

Disproportionate Minority Contact (DMC) Study for Action

DMC AND MONTGOMERY COUNTY:

Disproportionate minority contact (DMC) is the term used to describe the degree to which youth/families who come in contact with public services experience fair outcomes and are held accountable, based on their own circumstances, not on generalities from their race/ethnicity, living conditions, income, or family composition. DMC exists when minority youth/families have differing outcomes, usually more harsh, in child-serving systems. For more than 15 years, the Federal government and several states have worked to 1) analyze conditions which lead to DMC in the juvenile justice system; 2) make changes in how decisions about youth are made; and 3) increase community-based program alternatives that are usually more effective than secure detention in helping youth while protecting public safety. When dealing with this very complex issue, solutions will be equally complex and require time—no jurisdiction has been entirely successful to this point in reducing DMC.

Montgomery County has long been concerned about disparate outcomes for its youth. The 1999 *Montgomery Comprehensive Strategies for Juvenile Justice*, the July 2002 Commission on Juvenile Justice's *Report on Minority Overrepresentation in the Juvenile Justice System*, and the 2002 Collaboration Council's "*Disproportionate Youth Minority Representation—A Sourcebook for Planning*" all have contributed information regarding the growing diversity of the county and the identification of many youth—especially African-American youth—in the deep end of the juvenile justice system. Local responses have included the creation of graduated sanctions and diversion programs within the Montgomery County Police Department's Family Crimes Division; the creation of the Juvenile Assessment Center; and efforts to increase cultural competency among public agency personnel. With the county's school-aged population now at 43% white, 23% African-American, 14% Asian and Pacific Islander and 19% Hispanic, DMC is more important than ever.

FUNDING:

The Maryland State Advisory Board for Juvenile Services (SAB) and the Juvenile Justice Advisory Council (JJAC) are responsible for developing a plan to address Disproportionate Minority Contact (DMC) per Section 223(a) (22) of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002. This federal legislation requires States to identify and address any disproportionate overrepresentation of minority youth in the juvenile justice system.

In Fiscal Year 2005, the Governor's Office of Crime Control and Prevention (GOCCP) awarded the Collaboration Council a \$78,000 grant to gather further information describing how Montgomery County's children and youth become involved with law enforcement and juvenile justice systems and what decisions are made by the Montgomery County Police Department (MCPD), Maryland Department of Juvenile Services (DJS), the State's Attorney's Office and the Juvenile Court (Sixth Circuit Court) that could ultimately lead to youth being placed in detention facilities.

LOCAL DMC STUDY FOR ACTION COMMITTEE:

The Collaboration Council has convened the DMC Study for Action Committee to oversee the research planning and implementation and to make recommendations based on the research findings about the next steps to occur in systems change and resource development. A Committee roster is attached.

The DMC Study for Action Committee's members are committed to working together to ensure 1) positive outcomes and justice for all youth; 2) that families receive the right services at the right time; and 3) public safety is maintained. No one public or private agency or advocate can solve DMC on their own—all must learn about each other's roles, responsibilities and operating conditions in order to collaboratively problem-solve and develop effective local solutions. Thus, the research funded by GOCCP will obtain a more detailed, in-depth picture of the dynamics of DMC via the law enforcement and juvenile justice decision-making processes. The Committee is also interested in DMC within public education and child welfare, but resources at this time limit study to juvenile delinquency.

FISCAL YEAR 2005 RESEARCH:

By June 30, 2005, the following research activities will be completed via the Collaboration Council and two nationally known research firms:

- **Relative Rate Index (RRI).** The Collaboration Council's Data Collaborative is working with MCPD and DJS to collect and analyze data regarding the decisions made in each of the agencies using a Federally-developed formula. The RRI is a statistical measure that further identifies at which points minority youth may be experience different outcomes. These data are being disaggregated to look at the RRI by types of offenses committed and the amount of discretion available for specific offenses.
- **Decision Point information.** Through document review and interviews, the Association for the Study and Development of Community, Inc. (ASDC) will compile information about the laws, regulations, policies, procedures and training that are used by the relevant government agency personnel at key decision points in law enforcement/juvenile justice systems; analyze whether these decisions are based on the presence of existing policies and procedures, objective criterion and/or subjective judgment; and assess the systemic responses and options that are available to youth and their families at each decision point.
- **Perceptions from Stakeholders.** Through a series of interviews and focus groups, Caliber Associates, Inc. will compile information from both juvenile justice decision-makers and justice-involved youth and their families regarding their perceptions of the processes, practices and circumstances that they think affect the processing of juveniles in their agencies or departments; perceptions of the support received by families and the types of services that they would like to see be made more available. Youth/families will be asked their perceptions of the service they received, feedback about the types of services that they would have liked but did not receive, the quality (e.g., cultural appropriateness) of the services they received, and the identification of processes, practices and circumstances that respondents think affect the outcomes for juveniles in the justice system.

NEXT STEPS IN FY 2006:

In the fall of 2004, the State Advisory Board on Juvenile Justice and GOCCP requested technical assistance from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) on DMC efforts in Maryland. The following recommendations were made: 1) Use resources in the jurisdictions where racial disparities are greatest and where the most system-involved youth are found; and 2) Identify a model that utilizes "best practices" and/or "evidence-based" approaches to address DMC in Maryland.

In response to these recommendations, Maryland's DMC efforts will focus on the five largest jurisdictions containing the most system-involved youth and then focus on the decision points in the juvenile justice system that result in detention for youth. The Annie E. Casey Foundation (AECF) and the Burns Institute (BI) have extensive experience separately and together in promoting effective juvenile detention reform and DMC reduction. AECF's Juvenile Detention Alternatives Initiative was a guiding force in the oft-cited success in Multnomah County, Oregon; Cook County, Illinois; and Santa Cruz County, California. GOCCP has contracted with these two organizations to work with Montgomery County's stakeholders to develop and implement plans to reduce racial disparities in the use of secure detention.

Montgomery County is fortunate to have the resources of these highly experienced and effective national organizations building on current research efforts and moving the collaborative learning toward action. From July 1 through December 31, 2005, AECF and BI will work with the Montgomery County DMC Study for Action Committee to conduct further assessments of decision-points in Montgomery County. Based on this comprehensive assessment of local readiness, AECF and BI will develop detailed sets of recommendations that can serve as the foundation for implementation activities that would begin in early 2006.

The Montgomery County Study for Action Committee will continue as the forum for the key public and private stakeholders who are committed to 1) using data to identify current conditions that promote DMC; 2) communicating to build consensus on current strengths and needs across agencies; and 3) acting together over the long-term to make the system and resource changes needed to achieve the mutual vision of equal justice and fair outcomes for all children, youth and families.