

# Criminal Justice Coordinating Council

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Disproportionate Minority Contact in Georgia's Juvenile Justice System:  
A Three Prong Approach to Analyzing DMC in Georgia





Phase 1. DMC Identification Analysis

(Is there DMC? If so, where?)



Phase 2. Macro-Factors Causal Inference  
Analysis (What might be driving DMC?)

Phase 3. Qualitative Contextual Assessment (What are perceptions of DMC at the county level? What might be some solutions?)



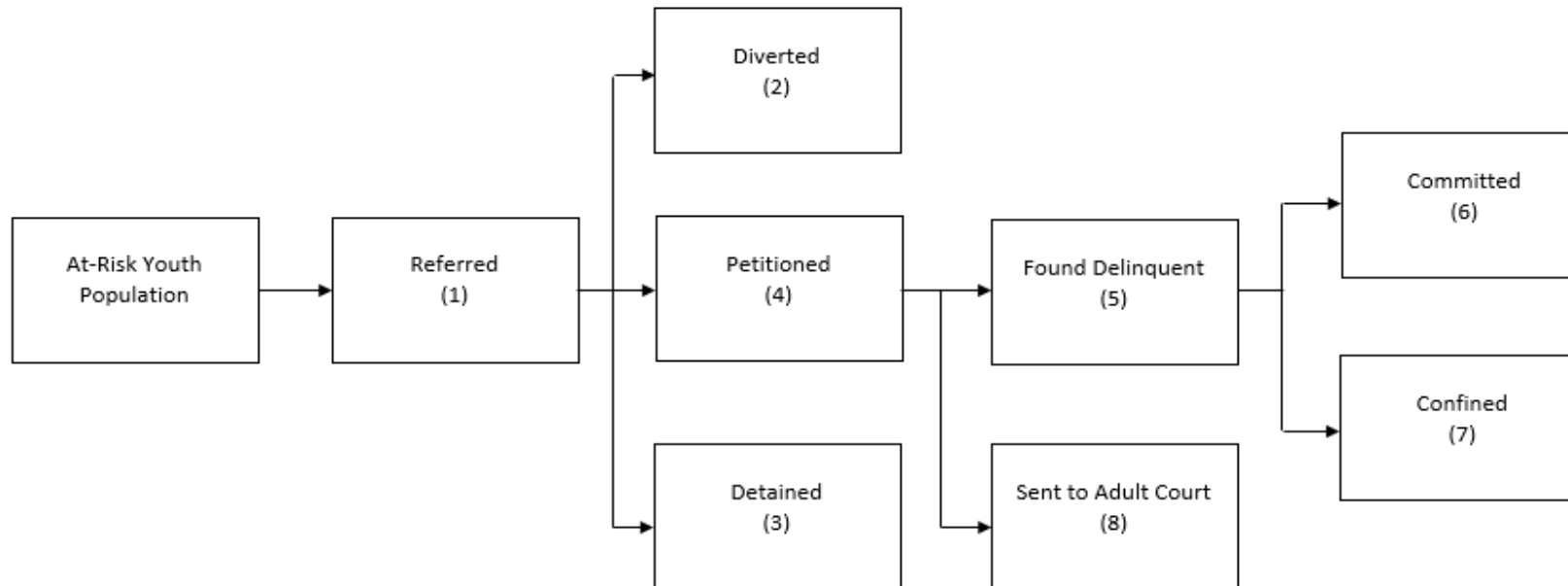
## Phase 1: What are we trying to answer with the Identification Analysis?

- Do minority youth contact the juvenile justice system at higher rates than White youth?
- Which Georgia counties have the highest and most persistent rates of DMC?
- At what stages in the juvenile justice case process are the highest DMC rates observed?
- Does disproportionate contact vary by race or ethnicity?



