

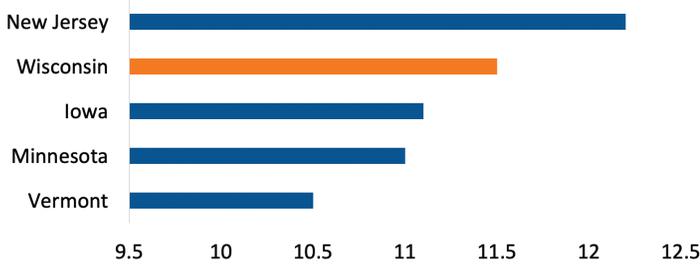
SUPPORTING CHILD WELL-BEING THROUGH **HIGHLIGHTING DISPARITIES IN YOUTH JUSTICE**

OCT 2020

**WHY** WE CHOSE THIS TOPIC

Extensive evidence shows that when we lock up our youth, they are less equipped to reach their full potential and become a contributing member of a community. Wisconsin has made significant efforts to reduce youth arrest and incarceration rates for many years. However, this positive downward trend is overshadowed by growing and persistent disparities between white and Black youth in the justice system. This is particularly severe in Wisconsin, ranking 2nd in the nation for having the highest Black to white disparity rate.<sup>1</sup>

TOP 5 STATES WITH THE LARGEST BLACK TO WHITE DISPARITY RATES PER 100,000K



**WHAT** THE RESEARCH SAYS

Youth who are confined to a facility are likely to have unmet mental health issues and are at risk of re-incarceration and recidivism.

As of January 2020, 100% of females and 72% of males in Wisconsin youth corrections facilities had a mental health issue, including those who were convicted in adult court.<sup>2</sup>

In January 2021, Wisconsin will be one of only 3 states in the nation who sends a 17 year old adolescent to adult prison.<sup>4</sup>

Addressing the mental health of these youth is paramount to successful outcomes especially since offenders in Wisconsin ages 24 and younger are almost TWICE as likely as adults to be re-incarcerated within three years.<sup>3</sup>

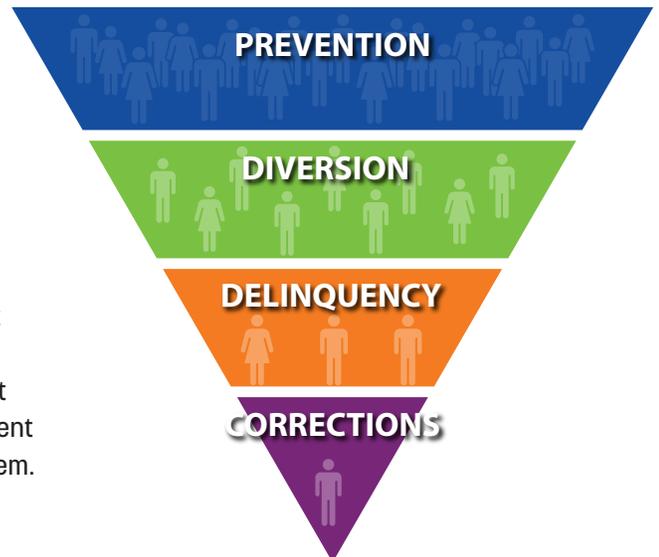
**WHAT'S HAPPENING IN WISCONSIN?**

Wisconsin has made tremendous improvements in decreasing the number of youth involved with the justice system.

- **58% decrease of youth in correctional facilities** between 2000 to 2019.<sup>5</sup>
- **61% decrease of Black youth in correctional facilities** between 1999 and 2017.<sup>6</sup>
- **72% decrease of youth transferred into adult court** since 2005.<sup>7</sup>
- **22% decrease in the number of arrested** between 2015 and 2019.<sup>8</sup>

The Wisconsin Youth Justice System is funded through the Youth Aids allocation, administered by counties, and supervised by the Department of Children and Families. The system's model focuses on prevention and diversion, and provides services to youth and families in the system that prepares them to thrive in the community. The Mendota Juvenile Treatment Center (MJTC) plays a narrow but critical role in the juvenile justice system. MJTC is a secure place to facilitate treatment for boys who have been clinically diagnosed as appropriate for intensive mental health care.

MOST YOUTH WHO ENTER THE SYSTEM ARE RECEIVING COMMUNITY-BASED SERVICES, WHETHER THROUGH PREVENTION, DIVERSION, OR DELINQUENCY SERVICES. THE SMALLEST NUMBER OF YOUTH ARE PLACED IN A STATE DEPARTMENT OF CORRECTIONS OPERATED FACILITY.



