

Declines in Youth Commitments and Facilities in the 21st Century

A major reduction has taken place in the number of teenagers committed to juvenile facilities in this century. At a time of increasing calls to cut the number of incarcerated adults by 50 percent over 10 years, the juvenile justice system has already attained this goal. Moreover, the decline has taken place without harming public safety.

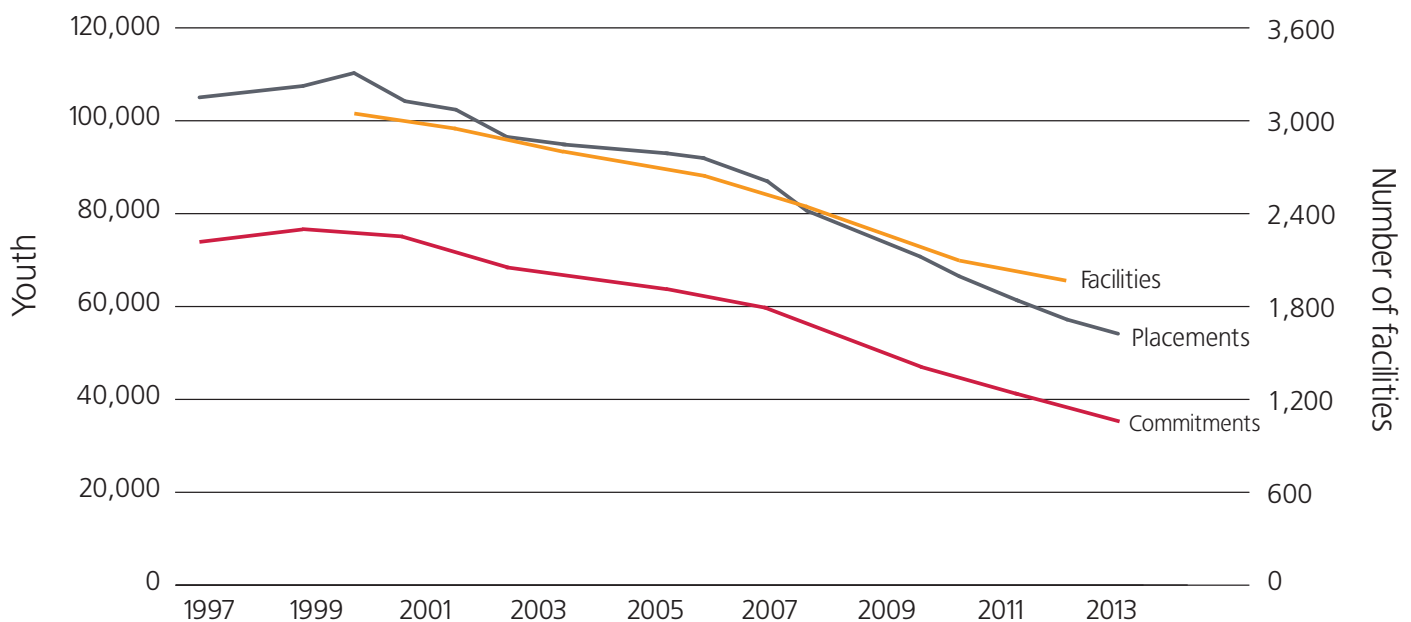
Between 2001 and 2013, the number of juveniles committed to juvenile facilities after an adjudication of delinquency (or, as was the case for 413 juveniles, conviction in criminal court) fell from 76,262 to 35,659.¹ Overall placements, which also include those juveniles held pre-adjudication, peaked in the year 2000 and have since fallen by 51 percent.

This represents a 54 percent decline since a 1999 peak and a 53 percent decline since 2001. As of

2012, these reductions led to a one-third reduction in the number of juvenile facilities since 2002.

