

EMERGING ADULTS

An Analysis of Young Adults with Justice System Histories in Maine

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ABOUT PLACE MATTERS

The Place Matters project aims to support the state of Maine and its communities in redesigning, implementing, and evaluating a community-based continuum of care through systems innovation, data resources, and community inclusion. Our work focuses on translating data and innovative practices into community-based solutions that both respond to local needs and supplement existing assets so that all transition-aged young people in Maine thrive into adulthood.

The Place Matters project is housed at the Justice Policy Program within the Catherine E. Cutler Institute at the Muskie School of Public Service, which is located at the University of Southern Maine (USM) and is comprised of a mix of researchers, policy advisors, data visualization experts, and directly impacted youth who collaborate to develop capacity for results-focused, data-informed solutions to social and justice policy issues in Maine.

Place Matters has produced a series of reports summarizing our research, community engagement and policy recommendations. The reports in this series are intended to inform and support the work of policy makers and community members dedicated to improving outcomes for Maine's youth. For more information about Place Matters and all published reports, please visit our website at placemattersmaine.org.

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Continue to expand pre-trial diversion and early interventions.

Prioritize treatment over incarceration.

Address the widespread systemic racial disparities.

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Introduction

Nationally, there are approximately 30.4 millionⁱ emerging adultsⁱⁱ, aged 18 to 24, which represents 9.3% of the U.S. population. Though emerging adults make up just under 10% of the U.S. population, research shows that they are disproportionately represented across all aspects of the legal system. A 2016 report estimated that **young adults (aged 18 to 24) accounted for 12% of the adult prison population**, 21% of prison admissions, 26% of the probation population, 28% of arrests and jails population, and 40% of robbery & homicide arrests nationwide.²

Research on adolescent development shows that the brain is not fully developed and does not reach maturity until around age 25. This contributes to the increased likelihood for young adults to exhibit behaviors such as risk taking, impulsivity, and susceptibility to peer pressure, which are associated with higher rates of criminal activity.^{3,4,5,6} However, brain development is just one of many factors contributing to the disproportionate representation of young adults in the justice system. For many young people, having a background of poverty, systemic racism or discrimination, school disconnection, behavioral and mental health problems, substance use, family instability, housing insecurity, parental incarceration, and other childhood traumas can set them down the path to justice system involvement both as a juvenile and a young adult.^{3,7,8} Young adults have some of the highest rates of behavioral, mental health, and substance use disorders. Estimates suggest that **1 in 7 young adults aged 18 to 24 have a substance use disorder and that there are 2.4 million young people nationwide aged 18 to 25 with a co-occurring substance use and mental health disorder**.³ Whether systemic or a result of individual bias, persons identifying as BIPOC,ⁱⁱⁱ particularly those who are Black or African American are disproportionately represented in our criminal justice system. **Nationally, men, aged 18 to 24 who are Black or African American are 12 times more likely to be imprisoned than their white counterparts**.³

For most emerging young adults, this time-period is one of increased independence, social skills, and networks. It is also marked by transitions to postsecondary education and/or the workforce. However, for 4.8 million young people nationwide aged 16 to 24 (12.6%) who are disconnected from employment and education opportunities⁹, the transition to adulthood can be one of instability, and for many, involvement in the justice system. In Maine, there are 107,473 young adults aged 18 to 24, approximately 8% of the state population.¹ **In 2020, there were approximately 15,000 young people (11.5%) aged 16 to 24 in Maine who were disconnected from work and school, similar to national trends**.⁹ Nationally, the correlation between experiences of education and employment disconnection, homelessness, and justice system involvement is evident in much of the research aimed at examining this age group.^{7,8,9,10}

ii For the purposes of this report “emerging adults” represents people aged 18 to 24 and may also be referred to as “transition-aged adults”, or “young adults” throughout.

iii BIPOC stands for Black, Indigenous, People of Color and is used throughout this report as such.

EMERGING ADULTS
(18–24 Year olds)

National Data

Emerging adults make up

12%

of the **adult prison population**

1 in 7



emerging adults have a **substance use disorder**

Black or African American
Men aged 18–24 are

12x
more likely
to be imprisoned

than their white counterparts

STUDY GOALS

The goal of this study was to examine the population of Maine's emerging young adults (aged 18 to 24) with current or previous involvement with the Maine Department of Corrections.^{iv} This excludes young adults in the county jail system, data for whom was not available to the researchers. This analysis aimed to answer the following key questions:

- How many emerging adults in Maine have previous or current justice system involvement?
- Who is most impacted by justice system involvement among this age group in Maine and how does this compare to population demographics on gender, race/ethnicity, and age?
- How many of these young people have a prior juvenile justice system history, precipitating their involvement with the adult criminal justice system?

This report aims to provide necessary information to Maine's policymakers, agency leadership, community providers, and other stakeholders to inform the development of strategies and strengthen opportunities to improve the outcomes of these young people as they transition into adulthood and improve the safety and wellbeing of Maine's local communities.^v

iv This study analyzes Maine Department of Corrections records. It can be assumed that the individuals also had contact with other parts of the legal system (law enforcement, courts, etc.) this study did not include those records.

v This report serves as an additional resource as a part of the Place Matters project's report series. The [Place Matters project](#) has produced a series of reports summarizing research and making recommendations to help inform and support the work of community members dedicated to improving the outcomes of Maine's youth.

Summary of Key Findings

A large number of young adults in Maine have had contact with the Maine Department of Corrections, but only a small proportion have experienced incarceration.

- ▶ 1 in 10 young people aged 18 to 24 in Maine have had some level of contact with the Maine Department of Corrections (n=12,809).
- ▶ 1.5 out of 100 young adults aged 18 to 24 in Maine have experienced incarceration either as an adult or juvenile (n=1,592, 12% of total sample).
- ▶ 508 (4% of the sample) individuals aged 18 to 24 were under active DOC supervision at the time of data collection, either in a facility or in the community.

The majority of young adults with MDOC history were referred to the juvenile justice system but have never been incarcerated.

- ▶ A large number of young people aged 18 to 24 who were referred to the juvenile justice system as a youth were either diverted from confinement or no further action was taken (86%, n=11,008). Of those, only 1% were later incarcerated as an adult before the age of 25.
- ▶ 1,407 young adults in Maine who were 18 to 24 at the time of the data extract had experienced confinement (detained or committed) as a juvenile in Maine (11% of the total sample). Of those, 10% (n=147) were also incarcerated as an adult before the age of 25.

