WELCOME!
AGENDA

Welcome & Introductions
Our Commitments
DMC/RED in PAs Youth Justice System
On the Same Page
Implicit Bias and How to Mitigate Bias
Equity, Equality and Justice
Closure
OUR COMMITMENTS

• Speak from our own experiences and perspectives.
• Listen with openness to the experiences and perspectives of others, creating supportive space for each person to learn
• Actively resist making assumptions about one another.
• Refrain from fixing, saving, advising, or correcting each other.
• Be mindful of “taking space and making space” to ensure everyone has opportunities to speak and to listen.
• Expect and accept non-closure, because the work of disrupting racism is ongoing.
• Be willing to be challenged to disrupt racist patterns, both by the activities and discussions and by other participants.
• Respect the confidentiality of personal information and stories shared here.
Youth Justice in Pennsylvania
THE JUVENILE JUSTICE PROCESS
Key Decision Points & Pathways Out

ARREST
- Law Enforcement
- Schools
- Probation
- Child Welfare

REFERRAL
- Intake Staff

DETENTION
- Judge

PETITION
- Prosecutor

ADJUDICATION
- Judge

DISPOSITION
- Judge

✓ Diversion
✓ Community service
✓ Youth Court
✓ Diversion
✓ Informal process
✓ Consent Decree
✓ Diversion
✓ Release home
✓ Alternative to Detention
✓ Diversion
✓ Informal process
✓ Dismissal
✓ Diversion
✓ Post-adj
✓ ATD
✓ Dismissal
✓ Probation
✓ Non-secure placement
✓ Non-residential treatment
CAUTION
DATA ONLY TELLS YOU PART OF A STORY

TODAY WE ARE VIEWING STATEWIDE DATA
DETERMINING RACE AND ETHNICITY

10 DECISION POINTS
HUMANS
<table>
<thead>
<tr>
<th>CENSUS 2000 RACE CATEGORIES</th>
<th>FEDERAL MINIMUM RACE CATEGORIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>American Indian or Alaska Native</td>
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<tr>
<td>Black, African Am., or Negro</td>
<td>Asian</td>
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<tr>
<td>American Indian or Alaska Native, print tribe</td>
<td>Black or African American</td>
</tr>
<tr>
<td>Asian Indian</td>
<td>Native Hawaiian or Other Pacific Islander</td>
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<td>Other Pacific Islander</td>
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<tr>
<td>Other Asian, print</td>
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<tr>
<td>Some other race, print</td>
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</table>
2017 PA POPULATION: YOUTH (AGE 10-17)  
BY RACE  
TOTAL: 1,226,713

- 70.6% WHITE
- 14.1% BLACK
- 11.1% LATINX
- 4% ASIAN
2017 PA YOUTH ARRESTS, TOTAL ARRESTS BY RACE

TOTAL: 50,615

38.7% BLACK
51% WHITE
YOUTH ARREST BETWEEN 2013 & 2017

- **White**
  - 2013: 35,000
  - 2014: 31,000
  - 2015: 27,000
  - 2016: 23,000
  - 2017: 19,000

- **Black**
  - 2013: 30,000
  - 2014: 29,000
  - 2015: 27,000
  - 2016: 23,000
  - 2017: 19,000

- **Latinx**
  - 2013: 5,000
  - 2014: 4,000
  - 2015: 3,000
  - 2016: 2,000
  - 2017: 1,000

- **Asian**
  - 2013: 1,000
  - 2014: 900
  - 2015: 800
  - 2016: 700
  - 2017: 600
DIVERSION
pre-adjudication

Avoid adjudication of delinquency or conviction for a summary offense.

Alternatives that can channel youth away from formal court processing.

Various levels: school, law enforcement, magisterial district judge and courts.

