



Data Snapshot of Youth Incarceration in Maine

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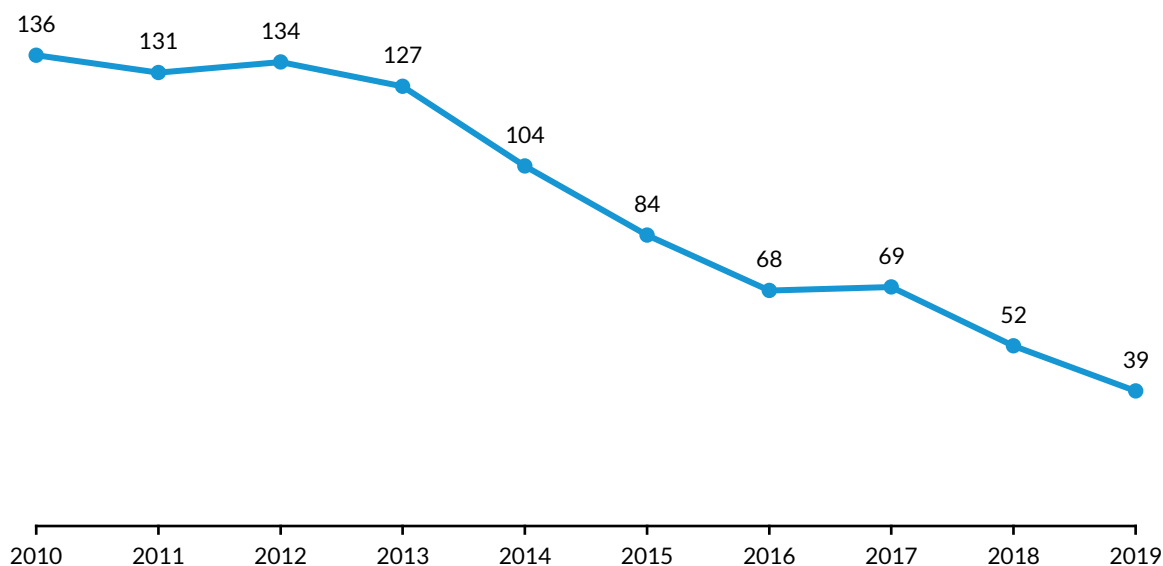
In Maine, youth are primarily incarcerated in the Long Creek Youth Development Center (Long Creek), a secure facility that serves as a detention center and a center for long-term commitments.¹ Located in South Portland, Maine, Long Creek is operated by the Division of Juvenile Services under Maine’s Department of Corrections, and housed an average daily population of 39 committed and detained youth in 2019 (CCLP 2020).² Long Creek has faced scrutiny in recent years because of concerns about its conditions of confinement detailed in a 2017 audit by the Center for Children’s Law and Policy (CCLP and JJAG 2017). The audit, which occurred after a transgender boy being housed in the girls’ unit died by suicide in November 2016,³ revealed dangerous conditions, inadequate mental health care, staffing shortages, and insufficient education services (CCLP and JJAG 2017).

Although the average daily youth population in Maine’s juvenile facilities has declined throughout the past decade, the state’s total expenditures on Long Creek have increased and its juvenile justice system lacks strong community-based alternatives to incarceration.⁴ In addition, Maine disproportionately commits youth of color to state juvenile facilities, and racial disparities in commitments and detentions have worsened in recent years (DOC 2019).⁵ Moreover, most incarcerated youth have behavioral health needs, and length of stay is actually highest among youth at low risk of recidivating (CLP 2020).

Youth Incarceration Fell 71 Percent between 2010 and 2019

The average daily population of committed and detained youth in Maine’s juvenile facilities declined 71 percent between 2010 and 2019. In 2019, Long Creek had a total average daily population of 39 committed and detained youth (DOC 2019).

