

# **An Assessment of Space Needs in Juvenile Detention and Correctional Facilities**

**Report to Congress**

**July 1998**



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# Acknowledgments

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Many organizations outside the federal government assisted in the preparation of this document. While responsibility for the report's final content rests with the Office of Juvenile Justice and Delinquency Prevention, the report was shaped by discussions and draft reports from a number of individuals and agencies.

## **National Consultants**

Howard Snyder, Melissa Sickmund, and Charles Puzanchera of the National Center for Juvenile Justice in Pittsburgh, Pennsylvania analyzed data from OJJDP's "Children in Custody" series, the FBI's "Uniform Crime Reporting Program" (or UCR), and OJJDP's National Juvenile Court Data Archive. All tables and graphics portraying national or state trends in institutional populations, juvenile arrests, and juvenile court cases were drawn from their report, "Trends in the Use of Secure Facilities: A Data Book" (May 1998).

Michael Jones of the National Council on Crime and Delinquency in Washington, DC prepared the detailed discussions of recent efforts to project juvenile correctional and detention populations in Kansas, Kentucky and Alaska.

William Sabol of the Urban Institute in Washington, DC and James Lynch of American University in Washington, DC provided much of the material that describes various methodological approaches to estimating future demand for detention and correctional space. They also contributed material about the issues and obstacles involved in calculating and interpreting estimations of future demand.

Alexa Hirst and Barbara Parthasarathy of the Urban Institute prepared material about recent developments in state juvenile corrections systems. David Williams of the Urban Institute provided several of the graphics included in the report.

Jeffrey Butts of the Urban Institute edited much of the material produced for the report by other consultants prior to its submission to the Office of Juvenile Justice and Delinquency Prevention. He also served as the principal liaison between the consultant group and OJJDP, and he contributed material to each section of the report.

Janet McNaughton, Pearl Coleman, and Heather Frey of Aspen Systems Corporation assisted with the final editing of the report.



## State Consultants

In preparing descriptions of current efforts by states to estimate the future demand for juvenile corrections and detention resources, the Office of Juvenile Justice and Delinquency Prevention relied on officials from public agencies in each of the 10 states selected by Congress for detailed study. These officials aided in the preparation of the report and provided statistical information, memoranda, and other materials that were essential to the completion of this document. The 10 state officials were:

### **Alaska**

George Buhite, Youth Corrections Administrator, Division of Family and Youth Services

### **California**

Elaine Duxbury, Chief of Research, California Youth Authority

### **Kentucky**

Brenda Buchwald, Classification Manager, Kentucky Department of Juvenile Justice

### **Louisiana**

George White, Deputy Assistant Secretary, Office of Youth Development, Department of Public Safety & Corrections

### **Mississippi**

Walter Wood, Director, Mississippi Division of Youth Services

### **Montana**

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### **New Hampshire**

Philip Nadeau, Director, Residential Services, Department of Youth Development Services

### **South Carolina**

John J. Kispert, Chief of Staff, Department of Juvenile Justice

### **West Virginia**

Tammy Collins, Justice Programs Planner, West Virginia Criminal Justice Services

### **Wisconsin**

Silvia R. Jackson, Assistant Administrator, Division of Juvenile Corrections, Wisconsin Department of Corrections

# Executive Summary

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In its appropriation for the U.S. Department of Justice for Fiscal Year 1998, Congress asked the Office of Justice Programs to assess present and future needs for space in the Nation's juvenile detention and correctional facilities. In response to that request, OJJDP has submitted this report to Congress. The report examines the need for space nationwide based on information available through several data collection programs supported by the Department of Justice. In addition to this national analysis, the report analyzes the need for corrections space in 10 states selected by Congress for more detailed study. The 10 states selected by Congress were Alaska, California, Kentucky, Louisiana, Mississippi, Montana, New Hampshire, South Carolina, West Virginia, and Wisconsin. In describing current space needs in these states, the report relies on publicly available data sets as well as on assessments by state officials.

## **Projecting the Need for Corrections and Detention Space**

Deriving useful estimates of the future need for juvenile corrections and detention space is far more complicated than simply projecting future changes in the juvenile population or the juvenile crime rate. The need for juvenile corrections space is certainly affected by the rate and severity of juvenile crime in a community, but it is also a product of numerous policy decisions made by state and local juvenile justice officials. Actions taken by state legislators, state and local agency officials, police, local probation offices, juvenile court judges, and corrections facility administrators all help to determine how many and what type of offenders are seen as suitable for placement in juvenile justice facilities.

Some juveniles are detained based solely on the severity and extent of their illegal behaviors, such as juveniles who are charged with violent offenses or those with lengthy court records. For other juveniles, the decision to place them in a secure correctional facility, some form of residential treatment center, or perhaps a nonresidential, community-based program may depend on a wide range of factors other than the offense with which they are charged. These factors may include the availability and cost of various placement resources in the community, the proximity of the juvenile's home to each of these programs, and the reputation for effectiveness enjoyed by various local juvenile justice programs.

Different jurisdictions may weigh the importance of these and other factors quite differently. In other words, the need for corrections space depends on the policies, practices, and resources of each jurisdiction. Thus, projecting future needs for corrections and detention space must account for these factors in addition to measuring the changing juvenile population or the volume and severity of juvenile crime.

The task of estimating future needs for correction and detention space is made more difficult by the limited amount of data available on the wide range of factors known to affect demand. Many states rely only on basic data about juvenile population trends and arrest rates. Fortunately, the Department of Justice also supports a data-collection program (the series known as "Children in Custody") that routinely asked states about one of the most recognizable indicators of demand for corrections space -- facility crowding. A crowded facility is one that houses more juveniles than it is designed to hold. In other words, the actual population of the facility has grown to a

point that exceeds its “design capacity,” or its “licensed capacity.” Crowding is a clear sign that, for whatever reason, demand is outstripping the supply of space in the juvenile detention or juvenile corrections system.

According to data from the Children in Custody census for 1995, the most recent year for which data are available, 367 of 752 public juvenile institutional facilities nationwide (49 percent) were operating above their indicated design capacities. Among long-term (i.e., correctional) institutions, 160 of the Nation’s 359 facilities (or 45 percent) were operating above capacity in 1995. More than half (207 of 393, or 53 percent) of short-term (i.e., detention) facilities were operating above capacity. Thus, based on crowding alone, there appears to be a nationwide need for: 1) more space in detention and corrections facilities, 2) more acceptable alternatives to placement in facilities, or 3) more space and more alternatives. Table *i* indicates that the total extent of crowding in 1995 varied among the states.

**Source:** OJJDP, *Children in Custody Census 1995*.

**Note:** Some facilities in a state may be crowded while others have empty the

fact that the total population of juveniles held in a state is lower than the s

Of course, an analysis of crowding does not provide information on the number of juveniles who perhaps should have been placed in a facility but were not due to a severe lack of space. Moreover, crowding information does not reveal how many juveniles were on waiting lists or how long they waited prior to being placed. Some states (e.g., Louisiana) use waiting lists for the explicit purpose of preventing crowding in their long-term facilities. Other states may chose to tolerate a certain degree of crowding rather than grant early releases to some juveniles in order to make room for new admissions. Due to a lack of detailed, nationally-comparable data, it is not possible

to provide more accurate indicators of space needs at the state level. Thus, in order to be useful either for investigate corrections and detention needs must begin also rely on information gathered at state and local levels. This report examines the demand for corrections and detention space in the states by analyzing several important data sets maintained by the Federal government, but it also draws upon the views and experiences of state officials. In each of the 10 states identified by Congress, a representative of the state juvenile justice system was asked to provide OJJDP with a description of that state’s planning process for developing new juvenile detention and corrections space. One of the central findings of this assessment was that there are substantial differences in the experiences of states regarding their current needs for corrections and detention space, as well as their ability to project future needs. Table *ii* provides a summary of each state’s current situation as described by officials in that state.

**Table *i***

**Crowding in Long-Term and Short-Term Public Juvenile Correctional Institutions, 1995**

|                | Institutional facilities | Facilities over capacity | Combined capacity | Overflow population | Empty beds | Total population | Percent of capacity |
|----------------|--------------------------|--------------------------|-------------------|---------------------|------------|------------------|---------------------|
| United States  | 752                      | 367                      | 52,070            | 15,460              | 2,790      | 60,740           | 117%                |
| Alaska         | 5                        | 2                        | 230               | 14                  | 19         | 233              | 97%                 |
| California     | 78                       | 42                       | 14,754            | 14,062              | 376        | 18,440           | 125%                |
| Kentucky       | 10                       | 2                        | 343               | 34                  | 27         | 350              | 102%                |
| Louisiana      | 15                       | 4                        | 1,521             | 13                  | 50         | 1,484            | 98%                 |
| Mississippi    | 7                        | 5                        | 555               | 63                  | 3          | 660              | 119%                |
| Montana        | 3                        | 1                        | 123               | 1                   | 0          | 123              | 100%                |
| New Hampshire  | 2                        | 0                        | 136               | 0                   | 1          | 137              | 92%                 |
| South Carolina | 8                        | 6                        | 734               | 305                 | 15         | 1,021            | 140%                |
| West Virginia  | 6                        | 0                        | 184               | 0                   | 36         | 148              | 80%                 |
| Wisconsin      | 12                       | 4                        | 923               | 510                 | 75         | 1,358            | 147%                |

**Wisconsin** Although facilities have been crowded in recent years, a need for additional space due to currently declining

**Table ii**

**Projected Changes in Juvenile Corrections and Detention Space in 10 States Identified by Congress, and Methods Used to Derive Projections.**

| <b>STATE</b>          | <b>PROJECTED CHANGE</b>  | <b>PROJECTION METHOD</b>  |
|-----------------------|--|---|
| <b>Alaska</b>         | By the year 2006, Alaska officials expect to expand the number of juvenile corrections beds by 14%, from 147 to 167 beds. The number of detention beds is expected to grow by 74%, from 74 beds to 129 beds.   | Administrative judgment; some empirical analysis.                 |
| <b>California</b>     | Officials do not expect to need additional long-term corrections beds between 1998 and 2005, although some beds may need to be upgraded. The most recent statewide projection of local detention needs, on the other hand, predicted that capacity would have to increase by 28% between 1992 and 2000. Detention capacity has not grown at this rate and facilities are over-crowded. | Detailed empirical analysis and administrative consensus process. |
| <b>Kentucky</b>       | Based on recent analysis by external consultants, the state expects an increase of 45% in local detention needs by the year 2007. Kentucky utilizes a range of placement settings for committed youth, and the overall capacity of these placements is expected to grow 21% by 2007.   | Administrative judgment; limited empirical analysis.              |
| <b>Louisiana</b>      | Current demand for juvenile bedspace strongly influences future expectations. State agency performs limited forecasting, but demand has consistently exceeded system capacity and the State predicts 4 percent growth in bedspace during 1999.   | Response to crowding.   |
| <b>Mississippi</b>    | Correctional facilities are crowded. Three facilities with a total capacity of 425 beds have held as many as 655 juveniles in recent years. State officials expect to increase long-term bed capacity by 265 (62%) in order to address current crowding problems. The State has not made long-term forecasts.  | Response to crowding.   |
| <b>Montana</b>        | The number of juveniles in out-of-home placements funded by the state department of corrections grew 9 percent (from 380 to 414) between September 1997 and May 1998. The State does not prepare long-term forecasts.  | Administrative consensus.   |
| <b>New Hampshire</b>  | State plans to expand its only long-term juvenile facility to 133 beds from its existing capacity of 108. The State also expects to fund 60 new shelter-care beds.   | Administrative consensus.   |
| <b>South Carolina</b> | Officials anticipate adding as much as 52% to the State's existing juvenile corrections capacity by the year 2002. Detention capacity may double over the same period.   | Moderately detailed empirical analysis.                           |
| <b>West Virginia</b>  | Officials expect to increase the capacity of the state's one long-term facility from 124 beds to 320 beds by the end of 1999. Detention capacity is projected to double in the near future.  | Administrative judgment; limited analysis.                        |

States have varying levels of analytical capacity and managerial infra-structures for data collection, and very different practices in projecting future space needs. There are also considerable differences among the states in their reaction to the pressures resulting from facility crowding and in their use of non-residential program options as a means of reducing demand for placement. Every jurisdiction has arrived at its current situation based on its own demographic and social context and its own history of juvenile justice policies and practices. Every jurisdiction plans for its future using the best information and the most appropriate methods available at the time, whether these methods include sophisticated statistical modeling or rely primarily on administrative judgment.

## Conclusion

This report is in response to a concern expressed by Congress that state governments may have insufficient data with which to estimate the future demand for juvenile detention and corrections space. The concern is well founded. The State and local agencies that make up the Nation's juvenile justice system typically do not possess the ability either to collect or to analyze the range of information required for sound projections of future bedspace. Thus, it is not possible for many state agencies to plan future corrections capacity with a high degree of certainty. Even measuring existing detention and corrections space can be a challenge for many states given the fact that juvenile justice systems can be highly decentralized and often very complex (the most striking example is California).

For states wishing to increase their ability to forecast future bed needs, there are several sound methodologies available, and these are described in this report. However, based on this report's analysis of existing national data sets and the experiences of the 10 states identified by Congress, it is also clear that the solution to the states' existing problems with projecting future bed needs is not simply to increase the amount of data available to state juvenile justice agencies. Projecting future bedspace should be at least as much an exercise in policy analysis as in data analysis. In fact, the best approaches to forecasting

future corrections and detention needs may involve the use of statistical forecast methodologies primarily as learning tools. As learning tools, population forecasting methods can aid state and local officials in making complex decisions that are fundamentally about management and policy rather than statistical accuracy. Currently, however, most state juvenile justice systems do not use empirical forecasting techniques even in this limited manner.

A few states may have the technical and organizational capacity to develop and use forecasting methodology, but most do not. Based on the findings of this report, the next steps to be taken by the Department of Justice are:

- C To aid in the development of Federal and/or state data systems that will be able to support state efforts to forecast present and future needs for juvenile detention and corrections space.
- C To assist the states in developing and using decision tools and analytical processes that will facilitate more effective structures for juvenile justice programs and better anticipate future needs for juvenile detention and corrections space.

In pursuit of this agenda, OJJDP has also issued a funding solicitation that will help the Office to develop new tools for states to use in forecasting future bedspace. The solicitation was issued in support of the Juvenile Accountability Incentive Block Grants (JAIBG) program described in Title III of H.R. 3, passed by the House of Representatives in 1997. The terms and details of that effort are spelled out in the "FY 1998 OJJDP Discretionary Program Announcement" released in response to the Juvenile Accountability Incentive Block Grants Program. The Announcement is available through OJJDP's Juvenile Justice Clearinghouse (800-638-8736) or online at OJJDP's Web site ([www.ncjrs.org/ojjhome.htm](http://www.ncjrs.org/ojjhome.htm)) on the grants and funding page.