Twenty-seven states, spread through every region, have attained a cut of 50 percent or more of their committed youth between 2001 and 2013, while only one state – North Dakota – and the District of Columbia have seen any increases at all. Eight states achieved reduction of at least two-thirds: Mississippi, Massachusetts, Louisiana, North

Figure 1. Juvenile Facilities and Placements, 1997-2013



¹ The Office of Juvenile Justice and Delinquency Prevention compiles data on juveniles in residential facilities using a one-day count, generally taken in late October. The nationwide count is available annually whereas some components of that overall count, including state-by-state counts, are only available on a biannual basis. Citation for most figures and tables in this paper: Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. (2015) "Easy Access to the Census of Juveniles in Residential Placement." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezacjrp/>

Table 1. Juvenile Commitment Changes by State, 2001-2013

State	2001	2013	Change
Mississippi	546	144	-74%
Massachusetts	804	234	-71%
Louisiana	1,857	549	-70%
North Carolina	1,029	315	-69%
Tennessee	1,410	444	-69%
New York	3,900	1,236	-68%
Connecticut	483	156	-68%
Illinois	2,697	873	-68%
New Hampshire	177	60	-66%
Wisconsin	1,590	558	-65%
Vermont	33	12	-64%
California	12,150	4,452	-63%
Texas	6,801	2,577	-62%
Indiana	2,346	912	-61%
Florida	4,998	1,950	-61%
Ohio	3,207	1,338	-58%
Alabama	1,206	504	-58%
Montana	201	84	-58%
New Mexico	681	285	-58%
Georgia	1,845	777	-58%
Minnesota	1,557	675	-57%
Michigan	2,739	1,224	-55%
Oklahoma	630	282	-55%
Washington	1,593	738	-54%
Arizona	1,128	531	-53%
United States	76,262	35,659	-53%
New Jersey	1,029	507	-51%
Alaska	237	117	-51%
Rhode Island	261	132	-49%
Nebraska	498	273	-45%
Utah	747	411	-45%
Delaware	147	81	-45%
Hawaii	81	45	-44%
South Carolina	981	567	-42%
Maryland	810	471	-42%
Wyoming	267	156	-42%
Iowa	888	546	-39%
Virginia	1,605	1,014	-37%
Colorado	1,137	732	-36%
South Dakota	399	267	-33%
Maine	183	123	-33%
Pennsylvania	3,285	2,337	-29%
Nevada	552	396	-28%
Kentucky	750	546	-27%
Kansas	801	594	-26%
Oregon	1,275	948	-26%
Missouri	1,011	804	-20%
Idaho	378	324	-14%
West Virginia	354	309	-13%
Arkansas	501	450	-10%
North Dakota	150	156	4%
District of Columbia	111	123	11%