FIGURE 1
Average Daily Population of Youth Committed and Detained at Long Creek, 2010–19
Number of committed and detained youth



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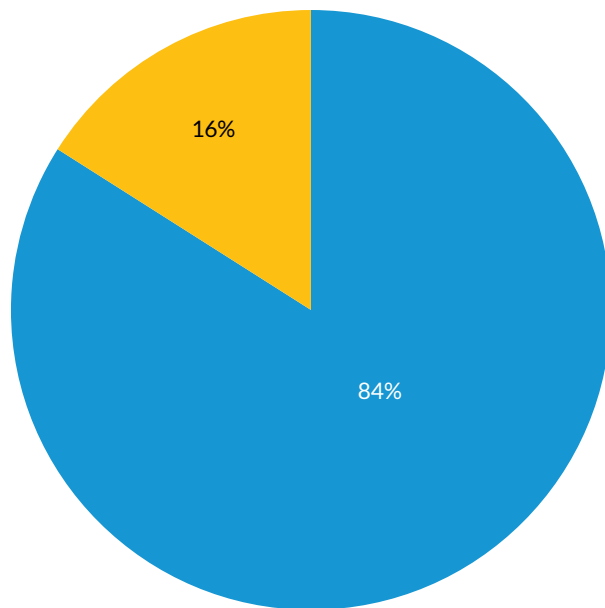
Source: DOC (2019).

Note: Average daily population reflects the average daily count across a full year.

The vast majority of youth committed to Long Creek during this period were boys. Between June 2018 and May 2019, boys made up 84 percent and girls made up 16 percent of youth committed to Long Creek (CCLP 2020, 39).

FIGURE 2
Youth Committed to Long Creek by Gender, FY 2019

■ Boys ■ Girls



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Source: CCLP, JJRR, and CSSP (2020).

Note: Data refer to the 55 youth who spent time in commitment at Long Creek between June 1, 2018, and May 31, 2019.

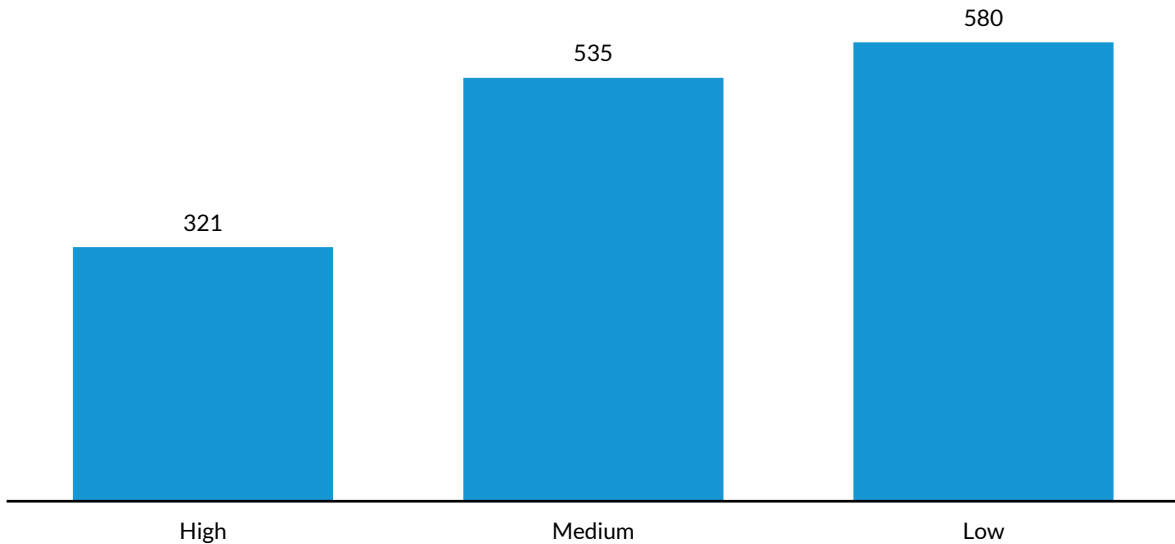
Length of Stay Was Highest for Youth at Low or Medium Risk of Recidivating

Among youth released from commitment at Long Creek between 2018 and 2019, the median length of stay (LOS) was 534.5 days, or slightly less than 1.5 years (CCLP 2020, 41). However, committed youth with high Youth Level of Service/Case Management Inventory (YLS/CMI) scores (i.e., scores indicating high risk of recidivating) had a shorter median LOS than youth with low or medium scores (i.e., scores indicating low or medium risk of recidivating). The median LOS for youth with high scores was 321 days, whereas the median LOS for youth with medium and low scores was 535 and 580 days, respectively. In other words, youth assessed as being at low or medium risk of recidivating spent approximately seven to eight months longer at Long Creek than youth assessed as being at high risk (CCLP 2020, 55).

