

# **Disproportionate Minority Contact (DMC) Arrest and Referral Assessment**



THE UNIVERSITY OF UTAH

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*Utah Criminal Justice Center*

COLLEGE OF SOCIAL WORK  
COLLEGE OF SOCIAL & BEHAVIORAL SCIENCES  
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S.J. QUINNEY COLLEGE OF LAW



**Disproportionate Minority Contact (DMC)  
Arrest and Referral Assessment**

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## Introduction

This report summarizes the research efforts related to the Disproportionate Minority Contact (DMC) Arrest and Referral Assessment conducted by the University of Utah's Utah Criminal Justice Center (UCJC). The report is divided into the following sections:

- Background – This section provides a review of the current state of the literature related to DMC and theories of DMC.
- The Current Project – This project introduction provides a description of the goals and methodology for the current research project.
- Survey Analyses – This section provides a detailed description of the online surveys conducted with law enforcement agency (LEA) personnel. It summarizes officer responses to demographic questions, questions about the nature and prevalence of DMC, and knowledge of factors related to DMC and efforts to reduce DMC. The survey items also included a section where officers were asked to provide possible explanations for DMC trend in their jurisdiction. These responses are summarized in terms of the major theories of DMC described in the aforementioned literature review. The section concludes with a summary of officers' knowledge of local efforts to address DMC, suggestions to reduce DMC, and perceptions of the adequacy of resources to address DMC in their jurisdiction.
- Interviews – Interviews were conducted to provide additional detail about patterns of DMC over time. This section summarizes officers' and court personnel's perceptions of what is being done both at the agency and system level to address DMC. This section elaborates on some of the issues discussed in surveys.
- Discussion – This section provides a summary of the study's findings and attempts to connect the literature review, survey, and interview results, in order to provide a complete picture of the issues surrounding DMC, including efforts to reduce DMC. A review of best practices related to DMC reduction efforts is provided. Limitations regarding the current study are discussed as are suggestions for future research.
- Appendix – The appendix to the report provides the DMC Relative Risk Index (RRI) trends (in the form of figures) for each jurisdiction, by race/ethnicity, and over time. An introduction to the section explains caveats to the trend analyses, how to interpret the figures, and how to determine whether significant change has occurred over time. Periods of parity and disparity (DMC) are denoted. A text summary of the trends is also provided.

Because of the length of the report, some readers might consider starting with the discussion section. Despite being at the end of the report, this section was designed to serve as an Executive Summary in addition to providing a discussion and conclusions. It summarizes the findings from surveys and interviews and provides some insights into the meaning of the findings both as a guide to future work and as a means of improving on the limitations of the current work. The discussion section does not, however, summarize the information found in the "Background on DMC" section of the report. Readers interested in the literature on DMC are encouraged to read that section in its entirety.

## Background on DMC

Within the area of criminal justice, few issues have generated as much interest and controversy as the relationship between race and ethnicity and crime (Piquero, 2008). A wealth of research has demonstrated that non-white youths make up the overwhelming majority of youths at various decision points throughout the juvenile justice system (e.g., arrest, referral, placement, and waiver; Bishop, 2005). Official records have indicated that non-white youths are more likely to be arrested and processed in the juvenile justice system compared to white youth. This finding has emerged in a number of studies examining self-reports of offending and official records of contact with the police, arrests, and post-disposition outcomes. Researchers and policymakers alike have devoted a considerable amount of time to examining these race/ethnicity differences – especially given the strong association between juvenile and adult offending (Piquero, Farrington, & Blumstein, 2003; Piquero, 2008).

### Historical Context of DMC

Criminal justice decision makers have become concerned with the racial/ethnic disparities that exist in the juvenile justice system and are actively working to understand the issue of DMC and develop efforts to reduce it (Kempf-Leonard, 2007). DMC is not a new phenomenon, dating back as far as the early 20<sup>th</sup> century. Thorsten Sellin was a leading expert on disparities that existed in the criminal justice system in the early 1920s. He described the patterns of DMC within the criminal/juvenile justice system and identified them as an important research topic. He suggested that examining official statistics as raw counts and percentages masks differences that may be revealed by including other variables across race/ethnicity subgroups (e.g., aggravating circumstances; Sellin, 1935). These other variables have the potential to produce disparities in juvenile justice outcomes, irrespective of judicial biases. He went on to further suggest that race and ethnicity are not solely responsible for the great variation observed in court outcomes across race/ethnicity subgroups by saying that, “these [disparities in outcomes across race/ethnicity subgroups] must largely attribute to the human equation in judicial administration and as evidence that equality before the law is a social fiction” (Sellin, 1935, pg. 217).

It was not until the 1970s that the issue of DMC gained traction among legislators at the federal level. In 1974, federal legislators put forth what has been touted as one of the most comprehensive juvenile justice mandates – the Juvenile Justice and Delinquency Prevention Act of 1974 (herein JJDPa; Krisberg, Schwartz, Litsky, & Austin, 1986). JJDPa called for the evaluation of all federally assisted juvenile delinquency programs, providing public and private institutions with technical assistance to evaluate programs, included provisions for developing and implementing training programs for juvenile justice personnel, and implemented a set of national standards for the administration of juvenile justice (Juvenile Justice and Delinquency Prevention Act of 1974, 1974). Another major priority included in JJDPa called for increased efforts to reduce juvenile incarceration and developing programs designed to reduce delinquency and divert youths away from formal processing in the juvenile justice system.

In the years that followed the enactment of JJDPa, researchers from the National Council on Crime and Delinquency conducted research that highlighted the fact that disparities exist in the juvenile justice system – in particular they highlighted the overrepresentation of non-white youths in juvenile correctional settings. Congress responded to these reports by introducing a number of amendments to JJDPa, which focused on reducing racial/ethnic disparities at the referral and disposition decision points in the juvenile justice process (Cabaniss, Frabutt, Kendrick, & Arbuckle, 2006; Kempf-Leonard, 2007; Pope & Leiber, 2005; ). Three key amendments were introduced that specifically focused on reducing racial/ethnic disparities. In 1989, the

Formula Grants Program was added, which focused on reducing disparities in juvenile detention and correctional settings. In 1992, reducing disparities in the juvenile justice system was made a central requirement of JJDP. Lastly, the language concerning DMC was revised to include all points of contact in the juvenile justice system in 2002.

As one of the core amendments to JJDP, the Formula Grants Program requires states to address the issue of DMC on an ongoing basis. States are required to determine the extent to which DMC exists in their juvenile justice systems, assess the potential explanations for these disparities (if applicable), develop strategies to address DMC and evaluate their effectiveness, note any changes in the patterns of DMC, and adjust their efforts as needed. States that do not comply with these guidelines forfeit 20 percent of the money allocated through the Formula Grants Program for a given year.

Since the inception of JJDP, there has been an uptick in the number of states that are actively examining the extent of DMC in their juvenile justice systems and implementing strategies to reduce racial/ethnic disparities (Donnelly, 2019). Despite these efforts, the extent of racial disparities in the juvenile justice system nationwide have remained relatively unchanged since the DMC mandate – whereby non-white youths account for the majority of youths that come into contact with the system and are more likely to receive more severe juvenile court outcomes. However, research on the effectiveness of the DMC mandate has shown some promise in reducing the effect of race on various decision points. For example, a study conducted by Donnelly (2019) examined data on the detention and placement decision cases in Pennsylvania from 1997 to 2011. The findings indicate that DMC reduction efforts can moderate the effect of race on processing outcomes, especially for the pre-adjudication detention decision.

## Role of Race in Juvenile Justice Decision Making

Research has identified that the role race plays in juvenile justice decision making is often complex and multi-faceted (Bishop, 2005; Piquero, 2008). Studies have found that race can have direct, indirect, interaction, and contextual effects that occur at multiple stages in the justice process and sometimes in subtle ways (Bishop, 2005). For illustrative purposes, each of these mechanisms will be defined and an example will be provided to demonstrate the complex nature of how race can factor into decision making within the juvenile justice system.

Direct effects are said to occur when statistically significant race differences exist in juvenile justice outcomes after controlling for relevant variables. For example, Sullivan et al. (2016) conducted a study examining the issue of DMC in the state of Ohio and found evidence of direct race effects at 5 of 6 juvenile court decision points. Specifically, the researchers found that race was a statistically significant predictor of pre-adjudication detention even when controlling for legally-relevant factors (e.g., offense severity and type). Non-white youth were 31% more likely to be held in pre-adjudication detention compared to white youth when accounting for legally-relevant variables (i.e., number of prior cases and current charges, and offense type and severity).

Research has also identified the importance of accounting for prior points of contact when examining juvenile justice outcomes. Specifically, researchers have found evidence to suggest that, by not accounting for prior points of contact in an analysis, race effects may be masked when examining later outcomes. For example, Rodriguez (2010) found that non-white youth are significantly more likely to receive pre-adjudication detention. Conversely, the researcher did not find support of a relationship between race/ethnicity and the decision to file a petition. When pre-adjudication detention was entered into the model examining the outcome of whether a petition was filed, Rodriguez found that youth who had been

detained pre-adjudication were more likely to have a petition filed than youth who were not held in pre-adjudication detention (4.9 times more likely). This finding highlights the importance of accounting for earlier points of contact. Specifically, non-white youths are significantly more likely to be detained and therefore have increased odds of having a formal petition filed relative to white youths.

Race can also have an interaction effect with other variables and influence juvenile justice outcomes. Therefore, the effect of race on outcomes is dependent on the level of other factors (Bishop, 2005; Leiber & Peck, 2015). Leiber and Fox (2005) specifically tested whether race interacts with specific offense types when examining juvenile court outcomes. The researchers examined juvenile court cases over a 21 year period in Iowa and found that black youths were significantly more likely to receive pre-adjudication detention if they committed a drug offense or a crime against a person, were living in a household with a single parent, and did not have legal representation. Furthermore, the findings indicated that black youths were more likely to receive a lenient court disposition if they did not receive pre-adjudication detention.

Other scholars have highlighted the importance of considering contextual effects when examining the relationship between race and juvenile justice decision making (Leiber, 2003; Sampson & Laub, 1993). Decision making may vary across the environments in which it occurs and the effect of race may vary across those settings (Bishop, 2005). For example, Sampson and Laub (1993) examined whether social structure had an impact on juvenile justice outcomes across 322 counties in 21 states. One of the key findings in their study revealed that black youths charged with a drug offense in counties with a high proportion of impoverished residents were more likely to receive secure confinement as a disposition compared to white youths. This relationship was not found when considering white youths who were charged with a drug offense and whom resided in counties with high levels of poverty.

In summary, these studies have highlighted the complex nature of the relationship between race and juvenile justice decision making. While these are important considerations when examining the relationship between race and juvenile justice decision making, there are two main perspectives that attempt to explain why DMC exists.

## Differential Offending

The differential offending hypothesis posits that minority overrepresentation in the juvenile justice system can be explained because minority youth engage in more crime, commit more serious types of crime and do so for longer periods (Nellis, 2005; Piquero, 2008). Therefore, minority youth are at an increased risk for coming into contact with, and being arrested by, law enforcement officials. Research has also provided support for the relationship between minority youths' offending behaviors and their make up in the juvenile justice system at most decision points (Kakar, 2006).

A number of studies have specifically examined the differential offending hypothesis. These studies consider whether there are specific offending patterns in the frequency, types, and severity of offenses across race/ethnic subgroups. Additionally, multivariate studies account for legally-relevant factors when statistically modeling the relationship between race and juvenile justice outcomes by including measures for offense type and severity, and criminal history. Legally-relevant factors (e.g., offense type and severity, prior record, weapon-involved) have been identified as key measures to include in empirical studies testing the differential offending hypothesis.

Much of the research on the differential offending hypothesis has focused on describing patterns or trends that appear in official record data. Findings from research examining the arrest decision indicate that a greater proportion of minority youths – and in particular, black youths – are contacted and arrested compared to white youths relative to their make up in the general population. Most commonly, DMC at the arrest decision point cannot be explained solely by differences in offense-level characteristics. Even when accounting for the effects of legally-relevant, and other, factors (e.g., socioeconomic status, neighborhood, family structure, and education), the effects of race remain statistically significant, albeit diminished, in most instances (Huizinga, et al., 2007; Pope & Leiber, 2005). One recent study also found that being a minority and a gang member greatly increased the risk of arrest when accounting for demographic controls and legally-relevant factors (Tapia, 2011).

As previously mentioned, researchers examine official arrest data to determine whether there are trends in arrest statistics for juveniles. Specifically, they consider whether minority youth are more likely to engage in crime and/or whether they are more likely to be arrested for certain crime types. Based on 2017 juvenile arrest data obtained from the Office of Juvenile Justice and Delinquency Prevention (Snyder, Cooper, & Mulako-Wangota, 2019), white youth account for approximately 62% of all juvenile arrests (persons ages 10-17). Some patterns did emerge in this data. For example, black youths were more likely to be arrested for violent/person crimes. Conversely, white youths were more likely to be arrested for property crimes and drug/alcohol related offenses. Lauritsen (2005) also found that black youths were much more likely to be arrested for violent crimes and weapon-related offenses. Furthermore, the researcher found that white youth were disproportionately arrested for alcohol-related offenses relative to black youths when accounting for their make up in the general population.

Rather than rely solely on official record data, researchers have attempted to triangulate arrest statistics with other data sources (e.g., victim self-reports and self-reports of offending). Victim surveys are the only reliable sources of data for offender characteristics when a face-to-face crime has occurred (Lauritsen, 2005). Based on recent data collected in the National Crime Victimization Survey, victims of crime were more likely to report that the perpetrator was black in instances of violent crimes (particularly for robberies). This finding is consistent with the information obtained from the arrest statistics provided above. It should be noted that victim survey data related to offender characteristics should be examined with caution due to reporting issues (Crutchfield, Bridges, & Pitchford, 1994; Lauritsen, 2005). Also, researchers have urged individuals to use caution when comparing offender characteristics from data obtained through victim surveys to arrest statistics. Specifically, Lauritsen (2005) argues that comparing these data sources is mainly reliable at the national level because victim survey data is not readily available at the state, county, or city level (e.g., small numbers of respondents at these levels).

Researchers have also used self-reports of offending to validate arrest statistics. Elliot (1994) examined data from the National Youth Survey and found that black youths were significantly more likely to report being involved in violent behavior (i.e., non-lethal). Similarly, Huizinga, Loeber, and Thornberry (1994) found that non-white youths were more likely to report being involved in violent street crimes than white youths. Data from the National Longitudinal Survey of Youth indicates that white youth were more likely than non-white youths to report having committed an act of vandalism. Black youths and white youths were just as likely to report having carried a weapon on school property in the past 30 days (Centers for Disease Control, 2018). Based on a systematic review of DMC studies that utilize self-reports and victim reports, researchers found that black youths are more likely to engage in violent crime compared to whites (Bishop & Leiber, 2011). However, race differences in property offenses were minimal.

Although the patterns observed in self-report and victim surveys is fairly consistent with the arrest statistics, there is one major discrepancy. Two different self-report data sources reveal that white youths were significantly more likely to report marijuana use, having sold drugs, and selling marijuana in the past 30 days (Snyder & Sickmund, 1999; Substance Abuse and Mental Health Services Administration, 1998). White youths were also significantly more likely than black youths to report recent alcohol use. These findings run somewhat counter to the arrest data for drug/alcohol related offenses.

Given that there are some patterns in offending behavior that appear to suggest non-white youths are more likely to be involved in more serious offending behaviors, researchers have started exploring the factors believed to account for these differences. Some notable factors include: family structure, socioeconomic status, living in socially disorganized communities, and cultural adaptations (Anderson, 1999; Sampson, 1987; Sampson & Wilson, 1995; Tonry, 1995).

Family structure has been identified an important factor that has implications for a variety of outcomes including delinquency (Wilson, 1987). Some scholars have even concluded that black youths are more likely to engage in crime because they grow up in homes in “moral poverty” and often lack capable and loving parents to teach them right from wrong (Bennett, Dilulio, & Walters, 1996). Researchers have also suggested that moral poverty stems from the lack of a cohesive family unit (i.e., two-parent household; Lugaila, 1998). Based on data obtained from the U.S. Census (2018), a majority of black households are headed by a female compared to white households. Carlson and Corcoran (2001) examined the impact that household status has on behavioral problems and found that children who do not live in a continuous two-parent household had significantly higher levels of behavioral problems. Furthermore, studies have found that living in a single-parent home increases the likelihood of living in poverty and being involved in crime (Moffitt, 1995; Thornberry et al., 1999).

Scholars have also argued that growing up in socially disorganized and high-crime neighborhoods differentially exposes youth to factors associated with offending (Shaw & McKay, 1942). During the 1970s, there were major structural shifts in inner cities that caused urban areas to grow. Minorities made up the vast majority of the residents that resided in these urban centers (Wilson, 1987; Wilson, 1996). Individuals that reside in these communities are at an increased risk for being exposed to violence (Sampson, Raudenbush, & Earls, 1997). Neighborhoods with increased levels of concentrated disadvantage, immigrants, and that lack residential stability have been found to lack collective efficacy. Collective efficacy is comprised of social cohesion and informal social control. Residents of these communities were significantly more likely to have perceptions of greater crime and report crime compared to those living in communities that reported higher levels of collective efficacy.

Education has also been identified as an important factor that may contribute to differential involvement in crime (Kakar, 2006). Urban communities comprised of a higher number of minorities have been found to lack strong educational systems, early childhood education, dropout prevention programs, and cultural education (Kakar, 2006). Schools in these areas often report high levels of truancy, suspensions, and expulsions. Researchers have tested whether school participation is associated with delinquency. For example, Devine, Coolbaugh, and Jenkins (1998) found that youths who attend schools that fail to adequately serve minority youths and minority youth who fail to fully participate in school are more likely to engage in delinquency. The researchers conclude that this relationship contributed to the issue of DMC in the juvenile justice system.

Not only are youth who grow up in these communities more likely to be exposed to instances of crime, they may also develop cultural adaptations that shape their attitudes and perceptions toward crime and the law (Weitzer & Tuch, 1999). Anderson (1999) set out to examine whether inner-city minority youths develop a different orientation toward antisocial behaviors in his book titled “Code of the Street.” He argues that issues related to residing in urban, inner-city communities lead individuals to develop an oppositional culture (as opposed to mainstream values/beliefs). He suggests that, while not everyone in these communities subscribes to this oppositional culture (i.e., Street Code), families often encourage their children to familiarize themselves with it to navigate living in the inner-city. The street code is a set of informal rules that governs interpersonal behavior. Gaining and maintaining respect in these communities is important and may require the use of violence. The origins of the street code can be traced back to the fact that many minorities feel alienated from mainstream society and lack faith in the police to protect them.

Although these factors help to inform why minority youth may be more likely to engage in crime, research has indicated that the differential offending hypothesis does not fully account for overrepresentation of minority youth in the juvenile justice system. Based on data obtained from self-reports and official records for a sample of delinquent youths, researchers found no evidence of racial differences in either self-reported or official records of offending. Furthermore, the findings from a systematic review of DMC studies revealed that differences in offending levels across race subgroups only partially accounted for the overrepresentation of non-white youths in the juvenile justice system (Pope & Leiber, 2005). Accordingly, this report next examines the idea of differential treatment, which serves as a counterpoint to differential offending.

## Differential Treatment

The second main perspective that attempts to explain why minority youths are vastly overrepresented in the juvenile justice system is referred to as differential treatment. This perspective posits that minority youth come into contact with, and penetrate the juvenile system farther, than white youth because of their race/ethnicity (Nellis, 2005; Piquero, 2008). Scholars have argued that disparities occur because police and juvenile court personnel handle minority cases differently as the result of implicit or explicit biases. Discriminatory practices are most likely to occur in instances where agents of social control are afforded the greatest amount of discretion (e.g., drug and victimless crimes). Given the wide range of discretion given to juvenile justice personnel, they sometimes may rely on racial, cultural, and gender stereotypes to determine youths’ culpability, dangerousness, and treatment-related needs (Bridges & Steen, 1998; Platt, 1977).

The differential treatment hypothesis assumes that a race effect will persist even when scholars account for legally-relevant factors. Therefore, minority youth will be more likely to get arrested and, and be sanctioned more harshly, compared to similarly-situated white youths (Cochran & Mears, 2015). For example, one study found that black youths were more likely to be adjudicated delinquent and sanctioned to secure confinement than their white counterparts (Piquero, 2008). The differential treatment hypothesis has been examined in numerous studies across a variety of contexts, at each point of contact, and with different populations of offenders (e.g., serious delinquent, status offenders; Mueller, Sullivan, & McManus, 2019; Peck, Leiber, & Brubaker, 2014; Piquero & Brame, 2008; Sullivan et al., 2016).

There are several theories that inform the differential treatment perspective; focal concerns theory is among the main ones (Steffensmeier, Ulmer, & Kramer, 1998). The researchers were interested in examining the interplay between race, gender, and age and the influence these factors have on sentencing decisions for

criminal court cases. The focus of the theory is on judicial decision making and it is based primarily on organizational decision making and racial stereotyping.

The authors indicate that judges weigh three primary concerns when considering sentencing decisions (Steffensmeier, Ulmer, & Kramer, 1998). One of the major concerns is the offender's blameworthiness. The authors hypothesize that the severity of the sanctions will increase based on the offender's culpability and degree of harm caused to the victims. Blameworthiness can be captured by a number of factors such as offense severity, criminal history, and offender's role in the crime.

The second concern judges consider is protection of the community. Although protection of the community encompasses similar factors to blameworthiness, the authors note that it is conceptually different. The main objective is to protect the community by weighing the decision to incapacitate the offender and deter any would-be offenders. Judges rely on case-specific facts pertaining to the offense (e.g., violent, property, drug, weapon-involved) and the offender's prior record. Judges may also consider factors related to the offender such as education and employment.

A third concern is constraints and consequences related to the individual and organization. Some of the main factors judges consider are preserving the relationships within the courtroom work group, the flow of court cases, and available correctional resources. Judges may also consider the practical consequences for the offender. This may lead judges to weigh how the sanctions might disrupt important social support systems, and the offender's treatment needs. Judges also factor in local politics, community norms, and how their decision might influence community perceptions of the court.

Although the theory does not indicate how race/ethnicity, gender, and age influence decision making, the authors suggest that judges rarely have all of the facts of the case or complete information on the offender. This creates the opportunity for judges to base their decision on past experiences and stereotypes (Albonetti, 1991). Based on this uncertainty, judges develop a perceptual shorthand to guide their decision making. This shorthand oftentimes is associated with race/ethnicity, gender, and age and is used by judges to inform whether the defendant poses a threat to society, can be rehabilitated, and what type of sanction should be used.

Although focal concerns theory has primarily been examined in the context of juvenile court decision making, the theory itself has important implications for how officers may develop perceptual shorthands and use those to guide the decision to arrest a youth. Similar to juvenile court officials, police officers have to make complex and repetitive decisions in the field (Higgins, Vito, & Grossi, 2012). Oftentimes their decisions are constrained by time and resources available to them in a situation, which give rise to increased uncertainty to arrive at a satisfactory decision. Police are asked to respond to individuals and situations about which they have extremely limited information. It is in these circumstances that officers must rely on perceptual shorthands to understand the information at hand and to make decision making manageable.

Research has provided support for the focal concerns theory in terms of the decision to search a suspect's vehicle. Specifically, the perception of blameworthiness was a strong predictor of the decision to search a vehicle (Higgins, Vito, & Grossi, 2012). Officers were 1.56 times more likely to search an individual due to the perceived blameworthiness of the suspect. A more recent study applied focal concerns theory to the decision to arrest and charge suspects in intimate partner sexual assault cases (O'Neal & Spohn, 2017). Based on an evaluation of all intimate partner sexual assault cases reported to the Los Angeles Police Department in 2008, the researchers found that blameworthiness, community protection, and practical

constraints and organizational consequences were significant predictors of the decision to arrest. In contrast, the decision to formally charge a suspect was influenced by community protection and practical constraints.

A wealth of studies have examined focal concerns theory within the context of juvenile justice decision making (Bishop, Leiber, & Johnson, 2010; Bridges & Steen, 1998; Harris, 2009; Kurlycheck & Johnson, 2004). For example, Bridges and Steen (1998) examined 233 case narrative prepared by juvenile court probation officers in three different counties within the same state. The researchers were interested in whether attributional stereotypes mediate the relationship between race and sentencing decisions. Internal attributions include factors such as: feeling no remorse, not admitting guilt, and being uncooperative toward probation officers. Factors that make up external attributions include: having delinquent peers, residing in a dysfunctional family, having poor school performance, and has a substance abuse problem. The findings revealed that black youth were perceived as having negative internal attributions (i.e., youth's personality) that led to the antisocial behavior and as lacking negative external attributions (i.e., factors in the youth's immediate environment that explain their behavior). This finding had implications for the sentencing recommendations whereby black youths were more likely to have more severe sentencing recommendations compared to their white counterparts.

Another theory that informs the differential treatment hypothesis is based on conflict theory. The racial threat hypothesis is one of the major conflict theories used to explain DMC. Conflict theory assumes that society is comprised of individuals who have a set of conflicting values. Therefore, the state implements laws that represent the interests of the ruling class and thereby protects those interests. In this system, greater weight is given to extralegal factors (e.g., race and socioeconomic status) in decision making. Criminal/juvenile justice personnel use mechanisms of formal social control to criminalize behaviors of minorities (Quinney, 1970). This implies that minorities are negatively impacted by the justice system when formal social controls are disproportionately leveled on them by criminal/juvenile justice personnel (Tittle & Curran, 1988).

The conflicting values/beliefs between members of the ruling class and those that make up the minority generate concern among those that make up the ruling class. Specifically, they believe that the counter belief/value system of minorities serve as a threat to the interests and stability of the ruling class' value system. From this perspective, minority youths, in particular, can represent a threat to society (Liska & Chamlin, 1984). More recently, scholars have suggested that the threat is symbolic and not political or economic (Sampson & Laub, 1993; Tittle & Curran, 1988). Either way, the ruling class uses methods of formal social control (e.g., arrest) to criminalize behaviors (not necessarily criminal) that are more common among minorities. Therefore, if minorities make up a greater proportion of the population in a given community, they are more likely to be subjected to increased surveillance, scrutiny, and contact with the juvenile/criminal justice system.

Based on conflict theory, discriminatory decision making is most likely to occur in areas with a greater density of minorities and youths (Tittle & Curran, 1988). The empirical status of the racial threat hypothesis is mixed. Some studies have found support (or partial support) for features of the racial threat hypothesis. For example, Moak et al. (2012) examined record data for 67,612 juvenile detention center admissions. The researchers found that minorities are more likely to be detained for lengthier stays than white youths. The effect becomes stronger in communities with greater levels of structural disadvantage. The findings also revealed that youths were more likely to have lengthier detention stays if they reside in communities with higher crime rates.

Davis and Sorensen (2012) found limited support for the racial threat hypothesis. The researchers found the percentage of the black population in a state was significantly related to racial disparities in confinement rates providing support for the racial threat hypothesis. The researchers also hypothesized that economic equality in a neighborhood would be perceived as threatening. They used a ratio of black to white employment to tap racial unemployment inequality (i.e., an economic indicator), which was not significantly related to race disparities in the confinement rates.

Researchers have also suggested that “race-neutral” policies and practices can disproportionately impact minority youths (Piquero, 2008). Hot-spot policing has the potential to increase disparities in arrest and is a practice that is commonly used by police agencies throughout the United States. This strategy focuses patrols and increases surveillance in high-crime areas that are commonly located in impoverished inner-city neighborhoods with a high proportion of minorities (Wilson, 1986). Furthermore, scholars have suggested that increased police surveillance and police-initiated contacts increase legal cynicism among minority youths (Bishop, 2005). The perception of unfair treatment by the police can lead to the deterioration of positive police-citizen interactions, increasing the likelihood that minorities get arrested, processed through the system, and receive more severe dispositions (Bishop, 2005; Piquero, 2008).

The War on Drugs is an example of an initiative that shaped law enforcement policing practices. The War on Drugs is a national initiative that dates back to the 1980s to address an increasing drug problem. Police began to aggressively patrol and conduct targeted enforcement in inner-city neighborhoods that were known to have high levels of drug-related offenses (Chin, 2002). Ultimately, the War on Drugs had an enduring impact on minorities that resided in those communities. Similar initiatives infiltrated the education system (e.g., zero-tolerance policies). Zero-tolerance policies increased in popularity around the start of the War on Drugs. These policies enabled schools to suspend or expel youth for engaging in serious antisocial behavior on school grounds. More recently, these policies have begun to target non-violent behaviors such as drug use and possession (Giroux, 2003; Skiba & Knesting, 2001).

A large number of studies have examined the differential treatment hypothesis. Two large scale systematic reviews analyzed more than 40 state-level assessments of DMC (Leiber, 2002; Pope & Leiber, 2005). Pope and Leiber (2005) examined 44 individual state assessments of DMC and found statistically significant race differences in juvenile justice outcomes in 32 studies. In the 32 studies that found race effects, researchers also tested for the differential offending hypothesis by including legally-relevant variables in their analysis. The authors concluded that the effect of race is often small but nonetheless statistically significant compared to the modestly strong direct effects of legally-relevant factors. Furthermore, there is a cumulative effect that occurs across decision-making stages that differentially impacts minority youths. Cumulative disadvantage happens when earlier decision points (e.g., pre-adjudication detention) increase the likelihood of later negative outcomes (e.g., secure confinement; Chin, 2016). This is reflected in the research when racial/ethnic disparities increase at later decision points. Studies have found support that cumulative disadvantage exists, which can be highlighted by the fact that racial/ethnic disparities are oftentimes greatest at the decision to place youths in secure confinement facilities and waiver to criminal court (Pope & Leiber, 2005).

## DMC in Arrests and Referrals

Although DMC efforts have shown some promise in reducing the role that race may play at various decision points, findings from several comprehensive systematic reviews show that race still factors into decision making in the juvenile justice system even when studies account for legally-relevant variables (e.g., offense-

level characteristics, prior record). The conclusions that can be drawn from these state-level evaluations is that racial disparities exist at most decision points in the juvenile justice process, including, but not limited to, the arrest and referral decision points (Pope & Feyerherm, 1990; Pope & Leiber, 2005; Pope, Lovell, & Hsia, 2002). For example, Pope and Leiber (2005) conducted a systematic review examining 32 studies from 39 states – 17 of which considered the arrest decision point or police officer decision making and 22 examined the referral/juvenile petition decision point. Of the 32 studies, the researchers found that legal factors accounted for the majority of explained variation in juvenile justice outcomes in only 12 studies. Race, however, was a significant predictor of at least one of the decision points even when accounting for legally-relevant factors. The authors concluded that, although legally-relevant variables were the strongest predictors of decision making, they were unable to fully attenuate the relationship between race and decision making.

Specific to the current study, there are two points of contact that are the emphasis of our analysis: arrests and referrals. The two paragraphs that follow will discuss the extent to which racial/ethnic disparities exist at both of these decision points. Additionally, in the discussion section of this report, we provide a brief overview of strategies that have been developed to reduce DMC at these points of contact. Although there is limited research that has examined the effectiveness and efficacy of these efforts, we further elaborate on them and their potential to reduce DMC within the context of the findings presented in this study.

Pertinent to studying racial/ethnic disparities in the juvenile justice system, it is important to establish the make-up of non-white youths in the general population. Recent population estimates reveal that white youths make up the majority of the juvenile population ages 10 to 17 in 2007 (78%; Puzzanchera, 2009). Of the remaining 22%, 17% of juveniles were black, 5% were Asian/Pacific Islanders, and 1% were American Indian/Native Alaskan. Hispanic youths were mostly counted in the white racial category due to discrepancies in reporting across all law enforcement agencies and, thus, the population numbers described include Hispanic youths with whites. When considering violent crimes involving juveniles reported in 2007, white youths accounted for 47% of arrests, 1% involved Asian/Pacific Islander youths, 51% of arrests involved black youths, and 1% involved American Indian/Native Alaskan youths. Additionally, Puzzanchera (2009) examined juvenile arrests for all reported property crimes in 2007 by race subgroups of which, 66% involved white youths, 32% black youths, 1% Asian/Pacific Islander youths, and 1% American Indian/Native Alaskan. Based on these proportions, and compared to the population estimates, black youths were vastly overrepresented in arrests for both violent and property crimes.

The referral decision point has received less attention in the DMC literature compared to later juvenile court processing decision points (e.g., adjudication, disposition). Similar to the arrest decision point, few studies have examined DMC at the referral stage of the juvenile justice process. Much of the research has been descriptive in regard to police referrals. In a DMC study that assessed juvenile court referrals in three separate cities, Huizinga et al. (2007) found that race was a statistically significant predictor of referral. The size of the effect was relatively small but remained statistically significant when accounting for legally-relevant factors. In one city, however, the effect of race on juvenile court referrals was reduced to non-significance when other extra-legal factors were introduced into the model (e.g., socioeconomic status, family structure, education, and neighborhood context).

It is also important to consider what DMC looks like locally in Utah. Based on public access DMC reports generated by the Utah Commission on Criminal and Juvenile Justice in 2017, similar patterns emerge in regard to those described above. Non-white youth account for approximately 25.3% of the population of youths, ages 10 to 17, in Utah. Hispanic/Latino youth are the largest non-white subgroup in Utah (17% of

the total population), followed by “other”/mixed race (2.6%), Asian (1.7%), Native Hawaiian/Pacific Islander (1.6%), black (1.4%), American Indian/Alaska Native (1.1%). White youths accounted for 69.2% of all reported juvenile arrests in Utah compared to 21.1% Hispanic, 5.3% black, 2.6% Asian, and 1.9% American Indian/Alaska Native. Furthermore, non-white youths are significantly more likely to be arrested compared to white youths when accounting for the population estimates of juveniles ages 10 to 17. For example, black youths are four times more likely to be arrested compared to white youths in Utah.

Based on the available evidence, minority youth are also overrepresented at the referral stage of the juvenile justice process (Pope & Leiber, 2005). In Utah, DMC at the referral point of contact appears to exist for some race subgroups. Unlike the arrest decision point, however, the data indicates parity in the referral rate for black youths when compared to their white counterparts. In 2017, 14,686 cases were referred to the juvenile court. Approximately 62% of the referrals were white youth and 27.4% were Hispanic or Latino youths. Based on the population breakdown described above, minority youths – in particular, Hispanic or Latino youths – make up a much larger proportion of the total number of referrals compared to their make up in the general population. Black youths were not significantly more likely to be referred to juvenile court. Hispanic or Latino youths were 1.4 times more likely to be referred to juvenile court compared to white youths. American Indian or Alaska Native youths were 1.2 times more likely to be referred to juvenile court compared to whites<sup>1</sup>.

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<sup>1</sup> Note that these numbers will not agree with values in the appendix for a couple reasons. First, the RRIs in the appendix were calculated based on a calendar year. RRIs computed for CCJJ’s annual reports are computed based on a Federal Fiscal Year. For that reason, values obtained using the two methods would not be expected to be identical. Second, OJJDP requires that arrest RRIs use referral numbers as the denominator. The State of Utah, however, recomputes the values using USBE population values as the denominator for both arrests and referrals. This change was made at the recommendation of an OJJDP trainer who, along with CCJJ personnel, noted that (at least in Utah) referrals are not a subset of arrests and, in many cases, referrals can greatly outnumber arrests. This occurs partly because arrests and referrals are reported from different databases, and there is no way to connect an individual arrest to an individual referral. In some cases, this can drastically alter the RRI values relative to the OJJDP standard (usually creating a notable increase in the RRI value).

## The Current Project

Having examined the literature related to DMC, theories of cause, and the current state of the literature regarding initiatives to reduce DMC, we now focus on the research conducted in the course of the current project. The focus of the research was on DMC at the arrest and referral points of contact, particularly as occurring outside of the school setting. Although there are additional points of contact beyond arrest and referral<sup>2</sup>, CCJJ and the DMC sub-committee identified these first two points of contact as the primary foci of study and for implementation of intervention strategies.

Though some of the specifics of each of the goals set at the outset of the study could not be achieved (for reasons discussed below), the project began with four broad goals:

1. Perform a literature review of DMC and discuss best practices for DMC reduction in order to address gaps or enhancements to best practices where already in use.
2. In order to identify periods where DMC RRIs reflect relatively more or less disproportionality, analyze DMC RRIs to examine changes over time for the targeted jurisdictions. An RRI is defined as a rate of contact for a minority group (adjusted for population prevalence) divided by the rate of contact for white youth (adjusted for population prevalence). The result of this division creates a ratio which, in this case, is an RRI. Relative values significantly greater than 1.0 indicate disproportionality.
3. Conduct surveys with law enforcement, juvenile court personnel, juvenile and court probation officers, and juvenile case managers in order to better understand what policies or programs might have contributed to periods of greater disparity or periods of parity in the RRIs (from the perspective of these groups).
4. Perform interviews with a sample of representatives from the surveyed stakeholder groups to identify currently used DMC-reduction practices, potential for improvement, and to “drill down” on areas from surveys in need of additional detail/input.

The first goal was covered in the first section of this report. The second goal, related to the patterns of change in RRIs over time within jurisdictions, is partly related to the surveys (goal 3). Survey respondents were shown the RRI trends for their jurisdiction as part of the survey. These RRI trend figures are available in Appendix A; an introduction section in the appendix explains limitations regarding the figures as well as how to interpret the figures. A text summary of the trends is also provided.

The fourth goal involved performing interviews with law enforcement and court personnel in order to address some of the issues from surveys that were in need of additional detail. An analysis of the interview findings follows the analysis of survey findings. The report then concludes with a discussion of what was gleaned from the information gathered in each of these goals.

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<sup>2</sup> For reference, the points of contact are: arrest, referral to court, diversion (i.e., rehabilitation programs to keep youths out of the criminal justice system), secure detention, petition (i.e., charges filed), finding of delinquency, probation, secure confinement, and transfer to the adult system

## Survey Analyses

Originally, surveys were intended to be completed by both court and law enforcement across several jurisdictions in Utah. However, upon reviewing the survey, court administrative personnel felt uncomfortable asking employees to complete the survey, which required offering some opinions on why DMC would occur at the arrest level (in addition to the referral level). Ultimately, the courts decided this could jeopardize their relationship with law enforcement and declined to participate. Some information that would have been assessed in the surveys is covered in the interviews, and the reader is referred to the interview section for feedback provided by court personnel. RRIs related to referrals (as well as arrests) are also available in Appendix A.

Surveys were sent to law enforcement contacts by the state’s DMC coordinator. The email invitation was written by UCJC staff and requested that the DMC coordinator’s law enforcement contacts send a link to the online survey to their staff. The email explained the purpose of the study was to obtain law enforcement responses regarding their perceptions of encounters with youth that result in an arrest (referral items from the survey were not analyzed due to lack of court personnel completing the survey). When necessary, the DMC coordinator followed up with additional emails and phone calls. Despite these efforts, survey participation was uneven across jurisdictions. As seen in Table 1, 19 agencies were invited to participate in the survey. An additional category of “Other Law Enforcement Agency” was included to allow for additional responses from other agencies, but only those identified in the table were directly targeted for participation.

**Table 1: Participating Agencies and Number of Respondents per Agency**

Agency	N	Percentage
Salt Lake City Police Department	70	28.9
Unified Police of Greater Salt Lake	53	21.9
West Valley City Police Department	43	17.8
South Jordan Police Department	17	7.0
Other Law Enforcement Agency	12	5.0
Ogden Police Department	11	4.5
Sandy Police Department	8	3.3
West Jordan Police Department	8	3.3
Utah Highway Patrol - Salt Lake City	7	2.9
Salt Lake County Sheriff	4	1.7
Bluffdale Police Department	2	0.8
Granite School District Police Department	2	0.8
Murray Police Department	2	0.8
Cottonwood Heights Police Department	1	0.4
South Ogden Police Department	1	0.4
St. George Police Department	1	0.4
Draper Police Department	0	0.0
Logan Police Department	0	0.0
North Ogden Police Department	0	0.0
South Salt Lake Police Department	0	0.0

As seen in the table, over 50% of respondents came from two agencies: Salt Lake and Unified Police Departments. Representation from agencies other than these two, and West Valley, was minimal. Overall, 242 law enforcement personnel provided at least some responses to survey items and this value can be used to evaluate participation on each specific item. For example, if an item below has 121 responses, 50% of the officers who started the survey provided a response to the item. Some officers did not provide a response

to certain items, some items were not seen due to skip logic (e.g., an item does not apply due to a previous response), and some officers stopped the survey before answering all questions.

## Analytic Caveats

The lack of participation from certain agencies made an analysis by LEA unfeasible, and, unfortunately, two of the agencies originally targeted by this study (Logan and St. George Police Departments) provided only one response between them despite repeated efforts to increase participation. For survey-related analyses that follow, outcomes are provided by agency, but only for the agencies with a sufficient number of respondents; this means analyses below separate the agencies as follows: Salt Lake, Unified, West Valley, and “Other.” The “Other” category includes all agencies besides Salt Lake, Unified, and West Valley, including the category “Other Law Enforcement Agency.” For the sake of parsimony, the term “Other” agency is used throughout this report to indicate membership in the grouped category and is treated as an agency in itself. The reader should keep in mind that a diverse set of agencies actually comprise this category.

A further complication to an LEA level analysis is that not all respondents answered all questions. Because of the limited number of responses to certain items, analyses are not based on complete cases (i.e., those cases with no missing data for any questions). Instead, all responses for a given item were analyzed. This means that sometimes responses are representative of a select group of officers who elected to respond and one cannot, with any certainty, infer a relationship between responses to different items. For this reason, comparison across items is rarely provided and is not generally recommended. When such a comparison is made, the analysis is limited to those individuals responding to both of the compared items.

In the summary tables that follow, two types of tables are provided, depending on the nature of the item/question. When an item was categorical in nature, for example officer sex or title, the number and percentage of cases providing a given response is given. When the item was assessed on a scale, for example a scale from 0 (“Not at all”) to 4 (“A great deal”), a table of means is provided. Finally, a few items are presented as figures. Figures are used for questions with a large number or response options and are used to communicate the maximum amount of information in a minimum amount of space.

Finally, this section of the report merely provides results from the law enforcement survey<sup>3</sup>. Conclusions about the meaning of those results, as well as connections between the literature review, survey results, and interview results, are reserved for the discussion section of the report.

## Demographics

### Sex

One hundred twenty five participants responded to a question regarding their sex (Table 2). Respondents were overwhelmingly male in all departments except the Unified Police Department, in which 30% of respondents were female. No participants indicated “other” for their sex.

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<sup>3</sup> Due to the length of the survey (e.g., each agency viewed jurisdiction specific RRI and some questions were specific to those RRI), no copy is attached as an appendix, but is available from the DMC coordinator at CCJJ upon request.

Table 2: Sex of Respondents

Agency	Sex	N	Percentage
Other Agency	Female	1	3.3
	Male	29	96.7
Salt Lake City PD	Female	2	5.6
	Male	34	94.4
Unified PD	Female	9	30.0
	Male	21	70.0
West Valley City PD	Female	2	6.9
	Male	27	93.1

### Title/Position

LEA survey respondents were also asked to indicate their title or position within their agency. One hundred twenty four participants provided a response to this item. Table 3 shows the breakdown of respondent titles by agency. Over 40% of respondents in “Other” agencies were Patrol Officers (41.4%), followed in prevalence by Sergeants (17.2%) and then Detectives (13.8%). Other positions were less common at 6.9% of the sample or less. While School Resource Officers (SROs) were not targeted by the survey, as the focus of the study was on arrests and referrals occurring outside of the school setting, some SROs did respond and were included in the analyses that follow.

In Salt Lake, Patrol Officer (44.4%) was again the most common response, but Salt Lake respondents included a high number of detectives (25.0%; similar to West Valley below). Sergeants (22.2%) were the third most common category. In the Unified Police Department, Patrol Officers provided the majority of responses (58.1%), followed by Detectives (16.1%) and then SROs and Sergeants (9.7% each). The composition of respondents in West Valley was similar to Salt Lake. Patrol Officers were the most common respondents (34.5%), followed by Detectives (24.1%), and then Sergeants (20.7%)

Table 3: Title/Position of Respondents

Title	Other		Salt Lake		Unified		West Valley	
	N	%	N	%	N	%	N	%
Administration	1	3.4	0	0.0	0	0.0	0	0.0
Analyst	1	3.4	0	0.0	0	0.0	1	3.4
Chief	1	3.4	9	25.0	1	3.2	0	0.0
Detective	4	13.8	0	0.0	5	16.1	7	24.1
JJS Supervisor	1	3.4	0	0.0	0	0.0	0	0.0
Lieutenant	1	3.4	1	2.8	0	0.0	4	13.8
Other	0	0.0	1	2.8	0	0.0	1	3.4
Patrol Officer	12	41.4	16	44.4	18	58.1	10	34.5
Sergeant	5	17.2	8	22.2	3	9.7	6	20.7
SRO	2	6.9	1	2.8	3	9.7	0	0.0
Trooper	1	3.4	0	0.0	0	0.0	0	0.0
Victim Advocate	0	0.0	0	0.0	1	3.2	0	0.0

### Experience

Participants were also asked how many years of experience they had in law enforcement. This was a free text response and some officers provided only a number while others provided a “string” response, such as “20+ years”). In instances where a string was provided, the numeric portion was extracted and used as the response. For example, “20+ years” was coded as “20” because the exact value could not be discerned.

Table 4 provides a breakdown of law enforcement experience by agency for 127 participants who provided a response. The table provides the number of officers who responded, the mean (or average) number of years of experience, and the standard deviation around the mean value. The standard deviation can be conceived as a measure of variability around the mean value.

A wide range of experience was observed, with some respondents having less than one year of experience and a few having over 30 years of law enforcement experience. Among the agencies provided below, most are similar in terms of experience, with the exception of Salt Lake City police. Salt Lake City police who responded to the survey had considerably more years in law enforcement than officers from other agencies. Salt Lake City officers had, on average, between 4.3 and 6.3 more years of experience, Unified PD was the second most experienced, followed closely by West Valley and then “Other” agencies.

Table 4: Law Enforcement Experience

Agency	N	Mean	SD
Other Agency	31	11.7	8.07
Salt Lake City PD	37	18.0	8.13
Unified PD	30	13.7	8.34
West Valley City PD	29	12.6	7.95

## Education

Educational background was equally diverse among the 128 participants who responded to the item. Participants were offered the five choices in Table 5; the number and percentage of cases selecting a response option by agency is provided in the last two columns of the table.