INFORMAL ADJUSTMENT
42Pa.Cons.Stat.§6323 and Rule 312

CONSENT DECREE
42Pa.Cons.Stat.§6340 and Rule 370

DEFERRED ADJUDICATION
42Pa.Cons.Stat.§6341 and Rule 409(b)
2017 PENNSYLVANIA YOUTH DIVERSION, BY RACE (n=8,953)

- White: 4,254, 48%
- Black: 2,965, 33%
- Latinx: 1,182, 13%
- Native American: 5, 0%
- Asian: 32, 0%
- Other/Mixed: 515, 6%
Disparities in Adjudication

2017 DISTRIBUTION OF PA YOUTH FOUND DELINQUENT, BY RACE

- **WHITE**
  - 2017 Probation: 70.3%
  - 2017 OCH Residential: 23.5%
  - 2017 Secure Confinement: 1.3%

- **BLACK**
  - 2017 Probation: 51.9%
  - 2017 OCH Residential: 35.3%
  - 2017 Secure Confinement: 3.2%

- **LATINX**
  - 2017 Probation: 66.1%
  - 2017 OCH Residential: 29.6%
  - 2017 Secure Confinement: 2.9%

- **ASIAN**
  - 2017 Probation: 73.9%
  - 2017 OCH Residential: 21.7%
  - 2017 Secure Confinement: 0.0%
Diversity

The wide range of national, ethnic, racial and other backgrounds of U.S. residents and immigrants as social groupings, co-existing in American culture. The term is often used to include aspects of race, ethnicity, gender, sexual orientation, class and much more.

Ethnicity

A social construct that divides people into smaller social groups based on characteristics such as shared sense of group membership, values, behavioral patterns, language, political and economic interests, history and ancestral geographical base.

Examples of different ethnic groups are: Cape Verdean, Haitian, African American (black); Chinese, Korean, Vietnamese (Asian); Cherokee, Mohawk, Navaho (Native American); Cuban, Mexican, Puerto Rican (Latino); Polish, Irish, and Swedish (white).

Race

A social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic and political needs of a society at a given period of time. Racial categories subsume ethnic groups.

Implicit Bias: a preference (positive or negative) for a social category that *operates outside of our awareness*.

The opposite of an explicit bias, which is a *conscious preference* (positive or negative) for a social category.
# The Stroop Test

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*Stroop, J. R. (1935)*
SELECTIVE ATTENTION

Divided attention vs. selective attention to text

Divided attention vs. selective attention to speech

Both
Research on Bias: Probation Officers

Example: Two 17-year-old boys
• No prior criminal history for either one
• Both charged with first degree robbery with a firearm
• No injuries in either incident
• One case: gas station robbery
• Other case: robbery of two motels
• One boy was black, the other was white
Ed: “This robbery was very dangerous as Ed confronted the victim with a loaded shotgun. He pointed it at the victim and demanded that he place the money in a paper bag. This appears to be a premeditated and willful act by Ed....There was an adult quality to this referral. In talking with Ed, what was evident was the relaxed and open way he discussed his life style. There didn’t seem to be any desire to change. There was no expression of remorse from the young man. There was no moral content to his comment.”
Lou: “Lou is the victim of a broken home. He is trying to be his own man, but...is seemingly easily misled and follows other delinquents against his better judgment. Lou is a tall, emaciated little boy who is terrified by his present predicament. It appears that he is in need of drug/alcohol evaluation and treatment.”

**Which boy was black and which boy was white?**
Fast and slow thinking
*two modes of decision-making*

- **System 1**: Automatic, fast and often unconscious way of thinking; requires little energy or attention, more potential for biases and systematic errors

- **System 2**: Effortful, slow and controlled way of thinking; less potential for biases and errors
How Can We Mitigate the Effects of Bias?

- Awareness
- Structured Decision Making
- Look at data and be curious
- Individuation. Get to know people from other groups through repeated conversations
Pennsylvania DMC Youth/ Law Enforcement Forums and Curriculum

Open and Honest Dialogue between Youth and Law Enforcement

- Panel Discussions with Youth and Officers
- Small Group Workshops
- Adolescent Development, Youth Trauma and De-escalation Trainings
- Youth session “Think About it First”
- Role Play exercise

- PA Jurisdictions eligible for financial support for DMC Activities
EQUALITY & EQUITY & JUSTICE
DIVERSITY

IT IS NOT ABOUT WHO IS IN THE ROOM.

IT IS ABOUT WHO IS LEADING THE ROOM.
Lenore Wyant
Race Equity Coordinator
PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY
lewyant@pa.gov
717-265-8458

Rhonda McKitten, Esq.
Director, DMC Corporation
Stoneleigh Fellow, Philadelphia Police
rmckitten@penndmc.org
610-547-6117