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**THE OVER-REPRESENTATION OF
MINORITY YOUTH IN THE
CALIFORNIA JUVENILE JUSTICE SYSTEM**

SUMMARY OF THE FULL REPORT

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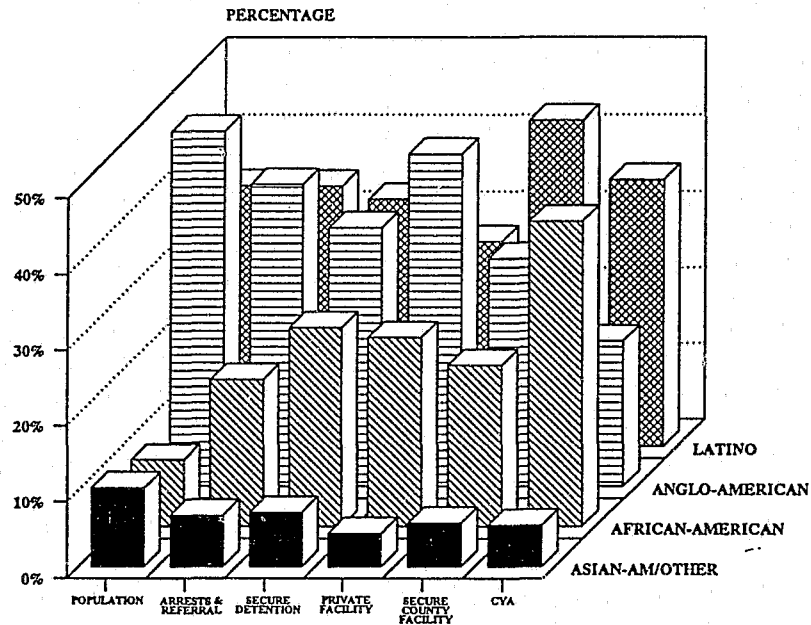
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DISPROPORTIONATE REPRESENTATION OF MINORITY YOUTH IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM - 1989



LATINO	34.4%	34.3%	32.6%	27.1%	42.9%	35.2%
ANGLO-AMERICAN	46.7%	39.8%	34.1%	43.8%	30.1%	19.2%
AFRICAN-AMERICAN	8.7%	19.3%	26.2%	24.9%	21.2%	40.2%
ASIAN-AM/OTHER	10.3%	6.7%	7.1%	4.3%	5.7%	5.4%

Source: CA Department of Education, 1989
CA Bureau of Criminal Statistics, 1989

TABLE OF CONTENTS

MAJOR FINDINGS AND RECOMMENDATIONS	i - iv
CHAPTER ONE: BACKGROUND, SCOPE, DATA, AND DEFINITIONS USED IN THIS STUDY	1
I. BACKGROUND OF THE STUDY	1
II. SCOPE OF STUDY: STATEWIDE AND TARGET COUNTY ANALYSES	2
III. DATA SOURCES SUPPORTING FINDINGS OF THE REPORT ...	2
IV. TERMINOLOGY USED TO DEFINE MINORITY GROUPS	4
V. DEFINITION OF "JUVENILE" USED IN THIS STUDY	5
VI. MEASURES OF OVER-REPRESENTATION	5
CHAPTER TWO: STATEWIDE ANALYSIS	7
I. CALIFORNIA VS. NATIONAL TRENDS	7
II. CALIFORNIA STATEWIDE FINDINGS	9
CHAPTER THREE: COUNTY ANALYSIS	21
I. OVERVIEW OF THE TARGET COUNTY STRATEGY	21
II. TARGET COUNTY SUMMARY: CITY & COUNTY OF SAN FRANCISCO	22
III. TARGET COUNTY DATA SUMMARY: LOS ANGELES COUNTY	24
IV. TARGET COUNTY DATA SUMMARY: MERCED COUNTY	29
V. TARGET COUNTY SUMMARY: SACRAMENTO COUNTY	31
CHAPTER FOUR: COMMENTS ON THE CAUSES OF DISPROPORTIONATE REPRESENTATION OF MINORITIES IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM, AND PROPOSED SOLUTIONS	34
I. THE CAUSES OF DISPROPORTIONATE MINORITY REPRESENTATION	35
II. PROPOSED SOLUTIONS TO THE PROBLEM OF DISPROPORTIONATE REPRESENTATION OF MINORITIES IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM	37
CHAPTER FIVE: RECOMMENDATIONS	44

LIST OF TABLES

TABLE 2-1: JUVENILE CUSTODY RATES FOR JUVENILES IN PUBLIC FACILITIES BY THREE MAJOR OFFENSE GROUPS, CALIFORNIA AND U.S., 1989	8
TABLE 2-2: JUVENILES IN PUBLIC FACILITIES, CALIFORNIA AND U.S., ONE-DAY COUNTS, 1989	8
TABLE 2-3: CALIFORNIA JUVENILES IN CUSTODY BY ETHNICITY AND SEX, SECURE PUBLIC FACILITIES ONLY, 1989	10
TABLE 2-4: CALIFORNIA JUVENILE POPULATION, ARRESTS AND ADMISSIONS TO SECURE DETENTION, PRIVATE FACILITIES, SECURE COUNTY FACILITIES AND CYA, 1989	13
TABLE 2-5: NUMBER (%) AND RATE OF CALIFORNIA JUVENILE TOTAL ARRESTS BY ETHNICITY, 1989	15
TABLE 2-6: NUMBER (%) AND RATE OF CALIFORNIA JUVENILE FELONY ARRESTS BY ETHNICITY, 1989	15
TABLE 2-7: DELINQUENCY REFERRALS TO CALIFORNIA JUVENILE COURTS, DETENTION AND DISPOSITION STATUS BY PERCENT OF ETHNIC GROUP, 1989	16
TABLE 2-8: CALIFORNIA JUVENILES WITH COURT DISPOSITIONS, PERCENT DETAINED BY ETHNICITY CONTROLLING FOR OTHER FACTORS	18
TABLE 2-9: CALIFORNIA JUVENILES WITH COURT DISPOSITIONS, CYA DISPOSITIONS BY ETHNICITY CONTROLLING FOR OTHER FACTORS	19
TABLE 3-1: OVERVIEW OF MINORITY YOUTH REPRESENTATION IN THE SAN FRANCISCO JUVENILE JUSTICE SYSTEM	22
TABLE 3-2: SAN FRANCISCO JUVENILE POPULATION, ARRESTS AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989	23
TABLE 3-3: OVERVIEW OF MINORITY YOUTH REPRESENTATION IN THE LOS ANGELES COUNTY JUVENILE JUSTICE SYSTEM	25
TABLE 3-4: LOS ANGELES COUNTY JUVENILE POPULATION, ARRESTS AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989	26

LIST OF TABLES

TABLE 3-5: FELONY VIOLENT AND FELONY DRUG ARRESTS OF JUVENILES BY ETHNICITY FOR LOS ANGELES, MERCED, SACRAMENTO COUNTIES, RATES PER 100,000 - 1989	28
TABLE 3-6: OVERVIEW OF MINORITY YOUTH REPRESENTATION IN THE MERCED COUNTY JUVENILE JUSTICE SYSTEM	29
TABLE 3-7: MERCED COUNTY JUVENILE POPULATION, ARRESTS AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989	30
TABLE 3-8: OVERVIEW OF MINORITY YOUTH REPRESENTATION IN THE SACRAMENTO COUNTY JUVENILE JUSTICE SYSTEM	32
TABLE 3-9: SACRAMENTO COUNTY JUVENILE POPULATION, ARRESTS AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989	33

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NATIONAL COUNCIL ON CRIME AND DELINQUENCY

THE OVER-REPRESENTATION OF MINORITY YOUTH IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM

MAJOR FINDINGS

Statewide Analysis

1. Between 1985 and 1989, the number of youth from the major minority groups (African-American, Latino, Asian-American and American Indian) incarcerated in California *increased* by about 50 percent while the number of incarcerated Anglo-American youth *decreased* by approximately 10 percent.
2. African-American juveniles are significantly over-represented at every stage of juvenile justice processing in California. With less than 9 percent of the state youth population, Black youth account for 19 percent of juvenile arrests and even larger shares of the state's incarcerated juvenile populations. At the "deep end" of the system, African-American juveniles are 10 times more likely to be sentenced to the California Youth Authority than Anglo-American or Asian-American youth.
3. Anglo-American juveniles had the largest share of the state youth population in 1989 (47 percent) but accounted for a smaller share of statewide juvenile arrests (40 percent). After the arrest stage, Anglo-Americans tend to be filtered out of the juvenile justice system, with overall low rates of representation in local and state secure facilities.
4. Latino juveniles had a 34 percent share of the California youth population and a 34 percent of all youth arrested in 1989 -- even 1:1 representation. After arrest, Latino youth continue to be represented in juvenile halls, secure county facilities and the California Youth Authority at rates which are even with their share of the California youth population.
5. Asian- American and Other youth had a 10 percent share of the 1989 California youth population. They were under-represented at all stages of juvenile justice processing, with the lowest arrest and confinement rates of all ethnic groups examined.
6. All female youth subgroups had incarceration rates well below their male counterparts and well below their rate of representation in the state youth population. African-American girls have the highest incarceration rate of any female minority group of juveniles.
7. High rates of arrest of African-American male juveniles for offenses involving drugs and violence are correlated with, and help to explain, high incarceration rates for these youth.
8. After statistical controls are applied for the factors of offense and prior record, African-American over-representation persists in California secure juvenile facilities. This suggests that post-arrest factors, including detention and sentencing decisions, may have an independent influence on differential minority incarceration rates.

