvement was a serious issue, the highest percentage of African-Americans felt that this was an extremely serious issue, while the highest percentage of whites felt that this was not a serious issue. As for the reliability of DMC data, while the highest percentage of African-Americans felt that the data was somewhat reliable, the highest percentage of Whites felt that the data was reliable. Finally, when asked how aware the police department in their jurisdiction was of DMC, both the highest percentages of African-Americans and Whites felt neutral or unsure of that agency's commitment.

CHAPTER 6

QUALITATIVE INTERVIEWS – GUIDED CONVERSATIONS

In addition to the data collection and analysis above, a fourth component was added to the study. As recommended in the *DMC Technical Assistance Manual*, focus groups can be used after quantitative research to further explore specific problems identified in the juvenile justice system. These focus groups, or guided conversations, were added to supplement this research once the survey data collection was completed. The purpose was to include system practitioners in brainstorming sessions to collect their suggestions for addressing the problems found and to inquire about potential solutions. These different perspectives represent the various justice agencies and stakeholders at different levels who will bear the responsibility of implement recommendations to address DMC in the state.

METHODS

The two focus group sessions lasted between forty-five (45) and sixty (60) minutes, and were both conducted at the Administrative Office of the Courts central office in Frankfort, KY. The focus groups consisted of thirty-two (32) participants from two (2) statewide groups. One group is a governor appointed juvenile justice advisory group. According to their website, the Juvenile Justice Advisory Board (JJAB):

Members of the board are appointed by the Governor with no fewer than 15 members and no more than 33 members. A majority of the members cannot be full-time employees of any federal, state, or local government and at least one-fifth are under age of twenty-four when appointed. The Juvenile Justice Advisory Board is chaired by a non-governmental employee elected by the Board.

The second is a statewide subcommittee of nominated juvenile justice stakeholders. The SEJAY is a subcommittee of the state advisory group, the Juvenile Justice Advisory Board (JJAB). Since 1999, the SEJAY has worked to:

Advise the JJAB and the general public of the Commonwealth of Kentucky on the issue of disproportionate minority representation in the juvenile justice system, and its causes and remedies; advocates for the full implementation of the Juvenile Justice Delinquency and Prevention Act, especially the fourth [DMC] core requirement; develops policy and funding recommendations relating to this issue; and supports efforts to improve the quality of juvenile justice for all Kentucky citizens.

The composition of both groups is made public and for the sake of anonymity the exact demographics of the participants is omitted from this report. However, the state

advisory group consists of 32 members. The majority of the members are white females (63%). Twenty-five percent (25%) of the membership are white males, nine percent (9%) are black males, and three percent (3%) are unknown race females. The subcommittee has 18 members with thirty-nine percent (39%) of the membership comprised of White females. There is an equal distribution of Black and White males (both 22%) and approximately seventeen percent (17%) of African-American females on the DMC Subcommittee.

The participants were recruited by DJJ personnel who staff the respective groups. The guided conversations occurred immediately after they held their regularly scheduled meetings. The participants were instructed on informed consent and required to sign the form to indicate consent to participate in the study. The conversations were confidential, and participants' identities are not reported with quoted responses.

FINDINGS

Reported below are the findings of the guided conversations. Similar to the stakeholder interviews in Chapter 4, the findings are organized by themes. These themes are:

1. DMC is less about stereotypes and more about implicit and structural bias.
2. Geographical resource allocation and culture impacts justice.

Overwhelmingly, the discussants did not believe that DMC was a result of “stereotyping.” Rather, they believed that implicit bias produces the disparities that are prevalent in Kentucky’s juvenile justice system. DMC is less about stereotypes and more about implicit and structural bias. Implicit bias refers to the “unconscious associations we make about racial groups” (Richardson & Goff, 2013, p. 2627). As a component of psychology, implicit bias or implicit social cognition is the study of unconscious mental processes that can impact decisions and actions toward social groups (Richardson, 2011). These mental processes affect decision making by forming automatic connections between concepts. Implicit racial biases:

“...are unintentional because they are not planned responses; involuntary because they occur automatically in the presence of an environmental cue; and effortless, in that they do not deplete an individual's limited information processing resources. Those characteristics can be contrasted with conscious processes, or mental activities of which the person is aware, that they intent, that they volitionally control, and that require effort (Graham & Lowery, 2004, 483).”

Discussants appeared more comfortable with the term implicit bias and stated:

“Stereotype is too strong of a word...prefer implicit bias...assumptions based on things may be inaccurate. Conversations are important...the way we talk creeps into decision making.”

"Implicit bias puts it into terminology you can understand and can better make change. If you can't understand it's different to foster change."

Discussants displayed discomfort with the term stereotype through statements such as *"a better word is implicit bias."* References to *"good people"* in the system were also made. Some felt that stereotype *"misconstrues"* and *"doesn't explain it in an active way."* Another respondent suggested that *"Everyone one of us is biased. Those things get built in and easily creep in our decision making."*

Structural bias, a related concept to implicit bias, also emerged as an explanation for the different experiences of minority youth in Kentucky. Structural bias is a macro-level concept that focuses on "social practices and patterns of interaction among groups within [an institution] that, over time, exclude non-dominant groups" (Kusnetz, 2013, p. 47). The history of the U.S. juvenile justice system clearly shows evidence of first generation racism in the development of responses to juvenile delinquency. Over the years, cultural shifts and changes in laws led to a *"second generation"* racism that appears to be structurally embedded in social programming and practices rather than blatant and overt (Kusnetz, 2013). For example, Ward (2012) notes that as the juvenile justice system was being developed for white youth, black youth were part of the convict leasing system, particularly in the southern states. Modern day juvenile justice has prima facie fairness. The laws do not overtly discriminate based on race. Rather, as one discussant argued:

"We have a political economy not designed to meet the needs of everyone - over allocation of social control, under allocation of resources, huge numbers of people making bad decisions about kids, criminalizing behavior that shouldn't be criminal and implicit and institutional biases. [It is] difficult to deal with this issue. Look at where we are [after] 30 years? Have we made any progress?"

In the discussion, DMC as a result of structural, institutional and individual biases resulting in people making bad decisions. The decision makers were distinguished as *"not necessarily bad people"* but rather actors who are not having discussions and institutions that are not doing their jobs. The proposed solution to these biases is to have a better understand of individual's behavior and justice agency personnel are better prepared to make informed decisions.

While the discussants preferred avoiding the term *"stereotypes,"* research finds that implicit bias actually stems from "repeated exposures to cultural stereotypes" (Richardson & Goss, 2013, p. 2626). One discussant remarked: *"look at the history when was [one's] exposure to African-Americans? We have counties whose exposure is just through TV"*. This comment somewhat touches on the role of cultural stereotypes and where justice professionals obtain their information about different racial groups. This is

of special consideration in a state like Kentucky whose relative rate indices show DMC seems to be a more urban phenomenon.

This leads to the next prevailing theme from the guided discussions – the impact that geographical resource allocation and culture has on juvenile justice. Discussants clearly distinguished the culture of urban parts of the state versus the rural and suburban. This discussion primarily centered on the differential processing of youth depending on their geography. Several discussants mentioned specific nuances in their counties ranging from staff changes to the frequency of juvenile judge's rotations in and out of the juvenile docket. One respondent suggested the changes in his/her county were *"headed in the wrong direction"* for addressing DMC.

"Minority population in rural areas is usually lower. Hispanic population in rural setting is more than AFAM. [In] poor areas/areas of poverty they may give white kids a break."

Others felt that geographical culture appeared to impact DMC in more indirect ways. These comments generally focused on how the homogeneity of smaller communities impact justice. It was suggested that these differences *"could be a process of the agency."* Perhaps the geographical differences in juvenile justice agencies exist because *"suburban/urban people don't know each other"* but in rural areas justice actors may *"know the family,"* so decisions are based on familiarity. Other summary statements related to geographical culture were:

- *Cohesive communities may have less fear*
- *Communities isolate certain members*
- *We lost the village that raised the child*

The observations made in the discussions comport with Feld's (1991) research on *'justice by geography'* in Minnesota. While only one discussant mentioned urban crime being different from rural crime as a possible explanation, Feld's research suggests that the culture of urban juvenile justice agencies may lead to more severe practices in the urban juvenile justice process. Though juvenile justice procedural rules appear to be fairly consistent across the state; urban areas tend to be more heterogeneous and diverse with a justice process marked with formality, bureaucracy and procedural due process (Feld, 1991). As it relates to juvenile justice and geographical culture, not much literature exists beyond Feld (1991).

In addition, to the actual location of a juvenile justice agency, the related concept of differential resource allocation also arose. One discussant stated: *"rural kids get committed earlier [and] urban kids have more resources."* Further, the discussant suggested that children residing in urban areas should benefit from the resources available in their geographical location. Another discussant in the same discussion

groups related that he/she *"live[s] in a county with no public transportation [with] lots of migrant kids."* Connecting youth with resources was an identified problem. The discussant seemed to believe that economics played a large part in the inclusion of rural kids and stated: *"...rural kids are really not part of the village because they don't have the resources."* Another sentiment shared concerned the attitude of justice professionals in believing urban and suburban kids commit different types of offenses. They also suggested that suburban kids *"are more sophisticated if they commit crimes"* and have more resources to navigate the system.

SUMMARY OF THE FINDINGS – QUALITATIVE INTERVIEWS – GUIDED CONVERSATIONS

In sum, the guided conversations represented the perceptions of a segment of the statewide level juvenile justice and DMC leadership, as follow up to the preceding data collection and analysis efforts. The two prevailing themes add to the summarization of the entire project and serve to validate the contributing mechanisms that emerged throughout this process. In addition, apparent next steps to addressing DMC across Kentucky appear to be embedded in the need to have safe spaces for open and honest communication about the issue. While the two groups have some overlapping membership (no member participated in both), the organizational culture of the groups and the climate in which the guided conversations were held differed widely. As stakeholders in leadership roles at a statewide level and in their respective organizations, the members of these advisory groups should be equipped to change the nature of the DMC conversation at both the state leadership and organizational levels.

CHAPTER 7

RECOMMENDATIONS

The next step in addressing DMC in Kentucky in reliance on the DMC Reduction Model is to identify the contributing mechanism and develop appropriate intervention strategies. Based on the multiple types of data collection and analysis used for this report, two prevailing contributing mechanisms seem to exist in Kentucky. Indirect effects were evident in stakeholder interviews, survey responses as well as the follow-up guided discussions. According OJJDPs DMC Technical Assistance Manual, *Indirect Effects* is a term that encompasses factors such as: economic status, education, location and other risk factors related to delinquency and race such as family structure. The other apparent mechanism that showed up is *Differential Treatment*, which focuses on the unintentional or intentional biases used when handling juveniles.