Table 5: Education

	Education	N	Percentage
Other Agency	High school graduate, GED, or equivalent	3	9.4
	Some college/technical school	10	31.2
	College graduate	11	34.4
	Some graduate school	2	6.2
	Completed graduate degree	6	18.8
Salt Lake City PD	High school graduate, GED, or equivalent	8	22.2
	Some college/technical school	19	52.8
	College graduate	2	5.6
	Some graduate school	7	19.4
	Completed graduate degree	3	9.7
Unified PD	High school graduate, GED, or equivalent	13	41.9
	Some college/technical school	10	32.3
	College graduate	3	9.7
	Some graduate school	2	6.5
	Completed graduate degree	2	6.9
West Valley City PD	High school graduate, GED, or equivalent	10	34.5
	Some college/technical school	15	51.7
	College graduate	2	6.9
	Some graduate school	3	9.4
	Completed graduate degree	10	31.2

As seen in the table, the most frequently selected response among respondents from “Other” agencies was “College graduate,” while “Some college/technical school” was most common in Salt Lake (52.8%) and West Valley Police Departments (51.7%), and “High school graduate, GED, or equivalent” was most

common in the Unified Police Department (41.9%). Notably, the West Valley Police Department had a relatively high number of respondents with a graduate degree (31.2%) when compared with other agencies.

### Race/Ethnicity

Participants were also asked to indicate their race/ethnicity using the options in Table 6. "White, non-Hispanic" was the most common and represented the vast majority in all agencies, followed by "Other." There were some minor differences across agencies in the percentage of participants who reported they are of a non-white race/ethnicity. For example, 25.8% of respondents from Unified indicated their race/ethnicity was non-white; whereas 18.9% of respondents from West Valley identified as a non-white race/ethnicity option.

While a few officers used the other field to indicate they were not comfortable answering the question or entered "N/A" (for not applicable), some used the field to indicate a grievance with the question. Such responses included: "Why is my race important?" and "Why does that matter?"; these were both from "Other" agencies. One respondent from one of the "Other" agencies indicated "European" and another indicated "American." Only one respondent (from West Valley) used the field to indicate an actual race/ethnicity choice that was not available, entering "Bi-racial."

Table 6: Race/Ethnicity of Respondents

Title	Other		Salt Lake		Unified		West Valley	
	N	%	N	%	N	%	N	%
American Indian or Alaskan Native	0	0.0	0	0.0	0	0.0	1	3.6
Asian	0	0.0	0	0.0	1	3.2	0	0.0
Black or African American	0	0.0	1	3.0	1	3.2	0	0.0
Hispanic, Latino/a, or Spanish	0	0.0	1	3.0	3	9.7	1	3.6
Middle Eastern or Northern African	0	0.0	0	0.0	0	0.0	0	0.0
Native Hawaiian or Pacific Islander	2	6.9	1	3.0	0	0.0	0	0.0
Other	4	13.8	4	12.1	3	9.7	3	10.7
White, non-Hispanic	23	79.3	26	78.8	23	74.2	23	82.1

### General Items

The survey next turned to general questions about factors that influence a decision to arrest a youth. These items were not driven by data specific to an LEA, but, rather, asked about observations and policy more generally.

#### Factors Impacting Decision to Arrest

Officers were asked to rank order the top 5 factors they believe contribute to the decision to arrest a youth from 1 (most important) to 5 (least important). Fourteen choices were provided, including "Other." Because item ranks could vary between agencies, a table was not deemed the most effective way to communicate the results. Instead, Figure 1 below shows the mean ranks for items by agency. A rank of 1 means the factor is most important and a rank of 5 indicates the factor was least important among ranked items (in this case, then, lower values on the figure indicate greater importance).

A couple caveats to the figure should be noted. First, in order to avoid giving disproportionate weight/rank to infrequently ranked items, any items with five or fewer officers choosing to rank the item were omitted. Items that were not ranked at all, or that were not ranked often enough to qualify, might reasonably be

considered either less important, or even unimportant, in arrest decisions. Items omitted because of infrequent selection, which, again, may be construed as lack of perceived importance in the decision to arrest include: Racial Composition of Neighborhood, Physical Appearance of Juvenile, Race of Juvenile, and Suspicious Behavior.

Second, the category “Other” arrest factor was omitted from the figure because officers could indicate any other factor they felt was important and these differed across officers; hence, “Other” did not refer to a single factor, but a range of factors and, as seen below, even officer comments. Accordingly, “Other” factors are listed below rather than being represented in the figure.

Third, because some ranks were identical across agencies, the point in the figure (representing the mean rank) from one agency could fully overlap an identical value from another agency. To avoid this behavior, the figure’s x-axis contains a slight “jitter.” The effect of a jitter can be seen by the fact that the points above an arrest factor do not fall on a straight line. This allows identical values to be shifted slightly left and right to avoid overlap.

Figure 1 shows a line and point graph of the mean ranks by agency. The x-axis (horizontal axis) provides the arrest factor while the y-axis (vertical axis) provides the mean rank of the item from 1 to 5 by agency. Each agency has its own line type and color in the figure and the figure’s legend shows which line type, colors, and point shapes correspond to each agency. Points in the figure reflect the mean rank for each agency. Lines are provided to help the reader follow the mean rank pattern for an agency across the ranked factors.

As seen in the figure, there was a considerable amount of agreement in the most important factors across agencies. For example, the most important officer-identified arrest factor, by a considerable margin and across all agencies, was “Offense Seriousness.” Unified and “Other” agencies gave this a mean rank of 1.2, while Salt Lake gave it a mean rank of 1.4, and West valley gave it a mean rank of 1.7. The next most important factors, once again across agencies, were “Youth Role in the Offense” and “Injury to Victim,” followed by “Mandatory Arrest Policy” and “Perceived Risk to Community Safety.” The least important factors, again ranked similarly across agencies, were “Juvenile Record,” “Attitude and Demeanor of Juvenile,” and “Family and Guardian(s) Request.”

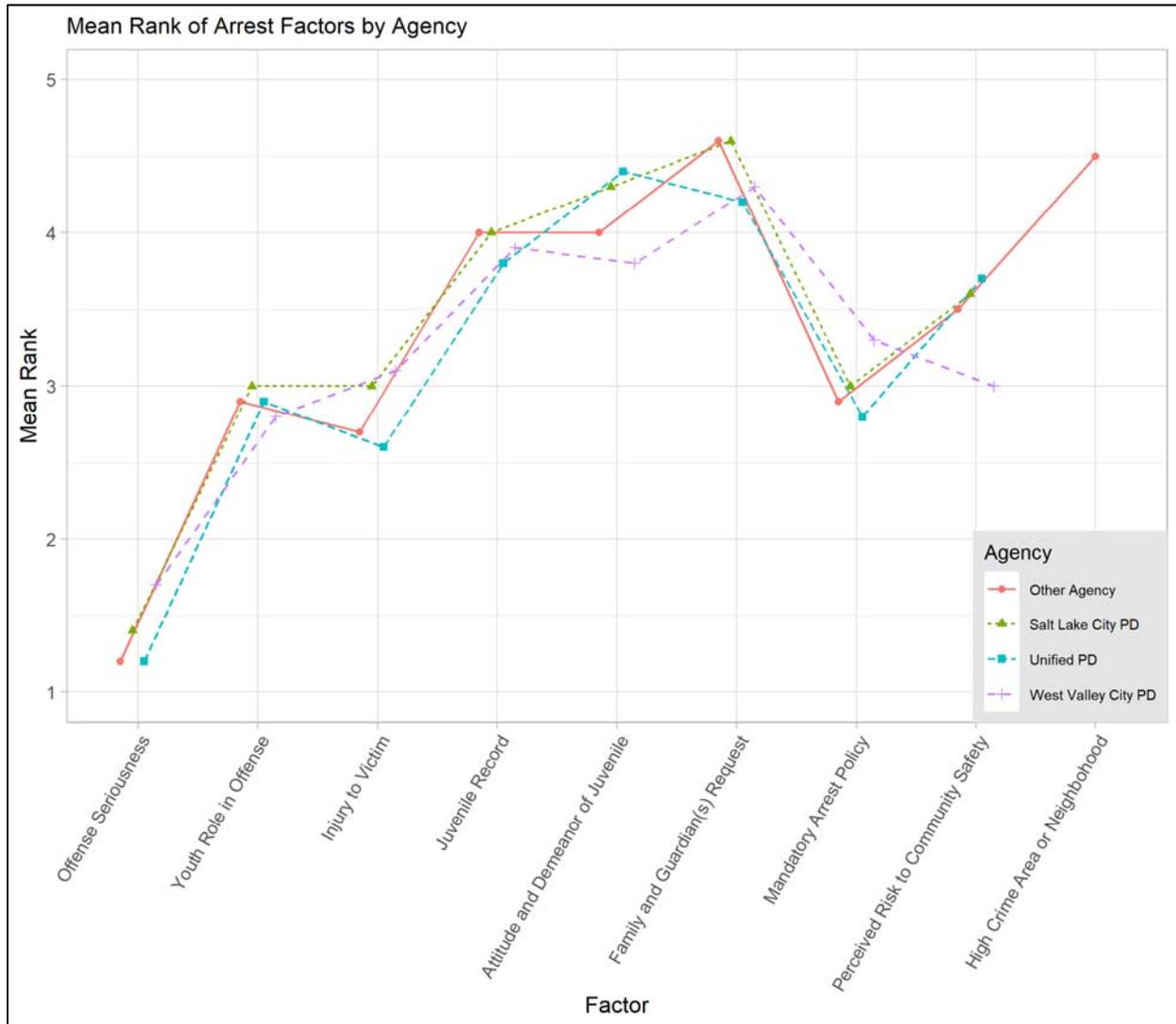
Interestingly, two points on the figure stand out from the pattern of general agreement across agencies regarding the most important determinants of an arrest. West Valley officers ranked “Perceived Risk to Community Safety” as a more important factor than other agencies. Also, only “Other” agencies ranked “High Crime Neighborhood” as a factor selected by six or more officers and also in the top five factors determining arrest. In other areas, this factor was selected too infrequently to qualify as an important factor and so other agencies do not have a mean rank for this factor.

Examination of the free text responses revealed additional categories, including: probable cause (two officers in West Valley), gang involvement (one “Other” agency officer and two West Valley officers), state law (one Salt Lake City officer), lack of other options (one “Other” agency officer), and number of times the juvenile had been involved in similar crimes (one “Other” agency officer). Another West Valley officer also indicated “criminal history” as an arrest factor, but this, and the comment that indicated “number of times the juvenile had been involved in similar crimes” could have been captured by the existing category of “Juvenile Record.”

Two other people used the free text space to express apparent resentment for the fact that “Race of Juvenile” was an option. These responses included: “Are you hoping to pretend we’re racist?” and “Are you serious about the other reasons?” It is important to note that, while we would hope officers would not select “Race of the Juvenile” as an important factor, in order to rule it out as a self-reported cause of DMC, the option

has to be available as a choice because differential treatment based on race and ethnicity is one potential cause of DMC.

Figure 1



### Attitudes of Non-White Youth toward Police Officers and the Juvenile Justice System

Law enforcement officers were next asked to provide their opinions regarding non-white youths’ attitudes toward police officers and the juvenile justice system. The questions asked: “To what extent are the attitudes of non-white youths positive toward police officers [or the juvenile justice system]?” The two questions were asked separately. The intent of the question was not for officers to speak for the youth, but to understand how officers believe they, and the criminal justice system, are perceived by youth. Items were scored with a rating scale range that included: 0 (“Not at all”), 1 (“A little”), 2 (“A moderate amount”), 3 (“A lot”), and 4 (“A great deal”).

Table 7 provides a breakdown of the ratings for both items by agency. The table provides the number responding (N), the mean rating, and the standard deviation (which, again, can be thought of as a measure of how much variability there was in the average response). One hundred ninety three officers answered the question about how non-white youths perceived them and 190 answered the question with respect to the juvenile justice system.

As seen in the table, ratings indicate officers’ perceived non-white youths as viewing them slightly more favorably than the juvenile justice system as a whole, but they did not believe either group is perceived particularly favorably by non-white youth. The highest rating on any item was provided by the Salt Lake police officers, who, on average, indicated non-white youth’s attitudes toward them corresponded to “A moderate amount” (2.0) in terms of favorability.

Table 7: Perceived Attitudes of Non-White Youth toward Police Officers and the Juvenile Justice System

	Police Officers			Juvenile Justice System		
	N	Mean	SD	N	Mean	SD
Other Agency	52	1.8	0.9	52	1.4	1.0
Salt Lake City PD	59	2.0	0.9	57	1.4	0.9
Unified PD	42	1.6	0.8	41	1.2	0.8
West Valley City PD	40	1.8	1.0	40	1.6	1.0

### Differential Offending

Another survey item asked officers whether they “see a difference in the amount of offending between non-white youths and white youths in the area that your agency services?” Table 8 shows the frequency of responses by agency. Examining the trends by agency reveals an interesting pattern. Agencies combined in the “Other” category, which, with the exceptions of Ogden City and the Salt Lake County Sheriff, are mainly suburban and rural, primarily indicated both groups engage in about the same amount of crime. An equal number (n=6) indicated white youth engage in more crime and non-white youth engage in more crime.

Table 8: Perceptions of Differential Offending

Agency	Response	N	Percentage
Other Agency	Non-white youths engage in more crime	6	11.8
	Both groups engage in about the same amount of crime	39	76.5
	White youths engage in more crime	6	11.8
Salt Lake City Police	Non-white youths engage in more crime	9	15.3
	Both groups engage in about the same amount of crime	48	81.4
	White youths engage in more crime	2	3.4
Unified Police	Non-white youths engage in more crime	11	26.8
	Both groups engage in about the same amount of crime	30	73.2
	White youths engage in more crime	0	0.0
West Valley Police	Non-white youths engage in more crime	13	32.5
	Both groups engage in about the same amount of crime	26	65.0
	White youths engage in more crime	1	2.5

The pattern is somewhat different for Salt Lake, Unified, and West Valley agencies. While the majority of respondents from each of these three agencies were still most likely to select that both groups commit the same amount of crime, one can see a relatively greater percentage indicating minority youth engage in more

crime. While the percentage indicating non-white youth engage in more crime is somewhat greater in Salt Lake than in “Other” agencies (15.3% of responses versus 11.8%), the rate at which officers selected this option within the Unified Police (26.8%) is more than double the rate in the “Other” agencies and, in West Valley, it is nearly triple (32.5%).

### Patterns of Juvenile Crime

Officers were next asked about changes in the patterns of juvenile crime: “Do you feel there been any changes in the patterns of juvenile crime in your jurisdiction over the past 10 years?” They were asked to rate changes in both frequency and severity of crime and they rated patterns as having either “Increased,” “Stayed about the same,” or “Decreased.”

Table 9 below shows the response frequencies. Officers in “Other” agencies, in the West Valley Police Department, and in the Unified Police Department overwhelmingly indicated that crime had increased in frequency over the past 10 years. An equal number of officers in the Salt Lake Police Department (n=25) indicated the frequency “Stayed about the same” or “Increased.” Notably, very few officers in any agency indicated frequency of crime had decreased over the last 10 years; in fact, across all four agency groupings, only two officers selected this option.

Table 9: Perceptions of Changes in Frequency of Juvenile Crime

Agency	Response	N	Percentage
Other Agency	Increased	37	82.2
	Stayed about the Same	7	15.6
	Decreased	1	2.2
Salt Lake City Police	Increased	25	49.0
	Stayed about the Same	25	49.0
	Decreased	1	2.0
Unified Police	Increased	31	81.6
	Stayed about the Same	7	18.4
	Decreased	0	0.0
West Valley Police	Increased	33	84.6
	Stayed about the Same	6	15.4
	Decreased	0	0.0

Responses related to changes in the severity of crime are provided in Table 10, and largely mirror perceptions related to frequency of crime. As with frequency of crime, Officers in “Other” agencies, in the West Valley Police Department, and in the Unified Police Department overwhelmingly indicated that crime had increased in severity over the past 10 years. The majority of Salt Lake officers also indicated severity had increased, but, relative to other agencies, more officers in Salt Lake indicated crime severity had “Stayed about the same.” Notably, very few officers in any agency indicated severity of crime had decreased over the last 10 years; across all four agency groupings, only three officers selected this option.

Table 10: Perceptions of Changes in Severity of Juvenile Crime

Agency	Response	N	Percentage
Other Agency	Increased	34	75.6
	Stayed about the Same	10	22.2
	Decreased	1	2.2
Salt Lake City Police	Increased	29	60.4
	Stayed about the Same	17	35.4
	Decreased	2	4.2
Unified Police	Increased	31	83.8
	Stayed about the Same	6	16.2
	Decreased	0	0.0
West Valley Police	Increased	33	86.8
	Stayed about the Same	5	13.2
	Decreased	0	0.0

### Familiarity with Juvenile Justice Terms

The next set of items inquired about officers’ familiarity with several important juvenile justice terms. The research team selected these terms for several reasons. First, the terms restorative justice, implicit bias training, and cultural awareness training have been identified in the DMC literature as promising practices for reducing DMC (Cabaniss, Frabutt, Kendrick, & Arbuckle, 2007). Second, the term Response and Incentive Matrix was included because this a behavioral strategy that is being implemented in the adult criminal justice system and has implications for guiding decision-making that could impact DMC. The research team included the other DMC-related terms based on their importance in the DMC summary reports listed on the CCJJ’s website ([https://justice.utah.gov/Juvenile/ubjj\\_dmc.html](https://justice.utah.gov/Juvenile/ubjj_dmc.html)).

Some of these items merely relate to DMC while others are means of dealing with DMC. For example, the Relative Rate Index (RRI) is a measure of the disparity of contact between white and minority youth adjusted for prevalence in the population; in that sense, it is a means of quantifying the problem of DMC. Implicit Bias and Cultural Awareness Training, on the other hand, are means of addressing DMC that apply to communities and law enforcement agencies.

Items were recoded such that the rating scale range included: 0 (“Not at all”), 1 (“A little”), 2 (“A moderate amount”), 3 (“A lot”), and 4 (“A great deal”). At this point in the survey, none of these terms had been defined, so these ratings reflect officers’ baseline awareness and familiarity with these terms. Figure 2 provides a summary of the responses for the 173 officers who provided a response. Forty-five responded from “Other” agencies, 51 from Salt Lake, 38 from Unified, and 39 from West Valley.

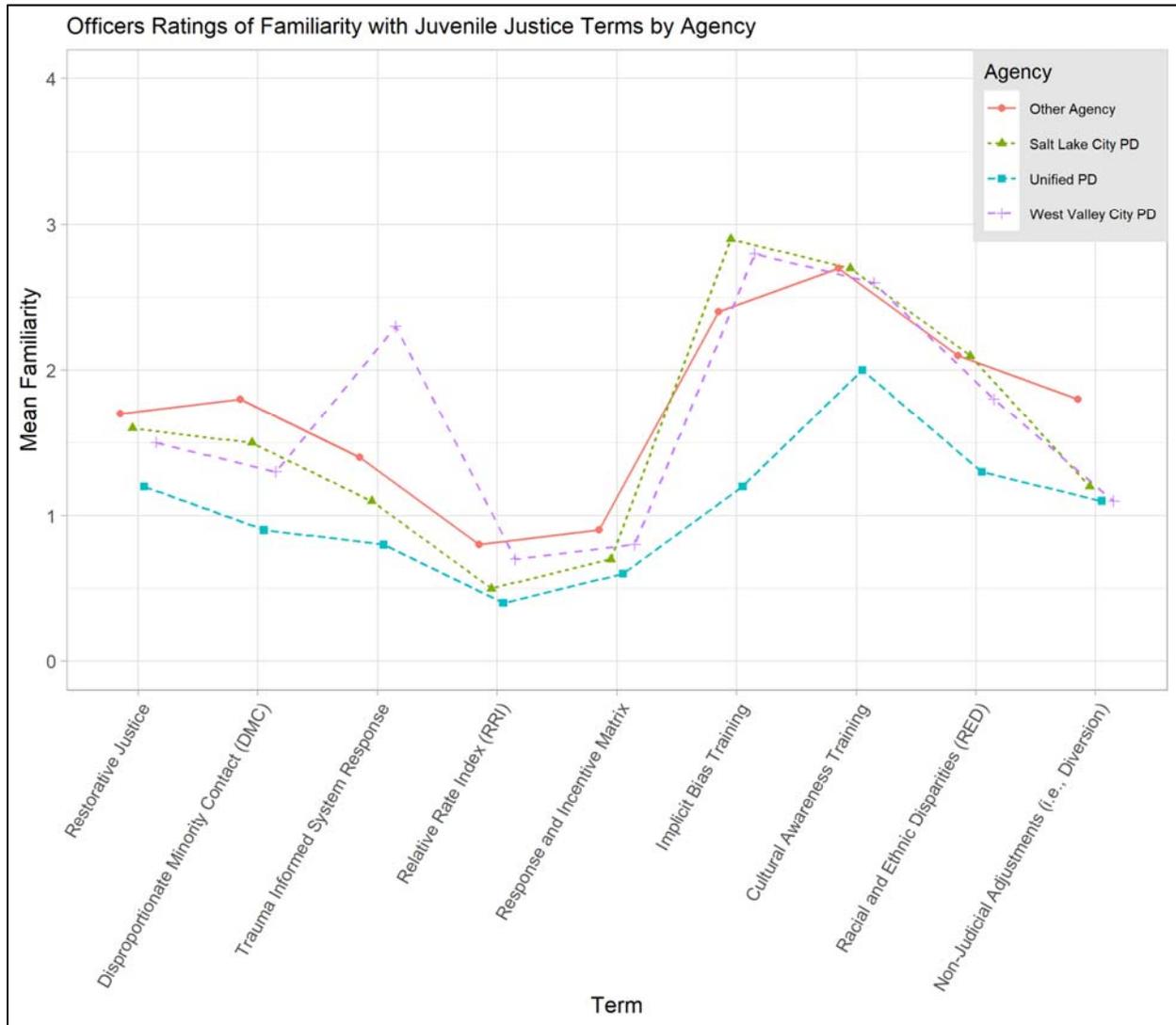
As with a previous figure, Figure 2 shows a line and point graph of the mean familiarity by agency. The x-axis (horizontal axis) provides the juvenile justice terms while the y-axis (vertical axis) provides the mean level of familiarity from 0 to 4 by agency (higher values on the axis indicate more familiarity). Each agency has its own line type and color in the figure and the figure’s legend shows which line type, colors, and point shapes correspond to each agency. Points in the figure reflect the mean familiarity for each agency. Lines are provided to help the reader follow the mean familiarity pattern for an agency across the ranked factors.

Perhaps most notable in the figure is the fact that officers in all agencies indicated, on average, being between “Not at all” and “A little” familiar with the term RRI and indicated familiarity between “A little”

and “A moderate amount” for the term DMC. They were somewhat more familiar with the term “Racial and Ethnic Disparities (REDs),” which is synonymous with the term DMC.

With the exception of the Unified PD, officers across agencies indicated they had between “A moderate amount” and “A lot” of familiarity with implicit bias training and cultural awareness training. As seen in the figure, officers in the Unified PD were notably less familiar with these terms and were similarly less aware of REDs. Across all items, Unified PD indicated the lowest familiarity; the other three agency groupings were more similar in their self-rated familiarity with these terms.

Figure 2



### Existence of DMC

At this point in the survey, the term DMC was formally defined. The definition read: “Disproportionate Minority Contact, or DMC, occurs when the rates of contact with the juvenile justice system for minority groups are significantly higher than rates of contact for white youths accounting for their prevalence in the jurisdictional population.”

The next item asked: “Rate the extent to which Disproportionate Minority Contact (DMC) exists within your jurisdiction.” Respondents answered the question on the following scale: 0 (“Not at all”), 1 (“A little”), 2 (“A moderate amount”), 3 (“A lot”), 4 (“A great deal”).

Table 11 shows the number of officers responding to the item, the officer’s average or mean rating, and the standard deviation, or variability around that mean rating. West Valley officers were the most likely to indicate DMC existed, but, even there, the average rating fell between “A little” and “A moderate amount.” Other agencies indicated on average that it existed “A little” (Unified) or between “Not at all” and “A little” (“Other” agencies and Salt Lake).

Table 11: Officer’s Ratings of the Extent to which DMC Exists in Their Jurisdiction

Agency	N	Mean	SD
Other Agency	46	0.7	0.9
Salt Lake City PD	47	0.9	1.0
Unified PD	36	1.1	1.0
West Valley City PD	38	1.5	1.1

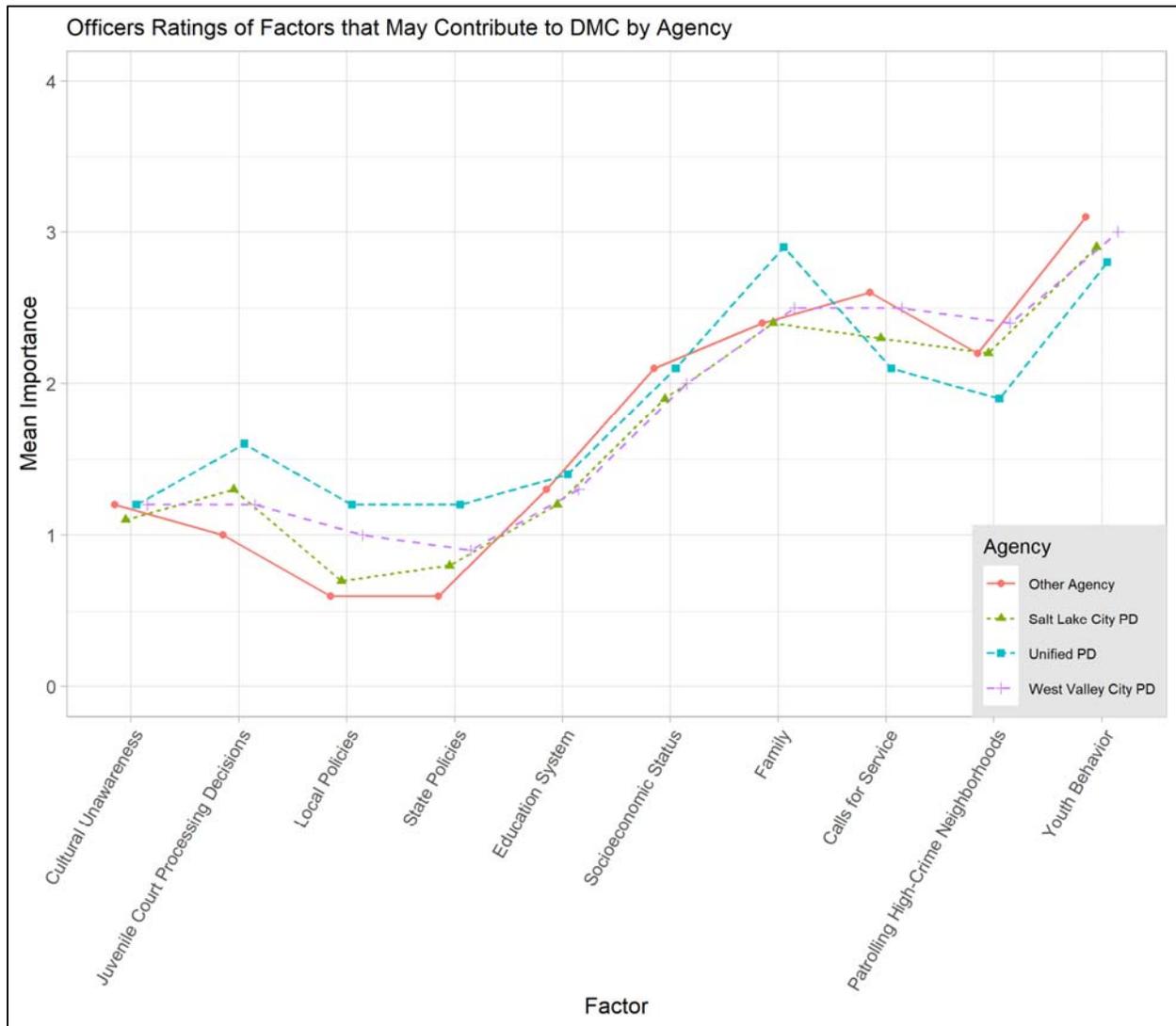
### Factors that Contribute to DMC

Officers only provided an answer to next item if their response to the item immediately above was something other than “Not at all.” Officers were asked to “Rate the extent to which you believe the following factors contribute to DMC in your jurisdiction.” They provided ratings for the 10 items seen in Figure 3 on the following scale: 0 (“Not at all”), 1 (“A little”), 2 (“A moderate amount”), 3 (“A lot”), 4 (“A great deal”). Of the officers who did not state “Not at all” to the question regarding whether DMC exists in their area, 98 provided an answer to this question. Eighteen responded from “Other” agencies, 28 from Salt Lake, 25 from Unified, and 27 from West Valley.

Figure 3 has the same features as the previous figure and shows the average response for each of the rated factors by agency (higher values on the y-axis indicate greater importance). One notable feature of the figure is the considerable agreement in the rankings across agencies. Of the provided options, several items were rated as being approximately only “A little” important across agencies. These items were: cultural unawareness, juvenile court processing decisions, local policies, state policies, and the education system. Items rated as being of moderate importance or greater (again across agencies) included: socioeconomic status, family, calls for service, patrolling high crime neighborhoods, and youth behavior. Youth behavior was the only item that, on average, was rated as being, approximately, of “A lot” of importance.

One interesting trend in these data is that factors related to the juvenile justice system or contextual causes were typically rated as less important than factors related to the individual. This is something the reader will see mirrored in responses to a later item (discussed below) that asks officers to explain periods of DMC, and DMC trends, observed in their jurisdictions. Socioeconomic status (SES) is, in some ways, a mix of contextual factors and person factors in the sense that SES is partly determined by environment, including opportunity, and also partly determined by person factors, such as education, experience, or work-related training. Other items that were rated highly, however, were typically related to persons (e.g., Family, Youth Behavior). One exception to this was the high rating for “Patrolling High Crime Neighborhoods”; this factor is more attributable to context than the individual.

Figure 3



### Familiarity with Initiatives to Address DMC

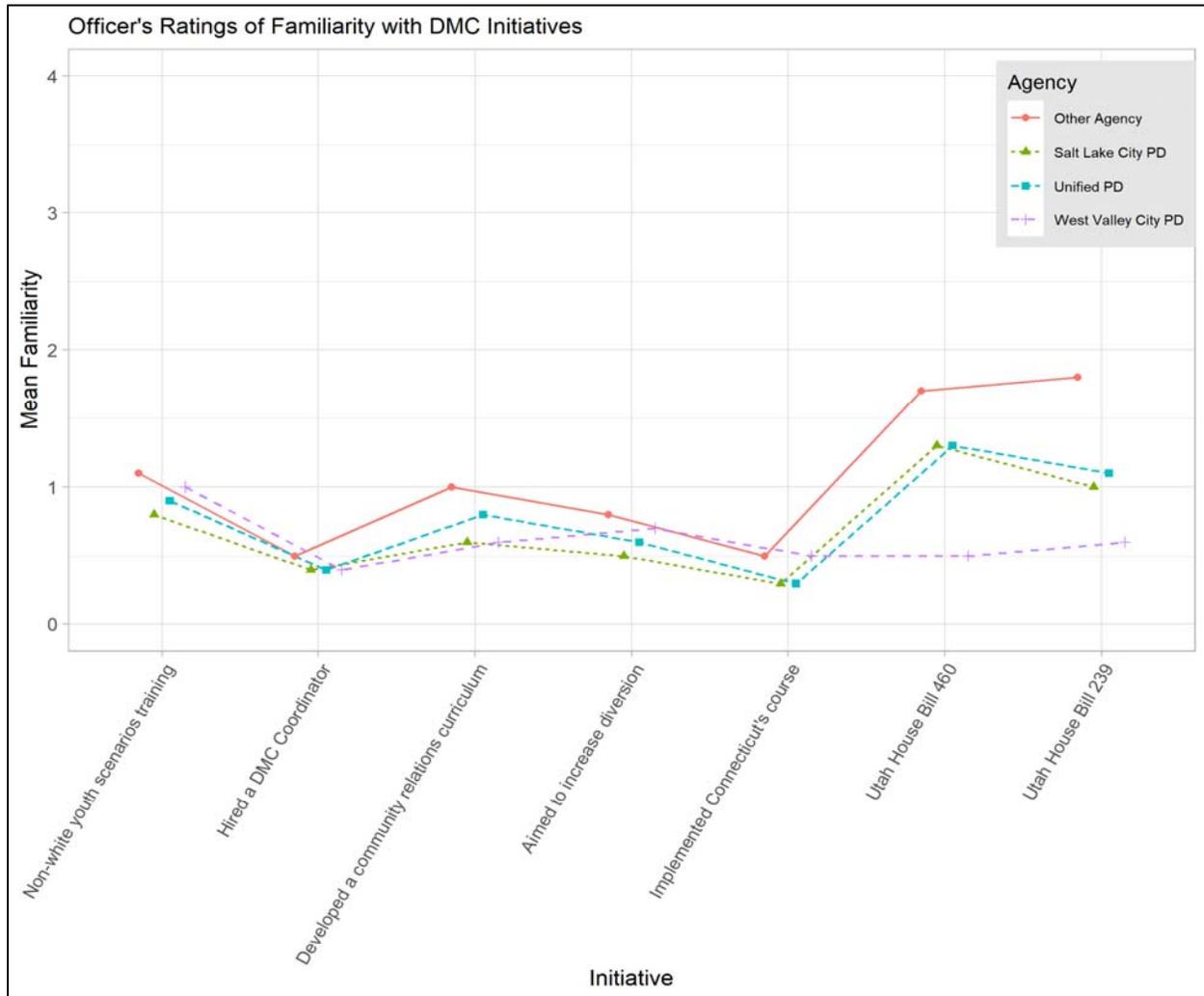
The next item asked officers to indicate their familiarity with initiatives that were enacted to address DMC. Similar to the survey items asking respondents to report their familiarity with juvenile justice terms, these initiatives were derived from the DMC summary reports listed on CCJJ’s website. The item stated: “In recent years the Utah Commission on Criminal and Juvenile Justice has spearheaded a number of initiatives and state legislation to reduce racial/ethnic disparities in juvenile arrests and referrals. How familiar are you with the following?” Officers were asked to provide responses to the following initiatives:

- Peace Officer Standards and Training (Post) being adapted to include non-white youth scenarios when training new cadets.
- Hiring a Disproportionate Minority Contact (DMC) Coordinator.
- Development of a community relations curriculum to include in POST training for new cadets.
- Aiming to increase the use of diversion among non-white race subgroups due to racial/ethnic disparities in Relative Rate Index values (RRI) - particularly for Hispanic youth.

- Implementation of the state of Connecticut's "Effective Police Interactions with Youth" course for law enforcement officers.
- Utah House Bill 460 - School Resource Officers and School Administrators Training and Agreement.
- Utah House Bill 239 - Juvenile Justice Amendments, which contains a number of policies designed to promote public safety, hold youthful offenders accountable for their behaviors, control costs associated with juvenile justice, and improve outcomes for justice-involved youths.

One hundred fifty three officers provided an answer to this question. Forty responded from “Other” agencies, 43 from Salt Lake, 35 from Unified, and 34 from West Valley. Ratings were provided on the following scale: 0 (“Not familiar at all”), 1 (“Slightly familiar”), 2 (“Moderately familiar”), 3 (“Very familiar”), and 4 (“Extremely familiar”). Higher values on the y-axis indicate more familiarity. Figure 4 provides the average rating of familiarity with these initiatives by agency. To save space, the labels for the initiatives (x-axis) have been abbreviated from the bulleted list above, but the abbreviated items on the x-axis correspond to the order from the bulleted list.

Figure 4



One can see that officer familiarity with these initiatives was generally quite low across agencies. In fact, officers did not indicate being “Moderately familiar” (a rating of 2) with any initiative on average and officers indicated they were approximately “Slightly familiar” (a rating of 1) or less on all but two initiatives. With the exception of those in West Valley, officers were generally between “Slightly familiar” and “Moderately familiar” with the two House bills. Officers from “Other” agencies were most familiar with these bills.

## Data-Driven Items

Items in this final survey section are considered data-driven in the sense that officers, for the first time during the course of the survey, viewed DMC-RRI trends over time from their own jurisdiction. RRIs were computed from 2007-2017 when data were available for that timespan. Some jurisdictions (e.g., South Salt Lake) did not have data available going back that far, but, in all cases, RRI trends were calculated for the maximum duration possible.

RRI trends were computed for Arrest and Referral points of contact. Computation of the RRIs, therefore, required data on arrests, referrals, and population size in each jurisdiction. Data on arrests were provided by the Utah Bureau of Criminal Identification (BCI); data for referrals came from the Administrative Office of the Courts (AOC); and data on population values came from the Utah State Board of Education (USBE) school enrollment data.

The RRI figures created from the process of analyzing BCI, AOC, and USBE data are available in Appendix A. Originally, the study intended to obtain officer feedback from each of the 19 agencies (excluding “Other”) listed in Table 1; however, as previously mentioned, some LEAs provided no or very limited responses despite multiple attempts to increase participation. Thus, while the survey analyses cover only “Other” agencies, Salt Lake, Unified, and West Valley, the RRI trends in the appendix are available for the majority of other agencies (see Appendix A for exceptions). Respondents from each agency saw only the figures specific to their jurisdiction and, within those, only figures that were selected for presentation by UCJC and CCJJ staff.

## Interpretation of RRI Figures

Before turning to details regarding the creation of RRI trend figures, some limitations related to the calculation of the RRI figures for some races/ethnicities are important to note. First, BCI data combines Asian and Native Hawaiian/Pacific Islander; accordingly, these two groups could not be modeled independently and are combined in trend figures for both arrests and referrals. Second, BCI does not collect data on “mixed” race youth and, accordingly, calculation of RRI figures for “mixed” youth could not be performed. RRIs for “mixed” race youth could be computed at the referral point of contact because the AOC collects this information. However, these figures were not viewed by court personnel because of the aforementioned decision by court administration not to participate in the survey. Accordingly, there are no survey responses that can be connected with the observed referral trends as a means of deriving explanation for the patterns. Some comments on the patterns are available in Appendix A.

After creating the RRI figures for Asian/Pacific Islander, black, Hispanic, Native American, and mixed (referral only) youth, UCJC personnel working on this project met with representatives from CCJJ to review each of the RRI trend figures. Together, each RRI figure was reviewed and figures were selected for presentation in the surveys based on 1) prevalence of the minority group in the area’s population, and 2) stability of the trends. These issues are related.

In order to have stable estimates, the population of interest, as well as contact with that population (here, in the form of arrests), has to be sufficiently large. In the LEA-level data, some minority populations, or contacts with that population, were so infrequent in an area that RRI trends were extremely unstable. In Appendix A, the reader can see an example (in the appendix introduction) of this in the form of very wide confidence intervals. Unstable RRI trend figures have been removed from the appendix; the reader is referred to the appendix for additional details.

Whenever trends were sufficiently stable owing to a reasonable population for a minority group, the RRIs were selected for presentation. This typically resulted in respondents seeing two to three figures for arrests and two to three figures for referrals. However, interpretation of the figures is somewhat complicated; to aid respondents in the task, detailed directions and explanations were provided. The introduction to the RRIs provided the following detail, including the example figure provided below:

In the next section, we present figures for the two to three most populous race/ethnicity groups in your jurisdiction. These figures contain RRI (Relative Rate Index) values over time. We will ask your opinion about factors that might have led to changes over time in the RRI values. Your answers should reflect the trends you see in these figures.

#### Relative Rate Index (RRI) Explanation:

RRI values reflect the rate at which minority youths are contacted relative to white youth accounting for their make-up in the general population.

An RRI value of 1 means that 1 minority youth was contacted for every 1 white youth who was contacted (again, adjusted for their make-up in the general population).

A red line in the figures is provided at the value of 1 to make it easier for the viewer to determine where there is parity (i.e., equality) in the rates of contact.

An RRI value of 2 would indicate disparity and would mean that 2 minority youths were contacted for every 1 white youth who was contacted.

Confidence bands are included for each RRI value in the figures. Confidence bands that do not overlap with a value of 1 indicate that there is a significant difference in the arrest/referral rates between minority youths and white youths.

#### How to Interpret the Graphs:

To help set concepts, please refer to the example RRI figure below. In this example, we are going to describe the RRI values and confidence bands for the years 2011 and 2014; however, when you view similar figures in the next section, you can focus on whatever years or patterns for which you are most comfortable providing your opinions.

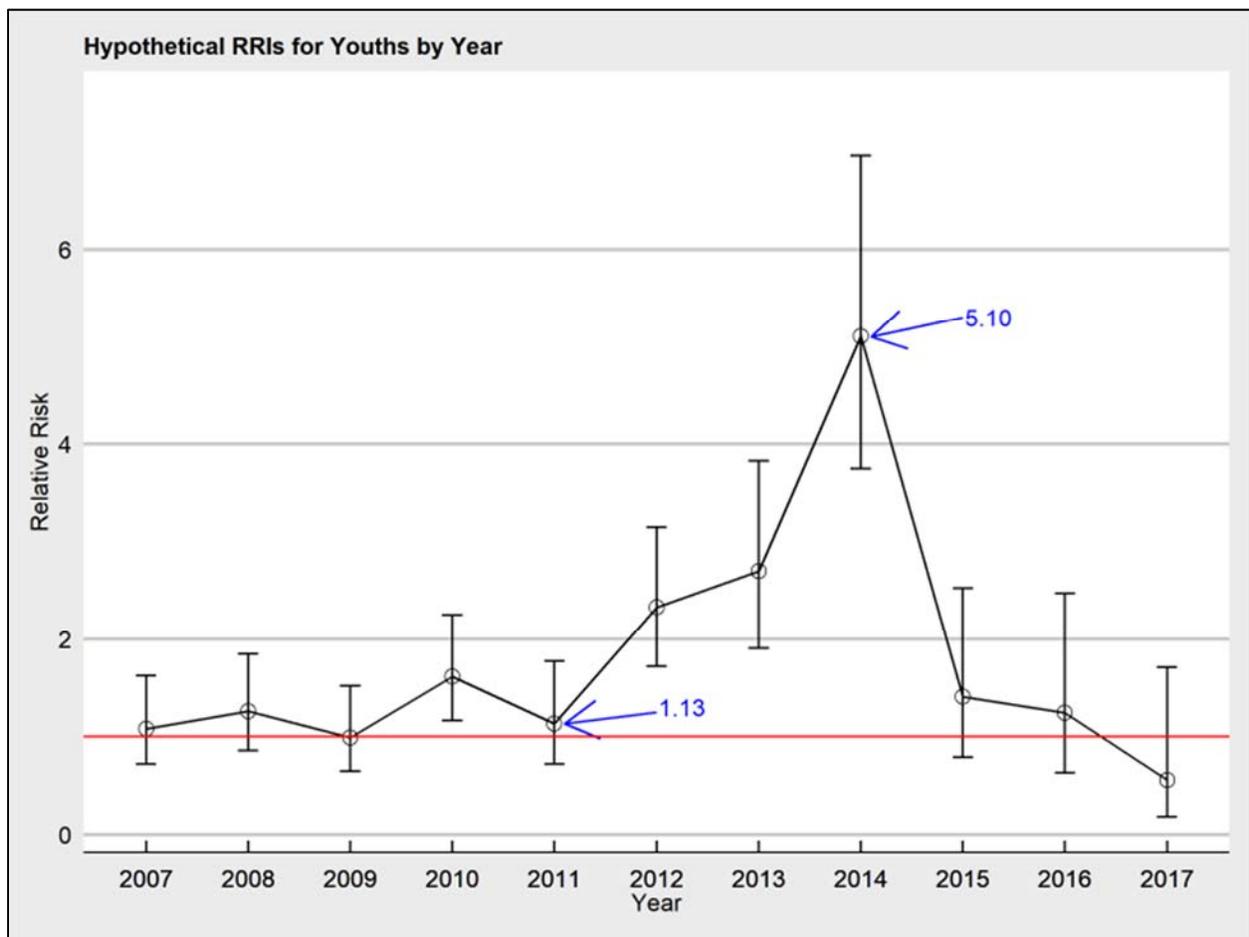
The RRI value in 2011 would indicate that there is parity (i.e., equality) in the arrests/referrals of minority youths because the confidence band overlaps with an RRI value of 1 even though the point estimate is slightly higher than 1 (i.e., 1.13). Conversely, the RRI values in 2014 would indicate that disparity exists in the arrests/referrals of minority youths because the confidence band does not overlap with an RRI value of 1.

The RRI value of 5.10 would be interpreted as minority youths are about 5.10 times more likely than white youths to receive an arrest or referral compared to white youths in 2014. Again, this is only a hypothetical example and the images you see will differ.

If this example figure was the one you were reviewing in the section that follows, depending on your own experiences, you might offer an explanation for why parity exists in most years before 2011, but then disparity occurs for a few years after that.

Alternatively, you might comment on one or two specific years in which certain events occurred that might have reduced or increased the RRIs. There are no right or wrong answers; we are purely seeking the informed opinions of those who work in each respective LEA.

Figure 5 (Example)



After reading this introductory explanation, respondents viewed figures specific to their jurisdiction, accompanied by the following statement: “While considering the patterns in the RRIs in the figure, please comment on the factors that might explain periods of both disparity and parity in the contact of minority youths at the arrest decision point, including increases or decreases in RRIs, as applicable. Factors might include, for example, increased criminal activity, family, cultural awareness training, or socioeconomic status.” The directions provided the appropriate race or ethnicity depending on the RRI figure the person

was evaluating at the time. At most, any one agency's respondents would have seen three arrest and three referral figures, for a total of six figures evaluated (though only arrest-related responses are summarized here).

While the expectation was the respondents would comment on figures for different race/ethnicity groups independently, in actuality, officers typically typed a response for only one figure and then either skipped responses for other RRI figures or copied and pasted their answer from a previous figure. In this sense, and as will be seen in the summary of responses below, officers seemed to rarely consider the unique features of figures or the unique race/ethnicity groups. Instead, the nature of their responses (detailed below) suggests they instead dedicated attention only to the issue of why DMC occurred and did not focus on changes in trends or even the different race/ethnicity groups.

In the vast majority of comments, groups were (perhaps unintentionally) folded into one and treated as "Minorities" regardless of the unique features one can see in the RRIs available in Appendix A. Evidence of this interpretation is well-illustrated by the fact that officers often cut and pasted responses across groups and, in some cases, explained patterns for all race/ethnicity groups as attributable to population changes in one group. For example, some officers attributed RRI trends for all race/ethnicity groups as being due partly to the influx of black refugees.

Unfortunately, the lack of attention to the specific features of the figures meant that an analysis by race/ethnicity could not be performed. Further decreasing the ability to provide an analysis by group was the fact that only 57 total officers provided responses. Accordingly, the analysis that follows analyzed and categorized 111 unique responses provided by the 57 officers who elected to respond to the RRI figures.

The first analysis categorizes the officer-reported causes of DMC; that is, this analysis focuses on periods of disparity while a later analysis focuses on officer's explanations of periods of parity. Categories for causes of disparity (i.e., DMC) are largely reflective of the major theories in DMC research that were outlined in the introduction of this report. For example, the categories of "Differential offending" and "Differential treatment" correspond to theories of why DMC occurs. All comments were categorized as: "Differential offending: Person factor," "Differential offending: Contextual factor," "Differential treatment," "Don't know," and "Other: media coverage." Examples of responses from each of these categories are provided below, following the categorized table, but the categories can be differentiated as follows.

