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As Assessment of Disproportionate Minority Contact

in Connecticut's Juvenile Justice System

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

Submitted by: Spectrum Associates Market Research

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Executive Summary

I. Background

A major issue facing juvenile justice practitioners and policymakers across the country is disproportionality and disparate treatment of racial and ethnic minority youth in the juvenile justice system. Various studies conducted across the nation to date on disproportionate minority contact in the juvenile justice system have found that:

- Racial and ethnic minorities are often disproportionately represented in the juvenile justice system
- The observed disproportionality cannot be fully explained by differences in delinquent behavior across racial and ethnic groups
- Disparities were found in system processing of minority youth, even when controlling for social and legal background variables at various points of juvenile justice systems across the country

This is the fourth study in the State of Connecticut that examines disproportionate minority contact in the State's juvenile justice system.

II. Study Goals

The major goals for this DMC assessment study were to determine:

- What differences, if any, exist in decisions made for Black, Hispanic, and White juveniles who are processed for similar types of offenses (e.g., Serious Juvenile Offenses, non-SJO felonies, misdemeanors, and violations) as they move through the juvenile justice system
- Whether observed differences remain when controlling for offender and offense characteristics or are neutralized by predictor variables

The study assesses decisions made by the three components of the juvenile justice system: the police, the juvenile court, and the Department of Children and Families.

III. Study Data

The system data obtained for this study include:

- **Police**: Data were abstracted from approximately one-third of the municipal police departments and state police barracks across the state for those departments/barracks. Data were abstracted for about 1,900 incident reports written in 2016
- **Juvenile Court**: Data were obtained for all juveniles who had a case disposed in juvenile court July 1, 2014 – June 30, 2015. About 9,100 juveniles were included in this component of the study
- **Department of Children and Families (DCF)**: Data were obtained for all juveniles that completed a commitment to DCF January 2012 to mid-2016 resulting data obtained for 510 juveniles

IV. Study Findings

For this study, when considering the various levels of offenses (SJO, non-SJO felony, misdemeanor, violation) and comparing decisions made for Black and Hispanic juveniles to decisions made for White juveniles there are 80 discrete points that were examined to determine if a disparity existed. We found disparity at 11 (14%) of the 80 discrete points that were not neutralized by other factors using multivariate analyses. These 11 are listed below. A full discussion of all the decision points examined for the study is provided in the detailed findings section of the report.

Police

- Hispanic juveniles apprehended for a non-SJO felony were more likely to be referred to court than were White juveniles apprehended for a non-SJO felony
- Compared to White juveniles apprehended for a misdemeanor, Hispanic juveniles were more likely to be placed in secure holding at the police station

Police/Court

- Black and Hispanic juveniles referred for felonies (SJO & non-SJO) were more likely to be brought to pretrial detention than were their White counterparts

Court

- For juveniles referred to court for a Class B Felony that was eligible for automatic transfer, Black juveniles were more likely to have their case transferred to and stay in adult criminal court than were White juveniles

DCF

- For juveniles committed to DCF for misdemeanor or violation charges, Black and Hispanic juveniles were about twice as likely as White juveniles to be placed at a secure DCF facility for their first placement

V. Juvenile Justice Advisory Committee Recommendations

Important Note

The recommendations provided in this section of the report were developed and written by the Juvenile Justice Advisory Committee (JJAC). The recommendations are provided in this report to inform the reader of the direction the JJAC feels should be taken in Connecticut with regard to disproportionate minority contact in the juvenile justice system.

The goal of these recommendations is to eliminate unequal treatment based on race or ethnicity in Connecticut's juvenile justice system. The proposed solutions are aimed at changing the behavior of the practitioners who work in the system and changing the systems themselves.

Unconscious bias is one possible cause of unequal treatment by practitioners and by the system. To that end, a major recommendation of the Juvenile Justice Advisory Committee is to increase awareness of unconscious bias, what it is, how to identify it, and how to counteract it.

I. Juvenile justice agencies should collaborate with the Commission on Racial and Ethnic Disparity to develop a template for training employees on identifying and remediating implicit bias.

A. All juvenile justice system practitioners should receive training on the results of this study and be mandated to attend training on unconscious bias.
B. Institutions of higher education should consider including the impact of implicit bias, and racial/ethnic disparities in the juvenile justice system in their curriculum for human services and criminal justice programs.

II. Connecticut should consider a statutory requirement that all law enforcement, school and juvenile justice practitioners be trained in identifying and remediating implicit bias in decision-making.

III. In order to address unequal treatment that was found at several decision points in the study, juvenile justice agencies should:

A. Identify areas of staff discretion and provide guidelines to alleviate opportunity for bias
B. Develop a method to increase oversight and documentation of decision points
C. Implement training and develop protocols to assess and redirect biased decision-making
D. Bear in mind the unequal treatment found at these decision points when proposing juvenile justice system reform

IV. The role of gatekeeper agencies, including schools and law enforcement entities, is critical in ensuring fair decision-making about who should be referred to court. Gatekeeper agency personnel should be knowledgeable about the goals and functioning of the juvenile justice system. School and law enforcement personnel should receive training on:

A. Law and policy relating to juvenile process, detention and sentencing
B. The overall treatment and rehabilitative goals of the juvenile justice system, including the benefits of early diversion programs for children and youth
C. The impact of adolescent brain development on decision-making ability
D. Childhood trauma and its impact on behavior
E. Implicit bias and its impact on decision-making in the juvenile justice system

V. Since the data was collected for the current study, Connecticut has implemented legislative and policy interventions that may have impacted the level of disparate treatment at the detention decision point. The impact of these changes should be reviewed so that both the law enforcement and court decision points can be reviewed.

A. Data should be developed to track law enforcement requests for orders to detain juveniles. This data should include:
    i. The number of orders requested
    ii. The most serious underlying charge
    iii. Whether the order was granted or denied

B. Data should be gathered to track the detention decisions at court, including:
    i. Whether the child or youth was released at the first court appearance
    ii. Whether the child was newly detained after the first court appearance
    iii. Which party made the request to detain

Detailed Report

I. Background

A. Problem Statement

A major issue facing juvenile justice practitioners and policymakers across the country is disproportionality and disparate treatment of racial and ethnic minority youth in the juvenile justice system.[1] One of the most important actions taken to better understand and respond to this problem was the 1988 amendment to the Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974 that required each state to evaluate and address the problem of disproportionate minority confinement in secure facilities. For states to be eligible for full allocation of Formula Grant dollars, they were required by the JJDPA: (1) to demonstrate whether minority youth are overrepresented in secure facilities compared to their population base; and (2) when overrepresentation was found to be present, create a strategy for addressing this inequality.

Two important modifications to the Act are as follows:

- In 1992, the JJDP Act was amended such that DMC was elevated to a core protection for youth, and future Office of Juvenile Justice and Delinquency Prevention (OJJDP) funding was made contingent on state compliance. For states to fully participate in the JJDP Act Formula Grants program, the state was required to: (1) identify if DMC was an issue in their state; and (2) upon determining that DMC existed in the state, conduct an in-depth examination of minority and non-minority youth at various decision points in the juvenile justice system and, where appropriate, implement intervention strategies to reduce DMC (Hsia, Bridges & McHale 2004). States that failed to address DMC stood to lose 20% of their Formula Grants allocation for the year.
- In 2002, OJJDP amended the DMC requirement of the Act so that the DMC initiative was broadened to address "**Disproportionate Minority Contact**" with the juvenile justice system rather than "**Disproportionate Minority Confinement**." Thus, the focus was expanded to include all juvenile justice system decision-making points (e.g., arrest, referral to court, adjudication, secure placement, transfer to the adult court, etc.), rather than just confinement.

[1] Disproportionality refers to the situation in which a larger or smaller proportion of a particular group is present at various stages within the juvenile justice system (e.g., intake, detention, adjudication, disposition) than would be expected based on their proportion in the general population. Disparate treatment means that the probability of receiving a particular outcome (e.g., detained vs. not detained; placed in secure vs. community-based facility) varies by group.

B. DMC Studies in Connecticut

In the early 1990s in response to both the JJDPA requirements and concern about minority overrepresentation in Connecticut's juvenile justice system, the Juvenile Justice Advisory Committee (JJAC) began to plan its action steps and collect initial data on juveniles referred to court, held in detention, and placed in secure correctional facilities. As it became clear that additional information would be necessary, the JJAC prepared a Request for Proposals to retain an independent research firm to design and conduct an in-depth study of minority overrepresentation in the Connecticut juvenile justice system. In 1992, Spectrum Associates Market Research Incorporated (Spectrum Associates) was awarded a grant to conduct the first study on this issue for the State of Connecticut. Since that time, Spectrum Associates has conducted an additional three studies: in 1998, Spectrum Associates was awarded a grant to conduct a follow-up assessment study, in 2006 Spectrum Associates was awarded a grant to conduct a third study, and in 2015 Spectrum Associates was awarded a contract to conduct this current study, the fourth for the State.

While the findings section of this report will focus on the current study, the key findings regarding system decision-making from the prior three studies are summarized below.

Police Decision-Making

- In 2005-06, minority juveniles apprehended for non-SJO felony (Black and Hispanic juveniles) and misdemeanor (Black juveniles) charges were more likely than their White counterparts to be referred to court, and these differences were not neutralized when controlling for other factors. The earlier studies did not show this disparity.
- Across all three studies, Black and Hispanic youth were not significantly more likely than White youth to be brought to the police station.
- In 2005-06, Black juveniles charged with a non-SJO felony or misdemeanor offense were more likely than White juveniles so charged to be placed in secure holding. The disparity was not neutralized. Similar disparities in the use of secure holding were found in 1991-92 but had been eliminated in 1998-99.
- Across all three studies, Black and Hispanic juveniles were not held significantly longer in secure holding than were similarly charged White juveniles.
- Across all three studies, Black and Hispanic juveniles apprehended for SJOs were significantly more likely than White juveniles so charged to be transported to a Detention Center, and these differences were not neutralized when controlling for other factors.

Court Decision-Making

- In 2006, race/ethnicity did not have a significant impact on the average number of days Black, Hispanic, and White juveniles spent in a pretrial Detention Center. This is an area of improvement as both prior studies found Black and Hispanic juveniles charged with an SJO averaged more days in pretrial detention, and the differences were not neutralized.

