

Disproportionate Minority Overrepresentation in North Carolina's Juvenile Justice System

Introduction

There have been several research studies that have explored the problem of minority overrepresentation in the juvenile justice system. Minority overrepresentation occurs when a disproportionately large number of minority youth come into contact with the juvenile justice system in relation to their representation in the general population. The groups that are defined as minorities are African American, Native American, Asian American, Pacific Islanders, Hispanic/Latinos, or any other non-Caucasian group. The following is a list of some of the key factors identified from previous research that may lead to disproportionate minority confinement in the juvenile justice system:

- The Office of Juvenile Justice and Delinquency Prevention (OJJDP, 1990) discovered that minority youths were more likely than non-minority youths to be formally processed and held in detention.
- A study in Ohio revealed that in decisions leading to confinement, more than 55% of all juveniles detained prior to adjudication were minorities and 60% of all juveniles receiving a disposition to confinement were minorities (Dunn et. al, 1993).
- Socioeconomic status, as well as family background, consistently plays a role in minority overrepresentation (Kurtz, Giddings, and Sutphen, 1993).
- Urbanization tends to increase the imprisonment risk of minorities, especially for blacks, while decreasing the probability of imprisonment for whites (Myers and Talarico, 1996).
- Studies show that minorities, particularly black males, commit serious and violent crimes at significantly higher rates than white males (Bridges and Beretta, 1994).
- Lack of adequate diversion programs, lack of culturally appropriate services, and perceived barriers to parental advocacy may lead to minority overrepresentation.

In 1988, the Federal Juvenile Justice and Delinquency Prevention (JJDP) Act required all states to conduct studies to determine whether minority youth were being confined in numbers greater than their representation in the general youth population. Furthermore, states are required to seek remedies if overrepresentation exists. In accordance with this mandate, North Carolina conducted two studies, in 1990 and 1994, to determine if minority overrepresentation was apparent in arrests, detention school, and training school admission rates. Both studies revealed minority overrepresentation in all three of these areas. This SystemStats will present findings from a recent study that examined if minority overrepresentation in the areas of arrest rates, detention admissions, and training school admissions have increased or decreased since 1990 and 1994. It will also test the following hypotheses:

Hypothesis 1: Districts with numerous alternative programs will have lower minority detention and training school overrepresentation than those districts with minimal or no alternative programs.

Hypothesis 2: Minority juveniles are arrested for serious and violent crimes at higher rates than white juveniles, which may lead to minority overrepresentation.

Hypothesis 3: Counties classified as urban tend to have higher minority juvenile arrests, detention, and training school overrepresentation rates than those counties classified as rural.

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Methodology

For the purpose of this study, the Commission's Criminal Justice Analysis Center compared North Carolina's 1997-1998 arrest data for minority youth in the age range of 10 to 18 with previous data obtained from both the 1990 and 1994 studies. Data on detention and training school admissions for juveniles 10-15 were also compared to data from these earlier years. Arrest data were obtained from the State Bureau of Investigation's Division of Criminal Information, while detention and training school admissions data were obtained from what was the Department of Human Services' Division of Youth Services. State demographics were obtained from the Office of State Planning. The data reflects all 100 counties and shows a breakdown of the number of minority juveniles per county who were arrested. Furthermore, the data show the number of minority juveniles per county who were confined in either a detention or training school.

To identify the significance of disproportionate minority confinement in the state of North Carolina, as well as within each county, we used the standard equation from the Office of Juvenile Justice and Delinquency Prevention for assessing the relationship between minority involvement in the juvenile justice system and minority representation in the general youth population. The equation below mathematically presents a minority overrepresentation index score.

