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Disproportionate Minority Confinement: A Review of the Research Literature From 1989 Through 2001

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Concerns about the overrepresentation of minority youth in secure confinement have long been noted, and much research has been devoted to this issue. It is only within the past decade or so, however, that national attention has been directed to the impact of race on juvenile justice decisionmaking. In the 1988 amendments to the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 (Pub. L. No. 93–415, 42 U.S.C. 5601 *et seq.*), Congress required that States participating in the Formula Grants Program determine if disproportionate minority confinement (DMC) exists and, if so, demonstrate efforts to reduce it. In the words of the Act, States must “address efforts to reduce the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups if such proportion exceeds the proportion such groups represent in the general population.” For the purposes of the JJDP Act, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) defined minority populations as African Americans, American Indians, Asians, Pacific Islanders, and Hispanics (OJJDP Regulations, 28 CFR Part 31). In the 1992 amendments to the JJDP Act, DMC was elevated to a core requirement, with future funding eligibility tied to State compliance.

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As outlined by OJJDP, addressing DMC involves five phases of ongoing activities:

- Identifying the extent to which DMC exists.
- Assessing the reasons for DMC if it exists.
- Developing an intervention plan to address these identified reasons.
- Evaluating the effectiveness of strategies to address DMC.
- Monitoring DMC trends over time.

To implement DMC efforts, States have sponsored numerous studies at the State and local levels and published many reports of their findings. There are now three national reports that summarize States' DMC efforts at each phase since the enactment of the amendment (Feyerherm, 1993; Hamparian and Leiber, 1997; and Hsia and Hamparian, 1998). Additionally, major reports have been published that describe lessons learned from five OJJDP-sponsored DMC pilot States (Devine, Coolbaugh, and Jenkins, 1998), present updated DMC national data (Snyder and Sickmund, 1999; Poe-Yamagata and Jones, 2000), and examine the transfer of juvenile offenders to adult court (Males and Macallair, 2000; Juskiewicz, 2000).

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In addition to the State and national DMC reports, a variety of social science journals have published a body of research that examines race and juvenile justice processing. As part of the first OJJDP-funded DMC research effort, Pope and Feyerherm (1990) undertook an analysis of DMC-related literature published between January 1969 and February 1989. The results of this analysis of 46 research articles clearly showed that there were substantial differences in the processing of minority youth within many juvenile justice systems. These differences could not be attributed solely to the presence of legal characteristics or other factors. Instead, approximately two-thirds of the reviewed research indicated that a youth's racial status made a difference at selected stages of juvenile processing. Moreover, these findings were independent of the type of research design employed. In other words, studies employing various types of methodologies were equally likely to find differences: research finding evidence of racial bias was no more or less sophisticated than research finding no such evidence. Differential outcomes could occur at any stage of juvenile processing and, in some instances, were cumulative (i.e., racial differences became more pronounced the further the youth penetrated into the system). Clearly, this was cause for concern.

The purpose of this Bulletin is to extend the earlier analysis by examining research found in professional academic journals and edited books during the subsequent 12-year period. Conference papers or presentations are excluded from the current review, as are unpublished State studies or plans, except when portions of these may have formed the basis for a journal publication. A methodological format similar to that employed in the earlier study is used. The question is simple: What does the existing

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periodical research now tell us about the processing of minority youth through the juvenile justice system? This Bulletin details the results of this analysis, offers guidelines for future DMC research, and outlines considerations for a national policy agenda regarding such research.

Methodology

The present review includes DMC studies published in professional academic journals and scholarly books from March 1989 through December 2001. Like the earlier research summary (Pope and Feyerherm, 1990), it focuses on empirical research studies of the official processing of minority youth. It does not directly encompass research on the full range of conditions that might place minority youth at risk of coming into contact with law enforcement and/or the courts. The focus of this review is on decisions made within the juvenile justice system and on studies that bear on the question of whether race appears to be related to the outcomes of those decisions.

The first stage of the review involved a search for the target literature. Five data-based library searches covering the targeted time period were conducted. Among the key terms used were “disproportionate minority confinement,” “juvenile justice processing,” “juvenile justice and Hispanics” (“and African Americans,” etc.), “juvenile justice and females,” and “juvenile justice and gender.” These searches (including searches of the Criminal Justice Abstracts, Sociological Abstracts, Social Science Citation Index, and Legal Resource Index) produced an initial set of more than 500 potentially relevant citations.

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Further, journals that were known to have published such articles in the past (e.g., *The Journal of Research in Crime and Delinquency*, *Criminology*, *Justice Quarterly*, *Crime and Delinquency*, and *The Journal of Criminal Justice*) were intensively reviewed. Each issue was examined, and articles potentially falling within the scope of the review were copied and indexed. The investigators also obtained input from colleagues and other knowledgeable persons concerning pertinent collections and individual documents that might be valuable. In effect, a snowball technique in which initial responses led to additional sources added to the set of citations. This process produced a total of 126 potentially relevant documents that warranted additional review to determine whether the studies sufficiently addressed DMC.

The next stage in the review involved the selection of the substantive materials for inclusion in the examination. The investigators employed two primary screening criteria in selecting documents for the review.

- First, publications under consideration had to directly address areas pertinent to minority youth, juvenile justice processing, and/or DMC. The documents meeting this criteria presented information on one or more decision stages in the juvenile justice system and presented at least some information describing whether the outcomes of that decision differed depending on the race/ethnicity of the juvenile involved. This criterion excluded many of the initially identified documents that focused on adults or only indirectly on pertinent areas (i.e., they did not

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describe racial differences or similarities in the outcome of decisionmaking).