# Background

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This report is submitted in response to a Congressional request for a “national assessment of the supply and demand for juvenile detention space,” including an assessment of 10 specific states. This request was included in Public Law 105-119, November 26, 1997, “Making Appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for the Fiscal Year Ending September 30, 1998, and for Other Purposes” (Appropriations Act). Specifically, Congress expressed the following:

*"The conferees are concerned that little data exists on the capacity of juvenile detention and corrections facilities to handle both existing and future needs and direct the Office of Justice Programs to conduct a national assessment of the supply of and demand for juvenile detention space with particular emphasis on capacity requirements in New Hampshire, Mississippi, Alaska, Wisconsin, California, Montana, West Virginia, Kentucky, Louisiana, and South Carolina, and to provide a report to the Committees on Appropriations of the House and the Senate by July 15, 1998."*

The Office of Justice Programs (OJP) directed the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to respond to the Congressional request. OJJDP adopted a two-part strategy to address Congressional intent and meet the specified deadline. First, in direct response to the Congressional need for information by July 15, 1998, this report:

- C Discusses detention and corrections capacity needs.
- C Provides national and State-level data on existing capacity for juvenile offenders.
- C Addresses the detention and correctional capacity requirements of the 10 states identified by Congress and describes the states' planning for future capacity.
- C Discusses a range of issues relevant to providing useful projections of capacity.

The ability to make projections of space needs in the juvenile justice system is not as developed as corresponding efforts have been in the adult (criminal) justice system. Agencies in the adult system have had much more experience in projecting future custody populations and in testing the adequacy of those projection techniques. This experience can inform the actions to be taken in the juvenile justice system; however, not all of the lessons learned will be directly applicable because the juvenile justice process

involves unique features and characteristics that must be accounted for in projection methodologies. Therefore, a second phase project is needed to develop the tools that states need to make useful projections in the juvenile justice arena.

The second part of OJJDP's response will be completed under a cooperative agreement to be awarded through a research solicitation as part of the Juvenile Accountability Incentive Block Grants (JAIBG) program.<sup>1</sup> In light of the limited data available on juvenile detention and corrections capacity (as noted by Congress and in this report) and the enduring importance of projecting accurately and appropriately, OJJDP will undertake an expanded and enhanced project to provide more detailed analyses of the supply and demand for detention and corrections bed space nationally and in a select group of states, including the 10 states identified by Congress. The project will develop tools to analyze the supply of and demand for space at national and state levels, and will include the following objectives:

- C Provide a comprehensive analysis of the issues involved in determining the supply of and demand for detention and corrections bed space at the national, state, and local levels.
- C Develop a model of the supply and demand functions that can guide national and state decisions concerning detention and corrections space.
- C Use data available or collect data where practical, to apply this model at the national and state levels.

The project will take two years to complete at a cost of approximately \$700,000. OJJDP anticipates making this award by September 30, 1998.<sup>2</sup>

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<sup>1</sup> Based on Title III of H.R. 3, passed by the House of Representatives on May 8, 1997. The terms and details of this competitive program are spelled out in the *FY 1998 OJJDP Discretionary Program Announcement: Juvenile Accountability Incentive Block Grants Program*. The Announcement is available through OJJDP's Juvenile Justice Clearinghouse (800-638-8736) or online at OJJDP's Web site ( [www.ncjrs.org/ojjhome.htm](http://www.ncjrs.org/ojjhome.htm)) on the Grants and Funding page.

<sup>2</sup> OJJDP issued a competitive solicitation May 26, 1998; proposals are due no later than July 15, 1998.

## Assessing the Need for Detention and Corrections Space

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Juvenile detention and corrections are often called the “deep end” of juvenile justice while probation and other nonresidential programs represent the “shallow” end. There are a number of critical policy questions that must be addressed in gauging the need for deep-end sanctions: Which juveniles should be placed in confinement (either for the security of the community or to address specific needs of the youth)? How long should they be confined? In what type of environment should they be confined? Can they be adequately supervised following their release from confinement?

Based upon their answers to these questions, state juvenile justice agencies must provide enough corrections and detention space to accommodate the number of juveniles who warrant placement and as long as they remain in placement the agencies must provide them with sufficient food, housing, physical safety, education, healthcare, and other services. Every occupied bed in a detention or corrections facility requires an entire package of these resources. The sum of these resources constitutes the total detention and corrections spending associated with every increase in “bed space.” In planning for future needs, however, planners and analysts often refer simply to the number of beds required.

Given the considerable expense required to build and maintain detention and corrections facilities, as well as the inherent delays involved in bringing new facilities online, policy analysts and budget planners are often asked to determine in advance how many detention and corrections beds their states may need in the future. Congress has rightly questioned whether the necessary data are available to make valid and reliable estimates of space needs nationally and in 10 specific states.

However simple it may appear at first, estimating a state’s future need for corrections space requires an extensive examination of the justice system in each jurisdiction as well as the processes used to select juvenile offenders for placement. Planning for future corrections space is not only a problem of manipulating data to provide an objective estimate of need. A sound estimation process must account for the important role played by policy preferences and the professional practices and methods used in each State’s juvenile justice system. Indeed, without the explicit inclusion of the policymaking side of juvenile detention and corrections, “objective” models may not be objective at all.

## **Judging the need for space in detention and corrections facilities**

Understanding the need for corrections and detention space in a particular jurisdiction requires an understanding of several phenomena: 1) the policy framework that shapes the jurisdiction's use of placement resources for juvenile offenders, 2) the actual rate and volume of juvenile placements, and 3) the length of time typically involved in each placement. Public policies regarding the sentencing and treatment of juveniles as well as the length of time in confinement vary greatly from state to state.

Estimating the magnitude of future space needs is a complicated endeavor, but it is often relatively simple to detect current unmet demand for juvenile corrections or detention. Demand for space may be indicated by over-crowded facilities, the use of waiting lists for juveniles in need of placement, or the granting of early releases for some juveniles in order to make room for others. Basically, unmet demand occurs anytime a court or agency determines that a particular juvenile should be placed in a facility, but the current capacity of the facility (or facilities) cannot accommodate the juvenile. The juvenile justice system must then employ one of three options. Either the juvenile is not placed, or the population of the facility is forced to grow beyond its intended size, or another juvenile is released in order to make room. Each of these choices may have serious consequences for both the juvenile justice system and the community.

In the long-term, agencies can expand the capacity of existing facilities or build new facilities. Constructing new facilities, however, is not an easy decision. Building and operating correctional and detention facilities is costly. Over-building can be just as harmful to the fiscal health of a jurisdiction as under-building is to public safety. A state's interest in population forecasting methodologies is often greatest just before a commitment must be made to new construction projects for juvenile corrections.

### **Not all aspects of current needs can be analyzed with existing data**

Population forecasting methods are basically systematic processes for answering the question, "how many beds will we need?" In the short-term, policy makers do not require statistical analysis. Current need for bedspace presents itself in at least three ways: (1) crowding in existing facilities, which indicates a *prima facie* need for more space; (2) juveniles who are appropriate for placement but turned away or put on waiting lists, and (3) juveniles being released early in order to free space for others.

Not all of these phenomena can be tracked at the national level. No data system exists for monitoring the number of juveniles who are denied placement in corrections or detention facilities. Such data would include individual level information on juveniles held and those turned away. The data would need to include information on which decisions were made for individual juveniles at all points of the process and why those specific decisions were made. For example, in the case of two juveniles with similar backgrounds and similar offenses, one may be placed in a treatment facility because of specific substance abuse problems, and the other may be placed on some form of community supervision. Knowing only the offense characteristics of the juveniles would not provide enough information for analysts to determine why one juvenile was placed while the other was not. Given that many decisions to commit or detain a juvenile include complex considerations by officials, currently available data sources would not provide sufficient information to estimate unmet needs for space in juvenile

facilities.

Similarly, sufficient information does not exist on the number of juveniles released early because a bed was needed for another resident. Monitoring this form of expressed need would require information on each juvenile's disposition and required length of stay. It would also require examining closely the discretion a committing agency may have concerning each juvenile placement. In some States, the juvenile corrections facility can determine how long a juvenile should remain in custody. Such discretion can include determining the type of placement and the actual length of stay. In other States, a court hearing is required before a juvenile can be released prior to the completion of each sentence. At this point, it is impossible to measure need for space as indicated by early releases.

Fortunately, the Department of Justice does maintain a national data collection system that permits analysts to track crowding in juvenile corrections facilities. The data series popularly known as "Children in Custody" tracks the number of juveniles held in facilities nationwide as well as the capacity of each facility (see "States at a Glance: Juveniles in Public Facilities," *OJJDP Fact Sheet #69*, November 1997).

### **The official capacity of a facility can be difficult to measure**

An adequate measure of detention or corrections space would indicate how many juveniles can be safely and appropriately housed in all of the facilities available to a jurisdiction. A facility's space is generally called its capacity, which refers to the actual physical plant of a facility. It includes the living space available to each juvenile resident such as dormitories, eating areas, classrooms, exercise areas, gymnasiums, and day rooms. Each juvenile in the facility requires a particular amount of space in each of these areas (a chair in the dining hall, a desk in the classroom, etc.)

The American Correctional Association (ACA) has established standards for the amount of living space required for each juvenile in a facility. For example, the ACA has indicated for accreditation juvenile facilities should operate with living units of not more than 25 juveniles.<sup>3</sup> Similarly, the ACA has specified that juveniles in individual sleeping units have 70 square feet of space each. In dormitories, juveniles should have at least 50 square feet each. These standards must be viewed in the context of the overall facility. For example, ACA standards not only specify a size for sleeping areas, they also specify minimum square footage for other living space such as day rooms and dining areas, and that juveniles should receive programming at least 14 hours a day outside of this area. Further, ACA standards specify continuous supervision for juveniles in dormitory settings and a minimally acceptable level of sanitary conditions.

State facilities, however, frequently measure their own capacity according to criteria other than the ACA standards. To better understand these measurements, a discussion of capacity measures was incorporated into

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<sup>3</sup> Conformance with the ACA standards is required to receive ACA accreditation, but such accreditation is not required for a facility to operate. Many State agencies and facilities, however, try to follow these standards.

a recent study conducted by the Census Bureau for OJJDP.<sup>4</sup> The study noted several different definitions of capacity currently in use among juvenile corrections facilities in the states:

- # Some facilities identified their capacity based on Fire Marshall assessments and State fire codes.
- # One facility indicated that it had increased its capacity simply by installing an upgraded sprinkler system, which would allow more occupants in some rooms as indicated in the fire code.
- # Others identified budget constraints regarding adequate staffing coverage or provisions for other operating costs as a limit on how many juveniles could be held in the facility.
- # Other respondents indicated that consent decrees can lower the capacity of the facility by court order. In one facility, the architectural capacity was almost three times the court-ordered capacity.
- # One respondent indicated that the Governor had raised the facility capacity as part of a new “get tough” crime-fighting strategy. The physical plant of the facility was not altered in any way.
- # In May 1998, the California Youth Authority (CYA) held 8,069 juveniles in its facilities. Depending on which definition of capacity is used, the CYA was either over or under capacity. The 1997–1998 fiscal year budgeted capacity for CYA facilities was 8,256 (187 more than was actually in the facilities). However, the design capacity for these facilities was 6,762, indicating they were operating at 119 percent of capacity. (For more discussion of CYA, see the section on California.)

Based on these examples and the issues they raise, it is clear that an objective measure of space requires a considerable amount of information about each facility, including the square footage of sleeping areas, the number of residents per living unit, the usable space of the facility, etc. However, this type of information is not available at the national level. The most detailed national data available on the capacity of facilities come from the 1995 Children in Custody census. (See Appendix A for national and State information on institutional capacity.) This information must still be considered cautiously as it does not measure space against a uniform national standard. As the above examples indicate, the capacity of these facilities can change without any actual change in the square footage of the facility.

### **According to self reports, crowding is a widespread problem**

Based on the results of OJJDP’s 1994 “Conditions of Confinement” study, it is clear that crowding in correctional and detention facilities can pose a barrier to their ability to carry out their mission.<sup>5</sup> The Conditions

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<sup>4</sup> OJJDP sponsored this study as part of the development of a new facility census, the Juvenile Residential Facility Census. Besides attempting to measure the capacity of facilities, it will also examine health, education, and substance abuse treatment services. .

<sup>5</sup> Parent, Dale et al. (1994). *Conditions of Confinement: Juvenile Detention and Corrections Facilities*, [Research Report, NCJ145793]. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

of Confinement study showed a strong relationship between crowding and various adverse effects such as staff injuries inflicted by juveniles. Indeed, crowding was generally considered a hinderance to good programming, security, and safety. On the basis of these findings, crowding can be a *prima facie* indication of a need for more space in detention and correctional facilities.

Measures of crowding, however, suffer from all of the complexities associated with defining capacity. Without a universally accepted indication of available space in a facility (i.e., how many juveniles can appropriately be housed there), there is no method of indicating whether a facility exceeds its generally accepted capacity. Without such standards, determining if a particular sleeping area is appropriate for 12 or 15 juveniles can be subjective. The Children in Custody (CIC) census, however, includes a self-reported indication of capacity for each responding facility.

Crowding affects many facilities in the country and many of the juveniles in those facilities. The numbers presented here indicate crowding for one day only, the day of the Children in Custody census for 1995 (i.e., February 15, 1995). Facilities experience fluctuations in their population size, sometimes exceeding capacity, sometimes falling below capacity. Thus, a facility that was crowded on the 1995 census day, may not be experiencing crowding problems today.

On the census day in 1995, however, crowding problems were severe. Of all public facilities, 49 percent reported having more juvenile residents than they were designed to hold. Crowded facilities held 73 percent of all juveniles in public facilities. Crowding problems affected larger facilities more than smaller facilities. As shown in table 1.1, 25 percent of public facilities with design capacities under 31 were crowded, versus 87 percent of those with capacities over 350.

**Table 1.1**  
**Crowding in Public Juvenile Institutions, 1995.**

| Design Capacity         | All Public Institutional Facilities |                                  | Residents in Public Facilities |   |
|-------------------------|-------------------------------------|----------------------------------|--------------------------------|---|
|                         | Total                               | Percent operating above capacity | Total                          | Percent held in facilities operating above capacity |
| All Public Facilities   | 752                                 | 49%                              | 60,028                         | 73%   |
| Fewer than 31 residents | 328                                 | 25%                              | 5,494                          | 32%   |
| 31–110 residents        | 279                                 | 63%                              | 15,478                         | 64%   |
| 111–200 residents       | 79                                  | 67%                              | 11,421                         | 70%   |
| 201–350 residents       | 36                                  | 81%                              | 9,369                          | 81%   |
| More than 350 residents | 30                                  | 87%                              | 18,266                         | 90%   |

**Source:** OJJDP, *Children in Custody Census 1995*.

Table 1.2 provides a similar analysis for private facilities. These facilities may tend to be less crowded because the administrators of private facilities often have greater discretion to reject particular juveniles as inappropriate for admission. However, as table 1.2 shows, even private facilities sometimes operate with populations that exceed their design capacity. (Note that it is not possible to disaggregate the populations in private facilities by State because most private facilities accept out-of-State referrals. Therefore, using private facility data to describe a particular State can be highly misleading.)

