

COMMENT**GUEST COLUMN**

Juvenile justice weighted against minorities

Instead of paying on the back end by building prisons, we must invest on the front end to head children off from the juvenile justice system, says **VERONICA COLEMAN-DAVIS**.

MORE THAN 30 YEARS after Congress first passed legislation establishing a comprehensive approach to problems associated with juvenile delinquency, there are still far too many black youths behind bars. We have yet to achieve one of the core provisions of that legislation — a mandate to reduce the disproportionate number of black children confined in secure detention or juvenile prisons.

We should all care about thousands of young people being treated to society's second most harsh punishment — confinement. Evidence suggesting factors other than the type of offense a child has been charged with often influence decisions about juvenile detention should be even more cause for concern.

In 1997 the Building Blocks for Youth initiative found that 63 percent of the 105,790 youths then in juvenile detention facilities or state juvenile correctional facilities in the United States were minority youths — although minorities represented only 34 percent of the nation's youth population. The organization further found that white youths represented 71 percent of the youths arrested for crimes but only 37 percent of those who were confined.



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More recent figures suggest that problems with a disproportionate number of African-American youths being incarcerated still need to be addressed locally. In 2004 the National Institute for Law and Equity (NILE) surveyed the populations of the Shelby County Juvenile Court detention center, the Shelby Training Center and the Tall Trees juvenile detention center. The disproportionate numbers of African-Americans incarcerated in all of those facilities was staggering:

- In 2003, 3,517 girls and 7,272 boys were detained for at least one day in the Juvenile Court's detention center and children's center. Eighty-eight percent (3,084) of the girls and 86 percent (6,286) of the boys were African-American; the rest were white. (These numbers do not include children who were alleged to be dependent and neglected or were charged with traffic offenses.)

- On March 31, 2004, 182 boys were incarcerated at the Shelby Training Center. Ninety-two percent (167) were African-American, 6 percent (11) were white and 2 percent (4) were from other racial groups.

- Tall Trees, which was closed later in 2004,

held 46 boys on March 31 that year. Eighty-nine percent (41) were black; 11 percent (5) were white.

The Tennessee Commission on Children and Youth has asked a statewide task force and five local task forces to ascertain the factors that contribute to what professionals refer to as the juvenile justice system's "disproportionate contact" of minority youths — and to suggest strategies to reduce such overrepresentation. Shelby County's task force includes representatives of Juvenile Court, the Memphis and Shelby County mayors, the District Attorney General's Office, the public defender, the Sheriff's Department, the Memphis Police Department, Memphis and Shelby County schools, the Memphis Shelby County Crime Commission, NILE and a number of social services agencies. In recognizing the problem, the County Commission and the Memphis City Council passed resolutions supporting the task force's mission.

There is no question that some children need to be removed from society, but they are only a small number of the children who come into contact with the juvenile justice system. In 2004 fewer than 5 percent of the delinquency cases nationwide were classified as serious. The vast majority involved arrests for disorderly conduct, property crimes, simple assault or drug offenses.

Many of these children already are behind in school. They are likely to be from single-parent families living under the poverty level and to have at least one family member in jail or prison. Prehearing detention and incarceration only

ensures that these children's education will be further interrupted. Studies show that when they drop out of school, they are at even greater risk for entering the criminal justice system.

The local task force certainly has its work cut out for it. We have a chance to turn this problem around by understanding the need for prevention, intervention and treatment for children in the earliest stages of problems. And we must ensure that race is not the main factor in decisions about how to deal with juveniles in the justice system.

Our task will not be simple, but we have examples to follow from successful efforts funded through organizations such as the Annie E. Casey Foundation and the Urban Child Institute. Some successful strategies include use of assessment instruments at intake to ensure a race-neutral basis for decisions on prehearing detention; cultural competency training for employees of agencies involved in the decision-making process; community-based early prevention efforts, and educational intervention, such as mentoring and tutoring.

Instead of paying dearly on the back end by building prisons, we must consider the impact of investing on the front end to prevent children from coming into contact with the juvenile justice system. Such efforts not only will save individual children but also will help us develop young people who can make greater contributions to society. It makes sense socially and economically to preserve our culture of freedom, justice and hope for all.