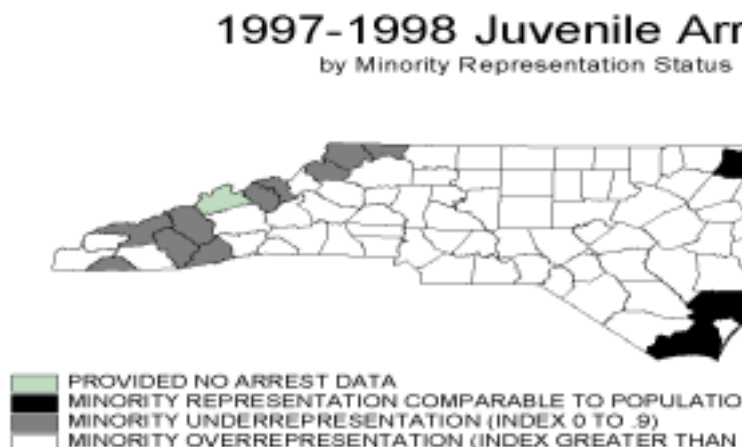
$$\text{Minority Overrepresentation Index} = \frac{\% \text{ of Processed Youth who are Minority}}{\text{Minority Youth as a \% of the Youth Population}}$$

This formula represents the percent of processed youth who are minority divided by the percent of the juvenile population who are minority. Index ratio scores in the range of zero to one indicate no minority overrepresentation. A score of one indicates it is proportionate to the minority youth population, while a score above one indicates minority overrepresentation.

Historical Trends in Disproportionate Minority Confinement

The following section delineates trends in the number of counties with minority overrepresentation in their respective juvenile justice systems, and in the rate at which minority youth are committed to the state's detention facilities and training schools. Specifically, arrest, detention, and training school admission data for the years 1990 and 1994 will be compared to the most recent (1997/1998) data in order to assess the degree to which the state's minority overrepresentation has either improved or become worse over the course of the decade.

Figure 1



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Arrest data for 1990 indicate that minority overrepresentation was apparent in 66 of the state's counties. The statewide arrest index score was 1.26 in 1990, indicating a slight minority overrepresentation problem for the state as a whole. Minority overrepresentation increased from 1990 to 1994 with the statewide index ratio score expanding 46.8% to 1.85. The number of counties with minority arrest overrepresentation swelled from 66 in 1990 to 84 in 1994. Figure 1 represents the most recent arrest data. It indicates that the statewide index arrest ratio score has declined slightly since 1994 to 1.7. While marginal improvements were recorded from 1994 to 1998, minority arrest overrepresentation has become more problematic in North Carolina with the statewide index ratio score climbing from 1.26 in 1990 to 1.7 in 1998 (34.9% increase). It is a great concern that the minority overrepresentation has increased while the overall arrest rate is down. At the beginning of the decade 67 counties experienced minority overrepresentation in their detention school admissions. The statewide detention admissions index score was 2.26 in 1990. Cumulative data on the number of detention school admissions in 1994 demonstrate a marginal decline of 5.8 percent in the state's index ratio score. However, the number of counties experiencing minority overrepresentation in detention school admissions in

1994 was 77. Figure 2 represents the most recent detention school admission data. It indicates that the number of counties with minority overrepresentation in this area grew slightly to 80 by the end of the fiscal year 1997/1998.

The statewide index remained relatively constant with a score of 2.13 in 1994 and a score of 2.1 in the fiscal year 1997/1998.

Minority overrepresentation for training school admissions was apparent in 61 counties in 1990. North Carolina's cumulative statewide index was 1.38 in 1990. Cumulative data for the 1994 training school data demonstrate an increase of 69.6% in the state's index score; a score that climbed from 1.38 to 2.34. Training school admission data for 1998 indicate that the state's index ratio score of 2.3 remained relatively constant since 1994. According to Figure 3, the number of counties with disproportionate minority confinement rates dropped considerably since 1994 with 72 counties having the problem in 1998. While improvements occurred from 1994 to 1998 minority overrepresentation has become more problematic since the beginning of the decade with the number of counties experiencing this problem growing by 18 percent since 1990. The state's index score has climbed from 1.38 in 1990 to 2.3 in 1998 (66.6 percent increase).