## What is an RRI and how did we find it?

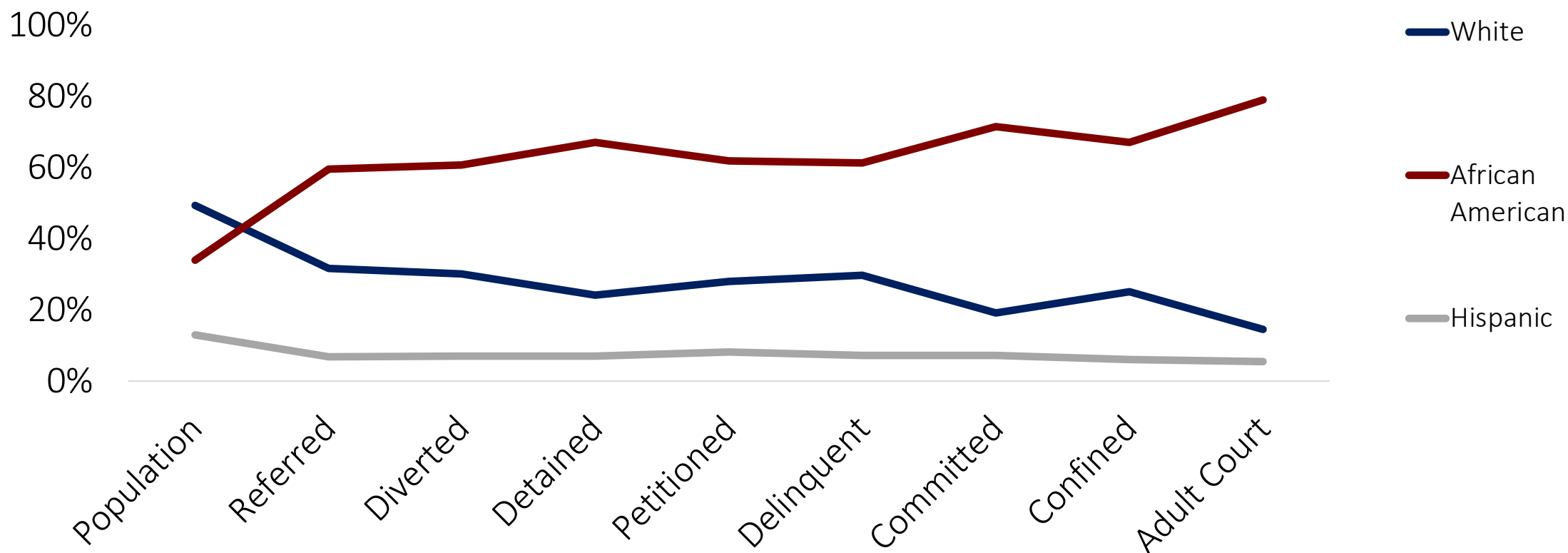
- Relative Rate Index (RRI) = (Minority Youth Rate of Activity / White Youth Rate of Activity)
- RRIs were calculated at eight decision points in the juvenile justice system
- Eight Juvenile Justice Decision Points





