

RACIAL DISPARITY IN JUVENILE JUSTICE

PROBLEM

Youth of color in Washington State are disproportionately overrepresented in juvenile sentencing. This disproportionate minority contact (DMC) has been the focus of policy makers, practitioners, and researchers in Washington for the past twenty years. However, DMC has continued, and in some areas, has increased. For example, in 2009, African American youth comprised just over four percent of the State's population, but received over *fifteen* percent of juvenile dispositions in Washington State. There was a similar pattern of overrepresentation for Hispanic youth (eleven percent of the State population, yet received fourteen percent of the juvenile dispositions)¹ and for Native American youth (two percent of the State population and received over four percent of the juvenile dispositions). This disproportionality is even greater for youth committed to the Juvenile Rehabilitation Administration (JRA). The proportion of African American youth in residential care is seven times the proportion of their population in the state; Native American and Hispanic youth reside in JRA facilities at rates almost five and two times the proportion of their respective populations in Washington State.

Furthermore, it appears that youth of color may receive disparate sentencing decisions. In 2005 African American and Asian/Pacific Islander youth were sentenced to the longest average terms in county detention. African American youth also received the longest terms of dispositions involving electronic home monitoring and work crew.

KEY POINTS

- **While Washington State has been the leader in the nation in its efforts to study and decrease DMC, disproportionality still remains.** Between 1990 and 1999 the proportion of youth of color receiving adjudications remained relatively stable at 32%, however in the same time the percentage of minority youth sentenced to correctional supervision rose from 38% to 43%.
- **A study of probation officers' assessments of youth in Washington State has found that African American youth receive more negative attribution assessments about the causes of their offenses than white youth and these characterizations lead to more punitive sentence recommendations.**² Probation officers consistently portrayed black youth differently than white youth in descriptions about the nature of their criminal offending. Causes of the black youths' crimes were commonly attributed to internal traits (attitudes and personalities) while causes of white youths' crimes were attributed to their social environment (peers and family). These characterizations shape probation officers' assessments about the threat of future offending and sentencing recommendations and lead to more severe sanctioning for black youth.
- **Further policy changes are needed to both assess and address rates of DMC and to investigate the mechanisms that produce the disproportionate and disparate outcomes.**

¹ The Hispanic numbers are based on 2005 data.

² Bridges and Steen 1998.

Increasing the quality and access to data management systems that can generate case characteristics is key to investigating the extent of DMC and the processes that lead to the overrepresentation. Decision-making environments need to be explored for points of discretion that can lead to youth of color being over selected for more severe sanctioning decisions (such as policies leading to detention decisions and practices of case assessments and recommendations). Organizational climates should recognize the ways in which subtle biases can enter into decision-making and decision-makers should openly discuss how differences in culture can influence processing decisions.

LIST OF ENCLOSED MATERIALS

- Bridges, George and Sara Steen. 1998. "Racial Disparities in Official Assessments of Juvenile Offenders: Attributional Stereotypes as Mediating Mechanisms." *American Sociological Review* 63:554–70.
- Chapin Hall Center for Children. 2008. *Understanding Racial and Ethnic Disparity in Child Welfare and Juvenile Justice*. Chicago: Chapin Hall Center for Children at the University of Chicago. Chicago, Illinois.
- Hsia, H. M., Bridges, G. S., & McHale, R. 2004. *Disproportionate minority confinement: 2002 update*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.
- Juvenile Rehabilitation Administration, Division of Treatment and Intergovernmental Programs. December 2009. *Racial Disproportionately in the Juvenile Justice System*. Report to the Legislature. Olympia, Washington.
- Sentencing Guidelines Commission, State of Washington. December 2005. *Disproportionally and Disparity in Juvenile Sentencing, Fiscal Year 2005*. Olympia, Washington.