

**For Immediate Release  
September 25, 2008**

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## **New Report Shows Little Progress in Treatment of African Americans in the Juvenile Justice System After Introduction Two Decades Ago**

*Washington, D.C.* – Although Congress sought to address the vast disparities in treatment between African-American and white youth 20 years ago, as part of the Juvenile Justice and Delinquency Prevention Act (JJDP), young people of color are still facing the same problems, according to a new report from the Campaign for Youth Justice (CFYJ). *Critical Condition: African-American Youth in the Justice System* takes a look at newly available data and highlights this serious issue that black youth continue to be overrepresented at most stages in the justice system.

“It is baffling that we are still faced with this serious problem of racial disparities in our justice system,” said Liz Ryan, CFYJ President and CEO. “It is time for states to reverse punitive laws that result in the transfer and incarceration of African-American youth in the adult criminal justice system.”

Although there is no national data system that collects data on youth transferred to the adult system, researchers estimate that as many as 200,000 youth are prosecuted as adults each year. All available evidence suggests that African-American youth are disproportionately affected by these laws.

“It is well documented that African-American youth are treated more harshly by the justice system than white youth, for the same offenses, at all stages in the justice system,” said NAACP Washington Bureau Director Hilary O. Shelton, in the report’s Foreword. “Recent events in Jena, Louisiana, have brought attention to critical issues facing the African-American community including the issues of racial disparities in the justice system, trying children in adult court, and the heinous practice of placing children in adult jails and prisons.”

Several national and state-based interventions have shown promise in reducing disparities facing African-American youth, such as the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative, the MacArthur Foundation’s Models for Change program, and Connecticut’s successful campaign to raise the age of juvenile court jurisdiction. Effective programs can be studied and replicated in other states.

“We need to address these grave concerns now and put ourselves in the shoes of our children, the ones who have been prosecuted as adults, placed in an adult jail or prison, children with adult convictions, whose future has effectively been abandoned by our system,” added Shelton.

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

- African-American youth receive harsher treatment than white youth across the system. 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 represent only 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.

- Even though the overall juvenile arrest rate has remained near a 25-year low, the disparities between white and African-American 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 African-American youth increased by 7% during this same time period.
- Although evidence indicates that white youth are significantly more likely than African-American youth to report using drugs and 30% more likely to report selling drugs, African-American youth are twice as likely to be arrested and detained for drug offenses. According to a study of 40 major jurisdictions, drug cases were filed against African-American youth in adult court at nearly five times the rate of white youth. In fact, African-American youth accounted for 87% of those charged with drug offenses.
- The overwhelming majority (83%) of cases that were filed in adult courts involved youth of color. African-American youth were 62% of the transferred youth in a study of 40 major jurisdictions.
- Over 40% of African-American youth tried in the adult system 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 jails according to a study of 40 major jurisdictions.

#### **Recommendations to Congress:**

- Update the Juvenile Justice and Delinquency Prevention Act to close the loophole allowing youth tried as adults to be held in adult jails, and strengthen the “Disproportionate Minority Contact” core requirement to support states in reducing disparities.
- Invest in significant data collection efforts to identify and track youth prosecuted in the adult criminal system.
- Support proposals, including Representative Robert C. “Bobby” Scott’s Youth PROMISE Act, that will effectively prevent crime before it occurs and provide intervention programs to redirect youth already involved in the system.
- Repeal provisions of federal laws that make it more difficult for youth convicted in the adult system to reintegrate into the community successfully (e.g., limitations on the eligibility of financial aid for college, food stamps, or Medicaid).
- Oppose legislation that increases the transfer of youth to the adult criminal system.

#### **Recommendations to State Legislators:**

- Immediately stop housing young people in adult jails and prisons.
- Increase the age of juvenile court jurisdiction to age 18.
- Substantially reduce the prosecution of youth in adult court by providing judges with sole discretion to make the decision on whether or not to prosecute a youth in adult court.

The Campaign for Youth Justice is a national organization dedicated to ending the practice of trying, sentencing and incarcerating youth under the age of 18 in the adult criminal justice system.

**To view the entire report, visit**

**<http://campaignforyouthjustice.org/documents/AfricanAmericanBrief.pdf>**