



# Juvenile Offenders and Victims: 2006 National Report

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# Chapter 7

## Juvenile offenders in correctional facilities



Juvenile correctional systems have many different components. Some juvenile correctional facilities look very much like adult prisons. Others seem very much like “home.” Private facilities continue to play a substantial role in the long-term custody of juveniles, in contrast to adult correctional systems. In fact, nationwide there are more than twice as many privately operated juvenile facilities as publicly operated facilities, although private facilities hold less than half as many juveniles as are held in public facilities.

This chapter describes the population of juveniles detained in and committed to public and private facilities in terms of demographics, offenses, average time in the facility, and facility type. The chapter also includes information on recidivism

and descriptions of juveniles reentering the general population after confinement, those held in adult jails and prisons, and those on death row.

The information is based on several data collection efforts by the Office of Juvenile Justice and Delinquency Prevention: Census of Juveniles in Residential Placement; Juvenile Residential Facility Census; Survey of Youth in Residential Placement; and Children in Custody Census of Juvenile Detention, Correctional, and Shelter Facilities. Much of the information on juveniles held in adult correctional facilities is drawn from the Bureau of Justice Statistics’ Jail Census, Annual Survey of Jails, and National Corrections Reporting Program.

## OJJDP's custody data are the primary source of information on juveniles in residential placement

### Detailed data are available on juveniles in residential placement and the facilities that hold them

Since its inception, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has collected information on the juveniles held in juvenile detention and correctional facilities. Until 1995, these data were gathered through the biennial Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, better known as the Children in Custody (CIC) Census. In the late 1990s, OJJDP initiated two new data collection programs to gather comprehensive and detailed information about juvenile offenders in custody and about the facilities that house them:

- Census of Juveniles in Residential Placement (CJRP)
- Juvenile Residential Facility Census (JRFC).

CJRP and JRFC are administered in alternating years and collect information from all secure and nonsecure residential placement facilities that house juvenile offenders, defined as persons younger than 21 who are held in a residential setting as a result of some contact with the justice system (they are charged with or adjudicated for an offense). This encompasses both status offenders and delinquent offenders, including those who are either temporarily detained by the court or committed after adjudication for an offense.

These censuses do not include federal facilities or those exclusively for drug or mental health treatment or for abused/neglected youth. Nor do they capture data from adult prisons or jails. Therefore, CJRP does not include all juveniles sentenced to incarceration by criminal courts.

CJRP asks all juvenile residential facilities in the U.S. to describe each offender under age 21 assigned a bed in the facility on the fourth Wednesday in October. Facilities report individual-level information on gender, date of birth, race, placement authority, most serious offense charged, court adjudication status, admission date, and security status.

JRFC also uses the fourth Wednesday in October as its census date, but it also gathers past-month and past-year information. JRFC collects information on how facilities operate and the services they provide. It includes detailed questions on facility security, crowding, injuries and deaths in custody, and facility ownership, operation, and services.

The Survey of Youth in Residential Placement (SYRP) is the third component of OJJDP's multitiered effort to collect information on the juvenile custody population. SYRP collects a broad range of self-report information (on youth's custody experience, past offense histories, education, and other important life events) from interviews with individual youth in residential placement.

### One-day count and admission data give different views of residential populations

CJRP provides 1-day population counts of juveniles in residential placement facilities. Such counts give a picture of the standing population in facilities. One-day counts are substantially different from annual admission and release data, which provide a measure of facility population flow.

Juveniles may be committed to a facility as part of a court-ordered disposition, or they may be detained prior to adjudication or after adjudication while awaiting disposition or

placement elsewhere. In addition, a small proportion of juveniles may be admitted voluntarily in lieu of adjudication as part of a diversion agreement. Because detention stays tend to be short compared with commitment placements, detained juveniles represent a much larger share of population flow data than of 1-day count data.

### State variations in upper age of juvenile court jurisdiction influence custody rates

Although state custody rate statistics control for upper age of original juvenile court jurisdiction, comparisons among states with different upper ages are problematic. Youth ages 16 and 17 constitute 25% of the youth population ages 10–17, but they account for nearly 50% of arrests of youth under age 18, nearly 40% of delinquency court cases, and more than 50% of juveniles in residential placement. If all other factors were equal, one would expect higher juvenile custody rates in states where older youth are under juvenile court jurisdiction.

Differences in age limits of extended jurisdiction also influence custody rates. Some states may keep a juvenile in custody for several years beyond the upper age of original jurisdiction; others cannot. Laws that control the transfer of juveniles to criminal court also have an impact on juvenile custody rates. If all other factors were equal, states with broad transfer provisions would be expected to have lower juvenile custody rates than other states.

Demographic variations among jurisdictions should also be considered. The urbanicity and economy of an area are thought to be related to crime and custody rates. Available bedspace also influences custody rates, particularly in rural areas.

## The basic profile of juvenile custody facility residents did not change much from 1997 to 2003

### Most residents in juvenile residential placement facilities were juvenile offenders

The majority of residents in juvenile residential placement facilities on October 22, 2003, were accused or adjudicated juvenile offenders (88%). Juvenile offenders held for delinquency offenses accounted for 78% of all residents and 95% of all juvenile offenders. Delinquency offenses are behaviors that would be criminal law violations for adults. The remaining 5% of offenders were status offenders. Status offenses are behaviors that are not law violations for adults, such as running away, truancy, and ungovernability. Some residents were held in a juvenile residential placement facility but were not charged with or adjudicated for an offense (e.g., youth referred for abuse, neglect, emotional disturbance, or mental retardation, or those referred by their parents). Other residents (nonoffenders and youth age 21 or older) accounted for 12% of all residents.

### Private facilities are an important custody resource

Private facilities are operated by private nonprofit or for-profit corporations or organizations; staff in these facilities are employees of the private corporation or organization. State or local government agencies operate public facilities; staff in these facilities are state or local government employees. Private facilities tend to be smaller than public facilities. Thus, although private facilities are more numerous than public facilities nationwide, public facilities hold the majority of juvenile offenders on any given day.

Private and public facilities hold different populations. Compared with public facilities, private facilities have a greater proportion of

<b>6 in 10 juvenile facilities holding offenders were private; public facilities held more than 6 in 10 juvenile offenders</b>						
Type of facility	Residential placement facilities					
	Number				Percent of total	
	1997	1999	2001	2003	1997	2003
All	2,842	2,938	2,980	2,861	100%	100%
Public	1,106	1,134	1,197	1,170	39	41
State	508	533	533	501	18	18
Local	598	601	664	669	21	23
Private	1,736	1,795	1,774	1,682	61	59
Tribal		9	9	9	0	0
Population held	Juvenile offenders in residential placement					
	Number				Percent of total	
	1997	1999	2001	2003	1997	2003
All facilities						
All residents	116,701	120,996	118,008	109,225	100%	100%
Juvenile offenders	105,055	107,856	104,413	96,655	90	88
Other residents	11,646	13,140	13,595	12,570	10	12
Public facilities						
All residents	77,798	78,519	75,461	67,917	67	62
Juvenile offenders	75,600	76,379	73,328	66,210	65	61
Other residents	9,354	11,082	11,509	10,862	8	10
State facilities						
All residents	48,185	49,011	45,224	38,470	41	35
Juvenile offenders	46,516	47,504	43,669	37,335	40	34
Other residents	2,586	2,293	2,376	1,855	2	2
Local facilities						
All residents	29,613	29,508	30,237	29,447	25	27
Juvenile offenders	29,084	28,875	29,659	28,875	25	26
Other residents	9,354	10,908	11,315	10,738	8	10
Private facilities						
All residents	38,903	42,298	42,353	41,177	33	38
Juvenile offenders	29,455	31,303	30,891	30,321	25	28
Other residents	1,669	1,507	1,555	1,135	1	1
Tribal facilities		179	194	131	0	0
Juvenile offenders		174	194	124	0	0
Other residents		5	0	7	0	0

Notes: Other residents include youth age 21 or older and those held in the facility but not charged with or adjudicated for an offense. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files].

court-committed juveniles and a smaller proportion of detained juveniles (who are awaiting adjudication, disposition, or placement elsewhere). Juveniles in placement voluntarily as part of a diversion agreement are rare, regardless of facility type.

### Custody status profile, 2003:

Custody status	Facility operation			
	Total	Public	Private	Tribal
Total	100%	100%	100%	100%
Committed	74	70	85	53
Detained	25	30	14	45
Diversion	0	0	1	2

Note: Detail may not total 100% because of rounding.

## Nationally, nearly 92,000 delinquents were held in residential placement facilities on October 22, 2003

### Compared with public facilities, private facilities hold a smaller share of delinquents and a larger share of status offenders

On the census date in 2003, public facilities held 7 in 10 delinquents in custody and 3 in 10 status offenders. However, public facilities housed more than three-quarters of those held for homicide, robbery, aggravated assault, weapons, and technical violations of probation or parole. In contrast, fewer than 6 in 10 juveniles held for drug offenses other than trafficking were in public facilities. Nevertheless, public and private facilities had fairly similar offense profiles in 2003.

#### Offense profile by facility type, 2003:

Most serious offense	All	Public	Private
Total	100%	100%	100%
<b>Delinquency</b>	95	98	89
Person	34	35	32
Homicide	1	1	0
Sexual assault	8	7	9
Robbery	6	8	4
Aggr. assault	8	9	6
Simple assault	8	8	10
Other person	3	3	3
Property	28	28	27
Burglary	11	11	10
Theft	6	6	6
Auto theft	6	6	6
Arson	1	1	1
Other property	5	5	4
Drug	8	7	10
Drug trafficking	2	2	2
Other drug	6	5	9
Public order	10	10	9
Weapons	3	4	2
Other public order	7	7	7
Technical violation	15	16	11
<b>Status offense</b>	5	2	11
Ungovernability	2	0	5
Running away	1	1	2
Truancy	1	0	2
Curfew violation	0	0	0
Underage drinking	0	0	1
Other status offense	1	1	1

Note: Detail may not total 100% because of rounding.

### In 2003, public facilities held 64,662 delinquents and private facilities held 27,059 delinquents on the 2003 census date

Most serious offense	Juvenile offenders in residential placement, 2003			Percent change 1997–2003		
	Type of facility			Type of facility		
	All	Public	Private	All	Public	Private
<b>Total offenders</b>	<b>96,655</b>	<b>66,210</b>	<b>30,321</b>	<b>-8%</b>	<b>-12%</b>	<b>3%</b>
<b>Delinquency</b>	<b>91,831</b>	<b>64,662</b>	<b>27,059</b>	<b>-7</b>	<b>-12</b>	<b>11</b>
Person	33,197	23,499	9,671	-6	-13	21
Criminal homicide	878	803	73	-54	-56	-28
Sexual assault	7,452	4,749	2,698	34	20	68
Robbery	6,230	5,157	1,073	-33	-35	-22
Aggravated assault	7,495	5,745	1,741	-21	-24	-7
Simple assault	8,106	4,984	3,113	22	21	25
Other person	3,036	2,061	973	38	22	87
Property	26,843	18,740	8,073	-16	-18	-10
Burglary	10,399	7,481	2,904	-17	-21	-7
Theft	5,650	3,793	1,848	-22	-26	-12
Auto theft	5,572	3,756	1,812	-15	-14	-16
Arson	735	514	220	-19	-25	0
Other property	4,487	3,196	1,289	-4	-4	-6
Drug	8,002	4,851	3,137	-12	-23	15
Drug trafficking	1,810	1,284	522	-37	-41	-24
Other drug	6,192	3,567	2,615	0	-14	28
Public order	9,654	6,782	2,866	0	-5	11
Weapons	3,013	2,346	665	-28	-29	-24
Other public order	6,641	4,436	2,201	20	16	29
Technical violation	14,135	10,790	3,312	14	5	56
<b>Status offense</b>	<b>4,824</b>	<b>1,548</b>	<b>3,262</b>	<b>-29</b>	<b>-11</b>	<b>-36</b>
Ungovernability	1,825	253	1,570	-36	-45	-34
Running away	997	417	577	-33	-14	-43
Truancy	841	207	634	-37	-49	-32
Curfew violation	203	65	138	5	-18*	21
Underage drinking	405	210	186	27	86	-10
Other status offense	553	396	157	-14	98	-64

■ For most offenses, fewer juveniles were held in 2003 than in 1997. For some offenses (e.g., drug offenses other than trafficking), the public facility population decreased but the private facility population increased. For several offenses (e.g., simple assault), both public and private populations increased.

\* Percent change is based on a denominator less than 100.

Note: Total includes juvenile offenders held in tribal facilities.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

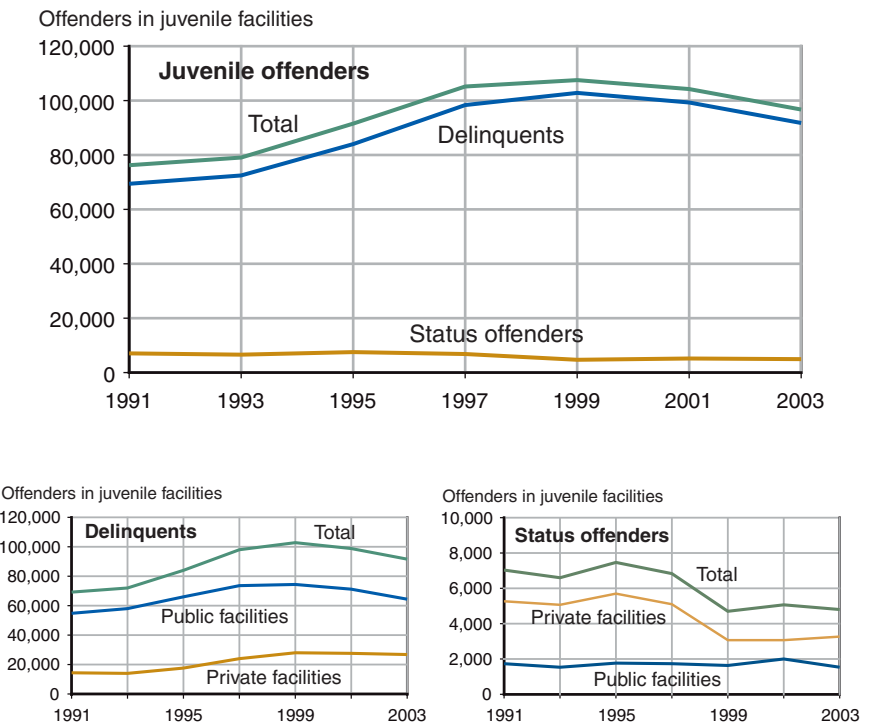
## The 1-day count of juvenile offenders in custody rose from 1991 to 1999 and then dropped through 2003

### Public facilities drive the trend for the delinquency population

The number of delinquents held in public facilities rose 36% from 1991 to 1999 and then dropped 13% by 2003. The number of delinquents held in private facilities was relatively small in comparison and rose sharply (95%) from 1991 to 1999. The subsequent decline in the private facility delinquent population between 1999 and 2003 was minimal (4%).

In comparison, private facilities drove the trend for the status offender population. The number of status offenders in private facilities was relatively flat from 1991 to 1995 (up just 8%) and then dropped 46% between 1995 and 1999. From 1999 to 2003, the private facility status offender population leveled off again. The number of status offenders in public facilities remained relatively low and flat throughout the period.

### In 2003, public and private facilities held 32% more delinquents and 32% fewer status offenders than in 1991



- The total number of juvenile offenders in residential placement facilities rose 41% from 1991 to 1999 and then declined 10% from 1999 to 2003. The result was an overall increase of 27% between 1991 and 2003.
- The number of delinquents in juvenile facilities peaked in 1999, 48% above the 1991 figure. Between 1999 and 2003, however, the number dropped 11%.
- The number of status offenders in juvenile facilities was highest in 1995. Between 1995 and 2003, the number dropped 36%.

Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine-readable data files].

# From 1991 to 2003, the detained population increased more than the committed population

## Offense profiles of detained offenders and committed offenders differ

Delinquents accounted for 95% of both detained and committed offenders in 2003. Compared with the detained population, the committed population had a greater proportion of youth held for sexual assault, burglary, and theft and fewer youth held for technical violations of probation or parole. The committed population also had proportionally more youth held for being ungovernable and fewer youth held for running away from home.

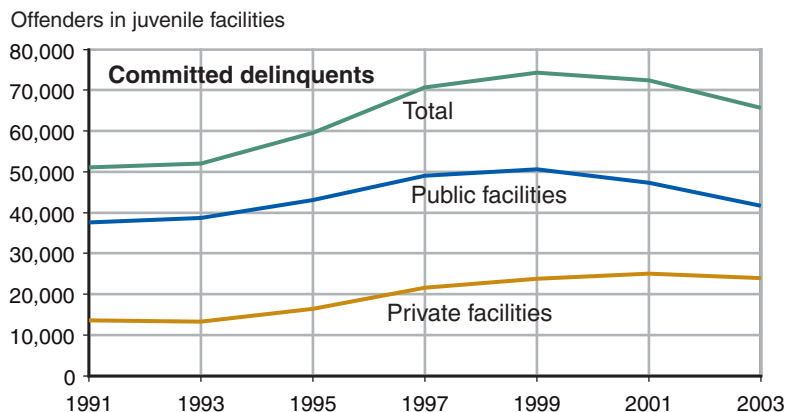
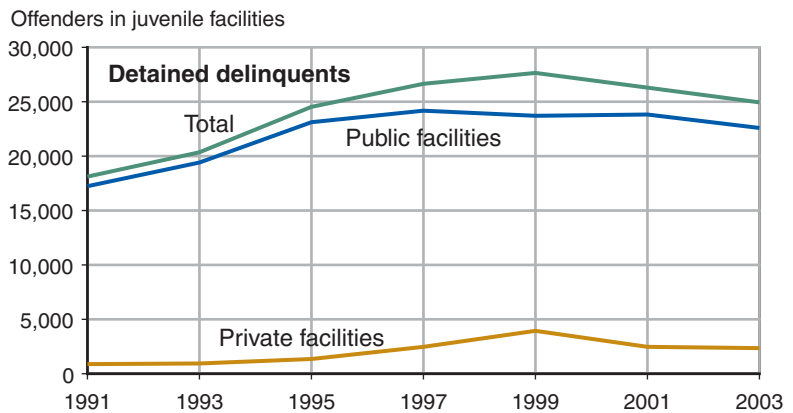
Juvenile offenders held, 2003:

Most serious offense

Most serious offense	Detained	Committed
Delinquency	25,019	65,636
	100%	100%
Person	32	38
Homicide	1	1
Sexual assault	4	10
Robbery	6	7
Agg. assault	9	8
Simple assault	8	9
Other person	4	3
Property	25	31
Burglary	9	12
Theft	5	7
Auto theft	5	6
Arson	1	1
Other property	5	5
Drug	8	9
Drug trafficking	2	2
Other drug	6	7
Public order	11	10
Weapons	3	3
Other public order	7	7
Technical violation	24	12
Status offense	1,250	3,371
	100%	100%
Ungovernability	27	42
Running away	26	17
Truancy	17	18
Curfew violation	3	5
Underage drinking	6	9
Other status offense	20	9

Note: Detail may not total 100% because of rounding.

Between 1991 and 2003, the detained delinquency population in public and private facilities increased 38%



- Detained youth (those held prior to adjudication or disposition awaiting a hearing in juvenile or criminal court or after disposition awaiting placement elsewhere) made up 35% of delinquents in public facilities in 2003. In comparison, detained offenders were just 9% of the offenders held in private facilities that year.
- The number of committed delinquents held in public or private facilities as part of a court-ordered disposition was 28% greater in 2003 than in 1991. The public facility committed population was 11% greater in 2003 than in 1991; the private facility committed population was 77% greater.

