



Juvenile Justice: Race and Ethnicity

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Define the problem – JJS with RtA

- ▶ Youth of color make up 46% of the youth population ages 6-17 in NC but accounted in FY 19-20 for:
 - 71% of complaints received
 - 81% of detention admissions
 - 80% of commitments to YDC
- ▶ Specifically concerning is that Black/African-American youth make up 24% of the youth population ages 6-17 in NC, but accounted in FY 19-20 for:
 - 55% of complaints received
 - 65% of detention admissions
 - 65% of commitments to YDC

Complaints by Race/Ethnicity: FY19-20

Complaints by Race/Ethnicity

Race	Complaints	% of Total	% Population Ages 6-17
White	8,298	(29%)	(54.2%)
African American	15,450	(55%)	(24.4%)
Hispanic/Latino	3,109	(11%)	(16.4%)
Other	1,507	(5%)	(5.0%)
Total	28,364		

Approved for Court: FY19-20

Court Approved Percentages by Race

Race	Approved Complaints	% Approved per Race Group
Total	17,326	61.1%
White	4,431	53.4%
African American	10,121	65.5%
Hispanic/Latino	1,807	58.1%
Other	967	64.2%

Diversion: FY19-20

Diversion Percentages by Race

Race	Diverted Complaints	% Diverted per Race Group
Total	5,792	20.4%
White	2,370	28.6%
African American	2,384	15.4%
Hispanic/Latino	728	23.4%
Other	310	20.4%

Closed: FY19-20

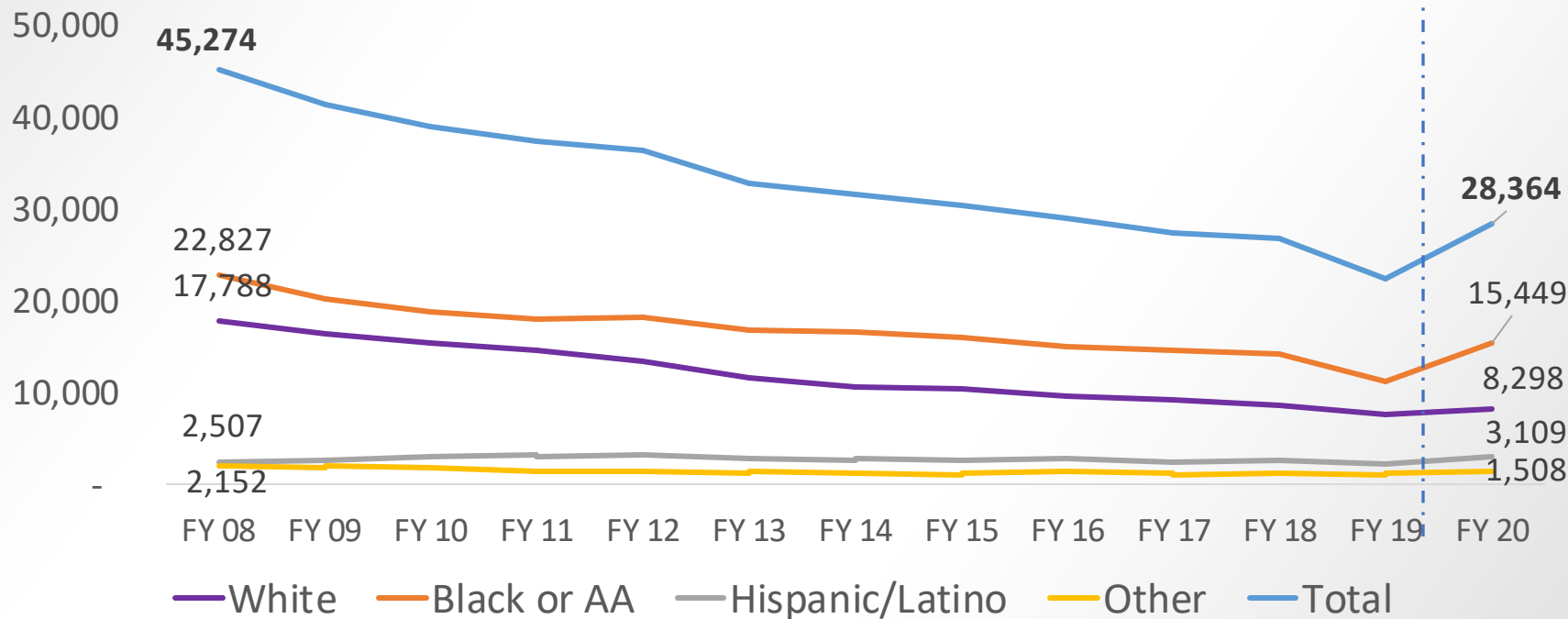
Closed Percentages by Race

Race	Closed Complaints	% of Closed per Race Group
Total	5,246	18.5%
White	1,497	18.0%
African American	2,944	19.1%
Hispanic/Latino	574	18.5%
Other	231	15.3%

Complaints Received by Race

Race Trend of Complaints
FY 08 - FY 20

Raise the Age
Implementation
Dec. 1, 2019



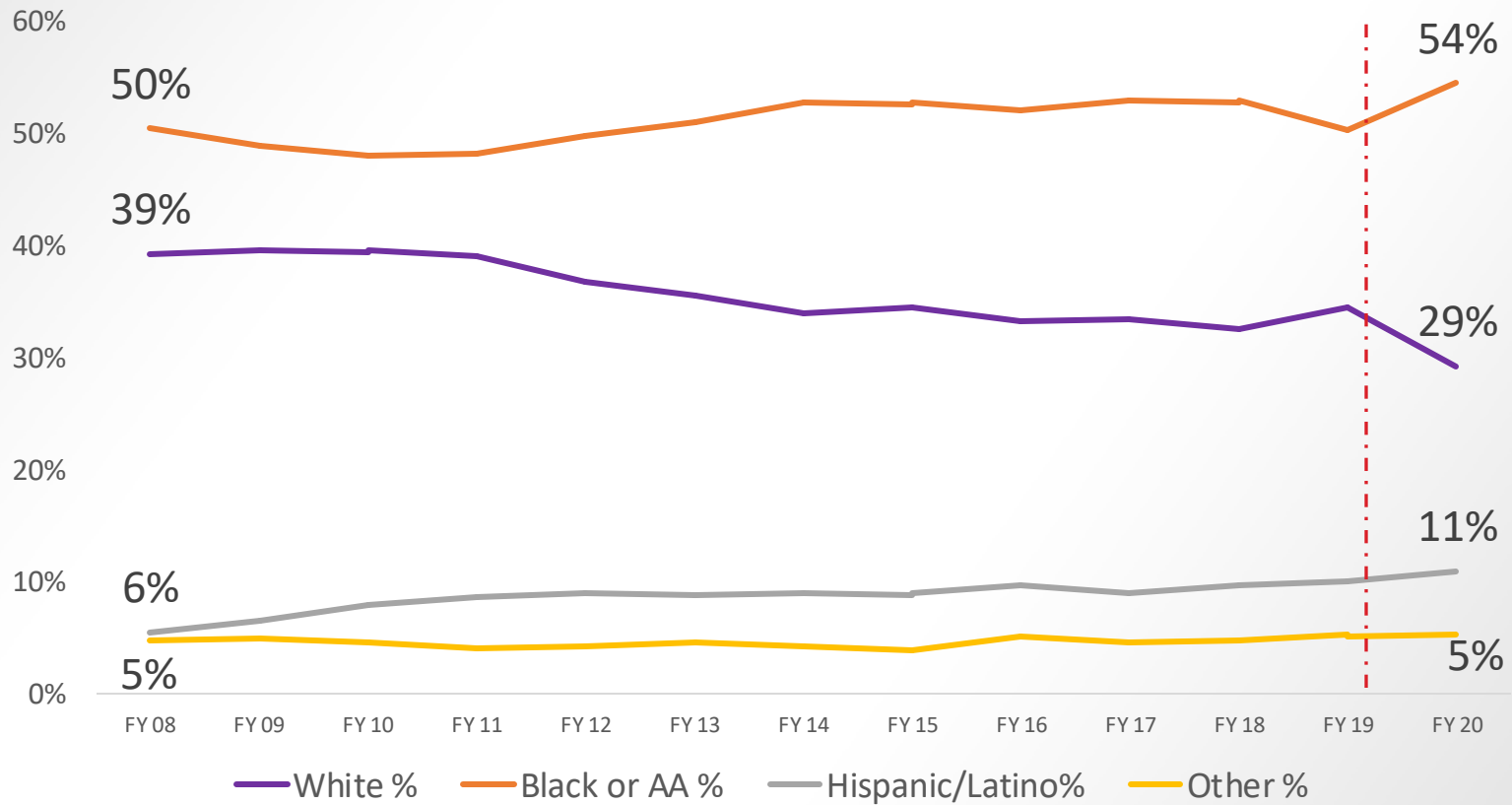
White: 53% ↓ Black or AA: 32% ↓ Hispanic/Latino: 24% ↑ Other: 30% ↓

