

FOCUS

Views from the National Council on Crime and Delinquency

Disproportionate Minority Contact: Alameda County

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Introduction

This FOCUS will explore racial and ethnic disproportion in the juvenile justice system. A case study of Alameda County, California, examines Disproportionate Minority Contact (DMC) at various points in the system and its implications. The study is juxtaposed to other societal conditions to explore patterns and potential connections.

Defining Disproportionate Minority Contact

Disproportionate minority contact (DMC) refers to the involvement of a racial/ethnic group with the criminal or juvenile justice system at a proportion either higher or lower than that group's proportion in the general population.*

When first coined nearly 20 years ago, the term DMC referred to disproportionate minority confinement. In 2002, this terminology was revised to disproportionate minority contact. This change reflects the need to examine DMC at all decision points in the justice system, from arrest to disposition.

"For every 100,000 Black juveniles living in the US, 754 were in custody in a juvenile facility on October 22, 2003." The rate for Hispanics was 348 and for Whites, 190.

Snyder & Sickmund, 2006.

*In measuring disproportion, the Relative Rate Index (RRI) compares the rate per 1,000 of each group to a reference group. In most instances, and in this report, White is used as the reference group.

The Research

NCCD collected and analyzed Alameda County Probation Department data as part of the Correctional Standards Authority’s DMC Initiative. Representatives of various public and private organizations, youth, and community members participated in an eight-month process to examine data, processes, programs, services, and experiences relating to the juvenile justice system in Alameda County, California. Unless otherwise noted, all data is from the Alameda County Probation Department.

Note on the data labels in the following graphs and tables:

Racial abbreviations will be used throughout this report.

- African American and Black—used synonymously
- AI/AN—American Indian/Alaskan Natives
- PI/NH—Pacific Islanders/Native Hawaiian
- API—aggregate of Asians and Pacific Islanders

In 2006 in California, while comprising 33% of the youth population ages 10-17, Latino youth represented over 50% of youth in Division of Juvenile Justice (DJJ, formerly known as CYA), and 50% of youth tried as adults and sent to the California Department of Corrections and Rehabilitation.

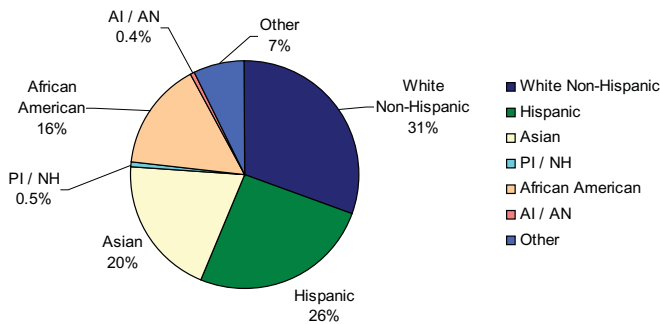
US Census Bureau, 2005; Office of Juvenile Research, 2006.

Alameda County

Alameda County, located in the San Francisco Bay Area, includes large cities such as Oakland, Fremont, and Hayward. Alameda County is composed of a very diverse youth population as can be seen in the following figure.

General Population

Alameda County Youth Population Ages 10-17, 2005



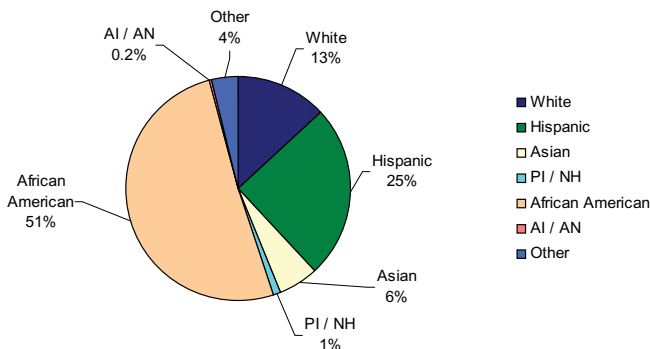
Race/Ethnicity	#	Percent
White	47,591	31%
Hispanic	40,097	26%
Asian	31,009	20%
African American	24,408	16%
PI/NH	793	0.5%
AI/AN	562	0.4%
Other/2 or more races	11,397	7%
Total	155,295	101% (due to rounding)

Sources: US Census Bureau, Data Summary File 3; US Census Bureau, 2005.

