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Isabella Hu

Case Western Reserve University

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Life and Mental Health Outcomes of Justice-Involved Youth as a result of Targeted Racial Discrimination and Criminalization

Isabella Hu - Case Western Reserve University

BIOGRAPHY

Isabella Hu is a recent Fall 2018 graduate of Case Western Reserve University. As her time as an undergraduate ends, she is looking forward to the next steps of her academic career, which will involve applying to PhD programs in clinical psychology after taking a gap year to continue working as a research assistant in Cleveland. Isabella hopes to work with at-risk adolescent populations as a professional.

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Nearly 53,000 youths are held in correctional facilities in the U.S. every day as a result of juvenile or criminal justice involvement (Sawyer, 2018). Minor status often does not deter judges from harsh sentencing as one in ten of these 53,000 youths are held in an adult jail or prison. Additionally, due to a process called remand, one in five juvenile justice-involved youth are held in detention facilities before they have gone to trial. Meanwhile, adolescents of color are grossly overrepresented in the juvenile incarceration population. Even though black youth make up less than 14% of all youth in the U.S, they make up 43% of boys and 34% of girls in juvenile facilities (Sawyer, 2018). There are several structural and institutional reasons for this disparity. Concentrated poverty, often racially segregated, can be found in inner-cities with high minority populations and high rates of unemployment (Iceland & Hernandez, 2017). These minority communities are confined to a cycle of poverty and violence that prevents upward social mobility. At the same time, community violence has negative effects on youth life and developmental outcomes, as higher rates of neighborhood violence are associated with lower probabilities of upward income mobility (Sharkey & Torrats-Espinosa, 2017). Without steady and sufficient financial resources, members of poor communities are more likely to engage in the underground economy, which puts them at risk of gang violence and crime. As a result, poor, black neighborhoods become targets of strict policing due to the assumption that violence and illegal activity run rampant within these areas.

These perceptions create a lens within law enforcement that views residents as criminal, often causing innocent men and women to become victims of discrimination and harassment. As shown in the media, men, women, and adolescents of color are not treated justly when stopped and detained by police officers. In 2017, police officers were responsible for the deaths of over 1,100 American citizens; 25% of this group were black (Sinyangwe, Packnett, & Mckesson, 2018). Furthermore, African Americans hold the highest poverty rate among racial and ethnic groups and 45.8% of young black children live in poverty (Economic Policy Insti-

“These minority communities are confined to a cycle of poverty and violence that prevents upward social mobility.”

tute, 2014). With limited opportunities to increase one’s own financial and social situation, residents of impoverished neighborhoods are vulnerable to traumas associated with violence and crime (Jargowsky, 1996). These traumas can include police discrimination and abuse by the criminal legal system. Current policing practices of law enforcement disproportionately target adolescents of color which put them at increased risk of maltreatment by the criminal legal system and subsequent negative general life and health outcomes.

Discriminatory policing practices

Current policing practices are militaristic in nature, utilizing aggressive and physical tactics to keep order in poor neighborhoods (Brunson & Miller, 2006; Stewart et al., 2009; Kauff and Hewstone, 2017; Blankenship et al., 2018; Herda and McCarthy, 2018). Research has found that neighborhood conditions play a role in shaping levels of racially-based police discrimination experienced by black adolescents (Stewart et al., 2009). These conditions include the racial composition, affluence, and occurrence of violence within neighborhoods. It was found that instances of police discrimination against black youth increased as the percentage of white residents in neighborhoods increased. Furthermore, both affluent and violent black neighborhoods, in addition to majority white neighborhoods with large black population growth were found to have significantly higher levels of perceived racial discrimination by law enforcement (Stewart et al., 2009). These results may be attributable to the belief that black adolescents do not belong in white areas. Additionally, it has been discussed that increased discrimination in white neighborhoods with large black populations is a retaliatory effort against black population growth (Stewart et al., 2009).

