

## Addressing Racial and Ethnic Disparities in New York

Over the last year New York continued its commitment to assessing and addressing the disproportionate number of youth of color who come into contact with the juvenile justice system. This was accomplished through an examination of the data to identify the existence and extent of disproportionality and overrepresentation; an assessment of the factors that contribute to Racial and Ethnic Disparities (R.E.D.); and the development and implementation of interrelated intervention strategies to reduce it.

### Identification

#### Percent of Population Data

As requested by OJJDP, below are New York State's percent of population data by system point disaggregated by race and ethnicity.

Race:		White	Black	American Indian	Asian	Hispanic
Population		1120951	363147	9454	185892	545961
Arrest	Number	3394	6514	58	252	2777
	Percentage	0.30%	1.79%	0.61%	0.14%	0.51%
Diversion	Number	1753	1837	27	113	939
	Percentage	0.16%	0.51%	0.29%	0.06%	0.17%
Detention	Number	265	1267	0	24	514
	Percentage	0.02%	0.35%	0.00%	0.01%	0.09%
Secure Confinement	Number	37	109	0	1	32
	Percentage	0.00%	0.03%	0.00%	0.00%	0.01%
Adult Transfer	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%

#### R.E.D. Data and Decision Point Discussion

New York State has made significant progress over the past several years in its efforts to improve the completeness and quality of R.E.D. data. Furthermore, the Division of Criminal Justice Services (DCJS) continues to work closely with police agencies, county probation departments, the Office of Court Administration (OCA) and the Office of Children and Family Services (OCFS) to further improve the comprehensiveness of R.E.D. data available for analysis at each point of contact for youth in the state's juvenile justice system.

In its attempts to improve the quality and quantity of data, New York State does quality reviews and checks on the data that are gathered and made available to localities.

Race-ethnicity counts at the arrest contact point, provided to OJJDP for the Title II Application, have previously been estimated from Uniform Crime Reporting (UCR) data. UCR race and ethnicity counts are provided separately for all youth arrested before the age of 18. In New York State, the age of criminal responsibility has historically been 16; this, combined with the separate reporting of race and ethnicity in the UCR data, results in a need for a multi-stage estimation process to derive juvenile arrest counts by race-ethnicity. For each county, formulas based on the proportion of arrested Hispanic youth aged 16-17 who are White and who are Black are used to remove the Hispanic youth from the White and Black categories reported via UCR, so that race-ethnicity categories may be presented in accordance with federal reporting standards. The next stage involves applying the resulting distribution of race-ethnicity categories to the total number of arrests of youth under age 16.

Due to concerns with the accuracy of the estimates, an in-depth review of race-ethnicity counts at the arrest contact point was conducted. One county was chosen for this review as all police departments in that county, with the exception of the State Police, report arrest data via the Incident Based Reporting (IBR) system rather than through the UCR system. The case level nature of the IBR data permits precise race-ethnicity counts, while formulas must be utilized to estimate race-ethnicity counts based on UCR data. The results of this analysis revealed that estimates for the selected county based upon UCR-type data both undercounted the number of Black youth and overcounted the number of White youth.

Based on these results, it was determined that New York State cannot provide accurate race-ethnicity counts for juveniles at the arrest contact point at this time. All race-ethnicity arrest counts will not be submitted as part of this year's Title II Application, which means that New York State will use referral to court as the first point of contact in its R.E.D. data calculations and discussion. Referral to court data have been used in lieu of arrest data in the data chart provided above. New York State is working toward full NIBRS compliance over the next few years and will be able to provide accurate race-ethnicity counts once compliance is attained.

Additionally, as a part of data quality improvement efforts in NYS, in 2019 and 2020 DCJS increased quality and access to race and ethnicity data for probation system contact points. In New York State, 57 of the 58 probation departments in the state utilize Caseload Explorer as a case management system. As a part of the state's implementation of Raise the Age Legislation, DCJS procured access to CESYNC which allows DCJS to receive case level data for probation system points disaggregated by race, ethnicity, and gender. Finally, as a part of ongoing technical assistance to local probation departments, the Office of Probation and Correctional Alternatives (OPCA) Juvenile Operations Unit distributes Youth Justice Case processing reports to local probation departments every

six months. The intent of the reports is to improve data completeness and integrity. They are also used to facilitate dialogue around decision making and where improvements can be made for various probation driven decisions.

Definitional differences exist for system points in NYS. The table below outlines where differences occur between the federal definition and the definition in New York state.

<b>System Point</b>	<b>Federal Definition</b>	<b>State Definition</b>
Referral to Court (in lieu of arrest data)		Referral is when a potentially delinquent youth is sent to a juvenile intake agency (county probation) as result of law enforcement action.
Diversion	Youth referred to juvenile court for delinquent acts are often screened by an intake department (either within or outside the court). The intake department may decide to dismiss the case for lack of legal sufficiency, resolve the matter informally (without the filing of charges), or resolve it formally (with the filing of charges). The diversion population includes all youth referred for legal processing but handled without the filing of formal charges.	Diversion includes intake cases that are successfully adjusted (resolved without the filing of charges) by county probation departments. In New York State, the intake department does not have the statutory authority to dismiss cases and can only make an adjustment attempt or refer the juvenile to the presentment agency (county attorney or corporation counsel) for petition (official filing of charges).

New York State will continue its previous efforts to improve the quality of data and strive to make greater enhancements to the ability to collect, analyze and make data available to localities to address R.E.D. over the next several years. Plans over the next several years include:

- Enhance and improve the quality and quantity of race and ethnicity data that are publicly available on the Division of Criminal Justice Statistics webpage. Specifically,

New York State hopes to not only include raw race and ethnicity data, but also provide percent distribution of cases by race and ethnicity for all system points.

- Distribute data and feedback reports to local probation departments and youth justice stakeholders for youth justice planning and reform efforts.
- Work toward full NIBRS compliance to provide accurate race-ethnicity counts at arrest.

As a result of the data improvements outlined above last year, NYS was able to decrease the number of youth reported as having an unknown race or ethnicity, monitor R.E.D. data for more counties. Once again due to these improvements, NYS can calculate true statewide R.E.D. figures for analysis and tracking. As mentioned in last year's submission, prior to this improvement, NYS statewide figures were based upon only the counties reporting complete R.E.D. data. Complete data for nearly all the 23 upstate counties that are currently tracked and for NYC are submitted. Where contact point data were lacking, NYS has already implemented procedures to ensure complete data will be available for future data submission. Data are submitted for more than three counties, as New York has a goal to be able to measure and monitor R.E.D. in all counties for which youth of color represent at least one percent of the population. While initiatives or efforts are not focused in every county or every contact point for those meeting the one percent rule, gathering and monitoring these data allows New York State to be on top of trends and to make corrections and focus interventions and efforts when interpretation of the R.E.D. data indicates that it is necessary.

A review of 2019 data for New York State, New York City and 23 upstate counties (selected due to their relatively large population, high concentration of minorities and reliability of data) reveals that minority youth continue to be over-represented in the State's juvenile justice system. The following is a presentation of the Relative Rate Index tracking sheet and a discussion of R.E.D. and RRI rates for New York State and select localities. Localities were selected for analysis based upon their population size and their willingness to partner with NYS to address disparities either currently or through previous efforts. It should be noted that New York State fully implemented Raise the Age legislation October 1, 2019 to include 16- and 17- year-olds in the youth justice system. As a result, 2019 data represents the full inclusion of 16-year-olds which was not reported in the previous year's submission and three-months of data for 17-year-olds. Full implementation of Raise the Age will be reflected in next year's submission. Due to the implementation of Raise the Age, increases are to be expected at many processing points in jurisdictions across the state.

Although newly required under the reauthorized Juvenile Justice Reform Act, New York State has submitted ethnicity data for Hispanic or Latin American youth consistently for several years.

New York State Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Statewide Data	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	--	--	--	-	-	-	-	--
3. Refer to Juvenile Court	1.00	<b>5.92</b>	1.68	<b>0.45</b>	*	*	*	<b>2.93</b>
4. Cases Diverted	1.00	<b>0.55</b>	<b>0.65</b>	<b>0.87</b>	*	*	*	<b>0.59</b>
5. Cases Involving Secure Detention	1.00	<b>2.49</b>	<b>2.37</b>	<b>1.22</b>	*	*	*	<b>2.42</b>
6. Cases Petitioned	1.00	<b>0.94</b>	<b>0.75</b>	<b>0.53</b>	*	*	*	<b>0.89</b>
7. Cases Resulting in Delinquent Findings	1.00	<b>0.87</b>	<b>0.92</b>	0.70	*	*	*	<b>0.88</b>
8. Cases resulting in Probation Placement	1.00	<b>1.54</b>	<b>1.85</b>	**	*	*	*	<b>1.62</b>
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	<b>1.87</b>	<b>1.54</b>	**	*	*	*	<b>1.85</b>
10. Cases Transferred to Adult Court	--	--	--	*	*	*	--	--

