



**Center for the  
Study of  
Social Policy**  
Ideas into Action



# **Shifting the Perceptions and Treatment of Black, Native, and Latinx Youth Involved in Systems of Care**

*This document was supported by cooperative agreement number 2018-V3-GX-K014, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this document are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice, Office for Victims of Crime.*

# Shifting the Perceptions and Treatment of Black, Native, and Latinx Youth Involved in Systems of Care

## Abstract

The healthy development and well-being of Black, Native, and Latinx youth are threatened when authority figures, decision makers, and other adult gatekeepers involved in systems of care perpetuate negative racial and ethnic stereotypes and/or hold implicit biases. Often, the outcomes of these perceptions are punishment-based systems that are weighted against Black, Native, and Latinx youth, employ unnecessarily harsh treatment, and contribute to racial and ethnic disparities. The purpose of this report is to examine the nature and impact of distorted racial perceptions of Black, Native, and Latinx youth involved in systems of care; identify the ways in which these systems are failing them due to distorted racial perceptions; and propose strategies that will mitigate the influence of racism in these systems and promote individual and systems decision making and practice that is developmentally appropriate, nurturing, and equitable for all youth.

This report is one in a five-part series about improving outcomes for youth involved in systems of care. The titles in the series are:

1. Promoting the Well-Being of Black, Native, Latinx, and Asian Youth Involved in Systems of Care
2. Protective Factors for Youth Involved in Systems of Care
3. Shifting the Perception and Treatment of Black, Native, and Latinx Youth in Systems of Care
4. The Systemic Neglect of Children, Youth, and Families of Color: Distinguishing Poverty Experienced by Families from Neglect
5. Breaking the Stigma and Changing the Narrative: Strategies for Supporting Expectant and Parenting Youth Involved in Systems of Care

## **Shifting the Perceptions and Treatment of Black, Native, and Latinx Youth Involved in Systems of Care**

Identity refers to who you are, the value you assign to your characteristics, and the way you are perceived by the world. Identity development is a process by which individuals come to understand themselves within their unique contexts, conditions, and circumstances. Identity development occurs across the lifespan. However, it is during adolescence that youth explore their emerging identities in ways that promote their sense of autonomy and connectedness<sup>1</sup> and consider how their racial, ethnic, gender, socioeconomic class, ability, and sexual orientation identities may affect their lives. Youth receive direct and vicarious messages about their identities from their family, friends, peer groups, community, mass media, social media, school, social norms, and the larger society; and they learn that all identities are not equally valued.

Black, Native, and Latinx youth in the United States develop their identity in the context of a racially oppressive society that ascribes negative stereotypes to their racial and ethnic group. Thus, their personal identity becomes intertwined with stereotyped perceptions of their group.<sup>2</sup> According to a report from the National Scientific Council on Adolescence, “healthy identity formation for Black (Native and Latinx) youth includes understanding the negative views held by others about (their race/ethnic group) and developing positive self-identity and positive racial group-identity despite those negative views.”<sup>3</sup>

For Black, Native, and Latinx youth who are involved in systems of care—such as education, child welfare, courts, social services, juvenile justice, and victim services—their sense of identity also can be tied to their positive and challenging experiences both before and during their systems involvement. These youth may interact with adults inside these systems who have negative stereotyped perceptions and implicit biases about them and their circumstances (e.g., violent, unintelligent, sassy, disrespectful, bad home life), as well as preconceived expectations about their future life outcomes (e.g., likely to be incarcerated, have early pregnancies, be drug involved).<sup>4</sup> Racial stereotypes and implicit biases limit the experiences, opportunities, resources, and achievements of these youth because people may believe in the “truth” of their perceptions even in the face of evidence to the contrary.

The premise of this report is that the healthy development and well-being of Black, Native, and Latinx youth is threatened when authority figures, decision makers, and other adult gatekeepers involved in systems of care have entrenched negative racial and ethnic stereotypes and implicit biases. Often, the outcomes of these perceptions are punishment-based systems that are weighted against Black, Native, and Latinx youth, employ unnecessarily harsh treatment, and contribute to racial and ethnic disparities. “Understanding how and why these racial/ethnic inequalities occur and persist is now widely considered incomplete without attention to possibly the most critical and distinctive social exposure experienced by stigmatized racial/ethnic groups—the added burden of racism.”<sup>5</sup> It is important, then, to examine the nature and impact of distorted racial perceptions of Black, Native, and Latinx youth involved in systems of care; identify the ways in which these systems are failing them due to distorted racial perceptions; and propose strategies that will mitigate the influence of

racism in these systems and promote individual and systems decision making and practice that is developmentally appropriate, nurturing, and equitable for all youth.

*Note: Most of the research on youth and the impact of racism focuses on Black youth<sup>6</sup>; however, some of the findings are generalizable to Native and Latinx youth as well. Findings specific to particular racial or ethnic group are noted as such.*

## **Racial Stereotyping**

Racial stereotypes are exaggerated and generalized beliefs and expectations about a group of people based on their race or ethnicity. They can be *intended* to be positive and complimentary (e.g., “Black people are natural athletes”/“Old Native Americans are wise”/“Latinx people can dance well”), but most often they are negative and offensive (e.g., “Black people are prone to violence”/“Native Americans are lazy”/“Latinx men are threatening”). Studies have found that most people in the United States do not consciously believe in offensive racial stereotypes and that they see racial equality as a desired goal.<sup>7</sup> However, “the evolution of egalitarian conscious values does not mean that stereotypes traditionally associated with Black (Native and Latinx) people have been eliminated; rather they continue to linger in people’s unconscious and express themselves in a variety of ways constituting what is termed ‘implicit bias.’”<sup>8</sup> Implicit biases are unconscious attitudes toward a group of people that are influenced by exposure to persistent stereotypes.<sup>9</sup>

