

DISPROPORTIONATE MINORITY  
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A WORKING PAPER

SUBMITTED TO THE JUVENILE JUSTICE  
ADVISORY GROUP

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## INTRODUCTION

This Working Paper is submitted to the Juvenile Justice Advisory Group through its Disproportionate Minority Contact Subcommittee. It serves as a review of Disproportionate Minority Contact and related factors in Delaware as of late 2006. It is hoped that this review will generate discussion and recommendations for positive change in Delaware's Juvenile Justice System as it attempts to treat the kids brought into the system in a fair, appropriate, and progressive manner.

## Social Demographics

According to the United States Census Bureau<sup>1</sup> it is estimated that as of 2005 Delaware has 818,587 residents. Of that figure 23.9% are juveniles, which compares with the national percentage of 25.5% juvenile. The racial breakdown of the total population as calculated by the Census Bureau is 73.6% white and 19.9% African American with the remainder being from other races. Hispanics are included in the white and African American categories. The national percentages are 74.7% white and 12.1% African American. Juveniles in Delaware, however reflect a larger minority representation as according to the Office of Juvenile Justice Programs, whites represent 72% of the juvenile population, African Americans represent 25% and the remainder (3%) was from other groups<sup>2</sup>. Economically, Delaware's families rank 11<sup>th</sup> nationally in family income and 10<sup>th</sup> in household income<sup>3</sup>. For the period 2003 through 2005, 18.9% of Delaware's children lived with underemployed parents while nationally the figure was 21.9%<sup>4</sup>. For the U.S. for the timeframe 2003 through 2005 17.4% of kids lived in poverty while in Delaware the figure was 12.2%<sup>5</sup>. Looking at it another way, 24.9% of Delaware children living in a one-parent household also lived in poverty, while the figure for two-parent households was 6%<sup>6</sup>. Nationally, 30.9% of children lived in one-parent households while in Delaware the figure was 33.6%<sup>7</sup>. Educationally, Delaware's ranks 28<sup>th</sup> in percentage of high school graduates, and 20<sup>th</sup> in percentage of residents with a four-year college degree<sup>8</sup>.

DELAWARE ECONOMIC FACTORS STANDING		
	UNITED STATES	DELAWARE
% Kids living with underemployed parents	21.9%	18.9%
% Kids living in poverty	17.4%	12.2%
% Kids in one-parent households	30.9%	33.6%

<sup>1</sup> U.S. Census Bureau American Fact Finder

<sup>2</sup> OJJDP Easy Access to Juvenile Populations

<sup>3</sup> OJJDP Easy Access to Juvenile Populations

<sup>4</sup> Kids Count Delaware Fact Book 2006

<sup>5</sup> Kids Count Delaware Fact Book 2006

<sup>6</sup> Kids Count Delaware Fact Book 2006

<sup>7</sup> Kids Count Delaware Fact Book 2006

<sup>8</sup> U.S. Census Bureau American Fact Finder

Looking further at social demographics, Kids Count reported that in 2000 of households with children, 67% were headed by married couples and 26% were headed by women. Further, also in 2000, 51% of Delaware households had children and 49% did not<sup>9</sup>. Kids Count reported that for every 1,000 Delaware girls aged 15 to 19, 46.9 children were born in the period 1999-2003. Nationally the figure was 45.6. Breaking the data down by race revealed that the figure for African American girls was 80.3 and the figure for white girls was 36.4<sup>10</sup>. For the period 1999-2003 nationally 33.7% of births were to single mothers while in Delaware that figure was 39.8%<sup>11</sup>. Breaking Delaware's data down by race revealed that 30% of births to white women were to single mothers while for African Americans the figure was 71.1%<sup>12</sup>. Educationally, the dropout rate for Delaware's public high school students was 6.1% for the period 2003-2004. Breaking it down by race, the rate for white students was 4.9%, the rate for African American students was 7.3% and the rate for Hispanic students was 12%<sup>13</sup>.

To summarize the data reported above, Delaware's residents are better off financially than are U.S. citizens in general. However, despite the financial advantages, Delaware ranks in the middle of the states in many of the other categories considered. It also appears that the socio-economic disadvantages are more prevalent in the minority populations than they are in the white population.

<b>BIRTHS 1999-2003</b>		
	<b>UNITED STATES</b>	<b>DELAWARE</b>
<b>Births per 1,000 girls aged 15-19</b>	45.6	46.9
<b>Births to single mothers</b>	33.7%	39.8%

<b>DELAWARE PUBLIC HIGH SCHOOL DROPOUT RATE BY RACE 2003-2004</b>				
	<b>WHITE</b>	<b>AFRICAN AMERICAN</b>	<b>HISPANIC</b>	<b>TOTAL</b>
<b>NEW CASTLE COUNTY</b>	4.8%	7.4%	12.6%	6.1%
<b>KENT COUNTY</b>	5%	7.2%	10.1%	5.7%
<b>SUSSEX COUNTY</b>	5.5%	7.3%	10.8%	6.1%
<b>DELAWARE</b>	4.9%	7.3%	12%	6.1%

Delaware's three counties are distinctly different from each other and the juvenile populations of each county are clearly distinctly different from each other. According to OJJDP population estimates, as of 2005 there are 201,679 juveniles living in Delaware.

