

UNDERSTANDING
AND ADDRESSING
INSTITUTIONALIZED
INEQUITY:

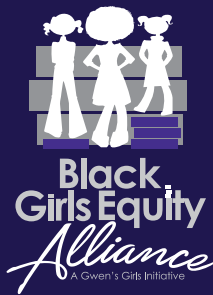
Disrupting
Pathways to

Juvenile Justice

for Black
Youth in
Allegheny
County



**Black
Girls Equity**
Alliance
A Gwen's Girls Initiative



The Black Girls Equity Alliance (BGEA) is comprised of individuals, community-based organizations, universities, and government entities that work with Black girls and acknowledge that their lives and experiences are unique within existing societal constructs. Our mission is to eradicate inequities affecting Black Girls in Allegheny County.

Pittsburgh has been in the spotlight as a city where racism impacts the health, safety, educational, and employment opportunities for Black Americans. Unfortunately, this includes Black youth.

This report is the result of collaborative efforts among many organizations and individuals committed to ensuring equity for Black girls – and all Black youth – in Pittsburgh/Allegheny County. We are members of the Black Girls Equity Alliance (BGEA), a coalition of local organizations and individuals working to address systemic inequities affecting Black girls in our region.

The BGEA juvenile justice workgroup has active participation of professionals from the multiple systems with which youth are involved, including Allegheny County Juvenile Probation Office (JPO), Allegheny County Department of Human Services (DHS), and the Pittsburgh Bureau of Police. Data in this report come directly from data analysts within these three systems, as well as from publicly available data. The long-term partnerships developed with JPO, DHS, and local police have made our collaborative research more comprehensive, accurate, and impactful than it would be were any of the organizational or individual partners to attempt this alone.

I am grateful for the collaborative efforts to prevent the entry of youth into juvenile justice and recognize the important work of these professionals. By understanding and collectively addressing the systemic, racial barriers that impact Black youth, we can create the change needed for fairer and safer spaces where we all can deem as “most livable.”

In pursuit of peace and justice,

Kathi Elliott, CEO
Gwen's Girls/Convener of BGEA

Executive Summary

This report reveals that in Pittsburgh and Allegheny County, we are criminalizing our Black youth, manifested by disproportionately high arrest rates and referrals to juvenile justice. It presents information on two primary causes of the over-referral of Black youth to juvenile justice: 1) arrests and referrals made by school police and 2) summary citations. It concludes with recommendations for addressing these issues.

As you read this report, keep in mind that the behavior of Black youth is not worse in Pittsburgh and Allegheny County than in other places and does not in any way account for these high levels of arrests, citations, and juvenile justice referrals. In fact, this report reveals that many of the behaviors for which our Black youth are arrested and cited are developmentally normal teenage behaviors for which White youth are rarely arrested and cited.

This is a systems problem that demands reforms at the system level. It is incumbent on the adults running the systems criminalizing Black youth to address the systemic racism these patterns reveal.

KEY FINDINGS OF THIS REPORT INCLUDE:

- Referrals to juvenile justice in Allegheny County are down over the past 15 years, but racial disproportionality in referrals is up. **Black girls are 10 times more likely than White girls, and Black boys 7 times more likely than White boys, to be referred to juvenile justice.**
- **The extreme levels of racial disproportionality in juvenile justice referrals in Allegheny County reflect that Black youth locally are referred at higher rates than Black youth nationally and White youth locally are referred at lower rates than White youth nationally.**
- **Pittsburgh Public Schools police are the largest juvenile justice referral source for Black girls in Allegheny County.**
- **Pittsburgh Public Schools students are referred to law enforcement at rates higher than students in 95% of similar U.S. cities.** Black girls are referred at rates higher than those of Black girls in 99% of U.S. cities and Black boys at rates higher than Black boys in 98% of U.S. cities.
- **The majority of arrests made by Pittsburgh Public Schools police are for minor offenses that are not safety related.** In 2019, 54% of PPS police's arrests of Black girls and 42% of Black boys ultimately resulted in a criminal charge of disorderly conduct, a highly discretionary charge that is frequently affected by racial biases.
- **Students with disabilities constitute a large proportion of Pittsburgh Public Schools students referred to juvenile justice by the Pittsburgh Public Schools police.** Specifically, of the 57% of PPS juvenile justice referrals for which data are available, 45% of Black boys referred to juvenile justice by the PPS police during academic years 2017-2018 and 2018-2019 had an Individualized Education Program (IEP)/qualified for special education services.
- **Black youth are ten times more likely than White youth to be referred to juvenile court for failure to comply with a lawful order, often failure to pay a fine, stemming from a summary citation.** Pittsburgh Public Schools police issued the largest number of the original citations resulting in "failure to comply" referrals of youth to juvenile court. Over half of the original citations that resulted in "failure to comply" referrals were for disorderly conduct.

A juvenile justice referral, also known as a delinquency allegation, is a youth's immediate entry point into the juvenile justice system, most commonly coming from police, by order of a judge, or from a probation officer.



INTRODUCTION:

How Black Youth Enter the System

Decades of research and experience have demonstrated the harmful short and long-term consequences of justice system involvement for youth and thus the importance of keeping young people out of the justice system.¹ Yet far too many children, especially Black children, continue to be referred to the juvenile justice system.

In Allegheny County, Black boys are 7 times more likely than White boys, and Black girls 10 times more likely than White girls, to be referred to the juvenile justice system.²

Nationally, Black youth are 3 times more likely than their White counterparts to be referred to juvenile justice.³ The extreme levels of racial disproportionality in juvenile justice referrals in Allegheny County are a result of local referral rates for Black youth that are higher than national rates for Black youth as well as local referral rates for White youth that are lower than national rates for White youth.

Why is racial disproportionality in juvenile justice referrals so much worse in Allegheny County?

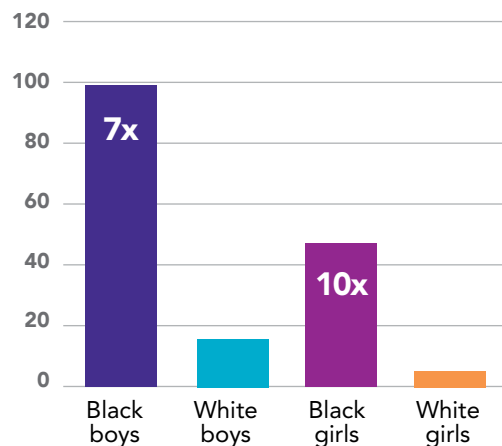
To be clear, these racial differences in referral rates cannot be explained by differences in young people's behaviors,⁴ so we have sought other explanations. An extensive review of the data identifies two primary sources of the problem – and thus makes them targets for intervention:

1. The school-to-prison pipeline – a system of policies and practices justified as intended to protect children which instead facilitates the exclusion of Black children, children with disabilities, and other vulnerable children from schools, funneling them into the justice system.