Racial stereotyping is rooted in the ideology of racism which means that it is not simply a product of individuals’ negative racial attitudes; racial stereotyping is also a reflection of systemic racism. For example, a report from the *Ontario Human Rights Commission* indicated that the Ontario Court of Appeal ruled that it is appropriate for courts to consider the role that systemic racism might have played in the defendant’s action. The report stated:

*In citing the relationship of individuals’ actions and systemic racism, as exemplified through racial profiling/stereotyping, these judges underscore the fact that... racism is not simply a reflection of individuals’ negative attitudes toward racial minority members of society (i.e. individual racism), but also a reflection of how the policies, regulations, programs, values, norms, sanctions, and practices of institutions within society inform and structure individuals’ attitudes and practices towards those considered subordinate or inferior (i.e., systemic racism).<sup>10</sup>*

## **The Super-Predator Myth**

Racial stereotypes are used to rationalize various attitudes toward Black, Native, and Latinx peoples—such as having low academic and occupational expectations—and justify treatment of them including violence, social control, and structural oppression.<sup>11,12,13</sup> For example, in the 1990s the word “super-predator” was used to

describe what criminologists portrayed as the coming of a new generation of remorseless, predominantly Black inner-city children and youth who were born to be muggers, rapists, drug dealers, and murderers and who had little value for the lives of their—primarily White—victims.<sup>14,15,16</sup> The media, prominent politicians, and researchers worked in concert to highlight the super-predator theory which asserted that Black and Latinx children and youth were predisposed to violent crime. “Black and Latinx youth were not only disproportionately incarcerated during this time they were also disproportionately shown on television and in newspapers being arrested for crimes, reinforcing negative racial biases without explicitly saying it.”<sup>17</sup>

The super-predator theory had no basis in science, crime statistics, or the actual behavior of Black children and youth. Also, it ignored the structural factors that create the conditions for crime such as an economic recession and high unemployment rates. Nonetheless, it had a profound effect on the way in which law enforcement, prosecutors, judges, and state legislatures perceived and responded to Black and Latinx children and youth with “get tough” practices and policies. *The Marshall Project*—an online news organization that focuses on criminal justice issues in the United States—in partnership with *NBC News*, wrote:

*State legislatures were already busy dismantling a century’s worth of protections for juveniles when the fear of “super-predators” gave them a new push. . . . By the end of the 1990s, virtually every state had toughened its laws on juveniles: sending them more readily into adult prisons; gutting and sidelining family courts; and imposing mandatory sentences, including life sentences without parole.*<sup>18</sup>

The super-predator theory was shown to be unsubstantiated and punitive laws that were passed in response to the super-predator myth are slowly being reversed.<sup>19</sup> Yet, the idea has been used to reinforce and justify

the historical and contemporary racial stereotype of Black criminality, as well as the dehumanizing American tradition of assuming that children and youth of color are expendable and not worthy of protection.<sup>20,21</sup> The idea of super-predators also fueled the mass incarceration movement by committing large numbers of Black and Latinx youth into the adult prison system for long periods of time. The Campaign for the Fair Sentencing of Youth reported that “75 percent of all kids sentenced to life without parole were sentenced in the 90s or later, and 70 percent of this population are kids of color (60 percent Black).”<sup>22</sup>

*“75% of all kids sentenced to life without parole were sentenced in the 90’s or later, and 70% of this population are kids of color (60% black).”*

*“Pictures of the brain in action show that adolescents’ brains work differently... when they make decisions...”*

## Adultification Bias

Adultification bias is another manifestation of the racist and dehumanizing practice of perceiving and treating children and youth of color unfairly based on explicit or implicit negative racial beliefs. Neuroscience has demonstrated that the developmental stages of childhood and adolescence are distinct from adulthood. “Pictures of the brain in action show that adolescents’ brains work differently than adults when they make decisions or solve problems. Their actions are guided more by the emotional and reactive amygdala and less by the thoughtful, logical frontal cortex.”<sup>23</sup> Also, socially, childhood and adolescence represent distinct developmental stages that are characterized by innocence and the need for protection. A growing body of research has found that these attributes often are not ascribed to Black, Native, and Latinx youth; instead, young people of color are viewed and treated through the lens of adultification bias.<sup>24,25</sup>

Adultification bias occurs when adults—in particular authority figures such as educators, school resource officers, social workers, law enforcement, probation officers, prosecutors, and judges—have distorted perceptions and expectations of Black, Native, and Latinx children and youth.<sup>26</sup> When compared to their White peers, Black, Native, and Latinx children and youth are perceived as older than their actual age—even those as young as 5-9 years old<sup>27</sup>—more adult-like, less innocent, more deviant, not deserving of leniency to make mistakes, and less in need of nurturing, protection, comfort, and support.<sup>28,29,30,31,32</sup> Addressing adultification bias is important because what adults believe about Black, Native, and Latinx youth matters in two ways: adults’ beliefs inform how they treat these youth as well as what these youth may come to believe about themselves.

*On January 31, 2020, police in Rochester, New York released body camera video showing officers restraining a 9-year-old Black girl in handcuffs, pepper spraying her, and pushing her into the cold snow. At one point, the officer demanded that the young girl stop acting like a child. She responded saying “I am a child.”<sup>33</sup>*

Adultification bias causes the misdeeds of Black, Native, and Latinx children and youth to be viewed as intentional and malicious rather than as a result of decision-making skills that are still developing.<sup>34,35</sup> Instead of responding to them with sensitivity to their needs and developmentally appropriate supportive services, racially biased perceptions cause individuals and systems to respond in ways that deny Black, Native, and Latinx children and youth the protections and humanity afforded to White children. Deciding who counts as a child—and then acting on that decision—may be the country’s most dehumanizing form of racism.