- In 2006, Black juveniles charged with a misdemeanor were less likely than their White counterparts to be released from detention prior to their case disposition, and the difference was not neutralized by the other factors. This disparity was not identified in the prior studies.
- In 2006, Black and Hispanic juveniles charged with an SJO were more likely than similarly charged White juveniles to be transferred to adult court. While the multivariate analysis showed that factors other than race/ethnicity also played a significant role in the decision, race/ethnicity remained a significant factor. Due to the small number of transfers in the prior studies, it was not previously identified as an area of disparity.
- Across all three studies, no disparities were found in:
  - The handling of cases judicially rather than non-judicially
  - Court outcomes for non-judicial delinquency cases
  - Adjudication rates for judicial delinquency cases
  - Placement rates for adjudicated juveniles

Department of Children and Families Decision-Making

- In 1991-92, disparities were found in the placement of Black, Hispanic, and White juveniles into secure care at DCF. In 1998-99, the increased use of Long Lane School for White juveniles virtually eliminated these disparities. The 2005-07 study revealed disparate findings much like the 1991-92 study, as Black and Hispanic juveniles committed to DCF for SJO and violation charges were more likely than White juveniles committed for similar offenses to spend some time during their commitment at the DCF secure juvenile justice facility.
- The differences in the use of DCF non-secure juvenile justice facilities for Black, Hispanic, and White juveniles have generally decreased with each study. However, while there has been improvement, disparities remained in 2005-07.
- In both 2005-07 and 1998-99, observed differences in the average percentage of the commitment spent at the DCF secure juvenile justice facility were typically (though not always) neutralized by the predictor variables (usually by whether or not an incident had been written while the juvenile was at the secure DCF facility). In 2005-07, Black juveniles committed for a non-SJO felony averaged a greater percentage of their commitment at the DCF secure juvenile justice facility than did similarly charged White juveniles, and the differences were not neutralized.
- Disparities in the average percentage of the commitment spent at a DCF non-secure juvenile justice facility for Black, Hispanic, and White juveniles were found in all three studies.
- Across all three studies, race/ethnicity did not play a significant role in the average percentage of the DCF commitment that was completed.

C. National Perspective

Noting relevant national research efforts will function to establish national context to this study, as well as support the continued importance of studying DMC.

Our brief review of the literature provides information on: (1) the extent to which disproportionate minority contact exists in juvenile justice systems across the country; (2) the extent to which disproportionality is explained by differences in delinquent behaviors across race and ethnicity; and (3) the role that differential processing of White and minority youth by the system plays in moving a disproportionate number of minority youth through the system.

Are Minority Youth Disproportionately Present in Juvenile Justice Systems?

Disproportionality refers to the situation when a larger or smaller proportion of a particular group is present at a particular point in the juvenile justice system than would be expected based on the general census data. National and statewide studies have consistently found minority youth to be disproportionately present in the juvenile justice system.

In 2006, OJJDP launched a web-based data entry system that provides a repository of state and local data across the country that is used to calculate the Relative Rate Indexes to measure DMC. A Relative Rate Index (RRI) provides a way to easily compare the representation of juveniles of a specific race/ethnicity at a particular point in the juvenile justice system with a single index number. An index of 1.0 indicates that the group of juveniles is present at a rate that would be expected based on population information at the previous decision point in the system. An index greater than 1.0 indicates a larger proportion than would be expected, and an index number of less than 1.0 indicates a smaller proportion than would be expected.[2]

As detailed in the National Disproportionate Minority Contact Databook, from 2005 to 2014, Black juveniles had an index value greater than 1.0 at most decision points, indicating that they are disproportionately represented at the various decision points. In 2014, the decision points with the highest RRI values for Black juveniles was referral (3.1) followed by waiver (1.6), detention (1.4), and placement (1.3). For Hispanic

[2] RRI data for the state of Connecticut for the three time periods for which Spectrum Associates has studied DMC are provided in Appendix A. It should be noted that the information provided in the Study Findings section of this report is better data to use to assess Connecticut's juvenile justice system during these three time periods as the system decision-making was analyzed taking into account the severity of the offense for which the juvenile was referred/adjudicated/confined as well as other possible contributing factors that were included in the multivariate analyses.

juveniles, the highest RRI values were for placement (1.4) and detention (1.3) (Puzzanchera & Hockenberry 2017).

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

Some argue that DMC is explained by minority youths' greater and more serious involvement in delinquent behavior than White youths, often referred to as differential offending. Advocates for this framework often question the reliability of official statistical measures of illegal behavior, claiming that decision-making surrounding the crime (e.g., decisions made by police to apprehend and refer juveniles to court) may skew findings and decisions made by victims to report crimes to the police. Thus, some researchers prefer self-report data collected with anonymous surveys and interviews.

As noted by Snyder and Sickmund (1999), research suggests that only 30-50% of serious/violent crime committed by juveniles is actually reported to the police. Commenting on the limitations of arrest data, Hawkins et al. (2000, p.1) commented:

> The primary weakness of arrest data is that the data are collected only for those criminal and delinquent events that come to the attention of the police and result in arrest. If ethnic and racial groups differ in their inclination to report crime to the authorities, or if crimes committed by certain groups are more likely to result in arrest, these factors can bias estimates of racial differences in offending rates. Police themselves may be biased in their arrest practices (e.g., arresting rather than warning) depending on the offender's racial or ethnic background.

As a compliment or alternative to comparing official records across race, a number of criminologists have used self-report surveys where respondents are asked to complete a confidential questionnaire or interview, indicating their personal involvement in various types of offenses. As noted by Snyder and Sickmund (1999, p.52), "Self-report studies can capture information on behavior that never comes to the attention of juvenile justice agencies. Compared with official statistics, self-report studies find a much higher proportion of the juvenile population involved in delinquent behavior."

One such study is the *2015 Youth Risk Behavior Surveillance* conducted by the Center for Disease Control and Prevention This study included surveys with over 15,000 9^{th} to 12^{th} graders across the country. The study findings show that while there was some variation on the activities examined by race/ethnicity, the differences by race/ethnicity in the self-reported activities suggested that differences by race/ethnicity observed through official records cannot be explained by differences in actual behaviors. The 2015 national data revealed:

- White (18.1%) youth were more likely to have carried a weapon (such as a gun, knife, or club) in the last 30 days than were Hispanic (13.7%) or Black (12.4%) youth
- Black (6.0%) and White (5.5%) youth were more likely to have carried a gun in the last 30 days than were Hispanic youth (4.3%)
- Hispanic (4.5%) youth were most likely to have carried a weapon (such as a gun, knife, or club) on school property in the last 30 days (Black youth, 3.4%; White youth, 3.7%)
- Black (32.4%) and Hispanic (23.0%) youth were more likely than White youth (20.1%) to report having been in a physical fight in the last 12 months

Is Minority Overrepresentation Explained by Differential Handling?

Pope, Lovell, and Hsia (2002) conducted a literature review of DMC studies published in professional journals and scholarly books from March 1989-2001. This review, among others (e.g., Engen, Steen, & Bridges 2002; Bishop 2005), found in a majority of reports that race/ethnicity affected at least some stages of decision-making in the juvenile justice system, indicating disadvantage to youths of color. A more recent DMC review of publications from 2002-2010 was conducted by the Development Services Group, Inc. (DSG). These findings resembled those of the previous decades: all points of the juvenile justice systems across the country showed disparity attributed to race/ethnicity.

Summary of Literature Review

To date, studies conducted on disproportionate minority contact in the juvenile justice system have found that:

- Racial and ethnic minorities were often disproportionately represented in the juvenile justice system
- The observed disproportionality cannot be fully explained by differences in delinquent behavior across racial and ethnic groups
- Disparities were found in system processing of minority youth, even when controlling for social and legal background variables at various points of juvenile justice systems across the country

II. Overview of the Connecticut Juvenile Justice System in 2015

A. Age of Jurisdiction

In Connecticut, the Superior Court for Juvenile Matters has exclusive original jurisdiction over juveniles accused of delinquent acts. Between 2010 and 2012, Connecticut increased the age of juvenile jurisdiction. Delinquents are now:

- Persons who, prior to their sixteenth birthdays, have violated or attempted to violate any federal or state law, order of the Superior Court, or any local or municipal ordinance;
- Persons sixteen or seventeen years old who have violated or attempted to violate any federal or state law other than:
    - an offense classified as a violation or infraction
    - a motor vehicle offense under Title 14 of the General Statutes
    - the failure to pay or plead not guilty to an infraction or violation ticket
    - the failure to appear for an adult court hearing
    - certain restraining or protective orders
    - any local or municipal ordinance

While the same criminal statutes apply to both adults and juveniles, in most cases juveniles are subject to different procedures and sanctions than adults.

B. System Philosophy and Goals

The juvenile justice system in Connecticut is grounded in the concepts of restorative justice, emphasizing protection of the community, offender accountability, and rehabilitation. The goals of the system, as defined in the Juvenile Justice Act of 1995, and expanded upon in Connecticut General Statutes §46b-121h, include:

- Individualized supervision, care, and treatment provided pursuant to an individual case management (probation) plan that involves the family of the juvenile
- School and community programs promoting prevention
- A statewide system of community-based services designed to keep the juvenile in the home and community whenever possible
- Uniform intake procedures including “risk and needs” assessment instruments and case classification plans to inform decision-making relative to detention, residential placement, and treatment plans
- Facilitated access to treatment programs addressing drug and alcohol abuse, emotional and behavioral problems, sexual abuse, health needs, and education

- A statewide network of high quality professional medical, psychological, psychiatric, and substance use testing and evaluation
- Programming for anger management and nonviolent conflict resolution
- A coordinated statewide system of secure residential facilities and closely supervised nonresidential centers and programs
- Community centered programs involving restitution, community service, mentoring, and intensive early intervention
- Provision of secure and therapeutic confinement for those juveniles who present a danger to the community
- Adequate protection of the community and juveniles
- A focus to retain and support juveniles within their homes whenever possible and appropriate
- Supervision and service coordination where appropriate and implement and monitor the case management plan in order to discourage reoffending
- Follow-up and nonresidential post-release services to juveniles who are returned to their families or communities
- The development and implementation of community-based programs including, but not limited to, mental health services, designed to prevent unlawful behavior and to effectively minimize the depth and duration of the juvenile's involvement in the juvenile justice system
- Programs for juvenile offenders that are gender specific in that they comprehensively address the unique needs of a targeted gender group

In addition to seeking to rehabilitate juvenile offenders, legislation has sought to hold juveniles accountable for their actions. Specifically, legislation has identified over 60 offenses as "Serious Juvenile Offenses" (see Appendix B) and provided the court with an increased range of dispositional sanctions when juveniles commit or attempt to commit these offenses. In addition, 1995 legislation defined acts of juvenile delinquency as "criminal", designated jurisdiction to the Criminal Session of the Superior Court for Juvenile Matters, and increased the number of statutes for which juveniles would be automatically "transferred" to the adult system. In 2012, the criteria for transferring certain classes of crimes were changed and effective October 2015, the minimum age for transfer to the adult criminal court was raised from 14 to 15.

