

Juvenile Justice Fact Sheet Series: Detention

March 2015

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What Is Detention?

Detention is the secure confinement of youth either while their juvenile court cases are pending (pre-trial or pre-disposition) or as part of a youth's disposition, or sentence. This fact sheet focuses on pre-disposition detention of youth, meaning youth who are placed in a detention facility before any determination is made on their case and who may be acquitted of all charges.

Research on Detention:

On an average day, approximately 20,000 youth nationally reside in locked detention centers—a number that grew rapidly throughout the 1990s. Despite a decline in juvenile offending, the population of youth confined in pre-trial secure detention across the nation is alarmingly high.

A 2006 national report found that many youth awaiting court hearings behind locked doors are from communities of color; African-American youth were 1.4 times more likely to be detained than White youth and made up more than a third of the detained population. In addition, overwhelmingly, detained youth are charged with non-violent offenses; more than 85% of detained youth had pending complaints for non-violent offenses and 5% of the youth were status offenders, meaning they had complaints filed based on charges only a child could face, such as truancy from school or missing curfew.

Studies show that detention can increase recidivism and youth who are detained are more likely to be pulled deeper into the juvenile justice system than non-detained youth. These dire outcomes are due to a number of factors; detention slows the natural process of aging out of delinquency, interrupts education, puts mentally ill youth at greater risk of self-harm, and ultimately reduces success in the labor market. Often, poor conditions of confinement and facility violence lead to additional harm to the well-being of youth.

Given these negative impacts of detention, detention should be reserved for youth who pose a significant risk to public safety or are a flight risk to not appear in later court dates. Unfortunately, detention is often used for other purposes—including serving as a dumping ground for youth needing mental health services or for parents needing support raising their children.

Nationally, several studies have found that detention is not cost-effective. A 2002 study found that for every dollar spent on a county juvenile detention system, \$1.98 of “benefits” in terms of reduced crime and costs of crime to taxpayers was achieved, while diversion and other community based alternatives such as multi-systemic therapy produced between \$3.36-\$13 of benefits for every dollar spent. A study in Tarrant County Texas in 2004 found that it costs a community 3.5 times as much to detain a youth per day (\$121) versus a detention alternative (\$35), and even less for electronic monitoring (\$3.75). Finally, jurisdictions across the country are realizing savings of \$123 million to \$164 million each year from secure detention by investing in alternatives and avoiding costly construction or expansions of detention centers. Additionally, due to often poor conditions and violence within local facilities, litigation leads to additional costs to taxpayers.

Detention in Ohio:

Ohio has 38 juvenile detention centers, which are locally controlled and operated, and vary widely in size, number of beds and how the centers are utilized. While there are no detailed, comprehensive data available about Ohio's detention population, national data shows that Ohio detains youth at a rate higher than most states. Federal data for 2011 revealed that on a given day in Ohio:

- Less than half (about 40%) of detained youth were charged with person-related offenses.
- About 25% were held on property or drug related offenses.
- Just over a third were held on technical parole/probation violations, such as breaking rules or disobeying court orders, or status offenses and low level public order offenses.

Over the past seven years, Ohio's detention centers reported average daily populations that dropped from nearly 1,600 youth to just over 1,200 youth. Due to a number of reform efforts in Ohio, there has been an additional decrease in detention numbers in the past five years. A significant factor in this reduction is Ohio's participation in the Juvenile Detention Alternatives Initiative (JDAI). JDAI is a comprehensive strategy developed by the Annie E. Casey Foundation in 1992 to address the overuse of pre-trial detention. By 2014, JDAI was active in more than 250 localities in 39 states plus the District of Columbia.

Ohio was selected as a JDAI state site in 2010. The efforts from the five initial counties (Cuyahoga, Franklin, Lucas, Montgomery, and Summit) have proved successful and have led to a steady decrease in Ohio's total detention population since 2010. Each of the counties participated in intensive technical training, identified a local site coordinator, and created a local executive steering committee to guide the JDAI reform work in their jurisdiction. From 2009 to 2011, data collected from the five participating counties indicated that detention admissions have been reduced by 18% for all youth and 15% for youth of color with no risk to public safety. Ohio now has eight counties participating in JDAI, with Marion, Mahoning, and Trumbull adopting JDAI in 2014.

Costs: Detention is costly compared to community alternatives. In Ohio, the average cost per detention bed is \$238 per day or \$86,876 per year for each youth, higher than the national average of \$70,000 per bed for a year.

Outcomes and Recidivism: Currently, there are no existing overall data documenting the outcomes and recidivism of detained youth in Ohio. However, in the first five Ohio JDAI counties, detention populations were steadily reduced without an increase of felony filings. There are a variety of ways JDAI counties have secured positive outcomes for youth in alternatives to detention. For example, Franklin County experienced a 90% success rate at their evening reporting center for youth at high risk for reoffending, with not one participant being readmitted to their Reception Center with a new charge.

Conclusion:

Detention remains an over-utilized and ineffective method of responding to youth in Ohio and nationally. However, the movement to keep youth safely in their communities and to insist that detention decisions are data-driven and objective processes will continue to create a positive impact both in taxpayer dollars saved and better results for system-involved youth.

Resources:

Office of Juvenile Justice and Delinquency Prevention Statistical Briefing Book, <http://www.ojjdp.gov/ojstatbb/> (last accessed December 16, 2014).

The Annie E. Casey Foundation, *Juvenile Detention Alternatives Initiative Progress Report 2014* (2014), available at <http://www.aecf.org/resources/2014-juvenile-detention-alternatives-initiative-progress-report/>.

Children's Defense Fund, *Juvenile Detention Reform in Ohio- Fact Sheet* (2010), available at <http://www.childrenslawky.org/wp-content/uploads/2012/07/rethinking-juvenile-detention-fact-sheet.pdf>.

Children's Defense Fund, *Rethinking Juvenile Detention in Ohio- Issue Brief* (2010) available at <http://www.childrenslawky.org/wp-content/uploads/2012/07/Rethinking-juvenile-detention-issue-brief.pdf>.

Children's Defense Fund, *Juvenile Detention Reform in Ohio Update- Issue Brief* (2012), available at <http://www.childrenslawky.org/wp-content/uploads/2013/03/Detention-Update.pdf>

Justice Policy Institute, *Dangers of Detention* (2006), available at <http://www.justicepolicy.org/research/1978>.

This fact sheet is one of a fact sheet series about Ohio's juvenile justice system by the Ohio Juvenile Justice Association.

If you have any questions, please visit [OJJA's website] or contact Erin Davies with the Juvenile Justice Coalition at edavies@jjohio.org or 614-400-5548.