## Adultification Bias in Systems of Care

Numerous studies have yielded data suggestive of adultification bias in education, juvenile justice, and child welfare systems. Although most research on adultification bias is specific to Black children, research shows that Native and Latinx children and youth are impacted, as well.<sup>36</sup> These data also provide evidence of systemic racial and ethnic disproportionality and disparity within education, juvenile justice, and child welfare. The National Conference of State Legislatures clarified the difference between disproportionality and disparity by indicating that disproportionality refers to the overrepresentation or underrepresentation of a racial or ethnic group compared to its percentage of the total population, whereas disparity refers to unequal outcomes of one racial or ethnic group as compared to another.<sup>37</sup>

## Education System

Schools were established to be places of learning, growth, and development lead by administrators and teachers who are supposed to have all children's best interest in mind. But administrators and teachers can bring implicit racial and ethnic biases with them when they enter the school (e.g., "Math courses are too difficult for students of color"; "Black and Latinx boys are angry and threatening"). As a consequence, schools can become places of low expectations<sup>38</sup> and social control<sup>39</sup> for some students and high expectations and freedom of expression for others. Researchers have found that "schools vary their messaging based on whether students are White or of color: While White students often see schools as places of care that invest in them, where teachers are supportive mentors, students of color generally report that schools teach them discipline and social responsibility,"<sup>40</sup> and communicate in words or deeds that not much is expected of them academically.<sup>41</sup>

*"schools vary their messaging based on whether students are white or of color..."*

Schools with higher populations of Black children are more likely to have stricter school policies, more security measures, and greater presence of police officers or school resource officers (SROs).<sup>42</sup> Strict, severe punishments are often put in place—such as the implementation of zero tolerance policies—under the guise that these practices are warranted in order to make schools safer and maintain order. But when Black, Native, and Latinx children and youth are treated as problems to be dealt with in schools rather than as students to be nurtured and cared for, their safety and well-being are compromised. For example, studies have shown that Black and Latinx students experience differential treatment and harm from SROs. They report that they feel less safe at schools with SROs; do not believe that SROs are trustworthy or care about them; and see SROs as overly aggressive and prone to escalate tense situations rather than calming them down.<sup>43,44</sup>

Studies have found that suspension, expulsion, and zero tolerance discipline policies and procedures tend to be ineffective, do not create a safer school environment, and are associated with a higher likelihood of future misbehavior, school dropout, and failure

to graduate on time.<sup>45,46</sup> Notwithstanding the inefficacy of exclusionary discipline policies, Black students are more likely than White students to be referred for detention, suspension, or expulsion<sup>47</sup> for the same school regulation infractions as White students who receive more benevolent and shorter-length consequences. “In some cases, school discipline policies were used to preemptively label primarily Black and Latino students as potentially dangerous, who were then removed and placed into alternative schools”.<sup>48</sup>

*“...school discipline policies were used to preemptively label primarily Black and Latino students as potentially dangerous...”*

The most recent school discipline data from the U.S. Department of Education, Office for Civil Rights (school year 2017-2018) indicate that racial disproportionalities and disparities start early, extending from preschool through high school with Black children and youth

experiencing higher rates of suspension and expulsion at all levels.<sup>49</sup> Preschool data show that although Black children represented only 18.2 percent of the total preschool enrollment, they accounted for 43.3 percent of one or more out-of-school suspensions and 38.2 percent of expulsions. This means that Black preschool children were suspended and expelled at rates that were more than twice their percentage of the total preschool enrollment. In contrast, White preschool children represented 43.0 percent of the total preschool enrollment but accounted for only 37.0 percent of suspensions and 37.6 percent of expulsions.

Similar public K-12 suspension and expulsion data were reported. Black students represented only 15.1 percent of the total student enrollment, yet they accounted for 31.4 percent of in-school suspensions, 38.2 percent of out-of-school suspensions, 38.8 percent of expulsions with educational services, and 33.3 percent of expulsions without educational services. This means Black K-12 students were suspended and expelled at rates that were more than twice their percentage of the total student enrollment. In contrast, White K-12 students represented 47.3 percent of the total student enrollment and accounted for 38.8 percent of in-school suspensions, 32.9 percent of out-of-school suspensions, 33.4 percent of expulsions with educational services, and 43.5 percent of expulsions without educational services.

## Juvenile Justice System

Black, Native, and Latinx youth are more likely to be perceived by law enforcement and legal actors as older and more culpable for their actions than their White peers; thus, they are at increased risk of contact with the juvenile justice system and police violence if accused of a crime.<sup>50,51,52,53</sup>

*“While 14% of all youth under 18 in the U.S. are Black, 42% of boys and 35% of girls in juvenile facilities are Black.”*

Despite data showing that Black, Native, and Latinx youth do not engage in crime more than White youth,<sup>54</sup> both male and female Black and Native youth are overrepresented in the juvenile justice system relative to their percentage of the total youth population. “While 14% of all youth under 18 in the U.S. are Black, 42% of boys and 35% of girls in juvenile facilities are Black. And even excluding youth held in Indian country facilities, American Indians make up 3% of girls and 1.5% of boys in juvenile



facilities, despite comprising less than 1% of all youth nationally.”<sup>55</sup> Data shows that racial disproportionalities and disparities are particularly prevalent for Black youth. In 2017, the *Equal Justice Initiative* reported that:

