THE RIGHT TO A CHILDHOOD ought to exist for all young people regardless of their race, ethnicity, gender, sexual orientation, income, or ability.

The W. Haywood Burns Institute for Youth Justice

Fairness and Equity
What We Believe

From the time our children are born, we aspire for them to grow up in a loving environment with opportunities that keep them happy and healthy. As a society, we have an obligation to provide nurturing and positive supports for our young people so that they are able to reach their maximum potential.

The right to a childhood ought to exist for all young people regardless of their race, ethnicity, gender, sexual orientation, income, or ability.

Indeed, in many communities across this nation, children are expected to exhibit all of the characteristics of childhood—good and bad—as part of their normal adolescent development. However, this is not always the case for our youth of color.

In far too many communities of color, we have eliminated the space for children to exhibit age appropriate behavior by criminalizing their conduct through fear-based policies and practices.

It is time to reclaim childhood for youth of color. This is the work that we are committed to at the W. Haywood Burns Institute. We are a national organization dedicated to ridding youth justice systems, and other child-serving agencies, of the kinds of racial and ethnic disparities that threaten our children’s future and our nation’s democracy.

We believe that systemic policy and practice changes across youth serving systems, along with the intentional engagement of the local community on solutions, are our greatest hope towards actualizing the kinds of innovative change that will benefit the well being of our children.
Discrimination against youth of color was institutionalized within the earliest penal system so profoundly that it continues to influence policy that determines which youth are valued and which are neglected. To this day, our nation’s youth justice systems are rife with racial and ethnic inequities and a criminalization mentality that rips too many youth of color out of their homes and communities. This is a far-reaching problem of systemic proportions.

Nearly 55,000 youth were incarcerated on any given night in 2013, most (87 percent) for non-violent offenses. The majority (66 percent) were youth of color.

The Problem

The current scope of the problem of racial and ethnic disparities within youth justice exists on three interrelated levels:

1. **First, we are concerned with the disparate rates of incarceration for youth of color across the nation.**

   - **2013 Incarceration Rates for All Youth**
     - White: 1
     - Black: 4.6
     - Latino: 1.7
     - Native: 2.7
     - API: 0.3

   *Based on a one-day count of detention for all offenses in 2013.
   **Analysis of rate of incarceration by race and ethnicity relative to the general population rate.

   (Source: www.data.burnsinstitute.org)

   - **In 2013:**
     - **Black youth** were 4.6 times as likely than White youth to be incarcerated
     - **Native American youth** were 3.3 times as likely than White youth to be incarcerated
     - **Latino youth** were 1.7 times as likely than White youth to be incarcerated.
Secondly, we recognize the **disparate treatment** of youth of color compared to white youth, which occurs when youth of color who are similarly situated to White youth are nevertheless treated more harshly.

**There is no evidence to support the idea that kids of color commit more crime.** Black students were less likely than white students to have:

**Had five (5) or more drinks of alcohol in a row within a couple of hours**
- **Black:** 12.4%
- **White:** 24%
- **Latino:** 24.2%

**Ever used hallucinogenic drugs (such as LDF, acid, PCP, angel dust, mescaline, or mushrooms during their life**
- **Black:** 3.3%
- **Latino:** 9.1%
- **White:** 9.3%

**Yet disparate treatment of youth of color for drug offenses persist:**

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<tr>
<th>Ethnicity</th>
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<td>White</td>
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<td>Black</td>
<td>2.4</td>
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<tr>
<td>Latino</td>
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<td>Native</td>
<td>2.7</td>
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*Incarceration for Drug offenses, based on a one-day count of detention in 2013.
(Source: www.data.burnsinstitute.org)

**A third critical issue is unnecessary entry and deeper movement into the youth justice system by youth of color.** This occurs when youth of color are arrested when they could be diverted from the system, or when they are held in secure detention when they could be released to community-based alternative programs. Nearly 1/4 of all youth in detention are there because of mere technical or status violations like truancy, or even missing a therapy appointment due to transportation or parental guardian issues.

