COUNTING LATINO YOUTH IN THE ILLINOIS JUVENILE JUSTICE SYSTEM
Acknowledgments

This fact sheet was researched and written by Marguerite Moeller, former Associate Policy Analyst in the Juvenile Justice Policy Project at the National Council of La Raza (NCLR). NCLR is a member of the National Resource Bank, a network of national organizations providing technical assistance to states through the Models for Change initiative.

At NCLR, Maricela García, Director of Capacity Building, and Raul González, Director of Legislative Affairs, provided substantive oversight to this project. Anna Sorrenti, Copy Editor, provided editorial assistance and Sherry San Miguel, Graphic Designer and Production Coordinator, designed the brief. In Illinois, the following people provided invaluable guidance and shared their substantial knowledge of Latinos in the Illinois juvenile justice system: Luis Carrizales and Michael Rodriguez of Enlace Chicago; Randall Shrickardt, DMC Coordinator, Illinois Models for Change; Father Dave Kelly; and staff and youth at New Life Little Village Community Church. The MacArthur Foundation provided support for this brief. The content of this fact sheet is the sole responsibility of NCLR and does not necessarily represent the views of its funders or contributors.

For more information, contact Marlene Sallo at (202) 776-1572 or msallo@nclr.org.
Models for Change

Models for Change is an effort to create successful and replicable models of juvenile justice reform through targeted investments in key states, with core support from the John D. and Catherine T. MacArthur Foundation. Models for Change seeks to accelerate progress toward a more effective, fair, and developmentally sound juvenile justice system that holds young people accountable for their actions, provides for their rehabilitation, protects them from harm, increases their life chances, and manages the risk they pose to themselves and to the public. The initiative is underway in Illinois, Pennsylvania, Louisiana, and Washington, and through action networks focusing on key issues, in California, Colorado, Connecticut, Florida, Kansas, Maryland, Massachusetts, New Jersey, North Carolina, Ohio, Texas, and Wisconsin.
**Background**

The Latino youth population in Illinois is growing rapidly. Between 2000 and 2009 the number of Hispanics younger than age 18 increased 21.5% accounting for nearly one in four (22.2%) of all Illinois children and youth by 2009.1 This growth requires that policymakers fully understand how—and how many—young Latinos interact with institutions focused on youth such as schools and the juvenile justice system.2 While Illinois schools are typically able to account for the number of children in their purview, the same cannot be said for the institutions and agencies that make up the Illinois juvenile justice system. Currently, the only available statistical information describing the presence of Hispanic youth in the system statewide is the data for secure detention, where Latinos account for 11% of all youth in this category;3 and for secure confinement,4 where Latinos make up 39.3% of all youth.4 The ability to obtain reliable counts of Hispanic youth throughout the Illinois juvenile justice system, and to use that knowledge to implement changes in policy and practice which will lead to reduced contact of Latinos with the system, is severely limited by inadequate data collection practices statewide.

Statewide juvenile justice institutions and local jurisdictions do not collect accurate data on youth ethnicity in any systematic way. Some agencies and institutions at the local level count “Latino” as a race category. However, “Latino” is an ethnicity, not a race, so this practice inevitably leads to inaccurate counts of the Latino population by forcing data collectors to choose between race or ethnicity. Latinos are often counted as either White, Black, or Other, contributing to a significant undercount of the Hispanic population in the system, since this demographic data collection methodology overcategories race and ethnicity, with no one category applicable to all Latinos. The model which is most effective for collecting Hispanic demographic data is the two-part race and ethnicity question, which Illinois juvenile justice agencies do not use. The purpose of the two-part question is to gather information about whether a person is Hispanic/Latino, regardless of the person’s race,5 by separating ethnicity and race into independent categories. Respondents are first asked if they are Hispanic/Latino, to which they can reply either yes or no. Respondents are then asked to identify their race; Hispanic/Latino is not an available option for the second question.6 This two-step method allows Latinos to identify both as a Latino and as a member of a racial group, resulting in a more accurate count of all Hispanic youth.

The lack of accurate data on Latino youth in the Illinois juvenile justice system is harmful. Without proper counts of the young people in the system, agencies and institutions cannot readily identify and address systemic challenges and the needs of Latino youth, nor can they develop, implement, and assess targeted policies and practices to reduce the contact of Hispanic youth with the justice system and system improvement.