Research has shown that pedestrian and vehicu-

lar stops are common policing strategies in disadvantaged neighborhoods (Brunson & Miller, 2006). Affected youth have described police interactions as humiliating and intrusive. Due to high rates of crime and violence and potential racial prejudices, law enforcement officers are likely to presume black and Hispanic youth as guilty. In interviews conducted with young men and women of color, police were described as impolite, hostile, and aggressive in participants' neighborhoods, often refusing to acknowledge the innocence of the young people they stopped. Additionally, participants reported being verbally degraded and abused by law enforcement on several occasions. One participant recalled being stopped by a police officer because he fit the description of the suspect for a crime that occurred on the other side of town. Despite the minor chance that the participant was the offender, the officer continued to interrogate him about his intentions and conducted a physical frisk before allowing the participant to resume his walk to school (Brunson & Miller, 2006). Additionally, young black women in the study expressed frustration at the lack of police response to reports of sexual assault and other violent crimes in their neighborhoods (Brunson & Miller, 2006). These accounts of negligence and abuse suggest that there is both over-policing for certain offenses and under-policing for other offenses in poor, minority neighborhoods.

White youth are not subjected to the same level of policing as colored youth. When caught in illegal activity, white youth were found to be more likely than their black youth counterparts to be let go by police officers (Blankenship et al., 2018). Research has also suggested that police discrimination may have the most significant effect on minority student health (Kauff and Hewstone, 2017). Minority youth were more likely to report psychosomatic symptoms, such as headaches, stomachaches, and difficulty sleeping, related to perceived police discrimination. Research indicates that perceived discrimination can occur vicariously and still affect levels of offending (Herda and McCarthy, 2018). Overall, black youth were expected to be 1.76 times more likely involved in violence than white youth. Research suggests that anticipated,

experienced, and vicarious discrimination affects black and Hispanic youth in similar ways by increasing their likelihood of engagement in criminal activity (Herda and McCarthy, 2018).

The stated role of law enforcement is to protect citizens in the U.S., regardless of identity. However, research to date supports the claim that policing practices in poor ethnic neighborhoods may be discriminatory and overly aggressive. What is lacking in the literature is an assessment of behavioral patterns in police officers who are likely to act on racially-based perceptions. If police officers with racial prejudices can be identified, they could be held responsible for inappropriate and discriminatory actions. Further research would give insight on the prevalence of racial prejudice in the police force, a population that is meant to be objective and without biases. Additionally, few studies focus on discrimination in other environments that youth of color are often found, such as schools and community centers. School resource officers are police officers assigned to prevent crime and ensure safety in schools. Research on discrimination by school resource officers and police officers in environments outside of residence areas would provide knowledge of how policing is affected by different environmental contexts.

Discrimination and abuse during

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incarceration

Incarcerated youth are subjected to additional harassment and abuse while being held in juvenile detention and correctional facilities (Dierkhising and Natsuaki, 2014; Thomas, 2017; Galardi & Setterson, 2018; Chadick et al., 2018). Dierkhising and Natsuaki (2014) interviewed sixty-two formerly incarcerated young adults, the majority of whom were Hispanic. Participants were asked about their experiences with correctional officers during in-

carceration. 96.8% of the sample reported experiencing abuse either directly, as a witness, or vicariously through another inmate. Furthermore, 77.4% of youth in the study had experienced some form of direct abuse during incarceration; one participant reported getting his collar broken by a staff member and another recalled being picked up and slammed onto the floor by a staff member. In addition to abuse and harassment from correctional staff, juvenile inmates experience violence perpetrated by other inmates. One participant recalled several fights that could have been prevented, but the guards had turned their heads. Other common forms of abuse included denial of food, solitary confinement, and psychological abuse (Dierkhising & Natsuaki, 2014). In another study,

“Adult inmates who spent extended periods of time in solitary confinement were found to have greater drug and alcohol dependencies post-release.”

solitary confinement was reported to be the most common form of direct abuse by correctional officers (Chadick et al., 2018).

