data snapshot
KIDS COUNT

FEBRUARY 2013

REDUCING YOUTH INCARCERATION
in the United States

A sea change is underway in our nation's approach to dealing with young people who get in trouble with the law. Although we still lead the industrialized world in the rate at which we lock up young people, the youth confinement rate in the United States is rapidly declining. In 2010 this rate reached a new 35-year low, with almost every state confining a smaller share of its youth population than a decade earlier. This decline has not led to a surge in juvenile crime. On the contrary, crime has fallen sharply even as juvenile justice systems have locked up fewer delinquent youth. The public is safer, youth are being treated less punitively and more humanely, and governments are saving money—because our juvenile justice systems are reducing their reliance on confinement. With this report, we seek to highlight this positive trend and provide recommendations that can encourage its continuation.

Wholesale incarceration of young people is generally a counterproductive public policy. As documented in the Annie E. Casey Foundation's 2011 report, *No Place for Kids: The Case for Reducing Juvenile Incarceration*, juvenile corrections facilities are enormously costly to operate, often put youth at risk for injury and abuse and are largely ineffective in reducing recidivism. While youth who have committed serious violent crimes may require incarceration, a large proportion of those currently confined have not been involved in the kinds of serious offending that pose a compelling risk to public safety. The current de-institutionalization trend creates the potential for new, innovative responses to delinquency that are more cost-effective and humane, and lead to better outcomes for youth.

Decline in Youth Confinement

Data from the U.S. Census Bureau and the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention show that youth confinement peaked in 1995, at 107,637 in confinement on a single day. Since then the number of youth confined has dropped by nearly 37,000 to 70,792. Over that same period, the rate of youth in confinement dropped by 41 percent, from 381 per 100,000 youth to 225 per 100,000. Moreover, this decline has accelerated in recent years. The annual rate of decline from 2006 to 2010 was roughly three times faster than from 1997 to 2006. Despite this rapid decline, the United States still locks up a larger share of the youth population than any other developed country.

Although the vast majority of confined youth are held in facilities for juveniles, a smaller but substantial number of youth are held in adult correctional facilities. According to the National Prisoner Statistics program and the Annual Survey of Jails, on

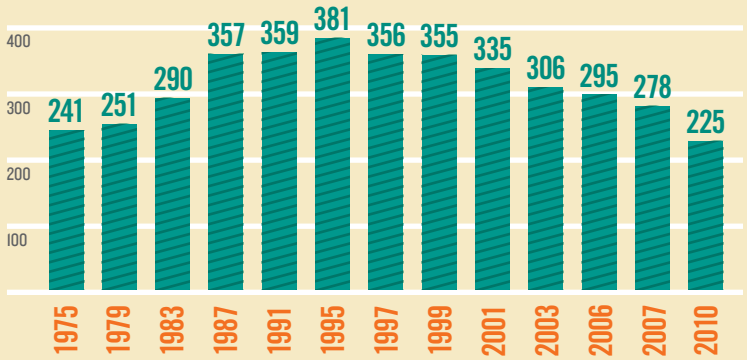
Definition of Youth in Confinement

Unless otherwise noted, all data in this report come from the Census of Juveniles in Residential Placement (CJRP), which is a survey conducted approximately every two years by the U.S. Census Bureau of juvenile residential facilities across the United States. The most recent published results are from 2010. The CJRP is a one-day count of young people under age 21, assigned a bed in a residential facility at the end of the census reference date (February 24 for 2010 data), charged with or court-adjudicated for an offense and in residential placement because of that offense. Facilities surveyed include long-term facilities, such as training schools, as well as short-term facilities, such as shelters and detention centers. The majority of youth captured in the census (roughly 70 percent) are committed to long-term facilities where most stays last longer than 90 days. The remainder are detained in shorter-term facilities, where most stays last less than 30 days, prior to adjudication or after adjudication awaiting disposition or placement elsewhere.

FIGURE 1

Youth in Confinement: 1975–2010 (rate per 100,000)

The rate of youth confinement in the United States dropped by 41 percent between 1995 and 2010, from 381 per 100,000 youth to 225 per 100,000.