Figure 2

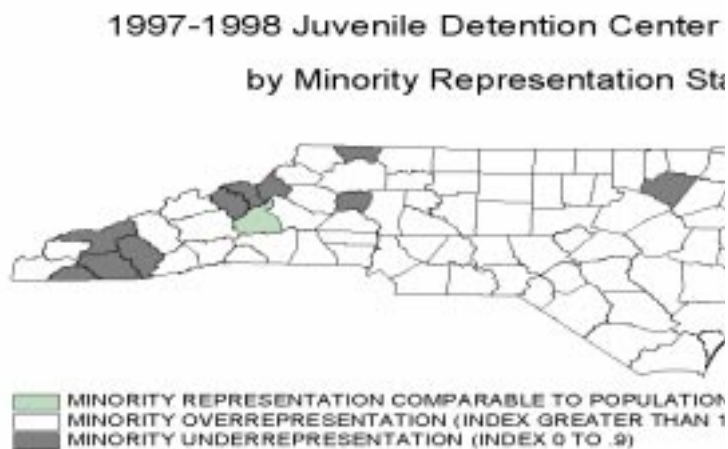
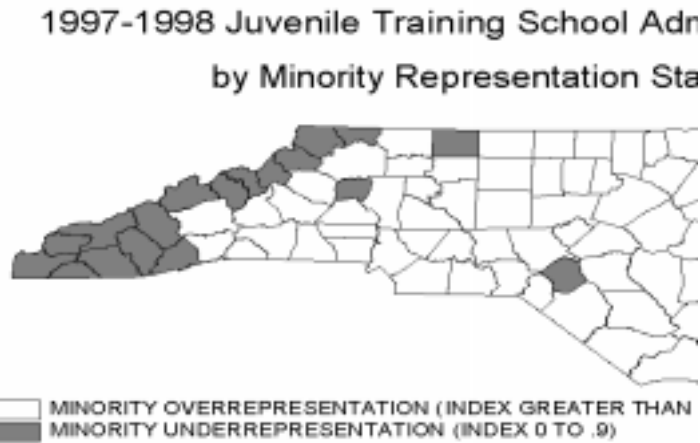


Figure 3



Comparison between the Indices and The Number of Alternative Programs

Figures 4 through 6 represent the comparison between arrests, detention, and training school indices with the number of alternative programs. To make this comparison, two groups were created. Group 1 represents districts that have index scores of 1.5 or less in arrests, detention, and training school indices, while group 2 represents districts with indices of 1.6 or above.

Figure 4 Comparison of Arrest Index and Alternative Programs

	Group	Number of Programs	Mean
Total number of Alternative Programs	1	51	4.76
	2	44	4.59

Figure 5 Comparison of Detention School Index and Alternative Programs

	Group	Number of Programs	Mean
Total number of Alternative Programs	1	41	4.71
	2	55	4.67

Figure 6 Comparison of Training School Index and Alternative Programs

	Group	Number of Programs	Mean
Total number of Alternative Programs	1	62	4.66
	2	34	4.74

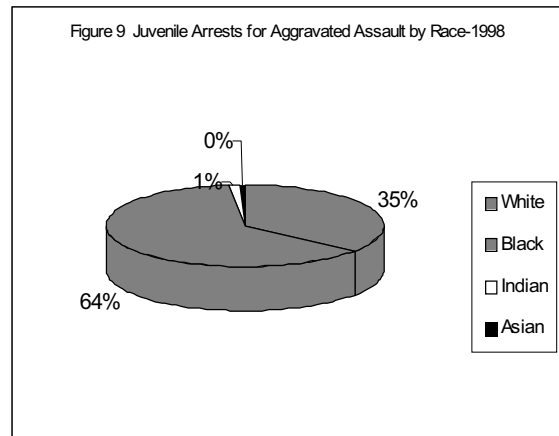
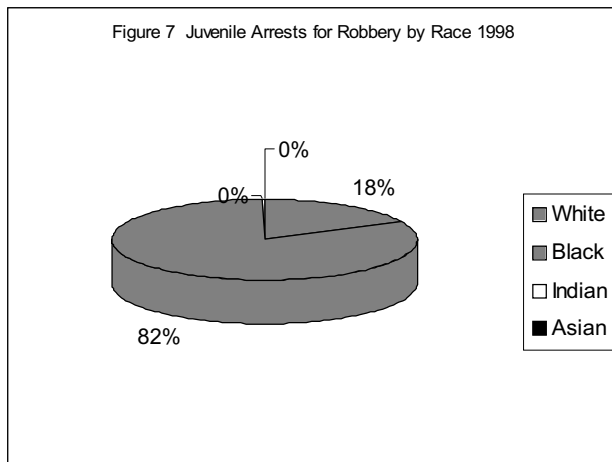
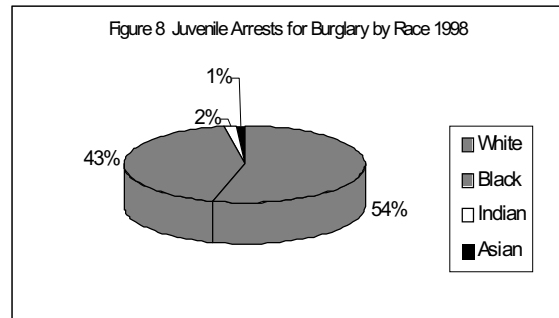
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Figure 4 (page 4) shows that group 1 had 51 alternative programs, while group 2 had 44 programs. However, there was only a mean difference of two-tenths of a point. Therefore, this difference was not significant. Figure 5 shows that group 2 had 55 alternative programs compared to 41 in group 1. Although group 2 yields more programs than group 1, the difference is not significant. Finally, figure 6 shows that group 1 had 62 alternative programs, compared to 34 in group 2. However, this difference was not significant. Therefore, one may conclude from this data that the number of alternative programs in a district does not have any effect on minority detention and training school admission rates.

