



## Research and Evaluation Services

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### **A Further Look at Latino Youth in the Multnomah County Juvenile Justice System**

**February 15, 2006**

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## Executive Summary

Multnomah County's Department of Community Justice (DCJ) produces a report each year on the status of minority over-representation of those youth brought to detention as well as though who are detained. The report for 2004 indicated a concerning increase in the proportion of Latino youth who were brought to detention and detained compared to Anglo and African American youth.

Data from the 2000 Census indicate that Oregon now has the 19<sup>th</sup> largest Latino population with a growth rate between 1990 and 2002 that ranked 13<sup>th</sup> in the nation. Additional data from the 2003 American Community Survey showed that 40% of the Oregon Latino population is under the age of 20 with 27% between the ages of 5 and 19 years of age. Therefore, it appears that the increase in the number of Latino youth detention episodes may be partially attributed to a growing population as well as a possible increase in arrests by police. This report is not only part of a continuing effort to evaluate DCJ's own policies and practices in serving minority youth, but serves to try and gain a better understanding about the Latino juvenile population and their experience with the juvenile justice system.

Detention episode data from the State's Juvenile Justice Information System (JJIS) for 2004 indicated that of all Latino youth detention episodes, 43% resulted in the youth being detained. This is in comparison to a 39% detain rate for African American youth and 31% for Anglo youth. The detain rate for Latino youth in 2004 was almost an 8% increase over 2003. There were 10 Latino youth who were detained on INS holds which were called in by police at the time of arrest. When those youth are removed from the sample, the Latino youth detain rate drops to 40%, which is comparable to that of African American youth.

Additionally, detention episode data revealed that Latino youth had the highest proportion where the most serious allegation was a felony charge as well as the highest proportion with a felony drug charge. Individual youth case data indicated that the majority of these youth with felony drug charges were Honduran youth with no community or family ties. Several of these youth were also held on INS detainers.

The median length of stay in detention for Latino youth was twice as much as for African American youth. Half of the Latino youth detention episodes were at least four days. This may be an indication of fewer available community placements or detention alternatives for Latino youth, especially those who have specific language or cultural needs.

An analysis of available Risk Assessment Instrument (RAI) data did not show any substantial differences between Latino, Anglo or African American youth. The RAI is used by detention intake staff to help determine if a youth should be detained or released. RAI scores which indicate release can also be overridden and the youth is detained. A review of the RAI overrides for Latino youth detention episodes appeared to be within department policy and guidelines.

Key informant interviews with detention staff, custody staff, Juvenile Court Counselors and Treatment Services staff also provide additional insight and background information about possible reasons for the increases as well as understanding Latino youth and their families experience the juvenile justice system. Staff referred to recently immigrated youth as possibly contributing to the increase and because of their lack of community ties or their immigration status, then they are held in detention. Other reasons included the lack of the detention alternatives and community placements for bilingual, bicultural youth.

Staff also talked about the lack of bilingual, bicultural staff available in detention and felt this could directly contributed to a youth's ability to adequately understand what's happening or to communicate information.

Staff had concerns that Latino youth may be inclined to say they speak or understand English when in reality their level of communication and interpretation may be limited. Staff felt that additional bilingual, bicultural staff would allow Latino youth to feel more comfortable in talking about different issues or indicating when they do not understand something that is being said. Additionally, several staff mentioned that youth are sometimes told not to speak Spanish while in detention or are reprimanded for speaking Spanish.

Additional areas discussed during the interviews included the translation of important forms and documents, the need for bilingual, bicultural mental health and alcohol and drug evaluations, the need for bilingual staff in the department's residential alcohol and drug program, and overall, more of a focus on the needs of the Latino youth population. Staff also noted that they were pleased with the additional bilingual staff in recent years including the hiring of a bilingual receptionist at the Juvenile Justice Center. Staff appreciated the department's support of their participation in the Latino Network and the Concillio. They felt that the department's cultural diversity trainings were helping and strongly advocated for additional trainings.

The interviews included discussion with staff about other factors that affect Latino youth and their families. These include economic factors, documentation status, fear of the system, the importance of family and how relationship building is essential to working with Latinos. Several staff also spoke about the rise in Latino gang youth and the increase in drug usage.

Recommendations include a review and assessment of the need for additional bilingual, bicultural staff, especially in detention, assess the need for Latino specific shelter beds or other detention alternatives, consider how to deal with the increasing number of recently immigrated youth who have no community or family ties and are primarily arrested on drug charges as well as the need to develop and disseminate a language policy to help prevent misunderstanding about a youth's right to speak their native language while in detention.

