# Addressing Disproportionate Minority Contact in the Texas Juvenile Justice System:

## Causes and Solutions from the Community Perspective



**July 2010**

a report to the
Office of the Governor
Criminal Justice Division

prepared by the
Public Policy Research Institute
Texas A&M University

**TEXAS A&M UNIVERSITY**
**PUBLIC POLICY RESEARCH INSTITUTE**

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***The Governor's Juvenile Justice Advisory Board***

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# EXECUTIVE SUMMARY

# EXECUTIVE SUMMARY

It is an unfortunate fact that African American and Hispanic youth are involved in the criminal justice system at a rate that exceeds their representation in the general population. The Office of the Governor's Juvenile Justice Advisory Council created a Disproportionate Minority Contact (DMC) subcommittee to develop a plan to address this inequity. As a first step, the subcommittee determined to collect in-depth data from five Texas Counties in which disproportional minority contact was observed for juveniles at the points of arrest, juvenile court referral, and diversion. Qualitative research was conducted in Bell, Bowie, Cameron, Harrison, and Nolan Counties to better understand the nature of the problem.

**Research Methods**

In November of 2009, researchers from the Public Policy Research Institute at Texas A&M University conducted listening sessions in which invited participants in each county were asked to discuss what they view as the causes of and solutions to DMC. Separate sessions were held to get ideas and input from professionals who work with youth at risk of criminal justice involvement, from those who work with youth who have had contact with the criminal justice system, and from advocates, religious leaders, and other community members who have a stake in the issue.

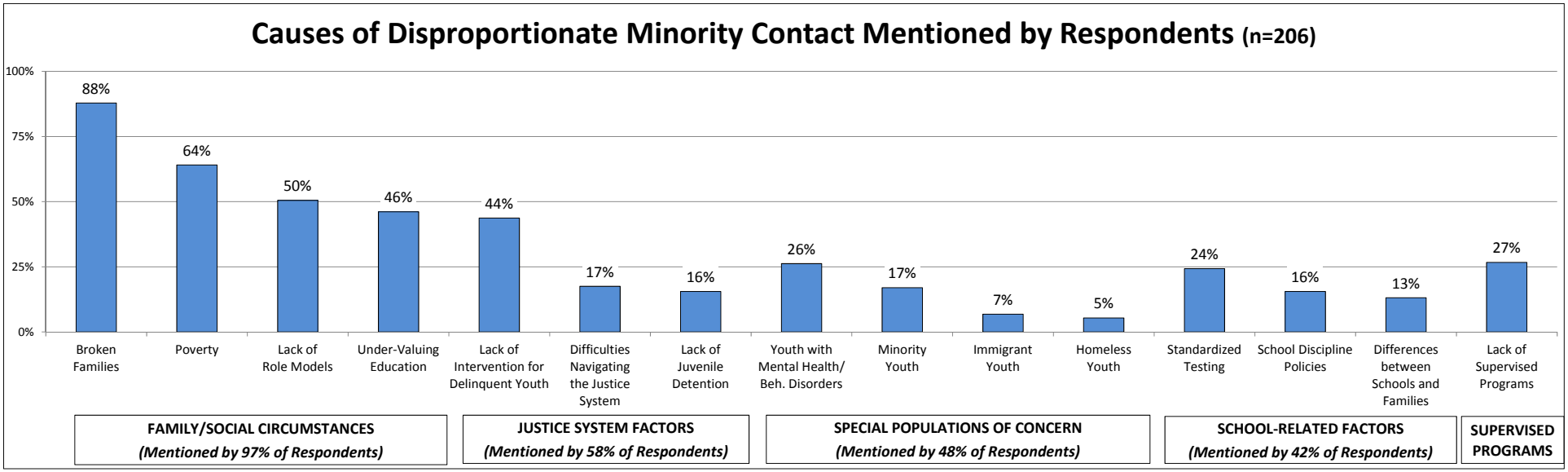
During the listening sessions, participants were asked what they believe contributes to minority over-representation in the juvenile justice system, and what they believe are the most promising solutions. Their comments were coded and summarized in a list of causes and solutions. In February of 2010, all individuals invited to participate in the study were sent an email survey in which they were asked to select the five causes they believe to be the most important contributing factors, and the five solutions they believe would be most effective in addressing DMC.

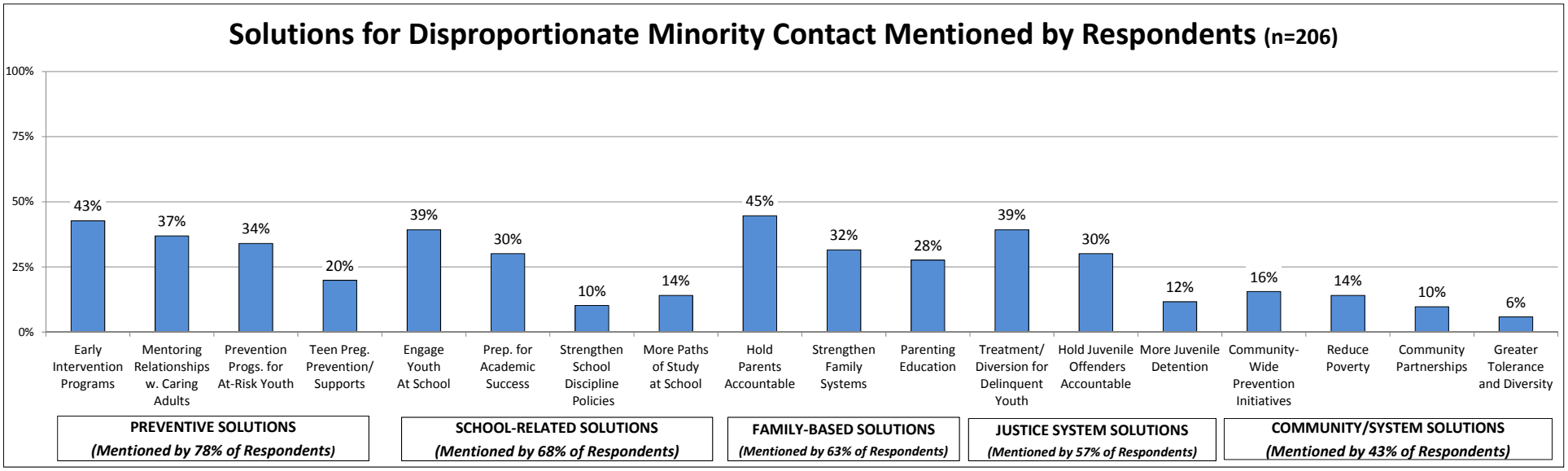
**Factors Believed to Contribute to DMC**

Listening session participants identified five main categories of causes of DMC and fifteen themes within those broad categories.

- **Family and Social Circumstances.** Some aspect of juveniles' family and social circumstances were mentioned as a cause of by 97% of respondents. The largest single factor in this category was broken families (88%), defined in terms of single mothers, absent fathers, divorced parents, working parents, teen parents, children raised by other family members, or troubled parents (e.g., drug- or alcohol-involved, violent or abusive, on probation or incarcerated). Poverty, a lack of role models and under-valuing the importance of pursuing an education were also considered contributing factors.

- **Justice System Factors.** Factors related to the criminal justice system were mentioned by 58% of respondents. The largest number of respondents (44%) felt the biggest juvenile justice factor in is a lack of therapeutic interventions and diversion alternatives for youth who have already become involved in delinquency.


Causes of Disproportionate Minority Contact Mentioned by Respondents (n=206)
100%
75%
50%
25%
0%
88%
64%
50%
46%
44%
17%
16%
26%
17%
7%
5%
24%
16%
13%
27%
Broken Families
Poverty
Lack of Role Models
Under-Valuing Education
Lack of Intervention for Delinquent Youth
Difficulties Navigating the Justice System
Lack of Juvenile Detention
Youth with Mental Health/ Beh. Disorders
Minority Youth
Immigrant Youth
Homeless Youth
Standardized Testing
School Discipline Policies
Differences between Schools and Families
Lack of Supervised Programs
FAMILY/SOCIAL CIRCUMSTANCES (Mentioned by 97% of Respondents)
JUSTICE SYSTEM FACTORS (Mentioned by 58% of Respondents)
SPECIAL POPULATIONS OF CONCERN (Mentioned by 48% of Respondents)
SCHOOL-RELATED FACTORS (Mentioned by 42% of Respondents)
SUPERVISED PROGRAMS


Solutions for Disproportionate Minority Contact Mentioned by Respondents (n=206)
100%
75%
50%
25%
0%
43%
37%
34%
20%
39%
30%
10%
14%
45%
32%
28%
39%
30%
12%
16%
14%
10%
6%
Early Intervention Programs
Mentoring Relationships w. Caring Adults
Prevention Progs. for At-Risk Youth
Teen Preg. Prevention/ Supports
Engage Youth At School
Prep. for Academic Success
Strengthen School Discipline Policies
More Paths of Study at School
Hold Parents Accountable
Strengthen Family Systems
Parenting Education
Treatment/ Diversion for Delinquent Youth
Hold Juvenile Offenders Accountable
More Juvenile Detention
Community-Wide Prevention Initiatives
Reduce Poverty
Community Partnerships
Greater Tolerance and Diversity
PREVENTIVE SOLUTIONS (Mentioned by 78% of Respondents)
SCHOOL-RELATED SOLUTIONS (Mentioned by 68% of Respondents)
FAMILY-BASED SOLUTIONS (Mentioned by 63% of Respondents)
JUSTICE SYSTEM SOLUTIONS (Mentioned by 57% of Respondents)
COMMUNITY/SYSTEM SOLUTIONS (Mentioned by 43% of Respondents)

- **Special Populations of Concern.** Nearly half of respondents (48%) mentioned the need to focus on one or more special groups of juveniles they believe have an elevated risk of juvenile justice involvement. The greatest concern (26%) was expressed for children with mental health or behavioral disorders that often go untreated and increase the likelihood of engaging in inappropriate or illegal behavior. Minority youth, immigrants, and homeless were also identified as special populations of concern by fewer than 20% of study participants.

- **School-Related Factors.** At least one school-related factor was mentioned by 42% of respondents as a possible cause of DMC. In order from most to least important, the specific issues named included standardized testing policies (24%), school discipline policies (16%), and issues of communication between schools and families (13%).

- **Lack of Supervised Prevention Programs.** More than one-fourth of respondents (27%) believe DMC could be improved if more children had access to supervised programs and activities during the hours when school is not open. After-school and summer programming available in accessible community locations would offer a safe environment in which children could acquire skills and attitudes needed to resist involvement in delinquent behavior.

**Potential Solutions to DMC Identified by Stakeholders**

Five main categories of potential solutions to DMC, including 18 specific recommendations, were named by listening session participants.

- **Preventive Solutions.** The most frequently mentioned solutions to DMC were preventive in nature. Fully 78% of respondents mentioned at least one intervention intended to be implemented before juveniles become involved in delinquency. The strongest preference was for programs that begin working with children at a young age (43%). Programs that help youth build mentoring relationships with caring adults (37%) and supervised programs with prevention-related activities for school-age children (34%) were also generally supported.

- **School-Related Solutions.** Many community stakeholders (68%) named some type of school-based intervention to reduce DMC. The largest number (39%) felt initiatives to help youth feel more connected and engaged at school would have a positive impact. Programs to help children stay on-track academically and succeed in their studies were also supported by 30% of study participants.

- **Family-Based Solutions.** Nearly two-thirds of local stakeholders (63%) felt solutions targeting families could help reduce DMC. Nearly half of study participants (45%) said legal measures should be taken to hold families more accountable for taking care of their children or for the actions of their children. Others (32%) favored intensive intervention programs to help families cope more effectively with stresses and learn better parenting strategies. Parenting education classes targeting high-risk groups such as new parents or youth who have not yet become parents were mentioned by 28% of respondents.

- **Justice-System Solutions.** Most individuals surveyed (57%) believe solutions to DMC can be found within the criminal justice system. The greatest consensus (39%) was on the need for greater investment in programs offering counseling, mental health or substance abuse treatment, cognitive and behavioral interventions, anger management training, or other interventions to help delinquent youth avoid future justice involvement. However, a sizeable portion of respondents (30%) believe DMC could be reduced if early low-level violators faced greater punishments to discourage escalating delinquency.

- **Community/System Solutions.** The lowest level of support overall (43%) was voiced for solutions to DMC involving a community-wide response. Initiatives to examine statistics and involve neighborhoods in developing a response (16%), to reduce poverty (14%), to bring community organizations together in partnerships (10%), or to promote greater tolerance and diversity among public officials (6%) all received support from less than 16% of respondents.

**Findings and Recommendations**

The study culminated in five conclusions, each with associated recommendations.

- **Finding 1:** Community stakeholders agree that preventive solutions to DMC are a preferred priority.

    - **Recommendation:** Community stakeholders offer the greatest across-the-board support for programs that begin at a young age to help children address personal risk factors and strengthen resiliency to prevent delinquency. It is recommended that priority consideration be given to increasing availability of programs for at-risk youth who have not yet become involved in delinquency.

- **Finding 2:** Community stakeholders believe that helping children remain engaged in school and achieve academic success will contribute toward reducing DMC.

    - **Recommendation:** Community stakeholders believe schools can play an important role in helping to protect children from involvement in delinquency. These findings suggest that educators, counselors, school discipline and law enforcement officers, school administrators, and school board officials will be important partners in developing strategies to reduce DMC.

- **Finding 3:** Respondents advocating justice-system changes to address DMC are divided between increasing supports or increasing sanctions for delinquent youth.

    - **Recommendation:** Supportive and punitive approaches to juvenile intervention imply substantially different responses to DMC. Treatment and diversion programs require investment in the expertise of helping professionals, while sanctions-based approaches suggest spending on prosecutors and detention. Because treatment, diversion, and other support-oriented solutions are more likely to help juveniles overcome the problems that often

underlie delinquent behavior and contribute to reducing long-term justice involvement, they may offer greater promise for reducing DMC.

- **Finding 4:** Youth with mental health and behavioral disorders are a population of special concern in addressing DMC.

    - **Recommendation:** Study participants have expressed concern for meeting the needs of youth with mental health and behavioral impairments. To the extent that DMC solutions can address unique risk attributes, these specific concerns should be included in the response.

- **Finding 5:** Cultural competence and outreach to minority communities are essential components of all DMC initiatives.

    - **Recommendation:** Initiatives to reduce DMC require a serious commitment to cultural awareness and sensitivity. For services to be effective, they must be readily accessible to at-risk youth in the minority community, and they must be grounded in the values and traditions of the parents and children being served.

- **Finding 6:** Divisions of opinion among subgroups of community stakeholders should be considered in developing solutions to DMC.

    - **Recommendation:** If new initiatives to address DMC are to succeed, decision-makers will need to look beyond the overall findings to consider whether there might be some subgroups that strongly prefer or object to particular solutions. As options are weighed, some of the concerns that underlie these differences may be ameliorated through creativity and compromise. Still, it should not be assumed that consensus exists without considering subgroup perspectives.

**Conclusion**

This study has provided useful insights into the perspectives of community members on this issue, and has identified solutions that are likely to receive their support. However, responsibility for taking action – for reaching out to the entire community to collaborate, achieving consensus, and implementing solutions – ultimately lies with stakeholders in the counties demonstrating DMC. If the will exists to open and sustain discourse, to agree upon a plan of action, and to implement change, then meaningful and sustainable progress toward resolving the problem of disproportionate minority contact can be achievable.

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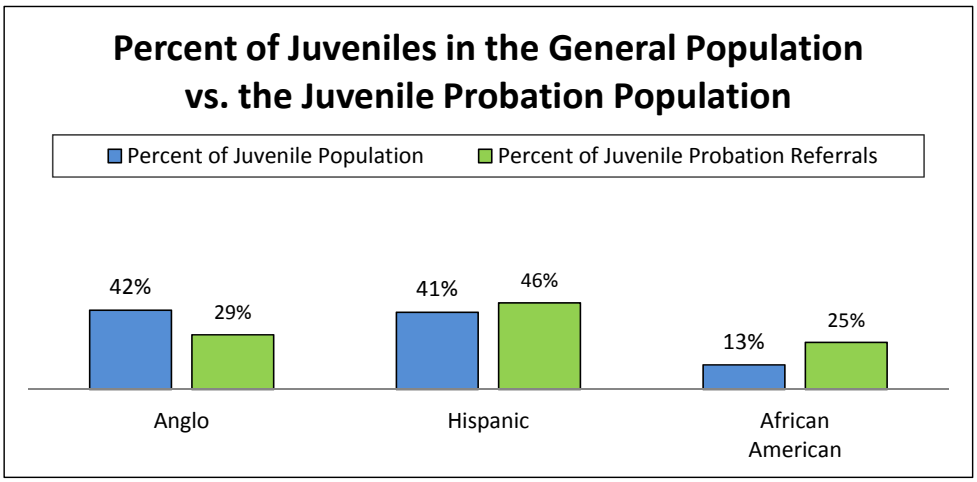
# CHAPTER 1:
# INTRODUCTION

# 1. INTRODUCTION

It is an unfortunate fact that African American and Hispanic youth are involved in the criminal justice system at a rate that exceeds their representation in the general population. Figure 1 documents the extent of the problem in Texas. While 42% of the state's juvenile population is White, they comprise only 29% of the juvenile probation population. Among African Americans, by contrast, representation in the juvenile probation system (25%) is about twice their representation in the juvenile population (13%). Hispanics are also over-represented, though by a smaller margin.

**Figure 1**




Source: Texas Juvenile Probation Commission and Juvenile Justice Practitioners (July 2008). "Texas Juvenile Probation Today and Tomorrow." Austin, Texas: TJPC. Available as of June 7, 2010 at: http://www.tjpc.state.tx.us/publications/reports/TJPCMISC0308.pdf

As awareness and concern for overrepresentation of minorities has increased at the federal level,[1] in Texas the Office of the Governor's Criminal Justice Division (CJD) has taken the lead in mobilizing a response. CJD has increased requirements to address DMC in juvenile prevention programs funded through their office. In addition, at the recommendation of the Governor's Juvenile Justice Advisory Board, CJD has sponsored three previous studies to better understand and confront DMC.[2]

[1] In 1988, amendments to the Juvenile Justice and Delinquency Prevention Act authorized the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to require states participating in the program to address disproportionate minority contact (DMC) in their state juvenile justice and delinquency plans.

[2] Menon, Ramdas. (1997). "Juvenile Justice in Texas: Factors Correlated with Processing Decisions," Public Policy Research Institute, Texas A&M University, College Station, Tx.

Clunis, Tamara. (2002). "Risk Assessment Instrument to Standardize the Determination of Pre-Trial Detention." Criminal Justice Department, Texas State University at San Marcos, San Marcos, Tx.

Carmichael, Dottie, Guy D. Whitten, and Michael Voloudakis. (2005). "Study of Minority Over-Representation in the Texas Juvenile Justice System," Public Policy Research Institute, Texas A&M University, College Station, Tx.

In the current study, CJD asked the Public Policy Research Institute at Texas A&M University to collect qualitative information from stakeholders in five Texas counties with high rates of minority juvenile justice contact. Study findings, presented herein, summarize the views of community-level experts and advocates regarding what they consider to be the main factors contributing to disproportionality. Results will help inform efforts by the Governor's Criminal Justice Division and the affected counties to reduce or eliminate DMC.

## DMC in Texas Counties

The Relative Rate Index (RRI) is a tool used by states to monitor disproportionate justice-system contact between minority and White youth. OJJDP's automated online calculator computes the rate of youth (per 1,000) in each ethnic group that experienced arrest, referral, diversion, detention, petition, delinquent findings, probation, detainment, and transfer to the adult system. Then for each of these events, the rate of occurrence for minority youth is divided by the rate of occurrence for White youth. If the difference is large enough to be statistically significant (i.e., larger than would be expected purely by chance) then disproportionality is said to occur.

- If the RRI equals 1, then the rate of occurrence for minority youth is similar to the rate of occurrence for White youth.
- If the RRI is significantly greater than 1, then the rate of occurrence for minority youth is higher than the rate of occurrence for White youth.
- If the RRI is significantly less than 1, then the rate of occurrence for minority youth is lower than the rate of occurrence for White youth.

**Table 1. Counties with Disproportionate Minority Contact at Arrest, Referral, and Diversion (2007)**

| STUDY SITE | COUNTY | POPULATION | ARREST RRI | REFERRAL RRI | DIVERSION RRI |
|---|---|---|---|---|---|
| | Atascosa | <100,000 | 1.57* | 1.07 | 0.97 |
| Yes | Bowie | <100,000 | 1.52* | 2.12* | 0.96 |
| | Caldwell | <100,000 | 1.87* | 1.17 | 0.69 |
| Yes | Harrison | <100,000 | 2.87* | 1.02 | 0.83 |
| | Kerr | <100,000 | 1.34* | 1.35* | 0.78 |
| | Nacogdoches | <100,000 | 1.85* | 1.63* | 0.90 |
| Yes | Nolan | <100,000 | 2.01* | 1.28 | 0.83 |
| | Rockwall | <100,000 | 1.67* | 1.16 | 0.72 |
| | San Patricio | <100,000 | 1.19* | 1.36* | 0.84 |
| | | | | | |
| Yes | Bell | >100,000 to <500,000 | 1.45* | 1.35* | 0.79* |
| Yes | Cameron | >100,000 to <500,000 | 1.50* | 1.14* | 0.96 |
| | Gregg | >100,000 to <500,000 | 1.05 | 1.37* | 0.90 |

| | | | | | |
|---|---|---|---|---|---|
| | Midland | >100,000 to <500,000 | 1.75* | 1.63* | 0.97 |
| | Nueces | >100,000 to <500,000 | 1.08* | 1.50* | 0.99 |

*The observed difference is statistically significant indicating it is larger than would be expected to occur by chance.

Based on the Relative Rate Index, fourteen Texas counties were found to demonstrate DMC at three key points in case processing (see Table 2).

- Arrest : An arrest occurs when law enforcement agencies stop or apprehend a youth suspect of having committed a delinquent act (i.e., an act that, if committed by an adult, would be criminal).

- Referral : A referral occurs when a youth is referred by a juvenile or family court or juvenile intake agency for legal processing. A referral can occur as a result of law enforcement action or upon a complaint by a citizen or a school.

- Diversion: The diversion population includes all youth referred for legal processing but whose case is handled without the filing of formal charges.

The Governor's Juvenile Justice Advisory Board tasked the Disproportionate Minority Contact (DMC) Sub-Committee with developing a plan to respond to the inequities observed in these counties. In an effort to better understand the causes of this problem and tailor appropriate interventions, five of those counties were selected for further study. These included Bowie, Harrison, Nolan, Bell, and Cameron Counties.

## Conclusion

This report summarizes the study to gather input from stakeholders in counties demonstrating disproportionate minority contact. It is organized in seven main sections. Following the current introduction, research methods are reviewed in Chapter 2, and the socio-demographic characteristics each of the participating counties are described in Chapter 3. Chapter 4 provides information about the representativeness and participation patterns of local stakeholders. Perceived causes of DMC are summarized in Chapter 5, and recommended solutions are considered in Chapter 6. Chapter 7 integrates the overall study findings and offers related recommendations.

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# CHAPTER 2:
# RESEARCH METHODOLOGY

# 2. RESEARCH METHODOLOGY

Five Texas communities including Bell, Bowie, Cameron, Harrison, and Nolan Counties were selected as study sites to explore the factors explaining disproportionate minority contact with the juvenile justice system. A four-stage research approach was used to gather input from local stakeholders.

1. Recruit Informed Stakeholders: In each of the five targeted counties, study participants were purposively selected to include individuals with knowledge, experience, or interest in the issue of DMC.

2. Conduct Listening Sessions: Selected individuals were invited to participate in one of three community listening sessions held in each county. At the sessions, they were asked to share their thoughts about the causes and potential solutions for disproportionality.

3. Internet Survey: The ideas emerging from local listening session forums were coded and compiled into an internet survey. People who were invited to the listening sessions were asked to take the survey. Respondents were instructed to identify the causes and solutions they believe are most relevant to DMC in their community.