This paper looks at the state of data collection practices in Illinois, gives examples of communities that have successfully used data to reduce youth contact with the juvenile justice system, and describes how Latino youth currently fare in the system. It then offers recommendations for improving data collection practices as a step toward moving young people away from trouble and down the road to a brighter future.

**The Status of Data Collection in Illinois**

The U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) has identified nine major points of contact that youth can have with the juvenile justice system—arrest, referral, diversion, detention, petition, delinquency, and ethnicity data collection methodology is to elicit race and ethnicity information about youth at each of these points. Doing so—using the two-part question—enables statisticians to identify the number of youth at each system point by race and ethnicity and equips agencies and institutions to better analyze how significantly the rate of Latino youth contact with the system is disproportionate compared to the rates for other groups. Improved analysis is integral to taking active steps to reduce Latino youth contact with the system because it identifies where targeted policies, programs, and practices are most needed to reduce that contact.


The Illinois Juvenile Justice Commission (IJJC) should require institutions to collect disaggregated ethnicity data to receive the federal funds it distributes. The IJJC, as the designated Illinois State Advisory Group, distributes funding received through the federal Juvenile Justice and Delinquency Prevention Act to improve state juvenile justice systems. Requiring agencies and organizations to collect ethnicity data to receive those funds would increase the ability of state agencies and organizations to identify and address the needs of Latinos in the juvenile justice system.

Create the infrastructure and capacity to maintain and analyze ethnicity data.

Each institution in the juvenile justice system at the state and local level, and each organization that maintains juvenile justice data, should establish an ethnicity field in databases and paper forms that record juvenile justice data. The most basic barrier to collecting ethnicity data is not having a place to record the information. Establishing an ethnicity field in forms and databases would provide the necessary infrastructure to collect ethnicity data.

Establish a publicly accessible statewide computerized database of aggregated juvenile justice data that can separate ethnicity data from data on race. A centralized location for all juvenile justice data at the aggregate level (i.e., not individual cases) would enable state and local communities to better understand who is in the juvenile justice system, what systemic needs minority youth face, and what steps are necessary to create reform. The Illinois Criminal Justice Information Authority would be an appropriate organization to house this database because of its data analysis capacity and its mission to act as a clearinghouse for information on the justice system.

The Illinois General Assembly should fund the development of an enhanced data infrastructure that will strengthen its ability to maintain ethnicity data. Such a policy change should affect each of the nine identified points. Early implementation of the two-part question will increase the visibility of Latinos in the system and the ability of system providers to work with the Hispanic population to reduce disproportionate Latino contact.

To calculate an RRI value, divide the number of minority youth at any given stage in the justice system by the number of minority youth at the stage immediately preceding, then divide the number of White youth at the same stage by the number of White youth at the stage immediately preceding. The rate calculated for minority youth by the rate calculated for White youth. If no data are available for the stage immediately preceding, use the last stage for which data are available. For more information, see DMC Technical Assistance Manual, http://www.ncjrs.gov/html/ojjdp/dmc_ta_manual/dmcfull.pdf.

A number of contact points only report aggregate counts, with no information broken down by race, age, or sex.

The IJJC recently funded the development of an enhanced data infrastructure that will strengthen its ability to maintain ethnicity data.

More specifically, an RRI value shows “the extent to which the rate of contact for minority youth differs from the rate of contact for White youth.” An RRI value that is greater than one indicates that a minority group has disproportionate contact with the system. With sufficient data on race and ethnicity, RRI values can be calculated for every point of contact in the juvenile justice system. To most accurately calculate RRI values throughout the entire system, data disaggregated by race and ethnicity should exist at every point of contact.

Additionally, the state does not have one central database to which all juvenile justice system information is reported, limiting state-wide aggregation of data. Making these critical changes requires political will that, so far, has not been demonstrated by most state and local leaders.

As a result, data collection in the Illinois juvenile justice system is far from the Department of Justice gold standard. Statewide, data reflecting the ethnicity of youth in the juvenile justice system are available at only two of the nine major points of contact with the system: detention and secure confinement. However, these data are not collected using the two-part ethnicity question and therefore can only approximate the number of Latino youth in detention and confinement.

