



HUMAN RIGHTS
for KIDS



CRIMES AGAINST HUMANITY

The Mass Incarceration of
Children in the United States

A photograph of a person sitting on a bench in a prison cell, viewed through a metal grate. The person is wearing a light-colored jacket and dark pants. The background is a plain wall with two small windows. The text is overlaid on the right side of the image.

This report is dedicated to the more than 32,000
people incarcerated in U.S. prisons across the
country for crimes committed as children.

You Are Not Forgotten.



Acknowledgments

We would like to thank our partners and generous funders without whom this report would not have been possible. We especially want to acknowledge The Just Trust who provided critical support for the publication of this report.

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CRIMES AGAINST HUMANITY: THE MASS INCARCERATION OF CHILDREN IN THE U.S.

*“There can be no keener revelation of a society’s soul
than the way in which it treats its children.”*

Nelson Mandela
May 8, 1995



PROLOGUE: THE SIGNIFICANCE OF THE REPORT

The United States has historically positioned itself as a human rights leader within the larger international community. In spite of this stance, we have refused to ratify all, or portions of, international treaties and conventions that protect basic human rights for our most vulnerable citizens – our children. The Convention on the Rights of the Child (CRC) and the International Covenant on Civil and Political Rights (ICCPR) lay out universally accepted standards for the fair and humane treatment of children in conflict with the law based on the “inherent dignity of the human person.” This report investigates the human rights abuses that have resulted from our failure to abide by our commitment under the ICCPR, as well as our refusal to ratify the CRC. Namely, the mass incarceration of children as adults which is now one of the largest government-sanctioned human rights abuses against children in the world today.

In 2020, Human Rights for Kids issued the first-ever National State Ratings Report which examined how well or how poorly each state protected the human rights of children in its criminal justice system. The report outlined twelve policies – rooted in human rights - that are essential for providing basic legal protections for children in conflict with the law. In our 2022 report, only ten states and the District of Columbia achieved a Tier One or Tier Two designation – meaning they had enacted several

laws to meet these basic human rights standards. The other forty states fell notably short. The bulk of these inhumane policies have been adopted and implemented within the last 50 years, a lifetime of impact for the children who were initially subject to them.

In the late 2000’s it was estimated that the U.S. was prosecuting 200,000 children in adult courts annually. While that estimate has now fallen to 53,000 every year, it begs a far more important question: What has happened to all of these children? How were they sentenced? Who was sentenced? Where are they now? And what will happen to the children of tomorrow who continue to be subject to these policies?

Tragically, no one has ever attempted to answer these questions or track what happened to these children...until now.

Criminal justice reformers, including advocates, policymakers, and foundation officers, often look to our adult justice system policies to understand our current crisis of mass incarceration. Unfortunately, in many circles, there is a prevailing and mistaken view that the majority of incarcerated children in the United States are prosecuted and housed in a separate “juvenile” justice system. This view has been buoyed by annual statistics published by the Department of Justice from its one-day count showing the total



number of youth held in secured juvenile facilities, adult jails, and adult prisons across the country. Over the past 20 years, reformers have been lulled into a false sense of victory due to the fact that the total number of youth in these facilities – by and large – have fallen year over year.

As a result, the national dialogue around criminal justice reform has largely been silent when it comes to children prosecuted as adults. And foundations focused on criminal justice reform have either moved resources away from organizations working on behalf of youth or never funded them to begin with. These organizations have been relegated to an afterthought by philanthropy, resulting in limited resources that have squeezed the field to the brink.

In order to understand the scope of these human rights abuses, we gathered, for the first time¹, a snapshot of everyone currently in prison who was prosecuted, convicted, and incarcerated for crimes they committed as children. This present day data provides an overview of the staggering number of lives we have casually discarded and forgotten about for decades. We documented that 32,359 people have been incarcerated since childhood. This is approximately 3% of the entire U.S. state prison population. Before they became system involved, these

children were often victims of violence themselves, but state governments found it easier to discard them than to ask the most important question of all: what happened to this child that led them here?

Instead, these children were afforded a single path of “justice,” a path into prison, where their only purpose was to count the days, months, and years while they watched themselves slowly transform from children to middle aged and elderly adults. Perhaps there is no greater indictment of a nation under international law than the ease in which it is comfortable discarding the human rights – and lives – of vulnerable children it was obligated to protect. This report has unearthed evidence suggesting that the United States’ treatment of children as adults in the criminal justice system is not only a violation of international law, but may also constitute a crime against humanity under Article 7 of the Rome Statute of the International Criminal Court.

We believe further investigation by the United Nations and the international community is therefore warranted.

“Our failure to ratify the Convention on the Rights of the Child, coupled with the lack of statutory protections at the state level, have resulted in one of the largest government-sanctioned human rights abuses against children in the world today.”

Jenny Egan and James Dold
Baltimore Sun, 2021



EXECUTIVE SUMMARY

The extensive negative impact on children from our practice of transferring them into the adult criminal justice system and treating them as if they were adults has been well-documented by state and federal government agencies, researchers, advocates and the press. What has not been documented to date, is the extent of the impact of these policies. This report provides the first ever snapshot and national estimate of the number of people in our prisons who have been there since they were children.

We gathered data from 45 states² on every individual currently incarcerated who was under the age of 18 at the time of their offense. Our findings revealed that U.S. prisons are filled with at least 32,359 individuals whose crimes were committed as children.

While the policies that enable this inhumane treatment of children are morally compromised, they are also in flagrant violation of international law. As the Inter-American Commission on Human Rights recently observed:

“As concluded by the Human Rights Committee in its observations on the United States’ compliance with this treaty [International Covenant on Civil and Political Rights], the United States does not limit its treatment of children as adults to exceptional circumstances. The Commission observes that the ambiguity of this reservation has been converted into



an expansive gap in juvenile justice systems across the U.S., resulting in the violation of children’s human rights on the federal, state, and local levels.”

Articles 10 and 14 of the ICCPR were adopted specifically to protect the human rights of children who come into conflict with the law. Yet, the United States has engaged in a deliberate effort to violate these children's human rights.

Article 7 of the Rome Statute of the International Criminal Court states, in relevant part:

“crime against humanity” means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack... Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law... [or] Torture...[or] Persecution against any identifiable group...on...racial...grounds that are universally recognized as impermissible under international law, in

connection with any act referred to [in this section]...[or] Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health...”

The United States’ practice of prosecuting and incarcerating children as adults in violation of the ICCPR meets this standard. It is bolstered by the fact that the resulting harm these vulnerable children experience while incarcerated include rape, violence, and solitary confinement. Many of these children were originally given life or de facto life sentences, and states still had indications of the untold number of youth who initially received death sentences, all of which constitute torture for children. The U.S. has committed human rights violations against millions of children in the criminal justice system over the past 50 years. This includes the more than 32,000 children - now adults – who remain incarcerated in prisons across the country. Nearly 80% of this population are children of color. Their prosecution as adults was facilitated through policy changes in the 1980’s and 90’s that were brought about through a deliberate and sustained media campaign aimed at dehumanizing children of color, particularly Black children, who bore the brunt of this assault on human rights.

Black life cannot matter to us, unless the lives of Black children matter to us. And the lives of Black children cannot matter to us unless we are willing to protect their basic human rights.

Therefore, in order to rectify this grievous harm, we call on all criminal justice reformers, policymakers, and philanthropists to work collaboratively to prioritize children in all criminal justice reform efforts. Centering the United States’ failure to comply with international human rights law, and working to enact policies enshrined in the CRC and ICCPR, is the only way we can protect the human dignity of our children. In the final analysis, the extent of what the criminal justice reform movement can achieve in the United States will be dictated by our success in reforming the way children are treated.

METHODOLOGY

Beginning in the summer of 2021, we requested data from departments of corrections in all 50 states and the District of Columbia on individuals who are currently incarcerated in adult prisons

who committed their offense when they were under the age of 18. We received data from 45 states. Our analysis surfaced trends and findings across sentence length, decade of incarceration, gender, race and ethnicity. In addition to aggregating the data, we also conducted a comparative analysis to highlight which state practices constituted the worst human rights violations across categories.

MAJOR FINDINGS

We are currently incarcerating approximately 32,359 individuals³ in our prisons for crimes they committed as children. Some were so young they were still subject to truancy laws, and an astonishing number weren’t even teenagers. They comprise a full 3.1% of the United States’ overall state prison population⁴ – the equivalent of an entire prison full of children in every state in the country.⁵ Notably, this is close to the total number of children in youth prisons of 36,469.⁶ We incarcerate more children as adults in our prison system than the total combined prison populations of Denmark, Iceland, Ireland, Northern Ireland, Norway, Sweden and Scotland. In fact, there are more people in our prisons for crimes they committed as children than people in prison who committed their crimes as adults in 76.68% of the countries and independent territories in the world.

If they serve the entirety of their sentence, nearly one third of the children who entered prison will not exit until they are in their 50’s, having been sentenced to 40 years or more behind bars. The remaining children who were committed to adult prison will spend on average more than a decade behind bars.

The vast majority of the individuals convicted and sent to prison as children are racial minorities.

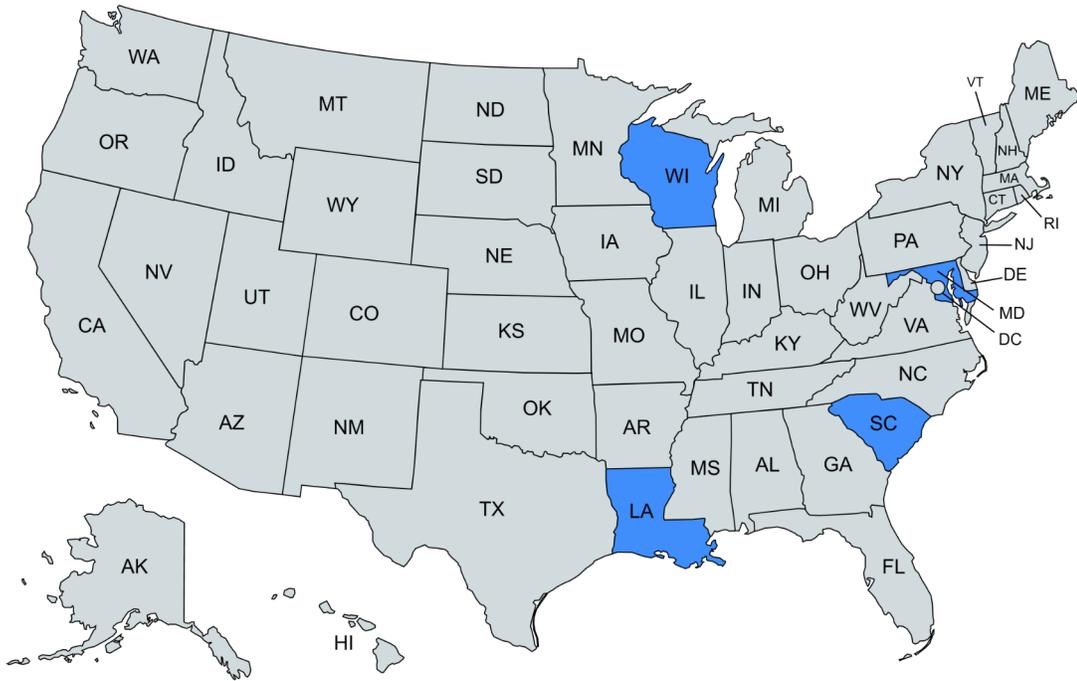
Our collective financial burden of having imprisoned these children for the bulk of their natural lives is more than 24 billion dollars, about the same amount of money the federal government currently spends on childcare and early education.⁷

STATE FINDINGS

We have failed these children on a national level. But children in some states fare far worse than in others.

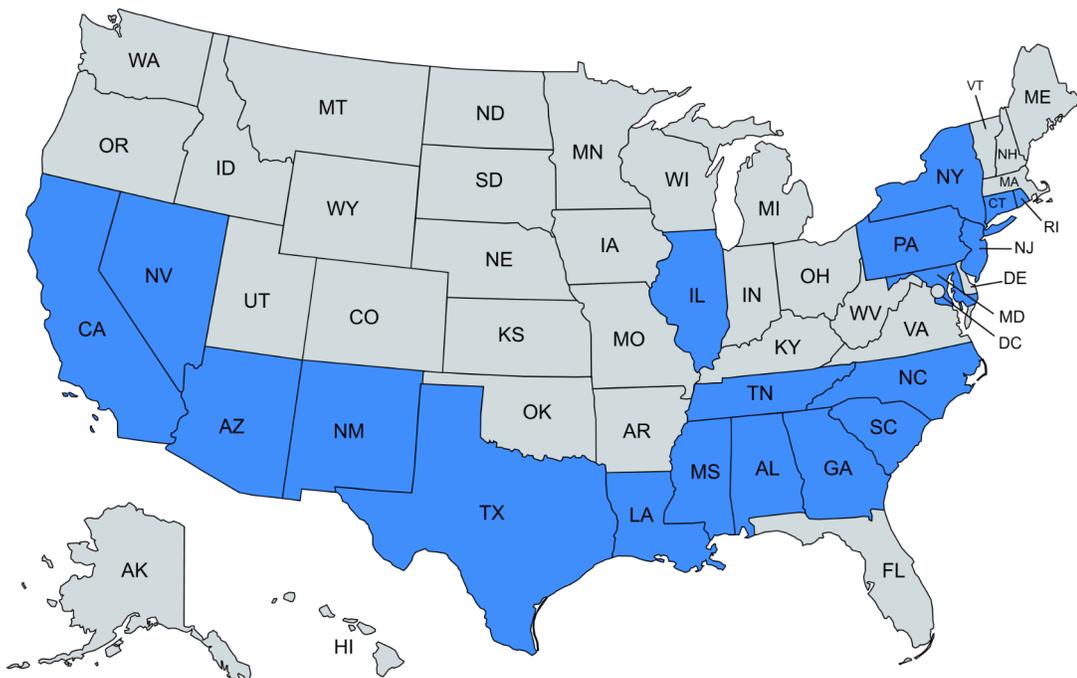
PREVALENCE

Four states had a significantly higher percentage of their current prison population (6% or greater) composed of people who had been incarcerated since childhood.



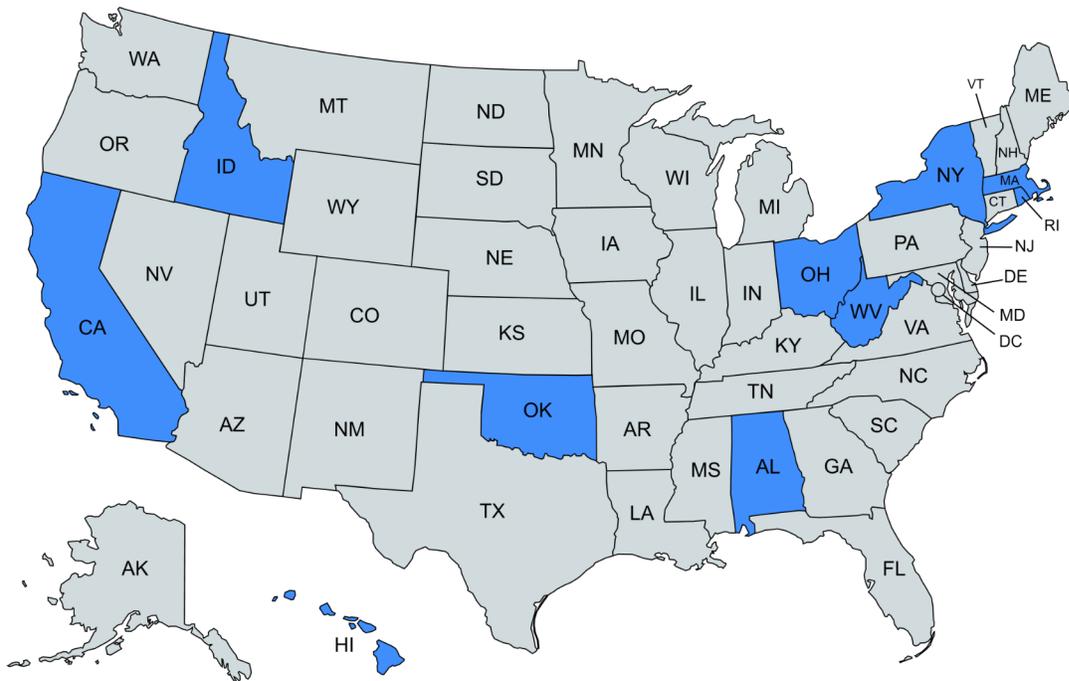
DISPARITIES

In nineteen states, 80% or more of the people incarcerated since childhood are racial minorities.



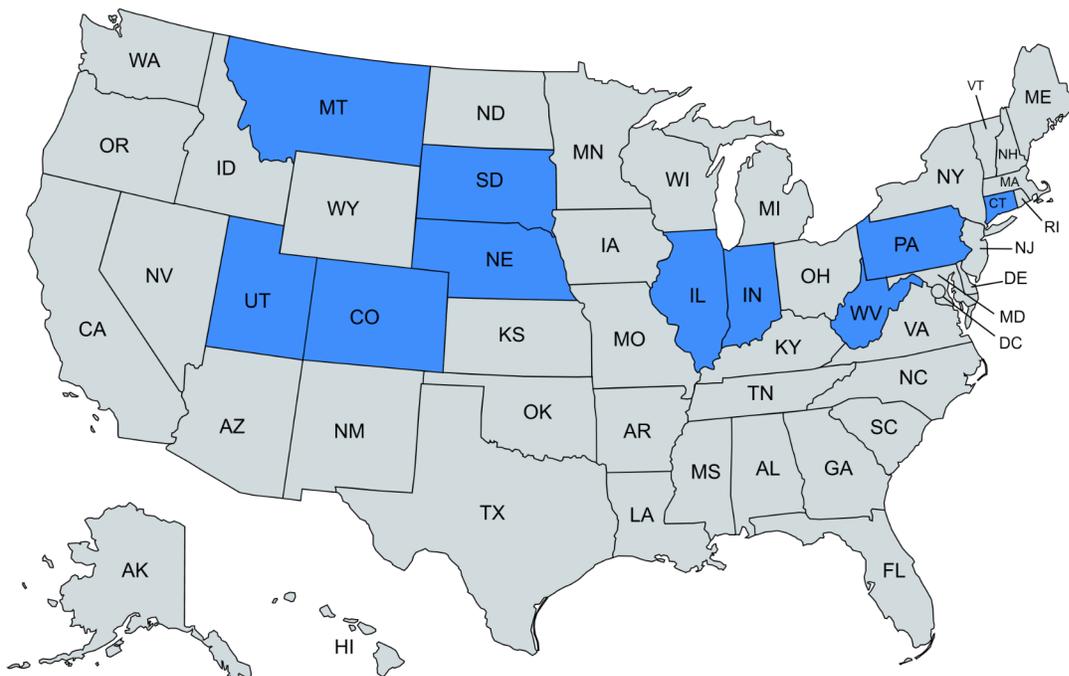
LIFE SENTENCES

In ten states, more than 30% of children were given life sentences.



DE FACTO LIFE SENTENCES

In ten states, more than 20% of children were given de facto life sentences – that is, sentences of 40 years or longer.



RECOMMENDATIONS FOR THE CRIMINAL JUSTICE REFORM FIELD

Fortunately, there is hope. In the past decade we've seen policymakers work across the political aisle to enact laws to treat children in conflict with the law with dignity and humanity. We applaud this progress, and at the same time call on child advocates, criminal justice reformers, members of the philanthropic community, and state and federal policy makers to go further.

We must abandon the false notion that criminal justice reform for children must necessarily be separate and distinct from criminal justice reform for adults. For when children are transferred into the adult system, they are treated in every way like an adult. If we can change the way children are treated in the adult justice system, it becomes a path to improve the treatment of all. Moreover, if we only look at children subject to the jurisdiction of the juvenile justice system we miss half the problem. Forgetting about the children who are transferred and tried as adults will hobble our efforts to right-size and reform the criminal justice system. As has been demonstrated time and time again, however far we get with changing the way children are treated, is as far as we will get with everyone else. Therefore, every criminal justice system reformer – regardless of their area of focus - has a vested interest in changing the way children are treated within these systems.

RECOMMENDATIONS FOR STATE AND FEDERAL POLICYMAKERS

Through our Model Law and National State Ratings Report, Human Rights for Kids has developed 12 policy reforms that would address the rampant human rights violations taking place against children in the U.S. criminal justice system. These reforms are a helpful start to address both front-end and back-end reforms that are needed to stop more children from coming into the system and providing retroactive relief to those who are still in the system.

Beyond our current recommendations, we have identified 8 key reforms that policymakers should implement to begin addressing this human rights crisis:

1. Raise the minimum age of transfer to Sixteen (16): prohibit the transfer of children fifteen (15) and younger into the adult criminal justice system. Public safety considerations

can properly be balanced by extending juvenile court jurisdiction for those children who may need additional treatment up to age twenty (25).

2. End direct file and statutory exclusions: ensure that 16 and 17-year-old children who are charged with a serious crime have their transfer petitions heard by a juvenile court judge prior to being transferred into the adult criminal justice system.
3. Retroactive resentencing for young children previously transferred and tried as adults: permit courts to reconsider and resentence individuals whose crimes were committed when they were 15 or younger so as to reflect the change in transfer laws noted above.
4. Child-status consideration when sentencing children as adults: require courts to consider the mitigating factors of youth, including exposure to Adverse Childhood Experiences and childhood trauma, prior to sentencing children convicted in the adult criminal justice system.
5. Restore judicial discretion when sentencing children: allow courts to depart from any otherwise applicable mandatory minimum, sentencing enhancement, or suspend any portion of a sentence, when a child is sentenced in adult court.
6. Retroactive resentencing for everyone currently incarcerated for crimes they committed as children so as to reflect the change in sentencing laws noted above: allow courts to reconsider and resentence individuals in cases where the court did not have the ability to impose a trauma-informed and age-appropriate sentence due to mandatory sentencing laws.
7. Release safety valve: permit all children convicted and sentenced as adults to be eligible for release through judicial or parole review after no more than 15 years.
8. Mandatory data collection & transparency: require the Department of Corrections/Public Safety to regularly track the number of individuals incarcerated for crimes committed as children and to make this data more readily accessible to human rights organizations.

RECOMMENDATIONS FOR GOVERNORS AND THE PRESIDENT

Beyond providing political support for the policies outlined above, there are a number of critical steps State Governors and the President can take to address this crisis, including:

1. Immediate review and consideration of people who committed their crimes as children for Executive Clemency and/or Pardons with great weight given to child status, growth, maturity, and rehabilitation;
2. Direct the paroling authority, under the Department of Corrections or Public Safety (or BOP), to prioritize the expedited review of people who committed their crimes as children;
3. Direct the paroling authority to issue or revise guidelines specifically relating to children who commit offenses to ensure that extensive consideration is given to youthful immaturity, trauma history, and the developmental differences between children and adults during parole hearings;
4. Issue an Executive Order banning the placement of ALL children under the age of eighteen (18) in adult jails or prisons; and
5. Require the Secretary of the Department of Corrections or Public Safety (or BOP) to conduct an annual accounting on every person who is currently incarcerated for crimes they committed as children. Allow this information to be readily shared with human and child rights organizations.

CONCLUSION

The United States is currently engaged in one of the largest government-sanctioned human rights abuses against children in the world today. It is in violation of its treaty obligation under the ICCPR, has refused to ratify and abide by the CRC, and perpetuates human rights violations that disproportionately impact minority children. These children experience torturous conditions which are prohibited under international law.

It doesn't have to be this way. We can, as a community, change the way we treat children who come into conflict with the law and end this shameful practice. In order to do so everyone must step up. We need policymakers to champion these reforms; we need criminal justice reformers

to prioritize children in reform efforts; we need philanthropy to invest in this movement; and we need the public to demand change.

The purpose of this report was to shine a light into the U.S. prison system to find all of the children we've been warehousing since the 20th century and expose a pattern of human rights abuses that are highly suggestive of crimes against humanity. Our hope is for the U.S. to resolve to do better and to take actions to be better. In the interim, it is imperative that the international community hold the U.S. government and actors within its criminal justice system accountable for its treatment of children.



“Reforming the juvenile sentencing process is overdue in the U.S. For too long, we’ve thrown young people into the justice system with an inadequate understanding of why crimes occur and what can be done to appropriately address them.”

Congressman Bruce Westerman (R-AR)



INTRODUCTION

The United States is currently incarcerating 32,359 people who were sent to prison for offenses committed as children. Through the continued practice of trying and sentencing children as if they were adults, the U.S. is in violation of Articles 10 and 14 of the International Covenant on Civil and Political Rights which was ratified by the U.S. Senate in 1992. Each one of the individuals we identified while conducting the research for this report has had their human rights violated. Instead of receiving age-appropriate and trauma-informed accountability measures that protected their human rights, their child status was stripped away, making it legally acceptable to place them in inhumane conditions to serve their ‘adult’ sentence.

We lock up these children for decades and, sometimes, for the duration of their natural lives. While the policies that enable this inhumane treatment of children are in violation of international law, this pattern of practice is also highly suggestive of conduct that constitutes crimes against humanity under Article 7 of the Rome Statute of the International Criminal Court.

This groundbreaking report gathers, for the first

time, data across 45 states on every individual currently incarcerated in U.S. prisons for crimes they committed as children. We have collected data on children who were committed to prison as recently as 2022 and as far back as the 1950’s. We aggregated the data across the country to identify larger themes and highlight individual states that have engaged in severe violations of children’s rights.

The story the data tells us is as tragic as the conclusions we’ve drawn from it. Mass incarceration is not something that only impacts adults in the criminal justice system. Rather, it is a feature of the American justice system that does not discriminate based on age.

Fortunately, there is hope. In the past decade, we’ve seen legislators work across the political aisle to enact laws that treat justice system-involved children with the dignity and humanity they deserve. While we applaud this progress, we continue to encourage policymakers, advocates, and foundations to advance the additional policies outlined in this report to ensure that our treatment of children in conflict with the law is in alignment with our aspirational standing to be a moral leader on the international stage.

NORMALIZATION OF CHILD RIGHTS ABUSES IN THE UNITED STATES

A concerted effort to dehumanize children in conflict with the law, especially children of color, made it socially and morally acceptable to violate their human rights

The international community – within which we have historically positioned ourselves as a moral leader⁸ –reached a broad, unanimous consensus on what it means to honor children’s human rights. In 1959, the United Nations adopted the Declaration on the Rights of the Child. Thirty years later, the world reaffirmed its commitment to protecting vulnerable children by adopting the Convention on the Rights of the Child. Additional child rights protections were enshrined through the CRC’s Optional Protocols, as well as in other human rights treaties such as the International Covenant on Civil and Political Rights.

While the international community was embracing a child rights framework for children in conflict with the law, the United States went in the opposite direction – eliminating protections and making it easier to treat children as if they were adults. The primary mechanisms used to accomplish this are known as transfer laws, whereby states permit, or require children as the case may be, to be tried in the adult criminal justice system where they are subject to the same procedures, penalties, and incarceration as adults. In some U.S. jurisdictions, there are no lower age limits⁹ for when a child may forfeit their “child” status and be viewed, in the eyes of the law, as an adult. Such treatment – where child status is null and void - flies in the face of basic moral decency and human rights standards as agreed upon by the entire global community.

Why is it that the United States has failed to embrace the tenets of and implement policies that would protect the human rights of its most vulnerable children? To answer that, we have to look at the historical treatment of Black and Brown children who make up the vast majority of youth transferred and tried in the adult criminal justice system.

FROM SLAVERY TO MASS INCARCERATION: THE EVOLUTION OF THE U.S. JUSTICE SYSTEM

The foundation of the modern U.S. criminal justice system emerged from the era of chattel slavery, which had been the economic driver for the colonies.¹⁰ Colonists created policies that provided a bulwark to slavery’s existence, a reification of the division of people based on country of origin and/or racial categorizations, and the overall justification for treating people as less than human. For example, miscegenation laws, first enacted in the 1600’s, made it a felony to engage in inter-racial marriage and/or sexual relations. Our early criminal justice policies were explicitly racialized. Southern slave-holding states established their first police forces in the 17th and 18th centuries to patrol for enslaved people who were running for their freedom.¹¹ The now-infamous Dred Scott case, shows just how deeply the tentacles of racism permeated our legal system during this time.¹² In that case, the U.S. Supreme Court ruled that a man who had been enslaved could never be a citizen under the Constitution. In affirming the practice of slavery and the protection afforded to slave owners under U.S. law, the Court emphasized:

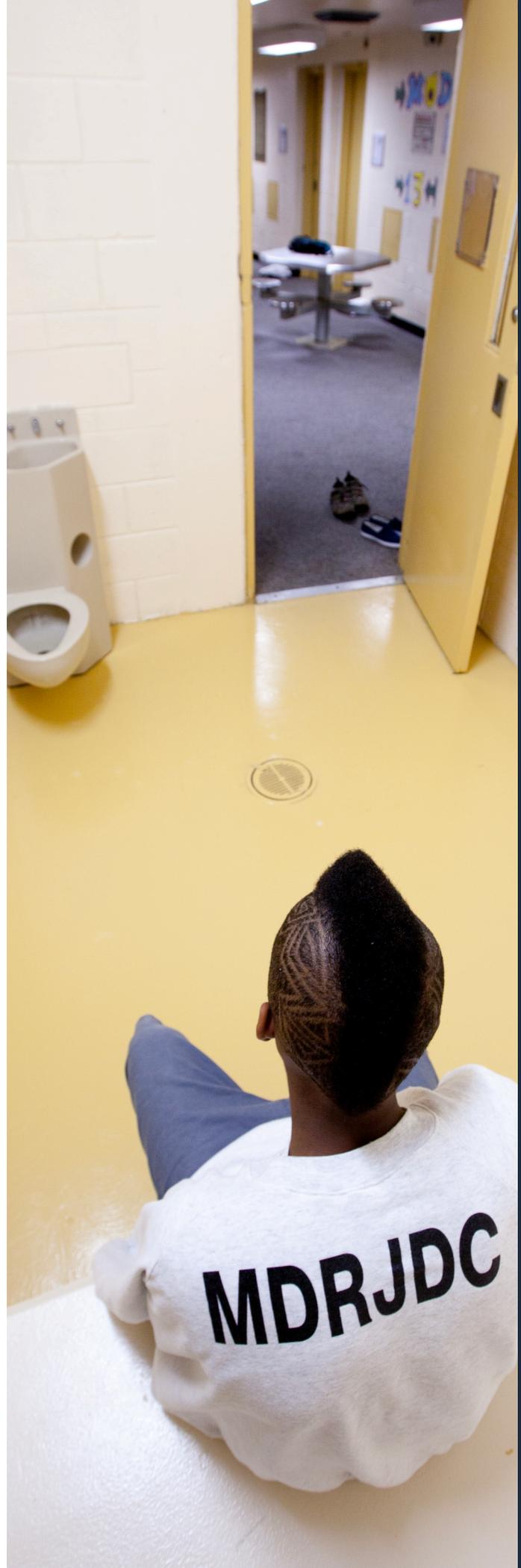
“...the right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it, like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every State that might desire it, for twenty years. And the Government in express terms is pledged to protect it in all future time, if the slave escapes from his owner. This is done in plain words — too plain to be misunderstood.”¹³

When the 13th Amendment to the Constitution

simultaneously abolished slavery while extending its existence as “punishment for crime,” Southern states utilized this loophole to establish “black codes” that criminalized activities such as loitering as a path to “re-enslave” individuals who were unemployed or underemployed. Black codes became a convenient way to extend the free labor afforded by enslaved people – by first locking out formerly enslaved people from economic opportunities, arresting them for being unemployed, and then farming them back out to labor on the plantations from which they had just been freed.¹⁴

After Reconstruction following the Civil War, states continued to come up with creative laws to systematically target newly-freed African Americans. In 1898, delegates in Louisiana, for example, convened at a state Constitutional Convention with the stated purpose of “establishing the supremacy of the white race.”¹⁵ One of the tools deployed to this end was to allow non-unanimous jury convictions against Black defendants in criminal cases. One local paper endorsing the change in law wrote at the time, “nine times out of ten” non-unanimous juries removed the need for “popular justice.”¹⁶ This was echoed by the Judiciary Chairman who defended the new law: “we have also so changed the judicial system that the delays which have so often resulted in a man being hung by a mob will disappear.”¹⁷ At the time, media in the state regularly commented on the fact that “juries in these . . . localities seem to think that it is their bounden duty to render a verdict of ‘guilty as charged,’ because the accused has black skin.”¹⁸ The non-unanimous jury rule was a facially-neutral legal mechanism by which Louisiana could circumvent the 13th and 14th Amendments in order to lynch black defendants in open court or re-enslave them.

These efforts were particularly pernicious for Black children throughout the 20th century. Black boys and men were the targets of “facially neutral laws” that regularly violated their constitutional and human rights. One example is that of fourteen-year-old George Stinney Jr. who was convicted of murder in 1944 in South Carolina.¹⁹ The all White-jury deliberated for all of ten minutes before George was sentenced to death. Because of his small size, at 5ft 1in and weighing just 95lb, the guards had difficulty strapping him to the electric chair.²⁰ As he was being killed “the death mask slipped from his face revealing the tears falling from his scared, open eyes.”²¹ He was exonerated 70 years after his murder.



Localities in states across the country also practiced ‘popular justice’ whereby Black boys were lynched and their murderers subsequently protected from prosecution or accountability. In 1955, fourteen-year-old Emmett Till was brutally tortured and lynched in Mississippi for allegedly offending a White woman in her family store.²² His murderers were acquitted by an all-White jury.²³ Between the end of Reconstruction in 1877 and 1950 at least 4084 African Americans were lynched in twelve Southern states.²⁴

Throughout U.S. history African Americans have been simultaneously targeted for prosecution by the criminal justice system and denied access to justice when extrajudicial violence was visited upon them.

This genesis of our criminal justice system finds its natural – and unsurprising – outgrowth in current justice system policies and practices. Today, for example, five states – Alabama, Arkansas, Georgia, Mississippi and Texas – continue to force people who are imprisoned to work without pay.²⁵ This includes individuals who were prosecuted as adults for crimes they committed as children.

Despite Jim Crow being thought of as a relic of the past, it is still very much present in the U.S. criminal justice system. For example, while the Supreme Court struck down non-unanimous jury convictions in Louisiana in 2020, nearly 100 Black people who were convicted as children under the law remain incarcerated with no hope of relief.²⁶

And although the Supreme Court struck down the death penalty for children in 2005,²⁷ our research shows that there are still individuals whose sentence indicates they were “condemned” or sentenced to death as a child. Additionally, there are nearly 10,000 children serving death sentences by another name: life imprisonment or de facto life. Some of these children are afforded no opportunity for release, depending on the laws and practice of their state.

These are but a few examples of how the racialized beginnings of the criminal justice system are still seen and felt today by Black and Brown children across the United States.

THE SUPER-PREDATOR THEORY & EFFORTS TO DEHUMANIZE BLACK AND BROWN CHILDREN

A brief increase in crimes committed by children between 1987-1994²⁸ led to a concerted effort to dehumanize children of color in order to violate their human rights. The press fed the narrative by depicting ‘teen killers’ and ‘young thugs’ primarily as children of color.²⁹ One study found that minority youth appeared in crime news significantly more than white youth (52% versus 35%).³⁰ This narrative led to a wave of draconian policies that were rooted, in part, by racism. “These reforms lowered the minimum age for transfer, increased the number of transfer-eligible offenses, or expanded prosecutorial discretion and reduced judicial discretion in transfer decision-making.”³¹ As a result, over a six year period beginning in 1993, the number of children housed in adult jails more than doubled.³² By 2009, approximately 200,000 children were being charged as adults annually.³³

This policy shift occurred alongside the emergence of the “super-predator theory”³⁴ that proclaimed the appearance of a new wave of children who were more violent and less remorseful than ever before.³⁵ Characterizing these kids as “Godless” “jobless” and “fatherless” monsters with “no respect for human life,”³⁶ a major proponent of this now discredited theory emphasized that “the trouble will be greatest in “Black inner-city neighborhoods.”³⁷

The theory became so mainstream in American culture at the time that its messaging even permeated out of the White House. In 1996, then-first lady Hilary Clinton said to media: **“They are often the kinds of kids that are called ‘super-predators.’ No conscience, no empathy, we can talk about why they ended up that way, but first we have to bring them to heel.”**³⁸

The impact of this history is critical for understanding how the public and criminal justice system actors view Black children generally. One study suggests that being primed “over and over through exposure to Black individuals or racially coded language could produce changes in judges’ and juries’ perceptions of culpability and their ensuring punitive judgements.”³⁹ The association between “Black” and criminality depicted in the study, raises concerns about “lay people’s typical notions about the innocence of juveniles.”⁴⁰ Another study noted that “dehumanization is a necessary precondition for culturally and/or state-sanctioned violence.”⁴¹ In this study, beginning at

the age of 10, “participants began to think of Black children as significantly less innocent than other children at every age group.”⁴² The authors rhetorically asked, “What might be the consequences of this innocence gap in criminal justice contexts, where perceiving someone as not innocent has the most severe consequences?”⁴³

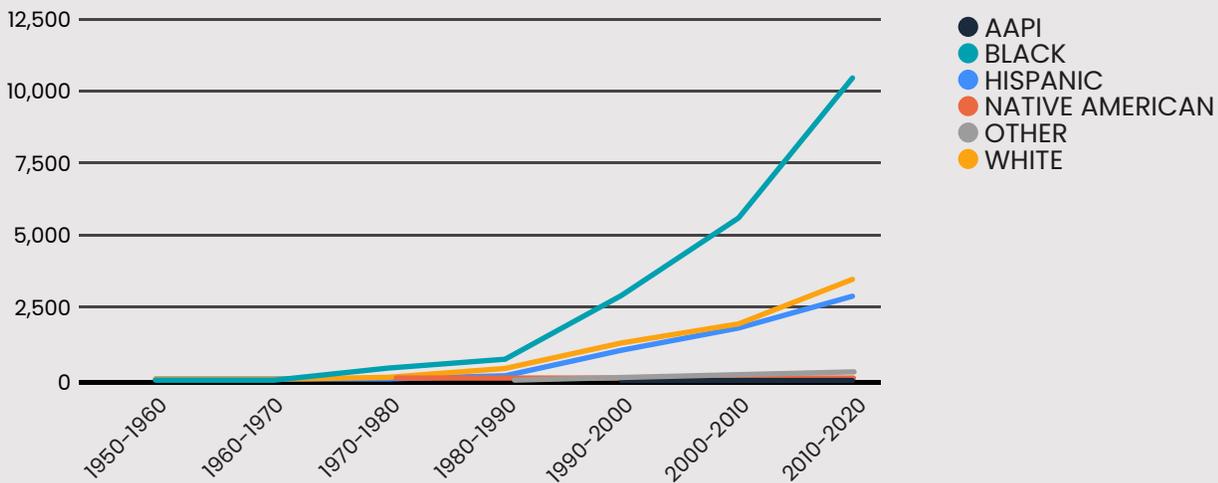
One consequence of this campaign to dehumanize Black and Brown children was to make it morally, socially, and legally acceptable to violate their human rights. After so much historical and social conditioning Black and Brown children are not seen as innocent as White children oftentimes. This has made the American public and public policymakers more comfortable treating them as adults and violating their human rights.

The passage of transfer laws that stripped away child status, coupled with increases in mandatory minimums and truth in sentencing laws during the 1980’s and 90’s, has resulted in the mass

incarceration of more than 32,000 children in the United States. Every year thousands⁴⁴ of children, who are disproportionately children of color⁴⁵, are tried in the adult criminal justice system where their child status is deemed irrelevant. This is the outcome that the public and actors in the criminal justice system have been conditioned to accept over the past 40 years.

This was made possible by racist ideologies that can be traced back to the dehumanization of enslaved people in America. During chattel slavery Black Americans were equated with animals and described as having lower intelligence, laziness and hyper-aggression,⁴⁶ which made it morally and socially acceptable to enslave them. Similarly, the dehumanization efforts that Black children faced in the 1990’s as a result of the mainstreaming of the “Super Predator Theory” and campaign slogans like “adult time for adult crime” made it acceptable to treat them as ‘sub-human monsters’ undeserving of human rights protection in the criminal justice system.⁴⁷

Incarceration of Children by Decade and Race/Ethnicity



The policies that were enacted during this era then worked exactly as they were intended. For example, our data shows that incarceration rates of children pre-1970 remain fairly consistent across racial demographics. However, in the ensuing decades between 1980 – 1990, 1990 – 2000, 2000 – 2010, and 2010 – 2020, we see a marked increase in the number of minority children, especially Black children, who were prosecuted as adults and remain incarcerated today.

Of particular note is the spike in adult prosecutions and continued incarceration rate of Black children post-1990 where we see the consequences wrought by the policies of the Super Predator Era. Today, many policymakers and the American public accept this practice as the norm, rather than as the human rights abuse that it is. It emerges from justice policies that are grounded in a history of chattel slavery, which in turn informed our ingrained and continued cultural dehumanization of all children of color.



HUMAN RIGHTS ABUSES

Experienced by children who were prosecuted and sentenced as adults in the United States criminal justice system

The severe harms that children face when placed in adult jails and prisons have been well-documented. They include physical and sexual violence, solitary confinement, lack of mental health treatment, lack of educational programming, and isolation from family. These forms of child abuse frequently follow children as they age and become adults in prison.

Physical and Sexual Violence

Children in adult prisons are five times more likely to be assaulted,⁴⁸ and are nine times more likely to die of suicide than those in facilities for children.⁴⁹ Abuse of children in prison is so pervasive that they intentionally commit infractions in order to be moved to solitary confinement to escape their abusers.⁵⁰

Solitary Confinement

Some adult facilities preemptively move children into permanent solitary as a “protective” policy.⁵¹ The result is that indefinite solitary confinement becomes the norm for many children in adult jails and prisons. Solitary confinement has long been recognized as a form of torture under the CRC and the UN Convention Against Torture.⁵² Such treatment holds unique harm for children whose normative maturation process takes place in the context of family, peers and community.⁵³

Lack of Mental Health Treatment

Many children who come into conflict with the law have experienced past trauma and Adverse Childhood Experiences (ACEs), which can include abuse or neglect, witnessing violence, or untreated drug abuse or mental illness in their households. One study revealed that 90% of children in the justice system experienced at least two ACEs. The same study also showed that 27% of boys and 45% of girls experienced at least five of these early childhood traumas.⁵⁴ For girls, sexual abuse is particularly acute with an estimated 80% having been previously victimized.⁵⁵ Adult prisons neither have appropriate trauma-related treatment for children, nor do they provide ideal conditions for meaningful therapy.

Lack of Educational Programming

The educational programs that adult prisons provide—mostly geared towards GEDs or professional training, are not designed for a child seeking a high school diploma, so much so that their time in class may not even be credited as progress.⁵⁶ There are no individualized programs or accommodations for special needs,⁵⁷ and if the prison imposes a period of isolation on or takes disciplinary action against a child, then what little educational programming that is provided may grind to a halt.⁵⁸ In any event, children are often unable to participate in educational programming within jails or prisons due to ‘sight and sound’ restrictions that are meant to protect them from physical or sexual violence at the hands of older adults in prison. Children who were given lengthy prison terms, like life or de facto life sentences, are often prohibited from participating in programming.

Isolation from Family

By removing children from naturally occurring supports, such as connections to family, school and community mentors, children are denied pathways to build their resiliency and address the trauma at the root of their behavior.⁵⁹ Furthermore, such removal inhibits the development of important familial connections, hindering development and negatively impacting children’s mental health.

