

Juvenile Justice Fact Sheet Series: African-American Youth

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Counsel

Girls

Crossover
Youth

African-
American
Youth

Latino Youth

LGBTI
Youth

Mental
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Pipeline

Overview:

Black youth are disproportionately over-represented in the juvenile justice system both nationally and in Ohio, and the disparities grow as youth move deeper into the system. Efforts to reduce this disproportionality are commonly identified as steps being taken to address and reduce racial and ethnic disparities (RED) [also called Disproportionate Minority Contact – or DMC – under the federal Juvenile Justice and Delinquency Prevention Act (JJDP)]. *Note:* In Ohio, data on both African-American youth and Black youth who have emigrated from an African country is collected under the category “Black youth.” This brief does not address the specific needs of African immigrant youth, including any unique linguistic and cultural differences between this population and the state’s African-American population.

National Statistics:

In 2012, Black youth comprised nearly 17% of the U.S. population of youth up to age 18. However, in 2011, Black youth made up 34% of the youth who were involved in juvenile justice systems for delinquency offenses.

These disparities exist despite self-reporting data that indicate that White youth engage in risky behavior at the same or higher rates than Black youth. Although Black youth are more likely to engage in assaults and thefts of more than \$50, self-reporting data show that when compared with Black youth, White youth were equally as likely to carry a handgun, carry a weapon on school property, and run away, and more likely to commit vandalism, steal less than \$50, and sell drugs.

National data also allow for a comparison of the juvenile justice system’s responses to youth of different races or ethnicities charged with similar offenses. Nationally, compared to White youth, Black youth are more likely to be arrested, formally referred to the juvenile system, detained, placed in a juvenile correctional facility, and transferred to adult court. Black youth are also less likely to be sent to a diversion program or given probation.

Research and Programming:

Reducing RED, particularly for Black youth, has been the target of many efforts both nationally and in individual states. At the federal level, the JJDP requires that states address DMC in their juvenile justice systems to access full federal funding for juvenile justice programs. In order to comply, states must track DMC at nine points throughout the system, from arrest to sentencing.

Unfortunately, reducing RED has been an extremely difficult issue to solve, with many jurisdictions struggling to achieve these reductions. Implementing programs that reduce RED often requires that these initiatives be driven at the local level; however, some common characteristics of successful efforts have been identified, such as the creation of leadership teams designed to reduce RED, quality-driven data collection and analysis at each point in the juvenile justice process to identify where disparities occur, using objective screening and assessment instruments, and creating and monitoring plans to reduce RED.

Ohio Data:

In 2012, Black youth made up just over 17% of Ohio’s youth population, paralleling the national percentage. Ohio collects data on racial disparities in 14 targeted counties that contain over 80% of the state’s minority youth population: Allen, Butler, Clark, Cuyahoga, Franklin, Hamilton, Lorain, Lucas, Mahoning, Montgomery, Richland, Stark, Summit, and Trumbull counties. However, data from other counties are not available.

The data from these 14 counties indicate strong disparities for Black youth. In Fiscal Year 2013 (FY13), despite making up only 17% of Ohio's population, Black youth made up 49% of youth adjudicated delinquent of felonies, 57% of youth committed to juvenile correctional facilities, and 82% of youth bound over (transferred) to adult court. Black youth are more likely to receive harsher responses from the courts, including being placed in locked facilities both pre- and post-adjudication, while less likely to access more rehabilitative options, such as diversion programs and probation. The largest points of disparity for Black youth are arrest and transfer to the adult court system; Black youth are nearly four times more likely to be arrested than White youth and nearly six times more likely to be transferred to adult court. In FY13 alone, nearly 13,000 fewer Black youth would have had to be arrested to make the arrest rate between White and Black youth equal.

Ohio's Approach:

Since 2007, Ohio has devoted most of its JJDPA funding to reducing DMC in the state, particularly focusing on prevention and early intervention programs to reduce disparities affecting Black youth. DYS's efforts have targeted the 14 counties listed in the previous section.

In these counties, DYS has funded initiatives such as Big Brothers Big Sisters and other mentoring programs, a leadership and teen court program, anger management, substance abuse programs, individual family counseling, increasing courts' diversion options (such as a wraparound program and mediation), truancy and school-based interventions, and education programs on life skills and the legal system. The majority of these programs are designed specifically to address African-American youth through prevention and early intervention. For example, in Stark County, a local assessment indicated distrust between the county's African-American population and the court system. Therefore, the court initiated a diversion program that allowed youth to have minimal contact with the court, while linking the youth and their families to treatment options in the community.

In 2012-2014, the Governor's Council indicated that it would spend just under \$2.5 million to continue to work towards reducing DMC, including 1) DMC assessments at the county and state level and 2) targeting law enforcement to reduce arrest through training and enhanced data collection efforts.

Conclusion:

In recent years, Ohio has dedicated a large amount of time and funding to reducing RED for youth in the juvenile justice system, particularly for Black youth. While this focus is positive and necessary, significant disparities for Black youth remain, particularly around arrest and bindover decisions, and efforts remain focused at the front end of the system. In addition, these efforts are impeded by the state's lack of a coordinated data collection system that would allow stakeholders to quickly assess and respond to issues when they arise.

Resources:

Critical Condition: African-American Youth in the Justice System, Authors: Neelum Arya, Ian Augarten, Hilary O. Shelton (September 2008) available at: http://www.campaignforyouthjustice.org/documents/CFYJPB_CriticalCondition.pdf

Department of Youth Services, *2012 Annual DMC Report Update* (2012), available at <https://www.sagtraining.org/State.aspx?State=OH>.

Department of Youth Services, *Profile of Youth Transferred to Adult Court: Fiscal Year 2013* (March 2014).

Department of Youth Services, *Profile of Youth Adjudicated or Committed for Felony Offenses: Fiscal Year 2013* (January 2014).

Governor's Council on Juvenile Justice, *Three Year Plan* (2012).

Puzzanchera, C. and Hockenberry, S. (2013). National Disproportionate Minority Contact Databook. Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention. Online. Available: <http://www.ojjdp.gov/ojstatbb/dmcdlb/>

Puzzanchera, C., Sladky, A. and Kang, W. (2013). Easy Access to Juvenile Populations: 1990-2012. Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

Sickmund, M., Sladky, A., and Kang, W. (2014). "Easy Access to Juvenile Court Statistics: 1985-2011." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezajcs/>

This fact sheet is one of a fact sheet series about Ohio's juvenile justice system by the Ohio Juvenile Justice Association.

If you have any questions, please visit OJJA's website or contact Erin Davies with the Juvenile Justice Coalition at edavies@jjohio.org or 614-400-5548.