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Racial Disparities Remain High in Juvenile Arrests*Drop In Overall Arrests Shows More Direct Approach Needed***Executive Summary**

African-American youth in Maryland continue to be arrested at a much higher rate than White youth, according to new data obtained and analyzed by Advocates for Children and Youth. This disparity persists despite an overall drop in youth arrests. To reduce disproportionate arrests of minority youth, state and local agencies, particularly schools and school law enforcement and resource officers, must employ proven strategies that more specifically target the problem.

Background

Disproportionate Minority Contact (DMC) remains a critical issue impacting juvenile justice systems across the country. DMC occurs when the proportion of youth of color in a community is lower than the proportion of youth involved in the local juvenile justice system.¹ The Annie E. Casey Foundation, the W. Haywood Burns Institute, and other national and local organizations assert that disparities exist at every decision-making point in the juvenile justice system, from arrest to placement. This is the case in Maryland.²

This issue brief examines the first decision-making point: arrest. It analyzes the most recent arrest data and then focuses on solutions.

Measuring Disparity

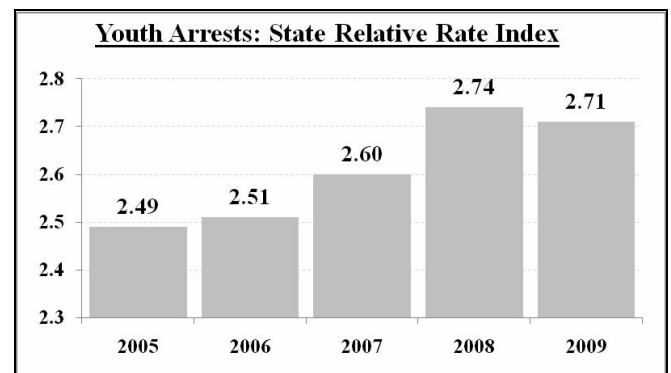
Relative Rate Index (RRI) is a tool used to determine exactly at which points in the justice system disparities occur. To calculate the RRI, the arrest rate for African-American youth is divided by the arrest rate for White youth. The arrest rate is calculated by dividing the number of arrests for each group by the population of that group.

An RRI greater than 1 indicates that African-American youth are more likely than white youth to be arrested. An RRI of less than 1 would indicate

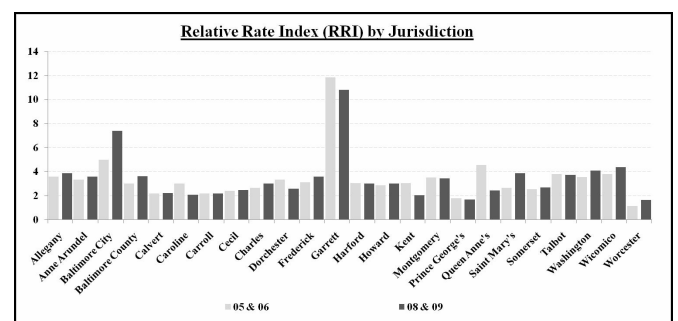
that African-American youth are less likely than white youth to be arrested.³

Trend in Maryland

The disparity between arrests of White and African-American youth has remained substantial. The chart below shows that the disparity peaked in 2008 at 2.74—meaning African-American youth were arrested at nearly three times the rate of white youth—and has had only a slight reduction in 2009.



Additionally, the chart below reveals that every county in Maryland has had disparities in juvenile arrests over the past five years.



Notably, Queen's Anne County has achieved a significant reduction in disparities in juvenile arrests. Officials attribute the reduction to a combination of prevention and diversion activities, collaboration between school officials and law enforcement, and targeting efforts to reduce disparities.⁴

¹ See W. Haywood Burns Institute: www.burnsinstitute.org.

² See Maryland Department of Juvenile Services, *StateStat Report*, Volume 2, Number 11.

³ National Disproportionate Minority Contact Databook: www.ojjdp.ncjrs.gov/ojstatbb/dmcdcb/index.html.

⁴ Interview with Kathy Wright, Teen Court Coordinator for the Queen Anne's County State's Attorney Office (Oct.2010).

