

A Second Reassessment of
Disproportionate Minority Contact
in Connecticut's Juvenile Justice System

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Executive Summary

I. Background

A major issue facing juvenile justice practitioners and policymakers across the country is disproportionality and disparate treatment of racial and ethnic minority youth in the juvenile justice system. Various studies conducted across the nation on disproportionate minority contact in the juvenile justice system have found that:

- ◆ Racial and ethnic minorities are often greatly overrepresented in the juvenile justice system.
- ◆ The observed disproportionality cannot be explained by differences in delinquent behavior across racial and ethnic groups.
- ◆ Disparities were found in system processing of minority youth, even when controlling for social and legal background variables.
- ◆ The role of race/ethnicity in the processing of minority vs. White youth often varies by the offense type, the decision point within the system, and location.

This is the third study in the State of Connecticut that examines disproportionate minority contact in the state's juvenile justice system.

II. Study Goals

The major goals for this study were to determine:

- ◆ What differences, if any, exist in decisions made for Black, Hispanic and White juveniles who are processed for similar types of offenses (e.g., Serious Juvenile Offenses, non-SJO felonies, misdemeanors, and violations) as they move through the juvenile justice system.
- ◆ If observed differences remain when controlling for offender and offense characteristics or are neutralized by predictor variables.
- ◆ If the system has improved in those areas found to be problematic in the two prior studies.

The study assesses decisions made by the three components of the juvenile justice system: the police, Juvenile Court, and the Department of Children and Families.

III. Study Findings

A. Police Decision-Making

For the police, data were abstracted from approximately one-third of the 95 municipal police departments and 12 state police barracks across the state. Data were abstracted for a total of 1,564 incident reports written between July 1, 2005 and June 30, 2006.

Analysis of police data revealed the following:

- ◆ In 2005-06, minority juveniles apprehended for non-SJO felony (Black and Hispanic juveniles) and misdemeanor (Black juveniles) charges were more likely than their White counterparts to be referred to court, and these differences were not neutralized when controlling for other factors. The earlier studies did not show this disparity.
- ◆ Across all three studies, Black and Hispanic youth were not significantly more likely than White youth to be brought to the police station.
- ◆ In 2005-06, Black juveniles charged with a non-SJO felony or misdemeanor offense were more likely than White juveniles so charged to be placed in secure holding. The disparity was not neutralized. Similar disparities in the use of secure holding were found in 1991-92, but had been eliminated in 1998-99.
- ◆ Across all three studies, Black and Hispanic juveniles were not held significantly longer in secure holding than were similarly charged White juveniles.
- ◆ Across all three studies, Black and Hispanic juveniles apprehended for SJOs were significantly more likely than White juveniles so charged to be transported to a Detention Center, and these differences were not neutralized when controlling for other factors.

B. Court Decision-Making

For Juvenile Court, data were obtained for all juveniles who had a delinquency case disposed in Juvenile Matters Court in 2006. A total of 8,483 juveniles are included in this component of the study.

Analysis of court data revealed the following:

- ◆ In 2006, race/ethnicity did not have a significant impact on the average number of days Black, Hispanic and White juveniles spent in a pretrial Detention Center. This is an area of improvement as both prior studies found Black and Hispanic juveniles charged with an SJO averaged more days in pretrial detention and the differences were not neutralized.

- ◆ In 2006, Black juveniles charged with a misdemeanor were less likely than their White counterparts to be released from detention prior to their case disposition and the difference was not neutralized by the other factors. This disparity was not identified in the prior studies.
- ◆ In 2006, Black and Hispanic juveniles charged with an SJO were more likely than similarly charged White juveniles to be transferred to adult court. While the multivariate analysis showed that factors other than race/ethnicity also played a significant role in the decision, race/ethnicity remained a significant factor. Due to the small number of transfers in the prior studies, it was not previously identified as an area of disparity.
- ◆ Across all three studies, no disparities were found in:
 - The handling of cases judicially rather than non-judicially.
 - Court outcomes for non-judicial delinquency cases.
 - Adjudication rates for judicial delinquency cases.
 - Placement rates for adjudicated juveniles.

C. Department of Children and Families Decision-Making

For the Department of Children and Families (DCF), data was obtained for all male juveniles that completed their commitment to DCF during a two-year period (July 1, 2005 to June 30, 2007). Data were abstracted for a total of 536 juveniles.

The analysis of the DCF data revealed:

- ◆ In 1991-92, disparities were found in the placement of Black, Hispanic and White juveniles into secure care at DCF. In 1998-99, the increased use of Long Lane School for White juveniles virtually eliminated these disparities. The most recent data (2005-07) revealed disparate findings much like the 1991-92 study as Black and Hispanic juveniles committed to DCF for SJO and violation charges were more likely than White juveniles committed for similar offenses to spend some time during their commitment at the DCF secure juvenile justice facility.
- ◆ The differences in the use of DCF non-secure juvenile justice facilities for Black, Hispanic and White juveniles have generally decreased with each study. However, while there has been improvement, disparities remain in 2005-07.
- ◆ In both 2005-07 and 1998-99, observed differences in the average percentage of the commitment spent at the DCF secure juvenile justice facility were typically (though not always) neutralized by the predictor variables (usually by whether or not an incident had been written while the juvenile was at the secure DCF facility). In 2005-07, Black juveniles committed for a non-SJO felony averaged a greater percentage of their

commitment at the DCF secure juvenile justice facility than did similarly charged White juveniles, and the differences were not neutralized.

- ◆ Disparities in the average percentage of the commitment spent at a DCF non-secure juvenile justice facility for Black, Hispanic and White juveniles were found in all three studies.
- ◆ Across all three studies, race/ethnicity did not play a significant role in the average percentage of the DCF commitment that was completed.

IV. Juvenile Justice Advisory Committee Recommendations

Important Note

The recommendations provided in this section of the report were developed and written by the Juvenile Justice Advisory Committee (JJAC). The recommendations are provided in this report to inform the reader of the direction the JJAC feels should be taken in Connecticut with regard to disproportionate minority contact in the juvenile justice system.

There are many ways to improve Connecticut's juvenile justice system including revisions in laws, policies, procedures, programs and resources. Most improvements would have significant impact on minorities because of the number of minority juveniles involved with the system. However, the goal of the recommendations of the current study is specifically to eliminate disparate treatment based on race or ethnicity as opposed to improve system operations. The recommendations reflect this goal and deliberately do not address other problems and issues of the system.

Although the goal is set high -- to eliminate inequities based on race and ethnicity in the handling of juveniles, the recommendations are meant to be specific, practical and action-oriented. They reflect the JJAC's:

- ❖ ***Knowledge of the workings of the juvenile justice system.***
- ❖ ***Concern for young people in Connecticut.***
- ❖ ***Understanding of the realities of limited funding.***
- ❖ ***Recognition that resistance to change is to be expected.***
- ❖ ***Focus on the issue of disparate treatment.***
- ❖ ***Determination to implement action steps now.***

The JJAC recommendations for action that follow have been divided into two categories—overall accountability and specific decision point recommendations for action.

A. Overall Accountability Recommendations

A.1. Juvenile justice system agencies should establish clear guidelines for discretion in decision-making. In general, at decision points where disproportionate minority contact (DMC) has been confirmed through an assessment process, agencies should:

- Review policies and practices.
- Require documentation of decisions.
- Increase oversight of discretionary activities.

A.2. Juvenile justice and youth serving agencies should continue to lead, monitor and educate about efforts to address disproportionate minority contact (DMC) in the juvenile justice system. Leadership with the requisite authority in each agency should establish the elimination of DMC as an agency priority and lead the agency in a DMC agency assessment process.

- a) The Department of Children and Families, the Department of Public Safety, the Division of Criminal Justice, the Division of Public Defender Services, the Judicial Branch and the Police Officer Standards and Training Council should report by September 30 of each year to the Secretary of the Office of Policy and Management on agency plans to address disproportionate minority contact (DMC) in the juvenile justice system and the steps taken to implement those plans during the previous fiscal year.
- b) The Office of Policy and Management should provide direction to, and compile the annual agency submissions of, state juvenile justice agencies into a disproportionate minority contact (DMC) report to the Governor and the General Assembly by December 31 of each year.
- c) The JJAC should continue supporting comprehensive assessments of disproportionate minority contact (DMC) in the juvenile justice system every seven years including the development and implementation of recommendations for action based on study findings.
- d) On an on-going basis, state agencies should disseminate information to policy-makers, system practitioners and the public on disproportionate minority contact (DMC) in the juvenile justice system.
- e) The JJAC should work closely with other groups in addressing the issue of disproportionate minority contact (DMC) in the juvenile justice system both within and outside of Connecticut.

Some of the simplest to understand, most cost effective, and therefore most practical strategies to address disproportionate minority contact are those that focus on the overall accountability of juvenile justice system agencies. The Juvenile Justice Advisory Committee recommends more overall accountability strategies because collecting and analyzing data, developing and sharing action recommendations, assuring the implementation of those recommendations, and educating practitioners and the public will highlight the importance of disproportionate minority contact and make a difference in the implementation and evaluation of more specific DMC strategies.

B. Specific Decision Point Recommendations for Action

The following recommendations are based on the finding of disproportionate minority contact and possible disparate handling of juveniles at the specific decision point addressed.

- B.1. All police officers should be trained on the problem of disproportionate minority contact (DMC) and understand:
 - a) Why the role of law enforcement as gatekeepers is important in helping to eliminate disproportionate minority contact in the juvenile justice system.
 - b) Why all adolescents tend to test boundaries, challenge authority, and have difficulty controlling impulses and making sound decisions.
 - c) How police can communicate more effectively with young people and improve police/youth relations.
 - d) What options police have available when dealing with young people.
- B.2. Local education agencies (LEAs) should work closely with local law enforcement in developing policies and procedures in order to reduce over-reliance on arrest to handle school disciplinary matters.
- B.3. To reduce disproportionate minority contact (DMC) at detention, the Connecticut General Assembly should enact legislation that prohibits any admission of a juvenile to detention without a court order.
- B.4. As part of its agency DMC assessment process the Judicial Branch should review in detail its policies, practices, and data concerning decisions by probation officers to charge juveniles with violations of probation and violations of court orders.
- B.5. Prosecutors, both criminal and juvenile, should be trained on the problem of disproportionate minority contact (DMC) and how their decision making impacts the issue of DMC at various points in the process, particularly at the decision point of transfer to the criminal docket.

- B.6. The Department of Children and Families (DCF) should review its process for making and documenting changes in facility placement and parole decisions for juveniles committed as delinquent to DCF.
- B.7. Data systems of juvenile justice and youth serving agencies should be modified to consistently require the entry of, and the ability to track, data that practitioners and researchers deem important to the juvenile justice decision-making process to facilitate future study on disproportionate minority contact (DMC).

Detailed Report

I. Background

A. PROBLEM STATEMENT

A major issue facing juvenile justice practitioners and policymakers across the country is disproportionality and disparate treatment of racial and ethnic minority youth in the juvenile justice system.¹ One of the most important actions taken to better understand and respond to this problem was the 1988 amendment to the Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974 that required each state to evaluate and address the problem of disproportionate minority confinement in secure facilities. For states to be eligible for full allocation of formula grant dollars, they were required by the JJDPA: (1) to demonstrate whether minority youth are overrepresented in secure facilities compared to their population base; and (2) when overrepresentation was found to be present, create a strategy for addressing this inequality.

Two important modifications to the Act follow:

- ◆ In 1992, the JJDP Act was amended such that DMC was elevated to a core protection for youth, and future OJJDP funding was made contingent on state compliance. For states to fully participate in the JJDP Act Formula Grants program, the state was required to: (1) identify if DMC was an issue in their state; and (2) upon determining that DMC existed in the state, conduct an in-depth examination of minority and non-minority youth at various decision points in the juvenile justice system and, where appropriate, implement intervention strategies to reduce DMC (Hsia, Bridges and McHale 2004). States that failed to address DMC stood to lose 20% of their Formula Grants allocation for the year.
- ◆ In 2002, OJJDP amended the DMC requirement of the Act so that the DMC initiative was broadened to address “**Disproportionate Minority Contact**” with the juvenile justice system rather than “**Disproportionate Minority Confinement**.” Thus, the focus was expanded to include all juvenile justice system decision-making points (e.g., arrest, referral to court, adjudication, secure placement, transfer to the adult court, etc.), rather than just confinement.

¹ Disproportionality refers to the situation in which a larger or smaller proportion of a particular group is present at various stages within the juvenile justice system (e.g., intake, detention, adjudication, disposition) than would be expected based on their proportion in the general population. Disparate treatment means that the probability of receiving a particular outcome (e.g., detained vs. not detained; placed in secure vs. community-based facility) varies by group.

B. DMC STUDIES IN CONNECTICUT

In the early 1990s in response to both the JJDPA requirements and concern about minority overrepresentation in Connecticut, the Juvenile Justice Advisory Committee (JJAC) began to plan its action steps and collect initial data on juveniles referred to court, held in detention, and placed in secure correctional facilities. As it became clear that additional information would be necessary, the JJAC prepared a Request for Proposals to retain an independent research firm to design and conduct an in-depth study of minority overrepresentation in the Connecticut juvenile justice system. In 1992, Spectrum Associates Market Research Incorporated (Spectrum Associates) was awarded a grant to conduct the first study on this issue for the State of Connecticut. In 1998, Spectrum Associates was awarded a grant to conduct a follow-up assessment study of disproportionate minority contact, and in 2006 Spectrum Associates was awarded a grant to conduct a third study.

This report is based on findings from Connecticut's third study examining disproportionate minority contact in the state's juvenile justice system. The baseline study was conducted using 1991-1992 data (report published in 1995), the first reassessment study used 1998-1999 data (report published in 2001), and this second reassessment study uses 2005-2007 data (report published in 2009).

Some of the key findings from the baseline study are summarized below.