U.S. TREATMENT OF CHILDREN

The United States' treatment of children in conflict with the law and Article 7 of the Rome Statute of the International Criminal Court

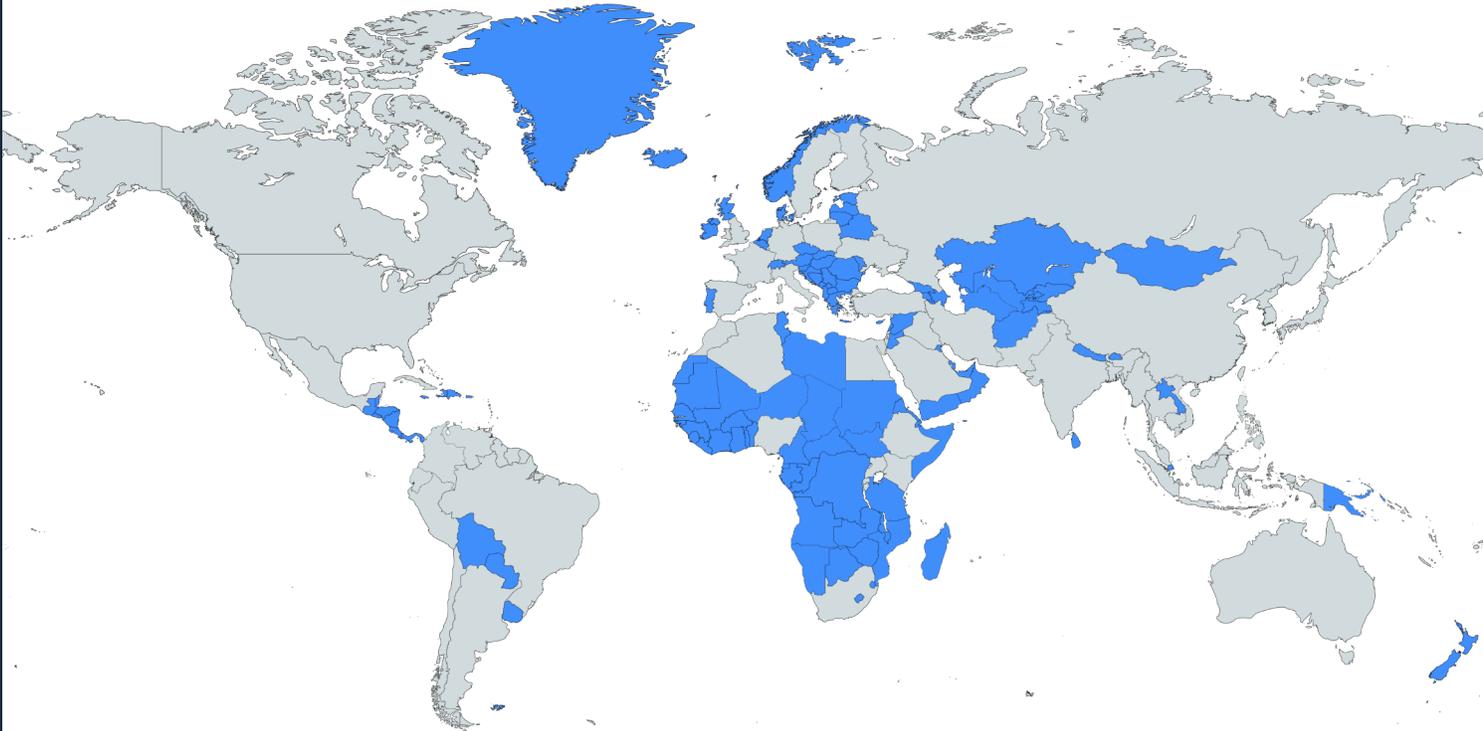
Over the last 75 years the United States has been deeply engaged in crafting and signing numerous treaties that put us in league with the larger international community. These treaties include the Universal Declaration of Human Rights (adopted in 1948) in which the U.S. agreed that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Of the many treaties, covenants and agreements that provide an international context to U.S. policies, two stand out as particularly salient. The first is the International Covenant on Civil and Political Rights (ICCPR),⁶⁰ which states that “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”⁶¹, that prisons

should be focused on rehabilitation⁶² and that justice processes should take into account the age of children.⁶³

Article 10 of the ICCPR specifies that “juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status,” while Article 14 states that procedures for children “shall be such as will take account of their age and the desirability of promoting their rehabilitation.”

During the Senate ratification of the ICCPR, the United States stated that it “reserves the right, in exceptional circumstances, to treat children as adults, notwithstanding paragraphs 2(b) and 3 of Article 10 and paragraph 4 of Article 14.”⁶⁴



The U.S. prison population of individuals who were convicted as adults for crimes they committed as children (32,359) is greater than the total, combined prison populations of Denmark, Iceland, Ireland, Northern Ireland, Norway, Sweden and Scotland. In fact, this incarcerated population in the U.S. is larger than 171 other countries and independent territories, or, put another way, larger than the total number of people in prison in almost 80% of the countries and territories in the world.⁶⁵ The vast majority of these individuals in the U.S. are children of color.

Under the statute, “torture” is defined as the intentional infliction of severe pain or suffering upon a person in the custody of the accused; and “persecution” is the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity. Unlike genocide, “crimes against humanity do not need to target a specific group,” but rather can be perpetrated on any civilian population. Nor is it necessary to prove specific intent; it is sufficient to have the “simple intent” to commit acts that cause intentional pain and suffering.

The deliberate and wide-spread practice of trying children in the adult criminal justice system and, consequently, exposing them to additional human rights violations such as the death penalty (before it was banned), life without the possibility of parole, physical and sexual violence in adult jails and prisons, and long-term placement in solitary confinement meets this standard. Every year it is estimated that approximately 53,000 children are charged in adult criminal court across the United States.⁷¹ This practice has resulted in the mass incarceration of more than 32,000 children nationally. Approximately 29.24% of this population are serving life or de facto life sentences (40 years or more). And most of these children – 79.69% – are racial minorities.

International human rights law recognizes that such treatment and punishment of children who have committed offenses are forms of torture pursuant to the CRC and ICCPR. Current U.S. policies and practice were driven by the now

debunked and racist Super Predator Theory in an effort to target children in conflict with the law, especially Black and Brown children. As a result of a sustained multi-year effort these children were painted and seen as ‘monsters’ undeserving of human rights protections. In light of the actions and statements by mainstream media, influencers, elected officials, and members of the White House, Black and Brown children were persecuted. Their child status was ripped away from them. Instead of asking the hard, but most important questions of why and how so many children were ending up in the justice system, officials chose to systematically violate their human rights by treating them as adults and exposing them to a hellacious prison environment few could ever imagine.

To be clear, treating White children as adults in the criminal justice system is also a severe violation of human rights. Because of their status as children in conflict with the law, they were also deliberately targeted by U.S. officials. We call special attention to the treatment of Black and Brown children due to our long history of racialized justice policies, the impact of the Super Predator Era and the significant disparate racial impact produced by the resulting policies. In the final analysis, the United States’ treatment of ALL children in the adult criminal justice system, resulting in their mass incarceration, is a violation of its treaty obligation pursuant to the ICCPR and meets the legal definition for Crimes Against Humanity under Article 7 of the International Criminal Court.







DATA COLLECTION AND STUDY METHODOLOGY

Conducting the background research for this report was a laborious and illustrative exercise in the opacity of state-based correctional and criminal justice systems and the difficulties that anyone who wishes to utilize a data-driven approach to understanding their practices will encounter. We believe that the default for state departments of corrections should be to facilitate public access to data. It should be easy to shine a light into the criminal justice system, especially when it comes to the treatment of children who have been subjected to human rights violations.

DATA GATHERING

Beginning in the summer of 2021 we submitted requests to the departments of correction in all 50 states and the District of Columbia asking for a snapshot of the people currently in prison who were under the age of 18 at the time they committed the offense for which they were incarcerated.⁷² When we began our research, we had little insight into the vagaries or the limitations of the data systems of each state. As our research progressed, and some departments were able to clarify the structure of their data systems, we refined our data request so that departments would more easily be able to provide us with the data that we needed. The full text of these data requests can be found at the end of this report in the Appendix.

Five states (Alaska, Delaware, New Hampshire, Vermont, Virginia) and the District of Columbia did not provide usable data in response to our request. In almost all circumstances, states provided data only after repeated follow up requests. One state, New York, took more than a year and a half to provide the data. States frequently charged us to provide the data. In total, thousands of dollars were spent to acquire this data. This project would not have been possible if it were not for generous pro bono and financial support provided by the Polsinelli Law Firm. We are especially grateful to shareholder and HRFK board member, Tony Torain, II, who made the completion of this project a priority for the firm.

In response to our requests, we received 45 unique and uniquely different data sets. Some

states only track sentencing dates, rather than offense dates, while others only track the date of commitment to prison. (See Appendix for a detailed list of what data states provided in response to our request). Some states gave us data in PDF format while others were able to provide it in an Excel or Access spreadsheet. On several occasions, states were unable to provide a specific pull of the data in response to our query and instead provided us with their full data sets of all individuals who were incarcerated at that time. States rarely provided full or even partial data dictionaries.

Gathering demographic data proved to be another challenge. Some states provided us with the demographic data we requested (sex, race, ethnicity, nationality) while others gave us one or sometimes none of these details. Even when state's provided race and ethnicity data, we approached it with caution. Minnesota, New Mexico, New York and Kansas were the only states that had separate designations for race and ethnicity. Unfortunately, in order to enable state comparisons and compile national aggregate numbers, we had to count ethnicity as a race even for states that disaggregated this data. Our count of Native people who were incarcerated as children is certainly an undercount, as many states still don't disaggregate Native people in their demographic data or they count them as "other."⁷³ Only one state, Colorado, provided us with information on country of origin. Having accurate demographic data is crucial to understanding the practice of incarcerating children; state departments of correction should improve how they collect and store this kind of data.

At times the data we received was perplexing. Several states had records that indicated that children were incarcerated with adults at the age of ten or younger. Nevada had an individual incarcerated at age five; Mississippi had an individual at age seven, and Tennessee had an individual at age eight. Because we did not have identifying information, we could not verify the accuracy of this data. Other states still had individuals with a death sentence on the books, even though the 2005 Supreme Court's decision in *Roper v. Simmons* retroactively banned the

death penalty for children. While this latter was indicative of the vagaries of the data system's penchant for retention of initial sentences, it also demonstrates that the data we received was at times difficult to parse and may have some inaccuracies. States themselves seemed confused by their own data. Michigan initially provided a data set with 3,775 individuals, but days before this report was to go to the printer, they informed us that the data they sent was significantly inaccurate, requiring us to rerun all of our national comparisons.

DATA CLEANING

Most of the data sets required some level of cleaning. We did this either by hand or through spreadsheet queries. In all data cleaning we defaulted to the most conservative approach, so that our totals are likely an undercount. Our cleaning included the following:

1. Removing individuals who are currently incarcerated for a violation of parole on their original offense.
2. Removing individuals who had served their full sentence, were released and who subsequently reoffended.
3. Removing individuals with multiple records, usually a separate record for each offense and concomitant sentence. In these circumstances, we chose the sentence record with the longest sentence.
4. Determining sentence length by adding sentences for multiple offenses in which the records indicated that they were to run consecutively or utilizing the longest sentence when the records indicated that the sentences were to run concurrently or when it was unclear how the sentences were structured.

DATA ANALYSIS

We imported the data into an Access file and ran a first stage analysis to get counts in the following categories:

1. Sex
2. Race and ethnicity
3. Age
4. Decade of Offense
5. Numbered Sentences

6. Life Sentences (including when provided, a breakdown of Life with the Possibility of Parole and Life without Parole)

We then ran the following cross tabs on the data:

1. Numbered or life sentences by race
2. Length of sentence by race
3. Race and Age
4. Decade and sentence type
5. Decade and race
6. Race and gender

De Facto Life

We created a category of de facto, or virtual life sentences, those sentences that are equal to or greater than 40 years. These are sentences that are for all practical purposes a life sentence in that the individual will likely die or live the majority of their life in prison. The United States Sentencing Commission defines the cutoff for de facto life at 470 months, just short of 40 years.⁷⁴ We sorted the data to acquire this additional count of people who received numbered sentences but were in fact sentenced for their natural lives. We should note that since we cannot know if an individual will be eligible for parole or release sooner than 40 years, these are top line sentences and may constitute an over count of actual time served.

Race and Ethnic Disparity

We utilized 2020 census data to get a rough comparison of how the race and ethnic percentages of the prison population compared to the current percentage of the racial and ethnic population overall in that state. Although the individuals in prison had been committed over the past six decades in which the racial and ethnic population in that state had surely shifted, we provide an inexact – yet still generally illustrative – assessment of disparate treatment by our criminal justice systems of children of color.

Calculating Race:

Prison to State Population Ratio

To calculate the ratio of each state's prison racial makeup to its overall state population, we divided the percentage of each race by the overall state percentage taken from 2020 Census Data.⁷⁵ For example, we divided Arizona's percentage of people incarcerated as a child who are white (18.9%) by the state percentage of white people (73.7%) to get a prison to state ratio of 0.26:1. A value of 1 would indicate that the state's prison population of a certain race/ethnicity is the same

COST CALCULATION

We developed a calculation to determine the annual cost for the individuals who are currently incarcerated utilizing publicly available costs per year per inmate in each state. And finally, we generated a back of the envelope cost estimate of the total cost of incarcerating these individuals for the full duration of their sentences. To do this we used the current annual cost for a year in prison by state, which will be an overestimate for prior years and an underestimate for future years, particularly because the estimate does not include the future costs of individuals who already require – or will in the future – additional and expensive medical attention as they age. When calculating the cost of individuals sentenced to life or de facto life sentences, we used the more conservative and lower estimate of 40 years for everyone.

Thus, to find the total sum of the costs to imprison individuals in every state who were convicted when they were children, we used the following calculation:

Current annual prison costs multiplied by:

[average sentence length* for everyone who received a numbered sentence (not including de facto life sentences) X the number of people with numbered sentences]

Plus

Current annual prison costs multiplied by:

[the number of people with de facto and/or life sentences X 40]

= total summary costs of incarcerating this current population of children for the duration of their sentences.

*If there were minimum and maximum sentences, we used the maximum sentence to compute this average.

as that of the overall state population.

LIMITATIONS OF DATA ANALYSIS

There are important limitations to bear in mind when reading this report. First, the accuracy of the data itself. It should be noted that the accuracy of each state analysis in this report, and the aggregated national analysis we drew from the state data, is completely dependent on the transparency and accuracy of each state's data keeping practices. Early on it became clear that some states were more accurately tracking children in their criminal justice system than others. For purposes of this report, when a state responded directly to our request we relied heavily on the assumption that the data provided was accurate. Although our data requests were very specific, we recognize that human error and flaws in software, limit the accuracy of the data turned over to us. Second, while we tried to clean the data the best we could, it is possible that some records that should have been removed actually remained and some records that were removed should have been retained. Furthermore, the data we collected provides a snapshot in time over a

two-year period. Since we started this project several people we identified have since been released, while new children have simultaneously entered the criminal justice system.

These nuances provide important contextual background to how this report should be viewed. The data is not 100% accurate. Rather, it provides a broad overview and estimate based on information returned to us by the states on the impact of mass incarceration on children in America.

This project was a massive undertaking with several staff, consultants, and volunteers working for the better part of two years to distill and analyze national data to provide the first national estimate of the number of people incarcerated in U.S. prisons for crimes committed as children. We are grateful to all of them and our funders who made this report possible.

MAJOR FINDINGS & NATIONAL STATISTICS

From the start of 2021 to mid-2022, Human Rights for Kids requested data from the departments of corrections in all states and the District of Columbia on individuals who are currently incarcerated in prisons for crimes they committed while under the age of 18. The data we received from 45 states⁷⁶ tells a horrific story of the collective impact of our practice of sentencing children to adult prison terms.

Overall Impact of Our Policies

The U.S. is currently incarcerating 32,359 individuals who were placed in prison before they had the ability to drive, vote, or make their own independent decisions. Some were so young they were still subject to truancy laws, and far too many weren't even teenagers. They comprise 3.1% of our current overall state prison population⁷⁷ – enough people to fill a prison in every state in the country.⁷⁸ This number is near the total census of children in youth prisons for delinquency adjudications, which stood at 36,469 as of 2019.⁷⁹

Absent intervention, nearly one third of the children who entered adult prison will not exit

until they are in their 50's, having spent 40 years or more behind bars.⁸⁰ Children who were lucky enough not to receive life sentences, will spend, on average, between 14.59 to 21.72 years behind bars.⁸¹

Fiscal Impact

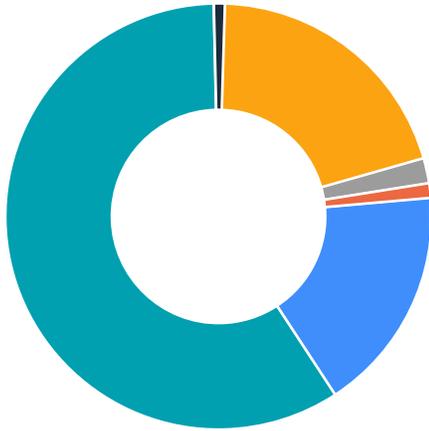
It's difficult to calculate – or even grasp – the collective human toll that these policies have engendered. It is far easier to catalog the fiscal impact. Our collective financial burden of having imprisoned these children for the bulk of their natural lives is more than 24 billion dollars⁸², about the same amount of money the federal government currently spends on childcare and early education.⁸³ The lost earning – and tax paying – potential of removing these children from the workforce is equally as staggering. Assuming a median wage from the year 2000 of \$32,000⁸⁴ and that all individuals in prison (including those who will be there for decades more) will serve on average 25 years, we have left on the table more than approximately \$25.9 billion⁸⁵ in GDP as well as concomitant state and federal tax revenue.



RACIAL DEMOGRAPHICS

The U.S. practice of prosecuting and incarcerating children as adults has a disparate impact on children of color. There are 25,784 individuals who are identified as people of color who have been incarcerated since childhood. This represents 79.69% of the total number of people in prison we've identified who were prosecuted and incarcerated for crimes committed as children.

Figure 1: Racial/Ethnic Breakdown (Total Count)*



KEY	RACE/ETHNICITY	COUNT	PERCENTAGE
	ASIAN AMERICAN/ PACIFIC ISLANDER	241	0.74%
	BLACK	18,819	58.17%
	HISPANIC	5,860	18.11%
	NATIVE AMERICAN	373	1.15%
	OTHER	491	1.52%
	WHITE	6,570	20.31%

*Hawaii provided no breakdown on Race/Ethnicity, and is not represented in this graph.

SEVERITY OF SENTENCE

Many children sentenced and incarcerated as adults will spend more than two decades in prison and will not re-integrate back into their communities until they are middle aged.

AVERAGE SENTENCE	YEARS
Including de facto life sentences	21.72
Excluding de facto life sentences	14.59

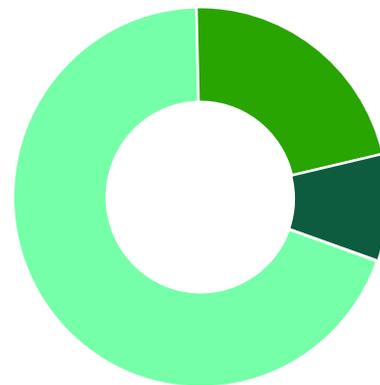


Figure 2: Nationwide Sentence Types

KEY	TYPE	CHILDREN	PERCENTAGE
	DE FACTO LIFE	3,162	9.77%
	LIFE	6,301	19.47%
	NUMBERED	22,896	70.76%

Life Sentences Imposed on Children

We found that 6,301 individuals were sentenced to a life term⁸⁶, some with and some without parole. This represents 19.47% of the total number of individuals who have been incarcerated since they were children.

De Facto Life Sentences Imposed on Children

Even if a child is not sentenced to a technical “life” term, he or she may be incarcerated for the duration of their natural lives. The U.S. Sentencing Commission considers a sentence over 39 years, effectively a life sentence. An additional 3,162 individuals are serving de facto life sentences. This represents 9.77% of the total population of children sentenced as adults to prison.



RACE & SEVERITY OF SENTENCE

Children of color are sentenced to longer prison terms than White children when given numbered sentences. Children of color also receive more life sentences than White children. The average longest sentence was almost 60 years greater for Black children than White children.⁸⁷

Figure 3: Numbered Sentences by Race/Ethnicity

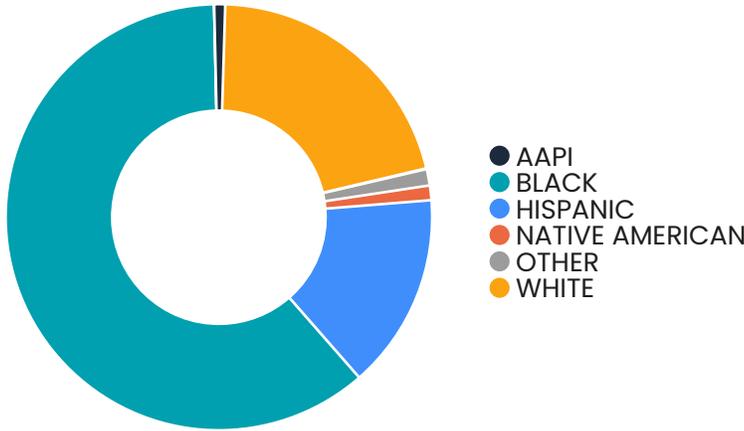
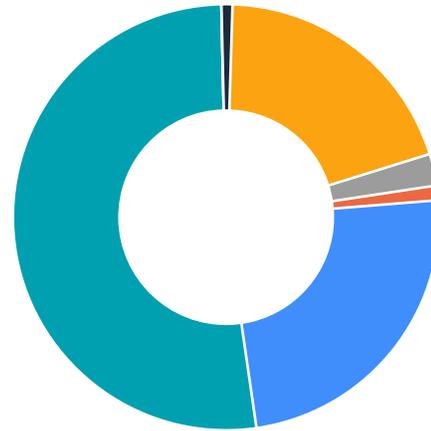


Figure 4: Life Sentences by Race/Ethnicity

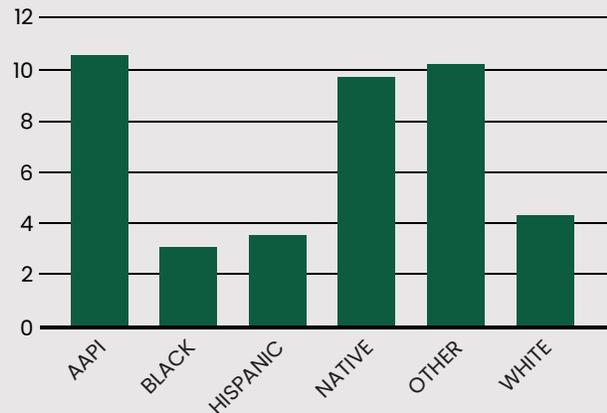


RACE/ETHNICITY	AVG. OVERALL SENTENCE	AVG. SHORTEST SENTENCE	AVG. LONGEST SENTENCE	NUMBERED SENTENCES (SEE FIGURE 3)	LIFE SENTENCES (SEE FIGURE 4)
ALL	21.66	2.13	187.40		
AAPI	36.87	10.75	76.39	0.7%	0.8%
BLACK	21.40	3.13	171.51	59.7%	51.7%
HISPANIC	22.19	3.63	93.46	16.6%	24.8%
NATIVE	19.36	10.31	81.13	1.2%	1.0%
OTHER	19.57	10.30	36.86	1.2%	2.7%
WHITE	21.72	4.21	110.57	20.6%	19.0%

Minimum Sentences

On the other side of sentencing severity, Black, Hispanic and White children have significantly lower average minimum sentences. To address potential questions about specific offenses attributed to this population, these low sentences indicate a barrier to entry in the adult system that is not specific to the most severe or violent offenses; rather, it indicates that moving children into the adult system is a pervasive practice, instead of a last resort for only the most serious offenses. The average minimum sentence is lowest for Black children, meaning they have the lowest barrier of entry to be treated as an adult.

Figure 5: Average Minimum Sentence Length By Race

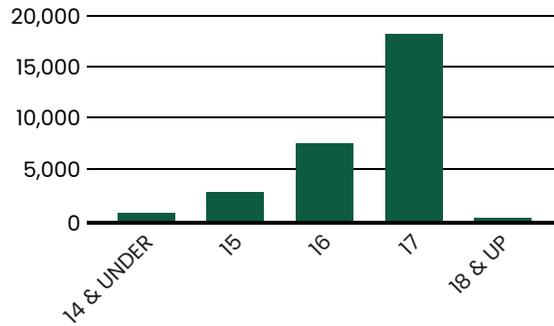


Note: Data not provided for Hawaii.

AGE DEMOGRAPHICS

The majority of children sentenced as adults – 58.28% – either committed their offense, were sentenced, or were booked into prison at the age of 17, while 16-year-olds comprised 27.43% of those in prison. Children 14 years of age and younger, comprised 3.49% of the total population.

Figure 6: Sentencing Age Breakdown

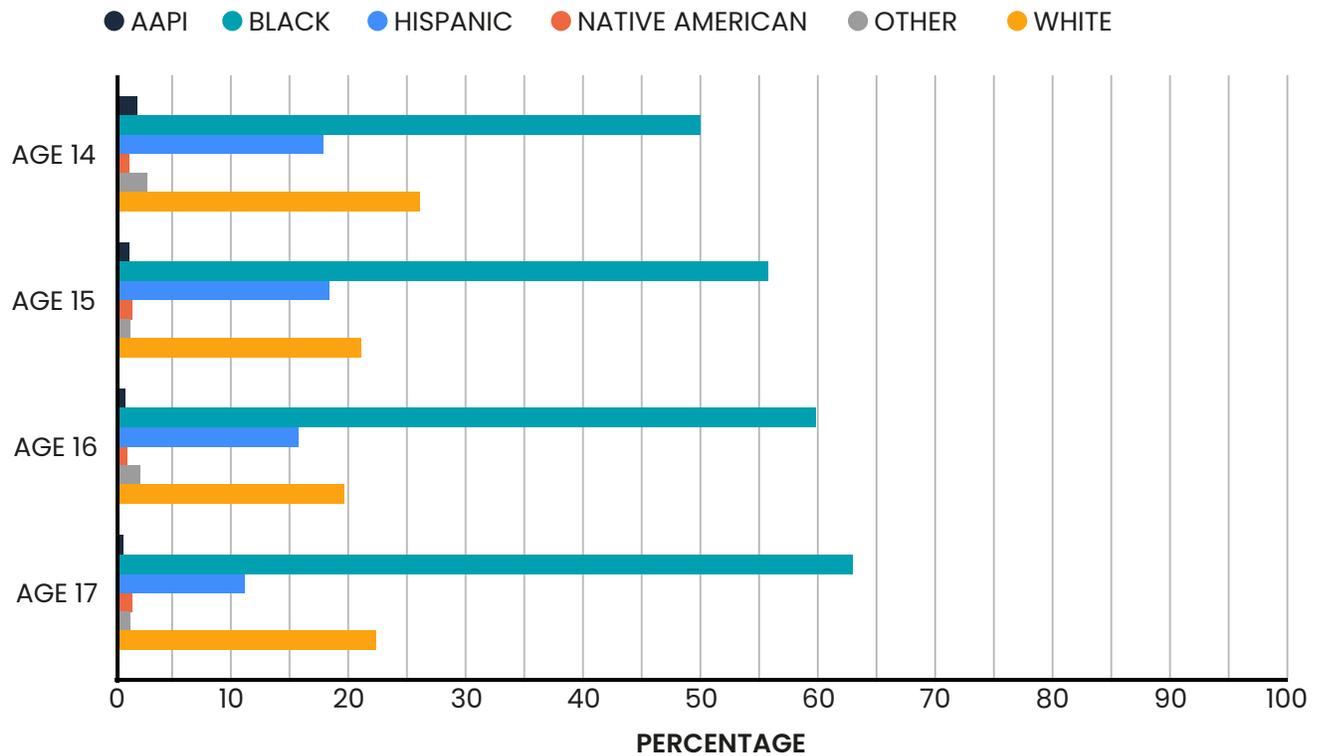


Note: Data not provided for Texas and Montana.

AGE & RACIAL DEMOGRAPHICS

Black children are the majority of youth tried, sentenced, and incarcerated as adults at every age. This trend increases as youth get older where 60% of individuals incarcerated for crimes committed at 16 or 17 years old are Black. Overall children of color make up between 73% and 80% of this incarcerated population across all age ranges.

Figure 7: Age Breakdown by Race/Ethnicity



Note: Data not provided for Hawaii, Texas, and Montana.





“My parents in the household swore at me and assaulted me, they put me down and humiliated me, they acted in a way that made me afraid they would physically hurt me, I was pushed, I was grabbed, I was slapped, and I was thrown. I was hit very hard that I would have marks and was injured. An adult in my household touched me, fondled me, and sexually assaulted me. I often felt that no one in my family loved me or thought I was important or special.”

Anonymous woman incarcerated since childhood



GENDER DEMOGRAPHICS

Girls comprised a smaller, but still significant, proportion of the overall population of children convicted and incarcerated as adults.⁸⁸

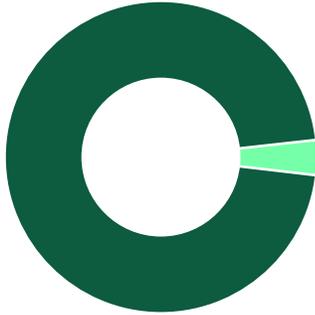


Figure 8: Gender/Sex of Incarcerated Children

KEY	GENDER/SEX	COUNT	PERCENTAGE
	BOYS	25,354	96.90%
	GIRLS	812	3.10%

GENDER & RACIAL DEMOGRAPHICS

While girls are a much smaller proportion of the population of children prosecuted and incarcerated as adults, the data still shows the same troubling racial disparities. Black girls constitute nearly 42% of the overall female population. Girls of color also make up approximately 60% of the women who have been incarcerated since childhood. For boys, these numbers are 62% and 77%, respectively.⁸⁹

Figure 9: Racial/Ethnic Breakdown of the Gender of Incarcerated Children

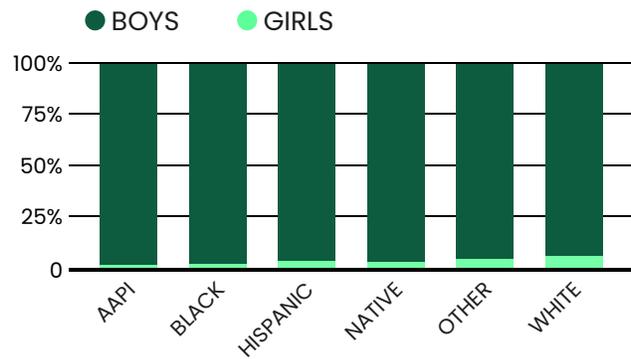


Figure 9: Race/Ethnicity of Incarcerated Boys

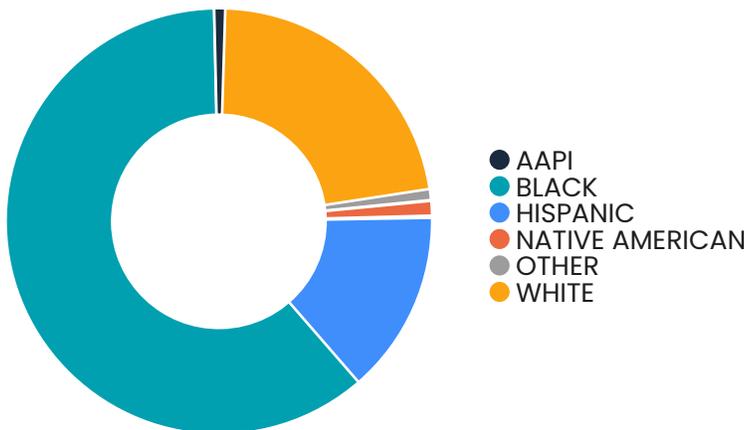
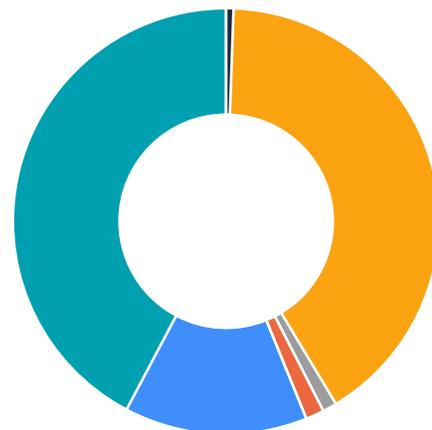


Figure 10: Race/Ethnicity of Incarcerated Girls



GENDER/SEX	AAPI	BLACK	HISPANIC	NATIVE	OTHER	WHITE
BOYS	0.7%	61.6%	13.4%	1.1%	0.7%	22.4%
GIRLS	0.4%	41.6%	15.9%	1.1%	1.0%	40.0%

Note: Data for gender of incarcerated children not provided for California, Hawaii, Maryland, New Mexico, and North Carolina.



“Both my father and my stepmother were very abusive. My first experience with direct abuse was at the age of 3 and it was from my father. I have felt hopelessness off and on my entire life, and from the age of 8 to 40, I’ve had nightmares and flashbacks.”

Anonymous woman incarcerated since childhood

DECADE OF INCARCERATION

Starting in the 1980’s we begin to see a significant increase in the number of children who were convicted as adults. These numbers sharply increased during the Super-Predator Era and have remained steady due to the policies of that time which made it easier to treat children as adults. It is worth noting that in recent years’ children given life sentences has declined, while those given numbered sentences has increased. This is perhaps a consequence of the Supreme Court decisions in *Graham v. Florida* and *Miller v. Alabama*, which significantly limited states’ ability to impose life sentences on children.^{90 91}

Figure 11: Children Sentenced as Adults and Incarcerated in Adult Prisons By Decade

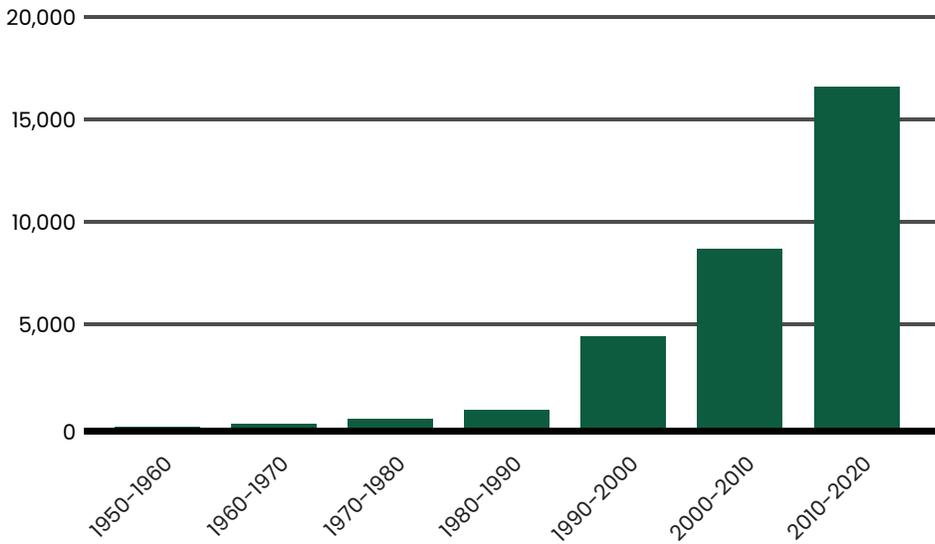
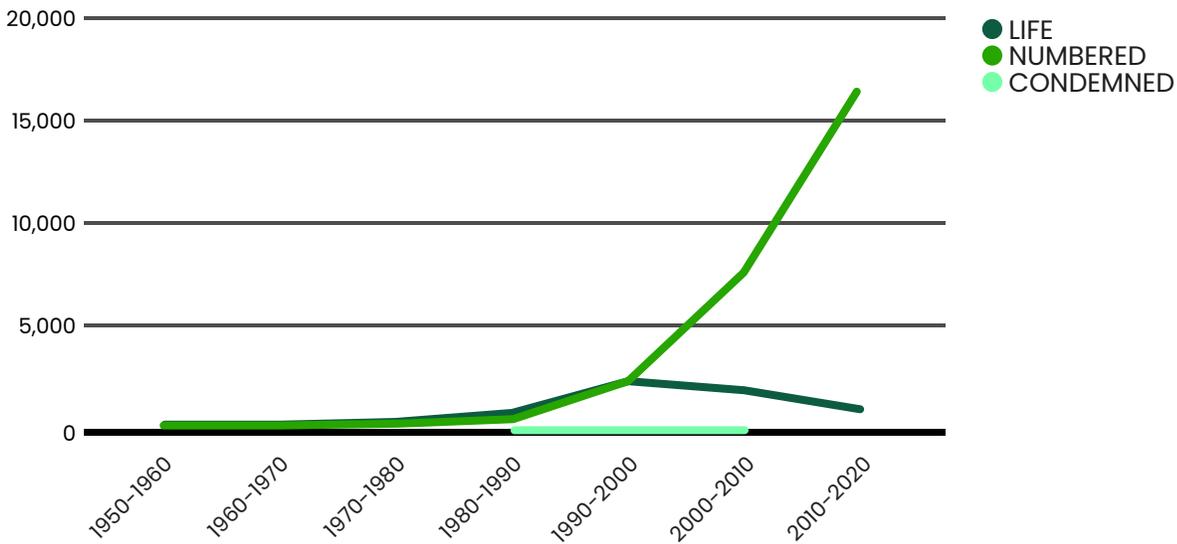


Figure 12: Sentence Type by Decade



Note: Data not provided for Nevada.

DECADE OF INCARCERATION BY RACE

There is no single visualization that conveys the impact of the Super Predator Era on children like the graphs and chart below. While the incarceration rate of people sent to prison as children remained fairly consistent across racial demographics before 1990, we see a massive increase in the number of Black children who remain incarcerated for offenses that occurred over the past 30 years. It is important to note that many of the statutory and legal changes that made it easier to send children to adult courts remain with us today.⁹²

Figure 13: Incarceration of Children by Decade and Race/Ethnicity

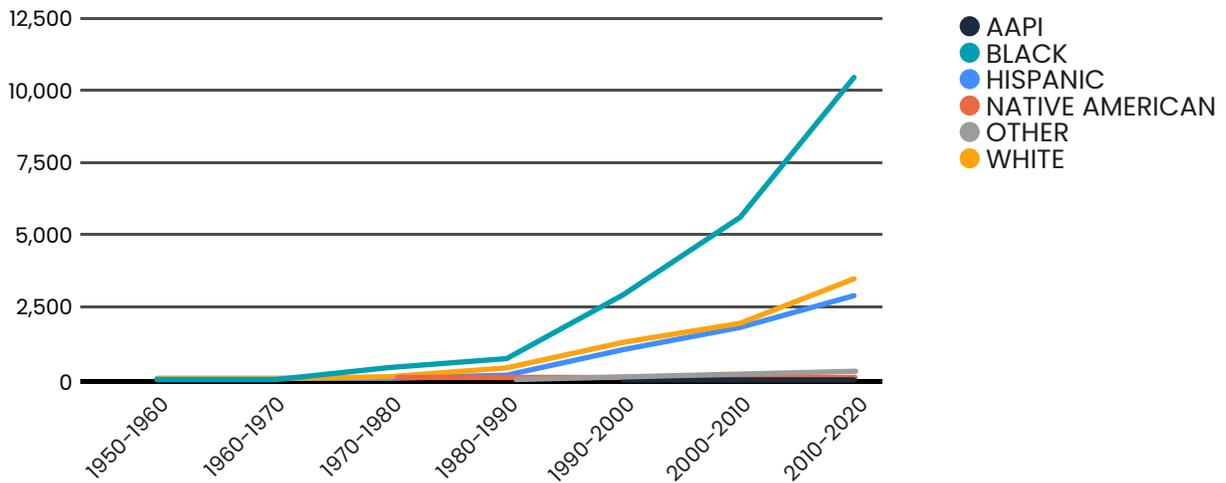
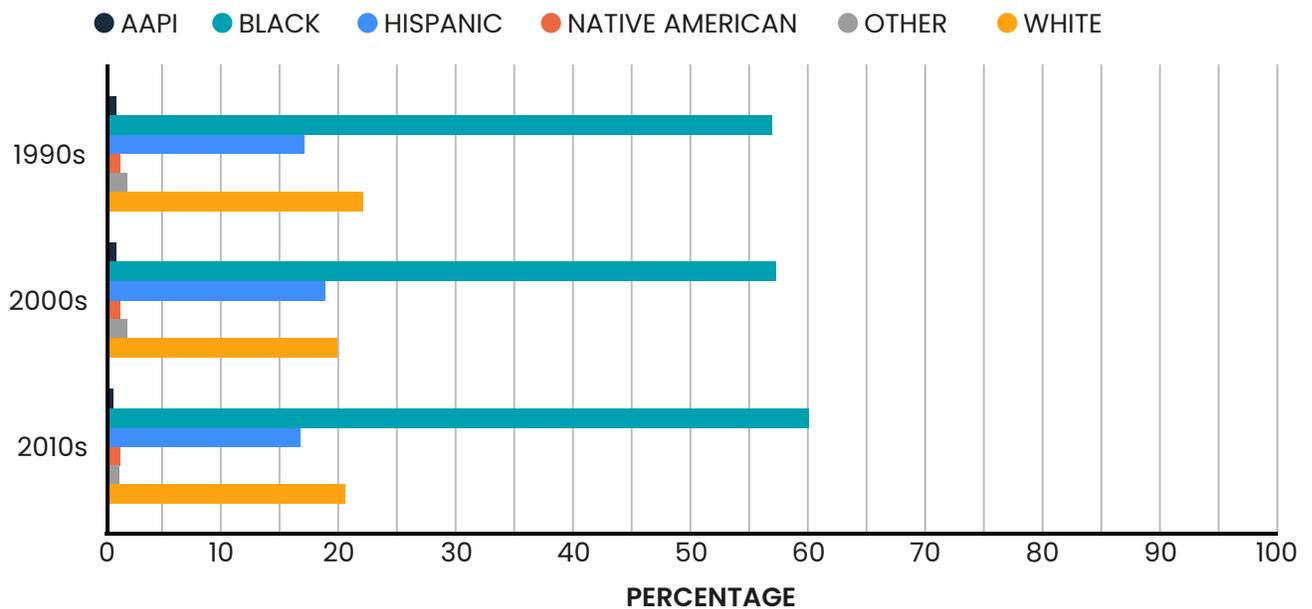


Figure 14: Sentencing Per Decade by Race/Ethnicity



Note: Data not provided for Hawaii and Nevada.



HOW STATES COMPARE TO ONE ANOTHER

We have failed our children on a national level. But children in some states fare far worse than in others.

We provide the following charts as a way of comparing how every state stacks up to one another based on the following parameters:

1. The extent to which the state sentenced children to terms in adult prison.
2. The extent to which the overall prison population is composed of people who have been there since childhood.
3. The number of children serving numbered or term-of-years sentences.
4. The number of children serving de facto life sentences.
5. The number of children serving life sentences.
6. The state's average sentence length, including and excluding de facto life sentences.
7. The percentage of people of color in prison who have been incarcerated since childhood.
8. The extent to which the state's sentencing policies disparately impacted AAPI, Black, Hispanic, Native, and White children.



INCARCERATION PERCENTAGE BASED ON GENDER

Overall boys are disproportionately impacted by state practices of charging and incarcerating children as adults. In every state we analyzed boys comprised 90% or more of the total population of individuals incarcerated as children who are still incarcerated in prisons across the U.S. There are seven states – Connecticut, Georgia, North Dakota, Oklahoma, Oregon, South Dakota, and West Virginia – where girls comprise 5% or more of this incarcerated population.

