NATIONAL JUVENILE JUSTICE NETWORK

RACIAL JUSTICE TOOLKIT
RESOURCES TO HELP YOU CONNECT WITH POLICYMAKERS ON RACIAL JUSTICE

APRIL 2018

NJJN members are dedicated to pursuing anti-racist policies in the youth justice system. There continues to be a huge disproportion in the number of children of color in the justice system at every stage of the process. Yet not all policymakers are cognizant of this and many do not take it into account in drafting legislation and other policies. This toolkit will provide you with a fact sheet on racial disparities in the youth justice system, to which you can add your state specific information. We have then packaged together key resources to complement this fact sheet, including talking points, challenging harmful media narratives, and links to additional resources further detailing the disparities. Each item is linked below.

1) [Five Key Facts to Know About Racial Disparities in the Youth Justice System](#) – For universal use

2) [Five Key Facts to Know About Racial Disparities in the Youth Justice System](#) – State version for editing

3) [The Opportunity Agenda's Ten Lessons for Talking About Race, Racism and Racial Justice](#)

4) [NJJN's Changing the Narrative](#) [Toolkit: How to Push Back Against Harmful Media Narratives About Youth of Color](#)

5) [Resources on Racial Justice Disparity Data](#)

NATIONAL JUVENILE JUSTICE NETWORK

5 Key Facts to Know About Racial Disparities in the Youth Justice System

APRIL 2018

Most communities in the United States experience racial and ethnic inequities in their juvenile justice system – meaning that youth of color experience the justice system differently from white youth. Youth of color are more likely to be arrested, detained, and confined than white youth, and are more likely to be tried as adults.[1] These disparities have deep historical roots reaching back long before the founding of the juvenile justice system in this country.[2] This fact sheet highlights key facts to understand about the intersection of racial justice and the juvenile justice system.

1) **Youth of Color Don't Engage in More Delinquent Acts than White Youth**
    Differing rates of delinquency among youth of different races and ethnicities do not explain the vast disparities in their involvement at various points in the juvenile justice system.[3] 2015 survey data compiled by the Centers for Disease Control and Prevention (CDC), shows that black, Hispanic, and white youth are engaged in illegal behaviors at similar rates.[4]

2) **Disparities Can be Found Across the United States**
    In 2015, youth of color comprised a majority (69 percent) of the more than 47,000 youth incarcerated on any given day, and were significantly more likely to be incarcerated than white youth—black youth were 5 times as likely, Native American youth were 3.1 times as likely, and Latino youth were 1.6 times as likely to be incarcerated as white youth.[5] When the data is broken down by decision point in the juvenile justice system, it shows over-representation of youth of color throughout the process from arrest through court referral and placement out of home.[6]

3) **Racial and Ethnic Disparities Have Grown as Youth Incarceration Rates Have Fallen**

Nationally, the rate of youth incarceration has fallen from 355 per 100,000 youth in 1997 to 152 per 1000,000 in 2015. In total numbers, there was a high of 110,126 total youth locked up on any given day in 2000 and that number fell to 48,043 in 2015.[7]

However, racial disparities in confinement have been growing. African-American youth were approximately four times as likely as white youth to be incarcerated in 2001 and are five times as likely today. Disparities grew in 37 states and shrank in only 13.[8]

4) **Implicit Biases Play Role in Disparities**

Implicit bias involves the unconscious use of attitudes or stereotypes that affect our understanding, actions, or decisions.[9] The pervasiveness of negative stereotypes about youth of color in America has led many people to associate youth of color with crime and dangerousness,[10] and often implicit biases impact juvenile justice system decision makers. Biases of key decision makers, such as police officers, judges, and probation officers,[11] play a role in perpetuating disparities in the juvenile justice system.[12]

5) **Policies and Resource Distribution Drive Disparities**

There are numerous system and resource issues that lead to these racial and ethnic disparities. School disciplinary policies in which students are suspended, expelled, and arrested for minor disciplinary infractions, have been shown to disparately affect students of color and can start youth on a path of further delinquency.[13] The high distribution of law enforcement to the streets and schools in low income communities that are majority people of color leads to increased arrests for frequently non-criminal behavior, such as truancy, curfew violations and loitering.[14] Services are often lacking in communities of color, whether that be diversion programs, victims' services, positive youth programming or family support services.[15]

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[1] National Conference of State Legislatures, "Disproportionate Minority Contact," 2, at http://bit.ly/1cUiE3w, in Juvenile Justice Guidebook for Legislators (Denver, CO: Nov. 2011), http://bit.ly/1mpipyK; "The overwhelming majority of cases (83%) that were filed in adult courts involved youth of color." Neelum Arya and Ian Augarten, "Critical Condition: African-American Youth in the Justice System," *Race and Ethnicity* 2 (Washington D.C.: Campaign for Youth Justice, Sept. 2008): 25, http://bit.ly/2Gq51wP.

[2] James Bell and Laura John Ridolfi, "Adoration of the Question: Reflections on the Failure to Reduce Racial & Ethnic Disparities in the Juvenile Justice System," ed. Shadi Rahimi, vol. 1 (San Francisco, CA: W. Haywood Burns Institute, Dec. 2008): 2, http://bit.ly/2Hw7vc2.

[3] Juvenile Justice Information Exchange, "Racial-Ethnic Fairness: Key Issues," accessed Aug. 17, 2017, http://bit.ly/2w0NFBr; citing The Annie E. Casey Foundation, "Detention Reform: An Effective Approach to Reduce Racial and Ethnic Disparities in Juvenile Justice" *Detention Reform Brief* 3 (Baltimore, MD: The Annie E. Casey Foundation, 2009): 2, http://bit.ly/2GpfRmJ.