<sup>9</sup> Kids Count Delaware Fact Book 2006  
<sup>10</sup> Kids Count Delaware Fact Book 2006  
<sup>11</sup> Kids Count Delaware Fact Book 2006  
<sup>12</sup> Kids Count Delaware Fact Book 2006  
<sup>13</sup> Kids Count Delaware Fact Book 2006

Of that total 127,289 or 63.1% reside in New Castle County, which is the only urban/suburban county of the three. Wilmington, Delaware’s largest city at a little more than 72,000 people is in New Castle County. It exhibits many of the same urban problems faced by its urban neighbors such as Philadelphia PA, Chester PA, and Camden NJ. Crime, specifically shootings and murders, is a serious problem. The balance of the county is characterized by suburban sprawl but a relatively high standard of living. The 2004 U.S. Census Bureau demographic data indicates that 70% of New Castle County’s juveniles are white, that 26% are African American and that the remaining 4% are classified as “other”. (It should be noted that Hispanics are not broken out.) The most recent demographic figures for Wilmington are from the U.S. Census Bureau for 2000 and estimate that 67% of Wilmington’s juveniles are African American, 16% white and 14% Hispanic. Thus, while the county as a whole is largely white, Wilmington is largely African American. Kids Count studies social characteristics that effect children and it reported in its 2005 Fact Book that of families with children in New Castle County, 67% are headed by married couples and 26% by a female. The figures for Wilmington are 40% headed by married couples and 52% by a female. Further, for the period 1999-2003 103.4 children were born to Wilmington girls aged 15-19 (per 1,000). For New Castle County as a whole, the rate was 41.9. Additionally according to Kids Count, for the period 1999-2003 69% of Wilmington’s births were to single mothers while the figure for New Castle County as a whole was 37.6%. The high school dropout rate (public schools grades 9 through 12) for New Castle County for the period 2003-2004 was 6.1%. For white youths the figure was 4.8% and for African American youths the figure was 7.4%. For Hispanic youths the figure was 12.6%.

<b>NEW CASTLE COUNTY/WILMINGTON JUVENILE POPULATION %</b>				
	<b>NEW CASTLE COUNTY</b>		<b>WILMINGTON</b>	
	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>
<b>JUVENILE POPULATION</b>	70%	26%	16%	67%

<b>DELAWARE JUVENILE POPULATION % BY RACE AND COUNTY</b>								
	<b>NEW CASTLE COUNTY</b>		<b>KENT COUNTY</b>		<b>SUSSEX COUNTY</b>		<b>DELAWARE</b>	
	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>
<b>JUV. POP.</b>	70%	26%	74%	23%	77%	21%	72%	25%

Kent County is the “middle county” (geographically north/south). Kent County includes the State Capital Dover (population approximately 34,000), the Dover Air Force Base, and largely rural areas. Its population for 2005 includes 36,648 juveniles, which represents 18.2% of the juvenile population statewide<sup>14</sup>. White youths constitute approximately 74% of the juvenile population and African American youths account for

<sup>14</sup> OJJDP Easy Access to Juvenile Populations

about 23% of the population<sup>15</sup>. The balance of 3% is made of other races. Hispanics are not listed as a separate category and are included in the white and African American figures. Kids Count reports (2000 U.S. census) that in Kent County 66% of families with children are headed by married couples and a woman heads 26%. For the period 1999-2003, 51.1 children were born to every 1,000 Kent County girls aged 15-19<sup>16</sup>. In Kent County for the period 1999-2003 40% of births were to single mothers<sup>17</sup>. The high school dropout rate for the period 2003-2004 (public schools grades 9-12) was 5.7%, which represents the lowest overall rate among the three counties. For white youths the figure was 5% and for African American youths the rate was 7.2%. The rate for Hispanic youths was 10.1%<sup>18</sup>.

Sussex County is the largest and most southern of Delaware's three counties. With the exception of the resort areas in the east, it is a rural county with a number of small towns. The resort areas attract tourists from Delaware and neighboring states. It also attracts retirees. Evidence that family structure is different in Sussex County than in the rest of the state is that according to the 2000 census 57% of Sussex County families do not have children in the household<sup>19</sup>. In New Castle and Kent Counties the figures are 46% and 46% respectively. According to 2005 OJJDP population estimates, 37,742 juveniles reside in Sussex County which represents 18.7% of the juvenile population statewide. The 2004 U.S. Census Bureau demographic data indicates that 77% of the juveniles are white and 21% are African American with 2% being classified as "other". Hispanics are not considered a separate category. Sussex County has seen a large influx of Hispanic individuals over the past 15 years. For different reasons (including the difficulty in measuring accurately the numbers), the effects of this population on the social demographics of the County have probably not been accurately measured to date. As reported in the 2000 census 66% of households including children are headed by married couples and 26% are headed by females<sup>20</sup>. According to Kids Count for the period 1999-2003, 60.5 children were born to Sussex County girls (per 1,000) each year. Additionally, for the period 1999-2003, 47.6% of births in Sussex County were to single mothers. For the period 2003-2004, the high school dropout rate for Sussex County public school students was 6.1%. The figure for white kids was 5.5%, for African American kids it was 7.3% and for Hispanic kids 10.8%<sup>21</sup>.