2. Referrals to and from magisterial district judges for minor, discretionary "offenses" – whose primary legal recourse is to fine youth and families, resulting in an adult criminal record, and, when families are unable to pay these fines, can lead to referral to the juvenile justice system.

This research brief highlights the pivotal role that schools and magisterial district judges play in juvenile justice referrals, using data to illustrate the problem and offering recommendations for reforms. Unlike other school discipline research, which frequently documents detention, suspensions, and expulsion, we focus on the role of school police and referrals directly from schools to city police and the justice system. These pathways – from schools and from district magistrates – have received less attention but, from what we are learning from a collaborative effort to amass relevant data, play a significant role in Pittsburgh and Allegheny County.

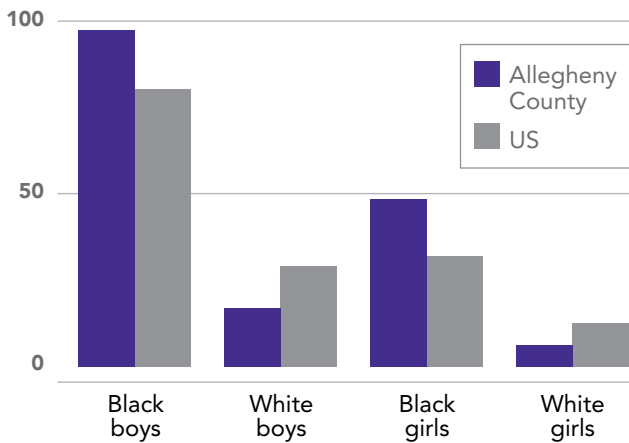
**2019 Allegheny County
Juvenile Justice Referral Rates
per 1000 youth ages 10-17**



What have we learned?

Referrals to Juvenile Justice in Allegheny County

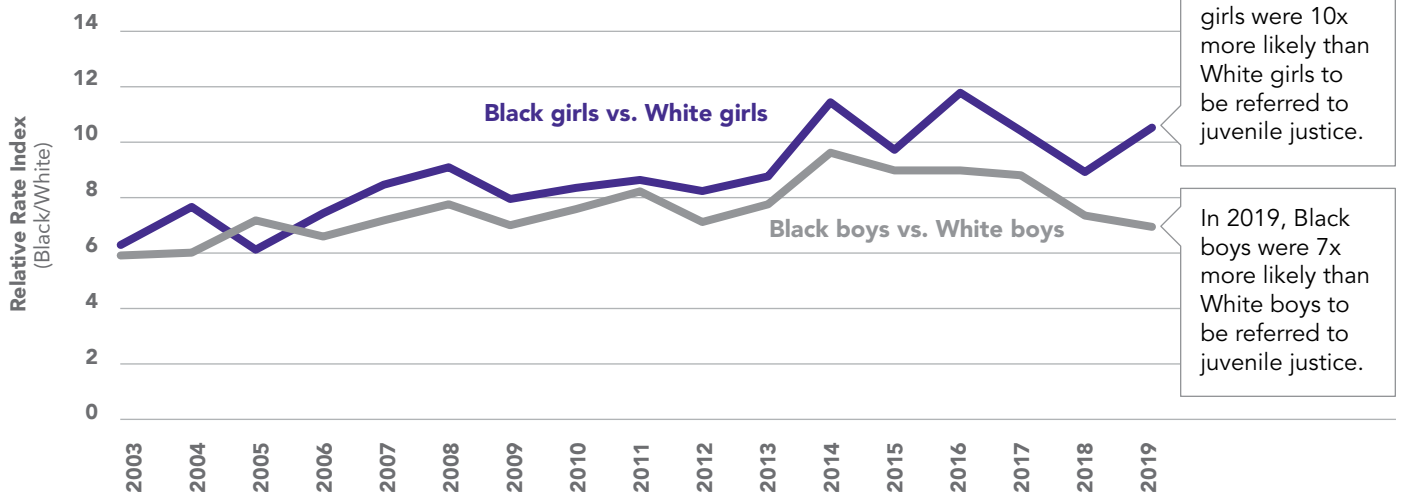
Local (2019) vs. National (2018) Juvenile Justice Referral Rates per 1000 youth 10-17



Referrals to juvenile justice in Allegheny County are down but racial disproportionality in referrals is up: The good news is that juvenile justice referral rates in Allegheny County have been cut in half for most youth over the last 15 years (although they have dropped by just 40% for Black girls from their highest point 11 years ago).⁵ The bad news is that for girls the racial disproportionality in referrals has increased and for boys it has not measurably decreased, and racial disproportionality in referrals is much higher locally than it is nationally.⁶

Notably, the local referral rates are significantly higher than the national rates for Black youth (23% higher for Black boys and 56% higher for Black girls), while for White youth local rates are much lower than national rates (46% lower for White boys and 57% lower for White girls).⁷

Racial Disproportionality in Juvenile Justice Referrals in Allegheny County over Time



In 2019, Black girls were 10x more likely than White girls to be referred to juvenile justice.

In 2019, Black boys were 7x more likely than White boys to be referred to juvenile justice.

Racial disproportionality locally is higher for girls than boys, though nationally, it is higher for boys. Racial disproportionality has been decreasing for both groups in recent years but increased for girls last year, largely because the referral rate decreased significantly for White girls.