FIGURE 3

Median Length of Stay among Youth Released from Commitment at Long Creek by YLS/CMI Score, FY 2019

Number of days



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Source: CCLP, JJRR, and CSSP (2020).

Notes: Data refer to the 26 youth released from commitment at Long Creek between June 1, 2018, and May 31, 2019.

Administration of the YLS/CMI occurred at various points relative to commitment, meaning comparisons across risk-level groups should be made with caution.

Forty Percent of Committed Youth Were Incarcerated for a Property or Drug/Alcohol Offense

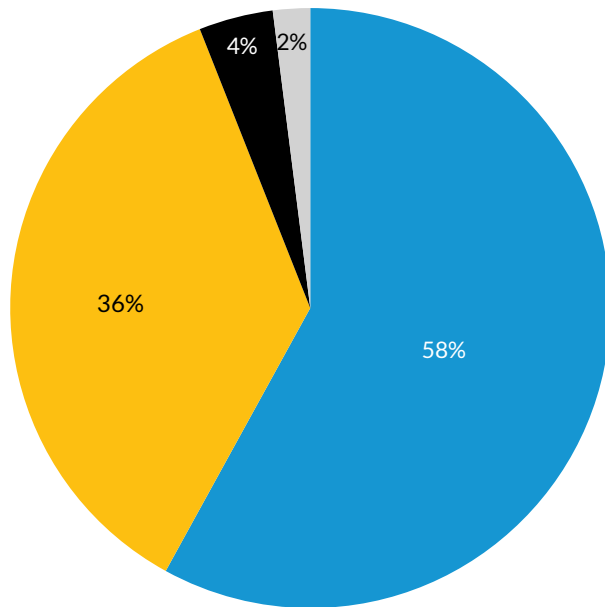
More than two out of every five youth committed to Long Creek between 2018 and 2019 were incarcerated for a property, drug/alcohol, or other nonperson offense (CCLP 2020, 49). Fifty-eight percent of committed youths' most serious offense was a person offense, 36 percent a property offense, 4 percent a drug- or alcohol-related offense, and 2 percent some other offense (CLP 2020). Nearly one in four committed youth were incarcerated for a theft or criminal mischief offense (CCLP 2020, 43).

FIGURE 4

Most Serious Offense Type among Youth Committed to Long Creek, FY 2019

As share of offenses

■ Person ■ Property ■ Drug/Alcohol ■ Other



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Source: CCLP (2020).

Note: Data refer to the 55 youth who spent time in commitment at Long Creek between June 1, 2018, and May 31, 2019.

Two-Thirds of Committed Youth Had Prior Child Welfare System Involvement

Most youth committed in Maine had prior involvement or were currently involved in the child welfare system. Among youth who spent time in commitment at Long Creek between 2018 and 2019, 66 percent had at least one child welfare investigation during their lifetime. Forty-six percent had at least one indicated or substantiated child welfare claim in their lifetime, and 20 percent had been removed from their home at least once for child welfare concerns (CCLP 2020, 47).

Sixty-Nine Percent of Committed Youth Received Behavioral Health Services before Admission to Prison

Between 2018 and 2019, 65 percent of boys and 89 percent of girls committed to Long Creek received behavioral health services through MaineCare (Maine’s Medicaid program) in the year before

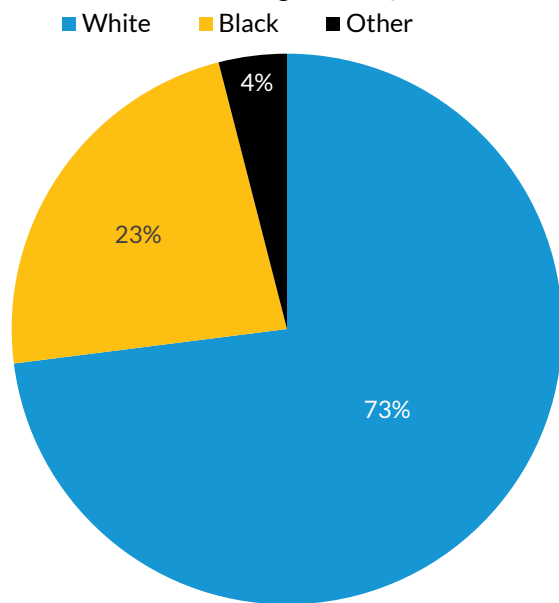
admission. The most common MaineCare claims were outpatient service (87 percent), residential stay (55 percent), and crisis or emergency service (50 percent) (CCLP 2020, 47).⁶

