

# Juvenile Justice Advisory Group



2019

Plan for Compliance with the Disproportionate Minority Contact  
(DMC) Core Requirement

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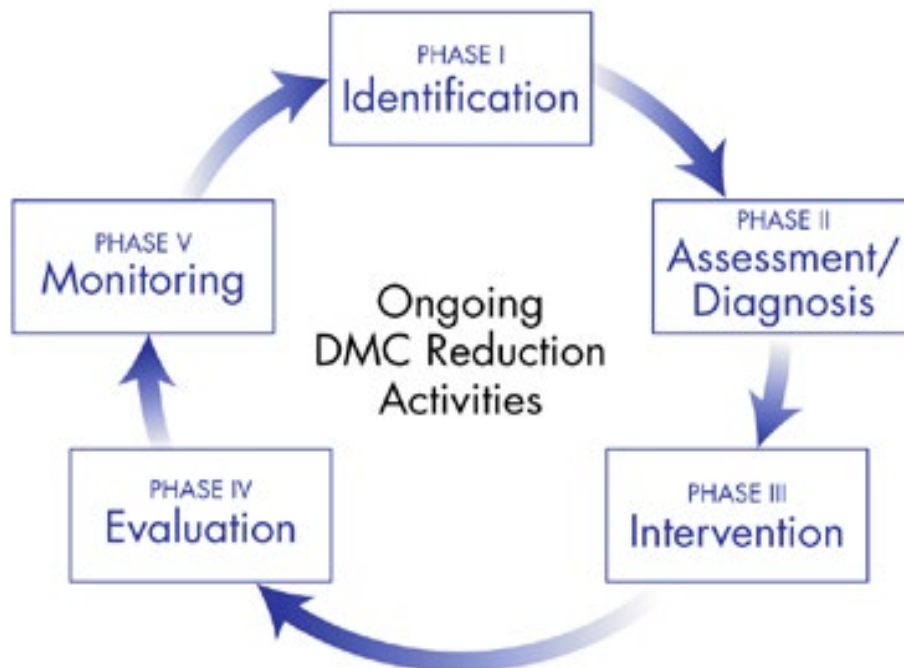
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## 2019 Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement of the Juvenile Justice and Delinquency Prevention Act of 2018

Pursuant to Section 223(a)(22) of the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDPA), states and territories must address specific delinquency prevention and system improvement efforts to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile numbers of youth of color groups who come into contact with the juvenile justice system. DMC exists if the rate of contact with the juvenile justice system of a specific youth of color group is significantly different than the rate of contact for non-Hispanic whites or other youth of color groups.

The purpose of this core requirement is to ensure equal and fair treatment for every youth (regardless of membership in a youth of color or majority population group) involved in the juvenile justice system. A state achieves compliance with this core requirement when it meets the requirements set forth in Formula Grants Consolidated Regulation 28 C.F.R. Part §31.303(j). These include addressing DMC continually through identification (identify the extent to which DMC exists), assessment (examine and determine the factors that contribute to DMC, if it exists), intervention (develop and implement strategies to reduce DMC), evaluation (evaluate the efficacy of implemented strategies), and monitoring (track changes in DMC trends over time).

The JJDPA requires states participating in the Formula Grants Program to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of youth of color groups who come into contact with the juvenile justice system” (section 223 (a)(22)). The Office of Juvenile Justice and Delinquency Prevention (OJJDP) require States to carry out five phases or core strategies to satisfy this mandate:



Overall issues.

In looking at the data from the 2017 arrest data. Statewide Maine still arrest Black youth 4.46% at a higher rate than their white counterpart. 2.48% YOC are still detained at a higher rate than white youth 1.06% for YOC compared to 0.27% for white youth. YOC are securely confined at similar rate for white youth 0.04 for white youth and 0.05 for black youth Native American youth are by percentage rate securely held at a rate of 0.17 which points out some of the issues we have with small numbers as that means 2 native American youth were securely detained in 2017.