4. Summarize Local Perspectives: Responses to the survey were compiled into this summary report. It provides information and guidance to policymakers and other stakeholders concerned about the problem of DMC.

The specific research methods associated with these general objectives are outlined in the following paragraphs.

## Recruitment of Study Participants *(October, 2009)*

To assure broad-based input from knowledgeable community experts, listening session participants were recruited from three categories. These included (1) agencies serving youth at risk of justice involvement; (2) agencies serving youth that have had contact with the juvenile justice system; and (3) other community leaders and advocates with an interest in the issue. The types of participants falling into each of these categories are presented in Table 1.

For each group, a "snowball" sampling method was used. During the month before each listening session, an initial contact person was identified in each of the key agencies serving at-risk and delinquent youth. The initial within-agency contact then helped the research team identify colleagues with insights into the local factors impacting DMC. An effort was made to include varied points of view within each agency such as administrators, direct service providers, and specialists (e.g., school discipline personnel or agency research personnel).

Grassroots activists were more challenging to recruit because they include many community members that are not readily identifiable by virtue of an "official" agency role. Advocacy groups and faith organizations offered a good starting place.

For both grassroots contacts and agencies, each individual contacted was asked if they knew of other people with an active interest in DMC that might wish to participate in the study. Using this approach, every initial phone call could potentially generate up to three subsequent rounds of "snowball" contacts as one respondent lead to another. As participants were recruited, a database roster was assembled to monitor the distribution of participants and to ensure balanced participation across all sectors.

A total of 310 individuals in all five counties were ultimately invited to take part in the study. Descriptive information about the characteristics of these individuals is presented in Chapter 4.

## Implementation of the Listening Sessions *(November, 2009)*

Once representatives of the targeted stakeholder groups were recruited, listening sessions were implemented in each of the five participating counties. Of the 310 individuals invited to attend, 195 were able to be present (62% participation rate).

Groups of up to 40 community members were assembled to discuss DMC-related issues in response to a series of neutral questions posed by a facilitator. A listening session is a free-flowing interactive discussion forum facilitated in a comfortable, nonthreatening atmosphere.

**Table 1**
**STAKEHOLDER CATEGORIES**

| **Agencies Serving At-Risk Youth** |
|---|
| ***School Personnel*** |
| Administrators; Discipline program staff; Special education program staff; Elementary, middle school, and high school levels |
| ***Prevention Program Representatives*** |
| CJD-funded juvenile grantees, Boys and Girls Clubs, YMCA, and others |
| ***Child Advocates*** |
| Child Protective Services, CASA Advocates, and Mental Health Mental Retardation Authorities |
| **Agencies Serving Justice-Involved Youth** |
| ***Law Enforcement*** |
| Police Officers, School Resource Officers |
| ***Juvenile Probation Departments*** |
| Probation officers , Administrators |
| ***Juvenile Court Judges*** |
| Criminal and family courts |
| ***Juvenile Attorneys*** |
| Criminal and family specialization |
| ***Diversion Program Personnel*** |
| Deferred adjudication for pre-adjudicated youth; Deferred prosecution for adjudicated youth |
| **Other Community Stakeholders** |
| ***Elected Officials*** |
| Mayors, City Council Members, Commissioners, Councils of Government |
| ***Advocacy Groups*** |
| League of United Latin American Citizens, National Association for the Advancement of Colored People |
| ***Faith Community*** |
| Church leaders representing diverse denominations and membership constituencies |
| ***Individuals Concerned about DMC*** |

Separate sessions lasting approximately two hours each were held for the three stakeholder groups in each of the five communities (15 sessions total). Therefore, people who worked with children at risk of justice involvement, people who worked with delinquent youth, and advocates and other community stakeholders were combined with like peers. This strategy enabled the research team to determine if perspectives varied between these stakeholder categories.

Each session was facilitated by two researchers. One led group discussion while the other summarized comments on a flip chart and monitored the audio recording equipment. Participants were asked to engage in discussion about three broad questions:

- What are the current obstacles and issues contributing to the problem of DMC?
- What changes related to DMC are needed and desired?
- What is the feasibility of making these changes?

Facilitators worked to make contributors feel comfortable speaking freely within the contours of the themes being discussed. At the same time they tried to balance input among all participants to ensure that everyone's opinions were heard.

### Listening Session Data Coding *(December 2009 – January 2010)*

The intent of community listening sessions is to generate an inventory of ideas and opinions held by local stakeholders. To produce the list of ideas and opinions, the research team transcribed the complete comments from each of the fifteen listening sessions. Altogether this represented over 30 hours of audio content. Content analysis was then conducted to discern the major themes. First, SPSS analysis software was used to classify comments based on word clusters. Human coding was then used to refine the categories. This process yielded the identification of 15 distinct issues which stakeholders said contribute to DMC and 18 potential solutions.

While the data coding produces a broad, mutually exclusive list of DMC causes and solutions, it does not measure the number of individuals that agree with each idea or opinion. This was accomplished in an email survey process.

### Internet Survey to Prioritize DMC Concerns *(February – March 2010)*

After a master list of problems and solutions was generated for all communities combined, they were compiled into a survey instrument. All of the individuals invited to participate in the listening sessions (n=310) were asked to respond to the survey. They were instructed to select five factors they believe most contribute to DMC and five solutions they believe are most appropriate for their community. Surveys were returned from 206 respondents (a 66% response rate). The attributes of participants and non-participants are described in Chapter 4.

## Data Analysis *(April – May 2010)*

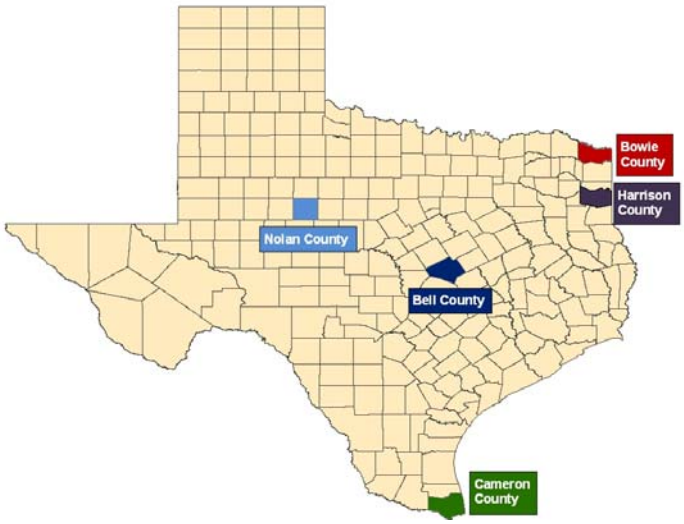
Survey data was analyzed to identify the DMC-related problems and solutions about which there was the greatest consensus. Because information was available about each respondent's county, stakeholder group, and demographic characteristics, analyses were conducted to see if there are differences in preferences and priorities among these sub-groups. The results of this process are presented in the following chapters.

# CHAPTER 3:
# OVERVIEW OF THE STUDY SITES

# 3. OVERVIEW OF THE STUDY SITES

Each of the five Texas counties selected for this study exists in a unique local context. Social and demographic attributes, as well as the nature and extent of disproportionate minority contact vary across communities. These local characteristics provide context for interpreting stakeholder perceptions about DMC.

**Figure 2. Geographic Location of Study Sites**



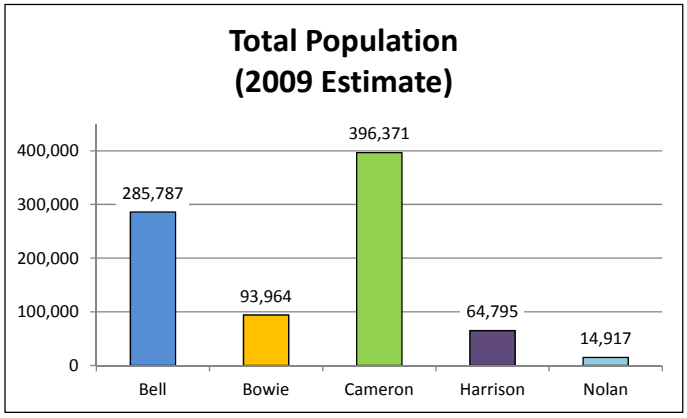

## Geographic Location

The study sites are geographically dispersed across the state (Figure 2). Bowie County (New Boston/Texarkana) and Harrison County (Marshall) are in northeastern Texas near the Louisiana, Arkansas, and Oklahoma borders. Nolan County (Sweetwater) is located in west Texas. Bell County (Killeen) is in the center of the state, and Cameron County (Brownsville) is at the southernmost tip in the Rio Grande Valley region.

## Size

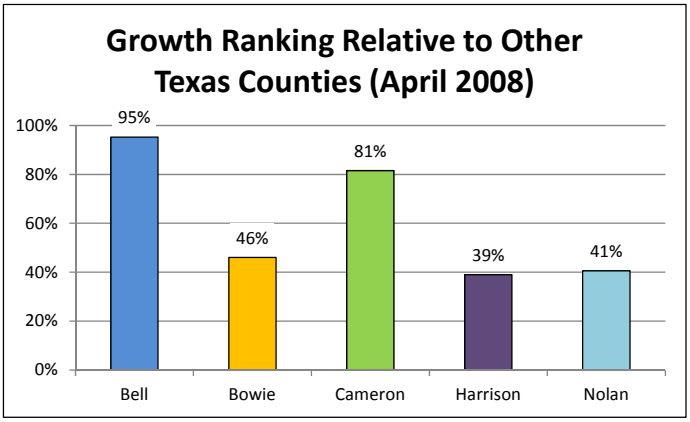
The study sites are diverse, with populations ranging from about 15,000 in Nolan County to nearly 400,000 in Cameron County (Figure 3). Bell and Cameron Counties are the fastest growing communities in the sample, with growth rates in the top 20% of counties statewide (Figure 4). Bowie, Harrison, and Nolan Counties are growing at a rate slower than half of all Texas counties.

**Figure 3**




Source: US Census QuickFacts. Available as of June 7, 2010 at: http://quickfacts.census.gov/qfd/states/48000.html.

**Figure 4**

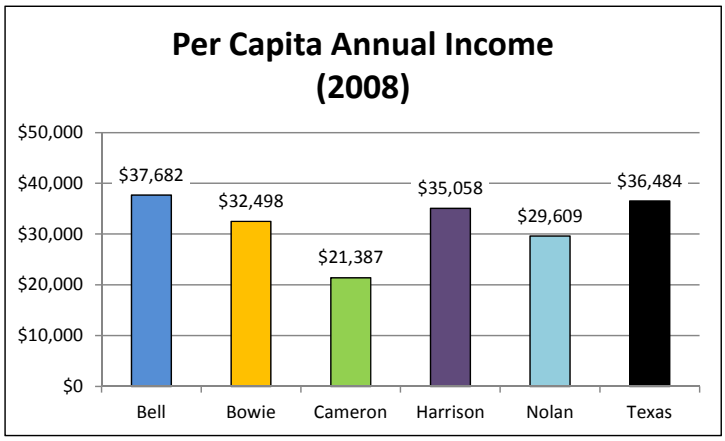



Source: Texas Comptroller's Office. Available as of June 7, 2010 at: http://www.window.state.tx.us/ecodata/compendium/.

## Wealth

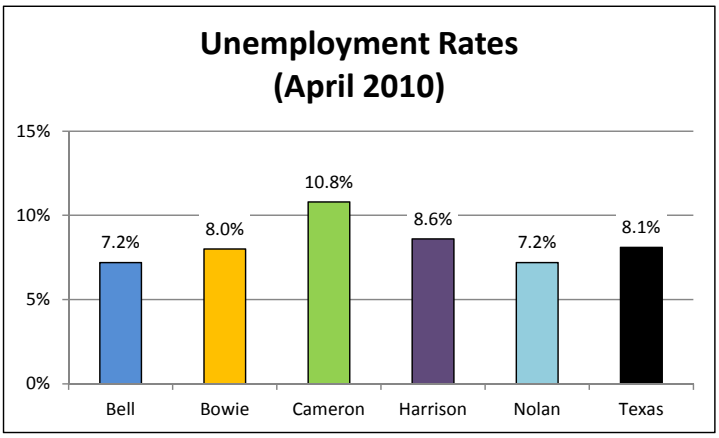
Though Bell and Cameron Counties are both rapidly-growing mid-sized urban communities, they contrast in that Bell County is the most affluent study site and Cameron County is the poorest. Figures 5 through 7 show that Cameron County has the lowest per capita income, as well as the highest unemployment and poverty rates in the study. Bell County, by contrast, fares best on all of these measures.

**Figure 5**




Source: Texas Workforce Commission Labor Market and Career Information. Available as of June 7, 2010 at: http://www.tracer2.com/cgi/dataanalysis/?PAGEID=94.

**Figure 6**

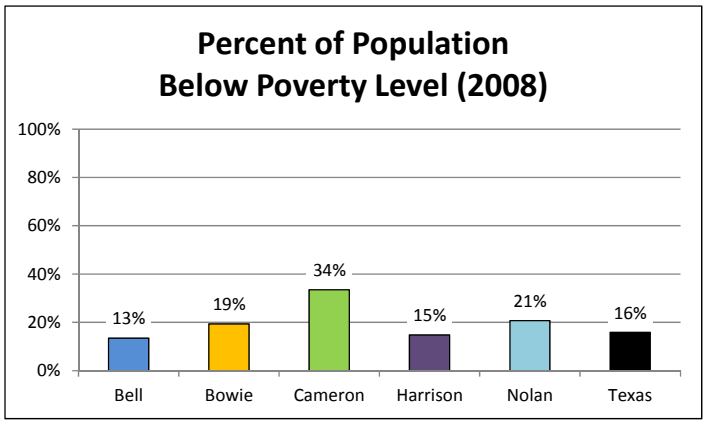



Source: Texas Workforce Commission Labor Market and Career Information. Available as of June 7, 2010 at: http://www.tracer2.com /cgi/dataanalysis/AreaSelection.asp?tableName=Labforce.

## School-Aged Children

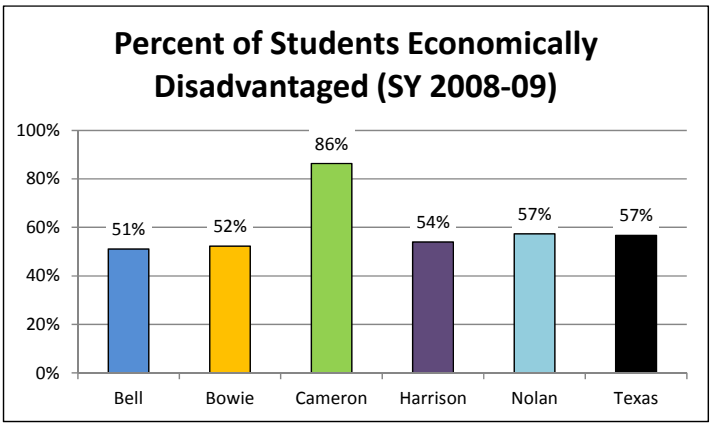
Figure 8 shows that at least half of school-age children are designated by the education system as economically disadvantaged at every study site. In Cameron County, virtually the entire school-aged population (86%) is considered to be low income.

**Figure 7**



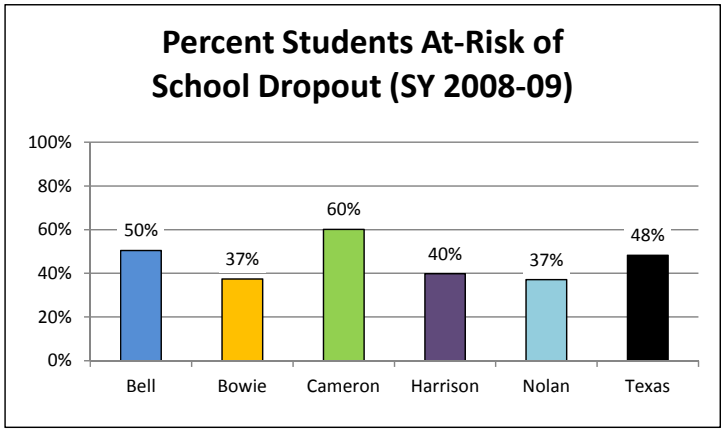

Source: US Census QuickFacts. Available as of June 7, 2010 at: http://quickfacts.census.gov/qfd/states/48000.html.

**Figure 8**



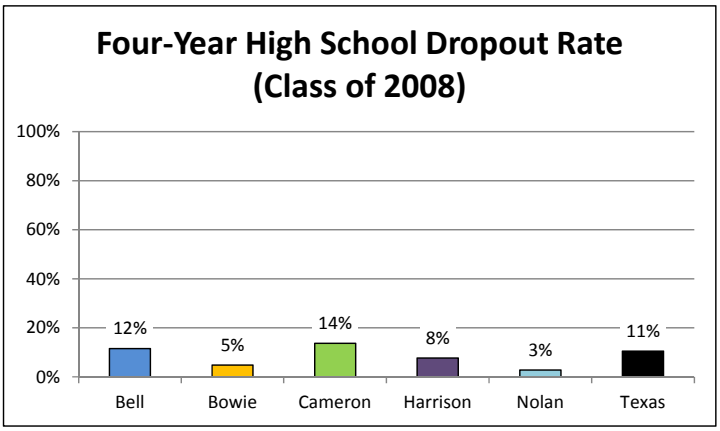

Source: Texas Education Agency, Academic Excellence Indicator System. Available as of June 7, 2010 at: http://ritter.tea.state.tx.us/perfreport/aeis/2009/index.html.

**Figure 9**




Source: Texas Education Agency, Academic Excellence Indicator System. Available as of June 7, 2010 at: http://www.tea.state.tx.us/index4.aspx?id=7219.

**Figure 10**

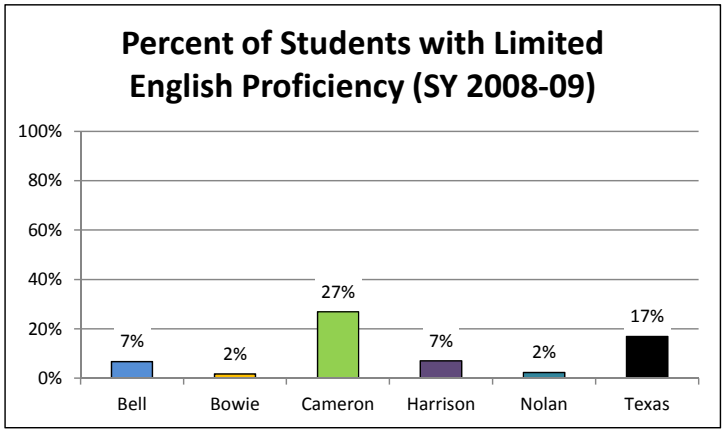



Source: Texas Education Agency, Academic Excellence Indicator System. Available as of June 7, 2010 at: http://www.tea.state.tx.us/index4.aspx?id=7219.

Between one- and two-thirds of students are at increased risk of school dropout in the study communities. Figure 9 shows Bowie, Harrison, and Nolan Counties have the smallest proportion of students at-risk (37-40%) while Cameron County has the largest (60%).

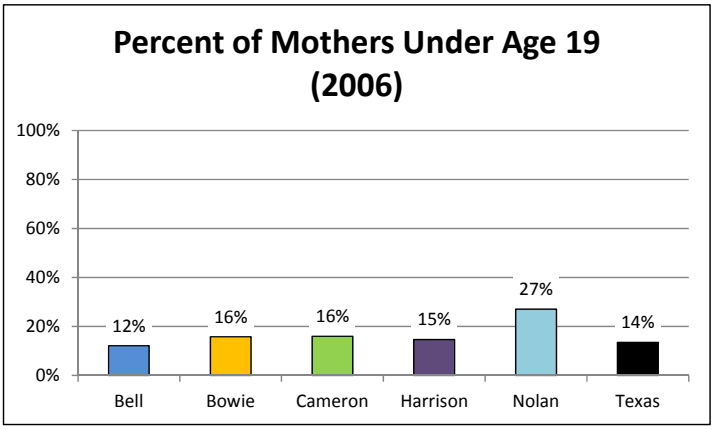
The four-year high school drop-out rates vary widely across counties. In Nolan and Bowie Counties only 3 to 5% of students who were present in 9th grade have dropped out before graduation compared to 14% of those in Cameron County (Figure 10). Dropout rates in Bell and Harrison Counties are the closest to state averages.

**Figure 11**




Source: Texas Education Agency, Academic Excellence Indicator System. Available as of June 7, 2010 at: http://www.tea.state.tx.us/index4.aspx?id=7219.

**Figure 12**




Source: US Census QuickFacts. Available as of June 7, 2010 at: http://soupfin.tdh.state.tx.us/birth05.htm.

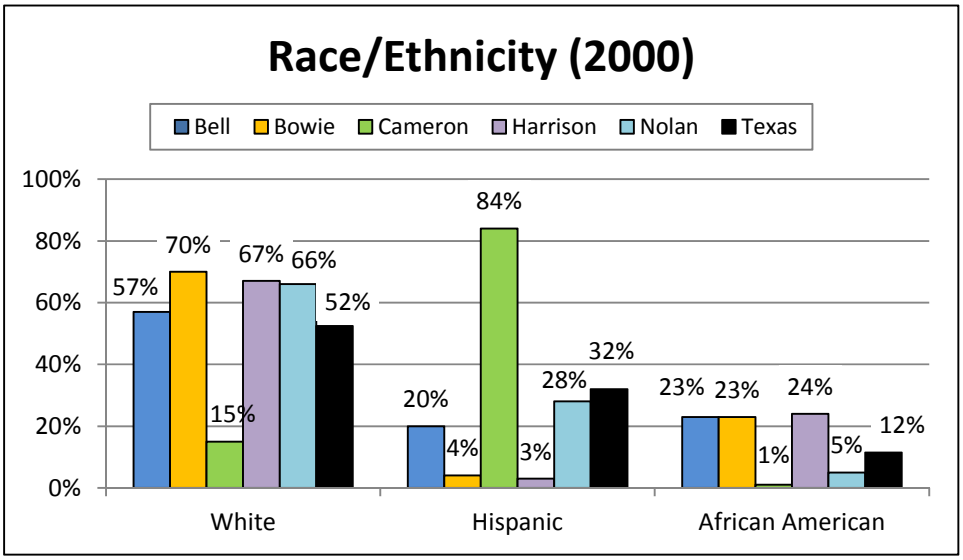
Other risk factors that can increase social and cultural stresses on juveniles and potentially impact DMC include limited English proficiency (Figure 11) and teen parenthood (Figure 12). Rates of limited English proficiency among school-age youth are well below state averages in all of the study sites except Cameron County which is located on the Mexican border. Teen parenting rates are approximately equal to state averages in every

county except Nolan where twice as many mothers are under the age of 19 (27%) compared to the rest of the state (14%). At the same time, Nolan County also has the lowest four-year high school dropout rate. This anomaly suggests that successful strategies are apparently being used to retain high-risk mothers in school until they reach graduation.

## Racial/Ethnic Composition

The racial and ethnic composition of the general population at each of the study sites is presented in Figure 13. Three of the five counties (Bowie, Harrison and Nolan) have large White populations relative to state-wide proportions. Three counties (Bell, Bowie, and Harrison) have African American populations about double that for the state as a whole. Two of these same counties (Bowie and Harrison) have very small Hispanic populations. Cameron County is predominantly Hispanic (84%) with most of the remaining population being White (15%).

**Figure 13**




Source: Texas State Data Center Demographic Profiles by County, US Census Summary File 1, Profiles 2 and 3. Available as of June 7, 2010 at: http://txsdc.utsa.edu/txdata/sf1/cnty_prof.php.

## Minority Over-Representation in the Juvenile Justice System

The basis for the selection of study sites was the high rate of minority juveniles' contact with the justice system at arrest and referral, and their relatively low participation in diversion programs. Table 2 presents detail describing the specific areas of disproportionality in each community. The columns indicating "Rate of Occurrence" show the number of youth by race/ethnicity in the age range eligible for the juvenile justice system, as well as the rate at which these juveniles are arrested, referred, or diverted. The columns labeled "Relative Rate Index" show the extent to which rates of occurrence for African Americans and Hispanics are higher or lower than for White juveniles.