Maine Disproportionately Incarcerates Youth of Color

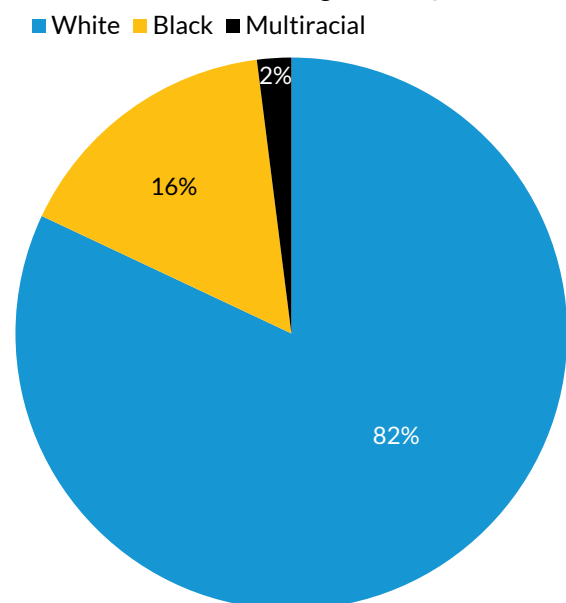
In 2018, although youth of color made up only 9 percent of Maine’s overall youth population aged 13 to 20,⁷ a disproportionate number of youth of color were committed to and detained at Long Creek in 2019 (CCLP 2020, 33, 40).

FIGURE 5

Youth Detained at Long Creek by Race, FY 2019



Youth Committed to Long Creek by Race, FY 2019



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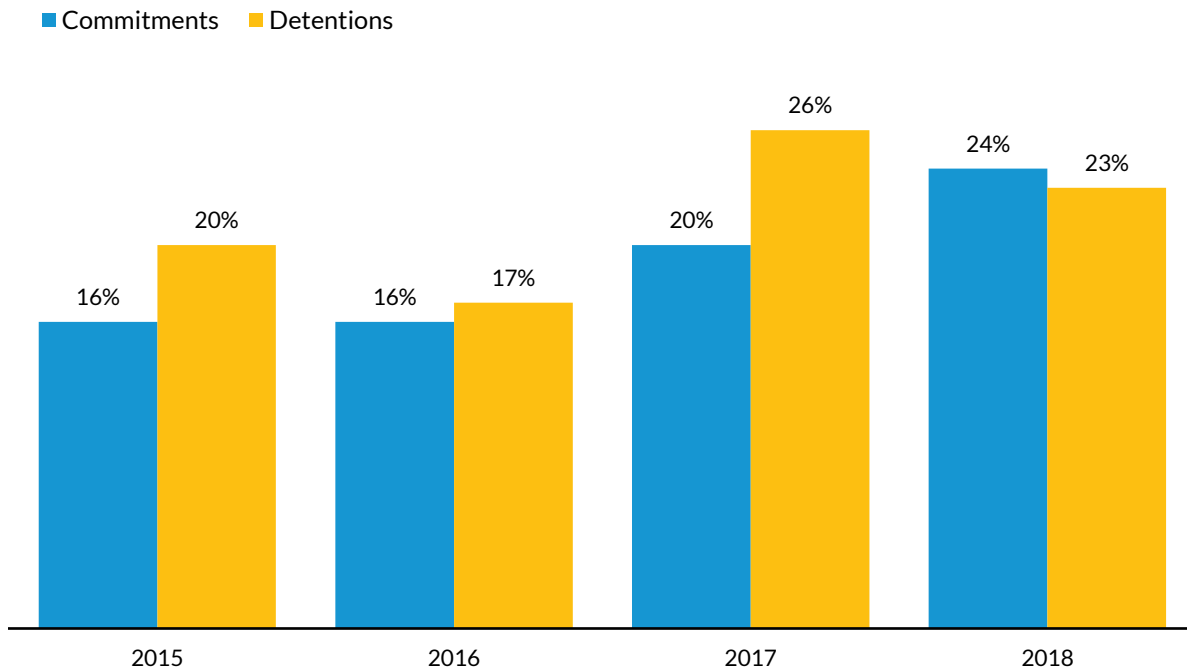
Source: CLP (2020) and CLP, JJRR, and CCSP (2020).