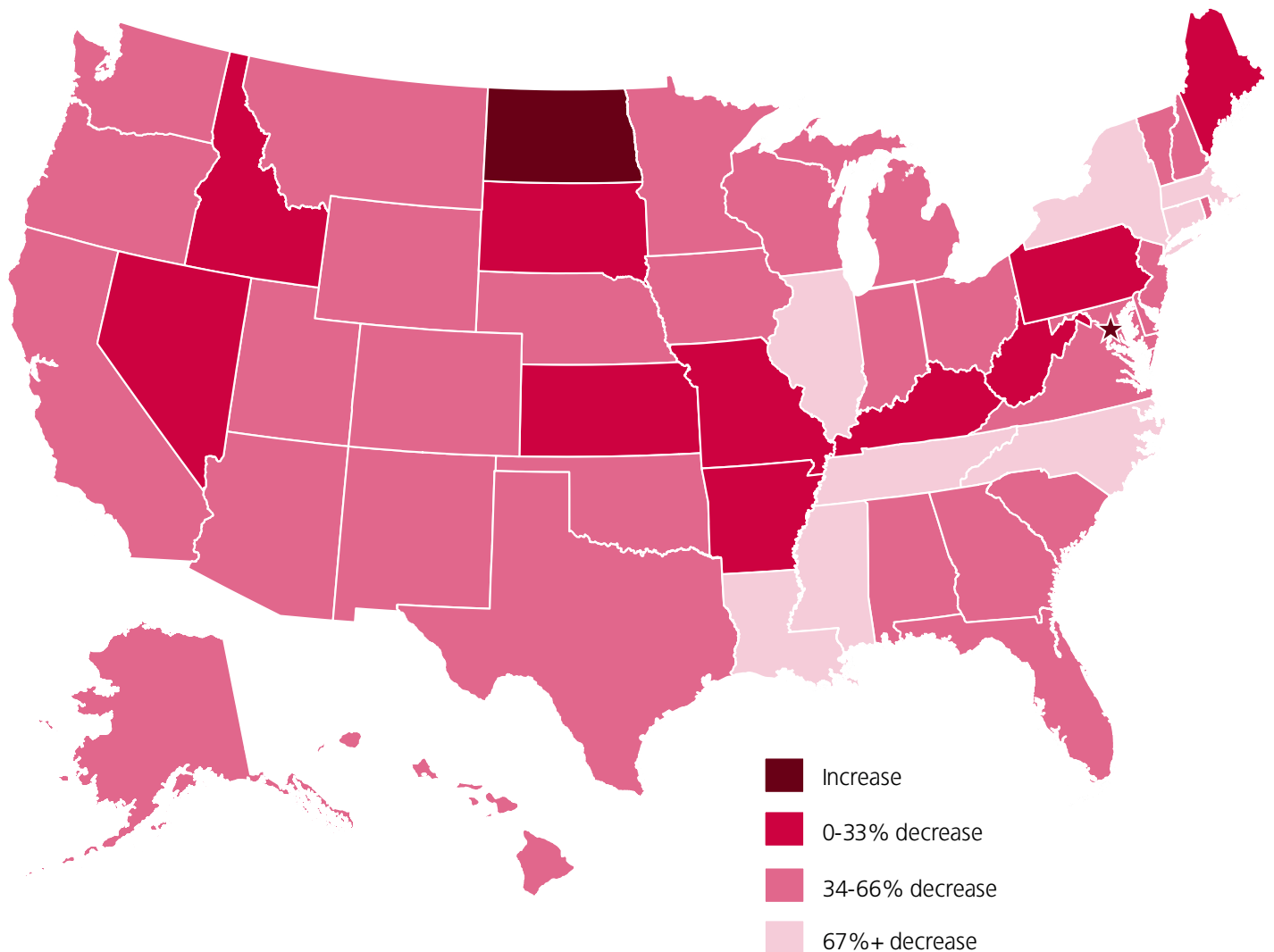
Note: Approximately 2,000 juveniles are in commitments whose home states are not reported.

Table 2. Juvenile Commitment Rates By State, 2013

State of Offense	Committed Youth (per 100,000)
Vermont	20
Hawaii	34
Massachusetts	36
Connecticut	41
North Carolina	41
Mississippi	44
New Hampshire	52
New Jersey	54
Tennessee	66
Oklahoma	68
Illinois	72
Arizona	73
Maryland	78
Georgia	79
Montana	84
New York	87
Delaware	90
Texas	95
Alabama	99
Maine	99
Washington	105
Florida	106
Wisconsin	107
California	108
Utah	108
Ohio	109
United States	114
Minnesota	119
Kentucky	120
Virginia	122
Indiana	126
New Mexico	127
Louisiana	128
Rhode Island	131
Michigan	133
Colorado	134
Nevada	134
South Carolina	134
Nebraska	136
Arkansas	142
Alaska	145
Missouri	146
Iowa	168
Idaho	170
West Virginia	178
Kansas	186
Pennsylvania	186
North Dakota	231
Oregon	245
Wyoming	264
District of Columbia	302
South Dakota	302

Note: Data may not include juveniles convicted as adults under some states' transfer policies.