The single most consistent finding is that African American youth have significantly higher rates of arrest relative to Whites. This finding holds for each of the five counties in the study. African-American youth are

## Table 2. Relative Rate Index by Race/Ethnicity

| | | Rate of Occurrence | | | Relative Rate Index | |
|---|---|---|---|---|---|---|
| | | White | African-American | Hispanic | African-American | Hispanic |
| **Bell County** | Population (age 10-17) | 10,900 | 6,993 | 6,566 | | |
| | Juvenile Arrests | 97.80 | 212.07 | 85.74 | 2.17* | 0.88* |
| | Juvenile Court Referral | 35.74 | 46.86 | 44.94 | 1.31* | 1.26* |
| | Cases Diverted | 25.98 | 20.14 | 22.13 | 0.78* | 0.85 |
| | | | | | | |
| **Bowie County** | Population (age 10-17) | 5,252 | 2,688 | 360 | | |
| | Juvenile Arrests | 61.88 | 103.79 | 44.44 | 1.68* | 0.72 |
| | Juvenile Court Referral | 43.38 | 90.68 | 56.25 | 2.09* | ** |
| | Cases Diverted | 63.83 | 61.66 | 77.78 | 0.97 | ** |
| | | | | | | |
| **Cameron County** | Population (age 10-17) | 2,939 | 135 | 42,215 | | |
| | Juvenile Arrests | 47.64 | 214.81 | 71.35 | *** | 1.50* |
| | Juvenile Court Referral | 72.14 | 31.03 | 82.37 | *** | 1.14* |
| | Cases Diverted | 21.78 | 0.00 | 20.88 | *** | 0.96 |
| | | | | | | |
| **Harrison County** | Population (age 10-17) | 4,044 | 1,544 | 841 | | |
| | Juvenile Arrests | 23.74 | 90.03 | 30.92 | 3.79* | 1.30 |
| | Juvenile Court Referral | 112.50 | 114.39 | 115.38 | 1.02 | ** |
| | Cases Diverted | 10.19 | 8.18 | 10.00 | 0.80 | ** |
| | | | | | | |
| **Nolan County** | Population (age 10-17) | 814 | 122 | 518 | | |
| | Juvenile Arrests | 89.68 | 319.67 | 150.58 | 3.56* | 1.68* |
| | Juvenile Court Referral | 47.95 | 53.85 | 65.38 | 1.12 | 1.36* |
| | Cases Diverted | 48.57 | 52.38 | 35.29 | ** | 0.73 |

*The observed difference is statistically significant indicating it is larger than would be expected to occur by chance.

** Insufficient number of cases for analysis.

*** Group is less than 1% of the youth population

significantly over-represented in referrals to juvenile court in two counties (Bell and Bowie) and are under-represented in diversion programs in one county (Bell).

Other findings are less stable across communities. Hispanic youth are significantly over-represented at both arrest and referral in three counties (Bell, Cameron, and Nolan). They are not significantly underrepresented in diversion programs. Four of the five counties did not have enough juveniles in at least some sub-groups to provide a complete set of analyses.

The greatest evidence of general disproportionality occurs for Bell County. There both African American and Hispanic youth show significant differences in rates at all three points of contact compared to Whites. The single exception is for Hispanic diversion programs where the differences are not large enough to be statistically meaningful.

## Conclusion

Among five study sites, Bell and Cameron Counties are distinguished by their rapid growth rates as well as by the fact that one is the most affluent study site (Bell County) and one the most impoverished (Cameron County). All communities share high rates of economic disadvantage among school-aged students. Between one- and two-thirds of students are at risk of dropout. Interestingly, dropout rates are remarkably low in Nolan County despite a very high teen pregnancy rate in that community.

With the exception of Cameron County, each of the study sites has a large White population and a small Hispanic population relative to the state as a whole. Three of the communities also have relatively large African American populations. In terms of juvenile justice contact, African Americans are arrested at rates significantly higher than for Whites in every community studied. Disproportionality at the points of juvenile referral and diversion vary by county.

# CHAPTER 4:
# CHARACTERISTICS OF THE STUDY PARTICIPANTS

# 4. CHARACTERISTICS OF THE STUDY PARTICIPANTS

As described in "Research Methods" above, there are four ways in which stakeholders invited to participate in the study of disproportionate juvenile justice contact could potentially take part. They could participate in a listening session, respond to the follow-up survey, do both, or do neither.

In interpreting study findings, it is important to be aware of the extent to which various sub-groups of invitees chose to contribute or were omitted from providing input. If some categories of invited participants are systematically under-represented in the final respondent pool, then the views of that group may not be fully represented in the conclusions.

**Figure 14**

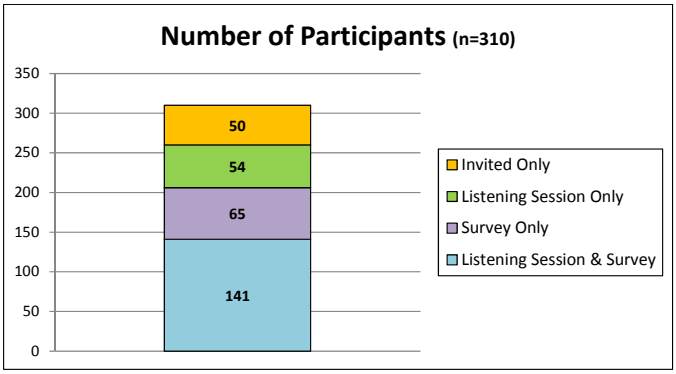
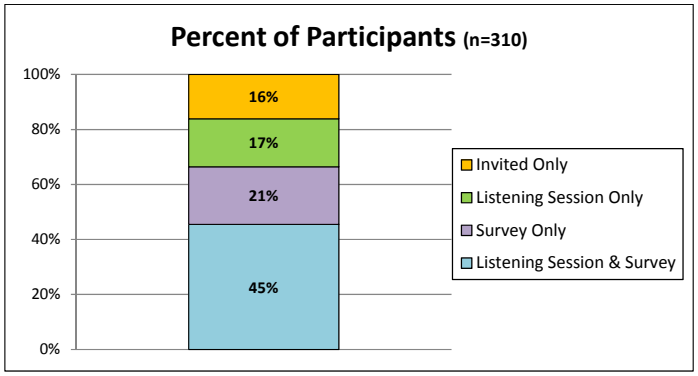



**Figure 15**




A total of 310 individuals were invited to participate in the project in all counties combined (Figure 14). Of those, 83% either attended a listening session (17%), responded to the survey (21%), or did both (45%; Figure 15). It is particularly remarkable that nearly two-thirds of those asked to participate (62%) took more than two hours from their day to be physically present at a listening session. About the same proportion (66%) provided input in the follow-up survey. The very low non-participation rate (16%) is interpreted to indicate the salience of this issue to local stakeholders.

## Participation by County

The largest number of stakeholders were identified in the most populous county (Cameron County, n=78), while the smallest community had the fewest invited participants (Nolan County, n=47; Figure 16). In most counties, nearly all invitees (86 to 89%) contributed to discussion about DMC through either the listening session or the survey (Figure 17). The one exception was Bowie County where only 71% of invitees took part in the study. It appears that listening session attendance was suppressed in that community due to the distance between Texarkana, the county's major metropolitan area, and New Boston, the county seat where the session was held.

**Figure 16**

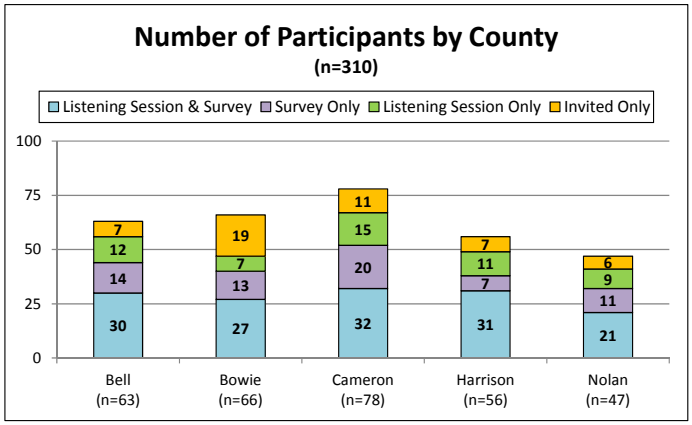
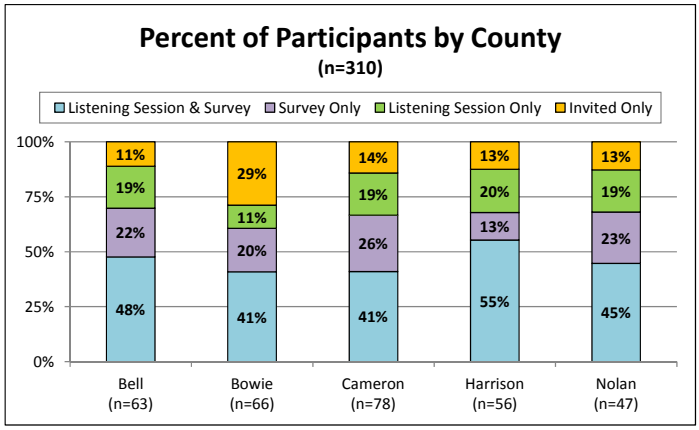



**Figure 17**




The largest percentage of invited listening session participants were present in Harrison County (75% attendance) and listening session attendance was lowest in Bowie County (52%). On the other hand, survey response rates were similar across counties, with roughly two-thirds of invitees participating at every site.

## Participation by Stakeholder Group

Study participants were recruited from three broad categories of stakeholders. These include community members who work with youth at risk of justice contact, those who work with delinquent youth, and other concerned individuals (see Table 1). Of these three categories, the largest group of invitees was individuals who work with youth at risk of justice involvement (Figure 18). They were also the most likely to contribute to the study by either attending listening sessions or completing a follow-up survey (91% participation; Figure 19). Participation was lower among people working with delinquent youth (84% participation) and lowest for "other community stakeholders" (74% participation).

**Figure 18**

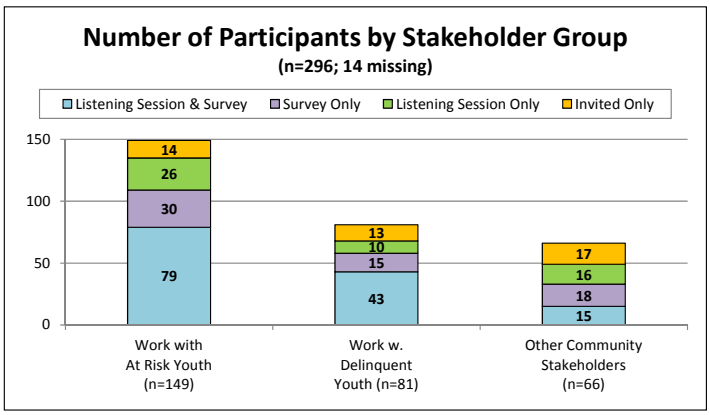
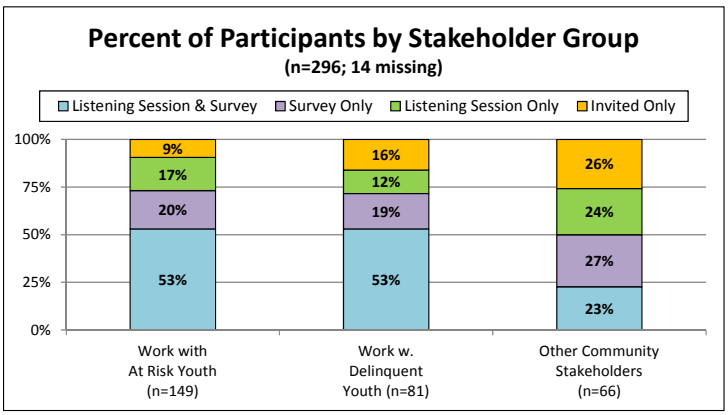



**Figure 19**




People who work with at-risk youth were most likely to be present at listening sessions (70% attendance). However, individuals working with delinquent youth were most likely to respond to the follow-up survey (72% response rate). The "other community stakeholders" group was the least likely to take part in both the listening sessions (47% attendance) and the survey (50% response rate).

**Figure 20**

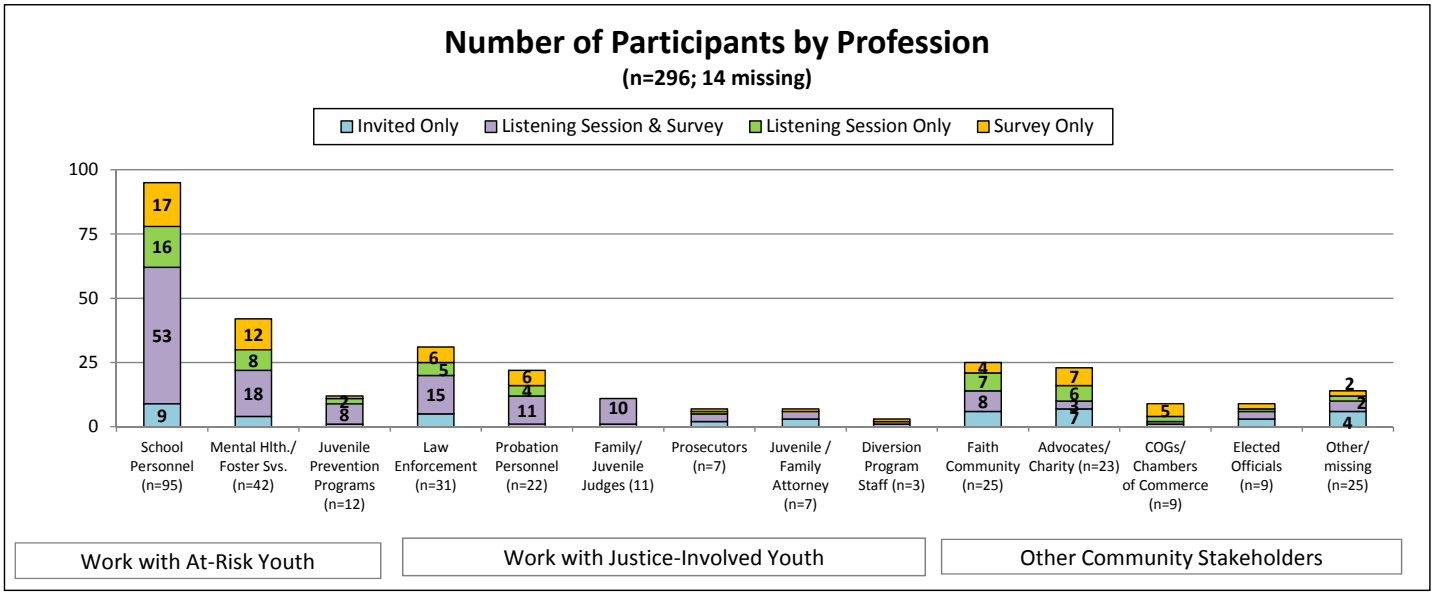
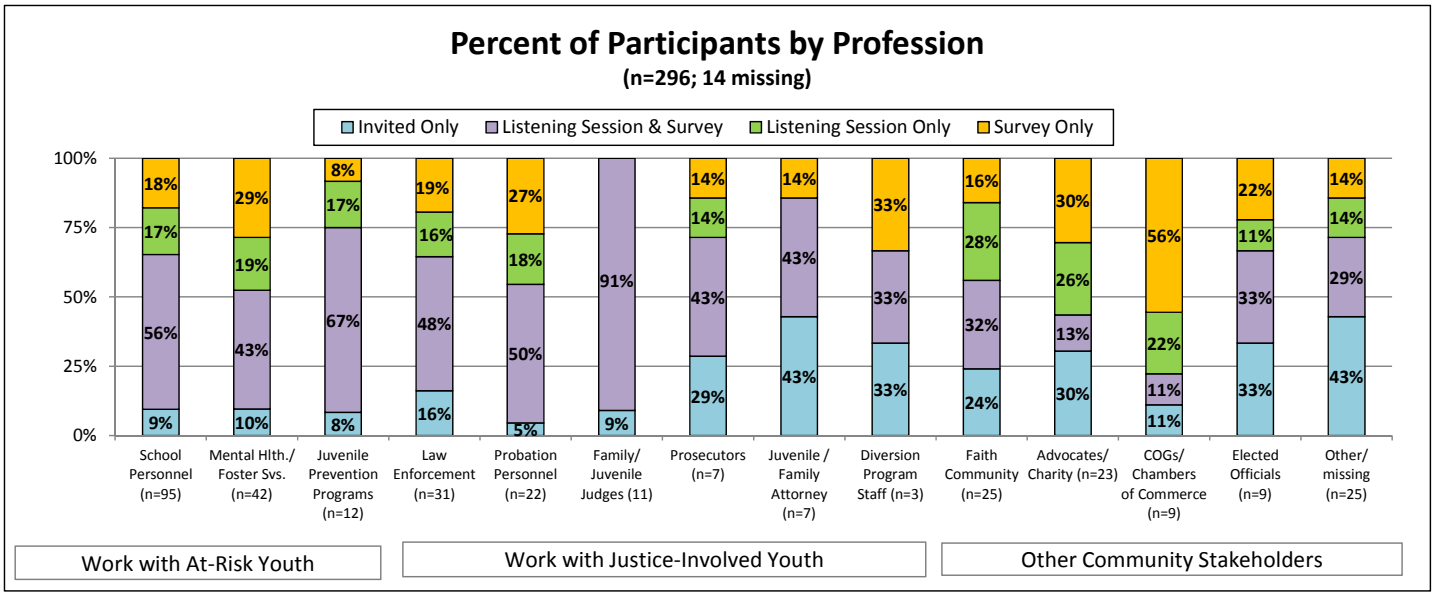



**Figure 21**




Figures 20 and 21 examine participation rates for the specific professions that make up each of the three stakeholder categories. School district personnel were by far the largest category, comprising nearly one-third of the sample (n=95 of 296) and 64% of people that "work with at-risk youth" (n= 95 of 149). The school personnel group represents a variety of specialty areas including administrators, alternative school staff, school discipline specialists, school law enforcement officers, counselors, and teachers, among others.

Family/juvenile judges showed the greatest commitment. All but one of the 11 invited judges took part in both the listening session and the survey. Other groups with more than 90% participation in either the listening sessions or the survey include school personnel, mental health/foster services staff, juvenile

prevention program staff, probation officers and local planning entities (i.e., Councils of Government or Chambers of Commerce). Participation was lowest for juvenile/family attorneys, diversion program staff, elected officials, and people with "other" professional affiliations. Less than one-third of invitees in these categories took part in the study.

## Participation by Demographic Groups

Demographics provide another useful indicator for documenting the constituencies that most shaped study findings. Figures 22 through 32 show participation patterns by sex, race/ethnicity, and age. Because information about respondents' race/ethnicity and age was gathered in conjunction with either the listening session or the survey, it is not available for people who did not take part in these data collection activities or for people who failed to answer the questions.

***Sex***. Males were slightly overrepresented in the sample (n=167 of 303, 55%) relative to females (n=136 of 303, 45%). However, male and female participants were about equally likely to take part in listening sessions (64% to 66%) and surveys (66% to 70%, Figures 22 and 23).

**Figure 22**

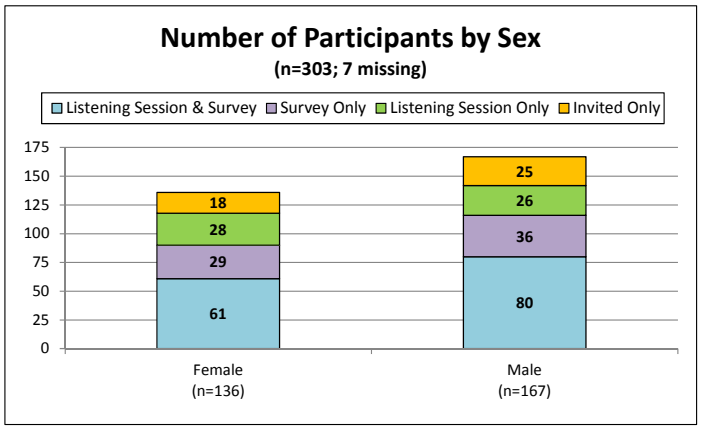
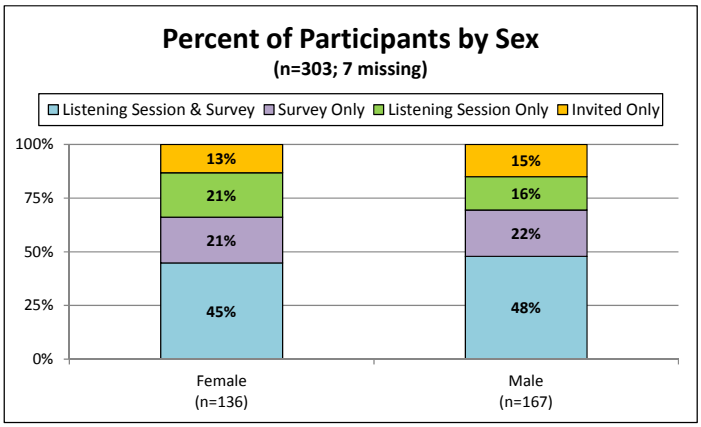



**Figure 23**




***Race/Ethnicity***. Whites are the largest group in the study, representing 59% of the sample for whom race/ethnicity is known (n=150 of 254; Figures 29 and 30). Hispanics (n=64 of 254, 25%) and African Americans (n=37 of 254, 15%) were represented in smaller numbers. Ethnicity is unknown for 56 individuals.

Figures 24 through 28 compare the racial/ethnic composition of the study sample against the population at each study site. The breakdown of study participants is generally similar to local populations. However, Whites are somewhat over-represented relative to minorities in Bowie County and are significantly over-represented in the Nolan County sample. In Bowie and Harrison Counties where less than 5% of the population is Hispanic, no Hispanic individuals participated in the study. Similarly, in Cameron and Nolan Counties where less than 5% of the population is African American, no individuals of that race participated in the study.