Referrals to Probation

Disproportion by race exists at every decision point in the juvenile justice system in Alameda County. A referral to probation occurs when a youth is arrested and “officially” becomes part of the juvenile justice system.

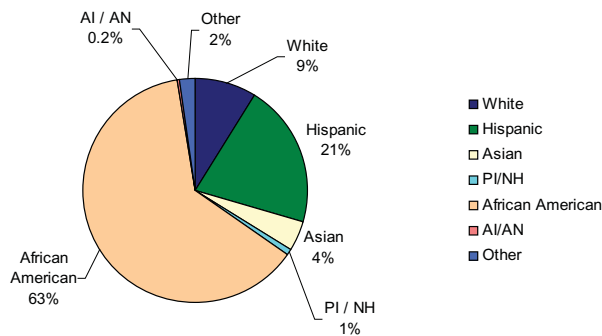
Youth Referrals to Alameda County Probation, 2006



Race/Ethnicity	#	Rate*	RRI**
African American	4313	177	7.6
Hispanic	2093	52	2.2
White	1111	23	1.0
Asian	547	18	0.8
PI/NH	75	95	4.1
AI/AN	14	25	1.1
Other	331	29	1.2
Total	8484	54	

A referral to probation may result in a youth being booked into juvenile hall (detained) or given a notice to appear (NTA) in court. If given an NTA, the youth is released to her parents or guardian and notified that they must appear before the probation department.

Youth Detained in Juvenile Hall, Alameda County, 2006



Race/Ethnicity	#	Rate*	RRI**
African American	1440	59	14.0
Hispanic	472	12	2.8
White	201	4	1.0
Asian	103	3	0.8
PI/NH	22	28	6.6
AI/AN	5	9	2.1
Other/Unknown	51	4	1.1
Total	2294	15	

*Rate per 1000 of total population

**Relative Rate Index with White youth as comparison group

The states vary in their methods of reporting data for Latinos/Hispanics. Some categorize Hispanic as an ethnicity, separate from all races, and include them in the White, Asian, or Black categories. This makes it difficult to compile credible national trend data and obscures disproportion for Whites and Latinos.

Juvenile Hall

Once a youth is taken to detention by a law enforcement officer, several factors affect how much time a youth spends there. A detention risk assessment is administered by the probation department and a detention hearing is held before a judge. If either shows the youth should not be detained, he is released. Otherwise, the youth is held awaiting adjudication or placement. The table at right shows that the average time spent in detention varies by race and ethnicity.

Average Number of Days in Detention

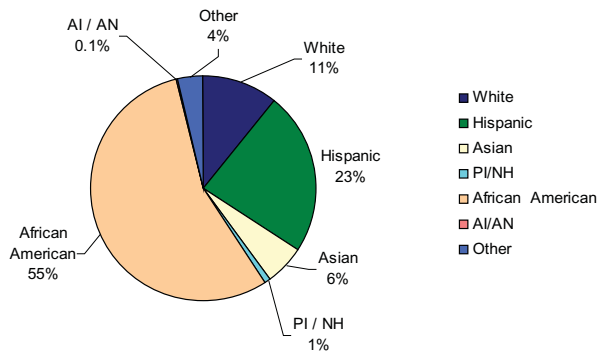
Race/Ethnicity	Average	Max.	Min.	#
African American	25.7	282	0	1440
Hispanic	20.3	173	0	472
White	18.3	103	0	201
Asian	21.6	149	0	103
PI/NH	22.6	58	1	22
AI/AN	17.8	58	1	5
Other/Unknown	23.4	180	0	51
Total	23.7	282	0	2294

Formal Charges

Probation officers determine whether to refer the case to the District Attorney (DA) for formal charges. If the probation department does not send the case to the DA's office, the case may be handled informally or dismissed. The distribution of the 2,193 cases referred to the DA by the probation department appears below.

Recall, Black youth represent 51% of initial referrals to probation; at the point of referral to the DA their disproportion grows to 55%. In contrast White youth comprise 13% of referrals to probation, and 11% of cases referred to the DA.