*Black youth are burdened by the presumption of guilt and dangerousness—a legacy of our history of racial injustice that marks youth of color for disparately frequent stops, searches, and violence and leads to higher rates of childhood suspension, expulsion, and arrest at school; disproportionate contact with the juvenile justice system; harsher charging decisions and disadvantaged plea negotiations; a greater likelihood of being denied bail and diversion; an increased risk of wrongful convictions and unfair sentences; and higher rates of probation and parole revocation.*<sup>56</sup>

Black youth are more than four times as likely as White youth to be detained or committed in juvenile facilities in every state but Hawaii, and their incarceration rate is 4.6 times higher than White youth.<sup>57,58</sup> Native youth are more than three times as likely as White youth to be detained or committed in juvenile facilities, and their incarceration rate is 2.8 times higher than White youth.<sup>59</sup> Latinx youth are 28 percent more likely to be detained or committed in juvenile facilities, and their incarceration rate is 42 percent higher than White youth.<sup>60</sup>

Once in the juvenile justice system, Black youth experience harsher, disparate treatment at almost every decision point.<sup>61</sup> For example, from arrest to case disposition and sentencing, Black girls face more punitive treatment than White girls in the juvenile justice system.<sup>62</sup> Black youth are more likely to have their cases referred to juvenile court and less likely to have their cases diverted.<sup>63</sup> In 2017, while Black youth made up 35 percent of all juvenile cases, 54 percent of these cases were transferred to adult court.<sup>64,65</sup> In contrast, White youth accounted for 44 percent of all juvenile cases, but made up only 31 percent of cases transferred to adult court. While any incarceration is detrimental to well-being, sending youth to adult facilities exposes them to additional threats such as higher rates of sexual violence and suicide and lack of rehabilitative services like counseling and education.<sup>66</sup>

Even though racial disparities are the most pronounced for Black youth involved in the juvenile justice system, Native and Latinx youth also experience harsher outcomes at higher rates than White youth once they are in the juvenile justice system. Native youth are more likely to experience higher rates of confinement through detention and residential placements.<sup>67</sup> Also, Native youth in state and federal juvenile justice systems are 50 percent more likely than White youth to receive harsher treatment such as pepper spray, restraint, and isolation.<sup>68</sup> California juvenile justice data show that prosecutors use their power of prosecutorial discretion (i.e., direct file) to transfer Latinx youth to adult court at 3.4 times the rate of White youth, and that Native youth are 1.8 times more likely than White youth to have their cases transferred to adult court.<sup>69</sup>

## **Child Welfare**

Several bodies of research<sup>70,71,72,73,74</sup> have documented the following racial disproportionalities and disparities in the child welfare system. According to 2019 data:

- Black families are over reported to child protective services for suspected maltreatment. Black children were 14 percent of the child population, yet 23 percent of children in foster care.
- American Indian and Alaska Native children accounted for 1 percent of the child population, yet they made up 2 percent of children in foster care.
- American Indian and Alaska Native children were 4 times more likely than White children to be separated and removed from their families then placed in foster care.
- Black and American Indian children made up a disproportionate number of children identified as victims by child protective services and children waiting to be adopted; some of whom actually have a biological family, but the courts terminated parental rights and stopped working with the family.
- White children were underrepresented in the foster care population. They made up 51 percent of the child population, yet they accounted for only 44 percent of children in foster care.

Studies also have found that racial and ethnic disparities exist along the child welfare decision-making continuum and families of color experience disparate treatment and outcomes, such as experiencing child protective services investigations at higher rates than other families.<sup>75,76</sup> In addition, once they are involved in child welfare, children of color are:

- at greater risk of being confirmed for abuse or neglect than other children,
- more likely to be removed from their homes, placed in out-of-home care, and experience multiple placements,
- less likely to reunify with their birth families due to termination of parental rights or to establish a permanent placement, and
- less likely to receive developmentally appropriate trauma-informed and healing-centered services, thus they are more likely to experience poor social, behavioral, and educational outcomes.<sup>77,78,79</sup>

### **Strategies for Shifting Perceptions of Black, Native, and Latinx Youth in Systems of Care**

The data suggestive of adultification bias in education, juvenile justice, and child welfare systems also suggest that the policies, procedures, and practices that guide the culture of these systems may reflect biased perceptions, expectations, and persistent dehumanization of Black, Native, and Latinx youth. Thus, it is essential

- Dispelling Stereotypes
- Increasing Knowledge
- Listening to and Empowering Youth
- Fostering Transformational Relationships
- Acquiring Data and Information
- Improving Systems

to change the culture within and across these systems by shifting to one that demonstrates a more accurate and equitable understanding of these youth—building on their strengths and offering support, care, and nurturance. Active, intentional, and systematic data-driven strategies are needed that counter racist narratives about and disparate treatment of Black, Native, and Latinx youth involved in systems of care. The following are examples of research- and/or practice-informed actions that should be taken that focus on dispelling stereotypes, increasing knowledge, listening to and empowering youth, fostering transformational relationships, acquiring data and information, and improving systems.

## **Dispelling Stereotypes**

Because racial stereotypes are often promoted in subtle but pernicious ways, distorted images and messages about Black, Native, and Latinx people are easily assumed to be true; as a consequence, they are resistant to change. Thus, it is critically important to actively and intentionally employ ongoing efforts to dispel stereotypes, such as:

1. Requiring anti-racist/anti-bias training and coaching for all individuals within a system who interact with youth, have the power to convey dehumanizing messages in their words and deeds, and/or impose punishment. Training and coaching should focus on the following:
  - Explore how stereotypes, in general, are formed, the historical context and contemporary manifestation of specific racial stereotypes, the effects of racial stereotypes on youth of color and youth not included in these groups; and how racial stereotypes impact authority figures' differential perceptions of which youth should be surveilled, reported, investigated, and punished.
  - Explore how media and science have been used to promote and justify racial stereotypes.
  - Encourage discussion, analysis, and debate.
2. Engaging media and other producers of images to partner with systems of care to promote positive images of Black, Native, and Latinx youth in action, as well as providing examples of nurturing, developmentally appropriate responses to them when they make mistakes.
3. Creating intentional opportunities to engage with Black, Latinx, and Native youth and communities in ways that are about understanding joy, not just about needs and deficits.