**Figure 24**

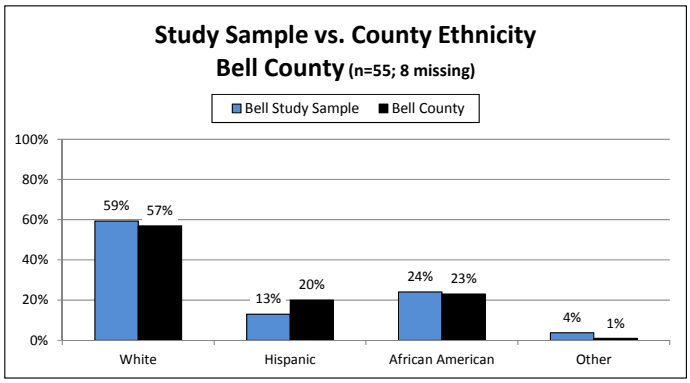



**Figure 25**

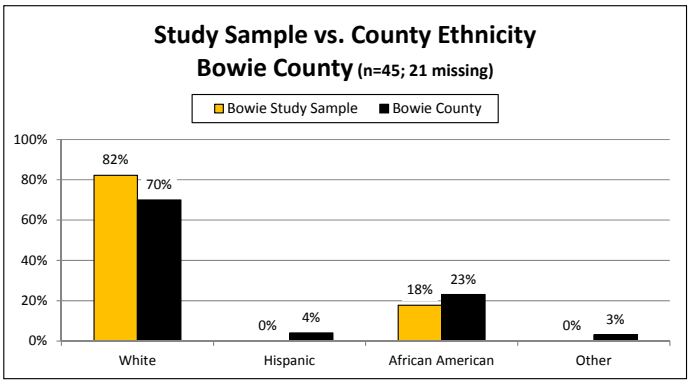



**Figure 26**

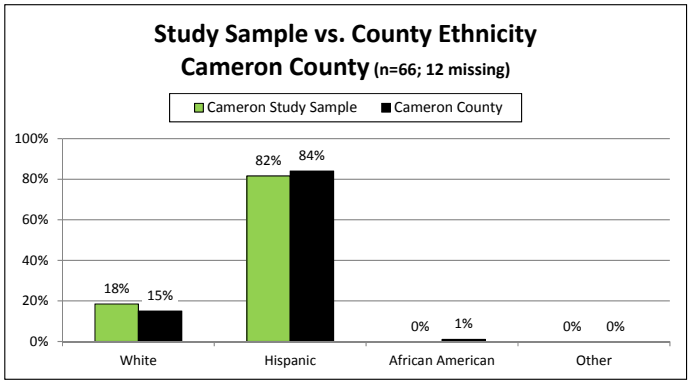



**Figure 27**

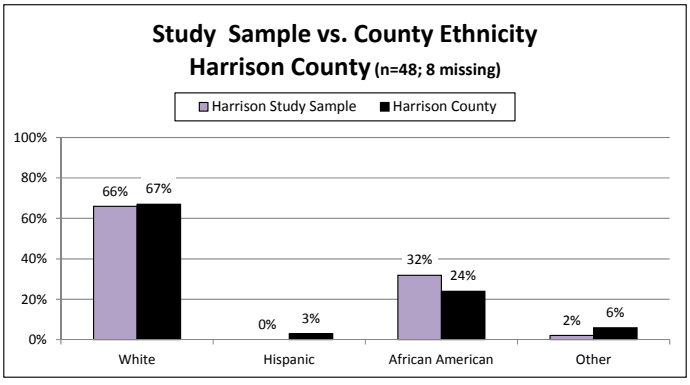



**Figure 28**

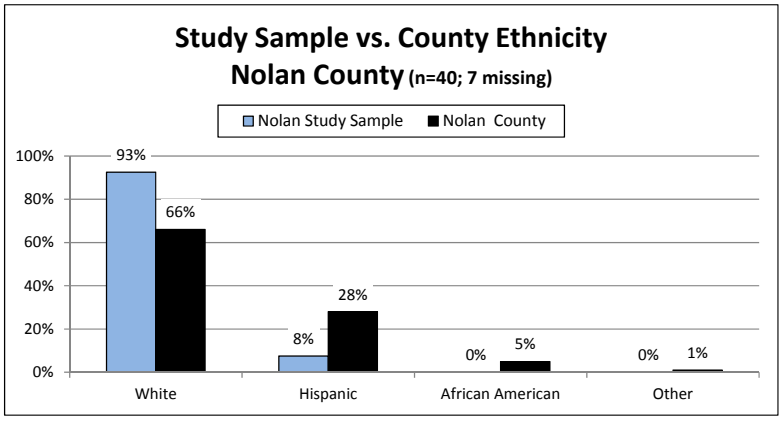


**Figure 29**

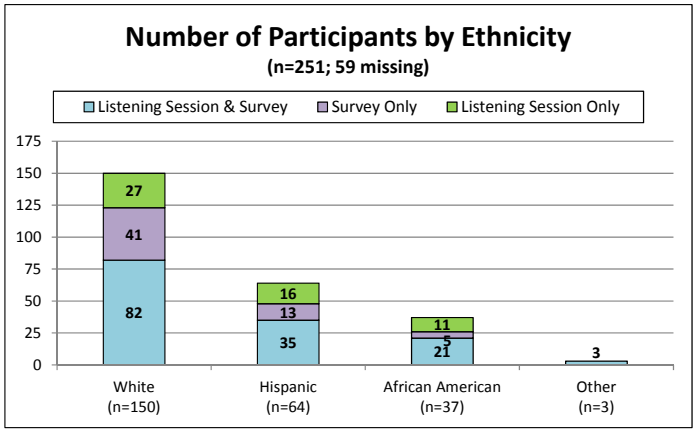
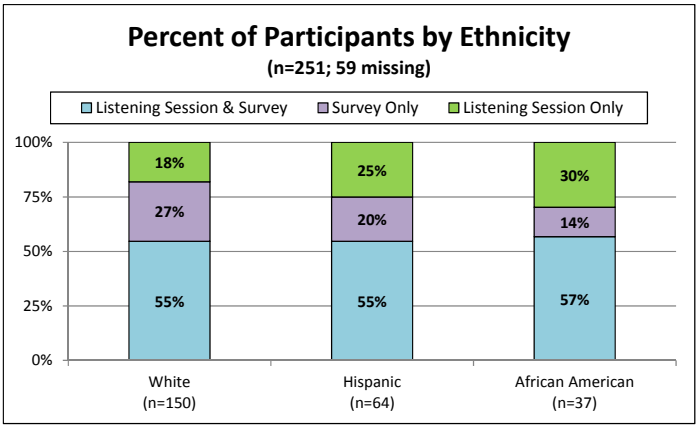



**Figure 30**




The majority of study participants of all race/ethnicities opted to participate in both the listening session and the survey (55% to 57%; Figure 30). Whites were more likely to provide survey responses than to participate in listening sessions (82% and 73% respectively), and African Americans were more likely to attend the listening session but not submit a follow-up survey (87% and 71% respectively). Hispanic participants were about equally likely to participate in each of these alternatives.

**Figure 31**

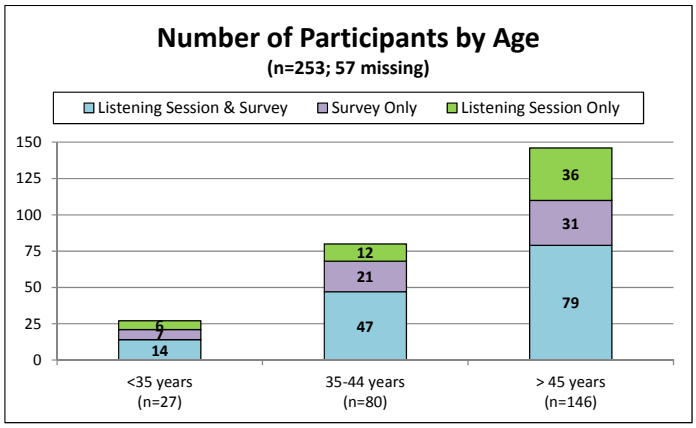
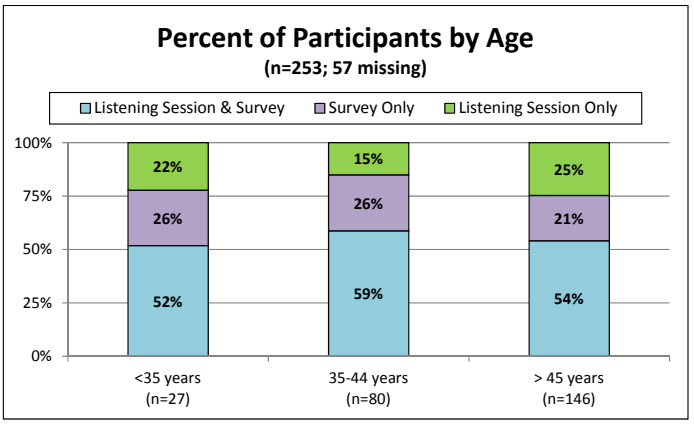



**Figure 32**




***Age*.** Because the study was aimed at recruiting experienced professionals and community leaders, the majority of participants of known age (57%) were over the age of 45 (n=146 of 253; Figures 31 and 32). About one-third were in the mid-career 35 to 44 year age group (n=80 of 253, 32%). Only 11% (n=27 of 253) were less than 35 years of age. It is considered to be positive that senior level judges, law enforcement officers, probation department staff, school officials, religious leaders, and others who might have delegated participation to a junior subordinate instead chose to contribute directly to the study.

## Conclusion

Findings presented in this report are based on input from 310 participants from the five study counties. Of those invited, 83% chose to attend the listening session, respond to the follow-up survey, or do both (Figure 15). The largest stakeholder group was individuals who work with youth at-risk of justice involvement (see Figures 18 and 19), most of whom were school personnel. People working with delinquent youth and other concerned community advocates also took part in the study.

The study sample included slightly more males than females (Figures 22 and 23), and more respondents over the age of 45 than in younger age categories (Figures 31 and 32). For the most part, the racial/ethnic distribution of the sample reflects the composition of the counties as a whole. Exceptions are Bowie and Nolan Counties where Whites were over-represented and minorities are under-represented relative to the general population. On the whole, these data suggest that the snowball sampling methodology yielded a reasonable cross-section of community participants at each of the study sites.

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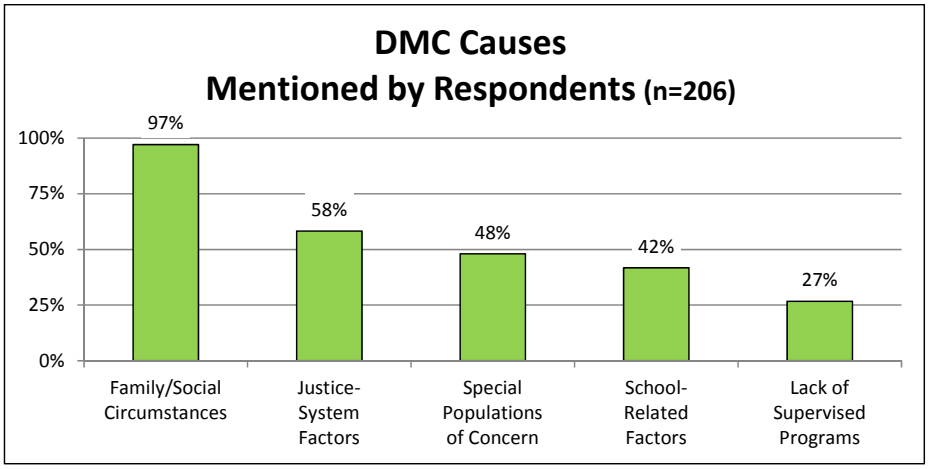
# CHAPTER 5:
# FACTORS CONTRIBUTING TO DMC

# 5. FACTORS CONTRIBUTING TO DISPROPORTIONATE MINORITY CONTACT

Through listening sessions and surveys, community members at the five study sites identified fifteen potential causes of DMC which have been clustered into five general categories. Figure 33 provides an overview of the types of factors study participants think contribute to disproportionality. Each of these categories of causes is discussed in greater detail in the sections that follow.

There was extremely high consensus among survey respondents that family and social circumstances play a role in disproportionate minority contact. Virtually every respondent (97%) selected at least one cause of DMC in this area. Justice-system factors were the next most prevalent category with more than half of all community members (58%) indicating at least one related concern.

**Figure 33**



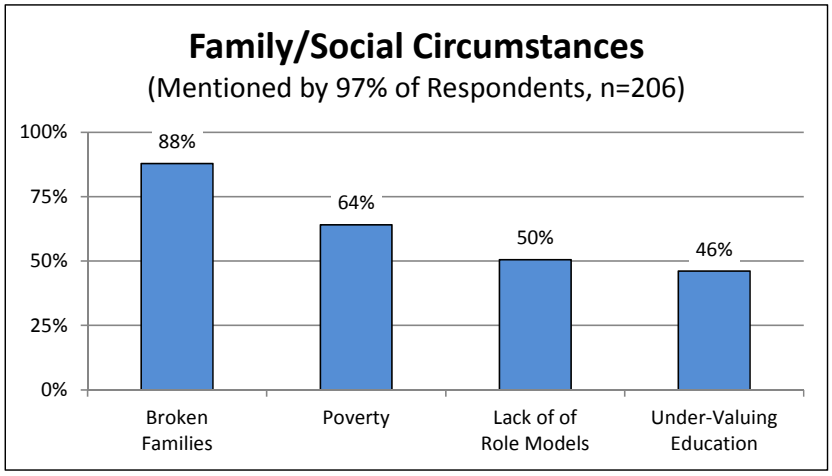

Almost half of respondents (48%) named a special population that face increased risk of justice-system involvement. These included youth with mental health or behavioral disorders, minorities, immigrants, or homeless children. School-related factors were believed by 42% of respondents to explain DMC, and more than one-fourth of said a lack of supervised programs for youth is also a contributing issue.

While these broad categories provide an overview of perceptions regarding DMC causality, the specific issues underlying each of these main categories are considered in greater detail below. Chi-square tests of statistical significance were also conducted to identify areas where opinions differ by county, sex, race/ethnicity, age, and stakeholder group.

## Family/Social Circumstances Contributing to DMC

As shown in Figure 33, 97% of local stakeholders agree family or social causes contribute to DMC. Within this broad theme, specific issues raised include broken families, poverty, a lack of role models, and cultural norms that under-value the importance of education in building a positive future for youth. Figure 34 illustrates the proportion of respondents attributing DMC to each of these causes.

**Figure 34**




***Broken Families.*** Dysfunctional or broken family units was not only the leading family/social factor believed to cause DMC. It was also the single most widely agreed upon causal factor identified in the entire study (88%; Figures 34 and 69).

- Listening session participants defined broken families in terms of single mothers, absent fathers, divorced parents, working parents unable to supervise their children, teen parents, children raised by other family members, or troubled parents (e.g., drug- or alcohol-involved, violent or abusive, on probation or incarcerated).

- Participants observed that parents in these situations often find it difficult to manage the responsibility of child-rearing, resulting in an unstructured home environment, lack of parental involvement in their child's life, and family isolation from positive community supports.

Not only does a strong majority of survey respondents believe these factors contribute to high levels of minority juvenile justice contact, agreement on this point was also high across subgroups defined by county, sex, race/ethnicity, age, and stakeholder group.

***Poverty.*** Poverty was the second most frequently mentioned causal factor both as a family/social factor and overall (Figures 34 and 69). Two-thirds of community members surveyed believe impoverishment can increase a child's risk of delinquency.

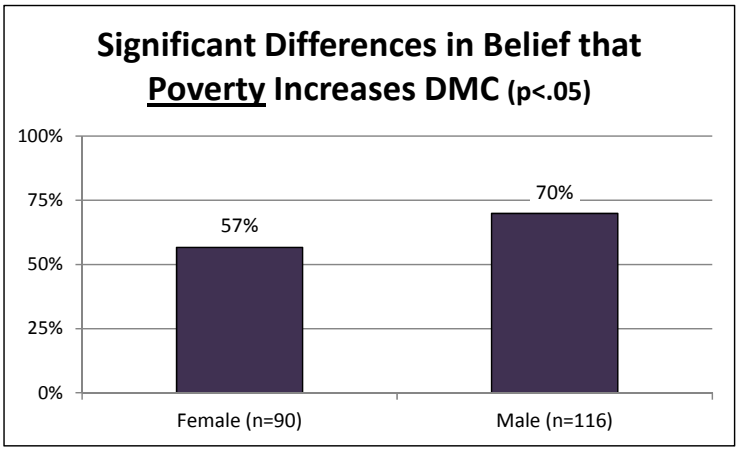
- As described by listening session participants, poverty limits access to learning and enrichment opportunities linked to success. Poor children often lack access to such things as books, high-quality daycare, travel, and computers.

- Poor parents may also be required to spend more time away from their children in multiple low-paying jobs, and unsupervised children are more likely to get into trouble.

- Finally, poor children live in dangerous or disorganized neighborhoods where there is a higher risk of juvenile justice involvement overall.

There was a consensus within most subgroups that poverty is an important factor. The only significant differences of opinion were observed by sex. The majority of respondents of both sexes believe poverty can increase the risk of DMC, but males (70%) are significantly more likely than females (57%) to make this attribution ($p<.05$; Figure 35).

**Figure 35**




***Lack of Role Models.*** Half of all stakeholders (50%) agree that juvenile justice involvement made worse by a lack of strong positive role models for at-risk youth (Figure 34).

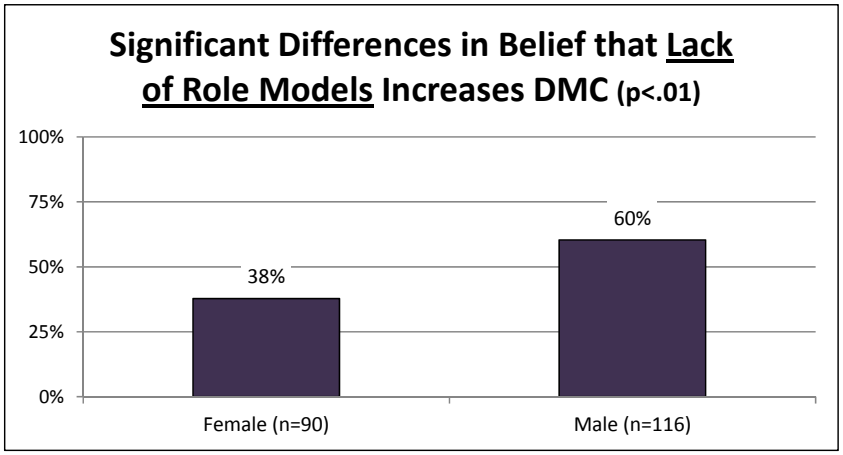
- Listening session participants felt that youth who get involved in delinquency often do not have examples of people "like them" who have graduated from college or achieved successful careers. Instead, many of the people high-risk youth look up to are involved in gangs or have already spent time in jail or prison. In the absence of positive role models to emulate, many juveniles become alienated from mainstream standards of achievement.

- Participants said youth at risk may also have a history of negative experiences with public officials such as educators or law enforcement officers. This discourages them from viewing public officials as role models.

- Without relationships with positive peers and adults, study participants think juveniles are more likely to seek out leadership, friendships, and surrogate family through negative peers or gangs.

Figure 36 shows male and female stakeholders have dramatically different perspectives on this issue. While female respondents are less concerned about a lack of role models (38%), the majority of males believe this problem is a direct contributor to DMC (60%, $p<.01$). This difference in viewpoints suggests male study participants may be more sensitive to potential detrimental effects a lack of role models can have on juvenile males.

**Figure 36**




***Undervaluing the Importance of Education.*** Forty-six percent of study participants believe social norms devaluing the importance of education are a cause of DMC (Figure 34).

- Listening session participants feel some families have a narrow vision of the benefits of a good education. Without a clear message that academic success is a priority from parents, other respected adults, and peers, youth have little direction and low expectations for their own future.

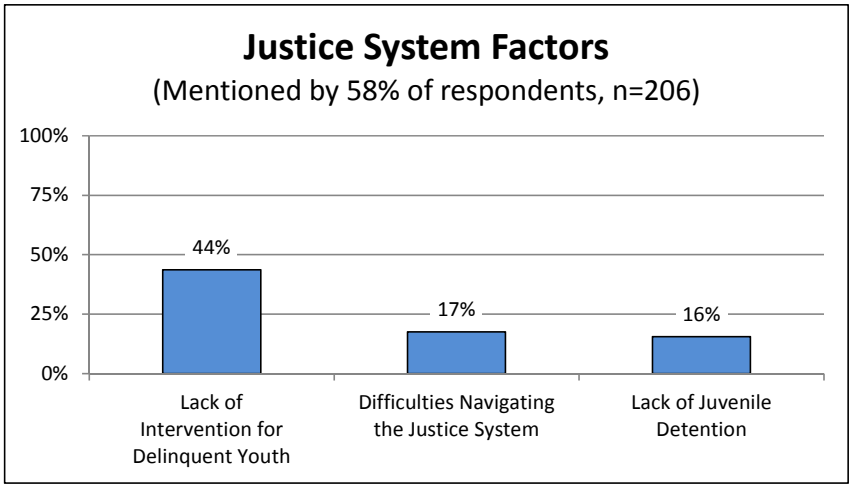
- Listening session participants also said competing values such as material wealth, social status, or popular culture can supplant a focus on education. When that occurs, young people miss the chance to establish a sound academic foundation or acquire the skills needed for a successful career. As children fall out of the academic mainstream they are more likely to become involved in juvenile crime.

Agreement on this perspective was consistent as no significant differences in opinion were observed across subgroups.

## Criminal Justice System Factors Contributing to DMC

Criminal justice system factors comprise the second major category contributing to DMC (58%; Figure 33). Within this broad category, three specific issues of concern were identified. These include a lack of therapeutic interventions for delinquent youth, inequities experienced by poor and minority youth navigating the juvenile justice system, and a lack of juvenile detention facilities.

**Figure 37**




***Lack of Prevention and Intervention Programs for Delinquent Youth.*** Stakeholders said the main justice-related factor contributing to DMC is the lack of diversionary and therapeutic programs targeting delinquent juveniles (44%; Figure 37).

- Listening session participants observed that cutbacks in state funding to communities has eliminated programming needed to help vulnerable youths address issues linked with justice-system referrals. For instance, in many communities, justice-involved youth have limited access to diversion alternatives, mental health and substance abuse treatment, or special interventions for children in foster care.

- Some participants argued that funding cuts have had the greatest negative impacts in rural counties and in the poorest regions of the state such as the Lower Rio Grande Valley.

There is broad-based agreement across all respondent categories that the need for diversion and therapeutic programming contributes to DMC. No significant differences of opinion were observed between subgroups.

***Inequities for Poor Juveniles Navigating the Justice System.*** A relatively small percentage of community stakeholders (17%) see unequal access to the justice system as factor causing DMC (Figure 37). Though concern about this issue was low, listening session participants nonetheless raised some interesting concerns about potential disparate impacts on minorities and the poor.

- Listening session participants observed that judges may agree to divert affluent youth to privately paid counseling or treatment. However, their poorer peers have no resources to pay, and counties often cannot cover the cost. Poor youth may also be less likely to be diverted to community service restitution because they cannot pay fees or arrange transportation.

- Study participants also suggested that when poor youth are unable to pay court-ordered restitution, crime victims are more likely to actively oppose diversion and seek a conviction so they will qualify for a claim with the state's Crime Victims' Compensation Fund. As a result poor minorities acquire a more serious criminal record.

- Other listening session participants noted that families with single parents or working parents are more likely to be detained at arrest and less likely to be referred to diversion programs because there is not a parent able to provide close supervision.

Since minority youth are disproportionately poor, study participants believe they are more likely to be impacted by these issues, thereby increasing DMC.

**Figure 38**

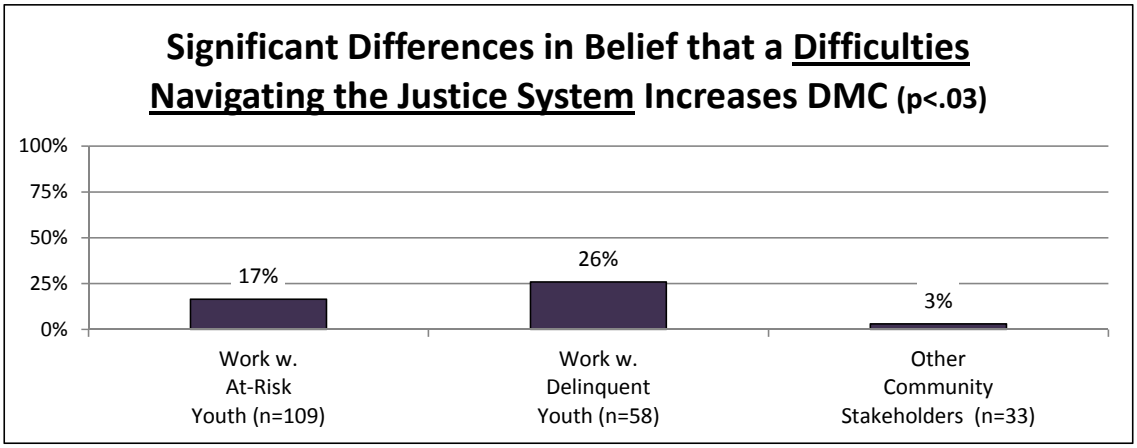


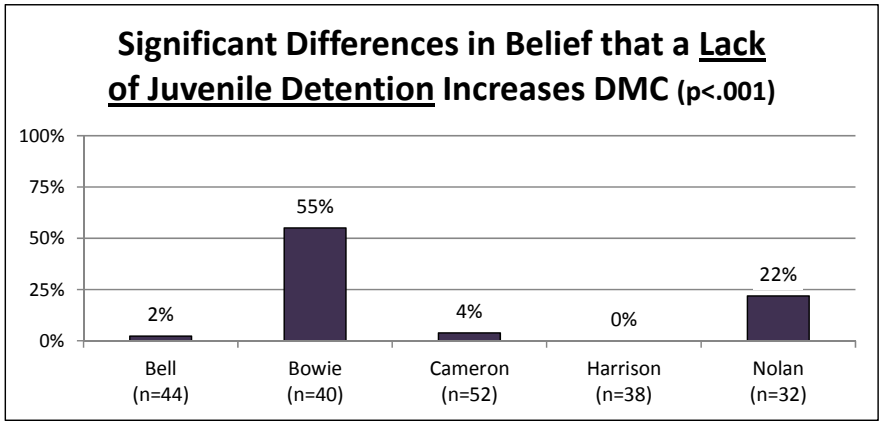

Figure 38 shows that people who work with delinquent youth are the most likely to agree with these statements (p<.03). This is potentially meaningful because these "insiders" presumably understand the workings of the justice system best. The further removed respondents are from close knowledge about the juvenile justice system, the less likely they are to raise these equity issues as concerns.