Figure 2. Youth Commitment Changes by State, 2001-2013



Carolina, Tennessee, New York, Connecticut, and Illinois.

While the factors contributing to these reductions vary by state, in general the decline is a function of both a drop in juvenile offending and a mix of policy and practice initiatives. Juvenile arrest rates fell 39 percent from 2000 to 2012 with roughly equivalent drops across major categories of offenses.

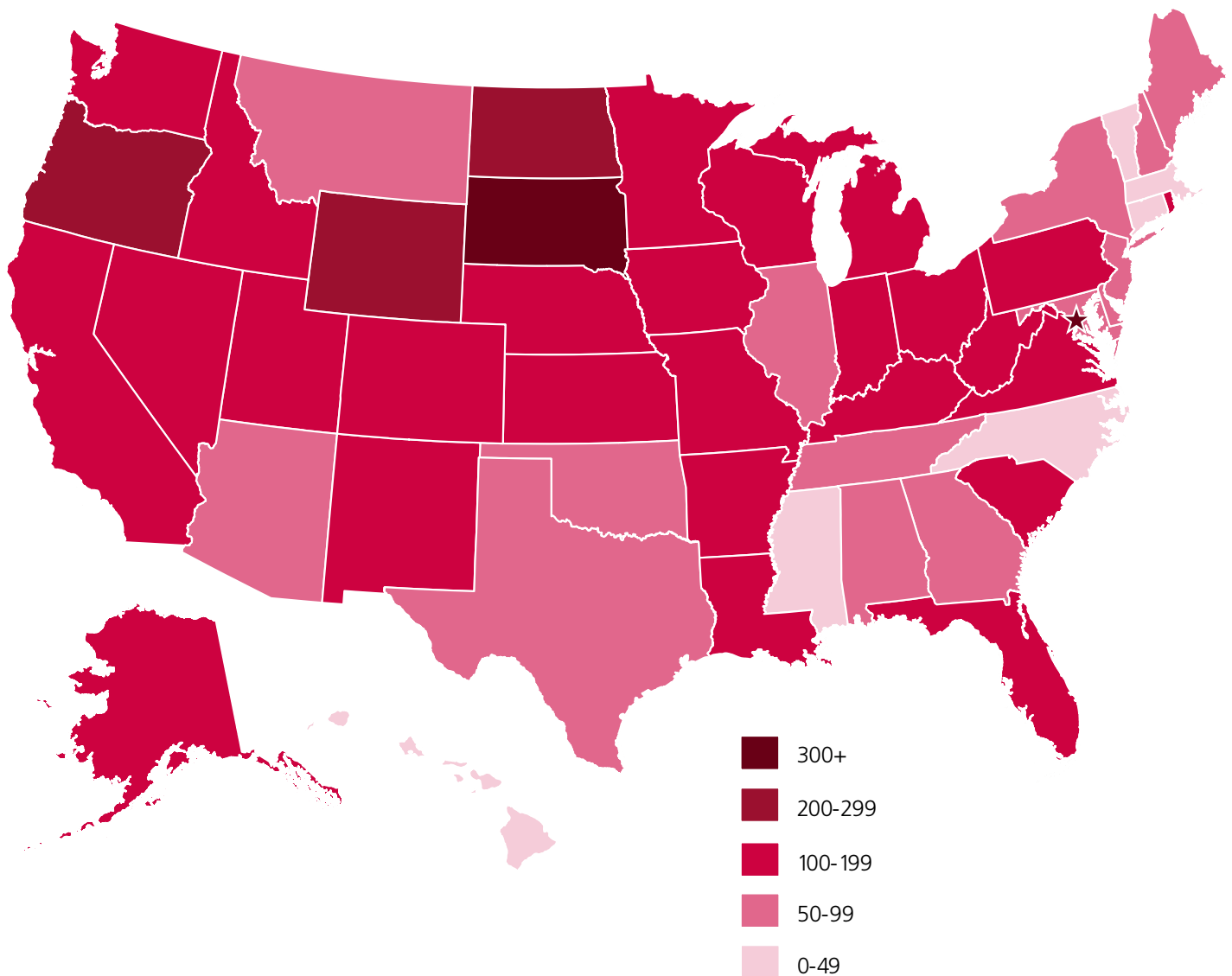
Many states have advanced reforms to decrease their committed populations. In Mississippi, a set of state and federal investigations that revealed deplorable conditions in state facilities prompted a reduction in the number of teenagers housed in the facilities and thus led to a sharp curtailment in the use of commitments for status offenses and technical

