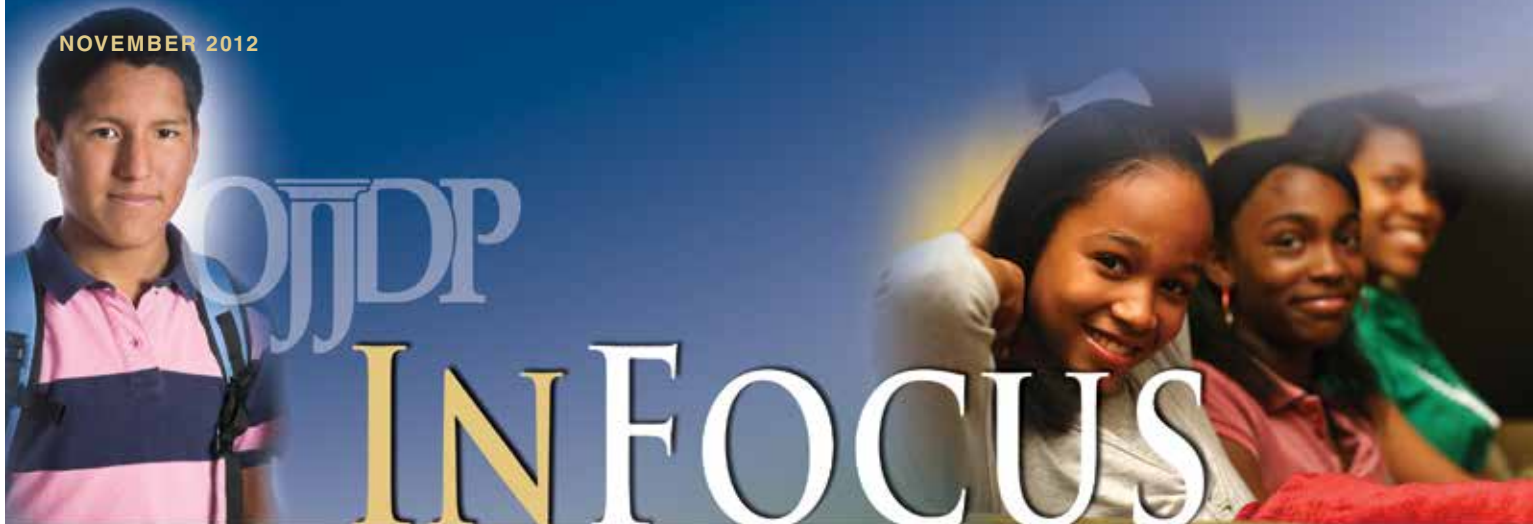




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## What Is Disproportionate Minority Contact?

Disproportionate minority contact refers to the disproportionate number of minority youth who come into contact with the juvenile justice system. States participating in the Juvenile Justice and Delinquency Prevention Act's Part B Formula Grants program are required to address juvenile delinquency prevention and system improvement efforts to reduce, without establishing or requiring numerical standards or quotas, the overrepresentation of minority youth in the nation's juvenile justice system.

Learn more at [ojjdp.gov](http://ojjdp.gov).

## Disproportionate Minority Contact

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers the Formula Grants program under Title II, part B, of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 1974. The 1988 amendments to the JJDP Act authorized OJJDP to require states<sup>1</sup> participating in the program to address disproportionate minority confinement (DMC) in their state juvenile justice and delinquency prevention plans. Specifically, the JJDP Act required states to develop and implement plans to reduce the proportion of minority youth detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups if they exceeded the percentage of minority youth in the general population.

Amendments to the JJDP Act in 1992 elevated efforts to address DMC to a "core requirement" and tied 25 percent of grant funds to state compliance, further strengthening national efforts to address the problem. In the years since DMC became a core requirement, both research and practice have taught many lessons. Two of the most important lessons are that:

- In most jurisdictions, disproportionate juvenile minority representation is not limited only to secure detention and confinement; it is evident at nearly all contact points on the juvenile justice system continuum.
- Contributing factors to DMC are multiple and complex; reducing DMC requires comprehensive and multipronged strategies that include programmatic and systems change efforts.

Thus, when the JJDP Act was reauthorized in 2002, Congress expanded the DMC core requirement from "confinement" to "contact." This change required states participating in the Formula Grants program to "address juvenile delinquency prevention efforts and systems improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of the minority groups, who come in contact with the juvenile justice system" (Section 223(a)22). The purpose of the core requirement remains the same: to ensure equal and fair treatment for every youth in the juvenile justice system, regardless of race and ethnicity.

<sup>1</sup> In this fact sheet, the term "state" refers to any of the 50 states, the District of Columbia, and the 5 U.S. territories (American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands).



# Determining States' Compliance With the DMC Core Requirement

OJJDP requires all states to collect and report data that measure the results of funded activities and to use these data to inform their administration of grant funds to improve program performance.