**Youth of Color in Detention for Non-Delinquent Offenses**

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*Incarceration for technical and status violations, based on a one-day count of detention in 2013
**Non-delinquent offenses are offenses that are illegal for underage persons, but not for adults. For instance, curfew violations, being “incorrigible” (beyond the control of parents, guardians, or custodians), running away, not attending school, underage drinking, underage smoking, etc.
(Source: www.data.burnsinstitute.org)
James Bell, our founding Executive Director and a longtime public advocate for system-involved young people, established the W. Haywood Burns Institute (BI) in 2002. Since that time, we have dedicated our efforts towards the creation of community-centered responses to normal adolescent behavior that are equitable and restorative, and which transform youth justice systems near and far.

**Our Solution**

The BI drives collaborative efforts amongst community and system stakeholders to use data to identify and eliminate racial and ethnic disparities in youth justice. We also build the capacity of families and organizations to redirect resources to community-based interventions that are more effective in keeping kids out of the system.

The BI is a technical assistance and training provider that offers expert consultation to communities that want to challenge racial inequities within their local youth justice systems. We have the distinction of being one of the primary technical assistance providers for the John D. and Catherine MacArthur Foundation’s Models for Change initiative, the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI), and the Office of Juvenile Justice & Delinquency Prevention (OJJDP) at the U.S. Department of Justice.

Our consultation services are designed to meet the unique needs of each community. Our experience working in jurisdictions across the nation has enabled us to intimately understand the basic components of an effective technical assistance and training approach.

**About the Burns Institute**

Our efforts have enabled local youth justice systems to achieve success and prove that racial and ethnic disparities are a solvable problem.

**ATLANTIC COUNTY (NJ)**

Our work led to a 50% reduction of the use of secure detention facilities for Black youth over a four-year period. This meant that 122 fewer Black children were taken from their communities and incarcerated during this time.

**BALTIMORE COUNTY (MD)**

In just one year, we helped the county decrease the use of secure detention facilities for failing to appear by 48% for all youth and 55% for African-American youth.
POLICY
Identifying and analyzing local system data to locate racial and ethnic disparities in youth justice.

Summarizing prominent research and reports from the youth justice field to assist us in our work.

Advocating for reforms that benefit system-involved kids of color.

SITE-BASED TECHNICAL ASSISTANCE & TRAINING IN JURISDICTIONS

Directing and guiding collaborative efforts to address racial and ethnic disparities.

Facilitating strategy development with jurisdictions so that they have a clear institutional response to using data that includes key indicators of all youth justice system decision-making points.

Implementing new or expanded alternatives to detention programs, such as day and evening reporting centers, home confinement and shelter care, that can be used in lieu of locked detention.

COMMUNITY JUSTICE NETWORK FOR YOUTH (CJNY)

Offering technical assistance in the areas of organizational development, community engagement, and data collection & analysis

Facilitating peer-to-peer exchanges to share knowledge, expertise and experience to further collaboration, increase community supports and strengthen organizational relationships.

Networking & convening to form a shared analysis on current youth justice issues with the goal of collective action.

Leading local Task Forces across the country to equip communities with critical information about the youth justice system through interactive trainings, organizing support, and spaces for collective long-term strategizing.

Building a pipeline of youth justice leaders that have the capacity and tools to actively participate in national and regional campaigns for reforms.

JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI), A PARTNERSHIP WITH THE ANNIE E. CASEY FOUNDATION

Providing technical assistance and training to build the capacity of JDAI consultants to enable jurisdictions to:

Identify policies and practices that contribute to racial and ethnic disparities.

Utilize objective admissions criteria and risk assessment instruments to replace subjective decision-making processes to determine whether or not youth should be placed in secure detention facilities.

The BI is in pursuit of an equitable and excellent youth justice system; one used sparingly and appropriately.

If your jurisdiction is currently engaged in a process to reduce racial and ethnic disparities within youth justice and would like expert advice to improve your efforts, then please contact us to get started.