C. Law Enforcement

In most instances, the police represent the first point of contact for juveniles entering the juvenile justice system and have wide discretion in handling delinquency cases. Police may: (1) issue a warning and release the juvenile; (2) confer with parents and release the juvenile; (3) make a referral to a community organization; (4) refer the juvenile to formal, community-based diversion services such as Juvenile Review Boards or youth service agencies in those communities where those options are available; (5) make a referral to court; (6) seek a court order to admit the juvenile to a Juvenile Detention Center.

When a referral to court is made, the police issue a Juvenile Summons and prepare a Police Arrest Report that describes the incident, lists the charges, specifies a court appearance date, and includes a promise to appear signed by the parents. If the police believe that the welfare of the child or the safety of the community requires that the juvenile be confined prior to the initial court hearing, they may seek a court order authorizing the placement of the juvenile in a Juvenile Detention Center operated by the Judicial Branch (detention center).

D. Detention

In 2011, the law was amended to require that upon the arrest of a juvenile for a delinquent act, regardless of the seriousness of the charges, the juvenile may only be admitted to a detention center with a court order authorizing such detention. Therefore, the police choose whether or not to seek an Order to Detain, and a judge decides whether or not to sign the Order to Detain that would result in a juvenile being placed in a detention center.

The following court orders would authorize the detention of a juvenile:

- An arrest warrant (JD-JM-176)
- A Take Into Custody Order (JD-JM-32A)
- Interstate Compact for Juveniles
- Take Into Custody Order/Delinquent Child (JD-JM-192)
- Order to Detain (JD-JM-190)

For a judge to grant an order authorizing the detention of a juvenile, the judge must find that:

- There is probable cause to believe that the child has committed the acts alleged,
- There is no less restrictive alternative available, and
- There is:
    (a) a strong probability that the child will run away prior to the court hearing or disposition or
    (b) a strong probability that the child will commit or attempt to commit other offenses injurious to the child or to the community prior to the court disposition or
    (c) probable cause to believe that the child's continued residence in the child's home pending disposition poses a risk to the child or the community because of the serious and dangerous nature of the act or acts the child is alleged to have committed or
    (d) a need to hold the child for another jurisdiction or
    (e) a need to hold the child to assure the child's appearance before the court, in view of the child's previous failure to respond to the court process or

(f) a finding by the court that the child has violated one or more of the conditions of a suspended detention order

Unless charged with a Serious Juvenile Offense and in the absence of an order not to release in place, juveniles admitted to detention may be released by the detention staff. Otherwise, they will remain detained until a court hearing is conducted on the business day following the juvenile's admission to the center.

At the detention hearing, the court may: (1) release the juvenile to a parent with no conditions other than to attend future hearings; (2) release the juvenile to home on a suspended order of detention and place him/her under the supervision of a probation officer that monitors specific conditions which could include house arrest, electronic monitoring, random drug testing, school attendance, and/or curfew; (3) remand the juvenile to a Detention Center but find them eligible for consideration by the detention staff for placement in an Alternative Detention Program (ADP); or (4) order that the juvenile remain in detention.[3] A detention review hearing is conducted at least every 15 days thereafter until the juvenile is released. Detention staff members may make recommendations to the court concerning the release or confinement of juveniles based on a structured assessment instrument administered following admission to the center.

E. Court Processing

All Juvenile Summons issued by the police are filed with the Juvenile Court Clerk's Office in the Juvenile Court that serves the child's town of residence. The Juvenile Probation Unit Supervisor at the court location where the juvenile will appear receives all Police Arrest Reports and determines whether each case should be accepted for processing. The statutory criteria for this decision is whether the facts of the case, if true, would be sufficient to be a juvenile matter and whether the interests of the public or the child require that further action be taken. If accepted, the Supervisor will determine whether the case should be scheduled for a court hearing (judicial processing) or handled informally (non-judicial processing) as defined by The Connecticut Practice Book. The decision to process a case non-judicially is contingent upon the juvenile admitting responsibility for the alleged delinquent acts and is based on consideration of the following: seriousness of the offense, past court history, adjustment at home and school, and attitudes of the juvenile and parents.

[3] To enter an Order of Detention, which could result in the juvenile remaining in detention or be suspended resulting in the juvenile being released on conditions, the court must determine that there is probable cause that the juvenile committed the alleged offense and that one of the following criteria applies: the juvenile will likely run away before the court hearing on the charges; the juvenile will commit other offenses harmful to the juvenile or the community; placement in the home is not in the best interests of the juvenile or the community due to the serious and dangerous nature of the alleged acts; the juvenile is being held for another jurisdiction; or there is a history of failure to appear at court hearings.

Non-judicial cases normally include only those matters involving minor offenses and are dealt with by a juvenile probation officer rather than a judge. The probation officer may: (1) dismiss the case; (2) place the juvenile under non-judicial supervision for a period of up to 180 days with conditions; or (3) recommend judicial handling.

Judicial cases include: (1) more serious offenses (e.g., felonies); (2) cases involving motor vehicles, the sale of drugs, or possession of a weapon; (3) cases involving juveniles who have prior delinquent convictions or who have an extensive prior history with the court (e.g., non-judicial dispositions, status offenses); (4) all cases where the juvenile denies the charges; and (5) cases where the probation officer believes that judicial intervention is warranted.

The juvenile prosecutor files a Petition/Information with the court in all judicial cases specifying the charges and identifying the offender and the parents or guardian. A plea hearing before a judge is initially scheduled at which the rights of the parents and juvenile are explained, including the right to counsel and the availability of public defender services if eligible, and the child is asked to plead to the charges. This is normally followed by a pretrial conference between the prosecutor and counsel for the juvenile.

Pre-conviction suspended prosecution programs are also available for juveniles who are drug or alcohol dependent or who are involved in acts of school violence. Successful completion of such programs results in a dismissal of the charges.

If the juvenile denies responsibility for the charges, a judicial hearing is scheduled. This hearing has two phases[4]:

- ***The adjudicatory hearing*** where the court can, after trial: (1) find the juvenile not delinquent, or (2) convict the juvenile as a delinquent
- ***The dispositional hearing*** where the court determines whether the convicted offender will be: (1) dismissed with a warning, (2) conditionally discharged, (3) placed on probation, (4) placed on probation with a suspended commitment to the Department of Children and Families, or (5) commited to the Department of Children and Families

The majority of convicted delinquents are placed on probation. The probation supervision plan includes a combination of conditions and treatment depending on the unique circumstances of the juvenile. Conditions can include: random drug testing, restitution, community service, electronic monitoring, curfews, and monitored school attendance.

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

Treatment options include referral to individual or group counseling targeting an array of problem areas; day reporting programs that include educational, recreational, life skills, drug treatment, and other services; specialized services for females, sex offenders, and abused juveniles; mental health services; and short-term residential services.

If placement is deemed appropriate by the court, the statutes provide for commitments to DCF for a period of up to 18 months in non-SJO cases and up to a maximum of 4 years in SJO cases. SJO commitments may also include orders establishing a minimum period of twelve months during which the juvenile shall be placed in a residential facility operated by or under contract with DCF. Commitments for both non-SJO and SJO convictions may be extended for an additional 18 months if requested by DCF, if, after a hearing, the court finds that such extension is in the best interests of the juvenile or the community. All delinquency commitments are terminated when the juvenile reaches the age of 20, if not expired prior to that time.

F. Department of Children and Families

Adjudicated delinquents determined to be in need of out-of-home placement are committed to the Department of Children and Families (DCF), the state agency responsible for public or private residential placement of juvenile offenders, as well as aftercare (parole) services.

A Juvenile Justice Social Worker, formerly known as a parole officer, is assigned to and begins working with the juvenile and the juvenile's family once they are committed, even while the juvenile is in placement. Decisions regarding placements, treatment plans, and release from placement are ultimately the responsibility of DCF but done in partnership with the treatment team and family. Juveniles who are discharged from placement and returned to their homes remain committed to DCF and under the supervision of a DCF Juvenile Justice Social Worker until the term of the commitment imposed by the court expires.

G. Transfer to Adult Court

Historically, juveniles age 14 or older charged with a Class A or B Felony were automatically transferred to the adult criminal court. Additionally, juveniles age 14 or older charged with a Class C, D, E or unclassified Felony could be transferred to the adult criminal court upon a motion by the juvenile prosecutor and order of a Juvenile Matters Judge (discretionary transfers). In 2012, legislation was passed which amended the findings that the court must make in order to transfer a juvenile in a discretionary transfer case, including:

1. The offense was committed after such child attained the age of 14 years
2. There is probable cause to believe the child has committed the act for which the child is charged

3. The best interests of the child and the public will not be served by maintaining the case in the Superior Court for Juvenile Matters

In making such findings, the court must consider:

(a) any prior criminal or juvenile offenses committed by the child

(b) the seriousness of such offenses

(c) any evidence that the child has intellectual disability or mental illness

(d) the availability of services in the docket for juvenile matters that can serve the child's needs

Juveniles charged with certain Class A sexual assault offenses, a Class B Felony, and the "discretionary transfers" can be returned to the Superior Court for Juvenile Matters upon order of a judge in the adult court.

Starting in October 2015, the minimum age for transfer was raised to 15, and some Class B Felonies, that were previously subject to automatic transfer to the adult criminal court became subject to the discretionary transfer procedure.

Juveniles confined in a detention center and subsequently transferred to the adult court may be placed in the custody of the Department of Correction and held in an adult correctional facility, usually Manson Youth Institution for males and York Correctional Institution for females. Both are used pretrial and following conviction.