Target county analysis; comments on causes and solutions for disproportionate representation

1. Intensive analysis of minority youth representation in secure facilities in four target counties (San Francisco, Los Angeles, Merced, Sacramento) confirmed the statewide pattern of over-representation of African-Americans, even representation of Latinos, and under-representation of Anglo-American and Asian-American/Other youth.
2. Target county juvenile justice and youth service professionals in focus groups were asked to identify the *causes* for disparities in minority youth processing which appeared from the county data analysis. The causes most frequently mentioned were:
 - "Institutional racism" within the juvenile justice system, including Anglo-American dominance of juvenile justice agencies (law enforcement, probation, courts) and an ethnic balance which fails to reflect the distribution in the society. This contributes to selective enforcement and higher incarceration rates for some minority youth.
 - Social and environmental factors, including poverty and unemployment, which are prevalent in minority communities.
 - Language barriers and cultural differences which prevent some minority children and families, including new immigrants, from understanding how the justice system works.
 - Drug abuse and drug sales by juveniles, with particularly high levels for some minority groups.
 - Failure of the school system to encourage educational success and to prevent high dropout rates for minority youth.
 - Family dysfunction, especially among African-Americans. Conversely, strong family values and structures, particularly for Asian American and Latino youth, were credited for controlling youth behavior and lowering incarceration rates for these ethnic groups.
 - Budget cuts and declining resources for youth services (including probation services), adversely affecting minority communities.
 - Lack of dispositional alternatives to incarceration, leaving judges in many counties with little or no option to secure commitment for many minority youth.

3. Target county juvenile justice and youth service professionals were asked to propose *solutions* for over-representation of minority groups in secure California facilities. The solutions most frequently suggested included the following:

- Address institutional racism and selective enforcement by improving the ethnic balance of employees in law enforcement, probation and court agencies. Require cultural awareness training for these personnel.
- Address root causes of crime with programs designed to improve social and economic conditions adversely affecting minority youth.
- Increase the involvement of minority citizens in juvenile justice policy making.
- Establish family support services (counseling as well as tangible support) and drug prevention and treatment programs in minority communities.
- Refocus school policies on minority youth to encourage success in school, and establish coordinated, school-based service plans to coordinate delivery of welfare, probation, health, mental health and other services to high-risk, minority youth.
- Establish non-secure dispositional alternatives at the local level which judges can use instead of incarceration -- e.g., day-treatment programs, mentor programs, or work service programs based on successful program models from other jurisdictions.

4. *Changes in state law and policy* most frequently identified as desirable by county juvenile justice professionals were the following:

- California should invest in local, community-based juvenile justice programs as alternatives to an overcrowded and punitive state training school system in which minority youth are over-represented. If counties had only a part of the average \$ 32,000 per year spent on CYA institutionalization of drug or property offenders in the CYA, they could establish local programs tailored to local needs while possibly reducing CYA commitments.
- The level of state funding for delinquency prevention (a \$ 200,000 component of the Youth Authority budget) was called "absurd for a state of this size".

NCCD RECOMMENDATIONS

1. *Establish a statewide Task Force through OCJP with a five year mandate to address the issue of over-representation of minorities in the California juvenile justice system.*
2. *Improve coordination of existing youth programs and services as an alternative to the funding of additional programs at this time.*
3. *Focus corrective action primarily on the over-representation of African-American males in the juvenile justice system.*
4. *To the extent new programs are needed, focus resources on the development of alternative, non-secure placements and programs, including mentor programs for minority youth.*
5. *Increase cultural awareness training and increase the number of minority staff at management and line level positions in juvenile justice and law enforcement agencies.*

THE OVER-REPRESENTATION OF MINORITY YOUTH IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM

CHAPTER ONE: BACKGROUND, SCOPE, DATA, AND DEFINITIONS USED IN THIS STUDY

I. BACKGROUND OF THE STUDY

There has been growing concern nationally and within California about the over-representation of minority youth in secure juvenile facilities. In 1988, the United States Congress expressed this concern by amending the federal Juvenile Justice and Delinquency Prevention Act (JJDPA) to require participating states to evaluate and address the over-representation of minorities in their incarcerated juvenile populations. The federal goal, according to the federal Office of Juvenile Justice and Delinquency Prevention, is that states should

develop and implement policies and practices which are racially and ethnically neutral and which produce unbiased, neutral results.... The ultimate goal is for each state to improve the juvenile justice and youth services system by creating a comprehensive community-based service system that provides services for all youth equally...regardless of race or ethnic background.

This study is California's initial response to the Congressional mandate. The National Council on Crime and Delinquency (NCCD) was selected by the California State Advisory Group on Juvenile Justice (SAG) and the California Office of Criminal Justice Planning (OCJP) to produce this detailed examination of disparities in the arrest, prosecution and incarceration of minority juveniles in California. The original report, submitted to OCJP in September of 1991, was 144 pages long with extensive tables and charts describing the circumstances of minority youth in the state's justice system. This summary was produced later to distill the text and findings of the report and to make them available to a wider audience.

II. SCOPE OF STUDY: STATEWIDE AND TARGET COUNTY ANALYSES

The scope of the report included a review of available federal, state and local data on minority youth incarceration in California. This budget did not support original data collection on the ethnic population of state and local juvenile facilities. Nevertheless, NCCD was able to produce a realistic picture of minority representation in the California justice system, thanks to an abundant and generally credible base of data collected and maintained by state and federal agencies.

The scope of the report also included an intensive supplemental analysis in selected California target counties. For each of four target counties, NCCD constructed a local profile of how minority youth were processed by the county justice system. In each target county, we also convened focus groups of local juvenile justice practitioners and youth service providers. These county focus groups yielded important clues about the causes of minority over- or under-representation in the juvenile justice system and proposed solutions.

III. DATA SOURCES SUPPORTING FINDINGS OF THE REPORT

The following were the primary sources of data for the study:

A. Children in Custody (CIC) Surveys of Youth Confined in Local and State Facilities. The United States Department of Justice has been conducting national surveys of public and private juvenile facilities for nearly two decades. This "Children in Custody" (CIC) survey provides bi-annual, one-day aggregate census data on the number and ethnicity of youth confined in most of the nation's public and private juvenile facilities, as well as other useful data.

B. Bureau of Criminal Statistics (BCS) Profiles. Through 1989, California's BCS published annual Criminal Justice Profiles containing summary data on juvenile arrests, probation status and court dispositions. These profiles, both for state and county populations, provided NCCD with aggregate information on state and county juvenile justice populations, including relevant measures of ethnicity.

C. BCS Individual Case Processing Files. NCCD also obtained California BCS individual case data from county law enforcement, probation and court agencies. The individual case files included processing decisions (arrest, petition-filing, disposition) and information on the detention and commitment of youth to local or state facilities. The individual case files permitted NCCD to determine whether disparities in the treatment ethnic groups remained after controlling for various factors, such as severity of offense.

D. Population data. A key source of population data used to calculate indices of minority representation in this report was the California Department of Education Report of Enrollment and Drop-Out Figures for 1989. Population estimates of the California Department of Finance proved less useful because they did not contain all requisite data elements (age, county and ethnicity).

E. Data base year. Most of the data cited in the study is 1989 data. This is the base year for the Children in Custody survey results and for the BCS aggregate and individual case file data cited in the report. The data base year may seem stale to some readers, since this study was completed in September 1991, some 21 months after the close of calendar 1989. In fact, when NCCD conducted this research, 1989 was the most recent year for which all pertinent data were available. Moreover, 1989 may stand for quite some time as the benchmark year for California state and county statistics on

minority youth incarceration. After 1989, BCS will no longer collect probation and court data on the commitments of minors to county facilities; this function was abandoned in 1990 as a cost-saving measure. The next U.S. Children in Custody survey will be based on 1990 admission and 1991 counting day figures, but the data tapes will not be analyzed and data from them will not be published until late 1992 or 1993.

IV. TERMINOLOGY USED TO DEFINE MINORITY GROUPS

A concern raised early in the study was the "labeling" of minority groups. Terms commonly used in minority-related research efforts include "White", "Hispanic", "Black" and "Asian and Other". The use of these terms has caused confusion in some reports. For instance, older census surveys lacked guidelines to distinguish "Whites" from "Hispanics" on reporting forms.

Various groups, from academics to lay persons, express their own preferences in terminology. As an example, "African-American" has gained increasing acceptance as substitute for "Black"; however, even within the African-American/Black community there are disagreements about the correct terminology. Such lack of consensus makes it difficult for well-intended researchers to be precise or even agreeable to those who read their work. NCCD has addressed this concern in the present report by choosing to use, for most applications, the following ethnic group terms:

1. Anglo-American (traditionally referred to as White)
2. Latino (traditionally referred to as Hispanic)
3. African-American (traditionally referred to as Black)
4. Asian-American (traditionally referred to as Asian)

While preferring the use of the ethnic terms identified above, we have not been dogmatic about them. Occasionally the text will refer to "Blacks", "Whites" or "Hispanics", used interchangeably for "African-American", "Anglo-American" and "Latino".

V. DEFINITION OF "JUVENILE" USED IN THIS STUDY

For purposes of this study a juvenile is defined as a person under the age of 18 who is subject to (or under) the jurisdiction of the California juvenile court in a delinquency proceeding. Excluded from the scope of the study are persons under 18 years of the age who have been waived or transferred to the jurisdiction of the adult criminal court for prosecution on a serious crime listed in California's adult court transfer statute. Almost without exception the juveniles covered by this study are minors aged 10 through 17 who have not been waived to adult court. The youth population groups used to calculate minority proportion indices (see immediately below) consist of youth aged 10 through 17 in the state and county populations.

VI. MEASURES OF OVER-REPRESENTATION

Various measures of the over- or under-representation of minority youth groups are referenced in the text and accompanying tables. An understanding of the three measures explained below is required in order to appreciate the findings of the report.

A. The Minority Proportion Index

A minority proportion "index" has been identified by OJJDP to assess the extent of ethnic representation at various points of juvenile justice processing. This index compares the percent of youth from a minority group at a single processing point to the

percent of the total youth population occupied by that minority group. For example, if African-Americans represented 40 percent of juveniles incarcerated in the Youth Authority but constituted 10 percent of the state youth population, their minority proportion index of representation in the Youth Authority would be 4.0 ($.40 / .10 = 4.0$). An index value greater than 1.00 indicates over-representation whereas a score below 1.00 reflects under-representation.

B. Minority Incarceration Rates

Minority youth incarceration rates are also referenced in the text of the report. The rate is generally expressed as the number of minority youth incarcerated in one type of facility per 100,000 members of that minority youth group in the state population.