- Differential offending: Contextual factor – this category reflects the belief that DMC is caused by differential offending by minorities, but not necessarily related to their race or ethnicity. Instead, differential offending related to contextual factors include, as examples: high density housing, poor economy with lack of job opportunities, or cultural misunderstandings.
- Differential offending: Person factor – this category connects DMC to minority youth committing more crimes. However, in contrast to the category above, this category does not explain differential offending as contextual, but, rather, as related to the person. Explanations in this category include, as examples, the belief that minorities are more often in gangs, commit more violent crimes, or offend more frequently.
- Differential treatment – though important in the literature, this explanation of DMC was mentioned very rarely (as seen in the table). Examples of explanations in this category include: lack of cultural awareness by officers, lack of specialized training, and inexperienced officers.
- Do not know – this category is largely self-explanatory, but it encompasses comments such as "I don't know," "I am not sure," or "Unsure."

- Other: Media coverage – this category is not related to theories of DMC and was unexpected. Specific examples from respondents are provided below, but the general theme within this category is that the media creates the perception of DMC by its coverage of police.

Table 12 provides a breakdown of responses according to these categories. In contrast to other tables in this report, the “N” in the table does not indicate the number of respondents, but the number of unique comments. Officers could supply more than one comment.

A clear pattern in the categorized data is that the vast majority of officers attributed RRI trends related to periods of disparity (i.e., DMC) to differential offending related to the person; this finding was true across agencies. The frequency of comments in other categories was more variable across agencies. For example, while “Other” agencies, Salt Lake, and West Valley officers were somewhat similar in their selection of “Differential offending: Contextual factor,” not a single officer selected this item in the Unified PD. Salt Lake and Unified officers were the most likely to indicate they did not know, and the idea that DMC resulted from media coverage occurred only in “Other” agencies and the Unified PD.

Table 12: Officer Explanations of Disparity in RRI Trends

Agency	Response	N	Percentage
Other Agency	Differential offending: Contextual factor	3	14.3
	Differential offending: Person factor	13	61.9
	Differential treatment	1	4.8
	Do not know	2	9.5
	Other: Media coverage	2	9.5
Salt Lake City Police	Differential offending: Contextual factor	5	16.1
	Differential offending: Person factor	19	61.3
	Differential treatment	0	0.0
	Do not know	7	22.6
	Other: Media coverage	0	0.0
Unified Police	Differential offending: Contextual factor	0	0.0
	Differential offending: Person factor	9	64.3
	Differential treatment	0	0.0
	Do not know	3	21.4
	Other: Media coverage	2	14.3
West Valley Police	Differential offending: Contextual factor	3	12.0
	Differential offending: Person factor	17	68.0
	Differential treatment	2	8.0
	Do not know	3	12.0
	Other: Media coverage	0	0.0

A categorized view is useful for summarizing the findings, but examples of responses from each category are necessary to better understand how the categories were created and, more importantly, officers’ individualized perspectives.

Differential offending attributable to person factors was the most common response. One of the most common comments encompassed by this category is “increased criminal activity.” At face value, this comment is not explicitly attributing differential offending to the person, but, by implying that increased

criminal activity led to DMC, the respondent is implicitly stating that more crime was committed by minorities; otherwise, DMC would not be a consequence. A similar and frequently made comment was that DMC was caused by “increased gang activity.” Again, the implicit assumption here is that, for DMC to occur as a result of increased gang activity, more minorities were in gangs. Unfortunately, this study cannot comment on whether these statements are true with the available data.

Differential offending attributable to contextual factors offers a more nuanced explanation for the occurrence of DMC. From this perspective, the occurrence of DMC is not related to race or ethnicity per se, but is, instead, related to factors that correlate with, or are perceived to correlate with, minority status. Socioeconomic status was commonly mentioned in responses categorized under this label. Responses falling under this category appear more thoughtful compared to those attributing differential offending to the person alone. For example, one officer (“Other” agency) wrote:

[My jurisdiction]<sup>4</sup> can be very a racially biased community. We often get calls simply for a Black citizen walking down the street. This is due to cultural awareness of the community.

This comment is more nuanced in the sense that the officer is indicating that police officers are sometimes forced into more encounters with juveniles of color; this increased contact could ultimately lead to DMC at the arrest level.

A similarly more nuanced explanation (Salt Lake officer) categorized under contextual causes of DMC was stated as follows:

I am unsure of why the spike in 2014, but due to there being a dense population of Hispanic youth on the west side of the city and due to the socioeconomic situation they are often unsupervised by parents. Most of my contacts have involved positive interactions with parents, who often are working 2 or more jobs each to meet their family's basic needs. Due to the amount of hours the parents are working, the juveniles are often unsupervised and are susceptible to bad decision making when with their friends. A minority of the kids may fall under the influence of the several gangs in the area. There are generational issues with gangs as well within some Hispanic families.

While this response suggests Hispanic youth offend at a greater rate, the comment offers a more nuanced perspective than the frequently clipped responses categorized as differential offending related to person factors. This comment mentions contributing factors that include economic stress, job obligations, a concomitant lack of parental/guardian supervision, and cultural issues.

A final example of this more nuanced explanation is provided by an officer (Salt Lake PD) who identified differential offending among refugees entering his or her jurisdiction:

Any time this happens there is an assimilation or adjustment that is going on within the culture. Also there tends to be a gap in communication between parents and children (for example children learn the English language pretty fast and parents do not). Their child may be hanging out with gangs and they have no idea-so education to the families and LE is very important. So is education of our laws versus the laws in other countries. This is an educational peace [sic] all around.

Despite the importance of differential treatment in the DMC literature, very few officers mentioned this as a potential cause of DMC. To some extent this is understandable because officers might interpret differential treatment as implying they somehow treat minority youth unfairly. It is also the case that some

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<sup>4</sup> The specific agency is not provided here because it was from an agency with a very low response rate.

comments, such as the comment above about community members calling police more often on black youth, could have been categorized here as well; however differential treatment in the literature is usually reserved for treatment that differs within the criminal justice system. Accordingly, that distinction is maintained here. Comments under this category mentioned young, less experienced officers and the fact that cultural awareness training, or the lack of such training, may play a part in the notable changes. For example, one West Valley officer stated:

Cultural awareness training and the lack of may play a part to the drastic changes.

An unanticipated category derived from officer comments was the category “Other: Media coverage.” In some ways this category is too narrow in the sense that comments subsumed under it may mention the media, but often go beyond the media as well. However, the general sentiment expressed in comments falling into this category is that police are sometimes the victims of negative public perceptions. One officer (Unified PD) commented:

I believe the jump between 2013 to current day is attributed to the rise of Black Lives Matter movements and additional social media attention via cell phone videos and body worn cameras.

Another officer (Unified PD) provided a more detailed opinion that implicated the media and other, equally distal, sources:

The unrest caused by inadequate and inaccurate media coverage of police involved critical incidents clustered in the time period prior to and during the 2015 peak (i.e. Mike Brown/Ferguson, MO 8/14 and Eric Garner/NYC, NY 7/14). The news media, through telling one-sided stories, embellishing stories contrary to the truth, and releasing "shock" stories prior to the completion of investigations has emboldened those with criminal tendencies of all races and ethnicities to embrace an anti-police mentality when they otherwise may not have. The advent and popularity of social media has encouraged and enabled the snowball effect of misinformation encouraging the development of the anti-police bias. The increase is likely due to be [sic] markedly peaked with minorities due to the tendency of the news media to give disproportionate news coverage to events involving minorities, further encouraging an anti-police mentality among those groups. As the anti-police sentiment is embraced, criminal activity increases and causes the peak of social unrest represented by arrest numbers on the chart. (That should be the subject of your research, however, such research has not and probably will not be conducted due to the implicit bias of researchers demonstrably inculcated in the liberal dogma of "higher education" institutions).

Because the officers were also asked to comment on factors that might have led to reductions in DMC, the same comments were also examined for reasons why parity might have occurred. There are relatively fewer comments regarding periods of parity. This is partly caused by officers not commenting on periods of parity, but also by the fact that, in most jurisdictions and for most race/ethnicity groups, parity was not observed in the data (see Appendix A).

Table 13 provides a thematic grouping of the comments officers offered to explain periods of parity. From the limited comments, one dominant theme was observed. Across all agencies, at least one officer, and in two cases more, indicated that reductions to parity were caused by police being afraid to enforce the law. Officers across agencies referred to what they termed the “Ferguson Effect<sup>5</sup>” (c.f., Wolfe & Nix, 2015). Officer comments included:

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<sup>5</sup> The “Ferguson Effect” suggests that police have become less willing to do their jobs due to recent scrutiny of several high profile police-involved deaths, including the fatal police shooting of Michael Brown in Ferguson,

I think Ferguson was in 2014. With a drop in arrests I would think Officers didn't want to make contact do [sic] to public perception. [From "Other" agency]

As far as the decrease since 2014, the speculation would be that the "Ferguson affect" has a lot to do with any enforcement activity involving any non-white offender. [From Salt Lake PD]

Table 13: Officer Explanations of Parity in RRI Trends

Agency	Response	N	Percentage
Other Agency	Less offenders	1	25.0
	Police afraid of arresting youth	3	75.0
Salt Lake City Police	Contextual factors	1	33.3
	Police afraid of arresting youth	2	66.7
Unified Police	Fewer police with recession	1	33.3
	Law enforcement effort	1	33.3
	Police afraid of arresting youth	1	33.3
West Valley Police	Children having better interactions with parents	1	10.0
	Cultural awareness training	2	20.0
	Family discipline	1	10.0
	Increased family discipline	1	10.0
	Less offenders	4	40.0
	Police afraid of arresting youth	1	10.0

Some officers were more general, but still indicated officers were concerned about doing their jobs in the public spotlight:

When police are punished for enforcing the law they stop doing so, when they are not they enforce the law. [From Salt Lake PD]

Activity lowered as a result of decreased availability of resources, manpower, and an increase of mental anxiety experienced by officers during the time period. [From Unified PD]

Some officers commented that periods of parity were caused by less offending among minority youth, better interactions with parents, increased family discipline, and, in one case, efforts of law enforcement officers to address the issue:

I think in recent years, LE has taken considerable efforts to combat this division, likely causing the contact rate to drop slightly. [From Unified PD]

As seen in the table, it was rare for officers to mention training as a cause of reductions. Only two officers, both in West Valley, attributed parity at least partly to training, specifically cultural awareness training. The next item in the survey asked officers specifically about efforts they have seen to address DMC and, as will be seen, training is more often identified as an effort. However, the lack of reference to training as potential

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Missouri. The hypothesis suggests that police have become less willing to do their jobs in order to avoid negative public scrutiny and media coverage.

cause of parity may indicate that they recognize training as an effort to reduce DMC, but not as an actual factor in terms of observed reductions in DMC.

One officer, in Salt Lake, attributed reductions to contextual factors, specifically an economic upturn, more jobs, and more resources for the homeless and drug treatment. Another officer, in the Unified PD, suggested that an economic recession meant less officers were available to enforce laws, which, in turn, reduced DMC. Upon further scrutiny, this explanation does not make sense in application because, if DMC is not an issue, reductions in the number of officers should impact white and non-white youth similarly.

Perhaps the most interesting finding from the table above is the lack of comment on periods of parity. Two agencies, Unified and West Valley, were two of the only larger agencies for which RRI trends revealed sustained periods of parity. In some instances, the RRIs actually showed disproportionality against white youth (see figures in Appendix for more detail). Because these officers provided so little feedback in terms of explanations for periods of parity, it is not clear what to make of the trends in these jurisdictions; however, future research should consider investigating what exactly occurred in these jurisdictions that might have produced such a notably different pattern compared with other jurisdictions.

### Efforts to Reduce DMC

The prior question offered officers the opportunity to attribute DMC reduction efforts to periods of parity; the absence of parity in most cases meant that many officers did not have the opportunity to identify the impact of these efforts. However, while efforts might not lead to parity, they can still create observed reductions in DMC and it is important to know to what efforts officers were exposed as well as the efforts about which they were aware.

This item, assessing familiarity with DMC reduction efforts, provided a free text response field and asked: “What efforts, if any, are you aware of that have been taken within your jurisdiction to address DMC over the past decade?” Officer responses were categorized into the categories seen in Table 14. Responses varied considerably by jurisdiction, but some interesting trends can be seen in the table.

First, “Other” agencies, Salt Lake, and West Valley all indicated training as an observed DMC reduction effort in their area. However, no officers in the Unified PD identified training as having occurred. Unified officers were also most likely to provide a response that was categorized as “None, none aware of,” at 78.6% of all Unified officers. A caveat to this outcome is that few officers provided a response to this item, and it may be the case that training occurred, but not among these officers.

Officers who did mention training as an observed DMC reduction effort provided a variety of responses, some of which were general trainings that may have touched on DMC issues, and some of which were designed to address DMC. Among those designed to address DMC, officers in “Other” agencies mentioned Implicit Bias Training, Cultural Awareness Training, and Multicultural Training. Officers in Salt Lake mentioned Implicit Bias Training, Cultural Awareness Training, and programs one officer called “Ethnicity, Fair and Impartial and Blue Courage Training.” Officers in West Valley mentioned Implicit Bias Training, Cultural Awareness Training, and Community Oriented Policing. One important trend to note is that, in agencies where officers indicated DMC-related training occurred, a notable percentage of other officers indicated a response that fell into the category of “None, none aware of.” This may suggest that not all officers are aware of or are being exposed to training efforts taking place.

Table 14: Officer Perceptions of Current Efforts to Reduce DMC

Agency	Response	N	Percentage
Other Agency	None, but training is needed	1	5.6
	None, none aware of	5	27.8
	Not needed, no DMC or DMC is differential offending	6	33.3
	SROs	1	5.6
	Training	5	27.8
Salt Lake City Police	None, but training is needed	0	0.0
	None, none aware of	4	21.1
	Not needed, no DMC or DMC is differential offending	5	26.3
	SROs	0	0.0
	Training	10	52.6
Unified Police	None, but training is needed	1	7.1
	None, none aware of	11	78.6
	Not needed, no DMC or DMC is differential offending	1	7.1
	SROs	1	7.1
	Training	0	0.0
West Valley Police	None, but training is needed	0	0.0
	None, none aware of	4	28.6
	Not needed, no DMC or DMC is differential offending	1	7.1
	SROs	0	0.0
	Training	9	64.3

SROs were mentioned as a valuable method to address DMC, but only by one officer in “Other” agencies and the Unified PD. These officers made additional comments that further clarified the value of SROs:

We have great school resource officers that have been trained to watch for the early warning signs of problems and fix them before they need to be arrest-able offenses. [From “Other” agency]

More school resource offers have been placed in the schools to help educate, interact with and inspire non-white youth. [From Unified PD]

Somewhat commonly, particularly in “Other” agencies and in Salt Lake (see table), officers indicated DMC training was not needed, DMC was not real, or DMC was attributable to differential offending. Comments in this category include, as examples:

This isn’t an issue here. Those that commit crime are contacted. [From Salt Lake PD]

I have not seen any need for it. Every situation regardless of color or gender is handled equally with no bias. [From West Valley PD]

I haven't seen any. I also have not seen the need for efforts to be taken. [From Unified PD]

We get called to high crime areas a whole lot more than to low crime areas. Why these areas have a higher concentration of minorities is not up to me to speculate on. [From Salt Lake PD]

Try this, raise your kids, of any race, to not commit crimes, respect one and other and don't rely on the police to raise your kids... if you commit a crime, we're going to hold you accountable. [From "Other" agency]

Some other responses in this category were more hostile toward the idea of DMC, and seemed to indicate that officers viewed the term as a pejorative regarding police behavior. However, nowhere in the survey is DMC attributed to police officers or racism on the part of police officers. As seen in the literature review, DMC is a complicated issue that cannot be attributed to a single cause. Nevertheless, for some officers, the term has clearly taken on a connotation of accusing police of impartiality or racism:

What efforts, if any, have juveniles of color (and their parents) taken to halt the commission of crimes at a higher rate than white juveniles? [From "Other" agency]

Accusing police officers of racism rather than addressing underlying factors of groups engaging in increased levels of criminal behavior. Criminologists have known for decades that certain populations are involved in more violent crime than others (this is true even when examining victim/witness statements rather than arrests statistics). Again, this is not caused by the color one's skin. There are a host of SES, cultural, family, and other factors that play a role in this; yet, we constantly place the blame at officers' feet instead of addressing these larger societal issues. This is why you haven't seen the needle move and the statistics will stay largely the same. [From Salt Lake PD]

It is apparent that this "survey" is trying to reach pre-ordained conclusions by the number of times that racial issues are provided as possible options. When you want to see racism everywhere, you will. [From Salt Lake PD]

Way more than needed. I do not see or believe the stats out there. They are skewed. People are stopped or arrested based on crimes reported etc. [From Salt Lake PD]

One of the least frequently utilized response categories was an indication that training or education of both officers and the community was needed. Two officers did, however, offer the following comments:

The community, as well as law enforcement, needs more cultural training. [From "Other" agency]

No formal actions have been taken as far as I am aware. Informally, the cultural makeup of street level Officers is key to relate and understand the diverse people we deal with. Some Officers will study cultural differences on their own to try to understand how to interact with minority groups. [From Unified PD]

### Have Efforts Lead to Reductions in DMC?

The next item asked officers to rate the extent to which efforts identified in the question above have addressed DMC in their jurisdiction. The rating scale range included: 0 ("Not at all"), 1 ("A little"), 2 ("A moderate amount"), 3 ("A lot"), and 4 ("A great deal").

Recall that the only efforts identified were SROs and Training. Other responses to the item above indicated no training has occurred, they were not aware of any, or training to address DMC was not needed. Accordingly, the analysis for this item, assessing whether the efforts were effective was limited to officers who provided a response to the item above. The responses from the item above were also categorized into either “Effort Indicated” if the person identified a DMC reduction effort (training or SROs) or “No Effort Indicated” if their response was in any other category. This left 63 officers responses available for analysis.

Table 15 provides the number responding within an agency and whether or not they identified an effort to reduce DMC in the item above, the mean rating for the effectiveness of the effort, and the standard deviation for the responses. Note that a standard deviation cannot be computed with only one respondent in a category, so NA is observed in one cell for the Unified PD.

As one would hope, in all cases where an effort was indicated (Effort Indicated = Yes), the rating of the effectiveness was higher than when no effort was indicated. It is, in fact, surprising that officers who did not identify a DMC-related effort in their jurisdiction provided any rating of the effectiveness of efforts. Nevertheless, the mean effectiveness of efforts for each agency was, with the exception of Salt Lake, between “A moderate amount” and “A lot.” In Salt Lake, the mean effectiveness rating was just below “A moderate amount.”

Because of the low number of responses, a row labeled “All Agencies” is also provided. Here, one can see that the average rating is just above “A moderate amount.” Responses to this question seem to suggest that, among officers who were aware of efforts, could identify efforts, or received training, the efforts were attributed to achieving some success in addressing DMC.

Table 15: Officer Ratings of the Effectiveness of Efforts Aimed at Reducing DMC

Agency	Effort Indicated	N	Mean	SD
Other Agency	Yes	5	2.6	0.5
	No	12	1.7	1.6
Salt Lake City PD	Yes	10	1.9	1.2
	No	8	0.6	0.9
Unified PD	Yes	1	3.0	NA
	No	13	1.0	1.0
West Valley City PD	Yes	9	2.1	0.6
	No	5	1.4	0.9
All Agencies	Yes	25	2.2	0.9
	No	38	1.2	1.2

### Suggestions to Address DMC

The next survey item asked officers: “What suggestions would you have to address the issue of DMC if it were to exist in your jurisdiction?” This was a free text response item. After removing responses where the officer indicated “Do not know” or “None needed” (e.g., “It’s not an issue”), only 37 total officers responded to this item. Their responses are categorized thematically in Table 16.

A common response, particularly in Salt Lake, West Valley, and to a lesser extent “Other” agencies, was that the way to address DMC was to prevent differential offending by juvenile youth. The responses falling into this category were fairly broad, but the general theme is that the juveniles and the crimes they commit are the primary cause of the DMC problem:

If someone commits a crime, they should be held accountable for it regardless of their skin color. The same goes for people [sic] should not be let off charges or let off easy because the color of their skin, or for the purposes of skewing stats. [From "Other" agency]

Police cannot control who does the crime. If you do not want the type of crime in your city then hold the person accountable. [From "Other" agency]

I believe that in my jurisdiction the contacts made with any individuals are based on criminal activity and so unless we choose to ignore criminal activity based on concerns about Disproportionate Minority Contact there is nothing else that can be done regarding this issue. [From Salt Lake PD]

Quit giving juveniles a slap on the wrist for crimes they commit. They continue to do crimes because they know there is no punishment. [From Unified PD]

Arrest and punishment should go hand in hand and stricter punishments should be imposed on offending youths. [West Valley PD]

My agency hasn't had to address it other than mandatory directives/training from politicians' and other activists who want to say there's a problem when it's offenders' unlawful behavior that leads to arrest, not bias. [From Salt Lake PD]

**Some responses were more solution-focused and suggested that the problem was more complicated than just juvenile behavior. One such response category suggested training, collaborative training, or education were important factors in preventing DMC:**

I think continued education, a strong SRO program with the school administration and youth is key. [From Salt Lake PD]

Community education/involvement, gang prevention. [From Unified PD]

Have juvenile detectives that work directly with youth through programs and schools etc. [West Valley PD]

**A particularly thoughtful response in this category was:**

There needs to be greater support for the families of youth who are at risk of coming into contact with police. This cannot be a law enforcement only solution since the majority of our contacts with youth are due to a citizen call for service in which a crime has already been committed. I would like to see a science and technology mentorship program start in which professionals from related fields can be role models for at risk youth. The department could use help from outside agencies to begin a Police Athletic League. My old agency from out of state had great success in creating contacts with both juveniles and their parents with this program... I also think several businesses in the community might want to help by starting an apprenticeship program in which youth could learn trades and skills from all types of professions, not just traditional blue collar and trade related jobs. [From Salt Lake PD]

**The response above could also have been categorized into "community resources." Some of the other responses characterizing a resource perspective were:**

Improve resources to DCFS and mental health treatment centers to include better support for parents and youth dealing with these challenges. [From “Other” Agencies]

Police cannot be solely the ones responsible for judicial fate of minority youths. Other resources have to be involved. Other stated or local agencies should be involved to contact and supervisor minority families/youth offenders (Human services, refugee services, etc.). [From Unified PD]

Parenting classes. [From Unified PD]

Interestingly, only one officer (from one of the “Other” agencies) suggested that the problem might be helped by hiring more diverse or minority officers. A number of respondents, particularly in “Other” agencies, indicated additional officer training could help reduce DMC. These responses tended to be succinct, such as “targeted training,” so additional exemplars are not provided; however, several officers indicated training and education were important, and one stated: “Education, we have no idea why or that it [DMC] even exists.” This statement captures a key issue elucidated across the survey items and responses: officers were often not familiar with DMC, were not sure why it occurred, or viewed it as a pejorative regarding police officers. As outlined in the introduction, there are myriad reasons why DMC occurs and DMC should not be viewed as a police-only problem. Currently, it may be the case that it is viewed that way by officers.

Table 16: Officers Suggestions for Addressing DMC

Agency	Suggestion Category	N	Percentage
Other Agency	Collaborative training	0	0.0
	Community resources	2	15.4
	Diverse officers	1	7.7
	Officer training	6	46.2
	Prevent differential offending	4	30.8
Salt Lake City PD	Collaborative training	2	20.0
	Community resources	0	0.0
	Diverse officers	0	0.0
	Officer training	1	10.0
	Prevent differential offending	7	70.0
Unified PD	Collaborative training	1	16.7
	Community resources	3	50.0
	Diverse officers	0	0.0
	Officer training	1	16.7
	Prevent differential offending	1	16.7
West Valley City PD	Collaborative training	1	12.5
	Community resources	0	0.0
	Diverse officers	0	0.0
	Officer training	3	37.5
	Prevent differential offending	4	50.0

### Adequacy of Resources

The final survey item stated: “Indicate your level of agreement with the following statement: your jurisdiction (both inside and outside of the juvenile justice system) has the adequate resources to deal with the issue of DMC in the juvenile justice system.” This item was assessed on the following scale: 0 (“Not at all”), 1 (“A little”), 2 (“A moderate amount”), 3 (“A lot”), 4 (“A great deal”).

Analysis of this item was grouped depending on each officer’s agency and response to the item reported above that asked: “Rate the extent to which Disproportionate Minority Contact (DMC) exists within your jurisdiction.” Those officers who indicated “Not at all” to the item were grouped into one category, while those who indicated that DMC existed at least “A little” were grouped into another category (“At least a little” in Table 17 below). This categorization is seen in the column labeled “DMC Exists” in the table.

One hundred nineteen officers provided a response to both the adequacy of resources and the prior question regarding whether DMC exists in their jurisdiction. Generally speaking, those who responded “Not at all” to the item assessing whether DMC exists in their jurisdiction reported slightly higher mean values in response to the adequacy of resources. This was particularly true in the Unified and West Valley departments. This is the trend one would expect because, for those who do not feel DMC exists, any resources, no matter how limited, would be adequate or even unnecessary.

Focusing on those respondents who indicated DMC exists “At least a little” in their jurisdiction, we see notable variation. “Other” agencies and Salt Lake indicated the adequacy of resources was between moderate and “A lot.” West Valley officers who indicated DMC exists “At least a little” in their jurisdiction rated resource adequacy as moderate, and Unified officers in this same category rated the adequacy of resources lowest at between “A little” and “A moderate amount.”

Recall from a previous item, assessing efforts to reduce DMC, that 78.6% of Unified officers responded “None, none aware of” regarding local efforts adopted to address DMC and 0.0% indicated any formal trainings had been adopted or occurred. The mean value below further highlights the general lack of DMC-related resources in that jurisdiction. In contrast, agencies in Table 17 indicating at least moderate adequacy were more likely to indicate training had occurred or was available (27.8% in “Other” agencies, 52.6% in Salt Lake, and 64.3% in West Valley).

Table 17: Adequacy of Resources to Address DMC

Agency	DMC Exists	N	Mean	SD
Other Agency	At least a little	14	2.6	1.1
	Not at all	16	2.8	1.3
Salt Lake City PD	At least a little	21	2.5	0.9
	Not at all	14	2.6	1.1
Unified PD	At least a little	19	1.6	1.1
	Not at all	8	2.8	0.9
West Valley City PD	At least a little	21	2.0	1.2
	Not at all	6	2.8	1.0

## Interviews

In order to collect an in-depth account of stakeholder perceptions and awareness of DMC, a series of qualitative interviews were conducted. Through the use of open-ended questions, participants were asked about their understanding of the causes of DMC, efforts being taken to respond to DMC, resource availability, and strategies for addressing DMC in their jurisdiction (for more detail, see interview protocol in Appendix B). Among the data collected, several dominant themes emerged that addressed the central goal of the interviews. These themes include participant perceptions of DMC initiatives, which identified on-going programs like implicit bias training and outreach coordinators as a resource, but also recommended additional training and coordination at the state level. Additionally, participant explanations for the causes of DMC were rooted in commonly referenced contributing factors, including language barriers, implicit bias, intergenerational poverty, schools, community resources, and criminal behavior. Participant perceptions of these contributing factors to DMC were split between the two dominant theories of DMC, differential offending and differential treatment; both of which are explored across the data and in more detail below.

Interview participation was solicited from law enforcement and court administrative personnel from several jurisdictions in Utah. The interviews were designed to support the collected survey data, and open opportunities for a broader and deeper understanding of participant perspectives.

While interview participants were asked about their perspectives as they applied to their jurisdiction-specific employment (i.e. law enforcement or courts), the interviews are treated here as a single dataset. Though there are some occupation and jurisdiction-specific answers in each interview, the majority of participant discussion concerning factors that contribute to DMC and how to respond to it were not occupation specific. For example, in some interviews, where participants wanted additional clarification of what DMC looked like in their area, the interviewer would reference the arrest or referral RRI for their jurisdiction. In response, when applicable, occupation and jurisdiction-specific data will be identified as such. Otherwise, discussion of results are reflective of a single data set. This approach also serves to protect participant anonymity because, relative to surveys, fewer individuals participated in interviews.

## Methodology and Design

Utilizing a grounded theory approach to qualitative research, the interviews for this study were designed to be flexible to allow interviewers to follow themes and questions that emerged during the course of the interview (Charmaz, 2014). Mixed methods studies of DMC in other state contexts have similarly used this methodological approach (see Dawson-Edwards, Tewksbury, & Nelson, 2017), which allows participants to go in-depth and explore tangents when necessary.

In-depth interviewing of this sort requires an interview protocol anchored by open-ended questions. While this approach limits the number of questions feasible to ask during any one interview, the data obtained from each interview tends to be richer. The protocol developed for these interviews revolved around four main questions, with a host of potential follow-up questions in order to elicit detail. These four questions were used as points of departure for an open-ended conversation to be led by the participant. While the same interview protocol was used for each interview, the open-ended nature of the methodology, and the possibilities for follow-up questions, necessarily resulted in participants not being asked an identical series of questions.

Data analysis was conducted using a constant comparison method (Charmaz, 2014; Glaser & Strauss, 1967). In line with this method, the analysis of interview data began as the first interviews were completed. Emergent themes were identified and coded using Atlas.ti. As new data were incorporated into the existing

dataset, new themes were compared against existing ones in order to generate analytic distinctions at each stage of the research process. By the time interview data were fully compiled, each individual interview had been coded, analyzed, and compared against the others multiple times.

## Request and Participation Procedures

Interview requests were sent to the targeted law enforcement jurisdictions that received the initial survey attached to this study; as a reminder, the targeted jurisdictions were the Logan, Ogden, and St. George LEAs, as well as LEAs in Salt Lake County (focusing on the Unified and Salt Lake LEAs in this instance). Additionally, requests were sent to the corresponding, targeted county court systems: Cache, Salt Lake, Washington, and Weber Counties. Using a contact list provided by CCJJ, each law enforcement jurisdiction was asked to provide the names and contact information of four potential participants. It was requested that three of the participants would ideally be knowledgeable of DMC, and one would have a working understanding of data and entry protocols for their jurisdiction. The data and entry interviews used a separate interview protocol and are not included in the primary interview dataset here.

Court contacts were asked to suggest three potential participants. Of the 36 contacts that we were seeking, the initial requests resulted in the names and contact information of 28 potential participants across 12 jurisdictions. Of those 28 potential participants, we were able to schedule and complete a total of 12 interviews (six from law enforcement, six from court administration) in the timeframe available for the study. After contact information was received, UCJC staff emailed and called potential participants over the course of six weeks. Despite multiple attempts at contact, not all jurisdictions are represented in the interview dataset. Due to anonymity assurances, details associated regarding jurisdictional participation will not be described here.

Once contact was established, an interview was scheduled with one of five interviewers from the Utah Criminal Justice Center (UCJC) at the University of Utah. Interviews were conducted via telephone using the same protocol for each. The interview protocol was designed to facilitate open-ended questioning, which resulted in interviews ranging from 15 to 40 minutes in length.

## Results

The following discussion of the interview results is primarily organized around the dominant themes that emerged from the data analysis. Due to the intersecting nature of the themes discussed by interview participants, sections conceptually overlap one another. Additionally, embedded in each section are discussions of both perceptions of the causes of DMC and initiatives adopted in response to it.

### Perceptions of DMC Initiatives

Similar to the results seen in the survey, interviewees only mentioned familiarity with a few of the state-wide initiatives to counter DMC. The initiatives that participants were most familiar with were, listed from most to least familiar, continuing education (curriculum broadly associated with cultural awareness and implicit bias), DMC Coordinators, House Bill 239-Juvenile Justice Amendments, Diversion, and the Response and Incentive Matrix.

Continuing education was mentioned across all 12 interviews. Overall, participants agreed on the need for consistent and coordinated continuing education, with the additional need “to continue to learn about DMC through education and training.” A portion of respondents favored the concept of continuing education specifically around DMC and explanations of jurisdiction specific RRI, but remained uncertain about the level of control they had in enacting change. One interviewee said, “It’s really helpful to think through

these issues, but we can't control what shows up on our desk." Others welcomed training and continuing education for the group, but suggested they did not need the training because their decisions on patrol were not based on the demographics of the youth.

Participants also identified what they saw as barriers or areas of improvement for DMC-related continuing education. These suggestions included the creation of trainings "geared toward juvenile[s]," the opening up of participation beyond a focus on "career-track employees," creating additional local options that would not require people "to travel to SLC to take the course," and more consistent offerings and updates on trainings/initiatives.

Among the participants associated with the courts, there was mention of the presence of internal quality assurance measures being implemented in probation agencies:

Probation has started to look at individual case files to see how cases are process[ed] and how the case worked out for minority youths. This is going to help them understand whether there are instances where things could be improved for families from lower socioeconomic communities and that are minorities.

Another frequently cited initiative was the DMC coordinator. Recall that officers who completed the surveys were generally between not at all and a little familiar with this position; this may be a difference created by the fact that interviewees were targeted for their knowledge of DMC. Interviewees generally expressed appreciation for the role, but subsequently reported a number of factors that lessened the anticipated long-term efficacy of the role including DMC coordinator staff turnover and lack of stability in the practices of the DMC Coordinator role. For example, across multiple interviews, it was reported that valued services such as the sharing of RRI data were discontinued when the position was refilled with a new individual. For those who described DMC committees, irregular meetings impacted their ability to have a continuous understanding of initiatives for, and current data around, DMC in their respective jurisdiction.

Whereas treatment-based services were at least mentioned in the survey portion of this study, in the interviews, mention of treatment-based services was largely absent. However, an in-home program called Families First, a program described as offering a specific intervention to improve family communication and function, was mentioned the most across the interview set. Worth mention, access to services and the prohibitive costs for more intensive treatment services were described as an area of need by one interviewee:

Paying for services is a huge barrier for some families...residential treatment, which can cost thousands per month. So, families that cannot afford that when it is indicated often have to settle for less impactful services.

One of the recommendations to reduce DMC across the literature is that the state legislature make efforts to create system-level change. However, interviewees' awareness of legislative change in Utah, such as HB-239 (Juvenile Justice Amendments), was limited. There was no mention of specific interventions to reduce DMC (e.g., risk assessments embedded at contact points or specific sentencing guidelines, and only a single mention of peer courts as an option for low-risk or first-time offenders. Further, efforts that were identified were frequently associated with the early release of youth who were perceived as then returning to the same criminal behaviors shortly thereafter. More specifically, descriptions of the impact of efforts, as communicated by participating officers, indicated youth were being released with "slaps on the wrist," or descriptions of a new "leniency." Further, the theme of accountability and necessity for more strict punishment was a concern among the police department interviewees. Counter to this perspective,

interviewed court personnel “think things are headed in the right direction,” and demonstrated positive feelings associated with legislative efforts in response to DMC, and HB-239 specifically.

## Schools

Though schools were not the focus on the current research, discussion of the role of schools was dominant throughout the interviews. Participants identified school truancy and a lack of school-based resources as significant contributors to DMC. The school environment was also identified as a factor contributing to DMC. In schools, youth are easily tracked and can become labeled as criminally involved. In this sense, because of their involvement in school, or lack thereof, youth get on the radar of law enforcement, which participants suggested was the first step toward arrest and further system-level involvement.

Schools were also identified as the best fit to host prevention activities like afterschool programming, and family education. Programs that were mentioned to reduce DMC included Youth Impact Program, Let’s Play, and police department community service division activities like playing basketball. The afterschool programs identified as useful for reducing DMC were described as focusing on increasing positive social supports and modeling pro-social behavior for youth. Relevant staff roles were described as mentors, counselors, and sometimes officers to provide hobbies, tutoring, and extracurricular activities.

Additionally, participants consistently identified school resource officers (SROs) as an integral point of consideration in the overall problem of DMC. SROs were identified as both a contributor to DMC and a potential source for response initiatives. With this in mind, we suggest further research is needed concerning the role SROs play in DMC in Utah.

## Community Perception of Youth of Color

Among the interview participants, community perceptions of youth of color was a frequently cited contributing factor to DMC. In many ways, and whether accurate or not, these responses shifted the locus for DMC-related interventions away from law enforcement and the courts and toward the community. Participants relayed feeling “at a loss” when faced with evidence of DMC in their jurisdictions due to their lack of control over “what shows up on my desk,” or “the calls that come in.” In support of this perspective, participants suggested that community-based biases and stereotypes should be a root concern for DMC amelioration strategies. Interestingly, the survey data showed that calls for service—meaning community members were more likely to call police regarding the behavior of non-white youth—were only of moderate concern as a factor driving DMC, but they were occasionally mentioned.

## Objectivity of Law Enforcement

One significant trend in participating officers’ responses was categorized as perceptions of the objectivity of law enforcement. This category is characterized by an outlook wherein the existence of DMC is depersonalized, meaning that any evidence of disproportionality in arrest and referral rates of youth of color is due to circumstances outside of the respondent’s personal and professional control. From this perspective, DMC is attributable to both differential offending by youth of color and community perceptions or biases regarding youth of color. For instance, as described in the previous section, participants identified calls to service as a contributing factor to DMC, which suggests DMC is largely due community misperceptions of youth of color. From this perspective, police officers are sometimes forced into more encounters with juveniles of color that ultimately can lead to increased arrests.

Participant perceptions also endorsed the differential offending theory for DMC, which suggests that inequitable arrest and referral patterns are the result of youth of color engaging in more crime than white

youth (Nellis, 2005; Piquero, 2008). As indicated through the interview data, this perception is presented as the belief that officers are objectively enforcing the law divorced from any influence of bias or race in general. For example, several officers spoke about their jurisdictions in the following terms: “regardless of race, gender, or age, officers come into contact with and arrest individuals involved in criminal behavior and they deal with them accordingly.” Similarly, participants suggested that “we don’t care what color skin you have,” and then went on to ascribe the higher rates of arrest to issues like gang participation and intergenerational poverty; these comments align with the survey comments that highlighted differential offending as a contextual factor but also differential offending as a person factor.

However, the perception that youth of color are engaging in criminal behavior more frequently than white youth serves as evidence in partial support of the differential treatment hypothesis, which stands as a counterpoint to a theory of differential offending. If officers perceive youth of color as more likely to engage in criminal activity, then the actions of these youths are also more likely to be perceived with greater suspicion relative to white peers. In other words, when officers operate from an understanding that youth of color simply commit more crimes (which, from the perspective of some officers, explains DMC), then officers may be more likely to identify and treat youth of color as potential criminals.

Interestingly, the deployment of a differential offending justification for DMC did not influence participant perceptions of professional development around implicit bias. For instance, one officer suggested that implicit bias training was important, but it ultimately does not impact the work, “because I don’t really treat people based on the color of their skin, it's not gonna change how we handle things.”

Since trainings associated with cultural competency and implicit bias are generally focused on identifying ways that racial bias can lead to disparities in the juvenile justice system, it stands to reason that, if these trainings—which all of the interviewed officers participated in—were effective, there would be more consideration of how bias could impact personal decision making. Instead, it appears as if implicit bias has been recognized as something that could happen, and should be recognized if it does, but does not apply personally because of the officers’ perceived objective application of the law.

### Perspectives of Communities of Color

Among the most frequently occurring references for the causes of DMC are the families of youth of color. Families of color are identified as complicating factors that contribute to the arrest and referral of youth of color. A range of causes already linked to DMC were presented by participants as issues that ultimately attribute to the problems of minority families: issues like intergenerational poverty, income, childcare, one-parent households (Moffitt, 1995; Thornberry et al., 1999), and language barriers (Hoytt et al., 2002).

Language barriers, a frequently referenced contributing factor to DMC, were discussed by participants in a variety of ways. For example, court personnel suggested that the lack of interpreters at both the origin of arrest and in court, as well as a lack of translated court materials, results in higher arrest and referral rates. This is supported by reviews of DMC in other states, in which cultural and language issues were identified as the largest barriers driving up the number of Hispanic or Latino youth that received pre-adjudication detention (Hoytt et al., 2002). In response to the barriers presented by language, participants identified language services as areas of needed improvement to curb DMC.

In terms of existing efforts to respond to language barrier-related causes of DMC, interviewees cited the existence of court-based interpreters; there was mention of one full-time staff member who assisted with case management. However, court interviewees cited insufficient language services stating they “do not have sufficient court-certified interpreters,” and “more court-certified interpreters would help.” Alluding to a lack of consistency system-wide, one interviewee said “everything the courts send out is in English.” Although officers described how language barriers present complications at the point-of-contact, there was

no mention among the interviews of language services available in the community beyond the community outreach positions. Based on descriptions from the interviews, the community outreach positions, who provide a bridge with language and culture in some jurisdictions, are not trained police officers serving in a patrol capacity.

In discussing family-related issues, some participants described families of color as “unstable,” “broken,” and “impoverished.” Youth were described as having “no respect,” and parents were characterized as “oblivious,” and “promoting criminal behavior.” This perception mirrors the deficit language used by scholars who have suggested that youth of color grow up in homes in “moral poverty” (Bennett, Dilulio, & Walters, 1996). The perception of minority families as harboring pro-criminal attitudes serves to counter the perception described earlier, wherein participants stated that officers objectively respond to criminal behavior without consideration to race. However, these statements suggest that when an officer encounters a youth of color, some may perceive they are coming into contact with someone who is predisposed to crime as the result of their family’s attitudes and habits. The use of deficit language to describe families of color supports the differential treatment theory of DMC, which suggests that implicit biases play an important role in determining arrests and referrals (Nellis, 2005; Piquero, 2008).

Additionally, deficit perceptions of families of color could prove to be a barrier to implementing participants’ earlier recommendations, wherein they suggested law enforcement needs to continue developing positive working relationships with youth, their families, and communities. Community-based approaches linked to resources like the Boys and Girls Club, and other community spaces, were described as integral to prevention efforts and as a way to increase supervision for youth who had a lot of unsupervised time. One participant suggested, “you can’t have enough community involvement...it helps bridge the gap between law enforcement and community.” Additionally, participants suggested that outreach programs “foster mutual respect between minority youths and law enforcement.” In particular, participants endorsed community-based approaches that included outreach coordinator positions and police officers engaging with community through events like “Coffee with Cops.”

The outreach coordinator or community outreach person was cited as particularly important as a means of resolving language and cultural differences that were perceived to contribute to DMC. Community outreach was presented in comments as a mechanism for creating mutual respect between law enforcement and youth of color; however, these comments tended to emphasize the role of outreach efforts in helping youth of color have more successful interactions with law enforcement agencies. The role of perceived disrespect toward law enforcement in driving DMC was further hinted at in comments from participants stating that officers may be more likely to make an arrest in circumstances where they feel disrespected. Interestingly, in the survey data, attitude and demeanor of a juvenile was self-reported by officers to have little importance in a decision to arrest.

Many interviewees cited the importance of police spending time with youth to serve as a prosocial example of how to behave, but there were no specific interventions or trainings described around how to engage youth who were not invested in participating. One interviewee mentioned this when describing an afterschool program that was created to serve as a positive environment with social support for at-risk youth participants. The police officers would play games and sports with youth after school. The officer indicated that they were “never worried about the kids that actively participated;” rather, they were concerned with youth who had no interest in participating: “They would stand off to the side wearing gang attire.” He further described having a conversation about the likelihood of those non-participating youth having a future interaction with police, and the reflection that some of the youth did later come into contact with police and were arrested. This narrative suggests an assumption that solely attending a prosocial event would provide youth with the skills needed to avoid criminal behavior.

In contrast to the need for more contact between law enforcement and youth of color, some interview participants identified unnecessary interaction between law enforcement and youth of color as a potential contributing factor to DMC. These comments suggested that, even in the course of casual interactions, officers may develop inaccurate impressions of youth; for example, unintentionally labelling an entire group of youth as gang affiliated because a single gang member, or perceived gang member, showed up to a community event.

There are many factors involved in creating successful community outreach endeavors, but, based on the interview data, utilizing community outreach to curb DMC may benefit from an examination of the impact that such deficit views of communities of color has on DMC and concomitant reduction efforts. The success of community outreach may be dependent on efforts that address law enforcement's perception of youth of color rather than singularly focusing on youths' attitude toward law enforcement.

## Discussion

This section of the report is broken into six subsections: summary of survey outcomes, summary of interview outcomes, what can be/is being done to reduce DMC in the juvenile justice system, conclusions, limitations, and improvement and future directions. The sections summarizing survey outcomes and interview findings are intended to serve as an Executive Summary of these sections; that is, they provide a relatively succinct overview of the findings from both sections. The section covering what can be/is being done to reduce DMC in the juvenile justice system highlights what the current state of the literature on DMC reduction efforts, some of which were mentioned in survey and interview responses. The limitations section addresses some of the methodological limitations of the project and the improvement and future directions sections provide methods to improve on the current project and some suggestions for future research.

### Summary of Survey Outcomes

Officers (across agencies) rated offense seriousness, youth role in the offense, injury to the victim, and mandatory arrest policy as the most important factors when making the decision to arrest. When asked how they believed they (officers) and the juvenile justice system were perceived by youth, the highest rating provided by any one agency (Salt Lake) corresponded to “A moderate amount” (2.0) in terms of favorability of views toward police. Ratings of youths’ perceptions regarding the juvenile justice system were lower than ratings for officers.

When asked if they see a difference in the amount of offending between non-white youths and white youths in the area their agency services, the majority of officers in all jurisdictions indicated both white and non-white youths engage in the same amount of crime. Among those who selected other options, officers in the Salt Lake, Unified, and West Valley PDs indicated non-white youths engaged in more crime than white youths.

When asked about changes in the frequency and severity of crime, officers in “Other” agencies, in the West Valley Police Department, and in the Unified Police Department overwhelmingly indicated that crime had increased in frequency over the past 10 years. An equal number of officers in the Salt Lake Police Department (n=25) indicated the frequency “Stayed about the same” or “Increased.” As with frequency of crime, officers in “Other” agencies, in the West Valley Police Department, and in the Unified Police Department overwhelmingly indicated that crime had increased in severity over the past 10 years. The majority of Salt Lake officers also indicated severity had increased, but, relative to other agencies, more officers in Salt Lake indicated crime severity had “Stayed about the same.”

Officers were also asked about their familiarity with several important juvenile justice terms. The research team selected these terms because of their relevance to DMC. Officers in all agencies indicated, on average, being between “Not at all” and “A little” familiar with the term RRI and indicated familiarity between “A little” and “A moderate amount” for the term DMC. They were somewhat more familiar with the term “Racial and Ethnic Disparities (REDs),” which is synonymous with the term DMC. With the exception of the Unified PD, officers across agencies indicated they had between “A moderate amount” and “A lot” of familiarity with implicit bias and cultural awareness training. Officers in the Unified PD were notably less familiar with these terms and were similarly less aware of REDs. Across all items, the Unified PD indicated the lowest familiarity; the other three agency groupings were more similar in their self-rated familiarity with these terms.

When asked about the existence of DMC in their jurisdiction (the term was first defined at this point in the survey), West Valley officers were the most likely to indicate DMC existed, but, even there, the average

rating fell between “A little” and “A moderate amount.” Other agencies indicated on average that DMC existed “A little” (Unified) or between “Not at all” and “A little” (“Other” agencies and Salt Lake).