Top 5 Referring Agencies for 2019 Allegheny County Juvenile Justice Referrals by Race and Gender

GIRLS						BOYS					
Black			White			Black			White		
AGENCY	#	% OF TOTAL	AGENCY	#	% OF TOTAL	AGENCY	#	% OF TOTAL	AGENCY	#	% OF TOTAL
PPS Police	155	32%	Mag. District Judge	54	32%	Pittsburgh Police	213	21%	Mag. District Judge	107	20%
Mag. District Judge	140	28%	PPS Police	15	9%	PPS Police	193	19%	Pittsburgh Police	28	5%
Pittsburgh Police	53	11%	North Fayette Township	9	5%	Mag. District Judge	187	19%	PPS Police	26	5%
McKeesport Police	18	4%	Pittsburgh Police	8	5%	Allegheny County Police	39	4%	Bethel Park Boro	22	4%
Monroeville Boro	13	3%	Shaler Township	7	4%	McKeesport Police	25	2%	Moon Township	22	4%
TOTAL (46 agencies)	492	100%	TOTAL (42 agencies)	169	100%	TOTAL (75 agencies)	1008	100%	TOTAL (67 agencies)	543	100%

Pittsburgh Public Schools (PPS) police are the largest juvenile justice referral source for Black girls: A very large proportion of all referrals of Black youth to juvenile justice in Allegheny County – 32% of Black girls and 19% of Black boys – come from PPS police.⁸

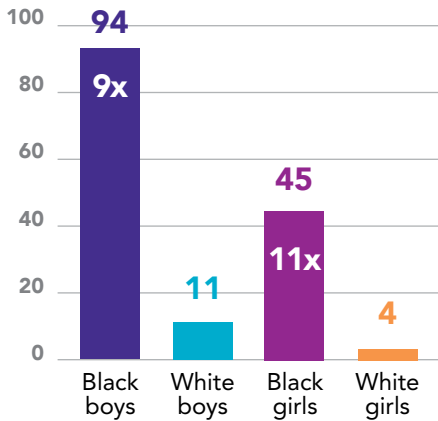
Keep in mind that these totals are for the entire county – though less than half of Black youth in the county live in the City of Pittsburgh and not all of Black youth living in the city attend PPS. In fact, PPS police were the top referral source for Black girls in 2019, referring more Black girls than City of Pittsburgh police, all district magistrates, or any other municipal police department.⁹

Students with disabilities account for a large proportion of PPS students referred to juvenile justice by the PPS police: Of the 57% of PPS juvenile justice referrals for which data are available, 45% of Black boys and 26% of Black girls referred to juvenile justice by the PPS police during the academic years 2017-2018 and 2018-2019 had a disability.¹⁰

This suggests that these students are not being provided with the appropriate educational supports they are required to receive by law, as often the behaviors for which they are referred are manifestations of their disabilities.

Youth Arrests in Pittsburgh

2019 Juvenile Arrest Rates in Pittsburgh per 1000 youth



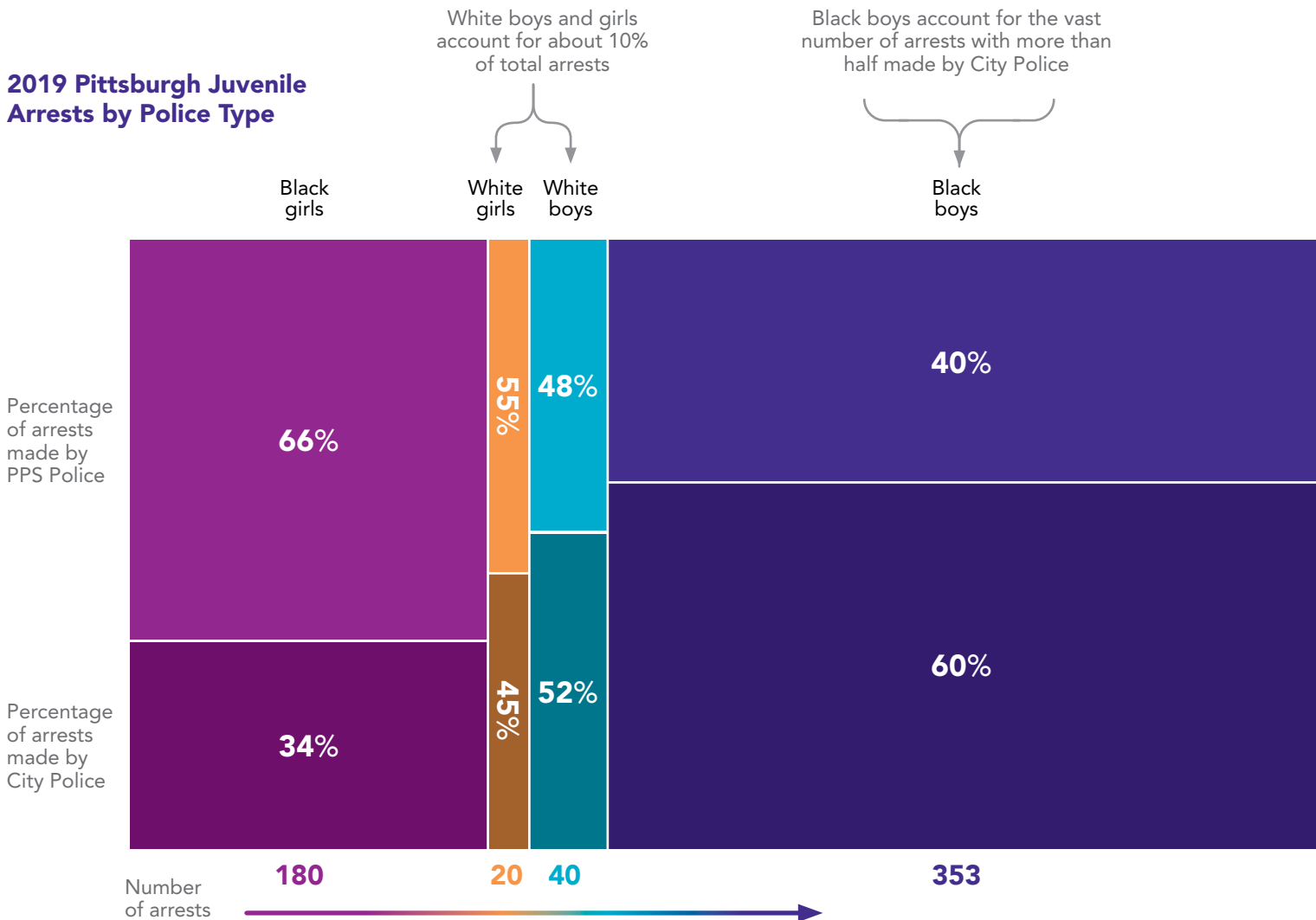
Black youth in Pittsburgh are much more likely to be arrested than White youth: In Pittsburgh, Black boys are 9 times more likely than White boys, and Black girls 11 times more likely than White girls, to be arrested.¹¹

Both Black and White girls are more likely to be arrested by PPS police than they are to be arrested by City of Pittsburgh police:

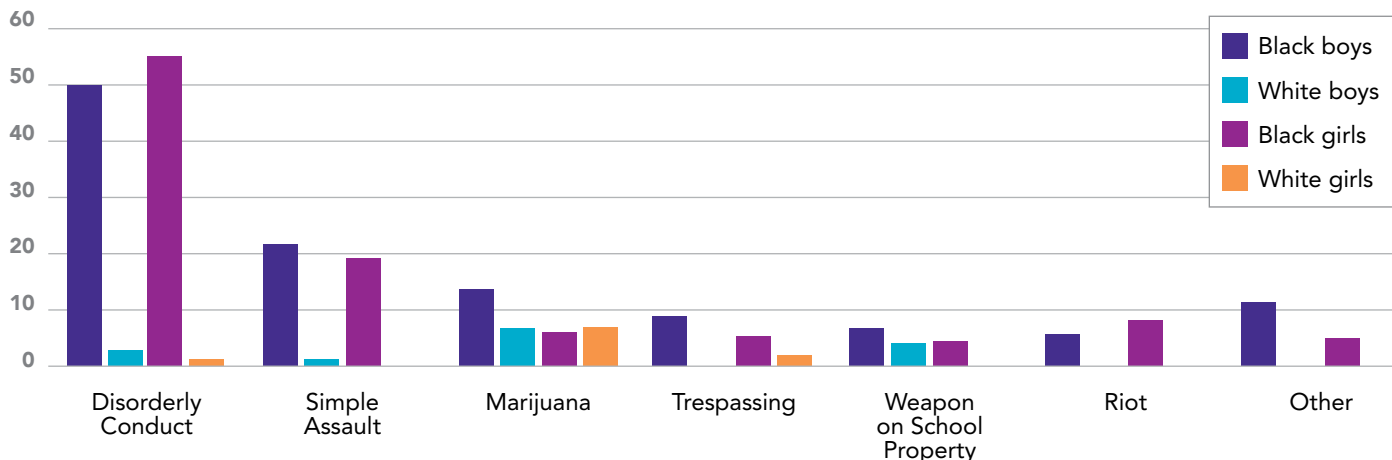
In fact, 66% of Black girls' arrests and 55% of White girls' arrests in Pittsburgh in 2019 were made by PPS police.¹²

As with the high rates of PPS referrals previously discussed, this is particularly striking when you consider that young people are only in school for about half of the 365 days in a calendar year. For boys, the percentages of arrests made by PPS police are also high – 40% of arrests of Black boys in Pittsburgh in 2019, and 48% of White boys, were made by PPS police.

2019 Pittsburgh Juvenile Arrests by Police Type



Arrests by PPS Police by Race, Gender, and Offense, 2019



The majority of arrests made by PPS police are for minor offenses that are not safety related:

About half of arrests of Black youth (54% for Black girls and 42% for Black boys) by PPS police in 2019 ultimately resulted in a charge of disorderly conduct (compared with just 10% and 20% of arrests of White girls and boys made by PPS police, respectively).¹³

Disorderly conduct is a “catch-all” charge that includes things like excessive noise, obscene gestures or language, or other typical teenage behaviors. It is highly subjective, and there is wealth of evidence that it is an offense for which implicit and explicit racial biases come into play.¹⁴

In 2019, all arrests of Pittsburgh Black girls that ultimately resulted solely in a charge of disorderly conduct were made by PPS police.¹⁵

Disorderly conduct is a “catch-all” charge that includes things like **excessive noise, obscene gestures or language, or other typical teenage behaviors.**

In 2019, **all arrests** of Pittsburgh Black girls that ultimately resulted solely in a charge of **disorderly conduct** were made by PPS police.

Referrals of Pittsburgh Students to Law Enforcement

Throughout the report, we frequently mention referrals to the juvenile justice system. These are allegations received by the Allegheny County Juvenile Probation Office which they screen to determine whether the case should be petitioned for formal juvenile court handling or diverted out of the system.

However, a school-based referral to law enforcement, as defined by the U.S. Department of Education, is

“an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement.”

Pittsburgh students are referred to law enforcement at rates higher than youth in 95% of other large cities in the U.S.:

The Gender Equity Commission's 2019 report *Pittsburgh's Inequality Across Gender and Race* compares Pittsburgh with 89 other large cities across the U.S., finding that PPS refers students to law enforcement at rates higher than public schools in 95% of other U.S. cities.

Specifically, Black girls in our district are referred to law enforcement at rates higher than Black girls in 99% of other cities, Black boys at rates higher than Black boys in 98% of other cities, White boys at rates higher than White boys in 94% of other cities, and White girls at rates higher than White girls in 93% of other cities.¹⁶

We know that Pittsburgh students do not have worse behaviors than students in other cities, and we should act decisively to remove Pittsburgh from the top of this shameful list.

Black girls in Pittsburgh public schools are referred to law enforcement at a rate higher than Black girls in 99% of other large U.S. cities.

Summary Citations

Our legal systems are complex and there are multiple points of entry: It is important to explain that when police are called to situations in which young people are involved, they have a choice – they can make an arrest, issue a summary citation (similar to a traffic ticket and often called “non-traffic citation,”) release the child to receive a juvenile court summons in the mail, or take no formal action at all.

Almost always when a youth is arrested, they are referred to the juvenile justice system. However, when police issue a summary citation, youth are required to appear before a district magistrate judge. While summary citations are for minor behaviors, their consequences can be quite serious. In some instances, these citations may be issued even when police are not involved in the incident leading to the charge.

Summary citations issued to youth are for minor behaviors: The most common citation offense for youth in Pittsburgh is disorderly conduct (which includes things like excessive noise and obscene language or gestures); other behaviors for which youth are cited include smoking or vaping.