Similar to national trends, young adults who are BIPOC are overrepresented in the Maine Department of Corrections system.

- ▶ 35 out of 100 young Black men aged 18 to 24 in Maine have had contact with the MDOC system at some point compared to 15 out of 100 white men.
- ▶ Furthermore, 31% of the 18 to 24-year-olds who were incarcerated at the time of the data extract were BIPOC, with 22% identified as Black or African American, and 6% identified as Native American or Indigenous.
- ▶ Of those who had experienced confinement as a juvenile (n=1,407), 25% were women and 17% were BIPOC, with 13% identified as Black or African American.

Methods

DATA COLLECTION AND ANALYSIS

The Maine Department of Corrections (MDOC) provided the Place Matters team with records of all individuals who were within the age range (18 to 24) in their data system at the time of the data extract (April 2021). The data included deidentified records of all 18 to 24-year-olds with any level of involvement in the Department of Corrections system and information such as their most recent status (inactive, community supervision, incarcerated, etc.), admissions into adult facilities, juvenile system histories (committed, detained, referral, etc.), demographic information (gender, race, age, etc.), risk assessments, and program enrollments. The USM Institutional Review Board (IRB) reviewed and approved the data analysis plan and methodology to ensure the highest ethical standards.

All confidential data was stored on a restricted-access, secure data storage drive in compliance with IRB and USM's data protection procedures. The project team used statistical analysis software to clean and analyze the data. Researchers cleaned the data and removed records which were deemed system errors prior to analysis. Records were matched using MDOC ID numbers across multiple data extracts such as adult and juvenile records, and admission and release records. All records were then deidentified before analysis to protect privacy and maintain confidentiality. The project team used descriptive statistics to determine baseline numbers and to compare across demographic groups. Differences between groups were tested for statistical significance at 95% confidence levels using statistical analysis such as chi-square and z-tests for column proportions as noted throughout. In addition, bi-variate correlations, and logistic regression analysis were used to examine the relationship of several variables with incarceration rates.

Population-level data was extracted from the U.S. Census Bureau website to make comparisons to the MDOC sample. This data was collected in aggregate and represents the best available estimates at the time of data analysis. Total population and gender estimates for the 18 to 24-year-old age group are based on data reported from U.S. Census 2020 ACS 5-year estimates¹ (out of a total n=107,473). Population estimates for single-year age data are estimated from the 2010 Census population estimates for 2019.^{11,12} Race and ethnicity estimates were pulled from single-race and ethnicity tables using 2020 5-year ACS estimates.¹³ Race and ethnicity categories throughout are not exclusive and therefore may add up to more than 100%. Chi-square Goodness-of-Fit¹⁴ tests were used to determine the statistically significant difference between the MDOC sample, and the population estimate for each comparison group. Statistically significant findings are noted throughout.

LIMITATIONS

This report represents limited information about a population and represents a snapshot in time at the point the data was extracted. The results of this report may or may not be representative of the current situation in Maine or of other time periods. This data includes only records from the Maine Department of Corrections state system and does not include information about experiences at county jails, federal facilities, or out-of-state incarceration histories.

This report and the analysis are limited by the quality and availability of information in the MDOC CORIS data system. It does not include a complete picture of the individuals' full history with the justice system or other public systems in Maine. In some cases, the number of records which could be analyzed was limited by fields with missing information. In addition, to gather all the requested information, this extract required multiple queries and reports to be pulled and subsequently matched back up using MDOC ID numbers. While steps were taken to identify and match as many records as possible, there may be cases where information exists, but it could not be matched up to a record ID in the dataset and thus was removed from analysis.

While these limitations must be considered, this analysis provides a detailed look at an important age of young adults in Maine, which can help inform strategies to improve the individual outcomes and in turn reduce recidivism while increasing community wellbeing and safety in Maine. More information, including qualitative data and the voice of those directly impacted, could be gathered to better understand the journey of these individuals into, within, and after release from the justice system in Maine.

Findings

In total, the data sample included 12,809 records of young adults who were between the ages of 18 and 24 at the time of the data extract and had some history of involvement with the Maine Department of Corrections (MDOC) system. As shown in [Table 1](#), at the time of data collection, only 4% (n=508) were actively under community supervision or incarcerated. However, according to these data, more than **1 in 10 (12%) of Maine's 18- to 24-year-old population have had some level of contact with the MDOC.**^{vi}

TABLE 1

Total Sample by Current Status with MDOC

Current Status with MDOC	N	%
Inactive	12,301	96.0%
Active Supervision	508	4.0%
Community Supervision	419	3.3%
Incarcerated	89	0.7%
TOTAL SAMPLE	12,809	

Of those records:

- ▶ **9,820 (76.7%)** had no history^{vii} of MDOC supervision;
- ▶ **1,592 (12.4%)** had a history of current or previous incarceration;^{viii}
- ▶ **1,397 (10.9%)** had a history of current or previous community supervision^{ix} only (i.e., never incarcerated).

Furthermore, the data shows that **3 out of 100 (2.8%) emerging adults in Maine have a history of Maine Department of Corrections supervision, and 1.5 out of 100 (1.5%) of all 18 to 24-year-olds in Maine have experienced incarceration in a state facility.**

vi Calculated based on the estimated total population of 18- to 24-year-olds in Maine in 2020, n=107,473 (U.S. Census Bureau, 2022a).

vii As the data included in this analysis showed only the most recent contact with the adult and juvenile systems, we do not know the point in which they first came into contact with MDOC the system. However, most of these young people were diverted from supervision, closed with no further action, and remain inactive. More details on this can be found later in this report.

viii Includes histories of incarceration as an adult or juvenile.

ix Includes histories of community supervision as an adult or juvenile.

