



# **ENID DMC**

When We See Them

vs.

When We Are Them

**Atica Helms Thomas, Ph.D. Candidate**

**DMC Task Force Chair, Davidson County**



# Learning Objectives

- Understand the context of DMC and why the shift to RED;
- Explore implicit bias and the impact it has in the decision making process within the justice system; and,
- Discover how to advocate beyond our own lived experiences.

# JJDPA: Juvenile Justice & Delinquency Prevention Act

- The Juvenile Justice Delinquency and Prevention Act was signed into in **1974**.
  - Established the separation requirement.
  - Established the deinstitutionalization of status offenders (DSO) requirement.
- **1980**
  - Established jail removal requirements.
- **1988**
  - Addressed disproportionate minority confinement (DMC) as a requirement.
- **1992**
  - Elevated DMC to a core requirement.
- **2002**
  - Broadened the scope of the DMC core requirement from "disproportionate minority confinement" to "disproportionate minority contact."
- **2018**
  - The Juvenile Justice Reform Act (JJRA) of 2018 was signed into law, reauthorizing and substantially amending the Juvenile Justice and Delinquency Prevention Act of 1974 (as Amended Through P.L. 115-385, enacted December 21, 2018).

# What Is DMC & RED?

Disproportionate Minority Contact (DMC) is the rate of contact with the juvenile justice system among juveniles of a specific minority group that are significantly different from rates of contact for white non-Hispanic juveniles.

(9 points of contact: arrest, referral to court, diversion, secure detention, petition, delinquent findings, probation, confinement in secure correctional facilities, & transfer to adult jurisdiction)

Racial and Ethnic Disparities (RED) refers to the unequal treatment of youth of color in the juvenile justice system which results in disparate outcomes for similarly situated youth.

# The Shift: DMC to RED

- Requires data collection on ethnicity as defined by the U.S. Census Bureau
- Requires an actionable plan with measurable goals that are aimed at addressing points of disparity that are shown through data.
- The term “**racial and ethnic disparity**” as defined by the 34 U.S.C. 11103 (41) means minority youth populations are involved at a decision point in the juvenile justice system at disproportionately higher rates than non-minority youth at that decision point.