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## New York State

- In 2019, minority youth represented 50% of New York State’s juvenile population, yet accounted for 74% of cases referred to juvenile court, 63% of cases diverted, 87% of juvenile secure detentions, 72% of cases petitioned, 69% of delinquent findings, 79% of cases resulting in probation placement and 81% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles statewide shows that minority youth were referred to juvenile court 2.93 times more often, diverted 0.59 times as often, placed in secure detention 2.42 times more often, petitioned 0.89 times more often, had delinquent findings 0.88 times more often, received probation placement 1.62 times more often, and were placed in secure confinement 1.82 times more often than white youth. Statewide RRI values at all contact points for minority youth except for petitioned filed, delinquency findings and cases receiving probation placement, are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: referrals to court decreased by 6,452 referrals; diverted cases increased by 2,069 cases, youth placed in secure detention decreased by 1,084, and the number of youth placed in secure confinement decreased by 71.<sup>1</sup> An analysis of the data shows the following percentage changes when compared to 2018: Minority youth referred to court increased by 57%, diversion increased by 65%, secure detention decreased by 9%, petitions filed increased by 51%, delinquency findings increased by 28%, probation placement increased by 9% and secure confinement increased by 19%.
- Black youth were notably over-represented compared to white youth. Black youth represented 16% of New York State’s juvenile population, yet accounted for 49% of cases referred to juvenile court, 39% of cases diverted, 60% of juvenile secure detentions, 51% of cases petitioned, 48% of cases resulting in delinquent findings, 52% of cases resulting in probation placement, and 57% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles statewide shows that Black youth were referred to juvenile court 5.92 times more often, diverted 0.55 times as often, placed in secure detention 2.49 times more often, petitioned 0.94 times more often, had delinquent findings 0.87 times more often, received probation placement 1.54 times more often, and were placed in secure confinement 1.87 times more often. Statewide RRI values at all contact points for Black youth except for cases petitioned to court, resulting in delinquency findings and probation placement are statistically significant, display a

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<sup>1</sup> Statistical parity data obtained from the “Volume Issues” tab of the Attachment #2 – Statewide RRI Spreadsheet.

magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: referrals to court decreased by 5,414 referrals; diverted cases increased by 1,528 cases, youth placed in secure detention decreased by 758; and the number of cases resulting in secure confinement decreased by 51.<sup>2</sup> An analysis of the data shows the following percentage changes when compared to 2018: Black youth referred to court increased by 47%, diversion increased by 52%, secure detention decreased by 8%, petitions to court increased by 57%, delinquency findings increased by 42%, probation placement increased by 11% and secure confinement increased by 12%.

- Latino youth represented 25% of New York State's juvenile population and accounted for 21% of cases referred to juvenile court, 20% of cases diverted, 24% of juvenile secure detentions, 17% of cases petitioned, 27% of cases with delinquent findings, 22% of cases resulting in probation placement, and 17% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles statewide shows that Latino youth were referred to juvenile court 1.68 times more often, diverted 0.65 times as often, placed in secure detention 2.37 times more often, were petitioned 0.75 times more often, had delinquent findings 0.92 times more often, received probation placement 1.85 times more often, and were placed in secure confinement 1.54 times more often. Statewide RRI values for cases referred to court, diverted and cases placed in secure detention are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: cases referred to court decreased by 1,124, diverted cases increased by 495 cases, and youth placed in secure detention decreased by 297. An analysis of the data shows the following percentage changes when compared to 2018: Latino youth referred to court increased by 86%, diversion increased by 88%, secure detention decreased by 11%, petitions to court increased by 29%, delinquency findings decreased by 1%, probation placement increased by 7% and secure confinement increased by 11%.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>2</sup> *Id.*

Albany County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Albany County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	--	--	--	*	*	*	--
3. Refer to Juvenile Court	1.00	<b>11.43</b>	<b>3.22</b>	**	*	*	*	<b>6.93</b>
4. Cases Diverted	1.00	<b>0.57</b>	0.69	**	*	*	*	<b>0.61</b>
5. Cases Involving Secure Detention	1.00	<b>1.92</b>	<b>3.14</b>	**	*	*	*	<b>2.00</b>
6. Cases Petitioned	1.00	<b>1.68</b>	1.31	**	*	*	*	<b>1.60</b>
7. Cases Resulting in Delinquent Findings	**	**	**	**	*	*	*	**
8. Cases resulting in Probation Placement	**	**	**	--	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	--	*	*	*	**
10. Cases Transferred to Adult Court	--	--	--	--	*	*	*	--

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

Albany County

- In 2019, minority youth represented 38% of the local juvenile population, yet accounted for 81% of cases referred to juvenile court, 72% of cases diverted, 90% of juvenile secure detentions, 87% of cases petitioned, 90% of cases resulting in delinquent findings, 93% of cases resulting in probation placement, and 100% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 6.93 times more often, diverted 0.61 times as often, placed in secure detention 2.00 times as often, and petitioned 1.60 times more often. Albany County RRI values at referral to court, diversion, secure detention, and petitions filed for minority youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 337; the number of cases diverted increased by 108; the number of youth in secure detention decreased by 30; and the number of youth petitioned to court decreased by 67..<sup>3</sup> An analysis of the data shows the following percentage changes when compared to 2018: Minority youth referred to court increased by 110%, diversion increased by 127%, secure detention increased by 36%, petitions filed increased by 134%, delinquency findings increased by 27% and cases result in probation for increased by 79%, and secure confinement for Minority youth decreased by 25%.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 20% of the county's juvenile population, they accounted for 69% of cases referred to juvenile court, 58% of cases diverted, 73% of juvenile secure detentions, 78% of cases petitioned, 81% of cases resulting in delinquent findings, 79% of cases resulting in probation placement, and 83% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 11.43 times more often, diverted 0.57 times as often, placed in secure detention 1.92 times as often, and had petitions filed 1.68 times more often. Albany County RRI values at referral to court, diversion, and petitions filed for Black youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following

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<sup>3</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Albany County RRI Spreadsheet

would need to occur: number of youth referred to court decreased by 306; the number of cases diverted increased by 100; and the number of cases petitioned decreased by 64.<sup>4</sup> An analysis of the data shows the following percentage changes when compared to 2018: Black youth referred to court increased by 129%, diversion increased by 133%, secure detention increased by 44%, petitions filed increased by 179%, delinquency findings increased by 62%, cases resulting in probation increased by 83%, and cases resulting in secure confinement for Black youth decreased by 17%.

- While Latino youth represented 10% of the county's juvenile population, they accounted for 9% of cases referred to juvenile court, 10% of cases diverted, 16% of juvenile secure detentions, 8% of cases petitioned, 7% of cases resulting in delinquent findings, 9% of cases resulting in probation placement, and 17% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to court 3.22 times more often, diverted 0.69 times as often, placed in secure detention 3.14 times as often, and petitioned to court 1.31 times more often. Albany County RRI values at referral to court for Latino youth is statistically significant, displays a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 32.<sup>5</sup> An analysis of the data shows the following percentage changes when compared to 2018: Latino youth referred to court increased by 77%, diversion increased by 214%, secure detention increased by 10%, petitions filed decreased by 6%, delinquency findings decreased by 55%, and cases resulting in probation increased by 25%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>4</sup> Id

<sup>5</sup> Id

Broome County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with: <b>White</b>								
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	**	**	**	*	*	*	**
3. Refer to Juvenile Court	1.00	<b>6.53</b>	0.84	**	*	*	*	<b>3.64</b>
4. Cases Diverted	1.00	<b>0.50</b>	**	**	*	*	*	<b>0.52</b>
5. Cases Involving Secure Detention	**	**	**	**	*	*	*	**
6. Cases Petitioned	1.00	<b>1.50</b>	**	**	*	*	*	<b>1.58</b>
7. Cases Resulting in Delinquent Findings	1.00	<b>0.66</b>	**	**	*	*	*	<b>0.73</b>
8. Cases resulting in Probation Placement	1.00	<b>0.57</b>	**	**	*	*	*	<b>0.78</b>
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**

Key: **Bolded font** = Statistically significant' \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

Broome County

- In 2019, minority youth represented 22% of the local juvenile population, yet accounted for 51% of cases referred to juvenile court, 35% of cases diverted, 72% of juvenile secure detentions, 62% of cases petitioned, 54% of cases resulting in delinquent findings, 48% of cases resulting in probation placement, and 100% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 3.64 times more often, diverted 0.52 times as often, were petitioned 1.58 times more often, had delinquency findings 0.73 times as often, and had cases resulting in probation placement 0.78 times more often. Broome County RRI values at referral to court, and petitions filed for minority youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 129; and youth petitioned to court decreased by 45.<sup>6</sup> An analysis of the data shows the following percentage changes when compared to 2018: Minority youth referred to court increased by 38%, diversion increased by 83%, secure detention decreased by 13%, petitions filed increased by 61%, delinquency findings increased by 26%, cases resulting in probation increased by 8%, and cases resulting in secure confinement for Minority youth decreased by 50%.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 11% of the county’s juvenile population, they accounted for 43% of cases referred to juvenile court, 29% of cases diverted, 44% of juvenile secure detentions, 51% of cases petitioned, 40% of cases resulting in delinquency findings, 26% of cases resulting in probation placement, and 100% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to court 6.53 times more often, diverted 0.50 times as often, had petitions filed 1.50 times more often, had delinquency findings 0.66 times as often, and had probation placement 0.57 times more often. Broome County RRI values at referral to court and petitions filed for Black youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to

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<sup>6</sup> Statistical parity data obtained from the “Volume Issues” tab of the Attachment #2 – Erie County RRI Spreadsheet

court decreased by 129; and youth with petitions filed decreased by 34.<sup>7</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Black youth increased by 62%, diversion increased by 64%, secure detention decreased by 29%, petitions filed increased by 68%, delinquency findings increased by 23%, cases resulting in probation decreased by 17%, and cases resulting in secure confinement for Black youth decreased by 50%.