C. Measures of Representation after Application of Statistical Controls

Much of the data presented in the text of the report is aggregate data based on total admissions or counts of youth in a particular facility type. It is impossible, using gross facility counts, to conduct an analysis which controls for factors besides ethnicity, such as severity of offense. To move beyond this limitation into a more refined and revealing zone of analysis, NCCD analyzed BCS case transaction data files on juveniles in California facilities to control for the influence of non-ethnic factors that may affect the differential commitment rates for minority youth. The results of this factor-control analysis are described in greater detail in the text below.

CHAPTER TWO: STATEWIDE ANALYSIS

I. CALIFORNIA VS. NATIONAL TRENDS

Of all 50 states surveyed by the U.S. Department of Justice in 1989, California had the nation's highest rate of youth incarceration. California's 1989 youth incarceration rate, based on a one-day count of juveniles housed in public facilities for delinquency offenses, was 463 per 100,000 juveniles in the state population. This is not only the highest figure for any state, but it is also more than twice the all-state average of 207 juveniles per 100,000 incarcerated in public facilities. See Table 2-1.

The ethnic pattern of distribution for these incarcerated juveniles is somewhat different in California than for the nation as a whole. Table 2-2 compares the 1989 ethnic distribution of juveniles in United States public facilities with the distribution in California. As Table 2-2 indicates, California incarcerates a much lower share of Anglo-American youth, a slightly lower share of African-American youth, and a much larger share of Latino youth than is true of all states viewed collectively. The difference is primarily due to California's large Latino youth population. While interesting, the California ethnic distribution figures in Table 2-2 reveal little about the over- or under-representation of minority groups in the state's public juvenile facilities. For example, as the reader will soon discover, African-Americans are strongly over-represented in California secure juvenile facilities, even though they represent a smaller proportion of all incarcerated juveniles in California than for the nation as a whole.

TABLE 2-1
JUVENILE CUSTODY RATES FOR
JUVENILES IN PUBLIC FACILITIES
BY THREE MAJOR OFFENSE GROUPS
CALIFORNIA AND U.S., 1989

Offense Group	Rate Per 100,000 Juveniles	
	United States	California
Criminal Offenders	207	463
Status Offenders	9	2
Non-Offenders	3	1

Source: Children in Custody Survey, 1989, U.S. Department of Justice, Juveniles in Public Facilities (secure and non-secure).

TABLE 2-2
JUVENILES IN PUBLIC FACILITIES
CALIFORNIA AND U.S.
ONE-DAY COUNTS, 1989

Ethnicity	United States		California	
	N	%	N	%
Anglo-American	22,201	40	4,193	26
African-American	23,836	42	5,862	37
Latino	8,671	16	5,205	33
American Indian	637	1	77	1
Asian/Pacific Islander	778	1	532	1
Total	56,123	100	15,869	100

Source: Children in Custody Survey, 1989, U.S. Department of Justice, one-day counts of juveniles in public facilities (secure and non-secure).

II. CALIFORNIA STATEWIDE FINDINGS

Basic pattern includes consistent over-representation of African-American youth

The heavy over-representation of African-Americans is the most striking finding which emerges from a review of federal survey data comparing juveniles incarcerated in California with population figures for minority youth groups in the state. Table 2-3 shows the number and percentage of juveniles living in California, and the number, percentage and rate of juveniles incarcerated in California facilities considered "secure" by federal standards.¹

Of the 13,767 California incarcerated youth, 5,093 or 37 percent were African-American. The population pool of African-American juveniles which is the source for these confinements represents only 8.7 percent of the state youth population. The index of over-representation of African-Americans in California public juvenile facilities is thus 4.25 ($37.0 / 8.7 = 4.25$). This means that in African-American juveniles are heavily over-represented in California secure public facilities, at a rate which is more than 4 times their rate of representation in the state youth population.

By contrast, Table 2-3 shows that Anglo-American juveniles are under-represented in California secure public facilities. Anglo-Americans in the Department of Justice survey of California's incarcerated youth represented 26.8 percent of those confined in

1 The definition of "secure facility" used in this table and the associated text is the federal (OJJDP) definition. The California definition or understanding of "secure facility" is not necessarily the same as the federal. Juvenile camps and ranches, for example, may be either secure or non-secure by federal standards, but are most often counted as "secure county facilities" by county agencies reporting to California's BCS. Depending on the number of facilities that fall within "secure facility" definition, counts of California juveniles in secure confinement may vary by as many as 2,000 youth.

TABLE 2-3
CALIFORNIA JUVENILES IN CUSTODY
BY ETHNICITY AND SEX
SECURE PUBLIC FACILITIES ONLY
1989

Ethnicity	State Pop. ^a		Juveniles in Custody ^b		Custody Rate Per 100,000 Youth ^c	Index Score ^d
	N	%	N	%		
Anglo-American	1,405,369	46.6	3,701	26.8	263	0.58
Male	719,840	23.8	3,231	23.5	449	0.99
Female	685,529	22.8	470	3.4	69	0.15
African-American	261,118	8.7	5,093	37.0	1,950	4.25
Male	130,922	4.5	4,739	34.4	3,620	7.64
Female	130,196	4.5	354	2.6	272	0.58
Latino	1,036,403	34.4	4,458	32.4	430	0.94
Male	525,677	17.4	4,188	30.4	797	1.75
Female	510,726	17.0	270	2.0	53	0.12
Asian-American & Other	309,985	10.3	515	3.7	166	0.36
Male	158,022	5.2	466	3.4	295	0.65
Female	151,963	5.0	49	0.4	32	0.08
Total	3,012,875	100	13,767	100	457	N/A
Male	1,534,461	50.9	12,624	91.7	823	1.80
Female	1,478,414	49.1	1,143	8.3	77	0.17

- a. Source: California Department of Finance
Population Estimates, 1989, Ages 10-17
- b. Source: 1989 "Children in Custody" census of Public Juvenile Detention, Correctional
and Shelter Facilities
- c. Rates per 100,000 were computed by dividing the number in custody by the number
of youth population for each gender and racial/ethnic group, and multiplying by
100,000.
- d. Index score is percentage in custody divided by percentage of state population.

public facilities, but had nearly 47 percent of the state youth population. The Anglo-American minority proportion index of incarceration was thus only .58 (26.8 percent divided by 46.6 percent), indicating under-representation.

The proportion of Latino youth in California public juvenile facilities came as something of a surprise to those who, before the data were analyzed, expressed a belief that Latino juveniles were being incarcerated in California at high rates. While Latinos occupy the second largest share of among ethnic groups of youth found in California public facilities on the U.S. Department of Justice counting day, their percent of the incarcerated youth population was nearly the same as their percent of the statewide youth population. As Table 2-3 indicates, the minority proportion index of incarcerated Latino youth was nearly 1.0 -- a neutral result.

Asian-American/Other youth had the lowest overall rate of representation in California secure public juvenile facilities, with a minority proportion index of .36. This result is consistent with the very low levels and rates of representation of Asian-American youth found at all points of juvenile justice processing examined in this study.

Another finding which emerges from the data displayed in Table 2-3 is that female juvenile offenders have consistently lower rates and indices of incarceration than males, for each ethnic group examined. Extremely low indices of female minority representation are shown for Anglo-American, Latino and Asian American/Other girls.

Statewide patterns of minority representation are consistent for all types of facilities and all stages of juvenile justice processing

Table 2-4 shows the ethnic distribution of juveniles in the state population, as well as the distribution (number, percent and rate) by ethnic group of juveniles at five stages

of processing, from arrest through detention, placement and secure commitment. The right hand column of Table 2-4 shows the all-important minority proportion index for each ethnic group at each stage of processing or placement.

The data presented in Table 2-4 comes, not from the federal Children in Custody census of youth confined in public facilities, but rather from California Department of Justice (BCS) data on arrests and juvenile court dispositions collected from each county. These data confirm the pattern of minority over- and under- representation suggested by the federal data. The pattern is the increasingly familiar motif of over-representation of African-American youth at every stage of juvenile justice processing. The index of over-representation for Black youth begins at arrest (2.2 times their share of the youth population) and rises until, at the deep end of the system -- commitment to the California Youth Authority -- African-Americans are over-represented by a factor of 4.6. By contrast, Anglo-American youth are proportionately filtered out of the juvenile justice system as the severity of the sanction increases; their rate of representation at arrest is .85 (mild under-representation), dropping to .65 among those juveniles committed to secure county facilities (more pronounced under-representation) and to .41 among those committed to the California Youth Authority (even more pronounced under-representation).

Latino youth maintain a strongly consistent pattern of representation which is neutral or even with their rate of representation in the state youth population. Their minority proportion index stays near 1.0 at all stages of processing. Asian-American/Other youth keep low rates of representation at all points of juvenile justice system intervention, from arrest (index = .65) through commitment to CYA (index = .52).