violations. Following passage of the Juvenile Justice Act of 2003, Louisiana currently uses a placement review process to ensure that teenagers are held in the least restrictive placement option.

Connecticut and Massachusetts raised the age of juvenile court jurisdiction to include 16- and 17-year olds and still saw a two-thirds drop in the number of committed juveniles. Advocates in Connecticut are now focused on closing the remaining large facilities in the state, citing both the treatment of the teenagers housed there and the lower effectiveness of secure placement on outcomes.

Despite the promising overall trend and some positive exceptions, there is little evidence that most states are reducing the proportion of commitments

Figure 3. Youth Commitment Rate per 100,000 by State, 2013



for less serious offenders and reserving commitment only for their serious offenders. In 2001, 24 percent of all committed juveniles had been adjudicated on a violent offense; by 2013, that proportion had barely changed and is now 26 percent. Juvenile placement ought to be reserved for those who pose the greatest risk to public safety – but roughly three out of four committed teenagers are held for simple assault, property offenses, drug offenses, public order offenses, status offenses and technical violations.

RACIAL AND ETHNIC DISPARITIES

African American juveniles are nearly two-and-a-half times as likely to be arrested despite few differences in delinquent behaviors or status offenses. Researchers have found few group differences between youth of color and white youth regarding the most common categories of youth arrests.² Still, differences exist regarding violent crimes, comprising five percent of juvenile arrests,

² Lauritsen, J. L. (2005). Racial and ethnic difference in juvenile offending. In Hawkins, D. F. & Kempf-Leonard, K. (Eds.), *Our children, their children: Confronting racial and ethnic differences in American juvenile justice* (pp. 83- 104). Chicago: University of Chicago Press.

which are more prevalent among African American and Latino youth. Juveniles adjudicated for violent offenses comprise one in four commitments. Racial and ethnic disparities cannot be explained solely by differences in offending patterns; the remaining three-quarters of commitments are offenses where there are few differences in behaviors.

Disparities grow with each step in the juvenile justice system. Even as the total numbers of juvenile arrests and detentions have decreased, racial and ethnic commitment disparities between youth of color and white youth remain profound.

The Juvenile Justice and Delinquency Prevention Act requires states to address the disproportionate number of youth of color who come into contact with the juvenile justice system (JJDP (Sec. 223(a)(22))). In 2015, Senators Charles Grassley (R-Iowa) and Sheldon Whitehouse (D-Rhode Island) introduced legislation to reauthorize the JJDP for the first time since 2002. The Grassley-Whitehouse bill would require states to identify and reduce these disparities, providing concrete guidance on how to do so: establishing or designating local stakeholder groups to advise on the best ways to reduce disparities; identifying key decision points where disparities emerge; and implementing a work plan that includes measurable objectives to reduce disparities. The bill passed the Senate Judiciary Committee in July 2015.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) compiles commitment rates by race; data show that almost every state (except Vermont) has significant juvenile commitment disparities. African American youth are 4.3 times as likely as white youth to be committed. Latino youth are 1.6 times as likely, and Native youth are 3.7 times as likely to be committed. Such disparities are highest in some of the states with the lowest overall placement rates. For example, Connecticut and New Jersey maintain rates of confinement that are less than half the national average, but both states confine African American youth at 24 times the rate of white youth.

