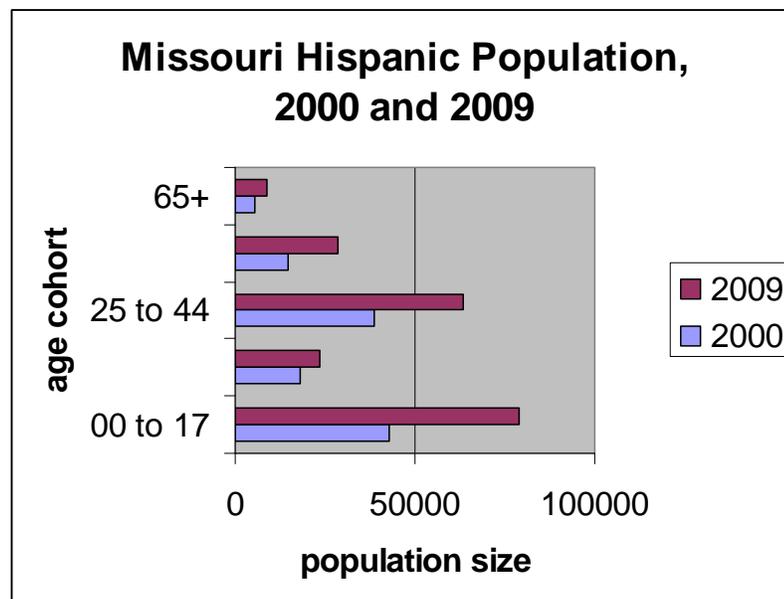


## Assessing the Need for Enhancing Ethnicity & Race Identification Procedures

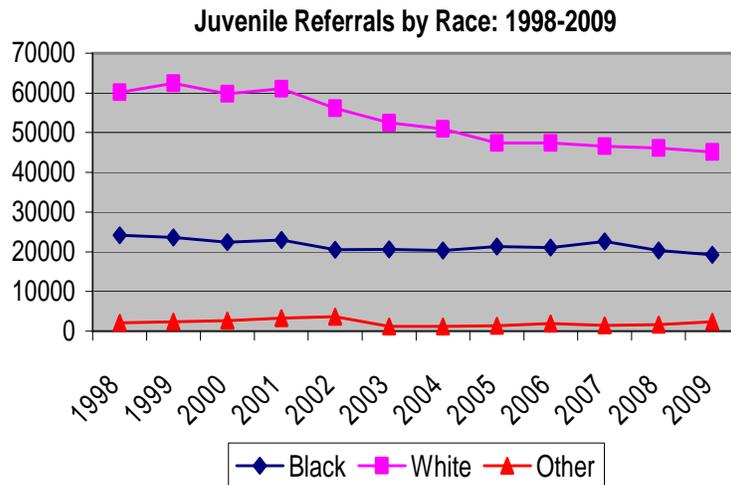
### Background

#### A Demographic Trend

Missouri, a rural state, is part of a demographic trend sweeping across the country (Missouri Census Data Center 2006). By 2025, Latinos are projected to be the largest minority group in rural America (USDA 2005). Missouri is on track to be part of this projection; the Latino population increased by over 70% between 2000 and 2009. They are a young population, also, with 39% of the ethnic group under age 18.



One would expect that with such a significant increase in the Latino juvenile population, the number of referrals to juvenile division courts would also increase but that has not been the case. During the time period, 1998-2009, the trend in juvenile division referrals has remained flat for the racial category 'other,' which is predominantly Latino.



Does this mean that Latino youth generally do not behave in a manner that brings them in to contact with the courts? Based on national trends regarding Latinos and delinquency (Pew Hispanic Center 2006), Missouri’s Latino youth may be expected to experience an increase in justice system involvement. Another possibility is that Latinos may not be identified by their ethnicity when they have contact with the juvenile division courts. One possible reason for the potential under identification is that the appropriate procedures are not being used to gather the information.

## Collecting Data on Ethnicity and Race

### Current Practices

To determine if under identification is a possibility, two aspects of data collection procedures need to be considered, the structure of the information in the data base and how the appropriate information is originally identified. The Justice Information System contains one data element that combines race and ethnicity. The response set includes Asian or Pacific Islander, Black, Hispanic, American Indian/Alaskan Native, Unknown, and White. No standard training instructions are provided other than “Here is the field for entering Race.”

To find out more about how the appropriate information is originally identified and determine if these practices may be affecting under reporting of Latinos, juvenile officers in courts with significant Latino populations were queried about how they obtain this data element. Their exact responses are listed in Attachment A.

Generally, race and ethnicity information is sent to the juvenile office by law enforcement personnel who are often the first contact point for youth coming into the juvenile justice system. The information is typically conveyed on forms the referral source submits about the case. Practices vary by locale. In certain communities the officer makes a selection without consulting the youth. Sometimes, although not consistently, juvenile staff will ask a parent or child to self-identify the appropriate racial/ethnic category in a face to face assessment meeting.

With no distinct items for ethnicity and race in the database and no standard procedures for gathering the information, the probability of under identification of Latino youth is high. To inform recommendations for how to enhance the reporting of ethnicity, the research literature was consulted.

Research has been conducted to ascertain the best way to gather race and ethnicity data. The U.S. Census Bureau and other agencies are interested in capturing accurate and precise demographic information about the U.S. population. Studies have even compared how the same individual responds to separate questions about race and ethnicity as well as to a combined question. The results of these studies indicate that the “format of ‘race’ and ‘ethnicity’ questions on surveys has significant implications for the identification patterns of Latinos” (Campbell & Rogalin 2006, p. 1030). When a combined question is asked, as is the current practice in Missouri, overall identification of Latinos tends to be less than what it actually is (Tucker & Kojetin 1966) because individuals select the category that has the most salience for the situation. Following this logic, Latino youth may find it of benefit to identify as white in the justice system (if they are even directly asked about their ethnicity and race). Researchers recommend asking separate questions in situations where the goal is to maximize the count of Latinos (Campbell & Rogalin 2006). Given the tremendous variation in phenotype across the Latino population, researchers also recommend asking for self-identification of this information. Procedures that rely on secondary identification via surnames or physical appearance are unreliable.