EMERGING ADULTS

Involvement with Maine DOC

1 IN 10

Have had
some level of contact

3 IN 100

Have a **history of Maine
DOC supervision**

1.5 IN 100

Have experienced
**incarceration in a state
facility**

RACIAL AND GENDER DISPARITIES AMONG 18 TO 24-YEAR-OLDS WITH MDOC HISTORY

Similar to national trends, Maine's **justice involved emerging adults include a significantly^x higher proportion of men (66.4%) and people who are Black or African American (6.2%)** compared to the 2020 population estimates for Maine's 18 to 24-year-olds.^{xi} In fact, men were nearly twice as likely to have had contact with our state correctional system, compared to women (15 out of 100 vs. 8 out of 100). Similarly, individuals who are Black or African American were twice as likely as individuals who are white to have had some contact with MDOC (27 out of 100 vs. 12 out of 100). Black men aged 18 to 24 experience the highest rates of contact with the MDOC with 35 out of every 100 individuals in that demographic having experienced some level of contact with the MDOC.^{xii}

Furthermore, when the sample was examined by the various histories of supervision or incarceration, there were even wider disparities by race and gender. Men (83% of active records) and individuals who are BIPOC (18%), particularly those who are Black or African American (12%) are significantly more likely to be under active supervision compared to women (17%) and individuals who are white (83%). **Table 2** on the next page depicts these findings in more detail.

x All figures representing statistically significant differences are highlighted in tables and charts as noted.

xi As previously cited, population data for the 18- to 24-year-old age group are based on 2020 ACS 5-year estimates reported from the U.S. Census Bureau (2022a, 2022b).

xii Rates of contact with MDOC were calculated out of the total population for each demographic subgroup and represents the number of people in that group (out of 100 people) who have had any amount of contact with MDOC. See the appendix for more details.

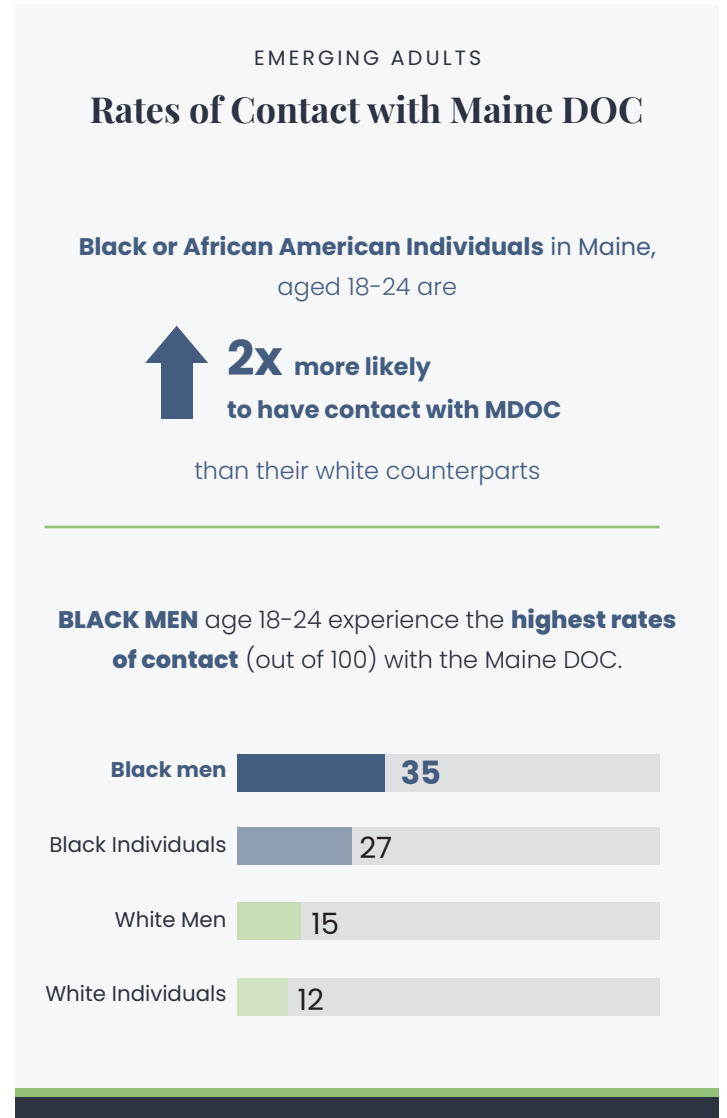


TABLE 2

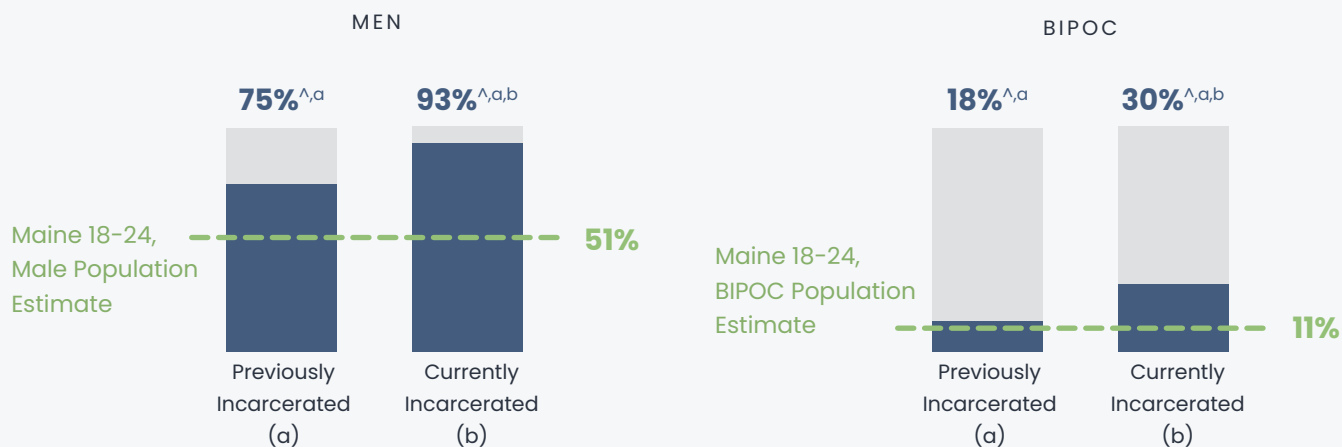
Demographics of the ME 18 to-24-year-old Population^{11,13} vs. the MDOC Sample of 18 to-24-year-olds with Justice System Histories