## **Increasing Knowledge**

Youth-serving professionals are better able to understand, support, encourage, and advocate for Black, Native, and Latinx youth involved in systems of care when there are structured, ongoing efforts to increase their knowledge, such as:

1. Requiring training of all youth-serving professionals in systems of care about:
  - all domains of adolescent development should be addressed with particular attention to how the adolescent brain functions and how this knowledge can be incorporated into how they work with and make decisions about youth; the intersection of race/ethnicity, gender identity, ability, sexual orientation, and sexual expression in identity development,
  - the unique needs of Black, Native, and Latinx youth; racism, anti-racism, implicit bias, racial stereotyping, adultification bias, and the impact of these experiences on Black, Native, and Latinx youth; and how to navigate and eliminate barriers that Black, Native, and Latinx youth face,
  - protective factors that help to mitigate the effects of youth's stressful life events, maximize their potential, navigate difficult circumstances, and promote a trajectory that leads to positive and productive life outcomes, and
  - the impact of trauma on child and adolescent development, how to effectively minimize these effects without causing further trauma, and healing-centered practice that focuses on promoting well-being in addition to the reduction of trauma symptoms.
2. Providing experiences that enable youth-serving professionals to reflect on the ways in which historical and contemporary racism and other forms of oppression shape their own life experiences and their attitudes toward and treatment of Black, Native, and Latinx youth.
3. Revisiting and revising policies and practices that reinforce dangerous stereotypes and undermine youth development and healing.

### **Listening to and Empowering Youth**

Youth need a voice—and their voice needs to be heard and taken seriously—in defining systems' culture, policy, and practice, as well as their own needs, hopes, and future aspirations. Strategies to engage and honor youth voice include:

1. Creating opportunities to listen to and learn from Black, Native, and Latinx youth about:
  - what they are experiencing, including how their direct, indirect, or vicarious observations and experiences of racism impact their perceptions of self and attitudes towards and interactions with others.
  - their reflections regarding their early and current developmental and experiential histories and the growth-oriented lessons they have learned.
2. Partnering with youth and sharing power to develop ideas and make decisions together. For example:
  - having functioning youth advisory groups with mandates to seek out their views in the development of and decisions about policies.

- developing and promoting youth bills of rights so youth know avenues for voicing their concerns and opinions.

### 3. Providing safe opportunities for youth to exercise their autonomy/independence:

- create or encourage experiences in which youth can make their own decisions, take positive risks, solve problems, develop a sense of belonging, experience the consequences of their choices, and build resilience—all with adult guidance and support.
- jointly negotiate age-appropriate, firm, fair rules, as well as consequences when rules are broken.
- actively listen to and value youth's opinions. Talk about and weigh pros and cons of different options and actions in order to make the best choices. Provide after-actions feedback.

## Fostering Transformational Relationships

Like other young people, youth who are involved in systems of care tend to say that having a meaningful relationship with at least one adult significantly influences their ability to positively transform their lives. But, as the Center for the Study of Social Policy noted, “these systems can, despite their good intentions, make the work of building relationships very difficult.”<sup>80</sup> Thus, it is essential to actively foster transformational relationships between Black, Latinx, and Native youth and youth-serving professionals. The Annie E. Casey Foundation defines transformational relationships as “seminal bonds between frontline workers and youth that help change the way young people feel, think, and act”<sup>81</sup> and suggests that efforts to forge transformational relationships must be prioritized and supported, such as:

### 1. Providing experiences for these youth that:

- Communicate that they matter
- Enable them to be seen for who they are and who they can become, rather than through the lens of distorted racial stereotypes
- Allow them to be heard in a context in which others are actively listening without judgement
- Challenge them to do better and confront them in non-judgmental ways
- Positively reinforce their racial, ethnic, and other identities and the communities to which they are tied.
- Enable them to understand more about themselves, exercise some control over their journey to adulthood, and believe in their own power to change.

### 2. Ensuring that youth-serving staff have the values and skills that enable them to create transformative relationships with Black, Latinx, and Native youth.

- Hire staff with demonstrated skills in forging transformative relationships with Black, Latinx, and Native youth.

- Create an agency culture—via supervision and training—that understands, values, and promotes the development of transformative relationships.
- Provide experiences for professionals that enable them to reflect on and to see Black, Latinx, and Native youth in different, more humane, strengths-based ways that challenge stereotypical perceptions and implicit biases they may have.

## **Acquiring Data and Information**

Acquiring and using quantitative and qualitative empirical evidence is necessary to better understand, meaningfully address, and eliminate unwarranted racial and ethnic disparities in systems of care. These efforts should include:

1. collecting and analyzing data at decision points in all systems of care and disaggregate by race and ethnicity to track disparities and changes at the various decision points;
2. using data to challenge or promote decision-making and the continued implementation of various practices, procedures, and policies (e.g., There is strong evidence that suspension, expulsion, and zero tolerance discipline procedures do not create a safer school environment, yet these strategies are still in place in many schools);
3. ensuring that data collection always includes soliciting and analyzing qualitative data directly from youth about their experiences and providing safe and confidential ways for youth to share this information; and
4. collecting data in ways that allow for youth to self-identify and capture the many different facets of their identity (i.e., race, ethnicity, gender identity, sexual orientation, etc.).

