DETENTION REFORM BRIEF

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DETENTION REFORM: AN EFFECTIVE PUBLIC SAFETY STRATEGY

"The daily detention population in our facility has been greatly reduced but without a resultant compromise in community safety. In fact, just the opposite: we have the lowest rates of reoffense that we've ever had."

—AMY HOLMES HEHN, MULTNOMAH COUNTY (PORTLAND, OREGON) DEPUTY DISTRICT ATTORNEY

The Juvenile Detention Alternatives Initiative (JDAI) is, first and foremost, dedicated to keeping communities safe. That's why JDAI is focused on ensuring that the right youth—but only the right youth—are detained, and only for as long as needed. JDAI's core strategies provide tools to help juvenile justice officials reduce crime while reserving scarce public safety resources for more effective ways to supervise young people.

JDAI'S PUBLIC SAFETY TRACK RECORD: FALLING CRIME RATES AND MORE YOUNG PEOPLE SUCCESSFULLY RETURNING TO COURT

1) FALLING CRIME RATES AND FALLING DETENTION POPULATIONS. While some youth may need to be detained to protect the public, two-thirds of those detained are held for non-violent crimes. Though experience and research have shown that most juveniles can be supervised in the community while awaiting their court date, some people worry that releasing them may drive up crime rates. In JDAI's four model sites, however, where the average daily population in detention declined dramatically, juvenile arrests fell between 37 percent and 54 percent, drops similar or larger than the decreases experienced in the rest of the country. JDAI is showing every day that fewer young people can be detained without sacrificing public safety.

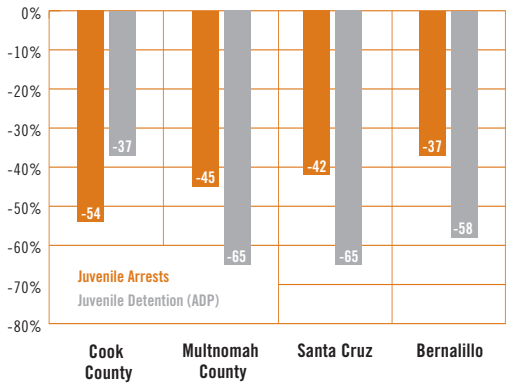
2) MORE YOUNG PEOPLE SUCCESSFULLY RETURN TO COURT. Juvenile detention is intended to ensure that young people return to court for their hearings and do not commit crimes while awaiting their court dates. Many systems, however, simply lack intermediate options between detaining a young person

"It's easy enough to go along doing what you're doing because of convenience, or because that's how it's always been done. But JDAI made us reevaluate what we were doing. We have started looking at detention as the last thing we consider."

—ATLANTIC COUNTY SUPERIOR COURT JUDGE JAMES JACKSON

FIGURE 1

JUVENILE CRIME AND DETENTION REDUCED IN JDAI MODEL SITES



**Note: crime declines are juvenile felony arrests in Santa Cruz (1996–2005) and Multnomah for (1994–2000); juvenile violent arrests in Cook (1993–2000); and juvenile arrests in Bernalillo (1999–2006). Detention declines occurred during the following timeframes in: Multnomah (1995–2002), Cook (1996–2002), Santa Cruz (1997–2005), and Bernalillo (1999–2004).

or releasing them to the community until their court date. JDAI helps set up detention alternatives (including home confinement, evening reporting, and shelter care) that provide supervision in the community to reduce risks of reoffending and to ensure court appearance.

Prior to JDAI, a full 40 percent of youth in Cook County did not successfully return to court. But after successfully implementing JDAI strategies, 87 percent of youth in the county showed up for their court dates. In Multnomah and Santa Cruz counties, more than 90 percent of youth now make their court dates. By redirecting funds (previously spent on incarceration) to detention alternatives, these communities are able to release young people to effective forms of community supervision that keep them out of trouble pending their court dates.

3) MORE YOUNG PEOPLE SENT TO INTERVENTIONS PROVEN TO CUT RECIDIVISM INSTEAD OF STATE YOUTH PRISONS. As JDAI reforms kick into gear, and as sites become more successful in using the core strategies to detain fewer youth, they also improve the systems' ability to send young people to interventions proven to reduce juvenile recidivism after the court disposes with their case. Instead of sending youth to costly state correctional facilities with high recidivism rates, JDAI's data-driven and outcome-focused strategies have helped Multnomah, Cook, and Santa Cruz counties rely more on **evidenced-based practices** (interventions that are scientifically proven to cut juvenile recidivism) as post-disposition options.

WHY IS DETENTION REFORM AN EFFECTIVE PUBLIC SAFETY STRATEGY?

JDAI's core strategies, including a reliance on data, use of objective tools and instruments to identify the youth most likely to reoffend, alternatives to detention programs, and government and community collaboration, all help sites develop effective public safety policies.

1) JDAI HELPS IDENTIFY THE YOUTH MOST LIKELY TO REOFFEND. JDAI relies on objective tools that measure the public safety risks posed by youth entering the system. Sites that successfully use these tools more accurately identify youth who need to be detained, and free up resources to spend on other ways to protect the public.