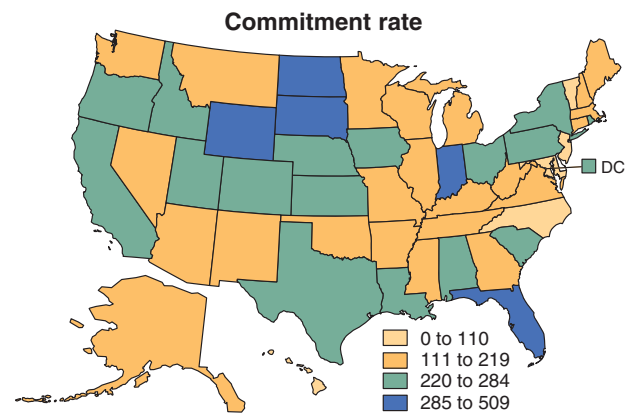
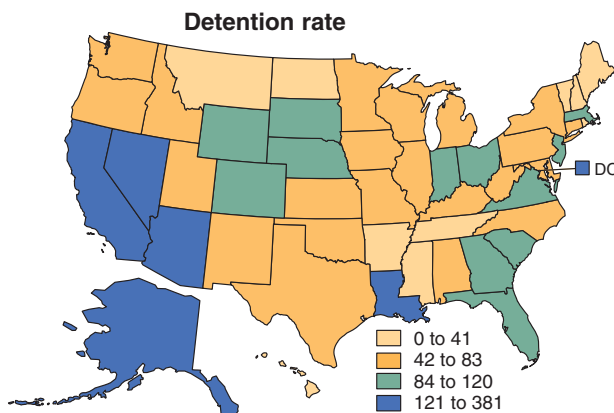
Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine-readable data files].

## In 2003, 307 juvenile offenders were in custody for every 100,000 juveniles in the U.S. population

In 2003, the national commitment rate was 2.6 times the detention rate, but rates varied by state

State of offense	Juveniles in custody	Custody rate per 100,000			State of offense	Juveniles in custody	Custody rate per 100,000		
		Total	Detained	Committed			Total	Detained	Committed
U.S. total	96,655	307	83	219	<b>Upper age 17 (continued)</b>				
<b>Upper age 17</b>					Oklahoma	1,059	265	74	190
Alabama	1,794	351	76	267	Oregon	1,275	323	63	259
Alaska	336	370	158	208	Pennsylvania	4,341	317	67	224
Arizona	1,890	284	124	144	Rhode Island	342	295	5*	284
Arkansas	675	217	30	186	South Dakota	522	564	117	444
California	16,782	392	128	263	Tennessee	1,434	226	38	185
Colorado	1,776	344	99	244	Utah	954	307	56	251
Delaware	333	364	187	177	Vermont	51	72	43	30
District of Columbia	285	625	381	230	Virginia	2,376	289	110	178
Florida	8,208	452	94	352	Washington	1,656	236	63	170
Hawaii	129	97	34	63	West Virginia	498	269	83	185
Idaho	489	287	65	222	Wyoming	357	606	97	509
Indiana	3,045	415	98	313	<b>Upper age 16</b>				
Iowa	975	299	63	232	Georgia	2,451	273	84	155
Kansas	1,071	336	78	255	Illinois	2,715	212	56	151
Kentucky	837	185	50	131	Louisiana	1,821	387	136	246
Maine	222	153	33	116	Massachusetts	1,302	216	84	128
Maryland	1,167	181	75	106	Michigan	2,706	257	63	191
Minnesota	1,527	259	47	208	Missouri	1,413	246	59	185
Mississippi	528	152	33	118	New Hampshire	198	150	20	127
Montana	261	245	37	200	South Carolina	1,443	346	110	236
Nebraska	672	331	111	220	Texas	7,662	318	73	243
Nevada	921	362	157	204	Wisconsin	1,524	274	58	216
New Jersey	1,941	199	100	98	<b>Upper age 15</b>				
New Mexico	606	258	83	175	Connecticut	627	210	49	161
North Dakota	246	347	25	317	New York	4,308	272	48	223
Ohio	4,176	318	93	224	North Carolina	1,203	169	57	109



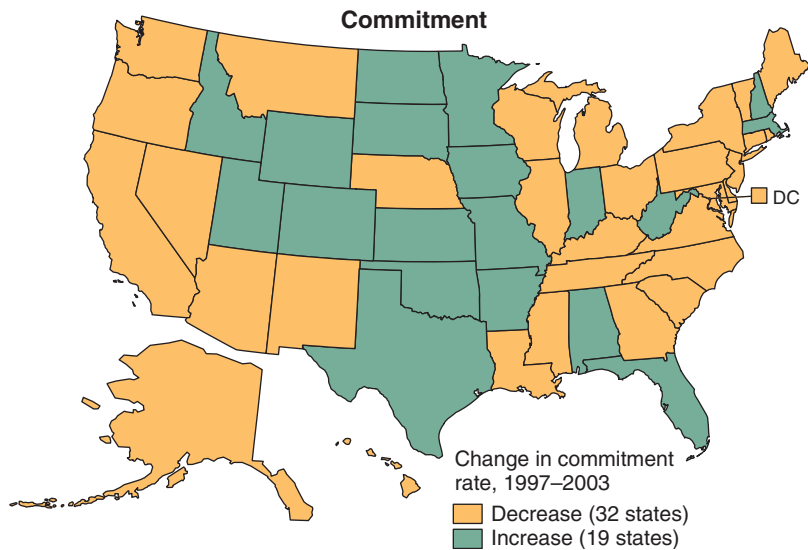
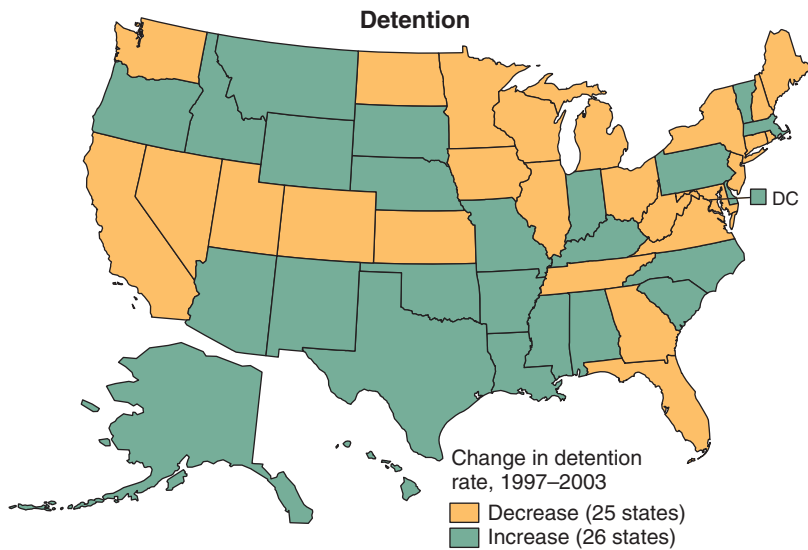
\* Rate is based on fewer than 10 juveniles.

Notes: Custody rate is the count of juvenile offenders in custody per 100,000 youth ages 10 through the upper age of juvenile court jurisdiction in each state. U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].



**Although national custody rates declined from 1997 to 2003, not all states experienced a decline**



■ Detention rates increased in half of the states and declined in the other half. More than half of the states had lower commitment rates in 2003 than in 1997, but in many states the reverse was true.

Note: Custody rate is the count of juvenile offenders in custody per 100,000 youth ages 10 through the upper age of juvenile court jurisdiction in each state.

Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].

**Detained youth were in detention centers; committed youth were in many types of facilities**

Long-term secure facilities (e.g., training schools) held the largest proportion of committed offenders (45%), but 13% were committed to detention centers.

Facility type profiles, 2003:

Facility type	Detained offenders	Committed offenders
Total	100%	100%
Detention center	91	13
Shelter	2	11
Reception/diagnostic	14	7
Group home	2	11
Boot camp	0	7
Ranch/wilderness camp	0	4
Long-term secure	3	45
Other	0	1

Note: Detail may not total 100% because facilities could select more than one facility type category.

**For all facilities except detention centers, the majority of offenders were committed youth**

Not all offenders held in detention centers were held in detained status. In 2003, 27% of offenders in detention centers had been committed to the facility.

Offender population profiles, 2003:

Facility type	Detained offenders	Committed offenders
Detention center	72%	27%
Shelter	6	92
Reception/diagnostic	19	81
Group home	6	92
Boot camp	2	93
Ranch/wilderness camp	3	91
Long-term secure	3	97
Other	16	84

Note: Detail may total less than 100% because some facilities held youth other than detained or committed youth.

## In 2003, offense profiles of custody populations varied substantially across states

**In most states in 2003, person offenders accounted for a greater proportion of the custody population than did property offenders**

State of offense	Offense profile of custody population, 2003						State of offense	Offense profile of custody population, 2003					
	Person	Property	Drugs	Public order	Technical viol.	Status		Person	Property	Drugs	Public order	Technical viol.	Status
U.S. total	34%	28%	8%	10%	15%	5%	Missouri	31%	32%	8%	10%	12%	7%
Alabama	21	23	8	8	25	15	Montana	28	44	7	10	3	8
Alaska	33	23	4	11	29	1	Nebraska	18	30	7	13	15	17
Arizona	24	26	14	12	16	8	Nevada	23	28	22	12	14	1
Arkansas	22	33	7	17	16	5	New Hampshire	59	21	3	5	6	8
California	36	27	7	12	16	2	New Jersey	31	15	16	11	28	<1
Colorado	52	26	5	10	6	1	New Mexico	39	23	8	14	11	4
Connecticut	30	18	10	10	20	13	New York	34	25	6	6	6	22
Delaware	25	25	14	18	16	2	North Carolina	41	37	5	5	6	6
Dist. of Columbia	38	26	9	13	13	0	North Dakota	22	33	9	12	4	21
Florida	34	36	9	8	14	<1	Ohio	38	28	6	10	16	2
Georgia	38	29	5	10	14	5	Oklahoma	42	35	8	9	3	3
Hawaii	28	21	7	2	37	7	Oregon	57	25	4	5	9	<1
Idaho	29	36	12	13	9	2	Pennsylvania	28	21	15	10	17	9
Illinois	34	26	7	7	26	1	Rhode Island	47	29	11	9	1	3
Indiana	29	28	10	16	8	9	South Carolina	27	28	3	10	27	4
Iowa	32	38	12	7	4	6	South Dakota	25	26	13	10	11	14
Kansas	42	28	7	6	15	2	Tennessee	33	26	9	9	19	4
Kentucky	33	27	7	13	11	9	Texas	37	28	8	9	16	2
Louisiana	30	36	11	10	5	8	Utah	29	16	10	14	26	4
Maine	31	39	5	8	15	0	Vermont	—	—	—	—	—	—
Maryland	27	27	16	7	21	2	Virginia	37	29	8	5	18	3
Massachusetts	48	26	8	11	7	1	Washington	36	32	5	8	16	2
Michigan	37	25	3	10	14	11	West Virginia	36	32	7	6	4	16
Minnesota	25	26	5	18	16	10	Wisconsin	38	30	5	18	2	7
Mississippi	14	33	6	18	23	6	Wyoming	18	16	8	10	30	17

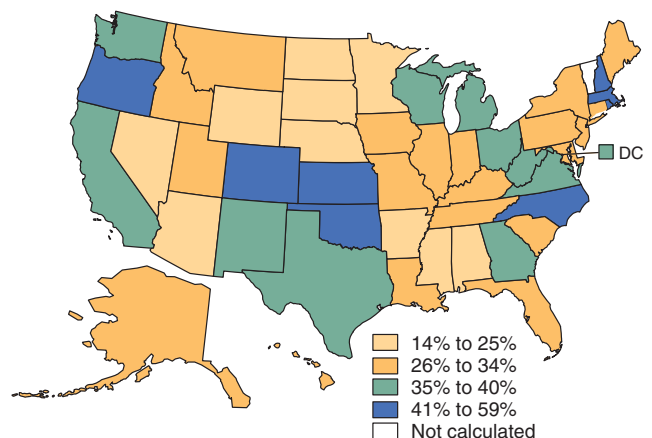
- New Hampshire, Oregon, and Colorado had the highest proportions of person offenders; Mississippi, Nebraska, and Wyoming had the lowest.
- The proportion of juvenile offenders held for drug offenses ranged from 22% in Nevada to 3% in Michigan, New Hampshire, and South Carolina.
- In Alabama, Alaska, Hawaii, Illinois, New Jersey, South Carolina, Utah, and Wyoming, at least 25% of juvenile offenders in custody were held for technical violations of probation, parole, or valid court orders.
- More than 20% of offenders in New York and North Dakota were held for a status offense. Several states had virtually no status offenders in custody.

– Too few juveniles in category to calculate a reliable percentage.

Notes: U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

**Percent of juvenile offenders held for person offenses**



# In some states, the offense profiles of detained and committed populations were very different

## In 1 out of 4 states in 2003, technical violations accounted for a greater share of detained offenders than did person offenses

State of offense	Offense profile of detained offenders, 2003						State of offense	Offense profile of detained offenders, 2003					
	Person	Property	Drugs	Public order	Technical viol.	Status		Person	Property	Drugs	Public order	Technical viol.	Status
U.S. total	31%	24%	8%	10%	23%	5%	Missouri	31%	30%	7%	6%	22%	3%
Alabama	26	18	5	12	28	12	Montana	—	—	—	—	—	—
Alaska	23	27	4	8	38	0	Nebraska	24	28	7	9	27	4
Arizona	23	23	14	5	24	10	Nevada	20	26	16	14	24	1
Arkansas	—	—	—	—	—	—	New Hampshire	—	—	—	—	—	—
California	34	22	6	10	25	4	New Jersey	30	12	15	11	31	1
Colorado	37	30	4	14	12	2	New Mexico	32	15	6	9	32	6
Connecticut	16	6	6	6	57	8	New York	33	19	6	7	12	23
Delaware	23	28	12	16	21	2	North Carolina	44	33	6	4	10	4
Dist. of Columbia	36	24	12	12	17	0	North Dakota	—	—	—	—	—	—
Florida	30	25	8	10	27	1	Ohio	34	24	6	12	22	2
Georgia	31	26	5	12	21	6	Oklahoma	24	43	10	10	7	6
Hawaii	—	—	—	—	—	—	Oregon	34	28	7	5	25	1
Idaho	30	30	11	14	14	3	Pennsylvania	25	18	8	9	32	8
Illinois	36	29	10	8	17	<1	Rhode Island	—	—	—	—	—	—
Indiana	30	22	12	10	18	10	South Carolina	33	26	5	18	16	3
Iowa	28	35	12	10	14	3	South Dakota	22	22	6	8	28	11
Kansas	40	24	7	8	19	2	Tennessee	28	19	6	12	31	5
Kentucky	36	18	7	16	14	8	Texas	24	20	8	13	33	2
Louisiana	34	35	11	10	9	2	Utah	19	14	7	31	26	3
Maine	—	—	—	—	—	—	Vermont	—	—	—	—	—	—
Maryland	31	28	16	5	20	1	Virginia	29	21	7	9	31	3
Massachusetts	44	27	10	11	8	1	Washington	36	36	5	8	10	3
Michigan	33	26	3	8	19	11	West Virginia	41	25	8	6	6	12
Minnesota	28	24	3	11	27	6	Wisconsin	29	30	4	15	3	19
Mississippi	16	24	11	26	21	5	Wyoming	—	—	—	—	—	—

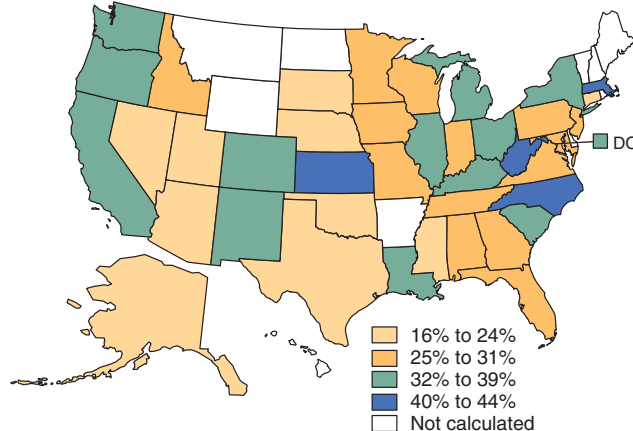
- In Connecticut, offenders detained for a technical violation of probation, parole, or valid court orders accounted for more than half of all detained offenders.
- Massachusetts and North Carolina had the highest proportions of person offenders among detained juveniles (44% in each state). Connecticut and Mississippi had the lowest proportions (16% each).
- In all states, the proportion of juvenile offenders detained for drug offenses was less than 20%.
- In most states, status offenders accounted for less than 10% of detained offenders.

– Too few juveniles in category to calculate a reliable percentage.

Notes: U.S. totals include 10 detained youth in private facilities for whom state of offense was not reported and 99 youth in tribal facilities. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

Percent of detained juvenile offenders held for person offenses



### In 4 out of 10 states in 2003, person offenders accounted for more than the national average of 36% of the committed custody population

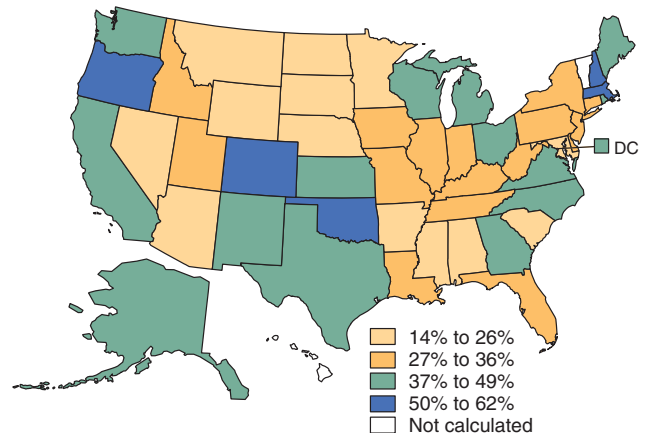
State of offense	Offense profile of committed offenders, 2003						State of offense	Offense profile of committed offenders, 2003					
	Person	Property	Drugs	Public order	Technical viol.	Status		Person	Property	Drugs	Public order	Technical viol.	Status
U.S. Total	36%	30%	8%	10%	11%	5%	Missouri	31%	32%	8%	11%	9%	9%
Alabama	20	24	9	7	25	15	Montana	25	49	6	13	0	7
Alaska	41	21	3	13	22	0	Nebraska	15	30	7	14	9	23
Arizona	25	30	15	16	8	6	Nevada	25	29	27	10	7	2
Arkansas	22	35	7	19	12	5	New Hampshire	61	21	4	4	4	7
California	38	30	8	12	11	1	New Jersey	32	17	17	10	23	0
Colorado	58	24	5	8	3	1	New Mexico	42	27	10	16	1	3
Connecticut	34	21	11	11	8	15	New York	34	26	6	6	5	22
Delaware	28	24	17	20	11	2	North Carolina	40	41	5	6	4	5
Dist. of Columbia	40	31	9	14	9	0	North Dakota	23	35	9	11	1	21
Florida	35	39	9	7	10	0	Ohio	39	29	7	9	14	2
Georgia	41	32	5	9	9	3	Oklahoma	50	31	7	9	2	2
Hawaii	—	—	—	—	—	—	Oregon	62	25	3	5	5	0
Idaho	29	37	12	13	8	2	Pennsylvania	31	22	17	10	11	10
Illinois	34	25	6	5	29	1	Rhode Island	48	28	11	9	1	2
Indiana	29	31	10	18	5	8	South Carolina	24	29	3	7	33	5
Iowa	33	40	12	6	2	7	South Dakota	26	27	15	11	7	15
Kansas	43	30	7	5	14	1	Tennessee	35	27	9	8	17	4
Kentucky	33	30	7	12	10	8	Texas	42	30	8	8	11	1
Louisiana	29	37	11	10	2	12	Utah	31	17	11	10	27	4
Maine	38	41	4	9	9	0	Vermont	—	—	—	—	—	—
Maryland	25	27	17	8	21	2	Virginia	42	34	8	3	11	2
Massachusetts	50	26	6	10	7	0	Washington	37	31	5	8	18	1
Michigan	39	25	3	10	12	11	West Virginia	32	35	7	6	3	17
Minnesota	25	26	6	20	14	10	Wisconsin	40	30	5	18	2	4
Mississippi	14	36	5	15	23	7	Wyoming	16	15	9	10	34	16

- Oregon and New Hampshire had the highest proportions of person offenders among committed juveniles (62% and 61%, respectively). Mississippi (14%), Nebraska (15%), and Wyoming (16%) had the lowest proportions.
- The proportion of juvenile offenders committed for technical violations of probation, parole, or valid court orders ranged from 34% in Wyoming to 0% in Montana.
- In half of all states, status offenders accounted for less than 5% of committed offenders.

– Too few juveniles in category to calculate a reliable percentage.

Notes: U.S. totals include 1,386 committed youth in private facilities for whom state of offense was not reported and 25 youth in tribal facilities. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].