## Arrests

It is helpful to continue this report with a review of juvenile arrest data in Delaware currently, and to compare it to the recent past. For calendar year 2005, as reported to the Office of Juvenile Justice Programs (OJJP) in March of 2006<sup>22</sup>, Delaware Justice Information Systems (DELJIS) reported a total of 7,333 juvenile arrests. This compares with the 8,629 juvenile arrests reported (Statistical Analysis Center SAC) to

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<sup>15</sup> OJJDP Easy Access to Juvenile Populations

<sup>16</sup> Kids Count Delaware Fact Book 2006

<sup>17</sup> Kids Count Delaware Fact Book 2006

<sup>18</sup> Kids Count Delaware Fact Book 2006

<sup>19</sup> Kids Count Delaware Fact Book 2006

<sup>20</sup> Kids Count Delaware Fact Book 2006

<sup>21</sup> Kids Count Delaware Fact Book 2006

<sup>22</sup> Delaware Criminal Justice Council Juvenile Justice Three-Year Comprehensive Plan FY 2006

OJJP for calendar year 2002<sup>23</sup>. The total number of juvenile arrests decreased by 15% over the three-year period. For 2005 the number of arrests per 1,000 youths aged 10-17 in 2005 was 76.7 while the rate for 1,000 youths aged 10-17 in 2002 was 98.9. The arrest rate per 1,000 youths aged 10-17 declined by 22.4% over the same three-year period. (The fact that the arrest rate declined at a higher rate than the total arrest rate is due to the fact that the number of youths in the age group grew by an estimated 8,400 over the three-year period.) The total number of arrests for each statistically significant race for which we have data (Hispanic arrest data is not available) also decreased over the three-year period. The total for white youth declined by 15.1% while the total for African Americans decreased by 8.8%. The total for Asian youth declined by 38.2% (34 to 21). The Relative Rate Index (RRI) for arrests for 2005 was comparable to that of 2002. For African Americans the rate was 2.63 in 2005 while in 2002 it was 3.53. For Asian youth the RRI was .15 in 2005, while in 2002 it was .25.

Breaking the arrest data down by county, New Castle County juveniles totaled 3,963 arrests in 2005, which is a decrease of 8.6% from the 4,336 in 2002<sup>24</sup>. In 2005 African American juveniles accounted for 53.2% of the total with whites making up the balance. In 2002, African American juveniles accounted for 53.1% of the total with white kids making up the balance. White youths were arrested at a rate of 48.52 per 1,000 and African American youths were arrested at a rate of 131.59 per 1,000. The RRI was 2.71.

For at least the past eleven years Delaware has been concerned with and has struggled to combat shootings in Wilmington. The problem has been studied and significant resources have been allocated to fight the problem but it persists. As illustrated by the table on the next page,<sup>25</sup> from January of 1995 through December 31<sup>st</sup> of 2006, 891 individuals have been shot in the City of Wilmington. The annual average for the period is 81 victims. Of the 891 victims, 98 (11.0%) are juveniles. Interestingly, the highest total of juvenile victims (and percentage) occurred in 1996 and again in 1997. With the exceptions of 2004 and 2006 the total of juvenile shooting victims has decreased pretty steadily since 1997. Of the 345 individuals who are suspects in the 891 shootings, 51 (14.8%) are juveniles. In contrast to the decline in the number of juvenile victims over the period, the number of juvenile suspects has increased dramatically over the past two years. More alarmingly, the number of juvenile suspects for 2006 is double the number for 2005.

The second table on the next page breaks the juvenile shooting victim/suspect data down by race for 2005 and 2006, the only two years for which the data are available. The table illustrates that 82% of the juvenile victims for the period are African American (1 white and 1 Latino) and 95% of the known juvenile suspects are African American (1 Latino). Although this report focuses on juveniles, it should be noted that in 2005, 85% of Wilmington's total shooting victims were African American and 93% of the known suspects were African American. For 2006, 91% of 2006's shooting victims were African American (4% white and 6% Latino). Of the known suspects, 96% were African American and 4% were Latino.

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<sup>23</sup> Delaware Criminal Justice Council Juvenile Justice Three-Year Comprehensive Plan FY 2003

<sup>24</sup> DELJIS (Delaware Justice Information System)

<sup>25</sup> Criminal Justice 2006 Shootings in Wilmington Report, A Working Paper

<b>WILMINGTON SHOOTINGS WITH KNOWN SUSPECTS</b>						
<b>YEAR</b>	<b>TOTAL VICTIMS</b>	<b>JUVENILE VICTIMS</b>	<b>PCT. JUV. VICT.</b>	<b>TOTAL SUSPECTS</b>	<b>JUV. SUSPECTS</b>	<b>PCT. JUV. SUSP.</b>
<b>1996</b>	107	20	18.7	14	3	21.4
<b>1997</b>	107	20	18.7	40	4	10.0
<b>1998</b>	73	8	11.0	28	5	17.9
<b>1999</b>	56	7	12.5	23	2	8.7
<b>2000</b>	60	5	8.3	19	2	10.5
<b>2001</b>	61	6	9.8	24	3	12.5
<b>2002</b>	87	4	4.6	30	2	6.7
<b>2003</b>	60	5	8.3	30	0	0.0
<b>2004</b>	95	11	11.6	38	3	7.9
<b>2005</b>	82	5	6.1	34	9	26.5
<b>2006</b>	103	7	6.8	65	18	27.7
<b>TOTAL</b>	891	98	11.0	345	51	14.8