	ME Population Estimate	Total MDOC Sample		Inactive (a)		Active (b)	
		N	%	N	%	N	%
TOTAL SAMPLE SIZE	107473	12809	0.119				11.9%
GENDER							
Women	48.7% [^]	4304	33.6%	4218	34.3% ^b	86	16.9%
Men	51.3%	8505	66.4% [^]	8083	65.7%	422	83.1% ^a
RACE							
BIPOC	11.1% [^]	1093	8.7%	1007	8.4%	86	17.5% ^a
Black or African American	2.7%	772	6.2% [^]	715	5.9%	57	11.6% ^a
Latinx or Hispanic	2.7% [^]	15	0.1%	11	0.1%	4	0.8% ^a
Asian or Pacific Islander	1.9% [^]	76	0.6%	72	0.6%	4	0.8%
Multiracial	3.7% [^]	135	1.1%	120	1.0%	15	3.1% ^a
Native American or Indigenous	0.8%	108	0.9%	98	0.8%	10	2.0% ^a
White, Not Hispanic	88.9%	11416	91.3% [^]	11011	91.6% ^b	405	82.5%
AGE							
18	15.0%	1314	10.3%	1283	10.4%	31	6.1%
19	15.2%	1402	10.9%	1364	11.1%	38	7.5%
20	14.4%	1577	12.3%	1532	12.5%	45	8.9%
21	14.0%	1777	13.9%	1710	13.9%	67	13.2%
22	13.8%	2069	16.2%	1973	16.0%	96	18.9%
23	13.6%	2159	16.9%	2059	16.7%	100	19.7%
24	14.0%	2511	19.6%	2380	19.3%	131	25.8%

Table Notes

In the table above, all figures representing statistically significant differences (chi-square tests and z-test of column proportions, $p < .05$) are highlighted with either a “^” (total sample vs. population) or the letters “a & b” (inactive vs. active). See the appendix for full details of chi-square test results.

Compared to Maine 18 to-24-year-old population estimates, there is a **higher proportion of both Men and BIPOC individuals with histories of incarceration.**



Race and gender disparities are even more pronounced for people with histories of incarceration, particularly among BIPOC men.^{xiii} Figure 3 shows the proportion of men and BIPOC individuals by incarceration history. Among those who were currently incarcerated at the time of the data extract, **31% were BIPOC, with 22% identified as Black or African American, and 6% identified as Native American or Indigenous**^{xiv}. This represents a significantly higher proportion of BIPOC

individuals than the overall Maine 18 to-24-year-old population,^{xv} as well as those individuals who had never been incarcerated (Figure 3). Further analysis showed that the odds of being incarcerated increased for men (63% increase) and BIPOC individuals (186% increase). However, these variables accounted for only a small amount of the difference in incarceration history, which suggests many other factors are external to this analysis.^{xvi}

xiii BIPOC individuals and men were significantly more likely to have a history of incarceration. In the chart above, all figures representing statistically significant differences (chi-square tests and z-test of column proportions, $p < .05$) are highlighted with either a “^” (higher than the population) or the letters “a & b” (higher than the corresponding subgroup as noted).

xiv Data not shown. See appendix for full detail of race/ethnicity groups.

xv As previously cited, population estimates for the 18- to 24-year-old age group are based on data reported from the U.S. Census Bureau (2020).

xvi Logistic regression analysis showed that being a man and BIPOC were associated with a history of incarceration, ($X^2(2)=241.206$, $p < .001$). These variables explained 3.6% of the variance in incarceration history and correctly predicted 87.7% of the cases. The odds of being incarcerated increased significantly for men (63%) and BIPOC individuals (186%). The full results can be found in the appendix.

JUVENILE JUSTICE SYSTEM HISTORIES AMONG MAINE'S 18 TO 24-YEAR-OLDS

In total, there were 1,407 young people aged 18 to 24 at the time of the data collection in Maine (11% of the total sample) who experienced confinement (committed or detained)^{xvii} as a juvenile in the Maine Juvenile Justice System. Among those who were under active MDOC supervision (n=508), 32% had experienced confinement as a juvenile. Furthermore, **40% of the 18 to 24-year-olds who were currently incarcerated (n=89) at the time of the data extract had previously been committed or detained as a youth.** Table 3 depicts the highest level of juvenile involvement by status at the time of the data extract.

TABLE 3

Juvenile Histories by Highest Level of Juvenile Involvement & Current Status

Juvenile History	Total Sample		Active Status		Currently Incarcerated	
	N	%	N	%	N	%
Referral Only	8503	66.4%	81	15.9%	12	13.5%
Diversion	2505	19.6%	109	21.5%	13	14.6%
Confinement	1407	11.0%	162	31.9%	36	40.4%
None	394	3.1%	156	30.7%	28	31.5%

In addition, a large number (86%) of the individuals in the sample were referred to the juvenile justice system and either diverted from confinement or no further action was taken. Among these youth, only 1% were later incarcerated as an adult before the age of 25.^{xviii} In fact, **only 3% of the total sample had no matching juvenile record**, meaning only a small number first came into contact with MDOC as an adult.

EMERGING ADULTS

With Juvenile Justice System Histories

66%

(MOST OF THE SAMPLE) were **juvenile referrals only** and were **never incarcerated** as a juvenile or as an adult

Among those who had been incarcerated as a juvenile

10%

(A SMALL PERCENTAGE) have **also been incarcerated as an adult** before age 25

xvii In this section confinement includes all individuals who were committed and/or detained as juveniles.

xviii Data not shown. Among the 86% (n=11,008) of records who were referrals or diversions only as youth, only 1% (n=95) had a history of incarceration as an adult before the age of 25.

TABLE 4

Individuals 18 to 24 Years Old with a History of Juvenile Confinement (n=1407)

	N	%
CONFINEMENT HISTORY		
Previous or Current Incarceration as an Adult	147	10.4%
Juvenile Confinement Only	1260	89.6%
CURRENT STATUS		
Currently Incarcerated	36	2.6%
Community Supervision	126	9.0%
Inactive	1245	88.5%
GENDER		
Women	354	25.2%
Men	1053	74.8%
RACE (N=1,363)		
BIPOC	235	17.2%
Black or African American	174	12.8%
Latinx or Hispanic	2	0.1%
Asian or Pacific Islander	13	1.0%
Multiracial	23	1.7%
Native American or Indigenous	24	1.8%
White	1128	82.8%

In total, 147 individuals (10.4%) who were confined as a juvenile in Maine (n=1,407) were also incarcerated as an adult with MDOC before age 25. **At the time of the data extract 2.6% of those who were confined as a juvenile were currently incarcerated, another 9.0% were on community supervision, and the remaining 88.5% were inactive.** Of those who were confined as a juvenile, 25.2% were women and 17.2% were BIPOC, with 12.8% identified as Black or African American. [Table 4](#) depicts these findings.