# Females account for a small proportion of the custody population, but their numbers have increased recently

**The 14,590 female offenders held in 2003 accounted for 15% of offenders in custody**

Male offenders dominate the juvenile system. This is especially true of the custody population. Males represent half of the juvenile population and are involved in approximately three-quarters of juvenile arrests and delinquency cases handled in juvenile court each year, but they represented 85% of juvenile offenders in residential placement in 2003.

The proportion of females has increased over the years from 13% in 1991 to 15% in 2003. The female proportion was greater among status offenders held (40%) than among delinquents (14%), and greater for detained (18%) than for committed (12%) delinquents.

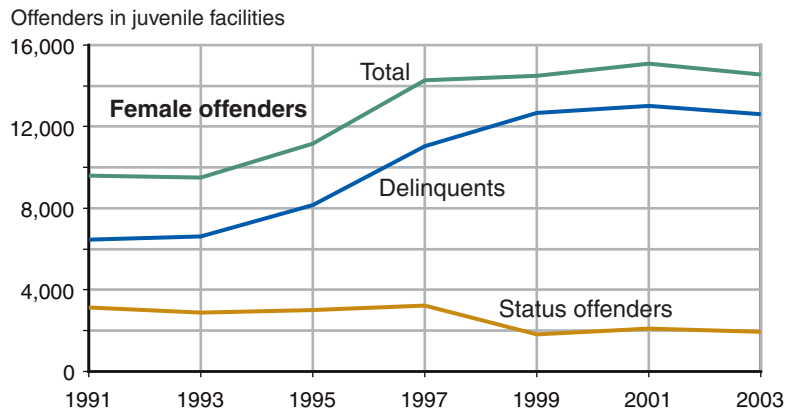
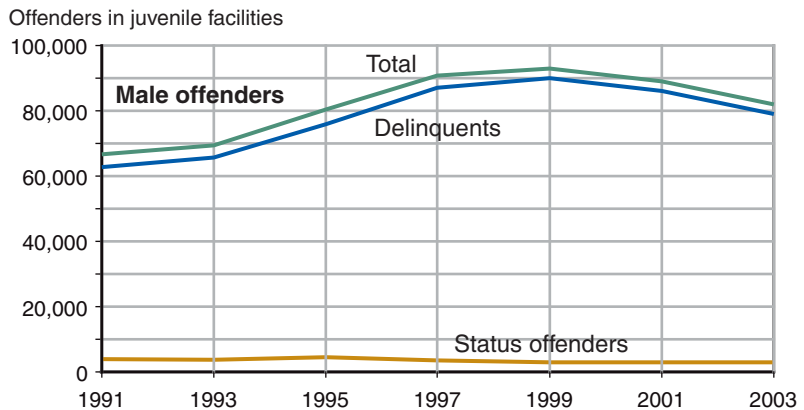
Female proportion of offenders in custody:

Year	Total	Delinquent	Status
1991	13%	9%	45%
1993	12	9	44
1995	12	10	40
1997	14	11	47
1999	13	12	39
2001	14	13	41
2003	15	14	40

Female proportion of delinquent offenders in custody:

Year	Total	Detained	Committed
1991	9%	12%	8%
1993	9	12	8
1995	10	13	8
1997	11	15	10
1999	12	17	11
2001	13	18	11
2003	14	18	12

**The number of female offenders in custody increased 52% from 1991 to 2003—the number of delinquents rose 96% and the number of status offenders dropped 38%**



■ Among males in juvenile facilities, the number of delinquents increased 26% and the number of status offenders decreased 26% from 1991 to 2003, for an overall increase in male offenders of 23%.

■ Status offenders accounted for a greater share of female offenders in custody than of male offenders. However, the status offender proportion of female offenders in custody dropped from 33% in 1991 to 13% in 2003. For males, the status offender proportion held steady between 3% and 6%.

Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine readable data files].

**In nearly all states, females represented a relatively small proportion of juvenile offenders in residential placement in 2003; their proportion was generally larger in private facilities than in public facilities**

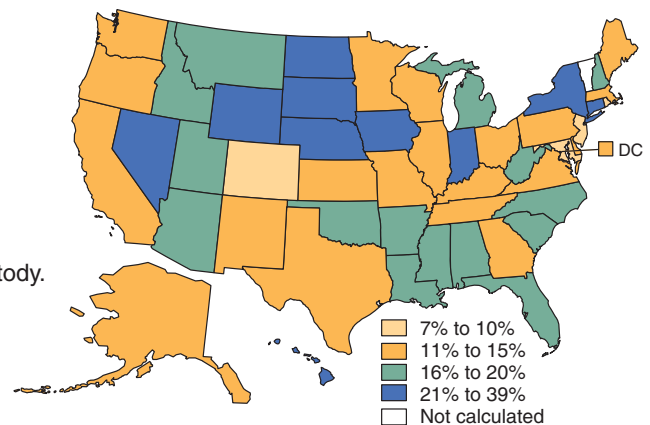
State of offense	Female proportion, 2003				State of offense	Female proportion, 2003			
	Overall	Committed				Overall	Committed		
		Public	Private	Detained			Public	Private	Detained
U.S. total	15%	12%	16%	19%	Missouri	14%	14%	19%	12%
Alabama	20	16	21	22	Montana	18	16	–	–
Alaska	11	7	–	17	Nebraska	32	30	49	20
Arizona	18	14	20	23	Nevada	21	18	–	23
Arkansas	17	23	12	–	New Hampshire	18	–	–	–
California	13	9	17	17	New Jersey	8	6	–	10
Colorado	10	5	9	16	New Mexico	12	10	–	18
Connecticut	21	0	24	35	New York	21	16	25	24
Delaware	11	–	–	14	North Carolina	18	8	18	28
District of Columbia	11	–	–	10	North Dakota	26	–	26	–
Florida	19	9	19	18	Ohio	13	10	8	19
Georgia	15	12	8	20	Oklahoma	17	10	26	21
Hawaii	26	–	–	–	Oregon	12	10	11	20
Idaho	17	16	–	22	Pennsylvania	11	2	9	18
Illinois	11	10	11	14	Rhode Island	7	7	8	–
Indiana	23	19	29	27	South Carolina	17	20	6	24
Iowa	21	10	25	25	South Dakota	25	21	24	36
Kansas	15	10	20	19	Tennessee	11	9	12	14
Kentucky	15	10	44	14	Texas	13	11	7	20
Louisiana	16	12	27	14	Utah	20	23	15	22
Maine	11	10	–	–	Vermont	–	–	–	–
Maryland	8	10	5	9	Virginia	14	9	–	23
Massachusetts	12	0	11	17	Washington	13	10	–	20
Michigan	19	23	16	23	West Virginia	17	5	26	22
Minnesota	15	9	18	16	Wisconsin	14	14	13	18
Mississippi	19	16	–	29	Wyoming	39	53	21	–

- Nationally, females accounted for 15% of juvenile offenders in residential placement on October 22, 2003.
- The female proportion of committed offenders was higher in private facilities (16%) than in public facilities (12%).
- The female proportion was higher for detained offenders (19%) than for committed offenders (13% for public and private facilities combined).
- In Colorado, Maryland, New Jersey, and Rhode Island, females represented no more than 10% of offenders in custody.
- In Hawaii, Nebraska, North Dakota, South Dakota, and Wyoming, females represented at least 25% of offenders in custody.

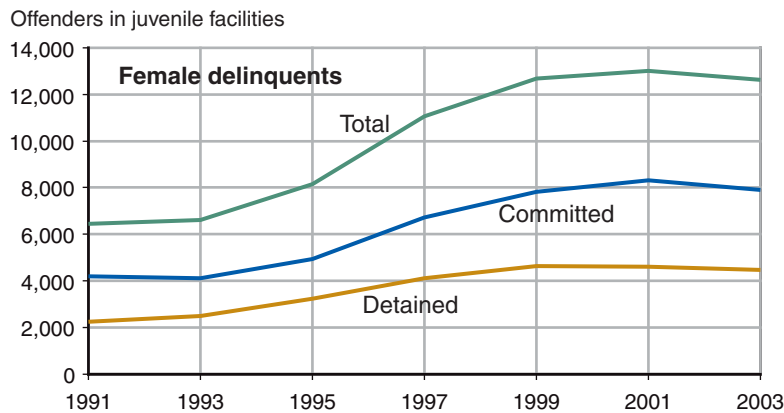
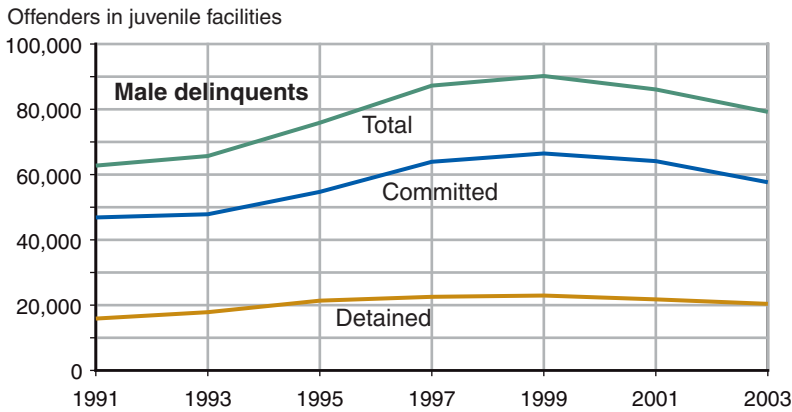
– Too few juveniles in category to calculate a reliable percentage.

Note: U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].



**Detained youth account for a greater share of the female population of delinquents in custody than the male population**



- Between 1991 and 2003, detained youth constituted about one-quarter of all male delinquents in residential placement, compared with more than one-third of female delinquents in residential placement.
- For both males and females, the detained population increased more from 1991 to 2003 than the committed population. Among males, the increase was 23% for committed delinquents and 29% for detained delinquents. For females, the increase was 88% for committed delinquents and 98% for detained delinquents.

Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine-readable data files].

**Females are not distributed evenly across facility types**

Detention centers held the largest proportion of female offenders in 2003 (45%). Long-term secure facilities (e.g., training schools) held about one-quarter of female offenders and group homes (and halfway houses) held about one-tenth. Long-term secure facilities held the largest proportion of male offenders (37%), closely followed by detention centers (35%).

Facility type profile, 2003:

Facility type	Male	Female
Total	100%	100%
Detention center	35	45
Shelter	2	5
Reception/diagnostic	6	7
Group home	9	12
Boot camp	4	1
Ranch/wilderness camp	5	4
Long-term secure	37	24
Other	1	<1

Note: Detail may not total 100% because of rounding.

Females made up more than a quarter of offenders in shelter facilities. For detention centers and group homes, about 1 in 5 offenders were female; for long-term secure facilities, 1 in 10 offenders were female.

Percentage of female offenders:

Facility type	2003
Detention center	19%
Shelter	27
Reception/diagnostic	17
Group home	19
Boot camp	6
Ranch/wilderness camp	12
Long-term secure	10
Other	6

In 2003, 59% of female offenders were in facilities that also held males. Females were housed in 47% of facilities: 33% held both males and females and 14% held only females.

### Private facilities housed nearly 4 in 10 female offenders in residential placement in 2003

Private facilities held 36% of all female offenders in residential placement in 2003. In comparison, private facilities held 31% of male offenders that year. The proportion of female offenders held in private facilities varied by offense: these facilities housed 84% of females held for ungovernability, 37% of those held for simple assault, and 19% of those held for robbery.

Percent of offenders held in private facilities, 2003:

Most serious offense	Male	Female
Total offenders	31%	36%
Delinquency	29	31
Person	26	34
Homicide	8	10
Sexual assault	36	52
Robbery	17	19
Aggravated assault	22	30
Simple assault	39	37
Other person	30	42
Property	30	31
Burglary	28	28
Theft	32	34
Auto theft	32	35
Arson	30	32
Other property	29	24
Drug	39	43
Drug trafficking	29	30
Other drug	42	45
Public order	30	26
Weapons	22	28
Other public order	35	25
Technical violation	23	24
Status offense	66	70
Ungovernability	87	84
Running away	53	61
Truancy	74	77
Curfew violation	63	—
Underage drinking	43	52
Other status offense	28	28

— Too few juveniles in category to calculate a reliable percentage.

### Females in custody tended to be younger than their male counterparts

Juveniles ages 15 and younger accounted for 46% of females and 33% of males held in 2003. In contrast, the proportion of older offenders (ages 18–21) was greater among males (16%) than among females (7%). The peak age for female offenders in residential placement was 16; for male offenders, it was 17.

Age profile of offenders in custody, 2003:

Age	Total	Male	Female
Total	100%	100%	100%
12 and younger	2	2	2
13	4	4	6
14	10	10	14
15	19	18	24
16	26	25	27
17	25	26	20
18 and older	14	16	7

Note: Detail may not total 100% because of rounding.

### The female proportion of the custody population was greatest for offenders in their early teens

Overall, females accounted for 15% of offenders in residential placement. Through age 13, the female proportion of offenders in custody increased steadily with age. After age 13, the female proportion of offenders in custody diminished with age.

Female percent of juvenile offenders in residential placement:

Age	2003	Age	2003
10	7%	16	16%
11	14	17	13
12	17	18	8
13	21	19	6
14	21	20	5
15	19		

### Minorities made up a smaller share of female than male offenders in custody

In 2003, minority youth made up the majority of both males and females in residential placement. Non-Hispanic whites accounted for 45% of female and 38% of male juvenile offenders in custody.

Race/ethnicity profile of offenders, 2003:

Race/ethnicity	Total	Male	Female
Total	100%	100%	100%
White	39	38	45
Minority	61	62	55
Black	38	39	35
Hispanic	19	20	15
Amer. Indian	2	2	3
Asian	2	2	1
Other	1	1	1

Note: Detail may not total 100% because of rounding.

From 1997 to 2003, the minority proportion of juvenile offenders in custody increased for females and decreased for males. In 1997, minorities accounted for 51% of female offenders in residential placement and 64% of males. In 2003, minorities constituted 55% of females in custody and 62% of males.

Females made up a smaller share of minority offenders in custody than of white offenders (14% vs. 18% in 2003). However, the female proportion varied across minority groups (e.g., 21% among American Indians, 12% among Hispanics).

Gender profile of offenders, 2003:

Race/ethnicity	Total	Male	Female
Total	100%	85%	15%
White	100	82	18
Minority	100	86	14
Black	100	86	14
Hispanic	100	88	12
Amer. Indian	100	79	21
Asian	100	86	14
Other	100	79	21



### In a few offense categories, females accounted for more than 20% of offenders held

In 2003, females accounted for 15% of offenders in custody, but that proportion varied by offense. Females represented a much larger proportion of status offenders than delinquent offenders in custody (40% vs. 14%).

Female proportion of offenders:

Most serious offense	2003
Total	15%
Delinquency	14
Person	13
Homicide	12
Sexual assault	2
Robbery	6
Aggravated assault	16
Simple assault	25
Other person	18
Property	12
Burglary	7
Theft	18
Auto theft	14
Arson	10
Other property	12
Drug	13
Drug trafficking	7
Other drug	15
Public order	12
Weapons	6
Other public order	16
Technical violation	21
Status offense	40
Ungovernability	59
Running away	38
Truancy	38
Curfew violation	35
Underage drinking	30
Other status offense	25

The female share of offenders held for simple assault, technical violations, and all status offense categories exceeded 20%. This was true for both detained and committed offenders. For theft and public order offenses other than weapons violations, females made up about one-quarter of detained offenders,

### Females were more likely than males to be held for simple assault, technical violations, and status offenses in 2003

Most serious offense	Offense profile for juvenile offenders in residential placement on October 22, 2003					
	Total		Detained		Committed	
	Male	Female	Male	Female	Male	Female
Total	100%	100%	100%	100%	100%	100%
Delinquency	96	87	96	90	97	86
Person	35	30	32	27	36	32
Homicide	1	1	1	1	1	1
Sexual assault	9	1	4	1	10	2
Robbery	7	2	6	2	7	3
Aggravated assault	8	8	9	9	7	8
Simple assault	7	14	7	11	8	15
Other person	3	4	3	3	3	4
Property	29	21	25	18	31	23
Burglary	12	5	10	4	13	5
Theft	6	7	4	5	6	8
Auto theft	6	5	5	5	6	6
Arson	1	1	1	0	1	1
Other property	5	4	5	3	5	4
Drug	8	7	8	6	9	8
Drug trafficking	2	1	2	1	2	1
Other drug	6	6	6	5	7	7
Public order	10	8	10	10	10	7
Weapons	3	1	4	1	3	1
Other public order	7	7	6	9	7	6
Technical violation	14	20	21	29	11	15
Status offense	4	13	4	10	3	14
Ungovernability	1	5	1	3	2	6
Running away	0	4	1	4	0	4
Truancy	1	2	1	2	1	2
Curfew violation	0	0	0	0	0	1
Underage drinking	0	1	0	0	0	1
Other status offense	1	1	1	1	0	1

Note: Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement for 2003* [machine-readable data files].

but their share of committed offenders was substantially smaller. For most status offenses, females accounted for 30% or more of youth in custody.

In several offense categories, females accounted for less than 10%

of juvenile offenders in custody: burglary and drug trafficking (7%), robbery and weapons (6%), and sexual assaults (2%). For all other offenses, the female share ranged between 10% and 20%.

## The decline in black juveniles in custody led the overall 1997–2003 custody population decline

### Black youth accounted for the majority of nonwhite youth held

In 2003, more than 59,000 minority offenders were in residential placement in juvenile facilities across the country—61% of the custody population nationwide. Black youth accounted for 38% of all offenders in custody.

Juvenile offenders in custody, 2003:

Race/ethnicity	Number	Percent	Percent change 1997–2003
Total	96,655	100%	–8%
White	37,347	39	–5
Minority	59,308	61	–10
Black	36,740	38	–12
Hispanic	18,422	19	–5
Amer. Indian	1,771	2	10
Asian	1,462	2	–34
Other/mixed	913	1	62

Note: Detail may not total 100% because of rounding.

Between 1997 and 2003, the population of offenders in custody dropped 8%. The decline for white youth (5%) was half the decline for minority youth (10%). Among minority youth, Asians had the largest relative drop (34%). However, black offenders accounted for the majority of the overall reduction in the custody population. More than 5,000 fewer black youth were held in juvenile facilities on the census date in 2003 than in 1997. This was 2.5 times the decrease in the white custody population.

Despite the decline in the number of minority offenders in custody, the minority proportion of the custody population decreased only slightly between 1997 and 2003 (from 62% to 61%). Among delinquent offenders held in juvenile facilities, minorities accounted for 62% in 2003, down from 64% in 1997. However, among status

### In 2003, white youth's share of juveniles held in custody was greatest for the offenses of sexual assault and arson, black youth's share was greatest for robbery and drug trafficking

Most serious offense	Race/ethnic profile of juvenile offenders in custody, 2003						
	Total	White	Minority				Asian
			Total minority	Black	Hispanic	American Indian	
Total	100%	39%	61%	38%	19%	2%	2%
Delinquency	100	38	62	38	19	2	2
Homicide	100	27	73	40	26	2	4
Sexual assault	100	57	43	26	13	2	1
Robbery	100	15	85	60	22	1	2
Aggravated assault	100	28	72	41	26	2	3
Simple assault	100	40	60	40	15	2	1
Burglary	100	44	56	33	19	2	1
Theft	100	43	57	40	13	2	2
Auto theft	100	33	67	39	23	2	3
Arson	100	57	43	27	11	3	1
Drug trafficking	100	21	79	60	16	1	2
Other drug	100	38	62	36	22	2	1
Weapons	100	21	79	45	30	1	2
Technical violations	100	39	61	36	21	2	1
Status offenses	100	48	52	34	12	3	1

Notes: Totals include a small number of youth for whom race/ethnicity was not reported or was reported as "other" or "mixed." Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement for 2003* [machine-readable data files].

offenders held, minorities accounted for 52% in 2003, up from 41% in 1997.

Minority proportion of offenders:

Year	Total	Delinquent	Status
1997	62%	64%	41%
1999	62	63	46
2001	60	61	50
2003	61	62	52

The minority proportion of committed delinquents decreased from 64% in 1997 to 60% in 2003, but the minority proportion of detained delinquents did not decline. Thus, the minority proportion was greater among detained offenders than committed offenders in 2003.