**Table 1.2**  
**Crowding in Private Juvenile Institutions, 1995.**

| Design Capacity         | All Private Institutional Facilities |                        | Residents in Private Facilities |   |
|-------------------------|--------------------------------------|------------------------|---------------------------------|---|
|                         | Total                                | Percent above capacity | Total                           | Percent held in facilities operating above capacity |
| All Private Facilities  | 403                                  | 9%                     | 12,627                          | 20%   |
| Fewer than 31 residents | 292                                  | 7%                     | 3,977                           | 10%   |
| 31–110 residents        | 94                                   | 13%                    | 5,038                           | 15%   |
| 111–200 residents       | 13                                   | 23%                    | 2,008                           | 19%   |
| 201–350 residents       | 2                                    | 0%                     | 555                             | 0%  |
| More than 350 residents | 2                                    | 100%                   | 1,049                           | 100%  |

**Source:** OJJDP, *Children in Custody Census 1995*.

Different patterns of crowding by state further complicate the issue. Looking just at public institutional facilities (i.e., those that hold the most serious offenders in secure environments), crowding appears to be a significant problem for such facilities nationwide. Table 1.3 indicates how many of these facilities were crowded in the United States and in the 10 states identified by Congress for detailed study. It indicates the overflow population in these facilities (i.e., the number of juveniles beyond design capacity). Nationwide, public institutional facilities held 11,460 juveniles beyond their combined design capacity. At the same time, 2,790 beds were empty. Beds might be left empty because the juveniles in crowded facilities could not be transported to these beds (often they are in different parts of the state), or the open beds would be inappropriate for juveniles housed in crowded facilities.

**Table 1.3**  
**Crowding and Empty Beds in Public Institutional Facilities**

|               | Public institutional facilities | Number of facilities over capacity | Total design capacity | Overflow population | Empty beds |
|---------------|---------------------------------|------------------------------------|-----------------------|---------------------|------------|
| United States | 752                             | 367                                | 52,070                | 11,460              | 2,790      |

|                |    |    |        |       |     |
|----------------|----|----|--------|-------|-----|
| Alaska         | 5  | 2  | 230    | 12    | 19  |
| California     | 78 | 42 | 14,754 | 4,062 | 376 |
| Kentucky       | 10 | 2  | 343    | 34    | 27  |
| Louisiana      | 15 | 4  | 1,521  | 13    | 50  |
| Mississippi    | 7  | 5  | 555    | 63    | 8   |
| Montana        | 3  | 1  | 123    | 4     | 19  |
| New Hampshire  | 2  | 0  | 136    | 0     | 11  |
| South Carolina | 8  | 6  | 734    | 305   | 15  |
| West Virginia  | 6  | 0  | 184    | 0     | 36  |
| Wisconsin      | 12 | 4  | 923    | 510   | 75  |

**Source:** OJJDP, *Children in Custody Census 1995*.

Among the 10 states assessed in this report, three appear to have had considerable crowding problems in 1995: California, South Carolina, and Wisconsin. Nevertheless, some facilities in each state reported empty beds, again indicating that the youth either cannot physically get to these spaces or the spaces are not appropriate for the youth. These empty beds indicate a disjuncture between where juveniles are and where beds are, or between what type of beds are needed and what type are available. The number of occupied beds provides only a partial indication of the need for space. While it indicates how many juveniles were considered appropriate for detention or commitment, it does not indicate if there were other juveniles who were not in these facilities but needed to be there. For example, some states report that they maintain waiting lists for long-term facilities while others release some juveniles prior to the completion of their sentence in order to make room for new admissions.

In a brief survey of officials from the 10 states assessed in this report, each was asked to indicate how well the existing level of detention or corrections space serves the current needs of the state. With regard to detention, no state indicated that it had enough space or that its current space exceed its needs. Similarly, most states indicated they had fewer correction beds than were needed. Tables 1.4 and 1.5 portray the responses to the survey. Table 1.6 provides a brief description of each state's situation based on individual reports prepared by the state respondents.

**Table 1.4**  
In the next 5 years, how much of an increase do you expect to see in bedspace in juvenile **CORRECTIONS** facilities?

|             |                                       |
|-------------|---------------------------------------|
| No increase | Wisconsin                             |
| Under 10%   | California                            |
| 10% to 20%  | Louisiana<br>Montana<br>New Hampshire |

|          |  |
|----------|--|
| Over 20% | Alaska<br>Kentucky<br>Mississippi<br>South Carolina<br>West Virginia |
|----------|--|

**Table 1.5**  
In the next 5 years, how much of an increase do you expect to see in bedspace in juvenile **DETENTION** facilities?

|             |  |
|-------------|--|
| No increase | —  |
| Under 10%   | California<br>Mississippi<br>Wisconsin                             |
| 10% to 20%  | Montana<br>New Hampshire   |
| Over 20%    | Alaska<br>Kentucky<br>Louisiana<br>South Carolina<br>West Virginia |

| <b>Table 1.6</b><br><b>Reported Crowding in Public Facilities</b> |  |
|---|--|
| <b>Alaska</b>   | In 1996, many facilities in Alaska operated above their design capacity.                               |
| <b>California</b>   | In May 1998, the California Youth Authority operated above design capacity yet below budgeted capacity |
| <b>Kentucky</b>   | Unavailable  |
| <b>Louisiana</b>  | Louisiana’s long-term commitment beds are full with a waiting list maintained.                         |
| <b>Mississippi</b>  | The two long-term institutions in Mississippi have shown a consistent level of crowding.               |
| <b>Montana</b>  | Unavailable  |

|                       |   |
|-----------------------|---|
| <b>New Hampshire</b>  | New Hampshire detention facilities are operating above capacity. Because of a court order, the long-term institutions cannot operate above their design capacity. |
| <b>South Carolina</b> | Some South Carolina facilities operate above capacity although many do not.   |
| <b>West Virginia</b>  | The State's one long-term institution does not operate above its capacity although it does maintain long waiting lists.   |
| <b>Wisconsin</b>      | As of January 1998, all three of Wisconsin's long-term institutional facilities operated above capacity.  |

### **Policy decisions will determine if a facility is crowded or maintains a waiting list**

In the short-term, crowding hinges on specific policy decisions: Will the system tolerate crowding or will the system allow some juvenile offenders to remain in the community (with or without supervision) as appropriate? From the analysis of these 10 states, it seems clear that some states chose the first option. It is less clear which have chosen the second because there is no reliable data source indicating the presence or absence of waiting lists. Both situations, of course, would indicate a need for additional bed space in detention and corrections. Without knowing the history of each case and the specific decisions made, it is impossible to determine if the agencies involved might feasibly change their policies so that demand for more space could be reduced. Clearly, more data are needed to examine these policies and alternatives.

### **Determining Future Needs**

An examination of future needs for space in juvenile detention and corrections requires consideration of a longer, indeterminate timeframe. Building, remodeling, or refurbishing facilities takes time and resources and cannot address short-term needs. Decisions about the long-term, then, will differ considerably from those of the short-term. Generally speaking, planners look 1, 2, 5, or 10 years into the future. These timeframes derive from practical necessity and from the limits of prediction. On the one hand, projections must extend far enough into the future to provide information when it is needed and most useful. In other words, budget planners must know 1 or 2 years in the future how much the State can expect to spend on capital improvements, expansion, and normal operating expenses. On the other hand, given that planners are planning capital expenditures, it is important to know early how much space is needed so as not to over- or underestimate needs and costs.

Projecting juvenile correctional populations is likely to be more difficult than projecting adult prison populations. Juvenile justice officials have relatively more discretion than their criminal justice counterparts and, unlike the criminal justice system, there are fewer mandates and guidelines that must be followed. Because sentences are typically for indeterminate periods of time, lengths of stay are often linked to progress in treatment programs,

the availability of space, and the severity of the offenses. As a result, juvenile detention and corrections systems have much less structure upon which to build forecasts.

One major assumption that any estimation of need must make is that past trends regarding population, arrest, or incarceration can be used to guide planning. Indeed, historical data provide the only empirical data with which to examine the need for space in the future. With appropriate data and a solid understanding of what policies were in place at the time, forecasters can model stability or change in these assumptions and use the data to examine how the population may change in the future.

**Projecting future needs is risky**

OJJDP pursued two methods of estimation to determine the need for additional bed space. First, a knowledgeable expert in each state was asked to report any planned expansion in that state over the next few years. Second, based on the CIC census, ad hoc estimates of needed space in 1999 were developed. For reasons that will become clear, estimates produced by the states are considered of higher quality and thus reflective of actual need than those estimates developed through a crude national data collection. On the other hand, local estimates are also highly subject to the administrative culture in which each state agency operates.

Table 1.7 summarizes the response received from the states regarding their projected future need. Generally, the respondents provided copies of their facility plans to indicate not only the number of bed spaces the states expect to add, but also the planning method used to determine this number. The assessment reveals marked differences in state plans for adding bed space in the near future.

**Table 1.7  
Projected Changes in Juvenile Corrections and Detention Space in 10 States Identified by Congress, and Methods Used to Derive Projections.**

| <b>STATE</b>      | <b>PROJECTED CHANGE</b>  | <b>METHOD</b>   |
|-------------------|--|---|
| <b>Alaska</b>     | By the year 2006, Alaska officials expect to expand the number of juvenile corrections beds by 14%, from 147 to 167 beds. The number of detention beds is expected to grow by 74%, from 74 beds to 129 beds.   | Administrative judgment; some empirical analysis.                 |
| <b>California</b> | Officials do not expect to need additional long-term corrections beds between 1998 and 2005, although some beds may need to be upgraded. The most recent statewide projection of local detention needs, on the other hand, predicted that capacity would have to increase by 28% between 1992 and 2000. Detention capacity has not grown at this rate and facilities are over-crowded. | Detailed empirical analysis and administrative consensus process. |

|                       |   |   |
|-----------------------|---|---|
| <b>Kentucky</b>       | Based on recent analysis by external consultants, the state expects an increase of 45% in local detention needs by the year 2007. Kentucky utilizes a range of placement settings for committed youth, and the overall capacity of these placements is expected to grow 21% by 2007.                          | Administrative judgment;<br>limited empirical analysis. |
| <b>Louisiana</b>      | Current demand for juvenile bedspace strongly influences future expectations. State agency performs limited forecasting, but demand has consistently exceeded system capacity and the State predicts 4 percent growth in bedspace during 1999.  | Response to crowding.                                   |
| <b>Mississippi</b>    | Correctional facilities are crowded. Three facilities with a total capacity of 425 beds have held as many as 655 juveniles in recent years. State officials expect to increase long-term bed capacity by 265 (62%) in order to address current crowding problems. The State has not made long-term forecasts. | Response to crowding.                                   |
| <b>Montana</b>        | The number of juveniles in out-of-home placements funded by the state department of corrections grew 9 percent (from 380 to 414) between September 1997 and May 1998. The State does not prepare long-term forecasts.   | Administrative consensus.                               |
| <b>New Hampshire</b>  | State plans to expand its only long-term juvenile facility to 133 beds from its existing capacity of 108. The State also expects to fund 60 new shelter-care beds.  | Administrative consensus.                               |
| <b>South Carolina</b> | Officials anticipate adding as much as 52% to the State's existing juvenile corrections capacity by the year 2002. Detention capacity may double over the same period.  | Moderately detailed empirical analysis.                 |
| <b>West Virginia</b>  | Officials expect to increase the capacity of the state's one long-term facility from 124 beds to 320 beds by the end of 1999. Detention capacity is projected to double in the near future.   | Administrative judgment;<br>limited analysis.           |
| <b>Wisconsin</b>      | Although facilities have been crowded in recent years, officials do not anticipate a need for additional space due to currently declining populations.  | Administrative judgment.                                |

These estimates must be considered in conjunction with State policy and practice. Specifically, as mentioned on the crowding issue, some states choose to operate above their design capacity while other States choose to maintain waiting lists. It is difficult, based on national information and on the states' own planning efforts to understand how these policies affect projections for future need. Also, changes in other parts of the system (i.e., length of stay) can obviate the need for additional space.

These estimates contrast sharply with estimates developed using national data as can be seen in table 1.8. Based on data from the Children in Custody series, one might expect an increase of 7,600 or 16,000 long-term commitment beds over 1995 levels nationwide. These widely differing numbers depend on which historical trend is considered: changes between 1989 and 1995 or simply between 1993 and 1995. Estimates based on these different timeframes provide benefits not available in the other. Specifically, estimating from 1989 to 1995 provides more data on which to base estimates. It is much less susceptible to dramatic single-year fluctuations. However, the period 1993 to 1995 provides a picture closer in time to the actual policy environment for which

the projections are made. In other words, the policies followed between 1995 and 1999 may be more similar to those of the more recent period.

**Table 1.8**  
**Actual and Projected Populations in Long-Term Institutional Facilities**

|                | Reported population |        |        |        | Projected 1999 population |                         |
|----------------|---------------------|--------|--------|--------|---------------------------|-------------------------|
|                | 1989                | 1991   | 1993   | 1995   | based on 1989-95 change   | based on 1993-95 change |
| United States  | 27,369              | 28,752 | 30,891 | 38,856 | 46,514                    | 54,786                  |
| Alaska         | 145                 | 199    | 156    | 208    | 250                       | 312                     |
| California     | 8,940               | 9,024  | 9,605  | 12,536 | 14,933                    | 18,398                  |
| Kentucky       | 232                 | 261    | 361    | 227    | 224                       | (41)                    |
| Louisiana      | 654                 | 649    | 759    | 1,087  | 1,376                     | 1,743                   |
| Mississippi    | 217                 | 322    | 417    | 538    | 752                       | 780                     |
| Montana        | 149                 | 153    | 113    | 101    | 69                        | 77                      |
| New Hampshire  | 100                 | 86     | 89     | 103    | 105                       | 131                     |
| South Carolina | 508                 | 639    | 728    | 948    | 1,241                     | 1,388                   |
| West Virginia  | 107                 | 110    | 117    | 109    | 110                       | 93                      |
| Wisconsin      | 566                 | 688    | 762    | 1,113  | 1,478                     | 1,815                   |

**Source:** OJJDP, *Children in Custody Census 1988/89, 1990/91, 1992/93, 1994/95*.  
**Note:** Projections are based on the simple assumption that the number of beds added to capacity during recent years will be added at the same rate during ensuing years (i.e., since Alaska added 52 beds to its institutions between 1993 and 1995, the projection assumes that 52 more beds will be added by 1997 and another 52 by 1999. Numbers in parentheses represent negative bed counts.