- Second, publications under consideration had to report on quantitative and/or qualitative empirical studies. Documents best characterized as commentary, essays, or general discussion or those presenting primarily unsupported opinions and that did not report the results of original data or original analyses were excluded.

The process resulted in the selection of 34 publications relevant to the review. (See page 38 for a list of these documents.)

The third stage of the examination required an intensive, critical review of the 34 documents selected. The investigators thoroughly reviewed the selected publications, each initially taking a subset of one-half of the targeted works. A matrix was developed to standardize the categorization and extraction of key features from each of the studies. The matrix was adapted from the one used in the initial DMC literature review (Pope and Feyerherm, 1990), and the categories employed are generally consistent with those used in the previous review, namely study citation, study site(s), time period, data collection methods, racial groups involved, decisionmaking points investigated, analytical procedures used, research results, and race effects.¹ Four designations were used to signify the studies' findings about

¹ In this manuscript, race effect means that minority status (in this case, being African American, Hispanic, American Indian, or Asian and Pacific Islander) has an impact on what happens to youth as

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race effects:

- “**Yes**” denotes that a particular study found direct or indirect race effects.
- “**No**” denotes that a particular study found no race effects.
- “**Mixed**” denotes that a particular study found race effects at some decision points but not at others and/or that race effects were apparent for some types of offenders or certain offenses but not for others.
- “**Unknown**” denotes that the data were not analyzed for processing points or outcomes but were nonetheless relevant to DMC. Each of these studies examined factors important to understanding potential sources of disproportionality, but they did not analyze data directly regarding decisionmaking outcomes.

The results of the matrix are included in the table on page 26. The table is presented in two sections.

Section I presents studies with designs and results directly relevant to DMC processing stages. Section

they are processed through the juvenile justice system. For example, if at detention African American youth are more likely to be detained than white youth given similar case histories then this would be a race effect.

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II presents studies that do not focus on decision points and outcomes but are either program evaluations or are otherwise related to DMC issues.

To enhance reliability, the investigators each reviewed the subset of articles initially examined by the other, as well as verifying the information extracted and categorized by the other. The initial 25 of the 34 obtained were sent to two consultant reviewers who also examined these works and verified the information extracted and categorized by the investigators. The final stage was analyzing and synthesizing the matrix information.

Analysis

Characteristics of the Studies Reviewed

Across the studies, the minority groups of interest included African American (27 studies), Hispanic or Latino (11 studies), American Indian (4 studies), and Asian American (2 studies), with the majority of the studies focusing on more than one minority group. It is important to note that four studies used the category “other” to aggregate data on minority groups other than African American, and five studies employed a general categorization of “nonwhite” for analysis. The studies reviewed targeted a variety of sites covering diverse jurisdictions from many areas of the United States, with the largest number of the studies from the Midwest (14). Other studies focused on the East (7 studies, many in Pennsylvania),

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Florida (3 studies), Washington and California (4 studies), and Arizona (1 study). Five of the studies involved national databases or multiregional sites. Data collection involved a variety of sources and approaches. Most (19) of the studies were primarily quantitative in nature, several (12) combined quantitative and qualitative approaches, and a few (3) studies were primarily qualitative in nature.

The studies examined an array of processing points and outcomes, including arrest, detention, petition, adjudication, and disposition. Disposition (20 studies) and petition (13 studies) were the most frequently examined processing points, and more than half (18) of the studies examined multiple decision points in juvenile justice processing. Several independent variables were in evidence across the studies, most centering on the legal and social characteristics of the youth being processed (e.g., offense characteristics, prior record). More than 80 percent of the studies employed multivariate analytic approaches, most often logistic regression—an approach that facilitates an assessment of the relative importance of individual factors or groups of factors that may explain the outcome and the degrees to which these factors relate to the outcome of interest.

Of the 46 studies included in the earlier DMC literature review (Pope and Feyerherm, 1990), 19 were published during the 1970s and 27 during the 1980s. The present review yielded 34 published studies from 1989 through 2001. Four of the studies included in this review were published in an edited book. Thirty empirical studies directly relevant to DMC were published in academic journals over the 12-year period, with none published during the year 2000. Taken in perspective, the number of empirical

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studies published during this time period is surprisingly small.

Salient Findings From the Review

The majority of the studies reviewed (25 out of 34) report race effects in the processing of youth. Eight studies reported direct or indirect effects, and 17 studies revealed mixed results (i.e., race effects were present at some decision points yet not present at others, or race effects were apparent for certain types of offenders or certain offenses but not for others). Of the remaining nine studies in the present review, one found no race effects and eight reported that the effects related to DMC outcomes could not be determined. Effects in these latter studies were categorized as “unknown” because data were not analyzed for DMC outcomes. However, these studies were included in this review because they were empirical and because they can assist in identifying factors of potential importance in DMC research.²

The current review mirrors Pope and Feyerherm’s previous DMC literature review, in which the majority of studies were also found to show race effects. The results of the current review differ from the previous DMC review in that a greater proportion of the studies showed “mixed” effects (17 out of

² For example, one study employed observational techniques to develop information on police, but these data were not tied to specific decisionmaking outcomes. However, this study is important in understanding potential sources of disproportionality. In other words, this study informs one about police practices and important factors that police use to make decisions, rather than analyzing data to focus on decision outcomes.

