

**Research Brief: “Experiences of Youth in Confinement:
Pathways of Racial-Ethnic Disparities in Juvenile
Corrections”**

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Introduction

Racial and ethnic disparities (RED) in the U.S. juvenile justice system have been the subject of a vast body of research for many years (Bell, 2017; Claus et al., 2017; Leiber, 1993; Zane, 2020). Much of the scholarship on this phenomenon sheds light at key decision points of the system such as arrest, disposition, and adult transfer (Majumdar, 2017; Mueller et al., 2019). However, very few studies have examined RED outcomes within critical stages of the system such as confinement facilities. In this study, I investigated the ways in which the experiences of youth in juvenile confinement facilities differed across racial and ethnic groups. I hypothesized that (1) Minority youth would experience more control-oriented interventions than White youth, (2) Minority youth would experience longer lengths of stay than White youth, and (3) Minority youth would experience fewer connections to reentry services than White youth.

Literature Review

Differential offending patterns (Tracy, 2005) and differential treatment of juveniles by justice system actors (Cochran & Mears, 2015) have been identified in research as the primary explanations for the RED phenomenon. On the one hand, some scholars contend that Minority youth commit more serious and violent offenses than White youth; and thus, this is the reason for youth of color being overrepresentation in the justice system. On the other hand, some researchers assert that bias beliefs, and perceptions of youth of color by decision makers result in Minority youth being exposed to more punitive sanctions and fewer treatment services than White youth.

Some theoretical explanations for RED in decisions to confine juveniles include Attribution Theory (Lowery & Burrow, 2019), Focal Concerns Theory (Cochran & Mears, 2015), and Racial Threat Hypothesis (Armstrong & Rodriguez, 2005). Negative internal and

external attributes, criminal stereotypes, and perceptions of threat and blameworthiness by court actors can serve as critical factors in whether juveniles will receive harsh punishment or rehabilitative treatment. Finally, experiences of confined individuals have been connected to correctional theories such as Importation and Deprivation Theory (Gover et al., 2000) as well as Administrative Control Theory (Novisky et al., 2021). Importation and Deprivation Theories have been used to explain misconduct and violence in correctional environments. Conversely, Administrative Control theorists posit that the characteristics of supervision staff as well as their conduct can influence and help explain experiences of incarcerated persons.

Method

Data for the current study

This study used both individual-level and facility-level data collected by PbS-participating assessment, detention, and correction facilities between 2012 - 2022. The final sample used to test my first hypothesis¹ was 212,389 incident report cases, of which 44% were of Black youth, 29% White youth, 20% Hispanic youth, and 7 % were of Other Non-White youth. The final sample used to test my second hypothesis² as well as my third hypothesis³ was 66,363 youth record cases, of which 36% were of White youth, 33% Black youth, 20% Hispanic youth, and 11% of Other Non-White youth.

Measures

Dependent variables. Control-oriented interventions, length of stay, and connection to reentry services were the key outcome variables of interest in this study. Control-oriented interventions was operationalized with three categories: no intervention, confined or restrained,

¹ Minority youth will experience more control-oriented interventions than White youth.

² Minority youth will experience longer lengths of stay than White youth.

³ Minority youth will experience fewer connections to reentry services than White youth.

and confined and restrained. Length of stay was calculated as the total number of days a youth was confined at a PbS-participating assessment, detention, or correction facility. Connections to reentry services was calculated as the total number of family visits, referrals to post-release education, and referrals to post-release vocational/employment programs in the community.

Independent variable. The primary independent variable was *race-ethnicity* (R/E). Race and ethnicity were combined into a single, mutually exclusive measure that included Hispanic, Black, White, and Other (Non-White). The Other, Non-White category in my analysis included American Indian or Alaska Native; Asian, and Native Hawaiian or Other Pacific Islander; and other Ethnicities. These categories were combined due to their small numbers relative to other categories in the datasets.

Control variables. A few legal and extra-legal factors that comport with most RED studies were included as control variables. The legal factor included in this study was the *committing offense* of the youth. The extra-legal factors included *age* at the time of release, and *sex*. The final extra-legal factor included at the individual level was *placement type* (i.e., assessment, corrections, and detention).

Environmental and correctional staff measures that have been shown in juvenile justice research to influence experiences of those confined were included as controls at the facility level. These variables included the *proportion of female staff*, total number of *facility programs*, and the total number of *alleged staff-on-youth abuse cases*. The *average length of stay* (days) for confined youth was also included as a control in this study.