TABLE 2-4

**CALIFORNIA JUVENILE POPULATION, ARRESTS AND
ADMISSIONS TO SECURE DETENTION, PRIVATE FACILITIES,
SECURE COUNTY FACILITIES AND CYA, 1989**

	N	%	Rate per 100,000 ^c	Index ^e
Population^a				
Anglo-American	1,405,369	46.65	—	—
African-American	261,118	8.67	—	—
Latino	1,036,403	34.40	—	—
Asian-American/Other	309,985	10.29	—	—
Total	3,012,875	100.00	—	—
Arrest^b				
Anglo-American	94,782	39.78	6,744.28	0.85
African-American	45,960	19.29	17,601.24	2.22
Latino	81,639	34.27	7,877.15	1.00
Asian-American/Other	15,860	6.66	5,116.38	0.65
Total	238,241	100.00	7,907.43	—
Secure Detention^b				
Anglo-American	17,759	34.07	1,263.65	0.73
African-American	13,660	26.20	5,231.35	3.02
Latino	17,006	32.62	1,640.87	0.95
Asian-American/Other	3,706	7.11	1,195.54	0.69
Total ^d	52,131	100.00	1,730.27	—
Private Facility^b				
Anglo-American	2,148	43.79	152.84	0.94
African-American	1,219	24.85	466.84	2.87
Latino	1,325	27.01	20.55	0.79
Asian-American/Other	213	4.34	427.44	0.42
Total ^d	4,905	100.00	162.80	—
Secure County Facility^b				
Anglo-American	4,128	30.14	293.73	0.65
African-American	2,908	21.23	1,113.67	2.45
Latino	5,885	42.97	567.83	1.25
Asian-American/Other	774	5.65	249.69	0.55
Total ^d	13,695	100.00	454.55	—
CYA^b				
Anglo-American	660	19.20	46.96	0.41
African-American	1,380	40.17	528.50	4.63
Latino	1,210	35.23	116.75	1.02
Asian-American/Other	185	5.38	59.68	0.52
Total ^d	3,435	100.00	114.01	—

a. Source: California Department of Finance. Population Estimates, 1989. Ages 10-17

b. Source: California Bureau of Criminal Statistics, 1989. Ages 10-17

c. Rates per 100,000 were computed by dividing the number in custody by the number of youth population for each ethnic group, and multiplying by 100,000.

d. Youth of unknown ethnicity omitted from these totals.

e. Indexes are based on the racial/ethnic groups' proportions in the general populations. Calculations are made by dividing the ethnic group's percentage representation at the legal point of interest by the ethnic group's percentage of the total youth population. An index value over 1.00 indicates over-representation; an index value under 1.00 indicates that the group is under-represented.

Arrest trends help to explain incarceration rates

There is a strong correlation between arrest rates and incarceration rates for each ethnic group under study. Additional detail on ethnicity and juvenile arrests is provided by Tables 2-5 and 2-6. Table 2-5 shows total California juvenile arrests for 1989 by ethnicity; Table 2-6 presents the same information for felonies only. In both cases (total arrests and felony arrests), African-American juveniles have high rates of arrest per 100,000 African-Americans in the state juvenile population. At the felony level, Black youth have an arrest rate which is nearly 5 times the felony arrest rate for Whites and nearly 3 times the felony arrest rate for Latinos. High arrest rates for African-American youth in California help to explain correspondingly high incarceration rates.

Ethnic disparities persist after statistically controlling for factors such as severity of offense

As the aggregate data begin to reveal significant disparities in the incarceration rates for various ethnic groups, the need to examine non-ethnic factors -- particularly offense -- becomes more apparent. We need to determine whether the high rates of arrest for serious offenses can fully explain the high incarceration rates for African-American youth.

Methodologically NCCD was able to address this need by analyzing individual, computerized case files on juvenile offenders maintained by the California Department of Justice, Bureau of Criminal Statistics (BCS). These case files contained information on 156,395 California juveniles with court dispositions in 1989, including basic identifier information (age, gender, ethnicity), referral offense, detention status and dispositional status. With these individual files, we could perform a "multi-variate" analysis, isolating

TABLE 2-5

**NUMBER (%) AND RATE OF CALIFORNIA JUVENILE TOTAL ARRESTS
BY ETHNICITY, 1989**

Race/Ethnicity	State Pop. ^a		Total Arrests ^b		Total Arrest Rates Per 100,000 Youth ^c
	N	%	N	%	
Anglo-American	1,405,369	46.65	94,782	39.78	6,744
African-American	261,118	8.67	45,960	19.29	17,601
Latino	1,036,403	34.40	81,639	34.27	7,877
Asian-American & Other	309,985	10.29	15,860	6.66	5,116
Total	3,012,875	100.00	238,241	100.00	7,907

TABLE 2-6

**NUMBER (%) AND RATE OF CALIFORNIA JUVENILE FELONY ARRESTS
BY ETHNICITY, 1989**

Race/Ethnicity	State Pop. ^a		Felony Arrests ^b		Felony Arrest Rates Per 100,000 Youth ^c
	N	%	N	%	
Anglo-American	1,405,369	46.65	25,916	29.11	1,844
African-American	261,118	8.67	22,992	25.83	8,805
Latino	1,036,403	34.40	33,855	38.03	3,266
Asian-American & Other	309,985	10.29	6,263	7.04	2,020
Total	3,012,875	100.00	89,026	100.00	2,954

a. Source: California Department of Finance
Population Estimates, 1989
age 10-17

b. Source: California Bureau of Criminal Statistics, 1989
age 17 and younger

c. Rates per 100,000 were computed by dividing the number arrested by the number of youth population for each ethnic group, and multiplying by 100,000.

individuals by offense, ethnicity and other factors and examining the relationship of these factors to detention and secure commitments.

We first processed the individual case files to produce an aggregate picture of juvenile court detention and dispositional orders by ethnic group. This yielded the results shown in Table 2-7, which reports detention decisions for 144,582 youth in the file and dispositional decisions for 152,187 youth. As Table 2-7 shows, African-Americans were detained most frequently (49 percent of the time) while Anglo-Americans were detained in 31 percent of the Anglo cases referred. Table 2-7 also shows the distribution of youth within each ethnic group to secure county facilities, private facilities and CYA.

TABLE 2-7
DELINQUENCY REFERRALS TO CALIFORNIA JUVENILE COURTS
DETENTION AND DISPOSITION STATUS BY PERCENT OF ETHNIC GROUP
1989

	Ethnicity of youth					
	Anglo-Americans	Latinos	African-Americans	Native Americans	Asian-Americans /Others	Total
<u>Detention</u>						
Number of youths	60,539	47,564	26,982	906	8,591	144,582
Not detained	69.4	64.1	51.5	47.0	61.2	63.7
Detained	30.6	35.9	48.5	43.0	38.8	36.3
<u>Disposition</u>						
Number of youths	64,300	49,800	28,401	926	8,760	152,187
All others	90.1	84.3	82.1	88.2	89.0	86.7
Secure county facility	5.8	11.0	9.6	3.8	7.8	8.3
Private facility	3.3	2.6	4.2	6.9	1.6	3.2
CYA	0.9	2.1	4.0	1.1	1.6	1.9

Sources: NCCD, California BCS

We subsequently controlled the analysis for offense and other key factors in relation to two incarceration outcomes: secure detention in a juvenile hall and secure commitment to training school (i.e., to the California Youth Authority). Due to resource limitations this analysis was not extended to other dispositions.

The results of the analysis in relation to detention decisions are shown in Table 2-8. This table shows the percent of juveniles in each ethnic group who were detained, cross-referenced to other factors such as offense, age, sex, probation status and prior offense history. One of the more significant observations to be drawn from Table 2-8 is that, within the same offense class, African-Americans are detained at consistently higher rates than Anglo-Americans or Latinos. For example, within the class of juveniles referred for violent felony offenses in 1989, 64.7 percent of African-Americans with violent felony referral offenses were detained, versus 47.1 percent of Anglo youth in this offense class and 60.7 percent of Latino youth in this offense class.

The results of this analysis in relation to Youth Authority commitment decisions are shown in Table 2-9. Here we see evidence again of ethnic disparity in CYA commitments ordered for the same class of juvenile offenders. For example, among juveniles with violent felony offenses, 11.4 percent of African-American youth with violent felonies were committed to CYA in 1989, versus 3.4 percent of Anglos with these offenses, 9.4 percent of Latinos, and 8.6 percent of Asian/Other youth. For every offense class except "misdemeanor drug", Blacks had the highest percentage of CYA commitments.

TABLE 2-8

**CALIFORNIA JUVENILES WITH COURT DISPOSITIONS
PERCENT DETAINED BY ETHNICITY CONTROLLING FOR OTHER FACTORS**

Characteristics	Ethnicity					Total
	Anglo-American	Latino	African-American	Native American	Asian/Others	
Number of youths	60,539	47,564	26,982	906	8,591	144,582
Overall % detained	30.6	35.9	48.5	43.0	38.8	36.3
Referral Offense						
Felonies						
Felony violent	47.1	60.7	64.7	59.6	58.0	11,629
Felony property	38.8	38.4	49.5	47.4	49.4	35,880
Felony drug	43.1	59.9	71.9	37.5	61.8	7,704
Felony sex	37.2	44.4	50.3	— ^a	39.1	1,716
Felony weapons	32.7	36.5	56.7	55.6	46.8	2,081
Misdemeanor assault & battery	33.6	31.0	35.8	37.5	35.5	11,517
Misdemeanor property	15.9	18.9	22.8	27.1	15.1	18,626
Misdemeanor drug	20.8	28.1	29.4	36.7	23.2	3,660
Misdemeanor sex	30.8	17.1	31.4	75.0	20.0	654
Misdemeanor alcohol	14.0	24.2	24.4	39.2	12.1	6,838
Misdemeanor weapons	20.4	28.4	47.2	— ^a	39.6	1,733
Status offense	35.1	35.1	40.5	32.9	42.6	10,044
Probation violation	65.3	57.6	62.9	69.7	52.8	7,997
Probation-CYA status						
On probation or CYA	59.5	58.4	67.2	62.4	61.4	29,950
Not probation or CYA	24.9	29.9	40.9	36.2	34.1	115,032
Sex						
Male	30.3	36.7	50.3	42.5	40.4	115,551
Female	31.6	31.6	39.9	44.5	29.2	28,031
Age						
Ages 10-15	28.4	31.8	44.3	39.6	36.9	73,581
Ages 16-17	31.5	38.3	52.8	46.9	40.8	74,718
Number of offenses						
One only	24.6	30.4	40.5	38.8	32.9	81,960
More than one	39.5	43.0	56.3	47.5	47.5	62,622

a. Indicates where the number of cases available for statistical analysis is less than 30. Consequently, there are insufficient cases to compute reliable percentages.