Notes: Data refer to all detention cases that ended between June 1, 2018, and May 31, 2019, and to the 55 youth who spent time in commitment at Long Creek between June 1, 2018, and May 31, 2019.

Racial Disparities Have Worsened

Youth of color made up a greater share of detentions and commitments in 2018 than in 2015—the share of committed youth who were youth of color increased from 16 percent in 2015 to 24 percent in 2018. The share of detained youth who were youth of color fluctuated but increased from 20 percent in 2015 to 23 percent in 2018 (DOC 2019).

FIGURE 6
Youth of Color across Maine Juvenile System Points, 2015–18
As share of all committed and detained youth



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Source: DOC (2019).

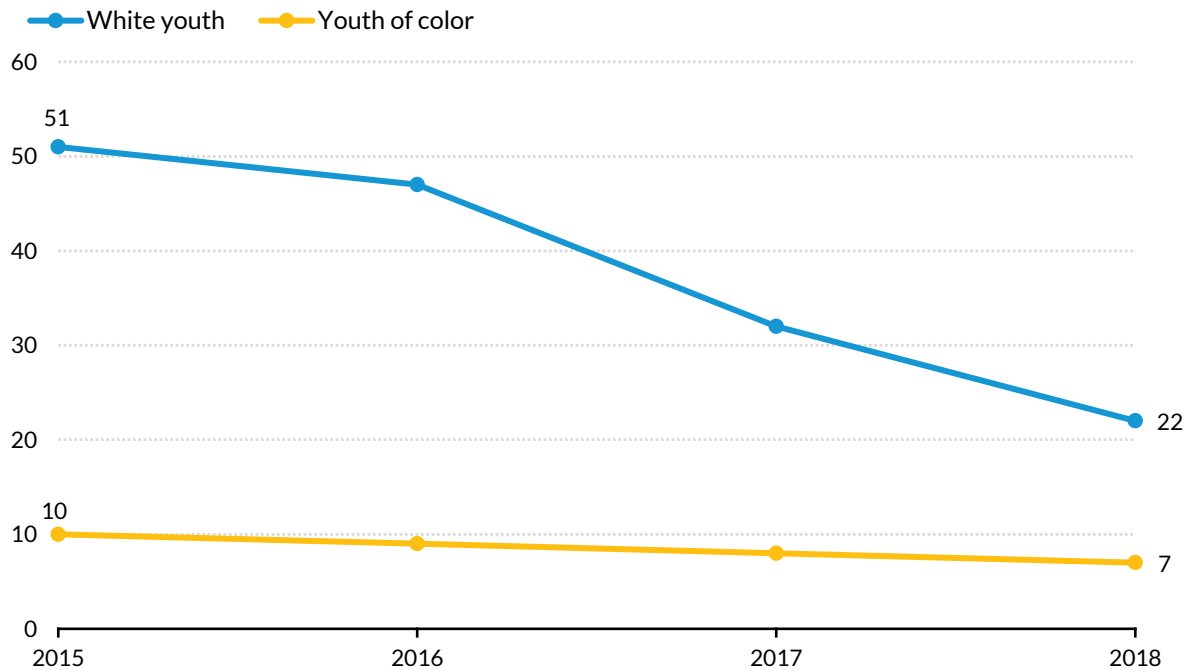
Though the Number of Committed Youth of Color Fell between 2015 and 2018, the Proportion of Youth Who Were Youth of Color Increased

The number of youth of color committed to state juvenile facilities fell 33 percent (from 10 to 7 youth) between 2015 and 2018, whereas the number of white youth committed fell 57 percent (from 51 to 22 youth). However, the proportion of committed youth of color in state juvenile facilities increased from 16 to 24 percent during the same period (DOC 2019).

