

# Commissioner's Corner

## *Focus On Reducing Disproportionate Minority Contact In The Massachusetts JDAI*



Over the past year, there has been much public discourse in the state of Massachusetts about disproportionate minority contact (DMC) in the juvenile justice system. The Massachusetts Department of Youth Services, in collaboration with several other state agencies is currently addressing this issue through the Juvenile Detention Alternatives Initiative (JDAI). In 2006, Massachusetts was selected as a replication site for JDAI, a project of the Annie E. Casey Foundation. One of the eight core strategies of JDAI is the reduction of racial disparities in the juvenile justice system.

As part of the JDAI effort, in 2008, DYS completed a detention utilization study which was designed to develop a profile of the detention-eligible juvenile population and determine the current patterns of detention utilization. Levels of potential disproportionate minority contact were calculated by using a Relative Rate Index (RRI). Simply put, if DMC does not exist, the rate of minority youth at one decision point should be the same at the next decision point. Where DMC does exist, the percentage of minority youth at later decision points in the system will be higher.

This study used samples selected from cases disposed in the Boston Juvenile Court (BJC) and the Worcester Juvenile Court (WJC) in 2006 and 2007. The Relative Rate Indices for the Suffolk and Worcester samples were 1.23 and 1.16 respectively. This means that for all arraigned youth in the samples, detention rates for minority youth were roughly 1.2 times greater than those for white youth. Thus, a low level of disproportionate minority contact was shown. However, as we continue our efforts to reduce the number of low-risk/high-need youth in the Department's locked secure detention facilities, we are mindful of the challenge before us to reduce racial disparities, while at the same time insuring that additional disparities are not inadvertently introduced as a result of other JDAI efforts.

Between 2007 and 2008, the number of youth detained dropped by 9% from 4917 youth to 4459 youth. The greatest drops in detention occurred in the two JDAI pilot sites: Worcester County detentions dropped by 11% while detentions in Suffolk County dropped by 20%. Looking at the racial makeup of the detained population, the number of Caucasian youth detained statewide dropped by 8%; African American by 15% and Hispanic by 7%. Overall the 8% drop in the number of white youth detained statewide was exceeded slightly by a 10% drop in the number of non-white youth detained. The respective declines in the JDAI sites exceeded statewide declines: Worcester, 7% for white youth and 13% for youth of color; Suffolk, 12% for white youth and 22% for nonwhite youth. However, statewide detentions of youth of color exceeded those of white youth by 56% in 2007 and by 52% in 2008. We hope to update the detention utilization study using data from closed 2008 dockets to again measure the RRI to see if these numbers represent a disparity at the bail decision point of the system.

In support of this effort, in June, 2008, the JDAI State Steering Committee chartered a subcommittee to address the issue of disproportionate minority contact. The DMC Subcommittee has representatives from

youth serving stakeholders including the Juvenile Court, Department of Public Health, Department of Mental Health, Department of Children and Families, DYS, police, community agencies, public defenders, and others. The Subcommittee has identified three recommended priorities and drafted a work plan to meet these goals,

- Reduce the number/proportion of minority youth who go to detention
- Increase the likelihood that minority youth who go to detention, will be bailed
- Reduce the length of stay in detention for minority youth

There are many points along the path to detention that may be examined, ranging from initial police contact to the decision made in court to send a youth to detention. Access to useful data at all decision points is key to appropriately focusing the Subcommittee's efforts.

As noted in the Annie E. Casey Foundation's *Pathways to Juvenile Detention Reform 8: Reducing Racial Disparities in Juvenile Detention*, the experiences of JDAI model sites in Santa Cruz, California and Multnomah County, Oregon, "demonstrate empirically that jurisdictions can not only reduce the number of youth behind bars....but also the odds that kids of color will be detained."