- While Latino youth represented 8% of the county’s juvenile population, they accounted for 4% of cases referred to juvenile court, 5% of cases diverted, 22% of juvenile secure detentions, 8% of cases petitioned, 9% of cases resulting in delinquency findings, 12% of cases resulting in probation placement, and 0% of cases in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth referred to court 0.84 times more often. An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Latino youth decreased by 33%, secure detention decreased by 33%, petitions filed increased by 15%, delinquency findings decreased by 20%, and cases resulting in probation increased by 75%. Percent change is not calculated for the diversion and secure confinement contact point as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>7</sup> Id

Erie County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with: <b>White</b>								
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	**	**	**	*	*	*	**
3. Refer to Juvenile Court	1.00	<b>7.43</b>	<b>2.13</b>	**	*	*	*	<b>6.35</b>
4. Cases Diverted	1.00	1.09	1.09	**	*	*	*	1.12
5. Cases Involving Secure Detention	1.00	<b>2.05</b>	<b>2.32</b>	**	*	*	*	<b>2.12</b>
6. Cases Petitioned	1.00	<b>1.12</b>	0.91	**	*	*	*	1.08
7. Cases Resulting in Delinquent Findings	1.00	1.03	1.19	**	*	*	*	1.06
8. Cases resulting in Probation Placement	1.00	<b>0.83</b>	**	**	*	*	*	0.86
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**

Key: **Bolded font** = Statistically significant' \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Erie County

- In 2019, minority youth represented 27% of the local juvenile population, yet accounted for 71% of cases referred to juvenile court, 73% of cases diverted, 84% of juvenile secure detentions, 72% of cases petitioned, 73% of cases resulting in delinquent findings, 70% of cases resulting in probation placement, and 92% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 6.35 times more often, diverted 1.12 times as often, were placed in secure detention 2.12 times more often, were petitioned 1.08 times more often, had delinquency findings 1.06 times as often, and had cases resulting in probation placement 0.86 times more often. Erie County RRI values at referral to court, and secure detention for minority youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 366; and youth placed in secure detention decreased by 137.<sup>8</sup> An analysis of the data shows the following percentage changes when compared to 2018: Minority youth referred to court decreased by 62%, diversion increased by 100%, secure detention increased by 11%, petitions filed increased by 68%, delinquency findings increased by 73%, cases resulting in probation increased by 70%, and cases resulting in secure confinement for Minority youth increased by 15%.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 20% of the county's juvenile population, they accounted for 59% of cases referred to juvenile court, 60% of cases diverted, 68% of juvenile secure detentions, 63% of cases petitioned, 62% of cases resulting in delinquency findings, 57% of cases resulting in probation placement, and 68% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to court 7.43 times more often, diverted 1.09 times as often, placed in secure detention 2.05 times more often, had petitions filed 1.12 times more often, had delinquency findings 1.03 times as often, and had probation placement 0.83 times more often. Erie County RRI values at referral to court and secure detention for Black youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following

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<sup>8</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Erie County RRI Spreadsheet

would need to occur: number of youth referred to court decreased by 317; and youth placed in secure detention decreased by 107.<sup>9</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Black youth increased by 62%, diversion increased by 93%, secure detention increased by 11%, petitions filed increased by 74%, delinquency findings increased by 88%, cases resulting in probation increased by 89%, and cases resulting in secure confinement for Black youth increased by 6%.

- While Latino youth represented 10% of the county's juvenile population, they accounted for 9% of cases referred to juvenile court, 9% of cases diverted, 12% of juvenile secure detentions, 8% of cases petitioned, 9% of cases resulting in delinquency findings, 10% of cases resulting in probation placement, and 8% of cases in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth referred to court 2.13 times more often, had cases diverted 1.09 times more often, placed in secure detention 2.32 times more often, had cases petitioned to court 0.91 times more often, and had delinquency findings 1.19 times more often. Erie County RRI values at referral to court for Hispanic youth is statistically significant, displays a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 30.<sup>10</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Latino youth increased by 78%, diversion increased by 81%, secure detention increased by 6%, petitions filed increased by 45%, delinquency findings increased by 11%, and cases resulting in probation increased by 38%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>9</sup> Id

<sup>10</sup> Id

Monroe County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Monroe County	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	--	--	--	--	*	*	*	--
3. Refer to Juvenile Court	1.00	<b>6.54</b>	<b>1.83</b>	**	*	*	*	<b>4.22</b>
4. Cases Diverted	1.00	<b>0.73</b>	1.02	**	*	*	*	<b>0.78</b>
5. Cases Involving Secure Detention	1.00	<b>1.90</b>	<b>2.50</b>	**	*	*	*	<b>1.99</b>
6. Cases Petitioned	1.00	<b>1.29</b>	<b>1.88</b>	**	*	*	*	<b>1.41</b>
7. Cases Resulting in Delinquent Findings	1.00	0.79	**	**	*	*	*	0.95
8. Cases resulting in Probation Placement	**	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	--	*	*	*	**
10. Cases Transferred to Adult Court	--	--	--	--	*	*	*	--

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Monroe County

- In 2019, minority youth represented 40% of the local juvenile population, yet accounted 74% of cases referred to juvenile court, 69% of cases diverted, 85% of juvenile secure detentions, 80% of petitions filed, 79% of cases resulting in delinquent findings, 75% of cases resulting in probation placement, and 87% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to court 4.22 times more often, had cases diverted 0.78 times as often, securely detained 1.99 times more often, had cases petitioned to court 1.41 times more often, and had petitions filed 0.95 times as often. Monroe County RRI values at referral to court, diversion, secure detention and petition filed points for minority youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 208; diverted cases increased by 43 cases, secure detentions decreased by 48, and the number of cases petitioned decreased by 37.<sup>11</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for minority youth increased by 2%, diversion increased by 12%, secure detention decreased by 6%, petitions filed increased by 39%, delinquency findings increased by 36%, cases resulting in probation increased by 18%, and cases resulting in secure confinement for minority youth decreased by 28%.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 21% of the county's juvenile population, they accounted for 60% of cases referred to juvenile court, 53% of cases diverted, 66% of juvenile secure detentions, 60% of cases petitioned, 49% of cases resulting in delinquent findings, 48% of cases resulting in probation placement, and 87% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to court 6.54 times more often, had cases diverted 0.73 times as often, securely detained 1.90 times more often, had petitions filed 1.29 times more often, and had delinquency findings 0.79 times as often. Monroe County RRI values at the referral to court, diversion and secure detention points for Black youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of

<sup>11</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Monroe County RRI Spreadsheet

youth referred to court decreased by 189; diverted cases increased by 43 cases; and the number of cases in secure detention decreased by 35.<sup>12</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Black youth increased by 9%, diversion increased by 22%, secure detention decreased by 15%, petitions filed increased by 25%, delinquency findings increased by 3%, and cases resulting in secure confinement for Black youth decreased by 24%. There was no percentage change for cases resulting in probation.

- While Latino youth represented 15% of the county's juvenile population, they accounted for 12% of cases referred to juvenile court, 14% of cases diverted, 17% of juvenile secure detentions, 17% of cases petitioned, 25% of cases resulting in delinquent findings, 20% of cases resulting in probation placement, and 0% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to court 1.83 times more often than white youth, diverted 1.02 times as often, had cases securely detained 2.50 times more often, and had cases petitioned 1.88 times more often. An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Latino youth decreased by 17%, diversion decreased by 3%, secure detention increased by 58%, petitions filed increased by 93%, delinquency findings increased by 183%, cases resulting in probation increased by 50%, and cases resulting in secure confinement for minority youth decreased by 100%.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>12</sup> Id

Nassau County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Nassau County	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	--	--	--	--	*	*	*	--
3. Refer to Juvenile Court	1.00	<b>7.52</b>	<b>3.01</b>	0.94	*	*	*	<b>3.69</b>
4. Cases Diverted	1.00	<b>0.81</b>	1.02	**	*	*	*	0.93
5. Cases Involving Secure Detention	1.00	<b>2.05</b>	<b>2.05</b>	**	*	*	*	<b>1.89</b>
6. Cases Petitioned	1.00	<b>1.62</b>	<b>1.29</b>	**	*	*	*	<b>1.90</b>
7. Cases Resulting in Delinquent Findings	1.00	<b>1.87</b>	<b>2.19</b>	**	*	*	*	<b>1.90</b>
8. Cases resulting in Probation Placement	**	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Nassau County

- In 2019, minority youth represented 46% of the local juvenile population, yet accounted for 76% of cases referred to juvenile court, 75% of cases diverted, 86% of juvenile secure detentions, 82% of cases petitioned, 89% of cases resulting in delinquent findings, 78% of cases resulting in probation placement, and 90% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 3.69 times more often, diverted 0.93 times as often, placed in secure detention 1.89 times more often, had petitions filed 1.90 times more often, and had delinquent findings 1.90 times more often. Nassau County RRI values at referral to court, detention, petitions filed, and delinquency findings contact points for minority youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 297; number of cases resulting in secure detention decreased by 37; the number of cases petitioned decreased by 66; and the number of cases resulting in delinquency findings decreased by 40.<sup>13</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Minority youth increased by 58%, diversion increased by 57%, secure detention decreased by 18%, petitions filed increased by 26%, delinquency findings increased by 20%, cases resulting in probation increased by 6%, and cases resulting in secure confinement increased by 29% for minority youth.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 12% of the county's juvenile population, they represented 40% of cases referred to juvenile court, 35% of cases diverted, 49% of juvenile secure detentions, 50% of cases petitioned, 54% of cases resulting in delinquent findings, 45% of cases resulting in probation placement, and 50% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 7.52 times more often, diverted 0.81 times as often, placed in secure detention 2.05 times more often, had petitions filed 1.62 times more often and had delinquent findings 1.87 times more often. Nassau County RRI values at referral to court and petitions filed contact points for Black youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to