Procedures

I began my assessment with a one-way analysis of variance (ANOVA) to examine the differences in control-oriented interventions, length of stay, and connections to reentry services

by race and ethnicity. To insulate the distinct contribution of race and ethnicity after accounting for other relevant factors, I followed up the bivariate analysis with a generalized ordinal logistic regression (GOLR) model to test my first hypothesis. A mixed-effect multilevel regression (MEMR) method was used to investigate my second and third hypothesis.

Results

The one-way ANOVA revealed statistically significant differences for all outcome areas of interest. Minority youth, on average, experienced more control-oriented interventions; Black youth experienced longer lengths of stay than White youth; and Black and Other Non-White youth experienced fewer connections to reentry services than White youth (see Table 1). Results from the GOLR model revealed the odds of a Black and Hispanic youth experiencing a control-oriented intervention while in placement was higher than the odds of a White youth experiencing a control-oriented intervention in placement (see Table 2). The GOLR also revealed that in facilities where the proportion of female staff was higher than male staff, fewer control-oriented interventions were utilized. Results from the MEMR model revealed a statistically significant difference in a youth's length of stay by racial and ethnicity, with Black youth, on average, spending the longest periods in confinement out of all groups (see Table 3). Finally, the MEMR model revealed Minority youth, on average, experienced fewer connections to reentry services than White youth (see Table 4).

Table 1: Outcome Means and Standard Deviations by Race-Ethnicity

	White <i>M (SD)</i>	Black <i>M (SD)</i>	Hispanic <i>M (SD)</i>	Other <i>M (SD)</i>
Control-Oriented Interventions	.98 (.59)	1.06 (.62)*	1.03 (.57)*	1.00 (.60)*
Length of Stay (days)	128 (141)	135 (137)*	130 (141)	117 (138)*
Connections to Reentry Services	8.41 (18.39)	4.95 (11.98)*	8.32 (18.06)	5.99 (15.70)*

Note. *statistically significant difference observed in comparison to White youth from the bivariate analysis

Table 2: Generalized Ordinal Logistic Regression of Control-Oriented Interventions

Generalized Ordinal Logistic Regression of Control-Oriented Interventions

Variable	No Intervention			Youth Confined or Restrained		
	<i>b</i>	SE	OR	<i>b</i>	SE	OR
Race						
<i>Black</i>	0.17	0.09	1.19	0.46*	0.10	1.58
<i>Hispanic</i>	1.11	0.11	1.11	0.27*	0.13	1.32
<i>Other</i>	-0.01	0.11	0.99	0.14	0.10	1.14
Sex						
<i>Female</i>	0.11	0.16	1.11	-0.32*	0.13	0.72
Age	-0.03	0.03	0.97	-0.01	0.03	0.99
Placement Type						
<i>Detention</i>	1.01*	0.34	2.75	-0.63*	0.27	0.53
<i>Assessment</i>	-0.63*	0.30	0.53	-0.28	0.26	0.76
Facility Programs	0.00	0.00	1.00	-0.00	0.00	1.00
Alleged Abuse	-0.01	0.01	0.99	0.00	0.01	1.00
ALOS	0.00	0.00	1.00	-0.00	0.00	1.01
Female Staff	0.00	0.01	1.00	-0.02*	0.01	0.98

Note. *= $p < .05$. SE=clustered standard errors based on facility. ALOS = average length of stay.

Table 3: Mixed-effects Multilevel Regression of Length of Stay

Effect	Estimate	SE	95% CI		p
			LL	UL	
Fixed effects					
Race (White)					
<i>Black</i>	2.58	.95	.71	4.44	.01
<i>Hispanic</i>	2.03	1.07	-.06	4.14	.06
<i>Other</i>	.54	1.35	-2.10	3.18	.69
Sex					
<i>Female</i>	-9.05	1.18	-11.37	-6.73	.00
Placement Type (Corrections)					
<i>Detention</i>	-125.60	7.25	-139.80	-111.39	.00
<i>Assessment</i>	-130.41	9.53	-149.09	-111.73	.00
Age	5.66	.28	5.11	6.21	.00
Committing Offense (Person)					
<i>Property</i>	-17.17	.93	-18.99	-15.35	.00
<i>Technical Violation</i>	-25.61	1.26	-28.07	-23.14	.00
<i>Public Order</i>	-16.76	1.22	-19.14	-14.38	.00
<i>Status</i>	-25.47	1.56	-28.53	-22.41	.00
<i>Drugs</i>	-26.02	1.56	-29.08	-22.96	.00
Random effects					
Alleged Abuse	4.40	1.17	2.61	9.41	
ALOS	.11	.01	.09	.14	
Facility Programs	1.24	.28	.79	1.94	
Female Staff	.31	.09	.18	.53	

