

A Reassessment of
Minority Overrepresentation
in Connecticut's Juvenile Justice System

Submitted to: State of Connecticut
Office of Policy and Management
Policy Development and Planning Division

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Date: June 5, 2001

This report was supported, in part, by grants from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, U.S. Department of Justice to the State of Connecticut.

The opinions, findings, and conclusions or recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the U.S. Department of Justice.

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ACKNOWLEDGEMENTS

Spectrum Associates received support and assistance from many organizations and individuals in conducting this reassessment without whom this endeavor would have never been completed.

As was the case with the baseline study, all of the various components of the juvenile justice system were extremely helpful by providing us with access to their records and files. These organizations should all be commended for their professionalism and their commitment to the juveniles with which they work. Specifically, we would like to thank and acknowledge:

- ◆ The members of the Juvenile Justice Advisory Committee and its Subcommittee on Minority Overrepresentation for supporting this project a second time around and for providing us with their ongoing assistance and encouragement.
- ◆ Mr. Tim Salius for sharing his immense knowledge of the justice system and helping guide us as we headed in new directions.
- ◆ The 26 police departments and 5 state police barracks for once again allowing us access to their case files, and Mr. Gary Lukasewski of the Office of Policy and Management for reviewing the many necessary files to abstract the police data.
- ◆ Judicial Information Systems, especially Mr. Antonio Pinho, for providing us with the computerized data on juveniles processed by both the juvenile and adult courts.
- ◆ The Department of Children and Families for allowing us to abstract information from their records and to interview clients at Long Lane School. We especially want to thank Mr. John Lachapelle and Mr. Hamish DeWilde for welcoming us into their facility, and Mr. Joe Hundley for sharing his vast knowledge and making the interviews with the clients a reality.
- ◆ Our research assistants (Ms. Edina Fields, Ms. Lauren Hartstone, Mr. David Ivanoudis, Ms. Tania Sapko, and Ms. Mya Williamson) for undertaking the monotonous and yet challenging task of abstracting data from thousands of Juvenile Matters Court and Department of Children and Families files.
- ◆ Our interviewers (Ms. Maryland Grier and Ms. Nitza Diaz) for skillfully and sensitively conducting the interviews with the Long Lane School clients.
- ◆ The Long Lane School residents who took the time to be interviewed by our staff and described their experiences with, and impressions of, the juvenile justice system.
- ◆ Mr. Dale Yurko for providing us with assistance on the analytical models used for the reassessment study.
- ◆ The system practitioners across the state who participated in the public forums and/or responded to the survey for sharing their experiences and opinions.

We would especially like to thank Ms. Valerie LaMotte, Planning Analyst Supervisor at the Office of Policy and Management. Ms. LaMotte's commitment to the issue of minority overrepresentation in the juvenile justice system is evident in her perseverance to get Connecticut to be the first state to do a reassessment study on this important issue. She served as a constant source of feedback, support, and motivation to us throughout this study.

EXECUTIVE SUMMARY

I. BACKGROUND

A major issue facing juvenile justice practitioners and policymakers across the country is overrepresentation and disparate treatment of minority youth in the juvenile justice system.¹

Research conducted across the United States on this topic has found that:

- ◆ racial and ethnic minorities are typically overrepresented in the juvenile justice system;
- ◆ overrepresentation can not be explained by differences in delinquent behavior across racial/ethnic groups;
- ◆ disparities in system processing of minority youth occur in most states even when controlling for social and legal background variables;
- ◆ the role of race in the disparate processing of minority and White youth often varies by the offense type, the decision point within the system, and location; and
- ◆ designing and implementing intervention strategies to reduce minority overrepresentation is a difficult and time consuming process that will be best accomplished if states:
(a) assign a lead organization and appoint a coordinator who can engage all critical organizations; (b) allocate adequate resources for data gathering and analysis, intervention services, monitoring activities and measurement of outcomes; (c) each conduct a systematic quantitative study that examines different decision-making points and engages stakeholders in the process; (d) seek to determine the key factors that contribute to overrepresentation and build consensus on those factors; (e) clearly specify the role for state organizations; (f) develop multiple intervention strategies and anticipate a lengthy transition from planning to implementation; and (g) each develop a method to monitor and measure intervention impact.

In 1993 the State of Connecticut Office of Policy and Management (OPM) and its Juvenile Justice Advisory Committee (JJAC) awarded a grant to Spectrum Associates Market Research (Spectrum

¹ Overrepresentation refers to the situation in which a larger 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.

Associates) to conduct a study to assess minority overrepresentation in the Connecticut juvenile justice system.²

After reviewing Spectrum Associates' 1995 report on the study findings, the JJAC developed a series of recommendations for implementation by state, local, and private agencies.

Recommendations were directed at both personnel policy changes and program modifications.

Consistent with its commitment to monitoring the state's advancement in addressing the issue of minority overrepresentation, the JJAC and OPM awarded Spectrum Associates a grant in 1999 to repeat its study of minority overrepresentation in the Connecticut juvenile justice system and contrast the new findings to the 1993 baseline study. This Executive Summary provides a synopsis of the findings from the reassessment study, as well as the JJAC recommendations emanating from this effort.

II. RESEARCH QUESTIONS

The reassessment study focused on the following research questions:

- ◆ To what extent are minorities currently overrepresented in the Connecticut juvenile justice system, and has the level or nature of minority overrepresentation changed since the baseline study?
- ◆ To what extent, if at all, do disparities currently exist in system processing based on race/ethnicity, and has the system improved in those areas found to be problematic in the baseline study?
- ◆ Do disparities exist with regard to new system decision-making points (e.g., use of alternatives to detention, discretionary transfers of juveniles to the adult system)?
- ◆ Have juvenile offender perceptions of the juvenile justice system changed since the baseline study?
- ◆ To what extent do practitioners believe the strategies proposed by the JJAC will be effective in achieving more equitable treatment of minority and White juveniles in the Connecticut juvenile justice system?

² This study was supported with federal Juvenile Justice and Delinquency Prevention Act administrative funds and state match under a grant from the State of Connecticut Office of Policy and Management.

III. METHODOLOGY

A brief outline of the multi-phase research design used in the reassessment study is provided below.

Phase One: A comparison of Connecticut juvenile justice system data to census data to determine the extent to which minority juveniles 10 to 16 years of age are overrepresented at various stages in the juvenile justice system. Overrepresentation data are compared for 1998 and 1991.

Phase Two: An analysis of police, Juvenile Matters Court, Department of Children and Families (DCF), and adult court data (transferred juveniles) to determine:

- ◆ what differences, if any, exist in decisions made for Black, Hispanic and White juveniles processed for similar types of offenses as they move through the system; and
- ◆ if observed differences remain when controlling for offender and offense characteristics or are neutralized by predictor variables.

Phase Three: In-depth, one-on-one interviews conducted with a sample of Black, Hispanic and White juvenile offenders at Long Lane School to explore their experiences with, and perceptions of, the different components of the juvenile justice system. Findings from the 1999 interviews are contrasted to the 1993 baseline interviews.

Phase Four: Qualitative and quantitative research to determine juvenile justice system practitioner reaction to findings from the other three phases and to preliminary JJAC recommendations to address these findings.

IV. EXTENT OF MINORITY OVERREPRESENTATION IN CONNECTICUT

A look at the extent to which Black and Hispanic juveniles 10 - 16 years of age are overrepresented in the juvenile justice system across the state of Connecticut revealed the following.

- ◆ For both 1998 and 1991, Black and Hispanic juveniles were clearly overrepresented at each decision point (including transfer in 1998), and the extent of that overrepresentation increased as juveniles moved from court referral to confinement (i.e., detention and Long Lane School).
- ◆ For both 1998 and 1991, overrepresentation was greater for Black than Hispanic juveniles at each decision-making point, particularly detention.
- ◆ While there was considerable overrepresentation in 1998, the extent of overrepresentation in 1998 was less than it was in 1991. Specifically: Black juveniles were less overrepresented at Long Lane School in 1998 than in 1991 (37.07% vs. 46.59%; and a DRI³ of 3.32 vs. 4.31), and also less overrepresented in detention in 1998 than in 1991 (43.64% vs. 48.89%, and a DRI of 3.91 vs. 4.52); and Hispanic juveniles were less overrepresented in detention in 1998 than in 1991 (27.35% vs. 31.49%, and a DRI of 2.47 vs. 3.08).

V. SYSTEM PROCESSING OF JUVENILE OFFENDERS

This study examined decision-making for three separate components of the juvenile justice system: the police, Juvenile Matters Court, and the Department of Children and Families. In addition, the analysis of 1998 data also examined the handling of Black, Hispanic and White juveniles transferred to the adult court.

³ The term DRI was developed by the Oregon Community Children & Youth Services Commission (1993) and it is a comparison, in percentage terms, of the proportion of a specific race/ethnic group processed at a specific point in the juvenile justice system compared to the proportion of this group in the youth population at risk. For example, if 10% of the 10-16 year old population is Black and they account for 30% of arrests, the DRI would have a value of 3.0 (30% divided by 10%), indicating that Black youth are 3.0 times more likely to be arrested as would be suggested by their numbers in the at risk population.

A. Police Decision-Making

For both the baseline and reassessment studies, data were gathered for a random sample of 26 municipal police departments and 5 state police barracks across Connecticut. This resulted in information being gathered for 940 juveniles in 1998-99 and 892 juveniles in 1991-92.⁴ Analysis of the police data revealed the following:

- ◆ For 1998-99 and 1991-92, no statistically significant differences were observed across race/ethnicity in police decisions to arrest and refer the youth to Juvenile Matters Court, or to bring the youth to the police station.
- ◆ Whereas the baseline study found many disparities between minority and White juveniles for police decisions on length of stay at the police station, the use of secure holding at the police station and transportation of juveniles to a Detention Center, the 1998-99 study found minority juveniles were not held longer or more likely to be placed in secure holding at the police station. In addition, in many instances the disparities in the police decision to transport juveniles to a Detention Center were greatly reduced.
- ◆ The reassessment study found that Black and Hispanic juveniles apprehended for Serious Juvenile Offenses (SJOs) remained significantly more likely than White juveniles so charged to be transported by police to a Detention Center, and that these differences were not neutralized when controlling for social and other legal factors.

B. Juvenile Matters Court Decision-Making

For both studies, data were gathered from the state's Judicial Branch computerized database for all juveniles who had a case disposed in the calendar year. The reassessment study included 11,719 juveniles who had a case disposed in 1998 and the baseline study included 8,709 juveniles who had a case disposed in 1991. Researchers also abstracted data from the probation/court files for 3,619 juveniles in 1998 (3,284 in 1991), the Detention Center files for those juveniles who had been

⁴ This research only includes data on those juveniles for whom police wrote up an incident report.

placed in detention for their last case disposed in 1998, as well as from the Alternative Detention Program and Intensive Supervision files for these juveniles.

The reassessment study revealed:

- ◆ For the most part, there were no meaningful differences across race/ethnicity for placement into an ADP or on Intensive Supervision.
- ◆ The overall trend was for minority youth (especially Hispanic) to spend more time in pretrial custody/monitoring options than White youth, and in many instances these differences were not neutralized by predictor variables.
- ◆ In most instances, there were no differences in juvenile court processing across race/ethnicity (e.g., non-judicial/judicial handling, court outcome and court disposition/placement), and the observed differences were typically neutralized by predictor variables.
- ◆ Disparities observed in 1991 were often eliminated or greatly reduced in 1998. For example:
 - In 1991, Hispanic and Black juveniles charged with SJOs were adjudicated for an SJO almost twice as often as White juveniles (Hispanic, 34%; Black, 31%; and White, 17%). However, in 1998, the court outcomes for Black, Hispanic and White juveniles charged as SJOs were remarkably similar (15% - 17% across race/ethnicity).
 - In 1991, Black and Hispanic juveniles were much more likely than White juveniles to have been placed in Long Lane School for their initial DCF placement across offense types, but in 1998 these disparities were greatly reduced and remaining differences were neutralized by predictor variables.
 - In 1991, White SJOs were almost twice as likely as Black SJOs to go to DCF Direct Placement (17% vs. 9%), but in 1998 White and Black SJOs were equally likely to receive a DCF Direct Placement (11%).
- ◆ In contrast to the above, probation officers were more likely to recommend DCF placement for Black than White SJOs (25% vs. 13%), and these differences were not neutralized.

C. Department of Children and Families Decision-Making

Data were gathered for all juveniles who were discharged by DCF in 1998-99 (473 juveniles) and in 1991-92 (472 juveniles). The reassessment study found:

- ◆ Many disparities observed in the baseline study were eliminated or reduced. For example:
 - A large increase in the use of Long Lane School for White juveniles committed for SJOs (up to 80% from 50%) eliminated any meaningful differences across race/ethnicity (Black, 90%; Hispanic, 90%; and White, 80%) in the placement of juvenile offenders at Long Lane School during their DCF commitment.
 - The much greater use of residential placements for White juveniles observed in the baseline study (SJOs, non-SJO felonies and misdemeanors) was greatly reduced in 1998-99.
 - While Black and Hispanic youth were placed in secure beds more often than White youth in 1998-99 and 1991-92, the disparities were neutralized in 1998-99 by the predictor variables.
- ◆ In 1998-99, the Central Placement Team (developed by DCF after the baseline study) attempted to place the majority of the juveniles in a residential placement across race/ethnicity.
- ◆ Despite the changes referred to above:
 - The decreased use of Long Lane School for White juveniles committed for violations (down to 40% from 57%), resulted in much larger differences across race/ethnicity for violations in 1998-99 (White, 40%; Black, 72%; and Hispanic, 64%) and these differences were not neutralized.
 - White juveniles continued to average a much smaller percentage of their DCF placement at Long Lane School than Black and Hispanic juveniles, and averaged a greater percentage of their placement time at direct placements than Black and Hispanic juveniles.

D. Juvenile Offenders Transferred to Adult Court

In the reassessment study, data were gathered on all juveniles who had been transferred from the Juvenile Matters Court to the adult court and were disposed by the adult court in 1998.

Analysis of system processing of juveniles transferred to adult court revealed that Black and Hispanic juveniles were more likely than White juveniles to:

- ◆ be detained until disposition (Hispanic, 54%; Black, 35%; and White, 13%) and these differences were not neutralized by predictor variables;
- ◆ receive jail/prison time from the adult court (Black, 54%; Hispanic, 38%; and White, 14%) and these differences were also not neutralized by predictor variables; and
- ◆ be committed to Long Lane School if their case was returned to Juvenile Matters Court even though they were less likely to be adjudicated as an SJO. (Although the number of cases is too small for statistical certainty, there are indications the juvenile's prior juvenile court history impacts the disposition decision of the Juvenile Matters Court.)

VI. JUVENILE OFFENDER PERCEPTIONS OF DIFFERENTIAL HANDLING

To supplement the quantitative data gathered through case files and computerized records, in-depth interviews were conducted with juveniles who had moved through the juvenile justice system and were residents of Long Lane School. Interviews were conducted with 30 Long Lane School residents in both 1999 and 1993. The reassessment study revealed the following perceptions.

A. The Police

- ◆ Three-quarters of the youth interviewed in 1999 said that they believed police officers handled minority and White youth differently, and one-half of those interviewed said the police were more likely to arrest Black and/or Hispanic juveniles than White juveniles.
- ◆ The youth often attributed the disparities to having more White than Black police officers in their town. They also felt that the White police officers feared and stereotyped minority youth and assumed the minority youth were doing something wrong. Consequently, they said the police stop Black and Hispanic youth when they would not stop White youth, and are rougher and more verbally abusive to the minority youth.

B. Juvenile Matters Court

- ◆ Most of the 30 juvenile offenders interviewed in 1999 said they believed the juvenile court treated Black, Hispanic and White youth the same.

C. Long Lane School

- ◆ About four-fifths of the youth interviewed in 1999 said that staff treat some youth better than others, but: (1) race/ethnicity was just one of several factors causing differential treatment (e.g., staff having favorites, youth there longest treated best, youth who go along with things treated better, and youth treated better by staff of their own race); and (2) those believing race/ethnicity had an impact disagreed about how the differential treatment occurred (e.g., Whites treated better, Blacks or Hispanics treated better, youth treated better by staff of the same race/ethnicity).
- ◆ Youth interviewed in 1993 were much more likely than those interviewed in 1999 to say that White youth were treated better than Black and Hispanic residents (e.g., more privileges, getting away with more behaviors, less severe punishments, given more respect from staff, and earlier discharges).

VII. PRACTITIONER REACTION TO STRATEGIES PROPOSED BY THE JJAC

Spectrum Associates conducted a survey on system practitioner reaction to the JJAC's preliminary recommendations addressing racial/ethnic disparities within the Connecticut juvenile justice system. The survey was distributed to 2,508 system practitioners (i.e., local and state police, judges, judicial services managers/administrators/monitors, probation officers, prosecutors, public defenders, detention administration/management, detention officers, and DCF public and private agencies). A total of 514 completed surveys were returned.

As the number of completed surveys was not evenly distributed across system component (i.e., police, court, and Department of Children and Families) the data were weighted to give each of

the three system components an “equal voice” in the findings. A summary of the key findings from the practitioner survey is provided below.

- ◆ 22 of the 24 proposed strategies developed by the JJAC to reduce disparate treatment of minority youth by police, detention, court and DCF were described as “somewhat” or “very” effective by at least two-thirds of the respondents, and 14 of the 24 strategies were described as “very effective” by at least one-half of the respondents.
- ◆ 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 numbers of minority personnel reflect the community/juveniles served.

VIII. 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 overrepresentation of minorities in the juvenile justice system.

The JJAC commissioned Spectrum Associates to conduct a comprehensive and independent study in 1991-1992 and again in 1998-1999. The conclusion of the studies is that there has been improvement in the state’s handling of minority juveniles in the juvenile justice system over the past decade, but further efforts are needed to achieve equitable treatment across race and ethnicity.

Study findings show a reduction or elimination of disparate treatment from 1991-92 to 1998-99 for length of stay at the police station, use of secure holding at the police station, use of Detention Centers, time spent at Long Lane School and residential placement during DCF commitment, and

use of Long Lane School’s secure area. These data demonstrate that it is possible to make changes that will positively impact system operations.

The JJAC recommendations that follow seek to spur additional action by juvenile justice system agencies. These agencies include both public and private providers of services including law enforcement, detention, court, and juvenile probation and parole, as well as community-based and residential services.

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 study recommendations 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 in the handling of juveniles, the recommendations are meant to be specific, practical and action-oriented. They reflect JJAC:

- ❖ *knowledge of the workings of the juvenile justice system;*
- ❖ *understanding of the realities of limited funding and resistance to change;*
- ❖ *determination to stay focused on the issue of disparate treatment; and*
- ❖ *concern for young people in Connecticut.*

The JJAC recommendations for action that follow have been divided into three categories—accountability, personnel and program. Within the priority category of accountability is an overall recommendation and police, detention and residential services recommendations that address the specific decision points identified by the study as requiring more work to eliminate inequities.

Accountability Recommendations

Overall Accountability

- A. Juvenile justice system agencies should establish clear guidelines for decision-making discretion.
- B. Juvenile justice system agencies should require detailed documentation of decisions including information on the race and ethnicity of the juvenile involved.

- C. The State of Connecticut should continue to lead, monitor and educate about efforts to address minority overrepresentation in the juvenile justice system by requiring:
1. the departments of Children and Families, Correction and Public Safety and the Judicial Branch to report by September 30 of each year to the Secretary of the Office of Policy and Management on agency goals and accomplishments to address disparate handling of juvenile offenders during the previous fiscal year;
 2. the Office of Policy and Management to compile the annual agency submissions into a report to the Governor and the General Assembly by December 31 of each year; and
 3. the JJAC to conduct and publish another comprehensive and independent reassessment study of minority overrepresentation in the juvenile justice system with 2005 data.

Police Accountability

- A. Police agencies should document all law enforcement contacts with juveniles including contacts not resulting in arrest.
- B. The Judicial Branch should limit the list of Serious Juvenile Offenses (SJOs) for which juvenile offenders may be admitted to detention without approval by a judge to those that involve weapons or substantial risk of serious injury.
- C. Police agencies should attempt to release all juveniles to a parent, guardian or other responsible party, and document the reasons why this cannot happen, before transporting any juvenile to detention.

Detention Accountability

- A. The Judicial Branch should train qualified detention staff to administer a validated and unbiased risk and needs assessment designed to determine the suitability of the juvenile to be released that will be provided to the court at the initial detention hearing.
- B. The General Assembly should revise state law to mandate written findings by the judge at every 15-day detention hearing with no right of waiver of this mandate by juveniles or their attorneys. The written findings should include reasons why juveniles cannot be placed at home or in less restrictive environments.

Residential Services Accountability

Public and private residential programs serving juvenile offenders should clarify their incident reporting processes to ensure consistent application of rewards and sanctions for all juveniles.

Personnel Recommendations

Employment

- A. Juvenile justice agencies, both public and private, should ensure that the numbers of minority employees at all levels closely reflect the numbers of minority juveniles served by the agency.
- B. Juvenile justice agencies should include consideration of a candidate's ability and experience in working well with persons of differing races, cultures and languages in hiring, job performance review, and promotional policies.

Training

Juvenile justice agencies should ensure that employees at all levels including commissioners, administrators, judges, attorneys, line staff, and staff of private contractors are culturally aware and able to work well with persons of differing races and cultures.

Program Recommendations

Police

Police agencies should be active participants in the communities they serve through the use of community policing and School Resource Officers. They should be knowledgeable about available children's services; aware of, and responsive to, safety concerns; and always working to improve citizens' understanding of police functions.

In-Home Services and Community-Based Services

Juvenile justice agencies should ensure that sufficient quality in-home and community-based services for juvenile offenders, both pre and post disposition, are available. In particular, services needed include those such as Multi-Systemic Therapy that show promising results and involve the juvenile's family, and those that address the mental health and special education needs of juvenile offenders. The service delivery system should be held accountable for results through the use of performance-based outcomes.

Empowering Juveniles and Parents

Juvenile justice agencies should present clear, complete and consistent information on referral, program and placement alternatives, as well as on agency procedures, to juveniles and their parents/guardians/attorneys so that they can be active and informed participants in juvenile justice system handling decisions.

I. BACKGROUND

A. Problem Statement

A major issue facing juvenile justice practitioners and policymakers across the country is the overrepresentation and disparate treatment of racial and ethnic minority youth in the juvenile justice system.⁵ 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 overrepresentation of minority youth 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.⁶

In response to 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 1993, Spectrum Associates Market Research Incorporated (Spectrum Associates) was awarded a grant to conduct the study.

⁵ Overrepresentation refers to the situation in which a larger 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.

⁶ States failing to address this core requirement would be ineligible to receive 25% of their formula grant allocations.

B. Baseline Study

The final report from the baseline study *An Assessment of Minority Overrepresentation in Connecticut's Juvenile Justice System*⁷ (E. Hartstone and D. Richetelli, 1995) included four major components:

- ◆ a comparison of Connecticut juvenile justice system data to state census data to determine the extent that minority juveniles were overrepresented at various stages in the juvenile justice system;
- ◆ an analysis of police, court, and corrections data to determine if Black, Hispanic and White juveniles processed for similar types of offenses were handled differentially as they moved through the system, and whether observed differences in decision-making remained when controlling for offense and offender characteristics;
- ◆ findings from one-on-one interviews conducted with Black, Hispanic and White juvenile offenders that explore their experiences with, and perceptions of, the different components of the juvenile justice system; and
- ◆ data gathered via public forums conducted across the state to elicit reactions of juvenile justice system practitioners and other interested parties to the study findings, and their suggestions for ways to address minority overrepresentation.

Some of the key findings from the baseline study presented in the 1995 report 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.
- ◆ 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).

⁷ This study was supported with federal Juvenile Justice and Delinquency Prevention Act administrative funds and state match under a grant from the State of Connecticut Office of Policy and Management.