<b>2005-2006 JUVENILE SHOOTING VICTIMS AND SUSPECTS BY RACE</b>						
	<b>JUVENILE KNOWN VICTIMS</b>	<b>AFRICAN AMERICANS</b>	<b>PCT.</b>	<b>JUVENILE KNOWN SUSPECTS</b>	<b>AFRICAN AMERICANS</b>	<b>PCT.</b>
<b>2005</b>	5	3	60	9	9	100
<b>2006*</b>	6	6	100	13	12	92
<b>TOT.</b>	11	9	82	22	21	95

\* Through 9/30/2006

In Kent County in 2005 1,638 juveniles were arrested which was an increase of 10.5% from the 1,482 total in 2002<sup>26</sup>. African American youths accounted for 50.4% of the 2005 total and 46% of the total in 2002. White juveniles accounted for the balance in each year. White youths were arrested at a rate of 70.71 per thousand and African American youths were arrested at a rate of 191.34 per thousand. The RRI was 2.71.

Sussex County had 1,732 juvenile arrests in 2005, which was an increase of 2.0% from the 2002 total of 1,698 arrests<sup>27</sup>. White youths accounted for 57.4% of the juvenile arrest total in 2005 and 57.1% of the juvenile arrest total in 2002. African American youths accounted for the balance in each year. White youths were arrested at a rate of 77.8 per thousand and African American youths were arrested at a rate of 209.1 per thousand. The RRI was 2.69.

<sup>26</sup> DELJIS

<sup>27</sup> DELJIS

The table below illustrates that in 2005 while the arrest rates per thousand youths differed significantly by race and by county, the Relative Rate Index was consistent.

<b>2005 ARREST RATES &amp; RRI BY COUNTY</b>			
<b>COUNTY</b>	<b>ARREST RATE PER 1,000</b>		<b>RELATIVE RATE INDEX</b>
	<b>WHITE</b>	<b>AFRICAN AMERICAN</b>	
<b>NEW CASTLE</b>	48.52	131.59	2.71
<b>KENT</b>	70.71	191.34	2.71
<b>SUSSEX</b>	77.83	209.06	2.69
<b>STATEWIDE</b>	58.59	153.85	2.63

Despite the overall decrease in juvenile arrests in 2005 from 2002, the arrest total for Part I Violent Crimes was 559 in 2005, while in 2002 it was 492<sup>28</sup>. Thus although the total arrests were down 15% over the 3 year period, the arrests for Part I violent crimes were up 13.6%. Further the percentage of the total arrests that were for violent crimes increased from 5.7% in 2002 to 7.6% in 2005. Rape, Robbery, and Aggravated Assault, each had a higher number of arrests in 2005 than in 2002. (Although the data is not available for 2004 and 2005, it is interesting to note that nationally the rates were declining for robbery, rape, and aggravated assault through 2003<sup>29</sup>.) The biggest increase was in rape however, which “spiked” at 80 in 2005 while being between 40 and 47 for 2002 through 2004<sup>30</sup>. In 2002, white juveniles accounted for 36.6% of the violent crimes arrests while constituting 75.9% of the juvenile population. In 2002, African American juveniles accounted for 63.2% of the violent crimes arrests while constituting 20.1% of the juvenile population. In 2005, white juveniles accounted for 37.2% of the violent crimes arrests while constituting 74.5% of the juvenile population. African American juveniles accounted for 62.8% of the violent crimes arrests in 2005 while constituting 19.8% of the juvenile population. Breaking the crimes down by race revealed that the percentages for each type of crime were similar in 2002 and 2005. Whites and African Americans each accounted for approximately 50% of the rapes in each year. African Americans accounted for almost 60% of the Aggravated Assault arrests each year while whites accounted for a little more than 40%. The biggest discrepancy was in Robbery with African Americans accounting for between 75% and 80% each year and whites accounting for a little more than 20% each year.

<sup>28</sup> DELJIS

<sup>29</sup> U.S. Department of Justice OJJDP Juvenile Offenders and Victims: 2006 National Report

<sup>30</sup> DELJIS



<b>JUVENILE ARRESTS BY RACE</b>								
	<b>WHITE</b>				<b>AFRICAN AMERICAN</b>			
	<b>2005</b>	<b>2002</b>	<b>DIFF.</b>	<b>%</b>	<b>2005</b>	<b>2002</b>	<b>DIFF.</b>	<b>%</b>
<b>TOTAL ARRESTS</b>	3,646	4,293	647	-15.1	3,658	4,012	354	-8.8
<b>PART I VIOLENT CRIME ARRESTS</b>	208	180	28	+15.6	351	311	40	+12.9

The table below illustrates the percentage of juvenile arrests by race that are Part I Violent Crimes. It is clear that the Part I Violent Crime percentage for African American youths was much greater in both 2002 and 2005. It is interesting to note that the percentage change from 2002 to 2005 was much greater for white youths than African American youths.