[4] Laura Kann, Tim McManus, William A. Harris, et. al., "Youth Risk Behavior Surveillance – United States, 2015" *MMWR Surveill Summ* 65, (Atlanta, GA: U.S. Dept. of Health and Human Services, Centers for Disease Control and Prevention), 2016, http://bit.ly/2h0s2g3.

[5] Data was compiled by The Burns Institute from data provided by the Office of Juvenile Justice and Delinquency Prevention from their one-day count data which shows how many youth are detained, committed, or otherwise sleeping somewhere other than their home by court order on any given day in a particular year. The W. Haywood Burns Institute, "Unbalanced Juvenile Justice," accessed Aug. 17, 2017, http://data.burnsinstitute.org/about.

[6] C. Puzzanchera and S. Hockenberry, "National Disproportionate Minority Contact Databook" (Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention, 2016), accessed Aug. 17, 2017, http://bit.ly/2vm0cgz.

[7] Joshua Rovner, "Still Increases in Racial Disparities in Juvenile Justice," (The Sentencing Project, Oct. 20, 2017), http://bit.ly/2pboutB.

[8] Rovner, "Still Increases in Racial Disparities in Juvenile Justice."

[9] National Juvenile Justice Network, "Implicit Bias: Why It Matters for Youth Justice" (Sept. 2017): 2, http://bit.ly/2FHeOkE; citing Cheryl Staats, Kelly Capatosto, Robin A. Wright, and Victoria W. Jackson, "State of the Science: Implicit Bias Review 2016" (Columbus, OH: The Ohio State University, Kirwan Institute for the Study of Race and Ethnicity, 2016): 14, http://bit.ly/2aMHlRR.

[10] Kristin N. Henning, "Criminalizing Normal Adolescent Behavior in Communities of Color: The Role of Prosecutors in Juvenile Justice Reform," *Cornell Law Review* 98 (2013): 419, http://bit.ly/1aOzLzG.

[11] Mark Soler, "Reducing Racial and Ethnic Disparities in the Juvenile Justice System," *Trends in State Courts* (National Center for State Courts, 2014): 28-9, http://bit.ly/2liJpdG.

[12] Studies by Goff and colleagues found that officers overestimated the age of black and Latino male youth suspects, though not of white youth, and overestimated black youths' ages the most. Phillip Atiba Goff, Matthew Christian Jackson, Brooke Allison Lewis Di Leone, Carmen Marie Culotta, and Natalie Ann DiTomasso, "The Essence of Innocence: Consequences of Dehumanizing Black Children," *Journal of Personality and Social Psychology* 106: 4 (2014): 533-35, http://bit.ly/1CHmE6C; Studies of juvenile justice system stakeholders found "evidence of bias in perceptions of culpability, risk of reoffending, and deserved punishment for adolescents when the decision maker *explicitly* knew the race of the offender." Henning, 420; Research found that judges carry implicit biases about race that can affect their judgment. Soler, 29; citing Rachlinski et al., 2009.

[13] "A disproportionately large percentage of disciplined students are youth of color, students with disabilities, and youth who identify as lesbian, gay, bisexual, or transgender (LGBT)." Emily Morgan, Nina Salomon, Martha Plotkin, and Rebecca Cohen, "The School Discipline Consensus Report: Strategies from the Field to Keep Students

Engaged in School and Out of the Juvenile Justice System" (New York: The Council of State Governments Justice Center, 2014: ix, xi, 6-7, 11), http://bit.ly/2tKwR3X; Melinda D. Anderson, "When Schooling Meets Policing," *The Atlantic,* Sept. 21, 2015, http://theatln.tc/2GoPIEy; Youth of color, LGBTQ students, and students with disabilities are punished more often and more harshly than their peers for the same behavior, with Hispanic or African-American students accounting for over 70% of the students involved in school-related arrests or referred to law enforcement. Advancement Project, "School-to-Prison Pipeline" Infographic, accessed Jan. 10, 2018, http://bit.ly/1vFEX91.

[14] "Broken Windows" policing has led to higher concentrations of police officers in low-income urban neighborhoods and because of stereotypes linked to race and class, police proceed with criminal charges against children in low-income communities more frequently than those in affluent ones. Tamar R. Birkhead, "Delinquent By Reason of Poverty," *Washington University Journal of Law and Policy* 38 (January 2012): 79-80, http://bit.ly/2FFVAYT; Increased police resources lead to increased arrests for low-level and nonviolent offenses that disproportionately affects communities of color and low-income communities. Justice Policy Institute, "A Capitol Concern: The Disproportionate Impact of the Justice System on Low-Income Communities in DC" (July 2010): 4, http://bit.ly/2FQtP2R; Study found a larger percentage of students at schools with a school resource officer (SRO) had economically disadvantaged students compared to schools without an SRO and also had a larger percentage of ethnic minority students. Matthew T. Theriot, "School Resource Officers and the Criminalization of Student Behavior," *Journal of Criminal Justice* 37 (2009): 284, http://bit.ly/1EKEOpn.

[15] Spending on the police vastly outpaces spending on community resources and services in many jurisdictions – including spending on youth programs, mental health services, and education. Violence Prevention Coalition, LA for Youth, and Youth Justice Coalition, "Building a Positive Future for LA's Youth" (June 2012): 8, http://bit.ly/2ngW4PH.

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This version should be amended with your state information.

