



Roy Cooper, Governor
Eddie M. Buffalo, Jr., Secretary

Robert A. Evans, Chairman
Caroline Farmer, Executive Director

2021 – R/ED Informational Primer

[The Office of Juvenile Justice and Delinquency Prevention \(OJJDP\)](#) oversees the Formula Grants program (Title II). These funds help states address the [Core Requirements](#) of the [Juvenile Justice and Delinquency Prevention Act \(JJDP\)](#) including to:

- identify and reduce racial and ethnic disparities (R/ED) among youth who come into contact with the juvenile justice system.

Racial and ethnic disparities exist if one group's rate of contact at a particular point in the juvenile justice system is different than the rate of contact for other groups.

In fiscal year 2019, OJJDP's Title II application process was revised. The process now documents that states achieve compliance with the R/ED Core Requirement when they address racial and ethnic disparities through the following: identification, development of an action plan, and an outcome-based evaluation. Additionally, OJJDP will now be asking states to identify how they define success with their racial and ethnic disparities reduction efforts and to evaluate the outcome of their plans to assess what impact they had, if any, on disproportionality.

Most recently, the JJDP was revised and reauthorized through the [Juvenile Justice Reform Act of 2018: H.R. 6964](#). Updates to the Core Requirements include improving jail removal and sight/sound separation, strengthening the deinstitutionalization of status offenders, and changing **Disproportionate Minority Contact (DMC) to Racial and Ethnic Disparities (R/ED)**.

The new RED requirement states:

1. Establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders (including representatives of the educational system) at the state, local, or tribal levels, to advise efforts by states, units of local government, and Indian Tribes to reduce racial and ethnic disparities;
2. Identifying and analyzing data on race and ethnicity at decision points in state, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and
3. Developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B).



North Carolina Department of Public Safety

Governor's Crime Commission

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Why change DMC to RED?

- The word minority isn't always accurate - in some jurisdictions, youth of color actually comprise the majority
- Stakeholders advocate for achieving racial and ethnic equity – not simply reaching proportionality
- Highlights the inclusion of ethnicity
- Strengthens the requirement that states both identify and reduce RED

What are “Racial and Ethnic Disparities” (RED) in the Juvenile Justice System?

- Overrepresentation of youth of color in justice systems
- Differential processing, treatment, and outcomes for youth of color for similar behavior
- Unnecessary entry into the justice system and/or more severe consequences for youth of color – criminalization of normal adolescent behavior

What factors contribute to “Racial and Ethnic Disparities” (RED) in the Juvenile Justice System?

- Location of offenses – ‘justice by geography’
- Differential processing or decision-making
- Legal factors/policies that appear fair but have unintended negative consequences
- Explicit and implicit bias
- Differential opportunities for prevention and treatment
- Failure to use data to drive decisions