<sup>13</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Nassau County RRI Spreadsheet

achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 187;; and the number of youth petitioned to court decreased by 53.<sup>14</sup> An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Black youth increased by 65%, diversion increased by 62%, secure detention increased by 13%, petitions filed increased by 31%, delinquency findings increased by 42%, and cases resulting in probation increased by 24%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

- While Latino youth represented 21% of the county’s juvenile population, they accounted for 29% of cases referred to juvenile court, 31% of cases diverted, 35% of juvenile secure detentions, 28% of cases petitioned, 36% of cases resulting in delinquent findings, 31% of cases resulting in probation placement, and 40% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to juvenile court 3.01 times more often, had cases diverted 1.02 times as often, had placement in secure detention 2.05 times as often, had petitions filed 1.29 times more often, and had delinquent findings 2.19 times more often. Nassau County RRI values at referral to court contact point for Latino youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and has a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 103<sup>15</sup>. An analysis of the data shows the following percentage changes when compared to 2018: referral to court for Latino youth increased by 36%, diversion increased by 38%, secure detention decreased by 30%, petitions filed increased by 11%, delinquency findings increased by 6%, cases resulting in probation decreased by 3%, and cases resulting in secure confinement for Latino youth decreased by 33%.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>14</sup> Id

<sup>15</sup> Id

New York City Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: New York City	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	<b>19.19</b>	<b>5.97</b>	<b>2.10</b>	*	*	*	<b>9.56</b>
3. Refer to Juvenile Court	1.00	<b>0.76</b>	<b>0.78</b>	0.64	*	*	*	<b>0.77</b>
4. Cases Diverted	1.00	<b>0.53</b>	<b>0.74</b>	0.95	*	*	*	<b>0.61</b>
5. Cases Involving Secure Detention	1.00	<b>2.08</b>	<b>1.96</b>	1.04	*	*	*	<b>1.99</b>
6. Cases Petitioned	1.00	<b>1.65</b>	<b>1.59</b>	<b>1.56</b>	*	*	*	<b>1.65</b>
7. Cases Resulting in Delinquent Findings	1.00	<b>0.88</b>	<b>0.75</b>	0.62	*	*	*	<b>0.82</b>
8. Cases resulting in Probation Placement	**	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	--	*	*	*	**
10. Cases Transferred to Adult Court	**	--	--	--	*	*	*	--

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## New York City

- In 2019, minority youth represented 73% of the local juvenile population, yet accounted for 96% of juvenile arrests, 95% of cases referred to juvenile court, 92% of cases diverted, 98% of juvenile secure detentions, 97% of cases petitioned, 96% of cases resulting in delinquent findings, 94% of cases resulting in probation placement, and 100% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were arrested 9.56 times more often, referred to juvenile court 0.77 times as often, diverted 0.61 times as often, placed in secure detention 1.99 times more often, had petitions filed 1.65 more often, and had delinquent findings 0.82 times as often. New York City RRI values at arrest, diversion, secure detention, petitions filed and delinquency findings contact points for minority youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth arrested decreased by 5,921; the number of youth diverted increased by 823; the number of youth in secure detention decreased by 434, the number of petitions filed decreased by 561; and the number of delinquency filings decreased by 116.<sup>16</sup> An analysis of the data shows the following percentage changes when compared to 2018: arrests for minority youth increased by 103%, referral to court increased by 62%, diversion increased by 70%, secure detention decreased by 24%, petitions to court increased by 31%, delinquency findings increased by 2%, cases resulting in probation decreased by 2%, and secure confinement increased by 26% for minority youth.
- Black youth were most over-represented in the city compared to white youth. While Black youth represented 24% of the city's juvenile population, they accounted for 63% of juvenile arrests, 62% of cases referred to juvenile court, 52% of cases diverted, 66% of juvenile secure detentions, 63% of cases petitioned, 67% of cases resulting in delinquent findings, 61% of cases resulting in probation placement, and 67% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were arrested 19.19 times more often than white youth, referred to court 0.76 times more often, diverted 0.53 as often, placed in secure detention 2.08 times more often, had petitions filed 1.65 times more often, and had delinquency findings 0.88 times more often. New York City RRI values at arrest, diversion, secure detention, petition filings and delinquency findings contact points for Black youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a

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<sup>16</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – NYC RRI Spreadsheet

volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth arrested decreased by 4,092; the number of youth diverted increased by 640; number of youth in secure detention decreased by 306; the number of petitions filed decreased by 363; and the number of delinquency findings decreased by 49.<sup>17</sup> An analysis of the data shows the following percentage changes when compared to 2018: arrests for Black youth increased by 111%, referral to court increased by 44%, diversion increased by 40%, secure detentions decreased by 21%, petitions filed increased by 41%, delinquency findings increased by 28%, cases resulting in probation placement decreased by 4%, and there was no percentage change in cases resulting in secure confinement for Black youth.

- While Latino youth represented 36% of the city’s juvenile population, they accounted for 30% of juvenile arrests, 30% of cases referred to juvenile court, 34% of cases diverted, 30% of juvenile secure detentions, 29% of cases petitioned, 26% of cases resulting in delinquent findings, 28% of cases resulting in probation placement, and 29% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were arrested 5.97 times more often than white youth, referred to juvenile court 0.78 times as often, diverted 0.74 as often, placed in secure detention 1.96 times more often, had petitions filed 1.59 times more often, and had delinquent findings 0.75 times more often. New York City RRI values at arrest, diversion, secure detention, petition filed and delinquency findings contact points for Latino youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth arrested decreased by 1,689; the number of youth diverted increased by 174; the number of youth in secure detention decreased by 130; the number of cases petitioned decreased by 157; and the number of youth with delinquency findings decreased by 47.<sup>18</sup> An analysis of the data shows the following percentage changes when compared to 2018: arrests for Latino youth increased by 86%, referrals to court increased by 117%, diversion increased by 132%, secure detention decreased by 27%, petitions filed increased by 7%, delinquency findings decreased by 32%, and cases resulting in probation decreased by 1%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>17</sup> Id

<sup>18</sup> Id

Oneida County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Oneida County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	--	--	--	--	*	*	*	--
3. Refer to Juvenile Court	1.00	<b>6.84</b>	<b>1.56</b>	**	*	*	*	<b>3.53</b>
4. Cases Diverted	1.00	0.85	**	**	*	*	*	0.87
5. Cases Involving Secure Detention	1.00	<b>1.72</b>	**	**	*	*	*	<b>1.89</b>
6. Cases Petitioned	1.00	<b>1.58</b>	**	**	*	*	*	<b>1.39</b>
7. Cases Resulting in Delinquent Findings	1.00	0.82	**	**	*	*	*	0.84
8. Cases resulting in Probation Placement	**	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Oneida County

- In 2019, minority youth represented 27% of the local juvenile population, yet accounted for 47% of cases referred to juvenile court, 53% of cases diverted, 71% of juvenile secure detentions, 64% of cases petitioned, 60% of cases resulting in delinquent findings, 64% of cases resulting in probation placement, and 67% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to court 3.53 times more often, diverted 0.87 times more often, placed in secure detention 1.89 times more often, had petitions filed 1.39 times more often, and had delinquency findings 0.84 times as often. Oneida County RRI values at the referral to court contact point for minority youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and had a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 100 .<sup>19</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 56%, diversion increased by 195%, secure detentions increased by 69%, petitions filed increased by 23%, delinquency findings increased by 15%, cases resulting in probation increased by 44%, and cases resulting in secure confinement increased by 25%.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 10% of the county's juvenile population, they accounted for 39% of cases referred to juvenile court, 36% of cases diverted, 45% of juvenile secure detentions, 50% of cases petitioned, 46% of cases resulting in delinquent findings, 47% of cases resulting in probation placement, and 47% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 6.84 times more often, had cases diverted 0.85 times more often, had cases securely detained 1.72 times more often, had cases petitioned 1.58 times more often, and had delinquency findings 0.82 times as often. Oneida County RRI values at the referral to court contact point for Black youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and has a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 82.<sup>20</sup> An analysis of the data shows the following

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<sup>19</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Oneida County RRI Spreadsheet

<sup>20</sup> Id

percentage changes when compared to 2018: referrals to court increased by 68%, diversion increased by 182%, secure detentions increased by 31%, petitions filed increased by 29%, delinquency findings increased by 21%, and cases resulting in probation increased by 31%. Percent change is not calculated for the secure confinement contact points as the numbers were too small for comparison.