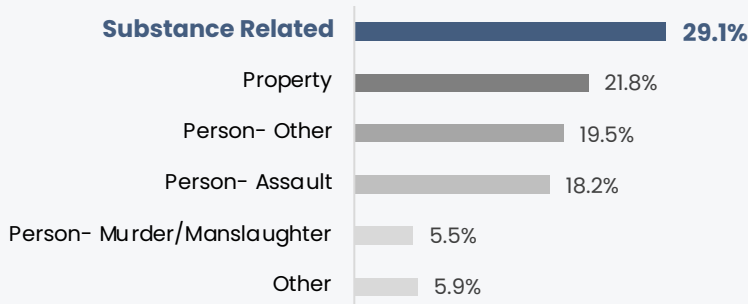
ADULT MDOC INCARCERATION HISTORIES AMONG MAINE 18 TO 24-YEAR-OLDS

In total, there were 332 individuals^{xix} who had a history of incarceration with the adult legal system. Only 226 of those with adult incarceration histories had a detailed record of admission at an adult MDOC facility. Of those, 36% were currently incarcerated, 31% were under community supervision, and 34% were inactive (no longer under MDOC supervision) at the time of the data extract. The rest of this section focuses on this sample of individuals with matching admission records.^{xx}

Among those who had been admitted to an adult facility (n=226), 89% were men and 30% were BIPOC.^{xxi} The average age at admission to an adult facility was 20.5 years old. Among those who had been released (n=143^{xxii}), **the average length of stay was 402 days and the average age at release was 21.5 years old.** The majority of those in the sample were admitted to Maine Correctional Center (72%).

Among those young adults who had been admitted to an adult facility, 29% were incarcerated for a substance-related offense such as drug trafficking, possession, or an OUI. In total, 43% were there for a person-related offense and another 22% were incarcerated for a property-related crime.

Most young adults admitted to an adult facility were **incarcerated for a substance-related offense.**



^{xix} This represents 2.6% of the total sample (n=12809) and 21% of those with incarceration histories (n=1592).

^{xx} There were 332 records with histories of incarceration as an adult. Of those, 106 did not have a matching detailed admission record for a facility. These records were excluded from this section as they were missing the details on charges, education level, and program completions.

^{xxi} Out of the total sample of individuals who were admitted to an adult facility (n=226), 27% were BIPOC men and 3% were BIPOC women.

^{xxii} There were 226 admission records and 143 release records. 5 of the release records did not have a matching admission record. There were 2 records that were identified as inactive that had admission records but were missing release records.

EMERGING ADULTS

Histories of Incarceration & Educational Attainment

Only 59%

of emerging adults with histories of incarceration at a MDOC facility had a **high school diploma or equivalent**

Note: Among the other 41% of emerging adults with histories of incarceration (n=190), 18% attended some High School, 8% attended 8th Grade or less, and 15% Other.

In 2019, 88.3% of all 18 to 24-year-olds in Maine had completed a high school diploma or equivalent degree,¹⁵ however, **among the sample of emerging adults with histories of incarceration^{xxiii} at a MDOC facility only 59% had a high school diploma or equivalent (HiSET/ GED).** This is aligned with previously cited research which suggests a strong relationship between school disconnection and involvement in the justice system.^{7,9,10}

TABLE 5

Types of Programs Completed by 18-24-year-olds with Histories of Admission to an Adult MDOC facility

Type of Program (n=226)	%	N
Substance Use/Recovery Programs	33.6%	76
Emotional/Behavioral Programs	23.0%	52
Vocational/Skills Programs	21.2%	48
HiSET Prep	19.0%	43
Other	6.6%	15
College Program/Prep	5.3%	12
Parenting	1.8%	4
None	49.6%	112

Approximately half (50.4%) of those who had been incarcerated at an adult MDOC facility also had records of attending and completing programs while in those facilities. **On average, individuals completed 4 programs while incarcerated at an MDOC adult facility.** In total, 34% completed at least one substance use or recovery related program,^{xxiv} 23% completed a program related to emotional/behavioral health,^{xxv} 19% completed HiSET Prep programs, and 5% participated in a college prep or college degree program while incarcerated.

xxiii This sample includes a total of 226 individuals with incarceration histories and matching admission records. See previous page for more information.

xxiv Substance use or recovery programs include programs such as MAT, Recovery Peer Support, SUD Living in Balance, SUD Seeking Safety, etc.

xxv Medical mental health treatment programs are not included in these records. Emotional/behavioral programs include topics such as Anger Management, Healing Trauma, Thinking for a Change, Alternatives to Violence, Healthy Relationships, etc.

Discussion & Recommendations

There have been many reports published in Maine in recent years examining the topic of justice involvement among youth and young adults which have recommended a multitude of strategies and actions.^{xxvi} This analysis reinforces many of the recommendations from these previous reports and points to key areas for interventions to help address the rates of justice system involvement among emerging adults in Maine, including:

DIVERSION

Continuing and expanding pretrial diversion efforts for young adults in Maine and connecting them with supports and early interventions.

PRIORITIZING TREATMENT

Addressing the substance use and mental health needs of young adults and prioritizing treatment over incarceration as a long-term solution to improve individual and community wellbeing.

ANTI-RACISM STRATEGIES

Addressing the underlying causes of disproportionate BIPOC contact with the justice system in Maine and implementing strategic anti-racism policies, practices, and programs statewide.

EQUITABLE PATHWAYS TO POSITIVE ADULT SOCIAL AND ECONOMIC OPPORTUNITIES

Reconnecting young adults with education and career opportunities and lifting aspirations so they can thrive independently.

RECORD SEALING

Creating policies that minimize the lifelong impact of criminal records on access to employment, housing, etc. by sealing records which do not pose public safety concerns for offenses committed before the age of 25.

xxvi Such as the [Place Matters report series](#), and the [Center for Children's Law and Policy \(2020\) Maine Juvenile Justice System Assessment](#).

Continue to expand pre-trial diversion and early interventions.