The Intervention Stage should implement the recommended strategies by considering the following:

- What direct services are available in the targeted area?
- What training and technical assistance is available that can adequately address the deficits identified?
- What changes to the system need to occur to adequately address the identified deficits?

Examples of intervention strategies used after statewide DMC Assessments are completed are depicted in Figure 30 (below). These strategies are categorized as: Direct Services, Training & Technical Assistance, and Systems Change.

FIGURE 30. EXAMPLE INTERVENTION STRATEGIES

DIRECT SERVICES	TRAINING & TECHNICAL ASSISTANCE	SYSTEMS CHANGE
<ul style="list-style-type: none">- Prevention & Early Intervention- Diversion practices.- Alternatives to Secure Detention- Advocacy	<ul style="list-style-type: none">- Cultural competency training & Program Development- Culturally competent staffing practices.	<ul style="list-style-type: none">- Legislative reforms- Administrative, policy, and procedural change- Structured decision-making.

As outlined in Figure 31, identifying the DMC contributing mechanisms guides states in determining what interventions should be followed.

FIGURE 31. INTERVENTIONS AND CONTRIBUTING MECHANISMS

Contributing Mechanisms		Direct Services	Training & Technical Assistance	Systems Change
	Differential Offending	X		
	Mobility	X	X	X
	Indirect Effects	X		X
	Differential Opportunities	X	X	X
	Differential Handling/ Inappropriate Criteria		X	X
	Justice by Geography		X	
	Accumulated Disadvantage	X	X	X
	Legislation, Policies, & legal factors		X	X
	Statistical Aberrations		X	X

The following section provides recommendations that arose from the results of the data collected and analyzed in this report. Each contributing mechanism has three categories of recommendations: process, research and administrative.

INDIRECT EFFECTS

PROCESS RECOMMENDATIONS

Develop and disseminate usable resource guides by county/region; for youth and families.

The survey results showed that respondents were concerned with role of families and differential resource allocation by geographical location. Similar to reentry resource guides provided at the adult level, local DMC Committees should develop family resource guides that address the indirect effects contributing to the overrepresentation of minority youth in Kentucky's juvenile justice system.

Develop and launch community-specific and DMC focused resources and processes, based on advocacy-based philosophies that include, but are not limited to:

- a) Information sharing that is "community-friendly" and usable*
- b) On-going, pertinent research*

- c) Education and training
- d) Technical support, and
- e) Community-capacity building

The survey and stakeholder interviews showed that DMC is not a widely recognized concern across the state. Several survey participants did not consider it an issue particularly in their area. Further analysis of the survey data should be conducted to determine if these jurisdictions appear to have DMC issues based on RRI data. This could reveal a need for public education and stakeholder awareness strategies to inform their community-level work. The completion and launching of a web-based DMC Resource Center is highly recommended.

RESEARCH AND DATA RECOMMENDATIONS

Collect and utilize data on the experiences and perceptions of juveniles who have had contact with the juvenile justice system, as well as families or guardians of these same or similar youth.

Additional research on the experiences of the youth and their families could provide system accountability and insight into the interactions of discretionary staff within agencies. It is evident through the KY juvenile justice process map that many decisions are made that do not fit nicely into the decision points required by the relative rate index. More sources of information are needed to see if these internal decisions are impacting the over representation at different stages in the juvenile justice process.

ADMINISTRATIVE RECOMMENDATIONS

Develop and institute an annual joint mandatory training and orientation for all JJAB (SAG) SEJAY members on cultural competency, healing dialogue and implicit bias; relating it to its pertinence to the State and local communities for adequately addressing and impacting the presence of DMC.

Both the interviews and guided conversations revealed some discomfort in discussing DMC amongst some of the most important decision makers across the state. Dialogue about the issue must be open and safe for progress to occur. Several participants shared their experiences from trainings such as Undoing Racism; however, it important to ensure that not only are individuals trained but the whole board or committee is trained together for consistency and continuity.

DIFFERENTIAL TREATMENT

PROCESS RECOMMENDATIONS

Adopt restorative approaches, rooted in addressing diversity issues throughout the juvenile justice continuum; emphasizing its pertinence for adequately addressing the presence of DMC.

Restorative justice is philosophy that focuses on victim reparation, offender accountability and community reconciliation. It is evidence-based and has been successfully utilized to address equity issues in the justice process. While several jurisdictions in Kentucky have recently implemented restorative justice in the juvenile courts, it is recommended that its applicability at multiple decision points be explored.

RESEARCH AND DATA RECOMMENDATIONS

Develop and utilize improved data management collection mechanisms; with a significant focus on the ability to address cumulative disadvantage associated with Disproportionate Minority Contact (DMC).

The inclusion of Kentucky's newly passed SB 200 is essential to the future of addressing DMC across the state. It provides guidance on the incorporation of data from schools and other processes corollary to the juvenile justice process. It is recommended that this legislation serve as a catalyst to embedding school district and child welfare data into DMC work. As traditional juvenile justice agencies work to figure how to better manage and streamline their data it is imperative that other contributing data sources also be included.

ADMINISTRATIVE RECOMMENDATIONS

Develop and implement equity assessments and comprehensive training and technical assistance for youth-centered agencies and organizations that incorporate the necessary balance of cultural competency, healing dialogue and implicit bias.

Shifting the conversation from types of racism (individual v. structural) to an issue of equity in juvenile justice work might benefit the DMC efforts in Kentucky. An equity lens could be achieved by juvenile justice agencies who conduct Racial Equity Impact Assessments of their policies and practices, diversity audits on their staff as well as Inclusiveness Assessments that explore the role that equity has on their deliverance of public service.

CONCLUSION

Kentucky stakeholders and community members who are aware of DMC seem committed to better understanding its causes and have a desire to see change. As they seek improvements, there must be a clear link to Phase Four of the DMC Reduction Model - Evaluation and Performance Measurement. The caution here is the avoidance of an expectation that interventions will be effective without consideration of the external environmental problems that implicitly plague organizations and systems. The effectiveness of the recommended interventions is dependent on the following:

- What is the effectiveness of the intervention efforts that are implemented to address disparities that may impact DMC?
- How can the adopted intervention be improved?
- In order to improve, what additional resources need to be acquired?

In conclusion, while the Kentucky DMC Assessment did not explicitly examine the political environment of juvenile justice in Kentucky, this concept was observed in all phases of the study. If system actors and community members continue to seek to improve the interactions of the juvenile justice system and minority youth, then an honest analysis of existing opportunities and threats should occur through an environmental scan. This should reveal any implicit challenges impeding progress while also providing opportunities for more transparency in addressing DMC across the Commonwealth.

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APPENDICES

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APPENDIX A: Glossary of Terms and Acronyms

Acquittal: Judgment of the court that a person is not guilty of the offense(s) for which he or she has been tried. The judgment is made by a jury or a judicial officer.

Adjudicate: To settle a case by judicial procedure.

Alternatives to Detention: Alternative services provided to a juvenile offender in the community; to avoid placement in a detention (secure or non-secure) facility (see definition for detention facility).

Commitment: Action of a judicial officer ordering that a young person who has been alleged or judged to have committed an offense be placed in a particular kind of confinement or community residential program.

Complaint: A statement that sets forth allegations in regards to a child which contains sufficient facts for the formulation of a subsequent petition.

Complainant: An individual signing a public or status complaint, either on his/her own behalf or as a representative for another party. A complaint is a statement.

Court referral: A complaint or petition filed with the juvenile court.

Cultural competency: The ability of service agencies to understand the world view of clients of different cultures and adapt practices to ensure their effectiveness.

Delinquent offense: An act committed by a youth that would be a crime if committed by an adult. Examples include assault, burglary, or possession of illegal drugs.

Detention: Temporary confinement of a youth alleged to be delinquent pending pretrial release, juvenile court proceedings, or disposition.

Detention Facility: A secure pre-dispositional/post dispositional public or private facility (local or regional) with construction fixtures or staffing models designed to physically restrict the movements and activities of juveniles or other individuals that is used for the placement, adjudication, and disposition of any juvenile that has been adjudicated of having committed an offense, or any other individual convicted of a criminal offenses.

Disposition: The decision reached concerning a young person's case. Examples include, but are not limited to, a juvenile court judge's decision to dismiss the case or to order a young person to participate in a drug treatment program or perform community service. Juvenile court case dispositions fall into the following categories:

- *Dismissal:* An order of the court disposing of a case without conducting a trial of the issues. Dismissal may occur when there is a finding of insufficient evidence

to bring the matter to trial, when no more decisions or actions are anticipated, or when the case is already being handled by another court.

- *Placement*: Removing a youth found to have committed an offense from the home and placing him or her elsewhere for a specified period of time, such as in a juvenile or other facility.
- *Probation*: Placing a youth found to have committed an offense under the supervision of the court. During probation, the young person must maintain good behavior, not commit another offense, and meet any other conditions the court may deem appropriate to impose.
- *Probation before judgment*: Placing a youth found to have committed an offense on probation before the judge makes a final decision. Successful completion of the probation period results in a complete dismissal of the charges without any finding of involvement by the young person in the offense.
- *Transfer or waiver to adult criminal court*: Transfer of a young person's case to a court normally used to try adults for violations of criminal law, such as murder, rape, robbery, burglary, or distribution of illegal drugs. A juvenile's case usually is transferred to adult criminal court because of the serious nature of the alleged offense.
- *Other*: A youth found to have committed an offense may be given a disposition other than a commitment or probation, such as requiring participation in a drug abuse treatment system, payment of fines, or performance of community service.

Disposition hearing: Hearing held after the adjudication hearing in which the judge determines the disposition of a young person's case.

Disproportionate Minority Confinement (DMC) – Prior to 2002, DMC was used to describe disparities present at the point of confinement in the juvenile justice continuum. It was expanded at this time to be more inclusive of the entire system; focusing on disparities throughout.

Disproportionate Minority Contact (DMC): A core requirement of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) that directs States to address juvenile delinquency prevention and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.

Diversion: Channeling young people into programs as an alternative to processing their cases through the juvenile court. A youth, for example, might be referred to a community service program to perform volunteer work to "repay" the community.

Formal processing: Cases that appear on the official court calendar in response to the filing of a petition, complaint, or other legal instrument requesting the court to adjudicate youth as a delinquent, status, or dependent child or to waive jurisdiction and transfer youth to criminal court for processing as an adult offender.

Formula Grants: The Formula Grants Program., funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), provides grants monies to States and territories that support State and local delinquency prevention and intervention efforts and juvenile justice systems improvement.

Fresh Arrest: A youth is taken into custody on opened charges.