- ◆ Black and Hispanic juveniles were clearly overrepresented in Connecticut's juvenile justice system (e.g., referral to court, placement in detention, and placement at Long Lane School). While overrepresentation was sizable for Hispanic juveniles, it was considerably greater for Black juveniles.
- ◆ For police, court and corrections, a variety of decision points were found where minority juveniles received significantly different system responses than White juveniles. In some instances these disparities were neutralized by predictor social and legal variables. However, in other instances, the differences remained after controlling for these factors (e.g., use of secure holding at the police station, use of pretrial detention, judicial commitment to Long Lane School, DCF placement of juveniles at Long Lane School and other placements, percent of commitment spent at Long Lane School).
- ◆ Juvenile offenders felt that Black and Hispanic juveniles were treated more harshly by the police (e.g., more likely to be arrested and to be placed in detention), the court (i.e., more restrictive placements) and corrections (e.g., less privileges, more severe punishments, treated with less respect, and later discharges).

- ◆ Forum participants attributed disparities to a wide variety of factors, including: (1) problems within the juvenile justice system (e.g., cultural insensitivity/racism/stereotyping, too few minority staff and administrators, the locations of detention facilities and a lack of alternatives to detention, and differences in legal representation), (2) family factors (e.g., minority families provide less support and stability to juveniles, can experience language barriers, and often have a distrust of treatment), and (3) juvenile factors (e.g., appearance and attitude, gang affiliations and use of aggression as a coping skill).

After reviewing Spectrum Associates' baseline report on the research findings and public/practitioner feedback, the Juvenile Justice Advisory Committee (JJAC) developed a series of recommendations for implementation by state, local, and private agencies. The recommendations were included in Spectrum Associates' final report, and addressed such topics as personnel policy changes and program modifications.

The key findings from the 2001 report were:

- ◆ There was less disparity in the state's juvenile justice system's handling of minority juveniles than had been found in the baseline study. This trend was consistent across the various data sources: overrepresentation data, system processing data, and the juvenile offender interviews.
- ◆ However, there were still decision points where Black and/or Hispanic juveniles received significantly different system responses than White juveniles (e.g., use of pretrial detention for juveniles charged with SJO offenses, average length of pretrial custody/monitoring, and percentage of commitment spent at non-secure post-adjudication residential facilities). Therefore, more work was needed to obtain equitable treatment across race/ethnicity.
- ◆ Almost all (22 of 24) of the specific strategies developed by the JJAC to reduce disparate treatment of minority youth by police, detention, court and DCF were described by system practitioners surveyed as being "very" or "somewhat" effective, and 14 of the 24 strategies were described as "very effective" by at least one-half of the respondents. Additionally, of the three strategies proposed for all four system components (i.e., cultural sensitivity training; consider cultural sensitivity abilities in hiring, review and promotion policies; and have the number of minority personnel reflect the community/juveniles served), the strategy typically viewed as most effective was cultural sensitivity training and the strategy perceived as least effective was having the number of minority personnel reflect the community/juveniles served.

Based on the findings from Spectrum Associates' reassessment report, including system practitioners' reactions to a preliminary set of recommendations, the JJAC developed a finalized series of recommendations. Recommendations were developed that addressed personnel and accountability, and were included in Spectrum Associates' 2001 report.

In 2006, the JJAC and OPM awarded Spectrum Associates a grant to repeat its reassessment study of disproportionate minority contact in the Connecticut juvenile justice system. This report presents the findings of the second reassessment study, and contrasts these findings, when appropriate, to the two earlier studies.

C. NATIONAL PERSPECTIVE

Before presenting findings for this study, the authors believe it is important to share some findings from national research efforts. These studies will both document the importance of studying DMC and allow the reader to understand Connecticut within the context of the rest of the country.

Our brief review of the literature provides information on: (1) the extent to which disproportionate minority contact exists in juvenile justice systems across the country; (2) the extent to which disproportionality is explained by differences in delinquent behaviors across race and ethnicity; and (3) the role that differential processing of White and minority youth by the system plays in moving a disproportionate number of minority youth through the system.

Are Minority Youth Disproportionately Present in Juvenile Justice Systems?

Disproportionality refers to the situation where a larger or smaller proportion of a particular group is present at a particular point in the juvenile justice system than would be expected based on the general census data. National and statewide studies have consistently found minority youth to be disproportionately present in the juvenile justice system.

In 2006, OJJDP launched a web-based data entry system that provides a repository of state and local data across the country that is used to calculate the Relative Rate Indexes to measure DMC. A Relative Rate Index (RRI) provides a way to easily compare the representation of juveniles of a specific race/ethnicity at a particular point in the juvenile justice system with a single index number. An index of 1.0 indicates that the group of juveniles is present at a rate that would be expected based on population information at the previous decision point in the system.

An index greater than 1.0 indicates a larger proportion than would be expected and an index number of less than 1.0 indicates a smaller proportion than would be expected.²

As detailed in the National Disproportionate Minority Contact Databook, nationally, in 2005, Black juveniles had an index value greater than 1.0 at most decision points, indicating that they are disproportionately represented at the various decision points. The decision points with the highest RRI values for Black juveniles were arrest and detention.

Leiber (2002) reviewed state data provided to OJJDP in response to the JJDP Act of 1999. His review of DMC identification data included 43 states and the District of Columbia. Based on the review of these data, Leiber offered the following conclusions:

- ◆ Minority youth were overrepresented in every state in which a review was conducted.
- ◆ Minority youth overrepresentation occurred at all of the decision points, with minorities present at typically 2 to 2½ times their percentage of the at-risk population (e.g., secure detention, 2.63; secure corrections, 2.64; adult jails, 2.01; adult lockups, 2.12; and transfer to adult court, 2.55).
- ◆ The decision point where minority youth were most overrepresented varied by state.
- ◆ Overrepresentation was found for Black and Hispanic youth, but was greater at each decision point for Black juveniles.

Is Minority Overrepresentation Simply The Result of Differences in the Incidence of Delinquent Behaviors?

While some argue that the disproportionality of minority juveniles in the juvenile justice system results from their greater involvement in delinquent behavior, others question whether or not official statistics are reliable measures of illegal behavior. Criminologists argue that these statistics are skewed due to system processing decisions (e.g., decisions made by police officers to apprehend and refer juveniles to court) and decisions made by victims to report crimes to the police.

² RRI data for the state of Connecticut for the three time periods for which Spectrum Associates has studied DMC are provided in Appendix A. It should be noted that the information provided in the Study Findings section of this report is better data to use to assess Connecticut's juvenile justice system during these three time periods as the system decision-making was analyzed taking into account the severity of the offense for which the juvenile was referred/adjudicated/confined as well as other possible contributing factors that were included in the multivariate analyses.

As noted by Snyder and Sickmund (1999), research suggests that only 30% - 50% of serious/violent crime committed by juveniles is actually reported to the police. Commenting on the limitations of arrest data, Hawkins et al. (2000) commented:

The primary weakness of arrest data is that the data are collected only for those criminal and delinquent events that come to the attention of the police and result in arrest. If ethnic and racial groups differ in their inclination to report crime to the authorities, or if crimes committed by certain groups are more likely to result in arrest, these factors can bias estimates of racial differences in offending rates. Police themselves may be biased in their arrest practices (e.g., arresting rather than warning) depending on the offender's racial or ethnic background (p. 1).

As a compliment or alternative to comparing official records across race, a number of criminologists have used self-report surveys where respondents are asked to complete a confidential questionnaire or interview indicating their personal involvement in various types of offenses. As noted by Snyder and Sickmund (1999), "Self-report studies can capture information on behavior that never comes to the attention of juvenile justice agencies. Compared with official statistics, self-report studies find a much higher proportion of the juvenile population involved in delinquent behavior" (p. 52).

Two such studies are the *2007 National Youth Risk Behavior Surveillance* and the *2007 Monitoring The Future* study. Both of these self-report studies suggest that differences by race/ethnicity observed through official records greatly overstate differences in actual behaviors.

- ◆ The *Youth Risk Behavior Surveillance – United States, 2007* included over 14,000 surveys with 9th-12th graders across the country. The 2007 data revealed that for male juveniles:
 - White youth (30%) were the most likely to report having carried a weapon (e.g., a gun, knife or club) in the last 30 days followed by Hispanic youth (28%) then Black youth (25%).
 - Hispanic (10%), White (9%), and Black (9%) youth were similarly likely to have carried a weapon (e.g., a gun, knife or club) on school property in the last 30 days.
 - Black (11%) and Hispanic (10%) youth were slightly more likely than White youth (8%) to report having carried a gun in the last 30 days.
 - Black (50%) and Hispanic (47%) youth were somewhat more likely than White youth (42%) to report having been in a fight in the last 12 months.

- ◆ The *2007 Monitoring The Future Study* surveyed a representative sample of about 50,000 8th, 10th and 12th graders regarding drug use. This study found for 10th graders:
 - White (29%) and Hispanic (27%) students were somewhat more likely than Black students (24%) to have used any illicit drug in the past 12 months.
 - White (36%) and Hispanic (35%) students were more likely than Black students (22%) to have used alcohol in the past 30 days.
 - White students (26%) were the most likely to have used marijuana in the past year followed by Hispanic students (24%) and then Black students (22%).

Is Minority Overrepresentation Explained by Differential Handling?

Pope, Lovell, and Hsia (2002) conducted a literature review of DMC studies published in professional journals and scholarly books from March 1989 – 2001. This review focused solely on decisions made within the juvenile justice systems and whether race/ethnicity related to the outcomes of these decisions. The authors then critically reviewed the 34 documents for findings on race effects. The 34 studies examined many decision points (e.g., arrest, detention, petition, adjudication, and disposition), and over four-fifths of the studies used a multivariate analytic approach to determine whether other legal and/or social factors explained observed race effects. Pope, Lovell, and Hsia concluded:

The majority of the studies reviewed (25 out of 34) report race effects in the processing of youth. . . . Of the remaining nine studies in the present review, one found no race effects and eight reported that the effects related to DMC outcomes could not be determined. . . . [As these findings are consistent with the Pope and Feyerherm literature review of January 1969 – February 1989] the preponderance of evidence of the research over three decades of documents evidence of racial disparities, at least at some stages within the juvenile justice system (Pope, Lovell, and Hsia, 2002, p. 5).

In their *Disproportionate Minority Confinement 2002 Update*, Hsia, Bridges & McHale (2004) stated that several factors were thought to contribute to DMC.³ The factors fell into four categories:

- ◆ The juvenile justice system (e.g., racial stereotyping and cultural insensitivity, lack of alternatives to detention and incarceration, misuse of discretionary authority in implementing laws and policies, and lack of culturally and linguistically appropriate services).

³ The factors were identified by the 44 states responding to OJJDP's survey of all states conducted in 2000.

- ◆ The educational system (e.g., lack of educational resources in schools in minority neighborhoods, failure to engage minority students and their families, inability to prevent early and high dropout rates for minority students).
- ◆ The socioeconomic conditions (e.g., poverty, substance abuse, few job opportunities).
- ◆ The family (low-income, single parent, adults with multiple low-paying jobs or unsteady employment).

Summary of Literature Review

Studies conducted to date on disproportionate minority contact in the juvenile justice system have found that:

- ◆ Racial and ethnic minorities are often greatly overrepresented in the juvenile justice system.
- ◆ The observed disproportionality cannot be explained by differences in delinquent behavior across racial and ethnic groups.
- ◆ Disparities were found in system processing of minority youth, even when controlling for social and legal background variables.
- ◆ The role of race/ethnicity in the processing of minority vs. White youth often varies by the offense type, the decision point within the system, and location.

II. Overview of the Connecticut Juvenile Justice System in 2006

A. AGE OF JURISDICTION

In Connecticut, the Superior Court for Juvenile Matters has exclusive original jurisdiction over juveniles accused of delinquent acts. Delinquents are persons who, prior to their sixteenth birthdays, have violated or attempted to violate any federal or state law, order of the Superior Court, or any local or municipal ordinance.

While the same criminal statutes apply to both adults and juveniles, in most cases juveniles are subject to different procedures and sanctions than adults.

B. SYSTEM PHILOSOPHY AND GOALS

The juvenile justice system in Connecticut is grounded in the concepts of restorative justice, emphasizing protection of the community, offender accountability, and rehabilitation. The goals of the system, as defined in the Juvenile Justice Act of 1995, include:

- ◆ Individualized supervision, care, and treatment provided pursuant to an individual case management (probation) plan that involves the family of the juvenile.
- ◆ School and community programs promoting prevention.
- ◆ A statewide system of community-based services designed to keep the juvenile in the home and community whenever possible.
- ◆ Uniform intake procedures including “risk and needs” assessment instruments and case classification plans to inform decision-making relative to detention, residential placement and treatment plans.
- ◆ Facilitated access to treatment programs addressing drug and alcohol abuse, emotional and behavioral problems, sexual abuse, health needs, and education.
- ◆ A statewide network of high quality professional medical, psychological, psychiatric and substance abuse testing and evaluation.
- ◆ Programming for anger management and nonviolent conflict resolution.
- ◆ A coordinated statewide system of secure residential facilities and closely supervised nonresidential centers and programs.
- ◆ Community centered programs involving restitution, community service, mentoring, and intensive early intervention.

In addition to seeking to rehabilitate juvenile offenders, legislation has sought to hold juveniles accountable for their actions. Specifically, legislation has identified over 50 offenses as “Serious Juvenile Offenses” (see Appendix B), and provided the court with an increased range of dispositional sanctions when juveniles commit or attempt to commit these offenses. In addition, 1995 legislation defined acts of juvenile delinquency as “criminal,” designated jurisdiction to the Criminal Session of the Superior Court for Juvenile Matters, and increased the number of statutes for which juveniles 14-15 years of age would be automatically “transferred” to the adult system.

C. LAW ENFORCEMENT

In most instances, the police represent the first point of contact for juveniles entering the juvenile justice system and have wide discretion in handling delinquency cases. Police may: (1) issue a warning and release the juvenile; (2) confer with parents and release the juvenile; (3) make a referral to a community organization; (4) refer the juvenile to formal diversion services such as Juvenile Review Boards or youth service agencies in those communities where those options are available; or (5) make a referral to court.