- ◆ 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' 1995 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 divided into two categories: personnel policy changes and program modifications.

Consistent with its commitment to monitor the state's advancement in addressing the issue of minority overrepresentation, the JJAC and OPM awarded Spectrum Associates a grant in 1999 to repeat its study of minority overrepresentation in the Connecticut juvenile justice system. This report presents the findings of the reassessment study, and contrasts these findings to the baseline study.

C. Literature Review

A review of the literature provides some information on: (1) the extent to which minorities are overrepresented in the juvenile justice system across the country; (2) the extent to which overrepresentation is explained by differences in delinquent behaviors across race and ethnicity; (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; and (4) the challenges faced in developing and implementing strategies to address minority overrepresentation.

Are Minority Youth Overrepresented?

Overrepresentation refers to the situation where a larger proportion of a particular group is present at various stages 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 overrepresented in the juvenile justice system.**

A look at 1997 national residential placement data (H. Snyder and M. Sickmund, 1999) reveals that:

- ◆ Although minorities accounted for only one-third (34%) of the country's juvenile population, they accounted for 62% of those placed in detention, 67% of those committed to public residential placements, and 55% of those committed to private residential placements.
- ◆ Minority youth were overrepresented in residential placement facilities in virtually all states, and in seven states were found to account for 75% or more of the juveniles in residential placement (California, **Connecticut**, Delaware, Louisiana, New Jersey, New Mexico and Texas).

Hamparian and Leiber (1997) prepared a national profile by analyzing state data provided to OJJDP (i.e., 1994-1996 JJDP Act Comprehensive State Plans and State DMC Assessment Reports). In their report covering data through 1995, Hamparian and Leiber noted:

- ◆ 34 of the 36 states providing arrest data reported minority overrepresentation, with an average index score of 1.7⁸;
- ◆ 43 of the 44 states reporting detention data displayed minority juvenile overrepresentation, with an average index score of 2.8;
- ◆ 40 of 42 states reporting corrections data displayed minority juvenile overrepresentation, with an average index score of 2.6; and
- ◆ 31 of the 36 states reporting both arrests and corrections showed overrepresentation increased from the point of arrest through other decision-making points in the system.

⁸ The index score displays proportionality and is calculated by dividing the percentage of minority juveniles at the decision point by the percentage of minority juveniles in the total juvenile at-risk population. An index value over 1.0 indicates that minorities are overrepresented. For example, an index of 2.0 means that minorities are overrepresented by twice their representation in the at-risk population.

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

While some interpret the overrepresentation of minority youth in the juvenile justice system as resulting from much greater delinquent involvement on the part of minority youth, others have questioned official statistics as 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. 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, p.1) 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.”

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, p.52), “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.”

Self-report studies conducted over the years would lead one to expect much less minority overrepresentation than that found in the juvenile justice system studies to date. Key findings from national self-report studies are provided below.

- ◆ The *1997 National Longitudinal Survey of Youth* included interviews with 9,000 youth 12-16 years old, and included questions on a wide variety of delinquent behaviors. Snyder and Sickmund (1999, p.60) analyzed these data and found that for males:
 - The rate of self-reported delinquent involvement for White and Non-white juveniles was very similar across a wide variety of behaviors including: carrying a handgun in the last 12 months (White, 10%; Black, 8%; Hispanic, 8%); using marijuana in the last

30 days (White, 10%; Black, 9%; Hispanic, 9%); and stealing something worth more than \$50 (White, 7%; Black, 7%; Hispanic, 8%).

- Black youth (21%) were somewhat more likely to have engaged in assaultive behavior than White (15%) or Hispanic (13%) youth.
- White (23%) and Hispanic (22%) youth were somewhat more likely than Black youth (13%) to have used alcohol in the past 30 days.
- ◆ The *1998 Monitoring The Future Study*⁹ surveyed a representative sample of 50,000 8th, 10th and 12th graders regarding drug use. This study found:
 - White students (57%) were the most likely to have used alcohol in the past 30 days, followed by Hispanic (50%) and Black students (33%).
 - White (40%) and Hispanic (37%) students were more likely to have used marijuana or hashish in the past year than Black students (33%).
 - White students (10%) were the most likely to have used LSD in the past year, followed by Hispanic students (6%) and Black students (1%).
- ◆ The *1998 Youth and Social Issues Program Study*¹⁰ surveyed over 2,000 high school seniors across the country. This study typically found differences in self-reported delinquency rates between Black and White youth to be much less dramatic than those found in official statistics. Specifically, the study revealed that in the past 12 months:
 - Black and White youth were similarly likely to say they had: participated in a fight where a group of their friends fought with another group (Black and White, 21%); gone into a building or home when they were not supposed to be there (White, 25% vs. Black, 22%); and taken something from a store without paying for it (Black, 30% and White, 27%).
 - White youth were somewhat more likely than Black youth to say they had taken something not belonging to them worth less than \$50 (31% vs. 26%).
 - Black youth were somewhat more likely than White youth to say they had: taken something not belonging to them worth more than \$50 (13% vs. 9%); used a weapon to get something from a person (7% vs. 3%); and taken a car that did not belong to someone in their family without permission (6% vs. 3%).

⁹ Data presented from The Monitoring The Future Study were adapted by Snyder and Sickmund from *Drug Use By American Young People Begins to Turn Downward*, L. Johnston, P. O'Maler, and J. Bachman, 1998 (press release).

¹⁰ The Youth and Social Issues Program is conducted by the Survey Research Center Institute for Social Research (ISR) at the University of Michigan. Data presented in this report have not as yet been published and were provided to Spectrum Associates by the ISR.

Is Minority Overrepresentation Explained by Differential Handling?

Pope and Feyerherm (1993) conducted an exhaustive literature review of publications from 1969 to 1989 to examine the issue of system processing of minority vs. White youth, and identified 46 articles that were directly relevant. Based on a review of these 46 articles, Pope and Feyerherm concluded:

- ◆ The preponderance of evidence (i.e., two-thirds of all studies reviewed) reveals significant direct and indirect effects of race in decision-making or, at a minimum, a mixed pattern where differences occurred at some decision-making points but not at others or for some offenders/offenses and not others. The studies revealed that disproportionate treatment remained after statistical controls were introduced.
- ◆ Selection bias does exist and can occur at any stage of juvenile processing. In some instances, small differences occur at each stage and accumulate to become pronounced at the end of the system.
- ◆ Studies finding selection bias are as sophisticated methodologically as those that have not. That is, there is no relationship between rigor of the studies and the finding of disparate treatment.

Consistent with the Pope and Feyerherm report, Hamparian and Leiber (1997) concluded that about three-fourths of the state studies that controlled for other factors found that race had a statistically significant influence on juvenile justice system handling decisions.

Using a methodology similar to that used by Pope and Feyerherm, Pope and Lovell undertook a similar literature review that covered the years 1988 through 1999. While this review has not yet been published, Pope and Snyder (2000) cited the major findings from the Pope and Lovell literature review in their paper presented at the 2000 annual meeting of the American Society of Criminology (*Investigation Into Racial Bias in Juvenile Arrests*): “The large majority of the studies examined showed race effects with regard to juvenile processing. Of the 36 studies included, 8 showed direct or indirect race effects, and 17 studies showed mixed effects (i.e., race effects were present at some decision points and not others; or, race effects were apparent for certain types of offenders or offenses but not for others). . . . The results of this review underscored the fact that disparate outcomes could occur at any stage of juvenile processing.” (2000, p.7)

What Lessons Have Been Learned About Combating Disparate Treatment and Minority Overrepresentation?

In 1991, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) funded five states (i.e., Arizona, Florida, Iowa, North Carolina, and Oregon) to participate in its Disproportionate Minority Confinement (DMC) initiative. States participating in this three-year pilot program received money and technical assistance to aid them in assessing minority overrepresentation, designing intervention strategies, and implementing the interventions selected. Devine, Coolbaugh and Jenkins (1998) reported on the process undertaken by the five states and the lessons learned regarding assessment, design, and implementation. Specifically, their report offered the following guidelines.

Assigning Organizational Responsibility

- ◆ Determine the optimal lead organization (assign one credible, politically stable lead agency responsibility for overseeing all three DMC phases -- problem assessment, intervention design and implementation).
- ◆ Appoint a coordinator capable of engaging all of the critical organizations.
- ◆ Allocate adequate resources (i.e., project staff, collection/analysis of juvenile justice data, intervention services, and monitoring and measurement activities).

Analyzing Juvenile Justice Data

- ◆ Acquire accurate quantitative data.
- ◆ Conduct systematic data analyses that examine different decision-making points in the system (e.g., arrest, charge, detain, petition, sanction).
- ◆ Interpret data within the local social and political context.
- ◆ Engage stakeholders in the process (e.g., policymakers, juvenile justice system professionals, service providers, and minority juveniles and their families) to maximize their confidence in the study findings.

Identifying Underlying Factors

- ◆ Gather information on those factors that contribute to DMC and seek to obtain a consensus among stakeholders on the most critical factors so they can be addressed through interventions.
- ◆ Identify those jurisdictions with the highest rates of DMC and place additional attention on identifying critical factors in those locations.
- ◆ Synthesize contributing factors in key domains (e.g., the juvenile justice system, the educational system, the family, and socioeconomic conditions).

- ◆ Build consensus about the contributing factors so that a diverse community can work together on strategies to address DMC.

Creating New and Enhancing Existing Interventions

- ◆ Clearly specify the role for state organizations (e.g., introduce research findings to stakeholders, support interventions, monitor and evaluate the process, serve as a repository of DMC information, and help local communities seek out funding).
- ◆ Focus on local planning and implementation.
- ◆ Involve all stakeholders in the assessment, planning, and implementation of DMC interventions.
- ◆ Develop multiple intervention strategies as multiple factors lead to DMC (e.g., advocacy strategies to improve the ability of juveniles and their families to navigate the system and put pressure on the system to change policies and practices that lead to DMC; collaboration strategies to stress cooperation between community-based interventions and the juvenile justice system; and alternative resource development strategies).
- ◆ Anticipate a lengthy transition from planning to implementation.

Developing a Method to Monitor and Measure Intervention Impact

- ◆ Design monitoring systems at the local level.
- ◆ Select an appropriate and credible monitoring organization.
- ◆ Capture overall results and impacts recognizing that change in DMC will take time and that impacts include systemic changes (e.g., information gaps in the system, development of new collaborative efforts, improved community services).

Summary of Literature Review

Studies conducted to date on the overrepresentation of minorities in the juvenile justice system found that:

- ◆ racial and ethnic minorities are often overrepresented in the juvenile justice system;
- ◆ overrepresentation can not 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 in the processing of minority vs. White youth often varies by the offense type, the decision point within the system, and location; and
- ◆ designing and implementing intervention strategies to reduce minority overrepresentation is a difficult and time consuming process that will be best accomplished if states:
 - (a) assign a lead organization and appoint a coordinator who can engage all critical organizations;
 - (b) allocate adequate resources for data gathering and analysis, intervention services, monitoring activities and measurement of outcomes;
 - (c) each conduct a systematic quantitative study that examines different decision-making points and engages stakeholders in the process;
 - (d) seek to determine the key factors that contribute to overrepresentation and build consensus on those factors;
 - (e) clearly specify the role for state organizations;
 - (f) develop multiple intervention strategies and anticipate a lengthy transition from planning to implementation; and
 - (g) each develop a method to monitor and measure intervention impact.

D. Research Questions

In the reassessment study addressing the issue of minority overrepresentation in Connecticut, the following research questions were defined as most important:

- ◆ What relevant changes have occurred in the Connecticut juvenile justice system since the baseline study?
- ◆ To what extent are minorities currently overrepresented in the Connecticut juvenile justice system, and has the level or nature of minority overrepresentation changed since the baseline study?
- ◆ To what extent, if at all, do disparities currently exist in system processing based on race/ethnicity, and has the system improved in those areas found to be problematic in the baseline study?
- ◆ Do disparities exist with regard to new system decision-making points (e.g., use of alternatives to detention, and discretionary transfers of juveniles to the adult system)?
- ◆ Have juvenile offender perceptions of the juvenile justice system changed since the baseline study?
- ◆ What are practitioner reactions to the study findings, and to what extent do they believe the strategies proposed by the Juvenile Justice Advisory Committee will be effective in achieving more equitable treatment of minority and White juveniles in the Connecticut juvenile justice system?

II. OVERVIEW OF THE CONNECTICUT JUVENILE JUSTICE SYSTEM IN 1998

A. Age of Jurisdiction

In Connecticut, the Superior Court for Juvenile Matters has exclusive original jurisdiction over juveniles¹¹ accused of delinquent acts. Delinquents are persons who, prior to their sixteenth birthdays¹², have violated or attempted to violate any federal or state law, order of the Superior Court, or any local or municipal ordinance.

Although the same criminal statutes apply to both adults and juveniles, in most cases juveniles are subject to different procedures and sanctions than adults. The exception to the above involves the transfer of juveniles to the adult criminal court (see Section II.G, Transfer to Adult Court).

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.

¹¹ Technically, Connecticut law defines juveniles under age 16 as “children” and juveniles 16 and 17 years of age as “youth.” This report refers to individuals handled by the juvenile justice system as *juveniles* or *youth*, regardless of their age.

¹² Connecticut is one of only three states where 16 year olds are automatically handled by the adult system. The other two states are New York and North Carolina. In most states (N=37 plus the District of Columbia) the juvenile justice system has original jurisdiction until the youth reach their 18th birthday.

- ◆ 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 A), 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 an arrest.

When an arrest 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; or
- ◆ 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 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 a parent and place on Intensive Pretrial Supervision (IS) with the probation officer monitoring specific conditions which could include house arrest, electronic monitoring, random drug testing, school attendance, and curfew; (3) release the juvenile to an Alternative Detention Program (ADP) assigned to either a residential or day reporting component; or (4) order that the juvenile remain in detention.¹³ 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.

¹³ To order that a juvenile remain in detention, 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 safe for the juvenile or the community; the juvenile is being held for another jurisdiction; or there is a history of failure to appear at court hearings.

E. Court Processing

The Juvenile Probation Unit Supervisor at the Juvenile Matters 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).¹⁴ 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., Class A and B felonies for juveniles under age 14; C felonies; sale or intent to sell drugs; and certain offenses involving cars and weapons); (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); and (3) all cases where the juvenile denies the charges.

The juvenile prosecutor files documents 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 parent and juvenile are explained 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.

If the juvenile denies responsibility for the charges, a judicial hearing is scheduled. This hearing has two phases¹⁵:

- ◆ *the adjudicatory hearing* where the court can, after trial: (1) find the juvenile not delinquent, or (2) convict the juvenile as a delinquent; and

¹⁴ The Connecticut Practice Book identifies those cases that should be handled judicially.

¹⁵ When the juvenile admits to the charges, the adjudicatory and dispositional phases can be heard concurrently.

- ◆ ***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 in the home of a relative or in a private school, or (5) committed to the Department of Children and Families (e.g., placed in a residential treatment center or at Long Lane School).

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, monitored school attendance, and employment.

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 as opposed to a maximum commitment of up to 4 years in SJO cases. SJO commitments may also include orders placing offenders away from their community of residence for a period not to exceed 4 years (“exile orders”).

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 following discharge of a juvenile from placement. The court works closely with DCF to determine the most appropriate placement option for a juvenile, but decisions regarding placements and release from placement are ultimately the responsibility of DCF. Juveniles can be released from placement by DCF and returned to their homes but remain committed and under the supervision of DCF Parole Services until the term of commitment imposed by the court expires.

Given the potential length of commitment, it is not uncommon that DCF has offenders in placement or in their custody and control far beyond the offender reaching 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 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 both pretrial and following conviction.

H. Summary of Key Changes Since Baseline Study

The following summarizes the major changes in the juvenile justice system that occurred after the initial assessment of minority overrepresentation study was conducted (1991-1992 data) and prior to the reassessment study (1998-1999 data). The focus is on changes that could impact decision-making in the various components of the system.

1. Law Enforcement

- ◆ In 1998, police were required to serve juveniles and parents with a Juvenile Summons when an arrest was made. At the time of the 1991 study, the only requirements were a written referral to the court and the personal service by court personnel of a petition on the juvenile and parent. The delays inherent in the earlier procedure often resulted in juveniles not making their first court appearance until 60 days or more following the date of the offense. The revised complaint and summons procedure established the first appearance date within one or two weeks of the arrest depending on the court location.
- ◆ The Office of Policy and Management (OPM) is responsible for monitoring for compliance with the four federal mandates under the JJDPA. These are: (a) the deinstitutionalization of status offenders (known as children from Families With Service Needs in Connecticut), (b) the removal of juveniles from jails and police lock-ups, (c) the separation of juvenile and adult offenders in secure confinement, and (d) the reduction of disproportionate minority overrepresentation. Over the time period of 1990 to 1993 police departments were informed of, and became compliant with, requirements to collect and report to OPM race/ethnicity information on juveniles brought to the police station and on those held securely within the police station.

2. Detention

- ◆ In 1998, admission to detention was limited to Serious Juvenile Offenders, arrest warrants, “Take Into Custody Orders,” and court orders to hold a juvenile. Any exception to these criteria required a written order signed by a judge to admit the juvenile. As a result of the change of admission criteria, juveniles can only be released by a Judge. In 1991, all juveniles transported by the police to a Juvenile Detention Center were admitted regardless of the severity or nature of the charges.
- ◆ In 1998, staff members of the Juvenile Detention Centers routinely made recommendations to the court concerning the release or confinement of juveniles based on a standardized assessment instrument completed by detention staff. This instrument was not in place in 1991.
- ◆ In 1998, Alternative Detention Programs (i.e., regional community-based day reporting programs with short-term residential components) and Intensive Pretrial Supervision Programs (i.e., teams of specially trained Juvenile Probation Officers monitoring conditions of pretrial release ordered by the court) were operational at all juvenile court locations. These services were not available at the time of the baseline study.

3. Juvenile Matters Court

- ◆ In 1998, the Juvenile Probation Unit used a “risk and needs” assessment instrument to inform decision-making relative to residential placement and treatment plans. No standardized assessment tools were used at the time of the baseline study.
- ◆ The transfer of juveniles to the adult criminal court was expanded and increased considerably between 1998 and 1991. In 1998, the transfer of all juveniles 14 or 15 years of age charged with a Class A or B felony was mandatory and the requirements for all other transfers were less cumbersome. In 1991, only juveniles 14 or 15 years of age charged with murder or a second Class A felony were automatically reviewed for transfer to the adult criminal court. That transfer required a probable cause hearing in the Juvenile Matters Court. All other transfers were at the discretion of the Juvenile Matters Judge following an extensive hearing¹⁶.

¹⁶ In 1991, 14-15 year olds charged with repeat Class A and B felonies could be transferred if probable cause was established at the transfer hearing and the juvenile was found not amenable to treatment in any facility for the care of juveniles, and the juvenile required a more secure environment or longer term of supervision than the juvenile system could provide.

- ◆ As of 1998, the maximum commitment for non-SJO cases was reduced from two years to eighteen months. However, the court was given the authority to impose orders prohibiting DCF from placing Serious Juvenile Offenders in their community of residence for up to four years (exile order). In 1991, the maximum length of commitment to DCF was two years in non-SJO cases and four years in SJO cases.

4. Department of Children and Families

- ◆ In 1998, DCF used risk and needs assessment tools to inform decision-making. No standardized assessment tools were used at the time of the baseline study.
- ◆ As of 1998, DCF had the Central Placement Team (CPT) in place. The purpose of the CPT is to determine if juveniles are appropriate for placement in Residential Treatment Centers, and if so, to match the juveniles with the placements that are most appropriate for their treatment and security needs. The CPT did not exist in 1991.

III. METHODOLOGY

A. Research Design Overview

The reassessment study is, for the most part, a replication of the baseline study of overrepresentation in the Connecticut juvenile justice system. It is designed to determine: (1) if and to what extent overrepresentation and disparate treatment of minority youth currently occurs; and (2) whether the level of overrepresentation and/or disparate treatment identified in the baseline study has changed over time. As described in more detail below, there are three additional data collection components of the study to reflect changes made to the juvenile justice system since the baseline study.

Specifically, the reassessment has: (1) an expanded examination of detention which includes court use of Alternative Detention Programs and Intensive Pretrial Supervision in lieu of Detention Center placements; (2) data abstracted from the standardized risk assessment forms adopted by Juvenile Matters, Detention, and Department of Children and Families to guide in making decisions; and (3) data on all juveniles who were transferred to adult court and disposed in 1998¹⁷.

¹⁷ The transfer data were not examined in the baseline study as there were only five juveniles transferred to adult court in 1991.

To address the research goals established for this study a multi-phase research design was developed and implemented.

Phase One of the study compares Connecticut juvenile justice system data to census data to determine the extent to which minority juveniles 10 to 16 years of age are overrepresented at various stages in the juvenile justice system. Overrepresentation is compared for 1991 vs. 1998.

Phase Two consists of analyzing police, Juvenile Matters Court, Department of Children and Families (DCF), and adult court data (transferred juveniles) 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 system; and
- ◆ if observed differences remain when controlling for offender and offense characteristics or are neutralized by predictor variables.

The analysis focuses on: (1) 1998 findings across decision-making points, and (2) examining if disparities found in the baseline study remain.

Phase Three consists of one-on-one interviews conducted with Black, Hispanic and White juvenile offenders to explore their current experiences with, and perceptions of, the different components of the juvenile justice system. These findings are contrasted to the baseline interviews.

Phase Four consists of qualitative and quantitative research to determine juvenile justice system practitioner reaction to the findings from the other three phases and to preliminary JJAC recommendations to address these findings.

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 the time they conducted their annual audit of 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.¹⁸ 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 the reassessment study sample were randomly selected from all police incident reports for July 1, 1998 to June 30, 1999 (1998-99), while the baseline year was July 1, 1991 to June 30, 1992 (1991-92). 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 (i.e., 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 in 1998-99 and 1991-92, the data were weighted. The weighting procedure used is provided in Appendix B.

A total of 940 abstract forms were completed in 1998-99 and 892 abstract forms were completed for 1991-92. Figure 1a displays the number of cases used for the police analysis of the study for both baseline and reassessment studies.

¹⁸ Names of police departments/barracks are not provided as anonymity was promised to enable access to confidential department files. In 1998-99, one police department from our 1991-92 sample needed to be replaced.

**Figure 1a
Police Sample**

	1991-92			1998-99		
	Most Serious Apprehension Charge			Most Serious Apprehension Charge		
	SJO	Non-SJO Felony	Misdemeanor	SJO	Non-SJO Felony	Misdemeanor
Black	42	64	153	47	34	206
Hispanic	28	62	130	37	39	206
White	22	106	285	37	48	285
Total	92	232	568	121	122	697

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, offense for which youth was referred to court); and
- ◆ characteristics of the offense (i.e., number of offenders, possession of drugs or alcohol, and possession of a weapon).¹⁹

2. Juvenile Matters Data

Data were gathered from Juvenile Matters from a variety of sources: the statewide Judicial Information Systems (JIS) computerized database, juvenile probation case files, Detention Center files, Alternative Detention Program files, and Intensive Supervision files.

¹⁹ 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.

a. *Judicial Information Systems Data*

Judicial Information Systems (JIS) provided Spectrum Associates with data from its computerized database on all juvenile cases disposed of by the 13 Juvenile Matters Court offices across the State of Connecticut in January-December 1998. The analysis for 1998 included 11,719²⁰ cases. The baseline study included 8,709 cases disposed in January-December 1991.

The data provided by JIS for 1998 and 1991 included demographic information on the juvenile, information about the “target offense,”²¹ the juvenile’s court history, and use and length of detention for the target offense.

Upon receipt of the data, Spectrum Associates verified the precision of the programming done by JIS by manually evaluating complete case histories of individual juveniles within the system and comparing it to the information provided in the data file.

b. *Supplemental Probation and Court Data*

To supplement the statewide data with additional information on the juvenile, the juvenile’s family, and the offense, Spectrum Associates collected data from the case files at the 13 Juvenile Matters Court offices.