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34 in the current review compared with 8 out of 46 in the earlier review). Nevertheless, the preponderance of the research over three decades documents evidence of racial disparities, at least at some stages within the juvenile justice system.

Taken together, the research findings support the existence of disparities and potential biases in juvenile justice processing. However, the causes and mechanisms of these disparities are complex. Important contributing factors may include inherent system bias, effects of local policies and practices, and social conditions (such as inequality, family situation, or underemployment) that may place youth at risk. Further, overrepresentation may result from the interaction of factors. Also, the most significant factors may vary by jurisdiction.

The previous DMC review noted increasing sophistication in the methodologies employed by researchers examining this issue. This pattern continued with the studies examined in the present review. More than 80 percent of the studies employed complex designs and used multivariate analytic techniques. These techniques increase the potential for identifying indirect effects, particularly for showing interaction effects that could help identify variables that relate to race—often called surrogate variables (e.g., family situation). This may also lead to more qualification of results. Increasing precision and using combinations of approaches represent the main methods for identifying the causes and mechanisms leading to existing disparities.

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Although the current review found increasing precision in study methodologies and more “mixed results” in study findings, this does not mean that disproportionality has decreased. Rather, it reveals that locating the source(s) of disproportionality is complex. For example, a linear “cumulative disadvantage” is not in evidence (i.e., disproportionality does not increase from petition to disposition). Significant differences between minorities and whites may not occur at all decision points, and where a decision point shows a significant difference, the legally relevant variables (e.g., prior record, current offense) that are analyzed may not be the source. Therefore, the increasing precision in study methodology leads to a focus on other variables of potential importance and/or other sources, as well as refinement of the reasons why disproportionality occurs.

The results of the studies in this review add to the understanding that disparate outcomes may occur at any stage of juvenile processing. Although seven studies found that differences between minority and majority youth increased as youth were processed through decision stages, as was reported in the previous DMC review, this review does not provide strong support about accumulation of disadvantage because 17 studies produced mixed results regarding race effects. This points to the need to focus on similarly situated offenders and questions concerning when, how, and to what degree they become dissimilar or disadvantaged. As with the previous review, this review found few studies that examined police decisionmaking. Further, there was little attention to the interaction of the effects of decisions by corrections officials.

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The current review shows that researchers are paying increasing attention to minority groups other than African Americans. The current review yielded 11 studies that examined issues related to Hispanics, 4 that included American Indians, and 2 that included Asians, while the earlier review examined 6 studies on Hispanics, 1 on American Indians, and 1 on Asians. However, research concerning American Indians and Asian Americans remained very sparse during the last 12 years. Between March 1989 and December 2001, there were five studies that used the category “nonwhite” and two studies that grouped all non-African American minorities as “other.”

This review shows that the body of knowledge concerning DMC is growing, albeit very slowly, and the research is increasing in complexity. It highlights the diversity present across the studies in terms of perspectives, approaches, designs, definitions, and measures. As discussed earlier, the delivery of juvenile justice services varies from jurisdiction to jurisdiction—what happens in one locale is not necessarily what happens in another. The same is true for research: Variations across methods, time frames, and measures, among other considerations, make comparisons across the studies very difficult. This may be inevitable in the development of a body of research-based knowledge. Nevertheless, greater emphasis is needed on the state of knowledge, gaps in the knowledge base, issues regarding methodology, and explication of meaningful policy implications. Many variables remain unmeasured. For example, there is little information on the attitudes of youth and the relationship of those attitudes to the decisions of officials. Similarly, information on the history of drug/alcohol abuse among family members or guardians is not consistently recorded and is largely unavailable.

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Overall, as found in the previous DMC review, the majority of studies continue to provide evidence of race effects, direct or indirect, at certain stages of juvenile justice processing and in certain jurisdictions. Accounting for these effects remains difficult. Data on disproportionality often are adequate for identifying rather broad patterns, but inadequate for a precise understanding of which factors are most important and how these factors operate to produce the observed results.

Guidelines for Further Research

Although there has been much progress, the research guidelines to advance DMC studies articulated in Pope and Feyerherm’s 1990 review are still valid.

Unit of analysis: aggregation and disaggregation of data. The studies reveal attention by researchers to the issue of masking effects and variation through the aggregation of data. As the previous DMC review suggested, researchers should examine data as finely as possible to avoid masking effects and variation. It may be useful to consider disaggregation of some jurisdictions. For example, a Wisconsin DMC study (Pope et. al., 1996) showed that police practices during arrest and transport of youth to secure detention and intake officials’ and/or prosecutors’ decisions about formal/informal handling of youth vary among jurisdictions within Milwaukee County. In Milwaukee County, the City of Milwaukee Police Department’s practices during arrest and transport to secure detention varied greatly from those of the surrounding suburban police agencies—arrest and secure

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detention were far more likely to occur in encounters with inner city youth. Further, officials' decisions about referral to the juvenile court varied greatly when considering youth from inside the city limits of Milwaukee as compared with youth from suburban areas within the same county. Using the county as the unit of analysis masked the extent and nature of the differences and the sources of the variation. Disaggregating the data made the differences apparent. Researchers should continue to direct attention to this issue.