III. Methodology

A. Research Design Overview

The major goals for the DMC assessment study were to determine:

- What differences, if any, exist in decisions made for Black, Hispanic, and White juveniles who are processed for similar types of offenses (e.g., Serious Juvenile Offenses, non-SJO felonies, misdemeanors, and violations) as they move through the juvenile justice system.
- Whether observed differences remain when controlling for offender and offense characteristics or are neutralized by predictor variables

The study assesses decisions made by the three components of the juvenile justice system: the police, juvenile court, and the Department of Children and Families.

B. Data Sources, Sampling Plan, and Data Collection

1. Police Data

Police data for the study were manually abstracted at approximately one-third of the municipal police departments and state police barracks across the state (26 municipal police departments and 5 state police barracks[5]). These police departments and barracks were selected by a stratified random selection process to assure: (a) representation across different geographic areas of the state, (b) representation across different size towns and cities, and (c) random selection of departments and barracks within the different size categories.

At each location, a sampling plan was used that called for collecting data from a prescribed number of cases reflective of the size of the city or town, and over-sampling minority cases to allow for meaningful comparisons to be made across race.

Police data included in this study sample were randomly selected from all police incident reports for January 1, 2016 to December 31, 2016. In some of the police departments the total number of incident reports for a particular offense type (i.e., SJO, non-SJO felony, misdemeanor) for the year was less than the specified sampling plan (e.g., 10 Black, 10 Hispanic, and 10 White juveniles charged with SJOs). For these departments, information was abstracted from all of the incident reports for the specific offense type(s). In addition, data were abstracted for all Asian juveniles with an incident report written in 2016.

As described above, the sampling plan for the police data was such that certain size cities/towns were more heavily sampled than others. In order to adjust the data to more accurately represent all of the incident reports that were filed at all of the police departments under study, the data were weighted. The weighting procedure used is provided in Appendix C.

Figure 1 displays the number of juveniles for which police data were abstracted (by race/ethnicity and offense type).

[5] Names of police departments/barracks are not provided as anonymity was promised to enable access to confidential department files. The 2016 departments/barracks were identical to those in prior years.

Figure 1
Police Abstracted Sample

	Most Serious Apprehension Charge			
	SJO	Non-SJO Felony	Misde-meanor	Total
Asian*	1	0	10	11
Black	30	73	537	640
Hispanic	28	60	463	551
White	28	59	640	727
Total	87	192	1,650	1,929

*Asian juveniles are not included in the analyses due to the small sample size.

Data gathered from the police incident reports included information on:

- The offender (race/ethnicity, age, gender, town of residence)
- The type of offense
- Police handling (action on complaint, use of secure holding at the police station)
- Characteristics of the offense (number of offenders, possession of drugs or alcohol, possession of a weapon, school vs. non-school incident, injuries or property damage resulting from the incident)

2. Juvenile Court Data

For the Juvenile Court component of the study, the Judicial Branch provided Spectrum Associates a data file extracted from Case Management Information System (CMIS) that included information on all juveniles that had a delinquency case disposed by the court July 1, 2014 – June 30, 2015.

About 1,400 juveniles with a case disposed in the study time period were excluded from Spectrum Associates' study due to: (a) missing race/ethnicity data or a race/ethnicity designation other than Black, Hispanic, or White; (b) the most serious charge for which the juvenile was referred to court was only an infraction; (c) having a "miscellaneous" final case disposition code; or (d) the juvenile not being a Connecticut resident. A total of 9,109 juveniles are included in the court component of the study: 2,680 Black juveniles; 2,695 Hispanic; and 3,734 White juveniles.[6]

The data provided by the Judicial Branch included:

- Demographic information on the juvenile

[6] There were 65 Asian juveniles included in the court data. As these juveniles were spread out across the various offense categories, the resultant sample sizes (i.e., 1 to 31 juveniles) were too small to include in the court analyses.

- Information about the "target offense"[7]
- Risk and need assessment data[8] completed for the juvenile in the time frame of the target offense
- Prior court referrals
- Detention stays in the time frame of the target offense and the number of Detention Center incident reports for those detention stays

While poverty is often hypothesized as having an impact on juvenile justice decision-making for youth, no data item for "poverty" is recorded in CMIS. In an effort to assess the impact of poverty on decision-making, Spectrum Associates utilized a geocoding and mapping software to assign neighborhood economic characteristics (e.g., estimated percentage of households with < $25,000 household income in 2015) to each juvenile for which a home address was available.

3. Department of Children and Families Data

To include a large enough sample of juveniles to examine, Spectrum Associates obtained data for all juveniles discharged from the Department of Children and Families (DCF) from January 2012 to mid-2016.[9] Data were obtained for a total of 510 juveniles.

Information abstracted included:

- Juvenile demographic characteristics
- All placements during the commitment to DCF under study
- The length of each placement
- The type(s) of charge(s) for which the juvenile received the commitment
- Incident reports written for the juvenile during placement at the Connecticut Juvenile Training School
- Recidivism risk score

As described above in the court component, Spectrum Associates utilized a geocoding and mapping software to assign neighborhood economic characteristics (e.g., estimated percentage of households with < $25,000

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7 The target offense is the last disposed charge in the year under study (i.e., July 1, 2014 to June 30, 2015). When there were multiple charges disposed on that date, the charge receiving the most serious disposition on that date was used.

8 Data from two assessment tools used by Juvenile Probation were obtained for the study. The Brief Risk Assessment Tool (BRAT) is an initial short risk assessment instrument used to identify low-risk juveniles for special handling and the Juvenile Assessment Generic (JAG) is a formalized assessment instrument that identifies and addresses a juvenile's criminogenic needs and protective factors, and arrives at an overall score that assesses the juvenile's likelihood of recidivating.

9 It should be noted that for earlier studies, Spectrum Associates abstracted data for one or two years resulting in about 450-500 juveniles for each study.

household income in 2015) to each juvenile for which a home address was available in an effort to assess the impact of poverty on DCF decision-making.

Figure 2 displays the number of juveniles for whom DCF data were abstracted (by race/ethnicity and most serious committing offense type).

Figure 2
DCF Abstracted Sample

	Most Serious Comitting Charge				
	SJO	Non-SJO Felony	Misde-meanor	Violation	Total
Asian*	0	2	1	0	3
Black	46	59	97	48	250
Hispanic	21	42	48	31	142
White	7	22	55	34	118
Total	74	125	201	113	513

*Asian juveniles are not included in the analyses due to the small sample size.

IV. Study Findings

This section of the report examines the decision-making for three separate components of the juvenile justice system: the police, the juvenile court, and the Department of Children and Families. For these analyses, data are first presented as system processing decisions broken out by: (a) type of offense (e.g., SJO, non-SJO felony, misdemeanors, violation, FWSN) and (b) within offense type by race/ethnicity (i.e., Black, Hispanic, and White). These tables depict the extent to which there were different decisions being made by the police, court, and DCF for Black, Hispanic, and White juveniles who were charged with similar types of offenses.

Decisions were then analyzed to determine if observed differences attributed to race/ethnicity remained when controlling for socio-demographic factors, additional offense characteristics, and offenders' juvenile court history. To this end, Logistic Regression (dichotomous variables) and Multiple Linear Regression (continuous measure variables) analyses were used. These multi-variable statistical techniques allow the researcher to estimate the chance that an event will or will not occur for a combination of independent or predictor variables. This type of analysis is particularly useful as it allows the researcher to determine the influence of each predictor variable (e.g., age, gender, and most serious prior offense) on the dependent variable (e.g., the decision to bring a juvenile to a detention center), and also examine the predictors' effects as a set of variables (i.e., a model). For a more detailed discussion of the statistical procedures for these analyses, see Appendix D. The differences where the impact of race/ethnicity remained significant after considering the predictor variables (i.e., <u>not</u> neutralized) are circled within the report figures.

A note regarding cell sizes: when the cell size is fewer than 10 juveniles, the percentage for that cell will not be displayed. When the cell size for White juveniles for a specific offense type for a decision point is less than 10, the percentages will not be displayed for juveniles of any race/ethnicity.

A. Police Decision-Making

Data were gathered from written police records and are presented on three key police decisions[10]:

- Did the police refer the juvenile to court or take less formal action?
- Did the police take the juvenile to the police station?
- Was the juvenile placed in secure holding while at the police station?

When disparities were observed, Logistic Regression was used to determine whether the impact of race/ethnicity on police decisions within offense type remained when controlling for social and additional legal factors. Figure 3 displays the factors included in these analyses.

Figure 3
Predictor Variables for the Police Multivariate Analyses

Socio-demographic	Incident Characteristics	Jurisdiction
Age	How Police Became Aware of the Incident	Presence of a Juvenile Review Board
Gender	School vs. Non-School Incident	Size of City/Town
Race/Ethnicity	Gang Related	Local vs. out-of-town
	Number of Offenders	
	Possession of Alcohol	
	Possession of Drugs	
	Under Influence of Drugs/ Alcohol	
	Possession of Weapon/Gun	
	Victim Injured	
	Property Damage	

[10] This research only includes data on those juveniles for whom police wrote an incident report.

1. Action on Apprehension

Figure 4 displays police action taken (i.e., referred to juvenile court, referred to community agency, released with a warning) for Black, Hispanic, and White juveniles apprehended for SJOs, non-SJO felonies, and misdemeanors.

Figure 4
Police Action by Most Serious Charge at Apprehension

		2015		
		Black	**Hispanic**	**White**
Serious Juvenile Offense	Referred to Juvenile Court	**97%**	**100%**	**100%**
	Referred to community agency	**0%**	**0%**	**0%**
	Warning*	**3%**	**0%**	**0%**
	Total	**100%**	**100%**	**100%**
	Base	32	30	24
Non-SJO Felony	Referred to Juvenile Court	**90%**	**97%**	**81%**
	Referred to community agency	**3%**	**0%**	**3%**
	Warning*	**7%**	**3%**	**16%**
	Total	**100%**	**100%**	**100%**
	Base	78	65	55
Misdemeanor	Referred to Juvenile Court	**66%**	**63%**	**62%**
	Referred to community agency	**6%**	**7%**	**8%**
	Warning*	**28%**	**30%**	**30%**
	Total	**100%**	**100%**	**100%**
	Base	536	483	613

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

- Black, Hispanic, and White juveniles apprehended for an SJO or misdemeanor were fairly equally likely to be referred to juvenile court for their charge
- At the non-SJO felony level:
  - Black and Hispanic juveniles were more likely than White juveniles to be referred to court
  - The difference between Black and White juveniles apprehended for a non-SJO felony was not statistically significant, while the difference between Hispanic and White juveniles was significant
  - Multivariate analyses were conducted to more closely examine the difference for Hispanic and White juveniles and determined that the impact of race/ethnicity was not neutralized (indicated by the red circle in the figure)

Some disparities by race/ethnicity (for both Black and Hispanic juveniles) were found at this decision point in the 2005-06 study but not in the earlier studies.