Officers were asked about factors that contribute to DMC if they responded with something other than “Not at all” with respect to the question about whether it exists in their jurisdiction. Of the provided options, several items were rated as being approximately only “A little” important across agencies. These items were: cultural unawareness, juvenile court processing decisions, local policies, state policies, and the education system. Items rated as being of moderate importance or greater included: socioeconomic status, family, calls for service, patrolling high crime neighborhoods, and youth behavior. Youth behavior was the only item that, on average, was rated as having “A lot” of importance. One interesting trend in these data is that factors related to the juvenile justice system or contextual causes were typically rated as less important than factors related to the individual.

Another item asked officers to indicate their familiarity with initiatives that were enacted to address DMC. Similar to the survey items asking respondents to report their familiarity with juvenile justice terms, these initiatives were derived from the DMC summary reports listed on CCJJ’s website. Officer familiarity with these initiatives was generally quite low across agencies. In fact, officers did not indicate being “Moderately familiar” (a rating of 2) with any initiative on average and officers indicated they were approximately “Slightly familiar” (a rating of 1) or less on all but two initiatives.

The next section of the survey focused on data-driven items. For the first time during the course of the survey, officers viewed DMC-RRI trends over time from their own jurisdiction. They were asked to comment on the factors that might explain periods of both disparity and parity in the contact of minority youths at the arrest decision point, including increases or decreases in RRIs, as applicable.

Responses related to periods of disparity (DMC) were categorized based on theories of DMC and included: “Differential offending: Contextual factor,” “Differential offending: Person factor,” and “Differential treatment” (see “Background” section for more detail). Two other categories, “Do not know” and “Other: Media coverage” were included to incorporate comments that did not conform to theories of DMC. The vast majority of officers attributed RRI trends related to periods of disparity (i.e., DMC) to differential offending related to the person; this finding was true across agencies. The frequency of comments in other categories was more variable across agencies. For example, while “Other” agencies, Salt Lake, and West Valley officers were somewhat similar in their selection of “Differential offending: Contextual factor,” not a single officer selected this item in the Unified PD. Salt Lake and Unified officers were the most likely to indicate they did not know, and the idea that DMC resulted from media coverage occurred only in “Other” agencies and the Unified PD.

With respect to periods of parity, comments were not organized within a theoretical framework, as parity suggests the absence of DMC and, accordingly, is not part of the DMC literature except when talking about training to reduce DMC. Across all agencies, at least one officer, and in two cases more, indicated that reductions to parity were caused by police being afraid to enforce the law following high-profile incidents of police-involved deaths. Officers across agencies referred to what they termed the “Ferguson effect.” Some officers commented that periods of parity were caused by less offending among minority youth, better interactions with parents, increased family discipline, and, in one case, efforts of law enforcement officers to address the issue. It was rare for officers to mention officer training as a cause of reductions. Only two officers, both in West Valley, attributed parity at least partly to training, specifically cultural awareness training. Perhaps the most interesting finding from this section was the dearth of comments on periods of parity. Two agencies, Unified and West Valley, were two of the only larger agencies for which RRI trends revealed sustained periods of parity. In some instances, the RRIs actually showed disproportionality against white youth (see figures in Appendix for more detail). Because these officers provided so little feedback in terms of explanations for periods of parity, it is not clear what to make of the trends in these jurisdictions.

Officers were asked what DMC reduction efforts they were aware of that had been implemented within their jurisdiction. Officers who mentioned training as an observed DMC reduction effort provided a variety of responses, some of which were general trainings that may have touched on DMC issues, and some of which were designed to address DMC. Among those designed to address DMC, officers in “Other” agencies mentioned Implicit Bias Training and Cultural Awareness Training, and Multicultural Training. Officers in Salt Lake mentioned Implicit Bias Training, Cultural Awareness Training, and programs one officer called Ethnicity, Fair and Impartial and Blue Courage Training. Officers in West Valley mentioned Implicit Bias Training, Cultural Awareness Training, and Community Oriented Policing. One important trend to note is that, in agencies where officers indicated DMC-related training occurred, a notable percentage of other officers indicated a response that fell into the category of “None, none aware of.” This may suggest that not all officers are aware of or are being exposed to training efforts taking place.

A follow up item asked whether efforts to reduce DMC led to reductions in DMC in their jurisdiction. The mean perception of effectiveness of efforts for each agency was, with the exception of Salt Lake, between “A moderate amount” and “A lot.” In Salt Lake, the mean effectiveness rating was just below “A moderate amount.”

Another item asked officers what suggestions they have to address the issue of DMC in their jurisdiction. A common response, particularly in Salt Lake, West Valley, and to a lesser extent “Other” agencies was that the way to address DMC was to prevent differential offending by juvenile youth. Some responses were more solution focused and suggested that the problem was more complicated than just juvenile behavior. One such response category suggested training, collaborative training, or education were important factors in preventing DMC. Only one officer (from one of the “Other” agencies) suggested that the problem might be helped by hiring more diverse or minority officers. A number of respondents, particularly in “Other” agencies, indicated additional officer training could help reduce DMC.

Officers were also asked if their jurisdiction had adequate resources to deal with the issue of DMC. This analysis focused on officers who indicated, on a prior item, that DMC existed at least “a little” in their jurisdiction. “Other” agencies and Salt Lake indicated the adequacy of resources was between moderate and “A lot.” West Valley officers who indicated DMC exists “At least a little” in their jurisdiction rated resource adequacy as moderate, and Unified officers in this same category rated the adequacy of resources lowest at between “A little” and “A moderate amount.”

## Summary of Interview Findings

In order to collect an in-depth account of stakeholder perceptions and awareness of DMC, a series of qualitative interviews were conducted. Interview participation was solicited from law enforcement and court administrative personnel from several jurisdictions in Utah. The interviews were designed to support the collected survey data, and increase the breadth and depth of the understanding of participant perspectives.

Interview requests were sent to the targeted law enforcement jurisdictions that received the initial survey; as a reminder, the targeted jurisdictions were the Logan, Ogden, and St. George LEAs, as well as all LEAs in Salt Lake County (focusing on the Unified and Salt Lake LEAs in this instance). Additionally, requests were sent to the corresponding, targeted county court systems: Cache, Salt Lake, Washington, and Weber Counties.

Similar to the results seen in the survey, interviewees only mentioned familiarity with a few of the state-wide initiatives to counter DMC. One of the recommendations to reduce DMC across the literature is that the state legislature make efforts to create system-level change. However, interviewee’s endorsed little

awareness of recent and relevant legislative change in Utah, such as HB-239 (Juvenile Justice Amendments). Continuing education was mentioned in all 12 interviews. Overall, participants agreed on the need for consistent and coordinated continuing education, with the additional need “to continue to learn about DMC through education and training.”

Interview respondents were also familiar with the role of the DMC coordinator. Recall that officers who completed the surveys were generally unfamiliar with this position; this may be a difference created by the fact that interviewees were targeted for their knowledge of DMC. Interviewees generally expressed appreciation for the role, but subsequently reported a number of factors that lessened the anticipated long-term efficacy of this role including DMC coordinator staff turnover and lack of stability in the practices of the DMC Coordinator role.

Though schools were not the focus on the current research, discussion of the role of schools was dominant throughout the interviews. Participants identified school truancy and a lack of school-based resources as significant contributors to DMC. The school environment was also identified as a factor contributing to DMC. In schools, youth are easily tracked and can become labeled as criminally involved. Participants consistently identified school resource officers (SROs) as an integral point of consideration in the overall problem of DMC. SROs were identified as both a contributor to DMC and a potential source for addressing the problem.

Among the interviewees, community perceptions of youth of color was a frequently cited contributing factor to DMC. In many ways, this outlook shifts the locus for DMC-related interventions away from law enforcement and the courts and toward the community. Participants relayed feeling “at a loss” when faced with evidence of DMC in their jurisdictions due to their lack of control over “what shows up on my desk,” or “the calls that come in.” In support of this perspective, participants suggest that community-based biases and stereotypes should be a target of DMC amelioration strategies.

One significant theme emerging from officers’ responses was the characterization of law enforcement as objective in their decision-making. From this perspective, the existence of DMC is depersonalized, meaning that any evidence of disproportionality in arrest and referral rates for youth of color are due to circumstances outside of the officers’ personal professional control. From this perspective, DMC is attributable to both differential offending by youth of color and community perceptions or biases regarding youth of color.

Interview participant perceptions often mirrored the differential offending theory for DMC, which suggests that disproportionate arrest and referral patterns are the result of the fact that youth of color engage in more crime than white youth (Nellis, 2005; Piquero, 2008). As indicated through the interview data, this perception is presented as the belief that officers are objectively enforcing the law divorced from any influence of bias or race in general. However, the perception that youth of color are engaging in criminal behavior more frequently than white youth serves as evidence in partial support of the differential treatment hypothesis, which stands as a counterpoint to a theory of differential offending. If officers perceive youth of color as more likely to engage in criminal activity, then the actions of these youths may be perceived with greater suspicion relative to white peers. In other words, when officers operate from an understanding that youth of color simply commit more crimes (which, from the perspective of some officers, explains DMC), then officers may be more likely to identify and treat youth of color as potential criminals.

Among the most frequently occurring explanations for the causes of DMC were the families of youth of color. Families of color were identified as complicating factors that contribute to the arrest and referral of youth of color. In some instances, minority families were characterized in terms of intergenerational poverty, income, childcare, single-parent households (Moffitt, 1995; Thornberry et al., 1999), and language barriers (Hoytt et al., 2002). These circumstances, which were perceived to be more likely among within minority families, were described as a primary cause of DMC. In this way, the existence of DMC was

conceptualized as a problem of differential offending (with the family's circumstances as contextual causes) rather than differential treatment.

This perception mirrors the deficit language used by some scholars who have suggested that youth of color grow up in homes in "moral poverty" (Bennett, Dilulio, & Walters, 1996). The characterization of minority families as having pro-criminal attitudes serves to undermine participants' contention that officers objectively respond to criminal behavior without consideration of race and ethnicity.

When asked about strategies to address DMC, many interviewees cited the importance of police spending time with youth to serve as an example of prosocial behavior. There were no specific interventions or trainings described in terms of engaging youth who were not interested in participating in such programming. There are many factors involved in creating successful community outreach endeavors, but, based on the interview data, utilizing community outreach to curb DMC may benefit from an examination of the impact that such deficit views of communities of color has on DMC and concomitant reduction efforts. The success of community outreach may be dependent on efforts that address law enforcement's perception of youth of color rather than singularly focusing on youths' attitude toward law enforcement.

## Conclusions

Much of the DMC literature has been guided by two competing perspectives (i.e., differential offending and differential treatment). The differential offending perspective posits that non-white youth are overrepresented at various points throughout the juvenile justice process due to the fact that they engage in more crime, are involved in crimes of a more serious nature, and do so for longer periods throughout their lives (Nellis, 2005; Piquero, 2008). Differential treatment, on the other hand, assumes that minority youth are overrepresented in the juvenile justice system due to differential handling of non-white juvenile cases by juvenile justice decision makers. Therefore, juvenile justice decision makers are more likely to come into contact with non-white youth, increasing the likelihood of arrest. Once in the juvenile justice system, non-white youth are more likely to receive harsher dispositions.

The survey results revealed that, on average, law enforcement personnel believe DMC is a minor issue in their respective jurisdictions. When asked about the factors that contribute to the arrest decision, most officers believe that differential offending largely accounts for the disparities that exist at the arrest and referral decisions. The majority of respondents attributed differential offending to individual differences (i.e., youth behavior) rather than external (e.g., structural) factors that might be associated with greater involvement in offending for non-white youths.

Survey respondents also reported relatively limited familiarity with DMC-reduction efforts being spearheaded by CCJJ or with juvenile justice terms associated with DMC. These findings were reinforced with responses obtained from the open-ended questions specific to jurisdictional RRI values. For example, the majority of respondents indicated that differential offending and, in particular, person-level factors accounted for the racial/ethnic disparities within their jurisdictions. Very few accounts of local efforts aimed at reducing DMC were mentioned in the open-ended aspect of the survey, though some respondents specifically mentioned implicit bias or cultural awareness training as efforts being taken to address DMC.

The findings from the interviews were used to contextualize the information obtained from the survey responses. Overall, similar findings emerged in the interviews. For example, respondents often struggled to cite specific efforts being taken in their jurisdictions to address DMC. However, participants commonly identified the need for consistent and coordinated continuing education on the issue of DMC. In regard to

the causes of DMC, respondents suggested that who they come into contact with (e.g., who they arrest) is out of their control. Therefore, DMC is attributable to both differential offending by youth and community perceptions/biases toward non-white youths. Respondents did not feel as though disparities are due to implicit bias – even though they articulated the importance of this type of training. Respondents perceived that they objectively applied the law in each instance of contact with youth of color.

Several important themes emerged across surveys and interview and these have implications for DMC-reduction efforts in Utah. Although a comprehensive list of DMC reduction strategies are contained in the next section of this report, several may be particularly relevant to dealing with the DMC issue at the arrest and referral decision points based on the findings from this study.

One common thread between the surveys and interviews was that there is a lack of knowledge of the efforts that are being taken to reduce DMC at all levels of the government in Utah, including locally within the respondents' jurisdictions. Respondents rarely indicated that they were familiar with many, if any, of the state-level efforts and initiatives to address DMC being led by the DMC Subcommittee. As discussed in the next section, education about DMC and exposure to the DMC patterns can be used to generate awareness of DMC. Educational/informational sessions could also provide DMC Subcommittee members and/or the DMC Coordinator with a chance to discuss recent state-level DMC-reduction efforts that are being implemented. The increased exposure to the topic and initiatives has the potential to demonstrate the pervasiveness of the DMC issue and generate important conversations about potential solutions.

The term DMC appears to carry a negative connotation among the law enforcement community, which was articulated by officers in both the surveys and interviews. In part, this may be due to a lack of understanding of DMC and related terms. In some instances, respondents indicated that the numbers presented to them in the surveys must be incorrect. In order to address the need for increasing officers' understanding and awareness of the DMC issue, the DMC coordinator could host regular educational and information gathering sessions to help describe the extent, patterns, and changes in DMC across law enforcement jurisdictions. This would allow the DMC Coordinator to speak to officers directly about persistent periods of parity and/or disparity in rates of arrests and referrals. This would also allow officers to speak openly about efforts that might have contributed to sustained periods of parity in a non-confrontational setting (e.g., from approximately 2012 through 2017 in West Valley City, see Appendix A for general trends and to examine other instances in which parity was observed).

Continued outreach and education by the DMC coordinator may also help provide a clearer understanding of the DMC issue across jurisdictions. It is important to invite members from all levels of the law enforcement community (i.e., patrol officers, command staff, and administration) to the table to participate in discussions about DMC in their communities. Not only will this help to ensure that the information is being communicated to all levels of personnel at the agencies, it will provide all law enforcement personnel the chance to discuss the issue and think of current DMC reducing efforts or innovative approaches to responding to the DMC issue in their community.

These informational/educational sessions may also provide an opportunity to breakdown some of the negative connotations that are associated with the term DMC. Based on the DMC literature, DMC at the arrest level is a complex problem and is likely driven by multiple factors (i.e., not just police behavior/decision making). This is a particularly important point to make in order to help increase buy-in from the law enforcement community. Furthermore, research has shown that inviting other stakeholders from the community (i.e., citizens, faith-based organizations, schools, treatment providers) to DMC discussions can result in enhanced citizen-police interactions/perceptions and the development of innovative local strategies to address DMC.

Given the findings from this study, there is suggestive evidence that respondents are generally unfamiliar with trainings that aim to reduce implicit biases and increase officers' cultural competency. Only on a few occasions did respondents indicate that they have received such trainings. To the extent that DMC is partially created by police contacts, research has identified these trainings as being associated with reductions in officers' implicit bias; they can also help improve the perceptions of interactions between non-white youth and police. In the interviews, one respondent suggested that implicit bias training was important but also indicated it had no bearing on how law enforcement did their job. Research on the effectiveness of implicit bias training has indicated that the training can have a waning effect on officers' decision making over time. The clear implication is that, in order for the effectiveness to be sustained over a long period of time, agencies need to regularly conduct these trainings or offer refresher courses.

On several occasions, respondents indicated that cultural and language barriers contributed to DMC. Removing cultural barriers can help increase the likelihood of positive police and non-white youths' interactions. Research has suggested that it is important for agencies to represent the diversity of the communities in which they serve. As discussed in the next section, hiring officers from different racial/ethnic backgrounds to serve non-white communities can have profound impacts on police-citizen interactions and can lead to increased public perceptions of police legitimacy.

Additionally, respondents mentioned barriers created by language differences as an avenue for reducing DMC. In several responses, juvenile justice personnel indicated that their agencies previously lacked sufficient language services. Respondents suggested that these language barriers can lead to the deterioration of interactions between them and non-white youths and their families. The families can have feelings of frustration and distrust of the system due to language barriers. Additionally, one interviewee from the juvenile court indicated that language barriers have resulted in some families not being involved in the juvenile justice process for their child's case. This can lead to missed probation sessions, case planning, and court sessions, which can cause youth to become more deeply embedded in the system. This same interviewee indicated their court has had a fair amount of success in dealing with non-white youth (particularly of Hispanic/Latino descent) due to hiring Spanish-speaking individuals for community outreach positions. This helped to bridge language and cultural gaps in their jurisdiction.

Although these efforts are a starting point to reducing racial/ethnic disparities in law enforcement jurisdictions throughout the state, it is worth noting that there is not a one-size fits all approach to reducing DMC. As previously noted, DMC is a complex issue and likely exists due to a variety of factors that range from the individual to the societal level. Additionally, juvenile justice policies and practice may contribute to racial/ethnic disparities. Law enforcement and juvenile justice agencies can have an impact on DMC as it pertains to their policies and practices. To have a sustained impact on reducing racial and ethnic disparities throughout the juvenile justice system, there should be awareness and buy-in from the state and each agency (top-to-bottom). Even though DMC is a multi-faceted issue, law enforcement and the juvenile justice system have the ability to be involved in increasing DMC awareness and in the development and implementation of DMC-reduction efforts unique to their own jurisdictional DMC issues.

## What can be/is being done to Reduce DMC in the Juvenile Justice System?

Surveys and interviews covered some of the suggested amelioration strategies from the perspective of law enforcement and court personnel. Some of these comments, as will be observed below, reflect some of the recommended practices to address DMC. For a more complete picture of what efforts are being used to address DMC outside of Utah, and what efforts show potential, this report now focuses on the state of the literature on DMC reduction efforts.

While much of the DMC literature has focused on examining the extent of DMC that exists at various decision points, relatively little research has been dedicated to describing and evaluating strategies to reduce DMC. Furthermore, the research that does exist rarely applies to the arrest and/or referral decision points or law enforcement, more generally. The first six strategies to reduce DMC described below were adopted from a review of best practices authored by Cabaniss, et al. (2006). These strategies are summarized here because many federal and state initiatives are comprised of one or multiple of the strategies outlined as best practices in this article. Additionally, several other efforts are described that have implications for reducing racial/ethnic disparities in the juvenile justice system.

*Data review and decision point mapping.* This strategy was developed, and has been widely implemented, in the years following the enactment of the JJCPA and its 2002 amendment. This called on agencies to begin tracking DMC at all points of contact in the juvenile justice system. This tool has been identified as setting the stage for the change process (Nellis, 2005). There are countless examples of this tool but it is important for agencies to assess where DMC is most prevalent and focus their efforts on reducing DMC at those stages. For example, the juvenile probation office in Santa Cruz County, California compiled data on a quarterly basis to track whether DMC was occurring at the arrest, detention, and out-of-home placement points of contact. The agency then mapped where the system appeared to be failing the minority youth that it was serving. The area of the system where DMC was the most prominent was the detention decision point, where 64% of youth were Hispanic or Latino. Through this evaluation, it was discovered that cultural and language issues were the largest contributor in increasing the number of Hispanic or Latino youth who received pre-adjudication detention. The agency put several measures in place to address these barriers. In a three year span following the implementation of these measures, the agency saw a 22% decline in the number of Hispanic or Latino youths being held in pre-adjudication detention centers (Hoytt et al., 2002).

*Cultural competency training.* This effort has been identified as a promising strategy that can be used across all juvenile justice agencies (including law enforcement; Cabaniss et al., 2007; Nellis, 2005). Many of the curriculums for cultural competency training are designed to teach participants to identify ways that decision making, bias, or racial stereotyping can lead to disparities in the juvenile justice system. It has also been shown effective to include a training that sets forth the agency's expectations of how juvenile justice system personnel should interact with minority youth in the community. A DMC task force in Sacramento determined the need to conduct a cultural audit to develop an understanding of the system's knowledge of racial, ethnic, and cultural differences (Hoytt, et al., 2002). All decision makers were surveyed. The findings indicated that many of the respondents were white, older males and they had little cultural competence and awareness of DMC throughout the system. These findings were used as reasoning for the system to employ a new cultural diversity training. After the training participants were asked to complete a brief follow-up survey. Approximately 90% of the training participants indicated that they felt the diversity training had increased their awareness of "intercultural communication issues."

*Increasing community based alternatives to detention and secure confinement.* There has been a major push to increase community based alternatives to detention and secure confinement. Disparities are particularly high at those two decision points and both have been shown to cause a number of unintended consequences (e.g., knifing off prosocial support system, exposure to violence). Taken together, reducing the use of detention and secure confinement will not only benefit minority youth, but all youth. A number of states have adopted the Juvenile Detention Alternatives Initiative that was launched in 1992 by the Annie E. Casey Foundation. A number of evaluations have been conducted on JDAI and found that moving low-risk youth from secure detention/confinement into community-based programming is effective in reducing DMC. Furthermore, JDAI sites have seen relatively dramatic declines in crime (31% to 57%). Although initiatives

and policies like JDAI have helped to reduce DMC at these decision points, youth of color are still overrepresented at these stages. A number of additional community based alternatives can be utilized to enhance the services available to at-risk or delinquent youth (including case management facilities, evening reporting centers, and mental health clinics; see Cabaniss, et al., 2007 for review).

*Remove decision making subjectivity.* Referring back to the focal concerns theory, juvenile justice decision makers must weigh three primary concerns when handling a juvenile case. One way to guide and structure decision making is to implement an evidence-based, race-neutral risk assessment at key decision points. These can be used at the detention, intake, adjudication, placement, and reentry stages of the juvenile justice policy. These assessments should include factors that are not associated with race but will help to inform decision makers on risk to recidivate (e.g., prior police contacts, living in a single-parent household). The risk assessment scores will also guide decisions regarding the appropriate level and type of treatment, and supervision (Rust, 1999). Another example related to risk assessment highlights how a tool can be used to help law enforcement officers decide whether to arrest or cite/release a juvenile. In Sacramento, an initiative was put into place that provided law enforcement officers with a brief one-page tool that outlines detention guidelines to use in the field. This tool is designed to help officers decide when to cite and release youth to responsible adults rather than take them to a detention center. Other agencies have developed wallet-size cards containing information to guide officers' decisions when coming into contact with juveniles and providing them with detention criteria.

*Reduce barriers to family involvement.* A large proportion of youth that come into contact with the juvenile justice system are doing so for the first time. The juvenile justice system process can be overwhelming and difficult to understand for youths and their parents (Cabaniss et al., 2006). It can leave families feeling demoralized, confused, and frustrated. Agencies have implemented a wide variety of strategies to alleviate some of the pressure and stress associated with the juvenile justice process. For example, in Cook County, Illinois, the juvenile system developed a Detention Response Unit, which consisted of two paralegals. The goal of this strategy was to interview and prepare detained youth for a custody hearing. They also would stay in contact with parents/guardians to keep them abreast of the hearing process. Another strategy includes hiring bilingual (usually Spanish speaking) staff at the intake and case management (e.g., juvenile probation) stages of the system. This strategy has led to increased involvement from Spanish-speaking only parents and reduced some of the confusion that inherently accompanies navigating the juvenile justice process. Hiring Spanish-speaking staff has led to a reduction in the number of Hispanic or Latino youth in detention centers and increased their presence in community-based programs, many of which were designed to meet the needs of Hispanic or Latino youth (Hoytt, et al., 2002).

*Cultivate state leadership to legislate system-level change.* In order to maintain efforts to reduce DMC, it is critical that leadership remains engaged in the reduction efforts (Devine, Coolbaugh, & Jenkins, 1998). The importance of engaged leadership can be noted in the evaluation of DMC conducted by Hoytt, et al. (2002): "Historically, the most successful sites in virtually all major juvenile justice reform efforts were places where the top-level policymakers clearly and forcefully embraced change and challenged their colleagues and staff to join them in the transformation process" (pg. 14). One example of this is Ohio's targeted RECLAIM initiative (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors). The state allocates funds to its counties in order to provide effective or evidence-based community programming. Therefore, counties are tasked to develop creative alternatives to detention and incarceration. Furthermore, counties are charged more against their allocated funds when they use detention/incarceration over community placements. This program highlights an innovative top-down

approach to addressing the overuse of detention and incarceration which has implications for reducing DMC.

*Implicit Bias Training.* One of the most commonly cited training curriculums used to reduce DMC is implicit bias training. It is important to note that most police officers do not intentionally discriminate against non-whites. However, a large body of studies, most often conducted in the field of psychology, reveal that discrimination does occur due to implicit biases, which operate outside of an individual's cognitive awareness and control (Spencer, Charbonneau, & Glaser, 2016). Implicit biases have the potential to influence human behavior and decision making. There are numerous training offerings designed to address implicit bias; however, there is a lack of standards on which courses should be included and how to monitor the training's effectiveness. Based on a synthesis of findings from 494 studies examining the effectiveness of different procedures to reduce implicit bias and their effects on explicit bias and behavior, researchers found that implicit bias can be reduced but the intervention effects can be classified as weak to moderate in strength (Forscher et al., 2019). Changes in explicit bias were much weaker and the study found no support that procedures to reduce implicit bias impacted behavior. Implicit bias training has the ability to have a temporary impact on reducing bias but, in order for it to produce long-term effects, there needs to be ongoing training and assessments. Given the variety of implicit bias trainings available, "one intervention has been shown experimentally to produce lasting bias-reducing effects," which is known as "Break the Bias Habit" (Devine, Forscher, Austin, & Cox, 2012; see, <https://breakthebiashabit.com/intervention>).

*Police-Youth Curriculum.* The state of Connecticut determined that it needed to address the issue of DMC in a system-wide approach. In terms of initial youth contact and the decision to arrest, the state wanted to explore police training strategies that have been successful in other states. In their search for trainings, they realized no strategies specific to police contacts with youth and DMC existed. They developed and implemented a program (i.e., Effective Police Interactions with Youth) designed to enhance the interactions between the police and youths (LaMotte et al., 2010). The program is designed to reduce DMC by decreasing the likelihood that police-youth interactions would lead to arrest, particularly for minority youths. The training lasted five and a half hours and was delivered by two police officers. The curriculum was designed to: "1) increase patrol officer awareness of DMC, 2) increase patrol officer knowledge of youth behavior and strategies for interacting effectively with youth, 3) improve police attitudes toward young people, 4) increase the likelihood that police-youth interactions will have positive outcomes for youth, and 5) increase the likelihood that youth will respond positively toward police officers" (LaMotte, et al., 2010, pg. 165). Additionally, the program included a teambuilding component for officers and youths from the communities that they serve. This created the opportunity for police and youths (typically 15 to 30 youths) to interact with each other, work on a community service project that impacts the larger community, and also offered a concluding event. Based on a pre- and posttest comparison of survey results from 299 officers who participated in the training and a control group comprised of 169 patrol officers, researchers found that officers who participated in the training reported a significantly higher level of knowledge on the issue of DMC and more positive attitudes toward youths after their training compared to officers in the control group. Officers in the training group also reported increased scores in their ability to eliminate unequal treatment of minority youths in the posttest survey.

*Pennsylvania and MacArthur Foundation's Models for Change.* This is a unique public-private partnership what was formed in 2004 to address issues in juvenile justice aftercare, mental health services, and DMC. The main goal was to bring together leading experts on these topics and members of local and state juvenile justice systems to develop effective strategies to reduce DMC. In order to achieve reductions in DMC, the

MacArthur Foundation sought to improve data collection and analysis, and implement intentional and targeted interventions. The group determined that efforts should be targeted in the counties with higher populations of non-whites and where RRI values were particularly high. The subcommittee determined there was a need to address the overcapacity in juvenile detention centers and the disproportionate rate of Hispanic youths coming into contact with the juvenile justice system. The team decided that one effective strategy would be to create an evening reporting center. Staff at the evening reporting center would provide youth with transportation, link them with mentors, and provide education during the pre-adjudication phase of the juvenile justice process. The research team found that this led to significant reductions in the use of secure detention in this county. Similar to Connecticut, the DMC subcommittee also adopted a youth-law enforcement curriculum (see, [Pennsylvania Youth/Law Enforcement Curriculum Video](#); [Pennsylvania Presentation on DMC and Youth/Law Enforcement Curriculum](#)). The curriculum became a regular component of the training academy and was designed to improve the relationship between non-white youths and the law enforcement community. The main goal was to generate positive interactions between non-white youths and the police and foster mutual cooperation. Since the public-private partnership was created between Pennsylvania and the MacArthur Foundation, three other states were selected to participate based on their leadership and commitment to juvenile justice reform, geographic diversity, differing needs, and the likelihood to influence reform efforts in other jurisdictions (Justice Law Center, 2013).

*Police-Initiated Diversion Programs.* These are pre-adjudication interventions that the police can use as an alternative to arrest and referral to juvenile court. Police-initiated diversion strategies are commonly used in situations involving minor delinquent behavior or status offenses and among low-risk youths. These often involve a warning (with or without a restorative component) or a final warning. These warnings are often accompanied by a referral to a treatment provider to address the youth's needs. The purpose of this strategy is to minimize youth involvement with the juvenile justice system and divert them toward services. Evidence from 31 studies examining police-initiated diversion programs revealed they can reduce recidivism, in addition to reducing disproportionate arrests and referrals among non-white youths (Wilson, Brennan, & Olaghere, 2018). Compared to traditional processing, the police-led diversion strategies have been found to lead to a 12% reduction in recidivism.

*Engaging the Police and Community in Reform Efforts.* Research has demonstrated the importance of including law enforcement, juvenile justice stakeholders, partners, community, faith-based, and grass root organizations in developing and implementing strategies to reduce DMC (Kakar, 2006). It is essential for these groups to work collaboratively to address the causes, enhance prevention and use of diversion programs, and increase the use of alternatives to detention/incarceration, particularly in minority neighborhoods. For example, in Clark County, NV police participated in community meetings with minority leaders. Additionally, police in this community participated in a project called Safe Village, which is a partnership between law enforcement, government agencies, the community, and faith-based organizations. This program was designed to reduce violence and related outcomes in high-crime neighborhoods (Spinney et al., 2016).

Not only is it important to include the larger community in DMC reform efforts, it is important to have buy-in and strong DMC reform efforts from leadership in the law enforcement community (i.e., Chiefs and Sheriffs). Buy-in from agency leadership has been shown to increase awareness of DMC within the department and has led to solutions to decrease it (Spinney et al., 2016). In Hillsborough County, NH, for example, chiefs actively participated on DMC committees. Chiefs also leveraged their leadership positions to bring in trainings and revised policies/programs when needed. Furthermore, buy-in from leadership helps to facilitate change in departmental culture and increase personnel's awareness of DMC.

*Police Alternatives to Detention.* Police oftentimes lack alternatives to taking youths to detention centers after they are arrested or picked up for engaging in delinquent behavior. Rather than take youths to secure detention centers, officers in Tulsa, OK had the option of taking youth to a 24-hour Crisis Intervention Center (CIC). This facility was a centralized intake, assessment, and service referral system that allowed staff to hold youth for up to 24 hours. The CIC also reduced the time that the police were engaged with youths, provided risk-needs assessments and referrals to families, and tracked trends in juvenile crime. These centers have the capacity to provide immediate consequences for behavior, detect and address underlying causes of antisocial behaviors, make family referrals to community services, and “create a more effective and efficient alliance among police, parents, juvenile justice, and treatment providers” (Spinney et al., 2016, pg. 69). The use of CICs led to a significant increase in diversion cases and reduced the number of youths being held in detention centers.

*Pocket/Wallet Cards.* The use of pocket/wallet cards by law enforcement is another simple and inexpensive strategy to reduce unnecessary arrests and detention center admissions. Although this strategy has not been empirically evaluated, criminal justice personnel in Ohio have suggested that the use of pocket cards by the police help them to identify whether youth should be diverted or arrested (Sullivan et al., 2016). These cards also help officers determine the criteria for detention admissions and possible community alternatives. Juvenile court personnel cited the use of pocket cards as one of the main contributors to reducing DMC in their jurisdiction.

*Hiring Officers from Diverse Racial/Ethnic and Cultural Backgrounds.* Law enforcement agencies of all sizes throughout the country have experienced challenges associated with recruiting, hiring, and retaining officers from diverse racial/ethnic and cultural backgrounds (U.S. Department of Justice, 2016). Given the important role that law enforcement fulfills in society, and the fact that officers are often the public face of the local government, it is important that law enforcement agencies reflect the diversity of the communities that they serve. Diversity in law enforcement agencies can also have profound impacts on community perceptions of police legitimacy (Watson & Petersen, 2013). Diversity has been shown to increase confidence in law enforcement, resulting in more positive interactions between non-whites and minorities. The U.S. Department of Justice commissioned a report that documents the barriers to recruiting, hiring, and retaining a diverse staff and promising practices for increasing diversity ([DOJ Full Report on Law Enforcement Diversity](#)).

## Limitations

Despite learning a great deal about perceptions of DMC and contributing factors, the study has some limitations. Though not the goal, most survey responses (all law enforcement officers) were from Salt Lake County. All three of the agencies that could be analyzed alone (regarding surveys) were in Salt Lake County. Recall that the target agencies for the project were those in Salt Lake County, Logan, Ogden, and Saint George. Despite repeated attempts from both CCJJ and UCJC staff (for both surveys and interviews, several attempts were made to contact personnel at each agency, typically multiple personnel), there was no representation from Logan on either surveys or interviews. Saint George provided one survey response, but no interviews. Participation from Ogden (but not North and South Ogden) was better; 11 officers responded to surveys and two granted interview requests. Overall, only 12 of the intended 36 interviews were conducted; part of the poor response rate is likely due to delays and time limitations, as discussed in more detail below. Interpretation of results should consider the voluntary nature of the responses and the fact that those willing to respond may somehow differ from those who did not participate.

Because of the low survey response rate, all agencies except Salt Lake, Unified, and West Valley were combined into “Other” LEAs for surveys. This was not an ideal scenario because agencies in this category were quite diverse. This all-encompassing category forced together jurisdictions that arguably have little in common: some are urban, some rural, and some suburban. In this case, the small sample size forced a tradeoff between not providing results from these areas at all or combining them despite their differences; the latter choice was deemed better.

There are other limitations regarding the methodology; these are also partly addressed in the improvements and future directions section. When the study was initially conceived, UCJC researchers were planning on attending a meeting of the Chiefs in order to improve LEA investment in the project and also to explain the goals of the project. Two unforeseen barriers prevented that from occurring. Due to legal issues that were eventually resolved, the data request for arrest data, needed to create the RRI trends seen in Appendix A, was delayed by two months. Normally UCJC would request a no-cost extension, pushing the timeline to accommodate the delay incurred while waiting for BCI data. In this case, however, the funding could not be carried forward any further and a no-cost extension could not be accommodated. Unfortunately, this, and the timing of the meeting of the Chiefs, meant that UCJC personnel could not meet with them and explain the goals of the study. This no doubt had consequences for the level of participation and the representativeness of responses. Responses might be different between officers who never saw the survey or did not complete the survey and those who were willing to do so.

A second issue was partly created by the first. Once the meeting with the Chiefs did not occur, we at UCJC should have revised the introduction to the survey portion of the study to better explain the goals of the study and the sensitive nature of some of the topics. Lacking that background, some officers indicated they felt the study was offensive and was implicitly, if not explicitly, calling them racist. While this certainly was not the intent, it also understandable. For example, one question asked officers to rank the top reasons for deciding to arrest a juvenile. The choice of “Race” was offered. Though one might expect officers would not select this option, in order to argue race is not an important self-reported factor, it still had to be offered as a choice because differential treatment based on race and ethnicity is one potential cause of DMC. The survey introduction could have done a better job explaining issues like this.

The survey introduction also should have better explained that one goal of the study was to give officers a voice in the attempts to better understand DMC because of their unique experiences interacting with youth and responding to community calls regarding youth. Officers have a unique perspective in that they interact with youth of varying backgrounds and circumstances. They also interact with their parents and sometimes teachers. Through the course of their job, they get insight into the home life of youths and they even get to know some youths through, perhaps unfortunate, repeat interactions. Had this been explained better, some of the understandable defensiveness around the issue might have been reduced.

## Improvement and Future Directions

It is recommended that future work not proceed without introductory conversations with either the Chiefs or representatives from each targeted LEA. It is also advised that any similar research in the future might consider focus groups instead of surveys. Many of the topics from the surveys could also be covered in focus groups, but focus groups provide more opportunity to explain the goals of the study, the importance of giving officers a voice in DMC research, and, perhaps most importantly, they allow the moderator to identify and address defensiveness that might arise (Leiber, 2002).

One of the notable trends discovered in interviews was that, once officers understood the intent was to assess their insight into a complicated issue, defensiveness often decreased. Clearly, interviews provide a far better opportunity to speak to people and understand their perspectives compared to online surveys. The

issue of DMC is exceptionally complex and, even at the arrest level, it is certainly not caused only by implicit or explicit police officer bias. As articulated in the course of this report, there are myriad factors that play a role in DMC. It is important that future work makes clear the fact that the term DMC is not a pejorative regarding police.

Because court personnel did not respond to surveys, it is less clear what is needed in any future research with the courts; this report only gained insight into court personnel's perspectives through a handful of interviews. It is likely, however, that focus groups and one-on-one interviews could achieve similar insights to what the surveys accomplished with officers (perhaps with less representation, however).

CCJJ has also identified case-level analysis as an important next step. This would involve looking at case files to better understand the factors that determine police contact with youths and, when necessary, arrest. While the surveys provided a high-level overview of these factors, a case-level analysis would provide an excellent opportunity to study these factors in the everyday practice of enforcing laws and responding to community complaints. Because this type of analysis would require a great deal of LEA cooperation, clarifying that the intent is to understand the issue, and not to lay blame at the feet of police officers, will again be an important first step.

In an attempt to gain insight into what would be available in a case file analysis, UCJC staff attempted to perform interviews with data personnel from the Saint George, Salt Lake, Logan, Ogden, and Unified police departments. However, only the Salt Lake and Ogden PDs responded to requests. Because of the limited information that could be learned from only two respondents at two agencies, the summary of those interviews is relegated to Appendix C. Results are discussed in only general terms because it is not clear whether the information gleaned from these two interviews is representative of police record keeping in general. For example, the Salt Lake and Ogden PDs are larger agencies and they may have more data-related resources than smaller or more rural agencies.

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## Appendix A

### Notes for Interpreting RRI Figures

The figures that follow in this appendix show trends over time in the RRIs for jurisdictions that were part of the arrest and referral assessment project covered in the body of this report. As mentioned above, data for population values were obtained from USBE at the city level. Data on arrests were obtained from BCI at the LEA level, and data on referrals were obtained from AOC at the LEA level. Computation of the RRIs below depend entirely on the accuracy of the data provided from these agencies.

The RRIs in this appendix were calculated based on a calendar year. RRIs computed for CCJJs annual reports are computed based on a Federal Fiscal Year. For that reason, values obtained using the two methods would not be expected to be identical.

Also, OJJDP requires that arrest RRIs use referral numbers as the denominator. The State of Utah, however, recomputes the values using USBE population values as the denominator for both arrests and referrals. This change was made at the recommendation of an OJJDP trainer who, along with CCJJ personnel, noted that (at least in Utah) referrals are not a subset of arrests and, in many cases, referrals can greatly outnumber arrests. This occurs partly because arrests and referrals are reported from different databases, and there is no way to connect an individual arrest to an individual referral. In some cases, this can drastically alter the RRI values relative to the OJJDP standard (usually creating a notable increase in the RRI value).

Recall from the body of the report that an RRI is defined as a rate of contact for a minority group (adjusted for population prevalence) divided by the rate of contact for white youth (adjusted for population prevalence). The result of this division creates a ratio which, in this case, is an RRI. Relative values significantly greater than 1.0 indicate disproportionality.

A red line in the figures is provided at the value of 1.0 to make it easier for the viewer to determine where there is parity (i.e., equality) in the rates of contact. Confidence bands are included for each RRI value in the figures. Confidence bands that do not overlap with a value of 1.0 indicate there is a significant difference in the arrest/referral rates between minority youths and white youths.

For each jurisdiction, patterns for both arrests and referrals are shown whenever both the population size for a specific group and the number arrested or referred allowed for calculation of stable confidence intervals. Unstable confidence intervals (defined in more detail below) can be characterized as highly uncertain confidence interval bars surrounding the point estimates in the RRI trend figures. For agencies with either too few members of a minority group, or no arrests or referrals for a group, the CIs are unstable because they are based on too few cases to provide meaningful outcomes. In these cases, the RRI trends are not provided in this appendix. Though they are not provided in this appendix, a problematic example is provided below (Figure A1) so the reader can better understand the issue.

The figure provides an example of the arrest RRIs for one of the omitted cities. One can see, relative to the figures provided later in this appendix, the CIs are exceptionally wide, indicating a great deal of uncertainty. For example, in 2009, the point estimate for the RRI was 2.8, indicating that members of the minority group were expected to be 2.8 times more likely to be arrested than white youths. However, the CIs range from 0.4 to 101.4; because these values cross 1.0, the RRI is not significant.

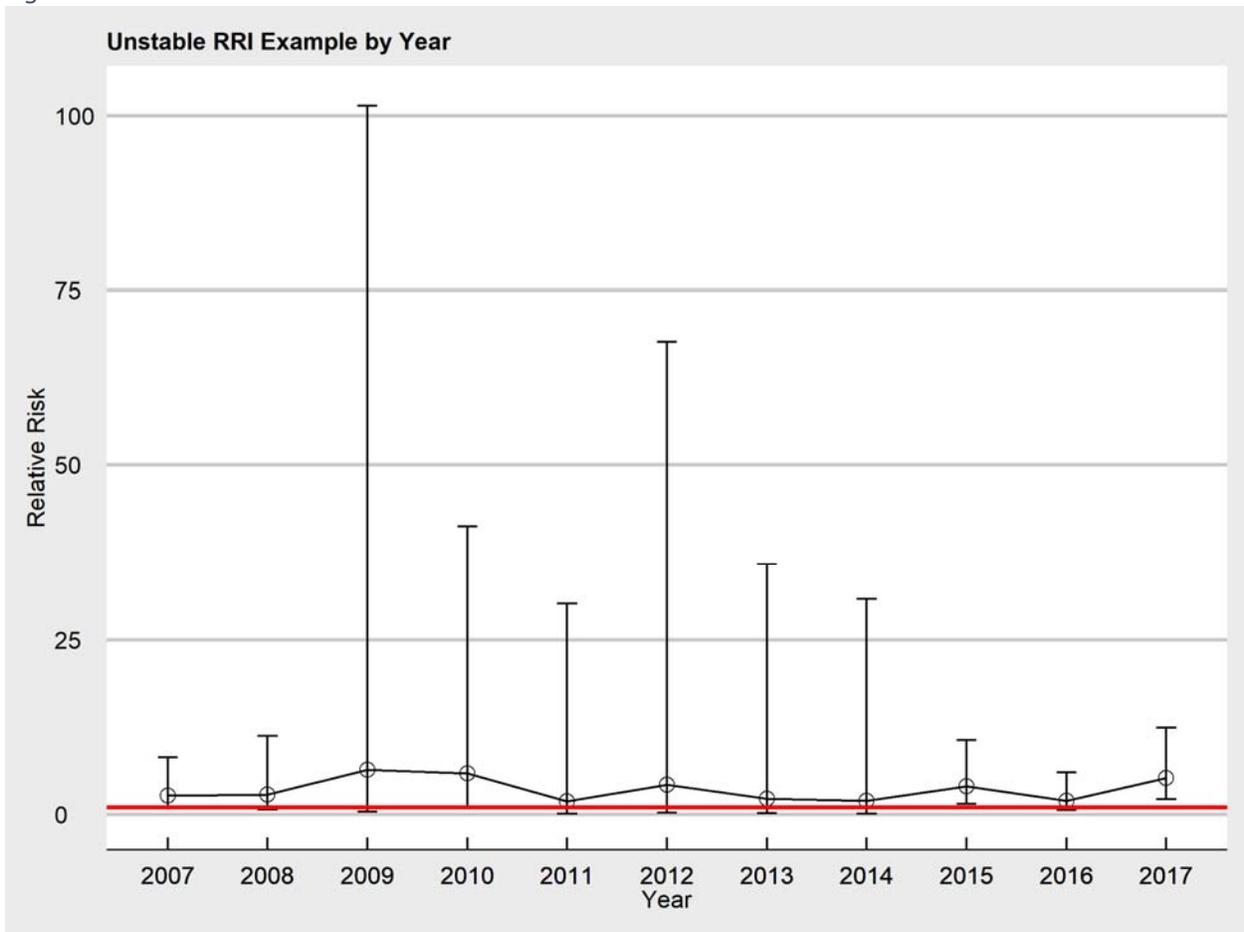
For the lower level CI, we can invert the value ( $1/0.4$ ) to arrive at the interpretation that white youth could be 2.5 times more likely to be arrested relative to minority youths. However, the upper level CI indicates

that white youths could be 101.4 times less likely to be arrested relative to minority youths. This uncertainty is caused by a small population size and a small number of arrests for both the minority group and white youths in this jurisdiction.

In instances like these, the RRIs are not useful because they cannot, with any certainty, speak to whether parity or disparity exists. Removal of these problematic RRI trends resulted in the exclusion of figures from Bluffdale, Cottonwood Heights, North Ogden, and South Ogden.

Figures in this appendix show data from 2007 to 2017 when available. In some instances, either population data, arrest data, or referral data were not available for all years in a given jurisdiction. For example, in the case of South Salt Lake, figures only include the years 2014 – 2017. This occurs because the USBE did not provide population values prior to 2014 and, accordingly, RRIs could not be computed for these earlier years.

Figure A1



The reader will notice that there are no arrest RRI trend figures for “mixed” race youth. This occurs because BCI does not report “mixed” as a racial category. While the category “mixed” is available in court data, it only became available in 2011. Accordingly, trend figures for “mixed” youth referrals are provided from 2011 – 2017, providing the RRIs were sufficiently stable.

BCI does not provide a separate category for Native Hawaiian and Pacific Islander; instead, Asian is combined with Native Hawaiian and Pacific Islander in arrest data. For consistency, and in order to be able

to compare arrest and referral trends, these same groups are also combined for referrals. This is the standard practice used each year when reporting DMC RRI.