Intake/Arrest: Action of taking a youth into police custody for the purpose of charging him or her with a delinquent act. The juvenile justice process often begins with an investigation by a police officer, either because he or she observes a delinquent act being committed or because such an act is reported. The police officer will generally take one of three actions at intake or arrest: (1) release the youth to his or her parents with a warning or reprimand, (2) release the youth to the parents under the condition that the youth enroll in a community diversion program, or (3) keep the youth in custody and refer the matter to the juvenile court's intake officer for further processing. Intake decision: Recommendation made by the juvenile court's intake officer to either handle the case informally or schedule the case for a hearing in juvenile court.

Intake hearing: Early stage in juvenile court proceedings in which an intake officer decides to either handle the case informally or schedule the case for a juvenile court hearing.

Intake officer: An official who receives, reviews, and processes cases in which a young person is alleged to have committed an offense. The intake officer can recommend either handling the case informally or scheduling the case for a hearing in juvenile court. The intake officer may also provide referrals for juveniles and their families to other community agencies.

Intervention: Programs or services that are intended to disrupt the delinquency process and prevent a youth from penetrating further into the juvenile justice system.

Juvenile: A young person at or below the upper age of juvenile court authority, as defined in the local jurisdiction. In most States, young people age 18 or younger fall under the jurisdiction of the juvenile court.

Juvenile court: A court with authority over cases involving individuals under a specified age, usually 18 years.

Juvenile Justice and Delinquency Prevention Act (JJDP): Congress enacted the Juvenile Justice and Delinquency Prevention Act (JJDP) (P.L. No. 93-415, 42 U.S.C. & 5601 et. seq.) in 1974 and reauthorized the majority of its provisions in 2002. The JJDP mandates the States comply with the four core requirements to participate in the JJDP's Formula Grant Program. This legislation established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support state and local efforts to prevent delinquency and improve the juvenile justice system.

Memorandum of Agreement (MOA): An interagency agreement whose purpose is to enable all parties to facilitate the conduct of certain efforts of mutual interest; with contractual and fiscal parameters.

Memorandum of Understanding (MOU): An interagency acknowledgement regarding the roles and responsibilities whose purpose is to enable all documented parties to facilitate the conduct of certain efforts of mutual interest.

Non-petitioned (informally handled) case: A case decided by juvenile court intake officers rather than through a hearing in juvenile court.

Non-residential program: Program that provides services to youth who live at home and report to the program on a daily basis or as scheduled. Young people in such a program require more attention than that provided by probation and aftercare services. Often the program operates its own education program through the local school district.

Petition: The formal charging document filed in juvenile court alleging that a youth has committed a status or delinquent offense or is a dependent. A petition asks that the court hear the young person's case or, in certain delinquency cases, that the court transfer the case to adult criminal court so that the young person can be prosecuted as an adult. **Petitioned (formally handled) case:** A case handled through a hearing in juvenile court or transferred to adult criminal court.

Placement: Removing a youth found to have committed an offense from the home and placing him or her elsewhere for a period, such as in a juvenile facility or group home.

Probation: Placing a youth found to have committed an offense under the supervision of the court. During probation, the young person must maintain good behavior, not commit another offense, and meet any other conditions the court may deem appropriate to impose.

Relative Rate Index (RRI): The RRI measures the level of Disproportionate Minority Contact (DMC) in a system by comparing the percentage of minority youth at each stage of the juvenile justice system to the percentage of minorities at the previous stage.

Residential program: Program in which youth live on site in program housing. Residential programs do not have the security fences and security hardware typically associated with correctional or detention facilities. A residential program, for example, could be located in a converted apartment building or a single-family home.

Status offenses: Behavior that is considered an offense only if carried out by a young person. Status offenses are handled only by the juvenile court and include the following:

- Curfew violation: Breaking a regulation requiring young people to leave the streets or be at home at a prescribed hour
- Running away: Leaving the home of parents, guardians, or custodians without permission for an extended period
- Status liquor law violations: Violating laws restricting the possession, purchase, or consumption of liquor by minors
- Truancy: Failing to attend school

Transfer or waiver to adult criminal court: Transfer of a young person's case to a court normally used to try adults for violations of criminal law, such as murder, rape, robbery, burglary, or distribution of illegal drugs. A juvenile's case is transferred to adult criminal court usually because of the serious nature of the alleged offense.

ACRONYMS:

AOC

Administrative Office of the Courts

JJAB

Juvenile Justice Advisory Board

CHR

Cabinet for Human Resources (former) – Currently referred to at the Department for Community-Based Services (DCBS)

CHS

Cabinet of Health and Human Services

CJJ

Coalition on Juvenile Justice Delinquency

CMS

Court Monitoring Services

DCBS

Department of Community-Based Services

DOJ

Department of Justice

DJJ

Department of Juvenile Justice

DSA

Designated State Agency

FACJJ

Federal Advisory Council on Juvenile Justice

JABG

Federal Juvenile Accountability Block Grant

JDAI

Juvenile Detention Alternative Initiative

JJDPA

Juvenile Justice and Delinquency Prevention Act

NOFA

Notification of Funding

OJJDP

Office of Juvenile Justice and Juvenile Justice

PREA

Prison Rape Elimination Act

RFP

Request for Proposals

SAG

State Advisory Group

SEJAY

Subcommittee on Equity and Justice for All Youth

Title II

Federal Formula Grant

Title V

Federal Community Delinquency Prevention Grant

APPENDIX B: ADMINISTRATIVE OFFICE OF THE COURTS – COURT

APPENDIX B: COURT DESIGNATED WORKER REFERENCE GLOSSARY

CY	year the referral was closed
Close Date	Date that the complaint was closed.
County Name	The name of the county which the complaint was filed in.
Age	Date that the juvenile was born to the date the complaint was filed.
Age Estimated	System calculated age of the juvenile when he/she was first added to the system.
Gender	identifies the gender of the juvenile
Race	indicates whether the juvenile identifies that they are of another descent.
Counts	Number of counts of this charge leveled against the juvenile in regards to this incident.
UOR	A code which identifies the specific offense charge brought against the juvenile on a referral.
UOR Desc	charge description brought against the juvenile on a referral.
UOR Type	category of offense, status or Public
Chg Level	three basic levels of criminal offenses - felonies, misdemeanors and violations. They distinguish the seriousness of the offense
Chg Class	distinguishes the amount of punishment which someone convicted of the crime can receive. Felonies are classified, for the purpose of sentencing, into five categories (capital, class a, class b, class c, class d)
Referral Date	Date that the referral was signed by the affiant.
Trailer	a sequential number which identifies/tracks the number of referrals for a juvenile
ReOffend	shows if child has had more than one referral in CMS
Name	Name of the juvenile.(encrypted)
Residence Zip	Postal zip code for the address that is being associated to the juvenile (i.e. Home, Work, Historical, etc)
Incident Zip	Zip code where the juvenile was apprehended.
Custody Status	identifies the current custody location of the juvenile.
Living Arrangements	identifies the living arrangements with guardians at the time of this referral.
Has Diversion	shows if the juvenile have any case action of diversion agreement for referral
Case Close Reason	the reason that a case action is closed.
Complainant	the type of individual that filed the complaint (i.e. parent, school official, victim, etc).
Intake Date	Date that the intake action applied.
Intake Action Desc	identifies the disposition of the juvenile at the time the referral was filed.

APPENDIX C: RESEARCH DATA TABLES

TABLE 1. COURT DESIGNATED WORKER -- DESCRIPTIVE STATISTICS

MEASURE	Jefferson		Hardin		Fayette		Christian	
	Mean	S. E.	Mean	S. D.	Mean	S. D.	Mean	S. D.
Black	59%	---	35%	---	54%	---	58%	---
Reoffender	48%	---	37%	---	43%	---	52%	---
Diversion	29%	---	29%	---	29%	---	29%	---
Status Offense	12%	---	16%	---	29%	---	13%	---
Complainant	1.72	0.01	2.03	0.05	2.15	0.03	1.78	0.05
Charge	1.56	0.06	1.14	0.05	0.97	0.06	1.08	0.03
Intake Description	2.45	0.03	2.27	0.07	2.21	0.07	2.50	0.13

TABLE 2. COURT DESIGNATED WORKER DATA - JEFFERSON COUNTY--COMPLAINANT

COMPLAINANT	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Law	30.42	46.52	32.40	44.44	32.23	44.69	30.40	45.80
Enforcement								
DJJ	0.03	0.04	0.14	0.14	0.06	0.13	0.09	0.08
School	1.90	2.17	2.98	2.54	3.19	3.34	3.48	3.60
Family	2.94	5.14	2.99	4.67	3.52	5.64	3.68	6.51
Victim	4.23	6.61	3.73	6.07	2.67	4.48	2.13	4.22
Pearson								
Chi-Square	36.30		145.93**		73.80*		130.52*	
Design-based	1.00		5.84		2.51		2.94	

TABLE 3. COURT DESIGNATED WORKER DATA - HARDIN COUNTY--COMPLAINANT

COMPLAINANT	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Law	37.54	22.71	36.76	26.57	41.00	23.77	45.22	26.41
Enforcement								
DJJ	0.17	0.08	0.29	0.00	0.76	0.11	0.19	0.00
School	13.05	4.92	7.84	1.57	4.36	2.07	4.29	1.37
Family	9.24	6.95	11.08	5.00	10.03	4.25	11.40	3.41
Victim	3.90	1.44	7.55	3.33	10.25	3.38	6.14	1.56
Pearson								
Chi-Square	51.50		129.30**		45.14		130.52*	
Design-based	1.96		2.98		1.05		2.94	

TABLE 4. COURT DESIGNATED WORKER DATA - FAYETTE COUNTY--COMPLAINANT.

