MONTANA: System Involvement

In this profile, we examine the systems that directly impact the lifecourse of Native youth in Montana—systems that displace, control, and/or attempt to correct a social ill. Below, existing data reflecting the experiences of Native youth in child welfare, juvenile justice, and school correctional systems are shared.

To determine their degree of system involvement, statewide population data for American Indian and Alaska Native (AI/AN) youth under age 18 were retrieved from the 2010 Census. If Native youth are 10% of the under 18 population in a state, then we would expect them to represent approximately 10% of those youth involved in juvenile justice and foster care systems. Where the percentages are greater or smaller, we observe disproportionality.

In 2010, Native youth comprised 2% of the total state population and 9% of the population under age 18. (1)

**Child Welfare Systems**

The child welfare system *profoundly* touches the lives of Native youth at disproportionate levels—both nationally and within the state of Montana. Native youth are extremely overrepresented in Montana’s foster system, making up 35% of all youth currently in care. Among those Native foster youth, 17% were adopted, 68% reunified. (2)

**Montana Disproportionality Index, 2012**

![Montana Disproportionality Index](chart)

<table>
<thead>
<tr>
<th>Racial Disproportionality Index</th>
<th>Entries</th>
<th>In Care</th>
<th>Exits</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American/Black (a)</td>
<td>2.3</td>
<td>1.5</td>
<td>2.5</td>
</tr>
<tr>
<td>Caucasian/White (b)</td>
<td>0.7</td>
<td>0.6</td>
<td>0.7</td>
</tr>
<tr>
<td>Hispanic/Latino (c)</td>
<td>0.9</td>
<td>0.8</td>
<td>0.8</td>
</tr>
<tr>
<td>Asian/Pacific Islander (d)</td>
<td>0.5</td>
<td>0.5</td>
<td>0.0</td>
</tr>
<tr>
<td>American Indian/Alaska Native (e)</td>
<td>2.9</td>
<td>3.7</td>
<td>3.3</td>
</tr>
</tbody>
</table>

Source: NCJFCJ, 2014.

In Montana, the degrees of disproportionality in system involved—ranging from 2.9 to 3.7—is significant. This means that as a Native child in Montana, you are almost 4 times more likely to be in the foster system than your peers. (3) Native and Black children faced serious disparities as compared with all other races, who are *underrepresented* in Montana’s child welfare population.

Nevertheless, Montana is making great strides in Native family reunification. As compared with national reunification rates, which stood at 16.9% in 2008, Montana’s rates have not dipped below 57.4% since 2010. (4)
Juvenile Justice Systems

In Montana, Native juvenile offending was **two times higher** than what we would expect given their representation in the state youth population, at **20%** in 2013. (5) The top three offending categories were person crimes, property crimes, and drug offenses—whereas there were zero public order or status offenses in 2013. (6)

In Montana, **70%** of all Native juvenile offenders were committed to facilities as wards of the state, whereas **53%** of non-Natives were committed. (7) This means there is a **17 percentage point disparity** in commitment rates between Native and non-Native juvenile offenders. When we analyzed the courts’ rulings for the **same crimes**, some concerning findings emerged. For example, Native juvenile offenders were **2 times more likely** to be committed for crimes against another person than their non-Native counterparts (100% vs. 50%). (8) These data highlight the need to address both disproportionate rates of offending among Native youth—to get at the root causes of delinquent behaviors—as well as the disparate treatment of Native youth once they have entered the juvenile justice system.

School Disciplinary Systems

While juvenile justice and child welfare systems were rather apparent choices for a profile on system involvement, school discipline has increasingly become a site or a system for funnelling youth—particularly students of color, with disabilities, and special learning needs—into the hands of law enforcement through what has been referred to as the “school-to-prison pipeline.” This pipeline is enabled through out-of-school suspensions and expulsions. These systems of punishment remove youth from learning contexts and increase the likelihood that they will fall behind and/or drop out.

The out-of-school suspension rate for Native youth is **3 times** what we would expect given the percentage of Native youth in school in Montana (33% vs. 11%). (9) And when we look to the suspension of Native students with disabilities, the rates are **significantly higher** than US averages. (10) Last but not least, the expulsion rates of Native students are **4.5 times higher** than what is proportionate (49% vs. 11%). (11) These school disciplinary trends dramatically reveal disparate treatment and should be urgently addressed with statewide policy and program interventions.

References