Minority proportion of delinquents:

Year	Total	Detained	Committed
1997	64%	64%	64%
1999	63	63	63
2001	61	63	60
2003	62	65	60

### The minority proportion of offenders varied by offense and also by placement status

For some offenses, the minority proportion of detained juveniles was substantially greater than the minority proportion of committed juveniles. For example, blacks represented 44% of detained person offenders, but 39% of committed person offenders. This difference

stemmed primarily from differences for sexual assault and robbery offense categories. A similar pattern existed for youth held for public order offenses (primarily weapons offenses). In other offense categories, the minority proportions of detained and committed juveniles were comparable. For example, blacks accounted for 41% of detained drug offenders and 42% of committed drug offenders. Similarly, Hispanics constituted 21% of detained drug offenders and 20% of committed drug offenders.

### Minority youth are not distributed evenly across facility types

Detention centers and long-term secure facilities (e.g., training schools) held the largest proportions of minority offenders in 2003—each holding more than one-third of minorities in custody. Shelters, reception centers, group homes, boot camps, and ranch/wilderness camps each held less than one-tenth of the minority population. Other facilities, such as those identifying themselves as residential treatment centers, accounted for more than one-quarter of minorities.

Facility type profile, 2003:

Facility type	Offender	
	White	Minority
Detention center	32%	36%
Shelter	3	2
Reception/diagnostic	6	6
Group home	11	7
Boot camp	3	4
Ranch/ wilderness camp	3	7
Long-term secure	32	34
Other	33	27

Note: Percents total more than 100% because facilities could select multiple type categories. Most facilities that selected "other" also selected one of the other listed facility types.

### Offense profiles did not vary substantially by race/ethnicity

Most serious offense	Offense profile of juvenile offenders in custody, 2003						
	Total	White	Minority				Asian
			Total minority	Black	Hispanic	American Indian	
Total	100%	100%	100%	100%	100%	100%	100%
Delinquency	95	94	96	96	97	92	95
Homicide	1	1	1	1	1	1	2
Sexual assault	8	11	5	5	5	9	3
Robbery	6	2	9	10	7	3	8
Aggravated assault	8	6	9	8	10	7	14
Simple assault	8	9	8	9	7	9	7
Burglary	11	12	10	9	11	10	9
Theft	6	6	5	6	4	6	6
Auto theft	6	5	6	6	7	6	10
Arson	1	1	1	1	0	1	0
Drug trafficking	2	1	2	3	2	1	2
Other drug	6	6	6	6	7	7	4
Weapons	3	2	4	4	5	2	4
Technical violations	15	15	15	14	16	13	15
Status offenses	5	6	4	4	3	8	5

- Homicide accounted for a very small proportion of juveniles in custody, regardless of race/ethnicity.
- In 2003, 11% of whites were held for sexual assault, compared with 5% of Hispanics and blacks.
- Robbery accounted for a smaller proportion of white (2%) and American Indian (3%) youth held than of other groups.
- For all racial/ethnic groups, the proportion of youth held for drug trafficking was less than half the proportion held for drug offenses other than trafficking.
- Regardless of race/ethnicity, a substantial proportion of youth were held for technical violations of probation, parole, or valid court orders.

Notes: Totals include a small number of youth for whom race/ethnicity was not reported or was reported as "other" or "mixed." Detail may not total 100% because of rounding or because not all offenses are presented.

Source: Authors' analysis of *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

Minority youth accounted for nearly half of the custody population in shelters and more than half of the population across all other facility types.

Minority proportion:

Facility type	2003
Detention center	64%
Shelter	48
Reception/diagnostic	60
Group home	53
Boot camp	69
Ranch/wilderness camp	76
Long-term secure	63
Other	56

## Nationally, custody rates were highest for black youth and lowest for Asian youth

**For every 100,000 black juveniles living in the U.S., 754 were in custody in a juvenile facility on October 22, 2003—the custody rate was 348 for Hispanics and 190 for whites**

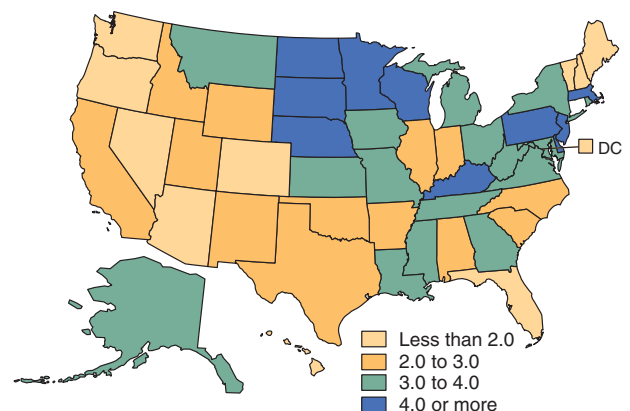
State of offense	Custody rate (per 100,000)					State of offense	Custody rate (per 100,000)				
	White	Black	Hispanic	American Indian	Asian		White	Black	Hispanic	American Indian	Asian
U.S. total	190	754	348	496	113	Missouri	159	690	287	93	87
Alabama	235	586	368	0	73	Montana	188	418	482	588	0
Alaska	177	339	0	896	206	Nebraska	214	1,529	447	1,682	194
Arizona	223	579	363	199	72	Nevada	289	958	332	405	152
Arkansas	142	468	200	0	108	New Hampshire	144	579	197	0	0
California	217	1,246	448	425	140	New Jersey	51	795	203	153	15
Colorado	268	1,150	396	646	112	New Mexico	153	823	105	212	0
Connecticut	105	669	316	672	36	New York	138	712	261	205	45
Delaware	128	1,029	413	0	0	North Carolina	106	332	77	195	45
Dist. of Columbia	347	683	698	0	0	North Dakota	235	1,384	747	1,240	0
Florida	355	973	186	195	81	Ohio	207	916	296	87	71
Georgia	142	500	237	127	59	Oklahoma	196	673	239	343	48
Hawaii	62	199	44	0	111	Oregon	291	1,075	314	870	181
Idaho	250	725	463	747	328	Pennsylvania	139	1,207	639	246	329
Illinois	120	589	144	113	14	Rhode Island	192	1,425	188	735	409
Indiana	316	1,188	381	417	0	South Carolina	201	567	453	193	143
Iowa	242	1,337	520	1,025	117	South Dakota	310	3,199	1,449	1,575	873
Kansas	213	1,320	364	318	187	Tennessee	143	507	251	0	79
Kentucky	133	653	113	0	76	Texas	194	771	327	139	18
Louisiana	202	663	151	269	90	Utah	258	951	564	558	324
Maine	149	182	188	492	0	Vermont	71	0	341	0	0
Maryland	98	319	326	450	22	Virginia	143	715	273	0	71
Massachusetts	111	811	522	172	160	Washington	200	770	207	607	155
Michigan	169	602	231	287	27	West Virginia	229	953	567	775	0
Minnesota	156	1,149	400	1,712	280	Wisconsin	143	1,389	226	580	282
Mississippi	75	246	60	155	0	Wyoming	507	3,035	947	1,285	0

**Ratio of minority custody rate to white rate**

- In every state except Vermont, the custody rate for black juvenile offenders exceeded the rate for whites.
- Wyoming had the highest custody rate for white offenders (507), followed by Florida (355), the District of Columbia (347), Indiana (316), and South Dakota (310).
- Nationally, the ratio of the custody rate for minorities to that for whites was 2.6 to 1.

Note: The custody rate is the number of juvenile offenders in residential placement on October 22, 2003, per 100,000 juveniles age 10 through the upper age of jurisdiction in each state. U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

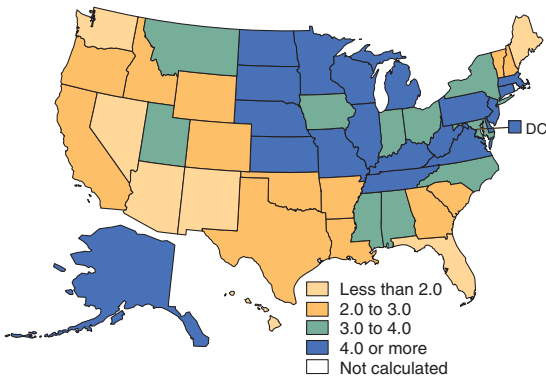
Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].



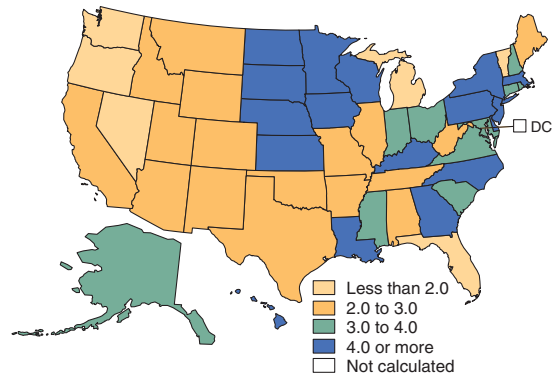
**In nearly half the states, the ratio of minority to white custody rates was greater for detained youth than for youth committed to public or private facilities in 2003**

State of offense	Ratio of minority rate to white rate			State of offense	Ratio of minority rate to white rate		
	Detained	Committed			Detained	Committed	
		Public	Private			Public	Private
U.S. total	3.1	2.9	2.0	Missouri	6.4	2.9	5.5
Alabama	3.1	2.7	1.9	Montana	3.7	2.8	3.5
Alaska	5.2	3.1	3.4	Nebraska	5.5	4.9	2.5
Arizona	1.3	2.0	1.0	Nevada	1.7	1.5	1.2
Arkansas	2.5	2.8	3.1	New Hampshire	2.3	3.5	0.6
California	2.2	2.7	1.3	New Jersey	8.0	8.8	6.6
Colorado	2.5	2.6	1.3	New Mexico	1.6	2.3	2.6
Connecticut	6.9	3.5	4.1	New York	3.7	6.6	1.8
Delaware	7.4	5.7	5.6	North Carolina	3.6	4.6	1.0
District of Columbia	8.7	–	0.5	North Dakota	5.5	7.4	3.8
Florida	1.6	1.2	1.7	Ohio	3.9	3.8	2.9
Georgia	2.8	4.4	1.5	Oklahoma	2.2	2.7	1.3
Hawaii	0.6	6.6	–	Oregon	2.0	1.5	1.2
Idaho	2.1	2.4	0.8	Pennsylvania	5.9	6.6	7.4
Illinois	4.3	2.7	1.8	Rhode Island	–	3.6	2.6
Indiana	3.3	3.6	1.5	South Carolina	2.5	3.4	2.3
Iowa	3.8	4.6	2.9	South Dakota	7.9	4.2	6.0
Kansas	4.0	4.0	3.1	Tennessee	4.0	2.8	3.6
Kentucky	5.0	4.0	3.0	Texas	2.3	2.0	2.4
Louisiana	2.4	4.5	2.4	Utah	3.9	2.4	1.3
Maine	1.6	2.0	0.0	Vermont	2.7	0.0	0.0
Maryland	3.2	3.2	2.7	Virginia	4.4	3.7	5.7
Massachusetts	5.6	5.1	4.7	Washington	1.6	1.7	2.0
Michigan	4.4	1.3	3.7	West Virginia	4.5	2.8	4.6
Minnesota	6.9	4.6	4.9	Wisconsin	10.3	6.3	3.6
Mississippi	3.0	3.2	–	Wyoming	2.9	2.6	2.0

**Ratio of minority rate to white rate for detained offenders**



**Ratio of minority rate to white rate for committed offenders in public facilities**



– Too few juveniles in category to calculate a reliable percentage.

Notes: The custody rate is the number of juvenile offenders in residential placement on October 22, 2003, per 100,000 juveniles age 10 through the upper age of jurisdiction in each state. U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].

## On the 2003 census day, person offenders had been committed or detained longer than other offenders

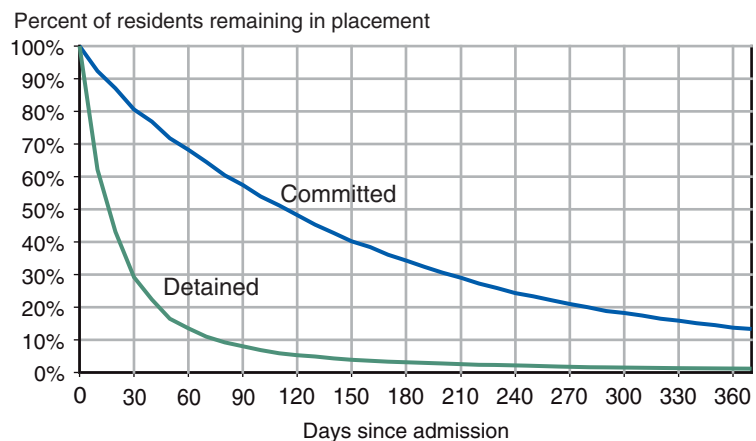
### CJRP provides individual-level data on time spent in placement

Information on length of stay is key to understanding the justice system's handling of juveniles in residential placement. Ideally, length of stay would be calculated for individual juveniles by combining their days of stay in placement from their initial admission to their final release relating to a particular case. These individual lengths of placement could then be averaged for different release cohorts of juveniles (cohorts could be identified by year of release, offense, adjudication status, or demographic characteristics).

CJRP captures information on the number of days since admission for each juvenile in residential placement. These data represent the number of days the juvenile had been in the facility up to the census date. Because CJRP data reflect only a juvenile's placement at one facility, the complete length of stay—from initial admission to the justice system to final release—cannot be determined. Nevertheless, CJRP provides an overall profile of the time juveniles had been in the facility at the time of the census—a 1-day snapshot of time in the facility.

Because CJRP data are individual level rather than facility level, more averages can be calculated for different subgroups of the population. In addition, analysts can use the data to get a picture of the proportion of residents remaining after a certain number of days (e.g., what percentage of youth have been held longer than a year). This sort of analysis provides juvenile justice policymakers with a useful means of comparing the time spent in placement for different categories of juveniles.

### In 2003, 34% of committed offenders but just 3% of detained offenders remained in placement 6 months after admission



- Among detained offenders (those awaiting adjudication, disposition, or placement elsewhere), 68% had been in the facility for at least a week, 49% for at least 15 days, and 28% at least 30 days.
- Among committed juveniles (those held as part of a court-ordered disposition), 80% had been in the facility for at least 30 days, 68% for at least 60 days, and 57% at least 90 days. After a full year, 13% of committed offenders remained in placement.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement for 2003* [machine-readable data file].

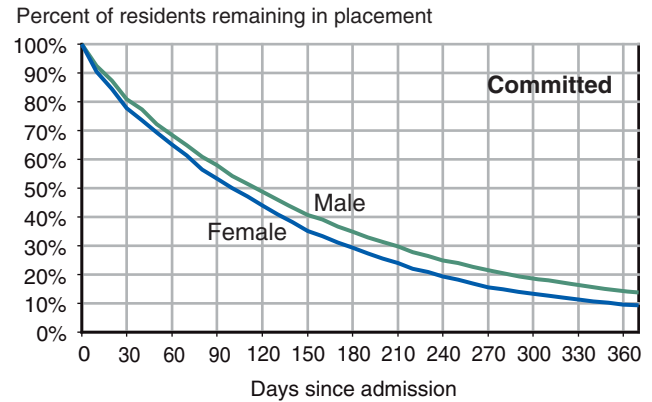
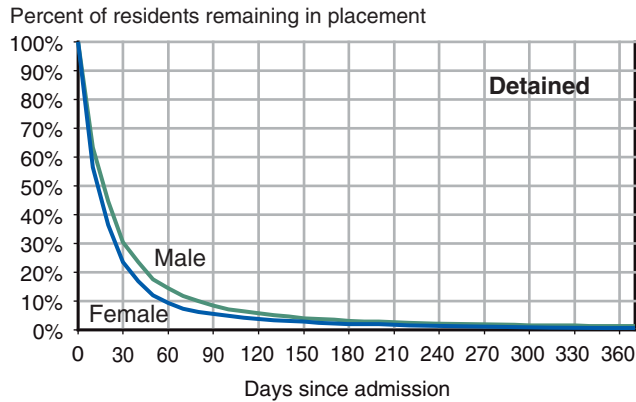
### Offenders' average time in the facility varied by adjudication status, offense, and facility type

Most serious offense	Median days in placement		
	Detained (all facilities)	Committed Public	Committed Private
Total	15	105	121
Delinquent	15	106	124
Person	19	160	145
Property	14	97	113
Drugs	15	89	114
Public order	14	111	142
Technical violation	13	50	89
Status offense	10	65	117

- Half of offenders committed to public facilities remained in placement after 105 days (121 days for those committed to private facilities). In contrast, half of detained offenders remained in placement after just 15 days.
- With the exception of person offenses, offenders committed to private facilities had longer stays than those committed to public facilities.

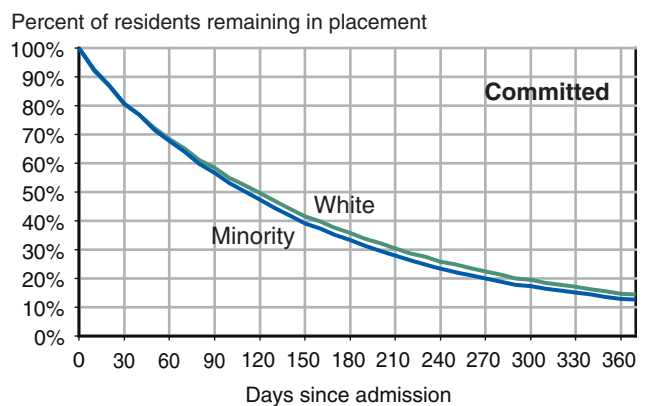
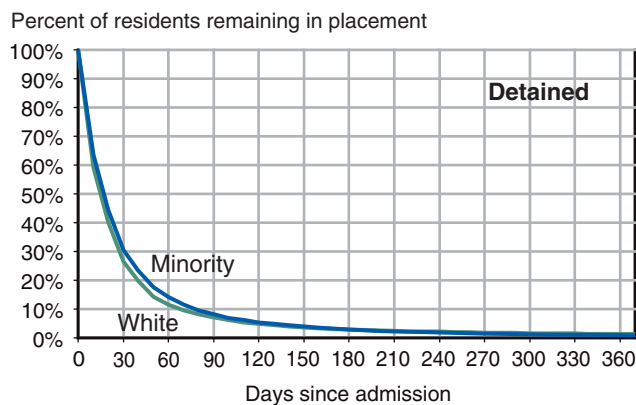
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement for 2003* [machine-readable data file].

### Males tended to stay in facilities longer than females in 2003



- Among detained females, 25% remained after 28 days; among detained males, 25% remained after 36 days.
- After 45 days, 20% of detained males and 14% of detained females remained in custody.
- After 180 days, 35% of committed males and 29% of committed females remained in custody.
- Among committed females, 25% remained after 204 days; among committed males, 25% remained after 244 days.

### Half of detained white offenders remained in custody after 14 days; half of detained minority offenders remained in custody after 15 days



- One-quarter of detained minority youth remained in custody after 36 days; one-quarter of detained white youth remained in custody after 30 days.
- Among committed offenders, time in placement was virtually the same for whites and minorities until about the 50-day mark—after 50 days, the proportion of white youth remaining in custody was somewhat greater than the proportion of minority youth remaining.
- After 6 months, 35% of committed white youth and 33% of committed minority youth remained in custody.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

**Residents' average time in placement varied by offender characteristics**

The overall median time in placement for juvenile offenders held in juvenile facilities was 68 days. In other words, after 68 days half of all youth held remained in placement. The median time in placement was greater for males (71 days) than for females (48 days) and greater for white youth (72 days) than for minority youth (64 days).

**Time in placement does not always coincide with offense seriousness**

Among committed offenders, those held for criminal homicide had the longest time in placement. For

committed homicide offenders, the median number of days in placement was 345 days. Sexual assault offenders had the second longest average time in placement at 271 days.

The median time in placement for committed aggravated assault offenders was just 2 weeks more than the figure for committed simple assault offenders. Simple assault offenders had the same average days in placement as offenders committed for drug trafficking.

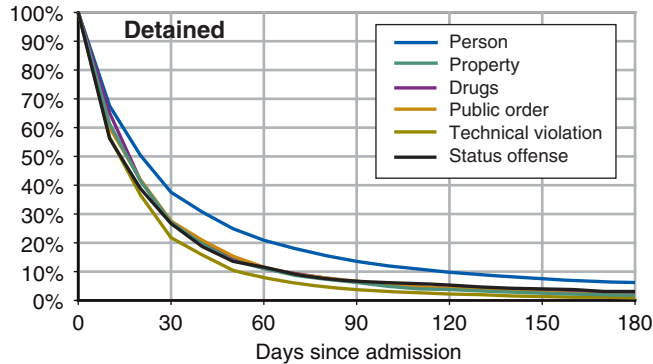
The average time in placement for committed status offenders was virtually the same as the average time for weapons, auto theft, burglary, and theft offenders.