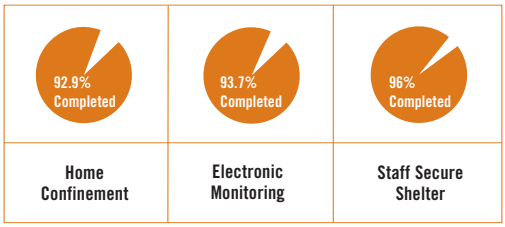
2) JDAI HELPS LAW ENFORCEMENT AND YOUTH SERVING SYSTEMS WORK TOGETHER. Juvenile justice systems are smarter and do better when prosecutors, police officers, child welfare workers, probation officers, and community organizations are all on the same page. JDAI brings these stakeholders to the same table to coordinate sound juvenile justice policies.

3) JDAI'S FOCUS ON DATA HELPS HOLD THE SYSTEM ACCOUNTABLE FOR PUBLIC SAFETY RESULTS. In many jurisdictions, juvenile justice officials do not know if youth are reoffending frequently or not returning to court. By relying on accurate data, JDAI sites can monitor these basic public safety indicators and change policy to improve outcomes. Most important, JDAI's reliance on data allows policymakers to hold the system accountable for public safety outcomes.

4) JDAI HELPS COMMUNITIES DEVELOP ALTERNATIVES THAT ENHANCE SUPERVISION AND HELP YOUNG PEOPLE SUCCEED. In many places, judges and probation staff have only two options when faced with an arrested juvenile: outright release or lock-up. JDAI sites expand the range of options available, increasing opportunities to release young people under appropriate levels of supervision. These detention alternatives include home confinement, day or evening reporting centers, and shelter care. In Cook County, more than 90 percent of young people successfully remained arrest-free during their time in home confinement, electronic monitoring, and shelter care, and similar results have been seen in other JDAI sites.

FIGURE 2

IN COOK COUNTY (CHICAGO), ILLINOIS, MORE THAN 9 OUT OF 10 YOUNG PEOPLE REMAINED ARREST-FREE WHILE THEY WERE IN A JDAI DETENTION ALTERNATIVE



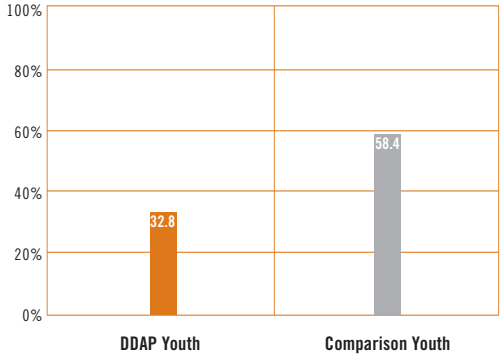
*Successful completion indicates that the minor remained arrest-free during the time of the program.

"We all know that crime is a symptom of something bigger—education, the economy, the kids' situation at home. The question is, 'How are you helping that child to break that cycle by putting him in jail?' "

—SGT. MELVIN GILBERT, A SUPERVISOR IN THE NEW ORLEANS POLICE DEPARTMENT'S JUVENILE DIVISION

FIGURE 3

SIGNIFICANTLY LOWER RECIDIVISM RATES FOR YOUTH IN THE DETENTION DIVERSION ADVOCACY PROGRAM (DDAP) IN SAN FRANCISCO



Source: *OJJDP Juvenile Justice Bulletin,* September 1999. The bulletin is entitled "Detention Diversion Advocacy: An Evaluation" by Randall D. Shelden.

DETAINING MORE YOUNG PEOPLE DOES NOT NECESSARILY MAKE COMMUNITIES SAFER

"If we unnecessarily detain younger and less-experienced offenders, we're exposing them to other juvenile offenders who are fully engaged in criminal life."
—Orleans Parish Juvenile Court Chief Judge David Bell

In the past decade, research by numerous groups has shown that overreliance on incarceration, including the inappropriate use of detention, can drive up youth recidivism and aggravate a community's public safety problems. Some researchers have recently shown that communities that rely more heavily on imprisonment have higher crime rates than places that incarcerate far fewer people. How can this be?

1) BRINGING DELINQUENT YOUTH TOGETHER INCREASES THEIR CHANCES OF REOFFENDING. A growing body of research indicates that congregating delinquent youth creates a peer culture that prolongs and deepens youthful misbehavior. Nowhere are delinquent youth brought together in greater numbers and density than in detention centers. So, when some communities make greater use of detention in an effort to curb juvenile crime, their practices may *increase* the likelihood that youth will reoffend.

2) DETENTION MAY PROLONG DELINQUENCY BY PRECLUDING NORMAL YOUTH DEVELOPMENT. Most law enforcement and juvenile justice personnel know that youth who engage in crime typically put their delinquency behind when they grow up. Research published by the U.S. Justice Department, for example, has shown that three-fourths of all youth who commit serious violent crimes during adolescence terminate their offending by age 21. In contrast, research shows that detaining large numbers of youth, particularly younger delinquents, may actually *prolong* delinquency that might otherwise end and can diminish the likelihood that young people will find a place in law-abiding society.

3) DETENTION ALTERNATIVES CAN STEER MORE YOUTH AWAY FROM REOFFENDING. Several studies have shown that youth who are incarcerated are more likely to recidivate than youth who are supervised in a community-based setting, or not detained at all. One study of a detention alternative in San Francisco, for example, found that young people diverted from detention had about half the recidivism rate of young people who remained in confinement.

Also see, Holman, B., and J. Ziedenberg. 2006. The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities. *Washington, D.C.: The Justice Policy Institute.*

JDAI is an initiative of the Annie E. Casey Foundation. To learn more about the Foundation's investments in this work, visit the Major Initiatives JDAI section at www.aecf.org. For access to JDAI's technical assistance help desk, visit jdaihelpdesk.org.