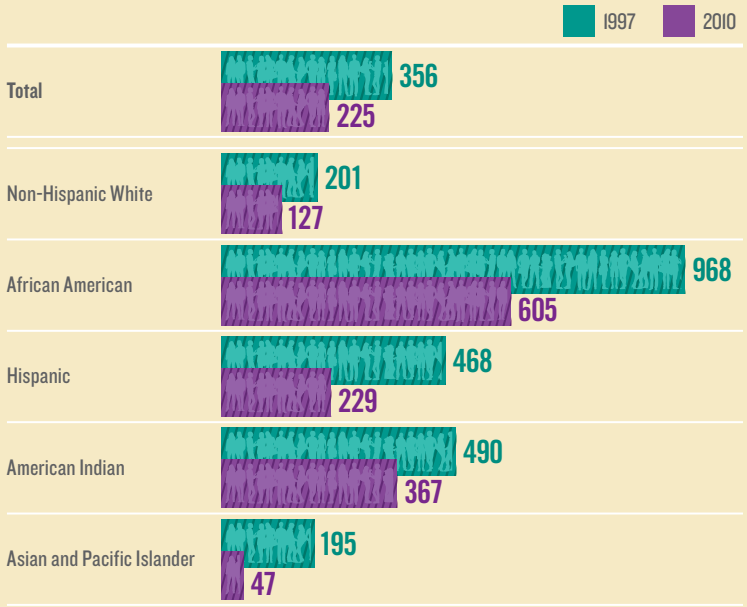


SOURCES 1975–1995: Smith, Bradford. (1998). "Children in Custody: 20-Year Trends in Juvenile Detention, Correctional, and Shelter Facilities." *Crime & Delinquency.* 44 (4), pp. 526-543. and 1997–2010: Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. (2011) "Easy Access to the Census of Juveniles in Residential Placement." www.ojjdp.gov/ojstatbb/ezacjrp/

FIGURE 2

Youth in Confinement by Race (rate per 100,000)

The decline in youth confinement has occurred across all five largest racial groups, but large disparities remain in youth confinement rates by race.



SOURCE Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. (2011) "Easy Access to the Census of Juveniles in Residential Placement." www.ojjdp.gov/ojstatbb/ezacjrp/

an average day in 2010, some 7,560 youth under age 18 were held in adult jails, and another 2,295 were in adult prisons. These youth are at elevated risk for physical harm and are more likely to reoffend after release, than youth confined in juvenile facilities.

Most Youth Confined for Nonviolent Offenses

In every year for which data are available, the overwhelming majority of confined youth are held for nonviolent offenses. In 2010, only one of every four confined youth was locked up based on a Violent Crime Index offense (homicide, aggravated assault, robbery or sexual assault). At the other end of the spectrum, nearly 40 percent of juvenile commitments and detentions are due to technical violations of probation, drug possession, low-level property offenses, public order offenses and status offenses (activities that would not be crimes for adults, such as possession of alcohol or truancy). This means most confined youth pose relatively low public safety risks.

Disparities in Confinement Rates by Race

The decline in confinement has occurred across all of the five largest racial groups with the biggest declines occurring among Asian and Pacific Islander and Latino youth. However, large disparities remain in youth confinement rates by race. African-American youth are nearly five times more likely to be confined than their white peers. Latino and American Indian youth are between two and three times more likely to be confined. The disparities in youth confinement rates point to a system that treats youth of color, particularly African Americans and Latinos, more punitively than similar white youth.

Youth Confinement Rates Declined in Most States

The decline in youth confinement over the past decade has occurred in states in every region of the country. In fact, 44 states and the District of Columbia experienced a decline in the rate of young people confined since 1997, and several states cut their confinement rates in half or more. While broad-based, these declines have occurred without the benefit of a widely embraced

TABLE I

Youth in Confinement by State: 1997 and 2010

The decline in youth confinement over the past decade has occurred in every region of the country.

State	1997		2010		Change from 1997 to 2010	
	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate
United States	105,055	356	70,792	225	−34,263	−37%
Alabama	1,686	328	1,101	212	−585	−35%
Alaska	351	418	282	342	−69	−18%
Arizona	1,869	351	1,092	152	−777	−57%
Arkansas	603	192	729	230	126	20%
California	19,899	524	11,532	271	−8,367	−48%
Colorado	1,656	356	1,530	287	−126	−19%
Connecticut	684	260	315	92	−369	−65%
Delaware	312	380	252	270	−60	−29%
District of Columbia	264	578	180	428	−84	−26%
Florida	5,976	386	4,815	261	−1,161	−32%
Georgia	3,621	463	2,133	220	−1,488	−52%
Hawaii	135	100	120	90	−15	−10%
Idaho	243	143	480	258	237	80%
Illinois	3,426	278	2,217	178	−1,209	−36%
Indiana	2,484	356	2,010	276	−474	−22%
Iowa	1,065	308	738	227	−327	−26%
Kansas	1,242	380	843	264	−399	−31%
Kentucky	1,080	235	852	186	−228	−21%
Louisiana	2,775	549	1,035	239	−1,740	−56%
Maine	318	219	186	142	−132	−35%
Maryland	1,497	263	888	143	−609	−46%
Massachusetts	1,065	192	663	115	−402	−40%
Michigan	3,711	369	1,998	208	−1,713	−44%
Minnesota	1,521	259	912	159	−609	−39%
Mississippi	756	210	357	105	−399	−50%
Missouri	1,401	246	1,197	214	−204	−13%
Montana	303	265	192	191	−111	−28%
Nebraska	741	351	750	378	9	8%
Nevada	858	462	717	244	−141	−47%
New Hampshire	186	155	117	97	−69	−37%
New Jersey	2,250	261	1,179	123	−1,071	−53%
New Mexico	777	328	576	250	−201	−24%
New York	4,662	309	2,637	179	−2,025	−42%
North Carolina	1,203	198	849	112	−354	−43%
North Dakota	273	335	168	258	−105	−23%
Ohio	4,317	329	2,865	227	−1,452	−31%
Oklahoma	807	193	639	157	−168	−19%
Oregon	1,461	381	1,251	319	−210	−16%
Pennsylvania	3,963	296	4,134	316	171	7%
Rhode Island	426	407	249	235	−177	−42%
South Carolina	1,584	403	984	235	−600	−42%
South Dakota	528	533	504	575	−24	8%
Tennessee	2,118	347	789	117	−1,329	−66%
Texas	6,897	315	5,352	204	−1,545	−35%
Utah	768	239	684	191	−84	−20%
Vermont	48	68	33	53	−15	−22%
Virginia	2,880	389	1,860	224	−1,020	−42%
Washington	2,217	332	1,305	183	−912	−45%
West Virginia	399	198	561	316	162	60%
Wisconsin	2,013	357	1,110	209	−903	−41%
Wyoming	339	502	255	440	−84	−12%