Committed offenders, 2003:

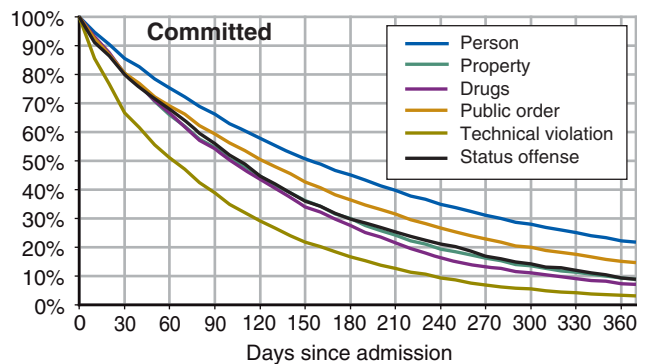
Most serious offense	Median days in placement
Homicide	345
Sexual assault	271
Robbery	154
Arson	141
Public order (not weapons)	128
Aggravated assault	126
Simple assault	112
Drug trafficking	112
Weapons	107
Auto theft	105
Status offense	105
Burglary	104
Theft	103
Drugs (not trafficking)	97
Technical violation	62

**In 2003, committed person offenders were in placement longer than other types of offenders**

Percent of residents remaining in placement



Percent of residents remaining in placement



- Time-in-placement patterns largely overlapped for detained youth held for property, drug, public order, and status offenses.
- Time-in-placement patterns also largely overlapped for committed youth held for property, drug, and status offenses.
- After 60 days, 21% of detained person offenders remained in custody.
- After 6 months, 45% of committed person offenders remained in custody.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].



# Facility type is related to the kind of agency that operates and staffs the facility

## More public facilities are local than state, but state facilities hold more youth

Local facilities (those staffed by county, city, or municipal employees) make up more than half of all public facilities but held fewer than half of all juvenile offenders in public facilities on the census date in 2002.

Juvenile residential facilities, 2002:

	Facilities		Juvenile offenders	
	Number	Pct.	Number	Pct.
Total	2,964	100%	102,388	100%
Public	1,182	40	70,243	69
State	513	17	41,138	40
Local	669	23	29,105	28
Private	1,773	60	31,992	31

Note: Total includes 9 tribal facilities holding 153 juvenile offenders.

During the course of a year, many more juveniles pass through local facilities than state facilities. This is because the majority of local facilities are detention centers, where youth stay for relatively short periods of time. In state facilities, such as training schools, stays are generally longer.

## Group homes outnumber all other types of facilities

JRFC asks respondents to identify the type of facility (detention center, shelter, reception/diagnostic center, group home/halfway house, boot camp, ranch/forestry/wilderness camp/marine program, or training school/long-term secure facility). Although respondents were allowed to select more than one facility type category, the vast majority (88%) selected only one category.

## Detention centers tend to be local facilities, long-term secure facilities tend to be state facilities, and group homes tend to be private facilities

Facility operation	Facility type							
	Total	Detention center	Shelter	Reception/diagnostic center	Group home	Boot camp	Ranch/wilderness camp	Long-term secure
Total	2,964	769	289	104	1,136	56	157	389
<b>Facility type by operation</b>								
	100%	100%	100%	100%	100%	100%	100%	100%
Public	40	80	28	52	18	68	39	67
State	17	18	5	42	10	25	16	56
Local	23	62	22	10	7	43	23	12
Private	60	19	72	48	82	32	61	33
<b>Operation by facility type</b>								
Total	100%	26%	10%	4%	38%	2%	5%	13%
Public	100	52	7	5	17	3	5	22
State	100	27	3	9	23	3	5	42
Local	100	71	10	1	12	4	5	7
Private	100	8	12	3	53	1	5	7

- Reception/diagnostic centers are nearly as likely to be private facilities as they are to be public facilities. Boot camps are more likely to be public facilities than private facilities; however, a substantial proportion of boot camps are private.
- The majority of shelters and ranch/wilderness camps are private facilities.
- Detention centers made up 71% of all local facilities and 52% of all public facilities.
- Long-term secure facilities accounted for 42% of all state facilities.
- Group homes account for 53% of all private facilities.

Note: The total number of facilities includes facilities that did not identify themselves as one of the described facility types. Row percents may sum to more than the total because facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Author's analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

More than 1,100 facilities that identified themselves as group homes/halfway houses were holding juvenile offenders on the census date in 2002. Group homes made up 38% of all facilities and held 12% of juvenile

offenders. Facilities identifying themselves as detention centers were the second most common type of facility (26%). Detention centers held 40% of juvenile offenders.

## Security features vary across types of facilities

### Public and private facilities differ in their degree of security

Overall in 2002, 32% of facilities that reported security information in JRFC said that at least some of the time they lock youth in their sleeping rooms to confine them. Very few private facilities locked youth in sleeping rooms (7%). Among public facilities, 73% of local facilities and 58% of state facilities reported locking youth in sleeping rooms.

Percent of facilities, 2002:

Facility	Locked sleeping rooms
Total	32%
Public	66
State	58
Local	73
Private	7

Among facilities that reported they locked youth in sleeping rooms, three-quarters said they did this when the youth were out of control. One-quarter did so when youth were suicidal. Locking youth in their rooms during shift changes was fairly common (43%). More than half (54%) said they locked sleeping rooms whenever youth were in them. Locking sleeping rooms at night was more common (87%). Just over one-quarter said youth were locked in their sleeping rooms part of each day. A few facilities said they locked youth in their rooms most of each day (1%) or all of each day (1%). Six percent said they rarely locked youth in sleeping rooms (they had no set schedule).

Facilities indicated whether they had various types of locked doors or gates intended to confine youth within the facility or to keep intruders out (see boxes on this page and the next). Nearly half of all facilities that reported security information said they had one or more confinement features (other than locked

sleeping rooms). Among public facilities, the proportion was 78%. In contrast, among private facilities, it was 24%.

Percent of facilities, 2002:

Facility	Confinement features	
	None	One or more
Total	53%	47%
Public	22	78
State	20	80
Local	23	77
Private	76	24

Among detention centers and training schools that reported security information, about 9 in 10 said they had one or more confinement features (other than locked sleeping rooms).

Facilities reporting one or more confinement features other than locked sleeping rooms, 2002:

Facility	Number	Percent
Total	1,320	47%
Detention center	689	91
Shelter	71	25
Reception/diagnostic	71	70
Group home	171	16
Boot camp	42	75
Ranch/ wilderness camp	29	19
Long-term secure	336	87
Other	166	35

Among group homes and ranch/wilderness camp facilities, fewer than 2 in 10 said they had locked doors or gates to confine youth. A facility's staff, of course, also provides security. In some facilities, remote location is a security feature that keeps youth from leaving.

Overall, 16% of facilities reported fences (or walls) with razor wire. This arrangement was most common in detention centers (39%), training schools (37%), and boot camps (32%).

### JRFC asks facilities about their security features

Are any young persons in this facility locked into their sleeping rooms by staff at any time to confine them?

Does this facility have any of the following features intended to confine young persons within specific areas?

- Doors for secure day rooms that are locked by staff to confine young persons within specific areas?
- Wing, floor, corridor, or other internal security doors that are locked by staff to confine young persons within specific areas?
- Outside doors that are locked by staff to confine young persons within specific buildings?
- External gates in fences or walls WITHOUT razor wire that are locked by staff to confine young persons?
- External gates in fences or walls WITH razor wire that are locked by staff to confine young persons?

Are outside doors to any buildings with living/sleeping units in this facility ever locked? If yes, why?

- To keep intruders out?
- To keep young persons inside this facility?

JRFC did not ask about security features such as roll call (resident counts), cameras, or guard towers.

## Eight in ten juvenile offenders in custody in 2003 were held in locked rather than staff-secure facilities

### Security arrangements varied by facility characteristics

Juvenile residential placement facilities vary in their degree of security. The use of fences, walls, and surveillance equipment is increasingly common in juvenile facilities, although security hardware is generally not as elaborate as that found in adult jails and prisons. National accreditation standards for juvenile facilities express a preference for relying on staff, rather than on hardware, to provide security. The guiding principle is to house juvenile offenders in the “least restrictive placement alternative.” Staff security measures include periodically taking counts of the youth held, using classification and separation procedures, and maintaining an adequate ratio of security staff to juveniles.

#### Locked outside doors were to keep intruders out more than to keep residents inside the facility

Among the 80% of facilities that reported to the 2002 JRFC that they locked outside doors to buildings with sleeping units, 87% said those outside doors were locked to keep intruders out and 50% said doors were locked to keep residents inside the facility (37% said doors were locked for both reasons). Public facilities were more likely than private facilities to lock doors to keep residents inside (79% vs. 25%), although many public facilities (60%) said they also locked doors to keep intruders out. Private facilities were more likely than public facilities to lock doors to keep intruders out (92% vs. 81%). Few private facilities (17%) said they also locked doors to keep residents inside.

CJRP asks facilities a series of questions about their use of locked doors or gates during daytime operating hours and nighttime sleeping hours. In 2003, facilities reported that daytime locks confined 8 in 10 juvenile offenders at least some of the time. This represents an increase over 1997, when 7 in 10 offenders were housed in facilities with locked arrangements. The vast majority of juveniles in public facilities were confined in facilities with locked security arrangements.

Daytime security profile of offenders, 2003:

Facility type	Total	Locked	Staff-secure
Total	100%	81%	19%
Public	100	94	6
Private	100	53	47
Tribal	100	45	55

Most youth in facilities with daytime locks were in facilities that held all youth under the same security arrangements. More than 7 in 10 youth in locked facilities were in facilities that locked a perimeter fence or wall, the main entrance, or living units during the day for all youth. Smaller proportions of youth were in facilities where all youth were confined during the day by locked sleeping rooms, day rooms, classrooms, or infirmaries.

Percent of youth in daytime locked facilities, 2003:

Area within locked facilities	Locked for some	Locked for all
Perimeter	1%	73%
Main entrance	1	72
Living units	5	75
Sleeping rooms	9	59
Day rooms	2	52
Classrooms	4	35
Cafeteria	3	47
Infirmery	3	61

### Security arrangements also varied by placement status and offense category

Overall, a larger proportion of committed juveniles than detained juveniles were held in facilities relying on staff security. This difference stemmed from variation in security arrangements within private facilities. Security arrangements in public facilities varied little—more than 90% of both committed and detained offenders were in locked facilities.

Daytime security profile of offenders, 2003:

Placement type	Total	Locked	Staff-secure
Total	100%	81%	19%
Detained	100	91	9
Committed	100	77	23
Public	100	94	6
Detained	100	93	7
Committed	100	94	6
Private	100	53	47
Detained	100	70	30
Committed	100	50	50

Juveniles in residential placement for homicide, sexual assault, robbery, aggravated assault, arson, and technical violations were the most likely to be held behind locked doors or gates. Compared with juveniles held for delinquency offenses, those in residential placement for status offenses were more likely to be confined under staff-secure arrangements (19% vs. 32%). However, substantial variation existed within the status offense categories. Juveniles held for underage drinking or possession of alcohol were nearly as likely to be held in facilities with locked arrangements as those held for delinquency offenses.

Daytime security profile of offenders, 2003:

Most serious offense	Total	Locked	Staff-secure
Delinquency	100%	81%	19%
Person	100	83	17
Homicide	100	92	8
Sexual assault	100	85	15
Robbery	100	85	15
Aggr. assault	100	84	16
Simple assault	100	77	23
Other person	100	82	18
Property	100	80	20
Burglary	100	81	19
Theft	100	79	21
Auto theft	100	78	22
Arson	100	84	16
Other property	100	80	20
Drug	100	73	27
Drug trafficking	100	76	24
Other drug	100	73	27
Public order	100	82	18
Weapons	100	81	19
Other public order	100	82	18
Technical violation	100	84	16
Status	100	68	32
Ungovernability	100	58	42
Running away	100	75	25
Truancy	100	64	36
Curfew	100	77	23
Underage drinking	100	78	22
Other status offenses	100	88	12

### Demographic variation in security arrangements reflected offense variations

Minority juveniles were more likely than white juveniles to be in facilities with locked doors or gates. Among minorities, Hispanic youth were more likely to be held under locked arrangements than were other minorities.

Daytime security profile of offenders, 2003:

Race/ethnicity	Total	Locked	Staff-secure
White	100%	79%	21%
Minority	100	82	18
Black	100	81	19
Hispanic	100	84	16
Amer. Indian	100	81	19
Asian	100	78	22
Other	100	72	28

However, within offense categories, the difference between the proportions of white and minority youth held under locked arrangements diminished. This was especially true for those held for serious offenses. For example, among those held for homicide, locked doors or gates confined 92% of white youth and 92% of minority youth.

The proportion of juveniles held in facilities with locked arrangements was somewhat greater for youth

ages 18 and older (82%) than for youth 12 and younger (78%) but didn't really vary much by age. Across all ages, about 8 in 10 youth were in locked facilities. Females were more likely than males to be held under locked arrangements.

Daytime security profile of offenders, 2003:

Offense type/gender	Total	Locked	Staff-secure
Total			
Male	100%	80%	20%
Female	100	84	16
Delinquency			
Male	100	81	19
Female	100	86	14
Person			
Male	100	83	17
Female	100	85	15
Property			
Male	100	79	21
Female	100	85	15
Drug			
Male	100	73	27
Female	100	78	22
Public order			
Male	100	81	19
Female	100	88	12
Technical violation			
Male	100	83	17
Female	100	88	12
Status			
Male	100	66%	34
Female	100	72	28

Overall, the race/ethnicity, age, and gender differences in the proportion of juveniles held under locked rather than staff-secure arrangements were largely related to offense variations among the demographic groups. Differences may also reflect facilities' use of locks to protect the residents from outside intruders.

### The Juvenile Justice and Delinquency Prevention Act prohibits placement of status offenders in secure facilities

The Juvenile Justice and Delinquency Prevention Act of 2002 states that "juveniles...charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders, or alien juveniles in custody, or such nonoffenders as dependent or neglected children, shall not be placed in secure detention facilities or secure correctional facilities..." Federal regulations have interpreted the Juvenile Justice and Delinquency Prevention Act to permit youth charged with status offenses to be held in secure juvenile facilities for up to 24 hours following the initial contact with law enforcement or the court.

## Most facilities were small (fewer than 50 residents) but most offenders were in large facilities

### Large facilities were most likely to be state operated

Very few state-operated facilities held 10 or fewer residents in 2002. In contrast, 46% of private facilities (807 of 1,773) were that small. In fact, these small facilities made up the largest share of private facilities.

Although state-operated facilities made up just 17% of all facilities, they accounted for 66% of facilities holding more than 200 residents. In contrast, private facilities made up 60% of all facilities, but they accounted for 80% of facilities holding 10 or fewer residents.

### Security increases as facility size increases

Among the largest facilities (those with more than 200 residents) that reported security information, 86% said they lock youth in their sleeping rooms to confine them at least some of the time. The vast majority of these large facilities (90%) said they had one or more features (locked doors or gates) intended to confine youth. Although the use of razor wire is a far less common security measure, more than 6 in 10 of these large facilities said they had locked gates in fences or walls with razor wire.

Percent of facilities reporting confinement features, 2002:

Facility size (residents)	Sleeping rooms locked	One or more features	Razor wire
Total	32%	47%	16%
1–10	10	19	3
11–20	24	41	10
21–50	45	64	24
51–100	47	70	29
101–200	69	85	34
201–972	86	90	64

### In 2002, more than half of facilities were small (20 or fewer residents) but nearly half of juvenile offenders were held in large facilities (more than 100 residents)

Facility size	Facilities		Juvenile offenders	
	Number	Percent	Number	Percent
Total facilities	2,964	100%	102,388	100%
1–10 residents	1,003	34	4,845	5
11–20 residents	648	22	7,806	8
21–50 residents	704	24	19,819	19
51–100 residents	350	12	20,630	20
101–200 residents	171	6	21,664	21
201–972 residents	88	3	27,624	27

- Although the largest facilities—those holding more than 200 residents—accounted for only 3% of all facilities, they held 27% of juvenile offenders in custody nationwide.
- Inversely, although the smallest facilities—those holding 10 or fewer residents—accounted for 34% of all facilities, they held only 5% of juvenile offenders in custody.

Note: Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

### Small group homes holding 20 or fewer residents were the most common type of facility—accounting for 1 in 3 facilities overall

Facility size (number of residents)	Facility type						
	Detention center	Shelter	Reception/diagnostic center	Group home	Boot camp	Ranch/wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
	100%	100%	100%	100%	100%	100%	100%
1–10	18	46	13	59	0	4	2
11–20	20	31	15	26	9	10	10
21–50	34	15	18	10	36	50	29
51–100	15	6	24	4	34	25	21
101–200	9	2	18	0	20	10	23
201–972	5	0	12	0	2	2	16

- Facilities that held 10 or fewer residents accounted for 59% of group homes, 46% of shelters, and less than 20% for each of the other facility types.
- Facilities that held more than 200 residents accounted for 16% of long-term facilities and 12% of reception/diagnostic centers. For other facility types, the proportion was 5% or less.

Notes: Facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

## Facility crowding affects a substantial proportion of youth in custody

### Many juvenile offenders are in facilities that have more residents than standard beds

Facilities reported both the number of standard beds and the number of occupied makeshift beds on the census date. A facility's occupancy rate is a broad indicator of the adequacy of its living space. Although national standards have not been established in this area, a facility's operational functioning may become impaired as its occupancy rate approaches 100%.

Crowding occurs when the number of residents occupying all or part of a facility exceeds some predetermined limit based on square footage, utility use, or even fire codes. Although not a perfect measure of crowding, comparing the number of residents to the number of standard beds gives a sense of the crowding problem in a facility. However, even if it is not relying on makeshift beds (e.g., cots, roll-out beds, mattresses, sofas), a facility may be crowded. For example, using standard beds in an infirmary for youth who are not sick or beds in seclusion for youth who have not committed infractions may indicate crowding problems.

In 2002, 36% of facilities responding to JRFC said that the number of residents they held on the census date put them at or over the capacity of their standard beds or that they relied on some makeshift beds. These facilities held more than 39,300 residents, the vast majority of whom were offenders younger than 21: 34% of all residents held on the 2002 census date and 34% of offenders younger than 21 were held in facilities operating at or above their standard bed capacity. In comparison, in 2000, such facilities represented 39% of all facilities and held 40% of all residents. In 2002, facilities

### Compared with other types of facilities, public detention centers and reception/diagnostic centers were more likely to be at or over the limit of their standard bed capacity in 2002

Type of facility	Percent of facilities at standard bed capacity			Percent of facilities over standard bed capacity		
	Total	Public	Private	Total	Public	Private
Total	30%	16%	39%	6%	15%	1%
Detention center	14	10	34	18	21	2
Shelter	17	15	18	2	5	0
Reception/diagnostic center	26	19	34	10	17	2
Group home	43	29	46	1	3	1
Boot camp	16	13	22	5	5	6
Ranch/wilderness camp	25	26	24	2	2	2
Training school	23	19	31	9	13	1

Notes: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds. Facilities could select more than one facility type category. Totals include data from nine tribal facilities.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

### Larger facilities were more likely than smaller facilities to be crowded

Facility size (number of residents)	Number of facilities	Percent of facilities under/at/over standard bed capacity			Mean number of makeshift beds
		Under	At	Over	
Total	2,964	64%	30%	6%	10
1–10	1,003	61	38	1	2
11–20	648	63	34	3	3
21–50	704	66	24	10	7
51–100	350	69	17	14	11
101–200	171	63	20	16	21
201–972	88	66	17	17	18

Notes: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

that reported being over capacity (having fewer standard beds than residents or relying on makeshift beds) accounted for 6% of facilities

but held 14% of juvenile offenders. In comparison, in 2000, over-capacity facilities accounted for 7% of facilities and held 16% of offenders.