Juvenile Arrests Controlled by Type of Crime and Race

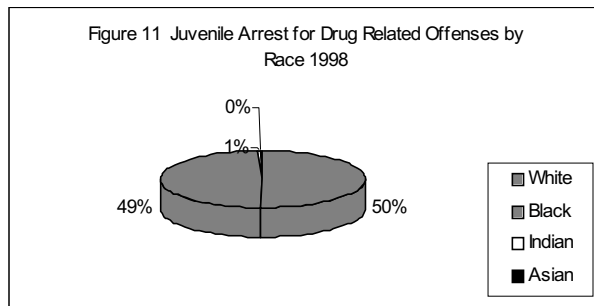
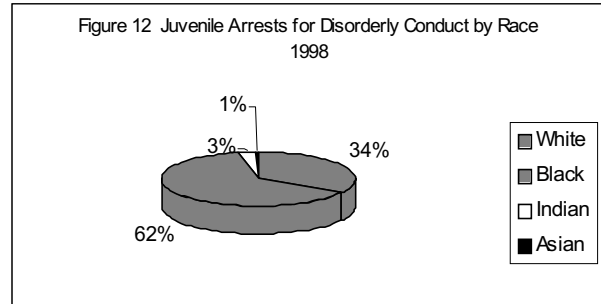
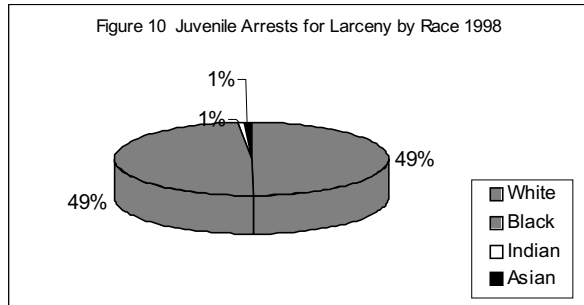
Figures 7 through 12 represent the different types of crimes juveniles were arrested for in 1998. Figure 7 represents juvenile arrests for robbery by race. According to the data, African-Americans represented 82% of the juvenile arrests for robberies. Whites represented only 18% of juvenile robbery arrests, whereas, Native and Asian-Americans were not represented for these type of arrests. Figure 8 represents juvenile arrests for burglary by race. According to the graph, whites represented 54% of juvenile burglary arrests, compared to 43% of African-Americans. Asian and Native Americans represented only 3% of juvenile burglary arrests. Figure 9 depicts juvenile arrests for aggravated assault by race. African-Americans represented an overwhelming 64% of arrests for this type of crime compared to 35% of white arrests.