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2) **Disparities Can be Found Across the United States**
   Nationally
   In 2015, youth of color comprised a majority (69 percent) of the more than 47,000 youth incarcerated on any given day, and were significantly more likely to be incarcerated than white youth—black youth were 5 times as likely, Native American youth were 3.1 times as likely, and Latino youth were 1.6 times as likely to be incarcerated as white youth.[5] When the data is broken down by decision point in the juvenile justice system, it shows over-representation of youth of color throughout the process from arrest through court referral and placement out of home.[6]

Statewide
Fill in the data on your state if available.

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Ten Lessons for Talking About Race, Racism and Racial Justice

February 2017

As we strive to improve conversations about race, racism and racial justice in this country, the environment in which we're speaking seems to be constantly shifting. Yet, these conversations are more important than ever. We've put together some advice on finding entry points based on research, experience, and the input of partners from around the country. This is by no means a complete list, but it is a starting point for moving these discussions forward.

1. Consider Audience and Goals. In any communications strategy, we should start with who we're trying to reach and what we want them to do. In engaging on topics around race, racism and racial justice, this is particularly important. We all know that people throughout the country are in very different places when it comes to their thinking about race. In strategizing about audience, the goal should be to both energize the base and persuade the undecided. A few questions to consider:

Who are you hoping to influence?	Narrowing down your target audience helps to refine your strategy.
What do you want them to do?	Determine the appropriate action for your audience and strategy. Sometimes you may have direct access to decision makers and are working to change their minds. Other times you may have access to other people who influence the decision makers.
What do you know about their current thinking?	From public opinion research, social media scans, their own words, etc.
What do you want to change about that?	Consider the change in thinking that needs to happen to cause action.
Who do they listen to?	Identify the media they consume and the people who are likely to influence their thinking. This may be an opportunity to reach out to allies to serve as spokespeople if they might carry more weight with certain audiences.

2. Know the counter narratives. Some themes consistently emerge in conversations about race, particularly from those who do not want to talk about unequal opportunity or the existence of racism. It's important to examine these conversations and become familiar with

these themes. The point in doing this is not to argue against each theme point by point, but to understand what stories are happening in people's heads when we try to start a productive conversation. A few common themes include:

- The idea that racism is "largely" over or dying out over time.

- People of color are obsessed with race.

- Alleging discrimination is itself racist and divisive.

- Claiming discrimination is "playing the race card," opportunistic, hypocritical demagoguery.

- Civil rights are a crutch for those who lack merit or drive.

- If we can address class inequality, racial inequity will take care of itself.

- Racism will always be with us, so it's a waste of time to talk about it.

3. Lead with shared values: Opportunity, Community, Equity

Starting with values that matter to your audience can help people to "hear" your messages more effectively than dry facts or emotional rhetoric would. Encouraging people to think about shared values encourages aspirational, hopeful thinking – a better place to start when entering tough conversations than with fear or anxiety.

Sample language:

Sample 1: To work for all of us, the people responsible for our justice system have to be resolute in their commitment to equal treatment and investigations based on evidence, not stereotypes or bias. But too often, police departments use racial profiling, which is singling people out because of their race or accent, instead of based on evidence of wrongdoing. That's against our national values, it endangers our young people, and it reduces public safety. We need to ensure that law enforcement officials are held to the constitutional standards we value as Americans—protecting public safety and the rights of all.

Sample 2: We're a better country when we make sure everyone has a chance to meet his or her full potential. We say we're a country founded on the ideals of opportunity and equality and we have a real responsibility to live up to those values. Discrimination based on race is contrary to our values and we need to do everything in our power to end it.

Example:

"*Let us be humble and do the difficult work of finding ways to collaborate and cooperate with those whose political affiliations may differ from ours.*

But let us never, ever, surrender, forfeit, or retreat from our core values, our fundamental commitments to justice over prejudice; economic inclusion over poverty and unmerited privilege; and, always, love over hate. Let us speak truth to power;

fiercely defend those who are bullied, belittled, demeaned or degraded; and tenaciously fight for all people and the ideals we cherish." – Senator Cory Booker on Facebook[1]

4. Use values as a bridge, not a bypass. Opening conversations with values like opportunity helps to emphasize society's role in affording a fair chance to everyone. But starting conversations here does not mean avoiding discussions of race. We suggest bridging from shared values to the roles of racial equity and inclusion in fulfilling those values for all. Doing so can move audiences into a frame of mind that is more solution- oriented and less mired in skepticism about the continued existence of discrimination.

> **Sample Language:**
>
> *It's in our nation's interest to ensure that everyone enjoys full and equal opportunity. But that's not happening in our educational system today, where children of color face overcrowded classrooms, uncertified teachers, and excessive discipline far more often than their white peers. If we don't attend to those inequalities while improving education for all children, we will never become the nation that we aspire to be.*
>
> **Example:**
>
> *A beautiful thing about this country is its multiracial character. But right now, we've got diversity with a lot of segregation and inequity. I want to see a truly inclusive society. I think we will always struggle as a country toward that—no postracial society is possible or desirable—but every generation can make progress toward that goal.* – Rinku Sen, Race Forward, to NBC News[2]

5. Be rigorously solution-oriented and forward-looking. After laying the groundwork for how the problem has developed, it's key to move quickly to solutions. Some people who understand that unequal opportunity exists may also believe that nothing can be done about it, leading to "compassion fatigue" and inaction. Wherever possible, link a description of the problem to a clear, positive solution and action, and point out who is responsible for taking that action.