### Nationwide in 2002, 1,069 facilities (36%) were at or over standard bed capacity or relied on some makeshift beds

State	Number of facilities under, at, or over capacity				Percent of juvenile offenders in facilities at or over capacity		State	Number of facilities under, at, or over capacity				Percent of juvenile offenders in facilities at or over capacity	
	Total	Under	At	Over	At	Over		Total	Under	At	Over	At	Over
U.S. total*	2,964	1,894	882	187	20%	14%	Missouri	72	48	20	4	7%	7%
Alabama	48	39	7	2	7	9	Montana	24	19	4	1	5	6
Alaska	23	14	5	4	12	59	Nebraska	19	16	1	2	0	33
Arizona	51	40	9	2	7	16	Nevada	18	11	5	2	39	31
Arkansas	35	25	10		22	0	New Hampshire	8	5	3	0	70	0
California	286	135	136	15	19	10	New Jersey	49	36	5	8	9	31
Colorado	65	41	16	8	25	36	New Mexico	27	20	4	3	9	15
Connecticut	26	17	8	1	26	7	New York	221	113	94	14	25	19
Delaware	6	3	0	3	0	83	North Carolina	66	52	12	2	7	4
Dist. of Columbia	13	9	4	0	14	0	North Dakota	11	5	5	1	28	3
Florida	181	88	83	10	40	11	Ohio	97	58	23	16	12	21
Georgia	53	27	11	15	8	30	Oklahoma	56	24	32	0	42	0
Hawaii	5	4	0	1	0	65	Oregon	45	29	13	3	25	8
Idaho	22	17	4	1	6	5	Pennsylvania	179	125	48	6	33	5
Illinois	45	38	6	1	4	2	Rhode Island	14	4	9	1	23	64
Indiana	95	75	18	2	19	8	South Carolina	38	29	5	4	7	27
Iowa	65	46	19	0	36	0	South Dakota	22	13	8	1	31	1
Kansas	56	38	16	2	47	5	Tennessee	58	39	16	3	15	13
Kentucky	50	39	11	0	13	0	Texas	129	86	27	16	11	28
Louisiana	62	40	19	3	13	5	Utah	47	29	16	2	26	4
Maine	14	10	4	0	42	0	Vermont	5	3	2	0	28	0
Maryland	43	22	19	2	41	13	Virginia	71	49	13	9	16	18
Massachusetts	68	20	44	4	59	9	Washington	40	33	2	5	1	18
Michigan	94	67	24	3	14	4	West Virginia	23	13	6	4	10	24
Minnesota	100	79	21	0	16	0	Wisconsin	81	69	12	0	29	0
Mississippi	17	14	2	1	2	1	Wyoming	21	20	1	0	2	0

Notes: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds. State is the state where the facility is located. Offenders sent to out-of-state facilities are counted in the state where the facility is located, not the state where their offense occurred.

\*U.S. total includes nine tribal facilities. These tribal facilities were located in Arizona, Colorado, Montana, Oklahoma, and South Dakota. One of the nine tribal facilities had more residents than standard beds.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

### On the 2002 census date, public facilities were more likely than private facilities to be crowded

Among publicly operated facilities, 15% were over their standard bed capacity or had residents occupying makeshift beds in 2002. For private facilities, the figure was 1%. A large proportion of private facilities (39%), however, said they were operating at 100% capacity. State-operated public facilities had a somewhat greater proportion of

facilities that were over capacity (17%) than did locally run public facilities (13%).

Percent of facilities under, at, or over their standard bed capacity:

Facility	Under	At	Over
Total	64%	30%	6%
Public	69	16	15
State	63	20	17
Local	74	13	13
Private	60	39	1

Note: Totals include data from nine tribal facilities.

### Use of makeshift beds varied

More than 250 facilities had occupied makeshift beds (averaging 10 per facility). Many facilities rely on makeshift beds, yet many others operate below standard capacity (averaging 7 unoccupied beds). These averages mask a wide range: one facility with 162 residents had 72 standard beds and 90 residents without standard beds; one facility with 1,272 standard beds had 972 residents, leaving 300 unoccupied beds.

## Most youth are in facilities that screen for substance abuse, mental health needs, and suicide risk

### Facilities screening all youth for substance abuse problems held 67% of offenders in custody

As part of the information collected on substance abuse services, the JRFC questionnaire asks facilities about their procedures regarding screening youth for substance abuse problems.

In 2002, 61% of facilities that reported substance abuse screening information said they evaluated all youth to determine whether they had substance abuse problems (problems with drugs and/or alcohol). An additional 20% said they evaluated some youth. Some facilities (19%) said they did not screen any youth.

In facilities that reported substance abuse screening information, facilities that screened all youth held 67% of juvenile offenders. Facilities that screened some youth held an additional 16% of offenders.

Of the facilities that said they screened some but not all youth, most screened youth identified as having substance abuse problems—84% said they screened youth identified by the court or probation officer, 80% said they screened those identified by facility staff. Some facilities (69%) also targeted youth for substance abuse evaluation if they had a drug or alcohol-related offense. A small proportion of facilities listed other triggers for substance abuse screening, including a parent or youth request, any youth adjudicated for a delinquency offense, and youth without previous screening information. A few facilities said they screened a certain proportion of youth (e.g., every third youth admitted).

The most common approach to substance abuse evaluations in 2002 was to screen all youth on the day

### Reception/diagnostic centers, boot camps, and long-term secure facilities were more likely than other types of facilities to screen all youth for substance abuse problems in 2002

Substance abuse evaluation practice	Facility type						
	Detention center	Shelter	Reception/diagnostic center	Group home	Boot camp	Ranch/wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
Facilities reporting	753	280	101	1,074	56	153	386
Total	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	63	48	74	56	71	69	72
Some youth evaluated	18	30	20	23	14	12	16
No youth evaluated	19	22	6	21	14	20	13

Notes: Facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

they arrived at the facility. One in three facilities that screened for substance abuse problems screened all youth on their first day. These facilities held 34% of offenders in screening facilities. The second most common approach was to screen all youth between the first day and the end of the first week (27% of facilities holding 30% of offenders).

### Most substance abuse screening involved staff-administered questions or observations

The most commonly reported method of determining whether offenders had substance abuse problems was a series of staff-administered questions (reported by 73% of facilities that said they conducted evaluations). Visual observations were also common (66%). Just over half of facilities (55%) used self-report methods (standardized instruments or checklist inventories).

### 73% of facilities holding 77% of offenders conduct urinalysis for drug use

Many facilities said they require urine samples from all youth upon initial admission, each time they reenter the facility, or at randomly scheduled times (37% of reporting facilities). These facilities held 37% of offenders in reporting facilities. An additional 35% of facilities holding 40% of offenders urine-tested a subset of youth or tested only when it was requested by the court or probation officer or when drug use was suspected.

### Most offenders were held in facilities providing onsite substance abuse services

Of the facilities reporting information on substance abuse services, 66% provided onsite services. These facilities held 83% of offenders in reporting facilities.

The most commonly reported onsite service was substance abuse education (97% of facilities),



followed by the development of treatment plans (69%) and therapy provided by a substance abuse treatment professional (individual therapy, 69%, or group therapy, 67%). Individual or group counseling provided by someone other than a substance abuse treatment professional was also quite common (60% each).

Two in ten facilities said that all youth in the facility received ongoing, onsite specialized therapy or counseling for substance abuse problems. Seven in ten facilities said they provided onsite therapy or counseling for substance abuse problems on a case-by-case basis. The remaining 1 in 10 reported other sorts of policies or did not provide onsite therapy or counseling as part of their substance abuse services.

### Relatively few offenders were in facilities relying on offsite substance abuse services

Of the facilities reporting information on substance abuse services, 20% relied on offsite substance abuse services. These facilities held 6% of offenders in reporting facilities.

Substance abuse education was the most commonly reported offsite substance abuse service (81% of facilities). The next most commonly reported offsite substance abuse services were professional therapy (individual, 75%, or group, 69%), Alcoholics Anonymous (70%), Narcotics Anonymous (64%), and treatment plan development (65%).

### In 5 of 10 facilities, in-house mental health professionals evaluate all youth held

In JRFC, facilities provided information about their procedures for

### Reception/diagnostic centers and long-term secure facilities were more likely than other types of facilities to have in-house mental health professionals evaluate all youth for mental health needs

Mental health evaluation practice (by in-house professional)	Facility type						
	Detention center	Shelter	Reception/diagnostic center	Group home	Boot camp	Ranch/wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
Facilities reporting	591	179	96	825	52	157	389
Total	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	30	33	66	57	46	45	64
Some youth evaluated	62	46	34	22	40	35	32
No youth evaluated	8	21	0	21	13	20	4

Notes: Facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census for 2002* [machine-readable data file].

evaluating youth's mental health needs. Among the 2,287 facilities that reported mental health evaluation information in 2002, 53% said that in-house mental health professionals evaluate all youth to determine mental health needs. An additional 34% said in-house mental health professionals evaluate some, but not all, youth.

Profile of in-house mental health evaluations:

Youth evaluated	2000	2002
Facilities reporting	2,201	2,287
Total	100%	100%
All youth	50	53
Some youth	36	34
No youth	14	13

Note: Detail may not total 100% because of rounding.

In 2002, a greater proportion of privately operated than publicly operated facilities said that in-house mental health professionals evaluated all youth (62% vs. 41%). However, public facilities reported a greater proportion of facilities that had at least some youth evaluated

by an in-house mental health professional (91% vs. 84%).

Profile of in-house mental health evaluations, 2002:

Youth evaluated	Public	Private
Facilities reporting	950	1,332
Total	100%	100%
All youth	41	62
Some youth	50	22
No youth	10	16

Note: Detail may not total 100% because of rounding.

Facilities also identified the type of treatment they provided (if any). Facilities that said they provided mental health treatment inside the facility (onsite) were more likely than other facilities to have a mental health professional evaluate all youth (64% vs. 32%). However, not all facilities that said they provided onsite mental health treatment said they had an in-house mental health professional evaluate youth for mental health needs. It may be that youth were evaluated before arriving at these facilities or that outside professionals were contracted to conduct the evaluations.

### The most common approach to mental health evaluation in 2002 was to screen all youth by the end of their first week at the facility

Timeframe for in-house mental health evaluation	Percent of reporting facilities			Percent of juvenile offenders in reporting facilities		
	Total	All youth	Some youth	Total	All youth	Some youth
		evaluated	evaluated		evaluated	evaluated
Total	100%	61%	39%	100%	57%	43%
By end of day 1	18	15	3	20	17	3
Day 2 through end of week 1	40	30	10	39	25	14
After week 1	19	12	7	17	10	7
Other	23	5	18	24	5	18

- In 45% of facilities that reported information on their mental health evaluation procedures, all youth were evaluated for mental health needs by an in-house mental health professional by the end of their first week in custody.

Notes: Data are based on facilities reporting mental health evaluations by in-house professionals. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census for 2002* [machine-readable data file].

### JRFC defines mental health professionals by educational specialties and degrees

Mental health professionals are defined in JRFC as: psychiatrists, psychologists with at least a master's degree in psychology, or social workers with at least a master's degree in social work. Counselors are defined as persons with a master's degree in a field other than psychology or social work or persons whose highest degree is a bachelor's in any field.

Profile of in-house mental health evaluations, 2002:

Youth evaluated	Onsite mental health treatment	
	Yes	No
Facilities reporting	1,500	787
Total	100%	100%
All youth	64	32
Some youth	27	47
No youth	9	21

Note: Detail may not total 100% because of rounding.

### Evaluation of all youth by an in-house mental health professional was more likely in large facilities than small facilities

Among facilities that reported mental health information, 57% of those with 51–100 residents said that all youth were evaluated for mental health needs by a mental health professional. For the largest facilities (with 200 or more residents), the proportion was 60%. In comparison, proportions were smaller for facilities housing fewer residents

(e.g., 50% for facilities with 11–20 residents). Large facilities were also less likely to say that no youth were evaluated for mental health needs by an in-house mental health professional. For example, 5% of facilities with more than 50 residents said no youth were evaluated by an in-house mental health professional, compared with 21% of the smallest facilities (10 or fewer residents).

### Facilities that screen all youth for suicide risk hold 81% of the juvenile offenders in custody

As part of the information collected on mental health services, the JRFC questionnaire asks facilities about their procedures regarding screening youth for suicide risk. In 2002, 68% of the 2,837 facilities that reported information on suicide screening said they evaluated all youth for suicide risk. An additional 17% said they evaluated some youth. The proportion of facilities reporting that all youth are evaluated for suicide risk increased 6

percentage points from 2000 to 2002. In both years, some facilities said they evaluated no youth for suicide risk.

Profile of suicide risk evaluations:

Youth evaluated	2000	2002
Facilities reporting	2,754	2,837
Total	100%	100%
All youth	62	68
Some youth	24	17
No youth	15	15

Note: Detail may not total 100% because of rounding.

In 2002, a greater proportion of public than private facilities said they evaluated all youth for suicide risk (79% vs. 60%). Among facilities that reported suicide screening information, those that screened all youth held 81% of juvenile offenders who were in residential placement—up from 78% in 2000.

Profile of suicide risk evaluations:

Youth evaluated	2000	2002
Offenders in facilities reporting	104,956	100,110
Total	100%	100%
All youth	78	81
Some youth	16	12
No youth	6	7

Note: Detail may not total 100% because of rounding.

### Professional mental health staff conduct most suicide screening

More than half (56%) of facilities that screened some or all youth for suicide risk reported that screenings were conducted by mental health professionals with at least a master's degree in psychology or social work. Some facilities also used counselors to conduct screenings. Fewer than 1 facility in 5 used untrained staff to screen for suicide.

### Most facilities had no suicides or serious suicide attempts

Eight facilities reported having a resident die of suicide during the year; 114 reported a suicide attempt during the month prior to the census that was serious enough to require hospitalization. These 122 facilities represented less than 4% of all facilities.

Facilities reporting a suicide or a past-month attempt requiring hospitalization, 2002:

Facility type	Single-purpose facility	Multi-purpose* facility
Total	97	25
Detention	37	6
Shelter	4	10
Reception/diagnostic	1	7
Group home	22	10
Boot camp	1	1
Ranch/wilderness camp	5	1
Long-term secure	8	15
Other type	19	9

\*Counts sum to more than the total number of facilities because facilities could select more than one facility type category.

### Large facilities were more likely than smaller facilities to screen all youth for suicide risk

Among the largest facilities (200 or more residents), 90% of those reporting information on suicide screening said all youth were screened for suicide risk. In comparison, proportions were smaller

for facilities housing fewer residents (e.g., 70% for facilities with 11–20 residents). Large facilities were less likely to say that no youth were screened for suicide risk. For example, among facilities with 200 or more residents, 1% said no youth were screened for suicide risk, compared with 15% of the smallest facilities (10 or fewer residents).

### Reception/diagnostic centers and long-term secure facilities were more likely than other types of facilities to screen all youth for suicide risk in 2002

Suicide risk evaluation practice	Facility type						
	Detention center	Shelter	Reception/diagnostic center	Group home	Boot camp	Ranch/wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
Facilities reporting	754	280	101	1,074	56	153	386
Total	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	84	57	85	55	68	62	82
Some youth evaluated	10	24	12	20	16	13	12
No youth evaluated	6	19	3	24	16	25	6

### The most common approach to suicide risk evaluation in 2002 was to screen all youth on the day they arrive at the facility

Timeframe for suicide risk evaluation	Percent of reporting facilities			Percent of juvenile offenders in reporting facilities		
	Total	All youth evaluated	Some youth evaluated	Total	All youth evaluated	Some youth evaluated
Total	100%	80%	20%	100%	88%	12%
By end of day 1	66	61	5	74	70	4
Day 2 through end of week 1	15	11	4	12	10	2
After week 1	4	3	1	4	3	1
Other	15	6	9	10	5	6

■ Facilities that screened all youth and did so on the youth's first day accounted for 61% of facilities that screened for suicide risk; they held 70% of the juvenile offenders in facilities that reported suicide screening.

Notes: Facilities could select more than one facility type category. Data are based on facilities reporting suicide risk evaluations. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

## The death rate was lower for youth in custody than for youth in the general population

### Deaths of juveniles in custody are relatively rare

According to the 2002 JRFC, 26 youth died while in the legal custody of juvenile facilities, down from 30 in 2000 and 45 in 1994. The 2002 deaths occurred in 24 facilities: 22 facilities each reported a single death; 2 facilities each reported 2 deaths.

More than half of the deaths reported in 2002 occurred inside the facility (14 of 26). Public facilities accounted for most of the deaths that occurred inside the facility. Private facilities accounted for most of the deaths that occurred outside the facility.

Overall, public facilities reported 16 deaths; private facilities reported 10 deaths. Deaths inside the facility accounted for most deaths reported by public facilities. Deaths outside the facility accounted for most deaths reported by private facilities.

Suicide was the most common cause of death. All facilities reporting suicides said they evaluate all residents for suicide risk, and all but two said they evaluate residents within 24 hours of arrival. One facility said it evaluates by the end of the first week, and one said youth are screened for suicide risk at detention intake and if referred for screening by a counselor.

A total of 122 facilities holding juvenile offenders reported transporting at least one juvenile to a hospital emergency room because of a suicide attempt. None of these facilities also reported a suicide death.

### Suicide was the leading cause of death for juveniles in custody during the 12 months prior to the census, followed by accidents

Cause of death	Total	Number of deaths					
		Inside the facility			Outside the facility		
		All	Public	Private	All	Public	Private
Total	26	14	11	3	12	5	7
Suicide	10	8	7	1	2	1	1
Accident	6	1	1		5	2	3
Illness/natural	6	4	2	2	2	1	1
Homicide	2	0	0	0	2	1	1
Other	2	1	1	0	1	0	1

- For youth ages 13–17 in the general population, accidents were the leading cause of death, followed by homicide and suicide.

Note: Data are reported deaths of youth in custody from October 1, 2001, through September 30, 2002. Reported homicides were attributed to nonresidents.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

### Are youth in custody at greater risk of death than youth in general?

There has been concern about the risk of death to youth in custody and whether that risk is greater than the risk faced by youth in the general population. Death rates for the general population (detailed by age, sex, race, ethnicity, and cause of death) can be applied to data for the population held in juvenile residential facilities to calculate the number of deaths that would be expected if the custody population had the same rate of death as the general population. Overall, the actual deaths reported to JRFC were substantially lower than the expected deaths. The expected number of deaths was more than 2.5 times the actual number of deaths reported.

Cause of death	Number of deaths in juvenile facilities, 2002	
	Expected	Actual
All deaths (includes causes not detailed)	62	26
Suicide	8	10
Homicide (and legal intervention)	20	2
Unintentional (illness, accident, etc.)	34	12

The expected number of homicides was 10 times the actual number. The expected number of unintentional deaths was nearly 3 times the actual number. The expected number of suicides was nearly the same as the reported number.

## Officials reported 2,821 sexual violence allegations in juvenile facilities in 2004—3 in 10 were substantiated

### Congress requested statistics on sexual violence in facilities

The Prison Rape Elimination Act of 2003 (PREA) requires the Bureau of Justice Statistics (BJS) to report the incidence and prevalence of sexual violence in adult and juvenile detention and correctional facilities. For this work, sexual violence is divided into (1) youth-on-youth nonconsensual sexual acts, (2) youth-on-youth abusive sexual contacts, (3) staff-on-youth sexual misconduct, and (4) staff-on-youth sexual harassment that includes verbal harassment. (See box on next page for formal definitions.) In the first wave of data collection, BJS gathered information on incidents reported to correctional authorities during 2004. In upcoming years, BJS will move beyond officially reported incidents by conducting confidential interviews with youth.

### Local and private juvenile facilities reported more incidents than state-operated facilities

Of the estimated 2,821 allegations of sexual violence reported by authorities in juvenile facilities in 2004, 59% were youth-on-youth incidents and 41% were staff-on-youth incidents. Within the youth-on-youth incidents, 2 of every 3 were nonconsensual sexual acts. Within the staff-on-youth incidents, 3 of every 4 were staff sexual misconducts.

One-third (33%) of all reported incidents of sexual violence against juveniles occurred in state-operated facilities and two-thirds (67%) occurred in local or privately operated facilities. Staff-on-youth violence accounted for a greater proportion of the incidents in state-operated facilities than in local or privately operated facilities (56% vs. 33%).

### Allegations of sexual violence reported by authorities averaged 1 per 50 beds in 2004

To calculate the relative incidence of sexual violence in state-operated facilities and in local or privately operated facilities, BJS had to control for the different population capacities of the two groups of facilities. In theory, the rate could be calculated using either the number of youth admitted in a defined time period (e.g., a year) or the number of youth in the facilities on an average day (i.e., the average daily population—or ADP).