<b>PART I VIOLENT CRIME ARREST PCT. OF JUVENILE ARRESTS BY RACE</b>			
	<b>2005 PCT.</b>	<b>2002 PCT.</b>	<b>PCT. CHANGE</b>
<b>WHITE</b>	5.7	4.2	35.7
<b>AFRICAN AMERICAN</b>	9.6	7.8	23.1

Breaking the data down by counties reveals that New Castle County had 319 arrests in 2005 for Part I Violent Crimes and 313 arrests in 2002<sup>31</sup>. The difference was an increase of 2%, which was due to an increase in rape arrests. The racial breakdown was 31.3% white and 68.7 African American in 2005 and 31% white and 69% African American in 2002. Racial breakdown by crime was generally consistent with whites accumulating about 20% of the robbery arrests and 35% of the aggravated assault arrests with African Americans accumulating the balance. The exception was rape where the number of white arrests increased by 81% (20) in 2005 over 2002 (11) while the number of African American arrests increased by 14% (14 to 16). Demographically New Castle County is by far Delaware's most populous county. Without listing Hispanics as a separate category, New Castle County includes 63% of Delaware's juvenile population (61.5% of white juveniles and 66.3% of African American juveniles). In 2005, 57.1% of Delaware's Part I Violent Crimes juvenile arrests occurred in New Castle County. In 2002 that figure was 63.6%. Further, in 2005, 48.1% of Delaware's Part I Violent Crimes arrests of whites occurred in New Castle County and 62% of the arrests for African American youths occurred in New Castle County. In 2002, the figures were 54% for

<sup>31</sup> DELJIS

white juveniles and 69.4% for African American juveniles. New Castle County includes Wilmington a City of more than 70,000 people, Delaware's only urban community. In Wilmington approximately 2/3 of the juveniles are African American.

<b>NEW CASTLE COUNTY 2005</b>				
	<b>% JUV. POP.</b>	<b>% H.S. DROPOUTS</b>	<b>% TOT. JUV. ARRESTS</b>	<b>% TOT. PT. I VIOL. CRIM.</b>
<b>WHITES</b>	70	4.8	46.8	31.3
<b>AFRICAN AMERICANS</b>	26	7.4	53.2	68.7

Kent County totaled 137 juvenile arrests in 2005 for Part I Violent Crimes, which is an increase of 42.7% over the 96 recorded in 2002<sup>32</sup>. African American youths represented 73.2% (30) of the increase (41) in 2005 from 2002. Rape arrests increased 155% from 11 to 28; robbery arrests increased 115% from 13 to 28, and aggravated assault arrests increased by 12.5% from 72 to 81. The breakdown by race was 39.4% white and 60.6% African American in 2005 and 43.9% white and 56.1% African American in 2002. The racial percentages were pretty consistent for aggravated assault arrests with whites accounting for about 45% in 2002 and 2005 and African Americans accounting for the balance each year. The numbers for rape and robbery were different however. Whites accounted for 17.9% (5) of the robbery arrests in 2005 and 15.4% (2) in 2002 with African Americans accounting for the balance. Whites represented 46.4% (13) of the rape arrests in 2005, but 63.7% (7) of the arrests in 2002. African Americans represented 53.6% (15) of the rape arrests in 2005 and 36.4% (4) of the rape arrests in 2002. Kent County is the least populous of Delaware's three counties as in 2005 approximately 18.3% (18.4% white and 18.4% African American) of Delaware's juveniles lived there. In 2005, 24.5% (137) of the arrests for Part I Violent Crimes occurred in Kent County while in 2002 the figure was 19.5% (96). In 2005 Kent County white youths accounted for 26% (54) of Delaware's white youths arrested for Part I Violent Crimes and in 2002 the figure was 24% (43). For African American youths the figures were 23.6% (83) in 2005 and 17.0% (53) in 2002.

<b>KENT COUNTY 2005</b>				
	<b>% JUV. POP.</b>	<b>% H.S. DROPOUTS</b>	<b>% TOT. JUV. ARRESTS</b>	<b>% TOT. PT. I VIOL. CRIM.</b>
<b>WHITES</b>	74	5	49.6	39.4
<b>AFRICAN AMERICANS</b>	23	7.2	50.4	60.6

Sussex County experienced 103 juvenile arrests in 2005 for Part I Violent Crimes, which was an increase of 25.6% from the 82 that were recorded in 2002<sup>33</sup>. Whites

<sup>32</sup> DELJIS

<sup>33</sup> DELJIS

accounted for 52.4% of the total in 2005 and 48.8% in 2002. African Americans accounted for 47.6% of the total in 2005 and 51.2% in 2002. Whites accounted for 67% of the increase over the period. Overall, rape arrests (5 to 16) and robbery arrests (8 to 20) increased over the period while aggravated assault arrests (67) remained the same. The breakdown by race however was different however as African American youths had a higher number of arrests for rape (9-7) and robbery (12-8) than white youths in 2005 while white youths had a higher number of arrests for aggravated assault (39-28). In 2002 the breakdown was more even: rape white 3, African American 2; robbery white 3, African American 5; and aggravated assault white 33 and African American 34. As of 2005 18.7% of Delaware's juveniles live in Sussex County (20.1% white and 15.6% African American). In 2005, 18.4% of Delaware's juvenile arrests for Part I Violent Crimes occurred in Sussex County while in 2002 the figure was 16.7%. In 2005 Sussex County white youths accounted for 26% (54) of Delaware's white youths arrested for Part I Violent Crimes and in 2002 the figure was 22.2% (40). In 2005 Sussex County African American youths accounted for 14% (49) of Delaware's African American youths arrested for Part I Violent Crimes while in 2002 the figure was 13.5% (42).