The most startling differences come from those between these two estimation procedures. For example, California does not expect any increased need in bed space before 2003, while the CIC estimates indicate a need in California for as many as 5,850 additional beds in 1999. Some trends reported in the CIC data would lead to nonsensical conclusions if one followed them blindly. For example, if one were to believe the short-term direction of CIC data, Kentucky could close all of its institutional bed space by 1999. While West Virginia officials report that the state plans to expand capacity, CIC data trends indicate no need for long-term institutional bed space.

Similar examples of inconsistencies arise when looking at the need for short-term beds. Alaska would be expected to decrease the number of detention spaces upon examination of historical trends, as would California, South Carolina, and possibly West Virginia and Louisiana (based on some estimates). Clearly, though, the states' own studies and expectations in no way indicate an excess of short-term institutional (detention) beds. Indeed, as indicated by Table 1.9, nationally there would be a needed expansion of about 7 percent by 1999.

**Table 1.9**  
**Actual and Projected Populations in Short Term Institutional Facilities**

|                | Reported population |        |        |        | Projected 1999 population |                         |
|----------------|---------------------|--------|--------|--------|---------------------------|-------------------------|
|                | 1989                | 1991   | 1993   | 1995   | based on 1989-95 change   | based on 1993-95 change |
| United States  | 19,336              | 20,551 | 20,956 | 21,884 | 23,583                    | 23,740                  |
| Alaska         | 46                  | 9      | 22     | 15     | (6)                       | 1                       |
| California     | 6,518               | 6,775  | 6,334  | 5,904  | 5,495                     | 5,044                   |
| Kentucky       | 81                  | 81     | 96     | 123    | 151                       | 177                     |
| Louisiana      | 382                 | 454    | 484    | 397    | 407                       | 223                     |
| Mississippi    | 54                  | 78     | 64     | 72     | 84                        | 88                      |
| Montana        | 10                  | 0      | 3      | 7      | 5                         | 15                      |
| New Hampshire  | 19                  | 22     | 17     | 22     | 24                        | 32                      |
| South Carolina | 209                 | 242    | 230    | 76     | (13)                      | (232)                   |
| West Virginia  | 64                  | 56     | 39     | 39     | 22                        | 39                      |
| Wisconsin      | 107                 | 177    | 205    | 245    | 337                       | 325                     |

**Source:** OJJDP, *Children in Custody Census 1988/89, 1990/91, 1992/93, 1994/95*.

**Note:** Projections are based on the simple assumption that the number of beds added to capacity during recent years will be added at the same rate during ensuing years (i.e., since Alaska added 52 beds to its institutions between 1993 and 1995, the projection assumes that 52 more beds will be added by 1997 and another 52 by 1999. Numbers in parentheses represent negative bed counts.

Clearly, the Children in Custody series is not likely to satisfy all data needs for projecting future detention and corrections capacity. The national data suggest populations in 1999 that states are highly unlikely to follow. Thus, future projection efforts should involve more than nationally collected data. They should also account for individual state developments. The states themselves have a better understanding of their future resources and the policy alternatives available.

However, this is not to say that all state projection methods are created equal. Rather, as is clear from the various state descriptions in this report, the states have different data capabilities and thus different projection opportunities. Further, each state uses different projection methods of widely differing sophistication. For example, California has a sophisticated and routine method to track its future space needs. Kentucky required an outside consultant to develop the projection models and even to collect the necessary data. New Hampshire and West Virginia rely mainly on management consensus rather than projections to determine future needs for space. Granted, the consensus is developed by individuals keenly aware of the situations in each state; however, these methods do not allow for sophisticated considerations of alternative policies.

### **Past need cannot fully inform future need**

It is clear that historical data cannot take into account all of the changes in policy or other events that affect how many juveniles are detained and for how long. Some information other than data on the historical detention

population must be taken into account in predicting future detention space needs. It is less clear just what that information should be.

One approach to the problem of accommodating change involves the identification of policy changes throughout the justice system that could affect detention space and the estimation of what the likely effects of those changes will be. Historical data can then be adjusted to reflect the "best guess" about how the future departs from the past. The use of "guesstimates" to adjust historical data about detention populations may make some officials nervous. Guessing the likely effects of changes may seem overly subjective. Yet, as population forecasters maintain, planners have long used models based on historical data even when it was already known that their assumptions of equilibrium were wrong. It is not clear why many people seem able to tolerate some assumptions that are known to be false, but are less willing to live with other assumptions that are merely uncertain.

# Forecasting Space Needs

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The goal of forecasting is to aid policy makers in planning for how many permanent detention and corrections beds will be needed for the number of juveniles expected to reside in a facility. To do this, forecasters attempt to project the average number of juveniles who will be in custody on a given day. They may do this for an individual facility or, more typically for the total number of juveniles expected to be in custody in an entire jurisdiction. Forecasting assumes that juvenile justice officials will distribute juveniles among all available facilities in a way that balances supply and demand for space. Budgeters and policymakers must decide if they can accommodate this number and if so, how.

Need, in this context, is a policy decision. Whereas many juveniles (those charged with murder, rape, arson, etc.) will be placed in residential facilities almost as a matter of course, other juveniles (those charged with less serious offenses) may be selected for residential placement based on explicit policy decisions.<sup>1</sup> Thus, policymakers can adjust various assumptions and policy preferences to affect the number of juveniles actually held in detention and corrections facilities.

## **Previous space utilization provides little guidance for forecasting**

The most basic method of estimating future demand for juvenile corrections space is to assume that the pattern of past demand will continue and that recent trends are an accurate indicator of the number of corrections beds needed in future years. According to the data from the Children in Custody<sup>2</sup> program, the total design capacity of long-term juvenile correctional facilities increased 32 percent between 1989 and 1995, from 25,003 beds to 33,005 beds (see table 2.1).

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<sup>1</sup> Another policy decision arises in determining the type of setting each juvenile should be placed in and providing an appropriate number of beds in each type of environment.

<sup>2</sup> The formal title of the Children in Custody census is the 1995 Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities. OJJDP sponsors this data collection every 2 years. The Bureau of the Census has conducted this census since its inception. Beginning in 1997, OJJDP began a new census that will replace the CIC. The new Census of Juveniles in Residential Placement (or CJRP) will provide more valuable information on the population of juveniles in custody. However, the data from this census are not yet available for inclusion in this report.

Growth in the actual use of long-term juvenile correctional institutions was somewhat higher than 32 percent, however, because many institutions were operating above their official design capacity (often by double-bunking rooms intended for single occupancy or by using cots or other temporary measures). By adding these "overflow" beds to official design capacity and then subtracting the number of beds that were empty on the census day, the increase in total population was calculated to be 42 percent between 1989 and 1995, from 27,369 beds to 38,856 beds (see table 2.2).

**Table 2.1**  
**Public, Long Term Juvenile Corrections Beds: U.S. Total**

| Census Year | Number of Facilities | Facilities over Design Capacity | Design Capacity | Overflow Population | Empty Beds | Total Population |
|-------------|----------------------|---------------------------------|-----------------|---------------------|------------|------------------|
| 1989        | 223                  | 89                              | 25,003          | 3,733               | 1,367      | 27,369           |
| 1991        | 227                  | 101                             | 26,932          | 3,319               | 1,499      | 28,752           |
| 1993        | 270                  | 110                             | 27,865          | 4,429               | 1,403      | 30,891           |
| 1995        | 359                  | 160                             | 33,005          | 7,269               | 1,418      | 38,856           |

**Source:** OJJDP, *Children in custody census 1988/89, 1990/91, 1992/93, 1994/95.*  
**Note:** When a facility reports a population in excess of its design capacity, the difference is defined as "overflow." Some facilities have empty beds on the official census day. These beds were subtracted from the sum of design-capacity beds and overflow beds to derive the total "utilized capacity" for each year.

**Table 2.2**  
**Increase in Resident Population of Long Term Public Facilities**

| Census Year | Population | Increase over 1989 |
|-------------|------------|--------------------|
| 1989        | 27,369     |                    |
| 1991        | 28,752     | 5%                 |
| 1993        | 30,891     | 13%                |
| 1995        | 38,856     | 42%                |

The 42 percent increase in long-term correctional beds between 1989 and 1995 would have been impossible to predict using only prior data on the total utilized capacity reported by correctional facilities in earlier years. If an analyst had been asked in 1992 to estimate the need for long-term corrections beds based only on the number of beds utilized in 1989 and 1991, the analyst's "best guess" would have been that beds would increase 5 percent every 2 years. Based on 1989 and 1991 data, this would have produced a predicted total capacity of just under 32,000 in 1995.

Even the availability of three data points as opposed to two would not have saved the analyst from underestimating total capacity in 1995. If the analyst had been asked in 1994 to estimate future demand for corrections beds, the best guess would be that the number of beds would grow 13 percent in 4 years, for a total capacity of nearly 35,000 in 1997. Yet, capacity grew beyond that figure by 1995.

The estimate of the future demand for bed space based on extending the rate of recent growth into future years assumes that the number of bed spaces will grow in the same manner as they did in the past. This assumption can be met if none of the factors that affect bed space growth change, or it can be met if several of the factors change in ways that offset the differential changes so that the overall rate of growth does not change and it appears “as if” nothing changed. In either case, policymakers must decide whether they believe these assumptions will persist into the future in making their planning decisions. They can adjust the projections based on what they believe will happen to the assumptions and plan accordingly.

For example, an analyst in 1989 could not have anticipated that policymakers across the country were about to increase capital expenditures for juvenile corrections and swell the total capacity of long-term institutions by 42 percent in just 6 years. From the forecaster’s point of view, absent any data except data on past trends in the number in custody, it is difficult to generate projections of future populations based on anything *but* fairly simple assumptions that include constant growth, decreasing growth, or increasing growth. And, departures from assumptions of constant growth need to be supported by other information and by data on the amount of the increase or decrease from constant growth. Forecasters are generally aware of the frailty of these simple assumptions, and they usually point this out to decision makers when reporting forecasts. (See appendix A for more detailed data from the annual census of juvenile corrections facilities).

### **The increase in the juvenile population does not always correlate with facility populations**

Another simple method of estimating future demand for juvenile corrections space would be to assume that growth in corrections follows population trends. For example, the future demand for juvenile correctional resources could be estimated using changes in the number of juveniles (defined as youth at least age 10 but not older than the “upper age of juvenile court jurisdiction”). However, if the same analyst in the above example had been asked to estimate the future demand for long-term corrections beds using only population data, the answer would again be inaccurate. As shown in table 2.3, the best guess would be that the number of beds would grow an average of 2 percent annually between 1989 and 1995, again producing an estimate much lower than the actual institutional capacity reached by 1995. Whereas the population increased 12 percent in this period, the number of long term institutional beds increased 42 percent.

| <b>Table 2.3</b><br><b>U.S. Population, Age 10 to Upper</b><br><b>Age</b><br><b>of Original Juvenile Court</b><br><b>Jurisdiction</b> |            |                     |
|---|------------|---------------------|
| Year  | Population | Change<br>from 1989 |
| 1989  | 25,288,400 |                     |
| 1990  | 25,611,100 | 1%                  |
| 1991  | 26,073,900 | 3%                  |
| 1992  | 26,687,000 | 6%                  |
| 1993  | 27,273,500 | 8%                  |
| 1994  | 27,760,700 | 10%                 |
| 1995  | 28,239,300 | 12%                 |

**Source:** Resident population estimates prepared by the U.S. Bureau of the Census for the years 1989 through 1995. The upper age of juvenile court jurisdiction is governed by State law and ranges from age 15 (e.g., CT, NC, NY), to 16 (e.g., LA, NH, SC, WI), to the most common age, 17 (e.g., AK, CA, KY, MS, MT, & WV).

In spite of the obvious weaknesses of demand predictions based on past utilization of correctional facilities or on changes in the juvenile population, these are the two approaches most often used by state and local jurisdictions (see the section of this report that describes current demand estimation efforts in 10 states). Most juvenile justice agencies (unlike many adult corrections agencies) have few or no staff positions dedicated to research and planning. When estimations of future demand become necessary, the administrative staff of a juvenile corrections agency is often left to do its best with limited experience and few data resources. The best information available is usually the agency's own data on prior corrections and detention use and population data from the U.S. Census which is typically accessible through state management and budget offices. (See appendix B for more detailed population data.)

### **The decrease in juvenile crime has not led to a decrease in space use**

In states with the resources necessary to conduct more sophisticated demand estimations, it is logical for analysts to turn to juvenile crime data for more information. Using crime trends to estimate future demand for correctional space has obvious appeal, since corrections and detention space should at least be related to changes in the rate and volume of juvenile crime. Incorporating juvenile crime data into forecasts of future detention space needs changes several assumptions. On the one hand, it adds some more realism to the model of predicting space needs by relating space to crimes. This is an important assumption, as only juveniles who commit crimes are eligible for post-adjudication custody. On the other hand, the relationship between crime rates and space needs is neither simple nor direct, as there are many factors that intervene between a juvenile committing an illegal act and the decision to place the juvenile in a detention or correctional facility. Further, projections based on crime rate trends are subject to fluctuations in these trends. There are simply too many

other factors that influence the actual demand for corrections space. Still, analyzing recent trends in juvenile crime is often critical to understanding the changing patterns of detention and corrections use.

Changes in the per capita rate of juvenile arrests for serious offenses can be compared with the demand for correctional resources. If the trends in arrests for serious crimes begin to increase, it would be reasonable to conclude that the demand for correctional resources would begin to climb as well. However, if the analyst from the examples above were now asked to estimate future demand for long-term juvenile corrections beds using only arrest data, the answer would still be less than complete. The best guess would be that the number of beds would grow 30 percent between 1989 and 1995, again producing an estimate slightly lower than the actual institutional capacity which increased 42 percent by 1995 (see table 2.4).

| Year | Arrests per<br>100,000 | Change<br>from 1989 |
|------|------------------------|---------------------|
| 1989 | 398                    |                     |
| 1990 | 432                    | 9%                  |
| 1991 | 450                    | 13%                 |
| 1992 | 475                    | 19%                 |
| 1993 | 505                    | 27%                 |
| 1994 | 534                    | 34%                 |
| 1995 | 518                    | 30%                 |

**Source:** Juvenile arrest rate estimates based on data published in the FBI's *Crime in the United States* reports 1989–1995, and on population data from the U.S. Bureau of the Census. Arrest rates prepared by the National Center for Juvenile Justice.