## **Purpose of the Report**

The 2004 Juvenile Minority Over-Representation report for Multnomah County's Department of Community Justice indicated a concerning increase in the percentage of Latino who were detained as well as an increase in the number of Latino youth with a criminal referral that resulted in a commitment to a Youth Correctional Facility. This study will focus on additional data and background information about the Latino youth served in DCJ's juvenile justice system in an attempt to gain a better understanding about this growing population and the co-occurring increases in detention and commitment rates.

## **Latino vs. Hispanic Race and Ethnicity**

Nationally and within the Latino community, there are varying opinions about which term is preferred in recognizing this population. Typically, the term "Hispanic" has been used to refer to individuals of Spanish descent and to people from places where Spanish is the official language. The term "Latino" more commonly refers to people with ties to Latin America and the Caribbean. "Latino" is sometimes preferred over "Hispanic" as it also encompasses individuals who were born in the United States whose families immigrated in the recent past and those who immigrated years ago. Neither term is suitable at recognizing the cultural differences or diverse ethnic groups which are typically grouped under "Latino" or "Hispanic."

For the purposes of this report, the youth describe in this report will be referred to as Latino. Latino will describe those individuals in this country who would consider their ethnic or racial background to be from Mexico, Central and South America, or the Caribbean.

## **The Latino Population in Oregon**

A recent fact sheet released by the National Council of La Raza reported data from the 2000 Census which indicated that Oregon has the 19<sup>th</sup> largest Latino population.<sup>1</sup> Additionally, the census data showed that between 1990 and 2000, the growth rate of the Latino population in Oregon was ranked 13<sup>th</sup> in the country. Almost 40% of the Latino population in Oregon is younger than 20 years old, with 27% being between the ages of 5 and 19 years of age as indicated by the results of the 2003 American Community Survey. The 2004 Juvenile Minority Over-Representation Report provided an estimate that approximately 9.4% of the youth population between the ages of 10 and 17 in Multnomah County are Latino. The median household income for Latinos in 2003 was \$27,834 compared with the overall median in Oregon of \$40,319.<sup>1</sup>

## **Detention Episodes: 2004 Data**

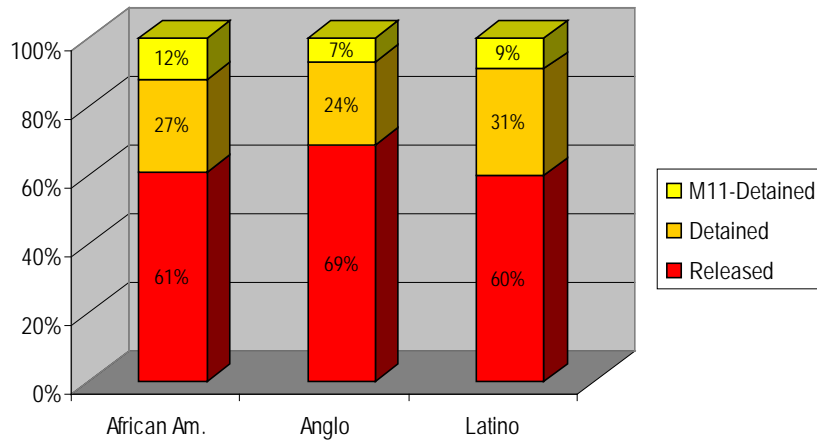
Data regarding detention episodes for Latino youth were compared to data for African American and Anglo youth as these three racial/ethnic groups comprise the majority of youth who were brought to detention in 2004. Detention episode data was extracted from the statewide Juvenile Justice Information System (JJIS) and represent an episode where the attached criminal referral had Multnomah County as the originating county code.

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<sup>1</sup> National Council of La Raza. (2005, August 23). Oregon State Fact Sheet. Retrieved from <http://www.nclr.org/content/publications/detail/33348>

### All Detention Episodes 2004

\*Accounts for custody stints



There were ten Latino youth who had INS holds which were called in by police at the time of arrest. The above graph excludes those 10 youth from the sample. Proportionally, the percent of Latino youth detain was 9% greater than that of Anglo youth but only 1% higher than African American youth.