Asian and Native Americans represented a mere 1% of arrests for aggravated assault. Figure 10 (page 6) represents juvenile arrests for larceny by race. Whites represented 49% of larceny arrests. Similarly, African-Americans represented 49% of larceny arrests. Asian and Native Americans represented 2% of larceny arrests. Figure 11 (page 6) represents juvenile arrests for drug related offenses. Whites and African-Americans were arrested for drug related offenses at similar percentages. Whites represented 50% of the arrests, whereas, African-Americans represented 49%. Asian and Native Americans represented 1% of drug related arrests. Finally, Figure 12 (page 6) represents juvenile arrests for disorderly conduct by race. African-Americans represented 62% of the disorderly conduct arrests, while whites represented 34% of the arrests. Asian and Native Americans represented 4% of disorderly conduct arrests.



Arrests data obtained from the North Carolina Uniform Crime Report.

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to 66 counties classified as rural with a mean of 32. Finally, figure 15 represents training school admission total and community variance. Again, there were 34 counties classified as urban with a training school mean of 23, compared to 66 counties classified as rural with a mean of 8. Thus community type does significantly affect arrests and detention and training school admissions.

Comparison between Urban and Rural Counties

Figures 13 through 15 represent the comparison of arrest, detention school, and training school admissions with community type. Community type one consists of counties classified as urban and community type two consists of counties classified as rural. Figure 13 represents arrest totals and community type variance. The figure shows that 34 counties were classified as urban with an arrest mean of 534, compared to 66 counties classified as rural with an arrest mean of 185. The difference between the two is significant. Similarly, there is a significant difference when comparing detention admission totals and community type variance. According to figure 14, there were 34 counties classified as urban with a detention admission mean of 114, compared

Figure 13 Arrest Totals and Community Type Variance

	Community Types	Number of Counties	Mean
Total number of Minority Arrests	Urban Rural	34 66	534.18 185.71

Figure 14 Detention Schools Admission Totals and Community Type Variance

	Community Types	Number of Counties	Mean
Total number of Detention Admissions	Urban Rural	34 66	114.68 32.64

Figure 15 Training Schools Admission Totals and Community Type Variance

	Community Types	Number of Counties	Mean
Total number of Training Admissions	Urban Rural	34 66	23.97 8.26

Questionnaire Results

A questionnaire was developed to identify common perceptions and explanations for minority overrepresentation among North Carolina's law enforcement agencies, juvenile court counselors, and detention and training school administrators. In this section, the results to the questions are presented.

Question #1 from the survey asked the respondents if they felt there was a problem with disproportionate minority confinement in their respective counties. According to the results, 33.3% of the respondents who answered this question (n=75) disagreed that disproportionate minority confinement was a problem in their county compared to 32% who agreed that disproportionate minority confinement was a problem in their county. Moreover, 12% who answered this question strongly agreed that there was a problem with disproportionate minority confinement in their county and 6.7% strongly disagreed that disproportionate minority confinement was a problem. The results show that there are mixed perceptions to the problem of minority overrepresentation among law enforcement agencies, court counselors, and detention and training school administrators.

The respondents were asked if the problem of minority overrepresentation in their county has gotten better or worse. The results showed that 51.4% of the respondents who answered this question (n=74) felt that the problem has stayed about the same. In contrast, 9.5% of the respondents who answered the question reported that the problem has gotten better and 9.5% of the respondents said that the problem has gotten worse. The fact that the majority of the respondents felt that the problem has stayed about the same may be an indication that the intervention mechanisms may not be working to suppress the problem or that nothing is being done to deal with the problem.

Personnel from law enforcement agencies, juvenile court counselors, and detention and training school administrators were asked if minority youths commit serious crimes at higher rates than white youths. According to juvenile court counselors and detention and training school administrators, 28% of the respondents who answered the question (n=32) agreed that minority juveniles commit serious crimes at higher rates than white youths, compared to 26% who disagreed. Among the law enforcement agencies, only 7.3% of the respondents who answered the question (n=41) agreed that minority juveniles commit serious crimes at higher rates than whites compared to 70.7% who disagreed.

Community Type Classification obtained from the North Carolina Uniform Crime Report.

Finally, question #19 asked respondents if they believe that their county has been proactive to the problem of disproportionate minority confinement. Out of the respondents who answered this question, 50.7% (n=67) felt that their county was proactive to the problem of disproportionate minority confinement compared to 20.9% who felt that their county was not proactive.