2. Brought to Police Station

Figure 5 displays the percentage of juveniles for whom an incident report was written that were brought to the police station.

Figure 5
Percentage of Juveniles Brought to Police Station
By Most Serious Charge at Apprehension

		2015		
		Black	**Hispanic**	**White**
SJO		**63%**	**46%**	**34%**
	Base	32	30	24
Non-SJO Felony		**48%**	**54%**	**39%**
	Base	78	65	55
Misdemeanor		**15%**	**15%**	**19%**
	Base	536	483	613

- Black and Hispanic juveniles apprehended for a felony (SJO or non-SJO) were more likely than White juveniles to be brought to the police station. However:
  - At the non-SJO felony level, the differences by race/ethnicity were not statistically significant
  - At the SJO level, the multivariate analyses determined that the race/ethnicity was not a significant factor in this decision (i.e., it was "neutralized"). Of the factors used for the multivariate analyses, the factor that appeared to have the largest role was whether the incident occurred at school or elsewhere (incidents at school were less likely to result in a trip to the police station)

The earlier studies did not find disparities by race/ethnicity at this decision point.

3. Placement in Secure Holding at the Police Station

Figure 6 displays the percentage of Black, Hispanic, and White juveniles who were brought to the police station and placed in secure holding at the police station.

Figure 6
Percentage of Juveniles Placed in Secure Holding
At Police Station
By Most Serious Charge at Apprehension

		2015		
		Black	**Hispanic**	**White**
SJO		**-**	**-**	**-**
	Base	14	7	5
Non-SJO Felony		**10%**	**39%**	**23%**
	Base	24	29	10
Misdemeanor		**29%**	**50%**	**22%**
	Base	62	49	90

- The sample sizes for juveniles apprehended for a felony (SJO or non-SJO) were too small to make any conclusions about the use of secure holding for juveniles apprehended for these offenses
- For juveniles apprehended for a misdemeanor and brought to the police station/state police barrack, Hispanic juveniles were significantly more likely to be placed in secure holding than were White juveniles (50% vs. 22%). The multivariate analysis indicated that other factors did not neutralize the impact of race/ethnicity

Prior studies found some disparity by race/ethnicity at this decision point for Black juveniles, not Hispanic juveniles.

B. Juvenile Court Decision-Making

Data were gathered and analyzed to look at several key court decisions, including:

- Was the juvenile brought to a pretrial detention center following apprehension for the case under study?
- How was the FWSN/delinquency referral handled (not accepted, non-judicially, judicially)?
- What was the final court outcome for FWSN cases (placement, supervision, dismissed)?
- What was the final court outcome for non-judicial delinquency cases (non-judicial supervision, discharge, not presented)?
- What was the final court outcome for judicial delinquency cases (adjudicated, nolle, not delinquent, dismissed)?
- What was the final court disposition for adjudicated delinquency cases (commitment to DCF, probation, discharged)?

When disparities were observed, Logistic Regression was used to determine whether the impact of race/ethnicity on court decisions within offense type remained when controlling for social and additional legal factors. Figure 7 displays the factors included in these analyses.

Figure 7
Predictor Variables for the Court Multivariate Analyses

Socio-demographic	Incident Characteristics	Assessment Tools**	Court History
Age	Drug Sale Charge	BRAT score	Number of Prior Referrals
Gender	Weapon Charge	JAG Risk Score	Prior Penetration into JJS
Race/Ethnicity	SJO – Person vs. Non-person	JAG Protective Score	Prior Drug Sale Charge
Neighborhood Characteristics*	School vs. Non-school	JAG Supervision Level	Prior Weapon Charge
Large City vs. Other			Prior Failure to Appear

* In an effort to assess the impact of poverty on decision-making, Spectrum Associates utilized a geocoding and mapping software to assign neighborhood economic characteristics to each juvenile for which a home address was available (e.g., estimated percentage of households with < $25,000 household income in 2015).

** Data from two assessment tools used by Juvenile Probation were obtained for the study. The Brief Risk Assessment Tool (BRAT) is an initial short risk assessment instrument used to identify low-risk juveniles for special handling, and the Juvenile Assessment Generic (JAG) is a formalized assessment instrument that identifies and addresses a juvenile's criminogenic needs, protective factors, and arrives at an overall score that assesses the juvenile's likelihood of recidivating.

1. Use of Pretrial Detention (Police and Court Decision)

When the police apprehend a juvenile for an incident and feel it is most appropriate to bring the juvenile to a pretrial detention center rather than release him/her, the officer must seek to get an Order to Detain signed by a judge approving this action. Given that a police officer requests and a judge approves the use of pretrial detention, both the police and court have a role in this decision.

Figure 8
Juveniles Brought to a Detention Center
Under Order to Detain for Referral to Court Charge *
By Most Serious Referral Charge

		2014-15		
		Black	**Hispanic**	**White**
SJO		**21%**	**18%**	**6%**
	Base	217	150	174
Non-SJO Felony		**11%**	**7%**	**1%**
	Base	304	223	339
Misdemeanor		**1%**	**0%**	**1%**
	Base	1,492	1,243	2,055

* This includes detentions where the police requested authorization from the court to bring a juvenile to a detention center and a judge signed the order.

Figure 8 reveals the following:

- Black (21%) and Hispanic (18%) juveniles referred to court for an SJO were 3 to 3½ times more likely to be brought to a detention center than were White juveniles (6%) referred to court for an SJO
- For non-SJO felonies, only 1% of the White juveniles were brought to detention while 11% of the Black and 7% of the Hispanic juveniles were brought to detention
- While the multivariate analyses determined that there were other factors that had a significant impact on the use of pretrial detention, the impact of race/ethnicity remained significant and was <u>not</u> neutralized

The three earlier studies all found disparity in the use of pretrial detention for Black and Hispanic juveniles referred to court for an SJO. Of the three earlier studies, only the first showed disparity at the non-SJO felony level.

2. FWSN Cases

Figures 9 and 10 display the handling and outcome decisions for FWSN cases included in the study sample. There was no disparity by race/ethnicity, as 84% - 88% of the cases were handled non-judicially and 80% - 86% of the cases received supervision.

The earlier DMC studies also did not find disparity for FWSN cases.

Figure 9
FWSN Case Handling

	2014-15		
	Black	**Hispanic**	**White**
FWSN Judicial	**4%**	**2%**	**3%**
FWSN Non-Judicial	**84%**	**88%**	**84%**
Not Accepted	**12%**	**10%**	**13%**
Total	100%	100%	100%
Base	553	1,004	1,003

Figure 10
FWSN Case Outcome
(Judicial & Non-Judicial)

	2014-15		
	Black	**Hispanic**	**White**
Placement *	**0%**	**0%**	**0%**
Supervision	**80%**	**81%**	**86%**
Dismissed	**20%**	**19%**	**14%**
Total	100%	100%	100%
Base	493	919	894

* Placement was only used for 2 Hispanic juveniles.

3. Delinquency Case Handling

Statutorily, juveniles charged with a Class A Felony or Class B Felony and were 14 years of age or older at the time of the offense eligible for automatic transfer to adult criminal court.

For juveniles charged with a delinquency offense that is not eligible for automatic transfer, the handling options are: not accepted, non-judicial, judicial, or discretionary transfer to adult criminal court.

Figure 11 displays the case handling decisions for cases that were not eligible for automatic transfer.

- Across race/ethnicity, the vast majority of the juveniles referred to a court for SJO or non-SJO felonies were handled judicially
- For misdemeanor and violation charges, Black and Hispanic juveniles were more likely to be handled judicially than were similarly charged White juveniles. However, the multivariate analyses revealed that other factors were the significant drivers behind these differences, neutralizing the apparent impact of race/ethnicity

Figure 11
Delinquency Case Handling *
by Most Serious Referral Charge

		2014-15		
		Black	**Hispanic**	**White**
Serious Juvenile Offense	Discretionary Transfer	**0%**	**2%**	**0%**
	Judicial	**99%**	**95%**	**100%**
	Non-Judicial	**1%**	**3%**	**0%**
	Not Accepted	**0%**	**0%**	**0%**
	Total	100%	100%	100%
	Base	143	112	133
Non-SJO Felony	Discretionary Transfer	**1%**	**1%**	**0%**
	Judicial	**90%**	**89%**	**87%**
	Non-Judicial	**7%**	**9%**	**12%**
	Not Accepted	**1%**	**1%**	**1%**
	Total	100%	100%	100%
	Base	298	214	329
Misdemeanor	Judicial	**48%**	**41%**	**33%**
	Non-Judicial	**41%**	**51%**	**58%**
	Not Accepted	**11%**	**8%**	**9%**
	Total	100%	100%	100%
	Base	1,488	1,240	2,055
Violation	Judicial	**97%**	**93%**	**58%**
	Non-Judicial	**2%**	**2%**	**37%**
	Not Accepted	**1%**	**5%**	**5%**
	Total	100%	100%	100%
	Base	88	45	67

* This figure excludes juveniles eligible for automatic transfer: (charged with with Class A or B felony and 14 + years of age at the time of the offense)

Figure 12 displays the case handling for juvenile court referrals that were eligible for automatic transfer (i.e., Class A Felony or Class B Felony charge for juveniles who were 14 years of age or older at the time of the offense).