Moreover, while the state of Illinois does not collect ethnicity data about youth at the points of arrest, petition, delinquent findings, probation placement, and transfer to adult court, it does collect race information for these points. Finally, the state does not collect any data about youth contact, regardless of race or ethnicity, at the points of referral and diversion.

**Data Availability for Illinois Juvenile Justice System Contact Points**

<table>
<thead>
<tr>
<th>Contact Point</th>
<th>Are data available statewide?</th>
<th>Are data available statewide for Hispanic/Latino youth?</th>
<th>Who maintains the data at the state level?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrest</td>
<td>Yes</td>
<td>Yes</td>
<td>Illinois State Police, Illinois Criminal Justice Information Authority</td>
</tr>
<tr>
<td>Referral</td>
<td>No</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Diversion</td>
<td>No</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Detention</td>
<td>Yes</td>
<td>Yes</td>
<td>Juvenile Monitoring Information System (JMIS)</td>
</tr>
<tr>
<td>Petition</td>
<td>Yes</td>
<td>No</td>
<td>Administrative Office of the Illinois Courts (ADCIS)</td>
</tr>
<tr>
<td>Probation</td>
<td>Yes</td>
<td>No</td>
<td>ADCIS</td>
</tr>
<tr>
<td>Secure confinement (commitment to Illinois Department of Juvenile Justice)†</td>
<td>Yes</td>
<td>Yes</td>
<td>IDJJ</td>
</tr>
<tr>
<td>Transfer to adult court</td>
<td>Yes</td>
<td>No†</td>
<td>JMIS‡</td>
</tr>
</tbody>
</table>

**Conclusion**

Latinos represent a significant percentage of the youth population in Illinois, and the numbers will continue to grow in the coming years. Collecting better ethnicity data on youth in the juvenile justice system is the first step to reducing the number of Hispanic youth in a system that can potentially harm their future prospects. Collecting data disaggregated by ethnicity at each point will make Latinos visible in the system for the first time, and support implementation of policies and practices that can reduce Latino youth contact. The recommendations in this paper are ambitious, but achievable, and will serve as a roadmap to improving ethnicity data collection throughout the Illinois system. Making these changes to current policies and practices will ultimately result in directing more youth away from trouble and down the road to a better future.
Use of Data to Reduce Hispanic Contact with the Juvenile Justice System

Use of ethnicity data can help shape policies that effectively prevent many Hispanic youth from entering the juvenile justice system. For example, data demonstrating increased levels of arrest for Latino youth can help police departments identify a need for training their police officers on the cultural characteristics of Latino youth through programs which support more effective interactions and discriminations with Latino, reductions in profiling, and fewer misunderstandings between police officers and youth which can lead to unnecessary arrests. Moreover, generally, arrest data indicating DMC can uncover a need for local communities to create and support targeted prevention programs to keep minority youth out of the system.

Ethnicity data can also help prevent Hispanic youth who are already in the system from moving deeper into it. Data can inform police departments, courts, probation offices, and local and state juvenile justice systems of the need to hire diverse staff, require cultural training for offices, and detention and correctional facilities of the system. For example, data measuring the success rate of Hispanic youth in county-sponsored prevention programs to improve services. When data indicate a need for data measuring the success rate of Hispanic youth in county-sponsored prevention programs to improve services. When data indicate a need for intervention, programs to prevent deeper involvement into the juvenile system. For example, one youth said that he was stopped by a police officer and arrested when he was simply walking down the street with his girlfriend. Many Latinos believe that police officers target them specifically while they are on probation. “If they know you’re on probation, they try to mess with you,” one young person said. They also perceive that police officers and detention security guards treat them “like we’re bad influences” and offer protection for youth of other races or ethnicities.

Increasing the Illinois Juvenile Justice System’s Data Capacity to Improve System Fairness for Latino Youth

Data are important to understanding how Hispanic youth fare in the system and to implementing important policy and practice changes in response to identified needs. Because there are few quantitative data about Latino youth in the Illinois juvenile justice system, NCLR staff recently toured the Cook County detention center and talked with other system stakeholders in Cook County—including Latino youth, community service providers, and detention center personnel—to identify major issues that Latinos face in the system.