# Develop A Common Understanding



**Racial Justice  $\neq$  Diversity  
(Diversity = Variety)**

**Racial Justice  $\neq$  Equality  
(Equality = Sameness)**

**Racial Justice = Equity  
(Equity = Fairness, Justice)**

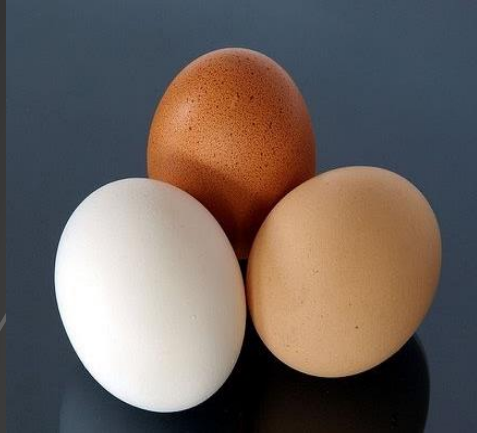
# Let's Talk

**WE DON'T SEE  
THINGS AS THEY ARE,  
WE SEE THEM AS WE ARE.**

ANAÏS NIN

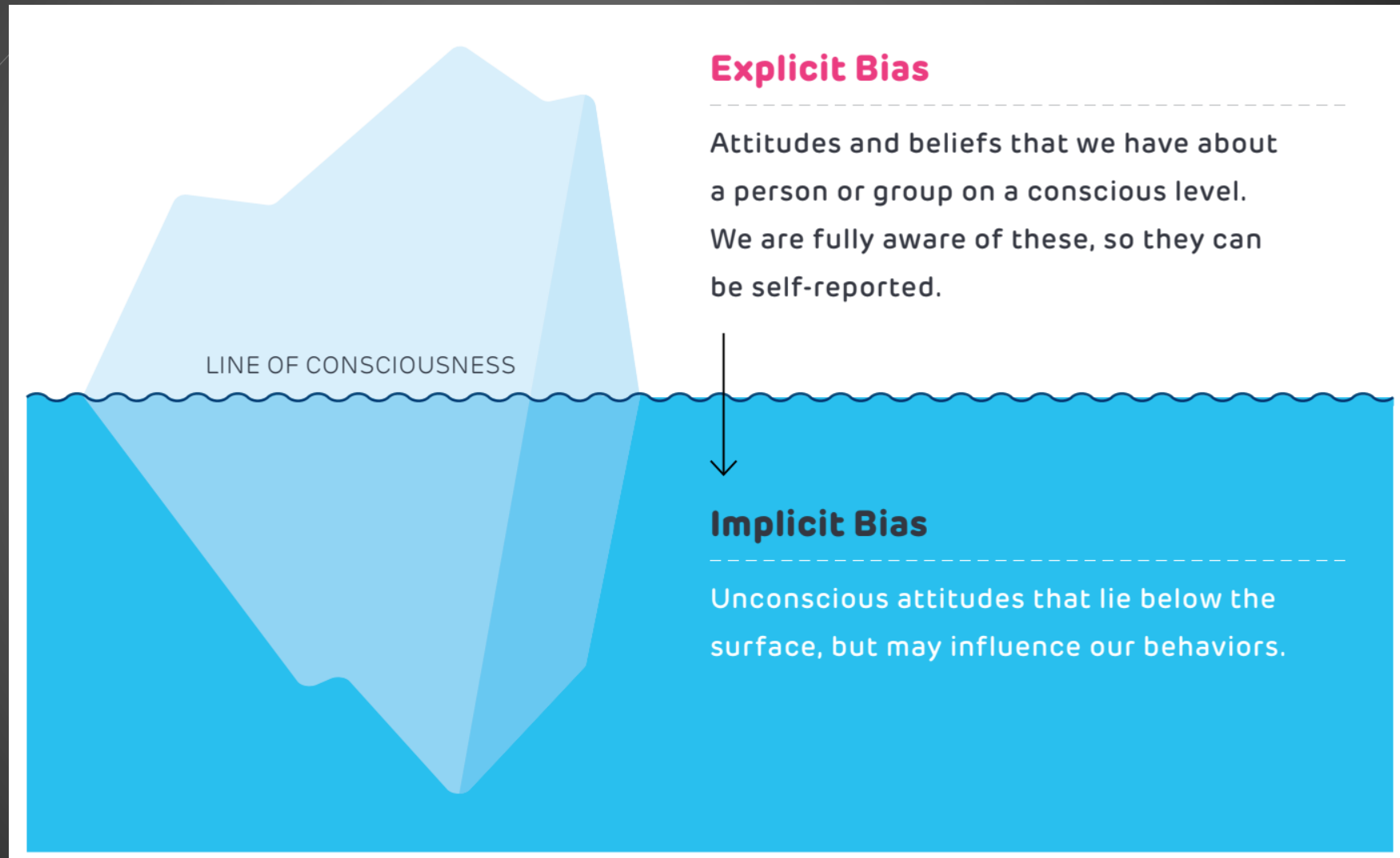
[HTTP://INSPIRATIONALQUOTES.GALLERY](http://inspirationalquotes.gallery)

# How We Classify Things...





# Removing Bias; Restoring Equity



# A Lived Experience...



<https://youtu.be/Ug9Baj5YJKY>

# Decision Makers in the Justice System

- Law Enforcement
- Judges and/or Magistrates
- Probation Officers
- Attorneys
- Intake Officers
- A Host of others



# When We See Them...



<https://youtu.be/aC7lbdD1hq0>

# Let's Talk



# When We Are Them...



<https://youtu.be/IXgfX1y60Gw>

# Let's Talk



NETFLIX

WHEN  
THEY  
SEE  
US



[https://youtu.be/u3F9n\\_smGWY](https://youtu.be/u3F9n_smGWY)

By Ava DuVernay



# I Challenge You Today...

Step outside of your own lived experiences to passionately & positively advocate for a minority youth whose lived experiences are very different from your own.

The word "CHALLENGE" is displayed in a 3D, blocky font. Each letter is a different color: 'C' is red, 'H' is orange, 'A' is yellow, 'L' is light green, 'L' is medium green, 'E' is dark green, 'N' is very dark green, and 'G' is black. The letters are standing on small, white, cylindrical pedestals. The background is a plain, light-colored surface.

CHALLENGE

# Where Do We Begin?



Develop enough courage so that  
you can stand up for yourself and  
then stand up for somebody else.

— *Maya Angelou* —

AZ QUOTES



Thank You for Attending!  
[aticahelms@jis.nashville.org](mailto:aticahelms@jis.nashville.org)  
(615) 862-8063