When a referral to court is made, the police issue a Juvenile Summons and prepare a Police Arrest Report that describes the incident, lists the charges, specifies a court appearance date, and includes a promise to appear signed by the parents. If the charges include a Serious Juvenile Offense (SJO) and the police believe that the welfare of the child or the safety of the community requires that the juvenile be confined prior to the initial court hearing, they may immediately transport the juvenile to a juvenile Detention Center operated by the Judicial Branch (Detention Center).

D. DETENTION

The official admission criteria for the Detention Centers limits entry to juveniles:

- ◆ Charged with a Serious Juvenile Offense.
- ◆ Subject to an outstanding arrest warrant or court order to take into custody.
- ◆ Ordered by the court to be held.
- ◆ Transferred from another Detention Center to await a court appearance.

In addition, police officers who arrest and want to detain a juvenile who does not meet any of the official detention admission criteria may make an application to a Judge of the Superior Court for an Order to Detain. Such applications are normally made in situations where detention is being sought because parents cannot be located or refuse to have the juvenile in the home and the Department of Children and Families (DCF) is unable to provide shelter. With rare exceptions, juveniles admitted to detention remain detained until a court hearing is conducted on the next business day after the juvenile is admitted to the center.

At the detention hearing, the court may: (1) release the juvenile to a parent with no conditions other than to attend future hearings; (2) release the juvenile to home on a suspended order of detention and place him/her under the supervision of a probation officer that monitors specific conditions which could include house arrest, electronic monitoring, random drug testing, school attendance, and curfew; (3) remand the juvenile to a Detention Center but find them eligible for consideration by the detention staff for placement in an Alternative Detention Program (ADP); or (4) order that the juvenile remain in detention.⁴ A detention hearing is conducted at least every 15 days thereafter until the juvenile is released. Detention staff members may make recommendations to the court concerning the release or confinement of juveniles based on a structured assessment instrument.

E. COURT PROCESSING

The Juvenile Probation Unit Supervisor at the Juvenile Court location where the juvenile will appear receives the Police Arrest Report and determines whether the case should be scheduled for a court hearing (judicial processing) or handled informally (non-judicial processing) as defined by The Connecticut Practice Book. The decision to process a case non-judicially is made only after the juvenile has admitted responsibility for the alleged delinquent acts and is based on consideration of the following: seriousness of the offense, past court history, adjustment at home and school, and attitudes of the juvenile and parents.

Non-judicial cases normally include only those matters involving minor offenses and are dealt with by a juvenile probation officer rather than a judge. The probation officer may: (1) dismiss the case; (2) place the juvenile under non-judicial supervision for a period of up to 180 days with conditions; or (3) recommend judicial handling.

Judicial cases include: (1) more serious offenses (e.g., felonies); (2) cases involving juveniles who have prior delinquent convictions or who have an extensive prior history with the court (e.g., non-judicial dispositions, status offenses); (3) all cases where the juvenile denies the charges; and (4) cases where the probation officer believes that judicial intervention is warranted.

⁴ To enter an order of detention which could result in the juvenile remaining in detention or be suspended resulting in the juvenile being released on conditions, the court must determine that there is probable cause that the juvenile committed the alleged offense and that one of the following criteria applies: the juvenile will likely run away before the court hearing on the charges; the juvenile will commit other offenses harmful to the juvenile or the community; placement in the home is not in the best interests of the juvenile or the community due to the serious and dangerous nature of the alleged acts; the juvenile is being held for another jurisdiction; or there is a history of failure to appear at court hearings.

The juvenile prosecutor files a Petition/Information with the court in all judicial cases specifying the charges and identifying the offender and the parents or guardian. A plea hearing before a judge is initially scheduled at which the rights of the parents and juvenile are explained including the right to counsel and the availability of public defender services if eligible, and the child is asked to plead to the charges. This is normally followed by a pretrial conference between the prosecutor and counsel for the juvenile.

Pre-conviction suspended prosecution programs are also available for juveniles who are drug or alcohol dependent or who are involved in acts of school violence. Successful completion of such programs results in a dismissal of the charges.

If the juvenile denies responsibility for the charges, a judicial hearing is scheduled. This hearing has two phases⁵:

- ◆ ***the adjudicatory hearing*** where the court can, after trial: (1) find the juvenile not delinquent, or (2) convict the juvenile as a delinquent; and
- ◆ ***the dispositional hearing*** where the court determines whether the convicted offender will be: (1) dismissed with a warning, (2) conditionally discharged, (3) placed on probation, (4) placed on probation with a suspended commitment to the Department of Children and Families, or (5) committed to the Department of Children and Families (e.g., placed in a residential treatment center in or outside of Connecticut or at the Connecticut Juvenile Training School for boys).

The majority of convicted delinquents are placed on probation. The probation supervision plan includes a combination of conditions and treatment depending on the unique circumstances of the juvenile. Conditions can include: random drug testing, restitution, community service, electronic monitoring, curfews, and monitored school attendance.

Treatment options include referral to individual or group counseling targeting an array of problem areas; day reporting programs that include educational, recreational, life skills, drug treatment and other services; specialized services for females, sex offenders and abused juveniles; mental health services; and short-term residential services.

If placement is deemed appropriate by the court, the statutes provide for commitments to DCF for a period of up to 18 months in non-SJO cases and up to a maximum of 4 years in SJO cases. SJO

⁵ When the juvenile admits to the charges, the adjudicatory and dispositional phases can be heard concurrently.

commitments may also include orders establishing a minimum period of twelve months during which the juvenile shall be placed in a residential facility operated by or under contract with DCF. Commitments for both non-SJO and SJO convictions may be extended for an additional 18 months if requested by DCF, if, after a hearing, the court finds that such extension is in the best interests of the juvenile or the community.

F. DEPARTMENT OF CHILDREN AND FAMILIES

Convicted delinquents determined to be in need of out-of-home placement are committed to the Department of Children and Families (DCF), the state agency responsible for public or private residential placement of juvenile offenders, as well as parole services.

A parole officer is assigned to and begins working with the juvenile and the juvenile's family once they are committed, even while the juvenile is in placement. While the court, after consideration of a report from probation, makes the initial determination concerning placement for a juvenile at the point when the juvenile is committed, decisions regarding placements and release from placement are ultimately the responsibility of DCF. Juveniles who are discharged from placement and returned to their homes remain committed to DCF and remain under the supervision of DCF Parole Services until the term of the commitment imposed by the court expires.

Given the potential length of commitment, it is not uncommon that DCF has juveniles in their custody and control beyond age sixteen.

G. TRANSFER TO ADULT COURT

Juveniles age 14 or 15 charged with a Class A or B felony are automatically transferred to the adult criminal court. Additionally, juveniles age 14 or 15 charged with a Class C or D felony or with an unclassified felony may be transferred to the adult criminal court upon a motion by the juvenile prosecutor and order of a Juvenile Matters Judge (discretionary transfers). Juveniles charged with certain Class A sexual assault offenses, a Class B felony and the "discretionary transfers" can be returned to the Superior Court for Juvenile Matters upon order of a Judge in the adult court.

Juveniles confined in a Detention Center and subsequently transferred to the adult court may be placed in the custody of the Department of Correction and held in an adult correctional facility,

usually Manson Youth Institution for males and York Correctional Institution for females, both pretrial and following conviction.

H. SUMMARY OF KEY CHANGES SINCE 1998 STUDY

There were few statutory changes since the last DMC study was conducted. The most significant changes have been in the culture of the court, the use of more evidence based assessment instruments, and the increasing availability of more evidence based treatment services in the community. The following summarizes the major changes in the juvenile justice system that occurred after the reassessment of minority overrepresentation study was conducted (1998-1999 data) and prior to the current study (2005-2007 data). The focus is on changes that could impact decision-making in the various components of the system.

1. Law Enforcement

- ◆ The concept of diversion and the use of juvenile review boards have become more prevalent across the state, providing the police with more alternatives to a referral to juvenile court.

2. Detention

- ◆ New programming was implemented within the Detention Centers during the period reflecting the latest concepts of treatment and care. Programs included female responsive programming, behavior motivation, a classification system, trauma intervention services and evidence based programming.
- ◆ Community Detention Centers (CDCs) for girls were developed in collaboration with the Court Support Services Division's Center for Best Practice. These facilities provide a full continuum of care and implement gender responsive principles that include being culturally competent, holistic, strength-based, establishing positive connections, and ensuring physical and emotional safety.
- ◆ Indicative of the changes in detention is the fact that the three Detention Centers were accredited by the American Correctional Association (ACA) first in 2003 and again in 2006. In order to be accredited each center must meet almost 400 standards. Three

auditors spend three days at each center. Only 33 of 550 pretrial facilities in the country have this accreditation and Connecticut has three of them.

- ◆ The National Commission on Correctional Health Care (NCCHC) accredited the three detention facilities in 2004. The Commission sends a doctor to the state to audit about a day and a half at each facility. Connecticut is the only system in the country to have both ACA and NCCHC accreditations.
- ◆ Medical and mental health services being provided within the Detention Centers were enhanced by increasing coverage, oversight, and continuity of care. A quality assurance unit was established to ensure quality of services.
- ◆ In 2000, the Court Support Services Division (CSSD) and the Department of Children and Families (DCF) collaborated on a joint forensic psychiatric unit at Riverview Hospital. The focus of the program is on juveniles in detention with severe psychiatric impairment who have the potential for discharge to the community following a period of treatment and stabilization.
- ◆ CSSD again collaborated with DCF to provide DCF Detention Liaisons in the three Detention Centers. The Detention Liaisons provide information to case managers, act as a liaison with DCF workers, and assist to expedite children to residential treatment when clinically indicated.
- ◆ The HOMECARE program was established in 2003 to meet the needs of detained juveniles, who upon release need psychotropic medication management. The “bridging program” can offer services immediately, whereas a normal wait for an appointment at a child guidance clinic can take 6-8 weeks.
- ◆ New risk assessment instruments were put into use at the Detention Centers. Reports to the court indicating the need for further evaluations and the juvenile’s adjustment and behavior while in detention are made available to the court for use in determining the need for continued detention.

3. Juvenile Court

- ◆ Additional evidence based “risk and needs” assessment instruments were implemented to more objectively identify and assess the factors that are considered when a probation officer makes a recommendation for disposition in a juvenile’s case.
- ◆ Mental health screens are now completed in every case (delinquency and Families With Services Needs) once an admission has been made to the underlying allegations. The purpose of these screens is to identify any present mental health concerns.
- ◆ More evidence based intensive, in-home services and programs were developed by DCF, as well as CSSD, in an effort to provide a more complete range of rehabilitative services to the juveniles and the families in the community to address the identified needs. Such programs and services might be utilized before or after adjudication and may be used for juveniles who may or may not have been detained.
- ◆ In 1999, the “exile” provision that resulted in a juvenile being banned from his or her town of residence when committed to DCF for a Serious Juvenile Offense was replaced with a provision that allows the court to set a minimum period of twelve months during which the juvenile must be placed in a residential facility by DCF.
- ◆ In 2004, certain Class A sexual assault cases, involving juveniles age 14 or 15 and transferred to the adult criminal court, were able to be returned to the juvenile court. This was done primarily to take advantage of age appropriate sex offender treatment programs that are available in the juvenile justice system but not accessible to the adult criminal justice system, and to deal with cases where certain statutorily mandated prison sentences are deemed by the adult court prosecutor and judge to be inappropriate.

4. Division of Public Defender Services

- ◆ In 1999, several juvenile court offices were staffed by contracted attorneys who were not employed by the Division of Public Defender Services. Since 1999, the Division has assigned permanent attorney staff in each Juvenile Court.

- ◆ Since 1999, the Division increased the amount of social work coverage available to the juvenile public defender offices resulting in better programming and services outside of court for clients, the majority of which are people of color.
- ◆ The Division created the position of Director of Juvenile Delinquency Defense, which allows for better participation in statewide policy development.
- ◆ The Division has sponsored trainings on issues affecting young people in the courts, including both a defense training on adolescent brain development and a large scale training on competency that was open to all agencies working with youth and children.
- ◆ The Division has also entered into agreements with legal services organizations across the state to provide educational advocacy for clients. The legal services organizations take cases on referral from the public defenders and assist the families in securing appropriate educational services. This has been particularly helpful in cases where the child's delinquency is based at school.

5. Division of Criminal Justice

- ◆ All Division of Criminal Justice employees are required to attend diversity training during their first year of employment and offsite training on diversity issues is offered to prosecutors.
- ◆ The Division encourages recruitment of minority employees in a variety of ways and participates in many events to make Connecticut a more attractive place for attorneys of color and women to practice law and find satisfying professional opportunities.

6. Department of Children and Families

- ◆ In 2006, the only secure juvenile justice facility used by the Department of Children and Families was the Connecticut Juvenile Training School (CJTS). Unlike the previous secure facility used by DCF (Long Lane School), CJTS does not admit female juveniles and all beds are secure.
- ◆ New services provided by DCF include a girls' therapeutic group home in Hartford, Multi-Dimensional Treatment Foster Care, MST After-care and Support, Home-based Family-

Centered Substance Abuse Treatment, Therapeutic Mentoring, Flex Funding for individualized recreational needs, Flex Funding for Educational Support, and Flex Funding for Specialized Therapeutic Services.

- ◆ To assist children with their re-entry into their communities and schools from either residential or secure settings, DCF has created the Support Teams for Educational Progress program. Two sites were designated by the legislature: Hartford, which began in August 2006; and New Haven, which began in January 2007.

III. Methodology

A. RESEARCH DESIGN OVERVIEW

The major goals for this second reassessment study were to determine:

- ◆ What differences, if any, exist in decisions made for Black, Hispanic and White juveniles who are processed for similar types of offenses (e.g., Serious Juvenile Offenses, non-SJO felonies, misdemeanors, and violations) as they move through the juvenile justice system.
- ◆ If observed differences remain when controlling for offender and offense characteristics or are neutralized by predictor variables.
- ◆ If the system has improved in those areas found to be problematic in the two prior studies.