Table 3. Black/White Commitment Rates per 100,000 Juveniles, 2011

State	All Youth	White	Black	Ratio
Utah	108	54	1846	34.2
New Hampshire	52	26	818	31.5
New Jersey	54	10	243	24.3
Connecticut	41	7	169	24.1
Wisconsin	107	42	631	15.0
Rhode Island	131	62	649	10.5
Minnesota	119	58	548	9.4
Pennsylvania	186	80	682	8.5
Massachusetts	36	14	116	8.3
North Carolina	41	14	108	7.7
California	108	50	365	7.3
Oklahoma	68	39	277	7.1
Kansas	186	112	739	6.6
Hawaii	34	12	77	6.4
Colorado	134	95	595	6.3
Virginia	122	57	342	6.0
Mississippi	44	14	83	5.9
Louisiana	128	45	261	5.8
Iowa	168	120	688	5.7
Delaware	90	42	240	5.7
Michigan	133	72	396	5.5
Nebraska	136	84	451	5.4
New York	87	47	249	5.3
Tennessee	66	33	173	5.2
Maryland	78	31	159	5.1
North Dakota	231	149	727	4.9
Maine	99	87	413	4.7
Ohio	109	65	308	4.7
Georgia	79	34	160	4.7
United States	114	69	294	4.3
Arkansas	142	80	337	4.2
Washington	105	72	297	4.1
Texas	95	63	250	4.0
Nevada	135	98	381	3.9
Arizona	73	53	193	3.6
Kentucky	120	89	324	3.6
Illinois	72	43	156	3.6
District of Columbia	302	96	336	3.5
Oregon	245	200	697	3.5
Montana	84	66	227	3.4
Idaho	170	155	524	3.4
Florida	106	72	241	3.3
Missouri	146	105	351	3.3
New Mexico	127	78	241	3.1
Indiana	126	98	296	3.0
West Virginia	178	154	463	3.0
South Dakota	302	167	475	2.8
Alabama	99	64	180	2.8
South Carolina	134	71	171	2.4
Alaska	145	91	206	2.3
Wyoming	264	213	276	1.3
Vermont	20	16	0	0.0

ONE IN THREE JUVENILE FACILITIES HAVE CLOSED SINCE 2002

There were 970 fewer juvenile facilities in 2012 than in 2002, a 33 percent decline.³ While facilities of all sizes have closed, a greater percentage of the largest facilities did. The number of facilities holding fewer than 100 juveniles fell from 2,696 to 1,872 (a 31 percent decrease); the number of facilities holding 101 to 200 juveniles fell from 171 to 83 (a 51 percent decrease); and the number of facilities holding more than 200 juveniles fell from 88 to 30 (a 66 percent decrease). The largest facilities are expensive to maintain, but they also provide less tailored services than small facilities, increasing the chances of reoffending.

The dual trends of closing large facilities and declining numbers of juveniles in placement have changed the typical juvenile placement. In 1997, 36,597 juveniles (35 percent of all juveniles in placement) were held in facilities that housed more than 200 people. By 2013,

