

# THINK OUTSIDE THE WALLS

## RACE AND INCARCERATION IN JUVENILE JUSTICE



Current plans to close the Connecticut Juvenile Training School (CJTS) do not address the significant racial and ethnic disparity in our juvenile justice system, particularly our practice of reserving incarceration almost exclusively for youth of color.

### **Numerous state studies show that black and Hispanic youth are treated more harshly at multiple points in our juvenile justice system.**

In 2017, The Office of Policy and Management will release its fourth extensive study of race and ethnicity in the juvenile justice system. These studies have consistently shown that Connecticut's minority youth enter the juvenile justice system in higher numbers than their white peers and are treated more harshly within it. The studies show that these disparities cannot be entirely explained away by factors such as poverty or the concentration of minority youth in higher crime urban neighborhoods.<sup>1</sup> National studies have shown that young people of all races and ethnicities engage in similar patterns of law breaking.<sup>2</sup> The data are clear: Minority youth are treated differently, simply because of who they are.

### **Closure plans assume that we'll keep over-incarcerating kids of color.**

The Department of Children and Families (DCF) closure plan reports that only 13.6 of CJTS admissions in 2015 were Caucasian youth.<sup>3</sup> DCF has reported on the disparities in placement decisions for committed delinquent youth, yet their plan calls for 40 to 50 secure beds – about the same census that we have at CJTS now. If we addressed racial and ethnic disparity at only the placement decision point, the need for secure beds would be significantly lower than it is now.

Connecticut has the opportunity to do the right thing, serve youth better and save taxpayers money. It would be tragic not to seize that opportunity.

### **Documented: Youth of color are more likely to be incarcerated.**

DCF's Racial Justice Working Group found, among committed delinquent youth, African-Americans were more likely to be committed to CJTS than whites, who were more likely to be sent to a residential treatment facility or group home. Committed delinquent youth are those whom a judge has placed in DCF custody, so their risk and need levels are very similar. Yet African-American youth were more likely to be sent to CJTS, the state's juvenile prison and most punitive environment, while whites were sent to more treatment-oriented environments.

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<sup>1</sup> See [ctjuststart.org](http://ctjuststart.org).

<sup>2</sup> Centers for Disease Control. *Youth Risk Behavior Surveillance Report*. 2015.

<sup>3</sup> Muniz, Fernando. *Plan for the Closure of the Connecticut Juvenile Training School*. October 18, 2016



## HOW CAN WE MAKE OUR SYSTEM FAIRER?

**Examine how decisions are made.** Recent data from the decision points when a judge commits a child delinquent or DCF places a child in a locked environment should be collected and analyzed. Both decisions should be driven by objective risk/needs assessments and carefully, continually monitored.

### **Ensure all youth have access to a full array of services**

- A laudable effort to keep children closer to home has the unintended consequence of limiting access to rehabilitative programming for youth of color.
- Residential treatment facilities and therapeutic group homes tend to be located in rural and predominately white areas. These programs should be available statewide, particularly in the communities that send the most kids to the system.
- DCF consultant Robert Kinscherff reported that: "... some DCF and external collaterals expressed concerns that although 'no reject' provisions accompany DCF contracting, in practice community-based providers are reportedly reluctant to engage youth with juvenile justice involvement and African-American males are particularly difficult to get accepted by providers. This, in turn, has reportedly delayed discharge of some youth from CJTS or Pueblo and/or contributed to their return when they failed to successfully re-enter their communities."<sup>4</sup>
- No reject policies must be enforced, with consequences for non-compliant organizations.

**... including mental health services.** African-American and Latino males are half as likely to receive mental health services as non-Hispanic whites, though research suggests that all youth experience behavioral and mental health issues at similar rates.<sup>5</sup> The juvenile justice system becomes the de-facto mental health system for youth of color. Youth of color who do receive mental health care are likely to do so at a school-based health center<sup>6</sup> (many facing cuts or elimination) or through Emergency Mobile Psychiatric Services (available only after a youth is in crisis). Connecticut should identify and remove barriers to mental health care.

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<sup>4</sup> Robert Kinscherff, Strategic Review of CJTS/Pueblo Girls Program Policies and Practices, July 1, 2015, pages 31-32.

<sup>5</sup> M.A. Lindsey, What are depressed African-American adolescent males saying about mental health services and providers? *Social work with African-American males: Health, mental health, and social policy*, W.E. Johnson, Jr., Editor. 2010, Oxford University Press: New York, NY US. p. 161-178.

<sup>6</sup> Connecticut Association of School-Based Health Centers. See [http://www.ctschool-health.org/images/IssueBrief\\_web2\\_Final.pdf](http://www.ctschool-health.org/images/IssueBrief_web2_Final.pdf)

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Think Outside the Walls is a series of issue briefs that will educate the public about how best practice and research shows we can help high-need youth succeed.