A key finding from this analysis suggests that Maine is effectively diverting many youth and young adults from deeper involvement in the carceral system, including incarceration. While the fact remains that 1,592 young adults aged 18 to 24 in Maine have experienced incarceration, this represents only 12% of the overall sample of people who have come into contact with MDOC. In fact, 86% of the individuals in the sample were referred to the juvenile justice system as youth but were not detained or committed, and only 1% of those young people were later incarcerated as an adult before the age of 25. This finding is consistent with previous research on diversion efforts in Maine. A 2020 assessment of the Juvenile Justice System found that 85% of youth who were eligible for diversion were successfully diverted.¹⁶ Furthermore, a 2021 report on youth recidivism in Maine found that 77% of youth referred to MDOC were diverted. This same report found that the majority of youth who were diverted or placed under supervision rather than committed did not recidivate during the time period studied.¹⁷

The potential long-term negative impacts of incarceration on a young person's life are evident and much of the literature suggests that diverting from incarceration is key to preventing trauma and minimizing harm. This is particularly true for youth who are assessed to be low risk. Recent research in Maine found that youth who are committed with an initial risk assessment score of "low risk" increased in risk by the time they were released.¹⁷

While the overall rates of diversion are high in Maine, it is vital to continue to expand these efforts. A 2013 report highlights the importance of pretrial diversion for young people, particularly for those with substance use disorders and mental health needs.⁵ Maine should continue to scale up programs that provide community-based supports to young people as alternatives to incarceration.^{xxvii}

Prioritize treatment over incarceration.

The connection between substance use and justice system involvement is well documented. For young adults this connection is even greater. As previously cited, young adults have the highest rates of substance use compared to any other age group.³ A 2020 report examining data from 2017–2019 found that on average 18% of all 18 to 25-year-olds in Maine had a substance use disorder (SUD) and 13% had a serious mental health disorder, which was higher than the regional and national average.¹⁸ National research suggests that as many as 75% of youth in the juvenile justice system have a substance use disorder.¹⁹ A 2017 longitudinal study of justice-involved youth found that only 19.6% of the sample did not have a SUD.

This analysis emphasizes these trends and shows that many of the young people with justice system involvement in Maine are also in need of treatment and support for substance use disorders (SUD). The fact that 29% of those who were admitted to an adult facility were incarcerated for substance related offenses and 34% completed substance use or recovery related programs while incarcerated indicates a high need for treatment, diversion, and recovery-oriented interventions in Maine for youth and young adults. Furthermore, as the national research suggests, with high rates of co-occurring substance use disorders and mental health needs among young adults³, **treatment should be prioritized over incarceration as a long-term intervention to improve the outcomes for the individual and reduce future recidivism.**

xxvii Some examples include the [Maine Regional Care Teams](#) and the Restorative Justice Project of Maine's [court diversion](#) efforts in the Midcoast counties.

Address the widespread systemic racial disparities.

The racial and gender disparities apparent in this analysis **provide more evidence that men and BIPOC individuals are disproportionately represented in our criminal justice system in Maine**, just as is true nationwide and across other systems. For many BIPOC men in America, a long history of systemic racism and discrimination in policy and practice has created vast disparities in education, health, and economic opportunities. In addition, it has created public systems that not only fail to support, but often cause further harm.²⁰ Previous research in Maine has found disproportionate rates of contact with MDOC among youth of color.²¹ This same study reported that youth and families, while taking responsibility for their own actions, felt that systemic and individual bias played a role in this disproportionality.

The truth that young adults in Maine who are Black or African American men are more than twice as likely as their white counterparts to have contact with MDOC is unacceptable. Furthermore, evidence shows that the disparities widen with deeper system contact. While there is a clear relationship between race and gender, the regression analysis suggests that these variables alone do not predict nor explain why these disparities exist. However, nationwide and local research shows that BIPOC individuals are more likely to experience higher rates of multigenerational poverty^{22,23}, school disconnection⁹, parental incarceration,²⁴ homelessness,⁷ and system discrimination and individual bias, which are all factors related to justice system involvement.

Interventions which address these underlying factors, reform biased policies and practices, and employ explicit anti-racist strategies could help address the disparities in the local justice system. Previous research suggests **community-based supports that focus on school connection and disrupting the school-to-prison pipeline as well as family economic and housing stability supports, as key strategies to support families and young people of color to thrive**. Furthermore, ongoing **implicit bias and anti-racism training should be a requirement for all systems staff statewide**. In 2020, the Annie E. Casey Foundation released a report²⁵ on the JDAI Deep-End Initiative pilot program, which was designed to address youth confinement, particularly among youth of color. This pilot initiative was employed in several sites around the country and provides examples and toolkits of what systems can do.^{xxviii}

xxviii For more information see the report [here](#).

Build equitable pathways to positive adult social and economic opportunities.

The low rates of high school diplomas among those with adult admission histories found in this report is aligned with national research on education and justice system involvement. Education is both a predictor of justice system involvement and homelessness and also a key intervention to reduce both.^{7,10,26}

One study showed a 43% reduction in recidivism among incarcerated or formerly incarcerated individuals who participated in higher education programs and a direct correlation between degree completion and a reduction in recidivism. That same study showed that nationally, the recidivism rate for those with a high school diploma or equivalent was 55%, meanwhile for those with an Associate's degree it drops to 14% and those with a Bachelor's degree only 6%.²⁶ Additionally, a national survey found that enrollment rates in a four-year college program among young adults aged 18 to 25 were four times higher for those who had not experienced homelessness in the past twelve months compared to those who had.⁷

Systemic involvements are further exacerbated by socioeconomic status, race, and opportunity gaps, as youth are emerging into adulthood and developing their own financial and social wellbeing. Intentional connections to post-secondary education, employment and/or paid internships can help to propel positive youth outcomes that strengthen Maine's overall workforce.

Unfortunately, there is evidence that the recent COVID-19 pandemic has only increased youth disconnection rates nationwide and predictions suggest that the gaps in economic and academic achievements for these young people will widen in the next few years as a result.⁹

Connecting youth and young adults with education and career pathways is a key intervention that not only helps improve an individual's prospects, but also has positive impacts on the local and statewide economy and increases community safety. Prevention is key by ensuring public schools in our state are supporting the needs of all students and minimizing disciplinary actions against students. Many young people reentering their communities after periods of confinement or other system involvement often need supports to ensure economic security, housing stability, and wellbeing before they can thrive in an educational environment. In addition, positive mentors who can support their aspirations and help them navigate the complex educational systems keep young people connected to their education, so they are able to achieve their goals. Maine currently has several small-scale strategies to address some of these barriers; however, funding, sustainability, and scale of these programs remain an issue.^{xxix}

xxix Some examples of Maine school disconnection prevention and prison/reentry education programs include the [UMA Prison Education Partnership](#), the Restorative Justice Project of Maine's [Restorative School Practices](#) efforts, and the USM Opportunity Scholars initiative.