In addition to figures for each LEA, figures are provided in this appendix for Salt Lake County. This additional set of figures was created by using each of the agencies within Salt Lake County. For other counties (Cache, Weber, and Washington), data were not requested at the county level; they were requested at the LEA level for the project's target cities in each county (Logan, Ogden, and St. George). For these areas, referrals are, therefore, only available at the city level (which is also the LEA level).

In terms of interpreting the significance of the patterns of change overtime for the figures that follow, it is not possible to provide a pairwise comparison of all years relative to all other years in a jurisdiction because of the sheer number of comparisons one would have to make<sup>6</sup>. However, a “rule of thumb” proposed by Cumming (2012; adapted from Field, 2018) can be used to indicate significant change.

Figure A2 below shows some examples of significance as a function of the overlap in the confidence intervals. Rather than show arbitrary years, the years (x-axis) in each of the example figures are labeled “A” and “B”. RRI point estimates (y-axis) are shown as solid black dots and the confidence intervals are colored by year (“A” or “B”). Though only two years are shown for each panel in the figure for ease of exposition, the method of determining significance that follows can be applied to any two years and not just adjacent years.

All examples in the figure are significant at the traditional value of .05; however, people often make the mistake of thinking that values are significantly different if their CIs touch, but do not overlap at all. This is the scenario in the upper left panel of Figure A2. Rather than being significant at  $p = .05$ , however, equally-sized CIs that touch but do not overlap are significant at approximately .01. CIs that do not overlap at all are significant at  $p < .01$ ; this scenario is shown in the upper right panel.

The more difficult scenarios are shown in the bottom two panels. When the CIs have the same length, as they do in the lower left panel, overlap equal to 1/4<sup>th</sup> of the length of the CIs would indicate significance at  $p = .05$  (approximately). In practice, however, it is very rare for any two CIs to be of exactly the same length, but the determination of significance in the case of unequal CIs is only slightly more complicated.

In the panel on the bottom right of the figure, the CIs are not the same length. To determine significance, one needs to consider the length of each CI. In the case of Year “A”, the CI ranges from 2.5 to 3.5, so half the CI is .5. For year “B”, it ranges from 2.3 to 2.9, so half the CI is .3. To determine significance, one needs to know the average of half the CIs between the two years. In this case, the value is  $\frac{(.5+.3)}{2} = .4$ . Thus, an overlap of 0.4 would be significant at .05 in this case and that is, by design, exactly the overlap in the panel.

Of course, it is difficult to determine whether two CIs overlap by the average of half of their respective lengths just by looking at a figure. It is important to keep in mind, however, that .05 is an arbitrary value for significance and one does not have to be exact<sup>7</sup>. For practical purposes, the reader can consider two

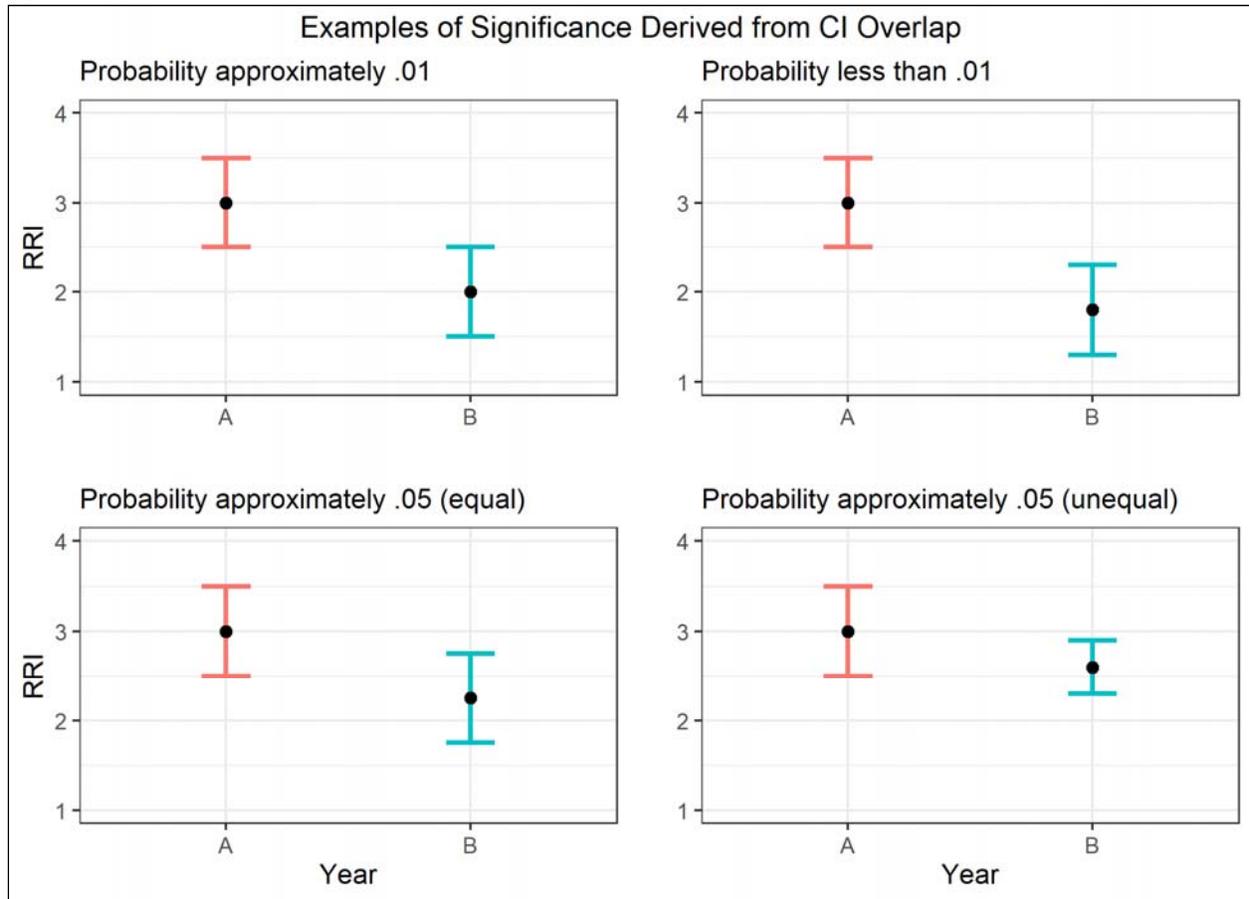
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<sup>6</sup> One can compute the number of comparisons required for any one figure using the formula:  $\frac{p(p-1)}{2}$ . Here, p refers to the number of timepoints. In most figures that follow, there are 11 timepoints, inclusive of the years 2007 – 2017. The number of comparisons one would have to make is, therefore,  $\frac{11*10}{2} = 55$  per figure.

<sup>7</sup> R.A. Fisher is considered the “father” of significance testing. From his perspective, there is nothing special about the value  $p < .05$ . Instead, the p-value should be considered as statistical evidence for or against a hypothesis. He felt p-values should be interpreted as a range of evidence, where  $p = .01$  would be considered strong evidence, and

values as significantly different if there is only “moderate” overlap between the CIs. Moderate overlap could be, for example, considered as about 1/4<sup>th</sup> to just over 1/4<sup>th</sup> overlap in the CIs.

Figure A2



## Summary of RRI Trends

This section of the appendix provides a brief summary of some of the trends the reader will see in the figures that follow. Summaries are provided by jurisdiction and highlight some of the most notable features.

In Draper, only Hispanics represented a sufficiently large population on which to base RRI trends and confidence intervals. At the arrest level, parity existed across most years. There is evidence of some DMC at the referral level, but that trend has leveled to near parity in the most recent years.

In the Granite School District, both black and Hispanic populations could be modeled. At the arrest level, there is evidence of notable DMC for black youth, but not for Hispanic youth. In fact, for some years, Hispanic youth were arrested at a rate significantly lower than white youth. The picture is different at the

p=.20 would be considered weak evidence. (See Fisher, R. A. (1922). On the mathematical foundations of theoretical statistics. *Philosophical Transactions of the Royal Society of London, Series A*, 22, 309–368).

referral level. While there is, again, notable DMC for black youth, there is also DMC for Hispanic youth, and the trend shows an increasing level of DMC since 2012.

In Logan, only Hispanic youth could be modeled. At the arrest level, the trend shows a decrease in DMC over time. Parity is reached in 2015 and then there is a slight elevation in the years that follow. At the referral level, a similar decreasing trend is observed, but the rate never reaches parity in any of the modeled years.

In Murray, Asian/Pacific Islander, black, Hispanic, and mixed youth (referral only) were modeled. Parity existed for arrests in most years for the Asian and Pacific Islander population until 2016 and 2017 where some disparity is observed. An increasing pattern of DMC is observed for black youth, while a stable pattern of DMC is observed for Hispanic youth. At the referral level, an increasing pattern of DMC is observed for Asian and Pacific Islander youth. A similar increasing trend is observed for black youth, but that trend levels off from 2014 – 2017. Referrals for Hispanic youths revealed a more consistent pattern of DMC. The pattern for mixed youths show parity in all years but 2012.

In Ogden, Asian/Pacific Islander, black, and Hispanic youth were modeled. Arrest rates for Asian and Pacific Islander youths revealed a stable pattern of parity, but there is evidence of considerable disparity for black youth in all but 2016; in some cases, DMC reached levels five times greater than parity. Arrest rates for Hispanic youth, despite revealing DMC, were declining over most years until a notable spike in 2017. Similar to arrests, referral rates for Asian and Pacific Islander youths revealed a stable pattern of parity. However, notable disparity existed for black and Hispanic youth. The DMC is greatest for black youth, reaching levels five times greater than parity in some years. The pattern for mixed youths show parity in all years but 2011.

In Saint George, both Hispanic and Native American populations were modeled. For Hispanic arrests, Saint George rates have declined to parity in the most recent years. Rates are near parity in most years for Native American youth. At the referral level, there is sustained DMC for Hispanic youths. There is DMC for Native American youths in all years except 2013 and 2014.

In Salt Lake City, Asian/Pacific Islander, black, Hispanic, Native American, and mixed race youth (referral only) were modeled. At the arrest level, Asian and Pacific Islander youth are near parity with a notable exception of DMC in 2014 where there is notable DMC. There is sustained DMC for both black and Hispanic youth across all years. Native American youth show a pattern nearly identical to Asian and Pacific Islander youth; that is, there is largely parity with a notable spike in DMC in 2014. At the referral level, Asian and Pacific Islander youth, there is evidence of DMC across most years with a notable increase in 2014 that mirrors arrests. In 2016 and 2017, however, parity is achieved. There is sustained DMC for both black and Hispanic youth across all years. Mixed race youths have declined to parity in 2016 and 2017. Rates for Native American youths revealed a stable pattern of DMC before a notable spike in 2014 followed by parity in 2016 and 2017. In this jurisdiction, it would be interesting to investigate what the cause of the spike in arrest and referral rates was for many groups in 2014.

In Salt Lake County, Asian/Pacific Islander, black, Hispanic, Native American, and mixed race youth (referral only) were modeled. At the arrest level, Asian and Pacific Islander youth show a decreasing rate of DMC that reaches parity (and even shows a rate of contact less than whites) in years following 2011. There is an increasing trend of DMC for black youths and a decreasing trend for Hispanic youths; the rate of contact for Hispanic youths never reaches parity, however. The pattern for Native American youths is inconsistent, with parity in early years, DMC from 2011 to 2015, and then parity again in 2016 and 2017. At the referral level, Asian and Pacific Islander youth show a decreasing trend (similar to arrests) that reaches parity in 2016. Black and Hispanic youths show a mostly stable pattern of DMC. Mixed race youths

show a pattern of declining DMC that reaches parity in 2014 and remains stable. Finally, the rates for Native American youth show a pattern of consistent DMC that declines slightly in 2016 and reaches parity in 2017.

In Sandy, both black and Hispanic youth were modeled. At the arrest level, there is consistent DMC for black youth until a decline in 2014 (not to parity) followed by a steady increase in DMC. Hispanic youths show an interesting trend of declining DMC that actually begins to show disproportionate contact of white youth in 2014. The pattern of disproportionality for white youth remains constant from 2014 – 2017. For referrals, the rate of contact shows an increasing trend in DMC for black youth. For Hispanic youth, the trend shows a notable decreasing pattern, but it reaches parity only in 2016.

In South Jordan, Asian and Pacific Islander and Hispanic youth were modeled. At the arrest level, the pattern for Asian and Pacific Islander youth shows mostly parity with three (non-adjacent) years of DMC. For Hispanic youth, the pattern is one of mostly parity, with some DMC in earlier years. The pattern for Asian and Pacific Islander referrals shows some evidence of DMC, but most years hover near parity. For Hispanic youths, there is consistent DMC except in the years 2010, 2014 and 2015.

In South Salt Lake, only Hispanic youths were modeled and, as mentioned above, population data were only available from 2014-2017. There is parity in all years at the arrest level, but disparity in all years at the referral level.

For the Utah Highway Patrol (Salt Lake), only Hispanics were modeled. At the arrest level, there is evidence of parity in all years except one year where there is disproportionate contact with white youth. At the referral level, however, there is evidence of DMC in all years.

For the Unified Police and Salt Lake County Sheriff, Asian and Pacific Islander, black, and Hispanic youths were modeled. At the arrest level for Asian and Pacific Islander youth, the pattern in early years shows disproportionate contact with white youth. In recent years, however, that rates of contact have reached parity. For black youths, DMC is found across all years. Perhaps most interesting, the rates of contact for Hispanic youth show disproportionality against white youth in all but two years. At the referral level, contact rates for Asian and Pacific Islander youth show parity in most years, with evidence of disproportionate contact with whites in the two most recent years. The pattern for black youth shows an increasing trend, while the pattern for Hispanic youth shows stable DMC.

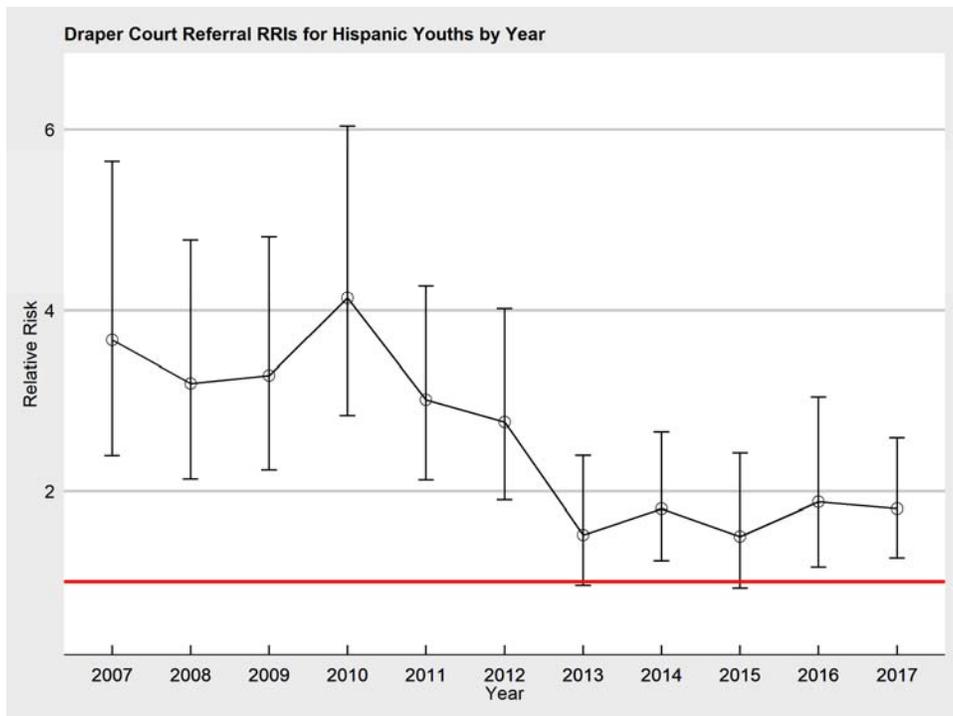
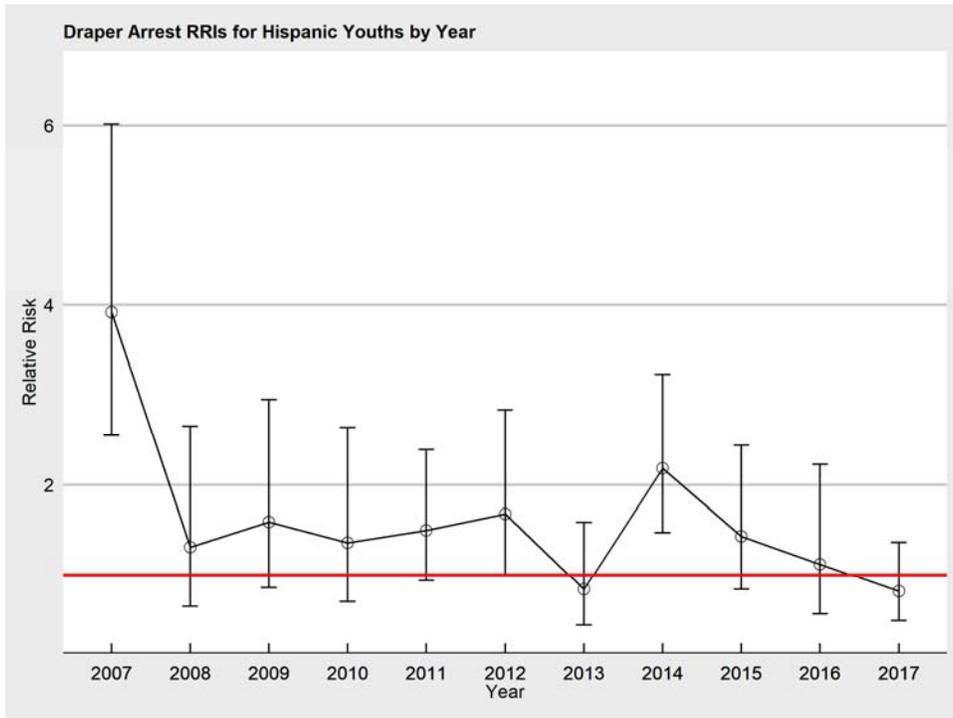
In West Jordan, Asian and Pacific Islander, black, and Hispanic youths were modeled. At the arrest level, rates of contact for Asian and Pacific Islander youths show some DMC except in 2012, 2013, 2014, and 2017. For black youth, there is an increasing trend of DMC. For Hispanic youth, there is a largely stable pattern of DMC. At the referral level for Asian and Pacific Islander youths, there is some evidence of DMC with one notable spike in 2015. For black youths, there is a very slightly increasing trend of DMC, while, for Hispanic youths, there is a slight decreasing pattern of DMC, but it does not reach parity.

In West Valley, Asian/Pacific Islander, black, Hispanic, Native American, and mixed race youth (referral only) were modeled. Arrest rates of contact for Asian and Pacific Islander youths show a decreasing pattern of DMC that reveals disproportionate contact with whites from 2013 to 2017. The trend for black youths shows a mostly stable pattern of DMC with, perhaps, a slight increasing trend. For Hispanic youth, there is DMC from 2007 to 2012, parity in 2013, and then disproportionate contact with whites from 2014 to 2016. Parity is again observed in 2017. For Native American youths, there is parity across most years. At the referral level, the contact rates for Asian and Pacific Islander youths shows DMC from 2007 to 2012, parity in 2013 and 2014, and the disproportionate contact with white youth from 2015 to 2017. There is fairly consistent DMC for black youth. For Hispanic youth, there is a decreasing pattern of DMC that reaches parity in 2016 and is near parity in 2017. For “mixed” youth, the pattern is seemingly anomalous and may have something to do with the accuracy of reporting mixed race youth data. In 2011, these youths were

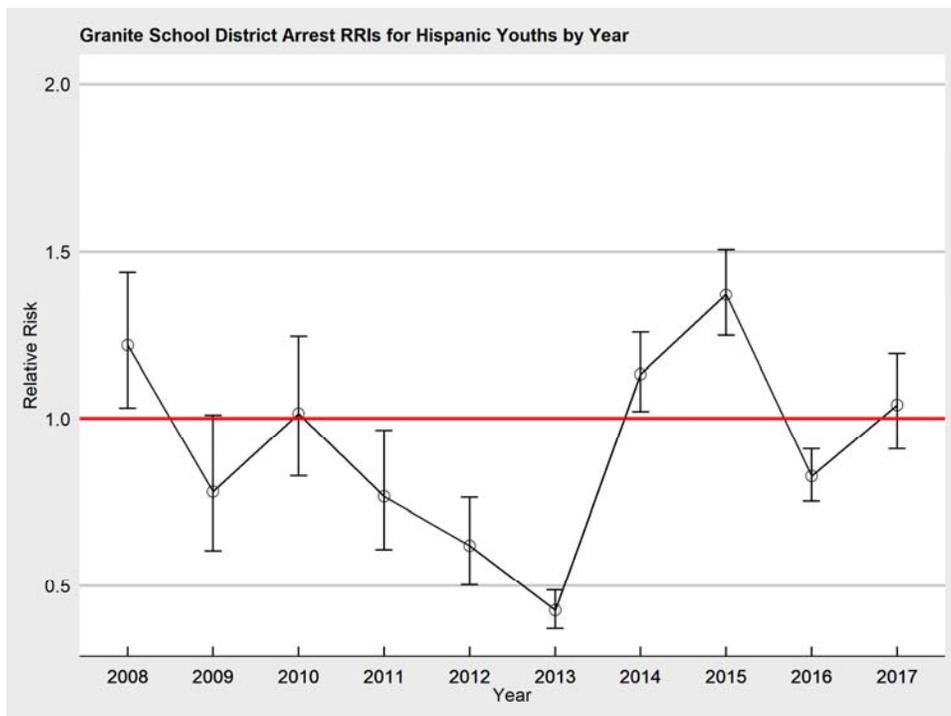
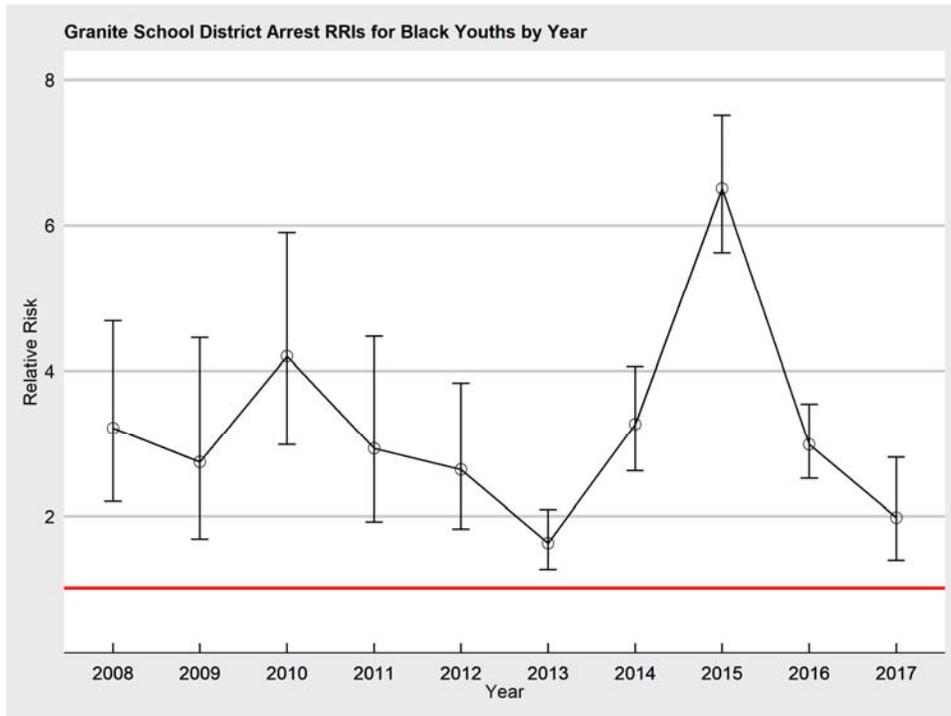
contacted at nine times the level of white youths, but parity was achieved from 2015 forward. The pattern for Native American youths revealed some early DMC, but mostly parity in recent years.

One notable trend across most agencies and years is a lack of parity in the arrest and referral trends for black youth. While other race/ethnicity groups typically experienced some periods of parity, this was rarely the case for black youth in areas in which they could be modeled.

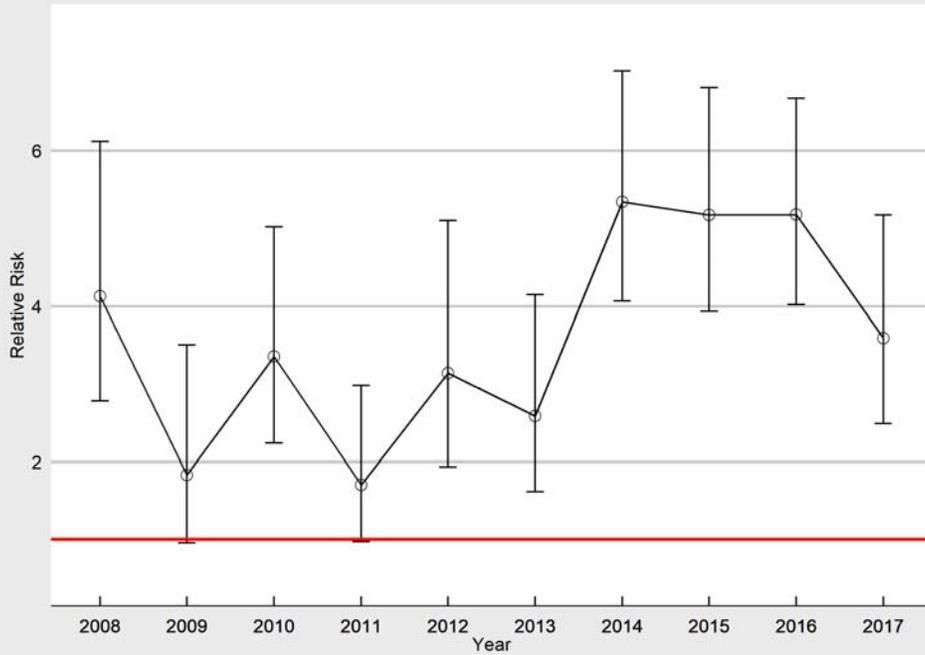
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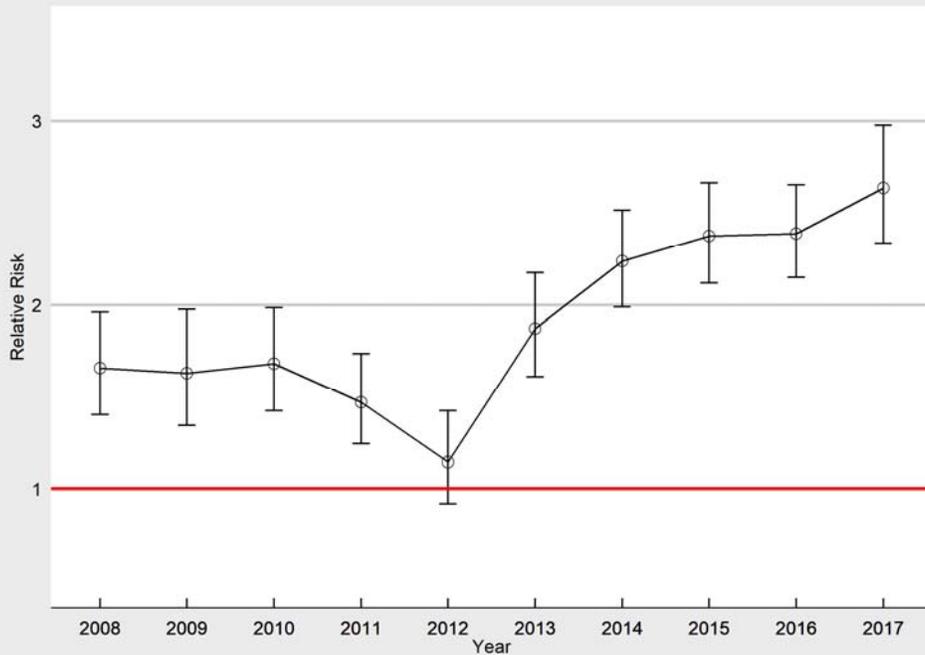
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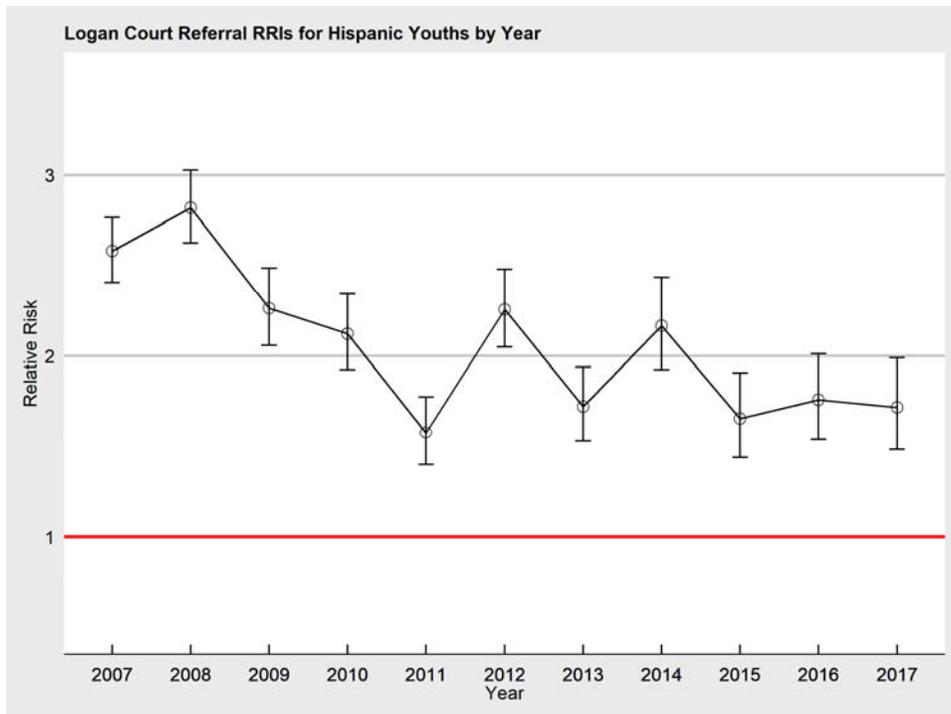
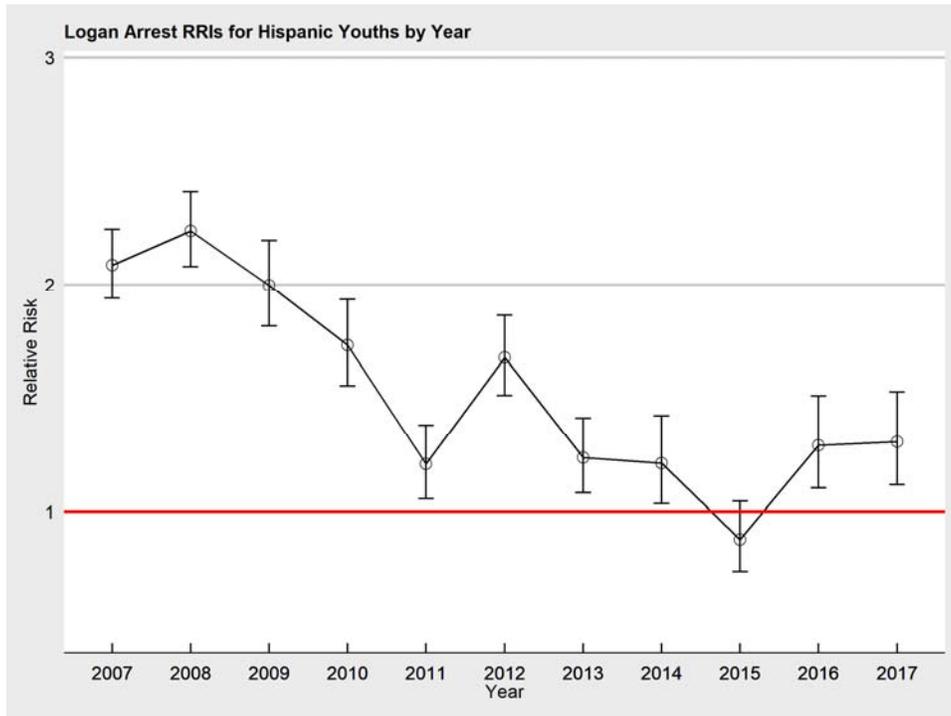
Granite School District Court Referral RRI for Black Youths by Year

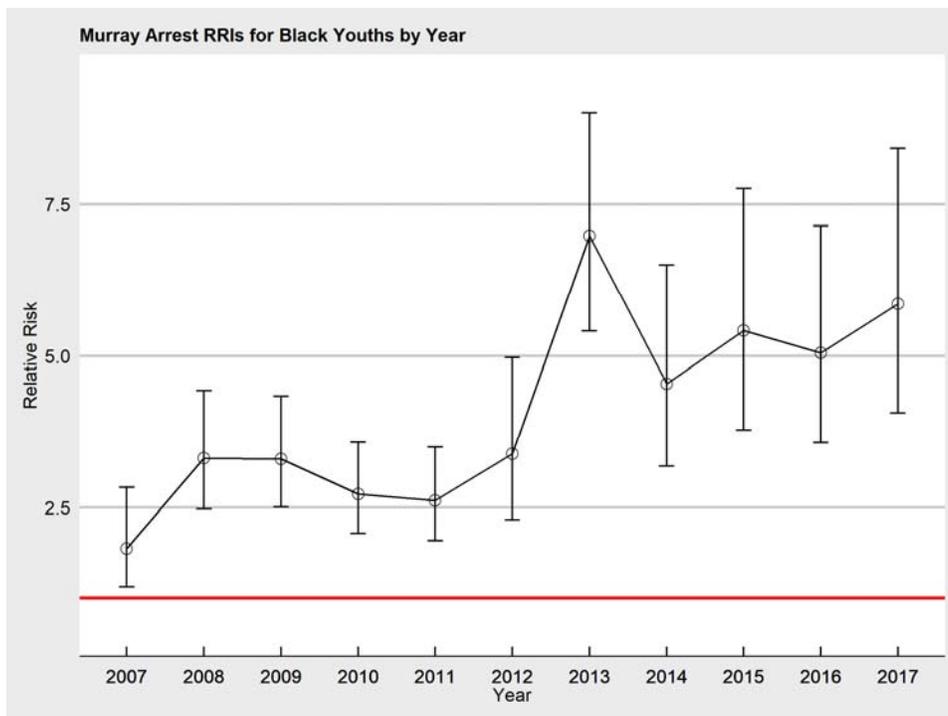
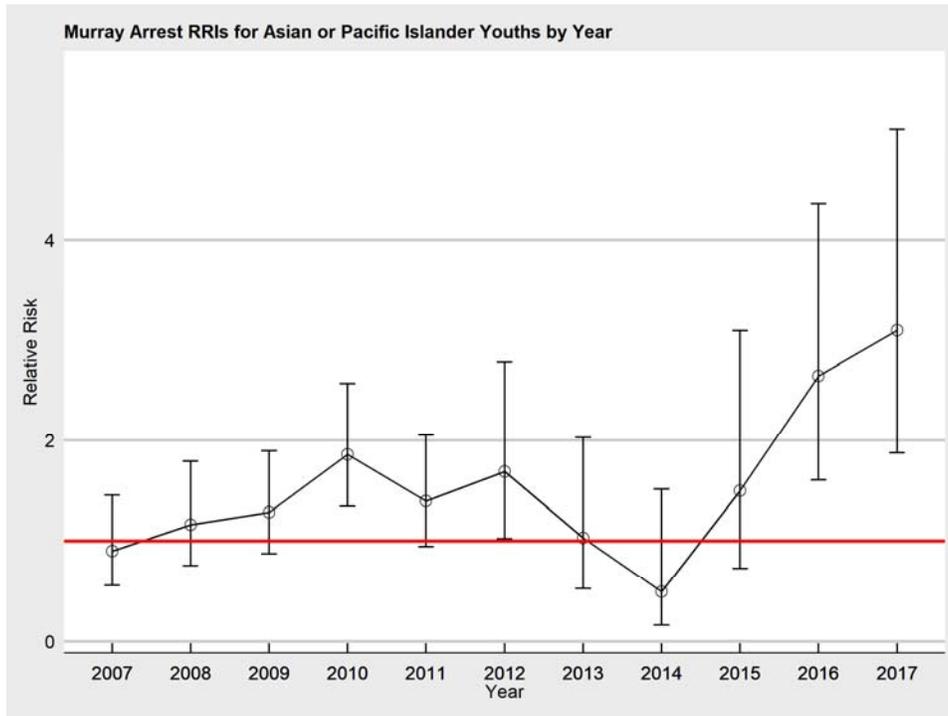


Granite School District Court Referral RRI for Hispanic Youths by Year

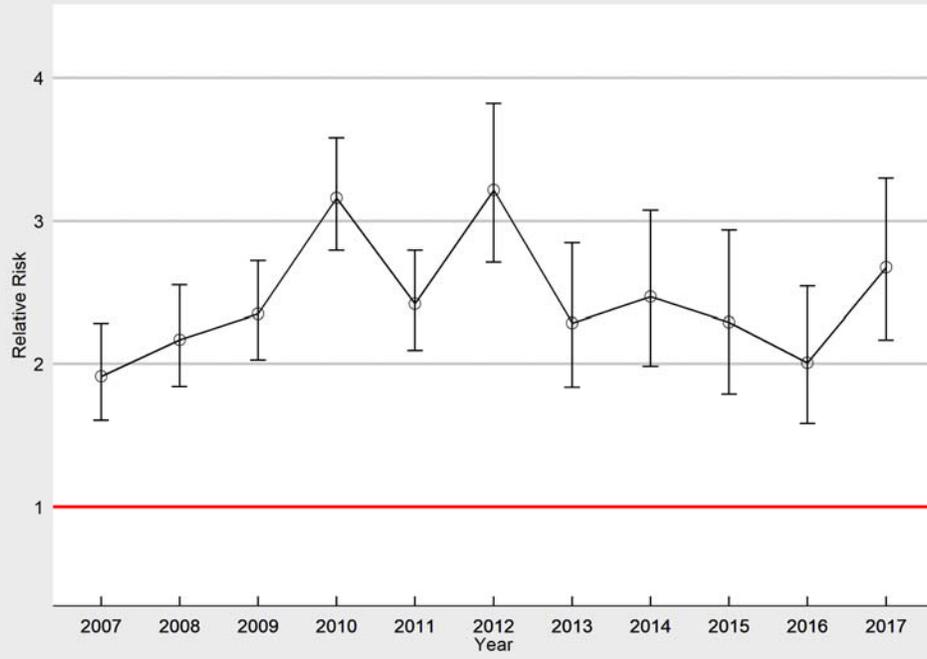


# Logan

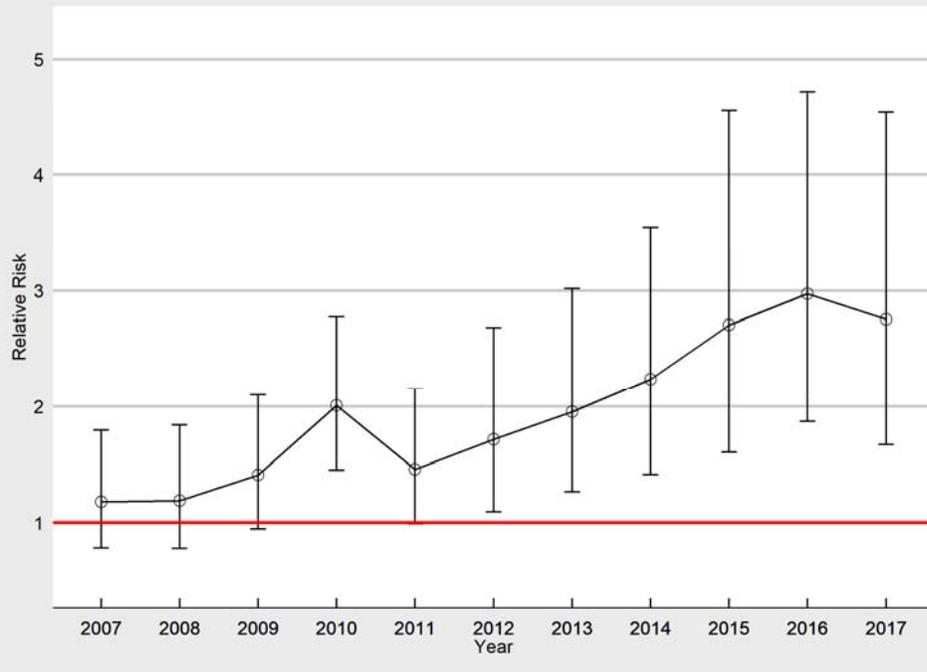


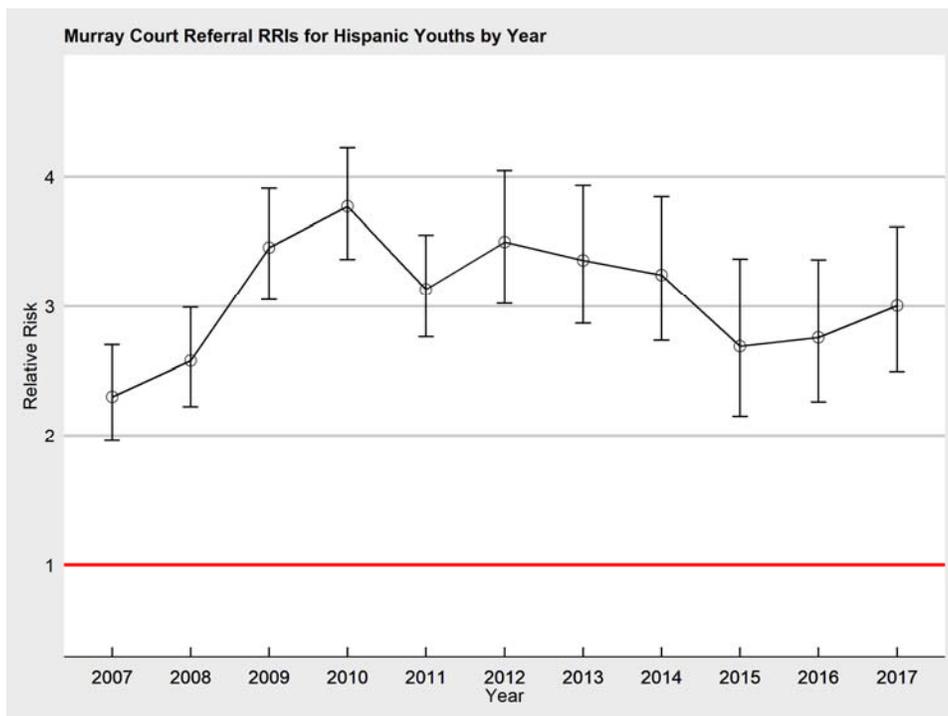
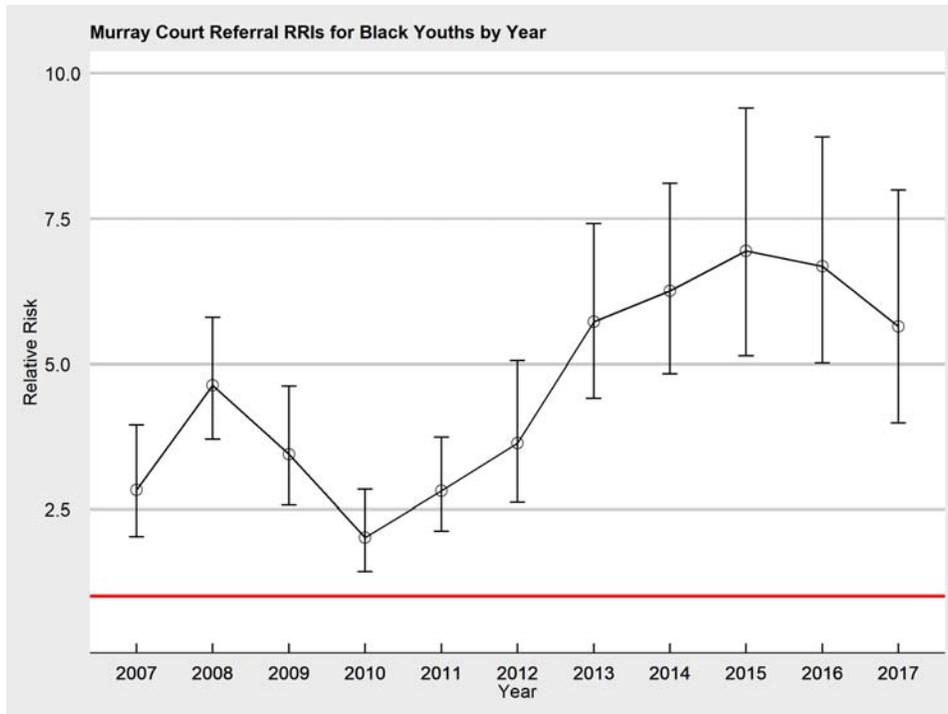