Discussion

The results of this study show that disproportionate minority confinement still exists within North Carolina's juvenile justice system. Subsequently, the problem has become worse since the previous studies in 1990 and 1994. The number of counties experiencing minority overrepresentation in arrest rates has increased 17 percent. Furthermore, the statewide minority arrest index has increased 25 percent. The number of counties experiencing minority overrepresentation in detention and training school admissions has also increased since 1990. The number of counties experiencing minority overrepresentation in detention school admissions has increased 13 percent. However, the statewide minority detention index has declined 7 percent. Finally, the number of counties experiencing minority overrepresentation in training school admissions has increased 11 percent. The statewide minority training school index has increased 66 percent.

Further analysis has shown that the number of alternative programs within a particular district has virtually no effect on detention and training school indices. The results showed no correlation between the number of alternative programs per district and detention and training school indices. Paradoxically, districts with detention school index scores of 1.5 or lower did not have as many alternative programs as those districts with indices of 1.6 or higher. In contrast, districts with training school indices of 1.5 or lower had more alternative programs than districts with index scores of 1.6 or higher, yet, the difference was not significant.

Another intriguing finding from this study was that minority youth, especially African-Americans, were arrested for a significant number of serious and violent

crimes, which supports the previous theory that minority youth commit serious and violent crimes more often than white youth. Subsequently, minority youth represented 82% of the robbery arrests and 64% of the aggravated assault arrests in North Carolina for 1998. As a result, minority youth who were arrested for these types of crimes and eventually adjudicated may not have been qualified for alternative programs due to the seriousness of their crimes, which may lead to minority overrepresentation. The question is are minority youths who commit serious and violent crimes equally sentenced to detention and training schools according to their representation in the general population when compared to white juveniles who commit similar offenses? Finally, the report showed that community variance may have an impact on minority overrepresentation in the juvenile justice system. The results showed that counties classified as urban have higher detention and training school indices than those counties classified as rural.

Recommendations

Now that an assessment of the severity of disproportionate minority confinement in the state of North Carolina has been made, recommendations for approaches to prevention and intervention strategies can be offered. One exemplary program is found in Pennsylvania. The Office of Juvenile Justice and Delinquency Prevention in 1998 used Pennsylvania's process as an example of efforts to approach the problem of disproportionate minority confinement. Pennsylvania began its efforts in 1986 with the Pennsylvania Commission on Crime and Delinquency (PCCD) and the Juvenile Advisory Committee (JAC). In 1990, JAC established the Minority Confinement Subcommittee to focus on the disproportionate minority confinement issue. As a result, prevention and intervention programs were implemented in target counties.

From the evaluation of the Harrisburg programs (state capital area) officials found that of the 200 adolescent clients referred to the coalition during its first year of operation, 169 satisfied the minimum attendance criterion. Fifty percent of the coalition clients had a prior involvement with the juvenile justice system, yet, only twenty percent were referred to juvenile

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probation subsequent to their involvement with the coalition. Over a three year period, the recidivism rate for the high-attendance group was 25.8 percent, in contrast to the low-attendance control group which had a recidivism rate of 53 percent for the same period (Hsia and Hampton, 1997).

These results are an outcome of five prevention and intervention programs developed in the Harrisburg area. **The Business Entrepreneur Club** was created to help young minority females learn work and life skills; **Targeted Outreach** was developed to provide educational, physical, social, and vocational programs through the Boys and Girls Club to minority youth; **Positive Choice** was developed to give educational assistance to minority juveniles and to help youth make positive choices for the future; **Project Connect** works to improve school attendance and academic achievement by addressing social and familial needs in hopes of preventing youth from dropping out of school; and an **Hispanic Center After-School Program** that focuses on at-risk Hispanic students helping to improve their school performance, reduce rate of school failure and dropping out among Hispanic youth.

Recommendations for North Carolina include the following: Analyze and compare the decision making process of juvenile judges in different districts; compare decisions made by juvenile court judges within districts for significant differences; look at the percent of minorities arrested for specific crimes who are sent to detention and training schools and compare those results to white juveniles who commit similar offenses. A final suggestion is to determine if prior record is a variable that may lead to minority overrepresentation.

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