STATE	BOYS (%)	GIRLS (%)
ALABAMA	98.5%	1.5%
ALASKA	N/A	N/A
ARIZONA	95.6%	4.4%
ARKANSAS	97.7%	2.3%
CALIFORNIA	0.0%	0.0%
COLORADO	97.1%	2.9%
CONNECTICUT	94.8%	5.2%
DELAWARE	N/A	N/A
FLORIDA	96.6%	3.4%
GEORGIA	94.8%	5.2%
HAWAII	N/A	N/A
IDAHO	100.0%	0.0%
ILLINOIS	98.1%	1.9%
INDIANA	99.1%	0.9%
IOWA	96.3%	3.7%
KANSAS	97.9%	2.1%
KENTUCKY	100.0%	0.0%
LOUISIANA	98.4%	1.6%
MAINE	100.0%	0.0%
MARYLAND	0.0%	0.0%
MASSACHUSETTS	98.9%	1.1%
MICHIGAN	98.6%	1.4%
MINNESOTA	98.9%	1.1%
MISSISSIPPI	98.2%	1.8%
MISSOURI	96.0%	4.0%

STATE	BOYS (%)	GIRLS (%)
MONTANA	100.0%	0.0%
NEBRASKA	97.4%	2.6%
NEVADA	96.0%	4.0%
NEW HAMPSHIRE	N/A	N/A
NEW JERSEY	97.7%	2.3%
NEW MEXICO	N/A	N/A
NEW YORK	98.0%	2.0%
NORTH CAROLINA	N/A	N/A
NORTH DAKOTA	91.3%	8.7%
OHIO	97.3%	2.7%
OKLAHOMA	93.2%	6.8%
OREGON	94.4%	5.6%
PENNSYLVANIA	98.2%	1.8%
RHODE ISLAND	100.0%	0.0%
SOUTH CAROLINA	97.9%	2.1%
SOUTH DAKOTA	93.1%	6.9%
TENNESSEE	97.0%	3.0%
TEXAS	95.7%	4.3%
UTAH	96.6%	3.4%
VERMONT	N/A	N/A
VIRGINIA	N/A	N/A
WASHINGTON	96.4%	3.6%
WEST VIRGINIA	92.1%	7.9%
WISCONSIN	98.6%	1.4%
WYOMING	100.0%	0.0%

PERCENTAGE OF OVERALL PRISON POPULATION

Four states – Louisiana, Wisconsin, South Carolina and Maryland – had a significantly higher percentage of their current prison population comprised of people who are incarcerated for crimes committed as children (6% or greater). Nine states – California, Florida, Louisiana, South Carolina, North Carolina, Georgia, Wisconsin, Maryland, and Missouri – have at least 1,000 people or more serving prison sentences for crimes they committed as children.⁹³

STATE	COUNT	PERCENTAGE
LOUISIANA	2,277	7.20%
WISCONSIN	1,709	7.13%
SOUTH CAROLINA	1,139	6.12%
MARYLAND	1,132	6.09%
MISSOURI	1,091	4.19%
MISSISSIPPI	770	3.97%
IOWA	353	3.81%
NORTH CAROLINA	1,179	3.46%
TEXAS	5,272	3.33%
OREGON	484	3.24%
TENNESSEE	841	3.19%
CALIFORNIA	3,762	3.07%
ARKANSAS	532	3.00%
FLORIDA	2,638	2.75%
WASHINGTON	494	2.56%
ILLINOIS	981	2.56%
CONNECTICUT	210	2.40%
GEORGIA	1,249	2.31%
ARIZONA	933	2.28%
MASSACHUSETTS	182	2.22%
NEW YORK	749	2.19%
NEVADA	274	2.13%
NEBRASKA	117	2.06%
KANSAS	188	1.89%
MINNESOTA	180	1.80%

STATE	COUNT	PERCENTAGE
PENNSYLVANIA	822	1.80%
UTAH	118	1.77%
NEW MEXICO	115	1.71%
COLORADO	306	1.55%
SOUTH DAKOTA	58	1.53%
MICHIGAN	554	1.46%
NORTH DAKOTA	23	1.28%
ALABAMA	338	1.26%
OHIO	588	1.17%
NEW JERSEY	216	1.16%
INDIANA	214	0.79%
RHODE ISLAND	16	0.58%
OKLAHOMA	147	0.57%
WEST VIRGINIA	38	0.56%
WYOMING	11	0.44%
MONTANA	17	0.36%
MAINE	5	0.23%
IDAHO	21	0.22%
HAWAII	5	0.16%
KENTUCKY	11	0.05%
ALASKA	N/A	N/A
DELAWARE	N/A	N/A
NEW HAMPSHIRE	N/A	N/A
VERMONT	N/A	N/A
VIRGINIA	N/A	N/A



“I got sentenced to 60 years to life plus 9 months. I grew up with a mother and a stepdad. My real dad is dead. I watched my mom get abused growing up but he was also abusive towards me. I grew up with older brothers who were violent and into drugs and the gang scene. I grew up in the hood. I had a lot of mental health issues I struggled with. I tried to commit suicide multiple times. I let my anger build up from being abused mentally, physically, sexually. It led me to take someone’s life which I regret.”

Anonymous woman incarcerated since childhood

CHILDREN SERVING NUMBERED SENTENCES

There are 22,896 individuals who were sent to prison as children to serve a numbered or term-of-years sentence. Texas, Florida, California, Louisiana, Wisconsin, and Missouri have 1,000 or more people who have been incarcerated since childhood serving this type of sentence.

Note: This data excludes de facto life sentences.

STATE	TOTAL POPULATION	CHILDREN WITH NUMBERED SENTENCES	PERCENTAGE
OHIO	588	107	18.20%
UTAH	118	40	33.90%
RHODE ISLAND	16	6	37.50%
HAWAII	5	2	40.00%
CALIFORNIA	3,762	1,711	45.48%
MASSACHUSETTS	182	84	46.15%
INDIANA	214	99	46.26%
WEST VIRGINIA	38	18	47.37%
GEORGIA	1,249	675	54.04%
OKLAHOMA	147	80	54.42%
IDAHO	21	12	57.14%
PENNSYLVANIA	822	502	61.07%
MARYLAND	1,132	694	61.31%
ALABAMA	338	212	62.72%
WYOMING	11	7	63.64%
NEW YORK	749	489	65.29%
NEBRASKA	117	77	65.81%
NEW MEXICO	115	78	67.83%
COLORADO	306	208	67.97%
MONTANA	17	12	70.59%
KENTUCKY	11	8	72.73%
LOUISIANA	2,277	1,656	72.73%
TEXAS	5,272	3,844	72.91%
ILLINOIS	981	717	73.09%
NORTH DAKOTA	23	17	73.91%

STATE	TOTAL POPULATION	CHILDREN WITH NUMBERED SENTENCES	PERCENTAGE
IOWA	353	266	75.35%
CONNECTICUT	210	160	76.19%
TENNESSEE	841	652	77.53%
SOUTH DAKOTA	58	45	77.59%
FLORIDA	2,638	2,058	78.01%
ARKANSAS	532	416	78.20%
NORTH CAROLINA	1,179	931	78.97%
MISSISSIPPI	770	620	80.52%
SOUTH CAROLINA	1,139	921	80.86%
MINNESOTA	180	147	81.67%
NEVADA	274	227	82.85%
NEW JERSEY	216	183	84.72%
ARIZONA	933	795	85.21%
MICHIGAN	554	474	85.56%
WISCONSIN	1,709	1,495	87.48%
KANSAS	188	165	87.77%
OREGON	484	434	89.67%
WASHINGTON	494	472	95.55%
MISSOURI	1,091	1,075	98.53%
MAINE	5	5	100.00%
ALASKA	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A

CHILDREN SERVING DE FACTO LIFE SENTENCES

There are 3,162 individuals who were sent to prison as children to serve a de facto life sentence. Only six states - Arizona, Hawaii, Idaho, North Dakota, Maine, and Kentucky - did not subject their children to de facto life sentences. Ten states have sentenced more than 20% of their children to de facto life sentences. Additionally, seven states have 100 or more individuals serving de facto life sentences.

Note: This data looks at sentences over 40 years.

STATE	TOTAL POPULATION	CHILDREN WITH DE FACTO LIFE SENTENCES	PERCENTAGE
UTAH	118	78	66.10%
INDIANA	214	93	43.46%
COLORADO	306	98	32.03%
PENNSYLVANIA	822	242	29.44%
MONTANA	17	5	29.41%
NEBRASKA	117	29	24.79%
ILLINOIS	981	242	24.67%
CONNECTIUT	210	50	23.81%
WEST VIRGINIA	38	8	21.05%
SOUTH DAKOTA	58	12	20.69%
MARYLAND	1,132	214	18.90%
RHODE ISLAND	16	3	18.75%
GEORGIA	1,249	218	17.45%
ARKANSAS	532	82	15.41%
TEXAS	5,272	785	14.89%
IOWA	353	44	12.46%
OHIO	588	60	10.20%
LOUISIANA	2,277	230	10.10%
NEW JERSEY	216	21	9.72%
FLORIDA	2,638	251	9.51%
WYOMING	11	1	9.09%
KANSAS	188	15	7.98%
SOUTH CAROLINA	1,139	85	7.46%
MISSISSIPPI	770	44	5.71%
NEW MEXICO	115	6	5.22%

STATE	TOTAL POPULATION	CHILDREN WITH DE FACTO LIFE SENTENCES	PERCENTAGE
ALABAMA	338	16	4.73%
WASHINGTON	494	22	4.45%
WISCONSIN	1,709	73	4.27%
OKLAHOMA	147	6	4.08%
TENNESSEE	841	25	2.97%
MICHIGAN	554	15	2.71%
NEVADA	274	7	2.55%
NORTH CAROLINA	1,179	28	2.37%
MINNESOTA	180	3	1.67%
MISSOURI	1,091	16	1.47%
OREGON	484	6	1.24%
MASSACHUSETTS	182	2	1.10%
CALIFORNIA	3,762	26	0.69%
NEW YORK	749	1	0.13%
ARIZONA	933	0	0.00%
HAWAII	5	0	0.00%
IDAHO	21	0	0.00%
KENTUCKY	11	0	0.00%
MAINE	5	0	0.00%
NORTH DAKOTA	23	0	0.00%
ALASKA	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A

CHILDREN SERVING LIFE SENTENCES

There are 6,301 individuals who were sent to prison as children to serve a life sentence. In ten states more than 30% of the sentences given to children were life sentences. Additionally, fifteen states had 100 or more children sentenced to life imprisonment.

STATE	TOTAL POPULATION	CHILDREN WITH LIFE SENTENCES	PERCENTAGE
OHIO	588	421	71.60%
HAWAII	5	3	60.00%
CALIFORNIA	3,762	2,025	53.83%
MASSACHUSETTS	182	96	52.75%
RHODE ISLAND	16	7	43.75%
IDAHO	21	9	42.86%
OKLAHOMA	147	61	41.50%
NEW YORK	749	259	34.58%
ALABAMA	338	110	32.54%
WEST VIRGINIA	38	12	31.58%
GEORGIA	1,249	356	28.50%
KENTUCKY	11	3	27.27%
WYOMING	11	3	27.27%
NEW MEXICO	115	31	26.96%
NORTH DAKOTA	23	6	26.09%
MARYLAND	1,132	224	19.79%
TENNESSEE	841	164	19.50%
NORTH CAROLINA	1,179	220	18.66%
LOUISIANA	2,277	391	17.17%
MINNESOTA	180	30	16.67%
ARIZONA	933	138	14.79%
NEVADA	274	40	14.60%
MISSISSIPPI	770	106	13.77%
FLORIDA	2,638	329	12.47%
TEXAS	5,272	643	12.20%

STATE	TOTAL POPULATION	CHILDREN WITH LIFE SENTENCES	PERCENTAGE
IOWA	353	43	12.18%
MICHIGAN	554	65	11.73%
SOUTH CAROLINA	1,139	133	11.68%
INDIANA	214	22	10.28%
PENNSYLVANIA	822	78	9.49%
NEBRASKA	117	11	9.40%
OREGON	484	44	9.09%
WISCONSIN	1,709	141	8.25%
ARKANSAS	532	34	6.39%
NEW JERSEY	216	12	5.56%
KANSAS	188	8	4.26%
ILLINOIS	981	22	2.24%
SOUTH DAKOTA	58	1	1.72%
COLORADO	306	0	0.00%
CONNECTICUT	210	0	0.00%
MAINE	5	0	0.00%
MISSOURI	1,091	0	0.00%
MONTANA	17	0	0.00%
UTAH	118	0	0.00%
WASHINGTON	494	0	0.00%
ALASKA	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A



AVERAGE SENTENCE LENGTH FOR CHILDREN

Thirty-five states sentenced children to 15 years or more on average. Four states – Colorado, Utah, Indiana and Ohio – sentenced children convicted as adults to 40 years or more on average.

STATE	INCLUDES DE FACTO LIFE	EXCLUDES DE FACTO LIFE
ALABAMA	23.62	20.90
ALASKA	N/A	N/A
ARIZONA	8.65	8.65
ARKANSAS	22.39	17.23
CALIFORNIA	18.23	17.80
COLORADO	187.97	14.95
CONNECTICUT	29.84	13.29
DELAWARE	N/A	N/A
FLORIDA	19.21	15.09
GEORGIA	28.70	20.07
HAWAII	20.00	20.00
IDAHO	14.06	14.06
ILLINOIS	31.58	23.27
INDIANA	43.58	17.94
IOWA	22.07	16.56
KANSAS	17.61	14.95
KENTUCKY	15.81	15.81
LOUISIANA	19.49	13.74
MAINE	21.00	21.00
MARYLAND	25.69	17.01
MASSACHUSETTS	13.72	12.86
MICHIGAN	15.38	14.26
MINNESOTA	15.09	14.59
MISSISSIPPI	17.25	14.68
MISSOURI	15.41	14.98

STATE	INCLUDES DE FACTO LIFE	EXCLUDES DE FACTO LIFE
MONTANA	29.11	13.85
NEBRASKA	28.40	14.26
NEVADA	10.98	9.82
NEW HAMPSHIRE	N/A	N/A
NEW JERSEY	19.56	16.15
NEW MEXICO	23.65	17.34
NEW YORK	12.27	12.19
NORTH CAROLINA	13.32	11.13
NORTH DAKOTA	8.69	8.69
OHIO	41.06	21.66
OKLAHOMA	20.26	15.15
OREGON	9.53	8.84
PENNSYLVANIA	30.80	19.72
RHODE ISLAND	26.93	18.69
SOUTH CAROLINA	18.70	15.93
SOUTH DAKOTA	30.08	13.55
TENNESSEE	13.41	12.17
TEXAS	20.79	13.76
UTAH	69.75	10.78
VERMONT	N/A	N/A
VIRGINIA	N/A	N/A
WASHINGTON	15.28	13.67
WEST VIRGINIA	30.40	22.50
WISCONSIN	12.45	9.75
WYOMING	23.78	8

PERCENTAGE OF CHILDREN OF COLOR IN THE PRISON POPULATION

The prison population of people incarcerated for crimes committed as children is comprised of 80% or more people of color in nineteen states.

STATE	PERCENTAGE
CALIFORNIA	93.97%
RHODE ISLAND	93.75%
ILLINOIS	91.13%
MARYLAND	90.46%
NEW YORK	89.19%
ALABAMA	87.87%
MISSISSIPPI	86.36%
NEW JERSEY	86.11%
PENNSYLVANIA	84.55%
GEORGIA	84.55%
CONNECTICUT	84.29%
LOUISIANA	83.44%
TENNESSEE	82.76%
NORTH CAROLINA	82.53%
NEVADA	81.75%
ARIZONA	81.14%
SOUTH CAROLINA	80.95%
NEW MEXICO	80.87%
TEXAS	80.65%
MICHIGAN	78.88%
NEBRASKA	77.78%
ARKANSAS	75.75%
INDIANA	75.23%
FLORIDA	74.11%
MASSACHUSETTS	72.53%

STATE	PERCENTAGE
KANSAS	72.34%
OKLAHOMA	71.43%
COLORADO	70.92%
MINNESOTA	70.56%
OHIO	70.41%
WISCONSIN	66.94%
WYOMING	63.64%
MISSOURI	62.97%
IOWA	60.62%
UTAH	60.17%
SOUTH DAKOTA	56.90%
KENTUCKY	54.55%
NORTH DAKOTA	47.83%
WASHINGTON	43.32%
MONTANA	41.18%
OREGON	34.30%
IDAHO	33.33%
WEST VIRGINIA	26.32%
ALASKA	N/A
DELAWARE	N/A
NEW HAMPSHIRE	N/A
VERMONT	N/A
VIRGINIA	N/A
HAWAII	N/A
MAINE	N/A



“My first experience with abuse was when I was 3 years old. I was sexually abused from 3-5, then physical abuse started around 6 to 7 years old. Even my foster dad started it. My mother was in and out of jail my entire life. She had me at a women’s prison in 1990. I didn’t see her again until I was 9 years old.”

Anonymous woman incarcerated since childhood

RACIAL DISPARITIES AMONG AAPI CHILDREN

Two states – Rhode Island and Utah – showed a disparate impact for Asian American and Pacific Islander (AAPI) children.

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
RHODE ISLAND	2	12.50%	4.40%	2.84
UTAH	9	7.63%	3.80%	2.01
SOUTH DAKOTA	1	1.72%	2.10%	0.82
WASHINGTON	47	9.51%	12.20%	0.78
KANSAS	5	2.66%	3.80%	0.70
COLORADO	8	2.61%	4.90%	0.53
IOWA	5	1.42%	3.00%	0.47
MINNESOTA	4	2.22%	6.30%	0.35
WISCONSIN	21	1.23%	3.70%	0.33
MICHIGAN	7	1.26%	4.10%	0.31
INDIANA	2	0.93%	3.10%	0.30
MASSACHUSETTS	4	2.20%	8.30%	0.26
OREGON	8	1.65%	6.50%	0.25
NEVADA	6	2.19%	11.40%	0.19
TENNESSEE	4	0.48%	2.60%	0.18
MISSISSIPPI	2	0.26%	1.50%	0.17
MISSOURI	5	0.46%	2.90%	0.16
ARIZONA	7	0.75%	4.90%	0.15
SOUTH CAROLINA	4	0.35%	2.40%	0.15
PENNSYLVANIA	4	0.49%	4.60%	0.11
GEORGIA	7	0.56%	5.30%	0.11
NEW YORK	8	1.07%	10.80%	0.10
NORTH CAROLINA	4	0.34%	4.10%	0.08
ARKANSAS	1	0.19%	2.30%	0.08
CALIFORNIA	44	1.17%	17.80%	0.07

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
TEXAS	12	0.23%	6.30%	0.04
MARYLAND	3	0.27%	8.10%	0.03
ILLINOIS	2	0.20%	6.80%	0.03
ALABAMA	0	0.00%	2.00%	0.00
CONNECTICUT	0	0.00%	5.70%	0.00
FLORIDA	0	0.00%	3.90%	0.00
IDAHO	0	0.00%	2.60%	0.00
KENTUCKY	0	0.00%	2.20%	0.00
LOUISIANA	0	0.00%	2.40%	0.00
MAINE	0	0.00%	1.90%	0.00
MONTANA	0	0.00%	1.60%	0.00
NEBRASKA	0	0.00%	3.50%	0.00
NEW JERSEY	0	0.00%	11.30%	0.00
NEW MEXICO	0	0.00%	2.60%	0.00
NORTH DAKOTA	0	0.00%	2.40%	0.00
OHIO	0	0.00%	3.20%	0.00
OKLAHOMA	0	0.00%	3.10%	0.00
WEST VIRGINIA	0	0.00%	1.20%	0.00
WYOMING	0	0.00%	1.60%	0.00
HAWAII	N/A	N/A	N/A	N/A
ALASKA	N/A	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A	N/A

RACIAL DISPARITIES AMONG BLACK CHILDREN

Every state, with the exception of Maine and Wyoming, tried, sentenced, and incarcerated Black children as adults at a greater rate than their percentage in the overall state population.

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
MONTANA	3	17.65%	1.20%	14.71
IOWA	175	49.58%	5.40%	9.18
NEBRASKA	60	51.28%	6.40%	8.01
WISCONSIN	1,033	60.44%	7.70%	7.85
KANSAS	95	50.53%	7.60%	6.65
IDAHO	2	9.52%	1.50%	6.35
UTAH	15	12.71%	2.10%	6.05
MINNESOTA	92	51.11%	8.50%	6.01
INDIANA	142	66.36%	11.20%	5.92
PENNSYLVANIA	614	74.70%	12.70%	5.88
COLORADO	92	30.07%	5.50%	5.47
OKLAHOMA	76	51.70%	9.70%	5.33
WEST VIRGINIA	10	26.32%	5.00%	5.26
MICHIGAN	409	73.83%	15.30%	4.83
OHIO	402	68.37%	14.40%	4.75
CONNECTICUT	128	60.95%	13.00%	4.69
KENTUCKY	5	45.45%	9.70%	4.69
MASSACHUSETTS	81	44.51%	9.50%	4.68
NEW JERSEY	153	70.83%	15.20%	4.66
MISSOURI	652	59.76%	13.00%	4.60
TENNESSEE	668	79.43%	17.30%	4.59
ILLINOIS	693	70.64%	15.50%	4.56
WASHINGTON	126	25.51%	5.80%	4.40
ARKANSAS	380	71.43%	16.50%	4.33
OREGON	66	13.64%	3.20%	4.26

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
RHODE ISLAND	6	37.50%	9.10%	4.12
FLORIDA	1,815	68.80%	17.20%	4.00
CALIFORNIA	1,067	28.36%	7.10%	3.99
ARIZONA	226	24.22%	6.20%	3.91
NEVADA	125	45.62%	12.10%	3.77
NEW YORK	460	61.42%	17.50%	3.51
TEXAS	2,414	45.79%	13.60%	3.37
NORTH CAROLINA	857	72.69%	22.50%	3.23
ALABAMA	295	87.28%	27.20%	3.21
SOUTH CAROLINA	896	78.67%	26.80%	2.94
SOUTH DAKOTA	5	8.62%	3.00%	2.87
MARYLAND	920	81.27%	32.00%	2,54
LOUISIANA	1,896	83.27%	33.10%	2.52
GEORGIA	1,000	80.06%	33.00%	2.43
MISSISSIPPI	656	85.19%	37.90%	2.25
NEW MEXICO	8	6.96%	3.20%	2.17
NORTH DAKOTA	1	4.35%	4.40%	0.99
MAINE	0	0.00%	2.70%	0.00
WYOMING	0	0.00%	1.70%	0.00
HAWAII	N/A	N/A	N/A	N/A
ALASKA	N/A	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A	N/A





RACIAL DISPARITIES AMONG HISPANIC CHILDREN

Twenty-one states disproportionately tried, sentenced, and incarcerated Hispanic children as adults.

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
RHODE ISLAND	7	43.75%	16.60%	2.64
KENTUCKY	1	9.09%	4.60%	1.98
UTAH	35	29.66%	15.10%	1.96
MASSACHUSETTS	45	24.73%	12.60%	1.96
SOUTH DAKOTA	5	8.62%	4.40%	1.96
WYOMING	2	18.18%	10.20%	1.78
NEBRASKA	25	21.37%	12.00%	1.78
ARIZONA	461	49.41%	30.70%	1.61
CALIFORNIA	2,202	58.53%	39.40%	1.49
COLORADO	99	32.35%	21.90%	1.48
NEW MEXICO	78	67.83%	47.70%	1.42
KANSAS	34	18.09%	13.00%	1.39
CONNECTICUT	48	22.86%	17.30%	1.32
MINNESOTA	14	7.78%	6.10%	1.28
NEW YORK	178	23.77%	19.50%	1.22
IOWA	29	8.22%	6.80%	1.21
NEVADA	91	33.21%	28.70%	1.16
OREGON	75	15.50%	13.90%	1.11
PENNSYLVANIA	74	9.00%	8.10%	1.11
IDAHO	3	14.29%	13.00%	1.10
ILLINOIS	195	19.88%	18.20%	1.09
NORTH DAKOTA	1	4.35%	4.30%	1.01
OKLAHOMA	17	11.56%	11.90%	0.97
TEXAS	1,810	34.33%	39.30%	0.87
INDIANA	13	6.07%	8.20%	0.74

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
MARYLAND	60	5.30%	11.80%	0.45
MISSOURI	23	2.11%	4.90%	0.43
ARKANSAS	19	3.57%	8.50%	0.42
TENNESSEE	24	2.85%	6.90%	0.41
GEORGIA	48	3.84%	10.50%	0.37
MICHIGAN	10	1.81%	5.60%	0.32
MISSISSIPPI	6	0.78%	3.60%	0.22
FLORIDA	126	4.78%	26.50%	0.18
LOUISIANA	2	0.09%	6.90%	0.01
ALABAMA	0	0.00%	5.30%	0.00
MAINE	0	0.00%	2.00%	0.00
MONTANA	0	0.00%	4.20%	0.00
NEW JERSEY	0	0.00%	21.60%	0.00
NORTH CAROLINA	0	0.00%	10.70%	0.00
OHIO	0	0.00%	4.40%	0.00
SOUTH CAROLINA	0	0.00%	6.90%	0.00
WASHINGTON	0	0.00%	13.70%	0.00
WEST VIRGINIA	0	0.00%	1.90%	0.00
WISCONSIN	0	0.00%	7.60%	0.00
HAWAII	N/A	N/A	N/A	N/A
ALASKA	N/A	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A	N/A

RACIAL DISPARITIES AMONG NATIVE AMERICAN CHILDREN

Eleven states disproportionately tried, sentenced, and incarcerated Native children as adults. Wyoming and North Dakota had by far the greatest disparities for children of Native descent.

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
WYOMING	5	45.45%	4.80%	9.47
NORTH DAKOTA	9	39.13%	7.20%	5.43
MINNESOTA	17	9.44%	2.80%	3.37
SOUTH DAKOTA	21	36.21%	11.10%	3.26
MONTANA	4	23.53%	9.30%	2.53
UTAH	8	6.78%	2.70%	2.51
WISCONSIN	86	5.03%	2.50%	2.01
NEBRASKA	6	5.13%	2.80%	1.83
IDAHO	1	4.76%	3.60%	1.32
WASHINGTON	21	4.25%	4.10%	1.04
NORTH CAROLINA	32	2.71%	3.00%	0.90
ARIZONA	47	5.04%	6.30%	0.80
IOWA	5	1.42%	1.80%	0.79
NEW YORK	11	1.47%	2.00%	0.73
COLORADO	7	2.29%	3.60%	0.64
OREGON	12	2.48%	4.40%	0.56
OKLAHOMA	12	8.16%	16.00%	0.51
MICHIGAN	6	1.08%	2.40%	0.45
MARYLAND	10	0.88%	2.10%	0.42
NEW MEXICO	5	4.35%	12.40%	0.35
CONNECTICUT	1	0.48%	1.70%	0.28
KANSAS	2	1.06%	3.80%	0.28
CALIFORNIA	34	0.90%	3.60%	0.25
NEVADA	2	0.73%	3.40%	0.21
ARKANSAS	2	0.38%	3.80%	0.10

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
MISSOURI	3	0.27%	3.00%	0.09
OHIO	1	0.17%	2.00%	0.09
ILLINOIS	1	0.10%	2.20%	0.05
FLORIDA	2	0.08%	1.80%	0.04
GEORGIA	1	0.08%	2.00%	0.04
LOUISIANA	2	0.09%	2.20%	0.04
TEXAS	2	0.04%	2.70%	0.01
ALABAMA	0	0.00%	2.60%	0.00
INDIANA	0	0.00%	2.10%	0.00
KENTUCKY	0	0.00%	2.00%	0.00
MAINE	0	0.00%	2.50%	0.00
MASSACHUSETTS	0	0.00%	1.30%	0.00
MISSISSIPPI	0	0.00%	1.80%	0.00
NEW JERSEY	0	0.00%	1.60%	0.00
PENNSYLVANIA	0	0.00%	1.50%	0.00
RHODE ISLAND	0	0.00%	2.10%	0.00
SOUTH CAROLINA	0	0.00%	2.10%	0.00
TENNESSEE	0	0.00%	2.30%	0.00
WEST VIRGINIA	0	0.00%	2.10%	0.00
HAWAII	N/A	N/A	N/A	N/A
ALASKA	N/A	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A	N/A

RACIAL DISPARITIES AMONG WHITE CHILDREN

With the exception of Maine, White children were sentenced and incarcerated as adults at a rate lower than their prevalence in the state population.

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
MAINE	5	100.00%	95.40%	1.05
WEST VIRGINIA	28	73.68%	94.40%	0.78
OREGON	318	65.70%	84.80%	0.77
IDAHO	14	66.67%	90.20%	0.74
WASHINGTON	280	56.68%	76.70%	0.74
MONTANA	10	58.82%	90.90%	0.65
NORTH DAKOTA	12	52.17%	88.00%	0.59
KENTUCKY	5	45.45%	87.50%	0.52
SOUTH DAKOTA	25	43.10%	85.70%	0.50
UTAH	47	39.83%	86.80%	0.46
MISSOURI	404	37.03%	83.40%	0.44
IOWA	139	39.38%	89.80%	0.44
WYOMING	4	36.36%	92.00%	0.40
WISCONSIN	565	33.06%	86.20%	0.38
OKLAHOMA	42	28.57%	75.50%	0.38
OHIO	174	29.59%	82.40%	0.36
MASSACHUSETTS	50	27.47%	76.80%	0.36
MINNESOTA	53	29.44%	83.20%	0.35
FLORIDA	683	25.89%	73.20%	0.35
COLORADO	89	29.80%	82.40%	0.35
KANSAS	52	27.66%	84.80%	0.33
ARKANSAS	129	24.25%	77.00%	0.31
INDIANA	53	24.77%	83.30%	0.30
TEXAS	1,020	19.35%	67.00%	0.29
SOUTH CAROLINA	217	19.05%	68.70%	0.28

STATE	COUNT	% OF CHILD PRISON POP.	OVERALL STATE PERCENTAGE	DISPARITY RATIO
NEW MEXICO	22	19.13%	70.20%	0.27
GEORGIA	193	15.45%	58.00%	0.27
LOUISIANA	377	16.56%	62.30%	0.27
MICHIGAN	117	21.12%	79.80%	0.26
NEBRASKA	26	22.22%	85.40%	0.26
ARIZONA	176	18.86%	73.70%	0.26
NORTH CAROLINA	206	17.47%	68.30%	0.26
NEVADA	50	18.25%	73.80%	0.25
MISSISSIPPI	105	13.64%	59.40%	0.23
TENNESSEE	145	17.24%	77.80%	0.22
NEW JERSEY	30	13.89%	63.50%	0.22
CONNECTICUT	33	15.71%	74.70%	0.21
PENNSYLVANIA	127	15.45%	80.40%	0.19
ALABAMA	41	12.13%	68.80%	0.18
NEW YORK	81	10.81%	62.00%	0.17
MARYLAND	108	9.54%	55.40%	0.17
ILLINOIS	87	8.87%	69.70%	0.13
CALIFORNIA	227	6.03%	54.60%	0.11
RHODE ISLAND	1	6.25%	78.40%	0.08
HAWAII	N/A	N/A	N/A	N/A
ALASKA	N/A	N/A	N/A	N/A
DELAWARE	N/A	N/A	N/A	N/A
NEW HAMPSHIRE	N/A	N/A	N/A	N/A
VERMONT	N/A	N/A	N/A	N/A
VIRGINIA	N/A	N/A	N/A	N/A

STATE DATA SNAPSHOT

*An Examination of the Mass Incarceration of
Children Sentenced as Adults in Every U.S. State*



ALABAMA

Total Incarcerated Children

338 (5 girls, 333 boys)

Percentage of State Prison Population

1.26%

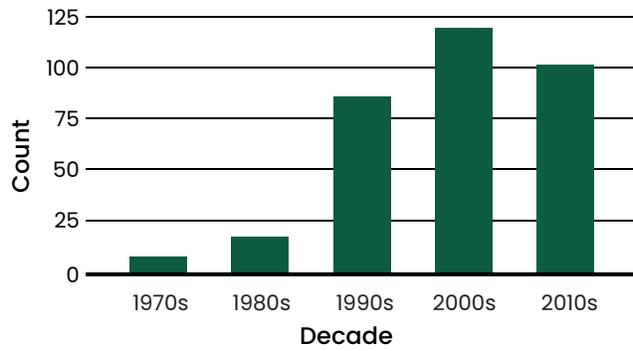
Annual Cost

\$4,955,640.00⁹⁴

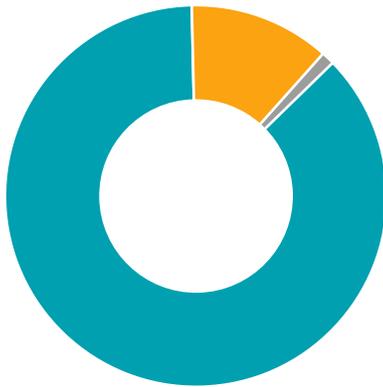
Cost of Incarcerations for Sentence Duration

\$139,978,424.00⁹⁵

Trends Over Time



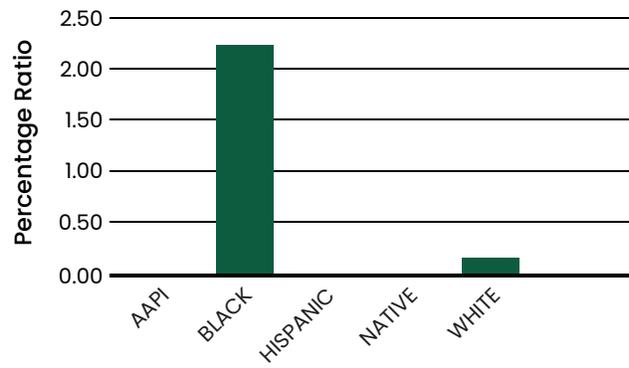
Race/Ethnicity Breakdown



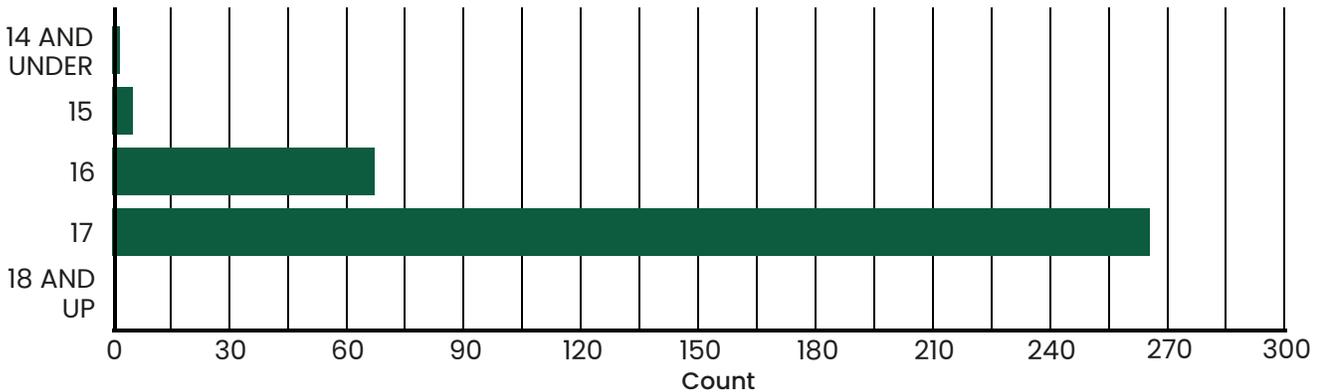
- BLACK
295 (87.3%)
- OTHER
2 (0.6%)
- WHITE
41 (12.1%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

110 (32.6%)

De Facto Life Sentences:

16 (4.7%)

Average Sentence Length:

23.62 years

(20.9 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	23.62	3	99
BLACK	23.39	3	99
OTHER	22.08	14.17	30
WHITE	25.74	10	99

ALASKA

Alaska did not respond to our request for data, and as such they are not represented in our study.

ARIZONA

Total Incarcerated Children

933 (41 girls, 892 boys)

Percentage of State Prison Population

2.28%

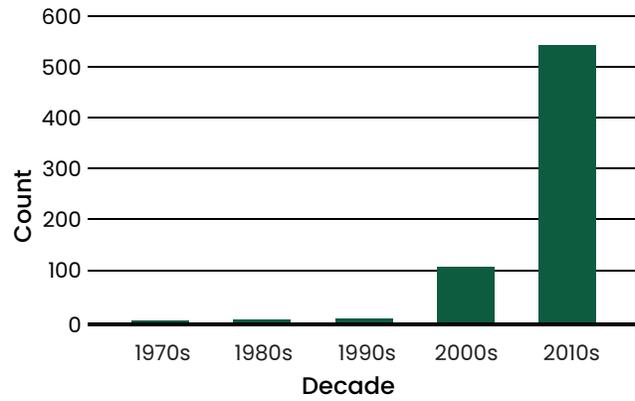
Annual Cost

\$23,695,401.00⁹⁶

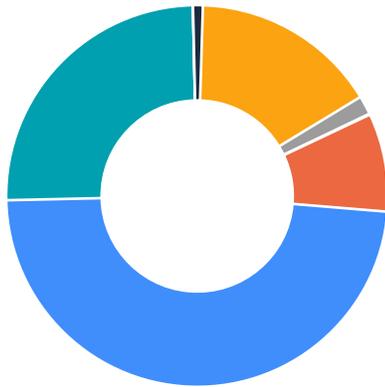
Cost of Incarcerations for Sentence Duration

\$314,840,259.75⁹⁷

Trends Over Time



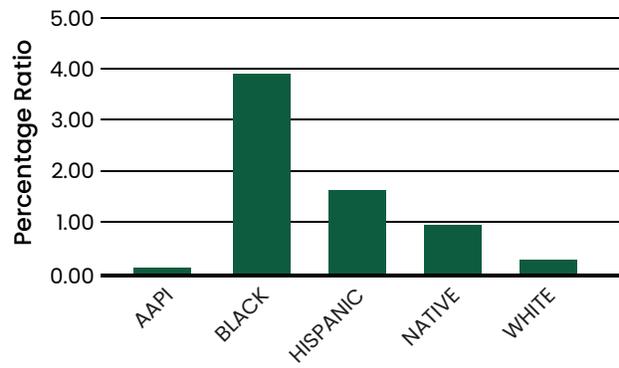
Race/Ethnicity Breakdown



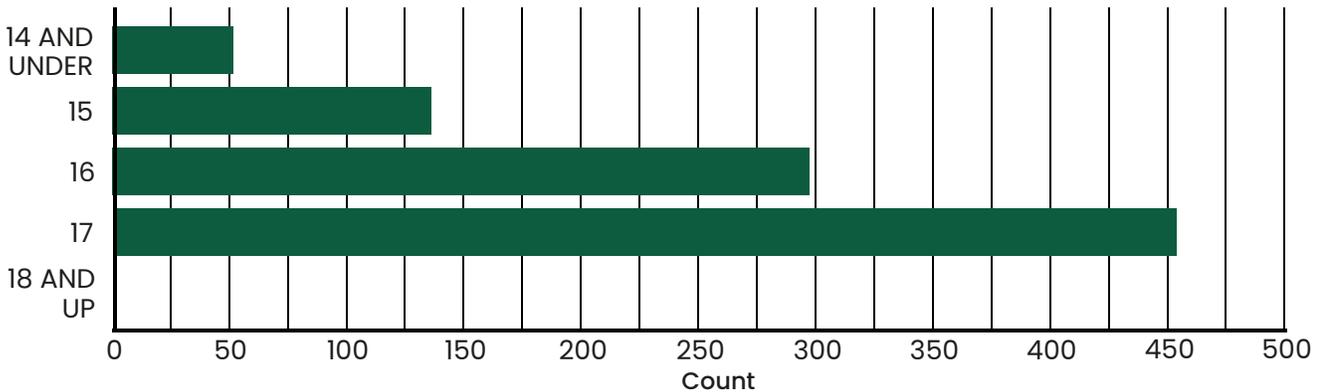
- AAPI
7 (0.8%)
- BLACK
226 (24.2%)
- HISPANIC
461 (49.4%)
- NATIVE
47 (5.0%)
- OTHER
16 (1.7%)
- WHITE
176 (18.9%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

138 (14.79%)

De Facto Life Sentences:

0

Average Sentence Length:

8.65 years

(8.65 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	8.65	0.33	30.00
AAPI	11.25	6.50	16.00
BLACK	8.00	0.33	25.00
HISPANIC	8.76	0.50	25.00
NATIVE	8.46	1.25	22.00
OTHER	10.60	2.50	25.00
WHITE	9.00	1.00	30.00

ARKANSAS

Total Incarcerated Children

532 (12 girls, 520 boys)

Percentage of State Prison Population

3%

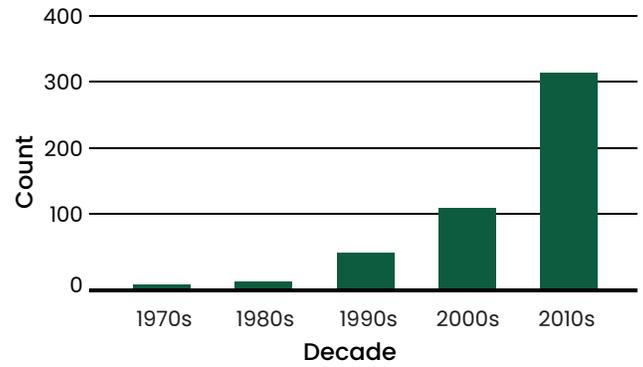
Annual Cost

\$11,126,780.00⁹⁸

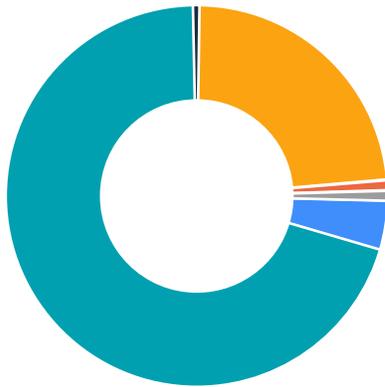
Cost of Incarcerations for Sentence Duration

\$246,957,627.20⁹⁹

Trends Over Time



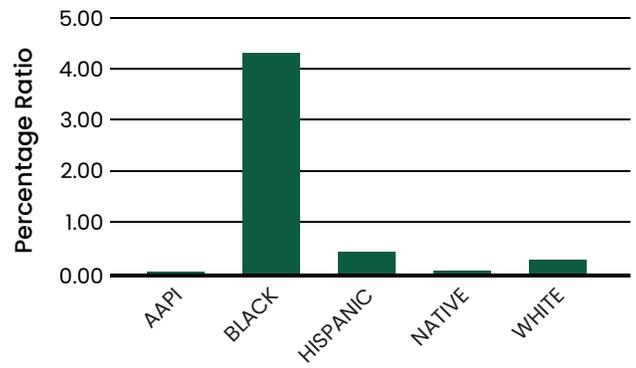
Race/Ethnicity Breakdown



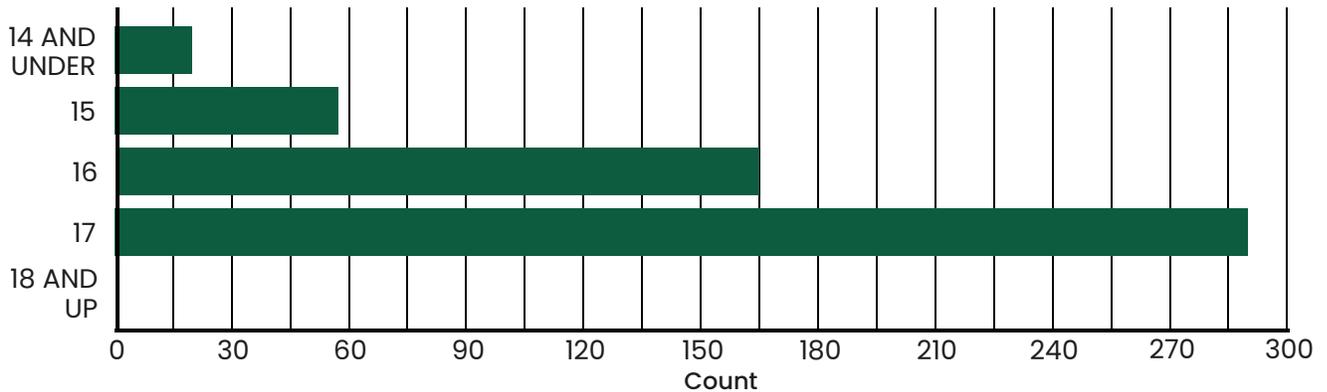
- AAPI
1 (0.2%)
- BLACK
380 (71.4%)
- HISPANIC
19 (3.6%)
- NATIVE
2 (0.4%)
- OTHER
1 (0.2%)
- WHITE
129 (24.2%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

34 (6.39%)

De Facto Life Sentences:

82 (15.41%)

Average Sentence Length:

22.38 years

(17.23 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	22.38	3.00	100.00
AAPI	20.00	20.00	20.00
BLACK	22.17	3.00	95.00
HISPANIC	17.91	6.00	30.00
NATIVE	45.00	45.00	45.00
OTHER	20.00	20.00	20.00

CALIFORNIA

Total Incarcerated Children

3,762 (no gender/sex data)

