

Stop Putting Children with Disabilities in Prison with Adults

Children with disabilities make up the vast majority of the youth in our criminal justice system. Because of their disabilities, these kids are often extra impressionable and prone to making impulsive decisions.

As a result, at least two-thirds of the youth in the criminal justice system have a disability, and the actual number is probably much higher. Of the 200 children in North Carolina's juvenile facilities, **only one child does NOT have a mental health diagnosis.** Over 80 percent of those children have two or more disabilities.

Our current approach is broken. Children with disabilities have a hard enough time getting housing, education, and employment as they transition into adulthood. Because 16- and 17-year-olds are automatically charged as adults in North Carolina, saddling these kids with the 1,000 "collateral consequences" of having an adult criminal record sets them up for failure, increases their future reliance on government assistance, and makes it more likely that they will resort to future criminal activity.

Adult prisons and jails are not safe for kids with disabilities. When minors are incarcerated with adults, they are far more likely to commit suicide and be assaulted or raped. In jails, minors are the victims of over 20 percent of the sexual violence, even though they make up less than 1 percent of the inmates. They are 50 percent more likely to be attacked by another inmate with a weapon, and twice as likely to be physically assaulted by staff. And given the high levels of gang activity in our adult correctional system, the last thing we should be doing is putting vulnerable kids with disabilities in prison with adults.

Raising the age results in better outcomes and saves taxpayers money. Unlike in the adult system, the juvenile system requires frequent contact with court counselors, assessments, rehabilitative services, mental health and substance abuse treatment, counseling, education, and family involvement. Kids with disabilities who get caught up in the system desperately need these basic supports in order to avoid future recidivism. When they are put back on track, our kids can grow into independent, law-abiding, contributing members of society. Beyond these social benefits, studies and current data suggest that raising the age will provide a net savings of tens of millions of dollars to North Carolina's taxpayers each year.

Diagnoses Affected:

- Low IQ
- Serious Intellectual Disabilities
- Traumatic Brain Injury
- Post-Traumatic Stress Disorder
- Bi-Polar Disorder
- Clinical Depression
- Psychosis & Schizophrenia
- Fetal Alcohol Syndrome
- Drug Addiction
- History of Physical, Emotional, & Sexual Abuse

Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Its team of attorneys, advocates, paralegals and support staff provide advocacy and legal services at no charge for people with disabilities across North Carolina to protect them from discrimination on the basis of their disability. All people with disabilities living in North Carolina are eligible to receive assistance from Disability Rights NC.