- For Class B Felony charges, Black juveniles (87%) were much more likely to have their case transferred to and stay in adult criminal court than were White juveniles (48%)
- With the data available for the study, these differences were not neutralized by the multivariate analyses
- The differences between Hispanic (64%) and White (48%) juveniles charged with a Class B Felony were not statistically significant (note the relatively small sample sizes)
- There were too few Class A Felony cases to assess whether or not disparities existed by race/ethnicity

Figure 12
Final Court of Jurisdiction for Cases Eligible For Automatic Transfer *

	2014-15		
	Black	**Hispanic**	**White**
Class A Felony			
Transferred to adult court, stayed in adult criminal court	**90%**	**-**	**55%**
Transferred to adult criminal court, sent back to juvenile court	**0%**	**-**	**0%**
Never transferred to adult criminal court	**10%**	**-**	**45%**
Total	100%	-	100%
Base	10	4	11
Class B Felony			
Transferred to adult court, stayed in adult criminal court	**87%**	**64%**	**48%**
Transferred to adult criminal court, sent back to juvenile court	**3%**	**7%**	**17%**
Never transferred to adult criminal court	**10%**	**30%**	**36%**
Total	100%	100%	100%
Base	71	44	42

* This figure only includes juveniles eligible for automatic transfer: (charged with with Class A or B Felony and 14 + years of age at the time of the offense)

While the final court outcome of delinquency cases was examined somewhat differently in the 2006 study, disparity was found in the use of transfer to the adult for Black and Hispanic juveniles.

4. Court Outcome for Non-Judicial Delinquency Cases

Figure 13 displays the court outcome for judicial delinquency cases. There were no disparities by race/ethnicity at this decision point.

The earlier studies did not find disparities by race/ethnicity at this decision point.

Figure 13
Court Outcome of Non-Judicial Delinquency Cases
by Most Serious Disposed Charge

		2014-15		
		Black	**Hispanic**	**White**
Non-SJO Felony	Non-Judicial Supervision	**77%**	**75%**	**89%**
	Discharge	**23%**	**25%**	**11%**
	Not Presented	**0%**	**0%**	**0%**
	Total	100%	100%	100%
	Base	22	20	41
Misdemeanor	Non-Judicial Supervision	**70%**	**71%**	**77%**
	Discharge	**30%**	**29%**	**23%**
	Not Presented	**0%**	**0%**	**0%**
	Total	100%	100%	100%
	Base	614	633	1,186

Note: As SJOs are by law handled judically, they are excluded from this figure.

5. Court Outcome for Judicial Delinquency Cases

Figure 14 displays the court disposition of all juveniles adjudicated.

- The biggest differences for judicial case outcomes was for non-SJO felony cases. Black (64%) and Hispanic (62%) juveniles were more likely to be adjudicated for their case than were White juveniles (45%)
- The multivariate analyses determined that there were other factors that significantly impacted this decision point which neutralized the apparent impact of race/ethnicity

The earlier studies did not find disparities by race/ethnicity at this decision point.

Figure 14
Court Outcome of Judicial Delinquency Cases
by Most Serious Referral Charge

		2014-15		
		Black	**Hispanic**	**White**
Serious Juvenile Offense	Adjudicated SJO	**5%**	**10%**	**5%**
	Adjudicated Delinquent	**67%**	**60%**	**57%**
	Nolle	**28%**	**29%**	**34%**
	Dismissed	**1%**	**2%**	**4%**
	Total	100%	100%	100%
	Base	150	119	154
Non-SJO Felony	Adjudicated Delinquent	**64%**	**62%**	**45%**
	Nolle	**35%**	**36%**	**52%**
	Dismissed	**1%**	**2%**	**3%**
	Total	100%	100%	100%
	Base	269	192	289
Misdemeanor	Adjudicated Delinquent	**47%**	**40%**	**37%**
	Nolle	**52%**	**58%**	**61%**
	Dismissed	**1%**	**2%**	**2%**
	Total	100%	100%	100%
	Base	710	510	687
Violation	Adjudicated Delinquent	**52%**	**41%**	**41%**
	Nolle	**46%**	**57%**	**51%**
	Dismissed	**1%**	**2%**	**8%**
	Total	100%	100%	100%
	Base	85	42	39

6. Court Disposition for Judicial Delinquency Cases

Figure 15 displays the court disposition of all juveniles adjudicated.

- At both the SJO and misdemeanor levels Black and Hispanic juveniles were more likely to receive a commitment to DCF than were their White counterparts
- However, the disparities were neutralized by the multivariate analyses. At the SJO level, the strongest factors were the type of charges on the case (e.g., weapon or drug sale charges) or having had prior dispositions. At the misdemeanor level, the total risk score from the JAG was a significant factor in the commitment decision

The earlier studies did not find disparities by race/ethnicity at this decision point.

Figure 15
Court Disposition for Judicial Delinquency Cases
by Most Serious Disposed Charge

		2014-15		
		Black	**Hispanic**	**White**
Serious Juvenile Offense	Committed to DCF	**38%**	**30%**	**9%**
	Probation	**42%**	**44%**	**80%**
	Discharged	**20%**	**26%**	**11%**
	Total	100%	100%	100%
	Base	45	27	35
Non-SJO Felony	Committed to DCF	**13%**	**8%**	**8%**
	Probation	**57%**	**65%**	**68%**
	Discharged	**30%**	**28%**	**24%**
	Total	100%	100%	100%
	Base	125	79	84
Misdemeanor	Committed to DCF	**5%**	**6%**	**1%**
	Probation	**58%**	**63%**	**58%**
	Discharged	**37%**	**31%**	**40%**
	Total	100%	100%	100%
	Base	439	291	349
Violation	Committed to DCF	**21%**	**30%**	**26%**
	Probation	**48%**	**30%**	**21%**
	Discharged	**31%**	**40%**	**53%**
	Total	100%	100%	100%
	Base	48	20	19

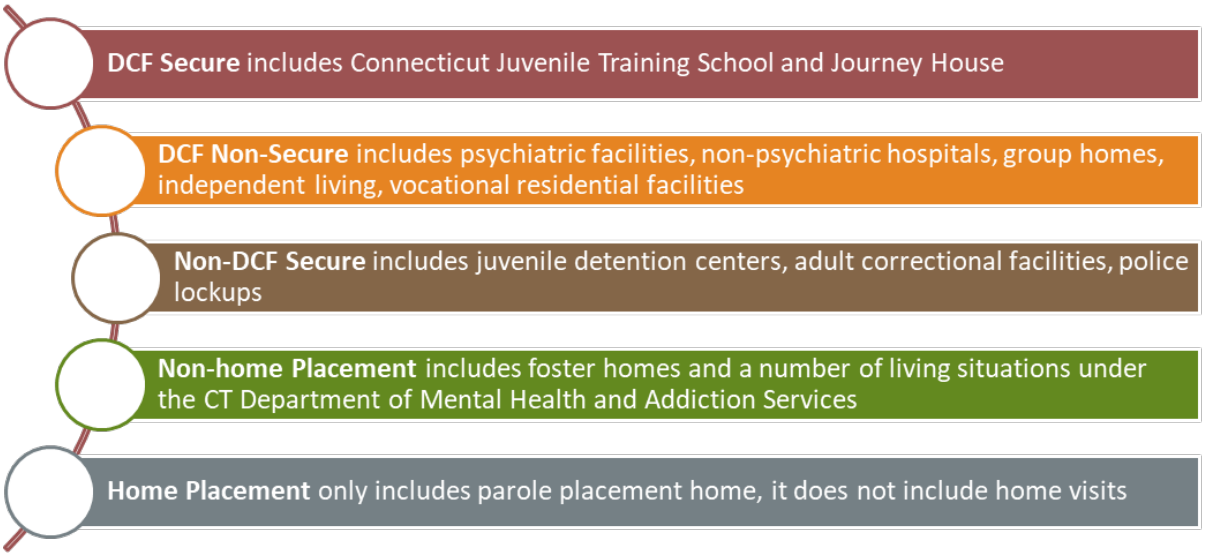
C. Department of Children and Families Decision-Making

The third key component of the juvenile justice system is the Department of Children and Families (DCF), the state agency responsible for placements of convicted juveniles committed by the judge to the state for care and treatment. DCF is also responsible for parole services provided to juveniles following their discharge from placement and until their commitment expires. The term of commitment is up to four years for SJOs and up to 18 months for other types of offenses.

The decision points examined for DCF were:

- At which type of facilities did the juvenile spend time?
- What percentage of the commitment was spent at the different types of facilities?
- What percentage of the DCF commitment was completed?

To enable a meaningful analysis, the various placements were grouped into five categories as described below.



When the data suggest that different decisions were made for Black, Hispanic, and White juveniles, Logistic Regression and Multiple Linear Regression were used to determine whether the impact of race/ethnicity on the different decisions remained when controlling for predictor variables. The variables included for the DCF component are displayed in Figure 16.

Figure 16
Predictor Variables for the DCF Multivariate Analyses

Socio-demographic	Most Serious Committing Offense Characteristics	Commitment Characteristics
Age at Commitment	Person Charge	Dually Committed
Gender	Sex Charge	DCF Region
Race/Ethnicity	Weapon Charge	Committing Court
Neighborhood Characteristics*	Drug Charge	AWOL During Commitment
		Year the Commitment Started
		Recidivism Risk Score
		Incidents while at CJTS (as appropriate)

* In an effort to assess the impact of poverty on decision-making, Spectrum Associates utilized a geocoding and mapping software to assign neighborhood economic characteristics to each juvenile for which a home address was available (e.g., estimated percentage of households with < $25,000 household income in 2015).

1. First Placement

Figure 17 shows the percentage of juveniles committed to DCF who were placed at each type of placement for the first placement of their commitment.

- Black and Hispanic juveniles committed to DCF for a misdemeanor or violation charge were over twice as likely to have a secure DCF placement for their first placement as their White counterparts. The multivariate analyses did not neutralize the disparities by race/ethnicity
- Conversely, the Black and Hispanic juveniles committed to DCF for a misdemeanor or violation charge were much less likely to have a non-secure DCF placement for their first placement as their White counterparts. The multivariate analyses also did not neutralize these disparities by race/ethnicity

The prior DMC studies examined this decision point differently so comparisons will not be made.

