



## Critical Condition: African-American Youth in the Justice System

The latest policy brief from the Campaign for Youth Justice released on September 25, 2008 reviews the current state of inequalities facing African-American youth in the juvenile and criminal justice systems, and provides examples of promising solutions and policy recommendations to reduce the disparities.

Key findings of the brief include:

- **African-American youth overwhelmingly receive harsher treatment than white youth in the juvenile justice system at most stages of case processing.** Disparities start at the beginning, when a decision is made to arrest a child: African-American youth make up 30% of those arrested while they only represent 17% of the overall youth population. At the other extreme end of the system, African-American youth are 62% of the youth prosecuted in the adult criminal system and are nine times more likely than white youth to receive an adult prison sentence.
- **Although the overall juvenile arrest rate has remained near a 25-year low, the disparities between white and black arrest rates in 2006 were at the highest point in a decade.** While the arrest rate for white youth decreased 9% from 2001 to 2006, the arrest rate for black youth increased by 7% during this same time period.
- **According to self-report surveys, African-American youth do not engage in more delinquent behavior overall than white youth.** While African-American youth are more likely to be in a physical fight and commit major theft (over \$50), white youth are significantly more likely than African-American youth to use drugs and alcohol, sell drugs, and engage in minor theft. White and black youth are equally likely to carry weapons or guns.
- **Even though white youth are more likely to report using drugs and 30% more likely to report selling drugs, African-American youth are twice as likely to be arrested, twice as likely to be detained, and significantly more likely to be prosecuted in the adult court for drug offenses.** As a result of these disparities, black youth made up 60% of the youth detained for drug trafficking and 43% of the youth detained for non-trafficking drug offenses in 2006. And in a study of 40 jurisdictions, drug cases in adult court were filed against African-American youth at nearly 5 times the rate of white youth. Out of all youth cases in adult court, African-American youth accounted for 87% of those charged with drug offenses.
- **In many detention centers across the country, the majority of youth locked up are African American.** Nationally, African-American youth comprised 43% of youth detained in detention centers in 2006. Many of these youth are unnecessarily detained before trial. Of all African-American youth in the juvenile justice system detained pre-trial in 2004, only 20% were placed in secure facilities after adjudication.
- **Although there is no national data system on youth tried in the adult system, all available evidence suggests that African-American youth are disproportionately impacted by transfer policies.** In a study of 40 major jurisdictions, African-American youth made up 62% of transferred youth. Over 40% of these youth are ultimately not convicted, suggesting that cases brought against them were not very strong. Nevertheless, many will have spent time in an adult jail; of the black youth held pretrial in the adult system, 65% were held in adult jail.
- **If present trends continue, one out of every three African-American males born today can expect to spend time in prison.** In 2006, one out of every nine black men ages 20-34 was incarcerated. Recent estimates are that 20% of all African-American children have a father with an incarceration history.

Download a copy of *Critical Condition* at  
<http://campaignforyouthjustice.org/documents/AfricanAmericanBrief.pdf>.

## EIGHT WAYS TO GET INVOLVED AND HELP REDUCE RACIAL DISPARITIES

1. **Become involved in the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP A).** The core requirements of the federal Juvenile Justice and Delinquency Prevention Act (JJDP A), put into place over two decades ago, were designed to address racial disparities in the juvenile justice system and remove youth from adult jails altogether. Unfortunately, a loophole has prevented youth tried in the adult system from receiving these protections and racial inequalities have largely persisted. Visit [http://www.cfyj.org/federal\\_law.html](http://www.cfyj.org/federal_law.html) to learn about efforts to improve the federal law.
2. **Become more informed about the laws affecting youth in your state and help educate state legislators.** Learn more about your state's juvenile justice system by visiting the National Center for Juvenile Justice website at [www.ncjj.org/stateprofiles](http://www.ncjj.org/stateprofiles). To learn more about how to educate the state or federal legislature, consult our legislator guide for tips and sample materials, available at <http://www.c4yj.org/Downloads/start/LegislativeGuide.pdf>.
3. **Connect with other groups working on juvenile justice issues in your area.** There are hundreds of people working on juvenile justice reforms across the country. To obtain the contact information for juvenile justice specialists, corrections officials, and child advocates, consult the CFYJ directory available at [http://www.c4yj.org/state\\_contacts2.html](http://www.c4yj.org/state_contacts2.html).
4. **Host meetings with juvenile justice professionals and state/local policymakers to discuss the findings in the policy brief.** CFYJ can provide multiple copies of the policy brief free of charge and they are also available to print from the website at [http://www.c4yj.org/key\\_research.html](http://www.c4yj.org/key_research.html). Ask state and local policymakers to provide juvenile justice data disaggregated by race and ethnicity so you can monitor disparities in your area.
5. **Speak to youth directly to learn more about their experiences.** CFYJ has written an interview guide, available at <http://www.c4yj.org/Downloads/start/InterviewGuide.pdf>, for the purpose of interviewing current and formerly incarcerated youth in the adult criminal justice system, their parents and families. The guide can be used for a variety of purposes including: documenting experiences and identifying patterns, establishing a connection with youth and their families, and engaging, involving, and empowering youth, parents and families in the policy process. This can illustrate concretely to state/local policymakers, the public, and the media the needs of African-American youth.
6. **Visit the detention facility or jail where youth are held.** In lieu of a traditional tour, consider hosting a gift drive to bring books, magazines, or other educational supplies to help youth in the facility. You could also conduct an arts and crafts project or hold an educational session of interest to the youth. If you are concerned about the conditions in the facility, consider conducting an inspection of a facility to see whether youth are safe in the facility. Consult the Juvenile Detention Alternatives Initiative (JDAI) practice guide on conducting a self-assessment of a detention facility, available at <http://www.jdaihelpdesk.org/Pages/PracticeGuides.aspx>.
7. **Engage the media.** The CFYJ Media Guide, available at [http://www.c4yj.org/Downloads/start/YJ\\_MediaGuide.pdf](http://www.c4yj.org/Downloads/start/YJ_MediaGuide.pdf), explains how you can cooperate with news agencies to get your message into the spotlight. Planning media hits, writing media materials, pitching stories, and more are all covered in this comprehensive yet easy to understand manual. If you are interested in working with the press on issues affecting African-American youth in the adult criminal system, please contact CFYJ at (202) 558-3580 for further assistance.
8. **Tell us your story.** CFYJ's Case Profiles Project gathers personal stories from children prosecuted in the adult criminal justice system, as well as their parents and families, in order to understand first hand the experiences of those affected by the current system and support their recommendations for change. If you or a member of your family has been impacted by juvenile and criminal justice polices, please tell us your story using the Case Profiles Packet, available at <http://www.campaign4youthjustice.org/Downloads/TellUsyourStory.pdf>.

Visit the Campaign for Youth Justice at [www.campaignforyouthjustice.org](http://www.campaignforyouthjustice.org) and download *Critical Condition* at <http://campaignforyouthjustice.org/documents/AfricanAmericanBrief.pdf>.