The sampling plan called for abstracting information for all juveniles included in the JIS database with SJO or non-SJO felony target offenses and a sample of juveniles with misdemeanor target offenses. Figure 1b displays the supplemental probation and court data sample for 1998 and 1991.

²⁰ Spectrum Associates excluded a small percentage of cases from the analysis for each study year (1998 - 298 cases or 2.5%, and 1991 - 413 cases or 4.5%). Cases were excluded because: (a) the age of the youth was over 17 years old, raising concern that a sibling’s case was recorded under the wrong juvenile identification number; (b) some youth were found to have multiple identification numbers, typically across different Juvenile Matters offices, making it impossible to accurately compile the youth’s activity within the system; and (c) the most serious charge for which the youth was referred to court was only an infraction.

²¹ The target offense is the last disposed charge in calendar year 1998/1991. When there were multiple charges disposed on that date, the most serious disposed offense was used.

Figure 1b
Supplemental Probation and Court Data Sample

	1991			1998		
	Most Serious Intake Offense			Most Serious Intake Offense		
	SJO	Non-SJO Felony	Misdemeanor	SJO	Non-SJO Felony	Misdemeanor
Black	235	409	401	306	310	480
Hispanic	146	269	279	201	196	303
White	134	665	746	341	671	811
Total	515	1343	1426	848	1177	1594

The information gathered at Juvenile Matters offices for both 1998 and 1991 included:

- ◆ the charges recorded on the Police Arrest Report for the target offense;
- ◆ additional offense information (e.g., gang related, number of offenders, possession or influence of drugs or alcohol, possession and type of weapon);
- ◆ victim information;
- ◆ offender and family information (e.g., any school problems, mental health information, parents at home, number of siblings);
- ◆ the probation officer’s dispositional recommendation; and
- ◆ type of attorney representation and payment of adjudication fees.

In addition to the above, data gathered on the 1998 sample also included:

- ◆ the payment of probation fees;
- ◆ scores recorded on assessment forms (i.e., scores for individual items as well as total scores) that were relevant for the instant offense; and
- ◆ for juveniles who were brought to a Detention Center for the “target offense,” whether or not a parent or guardian was present at the first detention hearing.

c. Detention Center Data

Additional detention information was sought for juveniles who were detained for their target offense. Data gathered from the Detention Center files included:

- ◆ scores recorded on the detention assessment forms (i.e., individual item scores as well as total scores);

- ◆ notations of gang involvement/affiliation; and
- ◆ to whom or to where the juvenile was released (e.g., home to a parent or to an ADP).

d. Alternative Detention Program and Intensive Supervision Data

Juveniles who had been placed in a Detention Center for their target offense could have been released to an Alternative Detention Program or Intensive Supervision upon leaving a center. As the dates juveniles were placed in either a residential Alternative Detention Program or Intensive Supervision were not recorded on a computer system, the dates of admission to and release from these programs were abstracted directly from the program’s case files.

3. Department of Children and Families Data

Spectrum Associates sought to abstract data for all juveniles discharged from the Department of Children and Families (DCF) in July 1, 1998 to June 30, 1999 (1998-99). The researchers abstracted data for 473 cases.²² The baseline study included data for 472 youth discharged July 1, 1991 to June 30, 1992. Data were abstracted from case files stored at Long Lane School.

Information gathered for 1998-99 and 1991-92 included:

- ◆ all placements for the commitment to DCF that expired in the specified time period;
- ◆ length of each placement;
- ◆ the reason for the commitment (statutes); and
- ◆ juvenile demographic and family characteristics, and court history information.

In addition to the above, data gathered for the 1998-99 sample also included:

- ◆ information on incidents (rules violations) that occurred while the youth was placed at Long Lane School (“charges”); and
- ◆ scores recorded on the risk and needs assessment forms (i.e., individual item scores as well as total scores).

²² For both study years, data were abstracted for about 90% of the juveniles discharged in each of the years.

While not included in juvenile case files, DCF provided data on “disruptions” for juveniles who were placed in residential placements other than Long Lane School and were discharged from the placements as a result of incidents at the placement, or while on leave or AWOL from the placement.

As the Central Placement Team (CPT) plays an important role in the placing of juveniles in residential placements other than Long Lane School, data on placement attempts made by the CPT for the juveniles included in the 1998-99 DCF sample were abstracted (e.g., attempts to place, reason not placed).

4. Adult Court Data

Judicial Information Systems provided Spectrum Associates with data from the State’s Criminal Record and Motor Vehicle System (CRMVS). The data included all juveniles who had a case disposed by the adult court in January-December 1998 that had originally been transferred from the Juvenile Matters Court. The study included 126 juveniles²³.

For these juveniles, additional data were gathered from the juvenile court and probation files, adult probation, the Department of Correction, and the Bail Commissioner to determine: court history, pretrial status, and use of diversion programs.

5. Juvenile Offender Interviews

In both 1999 (November-December) and 1993 (October), a sample of juveniles placed at Long Lane School was interviewed to explore whether juvenile offenders believe that the juvenile justice system processes minority offenders different from White offenders. Prior to conducting the interviews, DCF obtained consent from both the respondents and their parents.

A total of 30 interviews were conducted each year: 10 each with Black, Hispanic and White juveniles at Long Lane School. Within race, one-half of the interviews were conducted with males and one-half with females. To encourage candid responses, respondents were interviewed: (a) one-on-one in a setting that assured privacy, and (b) by an interviewer of the same race.

²³ The CRMVS identified 131 juveniles as meeting the criteria set for inclusion in the study. However, Spectrum Associates excluded five of the juveniles from the study as not all of the necessary data to identify key system decisions were available.

The interview form included open and closed-ended questions, and each interview took 30-45 minutes to complete. The interview guide included questions on the police, court, and Long Lane School.

6. Public Forums and Practitioner Survey

To gather in-depth qualitative data from practitioners, in both 2000 (October-November) and 1994 (September-October), the Juvenile Justice Advisory Committee (JJAC) sponsored six public forums. The purpose of the forums was to:

- ◆ share the results of the reassessment study of minority overrepresentation in Connecticut's juvenile justice system, and
- ◆ elicit practitioner input on the findings.

In both years, after listening to a presentation of the study's major findings, forum participants took part in roundtable discussions where they brainstormed ideas about the causes of, and solutions to, disparate handling of minority offenders.

In addition, in 2000, during their roundtable discussions, participants were asked to brainstorm ideas on what was behind some of the decreases in, or elimination of, disparate treatment at specified decision points within the juvenile justice system.

As was the case in the baseline study, the JJAC developed a set of recommendations to address the overrepresentation of minority juveniles in the Connecticut Juvenile Justice System. The recommendations were based on: (a) the preliminary findings from the reassessment study; (b) input received from system practitioners who participated in the six forums held across the state to discuss the reassessment's preliminary findings; and (c) the expertise and experience of the committee members.

For the 2000 study, the JJAC added a survey to gauge practitioner reaction to the committee's recommendations. Spectrum Associates, with assistance from the JJAC's Subcommittee on Minority Overrepresentation, developed a self-administered survey to accomplish this task. The survey instrument asked practitioners how effective they felt each recommendation would be in achieving equitable treatment of minority and White juveniles in the juvenile justice system.

Recommendations were included for each component of Connecticut's juvenile justice system - police, detention, court, and Department of Children and Families, Bureau of Juvenile Justice. All survey respondents were asked to answer questions about each system component.

The surveys were distributed via U.S. Postal Service and Connecticut Interagency Mail Service by the Office of Policy and Management on March 7, 2001. When possible, the surveys were addressed to individual practitioners. When individual practitioner names and addresses could not be identified, packages of surveys were distributed to agency heads to distribute to the appropriate staff. A total of 2,508 surveys were distributed and 514 surveys were returned resulting in a response rate of 20%. Figure 1c (see page 29) displays the number of surveys distributed to, and returned by, each practitioner category, as well as the response rate for each system component.

As shown in Figure 1c:

- ◆ Completed surveys were received from across the system components and from all positions surveyed within each component.
- ◆ The response rates varied by component (i.e., court, 31%; police, 21%; and DCF, 15%) and by position (e.g., ranging from 75% for DCF Central Office/Administration to 9% for Juvenile Detention Shift Supervisor/Officer/Transportation Officer).

**Figure 1c
Practitioner Survey Distribution and Response Rates**

	Number Surveys Distributed	Number Surveys Returned	Response Rate
Police	494	104	21.1%
Local Police	359	69	19.2%
State Police	135	35	25.9%
Court	679	211	31.1%
Judge	43	19	44.2%
Juvenile Services Manager/Monitor/ Administrator	24	13	54.2%
Juvenile Probation	155	86	55.5%
Juvenile Prosecutor/Investigator	28	7	25.0%
Juvenile Public Defender/Investigator/ Social Worker	37	17	45.9%
Juvenile Detention Supervisor/Assistant Supervisor	18	5	27.8%
Juvenile Detention Program & Services Coord. or Classification & Program Officer	21	12	57.1%
Juvenile Detention Shift Supervisor/ Officer/Transportation Officer	103	9	8.7%
ADP (Alternative Detention Program)	78	25	32.1%
Girls Secure Detention Center	46	5	10.9%
JSRC	126	13	10.3%
Department of Children and Families	1335	199	14.9%
Central Office/Administration	4	3	75.0%
Quality Assurance (Licensing & Programs)	14	7	50.0%
Parole	40	5	12.5%
Long Lane/CJTS Administration	9	4	44.4%
Long Lane - Group Leader or YSO	206	39	18.9%
Long Lane - Support (medical, clinical, APO, recreation, training)	100	28	28.0%
Long Lane - Cady School	61	13	21.3%
DCF Residential Treatment Center	893	92	10.3%
DCF Group Home	8	8	100.0%

IV. EXTENT OF MINORITY OVERREPRESENTATION IN CONNECTICUT

This section of the report examines the extent to which Black and Hispanic juveniles 10-16 years of age are overrepresented in the juvenile justice system across the State of Connecticut.

Figure 2 displays for 1998 and 1991 the percentage of youth referred to Juvenile Matters Court, placed into detention, and placed into Long Lane School who were Black, Hispanic or White. In addition, due to the increased use of transfers to adult court following 1995 waiver legislation, transfer data for 1998 are also included. These data are compared to census data²⁴ for 10-16 year olds, and a Disproportionate Representation Index (DRI) is provided for each race at each decision-making point to display the extent to which 10-16 year olds of that race are over or underrepresented compared to their presence in the at risk population.²⁵

²⁴ Researchers have contrasted 1998 court data to Census Bureau population projections for 1998 and contrasted 1991 court data to 1990 Census data.

²⁵ The term DRI was developed by the Oregon Community Children & Youth Services Commission (1993) and it is a comparison, in percentage terms, of the proportion of a specific race/ethnic group processed at a specific point in the juvenile justice system compared to the proportion of this group in the youth population at risk. For example, if 10% of the 10-16 year old population is Black and they account for 30% of arrests, the DRI would have a value of 3.0 (30% divided by 10%), indicating that Black youth are 3.0 times more likely to be arrested as would be suggested by their numbers in the at risk population.

Figure 2
Extent of Overrepresentation of Minorities
in the Connecticut Juvenile Justice System

		1991				1998			
		Asian	Black	Hispanic+	White	Asian	Black	Hispanic+	White
Connecticut Population 10-16 Years Old*	% ++	1.95%	10.81%	10.23%	76.59%	2.66%	11.15%	11.07%	74.92%
	N	5,305	29,378	27,802	208,219	8,208	34,398	34,153	231,156
Youth Referred to Juvenile Matters for Instant Offense**	DRI +++	0.18	2.64	1.96	0.66	0.19	2.52	1.85	0.66
	% ++	0.35%	28.58%	20.07%	50.74%	0.50%	28.07%	20.52%	49.26%
	N	30	2,456	1,725	4,361	58	3,259	2,382	5,719
Youth Placed in Detention for Instant Offense**	DRI +++	-	4.52	3.08	0.26	0.05	3.91	2.47	0.37
	% ++	0.00%	48.89%	31.49%	19.62%	0.13%	43.64%	27.35%	27.99%
	N	0	486	313	195	1	343	215	220
Youth Placed in Long Lane School for Instant Offense**	DRI +++	-	4.31	3.00	0.30	0.18	3.32	3.04	0.38
	% ++	0.00%	46.59%	30.68%	22.73%	0.49%	37.07%	33.66%	28.29%
	N	0	82	54	40	1	76	69	58
Youth Transferred to Adult Court for Instant Offense**	DRI +++	na	na	na	na	-	3.19	2.91	0.43
	% ++	na	na	na	na	0.00%	35.59%	32.20%	32.20%
	N	na	na	na	na	0	21	19	19

* The 1991 population figures are based on the 1990 census. The 1998 population figures are the Census Bureau's estimates of Connecticut's 1998 population.

** The "Instant Offense" is defined as the juvenile's last case disposed in the study year.

+ For the census data, Hispanic youth were recorded as Asian, Black, White, or other race and of Hispanic origin. In order to make comparisons to the juvenile justice system's race data, Spectrum Associates computed the number of youth within each race that were of Hispanic origin and designated "Hispanic" as a separate race/ethnicity category.

++ The percentages may not total to 100% as the "other" race category is not displayed.

+++ The Disproportionate Representation Index (DRI) is a comparison of the proportion of a specific race at a specific point in the juvenile justice system compared to the proportion of this group in the 10-16 year old population. If the DRI is equal to one, the representation of youth of that race at that decision point is what would be expected based on the census data. If the DRI is less than one, there is underrepresentation and if the DRI is greater than one there is overrepresentation.

As shown in Figure 2:

- ◆ For both 1998 and 1991, Black and Hispanic juveniles were clearly overrepresented at each decision point (including transfer in 1998), and the extent of that overrepresentation increases as juveniles move from court referral to confinement (i.e., detention and Long Lane School).
- ◆ For both 1998 and 1991, overrepresentation was greater for Black than Hispanic juveniles at each decision-making point, particularly detention.
- ◆ In 1998, White juveniles accounted for almost three-fourths of the State's 10-16 year old population, however, they accounted for only one-half of the juveniles referred to court, about one-fourth of the juveniles placed in detention or in Long Lane School, and about one-third of those transferred to adult court. White juvenile's court referral DRI is only .66, and their detention, Long Lane School placement and transfer DRIs are only .37 - .43.

Conversely, Black juveniles had DRIs ranging from 2.52 (court referral) to 3.91 (detention) and Hispanic juveniles had DRIs ranging from 1.85 (court referral) to 3.04 (placed in Long Lane School).

- ◆ While there was considerable overrepresentation in 1998, the extent of overrepresentation in 1998 was less than it was in 1991. Specifically:
 - Black juveniles were less overrepresented at Long Lane School in 1998 than in 1991 (37.07% vs. 46.59%; and a DRI of 3.32 vs. 4.31), and also less overrepresented in detention in 1998 than in 1991 (43.64% vs. 48.89%, and a DRI of 3.91 vs. 4.52).
 - Hispanic juveniles were less overrepresented in detention in 1998 than in 1991 (27.35% vs. 31.49%, and a DRI of 2.47 vs. 3.08).
- ◆ A look at the data broken out by the size of the juvenile's city/town of residence (i.e., large cities, small cities, large towns, small towns), revealed that the overrepresentation of minority juveniles at the various decision points in the system occurred across the various size cities/towns.

V. SYSTEM PROCESSING OF JUVENILE OFFENDERS

The preceding section of the report revealed that: (a) Black and Hispanic juveniles were found to be greatly overrepresented in the juvenile justice system across the State of Connecticut, and (b) overrepresentation was somewhat less in 1998 than it was in 1991.

The overrepresentation revealed through this analysis raised the following questions:

- ◆ Are minority juveniles receiving different decisions than White juveniles at various decision points in the juvenile justice system?
- ◆ If so, do observed differences in system decisions across race/ethnicity remain when controlling for legal and social variables?

The decline in overrepresentation in 1998 from 1991 raises a third important question:

- ◆ Is there less disparity in the treatment of minority youth now than was reported in the 1991 baseline study, and if so, where have these reductions occurred?

This section of the report addresses these three questions by examining decision-making for three separate components of the juvenile justice system: the police, Juvenile Matters Court, and the Department of Children and Families. In addition, the analysis of 1998 data also examined the handling of Black, Hispanic and White juveniles transferred to the adult court. For the police, court and Department of Children and Families, 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 are then analyzed to determine if observed differences attributed to race/ethnicity remain 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 C.

A. Police Decision-Making

As discussed in detail previously, police data presented in this section of the report were gathered by OPM for two time periods: July 1, 1998 to June 30, 1999 (1998-99) and July 1, 1991 to June 30, 1992 (1991-92). For both years, 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 decisions²⁶:

- ◆ Did the police arrest the juvenile or take less formal action?
- ◆ Did the police take the juvenile to the police station?
- ◆ How many hours was the juvenile held at the police station?
- ◆ Was the juvenile placed in secure holding while at the police station?
- ◆ 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 and Multiple Linear Regression were used to determine whether the impact of race/ethnicity on police decisions within offense type remains when controlling for social and additional legal factors. The factors included in these analyses were as follows.

<u>Socio-demographic</u>	<u>Incident Characteristics</u>	<u>Jurisdiction</u>
Age	Number of Offenders	Distance from a Detention Center
Gender	Possession of Alcohol	Presence of a Juvenile Review Board
Race/Ethnicity	Possession of Drugs	Size of City/Town
	Possession of Weapon	
	Secure Holding at Station	

²⁶ This research only includes data on those juveniles for whom police wrote up an incident report.

In addition to the above, those charged for a serious juvenile offense were broken out into “more violent ” and “less violent” categories (see Appendix D) and included in the model when examining whether or not the juvenile was brought to a Detention Center.

1. Action on Apprehension

Figures 3a and 3b (see page 36) display police action taken for Black, Hispanic and White juveniles charged with SJOs, non-SJO felonies and misdemeanors. Figure 3a shows data for the communities that do not have a Juvenile Review Board (JRB) as an option for the police (in 1998-99, 15 departments; and four barracks and in 1991-92, 17 departments and five barracks). This table displays cases that were: referred to court, referred to a community agency, or released with a warning. Figure 3b presents data for the communities included in the study that have a JRB as an option (1998-99, 11 police departments and one barrack; and 1991-92, nine police departments).

As shown in Figures 3a and 3b:

- ◆ For both 1998-99 and 1991-92 and for communities with and without JRBs: (a) Black and Hispanic juveniles were not significantly more likely than White youth to be referred to Juvenile Matters Court, and (b) the percentage of juveniles referred to court increased as the severity of the offense increased.
- ◆ In 1991-92, not having a JRB increased the likelihood that a juvenile would be referred to court. However, in 1998-99 almost all of the juveniles charged with felonies (SJOs or otherwise) were referred to court regardless of the presence of a JRB. Thus, the only observed difference in 1998-99 for court referrals between communities with and without JRBs was for misdemeanors (e.g., Black juveniles charged with misdemeanors in a community without a JRB were significantly more likely to be referred to court than like juveniles in a community with a JRB).

Figure 3a
Police Action by Offense Type* and Race
(For Communities without a Juvenile Review Board)

		1991-92			1998-99		
		Black	Hispanic	White	Black	Hispanic	White
SJO	Referred to Juvenile Matters/Arrested**	100%	100%	100%	100%	100%	100%
	Referred to community agency	0%	0%	0%	0%	0%	0%
	Warning***	0%	0%	0%	0%	0%	0%
	Total	100%	100%	100%	100%	100%	100%
	Base	31	21	12	43	31	26
Non-SJO Felony	Referred to Juvenile Matters/Arrested**	96%	85%	96%	100%	95%	95%
	Referred to community agency	0%	0%	1%	0%	0%	0%
	Warning***	4%	15%	3%	0%	5%	5%
	Total	100%	100%	100%	100%	100%	100%
	Base	47	44	70	26	28	34
Misdemeanor	Referred to Juvenile Matters/Arrested**	75%	69%	83%	87%	80%	86%
	Referred to community agency	2%	0%	0%	0%	2%	1%
	Warning***	24%	31%	17%	13%	18%	14%
	Total	100%	100%	100%	100%	100%	100%
	Base	107	85	215	149	154	192

* Most serious charge at apprehension.

** In 1991 the terminology used was “referred to Juvenile Matters,” in 1998 the term “arrested” was used.

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

Figure 3b
Police Action by Offense Type* and Race
(For Communities with a Juvenile Review Board)

		1991-92			1998-99		
		Black	Hispanic	White	Black	Hispanic	White
SJO	Referred to Juvenile Matters/Arrested**	92%	74%	100%	100%	100%	95%
	Referred to community agency	8%	26%	0%	0%	0%	5%
	Warning***	0%	0%	0%	0%	0%	0%
	Total	100%	100%	100%	100%	100%	100%
	Base	11	7	9	4	5	10
Non-SJO Felony	Referred to Juvenile Matters/Arrested**	85%	80%	71%	100%	100%	98%
	Referred to community agency	15%	20%	23%	0%	0%	0%
	Warning***	0%	0%	6%	0%	0%	2%
	Total	100%	100%	100%	100%	100%	100%
	Base	17	18	36	8	11	15
Misdemeanor	Referred to Juvenile Matters/Arrested**	41%	58%	51%	67%	75%	76%
	Referred to community agency	55%	37%	42%	28%	21%	22%
	Warning***	4%	5%	7%	5%	4%	2%
	Total	100%	100%	100%	100%	100%	100%
	Base	46	45	70	57	52	93

* Most serious charge at apprehension.

** In 1991 the terminology used was “referred to Juvenile Matters,” in 1998 the term “arrested” was used.

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

2. Brought to Police Station

Figure 4 displays the percentage of juveniles charged with offenses who were brought to the police station by offense type and race/ethnicity for 1998-99 and 1991-92.

Figure 4
Percentage of Juveniles Brought to Police Station
by Offense Type* and Race

	1991-92			1998-99		
	Black	Hispanic	White	Black	Hispanic	White
SJO	85%	92%	88%	85%	87%	80%
Base	40	28	22	47	37	37
Non-SJO Felony	89%	91%	84%	84%	88%	82%
Base	60	58	97	34	39	48
Misdemeanor	75%	70%	75%	58%	53%	61%
Base	141	120	269	206	204	285

* Most serious charge at apprehension.

As displayed in Figure 4:

- ◆ For 1998-99 and 1991-92, race/ethnicity had no significant impact on the likelihood of juveniles being brought to the police station.
- ◆ For 1998-99 and 1991-92, juveniles charged with misdemeanors were less likely to be brought to the police station than juveniles charged with SJOs or other felonies.
- ◆ Juveniles charged with misdemeanors were significantly less likely to be brought to the police station in 1998-99 (53% - 61% across race/ethnicity) than they were in 1991-92 (70% - 75% across race/ethnicity).

3. Hours Held in a Police Facility

Figure 5 displays the mean number of hours juveniles were held at the police station for 1998-99 and 1991-92.

Figure 5
Mean Hours Held in Police Station
(For Juveniles Brought to the Police Station)
by Offense Type* and Race

		1991-92			1998-99		
		Black	Hispanic	White	Black	Hispanic	White
SJO	Mean Hours	2.5	2.0	2.2	1.2	1.1	1.8
	Base	28	23	12	40	32	29
Non-SJO Felony	Mean Hours	2.7	2.5	1.9	1.3	1.6	1.6
	Base	48	47	57	28	35	40
Misdemeanor	Mean Hours	2.0	1.9	1.7	1.5	1.5	1.5
	Base	91	71	155	119	105	171

* Most serious charge at apprehension.