Combinations of research methods. While more studies employing combinations of methods have been in evidence, it is still important to emphasize the need for incorporating qualitative components into research designs. It is clear that increasing precision in identifying causes and mechanisms leading to disparities requires more qualitative research. Research relying solely on official records misses variables of interest that may not exist in official records and limits the scope of the research largely to decision points from intake to disposition. An adequate explanation for disproportionality is not possible without complementary qualitative approaches. Interviews, focus groups, town hall meetings, and/or other techniques are necessary to develop an explanation as to why officials in one jurisdiction focus on formal processing of youth while officials in another use informal alternatives to deal with similarly situated youth.

It must be acknowledged that obtaining additional qualitative data is difficult. Lack of time and inadequate resources are important prohibiting factors. For example, observational research is very

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time consuming and labor intensive, and there may be few incidents to observe. However, as the previous DMC review emphasized, researchers need to recognize the importance of employing a combination of approaches.

Minority groups beyond African American. Minority groups other than African American (i.e., Hispanic, American Indian, and Asian American) have received insufficient attention in the research. With the rapidly changing racial landscape in America, future research should include greater focus on these other groups, while continuing to address African Americans. Researchers need to recognize the importance of targeting these other groups, especially because these minority populations may be clustered in geographical areas that rarely have been studied. In addition, future research should strive to examine DMC for specific minority groups rather than aggregating data based on categories such as “other” or “nonwhite.” Failure to do so may mask variations between and/or obscure specific information relevant to particular groups.

Attitudes, background, and social characteristics of youth. The extent to which attitudes (e.g., in police encounters), background, and family characteristics of minority youth may interact with race to affect DMC outcomes remains an open question. For example, juvenile justice officials may be more “intrusive” (more severe) in making decisions about youth who have no family presence and/or who lack the ability to pay for a community-based alternative to confinement program. This may result in a more severe outcome for those youth at a critical stage. Similarly, it is important to advance research on

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the extent to which social and economic conditions may affect official decisions to formally process some youth, thus exacerbating their disadvantage. Additional information is needed to expand the state of knowledge in these and related areas.

National Policy Agenda Regarding DMC Research

Consideration of the research reviewed in this report yields important implications for national DMC policy. The national policy agenda regarding DMC research should include the following elements.

National research strategy. Although State studies resulting from Federal initiatives exist across the Nation, the present review reveals that empirical research published in professional journals has been clustered in a few geographic areas. A national strategy for DMC research should emphasize a more comprehensive representation of the United States and the populations of direct interest. This strategy should encourage greater reach, at least by geographical area, type of jurisdiction, and racial groups under study.

Research on minorities other than African Americans. As noted earlier, minority groups other than African Americans have received far less attention in DMC research. While attention to research on African American youth and DMC should not diminish, the national agenda should encourage research on Hispanic, American Indian, and Asian American youth. This is especially important for

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American Indian and Asian American youth. A national strategy for DMC research should emphasize funding for studies to target the underrepresented groups. Expanding the base of knowledge should continue to be a high priority.

Research on law enforcement policies and practices. The research reviewed in this report reinforces the need to consider the relationship between police practices and DMC. Specifically, it is important to know whether (and, if so, how) police priorities and practices systematically result in disadvantage to minority youth. For example, systematic use of formal actions (such as issuing citations for minor matters or taking the preponderance of youth encountered to a detention facility, as a matter of routine) may create a cumulative effect across a population, especially where policies and/or practices in the areas with the largest minority populations (e.g., central city areas) differ substantially from other areas. In other words, if what happens “inside the city limits” differs substantially over time from what happens “outside the city limits,” substantial disparities will result. Legitimate local priorities and/or practices may exacerbate community conditions that already serve to place youth at risk. Although similarly situated youth may be dealt with consistently at various decision stages, there should be greater attention to factors that front-load disadvantage and/or may be seen as disparity multipliers.

Promotion of local initiatives. The national DMC agenda should include and emphasize the development of local partnerships at jurisdiction/community levels. The DMC research reveals that a multitude of factors may be important in overrepresentation of minority youth in juvenile justice

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processing and the disproportionate confinement of minority youth. Moreover, the factors or combinations of factors that emerge as more important are highly likely to be jurisdiction or community specific. The literature shows the following:

- Race effects could involve a single decision stage or multiple decision stages.
- Differential effects could exist across or within groups.
- Effects may emerge for certain types of offenses and not others.
- Where no significant effects are attributable to decisionmaking from intake through disposition, overrepresentation and DMC-related problems may be front loaded, stemming from factors such as police policies and practices to factors such as social conditions that contribute to placing minority youth at risk and/or at an initial disadvantage.
- The extent and nature of effects and specific factors of importance may vary across jurisdictions and communities.
- Problems of overrepresentation and/or disproportionate confinement may require changes in the local justice system, broader changes in the local community, or, more likely, both.

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These findings all lead to the conclusion that the local jurisdiction must be the primary focus for examining the existence of DMC, the factors contributing to DMC, and the subsequent planning and implementing of specific strategies and actions to address overrepresentation and related DMC issues. Such local initiatives are likely to generate policies and actions tailored to local needs and relevant to the local context.

Research on the effects of efforts to reduce DMC. A few States and communities have made explicit efforts to reduce DMC. In addition, a number of other juvenile justice reforms have been implemented in recent years, for example, modifications of the waiver statutes, detention reform initiatives such as those of the Casey Foundation, initiatives to reduce gun violence, and the implementation of other prevention interventions and reentry efforts. What is not reflected in the literature (as represented by this review) is a systematic assessment of the impact of these efforts on the level of DMC within the affected communities or a systematic effort to identify characteristics of programs that appear to reduce DMC levels.