Research suggests that solitary confinement exacerbates psychological dysfunction and prevents cognitive development. Adult inmates who spent extended periods of time in solitary confinement were found to have greater drug and alcohol dependencies post-release. Additionally, these inmates were vulnerable to hallucinations, delusions, and paranoia during isolation and exhibited greater post-assessment levels of anxiety, depressed mood, and post-traumatic stress (Chadick et al., 2018). Juvenile inmates are primarily restricted to interactions with other inmates and correctional officers during incarceration. The nature of these relationships has a large influence on adolescents' cognitive and emotional development. Galardi and Setterson (2018) interviewed correctional staff in a juvenile detention facility in order to understand staff perceptions of the inmates. It was found that staff regarded

male and female inmates differently and conducted themselves differently when working with each population. Male inmates were described as emotionally reserved and physically violent and aggressive by both male and female staff. Female inmates were regarded by male staff as more defiant when physically restrained and as potential sources of false claims of sexual misconduct, regardless of whether or not the staff member had physically worked with the female inmate population (Galardi & Setterson, 2018). Recent research suggests that sexuality has often been used as an avenue to punish and scrutinize female offenders (Thomas, 2017). Females in detention are less likely to achieve rehabilitation due to strict controls placed on them by the institution. These controls include restrictions on where they are allowed to be, how many people are allowed in a room at one time, and the amount of time they spend in a certain location. Due to the increased perception of sexuality in females, strict spatial and behavioral controls are placed on females in detention facilities, preventing them from freely expressing their identities (Thomas, 2017).

Research in this area is lacking due to the difficult nature of studying this population without violating ethical regulations. However, with the evidence presented, it is suggested that the restrictive institutional setting of prison is not conducive to rehabilitation for juvenile delinquents. Studies have only recently begun to look at the experiences of incarcerated youth in correctional facilities. The current literature suggests females are treated and regarded differently than males in juvenile correctional facilities; however, there are few studies that look at differences during incarceration based on gender. In addition to lacking in quantity, studies in this area often have small sample sizes and fail to assess the power dynamics between staff and inmates that are likely to affect conduct within juvenile detention facilities. The relationships and interactions that juveniles have during incarceration influence their social and cognitive development. Further research on juvenile detention facility conditions could potentially reveal behavioral and structural pat-

terms within carceral environments that could inform reform efforts and policies.

Life and Mental health outcomes

The effects of incarceration exceed the confines of the institution itself. Incarcerated juveniles are likely to experience negative life outcomes as a result of their criminal involvement (Comas-Diaz and Jacobsen, 2001; Blankenship et al., 2018). Research has found that black youth were significantly more likely than white youth to report dropping out of school due to incarceration: 39% versus 23.7% respectively (Blankenship et al., 2018). In a study sample of 146 black participants and 97 white participants, 60% of black participants reported housing instability due to incarceration and 89% reported difficulty finding employment due to their criminal record. Moreover, 44.8% of black participants reported estrangement from a family member due to incarceration versus 29.8% of white participants. While not all significant, black participants were more likely to be affected than their white counterparts in all measured categories of the study (Blankenship et al., 2018). Research has also found that interpersonal relationships and self-concept are significantly impacted by racism (Comas-Diaz and Jacobsen, 2001). Incidents of racial discrimination are likely to cause ethnic and sociocultural emotional injuries to one's sense of identity resulting in confusion, disillusionment and racial mistrust. Furthermore, individuals of color may become hypersensitive in social situations due to previous occurrences of racial discrimination (Comas-Diaz and Jacobsen, 2001).

Juvenile offenders of color are likely to become repeat offenders in adulthood (Barrett and Katsiyannis, 2016; Mowen et al., 2018; Blankenship et al., 2018). In a recent study, individuals arrested as adults were likely to be male African Americans, in addition to having been eligible for free/reduced lunch in school and placed in foster care and child protective services as a minor (Barrett and Katsiyannis, 2016). Research has found that later age of first arrest is correlated with higher instances of adult offending, as younger offenders tend to age-

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out of offending before adulthood. Additionally, later-starting delinquents were three times more likely than non-delinquents to be arrested for a felony and two times more likely to be arrested before the age of thirty (Barrett and Katsiyannis, 2016). Research has found a positive relationship between receiving an arrest and later delinquency with higher frequencies of arrest correlated with significant increases in future offending (Mowen et al., 2018). While African Americans reported significantly fewer adult convictions than their white counterparts, they were found to be incarcerated more often than whites (Blankenship et al., 2018). Furthermore, as juveniles, black youth were significantly more likely to be incarcerated than white youth (Blankenship et al., 2018).