OJJDP requires states participating in the Formula Grants program to:

- Identify the extent to which DMC exists within their jurisdictions.
- Assess the reasons for DMC, if it exists.

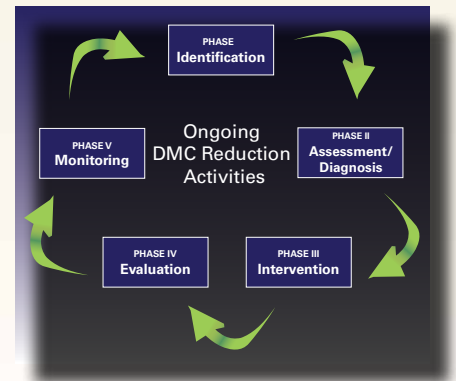
- Develop and implement delinquency prevention and systems improvement strategies, if DMC exists.
- Evaluate and monitor the effectiveness of the chosen strategies.

Each state<sup>2</sup> reports progress in a comprehensive 3-year plan and annual plan updates [in compliance with Section 223(a)(22)]. Because addressing DMC is one of four core requirements<sup>3</sup> of the JJDP Act, OJJDP withholds 20 percent<sup>4</sup> of their annual Formula Grant allocation for the subsequent fiscal year for states that fail to meet the DMC plan requirement.

## OJJDP's DMC Reduction Model

OJJDP's five-phase DMC Reduction Model (see figure) helps states determine whether disproportionality exists within their jurisdictions and, if it does, provides a step-by-step model to guide their DMC reduction efforts:

### DMC Reduction Cycle



- **Identification.** In phase I, states calculate disproportionality at nine contact points in the juvenile justice system (i.e., arrest, referral to court, diversion, case petitioned, secure detention, delinquency finding, probation, confinement in a secure correctional facility, and case transferred, certified, and waived to adult criminal court) using the relative rate index (RRI). The RRI provides a single index number that indicates the extent to which the volume of that form of contact or activity differs for minority youth and majority youth. In its simplest form, the RRI is the rate of activity involving minority youth divided by the rate of activity involving majority youth. Any number more than 1 indicates disproportionality, except at the diversion and probation contact points.<sup>5</sup>

- **Assessment/Diagnosis.** In phase II of the model, states assess the mechanisms that contribute to DMC. This includes discussing each probable explanation, asking questions about the data and information collected, and consulting other data sources to verify the explanation.
- **Intervention.** In phase III, plans for appropriate delinquency prevention and systems improvement activities should be implemented. Effective prevention and intervention activities include diversion, alternatives to secure confinement, advocacy, and training and technical assistance on cultural competency with youth and staffing practices. Systems improvement activities include advocating for legislative reforms; making administrative, policy, and procedural changes; and implementing structured decisionmaking tools at various contact points within the juvenile justice system.

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<sup>2</sup> Puerto Rico is exempt from the DMC core requirement because the U.S. Census Bureau did not require data collection by race and ethnicity until the 2010 census.

<sup>3</sup> The other three core requirements are deinstitutionalization of status offenders, removal of juveniles from adult jails and lockups, and sight and sound separation of juvenile offenders from adults in secure institutions.

<sup>4</sup> In the 1992 reauthorization of the JJDP Act, OJJDP was to withhold 25 percent of a state's Formula Grant allocation for each finding of noncompliance with the four core requirements. In its 2002 reauthorization of the JJDP Act, Congress reduced the penalty for noncompliance to 20 percent.

<sup>5</sup> The national RRI of 0.9 reported in the National DMC Databook ([www.ojjdp.ncjrs.gov/ojstatbb/dmcdcb/index.html](http://www.ojjdp.ncjrs.gov/ojstatbb/dmcdcb/index.html)) shows that, with the exception of Asian, Hawaiian, or Pacific Islander youth, minority youth are not being diverted or probated disproportionately relative to white youth.

