

Latino Youth in the Juvenile Justice System

Latino youth ages 10–17 are a rapidly growing group in the United States. In 2000 they composed 15.4% of all youth ages 10–17. By 2008 they composed 19.4% of such youth, numbering 6.4 million. As the number of Latino youth grows, they are likely to increasingly face challenges in the juvenile justice system. Latino youth already have significant need:

- Arrest data on Hispanic youth are not collected nationwide. However, in California in 2008, Hispanic youth composed 52.9% of all youth arrested. The majority (55.6%) were arrested for misdemeanors; just 6.7% were arrested for violent felony offenses.¹
- Many Latino youth are unnecessarily detained before trial. Of youth detained, more than 70% are charged with nonviolent offenses and nearly 30% are charged with technical violations of probation, parole, or court orders.²
- Overall, approximately 18,000 Latino youth are held in jail or other forms of incarceration on any given day in the United States.³
- Latino youth are 40% more likely to be waived to adult court than White youth and are admitted to adult jails at 1.4 times the rate of White youth.⁴ One-fourth (24%) of incarcerated Latino youth are held in an adult prison or jail, where they face high risks of suicide and sexual abuse, significant educational disconnection, and a high likelihood of recidivism.⁵
- Latino youth face ethnic disparities in the juvenile justice system. Compared to White youth charged with similar offenses, Latinos are 4% more likely to be petitioned, 16% more likely to be adjudicated delinquent, 28% more likely to be detained, and 41% more likely to receive out-of-home placement.⁶
- Some Hispanic youth face language barriers that can negatively impact the treatment they receive in the juvenile justice system.⁷ In 2008, 17% of Latino children ages 5–17 did not speak English very well, and 23% of Latinos under age 18 lived in a household where no one ages 14 or older spoke English very well.⁸
- Experts agree that Latino youth strongly benefit from culturally competent services in the juvenile justice system, and anecdotal evidence suggests that culturally competent community-based prevention and alternative to detention services benefit Latino youth.⁹
- Across the country youth are pushed from schools into the juvenile justice system, in large part as a result of zero-tolerance disciplinary policies.¹⁰ Latino youth had a 6.8% suspension rate in 2006—nearly seven percentage points lower than Black youth, but two percentage points higher than Whites.¹¹

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- ¹ California Department of Justice, *Juvenile Justice in California 2008*, <http://ag.ca.gov/cjsc/publications/misc/jj08/preface.pdf> (accessed December 1, 2010), Table 1.
- ² Neelum Arya et al., *America's Invisible Children: Latino Youth and the Failure of Justice* (Washington, DC: Campaign for Youth Justice and National Council of La Raza, 2009), 39.
- ³ José Saavedra, *Just the Facts: A Snapshot of Incarcerated Hispanic Youth* (Washington, DC: National Council of La Raza, March 2010).
- ⁴ Neelum Arya et al., *America's Invisible Children*, 41, 53.
- ⁵ José Saavedra, *Just the Facts*.
- ⁶ Neelum Arya et al., *America's Invisible Children*, 6.
- ⁷ *Ibid.*, 34–35.
- ⁸ Mark Mather and Patricia Foxen, *America's Future: Latino Child Well-Being in Numbers and Trends* (Washington, DC: National Council of La Raza, 2010), 17.
- ⁹ Neelum Arya et al., *America's Invisible Children*, 53–57, 63–69.
- ¹⁰ NAACP Legal Defense and Educational Fund, *Dismantling the School-to-Prison Pipeline* (New York: NAACP Legal Defense and Educational Fund, 2005), <http://naacpldf.org/publication/dismantling-school-prison-pipeline> (accessed December 2, 2010).
- ¹¹ Daniel J. Losen and Russell J. Skiba, *Suspended Education: Urban Middle Schools in Crisis* (Montgomery, AL: Southern Poverty Law Center, 2010), <http://www.splcenter.org/get-informed/publications/suspended-education#> (accessed December 2, 2010), Figure 1.