FIGURE 7

White Youth and Youth of Color Committed to Long Creek, 2015–18

Number of youth



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Source: DOC (2019).

Though Maine Is Investing in Diversion, Its Juvenile Justice System Lacks Community-Based Alternatives

Maine’s Department of Corrections works with the Maine Youth Court, a youth-led program that allows young people to repair harm, take responsibility for their actions, and avoid justice-system involvement through a unique restorative justice process.⁸ In 2019, the Maine Youth Court and five other restorative justice providers served 370 youth, and from 2015 to 2019, such providers served 1,128 youth (DOC 2019). Despite the success of this effort to promote diversion, Maine still invests heavily in incarcerating youth and is budgeted to spend \$17.7 million in 2019–20 and \$18.5 million in 2020–21 just on Long Creek.⁹ The state lacks strong community-based alternatives to incarceration and detention, revealing a major gap in its investment in youth who are justice-involved or at risk of becoming justice-involved.

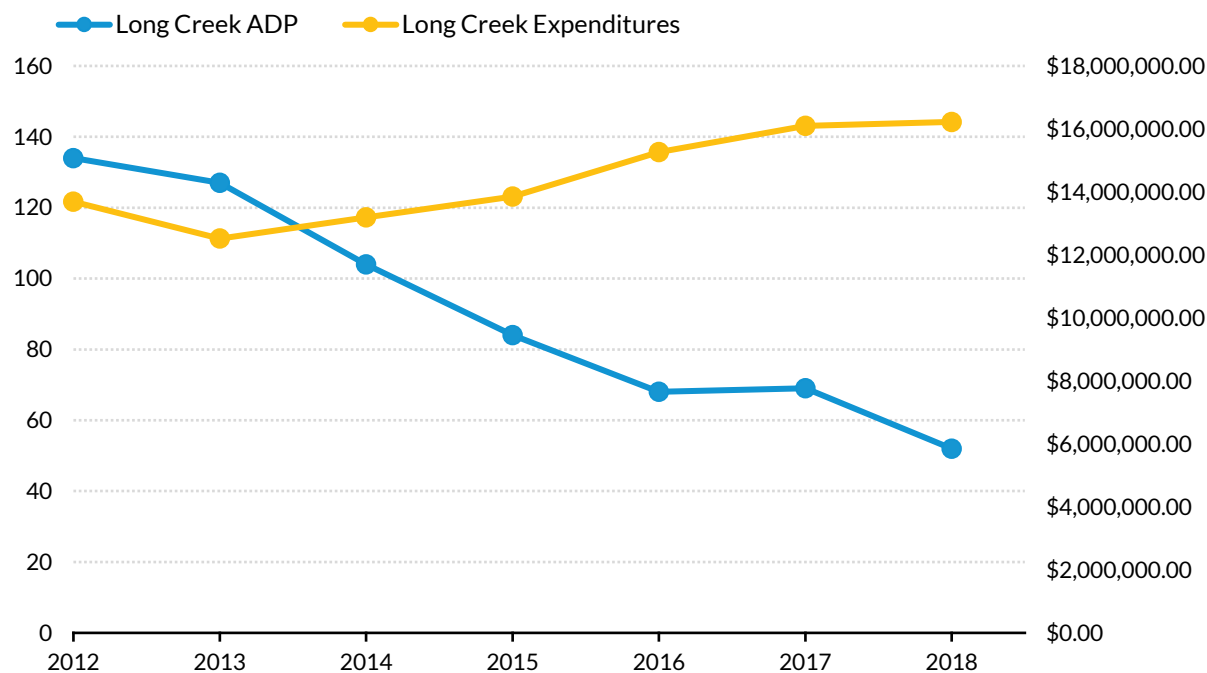
Total Expenditures on Long Creek Increased 18 Percent between 2012 and 2018 While Its Average Daily Youth Population Fell 61 Percent

Total state expenditures on Long Creek increased 18 percent between FY 2012 and FY 2018, from \$13.7 million to \$16.2 million.¹⁰

FIGURE 8

Trends in Average Daily Youth Population at Long Creek and Total Expenditures on Long Creek, 2012–18

Number of committed and detained youth and total expenditures



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Sources: Expenditure data are from the Maine State Government Annual Reports, FY 2012–18; data on average daily population are from DOC (2019).