> **Sample Language:**
>
> *Sample 1: Asian Americans often face particularly steep obstacles to needed health care because of language and cultural barriers, as well as limited insurance coverage. Our Legislature can knock down these barriers by putting policies in place that train health professionals, provide English language learning programs, and organize community health centers.*
>
> *Sample 2: The Department of Justice, Congress, local and state legislatures, and prosecutors' offices should ensure that there is fairness in the prosecutorial decision-making process by requiring routine implicit bias training for prosecutors; routine review*

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[1] https://www.facebook.com/corybooker/posts/10156229962212228

[2] http://www.nbcnews.com/news/asian-america/envisioning-enacting-racial-justice-rinku-sen-force-behind-race-forward-n459996

of data metrics to expose and address racial inequity; and the incorporation of racial impact review in performance review for individual prosecutors. DOJ should issue guidance to prosecutors on reducing the impact of implicit bias in prosecution.[3]

Example:

"Organizing to achieve public policy change is one major aspect of our larger mission to create freedom and justice for all Black people. Our aim is to equip young people with a clear set of public policy goals to organize towards and win in their local communities." – BYP 100, "Agenda to Keep Us Safe," website[4]

6. Talk about the systemic obstacles to equal opportunity and equal justice. Too often our culture views social problems through an individual lens – what did a person do to "deserve" his or her specific condition or circumstance? But we know that history, policies, culture and many other factors beyond individual choices have gotten us to where we are today.

When we're hoping to show the existence of discrimination or racism by pointing out racially unequal conditions, it's particularly important to tell a full story that links cause (history) and effect (outcome). Without this important link, audiences can walk away believing that our health care, criminal justice or educational systems work fine and therefore differing outcomes exist because people of color are doing something wrong.

It's important to note that telling a more complete and systemic story does not necessitate delving into a full history of racism in our country, which is not persuasive to many audiences. Instead, try to a find balance between giving enough background to show how we've gotten to where we are and explaining every detail of oppression in our nation's history.

Sample Language:

All of us carry around implicit biases and unconscious stereotypes in our heads. It's part of being human. But when those biases go uninterrupted, they can cause real harm, like police officers shooting people of color who pose no threat or prosecutors seeking stiffer sentences for people of color charged with a crime than white defendants accused of the same conduct. Ensuring that people in law enforcement are trained to recognize and overcome their biases is essential to a system that upholds equal justice and keeps all communities safe.

Example:

"The widely-discussed phenomenon of 'driving while black' illustrates the potential abuse of discretion by law enforcement. A two-year study of 13,566 officer-initiated traffic stops in a Midwestern city revealed that minority drivers were stopped at a higher rate than whites and were also searched for contraband at a higher rate than their white counterparts. Yet, officers were no more likely to find contraband on minority motorists

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[3] https://transformingthesystem.org
[4] http://agendatobuildblackfutures.org/wp-content/uploads/2016/01/BYP100-Agenda-to-Keep-Us-Safe-AKTUS.pdf

than white motorists." – The Sentencing Project publication, "Reducing Racial Disparity in the Criminal Justice System: A Manual for Policymakers"[5]

"Native Americans and Alaska Natives are often unable to vote because there are no polling places anywhere near them. Some communities, such as the Duck Valley Reservation in Nevada and the Goshute Reservation in Utah, are located more than 100 miles from the nearest polling place." – Julian Brave NoiseCat, Native Issues Fellow at the *Huffington Post*[6]

7. Be explicit about the different causes of racial vs. socioeconomic disparities. We need to make a case that racism causes different problems than poverty, high-crime neighborhoods or challenged educational systems do. They are interrelated, to be sure, but study after study show that even after adjusting for socio-economic factors, racial inequity persists.

> **Example:**
>
> *"African-American pregnant women are two to three times more likely to experience premature birth and three times more likely to give birth to a low birth weight infant. This disparity persists even after controlling for factors, such as low income, low education, and alcohol and tobacco use. To explain these persistent differences, researchers now say that racism likely serves as a source of chronic stress, negatively affecting the body's hormonal levels, which can increase the likelihood of premature birth and low birth weights."* – American Journal of Public Health article, "Very low birthweight in African American infants: the role of maternal exposure to interpersonal racial discrimination"[7]

8. Describe how racial bias and discrimination hold us all back. In addition to showing how discrimination and unequal opportunity harm people of color, it's important to explain how systemic biases affect all of us and prevent us from achieving our full potential as a country. We can never truly become a land of opportunity while we allow racial inequity to persist. And ensuring equal opportunity for all is in our shared economic and societal interest. In fact, eight in ten Americans believe that society functions better when all groups have an equal chance in life.[8]

Research also shows that people are more likely to acknowledge that discrimination against other groups is a problem – and more likely to want to do something about it – if they themselves have experienced it. Most people have at some point felt on the "outside" or that they were unfairly excluded from something, and 6 in 10 report that they've experienced discrimination based on race, ethnicity, economic status, gender, sexual orientation, religious

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[5] The Sentencing Project. *Reducing Racial Disparity in the Criminal Justice System: A Manual for Policymakers,* 2008
[6] http://www.huffingtonpost.com/entry/13-native-american-issues_us_55b7d801e4b0074ba5a6869c
[7] Collins JW, David RJ, Handler A, Wall S, Andes S. Very low birthweight in African American infants: the role of maternal exposure to interpersonal racial discrimination. *Am J Public Health*. 2004;94(12):2132-2138.
[8] The Opportunity Agenda/Langer Associates. *The Opportunity Survey*, 2014.

beliefs or accent.[9] Reminding people of this feeling can help them think about what racism and oppression really mean for others as well as themselves.

Sample language:

Virtually all of us have been part of a family with kids, some are single parents and many of us will face disabilities as we age. Many of those circumstances lead to being treated differently – maybe in finding housing, looking for a job, getting an education. We need strong laws that knock down arbitrary and subtle barriers to equal access that any of us might face.