<b>SUSSEX COUNTY 2005</b>				
	<b>% JUV. POP.</b>	<b>% H. S. DROPOUTS</b>	<b>% TOT. JUV. ARRESTS</b>	<b>% TOT. PT. I VIOL. CRIM.</b>
<b>WHITES</b>	77	5.5	57.4	52.4
<b>AFRICAN AMERICANS</b>	21	7.3	42.6	47.6

The table below illustrates that in 2005 the Relative Rate Index was 68% higher for Part I Violent Crimes arrests than it was for the total juvenile arrests. The difference was most significant in New Castle County where the RRI was 93% higher for Part I Violent Crimes arrests than it was for the juvenile arrest total. The RRI for Kent County was 51% higher for Part I Violent Crimes arrests than for total juvenile crimes arrests. In Sussex County the RRI for Part I Violent Crimes arrests was 22% higher than it was for the juvenile arrest total.

<b>2005 PART I VIOLENT CRIMES RATES BY RACE AND COUNTY AND RELATIVE RATE INDEX</b>			
<b>COUNTY</b>	<b>ARREST RATES PER 1,000</b>		<b>RELATIVE RATE INDEX</b>
	<b>WHITE</b>	<b>AFRICAN AMERICAN</b>	
<b>NEW CASTLE</b>	2.62	13.67	5.22
<b>KENT</b>	4.70	19.23	4.09
<b>SUSSEX</b>	4.23	13.88	3.28
<b>STATEWIDE</b>	3.33	14.70	4.42

The tables below illustrates 2005 and 2002 Part I Violent Crimes in Delaware juvenile arrests by crime, race and county. The percentages reflect the percentage of each crime in each county by each of the races tracked.

<b>2005 PART I VIOLENT CRIMES</b>																
	<b>DELAWARE</b>				<b>NEW CASTLE</b>				<b>KENT</b>				<b>SUSSEX</b>			
	A.A.	%	White	%	A.A.	%	White	%	A.A.	%	White	%	A.A.	%	White	%
Murd./Non. Neg.Man.	3	100	0	0	3	100	0	0	0	0	0	0	0	0	0	0
Neg. Man.	0	0	1	100	0	0	1	100	0	0	0	0	0	0	0	0
Rape	40	50	40	50	16	44	20	56	15	54	13	46	9	56	7	44
Robbery	124	79	32	21	89	82	19	18	23	82	5	18	12	60	8	40
Aggrav. Ass.	184	58	135	42	111	65	60	35	45	56	36	44	28	42	39	58
Total	351	63	208	37	219	69	100	31	83	61	54	39	49	48	54	52

<b>2002 PART I VIOLENT CRIMES</b>																
	<b>DELAWARE</b>				<b>NEW CASTLE</b>				<b>KENT</b>				<b>SUSSEX</b>			
	A.A.	%	White	%	A.A.	%	White	%	A.A.	%	White	%	A.A.	%	White	%
Murd./Non. Neg Man.	2	67	1	33	1	100	0	0	0	0	0	0	1	50	1	50
Neg. Man.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	20	49	21	51	14	56	11	44	4	36	7	64	2	40	3	60
Robbery	103	77	30	22	87	78	25	22	11	85	2	15	5	62	3	38
Aggrav. Assault	186	59	128	41	114	65	61	35	38	43	34	47	34	51	33	49
Total	311	63	180	37	216	69	97	31	53	56	43	44	42	51	40	49

<b>CHANGE IN PART I VIOLENT CRIMES 2002-2005</b>																
	<b>DELAWARE</b>				<b>NEW CASTLE</b>				<b>KENT</b>				<b>SUSSEX</b>			
	A.A.	%	W	%	A.A.	%	W	%	A.A.	%	W	%	A.A.	%	W	%
Murd./Non.Neg. Man	1	50	-1	-100	2	200	0	0	0	0	0	0	-1	-100	-1	-100
Neg. Man.	0	0	1	100	0	0	1	100	0	0	0	0	0	0	0	0
Rape	20	100	19	90	2	14	9	82	11	275	6	86	7	350	4	133
Robbery	21	20	2	7	2	2	-6	-24	12	110	3	150	7	240	5	267
Aggrav. Ass.	-2	-1	7	5	-3	-3	-1	-2	7	18	2	6	-6	-18	6	18
Total	40	13	28	16	3	1	3	3	30	57	11	26	7	17	14	35

## Family Court Juvenile Cases

In Delaware all juvenile criminal arrests (unless they qualify for diversion or are transferred to Superior Court) are sent to Family Court. Statewide, in 2005, Family Court received 8,475 petitions (charges) concerning juveniles<sup>34</sup>. This reflects a decrease of 9.8% from the total of 9,399 petitions that were received in 2002<sup>35</sup>. In 2005, 49.8% of the petitions were against white youth, and 50% were against African American youth. This compares with the 2002 figures of 50.8% against white youth and 49% against African American youths. The Relative Rate Index (RRI) for African American youth in 2005 was 1.00 and in 2002 it was 1.03. Statewide delinquency was found in 55% of the cases in 2005 and 54% of the cases in 2002. For white youths, delinquency was found in 53% of the cases in 2005 and 50.9% of the cases in 2002. For African American youths, delinquency was found in 57.1% of the cases in 2005 and 57.3% of the cases in 2002. The RRI of African American youth was 1.08 in 2005 and 1.13 in 2002. In 2005, statewide 268 (3.65%) arrests were diverted from court in 2005, which compares with the 179, (2.07%), which were diverted in 2002. In 2005 white youth arrests were diverted from court 122 times (3.35%) and black youths were diverted 146 times (3.99%). The RRI for 2005 was 1.19. In 2002 white youths were diverted 63 times (1.47%) and African American youths were diverted 116 times (2.89%). The RRI for 2002 was 1.97. In 2005, cases were transferred to the adult court (Superior) 228 times compared to the 147 cases that were transferred in 2002. In 2005 67 (1.59%) transfers were of white youths and 161 (3.80%) were of African American youths. In 2002, the figures were 52 white youths (1.09%) and 95 African American youths (2.06%). The Relative Rate Index of black youths for 2005 was 2.39 and for 2002 it was 1.89.