***Lack of Juvenile Detention.*** The need for more juvenile detention capacity was mentioned as a factor contributing to DMC by 16% of respondents (Figure 37). As is shown in Figure 38, however, this concern was primarily raised in Bowie and Nolan Counties.

- According to stakeholders concerned about this issue, as the number of Texas Youth Commission placements available to rural counties has been reduced, serious offenders are being released to the community. After release, they lack access to community support programs available in the past. Without adequate detention or treatment, it is argued these high-risk youths pose a threat to society.

- Those making this argument said it is difficult for local counties to provide or contract for juvenile detention due to stringent standards that are costly to implement (e.g., an 8:1 guard-to-youth ratio).

**Figure 39**

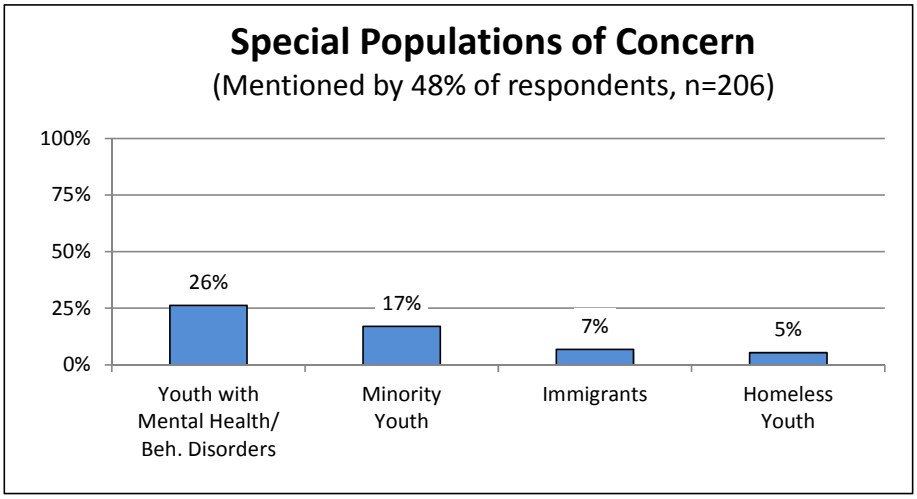



A closer look demonstrates that this concern is limited to just two of the study sites (Figure 39). More than half of participants in Bowie County (55%) and a quarter of those in Nolan County (22%) view inadequate detention as a DMC-related problem (p<.001). Other counties do not perceive it as a pressing problem.

## Special Populations at Increased Risk of DMC

Nearly half of all respondents (48%; Figure 33) mentioned at least one special population of juveniles they believe face challenges that increase their risk of juvenile justice involvement. Concern was most often expressed for youth with mental health or behavior disorders and for those who are members of a minority group. Other groups mentioned include immigrants and homeless youth.

**Figure 40**



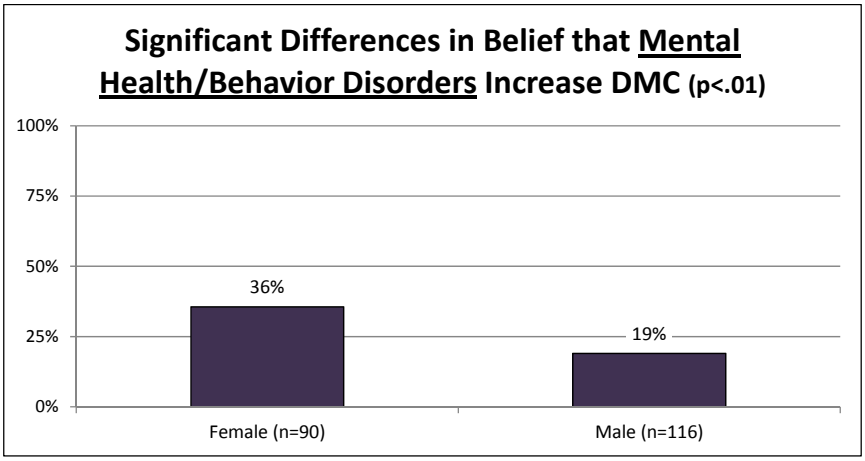

***Mental Health/Behavior Disorders.*** Among special populations at increased risk for DMC, survey respondents were most concerned about youth with mental health and behavior disorders (26%; Figure 40).

- Listening session participants observed that children who get in trouble at school, or those who commit delinquent acts often have un-medicated mental or behavioral conditions.

- Children's' mental and behavioral issues have often not have been formally diagnosed, parents may have difficulty arranging insurance to cover the cost of psychiatric medications, or medications may not be administered as prescribed.

Untreated mental health and behavior disorders, it was argued, disproportionately impact poor and minority youth, thereby contributing to DMC.

**Figure 41**




Analysis of sub-group differences (Figure 41) shows female respondents (36%) are more concerned about the effects of mental health and behavior problems on juvenile justice contact than are their male counterparts (19%, p<.01).

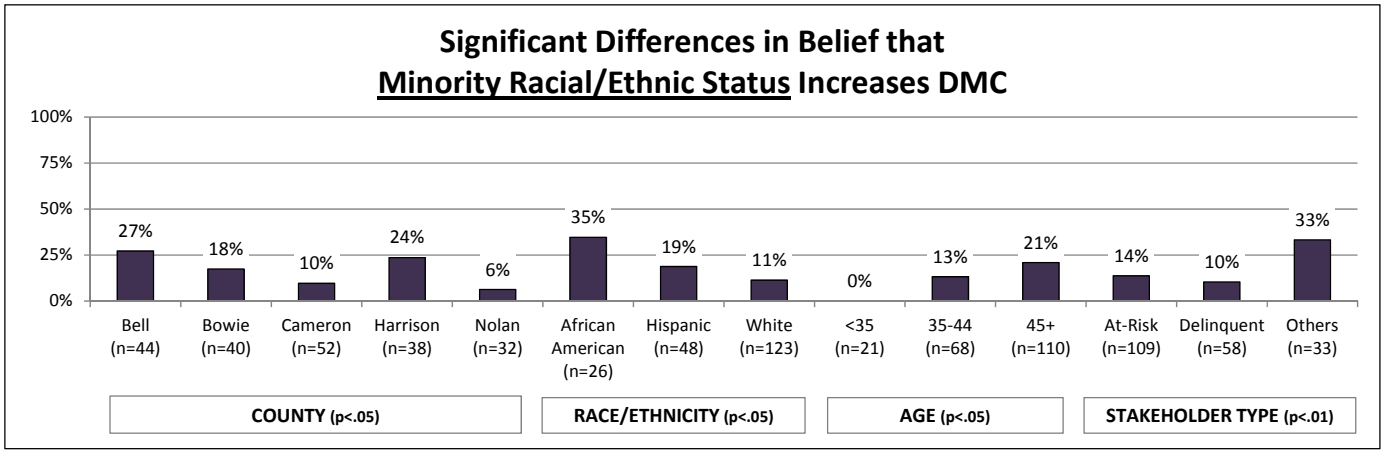
***Minority Racial/Ethnic Status.*** Juveniles' status as a racial/ethnic minority was identified as a factor increasing the likelihood of justice contact by 17% of study participants (Figure 40).

- Participants raising this issue said a lack of cultural awareness can cause people to intentionally or inadvertently treat minority youth differently based on the way they look, act, or dress.

- Stakeholders said the impacts of biases and stereotypes can be observed at school (e.g., in disciplinary or special education placement decisions), in law enforcement (e.g., in decisions about which youth to stop or detain), in the justice system (e.g., in decisions about which juveniles to divert or prosecute), or in the community (e.g., in disparate access to services, programs, and activities).

These stakeholders feel that because different standards of scrutiny and behavior exist for African American and Hispanic youth compared to Whites, risk of contact with the juvenile justice system is higher for minorities.

**Figure 42**




Though relatively few study participants (17%) believe juveniles' race/ethnicity causes DMC, there was greater disagreement among subgroups on this issue than for any other. Significant differences were observed by county, race/ethnicity, age, and stakeholder category (Figure 42). Study participants in Bell (27%) and Harrison Counties (24%) were more likely than other study sites (6% to 18%) to believe racial/ethnic discrimination is a factor ($p<.05$). Both African American (35%) and Hispanic respondents (19%) were more likely to view race/ethnicity as a cause of DMC than were Whites (11%, ($p<.05$).

Respondents also grow more likely to think youths' race is a factor as they grow older. Virtually no study participants under the age of 35 attribute DMC to juveniles' race/ethnicity compared to 21% of those over the age of 45 ($p<.05$). Finally, among different types of stakeholders, members of the "other community stakeholder" group including advocates and church leaders (33%) were more likely than those that work with either at-risk (14%) or delinquent youth (10%) to identify youths' minority status as a factor causing DMC ($p<.01$).

***Immigrant Status.*** Just 7% of survey respondents believe that immigrant youth face challenges that put them at risk of DMC (Figure 40). Many of the individuals holding this view are in Cameron County, a border community with a large immigrant population (Figure 43).

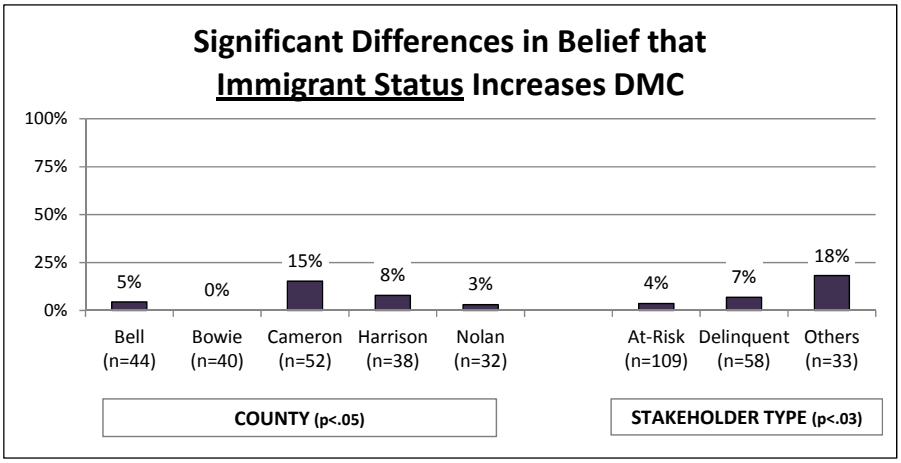
- During listening sessions, participants said children in large immigrant families may be raised by a mother alone while the father seeks work away. The relative lack of supervision increases their risk of justice contact.

- Many of these children are also unable to speak English, isolating them from their non-immigrant peers at school and pushing them out of the cultural mainstream.

- The belief that there is little opportunity for professional success among illegal immigrants may also reduce incentives to try hard in school.

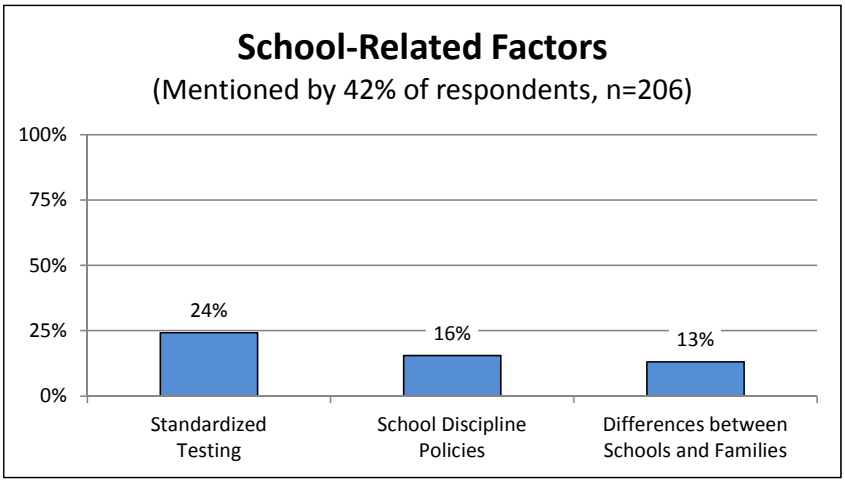
A relatively small percentage of study participants believed these challenges, taken together, can increase the risk of justice involvement and DMC among immigrants.

**Figure 43**




Despite the low salience of this issue overall, there were sizeable differences in sub-group perspectives (Figure 43). Respondents from Cameron County (15%), the only study site located on the Mexican border, were at least twice as likely as other participants to believe juveniles' immigration status increases the chance of justice contact ($p<.05$). Members of the "other stakeholder group" which includes faith leaders and advocates were also significantly more likely to believe immigration status is a factor compared to stakeholders who work with at-risk (4%) or delinquent youth (7%, $p<.03$).

**Figure 44**




## School-Related Factors Contributing to DMC

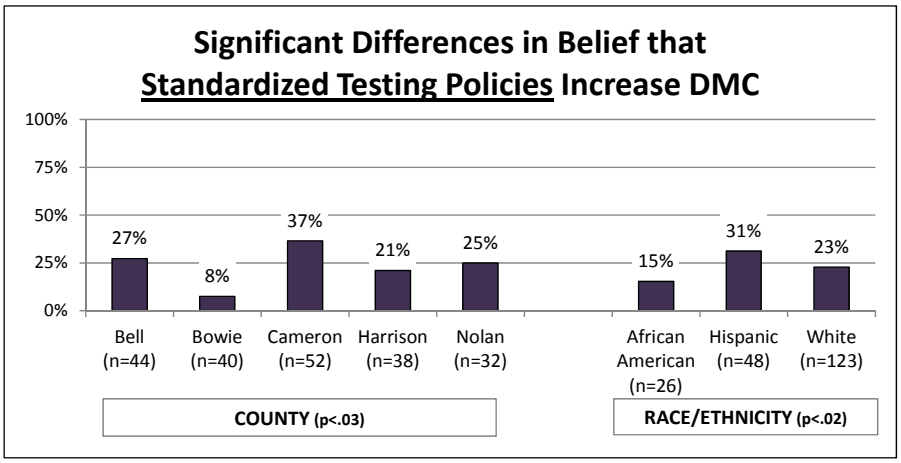
Forty-two percent of survey respondents mentioned at least one school-related factor as a possible cause of disproportionate minority juvenile justice contact (Figure 33). In order from most to least important, the specific issues named included standardized testing policies, school discipline policies, and issues of communication between schools and families.

***Standardized Testing***. Of the three school-related issues raised, standardized testing policies were considered the most likely to contribute to DMC (24%; Figure 44).

- As the issue was described in listening sessions, constant drilling to prepare students for TAKS testing prevents teachers from focusing on students' overall well-being. Instead of spending time helping students address individual learning needs, a single learning standard is applied to all children.

- Stakeholders argued that if more instructional time was spent exposing students to courses and content related to their interests, more students would remain engaged in school. In this way, shifting the focus away from standardized testing would reduce dropout and delinquency rates as well as DMC.

**Figure 45**




When comparing subgroups, Hispanic survey respondents (31%, p<.02) and those in Cameron (37%) and Bell Counties (27%, p<.03) were the most likely to view school testing policies as a factor contributing to DMC.. Those in Bowie County (8%), on the other hand, were largely unconcerned about this issue (Figure 45).

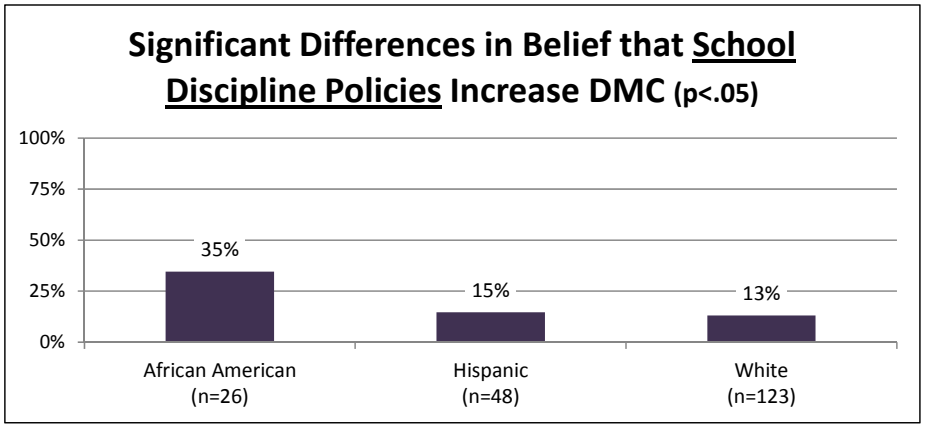
***School Discipline Policies***. A small percentage of study participants (16%) believe school discipline policies increase the over-representation of minority juveniles in the justice system (Figure 44).

- Listening session participants who hold this view stated that teachers lack authority to deal with disciplinary violators and fear legal challenges if they take action. As a result, schools have difficulty using consequences to control students' behavior.

- When punishment is administered, discipline actions frequently remove students from their home classroom and campus, putting them behind in their courses and pulling them away their mainstream peers. Some stakeholders believe these factors push at risk students toward dropout and delinquency.

- Listening session participants also mentioned the growing law enforcement presence on many campuses as a problem for school discipline policy. With officers readily available, what once might have been considered a routine school discipline incident is now more likely to result in a formal arrest and a corresponding criminal record.

**Figure 46**




Though only a small proportion of study participants see school discipline policies as a major cause of DMC, respondents' views on this issue vary by race/ethnicity (Figure 46). African American respondents (35%) are at least twice as likely to express concern about the effects of school policies compared to their Hispanic (15%) and White counterparts (13%, $p<.05$).

***Differences between Schools and Families.*** Only 13% of survey respondents feel conflicts and lack of communication between schools and families are a cause of DMC (Figure 44). Listening session participants defined this issue in terms of both the school and family perspectives.

- On the one hand, stakeholders argued some parents do not adequately support schools. They may fear or mistrust school personnel, fail to back their children's teachers, or allow their children to challenge school authority.

- On the other hand, participants also said schools sometimes do not adequately support parents. These institutions are not always approachable and "user friendly" for poor, uneducated, or minority parents. Teachers may not be aware of students' personal experiences, and they may not always be responsive to students' individual needs.

Some stakeholders argued these factors can distance youth and families from school, increasing dropout and delinquency. There were no subgroup differences in support for this point of view.

## Need for Supervised Programs Contributing to DMC

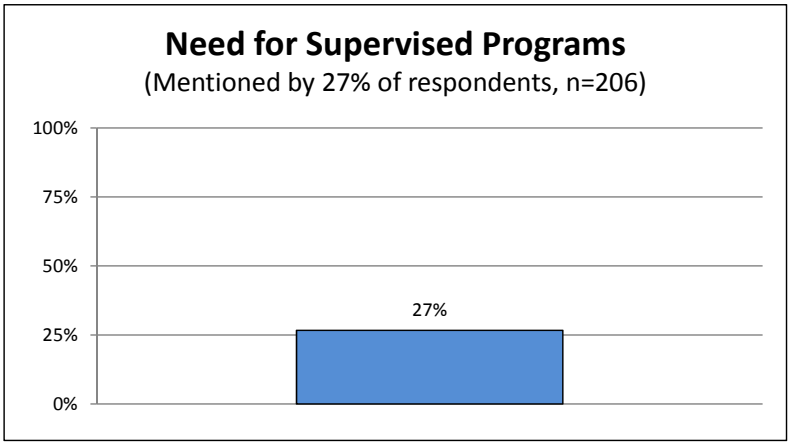
More than one in four survey respondents (27%) identified a lack of supervised community programs as a factor contributing to DMC (Figure 33).

- People expressing this concern said some young people are largely unsupervised during the after-school and summer hours when they are away from school. This increases their opportunity to become involved with negative peers or juvenile crime.

- Even when supervised programs exist, they may not be available in the neighborhoods where the most at-risk youth reside. To be effective, the service must be easily accessible without adult transportation.

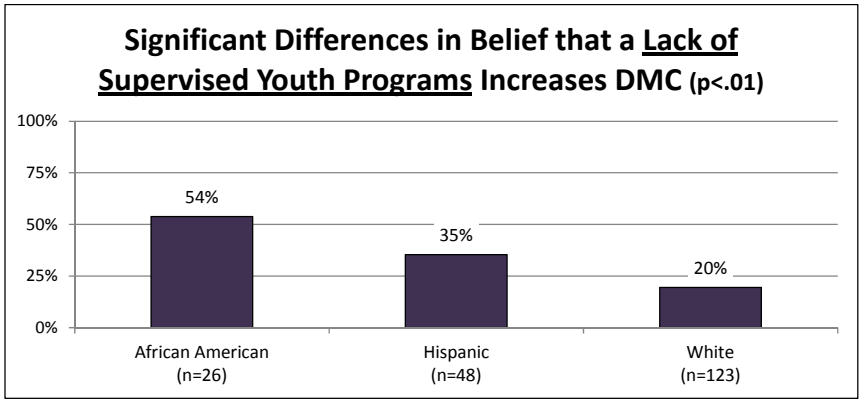
Study participants who mentioned this issue believe DMC could be reduced if supervised community programs were more readily available in locations where they can be easily accessed by at-risk youth.

**Figure 47**




African American respondents are more likely to share perceive the need for after-school and summer youth programs than are respondents of other race/ethnicities (Figure 48). In fact more than half of all African American survey participants (54%) feel more supervised youth programs would positively impact DMC compared to only about one-third of Hispanic participants (35%) and one-fifth of Whites (20%, p<.01).

**Figure 48**



## Conclusion

This chapter examined the factors identified by local stakeholders as causes of DMC. There is a strong general consensus (97%) that disproportionate minority contact with the justice system is largely explained by family and social factors (Figure 33). Broken family units, poverty, a lack of role models, and norms that under-value the importance of education are believed to create instability and chaos in the lives of youth that leave them vulnerable to delinquency (Figures 33 and 34). Far fewer study participants, but still a majority (58%), named justice-system factors as primary contributors to disproportionality (Figures 33 and 37). In this area, study participants were most concerned about the limited availability of early intervention opportunities for youth just beginning to exhibit delinquent behavior.

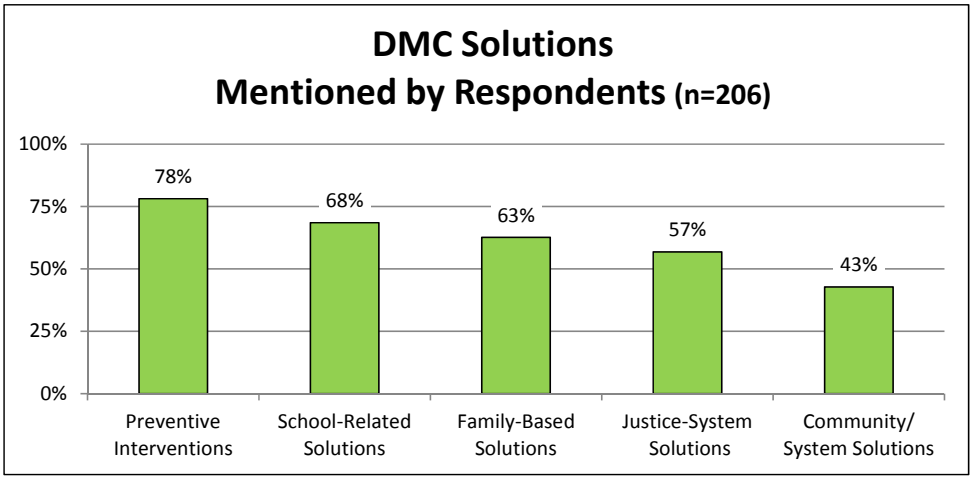
Nearly half of community members surveyed (48%) named a special population with risk factors that increase their chance of justice contact but there was little agreement on one specific group of concern (Figures 33 and 40). The two largest risk groups identified were youth with mental health or behavioral disorders, followed by members of minority groups. School-related factors were mentioned by 42% of respondents with standardized testing emerging as the primary concern (Figures 33 and 44). Finally, a sizeable proportion of survey respondents (27%) attributed DMC to a lack of supervised programs available to at-risk youth (Figures 33 and 47).