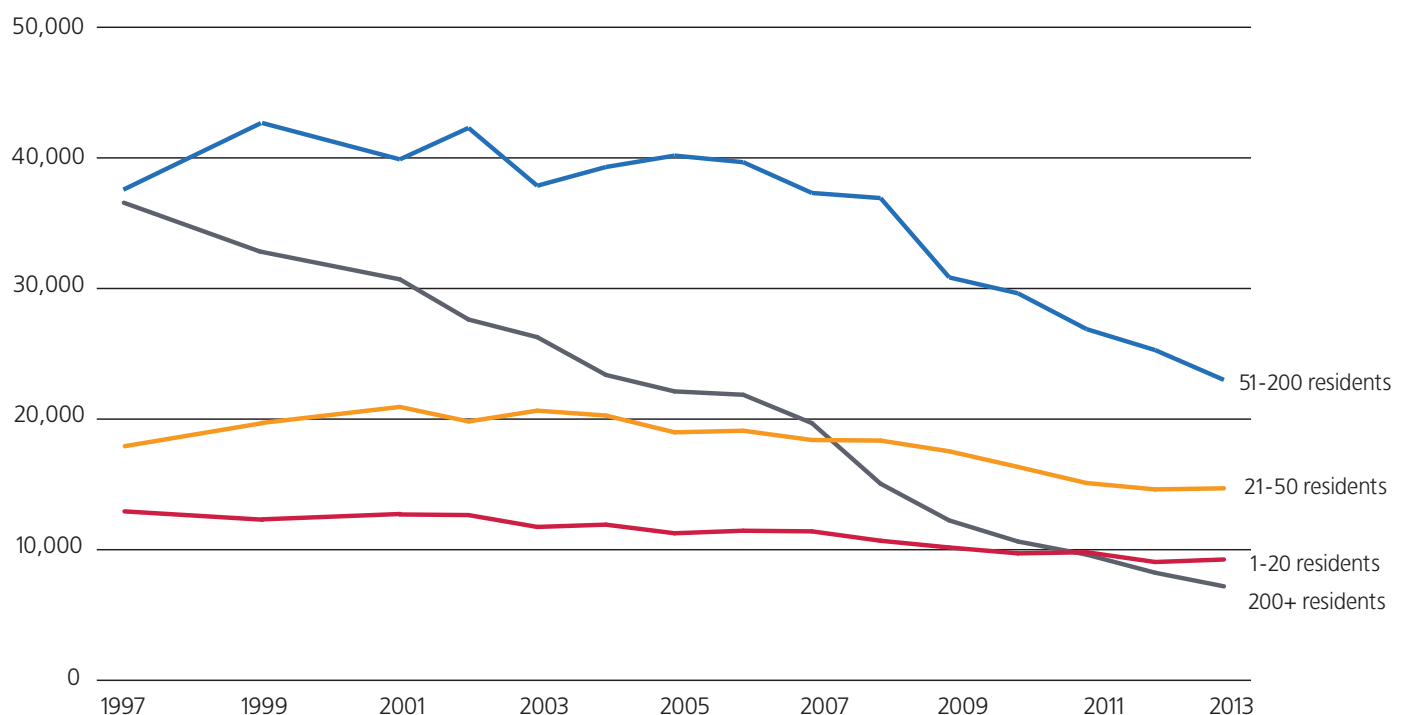
7,195 juveniles (13 percent) were held in these large facilities.

CONCLUSION

Despite impressive decreases in youth held in juvenile facilities, disturbing racial disparities still persist nationally, as well as the unnecessary detention of low-level and nonviolent offenders.