COMPLAINANT	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Law Enforcement	26.36	24.19	25.85	27.90	26.44	34.75	25.64	32.31
DJJ	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00
School	15.91	17.26	13.80	14.85	4.56	9.12	8.11	9.75
Family	5.35	5.92	4.10	7.24	8.87	9.88	9.61	8.96
Victim	2.04	2.94	2.43	3.85	2.53	3.85	2.55	3.07
Pearson								
Chi-Square	34.55							
Design-based	0.98							

TABLE 5. COURT DESIGNATED WORKER DATA- CHRISTIAN COUNTY--COMPLAINANT

COMPLAINANT	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Law Enforcement	18.79	35.60	31.51	34.09	35.19	45.01	32.75	45.59
DJJ	1.23	3.12	3.10	6.51	1.99	1.71	0.94	4.41
School	9.35	15.01	5.89	6.82	3.42	2.14	2.67	5.08
Family	3.31	3.97	3.51	2.38	4.56	2.99	2.81	3.08
Victim	3.87	5.76	1.96	4.24	1.28	1.71	0.94	1.74
Pearson								
Chi-Square	20.98		65.87		52.48		56.38	
Design-based	0.84		2.19		1.40		1.42	

TABLE 6. COURT DESIGNATED WORKER DATA - JEFFERSON COUNTY -- CHARGE CLASS

CHARGE CLASS	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
X	7.28	7.70	8.29	8.19	9.43	9.78	9.25	10.73
A	19.44	26.95	21.53	26.63	19.01	25.80	16.08	25.83
B	4.12	9.22	4.07	9.02	5.75	10.32	7.98	12.62
C	1.98	4.07	1.73	4.07	1.81	3.01	1.20	2.28
D	6.67	12.58	6.43	10.05	5.71	9.39	5.25	8.79
Pearson								
Chi-Square	407.30**		500.17**		240.96**		141.38**	
Design-based	12.30		14.16		10.58		8.09	

TABLE 7. COURT DESIGNATED WORKER DATA - HARDIN COUNTY--CHARGE CLASS

CHARGE CLASS	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
X	26.38	12.65	20.56	8.78	19.94	8.84	20.00	7.43
A	24.08	12.82	27.22	17.66	28.45	12.61	22.95	12.38
B	7.64	6.66	12.36	7.82	12.39	8.08	17.71	9.43
C	0.90	0.49	0.97	0.48	0.86	0.75	0.76	0.86
D	6.00	2.38	2.70	1.45	4.96	3.13	6.19	2.29
Pearson								
Chi-Square	48.89		33.40		35.08		42.41	
Design-based	2.05		1.67		1.20		1.56	

TABLE 8. COURT DESIGNATED WORKER DATA - FAYETTE COUNTY--CHARGE CLASS

CHARGE CLASS	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
X	24.70	24.05	22.10	24.40	17.73	22.22	19.03	16.82
A	16.27	15.04	16.81	17.26	17.38	19.40	16.56	18.77
B	3.38	6.65	2.96	6.30	3.38	7.76	5.65	10.84
C	1.39	1.39	1.04	1.33	0.95	2.77	1.43	2.27
D	4.00	3.14	3.21	4.59	3.02	5.39	3.12	5.52
Pearson								
Chi-Square	112.13**		92.71**		153.99**		193.99**	
Design-based	4.82		3.95		5.56		6.46	

TABLE 9. COURT DESIGNATED WORKER DATA - CHRISTIAN COUNTY--CHARGE CLASS

CHARGE CLASS	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
X	16.65	23.99	16.72	22.49	18.10	16.97	14.61	25.79
A	12.61	18.34	17.22	17.33	15.70	19.09	12.63	18.03
B	4.61	15.43	5.88	9.83	6.37	8.91	7.24	9.21
C	0.38	1.13	0.81	0.61	2.26	1.84	0.66	1.05
D	2.54	4.33	5.98	3.14	4.10	6.65	4.87	5.91
Pearson								
Chi-Square	83.82*		85.11**		35.94		18.65	
Design-based	3.29		4.80		1.64		0.70	

TABLE 10. COURT DESIGNATED WORKER DATA - JEFFERSON -- INTAKE ACTION DESCRIPTION

INTAKE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Child No	12.58	18.10	14.00	18.13	12.62	17.40	13.45	19.68
Child Re	2.85	8.20	2.77	5.35	2.45	5.50	2.68	5.33
Child Re	19.67	20.90	20.53	20.52	20.66	20.93	19.27	23.18
Extension	4.39	13.31	4.74	13.96	5.97	14.47	4.36	12.06
Pearson								
Chi-Square	1164.17**		1037.04**		836.76**		570.18**	
Design-based	41.41		32.08		31.21		20.77	

TABLE 11. COURT DESIGNATED WORKERS DATA - HARDIN COUNTY -- INTAKE ACTION DESCRIPTION

INTAKE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Child No	37.47	16.27	31.47	12.55	31.25	12.72	27.05	7.52
Child Re	0.33	0.16	0.00	0.00	0.65	0.43	0.57	0.29
Child Re	21.20	12.33	26.93	13.51	25.65	14.22	29.24	17.71
Extension	6.00	6.23	5.41	10.14	9.05	6.03	10.76	6.86
Pearson								
Chi-Square	85.80*				35.54		120.86*	
Design-based	4.08				0.83		3.82	

TABLE 12. CDW FAYETTE COUNTY -- INTAKE ACTION DESCRIPTION

INTAKE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Child No	22.26	24.91	21.52	23.60	17.98	21.56	24.22	24.42
Child Re	1.79	1.96	1.84	2.96	1.76	1.96	1.23	1.17
Child Re	19.49	17.45	17.47	17.31	18.14	21.71	14.35	17.08
Extension	4.20	7.95	5.30	10.01	4.58	12.29	5.97	11.56
Pearson								
Chi-Square	120.97*		112.41*		181.39**		123.02*	
Design-based	4.33		3.28		5.01		3.53	

TABLE 13. COURT DESIGNATED WORKER DATA - CHRISTIAN COUNTY -- INTAKE ACTION DESCRIPTION

INTAKE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
Child No	15.90	24.46	15.60	20.87	18.67	17.68	22.76	26.71
Child Re	2.35	4.61	4.56	4.36	2.12	2.69	0.13	1.97
Child Re	10.91	13.92	8.31	16.31	4.24	8.06	1.97	4.61
Extension	7.62	20.23	18.14	16.31	21.50	25.04	15.13	26.71
Pearson								
Chi-Square	65.65*		37.99		40.00		85.46*	
Design-based	2.96		1.92		1.83		3.90	

TABLE 14. CDW JEFFERSON COUNTY--DIVERSION

DIVERSION	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	29.13	43.26	29.69	41.42	29.87	42.54	27.59	41.18
Yes	10.35	17.26	12.36	16.54	11.84	15.75	12.17	19.06
Pearson								
Chi-Square	19.21		2.58		6.74		3.57	
Design-based	2.70		0.34		1.00		0.45	

TABLE 15. COURT DESIGNATED WORKER DATA - HARDIN COUNTY--DIVERSION

DIVERSION	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	44.45	24.73	44.50	25.87	50.22	23.60	46.29	21.90
Yes	20.54	10.27	19.31	10.33	16.38	9.81	21.33	10.48
Pearson								
Chi-Square	2.40		1.45		11.50		0.29	
Design-based	0.22		0.20		1.17		0.03	

TABLE 16. COURT DESIGNATED WORKER DATA - FAYETTE COUNTY--DIVERSION

DIVERSION	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	35.92	34.20	34.07	36.95	30.43	40.65	32.01	37.47
Yes	13.82	16.06	12.05	16.93	12.04	16.88	13.77	16.75
Pearson								
Chi-Square	19.09		31.22		1.07		0.75	
Design-based	2.79		3.44		0.08		0.08	

TABLE 17. COURT DESIGNATED WORKER DATA - CHRISTIAN COUNTY--DIVERSION

DIVERSION	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	27.09	46.38	34.25	39.61	32.39	39.89	22.89	41.84
Yes	9.69	16.84	12.36	13.78	14.14	13.58	17.11	18.16
Pearson								
Chi-Square	0.04		0.24		11.57		61.72*	
Design-based	0.01		0.04		1.60		5.42	

TABLE 18. COURT DESIGNATED WORKER DATA - JEFFERSON COUNTY--STATUS OFFENSE

STATUS OFFENSE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	34.74	56.05	36.07	52.80	35.32	51.62	32.85	52.84
Yes	4.74	4.47	5.98	5.15	6.38	6.67	6.90	7.40
Pearson								
Chi-Square	183.77**		210.97**		95.34**		151.03**	
Design-based	8.24		19.78		9.66		30.40	

TABLE 19. COURT DESIGNATED WORKER DATA - HARDIN COUNTY--STATUS OFFENSE

STATUS OFFENSE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	49.06	28.43	51.93	32.34	57.76	29.96	60.29	29.33
Yes	15.94	6.57	11.87	3.86	8.84	3.45	7.33	3.05
Pearson								
Chi-Square	18.92		48.43**		7.90		2.13	
Design-based	1.63		8.62		1.25		0.54	

TABLE 20. COURT DESIGNATED WORKER DATA - FAYETTE COUNTY--STATUS OFFENSE

STATUS OFFENSE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	32.98	35.71	30.78	39.28	30.03	46.20	30.32	40.78
Yes	16.75	14.55	15.35	14.60	12.44	11.34	15.45	13.44
Pearson								
Chi-Square	24.01		41.80		115.45**		90.92**	
Design-based	3.52		3.14		17.84		13.61	

TABLE 21. COURT DESIGNATED WORKERS DATA - CHRISTIAN COUNTY--STATUS OFFENSE

STATUS OFFENSE	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	27.66	55.22	39.61	47.82	40.03	48.66	36.45	55.53
Yes	9.13	7.99	6.99	5.57	6.51	4.81	3.55	4.47
Pearson								
Chi-Square	90.67*		17.40*		23.00*		2.48	
Design-based	12.74		5.88		3.89		0.32	

TABLE 22. COURT DESIGNATED WORKER DATA - JEFFERSON COUNTY—RECEIVED ADDITIONAL CHARGES

ADDITIONAL CHARGES	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	22.53	24.58	24.49	24.37	23.95	25.84	26.76	34.33
Yes	16.95	35.94	17.56	35.58	17.75	32.46	13.00	25.91
Pearson								
Chi-Square	780.94**		767.43**		501.59**		320.77**	
Design-based	39.43		28.63		30.48		30.18	

TABLE 23. COURT DESIGNATED WORKER DATA - HARDIN COUNTY—RECEIVED ADDITIONAL CHARGES

ADDITIONAL CHARGES	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	42.73	17.34	38.90	21.72	39.33	21.98	51.90	20.00
Yes	22.27	17.67	24.90	14.48	27.26	11.42	15.71	12.38
Pearson								
Chi-Square	109.50**		0.40		18.82		107.61*	
Design-based	8.87		0.02		0.97		5.95	

TABLE 24. COURT DESIGNATED WORKER DATA - FAYETTE COUNTY—RECEIVED ADDITIONAL CHARGES

ADDITIONAL CHARGES	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	30.57	21.24	29.65	27.06	27.51	27.81	33.57	35.71
Yes	19.16	29.03	16.47	26.81	14.96	29.72	12.21	18.51
Pearson								
Chi-Square	340.80**		184.48**		248.15**		60.82	
Design-based	30.54		10.17		12.69		3.28	

TABLE 25. COURT DESIGNATED WORKER DATA - CHRISTIAN COUNTY—RECEIVED ADDITIONAL CHARGES

ADDITIONAL CHARGES	2009		2010		2011		2012	
	White	Black	White	Black	White	Black	White	Black
No	21.35	27.00	23.40	21.28	25.60	20.65	26.05	28.03
Yes	15.43	36.22	23.20	32.12	20.93	32.81	13.95	31.97
Pearson								
Chi-Square	82.08*		39.94*		100.32*		123.21**	
Design-based	5.10		4.07		8.23		11.50	