Examples:

"Discrimination isn't just an insult to our most basic notions of fairness. It also costs us money, because those who are discriminated against are unable to make the best use of their talents. This not only hurts them, it hurts us all, as some of our best and brightest players are, in essence, sidelined, unable to make their full contributions to our economy". – David Futrelle, Economic Reporter in *Time Magazine*[10]

"Racial inclusion and income inequality are key factors driving regional economic growth, and are positively associated with growth in employment, output, productivity, and per capita income, according to an analysis of 118 metropolitan regions. … Regions that became more equitable in the 1990s—with reductions in racial segregation, income disparities, or concentrated poverty—experienced greater economic growth as measured by increased per capita income." – PolicyLink publication, "All-In Nation"[11]

9. Acknowledge the progress we've made. Doing so helps persuade skeptical audiences to lower their defenses and have a reasoned discussion rooted in nuanced reality rather than rhetoric. It's not necessary to praise everything about our country or our history, but giving a nod to progress may remind people of some things they are proud of in our history, and then motivate them to want to continue that legacy.

Sample language:

Sample 1: Every child deserves an equal opportunity, regardless of the zip code they are born into. Our country has made great strides breaking down barriers of discrimination, but still today, too many people are kept out of networks of opportunity connected to where you live, like quality schools, good parks and recreation, jobs, and hospitals which help you make a better life for your family. Sometimes decisions on where to build schools, affordable housing and transportation keep minorities outside of these

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[9] Ibid.

[10] http://business.time.com/2013/02/19/discrimination-doesnt-make-dollars-or-sense/

[11] https://allinnation.org/ms-content/uploads/sites/2/2013/10/AllInNation.pdf

opportunities. We need strong laws that connect people, provide equal opportunity, and dismantle patterns of segregation and discrimination wherever they exist.[12]

Sample 2: We've made tremendous progress in this country on race. When I tell my kids that hotels used to refuse to give rooms to people who weren't white, or that black people used to have to drink from separate water fountains, they look at me like I'm from another planet. But we're all susceptible to unconscious biases we pick up from watching television or from personal experiences, which can make us react to people in ways we aren't even aware of. Brain researchers have compared people's reactions to pictures of white and black male faces presented so fast that people had no idea they even saw anything – consciously, that is – but slow enough that their brains could tell the difference. Unlike the white faces, the faces of black men triggered fear circuits in most people's brains. So it's easy for us be suspicious of a young black man at a street corner, even though he's actually just a kid or a college student who's waiting for a light to change. But knowing how our brains work may help us overcome our own biases so we can live up to our moral values, and treat all people truly equally, regardless of the color of their skin, their gender, or anything else.[13]

10. Embrace and communicate our racial and ethnic diversity. Avoid black-white or other binary descriptions of racial equity, recognizing that different people and communities encounter differing types of stereotypes and discrimination based on diverse and intersectional identities. This may mean, for example, explaining the sovereign status of tribal nations, the unique challenges posed by treaty violations, and the specific solutions that are needed.

Sample language:

This country was founded on the ideals of equality and opportunity. While we've never lived up to these ideals, some of us face more barriers than others in achieving this because of who we are, what we look like. We have to recognize this and move toward the ideal that we should all be able to live up to our own potential, whether we are new to this country, or living in disadvantaged neighborhoods, on reservations that are facing economic challenges, or in abandoned factory towns

Example:

"We affirm our commitment to stand against environmental racism and to support Indigenous sovereignty. Across the United States, Black and Brown communities are subject to higher rates of asthma and other diseases resulting from pollution and malnutrition; as demonstrated recently not only at Standing Rock but also through the water crisis in Flint, Michigan. Our neighborhoods are more likely to have landfills, toxic

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[12] Lake Research Partners, NAACP Legal Defense and Educational Fund, and The Opportunity Agenda, Findings from Focus Groups and a Dial Survey on Disparate Impact (July 23, 2015).

[13] Modified from messages tested in Speaking to the Public about Unconscious Prejudice: Meta-issues on Race and Ethnicity. Drew Westen, Ph.D. March 2014

factories, fracking, and other forms of environmental violence inflicted on them. We will not let this continue.[14] – Million Hoodies, blog

"The internment was a dark chapter of American history, in which 120,000 people, including me and my family, lost our homes, our livelihoods, and our freedoms because we happened to look like the people who bombed Pearl Harbor. … 'National security' must never again be permitted to justify wholesale denial of constitutional rights and protections. If it is freedom and our way of life that we fight for, our first obligation is to ensure that our own government adheres to those principles. Without that, we are no better than our enemies. … The very same arguments echo today, on the assumption that a handful of presumed radical elements within the Muslim community necessitates draconian measures against the whole, all in the name of national security.".[15] – George Takei, actor, in the *Washington Post*

Applying the Lessons

VPSA: Value, Problem, Solution, Action.

One useful approach to tying these lessons together is to structure communications around a **Value**, **Problem**, **Solution**, and **Action**, meaning that each message contains these four key components: Values (why the audience should care, and how they will connect the issue to themselves), Problem (framed as a threat to the shared values we have just invoked), Solution (stating what you're *for*), and Action (a concrete ask of the audience, to ensure engagement and movement).

EXAMPLE:

Value

To work for all of us, our justice system depends on equal treatment and investigations based on evidence, not stereotypes or bias.