- While Latino youth represented 10% of the county's juvenile population, they accounted for 9% of cases referred to juvenile court, 11% of cases diverted, 16% of juvenile secure detentions, 9% of cases petitioned, 8% of cases resulting in delinquent findings, 3% of cases resulting in probation placement, and 13% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to court 1.56 times more often. An analysis of the data shows the following percentage changes when compared to 2018: referrals to court decreased by 28%, and diversion increased by 108%. Percent change is not calculated for the secure detention, petitions to court, delinquency findings, probation placement and secure confinement contact points as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

Onondaga County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Onondaga County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	--	--	--	--	*	*	*	--
3. Refer to Juvenile Court	1.00	<b>6.25</b>	<b>3.41</b>	**	*	*	*	<b>4.80</b>
4. Cases Diverted	1.00	<b>0.60</b>	<b>0.45</b>	**	*	*	*	<b>0.57</b>
5. Cases Involving Secure Detention	1.00	<b>2.20</b>	<b>2.12</b>	**	*	*	*	<b>2.16</b>
6. Cases Petitioned	1.00	<b>1.83</b>	1.21	**	*	*	*	<b>1.61</b>
7. Cases Resulting in Delinquent Findings	1.00	0.92	0.92	**	*	*	*	0.91
8. Cases resulting in Probation Placement	**	**	**	**	**	**	**	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	**	**	**	**
10. Cases Transferred to Adult Court	**	**	**	**	**	**	**	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Onondaga County

- In 2019, minority youth represented 32% of the local juvenile population, yet accounted for 69% of cases referred to juvenile court, 57% of cases diverted, 83% of juvenile secure detentions, 79% of cases petitioned, 77% of cases resulting in delinquent findings, 72% of cases resulting in probation placement, and 93% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 4.80 times more often, diverted 0.57 times as often, placed in secure detention 2.16 times more often, had cases petitioned 1.61 times more often and had delinquent findings 0.91 times more often. Onondaga County RRI values at the referral to court, diversion, secure detention and petitions filed contact points for minority youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 401; the number of youth diverted increased by 81; the number of youth placed in secure detention decreased by 55; and the number of cases petitioned decreased by 183.<sup>21</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 34%, diversion increased by 93%, secure detention increased by 2%, petitions filed increased by 77%, delinquency findings increased by 22, cases resulting in probation decreased by 11% and cases resulting in secure confinement increased by 30%.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 18% of the county's juvenile population, they accounted for 52% of cases referred to juvenile court, 44% of cases diverted, 63% of juvenile secure detentions, 66% of cases petitioned, 66% of cases resulting in delinquent findings, 51% of cases resulting in probation placement, and 64% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 6.25 times more often, diverted 0.60 times as often, placed in secure detention 2.20 times more often, had cases petitioned to court 1.83 times more often and had delinquency findings 0.92 times as often. Onondaga County RRI values at the referral to court, diversion, secure detention and petitions filed contact points for Black youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the

<sup>21</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Onondaga County RRI Spreadsheet

following would need to occur: number of youth referred to court decreased by 316; the number of youth diverted increased by 56; the number of youth placed in secure detention decreased by 43; and the number of cases petitioned to court decreased by 183.<sup>22</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 23%, diversion increased by 83%, secure detention increased by 5%, petitions filed increased by 81%, delinquency findings increased by 19%, and cases resulting in probation decreased by 24%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

- While Latino youth represented 8% of the county’s juvenile population, they accounted for 12% of cases referred to juvenile court, 8% of cases diverted, 15% of juvenile secure detentions, 10% of cases petitioned, 10% of cases resulting in delinquent findings, 16% of cases resulting in probation placement, and 21% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to court 3.41 times more often, diverted 0.45 times as often, placed in secure detention 2.12 times more often, and had cases petition to court 1.21 times more often, and had delinquency findings 0.92 times as often. Onondaga County RRI values at the referral to court contact point for Latino youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and has a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for this point the following would need to occur: the number of youth referred to court decreased by 64<sup>23</sup>. An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 61%, diversion increased by 50%, secure detention decreased by 5%, petitions filed increased by 68%, delinquency findings increased by 50%, and cases resulting in probation increased by 50% for Latino youth. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>22</sup> Id

<sup>23</sup> Id

Orange County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Orange County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	**	**	**	*	*	*	**
3. Refer to Juvenile Court	1.00	<b>5.13</b>	<b>1.43</b>	**	*	*	*	<b>2.39</b>
4. Cases Diverted	1.00	1.02	<b>1.58</b>	**	*	*	*	1.24
5. Cases Involving Secure Detention	**	**	**	**	*	*	*	**
6. Cases Petitioned	1.00	0.93	1.05	**	*	*	*	0.99
7. Cases Resulting in Delinquent Findings	1.00	0.75	1.24	**	*	*	*	0.93
8. Cases resulting in Probation Placement	**	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	**	**	**	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Orange County

- In 2019, minority youth represented 42% of the local juvenile population, yet accounted for 63% of cases referred to juvenile court, 68% of cases diverted, 86% of juvenile secure detentions, 63% of cases petitioned, 61% of cases resulting in delinquent findings, 65% of cases resulting in probation placement, and 100% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 2.39 times more often, diverted 1.24 times as often, had cases petitioned 0.99 times as often, and had delinquency findings 0.93 times as often. Orange County RRI values at the referral to court contact point for minority youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and has a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 87.<sup>24</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 100%, diversion increased by 189%, secure detention decreased by 25%, petitions filed increased by 62%, delinquency findings increased by 14%, and cases resulting in probation decreased by 32%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 12% of the county's juvenile population, they accounted for 38% of cases referred to juvenile court, 33% of cases diverted, 14% of juvenile secure detentions, 36% of cases petitioned, 28% of cases resulting in delinquent findings, 13% of cases resulting in probation placement, and 33% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 5.13 times more often, diverted 1.02 times as often, had cases petitioned 0.93 times more often and had delinquency findings 0.75 times more often. Orange County RRI values at the referral to court contact point for Black youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and has a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 72.<sup>25</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court

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<sup>24</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Orange County RRI Spreadsheet

<sup>25</sup> Id

increased by 109%, diversion increased by 125%, secure detention decreased by 86%, petitions filed increased by 59%, and had no percent change in delinquency findings. Percent change is not calculated for cases resulting in probation and the secure confinement contact points as the numbers were too small for comparison.

- While Latino youth represented 27% of the county's juvenile population, they accounted for 24% of cases referred to juvenile court, 33% of cases diverted, 71% of juvenile secure detentions, 26% of cases petitioned, 33% of cases resulting in delinquent findings, 48% of cases resulting in probation placement, and 67% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth had cases referred to court 1.43 times more often, cases diverted 1.58 times more often, had cases petitioned 1.05 times more often, and had delinquency findings 1.24 times more often. An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 81%, diversion increased by 286%, petitions filed increased by 55%, delinquency findings increased by 50%, and cases resulting in probation decreased by 8%. Percent change is not calculated for the secure detention and secure confinement contact points as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

Rensselaer County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Rensselaer County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	**	**	**	**	**	**	**
3. Refer to Juvenile Court	1.00	<b>2.95</b>	1.21	**	*	*	*	<b>1.91</b>
4. Cases Diverted	1.00	**	**	**	**	**	**	0.76
5. Cases Involving Secure Detention	**	**	**	**	**	**	**	<b>2.14</b>
6. Cases Petitioned	1.00	**	**	**	**	**	**	<b>1.89</b>
7. Cases Resulting in Delinquent Findings	1.00	1.05	**	**	**	**	**	1.04
8. Cases resulting in Probation Placement	**	**	**	**	**	**	**	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	**	**	**	**
10. Cases Transferred to Adult Court	**	**	**	**	**	**	**	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Rensselaer County

- In 2019, minority youth represented 25% of the local juvenile population, yet accounted for 38% of cases referred to juvenile court, 32% of cases diverted, 57% of juvenile secure detentions, 54% of cases petitioned, 55% of cases resulting in delinquent findings, 48% of cases resulting in probation placement, and 50% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 1.91 times more often, diverted 0.76 times as often, cases resulting in secure detention 2.14 times more often, petitioned to court 1.89 times more often and had delinquency findings 1.04 times as often. An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 27%, diversion decreased by 18%, secure detention decreased by 14%, petitions filed increased by 176%, delinquency findings increased by 22%, and cases resulting in probation increased by 25%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 12% of the county's juvenile population, they accounted for 29% of cases referred to juvenile court, 32% of cases diverted, 52% of juvenile secure detentions, 44% of cases petitioned, 45% of cases resulting in delinquent findings, 38% of cases resulting in probation placement, and 50% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 2.95 times more often and had delinquency findings 1.05 times more often. An analysis of the data shows the following percentage changes when compared to 2018: no percentage change in referrals to court, diversion increased by 13%, secure detention decreased by 21%, petitions filed increased by 192%, and delinquency findings increased by 29%. Percent change is not calculated for the probation placement and secure confinement contact points as the numbers were too small for comparison.
- While Latino youth represented 9% of the county's juvenile population, they accounted for 9% of cases referred to juvenile court, 0% of cases diverted, 0% of juvenile secure detentions, 10% of cases petitioned, 10% of cases resulting in delinquent findings, 10% of cases resulting in probation placement, and 0% of cases resulting in secure confinement. Percent change is not calculated for Latino youth the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

Schenectady County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Schenectady County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	**	**	**	**	**	**	**
3. Refer to Juvenile Court	1.00	<b>4.17</b>	1.32	**	*	*	*	<b>2.77</b>
4. Cases Diverted	1.00	0.62	**	**	*	*	*	<b>0.65</b>
5. Cases Involving Secure Detention	**	**	**	**	*	*	*	**
6. Cases Petitioned	1.00	1.38	**	**	*	*	*	<b>1.54</b>
7. Cases Resulting in Delinquent Findings	**	**	**	**	*	*	*	**
8. Cases resulting in Probation Placement	**	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Schenectady County

- In 2019, minority youth represented 37% of the local juvenile population, yet accounted for 62% of cases referred to juvenile court, 52% of cases diverted, 84% of juvenile secure detentions, 72% of cases petitioned, 75% of cases resulting in delinquent findings, 89% of cases resulting in probation placement, and 67% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 2.77 times more often, diverted 0.65 times as often, and petitioned to juvenile court 1.54 times more often. Schenectady County RRI values at the referral to court contact point for minority youth is statistically significant, displays a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 52.<sup>26</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 3%, diversion decreased by 2%, secure detention decreased by 26%, petitions filed decreased by 20%, delinquency findings increased by 67%, and cases resulting in probation increased by 45%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 18% of the county's juvenile population, they accounted for 45% of cases referred to juvenile court, 35% of cases diverted, 77% of juvenile secure detentions, 46% of cases petitioned, 60% of cases resulting in delinquent findings, 61% of cases resulting in probation placement, and 67% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 4.17 times more often, diverted 0.62 times more often, and petitioned to juvenile court 1.38 times more often. Schenectady County RRI values at the referral to court contact point for Black youth is statistically significant, displays a magnitude that is at least .20 points greater than 1.00 and has a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 44.<sup>27</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 18 %, diversion decreased by 7%, secure detention decreased by 14%, petitions filed decreased by