## **Improving Systems**

Strategies must be implemented to address systemic issues that contribute to and sustain differential access to opportunities and resources within and across systems and that result in inequitable outcomes for Black, Latinx, and Native youth such as:

1. Working collaboratively within and across systems to change policies and procedures that make systems of care more trauma-informed, healing-centered, equitable, and focused on maximizing the well-being of youth rather than blame, isolation, and punishment.
2. Integrating trauma-informed, healing-centered, and well-being language and practices into systems culture.

### 3. Requiring systems to:

- Analyze and disseminate reports about the ways in Black, Latinx, and Native children and youth have been inappropriately blamed, victimized, criminalized, and dehumanized by the deeply engrained ideology of racism within and across systems of care, and the corrective actions that will be implemented to ensure that these youth are consistently regarded and treated in humane and developmentally appropriate ways.
  - Prioritize the identification, banning, and removal of stereotyped and racist language, images of, and messages about Black, Latinx, and Native youth and replace these with age-appropriate language (e.g., refer to girls age 12 and younger as “girls” rather than “young women”), and accurate images of these youth engaged in proactive and productive activities.
  - Convene discussions with all levels of systems personnel about the impact of racial stereotypes and how they affect decisions that are made within organizations and their respective systems
4. Reviewing, analyzing, and changing the racist and/or developmentally inappropriate roots of policies and practices within systems of care (e.g., the response to youth running away should not be an arrest and juvenile charge)
5. Including Black, Latinx, and Native youth and community representatives in conversations about system reform (e.g., removing SROs and policing from schools; significantly reducing out-of-home placements; changing law enforcement and sentencing policies and practices)

### Conclusion

Systems of care are designed to provide vulnerable youth the resources, services, and supports they need to achieve healthy and productive outcomes. Unfortunately, there continue to be racial disparities among youth involved in these systems. It is acknowledged that multiple factors contribute to youth’s disparate outcomes but the impact of conscious or unconscious racist perceptions held by decision makers who yield authority over Black, Native, and Latinx youth involved in systems of care should not be ignored or discounted. The presumption of innocence, developmental immaturity, and the need for protection is afforded to White children and youth; consequently, they tend to be regarded and treated in benevolent ways in systems of care. These same characteristics are not ascribed to Black, Native, and Latinx children and youth. Instead, dehumanizing racial stereotypes and implicit biases influence the way people and systems respond to these youth—often in ways that limit their opportunities, possibilities, and ability to thrive. It is incumbent on decision makers within systems of care to actively pursue changes in policies, programs, practices, and attitudes that counter racist narratives, promote equitable treatment, and increase the likelihood of more equitable outcomes. Black, Native, and Latinx youth involved in systems of care need and deserve supports, resources, experiences, protections, high expectations, the

privilege of being listened to, forgiveness for mistakes, and opportunities to change that will enable them to grow, develop, heal, and ultimately thrive.

- 
- <sup>1</sup> Steinberg, L. (2020). *Adolescence, 12th ed.* New York, NY: McGraw-Hill.
- <sup>2</sup> Okeke, N. A., Howard, L. C., Kurtz-Costes, B., & Rowley, S. J. (2009, August). [Academic race stereotypes, academic self-concept, and racial centrality in African American youth](#). *Journal of Black Psychology*, 35(3), 366–387.
- <sup>3</sup> National Scientific Council on Adolescence. (2021). [The intersection of adolescent development and anti-Black racism: Council report #1](#). Center for the Developing Adolescent.
- <sup>4</sup> Ponciano, L., Abioye, A., & Gayle, Z. (2020). [Understanding perceptions in foster care: Changing the narrative](#). IICEHawaii2020 Conference.
- <sup>5</sup> Priest, N., Slopen, N., Woolford, S., Philip, J. T., Singer, D., Kauffman, AD, Mosely, K., Davis, M. Ransome, Y., & Willias, D. (2018) [Stereotyping across intersections of race and age: Racial stereotyping among White adults working with children](#). *PLoS ONE*, 13(9), e0201696.
- <sup>6</sup> National Scientific Council on Adolescence. (2021). [The intersection of adolescent development and anti-Black racism: Council report #1](#). Center for the Developing Adolescent.
- <sup>7</sup> Bobo, L. D. & Charles, C. Z. (2009). [Race in the American mind: From the Moynihan Report to the Obama candidacy](#). *The ANNALS of the American Academy of Political and Social Science*, 621, 243-259.
- <sup>8</sup> Godsil, R. D. & Johnson, A. M. (2013, March). [Transforming perception: Black men and boys](#). *Black Male Re-Imagined II*, Perception Institute.
- <sup>9</sup> Kirwan Institute for the Study of Race and Ethnicity. (n.d.). [Myth busters, implicit bias edition: Clearing up the confusion surrounding implicit bias](#). The Ohio State University.
- <sup>10</sup> James, C. (n.d.). [Stereotyping and its consequence for racial minority youth](#). Ontario Human Rights Commission.
- <sup>11</sup> Spoonley, P. (2019). Racism and stereotypes. In S. Ratuva (Ed.), *The Palgrave Handbook of Ethnicity* (pp. 483-498). Gateway East, Singapore: Springer Nature Singapore Pte L.
- <sup>12</sup> Solorzano, D. G. & Yosso, T. J. (2001, Fall). [From racial stereotyping and deficit discourse toward a critical race theory in teacher education](#). *Multicultural Education*, 9(1), 2-8.
- <sup>13</sup> Solorzano, D. G. (1997, Summer). [Images and words that wound: Critical race theory, racial stereotyping, and teacher education](#). *Teacher Education Quarterly*, 24(3), 5-19.
- <sup>14</sup> Jones, C. (2020, August 7). [The myth that left a legacy for young offenders](#). Kids Imprisoned.
- <sup>15</sup> Equal Justice Initiative. (2014, April). [The superpredator myth, 25 years later](#).
- <sup>16</sup> Bogert, C. & Hancock, L. (n.d.). [The media myth that demonized a generation of Black youth](#). The Marshall Project and NBC News.
- <sup>17</sup> Jones, C. (2020, August 7). [The myth that left a legacy for young offenders](#). Kids Imprisoned.
- <sup>18</sup> Bogert, C. & Hancock, L. (n.d.). [The media myth that demonized a generation of Black youth](#). The Marshall Project and NBC News.
- <sup>19</sup> Jones, C. (2020, August 7). [The myth that left a legacy for young offenders](#). Kids Imprisoned.
- <sup>20</sup> The Campaign for the Fair Sentencing of Youth. (2021, May). [The origins of the superpredator: The Child Study Movement to today](#).
- <sup>21</sup> Goff, P. A., Jackson, M. C., Allison, B., Di Leone, L., Culotta, C. M., DiTomasso, N. A. (2014, April). [The essence of innocence: Consequences of dehumanizing children](#). *Journal of Personality and Social Psychology*, 106(4), 526-45.
- <sup>22</sup> The Campaign for the Fair Sentencing of Youth. (2021, May). [The origins of the superpredator: The Child Study Movement to today](#).