Black youth are more likely than White youth to receive summary citations and are more likely to receive summary citations from PPS police than from City of Pittsburgh police: In the City of Pittsburgh, PPS police issue more citations to Black youth than do the City of Pittsburgh police, while City of Pittsburgh police issue more citations to White youth

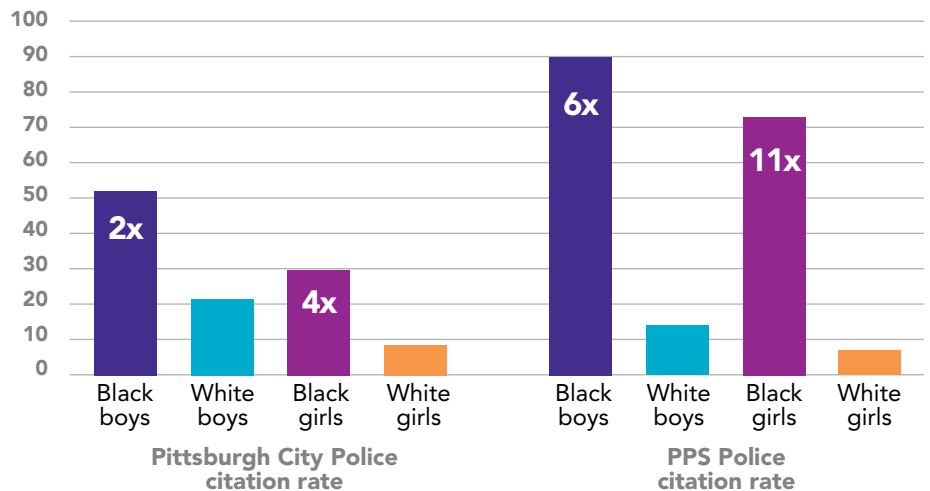
than do PPS police. There is racial disproportionality in citations issued by both types of police.

Black boys are over 2 times more likely than White boys to receive a citation from city police, and 6 times more likely than White boys to receive a citation by PPS police.

Black girls are almost 4 times more likely than White girls to receive a citation from city police and almost 11 times more likely than White girls to receive a citation by PPS police.¹⁷

Viewed collectively, this suggests that Black youth are facing legal consequences for minor behavior in school when those same behaviors are handled by school personnel when committed by White youth.

Summary Citation Rates, August 2016 - May 2019



No right to counsel: A student receiving a summary citation may be tried by the district magistrate in absentia. In other words, if the student fails to appear, the trial may be conducted without their presence. Unlike juvenile court, young people are not provided a lawyer when appearing before a district magistrate.

The student may appeal to adult criminal court for a new trial within 30 days, but since young people are not provided with a lawyer at either the initial hearing or appeal, most of these young people do not have legal counsel to assist them in navigating the appeal process.

Summary convictions have serious consequences: Juvenile justice involvement is supposed to be rehabilitative and take the individual youth's needs into account – however, a summary conviction most often results in a fine. District magistrates are part of the adult justice system and a summary conviction becomes part of a youth's permanent record.

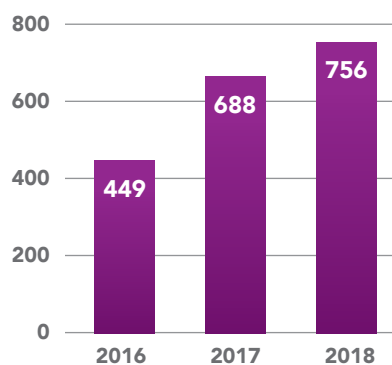
Summary convictions are not automatically expunged and can be quite challenging to expunge once the youth turns 18, even with the help of a lawyer, and only after all conditions, including fines and costs, are met.¹⁸

Unexpunged summary convictions may appear on background checks for housing, jobs, or schools – and need to be disclosed as a conviction whenever asked, including on a school, job, or military application.¹⁹ In addition, if youth fail to pay fines issued by district magistrates, they are referred to juvenile court for "failure to comply."²⁰

In fact, referrals for failure to comply accounted for almost one-third of all Allegheny County referrals of Black youth to juvenile justice in 2019.²¹

Black youth are 10 times more likely than White youth to be referred to juvenile court for failure to pay a fine resulting from a summary citation: In 2018, there were 756 referrals of youth to juvenile justice in Allegheny County for failure to comply, up from 449 in 2016 and 688 in 2017.²²

Black youth accounted for 72% of these referrals, and White youth 27%, which means that Black youth in Allegheny County were almost 10 times more likely than White youth to be referred to juvenile justice for failure to comply.²³



Referrals to juvenile court for failure to pay a fine resulting from a summary citation

The police agency that issued the largest number of the original citations resulting in failure to comply referrals in Allegheny County was the PPS police.

Over half of the original citations (53%) that resulted in failure to comply referrals were for disorderly conduct. This means that young people originally cited for a highly discretionary charge, one that usually results from typical teenage behavior, end up referred to juvenile justice because they did not, or could not, pay the fine associated with the original citation.

The vast majority of summary cases referred to juvenile court are resolved through informal diversion, which generally involves reduced fines or community service in lieu of fines. However, Pennsylvania's Juvenile Act does not preclude young people from being put on probation or placed in a facility if they fail to comply with the conditions set in juvenile court. While Allegheny County Juvenile Probation Office has made strides to ensure that these failure to comply referrals do not result in deeper system involvement, it is important to examine their source so that we can prevent the over-referral of Black youth to juvenile justice.

This review of local data demonstrates that our system is set up such that school police and district magistrates are perpetuating racism and punishing the poverty stemming from that systemic racism. The young people caught

up in a system that criminalizes adolescent youth are the living manifestation of the school-to-prison pipeline in this region.

Our collaborative work has led us to conclude that we are

over-policing Pittsburgh and Allegheny County youth, especially our Black students, who are disproportionately shouldering the harmful consequences of system involvement.

Consequences of Juvenile Justice Involvement

While it might be tempting to minimize the effects that the system has on a young person's life, **it is important to recognize the significant collateral consequences of court involvement for the children involved.** When a young person is adjudicated delinquent of any offense, regardless of whether it is school-involved, the law requires the juvenile probation office to notify school personnel. This information is required by law to be kept separate from the youth's school file.

Additionally, school probation officers regularly check-in with teachers and administrators to assess student progress. So, regardless of whether a student has a school-based offense, the stigma of juvenile court involvement follows them into the schoolhouse doors.²⁴ For those who might choose military service in their futures, any juvenile adjudications, including misdemeanors, can prevent admission to the military.²⁵

Children are required to submit their biological material to be placed into databases. For any felony adjudications, children must submit their DNA to the probation department.²⁶ For any adjudication, no matter the seriousness, young people must submit to fingerprinting.²⁷

A delinquency adjudication can cause an entire family to be evicted permanently from public housing.²⁸ There are other collateral consequences as well. While nearly every juvenile adjudication has the potential to be expunged, there are strict rules regarding expungement and they can be challenging to navigate.²⁹

Moreover, if there is any adjudication of delinquency, no matter how minor or serious the offense, the young person must wait five years after their case closes to be considered for expungement. Under some circumstances, the District Attorney must consent to the expungement or else the court cannot grant it.

What should we do?

As calls to address racism echo across the country, we are called to ensure that in our community we are not perpetuating systemic racism through our school, police, and justice systems. Unfortunately, our collaborative research suggests that is precisely what is happening here.