<sup>26</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Schenectady County RRI Spreadsheet

<sup>27</sup> Id

31%, delinquency findings increased by 85%, and cases resulting in probation decreased by 50%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

- While Latino youth represented 13% of the county's juvenile population, they accounted for 10% of cases referred to juvenile court, 12% of cases diverted, 6% of juvenile secure detentions, 15% of cases petitioned, 15% of cases resulting in delinquent findings, 22% of cases resulting in probation placement, and 0% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to juvenile court 1.32 times more often. Percent change is not calculated for Latino youth as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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Westchester County Relative Rate Index Analysis and Tracking Sheet

Relative Rate Index Compared with:	White							
New York State: Westchester County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	**	**	**	**	**	**	**	**
3. Refer to Juvenile Court	1.00	<b>12.48</b>	<b>3.81</b>	**	*	*	*	<b>5.70</b>
4. Cases Diverted	1.00	<b>0.51</b>	<b>0.58</b>	**	*	*	*	<b>0.55</b>
5. Cases Involving Secure Detention	1.00	<b>1.63</b>	<b>2.36</b>	**	*	*	*	<b>2.08</b>
6. Cases Petitioned	1.00	1.01	0.85	**	*	*	*	1.04
7. Cases Resulting in Delinquent Findings	**	**	**	**	**	**	**	**
8. Cases resulting in Probation Placement	**	**	**	**	**	**	**	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	**	**	**	**	**
10. Cases Transferred to Adult Court	**	**	**	**	**	**	**	**

Key: **Bolded font** = Statistically significant; \* Does not meet 1 percent threshold to be analyzed separately; \*\* Insufficient number of cases for analysis; -- Missing data for some element of calculation

## Westchester County

- In 2019, minority youth represented 52% of the local juvenile population, yet accounted for 86% of cases referred to juvenile court, 77% of cases diverted, 93% of juvenile secure detentions, 87% of cases petitioned, 94% of cases resulting in delinquent findings, 91% of cases resulting in probation placement, and 100% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that minority youth were referred to juvenile court 5.70 times more often, diverted 0.55 times as often, placed in secure detention 2.08 times more often and petitioned to juvenile court 1.04 times more often. Westchester County RRI values at the referral to court, diversion, and secure detention and contact points for minority youth are statistically significant, display a magnitude that is at least .20 points greater or less than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 317; diverted cases increased by 87; and cases resulting in secure detention decreased by 67;<sup>28</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 100%, diversion increased by 38%, secure detention increased by 22%, petitions filed increased by 24%, delinquency findings increased by 24%, and cases resulting in probation increased by 30%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.
- Black youth were most over-represented in the county compared to white youth. While Black youth represented 14% of the county's juvenile population, they accounted for 49% of cases referred to juvenile court, 41% of cases diverted, 42% of juvenile secure detentions, 48% of cases petitioned, 62% of cases resulting in delinquent findings, 40% of cases resulting in probation placement, and 80% of cases resulting in confinement in secure juvenile correctional facilities. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Black youth were referred to juvenile court 12.48 times more often, diverted 0.51 times as often, placed in secure detention 1.63 times more often, and petitioned to juvenile court 1.01 times more often. Westchester County RRI values at the referral to court and diversion contact points for Black youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased

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<sup>28</sup> Statistical parity data obtained from the "Volume Issues" tab of the Attachment #2 – Westchester County RRI Spreadsheet

by 202; and the number of cases diverted increased by 54.<sup>29</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 88%, diversion increased by 24%, secure detention increased by 8%, petitions filed increased by 3%, delinquency findings increased by 38%, and cases resulting in probation decreased by 17%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

- While Latino youth represented 31% of the county’s juvenile population, they accounted for 35% of cases referred to juvenile court, 33% of cases diverted, 42% of juvenile secure detentions, 29% of cases petitioned, 29% of cases resulting in delinquent findings, 47% of cases resulting in probation placement, and 20% of cases resulting in secure confinement. A Relative Rate Index (RRI) comparison with white juveniles in the county shows that Latino youth were referred to juvenile court 3.81 times more often, diverted 0.58 times as often, placed in secure detention 2.36 times more often, and petitioned to court 0.85 times as often. Westchester County RRI values at the referral to court contact point, diversion and secure detention for Latino youth are statistically significant, display a magnitude that is at least .20 points greater than 1.00 and have a volume of activity for which reduction efforts would impact a minimum of 30 youth. In order to achieve statistical parity for these points the following would need to occur: number of youth referred to court decreased by 114; number of youth diverted increased by 33; and the number of youth in secure detention decreased by 30.<sup>30</sup> An analysis of the data shows the following percentage changes when compared to 2018: referrals to court increased by 112%, diversion increased by 50%, secure detention increased by 66%, petitions filed increased by 67%, delinquency findings decreased by 6%, and cases resulting in probation increased by 73%. Percent change is not calculated for the secure confinement contact point as the numbers were too small for comparison.

No RRI is reported if the number of cases was insufficient for calculation.

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<sup>29</sup> Id

<sup>30</sup> Id

## ***Outcome Evaluation - 2020***

NYS has outlined what our new R.E.D. numbers tell us about racial and ethnic disparities in New York State and select counties earlier in this report (see above).

In its 2020 Action Plan, NYS stated it would measure success for R.E.D. reduction by evaluating reforms that improved how the juvenile justice system worked as a system, and how individual juvenile justice professionals, engaged in efforts to reduce racial and ethnic disparities. These goals included: enhanced data capacity, collection, and analysis; local and state level policy changes; and continual stakeholder growth and development of capacity-building efforts, including leadership skill-building and technical assistance to officials who are undertaking this work.

In addition, NYS narrowed its focus and efforts to address disparity at a singular system point. The goal was to increase equity for Black youth at the adjustment (diversion) contact point by decreasing disproportionality by 10 percent, as evidenced by an increase in the use of diversion for Black youth. While there is no methodology to predict or identify an empirically based target to reduce disparity, NYS utilized the benchmark and data from the previous year to identify this target.

As with most jurisdictions across the county, work in FFY 2020 was impacted by the COVID-19 pandemic. Work was either paused as the world took precautionary quarantine measures or considerable time had to be spent to pivot to a virtual environment. Additionally, NYS was contenting with pending litigation between New York State and the Department of Justice regarding access to Title II Funding. Even while contending with the challenges outlined above, New York had success in the following areas of the 2020 Action Plan: the enhancement of data capacity, collection, and analysis to target intervention outcomes; training and technical assistance to state and local youth justice systems and stakeholders; and monitoring the implementation of systems change initiatives through an equity lens.

- Enhancement of data capacity, collection, and analysis to target intervention outcomes: DCJS research collaborated with research units from the Office of Children and Family Services, and the Unified Court System to streamline and align system point data disaggregated by race, ethnicity, sex, and crime type. New data reports will be presented to probation departments across the state to drive reform efforts with an equity lens in 2021. In addition, new county level reports will be made publicly available on the DCJS website in the summer of 2021.
- Training and technical assistance to state and local youth justice systems and stakeholders: In light of COVID-19, DCJS revised curriculum and content for racial

and ethnic disparities training to a virtual format for all new probation officers in New York State. DCJS also provided virtual training on implicit bias and racial and ethnic disparities in several local and national arenas. DCJS staff trained a total of 717 individuals across those training events.

- Monitoring the implementation of systems change initiatives through an equity lens: In October 2019, NYS Division of Criminal Justice Services in conjunction with Orbis partners, made changes the Youth Assessment and Screening Instrument (YASI) Pre-Screen cut points which resulted in an increased proportion of assessments scored as low risk (52% vs. 34%). Additionally, when examining the impact of these changes by race, White youth went from 34% low risk to 53% low risk, and Black youth went from 32% to 48%. DCJS continues to monitor the impact of the cut-point changes as it impacts youth outcomes. Additionally, in the coming years, DCJS will continue to promote transparency and address any policy considerations as it relates to racial and ethnic equity.