Juvenile Cases Sent to the District Attorney, 2006



Race/Ethnicity	#	Rate*	RRI**
African American	1216	282	1.3
Hispanic	515	246	1.2
White	235	212	1.0
Asian	125	229	1.1
PI/NH	18	240	1.1
AI/AN	3	214	1.0
Other/Unknown	81	245	1.2
Total	2193	258	

*Rate per 1000 of total population

**Relative Rate Index with White youth as comparison group

Disposition

Disposition, commonly known as sentencing, occurs after the judge has determined that the charges filed against the youth are true and decides what level of threat the youth poses, whether to remove the youth from society or conditionally return them to the community.

Youth Disposition by Race/Ethnicity

	Informal Probation	Rate/1000	Noncustody Placement	Rate/1000	Camp Sweeney	Rate/1000	Formal Supervision	Rate/1000	DJJ (CYA)	Rate/1000
African American	41	36	339	301	82	73	385	341	26	23
Hispanic	12	29	90	221	27	66	167	410	4	10
White	19	96	41	207	11	56	91	460	1	5
Asian	4	37	23	213	8	74	47	435	2	19
PI/NH*	1	59	6	353	1	59	4	235	0	0
AI/AN*	0	0	0	0	1	333	2	667	0	0
Other	2	42	5	104	1	21	29	604	0	0
Total	79	41	504	264	131	69	725	380	33	17

* Due to the small numbers of youth adjudicated, PI/NH and AI/AN have exaggerated rates.
 Note: Rate is based on total number adjudicated for each group.

- The least restrictive option is to return the youth home under informal or formal supervision. African American youth have the highest numbers, but one of lowest rates of receiving this sentence. Latinos are returned home least often.
- A more restrictive option is Camp Sweeney. All groups had relatively similar rates of referral to Camp Sweeney, but African Americans have the highest number of youth placed there.
- Black youth were over four times more likely than White youth to be incarcerated in a state DJJ facility—the most restrictive option. Latinos are nearly twice as likely as White youth to receive this option.
- Three youth, all African American, were tried as adults.

Summary of Alameda County Data

Some patterns emerge from the Alameda County Probation Department data. African Americans are disproportionately represented at each stage of the system, as are Latinos, although not to the same degree. Pacific Islanders have a small population, but are disproportionately overrepresented at some decision points in the juvenile justice system.

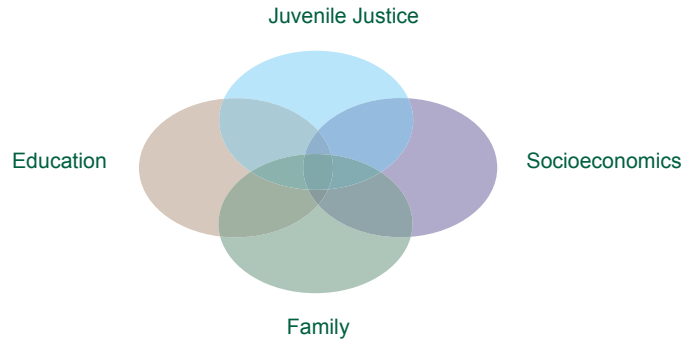
	Alameda County Population	Total Referrals	Bookings Juvenile Hall	Cases Filed with the DA	Formal Supervision	Noncustody Placement**	Camp Sweeney	DJJ
African American	16%	51%	63%	55%	53%	67%	63%	79%
Hispanic	26%	25%	21%	23%	23%	18%	21%	12%
White	31%	13%	9%	11%	13%	8%	8%	3%
Asian	20%	6%	4%	6%	6%	5%	6%	6%
PI/NH	*	1%	1%	1%	1%	1%	1%	*
AI/AN	*	*	*	*	*	*	1%	*
Other	7%	4%	2%	4%	4%	1%	1%	*
Total		100%	100%	100%	100%	100%	100%	100%

*Less than 1%

**Youth taken out of the home and placed in a group home but not incarcerated

Factors Underlying Disproportionate Minority Contact

Factors that influence DMC are the juvenile justice system itself, family dynamics, socioeconomic conditions, and education. There are differences among groups in vulnerability and exposure to factors that put youth at higher risk for offending from their earliest years.