Percentage of State Prison Population

3.07%

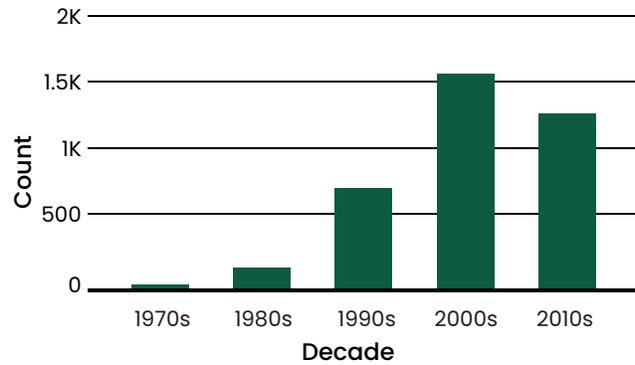
Annual Cost

\$243,183,204.00¹⁰⁰

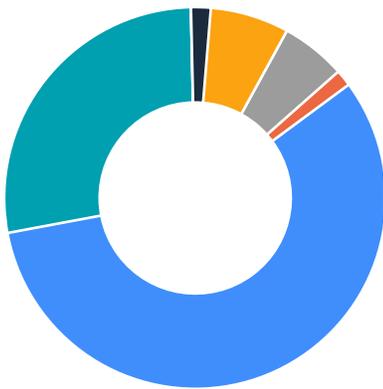
Cost of Incarcerations for Sentence Duration

\$7,271,953,503.60¹⁰¹

Trends Over Time



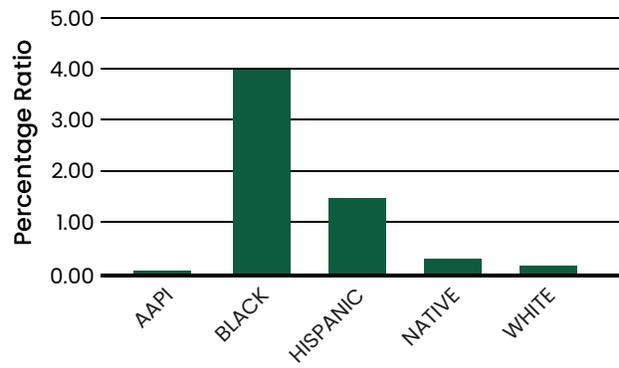
Race/Ethnicity Breakdown



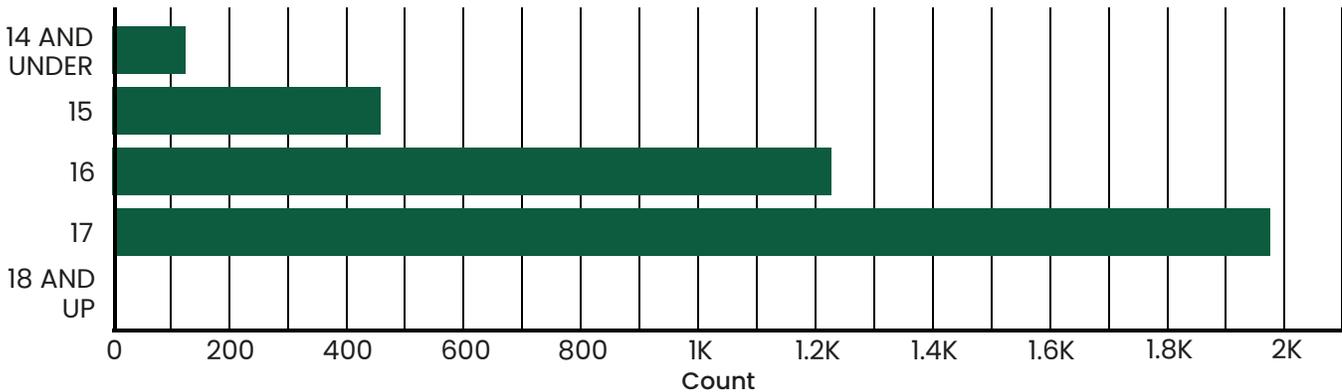
- AAPI
44 (1.2%)
- BLACK
1,067 (28.4%)
- HISPANIC
2,202 (58.5%)
- NATIVE
34 (0.9%)
- OTHER
188 (5.0%)
- WHITE
227 (6.0%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
2,025 (53.83%)

De Facto Life Sentences:
26 (0.69%)

Average Sentence Length:
18.23 years
(17.8 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	18.23	1.00	68.70
AAPI	19.85	9.00	37.67
BLACK	17.90	1.00	56.67
HISPANIC	19.63	1.00	68.67
NATIVE	13.74	5.00	24.00
OTHER	20.85	3.00	33.33
WHITE	16.32	1.00	51.00

COLORADO

Total Incarcerated Children

306 (9 girls, 297 boys)

Percentage of State Prison Population

1.55%

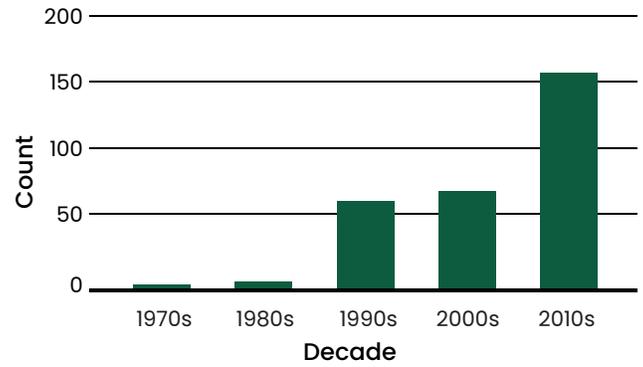
Annual Cost

\$12,026,718.00¹⁰²

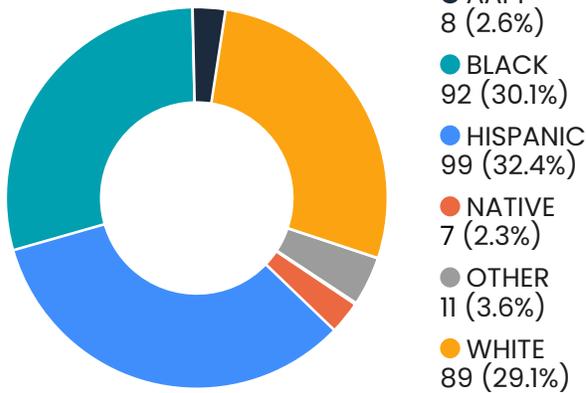
Cost of Incarcerations for Sentence Duration

\$276,284,368.80¹⁰³

Trends Over Time

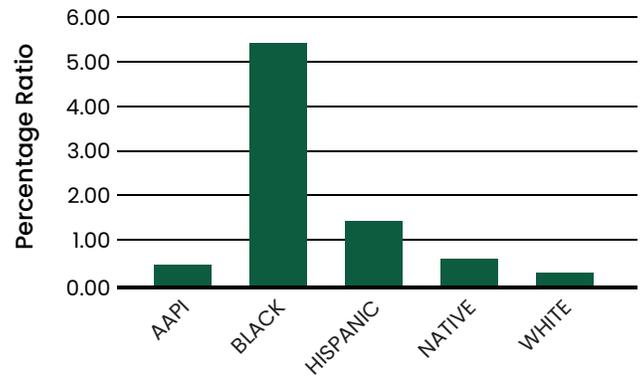


Race/Ethnicity Breakdown

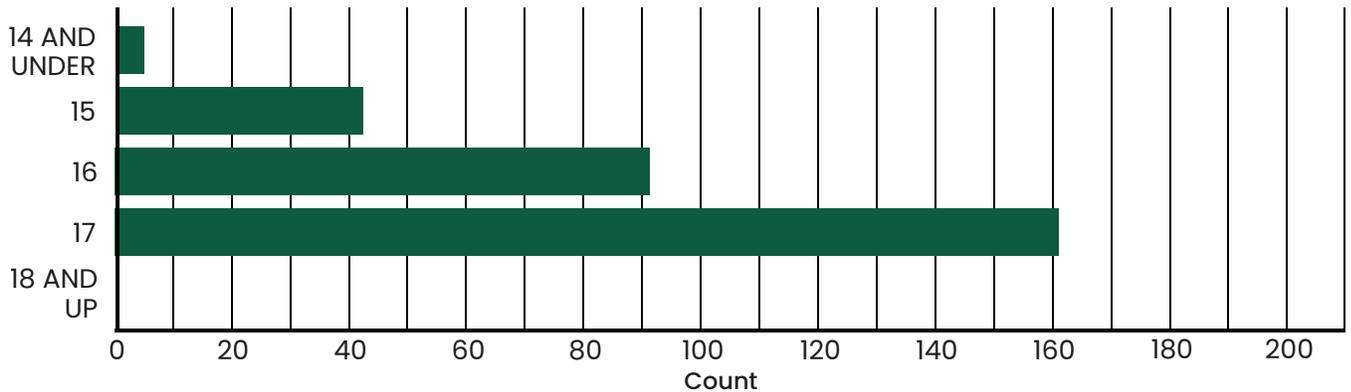


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

0

De Facto Life Sentences:

98 (32.03%)

Average Sentence Length:

187.97 years

(14.95 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	187.97	2.00	995.20
AAPI	409.76	6.90	995.20
BLACK	216.69	3.90	995.20
HISPANIC	136.28	2.00	995.20
NATIVE	158.06	5.90	885.50
OTHER	14.88	2.00	47.30
WHITE	219.58	2.00	995.20

CONNECTICUT

Total Incarcerated Children

210 (11 girls, 199 boys)

Percentage of State Prison Population

2.4%

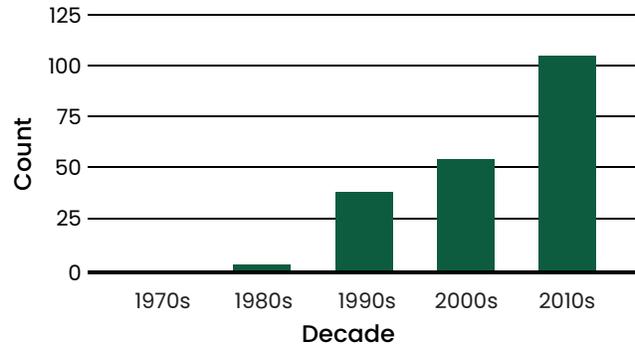
Annual Cost

\$13,053,390.00¹⁰⁴

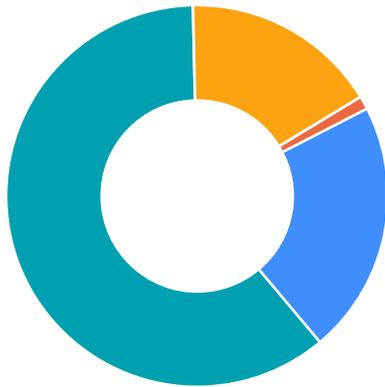
Cost of Incarcerations for Sentence Duration

\$256,492,897.60¹⁰⁵

Trends Over Time



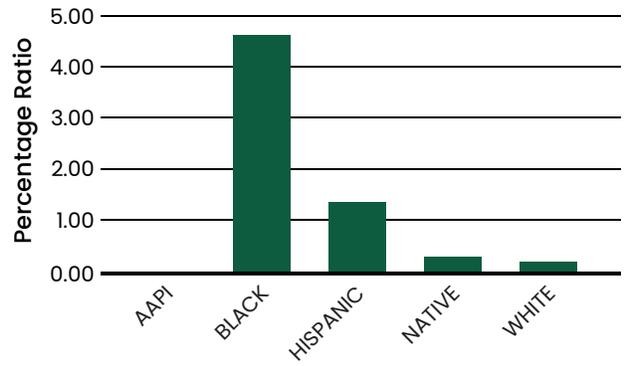
Race/Ethnicity Breakdown



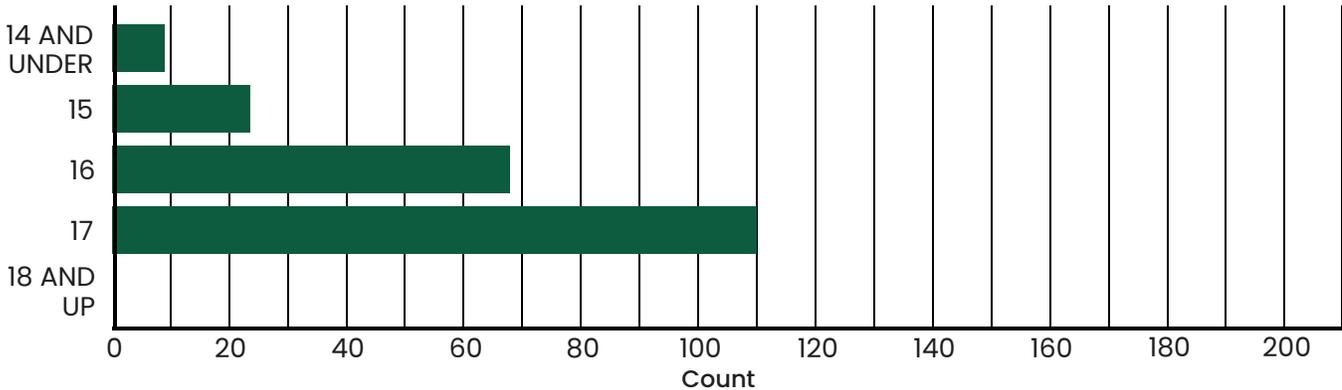
- BLACK
128 (61%)
- HISPANIC
48 (22.9%)
- NATIVE
1 (0.5%)
- WHITE
33 (15.7%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

0

De Facto Life Sentences:

50 (23.81%)

Average Sentence Length:

29.84 years

(14.95 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	29.84	0.75	1,010
BLACK	34.15	1.00	1,010
HISPANIC	31.43	0.75	260.00
NATIVE	4.50	4.50	4.50
WHITE	11.56	1.00	60.00

DISTRICT OF COLUMBIA

The District of Columbia did not respond to our request for data, and as such they are not represented in our study. Accordingly, anybody incarcerated in the federal system is not accounted for as well.

DELAWARE

Delaware did not respond to our request for data, and as such they are not represented in our study.

FLORIDA

Total Incarcerated Children

2,638 (91 girls, 2,547 boys)

Percentage of State Prison Population

2.75%

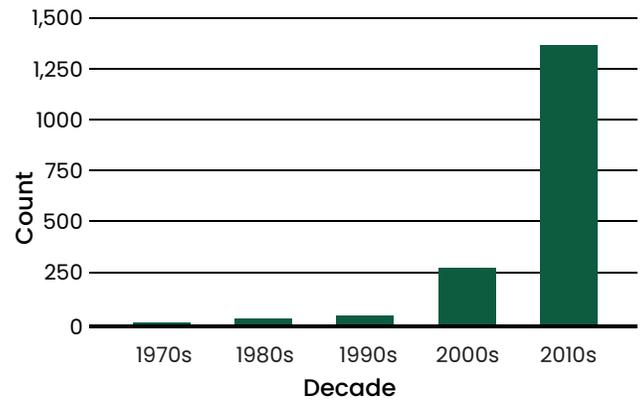
Annual Cost

\$50,304,022.00¹⁰⁶

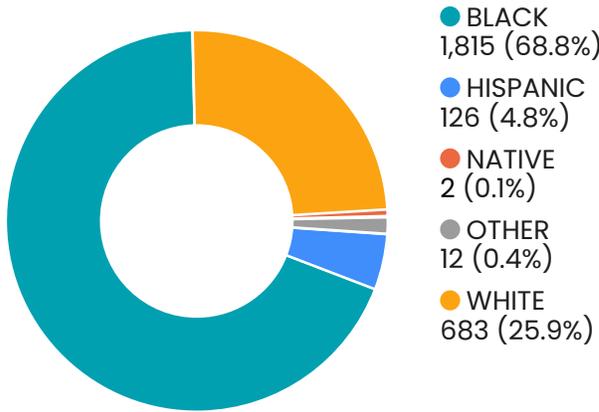
Cost of Incarcerations for Sentence Duration

\$1,034,592,790.18¹⁰⁷

Trends Over Time

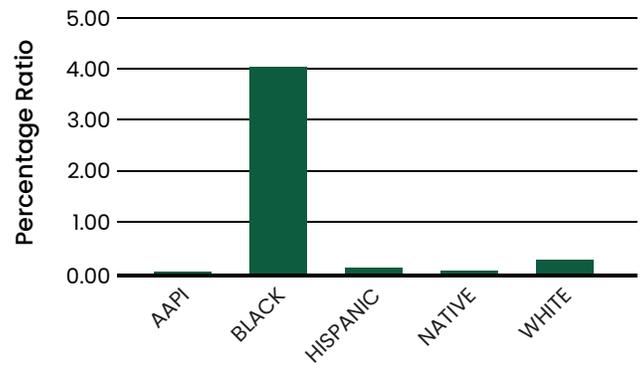


Race/Ethnicity Breakdown

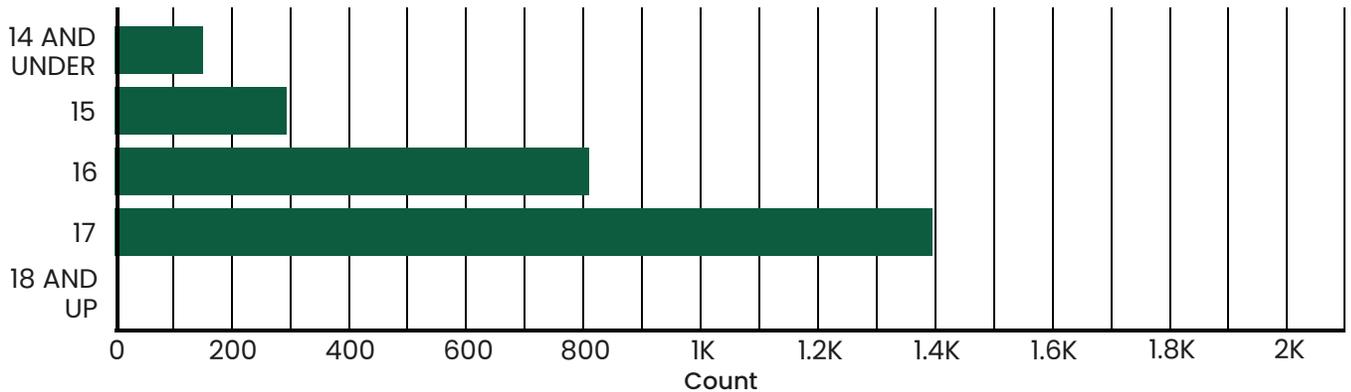


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

329 (12.47%)

De Facto Life Sentences:

251 (9.51%)

Average Sentence Length:

19.21 years

(15.09 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	19.21	1.00	1,000.00
BLACK	19.47	1.00	1,000.00
HISPANIC	19.91	3.00	75.00
NATIVE	15.50	15.00	16.00
OTHER	21.05	1.58	40.00
WHITE	18.31	1.27	155.00

GEORGIA

Total Incarcerated Children

1,249 (65 girls, 1,184 boys)

Percentage of State Prison Population

2.31%

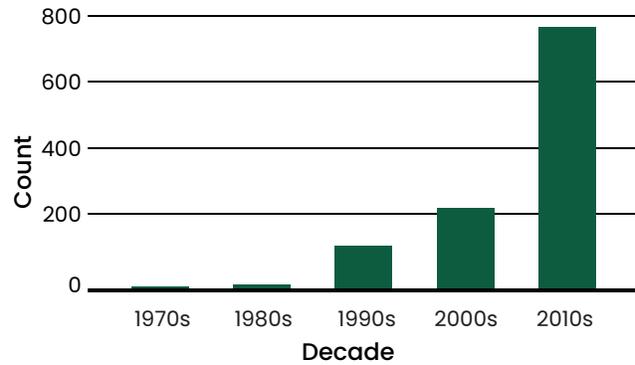
Annual Cost

\$24,951,273.00¹⁰⁸

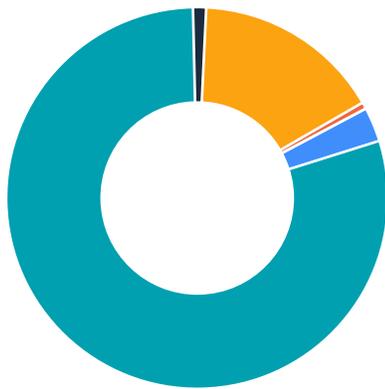
Cost of Incarcerations for Sentence Duration

\$724,305,333.25¹⁰⁹

Trends Over Time



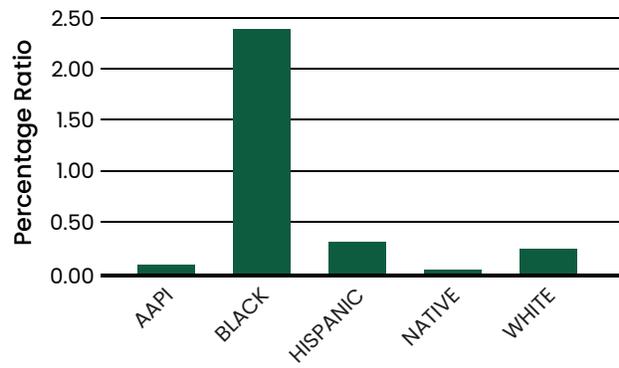
Race/Ethnicity Breakdown



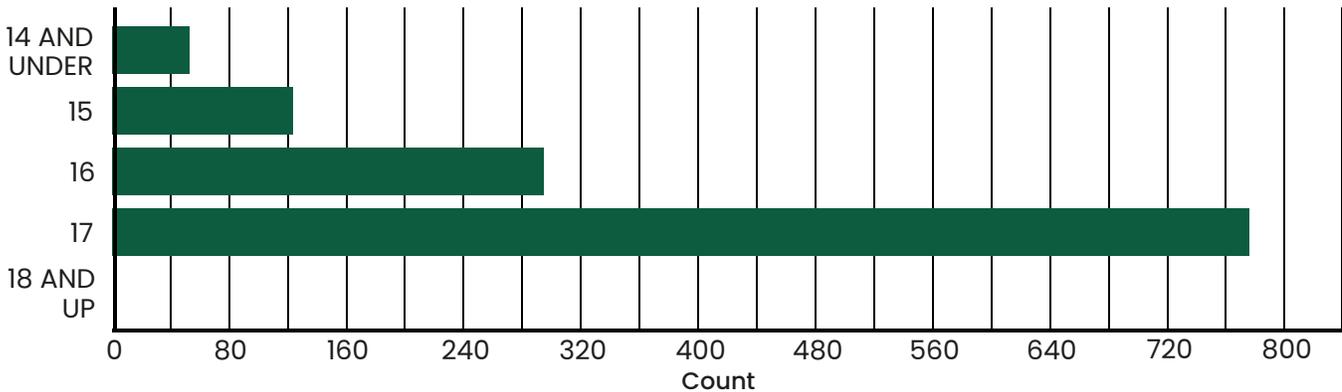
- AAPI
7 (0.6%)
- BLACK
1,000 (80.1%)
- HISPANIC
48 (3.8%)
- NATIVE
1 (0.1%)
- WHITE
193 (15.5%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
356 (28.50%)

De Facto Life Sentences:
218 (17.45%)

Average Sentence Length:
28.7 years
(20.07 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	28.70	2.00	185.00
AAPI	47.50	45.00	50.00
BLACK	28.59	2.00	185.00
HISPANIC	37.44	3.00	152.00
WHITE	26.81	2.00	90.00

HAWAII

Total Incarcerated Children

5 (no gender/sex breakdown)

Percentage of State Prison Population

0.16%

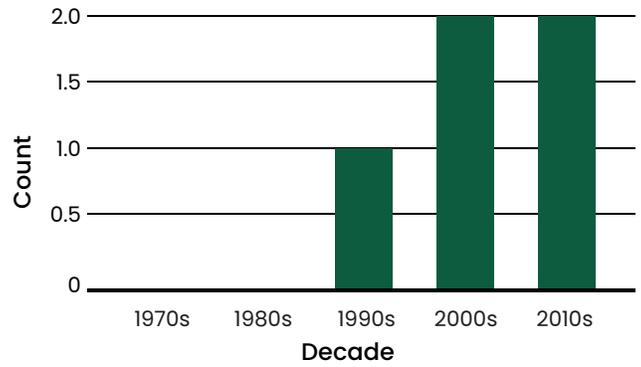
Annual Cost

\$147,125.00¹¹⁰

Cost of Incarcerations for Sentence Duration

\$4,708,000.00¹¹¹

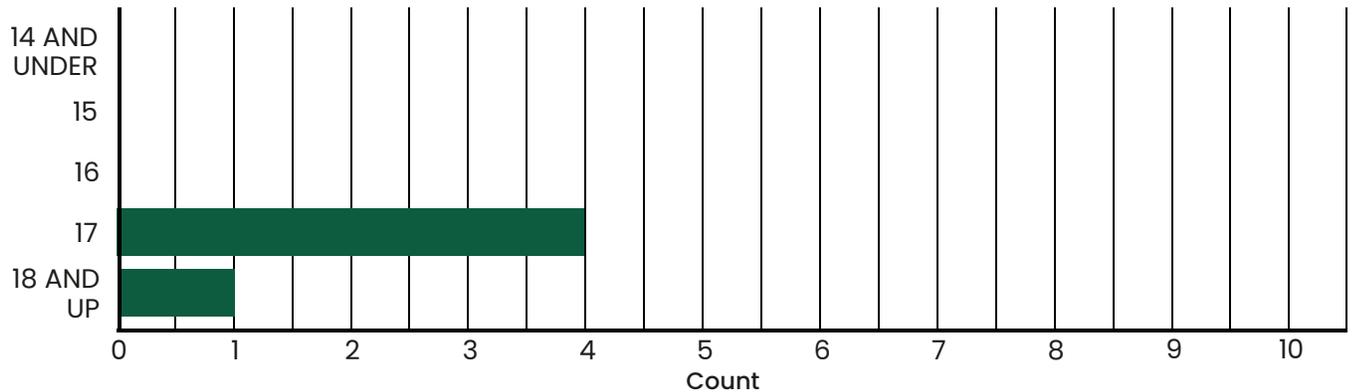
Trends Over Time



Race/Ethnicity Breakdown

No race/ethnicity data provided.

Age Breakdown



Sentencing

Life Sentences:

3 (60%)

De Facto Life Sentences:

0

Average Sentence Length:

20 years¹¹²

RACE/ETHNICITY	LIFE W/O PAROLE	NUMBERED SENTENCES
ALL	3	2

IDAHO

Total Incarcerated Children

21 (0 girls, 21 boys)

Percentage of State Prison Population

0.22%

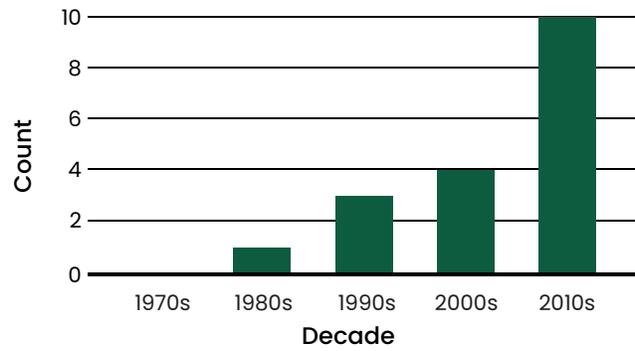
Annual Cost

\$465,822.00¹¹³

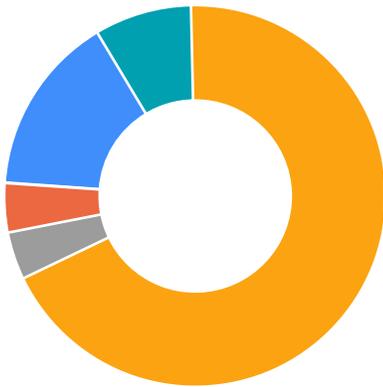
Cost of Incarcerations for Sentence Duration

\$11,728,067.04¹¹⁴

Trends Over Time



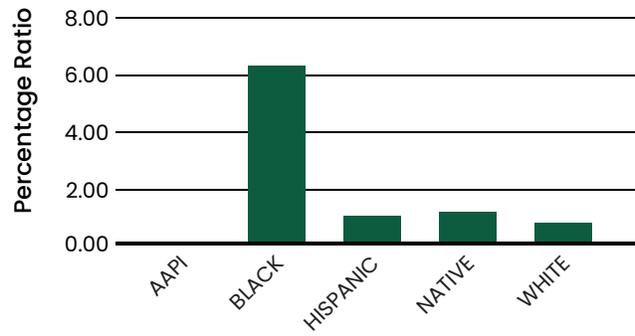
Race/Ethnicity Breakdown



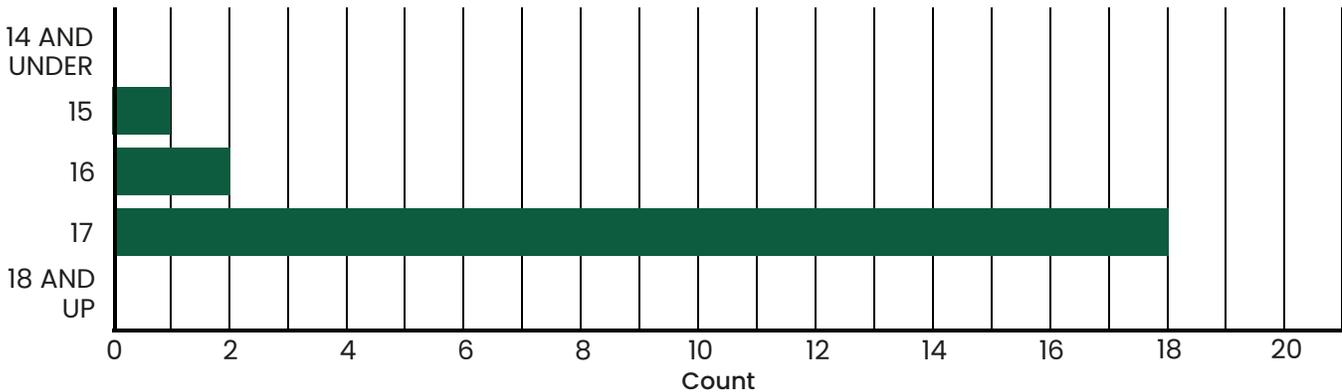
- BLACK 2 (9.5%)
- HISPANIC 3 (14.3%)
- NATIVE 1 (4.8%)
- OTHER 1 (4.8%)
- WHITE 14 (66.7%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
9 (42.86%)

De Facto Life Sentences:
0

Average Sentence Length:
14.06 years

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	14.06	5.70	28.80
BLACK	9.08	8.60	9.60
HISPANIC	7.58	5.70	9.50
NATIVE	14.67	14.70	14.70
OTHER	14.50	14.50	14.50
WHITE	17.69	7.40	28.80

ILLINOIS

Total Incarcerated Children

981 (19 girls, 962 boys)

Percentage of State Prison Population

2.56%

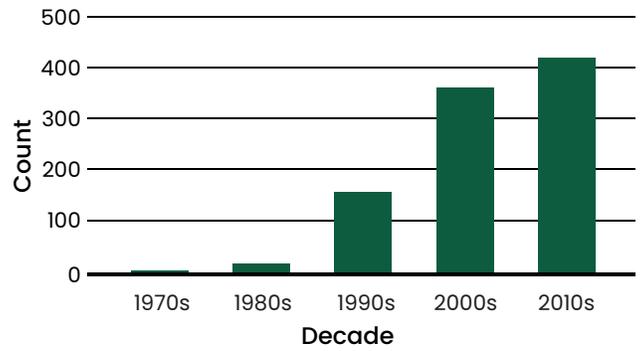
Annual Cost

\$32,870,367.00¹¹⁵

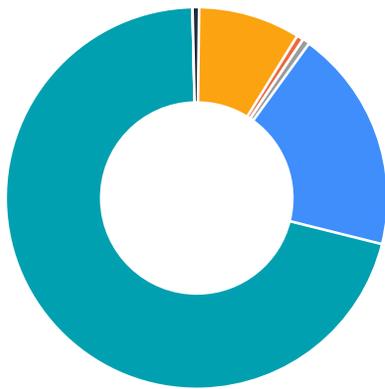
Cost of Incarcerations for Sentence Duration

\$912,884,477.13¹¹⁶

Trends Over Time



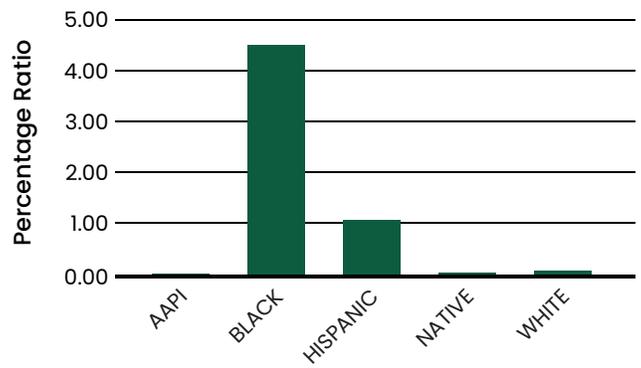
Race/Ethnicity Breakdown



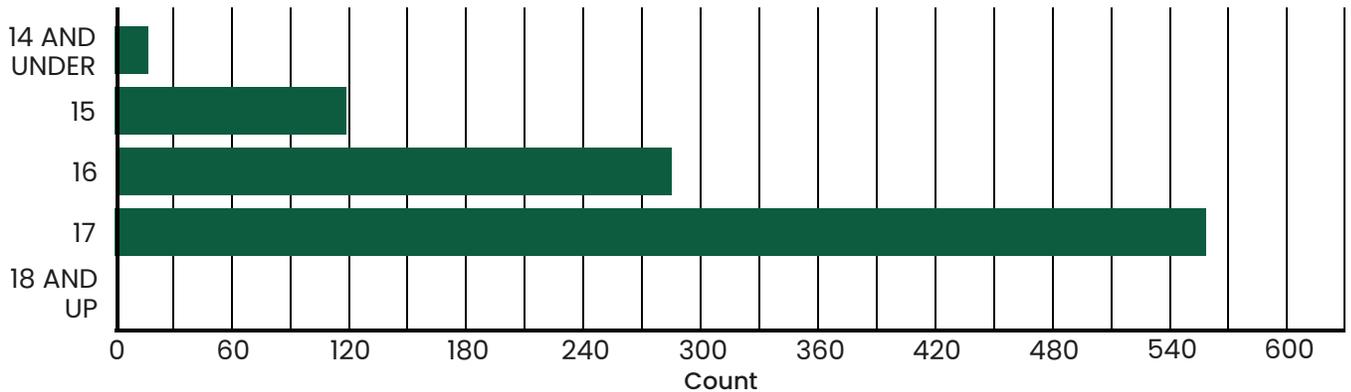
- AAPI
2 (0.2%)
- BLACK
693 (70.6%)
- HISPANIC
195 (19.9%)
- NATIVE
1 (0.1%)
- OTHER
3 (0.3%)
- WHITE
87 (8.9%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

22 (2.2%)

De Facto Life Sentences:

242 (24.67%)

Average Sentence Length:

31.58 years
(23.27 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	31.58	4.00	199.00
AAPI	24.28	19.15	29.41
BLACK	31.45	4.00	199.00
HISPANIC	30.35	7.58	75.00
NATIVE	28.67	28.67	28.67
OTHER	17.87	8.00	35.63
WHITE	36.47	8.00	39.00

INDIANA

Total Incarcerated Children

214 (2 girls, 212 boys)

Percentage of State Prison Population

0.79%

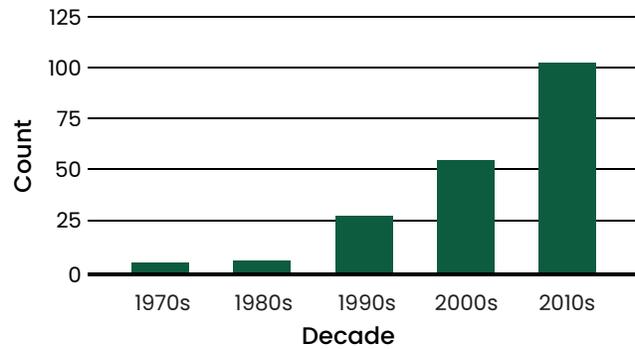
Annual Cost

\$3,865,910.00¹¹⁷

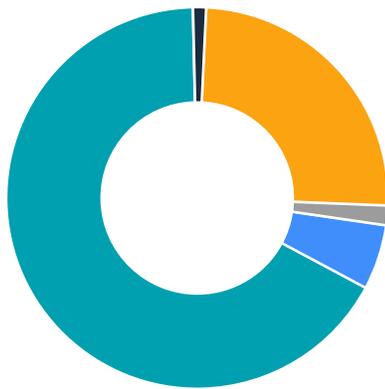
Cost of Incarcerations for Sentence Duration

\$115,183,523.90¹¹⁸

Trends Over Time



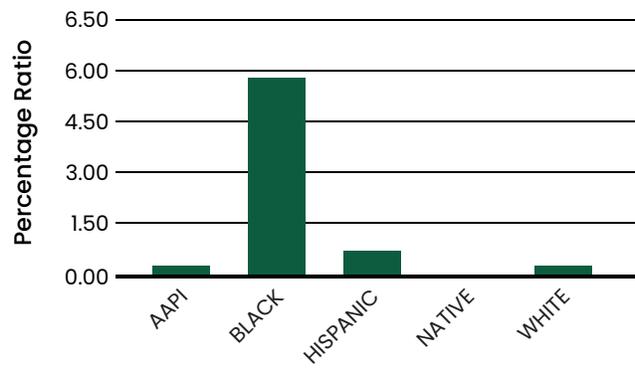
Race/Ethnicity Breakdown



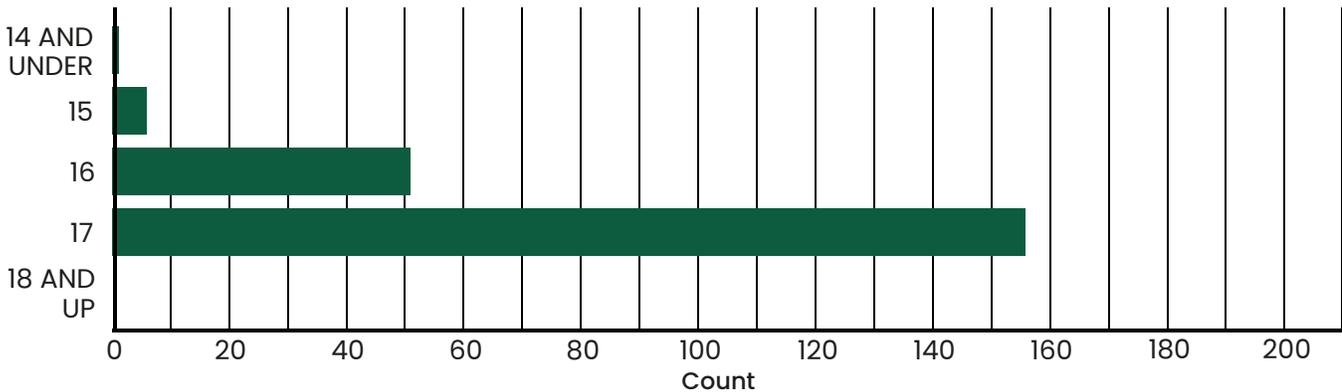
- AAPI
2 (0.8%)
- BLACK
142 (66.4%)
- HISPANIC
13 (6.1%)
- OTHER
4 (1.9%)
- WHITE
53 (24.8%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

22 (10.28%)

De Facto Life Sentences:

93 (43.5%)

Average Sentence Length:

43.58 years

(17.94 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	43.58	0.20	195.00
AAPI	56.00	11.00	101.00
BLACK	42.95	0.60	195.00
HISPANIC	40.41	0.50	97.00
OTHER	13.33	4.00	30.00
WHITE	47.50	0.20	135.00

IOWA

Total Incarcerated Children

353 (13 girls, 340 boys)

Percentage of State Prison Population

3.81%

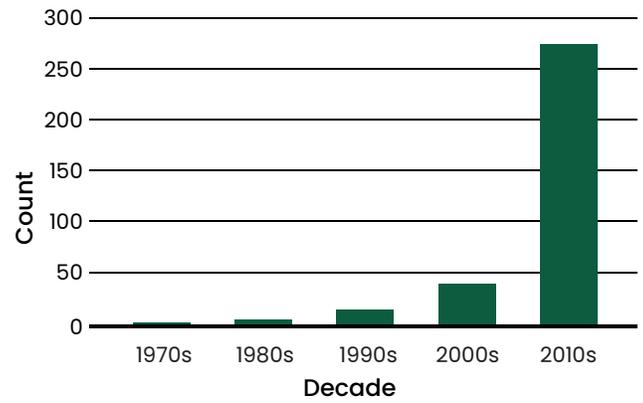
Annual Cost

\$13,381,524.00¹¹⁹

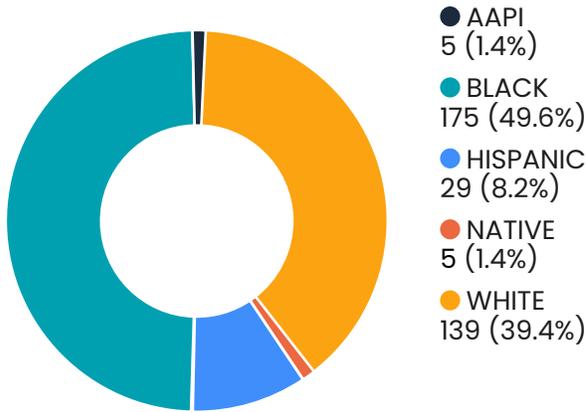
Cost of Incarcerations for Sentence Duration

\$298,903,063.68¹²⁰

Trends Over Time

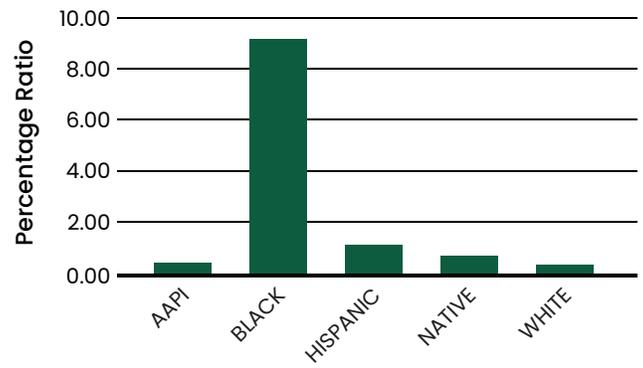


Race/Ethnicity Breakdown

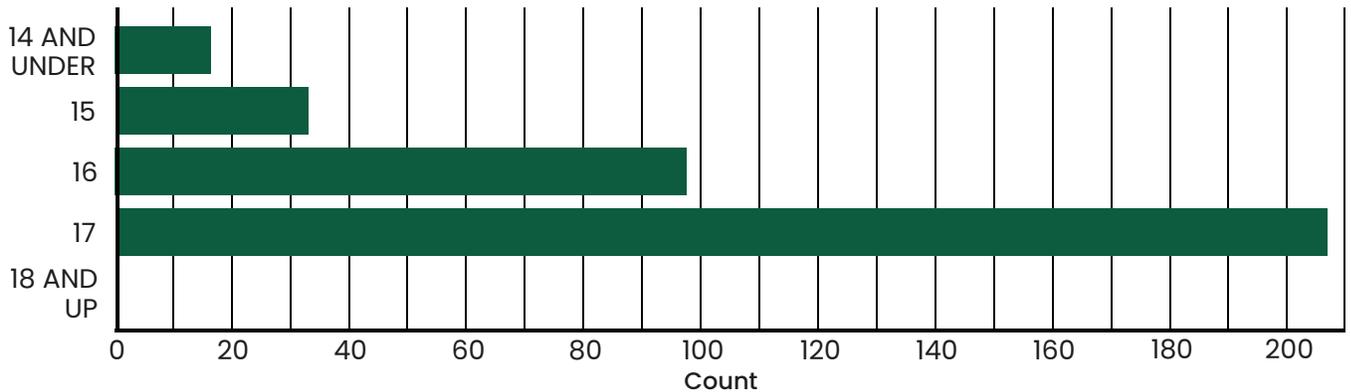


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

43 (12.19%)

De Facto Life Sentences:

44 (12.46%)

Average Sentence Length:

22.07 years

(16.56 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	22.07	4.00	100.00
AAPI	23.75	10.00	50.00
BLACK	21.63	5.00	80.00
HISPANIC	28.70	5.00	75.00
NATIVE	15.25	10.00	26.00
WHITE	21.55	4.00	100.00

KANSAS

Total Incarcerated Children

188 (4 girls, 184 boys)

Percentage of State Prison Population

1.89%

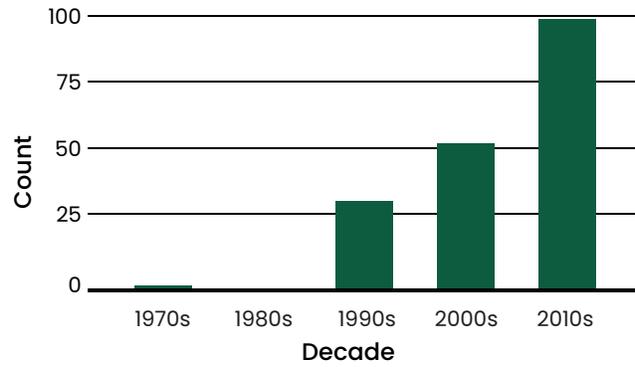
Annual Cost

\$4,608,068.00¹²¹

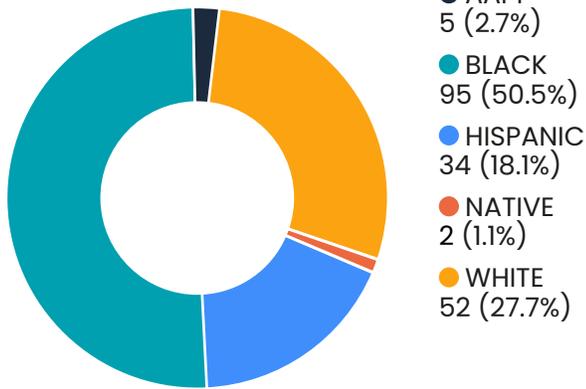
Cost of Incarcerations for Sentence Duration

\$83,012,629.25¹²²

Trends Over Time

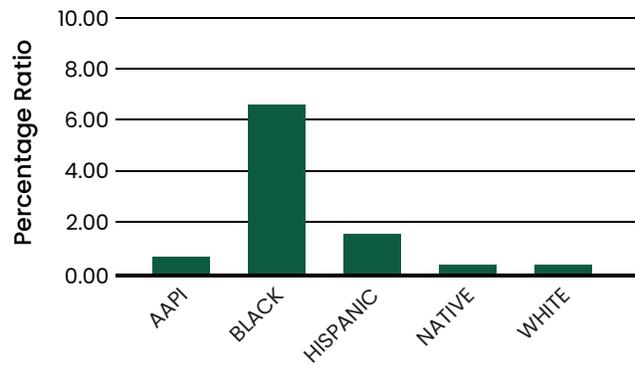


Race/Ethnicity Breakdown

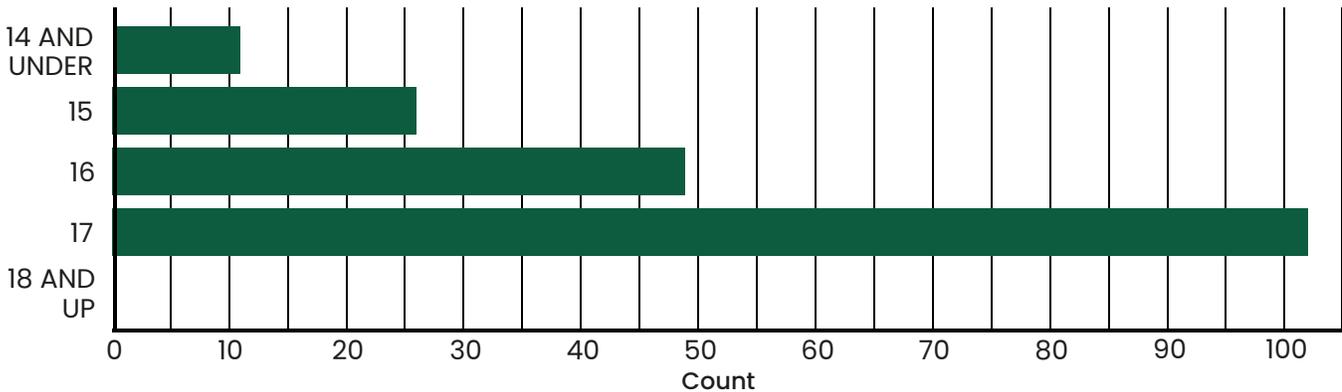


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

8 (4.26%)

De Facto Life Sentences:

15 (7.98%)

Average Sentence Length:

17.61 years

(14.95 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	17.61	2.42	51.50
AAPI	19.90	15.83	27.08
BLACK	18.22	2.75	51.50
HISPANIC	17.52	4.17	50.00
NATIVE	9.50	6.75	12.25
WHITE	16.67	2.42	50.00

KENTUCKY

Total Incarcerated Children

11 (0 girls, 11 boys)¹²³

Percentage of State Prison Population

0.05%

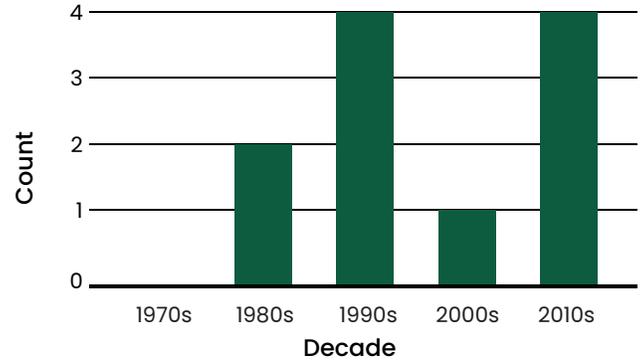
Annual Cost

\$183,491.00¹²⁴

Cost of Incarcerations for Sentence Duration

\$4,111,532.88¹²⁵

Trends Over Time



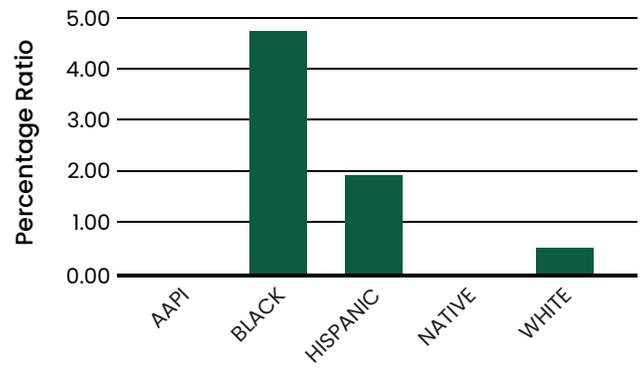
Race/Ethnicity Breakdown



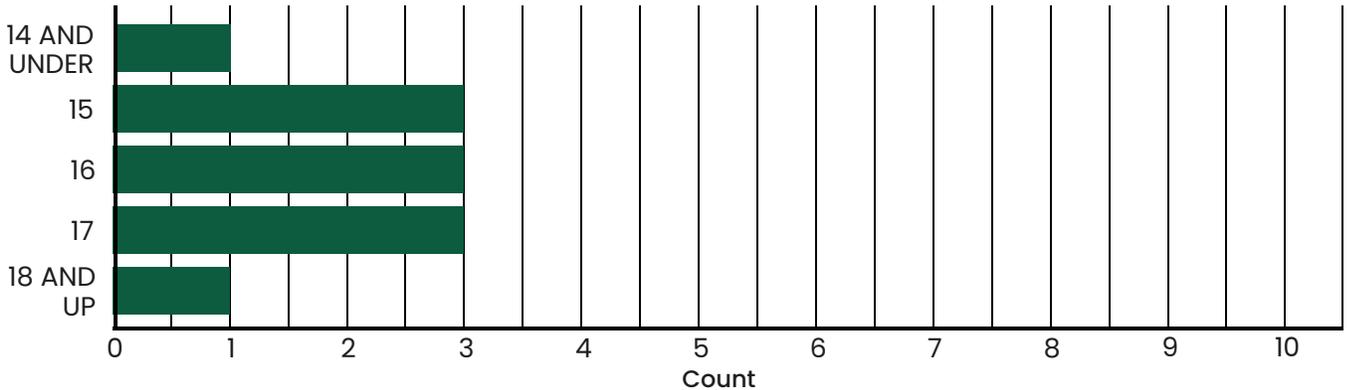
- BLACK
5 (45.5%)
- HISPANIC
1 (9.1%)
- WHITE
5 (45.5%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

0

De Facto Life Sentences:

3 (27.27%)

Average Sentence Length:

15.81 years

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	16.04	2.00	30.00
BLACK	12.30	2.00	22.00
HISPANIC	10.00	5.00	15.00
WHITE	19.00	10.00	30.00

LOUISIANA

Total Incarcerated Children

2,277 (37 girls, 2,240 boys)

Percentage of State Prison Population

7.2%

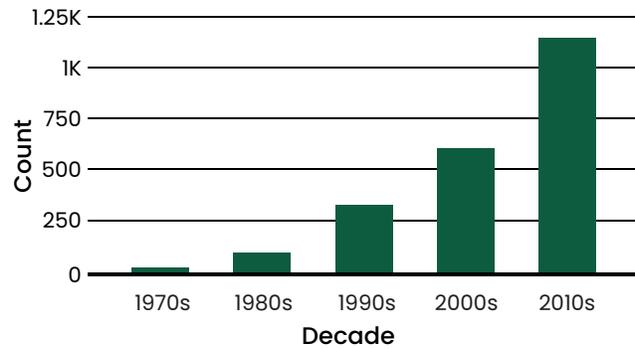
Annual Cost

\$37,003,527.00¹²⁶

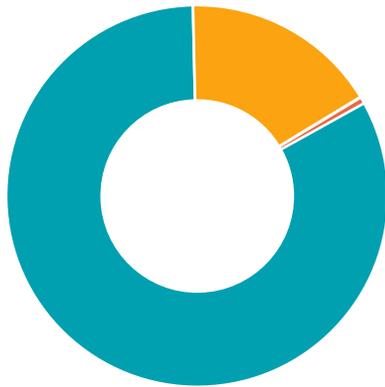
Cost of Incarcerations for Sentence Duration

\$773,440,993.44¹²⁷

Trends Over Time



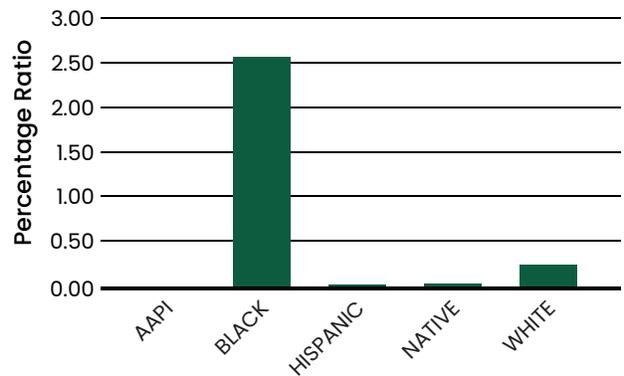
Race/Ethnicity Breakdown



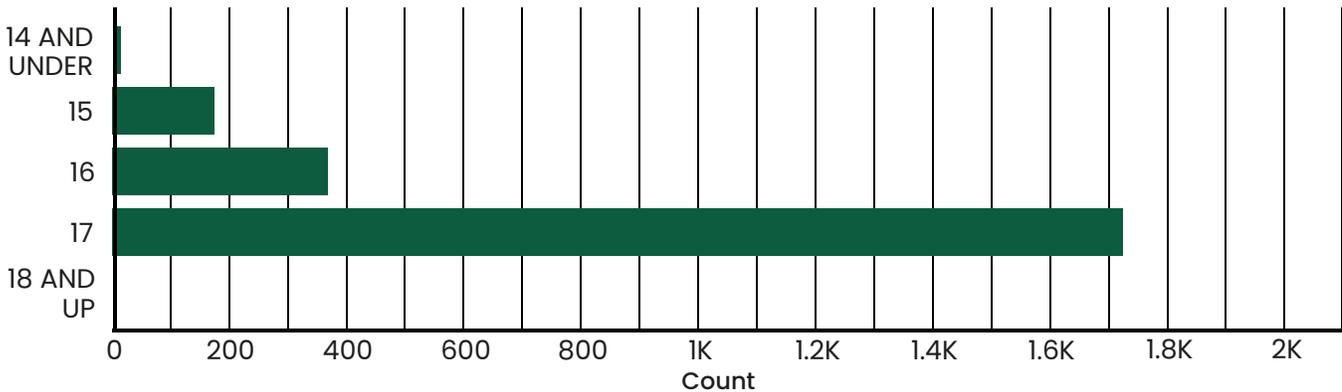
- BLACK
1,896 (83.3%)
- NATIVE
2 (0.1%)
- WHITE
377 (16.6%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
387 (17%)

De Facto Life Sentences:
230 (81.77%)

Average Sentence Length:
19.49 years
(13.74 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	19.49	0.78	299.00
BLACK	19.95	0.78	299.00
HISPANIC	6.00	2.00	10.00
NATIVE	20.00	20.00	20.00
WHITE	17.22	1.00	109.82

MAINE

Total Incarcerated Children

5 (0 girls, 5 boys)

Percentage of State Prison Population

0.23%

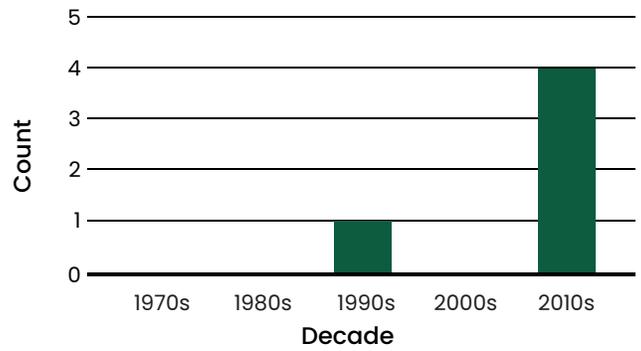
Annual Cost

\$218,865.00¹²⁸

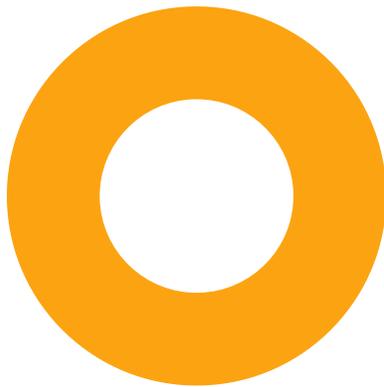
Cost of Incarcerations for Sentence Duration

\$4,596,165.00¹²⁹

Trends Over Time



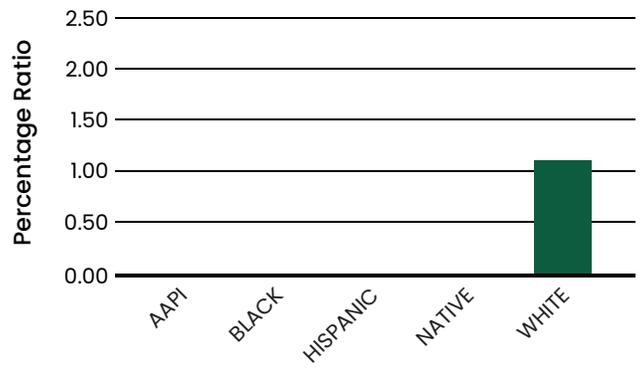
Race/Ethnicity Breakdown



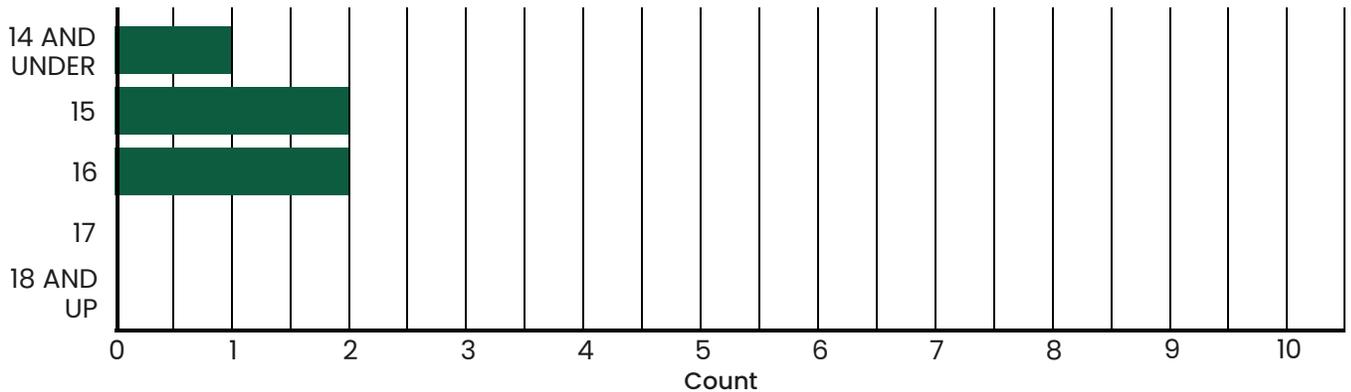
● WHITE
5 (100%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

0

De Facto Life Sentences:

0

Average Sentence Length:

21 years

MARYLAND

Total Incarcerated Children

1,132 (no gender/sex breakdown)

Percentage of State Prison Population

6.09%

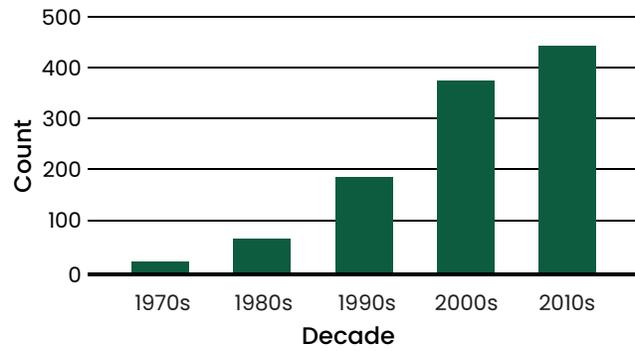
Annual Cost

\$50,488,332.00¹³⁰

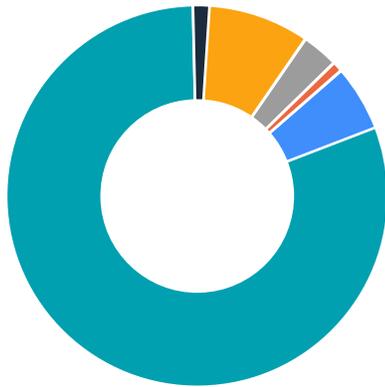
Cost of Incarcerations for Sentence Duration

\$1,307,921,648.94¹³¹

Trends Over Time



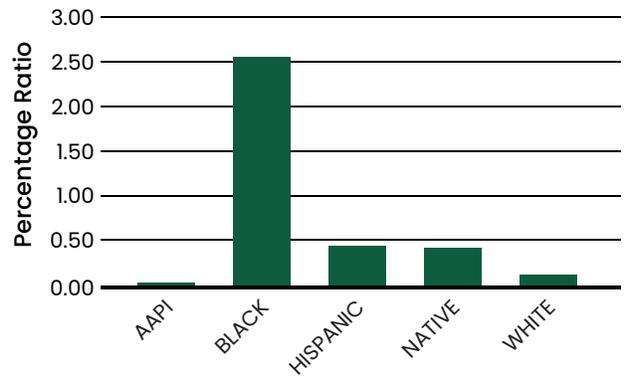
Race/Ethnicity Breakdown



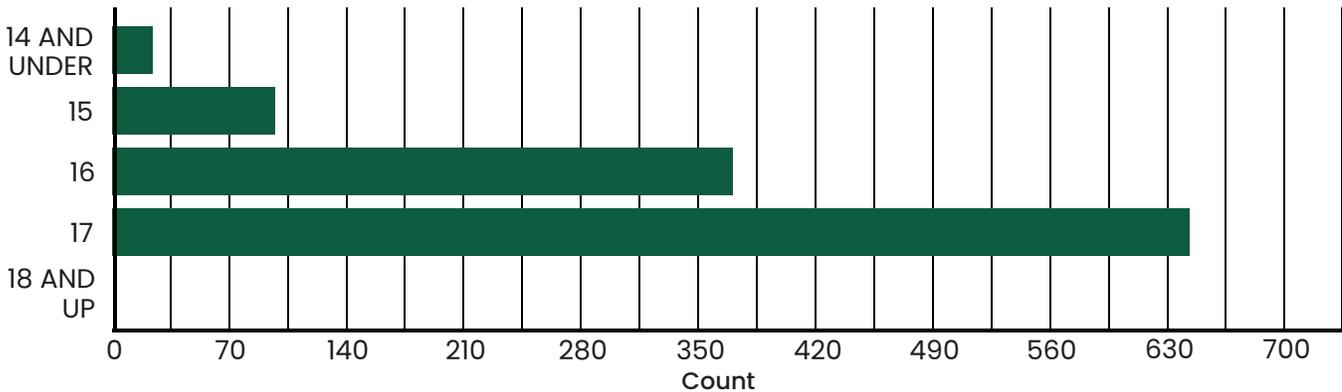
- AAPI
8 (0.7%)
- BLACK
920 (81.3%)
- HISPANIC
60 (5.3%)
- NATIVE
5 (0.4%)
- OTHER
31 (2.7%)
- WHITE
108 (9.5%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
224 (19.79%)

De Facto Life Sentences:
214 (18.9%)

Average Sentence Length:¹³²
25.69 years
(17.01 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	25.69	2.36	236.00
AAPI	22.63	7.00	40.00
BLACK	25.44	2.36	124.54
HISPANIC	24.81	3.00	55.00
NATIVE	75.99	10.00	236.00
OTHER	28.91	13.00	50.00
WHITE	25.20	3.00	90.01

MASSACHUSETTS

Total Incarcerated Children

182 (2 girls, 180 boys)

Percentage of State Prison Population

2.22%

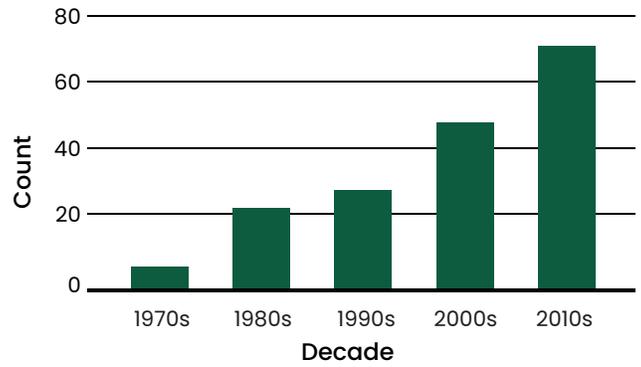
Annual Cost

\$10,040,940.00¹³³

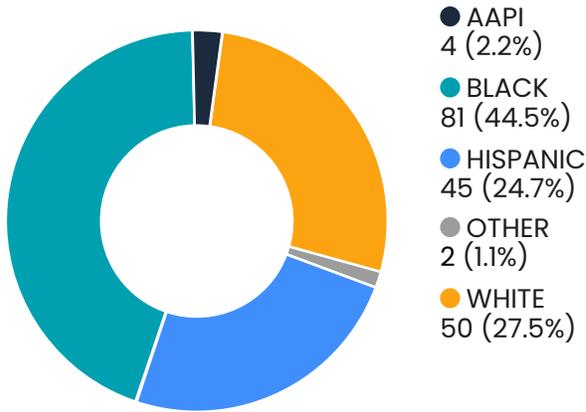
Cost of Incarcerations for Sentence Duration

\$275,863,240.80¹³⁴

Trends Over Time

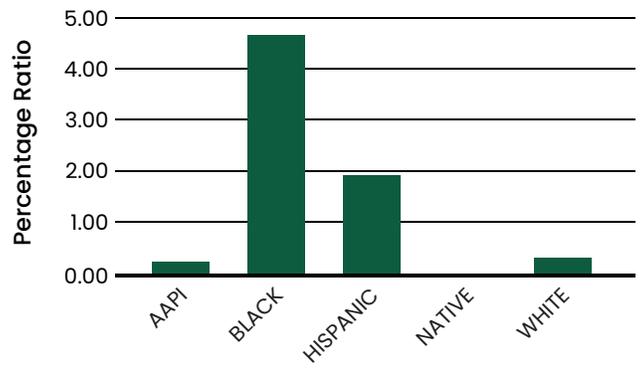


Race/Ethnicity Breakdown

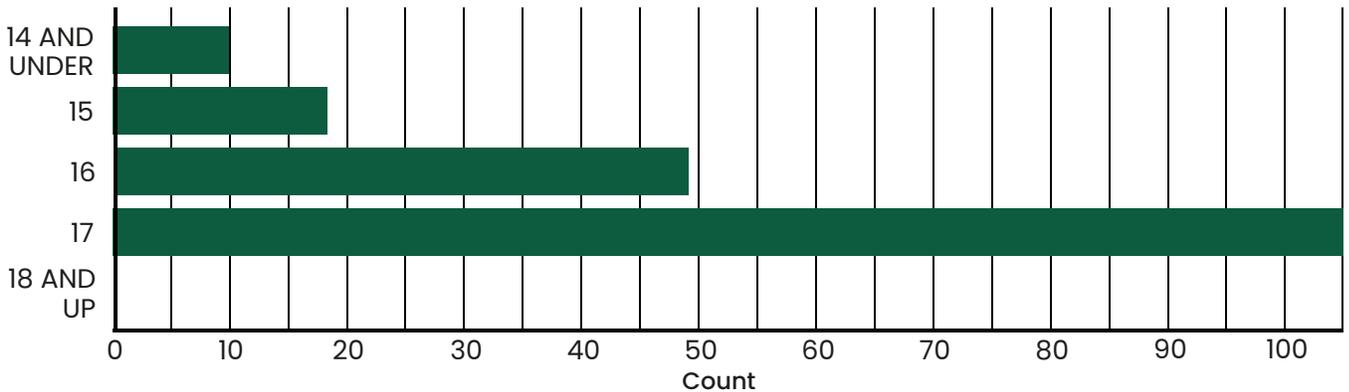


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

96 (52.75%)

De Facto Life Sentences:

2 (1.10%)

Average Sentence Length:

13.72 years

(12.86 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	13.72	2.00	60.00
AAPI	20.00	20.00	20.00
BLACK	13.42	2.00	60.00
HISPANIC	13.93	4.00	25.00
WHITE	13.84	3.00	40.00

MICHIGAN

Total Incarcerated Children

554 (8 girls, 546 boys)¹³⁵

Percentage of State Prison Population

1.7%

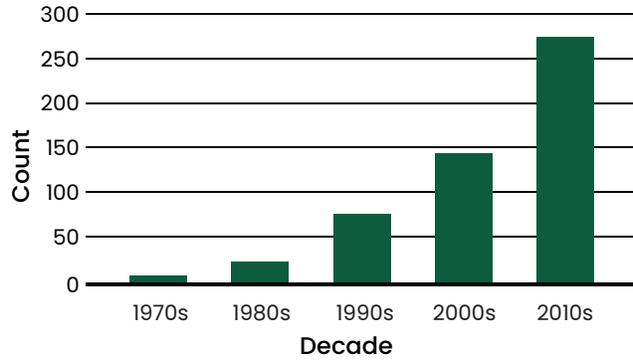
Annual Cost

\$19,838,186.00¹³⁶

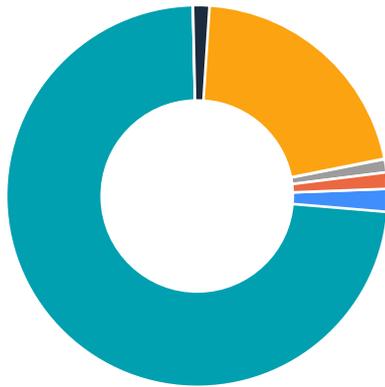
Cost of Incarcerations for Sentence Duration

\$356,630,425.16¹³⁷

Trends Over Time



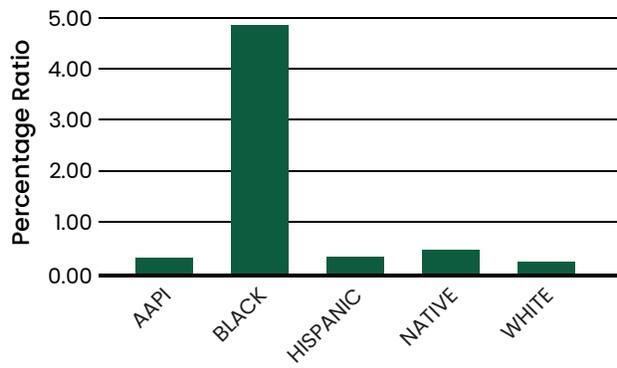
Race/Ethnicity Breakdown



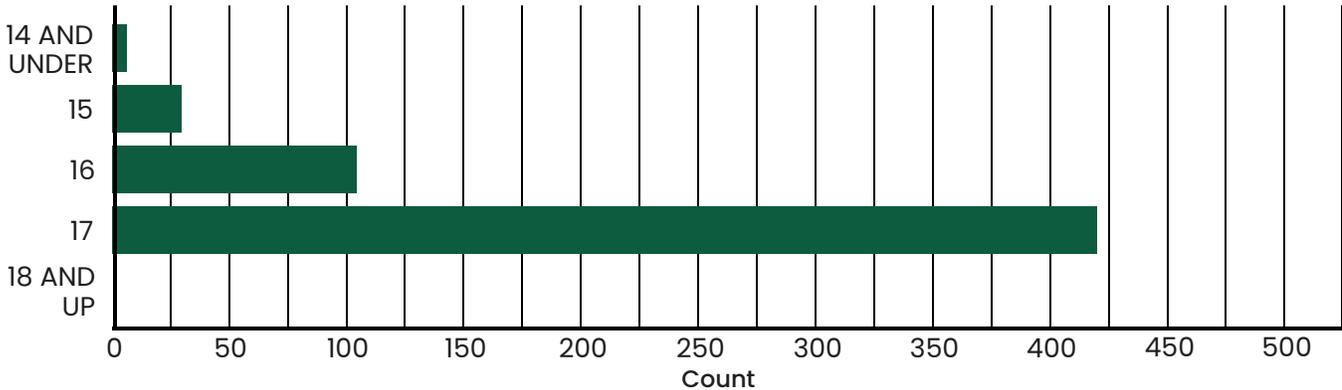
- AAPI
7 (1.3%)
- BLACK
409 (73.8%)
- HISPANIC
10 (1.8%)
- NATIVE
6 (1.1%)
- OTHER
5 (0.9%)
- WHITE
117 (21.1%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

65 (11.73%)

De Facto Life Sentences:

15 (2.71%)

Average Sentence Length:

15.38 years

(14.26 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	15.38	0.50	103.75
AAPI	11.96	3.83	17.42
BLACK	14.83	0.50	94.83
HISPANIC	13.50	6.58	26.25
NATIVE	20.83	14.25	27.58
OTHER	17.40	3.83	28.08
WHITE	17.31	1.33	103.75

MINNESOTA

Total Incarcerated Children

180 (2 girls, 178 boys)

Percentage of State Prison Population

1.8%

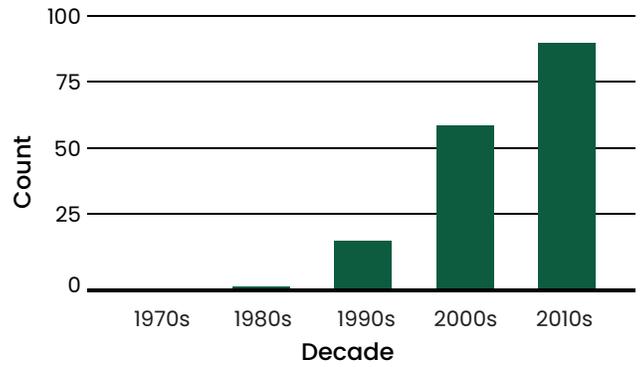
Annual Cost

\$7,445,880.00¹³⁸

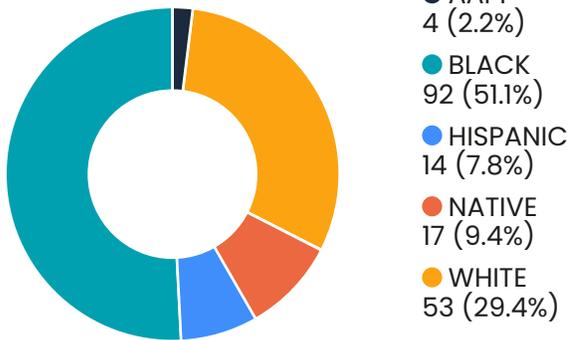
Cost of Incarcerations for Sentence Duration

\$143,322,021.18¹³⁹

Trends Over Time



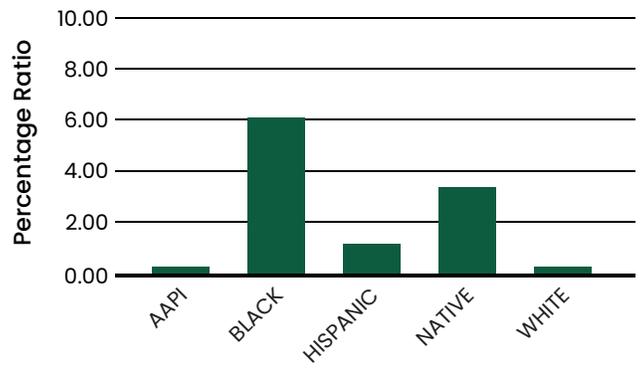
Race/Ethnicity Breakdown



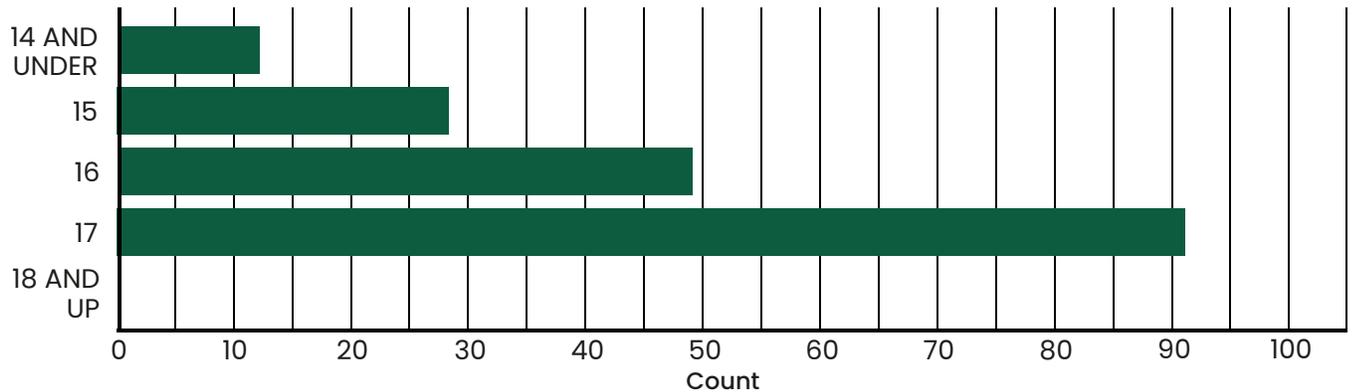
Note: 13 Hispanic people designated as white; 1 designed as Native American

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
30 (16.67%)

De Facto Life Sentences:
3 (1.67%)

Average Sentence Length:
15.09 years
(14.58 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	15.09	1.00	40.00
BLACK	15.10	1.50	40.00
HISPANIC	17.80	4.00	38.00
NATIVE	17.87	3.00	40.00
WHITE	13.28	1.00	30.58

MISSISSIPPI

Total Incarcerated Children

770 (14 girls, 756 boys)

Percentage of State Prison Population

3.97%

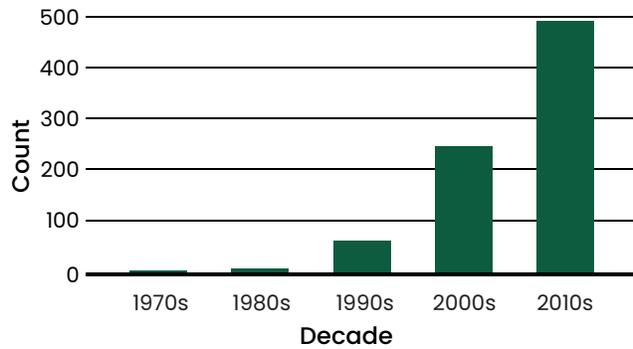
Annual Cost

\$15,098,006.00¹⁴⁰

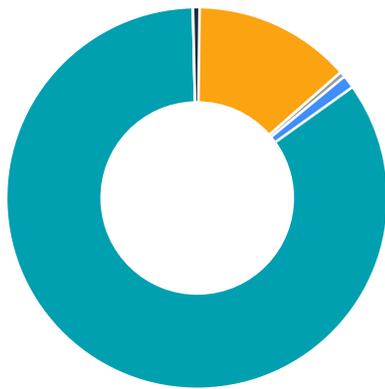
Cost of Incarcerations for Sentence Duration

\$296,109,152.48¹⁴¹

Trends Over Time



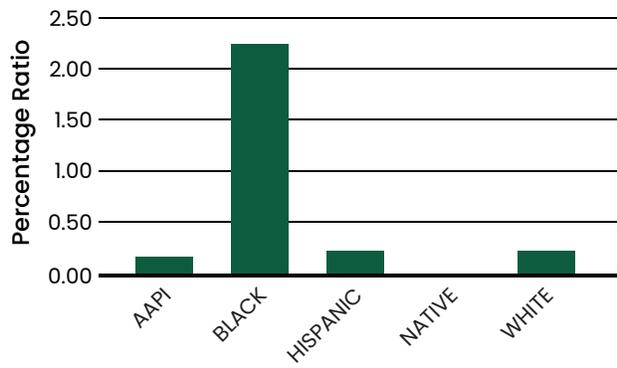
Race/Ethnicity Breakdown



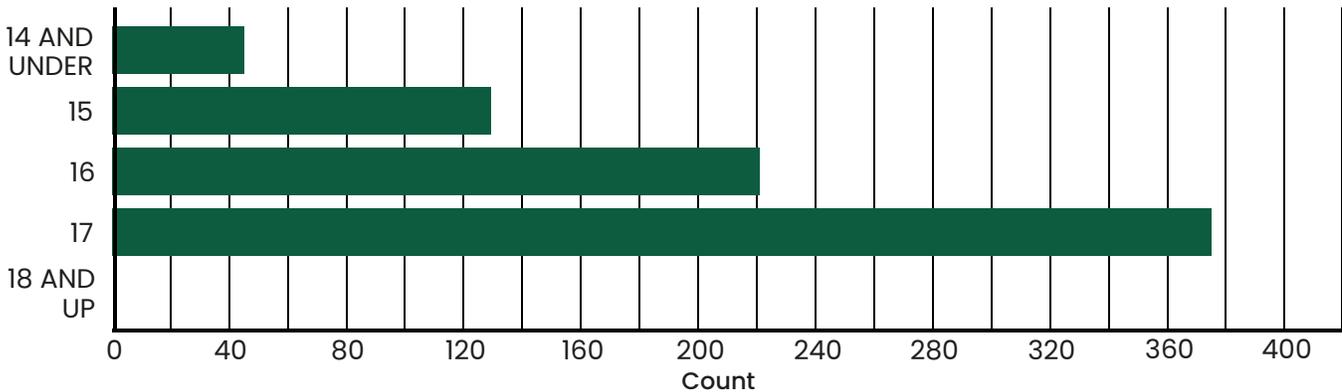
- AAPI 2 (0.3%)
- BLACK 656 (85.2%)
- HISPANIC 6 (0.8%)
- OTHER 1 (0.1%)
- WHITE 105 (13.6%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

106 (13.64%)

De Facto Life Sentences:

44 (5.71%)

Average Sentence Length:

17.25 years

(14.68 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	17.25	0.00	135.00
AAPI	14.00	8.00	20.00
BLACK	17.52	0.00	135.00
HISPANIC	9.83	3.00	20.00
OTHER	5.00	5.00	5.00
WHITE	16.10	2.00	90.00

MISSOURI

Total Incarcerated Children

1,091 (44 girls, 1,047 boys)

Percentage of State Prison Population

4.19%

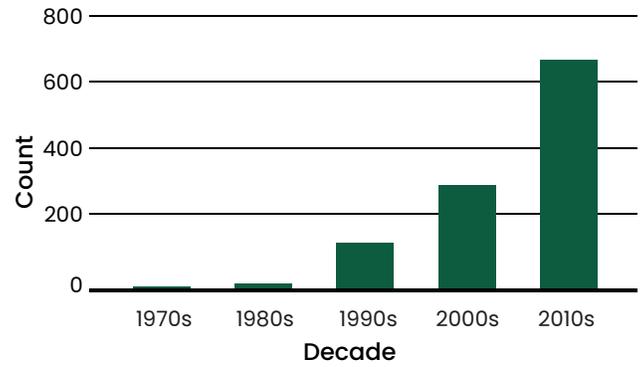
Annual Cost

\$24,206,017.00¹⁴²

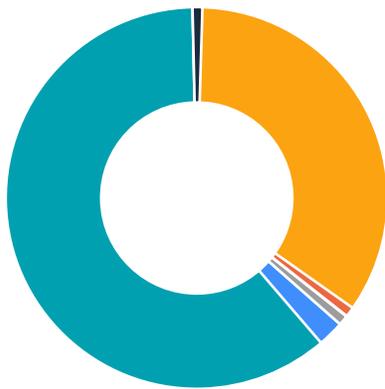
Cost of Incarcerations for Sentence Duration

\$371,488,034.50¹⁴³

Trends Over Time



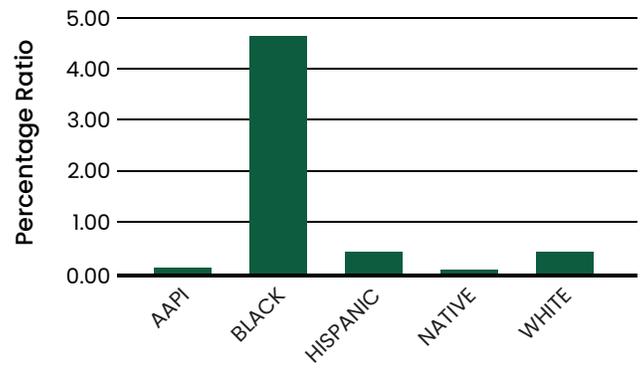
Race/Ethnicity Breakdown



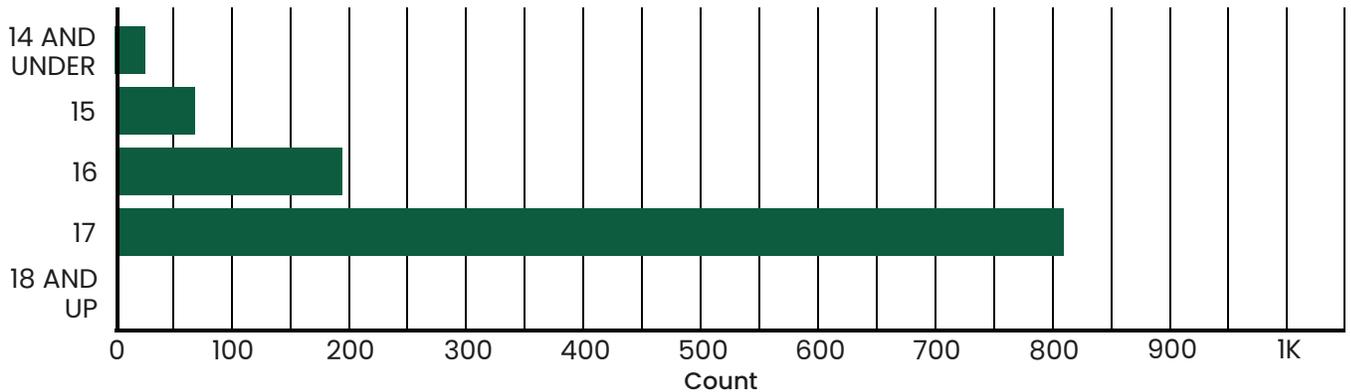
- AAPI
5 (0.5%)
- BLACK
652 (59.8%)
- HISPANIC
23 (2.1%)
- NATIVE
3 (0.3%)
- OTHER
4 (0.4%)
- WHITE
404 (37.0%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

0

De Facto Life Sentences:

16 (1.5%)

Average Sentence Length:

15.41 years
(14.98 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	15.41	2.00	45.00
AAPI	11.00	4.00	15.00
BLACK	16.71	3.00	45.00
HISPANIC	15.00	3.00	30.00
NATIVE	18.00	4.00	30.00
OTHER	9.50	3.00	15.00
WHITE	13.44	2.00	45.00

MONTANA

Total Incarcerated Children

17 (0 girls, 17 boys)

Percentage of State Prison Population

0.36%

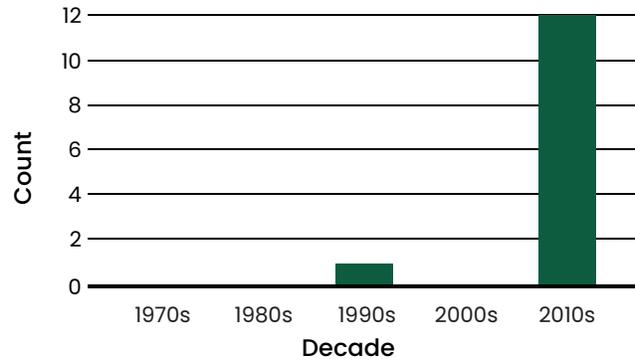
Annual Cost

\$570,826.00¹⁴⁴

Cost of Incarcerations for Sentence Duration

\$12,296,263.60¹⁴⁵

Trends Over Time



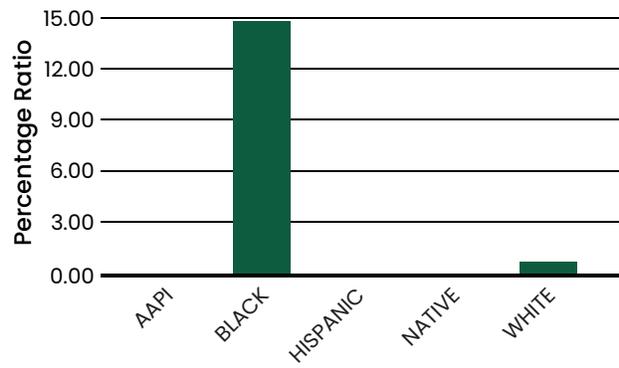
Race/Ethnicity Breakdown



- BLACK
3 (17.8%)
- NATIVE
4 (23.5%)
- WHITE
10 (58.8%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown

No age data provided.