# CHAPTER 6:
# POTENTIAL SOLUTIONS TO DMC

## 6. POTENTAL SOLUTIONS TO DISPROPORTIONATE MINORITY CONTACT

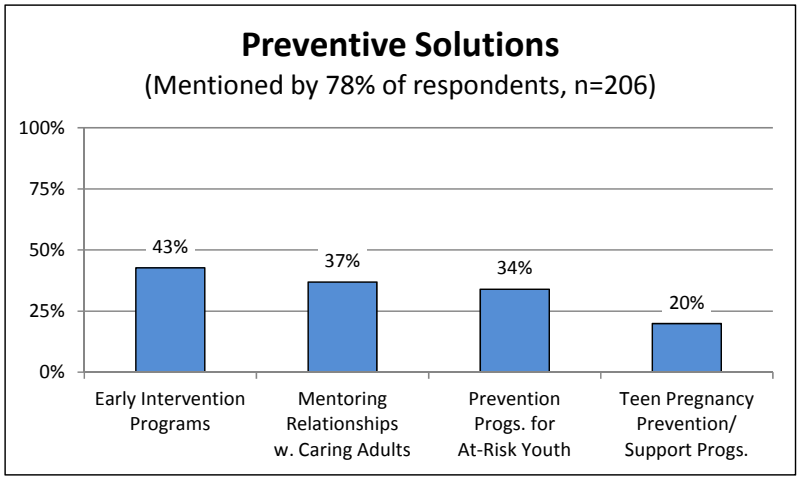
In addition to discussing their views on causes of DMC, listening session participants were asked to propose solutions they believe would help reduce minority justice system contact. The eighteen solutions named can be grouped into five general categories shown in Figure 49.

**Figure 49**




Survey respondents reached the broadest agreement (78%) that preventive interventions implemented before justice contact occurs are most beneficial for reducing DMC. A substantial number of respondents (68%) also favored at least one of four strategies to increase school success. Family-based solutions increasing supports or accountability for parents were named by 63% of respondents and solutions involving changes in the juvenile justice system were also widely mentioned (57%). The smallest percentage of respondents (43%) favored some type of broad-based community- or system-level solution. The following sections explore each of these proposed solutions in greater detail.

**Figure 50**



## Preventive Interventions to Reduce DMC

Preventive approaches to help juveniles build strengths before delinquency occurs were favored by 78% of study participants (Figure 49). Four specific strategies were named (Figure 50). The greatest support was given for programs that identify and respond to needs that increase risk of justice contact among children at a young age. More than one-third of respondents also favored mentoring programs and prevention programs that provide supervised care. Supports and programs for pregnant and parenting teens were recommended by the fewest respondents.

***Early Interventions Targeting Young Children***. To the extent that community stakeholders favored preventive interventions to address DMC, there was a slight preference for strengthening programming targeting very young children (Figure 50). Forty three percent of individuals surveyed agreed early intervention is better, preferably beginning during the pre-school years.

- Listening session participants articulating this solution said that the best outcomes could be achieved if, before the age of 4, problems such as learning disabilities or mental illness that might interfere with children's success were identified and addressed.

- High-quality preschool programs were also recommended as a means to help children prepare for academic success and learn good decision-making skills before school enrollment.

Study participants are all about equally likely to support early intervention programs to address DMC. No meaningful between-group differences were found.

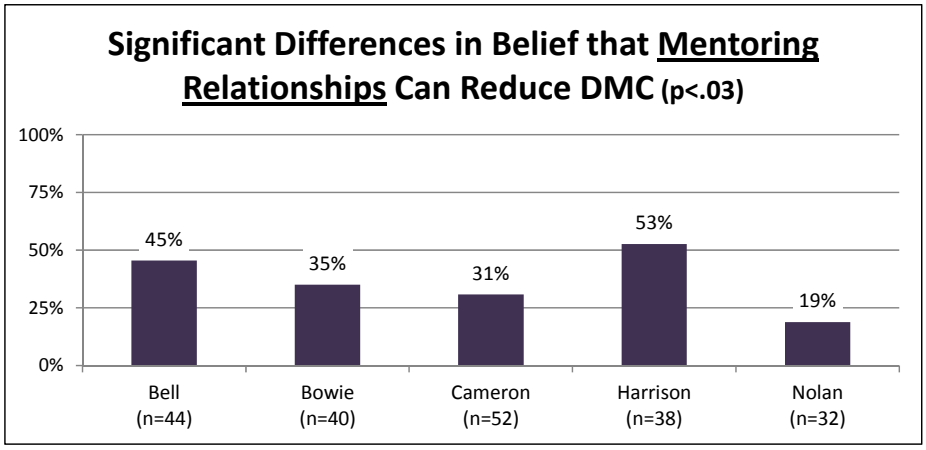
***Mentoring Relationships***. Programs that create opportunities for mentoring and close relationships with caring adults were considered by 37% of survey respondents to be an appropriate response to reduce DMC (Figure 50).

- Listening session participants view mentoring programs as most beneficial for special populations such as delinquent youth, foster youth, youth with incarcerated parents, males with absent fathers, and males who are fathers.

- If funds were available to pay staff to recruit mentors, perform background checks, and pair youth with adults, many participants felt mentors would be willing to volunteer their time. Another approach to increase youths access and exposure to caring adult role models called for stipends to teachers willing mentor at-risk youth at school.

Study participants naming this solution felt that that a one-on-one relationship with a competent, concerned, and successful adult to emulate could help troubled juveniles develop knowledge, skills, and attitudes required for a positive and productive future.

**Figure 51**




Differences of opinion about the value of mentoring relationships were observed across counties (Figure 51). Survey participants in Harrison (53%) and Bell Counties (45%) were significantly more likely to consider one-on-one relationships with an adult to be of value in addressing DMC than were their peers in Nolan County (19%, p<.03). The other counties reported levels of support for mentoring between these extremes.

***Prevention Programs for At-Risk Youth***. About one-third of community stakeholders (34%) feel DMC could be reduced through organized after-school and summer prevention programs targeting at-risk youth (Figure 50).

- In describing what these programs might be like, listening session participants said they should provide supervised activities for children in accessible community locations.

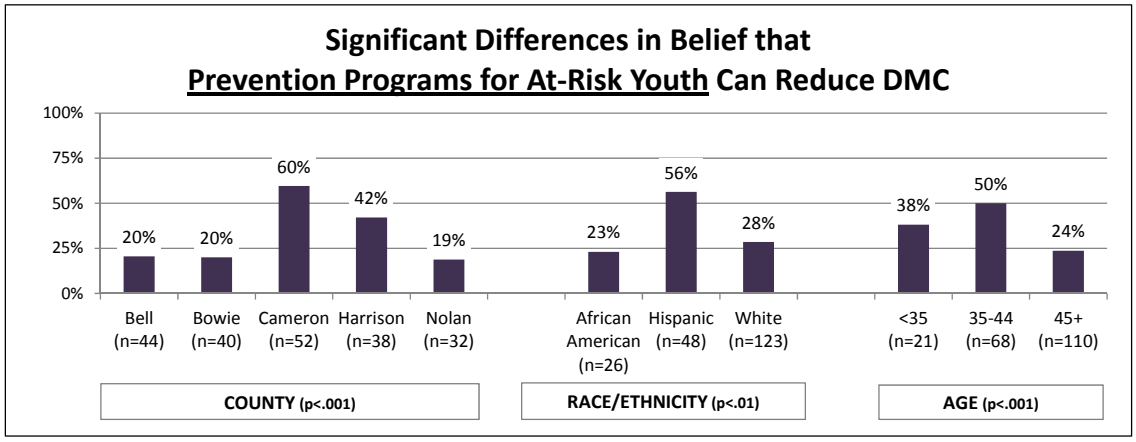
- The programming should teach skills such as anger management, decision-making, drug and alcohol resistance, or social skills, as examples.

- Enrichment opportunities such as computers, field trips, and school tutoring were mentioned as important program components, as were opportunities for interaction with positive role models potentially including program staff, volunteer mentors and law enforcement.

Organized prevention programs are viewed as a means to create a safe and supervised environment in which children can acquire skills and attitudes needed to resist involvement in delinquent behavior. By reducing juvenile justice contact, these programs are also expected to reduce DMC.

Some sub-groups clearly see a greater need for prevention programming than do others (Figure 52). The majority of Hispanic study participants (56%, p<.01) and of respondents from Cameron County (60%, p<.001) believe improved access to supervised activities is an important component of DMC reduction. Individuals between the ages of 35 and 44 – that is, those most likely to have adolescent children – were also more supportive of investment in organized prevention programming (50%) than were older respondents (24%, p<.001).

**Figure 52**




***Teen Pregnancy Prevention and Support***. One in five survey participants (20%) agreed that programs to prevent teen pregnancy or to provide support for teens who are already parents could be effective in reducing DMC (Figure 50).

- Study participants emphasized the need to help juveniles better understand the responsibilities of parenting before they have children. They argued that pregnancy prevention programs should teach youth the importance of completing their own education and career readiness in order to provide a positive future for themselves and their family.

- For young people that have already become parents, the main contribution of teen parent support initiatives would be in terms of helping young families create a more secure and stable home environment for the children being raised.

Twenty percent of study participants felt that DMC could be reduced by helping young parents or teens at risk of becoming parents learn information to become better prepared. By increasing the number of families ready to adequately support and supervise their children, delinquency and DMC can be reduced.

**Figure 53**

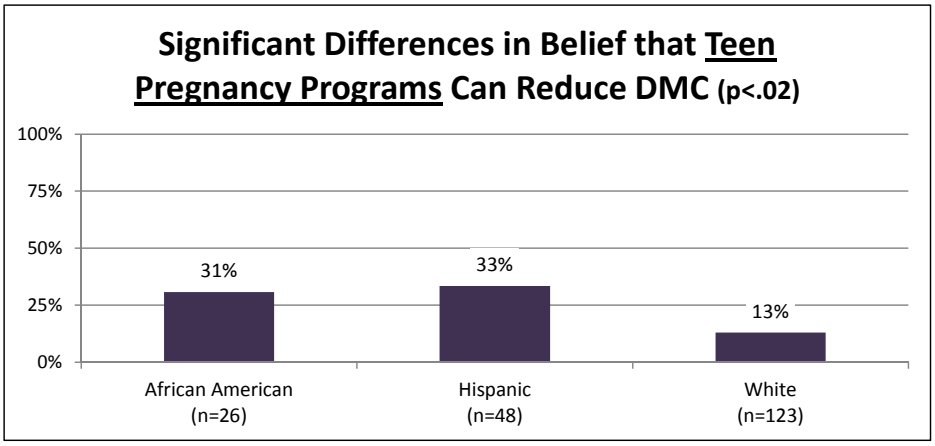
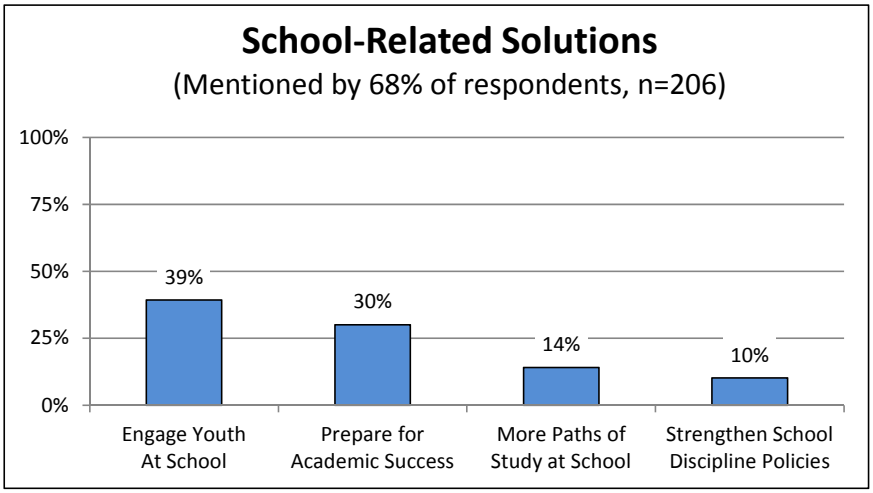


Figure 53 shows African American (31%) and Hispanic respondents (33%) are significantly more likely to feel teen pregnancy prevention and support programs could help achieve DMC reduction ($p<.02$). Only 13% of White survey participants hold this view.

## School-Related Solutions to Reduce DMC

Sixty-eight percent of survey respondents felt that some solutions to DMC should be based in the schools (Figure 49). The four specific recommendations involved creating engaging opportunities to keep school interesting, enhancing academic preparation, offering more diverse paths of study, and strengthening discipline policies (Figure 54).

**Figure 54**



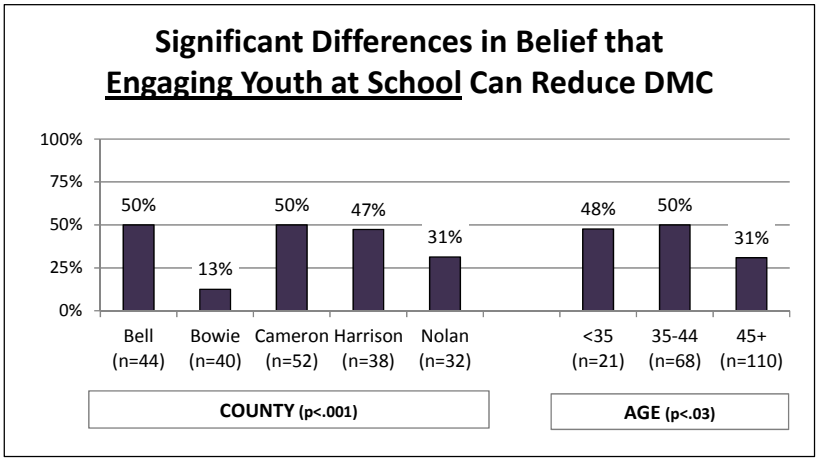

***Engage Youth at School***. The most widely mentioned school-related DMC solution (39%) was to find ways to engage and connect at-risk youth to school (Figure 54).

- Individuals holding this view said schools should offer activities, programs, and services that help students feel positively about attending and participating in school. These programs would not necessarily have primarily academic goals, but would instead be designed to promote school bonding. Examples named include Communities in Schools (CIS) Programs, the Hispanic Newcomers Club, and ROTC.

- Listening session participants also felt school staff could make school more welcoming for all students by avoiding stereotypes and communicating personal concern and high expectations for all students.

If students can view school as a positive environment in which they want to spend time, they are expected to remain engaged, complete their studies, and avoid juvenile justice involvement, thereby reducing DMC.

**Figure 55**




Respondents in Bowie County (13%) were significantly less likely than other stakeholders to consider school engagement to be an important DMC reduction measure (p<.001; Figure 55). The reason for this large and surprising discrepancy is not known. Older respondents (31%) were also less likely to believe increasing bonding with school is an effective DMC solution compared to people under the age of 45 (48-50%, p<.03). Younger respondents may favor school bonding programs because they are more likely to have children who are currently school-aged.

***Better Preparation for Academic Success***. Thirty percent of individuals surveyed said programs that prepare students to succeed academically will help reduce DMC (Figure 54).

- Listening session participants said measures should be taken to ensure young children have a strong academic foundation in pre-school and elementary school.

- Intensive support programs should then be available to keep children on track academically through graduation.

Agreement that helping children succeed academically can reduce DMC was consistent across all study participants with no significant differences in opinion between sub-groups.

***More Diverse Paths of Study at School***. A relatively small number of respondents (14%) contend that students would be more likely to stay in school and focus on their studies if more interesting and relevant courses of study were available (Figure 54).

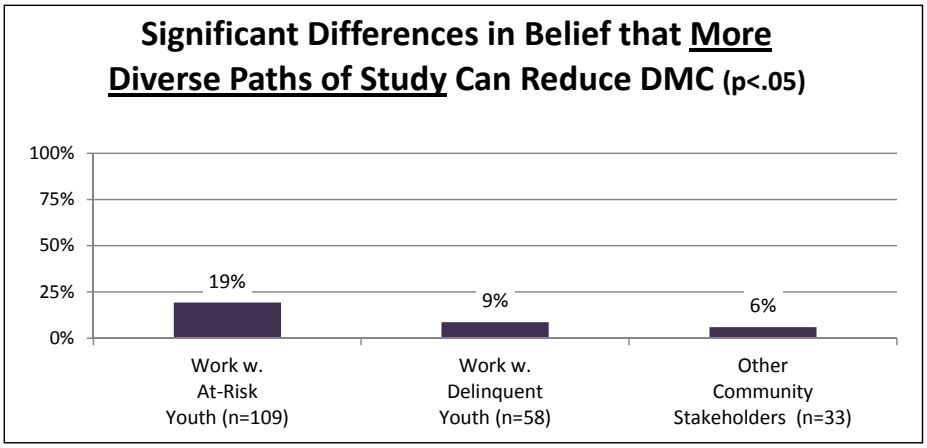
- Listening session participants holding his view argued that if college readiness is established as the primary standard of success, then many students will drop out of high school because it does not meet their needs or interests.

- Instead, it was recommended that schools offer courses of study ranging from college preparatory classes to career and technology programs that provide marketable skills immediately after graduation.

These participants felt students are more likely to succeed in school if available educational opportunities are more closely matched to their own expectations, needs, and interests.

Professionals who work directly with youth at risk of school dropout (19%) were significantly more likely than other respondents (6- 9%) to agree that more diverse paths of study could potentially reduce minority justice system contact ($p<.05$; Figure 56). This finding is important considering the majority of individuals in this category (64 percent) are school personnel with direct insight into this issue (Figure 20).

**Figure 56**



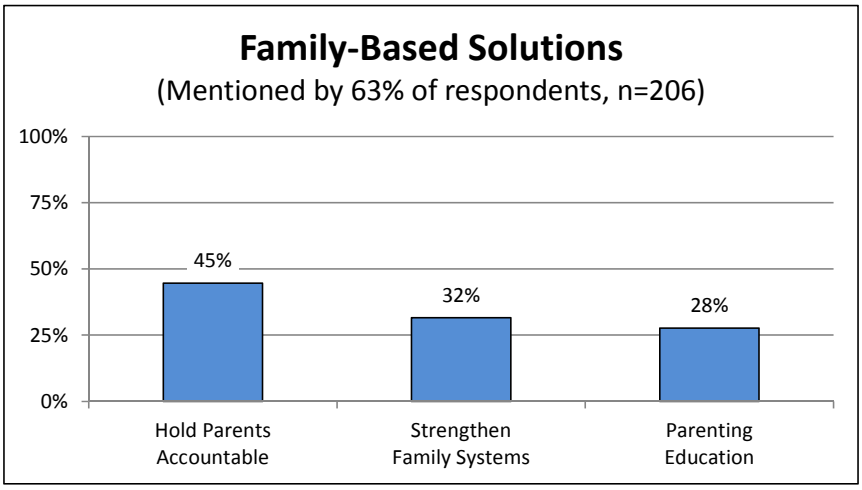

***Strengthen School Discipline Policies***. Of the four school-based solutions named, the smallest proportion of respondents (14%) felt that changes to school discipline policies would be an effective means to reduce DMC (Figure 54).

- It was argued in listening sessions that instead of pushing juveniles out of school through suspensions, disciplinary alternative education program placements, and expulsions, school disciplinary policies and placements should be changed to interest and engage juveniles in school.

- As an alternative, some participants felt disciplinary placements could be used to provide at-risk youth with positive interventions such as academic instruction or GED preparation, help applying for vocational or other post-secondary programs, cognitive-behavior therapy, community service opportunities, or to expose juveniles to positive relationships with caring adults.

Support for a solution focusing on new school discipline policies was low compared to other more widely preferred strategies to reduce DMC, and support for this solution was about the same for all subgroups.

**Figure 57**




## Family-Based Solutions to Reduce DMC

About two-thirds of community stakeholders responding to the survey felt that some solutions addressing DMC should focus on family interventions (Figure 57). The specific solutions proposed include initiatives to increase parental responsibility, strengthen family systems, and offer parenting education.

***Hold Parents More Accountable***. Forty-five percent of participating community stakeholders believe that making parents more accountable for the behavior of their children could reduce DMC (Figure 57). This was the single most widely supported solution to DMC.

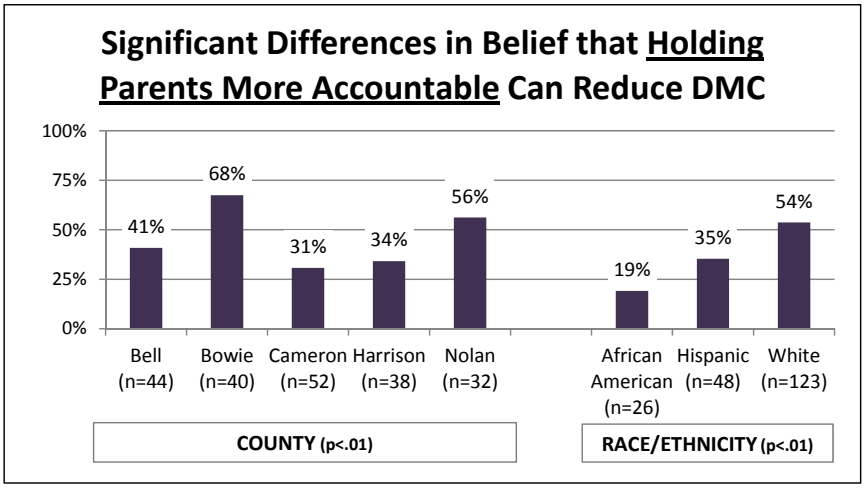
- Listening session participants holding this view stated that parents should be legally required to make sure their children attend school, meet conditions of probation, receive medication as prescribed, and fulfill other needs and obligations.

- If meaningful consequences were imposed on parents, it is argued, they would have more incentives to be accountable for the actions of their children.

With legally-enforced attention and support from parents to make sure children do the right thing, respondents felt youth will be more likely to avoid juvenile justice contact.

Respondents in Bowie (68%) and Nolan Counties (56%) voiced the strongest support for holding parents more accountable as a solution to DMC ($p<.01$; Figure 58). The lowest levels of support for parental accountability initiatives are in Cameron (31%) and Harrison Counties (34%). There are also significant differences in perspective by race/ethnicity. Whites (54%) are more likely to believe greater parental accountability would reduce DMC than are either African American (19%) or Hispanic respondents (35%, $p<.01$).

**Figure 58**

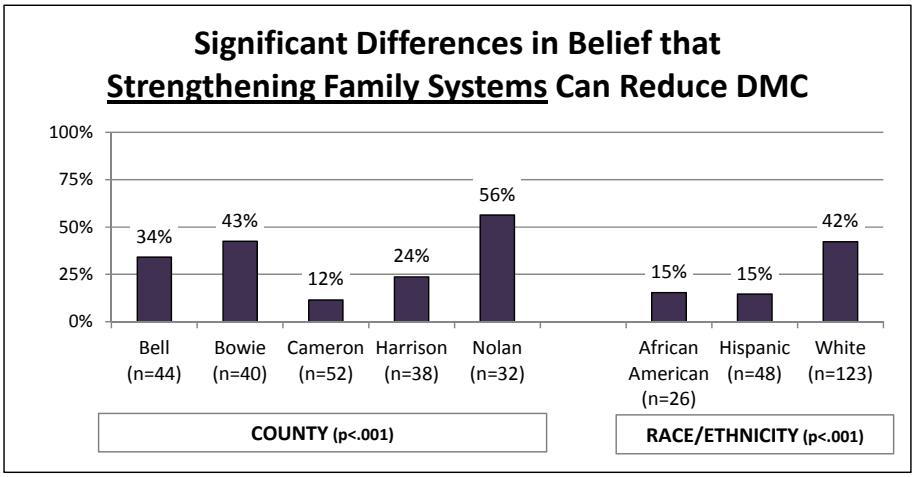



***Strengthen Family Systems***. About one-third of survey participants (32%) feel that to prevent DMC, action should be taken to strengthen family systems (Figure 57).