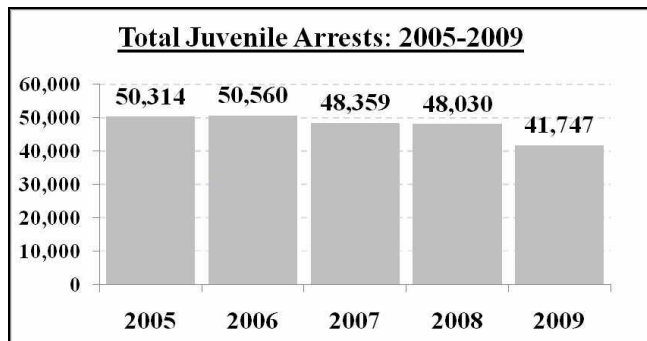


“A combination of prevention and diversion activities, collaboration between school officials and law enforcement, and targeting efforts reduced youth arrest disparities in Queen Anne’s County.”

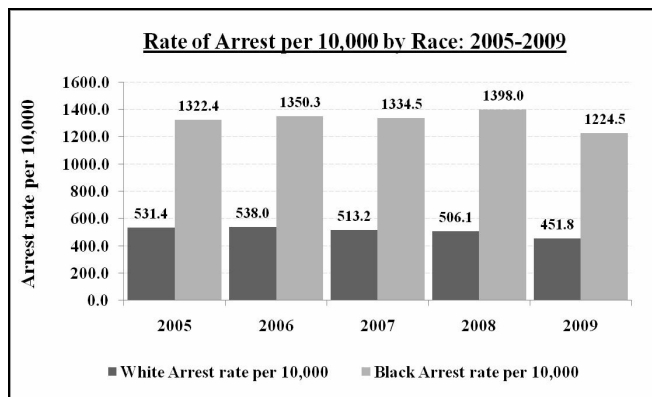
-- Kathy Wright, Teen Court Coordinator for the Queen Anne’s County State’s Attorney Office

Discussion

The continued disparity persists despite a decrease in youth arrests over the past three years, marked by a significant reduction in the past year.



The decrease in juvenile arrests has occurred for both White and African-American youth, as illustrated by the arrest rates shown below.



Recommendations

The continued disparity, despite a drop in overall youth arrests, shows that a more direct approach is needed.

Provide specialized training to officers. School resource officers and law enforcement officers assigned to schools should complete specialized training that aids them in working with youth, addressing student misbehavior with appropriate services, and arresting students only when necessary

to protect school safety.⁵ State law requires the Maryland Police Training Commission, in collaboration with the Maryland State Department of Education, to develop a cultural competency training curriculum for school-based law enforcement. When the curriculum is complete, schools should require their officers to complete the training by the beginning of the 2011-12 school year.

Make services available. Diversion services must be developed that are accessible—both geographically and financially—to families and youth who would otherwise be arrested. Prevention and early intervention services reduce the need for costlier services in the future and have a positive long-term effect on public safety and youth and family functioning.⁶ Miami, Florida and jurisdictions around Maryland—Baltimore County, Montgomery County and others—offer reputable juvenile arrest diversion programs that should be replicated statewide. Services include substance and alcohol abuse assessments and related treatment services, individual and family counseling, mental health services and educational assistance.

Address school practices that lead to arrest. Stakeholders—parents, students, schools, courts, law enforcement, juvenile justice, social services, mental health, service providers and others—must engage in processes to develop collaborative agreements that detail how student misbehavior can be addressed in the school setting without unnecessarily arresting students. Clayton County, Georgia, and Birmingham, Alabama, are perfecting this approach. Baltimore City stakeholders are engaged in the preliminary stages of this process. Other jurisdictions should initiate these processes among their stakeholders.

Collect and analyze the data. Successful jurisdictions have a statewide standard for consistently collecting data on: race, ethnicity and nationality; youth/family language capability; gender; age; disability; type of offense; location of offense; time of offense; and location of youth’s residence. This information is necessary in order to identify and develop the strategies and resources to reduce disparities.

⁵ See Advocates for Children and Youth, *Police Can Reduce Student Misbehavior Without Arrest* (Feb. 2010).

⁶ See Advocates for Children and Youth, *Protecting Public Safety Without Juvenile Arrests* (July 2010).