Total: 37% ↓

Complaints Received by Race - %

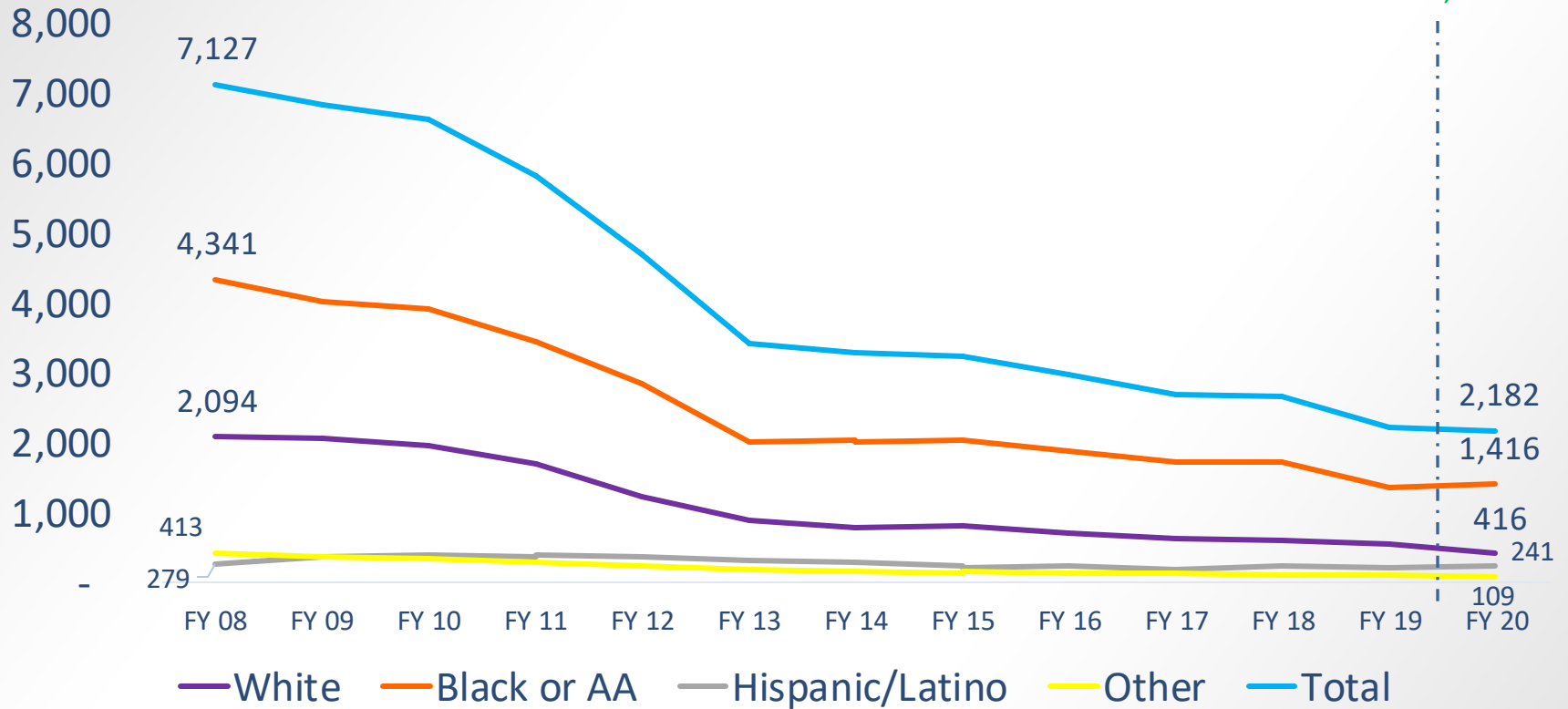
Complaints Percentage by Race Group
FY 08- FY 20