	2004 All Detention Episodes		Detained Youth Only	
	Felony	Misdemeanor	Felony	Misdemeanor
African Am.	70.6%	29.4%	73.3%	26.7%
Anglo	62.1%	37.9%	74.2%	25.8%
Latino	80.3%	19.7%	81.4%	18.7%

	Male	Female	Male	Female
	African Am.	79.1%	20.9%	80.7%
Anglo	76.3%	23.7%	92.0%	8.0%
Latino	89.6%	10.4%	81.5%	18.5%

	Measure 11 Charge			
	All Detention Episodes		Detained Youth Only	
	Yes	No	Yes	No
African Am.	13.4%	86.6%	31.3%	68.7%
Anglo	7.5%	92.5%	21.0%	79.0%
Latino	11.6%	88.4%	20.0%	80.0%

	Violent Offense			
	All Detention Episodes		Detained Youth Only	
	Yes	No	Yes	No
African Am.	41.5%	58.5%	60.7%	39.3%
Anglo	35.9%	64.1%	33.9%	66.1%
Latino	35.3%	64.7%	36.0%	64.0%

Among all detention episodes, including a subset of just those episodes where the youth was detained, Latino youth had the highest proportion in which the most serious allegation for that detention episode was a Felony charge. Of the detention episodes which resulted in the youth being detained, Latino youth had a

lower proportion held because of Measure 11 charges than did African American or Anglo youth. Additionally, Latino youth had just over a third of all detention episodes stem from a charge that would be considered a violent offense.

	Detention Referrals			
	Mean Age at Intake	Mean ORS Severity	Mean LOS in Detention	Median LOS
African Am.	15.69	12.49	18.61	2.00
Anglo	15.53	12.04	16.02	3.00
Latino	15.80	12.95	19.02	4.00

\*Excludes 10 Latino youth with INS holds.

The difference in the average LOS in detention between Latinos and African American youth was less than a day. However, the average LOS for Latino youth was three days greater than for Anglo youth. The median LOS also indicates that half of the detained Latino youth were held at least four days compared with only two days for African American youth. These figures also excluded those Latino youth with an INS hold at the time of intake.

	Detained: Most Serious Allegation Category				
	Assault	Drug (FEL)	MV Theft	Burglary	Robbery
African Am.	26.7%	7.3%	7.3%	4.0%	22.0%
Anglo	17.7%	8.9%	17.7%	16.9%	9.7%
Latino	21.3%	25.3%	13.3%	4.0%	8.0%

A comparison of the most serious allegation category for which youth were detained showed some interesting differences. Detained Latino youth had a substantially higher proportion with felony drug charges than did African American or Anglo youth. Detained African American youth had a higher proportion held on assault and robbery charges with detained Anglo youth having higher proportions of assault, motor vehicle theft and burglary charges. Ten of the 19 Latino youth with Felony drug charges are the youth who with INS holds called in by police at the time of arrest.

### Risk Assessment Instrument (RAI) Data

All youth brought to detention are screened with the Risk Assessment Instrument (RAI) which helps detention intake staff determine if the youth should be detained or released. Items taken into consideration by the instrument include the number of times a youth has previously failed to appear in court, previous offenses and warrants, and the youth's ties to the community. Detention Intake staff can also request to override the RAI's indicated decision if they feel there is a credible reason that the youth should not or cannot be released at that time. Requests for overrides are reviewed and approved by staff who are designated with the authority to do so.

RAI scores and 'indicated decision' for detained youth were reviewed and compared for each of the groups.

RAI Score of Those Detained		
	Mean	Median
African Am.	10.88	11.0
Anglo	10.14	10.0
Latino	10.85	10.0

RAI Indicated Decision: Of those detained				
	Cond. Rel.	Uncond. Rel.	Detain	Spec. Detn.
African Am.	33.1%	21.1%	43.0%	2.8%
Anglo	35.0%	19.7%	41.9%	3.4%
Latino	33.0%	16.0%	48.0%	3.0%

\*Both tables exclude the 10 Latino youth with INS holds.

There were no substantial differences in the mean RAI score between the three groups. The second table shows that 54% of African American youth with RAI scores which indicated a Conditional or Unconditional Release were overridden and detained, followed by 55% for Anglo youth and 49% for Latino youth. These data indicate no group had a substantially higher proportion who were overridden and detained than any of the other groups. However, there is an indication that a higher proportion of Latino youth had initial RAI scores with an indicated detain decision.

