Disproportionate Minority Contact
Disproportionate Minority Contact

Current Issues and Policies

Edited by
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Durham, North Carolina
To Laura J. Moriarty —
This book would not have been possible without you.
Thank you for your continued support and friendship.

NPP
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Preface

Disproportionate Minority Contact: Current Issues and Policies focuses on a variety of topics related to minority overrepresentation and disparity in the criminal and juvenile justice systems. While there are a plethora of areas in which to focus related to this topic, I decided that this volume should provide a summary of the literature as well as examples of what various States are doing to address disparity and satisfy the federal mandate. Likewise, I wanted this volume to be appropriate for the classroom as well as practitioners in the field of criminal justice.

In the first chapter, Ashley Nellis provides an overview of policies and practices that impact overrepresentation. She notes that some of these policies, while designed with “good intentions” do not take into account their disparate impact on particular racial and ethnic groups. More specifically, Nellis focuses on school push-out policies, the presence of police in schools, unequal access to justice, and the use of detention to provide social services for youth.

The next chapter focuses on a historical and contemporary look at the disproportionate minority contact (DMC) mandate as prescribed in the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. Andrea Coleman explores the evolution of the mandate, the relationship between the four requirements and the impact of new legislation. In addition, she discusses why most jurisdictions have not been successful in reducing DMC and she provides a summary of the Office of Juvenile Justice and Delinquency Prevention’s initiatives to assist in DMC reduction.

In chapter 3, William Feyerherm examines the relative rate index (RRI) as a measurement of disproportionate contact. He discusses the development of the RRI, how it was influenced by legislative policy, provides an overview of the measurement and its utilization. Feyerherm points out the advantages of the RRI, the deficiencies, as well as how State and County data collection processes impact its usability.

In chapter 4, Myra Fields and Michael Leiber examine the effects of race on intake decisions. They utilize data from four different localities in Iowa to investigate the influence race, legal and extralegal factors have on intake decision-making over two different periods of time, before and after the DMC
mandate. They also emphasize the consensus and conflict theories to frame the issues of legal and extra legal criteria as well as racial stereotyping.

To further explore what states are doing to address overrepresentation of minorities in the juvenile justice system, Wayne Pitts, Mary Campbell, and L. Gabrielle Trimm examine two initiatives in Tennessee. The authors utilize the District Attorney General’s Truancy Reduction Project and the School House Adjustment Program Enterprise (SHAPE) to explore discretion in public schools to report juvenile delinquency. The analyses of the programs are observed through the perspective of the “emerging” model of the New Criminal Justice.

In chapter 6, Mary Poulin, Stan Orchowsky, and Janice Iwama focus on Iowa and Virginia’s efforts to deal with the DMC mandate. The chapter provides an overview on what each state has done in regards to DMC, issues faced while carrying out DMC initiatives, how and if the initiatives have been measured for success, and the lessons that have been learned along the way. The authors also offer recommendations to improve the implementation of initiatives, data collection, and evaluation.

All too often the linkage between the justice systems and the child welfare systems are ignored in the discussion of DMC. Marian Harris reminds us that these linkages exist. She explores the extent of disproportionality and disparities for children of color in the child welfare system. Likewise, she discusses the steps Washington State has taken to address disproportionality through its Racial Disproportionality Advisory Committee.

The next two chapters deal with issues that have been seen as possible reasons for increased overrepresentation of minorities in the criminal justice system—the War on Drugs and differential law enforcement practices. In chapter 8, Ojmarrh Mitchell and Michael Lynch examine the impact the War on Drugs, beginning in 1986, has had on racial and ethnic minorities. The authors provide a historical backdrop for the War on Drugs; examine arrests and incarceration rates, and explanations for disparity. John Reitzel echoes their arguments of disparity in chapter 9 where he also examines arrests and incarceration rates from the 1990s and early 2000s. He focuses his investigation on what led to such race-differentiated crime and arrests by focusing on law enforcement practices that impact racial and ethnic minorities disproportionately.

No edited volume on DMC would be complete without mention of Hispanic overrepresentation. As Hispanics have become one of the fastest growing minorities in the United States the issue of disparity must be addressed. Chapters 10 and 11 both focus on Hispanic populations but utilize very different perspectives to explore this ever-increasing population. Paul Elam, Francisco Villarruel, and Lori Hoisington provide an overview of Latino DMC and focus on the issues relating to data collection. They offer suggestions that will help
to increase the reliability of identifying Latino DMC, thereby increasing the chances of ameliorating disparity. George Wilson, Aaron Puhmann, and Alex Piquero focus on the Cuban population in particular. The authors utilize National Election Survey data to investigate the differences in crime control ideology while taking into account class and immigrant status.

Chapters 12 and 13 both focus on the collateral consequences of DMC and its impact on communities. Isis Walton examines the prison industrial complex and focuses on how it has become a contributing mechanism for DMC. She lays out the perspective that incarceration has become big business and has been used to not just punish offenders but to turn a profit, which not only impacts the inmate but families and communities. Likewise, Cherie Dawson-Edwards focuses on another collateral consequence of mass incarceration—political disempowerment. Dawson-Edwards argues that as felon voting laws disenfranchise minorities the impact is felt in the community as well. She explores what happens when already socially disorganized communities are also politically weakened.

The last chapter is especially for practitioners who work in the field of criminal and juvenile justice. This chapter outlines how practitioners can work closely with universities and their faculty to fulfill the DMC mandate requirements. The chapter reviews the mandate and builds the case for partnering with local institutions of higher education to do some of the hard work necessary to address the five phases: identification, assessment, intervention, evaluation, and monitoring.

The goal of this edited volume is to provide an assortment of information related to overrepresentation and disparity in one collection. This volume is capable of serving as a stand-alone text or works well as a supplement to a traditional textbook on race and crime. Likewise, this volume is written in such a way that it is also practical enough for those working in the justice system to use it as a tool for exploring and implementing change in their jurisdictions. It was a pleasure collaborating with the contributing authors and we hope that you enjoy reading Disproportionate Minority Contact: Current Issues and Policies.
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I am truly grateful to all of the individuals who have supported me through the process of completing this edited volume. First, I’d like to thank all of the contributing authors. This would not have been possible without your enthusiasm and commitment to this topic. I’d also like to offer a special thank you to Mike Leiber for helping me focus my ideas about this volume and recommending and soliciting the most distinguished authorities in the field as contributors. Second, I’d like to acknowledge the support of Virginia State University. My colleagues and in particular, Jay Malcan and Isis Walton, have been instrumental in providing advice and more importantly words of encouragement. I’d also like to thank my students who were patient with me while I was working on this book. Third, I’d like to recognize the wonderful people at Carolina Academic Press especially Beth Hall. Beth’s persistence, patience, and support will not be forgotten. Fourth, I’d like to thank my family and friends who have put up with me talking about this book for quite some time. A special thank you to my husband, Donald, and my children, Donnie and Ally, for being understanding when I was locked in my office for hours at a time. Lastly, I’d like to thank the practitioners in the field who work every day to ameliorate disparity in the criminal and juvenile justice systems. I hope that this book provides a foundation for continuing the fight against DMC.