The study assesses decisions made by the three components of the juvenile justice system: the police, Juvenile Court, and the Department of Children and Families.

B. DATA SOURCES, SAMPLING PLAN AND DATA COLLECTION

1. Police Data

Police data for the study were obtained by Office of Policy and Management (OPM) staff at approximately one-third of the 95 municipal police departments and 12 state police barracks across the state.

OPM gathered data from 26 municipal police departments and five state police barracks.⁶ These police departments and barracks were selected by a stratified random selection process to assure: (a) representation across different geographic areas of the state, (b) representation across different size towns and cities, and (c) random selection of departments and barracks within the different size categories.

At each location, a sampling plan was used that called for collecting data from a prescribed number of cases reflective of the size of the city or town, and over-sampling minority cases to allow for meaningful comparisons to be made across race.

Police data included in this study sample were randomly selected from all police incident reports for July 1, 2005 to June 30, 2006 (2005-06). In some of the police departments the total number of incident reports for a particular offense type (i.e., SJO, non-SJO felony, misdemeanor) for the fiscal year was less than the specified sampling plan (e.g., 10 Black, 10 Hispanic, and 10 White juveniles charged with SJOs). For these departments, information was abstracted from all of the incident reports for the specific offense type(s).

As described above, the sampling plan for the police data was such that certain size cities/towns were more heavily sampled than others. In order to adjust the data to more accurately represent all of the incident reports that were filed at all of the police departments under study, the data were weighted. The weighting procedure used is provided in Appendix C.

Data were abstracted from 1,564 incident reports in 2005-06, 940 incident reports in 1998-99, and 892 incident reports in 1991-92. Figure 1 displays the number of cases used for the police analysis broken out by offense type.

⁶ Names of police departments/barracks are not provided as anonymity was promised to enable access to confidential department files. The 2005-06 departments/barracks were identical to those in 1998-99.

Figure 1
Police Sample

	1991-92			1998-99			2005-06		
	Most Serious Apprehension Charge			Most Serious Apprehension Charge			Most Serious Apprehension Charge		
	SJO	Non-SJO Felony	Misdemeanor	SJO	Non-SJO Felony	Misdemeanor	SJO	Non-SJO Felony	Misdemeanor
Black	42	64	153	47	34	206	57	66	349
Hispanic	28	62	130	37	39	206	44	47	353
White	22	106	285	37	48	285	42	75	531
Total	92	232	568	121	122	697	143	188	1,233

Data gathered from the police incident reports included information on:

- ◆ The offender (race/ethnicity, age, and gender).
- ◆ The type of offense.
- ◆ Police handling (action on complaint, use of secure holding at the police station, hours held at the police station, where released to, referral to court).
- ◆ Characteristics of the offense (i.e., number of offenders, possession of drugs or alcohol, possession of a weapon, school vs. non-school incident).⁷

2. Juvenile Court Data

For the Juvenile Court component of the study, the Judicial Branch provided Spectrum Associates a data file extracted from CMIS (Case Management Information System) that included information on all juveniles that had a delinquency case disposed by the court in 2006.

A total of 663 juveniles disposed for a delinquency case provided in the file from the Judicial Branch were excluded from Spectrum Associates' study due to: (a) missing race/ethnicity data; (b) having multiple identification numbers, typically across different Juvenile Matters Court offices, making it impossible to determine which information was available to decision makers at the time they were making decisions for the juvenile; (c) the most serious charge for which the juvenile was referred to court was only an infraction; and (d) the juvenile not being a Connecticut resident. The final Juvenile Court data file used for the 2006 study included 8,483 juveniles.

⁷ Additional data were desired (e.g., gang involvement, under the influence of drugs or alcohol, victim data), but were not regularly recorded in the police incident reports.

The data provided by the Judicial Branch included:

- ◆ Demographic information on the juvenile.
- ◆ Information about the “target offense”.⁸
- ◆ Risk and need assessment form data⁹ completed for the juvenile in the time frame of the target offense.
- ◆ Prior court referrals.
- ◆ Detention stays in the time frame of the target offense and the number of Detention Center incident reports for those detention stays.

To verify the accurate identification of the “target offense” and prior court referrals for the juveniles included in the Juvenile Court data received for the study, Spectrum Associates manually compared the data to hard copy printouts from CMIS for a sample of juveniles.

While “poverty” is often hypothesized as having an impact on juvenile justice decision making for youth, no data item for “poverty” is recorded in CMIS. In an effort to assess the impact of poverty on decision making, Spectrum Associates utilized a geocoding and mapping software to assign neighborhood economic characteristics (e.g., estimated percentage of households with < \$20,000 household income in 2007, estimated percentage of 25+ year olds without a high school diploma in 2007, and the unemployment rate in 2000) to each juvenile for which a home address was available.

⁸ The target offense is the last disposed charge in the calendar year under study (i.e., 2006). When there were multiple charges disposed on that date, the charge receiving the most serious disposition on that date was used.

⁹ The form used in 2006 was the Juvenile Assessment Generic (JAG). The data received from the JAG included scores that assessed the juvenile overall and for: criminal history, personal history, companions, alcohol/drugs, and family situation.

3. Department of Children and Families Data

Spectrum Associates abstracted data for all juveniles discharged from the Department of Children and Families (DCF) for a two-year period (July 1, 2005 to June 30, 2007).¹⁰ Data were abstracted for a total of 536 juveniles. During the time period for this study, the secure juvenile correctional facility used for juveniles (Connecticut Juvenile Training School) only admitted male juveniles; therefore data were only abstracted for male juveniles discharged by DCF.

Information abstracted included:

- ◆ All placements during the commitment to DCF under study.
- ◆ The length of each placement.
- ◆ The charge(s) for which the juvenile received the commitment.
- ◆ Juvenile demographic and family characteristics.
- ◆ Court history information.
- ◆ Incident reports written for the juvenile during his placement at the Connecticut Juvenile Training School.
- ◆ Scores recorded on the risk and needs assessment forms (i.e., individual item scores as well as total scores).

As described above in the court component, in an effort to assess the impact of poverty on DCF decision making, Spectrum Associates utilized a geocoding and mapping software to assign neighborhood economic characteristics (e.g., estimated percentage of households with < \$20,000 household income in 2007, estimated percentage of 25+ year olds without a high school diploma in 2007, and the unemployment rate in 2000) to each juvenile for which a home address was available.

¹⁰ It should be noted that for each of the earlier studies, Spectrum Associates only abstracted data for one year resulting in about 450 juveniles for each study. For the 2006 study, Spectrum Associates abstracted data for two years as there were fewer juveniles included in each year (i.e., 266 juveniles in 2005-06 and 270 juveniles in 2006-2007).

IV. Study Findings

This section of the report examines the decision-making for three separate components of the juvenile justice system: the police, Juvenile Court, and the Department of Children and Families. For these analyses, data are first presented that display system processing decisions broken out by: (a) type of offense (e.g., SJOs, non-SJO felonies and misdemeanors), and (b) within offense type, by race/ethnicity (i.e., Black, Hispanic and White). These tables depict the extent to which there were different decisions being made by the police, court, and DCF for Black, Hispanic and White juveniles who were charged with similar types of offenses. Decisions were then analyzed to determine if observed differences attributed to race/ethnicity remained when controlling for socio-demographic factors, additional offense characteristics, and offenders' juvenile court history. To this end, Logistic Regression (dichotomous variables) and Multiple Linear Regression (continuous measure variables such as detention time) analyses were used. These multi-variable statistical techniques allow the researcher to estimate the odds that an event will or will not occur for a combination of independent or predictor variables. This type of analysis is particularly useful as it allows the researcher to determine the influence of each predictor variable (e.g., age, gender, and most serious prior offense) on the dependent variable (e.g., the decision to bring a juvenile to a Detention Center), and also examine the predictors' effects as a set of variables (i.e., a model). For a more detailed discussion of the statistical procedures for these analyses, see Appendix D.

A. POLICE DECISION-MAKING

As discussed in detail previously, police data presented in this section of the report were gathered by OPM for three time periods: July 1, 1991 to June 30, 1992; July 1, 1998 to June 30, 1999; and July 1, 2005 to June 30, 2006. For all three time periods, data were gathered at 26 municipal police departments and five state police barracks. Data were gathered from written police records and are presented on five key police decisions¹¹:

- ◆ Did the police refer the juvenile to court or take less formal action?
- ◆ Did the police take the juvenile to the police station?
- ◆ Was the juvenile placed in secure holding while at the police station?

¹¹ This research only includes data on those juveniles for whom police wrote an incident report.

- ◆ For those juveniles placed in secure holding at the police station, for how many hours were they held in secure holding?
- ◆ Was the juvenile transported to detention or released by the police to a parent, guardian, or other responsible party?

When disparities were observed, Logistic Regression or Multiple Linear Regression were used to determine whether the impact of race/ethnicity on police decisions within offense type remained when controlling for social and additional legal factors. Figure 2 displays the factors included in these analyses.

Figure 2
Predictor Variables For The Police Multivariate Analyses

Socio-demographic	Incident Characteristics	Jurisdiction
Age	How Police Became Aware of the Incident	Distance from a Detention Center
Gender	School vs. Non-School Incident	Presence of a Juvenile Review Board
Race/Ethnicity	Number of Offenders	Size of City/Town
	Possession of Alcohol	
	Possession of Drugs	
	Possession of Weapon/Gun	
	Under Influence of Drugs/Alcohol	

In addition to the above, those apprehended for a Serious Juvenile Offense were broken out into “more violent” and “less violent” categories (see Appendix E) and then the categories were included in the model when examining whether or not the juvenile was brought to a Detention Center.

1. Action on Apprehension

Figure 3 displays police action taken (i.e., referred to juvenile court, referred to community agency, released with a warning) for Black, Hispanic and White juveniles charged with SJOs, non-SJO felonies, and misdemeanors.

Figure 3
Police Action by Most Serious Charge at Apprehension

		1991-92			1998-99			2005-06		
		Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
Serious Juvenile Offense	Referred to Juvenile Court	98%	94%	100%	100%	100%	98%	98%	100%	91%
	Referred to community agency	2%	6%	0%	0%	0%	2%	0%	0%	0%
	Warning*	0%	0%	0%	0%	0%	0%	2%	0%	9%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	42	28	22	47	37	36	57	44	42
Non-SJO Felony	Referred to Juvenile Court	93%	84%	88%	100%	96%	96%	98%	98%	82%
	Referred to community agency	4%	6%	8%	0%	0%	0%	0%	0%	2%
	Warning*	3%	10%	4%	0%	4%	4%	2%	2%	16%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	64	62	106	34	39	48	66	47	75
Misdemeanor	Referred to Juvenile Court	64%	65%	75%	82%	79%	82%	80%	81%	69%
	Referred to community agency	18%	13%	10%	8%	7%	8%	5%	4%	6%
	Warning*	18%	22%	15%	10%	14%	10%	15%	15%	25%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	153	130	285	206	206	285	349	353	531

* Includes speaking with youth and parents; bringing youth to station and warning; and conference with youth, parents, and others.

Figure 3 reveals the following:

2005-06 Findings

- ◆ Disparities in the percentage of Black, Hispanic and White juveniles referred to juvenile court were found. Specifically:
 - Across all offense types, Hispanic juveniles were significantly more likely to be referred to court than were White juveniles. For juveniles charged with an SJO or misdemeanor the differences were neutralized using the multivariate analyses. The disparity at the non-SJO level was not neutralized.
 - Black juveniles charged with non-SJO felony or misdemeanor charges were significantly more likely to be referred to court than were similarly charged White juveniles. The multivariate analyses did not neutralize the disparities.

Comparison to Prior Studies

- ◆ The disparities found in police referring Black, Hispanic and White juveniles to juvenile court in 2005-06 were not identified in the two first studies, indicating that this is a new area of concern.

It should be noted that additional analyses were conducted to determine the impact of having a Juvenile Review Board (JRB) on referral to court rates for Black, Hispanic and White juveniles. This analysis determined that communities with and without JRBs were more likely to refer Black and Hispanic juveniles than White juveniles.

The analysis of referral to court by communities with and without JRBs also revealed that while the two prior studies found that juveniles charged with misdemeanors in communities with a JRB were less likely to be referred to court than juveniles charged with misdemeanors in communities without a JRB, in 2005-06 no differences were observed in communities with and without a JRB.

2. Brought to Police Station

Figure 4 displays the percentage of juveniles for whom an incident report was written that were brought to the police station by offense type and race/ethnicity.

Figure 4
Percentage of Juveniles Brought to Police Station
By Most Serious Charge at Apprehension

	1991-92			1998-99			2005-06		
	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
SJO	85%	92%	88%	85%	87%	80%	84%	72%	69%
Base	40	28	22	47	37	37	59	44	42
Non-SJO Felony	89%	91%	84%	84%	88%	82%	55%	53%	63%
Base	60	58	97	34	39	48	66	47	75
Misdemeanor	75%	70%	75%	58%	53%	61%	32%	30%	36%
Base	141	120	269	206	204	285	349	353	531

As displayed in Figure 4:

- ◆ For all three studies, race/ethnicity did not have a significant impact on the likelihood of juveniles being brought to the police station.

3. Placement in Secure Holding at the Police Station

Figure 5 displays the percentage of Black, Hispanic and White juveniles who were held securely at the police station.