Measuring success in the second benchmark to reduce the over representation of youth of color, specifically black youth at the diversion (adjustment) system point by 10 percent is more complex. As noted earlier, statewide juvenile justice system involvement saw an expected increase when comparing data from 2018 to 2019 due to implementation of raise the age: there was an overall 49 percent increase in youth referred to court, a 52 percent increase in diversion, eight percent decrease in secure detention, 46 percent increase in petitions filed, 29 percent increase in delinquent findings, two percent increase in probation placement, and a 17 percent increase in secure confinements. When looking at race and ethnicity statewide there were varying increases in disparity for most system points across the state<sup>31</sup>. This is true of NYS' target system point of diversion (adjustment). Although raw numbers and percentages are up as result of the increase of youth entering the system and receiving diversion (adjustment) services, disparity rates have either increased or remained the same since 2018. Statewide, overall minority youth had a 65 percent increase in diversion (adjustment) services in NYS from 2018 to 2019. A deeper analysis of the data using the Relative Rate Index highlights little to no-change in disparity from 2018 to 2019 (RRI 0.58 vs 0.59). Additionally, in the target counties, changes ranged from a 12 percent increase to a 195 percent increase for youth receiving diversion (adjustment) services. A deeper analysis of the data using the Relative Rate Index highlights varying degrees of increased and decreased disparity. For example, in Nassau County RRI Values at diversion (adjustment) was 0.52 in 2018 compared to 0.93 in 2019. The same comparison of Westchester County RRI values at diversion (adjustment) was 0.70 in 2018 compared to 0.55 in 2019. Black youth, the most

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<sup>31</sup> See pages 6-8 for a detailed data analysis of statewide data.

overrepresented group in NYS, experienced similar trends at the diversion (adjustment) system point with 52 percent increase in diversion (adjustment) services in NYS from 2018 to 2019.<sup>32</sup> A deeper analysis of the data using the Relative Rate Index highlights little to no change in disparity from 2018 to 2019 (RRI 0.54 vs 0.55). Additionally, in the target counties, changes ranged from a seven percent increase to a 182 percent increase for Black youth receiving diversion (adjustment) services. A deeper analysis of the data using the Relative Rate Index highlights varying degrees of increased and decreased disparity. For example, in Nassau County RRI Values at diversion (adjustment) was 0.46 in 2018 compared to 0.81 in 2019. The same comparison of Westchester County RRI values at adjustment (diversion) system point was 0.68 in 2018 compared to 0.51 in 2019.

One of the barriers to achieving the numerical goal set out for last year is that there was a general overall increase in the number of youth who were eligible to access family court and who entered the youth justice system as result of Raise the Age. While, increasing the age of criminal responsibility was an important achievement for young people in NYS to keep them out of the adult system, it impacted NYS ability to measure any real progress as it relates to reducing racial and ethnic disparities. When percentage changes were greater than 10 percent in select counties at a particular system point it is difficult to identify if this is a point-in time shift or what contributed to the reduction. NYS will continue to focus its efforts on increasing equity at the diversion (adjustment) system point. This will be discussed further in the NYS Action Plan for 2021-2023. Working with the R.E.D. Advisory Committee, comprised of system and non-system partners from the child welfare, courts, law enforcement education systems and the New York State Youth Justice Institute, NYS believes it can work to close the equity gap at the diversion contact point.

An additional barrier was pending litigation between NYS and DOJ regarding special conditions on the Title II award allocation. This inhibited the states' ability to advance the launch of the Policy Equity Academy that was designed to target systems change initiatives as well as programming in the State's largest drivers of disparity at diversion (adjustment). In 2020, NYS DCJS applied for and received funding through a federal delinquency prevention act grant and foundation dollars from the Annie E. Casey Foundation to kick start this work again. Finally, the COVID-19 pandemic greatly impacted the ability to launch and implement programming. As the state reopens and emergency pandemic procedures are lifted, NYS anticipates that it will be able to implement programming in 2021 to advance the State's equity agenda.

In order to continue its work and to achieve success, NYS will need continue to receive financial assistance from the Office of Juvenile Justice Delinquency and Prevention

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<sup>32</sup> County level data analysis, including a percent change comparison between 2018 and 2019 are provided above.

(OJJDP) in order to successfully implement the action plan identified below. To date, pending litigation has been resolved and OJJDP is working through administrative steps to access NYS' federal Title II allocation, which will assist NYS in implementing its Action Plan over the next three years. NYS is grateful for the support it has received in the past and would be pleased to share lessons learned with other jurisdictions.

New York State's youth justice agenda is consistent with the fundamentals of public safety and adolescent development. DCJS along with its partners across the state do not see the work to reduce racial and ethnic disparities as inconsistent with public safety.

Finally, the goal for FY 2021 will be to refine and narrow the target for reducing disparity at the diversion (adjustment) contact point for New York State. This will be outlined in the Action Plan for 2021-2023 below.

### ***Action Plan – 2021 -2023***

Again, NYS has outlined what our R.E.D. numbers tell us about racial and ethnic disparities in New York State and select counties earlier in this report (see above).

As indicated in the outcome evaluation from 2020, when looking at race and ethnicity statewide there were varying increases and decreases in disparity for most system points across the state<sup>33</sup>. This is true of NYS' target system point of diversion (adjustment). Although raw numbers and percentages are up as result of the increase of youth entering the system and receiving diversion (adjustment) services, disparity rates have either increased or remained the same since 2018. Statewide, overall minority youth had a 65 percent increase in diversion (adjustment) services in NYS from 2018 to 2019. A deeper analysis of the data using the Relative Rate Index highlights little to no-change in disparity from 2018 to 2019 (RRI 0.58 vs 0.59). Black youth, the most overrepresented group in NYS, experienced similar trends at the diversion (adjustment) system point with 52 percent increase in diversion (adjustment) services in NYS from 2018 to 2019.<sup>34</sup> A deeper analysis of the data using the Relative Rate Index highlights little to no change in disparity from 2018 to 2019 (RRI 0.54 vs 0.55).

In order to achieve statistical parity for diversion (adjustment) statewide, NYS will need to increase the number of Black youth receiving diversion (adjustment) services by 1,528. Over the next year, NYS will work to increase equity for Black youth at the diversion contact point by decreasing disproportionality by 10 percent, as evidenced by an increase in the use of diversion for Black youth. Again, while there is no methodology to predict or

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<sup>33</sup> See pages 6-8 for a detailed data analysis of statewide data.

<sup>34</sup> County level data analysis, including a percent change comparison between 2018 and 2019 are provided above.

identify an empirically based target to reduce disparity, NYS utilized the benchmark and data from the last two years to identify this target.

NYS believes this target is reasonable, due to the lifting of funding restrictions as well as the ease of COVID-19 pandemic measures. Additionally, NYS has identified the following youth justice policy and programming priorities for the next few years to achieve this goal, all of which will lay the foundation for New York State’s new three-year R.E.D. plan for 2021-2023.

- The enhancement of data capacity, collection, and analysis to target interventions and measure outcomes.
- The implementation of the New York State Race Equity and Youth Justice Policy Academy designed to target disparity at the diversion (adjustment) contact point in New York State.
- The development and implementation New York State R.E.D. Advisory Committee Priorities aimed to provide guidance best practice on R.E.D reduction strategies.
- The provision of training and technical assistance for state and local youth justice systems and stakeholders.
- Monitoring the implementation of systems change through an equity lens to ensure that all youth benefit from reform efforts regardless of race, ethnicity, or gender.

### **Enhanced Data Capacity, Collection and Analysis**

DCJS continues to build upon its internal research capacity, in partnership with the JJAG funded Youth Justice Institute, to conduct both statewide and local assessment studies to refine and target interventions as well as to evaluate program outcomes. Additionally, NYS will continue enhance the quality, access, and use of system point data disaggregated by race and ethnicity via the following:

- Develop and Disseminate newly revised data on youth justice system outcomes disaggregated by race, ethnicity, sex, and offense type.
- Continue to provide Youth Justice Case processing reports to local probation departments every six months to guide technical assistance dialogue around decision making and where improvements can be made for various probation driven decisions.
- Host webinars and other data learning opportunities regarding publicly available system point outcome data by race, ethnicity, sex, and offense type.
- Expand Results-Based Accountability Training to key youth justice stakeholders through-out the state.

### The New York State Policy Equity Academy

Since 2018, The New York State Division of Criminal Justice Services, Office of Youth Justice partnered with the Center for Children’s Law and Policy to create a new training, technical assistance, and skill-building opportunity for youth justice professionals throughout the state. It is designed to support local officials in their efforts to implement policies and reforms that target areas of significant racial and ethnic disparity in the youth justice system.

The Policy Equity Academy, which will be delivered in partnership with the Youth Justice Institute at the University of Albany is visually depicted to the right. The Policy Equity Academy includes targeted, virtual learning sessions, during which participants will explore implicit bias, the origins of disparities and the reasons inequities persist, and analyze demographic data at various decision points for local and national trends. The goal is for the development and implementation of concrete policy, practice, and program changes to address racial and ethnic disparities at one decision point (e.g., diversion at intake, admissions to detention, etc.). The current curriculum has been developed to target disparity at the diversion (adjustment) system point in New York State. Participants will be assigned to complete pre-work prior to participating in virtual learning opportunities, receive technical assistance and support in workplan development and in implementation of reforms in their jurisdictions. Through the process teams will also be provided technical assistance on how to maintain and gather data necessary to track program outcomes. Additionally, DCJS, was able to secure \$50,000 to support local level action plan implementation.



NYS plans to utilize this academy to target interventions in counties with high levels of disparity at the adjustment (diversion) system point to meet the states goal of increasing equity in adjustment services (diversion) for youth of color. Specifically, NYS aims to produce the following impact within the 18 to 24 months following the launch of the Policy Equity Academy:

- Increase in the number of kids of color, specifically Black youth who are offered adjustment services;

- Increase in the number of kids of color, specifically Black youth who engage with adjustment services;
- Increase in the number of kids of color, specifically Black youth who successfully complete adjustment services; and
- Decrease in the number of kids of color, specifically Black youth who are referred to presentment agency for petition.

NYS believes that a concerted effort to implement effective strategies at a specific decision point in multiple counties throughout the state will also generate replicable models for other counties throughout the state, as well as interest in implementing proven strategies as results are demonstrated in Policy Academy jurisdictions. Originally slated to begin in 2020, implementation of the first cohort of the Policy Equity Academy was delayed due to the funding issues and the COVID-19 Pandemic as discussed in the outcome evaluation section. However, now that those issues have been resolved, NYS anticipates the launch of the academy to occur in the summer of 2021.