The above example raises another important concern related to estimating future corrections and detention capacity. Capacity is much more likely to respond to increases than to decreases in juvenile crime. In the data shown above, the juvenile arrest for violent offenses decreased 3 percent between 1994 and 1995. (In fact, juvenile arrests for violent crime continued to decrease in 1996.) Yet demand estimations based on data prior to 1995 would not have included this unexpected downturn and would have projected continuing increases in juvenile violence. Thus, any capital expansions planned prior to 1995 would have overestimated the need for secure detention and corrections space in 1995 and 1996. In short, the actual capacity of juvenile detention and corrections systems is never simply a function of the crime rate, at least in part because while the crime rate may go down, capacity does not go away once it is built. (See appendix C for more detailed data on juvenile arrests and juvenile court cases).

This situation holds true whether demand estimations are based on violent crimes, all serious crimes including drug offenses and weapons charges, or on the entire juvenile crime caseload. Although changes in juvenile crime are an important component of future demand for corrections and detention space, they are not the only source of demand.

## Out of home placements by courts do not provide accurate projections of need

It is also natural for juvenile corrections planners to attempt to estimate future patterns in bed space with information about the number of placement or detention cases being referred to corrections agencies by the juvenile court. Juvenile court caseload data may have a more direct relationship to future demand for correctional space because most correctional and detention placements are the result of juvenile court actions. There are still other factors that influence the total demand for corrections space, but analysts expect to see similar patterns in the number of cases ordered into placement or detention and the ensuing use of corrections and detention space.

For example, the total number of delinquency cases that result in out-of-home placement is estimated annually by the National Juvenile Court Data Archive. Between 1989 and 1995, the Archive estimated that out-of-home placement cases grew 32 percent. These changes are only an approximate indicator in the potential trend in correctional placements since "out-of-home placement" as used in the Archive data refers to all forms of placement, including residential treatment, group homes, etc. However, changes in the number of placement cases overall can be compared with trends in long-term corrections populations.

If the analyst from the above examples were asked to estimate future demand for long-term juvenile corrections beds using only juvenile court placement cases, the answer would still be less than complete. As shown in table 2.5, the best guess would be that the number of beds would grow 32 percent between 1989 and 1995, again producing an estimate lower than the actual institutional capacity which increased 42 percent. (See appendix D for more detailed data from the annual census of juvenile corrections facilities.)

| Year | Cases   | Change<br>from 1989 |
|------|---------|---------------------|
| 1989 | 126,000 |                     |
| 1990 | 131,600 | 4%                  |
| 1991 | 132,000 | 5%                  |
| 1992 | 138,700 | 10%                 |
| 1993 | 148,200 | 18%                 |
| 1994 | 160,500 | 27%                 |
| 1995 | 166,100 | 32%                 |

**Source:** National estimate of delinquency cases resulting in placement by the juvenile court. National Juvenile Court Data Archive, National Center for Juvenile Justice.

Whereas a simple set of assumptions may seem logical in estimating the future, these examples show that such estimates are not very valid or reliable. Granted, the national data presented can provide only crude measures

of what actually is occurring at the state and local level; however, even at the state and local level the data limitations make projections difficult and subject to similar problems of reliability.

## **Admissions to Detention and Corrections**

The first piece of information needed to create estimates of daily populations requires estimating the number of juveniles admitted to these facilities over a set period of time (generally by month or by year). However, a number of different individuals spread throughout the juvenile justice system will have an effect on the number of juveniles admitted for detention or corrections. This section discusses the impact these individuals and how any model of admissions must include in some way the policy decisions made at several points in their processing through the juvenile justice system.

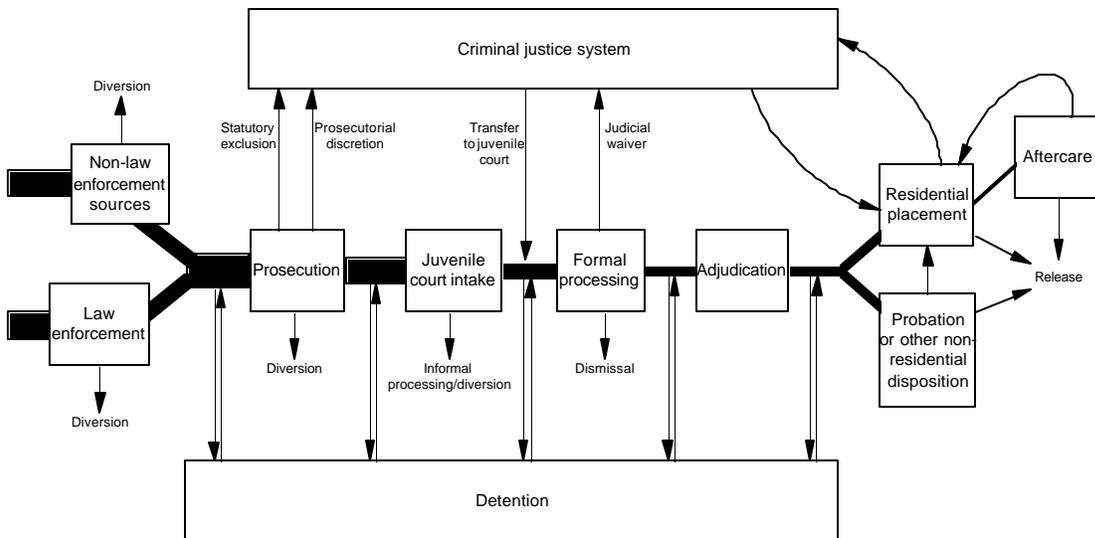
### **Detention and corrections follow specific points in the handling of juvenile offenders**

Before being placed in detention or corrections facility, a juvenile will filter through different segments of the justice system. At each point, an official of the justice system makes a decision concerning the further processing of that juvenile. Ultimately, every decision made at each point will determine which juveniles will be sent to detention or corrections. Summation of these decisions across the decision points and across all juveniles entering the system will produce the population of juveniles either detained in short-term placement or committed to long-term facilities.

Figure 1 presents a generalized view of the juvenile justice system. As shown, several decision points in the system ultimately affect how many juveniles are assigned to either detention or corrections. Although the structure of the juvenile justice system will follow these general lines, the details of the structure differ considerably among the states and even within states. However, in all cases, the corrections system is consistent in requiring that juveniles first pass through the front part of the system (arrest, courts, etc.) before that point. Detention poses a more complicated issue in that a juvenile can be detained at most any point in the system, including after adjudication while awaiting placement in a long-term facility.

**Figure 1**  
**The Stages of the Juvenile Justice System.**

The stages of delinquency case processing in the juvenile justice system



Adapted from the OJJDP model in *Juvenile Offenders and Victims: A National Report*  
 Note: This chart gives a simplified view of caseload through the juvenile justice system. Procedures vary among jurisdictions. The weights of the lines are not intended to show the actual size of caseloads.

A delinquent act by a juvenile starts the process. The volume of juveniles committing offenses provides the supply of cases that enter the juvenile justice system. This initial set of juveniles will travel through the system from arrest to adjudication and, for some, ultimately commitment in a facility. As the number of juvenile offenses increases, so will the overall resource demand of the juvenile justice system. As the number decreases, so too will the demand on the system. Clearly, changes in the overall number of juveniles involved in delinquent acts will have a direct effect on the number of juveniles requiring detention or commitment.

Following the delinquent act, the justice system responds based on the nature of the act and the background of the juvenile. The first response generally comes from law enforcement, which investigates the offense and makes an arrest, if possible. As Figure 1 indicates, law enforcement has some discretion to divert the juvenile or

to pass the juvenile on for further processing. Law enforcement also has the choice of detaining the juvenile while the case is processed further in the juvenile justice system.

Law enforcement then passes the juvenile off to the district attorney's office. There, the attorney charged with processing the case can choose to divert the juvenile from the juvenile justice system, transfer the juvenile to the criminal justice system, or process the juvenile further in the juvenile justice system. If processed in the criminal justice system, the juvenile may enter an adult jail or adult prison as appropriate. If processed further in the juvenile justice system, an intake officer makes another decision concerning the further processing of the juvenile. First, this officer decides (again) whether to continue processing in the juvenile justice system or to process the case informally. If the case is formally processed, the officer must decide whether to detain the juvenile prior to the adjudicatory hearing.

At the adjudicatory hearing, the juvenile court judge makes further decisions concerning the case. If the youth is adjudicated delinquent, the judge can order long-term residential placement or some form of community supervision. At this point, for the first time, a juvenile can be placed in the long-term facilities that make up juvenile corrections. In some states, judges also have the authority to place juveniles in the short-term juvenile detention facilities for shorter periods of time (generally up to 30 days).

### **Beyond the structural limitations of the juvenile justice system, officials make decisions under other constraints**

Once a juvenile comes into contact with the juvenile justice system, a variety of laws, policies, and procedures will govern that person's handling and determine the rate at which juveniles are referred for either pretrial detention or correctional placement. The preferences and decisions of juvenile justice agencies and the individuals involved in handling each youth factor heavily in the eventual demand for juvenile corrections and detention resources. At each stage in the juvenile justice process, decisions to detain or commit a juvenile are constrained by several factors, some particular to that decision point, and some general to the entire system. The factors include:

- The availability of space in the short-term or long-term facilities.
- The location of available space.
- The statutory constraints on an individual official's actions.
- The availability of alternatives such as community supervision, electronic monitoring, or day-reporting programs.
- The perceived effectiveness of the available alternatives (particularly regarding the specific case).
- Guidelines governing the security levels required for specific offenses.
- Substance abuse history or current substance abuse.
- The amenability of the juvenile to particular forms of treatment.

These and other factors combine to form a complex decision matrix for each official's decision on how to handle a particular juvenile. More important, though, is the level of discretion any particular agent in the system has with regard to the choices available at that point. Unlike the criminal justice system where a police officer's actions may be constrained (for example, when arrest is required in domestic abuse calls), police can often

exercise considerable arrest discretion with juvenile offenders. Some police departments even offer their own juvenile diversion programs, which simply do not exist in the adult system.

Prosecutors may have little discretion about where to file cases, but in some states a prosecutor can decide to file charges against a youthful offender either in juvenile or criminal court. Similarly, juvenile court judges often have the final decision about where a case will be tried. Juvenile judges often have greater discretion than criminal court judges concerning program placement for particular offenders. Even the juvenile corrections system often has greater discretion than the criminal corrections system concerning when to release a particular individual.

In theory, it is possible to predict the actions of the various officials in the system. Each decision point in the system can be mapped somewhat completely. Each alternate option for a decision point can be given a particular probability based on the particular situation and the characteristics of the juvenile involved. Using these probabilities and estimates of the number of particular delinquents entering the system, forecasters provide estimates of how many juveniles will be detained or committed in a given period of time. By altering assumptions of how the system will operate and thus the probabilities applied to particular courses of action, forecasters can provide insight into how specific policy changes will affect the overall system in general and detention and corrections facilities in particular. In other words, forecasters can predict the demand for space in these facilities given a certain specific set of assumptions. However, forecasting is never easy. Given the high level of discretion throughout the juvenile justice system and the wide range of options generally available, any particular forecast may be susceptible to many different complex interactions.

### **Variation in policy affects the need for detention and correction space over time and across states**

The juvenile justice system is neither uniform nor static. Researchers and policymakers must routinely note and study the differences in policy evident across states, within states, and over time. Over time, the juvenile justice system transforms itself as the circumstances of juvenile crime change. These changes result in different levels of detention and commitment and lead to changes in the makeup of the populations confined. Forecasters must understand and quantify these changes (both spacial and temporal) to produce accurate and useful models of the system's future.

Additionally, there are specific issues that vary in relevance depending on the specific jurisdiction involved. For example, rural counties may see greater barriers to detention by the mere fact of the distances involved. Urban counties may see fewer barriers based on distance. In other words, the availability of detention can vary significantly from one jurisdiction to another. Some jurisdictions have chosen electronic monitoring or intensive supervision to reduce the number of minor offenders in detention or corrections. Some states rely more heavily than others on private provision of corrections and treatment services. The availability of social services also may have an impact on the use of detention. Further, states have different budgeting mechanisms that may serve to open or restrict opportunities for alternatives to detention and incarceration.

### **Estimating the daily population**

Given the range of problems mentioned above, a sophisticated projection method may be required to anticipate future needs for juvenile detention and corrections space. Fortunately, researchers have already attempted this problem with relatively good results. Most forecasters use a mathematical model that incorporates the number of juveniles in a facility at a specific point in time, the admissions into the facility over a specific time measured, and the number of juveniles released in that same time period. Mathematically, the equation can be expressed as:

$$P_t = P_{t-1} + A(t) - R(t)$$

where  $P_t$  represents the number of juveniles expected to be in residence at a specified estimated time ( $t$ ).  $P_{t-1}$  represents the initial time (e.g., the present) for which data are available.  $A(t)$  represents the number admitted during the time period from ( $t-1$ ) to ( $t$ ) and  $R(t)$  represents the number released during that same time period. This equation is a simple first-order difference equation that is at the heart of most forecasting models.

The estimate of the population at time ( $t$ ) requires that a forecaster know the number of admissions to the facility or agency over the specified time period, which is referred to as the admissions rate. Also, the forecaster must know or model the number of juveniles who will be released because their length of stay has ended. This information requires estimating the average length of stay (ALOS) of a juvenile in custody.

For example, assume a facility has a population of 500 juveniles on May 1 (i.e., the population  $P_{t-1}$  at time ( $t-1$ )) and that the administrator wishes to estimate the population a year from that date (time ( $t$ )). The agency must estimate how many juveniles will enter the facility over the year ( $A(t)$ ) and how many juveniles will leave during that period ( $R(t)$ ). In this example, the agency estimates 600 juveniles will enter in that time and 550 juveniles will leave. Therefore, the equation becomes:

$$P_t = 500 + 600 - 550 = 550.$$

The agency, then, will expect 550 juveniles in custody (a 10 percent increase) in one year if the present assumptions hold.

The most difficult pieces of information to acquire include the estimated admission rate and the estimated release rate. Admission numbers can be estimated based on crime rates, population increases, and court referrals. Release rates depend on a much more complex calculation because not everyone entering the facility or the system will stay for the same period of time.

## Discussion

No projection method is without error, but juvenile justice officials must choose some method of planning for future capacity needs. Without careful projections of the likely demand for detention and corrections space, policy makers and administrators are forced to make important decisions about the need for additional facilities based primarily on the immediate pressures of crowding. Yet, crowding is essentially an indicator of past demand. Budgeting and policy-making are more concerned with the long-term future. In the long term, states must ask themselves what type of juvenile justice system they want and how much that system is likely to cost.