Figure 5
Percentage of Juveniles Placed in Secure Holding at Police Station
By Most Serious Charge at Apprehension

	1991-92			1998-99			2005-06		
	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
SJO	60%	61%	46%	60%	58%	69%	46%	21%	32%
Base	34	25	19	40	32	29	50	30	29
Non-SJO Felony	50%	46%	30%	53%	50%	59%	49%	30%	24%
Base	53	53	81	29	35	40	33	24	47
Misdemeanor	28%	26%	17%	23%	25%	25%	48%	44%	24%
Base	106	84	201	120	107	173	108	100	189

As revealed in Figure 5:

2005-06 Findings

- ◆ Black juveniles were more likely than White juveniles to be placed in secure holding (across offense types), and the differences were statistically significant for Black vs. White youth charged with non-SJO felonies and misdemeanors. Further analysis revealed that these differences were not neutralized by the predictor variables.
- ◆ Hispanic juveniles charged with misdemeanors were significantly more likely than White juveniles charged with misdemeanors to be placed in secure holding at the police station. However, this disparity was neutralized using the multivariate analysis.

Comparison to Prior Studies

- ◆ Disparities in the use of secure holding for Black juveniles charged with misdemeanors being placed in secure holding found in 1991-92 were eliminated in 1998-99 as a result of the increased use of secure holding for White juveniles. However, disparities reappeared in 2005-06.

4. Hours Held in Secure Holding at a Police Facility

Figure 6 displays the mean number of hours juveniles were held in secure holding at a police station.

Figure 6
Mean Hours Held in Secure Holding at the Police Station
(For Juveniles Held in Secure Holding at the Station)
By Most Serious Charge at Apprehension

		1991-92			1998-99			2005-06		
		Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
SJO	Mean Hours	2.6	2.1	2.1	1.2	1.1	1.9	2.8	1.4	2.9
	Base	20	15	9	24	18	20	17	6	9
Non-SJO Felony	Mean Hours	2.8	2.6	2.3	1.5	1.6	1.7	2.7	1.5	2.1
	Base	27	25	25	15	17	24	12	7	12
Misdemeanor	Mean Hours	2.1	1.9	1.8	2.0	1.8	1.9	1.7	1.4	1.6
	Base	29	22	33	28	26	43	51	39	43

Figure 6 reveals:

- ◆ As was the case in the earlier studies, in 2005-06 Black and Hispanic juveniles were not held significantly longer in secure holding than were similarly charged White juveniles.

5. Placement in Detention Center

When a juvenile is charged with a Serious Juvenile Offense and the police believe the welfare of the child or safety of the community requires it, the juvenile can be transported to and held in a Detention Center operated by the Judicial Branch. For juveniles charged with other types of offenses, police officers can make an application to a Judge of the Superior Court for an order to detain when the officer believes it is warranted. With rare exceptions, these applications are approved.

Data on whether or not juveniles were brought to a Detention Center by the police were obtained from the juvenile court for all juveniles disposed in each of the study years. These data are presented in Figure 7.¹²

Figure 7
Juveniles Brought by Police to a Detention Center *
By Most Serious Intake Charge

	1991			1998			2006		
	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
SJO	60%	55%	20%	54%	52%	20%	47%	49%	27%
Base	296	175	157	336	220	356	355	172	279
Non-SJO Felony	31%	29%	8%	10%	5%	3%	6%	5%	4%
Base	487	340	775	342	212	714	345	211	433
Misdemeanor	12%	13%	4%	3%	3%	2%	2%	1%	1%
Base	1,307	877	2,407	1,929	1,156	3,116	2,124	1,296	2,569

* Includes only detention placements that resulted from the instant offense for this study.

As revealed in Figure 7:

2006 Findings

- ◆ Black, Hispanic and White juveniles charged with non-SJO felony or misdemeanor charges were brought to a Detention Center at similar rates.
- ◆ However, for juveniles charged with an SJO, Black and Hispanic juveniles were more likely to be brought to a Detention Center and these differences were not neutralized by the predictor variables.

Comparison to Prior Studies

- ◆ The findings in 2006 were very similar to 1998, and the improvement in 1998 for non-SJO felony and misdemeanors was retained in 2006.

¹² While these data are from the court records rather than police files, the variables used for the Logistic Regression model for this decision point were similar to the ones used for the police files (i.e., race/ethnicity, age, gender, possession of drugs (1991 & 1998), and possession of weapon (1991 & 1998)). In addition, the model also included the length of commute from the police department to the closest Detention Center and the severity of the SJO for which the juvenile was brought to the Detention Center.

6. Summary of Police Findings

Analysis of police data presented in this section of the report revealed the following:

- ◆ In 2005-06, minority juveniles apprehended for non-SJO felony (Black and Hispanic juveniles) and misdemeanor (Black juveniles) charges were more likely than their White counterparts to be referred to court, and these differences were not neutralized when controlling for other factors. The earlier studies did not show this disparity.
- ◆ Across all three studies, Black and Hispanic youth were not significantly more likely than White youth to be brought to the police station.
- ◆ In 2005-06, Black juveniles charged with a non-SJO felony or misdemeanor offense were more likely than White juveniles so charged to be placed in secure holding. The disparity was not neutralized. Similar disparities in the use of secure holding were found in 1991-92, but had been eliminated in 1998-99.
- ◆ Across all three studies, Black and Hispanic juveniles were not held significantly longer in secure holding than were similarly charged White juveniles.
- ◆ Across all three studies, Black and Hispanic juveniles apprehended for SJOs were significantly more likely than White juveniles so charged to be transported to a Detention Center, and these differences were not neutralized when controlling for other factors.

B. JUVENILE COURT DECISION-MAKING

Data were gathered and analyzed to look at several key court decisions, including:

- ◆ How long juveniles were held in a Detention Center.
- ◆ The type of court processing (i.e., transfer to adult court, handle judicially in juvenile court, handle non-judicially in juvenile court).
- ◆ Court outcome for judicial and non-judicial delinquency cases.
- ◆ Final court dispositions for adjudicated delinquency cases.

When disparities were observed, Logistic Regression or Multiple Linear Regression were used to determine whether the impact of race/ethnicity on police decisions within offense type remained when controlling for social and additional legal factors. Figure 8 displays the factors included in these analyses.

Figure 8
Predictor Variables For The Court Multivariate Analyses

Socio-demographic	JAG Scores	Court History
Age	Overall Score (Risk & Protective)	Prior Referral
Gender	Criminal History Risk	Number of Prior Referrals
Race/Ethnicity	Personal Risk & Rater	Prior Most Serious Charge
Neighborhood Characteristics*	Companions Risk & Rater	Prior Penetration Into JJS
	Alcohol/Drug Risk & Rater	Detention Center Incident Report
	Family Risk & Rater	

* The “neighborhood characteristics” include a number of variables. First, whether or not the juvenile’s town of residence is a big city or not. Second, geocoding and mapping software was used to assign census block attributes to juveniles’ neighborhoods. The attributes used include the estimated percentage of households with < \$20,000 household income in 2007, the estimated percentage of 25+ year olds without a high school diploma in 2007, and the unemployment rate in 2000.

This section of the report provides a complete set of tables and charts displaying juvenile court decisions broken out by offense type and, within offense type, by race/ethnicity. It should be noted that analysis of the court data does not include tests of significance because the study includes all

cases disposed by Juvenile Court in each of the study years rather than a sample, thereby making such tests unnecessary.

1. Detention Center Stays

Data were obtained to examine whether Black, Hispanic and White juveniles charged with similar types of offenses and transported to a Detention Center by police were treated similarly with regard to:

- ◆ How many days they were held at a Detention Center.
- ◆ Whether or not they were released from the Detention Center prior to their case being disposed.

a. Average Number of Days Spent in Detention

Figure 9 displays the average number of days spent at a Detention Center.

Figure 9
Average Number of Days at a Juvenile Detention Center
by Most Serious Intake Charge

	1991			1998			2006		
	Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	14.9	16.5	10.8	15.6	16.3	9.1	13.6	17.2	8.4
Base	179	97	32	150	91	58	128	60	63
Non-SJO Felony	5.5	10.6	9.5	11.6	19.4	12.8	29.4	16.8	9.9
Base	151	99	61	32	10	23	16	9	15
Misdemeanor	5.2	3.0	4.1	7.2	16.5	10.8	18.7	22.9	15.1
Base	154	111	99	45	28	57	33	19	29

Figure 9 reveals the following:

2006 Findings

- ◆ Across offense type, White juveniles spent fewer days in detention than did similarly charged Black and Hispanic juveniles. However, across all offense types, the impact of race/ethnicity was neutralized using the multivariate analysis. The factor that had the most impact on the length of stay in detention was whether or not an incident report was written for the juvenile while at the Detention Center. Since the writing of an incident report by Detention Center staff is a discretionary decision made by the staff member the secondary

multivariate analyses were conducted without this factor.¹³ Typically, the secondary multivariate analyses found that the impact of race/ethnicity was neutralized by the other factors included in the analyses.

Comparison to Prior Studies

- ◆ Across all three studies, Black and Hispanic juveniles charged with SJOs averaged more days in a Detention Center than similarly charged White juveniles. While the differences were neutralized in 2006, they were not in 1998 and 1991.

b. Percentage Released Prior to Adjudication Date

Figure 10 displays the percentage of juvenile offenders placed in a Detention Center that were released from the Detention Center prior to their case being disposed.

Figure 10
Percentage of Juveniles Released From Detention Prior to Disposition Date
By Most Serious Intake Charge

	1991			1998			2006		
	Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	87%	90%	91%	79%	76%	86%	91%	83%	92%
Base	178	96	32	150	91	58	128	60	63
Non-SJO Felony	93%	88%	85%	88%	70%	83%	88%	78%	87%
Base	151	99	61	32	10	23	16	9	15
Misdemeanor	94%	92%	95%	84%	82%	84%	67%	84%	90%
Base	154	111	99	45	28	57	33	19	29

Note: This figure only includes juveniles who were brought to a Detention Center as a result of the case under study.

¹³ As it is at the discretion of staff at the Detention Center to write or not write an incident report for an event that occurs at the Detention Center, this is a decision point that warrants further examination in future studies (e.g., does the proportion of the incident reports written at a Detention Center for Black, Hispanic and White juveniles reflect the universe of days at the Detention Center for juveniles of each group?).

Figure 10 revealed the following:

2006 Findings

- ◆ Across race/ethnicity and offense type the vast majority of juveniles were released from detention prior to the disposition of their case.
- ◆ At the felony level (SJO and non-SJO), White juveniles were somewhat more likely than Hispanic juveniles to be released from detention prior to their case disposition. However, the multivariate analyses determined that race/ethnicity was not a significant factor. Rather, the factors that had a significant impact were: whether or not an incident report was written while in detention, and the severity of the SJO charge with which the juvenile is charged.
- ◆ For misdemeanors, Black juveniles were less likely than White juveniles to be released from detention prior to case disposition. This disparity was not neutralized.

Comparison to Prior Studies

- ◆ The 2006 disparities reported above for Black juveniles charged with a misdemeanor is new area of concern as the prior studies revealed no such disparity.

2. Court Handling

Figure 11 presents data on the court handling of delinquency cases broken out by offense type and race/ethnicity.

Figure 11
Delinquency Case Handling
by Most Serious Petition Charge

		1991			1998			2006		
		Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Transfer	0%	1%	0%	8%	10%	7%	14%	17%	8%
	Judicial	91%	89%	85%	88%	88%	88%	83%	82%	90%
	Non-Judicial	9%	10%	15%	4%	3%	5%	3%	1%	2%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	304	185	163	331	219	354	371	177	290
Non-SJO Felony	Transfer	0%	0%	0%	1%	0%	0%	2%	2%	2%
	Judicial	76%	72%	66%	77%	83%	75%	90%	91%	88%
	Non-Judicial	24%	28%	34%	23%	16%	25%	8%	7%	9%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	502	349	786	339	211	699	347	211	441
Misdemeanor	Judicial	34%	32%	26%	42%	43%	43%	57%	58%	46%
	Non-Judicial	66%	68%	73%	58%	57%	57%	43%	42%	54%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	1,325	887	2,423	1,907	1,135	3,068	2,071	1,255	2,547
Violation	Judicial	93%	93%	73%	96%	91%	85%	97%	98%	91%
	Non-Judicial	7%	7%	26%	4%	9%	15%	3%	2%	9%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	56	67	194	196	217	387	223	177	226

Figure 11 displays the following:

2006 Findings

- ◆ Black and Hispanic juveniles charged with an SJO were more likely than similarly charged White juveniles to be transferred to adult court. While factors other than race/ethnicity played a significant role in the decision (i.e., violent vs. non-violent charge, charge class, and age of the offender), race/ethnicity remained a significant factor.
- ◆ Any differences between Black and/or Hispanic juveniles and White juveniles being handled judicially rather than non-judicially were neutralized by other factors.

Comparison to Prior Studies

- ◆ The 2006 study is the first one that shows race/ethnicity playing a significant factor in the decision to transfer juveniles to adult court. The percentages of Black, Hispanic and White juveniles transferred to adult court were similar for both 1991 (0% to 1% at the SJO level) and 1998 (7% to 10% at the SJO level).
- ◆ Across all three studies, any differences in handling cases judicially rather than non-judicially were neutralized by the predictor variables.

3. Case Outcome for Non-Judicial Delinquency Cases

Figure 12 displays case outcome data for juveniles handled non-judicially for delinquency cases.

Figure 12
Court Outcome of Non-Judicial Delinquency Cases
by Most Serious Disposed Charge

		1991			1998			2006		
		Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Non-SJO Felony	Non-Judicial Supervision	1%	3%	8%	47%	25%	43%	4%	7%	8%
	Discharge	48%	49%	64%	47%	53%	48%	92%	86%	92%
	Not Presented	51%	48%	28%	6%	22%	8%	4%	7%	0%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	109	79	236	68	32	153	26	14	39
Misdemeanor	Non-Judicial Supervision	5%	1%	5%	24%	21%	30%	10%	8%	9%
	Discharge	64%	70%	72%	67%	69%	62%	88%	91%	88%
	Not Presented	31%	28%	24%	9%	10%	9%	2%	1%	2%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	883	618	1,803	1,110	653	1,766	858	502	1,360

Note: As SJOs are by law handled judicially, they are excluded from this figure.

As shown in Figure 12:

- ◆ Across all three studies, no disparities by race/ethnicity were found in the outcomes of delinquency cases handled non-judicially.