Note. N = 66,364. Number of groups = 256. CI = confidence interval; LL = lower limit; UL = upper limit. ALOS = Average length of stay.

Table 4: Mixed-effects Multilevel Regression of Connections to Reentry Services

Effect	Estimate	SE	95% CI		p
			LL	UL	
Fixed effects					
Race (White)					
<i>Black</i>	-2.59	.15	-2.89	-2.30	.00
<i>Hispanic</i>	-.60	.17	-.94	-.23	.00
<i>Other</i>	-1.66	.22	-2.09	-1.24	.00
Sex					
<i>Female</i>	-.76	.19	-1.13	-.38	.00
Placement Type (Corrections)					
<i>Detention</i>	-7.45	1.13	-9.67	-5.23	.00
<i>Assessment</i>	-8.60	1.48	-11.51	-5.69	.00
Age	.17	.04	.09	.26	.00
Committing Offense (Person)					
<i>Property</i>	-1.37	.15	-1.66	-1.08	.00
<i>Technical Violation</i>	-2.27	.20	-2.67	-1.88	.00
<i>Public Order</i>	-.35	.19	-.73	.03	.00
<i>Status</i>	-2.28	.25	-2.77	-1.79	.07
<i>Drugs</i>	-1.01	.25	-1.50	-.52	.00
Random effects					
Alleged Abuse	.01	.01	.01	.04	
ALOS	.00	.00	.00	.00	
Facility Programs	.06	.01	.03	.09	
Female Staff	.02	.00	.01	.03	

Note. N = 66,364. Number of groups = 256. CI = confidence interval; LL = lower limit; UL = upper limit. ALOS = Average length of stay.

Discussion

The purpose of this study was to gain a better understanding if, and to what extent, race and ethnicity played a role in the experiences of youth confined in juvenile facilities across the United States. Specifically, I investigated if key contributors to adverse youth outcomes were disproportionately applied to youth of color in juvenile confinement settings. Findings revealed that Minority youth did experience more control-oriented interventions, longer lengths of stay, and fewer connections to reentry services than White youth in juvenile confinement settings. Of all groups, Black youth experienced the most punitive sanctions as well as the fewest connections to reentry services than any other group represented in the study.

A few limitations of the current study are worth noting. First, the datasets used were not of a random sample. As such, it is unknown if data from participating facilities is comparable to data from facilities that elected not to participate in the PbS initiative, and thus, findings should be interpreted with caution. Additionally, the focus of this study was on RED within confinement settings only, which limits our understanding of how early stages of the juvenile justice system may have impacted racial disparities. Despite these limitations, the study does add to RED literature in several ways.

Findings from the current study: (1) presents a broader stroke of the RED phenomenon in the juvenile justice system in the United States, (2) lends support to advocacy efforts that lobby for national, state, and local resources that focus on RED reduction strategies (e.g., Justice Reinvestment) as well as effective interventions in confinement, and (3) encourages a more balanced approach by researchers investigating RED in correctional environments. While it is that racial and ethnic disparities continue to be a significant issue in the American juvenile justice system today, the current study revealed that the magnitude of these disparities within

confinement settings are not substantial. The results of the current study could point to some progress being made toward reducing practices that have historically and disproportionately had a negative impact on youth of color in the juvenile justice system in America. Future research on RED in juvenile correctional settings should continue to examine this phenomenon using data that is representative of all regions of the U.S., with both individual-level and facility-level factors that are relevant to the experiences of youth in confinement.

About the Author

Kimbla Newsom, PhD, is the Founder and CEO of JustUS Advocacy, LLC. She has over twenty years of experience working for both public and private sector juvenile justice organizations. Her research interests and investigations have focused on RED in juvenile justice, juvenile justice policies and practices, adverse childhood experiences (ACEs) and delinquency, and the school-to-prison pipeline.

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