Raise the Age
Implementation
Dec. 1, 2019



Race Trend of Detention Admissions FY 08 - FY 20

Raise the Age Implemented
Dec. 1, 2019

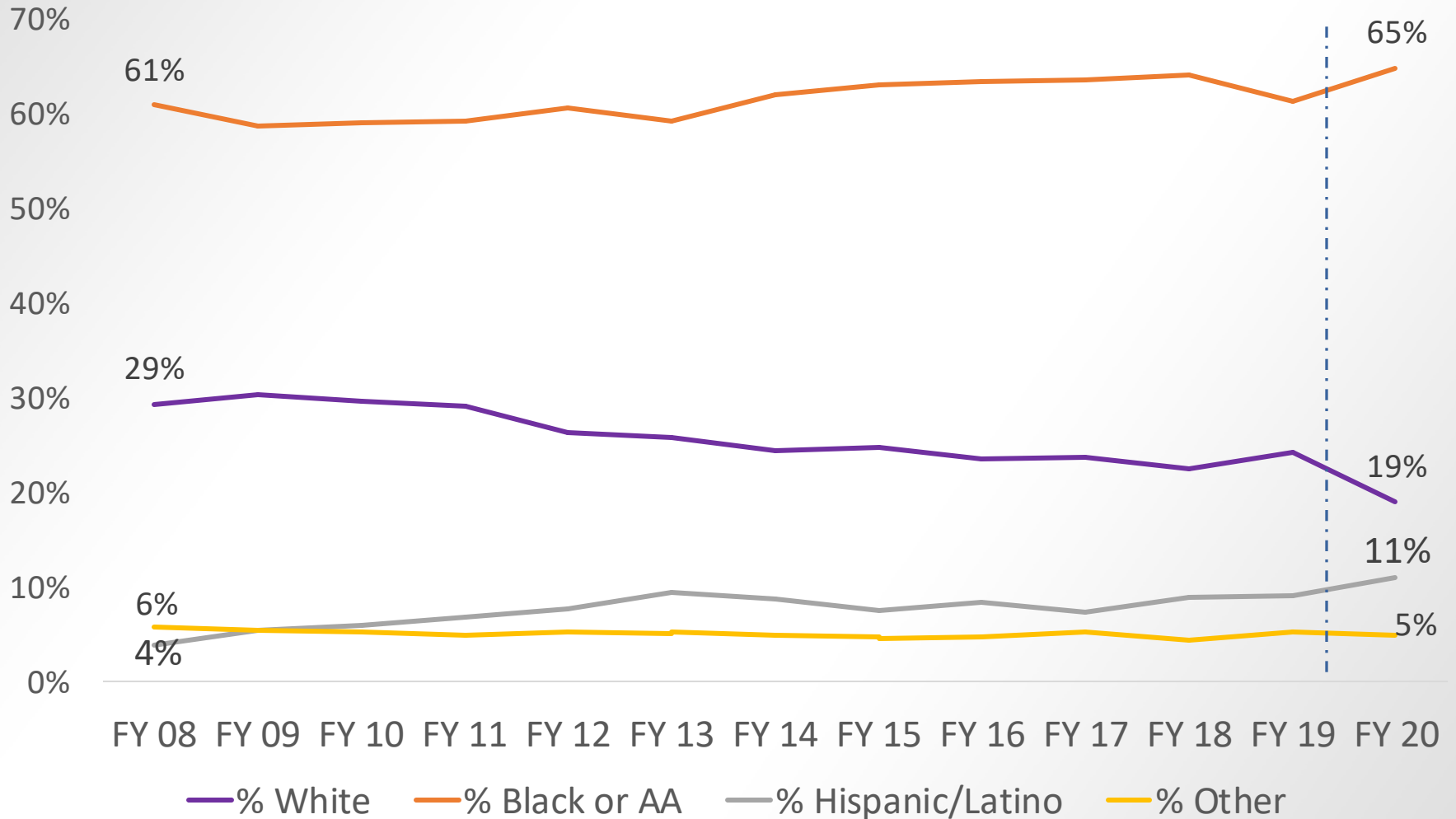


White: 80% ↓ Black or AA: 67% ↓ Hispanic/Latino: 14% ↓ Other: 74% ↓
Total: 69% ↓

Detention Admission Percentage by Race Group

FY 08 - FY 20

Raise the Age Implemented
Dec. 1, 2019



Detention Assessment Tool (DAT)

- ▶ Developed And Piloted In Four Counties
 - January 2012 – June 2012
- ▶ Using Structured Assessment Instrument
- ▶ Community Resources Prevent Unnecessary Secure Detention
- ▶ Decline of Youth in Secure Facilities
 - Closure of Multiple Detention Centers
- ▶ Implemented statewide July 1, 2012
- ▶ Effectively Reduced NC Detention Admissions Past 8 Years



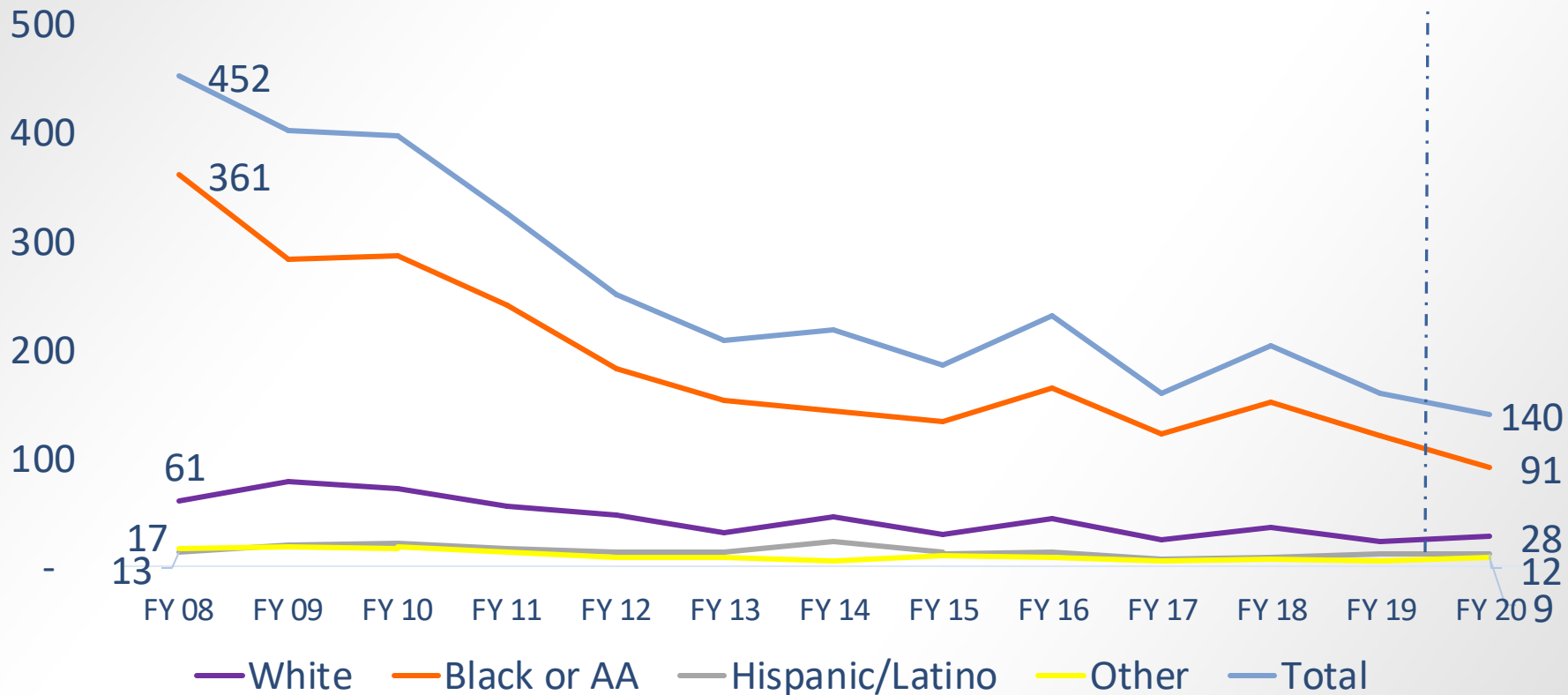
DAT Benefits to North Carolina

- ▶ Consistency Across the State
- ▶ A Structured Decision-Making Tool for More Effective Decision Making
- ▶ Better Utilization of Local Continuums of Care
- ▶ Improved Our Juvenile Justice System Overall
- ▶ Saves County and State Money
- ▶ Documented Efforts to Reduce Racial and Ethnic Disparities



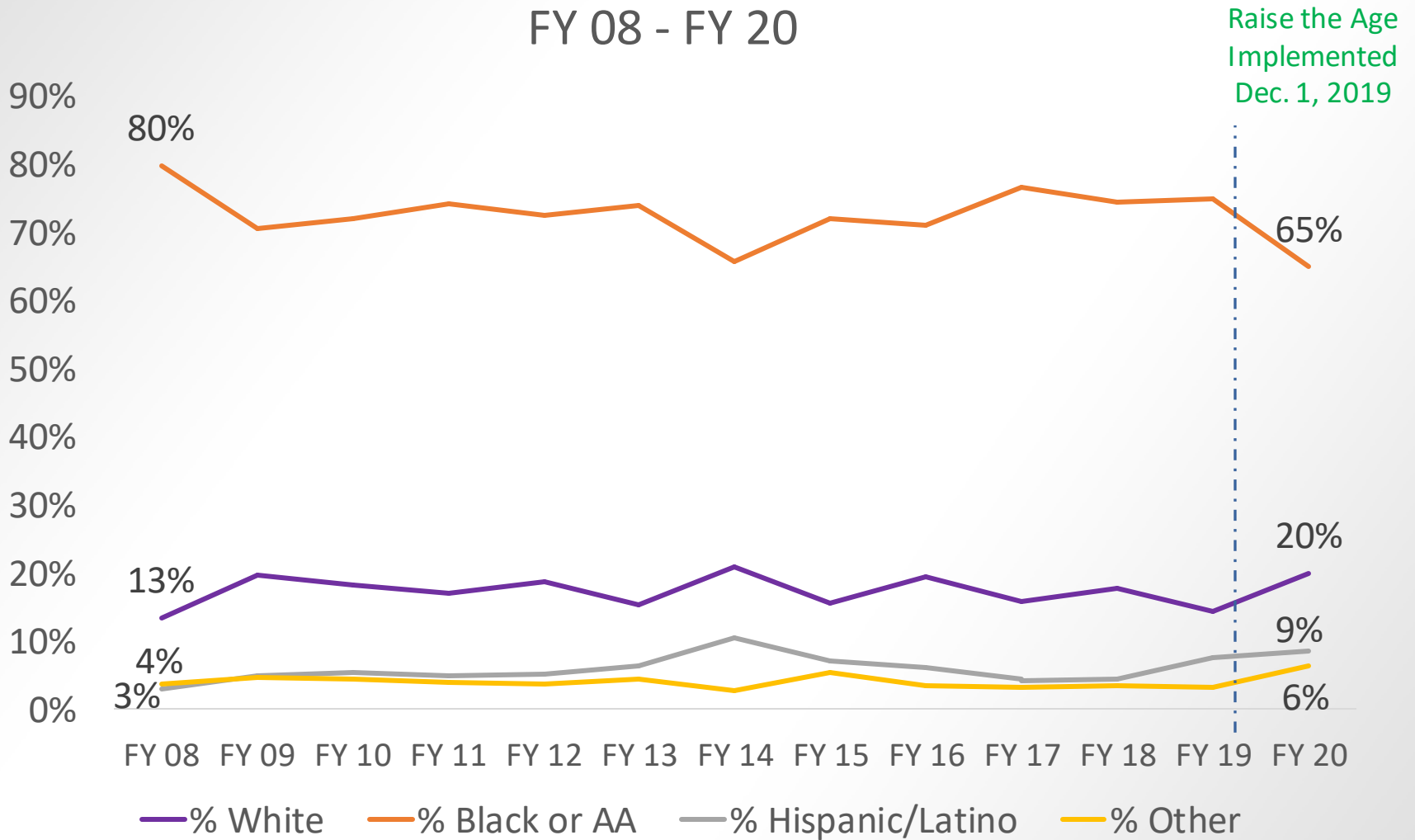
Race Trend of YDC Commitments FY 08 - FY 20