As displayed in Figure 5:

- ◆ For 1991-92, Black and Hispanic juveniles charged with non-SJO felonies averaged significantly more time in the police station than did White juveniles (Black, 2.7 hours; Hispanic, 2.5 hours; and White, 1.9 hours). The disparity for Hispanic vs. White juveniles charged with non-SJO felonies was neutralized by other predictor variables; however, the disparity for Black vs. White juveniles so charged was not neutralized.
- ◆ In 1998-99, White juveniles charged with an SJO spent significantly more time at the police station than did minority juveniles so charged. Subsequent analysis did not neutralize the disparity for Hispanic vs. White juveniles.

4. Placement in Secure Holding at the Police Station

Figure 6 displays the percentage of Black, Hispanic and White juveniles who were securely held at the police station for 1998-99 and 1991-92.

Figure 6
Percentage of Juveniles Placed in Secure Holding at the Police Station
by Offense Type* and Race

	1991-92			1998-99		
	Black	Hispanic	White	Black	Hispanic	White
SJO	60%	61%	46%	60%	58%	69%
Base	34	25	19	40	32	29
Non-SJO Felony	50%	46%	30%	53%	50%	59%
Base	53	53	81	29	35	40
Misdemeanor	28%	26%	17%	23%	25%	25%
Base	106	84	201	120	107	173

* Most serious charge at apprehension.

As revealed in Figure 6:

- ◆ For 1991-92, Black and Hispanic juveniles were more likely than White juveniles to be placed in secure holding across offense types, and differences were statistically significant for Black vs. White youth charged with non-SJO felonies and misdemeanors. Moreover, further analysis revealed that the greater use of secure holding for Black vs. White juveniles charged with misdemeanors remained when controlling for predictor variables.
- ◆ For 1998-99, the increased use of secure holding for White juveniles resulted in no statistically significant differences in its application by race/ethnicity.

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, the juvenile can be transported to and held in a Juvenile 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 Judicial Information Systems (JIS) database for all juveniles disposed in 1998 and 1991. These data are presented in Figure 7.²⁷

Figure 7
Juveniles Released by Police to a Detention Center*
by Offense Type and Race**

		1991			1998		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Detained	67%	51%	20%	51%	47%	18%
	Not Detained	33%	49%	80%	49%	53%	82%
	Total	100%	100%	100%	100%	100%	100%
	Base	198	114	133	260	176	297
Non-SJO Felony	Detained	32%	31%	8%	11%	6%	4%
	Not Detained	68%	69%	92%	89%	94%	96%
	Total	100%	100%	100%	100%	100%	100%
	Base	347	225	566	288	183	617
Misdemeanor	Detained	11%	10%	3%	3%	2%	2%
	Not Detained	89%	90%	97%	97%	98%	98%
	Total	100%	100%	100%	100%	100%	100%
	Base	345	248	685	461	286	793

* Includes only detention placements that resulted from the instant offense identified for this study.
 ** Most serious charge at apprehension.

As revealed in Figure 7:

- ◆ As expected, for all juveniles, the more severe the offense type the greater the likelihood of detention.
- ◆ In 1991, Black and Hispanic juveniles were much more likely than White juveniles to be placed in detention. While in some instances these differences were neutralized by predictor variables (e.g., Hispanic vs. White for SJOs and misdemeanors), in many other

²⁷ 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, and possession of weapon). In addition, the model also included the length of commute to the closest Detention Center and the severity of the SJO for which the juvenile was brought to the Detention Center.

instances the disparities remained despite controlling for background factors (e.g., Black vs. White for all offense types and Hispanic vs. White for non-SJO felonies).

- ◆ In 1998, the disparities in detention were greatly reduced for non-SJO felonies and misdemeanors. Black and Hispanic juveniles were less likely to be placed in detention in 1998 than they had been in 1991. However, large disparities remained for juveniles charged with an SJO. Subsequent analysis on SJOs revealed that differences were not neutralized.

6. Summary of Police Findings

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

- ◆ For 1998-99 and 1991-92 and for both communities with and without JRBs, no statistically significant differences were observed across race/ethnicity in police decisions to refer the youth to Juvenile Matters Court.
- ◆ For 1998-99 and 1991-92, minority youth were not significantly more likely than White youth to be brought to the police station.
- ◆ Whereas the baseline study found many disparities when contrasting how long juveniles were held at the police station, and the use of secure holding and Detention Centers for White and minority juveniles, the 1998-99 study revealed minority juveniles were not held longer or more likely to be placed in secure holding. In addition, in many instances the disparities in the police transportation of juveniles to a Detention Center were greatly reduced.
- ◆ In 1998, Black and Hispanic juveniles apprehended for SJOs remained significantly more likely than White juveniles so charged to be transported to a Detention Center, and these differences were not neutralized when controlling for background factors.

B. Juvenile Matters Court Decision-Making

Data were gathered and analyzed to look at several key court decisions, including: type of detention placement(s), type of court processing (i.e., formal or informal), court outcome, court dispositions, and initial DCF placement.

Data were gathered to address these issues from four sources:

- ◆ Judicial Information Systems (JIS) computerized data for all juvenile cases disposed of by the 13 Juvenile Matters offices across the State of Connecticut;
- ◆ Juvenile probation and court case files;
- ◆ Detention Center files; and
- ◆ Alternative Detention Placement (ADP) and Intensive Supervision files.

In seeking to answer each of these questions, the researchers:

- ◆ tabulated the data by offense type and race/ethnicity; and
- ◆ conducted Logistic Regression and Multiple Linear Regression analyses to determine if disparities exist when controlling for social factors (e.g., age, gender, family status, mental health, school problems, poverty) and other legal variables (e.g., offense characteristics and court history).

The factors included in this analysis for decision points regarding the use of pretrial custodial/monitoring options (i.e., use of ADPs and Intensive Supervision, length of stay in the various pretrial status options) were as follows.

Socio-demographic

Age
Family Status
Gender
Race/Ethnicity

Incident Characteristics

Number of Offenders
Possession of Drugs
Possession of Weapon

Court History

Level of Prior Court Involvement

In addition, scores from the detention assessment form were used. The assessment form measures such items as: the severity of current or pending charges, prior juvenile court record, escape from placement history, gang affiliation, and substance abuse and mental health issues. Researchers also

looked at whether or not a parent/guardian was present for the initial detention hearing for the model that examined how long juveniles were held in a Detention Center.

The factors included in the regression analyses for decision points regarding the other court decisions (e.g., judicial vs. non-judicial handling, adjudicatory hearing outcome, disposition) were as follows.

<u>Socio-demographic</u>	<u>Incident Characteristics</u>	<u>Court History</u>
Age	Detention	Level of Prior Court Involvement
Family Status	Number of Offenders	
Gender	Possession of Drugs	
Mental Health Indicators	Possession of Weapon	
Number of Siblings		
Poverty Indicator		
Race/Ethnicity		
School Problems		

In addition, scores from the probation assessment forms were used when appropriate. The probation assessment form measures such items as: the juvenile's prior history with juvenile court, family support/stability, substance abuse issues, runaway behavior, peer relationships, and school behavior.

This section of the report provides a complete set of tables and charts displaying Juvenile Matters Court decisions broken out by offense type and, within offense type, by race/ethnicity. It should be noted that analysis of the JIS database does not include tests of significance because the study includes all cases disposed by Juvenile Matters Court in 1998 and 1991 rather than a sample, thereby making such tests unnecessary.

1. Use of Pretrial Custody/Monitoring Options

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:

- ◆ being moved from a Detention Center to a residential Alternative Detention Program (ADP) or Intensive Supervision (1998 only);
- ◆ being approved by the court to move to an ADP and actually being placed into an ADP (1998 only);
- ◆ length of stay in the various pretrial custodial options (1998 only); and
- ◆ being released from pretrial custody/monitoring prior to disposition date (1998 and 1991).

ADP and Intensive Supervision were not available options at the time of the baseline study. It should be noted that these tables exclude juveniles who were transferred to adult court because once the case is transferred, the adult court has jurisdiction over the pretrial custody of these offenders.

a. Use of Alternative Detention Programs and Intensive Supervision (1998)

As noted earlier, in 1998 all juvenile courts had developed Alternative Detention Programs (i.e., regional community-based day reporting programs with short term residential components) and Intensive Supervision (i.e., placements at home where juveniles are monitored closely by their probation officers). Figure 8 (see page 45) displays the percentage of juveniles who were placed at an ADP and/or on Intensive Supervision broken out by offense type and race/ethnicity.

As shown in Figure 8:

- ◆ For the most part, no meaningful differences were observed across race/ethnicity within offense types.
- ◆ The data revealed that Hispanic youth charged with misdemeanors were more likely than White youth so charged to receive ADP placement (30% vs. 11%), and these differences were not neutralized by the predictor variables.

Figure 8
Use of ADPs and Intensive Supervision in Pretrial Supervision*
by Most Serious Intake Charge and Race

		1998		
		Black	Hisp.	White
Serious Juvenile Offense	ADP	13%	20%	13%
	Intensive Supervision and ADP	5%	3%	6%
	Intensive Supervision	20%	23%	17%
	Neither	61%	55%	63%
	Total	100%	100%	100%
	Base	165	102	63
Non-SJO Felony	ADP	15%	10%	21%
	Intensive Supervision and ADP	6%	0%	8%
	Intensive Supervision	9%	20%	21%
	Neither	70%	70%	50%
	Total	100%	100%	100%
	Base	33	10	24
Misdemeanor	ADP	14%	30%	11%
	Intensive Supervision and ADP	6%	3%	7%
	Intensive Supervision	10%	10%	7%
	Neither	70%	57%	75%
	Total	100%	100%	100%
	Base	50	30	57

* This table only includes juveniles who had been placed in a Detention Center for their Instant Offense before receiving ADP or IS. Juveniles transferred to the adult court for their Instant Offense are excluded from this table.

b. ADP Decision-Making (1998)

Figure 9 looks at whether youth approved by the court for placement into an ADP were so placed. It should be noted that this information was only available for two of the three Detention Centers (i.e., Hartford and New Haven). In addition, the data were not available for all of the youth at these Detention Centers and, as such, caution should be used in projecting from these data.

Figure 9
ADP Placement for Juveniles Approved by the Court for an ADP*
by Most Serious Intake Charge and Race

		1998		
		Black	Hisp.	White
Serious Juvenile Offense	Approved & Placed in ADP	48%	45%	53%
	Approved, But Not Placed	52%	55%	47%
	Total	100%	100%	100%
	Base	21	20	15
Non-SJO Felony	Approved & Placed in ADP	50%	0%	71%
	Approved, But Not Placed	50%	100%	29%
	Total	100%	100%	100%
	Base	6	2	7
Misdemeanor	Approved & Placed in ADP	50%	63%	58%
	Approved, But Not Placed	50%	38%	42%
	Total	100%	100%	100%
	Base	8	8	12

* This table only includes juveniles who had been placed in a Detention Center for their Instant Offense before receiving ADP or IS. Juveniles transferred to the adult court for their Instant Offense are excluded from this table.

As shown in Figure 9:

- ◆ For SJOs and misdemeanors, very little difference was observed across race.
- ◆ While some differences appear to be shown for non-SJO felonies, the number of cases makes it inappropriate to attribute much meaning to the differences observed.

c. Length of Stay in Various Pretrial Custodial/Monitoring Options (1998)

Figure 10 (see page 49) displays data on the length of stay in two ways:

- ◆ the mean number of days (i.e., the average length of stay in a Detention Center); and
- ◆ the median number of days (i.e., the number of days for which there is an equal number of individuals with lengths of stay longer and shorter).²⁸

Figure 10 reveals the following.

SJOs

- ◆ Hispanic (40.7 days) and Black (38.0 days) juveniles charged with SJOs averaged more time in pretrial custodial/monitoring care, overall, than did White juveniles (28.8 days). When looking at the median, these disparities appear much greater for Hispanic vs. White (25 vs. 12 days) than Black vs. White (15 vs. 12 days). Further analysis revealed that the predictor variables did not neutralize the disparities.
- ◆ Minority juveniles charged with SJOs placed into an ADP averaged about twice as long in the ADP as White juveniles (Black, 34.5 days; Hispanic, 31.2 days; and White 16.8 days). Median calculations show similar disparities for Hispanic vs. White (26 vs. 13 days), but a considerably smaller differential for Black vs. White (15 vs. 13 days). Further analysis of the Hispanic vs. White disparity revealed that differences were neutralized by the predictor variables.
- ◆ Minority juveniles charged with SJOs placed in Detention Centers averaged considerably more time in these facilities than did White juveniles so placed (Hispanic, 16.3 days; Black, 15.6 days; and White, 9.1 days). Median calculations revealed consistent but less pronounced findings (Hispanic, 6; Black, 5; and White 4 days). These disparities were not neutralized.

²⁸ While researchers often rely on the mean length of stay, there were a few individuals who averaged very long lengths of stay in the detention, thereby suggesting a median would help provide a more complete picture.

Non-SJO Felonies

- ◆ Hispanic juveniles placed in a Detention Center for a non-SJO felony averaged more time than did White youth so placed (19.4 vs. 12.8 days), and a similar trend was revealed for the median calculations (9 vs. 6 days).

Misdemeanors

- ◆ Hispanic juveniles charged with misdemeanors averaged almost twice as much time in pretrial custodial care overall as White juveniles (33.1 days vs. 16.9 days). Median days show a similar finding (18 vs. 7 days). The overall difference is the result of differences at each pretrial supervision option (Detention Center, ADP, Intensive Supervision), and the overall disparities remain when controlling for predictor variables.
- ◆ Hispanic juveniles charged with misdemeanors placed into a Detention Center averaged considerably more time in these facilities than did White juveniles charged with misdemeanors (16.5 vs. 10.8 days). However, the difference in the median number of days was slight (7 vs. 6 days).
- ◆ Hispanic juveniles placed in an ADP averaged over three times longer in the ADP than White youth (49.0 vs. 15.8 days) and the median calculations also displayed large differentials (40 vs. 18 days). These differences were not neutralized by the predictor variables.

Figure 10
Length of Stay at Various Pretrial Status Options*
by Most Serious Intake Charge and Race

			1998			
			Black	Hisp.	White	
Serious Juvenile Offense	Detention Center	Mean	15.6	16.3	9.1	
		Median	5	6	4	
		Base	150	91	58	
	Alternative Detention Placement	Mean	34.5	31.2	16.8	
		Median	15	26	13	
		Base	19	17	8	
	Intensive Supervision	Mean	73.0	70.5	77.8	
		Median	62	64	65	
		Base	37	24	13	
	Total	Mean	38.0	40.7	28.8	
		Median	15	25	12	
		Base	150	91	58	
	Non-SJO Felony	Detention Center	Mean	11.6	19.4	12.8
			Median	4	9	6
			Base	32	10	23
Alternative Detention Placement		Mean	11.5	.	14.7	
		Median	3	.	8	
		Base	4	0	3	
Intensive Supervision		Mean	66.0	78.0	63.3	
		Median	70	78	49	
		Base	5	2	7	
Total		Mean	23.3	35.0	34.0	
		Median	5	17	19	
		Base	32	10	23	
Misdemeanor		Detention Center	Mean	7.2	16.5	10.8
			Median	2	7	6
			Base	45	28	57
	Alternative Detention Placement	Mean	25.5	49.0	15.8	
		Median	15	40	18	
		Base	6	7	10	
	Intensive Supervision	Mean	46.5	40.3	23.6	
		Median	51	42	23	
		Base	6	3	8	
	Total	Mean	16.8	33.1	16.9	
		Median	3	18	7	
		Base	45	28	57	

* This table only includes juveniles who had been placed in a Detention Center for their Instant Offense before receiving ADP or IS. Juveniles transferred to the adult court for their Instant Offense are excluded from this table. The length of stay at each type of pretrial option includes the total number of days spent in the option (i.e., may include multiple placements during the pre-dispositional period).

d. Percentage Released Prior to Adjudication Date

Figure 11 displays the percentage of juvenile offenders who were placed in a Detention Center who were released from any type of pretrial supervision in advance of their disposition date. The data are broken out by type of offense and race/ethnicity.

**Figure 11
Percent of Juveniles Released from Pretrial Supervision
Prior to Their Disposition Date*
by Most Serious Intake Charge and Race**

		1991			1998		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Released	87%	90%	91%	61%	55%	69%
	Not Released	13%	10%	9%	39%	45%	31%
	Total	100%	100%	100%	100%	100%	100%
	Base	178	96	32	150	91	58
Non-SJO Felony	Released	93%	88%	85%	75%	60%	61%
	Not Released	7%	12%	15%	25%	40%	39%
	Total	100%	100%	100%	100%	100%	100%
	Base	151	99	61	32	10	23
Misdemeanor	Released	94%	92%	95%	78%	75%	72%
	Not Released	6%	8%	5%	22%	25%	28%
	Total	100%	100%	100%	100%	100%	100%
	Base	154	111	99	45	28	57

* This table only includes juveniles who had been placed in a Detention Center for their Instant Offense before receiving ADP or IS. Juveniles transferred to the adult court for their Instant Offense are excluded from this table.

As shown in Figure 11:

- ◆ A much greater percentage of juveniles were released from pretrial supervision before their disposition date in 1991 (when there were no alternative options) than in 1998 (after the system developed ADPs and IS). These differences occurred across offense type and race/ethnicity.
- ◆ In 1991, decisions were mostly similar for Black, Hispanic and White juveniles. In 1998, no clear pattern was found as White youth charged with an SJO were more likely than Hispanic and Black juveniles so charged to be released from supervision prior to disposition, while Black youth charged with a non-SJO felony were the most likely to be

released prior to their disposition date. Findings for misdemeanors were remarkably consistent across race/ethnicity.

2. Juvenile Matters Court Processing

Data were obtained to examine whether Black, Hispanic and White juveniles charged with similar types of offenses and referred to Juvenile Matters Court:

- ◆ were equally likely to be handled judicially;
- ◆ received similar probation officer recommendations;
- ◆ received similar court outcomes at the adjudicatory hearing; and
- ◆ received similar dispositions and placements.

a. Court Handling

In Connecticut, the Juvenile Probation Unit Supervisor located at the Juvenile Matters Court location where the juvenile will appear receives the Police Arrest Report and determines whether the case should be handled judicially or non-judicially based on court guidelines. The decision to handle a case non-judicially is made only after the juvenile admits responsibility for the alleged acts, and is based on consideration of the seriousness of the offense, past court history, adjustment at home and school, and attitudes of the juvenile and parents. A case would be handled judicially if it includes more serious charges, the juvenile has prior delinquent convictions or an extensive prior history with the court, and/or if the juvenile denies the charges.

Delinquency Cases

Figure 12a presents data on court handling of delinquency cases broken out by offense type and race/ethnicity (1998 and 1991).

Figure 12a
Delinquency Case Handling
by Most Serious Petition Charge and Race

		1991			1998		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Transfer	0%	1%	0%	6%	8%	5%
	Judicial	91%	89%	85%	90%	89%	90%
	Non-Judicial	9%	10%	15%	4%	3%	5%
	Total	100%	100%	100%	100%	100%	100%
	Base	304	185	163	331	219	354
Non-SJO Felony	Transfer	0%	0%	0%	0%	0%	0%
	Judicial	76%	72%	66%	77%	83%	75%
	Non-Judicial	24%	28%	34%	23%	16%	25%
	Total	100%	100%	100%	100%	100%	100%
	Base	502	349	786	339	211	699
Misdemeanor	Transfer	0%	0%	0%	0%	0%	0%
	Judicial	34%	32%	26%	42%	43%	43%
	Non-Judicial	66%	68%	73%	58%	57%	57%
	Total	100%	100%	100%	100%	100%	100%
	Base	1325	887	2423	1907	1135	3068
Violation	Transfer	0%	0%	0%	0%	0%	0%
	Judicial	93%	93%	73%	96%	91%	85%
	Non-Judicial	7%	7%	26%	4%	9%	15%
	Total	100%	100%	100%	100%	100%	100%
	Base	56	67	194	196	217	387

As shown in Figure 12a:

- ◆ Whereas very few youth were transferred to the adult court in 1991, new legislation resulted in many more transfers of juveniles charged with an SJO in 1998 (Hispanic, 8%; Black, 6%; and White, 5%).
- ◆ In 1991, White juveniles were less likely than minority juveniles to be handled judicially for all types of offenses, particularly for violations. However, in some instances the differences were not large, and in other instances the disparity was neutralized or overshadowed by predictor variables.

- ◆ In 1998, differences by race/ethnicity were much less than they were in 1991. The only sizable differences were for White compared to Hispanic for non-SJO felonies (75% vs. 83% handled judicially) and White compared to Black for violations (85% vs. 96% handled judicially). Further analysis revealed these differences were neutralized by the predictor variables.

Families with Service Needs (FWSN) Cases

Figure 12b displays court handling of FWSN cases or status offenses -- running away, being beyond parental control, being truant, and violating school rules and regulations.

**Figure 12b
FWSN Case Handling
by Most Serious Petition Charge and Race**

	1991			1998		
	Black	Hisp.	White	Black	Hisp.	White
Delinquent Judicial	0%	0%	0%	1%	0%	1%
Delinquent Non-Judicial	1%	2%	1%	0%	1%	0%
FWSN Judicial	40%	30%	37%	41%	43%	39%
FWSN Non-Judicial	59%	68%	62%	58%	56%	60%
Total	100%	100%	100%	100%	100%	100%
Base	269	236	793	443	541	1101

As shown in Figure 12b:

- ◆ In 1998 and 1991, no significant differences were observed across race/ethnicity.

b. Probation Officer Recommendation

Figure 13 displays the probation officer recommendation for disposition by offense type and race/ethnicity.

Figure 13
Probation Officer Recommendation for Judicial Delinquency Cases
by Most Serious Petition Charge and Race

		1991			1998		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	DCF Placement	32%	27%	23%	25%	21%	13%
	Suspended DCF Commitment	17%	15%	7%	5%	12%	4%
	Probation	46%	48%	62%	64%	67%	78%
	Dismissed/Discharged	5%	10%	8%	5%	1%	5%
	Total	100%	100%	100%	100%	100%	100%
	Base	111	60	74	115	78	183
Non-SJO Felony	DCF Placement	22%	19%	11%	15%	28%	18%
	Suspended DCF Commitment	7%	7%	4%	5%	4%	2%
	Probation	62%	55%	71%	73%	64%	68%
	Dismissed/Discharged	9%	19%	13%	6%	4%	12%
	Total	100%	100%	100%	100%	100%	100%
	Base	138	73	255	93	75	256
Misdemeanor	DCF Placement	7%	16%	12%	13%	16%	7%
	Suspended DCF Commitment	0%	5%	5%	3%	3%	2%
	Probation	62%	68%	65%	80%	74%	78%
	Dismissed/Discharged	31%	11%	18%	5%	6%	13%
	Total	100%	100%	100%	100%	100%	100%
	Base	29	19	74	64	31	128

As revealed in Figure 13:

- ◆ In 1998 and 1991, probation officers were frequently more likely to recommend DCF placement for minority than White youth.
- ◆ Subsequent analysis revealed that for both 1998 and 1991, the impact of race/ethnicity was typically neutralized by predictor variables (strongest predictor of a placement recommendation was having a more extensive court history).
- ◆ In 1998, the one decision that was not neutralized was the recommendation of placement for Black vs. White juveniles charged with SJOs (25% vs. 13%).

c. Court Outcome for Judicial Cases

Delinquency Cases

Figure 14 displays the court outcome for judicial delinquency cases. These data are broken out by offense type and race/ethnicity.