Sentencing

Life Sentences:

0

De Facto Life Sentences:

5 (25.41%)

Average Sentence Length:

29.11 years

(13.85 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	29.11	3.00	100.00
BLACK	14.33	3.00	30.00
NATIVE	32.50	10.00	80.00
WHITE	32.20	4.00	100.00

NEBRASKA

Total Incarcerated Children

117 (3 girls, 114 boys)

Percentage of State Prison Population

2.06%

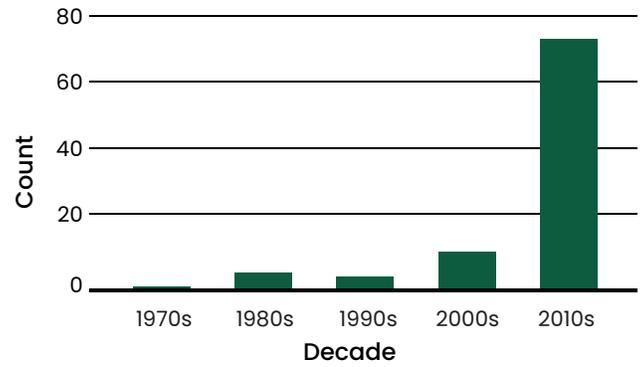
Annual Cost

\$4,458,623.13¹⁴⁶

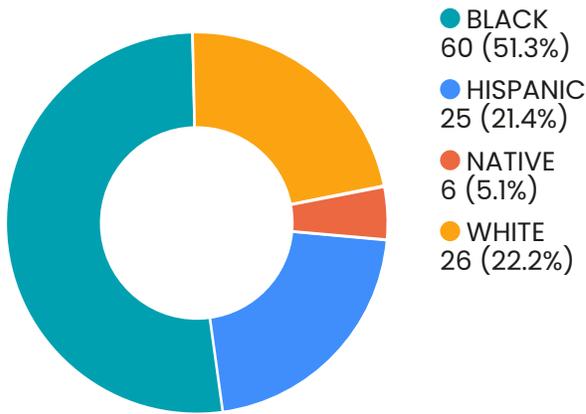
Cost of Incarcerations for Sentence Duration

\$102,815,849.38¹⁴⁷

Trends Over Time

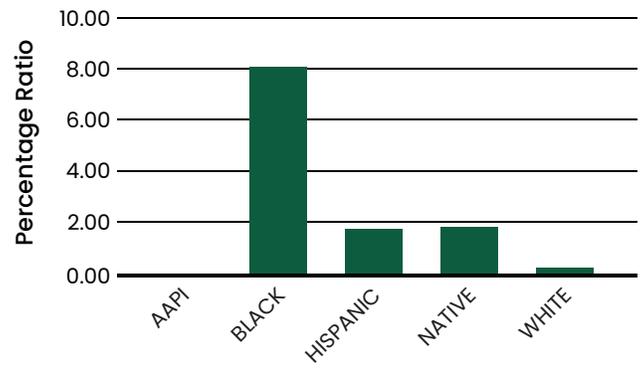


Race/Ethnicity Breakdown

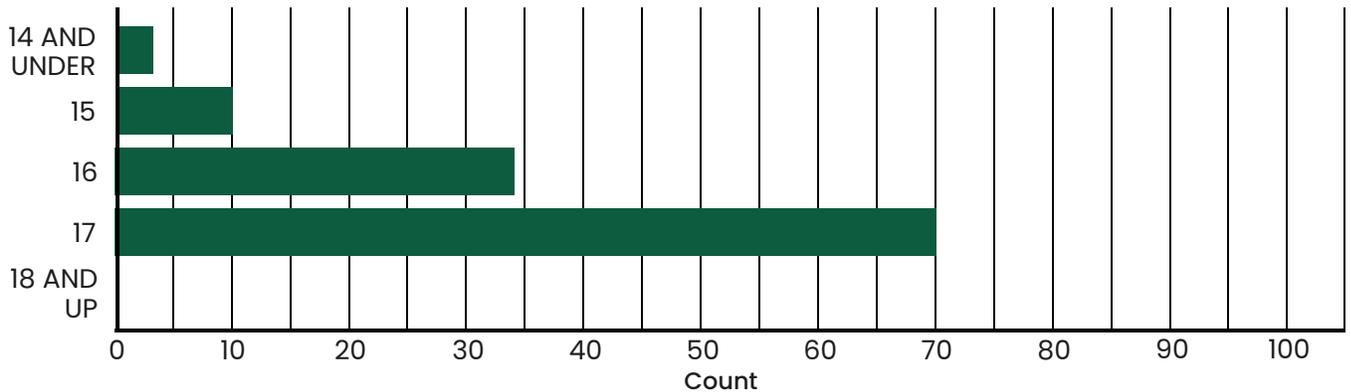


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

11 (9.4%)

De Facto Life Sentences:

29 (24.79%)

Average Sentence Length:

28.4 years

(14.26 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	28.40	0.00	125.00
BLACK	31.12	0.00	120.00
HISPANIC	21.12	4.00	125.00
NATIVE	42.60	9.00	110.00
WHITE	26.05	2.00	80.00

NEVADA

Total Incarcerated Children

274 (11 girls, 263 boys)

Percentage of State Prison Population

2.1%

Annual Cost

\$4,891,174.00¹⁴⁸

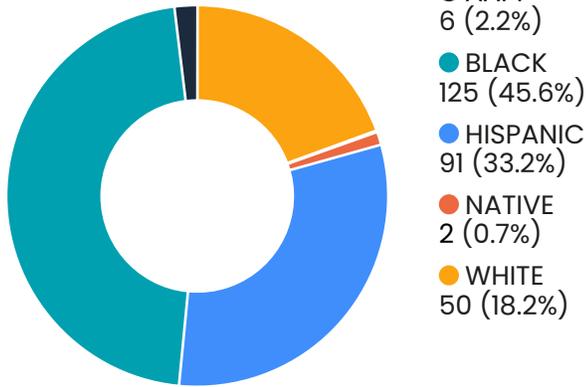
Cost of Incarcerations for Sentence Duration

\$73,352,258.14¹⁴⁹

Trends Over Time

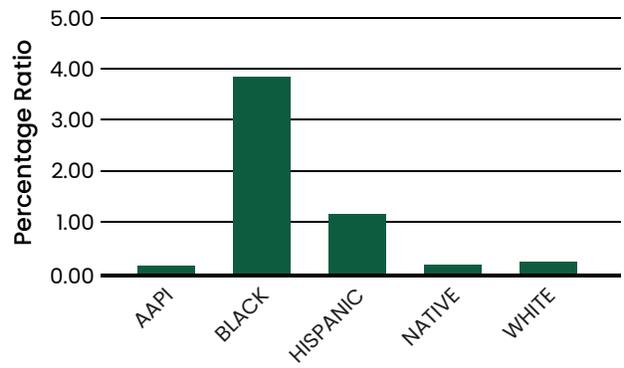
No data provided for incarcerations per decade.

Race/Ethnicity Breakdown

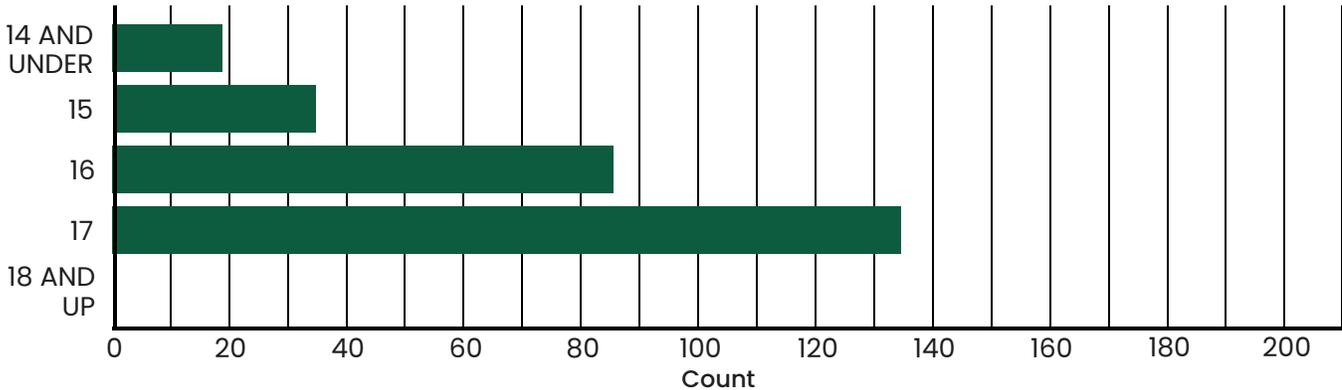


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

40 (14.6%)

De Facto Life Sentences:

7 (2.6%)

Average Sentence Length:

10.98 years

(9.82 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	10.98	2.5	50.00
AAPI	10.67	6.00	20.00
BLACK	10.11	3.00	50.00
HISPANIC	11.07	2.50	50.00
NATIVE	28.75	7.50	50.00
WHITE	12.47	4.00	50.00

NEW HAMPSHIRE

New Hampshire did not respond to our request for data, and as such they are not represented in our study.

NEW JERSEY

Total Incarcerated Children

216 (5 girls, 211 boys)

Percentage of State Prison Population

1.16%

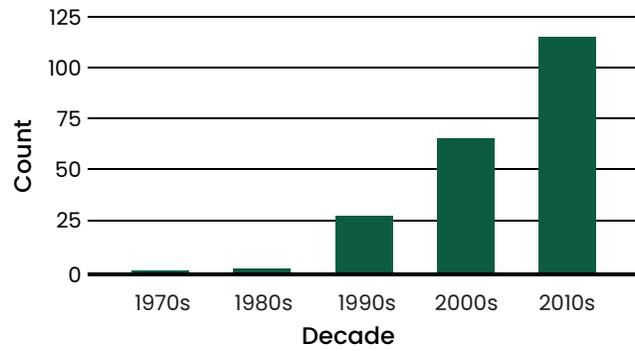
Annual Cost

\$13,306,248.00¹⁵⁰

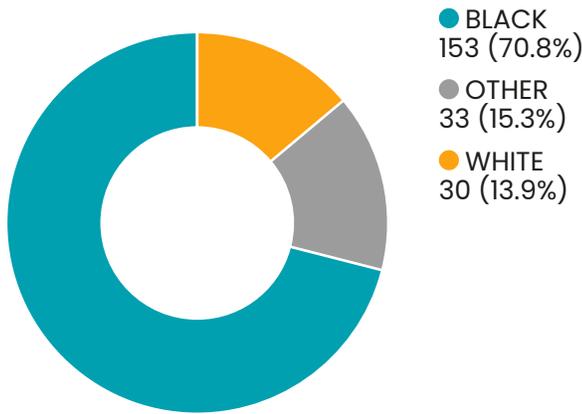
Cost of Incarcerations for Sentence Duration

\$263,380,546.35¹⁵¹

Trends Over Time

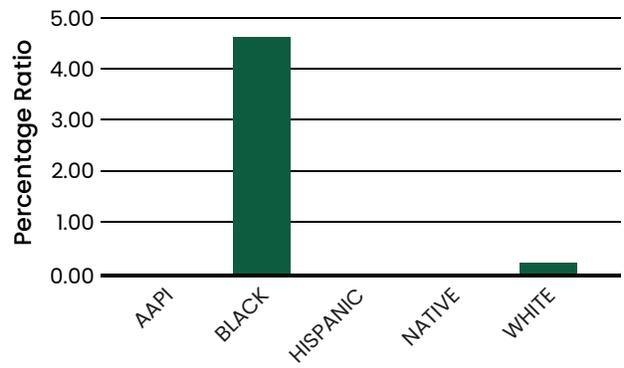


Race/Ethnicity Breakdown

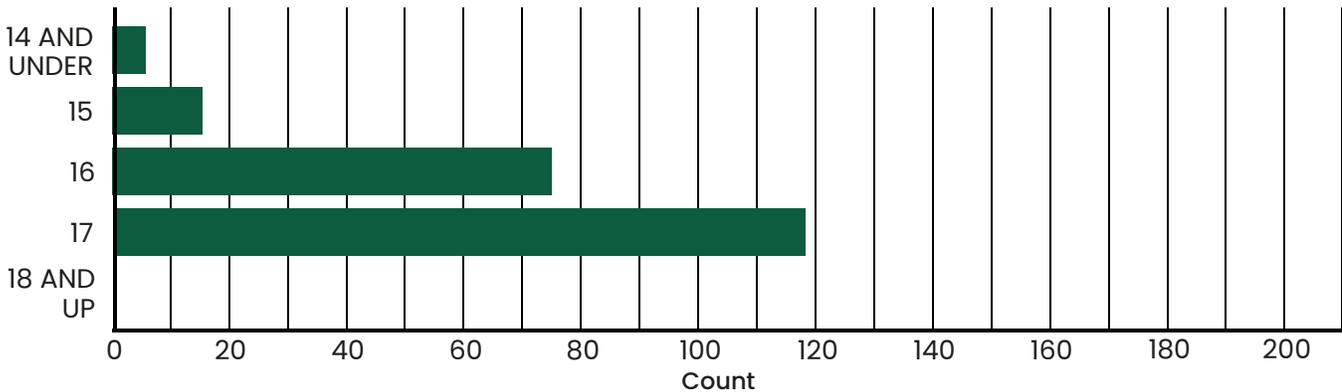


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

12 (5.56%)

De Facto Life Sentences:

21 (9.72%)

Average Sentence Length:

19.56 years

(16.15 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	19.56	0.50	75.00
BLACK	19.43	0.50	55.00
OTHER	20.79	5.00	60.00
WHITE	18.59	4.00	75.00

NEW MEXICO

Total Incarcerated Children

115 (no gender/sex breakdown)

Percentage of State Prison Population

1.71%

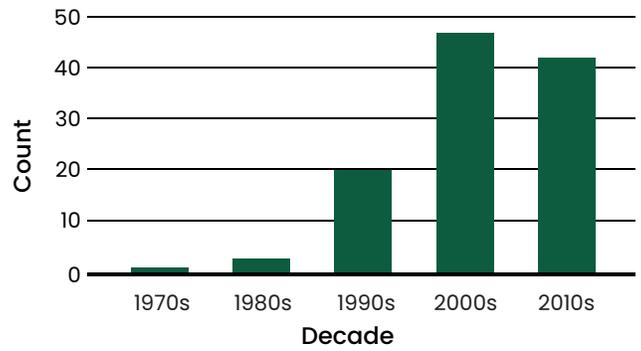
Annual Cost

\$4,235,680.00¹⁵²

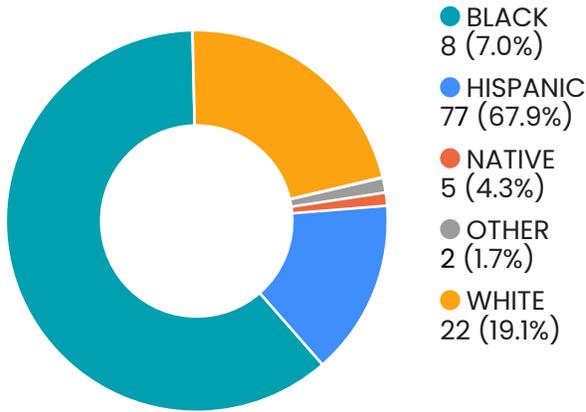
Cost of Incarcerations for Sentence Duration

\$104,327,376.64¹⁵³

Trends Over Time

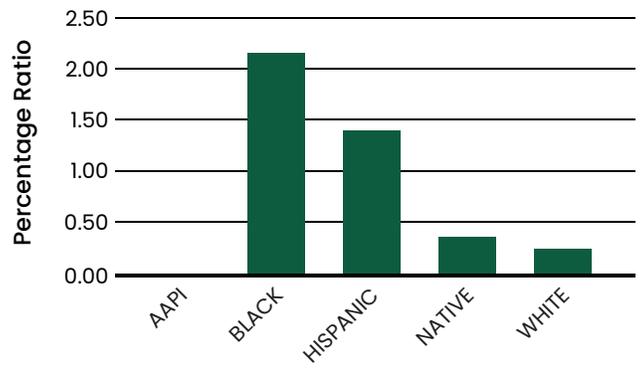


Race/Ethnicity Breakdown

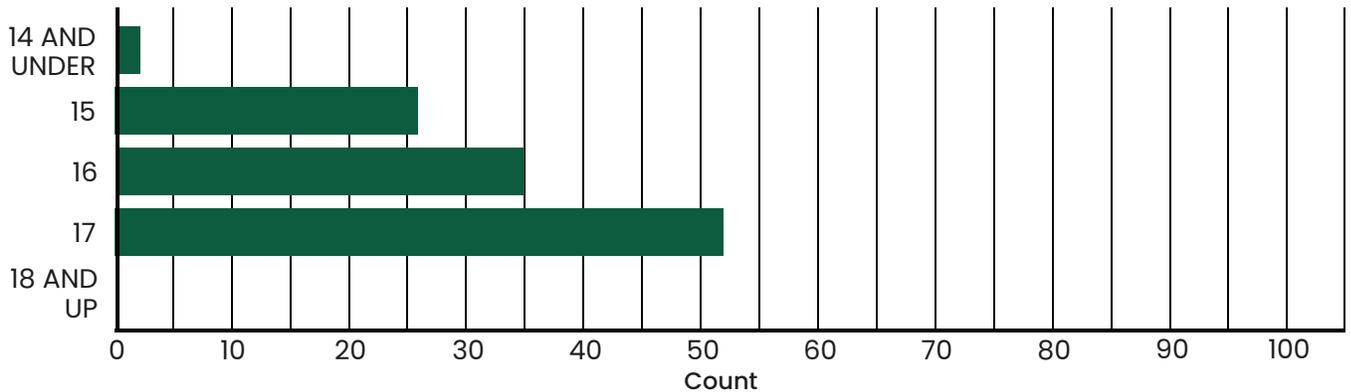


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

31 (26.96%)

De Facto Life Sentences:

6 (5.2%)

Average Sentence Length:

23.63 years

(17.34 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	23.31	3.00	142.59
BLACK	18.25	10.00	25.00
HISPANIC	24.63	3.00	142.59
NATIVE	27.52	12.00	68.00
OTHER	30.00	30.00	30.00
WHITE	18.51	3.00	60.00

NEW YORK

Total Incarcerated Children

749 (15 girls, 734 boys)

Percentage of State Prison Population

2.19%

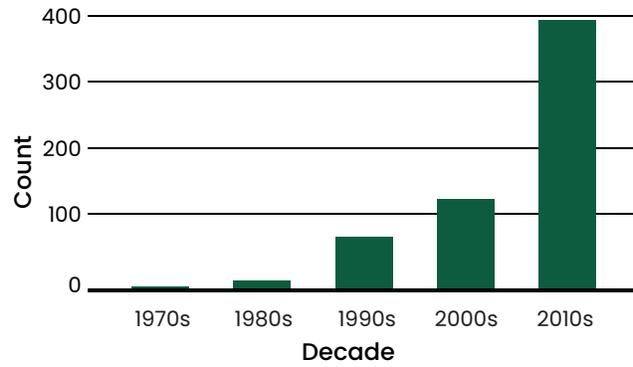
Annual Cost

\$51,946,895.00¹⁵⁴

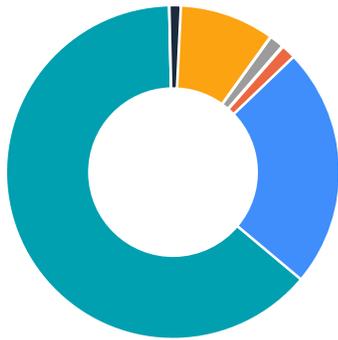
Cost of Incarcerations for Sentence Duration

\$1,134,710,913.05¹⁵⁵

Trends Over Time



Race/Ethnicity Breakdown

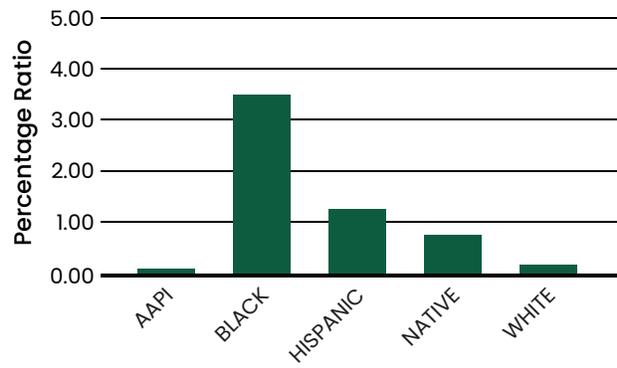


- AAPI 8 (1.1%)
- BLACK 460 (61.4%)
- HISPANIC 178 (23.6%)
- NATIVE 11 (1.5%)
- OTHER 11 (1.5%)
- WHITE 81 (10.8%)

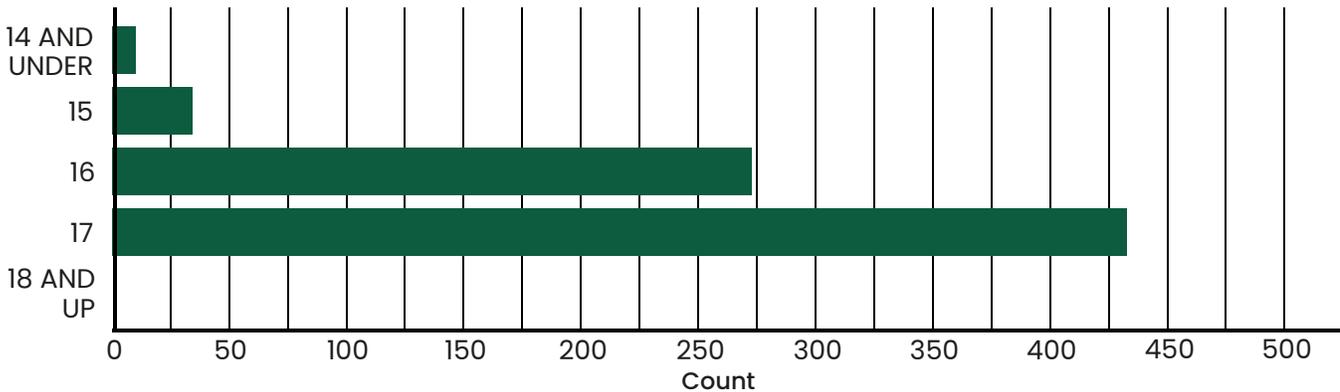
Note: Of the Hispanic people: 46 are Black, 3 are Native American, 86 are Other, and 40 are White.

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
259 (34.58%)

De Facto Life Sentences:
1 (0.13%)

Average Sentence Length:
12.27 years
(12.19 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	12.27	2.00	50.00
AAPI	14.10	7.00	21.50
BLACK	12.47	2.00	50.00
HISPANIC	12.21	2.00	25.00
NATIVE	11.00	4.00	20.00
OTHER	11.63	3.00	22.00
WHITE	11.26	2.00	25.00

NORTH CAROLINA

Total Incarcerated Children

1,179 (no gender/sex breakdown)

Percentage of State Prison Population

3.46%

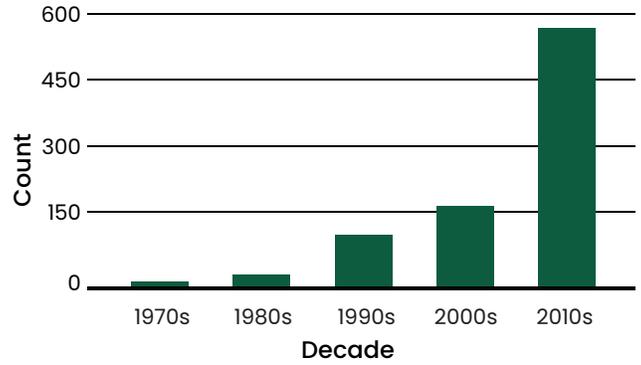
Annual Cost

\$35,582,220.00¹⁵⁶

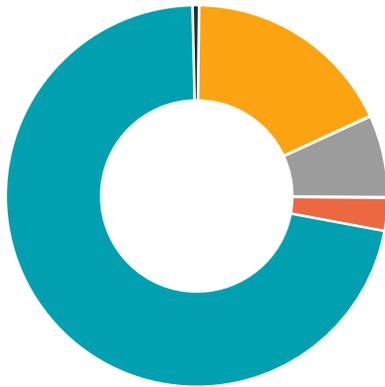
Cost of Incarcerations for Sentence Duration

\$612,111,665.40¹⁵⁷

Trends Over Time



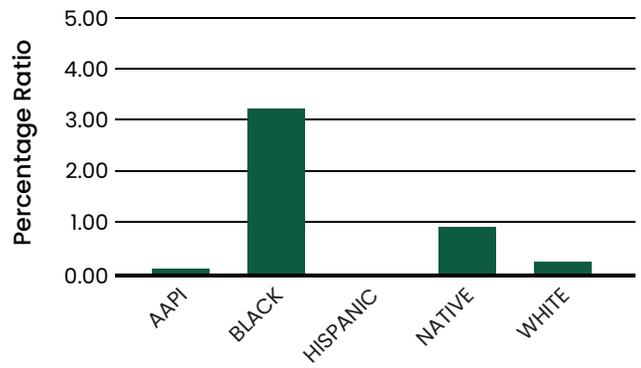
Race/Ethnicity Breakdown



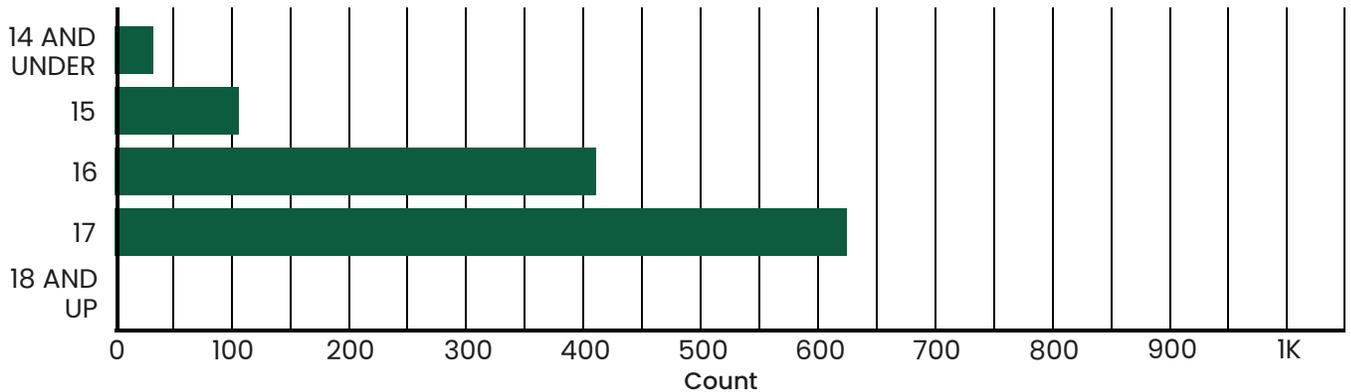
- AAPI
1 (0.3%)
- BLACK
857 (72.7%)
- NATIVE
32 (2.7%)
- OTHER
80 (6.8%)
- WHITE
206 (17.5%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

220 (18.66%)

De Facto Life Sentences:

28 (2.37%)

Average Sentence Length:

12.71 years

(11.13 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	12.71	0.02	239.81
AAPI	22.46	22.46	22.46
BLACK	11.93	0.02	129.53
NATIVE	11.03	0.72	31.80
OTHER	14.07	0.02	74.30
WHITE	15.53	0.48	239.81

NORTH DAKOTA

Total Incarcerated Children

23 (0 girls, 23 boys)

Percentage of State Prison Population

1.28%

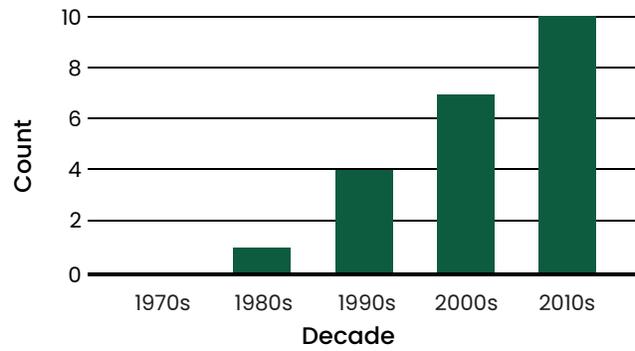
Annual Cost

\$887,823.00¹⁵⁸

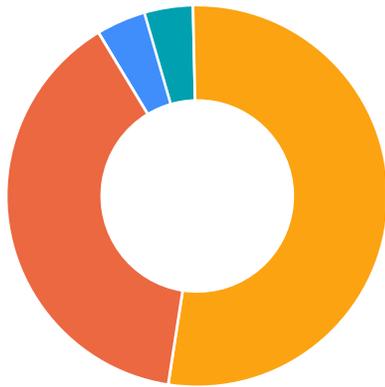
Cost of Incarcerations for Sentence Duration

\$14,966,765.73¹⁵⁹

Trends Over Time



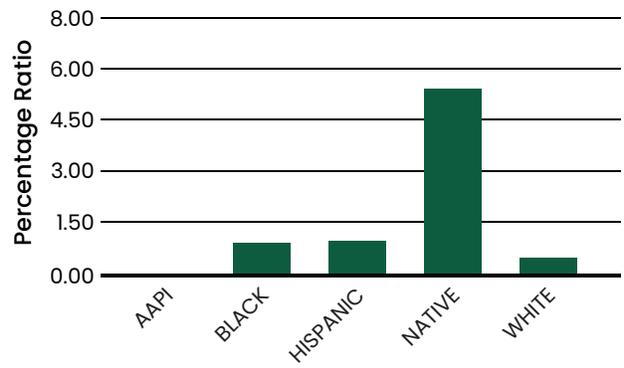
Race/Ethnicity Breakdown



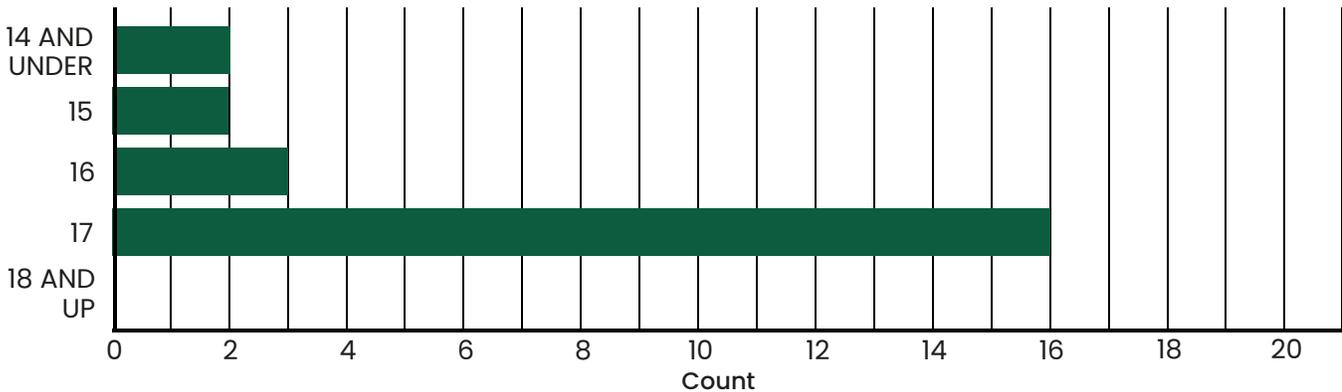
- BLACK
1 (4.3%)
- HISPANIC
1 (4.3%)
- NATIVE
9 (39.1%)
- WHITE
12 (52.2%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
6 (26.09%)

De Facto Life Sentences:
0

Average Sentence Length:
8.69 years

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	8.69	1.00	35.00
BLACK	20.00	20.00	20.00
NATIVE	7.88	2.25	20.00
WHITE	8.05	1.00	35.00

OHIO

Total Incarcerated Children

588 (16 girls, 572 boys)

Percentage of State Prison Population

1.17%

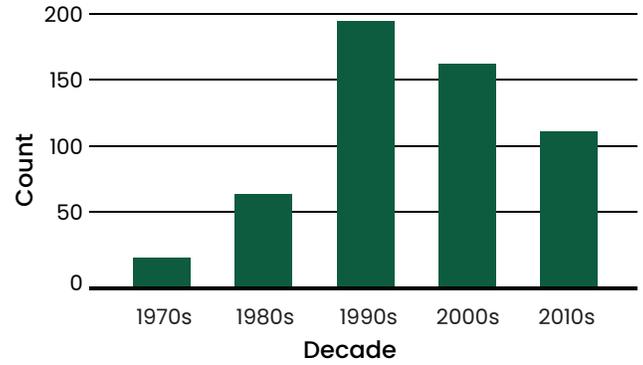
Annual Cost

\$15,587,292.00¹⁶⁰

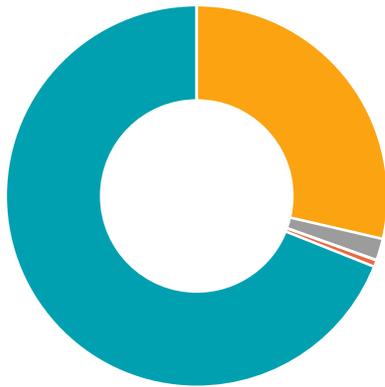
Cost of Incarcerations for Sentence Duration

\$571,470,948.58¹⁶¹

Trends Over Time



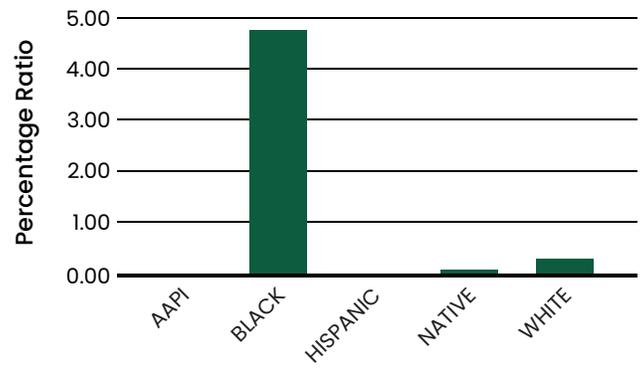
Race/Ethnicity Breakdown



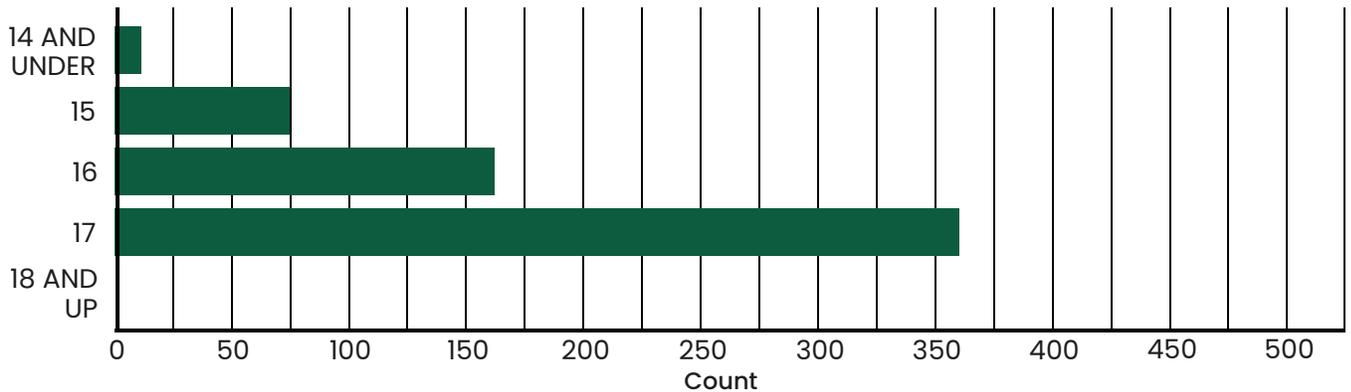
- BLACK
402 (68.4%)
- NATIVE
1 (0.2%)
- OTHER
11 (1.9%)
- WHITE
174 (29.6%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

421 (71.6%)

De Facto Life Sentences:

60 (10.20%)

Average Sentence Length:

41.06 years

(21.66 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	41.06	3.75	265.00
BLACK	38.88	3.75	265.00
OTHER	55.38	28.00	78.50
WHITE	46.00	4.50	210.00

OKLAHOMA

Total Incarcerated Children

147 (10 girls, 137 boys)

Percentage of State Prison Population

0.57%

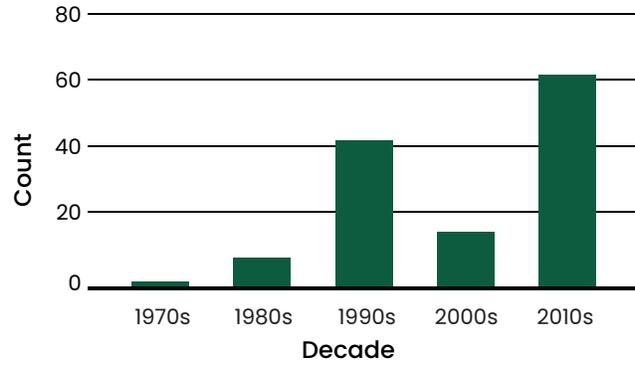
Annual Cost

\$2,425,059.00¹⁶²

Cost of Incarcerations for Sentence Duration

\$64,206,324.00¹⁶³

Trends Over Time



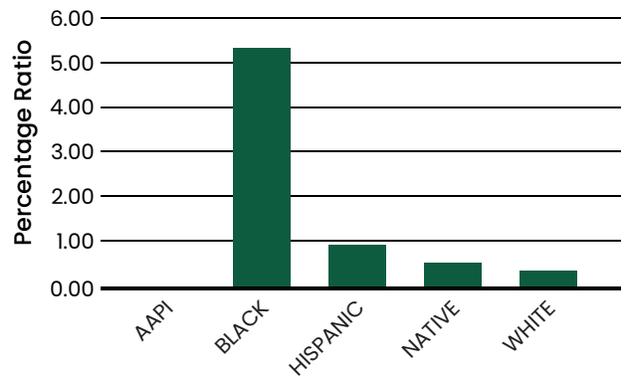
Race/Ethnicity Breakdown



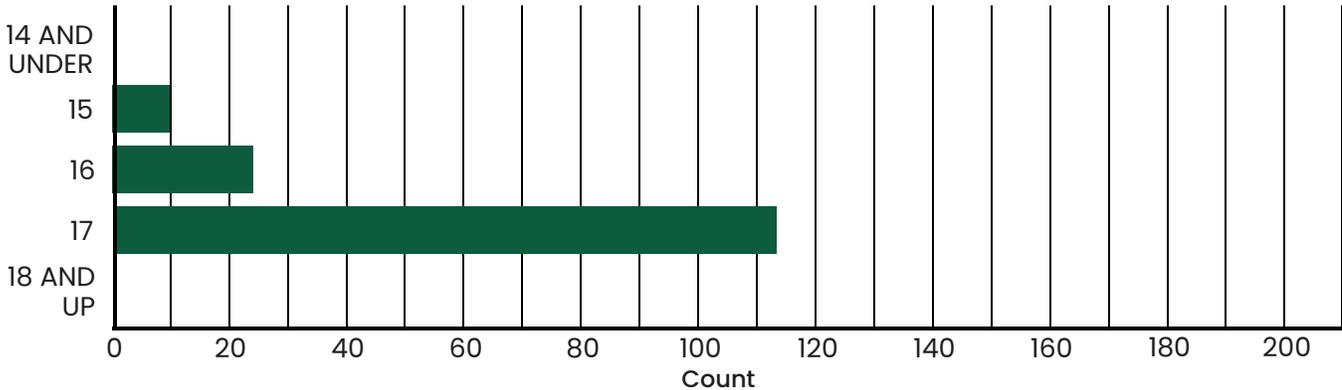
- BLACK
76 (51.7%)
- HISPANIC
17 (11.8%)
- NATIVE
12 (8.2%)
- WHITE
42 (28.6%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

61 (41.5%)

De Facto Life Sentences:

6 (4.1%)

Average Sentence Length:

20.26 years

(15.15 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	20.26	2.00	250.00
BLACK	23.56	2.00	250.00
HISPANIC	12.39	2.00	35.00
NATIVE	14.50	5.00	25.00
WHITE	19.11	3.00	40.00

OREGON

Total Incarcerated Children

484 (27 girls, 457 boys)

Percentage of State Prison Population

3.24%

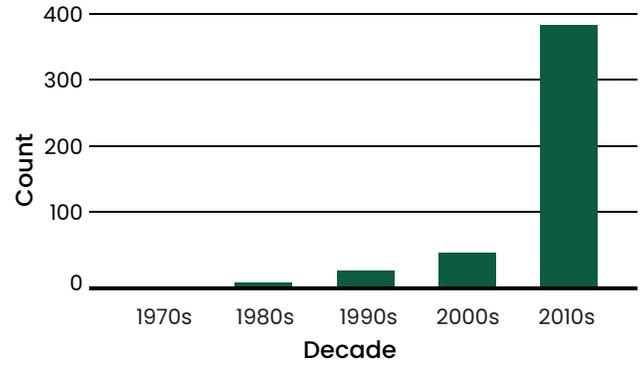
Annual Cost

\$21,306,164.00¹⁶⁴

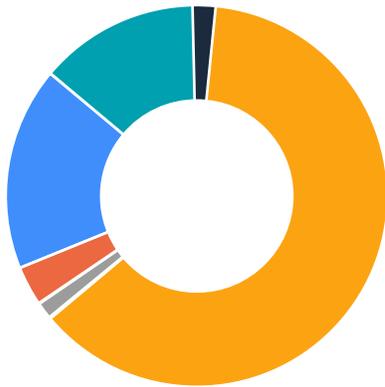
Cost of Incarcerations for Sentence Duration