In reality, it is difficult to obtain a comparable count from facility to facility of the number of youth admitted in a year. Individual youth may move in and out of the facility for various reasons during what some would consider a single admission while others would count each in-and-out incident as a separate admission. ADP is a far more reliable measure of a facility's population and was used by BJS to calculate the sexual violence incident rate.

For its report, BJS calculated the rate of sexual violence by dividing reported incidents in a facility during 2004 by the number of beds in use in the facility on December 31, 2004. Using this measure, the estimated rate of reported sexual violence in 2004 was 22.6 sexual violence incidents per 1,000 beds in state-operated juvenile facilities and 16.5 sexual violence incidents per 1,000 beds in locally operated or private juvenile facilities—or 18.1 sexual violence incidents per 1,000 juvenile beds nationwide. In other words, a juvenile facility with 50 beds would have been expected to have about one report of sexual violence in 2004.

In 2004, the allegation rate for youth-on-youth sexual violence was similar in state-operated and local or privately operated juvenile facilities, while the allegation rate for staff-on-youth sexual violence was greater in state-operated facilities.

Rates\* of sexual violence allegations reported to authorities in facilities:

Sexual violence	Local/ State private	
	State	private
Total	22.6	16.5
Youth-on-youth	9.9	11.1
Nonconsensual	6.7	7.3
Abusive contacts	3.2	3.8
Staff-on-youth	12.7	5.4
Sexual misconduct	11.3	3.2
Sexual harassment	1.3	2.2

\*Rates are allegations per 1,000 beds

### About 30% of reports of sexual violence in juvenile facilities were substantiated

BJS also asked facilities how they handled reports of sexual violence. BJS found that allegations of sexual violence inside state, local, and private juvenile correctional facilities are normally investigated by an authority external to the facility and the juvenile correctional system (e.g., child protective services, state or local law enforcement).

Most local or private juvenile facilities (79%) and state juvenile correctional systems (64%) reported that external authorities had sole or shared responsibility for investigating allegations of youth-on-youth sexual violence. External authorities had sole or shared responsibility for investigating allegations of staff sexual misconduct in 72% of state juvenile correctional systems and 74% of local or private juvenile facilities.

The findings of these investigations can fall into three categories: substantiated (i.e., the event was

determined to have occurred); unsubstantiated (i.e., there was insufficient evidence to determine if the event had occurred); and unfounded (i.e., it was determined that the event had not occurred). After investigation, 25% of sexual violence reports in state-operated facilities and 32% in local or privately operated facilities were substantiated. Reports of youth-on-youth violence were substantiated more often than were staff-on-youth reports.

Percent of reported sexual violence allegations that were substantiated:

Sexual violence	State	Local/ private
Total	25%	32%
Youth-on-youth	35	40
Nonconsensual	33	33
Abusive contacts	40	51
Staff-on-youth	17	15
Sexual misconduct	15	17
Sexual harassment	31	13

The somewhat higher rate of sexual violence allegations in state-operated juvenile facilities and their somewhat lower substantiation percentage resulted in similar rates of substantiated incidents of sexual violence in state-operated and local

or private juvenile facilities—a rate of 5 substantiated allegations per 1,000 beds per year. This means that the official records of a 200-bed juvenile facility are likely to contain 1 substantiated allegation of sexual violence per year.

### Girls were more likely than boys to be sexually victimized

BJS reported that 34% of the victims in the substantiated incidents of sexual violence in state-operated facilities were female, although females accounted for just 11% of the custody population. Similarly, although females represented 17% of the population in local or private facilities, 37% of the victims in substantiated incidents of sexual violence in these facilities were female.

Although overall, females were more likely than males to be sexually victimized, males constituted a greater proportion of the victims of substantiated nonconsensual sexual acts between youth (78%). Males and females were equally likely to be the victims of abusive youth-on-youth sexual contact. In substantiated incidents of staff sexual misconduct,

females accounted for 32% of the victims. In substantiated incidents of sexual violence, a female (youth or staff) was the perpetrator in 24% of incidents in local or private facilities and 36% of incidents overall.

### Comparing reported sexual violence rates in juvenile and adult facilities is problematic

BJS found that the allegation rate of youth-on-youth nonconsensual sexual acts reported by authorities in juvenile facilities in 2004 was more than 6 times the rate of inmate-on-inmate nonconsensual sexual acts reported by authorities in state prisons and more than 7 times the rate in local jails. Similarly, the rate of staff sexual misconduct was 10 times greater in state-operated juvenile facilities than in state prisons and 5 times greater in local or private juvenile facilities than in local jails.

BJS pointed out that these differences may not reflect actual differences in the levels of sexual violence. For example, all sexual acts between youth in juvenile facilities were legally classified as nonconsensual, but consensual acts between inmates were not counted in adult facilities. In addition, professionals in many states are required by law to report any suspicion of child abuse, including sexual contacts among juveniles. Allegations in juvenile facilities were more likely to be investigated by external authorities than those in adult facilities, which might encourage more reporting to juvenile facility authorities. Finally, BJS found that the records systems in juvenile facilities made responding to the survey easier. In all, BJS concluded sexual violence may be more readily reported to authorities in juvenile facilities than in adult facilities.

#### How the BJS administrative survey measured sexual violence

The PREA study disaggregated sexual violence into two categories of youth-on-youth sexual acts and two categories of staff-on-youth acts. The youth-on-youth categories were nonconsensual sexual acts and abusive sexual contacts. Nonconsensual acts included forcible rape, sodomy, and statutory rape (because the youth were not of consenting age). Abusive sexual contacts were the intentional touching (either directly or through the clothing) of the genitalia, anus, groin, breast, inner thigh, or buttocks.

The staff-on-youth categories were sexual misconduct and sexual harassment. Staff was defined as an employee, volunteer, official visitor, or agency representative. Sexual misconduct was defined as any consensual or nonconsensual behavior or act of a sexual nature directed toward a youth by staff, and sexual harassment was defined as repeated verbal statements or comments of a sexual nature to a youth by staff, including demeaning references to gender or derogatory comments about body or clothing; or profane or obscene language or gestures.

## The youth reentry population is characterized by multiple risk factors

### Custody data can give insight into the reentry population

Based on data from the 1999 Census of Juveniles in Residential Placement (CJRP), it was estimated that nearly 100,000 juvenile offenders were released from custody facilities following conviction. Analyses of the 2003 CJRP data show that the 1-day count of juveniles committed to facilities following conviction has declined substantially since 1999. From 1999 to 2003, the committed population in custody on the census day dropped 10%. Thus, the size of the reentry population is presumably smaller today than it was in 1999. Data from the 2003 CJRP and 2003 Survey of Youth in Residential Placement (SYRP) provide a current understanding of the characteristics of candidates for reentry programs.

### The reentry population was mostly male, minority, 15 or older, person offenders released from locked public facilities

With the 2003 CJRP, a demographic profile of youth who will become reentry program candidates can be developed. So as not to overrepresent the characteristics of youth with very long lengths of stay, the analysis focuses on committed youth who had been in a facility 4–6 months—neither a very short time nor an extremely long time. These data suggest the following characteristics of the juvenile reentry population:

- 57% of reentry youth come from publicly operated facilities, 45% from state-operated public facilities.
- 43% of reentry youth come from privately operated facilities.
- 86% are male.
- 40% are white, 38% are black, and 18% are Hispanic.
- 12% are age 14 or younger, 44% are age 15 or 16, 44% are age 17 or older.
- 34% were committed for a person offense (most likely simple assault), 32% for a property offense (most likely burglary), 10% for a drug offense, 10% for a public order offense, 10% for a technical violation of probation or parole, and 5% for a status offense.

More than half of these youth were held in public facilities with doors or gates that are locked day and night. More than a third come from facilities that have living quarters, wings, floors, or units that are locked for all youth day and night. The majority of facilities holding these youth said they provide on-site treatment (85%), most often mental health (63%) or substance abuse (67%) treatment. Fewer than 4 in 10 violent offenders were in facilities providing treatment specifically for violent offenders.

### Many reentry candidates had been in custody before—some several times

Analyses of the 2003 SYRP data show that most youth reentry candidates said they had at least one prior commitment (62%). When asked about prior convictions and prior custody experiences, about a quarter (23%) said they had been convicted of an offense but had not been in custody before their current placement. Some had been in custody before, but had not been convicted before (6%) and some said that they had not been convicted or in custody before (8%). Among those who had been in custody before, 2 in 10 said they had been in

custody only once before, 4 in 10 said they had been held 2–4 times, and 4 in 10 said they had been held 5 or more times before.

The prior histories of potential reentry candidates varied somewhat by gender, age, and current offense. Similar proportions of girls and boys said they had been committed to custody following conviction at least once before. Of those in custody before, 43% of girls and 39% of boys said they had been held five or more times. Among youth age 15 or older, 64% had been committed before. Surprisingly, for younger youth the proportion was 58%. Among reentry candidates whose most serious current offense was a person offense, 61% said they had been committed at least once before, 22% said they had at least one prior conviction but no prior custody experiences, 6% said they had been in custody at least once before but hadn't been convicted, and 10% reported no prior convictions or custody experiences.

Among those held for a property offense, 66% said they had been committed at least once before and 6% reported no prior convictions or custody experiences. The proportions of property offenders with prior custody but no prior convictions, or prior convictions but no prior custody, did not differ from those of person offenders. Further, the number of prior custody experiences did not vary much by offense.

Among youth who were previously in custody and released and subsequently reoffended, 18% committed offenses that were more serious than their previous offense, 40% committed offenses at the same severity level, and 24% committed offenses that were less serious than their prior offense. Girls and older youth were somewhat more apt than their counterparts to report a

decrease in offense severity. Youth whose current offense was a person offense tended to have maintained the same offense severity or increased their offense seriousness.

### Few reentry youth came from two-parent families and many reported emotional problems

When they entered custody, 56% of committed youth had been living with one parent, 19% were living with two parents, and 26% were not living with any parent. Girls and older youth were somewhat more

apt than their counterparts to report not living with parents when they entered custody.

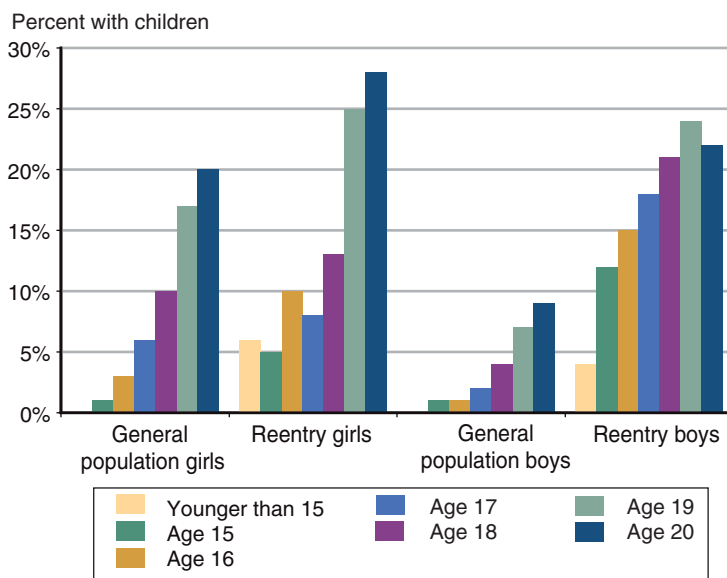
As part of the SYRP interviews, youth were asked a series of questions designed to detect several types of emotional problems. Although 10% of youth reported no problems, many reported more than one type of problem (71%). The large majority of committed youth indicated some degree of anger management problem (81%); most also expressed anxiety (61%) or depression (59%). Hallucinations

were reported by 1 in 6 youth (17%), 1 in 4 said they had suicidal feelings or ideas (27%), and 1 in 5 said they had attempted suicide at least once in their life (21%). About 4 in 10 female candidates for reentry reported suicide attempts, as did 2 in 10 males. In comparison, in the general population, fewer than 1 in 10 males and females in the same age group reported suicide attempts.

### Reentry youth need support for successful reintegration into the community

These data indicate that substantial proportions of the juvenile reentry population are likely to need extensive supervision and support services when they return to the community. Few of these youth could be classified as “first-timers” in the juvenile justice system. Although most did not return to the system with more serious charges, 2 in 10 of those with a previous custody experience had increased the seriousness of their offending. Most youth will return to live with single parents who may benefit from programs to help them supervise their children. Nearly three-quarters of these youth (71%) expressed multiple types of emotional problems and could benefit from mental health services upon their return home. In addition, many of these youth are or will be parents themselves and could benefit from programs that teach parenting skills (e.g., home nurse visitation). Reentry programs need to address these and other factors that affect youth’s ability to succeed and become productive citizens.

### Compared with youth in the general population, at all ages, higher proportions of youth who are reentry candidates are themselves parents



- Overall, 1 in 11 reentry candidates said they had children of their own.
- Among girls, 6% said they had at least one child and an additional 4% said they were expecting.
- Older youth were more likely than younger youth to say they had or were expecting a child.

Source: Authors’ adaptation of Sedlak and Bruce’s unpublished analysis of National Longitudinal Survey of Youth 2003 data: Children with children and Sedlak and Bruce’s unpublished analysis of 2003 Survey of Youth in Residential Placement data: Profile of the committed population.



# Recidivism is a commonly used, often confusing measure of the success of justice system outcomes

## What is recidivism?

Recidivism is the repetition of criminal behavior. A recidivism rate may reflect any number of possible measures of repeated offending—arrest, court referral, conviction, correctional commitment, and correctional status changes within a given period of time. Typically, the only available statistical indicators of criminal behavior are official records of these system events. For this reason, virtually all measures of recidivism underestimate reoffending since they only include offending that comes to the attention of the system.

The most useful recidivism analyses include the widest possible range of system events that correspond with actual reoffending and include sufficient detail to differentiate offenders by offense severity in addition to other characteristics. Including rearrest, reconviction (or readjudication), and reincarceration (or reconfinement) rates allows flexibility in making comparisons to other studies. Including information on severity of subsequent offenses, time to reoffend, and frequency of reoffending maximizes possibilities for making comparisons. Calculating

recidivism rates for more than one timeframe (6 months, 1 year, 2 years, etc.) also increases comparison flexibility. Recidivism findings should include clearly identified units of count and detail regarding the length of time the subject population was in the community.

## What is known about juvenile recidivism?

There is no national recidivism rate for juveniles. Such a rate would not have much meaning since juvenile justice systems vary so much across states. The Virginia Department of Juvenile Justice (VDJJ) contacted other states to collect information on juvenile recidivism studies across the country. Twenty-seven (27) states provided verified data on recidivism of juveniles released from state incarceration (with various dates of studies ranging from 1991

through 2003). VDJJ identified studies according to factors that would enable appropriate comparisons to be made: the state's upper age of juvenile jurisdiction; whether a cohort was followed prospectively; the length of followup and year of the cohort or group; the offenses included (delinquent/criminal or all offenses, including technical violations, traffic, status, etc.); whether the cohort was tracked into the adult system; and the measure of recidivism used (rearrest, rereferral to court, reconviction/readjudication, or reincarceration/reconfinement).

VDJJ found that most states were able to provide a recidivism rate for a 12-month followup period. Several states calculated rates for other timeframes ranging from 3 months to 5 years. Most states followed a cohort of juveniles released from state incarceration, but some states

### Questions that users of recidivism rates need to ask

“What is counted as recidivism?  
What is the recidivism timeframe?  
What comparisons are being made?”

The discussion of these three concepts indicates that the definition of recidivism is far from consistent. ... The healthy skeptic should ask questions and hold the purveyor of recidivism data responsible for providing a clear definition of recidivism.” (Beck, 2001)

### Reoffending data from studies of juveniles released from state incarceration show that rearrest rates are substantially higher than rates based on other measures of recidivism

Recidivism measured for 12-month followup period	States	Average rates across studies	
		Recidivism	Success
<b>Rearrest</b>			
Delinquent/criminal offenses in the juvenile and adult systems	FL, NY, VA	55%	45%
<b>Rereferral to court</b>			
Delinquent/criminal offenses in the juvenile and adult systems	CO, MD	45	55
<b>Reconviction/readjudication</b>			
Delinquent/criminal offenses in the juvenile and adult systems	AK, FL, GA, KY, MD, ND, OK, VA	33	67
<b>Reincarceration/reconfinement</b>			
Delinquent/criminal offenses in the juvenile and adult systems	FL, MD, VA	24	76
All offenses in the juvenile and adult systems	AZ, OH, TX	25	75
Delinquent offenses in the juvenile system only	AR, MO, NM	12	88

Source: Authors' adaptation of Virginia Department of Juvenile Justice's *Juvenile Recidivism in Virginia*.

followed a subset of releasees (e.g., those from certain programs or facilities). Several states used a retrospective cohort approach, studying a cohort's history rather than following it prospectively. Other states' recidivism rates were based on reoffending rates at a particular stage of the system, such as intake. Most states included only delinquent/criminal offenses, but several included all law violations. Many states were able to track reoffenses in both the juvenile and the adult systems, although some only included juvenile system data. Nine states measured rearrest, 2 measured rereferral to court, 13 measured reconviction/readjudication, and 15 measured reincarceration/reconfinement. Four states (Florida, Hawaii, Massachusetts, and Virginia) provided rearrest, reconviction, and reincarceration rates. Maryland used rereferral, reconviction, and reincarceration. Some states tracked recidivism annually, others launched studies periodically or as needed.

### What difference does the measure of recidivism make?

A closer look at the data from states that used multiple measures of recidivism in studies of juveniles released from state custody showed that the average difference between rearrest recidivism rates and reconviction recidivism rates was 21 percentage points. The average difference between rearrest recidivism and reincarceration recidivism rates was 31 percentage points. The impact of the offenses included was less dramatic. The average difference between recidivism based on only delinquency/criminal offenses versus all offenses was 3 percentage points.

These comparisons all involved studies of juveniles released from

### The rate of rereferral to juvenile court varies with offender age and number of prior referrals—overall, nearly 6 in 10 juveniles returned to juvenile court by the time they turned 18

Age at referral	Percent of juveniles who returned to juvenile court after each referral								At any referral
	Number of prior juvenile court referrals								
	0	1	2	3	4	5	6	7	
All ages	41%	59%	67%	71%	74%	77%	77%	79%	56%
10	61	84	96	97	–	–	–	–	71
11	60	85	91	92	98	–	–	–	72
12	59	83	89	97	98	95	98	96	72
13	57	82	90	93	95	97	96	98	73
14	53	77	86	91	92	94	96	95	70
15	45	69	80	84	89	89	91	93	66
16	33	55	68	73	77	81	82	83	54
17	16	27	36	41	45	48	50	53	30

■ Among juveniles with no prior referrals, 4 in 10 returned to juvenile court but 6 in 10 did not. Among juveniles 14 or younger with at least 1 prior referral, more than three-quarters returned to juvenile court.

– Too few cases to obtain a reliable percentage.

Source: Author's adaptation of Snyder's *Court Careers of Juvenile Offenders*.

state custody. Recidivism rates for other types of cohorts yield very different rates. For example, several jurisdictions around the country focus on juvenile probationers and calculate rates of reoffending while under supervision. On average, 15% of juvenile probationers were readjudicated for offenses committed while they were under supervision. This recidivism rate is much lower than the 12-month reconviction/readjudication rates for juveniles released from state custody, primarily because probationers are less serious offenders than juveniles who have been incarcerated, and probationers may have been under supervision less than 12 months.

### Many jurisdictions focus on success rather than failure rates

In an effort to demonstrate that the juvenile justice system works, many jurisdictions around the country

report success rates rather than recidivism rates. For example, the Florida Department of Juvenile Justice (FDJJ) developed a Program Accountability Measure that grades programs by combining program success rates (nonrecidivism) and monetary costs. FDJJ reports this information along with traditional outcome measures to the state legislature.