Research on alternatives to secure confinement. Although there is research on alternatives to secure confinement, none has addressed the direct impact of these alternatives on DMC. Moreover, a national DMC research strategy should emphasize the need for research on the effects of secure confinement and the purposes to be served by secure confinement. Research on the relationship

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between the decisions of corrections officials and DMC is urgently needed. Concerning the latter, for example, there is little information about whether, or in what instances, probation or aftercare violations may constitute routes to institutionalization, and whether or how the decisions and actions of corrections officials may relate to disproportionate confinement problems. Such research should be given high priority.

Long-term investment in DMC research. DMC is a complex problem that cannot be examined and remedied by a “shotgun” approach. Contributing factors need to be studied comprehensively, intervention strategies need to be multifaceted in nature and implemented and evaluated over an extended period of time, and DMC trends need to be monitored on an ongoing basis. Factors that hinder sustained efforts need to be identified and overcome. For example, the five DMC pilot States that received intensive Federal technical assistance from 1991 to 1994 yielded many useful lessons that have informed later efforts (Devine, Coolbaugh, and Jenkins, 1998). A followup study on the gains and efforts originally generated by the Federal initiative and the current status of DMC efforts and trends in these States would prove highly beneficial in promoting sustained efforts in other States and localities.

National symposium. Given the state of knowledge on DMC, national policy should encourage communication and collaboration to fill the information gaps and expand the knowledge base. A national symposium attuned to research and further shaping the national research agenda could be very useful. Further, a series of annual or biannual symposia could allow for periodic presentation of the

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most recent research. Because of the usual review process and the restraints of the publication/dissemination process, there is a substantial lag time before reports of empirical research are published. Focused symposia could make important findings available for policy consideration in a much more timely manner. Research bulletins could make important current information widely available, disseminating useful knowledge in the most expeditious way. With sufficient growth in the number of DMC journal articles, OJJDP may then consider updating DMC literature reviews more regularly to monitor the state of knowledge on this subject and communicate it to the field in a timely manner.

Sustained partnerships between DMC researchers and practitioners. Practitioners and researchers must work together to ensure that researchers' recommendations are sound, realistic, and useful to practitioners. Continuing and sustained working relationships between DMC researchers and practitioners within each State and locality where a DMC effort is conducted are needed to track the effectiveness of the recommendations adopted. Federal and State research agendas should strive to develop and nourish infrastructures that will ensure such ongoing partnerships between DMC researchers and practitioners to maximize the utility of DMC research.

Conclusion

Considering the evidence from this and the previous DMC literature review, it is clear that the issue of race is central to the administration of juvenile justice in this country. The majority of the empirical studies over the past three decades report race effects—direct, indirect, or, more often, mixed. The number of studies reporting mixed results highlights the complexity of the problem.

It is clear that the state of knowledge is far from complete. More precise research-based information is needed, as are additional efforts to identify gaps in the knowledge base, encourage targeted research to fill these gaps, conduct well-focused efforts to address DMC-related issues, and build sustained partnerships between DMC researchers and practitioners at both the national and the local level.

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Disproportionate Minority Confinement: Literature Review Matrix, March 1989 to December 2001

Section I. Studies Whose Designs and Results Are Directly Related to DMC Processing Stages								
Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Fagan, J., and Deschenes, E.P., 1990. Determinants of judicial waiver decisions for violent juvenile offenders. <i>Journal of Criminal Law and Criminology</i> 81(2):314-347.	Juvenile courts in Boston, Detroit, Newark, and Phoenix	1981-1984	Court records, arrest reports, review of statutes Sample N = 201	Nonwhite	Waiver	Frequency / percentage comparison; discriminant analysis	Only extensive history and age could significantly describe differences between transferred and nontransferred youth. Large differences in transfer criteria across sites.	No
Johnson, J.B., and Secret, P.E. 1990. Race and juvenile court decisionmaking revisited. <i>Criminal Justice Policy Review</i> 4(2):159-187.	Nebraska (two courts: juvenile and county)	1982-1987 (6 years)	All referrals to juvenile court; population N = 4,255 to 5,510, depending on processing stage	African American	Detention, petition, adjudication, disposition	Bivariate analysis; logistic regression	African American youth receive harsher judgment at - Detention. - Petition. - Penalty.	Mixed

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Feld, B.C. 1991. Justice by geography: Urban, suburban and rural variations in juvenile justice administration. <i>Journal of Criminal Law and Criminology</i> 82(1):156-210.	Minnesota (87 counties)	1986	Case records of all cases formally petitioned, Minnesota Supreme Court judicial information system; county census data N = 17, 195	African American, Spanish / Hispanic, American Indian	Intake screening, petition, detention, adjudication, disposition	Regression	Urban, suburban, and rural structural features relate to substantive and procedural differences. Interactive effects.	Unknown
Frazier, C.E., Bishop, D.M., and Henretta, J.C. 1992. The social context of race differentials in juvenile justice dispositions. <i>The Sociological Quarterly</i> 33(3):447-458.	Florida (all 32 statistical metropolitan area counties)	1979-1981 (January 1, 1979 through December 31, 1981)	All delinquency cases, 1980 census data	African American	Intake recommendation, court referral, court disposition	Logistic regression	Mixed: Greater percentage of whites in a county disadvantages African Americans in juvenile justice dispositions. No differential effects from other measures.	Mixed