SOURCE Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. (2011) "Easy Access to the Census of Juveniles in Residential Placement." www.ojjdp.gov/ojstatbb/ezacjrp/
State confinement rates control for upper age of original juvenile court jurisdiction, however comparisons across states with different upper age limits should be made with caution.

Additional Resources

Learn more about the latest research and best practices related to juvenile justice through these resources.

- Find youth confinement rates by state on the KIDS COUNT Data Center: http://bit.ly/WzmKq3
- The Annie E. Casey Foundation, *No Place for Kids: The Case for Reducing Juvenile Incarceration*: http://bit.ly/oIlrtp
- The Annie E. Casey Foundation, *2008 KIDS COUNT Essay, A Road Map to Juvenile Justice Reform*: http://bit.ly/YGXUHf
- The Annie E. Casey Foundation, *The Missouri Model*: http://bit.ly/I2h4RjI
- To learn more about youth transferred to the adult justice system, visit the Campaign for Youth Justice: http://www.c4yj.org
- To learn more about reform underway at the state and local level, visit the National Juvenile Justice Network: http://www.njjn.org/
- To learn more about racial disparities in juvenile justice systems visit the W. Haywood Burns Institute: http://www.burnsinstitute.org

national policy consensus. Rather, they have been driven by diverse influences and idiosyncratic policy changes within states, often prompted by lawsuits, mounting budget pressures or shifts in leadership. The variety of factors that have led states toward de-incarceration is not surprising given that state juvenile justice policy and practice have varied dramatically for many years. In 2010, a young person in South Dakota (the state with the highest youth confinement rate) was 11 times more likely to be locked up than a young person in Vermont (the state with the lowest youth confinement rate).

Moving Forward

The U.S. juvenile justice system has relied far too heavily on incarceration, for far too long. The recent de-incarceration trend provides a unique opportunity to implement responses to delinquency that are more cost-effective and humane, and that provide better outcomes for youth, their families and communities. The Annie E. Casey Foundation's work—including the Juvenile Detention Alternatives Initiative (JDAI) and our recent publication, *No Place for Kids*—suggests approaches that can improve the chances of success for young people who become involved with the justice system. Recommendations include:

- **Limiting eligibility for correctional placements:** Safely reducing incarceration requires policies that restrict its use only to youth who pose a demonstrable risk to public safety. States as politically diverse as Alabama, California and Texas, have recently revised their juvenile codes to explicitly prohibit commitments for less-serious offenses.
- **Investing in promising alternatives to incarceration:** Improving both public safety and youth development demand more effective interventions than correctional facilities provide. In every jurisdiction, a continuum of high-quality alternatives to incarceration that supervise, sanction and treat youth effectively in their homes and communities should be established.
- **Adopting best practices for supervising delinquent youth in their communities:** Safely reducing reliance on confinement requires multiple changes in how systems operate—not just creating more programs. Improved diversion practices, probation supervision and detention reforms (like those in JDAI sites) are all necessary to keep youth out of trouble and on track.
- **Changing the incentives:** Wherever current policies stand in the way of these reforms—especially wherever systems of financing encourage unnecessary reliance on correctional placements—those policies must be changed. States such as Ohio and Illinois have successfully pioneered approaches that incentivize community-based alternatives to confinement.
- **Establishing small, treatment-oriented facilities for those confined:** The relatively small number of youth for whom confinement is justified need facilities that can provide a humane and developmentally appropriate setting in which their delinquent behavior can be treated effectively. States should abandon the large group care institutions and replace them with facilities such as those in Missouri, whose rigorous treatment approaches and normalized environments result in lower recidivism at no greater cost to taxpayers.

THE ANNIE E. CASEY FOUNDATION

The KIDS COUNT Data Snapshot series highlights specific indicators of child well-being contained in the KIDS COUNT Data Center (datacenter.kidscount.org). KIDS COUNT, a project of the Annie E. Casey Foundation, is a national and state-by-state effort to track the status of children in the United States.

The Annie E. Casey Foundation is a private philanthropy that creates a brighter future for the nation's children by developing solutions to strengthen families, build paths to economic opportunity and transform struggling communities into safer and healthier places to live, work and grow.