Problem

But many communities continue to experience racial profiling, where members are singled out only because of what they look like. In one Maryland study, 17.5 percent of motorists speeding on a parkway were African-American, and 74.7 percent were white, yet over 70% of the drivers whom police stopped and searched were black, and at least one trooper searched only *African American. Officers were no more likely to find contraband on black motorists than white motorists. These practices erode community trust in police and make the goal of true community safety more difficult to achieve.*

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[14] http://millionhoodies.net/million-hoodies-in-solidarity-with-standing-rock/

[15] George Takei: They interned my family. Don't let them do it to Muslims Washington Post (November 18, 2016).https://www.washingtonpost.com/posteverything/wp/2016/11/18/george-takei-they-interned-my-family-dont-let-them-do-it-to-muslims/?utm_term=.8e15097e3b44

Solution

We need shared data on police interactions with the public that show who police are stopping, arresting and why. These kinds of data encourage transparency and trust and help police strategize on how to improve their work. They also help communities get a clear picture of police interactions in the community.

Action

Urge your local police department to join police from around the country and participate in these important shared databases.

EXAMPLE:

Value

We're a better country when we make sure everyone has a chance to meet his or her potential. We say we're a country founded on the ideals of opportunity and equality and we have a real responsibility to live up to those values. Racism is a particular affront to our values and we need to do everything in our power to end it.

Problem

Yet we know that racism persists, and that its effects can be devastating. For instance, African American pregnant women are two to three times more likely to experience premature birth and three times more likely to give birth to a low birth weight infant. This disparity persists even after controlling for factors, such as low income, low education, and alcohol and tobacco use. To explain these persistent differences, researchers now say that it's likely the chronic stress of racism that negatively affects the body's hormonal levels and increases the likelihood of premature birth and low birth weights.

Solution

We all have a responsibility to examine the causes and effects of racism in our country. We have to educate ourselves and learn how to talk about them with those around us. While we've made some important progress in decreasing discrimination and racism, we can't pretend we've moved beyond it completely.

Action

Join a racial justice campaign near you.

EXAMPLE:

Value

As Americans, we believe in treating everybody fairly, regardless of what they look like or where their ancestors came from.

Problem

But what we believe consciously and what we feel and do unconsciously can be two very different things and despite our best attempts to rid ourselves of prejudices and stereotypes, we all have them - it just depends how conscious they are. All of us today know people of different races and ethnicities. And we usually treat each other respectfully and joke around together at work. But for most of us – Americans of all colors – the subtle or not so subtle attitudes of our parents or grandparents, who grew up in a different time, are still with us, even if we consciously reject them.

Solution

Personally, I look forward to the day when we can all see past color—all of us, white and black, brown and Asian. To do that, we all have to be aware of what's going on in our own heads right now. And how that collective bias has shaped our history and where we are now.

Action

But we're just not there yet. Let's make it a priority to get there.[16]

The Opportunity Agenda is a social justice communication lab. We collaborate with social justice leaders to move hearts and minds, driving lasting policy and culture change. We bring the inspirational voices of opportunity and possibility to social justice issues through communication expertise, and creative engagement.

For more messaging advice and to sign up for our newsletter, please visit
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[16] Modified from messages tested in Speaking to the Public about Unconscious Prejudice: Meta-issues on Race and Ethnicity. Drew Westen, Ph.D. March 2014

Changing *the* Narrative

How to Push Back Against Harmful Media Narratives About Youth of Color

October 2017

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Introduction & Purpose

NJJN members are dedicated to pursuing anti-racist legislative and regulatory policies in the youth justice system.

The media plays a large role in influencing the public discourse on critical topics like race, youth justice, mass incarceration and the school-to-prison pipeline.

In cities across the country we've seen regressive youth justice and education policy shifts driven in part due to media narratives criminalizing Black and Brown youth. In order to advance positive outcomes for youth, and ensure youth of color are not targeted by our education justice system, communities, organizers and advocates must counter these narratives by building relationships with the media and ensuring accurate reporting.

In this vein, this toolkit aims to provide advocates guidance on how to identify harmful media narratives, build relationships with media professionals, and hold the media accountable for its reporting.

Identifying Criminalizing Media Coverage of Youth of Color

We encourage you to consistently monitor media outlets and analyze the following criteria to identify problematic narratives. Below are criteria for analyzing media coverage.

Criteria for Analyzing Media Coverage

Language Choice - Watch out for dehumanizing language that describes youth of color as thugs or menaces. Pay particular attention to keywords like: 'ex-con,' 'felon,' or 'militant,' and language around undocumented youth. Phrases like "illegal immigrant" or "illegal alien" cement the idea that a person's very existence is criminal and that undocumented youth should be entitled to fewer rights and privileges.

Language Posture - The media can frequently shift blame from the aggressor to the victim, especially when the victim is a student or youth of color. Passive phrases like "get yourself killed" or "got themselves killed" justify the use of excessive force and absolve the aggressor of responsibility, especially when the aggressor is a police officer. Encourage journalists to use active language like "x person shot y youth" to ensure Black and Brown youth are not criminalized in media coverage.

Background Descriptions - Including certain details about a young person's background can be criminalizing. Are previous arrests or convictions included in the description of youth victims? Are descriptions around a student's disciplinary record included? These background details dehumanize youth of color and frequently define victims by their mistakes, rather than children. Be on the lookout for irrelevant details like socio-economic status (ex: on welfare/food stamps/Section 8). These details are usually irrelevant to the story and reinforce the narrative of the inevitability of criminal behavior among poor people.

> *Example*
> In public discussions, Black children often morph into potentially menacing adults after they've been victimized, while white mass shooters are portrayed as children, even if they're well into their 20s. Ex: Tamir Rice, a 12-year-old boy shot by police in Cleveland while playing with a toy gun, was characterized as a "young man." But James Holmes, who was 25 when he shot dozens at an Aurora, Colo., movie theater, was frequently defined by his youth in media profiles, which described him as "a normal kid," a "typical American kid" and "a smart kid."
> - Excerpt from Anthea Butler's piece in the Washington Post

Image Sourcing - Images are often a key component of criminalizing coverage of youth of color. Look out for news segment or articles that include mug shots rather than a yearbook or family photo. Images are powerful and mug shots inherently imply adulthood and criminality. White youth like Brock Turner, the infamous Stanford University student convicted of rape, are more likely to have flattering photos included in media coverage, even when convicted of heinous crimes.