TABLE 26. DECISION POINTS BY COUNTY- SIGNIFICANT FINDINGS

	JEFFERSON	HARDIN	FAYETTE	CHRISTIAN
COMPLAINANT	African Americans: Law Enforcement 2010/2011/2012	DJJ 2009/2010/2011; Whites: Law Enforcement 2012	DJJ	Law Enforcement
CHARGE LEVEL	African Americans had higher charges	n/a	African Americans had higher charges	African Americans had higher charges in 2009/2010
CHARGE CLASS	African Americans had higher percentages of Class A charges	n/a	African Americans had higher percentages of Class B charges	African Americans had higher percentages of Class A charges in 2009/2011/2012; higher Class B charges
INTAKE ACTIONS	African Americans had higher percentages across all categories of intake	n/a	n/a	African Americans had higher percentages across all categories of intake
DIVERSION	n/a	n/a	n/a	African Americans had a higher percentage of diversion in 2012
ADDITIONAL COMPLAINTS	African Americans had higher percentages	Whites had higher percentages in 2009/2012	African Americans had higher percentages 2009/2010/2011	African Americans had higher percentages

TABLE 27. KY COURTS/COURT NET DATA -- DESCRIPTIVE STATISTICS

MEASURE	JEFFERSON		HARDIN		FAYETTE		CHRISTIAN	
	Mean	S. E.	Mean	S. D.	Mean	S. D.	Mean	S. D.
Male	74%	---	70%	---	67%	---	74%	---
Delinquency	90%	---	85%	---	69%	---	87%	---
Acquitted	---	---	0%	---	0%	---	0%	---
Amended	5%	---	6%	---	8%	---	0%	---
Dismissed	35%	---	4%	---	13%	---	14%	---
Diversion	---	---	0%	---	4%	---	0%	---
Guilty	15%	---	47%	---	39%	---	0%	---
Transfer	3%	---	1.9%	---	2%	---	4%	---
Age	14.98	0.23	14.86	0.24	15.06	0.30	15.26	0.24
Charge Level	2.02	0.09	2.85	0.06	3.18	0.05	2.92	0.08
Commitment CHR	0.00	0.00	0.00	0.00	1.4%	0.02	1%	0.01
Commitment DJJ	2%	0.00	3%	0.01	5.8%	0.01	5%	0.01

TABLE 28. KY COURTS/COURT NET DATA - JEFFERSON COUNTY -- DELINQUENCY

DELINQUENCY	2010		2011		2012	
	White	Black	White	Black	White	Black
No	3.44%	3.71%	4.08%	5.3%	3.84%	4.93%
Yes	33.00%	59.85%	33.65%	56.96%	33.62%	57.60%
Pearson						
Chi-Square	97.44		31.51		35.22	
Design-based	16.61**		5.82**		3.94*	

TABLE 29. KY COURTS/COURT NET DATA - HARDIN COUNTY -- DELINQUENCY

DELINQUENCY	2010		2011		2012	
	White	Black	White	Black	White	Black
No	13.37%	3.21%	8.18%	4.09%	6.75%	4.14%
Yes	51.80%	31.62%	55.76%	31.97%	53.02%	36.09%
Pearson						
Chi-Square	51.13		1.12		0.61	
Design-based	4.87*		0.20		0.14	

TABLE 30. KY COURTS/COURT NET DATA - FAYETTE COUNTY -- DELINQUENCY

DELINQUENCY	2010		2011		2012	
	White	Black	White	Black	White	Black
No	13.56%	15.84%	12.08%	14.16% ¹	5.88%	13.34%
Yes	28.00%	42.61%	27.06%	46.70%	26.52%	44.26%
Pearson						
Chi-Square	18.78		36.76		124.76**	
Design-based	2.76		3.02		13.64	

TABLE 31. KY COURTS/COURT NET DATA - CHRISTIAN COUNTY -- DELINQUENCY

DELINQUENCY	2010		2011		2012	
	White	Black	White	Black	White	Black
No	5.84%	8.52%	4.97%	6.58%	5.10%	7.05%
Yes	46.72%	38.93%	42.40%	46.05%	28.49%	59.37%
Pearson						
Chi-Square	21.19		2.22		9.86	
Design-based	1.82		0.19		0.72	

TABLE 32. KY COURTS/COURT NET DATA - JEFFERSON COUNTY -- CHARGE LEVEL

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
Felony	10.89%	22.96%	10.90%	19.91%	11.05%	19.02%
Misdemeanor	20.26%	34.04%	20.41%	34.21%	20.51%	35.22%
Violation	1.50%	2.61%	2.17%	2.62%	1.88%	3.21%
Other	3.80%	3.95%	4.23%	5.53%	4.03%	5.09%
Pearson						
Chi-Square	175.52		71.65		41.44	
Design-based	8.28**		6.48**		2.81*	

TABLE 33. COURT NET DATA HARDIN COUNTY -- CHARGE LEVEL.

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
Felony	9.25%	4.76%	--	--	--	--
Misdemeanor	28.53%	20.82%	--	--	--	--
Violation	3.34%	1.41%	--	--	--	--
Other	24.04%	7.84%	--	--	--	--
Pearson Chi-Square	--	--				
Design-based						

TABLE 34. KY COURTS/COURT NET DATA - FAYETTE COUNTY -- CHARGE LEVEL

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
Felony	7.72%	10.87%	6.23%	11.64%	7.63%	13/57%
Misdemeanor	13.56%	21.39%	15.57%	23.94%	13.88%	20.66%
Violation	1.34%	0.82%	1.04%	1.26%	1.00%	1.00%
Local Ordinance	0.06%	0.06%	0.15%	0.00%	0.31%	0.54%
Other	18.88%	25.31%	16.16%	24.02%	19.58%	21.82%
Pearson						
Chi-Square	27.07		21.90		46.14	
Design-based	2.08		0.84		2.20	

TABLE 35. KY COURTS/COURT NET DATA CHRISTIAN COUNTY -- CHARGE LEVEL

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
Felony	13.63	7.30	9.36	9.06	7.35	10.94
Misdemeanor	21.65	22.63	20.47	21.93	14.69	24.89
Violation	0.49	1.10	0.44	1.75	1.05	1.05
Other	16.79	16.42	17.11	19.88	10.49	29.54
Pearson						
Chi-Square	42.82		17.63		40.77*	
Design-based	2.20		0.66		2.74	

TABLE 36. KY COURTS/COURT NET DATA - JEFFERSON COUNTY -- AMENDED

AMENDED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	35.35%	61.47%	37.03%	59.32%	35.75%	58.74%
Yes	1.10%	2.09%	0.71%	2.95%	1.72%	3.80%
Pearson						
Chi-Square	1.23		116.94		21.21	
Design-based	0.48		19.54**		5.88*	

TABLE 37. KY COURTS/COURT NET DATA - HARDIN COUNTY -- AMENDED

AMENDED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	62.34%	32.52%	60.76%	33.94%	57.63%	37.99%
Yes	2.83%	2.31%	3.18%	2.12%	2.13%	2.25%
Pearson						
Chi-Square	6.03		0.94		5.84	
Design-based	1.53		0.24		1.75	

TABLE 38. KY COURTS/COURT NET DATA – FAYETTE COUNTY - AMENDED

AMENDED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	38.11%	53.19%	36.03%	57.60%	39.09%	53.12%
Yes	3.45%	5.26%	3.11%	3.26%	3.32%	4.47%
Pearson						
Chi-Square	0.79		13.88		0.01	
Design-based	0.27		1.97		0.00	

TABLE 39. KY COURTS/COURT NET DATA - CHRISTIAN COUNTY -- AMENDED

AMENDED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	52.55	47.45	47.37	52.63	33.43	66.42
Yes	0.00	0.00	0.00	0.00	0.15	0.00
Pearson						
Chi-Square					6.71	
Design-based					2.00	

TABLE 40. KY COURTS/COURT NET DATA - JEFFERSON COUNTY -- DISMISSED

DISMISSED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	26.01%	43.69%	25.58%	41.16%	26.34%	41.62%
Yes	10.44%	19.86%	12.16%	21.10%	11.12%	20.91%
Pearson						
Chi-Square	16.19		6.33		32.53	
Design-based	2.92		1.07		7.30**	

TABLE 41. KY COURTS/COURT NET DATA - HARDIN COUNTY -- DISMISSED

DISMISSED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	63.11%	33.16%	62.27%	35.61%	56.80% 3	7.75%
Yes	2.06%	1.67%	1.67%	0.45%	2.96%	2.49%
Pearson						
Chi-Square	4.16		5.01		1.74	
Design-based	0.46		1.69		0.27	

TABLE 42. KY COURTS/COURT NET DATA FAYETTE COUNTY -- DISMISSED

DISMISSED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	36.70%	53.77%	33.43%	52.85%	36.78%	48.11%
Yes	4.85%	4.68%	5.71%	8.01%	5.63%	9.48%
Pearson						
Chi-Square	19.95		2.12		10.03	
Design-based	3.55		0.19		1.48	

TABLE 43. KY COURTS/COURT NET DATA CHRISTIAN COUNTY -- DISMISSED

DISMISSED	2010		2011		2012	
	White	Black	White	Black	White	Black
No	46.35	39.90	39.62	46.49	30.88	59.07
Yes	6.20	7.54	7.75	6.14	2.70	7.35
Pearson						
Chi-Square	7.87		10.39			
Design-based	1.34		1.87			

TABLE 44. KY COURTS/COURT NET DATA FAYETTE COUNTY – INFORMAL ADJUSTMENT

INFORMAL ADJUSTMENT	2010		2011		2012	
	White	Black	White	Black	White	Black
No	39.68%	56.17%	36.17%	59.60%	40.79%	55.44%
Yes	1.87%	2.28%	2.97%	1.26%	1.62%	2.16%
Pearson						
Chi-Square	1.16		92.13**		0.02	
Design-based	1.04		23.87		0.00	

TABLE 45. KY COURTS/COURT NET DATA - JEFFERSON COUNTY – DELINQUENT FINDING

DELINQUENT FINDING	2010		2011		2012	
	White	Black	White	Black	White	Black
No	28.89%	48.18%	30.08%	46.85%	29.37%	48.01%
Yes	7.55%	15.38%	7.65%	15.42%	8.10%	14.52%
Pearson						
Chi-Square	33.91		57.18		7.38	
Design-based	6.21*		14.99**		1.43	