**Figure 14
Court Outcome of Judicial Delinquency Cases
by Most Serious Petition Charge and Race**

		1991 CY			1998 CY		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Transfer to Adult Court	0%	1%	0%	6%	9%	6%
	Adjudicated SJO	31%	34%	17%	15%	16%	17%
	Adjudicated Delinquent	52%	45%	63%	55%	53%	59%
	Nolle	11%	14%	14%	18%	19%	15%
	Not Delinquent	3%	1%	3%	0%	0%	0%
	Dismissed	3%	5%	4%	5%	3%	3%
	Total	100%	100%	100%	100%	100%	100%
Base	277	166	139	316	210	335	
Non-SJO Felony	Transfer to Adult Court	0%	0%	0%	0%	1%	0%
	Adjudicated Delinquent	75%	66%	78%	76%	76%	79%
	Nolle	20%	29%	17%	20%	22%	16%
	Not Delinquent	2%	2%	1%	0%	0%	0%
	Dismissed	3%	4%	4%	3%	2%	5%
	Total	100%	100%	100%	100%	100%	100%
Base	381	253	516	258	173	519	
Misdemeanor	Adjudicated Delinquent	50%	52%	56%	56%	57%	61%
	Nolle	39%	41%	28%	39%	39%	34%
	Not Delinquent	5%	1%	3%	0%	0%	0%
	Dismissed	6%	6%	13%	5%	3%	5%
	Total	100%	100%	100%	100%	100%	100%
Base	448	278	635	773	465	1273	
Violation	Adjudicated Delinquent	62%	55%	61%	72%	76%	68%
	Nolle	33%	32%	25%	26%	23%	27%
	Not Delinquent	0%	0%	1%	0%	0%	0%
	Dismissed	6%	13%	13%	2%	1%	5%
	Total	100%	100%	100%	100%	100%	100%
Base	52	62	141	187	193	325	

As shown in Figure 14:

- ◆ 1991 data revealed that Hispanic and Black juveniles charged with SJOs were adjudicated for SJOs about twice as often as White juveniles (Hispanic, 34%; Black, 31%; and White, 17%). This disparity was neutralized by whether or not the juvenile had been detained and age.
- ◆ In 1998, the court outcomes for Black, Hispanic and White juveniles across offense types were remarkably similar.

Families with Service Needs Cases

Figure 15 displays court outcome for judicial FWSN cases.

Figure 15
Court Outcome of Judicial FWSN Cases by Race

	1991			1998		
	Black	Hisp.	White	Black	Hisp.	White
Commit to DCF*	9%	8%	17%	7%	6%	6%
Supervision**	35%	44%	41%	51%	53%	51%
Dismissed***	56%	47%	42%	41%	41%	42%
Total	100%	100%	100%	100%	100%	100%
Base	106	72	297	181	234	437

- * Includes recommitment to DCF.
- ** Includes vocational supervision and supervision with drug testing.
- *** The disposition code used for dismissed includes cases with and without adjudication.

As displayed in Figure 15:

- ◆ In 1991, White juveniles charged as FWSN were more likely than Black and Hispanic juveniles so charged to be committed to DCF (White, 17%; Black, 9%; Hispanic, 8%); and Black youth charged as FWSN were the most likely to have the case dismissed (56% vs. 42% for White youth).
- ◆ In 1998, the court outcomes for Black, Hispanic and White FWSN cases were very similar with 6% - 7% committed to DCF and 51% - 53% placed on supervision.

d. Case Outcome for Non-Judicial Delinquency Cases

Figure 16 displays case outcome data for juveniles handled non-judicially for delinquency cases.

**Figure 16
Case Outcome of Non-Judicial Delinquency Cases*
by Most Serious Petition Charge and Race**

		1991			1998		
		Black	Hisp.	White	Black	Hisp.	White
Non-SJO Felony	Non-Judicial Supervision	1%	3%	8%	47%	25%	43%
	Discharge	48%	49%	64%	47%	53%	48%
	Not Presented	51%	48%	28%	6%	22%	8%
	Total	100%	100%	100%	100%	100%	100%
		109	79	236	68	32	153
Misdemeanor	Non-Judicial Supervision	5%	1%	5%	24%	21%	30%
	Discharge	64%	70%	72%	67%	69%	62%
	Not Presented	31%	28%	24%	9%	10%	9%
	Total	100%	100%	100%	100%	100%	100%
		883	618	1803	1110	653	1766

* As SJOs are by law handled judicially, they are excluded from this table.

As shown in Figure 16:

- ◆ In 1991, many non-SJO felonies and misdemeanors were not presented. However, this was very rare in 1998.
- ◆ In 1998, Hispanic (22%) juveniles were more likely than Black (6%) and White (8%) youth to not have their non-SJO felony cases presented, and less likely to receive non-judicial supervision (25% vs. 43% - 47%). However, these differences were neutralized by predictor variables.

e. Court Disposition for Adjudicated Youth

Dispositions

Figure 17 displays the court disposition of all juveniles adjudicated.

**Figure 17
Court Disposition for Judicial Delinquency Cases
by Most Serious Disposed Charge and Race**

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

Figure 17 reveals that:

- ◆ The percentage of juveniles adjudicated for an SJO committed to Long Lane School (the only state-operated juvenile correctional facility) dropped across race/ethnicity from 1991 to 1998, but the greatest decline was for White youth (from 26% to 7%).

- ◆ In 1998 and 1991, Black and Hispanic juveniles were more likely to be committed to Long Lane School than White juveniles across offense types. In 1991, these differences were neutralized for both SJOs (older, more severe of court history, history of school problems) and non-SJO felonies (went to Detention Center when first charged). In 1998, the differences across race/ethnicity were again neutralized by predictor variables (more serious court history and went to Detention Center when first charged).

Length of Commitment

Figure 18 displays the length of the judicial commitment for juveniles adjudicated for an SJO, broken out by race/ethnicity (1998 and 1991). Figure 18 only displays commitment lengths for SJOs as all juveniles adjudicated for offenses other than SJO offenses received the same commitment length (i.e., two years in 1991 and 18 months in 1998).

Figure 18
Length of Commitment for Judicial Adjudicated SJO Cases by Race

	1991				1998		
	Black	Hisp.	White		Black	Hisp.	White
Long Lane School				Long Lane School			
2-4 year commitment, exile	13%	10%	17%	4 year commitment, exile	19%	13%	0%
4 year commitment	23%	15%	33%	4 year commitment	0%	13%	20%
				18 month commitment, exile	0%	20%	0%
2 year commitment	65%	75%	50%	18 month commitment	81%	53%	80%
Total	100%	100%	100%	Total	100%	100%	100%
Base	31	20	6	Base	16	15	5
Direct Placement				Direct Placement			
2-4 year commitment, exile	0%	30%	25%	4 year commitment, exile	13%	0%	0%
4 year commitment	25%	10%	0%	4 year commitment	0%	25%	25%
				18 month commitment, exile	0%	13%	0%
2 year commitment	75%	60%	75%	18 month commitment	88%	63%	75%
Total	100%	100%	100%	Total	100%	100%	100%
Base	8	10	4	Base	8	8	8

Figure 18 reveals:

- ◆ In 1998, SJO commitment lengths were similar for Black, Hispanic and White juveniles.

- ◆ However, it should be noted that while a small number of Black (Long Lane School, 19% and Direct Placement, 13%) and Hispanic youth (Lone Lane School, 13%) received an exile order (i.e., an exile order at disposition means that the juvenile may not be returned to his/her community of residence for a period of time specified by the court), none of the 13 White juveniles did.

f. Initial DCF Placements

Figure 19 uses DCF data {all youth discharged in July 1, 1998 to June 30, 1999 (1998-99) and July 1, 1991 to June 30, 1992 (1991-92)} to display the percentage of juveniles placed by Juvenile Matters Court into each type of placement as the offender's initial DCF placement. These data are broken out by offense type and race/ethnicity. Unlike Figure 17, Figure 19 only includes youth committed to DCF and excludes probation and discharge dispositions.

As shown in Figure 19 (see pages 62-63):

- ◆ In 1991-92, across offense types (except violations for Black juveniles), Black and Hispanic juveniles were much more likely than White juveniles to have been placed in Long Lane School for their initial DCF placement. The greatest difference was found for juveniles adjudicated for SJOs where the large majority of the Black (82%) and Hispanic (75%) juveniles committed to DCF went to Long Lane School vs. only one-fifth (20%) of the White juveniles. When analysis looked at predictor variables (i.e., age, gender, race/ethnicity, level of prior court involvement) we found that race/ethnicity was the only variable that predicted placement at Long Lane School.
- ◆ In 1998-99, Black and Hispanic youth continued to be more likely than White youth to be placed initially in Long Lane School, however, the disparities were much less than they were in 1991-92. Specifically:
 - While only 20% of White juveniles who were committed for an SJO in 1991-92 were placed in Long Lane School, the percentage increased to 50% in 1998-99. Conversely the percentage of Black and Hispanic juveniles placed in Long Lane School for SJOs decreased in 1998-99 from 1991-92 (Black, 82% to 68%; and Hispanic, 75% to 70%).

- The percentage of White juveniles who were committed for a non-SJO felony that were placed in Long Lane School increased from 40% in 1991-92 to 52% in 1998-99, while the percentage of Black and Hispanic juveniles placed in Long Lane School for a non-SJO felony declined (Black, 72% to 59%; and Hispanic, 75% to 63%).
- The decrease in the percentage of juveniles committed for misdemeanors who were placed in Long Lane School in 1991-92 compared to 1998-99 was much less for White juveniles (31% vs. 24%) than was the case for Hispanic juveniles (68% vs. 36%) and Black juveniles (53% vs. 38%).
- Sizeable differences for White vs. Black and Hispanic juveniles were found in 1998-99 for violations, but further analyses found these differences were neutralized by the number of prior adjudications.

Figure 19
Initial DCF Placement
by Most Serious Committing Offense and Race

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Long Lane School	82%	75%	20%	68%	70%	50%
	Residential	16%	19%	50%	13%	10%	40%
	Drug Program	0%	0%	10%	0%	5%	0%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	0%	0%	10%	0%	0%	0%
	Group Home	2%	3%	10%	3%	5%	10%
	Psychiatric	0%	0%	0%	0%	0%	0%
	Out-of-State Placement	0%	3%	0%	8%	0%	0%
	Non-DCF Placement	0%	0%	0%	10%	10%	0%
	Home	0%	0%	0%	0%	0%	0%
	Total	100%	100%	100%	100%	100%	100%
Base	62	36	10	40	20	10	
Non-SJO Felony	Long Lane School	72%	75%	40%	59%	63%	52%
	Residential	28%	25%	53%	38%	31%	30%
	Drug Program	0%	0%	2%	0%	0%	0%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	0%	0%	2%	0%	0%	0%
	Group Home	0%	0%	0%	3%	0%	13%
	Psychiatric	0%	0%	0%	0%	0%	0%
	Out-of-State Placement	0%	0%	2%	0%	0%	0%
	Non-DCF Placement	0%	0%	0%	0%	6%	4%
	Home	0%	0%	0%	0%	0%	0%
	Total	100%	100%	100%	100%	100%	100%
Base	60	32	45	32	16	23	

(Continued)

Figure 19 (Continued)
Initial DCF Placement
by Most Serious Committing Offense and Race

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Misdemeanor	Long Lane School	53%	68%	31%	38%	36%	24%
	Residential	39%	24%	53%	43%	50%	51%
	Drug Program	3%	3%	4%	2%	0%	10%
	Sex Offender Program	0%	0%	0%	0%	0%	1%
	Emergency Shelter	0%	0%	0%	0%	0%	0%
	Group Home	2%	3%	8%	15%	8%	11%
	Psychiatric	2%	0%	0%	0%	3%	0%
	Out-of-State Placement	2%	3%	0%	3%	3%	1%
	Non-DCF Placement	0%	0%	4%	0%	0%	1%
	Home	0%	0%	0%	0%	0%	0%
		Total	100%	100%	100%	100%	100%
	Base	64	34	49	61	36	79
Violation	Long Lane School	23%	50%	27%	40%	36%	18%
	Residential	38%	45%	43%	44%	55%	63%
	Drug Program	0%	5%	3%	4%	0%	5%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	0%	0%	0%	0%	0%	0%
	Group Home	31%	0%	20%	12%	10%	12%
	Psychiatric	8%	0%	0%	0%	0%	0%
	Out-of-State Placement	0%	0%	7%	0%	0%	2%
	Home	0%	0%	0%	0%	0%	0%
		Total	100%	100%	100%	100%	100%
	Base	13	22	30	50	42	57

3. Summary of Juvenile Matters Court Findings

Use of Pretrial Custody/Monitoring

- ◆ For the most part, there were no meaningful differences across race/ethnicity for placement into an ADP or on Intensive Supervision.
- ◆ The overall trend was for minority youth (especially Hispanic) to spend more time in pretrial custody/monitoring options than White youth, and in many instances these differences were not neutralized by predictor variables. For example:
 - Black (34.5 days) and Hispanic (31.2 days) juveniles charged with an SJO stayed about twice as long in an ADP as White juveniles so charged (16.8 days).
 - Hispanic (16.3 days) and Black (15.6 days) juveniles charged with an SJO stayed in a Detention Center considerably longer than White juveniles so charged (9.1 days).
 - Hispanic juveniles charged with a misdemeanor averaged over three times longer than White youth so charged in an ADP (49.0 vs. 15.8 days).

Juvenile Matters Court Processing

- ◆ In most instances, no differences were observed in juvenile court processing (e.g., non-judicial/judicial handling, court outcome, court disposition/placement) across race/ethnicity, and observed differences were typically neutralized by predictor variables.
- ◆ In some instances where disparities were observed in 1991, these disparities were eliminated or greatly reduced in 1998. For example:
 - In 1991, Hispanic and Black juveniles charged with SJOs were adjudicated for an SJO almost twice as often as White juveniles (Hispanic, 34%; Black, 31%; and White, 17%). In 1998, the court outcomes for Black, Hispanic and White juveniles charged as SJOs were remarkably similar (15% - 17% across race/ethnicity).
 - In 1991, Black and Hispanic juveniles were much more likely than White juveniles to have been placed in Long Lane School for their initial DCF placement across offense

types, but in 1998, these disparities were greatly reduced and remaining differences were neutralized by predictor variables.

- In 1991, White SJOs were almost twice as likely as Black SJOs to go to DCF Direct Placement (17% vs. 9%), but in 1998, White and Black SJOs were equally likely to receive a DCF Direct Placement (11%).

- ◆ In contrast to the above, probation officers were more likely to recommend DCF placement for Black than White SJOs (25% vs. 13%), and these differences were not neutralized.

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 whether a juvenile committed to DCF should be initially placed at Long Lane School (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;
- ◆ the level of security that juveniles placed at Long Lane School receive there; and
- ◆ 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 remains when controlling for predictor variables.

The factors included in the regression analyses were: race/ethnicity, gender, age, family status, number of siblings, siblings' commitment history, and incidents written-up while in placement ("charges"). In addition, scores from the risk and needs assessment forms were used. The types of items measured by DCF's risk and needs assessment forms are: juvenile court history (e.g., level of current offense, age at first adjudication, history of illegal firearm/dangerous weapon use, prior adjudications, prior out of home placements, runaways from prior placements), behavior problems (e.g., drug/alcohol use, sexual behavior, fire setting, aggressive behavior, gang affiliation, self destructive behavior, suicide attempts) family/home environment (e.g., history of abuse/neglect, absence of parent figure, indications of domestic violence, financial problems), educational issues

(e.g., instructional level, school problems, special education needs), and health/hygiene needs (e.g., medical, dental, psychiatric diagnosis).

As discussed in detail in the methodology section of this report, the data presented in this section are based on data abstracted by Spectrum Associates' staff from DCF case files for juveniles discharged by DCF from July 1, 1998 to June 30, 1999. When appropriate, these data are compared to findings on juveniles discharged by DCF from July 1, 1991 to June 30, 1992.

1. All Placements

Figure 20 (see pages 68-69) shows the percentage of juveniles committed to DCF who were placed at each type of placement during their entire commitment to DCF, broken out by offense type and race. Data are provided for 1998-99 and 1991-92.

As displayed in Figure 20:

- ◆ In the baseline study, Black and Hispanic juveniles were considerably more likely to have been placed at Long Lane School during their DCF commitment than were White juveniles. Differences were most noticeable for SJOs (Black, 92%; Hispanic, 89%; and White, 50%) and non-SJO felonies (Black, 88%; Hispanic, 84%; and White, 62%), and these differences were not neutralized by predictor variables.
- ◆ For youth discharged in 1998-99, the data reveal that:
 - The increased use of Long Lane School for White juveniles committed for SJOs (up to 80% from 50%) almost eliminated any differences across race/ethnicity (Black, 90%; Hispanic, 90%; and White, 80%).
 - The disparity in Long Lang School placements for non-SJO felonies decreased from the baseline study when comparing White to Black and Hispanic juveniles, and the disparities that remained were neutralized by predictor variables.
 - While the disparity for violations was relatively small in the baseline study, the decreased use of Long Lane School for White juveniles violated (down to 40% from 57%) resulted in much larger differences across race/ethnicity in 1998 (White, 40%;

Black, 72%; and Hispanic, 64%). These differences were not neutralized by the predictor variables.

- The much greater use of residential placements for White juveniles revealed in the baseline study for SJOs, non-SJO felonies, and misdemeanors, was greatly reduced in 1998-99, particularly for non-SJO felonies and misdemeanors.

Figure 20
DCF Placement by Most Serious Committing Offense and Race
(Includes All Placements During Commitment)

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Long Lane School	92%	89%	50%	90%	90%	80%
	Residential	24%	19%	60%	28%	50%	60%
	Drug Program	5%	0%	10%	0%	10%	0%
	Sex Offender Program	0%	0%	0%	0%	0%	10%
	Emergency Shelter	3%	0%	10%	0%	0%	0%
	Group Home	2%	3%	10%	5%	5%	10%
	Psychiatric	0%	3%	0%	3%	0%	0%
	Out-of-State	8%	6%	20%	10%	5%	20%
	Non-DCF Placement	19%	31%	30%	10%	10%	0%
	Home	76%	64%	60%	85%	60%	100%
	AWOL	55%	72%	20%	48%	55%	20%
	Base	62	36	10	40	20	10
Non-SJO Felony	Long Lane School	88%	84%	62%	88%	94%	74%
	Residential	30%	25%	62%	66%	50%	70%
	Drug Program	0%	3%	11%	0%	0%	4%
	Sex Offender Program	0%	0%	0%	0%	6%	4%
	Emergency Shelter	0%	3%	2%	0%	0%	0%
	Group Home	2%	3%	0%	3%	6%	13%
	Psychiatric	0%	0%	0%	0%	0%	4%
	Out-of-State	7%	3%	13%	3%	0%	9%
	Non-DCF Placement	20%	13%	4%	6%	6%	9%
	Home	80%	84%	78%	78%	100%	87%
	AWOL	53%	56%	29%	34%	13%	22%
	Base	60	32	45	32	16	23

(Continued)

Figure 20 (Continued)
DCF Placement by Most Serious Committing Offense and Race
(Includes All Placements During Commitment)

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Misdemeanor	Long Lane School	77%	74%	65%	79%	78%	66%
	Residential	45%	24%	67%	67%	69%	75%
	Drug Program	8%	6%	14%	2%	0%	11%
	Sex Offender Program	0%	0%	0%	3%	0%	3%
	Emergency Shelter	2%	3%	4%	0%	0%	0%
	Group Home	8%	3%	16%	21%	11%	14%
	Psychiatric	5%	0%	10%	0%	11%	1%
	Out-of-State	8%	6%	14%	7%	11%	1%
	Non-DCF Placement	19%	24%	12%	7%	11%	4%
	Home	81%	82%	82%	84%	69%	85%
	AWOL	53%	53%	37%	25%	19%	19%
	Base	64	34	49	61	36	79
Violation	Long Lane School	54%	68%	57%	72%	64%	40%
	Residential	54%	59%	43%	80%	76%	75%
	Drug Program	0%	5%	3%	4%	0%	5%
	Sex Offender Program	0%	0%	0%	0%	0%	2%
	Emergency Shelter	15%	5%	0%	0%	0%	0%
	Group Home	54%	0%	27%	14%	12%	16%
	Psychiatric	8%	5%	7%	0%	2%	0%
	Out-of-State	8%	0%	17%	0%	0%	4%
	Non-DCF Placement	8%	9%	0%	2%	5%	0%
	Home	69%	91%	83%	88%	83%	95%
	AWOL	31%	32%	33%	18%	21%	7%
	Base	13	22	30	50	42	57

As the initial placement is largely the result of a judicial recommendation, analyses were conducted to determine the impact of being placed in Long Lane School initially on being placed in other placements during the commitment to DCF. Figure 21 displays all DCF placements for youth first placed in Long Lang School and Figure 22 displays all DCF placements for youth first placed in direct placement (see pages 71-74).

As shown in Figures 21 and 22:

- ◆ In 1991-92, very few Black or Hispanic juveniles placed in Long Lane School initially by the judge were subsequently placed in a DCF direct placement. By way of contrast, a sizable percentage of White juveniles initially placed at Long Lane School by the judge for non-SJO felonies or misdemeanors were subsequently placed by DCF in a direct placement (e.g., residential placement, group home, drug placement, out-of-state placement).
- ◆ The 1998-99 data revealed many more juveniles across race/ethnicity received direct placements after spending time in Long Lang School. However, differences were observed across race/ethnicity as Black juveniles committed for SJOs (15%) were placed in residential programs less often than White (40%) and Hispanic (50%) juveniles with similar charges, and Black and Hispanic juveniles were placed in residential programs less often than White juveniles for both non-SJO felonies and misdemeanors.

The small number of cases precluded our testing predictor variables for the findings displayed in Figures 21-22.