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Sampson, R.J., and Laub, J.H. 1993. Structural variations in juvenile court processing: inequality, the underclass and social control. <i>Law and Society Review</i> 27(2):285-311.	322 U.S. counties in 21 States (counties with minimum population of 6,000)	1985	Case records (538,000 cases) in the National Juvenile Court Statistics Project database. Bureau of Census file on county population estimates by age, sex, and race and County and City Data Book.	African American	Petition, detention (predisposition), disposition (out-of-home placement)	Correlations, logistic regression	Structural contexts of "underclass." Poverty and racial inequality (macro variables) are significantly related to increased juvenile justice processing for African American youth involved in personal and drug offenses.	Mixed
Conley, D.J. 1994. Adding color to a black and white picture: Using qualitative data to explain racial disproportionality in the juvenile justice system. <i>Journal of Research in Crime and Delinquency</i> 31(2):135-148.	Washington (6 counties)	1993	Participant observation (N = 1,777), 170 indepth interviews, interviews and observation with police and courts.	African American, Hispanic	Interviews and observation, police encounters and arrests	Tabular analysis, content analysis	Minority youth overrepresented. Police practices differ in minority communities.	Unknown

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Leiber, M.J. 1994. A comparison of juvenile court outcomes for Native Americans, African Americans and whites. <i>Justice Quarterly</i> 11(2):257-279.	Iowa (1 district court)	1980-1987, 1992 (Court records: 1980-1987; Interviews: 1992)	Systematic 6% sample of 10,331 referrals (N = 507); oversample American Indian (N = 984) and African American (N = 475). Case weighting plus interviews	African American, American Indian	Intake, petition, initial appearance, adjudication, disposition	Logistic regression, correlations	Differential treatment, direction for American Indian "more lenient" at intake. African Americans and American Indians more likely to receive petition. African Americans less likely to participate in diversion.	Mixed
Wordes, M., Bynum, T.S., and Corley, C.J. 1994. Locking up youth: The impact of race on detention decisions. <i>Journal of Research in Crime and Delinquency</i> 31(2):149-165.	Michigan (5 counties)	1990	Case files in 6 police agencies and juvenile court, random sample (stratified, N = 2,225)	African American, Latino	Police detention, court intake, detention, preliminary hearing detention	Bivariate analysis, logistic regression	Minority youth more likely to be detained.	Mixed

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Austin, J., Leonard, K.K., Pope, C.E., and Feyerherm, W.H. 1995. Racial disparities in the confinement of juveniles: Effects of crime and community social structure on the punishment. In <i>Minorities in Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	California	1989	Aggregate count data and case-based juvenile court referral and disposition data, "town meetings" with officials	Latino, African American, Asian	Arrest, referral, disposition	Summary descriptive minority proportion index, multivariate analysis of incarceration rates	Race plays at least an indirect role in decisionmaking.	Yes
Bridges, G.S., Conley, D.J., Engen, R.L., and Price-Spratlen, T. 1995. The role of race in juvenile justice in Pennsylvania. In <i>Minorities in Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	Washington	1990-1991	Data on white/minority confinement rates (all counties); measures of county social structure; county crime rates; referral rates; court workload; observation of police plus interviews of officials in 6 counties.	Nonwhite	Confinement rates	Descriptive information, log transformations, regression	Differential treatment with alternative explanations.	Yes

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Feld, B.C. 1995. Policing juveniles: Is there bias against youth of color? In <i>Minorities in Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	Minnesota (Hennepin County)	1986 (plus data on priors in 1984, 1985, 1986)	Minnesota State judicial information system data on 1986 cases plus creation of data on priors 1984-1986; 1980 census data	African American, other (minority)	Multistage through disposition, including representation by counsel	Descriptive information, regression	Some evidence of disparities defined in terms of present offense and prior record. Markedly dissimilar dispositions.	Mixed
Frazier, C.E., and Bishop, D.M. 1995. The DMC Initiative: The convergence of policy and research themes. In <i>Minorities in Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	Florida	1985-1987	All cases processed by Florida's juvenile justice agencies plus interviews of 31 officials	Nonwhite	Multiple stages: intake and detention decisions through dispositional outcomes	Bivariate analysis and logistic regression; content analysis of interviews	"Race is a factor in juvenile justice processing."	Yes
Leiber, M.J. 1995. Toward clarification of the concept of "minority" status and decision-making in juvenile court proceedings. <i>Journal of Crime and Justice</i> 18(1):79-108.	Iowa (4 counties)	1980-1991	6,571 cases: 3,437 white (random sample), 2,784 African American (disproportionate sample), 350 Latino (all cases)	African American, Latino	Intake, petition, consent decree, adjudication, disposition	Logistic regression	Importance of legal factors.	Yes

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Leiber, M.J., and Jamieson, K.M. 1995. Race and decisionmaking within juvenile justice: The importance of context. <i>Journal of Quantitative Criminology</i> 11(4):363-388.	Iowa (4 district courts)	1980-1991	Stratified sample: white = 4,235, African American = 2,691	African American	Macrolevel measures of income inequality, attitudes of decisionmakers. Processing stages: - Intake - Petition - Initial appearance - Adjudication - Disposition	Logistic regression	African Americans received more serious residential placements.	Mixed
Leonard, K.K., and Sontheimer, H. 1995. The social context of juvenile justice administration: Racial disparities in an urban juvenile court. In <i>Minorities in Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	Pennsylvania (14 counties)	1989	Stratified random sample (N = 1,797)	Latino, African American	Multistage intake through disposition	Descriptive information, logistic regression	Race effects indicated with qualifications.	Mixed