Murray Arrest RRIs for Hispanic Youths by Year

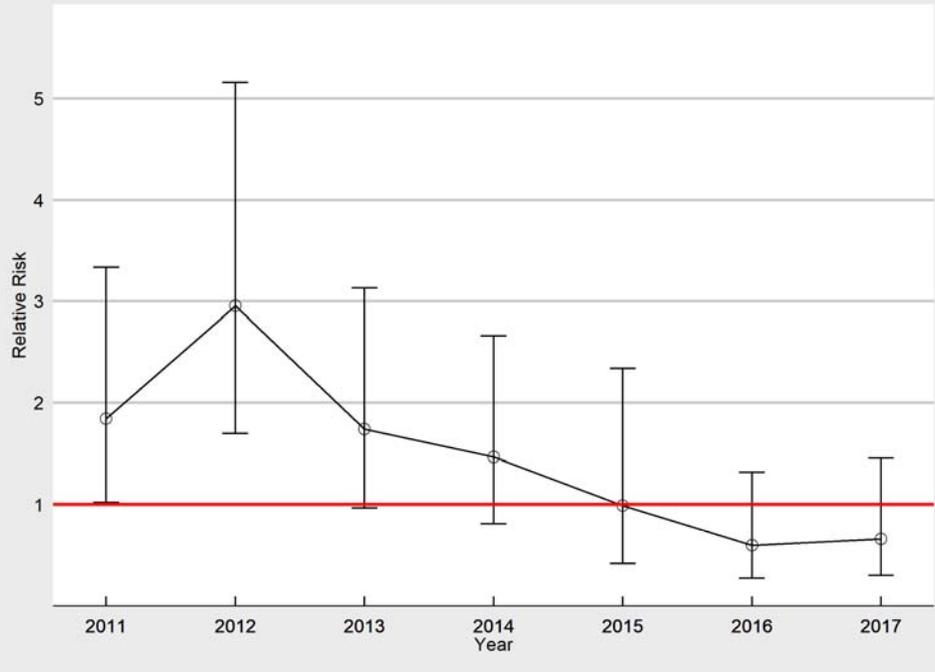


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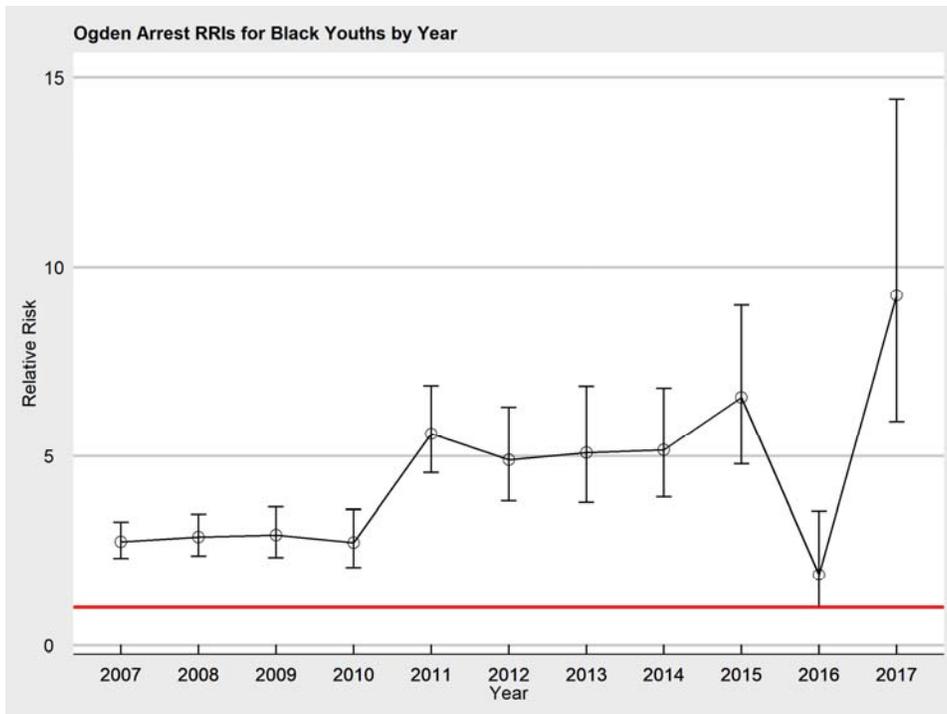
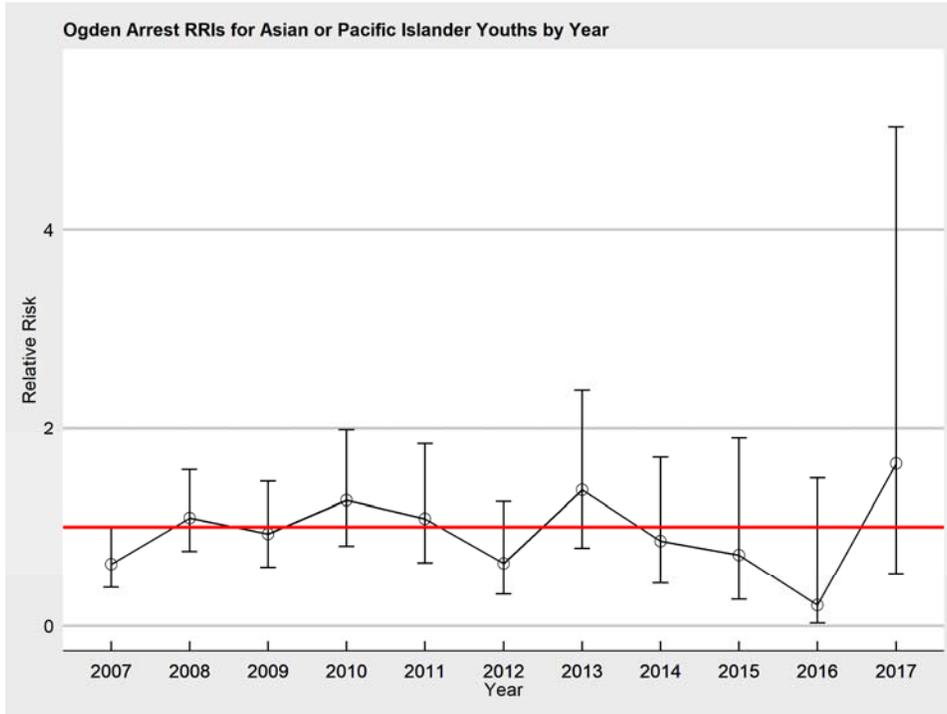


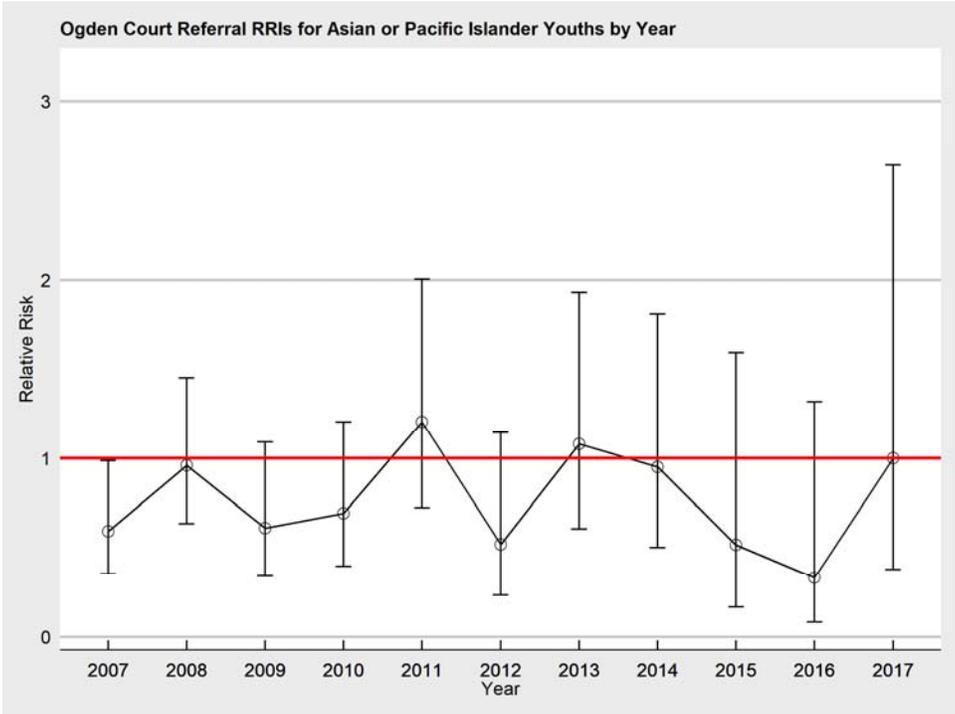
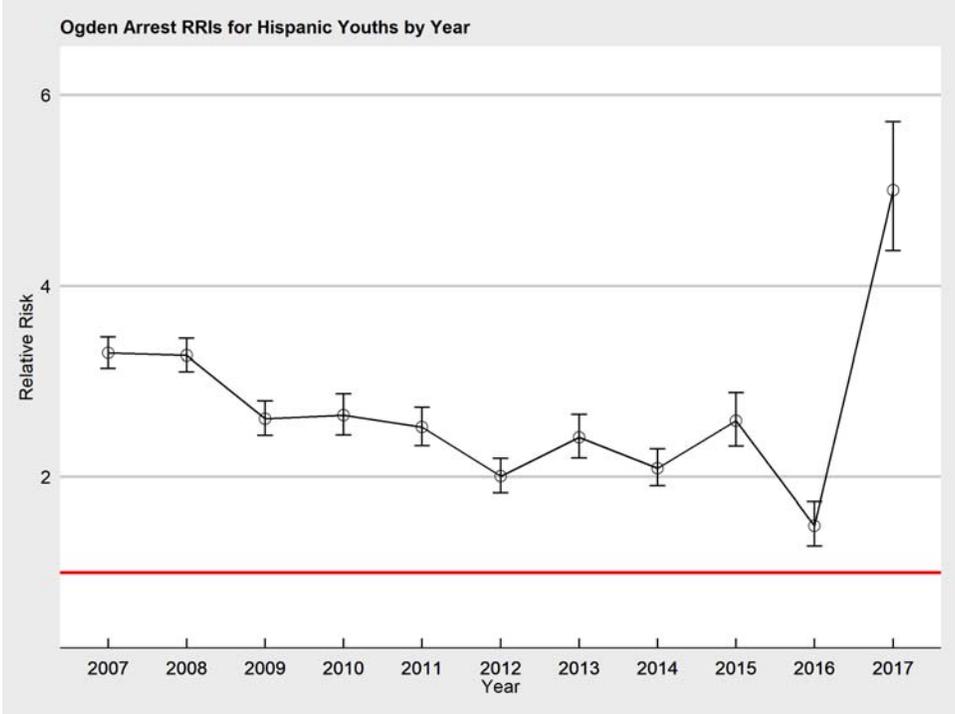


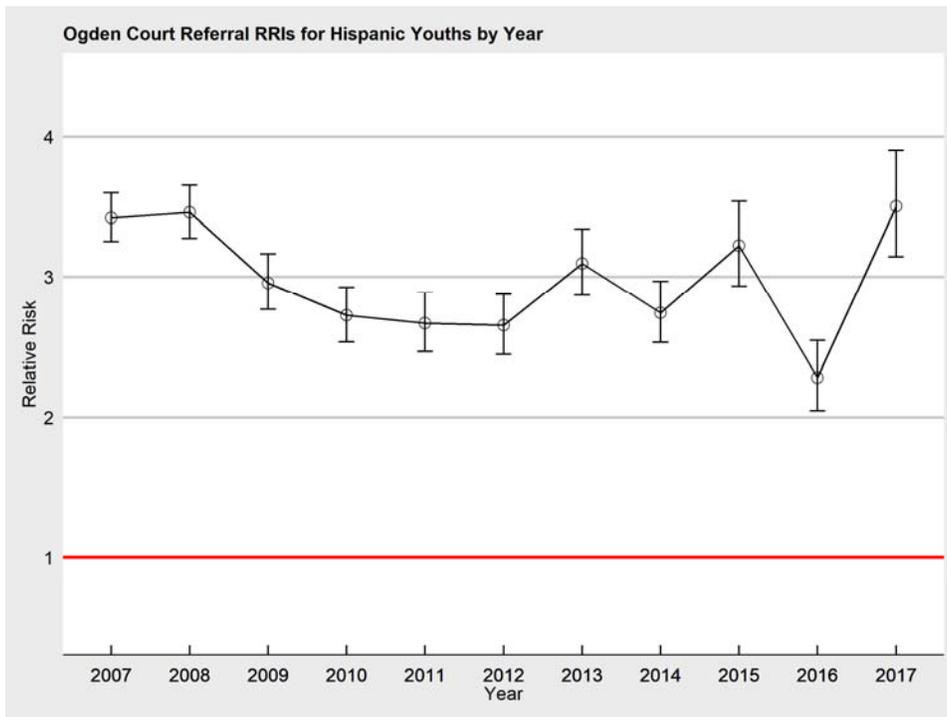
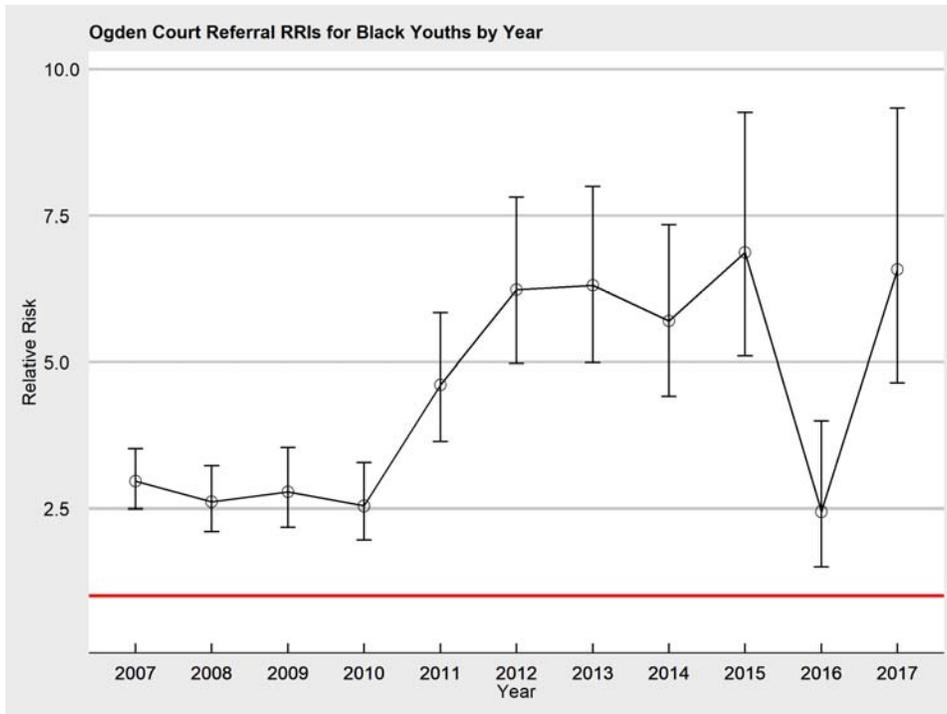
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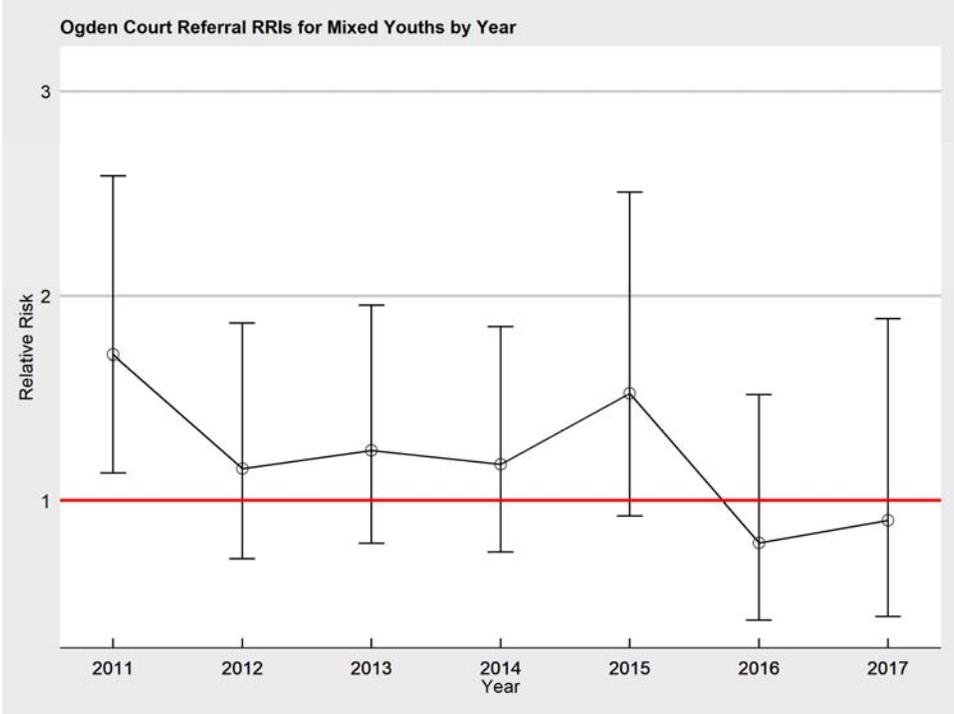


Ogden

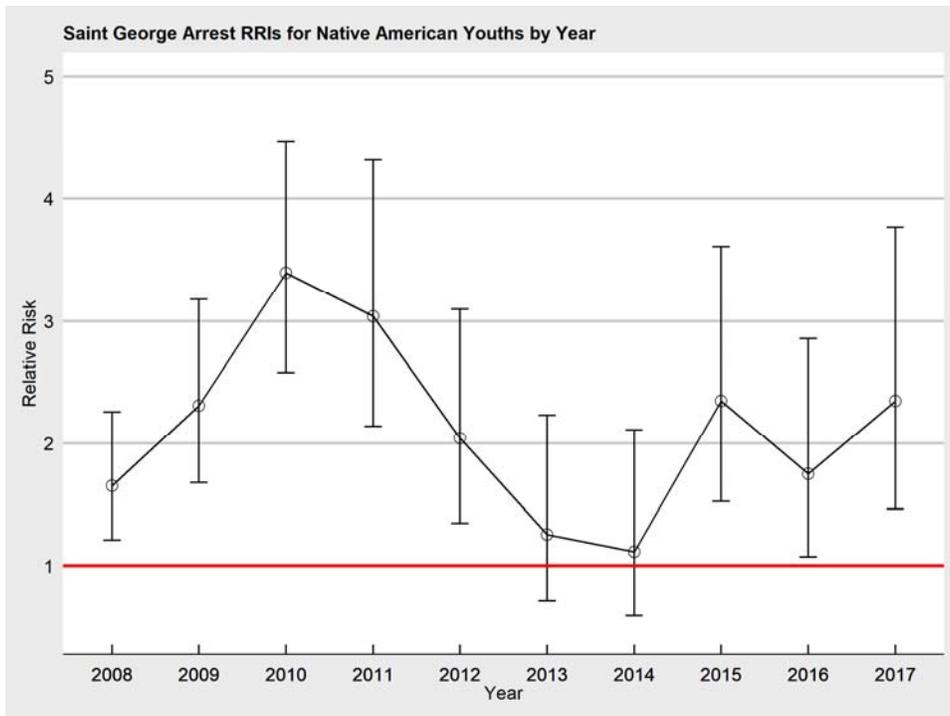
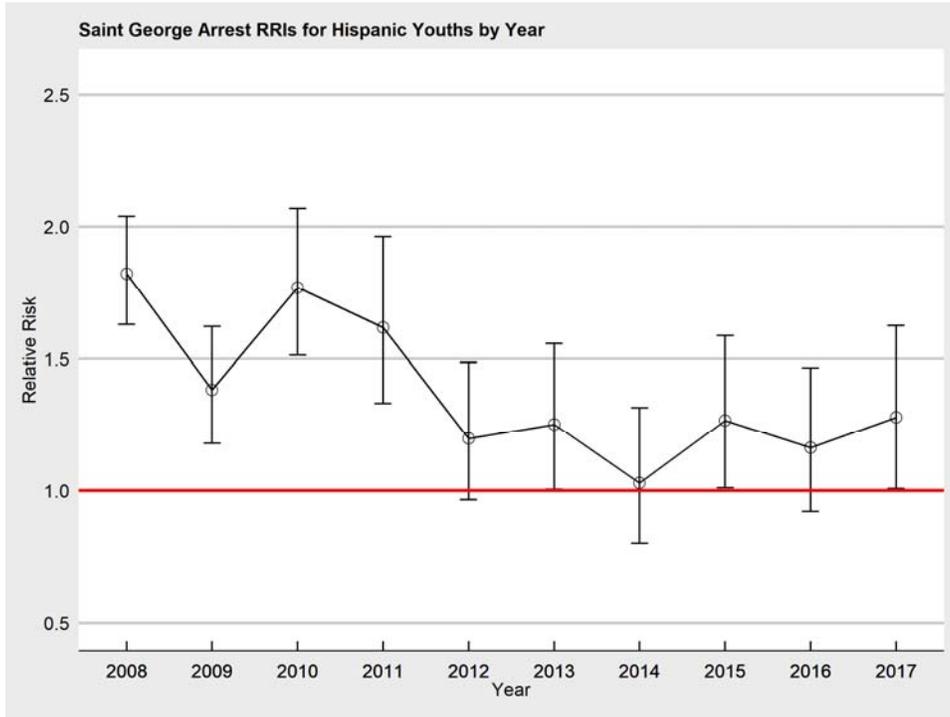


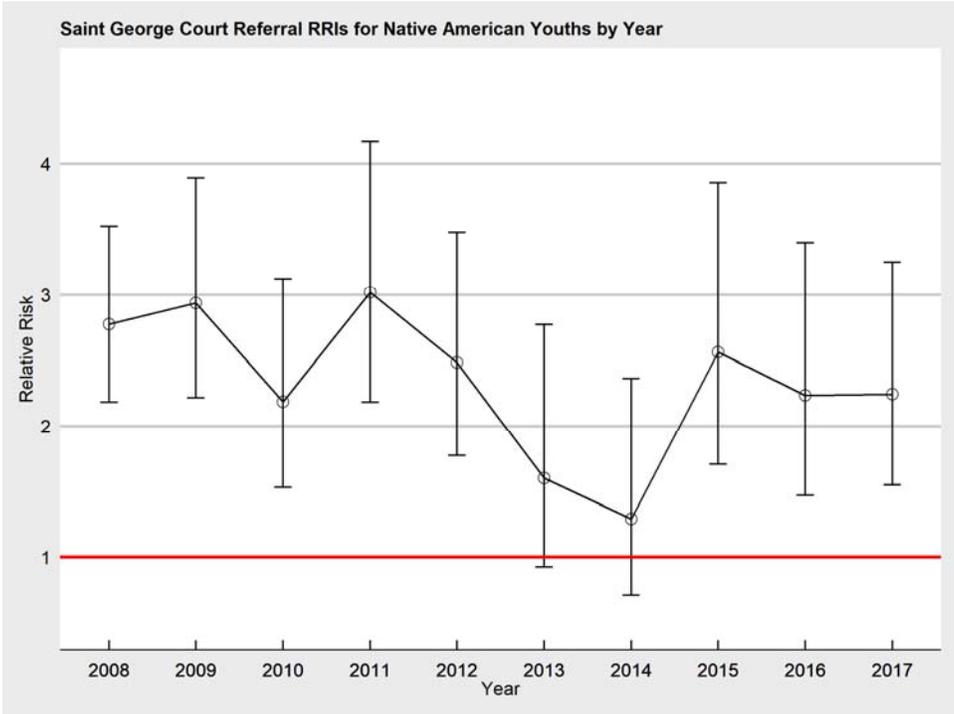
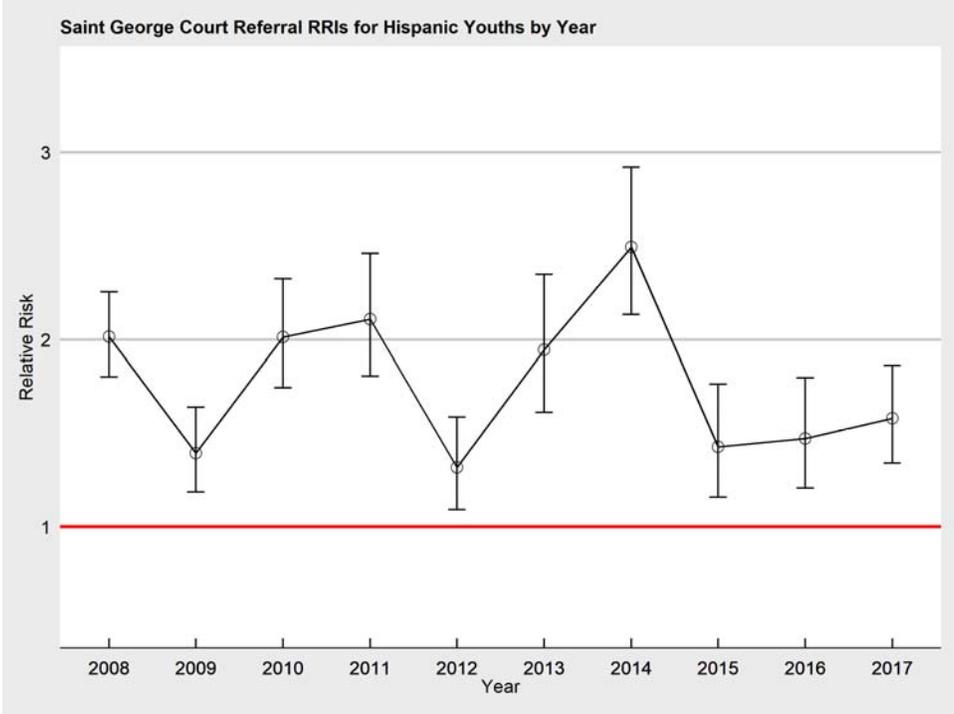




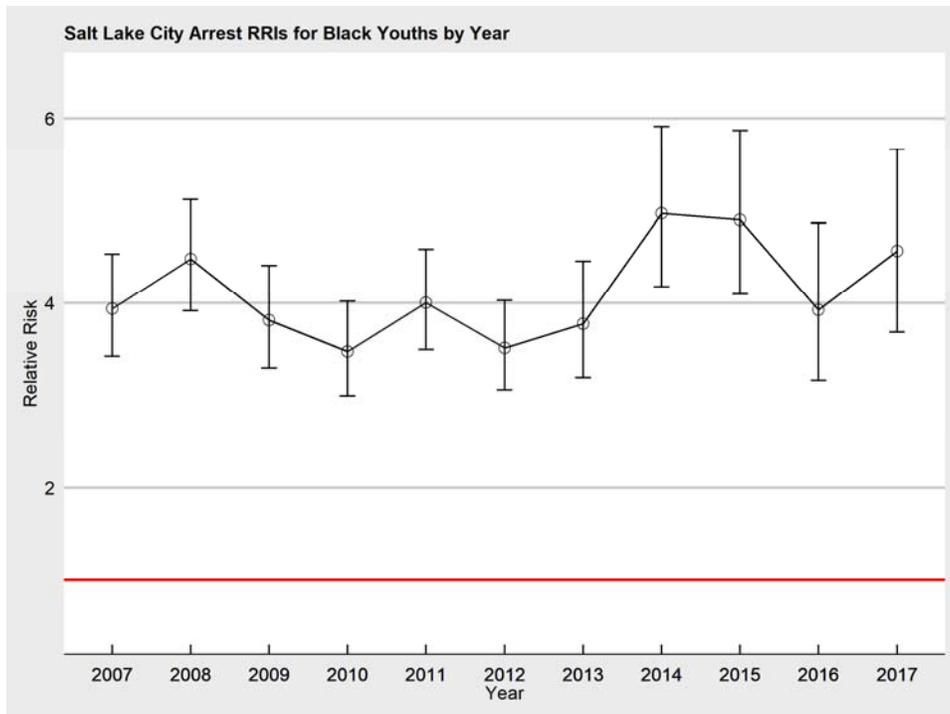
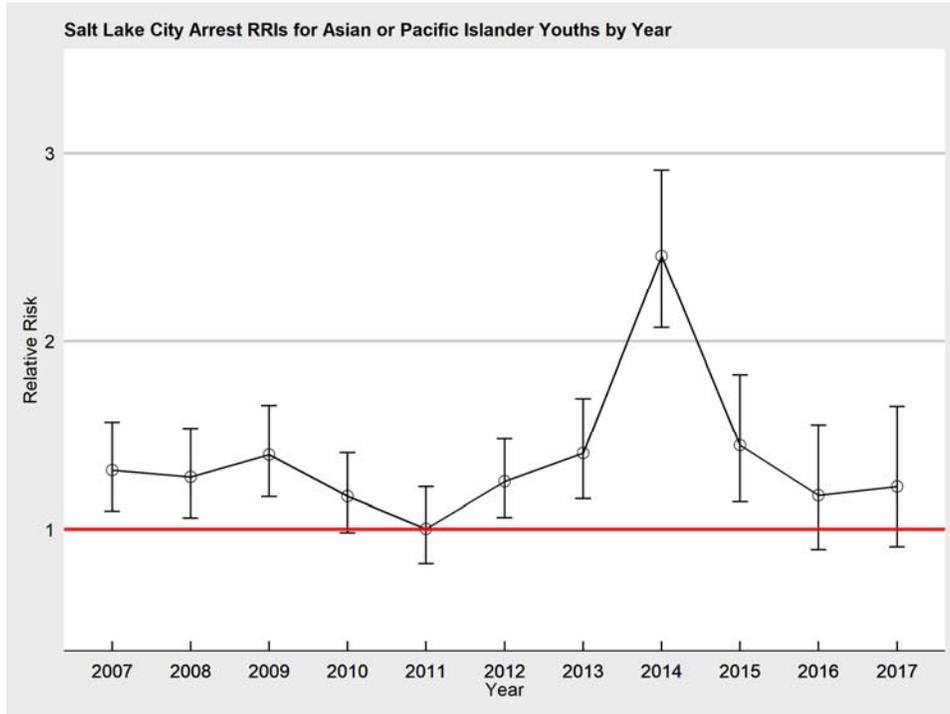


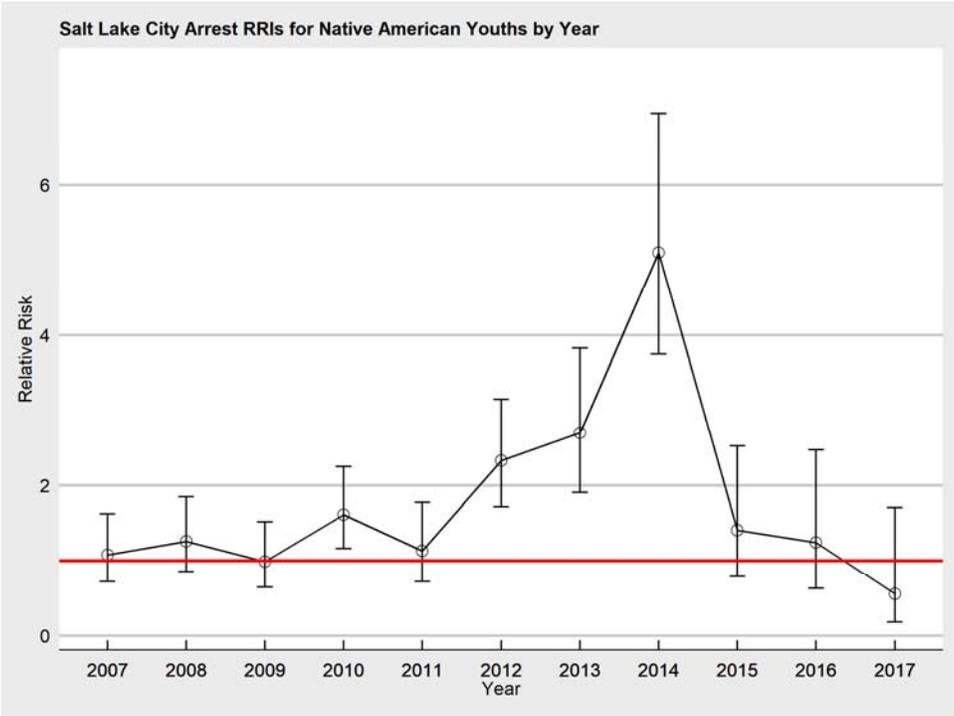
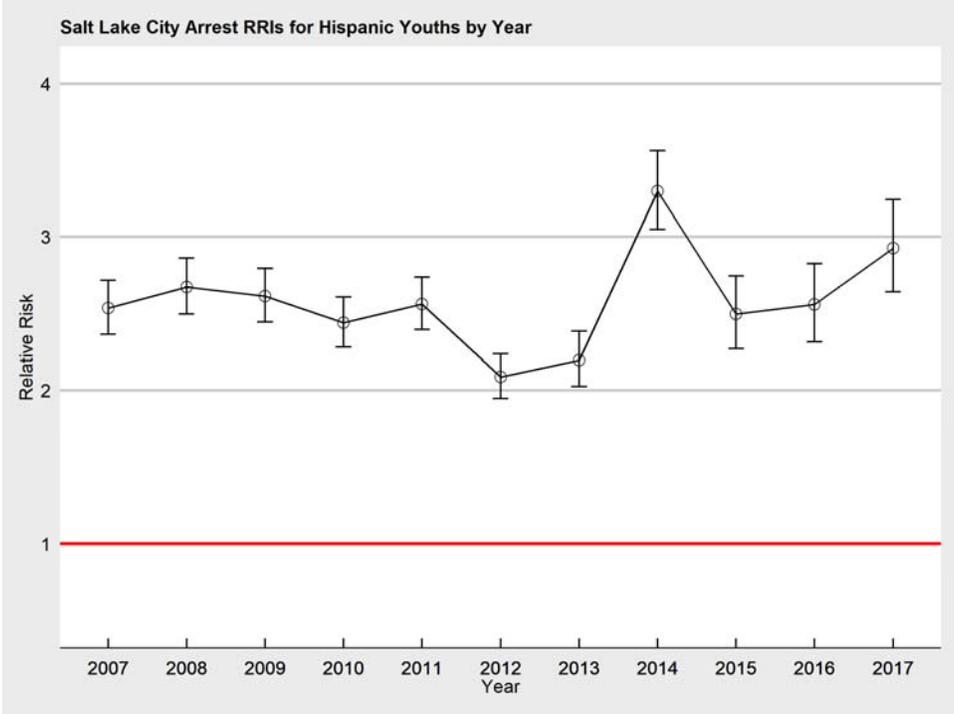
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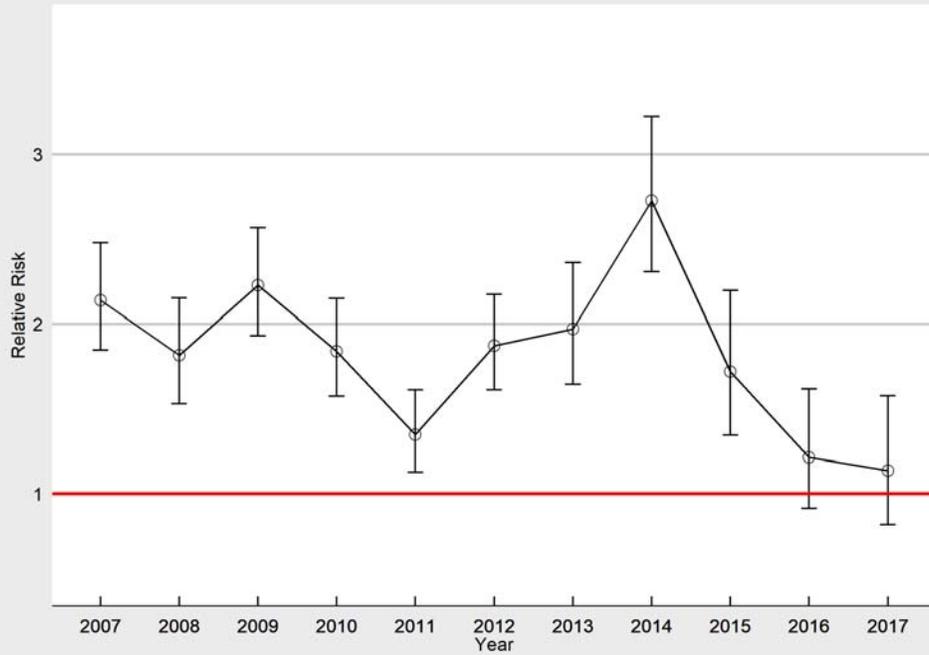


# Salt Lake City

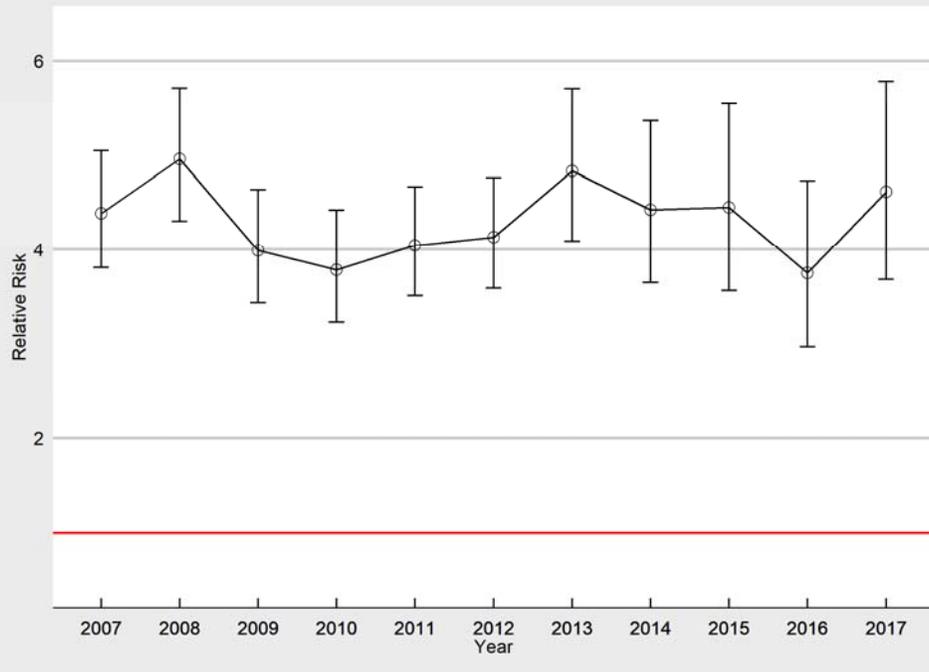


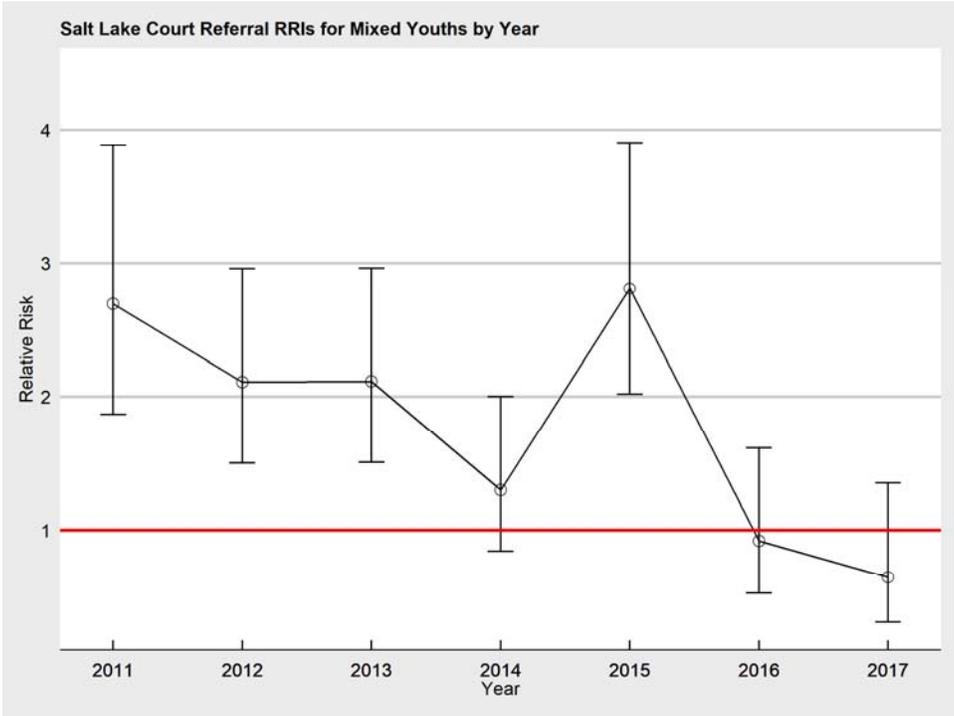
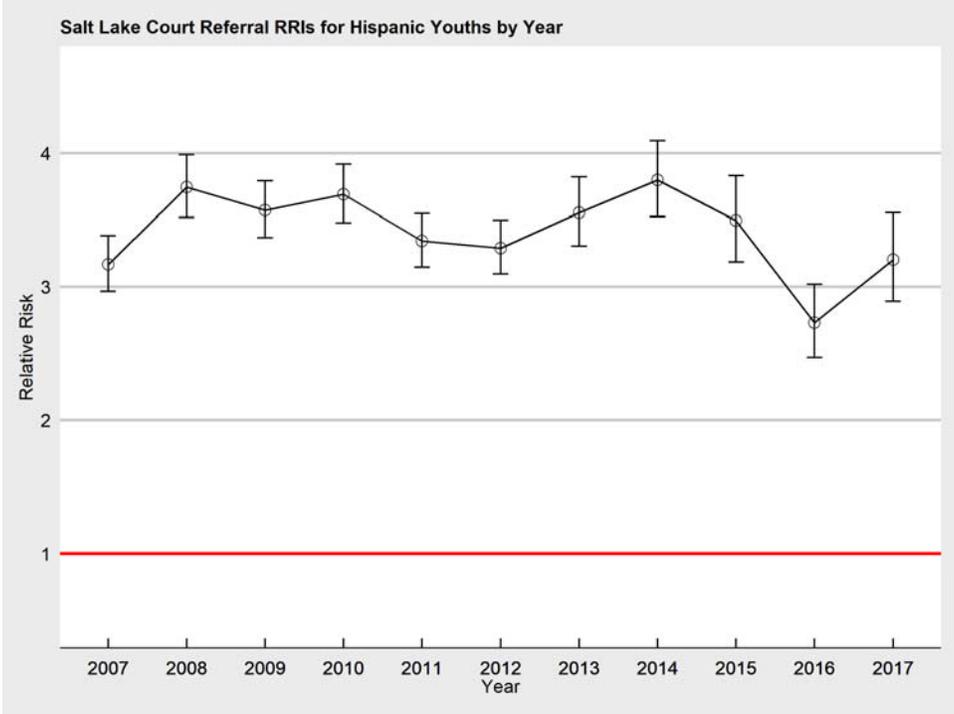


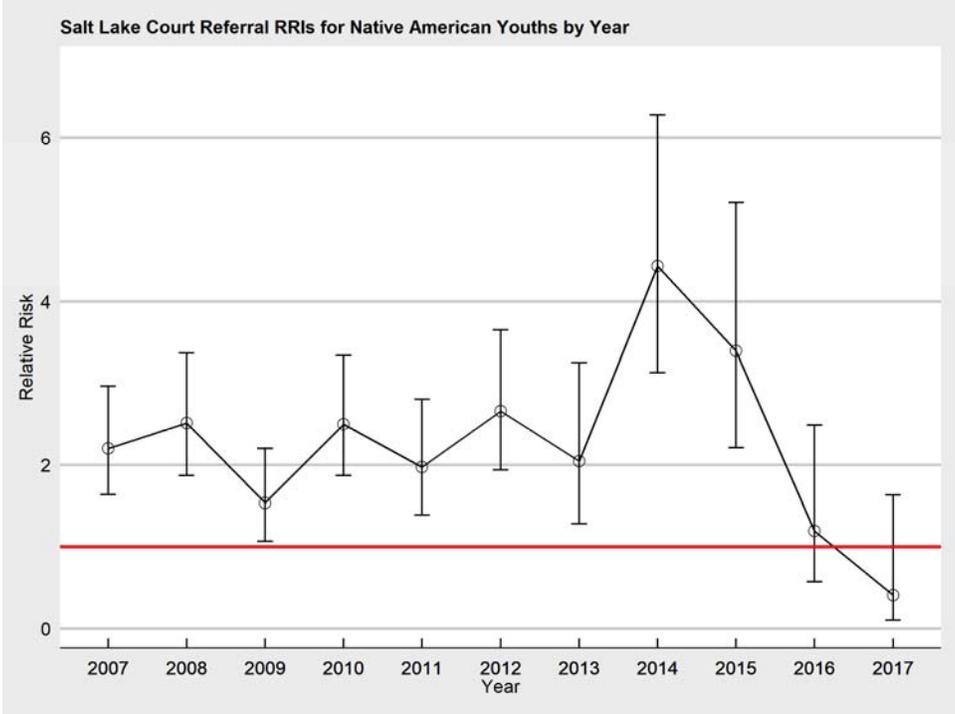
Salt Lake Court Referral RRs for Asian or Pacific Islander Youths by Year



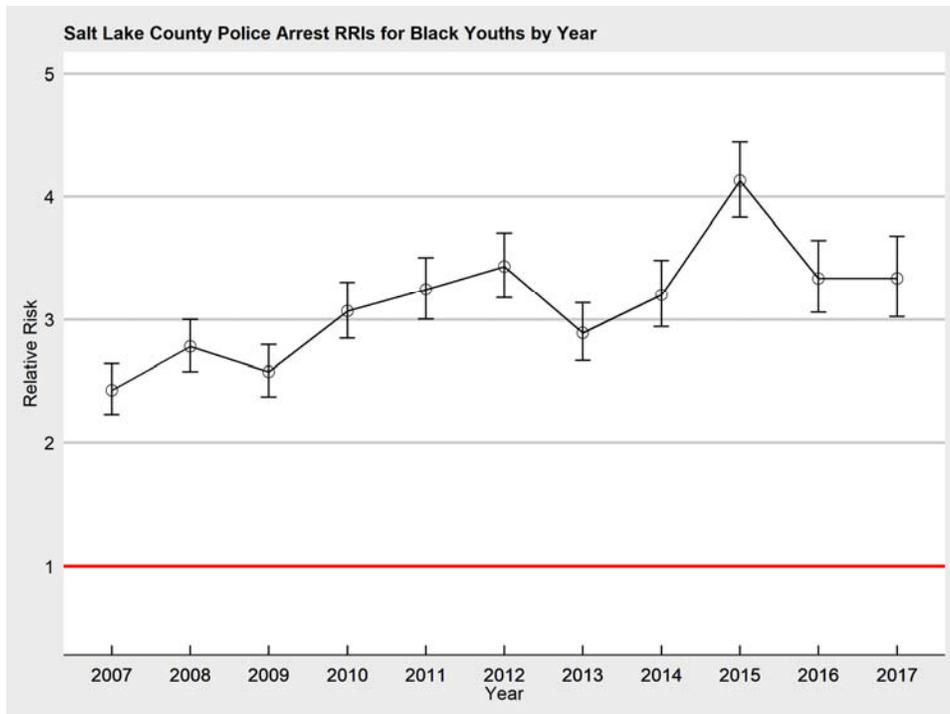
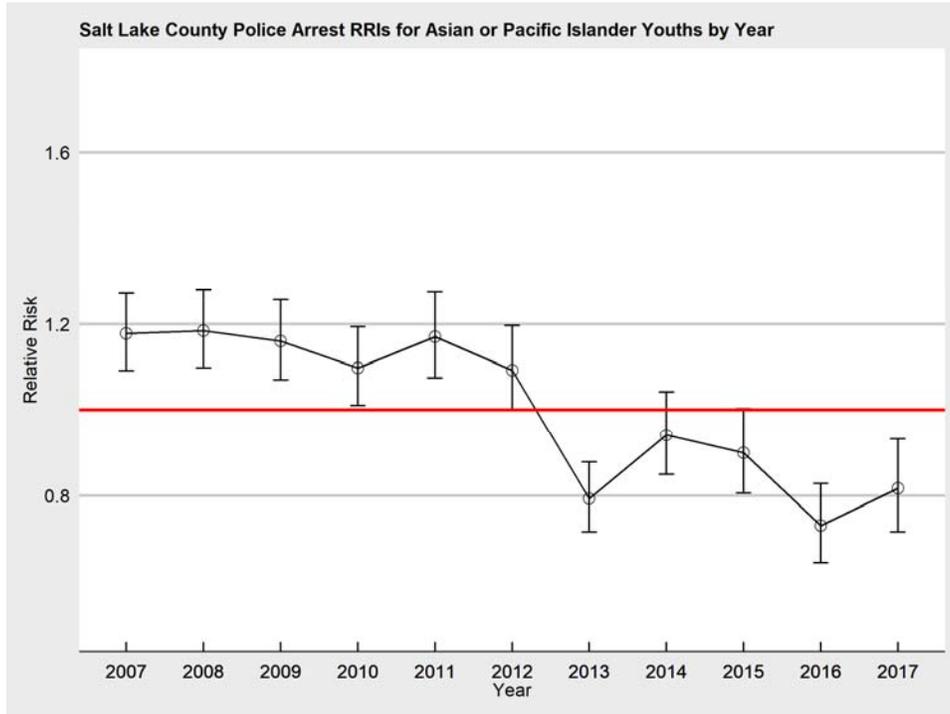
Salt Lake Court Referral RRs for Black Youths by Year