TABLE 46. KY COURTS/COURT NET DATA - HARDIN COUNTY – DELINQUENT FINDING

DELINQUENT FINDING	2010		2011		2012	
	White	Black	White	Black	White	Black
No	30.72%	19.41%	29.85%	17.58%	30.53%	18.82%
Yes	34.45%	15.42%	34.09%	18.48%	29.23%	21.42%
Pearson						
Chi-Square	16.34*		0.98		4.47	
Design-based	3.67		0.17		0.98	

TABLE 47. KY COURTS/COURT NET DATA - FAYETTE COUNTY – DELINQUENT FINDING

DELINQUENT FINDING	2010		2011		2012	
	White	Black	White	Black	White	Black
No	22.85%	32.32%	23.72%	34.62%	27.68%	35.39%
Yes	18.70%	26.13%	15.42%	26.24%	14.73%	22.21%
Pearson						
Chi-Square	0.05		7.02		7.94	
Design-based	0.01		0.69		1.62	

TABLE 48. KY COURTS/COURT NET DATA JEFFERSON COUNTY -- TRANSFER

TRANSFER	2010		2011		2012	
	White	Black	White	Black	White	Black
No	35.59%	60.47%	37.17%	61.03%	36.85%	61.22%
Yes	0.86%	3.09%	0.57%	1.23%	0.62%	1.32%
Pearson						
Chi-Square	83.38		6.52		5.69	
Design-based	8.57**		1.45		0.84	

TABLE 49. KY COURTS/COURT NET DATA - HARDIN COUNTY -- TRANSFER

TRANSFER	2010		2011		2012	
	White	Black	White	Black	White	Black
No	64.65%	34.32%	63.33%	35.76%	57.51%	39.41%
Yes	0.51%	0.51%	0.61%	0.30%	2.25%	0.83%
Pearson						
Chi-Square	2.57		0.07		5.81	
Design-based	0.71		0.04		0.89	

TABLE 50. KY COURTS/COURT NET DATA - FAYETTE COUNTY -- TRANSFER

TRANSFER	2010		2011		2012	
	White	Black	White	Black	White	Black
No	39.10%	57.63%	38.18%	60.42%	40.32%	56.67%
Yes	2.46%	0.82%	0.96%	0.44%	2.08%	0.93%
Pearson						
Chi-Square	81.77**		26.55*		47.22**	
Design-based	15.70		4.17		6.90	

TABLE 51. KY COURTS/ NET DATA - CHRISTIAN COUNTY -- TRANSFER

TRANSFER	2010		2011		2012	
	White	Black	White	Black	White	Black
No	50.49	45.50	44.15	50.44	31.93	64.92
Yes	2.07	1.95	3.22	2.19	1.65	1.50
Pearson						
Chi-Square	0.04		7.60		11.63	
Design-based	0.01		2.17		3.06	

TABLE 52. KY COURTS/COURT NET DATA -- DESCRIPTIVE STATISTICS

MEASURE	JEFFERSON		HARDIN		FAYETTE		CHRISTIAN	
	Mean	S. E.	Mean	S. D.	Mean	S. D.	Mean	S. D.
Male	74%	---	70%	---	67%	---	74%	---
Delinquency	90%	---	85%	---	69%	---	87%	---
Acquitted	---	---	0%	---	0%	---	0%	---
Amended	5%	---	6%	---	8%	---	0%	---
Dismissed	35%	---	4%	---	13%	---	14%	---
Diversion	---	---	0%	---	4%	---	0%	---
Guilty	15%	---	47%	---	39%	---	0%	---
Transfer	3%	---	1.9%	---	2%	---	4%	---
Age	14.98	0.23	14.86	0.24	15.06	0.30	15.26	0.24
Charge Level	2.02	0.09	2.85	0.06	3.18	0.05	2.92	0.08
Commitment CHR	0.00	0.00	0.00	0.00	1.4%	0.02	1%	0.01
Commitment DJJ	2%	0.00	3%	0.01	5.8%	0.01	5%	0.01

TABLE 53. KY COURTS/COURT NET DATA - JEFFERSON COUNTY--COMMITMENT TO "CHR" (DCBS)

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	36.43	63.44	37.71	62.14	37.47	62.49
Yes	0.02	0.12	0.03	0.13	0.00	0.04
Pearson						
Chi-Square	8.07		5.46*		5.53	
Design-based	2.39		5.55		1.31	

TABLE 54. KY COURTS/COURT NET DATA CHRISTIAN--COMMITMENT TO "CHR" (DCBS)

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	52.55	45.26	47.37	52.49	32.83	66.42
Yes	0.00	2.19	0.00	0.15	0.75	0.00
Pearson						
Chi-Square	55.43		2.98		33.74*	
Design-based	2.68		0.91		5.25	

TABLE 55. KY COURTS/COURT NET DATA HARDIN COUNTY--COMMITMENT TO "CHR" (DCBS)

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	65.17	34.83	63.79	36.06	59.76	40.24
Yes	0.00	0.00	0.15	0.00	0.00	0.00
Pearson						
Chi-Square			2.13			
Design-based			0.55			

TABLE 56. KY COURTS/COURT NET DATA FAYETTE COUNTY--COMMITMENT TO "CHR" (DCBS)

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	41.09	57.51	38.03	60.34	41.94	56.36
Yes	0.47	0.94	1.11	0.52	0.46	1.23
Pearson						
Chi-Square	2.08		30.31		8.36	
Design-based	0.22		3.14		1.10	

TABLE 57. KY COURTS/COURT NET DATA - JEFFERSON COUNTY--COMMITMENT TO DJJ

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	35.62	61.43	37.11	61.00	36.96	61.19
Yes	0.83	2.13	0.62	1.26	0.50	1.35
Pearson						
Chi-Square	20.59		3.80		18.42	
Design-based	1.27		0.42		2.21	

TABLE 58. KY COURTS/COURT NET DATA CHRISTIAN--COMMITMENT TO DJJ

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	50.73	46.59	45.03	48.68	31.33	60.57
Yes	1.83	0.85	2.34	3.95	2.25	5.85
Pearson						
Chi-Square	6.02		6.29		3.01	
Design-based	1.17		0.89		0.28	

TABLE 59. KY COURTS/COURT NET DATA - HARDIN COUNTY--COMMITMENT TO DJJ

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	63.75	34.32	62.27	34.09	57.28	38.34
Yes	1.41	0.51	1.67	1.97	2.49	1.89
Pearson						
Chi-Square	1.41		13.37		0.43	
Design-based	0.20		1.34		0.04	

TABLE 60. KY COURTS/COURT NET DATA - FAYETTE COUNTY--COMMITMENT TO DJJ

CHARGE LEVEL	2010		2011		2012	
	White	Black	White	Black	White	Black
No	40.62	53.13	37.58	57.08	41.02	54.28
Yes	0.94	5.32	1.56	3.78	1.39	3.32
Pearson						
Chi-Square	101.98		12.16		17.38	
Design-based	16.84**		1.18		2.78	

TABLE 61. DECISION POINTS BY COUNTY- SIGNIFICANT FINDINGS

	JEFFERSON	HARDIN	FAYETTE	CHRISTIAN
DELINQUENT OFFENSES	African Americans had higher percentages	Whites had higher percentages in 2010	African Americans had higher percentages in 2012	n/a
CHARGE LEVELS	African Americans had higher percentages across all levels	n/a	n/a	African Americans had higher percentages at 3 of 4 levels in 2012
CASES AMENDED	Whites had higher percentages	n/a	n/a	n/a
CASES DISMISSED	Whites had higher percentages in 2012	n/a	n/a	n/a
INFORMAL ADJUSTMENT	n/a	n/a	Whites had higher percentages in 2011	n/a
DELINQUENT FINDINGS	African Americans had higher percentages of delinquent findings in 2010/2011	African Americans had higher percentages of delinquent findings in 2010	n/a	n/a
TRANSFER TO ADULT COURT	Whites had higher percentages of transfer in 2010	n/a	Whites had higher percentages of transfer	n/a
COMMITMENT TO "CHR" (DCBS)	African Americans had higher percentages in 2011	n/a	n/a	Whites had higher percentages in 2012
COMMITMENT TO DJJ	n/a	n/a	African Americans had higher percentages in 2010	n/a

TABLE 62. DESCRIPTIVE STATISTICS

MEASURE	PERCENTAGE
White	30.0%
Sex	73.1%
Bench	11.4%
Bench Warrant	17.0%
DJJ Hold	00.1%
Fresh Arrest	52.8%
Commissioner Warrant	00.8%
Circuit Ct	00.1%
Courtesy Hold	00.1%
District Ct	21.9%
Family Ct	6.4%
Fed Ct	00.0%
Other	00.3%
Status Change	00.0%
Arrest Law Enforcement	64.0%
Felony	57.0%
Misdemeanor	27.4%
Severity	10.4%
Ordinance	00.0%
Violation	5.01%
Admitted	66.8%
Alternative Program Services	8.13%
Awaiting	66.8%
Home Incarceration Program	15.6%
Home Supervision Program	9.14%
West Chestnut Character Program	00.3%

TABLE 63. BENCH

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	61.99	26.27	61.36	26.31	60.58	28.37
Yes	8.43	3.31	9.23	3.10	6.95	3.84
Pearson						
Chi-Square	1.23		12.35		6.37	
Design-based	0.19		1.68		0.86	

TABLE 64. BENCH WARRANT

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	56.98	24.65	56.54	25.09	55.84	26.95
Yes	13.44	4.93	14.04	4.32	11.96	5.25
Pearson						
Chi-Square	8.31		37.96*		2.73	
Design-based	1.21		5.27		0.36	

TABLE 65. DEPARTMENT OF JUVENILE JUSTICE - HOLD

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	70.31	29.58	70.26	29.42	67.69	32.14
Yes	0.11	0.00	0.32	0.00	0.10	0.07
Pearson						
Chi-Square	4.74		13.53		0.49	
Design-based	0.81		2.52		0.07	

TABLE 66. FRESH ARREST

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	37.4	15.25	37.10	16.88	23.67	12.96
Yes	33.03	14.33	33.48	12.53	44.13	19.25
Pearson						
Chi-Square	2.03		19.75		26.98	
Design-based	0.30		2.45		3.03	

TABLE 67. COMMISSIONER WARRANT

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	69.78	29.3	70.06	29.27	66.41	31.62
Yes	0.64	0.28	0.52	0.15	1.38	0.59
Pearson						
Chi-Square	0.02		1.93		0.53	
Design-based	0.00		0.36		0.08	

TABLE 68. CIRCUIT COURT

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	70.26	29.44	70.47	29.42	67.73	32.20
Yes	0.17	0.14	0.12	0.00	0.07	0.00
Pearson						
Chi-Square	3.76		4.91		3.33	
Design-based	0.57		0.81		0.47	

