

Native Disparities in Youth Incarceration

Native Youth 3X More Likely than Whites to be Held

Native youth¹ were three times as likely to be incarcerated as white youth, according to data collected in October 2015 by the Department of Justice and recently released. The disparity has increased since 2001 when Native youth were roughly two-and-a-half times as likely to be detained or committed to juvenile facilities.²

The disparities in Native youth confinement have long plagued juvenile justice systems nationwide, but worsened as overall juvenile placements have fallen. Juvenile facilities, including 1,800 residential treatment centers, detention centers, training schools, and juvenile jails and prisons³ held 48,043 youth as of October 2015.⁴

The small numbers of Native persons in many states can either mask or exaggerate the existence of their placement disparities;⁵ 41 states have fewer than 10,000 Native youth residents.⁶ To overcome this analytical challenge, this fact sheet reports on regions' Native-to-white disparities as well as those states in which Native youth comprise at least 1.5 percent of all youth, plus California, which has more than 20,000 Native youth.

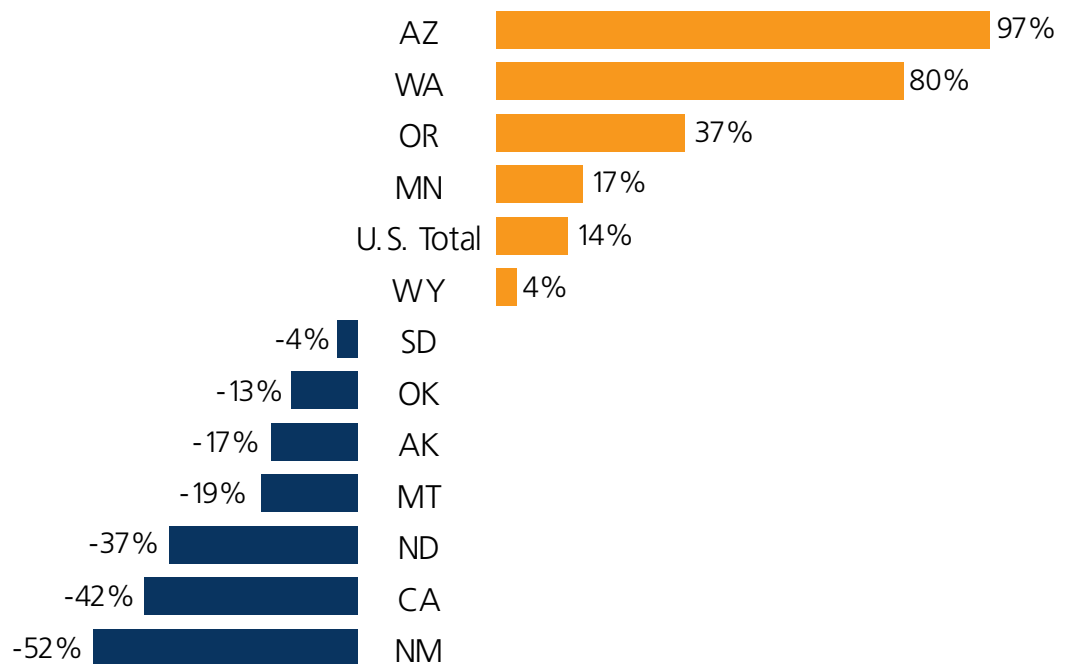
Between 2001 and 2015, overall juvenile placements fell by 54 percent, including declines for whites, blacks, Latinos, and Native youth. But since white placements fell to a greater degree (64 percent) than the other groups, racial and ethnic disparities increased from the start of the century even as the overall figures were declining.

Nationally, the youth rate of incarceration was 152 per 100,000. Native youths' placement rate was 261 per 100,000, compared to a white youths' placement rate of 86 per 100,000. Native youth are three times more likely than white youth to be in custody, a 14 percent increase since 2001.