TABLE 2-9

**CALIFORNIA JUVENILES WITH COURT DISPOSITIONS
CYA DISPOSITIONS BY ETHNICITY CONTROLLING FOR OTHER FACTORS**

Characteristics	Ethnicity					Total
	Anglo-American	Latino	African-American	Native American	Asian/Others	
Number of youths	64,300	49,800	28,401	926	8,760	152,187
Overall % to CYA	0.9	2.1	4.0	1.1	1.6	1.9
Referral Offense						
Felonies						
Felony violent	3.4	9.4	11.4	3.7	8.6	12,555
Felony property	1.6	2.0	3.0	2.0	1.3	37,506
Felony drug	1.0	4.1	7.2	— ^a	5.0	7,886
Felony sex	1.7	2.8	3.4	— ^a	0.0	1,798
Felony weapons	0.6	1.8	5.6	— ^a	0.6	2,214
Misdemeanor assault & battery	0.4	1.0	1.1	0.0	1.1	11,695
Misdemeanor property	0.1	0.1	0.1	0.0	0.1	20,388
Misdemeanor drug	0.8	2.1	1.2	0.0	0.0	4,764
Misdemeanor sex	1.0	0.0	2.7	— ^a	0.0	677
Misdemeanor alcohol	0.0	0.2	0.7	0.0	0.0	6,897
Misdemeanor weapons	0.4	1.7	2.3	— ^a	0.0	1,836
Status offense	0.1	0.0	0.2	0.0	0.0	10,548
Probation violation	1.9	2.1	3.9	0.0	1.5	8,320
Probation-CYA status						
On probation or CYA	4.2	7.2	9.4	3.8	5.4	30,180
Not probation or CYA	0.2	0.8	1.9	0.2	0.8	122,007
Sex						
Male	1.0	2.4	4.7	1.5	1.7	122,480
Female	0.3	0.3	1.1	0.0	0.8	29,707
Age						
Ages 10-15	0.4	1.0	2.2	0.4	0.7	74,179
Ages 16-17	1.3	3.1	5.9	1.3	1.9	78,008
Number of offenses						
One only	0.6	1.3	2.8	0.8	1.1	87,495
More than one	1.3	3.2	5.2	1.3	2.4	64,692

a. Indicates when the number of cases available for statistical analysis is less than 30. Consequently, there are insufficient cases to compute reliable percentages.

What conclusions can be drawn from this analysis? When we isolate juveniles in the same offense class and thereby control for severity of offending behavior, we find that African-Americans are detained and incarcerated in the Youth Authority at significantly higher rates than other ethnic groups. We also find that Anglo-American juveniles are detained and committed to the Youth Authority at significantly lower rates than youth from other ethnic groups. Latino and Asian youth fall somewhere in-between.

In broad terms, this analysis unveils a picture of persistent, differential treatment for some minority groups after having accounted for pre-referral factors such as offense and prior record. This leads us to the observation that some ethnic disparities in detention and sentencing outcomes arise sometime after arrest, possibly as an artifact of bias which is inherent in the juvenile justice decision making process. In fact, we have no data which can supply an explanation for the disparities which cling to certain ethnic groups at the later stages of juvenile justice processing. Yet the very persistence of these disparities has important implications for California juvenile justice planners and policy makers. If the federal goal of racial and ethnic neutrality for the incarcerated youth population is ever to be achieved, these planners and policy makers must address, not only ways to prevent criminal behavior, but also ways to eliminate system-based bias or disparity which may independently affect decisions to incarcerate juveniles.

While we lack data which can provide an explanation for ethnic disparities which seem to be bound to the juvenile justice decision making process, we did seek subjective input on the issue from county-level juvenile justice practitioners. The comments from the target counties are reported in Chapter Four.

CHAPTER THREE: COUNTY ANALYSIS

I. OVERVIEW OF THE TARGET COUNTY STRATEGY

Working with the Office of Criminal Justice Planning (OCJP), NCCD selected four target counties for intensive study and for subjective input. These counties were chosen because they represented diverse characteristics of the California population. Each target county also had to be a federally defined "Metropolitan Statistical Area" (MSA), so that federal data from the bi-annual Children in Custody reports could be used in the analysis. The four target counties selected for intensive study and qualitative input in this project were Sacramento, San Francisco, Merced and Los Angeles.

NCCD followed a standard format for the collection of subjective information from the target counties. The format was centered around half-day discussion groups convened in each target county. In the process of selecting participants for the discussion groups, NCCD sought to balance the attendance evenly between representatives of public juvenile justice agencies and representatives of private, community-based youth advocacy and service organizations. Each meeting began with a presentation of aggregate county juvenile justice data. Participants were then asked for comments on the accuracy of the data. The remaining discussion time was divided between discussion on the causes of local patterns of minority over- and under-representation and discussion of solutions for imbalances observed.

The data on minority youth representation in each of the four target counties are presented below. For purposes of this summary, the commentary on causes and solutions has been collapsed into a generic synopsis presented in Chapter Four.

II. TARGET COUNTY SUMMARY: CITY & COUNTY OF SAN FRANCISCO

The City and County of San Francisco had a 1989 youth population (age 10-17) of about 40,000. Asian-American youth comprised the largest share of the San Francisco youth population (50 percent), followed by Latinos (18 percent), African-Americans (18 percent) and Anglo-Americans (14 percent). San Francisco's Juvenile Probation Department operates a juvenile hall with a rated capacity of 138 beds; average daily population dropped from 123 in 1989 (with 37 days of overcrowding) to about 90 in 1991 (no overcrowded days), under community pressure to reduce secure detention levels. San Francisco also operates Log Cabin Ranch for 86 youth, located in the foothills of adjoining San Mateo County.

NCCD reviewed aggregate demographic, criminal justice and juvenile justice data to formulate profile of minority youth arrest and incarceration practice in San Francisco. In broad summary, the results of this review are displayed in Table 3-1. Greater detail is provided by Table 3-2, which includes indices of over- or under-representation at each stage of processing, from arrest through secure commitment.

TABLE 3-1

OVERVIEW OF MINORITY YOUTH REPRESENTATION IN THE SAN FRANCISCO JUVENILE JUSTICE SYSTEM

	Rate of Arrest with a Referral to Probation	Rate of Secure Confinement
Anglo-American	Even	Low
African-American	Very High	Very High
Latino	Low	Low
Asian-American/Other	Low	Low

TABLE 3-2

**SAN FRANCISCO JUVENILE POPULATION, ARRESTS
AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989**

	N	%	Rate per 100,000 ^c	Index ^e
Population^a				
Anglo-American	5,395	13.65	—	—
African-American	7,114	17.99	—	—
Latino	7,252	18.34	—	—
Asian-American/Other	19,773	50.02	—	—
Total	39,534	100.00	—	—
Arrest^b				
Anglo-American	1,940	31.91	35,959.22	—
African-American	3,030	49.84	42,592.07	—
Latino	15	0.25	206.84	—
Asian-American/Other	1,094	18.00	5,532.80	—
Total	6,079	100.00	15,376.64	—
Secure Detention^b				
Anglo-American	383	17.24	7,099.17	1.26
African-American	1,260	56.73	17,711.55	3.15
Latino	219	9.86	3,019.86	0.53
Asian-American/Other	359	16.16	1,815.61	0.32
Total ^d	2,221	100.00	5,617.95	—
Private Facility^b				
Anglo-American	60	21.66	1,112.14	1.59
African-American	177	63.90	2,488.05	3.55
Latino	19	6.86	262.00	0.36
Asian-American/Other	21	7.58	106.21	0.15
Total ^d	277	100.00	700.66	—
Secure County Facility^b				
Anglo-American	11	6.88	203.89	0.50
African-American	116	72.50	1,630.59	4.03
Latino	13	8.13	179.26	0.44
Asian-American/Other	20	12.50	101.15	0.25
Total ^d	160	100.00	404.71	—
CYA^b				
Anglo-American	2	6.45	37.07	0.47
African-American	20	64.52	281.14	3.59
Latino	2	6.45	27.58	0.35
Asian-American/Other	7	22.58	35.40	0.45
Total ^d	31	100.00	78.41	—

a. Source: California Department of Education Enrollment and Drop-out Figures, 1989. Ages 10-17

b. Source: California Bureau of Criminal Statistics, 1989. S.F. arrest data is erroneous; see text.

c. Rates per 100,000 were computed by dividing the number in custody by the number of youth population for each ethnic group, and multiplying by 100,000.

d. Youth of unknown ethnicity omitted from these totals.

e. Indexes are based on the racial/ethnic groups' proportions in the general populations. Calculations are made by dividing the ethnic group's percentage representation at the legal point of interest by the ethnic group's percentage of the total youth population. An index value over 1.00 indicates over-representation; an index value under 1.00 indicates that the group is under-represented.

The official arrest data from San Francisco are flawed by a San Francisco Police Department practice of reporting Latino youth as "White" on the forms returned to the California Bureau of Criminal Statistics. The "Hispanic" box on these forms is simply not checked in most cases and Hispanic juvenile arrests are thus severely under-reported. To compensate for this problem, NCCD provided San Francisco group participants with supplemental information on referrals from the Juvenile Probation Department.

Wherever examined, the San Francisco data show consistent and significant over-representation of African-American youth in the juvenile justice system. Anglo-American youth, though detained at a rate slightly exceeding their share of the county youth population, have low rates of commitment to the county ranch and to CYA. Latino youth are detained and committed to secure facilities at rates well below their rate of representation in the county population; this under-representation of Latinos is a departure from the statewide finding that Latinos have minority proportion indices approaching 1.0 at most stages of juvenile justice processing. Asian-American youth in San Francisco have extremely low rates of representation at all stages of processing.

III. TARGET COUNTY DATA SUMMARY: LOS ANGELES COUNTY

The juvenile population (age 10-17) in Los Angeles County in 1989 was approximately 832,000. The largest ethnic share of this youth population was Latino (48 percent), followed by Anglo-Americans at 27 percent, African-Americans at 13 percent and Asian-Americans at about 11 percent. Los Angeles County had more than 60,000 juvenile arrests and 46,000 referrals of juveniles to probation in 1989. The Probation Department runs three juvenile halls (combined rated capacity 1,249); these detention facilities were overcrowded for 365 days of the year in 1989. The Probation Department

also operates 20 juvenile camps having a capacity in excess of 2,000 beds — about half of the statewide juvenile camp and ranch capacity.