## A Minority-Majority Shift at Referral to the System

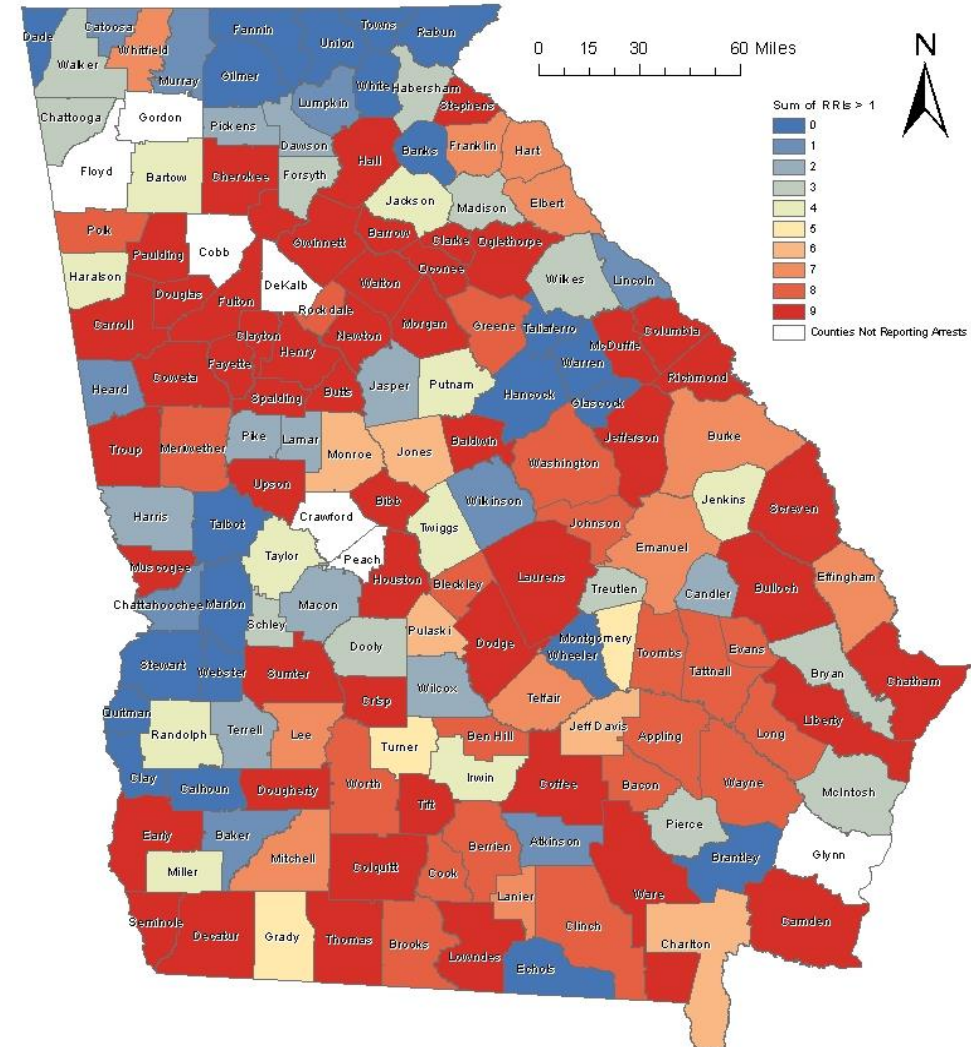
Proportion of Youth Population by Race and Ethnicity at Different Outcomes of the Juvenile Justice System





- 50 of the 152 counties that reported referral data from 2006 to 2014 showed a disproportionate rate of referrals for African American youth for all nine years.

### Number of Years of Disproportionate African American Referrals from 2006 to 2014





## Phase 2: What are we trying to answer with the Causal Inference Analysis?

- What county level factors contribute to DMC in Georgia at the referral stage?
- The dependent variable is the county RRI at referral from 2007 to 2014.
- The eight county level factors (independent variables) tested included:
  1. Law enforcement per capita by county
  2. Number incidents of violent crime by African American youth
  3. Proportion of African American youth living in poverty by county
  4. Proportion of county youth population identified as African American
  5. African American youth graduation rate by county
  6. Incidents of corporal punishment reported by any county school for the period assessed (yes/no)
  7. Out-of-school suspensions per 100 students by county
  8. Number of African American Youth arrested for drug crimes per 10,000 youth



## Findings

- Six of the eight variables tested showed a positive effect on disproportionality and were statistically significant at the 95% level or above.

