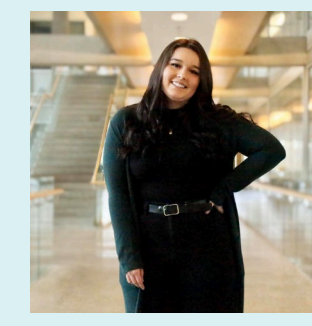


Analyzing the Effect of Mental Illnesses on the Sentencing Outcomes for Canadian Youth Under the YCJA

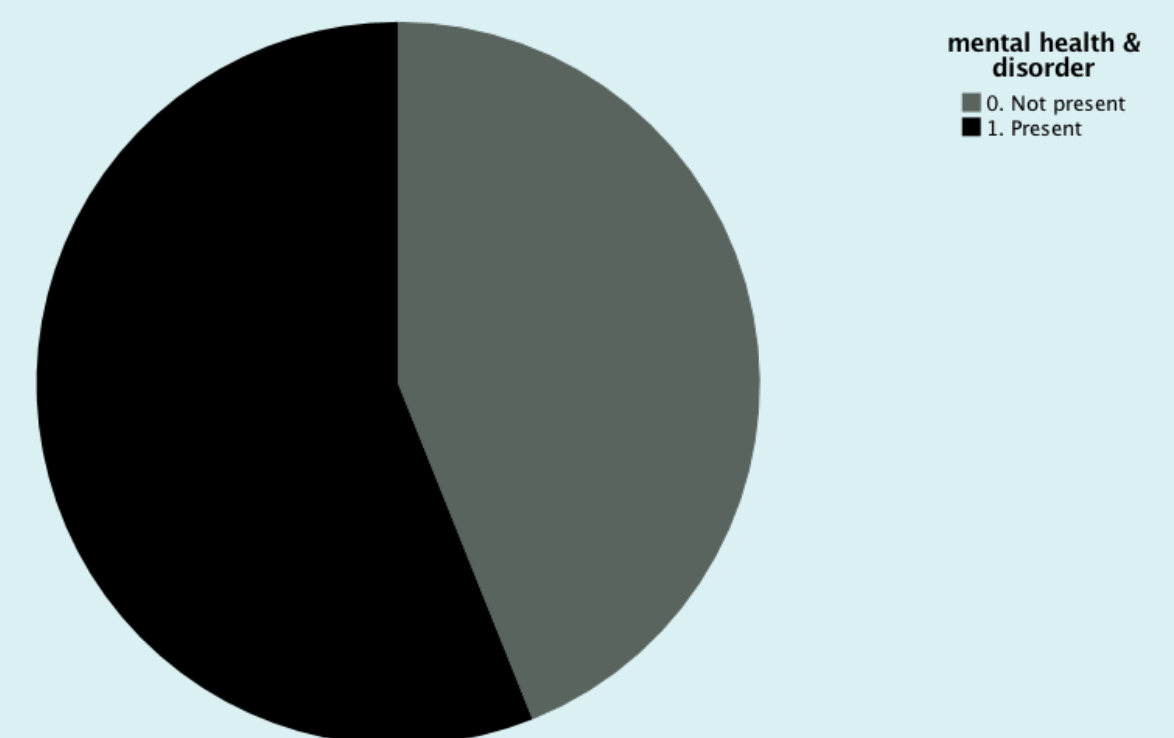


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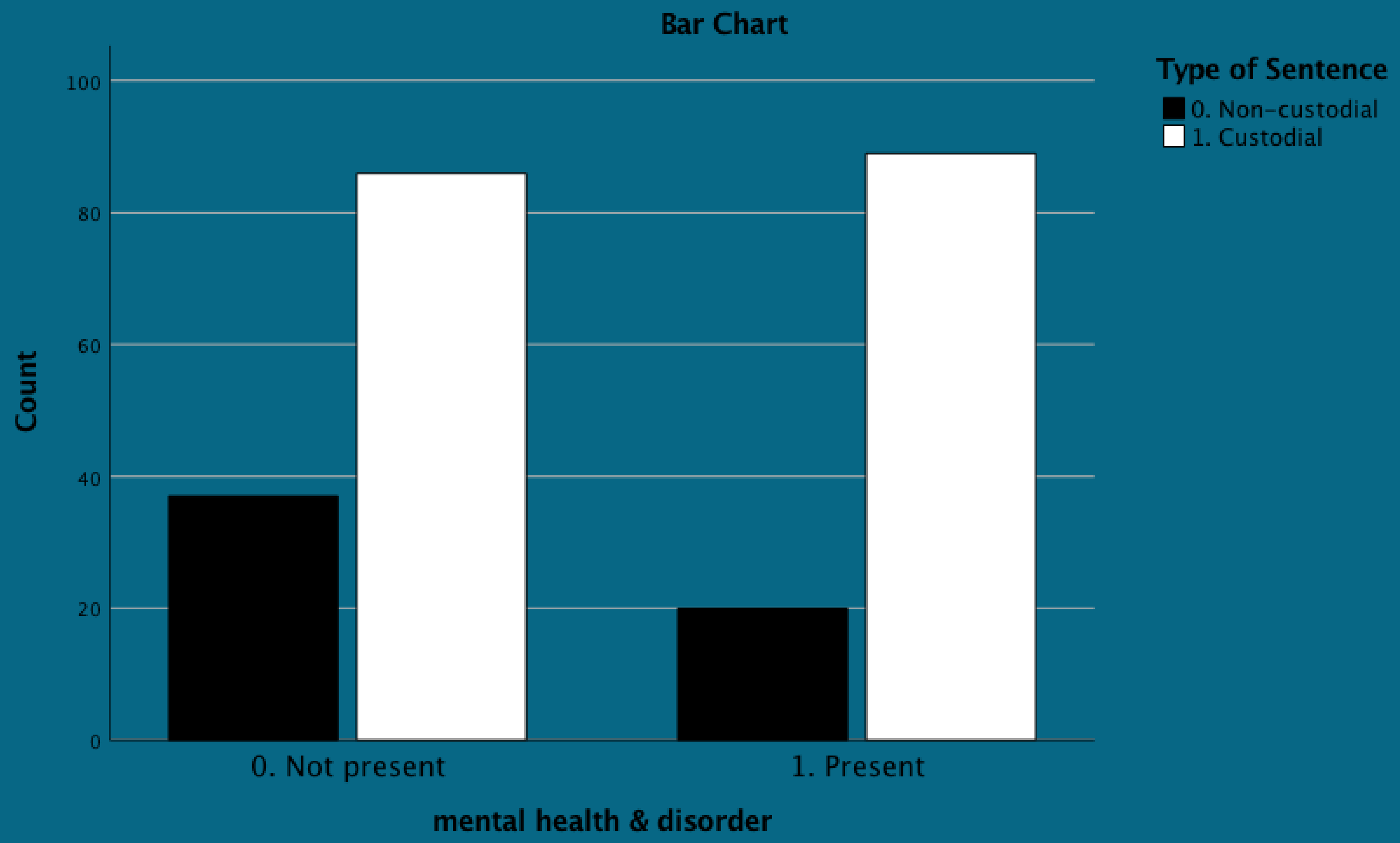
BACKGROUND:
 Despite legislation to consider needs of youth with mental illnesses, they are overrepresented among youth receiving custodial sentences. This study examines court data for youth with and without mental illnesses to determine whether, after considering case characteristics and judicial factors, youth with mental illnesses receive longer or more severe sentences.

METHODS
 Using a dataset of 250 youth court cases, the current study uses multiple regression techniques to examine differences in sentencing outcomes and sentence length for youth with and without mental illnesses. Importantly, individual youth case characteristics (e.g., age, offence seriousness) and judicial factors informed by the YCJA (e.g., rehabilitation, accountability) will be controlled for in the models to determine whether youth with mental illnesses continue to receive disproportionately more severe and longer sentences after controlling for key legal and extralegal factors. During the coding process, any mental illness or disorder defined by the DSM-5 was included, as well as cases that mentioned anger issues, depression, anxiety, learning disabilities, low self-control or impulse control, low intelligence, post-traumatic stress disorder, or the need for the young person to meet with a psychologist

INITIAL RESULTS
 - Youth with mental illnesses have a higher average number of combined days that they were sentenced to custodial and non-custodial sentences (1061.66) than youth without mental illnesses (762.74).



Initial Findings: Youth with mental illnesses were more likely to receive a custodial sentence and less likely to receive a non-custodial sentence than youth without mental illnesses.



- ADDITIONAL FINDINGS:**
- Youth with mental illnesses were more likely to receive 4 or more sentence types than youth without mental illnesses.
 - Youth with mental illnesses were more likely to receive a weapons prohibition (60) than youth without mental illnesses (30).
 - Youth with mental illnesses were more likely to have accountability discussed (63) than youth without mental illnesses (49).
 - No relationship was found between youth with mental illnesses and serious violent offences.

DISCUSSION

- Identifies issues in the current legislation regarding the overrepresentation of youth with mental illnesses.
- Highlights how new legislation can be adopted in order to support youth with mental illnesses instead of further harming this population.
- Paves way for new research that pin-points the root cause of this overrepresentation once it is established that the problem still exists under the YCJA (judicial bias, lack of services etc.)

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