As with San Francisco, NCCD reviewed aggregate demographic, criminal justice and juvenile justice data to formulate a profile of minority youth arrest and incarceration practices in Los Angeles County. In broad summary, the results of this review are displayed in Table 3-3. Additional detail on the level of over- or under-representation at each stage of processing, from arrest through commitment to secure institutions, is provided in Table 3-4.

TABLE 3-3
OVERVIEW OF MINORITY YOUTH REPRESENTATION
IN THE LOS ANGELES COUNTY JUVENILE JUSTICE SYSTEM

	Rate of Arrest	Rate of Secure Confinement
Anglo-American	Low	Low
African-American	Very High	Very High
Latino	Nearly Even	Nearly Even
Asian-American/Other	Low	Very Low

The most salient and obvious conclusion that emerges from a review of the data on minority youth processing in the Los Angeles County juvenile justice system is that African-American youth are significantly over-represented at all points of the process. Black youth are arrested at an index rate that is nearly twice their rate of representation in the county juvenile population, and thereafter they are securely detained and incarcerated in county and state institutions at even higher rates. By contrast, Asian-

TABLE 3-4

**LOS ANGELES COUNTY JUVENILE POPULATION, ARRESTS
AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989**

	N	%	Rates per 100,000 ^c	Index ^e
Population^a				
Anglo-American	223,066	26.80	—	—
African-American	111,243	13.36	—	—
Latino	403,075	48.42	—	—
Asian-American/Other	95,035	11.42	—	—
Total	832,419	100.00	—	—
Arrest^b				
Anglo-American	11,394	17.29	5,107.91	0.65
African-American	16,930	25.69	15,218.94	1.92
Latino	34,400	52.21	8,534.39	1.08
Asian-American/Other	3,165	4.80	3,330.35	0.42
Total	65,889	100.00	7,915.36	—
Secure Detention^b				
Anglo-American	946	11.45	424.09	0.43
African-American	2,774	33.58	2,493.64	2.51
Latino	4,260	51.57	1,056.88	1.07
Asian-American/Other	281	3.40	295.68	0.30
Total ^d	8,261	100.00	992.41	—
Private Facility^b				
Anglo-American	438	29.42	196.35	1.10
African-American	457	30.69	410.81	2.30
Latino	554	37.21	137.44	0.77
Asian-American/Other	40	2.69	42.09	0.24
Total ^d	1,489	100.00	178.88	—
Secure County Facility^b				
Anglo-American	505	11.56	226.39	0.43
African-American	1,404	32.13	1,262.10	2.40
Latino	2,272	51.99	563.67	1.07
Asian-American/Other	189	4.33	198.87	0.38
Total ^d	4,370	100.00	524.98	—
CYA^b				
Anglo-American	171	8.80	76.66	0.33
African-American	940	48.41	845.00	3.62
Latino	752	38.72	186.57	0.80
Asian-American/Other	79	4.07	83.13	0.36
Total ^d	1,942	100.00	233.29	—

a. Source: California Department of Education Enrollment and Drop-out Figures, 1989. Ages 10-17

b. Source: California Bureau of Criminal Statistics, 1989. Ages 10-17

c. Rates per 100,000 were computed by dividing the number in custody by the number of youth population for each ethnic group, and multiplying by 100,000.

d. Youth of unknown ethnicity omitted from these totals.

e. Indexes are based on the racial/ethnic groups' proportions in the general populations. Calculations are made by dividing the ethnic group's percentage representation at the legal point of interest by the ethnic group's percentage of the total youth population. An index value over 1.00 indicates over-representation; an index value under 1.00 indicates that the group is under-represented.

American/Other youth have low levels of representation in the county's juvenile justice system. Anglo-American youth also have a fairly low arrest index and an even lower index of commitment to the California Youth Authority. Interestingly, Anglo-American youth show a high index when it comes to commitments to private facilities, a factor which could imply favorable treatment since private facilities are generally more expensive and less restrictive than public institutions.

Latino youth in Los Angeles County are arrested, detained and sent to county camps at rates which are very close to their share of the county youth population. Their representation drops slightly in the group of Los Angeles County youth who are committed to the CYA (index = .80).

Severity of offense is usually strongly correlated with more restrictive juvenile justice dispositions. Table 3-5 shows juvenile arrests for felonies involving violence or drugs for 1989, by number of arrests and rate per 100,000 members of each minority group in three of the four target counties.² This table reveals that African-American youth have violent felony and drug arrest rates that are three times the same rates for Latino youth and ten times the identical rate for Anglo-American youth. This correlates with high indices of African-American representation at post-arrest processing points.

² No arrest rate comparison figures are included for the City and County of San Francisco because, as noted in the text, arrest information reported to the Bureau of Criminal Statistics by law enforcement agencies in San Francisco is flawed by the practice of counting almost all "Hispanics" as "White" and by the corresponding practice of counting almost no arrests of "Hispanics".

TABLE 3-5

**FELONY VIOLENT AND FELONY DRUG ARRESTS OF JUVENILES
BY ETHNICITY FOR LOS ANGELES, MERCED, SACRAMENTO COUNTIES
RATES PER 100,000 - 1989**

	LOS ANGELES	MERCED	SACRAMENTO
ANGLO-AMERICAN			
Felony violent:			
N	777	24	145
Rate	348	222	237
Felony drug:			
N	422	8	46
Rate	189	74	75
AFRICAN-AMERICAN			
Felony violent:			
N	3,572	18	202
Rate	3,211	1,399	1,492
Felony drug:			
N	2,026	10	258
Rate	1,821	777	1,905
LATINO			
Felony violent:			
N	4,307	40	81
Rate	1,069	455	627
Felony drug:			
N	2,534	20	29
Rate	629	227	224
ASIAN-AMERICAN/OTHER			
Felony violent:			
N	370	11	36
Rate	389	318	267
Felony drug:			
N	80	0	5
Rate	84	0	37

Source: California Bureau of Criminal Statistics
Ages 10-17

IV. TARGET COUNTY DATA SUMMARY: MERCED COUNTY

Merced County's juvenile population (age 10-17) for 1989 was about 23,000, the largest shares being Anglo-American (46 percent) and Latino (38 percent), with a growing Asian-American population (11 percent). African-American youth constituted only about 6 percent of the Merced County youth population in 1989. The county operates a juvenile hall with a rated capacity of 42 beds; there were 35 days of juvenile hall overcrowding in 1989. The county lacks a separate, secure youth facility such as a camp or ranch.

In broad summary, the results of the review of data on the processing of minority youth in the Merced County juvenile justice system are shown in Table 3-6.

TABLE 3-6
OVERVIEW OF MINORITY YOUTH REPRESENTATION
IN THE MERCED COUNTY JUVENILE JUSTICE SYSTEM

	Rate of Arrest	Rate of Secure Confinement
Anglo-American	Low	Low
African-American	Very High	Very High
Latino	Even	Even
Asian-American/Other	Very Low	Very Low

More detailed information is shown in Table 3-7, including the index of over- or under-representation for each minority youth group at each state of processing, from arrest through commitment to secure institutions.

Like the other counties studied, Merced County has, as the outstanding feature of its minority youth profile, significant over-representation of African-American youth at all stages of juvenile justice processing.

TABLE 3-7.

**MERCED COUNTY JUVENILE POPULATION, ARRESTS
AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989**

	N	%	Rate per 100,000 ^c	Index ^e
Population^a				
Anglo-American	10,801	46.28	—	—
African-American	1,287	5.51	—	—
Latino	8,796	37.69	—	—
Asian-American/Other	2,456	10.52	—	—
Total	23,340	100.00	—	—
Arrest^b				
Anglo-American	1,064	37.45	9,850.94	0.81
African-American	326	11.47	25,330.23	2.08
Latino	1,243	43.75	14,131.42	1.16
Asian-American/Other	169	5.95	6,881.11	0.57
Total	2,841	100.00	12,172.24	—
Secure Detention^b				
Anglo-American	142	37.08	1,314.69	0.80
African-American	74	19.32	5,749.81	3.51
Latino	135	35.25	1,534.79	0.94
Asian-American/Other	32	8.36	1,302.93	0.79
Total ^d	383	100.00	1,640.96	—
Private Facility^b				
Anglo-American	29	40.85	268.49	0.88
African-American	17	23.94	1,320.90	4.34
Latino	21	29.58	238.74	0.78
Asian-American/Other	4	5.63	162.87	0.54
Total ^d	71	100.00	304.20	—
Secure County Facility^b				
Anglo-American	87	36.10	805.48	0.78
African-American	35	14.52	2,719.50	2.64
Latino	107	44.40	1,216.46	1.18
Asian-American/Other	12	4.98	488.60	0.47
Total ^d	241	100.00	1,032.26	—
CYA^b				
Anglo-American	9	33.33	83.33	0.72
African-American	7	25.93	543.90	4.71
Latino	11	40.74	125.06	1.08
Asian-American/Other	0	0.00	0.00	0.00
Total ^d	27	100.00	115.68	—

a. Source: California Department of Education Enrollment and Drop-out Figures, 1989. Ages 10-17

b. Source: California Bureau of Criminal Statistics, 1989. Ages 10-17

c. Rates per 100,000 were computed by dividing the number in custody by the number of youth population for each ethnic group, and multiplying by 100,000.

d. Youth of unknown ethnicity omitted from these totals.

e. Indexes are based on the racial/ethnic groups' proportions in the general populations. Calculations are made by dividing the ethnic group's percentage representation at the legal point of interest by the ethnic group's percentage of the total youth population. An index value over 1.00 indicates over-representation; an index value under 1.00 indicates that the group is under-represented.

Anglo-American youth in Merced County are moderately under-represented at all stages from arrest through CYA commitment. Latino youth show indices of arrest and incarceration that are generally even with their share of the youth population. Asian-American/Other youth are significantly under-represented at all stages of processing.

Table 3-5 includes data on juvenile felony violent and drug arrests in Merced County for 1989. This table reveals that African-American juveniles were arrested for violent felony offenses at a rate that was approximately 6 times greater than the violent felony arrest rate for Anglo-American youth, 4 times greater than the violent felony arrest rate for Asian-American/Other youth, and 3 times the same rate for Latinos. This supplies one explanation for the high index of representation of African-Americans in secure juvenile facilities.