Raise the Age
Implemented
Dec. 1, 2019



White: 54% ↓ Black or AA: 75% ↓ Hispanic/Latino: 8% ↓ Other: 47% ↓
Total: 69% ↓

YDC Commitments Percentage by Race Group FY 08 - FY 20



JCPC Membership

- ▶ The general statute requires that the JCPC membership reflect racial and socioeconomic diversity.

§ 143B-846. Creation; method of appointment; membership; chair and vice-chair.

(a)The board of commissioners of a county shall modify the County Council's membership as necessary to *ensure that the members reflect the racial and socioeconomic diversity of the community* and to minimize potential conflicts of interest by members.

JCPC Funding & Services, FY 18-19

Youth Served by Race		
Race	Youth Served	% of Total
African-American	10,009	48.2%
Hispanic/Latino	2,518	12.1%
White	7,036	33.9%
Asian	93	0.4%
Two or More Races	389	1.9%
American Indian	273	1.3%
Native Hawaiian	32	0.2%
Unknown	433	2.1%
Total	20,783	100.0%

Mental Health and Ethnicity: the impact on individualized plans of care

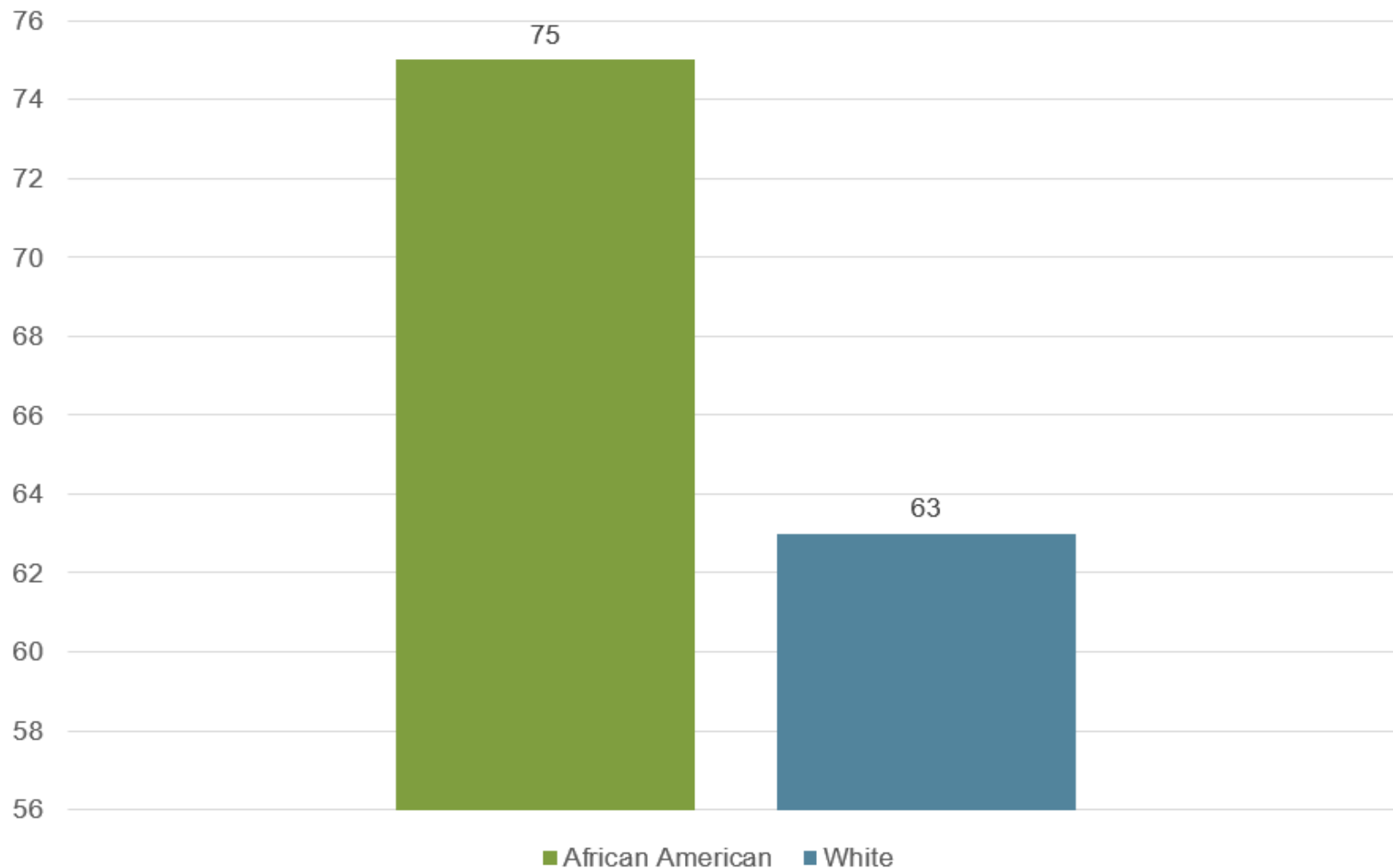
Racial Disparities in Behavioral Health

- ▶ White youth receive more services for diagnoses for depression, anxiety, and trauma/stress
- ▶ African American youth are more likely to receive services for diagnoses for bipolar/mood disorders, substance related, and psychotic issues
- ▶ Disproportionately more African American youth receive crisis and residential services as compared to White youth
- ▶ African American youth are more likely to receive an externalizing diagnosis (Oppositional Defiant, Conduct)

Tiered Care Coordination and NC TOPPS Data
NCSHHD, Mental Health Summit: September 24, 2020