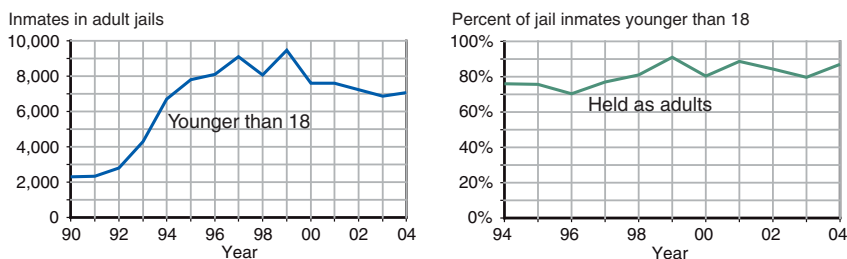
Numerous counties around the country have been involved in efforts to report juvenile justice performance data. Some efforts have taken the form of a juvenile justice "report card" that provides information on how the system performs in terms of major juvenile justice goals. The focus is on success rates and other measures of accomplishment such as restitution collected, community service hours logged, and successful program completions.

## The number of youth under age 18 held in adult jails quadrupled between 1990 and 1999, then dropped

### In 2004, youth younger than 18 accounted for 1% of jail inmates

According to the Bureau of Justice Statistics, an estimated 7,083 youth younger than 18 were held in adult jails on June 30, 2004. These under-18 inmates accounted for 1.0% of the total jail population, the same as 2003 and less than 2000 (1.2%) and 1994 (1.4%). In 2004, most jail inmates younger than 18 (87%) were held as adults; this proportion was greater than in 2000 (80%) and 1994 (76%). Under-18 inmates are held as adults if they are convicted or awaiting trial as adult criminal offenders, either because they were transferred to criminal court or because they are in a state that considers all 17-year-olds (or all 16- and 17-year-olds) as adults for purposes of criminal prosecution.

### On a typical day in 2004, about 7,000 persons younger than 18 were inmates in jails in the U.S.



- Between 1990 and 1999, while the adult jail inmate population increased 48%, the jail inmate population under age 18 increased more than 300%.
- Between 1999 and 2004, the adult jail inmate population increased 19%, while the jail inmate population under age 18 decreased 25%.
- The number of jail inmates younger than 18 held as adults was 6,159 in 2004—up 21% from 1994.
- The number of jail inmates younger than 18 held as juveniles in 2004 was 924—down 42% from 1994.

Source: Authors' adaptation of Beck's *Prison and Jail Inmates at Midyear 1999*, Beck and Karberg's *Prison and Jail Inmates at Midyear 2000*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, and Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*.

### The Juvenile Justice and Delinquency Prevention Act limits the placement of juveniles in adult facilities

The Act states that "... juveniles alleged to be or found to be delinquent," as well as status offenders and nonoffenders "will not be detained or confined in any institution in which they have contact with adult inmates ...." This provision of the Act is commonly referred to as the "sight and sound separation requirement." Subsequent regulations implementing the Act clarify this requirement and provide that brief and inadvertent contact in nonresidential areas is not a violation. The Act also states that "... no juvenile shall be detained or confined in any jail or lockup for adults ...." This provision is known as the jail and lockup removal

requirement. Regulations exempt juveniles being tried as criminals for felonies or who have been convicted as criminal felons from the jail and lockup removal requirement. In institutions other than adult jails or lockups or in jails and lockups under temporary hold exceptions, confinement of juvenile offenders is permitted if juveniles and adult inmates cannot see each other and no conversation between them is possible. This reflects the sight and sound separation requirement.

Some temporary hold exceptions to jail and lockup removal include: a 6-hour grace period that allows adult jails and lockups to hold alleged delinquents in

secure custody until other arrangements can be made (including 6 hours before and after court appearances) and a 48-hour exception, exclusive of weekends and holidays, for rural facilities that meet statutory conditions.

Some jurisdictions have established juvenile detention centers that are collocated with adult jails or lockups. A collocated juvenile facility must meet specific criteria to establish that it is a separate and distinct facility. The regulations allow time-phased use of program areas in collocated facilities.

## Between 1997 and 2004, while prison populations grew, the number of prisoners under age 18 fell 54%

### Youth under age 18 accounted for 1% of new court commitments to state adult prisons in 2002

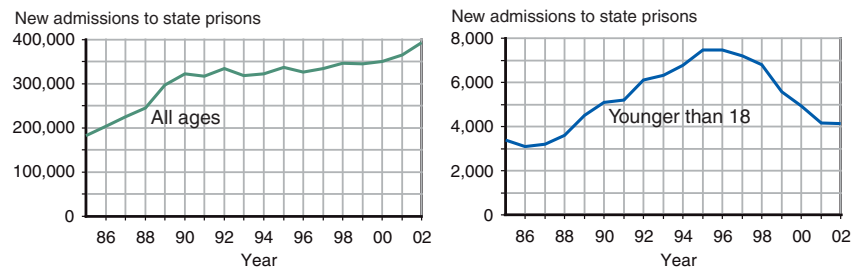
Based on data from the Bureau of Justice Statistics' National Corrections Reporting Program (NCRP), an estimated 4,100 new court commitments to state adult prison systems in 2002 involved youth younger than age 18 at the time of admission. These youth accounted for 1.1% of all new court commitments in 2002—down from a peak of 2.3% in 1996 and two-thirds the level in the mid-1980s. This decline in the youth proportion was primarily the result of the large increase in the overall prison population during this period. Between 1985 and 2002, the annual number of new court commitments to state prisons that involved youth younger than 18 increased 22%, while overall new commitments increased 114%.

### Among youth newly admitted to state prisons in 2002, 6 in 10 had committed a person offense

Youth younger than 18 accounted for 4.3% of all new court commitments to state prisons for robbery in 2002. Their proportions in other offense categories were smaller: homicide (2.5%), assault (1.6%), weapons offenses (1.0%), property offenses (0.9%), and drug offenses (0.3%).

Compared with young adult inmates ages 18–24 at admission, new commitments involving youth younger than 18 had a greater proportion of violent offenses (primarily robbery and assault) and a smaller proportion of drug offenses (notably drug trafficking).

### Between 1996 and 2002, the number of new admissions of youth younger than 18 to state prisons fell 45%



- New admissions to state prisons of youth younger than 18 rose steadily each year between 1986 and 1995. In comparison, the total number of inmates newly admitted to state prisons rose steadily from 1985 through 1990 and then essentially leveled off through 1995.
- The large decline in new admissions of youth younger than 18 to state prisons between 1996 and 2002 was in stark contrast to the general stability of adult admissions over this period.
- The decline in new admissions to state prisons of youth younger than 18 between 1996 and 2002 paralleled the decline in juvenile violent crime arrests over the same period.

Source: Authors' analyses of Strom's *Profile of State Prisoners Under Age 18, 1985–97*, Beck and Karberg's *Prison and Jail Inmates at Midyear 2000*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, and Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*; and authors' analyses of data from the National Corrections Reporting Program.

### New admissions of youth under age 18 is not a count of "juveniles in prison"

Many youth younger than 18 committed to state prisons are in states where original juvenile court jurisdiction ends when the youth turns age 16 or 17, so these committed youth were never candidates for processing in the juvenile justice system. It is also the case that some youth whose crimes placed them under the original jurisdiction of a juvenile court and who were subsequently transferred to an adult court and sentenced to prison, entered prison after their 18th birthdays. So "new court commitments that involved youth younger than 18 at the time of admission" includes many youth whose criminal activity was always within the jurisdiction of the adult criminal justice system, while it misses prisoners whose law-violating behavior placed them initially within the juvenile justice system but who did not enter prison until after their 18th birthday.

Offense profile of new admissions to state prisons, 2002:

Most serious offense	Age at admission	
	Younger than 18	18–24
All offenses	100%	100%
Person offenses	61	33
Homicide	7	4
Sexual assault	6	5
Robbery	32	13
Assault	14	10
Property offenses	23	29
Burglary	14	14
Larceny-theft	4	5
Motor vehicle theft	3	3
Arson	1	1
Drug offenses	9	28
Trafficking	5	14
Possession	3	8
Public order offenses	5	9
Weapons	3	4

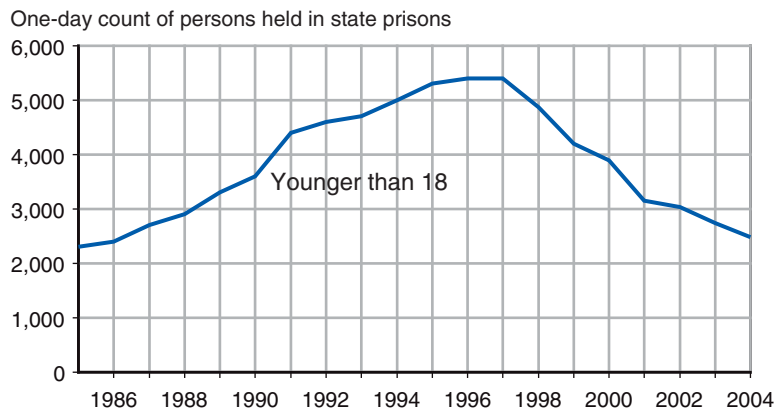
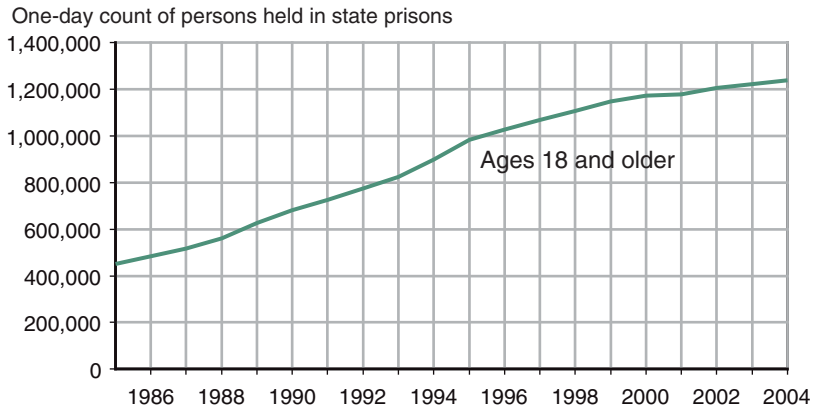
Note: General offense categories include offenses not detailed.

Nearly all (96%) youth younger than 18 newly admitted to prison in 2002 were male and most (79%) were age 17. Blacks accounted for 59% of new admissions under age 18, whites 28%, Hispanics 11%, and youth of other race/ethnicity 2%.

### Prisons differ from jails

Jails are generally local correctional facilities used to incarcerate both persons detained pending adjudication and adjudicated/convicted offenders. Convicted inmates are usually misdemeanants sentenced to a year or less. Under certain circumstances, jails may hold juveniles awaiting juvenile court hearings. Prisons are state or federal facilities used to incarcerate offenders convicted in criminal court. Convicted inmates are usually felons sentenced to more than a year.

**Between 1985 and 1997, the percentage increase in the population of inmates in state prisons was similar for those younger than 18 and those ages 18 and above**



- From 1985 to 1997, the 1-day count of state prisoners younger than 18 grew 135% and the population of older inmates grew 138%.
- The trends of older and younger inmates diverged after 1997. The population of older inmates grew 16% between 1997 and 2004, while the population of inmates younger than age 18 fell 54%.
- The resulting increase between 1985 and 2004 was 8% for inmates younger than 18 and 175% for inmates age 18 and older.

Source: Authors' analyses of Strom's *Profile of State Prisoners Under Age 18, 1985–97*, Beck and Karberg's *Prison and Jail Inmates at Midyear 2000*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, and Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*.

## Supreme Court decision in *Roper v. Simmons* (2005) prohibits the death penalty for youth younger than 18

### A series of challenges to the juvenile death penalty preceded the *Roper* decision

The U.S. Supreme Court decision in *Furman v. Georgia* (1972) struck down all existing death penalty statutes. Sentencing under post-*Furman* statutes began in 1973. The constitutionality of these modern-era statutes was not determined until the 1976 decision in *Gregg v. Georgia*. Since the *Gregg* decision, the U.S. Supreme Court has been repeatedly asked to rule on the practice of executing offenders for crimes committed as juveniles. In *Eddings v. Oklahoma* (1982), the Court reversed the death sentence of a 16-year-old tried as an adult in criminal court. The Court held that a defendant's young age and mental and emotional development should be considered mitigating factors of great weight in deciding whether to apply the death penalty. The Court noted that adolescents are less self-disciplined, mature, and responsible than adults and are less able to consider the long-range implications of their actions. The Court, however, did not address the question of whether the imposition of the death sentence was prohibited because the offender was only 16 years old at the time of the murder.

In *Thompson v. Oklahoma* (1988), the issue before the Court was whether imposing the death penalty on an offender who was 15 years old at the time of the murder violated constitutional protections against cruel and unusual punishment. The Court concluded that the Eighth Amendment prohibited application of the death penalty to a person who was younger than 16 at the time of the crime. In *Stanford v. Kentucky* (1989), the Court stated: "We discern neither a historical nor a modern societal consensus forbidding the imposition of capital

### Since 1973, 22 offenders have been executed in the U.S. for crimes they committed when they were younger than age 18

Executions of under-18 offenders:  
January 1, 1973–December 31, 2004

Name	Year of execution	State	Age at		Race/ethnicity
			Offense	Execution	
Charles Rumbaugh	1985	TX	17	28	white
James Terry Roach	1986	SC	17	25	white
Jay Kelly Pinkerton	1986	TX	17	24	white
Dalton Prejean	1990	LA	17	30	black
Johnny Frank Garrett	1992	TX	17	28	white
Curtis Paul Harris	1993	TX	17	31	black
Frederick Lashley	1993	MO	17	29	black
Ruben Montoya Cantu	1993	TX	17	26	Hispanic
Christopher Burger	1993	GA	17	33	white
Joseph John Cannon	1998	TX	17	38	white
Robert Anthony Carter	1998	TX	17	34	black
Dwayne A. Wright	1998	VA	17	26	black
Sean R. Sellers	1999	OK	16	29	white
Douglas Christopher Thomas	2000	VA	17	26	black
Steve E. Roach	2000	VA	17	23	white
Glen Charles McGinnis	2000	TX	17	27	black
Gary Graham (Shaka Sankofa)	2000	TX	17	36	black
Gerald L. Mitchell	2001	TX	17	33	black
Napoleon Beazley	2002	TX	17	25	black
T.J. Jones	2002	TX	17	25	black
Toronto Patterson	2002	TX	17	27	black
Scott A. Hain	2003	OK	17	32	white

- Georgia, Louisiana, Missouri, South Carolina, and Texas limit juvenile court jurisdiction to youth 16 and younger; thus, 18 of the 22 executed offenders who were younger than 18 when they committed their crimes were adults at the time, at least for purposes of assessing criminal responsibility.
- Some juvenile death penalty milestones: 1985 saw the first execution in the modern era of an under-18 offender; 1998 saw the first execution since 1973 of an offender who, under state statute, was a juvenile at the time of his crime (Virginia); 1999 saw the first execution of an offender who was 16 at the time of his crime (Oklahoma); 2003 saw the last execution of an offender who was younger than 18 at the time of his crime (Oklahoma). In 2004, no offenders were executed for crimes they committed before age 18.

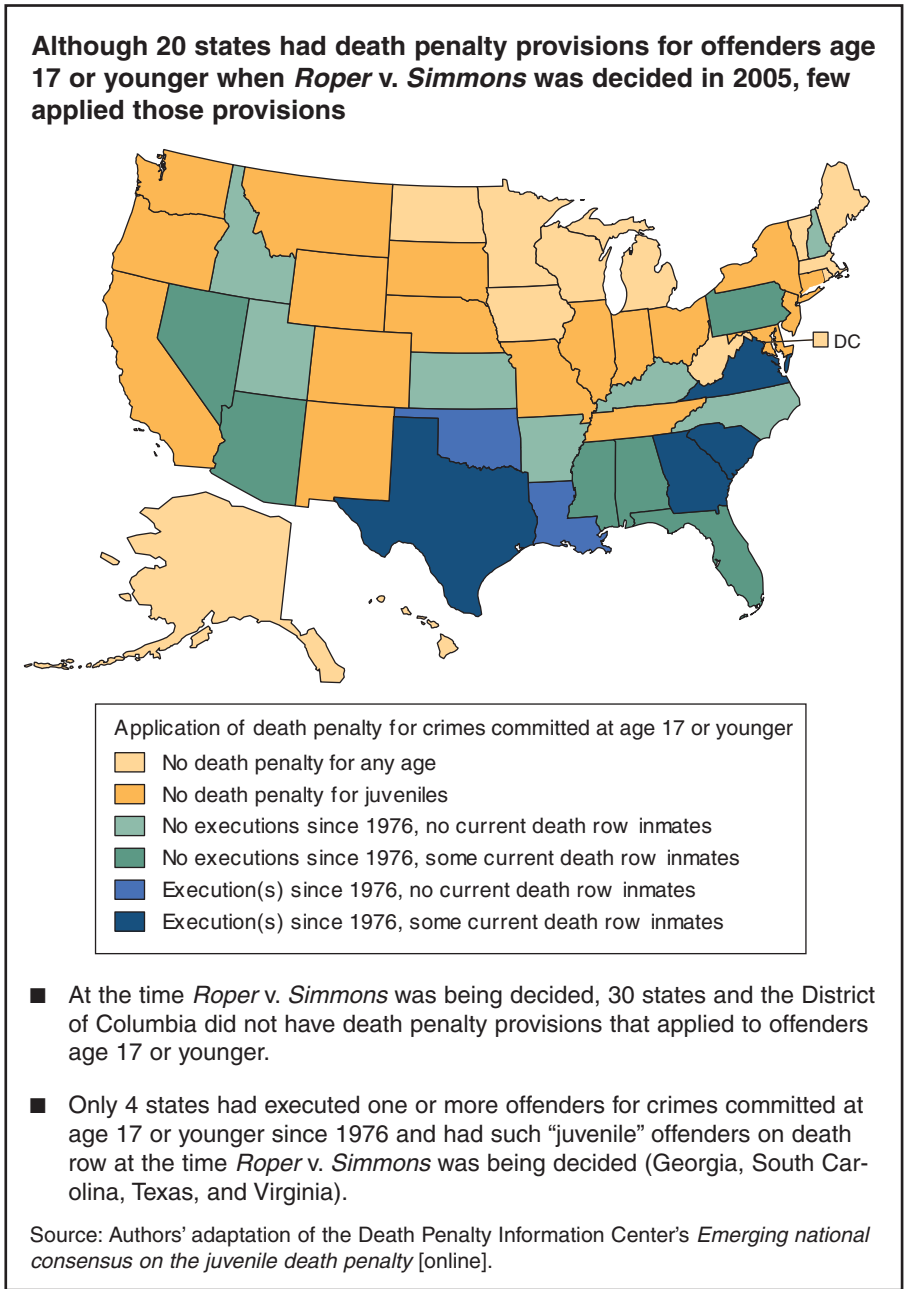
Source: Authors' adaptation of Death Penalty Information Center's *Juveniles and the death penalty* [online].

punishment on any person who murders at 16 or 17 years of age. Accordingly, we conclude that such punishment does not offend the Eighth Amendment prohibition against cruel and unusual punishment.”

**The Supreme Court cites a national consensus against the execution of juveniles in deciding *Roper v. Simmons***

In *Roper v. Simmons* (2005), for the second time in 16 years, the Supreme Court addressed whether under the Constitution it is permissible to execute an offender who was older than 15 but younger than 18 at the time of his crime. The Court was asked to reconsider its 1989 conclusion in *Stanford v. Kentucky*. Christopher Simmons had exhausted his appeals when the Supreme Court decided in *Atkins v. Virginia* (2002) that the Eighth and Fourteenth Amendments prohibit the execution of a mentally retarded person. Simmons filed a new petition for state postconviction relief, arguing that the *Atkins* reasoning should also mean that the Constitution prohibits the execution of a juvenile. The Missouri Supreme Court set aside Simmons’ death sentence (*State ex rel. Simmons v. Roper*, 2003), concluding that since *Stanford*, “a national consensus has developed against the execution of juvenile offenders...”

In *Roper v. Simmons*, the U.S. Supreme Court noted that several states had abolished their juvenile death penalty since *Stanford* and none had established or reinstated it. The objective evidence of “consensus in this case—the rejection of the juvenile death penalty in the majority of states; the infrequency of its use even where it remains on the books; and the consistency in



the trend toward abolition of the practice—provide sufficient evidence that today our society views juveniles, in the words *Atkins* used respecting the mentally retarded, as ‘categorically less culpable than the average criminal’.” Thus, the Court affirmed the Missouri

Supreme Court judgment that set aside the death sentence imposed on Christopher Simmons, concluding that the “Eighth and Fourteenth Amendments forbid imposition of the death penalty on offenders who were under the age of 18 when their crimes were committed.”



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