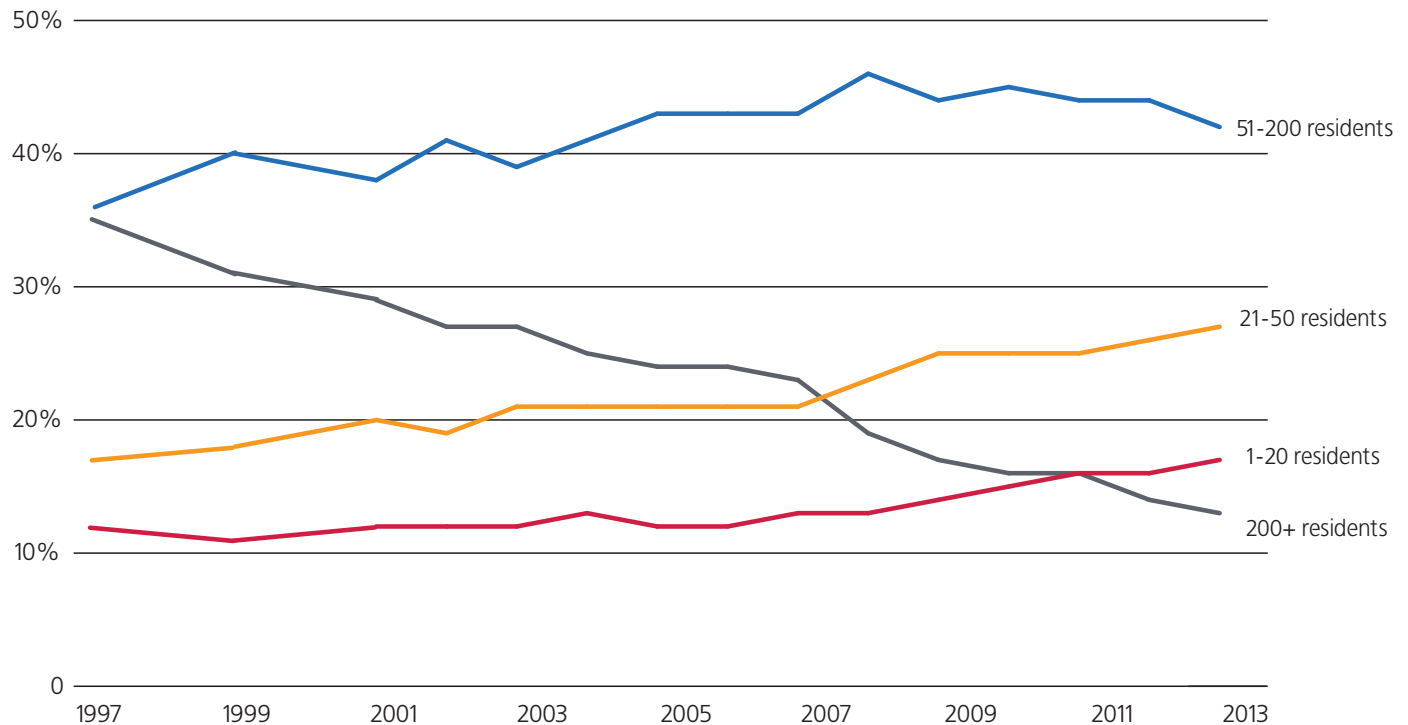
Reductions in juvenile offending combined with common-sense policy changes have led to large reductions in the number and percentages of teenagers in large state facilities and generally in confinement. These reduced expenditures on facilities ought to lead to real justice reinvestment in programs that can prevent offending, such as drug and alcohol counseling and mentorship programs. For teenagers with mental health concerns, a comprehensive approach, such as multisystemic therapy which addresses the many factors that can impact a teenager's offending, is an effective intervention that supports teenagers and their families.

Figure 4. Number of Juvenile Offenders by Size of Facility, 1997-2013



³ Data on juvenile facilities is available via biannual reports on residential facilities, the most recent of which is Hockenberry, S., Sickmund, M., & Sladky, A. (2015). Juvenile Residential Facility Census, 2012: Selected Findings., and available at <http://www.ojjdp.gov/pubs/247207.pdf>.

Figure 5. Percent of Juvenile Offenders by Size of Facility, 1997-2013



Confinement should be used sparingly and briefly, and only as a last resort. For serious offenders, a successful program should be intensive and address teenaged aggression, focusing on rehabilitation to keep them in confinement only as long as they are a threat to public safety.

Most importantly, states should not over-rely on confinement as the way to address teenaged misbehaviors but instead invest in alternatives, utilizing confinement in limited circumstances and for short periods. Research has consistently shown that juvenile facilities are not merely expensive and

counterproductive to reducing offending behavior, but outright dangerous for teenagers. Despite reductions in juvenile commitments, there is much more to be done.