TABLE 69. COURTESY HOLD

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	70.34	29.58	70.55	29.42	67.66	32.14
Yes	0.08	0.00	0.03	0.00	0.14	0.07
Pearson						
Chi-Square	3.55		1.23		0.01	
Design-based	0.41		0.52		0.00	

TABLE 70. DISTRICT COURT

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	50.72	21.45	51.03	19.09	60.50	27.95
Yes	19.70	8.13	19.55	10.33	7.29	4.25
Pearson						
Chi-Square	0.27		55.12*		12.93	
Design-based	0.04		7.66		1.39	

TABLE 71. FAMILY COURT

Status Offense	2009		2010		2011	
	Black	White	Black	White	Black	White
No	67.56	27.80	68.29	27.56	65.34	29.75
Yes	2.87	1.78	2.29	1.86	2.45	2.45
Pearson						
Chi-Square	18.11		49.73*		75.78*	
Design-based	2.37		6.40		8.30	

TABLE 72. FEDERAL COURT

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	70.34	29.58	70.53	29.42	67.8	32.2
Yes	0.08	0.00	0.06	0.00	0.00	0.00
Pearson						
Chi-Square	3.55		2.45			
Design-based	0.41		0.41			

TABLE 73. STATUS CHANGE

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	70.37	29.58	70.53	29.42	67.80	32.17
Yes	0.06	0.00	0.06	0.00	0.00	0.03
Pearson						
Chi-Square	2.37		2.45		7.37	
Design-based	0.41		0.41		3.26	

TABLE 74. ARREST LAW ENFORCEMENT

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	27.32	11.69	26.31	13.75	14.93	10.47
Yes	43.10	17.89	44.27	15.67	52.87	21.73
Pearson						
Chi-Square	0.45		78.57**		128.46**	
Design-based	0.06		8.20		13.09	

TABLE 75. MISDEMEANOR

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	52.81	20.78	52.45	19.73	49.10	21.98
Yes	17.61	8.79	18.13	9.69	18.69	10.23
Pearson						
Chi-Square	24.13*		55.12**		18.84	
Design-based	3.60		7.89		2.54	

TABLE 76. SEVERITY OF OFFENSE

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	65.94	27.07	66.52	26.54	61.09	27.13
Yes	4.48	2.50	4.06	2.87	6.70	5.08
Pearson						
Chi-Square	14.38		52.44**		73.65*	
Design-based	2.12		7.05		9.63	

TABLE 77. ALTERNATIVE PROGRAM SERVICES

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	64.99	27.76	65.06	27.36	61.15	29.32
Yes	5.00	2.25	4.63	2.96	5.06	4.46
Pearson						
Chi-Square	0.35		26.05		74.03**	
Design-based	0.10		7.35		17.43	

TABLE 78. HOME INCARCERATION PROGRAM

STATUS OFFENSE	2009		2010		2011	
	Black	White	Black	White	Black	White
No	60.57	26.22	57.34	26.25	52.83	29.92
Yes	9.42	3.79	12.35	4.06	13.38	4.86
Pearson						
Chi-Square	1.10		25.87		46.87**	
Design-based	0.39		3.53		7.77	

TABLE 79. SUMMARY OF FINDINGS – LOUISVILLE METRO YOUTH DETENTION SERVICES DATA

	2009	2010	2011
BENCH WARRENT	n/a	African Americans had higher percentages	n/a
DJJ HOLDING	n/a	n/a	n/a
FRESH ARREST	n/a	n/a	n/a
COMMISSIONER WARRENTS	n/a	n/a	n/a
CIRCUIT COURT	n/a	n/a	n/a
COURTESY HOLD	n/a	n/a	n/a
DISTRICT COURT	n/a	African Americans had higher percentages	n/a
FAMILY COURT	n/a	African Americans had higher percentages	African Americans had higher percentages
FEDERAL COURT	n/a	n/a	n/a
STATUS CHANGE	n/a	Whites had higher percentages	n/a
ARREST BY LAW ENFORCEMENT	n/a	African Americans had higher percentages	African Americans had higher percentages
MISDEMEANORS	African Americans had higher percentages	African Americans had higher percentages	n/a
SEVERITY	n/a	African Americans had higher percentages	African Americans had higher percentages
ALTERNATIVE PROGRAM SERVICES	n/a	African Americans had higher percentages	n/a
HOME INCARCERATION PROGRAMS	n/a	African Americans had higher percentages	n/a

TABLE 80. CHRISTIAN COUNTY— DJJ - JUVENILE OFFENDER RESOURCE INFORMATION DATA

DISCRETION	White	Black
No	25.74	31.35
Yes	14.19	28.71
Pearson		
Chi-Square	696.36*	
Design-based	4.35	

TABLE 81. CHRISTIAN COUNTY—DJJ - JUVENILE OFFENDER RESOURCE INFORMATION DATA - PROBATED

PROBATED	White	Black
No	25.08	44.88
Yes	14.85	15.18
Pearson		
Chi-Square	766.17*	
Design-based	4.76	

TABLE 82. FAYETTE COUNTY—DJJ- JUVENILE OFFENDER RESOURCE INFORMATION DATA - DISMISSED

DISMISSED	White	Black
No	34.93	50.72
Yes	2.87	11.48
Pearson		
Chi-Square	1067.07*	
Design-based	4.42	

TABLE 83. HARDIN COUNTY—DJJ – JUVENILE OFFENDER RESOURCE INFORMATION DATA - JUDICIAL DISCRETION

DISCRETION	White	Black
No	41.50	12.50
Yes	27.50	18.50
Pearson		
Chi-Square	1599.52*	
Design-based	5.95	

TABLE 84. HARDIN COUNTY—DJJ – JUVENILE OFFENDER RESOURCE INFORMATION DATA - PROBATED

DISCRETION	White	Black
No	42.00	25.00
Yes	27.00	6.00
Pearson		
Chi-Square	1788.56*	
Design-based	6.70	

TABLE 85. JEFFERSON COUNTY—DJJ - JUVENILE OFFENDER RESOURCE INFORMATION DATA - DETENTION

DISCRETION	White	Black
No	24.53	65.51
Yes	4.19	5.77
Pearson		
Chi-Square	452.25*	
Design-based	6.59	

TABLE 86. JEFFERSON COUNTY—DJJ – JUVENILE OFFENDER RESOURCE INFORMATION - NON-DJJ PROBATED

DISCRETION	White	Black
No	25.93	65.59
Yes	1.08	7.41
Pearson		
Chi-Square	452.68*	
Design-based	6.26	

TABLE 87. DECISION POINTS BY COUNTY- SIGNIFICANT FINDINGS

	JEFFERSON	HARDIN	FAYETTE	CHRISTIAN
DISMISSED	n/a	n/a	African Americans received fewer dismissals	n/a
JUDICIAL DISCRETION	n/a	Used less for African Americans	n/a	Used less for African Americans
DJJ DETENTION	African Americans had a higher percentage	n/a	n/a	n/a
DJJ PROBATED	African Americans received less probation	African Americans received less probation		African Americans received less probation

TABLE 88. ROOT CAUSE TO DISPROPORTIONATE MINORITY (DMC) CONTACT

				white		Total
				.00	1.00	
Root Cause: DMC Not an Issue	.00	Count		31	115	146
		% within white		100.0%	81.6%	84.9%
	1.00	Count		0	26	26
		% within white		0.0%	18.4%	15.1%
Total	Count			31	141	172
	% within white			100.0%	100.0%	100.0%

Chi-square = 6.73, P=0.00, df 1

TABLE 89. RACIAL DIFFERENCES IN MINORITY VERSUS NON-MINORITY YOUTH HAVING
THE SAME OPPORTUNITIES

			White		Total
			.00	1.00	
Minority vs. Non-Minority Youth Same Opportunities	Weak explanation of DMC	Count	7	62	69
		% within White	19.4%	36.9%	33.8%
	Somewhat weak explanation of DMC	Count	5	31	36
		% within White	13.9%	18.5%	17.6%
	Normal explanation of DMC	Count	6	38	44
		% within White	16.7%	22.6%	21.6%
	Somewhat strong explanation of DMC	Count	10	20	30
		% within White	27.8%	11.9%	14.7%
	Strong explanation of DMC	Count	8	17	25
		% within White	22.2%	10.1%	12.3%
Total	Count		36	168	204
	% within White		100.0%	100.0%	100.0%

TABLE 90. POLICIES AFFECT MINORITY YOUTH DIFFERENT THAN NONMINORITY YOUTH

			White		Total
			.00	1.00	
Policies Affect Minority Youth Different than Non-Minority Youth	Weak explanation of DMC	Count	2	54	56
		% within White	5.6%	32.3%	27.6%
	Somewhat weak explanation of DMC	Count	1	34	35
		% within White	2.8%	20.4%	17.2%
	Normal explanation of DMC	Count	11	29	40
		% within White	30.6%	17.4%	19.7%
	Somewhat strong explanation of DMC	Count	5	26	31
		% within White	13.9%	15.6%	15.3%
	Strong explanation of DMC	Count	17	24	41
		% within White	47.2%	14.4%	20.2%
	Total	Count	36	167	203
		% within white	100.0%	100.0%	100.0%

Chi-square = 31.50, P=0.00, df 4

TABLE 91. MINORITY OVER-INVOLVEMENT IS A SERIOUS ISSUE

			White		Total
			.00	1.00	
Minority Over-Involvement Serious Issue	Not serious	Count	3	65	68
		% within White	8.3%	38.2%	33.0%
	Somewhat serious	Count	6	35	41
		% within White	16.7%	20.6%	19.9%
	Serious	Count	6	33	39
		% within White	16.7%	19.4%	18.9%
	Very serious	Count	10	30	40
		% within White	27.8%	17.6%	19.4%
	Extremely serious	Count	11	7	18
		% within White	30.6%	4.1%	8.7%
Total		Count	36	170	206
		% within White	100.0%	100.0%	100.0%

Chi-square = 33.73, P=0.00, df 4

TABLE 92. RELIABILITY OF DISPROPORTIONATE MINORITY CONTACT (DMC) REPORT DATA

CROSSTAB

			White		Total
			.00	1.00	
Reliability of Data	Not reliable	Count	4	8	12
		% within White	11.4%	4.8%	5.9%
	Somewhat reliable	Count	12	59	71
		% within White	34.3%	35.3%	35.1%
	Reliable	Count	7	73	80
		% within White	20.0%	43.7%	39.6%
	Very reliable	Count	8	23	31
		% within White	22.9%	13.8%	15.3%
	Extremely reliable	Count	4	4	8
		% within White	11.4%	2.4%	4.0%
Total		Count	35	167	202
		% within White	100.0%	100.0%	100.0%