The table below illustrates that Family Court's results are consistent with the arrest statistics highlighted previously. The decreases in 2005 from 2002 in petitions filed, delinquency findings, and probation orders, reflect an overall decrease in criminal arrests over the period. The increases in secure confinement commitments and transfers to Superior Court reflect the increase in Part I Violent Crimes arrests.

<b>FAMILY COURT JUVENILE ACTIONS</b>				
	<b>2005<sup>36</sup></b>	<b>2002<sup>37</sup></b>	<b>DIFFERENCE</b>	<b>% CHANGE</b>
PETITIONS	8,475	9,399	-924	-9.8%
DELINQUENT	4,662	5,079	-417	-8.2%
PROBATION	2,293	2,720	-427	-15.7%
SEC. CONF.	144	129	15	+11.6%
ADULT CT.	228	147	81	+55.1%
DIVERTED	268	179	89	+49.7%

<sup>34</sup> Family Court statistical table submitted to Criminal Justice Council for Juvenile Justice Three-Year Comprehensive Plan FY 2006

<sup>35</sup> Family Court statistical table submitted to Criminal Justice Council for Juvenile Justice Three-Year Comprehensive Plan FY 2003

<sup>36</sup> Family Court statistical table submitted to Criminal Justice Council for Juvenile Justice Three-Year Comprehensive Plan FY 2006

<sup>37</sup> Family Court statistical table submitted to criminal Justice Council for Juvenile Justice Three-Year Comprehensive Plan FY 2003

FAMILY COURT JUVENILE ACTIONS BY RACE								
	WHITE				AFRICAN AMERICAN			
	2005	2002	DIFF.	%	2005	2002	DIFF.	%
PETITIONS	4,219	4,772	-553	-11.6	4,240	4,608	368	-8.0
DELINQUENT	2,236	2,428	-192	-7.9	2,421	2,640	219	-8.3
PROBATION	1,025	1,197	-172	-14.4	1,249	1,323	74	-5.6
SEC. CONF.	34	34	0	0	108	93	15	+16.2
ADULT CT.	67	52	15	+28.8	161	95	66	+69.5
DIVERTED	122	63	59	+93.7	146	116	30	+25.9

JUVENILE DETENTION BY RACE								
	WHITE				AFRICAN AMERICAN			
	2005	2002	DIFF.	%	2005	2002	DIFF.	%
COMMITMENTS	619	851	232	-27.3	1,245	1,473	228	-15.5

Although data by county is not available for 2002, it is available for 2005<sup>38</sup>.

In 2005 in New Castle County 4,742 juvenile criminal petitions were filed in Family Court, which was 56% of the statewide total of 8,475 petitions. Of the 4,742 petitions, 2,187 (46.2%) were filed against white youth and 2,548 (53.7%) were filed against African American youths. The RRI for African American youths was 1.16. Of the petitions statewide filed against white youths, 51.8% were filed in New Castle County. Of the petitions statewide filed against black youths, 60.1% were filed in New Castle County. In New Castle County in 2005 delinquency was found in 2,516 (53.1%) of the cases. For white youths the figure was 50.1% and for African Americans the figure was 55.7%. The RRI for African American youths was 1.12. New Castle County is the only county with a diversion program, thus the figures listed above (268) for the state also reflect the figures for New Castle County. However the percentage of petitions that were diverted were 5.58 for white youths and 5.72 for African American youths. The RRI for African American youths was 1.03. In New Castle County in 2005, 157 petitions were transferred to Superior Court. This figure represented 68.9% of the statewide total. Petitions for white juveniles (55) represented 35% of the New Castle County total with African American youth representing (102) 65% of the total. For white youths 2.5% of their cases were transferred to Superior Court and for African American youths, their figure was 4%. The RRI for African American youths was 1.86.

In Kent County in 2005, 1,840 juvenile criminal petitions were filed in Family Court, which represented 21.7% of the statewide total of 8,475. Of the 1,840, 951 (51.7%) were filed against white youths and 886 (48.2%) were filed against African American youths. The RRI for African American youths was .93. Of the petitions statewide filed against white youths, 22.5% were filed in Kent County. Of the petitions statewide filed against African American youths, 20.9% were filed in Kent County.

<sup>38</sup> Family Court statistical table submitted to Criminal Justice Council for Juvenile Justice Three-Year Comprehensive Plan for FY 2006

Delinquency was found in 1,176 cases in Kent County in 2005, which was 63.9% of the total petitions. For African American youths, the delinquency rate was 60.5%, and for white youths the delinquency rate was 67.1%. The RRI for African American youths was .90. In Kent County in 2005, 50 juvenile cases were transferred to Superior Court. This represented 21.9% of the cases transferred to Superior Court statewide. African American youths accounted for 41 (82%) of the cases transferred in Kent County. African American youths in Kent County accounted for 25.5% of the 161 cases for African American youths that were transferred statewide. White youths in Kent County accounted for 9 (13.4%) of the 67 cases for white youths that were transferred statewide. For African American youths in Kent County 4.6% of their cases were transferred to Superior Court and for white youths in Kent County .095% of their cases were transferred to Superior Court. The RRI for African American youths in Kent County was 4.84.

