



# Racial and Ethnic Disparities in the Juvenile Justice System

## FICTION

Juvenile sentencing laws are applied fairly and impartially to different racial and ethnic groups.

## FACTS

Youth of color are much more likely than white youth to be held in juvenile facilities.

## RESEARCH

In the United States in 2021, the white placement rate in juvenile facilities was 49 per 100,000 youth under age 18. By comparison, the Black youth placement rate was 228 per 100,000, 4.7 times higher. Tribal youth were 3.7 times as likely to be placed in juvenile facilities (181 per 100,000) and Latino youth were 16% more likely (57 per 100,000). [1]

Racial disparities are also evident in decisions to transfer youth from juvenile to adult court. In 2017, Black youth made up 35% of delinquency cases, but over half (54%) of youth judicially transferred from juvenile court to adult court. Meanwhile, white youth accounted for 44% of all delinquency cases, but made up only 31% of judicial transfers to adult court. And although the total number of youth judicially transferred in 2017 was less than half what it was in 2005, **the racial disproportionality among these transfers has actually increased over time**. Reports also show that in **California**, prosecutors send Hispanic youth to adult court via **“direct file”** at 3.4 times the rate of white youth, and that **American Indian** youth are 1.8 times more likely than white youth to receive an adult prison sentence. [2]

**Exacerbating the difficulty of addressing this issue is the fact that disparities exist well before contact with the juvenile justice system has occurred**—in child welfare, the foster care system, school readiness, school performance, and school suspensions and expulsions (HHS, 2021; Knott and Giwa, 2012; Morris and Perry, 2016). Youths of color are more likely to live in single-parent families, in poverty, in disadvantaged communities with low performing schools, and in high-crime areas (Hirschfield, 2018; Moak et al., 2012; National Research Council, 2013). Given the problem’s extent and complexity, this issue is difficult to address. [3]

**In New Mexico**, in 2019, the placement rate in a residential placement facility per 100,000 youth was 467 Black, 277 White, 62 American Indian, 58 Hispanic and 0 Asian, according to an analysis of the Office of Juvenile Justice and Delinquency Prevention’s Census of Juveniles in *Residential Placement* for 2019.[4]



# Children's Code Reform Task Force

Undertaking Thoughtful Reform

Legislative Resource

One-Page Info Sheet  
(Both sides)

## FOOTNOTES

[1] *Youth Justice by the Numbers*, Joshua Rovner, The Sentencing Project (August 14, 2024)

<https://www.sentencingproject.org/policy-brief/youth-justice-by-the-numbers/>

[2] *Youth Confinement: The Whole Pie 2019*, Wendy Sawyer, Prison Policy Initiative (2019)

<https://www.prisonpolicy.org/reports/youth2019.html>

[3] Racial and Ethnic Disparity in Juvenile Justice Processing, Office of Juvenile Justice and Delinquency Prevention, (2022)

<https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/racial-and-ethnic-disparity#7-0>

[4] *Youth and the Juvenile Justice System: 2022 National Report*, National Center for Juvenile Justice, (December 2022)

<https://ojjdp.ojp.gov/publications/2022-national-report.pdf>

## ADDITIONAL RESOURCES

1. *Racial and Ethnic Disparities in the Youth Justice System*, Nora Leonard, Coalition for Juvenile Justice (March 2, 2023)

<https://www.juvjustice.org/blog/1436>

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