

JUVENILE JUSTICE

2,805

THE NUMBER OF CHILDREN
ARRESTED EACH DAY IN THE U.S.
THAT IS ONE EVERY 31 SECONDS.



Childhood should be a time of growth and positive development in caring families and communities. However, far too many children—particularly those who are poor; children of color; children with disabilities; children with mental health and substance abuse challenges; children subjected to neglect, abuse and/or other violence; children in foster care; and lesbian, gay, bisexual, transgender, and queer (LGBTQ) children—are pushed out of homes and schools into the streets and the juvenile justice and/or adult criminal justice systems. An increasing number of girls are also being subjected to what many call the “sexual abuse to prison pipeline.”¹ These children are at the heart of Children’s Defense Fund’s Cradle to Prison Pipeline® campaign, which works to end the criminalization of children in America.

- In 2014 more than 1 million children were arrested in the U.S. In six states more than 5 percent of children were arrested (see **Table 34**).
- Sixty-three percent of children arrested in the U.S. were White and 34 percent were Black.² However, Black children were approximately two-and-a-half times more likely to be arrested than White children.³ Children of color were more likely to be formally processed and locked in facilities instead of connected to a community-based program.
- Overall, youth incarceration has continued to decrease in recent years. In 2015, 48,043 children and youths were held in residential placement on an average night in the U.S.⁴ However, children of color had a greater percent of residential placements than White children, and Black children had the highest percent. Of those incarcerated, 69 percent were children of color: 42 percent were Black and 22 percent were Hispanic. Moreover, 85 percent were male (see **Table 35**).
- During 1992-2013, the share of girls involved in the juvenile justice system increased at least 40 percent at every decision point, including arrests, detentions, court caseloads and post-adjudication placements.⁵
- In 2015 the ratio of the residential placement rate for girls of color to that for White girls was 2 to 1 nationally, and in 30 states and the District of Columbia, the placement rate for non-Hispanic Black girls exceeded the rate for all other racial/ethnic groups.⁶

- The percent of incarcerated LGBTQ children (20 percent) is more than two times the percent of LGBTQ youths in the general population (7-9 percent).⁷ Fourteen percent of incarcerated boys and 40 percent of incarcerated girls identify as LGBTQ; 85 percent are children of color.

Justice-involved children are often placed in the most, rather than least, restrictive settings. Once incarcerated, children are at risk of physical and psychological abuse, sexual assault, suicide, and other harms, including inadequate educational instruction. The use of solitary confinement further deprives youths of social interaction, mental stimulation and key services during a critical time of adolescent brain development. Risks are heightened for children in the adult criminal justice system, which is focused on punishment rather than rehabilitation and treatment.

- Approximately 200,000 children are placed in the adult criminal justice system annually; most of them are charged with non-violent offenses.⁸
- The number of children in adult prisons on any given day has declined in recent years; there were 993 children incarcerated in adult prisons in 2015 (see **Table 36**).
- Extreme racial and ethnic disparities persist for youths sentenced in the adult criminal justice system. Black youths are nine times more likely than White youths to receive an adult prison sentence; Hispanic youths 40 percent more likely; and American Indian/Alaska Native children almost two times more likely.⁹
- Children in adult jails are at greater risk of sexual victimization and 36 times more likely to commit suicide than children held in juvenile detention centers.¹⁰
- Forty-one states and the District of Columbia have juvenile courts that generally serve children up to age 18. There are currently nine states where children 17 and older are automatically referred to the adult court system, but four of them have made positive legislative changes to raise the age of juvenile court jurisdiction.¹¹
- Without further changes, pending full implementation of the current laws, five states will still automatically prosecute 17-year-old children the same as adults (Georgia, Michigan, Missouri, Texas and Wisconsin). All states currently allow children charged with certain offenses to be prosecuted in adult courts.¹²

Increased attention to the unique developmental period of adolescence and children’s potential to grow and change has prompted positive actions at both the state and federal levels and led to reductions in child arrests, detentions and confinements in adult prisons.

- In 2016, President Obama banned by executive action the use of solitary confinement for youths held in federal prisons. Twelve states and the District of Columbia now also prohibit or restrict solitary confinement of children.¹³
- Five states now significantly limit the placement of youths in adult prisons.¹⁴
- The U.S. Supreme Court in 2016 held that its 2012 *Miller v. Alabama* decision banning mandatory juvenile life sentences without the possibility of parole must be applied retroactively in all states.¹⁵

**In 2014, more than 1 million children were arrested in the U.S.
In six states more than 5 percent of children were arrested.**