- Listening session participants advocating for this solution said high-need families should be identified and referred by sources such as schools, adult or juvenile probation departments, or medical doctors.

- It was argued that personalized parenting education, treatment, and support services, potentially including intensive in-home intervention for the entire family, can teach new skills and competencies. With supports, families can learn to interact more effectively, make better decisions, and achieve more positive outcomes for both parents and children.

**Figure 59**




By creating a more stable and structured home environment for the highest-risk youths, the risk of juvenile justice involvement would be expected to decline in families receiving intervention.

There were strong differences of opinion about the efficacy of this approach based on respondents' county and their race-ethnicity (Figure 59). Individuals in Nolan (56%) and Bowie Counties (43%) were by far the most supportive of targeted family interventions while those from Cameron County (12%) were the least likely to support this approach (p<.001). Support was also nearly three times greater among White respondents (42%) than for other race/ethnicities (15%, p<.001).

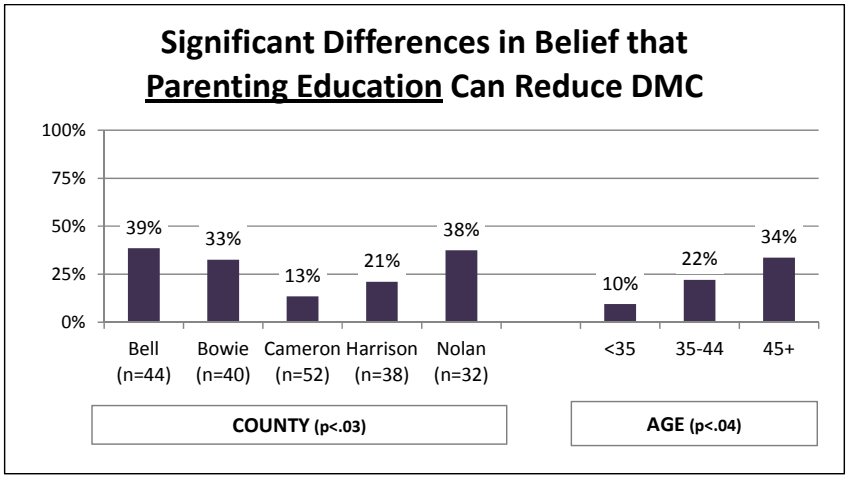
***Parenting Education***. Twenty-eight percent of respondents surveyed favor parenting education as a means of reducing DMC (Figure 57). Listening session participants identified two general approaches to implementing parenting classes.

- Some individuals believe parenting programs should be court ordered for parents whose children have had contact with the justice system. The skills gained would be designed to help parents provide better guidance and support for their children, preventing further delinquency.

- Others proposed that parenting instruction should be targeted toward special populations such as teen parents, school-age students, and youth in disciplinary placements. In this case, the intention is to give juveniles – particularly those at risk – exposure to the principles of effective parenting to improve their skills when raising children of their own.

By giving parents new skills to work more effectively with their children, they learn how to achieve better guidance, supervision, and discipline at home, thereby reducing juvenile justice involvement and DMC.

**Figure 60**

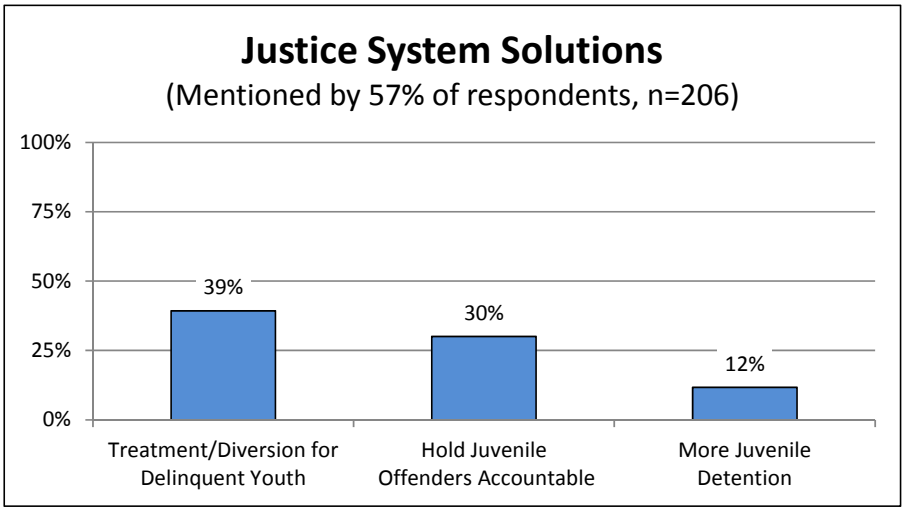



Differences of opinion on the efficacy of parenting education were observed by study site and by respondent age (Figure 60). Stakeholders in Bell (39%) and Nolan Counties (38%) were significantly more supportive of parenting education than were respondents from Cameron (13%) or Harrison Counties (21%; p<.03). Support also grew significantly greater with age. Only 10% of respondents under the age of 35 believe parenting education is an appropriate solution to DMC, while among respondents over the age of 45 the figure rises to 34% (p<.04).

## Justice-System Solutions to Reduce DMC

More than half of stakeholders surveyed (57%) felt that a solution to DMC could be found within the criminal justice system (Figure 49). The three specific solutions mentioned were to increase interventions for justice-involved youth, hold juvenile offenders more accountable for their actions, and create more local juvenile detention (Figure 61).

**Figure 61**




***Treatment and Diversion for Delinquent Youth***. Among respondents who favored a juvenile justice response to reduce DMC, the largest proportion (39%) felt more programs and services are needed to help delinquent youth get on a positive track (Figure 61). This solution involves several aspects defined by listening session participants.

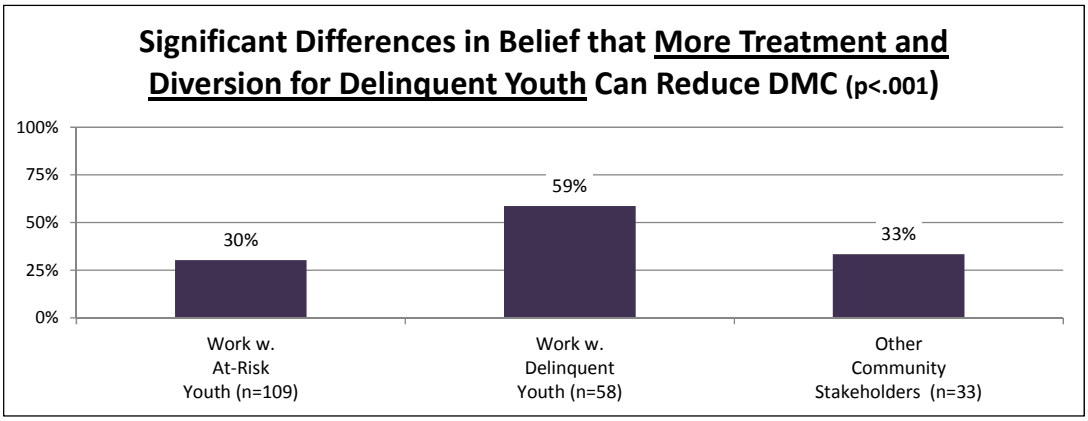
- First, it was argued that specialized professional expertise is needed to address needs and problems faced by juvenile offenders. Many of these youth have unresolved problems requiring counseling, mental health treatment, substance abuse treatment, sex offender treatment, GED preparation, or other forms of assistance.

- Second, stakeholders said personnel are also needed to provide more meaningful supervision and follow-up on juveniles who are not meeting the conditions of the court. These staff would, at a minimum, include truancy officers, probation officers, and judges.

- Finally, listening session participants said more diversion programs are needed. Specifically, non-criminal, treatment-oriented alternatives are more appropriate for juveniles whose behavior is a result of mental illness. More diversion opportunities should also be publicly funded in order for juveniles without an ability to pay to have access to treatment or community service alternatives.

According to this view, taking advantage of a justice system contact to expose youth to positive interventions can reduce disproportionate minority contact.

**Figure 62**



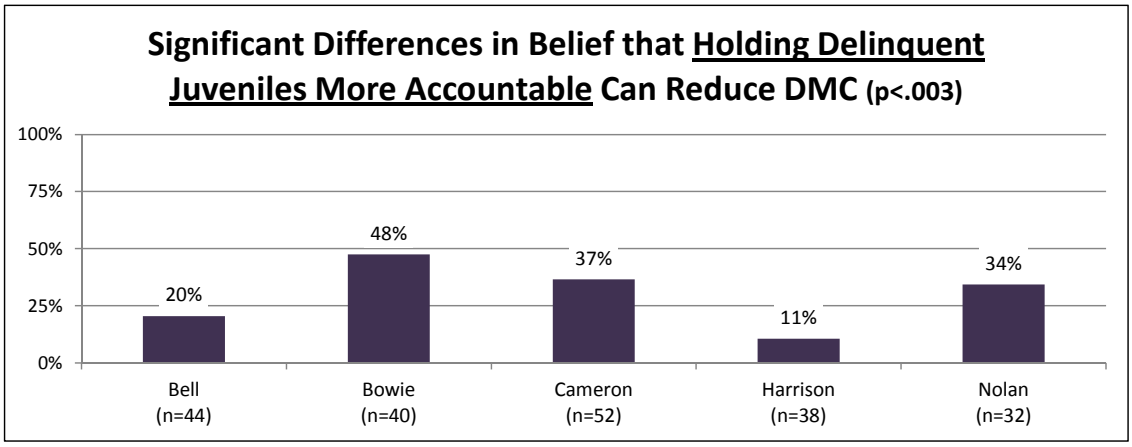

People who work with delinquent youth (59%) were nearly twice as likely as their peers in other professions (30% to 33%) to agree that more assistance, treatment, and diversion would positively impact DMC (p<.001; Figure 62). This finding is meaningful to the extent that people working with justice-involved youth have the most direct knowledge of the needs of delinquent youth and of the system's current capacity to respond.

***Hold Delinquent Juveniles More Accountable***. About one in three community stakeholders (30%) believe that increasing punishments for delinquent behavior is a potential solution to DMC (Figure 61). Still, about half of respondents who want greater accountability measures also support enhancing therapeutic treatment and diversion interventions.

- Listening session participants favoring accountability advocated for stronger court sanctions for pre-delinquent youth (e.g., "Children in Need of Supervision" violators), assertively prosecuting truancy, and creating stronger consequences for juveniles who fail to comply with court or probation orders.

- These study participants argue that appropriate punishments will encourage delinquent children to change their behavior and avoid future juvenile justice involvement.

**Figure 63**



Support for increased juvenile accountability varies significantly by study site (Figure 63). Bowie County respondents (48%) showed strong support for this solution, while those in Harrison (11%) and Bell Counties (20%) were less supportive of punitive approaches (p<.003).

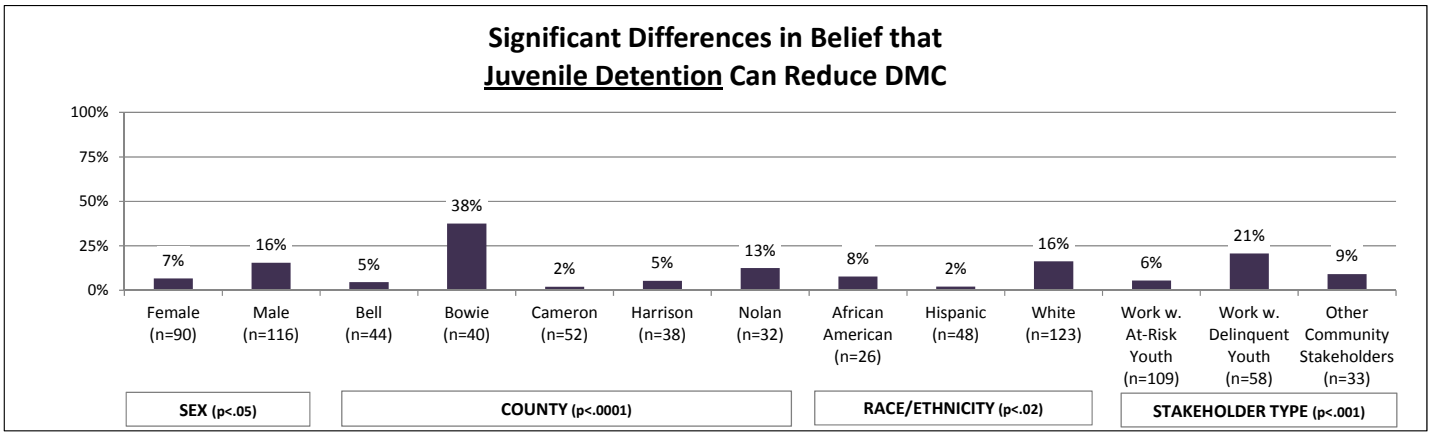
***More Juvenile Detention***. Only 12 percent of survey respondents, mostly in Bowie County, mentioned increased access to juvenile detention as a solution to DMC (Figure 61).

- Individuals expressing this need said that local detention is needed to compensate for the recent loss of beds available to rural counties at the Texas Youth Commission facility. As funding for community support programs has also been cut, high-risk youths increasingly remain in the community without either detention or treatment available.

- Additional beds would remove serious offenders from the community, and offer detained youths a placement option near home and family.

Increasing juvenile detention is expected to reduce DMC by keeping potentially dangerous youth in a secure, confined place where they can receive intervention needed to change their behavior. It should be noted that this position is contrary to recommendations from the Office of Juvenile Justice and Delinquency Prevention.[3] OJJDP encourages communities to consider alternatives to secure detention (e.g., home confinement or structured day treatment) as a response to DMC. Not only are detention alternatives less costly than secure confinement, but they increase the number of secure beds available for the most serious and violent offenders.

**Figure 64**




Though overall support for increasing juvenile detention was low, sub-groups in the study differed significantly in their views on this issue (Figure 64). Males (16%) were more than twice as likely as females (7%) to think more detention is needed (p<.05). Furthermore, the greatest support for detention was expressed in Bowie

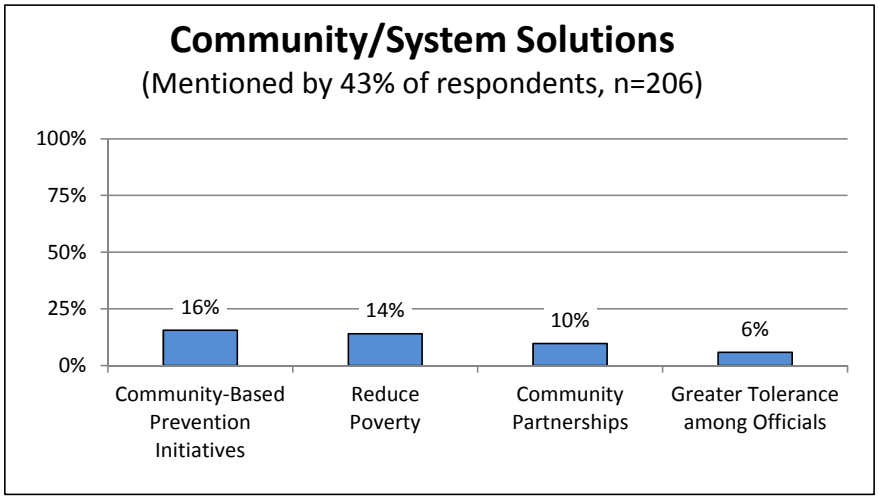
[3] Office of Juvenile Justice and Delinquency Prevention. (July, 2009). Disproportionate Minority Contact Technical Assistance Manual, Fourth Edition. Washington DC: US Department of Justice, Office of Justice Programs.

County (38%) while other counties were relatively uninterested (p<.0001). White respondents (16%) were at least twice as likely to name detention as a favorable solution than were other race/ethnicities (2% to 8%, p<.02). Finally, people who work with delinquent youth (21%) are three times as likely to perceive detention positively compared to other stakeholder types (6% to 9%, p<.001).

## Community- and System-Level Solutions to Reduce DMC

The final category of DMC solutions includes high-level recommendations that span the entire community or service system. Though 43% of survey participants mention at least one community/system-level solution (Figure 49), none of the four possible solutions in this category was named by a large number of respondents (Figure 65).

**Figure 65**



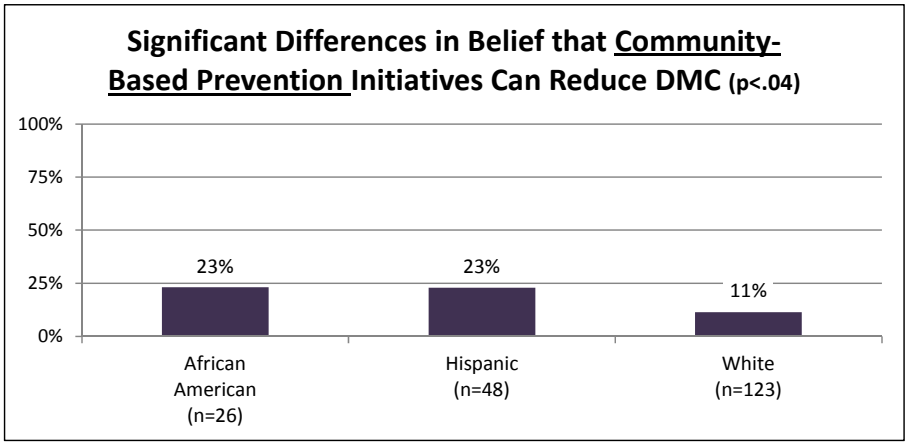

***Community-Based Prevention Initiatives***. Of the four community/system level solutions identified in listening sessions, community-based prevention initiatives received the greatest support as a means to reduce DMC (Figure 65). Still this solution was selected by only 16% of all survey respondents, perhaps because many were not familiar with the approach.

- Listening session participants defined community-based prevention as using local crime statistics to describe and better understand juvenile offense patterns throughout the county.

- Based on this information, community members in specific cultural and geographic communities would be called upon to share responsibility for developing appropriate solutions to address DMC in their own neighborhoods.

Benefits of community-based strategies could include increased commitment and "buy-in" to procedures developed by the stakeholders most affected, as well as the development of DMC solutions that are compatible with diverse community cultures.

**Figure 66**



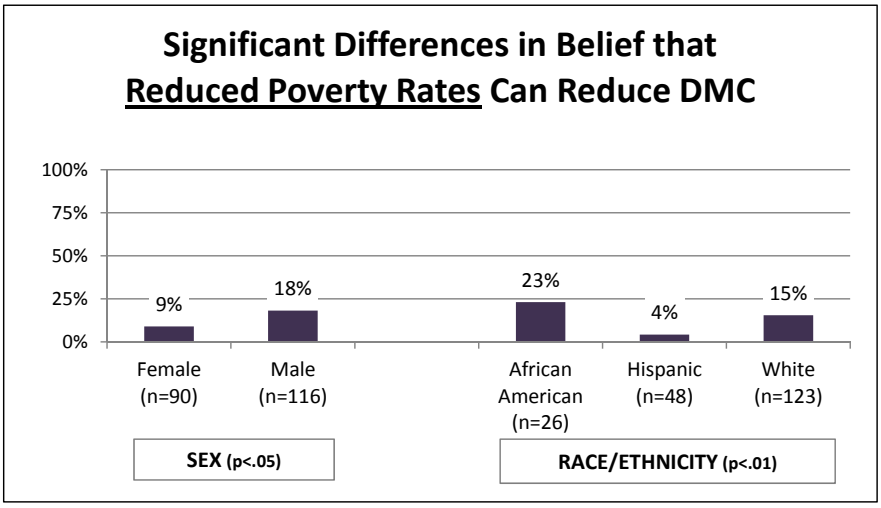

There were statistically significant differences in preferences for community-based prevention initiatives by race (Figure 66). Both African American (23%) and Hispanic(23%) respondents were more than twice as likely to name this as a feasible solution to DMC compared to Whites (11%; p<.04).

***Poverty Reduction***. Fourteen percent of stakeholders surveyed said programs designed to address the problem of poverty could potentially reduce DMC (Figure 65).

- In explaining what types of solutions this approach would entail, listening session participants described initiatives to increase investment in poor communities, attract businesses, and create jobs and opportunity.

- A slightly different but potentially concurrent strategy to reduce poverty involved finding ways to improve families' ability to manage their personal finances.

**Figure 67**



Stakeholders argued that children raised in financially stable environments are subject to less family stress, live in less dangerous neighborhoods, and are generally exposed to more enrichment opportunities that support academic achievement and career success. In this way, poverty reduction initiatives are expected to impact DMC.

In terms of sub-group differences (Figure 67), male respondents (18%) are significantly more likely to think poverty reduction initiatives are a good idea than are females (9%; $p<.05$). At the same time, African Americans (23%) and Whites (15%) are more likely to consider poverty reduction as a means to reduce DMC than are Hispanic respondents (4%; $p<.01$).

***Community Partnerships***. Only 10% of stakeholders surveyed believe stronger partnerships between community organizations can help reduce DMC (Figure 65).

- During listening sessions, participants suggested that, through joint planning and coordination, networked community organizations could create a continuum of interventions and services impacting DMC.

- Strategies would need to be developed to increase communication and collaboration between the many relevant sectors including schools, the justice system, the foster care system, grassroots community organizations, youth-serving organizations, mental health specialists, churches, volunteers, and parents.

The idea is that, working together as a community partnership, these entities could build consensus and coordinate action across multiple sectors. Overall, however, relatively little support was expressed for this strategy and there were no differences of opinion within subgroups.

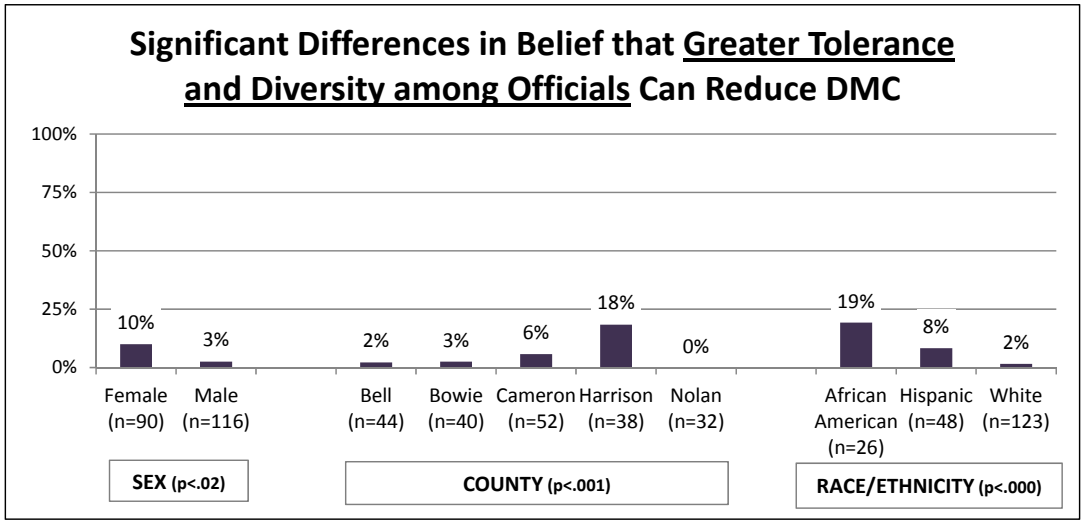
***Greater Tolerance and Diversity among Agency Officials***. As few as 6 percent of survey respondents believe greater tolerance and cultural diversity among agency officials will help reduce DMC (Figure 65).