Research on life outcomes is lacking in comparison to health outcomes for juvenile offenders. The available literature briefly mentions life outcomes; however, these experiences are often overshadowed by cognitive and psychological effects of incarceration. Current evidence suggests a relationship between juvenile delinquency and adult offending, signaling a deficit of available and effective treatment and behavioral programs in juvenile correctional facilities. Effective programs for juvenile inmates decrease the likelihood of recidivism as poor life outcomes increase the likelihood of recidivism (Mowen et al., 2018). Additionally, the literature is lacking in longitudinal and qualitative studies that interview previously incarcerated youth about their personal experiences after reintegrating into society. The reentry process is a complex and ongoing transition that surveys and other methods may simplify due to the structure of the assessments.

Justice-involved youth are also susceptible to negative health outcomes due to the psychological effects of incarceration (Domalanta et al., 2003; Penn et al., 2003; Helms et al., 2010; Dierkhising and Natsuaki, 2014; Rosenberg et al., 2014; Barnert et al., 2018). Research has indicated that age of first arrest and adult health are related: the younger age of first arrest, the worse adult health outcomes (Barnert et al., 2018). Research suggests that communities of color, including African Americans, Hispanics, and Native Americans, exhibit greater occurrences of post-traumatic stress disorder likely due to experiences of discrimination and marginalization (Helms et al., 2010). Several studies have found evidence that incarcerated youth experience higher levels of depression, post-traumatic stress disorder (PTSD), and substance abuse (Domalanta et al., 2003; Dierkhising and Natsuaki, 2014; Rosenberg et al., 2014). In one study, 33.9% of the sample showed mild to significant depression symptoms, while 14.5% of their sample showed clinically significant PTSD symptoms (Dierkhising and Natsuaki, 2014). These symptoms were also positively associated with post-release criminal involvement. Furthermore, in a study assessing past traumas, 94% of a sample of 350 justice-involved juveniles reported experience of at least one trauma. It was found that 45.7% of these juveniles were diagnosed with PTSD, 49.4% were diagnosed with depression, and 61.2% were diagnosed with substance abuse disorders (Rosenberg et al., 2014). In a large-sample study of 750 male and 274 female incarcerated youths, 25.5% of males and 30.7% of females had been diagnosed with a type of mood disorder, such as major depressive disorder (Domalanta et al., 2003). Moreover, 38.7% of males and 26.1% of females reported drug abuse. Additionally, females were significantly more likely to report a somatoform or anxiety disorder than males. Research has found that suicide is the leading cause of death in populations of incarcerated youth (Barnert et al., 2018). Suicidal ideation and attempts were found to be higher in incarcerated populations than the general population. In a sample of 78 clinically referred youth, 32% attempted suicide by violent means at least once and 30% reported self-mutilative behavior during incarceration (Penn et al., 2003).

The current literature focuses primarily on the prevalence of mental illness in justice-involved populations. What is missing are large-scale analyses with larger sample sizes, not only assessing prevalence of mental disorders, but changes in cognition, self-concept, and world-concept due to incarceration. The literature suggests that correctional facilities are traumatizing and detrimental to cognitive and psychological development in juveniles. With such frequent occurrences of psychological and mental illnesses in juvenile correctional facilities, current studies indicate a serious need for treatment of incarcerated youth. Studies also suggest differences in prevalence of psychological disorders based on gender. So, further research in this area could direct treatment programs to better accommodate these differences.