Minimize the long-term impact by sealing records for young adults under 25.

While most of the young people captured by this study were no longer under active supervision, there is ample evidence that justice system involvement has disrupted their transition to adulthood. **Focusing on improving access to education and stable housing, and increasing an individual's economic security is a crucial step in helping to restore independence and the ability to thrive long-term.** It has long been known that possessing a criminal record is a significant barrier to sustained, upward socioeconomic success in America. Many find difficulty in obtaining stable, well-paying employment, are denied from housing, and face barriers to educational opportunities. Previous research suggests that one way to reduce the adverse effects of having a criminal record is to seal criminal history records so that landlords, future employers, and colleges cannot use these as a basis for discrimination and denying access to services.

Young people often age out of involvement with the justice system as they mature and transition to independence.⁵ This analysis of Maine's emerging adults shows that only 10% of those with histories of juvenile confinement also experienced incarceration as an adult before the age of 25. According to a 2013 national report, it is harmful to have past criminal records continue to impact an individual's ability to obtain stable employment, housing, and further education.⁵ Criminal records can prohibit or complicate a young person's ability to join the military, apply for federal financial aid, and obtain professional certifications and licenses. Even in instances where denial is not automatic, many applications (housing, employment, colleges, etc.) include questions about criminal activity that are confusing and create the potential for discrimination against individuals with a criminal legal history.²⁷

While many states automatically seal certain juvenile records (under 18), a 2017 report²⁷ found that Maine is one of 24 states where juveniles must be aware of, initiate, and most likely pay for the sealing process, creating yet another set of hurdles to overcome.^{xxx} An automatic sealing process for juveniles would help alleviate this burden. **Given the research, sealing records for young adults (under 25) would be a further step in helping the transition to adulthood and long-term success. It could also be a motivator to reduce recidivism and to increase participation in needed support such as recovery programs.**⁵

xxx As of January 2022, juvenile records for some crimes (civil, Class E and D) are automatically sealed when the juvenile completes the disposition imposed by the court. For other offenses, juveniles must petition the court to have their records sealed. More information about the juvenile courts and confidentiality in Maine can be found at: www.courts.maine.gov/courts/juvenile/index.html

Conclusion

A large number (1 in 10) of emerging adults in Maine have had some level of contact with the Maine Department of Corrections, either as a juvenile or an adult, and 1.5 out of 100 have experienced incarceration or confinement. While this statistic is staggering, it is in line with national trends among this age group, showing that young adults are disproportionately represented in our justice systems.

There are a multitude of reasons why this age group is more likely to experience contact with the justice system including the science around adolescent brain development, poverty, discrimination, school disconnection, childhood trauma, higher rates of substance use disorders, and mental and behavioral health challenges. The disproportionate contact among men and BIPOC young adults with the MDOC is more evidence of a multi-systemic issue that needs to be addressed statewide. System leaders, policy makers, and community groups can develop and implement reforms and interventions that can help young people successfully transition to adulthood and emerge as independent, thriving adults. Specific strategies that support prevention and diversion efforts, increase housing and economic security, address systemic racism, prevent discrimination, and reconnect young people with educational and career opportunities are key and can have a long-term impact on community safety and wellbeing.

Appendices

TABLE 4

Rates (out of 100 People) of MDOC Contact by Gender, Race/Ethnicity, and Age Among 18-24-year-olds in Maine.

	ME 18-24 Population Estimate (2020)		Total MDOC Sample		Rate (Out of 100)
	N	%	N	%	
TOTAL SAMPLE SIZE	107,473	-	12,809	11.9%	12
GENDER					
Women	52,313	48.7%	4,304	33.6%	8
Men	55,160	51.3%	8,505	66.4%	15
RACE					
BIPOC	11,977	11.1%	1,093	8.7%	9
Black or African American	2,910	2.7%	772	6.2%	27
Latinx or Hispanic	2,910	2.7%	15	0.1%	1
Asian or Pacific Islander	2,038	1.9%	76	0.6%	4
Multiracial	3,998	3.7%	135	1.1%	3
Native American or Indigenous	850	0.8%	108	0.9%	13
Some Other Race	453	0.4%	0	0.0%	0
White, Not Hispanic	95,496	88.9%	11,416	91.3%	12
AGE					
18	16,133	15.0%	1,314	10.3%	8
19	16,346	15.2%	1,402	10.9%	9
20	15,508	14.4%	1,577	12.3%	10
21	15,029	14.0%	1,777	13.9%	12
22	14,859	13.8%	2,069	16.2%	14
23	14,582	13.6%	2,159	16.9%	15
24	15,016	14.0%	2,511	19.6%	17

TABLE 5

Rates (Out of 100 People) of MDOC Contact by Gender and Select Race/Ethnicity Groups, Adults age 18–24

	ME Population		MDOC SAMPLE		Rate (Out of 100)	
	Male	Female	Male	Female	Male	Female
BIPOC	6,357	5,620	767	326	12	6
Black or African American	1,591	1,319	561	211	35	16
Latinx or Hispanic	1,643	1,267	14	1	1	0
Asian or Pacific Islander	930	1,108	49	27	5	2
Multiracial	2,297	1,701	91	44	4	3
Native American or Indigenous	333	517	64	44	19	9
White, Not Hispanic	48,803	46,693	7,508	3,908	15	8

As previously cited, population estimates for the 18 to 24-year-old age group are based on data reported from the U.S. Census Bureau (2022a, 2022b).

Rates of contact with MDOC were calculated out of the total population for each demographic group and represents the number of people in that group out of 100 people in that same group who have had any amount of contact with MDOC.

TABLE 9

Gender and Race/Ethnicity of ME 18 to 24-year-olds with MDOC Contact History by Incarceration History.