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Poupart, L. 1995. The overrepresentation of minority youths in the California juvenile justice system: Perceptions and realities. In <i>Minorities In Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	Wisconsin	1985-1991	Case file data	American Indian	Intake, detention, petition, disposition	Branching probabilities	Disparities at more than one decision point: greatest at intake.	Yes
Wordes, M. and Bynum, T.S. 1995. Reflections on race effects in juvenile justice. In <i>Minorities In Juvenile Justice</i> , edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.	Michigan (9 jurisdictions)	1990	Disproportional random sample of police case files for youth age 17 and under plus interviews with law enforcement officers plus observation of law enforcement activities	African American, Latino, Arab, American Indian, other (minority)	Law enforcement decision	Descriptive information, logistic regression, content analysis of interviews	Findings suggest differential treatment in processing.	Yes (complex)

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Bishop, D.M., and Frazier, C.E. 1996. Race effects in juvenile justice decision-making: Findings in a statewide analysis. <i>Criminal Law and Criminology</i> 86(2):392-414.	Florida	1985-1987 (January 1, 1985, through December 31, 1987)	Quantitative: case records of all youth referred for intake. Qualitative: interviews of judges, State's attorneys, public defenders, social service personnel	African American, other (minority)	Intake detention, prosecutorial referral, judicial disposition	Logistic regression	Interactive effects. Consistent pattern of unequal treatment. Varying perspectives from interview data.	Yes
Sanborn, J.B. 1996. Factors perceived to affect delinquent dispositions in juvenile court: Putting sentencing decision into context. <i>Crime and Delinquency</i> 42(1):99-113.	Three juvenile courts (urban, suburban, and rural)	1992	Interviewed lawyers and probation officers (N = 100 personnel)	African American	Disposition	Percentage differences and ranking	Examined perspectives in decisionmaking. Race was an effect combined with other factors such as family, school, record, etc.	Mixed
Wu, B., Cernovich, S., and Dunn, C.S. 1997. Assessing the effects of race and class on juvenile justice processing in Ohio. <i>Journal of Criminal Justice</i> 25:265-277.	Ohio (17 counties: 13 suburban and 4 rural)	1989	Analysis of case records (Systematic sample, N = 2,334)	Nonwhite	Detention, adjudication, disposition	Logistic regression	African American youth more likely to be detained but white youth more likely to be adjudicated. No effects at disposition.	Mixed

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Berger, R., and Hoffman, H. 1998. The role of gender in detention dispositions of juvenile probation violations. <i>Journal of Crime and Justice</i> 21(1):173-188.	Illinois (juvenile court in one county)	1990-1993	Stratified sample: 148 males, 89 females	African American, other (minority)	Detention	Analysis of variance	Gender disparity in the application of detention.	Mixed
Bond-Maupin, L.J., and Maupin, J.R. 1998. Juvenile justice decision-making in a rural Hispanic community. <i>Journal of Criminal Justice</i> 26(5):373-384.	New Mexico (two rural counties)	1994	Interviews with probation and parole officer; analyses of case records of all juveniles referred (N = 591)	Hispanic/Mexican American	Initial detention, petition filed, deferred hearing, posthearing detention, adjudication, disposition	Percentage distribution; logistic regression	Race effect at adjudication.	Mixed
Bridges, G.S., and Steen, S. 1998. Racial disparities in official assessments of juvenile offenders: Attributional stereotypes as mediating mechanisms. <i>American Sociological Review</i> 63(4):554-570.	A northwestern State (3 counties)	1990-1991	233 narrative reports written by probation officers (subsample), case files	African American	Disposition, sentencing, recommendation	Coding / scoring reports, regression	Differential attributions (by probation officers) about causes of crime as a mediating factor between race and sentencing recommendations.	Yes

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
DeJong, C., and Jackson, K.C. 1998. Putting race into context: Race, juvenile justice processing, and urbanization. <i>Justice Quarterly</i> 15(3):487-504.	Pennsylvania	1990	Random sample of cases referred statewide (N = 4,683)	African American, Hispanic, other (minority)	Intake, referral, disposition, secure placement	Bivariate analysis, probit	Effects embedded in multiple variable relationships. Indirect effects between race, age, type of offense, and living arrangements.	Mixed
Sealock, M.D., and Simpson, S.S. 1998. Unraveling bias in arrest decisions: The role of juvenile offender type-scripts. <i>Justice Quarterly</i> 15(3):487-504.	Philadelphia, PA	1968-1975	Sample from 1958 birth cohort (N = 15,662)	African American	Arrest/ nonarrest	Logistic regression	Male suspects, African American suspects, low socioeconomic status suspects have higher chance of arrest.	Mixed
Leiber, M.J., and Stairs, J.M. 1999. Race, intake diversion. <i>Journal of Research in Crime and Delinquency</i> 36(1):56-86.	Iowa (3 district courts)	1980-1991	5,326 case records; random sample of white cases, disproportionate sample of African American cases	African American	Intake, release, informal adjustment, court processing	Bivariate analysis, logistic regression	Varied by jurisdiction. African Americans disparately recommended for further processing.	Mixed