Native/White Youth Placement Rate per 100,000 (2015)

Region of Offense • Plus selected states	White Rate	Native Rate	N/W Racial Disparity
New England: CT, ME, MA, NH, RI, VT	33	118	3.55
Middle Atlantic: NJ, NY, PA	61	170	2.81
East North Central: IN, IL, MI, OH, WI	89	213	2.38
West North Central: IA, KS, MN, MO, NE, ND, SD	104	417	4.00
• <i>Minnesota</i>	75	899	11.99
• <i>North Dakota</i>	135	590	4.37
• <i>South Dakota</i>	162	727	4.50
South Atlantic: DE, DC, FL, GA, MD, NC, SC, VA, WV	41	48	1.16
East South Central: AL, KY, MS, TN	71	38	0.53
West South Central: AR, LA, OK, TX	88	114	1.30
• <i>Oklahoma</i>	84	119	1.41
Mountain: AZ, CO, ID, MT, NV, NM, UT, WY	83	148	1.78
• <i>Arizona</i>	75	144	1.92
• <i>Montana</i>	113	270	2.39
• <i>New Mexico</i>	86	64	0.74
• <i>Wyoming</i>	243	614	2.52
Pacific: AK, CA, HI, OR, WA	102	386	3.79
• <i>Alaska</i>	176	459	2.60
• <i>California</i>	76	196	2.59
• <i>Oregon</i>	235	776	3.30
• <i>Washington</i>	88	430	4.87
U.S. Total	86	261	3.03

Change in Native/White Racial Disparity in Youth Incarceration in Select States, 2001 vs. 2015



- The West North Central region (Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota) has both the highest placement rate for Native youth and also the largest disparity in Native-to-white placements. Native youth in those states are four times as likely to be detained or committed as are white youth; nevertheless, this marks a 14 percent reduction from 2001.
- Native youth are nearly four times as likely to be detained or committed in the Pacific region. This represents a 10 percent increase from the disparity rate in 2001.
- In five states, more than 500 out of every 100,000 Native youth are in placement: Minnesota, Oregon, South Dakota, Wyoming, and North Dakota.⁷
- The Native-to-white disparity in Arizona doubled from 2001 to 2015; Native youth are now twice as likely to be held there as are white youth.

¹ Due to OJJDP's definitions, for the purposes of this fact sheet, all "Native youth" are by definition non-Hispanic. The Census of Juveniles in Residential Placement categorizes Hispanic youth, who may be of any race, separately from non-Hispanic white, black, American Indian, and Asian youth. In other words, "White youth" are non-Hispanic white, and "Native youth" are non-Hispanic Native. See: <https://www.ojjdp.gov/ojstatbb/ezacjrp/asp/glossary.asp#Race>.

² Fact sheets on African American and Latino disparities are available at www.sentencingproject.org.

³ Hockenberry, S., Wachter, A., & Sladky, A. (Sept. 2016). Juvenile Residential Facility Census, 2014: Selected Findings (NCJ 250123). Available: <https://www.ojjdp.gov/pubs/250123.pdf>

⁴ Placement statistics throughout this factsheet are calculated from Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. (2017). "Easy Access to the Census of Juveniles in Residential Placement." Available: <http://www.ojjdp.gov/ojstatbb/ezacjrp/>

⁵ For example, New Hampshire, which is 94 percent white, recorded three Native youth in placement in 2015 out of roughly 500 Native youth total – an exceptionally high rate that would fall precipitously were just one fewer Native youth in placement.

⁶ The population counts for non-Hispanic white and Native youth, found at Puzzanchera, C., Sladky, A. and Kang, W. (2016). "Easy Access to Juvenile Populations: 1990-2015." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/> were used to create regional totals. The population of youth begins at age 10 and ends at each state's age of majority for its juvenile courts in 2001 and 2015. In general, this includes 10- to 17-year olds.

⁷ West Virginia, Nebraska and New Hampshire, also have a Native youth incarceration rate over 500. They are not included in this list because each state has less than 1.5 percent Native youth.