### **The New York State (NYS) Racial and Ethnic Disparities (R.E.D.) Advisory Committee**

Reconstituted in 2017, the NYS R.E.D. Advisory Committee is comprised of representatives from the Division of Criminal Justice Services Office of Youth Justice (OYJ) and the Office of Probation of Correctional Alternatives (OPCA); the Unified Court System; the Office of Children and Family Services (OCFS); the State Education Department (SED); the New York State Youth Justice Institute (YJI); the New York State Juvenile Justice Advisory Group (JJAG); community-based service providers; and local level system stakeholders. In addition, membership is in the process of expanding to include law enforcement, tribal, as well as youth and family representation.

The purpose of the committee is to promote effective efforts to eliminate racial and ethnic disparities for youth in New York State's justice system and other youth-serving systems through collaboration among state agency partners, integration of principles of racial and ethnic equity within existing reform initiatives, and support for effective efforts to reduce racial and ethnic disparities at the state and local levels.

In late 2019 and early 2020, the R.E.D. Advisory Committee identified the following goals and initiatives as areas of focus on in the advancement of equity work within New York State:

- Issue a Guidance and Best Practice Brief on the Blinding Process as a promising strategy for reducing bias and increasing equity,

- Develop an equity Bench Card for youth justice stakeholders,
- Issue guidance on best practices related to data collection,
- Develop and disseminate an equity glossary of terms to be utilized across the various disciplines represented on the committee, and
- Enhance the best-practices repository for Youth Justice Institute at the State University at Albany.

Due to the COVID-19 pandemic as well as a shift in focus to address the racial justice movement of 2021, each of the identified goals and initiatives were advanced to varying degrees of emphasis. As a result, many will be carried over into the 2021-2023 work plan, in addition to other priority areas identified by the committee detailed below:

- Information on effective ways for incorporating youth and family partnerships at various system levels for communities of color – Healing Centered Framework
- Issue a Guidance and Best Practice Brief on the Blinding Process as a promising strategy for reducing bias and increasing equity,
- Develop an equity Bench Card for youth justice stakeholders,
- Issue guidance on best practices related to data collection, and
- Develop and disseminate an equity glossary of terms to be utilized across the various disciplines represented on the committee.
- Enhance resources and information available on the New York State Youth Justice Institute’s Racial Justice Microsite.
- Develop communication and dissemination strategy for all guidance and documentation produced.

Over the next three years each of these priorities will be expanded and developed for implementation, some statewide and others as the local level. DCJS will monitor any outcomes as a result of their implementation.

DCJS will continue to use the R.E.D. Advisory Committee as a forum for cross-agency and cross-system collaboration on issues impacting racial and ethnic disparities in the juvenile justice system. DCJS anticipates that the Committee will serve as an important vehicle to coordinate training opportunities and ensure that trainings are, wherever possible, paired with opportunities for attendees to receive ongoing support and technical assistance in the service of applying that training to their work.

Additionally, the New York State Juvenile Justice Advisory Group (JJAG) completed a strategic action plan identifying major themes and actions they will undertake in the next three years to support state and local efforts in the following areas:

- Eliminating Racial and Ethnic Disparities;
- Sustaining Positive Outcomes in Pandemic-related Changes;
- Increasing Prevention Efforts and Youth-Centered Service Delivery;
- Increasing Access to Trauma, Healing, Behavioral Health;
- Supporting the Centrality of Schools; and
- Improving Police and Community Partnerships.

DCJS will ensure that the priority areas of the JJAG and the R.E.D. Advisory Committee are inline and work to complement and support each other in programming and funding priorities.

### **Training and Technical Assistance**

Targeted training and technical assistance will be provided to localities with the explicit goal of helping local jurisdictions develop and implement effective R.E.D. reduction strategies and initiatives.

DCJS Office of Youth Justice (OYJ) is committed to the four-pronged approach for the overall advancement of equity that it adopted last year: leadership development, managing difficult conversations, the mind science of bias, and cultural competency. This framework encompasses all the competencies to champion this work and lead it well to achieve equity. It includes infusing leadership development and support for the work throughout the entire organization, skill building for equity leaders to manage difficult conversations, understanding the research and evidence of the mind science of implicit bias, racial anxiety, and stereotype threat are crucial for entities and individuals to master and understand when implementing an equity strategy. Additionally, it requires that individuals and organizations move beyond a cultural awareness and an understanding of implicit bias into a true understanding and implementation of cultural competence.

The DCJS Office of Youth Justice and the Race Equity Coordinator will continue to provide training and technical assistance to local and statewide system stakeholders on cultural competency, implicit bias, racial anxiety, and stereotype threat. In conjunction with the DCJS Office of Probation and Correctional Alternatives training unit, the Race Equity Coordinator developed and embedded a 5-hour introductory implicit bias training into the fundamentals of probation practice training, which is required for all new probation offices in New York State. The next phase of this work is to build capacity for local probation departments to embed implicit bias trainers into their local departments ensuring continuing in-service training. This work will continue over the next several years with technical assistance from national renowned trainers and experts.

The New York State, Office of Probation and Correctional Alternatives Juvenile Operations Unit has placed an emphasis on improving adjustment (or diversion) outcomes for youth in New York State targeting 5 counties; Erie, Monroe, Westchester, and Onondaga Counties. The New York State Race-Equity Coordinator will work with the unit to provide technical assistance and guidance to ensure that this work occurs through an equity lens in the target counties.

Finally, DCJS plans on leveraging existing juvenile justice reform bodies and Committees to embed training and expertise on effective approaches to reducing racial and ethnic disparities. The Race Equity Coordinator along with other members of the Race Equity Advisory Committee are active members of other juvenile justice reform bodies, such as the Partnership for Youth Justice (three-way partnership between OCFS, DCJS and the Unified Court System) and the Juvenile Justice Advisory Group. As a part of their participation, Committee members will ensure that R.E.D. is at the forefront of the conversation and will work to have workshops, training opportunities and funding allocated to topics aimed at reducing racial and ethnic disparities. The Partnership has a multifaceted vision, centered on equity to improve the outcomes for youth and families in NYS. The Partnership meets on a bimonthly basis to coordinate reform, program and policy efforts across the youth serving programs at the statewide level.

As stated in the outcome evaluation, in order to continue its work and to achieve success, NYS will continue to need financial assistance from the Office of Juvenile Justice Delinquency and Prevention (OJJDP) in order to successfully implement the action plan identified below. NYS is grateful for the support it has received in the past and would be pleased to share lessons learned with other jurisdictions. Additionally, guidance on evidence-based practices designed to increase equity at specific points would be helpful in achieving the goal of reducing disparity at the identified system points.

The Division of Criminal Justice Services' vision is that with a fair and knowledge driven criminal justice system, New York will become the national leader in effective criminal justice policy as it achieves its mission to enhance public safety by providing resources and services that inform decision making and improve the quality of the criminal justice system. New York State's youth justice agenda is consistent with the fundamentals of public safety and adolescent development. DCJS along with its partners across the state do not see the work to reduce racial and ethnic disparities as inconsistent with public safety.

### **Program and Policy Changes**

DCJS continues to monitor programming and policy changes during the implementation of Raise the Age in New York State, which finalized its implementation on October 1,

2019. DCJS has already convened several meetings with key state stakeholders to discuss the potential impact of Raise the Age on R.E.D. and the steps that can be taken to capture data on the impact of Raise the Age by race and ethnicity. DCJS will continue to pursue these conversations with the goal of examining how and to what extent changes made by Raise the Age have affected racial and ethnic disparities for youth in New York State's juvenile justice system.

DCJS will continue to monitor the impact of the YASI-cut point changes highlighted in the outcome evaluation section and promote transparency and address any policy considerations as it relates to racial and ethnic equity in the risk assessment instrument.

In addition, DCJS will continue to make recommendations for changes and enhancements to policy and programming as necessary when identified through assessments, the Policy Equity Academy, capstone projects, the JJAG Strategic Action Plan, and technical assistance.

### ***Monitoring and Goals for Next Year***

New York State will continue to monitor and track changes in R.E.D. trends over time. Analyzing R.E.D. data thoroughly and comprehensively is the primary tool for continued R.E.D. monitoring. The Race Equity Coordinator will maintain a thorough focus on expanding the data collected and analyzing the trends. The data will be analyzed over time to identify trends both statewide and in targeted localities with significant R.E.D. issues.

R.E.D. numbers and trends are reported to the statewide policy-making bodies at JJAG, R.E.D. Advisory Committee, and Partnership for Youth Justice meetings. These trends are closely studied, and DCJS data staff provide walkthroughs of the data as the policy groups discuss and use the data for their decision-making.

In addition, DCJS plans to utilize the R.E.D. Advisory Committee to assist in ongoing monitoring efforts. As mentioned above, this group is comprised of subject matter experts and cross agency partners who work to reduce disparities in their respective disciplines, e.g., child welfare, mental health, education, the courts, etc. It is anticipated that this committee would review any findings and recommendations from assessment reports to provide technical assistance and support in reform efforts, in addition to ensuring that reforms are having their intended impact.

Monitoring will also involve increasing accountability to all justice system stakeholders and to the public. New race/ethnicity data disaggregated by sex and crime type will be provided by county on the DCJS publicly accessible statistics page. This will allow the counties themselves to have access to R.E.D. information within their own localities.

DCJS will monitor the outcomes of any programming funded under the JJAG's Strategic Action Plan, strategies implemented under the R.E.D. Advisory Committee Action plan, as well as, the implementation of local level action plans developed during the Policy Equity Academy.