\$256,931,207.76¹⁶⁵

Trends Over Time



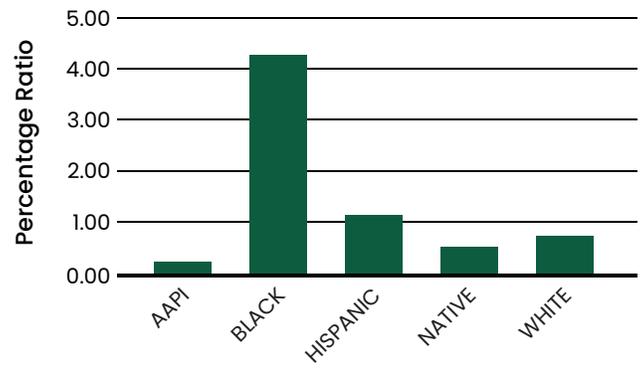
Race/Ethnicity Breakdown



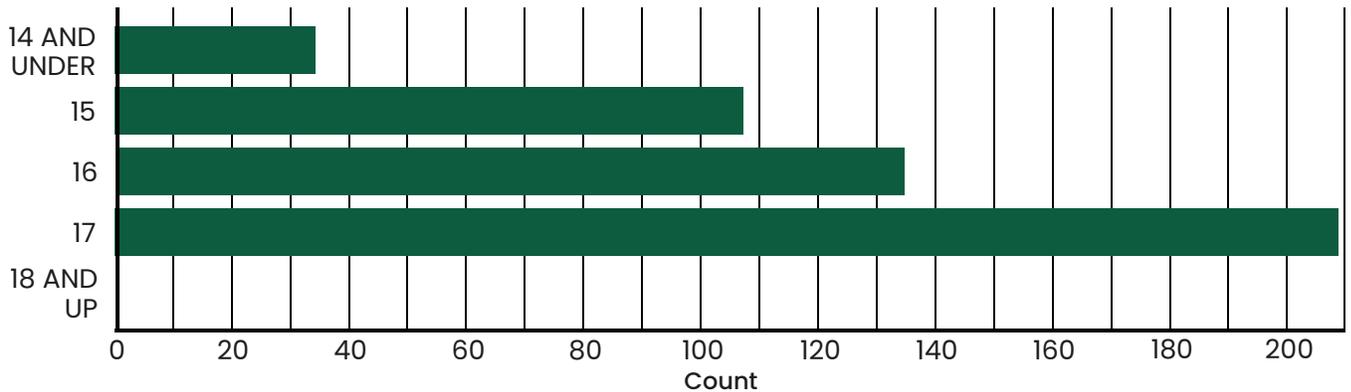
- AAPI
8 (1.6%)
- BLACK
66 (13.6%)
- HISPANIC
75 (15.5%)
- NATIVE
12 (2.5%)
- OTHER
5 (1.0%)
- WHITE
318 (65.7%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

44 (9.09%)

De Facto Life Sentences:

6 (1.24%)

Average Sentence Length:

9.53 years
(8.84 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	9.53	0.28	110.27
AAPI	6.20	1.70	11.08
BLACK	7.66	1.20	27.53
HISPANIC	9.44	0.64	34.54
NATIVE	8.73	2.67	19.11
OTHER	5.46	4.11	8.01
WHITE	10.11	0.28	110.27

PENNSYLVANIA

Total Incarcerated Children

822 (15 girls, 807 boys)

Percentage of State Prison Population

1.8%

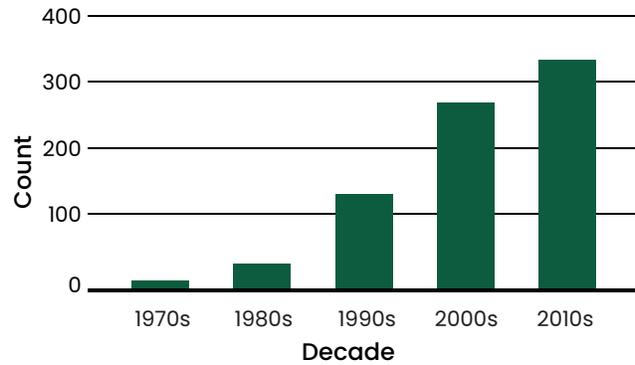
Annual Cost

\$35,121,594.00¹⁶⁶

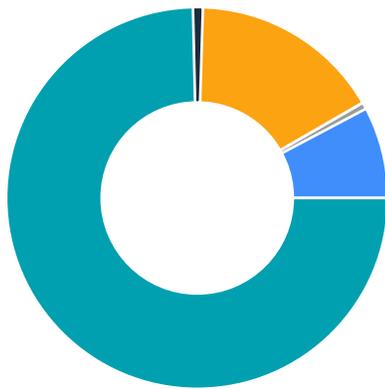
Cost of Incarcerations for Sentence Duration

\$969,878,972.88¹⁶⁷

Trends Over Time



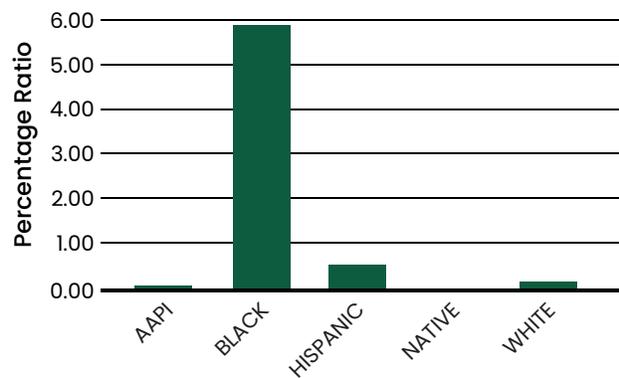
Race/Ethnicity Breakdown



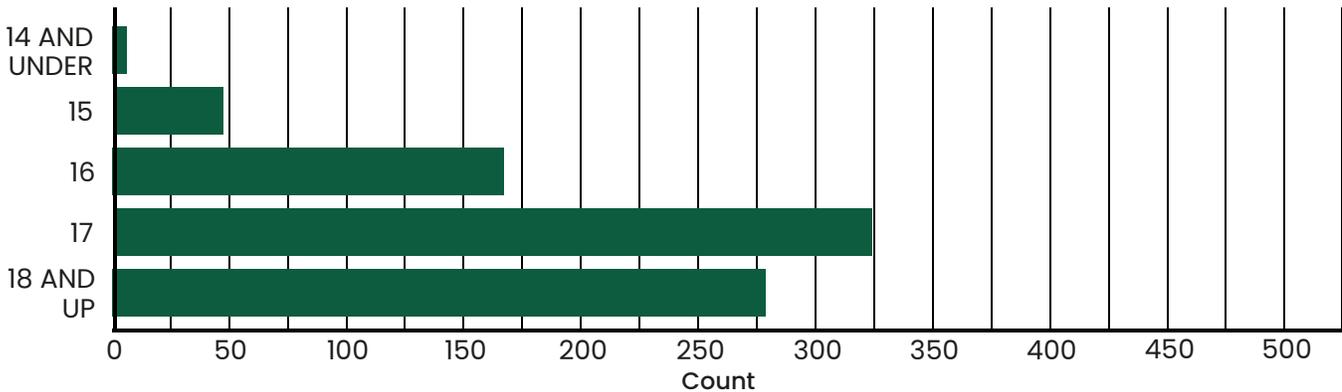
- AAPI
4 (0.5%)
- BLACK
614 (74.7%)
- HISPANIC
74 (9.0%)
- OTHER
3 (0.4%)
- WHITE
127 (15.5%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown¹⁶⁸



Sentencing

Life Sentences:
78 (9.37%)

De Facto Life Sentences:
242 (29.44%)

Average Sentence Length:
27.88 years
(19.72 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	27.88	0.00	297.00
AAPI	42.00	48.00	70.00
BLACK	28.73	3.00	297.00
HISPANIC	29.08	6.00	80.00
OTHER	40.67	30.00	52.00
WHITE	22.31	4.00	99.00

RHODE ISLAND

Total Incarcerated Children

16 (0 girls, 16 boys)

Percentage of State Prison Population

0.58%

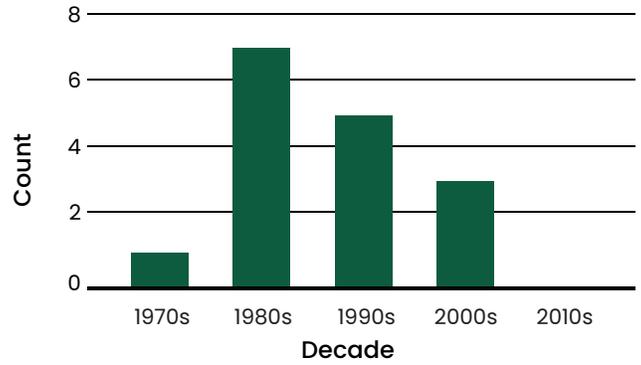
Annual Cost

\$1,577,128.52¹⁶⁹

Cost of Incarcerations for Sentence Duration

\$29,992,966.96¹⁷⁰

Trends Over Time



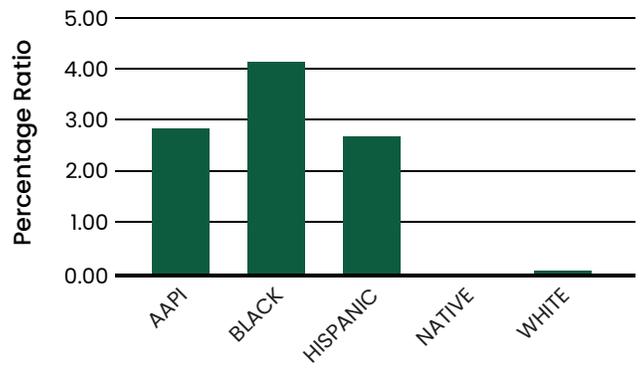
Race/Ethnicity Breakdown



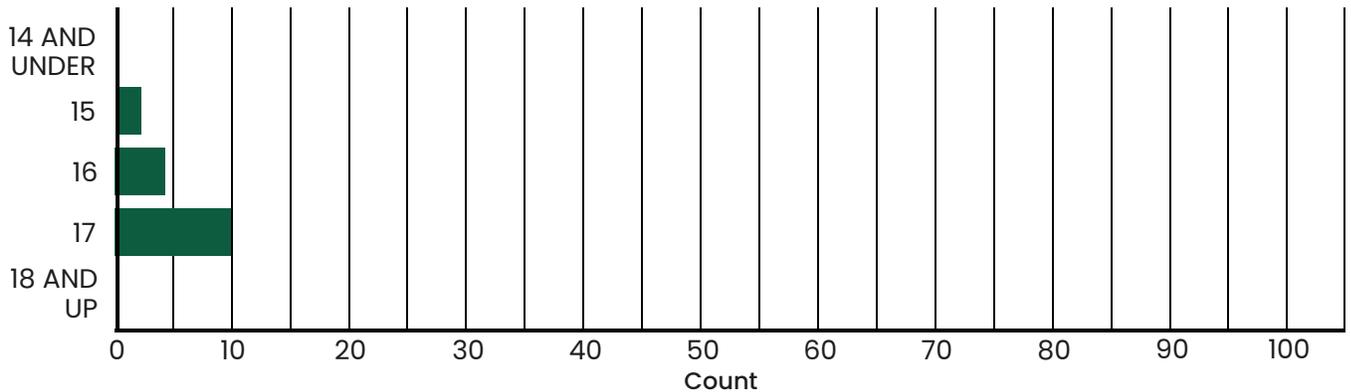
- AAPI
2 (12.5%)
- BLACK
6 (37.5%)
- HISPANIC
7 (43.8%)
- WHITE
1 (6.3%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

7 (43.75%)

De Facto Life Sentences:

3 (18.75%)

Average Sentence Length:

26.93 years

(18.69 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	26.93	5.00	50.03
AAPI	40.03	40.03	40.03
BLACK	23.45	5.59	40.12
HISPANIC	17.51	5.00	30.02
WHITE	50.03	50.03	50.03

SOUTH CAROLINA

Total Incarcerated Children

1,139 (24 girls, 1,115 boys)

Percentage of State Prison Population

6.12%

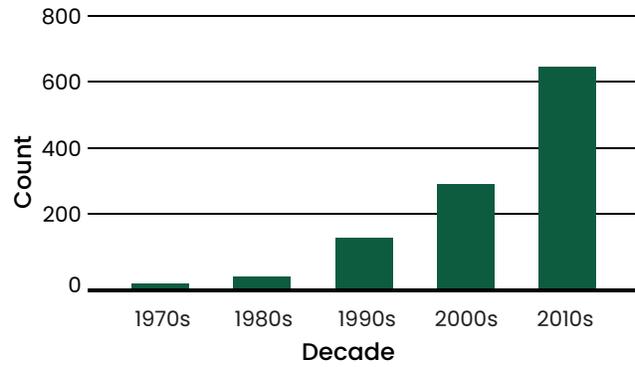
Annual Cost

\$22,840,367.00¹⁷¹

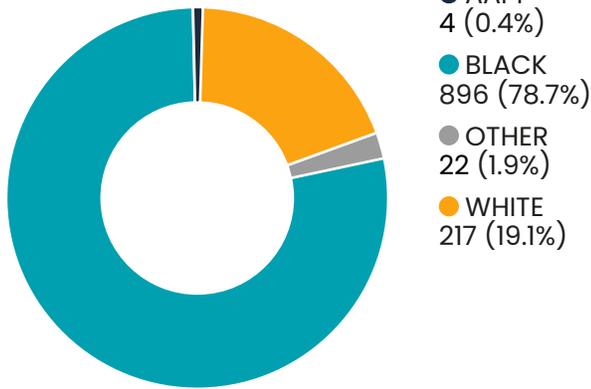
Cost of Incarcerations for Sentence Duration

\$469,070,351.09¹⁷²

Trends Over Time

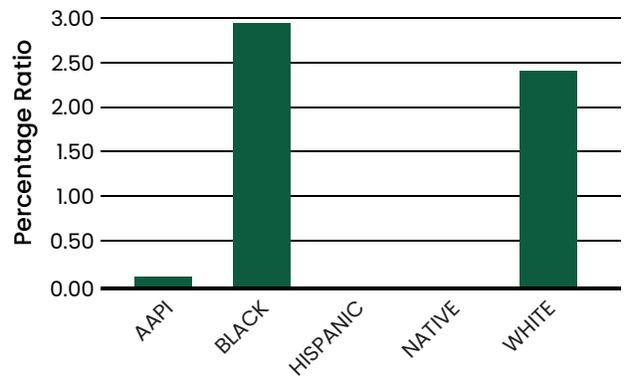


Race/Ethnicity Breakdown

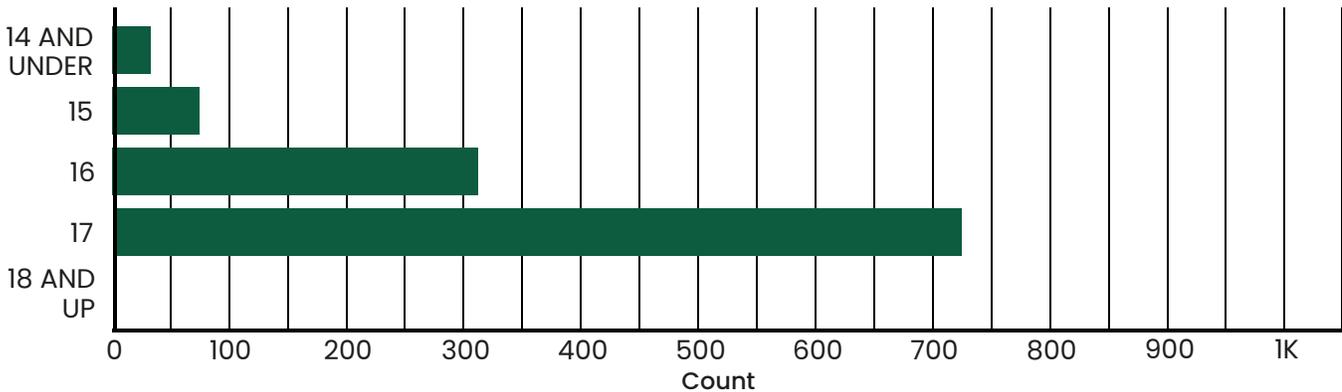


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

133 (11.68%)

De Facto Life Sentences:

85 (.46%)

Average Sentence Length:

18.70 years

(15.93 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	18.70	0.00	130.00
AAPI	23.75	15.00	30.00
BLACK	19.13	0.00	130.00
OTHER	16.55	4.00	45.00
WHITE	16.97	0.00	55.50

SOUTH DAKOTA

Total Incarcerated Children

58 (3 girls, 55 boys)

Percentage of State Prison Population

1.53%

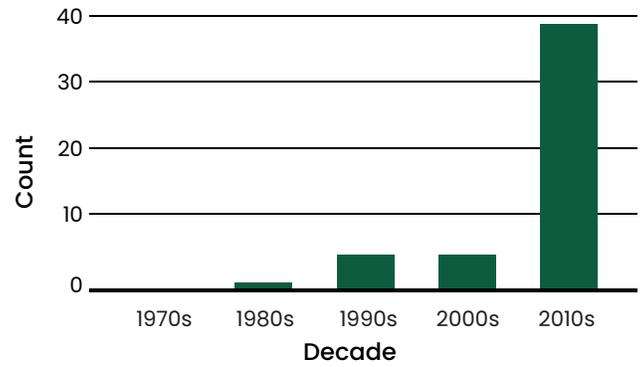
Annual Cost

\$1,203,384.00¹⁷³

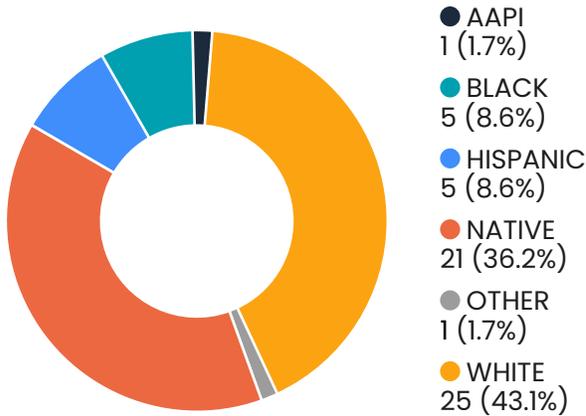
Cost of Incarcerations for Sentence Duration

\$23,440,053.00¹⁷⁴

Trends Over Time

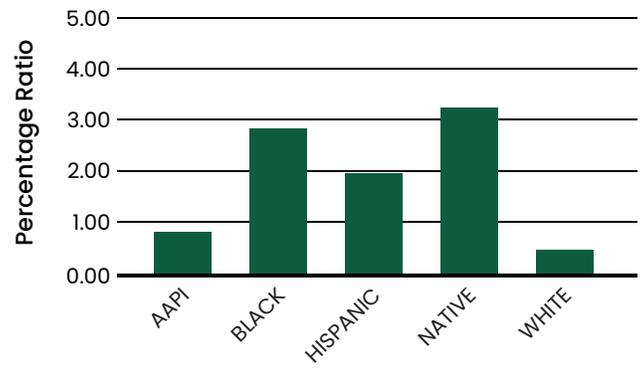


Race/Ethnicity Breakdown

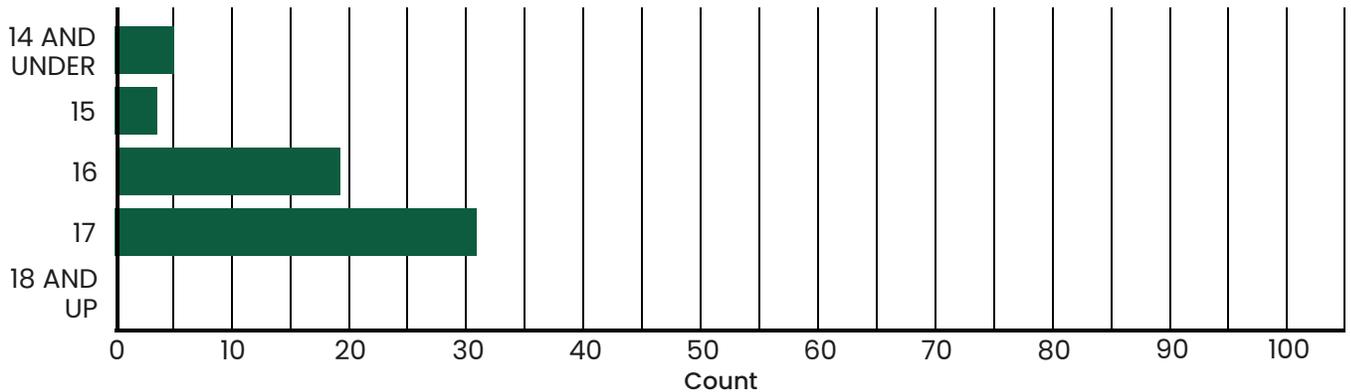


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

1 (1.72%)

De Facto Life Sentences:

12 (20.69%)

Average Sentence Length:

30.08 years

(13.55 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	30.08	2.00	261.00
AAPI	19.50	19.50	19.50
BLACK	23.26	9.00	48.20
HISPANIC	27.76	2.00	77.90
NATIVE	19.86	4.00	88.50
OTHER	13.00	13.00	13.00
WHITE	41.60	5.00	261.00

TENNESSEE

Total Incarcerated Children

841 (25 girls, 816 boys)

Percentage of State Prison Population

3.19%

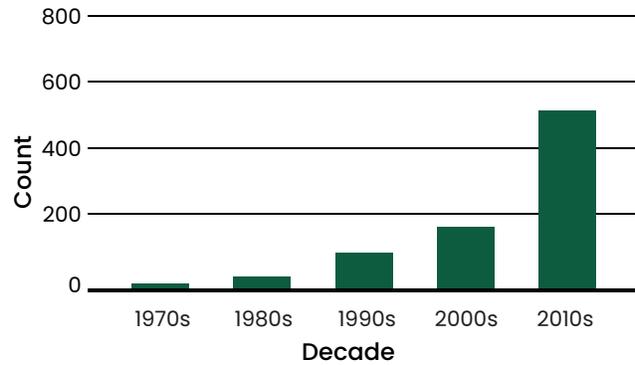
Annual Cost

\$19,736,588.00¹⁷⁵

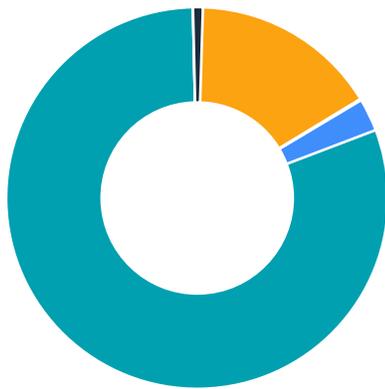
Cost of Incarcerations for Sentence Duration

\$363,632,905.12¹⁷⁶

Trends Over Time



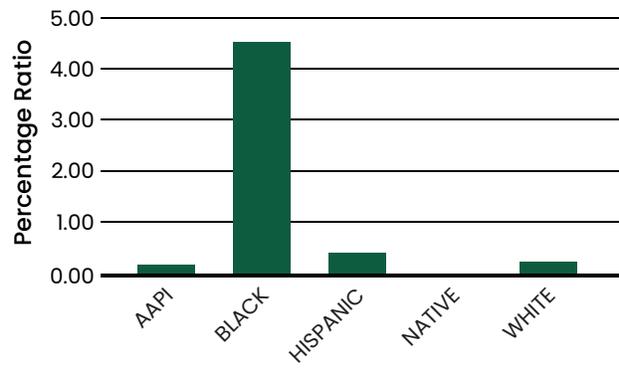
Race/Ethnicity Breakdown



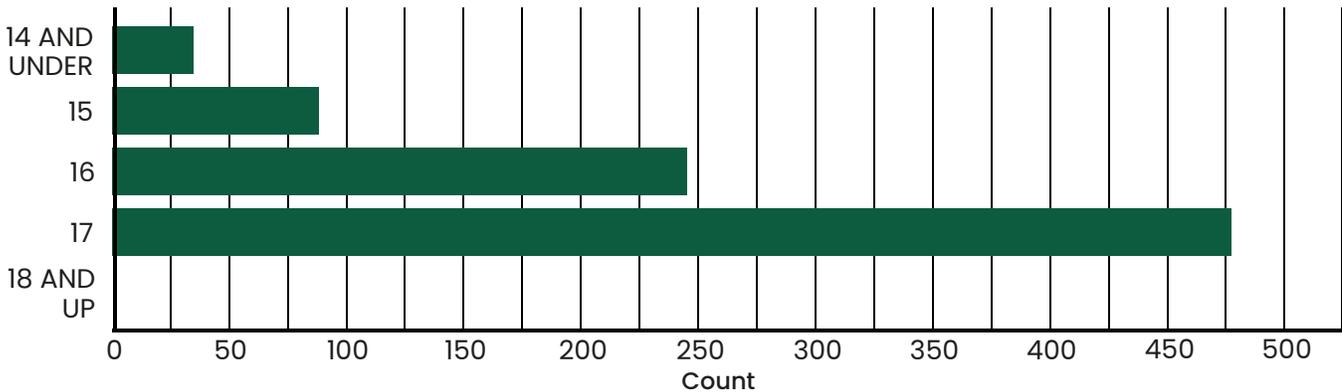
- AAPI
4 (0.5%)
- BLACK
668 (79.4%)
- HISPANIC
24 (2.9%)
- WHITE
145 (17.2%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

164 (19.5%)

De Facto Life Sentences:

25 (2.97%)

Average Sentence Length:

13.41 years

(12.17 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	13.41	1.00	99.00
AAPI	27.75	6.00	40.00
BLACK	13.35	1.00	99.00
HISPANIC	12.20	2.00	40.00
WHITE	13.44	1.00	55.00

TEXAS

Total Incarcerated Children

5,272 (229 girls, 5,043 boys)

Percentage of State Prison Population

3.33%

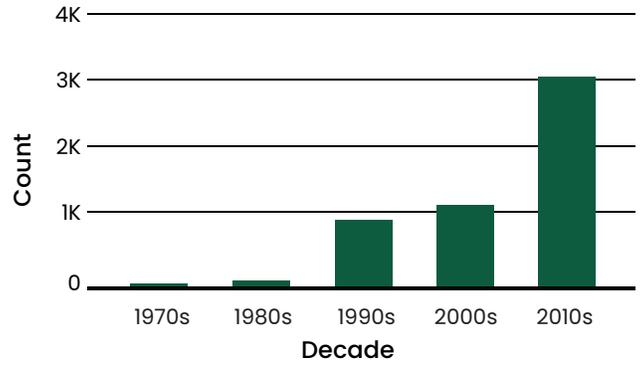
Annual Cost

\$116,047,264.00¹⁷⁷

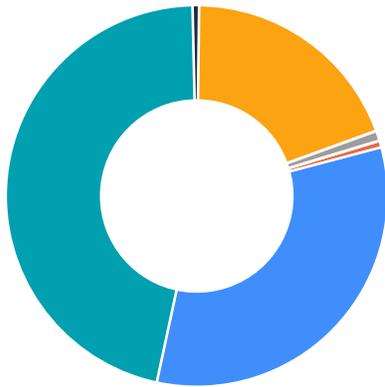
Cost of Incarcerations for Sentence Duration

\$2,421,615,841.28¹⁷⁸

Trends Over Time



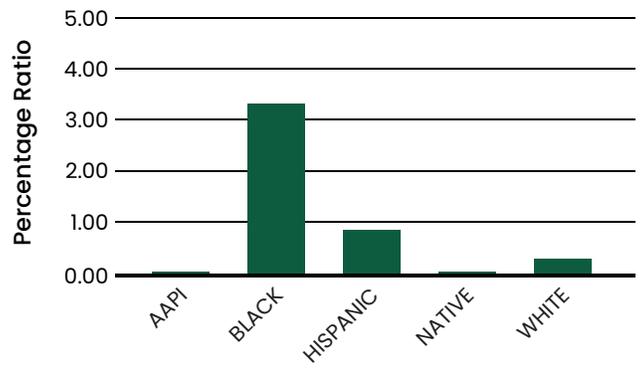
Race/Ethnicity Breakdown



- AAPI
12 (0.2%)
- BLACK
2,414 (45.8%)
- HISPANIC
1,810 (34.3%)
- NATIVE
2 (0.04%)
- OTHER
14 (0.3%)
- WHITE
1,020 (19.3%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown

No age data provided.

Sentencing

Life Sentences:
643 (12.20%)

De Facto Life Sentences:
785 (14.89%)

Average Sentence Length:
20.79 years
(13.76 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	20.79	0.50	219.00
AAPI	17.33	5.00	40.00
BLACK	21.10	0.50	219.00
HISPANIC	20.78	0.70	112.00
NATIVE	14.50	11.00	18.00
OTHER	46.38	11.00	85.00
WHITE	19.89	0.50	198.00

UTAH

Total Incarcerated Children

118 (4 girls, 114 boys)

Percentage of State Prison Population

1.77%

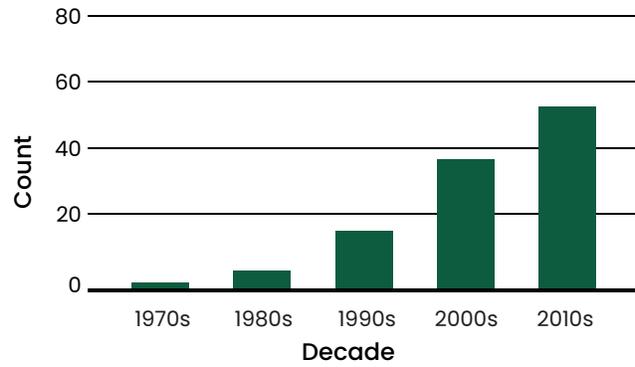
Annual Cost

\$2,610,042.00¹⁷⁹

Cost of Incarcerations for Sentence Duration

\$78,548,992.80¹⁸⁰

Trends Over Time



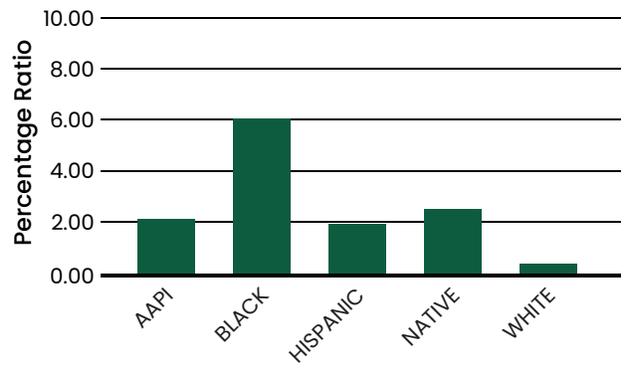
Race/Ethnicity Breakdown



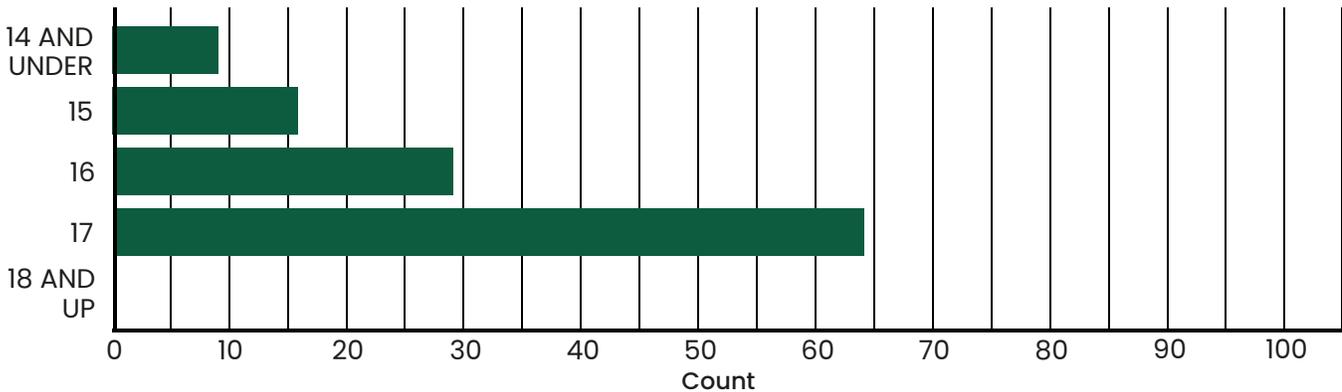
- AAPI
9 (7.6%)
- BLACK
15 (12.7%)
- HISPANIC
35 (29.7%)
- NATIVE
8 (6.6%)
- OTHER
4 (3.4%)
- WHITE
47 (39.8%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
0

De Facto Life Sentences:
78 (66.10%)

Average Sentence Length:
69.75 years
(10.78 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	69.75	1.00	100.00
AAPI	71.67	15.00	100.00
BLACK	45.40	1.00	100.00
HISPANIC	67.14	5.00	100.00
NATIVE	68.13	15.00	100.00
OTHER	76.25	5.00	100.00
WHITE	78.83	5.00	100.00

VERMONT

Our analysis of publicly available data on Vermont was not able to yield a viable population of individuals where we could determine with a high amount of confidence that everybody committed their relevant offense before the age of 18. As such, they are not included in our nationwide analysis.

VIRGINIA

The Virginia Department of Corrections refused to comply with our request. We did, however, receive information from the Virginia Sentencing Commission which revealed a population of 1,540 children who had been sentenced as adults during the previous ten years. However, we had no way of determining, without additional labor-intensive work, which of these people were still incarcerated, and so this number is not included in any of our nationwide statistical breakdowns.

WASHINGTON

Total Incarcerated Children

494 (17 girls, 477 boys)

Percentage of State Prison Population

2.56%

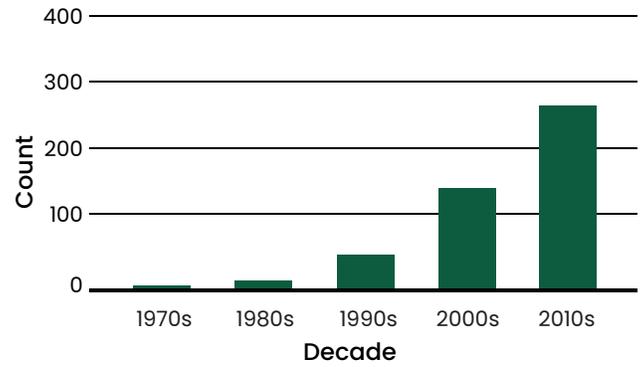
Annual Cost

\$18,693,454.00¹⁸¹

Cost of Incarcerations for Sentence Duration

\$277,459,293.84¹⁸²

Trends Over Time



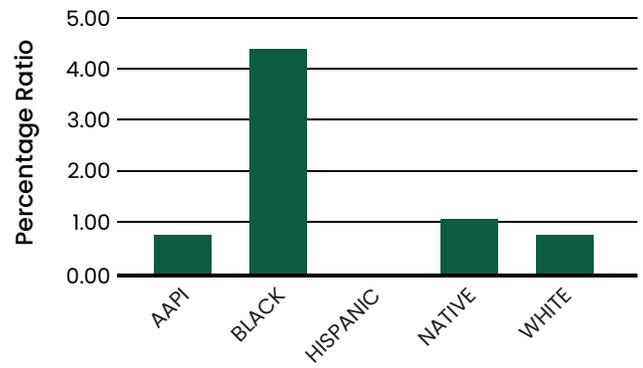
Race/Ethnicity Breakdown



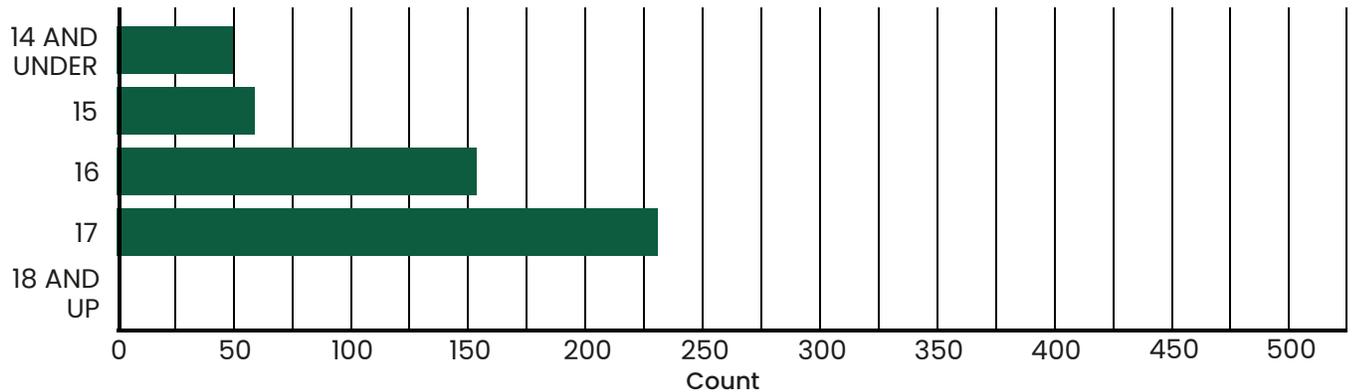
- AAPI
47 (9.5%)
- BLACK
126 (25.5%)
- NATIVE
21 (4.3%)
- OTHER
20 (4.0%)
- WHITE
280 (56.7%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:
0

De Facto Life Sentences:
22 (4.45%)

Average Sentence Length:
15.28 years
(13.67 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	15.28	0.00	83.30
AAPI	14.51	0.00	40.02
BLACK	15.30	0.00	50.03
NATIVE	14.36	0.00	66.54
OTHER	12.81	3.00	31.68
WHITE	15.65	0.00	83.30

WEST VIRGINIA

Total Incarcerated Children

38 (3 girls, 35 boys)

Percentage of State Prison Population

0.56%

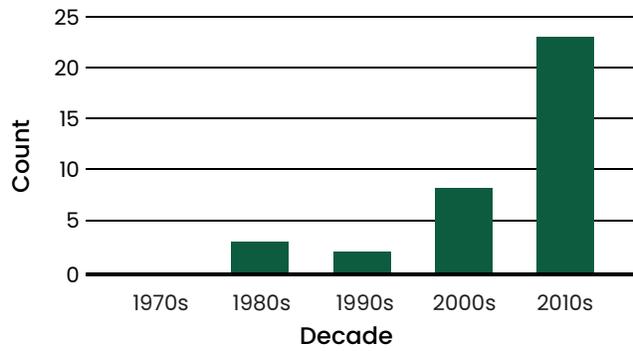
Annual Cost

\$1,043,404.00¹⁸³

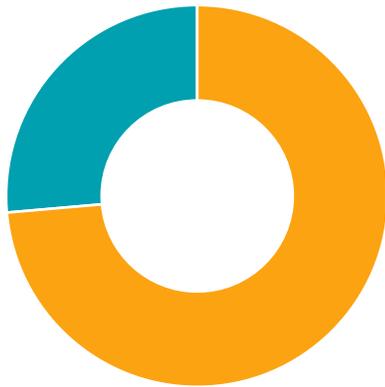
Cost of Incaarcerations for Sentence Duration

\$33,086,890.00¹⁸⁴

Trends Over Time



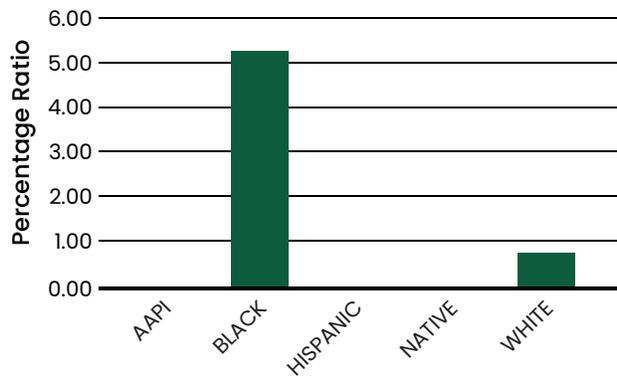
Race/Ethnicity Breakdown



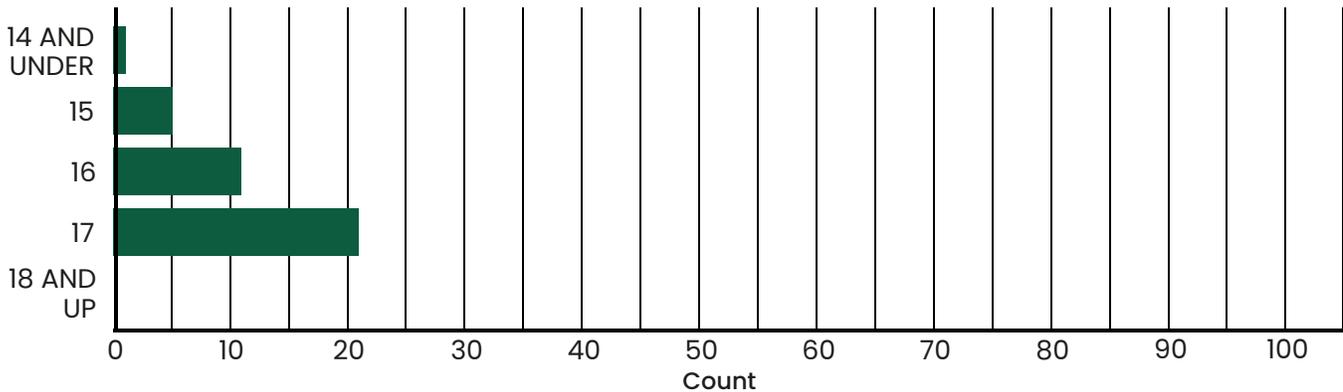
● BLACK
10 (26.3%)
● WHITE
28 (73.7%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

12 (31.58%)

De Facto Life Sentences:

8 (21.05%)

Average Sentence Length:

30.38 years

(22.5 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	30.38	5.00	80.00
BLACK	20.63	10.00	40.00
WHITE	34.72	5.00	80.00

WISCONSIN

Total Incarcerated Children

1,709 (24 girls, 1,685 boys)

Percentage of State Prison Population

7.12%

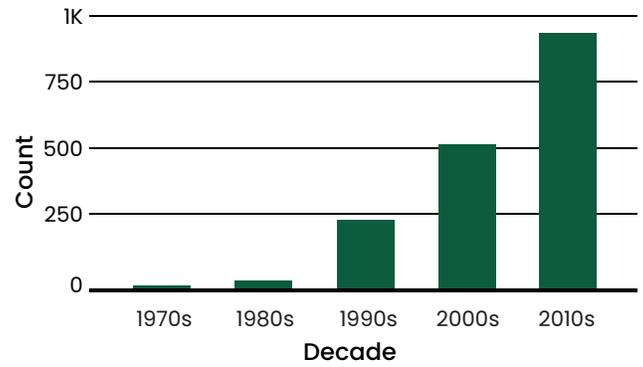
Annual Cost

\$66,042,596.00¹⁸⁵

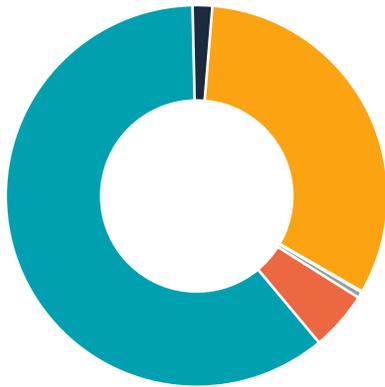
Cost of Incarcerations for Sentence Duration

