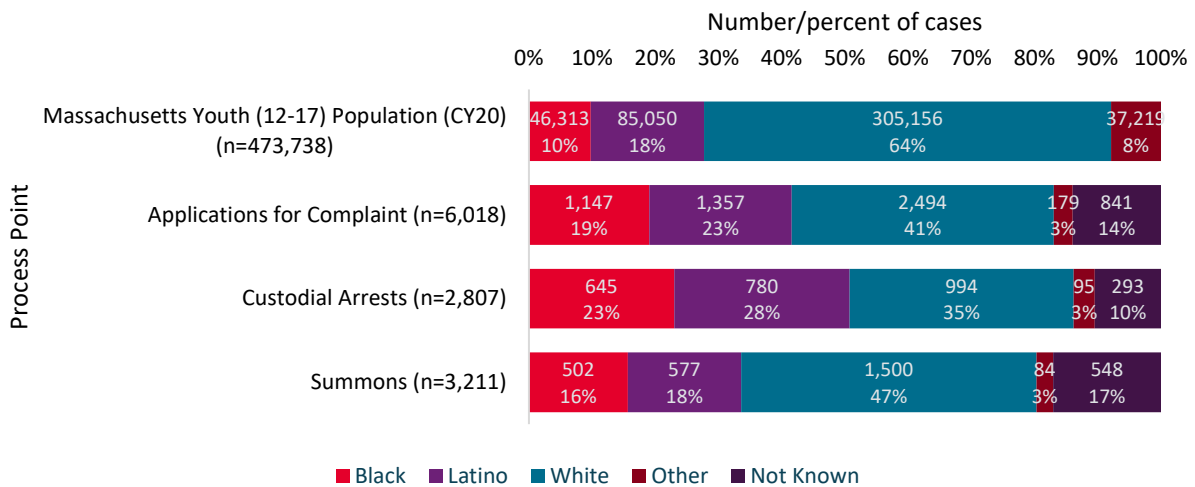


Racial & Ethnic Disparities at the Front Door of Massachusetts' Juvenile Justice System: Understanding the Factors Leading to Overrepresentation of Black and Latino Youth Entering the System

Documenting Racial & Ethnic Disparities & Its Consequences

- Even as the number of youth entering and moving through the juvenile justice system has gone down substantially over the past four years, **disparities in the number of Black and Latino youth coming into contact with the juvenile justice system remain stubbornly high.**
- Disparities are greatest at the “front door” of the system. In Massachusetts, compared to white youth, **Black youth were over three times more likely to be the subject of an application for complaint** to the Juvenile Court, and **Latino youth were almost twice as likely.**

FY21 RED at the "Front Door"



- Disparities are even greater when you examine *how* youth come into contact with the system: are they physically arrested or are they given a court summons? In FY21, **Black youth were over four times more likely to experience a custodial arrest than their white peers, and Latino youth were almost three times more likely.**
- **These early disparities matter.** Research demonstrates that juvenile justice contact can lead to worse educational outcomes (i.e., not graduating high school, not going to college), more limited employment opportunities, housing insecurity, and a higher likelihood of being arrested again. Being physically arrested (e.g. use of handcuffs, being placed in a police cruiser and/or lockup) in particular can be traumatic for youth, with long-term negative emotional, physical and social outcomes.

What's Causing these Disparities?

- This report examined four potential factors that could lead to disparities:

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- Differences in the severity of offenses Black, Latino and white youth are alleged of committing
- Differences in the type of offenses Black, Latino and white youth are alleged of committing
- Variations in police practice by region (correlated with differences in demographics)
- Police department policies, practices and officer decision-making

The report finds that **each of the first three (severity, type, region) can partially, but not fully, explain overall racial and ethnic disparities** in youth entering the juvenile justice system in Massachusetts.

- This indicates that – as has been found in research in other jurisdictions – **police department policies, practices, and officer decision-making are also at least partially responsible for these disparities in Massachusetts.** For example:
 - Misdemeanor complaints have a low likelihood of resulting in arrest, and officers have significantly more discretion about when to make an arrest for a misdemeanor than for a felony. Latino youth are brought to the court via a custodial arrest for a misdemeanor 32% of the time, compared to 28% of the time for Black youth and 18% for white youth.
 - Drug and property offenses both have a low overall likelihood of arrest and greater room for discretion (as compared to a weapons or person offense). But Black youth experience custodial arrests for alleged drug offenses at a rate 1.64 times that of white youth, and Latino youth 2.42 times. Similar disparities are seen in custodial arrests for property offenses as well.

What Can We Do About It?

- **Invest in Prevention and Alternatives to Arrest:**
 - Increase investments in community-based programs aimed at reducing system involvement and promoting prosocial activities
 - Continue expanding Diversion Learning Labs
- **Gather & Use More Data to Spot Problem Areas and Improve Practices**
 - Police departments should uniformly report the use of summons to the NIBRS data system
 - Police departments should review internal data on arrest patterns, similar to what was done for this report
 - Police departments should require officers to document *why* they decided to arrest a youth instead of issuing a summons for arrests and publish their findings.
- **Reducing Disparities through Practice & Policy Change**
 - Police departments should provide more guidance and limitations on when to use a custodial arrest, when to issue a summons, and when to offer diversion
 - Police departments should re-examine which department policies and practices may be contributing to racial and ethnic disparities in arrests, including decisions on where, when, and how they patrol and enforce public safety.

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