Without a solid understanding of how projections are derived and how the actual future may depart from predictions, policymakers and planners face the danger of making plans based upon future conditions that never occur. On the other hand, making management plans without any predictions can leave the juvenile justice system unprepared and may lead to the misdirection of significant resources.

## Forecasting Efforts in Three States

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States have attempted to project the future need for juvenile detention and correction space with mixed results. Examining such efforts informs future policy analysts and forecasters how such projections can be accomplished. The National Council on Crime and Delinquency (NCCD) has assisted several states in developing estimates of future space needs for the criminal justice systems. NCCD has relied on this experience to assist some states in projecting the need for juvenile detention and corrections bed space. What follows are brief summaries of recent efforts by NCCD to project the future bed space needs of three states: Kansas, Kentucky and Alaska.

Forecasts in Kentucky and Alaska were requested by the heads of juvenile corrections agencies; the Kansas forecast was requested by a legislative committee. In each state, forecasts were to be used to guide construction plans and operating budget requests for juvenile correctional agencies. Researchers were expected to provide decision makers with reasonable, defensible forecasts of future bed space needs during periods when rather significant changes were occurring in the systems.

Forecasts were completed in each state based on assumptions about how many juveniles would be admitted to the systems in the future and how long admitted juveniles would remain confined.

This was accomplished by analyzing and describing existing admission patterns and lengths of stay and engaging state decisionmakers in the process of determining whether the existing situation was likely to change in the future. Researchers attempted to identify, with mixed results, predictable juvenile justice trends that would guide the development of admissions assumptions, such as changes in the number of youths at risk in the general population, trends in juvenile arrest patterns, and historical admissions trends. Assumptions were also made about how long future admissions would likely remain in confinement. In each state, decisionmakers—agency heads, administrators and legislators—were actively engaged in the forecast process of defining assumptions about how the systems would likely function in the future.

### Kansas

#### **The 1996 Reform Act changed the system of juvenile justice in Kansas**

At the end of 1996, just over 500 juveniles were housed in Kansas juvenile correctional facilities. As in other states, the Kansas system was plagued by chronic crowding, outdated and inadequate facilities, high levels of

recidivism, and an increasing number of offenders committed to the State. As a result, the Kansas Legislature passed the Juvenile Justice Reform Act of 1996. This legislation established a new independent State agency to assume full responsibility for implementing policies concerning the supervision of juvenile offenders in the community and the placement of committed juveniles in State correctional facilities. The Reform Act also initiated a new statewide sentencing policy for juvenile offenders that promoted both longer periods of confinement in State juvenile correctional centers for violent and chronic offenders and the diversion of less serious juvenile offenders from State correctional facilities. In short, Kansas substantially changed the way it operated its juvenile justice system. Projecting future bed space requirements was largely an exercise of continually refining proposed policies and balancing need with fiscal realities.

The Reform Act was based on the premise that incarceration in expensive State correctional facilities should be reserved for only the most serious and violent juvenile offenders. Foremost among the changes mandated by the Reform Act was the establishment of a guidelines placement matrix to ensure accountability of juveniles who commit serious or violent crimes. Juveniles convicted of serious or violent crimes were to serve long periods of confinement in a state correctional center. The increased sentences were meant to make juveniles take responsibility for their actions and to ensure their opportunity to participate in programs that could address and correct antisocial behavior.

Another policy change initiated by the Reform Act was that juveniles convicted of misdemeanor or low-level felony offenses would serve their sentences in the community. Individual communities throughout the state would have the opportunity to develop and initiate community-based programs that addressed the specific needs of juvenile offenders in their communities. Thus, many of the existing correctional beds being used for misdemeanor offenders would be available for serious violent offenders.

The Reform Act was dramatically changing the two forces that drive bed space needs—admissions and lengths of stay. At the same time, the interim commission overseeing the establishment of the new agency required a forecast of the number of juvenile offenders who would be confined in state correctional facilities 10 years into the future under proposed changes to existing policies. This forecast was to be the cornerstone of a larger needs assessment designed to assess the likely impact of the Reform Act on the juvenile correctional system.

Forecasting the number of offenders requiring confinement in state correctional facilities required the completion of two major phases of work. The first phase entailed assessing existing juvenile justice trends and compiling information on the types of juveniles currently held in state facilities and their present lengths of stay in confinement. The second phase involved projecting future offender bed space needs for the state after incorporating policies proposed by the Juvenile Justice Reform Act of 1996.

### **Kansas will experience some juvenile population growth in 10 counties**

Although demographic forces do not cause increases or decreases in juvenile crime, changes in the relative size of the number of young people living in Kansas communities who are at-risk for committing crimes is one factor that should be considered when planning for the future.

The number of young people in Kansas between 10 and 18 years old increased by 8 percent between 1990 and 1995. Statewide population forecasts supplied by demographers projected slower near-term growth in this population and declines in this age group beginning in 1999. Based on demographics alone, researchers could have reasonably assumed that the number of juvenile offenders entering State facilities each year in the future would begin to slow and actually decline during the 10-year forecast period. If lengths of stay in correctional facilities remained at existing levels, the number of offenders projected to be in the facilities would level off and decline as a result.

The fact that 75 percent of admissions to State facilities lived in only 10 counties in the State further complicated the demographic projections. These 10 counties represented the more urbanized areas of an otherwise rural State, so it was reasonable to assume that demographic changes in these counties would play an important role in influencing future admissions volume. In addition, evidence from other States has shown that crime patterns vary among urban, suburban, and rural communities. In Kansas, the number of teenagers in three of the top 10 committing counties was projected to continue to increase, though at a progressively slower rate, well into the 21st century. It was concluded that changes in both the size and characteristics of the at-risk population in the State would help to determine the number of facility beds needed to house juvenile offenders in the future in ways that were neither clearly defined nor understood. However, projected demographic changes and increases within the counties contributing most to youth center admissions would potentially translate into continued moderate intake pressures in the future.

### **The trends in juvenile arrests in Kansas were mixed for various offenses**

As with demographic trends, juvenile arrest trends presented a mixed picture. Increases in the number of young persons arrested in Kansas during the 5 years preceding the forecast were below the national average and well below increases in the population at risk across the State. During this 5 year period, arrests for serious crimes statewide, as measured by the FBI's Uniform Crime Index, increased by 5 percent or about 1 percent each year. Approximately 500 more juveniles were arrested for serious index crimes in 1994 than were arrested in 1990. Most of the reported increases in arrest volume over the last several years across all serious crime categories were attributed to younger juveniles age 10 to 14 years—the demographic cohort projected to show the greatest declines across the State over the next 10 years.

Between 1990 and 1994, arrests for violent index crimes increased by 39 percent from 842 arrests in 1990 to 1,167 in 1994. Since 1990, 60 to 70 percent of arrests of young people for serious violent crimes (murder, rape, robbery, and aggravated assault) in Kansas had been for aggravated assault charges. Arrests for the most serious violent crimes of murder and rape represented 9 percent of all arrests for serious index crimes in 1994. While combined arrests for the serious nonviolent index crimes of burglary, arson, theft/larceny and auto theft increased by 2 percent (fewer than 200 arrests over 5 years), the number of arrests for burglary, arson and auto theft declined between 1990 and 1994.

### **The number of juveniles committed in the State increased faster than the population or arrest rate**

During the first half of the 1990's when the number of young people in the State increased by 8 percent and arrests of juveniles for all serious crimes increased by 5 percent, the number of offenders confined in State

correctional facilities increased 2 to 3 times as fast. In 1991, there were, on average, 443 juvenile offenders confined in State facilities at any given time, and by 1995, the residential confined population had increased by 21 percent to just under 550 youths. In addition, annual increases during the period had fluctuated between a one year population decline in 1993 and 16 percent growth in 1995.

### **Admissions to State facilities increase faster than the average daily population**

In the early 1990's, growth in annual admissions into State institutions far out paced reported increases in both the at-risk population and the number of juvenile arrests for serious crimes. Admissions into facilities during this period were approximately double the reported increases in the number of offenders actually confined in the facilities. It was concluded that under existing policies, practices, and procedures, admissions to correctional facilities would continue to increase in the future, regardless of trends in arrests and projected growth in the State's at-risk population. In addition, because the growth in the number of juveniles actually confined in facilities had been much lower than the growth of admissions into facilities, it was concluded that there would be continued pressure for shorter lengths of stay to control facility population growth or for additional bed space under then-existing policies.

### **Lengths of stay in Kansas were shortened to accommodate the increased admissions**

Over the years, the number of beds available in State facilities for committed juveniles had remained fairly constant while the demand for bed space had significantly increased.

The overall length of stay in 1995 was 7 months in confinement. As in most juvenile systems, decisionmakers in Kansas exercise considerable discretion in determining appropriate lengths of stay in State facilities. In order to control population growth, lengths of stay were shortened over the years to accommodate increases in the number of admissions into facilities. As more offenders were admitted, the number of releases was increased to maintain the average daily populations at acceptable levels. It was concluded that under existing policies, there would be continued pressure to reduce lengths of stay to control facility population growth.

### **Most juveniles entering State facilities had no prior adjudication history**

The typical admitted juvenile offender was a 16-year-old male who, prior to commitment, resided in a single-parent household in one of the State's two largest counties. The youth had probably been confined in a secure detention facility for at least 40 days prior to admission. In calendar year 1995, approximately 900 youth were admitted to State youth centers. Fully 85 percent of admitted youth were males and 15 percent were females. Consistent with reported national profiles, admitted offenders were disproportionately minority youths.

The vast majority of juvenile offenders are under no criminal justice supervision at the time of admission to State youth centers. Most annual admissions were classified as new admissions (81 percent of 903 admissions); approximately 100 youth (11 percent of admissions) were committed violator returns from community supervision. When grouped by most serious admitting charge, 274 offenders entered correctional facilities for committing the crimes of property theft and burglary. Just under 20 percent of admissions had committed serious felony crimes.

The vast majority of admissions to State youth centers did not have extensive histories of prior juvenile court dispositions. While approximately 11 percent of admissions (99 offenders) had five or more prior convictions, nearly half of all juveniles admitted to correctional facilities had no prior convictions in their records.

### **Kansas officials used forecasts to examine different policy options**

A forecast model was developed to project future population growth based on estimates of admissions and lengths of stay. The model was used to produce alternative projections that included likely impacts of proposed changes to existing policies, procedures and practices on future correctional center population levels. Two separate forecasts of future correctional facility population levels were produced. The first was referred to as the baseline forecast and was based on the assumption that existing admission and release policies would remain unchanged over the next 10 years. It represented a best estimate of future bed space requirements based on profiles of admitted youth in 1995 and lengths of stay in State facilities reported between 1995 and 1996. The second alternative forecast scenario was based on the assumption that admitting and release policies would be significantly changed as a result of implementing new sentencing policies required by the Reform Act. Under this forecast scenario, only juvenile offenders meeting certain criteria were assumed to be admitted to State facilities in the future. In addition, admitted youth were presumed to spend longer periods of confinement upon admission.

### **If existing policies remain the same, the facility population will increase considerably**

Researchers and decisionmakers concluded that it was reasonable to assume that under existing policies admissions to correctional centers would continue to increase in the future, and that as admissions grew the number of beds needed for juvenile offenders would increase in the future. Since the rate of future growth was unknown, researchers and State officials reached a consensus that projecting a rate of admissions that was consistent with increases in the State's at-risk population was a reasonable assumption upon which to base forecasts.

Based on several key assumptions that relate to who is admitted to youth centers in the future, the number of offenders admitted in each future year, and lengths of stay upon admission, the State's correctional facility population was projected to increase by between 10 and 43 youth per year over the next 10 years and approximately 40 percent over existing population levels.

At the beginning of 1996 525 juveniles were confined in State facilities. If current policies remain unchanged, between 629 and 655 offenders were projected to be housed in State facilities by the year 2000. The population was projected to increase to between 751 and 774 youths by the year 2005 if existing admission and release policies remain unchanged. Clearly decisionmakers would need to decide whether to continue to decrease lengths of stay or to build new facilities to accommodate projected growth under existing policies. Either decision would have serious implications for the accuracy of the completed baseline forecast.

### **Implementing the 1996 Juvenile Justice Reform Act**

In the fall of 1996, the Kansas Youth Authority appointed a subcommittee to develop a placement matrix for adjudicated youths for use upon implementation of the Juvenile Justice Reform Act. Such a matrix would set forth guidelines governing who should be admitted to State youth centers and how long admitted offenders should remain in confinement.

The process of producing a final forecast based on placement guidelines was a highly interactive one, whereby decisionmakers would recommend admissions criteria and serving times, which researchers would input into a forecast model and then provide feedback on the likely impact of recommendations on future bed space needs. Guided largely by fiscal realities, criteria and serving times were revised many times by State officials until agreement was reached on a final set of guidelines and a final forecast was generated.

When compared with the baseline forecast, which assumed that existing admission and release policies would remain unchanged in the future, implementation of the Reform Act resulted in a projection of between 85 and 110 fewer correctional beds over the next 10 years. Based on the assumption that the placement matrix would be implemented in July 1997 and fully operational in July 1998, the State's offender population was projected to increase to between 547 and 575 juveniles by the year 2000. This represented an increase of 10 to 40 youth over the average monthly population levels reported in 1996. The population was projected to increase to between 681 and 704 juveniles by the year 2005. The average monthly population was projected to reach 556 juveniles in the year 2000 and just under 700 juveniles by the year 2005. Approximately 14 percent fewer juveniles were projected to be in State facilities with the implementation of the placement matrix.

Implementation of the placement matrix would lead to a change in profile of juveniles housed in correctional centers. When compared with the baseline forecast, the number of juveniles projected to be housed in State facilities for serious and violent crimes increased at a much higher rate with the implementation of the placement matrix and associated lengths of stay recommendations. The number of youth projected to be housed in State facilities with serious or violent admitting charges was projected to increase by 150 percent between 1997 and 2000, and 240 percent by the year 2005.

## **Kentucky**

### **Kentucky reorganized its juvenile corrections creating a separate State agency**

Like many other systems, Kentucky has operated its juvenile offender system under extremely crowded conditions. As in Kansas, enactment of recent legislation in Kentucky established an independent State agency to coordinate a unified statewide approach to juvenile crime. The Kentucky Department of Juvenile Justice was charged with developing and managing the State's responses to juvenile crime, including prevention programs, diversion, long-term confinement of convicted offenders, and treatment and aftercare services for juveniles released from State correctional facilities. No longer was it to be the responsibility of county governments to operate juvenile detention facilities, whose mission was to hold juveniles charged with crimes on a short-term basis between the point of arrest and the point of conviction. The agency was also mandated to meet the goal of requiring all juveniles to be detained in State-run, separate local detention facilities while continuing to house the State's committed youth population.