Table 34: Child Arrests, 2014

	Total Number of Child Arrests	Arrests per 100,000 Children 10–17	Property Offense Arrests per 100,000 Children 10–17
Alabama	144	n/a	n/a
Alaska	1,863	n/a	n/a
Arizona	29,904	4,025	835
Arkansas	9,231	2,897	747
California	86,638	2,044	448
Colorado	30,570	5,487	1,093
Connecticut	9,499	2,482	502
Delaware	4,175	4,459	1,000
District of Columbia	332	n/a	n/a
Florida	66,839	n/a	n/a
Georgia	37,371	3,295	860
Hawaii	590	n/a	n/a
Idaho	9,360	4,848	936
Illinois	16,779	n/a	n/a
Indiana	15,814	n/a	n/a
Iowa	13,822	4,230	1,166
Kansas	5,106	n/a	n/a
Kentucky	6,496	1,418	476
Louisiana	19,723	3,965	1,017
Maine	3,925	3,115	755
Maryland	24,505	3,960	1,026
Massachusetts	9,186	1,386	242
Michigan	20,595	1,917	496
Minnesota	23,795	4,136	948
Mississippi	5,277	n/a	n/a
Missouri	24,765	3,884	868
Montana	4,981	4,943	1,075
Nebraska	12,293	6,075	1,598
Nevada	10,991	3,620	724
New Hampshire	4,800	3,561	487
New Jersey	24,307	2,570	387
New Mexico	7,787	3,435	772
New York	24,703	1,261	346
North Carolina	30,768	2,946	773
North Dakota	3,982	5,788	954
Ohio	24,585	n/a	n/a
Oklahoma	13,901	3,332	816
Oregon	7,249	n/a	n/a
Pennsylvania	62,170	4,884	587
Rhode Island	2,947	2,882	567
South Carolina	15,697	3,186	802
South Dakota	4,681	5,258	1,056
Tennessee	26,689	3,897	797
Texas	82,483	2,598	638
Utah	17,380	4,531	1,015
Vermont	686	1,152	212
Virginia	23,814	2,827	500
Washington	17,355	2,410	704
West Virginia	1,247	n/a	n/a
Wisconsin	56,054	9,291	1,745
Wyoming	4,144	7,050	1,126
United States	1,024,000	3,084	705

Notes: “n/a” means the state had a data coverage rate of less than 90 percent. “Property” offense includes “burglary, larceny-theft, motor vehicle theft, and arson.”

Sources: Puzzanchera, Charles, and Wei Kang. 2014. “Easy Access to FBI Arrest Statistics 1994-2014.” <http://www.ojjdp.gov/ojstatbb/ezaucr/>; Federal Bureau of Investigation. “Crime in the United States 2014.” <https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-69>.

About 48,000 children were held in residential placement on an average night in 2015. Black children had the highest percent of residential placements in 2015.

Table 35: Children in Residential Placement by Race/Ethnicity and Sex, 2015

	Number	Percent of Children in Residential Placement Who Are:					Percent of Children in Residential Placement Who Are:	
		White	Hispanic	Black	Asian	American Indian/ Alaska Native	Male	Female
Alabama	849	35%	3%	60%	0%	0%	87%	13%
Alaska	207	38	1	14	1	36	88	12
Arizona	717	33	36	16	1	8	83	17
Arkansas	555	36	6	57	1	0	88	12
California	6,726	13	55	28	2	1	82	18
Colorado	999	36	39	21	1	1	86	14
Connecticut	141	23	26	47	0	0	89	13
Delaware	162	13	7	80	0	0	91	9
District of Columbia	105	0	0	97	0	0	86	14
Florida	2,853	29	9	62	0	0	88	12
Georgia	1,110	18	5	74	1	0	91	9
Hawaii	51	18	6	0	53	0	65	35
Idaho	393	70	23	2	2	2	82	18
Illinois	1,524	21	14	63	0	0	93	7
Indiana	1,563	53	7	36	0	0	82	18
Iowa	675	56	9	29	1	2	87	13
Kansas	564	46	19	33	1	1	91	10
Kentucky	510	56	2	34	0	0	81	19
Louisiana	831	17	1	80	0	1	90	10
Maine	81	78	0	15	0	4	85	11
Maryland	612	14	6	79	0	0	87	13
Massachusetts	426	23	41	30	1	0	87	13
Michigan	1,554	40	6	47	0	1	77	23
Minnesota	852	38	7	40	2	10	82	18
Mississippi	243	22	0	77	0	0	81	19
Missouri	948	49	3	44	0	0	85	15
Montana	171	54	12	12	0	16	77	23
Nebraska	465	40	23	25	1	5	70	30
Nevada	627	25	31	37	2	2	81	20
New Hampshire	69	78	9	9	0	4	65	39
New Jersey	636	8	18	72	0	0	95	5
New Mexico	363	14	74	7	0	4	83	17
New York	1,386	28	16	52	1	1	79	21
North Carolina	468	21	7	67	0	2	85	15
North Dakota	144	54	4	13	0	25	77	21
Ohio	2,163	42	3	50	0	0	88	12
Oklahoma	552	39	8	40	0	11	85	15
Oregon	1,113	56	24	13	1	4	88	12
Pennsylvania	2,826	29	14	53	0	0	88	12
Rhode Island	198	32	32	30	3	0	88	12
South Carolina	693	32	16	48	0	1	87	13
South Dakota	228	49	3	4	1	39	74	26
Tennessee	660	46	9	41	0	0	88	12
Texas	4,299	21	44	34	0	0	82	18
Utah	453	50	34	9	2	5	83	17
Vermont	27	89	0	11	0	0	89	11
Virginia	1,227	24	11	62	0	0	88	12
Washington	921	43	20	22	2	6	86	14
West Virginia	567	84	2	8	0	1	74	26
Wisconsin	762	28	9	56	1	3	85	15
Wyoming	177	66	14	7	0	12	68	32
Not reported	1,593	35	20	41	1	2	86	14
United States	48,043	31%	22%	42%	1%	2%	85%	15%

Notes: Residential placements range from non-secure community-based group homes to long-term secure facilities. Racial categories (White, Black, Asian, American Indian/Alaska Native) exclude children of Hispanic ethnicity. Hispanic children can be of any race. U.S. total excludes youths in tribal facilities.