It does not have to be this way.

Pittsburgh Public Schools arrests students at 8 times the rate of the Philadelphia Public Schools.³⁰ We can look to Philadelphia, a city larger than Pittsburgh governed by the same state laws, for some practices that can help to keep Black youth out of the justice system.

For schools

Ensure transparency and accountability from schools and other youth-serving systems:

- **Require school districts to track, monitor, and make publicly available their referrals to law enforcement and juvenile justice disaggregated by race, gender, and disability to ensure they are not engaging law enforcement for minor, discretionary offenses.** With the exception of summary citations issued by public school police, none of the data presented in this research brief were obtained directly from schools. Schools should be transparent and accountable for the disciplinary measures they take.

Change school policies that criminalize Black youth:

- **Eliminate disorderly conduct as an infraction in schools' codes of conduct.** This infraction is inherently subjective and unnecessarily punitive. It was the most frequent charge in arrests of youth by Pittsburgh Public Schools police in the 2018-2019 school year. It is broad and vague, and research has shown it has been used in arbitrary and discriminatory ways largely against Black students and has contributed to racial disparities in student removals from schools.
- **Institute a moratorium on summary citations being issued at school.**³¹ Summary citations are only issued for very minor offenses but can result in serious consequences for young people, as illustrated earlier in this report. Summary citations are referred to district magistrates, who do not have resources to help youth – one of their few options is to fine them, which places an undue financial burden on families that often ends in a referral to juvenile justice for unpaid fines.
- **Eliminate school police.** Research documents the harmful, punitive effects of the presence of police in schools.³² This includes both police that are employed by school districts directly or contracted with school districts and charter schools to work in or around schools.
- **Ensure that all school policies and practices, including memoranda of understanding between schools and municipal police, are structured to prevent the criminalization of Black youth.** All policies must be reviewed with this goal in mind. Policies and procedures should seek to support student learning and minimize contact between students and police, clearly delineate for schools when and when NOT to call police, and specify the limited role of police when they are called.

Provide educators with the training and support they need to help rather than criminalize youth:

- **Reallocate the funds formerly used for school police to hire additional school counselors, social workers, and psychologists.** Teachers need options other than calling the police when students' needs manifest with disruptive behaviors in the classroom. Pittsburgh Public Schools, for example, has lower than the recommended ratios for school counselors (1 per 421 students vs. recommended ratio of 1 per 250 students), social workers (1 per 647 students vs. recommended ratio of 1 per 250 students), and psychologists (1 per 1,150 students vs. recommended ratio of 1 per 500 students).³³ Further, the recommended ratio for high-needs schools is 1 per 100 students for school counselors/ social workers.
- **Implement a trauma-informed, restorative justice approach in our schools.** Invest in culturally-responsive approaches to restorative and transformative justice, social-emotional learning, trauma-informed approaches, support for healing, and mental health supports. All of these practices need to be embedded throughout schools' multi-tier system of supports in order to positively impact all students and match their level of need.
- **Support school personnel in working with students with disabilities.** The law prohibits schools from suspending and expelling students with Individualized Education Programs (IEPs) for behaviors that are a manifestation of their disability; thus schools may instead refer these students to law enforcement when they do not have resources to support them. We must provide resources and support to school personnel so that they can meet students' needs.

For law enforcement, judges, policy makers, funders, and service providers

Develop, fund, and promote alternatives to justice system processing for youth who need help:

- **Work with the police and district attorney to develop pre-arrest diversion countywide.** This has been done successfully in Philadelphia and has been shown to reduce future delinquency.³⁴ Currently Allegheny County primarily has only post-arrest diversion, except for successful pilot programs with Foundation of Hope on Pittsburgh's Northside and the School Justice Partnership in the Woodland Hills School District.
- **Stop referring youth to juvenile justice for failure to pay fines for summary citations.** There is a broader effort across the country to eliminate policies and practices that result in justice system involvement for failure to pay fines. We are punishing poverty – the very poverty that often stems from the systemic racism that led to police involvement in the first place – when people who can afford their fines are not experiencing these same consequences.
- **Ensure police and magistrates can access information on community resources and supports, perhaps via a 24-hour hotline, so that they will not feel they must refer youth to juvenile justice to receive needed supports and services.** We have heard from many police and legal system professionals that they sometimes believe they must refer youth to juvenile justice for mental health services. This is unacceptable and punishes youth for their trauma and needs.

Successful local example of schools implementing restorative practices and decreasing police involvement

The Woodland Hills School District has been able to drastically reduce its reliance on police involvement over the past two years in partnership with Allegheny County Juvenile Court and local law enforcement in ways that have enhanced school safety, promoted student growth and development, and deepened relationships among students and staff.

DR. PHILIP WOODS, principal of the high school since 2018, points to several strategies he has used to improve relationships and provide alternative solutions to behavioral challenges, but it all began with a change in the administrators' philosophy on discipline and legal interaction.

For example, in supporting youth as they processed the acquittal of the officer who shot Antwon Rose, Dr. Woods specifically instructed his faculty that "excluding direct threats toward individuals or threats of violence with a weapon, we are not writing students up for expressing themselves during this event. We have to be [baseball] mitts to receive this stuff" in order to help students deal with their feelings productively.

With regard to police, the administration made an agreement that campus police would only be involved in a disciplinary or security matter upon request, rather than having them proactively patrolling hallways as in years past.

The administration also enacted a local diversion program that, when necessary, allowed youth to avoid a legal record while learning how to constructively manage their behavior in the future.

Both of these actions reflect the understanding that legal intervention can have lifelong negative ramifications for youth, and that school should be a place where students can learn from their mistakes in a nurturing environment.

Two programmatic initiatives supported Dr. Woods' administration and teachers in building strong relationships across the school: **a pedagogy-focused partnership with the University of Pittsburgh Center on Urban Education**, and **a restorative practice and climate partnership with the Just Discipline Project**.

Dr. Woods explained that it is of utmost importance that they are able to create a "safe space" for students by "using disciplinary incidents as teaching tools. We ask students, 'How did this happen? Why did this happen?' and 'What can you do differently if it happens again in the future?'" In alignment with restorative practices, these meetings support students in developing the ability to overcome conflict in relationships.

He also highlights the preventative nature of intentionally building relationships with students' families. He has been able to earn trust from parents with an "open door"

policy whereby they can stop by the school to observe their children and contact him to talk about any concerns they may have, and he also makes himself a visible community member by spending time after school during games and club activities.