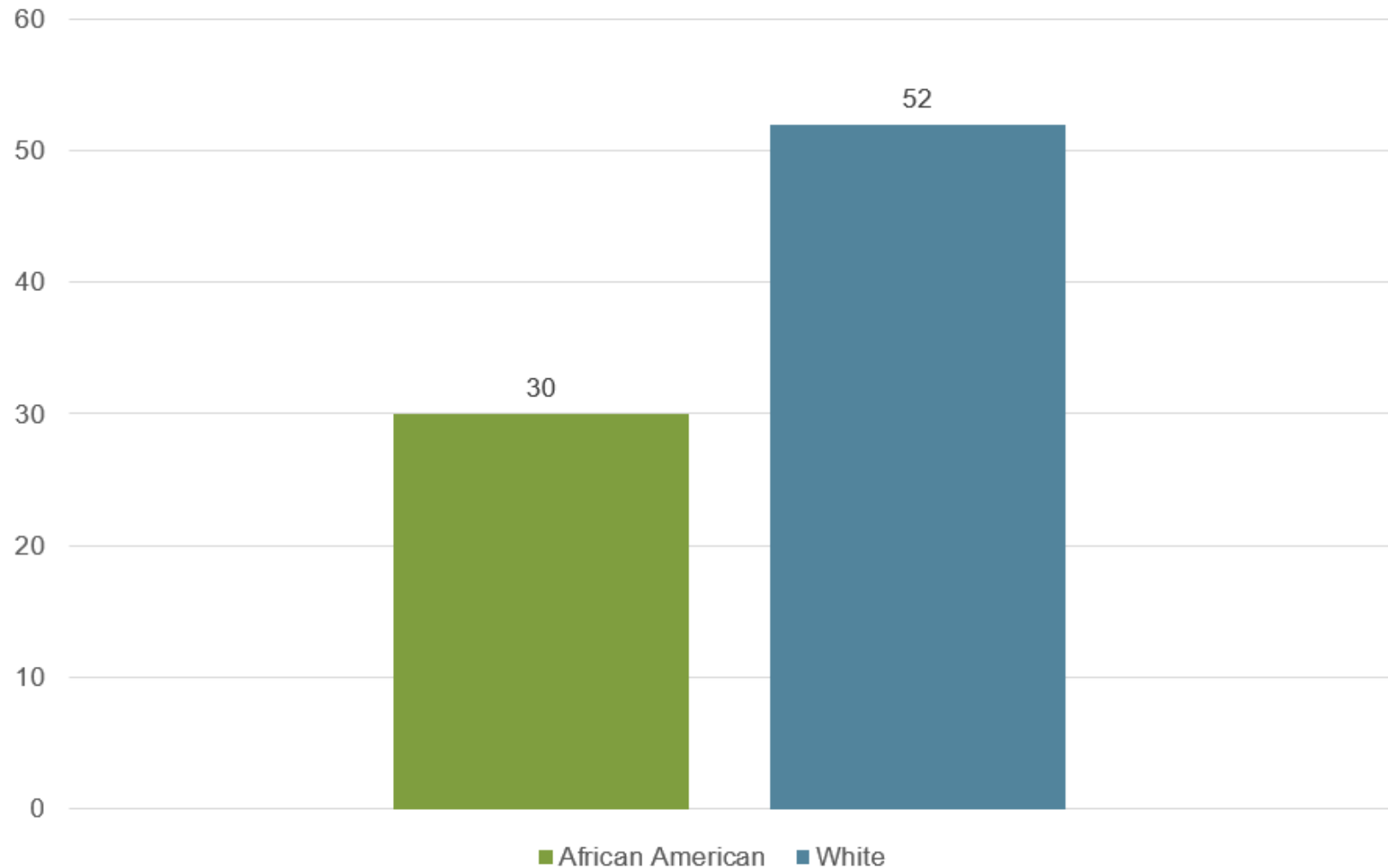
Percentage of Juvenile Justice Involved Youth with Externalizing Diagnoses by Race (NC TOPPS 2018-2019)



$\chi^2(2, N = 1749) = 32.49$ The p -value is < 0.00001 .

Cross Systems Assessment Workgroup Meeting-August 5, 2020

Percentage of Juvenile Justice Involved Youth with Internalizing Diagnoses by Race (NC TOPPS 2018-2019)

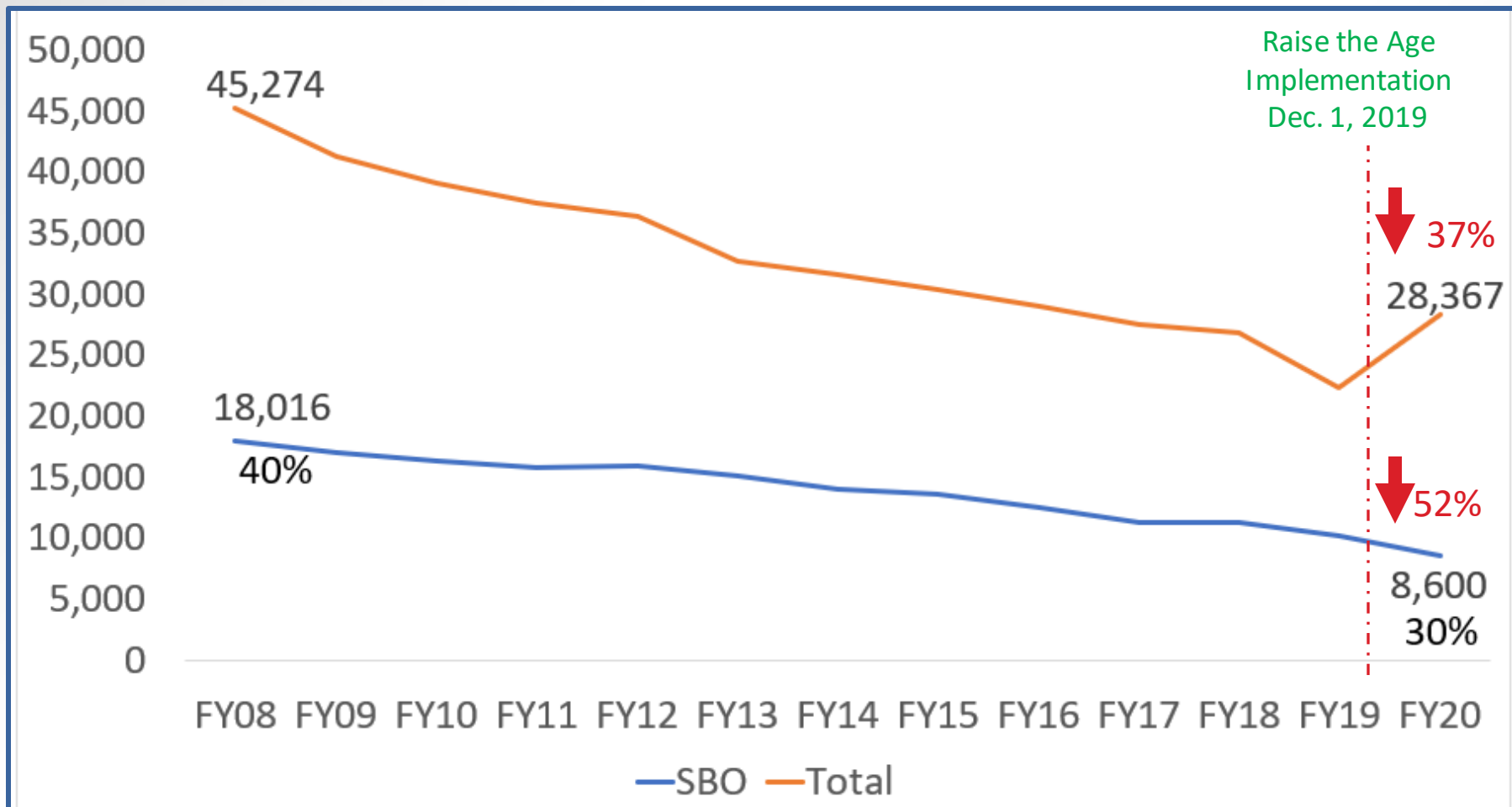


$\chi^2(2, N = 1749) = 86.18$ The p -value is < 0.00001 .