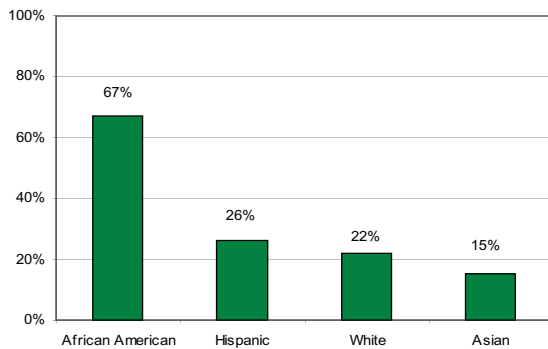
Juvenile Justice System

The juvenile justice system itself affects DMC. Racial and ethnic bias may influence decisions made in the system. Insufficient diversion choices are available to police and probation officers to create options for youth make this situation worse. Inadequate integration between the juvenile justice system and the community tends to prevent meaningful collaboration.

The Family

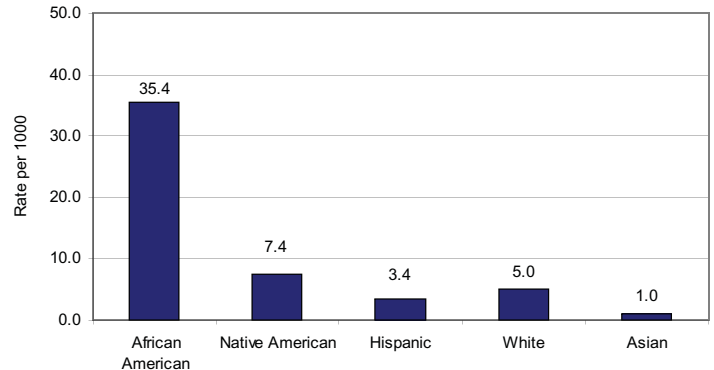
Family characteristics impact DMC. A parent’s reduced financial resources and limited supervision time for their children puts the child at higher risk of offending. In general, a parent’s availability and ability to advocate for their child, once involved with the system, impacts the child’s outcome in adjudication and disposition. Parental involvement varies among ethnicities and is determined by a variety of factors including trust of authority, familiarity of the system, language fluency, and potential immigration issues. Youth in the foster system are considered at high risk for delinquency.

Percent of Youth Living with Only One Parent
Alameda County, 2000



Source: US Census Bureau, Data Summary File 3.

Foster Care Prevalence Rates
Alameda County, 2005



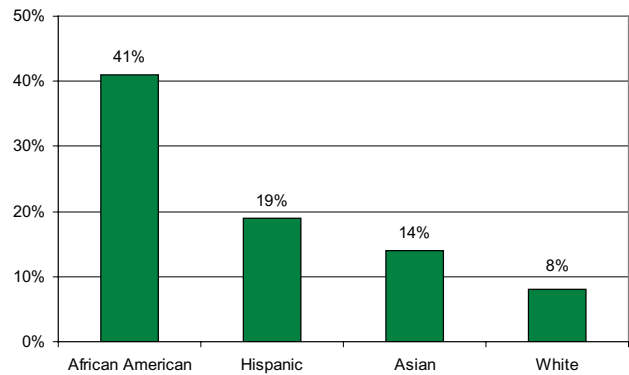
Source: Devine, Coolbaugh, & Jenkins, 1998.

Socioeconomic Conditions

Socioeconomics encompasses a multitude of factors that impact quality of life such as basic economics, opportunities, and resources for health, education, and employment. Certain ethnic groups are concentrated in low-income areas.

Source: US Census Bureau, Data Summary File 3.

Percent of Youth Living Below Poverty Level Alameda County, 1999



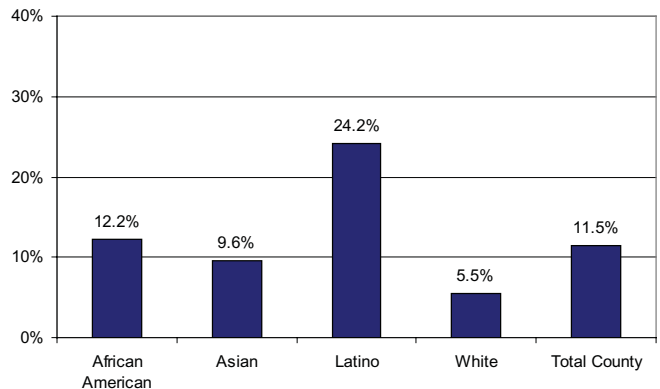
Economics impacts vital resources including libraries, public schools, and after-school programs. Daily crime statistics show a spike in offenses during the after school hours. Fewer resources for low income youth and the prevalence of negative influences put them at increased risk.