Similarly, **SHAWN THOMAS**, the Restorative Practices Coordinator who holds trainings at the high school while being stationed full time at the middle school, credits the decreased need for police interventions to strong, trusting relationships with students and families.

One of the hallmarks of restorative practices is **healing circles**, which are a mediated conversation between individuals involved in a conflict that also include other supportive community members. Through healing circles, Shawn has more often than not been able to head off or resolve conflicts that typically would have been responded to with an exclusionary punishment.

This work is aided by a **student leadership group** trained in circle mediations as well. Shawn notes, "Circle activities provide a way for teachers, administrators, and students to express their feelings with one another and for EVERYONE's voice to be heard."

Ultimately, investing in meaningful, trusting relationships and the structures to support student growth and development reduces both the need and the will to respond to student behavior with police intervention.

Want to know more?

Learn more about us and our work:

The Black Girls Equity Alliance

<http://www.gwensgirls.org/bgea/>

BGEA report:

Institutionalized Inequity: Pathways to Juvenile Justice for Black Girls in Pittsburgh and Allegheny County

http://www.gwensgirls.org/wp-content/uploads/2019/10/BGEA-Report3_v5.pdf

FISA Foundation & Heinz Endowments report:

Inequities Affecting Black Girls in Pittsburgh and Allegheny County

https://www.heinz.org/UserFiles/Library/Inequities_Affecting_Black_Girls_in_Pittsburgh_and_Allegheny_County.pdf

ACLU report:

Police and Pennsylvania's Schools: What Education Leaders Need to Know

<https://www.endzerotolerance.org/what-educators-need-to-know>

The City of Pittsburgh Gender Equity Commission report:

Pittsburgh's Inequality Across Gender and Race

https://www.socialwork.pitt.edu/sites/default/files/pittsburghs_inequality_across_gender_and_race_07_19_20_compressed.pdf

The Pittsburgh Foundation's report:

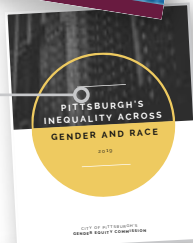
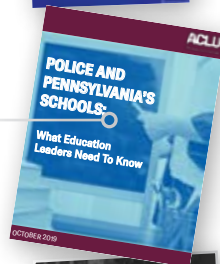
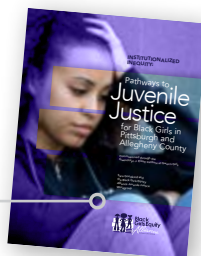
A Qualitative Study of Youth and the Juvenile Justice System

https://pittsburghfoundation.org/Youth_Voices_Study

Common Cause Consultants' report:

The Case for Collective Impact: Addressing Racial and Ethnic Disparities in the Juvenile Justice System in Allegheny County

<https://amachipgh.org/>



Look at the data for yourself:

Allegheny County Juvenile Justice Data Dashboard

<https://www.alleghenycountyanalytics.us/index.php/2017/09/25/juvenile-offense-trends-interactive-dashboard/>

Allegheny County Juvenile Probation Office annual reports

https://www.alleghencourts.us/annual_reports/default.aspx?show=jk1ESCr7p60PFtIFDv8bppeHmgcUjgHf

Burgh's Eye View

<https://pittsburghpa.shinyapps.io/BurghsEyeView/>

The Healthy Allegheny Teen Survey (HATS)

<https://www.alleghenycounty.us/Health-Department/Resources/Data-and-Reporting/Chronic-Disease-Epidemiology/Healthy-Allegheny-Teen-Survey.aspx>

PA Department of Education's Office for Safe Schools

<https://www.education.pa.gov/Schools/safeschools/>

U.S. Department of Education's Civil Rights Data Collection

<https://ocrdata.ed.gov/>

U.S. Census Bureau

<https://data.census.gov/cedsci/>

National Center for Juvenile Justice

www.ncjj.org

Discover other relevant reports and organizations:

Grantmakers for Girls of Color

<https://www.grantmakersforgirlsofcolor.org/>

African American Policy Forum Black Girls Matter initiative and report

<https://aapf.org/blackgirlsmatter>

Georgetown Law Center on Poverty and Inequality's Initiative on Gender Justice & Opportunity

<https://www.law.georgetown.edu/poverty-inequality-center/gender-justice-and-opportunity/our-work/>