A further review of the 38 Latino youth who were detained and whose initial RAI score indicated Conditional or Unconditional Release indicated that the overrides were either department policy overrides or staff discretionary overrides.. Of those with policy overrides, 8 were held because of gun charges, 3 were overridden because of domestic violence charges, 5 had Ballot Measure 11 charges, 8 had INS holds, 4 were court ordered sanctions. Of those with staff discretionary overrides, 10 were held for the following reasons: no community ties, no available shelter, no less restrictive means, and warrant from other county.

### Conclusions

Detention episode data from JJIS indicate that of all Latino youth detention episodes, 43% were detained upon intake. This is 13% higher than for Anglo youth and 5% higher than for African American youth. However, that rate drops to 40% when the youth with INS holds called in by police at the time of arrest are removed from the sample. Of the Latino youth who were detained, over 80% had a felony charge as their most serious allegation for that detention episode. Again, this is higher than Anglo or African American youth.

The median length of stay for Latino youth showed that half of detained Latino youth were held at least four days compared to two days for African American youth. Further, the average length of stay for Latino youth is 3 days higher than that of Anglo youth. This may be an indication of fewer available or accessible placements or detention alternatives for Latino youth, especially those youth with few or no community or family ties.

A review of the type of the most serious allegation for which youth were held in detention showed a substantially higher proportion of Latino youth with felony drug charges. Recently an article in the Willamette Week highlighted the problem of young Honduran men entering the U.S. with the help of a

"coyote" and in exchange these youth are often times coerced into selling drugs as a means to repay their debt.<sup>2</sup> Additionally, these youth are intimidated with threat of harm to themselves and their families back home. Multnomah County detention data appear to support that this may be an issue in the community. There were 19 Latino youth who were detained on felony drug charges, the majority of whom (16), had Manufacturing or Delivery of a Controlled Substance charges. Of these 19 youth, 12 (63%) of them had notes in their files which indicated they were Honduran youth with no ties and no family in the community. Nine of these 12 youth, were held in detention because of an INS detainer which had been called in by police at the time of arrest. These 12 youth represent 16% of the detained Latino youth episodes in 2004. Additional concerns regarding these youth are discussed later in this report.

Analysis of the RAI scores and indicated decisions for detain or release showed no significant difference between the groups. The mean RAI scores for each group were close and no group had a substantially higher proportion who were overridden from an indicated decision of release to detain. There was, however, a higher proportion of Latino youth with an indicated decision of detain than for Anglo or African American youth.

### **Key Informant Interviews**

A recent report released in 2002 by the Institute for Children, Youth and Families provided a comprehensive picture of Latino youth and their experience with the justice system.<sup>3</sup> Among the key findings that seem especially relevant for Latino youth and the justice system in Multnomah County were:

- There is significant over-representation of Latino youth in the U.S. justice system. Additionally, there is evidence that Latino youth receive harsher treatment than Anglo youth, even when charged with the same crime.
- Adequate bilingual services are not provided to Latino youth in the justice system.
- There is a failure by the system to ensure cultural competency of staff working with Latino youth.
- Consideration of immigration status of Latino youth can result in incarceration, deportation and permanent separation from family.

Key informant interviews with juvenile justice staff indicate that there are very similar issues and concerns regarding Multnomah County Latino youth and our juvenile justice system.

The first part of this report focused on the quantitative data available to provide a basic descriptive view of the youth who are brought to detention and those that are detained. In an attempt to gain a better understanding and overall picture of the Latino youth the juvenile justice system is currently serving, key informant interviews were completed with a variety of juvenile staff. Interviews included detention and custody staff, Juvenile Court Counselors, and treatment services staff. Copies of the interview questions can be found in the appendix. This qualitative interview data will also help to provide a clearer understanding of what the quantitative data represent.

The face to face interviews were conducted in September and October 2005. Interviews were recorded and transcribed to provide a written narrative for content analysis about Latino youth and staff perceptions about their experiences in working with and providing services to this population.

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<sup>2</sup> Valdez, Angela, "Esclavitud en Portland," *Willamette Week*, December 7, 2005, p. 14-20.