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Feiler, S.M., and Sheley, J.F. 1999. Legal and racial elements of public willingness to transfer juvenile offenders to adult court. <i>Journal of Criminal Justice</i> 27(1):55-64.	New Orleans, LA	Spring 1995	Survey data via telephone, random sample (N = 212)	African American	Transfer to adult court	Case vignettes (varied by race), logistic regression	Race effects in transfer decision (African American youth).	Mixed
Hirschel, J.D., Dean, C.W., and Dumond, D. 2001. Juvenile curfews and race: A cautionary note. <i>Criminal Justice Policy Review</i> 12(3):197-214.	Charlotte, NC	1995-1998	Curfew violator records, juvenile arrest records	African American, white, Hispanic, Asian	Arrest/curfew violation	Descriptive analysis, frequencies	Curfew may have escalation effect on Asian and Hispanic.	Mixed
Section 1: Studies That Are Related to DMC Issues But Do Not Focus on Decision Points and Outcomes								
Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Leiber, M.J., Woodrick, A.C., and Roudeshush, E.M. 1995. Religion, discriminatory attitudes and the orientations of juvenile justice personnel: A research note. <i>Criminology</i> 33(3):431-447.	Iowa (5 district courts and personnel from 2 State training schools)	1992-1994	Self-report survey of justice officials (N = 264)	Minorities	Attitudes toward punitiveness, diversion	Least squares regression	Differential perspectives on variables of interest.	Unknown

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Welsh, W.N., Harris, P.W., and Jenkins, P.H. 1996. Reducing overrepresentation of minorities in juvenile justice: Development of community-based programs in Pennsylvania. <i>Crime and Delinquency</i> 42(1):76-98.	Harrisburg, PA	1991-1992	Archival data, interviews, observations	African American	Program effects on specific outcomes	Process and formative evaluation	Produced information specific to programs.	Unknown
Decomo, R.E. 1998. Estimating the prevalence of juvenile custody by race and gender. <i>Crime and Delinquency</i> 44(4):489-506.	36 States	1995	Reported official statistics	African American	Arrest and confinement	Trend analysis	Higher prevalence of arrest for African American youth and confinement.	Unknown
Leiber, M.J., Nalla, M.K., and Farnworth, M. 1998. Explaining juveniles' attitudes toward the police. <i>Justice Quarterly</i> 15(1):151-173.	Iowa (4 counties)	1991	Random stratified sample of 337 male youth; self-report	African American	Respect for police, perceptions of police fairness, perceptions of police discrimination	Least squares regression	Race strongest predictor of police fairness / discrimination. Minority youth report less favorable attitude toward the police.	Unknown

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Study Citation	Study Sites	Time Period	Data Collection Methods	Racial Groups Involved	Decisionmaking Points Investigated	Analytical Procedures Used	Research Results	Race Effects*
Wordes, M., and Jones, S.M. 1998. Trends in juvenile detention and steps toward reform. <i>Crime and Delinquency</i> 44(4):544-560.	National data	1985-1995	Data from National Center on Juvenile Justice (existing statistics)	African American	Detention	Trend analysis	Large increase in detention population mostly for African American youth.	Unknown
Welsh, W.N., Jenkins, P.H., and Harris, P.W. 1999. Reducing minority overrepresentation in juvenile justice: Results of community-based delinquency prevention in Harrisburg. <i>Journal of Research in Crime and Delinquency</i> 36(1):87-110.	Harrisburg, PA	1992-1995	Evaluation of five DMC Programs (N = 191); three comparison groups based on frequency of participation; case records	African American Hispanic	DMC program effects, recidivism, academic performance, school dropout, truancy	Logistic regression, MANOVA	Recidivism rate reduced.	Unknown

* "Yes" denotes that a particular study found direct or indirect race effects. "No" denotes that a particular study found no race effects. "Mixed" denotes that a particular study found race effects at some decision points but not at others and/or that race effects were apparent for some types of offenders or certain offenses but not for others. "Unknown" denotes that the data were not analyzed for processing points or outcomes but were nonetheless relevant to DMC; each of these studies examined factors important to understanding potential sources of disproportionality, but they did not analyze data directly regarding decisionmaking outcomes.

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**Bibliography of Publications Included in
Disproportionate Minority Confinement: Literature Review Matrix, March 1989 to December 2001**

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Berger, R., and Hoffman, H. 1998. The role of gender in detention dispositions of juvenile probation violations. *Journal of Crime and Justice* 21(1):173–188.

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Bond-Maupin, L.J., and Maupin, J.R. 1998. Juvenile justice decision-making in a rural Hispanic community. *Journal of Criminal Justice* 26(5):373–384.

Bridges, G.S., Conley, D.J., Engen, R.L., and Price-Spratlen, T. 1995. The role of race in juvenile justice in Pennsylvania. In *Minorities in Juvenile Justice*, edited by K.K. Leonard, C.E. Pope, and W. Feyerherm. Thousand Oaks, CA: Sage Publications.

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Conley, D.J. 1994. Adding color to a black and white picture: Using qualitative data to explain racial disproportionality in the juvenile justice system. *Journal of Research in Crime and Delinquency* 31(2):135–148.

Decomo, R.E. 1998. Estimating the prevalence of juvenile custody by race and gender. *Crime and Delinquency* 44(4):489–506.

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Fagan, J., and Deschenes, E.P. 1990. Determinants of judicial waiver decisions for violent juvenile offenders. *Journal of Criminal Law and Criminology* 81(2):314–347.

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- Hirschel, J.D., Dean, C.W., and Dumond, D. 2001. Juvenile curfews and race: A cautionary note. *Criminal Justice Policy Review* 12(3):197–214.
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