Cross Systems Assessment Workgroup Meeting-August 5, 2020

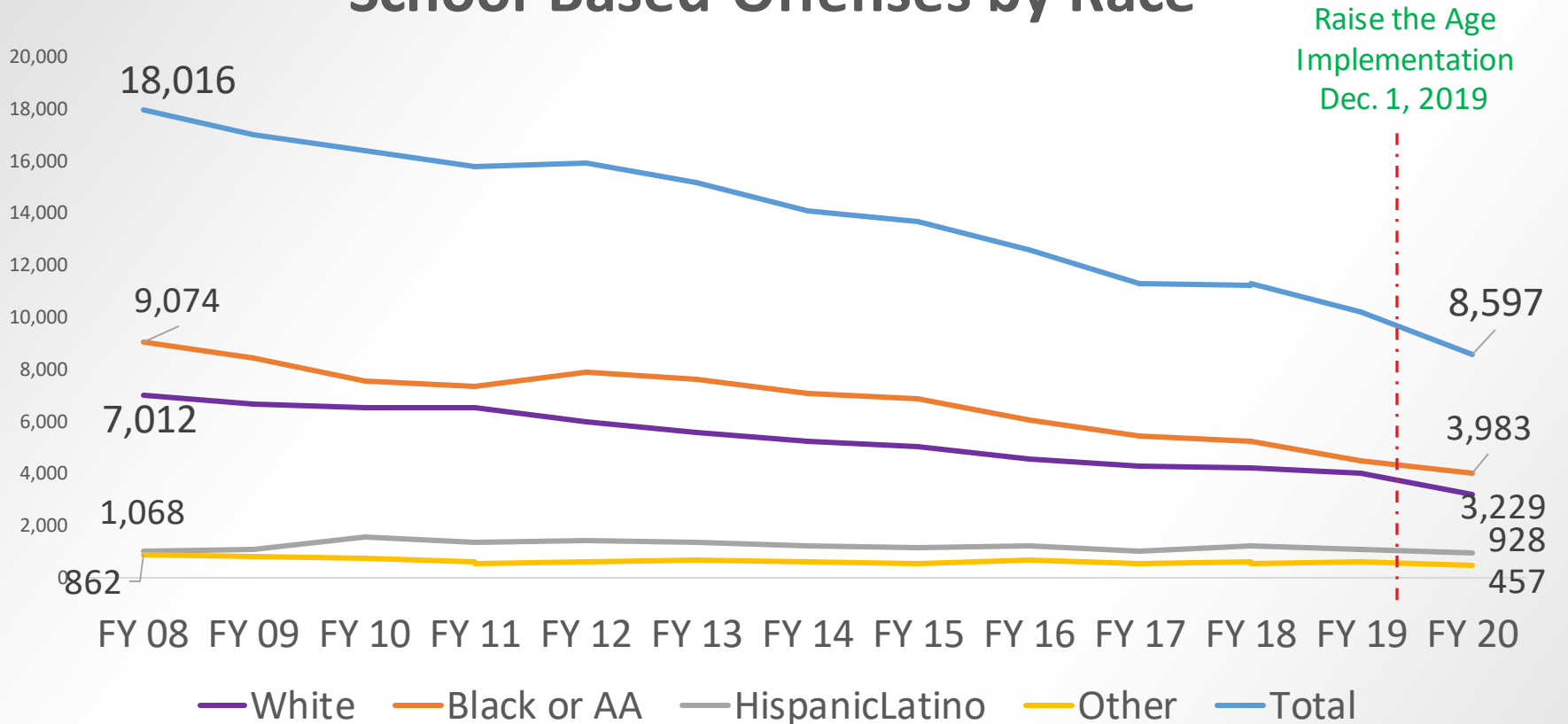
School-based complaints

Total Complaints and School-Based Complaints Received



- ▶ SBOs make up a smaller % of all complaints than in the past.
- ▶ The number of SBOs declined more the number of all complaints (% change).

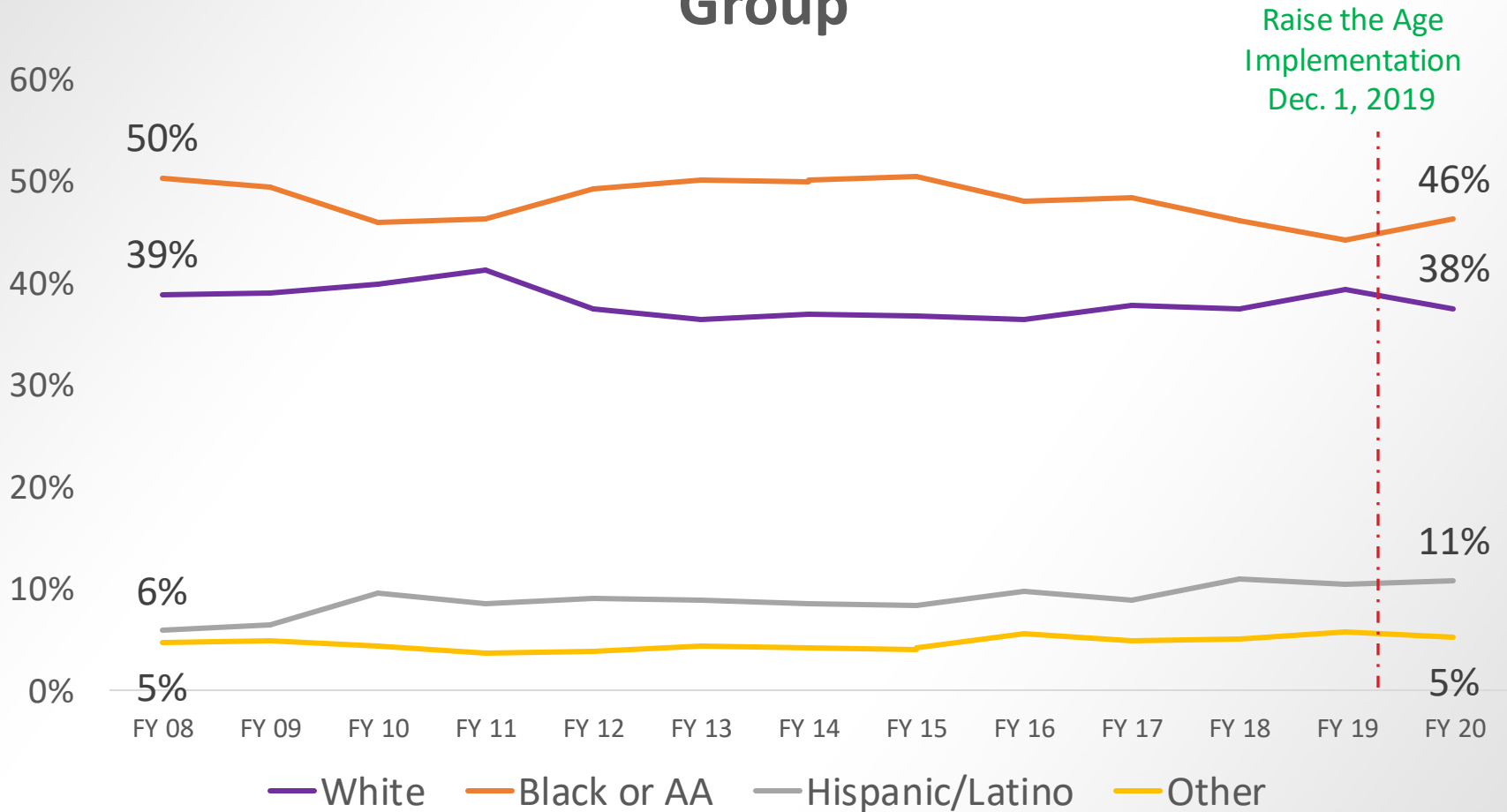
School-Based Offenses by Race



White: 54% ↓
 Black or AA: 56% ↓
 Hisp/Latino: 13% ↓
 Other: 47% ↓
 Total: 52% ↓

The number of school-based complaints has declined for each race/ethnicity.

School-Based Offenses Percentage by Race Group



▶ But, the percentage has not been affected.

Minimum Age

Minimum Age and Schools, FY 20

- Youth under age 10 comprise ~1.5% (n=451) of all juvenile complaints
 - Of those, 70% of complaints are School-Based
- Youth under age 12 comprise 6% (n=1,724) of all juvenile complaints
 - Of those, 60% of complaints from youth under age 12 are School-Based

Minimum Age, SBO's - FY 20

- ▶ 59% of complaints for those under the age of 10 were received for Black or African American youth, compared to 29% White youth, 5% Hispanic, and 7% all other races recorded.
- ▶ 53% of complaints for those under the age of 12 were received for Black youth, compared to 35% White youth, 6% Hispanic youth, and 6% all other races recorded.