## Summary of States' DMC Reduction Activities\*

Activity	# of States	States
<b>DMC Coordination</b>		
Have full-time, state-level DMC Coordinators.	18	AR, AK, CO, FL, IA, IL, IN, KY, MD, MI, NC, NY, OR, OK, TN, UT, WI, WV
Have part-time or other state-level staff designated as DMC Coordinators.	37	AL, AS, AZ, CA, CT, Commonwealth of the Northern Mariana Islands, DE, DC, GA, Guam, HI, ID, KS, LA, MA, ME, MN, MO, MT, MS, ND, NE, NH, NJ, NM, NV, OH, PA, RI, SD, SC, TX, VA, VI, VT, WA, WY
Have DMC subcommittees under their State Advisory Groups. <sup>†</sup>	41	AK, AL, AZ, AR, CA, CO, CT, DE, GA, HI, ID, IL, IN, IA, KY, LA, MA, MD, MI, MN, MO, MS, MT, NE, NH, NM, NY, NC, NJ, OH, OK, OR, PA, SC, SD, TN, UT, VT, VA, WV, WI
<b>Phase I: Identification</b>		
Have data for all nine contact points in their juvenile justice systems.	29	AK, CA, CT, DC, FL, HI, IA, ID, KS, MD, ME, MO, MT, NC, ND, NE, NM, NV, OK, OR, PA, SC, SD, TN, TX, UT, VA, VT, WV
Have data for six or more (out of nine) contact points in their juvenile justice systems.	13	AL, AZ, CO, DE, IN, KY, MA, MN, MS, NJ, PA, RI, WA
Update data annually (more frequently than OJJDP's minimum requirement of every 3 years).	27	AK, CA, FL, ID, IN, IA, KS, LA, MD, MN, MT, NE, NM, NY, ND, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WI
Have invested in targeted local DMC reduction sites.	34	AK, AR, AZ, CA, FL, IA, ID, IL, IN, KS, KY, LA, MD, MI, MN, MO, MT, NC, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, SC, SD, TN, VA, WA, WI
Have provided data for relative rate index (RRI) analysis.	2	Commonwealth of the Northern Mariana Islands, Guam
<b>Phase II: Assessment/Diagnosis</b>		
Have recently (2005–11) completed DMC assessment studies.	18	AK, CT, DE, FL, HI, IA, ID, MD, ME, MN, MS, ND, OK, PA, RI, TX, UT, WI
<b>Phase III: Intervention</b>		
Have implemented DMC systems improvement and delinquency prevention strategies.	34	AK, AL, AZ, CA, CO, DC, DE, FL, HI, KY, IA, ID, IN, IL, MA, MD, MN, MO, MT, ND, NH, NJ, NM, NV, NY, OK, OR, PA, TN, TX, UT, VA, WA, WI
Have or are implementing DMC delinquency prevention and/or systems improvement strategies for American Indian/Alaska Native youth.	10	AK, CA, ID, MT, ND, NM, OR, SD, UT, WA
Have funded, received funding, and/or received technical assistance to implement nationally recognized models to reduce DMC.	30	AL, AZ, AR, CA, DE, DC, HI, IA, IL, IN, KS, KY, LA, MD, MA, MN, MO, MT, NJ, NM, ND, NH, NV, OH, OR, PA, SC, TN, VA, WA
<b>Phase IV: Evaluation</b>		
Have conducted at least one formal methodological evaluation of delinquency prevention and/or systems improvement strategies statewide or in their local DMC reduction sites.	4	CA, CT, KY, TN
<b>Phase V: Monitoring</b>		
Have provided a timeline for tracking and monitoring RRI trends over time. <sup>††</sup>	39	AK, CO, CT, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NY, OH, OK, OR, PA, RI, SD, TN, TX, UT, VA, VT, WA, WI

\* Derived from state DMC compliance plans submitted in fiscal year 2011.

<sup>†</sup> Per Section 223(3)(A) of the Juvenile Justice and Delinquency Act, states participating in Part B of the Title II Formula Grants program are required to "provide for an advisory group, that shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the state."

<sup>††</sup> The District of Columbia and the U.S. territories (with the exception of Puerto Rico) did not provide a timeline for tracking and monitoring RRI trends over time because minority youth comprise the majority of the youth population. Thus, the extent of DMC is not comparable to the contiguous states.



# OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

*Working for Youth Justice and Safety*



The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office for Victims of Crime; and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking.

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- **Evaluation.** Phase IV involves conducting a systematic, objective, and unbiased evaluation of a program's implementation and effectiveness.
- **Monitoring.** Phase V involves looking for changes in state demographics that affect DMC trends, looking for fluctuations in DMC rates that may require adjustments in intervention strategies, and sustaining DMC reduction efforts.

The challenges of DMC reduction are complex and not easily resolved, but states are making progress. Several states have shown reductions in disproportionality at secure detention, and attitudinal change of law enforcement officers at the arrest contact points, that were based on their DMC activities (see "Summary of States' DMC Reduction Activities," p. 3).

## For More Information on Disproportionate Minority Contact

To learn more about OJJDP's efforts to reduce the overrepresentation of minority youth in the nation's juvenile justice system, visit OJJDP's DMC Web site: [ojjdp.gov/dmc](http://ojjdp.gov/dmc). The site provides tools and resources to help states comply with the JJDP Act's DMC requirement.

OJJDP's National Training and Technical Assistance Center offers a broad range of DMC-related training and technical assistance. Contact your state's DMC Coordinator or Juvenile Justice Specialist to request OJJDP-sponsored training and technical assistance. Contact information is available on the OJJDP Web site:

- Visit [ojjdp.gov](http://ojjdp.gov).
- Click on "State Contacts" in the left navigation panel.
- Select the checkbox next to "DMC Contact" or "Juvenile Justice Specialist."
- Click on your state in the map.

For information about other OJJDP programs, go to [ojjdp.gov](http://ojjdp.gov).