Until 1996, when two locally operated juvenile detention facilities were opened in Kentucky, juvenile detention facilities existed only in the counties surrounding the two largest metropolitan areas of the State (Louisville and Lexington). The other options for pretrial detention of juveniles consisted of 16 juvenile holding facilities located within adult jails across the State. With the passage of the new legislation, the Department of Juvenile Justice established a goal of placing detention centers within 60 miles of each county seat—an enormous task in a State with 35 counties and only four existing detention facilities. It was determined that 13 separate detention facilities would be required across the State in order to satisfy this goal.

To assist in the long-term planning process, researchers were asked by the newly appointed head of the Department to develop estimates of future bed space needs for 13 local detention facilities intended to house juveniles pending resolution of charges, and for State correctional institutions intended to hold adjudicated offenders for longer periods of time in a unified State-operated correctional system.

In the early 1990's, crowding in the State system in Kentucky had led to increased crowding in the few available local detention facilities as offenders committed to the State were backed up in communities. Juveniles convicted of crimes frequently remained confined in local detention for long periods of time waiting for space in long-term correctional facilities. Indeed, many juveniles convicted of less serious crimes were released into the community to await their commitment to State facilities. Although it was possible to quantify how existing bed space was being utilized (i.e., who was being admitted to State and local facilities and how long they were being confined), it was not possible, within the timeframe allotted to complete the project, to determine how the system should or could operate under less crowded conditions. Existing data and trends offered little guidance with respect to how many beds would be needed in the future and where they should be located. In addition, once juveniles were committed to the State, officials had great discretion in deciding which of them could be placed in traditional correctional facilities, State-run group homes, or privately operated residential programs. Again, crowding typically played a major role in placement decisions.

Further complicating the forecasting task was the fact that additional new legislation for the first time allowed judges to commit juveniles directly to local detention facilities for up to 180 days. How judges would interpret this new sentencing option, which offenders would be sentenced under the new option, and for how long were not known. In addition, new laws broadening the criteria that allowed juveniles to be treated as adults were also enacted, and it was reasonable to assume that more and more juveniles would be processed through the criminal court system. The resulting longer trials in criminal courts and increased use of juvenile waiver laws would likely lead to increased crowding in local facilities. Increased adult penalties would also likely exacerbate crowding in State juvenile correctional facilities as juvenile offenders are confined for longer periods of time until reaching 18 years of age. As in Kansas, the rules were dramatically altered. However, in Kentucky there were no sentencing guidelines upon which to project admitting and release decisions.

### **Kentucky will see little growth in its juvenile population**

Between 1990 and 1995, the number of youth between 10 and 18 years of age in Kentucky increased by approximately 1 percent per year according to official census figures. As in Kansas, growth in the State's at-risk population was projected to slow in the future. Indeed, in many areas across this rural State, the number of persons 10 to 18 years of age was projected to decline over the next 10 years in many counties, according to

official State demographic projections. Overall, growth in the at-risk population 10 years into the future was projected to be approximately half of the growth recorded during the previous 10 years. It was reasonable to assume that demographic growth in the State was not expected to significantly increase admission pressures in the future.

### **Juvenile Arrests in Kentucky have decreased.**

Although the growth in number of juveniles between 10 and 18 years old was increasing by 1 percent each year, the number of juveniles arrested across the State during the early 1990's had not increased significantly for most categories of serious crime and arrests declined in many categories. According to official FBI Uniform Crime Report (UCR) arrest statistics, just under 20,000 juveniles were arrested in Kentucky in 1995 — 3,396 fewer arrests than were reported in 1991.

Approximately 1,000 of the total juvenile arrests in 1995 were for serious violent crimes as measured by the FBI's Violent Crime Index. Although arrests of juveniles for serious violent crimes increased by an average of 2 percent per year between 1991 and 1995, the number of juveniles arrested for serious violent crimes in 1995 was below the number reported in 1992. In addition, the number of juveniles arrested for serious property crimes declined by an average of 5.5 percent each year between 1991 and 1995, and arrests of juveniles for both serious violent and property crimes combined declined by just over 4 percent each year during the period. Indeed, arrests of juveniles for all crimes declined by 20 percent between 1991 and 1995. Based on available UCR arrest statistics alone, rather substantial declines in admissions and average daily populations might be anticipated in the future.

### **Kentucky had little data useful for forecasting facility populations**

Researchers faced the prospect of producing forecasts in a State where very few historical planning data existed. Historically reliable counts of the number of juveniles confined in juvenile detention facilities and holding areas of adult jails did not exist in Kentucky at the time the forecast was completed. Nor was it possible to develop accurate profiles of confined juveniles that provided insights into why juveniles were incarcerated and how long they remained in confinement. A telephone survey conducted in the fall of 1997 revealed that 345 juveniles were confined locally across the State. Of this number, 210 were held in juvenile detention facilities and 135 were confined in adult jails.

Historical information and detailed data describing the characteristics of juveniles admitted and confined in the State's two largest local detention facilities were available to researchers. Later in the forecast process, this information formed the basis for estimating offender profiles and lengths of stays Statewide.

Clearly, there was little relationship among changes in the population at risk, juvenile arrest trends, and increases in the number of juveniles held in detention in the early 1990's. Between 1991 and 1996, the number of juveniles confined in State's largest juvenile detention facility in Louisville, Kentucky, increased by 75 percent from 47 to 82 juveniles. In addition, at the end of 1996, an additional 69 juveniles were supervised in group homes or placed under home supervision. Although growth in admissions and average daily confined

populations was not as dramatic in the State's second largest facility, increases were reported that substantially out paced increases in the State's population at risk and juvenile arrests.

In 1991, just over 400 juveniles were confined in State correctional centers in Kentucky. By the end of 1995, 430 offenders were either held in State facilities or were awaiting placement because of crowding. The State had not increased the capacity of its existing facilities since 1992, and even though the number of offenders confined in State facilities remained fairly constant between 1992 and 1997, by the end of 1997, an additional 230 committed juvenile offenders were held in private contract placements and more than 100 juveniles were residing in group homes across the State. The State's committed population had also increased at a pace that far exceeded demographic growth and increases in the number of juveniles arrested in the State.

### **Kentucky has seen large increase in admissions to detention**

Just as no accurate trend information existed on the average daily populations of local detention facilities, the number of juveniles actually admitted to these facilities in recent years was unknown. At the Louisville detention facility the number of annual admissions increased from 2,400 in 1991 to just under 4,200 in 1995—a dramatic 75 percent increase and 18 percent annual growth. Although it was known from State court information that there were 12,000 referrals to detention in 1996, the number of referred juveniles who were actually detained in those areas where detention space was available was not known.

An accurate historical count of the number of juveniles admitted to State correctional facilities in recent years was not known, but review of case folders revealed that just under 1,000 juvenile offenders were referred to State correctional facilities in a recent 12 month period. These 1,000 juveniles were actually admitted to a facility if bed space was available. Those not admitted because of space limitations were placed in alternative programs such as group homes. In Kentucky, the typical admitted offender remained confined for between 5 and 7 months. It was not known how many of the offenders would have been confined in correctional facilities rather than alternative placements if beds have been available.

### **The characteristics of juveniles differs greatly based on location**

Although no true profile of statewide admissions to detention existed, information available from four existing detention centers was revealing in one respect: profiles of juveniles varied significantly depending on the geographical location of the facility. In Louisville, the State's largest metropolitan area, admitted juveniles were more likely to be older minority males with more serious admitting charges. Admitted juveniles in more suburban or rural areas of the State were much more likely to be younger males with less serious charges. The percentage of females admitted in these areas was twice that of more urban areas of the State.

As in most States, juveniles admitted to State facilities in Kentucky are overwhelmingly males (91 percent). Seventy-three percent of admissions were committed to the State with property or drug charges, and half were 16 to 17 years old at admission. While 10 percent of admissions had been convicted in criminal courts for serious or violent crimes, 30 percent were admitted for misdemeanor charges.

### **Forecasts were developed for 13 detention districts**

A simulation model was used to produce each forecast based on key assumptions developed by researchers and State decisionmakers about future admissions and lengths of stay. Faced with the prospect of producing forecasts of a new consolidated State system, researchers had to complete their tasks with little information about how many juveniles had been confined in the past, who had been admitted in the past, and how long admitted juveniles would be detained in the future in a system unencumbered by facility crowding.

Fourteen separate forecasts were completed over a 5 month period in late 1997. Local detention forecasts were completed for each of thirteen different geographical locations that were identified in order to meet the goal of placing facilities within 60 miles of each county seat across the State. A single forecast was produced that projected bed space needs for offenders committed to State correctional facilities.

Researchers drew upon three primary sources of information to develop admissions and lengths of stay assumptions for local detention forecasts. First, the total number of juveniles referred to court from each county helped establish baselines for projecting future admissions to detention in each region of the State by allowing researchers to identify the potentially eligible pool of detention admissions in each county for a 12-month period. Second, detailed information describing the admitting charges, criminal histories, reasons for detention, and lengths of stay of juveniles held in confinement during a recent period was available from four existing detention facilities. Third, demographic data on the number of youths at risk in each county and official projections of the at-risk population were used as a basis for projecting long term admissions trends.

Using as a starting point the number of court referrals reported in 1996 in each area where a detention facility was to be located, future growth in admissions to each of 13 separate detention facilities was assumed to mirror projected demographic growth in each geographical area. In those areas where population declines were projected in the future, the assumption was made that the number of admissions to detention would remain constant in each future year. The result was that future annual admissions were assumed to range between no growth and 10 percent over a 10 year forecast period depending on the location of the facility in the State.

The assumption was also made that reported lengths of stay from existing juvenile detention facilities were representative of future lengths of stay in detention across the State. In an attempt to capture a potential impact on future bed space needs of recent legislation allowing judges to sentence juveniles to detention for 180 days, the assumption was made that 10 percent of juveniles admitted to detention in each future year would remain confined for extended periods of time under the new law.

The resulting forecast projected a statewide increase from 345 detainees at the end of 1997 to 459 in the year 2000. This represented an increase of approximately 100 juveniles and 33 percent growth over the 3 year period. Over a 10 year period, the population was projected to reach an average of 500 in the year 2007 and a monthly high of 580 was projected for that year. Overall, a 45 percent increase in detention space needs was projected 10 years into the future.

### **State correctional facility populations are projected to increase**

Admissions to State correctional facilities were projected to increase at the same rate as the projected growth in the population at risk for admission across the State (young people 10 to 18 years old). Admitted offenders were assumed to resemble offenders committed to the State in 1996 in terms of their committing charges, risk/needs, and criminal histories. The assumption was made that recent changes to the State's waiver laws would not increase future admissions since potentially eligible cases were already committed to State facilities by juvenile courts. Finally, practices with respect to the use of private contract beds were assumed to remain unchanged. This meant that the resulting forecast was based on the assumption that the State would continue to increase its use of private placements in proportion to any future growth in admissions to the State system.

Future lengths of stay in State facilities were assumed to remain at 1996 levels for the vast majority of offenders committed to the State in the future. In Kentucky, juveniles processed through criminal courts serve their sentences in the juvenile system until they reach 18 years of age, when they are transferred to adult institutions. While projected increases in the number of juveniles processed in criminal courts were assumed to have no effect on future admissions, the lengths of stay of a portion of admitted offenders were assumed to be increased under the new waiver law as more juveniles fell under criminal court jurisdiction.

Based on these key assumptions, the number of juveniles housed in State facilities was projected to increase by 23 percent from 430 at the end of 1997 to 530 in the year 2000. By the year 2007, just under 600 offenders were projected to be in State facilities.

## **Alaska**

### **Alaska reorganized its juvenile corrections agency**

Like both Kansas and Kentucky, Alaska is a predominantly rural State. The Department of Health and Social Services, Division of Family and Youth Services maintains five youth facilities across a State that covers approximately 590,000 square miles. As in Kentucky, the State agency is responsible for maintaining and operating both local detention facilities and State correctional institutions. Unlike Kansas and Kentucky, Alaska has not reorganized its primary juvenile corrections agency, and although its juvenile justice system is changing, no major modifications have been made to existing laws and procedures with respect to juvenile offending.

### **Alaska's youth population is increasing greatly**

Since 1990, Alaska has continued to see an increase in the number of young people in the State. According to official statewide demographic projections, the number of young people between 10 and 19 years of age increased by nearly 3 percent per year between 1990 and 1995, far faster than in the States of Kansas or Kentucky. Official census forecasts indicate that the State's at-risk population will continue to increase at approximately this rate well into the future. Census information also suggests that the highest projected growth is in the State's Native American population—an ethnic group that traditionally has much higher arrest rates than other groups in the State.

### **Arrests of juveniles in Alaska has increased**

In 1992, Alaska had the 13th lowest juvenile violent crime arrest rate in the Nation. Between 1990 and 1994, however, the number of juveniles arrested for violent crimes increased by a dramatic 243 percent. The increase for juvenile violent arrests in the United States for the same period was 67 percent. By comparison, in 1992, Alaska had the 10th highest property crime arrest rate in the Nation, and between 1990 and 1994 juvenile arrests for property crimes increased 137 percent. In addition, the total number of juveniles arrested for all crimes between 1990 and 1994 increased by 92 percent—substantially higher than the 41 percent increase reported nationwide during the same period.

### **Daily facility populations have increased**

In 1993, 59 juveniles were confined in short-term detention facilities across the State. By the end of 1995, detention facilities were operating at just under 110 percent capacity and 93 juveniles were housed in these facilities. The detention average daily population increased by an average of 29 percent per year over the 3 year period. Reported growth in the State's correctional facility population between 1993 and 1995 was similar. The number of juvenile offenders confined in State facilities increased from 122 in 1993 to 156 in 1995, a total increase of 28 percent and 14 percent annual growth.

In Alaska, if law enforcement or the courts are informed of facts that would bring a juvenile within the court's jurisdiction, the case is referred to the Department of Family and Youth Services for investigation to determine if formal or informal action is appropriate. Between 1991 and 1995, the number of referrals to corrections increased by 43 percent, from just under 6,400 in 1991 to 9,147 in 1995. Increasingly, referrals in Alaska were being admitted to local detention facilities, and the number of detention admissions increased by 51 percent during the 3 year period ending in 1995. The number of admissions of adjudicated offenders to State correctional facilities increased by 39 percent between 1993 and 1995.

In Alaska, juveniles admitted to detention facilities remain confined for 18 days on average, with little variation by geographic region of the State. Juveniles admitted to State correctional facilities are confined for approximately 13 months.