<sup>3</sup> Villarruell, F., Walker, N. (2002) *¿Dónde está la justicia? A call to action on behalf of Latino and Latina youth in the U.S. justice system.* Retrieved from Building Block for Youth website: [http://www.buildingblocksforyouth.org/latino\\_rpt/](http://www.buildingblocksforyouth.org/latino_rpt/)

### Possible reasons for increase in Latino youth detention episodes

Key informants were all asked about their opinion about why they thought we were seeing an increase in Latino youth being brought to detention. Several staff mentioned recently immigrated youth, specifically a portion who are coming from Central America and Honduras, who are undocumented with no family or community ties and who are dealing drugs either as a means to survive or to repay a debt for assistance in crossing the border. Additionally, because of their undocumented status or lack of community ties, then they can be detained on an INS hold or there are few detention alternatives available that will have bilingual or bicultural staff. Further, some staff noted that in several cases, when these youth with no family and no community ties are released to community shelters, they will often run within a short period of time and subsequently fail to appear for their court date. Indeed, as previously noted, notes from Latino youth files support staff perceptions about detaining youth on INS holds, lack of community ties, and youth leaving shelters when placed. While youth may have a propensity to run from shelter regardless of what is offered, some staff felt that if there were more shelter or detention alternatives with bilingual, bicultural staff, it could help reduce the likelihood that a youth would run as youth might feel more comfortable with the placement.

It was also mentioned that lack of available placements for Latino youth might be contributing to a higher detain rate for those who lack community or family ties. Additionally, there were some concerns that if youth cannot communicate with someone then adequate information cannot be collected to determine if they are eligible for release

“When you have someone who doesn’t have community ties, they stay longer in detention because trying to set up a placement for them to come...we don’t have any foster homes for documented youth, how do we deal with a youth who has no papers who wants to go to school, who wants the ability to stay here and support his family, and they have no documentation, they don’t work, they have no records, they can’t go to school. Where do they go?”

“As far as more being detained, my question would be, are there resources other than staff secure shelter places for them to go, because the likelihood is that most people have at least one person....I know a lot of these kids can go to staff secure,...but my past history was that they weren’t as successful because its not a community tie.”

Other staff noted that with the increase in the Latino population overall in the tri-county area, that it seemed only likely that there would be an increase in the proportion of Latino youth being arrested or brought to detention. Additionally, staff mentioned the increase in Latino gang activity, drug usage and violence.

“...we noticed an oddly large number of Honduran kids who are dealing heroin and that was about a year ago,...It was massive, they were everywhere and it created such a funky situation because they’re all Honduran, none of them had papers and none of them were here with family...”

“...One is that there are young men who come to this country without their families. So as soon as they walk in the door, there’s nobody to release them to. There’s less options right there.”

"...the rates of arrests have been higher. What we're finding is that I'm seeing officers call INS a lot more quickly to try and get an INS hold on kids."

"...there is a concerning increase in the number of undocumented youth who are coming from Central America- Honduras."

"...you have gang members who are coming up...the I-5 corridor is a wonderful means of getting youth out of a place where they want to start a new life or coming to a new place where they want to start a gang."

"The Hispanic gang activity continues to stay steady if not increased in different areas,...and become more involved in the illegal activities of traditional gangs."

### Detention Issues

Several different issues were mentioned by staff regarding Latino youth and their detention experience. One of the most often mentioned issues was regarding the lack of bilingual staff available in detention intake, corrections health and mental health staff. Staff had concerns about youth not being able to adequately communicate their needs or youth not feeling comfortable enough to discuss certain issues with someone who does not speak Spanish. Several staff commented on frequently being called back into detention for the purposes of interpreting and translating due to lack of available bilingual staff. However, if no one is available at the time, then sometimes youth end up waiting until a translator or interpreter is available which can be up to a day later.

At the time these interviews were conducted, use of a language line had just become available to detention staff which may be helping to alleviate some of these issues.

"...there's a lot of pride in the culture that you would never say you're suicidal, but if you have someone speaking Spanish that you can confide in, there's a much bigger likelihood that you're going to be able to admit a vulnerability."

"I'm often called back to detention to translate because they only have two bilingual staff in detention...We really need more bilingual staff; we desperately need them."

"...we should attempt to hire a number of bilingual, bicultural staff in detention because...my client is going to have a more difficult time because of the language barrier, because the likelihood of having a staff member in their pod who speaks Spanish is very low."

Additionally, staff spoke of concerns about Latino youth who will indicate that they speak English and the situation may actually be that they have a limited ability to understand what is being said. Latino culture also plays a part in this situation because a youth does not want to admit that he does not understand what is being said or that he may feel compelled to answer in an agreeable manner in an effort to be respectable to an authority figure.

"There are occasions when a Latino youth will come in and say they are bilingual, when in actuality, we find that their comprehension level is primarily monolingual Spanish..."

"One thing I see too, is when we talk language barrier, kids think they understand English good enough but don't understand a lot of the terms."