Figure 17
First Placement of DCF Commitment
by Most Serious Committing Offense

		2012-16		
		Black	**Hispanic**	**White**
Non-SJO Felony	DCF Secure Juvenile Justice Facilities *	**71%**	**81%**	**64%**
	DCF Non-secure Juvenile Justice Facilities **	**25%**	**19%**	**36%**
	Non-home Placement +	**3%**	**0%**	**0%**
	Total	100%	100%	100%
	Base	59	42	22
Misdemeanor	DCF Secure Juvenile Justice Facilities *	**54%**	**46%**	**26%**
	DCF Non-secure Juvenile Justice Facilities **	**44%**	**46%**	**66%**
	Non-home Placement +	**2%**	**8%**	**9%**
	Total	100%	100%	100%
	Base	97	48	55
Violation	DCF Secure Juvenile Justice Facilities *	**46%**	**55%**	**21%**
	DCF Non-secure Juvenile Justice Facilities **	**48%**	**42%**	**77%**
	Non-DCF Secure Facilities ***	**2%**	**0%**	**0%**
	Non-home Placement +	**4%**	**3%**	**3%**
	Total	100%	100%	100%
	Base	48	31	34

* The secure facilities include the Connecticut Juvenile Training School and Journey House.
** Other DCF placements include psychiatric facilities, non-psychiatric hospitals, group homes independent living, and vocational residential programs.
*** Non-DCF secure placements include juvenile detention centers, adult correctional facilities, and police lock-ups. One juvenile's first placement was a juvenile detention center.
\+ Non-home placements include foster homes and a number of living situations under the CT Department of Mental Health & Addiction Services.
Note: Home placement was not used for any first placements.

2. All Placements

Figure 18 examines all of the facilities in which each juvenile spent some amount of time during his/her DCF.

- For juveniles committed for non-SJO felonies or violations there were not any significant differences by race/ethnicity
- For juveniles committed for a misdemeanor, Black (59%) and Hispanic (58%) juveniles were less likely to be placed in a DCF non-secure facility than were White (80%) juveniles, and Black (30%) juveniles were more likely to go to a non-DCF secure facility than were White (11%) juveniles
- The multivariate analyses neutralized all of these differences
- The prior DMC studies found disparity at this decision point as a higher percentage of Black and Hispanic juveniles entered a secure DCF facility during their commitment compared to White juveniles and a lower percentage of the Black and Hispanic juveniles entered a non-secure DCF facility during their commitment compared to White juveniles.

Figure 18
All Facilities Entered During DCF Commitment
by Most Serious Committing Offense

		2012-16		
		Black	**Hispanic**	**White**
Non-SJO Felony	DCF Secure Juvenile Justice Facilities *	**90%**	**86%**	**86%**
	DCF Non-secure Juvenile Justice Facilities **	**66%**	**52%**	**64%**
	Non-DCF Secure Facilities ***	**34%**	**26%**	**23%**
	Non-home Placement +	**5%**	**0%**	**5%**
	Home Placement ++	**95%**	**88%**	**91%**
	Base	59	42	22
Misdemeanor	DCF Secure Juvenile Justice Facilities *	**78%**	**77%**	**64%**
	DCF Non-secure Juvenile Justice Facilities **	**59%**	**58%**	**80%**
	Non-DCF Secure Facilities ***	**30%**	**17%**	**11%**
	Non-home Placement +	**6%**	**2%**	**9%**
	Home Placement ++	**89%**	**90%**	**91%**
	Base	97	48	55
Violation	DCF Secure Juvenile Justice Facilities *	**71%**	**81%**	**62%**
	DCF Non-secure Juvenile Justice Facilities **	**63%**	**65%**	**79%**
	Non-DCF Secure Facilities ***	**27%**	**16%**	**12%**
	Non-home Placement +	**6%**	**0%**	**9%**
	Home Placement ++	**88%**	**100%**	**91%**
	Base	48	31	34

* The secure facilities include the Connecticut Juvenile Training School and Journey House.
** Other DCF placements include psychiatric facilities, non-psychiatric hospitals, group homes, independent living, and vocational residential programs.
*** Non-DCF secure placements include juvenile detention centers, adult correctional facilities, and police lock-ups.
\+ Non-home placements include foster homes and a number of living situations under the CT Department of Mental Health & Addiction Services.
++ Home placement only includes parole placement at home, it does not include home visits.

3. Time Spent in Placement Types

As the total commitment lengths vary for juveniles, rather than calculating the average number of days juveniles spent at the different types of facilities, we calculated the average percent of their commitment spent in each type. Figure 19 displays the data.

- The average percent of the commitment spent at a DCF secure facility was fairly similar across race/ethnicity for the various offense levels

- For the other types of placements, there were some differences by race/ethnicity but they were typically small and none of them were statistically significant

The prior DMC studies found some disparity at this decision in point.

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Figure 19
Mean Percent of Time Spent in Facility Types
During DCF Commitment
by Most Serious Committing Offense

		2012-16		
		Black	**Hispanic**	**White**
Non-SJO Felony	DCF Secure Juvenile Justice Facilities *	**43%**	**42%**	**40%**
	DCF Non-secure Juvenile Justice Facilities **	**19%**	**18%**	**25%**
	Non-DCF Secure Facilities ***	**5%**	**5%**	**1%**
	Non-home Placement +	**0%**	**0%**	**0%**
	Home Placement ++	**32%**	**35%**	**32%**
	Base	59	42	22
Misdemeanor	DCF Secure Juvenile Justice Facilities *	**39%**	**38%**	**26%**
	DCF Non-secure Juvenile Justice Facilities **	**26%**	**26%**	**35%**
	Non-DCF Secure Facilities ***	**6%**	**2%**	**1%**
	Non-home Placement +	**1%**	**0%**	**1%**
	Home Placement ++	**27%**	**33%**	**38%**
	Base	97	48	55
Violation	DCF Secure Juvenile Justice Facilities *	**32%**	**37%**	**22%**
	DCF Non-secure Juvenile Justice Facilities **	**25%**	**21%**	**35%**
	Non-DCF Secure Facilities ***	**7%**	**1%**	**2%**
	Non-home Placement +	**2%**	**0%**	**2%**
	Home Placement ++	**33%**	**41%**	**39%**
	Base	48	31	34

* The secure facilities include the Connecticut Juvenile Training School and Journey House.
** Other DCF placements include psychiatric facilities, non-psychiatric hospitals, group homes, independent living, and vocational residential programs.
*** Non-DCF secure placements include juvenile detention centers, adult correctional facilities, and police lock-ups.
\+ Non-home placements include foster homes and a number of living situations under the CT Department of Mental Health & Addiction Services.
++ Home placement only includes parole placement at home, it does not include home visits.

4. Percentage of Commitment Completed

Figure 20 displays the average percentage of their DCF commitment that juveniles completed. There was no disparity by race/ethnicity in the average percentage of the DCF commitment completed.

There was no disparity at this decision point in the prior studies.

Figure 20
Average Percent of DCF Commitment Completed by Most Serious Committing Offense*

		2012-16		
		Black	**Hispanic**	**White**
Non-SJO Felony		**100%**	**98%**	**99%**
	Base	49	37	21
Misdemeanor		**100%**	**94%**	**98%**
	Base	78	38	52
Violation		**100%**	**100%**	**100%**
	Base	46	28	34

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

D. Summary of Disparate Findings

When considering the various levels of offenses and comparing decisions made for Black and Hispanic juveniles to decisions made for White juveniles, there are 80 discrete points that were examined to determine if there was disparity or not. We found disparity at 11 of the 80 (14%) discrete points that were not neutralized by other factors using multivariate analyses. These 11 are listed below.

Police

- Hispanic juveniles apprehended for a non-SJO felony were more likely to be referred to court than were White juveniles apprehended for a non-SJO felony
- Compared to White juveniles apprehended for a misdemeanor, Hispanic juveniles were more likely to be placed in secure holding at the police station

Police/Court

- Black and Hispanic juveniles referred for felonies (SJO & non-SJO) were more likely to be brought to pretrial detention than were their White counterparts

Court

- For juveniles referred to court for a Class B Felony that was eligible for automatic transfer, Black juveniles were more likely to have their case transferred to and stay in adult criminal court than were White juveniles

DCF

- For juveniles committed to DCF for misdemeanor or violation charges, Black and Hispanic juveniles were about twice as likely as White juveniles to be placed at a secure DCF facility for their first placement

V. Juvenile Justice Advisory Committee Recommendations

Important Note

The recommendations provided in this section of the report were developed and written by the Juvenile Justice Advisory Committee (JJAC). The recommendations are provided in this report to inform the reader of the direction the JJAC feels should be taken in Connecticut with regard to disproportionate minority contact in the juvenile justice system.

The goal of these recommendations is to eliminate unequal treatment based on race or ethnicity in Connecticut's juvenile justice system. The proposed solutions are aimed at changing the behavior of the practitioners who work in the system and changing the systems themselves.

Unconscious bias is one possible cause of unequal treatment by practitioners and by the system. To that end, a major recommendation of the Juvenile Justice Advisory Committee is to increase awareness of unconscious bias, what it is, how to identify it, and how to counteract it.

I. Juvenile justice agencies should collaborate with the Commission on Racial and Ethnic Disparity to develop a template for training employees on identifying and remediating implicit bias.

A. All juvenile justice system practitioners should receive training on the results of this study and be mandated to attend training on unconscious bias.
B. Institutions of higher education should consider including the impact of implicit bias, and racial/ethnic disparities in the juvenile justice system in their curriculum for human services and criminal justice programs.

II. Connecticut should consider a statutory requirement that all law enforcement, school and juvenile justice practitioners be trained in identifying and remediating implicit bias in decision-making.

III. In order to address unequal treatment that was found at several decision points in the study, juvenile justice agencies should:

A. Identify areas of staff discretion and provide guidelines to alleviate opportunity for bias
B. Develop a method to increase oversight and documentation of decision points
C. Implement training and develop protocols to assess and redirect biased decision-making
D. Bear in mind the unequal treatment found at these decision points when proposing juvenile justice system reform

IV. The role of gatekeeper agencies, including schools and law enforcement entities, is critical in ensuring fair decision-making about who should be referred to court. Gatekeeper agency personnel should be knowledgeable about the goals and functioning of the juvenile justice system. School and law enforcement personnel should receive training on:

A. Law and policy relating to juvenile process, detention and sentencing
B. The overall treatment and rehabilitative goals of the juvenile justice system, including the benefits of early diversion programs for children and youth
C. The impact of adolescent brain development on decision-making ability
D. Childhood trauma and its impact on behavior
E. Implicit bias and its impact on decision-making in the juvenile justice system

V. Since the data was collected for the current study, Connecticut has implemented legislative and policy interventions that may have impacted the level of disparate treatment at the detention decision point. The impact of these changes should be reviewed so that both the law enforcement and court decision points can be reviewed.