4. Court Outcome for Judicial Cases

Figure 13 displays the court outcome for judicial delinquency cases. These data are broken out by offense type and race/ethnicity.

Figure 13
Court Outcome of Judicial Delinquency Cases
by Most Serious Petition Charge

		1991			1998			2006		
		Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Adjudicated SJO	31%	35%	17%	16%	17%	18%	15%	18%	12%
	Adjudicated Delinquent	52%	45%	63%	59%	58%	63%	61%	53%	54%
	Nolle	11%	14%	14%	20%	21%	16%	23%	29%	32%
	Not Delinquent	3%	1%	3%	0%	0%	0%	0%	1%	0%
	Dismissed	3%	5%	4%	5%	4%	3%	1%	0%	2%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	276	164	139	296	192	316	315	147	267
Non-SJO Felony	Adjudicated Delinquent	75%	66%	78%	77%	76%	79%	69%	67%	63%
	Nolle	20%	29%	17%	20%	22%	16%	27%	31%	35%
	Not Delinquent	2%	2%	1%	0%	0%	0%	0%	0%	0%
	Dismissed	3%	4%	4%	3%	2%	5%	3%	1%	2%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	381	252	516	257	172	519	310	189	388
Misdemeanor	Adjudicated Delinquent	50%	52%	56%	56%	57%	61%	44%	42%	40%
	Nolle	39%	41%	28%	39%	39%	34%	54%	55%	57%
	Not Delinquent	5%	1%	3%	0%	0%	0%	0%	0%	0%
	Dismissed	6%	6%	13%	5%	3%	5%	2%	3%	3%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	448	278	634	773	465	1,273	1,143	705	1,147
Violation	Adjudicated Delinquent	62%	55%	61%	72%	76%	68%	63%	54%	52%
	Nolle	33%	32%	25%	26%	23%	27%	36%	46%	47%
	Not Delinquent	0%	0%	1%	0%	0%	0%	0%	0%	0%
	Dismissed	6%	13%	13%	2%	1%	5%	0%	0%	1%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	52	62	141	187	193	325	216	172	203

As shown in Figure 13:

- ◆ For all three studies, typically similar percentages of Black, Hispanic and White juveniles across offense types were adjudicated for their delinquency case. Any differences found were neutralized by other factors.

5. Court Disposition for Adjudicated Youth

Figure 14 displays the court disposition of all juveniles adjudicated.

Figure 14
Court Disposition for Judicial Delinquency Cases
by Most Serious Disposed Charge

		1991			1998			2006		
		Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Committed to DCF, CJTS/Long Lane	36%	35%	26%	23%	29%	7%	2%	8%	0%
	Committed to DCF, Direct Placement	9%	18%	17%	11%	15%	11%	17%	12%	9%
	Probation	51%	44%	48%	53%	54%	78%	64%	54%	77%
	Discharged	5%	4%	9%	13%	2%	4%	18%	27%	14%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	87	57	23	70	52	74	47	26	35
Non-SJO Felony	Committed to DCF, CJTS/Long Lane	15%	12%	3%	11%	12%	4%	1%	2%	2%
	Committed to DCF, Direct Placement	7%	6%	7%	9%	10%	7%	8%	7%	3%
	Probation	63%	66%	77%	65%	69%	76%	76%	71%	66%
	Discharged	16%	17%	13%	14%	8%	13%	15%	21%	29%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	158	90	262	142	97	250	180	92	134
Misdemeanor	Committed to DCF, CJTS/Long Lane	5%	6%	3%	4%	6%	2%	0%	0%	0%
	Committed to DCF, Direct Placement	6%	6%	7%	5%	7%	6%	4%	3%	3%
	Probation	60%	58%	65%	76%	72%	76%	67%	65%	65%
	Discharged	30%	30%	25%	15%	15%	17%	29%	31%	31%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	433	254	550	538	345	1050	684	382	677
Violation	Committed to DCF, CJTS/Long Lane	16%	14%	10%	13%	13%	9%	3%	2%	3%
	Committed to DCF, Direct Placement	18%	19%	30%	21%	23%	20%	17%	16%	16%
	Probation	42%	55%	48%	52%	54%	64%	57%	52%	48%
	Discharged	24%	12%	12%	14%	10%	7%	23%	30%	33%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Base	45	42	98	174	167	258	147	96	106

Figure 14 reveals the following:

2006 Findings

- ◆ Typically, across offense type, Black, Hispanic and White juveniles were similarly likely to receive placement (CJTS or direct placement) for their delinquency case. When there were differences in the percentage receiving placement, race/ethnicity was not a significant factor.

Comparison to Prior Studies

- ◆ As was the case in 2006, any differences in the percentages of Black, Hispanic and White juveniles receiving placement in 1998 and 1991 were neutralized by other factors.

6. Summary of Juvenile Court Findings

Analysis of court data presented in this section of the report revealed the following:

- ◆ In 2006, race/ethnicity did not have a significant impact on the average number of days Black, Hispanic and White juveniles spent in a pretrial Detention Center. This is an area of improvement as both prior studies found Black and Hispanic juveniles charged with an SJO averaged more days in pretrial detention and the differences were not neutralized.
- ◆ In 2006, Black juveniles charged with a misdemeanor were less likely than their White counterparts to be released from detention prior to their case disposition and the difference was not neutralized by the other factors. This disparity was not identified in the prior studies.
- ◆ In 2006, Black and Hispanic juveniles charged with an SJO were more likely than similarly charged White juveniles to be transferred to adult court. While the multivariate analysis showed that factors other than race/ethnicity also played a significant role in the decision, race/ethnicity remained a significant factor. Due to the small number of transfers in the prior studies, it was not previously identified as an area of disparity.
- ◆ Across all three studies, no disparities were found in:
 - The handling of cases judicially rather than non-judicially.
 - Court outcomes for non-judicial delinquency cases.
 - Adjudication rates for judicial delinquency cases.
 - Placement rates for adjudicated juveniles.

C. DEPARTMENT OF CHILDREN AND FAMILIES DECISION-MAKING

The third key component of the juvenile justice system is the Department of Children and Families (DCF), the state agency responsible for placements of convicted juveniles committed by the judge to the state for care and treatment. DCF is also responsible for parole services provided to juveniles following their discharge from placement and until their commitment expires. The term of commitment is up to four years for SJOs and up to 18 months for other types of offenses.

While the judge determines where a juvenile committed to DCF should be initially placed (with input from DCF staff) and determines the maximum commitment to DCF, DCF is responsible for all other decisions, including:

- ◆ If, when, and where juveniles are moved elsewhere from their initial placement.
- ◆ How long juvenile offenders actually spend in the various DCF placements.
- ◆ How long juveniles actually remain in DCF care.

This section of the report looks at key decisions made by DCF to determine if the data suggest that different decisions were made for Black, Hispanic and White juveniles. When disparities were observed, Logistic Regression and Multiple Linear Regression were used to determine whether the impact of race/ethnicity on the different decisions remained when controlling for predictor variables. The variables included for the DCF component are displayed below in Figure 15.

Figure 15
Predictor Variables For The DCF Multivariate Analyses

Socio-demographic	DCF Assessment Form Data		CJTS Issues
Age	Risk Level	Substance Abuse Issues	Have Friend/Family at CJTS
Race/ethnicity	Live With Natural Parents	Gang Affiliation	CJTS Incident Report
Neighborhood Characteristics*	Legal Guardian	Age At First Offense	
	Number of Siblings	Prior Violent Offense	
	Dual Commitment	Prior Adjudications	
	Family Member Incarceration	Prior Placements	
	School Problems	Prior Runaways From Placement	
	Poor Parental Control	Prior Failures to Appear	

* The “neighborhood characteristics” include a number of variables. First, whether or not the juvenile’s town of residence is a big city. Second, geocoding and mapping software was used to assign census block attributes to juveniles’ neighborhoods. The attributes used included the estimated percentage of households with < \$20,000 household income in 2007, the estimated percentage of 25+ year olds without a high school diploma in 2007, and the unemployment rate in 2000.

1. All Placements

Figure 16 shows the percentage of juveniles committed to DCF who were placed at each type of placement option during their entire commitment to DCF, broken out by offense type and race/ethnicity.

Figure 16
DCF Placement by Most Serious Committing Offense
Male Clients Only
(Includes All Placements During Commitment)

		1991-92			1998-99			2005-07		
		Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	DCF Secure Juvenile Justice Facilities *	93%	88%	44%	89%	89%	89%	79%	58%	20%
	DCF Non-secure Juvenile Justice Facilities **	35%	29%	100%	42%	58%	78%	69%	74%	95%
	Other Secure Facility ***	20%	29%	22%	24%	26%	0%	21%	26%	5%
	Home Placement ****	75%	65%	56%	84%	58%	100%	90%	100%	65%
	AWOL *****	55%	71%	22%	47%	58%	22%	24%	32%	10%
	Base	60	34	9	38	19	9	29	19	20
Non-SJO Felony	DCF Secure Juvenile Justice Facilities *	88%	86%	62%	87%	93%	73%	77%	74%	50%
	DCF Non-secure Juvenile Justice Facilities **	35%	28%	87%	67%	64%	95%	81%	65%	95%
	Other Secure Facility ***	21%	14%	3%	27%	21%	14%	23%	13%	9%
	Home Placement ****	81%	83%	82%	80%	100%	86%	93%	96%	77%
	AWOL *****	53%	62%	28%	33%	14%	23%	28%	17%	18%
	Base	57	29	39	30	14	22	43	23	22
Misdemeanor	DCF Secure Juvenile Justice Facilities *	77%	77%	59%	76%	88%	67%	70%	65%	41%
	DCF Non-secure Juvenile Justice Facilities **	53%	35%	91%	84%	79%	93%	87%	85%	90%
	Other Secure Facility ***	23%	26%	18%	10%	13%	2%	19%	17%	12%
	Home Placement ****	85%	87%	85%	80%	71%	84%	85%	94%	95%
	AWOL *****	51%	55%	35%	24%	21%	16%	28%	28%	20%
	Base	53	31	34	51	24	61	54	54	41
Violation	DCF Secure Juvenile Justice Facilities *	29%	62%	46%	75%	60%	38%	71%	64%	25%
	DCF Non-secure Juvenile Justice Facilities **	100%	69%	92%	91%	83%	96%	79%	96%	98%
	Other Secure Facility ***	0%	15%	0%	19%	10%	0%	24%	24%	6%
	Home Placement ****	86%	85%	92%	88%	83%	92%	92%	96%	100%
	AWOL *****	14%	38%	38%	19%	13%	8%	26%	20%	8%
	Base	7	13	13	32	30	26	38	25	48

* In 1991-92 and 1998-99, the DCF secure juvenile justice facility was Long Lane School (LLS). It should be noted that juveniles staying at LLS may or may not have been placed in the secure area of the facility. In 2005-07, the DCF secure juvenile justice facility was the Connecticut Juvenile Training School (CJTS). All areas of CJTS are secure.

** DCF non-secure juvenile justice facilities include all other juvenile justice residential programs used (e.g., general residential, psychiatric, substance abuse, sex offender).

*** Other secure facilities include Manson Youth Institute; York Correctional Center; Bridgeport, Hartford and New Haven Correctional Centers; and juvenile detention.

**** Home placement only includes parole placement at home, it does not include home visits.

***** AWOLs from placements other than CJTS were not always recorded causing the percentage of time spent AWOL to be somewhat underrepresented.

As displayed in Figure 16:

2005-07 Findings

DCF Secure Juvenile Justice Facility

- ◆ Within each of the offense types, White juveniles were less likely to spend some amount of time at the Connecticut Juvenile Training School (CJTS) compared to Black and Hispanic juveniles.
- ◆ For juveniles committed to DCF for SJO or violation charges, Black and Hispanic juveniles were 2 to 4 times more likely to spend some time at CJTS. The multivariate analysis revealed that race/ethnicity was a significant factor in these disparities.
- ◆ The differences in the percentages of Black, Hispanic and White juveniles spending part of their commitment at CJTS for juveniles committed to DCF for non-SJO felony and misdemeanor offenses were neutralized by other factors.

DCF Non-Secure Juvenile Justice Facilities

- ◆ Within most offense types, White juveniles were more likely to spend some amount of time at a non-secure DCF juvenile justice facility compared to Black and Hispanic juveniles.
- ◆ Most of the differences were neutralized by other factors. However, there were two instances where race/ethnicity was found to be a significant factor:
 - Hispanic juveniles committed to DCF for an SJO were less likely to spend some amount of time at a DCF non-secure juvenile justice facility than were their White counterparts.
 - Black juveniles committed to DCF for a violation were less likely to spend some amount of time at a DCF non-secure juvenile justice placement than were their White counterparts.

Comparison to Prior Studies

DCF Secure Juvenile Justice Facility

- ◆ In 1998-99, the increased use of Long Lane School for White juveniles committed to DCF for SJOs almost eliminated the differences across race/ethnicity that were found in 1991-92. As detailed above, in 2005-07 disparities were found once again.

DCF Non-Secure Juvenile Justice Facilities

- ◆ The differences in the use of DCF non-secure juvenile justice facilities for Black, Hispanic and White juveniles have generally improved with each study. However, while there has been improvement, disparities remain in 2005-07.

2. Percentage of Commitment at Different Placement Types

Data were collected on how much time juveniles spent during their DCF commitment:

- ◆ At a DCF secure juvenile justice facility.
- ◆ At a DCF non-secure juvenile justice facility.
- ◆ At an other secure facility.
- ◆ At home.
- ◆ AWOL.

Figure 17 displays the average percentage of their commitment DCF clients spent at each type of placement broken out by offense type and race/ethnicity.