"...because they want to fit in, they want...it's a pride thing. They don't want to admit they don't understand what you're saying. So they will often say or they will try, but I know they feel more comfortable in speaking Spanish."

Several staff also mentioned the need for more bicultural staff or for more cultural awareness among current detention staff. While bilingual staff are able to help with communication, bicultural staff would help with a greater overall understanding of Latino culture. Latino youth often cannot fully participate in groups or other skill development courses not only because of the language barrier but because these groups and courses are not culturally specific or appropriate for these youth.

"...And those who stay in detention, do not have their needs met. Socially, they don't have their needs met as far as appropriate staff, the numbers are far greater than staff can possibly attend to."

"...that does cause a challenge for us if a youth is completely monolingual because often times the concept is not grasped by them. And then if we don't have an available staff who bilingual, then that youth does not receive service."

"...even if the kid speaks English, if their first language is Spanish, they respond and you get a totally different ability to work with that child if they have their native language and someone that understands their culture."

"...the staff are really doing the best they can with the tools they have and it often falls short of what these kids need and they are much more likely to get put on a special program or get like a certain type of regimen...and when I check into it, a lot of times, it's just a body language issue."

Staff mentioned that Latino youth are sometimes told not to speak Spanish, are reprimanded for speaking Spanish or can be sent to their rooms for speaking Spanish. This is not department policy but staff indicated they have been told the limitation on Spanish speaking youth is a security issue.

#### Staff and department policy issues

In addition to staff belief that more bilingual, bicultural staff are needed throughout the department, there were several staff who spoke about the need to feel more supported and less overused by the department. Some staff have not felt supported by fellow co-workers or by management when they advocate for Latino youth or for additional services for Latino youth.

The translation of forms and documents was another area of concern. Staff indicated there is often a delay in getting new forms translated, there is no consistent use of terms, and the reading comprehension level is often higher than the audience for whom the forms are designed. Staff had praise for management for providing them with drafts of interpreted forms and asking for their feedback. Some staff noted that they will often consult with other bilingual staff about common terms to use on forms. It was also suggested that a central repository of translated forms be created.

"We need skilled people to do those documents and we definitely need to get people who can translate it into a language at a 12 year old level because very many times our families are not capable of understanding college level even in the dominant culture."

"I think its negligent on our part, in that they don't get the appropriate forms, the standard conditions of probation, they don't get the information that they need in Spanish, so that they can apply the rules that they impose, so that they can follow the rules of the court and so they can completely understand what their responsibilities are."

"...we try to translate in a lower level of...educational level, because if you look at most of our parents, you'd be lucky to find a parent that went past 3<sup>rd</sup> grade."

When asked what are some additional areas where the department could improve in serving Latino youth, staff mentioned the following:

- Bilingual/bicultural staff or services easily accessible for mental health and alcohol and drug evaluations or assessments. Currently, the GAIN is not offered in Spanish.
- Bilingual staff in RAD or other available bilingual alcohol and drug residential treatment. Several staff noted the rise in methamphetamine use among Latino youth and the complete lack of bilingual residential treatment available in the Portland area for youth.
- More focus on the overall needs of the Latino youth population.
- Work with District Attorney's office and police on a policy in regards to reporting youth to INS.

Staff were also asked about what they thought the department was doing well. Several staff mentioned that they were pleased with the increase in the number of bilingual/bicultural staff and especially with the hiring of a bilingual person at the front reception desk. Many mentioned that they appreciated the cultural diversity trainings and strongly advocated for more trainings. Other staff appreciated the department's support of their participation in the Latino Network and their use of the Concillio as a means to triage services for specific Latino youth. Overall, staff were pleased with the improvements and gains they have seen in the past few years but also advocate for the department to continually review and assess the additional needs of this population.

#### Latino youth, family and culture

Interviews with staff highlighted a number of key elements in understanding Latino youth, their families and their culture. Many staff agreed that there are a number of issues that impact Latino youth today. Among those was the pressure to be in a gang or peer pressure in general to belong to a group. This is complicated by the youths' desire to want to fit in, to be accepted and for a sense of stability that they may not have at home. Additionally, staff mentioned that many Latino youth are stuck between two cultures- the Latino culture and the dominant American culture, where sometimes they are attempting to maintain their ties with the Latino culture while trying to acculturate themselves in a dominant culture that does not always readily accept them. There is also a growing gap between Latino youth and their parents, especially youth who are bilingual with monolingual parents. Many parents have difficulty navigating the education system, obtaining services, and understanding the signs or dangers of gangs.