Youth under 10 years

Youth under 12 years

Top Offenses by Youth Under 10: FY20

- ▶ Assault school employee / volunteer
- ▶ Simple assault
- ▶ Assault government official / employee
- ▶ Disorderly Conduct at School
- ▶ Communicating threats

Programs for
school
referrals

Diversion
where
appropriate

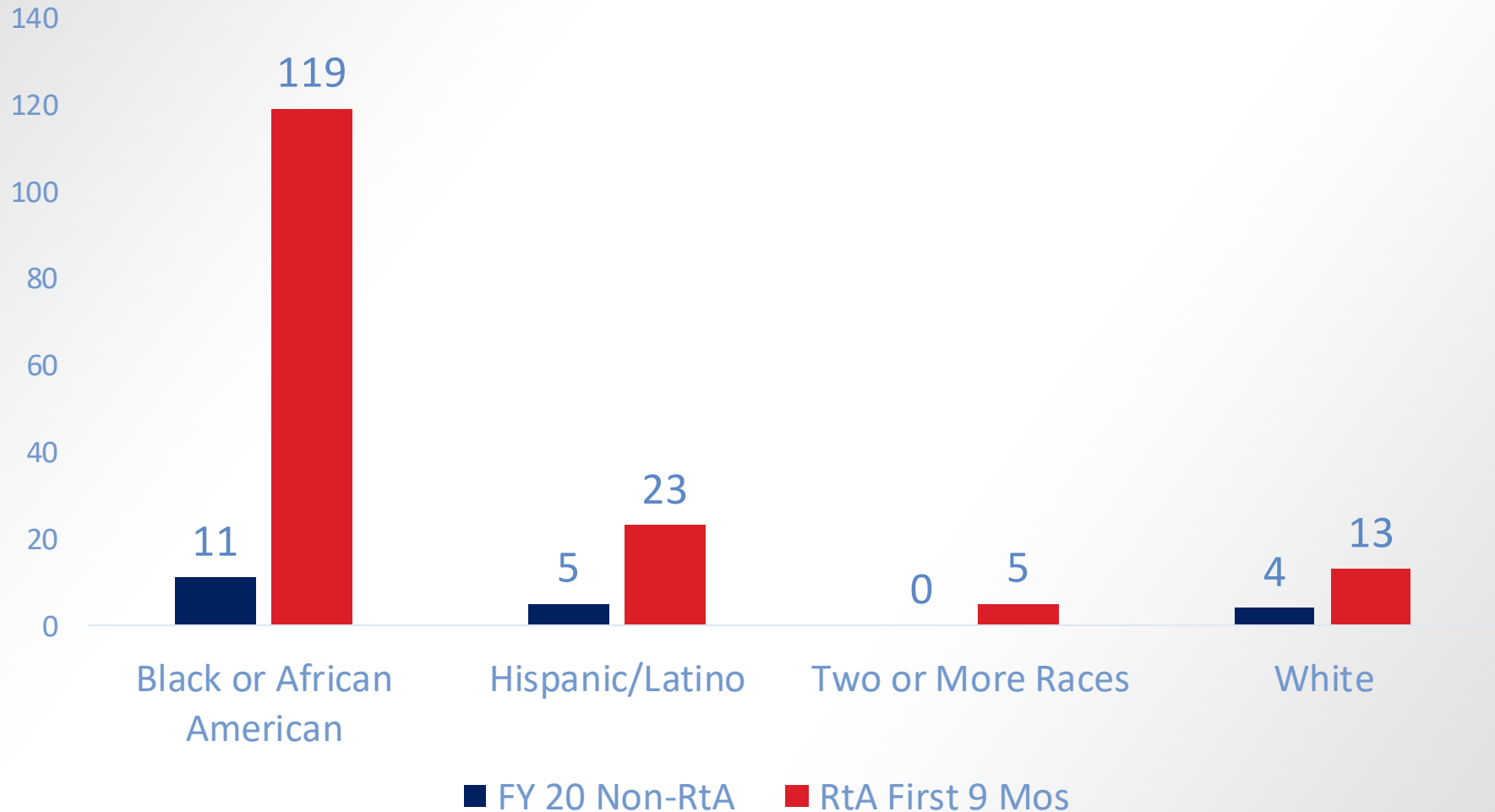
Skillset
Development

Transfers to Superior Court

Transfers to Superior Court

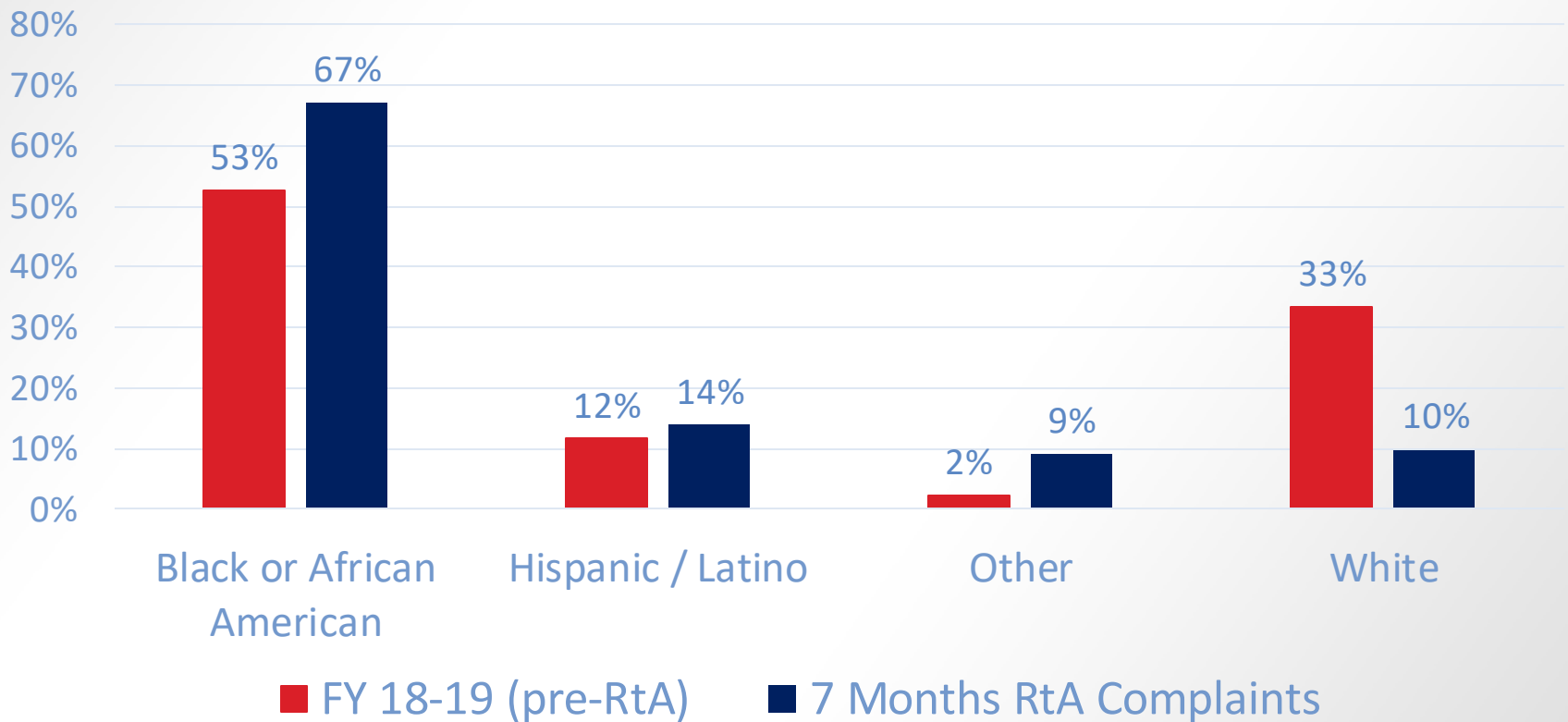
Measure	Non-RtA FY 20	RtA, First 9 Months
Juveniles Transferred	20	160