Responding to Criminalizing Coverage of Youth of Color

As you monitor media in your state, undoubtedly coverage criminalizing youth of color will arise requiring advocates to hold reporters, editors and outlets accountable. Below you will find examples to help guide your outreach.

1. Email Reporters and Editors - Email reporters and editors when you come across coverage that criminalizes youth of color.

Sample Email

Subject: Re: Racist Maryland man who fatally stabbed Black New Yorker admits his intent to kill African-American men

Rocco and Aidan,

Jeralyn Cave here with Advancement Project, a national multi-racial civil rights organization that does work around policing and the school-to-prison pipeline. We are deeply disappointed with your reporting on the murder of Caughman and the way in which you criminalized a Black murder victim. Below I have posted your descriptions of the murderer and self-proclaimed white nationalist, James Jackson, and Caughman, an innocent Black resident completely undeserving of the atrocious attack.

Caughman lived in transitional housing on W. 36th St. that serves people with HIV/AIDS. Praxis Housing Initiatives holds a contract with the city. He has 11 prior arrests, including for marijuana, assault, resisting arrest and menacing.

Why did your team choose to mention that the victim had 11 prior arrests? His arrest record is of no relevance to the fact that he was the victim of a hate crime. The description used is a reoccurring trend we frequently see in the media: the use of language and details that criminalize Black and Brown victims that in many ways seems to justify their death and reduce their humanity. Does it really matter if Caughman was transient or had previous arrests?

On the contrary, your depiction of the murderer seems to say the exact opposite and invoke even a form of compassion, as if maybe he was sick or insane. *James Harris Jackson, an Army veteran who served in Afghanistan and is a member of a documented hate group from Maryland, surrendered to cops just after midnight Tuesday, sources said.*

You seem to portray James as a pretty upstanding guy, other than the fact that he was a racist murderer and a member of a hate group. I would love to connect you with our staff to talk further in the future about how folks at the *Daily News* can be more conscious of the narrative they paint in describing Black and Brown victims of hate crimes. I can be reached at the number in my signature and via email.

2. Call, Call, Call - Editors write headlines; reporters don't. When responding to criminalizing coverage, the best person to engage is the person who has the power to correct and update an article or piece. This is of importance as an individual journalist or reporter may be a contributor to an outlet and not a staff writer/producer. Call the outlet and request to speak with the appropriate editor. Describe the problematic coverage and express your disappointment. Make sure to request a correction to the story during your conversation. You can gain more leverage by having multiple allies call the editor requesting a change in the criminalizing coverage.

3. Be a Resource - Media coverage is often impacted by tight deadlines and limited resources. Coverage that contains criminalizing language or problematic visuals can be the result. Be a resource by offering pictures, biographies and information about youth that provide a more complete picture of a young person's interests, extracurricular activities, passions and character.

Amplify positive news. Send a note of thanks for a good story or for revisions to an inaccurate story. Share the piece across your social channels to boost traffic to the news organization's site and they will notice

4. Create Your Own Content - If the narrative the media pushes is problematic, develop your own content. Write op-eds and send letters to the editor on the real youth justice story. Publish your blog posts online, send them out in your newsletters and post them on social media.

Tips to Building Positive Media Relationships

Developing and maintaining positive media relationships will help you challenge problematic portrayals of youth of color. Incorporate the below media relations strategies to begin to building positive media relationships with journalists.

1. Introduce yourself and your organization's work. When reaching out for the first time to journalists, introduce yourself and your organization. Be clear about what kind of work you do and how you can be a resource in the future. Show them that you've read their work and tailor your message accordingly.

Send an intro email like the one below and invite the reporter to an in-person meeting (i.e. coffee). Schedule a phone conversation if they're unavailable to meet in person. During the conversation, learn about the journalist's reporting priorities, how they like to receive information and what topics they are exploring for future stories. Share your expertise, current work and upcoming projects.

 Sample Introductory Email

Hi Sherri,

Jane Doe here and I wanted to personally reach out and introduce myself. I am a member of [Insert organization], a statewide coalition dedicated to securing state, local and federal laws, policies and practices that are fair, equitable and developmentally appropriate for all children, youth and their families. I'd love to offer a variety of juvenile justice, education and civil rights experts including [Insert Name], our Executive Director, that might be of interest to you for future articles/features.

I would also love to connect you with [expert name and title] at [organization] if you are interested. Last week, a video captured a police officer assaulting Benjamin Franklin High School senior Brian Burney after he failed to show a pass to use the bathroom. The violent incident, which included Burney being punched in the face, prostrated in the school hallway and placed in a headlock, prompted strong condemnation from the student coalition. Burney and the student recording the incident are both PSU members.

I'd love to setup a meeting or call with you to talk shop on how we might be an asset and learn more about the projects you may have in the works. Please let me know your availability for the coming weeks. I look forward to meeting you soon.

[Insert your signature]

2. Create a Media Hot List - Create a list of go-to media members who report on your issues. This list should include journalists, editors, bloggers and TV/radio producers. Keep this list up to date, easily accessible and make sure this group gets relevant press releases, media advisories and event announcements from your organization.

3. Connect on Social Media - Social media offers great accessibility to journalists. Twitter and other social media platforms are used widely by journalists so you should connect with them online. Interact with reporters -- like, share and comment on their work. Remember to keep it casual -- it is social media after all.