- 
- <sup>23</sup> American Academy of Child & Adolescent Psychiatry. (2016, September). [Teen brain: Behavior, problem solving, and decision making.](#)
- <sup>24</sup> Goff, P. A., Jackson, M. C., Allison, B., Di Leone, L., Culotta, C. M., DiTomasso, N. A. (2014, April). [The essence of innocence: Consequences of dehumanizing children.](#) *Journal of Personality and Social Psychology*, 106(4), 526-45.
- <sup>25</sup> National Juvenile Justice Network. (2017, September). [Implicit bias: Why it matters for youth justice.](#)
- <sup>26</sup> Epstein, R., Blake J. J., & González, T. (2017). [Girlhood interrupted: The erasure of Black girls' childhood.](#) Georgetown Law Center on Poverty and Inequality.
- <sup>27</sup> Blake, J. J. & Epstein, R. (2019). [Listening to Black women and girls: Lived experiences of adultification bias.](#) Georgetown Law Center on Poverty and Inequality, Initiative on Gender Justice & Opportunity.
- <sup>28</sup> Henning, K. H. (2013, January). [Criminalizing normal adolescent behavior in communities of color: The role of prosecutors in juvenile justice reform.](#) *Cornell Law Review*, 98(2), 383-461.
- <sup>29</sup> Goff, P. A., Jackson, M. C., Allison, B., Di Leone, L., Culotta, C. M., DiTomasso, N. A. (2014, April). [The essence of innocence: Consequences of dehumanizing children.](#) *Journal of Personality and Social Psychology*, 106(4), 526-45.
- <sup>30</sup> Epstein, R., Blake J. J., & González, T. (2017). [Girlhood interrupted: The erasure of Black girls' childhood.](#) Georgetown Law Center on Poverty and Inequality.
- <sup>31</sup> National Juvenile Justice Network. (2017, September). [Implicit bias: Why it matters for youth justice.](#)
- <sup>32</sup> Davis, B. (2020, May). [Criminalization of Black girls in the juvenile legal system: Overview of pathways to confinement and strategies for supporting successful reentry.](#) Center for Court Innovation.
- <sup>33</sup> Hong, N. (2021, January 31) [Rochester officers suspended after pepper-spraying of 9-year-old girl.](#) *New York Times*.
- <sup>34</sup> Henning, K. H. (2013, January). [Criminalizing normal adolescent behavior in communities of color: The role of prosecutors in juvenile justice reform.](#) *Cornell Law Review*, 98(2), 383-461.
- <sup>35</sup> Epstein, R. & Pliakas, T. (2021, February 3). [Opinion: The police must see Black girls as the children they are.](#) *The Washington Post*.
- <sup>36</sup> Losen, D. J. & Martin, K. (2018). [The unequal impact of suspension on the opportunity to learn in California:](#) What the 2016-17 rates tell us about progress. UCLA, The Civil Rights Project.
- <sup>37</sup> National Conference of State Legislatures. (2020). [Disproportionality and race equity in child welfare.](#)
- <sup>38</sup> Gershenson, S. & Papageorge, N. (2017, October 24). [The power of teacher expectations.](#) *Education Next*, 18(1).
- <sup>39</sup> Lee, J., Bell, Z., & Ackerman-Brimberg, M. (2015). [Implicit bias in the child welfare, education and mental health systems.](#) National Center for Youth Law.
- <sup>40</sup> Knight, D. J. (2015). [Beyond the stereotypical image of young men of color.](#) *The Atlantic*.
- <sup>41</sup> Pringle, B., Lyons, J., & Booker, K. (2010, December). [Perceptions of teacher expectations by African American high school students.](#) *The Journal of Negro Education*, 79, 33-40.
- <sup>42</sup> Blad, E. & Harwin, A. (2017, January 24). [Black students more likely to be arrested at school.](#) *Education Week*.
- <sup>43</sup> Perumean-Chaney, S. E., & Sutton, L. M. (2013). [Students and perceived school safety: The impact of school security measures.](#) *American Journal of Criminal Justice*, 38, 570–588.
- <sup>44</sup> Sparks, S. D. (2020, June 24). [Do school police make Black students feel more or less safe?](#) *Education Week*.
- <sup>45</sup> American Psychological Association Zero Tolerance Task Force. (2008). [Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations.](#) *American Psychologist*, 63(9), 852–862.
- <sup>46</sup> Lee, J., Bell, Z., & Ackerman-Brimberg, M. (2015). [Implicit bias in the child welfare, education and mental health systems.](#) National Center for Youth Law.
- <sup>47</sup> Hill, R. B. (2004). [Institutional racism in child welfare.](#) *Race and Society*, 7(1), 17-22.
- <sup>48</sup> Lee, J., Bell, Z., & Ackerman-Brimberg, M. (2015). [Implicit bias in the child welfare, education and mental health systems.](#) National Center for Youth Law.
- <sup>49</sup> U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection. (2021, June). [An overview of exclusionary discipline practices in public schools for the school year 2017-2018.](#)
- <sup>50</sup> Goff, P. A., Jackson, M. C., Allison, B., Di Leone, L., Culotta, C. M., DiTomasso, N. A. (2014, April). [The essence of innocence: Consequences of dehumanizing children.](#) *Journal of Personality and Social Psychology*, 106(4), 526-45.