Juveniles Transferred to Superior Court Non-RtA and RtA By Race/Ethnicity



Complaints by Race – Pre-RtA v RtA

Race Groups of pre-RtA and RtA for A-G Offenses are not Identical



Transferred Offenses for Each Group

Most Common Non-RtA Transfer Offenses

First degree murder (9)

First degree statutory sexual
offense (2)

9 other offenses each with a count of 1

Most Common RtA Transfer Offenses

Robbery with dangerous weapon (62)

First degree murder (24)

Assault with a Deadly Weapon with intent to
Kill Inflicting Serious Injury (AWDWIKISI) (12)

Discharge weapon occupied property (9)

Common law robbery (8)

Assault with a Deadly Weapon with intent to
Kill (AWDWIK) (7)

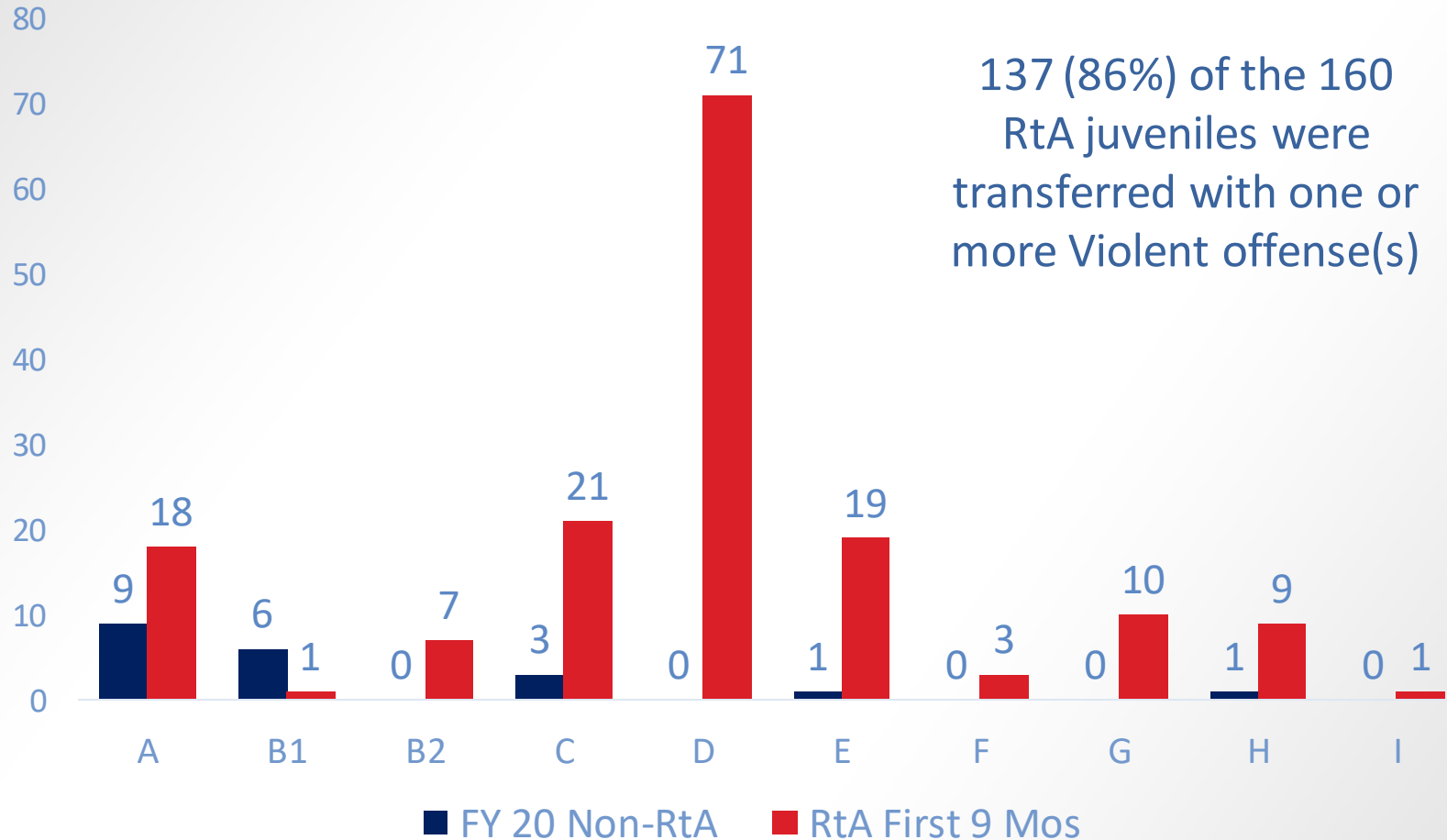
First degree burglary (6)

Discharge weapon occupied property in
operation (4)

Breaking and entering (f) (3)

Most Serious Transferred Class per Juvenile

Non-RtA vs RtA



Discretionary Transfers (Felony Class H & I)

- ▶ 10 juveniles had a most serious offense that was a class H (9) or class I (1)
- ▶ All 10 juveniles were age 17 at the time of offense

First 9 Months of Raise the Age: A to G Class Only Transfers

Race Group	All A to G RtA Juveniles	A to G RtA Transferred Juveniles	% A to G Transferred
Black or AA	294	111	38%
Hispanic/Latino	58	23	40%
Other	34	4	12%
White	67	12	18%
Total	453	150	33%

- 453 distinct juveniles have come in with A to G offenses; 150 juveniles were transferred with A to G offenses(33%)

Current Related Research Projects

- ▶ 2019 analysis of a sample of SROs in elementary schools (26 NC counties primarily in the East and West) showed a decline in SBOs of 67% after the SRO's start date. Further analysis needed.
- ▶ JJ is currently analyzing data to determine racial/ethnic disparities regarding dispositions received.
- ▶ JJ is working in partnership with NC State Institute for Advanced Analytics through a practicum sponsorship program to analyze racial/ethnic disparities regarding dispositions received *by offense type and geographic breakdown*.

Recommendations

- ▶ Diversion of appropriate school based offenses
 - Increase funding and use of diversion and prevention programs for youth in communities/districts identified as at-risk locations.
- ▶ Minimum Age implementation with services
- ▶ Review of transfer to superior court policy & statute
- ▶ Reporting: Recommend that Juvenile Justice be responsible for providing the annual analysis of the racial disparities data, and responsible for identifying those areas in need of state and federal resources.

Recommendations

▶ Training

- JMST: Amend statute to allow for JJ to create and implement juvenile specific equity training and training evaluation
- REI/Groundwater Implicit Bias training funds (\$100,000)

▶ Interagency Policy Work

- Equip the Safer Schools Task Force with resources to convene DPI, JJ, and DHHS' Mental Health to inform uniform, statewide disciplinary policy based on school and juvenile justice data and research, adolescent development, and mental health best practices for school aged youth.

Recommendations- Task Force for Safer Schools, State Action Plan

- ▶ 3.2.2 Implement a robust “school-to-prison pipeline” education program within the School Resource Officer (SRO) curriculum that addresses how exclusionary discipline practices disproportionately impact youth of color nationally and in North Carolina, the overrepresentation of youth of color in the criminal justice system, and the SRO role in effectively impacting these injustices to yield positive outcomes for the juvenile and community.

Recommendations- Task Force for Safer Schools, State Action Plan

- ▶ 3.2.3 Update Basic School Resource Officer training with the following topics: mental health, cultural competency, disability awareness, trauma, and building relationships/interacting with students.
- ▶ 3.2.4 Revise the Basic School Resource Officer training to include updated topics on de-escalation, procedural justice, explicit and implicit biases training, and ethical and effective problem-solving.
- ▶ 3.3.3 Recommend that SRO programs operate with current signed memoranda of understanding (MOUs) that are based on model MOUs. Such MOUs should delineate the roles and responsibilities of school personnel and SROs as they work together; specify to the extent possible the fine line that separates school discipline from statute enforcement and who has responsibility for each in school setting