### Tobit Model Estimates

Independent Variables	Total Change in RRI
Corporal Punishment	RRI by 0.2671 ↑
Out-of-school Suspensions Per 100 Students	RRI by 0.0449 ↑
Percent of Population that is African American Youth	RRI by 0.0185 ↑
African American Youth Violent Crime Per 10,000	RRI by 0.0160 ↑
African American Youth Drug Crime Per 10,000	RRI by 0.0124 ↑
Percent of African American Youth in Poverty	RRI by 0.0089 ↑
Law Enforcement Per 10,000	RRI by 0.0088
Graduation Rate of African American Youth	RRI by 0.0021

↑ Significant increase in RRI at the 99% level   
 ↑ Significant increase in RRI at the 95% level





## For Instance - Out of School Suspensions

- In 2014, African American youth in Muscogee County were referred to the juvenile justice system at 3.5 times the rate of White youth.
- The “What Would It Take” number indicates how many African American youth would have to be removed from the referral process to achieve parity in juvenile justice referral rates for African American and White youth. In 2014, 768 African American youth would have to be removed from the juvenile justice referral pipeline to achieve parity with White youth.
- To decrease the disproportionality at referral by a factor of 1 the county would need to decrease out-of-school suspensions by 22 African American students per 100 students.
  - This would mean that youth in Muscogee County in 2014 would be referred to juvenile court at 2.5 times the rate of White youth.
  - In real numbers, 269 fewer African American youth would have been referred to the juvenile justice system that year, which would have been a 35% decrease in the “What Would It Take” number.



## Phase 3: What are we trying to answer with the a qualitative contextual assessment?

- Target Stakeholders Interviewed:
  - 2 Juvenile Judges, 2 Service Providers, 1 Law Enforcement Officer, 1 Defense Attorney
- Although the sample size limits the general application of the findings from the interviews, they do provided a richer context to the mechanisms leading to DMC in Georgia.

Sex	Race
67% (4) Female	50% (3) White
33% (2) Male	50% (3) African American

Education	Years of Experience in <u>Current</u> Role
50% (3) Bachelor's Degree	Range: 2 to 12 years
50% (3) Post-Bachelor's Degree	Average: ≈5 years (4.83)



## Common Reported Leading DMC Factors

- **Differential Behavior** - refers to the theory that involvement in delinquent activity is different between ethnic and racial groups.
- **Mobility Effects** - the idea that some youth will commit crimes outside of their county of residence and if caught, they will go through the local juvenile justice system in which they committed the offense(s).
- **Indirect Effects** - a “broad term that reflects the fact that economic status, education, location, and a host of risk factors associated with delinquent behavior, among other factors, are linked with race and ethnicity.”
- **Differential Opportunities for Prevention and Treatment** - the allocation of prevention and treatment services in a community and how that allocation can create a disadvantage for minority youth.
- **Justice by Geography** - refers to how jurisdictions or regions may differ in what services are available.



## Stakeholder Interview Quotes

- *“Sometimes those officers and even private persons refer kids to the juvenile justice system who don’t really need to be here, but they need something, but we are the only game in town. But for a child who doesn’t need to be here, this is the worst place for them.”* - Judge
- *“...you know, those youth[‘s] charges, literally, did not go anywhere beyond the front office and a kid that is poor and their parents can’t afford the youth’s way out, that youth will pay the price dearly. It’s just not fair, you know.”* - Police officer
- *“[I] try to get parents to understand that once law enforcement is called, you cannot change your mind or alter the course, so it needs to be something serious for parents to get the system involved.”* - Judge
- *“[The] biggest hurdle was to get the clients here [to services] and to their appointments, so now that they are able to assist in that, [it] has helped a ton.”* - Service provider
- *“It was scary from someone who thought they didn’t have implicit bias.”* - Judge



## Recommendations:

1. Focusing efforts on reducing DMC at referral, because disproportionality at this outcome shifts a minority population into the majority in the juvenile justice system.
2. Targeting intervention efforts at counties with not only severe disproportionality but also disproportionality over extended periods of time.
3. Reducing the use of harsh disciplinary measures at the school level may help reduce disproportionate referrals for African American youth.
4. Analyzing individual-level data about youth offenses to determine whether African American youth criminal involvement is disproportionate to White youth, to test whether this difference explains disproportionate referrals.
5. Conducting deep dives in localities experiencing severe and persistent disproportionality to identify local factors contributing to it through enhanced quantitative and qualitative data collection methods to shape specialized interventions.



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