A. Data should be developed to track law enforcement requests for orders to detain juveniles. This data should include:
    i. The number of orders requested
    ii. The most serious underlying charge
    iii. Whether the order was granted or denied

B. Data should be gathered to track the detention decisions at court, including:
    i. Whether the child or youth was released at the first court appearance
    ii. Whether the child was newly detained after the first court appearance
    iii. Which party made the request to detain

Appendix A:

State of Connecticut Relative Rate Indexes (RRI)

Extent Of Disproportionate Minority Contact In The Connecticut Juvenile Justice System (Statewide)

		1991			1998			2006			2015		
		Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White
Referred to Juvenile Court [a]	RRI	**4.36**	**3.14**	**-**	**4.13**	**2.67**	**-**	**4.92**	**2.61**	**-**	**4.98**	**2.32**	**-**
	N	2,189	1,490	3,556	2,776	1,783	4,514	3,012	1,820	3,504	3,491	2,660	3,609
Placed in Detention Center [b]	RRI	**4.87**	**3.90**	**-**	**3.16**	**2.75**	**-**	**2.05**	**1.77**	**-**	**2.21**	**2.03**	**-**
	N	279	152	93	179	100	92	219	114	124	814	569	380
Case Handled Judicially [b]	RRI	**1.32**	**1.26**	**-**	**1.02**	**1.07**	**-**	**1.16**	**1.18**	**-**	**1.33**	**1.13**	**-**
	N	1,160	759	1,433	1,548	1,051	2,478	2,015	1,236	2,017	2,579	1,667	2,000
Adjudicated SJO/Delinquent [c]	RRI	**0.99**	**0.94**	**-**	**0.95**	**0.98**	**-**	**1.11**	**1.03**	**-**	**1.16**	**1.09**	**-**
	N	770	475	956	986	691	1,663	1,095	625	991	1,025	622	685
Received Probation [d]	RRI	**0.85**	**0.83**	**-**	**0.89**	**0.87**	**-**	**1.04**	**0.98**	**-**	**1.08**	**1.13**	**-**
	N	426	257	622	642	442	1,219	716	386	622	596	379	369
Placed in DCF Secure Placement [d*]	RRI	**2.55**	**2.72**	**-**	**2.21**	**2.86**	**-**	**1.87**	**1.90**	**-**	**2.27**	**2.94**	**-**
	N	82	54	40	76	69	58	31	18	15	51	40	15
Transferred to Adult Court [b]	RRI	******	******	******	**1.86**	**2.07**	**-**	**1.75**	**1.54**	**-**	**1.68**	**1.14**	**-**
	N	**	**	**	29	22	25	63	34	36	93	41	43

[a] The base used for this decision point is the estimated number of 10-16 year olds of each race/ethnicity in Connecticut.
The 1991 population data are based on the 1990 census.
The 1998 population data are the Census Bureau's estimate of Connecticut's 1998 population.
The 2006 population data are 2005 population estimates produced by Howard N. Snyder, Director of Systems Research at the National Center for Juvenile Justice.
The 2015 population data are 2014 population estimates produced by Howard N. Snyder, Director of Systems Research at the National Center for Juvenile Justice.

[b] The base used for this decision point is the number of juveniles referred to juvenile court.

[c] The base used for this decision point is the number of juveniles handled judicially.

[d] The base used for this decision point is the number of juveniles adjudicated SJO/delinquent.

* In 1991 and 1998 the training school used was Long Lane School. It should be noted that Long Lane included both 'secure' and 'non-secure' areas and were not differentiated for this analysis. In 2006 and 2015 the training school was the Connecticut Juvenile Training School; all areas of this facility were secure.

** Insufficient number of cases for analysis.

Appendix B:

State of Connecticut Serious Juvenile Offenses

State of Connecticut Serious Juvenile Offenses
(updated October 31, 2013)

Statute	Statute Description (including attempt or conspiracy)	Class	Type
21a-277	Sale, possession w/intent to sell drugs	Unc	F
21a-278	Sale, possession w/intent to sell drugs (non drug dependent)	Unc	F
29-33	Sale of a handgun	D	F
29-34	False info re sale of handgun/sale of a handgun to minor	Unc/D	F
29-35	Carrying a pistol without a permit	D	F
53-21(a)(2) & (3)	Risk of injury to minor (under 16)	B or C	F
53-80a	Manufacture of bombs	B	F
53-202b	Sale of assault weapon	C	F
53-202c	Possession of assault weapon	D	F
53-390	Extortionate extension of credit	B	F
53-391	Advances of money or property used for extortion	B	F
53-392	Participation or conspiracy in use of extortionate means	B	F
53a-54a	Murder	A	F
53a-54b	Capital felony / Murder with special circumstances	A	F
53a-54c	Felony murder	A	F
53a-54d	Arson murder	A	F
53a-55	Manslaughter 1st	B	F
53a-55a	Manslaughter 1st w/firearm	B	F
53a-56	Manslaughter 2nd	C	F
53a-56a	Manslaughter 2nd w/firearm	C	F
53a-56b	Manslaughter 2nd w/motor vehicle	C	F
53a-57	Misconduct w/motor vehicle	D	F
53a-59	Assault 1st	B	F
53a-59a	Assault of a victim >60 1st	B	F
53a-59b	Assault of an employee of the Department of Corrections	B	F
53a-59c	Assault of a pregnant woman resulting in termination of pregnancy	A	F
53a-60	Assault 2nd	D	F
53a-60a	Assault 2nd w/firearm	D	F
53a-60b	Assault of a victim >60 2nd	D	F
53a-60c	Assault of a victim >60 2nd w/firearm	D	F
53a-64aa	Strangulation 1st	C	F
53a-64bb	Strangulation 2nd	D	F

Statute	Statute Description (including attempt or conspiracy)	Class	Type
53a-70	Sexual assault 1st	B	F
53a-70a	Aggravated sexual assault 1st	B	F
53a-70b	Sexual assault in spousal or cohabiting relationship	B	F
53a-70c	Aggravated sexual assault of a minor	A	F
53a-71	Sexual assault 2nd	C	F
53a-72b	Sexual assault 3rd w/firearm	D	F
53a-86	Promoting prostitution 1st	B	F
53a-92	Kidnapping 1st	A	F
53a-92a	Kidnapping 1st w/firearm	A	F
53a-94	Kidnapping 2nd	B	F
53a-94a	Kidnapping 2nd w/firearm	B	F
53a-95	Unlawful restraint 1st	D	F
53a-100aa	Home Invasion	A	F
53a-101	Burglary 1st	B	F
53a-102a	Burglary 2nd w/firearm	C	F
53a-103a	Burglary 3rd w/firearm	D	F
53a-111	Arson 1st	A	F
53a-112	Arson 2nd	B	F
53a-113	Arson 3rd	C	F
53a-122(a)(1)	Larceny by extortion	B	F
53a-123(a)(3)	Theft from a person	C	F
53a-134	Robbery 1st	B	F
53a-135	Robbery 2nd	C	F
53a-136a	Robbery involving an occupied motor vehicle	Unc	F
53a-167c	Assault on peace officer, fireman, EMT or CO	C	F
53a-174(a)	Unauthorized conveyance into a correctional facility	D	F
53a-196a	Employing a minor in obscene performance	A	F
53a-211	Possession of a sawed off shotgun	D	F
53a-212	Theft of a firearm	D	F
53a-216	Criminal use of a firearm	D	F
53a-217b	Possession of a firearm on school grounds	D	F
46b-120	Runaway from secure placement other than home while referred as a delinquent child to CSSD or committed to DCF as a Serious Juvenile Offender	N/A	N/A

Appendix C:

Weighting Procedure for Police Sample

Weighting Procedure for Police Sample

In collecting data from the police departments/barracks, a stratified sampling plan was used that: (1) randomly selected departments/barracks within different size cities/towns, and (2) over-sampled Black and Hispanic juveniles. This approach was used to enable comparisons across different size cities/towns and race/ethnicity.

As the analysis for this study always breaks out the data by race/ethnicity, there is no need to adjust the data to compensate for the over-sampling of Black and Hispanic juvenile offenders. However, since the data across police departments/barracks are aggregated, it is necessary to weight the data to represent the actual distribution of incident reports across the police departments/barracks. Therefore, the data were adjusted via a weighting procedure to compensate for the over- or under-sampling of departments/ barracks in particular size cities/towns. The weighting procedure was conducted by:

- Determining the "universe" of incident reports in each of the 26 departments and 5 barracks under study
- Calculating each department's/barrack's actual percentage of the universe
- Calculating the percentage of abstract forms completed from each department/barrack
- Computing and applying a weighting factor to correct for differences between the universe and sampled percentages

By weighting the data, the "weight" of the responses provided by those departments/barracks that account for a larger percentage of the incident report universe is increased to represent its proportion of the universe, while the "weight" of the responses provided by the departments/barracks that account for a small percentage of the incident report universe is decreased to reflect its actual size.

Appendix D:

Logistic Regression and Multiple Linear Regression Descriptions

Logistic Regression and Multiple Linear Regression Descriptions

The type of procedure used to examine the impact of social and other legal factors on the impact of race depends on what decision is being explained, and how that decision is measured. This study models both discrete decisions as well as decisions involving lengths of time. Different procedures were used for each of these types of decisions.

For most decisions, Logistic Regression techniques are used because of the types of decisions of juvenile justice agencies being modeled. These decisions usually are discrete (separate) choices. Thus, the decisions are either dichotomous (i.e., there are only two possible outcomes, such as detain or release), or they are ordered (e.g., adjudicate SJO, adjudicate delinquent, nolle prosecution, dismiss). The properties of these outcome variables require specific statistical procedures whose assumptions are appropriate for these types of discrete variables. Logistic Regression solves this problem by modeling the probabilities associated with the occurrence of an event (sentence outcome in this case), and by utilizing maximum likelihood methods to estimate model parameters (by selecting the coefficients for independent variables that make observed results most likely). Logistic Regression allows the researcher to identify the relative influence of all independent variables on the dependent variable simultaneously, instead of the one-at-a-time approach that separate analyses would produce.

For variables with continuous measures (e.g., sentence length, detention length), Multiple Linear Regression is used. The assumptions of Multiple Linear Regression procedures are appropriate for this type of outcome variable. That is, the measure of the decision is a continuous variable with a wide range, there is a normal distribution of the outcome variable, and the relationships between the predictors and the outcome variable are linear.

Please note, for all of the analysis conducted for this study the level of confidence used for the statistical testing is 95% (.05 level).

Appendix E:

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