V. TARGET COUNTY SUMMARY: SACRAMENTO COUNTY

Sacramento had a 1989 youth population (age 10-17) of about 101,000, of which the largest share was Anglo-American (61 percent). The other major ethnic youth shares were evenly divided, with African-Americans, Asian-Americans and Latinos each occupying a 13 percent share of the county youth population. Sacramento County has a juvenile hall with a rated capacity of 225 beds; the hall was overcrowded on 336 days of the year in 1989. The Probation Department operates two county youth commitment facilities: the Boys Ranch (capacity 100) and the Thornton Youth Center (capacity 50).

NCCD reviewed available data to construct a profile of minority youth arrest and incarceration levels in Sacramento County. In broad summary, the results of this review

are displayed in Table 3-8. Table 3-9 is a more detailed presentation of variations in the representation of minority youth groups at progressive stages of processing.

TABLE 3-8
OVERVIEW OF MINORITY YOUTH REPRESENTATION
IN THE SACRAMENTO COUNTY JUVENILE JUSTICE SYSTEM

	Rate of Arrest with A Referral to Probation	Rate of Secure Confinement
Anglo-American	Low	Low
African-American	Very High	Very High
Latino	Nearly Even	Even
Asian-American/Other	Very Low	Very Low

In a pattern that has become familiar in the target counties studied, African-Americans are heavily over-represented in juvenile arrests with an index twice their share of the county juvenile population. At subsequent levels of system penetration, African-American youth representation grows steadily. Latino youth show a slightly elevated index for arrest (1.27) but subsequently decline in representation at the secure detention and secure commitment levels of involvement, approaching a minority proportion index of 1.0 for commitments to county secure facilities and the CYA. Anglo-American youth are under-represented at all stages of juvenile justice processing, and Asian-American/Other youth have the lowest levels of representation in Sacramento. Juvenile arrest rates for 1989 felonies involving drugs or violence in Sacramento County are displayed in the three county summary, Table 3-5. Like the other county arrest profiles displayed in this table, African-American youth have consistently high arrest rates, especially for felony drug offenses (25 times greater than the same rate for Anglo-American youth, and 50 times the same rate of arrest for Asian-American/Other youth).

TABLE 3-9

**SACRAMENTO COUNTY JUVENILE POPULATION, ARRESTS
AND ADMISSIONS TO FOUR TYPES OF FACILITIES, 1989**

	N	%	Rate per 100,000 ^c	Index ^e
Population^a				
Anglo-American	61,190	60.50	—	—
African-American	13,542	13.39	—	—
Latino	12,920	12.77	—	—
Asian-American/Other	13,487	13.34	—	—
Total	101,139	100.00	—	—
Arrest^b				
Anglo-American	3,748	48.11	6,125.18	0.80
African-American	2,192	28.14	16,186.68	2.10
Latino	1,266	16.25	9,798.76	1.27
Asian-American/Other	584	7.50	4,330.10	0.56
Total	7,790	100.00	7,702.27	—
Secure Detention^b				
Anglo-American	1,263	39.17	2,064.06	0.65
African-American	1,248	38.71	9,215.77	2.89
Latino	505	15.66	3,908.67	1.23
Asian-American/Other	208	6.45	1,542.23	0.48
Total ^d	3,224	100.00	3,187.69	—
Private Facility^b				
Anglo-American	0			0.00
African-American	0			0.00
Latino	0	Private Facility Data Not Available		0.00
Asian-American/Other	0			0.00
Total ^d	0			—
Secure County Facility^b				
Anglo-American	251	37.92	410.20	0.63
African-American	291	43.96	2,148.87	3.28
Latino	89	13.44	688.85	1.05
Asian-American/Other	32	4.83	237.27	0.36
Total ^d	662	100.00	654.54	—
CYA^b				
Anglo-American	48	28.57	78.44	0.47
African-American	82	48.81	605.52	3.65
Latino	23	13.69	178.02	1.07
Asian-American/Other	15	8.93	111.22	0.67
Total ^d	168	100.00	166.11	—

a. Source: California Department of Education Enrollment and Drop-out Figures, 1989. Ages 10-17

b. Source: California Bureau of Criminal Statistics, 1989. Ages 10-17

c. Rates per 100,000 were computed by dividing the number in custody by the number of youth population for each ethnic group, and multiplying by 100,000.

d. Youth of unknown ethnicity omitted from these totals.

e. Indexes are based on the racial/ethnic groups' proportions in the general populations. Calculations are made by dividing the ethnic group's percentage representation at the legal point of interest by the ethnic group's percentage of the total youth population. An index value over 1.00 indicates over-representation; an index value under 1.00 indicates that the group is under-represented.

CHAPTER FOUR: COMMENTS ON THE CAUSES OF DISPROPORTIONATE REPRESENTATION OF MINORITIES IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM, AND PROPOSED SOLUTIONS

This chapter presents a synopsis of comments offered by juvenile justice professionals from the four California target counties. These county-level professionals were asked in focus groups to suggest causes for the ethnic disparities in treatment or confinement which appeared in the data presented. They were also asked to propose solutions for problems of disproportionate treatment. The comments summarized below reflect the subjective opinions of the members of each discussion group.^{3, 4}

As noted earlier, we have collapsed the comments from four counties into one generic synopsis. There were some county-based differences of opinion about the issues, and some purely local concerns were raised in each group. For a more detailed treatment of the county focus groups, the reader is referred to the full report.

³ It should be noted that the Los Angeles Police Department sent a representative to the Los Angeles County discussion group who stated that, due to lack of time needed to evaluate a sensitive and important subject, the Department would not participate in the discussion and would disclaim responsibility for any findings or recommendations which might emerge in the final report. Accordingly, this summary of proposed causes and solutions for the problem of minority over-representation in the California juvenile justice system does not reflect the participation of the LAPD.

⁴ A list of persons invited to and attending each county focus group is included in the Appendix of the full report.

I. THE CAUSES OF DISPROPORTIONATE MINORITY REPRESENTATION

There were strong, common themes to the causes identified by discussion participants in all four groups. Below is a listing of the causes most frequently mentioned and discussed.

1. Institutional racism within the juvenile justice system is a primary cause for the over-representation of minorities.

The thrust of this observation is that racism, in the form of negative stereotypes, is historically embedded in American culture and is reflected in the institutions of the justice system. One such stereotype is that African-Americans are expected to act violently; when this stereotype is held by law enforcement officers and other juvenile justice officials, it leads to selective over-arrest and over-incarceration of Black youth. In the same vein, it was suggested that gang members in Los Angeles may be targeted for law enforcement, whether or not they are engaged in illegal activity.

2. Staffing within law enforcement agencies, probation departments and juvenile courts is largely Anglo-American and does not reflect the ethnic distribution in the society as a whole.

Lack of ethnic balance and Anglo-American dominance of high level juvenile justice jobs contribute to the over-representation of certain minority groups in secure juvenile justice facilities. These factors also help to explain the under-representation of Anglo-American youth in secure facilities.

3. Poverty and joblessness affecting minority youth are largely to blame for high offense and incarceration rates for these individuals.

All discussion groups expressed concern about the social and economic conditions which precede and contribute to delinquent conduct. In particular, African-American

youth have poor job prospects and economic opportunities and thus turn to non-legal economic pursuits, such as selling drugs. Poor social and economic circumstances also lower self-esteem, also contributing to misconduct. It is no accident that in neighborhoods with high arrest rates you find poverty.

4. Different family and cultural values explain both over- and under-representation in of certain ethnic groups in the juvenile justice system.

In each discussion group, participants spoke about the relationship between family and cultural values and involvement with the juvenile justice system. Some participants believed that Asian-American families were best-equipped to handle youth conduct problems within the structures of home and community; however, some Merced County participants qualified this observation by suggesting that "old line" Asian families were better at controlling youth misconduct than newer, immigrant Asian families, especially Southeast Asians. San Francisco participants noted that Latino families, as well as Asian, tended to be two-parent families with relatively strong disciplinary values. Participants in all groups singled out African-American families as more often dysfunctional than those of other ethnic groups, with a greater proportion of single-parent/absent-father families and with a less consistent ability to resolve youth behavior problems when they first arose.

5. Minority youth being processed in the juvenile justice system, as well as their parents, do not always understand how the system works. This problem is intensified when language barriers are present.

The suggestion here is that many youth lack familiarity with the legal process and do not understand the "mumbo-jumbo" that goes on between attorneys, judges and probation officers, especially in court proceedings. Juvenile justice personnel may, in

turn, not be able to communicate effectively with parents and children from different cultural backgrounds. Latinos and some Asians, especially new immigrant youth and their parents, may have an inadequate command of English as well as insufficient translator support in official proceedings. This lack of communication and understanding may have a negative effect on sentencing decisions and may foreclose options that are open to youth and parents who are more conversant with the system.

6. **The juvenile justice system lacks the resources needed to respond effectively to delinquency in general and to minority youth problems in particular. Diversion and alternative disposition programs that used to be available have disappeared, leaving juvenile justice decision makers with fewer options and contributing to higher incarceration rates for some minority groups.**

Frustration and disappointment were expressed in all focus groups over the declining base of resources for juvenile justice programs and services. The reduction in service level has had a disproportionately strong effect on minority groups, contributing in turn to disproportionately high arrest and incarceration rates for some minority youth. Los Angeles participants expressed concern that no resources were available for efforts to discourage first-time offenders from re-entering the criminal justice system; many youth on probation supervision, for example, were "banked" with little or no attention or service. When sanctions are ineffective, kids learn that they can ignore the justice system until it comes down hard on them. When services are absent, situations which contribute to delinquency get worse. All county groups underscored the need for more youth services, including family counseling, community recreation centers, and basic support (including food and shelter) for poor families.

7. **Schools have failed to provide minority youth with the educational and personal development needed to overcome adverse social and economic conditions.**

Some participants singled out schools for failing to rescue minority youth, already suffering difficult circumstances, from educational failure and eventual delinquency. Some suggested that Anglo-American youth had preferred access to good schools, and that Latino or Asian youth with language problems failed to receive adequate attention to special needs. African-American youth, some suggested, were likely to be classified early as behavior problems and to be forced out of the classroom or otherwise discouraged from succeeding in school. Schools (and other public agencies) were blamed for failing to experiment sufficiently with school-based, coordinated service models which could deliver help where needed directly to children attending school.