- Listening session participants who defined this solution said public organizations and agencies – particularly those working with at-risk and minority youth and their families – should strive toward creating a racially and culturally diverse staff.

- In addition, cultural awareness training was recommended for agency officials, particularly those in positions of authority. Steps should be taken to eliminate bias against minorities so that all members of the community can develop trust toward public officials.

If minority youth were treated more equitably by law enforcement, prosecutors, the courts, and juvenile probation departments, it was argued, their rates of arrest, diversion, prosecution, and conviction would be closer to those of their non-minority peers.

**Figure 68**




Although relatively few respondents expressed a need for more tolerant agency officials as a means to reduce DMC, there were clear divisions of opinion by sex, county, and race/ethnicity (Figure 68). Females (10%) were much more likely to support tolerance and diversity initiatives than were males (3%, p<.02). Respondents in Harrison County (18%) were also far more likely to favor these types of agency-level interventions than those in any other study site (p<.001). Finally, African Americans (19%) were at least twice as likely to believe agency reforms would reduce DMC compared to Hispanics (8%) or Whites (2%, p<.000).

## Conclusion

This chapter has presented approaches to addressing DMC that were recommended by community members. Preventive interventions were the favored solution to DMC identified in this study (Figure 49). An overwhelming majority of respondents (78%) named approaches such as early intervention programs, mentoring programs, community-based prevention programs for at-risk youth, and teen pregnancy prevention and support initiatives, all of which help youth before they get into trouble (Figure 50).

School-related solutions were also widely mentioned (68%) including those designed to keep youth interested in school and on track academically (Figures 49 and 54). More than half of those surveyed (63%) said family-based solutions including both parental accountability and support measures could reduce minority contact (Figures 49 and 57). Fifty-seven percent of community stakeholders argued that solutions to reducing DMC should be centered in the justice system (Figures 49 and 61). These solutions called for increased access to professional intervention and diversion combined with greater accountability for delinquent youth. Finally, the least support was proffered for community- or system-wide solutions, none of which were selected by more than 16% of survey participants (Figures 49 and 65).

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# CHAPTER 7:
# CONCLUSIONS AND RECOMMENDATIONS

# 7. CONCLUSIONS AND RECOMMENDATIONS

The over-representation of minority juveniles in the justice system is a problem both nationally and in Texas. As part of their work to address this disparity, the Office of the Governor's Criminal Justice Division sponsored research to learn more about the problem from the perspective of local stakeholders. After identifying the fifteen Texas counties with the highest rates of disproportionality at the points of arrest, referral, and diversion, five communities were selected as study sites.

A methodology combining listening sessions and a follow-up survey was used to raise awareness among community leaders who are close to the problem, and to encourage their involvement in developing solutions. Their input will be considered by the Governor's Juvenile Justice Advisory Board in making long-term policy and funding decisions to address DMC both in the selected communities and statewide.

## Findings and Recommendations

A comprehensive summary of the major themes and sub-themes study participants identified as causes of and solutions for DMC are illustrated in Figures 69 and 70. When these findings are considered in total, several conclusions emerge that convey the opinions and priorities of the community representatives that took part in the study. These results, along with related recommendations, include the following.

**Finding 1: Community stakeholders agree that preventive solutions to DMC are a preferred priority.**

Preventive solutions are by far the preferred strategy for reducing justice contact among minority juveniles. Fully 78% of survey respondents mentioned a solution designed to build strengths and resiliency in young people before delinquency occurs (see pgs. 48-50; Figures 49, 50, and 70). The most support was given for early intervention programs to identify and address risk attributes beginning as early as the pre-school years (43%). Community stakeholders also believe DMC would be reduced by greater availability of programs that connect at-risk youth with caring adults (37%) and that offer a safe, positive place for juveniles to play and learn when they are away from school and home (34%).

**Recommendation:** Community stakeholders offer the greatest across-the-board support for programs that help children to address personal risk factors and strengthen resiliency to prevent delinquency. Ideally these programs should begin during early childhood and continue to support high-risk youth throughout the school years. It is recommended that priority consideration be given to increasing the availability of programs that reach at-risk youth who have not yet become involved in delinquency.

**Finding 2: Community stakeholders believe that helping children remain engaged in school and achieve academic success will contribute toward reducing DMC.**

The second most commonly recommended set of solutions to DMC, mentioned by 68% of respondents, are related to helping students succeed in school (see pgs. 51-54; Figures 49, 54, and 70). Community

**Figure 69**

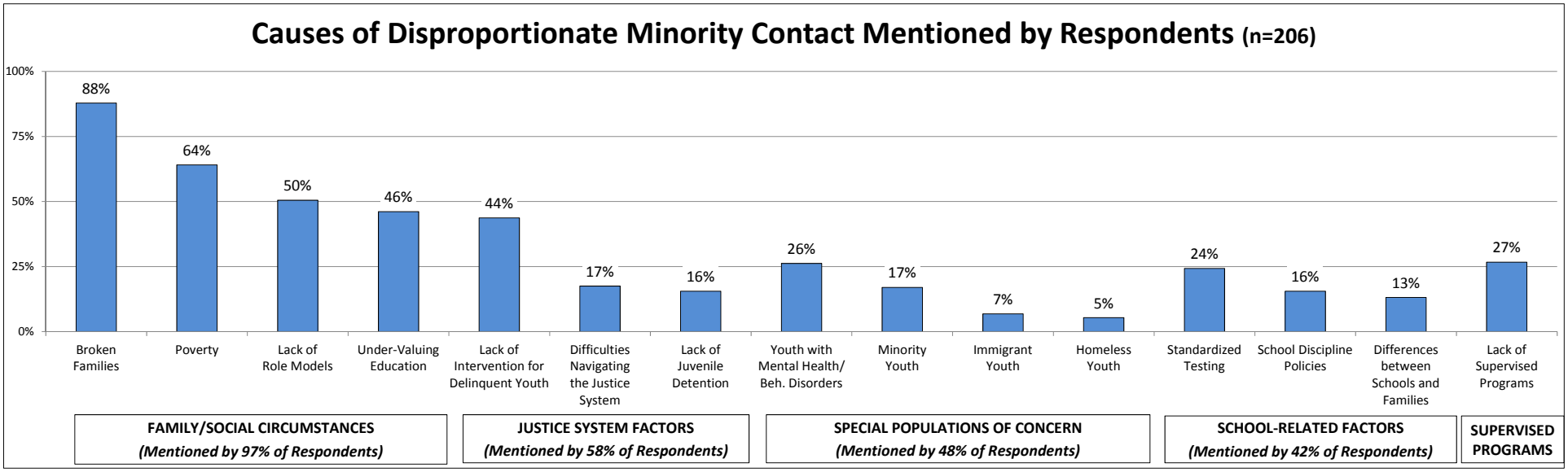
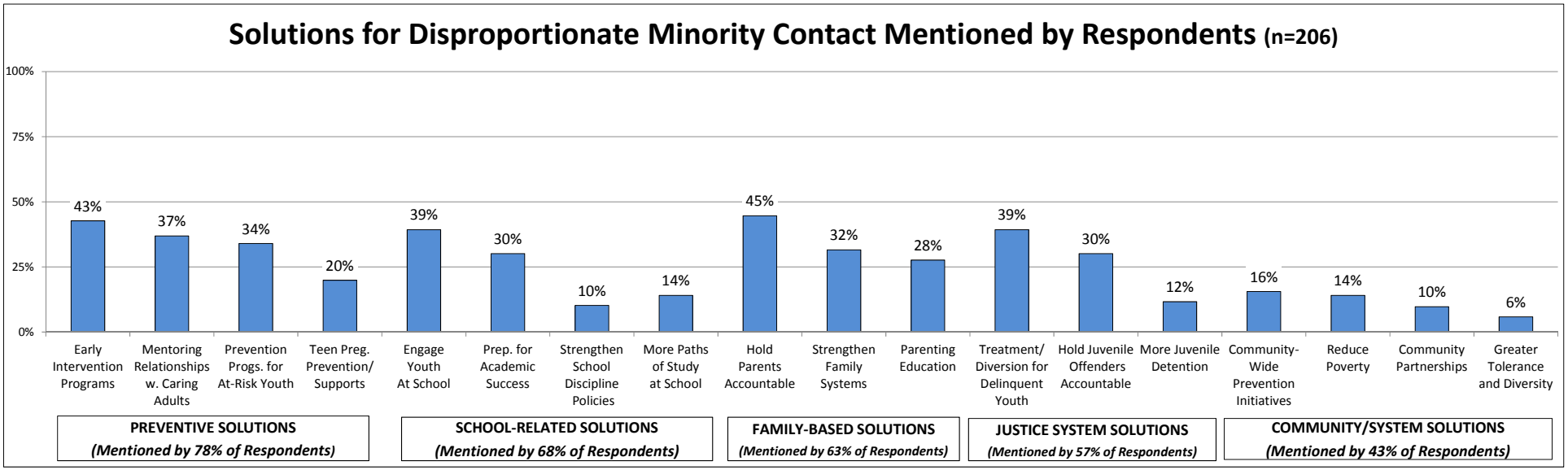



**Figure 70**



stakeholders (39%) encourage activities that promote attendance and school bonding by making school an interesting and inviting place to be. At the same time, study participants also emphasize the importance of academic readiness. Thirty percent say a series of potentially intensive support programs are needed to ensure children stay on grade level from pre-school through graduation. Stakeholders believe that if students see school as a positive and inviting place to be, and if they are well prepared to succeed in their studies, then dropout and delinquency are less likely to occur.

**Recommendation:** Community stakeholders believe schools can play an important role in helping to protect children from involvement in delinquency. These findings suggest that educators, counselors, school discipline and law enforcement officers, school administrators, and school board officials should be considered important partners in developing strategies to reduce DMC.

**Finding 3: Respondents advocating justice-system changes to address DMC are divided between increasing supports or increasing sanctions for delinquent youth.**

When asked what factors contribute to DMC, 44% of study participants mentioned a lack of treatment or diversion programs for delinquent youth as part of the cause (see pgs. 34-37; Figures 33, 37, and 69). It is therefore not surprising that a similar number of respondents (39%) think increasing youths' access to counseling and therapy, particularly as a diversion alternative, could be an effective way to reduce disproportionality (see pgs. 57-60; Figures 49, 61, and 70). Treatment-oriented interventions could help delinquent youth use a criminal justice encounter as a positive opportunity to get needed help and change direction toward a more promising future.

At the same time, a sizeable number of respondents (30%) also argued that greater juvenile accountability might reduce DMC. An accountability-based response focuses less on the implementation of new treatment and support alternatives, and instead emphasizes assertive prosecution, harsher penalties, and stronger consequences for failure to comply with court orders. Importantly, about half of those who want stronger accountability measures (47%), recommended more therapeutic interventions, as well. This suggests that for many respondents, therapy or diversion combined with consequences for non-compliance should be considered complementary strategies.

**Recommendation:** Supportive and punitive approaches to juvenile intervention imply substantially different responses to DMC. Treatment and diversion programs require investment in the expertise of helping professionals, while sanctions-based approaches suggest spending on prosecutors and detention. Because treatment- and support-oriented solutions are more likely to help juveniles overcome the problems that often underlie delinquent behavior and contribute to reducing long-term justice involvement, they offer greater promise for reducing DMC.

**Finding 4: Youth with mental health and behavioral disorders are a population of special concern in addressing DMC.**

About one in four community stakeholders recognize youth with behavioral disorders or mental impairments as being at particularly high risk for justice contact (see pgs. 37-38; Figures 33, 40, and 69). Respondents are more likely to believe the unmet needs of this group contribute to DMC (26%) than any other special population. Listening session participants were particularly concerned about children who become involved in delinquency because a mental health or behavioral problem has been unrecognized and/or untreated.

Although programs targeting children with mental health or behavioral disorders were not explicitly recommended as a response to DMC, concerns about this special population were frequently mentioned as a component of other more general recommendations. Descriptions of prevention and early intervention programs included specific references to diagnosing and treating mental and behavioral disorders as a key objective. Similarly, justice-system interventions for delinquent youth included consideration of mental health and behavioral issues as desired elements of treatment and diversion options suggested by stakeholders.

**Recommendation:** Study participants have expressed concern for meeting the needs of youth with mental health and behavioral impairments. To the extent that DMC solutions can address unique risk attributes, these specific concerns should be included in the response.

**Finding 5: Cultural competence and outreach to minority communities are essential components of all DMC initiatives.**

To be effective, DMC interventions must allocating services or opportunities in a way that effectively reaches the minority youth.[4] Prevention programs intended to provide supervision and activities to develop resiliency against delinquency must be accessible to African American and Hispanic children in order to meaningfully reduce disproportionality. Similarly, entry criteria that exclude youth with a prior history of discipline involvement or other risk attributes may fail to reach the very juveniles most in need of intervention.

Programs that have been shown to be effective for reducing DMC also integrate cultural values and traditions as an essential component of the treatment.[5] Interestingly, African American and Hispanic study participants are significantly less likely than Whites to support family interventions as a DMC solution (see Figures 58 and 59). They may well have concerns about the whether such programs would be implemented in a manner that respects the culture and values of targeted families. Services must be culturally relevant and language-appropriate to sustain participation and to realize meaningful outcomes.

**Recommendation:** Initiatives to reduce DMC require a serious commitment to cultural awareness and sensitivity. For services to be effective, they must be readily accessible to at-risk youth in the minority community, and they must be grounded in the values and traditions of the parents and children being served.

[4] US Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention. (July 2009). *Disproportionate Minority contact Technical Assistance Manual* (pp. 2-5 – 2-6).

[5] Ibid, pp. 4-15 – 4-18.

**Finding 6: Divisions of opinion among subgroups of community stakeholders should be considered in developing solutions to DMC.**

For each DMC-related cause of or solution identified by study participants, statistical tests were conducted to measure differences of opinion based on sex, county, age, race, and stakeholder category. These differences, where they occur, are displayed graphically in Chapters 5 and 6, and are summarized in the Appendix. Subgroup differences highlight disagreement and lack of consensus about some aspects of DMC some solutions heavily favored by some types of respondents are not supported by others. These sub-group differences should be considered when considering various approaches to reducing DMC.

There are a number of subgroup differences on the perceived causes of DMC:

- More females believe poverty is an important cause of DMC (Figure 35) and more males believe a lack of role models is the main contributing factor (Figure 36).

- Stakeholders in Bowie and Nolan Counties are most likely to see a lack of juvenile detention as a cause of DMC. Other counties do not share this concern (Figure 39).

- Older study participants, African American respondents, and those in the "other stakeholder" group (including advocates, elected officials, and religious leaders) are more likely to feel biases and stereotypes against minorities contribute to DMC (Figure 42). Nolan and Cameron County residents were the least concerned about racial bias as a contributing factor.

- African American respondents are more likely than other race/ethnicities to see school discipline policies as a cause of DMC (Figure 46). They are the least concerned about impacts of standardized testing (Figure 45).

- Minority respondents are more likely to say the lack of supervised youth programs contributes to DMC (Figure 48).

Differences of opinion also exist about potential solutions to DMC:

- Hispanic stakeholders, residents of Cameron or Harrison Counties, and those in the active parenting years (below the age of 44) are much more likely to favor the creation of supervised prevention programs for at-risk youth (Figure 52).

- Minority respondents are more likely to favor teen pregnancy prevention programs than are Whites (Figure 53).

- People with school-age children are the most likely to feel it is important to offer programs and activities that keep youth engaged at school (Figure 55).

- People who work with at-risk youth (predominantly school personnel) are more likely to feel more diverse paths of study including technical and college preparatory alternatives would reduce DMC by helping all children find a path to post-secondary success (Figure 56).

- White respondents, those in older age groups, and those residing in Bowie and Nolan Counties are most likely to believe interventions to hold parents accountable or to strengthen family systems would reduce DMC (Figure 58).

- White study participants showed greater support for direct family intervention programs than did either African Americans or Hispanics. Respondents in Nolan and Bowie Counties also favored family initiatives (Figure 59).

- Hispanic respondents and those who work with delinquent youth are the strongest advocates for treatment, support, and diversion interventions for delinquent youth (Figure 62).

- Support for more juvenile detention was largely limited to male respondents in Bowie County who work with delinquent youth (figure 64).

- Minorities are most likely to favor DMC reduction strategies that allow for neighborhood involvement and that address systemic bias (Figure 68).

In planning a response to DMC, differences in points of view among subgroups of community stakeholders must be considered if solutions are to be accepted by the community at large.

**Recommendation:** If new initiatives to address DMC are to succeed, decision-makers will need to look beyond the overall findings to consider whether there might be some subgroups that strongly prefer or object to particular solutions. As options are weighed, some of the concerns that underlie these differences may be ameliorated through creativity and compromise. Still, it should not be assumed that consensus exists without considering subgroup perspectives.

## Conclusion

Stakeholders have identified many different contributing causes and solutions involving diverse but inter-related systems including children, families, communities, schools, law enforcement, and the criminal justice system. The findings confirm that DMC is a complex and multi-dimensional issue with no simple solutions.

This study has provided useful insights into the perspectives of community members on this issue, and has identified solutions that are likely to receive their support. However, responsibility for taking action – for reaching out to the entire community to collaborate, achieving consensus, and implementing solutions – ultimately lies with stakeholders in the counties demonstrating DMC. If the will exists to open and sustain discourse, to agree upon a plan of action, and to implement change, then meaningful and sustainable progress toward resolving the problem of disproportionate minority contact can be achievable.

# APPENDIX
# SUMMARY OF DIFFERENCES BY SUBGROUPS

# SUBGROUP DIFFERENCES IN CAUSES OF DMC (p<.05 or less)

**FAMILY/SOCIAL CIRCUMSTANCES**
***(Mentioned by 97% of Respondents)***

| | | |
|---|---|---|
| Poverty | Female | 57% |
| | Male | 70% |
| Lack of Role Models | Female | 38% |
| | Male | 60% |

**JUSTICE SYSTEM FACTORS**
***(Mentioned by 58% of Respondents)***

| | | |
|---|---|---|
| Difficulties Navigating the Justice System | Work with At-Risk Youth | 17% |
| | Work with Delinquent Youth | 26% |
| | Other Stakeholders | 3% |
| Lack of Juvenile Detention | Bell County | 2% |
| | Bowie County | 55% |
| | Cameron County | 4% |
| | Harrison County | 0% |
| | Nolan County | 22% |

**SPECIAL POPULATIONS OF CONCERN**
***(Mentioned by 48% of Respondents)***

| | | |
|---|---|---|
| Youth with MH/Behavior Disorders | Female | 36% |
| | Male | 19% |
| Minority Youth | Bell County | 27% |
| | Bowie County | 18% |
| | Cameron County | 10% |
| | Harrison County | 24% |
| | Nolan County | 6% |
| | <35 years of age | 0% |
| | 35-44 years of age | 13% |
| | 45+ years of age | 21% |

| | | |
|---|---|---|
| | African American | 35% |
| | Hispanic | 19% |
| | White | 11% |
| | | |
| | Work with At-Risk Youth | 14% |
| | Work with Delinquent Youth | 10% |
| | Other Stakeholders | 33% |
| Immigrant Youth | Bell County | 5% |
| | Bowie County | 0% |
| | Cameron County | 15% |
| | Harrison County | 8% |
| | Nolan County | 3% |
| | | |
| | Work with At-Risk Youth | 4% |
| | Work with Delinquent Youth | 7% |
| | Other Stakeholders | 18% |

**SCHOOL-RELATED FACTORS**
***(Mentioned by 42% of Respondents)***

| | | |
|---|---|---|
| Standardized Testing | Bell County | 27% |
| | Bowie County | 8% |
| | Cameron County | 37% |
| | Harrison County | 21% |
| | Nolan County | 25% |
| | | |
| School Discipline Policies | African American | 35% |
| | Hispanic | 15% |
| | White | 13% |

**LACK OF SUPERVISED PROGRAMS**
***(Mentioned by 27% of Respondents)***

| | | |
|---|---|---|
| Lack of Supervised Programs | African American | 54% |
| | Hispanic | 35% |
| | White | 20% |

# SUBGROUP DIFFERENCES IN SOLUTIONS TO DMC (p<.05 or less)

**PREVENTIVE SOLUTIONS**
***(Mentioned by 78% of Respondents)***

| | | |
|---|---|---|
| Mentoring Relationships with Caring Adults | Bell County | 45% |
| | Bowie County | 35% |
| | Cameron County | 31% |
| | Harrison County | 53% |
| | Nolan County | 19% |
| Prevention Programs for At-Risk Youth | Bell County | 20% |
| | Bowie County | 20% |
| | Cameron County | 60% |
| | Harrison County | 42% |
| | Nolan County | 19% |
| | <35 | 38% |
| | 35-44 | 50% |
| | 45+ | 24% |
| | African American | 23% |
| | Hispanic | 56% |
| | White | 28% |
| Teen Pregnancy Prevention/Supports | African American | 31% |
| | Hispanic | 33% |
| | White | 13% |

**SCHOOL-RELATED SOLUTIONS**
***(Mentioned by 68% of Respondents)***

| | | |
|---|---|---|
| Engage Youth at School | Bell County | 50% |
| | Bowie County | 13% |
| | Cameron County | 50% |
| | Harrison County | 47% |
| | Nolan County | 31% |
| | <35 | 48% |
| | 35-44 | 50% |
| | 45+ | 31% |

| | | |
|---|---|---|
| More Paths of Study at School | Work with At-Risk Youth | 19% |
| | Work with Delinquent Youth | 9% |
| | Other Stakeholders | 6% |

**FAMILY-BASED SOLUTIONS**
***(Mentioned by 63% of Respondents)***

| | | |
|---|---|---|
| Hold Parents Accountable | Bell County | 41% |
| | Bowie County | 68% |
| | Cameron County | 31% |
| | Harrison County | 34% |
| | Nolan County | 56% |
| | African American | 19% |
| | Hispanic | 35% |
| | White | 54% |
| Strengthen Family Systems | Bell County | 34% |
| | Bowie County | 43% |
| | Cameron County | 12% |
| | Harrison County | 24% |
| | Nolan County | 56% |
| | African American | 15% |
| | Hispanic | 15% |
| | White | 42% |
| Parenting Education | Bell County | 39% |
| | Bowie County | 33% |
| | Cameron County | 13% |
| | Harrison County | 21% |
| | Nolan County | 38% |
| | <35 | 10% |
| | 35-44 | 22% |
| | 45+ | 34% |

**JUSTICE SYSTEM SOLUTIONS**
***(Mentioned by 57% of Respondents)***

| | | |
|---|---|---|
| Interventions for Delinquent Youth | African American | 15% |
| | Hispanic | 31% |
| | White | 15% |
| | Work with At-Risk Youth | 6% |
| | Work with Delinquent Youth | 17% |
| | Other Stakeholders | 6% |
| Hold Juvenile Offenders More Accountable | Bell County | 20% |
| | Bowie County | 48% |
| | Cameron County | 37% |
| | Harrison County | 11% |
| | Nolan County | 34% |
| More Juvenile Detention | Female | 7% |
| | Male | 16% |
| | Bell County | 5% |
| | Bowie County | 38% |
| | Cameron County | 2% |
| | Harrison County | 5% |
| | Nolan County | 13% |
| | African American | 8% |
| | Hispanic | 2% |
| | White | 16% |
| | Work with At-Risk Youth | 6% |
| | Work with Delinquent Youth | 21% |
| | Other Stakeholders | 9% |

**COMMUNITY/SYSTEM SOLUTIONS**
***(Mentioned by 43% of Respondents)***

| | | |
|---|---|---|
| Community-Wide Prevention Initiatives | African American | 23% |
| | Hispanic | 23% |
| | White | 11% |
| Reduce Poverty | Female | 9% |
| | Male | 18% |
| | African American | 23% |
| | Hispanic | 4% |
| | White | 15% |
| Greater Tolerance and Diversity | Female | 10% |
| | Male | 3% |
| | Bell County | 2% |
| | Bowie County | 3% |
| | Cameron County | 6% |
| | Harrison County | 18% |
| | Nolan County | 0% |
| | African American | 19% |
| | Hispanic | 8% |
| | White | 2% |