

## **Youth Behavioral Health Bill of Rights**

1. Youth are the experts on themselves.
2. Youth have the right to be informed about their medication and diagnosis in a way that they can understand.
3. Youth have the right to feel heard and acknowledged.
4. Youth have the right to informed consent.
5. Youth have the right to alternative options.
6. Youth have the right to feel safe in a confidential setting.
7. Youth have the right to be respected.
8. Youth have the right to have their values honored.
9. Youth have the right to a proactive safety plan.
10. Youth have the right to use their voice in the decision making process of their plans.
11. Youth have the right to express their limitations and boundaries and have them respected.
12. Youth have the right to advocate for themselves and others.

“Disproportionate Minority Contact”

Presented by

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## Black/African American youth account for.....

- 21.5% of youth adjudicated on A, B, C felony
- 67% of youth charged in Circuit Court
- 49% of youth in detention
- 34% Committed youth
- 56.9% of youth in out of home care
  - 1-3 months longer in out of home
  - Black youth have the highest # of placement and spend the longest time in OOHC

# Nationally...

Nationwide, Black/African-American youth account for... <sup>(1)</sup>

- 26% of juvenile arrests,
- 44% of youth who are detained,
- 46% of the youth who are judicially waived to criminal court, and
- 58% of the youth admitted to state prisons (Center on Juvenile and Criminal Justice).
- 29% of youth in foster care <sup>(2)</sup>

Juvenile Justice is the place where the minority  
becomes the majority

We can change that in Kentucky and lead the  
nation on addressing DMC

# Using a Racial Lens to Examine Practice



# What does that mean?

- It means looking at policies and practices to determine if they impact people of all races the same way. (In reality are they impacted differently)
- Revising policy and practice to remove the potential for disparate treatment.

# School

- In 2012, 34% of 27, 582 complaints were school related.
- So if there is disparity there....

Data from AOC FAIR team community partner presentation

# The Impact of Juvenile Incarceration

- Juvenile incarceration decreases the chances of high school graduation by 13 to 39 percent.  
(4)
- Juvenile incarceration increases the chances of incarceration as an adult by 23 to 41 percent.  
(4)

# To Prison

- Though African Americans only constituted 13.9% of the population in 2008, they constituted nearly 1 million of the 2.3 million who are incarcerated. <sup>(5)</sup>
- In 2012, U.S. Bureau of Justice Statistics reported that 1 in 3 black men can expect to go to prison in their lifetime. <sup>(5)</sup>

# Applying a Racial Lens...

- The disparity at the front end leads to cumulative disadvantage and though unintended, has lifelong consequences.
- So applying what we know about the impact of incarceration, If Black/African American youth are more likely to be arrested and detained then they are
  - Less like to graduate high school
  - More likely to go on to adult corrections

That is why it's critical that we get it right, up  
front...

To know that disparities exist and not address them, calls into question the credibility of all of the child serving agencies in the Kentucky system of care.

## Next Steps...

- Kentucky has an opportunity to create a national model for addressing DMC.
- Though it has been addressed for 2 decades, there has been little in way of solutions.

# What is Needed?

1. Acknowledgement that Race Matters in decision making in the schools, child welfare, and juvenile justice system.
2. Need legislation to require that we capture and analyze race specific data at each point of contact within Juvenile Justice, Child Welfare system, and on school referrals and academic failure.
3. Recognize the SEJAY in legislation as the collaborative body to collect race specific data across agencies, to analyze that data, to be the drivers of change in each of those agencies, and to report out to Oversight Council.
4. Training of staff (Explained on next slide)

# Training of Staff

- Require in legislation training of staff to include law enforcement, education, child welfare, juvenile justice, judges, prosecutors, advocacy groups on:
  - DMC to include Kentucky specific data
  - How to examine policy and practice using a racial lens.
  - Cultural differences, implicit bias, and cumulative effects of disadvantage.
  - Practical application of working with youth with cultural differences

# Sources

1. <http://www.naacp.org/pages/criminal-justice-fact-sheet>
2. <https://www.cfrny.org/news-blog/foster-care-facts/>
3. (<http://quickfacts.census.gov/qfd/states/00000.html>)
4. <http://journalistsresource.org/studies/government/criminal-justice/juvenile-incarceration-long-term-consequences>
5. <http://www.naacp.org/pages/criminal-justice-fact-sheet>