Policy reform

Since the treatment of incarcerated youth in juvenile detention facilities leaves much room for change, current literature discusses potential avenues of policy reform (Myers and Farrell, 2008; Rapp, 2016; Kretschmar et al. 2018). The juvenile legal system's mission consists of rehabilitating youth with behavioral problems and ensuring public safety (Rapp, 2016). Current solutions involve electronic monitoring, restrictive facilities, solitary confinement, and scare tactics. One study suggests applying a public health lens on the issue (Myers and Farrell, 2008). Interventions would focus on known risk factors and developmental concerns for justice-involved youth. A three-tiered prevention model has been proposed to support positive behavior and provide effective interventions. In this pyramid model, the bottom tier, designed for all justice-involved youth, focuses on universal prevention by providing behavioral and educational programs. The second tier involves substance abuse programs and vocational training for at-risk juveniles, which are more targeted forms of support than the bottom tier. The third tier is the most personalized and focuses on individualized interventions for justice-involved youth, including mental health interventions and intensive skills training (Sandomierski, Kincaid, and Algozzine, 2007 as cited in Myers and

Farrell, 2008). Another suggested approach is a trauma-informed model (Rapp, 2016). This system would view traumatized youth as reactive actors, who have been trained to be hypervigilant in everyday settings in order to protect themselves from further violence and harm. Adoption of this model would involve substantial change to the current juvenile legal system, involving increased safety precautions and policies, trauma-informed training for staff, and elimination of a punitive atmosphere (Rapp, 2016). Both suggested models focus on psychological rehabilitation and empowerment of justice-involved youth, instead of punishment and incapacitation.

“Current policing practices discriminate against poor, ethnic neighborhoods with over-policing under certain circumstances and racially-based interactions.”

One recent study suggests promising results for programs that target youth with behavioral issues from committing criminal offenses (Kretschmar et al. 2018). The study featured a juvenile justice program that included various services, such as family therapy, individual therapy, and access to mental health and community resources. Results found that juveniles who successfully completed the program were less likely to recidivate as adults than juveniles who did not participate in the program (Kretschmar et al. 2018). As this study was published in 2018, it is one of the few in the current literature. Additional studies that pilot treatment programs for juveniles in detention facilities are warranted.

As the literature suggests, the current juvenile justice system does not fulfill its mission of rehabilitation and promotion of desistance. Instead, it punishes justice-involved youth for their backgrounds of trauma and poverty. While the theories discussed in the literature are promising, the literature does not include examples of real-life applications of proposed change models. There-

fore, evidence is lacking for the effectiveness of these suggestions. However, the results of Kretschmar et al. (2018) are encouraging to spur future studies exploring the efficacy of rehabilitative, as opposed to punitive, approaches to decreasing juvenile offending.

Conclusion

Justice-involved youth often come from backgrounds of trauma and poverty. Due to their inability to find financial stability in the formal economy, urban, minority neighborhoods have become areas of concentrated poverty, crime, and violence. Where there is crime, there will be a presence of law enforcement. Current policing practices discriminate against poor, ethnic neighborhoods with over-policing under certain circumstances and racially-based interactions. Within these neighborhoods, there is a lack of trust and faith in law enforcement as aggressive policing has resulted in youth of color making up the majority of incarcerated juvenile populations. The current juvenile justice system punishes these youth of color, instead of treating them for the likely traumas they have experienced through their upbringing. The current literature provides an overview of the flawed juvenile legal system. Juvenile correctional facilities do not provide effective treatment or services that discourage recidivism and encourage juvenile rehabilitation. Rather, these institutions are likely to abuse these youth and put them at further risk for negative life and mental health outcomes. Studies are lacking in assessing individual experiences that may be significant to understanding the current practices in correctional facilities, as policy is not always implemented as intended. Additionally, studies with larger samples would be beneficial to the generalizability of the effects of incarceration on minority youth. Current literature also does not include the experiences of female juveniles in correctional facilities, as it has been suggested that their experiences during incarceration are different than male experiences. Further research on this current societal problem will contribute to a more comprehensive understanding of how to address the institutional mechanisms that foster

inequality in our criminal legal system, in addition to providing effective and rehabilitative treatment for incarcerated youth.

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