	ME 18-24 Population Estimate	Never Incarcerated (a)		Previously Incarcerated (b)		Currently Incarcerated (c)	
		N	%	N	%	N	%
TOTAL SAMPLE SIZE	107,473	11,217	-	1,503	-	89	-
GENDER							
Women	48.7%	3,919	34.9% ^{bc}	379	25.2% ^c	6	6.70%
Men	51.3%	7,298	65.1% [^]	1,124	74.8% ^{^a}	83	93.3% ^{^a,b}
RACE							
BIPOC	11.1%	805	6.8%	262	18.0% ^{^a}	26	30.6% ^{^a,b}
Black or African American	2.7%	564	4.8% [^]	189	13.0% ^{^a}	19	22.4% ^{^a,b}
Latinx or Hispanic	2.7%	0	0.0%	15	1.0%	0	0.0%
Asian or Pacific Islander	1.9%	63	0.5%	12	0.8%	1	1.2%
Multiracial	3.7%	97	0.8%	37	2.5% ^{^a}	1	1.2%
Native American or Indigenous	0.8%	81	0.7%	22	1.5% ^{^a}	5	5.9% ^{^a,b}
White, Not Hispanic	88.9%	10,967	93.2% ^{b,c}	1,195	82.% ^c	59	69.4%

In the table above, all figures representing statistically significant differences (chi-square tests and z-test of column proportions, $p < .05$) are highlighted with either a “^” (higher than the population) or the letters “a & b” (higher than the corresponding subgroup as noted).

As previously cited, population estimates for the 18- to 24-year-old age group are based on data reported from the U.S. Census Bureau (2022a, 2022b).

TABLE 10

Chi-Square Results Comparing the Sample of MDOC Young Adults with the Maine Population of Young Adults

Chi-Square Results (MDOC Sample vs. Population)	N	X2	df	p-value
Men	12,809	1168.81	1	<.001
BIPOC	12,509	70.74	1	<.001
Black or African American	12,509	573.845	1	<.001
Latinx or Hispanic	12,509	325.276	1	<.001
Asian or Pacific Islander	12,509	112.103	1	<.001
Multiracial	12,509	241.132	1	<.001
Native American or Indigenous	12,509	0.633	1	0.426

The table above shows the results of the chi-square test comparing the sample to the population. This test compares the expected distribution of each subgroup to the observed distribution in the sample to check for a statistically significant difference. If this difference is statistically significant one can assume that it did not occur by chance, and you would see a similar observation if you were to replicate the analysis with another sample of data.

TABLE 11

Logistic Regression Results, Testing Incarceration History with Race and Gender for Young Adults in the MDOC Sample

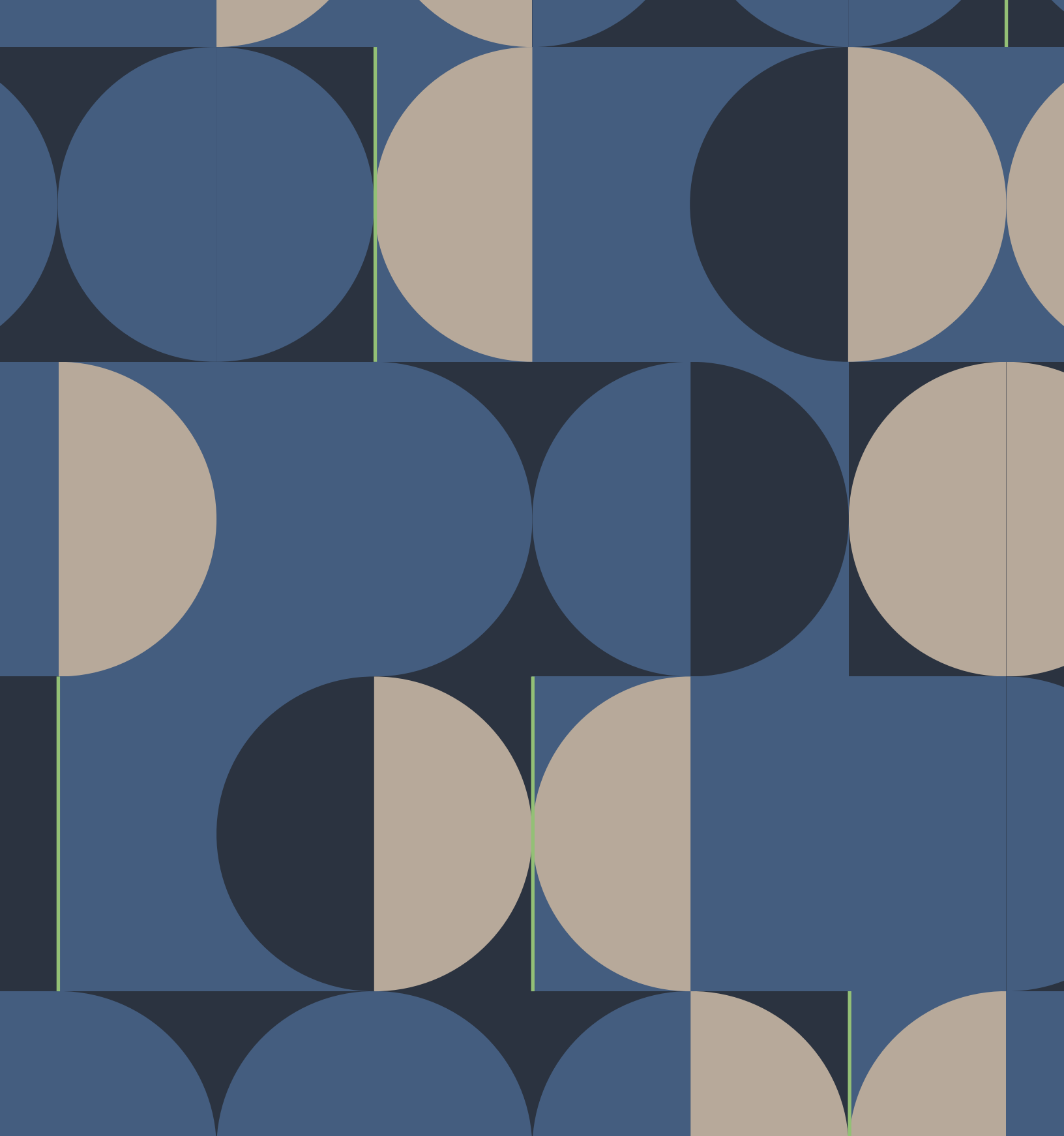
EVER INCARCERATED	B	S.E.	Wald	df	Sig.	Exp(B)
Men	0.490	0.063	60.890	1	<.001	1.633
BIPOC	1.051	0.075	195.336	1	<.001	2.861

This logistic regression model showed that being male and BIPOC were associated with a history of incarceration, ($\chi^2(2)=241.206, p<.001$). These variables explained 3.6% of the variance (R^2) in incarceration history and correctly predicted 87.7% of the cases. The odds ratio of experiencing incarceration as a male was 1.6 and as a BIPOC individual was 2.7.

Endnotes

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