8. **Drug involvement often leads quickly to arrest and prosecution, especially for African-American youth. The lack of substance abuse prevention and treatment programs at the local level means that little can be done to stop the growth of minority arrests for drug-related crimes.**

Some participants, particularly in Sacramento County, noted that African-American youth were often apprehended for drug-related offenses, both selling and using. Where local programs for drug-involved youth are lacking, as they are in Sacramento County, judges may order commitments to the California Youth Authority because CYA has drug treatment slots.

II. PROPOSED SOLUTIONS TO THE PROBLEM OF DISPROPORTIONATE REPRESENTATION OF MINORITIES IN THE CALIFORNIA JUVENILE JUSTICE SYSTEM

Participants in each discussion group were asked to comment on solutions that could neutralize the over-representation of certain minority groups in the juvenile justice system. The following is a synopsis of the recommended solutions from all four target county groups.

1. Increase the ethnic balance in law enforcement, probation and court agencies that administer the juvenile justice system.

Anglo-American dominance or other ethnic imbalance within juvenile justice agencies should be addressed by recruitment of more minority staff, at line, management and policy-maker levels. The need pertains to law enforcement officers, probation personnel, judges and state corrections officials. The effort to improve ethnic balance might be facilitated by establishing local multi-cultural committees to examine staffing patterns at justice agencies and to assist in the implementation of necessary changes.

2. Institute and require cultural sensitivity training for police officers, beginning at the recruit stage.

Police need training in cultural awareness and sensitivity so they can communicate with minority youth and families in local neighborhoods. They need to understand cultural values, to avoid stereotyping members of other ethnic groups, and to work more closely with minority communities. Police need better understanding of the differences between good and bad gangs. Cultural sensitivity training should begin early in law enforcement officers careers, starting at the training academies.

3. Address the root causes of crime with programs designed to improve social and economic conditions which contribute to delinquent behavior.

High minority crime and incarceration rates, especially among African-American youth, are unlikely to abate unless we create new economic opportunities for minority youth. Vocational training and employment programs must be offered as alternatives to street gangs and crime. Low self-esteem among African-American youth will continue to create trouble without new economic incentives to deter youth from criminal pursuits. In particular, local business communities should become involved with minority communities and with schools to discuss youth work prospects and skill development. Governments should offer economic incentives (e.g., tax credits) to businesses that train and hire minority youth.

4. Implement programs to help African-American youth develop self-esteem.

Black youth need training and positive programs to develop self-esteem; this is linked to the need to improve social and economic conditions that erode self-esteem.

5. Increase the involvement of minority communities and citizens in the making of juvenile justice policy.

Minority individuals and organizations -- including neighbors, citizen groups, churches and service organizations -- are in the best position to understand the values and problems of minority youth, but are generally excluded from the juvenile justice policy-making process. Important community decisions about who gets arrested, who gets detained and who gets incarcerated should be made with input from local minority communities. Better mechanisms for community involvement must be devised.

6. Establish new family support services in minority communities.

In all target counties the need for family preservation and support services was identified. Some families need counseling and intervention services to prevent the breakup of the family. Others need economic or child rearing support -- e.g., child care that can help single parents maintain employment, or tangible support (money, food, shelter) for families that are extremely poor. Sacramento County participants said the demand for these services far exceeded the supply; Merced County participants noted that there was not one family outreach/in-home service program in the county.

7. Change school policies toward minority youth who are at high risk of dropping out. Implement coordinated, school-based service plans creating a multi-agency service capability at school sites.

Every discussion group mentioned the need for improved school services. Some urged that the basic school curricula should be more compatible with minority cultural values, which would improve educational performance by minority youth. Others suggested that schools offered a natural solution to the problem of fragmentation in youth service delivery. In particular, Los Angeles County participants noted that the county's gridlocked public transportation system made it difficult to deliver services to the individuals and families that need them, and that schools were the logical sites for coordinated delivery of necessary services. Promising state and national models of coordinated school-based services should be tested and implemented in California districts.

8. Establish drug treatment programs where needed.

Since it appears that minority youth, especially black youth, are disproportionately involved in drug offenses, greater treatment capability is needed at the local level. In particular, this need was urged by Sacramento County participants who want a residential drug treatment program to serve as an alternative to the commitment of juvenile drug offenders to the California Youth Authority.

9. Institute objective risk screening criteria and objective needs assessments in juvenile justice systems to reduce system bias where it may exist.

One suggestion for the reduction or elimination of bias in juvenile justice decision-making was to adopt objective risk criteria and objective needs assessment instruments, especially at probation agencies. Well-designed screening systems can safely reduce incarceration levels and can objectify the juvenile justice decision-making process. Good models of objective juvenile screening instruments already exist.

10. Expend local funds addressing the disproportionate representation of minorities in the juvenile justice system in the following ways:

- Cultural sensitivity training for police, probation officers, judges.
- Community-based agencies providing family counseling and support services to minority clients.
- Voucher service systems allowing youth and families to redeem vouchers for needed services with public or private providers.
- Social-workers and case advocates to help minority youth and families navigate the juvenile justice system and to develop alternative-to-institution dispositions.
- Drug treatment programs, including residential treatment.
- Mentoring programs to link positive role models to high-risk youth and to build self-esteem and responsibility among these youth.

- Job training and placement programs for minority youth.
- Police diversion and other pre-adjudication diversion programs; fund them in proportion to local minority representation in the justice system.
- Dedicate assets captured in the war on drugs to minority programs in proportion to rates of minority representation in the juvenile justice system.

11. Change state law and policy as follows:

- **Reduce massive expenditures for incarceration in youth training schools and invest resultant savings in community corrections programs at the local level.**

Three of the four focus groups produced strong statements in favor of shifting state correctional dollars to the local level, where innovative treatment and prevention programs could be established and could be targeted for minority communities.

- **Re-examine the punitive emphasis of state juvenile justice policy and re-focus priorities to make rehabilitation work.**

Criticism was aimed at the grandstanding of politicians trying to appear tough on crime rather than focusing on the needs of minority youth with heavy involvement in the justice system. Those needs should be addressed by investing in programs that prevent minority youth from entering and staying in the criminal justice system. In particular, the present state allocation of \$ 200,000 for delinquency prevention programs was called "absurd for a state of this size".

- **Restore AB 90 (County Justice System Subvention) funds cut in previous budget cycles.**
- **Provide counties with "flexible" human service dollars so that local spending priorities, rather than state mandates, can be met. This would pave the way for the establishment of innovative programs serving the interests and needs of minority communities.**

CHAPTER FIVE: RECOMMENDATIONS

This study should be viewed as California's initial assessment of the extent of representation of minorities within the juvenile justice system. More research and analysis are needed before a comprehensive plan of action can be developed and implemented. Despite the preliminary nature of this study, we believe that the following recommendations should be considered by the State Advisory Group on Juvenile Justice and the Office of Criminal Justice Planning as concrete steps that can be taken now to begin to address the problems identified.

RECOMMENDATION 1:

Establish a Statewide Task Force through OCJP with a 5 year mandate to address the issue of over-representation of minorities in the California juvenile justice system.

The Task Force would have a five year mandate to do the following:

- Sponsor additional research on the causes and solutions for the over-representation of minorities in the California juvenile justice system.
- Based on completed research, recommend funding of experimental programs and/or policies with the primary objective of reducing rates of over-representation of minority youth at targeted sites.
- Serve as clearinghouse for statewide data and innovative program information that could be used productively by county and state agencies.
- Coordinate with other SAG/OCJP committees in the setting of funding priorities to minimize overlap and duplication in the development of innovative programs.
- Issue an annual report updating the data presented in this report and expanding the analysis and information to other California counties.

RECOMMENDATION 2:

Improve coordination of existing youth services and programs as an alternative to the funding of additional programs at this time.

With a continuing budget crisis at state and local levels, it makes sense to ensure that currently available resources are being deployed as efficiently as possible. The plan for coordination of youth services should take in to account the multiple needs of children in high-risk and high-minority communities, addressing their educational, vocational, family, health and mental-health needs.

RECOMMENDATION 3:

Focus corrective action primarily on the over-representation of African-American males in the California juvenile justice system.

Of all populations examined, African-American males are by far the most over-represented at all stages of juvenile justice processing. This fact compels us to recommend that these youth should receive the highest priority for remedial action.

RECOMMENDATION 4:

To the extent new programs and approaches are needed, focus on the development of alternative, non-secure placements and programs.

When and where resources for new programs are available, they should be directed to the support of alternative dispositions which reduce the volume of minority youth incarcerated in secure facilities. Many good models of safe and effective alternatives to confinement exist across the nation, including (but not limited to):

- Short-term, in-home family support and reunification services.
- Non-secure residential placements for delinquent youth who need out-of-home care but who do not constitute a serious threat to public safety.

- Drug treatment programs at the local level, as alternatives to commitment to the California Youth Authority.
- Day treatment programs, which could be oriented around esteem-building, vocational and other types of training needed by minority youth.
- Mentoring programs, which pair adult volunteers with youth to provide companionship, guidance and a positive role model.

RECOMMENDATION 5:

Increase cultural awareness training and increase the number of minority staff at both line and management positions in juvenile justice agencies, including law enforcement, probation and courts.

The statistical analysis presented in this report shows that similarly situated youth, including those with identical offenses, receive differential dispositions by ethnicity. This finding means that some remedial action must be focused beyond behavior adjustment of the youth themselves and upon the juvenile justice decision makers who appear to have an independent effect on differential incarceration rates. County discussion participants strongly endorsed the need to balance the ethnic representation among those working inside the juvenile justice system -- including law enforcement officers, probation personnel and judges. New recruitment priorities are needed to reduce the dominance of Anglo-Americans in many juvenile justice systems. Cultural sensitivity training should be required for juvenile justice personnel who deal with minority youth and families.

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