"...they're walking in two worlds and the parent's don't understand what's going on in the kid's world, partly because they have a different language that they can use..."

"What I find a lot is that parents are in denial or clueless...if you don't have a parent who's able to provide [stability], because of the socioeconomic systems in place or not in place, so then you have these kids who are attracted specifically what is the ability to join with others who they see are like themselves."

"...what they try to do is assimilate the American culture, and the only place to go try and find their own is where they're accepted and that's around some of these gangs and the drugs and stuff like that."

"...the peer pressure is pretty heavy to be wearing certain clothes, to look a certain way and if your family can't afford that then I think there's some pressure there to try and get those things."

"They (the parents) are not aware of it all, and they're not aware of the drug stuff. Part of it too, is that the family's have no idea that clothing is gang-related."

There are many barriers that face Latino youth and their families which not only affect their daily lives but their ability to participate and comply with the conditions of probation or other court requirements. Not only is language a huge barrier, but there are also the issues because of the fear of INS and the lack of documentation for legal residency. Additionally, many families are dealing with poverty and other economic issues on a daily basis. Several staff noted that it is the cumulative effect of these barriers which have the greatest impact on Latino youth and their families.

Staff spoke about working with families where both parents are working numerous hours which impacts their ability to be at home with their children and their ability to keep abreast of what their children are doing or with whom they are spending time. Parent's work schedules also impact their ability to attend court hearings, counseling or meetings necessary to help their child complete the requirements of probation.

"It seems like with a lot of Spanish families, they're working so hard to put...just to get money that they're gone so many hours of the day. And usually, when we call there's someone in the home, in their extended group...but on the other side, I wonder who's really parenting."

"I think poverty plays into it...There's a lot of need for survival, that kids end up getting in the system just as part of survival."

"...the families are such hard workers, parents work all the time that the kids are left alone a lot. And then when it comes time for services to happen for them, they're not after hours. Families usually need after five or six or later than that."

Lack of documentation and fear of the INS and government agencies also play a prominent role in the lives of Latino youth and their families. Almost all the staff interviewed spoke about this issue. Not every Latino youth in the juvenile justice system lacks documentation or has issues regarding legal residency, however, for those youth and their parents who do, it is a huge barrier not only in obtaining services, but in gaining the youth and their families' willing cooperation to participate. Several staff mentioned that upon initially working with a new youth and their family, there is a need for reassurance that INS will not be called. If a

youth lacks documentation of their status as a legal resident, then their options become very limited in terms of the services available to them and their ability to obtain an education or employment.

"A majority of my caseload is undocumented. Its huge and the problem is that there's no hope for the kids."

"...the majority of my clients are undocumented, so I have to seek out agencies that will work with them even if they don't have documentation. Its hard. Especially when I've reached a level with a client who has turned themselves around and really wants to work but they have no documentation."

"Understanding the system, being fearful of being found out if they're undocumented, not wanting to miss work to come to appointments, not being able to address school issues because of missing work, or they just don't have the communication skills...it's a tremendous burden to the families and the behavior is perplexing to them because they came here to offer their kids a better life and in the process have lost them to a more dominant culture."

In working with Latino youth and their families, staff often spoke about the need to understand the importance of family and relationship building within the Latino culture. Family is very important in the Latino community where extended family members are often considered as close as immediate family members. Several staff described how they have worked not only with parents but with aunts, uncles and cousins and that its not uncommon for someone in the extended family to step up and take responsibility for helping a youth with the conditions of their probation or other court requirements.

"Understanding the dynamics of the family. Family is so important to Latinos. We have people that come from very dysfunctional families, but at the core of everything is family and so you have to understand how important that is and the roles that people play within the family..."

"There is that connection with distant family members, they are still "really" family. Its like a bond, a really strong relationship. You have to have a professional relationship with the kid but that relationship is really important."

"And I think that's why we have to be aware culturally when we do have clients come in for the first time. Not going right into the meat of an investigative background thing. Jumping right in there, culturally is not a good idea...And being aware...just finding out about the family."

Another aspect of working with Latino youth and their families is understanding the importance of building relationships. Staff commented on the need to work on building a good relationship based on trust and making the youth and their family feel heard. Staff felt this relationship building was essential helping youth achieve successful outcomes.

"It involves trust and being responsive, listening carefully, responding appropriately in a timely manner..."

"...hopefully with a good staff member who's good at building relationships with folks who are super protective and super private, that you can really augment that relationship to get that done."