## Conclusions

Complete and accurate information on the ethnicity and race of Missouri’s youth will help the juvenile justice system better understand how our practices and programs impact the lives of this growing segment of our state’s population. As the respondent from one court pointed out, only with accurate information can we identify trends in ethnicity. Research has demonstrated that the best way to get an accurate count on Latinos is to ask separate questions about ethnicity, first, and then about race.

### Recommendations

- Develop procedures to separately identify ethnicity and then race (See Attachment B)
- Provide training to juvenile office staff in how to ascertain ethnic and racial identification.
- Expand procedures and training to the rest of court staff.

These recommendations align with the structure of the next generation court database, Agile Court. Plans are already in place for separate data elements on ethnicity and race.

## References

Campbell, M. & Rogalin, C. 2006. Categorical imperatives: The interaction of Latino and racial identification. *Social Science Quarterly*, 87, 1030-1052.

Missouri Census Data Center. 2006. Ten things to know about urban vs. rural. Columbia, MO: University of Missouri. <http://mcdc.missouri.edu/TenThings/urbanrural.shtml>

Pew Hispanic Center, 2006. A Statistical Portrait of Hispanics Mid-decade. [www.pewhispanic.org/reports/middecade/](http://www.pewhispanic.org/reports/middecade/)

Snyder, H. & Sickmund, M. 2006. Juvenile Offenders and Victims 2006 National Report, NCJ212906, OJJDP, Washington, DC.

Tucker, C. & Kojetin, B. 1996. Testing racial and ethnic origins questions in the CPS supplement. *Monthly Labor Review*, 119, 3-7.

USDA (United States Department of Agriculture). 2005. Rural Hispanics at a Glance. <http://www.ers.usda.gov/publications/EIB8/EIB8.pdf>

Attachment A  
**Local Court Practices for Gathering Race and Ethnicity  
Information**

Juvenile office staff in communities with a significant Latino youth population were asked:

“.....how you are gathering race and ethnicity information. Our research unit is working on procedures to be used within JO and JIS training to gather this information. In our next version of JIS there will be a separate field to provide ethnicity and another field for race information. As it is now in JIS we have one field called Ethnicity that has a selection of Race and Ethnicity.

Do you have procedures to assist staff on how to retrieve Race information? Such as: is it pulled only from forms given to the Juvenile Officer? Does the Juvenile Officer ask the individual what the individual's ethnicity and race is? Self Identification, Observer Identification, Other Sources, etc...? Does the mother choose the race for the child?”

And they responded as follows:

**Circuit A**

Most of the information that is entered into JIS is from the reports received on the referrals. If information is missing the Juvenile Officer will inquire of the juvenile as to her/his ethnicity and race and if the juvenile is too young than the question will be given to the mother.

**Circuit B**

This comes up in many circumstances for staff and different methods are used. During intake meetings the parents/juvenile completes a face sheet prior to the meeting and one of the questions asks them to identify race on the form. During crisis situations in a face to face on call, the DJO from observation completes different forms in which race is asked to be identified. Staff should be asking the child or mother as they are to fill out the face sheet to initialize the input. They do have concerns over BI-Racial kids that get lost in this identification.

**Circuit C**

In most situations, they rely on the information provided on the police reports or CA/N records submitted as part of referrals. If they met with the family prior to filing, the worker will generally ask if the race information is correct and how they would prefer to report it. Most law enforcement agencies ask both suspects and victims for their race and ethnicity. Self identification is the better way to approach the issue and most law enforcement agencies approach it that way. In many cases, the race of the parents may not be known and so an

assumption is sometimes made about the race of the parents. That's an issue with some law enforcement referrals as they often do not identify the race of the parents when completing admin booking and that has been an issue in reporting accurate data.

They believe it is a great idea for OSCA to identify both race and ethnicity as separate issues. It's the only way to identify trends in ethnicity. Training of staff on one procedure is recommended.

#### Circuit D

Information is gathered from the referrals as agencies identify the ethnicity and race. They usually ask the parent the race if it is not obvious to the worker.

Attachment B

**Entering Race and Ethnicity into JIS**

The preference on source of Race and Ethnicity is in this order:

1. Self-identification
2. Observer Identification
3. Other Source (e.g. your form from law enforcement)

The Ethnic question should be asked first, so that it is not confused with Race.

1. "Are you Hispanic or Latino?"

Acceptable answers are: Yes, Hispanic or Latino; or No, not Hispanic or Latino.

2. "What is your race?"

Acceptable answers are:

- American Indian or Alaska Native
- Asian/Native Hawaiian or Other Pacific Islander
- Black or African American
- White
- Unknown

If a juvenile wants to be identified as bi-racial, they will have to choose a single race for now. The next version of JIS, that may be available in 2014, will have additional options.

**Hispanic or Latino**: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

**American Indian/Alaska Native**: A person having origins in any of the original peoples of North and South America (including Central America) and who maintain tribal affiliation or community attachment.

**Asian**: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Black or African-American**: A person having origins in any of the black racial groups of Africa.

**Native Hawaiian or Other Pacific Islander**: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White**: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Source: Center for Children’s Law and Policy, Dana Schoenberg, Washington, D.C.