



Alternatives to Detention in the Juvenile Justice System

Coalition for Juvenile Justice (CJJ) Position Statement on Detention Reform:

Youth accused of crimes should be held in secure detention prior to a decision of guilt for only the specific reasons prescribed by law.

Detention reform should be implemented around the country to reduce the number of youth inappropriately or unnecessarily detained, reduce racial inequalities in the juvenile court system and improve conditions of confinement for detained youth.

Creating alternatives to detention can help eliminate inequalities in the juvenile justice system, improve services for young offenders and keep communities safe.

Who Ends Up in Detention?

Despite a decline in juvenile offending over the past decade, the population of youth confined in pre-trial secure detention has steadily grown. According to the Coalition for Juvenile Justice report, "[Unlocking the Future: Detention Reform in the Juvenile Justice System](#)," an alarmingly high number of youth who pose no risk to community safety are behind locked doors awaiting court hearings. On an average day, more than 27,000 youth are estimated to reside in locked detention centers—a number that has grown 72 percent since the early 1990s; most are young, nonviolent, relatively minor offenders—some of whom will be acquitted of all charges—most of whom do not need to be there at all.

There are Only Two Legal Reasons for Pretrial Detention:

- The child is deemed a risk to the safety of others unless detained.
- The child is deemed a risk not to show up in court for his hearing.

Facts Show that Over-Reliance on Detention Exact High Human and Financial Costs:

- A one-day snapshot of juvenile offenders in detention found that roughly a third were status offenders—youth whose actions are considered delinquent because of their minor (usually under age 18) status.¹
- Only 22% of detained youth are being detained for violent offenses.²
- Overcrowding in juvenile detention centers leads to increased levels of violence and suicides.³

¹ Office of Juvenile Justice and Delinquency Prevention, *Juvenile Offenders and Victims: 2006 National Report*, Washington, DC, 2006.

² Ibid.

- Nearly 70% of children in public detention centers are in facilities operating above their design capacity.⁴
- The cost to taxpayers of operating one detention bed over a twenty year period is \$1.25 - \$1.5 million dollars.⁵
- African American youth are 1.4 times more likely to be detained than their white peers; among all racial groups, whites are the least likely to be detained.⁶
- African-Americans comprise 15.4% of the general population under age 18, yet make up 29% of juvenile cases formally processed through the juvenile court system and 38% of youth detained prior to trial.⁷
- In every state in the country (except Vermont) the rate of arrest and custody arrests for minority youth exceeds the rates for white youth.⁸

The Detention Reform Movement:

Detention reform efforts create positive changes in state and local juvenile justice systems—including greater and stronger connections with family, school and community supports, decreased re-offense rates and a reduction of harsher, more punitive treatment of youth of color as compared with their white counterparts. Detention reform also saves scarce public dollars and redirects resources toward more cost-effective home- and community-based alternatives to confinement.

The Annie E. Casey Foundation has responded to the growing need for detention reform with the Juvenile Detention Alternatives Initiative (JDAI). JDAI has four basic objectives:

- To eliminate the inappropriate or unnecessary use of secure detention;
- To minimize re-arrest and failure-to-appear rates pending adjudication;
- To ensure appropriate conditions of confinement in secure facilities; and
- To redirect public finances to sustain successful reforms.

JDAI sites pursue eight interrelated strategies to accomplish these objectives:

1. Collaboration
2. Use of accurate data
3. Objective admissions criteria and instruments
4. New or enhanced non-secure alternatives to detention

³ S. Burrell, P. DeMuro, E. Dunlap, C. Sanniti and L. Warboys, *Crowding in Juvenile Detention Facilities: A Problem Solving Manual*, Richmond, KY: National Juvenile Detention Association and Youth Law Center, 1998.

⁴ B. Rust, "Documenting Programs that Work for Kids and Families," AdvoCasey. Baltimore, MD: Annie E. Casey Foundation, Fall/Winter, 1999.

⁵ Annie E. Casey Foundation, *Juvenile Detention Alternatives Initiative: About JDAI*, <http://www.aecf.org/initiatives/jdai/about.htm>, Baltimore, MD.

⁶ Office of Juvenile Justice and Delinquency Prevention, *Juvenile Offenders and Victims: 2006 National Report*, Washington, DC, 2006.

⁷ Ibid.

⁸ Ibid.

5. Case processing reforms
6. Special detention cases
7. Reducing racial disparities
8. Improving conditions of confinement

For more information, please contact the Coalition for Juvenile Justice at 202-467-0864 or info@juvjustice.org.

Also refer to the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) Web Site: <http://www.aecf.org/initiatives/jdai/>.