Figure 17
Average Percent of Commitment Spent in Different Placement Types
by Most Serious Committing Offense
Male Clients Only

		1991-92			1998-99			2005-07		
		Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	DCF Secure Juvenile Justice Facilities *	40%	41%	6%	43%	45%	17%	41%	28%	6%
	DCF Non-secure Juvenile Justice Facilities **	19%	13%	85%	21%	21%	51%	35%	40%	76%
	Other Secure Facility ***	0%	0%	0%	1%	3%	0%	1%	3%	0%
	Home Placement ****	33%	29%	9%	29%	17%	26%	22%	24%	16%
	AWOL *****	7%	17%	0%	6%	13%	6%	1%	5%	2%
	Base	39	23	7	30	17	8	25	19	20
Non-SJO Felony	DCF Secure Juvenile Justice Facilities *	27%	29%	15%	42%	39%	15%	36%	35%	11%
	DCF Non-secure Juvenile Justice Facilities **	22%	15%	46%	27%	25%	54%	46%	38%	60%
	Other Secure Facility ***	1%	0%	0%	5%	3%	2%	3%	1%	4%
	Home Placement ****	41%	45%	36%	24%	25%	28%	14%	26%	22%
	AWOL *****	9%	11%	4%	2%	8%	2%	2%	0%	3%
	Base	39	21	38	26	12	20	35	18	22
Misdemeanor	DCF Secure Juvenile Justice Facilities *	30%	31%	10%	32%	31%	17%	28%	24%	17%
	DCF Non-secure Juvenile Justice Facilities **	29%	22%	47%	42%	53%	52%	46%	47%	55%
	Other Secure Facility ***	1%	1%	1%	0%	1%	2%	2%	3%	1%
	Home Placement ****	39%	44%	40%	21%	14%	28%	18%	23%	28%
	AWOL *****	1%	3%	2%	5%	2%	1%	5%	3%	1%
	Base	37	21	28	41	18	57	46	43	35
Violation	DCF Secure Juvenile Justice Facilities *	4%	17%	9%	22%	15%	8%	24%	17%	7%
	DCF Non-secure Juvenile Justice Facilities **	49%	33%	41%	47%	51%	54%	46%	59%	64%
	Other Secure Facility ***	0%	0%	0%	3%	2%	0%	2%	1%	1%
	Home Placement ****	46%	45%	42%	26%	26%	36%	28%	21%	28%
	AWOL *****	0%	4%	8%	2%	7%	1%	1%	2%	0%
	Base	6	9	11	31	28	24	30	20	47

* In 1991-92 and 1998-99, the DCF secure juvenile justice facility was Long Lane School (LLS). It should be noted that juveniles staying at LLS may or may not have been placed in the secure area of the facility. In 2005-07, the DCF secure juvenile justice facility was the Connecticut Juvenile Training School (CJTS). All areas of CJTS are secure.

** DCF non-secure juvenile justice facilities include all other juvenile justice residential programs used (e.g., general residential, psychiatric, substance abuse, sex offender).

*** Other secure facilities include Manson Youth Institute; York Correctional Center; Bridgeport, Hartford and New Haven Correctional Centers; and juvenile detention.

**** Home placement only includes parole placement at home, it does not include home visits.

***** AWOLs from placements other than CJTS were not always recorded causing the percentage of time spent AWOL to be somewhat underrepresented.

Figure 17 reveals the following:

2005-07 Findings

Overall Findings

- ◆ For each offense type, Black and Hispanic juveniles spent a larger percentage of their DCF commitment at CJTS than did the White juveniles, and White juveniles spent a larger percentage of their DCF commitment at DCF non-secure juvenile justice facilities than did Black or Hispanic juveniles.
- ◆ While the multivariate analyses determined that there were places where race/ethnicity did not play a significant role in the differences displayed in Figure 17, there were places where race/ethnicity was a significant factor.

Percentage of Commitment Spent at CJTS

- ◆ While Black and Hispanic juveniles averaged a larger percentage of their commitment at CJTS than did White juveniles across offense type, the differences were usually neutralized by the predictor variables (often neutralized by whether or not an incident report had been written while the juvenile was at CJTS¹⁴).
- ◆ Black juveniles committed to DCF for a non-SJO felony averaged a greater percentage of their commitment at CJTS compared to similarly committed White juveniles (36% vs. 11%). The multivariate analysis did not neutralize the impact of race/ethnicity.

Percentage of Commitment Spent at DCF Non-Secure Juvenile Justice Facilities

- ◆ Observed differences in the average percentage of the commitment spent at DCF non-secure juvenile justice facilities were typically not significantly impacted by race/ethnicity. However, White juveniles averaged a greater percentage of their commitment time at non-secure facilities than did Black juveniles for both SJOs (76% vs. 35%) and violations (64% vs. 46%).

Comparison to Prior Studies

- ◆ In both 2005-07 and 1998-99, the differences in the average percentage of the commitment spent at the DCF secure juvenile justice facility were typically neutralized by the predictor variables (usually by whether or not an incident had been written while the juvenile was at the secure DCF facility).¹⁵
- ◆ Disparities in the average percentage of the commitment spent at a DCF non-secure juvenile justice facility for Black, Hispanic and White juveniles were found in all three studies.

¹⁴ In the first reassessment study Spectrum Associates identified the incident reports written for juveniles during their placement at Long Lane School as a factor that neutralized the impact of race/ethnicity. As the writing of an incident report is itself a discretionary action taken by a juvenile justice system practitioner, in the second reassessment study Spectrum Associates examined the percentage of incident reports written for juveniles at CJTS and compared it to the total days Black, Hispanic and White juveniles spent at the facility. The analysis determined that incident reports were not written disproportionately by race/ethnicity.

¹⁵ The differences in 1991-92 were not neutralized, however, it should be noted that whether or not an incident report had been written while the juvenile was at the facility was not included in the analysis for that study.

3. Percentage of Maximum Court Commitment Completed

Figure 18 displays the average percentage of their DCF commitment that juveniles completed, broken out by offense type and race/ethnicity.

Figure 18
Average Percent of DCF Commitment Completed
by Most Serious Committing Offense*
Male Clients Only

	1991-92			1998-99			2005-07		
	Black	Hisp.	White	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	78%	71%	81%	81%	85%	93%	96%	98%	90%
Base	41	24	8	32	18	9	25	19	20
Non-SJO Felony	81%	77%	82%	88%	92%	84%	100%	100%	98%
Base	42	24	44	28	13	21	35	18	22
Misdemeanor	83%	73%	89%	96%	92%	94%	99%	98%	97%
Base	48	24	43	49	30	75	46	43	35
Violation	87%	84%	82%	97%	97%	98%	97%	98%	98%
Base	12	18	28	48	38	54	30	20	47

* Juveniles who had a "recommitment" during the DCF commitment being studied were not used in this analysis.

Figure 18 displays the following:

2005-07 Findings

- ◆ Juveniles included in the study stayed under the supervision of DCF for the vast majority of their DCF commitment (averages from 90%-100% of commitment spent in placement or on parole).
- ◆ Race/ethnicity did not play a significant role in the percentage of the DCF commitment completed.

Comparison to Prior Studies

- ◆ Race/ethnicity did not play a significant role in the percentage of the DCF commitment completed in any of the three studies.

4. Summary of Department of Children and Families Findings

The analysis of the DCF data revealed:

- ◆ In 1991-92, disparities were found in the placement of Black, Hispanic and White juveniles into secure care at DCF. In 1998-99, the increased use of Long Lane School for White juveniles virtually eliminated these disparities. The most recent data (2005-07) revealed disparate findings much like the 1991-92 study as Black and Hispanic juveniles committed to DCF for SJO and violation charges were more likely than White juveniles committed for similar offenses to spend some time during their commitment at the DCF secure juvenile justice facility.
- ◆ The differences in the use of DCF non-secure juvenile justice facilities for Black, Hispanic and White juveniles have generally decreased with each study. However, while there has been improvement, disparities remain in 2005-07.
- ◆ In both 2005-07 and 1998-99, observed differences in the average percentage of the commitment spent at the DCF secure juvenile justice facility were typically (though not always) neutralized by the predictor variables (usually by whether or not an incident had been written while the juvenile was at the secure DCF facility). In 2005-07, Black juveniles committed for a non-SJO felony averaged a greater percentage of their commitment at the DCF secure juvenile justice facility than did similarly charged White juveniles, and the differences were not neutralized.
- ◆ Disparities in the average percentage of the commitment spent at a DCF non-secure juvenile justice facility for Black, Hispanic and White juveniles were found in all three studies.
- ◆ Across all three studies, race/ethnicity did not play a significant role in the average percentage of the DCF commitment that was completed.

V. Juvenile Justice Advisory Committee Recommendations

Important Note

The recommendations provided in this section of the report were developed and written by the Juvenile Justice Advisory Committee (JJAC). The recommendations are provided in this report to inform the reader of the direction the JJAC feels should be taken in Connecticut with regard to disproportionate minority contact in the juvenile justice system.

There are many ways to improve Connecticut's juvenile justice system including revisions in laws, policies, procedures, programs and resources. Most improvements would have significant impact on minorities because of the number of minority juveniles involved with the system. However, the goal of the recommendations of the current study is specifically to eliminate disparate treatment based on race or ethnicity as opposed to improve system operations. The recommendations reflect this goal and deliberately do not address other problems and issues of the system.

Although the goal is set high -- to eliminate inequities based on race and ethnicity in the handling of juveniles, the recommendations are meant to be specific, practical and action-oriented. They reflect the JJAC's:

- ❖ *Knowledge of the workings of the juvenile justice system.*
- ❖ *Concern for young people in Connecticut.*
- ❖ *Understanding of the realities of limited funding.*
- ❖ *Recognition that resistance to change is to be expected.*
- ❖ *Focus on the issue of disparate treatment.*
- ❖ *Determination to implement action steps now.*

The JJAC recommendations for action that follow have been divided into two categories—overall accountability and specific decision point recommendations for action.

A. OVERALL ACCOUNTABILITY RECOMMENDATIONS

A.1. Juvenile justice system agencies should establish clear guidelines for discretion in decision-making. In general, at decision points where disproportionate minority contact (DMC) has been confirmed through an assessment process, agencies should:

- **Review policies and practices.**
- **Require documentation of decisions.**
- **Increase oversight of discretionary activities.**

A.2. Juvenile justice and youth serving agencies should continue to lead, monitor and educate about efforts to address disproportionate minority contact (DMC) in the juvenile justice system. Leadership with the requisite authority in each agency should establish the elimination of DMC as an agency priority and lead the agency in a DMC agency assessment process.

- a) **The Department of Children and Families, the Department of Public Safety, the Division of Criminal Justice, the Division of Public Defender Services, the Judicial Branch and the Police Officer Standards and Training Council should report by September 30 of each year to the Secretary of the Office of Policy and Management on agency plans to address disproportionate minority contact (DMC) in the juvenile justice system and the steps taken to implement those plans during the previous fiscal year.**
- b) **The Office of Policy and Management should provide direction to, and compile the annual agency submissions of, state juvenile justice agencies into a disproportionate minority contact (DMC) report to the Governor and the General Assembly by December 31 of each year.**
- c) **The JJAC should continue supporting comprehensive assessments of disproportionate minority contact (DMC) in the juvenile justice system every seven years including the development and implementation of recommendations for action based on study findings.**
- d) **On an on-going basis, state agencies should disseminate information to policy-makers, system practitioners and the public on disproportionate minority contact (DMC) in the juvenile justice system.**
- e) **The JJAC should work closely with other groups addressing the issue of disproportionate minority contact (DMC) in the juvenile justice system both within and outside of Connecticut.**

Some of the simplest to understand, most cost effective, and therefore most practical strategies to address disproportionate minority contact are those that focus on the overall accountability of juvenile justice system agencies. The Juvenile Justice Advisory Committee recommends more

overall accountability strategies because collecting and analyzing data, developing and sharing action recommendations, assuring the implementation of those recommendations, and educating practitioners and the public will highlight the importance of disproportionate minority contact and make a difference in the implementation and evaluation of more specific DMC strategies.

B. SPECIFIC DECISION POINT RECOMMENDATIONS FOR ACTION

The following recommendations are based on the finding of disproportionate minority contact and possible disparate handling of juveniles at the specific decision point addressed.

B.1. All police officers should be trained on the problem of disproportionate minority contact (DMC) and understand:

- a) Why the role of law enforcement as gatekeepers is important in helping to eliminate disproportionate minority contact in the juvenile justice system.**
- b) Why all adolescents tend to test boundaries, challenge authority, and have difficulty controlling impulses and making sound decisions.**
- c) How police can communicate more effectively with young people and improve police/youth relations.**
- d) What options police have available when dealing with young people.**

The JJAC has developed “*Effective Police Interactions with Youth*,” a one-day training curriculum for patrol officers. This training is designed to teach police about DMC and police/youth relations in order to address the problem of disproportionate minority contact with the juvenile justice system at the earliest point in the system: initial contact between patrol officers and young people. This training, or something similar, should be incorporated into initial and on-going training for all police officers in Connecticut.

B.2. Local education agencies (LEAs) should work closely with local law enforcement in developing policies and procedures in order to reduce over-reliance on arrest to handle school disciplinary matters.

Many arrests happen at school or at school functions. Because of the increasing numbers of security guards and School Resource Officers (SROs) in schools and the role that police officers play as gatekeepers to the juvenile justice system, it is important to examine the interaction of police and school personnel and how schools may help eliminate disproportionate minority contact.

B.3. To reduce disproportionate minority contact (DMC) at detention, the Connecticut General Assembly should enact legislation that prohibits any admission of a juvenile to detention without a court order.

Detention of a juvenile in a juvenile detention facility should occur only when the juvenile poses a significant risk to him or herself and/or the community; or when release to a parent, guardian or other responsible adult is not possible. The JJAC recommends addressing this both by eliminating admission to detention without prior judicial approval, and requiring police to increase their efforts to release juveniles to responsible adults. Pretrial detention is a crucial DMC decision point since it can and does lead to further out of home placement as well as other more severe outcomes. This recommendation to limit the initial detention of juveniles is based on a previous study finding from 2001. When police were required to obtain a court order to detain juveniles accused of non-serious offenses, DMC disappeared at this decision point with non-serious juvenile offenders and an equal proportion of white and minority non-serious juvenile offenders were transported to detention. With a statutory change requiring police to obtain a court order to detain any juvenile, DMC at detention will be eliminated or significantly reduced.