Physical Health

The physical well being of a child and the child’s family relates to the prevalence of behavior that may lead to truancy, arrest, and other negative consequences. A sick child or parent impacts a parent’s ability to be financially responsible, keep steady employment, supervise and engage their youth, and mitigating emotional stresses. Health insurance plays a role in mortality and access to resources.

Source: Alameda County Public Health Department, 2007.

Percent Uninsured Alameda County, 2003-2005



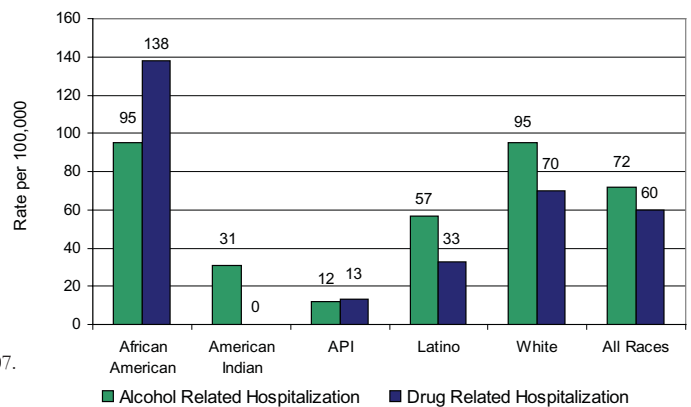
In Alameda County “African Americans bear the greatest burden of illness and mortality... They have the lowest rates of up-to-date immunizations and high rates of low birth weight, chronic diseases, unintentional injury mortality and homicide, as well as drug- and alcohol-related hospitalizations. Latinos have the highest rates of teen births, and high rates of diabetes and obesity. Pacific Islanders have the highest rate of coronary heart disease mortality.”

Alameda County Public Health Department, 2007.

Substance Abuse

Substance abuse in a family is a risk factor, creating an environment in which a child is vulnerable to potential physical and psychological harms.

Alcohol and Drug Related Hospitalizations Alameda County, 2007



Source: Alameda County Public Health Department, 2007.

Recommendations for Reducing DMC

The research culminated in a report entitled, *Findings and Recommendations from the Disproportionate Minority Contact Initiative, Alameda County, August 2006*. It made the following five broad recommendations for decreasing DMC in Alameda County's juvenile justice System. In addition, multiple recommendations were made about how to begin to address these five areas.

- Decrease number of youth of color referred to probation through early prevention, increased use of diversion, and implementation of other system changes.
- Decrease referrals of youth 14 years and younger through age, gender, and culturally appropriate interventions.
- Decrease referrals for warrants and probation viola-

tions by increasing communication and support for youth on probation to comply with court requirements and access to appropriate services.

- Decrease the number of youth detained in juvenile hall by using detention alternatives as much as possible.
- Increase resources to provide programs and services for youth for both prevention strategies and interventions once youth are in the juvenile justice system.

Disproportionate Minority Contact is not the sole responsibility of any one agency, it is a reflection of inequalities that are widespread throughout a community, and therefore need the cooperation of all agencies dealing with these contributing factors.

References

Alameda County Public Health Department (2007). *Hospital council report 2007*. Retrieved January, 2008 from www.urbanstrategies.org/programs/csj/documents/childabuse07-12.pdf

Alameda County Violence Prevention Initiative (2007). *Child abuse and neglect in Alameda County: A fact sheet*. Retrieved November, 2007 from <http://www.urbanstrategies.org/programs/csj/documents/ChildAbuse07-12.pdf>

Devine, P., Coolbaugh, K., & Jenkins, S. (1998). *Disproportionate minority confinement: Lessons learned from five states*. Juvenile Justice Bulletin. Office of Juvenile Justice and Delinquency Prevention.

Office of Juvenile Research, Information Systems Unit, OBITS (Dec. 31, 2006). *Population Overview*. Department of Correction and Rehabilitation, Division of Juvenile Justice.

Snyder, Howard N., & Sickmund, M. (2006). *Juvenile offenders and victims: 2006 national report*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

U.S. Census Bureau (2005). *2005 American community survey*.

U.S. Census Bureau. *United States census 2000: Data summary file 3*. Retrieved August, 2007 using American FactFinder from <http://factfinder.census.gov>