## DISPARITIES ARE STILL INCREASING<sup>9</sup>

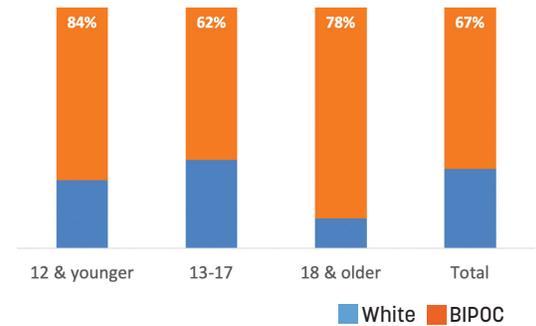
Even though the number of overall youth entering the system in Wisconsin is declining, the system penalizes youth of color more severely than white youth.

- Black youth are 15 times more likely to be placed in a youth facility.
- Black youth incarceration rates have increased 100% more than white youth between 2001 and 2015.

### Disparities are increasing in Wisconsin for several reasons:

- Racial bias in the court system, including white victims of crimes who perceive their offenders to be black.
- Differential police policies and practices that penalize Black youth for crimes that are just as likely to occur among white youth.
- Automatic adult court transfers for certain crimes that disproportionately affect black youth.

DISPARITIES IN THE YOUTH JUSTICE SYSTEM<sup>10</sup>



## WHAT WE CAN DO

### PARENTS ↻

- Participate in decision-making processes at all levels of the youth justice system. The most effective intervention, whether your child has been involved in the youth justice system or is at high risk, is family engagement. When families and the youth justice system work together, youth have a strong foundation to ensure they will become responsible community members.

### COMMUNITIES ↻

- Link youth to a positive adult mentor.
- Address the underlying needs of youth and their mental health issues to protect and prevent youth from ever entering the justice system.
- Increase social connectedness for all children equally, by providing free and reduced cost after school activities.

### SCHOOLS ↻

- Work to keep youth in school. Chronic absenteeism is a strong predictor of youth justice system involvement.

### POLICYMAKERS ↻

- Continue to involve youth in youth justice reform efforts. Making changes while listening to youth voices lead to long-term meaningful differences impacting the community.
- Most of the youth who return to the community after incarceration have unmet mental health needs, leaving them at high risk for re-incarceration and recidivism. Continue to invest community-based services to prevent youth from entering the system.
- Return 17 year olds to the youth justice system so they receive mental health treatment and developmentally appropriate services.
- Support continued investment in MJTC to ensure gender parity in youth mental health services.

### REFERENCES:

<sup>1</sup> U.S. Bureau of Justice Statistics (2016). The Sentencing Project. Retrieved from: <https://www.sentencingproject.org/the-facts/#rankings?dataset-option=BWR>

<sup>2</sup> State of Wisconsin, Department of Corrections. Corrections at a glance, January 2020.

<sup>3</sup> State of Wisconsin, Department of Corrections. Reincarceration Rates for 2010 releases with a 3-year follow-up period.

<sup>4</sup> National Conference of State Legislators. Juvenile Age of Jurisdiction and Transfer to Adult Court Laws. Retrieved from: <https://www.ncsl.org/research/civil-and-criminal-justice/juvenile-age-of-jurisdiction-and-transfer-to-adult-court-laws.aspx>.

<sup>5</sup> Wisconsin Department of Corrections. Prison Point-in-Time Populations: 2000-2019.

<sup>6</sup> Kids Count. (1999-2017) Youth residing in juvenile detention, correctional and/or residential facilities by race. [Data table]. Retrieved from: <http://datacenter.kidscount.org/data/tables>.

<sup>7</sup> Kids Forward. The Complex Maze of the Juvenile Justice System in Wisconsin and Its Impact on Youth of Color. August 2018.

<sup>8</sup> Wisconsin Department of Justice. Uniform Crime Reporting System (UCR). Retrieved from: <https://www.doj.state.wi.us/dles/bjia/ucr-arrest-data>

<sup>9</sup> The Sentencing Project. Fact Sheet: Black Disparities in Youth Incarceration. Retrieved from: <https://www.sentencingproject.org/wp-content/uploads/2017/09/Black-Disparities-in-Youth-Incarceration.pdf>

<sup>10</sup> Sickmund, M., Sladky, T.J., Kang, W., and Puzanchera, C. (2019) "Easy Access to the Census of Juveniles in Residential Placement." Online. Available: <https://www.ojjdp.gov/ojstatbb/ezacjrp/>