Ethnicity Data in Chicago

More data are available about Latino youth in the Cook County juvenile justice system than in any other county statewide. However, data on Hispanics in this system are still only available at four points: arrest, secure detention, secure confinement, and probation. Moreover, some of these data are collected in a nonstandardized way. For example, data on ethnicity by Illinois in Chicago are thorough, but are only available from the Chicago Police Department through a Freedom of Information Act (FOIA) request. First, youth involved in the juvenile justice system and their families often face systemic linguistic and cultural barriers. Latino youth may have to translate court proceedings for their parents, and Latino parents may have challenges communicating with staff at detention and correctional facilities. Within detention facilities, youth may be prohibited from speaking Spanish with one another when Spanish-speaking staff members are unavailable, due to security concerns with the inability of non-Spanish-speaking staff to monitor conversations. Moreover, while detention centers may be well-prepared to offer programming for Black youth, they are less equipped to incorporate Hispanic culture and language into their programs. In addition, Latino parents may experience harm in visiting their children who are detained in distant correctional facilities, especially if the parents have inflexible work schedules or lack childcare or transportation. Such hardships are exacerbated when, due to communication barriers, Latino parents are not informed when their son or daughter reaches the age of 17 and is transferred to an adult facility.

Second, Latino youth express feelings of being racially profiled and discriminated against in the Illinois system. Some young people describe being stopped by the police for “looking like gang-bangers” and subsequently being arrested. For example, one youth said that he was stopped by a police officer and arrested when he was simply walking down the street with his girlfriend. Many Latinos believe that police officers target them specifically while they are on probation. “If they know you’re on probation, they try to mess with you,” one young person said. They also perceive that police officers and detention security guards treat them “like we’re bad influences” and offer protection for youth of other races or ethnicities.

Third, there are not enough sources of holistic treatment of Latinos involved with the system. As representatives of community organizations and practitioners have identified, too many youth do not have access to delinquency prevention services such as after-school and mentoring programs provided by schools, community organizations, and faith-based organizations. Within the system, Hispanic youth lack comprehensive treatment because institutions do not work closely with one another. For example, mental health service providers don’t always have access to school records, such as individualized education programs (IEPs), medical records, or social histories, to incorporate this information when drawing up treatment plans for juveniles in detention. Moreover, Hispanic youth need more comprehensive probation and reentry plans to prevent recidivism and, in general, would benefit from greater integration of support services throughout the system. Clearly, Latinos in the Illinois juvenile justice system face real challenges that must be addressed by policymakers and practitioners. NCLR’s analysis of the system in Illinois demonstrates that available data—which render Hispanics virtually invisible—cannot adequately guide the creation, implementation, and evaluation of targeted policies and practices that can more effectively reduce Latino contact with the system and increase system fairness.

Recommendations

An effective juvenile justice system reduces the number of youth who make contact with the system, as well as uses its data to identify emerging problems in the juvenile justice system. For example, data indicating DMC at each of the nine major points of contact in the juvenile justice system. Such data would increase the visibility of Hispanic youth and, more significantly, enable agencies and institutions in the system to analyze data using accurate RVI values and implement targeted policies and practices to reduce the disproportionate contact of Latino youth with the Illinois juvenile justice system. The following recommendations provide a roadmap to strengthen data collection and improve the use of data to increase system fairness.

• Collect ethnicity data at each point of the juvenile justice system.

• The Illinois General Assembly should enact legislation requiring the collection of ethnicity data using the two-part ethnicity question at each of the nine major points of contact with the juvenile justice system. In 2011, the General Assembly passed SB 2271, requiring a legislative task force to recommend methods to properly capture race and ethnicity data at the arrest stage. However, these measures must go further. A statute requiring state agencies and institutions and juvenile justice systems at the state and local levels to collect ethnicity data based on the two-part ethnicity question would provide the information needed to accurately count the number of Latino youth throughout the entire juvenile justice system. Local and statewide agencies and institutions at each point in the system will be better able to respond to the needs and interests of Latino populations and to reduce disproportionate Latino contact with the system. Additionally, to ensure that agencies and institutions collect ethnicity data, this requirement should be tied to the receipt of funding over which the state has dispensing authority.

• State and local justice institutions should implement the two-part ethnicity question at every stage of the juvenile justice system. Even before a youth contacts the system, collecting ethnicity data at each point of contact with the juvenile justice system, each state and local