"With the Latino youth, its much more of a circular sort of relationship and communication style. And a way to get to work with them, is really getting to know their families because there's so many...their families are huge."

## **Conclusions**

There has been a substantial increase in the proportion of Latino youth being brought to detention and of those being detained, especially when compared with Anglo and African American youth. This report was an attempt to gain a better understanding of the possible causes for the increase and about the Latino youth the juvenile justice system is serving.

Key informant interviews with a variety of juvenile justice staff provided valuable information about the increase in Latino youth in the system and what other factors may be affecting their overall experience in detention, on probation, and willingness to comply.

Several staff held the opinion that one possible explanation for the increase was due to the number of recently immigrated and undocumented youth, specifically from Honduras, who are arrested on drug charges. These youth can often be detained not only because of an INS detained but because of their lack of community or family ties. This not only means there is no one to release the youth to but also an increased likelihood that the youth is at risk to not return for court.

Staff mentioned the lack of available shelter beds or detention alternatives for Latino youth, specifically those with bilingual, bicultural staff. Many believed that Latino youth simply do not feel comfortable with placements where they aren't able to communicate. Often Latino youth who are placed in the community will run within a short period of time.

Staff also talked about the urgent need for additional bilingual and bicultural staff in detention. Staff commented that they did not feel that Latino youth were having their needs met while in detention because of the lack of bilingual staff readily available to them. There were concerns that Latino youth may indicate they understand English but have a limited understanding of the terms and concepts that are explained to them while in detention.

There were also concerns over the lack of available services to Spanish speaking youth. Several staff mentioned the lack of easily accessible bilingual alcohol or drug and mental health evaluations. In addition, the lack of a bilingual counselor in RAD was often mentioned. Skill groups and other services in detention have also not been readily made available to bilingual Latino youth. The timeliness and process of the translation of forms and other information was another area mentioned that could be improved upon.

Staff provided important insight into the Latino culture, family life, and the many barriers that Latino youth and their families face which may all contribute to their ability to participate in the system and comply accordingly. Latino youth often struggle to find acceptance in the community and within their peer groups and can feel stuck between two cultures. Latino parents have difficulty navigating the educational system or obtaining other services primarily because of the language barrier. A fear of being reported to INS or the lack of documentation as well as poverty and other economic issues affect the lives of Latino youth and

their families on a daily basis. Staff reported that the lack of documentation for Latino youth is often a barrier to services, education and employment.

Many staff felt that understanding the importance of family and relationships within the Latino culture was key in working with Latino youth and their families. Several staff indicated that spending the time to build a relationship with the youth and family

### **Recommendations**

- The Department should review and assess the need for additional bilingual, bicultural staff particularly in detention.
- Assess the need for Latino specific youth shelter beds or other community detention alternatives that are language and culturally appropriate for this population.
- Review need to draft or implement language policy and ensure staff are aware of the policy to help eliminate misunderstanding about youth speaking their native language while in detention.
- Improve the process for the ease and timeliness of the translation of key documents and other information.
- Consider how to best deal with increasing number of recently immigrated youth who are primarily arrested on drug selling charges.
- Review the need for additional services, skill groups, detention groups that are language and culturally appropriate for Latino youth and their families. Also taking into consideration the specific needs and concerns for this population.

APPENDIX  
**Hispanic Youth Study: Key Informant Questions**

- 1) Briefly explain role/job responsibility
- 2) What is your perception of how well we identify the race/ethnicity of youth?
- 3) What do you think are some of the possible explanations for the increase in the detention of Hispanic youth?
- 4) What have you noticed regarding Hispanic youth in the juvenile justice system recently? Changes? Differences from past years? Changes in different types of behavior or with the youth themselves?
- 5) Why do you think we've seen an increase in the number of Hispanic youth being committed to OYA?
- 6) Do you think there are traits or qualities among different types of youth that might affect the perception or treatment of that youth?
- 7) What have you noticed about Hispanic youth and their families experiences with the juvenile justice system?
- 8) To what extent is language a barrier for Hispanic youth? For the family/caregivers/guardians? Are bilingual services adequately available?
- 9) Are all forms and other information available in Spanish?
- 10) What are some of the barriers for Hispanic youth in working with the juvenile justice system?
- 12) Do you feel that the resources for Hispanic youth are adequate?
- 13) What do you think is being done well to try and ensure equitable treatment for all youth?
- 14) What could be done differently or what suggestions for improvement do you have?