- 
- <sup>51</sup> Ocen, P. A. (2015). *(E)racing childhood: Examining the racialized construction of childhood & innocence in the treatment of sexually exploited minors*. UCLA Law Review.
- <sup>52</sup> Hamilton-Jiang, S. L. (2019, Fall). [Children of a lesser God: Reconceptualizing race in immigration law](#). *Northwestern Journal of Law and Social Policy*, 15(1), 38-81.
- <sup>53</sup> Davis, B. (2020, May). [Criminalization of Black girls in the juvenile legal system: Overview of pathways to confinement and strategies for supporting successful reentry](#). Center for Court Innovation.
- <sup>54</sup> Kann, L., McManus, T., Harris, W. M., Shanklin, S. L., Flint, K. H., Hawkins, J., Queen, B., Lowry, R., O'Malley E. O., Chyen, D., Whittle, L., Thornton, J., Lim, C., Yamakawa, Y., Brener, & N., Zaza, S. (2016 June). [Youth risk behavior surveillance — United States, 2015](#). Center for Disease Control and Prevention.
- <sup>55</sup> Sawyer, W. (2019, December 19). [Youth confinement: The whole pie 2019](#). Prison Policy Initiative.
- <sup>56</sup> Equal Justice Initiative. (2017, September 14). [Black children are five times more likely than White children to be incarcerated](#).
- <sup>57</sup> Rovner, J. (2021, February). [Racial disparities in youth incarceration persist](#). The Sentencing Project.
- <sup>58</sup> Rovner, J. (2021, July 15). [Black disparities in youth incarceration](#). The Sentencing Project.
- <sup>59</sup> Rovner, J. (2021, July 15). [Disparities in Tribal youth incarceration](#). The Sentencing Project.
- <sup>60</sup> Rovner, J. (2021, July 15). [Latinx disparities in youth incarceration](#). The Sentencing Project.
- <sup>61</sup> The Annie E. Casey Foundation. (2020). [Leading with race to reimagine youth justice: JDAI's Deep-End Initiative](#).
- <sup>62</sup> Rhor, M. (May 15, 2019). [Pushed out and punished: One woman's story shows how systems are failing Black girls](#). *USA Today*.
- <sup>63</sup> Ronver, J. (2016 April). [Racial disparities in youth commitments and arrests](#). The Sentencing Project.
- <sup>64</sup> Sawyer, W. (2019 December). [Youth confinement: The whole pie 2019](#). Prison Policy Initiative.
- <sup>65</sup> Ronver, J. (2016 April). [Racial disparities in youth commitments and arrests](#). The Sentencing Project.
- <sup>66</sup> Sawyer, W. (2019 December). [Youth confinement: The whole pie 2019](#). Prison Policy Initiative.
- <sup>67</sup> Litt, J. & Singleton, H. V. (2015). [American Indian/Alaska Native youth & status offense disparities: A call for Tribal initiatives, coordination & federal funding](#). Tribal Law and Policy Institute.
- <sup>68</sup> Youth.Gov. (n.d.). *American Indian and Alaska Native (AI/AN) youth: Juvenile justice*.
- <sup>69</sup> Sawyer, W. (2019 December). [Youth confinement: The whole pie 2019](#). Prison Policy Initiative.
- <sup>70</sup> National Conference of State Legislatures. (2020). [Disproportionality and race equity in child welfare](#).
- <sup>71</sup> Annie E. Casey Foundation's Kids Count Data Center. (2018). [Children in foster care by race and Hispanic origin in the United States](#).
- <sup>72</sup> Child Welfare Information Gateway. (2021, April). [Child welfare practice to address racial disproportionality and disparity](#). U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau.
- <sup>73</sup> National Indian Child Welfare Association. (2019). [Disproportionality in child welfare](#).
- <sup>74</sup> Cénat, J. M., McIntee, S., Mukunzi, J. N., & Noorishad, P. (2020). [Overrepresentation of Black children in the child welfare system: A systematic review to understand and better act](#). *Children and Youth Services Review*, 120, 105714.
- <sup>75</sup> Child Welfare Information Gateway. (2021, April). [Child welfare practice to address racial disproportionality and disparity](#). U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau.
- <sup>76</sup> Hill, R. B. (2004). [Institutional racism in child welfare](#). *Race and Society*, 7(1), 17-22.
- <sup>77</sup> National Conference of State Legislatures. (2020). [Disproportionality and race equity in child welfare](#).
- <sup>78</sup> Child Welfare Information Gateway. (2021, April). [Child welfare practice to address racial disproportionality and disparity](#). U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau.
- <sup>79</sup> National Indian Child Welfare Association. (2019). [Disproportionality in child welfare](#).
- <sup>80</sup> Center for the Study of Social Policy. (2017). [Transformational relationships for youth success](#).
- <sup>81</sup> The Annie E. Casey Foundation. (2018, January 8). [Transformational relationships for youth success](#).