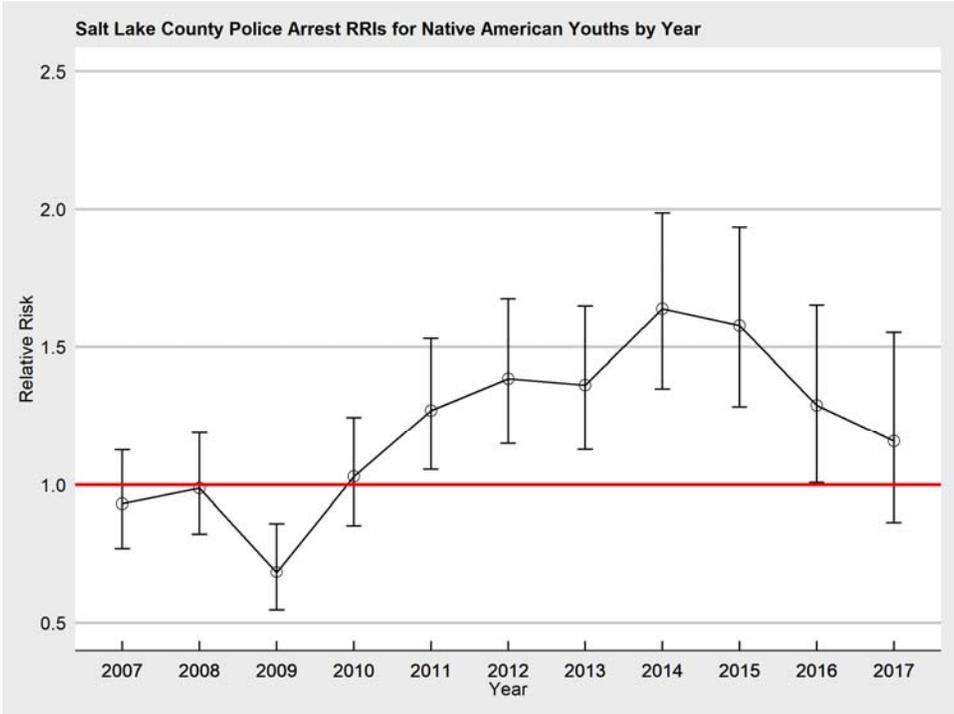
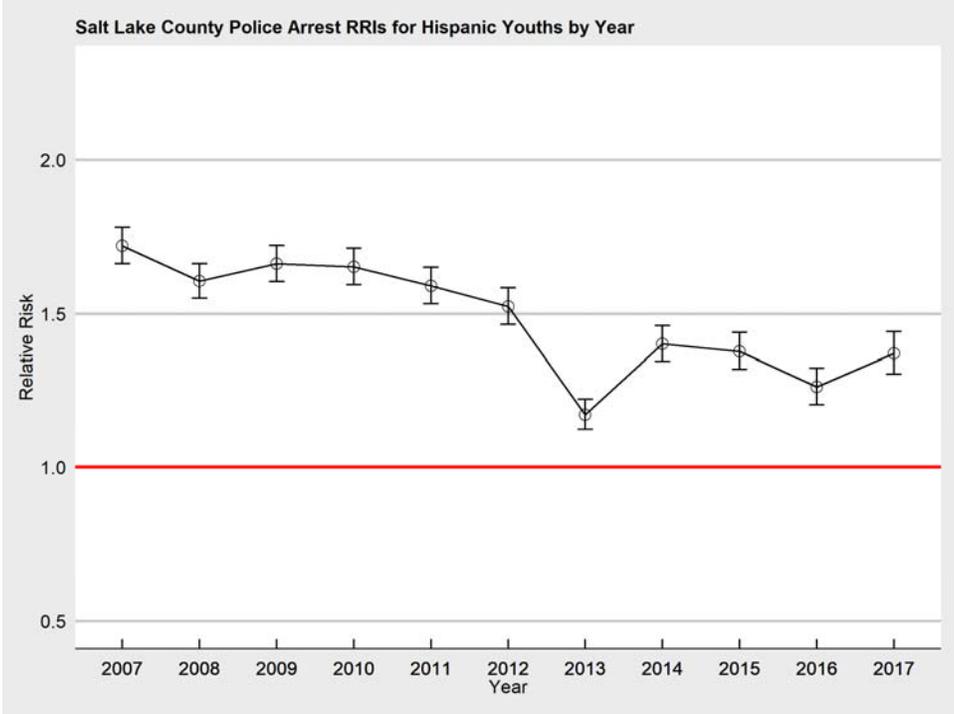


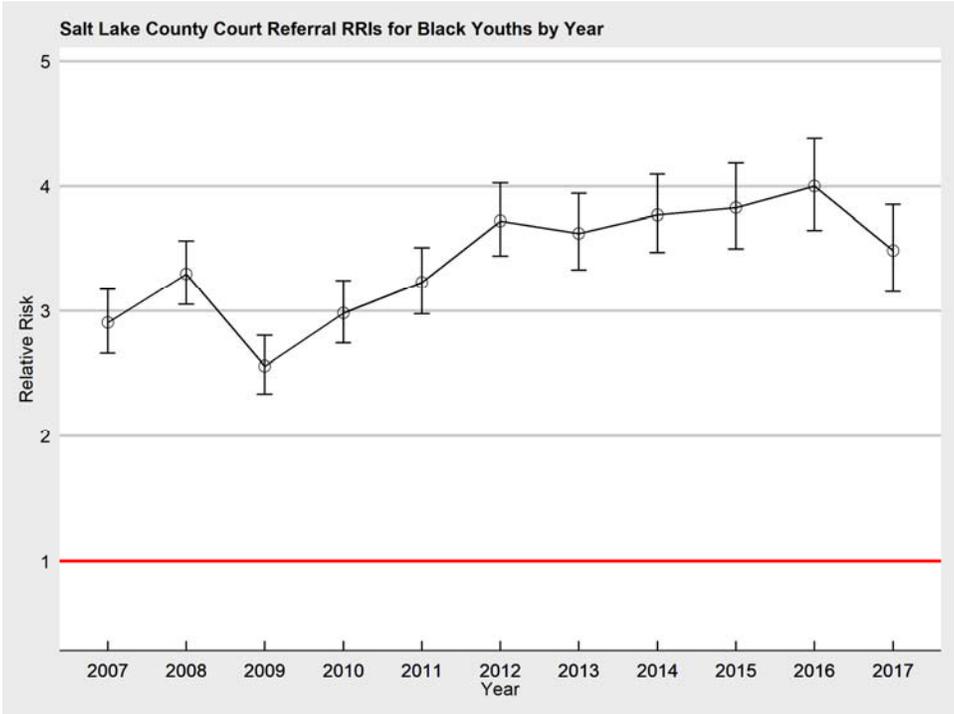
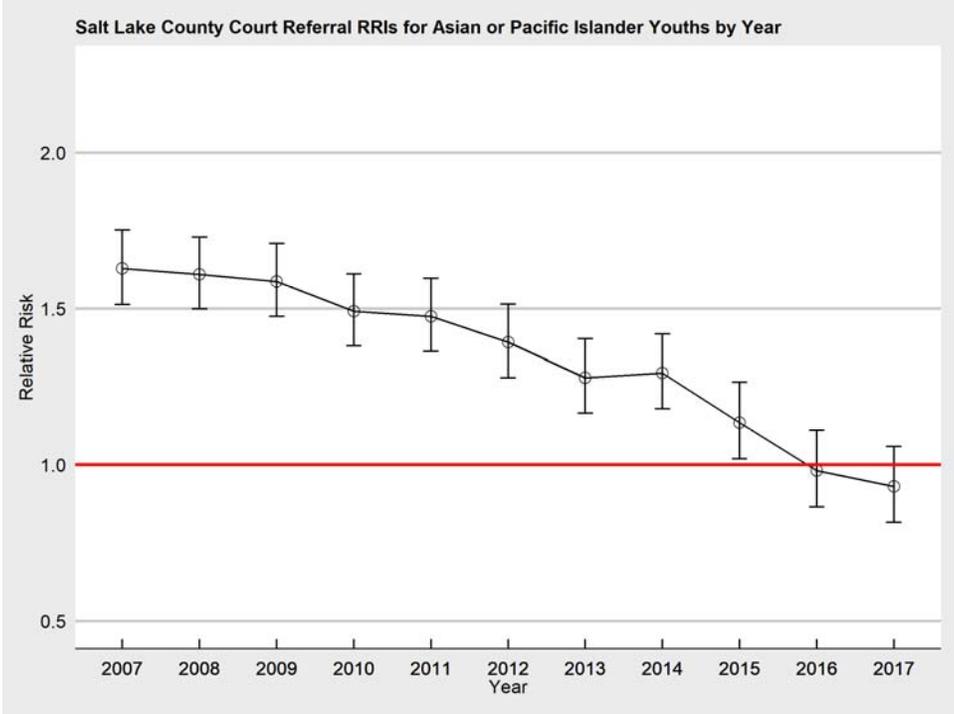


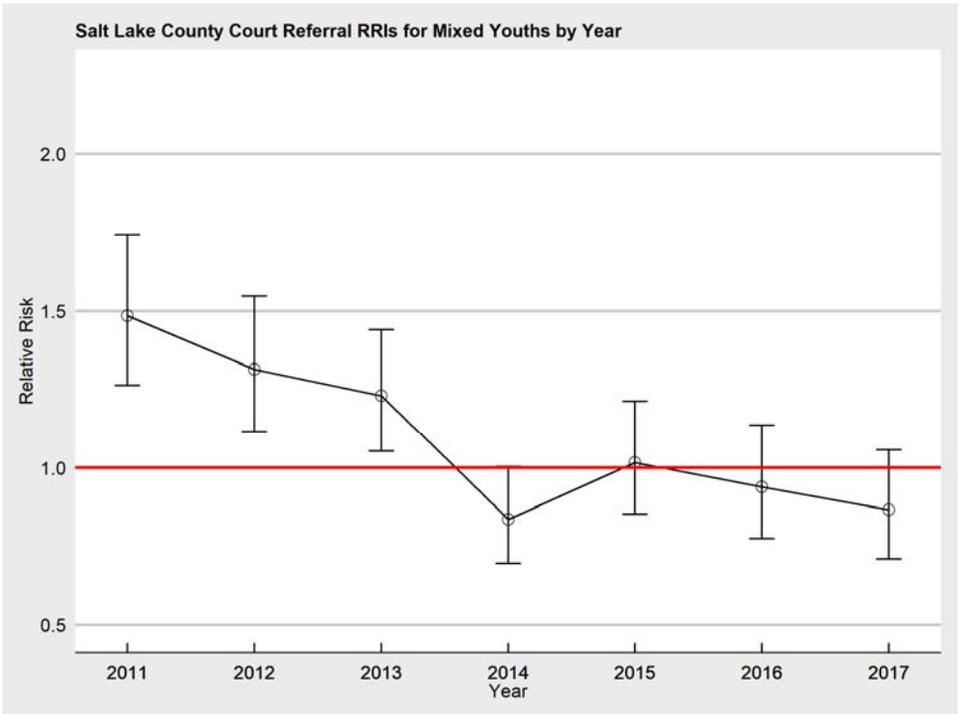
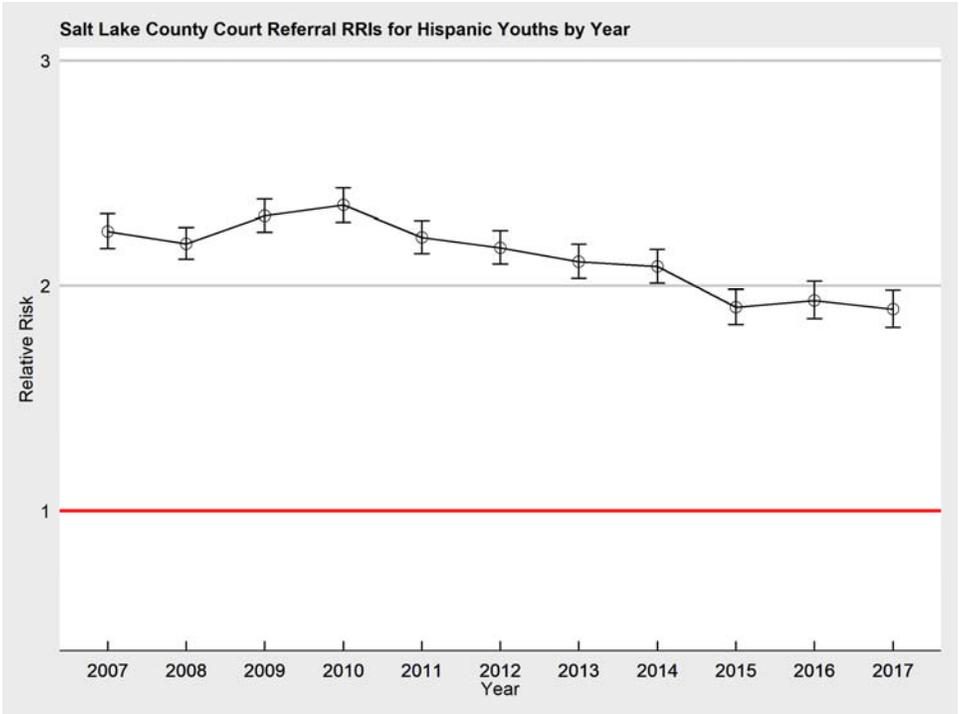


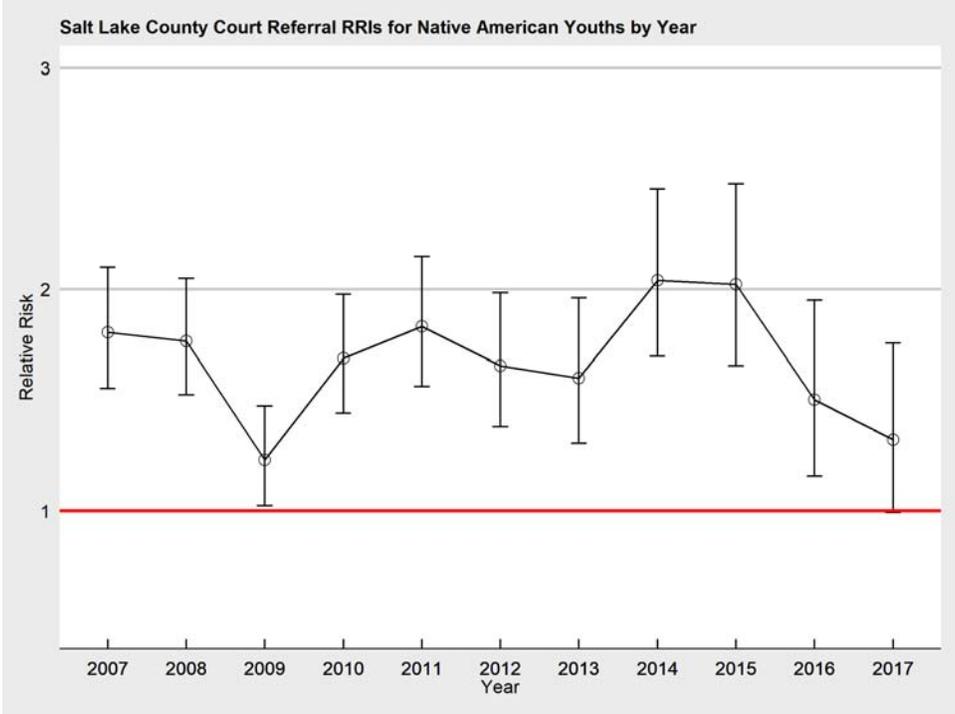
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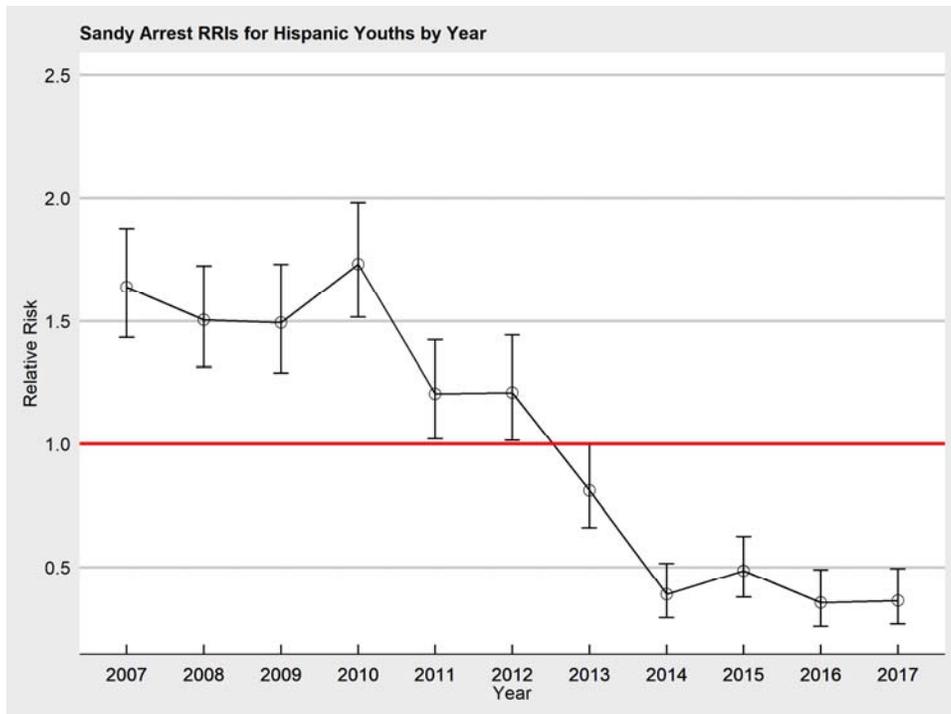
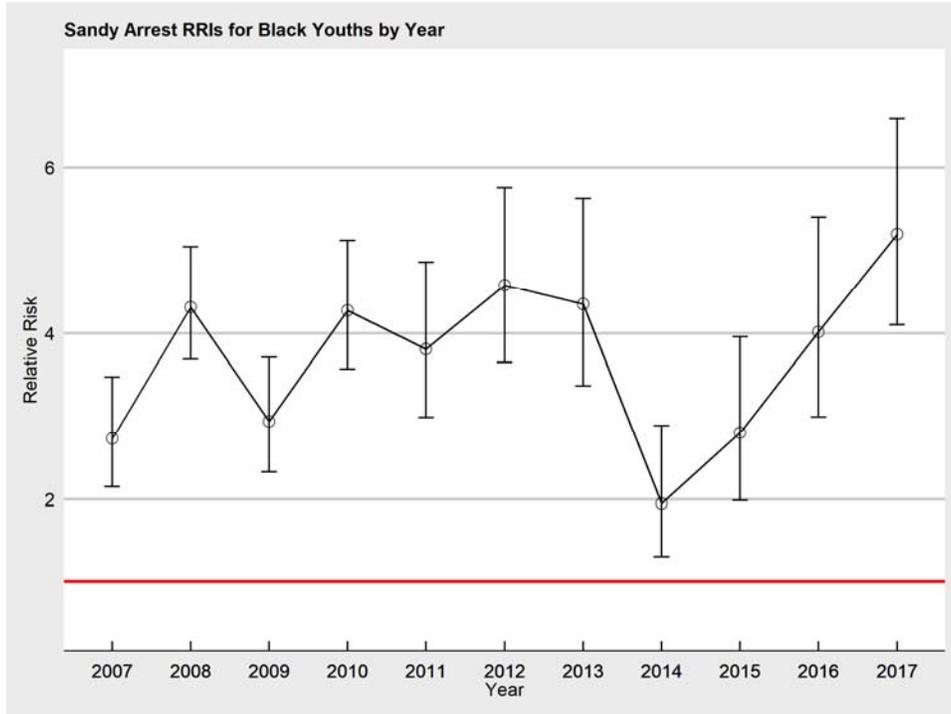


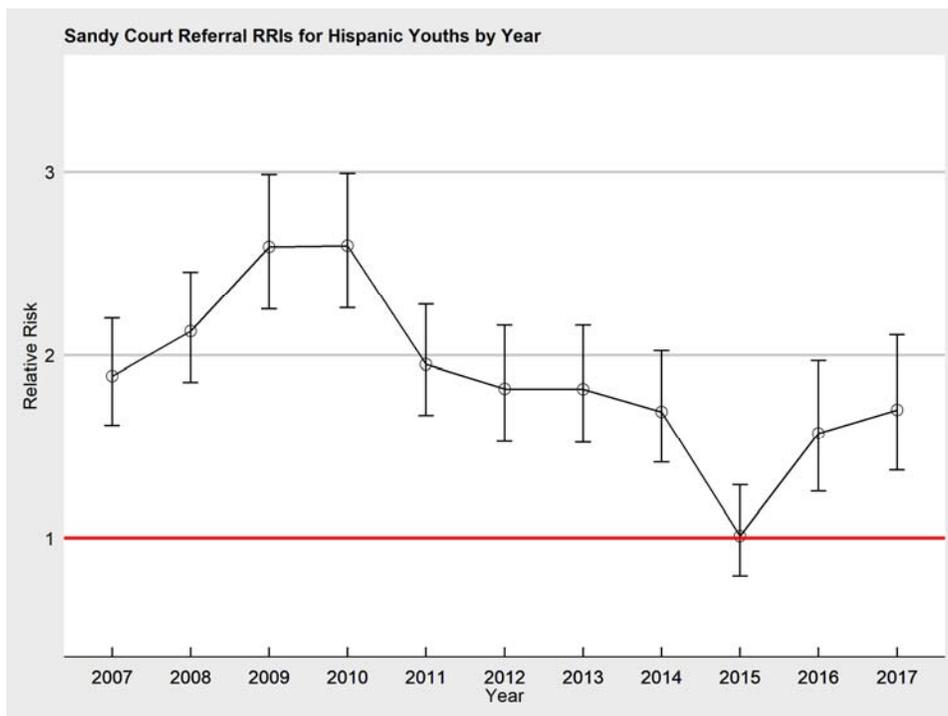
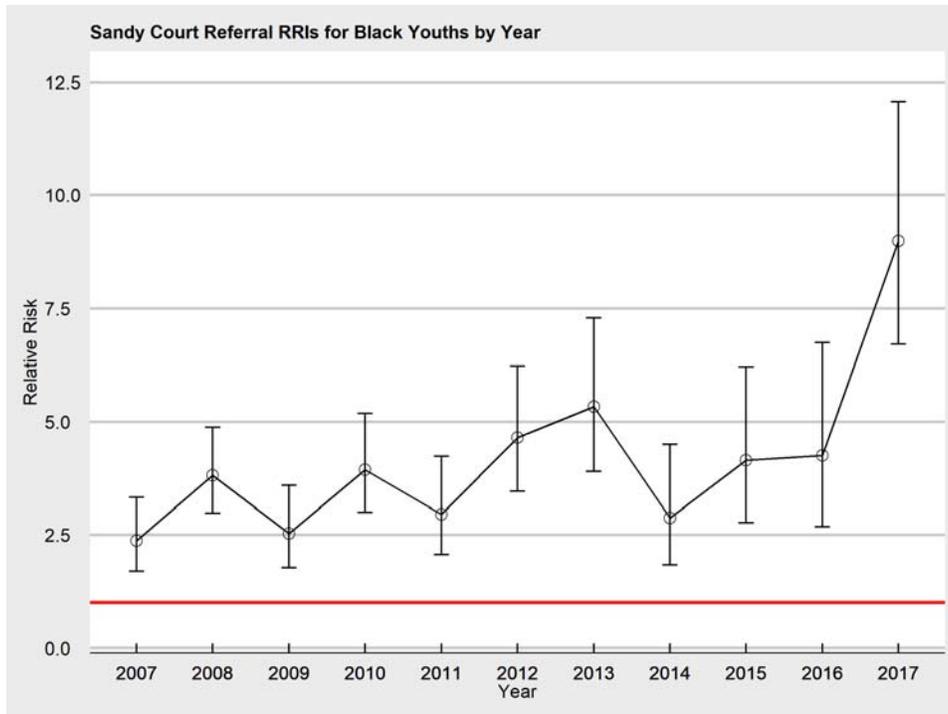




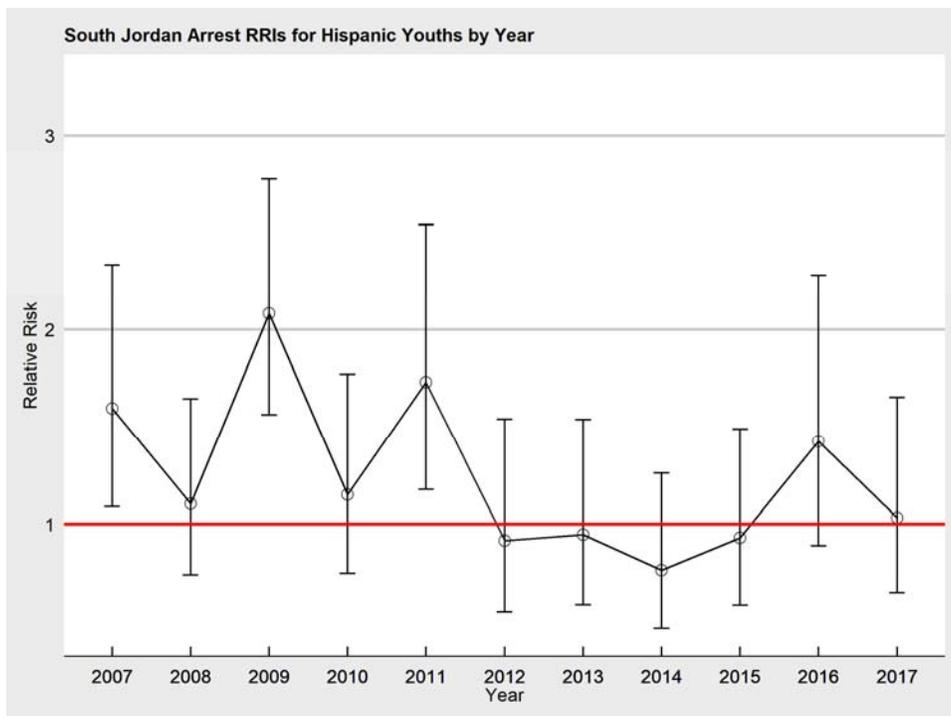
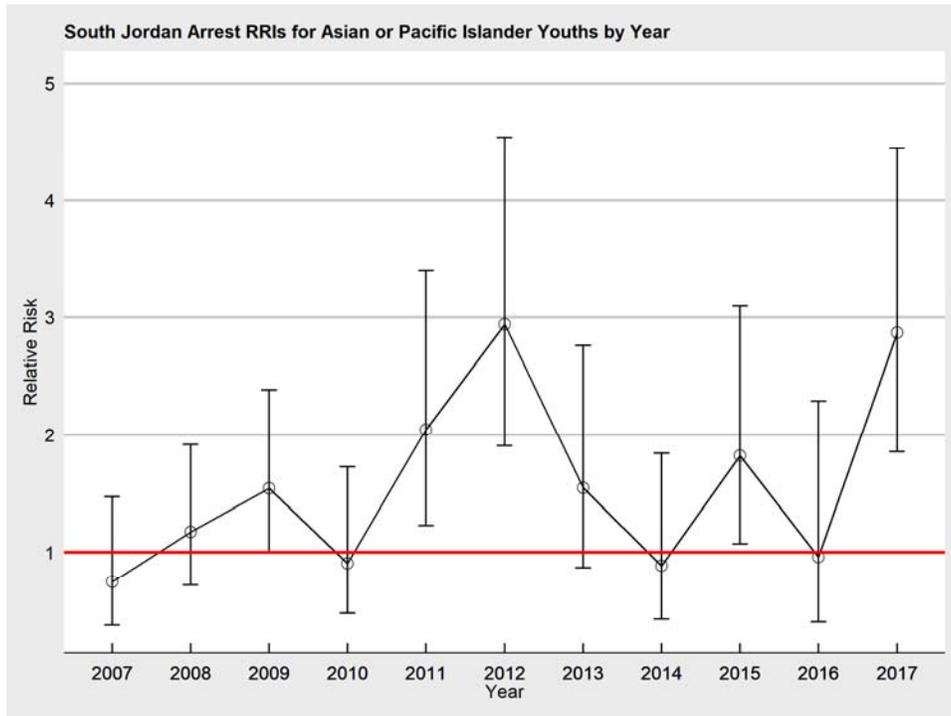


# Sandy

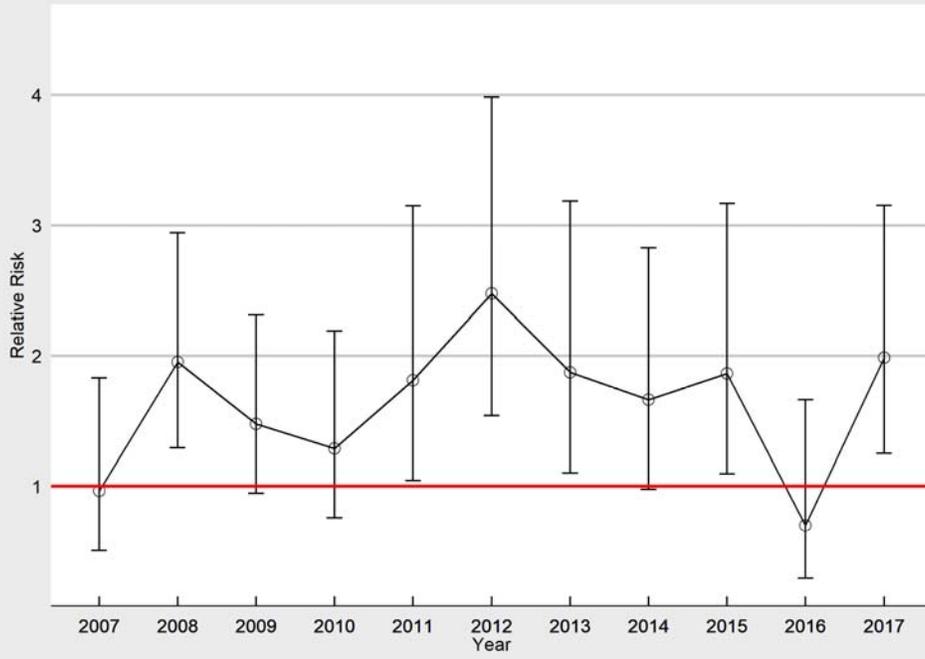




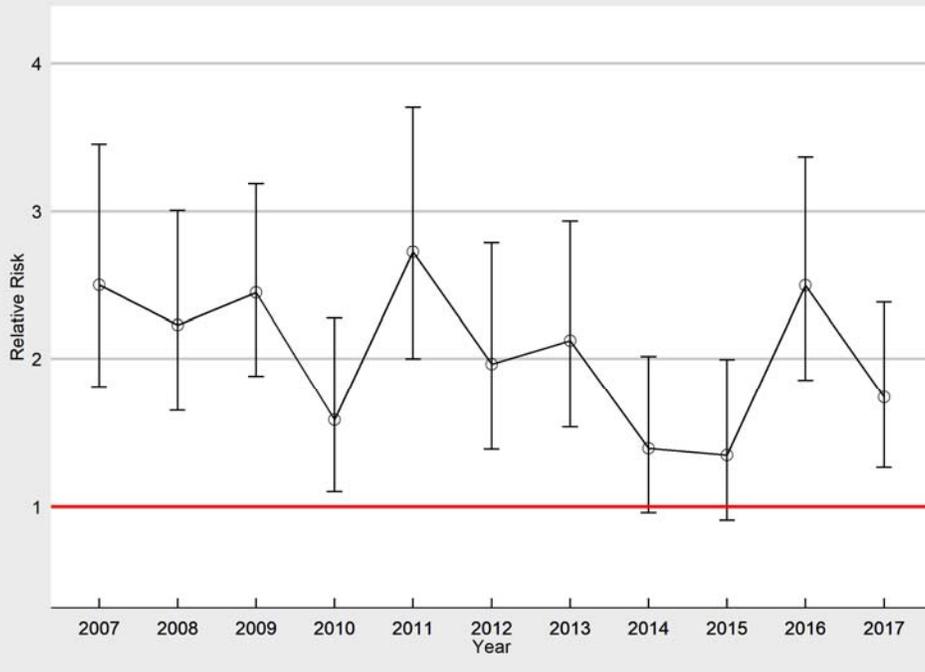
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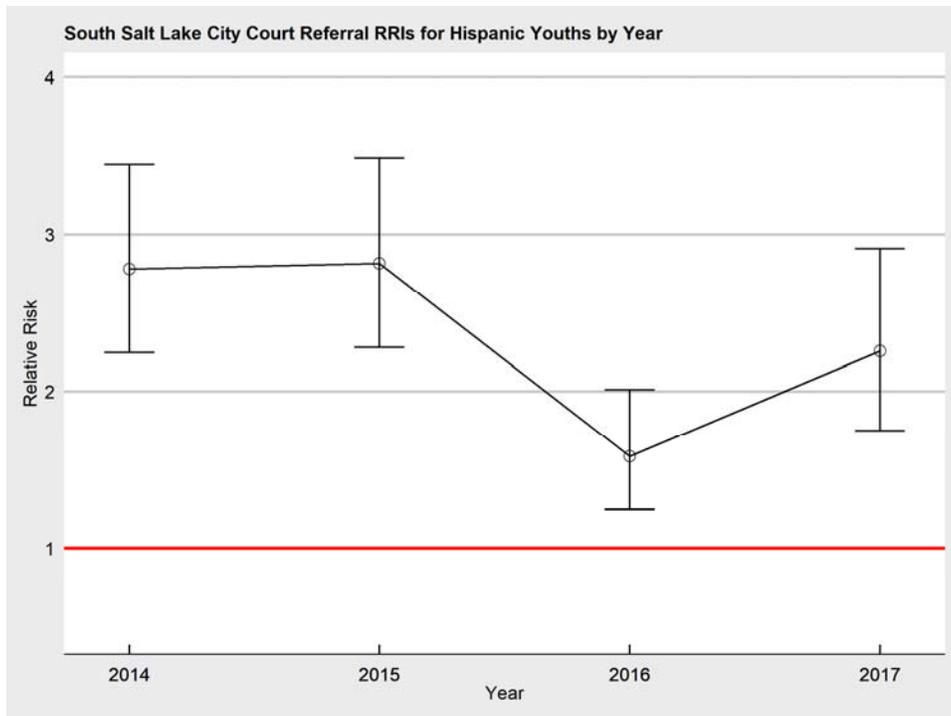
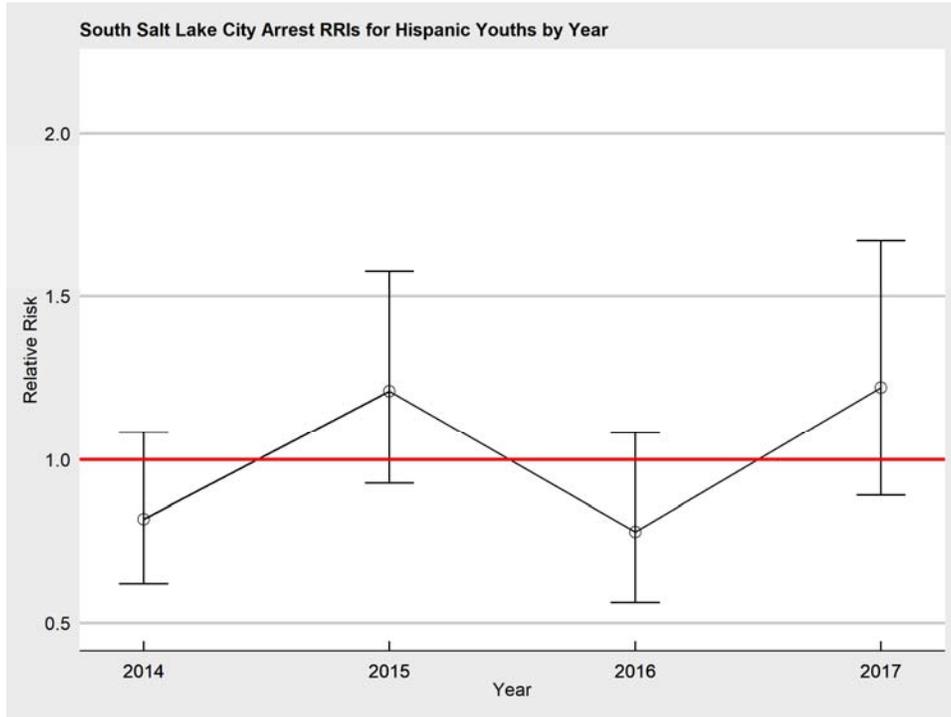
South Jordan Court Referral RRIs for Asian or Pacific Islander Youths by Year



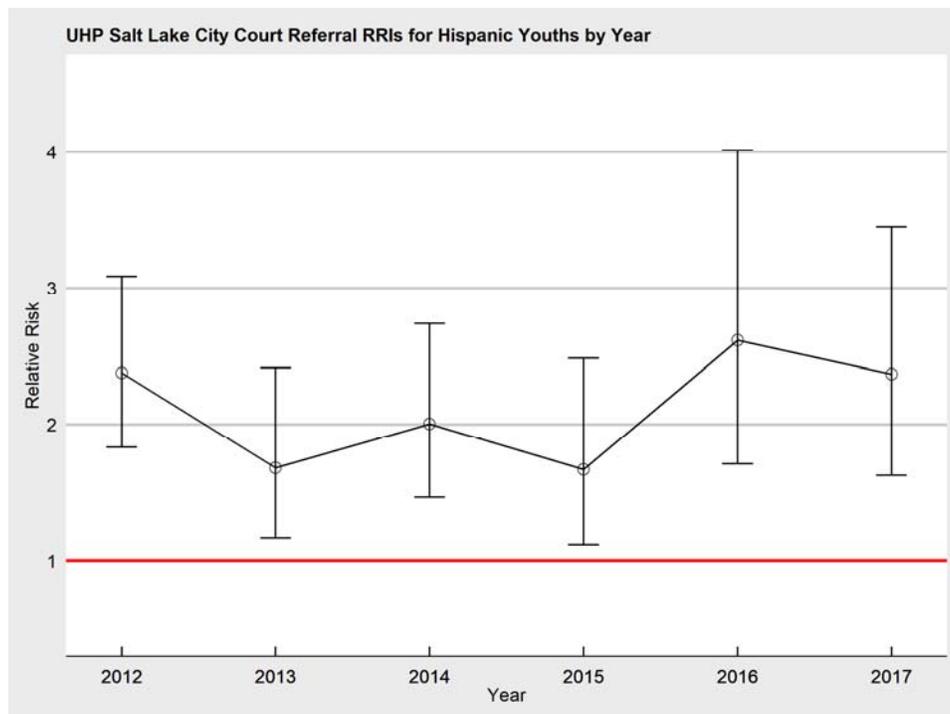
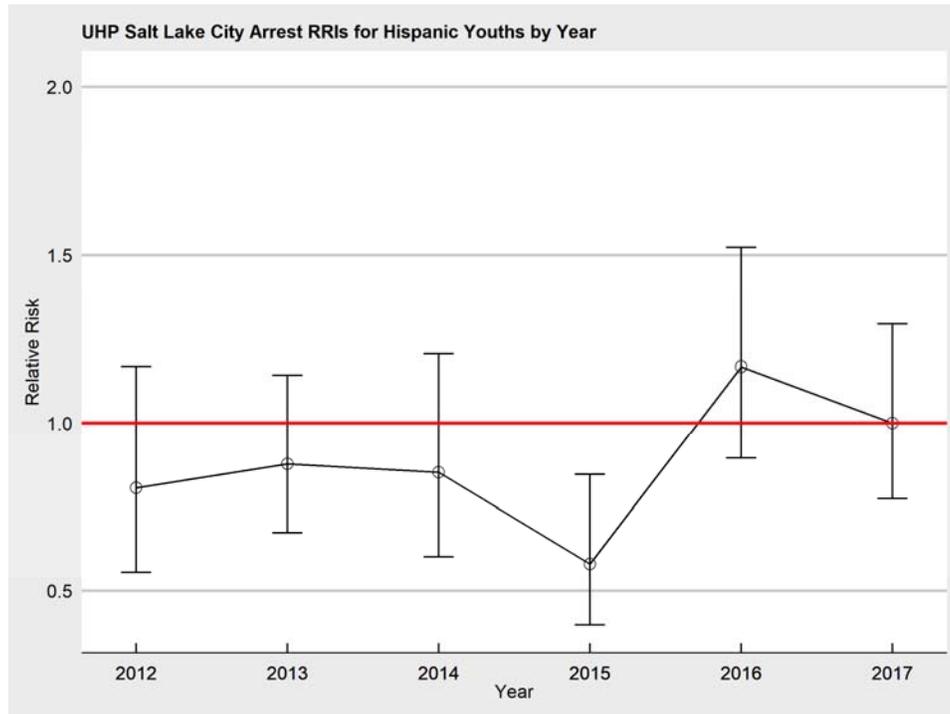
South Jordan Court Referral RRIs for Hispanic Youths by Year



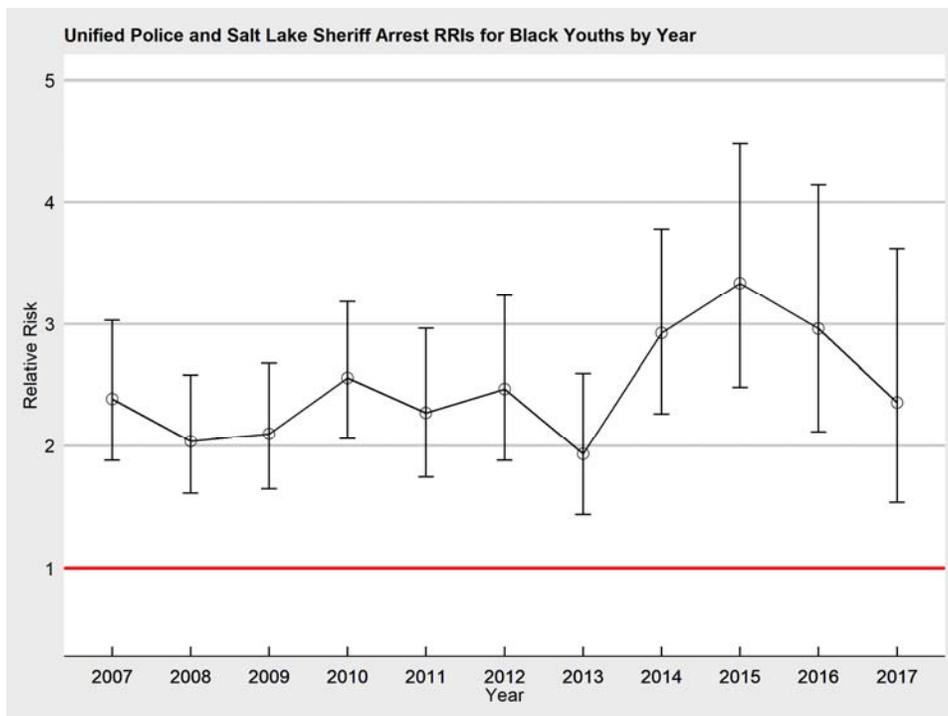
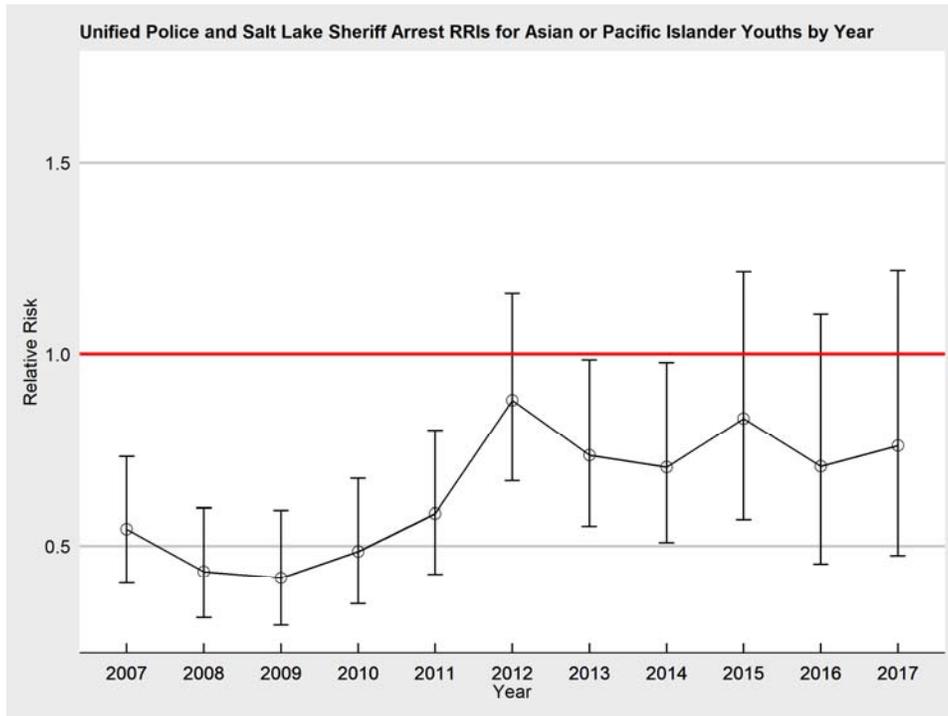
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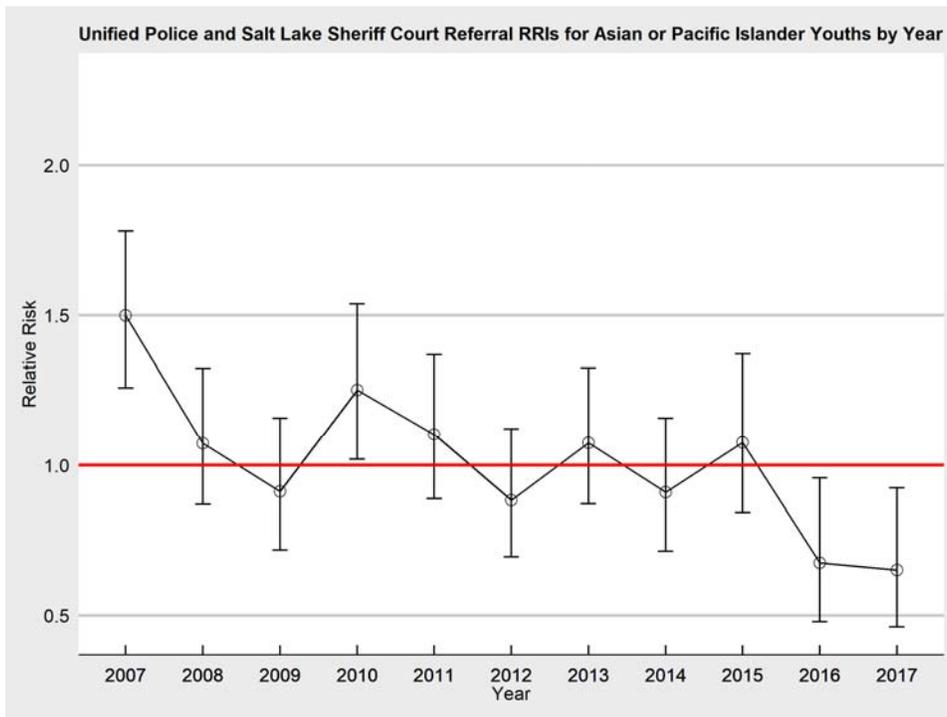
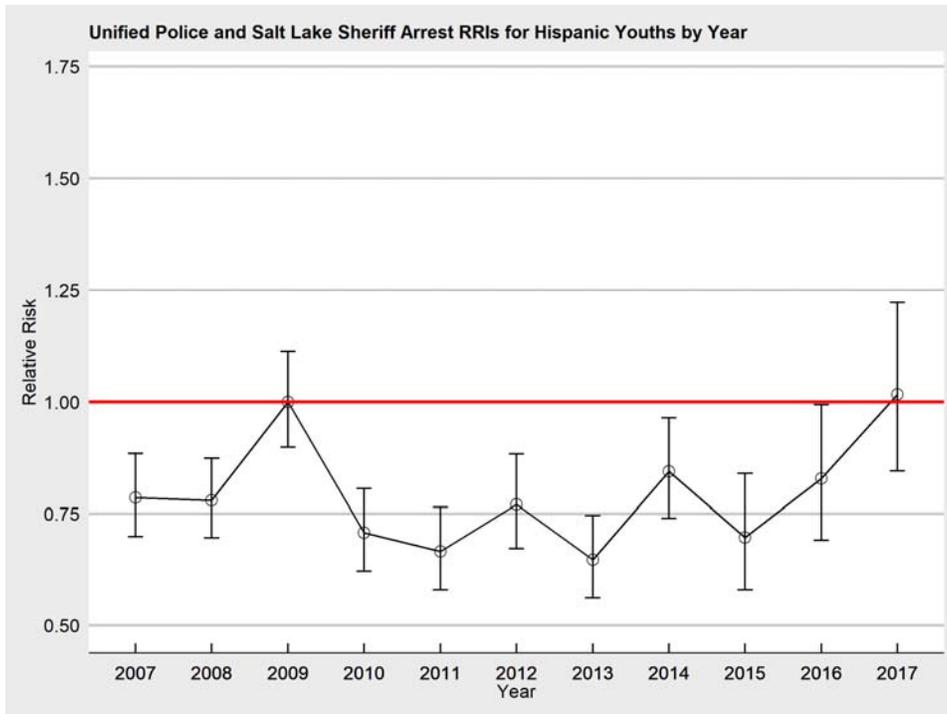


