

Understanding Racial & Ethnic Disparities

WHAT RED MEANS AND WHAT IT DOESN'T MEAN



DISPROPORTIONALITY DEFINED

Disproportionality occurs when a minority group comprises a far greater percentage of persons in the juvenile justice system than their numbers in the general population.

Disparity Defined

Denotes between-group differences in outcomes, irrespective of their origins. For example, disparity might stem from differences in offending, from environmental or outside circumstances, from laws or policies that differentially impact minority youth, or from racism in the juvenile justice system.

Discrimination Defined

Discrimination refers to situations in which evidence suggests that extralegal or illegitimate factors are the cause of the disparities in the juvenile justice system. But disparities alone are insufficient to conclude bias or discrimination, which often is the conclusion. It is critical analytically to stress that not all statistical disproportion is an immediate indicator of bias or discrimination. However, persistent disparity should be taken as a strong signal that some underlying problematic circumstance and process are operating, whether or not direct race bias is the cause. **In other words, there is most likely a problem of some kind that requires attention for solutions to be found.**

Why We Have Not Been Able to Significantly Reduce Racial Disparities

Speaking of the importance of critical analysis and stressing that not all statistical disproportion is an immediate indicator of bias or discrimination, to what extent does poverty impact racial and ethnic disparities in the juvenile and criminal justice systems?

The **Racial Economic Disparity Theory** informs that the greater number of youth of color in poverty increases a disproportionate number of those youth arrested and detained.

The fact that poverty is a driver of crime, and youth of color are disproportionately represented in poverty, that youth of color will be disproportionately arrested and detained.

Since the JJDPA was first promulgated in the early Seventies that gave us funding to reduce racial disparities, we have not come close to eliminating racial disparities. Even in jurisdictions that have holistically implemented best practices resulting in measurable reductions in racial disparities, they have not come close to eliminating disparities though better than those who have done little to none.

Why? The economic disparities suffered by people of color will always influence disparities in other domains, including juvenile justice