B.4. As part of its agency DMC assessment process the Judicial Branch should review in detail its policies, practices, and data concerning decisions by probation officers to charge juveniles with violations of probation and violations of court orders.

The juvenile probation officer decision point of charging probationers with violations of probation can be subject to considerable discretion, which is why the study attempted to analyze existing data to determine if disproportionate minority contact (DMC) existed at this decision point. Because of limited data available and varying probation and court practices, it was determined that a more in-depth review of this issue was warranted, and that the Judicial Branch would be the best agency to undertake a timely examination as part of their agency assessment process.

B.5. Prosecutors, both criminal and juvenile, should be trained on the problem of disproportionate minority contact (DMC) and how their decision making impacts the issue of DMC at various points in the process, particularly at the decision point of transfer to the criminal docket.

Prosecutors control the decision to transfer a case from the juvenile court to the adult criminal docket, through either the charge or through the use of their statutory discretion. Because of this, they need to understand DMC and their role in helping to eliminate it.

B.6. The Department of Children and Families (DCF) should review its process for making and documenting changes in facility placement and parole decisions for juveniles committed as delinquent to DCF.

Clear and objective guidelines for decision-making within DCF, required documentation of placement decisions and greater monitoring of the decision-making process as presented in the Overall Accountability recommendation should allow DCF staff to help eliminate disproportionate minority contact with secure facilities as compared with non-secure DCF placement options. Many factors affect how a child moves through placement facilities, including DCF policy, court orders, private facility staff, parents and juveniles. DCF should pursue procedures that streamline and increase their ability to place juveniles committed as delinquent outside of the Connecticut Juvenile Training School, which is the only secure facility for juveniles in Connecticut.

B.7. Data systems of juvenile justice and youth serving agencies should be modified to consistently require the entry of, and the ability to track, data that practitioners and researchers deem important to the juvenile justice decision-making process to facilitate future study on disproportionate minority contact (DMC).

Not only will the tracking of retrievable data from computer-based information systems allow for future in-depth assessment studies such as this one, but it will facilitate information-sharing on an on-going basis and can be used to better monitor and oversee system decision-makers and outcomes for juveniles.

Appendix A:

State of Connecticut Relative Rate Indexes (RRI)

Extent Of Disproportionate Minority Contact In The Connecticut Juvenile Justice System (Statewide)

		1991			1998			2006		
		Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
Referred to Juvenile Court ^a	RRI	4.36	3.14	-	4.13	2.67	-	4.92	2.61	-
	N	2,189	1,490	3,556	2,776	1,783	4,514	3,012	1,820	3,504
Placed in Detention Center ^b	RRI	4.87	3.90	-	3.16	2.75	-	2.05	1.77	-
	N	279	152	93	179	100	92	219	114	124
Case Handled Judicially ^b	RRI	1.32	1.26	-	1.02	1.07	-	1.16	1.18	-
	N	1,160	759	1,433	1,548	1,051	2,478	2,015	1,236	2,017
Adjudicated SJO/Delinquent ^c	RRI	0.99	0.94	-	0.95	0.98	-	1.11	1.03	-
	N	770	475	956	986	691	1,663	1,095	625	991
Received Probation ^d	RRI	0.85	0.83	-	0.89	0.87	-	1.04	0.98	-
	N	426	257	622	642	442	1,219	716	386	622
Placed in DCF Secure Placement ^{d*}	RRI	2.55	2.72	-	2.21	2.86	-	1.87	1.90	-
	N	82	54	40	76	69	58	31	18	15
Transferred to Adult Court ^b	RRI	**	**	**	1.86	2.07	-	1.75	1.54	-
	N	**	**	**	29	22	25	63	34	36

^a The base used for this decision point is the estimated number of 10-16 year olds of each race/ethnicity in Connecticut.

The 1991 population data are based on the 1990 census.

The 1998 population data are the Census Bureau's estimate of Connecticut's 1998 population.

The 2006 population data are 2005 population estimates produced by Howard N. Snyder, Director of Systems Research at the National Center for Juvenile Justice.

^b The base used for this decision point is the number of juveniles referred to juvenile court.

^c The base used for this decision point is the number of juveniles handled judicially.

^d The base used for this decision point is the number of juveniles adjudicated SJO/delinquent.

* In 1991 and 1998 the training school used was Long Lane School. It should be noted that Long Lane included both 'secure' and 'non-secure' areas and were not differentiated for this analysis. In 2006 the training school was the Connecticut Juvenile Training School; all areas of this facility were secure.

** Insufficient number of cases for analysis.

Appendix B:

State of Connecticut Serious Juvenile Offenses (2006)

State of Connecticut Serious Juvenile Offenses (2006)

Statute	Statute Description	Type	Class
21a-277	Sale, possession w/intent to sell drugs	Unc	F
21a-278	Sale, possession w/intent to sell drugs (non drug dependent)	Unc	F
29-33	Sale of handgun	D	F
29-34	False info re sale of handguns/sale of handgun to minor	Unc/D	F
29-35	Carrying a handgun without a permit	Unc	F
53-21	Injury/risk of injury to a minor (under 16)	C	F
53-80a	Manufacture of bombs	B	F
53-202b	Sale of assault weapon	C	F
53-202c	Possession of assault weapon	D	F
53-390	Extortionate extension of credit	B	F
53-391	Advances of money or property used for extortion	B	F
53-392	Participation or conspiracy to use extortionate means	B	F
53a-54a	Murder	A	F
53a-54b	Capital felony	A	F
53a-54c	Felony murder	A	F
53a-54d	Arson murder	A	F
53a-55	Manslaughter 1st	B	F
53a-55a	Manslaughter 1st with a firearm	B	F
53a-56	Manslaughter 2nd	C	F
53a-56a	Manslaughter 2nd with a firearm	C	F
53a-56b	Manslaughter 2nd with a motor vehicle	C	F
53a-57	Misconduct with a motor vehicle	D	F
53a-59	Assault 1st	B	F
53a-59a	Assault of a victim over 60 1st	B	F
53a-60	Assault 2nd	D	F
53a-60a	Assault 2nd with a firearm	D	F
53a-60b	Assault of a victim over 60 2nd	D	F
53a-60c	Assault of a victim over 60 2nd with a firearm	D	F
53a-70	Sexual assault 1st	B	F
53a-70a	Aggravated sexual assault 1st	B	F
53a-70b	Sexual assault in spousal or cohabitating relationship	B	F
53a-71	Sexual assault 2nd	C	F
53a-72b	Sexual assault 3rd with a firearm	D	F
53a-86	Promoting prostitution 1st	B	F
53a-92	Kidnapping 1st	A	F
53a-92a	Kidnapping 1st with a firearm	A	F
53a-94	Kidnapping 2nd	B	F
53a-94a	Kidnapping 2nd with a firearm	B	F
53a-95	Unlawful restraint 1st	D	F
53a-101	Burglary 1st	B	F
53a-102a	Burglary 2nd with a firearm	C	F
53a-103a	Burglary 3rd with a firearm	D	F
53a-111	Arson 1st	A	F
53a-112	Arson 2nd	B	F
53a-113	Arson 3rd	C	F
53a-122(a)(1)	Larceny by extortion	B	F
53a-123(a)(3)	Theft from a person	C	F
53a-134	Robbery 1st	B	F
53a-135	Robbery 2nd	C	F
53a-136a	Robbery of occupied vehicle (carjacking)	Unc	F
53a-166	Hindering prosecution 1st	D	F
53a-167c	Assault on a peace officer, fireman, EMT or CO	C	F
53a-174(a)	Unauthorized conveyance into correctional facility	D	F
53a-196a	Employing a minor in an obscene performance	A	F
53a-211	Possession of a sawed off shotgun	D	F
53a-212	Theft of a firearm	D	F
53a-216	Criminal use of a firearm	D	F
53a-217b	Possession of a firearm on school grounds	D	F
46b-120	Runaway from secure placement other than home while committed to DCF as a Serious Juvenile Offender	D	F

Appendix C:

Weighting Procedure for Police Sample

Weighting Procedure for Police Sample

In collecting data from the police departments/barracks, a stratified sampling plan was used that: (1) randomly selected departments/barracks within different size cities/towns, and (2) over-sampled Black and Hispanic juveniles. This approach was used to enable comparisons across different size cities/towns and race/ethnicity.

As the analysis for this study always breaks out the data by race/ethnicity, there is no need to adjust the data to compensate for the over-sampling of Black and Hispanic juvenile offenders. However, since the data across police departments/barracks are aggregated, it is necessary to weight the data to represent the actual distribution of incident reports across the police departments/barracks. Therefore, the data were adjusted via a weighting procedure to compensate for the over- or under-sampling of departments/barracks in particular size cities/towns. The weighting procedure was conducted by:

- ◆ determining the “universe” of incident reports in each of the 26 departments and 5 barracks under study;
- ◆ calculating each department’s/barrack’s actual percentage of the universe;
- ◆ calculating the percentage of abstract forms completed from each department/barrack; and
- ◆ computing and applying a weighting factor to correct for differences between the universe and sampled percentages.

By weighting the data, the “weight” of the responses provided by those departments/barracks that account for a larger percentage of the incident report universe is increased to represent its proportion of the universe, while the “weight” of the responses provided by the departments/barracks that account for a small percentage of the incident report universe is decreased to reflect its actual size.

Appendix D:

Logistic Regression and Multiple Linear Regression

Descriptions

Logistic Regression and Multiple Linear Regression Descriptions

The type of procedure used to examine the impact of social and other legal factors on the impact of race depends on what decision is being explained, and how that decision is measured. This study models both discrete decisions as well as decisions involving lengths of time. Different procedures were used for each of these types of decisions.

For most decisions, Logistic Regression techniques are used because of the types of decisions of juvenile justice agencies being modeled. These decisions usually are discrete (separate) choices. Thus, the decisions are either dichotomous (i.e., there are only two possible outcomes, such as detain or release), or they are ordered (e.g., adjudicate SJO, adjudicate delinquent, nolle prosecution, dismiss). The properties of these outcome variables require specific statistical procedures whose assumptions are appropriate for these types of discrete variables. Logistic Regression solves this problem by modeling the odds associated with the occurrence of an event (sentence outcome in this case), and by utilizing maximum likelihood methods to estimate model parameters (by selecting the coefficients for independent variables that make observed results most likely). Logistic Regression allows the researcher to identify the relative influence of all independent variables on the dependent variable simultaneously, instead of the one-at-a-time approach that separate analyses would produce.

For variables with continuous measures (e.g., sentence length, detention length), Multiple Linear Regression is used. The assumptions of Multiple Linear Regression procedures are appropriate for this type of outcome variable. That is, the measure of the decision is a continuous variable with a wide range, there is a normal distribution of the outcome variable, and the relationships between the predictors and the outcome variable are linear.

Please note, for all of the analysis conducted for this study the level of confidence used for the statistical testing is 95% (.05 level).

Appendix E:

More Violent vs. Less Violent Serious Juvenile Offenses

More Violent vs. Less Violent Serious Juvenile Offenses

More Violent SJO		Less Violent SJO	
29-33	Sale of handgun	21a-277	Sale, possession w/intent to sell drugs
29-35	Carrying a handgun without a permit	21a-278	Sale, possession w/intent to sell drugs (non drug dependent)
53-80a	Manufacture of bombs	29-34	False info re sale of handguns/sale of handgun to minor
53-202b	Sale of assault weapon	53-21	Injury/risk of injury to a minor (under 16)
53-202c	Possession of assault weapon	53-390	Extortionate extension of credit
53a-54a	Murder	53-391	Advances of money or property used for extortion
53a-54b	Capital felony	53-392	Participation or conspiracy to use extortionate means
53a-54c	Felony murder	53a-57	Misconduct with a motor vehicle
53a-54d	Arson murder	53a-70b	Sexual assault in spousal or cohabitating relationship
53a-55	Manslaughter 1st	53a-71	Sexual assault 2nd
53a-55a	Manslaughter 1st with a firearm	53a-86	Promoting prostitution 1st
53a-56	Manslaughter 2nd	53a-95	Unlawful restraint 1st
53a-56a	Manslaughter 2nd with a firearm	53a-113	Arson 3rd
53a-56b	Manslaughter 2nd with a motor vehicle	53a-122(a)(1)	Larceny by extortion
53a-59	Assault 1st	53a-123(a)(3)	Theft from a person
53a-59a	Assault of a victim over 60 1st	53a-166	Hindering prosecution 1st
53a-60	Assault 2nd	53a-174(a)	Unauthorized conveyance into correctional facility
53a-60a	Assault 2nd with a firearm	53a-196a	Employing a minor in an obscene performance
53a-60b	Assault of a victim over 60 2nd		
53a-60c	Assault of a victim over 60 2nd with a firearm		
53a-70	Sexual assault 1st		
53a-70a	Aggravated sexual assault 1st		
53a-72b	Sexual assault 3rd with a firearm		
53a-92	Kidnapping 1st		
53a-92a	Kidnapping 1st with a firearm		
53a-94	Kidnapping 2nd		
53a-94a	Kidnapping 2nd with a firearm		
53a-101	Burglary 1st		
53a-102a	Burglary 2nd with a firearm		
53a-103a	Burglary 3rd with a firearm		
53a-111	Arson 1st		
53a-112	Arson 2nd		
53a-134	Robbery 1st		
53a-135	Robbery 2nd		
53a-136a	Robbery of occupied vehicle (carjacking)		
53a-167c	Assault on a peace officer, fireman, EMT or co.		
53a-211	Possession of a sawed off shotgun		
53a-212	Theft of a firearm		
53a-216	Criminal use of a firearm		
53a-217b	Possession of a firearm on school grounds		
46b-120	Runaway from secure placement other than home while committed to DCF as a Serious Juvenile Offender		

Appendix F:

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