

# The Sentencing Project

## Criminal Justice Issues and Prisoners' Rights

<https://www.sentencingproject.org/publications/native-disparities-youth-incarceration/>

## Policy Issue Resources

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Disparities in tribal youth incarceration have grown worse over the course of the decade, with tribal youth being more than three times as likely to be incarcerated than their white peers.

Tribal youth<sup>1)</sup>For the purposes of this fact sheet, all Tribal youth are by definition non-Hispanic/Latinx. (The underlying dataset labels them as American Indian.) See: Sickmund, M., Sladky, T.J., Puzzanchera, C., & Kang, W. (2021). Easy Access to the Census of Juveniles in Residential Placement, Glossary. National Center for Juvenile Justice. <https://www.ojjdp.gov/ojstatbb/ezacjrp/asp/glossary.asp#Race>. There are roughly 620,000 American Indian youths in the United States, 52% of whom are not Latinx. American Indian youth who claim Latinx ethnicity are included only among the Latinx/Hispanic data; there is no option available to review disparities for all 620,000 American Indian youths in a comprehensive category. were more than three times as likely to be detained or committed in juvenile facilities as their white peers, according to nationwide data collected in October 2019 and recently released. In 2010, Tribal youths incarceration rate was 2.9 times as high as their white peers. In 2019, that ratio grew to 3.3, a 14% increase.<sup>2)</sup>Most data in this report are derived from Sickmund, M., Sladky, T.J., Puzzanchera, C., & Kang, W. (2021). Easy Access to the Census of Juveniles in Residential Placement. National Center for Juvenile Justice. <https://www.ojjdp.gov/ojstatbb/ezacjrp/>

There are 11 states with at least 8,000 Tribal youths,<sup>3)</sup>Puzzanchera, C., Sladky, A. and Kang, W. (2020). Easy Access to Juvenile Populations: 1990-2019. National Center for Juvenile Justice. <https://www.ojjdp.gov/ojstatbb/ezapop/> and Tribal youth are more likely to be in custody than white youth in all but two of these states: New Mexico and Texas.

Juvenile facilities, including 1,510 detention centers, residential treatment centers, group homes, and youth prisons<sup>4)</sup>Puzzanchera, C., Hockenberry, S., Sladky, T.J., and Kang, W. (2020). Juvenile Residential Facility Census Databook. National Center for Juvenile Justice. <https://www.ojjdp.gov/ojstatbb/jrfdcdb/> held 36,479 youths as of October 2019. (These data do not include the 653 people under 18 in prisons at year-end 2019)<sup>5)</sup>Carson, E.A. (2020). Prisoners in 2019. Bureau of Justice Statistics. NCJ 25115. <https://bjs.ojp.gov/content/pub/pdf/p19.pdf> or the estimated 2,900 people under 18 in jails at midyear 2019.<sup>6)</sup>Zeng, Z. and Minton, T. (2021). Jail Inmates in 2019. Bureau of Justice Statistics. NCJ 255608. <https://bjs.ojp.gov/content/pub/pdf/ji19.pdf> Between 2010 and 2019, juvenile placements fell by 48%. During these years, white youth placements declined faster than Tribal youth placements (48% vs. 39%), resulting in the growth of an already significant disparity.

Nationally, the youth placement rate was 114 per 100,000. The Tribal youth placement rate was 236 per 100,000, compared to the white youth placement rate of 72 per 100,000.

In the 11 states with at least 8,000 Tribal youths, disparities grew by more than 10% in four states and decreased by at least 10% in six states.

*Positive numbers reveal an increase in the racial disparity between 2010 and 2019, and negative numbers reveal a decreased racial disparity.*

Footnotes[+]

Increase in U.S. jail & prison population in the last 40 years

Incarceration

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