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Original Research

Aboriginal street-involved youth experience elevated risk of incarceration



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ABSTRACT

Objectives: Past research has identified risk factors associated with incarceration among adult Aboriginal populations; however, less is known about incarceration among street-involved Aboriginal youth. Therefore, we undertook this study to longitudinally investigate recent reports of incarceration among a prospective cohort of street-involved youth in Vancouver, Canada.

Study design: Prospective cohort study.

Methods: Data were collected from a cohort of street-involved, drug-using youth from September 2005 to May 2013. Multivariate generalized estimating equation analyses were employed to examine the potential relationship between Aboriginal ancestry and recent incarceration.

Results: Among our sample of 1050 youth, 248 (24%) reported being of aboriginal ancestry, and 378 (36%) reported being incarcerated in the previous six months at some point during the study period. In multivariate analysis controlling for a range of potential confounders including drug use patterns and other risk factors, Aboriginal ancestry remained significantly associated with recent incarceration (adjusted odds ratio [AOR] = 1.44; 95% confidence interval [CI]: 1.12–1.86).

Conclusions: Even after adjusting for drug use patterns and other risk factors associated with incarceration, this study found that Aboriginal street-involved youth were still significantly more likely to be incarcerated than their non-Aboriginal peers. Given the established harms associated with incarceration these findings underscore the pressing need for systematic reform including culturally appropriate interventions to prevent Aboriginal youth from becoming involved with the criminal justice system.

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Introduction

The social and health-related harms associated with incarceration are well documented and include elevated rates of communicable disease and chronic illness;^{1–4} diminished mental health;^{4–7} long-term housing instability;^{7,8} barriers to employment;^{6,8,9} and both poor social integration and breakdown of interpersonal relationships.^{1,8} The negative impacts of incarceration are often more profound for young offenders, as evidence suggests incarcerated youth are more likely to be victimized, suffer developmental and cognitive delays, and exhibit physical and mental health issues, including suicidal ideation and attempts.¹⁰ It has also been shown that youth are more susceptible to peer pressure and do not have the same level of self-regulation and risk perception that adults exhibit.^{11–13} Despite the known harms of incarceration, previous studies have found that high juvenile incarceration rates did not foster future deterrence in criminal activity or an overall reduction in crime rates.^{10,14,15} Quite conversely, incarceration has been found to promote and reinforce risk-taking and delinquent behaviours,^{10,14,15} suggesting that incarcerating young people is a problematic policy approach from both a health and social perspective.

Another concerning aspect of incarceration is the overrepresentation of ethnic minorities at all stages of the criminal justice system (e.g. investigation, remand, custody) across western nations.^{1,16–18} Canada shares with the United States, New Zealand and Australia, a long history of high incarceration rates among Aboriginal^f populations.^{16,17,19–21} Specifically, in Australia, the proportion of Aboriginal people in the prison population is reported to be as high as 28% despite Aboriginal people accounting for approximately 3% of the total population.¹⁹ Similarly, in Canada, Aboriginal peoples comprise approximately 4% of the general population and 23–27% of inmates in federal and provincial correctional facilities,^{22,23} and there is evidence to suggest that this number has been on the rise since the early 2000s.¹⁶ This high number translates into Aboriginal adults being incarcerated at rates ten times higher than non-Aboriginal populations. While numerous studies contend that Aboriginal adults are overrepresented in criminal justice systems, there is limited empirical evidence that investigates whether this overrepresentation is similar among Aboriginal youth. A prior study examined the prevalence and correlates of incarceration among street-involved youth in our study setting (At-Risk Youth Study or ARYS),²⁴ but similarly, it did not investigate the influence of Aboriginal ancestry on recent reports of incarceration. Likewise, previous research concerning Aboriginal involvement in the criminal justice system has focused on

what characteristics and risk factors are associated with incarceration,^{16,17,20–23} not assessing whether this association persists despite controlling for them. To the best of our knowledge, this is the first longitudinal study to assess whether Aboriginal youth experienced an elevated risk of incarceration among an already high-risk population of street-involved youth, while controlling for drug use practices and engagement in other illicit activities.

Methods

Data for these analyses were collected between September 2005 and May 2013, through the At-Risk Youth Study (ARYS), which has been previously described in detail elsewhere.²⁵ In brief, youth were eligible if they were: between the ages of 14–26 years at time of enrolment; street-involved, defined as experiencing homelessness or being unstably housed (e.g. couch surfing, living in a SRO [single-room occupancy] or shelter), or accessing street-based services (e.g. drop-in centres, street nurses) within the last year; had used illicit ‘hard’ drugs in the past 30 days (e.g. crack, cocaine, heroin, or crystal methamphetamine); and provided written informed consent. At baseline and semi-annually, study participants complete an interviewer-administered questionnaire, which elicits a range of information, including items on sociodemographic information, drug use patterns, sexual and drug-related risk behaviours, engagement with health and social services, and involvement in the criminal justice system. At each study visit, participants receive a \$30 CAD monetary compensation and the research ethics board of the University of British Columbia has approved the study.

Our primary outcome of interest was recently being incarcerated, defined as having spent a night in detention, prison or jail in the last six months. The comparison group was those who reported not being incarcerated in the last six months. Our primary independent variable of interest was Aboriginal ancestry (self-identified as First Nations, Inuit, Métis vs. other).

First, to adjust for variables that are known, or, hypothesized to be associated with both incarceration and Aboriginal ancestry, we examined a wide range of potential confounders. Sociodemographic factors included: age at baseline (per year older); gender (male vs. female); high school incompleteness (yes vs. no); living in the Downtown Eastside (DTES) in the last six months, which is considered Vancouver’s drug use epicenter (yes vs. no); homelessness, defined as having no fixed address, sleeping on the street, couch surfing, or staying in a shelter or hostel in the last six months (yes vs. no); and having been in foster care, defined as living in an orphanage, foster home, group home, or being in the government custody as a child (yes vs. no). Behavioural and drug use variables, based on activities in the last six months, were treated as time-updated covariates on the basis of semiannual follow-up data and included: injection drug use (yes vs. no); non-fatal overdose, self-defined as having an adverse reaction as a result of consuming too much of a drug (yes vs. no); any injection or non-injection heroin use (yes vs. no); any injection or non-injection cocaine use (yes vs. no); any crack cocaine smoking (yes vs. no); any injection or non-injection crystal

^f Aboriginal in this context refers to all status and non-status ‘Indians’ or First Nations, Inuit, and Métis peoples. However, it is important to note that the term ‘Aboriginal’ homogenizes the diversity in terms of distinct communities or tribes, history, language and culture within the pan Aboriginal populations and that some scholars have found the word colonial and harmful⁵⁴ – and First Nations inmates represent over 70% of the total Aboriginal incarcerated population, so the majority of injustices spoken to in this paper, fall disproportionately on First Nations youth and communities.²³

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