Note: ADP = average daily population.

Long Creek Has History of Dangerous Conditions and Inadequate Mental Health Care

Like other youth prisons across the country, Maine’s Long Creek facility has faced scrutiny in recent years because of concerns about its conditions of confinement. In November 2016, Charles Maisie Knowles, a 16-year-old transgender boy, died by suicide there, the first death at Long Creek in decades.¹¹ Knowles had been incarcerated awaiting adjudication and placed on an active suicide watch. Moreover, Knowles’s mother had repeatedly requested more intensive treatment for his behavioral

health needs.¹² The 2017 Center for Children’s Law and Policy audit revealed significant and unaddressed behavioral health needs among Long Creek’s youth, including a large number of youth engaging in self-harming behaviors and the inappropriate use of charges for youth with behavioral health problems and disabilities (CCLP and JJAG 2017).

Staffing shortages and mandated overtime for new and inexperienced staff contributed to the overuse of room confinement and inappropriate use of force. In addition, youth did not receive legally mandated general and special education services. Moreover, the Center for Children’s Law and Policy found that more than 85 percent of youth at Long Creek had received special education services but that the facility was ill equipped for providing specialized services to meet current needs (CCLP and JJAG 2017).

Maine is Taking Steps to Improve Its Juvenile Justice System

In May 2019, Representative Michael Brennan announced the creation of the Maine Juvenile Justice System Assessment and Reinvestment Task Force to examine the state’s juvenile justice system and recommend policy changes for youth involved (and youth at risk of becoming involved) in the justice system.¹³ The Maine Juvenile Justice Advisory Group identified three areas of focus for the task force: (1) reliable data on efforts to prevent delinquent behavior and respond to youth needs, (2) effective community-based alternatives to traditional juvenile justice-system involvement, and (3) a unified approach to addressing delinquent behavior.¹⁴ In June 2019, the Juvenile Justice Advisory Group hired the Center for Children’s Law and Policy to work with the task force to conduct a comprehensive assessment of Maine’s juvenile justice system and deliver findings and recommendations for reform.¹⁵ The report was released in February 2020 and can be found [here](#).

Notes

- ¹ Long Creek has a capacity of 163 boys and girls and a staff of 195. The Division of Juvenile Services also operates the Mountain View Youth Development Center at the Mountain View Correctional Center, which is primarily a minimum-security prison for men that also has capacity for 20 boys and girls aged 11 to 21 who are awaiting a court date/placement or serving brief detention sentences. As of 2015, Maine was one of 10 states that included juvenile justice under the jurisdiction of the adult corrections system.
- ² Data from CCLP, JJRR, and CSSP (2020) refer to all detention cases ending between June 1, 2018, and May 31, 2019, and the 55 youth who spent time in commitment at Long Creek between June 1, 2018, and May 31, 2019. Median length of stay data refers to the 26 youth released from commitment at Long Creek between June 1, 2018, and May 31, 2019.
- ³ Susan Sharon, “Death of Suicidal Transgender Teen Was Preventable, Says His Mother,” *Bangor Daily News*, November 15, 2016, <https://bangordailynews.com/2016/11/15/news/portland/death-of-suicidal-transgender-teen-was-preventable-says-his-mother/>.
- ⁴ Maine State Government Annual Reports (2012–2013, 2017–2018), <https://www.maine.gov/budget/maine-state-government-annual-report>; communication with Maine Statistical Analysis Center, July 2019.

- 5 "Easy Access to Juvenile Populations: 1990-2018," US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, last updated July 15, 2019, <https://www.ojdp.gov/ojstatbb/ezapop/>.
- 6 Data are based on Office of MaineCare Services claims, or requests for MaineCare coverage or reimbursement by an approved behavioral health service provider.
- 7 "Easy Access to Juvenile Populations: 1990-2018," US Department of Justice.
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