\$894,077,245.00¹⁸⁶

Trends Over Time



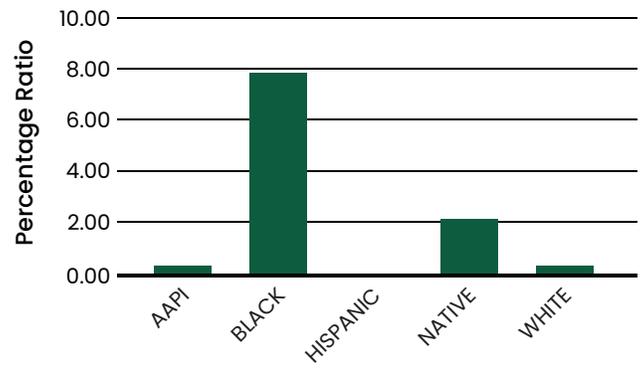
Race/Ethnicity Breakdown



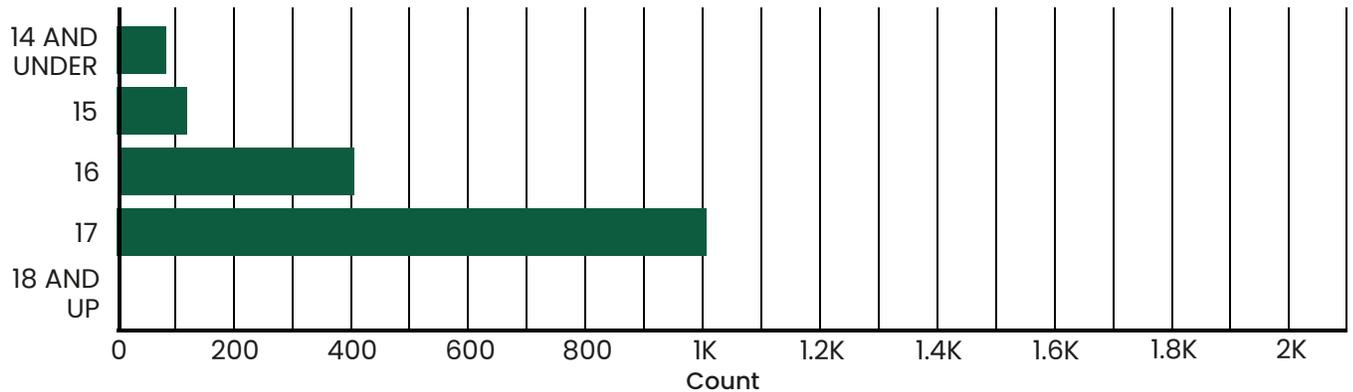
- AAPI
21 (1.2%)
- BLACK
1,033 (60.4%)
- NATIVE
86 (5.0%)
- OTHER
4 (0.2%)
- WHITE
565 (33.1%)

Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown



Sentencing

Life Sentences:

141 (8.25%)

De Facto Life Sentences:

73 (4.27%)

Average Sentence Length:

12.45 years
(9.75 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	12.45	0.12	219.80
AAPI	14.36	0.29	34.23
BLACK	13.01	0.12	219.80
NATIVE	10.63	0.33	191.83
OTHER	6.61	1.59	19.22
WHITE	11.63	0.50	110.13

WYOMING

Total Incarcerated Children

11 (0 girls, 11 boys)

Percentage of State Prison Population

0.44%

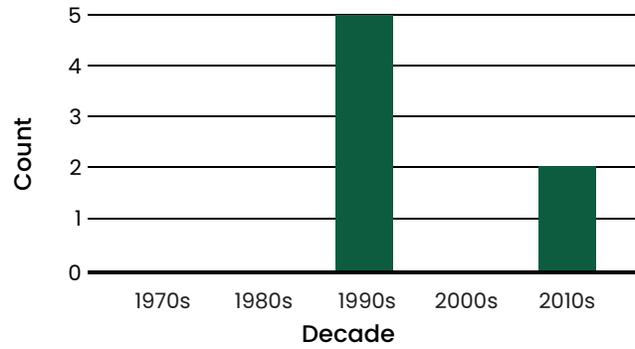
Annual Cost

\$516,449.45¹⁸⁷

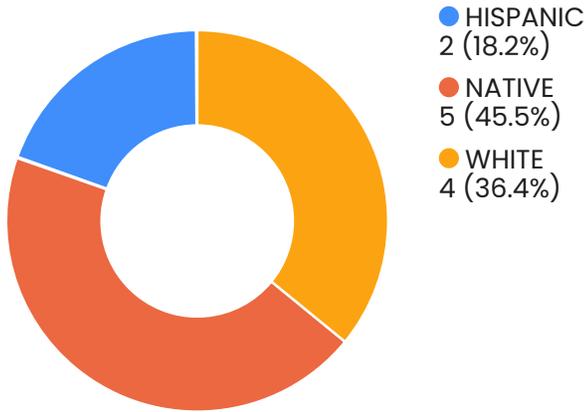
Cost of Incarcerations for Sentence Duration

\$10,141,189.20¹⁸⁸

Trends Over Time

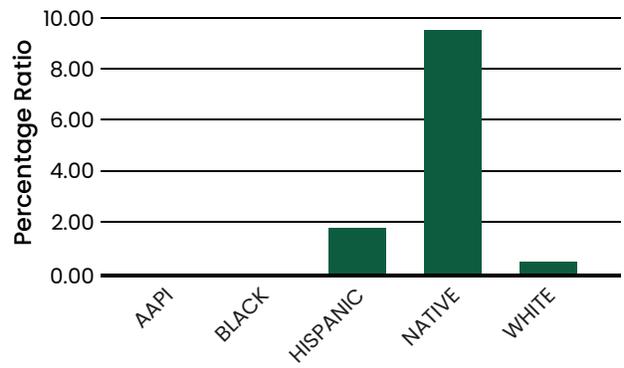


Race/Ethnicity Breakdown

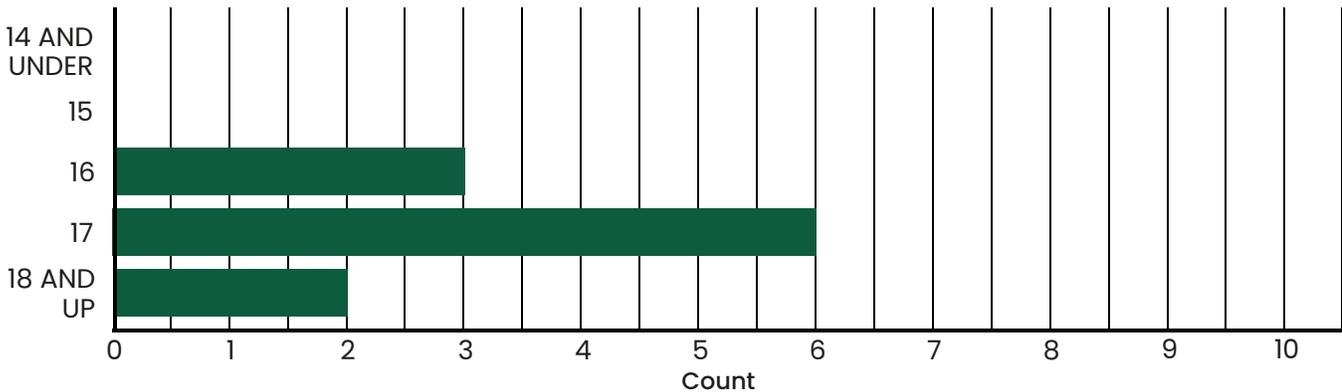


Prison to State Population Ratio

Value of 1 means no disparity



Age Breakdown¹⁸⁹



Sentencing

Life Sentences:

3 (27.27%)

De Facto Life Sentences:

1 (9.09%)

Average Sentence Length:

23.78 years

(8 years without De Facto Life)

RACE/ETHNICITY	AVERAGE SENTENCE	SHORTEST SENTENCE	LONGEST SENTENCE
ALL	23.78	3.00	95.00
HISPANIC	4.50	4.00	5.00
NATIVE	21.00	3.00	60.00
WHITE	50.00	5.00	95.00

RECOMMENDATIONS

The findings outlined in this report affords us an unprecedented opportunity to view the prevalence and impact of prosecuting and sentencing children as adults. This inhumane practice, which contravenes international law and universally accepted human rights norms, stretches back more than fifty years and continues to this day. Sadly, people who were incarcerated as children comprise a significant portion of our current prison population. We know that current, and laudable efforts to right size our adult justice systems will stall out without an approach that includes reforms for individuals who have committed violent offenses. Given that many of the children locked up in adult prisons have committed more serious offenses,¹⁹⁰ policy shifts that provide relief for these children and prevent this practice from continuing will accelerate these larger criminal justice reform goals.

FOR THE FIELD

Fortunately, there is hope. In the past decade we've seen policymakers work across the political aisle to enact laws to treat children in conflict with the law with dignity and humanity. We applaud this progress, and at the same time call on child advocates, criminal justice system reformers, members of the philanthropic community, and state and federal policy makers to go further.

We must abandon the false notion that criminal justice reform for children must necessarily be separate and distinct from criminal justice reform for adults. For when children are transferred into the adult system, they are treated in every way like an adult. If we can change the way children are treated in the adult justice system, it becomes a path to improve the treatment of all. Moreover, if we only look at children subject to the jurisdiction of the juvenile justice system we miss



half the problem. Forgetting about the children who are transferred and tried as adults will hobble our efforts to right-size and reform the criminal justice system. As has been demonstrated time and time again, however far we get with changing the way children are treated, is as far as we will get with everyone else. Therefore, every criminal justice system reformer – regardless of their area of focus - has a vested interest in changing the way children are treated within these systems.

FOR PHILANTHROPY

Members of the funding community should depart from a binary child/adult approach to criminal justice reform and should instead make criminal justice reform for children a priority. There are many organizations who have proven quite effective in their approaches over the years. These organizations should be fully resourced and their models replicated to bring about long-term systemic change. Critical to these models is the embrace of both a grassroots and grass tops strategy that brings together unlikely allies and expands political support among both Democrats and Republicans. Any efforts that do not center a bipartisan approach are doomed to fail. It is for these reasons that Philanthropy must also prioritize funding state-based AND national organizations. State-based groups are often more effective at on the ground grassroots organizing, whereas national organizations bring in outside expertise and are often effective at implementing grass tops strategies.

FOR STATE AND FEDERAL POLICYMAKERS

Through our Model Law and National State Ratings Report, Human Rights for Kids has developed 12 policy reforms that would address the rampant human rights violations taking place against children in the U.S. criminal justice system. These reforms are a helpful start to address both front-end and back-end reforms that are needed to stop more children from coming into the system and providing retroactive relief to those who are still in the system.

Beyond our current recommendations, we have identified 8 key reforms that policymakers should implement to begin addressing this human rights crisis:

1. Raise the minimum age of transfer to Sixteen (16); prohibit the transfer of children fifteen (15) and younger into the adult criminal justice system. Public safety considerations can properly be balanced by extending juvenile court jurisdiction for those children who may need additional treatment up to age twenty (25).
2. End direct file and statutory exclusions: ensure that 16 and 17-year-old children who are charged with a serious crime have their transfer petitions heard by a juvenile court judge prior to being transferred into the adult criminal justice system.
3. Retroactive resentencing for young children previously transferred and tried as adults: permit courts to reconsider and resentence individuals whose crimes were committed when they were 15 or younger so as to reflect the change in transfer laws noted above.
4. Child-status consideration when sentencing children as adults: require courts to consider the mitigating factors of youth, including exposure to Adverse Childhood Experiences and childhood trauma, prior to sentencing children convicted in the adult criminal justice system.
5. Restore judicial discretion when sentencing children: allow courts to depart from any otherwise applicable mandatory minimum, sentencing enhancement, or suspend any portion of a sentence, when a child is sentenced in adult court.
6. Retroactive resentencing for everyone currently incarcerated for crimes they committed as children so as to reflect the change in sentencing laws noted above: allow courts to reconsider and resentence individuals in cases where the court did not have the ability to impose a trauma-informed and age-appropriate sentence due to mandatory sentencing laws.
7. Release safety valve: permit all children convicted and sentenced as adults to be eligible for release through judicial or parole review after no more than 15 years.
8. Mandatory data collection and transparency: require the Department of Corrections/Public Safety to regularly track the number of individuals incarcerated for crimes committed as children and to make this data more readily accessible to human rights organizations.

FOR GOVERNORS & THE PRESIDENT

Beyond providing political support for the policies outlined above, there are a number of critical steps State Governors and the President can take to address this crisis, including:

1. Immediate review and consideration of people who committed their crimes as children for Executive Clemency and/or Pardons with great weight given to child status, growth, maturity, and rehabilitation;
2. Direct the paroling authority, under the Department of Corrections or Public Safety (or BOP), to prioritize the expedited review of people who committed their crimes as children;
3. Direct the paroling authority to issue or revise guidelines specifically relating to people who committed their crimes as children to ensure that extensive consideration is given to youthful immaturity, trauma history, and the developmental differences between children and adults during parole hearings;
4. Issue an Executive Order banning the placement of ALL children under the age of eighteen (18) in adult jails or prisons; and
5. Require the Secretary of the Department of Corrections or Public Safety (or BOP) to conduct an annual accounting on every person who is currently incarcerated for crimes they committed as children. Allow this information to be readily shared with human and child rights organizations.

FOR BETTER DATA COLLECTION

A core tenet of the fundamental social compact between citizens and the state mandates that when the state engages in the serious exercise of removing anyone's fundamental rights of personal liberty, it assumes an equally grave responsibility to do so in a manner that protects that individual's humanity and dignity. When citizens allow the state to hold this power over them, they do so with the understanding that the state will only wield it with due restraint and caution. Yet, without full and clear knowledge of the state's actions, citizens cannot be sure that the state is holding up its end of the bargain. Only by being fully transparent about its actions can the state assure its citizenry that it is acting in good conscience.

In the process of writing this report, we did not experience a level of transparency into state actions that one would expect in a robust democracy. Rather, we encountered an elongated, frustrating, and sometimes expensive process in which the data we received, if we received it at all, was often incomplete and sometimes confounding.

State departments of corrections must facilitate public access to data. Doing so might entail departments of correction to institute a culture of sharing data rather than concealing data, increase staffing to facilitate data transfer to the public, and/or create software programs that translate data from sometimes archaic database systems into utilizable spreadsheet formats.

States should ensure ongoing data transparency and accessibility through statutory frameworks that enshrine the right to data about their criminal justice systems operations. The data should include at a minimum: age at offense, age at incarceration, date of incarceration, length of sentence, gender, race and ethnicity, and offense.



CONCLUSION

The United States is currently engaged in one of the largest government-sanctioned human rights abuses against children in the world today. It is in violation of its treaty obligation under the ICCPR, has refused to ratify and abide by the CRC, and perpetuates human rights violations that disproportionately impact minority children. These children experience torturous conditions which are prohibited under international law. It doesn't have to be this way. We can, as a community, change the way we treat children who come into conflict with the law and end this shameful practice. In order to do so everyone must step up. We need policymakers to champion these reforms; we need criminal justice reformers to prioritize children in reform efforts; we need philanthropy to invest in this movement; and we need the public to demand change. The purpose of this report was to shine a light into the U.S. prison system to find all of the children we've been warehousing since the 20th century and expose a pattern of human rights abuses that are highly suggestive of crimes against humanity. Our hope is for the United States to resolve to do better and to take actions to be better. In the interim, it is imperative that the international community hold the U.S. government and actors within its criminal justice system accountable for its treatment of children.

APPENDIX

Department of Corrections Data Requests

We used a simple data request in order to facilitate the provision of data from the many departments of correction (DOC). When we began our research in June of 2021, we had little insight into the vagaries or the limitations of the data systems of the state departments of correction. As our research progressed, and some departments were able to clarify the structure of their data systems, we refined our data request so that departments would be able to more easily provide us with the data that we needed. In three instances, states provided their full roster of people in prison, and we cleaned and sorted the data ourselves.

Twenty-six states provided data in response to the below data request:

To whom it may concern:

I am reaching out to request information relating to prisoners who are currently serving sentences in (insert state). We are seeking to compile information across all fifty states and the District of Columbia on prisoners convicted as adults who were under the age of 18 at the time of the offense for which they were convicted as adults.

Specifically, we are requesting information for all prisoners who are currently incarcerated in adult prisons and children prisons (if possible) and serving a sentence in {insert state} for violations of state law committed when they were under the age of 18, but for which they were convicted in the adult criminal justice system, including the following:

- (1) Name (or non-identifying number if name cannot be released)
- (2) DOC Number
- (3) Date of Birth
- (4) Demographic Information (Race, Gender, and Nationality)
- (5) Date of Offense for which they are serving time (or, if unavailable, at date of sentencing or date of admission)
- (6) Age at Time of Offense (or, if unavailable, at age at sentencing or age at admission)
- (7) Sentence Length
- (8) Whether any portion of Sentence was a Mandatory Minimum Sentence
- (9) Current Facility Location within the Department of Corrections

We would appreciate it if the information could be provided in Excel spreadsheet format. If DOC is not able to release names of prisoners, a non-identifying number could be used in place of the name.

Please let me know if you have any questions or need further clarifications. Before this information is provided, please let us know of any estimated costs for providing this information.

Nineteen states provided data in response to an earlier version of the data request. This version read as follows:

I am reaching out to request information relating to juvenile offenders who are currently serving sentences in your state. We are seeking to compile information on prisoners who were juveniles (less than 18 years of age) at the time of their offense(s) across all fifty states and the District of Columbia.

Specifically, we are requesting information for all prisoners currently incarcerated and serving an adult sentence in your state for violations of state law committed when under the age of 18, including the following:

- (1) Name
- (2) DOC Number
- (3) Date of Birth
- (4) Demographic Information (Race, Gender, and Nationality)
- (5) Date of Offense
- (6) Age at Time of Offense
- (7) Sentence Length
- (8) Whether any portion of Sentence was a Mandatory Minimum Sentence
- (9) Assigned Location

The states that responded to this earlier version include:

1. CO
2. CT
3. HI
4. IA
5. KY
6. LA
7. MD
8. MN
9. MO
10. NM
11. NC
12. ND
13. OK
14. OR
15. RI
16. SC
17. TX
18. WA
19. WV



ENDNOTES

- ¹ There is no national data set that tracks the direct prosecution of children in adult court. <https://www.ojp.gov/pdffiles1/ojdp/232434.pdf>
- ² We did not receive usable data from Alaska, Delaware, New Hampshire, Vermont, Virginia, or Washington, DC, and therefore they are not included in our national statistics.
- ³ As significant as this number is, it is certainly an undercount since we were unable to include data from several states including NY, which had a longstanding practice of putting all 16 and 17 year olds through the adult criminal justice system.
- ⁴ The vast majority of the states that shared data with us did not include data from jails or children prisons. The approximate number of individuals incarcerated in state prison, 1,042,000, can be found at <https://www.prisonpolicy.org/reports/pie2022.html>
- ⁵ With 1,566 state prisons and 1,042,000 state prisoners (see Prison Policy Initiative) the average sized prison hold 665 individuals. Using this average, we can determine that the present day population of children incarcerated with adults would fill 50 separate prisons.
- ⁶ <https://www.epi.org/publication/whos-paying-now-costs-of-the-current-ece-system/>
- ⁷ <https://www.epi.org/publication/whos-paying-now-costs-of-the-current-ece-system/>
- ⁸ “The protection of fundamental human rights was a foundation stone in the establishment of the United States over 200 years ago. Since then, a central goal of U.S. foreign policy has been the promotion of respect for human rights, as embodied in the Universal Declaration of Human Rights.” State Department website discussion of U.S. foreign policy. Accessed January 24, 2023 <https://www.state.gov/policy-issues/human-rights-and-democracy/>
- ⁹ OJJDP Statistical Briefing Book, accessed January 25, 2023 https://www.ojjdp.gov/ojstatbb/structure_process/qa04105.asp
- ¹⁰ Timmons, Gregg, “How Slavery Became the Economic Engine of the South”, History, <https://www.history.com/news/slavery-profitable-southern-economy>, accessed January 25, 2023
- ¹¹ https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/civil-rights-reimagining-policing/how-you-start-is-how-you-finish/
- ¹² *Dred Scott v. Sandford*, 60 U.S. 393 (1856).
- ¹³ *Id.* at 451-452.
- ¹⁴ Nadra Kareem Nittle, “How the Black Codes Limited African American Progress after the Civil War,” <https://www.history.com/news/black-codes-reconstruction-slavery>, Accessed January 25, 2023
- ¹⁵ *The Jim Crow Jury*, Thomas W. Frampton, 71 *Vanderbilt Law Review* 1593, 1597 (2019).
- ¹⁶ *Id.* at 1613.
- ¹⁷ *Id.* at 1618.
- ¹⁸ *Id.* At 1603.
- ¹⁹ George Stinney was executed at 14. Can his family now clear his name?, Karen McVeigh, *The Guardian* (March 22, 2014) (<https://www.theguardian.com/theobserver/2014/mar/22/george-stinney-execution-verdict-innocent>).
- ²⁰ *Id.*
- ²¹ *Id.*
- ²² *The Murder of Emmett Till*, PBS (visited March 17, 2023) (<https://www.pbs.org/wgbh/americanexperience/features/till-timeline/>).
- ²³ *Id.*
- ²⁴ *Lynching in America: Confronting the Legacy of Racial Terror*, Equal Justice Initiative, (3d. Ed. 2017).
- ²⁵ ‘Slavery by any name is wrong’: the push to end forced labor in prisons, Michael Sainato, *The Guardian* (September 27, 2022) (<https://www.theguardian.com/us-news/2022/sep/27/slavery-loophole-unpaid-labor-in-prisons>).
- ²⁶ *How Two States Differ on the Injustice of Non-Unanimous Juries*, Jamiles Lartey, *The Marshall*

Project (January 7, 2023) (<https://www.themarshallproject.org/2023/01/07/oregon-louisiana-non-unanimous-juries-unconstitutional>)

²⁷ *Roper v. Simmons*, 543 U.S. 551 (2005).

²⁸ <https://www.ojp.gov/pdffiles1/ojdp/232434.pdf> and “An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System”, Vera Institute of Justice, <https://www.vera.org/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf> Accessed January 25, 2023

²⁹ *Id.* at 583.

³⁰ *Id.*

³¹ *Juvenile Transfer Laws: An Effective Deterrent to Delinquency?*, Richard E Redding, OJJDP, (June 2010).

³² Statistical Briefing Book, OJJDP, (<https://www.ojdp.gov/ojstatbb/corrections/qa08700.asp>)

³³ *National Prison Rape Elimination Commission Report*, pg. 155, (June 2009).

³⁴ *The Coming of the Super-Predators*, John DiLulio, Washington Examiner (November 27, 1995).

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ Clinton regrets 1996 remark on ‘super-predators’ after encounter with activist, Abby Phillip, Washington Post (February 25, 2016) (<https://www.washingtonpost.com/news/post-politics/wp/2016/02/25/clinton-heckled-by-black-lives-matter-activist/>).

³⁹ *Race and the Fragility of the Legal Distinction Between Juveniles and Adults*, Aneeta Rattan, et. al, PLoS One, pg. 4, May 2012, Volume 7, Issue 5.

⁴⁰ *Id.*

⁴¹ *The Essence of Innocence: Consequences of Dehumanizing Black Children*, Phillip Goff, et. al, Journal of Personality and Social Psychology, 2014, Vol. 106, No. 4, 526 – 545, 527.

⁴² *Id.* at 529.

⁴³ *Id.*

⁴⁴ <https://www.sentencingproject.org/reports/children-in-adult-courts-jails-and-prisons/>, Sentencing Project, accessed January 25, 2023

⁴⁵ *ibid.*

⁴⁶ Elizabeth Hinton and DeAnza Cook, “The Mass Criminalization of Black Americans: A Historical Overview,” Annual Review of Criminology, 2021, <https://www.annualreviews.org/doi/10.1146/annurev-criminol-060520-033306>,

⁴⁷ Adult Crime, Adult Time, Linda J. Collier, The Washington Post (March 29, 1998) (<https://www.washingtonpost.com/wp-srv/national/longterm/juvmurders/stories/adulcrime.htm>)

⁴⁸ Equal Justice Initiative (2017). *All Children are Children: Challenging Abusive Punishment of Juveniles*. United States. Equal Justice Initiative.

⁴⁹ *Children in adult prison*. Equal Justice Initiative. (2022, January 25). Retrieved October 12, 2022, from <https://eji.org/issues/children-in-prison/>

⁵⁰ ACLU and Human Rights Watch (2012). *Growing Up Locked Down: Children in Solitary Confinement in Jails and Prisons Across the United States*. United States. ACLU and Human Rights Watch. Pg. 53-57

⁵¹ *Id.*

⁵² Tracy Hresko, In the Cellars of the Hollow Men: Use of Solitary Confinement in U.S. Prisons and Its Implications Under International Laws against Torture, 18 Pace Int’l L. Rev. 1 (2006) Available at: <https://digitalcommons.pace.edu/pilr/vol18/iss1/1>. The report details that solitary confinement as a prison policy fits for the four elements of torture as define in the Covenant against Torture: causing a certain degree of suffering, done intentionally for a purpose, having an objective for that suffering, and having an officially sanctioned character.

⁵³ “Growing Up Locked Down,” Human Rights Watch, 2012, <https://www.hrw.org/report/2012/10/10/growing-locked-down/children-solitary-confinement-jails-and-prisons-across-united>

⁵⁴ OJJDP Journal of Juvenile Justice, Volume 3, Issue 2, Spring 2014 (<https://www.ojp.gov/pdffiles/246951.pdf>).

⁵⁵ History of Abuse Seen in Many Girls in Juvenile System, Timothy Williams, The Washington Post

(July 9, 2015) (<https://www.nytimes.com/2015/07/09/us/girls-in-juvenile-facilities-often-abused-report-says.html>).

⁵⁶ The Southern Poverty Law Center. *Destined to Fail: How Florida Jails Deprive Children of Schooling*. Southern Poverty Law Center. Retrieved October 24th, 2022, from https://www.splcenter.org/sites/default/files/cr_ctaa_report_2018_web_final.pdf.

⁵⁷ Simmonds, Mahari. *Education Behind Bars: Can Young People be Taught in the Adult Justice System?* Juvenile Justice Information Exchange. Retrieved October 26th at <https://jjie.org/2019/01/02/education-behind-bars-can-young-people-be-taught-in-adult-justice-system/>.

⁵⁸ *Id.*

⁵⁹ Weir, K. (2017, September 1). Maximizing children's resilience. *Monitor on Psychology*, 48(8). <https://www.apa.org/monitor/2017/09/cover-resilience>

⁶⁰ Note selected ratification – not articles pertaining to transfer of children into the adult system

⁶¹ ICCPR, Article 10, section 1

⁶² ICCPR, Article 10, section 2

⁶³ ICCPR, Article 14

⁶⁴ Senate Comm. on Foreign Relations, Report on the International Covenant on Civil and Political Rights, S. Exec. Rep. No. 23, 1 (102d Sess. 1992)

⁶⁵ World Prison Population List, Thirteenth Edition, Helen Fair & Roy Walmsley, Institute for Crime and Justice Policy Research (2021) (https://www.prisonstudies.org/sites/default/files/resources/downloads/world_prison_population_list_13th_edition.pdf).

⁶⁶ Signed but not ratified

⁶⁷ Juvenile Delinquents and Federal Criminal Law: The Federal Juvenile Delinquency Act and Related Matters. Doyle, C. (2004). Washington, D.C.: Congressional Research Service. 68 18 USC § 5032 (1996).

⁶⁸ 18 USC § 5032 (1996).

⁶⁹ <http://www.jjgps.org/jurisdictional-boundaries>, accessed January 25, 2023

⁷⁰ <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

⁷¹ Youth younger than 18 prosecuted in criminal court: National estimate, 2019 cases, Charles Puzzanchera, Melissa Sickmund, Hunter Hurst, National Center for Juvenile Justice (<https://www.ojp.gov/sites/g/files/xyckuh176/files/media/document/youth-prosecuted-criminal-court-2019-cases.pdf>).

⁷² See Appendix for the text of our data request.

⁷³ <https://www.prisonpolicy.org/blog/2020/04/22/native/>

⁷⁴ https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-projects-and-surveys/miscellaneous/20150226_Life_Sentences.pdf

⁷⁵ United States Census Bureau (2020). State Visualizations of Key Demographic Trends from the 2020 Census. Found at <https://www.census.gov/library/stories/state-by-state.html>.

⁷⁶ We did not receive data from Alaska, District of Columbia, Delaware and New Hampshire.

⁷⁷ The vast majority of the states that shared data with us did not include data from jails or children prisons. The approximate number of individuals incarcerated in state prison, 1,042,000, can be found at <https://www.prisonpolicy.org/reports/pie2022.html>

⁷⁸ With 1,566 state prisons and 1,042,000 state prisoners (see Prison Policy Initiative) the average sized prison hold 665 individuals. Using this average, we can determine that the present day population of children incarcerated with adults would fill 50 separate prisons.

⁷⁹ <https://www.epi.org/publication/whos-paying-now-costs-of-the-current-ece-system/>

⁸⁰ Life Sentences plus de facto life sentences totals 19,739.

⁸¹ The average of all numbered sentences = 21.72 years. The average of numbered sentences, not including de facto life sentences = 14.59 years.

⁸² The collective financial burden we have calculated is \$24,011,822,999.56, which was calculated by adding each Cost of Incarcerations for Sentence Duration for each state, which can be found in the State Data Snapshot section starting at pg. 70.

⁸³ <https://www.epi.org/publication/whos-paying-now-costs-of-the-current-ece-system/>

⁸⁴ <https://www.ssa.gov/oact/cola/awidevelop.html>

⁸⁵ (\$32,000 median wage X 25 years served X 32,359 people = \$25,887,200,000)

⁸⁶ Note that this includes 13 individuals who still had a death sentence on the books.

⁸⁷ The averages for this chart are slightly different than the averages shared previously because Hawaii, which did not provide a breakdown on race/ethnicity, is not included in the averages for this chart.

⁸⁸ States that did not include gender/sex data: Hawaii, New Mexico and North Carolina.

⁸⁹ States missing for Race/Ethnicity breakdown of Boys and Girls: California, Hawaii, Maryland, New Mexico, North Carolina, Virginia

⁹⁰ Nevada did not provide data on decade of incarceration, and so is not included in this count.

⁹¹ States not included: Colorado, Connecticut, Missouri, Montana, Nevada, Oklahoma, South Carolina, Utah, Washington.

⁹² States not included: Hawaii, Iowa, Nevada, North Carolina.

⁹³ Statistics on State Prison Population: National Institute of Corrections, State Statistics Information: 2019 National Average (n.d.).

⁹⁴ \$14,780 annually per person X 338 people = \$4,995,640.00 per year

⁹⁵ (\$14,780 X 212 people serving numbered sentences under 40 years X 20.9 average years served) + (\$14,780 X 126 people X 40 years) = \$139,978,424.00

⁹⁶ \$25,397 annually per person X 933 people = \$23,695,401 per year

⁹⁷ (\$25,397 X 795 numbered sentences under 40 years X 8.65 average years served) + (\$25,397 X 138 people serving life/de facto life sentences X 40 years) = \$31,840,259.75

⁹⁸ \$20,915 annually per person X 532 people = \$11,126,780 per year

⁹⁹ (\$20,915 X 416 numbered sentences under 40 years X 17.23 average years served) + (\$20,915 X 116 people serving life/de facto life sentences X 40 years) = \$246,957,627.20

¹⁰⁰ \$64,642 annually per person X 3,762 people = \$243,183,204.00 per year

¹⁰¹ (\$64,642 X 1,711 numbered sentences under 40 years X 17.8 average years served) + (\$64,642 X 2,051 people serving life/de facto life sentences X 40 years) = \$7,271,953,503.60

¹⁰² \$39,303 annually per person X 306 people = \$12,026,718.00 per year

¹⁰³ (\$39,303 X 208 numbered sentences under 40 years X 14.95 average years served) + (\$39,303 X 98 people serving life/de facto life sentences X 40 years) = \$276,284,368.80

¹⁰⁴ \$62,159 annually per person X 210 people = \$13,053,390.00 per year

¹⁰⁵ (\$62,159 X 160 numbered sentences under 40 years X 13.29 average years served) + (\$62,159 X 50 people serving life/de facto life sentences X 40 years) = \$256,492,897.60

¹⁰⁶ \$19,069 annually per person X 2,639 people = \$50,304,022.00 per year

¹⁰⁷ (\$19,069 X 2,058 numbered sentences under 40 years X 15.09 average years served) + (\$19,069 X 580 people serving life/de facto life sentences X 40 years) = \$1,034,592,790.18

¹⁰⁸ \$19,977 annually per person X 1,249 people = \$25,670,445.00 per year

¹⁰⁹ (\$19,977 X 675 numbered sentences under 40 years X 20.07 average years served) + (\$19,977 X 574 people serving life/de facto life sentences X 40 years) = \$729,305,333.25

¹¹⁰ \$29,425 annually per person X 5 people = \$147,125 per year

¹¹¹ (\$29,425 X 2 people serving a numbered sentence under 40 years X 20 average years served) + (\$29,425 X 3 people serving life/de facto life sentences X 40 years) = \$4,708,000.00

¹¹² We assumed that individuals with multiple sentences were running concurrently.

¹¹³ \$22,182 X 21 people = \$465,822 per year

¹¹⁴ (\$22,812 X 12 people serving numbered sentences under 40 years X 14.06 average years served) + (\$22,812 X 9 people serving life/de facto life sentences X 40 years) = \$11,728,067.04

¹¹⁵ \$33,507 annually per person X 981 people = \$32,870,367 per year

¹¹⁶ (\$33,507 X 717 numbered sentences under 40 years X 23.27 average years served) + (\$33,507 X 264 people serving life/de facto life sentences X 40 years) = \$912,884,477.13

¹¹⁷ \$18,065 annually per person X 214 people = \$3,865,910.00 per year

¹¹⁸ (\$18,065 X 99 people serving numbered sentences under 40 years X 17.94 average years served) + (\$18,065 X 115 people serving life/de facto life sentences X 40 years) = \$115,183,523.90

¹¹⁹ \$37,908 annually per person X 353 people = \$13,381,524 per year

¹²⁰ (\$37,908 X 266 people serving numbered sentences under 40 years X 16.56 average years served) + (\$37,908 X 87 people serving life/de facto life sentences X 40 years) = \$298,903,063.68

¹²¹ \$24,511 annually per person X 188 people = \$4,608,068.00 per year

¹²² (\$24,511 X 165 people serving numbered sentences under 40 years X 14.95 average years served) + (\$24,511 X 23 people serving life/de facto life sentences X 40 years) = \$83,012,629.25

¹²³ This reflects the data that was given to us by Kentucky in response to our query. Given, however, that Kentucky had, until 2021, a mandatory transfer statute for gun charges for children 14 years or older, as well as

discretionary waiver options for children 14 or older, we must insert a note of caution about the reliability of this data.

¹²⁴ \$16,681 annually per person X 11 people = \$183,491.00

¹²⁵ (\$16,681 X 8 people serving numbered sentences under 40 years X 15.81 average years served) + (\$16,681 X 3 people serving life/de facto life sentences X 40 years) = \$4,111,532.88

¹²⁶ \$16,251 annually per person X 2,277 people = \$37,003,527 per year

¹²⁷ (\$16,251 X 1656 people serving numbered sentences under 40 years X 13.74 average years served) + (\$16,251 X 621 people serving life/de facto life sentences X 40 years) = \$773,440,993.44

¹²⁸ \$43,773 annually per person X 5 people = \$2,18,865.00 per year

¹²⁹ \$43,773 X 5 people serving numbered sentences under 40 years X 21 average years served = \$4,596,165.00

¹³⁰ \$44,601 annually per person X 1,132 people = \$50,488,332 per year

¹³¹ (\$44,601 X 694 people serving numbered sentences under 40 years X 17.01 average years served) + (\$44,601 X 438 people serving life/de facto life sentences X 40 years) = \$1,307,921,648.94

¹³² Three individuals did not have sentence lengths in the data we received, and thus were not factored in for average sentence length

¹³³ \$55,170 annually per person X 182 people = \$10,040,940 per year

¹³⁴ (\$55,170 X 84 people serving numbered sentences over 40 years X 12.86 average years served) + (\$55,170 X 98 people serving life/de facto life sentences X 40 years) = \$275,863,240.80

¹³⁵ The Michigan Department of Corrections (MI DOC) initially provided a data set with 3,775 individuals who had been imprisoned since childhood. On multiple occasions we requested confirmation that the data was accurate. Two months after we sent the MI DOC a draft of our report, and days before we were set to publish our report, MI DOC contacted us to say that they had provided us with inaccurate data. They subsequently sent a revised data set of 554 individuals.

¹³⁶ \$35,809 annually per person X 554 people = \$19,838,186.00 per year

¹³⁷ (\$35,809 X 474 people serving numbered sentences under 40 years X 14.26 average years served) + (\$35,809 X 80 people serving life/de facto life sentences X 40 years) = \$356,630,425.16

¹³⁸ \$41,366 annually per person X 180 people = \$7,445,880.00 per year

¹³⁹ (\$41,366 X 147 people serving numbered sentences under 40 years X 14.59 average years served) + (\$41,366 X 33 people serving life/de facto life sentences X 40 years) = \$143,322,021.18

¹⁴⁰ \$19,607.80 annually per person X 770 people = \$15,098,006.00

¹⁴¹ (\$19,607.80 X 620 people serving numbered sentences under 40 years X 14.68 average years served) + (\$19,607.80 X 150 people serving life/de facto life sentences X 40 years) = \$296,109,152.48

¹⁴² \$22,187 annually per person X 1,091 people = \$24,206,017.00 per year

¹⁴³ (\$22,187 X 1,075 people serving numbered sentences under 40 years X 14.98 average years served) + (\$22,187 X 16 people serving life/de facto life sentences X 40 years) = \$371,488,034.50

¹⁴⁴ \$33,578 annually per person X 17 people = \$570,826.00 per year

¹⁴⁵ (\$33,578 X 12 people serving numbered sentences under 40 years X 13.85 average years served) + (\$33,578 X 5 people serving life/de facto life sentences X 40 years) = \$12,296,263.60

¹⁴⁶ \$38,107.89 annually per person X 117 people = \$4,458,623.13

¹⁴⁷ (\$38,107.89 X 78 people serving numbered sentences under 40 years X 14.53 average years served) + (\$38,107.89 X 39 people serving life/de facto life sentences X 40 years) = \$102,815,849.38

¹⁴⁸ \$17,851 annually per person X 274 people = \$4,891,174.00 per year

¹⁴⁹ (\$17,851 X 227 people serving numbered sentences under 40 years X 9.82) + (\$17,851 X 47 people serving life/de facto life sentences X 40 years) = \$73,352,258.14

¹⁵⁰ \$61,603 annually per person X 216 people = \$13,675,866.00 per year

¹⁵¹ (\$61,603 X 183 people serving numbered sentences under 40 years X 16.15 average years served) + (\$61,603 X 33 people serving life/de facto life sentences X 40 years) = \$263,380,546.35

¹⁵² \$36,832 annually per person X 115 people = \$4,235,680.00 per year

¹⁵³ (\$36,832 X 78 people serving numbered sentences under 40 years X 17.34 average years served) + (\$36,832 X 37 people serving life/de facto life sentences X 40 years) = \$104,327,367.64

¹⁵⁴ \$69,355 annually per person X 749 people = \$51,946,895.00

¹⁵⁵ (\$69,355 X 489 people serving numbered sentences under 40 years X 12.19 average years served) + (\$69,355 X 260 people serving life/de facto life sentences X 40 years) = \$1,134,710,913.05

¹⁵⁶ \$30,180 annually per person X 1,179 people = \$35,582,200.00 per year

¹⁵⁷ (\$30,180 X 931 people serving numbered sentences under 40 years X 11.13 average years served) + (\$30,180 X 248 people serving life/de facto life sentences X 40 years) = \$610,432,148.40

¹⁵⁸ \$38,601 annually per person X 23 people = \$887,823.00 per year

¹⁵⁹ $(\$38,601 \times 17 \text{ people serving numbered sentences under 40 years} \times 8.69 \text{ average years served}) + (\$38,601 \times 6 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$14,966,765.73$

¹⁶⁰ $\$26,509 \text{ annually per person} \times 588 \text{ people} = \$15,587,292.00 \text{ per year}$

¹⁶¹ $(\$26,509 \times 107 \text{ people serving numbered sentences under 40 years} \times 21.66 \text{ average years served}) + (\$26,509 \times 481 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$571,470,948.58$

¹⁶² $\$16,497 \text{ annually per person} \times 147 \text{ people} = \$2,425,059.00 \text{ per year}$

¹⁶³ $(\$16,497 \times 80 \text{ people serving numbered sentences under 40 years} \times 15.15 \text{ average years served}) + (\$16,497 \times 67 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$64,206,324.00$

¹⁶⁴ $\$44,021 \text{ annually per person} \times 484 \text{ people} = \$21,306,164.00 \text{ per year}$

¹⁶⁵ $(\$44,021 \times 434 \text{ people serving numbered sentences under 40 years} \times 8.84 \text{ average years served}) + (\$44,021 \times 50 \text{ people serving life or de facto life sentences} \times 40 \text{ years}) = \$256,931,207.76$

¹⁶⁶ $\$42,727 \text{ annually per person} \times 822 \text{ people} = \$35,121,594.00$

¹⁶⁷ $(\$42,727 \times 502 \text{ people serving numbered sentences under 40 years} \times 19.72 \text{ average years served}) + (\$42,727 + 320 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$969,878,972.88$

¹⁶⁸ Pennsylvania formatted age at time of admittance, not at offense. We left these in because we determined that it was feasible that these individuals were below 18 at the time of their offense.

¹⁶⁹ $\$58,564 \text{ annually per person} \times 16 \text{ people} = \$1,577,128.52 \text{ per year}$

¹⁷⁰ $(\$58,564 \times 6 \text{ people serving numbered sentences under 40 years} \times 18.69 \text{ average years served}) + (\$58,564 \times 10 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$29,992,966.96$

¹⁷¹ $\$20,053 \text{ annually per person} \times 1,139 \text{ people} = \$22,840,367.00$

¹⁷² $(\$20,053 \times 921 \text{ people serving numbered sentences under 40 years} \times 15.93 \text{ average years served}) + (\$20,053 \times 218 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$469,070,351.59$

¹⁷³ $\$20,748 \text{ annually per person} \times 58 \text{ people} = \$1,203,384.00 \text{ per year}$

¹⁷⁴ $(\$20,748 \times 45 \text{ people serving numbered sentences under 40 years} \times 13.55 \text{ average years served}) + (\$20,748 \times 13 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$23,440,053.00$

¹⁷⁵ $\$23,468 \text{ annually per person} \times 841 \text{ people} = \$19,736,588 \text{ per year}$

¹⁷⁶ $(\$23,468 \times 652 \text{ people serving numbered sentences under 40 years} \times 12.17 \text{ average years served}) + (\$23,468 \times 189 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$363,632,905.12$

¹⁷⁷ $\$22,012 \text{ annually per person} \times 5,272 \text{ people} = \$116,047,264.00 \text{ per year}$

¹⁷⁸ $(\$22,012 \times 3844 \text{ people serving numbered sentences under 40 years} \times 13.76 \text{ average years served}) + (\$22,012 \times 1,428 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$2,421,615,841.28$

¹⁷⁹ $\$22,119 \text{ annually per person} \times 118 = \$2,610,042.00 \text{ a year}$

¹⁸⁰ $(\$22,119 \times 40 \text{ people serving numbered sentences under 40 years} \times 10.78 \text{ average years served}) + (\$22,119 \times 78 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$78,548,922.80$

¹⁸¹ $\$37,841 \text{ annually per person} \times 494 \text{ people} = \$18,693,454.00 \text{ per year}$

¹⁸² $(\$37,841 \times 472 \text{ people serving numbered sentences under 40 years} \times 13.67 \text{ average years served}) + (\$37,841 \times 22 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$277,459,293.84$

¹⁸³ $\$27,458 \text{ annually per person} \times 38 \text{ people} = \$1,043,404.00 \text{ per year}$

¹⁸⁴ $(\$27,458 \times 18 \text{ people serving numbered sentences under 40 years} \times 22.5 \text{ average years served}) + (\$27,458 \times 20 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$33,086,890.00$

¹⁸⁵ $\$38,644 \text{ annually per person} \times 1,709 \text{ people} = \$66,042,596.00 \text{ per year}$

¹⁸⁶ $(\$38,644 \times 1,495 \text{ people serving numbered sentences under 40 years} \times 9.75 \text{ average years served}) + (\$38,644 \times 214 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$894,077,245.00$

¹⁸⁷ $\$46,949.95 \text{ annually per year} \times 11 \text{ people} = \$516,449.45 \text{ per year}$

¹⁸⁸ $(\$46,949.95 \times 7 \text{ people serving numbered sentences under 40 years} \times 8 \text{ average years served}) + (\$46,949.95 \times 4 \text{ people serving life/de facto life sentences} \times 40 \text{ years}) = \$10,141,189.20$

¹⁸⁹ Because Wyoming measures age by age of intake, the 18 year olds here are those we assumed turned 18 between their offense and intake.

¹⁹⁰ <https://www.ojp.gov/pdffiles1/ojdp/232434.pdf>



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