Source: Sickmund, Melissa, T.J. Sladky, Wei Kang, and Charles Puzzanchera. 2015. "Easy Access to the Census of Juveniles in Residential Placement." <http://www.ojjdp.gov/ojstatbb/ezacjrp/>.

**993 children remained in adult prisons in 2015, a 55 percent decline in 10 years.
More than half of the children are in six states; Florida and New York
have the highest percents.**

Table 36: Children in Adult Prisons, Select Years

	Number of Children in Adult Prisons in:			Percent Change in the Number of Children in Adult Prisons, 2005-2015	Percent Change in the Number of Children in Adult Prisons, 2014-2015	Percent of the 993 Children in Adult Prisons in 2015 by State
	2005	2014	2015			
Alabama	34	0	14	-58.8%	-	1.4%
Alaska ^a	10	0	0	-100.0	0.0	0.0
Arizona	78	56	81	3.8	44.6	8.2
Arkansas	19	11	15	-21.1	36.4	1.5
California	5	0	0	-100.0	0.0	0.0
Colorado	38	3	2	-94.7	-33.3	0.2
Connecticut ^a	383	84	84	-78.1	0.0	8.5
Delaware ^a	26	3	8	-69.2	166.7	0.8
District of Columbia	n/a	n/a	n/a	n/a	n/a	n/a
Florida	185	126	131	-29.2	4.0	13.2
Georgia	75	96	80	6.7	-16.7	8.1
Hawaii ^a	1	0	0	-100.0	0.0	0.0
Idaho	3	0	1	-66.7	-	0.1
Illinois	82	18	20	-75.6	11.1	2.0
Indiana	18	42	34	88.9	-19.0	3.4
Iowa	15	5	5	-66.7	0.0	0.5
Kansas	10	1	0	-100.0	-100.0	0.0
Kentucky	0	0	0	0.0	0.0	0.0
Louisiana	10	18	11	10.0	-38.9	1.1
Maine	0	0	0	0.0	0.0	0.0
Maryland	51	22	4	-92.2	-81.8	0.4
Massachusetts	3	0	0	-100.0	0.0	0.0
Michigan	98	90	88	-10.2	-2.2	8.9
Minnesota	16	10	10	-37.5	0.0	1.0
Mississippi	55	19	27	-50.9	42.1	2.7
Missouri	21	12	10	-52.4	-16.7	1.0
Montana	2	1	0	-100.0	-100.0	0.0
Nebraska	16	22	10	-37.5	-54.5	1.0
Nevada	16	9	9	-43.8	0.0	0.9
New Hampshire	1	0	0	-100.0	0.0	0.0
New Jersey	28	7	5	-82.1	-28.6	0.5
New Mexico	2	0	0	-100.0	0.0	0.0
New York	223	97	89	-60.1	-8.2	9.0
North Carolina	169	85	72	-57.4	-15.3	7.3
North Dakota	4	0	0	-100.0	0.0	0.0
Ohio	51	24	29	-43.1	20.8	2.9
Oklahoma	10	7	9	-10.0	28.6	0.9
Oregon	6	0	0	-100.0	0.0	0.0
Pennsylvania	31	29	17	-45.2	-41.4	1.7
Rhode Island ^a	4	2	0	-100.0	-100.0	0.0
South Carolina	120	24	29	-75.8	20.8	2.9
South Dakota	2	0	0	-100.0	0.0	0.0
Tennessee	8	13	7	-12.5	-46.2	0.7
Texas	167	69	48	-71.3	-30.4	4.8
Utah	7	1	1	-85.7	0.0	0.1
Vermont ^a	5	0	0	-100.0	0.0	0.0
Virginia	27	9	6	-77.8	-33.3	0.6
Washington	3	1	0	-100.0	-100.0	0.0
West Virginia	0	0	0	0.0	0.0	0.0
Wisconsin	66	18	37	-43.9	105.6	3.7
Wyoming	4	1	0	-100.0	-100.0	0.0
United States	2,208	1,035	993	-55.0%	-4.1%	

^aPrisons and jails in the state form one integrated system. Data include total jail and prison populations.

Note: "n/a" means data were not available.

Source: Bureau of Justice Statistics. "Reported Number of Inmates under Age 18 Held in Custody in Federal or State Prisons, December 31, 2000-2015." <https://www.bjs.gov/index.cfm?ty=nps>.