Girls for Gender Equity

<https://www.ggenyc.org/the-schools-girls-deserve/>

Communities for Just Schools Fund

<https://www.cjsfund.org/do-the-work>

Endnotes

- ¹ Petrosino, A., Turpin-Petrosino, C., & Guckenburg, S. (2010). *Formal System Processing of Juveniles: Effects on Delinquency*. Oslo, Norway: Campbell Collaborative. This is not to suggest that no children have been helped by juvenile justice intervention, but simply to argue that it would be preferable to prevent their involvement in juvenile justice and instead to provide help and support sooner and in less punitive settings.
- ² Rates calculated from data from the Allegheny County Juvenile Probation Office on 2019 JPO and population data available at www.ncjj.org.
- ³ Sickmund, M., Sladky, A., & Kang, W. (2020). "Easy Access to Juvenile Court Statistics: 1985-2018" Online. Available: <https://www.ojjdp.gov/ojstatbb/ezajcs/>
- ⁴ For example, Black and White girls in Allegheny County have nearly identical rates of drug use (according to the Healthy Allegheny Teen Survey, which surveyed a representative sample of teens), yet Black girls in our county are 3 times more likely than White girls to be referred to juvenile justice for drug offenses (for details see Goodkind, S. [2016]. *Inequities Affecting Black Girls in Pittsburgh and Allegheny County*. Pittsburgh, PA: FISA Foundation and the Heinz Endowments). Allegheny County Health Department, UPMC Children's Hospital of Pittsburgh, and Pitt Public Health. *Healthy Allegheny Teen Survey*. 2014. Available at <https://www.alleghenycounty.us/Health-Department/Resources/Data-and-Reporting/Chronic-Disease-Epidemiology/Healthy-Allegheny-Teen-Survey.aspx>.
- ⁵ Rates calculated based on data from Allegheny County Juvenile Probation Annual Reports. Online. Available: https://www.alleghenycourts.us/annual_reports/default.aspx?show=jk1ESCr7p60PFtFDv8bppeHmgclUjgHf. Puzanchera, C., Sladky, A., & Kang, W. (2019). "Easy Access to Juvenile Populations: 1990-2018." Online. Available: <https://www.ojjdp.gov/ojstatbb/ezapop/>
- ⁶ Sickmund, M., Sladky, A., & Kang, W. (2020). "Easy Access to Juvenile Court Statistics: 1985-2018" Online. Available: <https://www.ojjdp.gov/ojstatbb/ezajcs/>
- ⁷ Local rates for Allegheny County are from 2019 while national rates are from 2018, as 2019 national rates are not yet available.
- ⁸ Analysis by Melanie King of Allegheny County Juvenile Probation Office. Specifically, 32% of 2019 juvenile justice referrals of Black girls (or 44% of the total excluding failure to comply referrals from district magistrates, which are usually for non-payment of citation fines) and 19% (or 26% excluding district magistrate referrals) of Black boys come from PPS police.
- ⁹ Analysis by Melanie King of Allegheny County Juvenile Probation Office.
- ¹⁰ As evidenced by the fact that they had Individualized Education Programs (IEPs). GIEPs are not included. Analysis by Natalia Perez Peña of Allegheny County Department of Human Services.
- ¹¹ Calculated from data from the Pittsburgh Bureau of Police Crime Analysis Unit, Burgh's Eye View, and population data from the U.S. Census Bureau.
- ¹² Analysis of data from the Pittsburgh Bureau of Police Crime Analysis Unit and Burgh's Eye View.
- ¹³ Analysis of data from the Pittsburgh Bureau of Police Crime Analysis Unit.
- ¹⁴ Criminalizing typical teenage behavior among Black youth is one facet of their adultification. For more information, see Epstein, R., Blake, J., & González, T. (2017). *Girlhood Interrupted: The Erasure of Black Girls' Childhood*. Washington, DC: Georgetown Law Center on Poverty and Inequality.
- ¹⁵ Analysis of data from the Pittsburgh Bureau of Police Crime Analysis Unit and Burgh's Eye View.
- ¹⁶ Howell et al. (2019). Pittsburgh's Inequality Across Gender and Race. Pittsburgh, PA: Gender Equity Commission. https://www.socialwork.pitt.edu/sites/default/files/pittsburghs_inequality_across_gender_and_race_07_19_20_compressed.pdf. Not all students referred to law enforcement are arrested or referred to juvenile justice, but data show that locally most referrals to law enforcement result in arrests and most arrests result in referral to juvenile justice.
- ¹⁷ Rates calculated from citation data from Burgh's Eye View and population data from the U.S. Census Bureau.
- ¹⁸ 18 Pa. C.S.A. §9123(a)(2.1) and (2.2)
- ¹⁹ ACLU of Pennsylvania. (2019). Students and the Justice System – Collateral Consequences. <https://www.endzerotolerance.org/students-and-the-justice-system>
- ²⁰ 42 Pa. CSA 6302
- ²¹ Analysis by Melanie King of Allegheny County Juvenile Probation Office.
- ²² Failure to Comply analysis conducted by Natalia Perez Peña of Allegheny County Department of Human Services.
- ²³ Black youth were referred to juvenile justice for failure to comply at a rate of 43.2 per 1000 vs. White youth at a rate of 4.6. Rates calculated based on analysis by Natalia Perez Peña's & population data available at www.ncjj.org.
- ²⁴ Pa.R.J.C.P. 163
- ²⁵ 10 U.S.C. §504(a)
- ²⁶ 44 Pa. C.S. § 2316, 18 Pa. C.S. § 2910, 18 Pa. C.S. § 3126
- ²⁷ Pa.R.J.C.P. 515
- ²⁸ HUD v. Rucker, 535 U.S. 125, 133-136 (2002)
- ²⁹ 18 Pa. C.S. §9123
- ³⁰ 2019 data from the PA Department of Education Safe Schools Report. Pittsburgh Public Schools reported 266 arrests and a total enrollment of 22,934, which is 11.6 arrests per 1000 students. Philadelphia Public Schools reported 187 arrests and a total enrollment of 132,520, which is 1.4 arrests per 1000 students. We note that Philadelphia has one school district and one municipal police department for the entire county, which makes policy change a simpler process there. We compare with Philadelphia because they are the other large, urban district in the state of Pennsylvania.
- ³¹ ACLU PA. (2019). Students and the Justice System – Collateral Consequences: <https://www.endzerotolerance.org/students-and-the-justice-system>
- ³² Devlin, D. & Gottfredson, D. (2018). The roles of police officers in schools: Effects on the recording and reporting of crime. *Youth Violence and Juvenile Justice*, 16, 208-223. See also Kupchik, A. (2020). Research on the impact of school policing. PA: ACLU, available online at <https://www.endzerotolerance.org/impact-of-school-policing>
- ³³ Office of Civil Rights, Civil Rights Data Collection, available online at <https://ocrdata.ed.gov/>
- ³⁴ Wilson, D. B., Brenna, I, & Olaghery, A. (2018). *Police-initiated Diversion for Youth to Prevent Future Delinquent Behavior*. Oslo, Norway: Campbell Collaboration.

About the Authors

This report is the result of collaborative efforts among many organizations and individuals committed to ensuring equity for Black girls – and all Black youth – in Allegheny County. We are members of the Black Girls Equity Alliance (BGEA), a coalition of local organizations and individuals working to address systemic inequities affecting Black girls in our region. The BGEA consists of four workgroups – juvenile justice, child welfare, education, and health & wellness.

The BGEA juvenile justice workgroup has been meeting regularly over the past three years, gathering information on local referrals to juvenile justice, and listening to juvenile probation officers, City of Pittsburgh and Pittsburgh Public Schools (PPS) police, defense and prosecuting attorneys, teachers, principals, service providers, and of course young people, to learn about how we can prevent juvenile justice involvement.

Active in the BGEA juvenile justice workgroup are professionals from the multiple systems with which Black girls are involved, including Allegheny County Juvenile Probation Office, Allegheny County Department of

Human Services, and the Pittsburgh Bureau of Police. We also have participation from many advocacy organizations, including the Education Law Center, the ACLU, and the Duquesne Law School Youth Advocacy Clinic. Academic partners include faculty, staff, and students from the University of Pittsburgh School of Social Work, and foundation partners include the FISA Foundation, The Pittsburgh Foundation, and the Heinz Endowments.

In the future, we hope to have more involvement of public school leaders in our workgroup, particularly because this report highlights the central role our schools play in funneling Black youth into the legal system.

This report is the product of our unique cross sector collaboration, which allows us to present multiple perspectives at the same time that we speak with a unified voice. **If you find yourself motivated to address the inequities identified in this report, please join us.**

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