Figure 21
DCF Placement by Most Serious Committing Offense and Race
for Juveniles First Placed at Long Lane School
(Includes All Placements During Commitment)

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Long Lane School	100%	100%	100%	100%	100%	100%
	Residential	10%	0%	0%	15%	50%	40%
	Drug Program	4%	0%	0%	0%	0%	0%
	Sex Offender Program	0%	0%	0%	0%	0%	20%
	Emergency Shelter	4%	0%	0%	0%	0%	0%
	Group Home	0%	0%	0%	0%	0%	0%
	Psychiatric	0%	4%	0%	4%	0%	0%
	Out-of-State	10%	4%	50%	0%	7%	0%
	Non-DCF Placement	22%	33%	50%	0%	0%	0%
	Home	73%	56%	50%	89%	50%	100%
	AWOL	59%	74%	0%	59%	79%	20%
		Base	51	27	2	27	14
Non-SJO Felony	Long Lane School	100%	100%	100%	100%	100%	100%
	Residential	2%	0%	22%	42%	30%	67%
	Drug Program	0%	4%	17%	0%	0%	0%
	Sex Offender Program	0%	0%	0%	0%	10%	8%
	Emergency Shelter	0%	0%	0%	0%	0%	0%
	Group Home	0%	0%	0%	0%	0%	0%
	Psychiatric	0%	0%	0%	0%	0%	8%
	Out-of-State	9%	4%	28%	0%	0%	8%
	Non-DCF Placement	26%	13%	11%	5%	0%	8%
	Home	81%	79%	61%	74%	100%	83%
	AWOL	63%	58%	44%	32%	20%	33%
		Base	43	24	18	19	10

(Continued)

Figure 21 (Continued)
DCF Placement by Most Serious Committing Offense and Race
for Juveniles First Placed at Long Lane School
(Includes All Placements During Commitment)

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Misdemeanor	Long Lane School	100%	100%	100%	100%	100%	100%
	Residential	3%	0%	33%	48%	38%	63%
	Drug Program	3%	4%	7%	0%	0%	0%
	Sex Offender Program	0%	0%	0%	9%	0%	11%
	Emergency Shelter	0%	4%	7%	0%	0%	0%
	Group Home	6%	0%	13%	17%	8%	0%
	Psychiatric	0%	0%	13%	0%	15%	0%
	Out-of-State	6%	4%	27%	4%	15%	0%
	Non-DCF Placement	24%	26%	13%	9%	15%	5%
	Home	88%	91%	73%	83%	69%	84%
	AWOL	53%	65%	60%	35%	15%	21%
		Base	34	23	15	23	13
Violation	Long Lane School	100%	100%	100%	100%	100%	100%
	Residential	33%	27%	0%	75%	47%	50%
	Drug Program	0%	0%	0%	0%	0%	0%
	Sex Offender Program	0%	0%	0%	0%	0%	10%
	Emergency Shelter	33%	9%	0%	0%	0%	0%
	Group Home	33%	0%	13%	5%	0%	10%
	Psychiatric	0%	9%	13%	0%	7%	0%
	Out-of-State	33%	0%	25%	0%	0%	10%
	Non-DCF Placement	33%	9%	0%	0%	13%	0%
	Home	100%	91%	63%	90%	80%	100%
	AWOL	67%	36%	50%	25%	33%	10%
		Base	3	11	8	20	15

Figure 22
DCF Placement by Most Serious Committing Offense and Race
for Juveniles First Placed in Direct Placement
(Includes All Placements During Commitment)

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Long Lane School	55%	56%	38%	56%	50%	60%
	Residential	91%	78%	75%	56%	50%	80%
	Drug Program	9%	0%	13%	0%	50%	0%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	0%	0%	13%	0%	0%	0%
	Group Home	9%	11%	13%	22%	25%	20%
	Psychiatric	0%	0%	0%	0%	0%	0%
	Out-of-State	0%	11%	13%	44%	0%	40%
	Non-DCF Placement	9%	22%	25%	0%	0%	0%
	Home	91%	89%	63%	89%	100%	100%
	AWOL	36%	67%	25%	22%	0%	20%
		Base	11	9	8	9	4
Non-SJO Felony	Long Lane School	59%	38%	37%	69%	80%	40%
	Residential	100%	100%	89%	100%	100%	80%
	Drug Program	0%	0%	7%	0%	0%	10%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	0%	13%	4%	0%	0%	0%
	Group Home	6%	13%	0%	8%	20%	30%
	Psychiatric	0%	0%	0%	0%	0%	0%
	Out-of-State	0%	0%	4%	8%	0%	0%
	Non-DCF Placement	6%	13%	0%	8%	0%	0%
	Home	76%	100%	89%	85%	100%	90%
	AWOL	29%	50%	19%	38%	0%	10%
		Base	17	8	27	13	5

(Continued)

Figure 22 (Continued)
DCF Placement by Most Serious Committing Offense and Race
for Juveniles First Placed in Direct Placement
(Includes All Placements During Commitment)

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Misdemeanor	Long Lane School	50%	18%	47%	66%	65%	56%
	Residential	93%	73%	84%	79%	87%	80%
	Drug Program	13%	9%	19%	3%	0%	15%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	3%	0%	3%	0%	0%	0%
	Group Home	10%	9%	19%	24%	13%	19%
	Psychiatric	10%	0%	6%	0%	9%	2%
	Out-of-State	10%	9%	6%	8%	9%	2%
	Non-DCF Placement	13%	18%	6%	5%	9%	2%
	Home	73%	64%	88%	84%	70%	86%
	AWOL	53%	27%	28%	18%	22%	19%
			30	11	32	38	23
Violation	Long Lane School	40%	36%	41%	53%	44%	28%
	Residential	60%	91%	59%	83%	93%	81%
	Drug Program	0%	9%	5%	7%	0%	6%
	Sex Offender Program	0%	0%	0%	0%	0%	0%
	Emergency Shelter	10%	0%	0%	0%	0%	0%
	Group Home	60%	0%	32%	20%	19%	17%
	Psychiatric	10%	0%	5%	0%	0%	0%
	Out-of-State	0%	0%	14%	0%	0%	2%
	Non-DCF Placement	0%	9%	0%	3%	0%	0%
	Home	60%	91%	91%	87%	85%	94%
	AWOL	20%	27%	27%	13%	15%	6%
			10	11	22	30	27

2. Central Placement Team Efforts to Place Juveniles in Residential Programs

To further explore why Black and Hispanic juveniles were less likely than White juveniles to be placed in residential programs, data were examined to determine efforts that were undertaken by the Central Placement Team (CPT) to place juveniles in these programs. Figure 23 (see page 76) displays the actions of the CPT in placing juveniles in residential placements. The results of CPT efforts displayed in Figure 23 are: (a) the juvenile was placed in a residential placement; (b) the juvenile was accepted by a placement, but either the child or family refused the placement; (c) the juvenile was accepted by a placement, but ran away before the placement was made; (d) the juvenile was accepted into a placement, but for some undocumented reason the placement was not made; or (e) no efforts attempting to place the juvenile in a residential placement were recorded in the file.

As shown in Figure 23:

- ◆ Typically efforts were made to identify a residential placement for 70% - 80% of the juveniles across offense type and race/ethnicity.
- ◆ The largest difference displayed is that efforts were not made for 60% of the Black juveniles committed to DCF for an SJO compared to 20% of the White juveniles committed for an SJO. When this difference was examined using the predictor variables, the difference was neutralized by whether or not a juvenile had run during a prior placement.

Figure 23
Residential Placement Efforts by Offense Type* and Race (1998 only)

		Black	Hisp.	White
Serious Juvenile Offense	placed in residential placement	28%	50%	60%
	child/family refused, child AWOL	5%	5%	10%
	reason for no placement not known	8%	20%	10%
	no efforts found to get residential placement	60%	25%	20%
	Total	100%	100%	100%
	Base	40	20	10
Non-SJO Felony	placed in residential placement	66%	50%	70%
	child/family refused, child AWOL	9%	0%	0%
	placement did not accept child	3%	6%	0%
	reason for no placement not known	3%	6%	0%
	no efforts found to get residential placement	19%	38%	30%
	Total	100%	100%	100%
Base	32	16	23	
Misdemeanor	placed in residential placement	67%	69%	75%
	child/family refused, child AWOL	0%	0%	1%
	placement did not accept child	2%	0%	0%
	reason for no placement not known	0%	3%	1%
	no efforts found to get residential placement	31%	28%	23%
	Total	100%	100%	100%
Base	61	36	79	
Violation	placed in residential placement	80%	76%	75%
	child/family refused, child AWOL	2%	5%	0%
	placement did not accept child	0%	5%	0%
	reason for no placement not known	0%	2%	0%
	no efforts found to get residential placement	18%	12%	25%
	Total	100%	100%	100%
Base	50	42	57	

* Most Serious Committing Offense.

3. Most Secure Placement Within Long Lane School

Long Lane School has secure, intermediate secure, and open security levels. Figure 24 displays the most secure placement received by the juveniles placed at Long Lane School, broken out by offense type and race/ethnicity. Data are presented for both 1998-99 and 1991-92.

Figure 24
Most Secure Placement within Long Lane School
by Most Serious Committing Offense and Race

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Secure	91%	91%	60%	58%	44%	38%
	Intermediate Secure	0%	0%	0%	36%	56%	63%
	Open	9%	9%	40%	6%	0%	0%
	Total	100%	100%	100%	100%	100%	100%
	Base	57	32	5	36	18	8
Non-SJO Felony	Secure	47%	56%	39%	32%	20%	24%
	Intermediate Secure	2%	0%	0%	57%	73%	71%
	Open	51%	44%	61%	11%	7%	6%
	Total	100%	100%	100%	100%	100%	100%
	Base	53	27	28	28	15	17
Misdemeanor	Secure	51%	40%	25%	40%	29%	19%
	Intermediate Secure	0%	4%	0%	50%	50%	60%
	Open	49%	56%	75%	10%	21%	21%
	Total	100%	100%	100%	100%	100%	100%
	Base	49	25	32	48	28	52
Violation	Secure	14%	20%	18%	19%	19%	4%
	Intermediate Secure	14%	0%	0%	53%	56%	48%
	Open	71%	80%	82%	28%	26%	48%
	Total	100%	100%	100%	100%	100%	100%
	Base	7	15	17	36	27	23

As shown in Figure 24:

- ◆ In 1991-92, Black and Hispanic juveniles placed at Long Lane School for SJOs, non-SJO felonies and misdemeanors were more likely to spend time in secure beds than White juvenile offenders placed at Long Lane School for similar offenses. Subsequent analyses revealed that in two instances (i.e., Hispanic vs. White juveniles committed for SJOs, and Black vs. White juveniles committed for misdemeanors), the impact of race/ethnicity was not neutralized by the predictor variables.

- ◆ In 1998-99, White juveniles were again found to be less likely than Black and Hispanic juveniles to receive secure placements while at Long Lane School across offense types. Subsequent analysis revealed the differences between minority and White juveniles were neutralized by predictor variables.

4. Percentage of Commitment at Different Placement Types

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

- ◆ at Long Lane School;
- ◆ at direct placements;
- ◆ at other types of facilities outside of DCF care (e.g., police departments, detention facilities, hospitals, adult correctional facilities);
- ◆ at home; and
- ◆ AWOL.

Figure 25 displays the average percentage of their commitment DCF clients spent at each type of placement broken out by offense type and race/ethnicity.

Figure 25
Percent of Commitment Spent in Different Placement Types⁺
by Most Serious Committing Offense and Race

		1991-92			1998-99		
		Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	Long Lane School	39%	39%	16%	42%	44%	15%
	Direct Placement	21%	13%	74%	20%	21%	52%
	Other Facilities *	0%	0%	1%	1%	3%	0%
	Home Placement **	33%	27%	9%	31%	19%	28%
	AWOL	7%	20%	0%	7%	12%	5%
	Base	41	24	8	32	18	9
Non-SJO Felony	Long Lane School	28%	27%	19%	43%	39%	14%
	Direct Placement	23%	21%	45%	26%	23%	54%
	Other Facilities *	1%	0%	0%	4%	3%	2%
	Home Placement **	40%	43%	32%	24%	28%	28%
	AWOL	8%	10%	4%	2%	8%	2%
	Base	42	24	44	28	13	21
Misdemeanor	Long Lane School	30%	28%	17%	30%	23%	16%
	Direct Placement	30%	23%	47%	44%	54%	50%
	Other Facilities *	1%	1%	1%	1%	3%	2%
	Home Placement **	36%	41%	33%	21%	16%	31%
	AWOL	3%	7%	2%	5%	3%	2%
	Base	48	24	43	49	30	75
Violation	Long Lane School	18%	24%	18%	21%	20%	10%
	Direct Placement	51%	27%	39%	49%	46%	51%
	Other Facilities *	0%	1%	0%	2%	2%	0%
	Home Placement **	29%	44%	37%	27%	26%	38%
	AWOL	2%	4%	6%	2%	6%	1%
	Base	13	22	30	50	42	57

- + Juveniles who had a “recommitment” during the DCF commitment being studied were not used in this analysis.
- * Includes hospitals, police departments, detention, and adult correctional facilities.
- ** Includes home visits and parole.

As revealed in Figure 25:

- ◆ For youth discharged in 1998-99 and 1991-92, White juveniles averaged a much smaller percentage of their DCF placement at Long Lane School than Black and Hispanic juveniles, and White juveniles averaged a much greater percentage of their placement time at direct placements. For example, the nine White juveniles committed for SJOs that were discharged from DCF in 1998-99 averaged only 15% of their placement at Long Lane School, while Black and Hispanic juveniles placed for SJOs averaged 42% and 44%

respectively. Moreover, the White juveniles placed for SJOs averaged one-half of their DCF time at direct placement, compared to only one-fifth for the Black and Hispanic juveniles placed for SJOs. Large differences were also observed for non-SJO felonies, and smaller differences for misdemeanors and violations.

- ◆ Subsequent analysis conducted on the differences in the percentage of placement time spent at Long Lane School between minority and White juveniles revealed the differences were neutralized by the predictor variables (i.e., explained by incidents written up while at Long Lane School). Since writing up incidents could be as subject to bias as any other system decisions, the analyses were re-run without the “incidents written-up” variable. When this variable was not included, disparities by race/ethnicity were not neutralized by the remaining predictor variables.
- ◆ The differences in the percentage of time spent in direct placement between minority and White juveniles were not neutralized.

5. Percentage of Maximum Court Commitment Completed

Figure 26 displays the average percentage of their DCF maximum commitment that juveniles completed, broken out by offense type and race/ethnicity.

Figure 26
Percentage of DCF Commitment Completed*
by Most Serious Committing Offense and Race

	1991-92			1998-99		
	Black	Hisp.	White	Black	Hisp.	White
Serious Juvenile Offense	78%	71%	81%	81%	85%	93%
Base	41	24	8	32	18	9
Non-SJO Felony	81%	77%	82%	88%	92%	84%
Base	42	24	44	28	13	21
Misdemeanor	83%	73%	89%	96%	92%	94%
Base	48	24	43	49	30	75
Violation	87%	84%	82%	97%	97%	98%
Base	12	18	28	48	39	54

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

As shown in Figure 26:

- ◆ For youth discharged in 1991-92, White juveniles committed to DCF served a slightly larger percentage of their maximum commitment to DCF, however, for 1998-99 no consistent differences were observed.

6. Summary of Department of Children and Families Findings

Analysis of where Black, Hispanic and White juveniles were placed within DCF typically and for how long revealed the following.

- ◆ Overall, there were some instances where disparities due to race/ethnicity were reduced since 1991-92 or neutralized in 1998-99 by predictor variables. However, there were also instances where the disparities remained the same or increased.
- ◆ A large increase in the use of Long Lane School for White juveniles committed for SJOs (up to 80% from 50%) eliminated any meaningful differences across race/ethnicity (Black, 90%; Hispanic, 90%; and White, 80%) in the placement of juvenile offenders at Long Lane School during their DCF commitment. However, the decreased use of Long Lane School for White juveniles committed for violations (down to 40% from 57%), resulted in much larger differences across race/ethnicity for violations in 1998-99 (White, 40%; Black, 72%; and Hispanic, 64%) and these differences were not neutralized.
- ◆ The much greater use of residential placements for White juveniles revealed in the baseline study for SJOs, non-SJO felonies and misdemeanors was greatly reduced in 1998-99.
- ◆ Efforts were made by the Central Placement Team to place the majority of the juveniles in a residential placement.
- ◆ While Black and Hispanic youth were placed in secure beds more often than White youth in 1998-99 and in 1991-92, the disparities were neutralized in 1998-99 by the predictor variables.
- ◆ As was the case in 1991-92, White juveniles discharged in 1998-99 averaged a much smaller percentage of their DCF placement at Long Lane School than Black and Hispanic

juveniles, and averaged a greater percentage of their placement time at direct placements than Black and Hispanic juveniles. When subsequent analyses were conducted we found:

- Unlike 1991-92, the differences in the percentage of the commitment spent at Long Lane School for juveniles discharged in 1998-99 were neutralized by the predictor variables. However, the variable neutralizing the findings was incident reports.
- As was the case in 1991-92, in 1998-99 the differences in the percentage of their commitment spent in direct placement for minority and White juveniles were not neutralized.

D. Juvenile Offenders Transferred to Adult Court

The 1991 baseline study focused solely on the juvenile justice system. However, as described in Section II.H.3 in this report, the transfer of juveniles to the adult criminal court was greatly increased due to legislation passed in 1995 which made it: (a) mandatory to transfer all juveniles 14 or 15 years of age charged with a Class A or Class B felony, and (b) easier to transfer youth charged with less severe offenses. As such, a new component was added to the 1998 study to examine what happened to Black, Hispanic and White juveniles transferred to the adult court. It should be noted that the analysis of transfer cases was conducted after the forums and juvenile justice system practitioner survey and, as such, the findings from this study component were not presented to or reviewed by those participating in the forums or practitioner survey. As described earlier, the study includes juveniles who had been transferred to adult court and were disposed by that court in 1998.

Data were analyzed to look at the key system decisions in the handling of Black, Hispanic and White juveniles who were transferred to adult court, including:

- ◆ whether or not the juvenile was held until their final disposition;
- ◆ whether or not the adult court kept the case or sent it back to Juvenile Matters Court for resolution;
- ◆ the final disposition for cases kept in adult court; and
- ◆ the final outcome and disposition for cases sent back to Juvenile Matters.

When disparities were observed, Logistic Regression was used to determine whether the impact of race/ethnicity on system decisions remained when controlling for demographic and court history.

The factors included in these analyses were as follows: severity of the offense (at intake or disposition as appropriate for the decision point), level of prior juvenile court involvement, gender, age, and race/ethnicity.²⁹

²⁹ While researchers attempted to include more factors in the Logistic Regression of the decision points in the adult court (like those included in the analysis of the decision points in juvenile court), they were unable to identify and abstract additional data that was systematically available in the adult system records for the juveniles.

For the purpose of describing the types of transfer cases that were disposed by the adult court in 1998, Figure 27 displays the type of transfer (automatic or discretionary) and most serious charge at transfer (i.e., Felony A, Felony B, Felony C, Felony D, or Felony Unclassified) for the juveniles included in the study.

Figure 27
Transfer Type and Charge

		Black	Hispanic	White
Type of Transfer*	Automatic	89%	79%	90%
	Discretionary	11%	21%	10%
Total		100%	100%	100%
Base		47	24	29
Most Serious Charge at Transfer	Felony A	8%	3%	22%
	Felony B	84%	71%	69%
	Felony C	2%	26%	0%
	Felony D	0%	0%	9%
	Felony Unclassified	6%	0%	0%
Total		100%	100%	100%
Base		63	31	32

* For 26 of the 126 juveniles the type of transfer from juvenile court could not be determined.

Figure 27 reveals the following:

- ◆ While the large majority of transfers across race/ethnicity were automatic (i.e., White, 90%; Black, 89% and Hispanic, 79%), the percentage of Hispanic juveniles that were discretionary transfers was twice that of Black or White juveniles (Hispanic, 21%; Black, 11%; and White, 10%).
- ◆ Consistent with the above finding, a much greater percentage of Hispanic juveniles (26%) were transferred for a Felony C or less than White (9%) or Black (8%) juveniles.
- ◆ White juveniles (22%) were much more likely than Hispanic (3%) and Black (8%) juveniles to have been transferred for a Felony A offense.

1. Pretrial Status

Figure 28 displays the percentage of Black, Hispanic and White juveniles transferred to adult court that were detained until their case's final disposition.

Figure 28
Pretrial Status for Juveniles Transferred to Adult Court

	Black	Hispanic	White
Held	35%	54%	13%
Released*	65%	46%	88%
Total	100%	100%	100%
Base	62	28	32

* Includes all juveniles who were released on bond or promise to appear.

As shown in Figure 28:

- ◆ Hispanic juveniles (54%) and Black juveniles (35%) were much more likely to be held until disposition than were White juveniles (13%).
- ◆ These differences were not neutralized by the predictor variables.

2. Ultimate Court Jurisdiction

Youth who are referred to adult court can be referred back to the Juvenile Matters Court by the judge. Figure 29 displays the ultimate court jurisdiction (juvenile or adult) for all youth transferred to the adult court.

Figure 29
Ultimate Court Jurisdiction for Transferred Cases

	Black	Hispanic	White
Kept in Adult Court	76%	77%	69%
Sent Back to Juvenile Matters Court	24%	23%	31%
Total	100%	100%	100%
Base	63	31	32

As shown in Figure 29:

- ◆ White juveniles (31%) were somewhat more likely than Black (24%) and Hispanic (23%) juveniles to be referred back to Juvenile Matters Court.
- ◆ The differences were neutralized with the difference between Black and White juveniles neutralized by the severity of the charge and prior juvenile court history, and the difference between Hispanic and White juveniles neutralized by the severity of the offense.

3. Final Disposition for Cases Kept in Adult Court

Figure 30 displays the outcome of the cases for all juveniles disposed by the adult court.

Figure 30
Disposition for Juveniles Disposed by Adult Court

	Black	Hispanic	White
Jail/prison time	54%	38%	14%
Probation	40%	58%	82%
Discharge	2%	0%	0%
Nolle	4%	4%	5%
Total	100%	100%	100%
Base	48	24	22

As revealed in Figure 30:

- ◆ Black (54%) and Hispanic (38%) juveniles were much more likely than White juveniles (14%) to receive jail or prison time from the adult court.
- ◆ The differences in the percentage of Black and Hispanic juveniles receiving jail or prison time compared to White juveniles were not neutralized by the predictor variables.

4. Final Outcome and Disposition for Cases Returned to Juvenile Matters Court

Figure 31 displays the outcome for juveniles transferred back to the Juvenile Matters Court.

Figure 31
Outcome for Juveniles Transferred Back to
Juvenile Matters Court

	Black	Hispanic	White
Adjudicated SJO	27%	29%	50%
Adjudicated Delinquent	67%	57%	50%
Nolle	0%	14%	0%
Dismissed	7%	0%	0%
Total	100%	100%	100%
Base	15	7	10

As shown in Figure 31:

- ◆ White juveniles transferred back to Juvenile Matters Court were more likely than the Hispanic and Black juveniles transferred back to be adjudicated as an SJO (50% vs. 29% and 27% respectively).
- ◆ The Logistic Regression analysis was not conducted for this decision point as there were too few cases.

Figure 32 displays the court disposition for juveniles transferred back to the Juvenile Matters Court.

Figure 32
Disposition for Juveniles Transferred Back to
Juvenile Matters Court

	Black	Hispanic	White
Committed to DCF, Long Lane	21%	50%	0%
Committed to DCF, Direct Placement	7%	17%	0%
Probation	71%	33%	100%
Total	100%	100%	100%
Base	14	6	10

As shown in Figure 32:

- ◆ None of the ten White juveniles transferred back to Juvenile Matters Court were committed to Long Lane School as all ten youth were placed on probation. By comparison one-half of the Hispanic juveniles and one-fifth of the Black juveniles were committed to Long Lane School.
- ◆ The Logistic Regression analysis was not conducted for this decision point as there were too few cases. However, an examination of the prior juvenile court history of these juveniles would suggest that the youth's prior juvenile court history has an impact on the disposition decision in Juvenile Matters Court. Specifically, 8 of the 10 White juveniles returned to Juvenile Matters Court had no prior referrals and 16 of the 20 minority juveniles returned to juvenile court had prior juvenile court referrals.

5. Summary of Juvenile Offenders Transferred to Adult Court Findings

Analysis of system processing of juveniles transferred to adult court revealed that Black and Hispanic juveniles were more likely than White juveniles to:

- ◆ be detained until disposition (Hispanic, 54%; Black, 35%; and White, 13%);
- ◆ receive jail or prison time from the adult court (Black, 54%; Hispanic, 38%; and White, 14%); and
- ◆ be committed to Long Lane School if their case was returned to Juvenile Matters Court even though they were less likely to be adjudicated as an SJO. (Although the number of cases is too small for statistical certainty, there are indications the juvenile's prior juvenile court history impacts the disposition decision of the Juvenile Matters Court.)

VI. JUVENILE OFFENDER PERCEPTIONS OF DIFFERENTIAL HANDLING

To supplement the quantitative data gathered through case files and computerized records, a series of in-depth interviews were conducted with juveniles who had moved through the juvenile justice system and were residents of Long Lane School. Interviews with Long Lane School residents were conducted in both 1999 and 1993.³⁰

For both 1999 and 1993, Spectrum Associates interviewed a total of 30 juveniles. Study respondents were chosen by: (a) stratifying residents by race/ethnicity (i.e., 10 interviews conducted with Black, Hispanic and White juveniles); (b) breaking out residents by gender to allow for an equal mix of boys and girls; and (c) randomly selecting residents within race and gender. DCF obtained signed consent forms from study participants and their parent(s) or legal guardian before scheduling an interview with a resident.

The primary objectives of the juvenile offender interviews were to determine:

- ◆ if juveniles who had contact with the juvenile justice system felt that race/ethnicity impacted how they and other youth were treated by the police, the court, and DCF; and
- ◆ if so, how they believed race/ethnicity impacted decision-making and treatment.

The juveniles were asked a series of questions about each phase of the system (i.e., police, court, and DCF). A structured interview guide was developed and used with all study respondents. All juveniles were first asked a series of questions about system processing that did not refer specifically to race/ethnicity. These questions were followed by questions that specifically asked respondents if they felt the police, court, and Long Lane School treated minority juveniles the same as or different from White juveniles. The same questions were asked in 1999 and 1993.