In Sussex County in 2005 1,893 juvenile criminal petitions were filed in Family Court. This figure represented 22.3% of the statewide total. African American youths accounted for 806 (42.6%) of the petitions while white youths accounted for 1,081 (57.1%) of the total. The RRI for African American youths was .75. Of the petitions filed statewide against African American youths, 19% were filed in Sussex County, while for white youths, the figure was 25.6%. Delinquency was found in 970 cases (51.2%). For African American youths, delinquency was found 465 times (57.7%) and for white youths delinquency was found 503 times (46.5%). The RRI for African American youths was 1.24. In Sussex County in 2005, 21 cases were transferred to Superior Court, which represented 9.2% of the statewide total. Eighteen of those cases (85.7%) involved African American youths and 3 (14.3%) involved white youths. African American youths in Sussex County accounted for 11.2% of the statewide total for African American youths while white youths in Sussex County accounted for 4.5% of the statewide total for white youths. In Sussex County in 2005, 2.2% of the cases involving African American youths were transferred to Superior Court while for white youths, the figure was .027%. The RRI for African American youths was 8.15.

<b>2005 FAMILY COURT JUVENILE ACTIONS BY COUNTY AND RACE*</b>															
	<b>NEW CASTLE</b>					<b>KENT</b>					<b>SUSSEX</b>				
	TOT.	W	%	A.A.	%	TOT.	W	%	A.A.	%	TOT.	W	%	A.A.	%
PETITIONS	4,742	2,187	46	2,548	53.7	1,840	951	51.7	886	48.2	1,893	1,081	57.1	806	42.6
DELINQUENT	2,516	1,095	43.5	1,420	56.4	1,176	638	54.3	536	45.6	970	503	51.9	465	47.9
ADULT CT.	157	55	35	102	65	50	9	18	41	82	21	3	14.3	18	85.7
DIVERTED	268	122	45.5	146	54.5	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

\* The percentages are of the category total for each county.

The table below illustrates that in 2005 the breakdown by race of Family Court's most serious actions was pretty consistent with the racial breakdown of Part I Violent Crimes arrests. It should be noted that case specific data tracking race from arrest through juvenile justice system resolution is not available. To more accurately analyze the data that information would need to be obtained and studied.

<b>2005 PART I VIOLENT CRIMES ARRESTS AND SERIOUS COURT RESPONSES BY RACE</b>							
<b>PART I VIOLENT CRIMES ARRESTS BY %</b>		<b>DETENTION COMMITMENTS BY %</b>		<b>SECURE CONFINEMENT BY %</b>		<b>TRANSFERS TO ADULT COURT BY %</b>	
<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>
37.2	62.8	33.2	66.8	23.9	76.1	29.4	70.6

The table below illustrates that the data for 2005 is pretty consistent with the data for 2002.

<b>2002 PART I VIOLENT CRIMES ARRESTS AND SERIOUS COURT RESPONSES BY RACE</b>							
<b>PART I VIOLENT CRIMES ARRESTS BY %</b>		<b>DETENTION COMMITMENTS BY %</b>		<b>SECURE CONFINEMENT BY %</b>		<b>TRANSFERS TO ADULT COURT BY %</b>	
<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>	<b>WHITE</b>	<b>AFR. AMER.</b>
36.7	63.3	36.6	63.4	26.8	73.2	35.4	64.6



## **Conclusion**

As is the case with a number of other states and/or communities, Delaware's minority populations (largely African American) experience many socio-economic problems at a far more frequent rate than the majority (white) population does. A number of these socio-economic problems including births to single and/or teenage mothers, living in one-parent households, living with unemployed or under-employed parents, and dropping out of high school directly affect juveniles. These problems occur more frequently in the African American population than in the white population. Given these factors it is not a surprise that the arrest rate for African American youths in Delaware is higher than the rate for white youths. While, a disparity exists statewide, and in each of the three counties, it is most obvious in New Castle County.

In looking at the rate of arrests per 1,000 youths broken down by race, it is clear that African American youths are arrested far more frequently than are white youths. This disparity is even more pronounced when one reviews Part I Violent Crimes arrests. Given these disparities, particularly for serious offenses at the initial contact point with the juvenile justice system, the fact that the disparities continue through the juvenile justice process is as expected.

Delaware would like to develop solutions to its problem with juvenile crime arrests, particularly for serious and/or violent offenses. Before solutions can be offered addressing these problems, further analyses must be conducted.

## **RECOMMENDATIONS:**

In addressing Disproportionate Minority Contact in Delaware the Juvenile Justice Advisory Group recommends:

1. The development of pre and post adjudication diversion/alternatives to incarceration in collaboration with JDAI efforts, where youth engage in positive youth development activities such as; educational/vocational programming, athletics, mentoring, community service programs, parenting skills, and teen pregnancy prevention.
2. The JJAG adopts a policy where all programs it considers address DMC issues as a core component. Goal statements and performance measures should reflect this emphasis.
3. That Delaware capture the DMC data that it is required to report to OJJDP on an annual basis instead of just every three years, which is the federal requirement.