4. Act as a resource - Offer research, experts or impacted sources who are willing to be interviewed. Have fact sheets and one-pagers ready for journalists writing stories about your issues. Send relevant quotes and pictures with your information.

5. Stay in touch - Send your new research to crime reporters and direct them to your newsroom or hub for the latest juvenile justice information. Also send relevant information to reporters that may not always come directly from you, but may be helpful to the reporter in writing stories or finding new leads. This is an important in relationship media building and showing you are here to help.

Social Media Strategies for Changing the Media Narrative

Social media is the new town square -- use this effective tool to connect with key journalists, get your message out to the masses and send targeted messages to an individual or organization. The purpose of this strategy sheet is to equip you with tactics for changing the media narrative using your social media channels.

1. Go to social media with a game plan - What do you want to accomplish? How will you accomplish it? What will be your goals? Maybe you want a certain number of users to tweet *politely* at a news outlet or journalist about a problematic story.

2. Follow the reporters on social media - See what journalist from your Media Hot List are tweeting about, what they cover and how/if they respond to readers on social media.

3. Treat your Twitter bio like an elevator pitch - Establish authority by writing a strong Twitter bio that conveys your expertise.

4. Be polite - No one likes being called out. If you do decide to do so on Twitter, consider having it come from a personal account instead of your organization's account so it feels more authentic. On Twitter, make sure their Twitter handle is first in your tweet and that the first character of your tweet is the @-symbol. Twitter treats this as a reply and only shows this content to the people who follow both you and the reporter, which is likely just a handful of people. **Tip: Have coworkers read your tweet before and ask them to put themselves in the shoes of the journalists to see if your response is appropriate and will be well received.**

Tyler Creighton @tylercreighton · Following

@MHbherman XX% of "shareholders" didn't vote against the measures. Shareholders owning XX% of "shares" voted against.

9:49 AM - 27 May 2016

Reply to @tylercreighton @MHbherman

Bob Herman @MHbherman · May 27
@tylercreighton Yes--thanks. We'll update.

Don't just say: "this is inaccurate." Provide the reporter with the correct information

5. Enlist the help of others - You have people in your network who care about children being criminalized and would go to bat for youth of color. Equip your local ambassadors with messaging, tweets and research that challenges harmful media narratives.

Additional Resources

Explore the following resources for more information on changing the media narrative on youth of color, engaging the media and countering harmful coverage.

Experts Discuss The Ways Media Criminalize Youth Of Color
A panel discussion with Advancement Project, Media Matters, Blackbird and *The Root* explores how the media contribute to and perpetuate harmful narratives about youth of color.

Best Practices for Journalists Reporting on Police Killings of Black and Brown People
This document provides journalists and producers with guidance on how to best cover Black and Brown people, especially when they are killed by police.

Pitching Stories to Reporters
Use NJJN's helpful document for guidance, tips and best practices on pitching reporters.

Campaign for Youth Justice Media Guide
This comprehensive guide, courtesy of the Campaign for Youth Justice, provides guidance on media engagement and sample media materials you can use and remix.

Social Justice Phrase Guide
The Social Justice Phrase Guide developed by Advancement Project and the Opportunity Agenda is a go-to tool to craft inclusive messages across media platforms and across communities.

Advancement Project is a multi-racial civil rights organization. Founded by a team of veteran civil rights lawyers in 1999, Advancement Project was created to develop and inspire community-based solutions based on the same high quality legal analysis and public education campaigns that produced the landmark civil rights victories of earlier eras.

The National Juvenile Justice Network is composed of coalitions, organizations and alumni of the Youth Justice Leadership Institute across 44 states and the District of Columbia, all of whom advocate for a fairer justice system for children and teens. For more information, visit www.njjn.org

For more information, contact Advancement Project at jcave@advancementproject.org or the National Juvenile Justice Network at info@njjn.org.

National Juvenile Justice Network

Resources on Racial Disparities in the Juvenile Justice System

APRIL 2018

Below is a listing of key websites and resources to help understand the language used to describe disparities, how it's measured, trends, and the most recent statistics.

- Burns Institute - has a wealth of information on racial and ethnic disparities in the youth justice system.
  - Burns Institute interactive map - provides state specific data on the disparity gap between youth of color and white youth at nine key juvenile justice decision-making points.
  - "Stemming the Rising Tide: Racial and Ethnic Disparities in Youth Incarceration and Strategies for Change" (2016) - highlights the troubling trends in youth of color incarceration and recommends strategies for reform.

- Center for Children's Law and Policy – has information on their work with many jurisdictions to reduce racial and ethnic disparities.
  - Racial and Ethnic Disparities (RED) Practice Manual (2015) provides guidance, strategies, and tools for reducing disparities.

- The Juvenile Justice Resource Hub - Racial-Ethnic Fairness section
  Provides statistical information and an overview of key issues and reform trends.

- National Juvenile Justice Network - has a growing list of resources on the Anti-Racism page.
  - "Implicit Bias Snapshot" (Sept. 2017) provides an overview of how this problem impacts the youth justice system.

- The Office of Juvenile Justice and Delinquency Prevention (OJJDP)'s National Disproportionate Minority Contact (DMC) Databook - allows users to quantify the level of disparities at each decision point in the system.

- The Sentencing Project - has statistics and briefing papers on the juvenile justice system, including racial disparities.
    - "Black Disparities in Youth Incarceration" – September 12, 2017
    - "Racial Disparities in Youth Commitments and Arrest" – April 1, 2016
    - "Disproportionate Minority Contact in the Juvenile Justice System" - May 1, 2014