While comparisons of 1999 to 1993 data are provided, this component of the study is based on small numbers of interviews each year (N=30) and, as such, no statistical comparisons are made. Rather, view the comparisons provided as indications of changes in juvenile offender perceptions of

³⁰ Juveniles included in the 1999 study had served an average of seven months at Long Lane School at the time of the interview compared to four months for those interviewed in 1993.

the system and the role that they believe race/ethnicity played in the handling of juvenile offenders by the juvenile justice system.

A. Perceptions of the Police

A review of the data gathered through the 1999 and 1993 interviews reveals the following.

- ◆ For both years, the large majority of the juvenile offenders said that the police treat some youth better than others. Many of those claiming differential treatment said Whites were treated better than Blacks and Hispanics, but other reasons for differential treatment were also cited (e.g., better treatment given to youth the police know and who “snitch,” while youth who wear baggy pants and hoods or who have tinted glass and play loud music in their car are treated worse).
- ◆ In response to a direct question about whether the police treat Black, Hispanic and White juveniles the same or differently, about three-fourths of the youth interviewed (1999 and 1993) said that youth are handled differently by the police as a result of race/ethnicity, and that White youth were treated the best and that Black (or Black and Hispanic) youth were treated the worst.
- ◆ In 1999, about one-half of the respondents (some White and some minority) said the police were more likely to arrest Black and/or Hispanic youth than White youth. This is an improvement from 1993 when almost three-fourths of the youth interviewed said that Black and/or Hispanic youth were more likely to be arrested than White youth.
- ◆ The youth often attributed the disparities to having more White than Black police officers in their town. They also felt that the White police officers feared and stereotyped minority youth and assumed the minority youth were doing something wrong. Consequently, they said the police stop Black and Hispanic youth when they would not stop White youth, and are rougher and more verbally abusive to the minority youth.

Representative verbatim responses for 1999 are provided below. The race/ethnicity of the youth is provided after the quotation.

What Types Of Youth Are Treated Better Or Worse (Unaided Question)

Minorities Treated Worse

- “Some are racists. Some of my friends are Puerto Rican and Black. Some (police) make comments to them.” (White)
- “When I was at home, because they knew my brothers, they’d call me names, stop me for nothing, use racial slurs. A lot of cops are racist. For instance, if you’re walking down the street with a backpack they’d stop you (Black). If a Caucasian kid is walking with blood on his shirt, they would not bother him.” (Black)
- “Police are prejudiced.” (Hispanic)
- “They’ll see one kid doing one thing and the other kid doing the same, but they’ll bust one kid. Bust Blacks and Puerto Ricans, but take it easy on White kids.” (Black)

Other Reasons Why Some Youth Being Treated Better Or Worse

- “Kids that they know from the streets, see everyday, are treated better. Newcomers are treated worse. (The youth they see every day) they usually don’t stop them, and they know they are doing something wrong. They just let them go.” (Black)
- “Some people know police good, so they won’t get trouble. Police that know you, they don’t mistreat you.” (Hispanic)
- “Depends on clothes. Wearing big baggy pants and a hoodie they’ll stop you. Tell you to empty your pockets for no reason. If in car with loud system or tinted windows, they’ll stop you.” (White)

Why Feel Minorities Treated Worse Than White Youth (Response To Direct Question)

- “There are a lot of White cops, and a lot of them are racists.” (White)
- “Because Blacks they think are criminals all the time. They just think that, without knowing the person.” (Hispanic)
- “Cops always think they (Blacks) are doing something wrong.” (White)
- “Stems from fact that officers don’t feel as threatened (by the White youth). Issues officers have dealing with the minority populations. The stereotypes people grow up with.” (White)
- “Cops treat their own race better. White kids treated best because there’s more White police.” (White)
- “Cops are all White, only one Black female cop (in my town). They don’t pull them (White youth who dress proper) over. They look straight.” (White)
- “It’s obvious. I see a lot of White kids get respect and the Blacks get no respect, so people treated differently.” (Hispanic)
- “They can see White kids on the street knowing they’re doing wrong and see me on the opposite side of the street doing the same thing and they’ll give me a ticket.” (Black)

- “If there are Blacks and Hispanics standing around, they’ll lock them up and there can be 20 White kids outside, they’ll leave them alone thinking they’re having a meeting or something. But Blacks and Hispanics, they think it’s gang or drug related.” (Black)
- “They (White) get away with a lot of stuff. I’ve been arrested with White people, they get handcuffed with hands in front, Blacks get cuffed with hands in back, and they talk to us and calling me stupid.” (Black)

B. Perceptions of Juvenile Matters Court

A review of the data gathered revealed that youth interviewed in 1999 typically described the courts as treating Black, Hispanic and White youth the same, and in some instances saw the courts as more equitable than did the youth interviewed in 1993. Specifically:

- ◆ Only two of the 30 youth interviewed in 1999 said that they were not treated fairly by the court. By comparison, five of the 30 youth interviewed in 1993 said they were treated unfairly, and four of the five were Hispanic.
- ◆ When asked directly if the court treats Black, Hispanic and White youth the same or differently, 24 (80%) of 30 youth interviewed in 1999 said they were all treated the same, and six (20%) said White youth were treated better. These findings were similar to the 1993 results where 22 (73%) participants said the same and eight (27%) interviewees said White youth were treated more favorably.
- ◆ When asked whether the court gives more severe placements and punishments based on race/ethnicity, seven (23%) of the 30 youth interviewed in 1999 said Blacks and/or Hispanics received more severe sanctions than the White youth. This is in sharp contrast to 1993 results where 18 (60%) of the 30 of the youth interviewed said that Black and/or Hispanic youth received more severe placements and punishments than White youth.
- ◆ In 1999, only one-fifth of the youth interviewed said there was a distinction made by race/ethnicity regarding who is placed at Long Lane School. In the 1993 survey, more than two-fifths said that Blacks or Blacks and Hispanics were more likely to be placed in Long Lane School.

- ◆ The youth interviewed in 1999 who said they thought Black and Hispanic juveniles received more severe sanctions than the White juveniles said: (1) most of the people working in the court are White so they are treated better; (2) White youth get probation more often despite the charges; and (3) Black and Hispanic juveniles get sent to Long Lane School more often.

C. Perceptions of Long Lane School

The youth interviews revealed the following.

- ◆ For both study years about one-half of the youth interviewed wanted to go to Long Lane and about one-half did not.
- ◆ The youth in 1999 who preferred Long Lane School typically did so either because they: (1) thought they would serve less time at Long Lane School than at another facility (typically said by minority youth); or (2) felt Long Lane School would keep them from running away and getting into trouble, and/or would provide more help than other placements (typically said by White youth).
- ◆ For both years, about one-half of the youth interviewed said they were helped by the staff at Long Lane School and most others said it was neither helpful nor harmful. Of the seven youth in 1999 describing Long Lane School as “very helpful,” five were Hispanic.
- ◆ Youth who felt that they had been helped, most often mentioned being able to speak to people about stuff and their problems, controlling their temper, understanding consequences of their actions, and being educated.
- ◆ For both 1999 and 1993, 25 (83%) of the 30 Long Lane School residents interviewed said that Long Lane School staff treat some youth better than others. Differences were attributed to a wide range of factors, including: (1) staff having favorites; (2) youth who have been there longer being treated better; (3) youth who smile and go along with things getting treated better; and (4) youth getting treated better based on their race and that of the staff (i.e., staff treats youth of their own race better than other youth).

- ◆ For both 1999 and 1993, about one-half of the 30 juveniles interviewed said that Long Lane School staff treat youth differently based on race and ethnicity. In 1999, White youth were the most likely to say there were disparities (7 of 10), and they said that Black and Hispanic youth received better treatment than the White youth.
- ◆ Those who felt White youth were treated worse (typically said by White youth) said: staff are afraid of the Black youth so they treat them better, Black youth are allowed more supplies, staff are afraid of the minority youth “screaming racism,” minority staff gossip about the White girls, and White youth are the minority at Long Lane School and so they are treated worse.
- ◆ The 1999 study participants saying White youth were treated better (typically said by minority youth) said: White staff let White youth get away with more, White youth get counseled when Black youth get locked-up, caseworkers treat White youth better and let them go earlier, and Hispanic youth are treated worse due to language barrier.
- ◆ Some youth said that they felt staff of their own race treated them better because these staff understood them better.

Representative verbatim responses are listed below.

Do Long Lane Staff Treat Some Youth Differently (Unaided)

- “Some kids get more privileges. Get away with more stuff. The kids the staff like.” (White)
- “Certain staff. One peer swears, he got a major and for someone else, they said ‘Don’t do it.’ Staff sometimes brings in food. One girl gets more (of the food) from the staff.” (White)
- “Black kids go to room. I do same thing as Black kid and I go scot-free. All staff favor their own race. A lot more (favor) than not (favor). All races are racist.” (White)
- “A lot of racism by Black staff. Other day someone sexually harassed me. I told a Black staff that 3 Black boys said something to me. She said nothing will happen to them. A Black girl told the same staff and she said there would be consequences. Black staff personally won’t help or talk to me. Mostly this one staff, other Black staff are okay.” (White)
- “It’s just like how long you’ve been here. It’s newcomers, they get burned. They get majors up for the shift, down for the day. Favoritism (given to youth) who have been here longer with nice personalities, with smiles off their faces. Staff like to have smiles on their face when they come to work.” (Black)

- “I get treated better. Been here before, I know the staff. They know me, be cool with me.” (White)
- “Some kids can get away with things. Like me because I have been here longer. Like I have a job here, like I go to college and not everyone gets this treatment.” (Hispanic)
- “With certain staff, we get different privileges. I’ve been here longer than other girls and they treat me better.” (Black)
- “Depends on situation. Like me, I’m pregnant so I get privileges, like I don’t have to do chores. But some staff don’t care about our health. APOs treat some kids better because some of them are racist. Boys get treated different because they fight back. Girls don’t fight back so the APO takes advantage of that.” (Hispanic)

Do Long Lane Staff Treat Youth Different Based on Race

White Youth Treated Better

- “My roommate is Black, they mess with him a lot. Try to get him in trouble (by setting him up).” (White)
- “Because here they are minority. White staff treats them better. Like they’ll (the White youth) go out and start (provoking other youth), and staff would allow them to get away with it.” (Hispanic)
- “(White treated best) Our supervisor is White, and they’ll talk to him if they lost their pass. They’ll get another pass. When they send them to ISU, they counsel and talk to them, but forget about us and lock us up.” (Black)
- “Case workers treat White kids better. They (White youth) don’t have to stay as long. It’s mostly big dogs like caseworkers, not line staff. Some kids have bomb charges, rape charges, made guns and they left quicker. Blacks come in with truancy, petty charges, and come in for violating parole and stay here for a much longer time.” (Black)
- “Hispanics treated worst. Have a lot of Hispanics here. More Hispanics than Whites and Blacks put together, but there’s very few bilingual staff. Staff says they (Hispanics) act slow, but really they probably don’t understand.” (White)
- “(Black treated worst) It seems like White people get another chance for a mistake and if Blacks make a mistake they get another major or a group.” (Black)
- “Black staff treats everyone the same. Puerto Rican staff, he’s mean. But treat everyone the same. White staff act like they’re better than us.” (Black)
- “(Black and Hispanic treated worst) More White staff and they treat some of the White kids better. I’m talking about cottage staff. Persons who work with you in group.” (Black)

Black or Hispanic Youth Treated Better

- “Black girls have different environment. (They’re) big and bad. Staff afraid of them, treat these girls better.” (White)

- “African-American kids need more for their hair, they get more supplies, hot irons and stuff. I have to have my parents or social worker bring in conditioner for me. African-American staff have more in common with African-American kids, they bond. A lot of African-American kids have no interaction with Whites prior to being in the system, so they bond with the African-American staff.” (White)
- “Hispanics treated best. I just see it, can’t explain it. More privileges. There’s certain staff who let Hispanic kids stay in the halls (when the others can’t). One girl said something about me in Spanish, and staff doesn’t tell her to stop.” (White)
- “They treat the minority kids better, they have to or they’ll scream racism. If the Blacks do something wrong, they often let it go. The staff’s not bad though.” (White)
- “It all depends on which staff. It’s a big thing here at Long Lane, racism. With Black staff, we do basically anything we want. Stay down shift late, extra food, snacks. Staff work with you.” (Black)
- “Whites treated worst. They be gossiping about the White kids. Black staff will talk about medical history like sex diseases and really personal stuff about the White kids.” (White)
- “Always out to get me. Try to get me down. I’m the only White kid in my group now.” (White)

Do You Receive Better Treatment From Staff Who Are Same Race/Ethnicity As You

Black

- “Yes, because I talk to Black people more than I can White. I open up, I can express more to them than White people. Probably because I was raised around more Black than White people. I was around negative White people.”
- “Yes. They just understand where I’m coming from. Hispanics and Black treat you better. I don’t like talking to White staff. They want to put the blame on you.”
- “Some do. Some Black staff have been through a little of what we’ve been through and feel our pain.”

Hispanic

- “Yes. They cool. They make jokes, treat you better. And Black staff treats the Black kids better and White treats White kids better.”
- “Hispanic and Black will treat you better by letting you do things. Like bring games from home, stay up late, etc. Some White staff doesn’t do that.”

White

- “Yes. Wanting to listen or talk to me. Not saying bad things about me.”
- “Yes. They have more feeling. They see things. They’re more caring to kids in general (all races), not so harsh.”

D. Summary of Offender Perceptions

The 1999 youth interviews strongly indicate that the juvenile offenders interviewed believe that racial/ethnic disparities in treatment varies across the juvenile justice system. Specifically, researchers found the following:

- ◆ **Police**: Three-fourths of the youth interviewed in 1999 said that they believed police officers handled White and minority youth differently, and one-half of those interviewed said the police were more likely to arrest Black and/or Hispanic juveniles than White juveniles. The youth often attributed the believed disparities to there being more White than Black police officers in their town, and the White police officers fearing and stereotyping minority youth and assuming the minority youth were doing something wrong. They said the police stop Black and Hispanic youth when they would not stop White youth, and are rougher and more verbally abusive to the minority youth. The 1999 responses were very similar to those in our 1993 interviews.

- ◆ **Juvenile Court**: Most of the 30 juvenile offenders interviewed in 1999 said they believe the juvenile court treated Black, Hispanic and White youth the same. Specifically:
(1) only two of the study participants said that they were not treated fairly by the court;
(2) only six (20%) said Black, Hispanic and White juveniles were treated differently by the courts; and (3) only six (20%) said there was a distinction made by race/ethnicity regarding who is placed at Long Lane School. Moreover, the youth interviewed in 1999 cited less disparity than did those interviewed in 1993 (e.g., in 1993 two-thirds of the youth interviewed said that Black and/or Hispanic youth were treated more harshly by the courts than White youth, and two-fifths said that Blacks or Blacks and Hispanics were more likely to be placed in Long Lane School).

- ◆ **Long Lane School**: About four-fifths of the youth interviewed in 1999 said that staff treat some youth better than others, but: (1) race/ethnicity was just one of several factors causing differential treatment (e.g., staff having favorites; youth there longest treated best; youth who go along with things are treated better; and youth get treated better by staff of their own race); and (2) those believing race/ethnicity had an impact disagreed about how the differential treatment occurred (e.g., Whites treated better, Blacks or Hispanics treated

better, youth treated better by staff of the same race/ethnicity). Youth interviewed in 1993 were much more likely to say White youth were treated better than Black and Hispanic residents (e.g., more privileges, getting away with more behaviors, less severe punishments, given more respect from staff, and earlier discharges).

VII. Practitioner Assessment of Preliminary JJAC Recommendations

As discussed in detail earlier, Spectrum Associates conducted a survey on reactions of system practitioners to the JJAC's preliminary recommendations addressing racial/ethnic disparities within four specific areas of the Connecticut juvenile justice system - police, detention, court, and Department of Children and Families. This section of the report provides the findings from this survey.

A. Data Analysis

Tables are displayed and findings discussed for all respondents in aggregate. As the number of completed surveys was not evenly distributed across system component (i.e., police, court, and Department of Children and Families) the data were weighted to give each of the three system components an "equal voice" in the findings. Beyond looking at the data in aggregate, additional analyses were conducted to examine for differences by such factors as: system component, the number of years the respondent has worked in the Connecticut juvenile justice system, and respondent demographics (i.e., age, gender, education and race/ethnicity). In addition, researchers crosstabulated the data by the respondent's position within the component (police, court and DCF) when looking at responses to strategies about that system component. Key differences observed through these crosstabulations are provided.

B. Practitioner Survey Respondent Demographic Characteristics

A look at the demographic characteristic of the survey respondents³¹ revealed that:

- ◆ About three-fifths (58%) of the practitioners responding to the survey were male and about two-fifths (42%) were female.
- ◆ 34% of the respondents were less than 35 years of age, 43% were 35-49 years of age, and 23% were 50+ years old.
- ◆ The respondents were very well educated with 84% having graduated college, and 35% having a graduate school degree.
- ◆ About three-fourths of the respondents said they were White (74%), 15% said Black, 7% said Hispanic, and 4% said “other.”
- ◆ The respondents were very experienced with the Connecticut juvenile justice system as 42% said they have worked in the system for 10 or more years, 26% said 5-9 years, 26% said 1-4 years, and only 5% said less than 1 year.

³¹ This write-up of the demographic characteristics describes the practitioners who responded to the survey. As noted above, when analyzing the data for how effective practitioners felt the various strategies would be, the data were weighted so that each component has “equal voice.” Therefore, to describe the respondents as they are represented in the weighted tables, the demographic characteristics change slightly (i.e., slightly higher percentage of males, slightly lower percentage graduated college, and slightly higher percentage of Whites, and slightly more time working in the juvenile justice system).

C. Reaction to Police Strategies

1. Proposed Strategies

The JJAC developed eight possible strategies to achieve more equitable treatment of minority and White juveniles by the police. These strategies are listed below as they were worded in the survey, followed by the abbreviation for the strategy used in Figure 33 (in bold italics).

- a. Police agencies should document all law enforcement contacts with juveniles, including those contacts not resulting in arrest. ***Document all contacts with juveniles.***
- b. Detention administration should limit the list of Serious Juvenile Offenses for which the police may bring a juvenile to a detention center without approval by a judge to those charges that involve weapons or substantial risk of serious injury. ***Reduce police discretion in detaining SJOs.***
- c. Police should attempt to release all juveniles to a parent, relative, guardian, or other responsible party rather than bring them to a detention center. For those juveniles who are brought to a detention center, the police should document the reasons why they were not released. ***Document reasons for taking juveniles to detention.***
- d. Police agencies should ensure the numbers of minority officers, at all levels within the agency, closely reflect the numbers of minority juveniles in the communities they serve. ***Have numbers of minority officers reflect communities served.***
- e. Police agencies should provide training to ensure that employees at all levels are culturally aware and able to work with persons of differing races and cultures. ***Cultural sensitivity training.***
- f. Police agencies should include consideration of a person's ability and experience in working well with persons of differing races and cultures in hiring, job performance review, and promotional policies. ***Consider cultural sensitivity abilities in hiring, review, and promotion policies.***
- g. Police agencies should be active participants in the communities they serve through the use of community policing and School Resource Officers. ***Actively participate in community.***
- h. Police agencies should ensure that all staff are knowledgeable about children's services available in their community. ***Know available children's services.***

2. Survey Findings

Figure 33 displays practitioner perceptions of possible strategies designed to achieve more equitable treatment by the police.

Figure 33
Practitioner Assessment of Possible Strategies to Achieve More
Equitable Treatment of Minority and White Juveniles by Police
(All Respondents, Base=487-504)

	Very Effective	Somewhat Effective	Somewhat Ineffective	Very Ineffective	Total
Know available children's services	74%	23%	2%	1%	100%
Actively participate in community	69%	26%	3%	2%	100%
Cultural sensitivity training	68%	27%	4%	2%	100%
Consider cultural sensitivity abilities in hiring, review and promotion policies	51%	36%	7%	5%	100%
Document reasons for taking juveniles to detention	38%	31%	15%	15%	100%
Document all contacts with juveniles	34%	36%	11%	19%	100%
Have numbers of minority officers reflect communities served	22%	40%	20%	18%	100%
Reduce police discretion in detaining SJOs	18%	31%	20%	31%	100%

As revealed in Figure 33:

- ◆ Six of the eight strategies were described as “somewhat” or “very” effective by at least two-thirds of the practitioners surveyed.
- ◆ Four strategies were seen as particularly effective, with 51% - 74% saying “very effective” and 87% - 97% saying “very” or “somewhat” effective: know available children’s services; actively participate in the community; cultural sensitivity training; and consider cultural sensitivity abilities in hiring, review and promotion policies.
- ◆ The two strategies rated as least effective were: reduce police discretion in detaining SJOs and have number of minority officers reflect communities served.

The key findings from the crosstabulations are provided below.

System Component

- ◆ The police were much less likely than court and DCF respondents to describe the following strategies as “very effective”: consider cultural sensitivity abilities in hiring, review and promotion policies (28% vs. 62% and 64% respectively); cultural sensitivity training (51% vs. 75% and 76% respectively); and have number of minority officers reflect communities served (8% vs. 28% and 30% respectively).
- ◆ The police were more likely than court and DCF respondents to describe two strategies as “ineffective”: document all contacts with juveniles (46% vs. 24% and 19% respectively) and reduce police discretion in detaining SJOs (62% vs. 47% and 42% respectively).

Local vs. State Police

- ◆ Local police were much more likely than state police to rate three proposed strategies as “very effective”: cultural sensitivity training (62% vs. 28%); document all contacts with juveniles (39% vs. 13%); and consider cultural sensitivity abilities in hiring, review and promotion policies (34% vs. 13%).

Type of Residential Area

- ◆ For the most part, rural police were less likely than suburban and urban police to describe the strategies as “very effective.” However, with two exceptions (i.e., have numbers of minority officers reflect community served, document all contacts with juveniles), the majority of rural police said the proposed strategies would be at least “somewhat effective.”
- ◆ The only strategy that rural police were more likely than urban and suburban police to describe as at least “somewhat effective” was document reasons for taking juveniles to detention (91% vs. 53% and 68% respectively).

Number of Years Worked in Connecticut’s Juvenile Justice System

- ◆ Consistently, police officers who had worked in their positions for less than one year were the most likely to say the proposed strategies would be “very effective.”

Gender

- ◆ Females were significantly more likely than males to say three strategies would be “very effective”: cultural sensitivity training (80% vs. 65%); consider cultural sensitivity abilities in hiring, review, and promotion policies (67% vs. 49%); and know available children’s services (81% vs. 70%).
- ◆ Similarly, females were significantly less likely to say two strategies would be “ineffective”: reduce police discretion in detaining SJOs (39% vs. 58%) and document all contacts with juveniles (17% vs. 33%).

Race/Ethnicity

- ◆ Black and Hispanic respondents were much more likely than White respondents to say four of the eight strategies would be “very effective”: have numbers of minority officers to reflect community served (Black, 55%; Hispanic, 53%; and White, 16%); consider cultural sensitivity abilities in hiring, review and promotion policies (Black, 71%; Hispanic, 75%; and White, 51%); cultural sensitivity training (Black, 83%; Hispanic, 81%; and White, 68%); and document reasons for taking juveniles to detention (Black, 44%; Hispanic, 56%; and White, 34%).

D. Reaction to Detention Strategies

1. Proposed Strategies

The JJAC identified seven possible strategies to achieve more equitable decision-making for minority and White juveniles at Detention Centers and Residential Alternative Detention Programs. These strategies are listed below as they were worded in the survey, followed by the abbreviation for the strategy used in Figure 34 (in bold italics).

