

# CRIMINALIZATION OF CHILD

## MENTAL HEALTH

### FACT SHEET

JANUARY 2023



National surveys show major increases in depressive symptoms and suicidal ideation over the last decade. In 2021, the U.S. Surgeon General's Advisory released a report on youth mental health to highlight the urgency of this crisis. From 2011 and 2015, **youth psychiatric visits to emergency departments increased by 28%**, and between 2007 and 2018, **suicide rates among youth ages 10-24 increased by 57%**.

In communities across the nation, police are the first to respond to a mental health or social crisis. **Twenty percent of calls** to police involve a mental health or substance use disorder. Nearly a quarter of all people killed by police officers in America have had a known mental illness.

**Black and Latinx youth in particular** are often confronted by law enforcement during times of crisis instead of a trained mental health professional. This has resulted in the criminalization of countless youth.

**Far from deterring bad behavior and improving educational outcomes, zero-tolerance policies have created a pipeline to the juvenile and criminal legal systems.**

**14 million students** are in schools with a police presence, but don't have a single counselor, nurse, psychologist, or social worker.

Schools' **zero-tolerance policies** and the heavy presence of police mean kids often get seen as troublemakers. Far from deterring bad behavior and improving educational outcomes, zero-tolerance policies have created a pipeline to the juvenile and criminal legal systems.

Youth crime rates are plummeting, and the youth incarceration rate **dropped 41 percent** between 1995 and 2010. But school discipline policies are moving in the opposite direction: out-of-school suspensions have increased about 10 percent since 2000. They have more than doubled since the 1970s.

Black students are **three times more likely** to be suspended or expelled than white students, according to the Education Department's Office for Civil Rights, and research in Texas found students who have been suspended are more **likely to be held back** a grade and drop out of school entirely.

**One quarter of youth will become involved with the juvenile or criminal legal systems within two years of leaving foster care.**

Advocates refer to the "foster care-to-prison pipeline" to describe the practices and policies that funnel young people from the child welfare system into the juvenile and criminal legal systems.

**One quarter of youth** will become involved with the juvenile or criminal legal systems within two years of leaving foster care. By age 17, over **50 percent of youth in foster care** experienced an arrest, conviction or overnight stay in a correctional facility.



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**Today, there are over 50,000 children in institutions instead of with a family.**

Black youth, LGBTQ+ youth, and youth with mental illnesses are more likely to be in foster systems, and discrimination in them exacerbates their already disproportionate vulnerabilities to criminalization.

A large percentage of child trafficking victims have a history in the child welfare system and often end up in the criminal legal system.

The risk of involvement in the criminal legal system is particularly high for youth in foster care who are placed in institutions. Today, there are over 50,000 children in institutions instead of with a family. Youth in group homes are **2.5 times more likely** to become involved in the juvenile legal system than youth placed with foster families.

Not only does institutionalization expose youth to maltreatment-- such as physical abuse, sexual abuse, and overmedication-- but it also often leads to extreme housing instability. These experiences can negatively affect youth brain development and mental health, increasing pathways for contact with law enforcement.



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