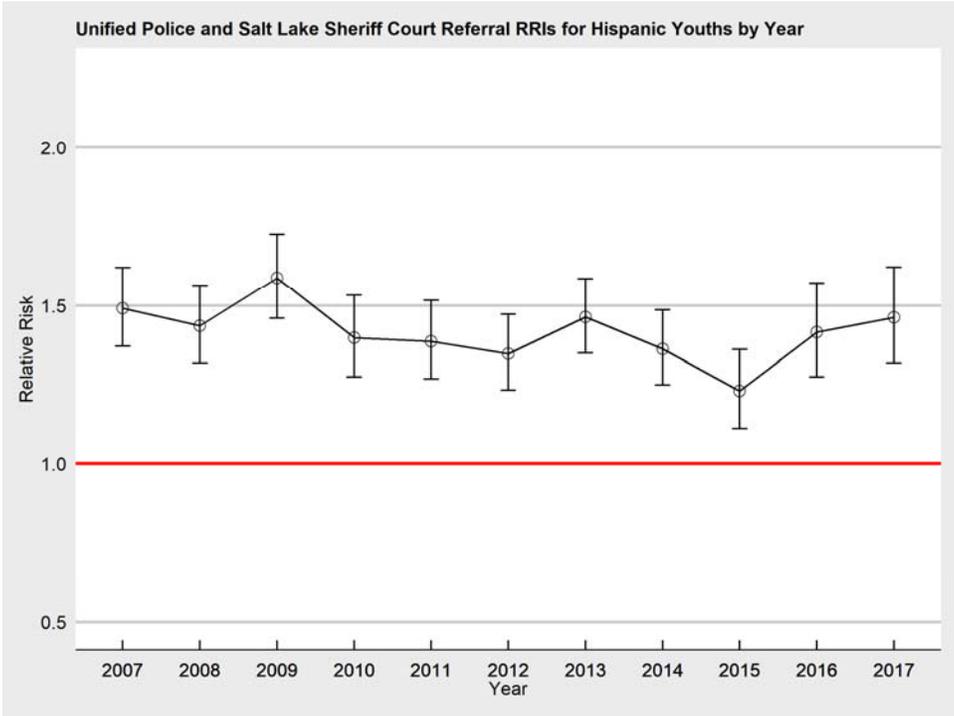
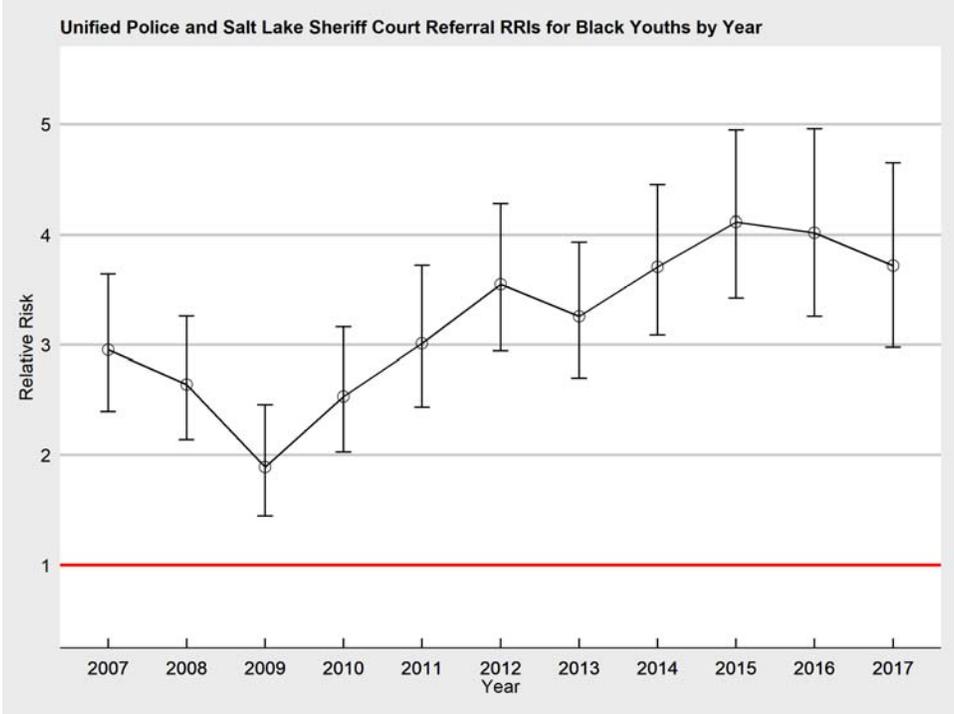
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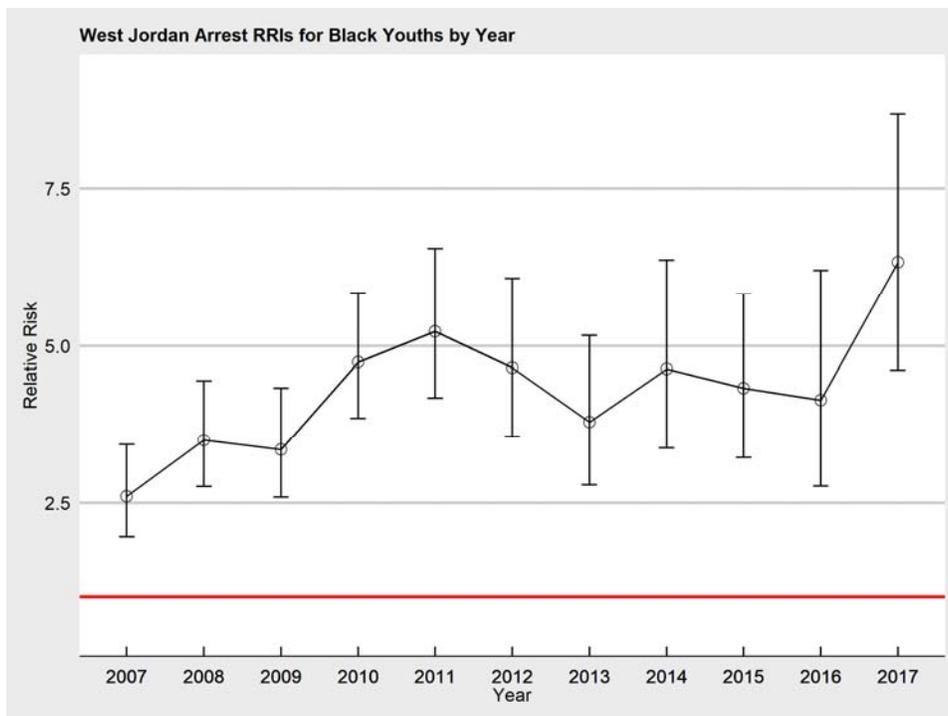
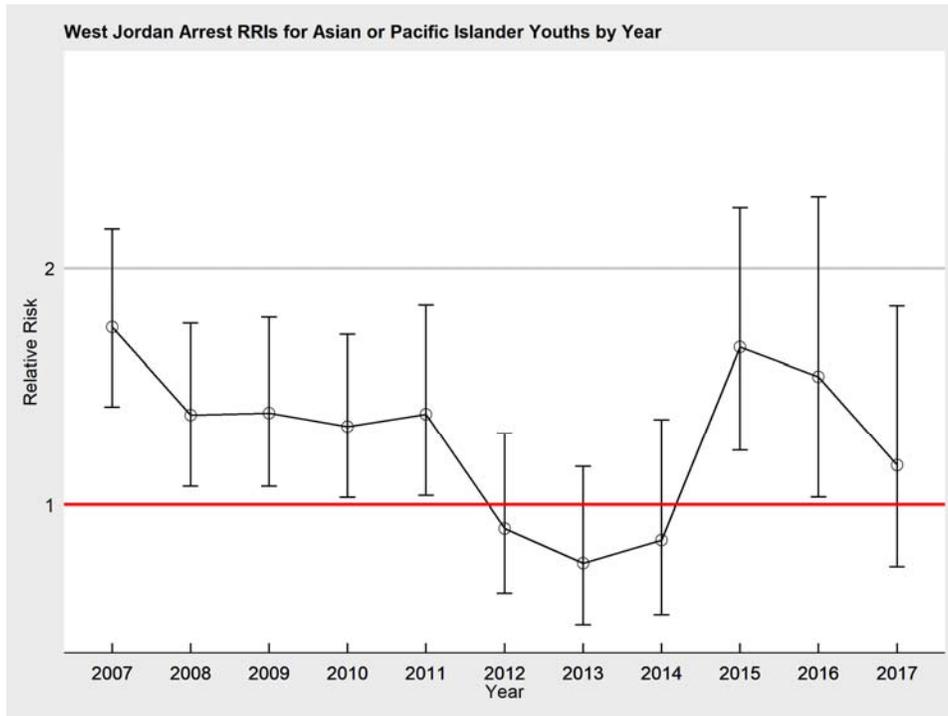
# Unified and Salt Lake County Sheriff

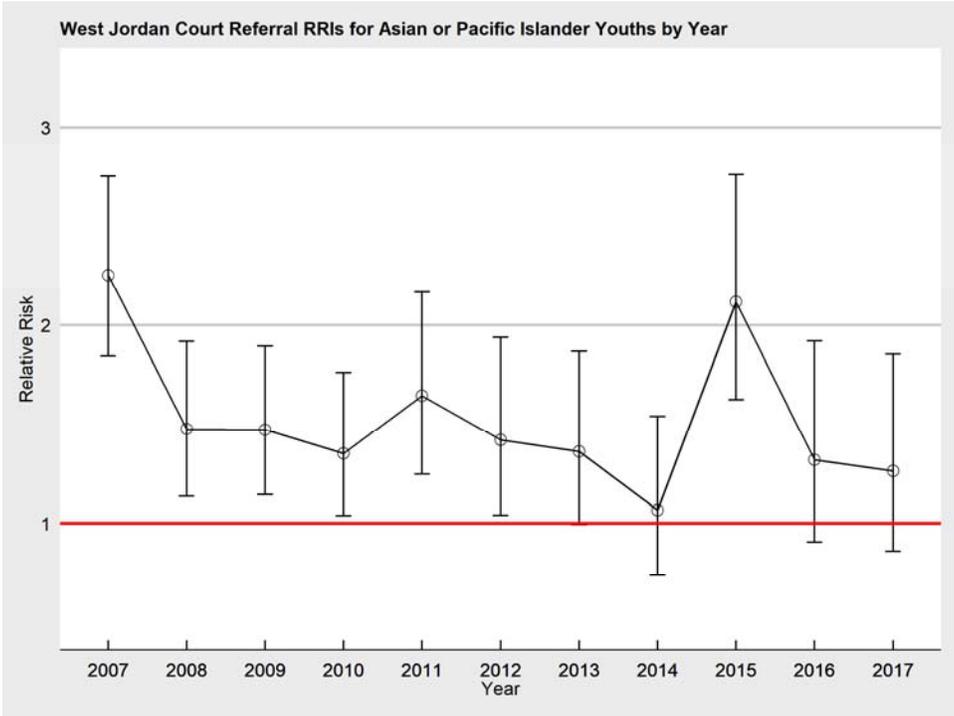
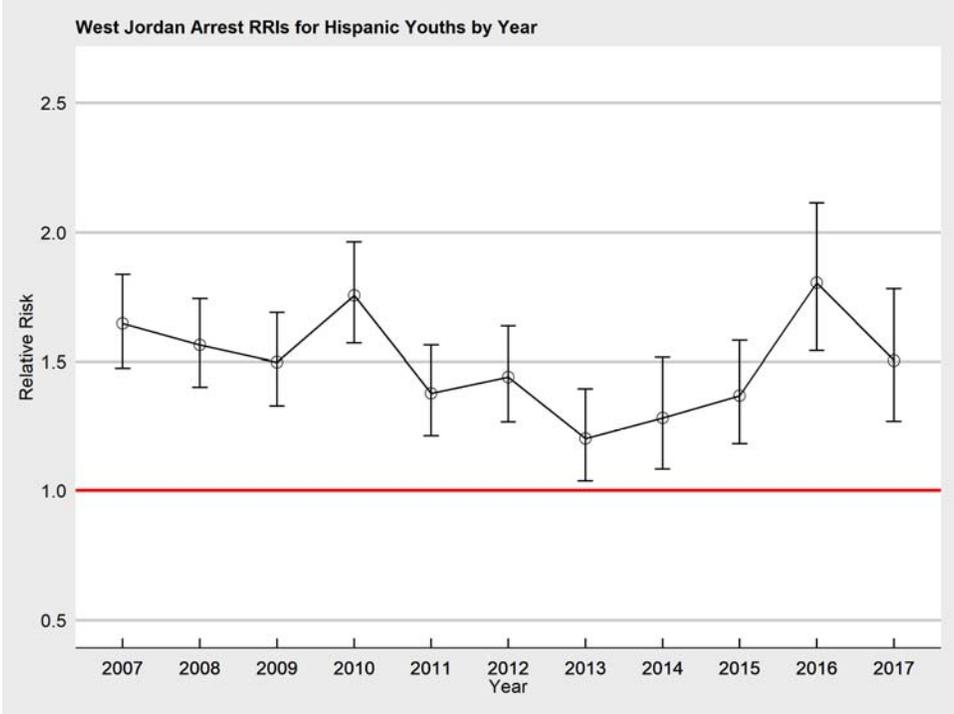


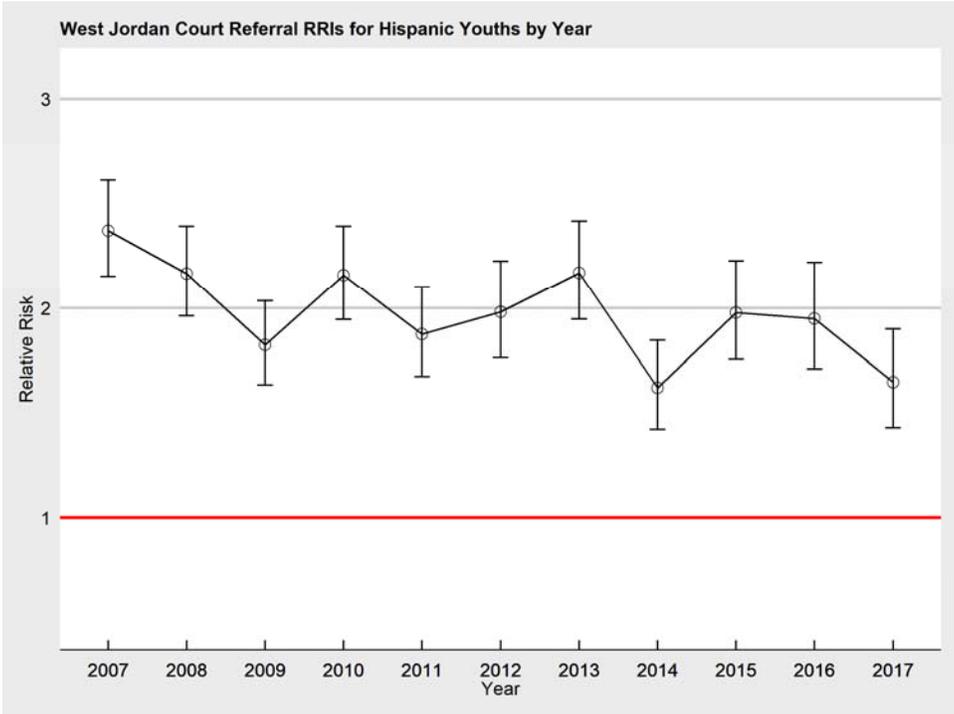
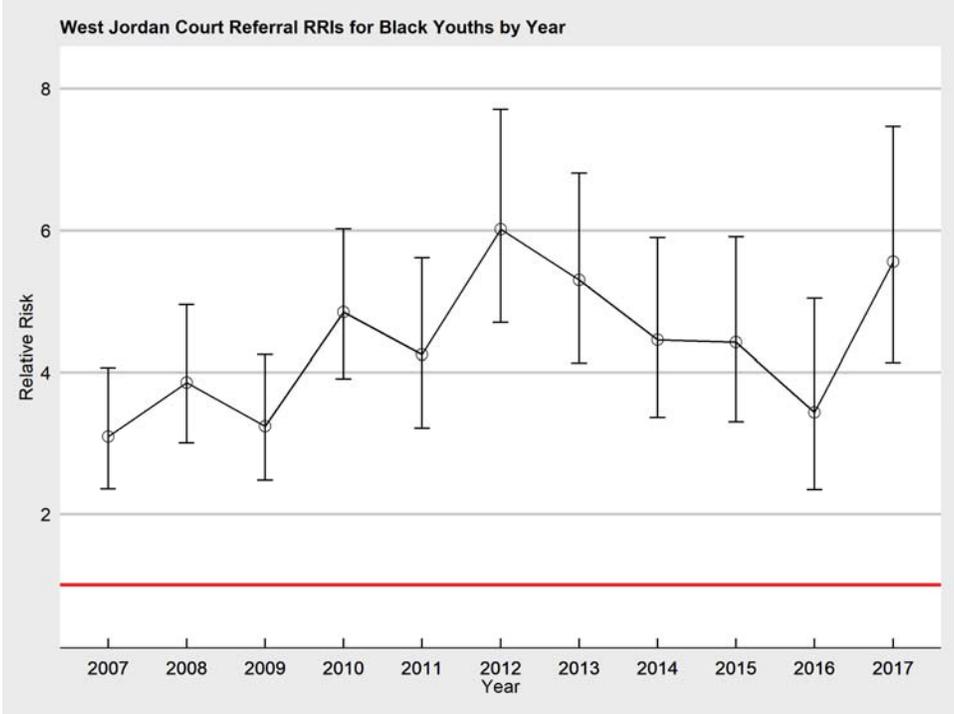




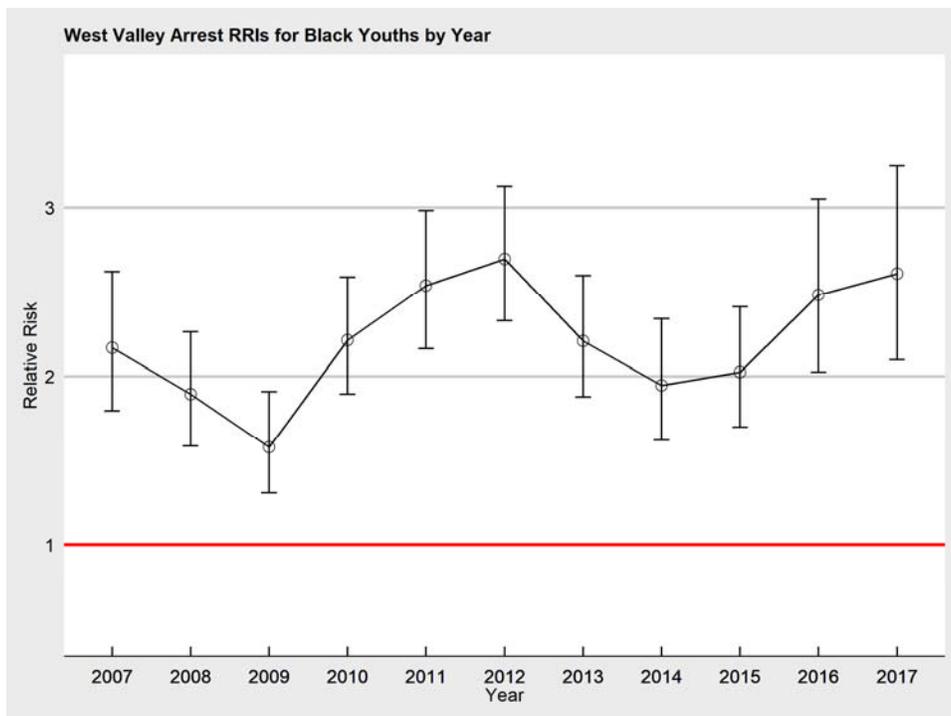
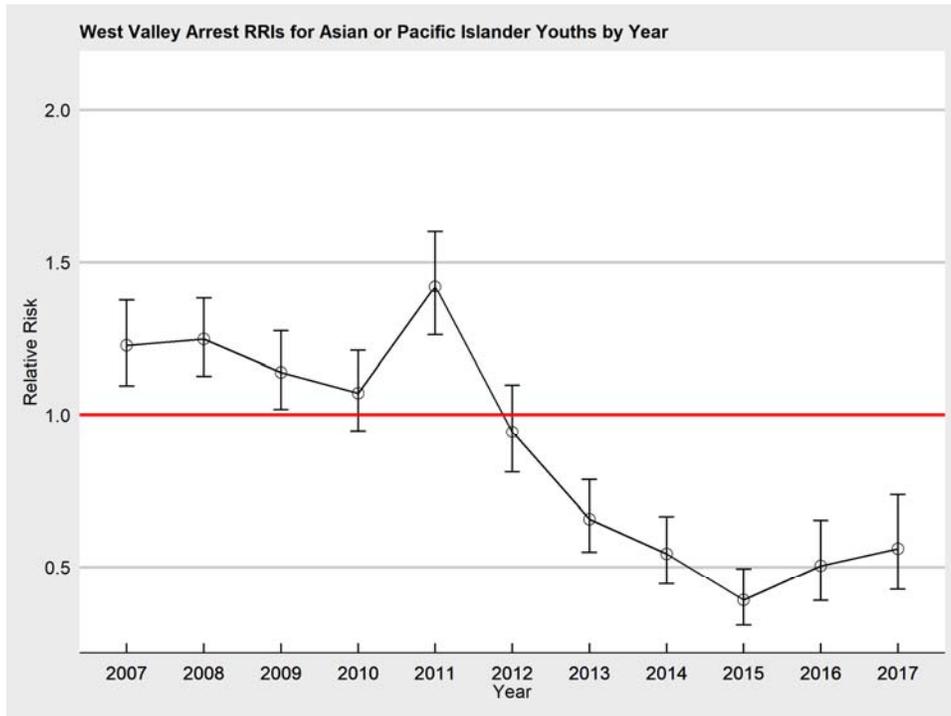
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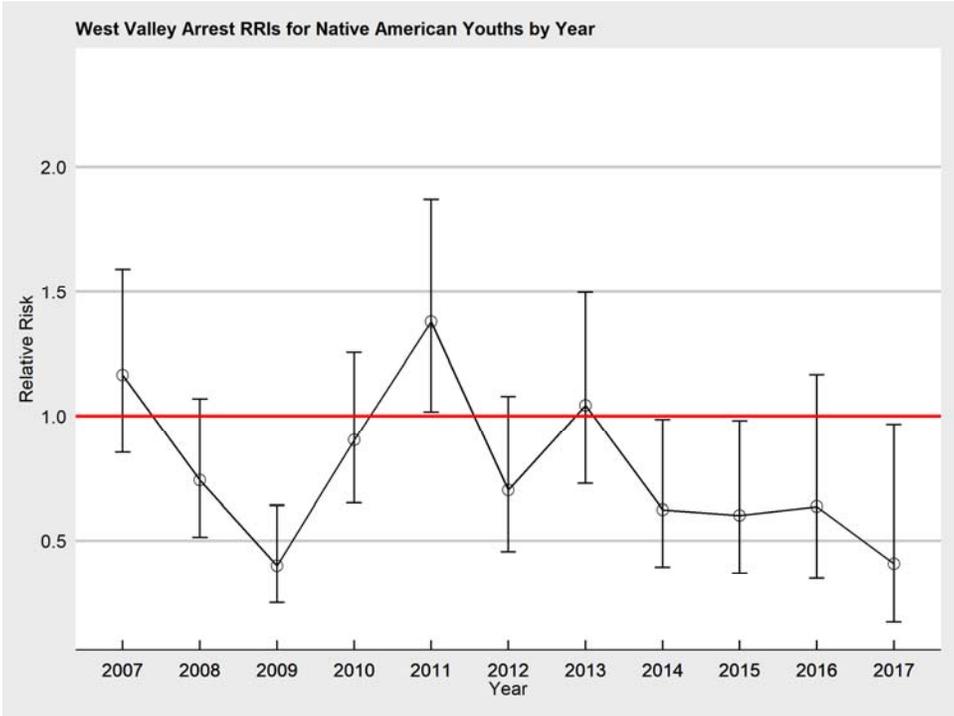
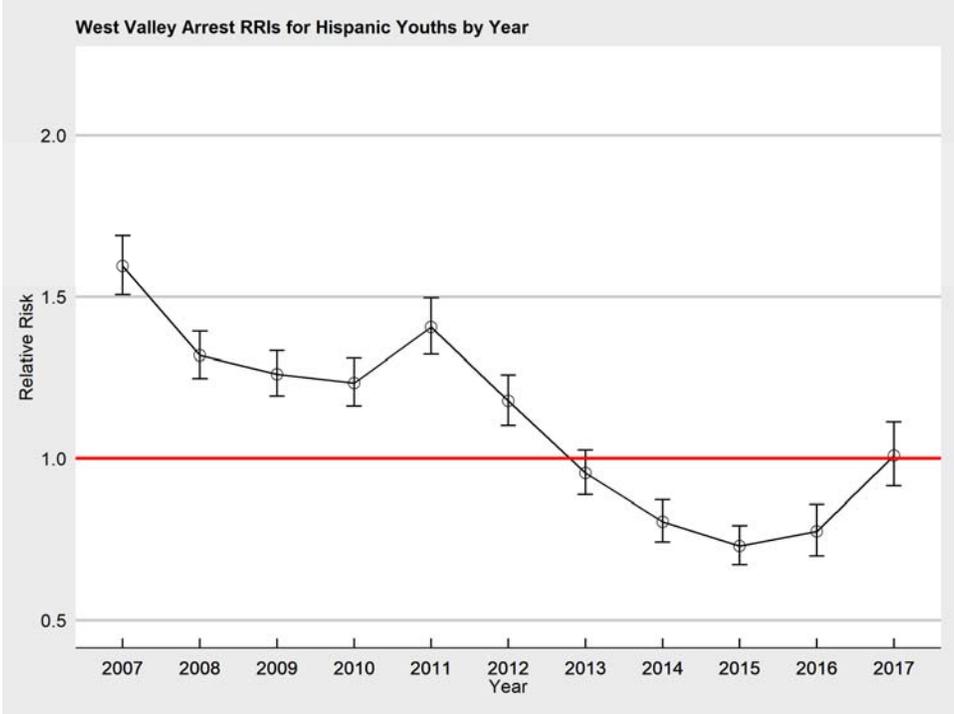




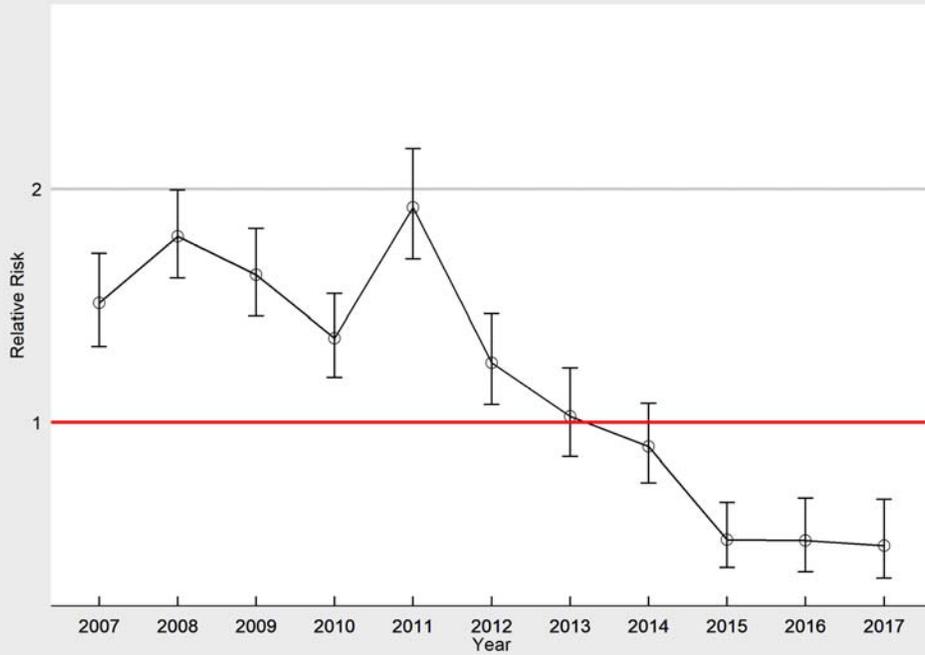


## West Valley City

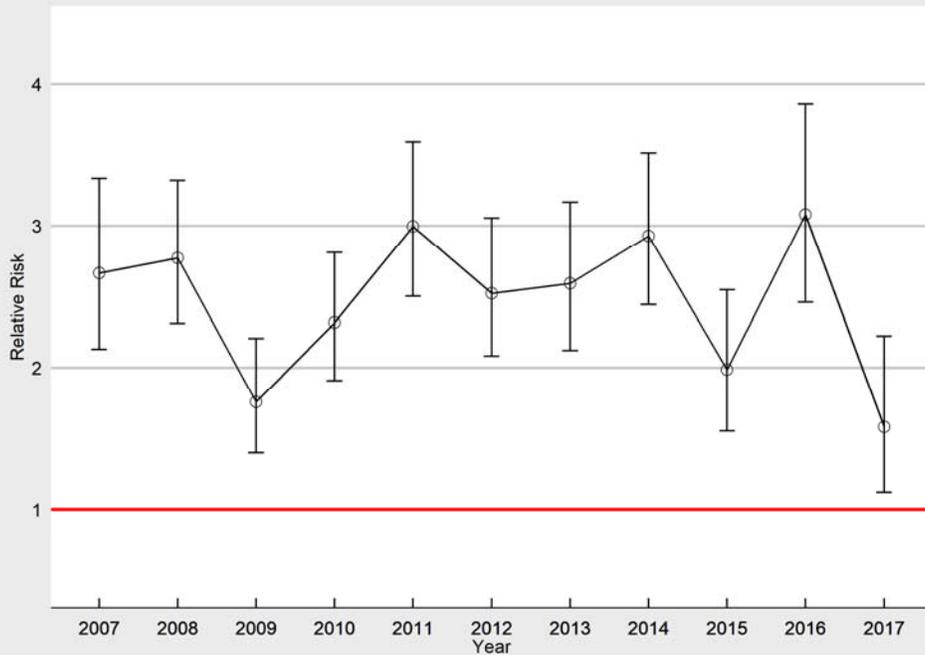


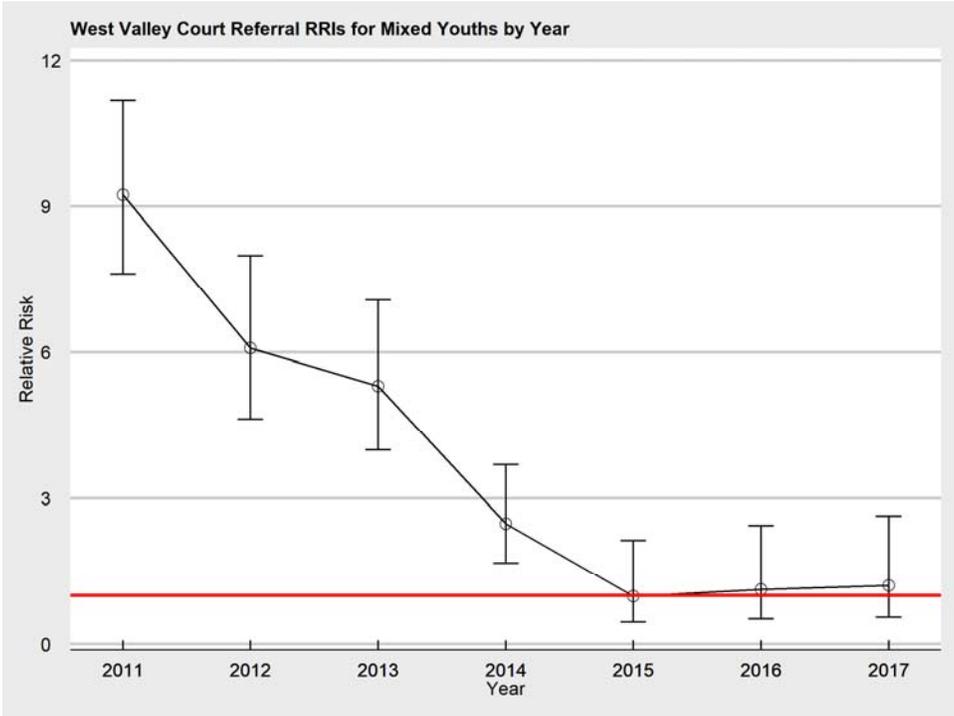
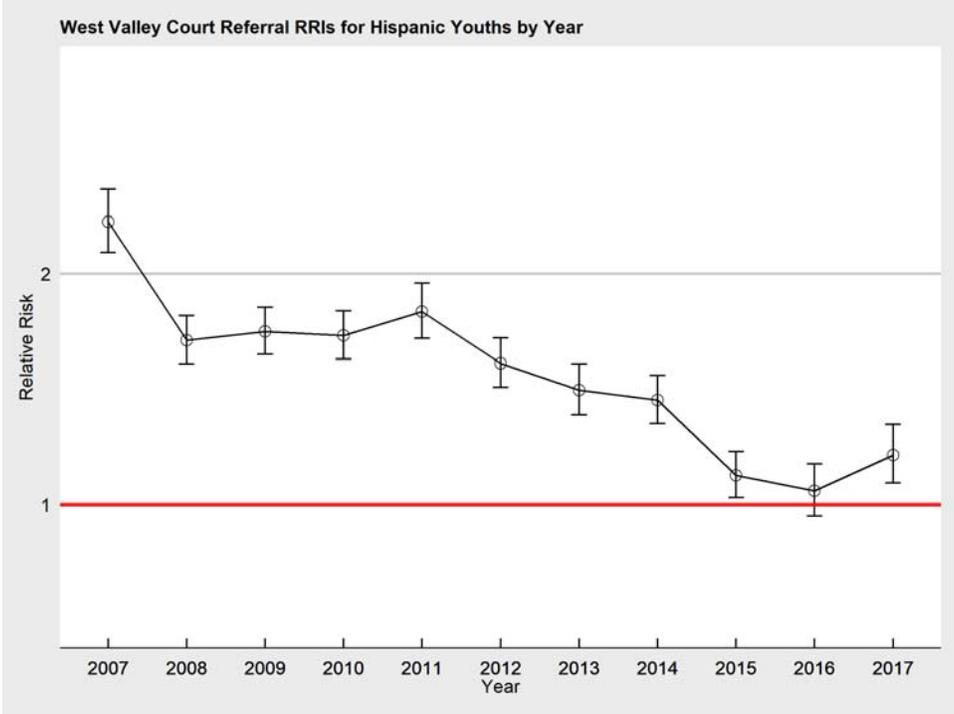


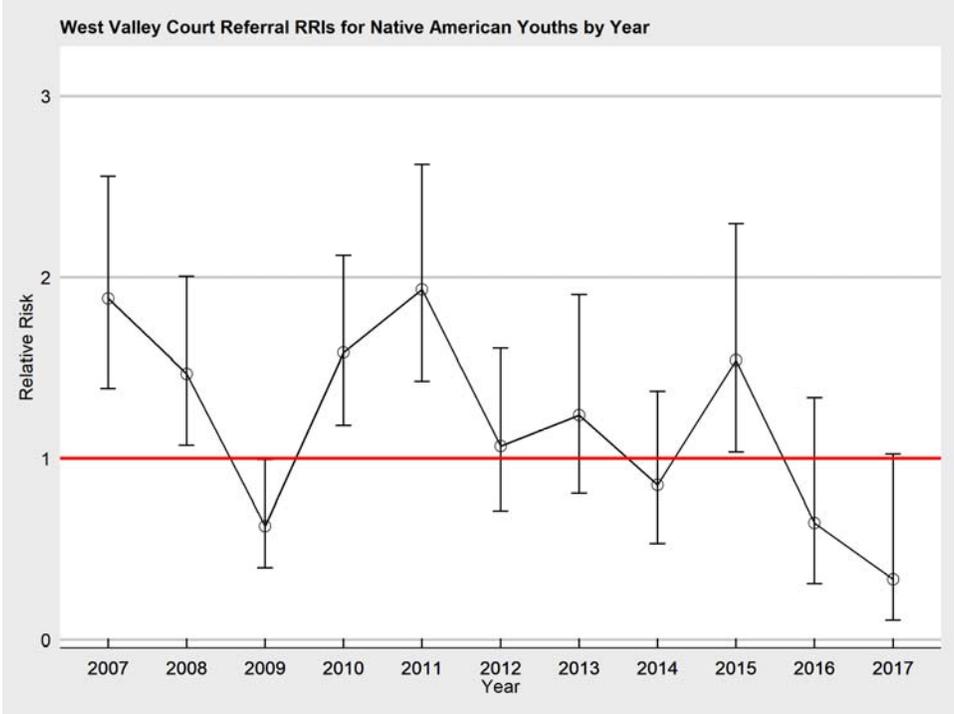
West Valley Court Referral RRs for Asian or Pacific Islander Youths by Year



West Valley Court Referral RRs for Black Youths by Year







## Appendix B

### **Strategies for In-Depth Interviewing**

- This is a conversation.
- Use open-ended questions and follow ups.
- Follow the participants lead, which may include diverging from the interview protocol; this is OK.
- Do not interrupt participant to ask a follow up. Take notes, and come back to the topic if it is worth following up on.
- During follow up questions restate and then ask the participant to expand.
  - Avoid follow-ups premised on a direct “why?” This easily comes across as antagonistic. Instead, try softer follow-up prompts like, “Tell me more about ..” “How did..” “What was ...?”
- As much as possible try to ask follow up questions in non-judgmental ways, especially with interviews involving a sensitive topic.
- The interview is not intended to interrogate, but explore participant experiences and perceptions.
- Ask clarifying and summarizing questions so the participant has a chance to add more detail, and to make sure we understand the participants point to the best of our ability.
- Ask participants to elaborate, or provide examples.
- Follow-up questions should never imply a value judgment on the part of the interviewer. Again, the goal of an in-depth interview is gathering the participant’s views, experiences, and feelings.

**Interview Goal:** to gather qualitative data illustrating stakeholder perceptions and awareness of disproportionate minority contact (DMC) at the arrest level (police) or referral level (courts), as well as efforts being taken in response to DMC.

**Orienting Question for Entire Interview:** “What is being done, individually and systemically, in response to evidence of DMC?”

### **Beginning of Interview:**

- Introduce self (interviewer) and the Utah Criminal Justice Center (UCJC)
- Inform the participant that this process is more of a conversation than a formal interview. Our goal is to allow the participant to speak about their perspectives and experiences.
- Remind the participant that the interview will remain anonymous, and is not being recorded. We will not identify the person in any manner. We only need to know the law enforcement agency or court with which they work. Notes will be taken and their comments may be quoted or paraphrased, but only in a manner that does not identify them as a respondent. Written consent is not required, but please ask them if they are willing to continue.
- Remind the person that participation is voluntary.
- Before moving into questions, review the definition of DMC with the participant:
  - Disproportionate Minority Contact, or DMC, occurs when the rates of contact with the juvenile justice system for minority groups are significantly higher than

rates of contact for white youths accounting for their prevalence in the jurisdictional population.

**Opening Questions:**

- 1) Explain Arrest or Referral RRI (as applicable for LEA or courts) for participant's district →  
“Could you share your thoughts on what may explain these trends?”

*(potential follow up question/prompt)*

- “Would you be willing to share an example of [the explanation used]?”
- “Some examples others have used are: calls for service, socioeconomic status, family structure, education, or discretion.”

- 2) “Can you tell me about any of the efforts being taken within your jurisdiction to address DMC in the juvenile justice system?”

*(potential follow up question/prompt)*

- “Can you tell me more about X program that you participated in, or that your jurisdiction adopted?”
- “Do you remember when that happen?”
- “Could you share your thoughts on why you think you aren't seeing any efforts being taken?”
- “Some examples others have used are: cultural awareness training, youth mentoring programs that involve law enforcement officers, having staff representation on a DMC committee, departmental meetings to discuss DMC.”

- 3) “Do you think that your jurisdiction has the adequate resources to deal with the issue of DMC in the juvenile justice system?”

**Closing Question:**

- 4) “How do you think your jurisdiction should address DMC?”

**Conclusion of Interview:**

- Thank participant for volunteering their time.
- Share UCJC contact information, and encourage participant to reach out with any future comments or concerns.

## Appendix C

This section summarizes the responses from the Ogden and Salt Lake PDs regarding data elements available in their respective systems that might help better understand DMC at the arrest level. As mentioned in the body of this report, several agencies (Saint George, Salt Lake, Logan, Ogden, and Unified) were targeted for data entry interviews, but only two responded. Those interviews are summarized here in general terms.

One of the issues that arose in both surveys and interviews was that DMC is partly a reflection of calls for service that LEAs receive. In some cases, it was hypothesized that community bias might force police into more contact with minority youth. The first data interview question asked data personnel whether information about the person who made a call for service was stored. Generally speaking, the answer was “No” from both agencies, although the Ogden interviewee did indicate that some information could occasionally be available in the officer’s narrative. It seems unlikely such information would be reliably recorded because, as one interviewee indicated: “people often want to remain anonymous.”

The next question asked whether the location (specifically at the level of address) of the offense was always recorded. This information might help identify “hot spots” regarding complaints. While both interviewees indicated the address was recorded, they differed on whether the nature of the location was recorded (e.g., business, park, or school). The Salt Lake respondent indicated this additional information was not available while the Ogden respondent indicated it was sometimes available and could, of course, be identified from the address.

One of the issues at the heart of DMC is the distinction between police contact and the arrest decision. If DMC is largely a community bias problem, one might expect to find that police are often forced into contact with minority youth by calls for service, some of which may be spurious. Both agencies indicated that information regarding the race of contacted youth would not be recorded unless the issue rose to a level that required a report or an arrest was made. This is perhaps one of the most unfortunate tracking issues with respect to better understanding DMC because there is an argument to be made that arrest is not really the first point of contact where disproportionality might begin; instead, the first point of contact might be better characterized as calls for service.

Another issue that arose in surveys was the perception that minority youths are more likely to be gang involved. To address whether this is true, it is necessary to understand how gang-related information is tracked. The two agencies’ responses to this were not in complete agreement. In Salt Lake, the data interviewee indicated the information was available in a dropdown menu when completing a report; however, the interviewee indicated there are some problems regarding the accuracy because gang status is not always known. In Ogden, the data interviewee indicated this information was sometimes, but rarely, tracked and that the information would only be available from the narrative or the gang unit.

Both agencies’ interviewees indicated that information on all parties involved in an incident are tracked, and this extended to victims and witnesses as well. Accordingly, it would be possible to study the role of individual youth in any incident. Clearly, the most important element to studying DMC is tracking of race and ethnicity. Both agencies indicated this was federally mandated and was tracked for all parties involved in an incident. Note that this is not inconsistent with information provided above which indicated information about the complainant is not always available. If the person contacting police is not a victim or a willing witness, his or her information may not be available.

One of the frequently cited issues in DMC literature is that officers sometimes perceive the demeanor of minority youth as more disrespectful or aggressive (this was explicitly stated in interviews for this project). We were interested in knowing if this information was available to determine whether narratives around

white and minority youth differed in this regard. In Salt Lake, the interviewee indicated it would be recorded in the event of “use of force.” Both agencies’ personnel indicated that, in general, it was at the discretion of the officer to include this detail. If possible, it would be interesting to examine whether the narratives differ by race/ethnicity and whether demeanor was more often mentioned in cases involving either white or minority youth.

In the survey portion of the study, some officers mentioned that minority youth are more likely to engage in crime, and also in more violent crimes. Both agencies indicated that offense severity and type could be extracted because they are entered using mandatory dropdown fields.

The final data interview question asked whether reports recorded victim injury. If minority youth are, in fact, more likely to commit violent crimes, we might expect greater prevalence of victim injury in case file reviews of incidents involving minority youth. Also recall that, in the survey portion of the study, most agencies’ officers indicated injury to the victim was of moderate importance in the arrest decision. Both agencies indicated this information was available in dropdown menus.