- a. A validated and unbiased risk and needs assessment should be systematically implemented with every juvenile entering a detention center. The assessment would be used to determine the suitability of a juvenile to be released, and the findings provided to the court at the initial detention hearing. ***Systematically implemented risk & needs assessment.***
- b. Detention staff should be thoroughly trained to consistently implement the risk and needs assessment. ***Staff trained on risk & needs assessment.***
- c. The General Assembly should revise state laws to mandate written findings by a judge at every 15-day hearing documenting the reasons why a juvenile cannot be placed home or in a less restrictive environment. ***Every 15 days document reasons juvenile remains detained.***
- d. The detention centers and residential alternative detention programs should clarify their incident reporting process to ensure consistent application of rewards/sanctions for all juveniles. ***Clarify incident report process.***
- e. The detention centers and residential alternative detention programs should ensure the numbers of minority personnel, at all levels within the agencies, closely reflect the numbers of minority juveniles they serve. ***Have numbers of minority personnel reflect juveniles served.***
- f. The detention centers and residential alternative detention programs should provide training to ensure that employees at all levels are culturally aware and able to work with persons of differing races and cultures. ***Cultural sensitivity training.***
- g. The detention centers and residential alternative detention programs should include consideration of a person's ability and experience in working well with persons of differing races and cultures in hiring, job performance review and promotional policies. ***Consider cultural sensitivity abilities in hiring, review and promotion policies.***

2. Survey Findings

Figure 34 displays practitioner perceptions of possible strategies designed to achieve more equitable treatment for the Detention Centers and Residential Alternative Detention Programs.

Figure 34
Practitioner Assessment of Possible Strategies to Achieve More
Equitable Treatment of Minority and White Juveniles
for Detention Center and Residential Alternative Detention Programs
(All Respondents, Base=449-493)

	Very Effective	Somewhat Effective	Somewhat Ineffective	Very Ineffective	Total
Cultural sensitivity training	67%	29%	3%	2%	100%
Staff trained on risk & needs assessment	61%	32%	4%	2%	100%
Consider cultural sensitivity abilities in hiring, review and promotion policies	57%	34%	5%	5%	100%
Systematically implemented risk & needs assessment	52%	39%	6%	3%	100%
Clarify incident report process	43%	42%	11%	4%	100%
Every 15 days document reasons juvenile remains detained	33%	40%	16%	12%	100%
Have numbers of minority personnel reflect the juveniles served	22%	46%	20%	12%	100%

As revealed in Figure 34:

- ◆ All seven strategies were described as at least “somewhat effective” by at least two-thirds of practitioners surveyed.
- ◆ Five strategies were seen as particularly effective, with 43% - 67% saying “very effective” and 85% - 96% saying “very” or “somewhat” effective: cultural sensitivity training; staff trained on risk & needs assessment; consider cultural sensitivity abilities in hiring, review and promotion policies; systematically implement risk & needs assessment; and clarify incident reports.

The key findings from the crosstabulations are provided below.

System Component

- ◆ The police were much less likely than court and DCF respondents to describe the following detention strategies as “very effective”: have numbers of minority personnel reflect the juveniles served (6% vs. 27% and 31% respectively); cultural sensitivity training (53% vs. 73%); consider cultural sensitivity abilities in hiring, review and promotion policies (43% vs. 62% and 63% respectively); and document the reasons juveniles remain in detention every 15 days (21% vs. 36% and 39% respectively).
- ◆ For the most part, the court and DCF have very similar reactions to the proposed detention strategies. The one exception is that DCF respondents were more likely than court respondents to describe systematic implementation of the risk & needs and assessment as “very effective” (61% vs. 44%).

Court Positions

- ◆ For the most part, detention staff rated the different strategies as more effective than did other court respondents.
- ◆ Specifically, detention staff were more likely than juvenile probation and judicial services (i.e., Judicial Services managers & administrators, Judges, prosecutors, and public defenders) to describe the following detention strategies as “very effective”: document the reasons juveniles remain in detention every 15 days (59% vs. 24% and 26% respectively); have numbers of minority personnel reflect the juveniles served (47% vs. 23% and 10% respectively); systematically implemented the risk & needs assessment (65% vs. 27% and 42% respectively); and staff trained on risk & needs assessment (78% vs. 45% and 56% respectively).

Number of Years Worked in Connecticut’s Juvenile Justice System

- ◆ Consistently, respondents who had worked in their positions for less than one year were the most likely to say the proposed strategies would be “very effective.”

Gender

- ◆ Females typically viewed the possible detention strategies as more effective than did the males.
- ◆ The greatest differences between females and males were in the percentage of females vs. males describing the following cultural sensitivity strategies as “very effective”: consider cultural sensitivity abilities in hiring, review and promotion policies (68% vs. 53%) and cultural sensitivity training (78% vs. 64%).

Age

- ◆ Respondents less than 35 of years of age were more likely than those 35-49 and 50+ years of age to say it would be “very effective” to consider cultural sensitivity abilities in hiring, review and promotion policies (68% vs. 54% and 58% respectively).

Race/Ethnicity

- ◆ Black and Hispanic respondents were much more likely than White respondents to say three of the seven strategies would be “very effective”: consider cultural sensitivity abilities in hiring, review and promotion policies (Black, 75%; Hispanic, 83%; and White, 54%); have numbers of minority personnel reflect the juveniles served (Black, 60%; Hispanic, 43%; and White, 15%); and cultural sensitivity training (Black, 81%; Hispanic, 89%; and White, 65%).

E. Reaction to Court Strategies

1. Proposed Strategies

The JJAC identified four possible strategies to achieve more equitable decision-making for minority and White juveniles by the courts. These strategies are listed below as they were worded in the survey, followed by the abbreviation for the strategy used in Figure 35 (in bold italics).

- a. The Judicial Branch should ensure that there are sufficient in-home and community-based services for juvenile offenders, particularly programs focused on services such as Multi-Systemic Therapy that show promising results and involve the juvenile's family. ***Ensure sufficient in-home & community-based services.***
- b. The Judicial Branch, and the divisions of Public Defender Services and Criminal Justice need to ensure the numbers of minority personnel, at all levels within the agencies, closely reflect the numbers of minority juveniles they serve. ***Have numbers of minority personnel reflect the juveniles served.***
- c. The Judicial Branch, and the divisions of Public Defender Services and Criminal Justice should provide training to ensure that employees at all levels are culturally aware and able to work with persons of differing races and cultures. ***Cultural sensitivity training.***
- d. The Judicial Branch, and the divisions of Public Defender Services and Criminal Justice should include consideration of a person's ability and experience in working well with persons of differing races and cultures in hiring, job performance review and promotional policies. ***Consider cultural sensitivity abilities in hiring, review and promotion policies.***

2. Survey Findings

Figure 35 displays practitioner perceptions of possible strategies designed to achieve more equitable treatment by the court.

Figure 35
Practitioner Assessment of Possible Strategies to Achieve More Equitable Treatment of Minority and White Juveniles by the Court
(All Respondents, Base=464-485)

	Very Effective	Somewhat Effective	Somewhat Ineffective	Very Ineffective	Total
Cultural sensitivity training	65%	29%	3%	2%	100%
Ensure sufficient in-home & community-based services	60%	32%	5%	2%	100%
Consider cultural sensitivity abilities in hiring, review and promotion policies	56%	33%	6%	5%	100%
Have numbers of minority personnel reflect the juveniles served	23%	45%	19%	13%	100%

As revealed in Figure 35:

- ◆ All four court strategies were described as at least “somewhat effective” by over two-thirds of the respondents.
- ◆ Three of the four strategies were seen as particularly effective, with 56% - 65% saying “very effective” and 89% - 94% saying “very” or “somewhat” effective: cultural sensitivity training; ensure sufficient in-home and community-based services; and consider cultural sensitivity abilities in hiring, review and promotion policies.

The key findings from the crosstabulations are provided below.

System Component

- ◆ Court and DCF displayed very similar reactions to the likely impact of the proposed court strategies, while the police viewed them as likely to be considerably less effective.
- ◆ Specifically, the police were much less likely than court and DCF respondents to describe all four of strategies as “very effective”: consider cultural sensitivity abilities in hiring, review and promotion policies (38% vs. 67% and 61% respectively); have numbers of

minority personnel reflect the juveniles served (9% vs. 30% and 28% respectively); ensure sufficient in-home and community-based services (47% vs. 69% and 62% respectively); and cultural sensitivity training (56% vs. 72% and 68% respectively).

Court Positions

- ◆ For the most part, responses were similar across type of position.
- ◆ However, detention staff were much more likely than juvenile probation and other court personnel (i.e., Judicial Services managers & administrators, Judges, prosecutors, public defenders) to say that having the numbers of minority personnel reflect the juveniles served would be “very effective” (47% vs. 25% and 19% respectively).

Number of Years Worked in Connecticut’s Juvenile Justice System

- ◆ Consistently, respondents who had worked in their positions for less than one year were somewhat more likely to say the proposed strategies would be “very effective.”

Gender

- ◆ Female respondents were much more likely than male respondents to say all four strategies would be “very effective”: ensure sufficient in-home and community-based services (73% vs. 55%); consider cultural sensitivity abilities in hiring, review and promotion policies (68% vs. 54%); cultural sensitivity training (76% vs. 62%); and have numbers of minority personnel reflect the juveniles served (30% vs. 22%).

Race/Ethnicity

- ◆ Black and Hispanic respondents were much more likely than White respondents to say three of the four strategies would be “very effective”: have numbers of minority personnel reflect the juveniles served (Black, 60%; Hispanic, 54%; and White, 16%); consider cultural sensitivity abilities in hiring, review and promotion policies (Black, 80%; Hispanic, 83%; and White, 53%); and cultural sensitivity training (Black, 77%; Hispanic, 83%; and White, 64%).

F. Reaction to Department of Children and Families Strategies

1. *Proposed Strategies*

The JJAC developed five possible strategies to achieve more equitable decision-making for minority and White juveniles by DCF. These strategies are listed below as they were worded in the survey, followed by the abbreviation for the strategy used in Figure 36 (in bold italics).

- a. Public and private residential programs serving juvenile offenders should ensure that there are sufficient in-home and community-based services for juvenile offenders, particularly programs focused on services such as Multi-Systemic Therapy that show promising results and involve the juvenile's family. ***Ensure sufficient in-home and community-based services.***
- b. Public and private residential programs serving juvenile offenders should clarify their incident reporting process to ensure consistent application of rewards/sanctions for all juveniles. ***Clarify incident report process.***
- c. Public and private residential programs serving juvenile offenders should ensure the numbers of minority personnel, at all levels within the agencies/programs, closely reflect the numbers of minority juveniles they serve. ***Have numbers of minority personnel reflect the juveniles served.***
- d. Public and private residential programs serving juvenile offenders should provide training to ensure that employees at all levels are culturally aware and able to work with persons of differing races and cultures. ***Cultural sensitivity training.***
- e. Public and private residential programs serving juvenile offenders should include consideration of a person's ability and experience in working well with persons of differing races and cultures in hiring, job performance review and promotional policies. ***Consider cultural sensitivity abilities in hiring, review and promotion policies.***

2. *Survey Findings*

Figure 36 displays practitioner perceptions of possible strategies designed to achieve more equitable treatment by the Department of Children and Families.

Figure 36
Practitioner Assessment of Possible Strategies to Achieve More Equitable Treatment of Minority and White Juveniles by DCF, Bureau of Juvenile Justice (All Respondents, Base=467-488)

	Very Effective	Somewhat Effective	Somewhat Ineffective	Very Ineffective	Total
Cultural sensitivity training	65%	30%	3%	2%	100%
Ensure sufficient in-home & community-based services	61%	31%	5%	2%	100%
Consider cultural sensitivity abilities in hiring, review and promotion policies	56%	33%	5%	5%	100%
Clarify incident report process	47%	42%	9%	2%	100%
Have numbers of minority personnel reflect the juveniles served	25%	44%	19%	11%	100%

As revealed in Figure 36:

- ◆ Four of the five DCF strategies were described as at least “somewhat effective” by 89% - 95% of the respondents and “very effective” by 47% - 65% of the practitioners surveyed.
- ◆ The DCF strategies describe as most effective were: cultural sensitivity training (65% saying “very effective”) and ensure sufficient in-home and community-based services (61% saying “very effective”).
- ◆ The strategy described as least effective was have numbers of minority personnel reflect the juveniles served (25% saying “very effective” and 30% saying “somewhat” or “very” ineffective).

The key findings from the crosstabulations are provided below.

System Component

- ◆ Court and DCF respondents displayed very similar reactions to the likely impact of the proposed DCF strategies, while the police viewed them as likely to be considerably less effective.
- ◆ Specifically, the police were much less likely than court and DCF respondents to describe all five of strategies as “very effective”: consider cultural sensitivity abilities in hiring, review and promotion policies (38% vs. 65% and 63% respectively); have numbers of minority personnel reflect the juveniles served (9% vs. 31% and 33% respectively); clarify incident report process (36% vs. 55% and 49% respectively); cultural sensitivity training (52% vs. 69% and 72% respectively); and ensure sufficient in-home and community-based services (53% vs. 68% and 61% respectively).

State Agency vs. Private Agency Personnel

- ◆ For four of the five strategies, responses were similar across state and private agency.
- ◆ However, state agency staff were much more likely than private agency staff to say ensuring sufficient in-home and community-based services would be “very effective” (70% vs. 53%).

Number of Years Worked in Connecticut’s Juvenile Justice System

- ◆ Consistently, respondents who had worked in their positions for less than one year were somewhat more likely to say the proposed strategies would be “very effective.”

Gender

- ◆ Female respondents were much more likely than male respondents to say all five DCF strategies would be “very effective”: ensure sufficient in-home and community-based services (71% vs. 56%); cultural sensitivity training (76% vs. 62%); consider cultural sensitivity abilities in hiring, review and promotion policies (68% vs. 55%); clarify incident report process (57% vs. 45%); and have numbers of minority personnel reflect the juveniles served (33% vs. 24%).

Race/Ethnicity

- ◆ Black and Hispanic respondents were typically more likely than White respondents to describe the DCF strategies as “very effective.”
- ◆ However, differences were statistically significant for only two strategies: have numbers of minority personnel reflect the juveniles served (Black, 64%; Hispanic, 46%; and White, 19%); and consider cultural sensitivity abilities in hiring, review and promotion policies (Black, 76%; Hispanic, 86%; and White, 54%).

G. Summary of Practitioner Survey Findings

A summary of the key findings from the practitioner survey is provided below.

- ◆ 22 of the 24 specific strategies developed by the JJAC to reduce disparate treatment of minority youth by police, detention, court and DCF were described as “somewhat” or “very” effective by at least two-thirds of the practitioners surveyed, and 14 of the 24 strategies were described as “very effective” by at least one-half of the respondents.
- ◆ 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.
- ◆ Across the 24 component strategies, we found:
 - Police respondents consistently rated the proposed strategies as less effective than did court and DCF respondents, with large disparities for considering cultural sensitivity abilities in hiring, review and promotion policies; cultural sensitivity training; and having numbers of minority personnel reflect the community/juveniles served.

- Black and Hispanic respondents were much more likely than White respondents to describe the strategies as “very effective,” and differences across practitioner race/ethnicity were usually greatest for having the number of minority personnel reflect the community/juveniles served, considering cultural sensitivity abilities in hiring/review/promotion policies, and cultural sensitivity training.
- Practitioners who had worked in the juvenile justice system for less than one year were the most likely to say the proposed strategies would be “very effective.”
- Females were typically more likely than males to believe the strategies would be effective, particularly considering cultural sensitivity abilities in hiring/review/promotion policies and cultural sensitivity training.
- ◆ A comparison of staff within system components revealed that:
 - local police were much more likely than state police to view proposed police strategies as “very effective”;
 - detention staff were more likely than juvenile probation and other court personnel (i.e., Judicial Services managers & administrators, Judges, prosecutors, and public defenders) to describe many of the detention strategies as “very effective”; and
 - for the most part the court and DCF respondents had very similar reactions to the proposed DCF strategies.

VIII. 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 overrepresentation of minorities in the juvenile justice system.

The JJAC commissioned Spectrum Associates to conduct a comprehensive and independent study in 1991-1992 and again in 1998-1999. The conclusion of the studies is that there has been improvement in the state's handling of minority juveniles in the juvenile justice system over the past decade, but further efforts are needed to achieve equitable treatment across race and ethnicity.

Study findings show a reduction or elimination of disparate treatment from 1991-92 to 1998-99 for length of stay at the police station, use of secure holding at the police station, use of Detention Centers, time spent at Long Lane School and residential placement during DCF commitment, and use of Long Lane School's secure area. These data demonstrate that it is possible to make changes that will positively impact system operations.

The JJAC recommendations that follow seek to spur additional action by juvenile justice system agencies. These agencies include both public and private providers of services including law enforcement, detention, court, and juvenile probation and parole, as well as community-based and residential services.

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 study recommendations 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 in the handling of juveniles, the recommendations are meant to be specific, practical and action-oriented. They reflect JJAC:

- ❖ *knowledge of the workings of the juvenile justice system;*
- ❖ *understanding of the realities of limited funding and resistance to change;*
- ❖ *determination to stay focused on the issue of disparate treatment; and*
- ❖ *concern for young people in Connecticut.*

The JJAC recommendations for action that follow have been divided into three categories—accountability, personnel and program. Within the priority category of accountability is an overall recommendation and police, detention and residential services recommendations that address the specific decision points identified by the study as requiring more work to eliminate inequities.

Accountability Recommendations

Overall Accountability

- A. Juvenile justice system agencies should establish clear guidelines for decision-making discretion.**
- B. Juvenile justice system agencies should require detailed documentation of decisions including information on the race and ethnicity of the juvenile involved.**
- C. The State of Connecticut should continue to lead, monitor and educate about efforts to address minority overrepresentation in the juvenile justice system by requiring:**
 - 1. the departments of Children and Families, Correction and Public Safety and the Judicial Branch to report by September 30 of each year to the Secretary of the Office of Policy and Management on agency goals and accomplishments to address disparate handling of juvenile offenders during the previous fiscal year;**
 - 2. the Office of Policy and Management to compile the annual agency submissions into a report to the Governor and the General Assembly by December 31 of each year; and**
 - 3. the JJAC to conduct and publish another comprehensive and independent reassessment study of minority overrepresentation in the juvenile justice system with 2005 data.**

The most appropriate and effective strategies to address minority overrepresentation in the juvenile justice system are those that focus on the accountability of system practitioners who make decisions affecting the lives of juveniles. Accountability means all decisions regarding juveniles are based on

clear standards and policies, documented correctly and completely, and reviewed and evaluated by appropriate authorities.

At many of the decision points where disparate handling was found to be significantly reduced or eliminated since 1992, there were legal or policy changes that:

- removed or reduced practitioner discretion;
- required documentation of decisions; and
- increased oversight of discretionary activities.

The Juvenile Justice Advisory Committee recommends more of these types of strategies because they have been most successful and because they are cost-effective, easier to implement, and easier to monitor.

Data collection and analysis and the dissemination of information are necessary to measure progress in reducing and eliminating racial and ethnic disparities in Connecticut's handling of juvenile offenders, to identify successful strategies and areas of concern, to enhance system accountability through increased oversight, and to heighten awareness and spur action at all levels within and outside of the juvenile justice system.

Of particular concern in the upcoming year is how the system may evolve because of the opening of a new juvenile training school with a statutorily mandated 12 month minimum length of stay, and how this will impact the handling of white and minority juvenile offenders. Close monitoring is necessary to identify if increasing disparate treatment of minorities is occurring and to allow action to address problem areas at the earliest possible time.

Police Accountability

- A. Police agencies should document all law enforcement contacts with juveniles including contacts not resulting in arrest.**
- B. The Judicial Branch should limit the list of Serious Juvenile Offenses (SJOs) for which juvenile offenders may be admitted to detention without approval by a judge to those that involve weapons or substantial risk of serious injury.**
- C. Police agencies should attempt to release all juveniles to a parent, guardian or other responsible party, and document the reasons why this cannot happen, before transporting any juvenile to detention.**

Detention of a juvenile in a juvenile detention facility should be appropriate only when the offense alleged is a Serious Juvenile Offense that involves weapons or substantial risk of serious injury and release to a parent, guardian or other responsible party is not possible. The JJAC recommends addressing this both through officially limiting who will be admitted to detention without approval by a judge, and requiring police to increase and document their efforts to release the juveniles.

In order to better understand the extent of minority overrepresentation police need to increase their documentation of law enforcement contacts with juveniles.

- To address overrepresentation data unexplained by system handling findings and the disparity of more Black juveniles charged with an SJO being brought to detention.
- JJAC ACTION: Subcommittee on Police Training should develop standardized forms for documentation and recommended criteria for exceptions, and incorporate them in the next update of the JJAC publication Children, Youth and the Police: Recommended Policies and Procedures.

Detention Accountability

- A. The Judicial Branch should train qualified detention staff to administer a validated and unbiased risk and needs assessment designed to determine the suitability of the juvenile to be released that will be provided to the court at the initial detention hearing.**
- B. The General Assembly should revise state law to mandate written findings by the judge at every 15-day detention hearing with no right of waiver of this mandate by juveniles or their attorneys. The written findings should include reasons why juveniles cannot be placed at home or in less restrictive environments.**
 - To address disparities in the lengths of stay in detention and alternative detention programs.
 - Will require specified reasons for the use of secure detention and focus efforts on returning children to their homes.
 - JJAC ACTION: Subcommittee on Minority Overrepresentation should draft suggested language and forms for the written findings and forward to Judicial.

Residential Services Accountability

Public and private residential programs serving juvenile offenders should clarify their incident reporting processes to ensure consistent application of rewards and sanctions for all juveniles.

Continuing training for staff, appropriate supervision levels, and consistent written documentation are key areas to address in this revision process.

- To address disparities in the lengths of stay in detention and alternative detention programs and disparities in the percentage of commitment juveniles spend at Long Lane School and other placements.
- Clear policies and their enforcement will provide for more consistent treatment of juveniles.
- Written documentation will allow for ongoing review and future study.

Personnel Recommendations

The differences in system processing decisions can be addressed, at least in part, through personnel policy and practice changes. The recommendations that follow are general in nature and not meant to imply that any particular agency is deficient in its personnel policies. Rather it is important to note that every agency working in the juvenile justice system is encouraged to review and apply these recommendations and agencies that contract for services should include these mandates in their contracts.

Employment

- A. Juvenile justice agencies, both public and private, should ensure that the numbers of minority employees at all levels closely reflect the numbers of minority juveniles served by the agency.**
- B. Juvenile justice agencies should include consideration of a candidate's ability and experience in working well with persons of differing races, cultures and languages in hiring, job performance review, and promotional policies.**

Training

Juvenile justice agencies should ensure that employees at all levels including commissioners, administrators, judges, attorneys, line staff, and staff of private contractors are culturally aware and able to work well with persons of differing races and cultures.

Program Recommendations

Many of the differences in system processing decisions reflect the lack of alternatives and resources for juveniles within the system and within their local communities. In addition parents need to be educated about the juvenile justice system to become effective participants in it. This includes eliminating language and cultural barriers at police, court, and juvenile correction agencies and having in place protocols to insure juvenile and parental education and understanding of procedures, child and parent choices, and probable outcomes.

Police

Police agencies should be active participants in the communities they serve through the use of community policing and School Resource Officers. They should be knowledgeable about available children's services; aware of, and responsive to, safety concerns; and always working to improve citizens' understanding of police functions.

In-Home Services and Community-Based Services

Juvenile justice agencies should ensure that sufficient quality in-home and community based services for juvenile offenders, both pre and post disposition, are available. In particular, services needed include those such as Multi-Systemic Therapy that show promising results and involve the juvenile's family, and those that address the mental health and special education needs of juvenile offenders. The service delivery system should be held accountable for results through the use of performance-based outcomes.

Empowering Juveniles and Parents

Juvenile justice agencies should present clear, complete and consistent information on referral, program and placement alternatives, as well as on agency procedures, to juveniles and their parents/guardians/attorneys so that they can be active and informed participants in juvenile justice system handling decisions.

Appendix A:

State of Connecticut Serious Juvenile Offenses (1998)

State of Connecticut Serious Juvenile Offenses (1998)

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 B:
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 C:
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.

Appendix D:

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 E:

References

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