Chi-square = 13.78, P=0.00, df 4

TABLE 93. POLICE DEPARTMENT AWARENESS OF DISPROPORTIONATE MINORITY CONTACT (DMC)

			White		Total
			.00	1.00	
Police Departments Awareness of DMC	Very low commitment	Count	8	21	29
		% within White	22.2%	13.1%	14.8%
	Low commitment	Count	5	25	30
		% within White	13.9%	15.6%	15.3%
	Neutral/unsure	Count	11	72	83
		% within White	30.6%	45.0%	42.3%
	High commitment	Count	6	35	41
		% within White	16.7%	21.9%	20.9%
	Very high commitment	Count	6	7	13
		% within White	16.7%	4.4%	6.6%
Total	Count	36	160	196	
	% within White	100.0%	100.0%	100.0%	

Chi-square = 10.23, P=0.04, df 4

APPENDIX D: Stakeholder Interview

Title: Kentucky DMC Assessment Project

KY DMC Stakeholder Interviews

Questions posed to interviewees:

1. What, if any, impact has concerns/discussion about DMC had on your work?
2. When you think of the issue of DMC, what does this mean to you? What comes to mind?
3. Some people believe that DMC is a product of the system thinking of, and acting on, the basis of racial stereotypes. Based on your experiences, do you see this as true?
4. Also, I've heard the argument that DMC happens because of differences in how we think about kids from urban, suburban and rural areas. Would you say you've ever seen any evidence that urban and rural kids get treated/processed differently?
5. Others sometimes suggest that DMC is really just a proxy for economic differences. What would your reaction be to the argument that we end up with racial differences in how kids are processed because of the economic status differences across kids/families?
6. What about differences for boys and girls? Do you see them treated differently? Do boys and girls of different races end up being treated differently?
7. If in fact there are differences in how kids of different races are processed in the juvenile justice system, what do you believe are the reasons for this? (Probe for how each issue contributes)
8. Does there seem to be any patterns or trends that vary based on time of year?
9. What about any influence from types of places kids hang out or common recreational activities?

10. How often is the issue of DMC discussed or just present in the thinking, talking and work of your agency? (Examples?)
11. What types of things have been done here in this community to ensure that race is not a factor in how the system deals with kids?
12. How effective have these efforts been? What still needs to be done?
13. In the ideal world, where resources are not an issue, if you were appointed as the Kentucky DMC Czar, what would you do to ensure that there are not racial differences in how kids are processed by the juvenile justice system?
14. In the end, what would you want me to leave here knowing or thinking about DMC in this community?

APPENDIX E: Sample Survey

Examining Disproportionate Minority Contact in Kentucky (Survey)

Section 1: Background Information

1. What is your current title? _____
2. How long (years, months) have you worked in this position? _____
3. How long (years, months) have you worked in the field of juvenile justice? _____
4. Demographic information? __ M __ F __ Age ____ Race / ethnic background ____
5. What is the highest degree or level of school you have completed? If currently enrolled, select the previous grade or highest degree received.
6. In which county do you reside? _____

Section 2. Knowledge about DMC

We are conducting a study of "DMC," for the Commonwealth of Kentucky. Your responses will help us gather perceptions from across the state. Please take a moment to answer the following questions.

5. What do you personally believe is the root cause of disproportionate minority confinement in the State of Kentucky? (If you do not believe "DMC" is a genuine issue in this State –please also feel free to state that.)
6. Using a scale of 1 to 5, how serious do you think the issue of minority over-involvement in the juvenile justice system is in your city?

1 2 3 4 5

7. Are there particular minority groups who are especially over-represented in the juvenile justice system?

- a) Yes
- b) No

8. There are many possible reasons why minority youth might be over-represented in the juvenile justice system. Below please find a list of commonly cited reasons. Please rank them from 1 to 5 where 1 means that it is a weak explanation for DMC in your area and 5 means that it is a strong explanation for DMC in your area.

- a. Minority youth commit more crime

1 2 3 4 5

b. Minority youth do not have the same opportunities to participate in delinquency prevention and early intervention programs as nonminority youth.

1 2 3 4 5

c. Minority youth aren't treated the same as nonminority youth by police, judges, and other juvenile justice system actors.

1 2 3 4 5

d. There are indirect effects in high-minority neighborhoods—such as reduced educational opportunities, low income, high unemployment, and drug-infested neighborhoods—that place minority youth at a higher risk of involvement in crime than in other areas.

1 2 3 4 5

e. Legislative and administrative policies such as “zero tolerance policies” can end up affecting minority youth differently than nonminority youth.

1 2 3 4 5

9. What other factors do you think contribute to a differential minority presence in the juvenile justice system in comparison to whites?

10. Have there been any significant changes (i.e., changes to local or state laws, administrative procedures, political changes, or shifts in the population) that you think might contribute to DMC in your jurisdiction?

11. When data are collected in your jurisdiction that indicates a disproportionate presence in part of this system, how reliable do you believe this data is? (1 indicates not reliable at all, 5 indicate extremely reliable.)

1 2 3 4 5

Section 3: Perception of DMC Efforts

12. What strategies or programs are you aware of, if any, to reduce disparate minority involvement in the juvenile justice system in your city? (Please list any current *and/or* past efforts that you know of.)

13. For each of the agencies listed below, please use the scale to show the extent to which you believe this agency is AWARE of Disproportionate Minority Contact in your jurisdiction (Check one for each row):

	VERY LOW	LOW	NEUTRAL/	HIGH
VERY HIGH				
COMMITMENT	COMMITMENT	COMMITMENT	UNSURE	
COMMITMENT	COMMITMENT			
Police Department <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juvenile Court <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
County Attorney's Office <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Youth Service Agencies <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth Detention Services <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School System <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. For each of the agencies listed below, please use the scale to show the extent to which you believe this agency is COMMITTED TO REDUCING Disproportionate Minority Contact in your jurisdiction (Check one for each row):

	VERY LOW	LOW	NEUTRAL/	HIGH
VERY HIGH				
COMMITMENT	COMMITMENT	COMMITMENT	UNSURE	
COMMITMENT	COMMITMENT			
Police Department <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Juvenile Court <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
County Attorney's Office <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Youth Service Agencies <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth Detention Services <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School System <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 4: Juvenile Justice Vignettes

Vignette 1: Chris and Kelly are having a conversation while walking down a hallway in a high school. Chris, a **(black/white)** **(male/female)** bumps into Jason who is at his locker. Jason drops his books, and he spins around and yells at Chris. The two begin screaming at each other. The school resource officer comes up and takes Chris away and makes a referral to the criminal justice authorities.

What is your level of agreement with the actions of the school resource officer?

Strongly disagree
Disagree
Agree
Strongly agree

Vignette 2: Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a **(black/white)** **(male/female)**, and Jeff is a white male. When the authorities arrive, (Chris/Jeff) is taken to into custody.

Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a black male and Jeff is a white male. When the authorities arrive, Chris is taken to into custody. What is your level of agreement with the individual being taken into custody?

Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a white male and Jeff is a white male. When the authorities arrive, Chris is taken to into custody. What is your level of agreement with the individual being taken into custody?

Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a black male and Jeff is a white male. When the authorities arrive, Jeff is taken to into custody. What is your level of agreement with the individual being taken into custody?

Two teenagers, Chris and Jeff, are in the middle of the street fist fighting. Chris is a white male and Jeff is a black male. When the authorities arrive, Jeff is taken into custody. What is your level of agreement with the individual being taken into custody?

Strongly disagree
Disagree
Agree
Strongly agree

Vignette 3: Allison, a 17-year old black female, has been missing school and cutting classes for the past couple of years without interference of the school or social services. Allison is three years behind grade level, and currently in the 10th grade. She is having difficulty in all subjects but having especially hard time with math. She enjoys history but has difficulty concentrating when trying to do the reading assignments. Allison often behaves disrespectfully towards the school staff when with her friends. When alone, she is quiet and amicable.

Based on the information in the above case description, what is the likelihood that you would intervene, given the opportunity?

Allison, a 17-year old white female, has been missing school and cutting classes for the past couple of years without interference of the school or social services. Allison is three years behind grade level, and currently in the 10th grade. She is having difficulty in all subjects but having especially hard time with math. She enjoys history but has difficulty concentrating when trying to do the reading assignments. Allison often behaves disrespectfully towards the school staff when with her friends. When alone, she is quiet and amicable.

Based on the information in the above case description, what is the likelihood that you would intervene, given the opportunity?

Very Unlikely
Unlikely
Likely
Very Likely

Vignette 4: Chris, a black male, is caught by law enforcement with a small amount of marijuana. Law enforcement lets Chris go with a warning. What is your level of agreement with the individual being taken into custody?

Chris, a white male, is caught by law enforcement with a small amount of marijuana. Law enforcement lets Chris go with a warning. What is your level of agreement with the individual being taken into custody?

Chris, a black female, is caught by law enforcement with a small amount of marijuana. Law enforcement lets Chris go with a warning. What is your level of agreement with the individual being taken into custody?

Chris, a white female, is caught by law enforcement with a small amount of marijuana. Law enforcement lets Chris go with a warning. What is your level of agreement with the individual being taken into custody?

Strongly disagree

Disagree

Agree

Strongly agree

APPENDIX F: DMC Focused Conversation Group Interviews

KY DMC Focused Interviews

1. Some people believe that DMC is a product of the system thinking of, and acting on, the basis of racial stereotypes. Based on your experiences, do you see this as true?
2. Also, I've heard the argument that DMC happens because of differences in how we think about kids from urban, suburban and rural areas (Justice by Geography). Would you say you've ever seen any evidence that urban and rural kids get treated/processed differently?
3. Others sometimes suggest that DMC is really just a proxy for economic differences (indirect effects/specific risk factors). What would your reaction be to the argument that we end up with racial differences in how kids are processed because of the economic status differences across kids/families?
4. If in fact there are differences in how kids of different races are processed in the juvenile justice system, what do you believe are the reasons for this? (Differential treatment - Probe for *how* each issue contributes)
5. Does there seem to be any patterns or trends that vary based on time of year (seasonal mobility)?
6. What about any influence from types of places kids hang out or common recreational activities (attractive nuisance)?

Probe: This word cloud displays the most commonly used words in response to "root causes of DMC". What is your reaction to these words?

Probe: This word cloud displays the most commonly used words in response to "other factors that contribute to differential minority presence in the juvenile justice system in relation to whites". What is your reaction to these words?

7. In the ideal world, where resources are not an issue, if you were appointed as the Kentucky DMC Czar, what would you do to ensure that there are not racial differences in how kids are processed by the juvenile justice system?

Probe: A number of people across the state believe that DMC is not a genuine issue in Kentucky. What is your response to that?