### **DMC Data Discussion -What the data tells us**

Maine is still working to see which data sets work best for the state- RRI vs the DMC data guide. In looking at the data Maine has electing to work on Androscoggin, Aroostook, Cumberland and York Counties. To compare apples to apples we took the step of converting the 2016 data into the current DMC form, in 2016 White youth were arrested at a rate of 3.32% in 2017 that reduced to 2.48%, in 2016 Black youth were arrested at a rate of 8.10% in 2017 that was reduced to 4.46% Diversions in 2016 for White youth .97% and in 2017 .92% for Black you the 2016 diversion rate was 1.92% and in 2017 it rose to 3.92%. In 2019 Maine has created a Juvenile Justice System Assessment and Reinvestment Task Force to look at how Maine supports and treats juveniles in the system. This includes a special look at youth of color, LGBTQ youth needs and gender issues that our youth face

In Aroostook, Washington and Penobscot Counties we have been watching trends for the Native American youth. Numbers there have improved since 2014 but there appears to be an uptick in arrests. In 2014 the local tribes began a Tribal triage to look at numbers. In the past year that has not met as numbers have been flat. We will ask the tribes to reconvene this year, so we can present current data and work on strategies to bring that number back down. One of the JJAG goals for the year is to support the tribes to convene a tribal youth summit. To bring youth together to talk and share cultures as well as to learn to advocate for youth and tribes.

In Androscoggin County we have been looking at Black youth, here it is primarily immigrant refugee youth. In 2016 these youth were arrested at a rate of 10.27% compared to 3.38% for white youth. In 2017 the arrest rate for black youth reduce slightly 9.60% compared to 3.48% for white youth. In the past year we noticed that many of the immigrant/refugee youth were not attending schools. We have helped funded a pilot program in downtown Lewiston that is seeking to create ways for YOC to recover lost credits. This program has had 10 youth out of 14 youth graduate high school this year and the school system has committed to fully funding the program. the program.

In Cumberland County which encompasses Maine's largest city in 2016 black youth were arrested at a rate of 7.11% compared to 3.43 % for white youth, In 2017 Black where arrested at a rate of 7.31% compared to 2.44% for white youth. Part of the JJAG's DMC committee plan s to issue and RFP to complete a qualitative and quantitative review of the youth involved in the Juvenile Justice system to give us a better idea of what is happening and why numbers have not reduced

Challenges to measuring DMC in Maine are driven by the diversity of population characteristics in each county, and how those characteristics in turn limit DMC analysis. Statewide analysis is not appropriate because it would not produce accurate or meaningful results. Because counties vary greatly in population size and demographic make-up, a statewide data would likely overstate or understate DMC. One of the issues we struggle with yearly is arrest data which is provided by local police through Maine's Department of Public Safety; when police report demographic data, it is based on officer observation. Data points after that are within the corrections information system (CORIS) and at 1<sup>st</sup> contact youth are asked to identify how they perceive themselves as far as race and ethnic background

A major challenge in measuring DMC in Maine is that it is a rural, predominantly white state. Because of this, numbers are often too small to provide meaningful analysis. In certain counties, specific youth of color groups typically do not represent the minimum 1% of a county population. When they do, there are often insufficient numbers of incidents for analysis. As a result, DMC data cannot be calculated for each youth of color group in each county in the state. In most counties, few if any percentage rates can be calculated for any specific group. Counties with few or no rates are not included in this report.

### **What success in Maine would look like**

Ultimately our goal is to get the rates for all youth within the same margin. Although numbers have changes but, Maine has begun to look at different outcomes as well. Positive youth outcome in the areas of families, school, vocational and community engagement are some of the measure we are beginning to look at. This data is gathered via an exit interview/questionnaire for youth. Maine is working to create a more complete continuum of care for youth in the system. One goal is to remove girls from Long Creek Youth Development Center into community placements. The Task Force will be looking to build smaller secure facilities closer to youth homes in Maine.

The JJAG is active with several communities in creating space for open dialogue around racial justice and implicit bias and how these issue scan lead particularly youth of color into the justice system

**Our goal is to reduce DMC data by 10%** over the next year. This is achievable once we have the data on why youth of color end up disproportionately and why they suffer from disparities in our system.

### **What Maine can use from OJJDP is**

- 1) data and ideas from other similar state that are struggling with the same issues. Issues such as being a very rural state that has large areas of minimal population. How to provide services in these areas that help bring down numbers.
- 2) Information on working with immigrant and refugee youth, support youth in dealing with the two worlds they often live in. Supporting parents in understanding what their children are experiencing.