### **Forecasts indicate Alaska will need more detention and corrections space**

In 1996, researchers completed forecasts of the number of juveniles projected to be confined in both local detention and State facilities. As in Kansas and Kentucky, researchers used forecast procedures that were based on key assumptions about how many juveniles would be admitted in the future and how long admitted juveniles would remain confined. The challenge faced by researchers in Alaska was to produce a forecast of future bed space needs in the midst of dramatic growth in the State's juvenile offender populations and at a time when national trends indicated that juvenile offending was perhaps on the decline.

Two decisions were made: (1) it was unreasonable to assume that recent trends would not continue into the future and (2) the high rate of growth in facility admissions could not be projected into the future without quickly subsuming the entire Alaska youth population. Therefore, researchers made the assumption that existing admission rates into Alaska facilities would neither increase nor decline, but rather would remain at 1995 levels.

This meant that as the population at risk in the State increased, facility admissions would increase in proportion to that growth — an assumption of relatively modest growth in light of recent experience in Alaska.

Future lengths of stay were assumed to remain at 1995 levels as well. Based on reported lengths of stay and 1995 admission rates for each region in the State, a report was issued to decisionmakers that contained the resulting forecasts along with recommendations for developing programs designed to manage continued offender population growth in the future. The number of juveniles confined in local detention facilities was projected to increase from 93 in 1995 to 114 in the year 2000. By the year 2005, 120 juveniles were projected to be in detention. This represents a total increase of 29 percent and average annual growth of 3 percent each year. The number of correctional facility beds needed for adjudicated offenders was projected to increase at approximately the same rate of growth. Between 1995 and 2000, the number of juvenile offenders confined in State facilities was projected to increase by approximately 3 percent per year, from 156 to 185 juveniles. By the year 2005, just under 200 juvenile offenders were projected to be housed in State correctional facilities, representing a total increase of 26 percent and average annual growth of just under 3 percent per year.

## **Discussion**

In each of the State forecasting endeavors described above, forecasts were completed based on assumptions about how many juveniles would be admitted to the systems in the future and how long admitted juveniles would remain confined. This was accomplished by analyzing and describing existing admission patterns and lengths of stay and engaging State decisionmakers in the process of determining whether the existing situation was likely to change in the future. To a greater or less degree in each State, decisionmakers participated in the process of setting key assumptions about how the system would likely function in the future and by so doing in a real sense defined future need.

One example relating to future lengths of stay serves to illustrate how policymakers participated in the forecasting process. In Kentucky, researchers were required to enter length of stay estimates into a forecast model for different types of offenders. In that State, treatment programs for many juveniles in the State's correctional facilities are designed to be 12 months in duration in order to be effective. At the same time, because of crowding in the system, most juveniles are released from State facilities within 7 months of admission. The forecast question of whether to base a projection on existing or desired lengths of stay was an important one, which would result in very different projections of future bed space need. The length of stay issue in this situation raised policy questions, rather than research questions, and the accuracy of any resulting forecast would depend in large part on whether policies and procedures are subsequently implemented.

The forecast processes in Kansas, Kentucky, and Alaska were similar in several respects. In each State, population forecasts represented the cornerstones of larger planning efforts that were intended to guide capital construction plans and establish operating budgets for juvenile correctional agencies. The expectations in each State were that researchers were to provide administrators with reasonable, defensible forecasts of future system bed space needs based on assessments of the respective systems.

Beyond the production of figures, forecasts were intended to provide assistance in answering questions such as these: What is the profile of future offenders in terms of their criminal histories and committing crimes? How long will juvenile offenders committed to the State for various crimes remain housed in correctional facilities? How many juveniles are likely to be admitted in the future? How many juveniles will be confined in the future? If additional correctional facilities are needed, how many expensive maximum security facility beds will be needed for high-risk youth? How many less secure and less expensive minimum security facilities will be needed?

In Alaska and Kentucky, the objectives were to produce separate forecasts for different geographical locations, and for both State and local facility populations. Kansas policymakers wanted to know the impact of recently developed placement guidelines on future resource needs and modified the guidelines many times throughout the forecast process as a result of considering the impacts of recommendations on existing resources.

## Recent Developments in 10 States

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The previous discussion describes the issues involved in assessing the need for corrections space and in meeting that need. The concept of “need” is a relatively fluid notion that may change over time depending on administrative contingencies, policy preferences, and organizational practices. The definition of need may sometimes have to accommodate administrative and structural constraints, or these constraints may sometimes be modified in response to need.

The central finding of this report may be that there are significant differences in the experiences of jurisdictions regarding their need for corrections and detention space and their ability to anticipate that need. States have widely varying levels of analytical capacity and managerial infra-structures for data collection (compare Kentucky and California) and vastly different practices for projecting future needs (compare West Virginia and South Carolina). There are also considerable differences in the extent of facility crowding (compare Montana and Wisconsin). Every jurisdiction has its own demographic and social context and its own history of policies and practices. Every jurisdiction plans for its future using the best information and the most appropriate methods available at the time, whether these include sophisticated statistical modeling or managerial judgment.

The following section describes the current context and methods used to plan for future juvenile correctional capacity in the 10 focus states. The descriptions show how varying the experiences and abilities of jurisdictions can be. It is difficult to identify the optimal circumstances for fostering well-designed correctional projection methods. One might expect Louisiana, with its high rate of juvenile detention and incarceration, to have developed the most sophisticated methods of dealing with the needs of a large delinquent population. For other reasons, however, long-term forecasts are often lacking in Louisiana. California, on the other hand, has developed (partially because of law) creative methods of continually generating facility plans and need projections. Even these sophisticated methods, however, may not always foresee future crowding in correctional facilities.

One official in each state was asked to describe that state’s planning processes for juvenile detention and corrections. Where possible, the official provided actual estimates of future bedspace. Because every state’s description is rooted in its own context and state legal culture, however, the following discussion does not provide a single metric for assessing the need for corrections space. Still, each description provides an up-to-date assessment of that state’s current situation. The following sections highlight the policy differences between the states and illustrate how states often approach similar problems differently. Also, they underscore the fact

every state defines the need for corrections space differently and that definition affects the state's actual availability of space.

# Alaska

| <b>Statistical Snapshot:</b>                                  |          | <b>State Ranking</b> |
|---|----------|----------------------|
| <b>Alaska</b>   |          |                      |
| Total resident population                                     | 609,000  | 48                   |
| Percent of population under age 18                            | 30%      | 2                    |
| Projected change in under-18 population between 1996 and 2010 | 22%      |                      |
| Violent crimes (1995) per 100,000 population                  | 771      | 11                   |
| Adult inmates per 100,000 adults in the population            | 396      | 19                   |
| Residents in metropolitan areas                               | 42%      | 41                   |
| Percent of adults living below poverty level                  | 7%       | 49                   |
| Median household income                                       | \$47,954 | 1                    |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

Alaska experienced a significant increase in detention admissions during the time period 1993–1995, and despite projections to the contrary, admissions continued to increase in 1996. The juvenile crime rate declined between 1995 and 1996, and the number of referrals to Anchorage’s Juvenile Intake unit decreased by 3 percent, but the number of detention admissions still increased. The Alaska Department of Health and Social Services, Division of Family and Youth Services (DFYS) analyzed admission data and found that the increase was due to greater numbers of probation violators being detained as a sanction.

The analysis suggested that insufficient probation staff and the elimination of alternative community-based programs were the reason for the increase. DFYS took the position that the State’s detention situation “illustrates the importance of looking at the whole juvenile system and not just the independent pieces” (DFYS *Master Plan for Youth Facilities*, February 1997:III-1). This perspective was reflected in the 1997 *Master Plan for Youth Facilities* which outlined the agency’s mission, projected future needs, and set up a time table

for completion based on community needs. The *Master Plan* emphasized the importance of developing alternative methods such as electronic monitoring, intervention, and aftercare programs, and the possible impact on the future capacity of existing detention and treatment facilities.

## **State Structure**

The agency responsible for juvenile corrections in Alaska is the Youth Corrections section of the DFYS.

## **Current Resources**

Currently, Alaska's juvenile corrections and detention facilities have a combined capacity of approximately 221 beds, 147 "treatment" or long-term beds, and 74 detention beds.

DFYS maintains five youth facilities located in Anchorage, Bethel, Fairbanks, Juneau, and Nome. The facilities in Fairbanks, Bethel, and Nome serve the Northern region; the facilities in Juneau and Anchorage serve the Southeastern and South-central regions. They provide two types of services: detention for accused and adjudicated juvenile offenders, and rehabilitative treatment for delinquent youth committed to their custody. All five facilities are accredited by the American Correctional Association (ACA) and operate in accordance with its standards.

The McLaughlin Youth Center in Anchorage is the State's oldest and largest juvenile facility with a combined capacity of 150 beds for treatment and detention—35 detention beds and 115 treatment beds. Its secure detention unit has 25 beds in a separate unit and was renovated in 1993. Renovations were made to the existing structure due to changing populations problems, but the facility is aging and in need of further changes. The original cottages need major repair or replacement, security needs to be improved, and additional space for probation officers is also needed. The combined detention and treatment bed utilization at the facility went from 88 percent in 1992 to 119 percent in 1996. Because of changing bed needs and facility capacities, utilization is sometimes shifted between detention and treatment beds to allow maximum use of space.

The total current detention capacity is 35 beds, after 10 beds were converted back to treatment beds in 1996. Because of the increase in the number of female juveniles admitted to the facility, one 20-bed treatment cottage was converted to a detention unit for girls. The detention unit temporarily houses juveniles from the Third Judicial District until a disposition is made by the court. In addition, juveniles from other areas of the State may be held there for diagnostic evaluations that are unavailable in their own regions. The actual utilization of detention beds at the facility increased from 182 percent in 1992 to 257 percent in 1996 (DFYS, *Master Plan for Youth Facilities*, February 1997). Utilization was calculated using the average length of stay times the number of admissions, divided by 12 months. The high demand for detention bed space from 1994 to 1996 was accommodated, in part, by using treatment bed space.

McLaughlin has 115 beds for long-term institutionalized youth. The majority (70) of the beds is in an open campus setting. The remaining beds are secure, with a 25-bed classification unit and a 20-bed closed treatment unit. In 1995, McLaughlin opened its new school building, which expanded its school capacity and improved security.

The Fairbanks Youth Facility was opened in 1981 to provide detention and treatment services to youth from the Northern Region. In 1986, it became the first nationally accredited juvenile institution in Alaska. Originally, there were 8 detention beds and 12 treatment beds. After several years of overcrowding, a new 20-bed detention unit was constructed in 1987, and the existing 8 detention beds were converted to treatment beds. The original core building, however, has remained essentially unchanged since 1981. This multipurpose building is used for classroom space, storage space and office facilities for staff. Even though the number of treatment beds increased by 67 percent to 20 beds, this area has not been expanded.

The detention unit provides short term secure care and custody for juveniles being detained by the court. By 1996, the actual bed utilization had risen to 111 percent from 55 percent in 1992. The 20-bed treatment unit was established to provide long-term services and has also seen a rise in use (69 percent in 1992 versus 101 percent in 1996).

The Johnson Youth Center in Juneau has been operating since 1984 as a secure detention unit with eight beds. It provides short-term juvenile detention care and custody, but does not provide treatment programs or long-term institutional care. It does house youth awaiting placement in out-of-region youth corrections programs for 60 - 90 days after adjudication. In 1992, a School Annex Support building was added to support existing detention youth, and to provide space for a planned 20-bed treatment addition. The actual bed utilization rose from 105 percent in 1992 to 142 percent in 1996.

The Bethel Youth Facility in Bethel opened in 1987 with a total capacity of 20 beds for treatment and detention. The units are co-ed, with a population of largely Alaska Natives. The programs at Bethel were designed to complement and reinforce the cultural values of this population.

The eight detention beds were accredited by ACA in 1990 and provide detained juvenile offenders with a culturally sensitive environment. The 12-bed long-term program unit opened in 1989 and offers a variety of issue group programs, education, and treatment programs. Selected offenders may attend community schools and college classes, participate in community-based job training, and volunteer for paid employment. The actual utilization at Bethel was under 100 percent for both detention and treatment beds during the period 1992–1996.

The Nome Youth Facility was originally built to provide both community-based residential and 30-day detention services to youth from villages around the Seward Peninsula. The facility had a 9-bed community-based residential program. Offenders resided at the facility, but they attended public school and worked in the community. Since September 1994, these beds have been closed due to funding cutbacks. The facility now provides only three short-term emergency beds. If juveniles need to be detained longer than 48 hours or require long-term residential care, they are sent to either the Fairbanks or Bethel Youth Facility. Before it was closed, bed utilization for both detention and treatment programs was under 100 percent.

### **Significant policy factors**

According to national surveys, Alaska ranks second in the percentage of juveniles incarcerated (277 for every 100,00 juveniles) and second for the length of stay in juvenile facilities. The average length of stay in secure

custody (detention and treatment) is 445 days (DFYS, *Master Plan for Youth Facilities*, February 1997). Because of the geographic remoteness of many cities in Alaska, and the higher cost of living, the costs for incarcerating juveniles is typically \$50,000 to \$100,000 per year. Therefore, Alaska policymakers welcome alternatives that decrease the need for detention and treatment facilities. These include strong diversion and intervention programs, and transition/aftercare programs to reduce recidivism in juvenile offenders. Transition/aftercare services are needed not only to reduce the impact of crime on the community, but also to reduce the cost of returning juveniles to facilities.

According to the Division's *Master Plan for Youth Facilities*, "Most young people who come into contact with the juvenile justice system do so only once...most violent offenses are committed by a small group of chronic, serious offenders."<sup>1</sup> This means that the State can significantly reduce juvenile offenses, not by toughening all laws relating to juvenile offenders, but by targeting those who are at risk of becoming serious offenders through intervention and diversion programs. At the same time, it is crucial that secure beds be reserved for the minority of chronic, violent offenders.

### **Planning for Future Bedspace**

In 1996, the National Council on Crime and Delinquency (NCCD) prepared a report for DFYS that recommended several options to meet the projected need for juvenile detention and treatment bedspace for the next 10 years. The options were based on the assumption that current practices would continue with no changes. The report indicated that there was an over-utilization of existing facilities and that the State juvenile population was increasing. It recommended adding new space to the existing facilities—to meet existing needs and future needs. The report also suggested looking at alternative methods to decrease the growing dependence on secure facilities. DFYS used this data when developing its *Master Plan for Youth Facilities*.

The *Master Plan* calls for:

- # Implementing community-based prevention and early intervention programs.
- # Developing a statewide process for alternatives to detention, including Proctor Homes, Day Centers, and In-Home Detention.
- # Expanding the Day Treatment Program to other areas of the State.
- # Establishing an evaluation and monitoring program to determine the effectiveness of the prevention programs and alternate detention methods.
- # Adding beds to existing facilities and building new facilities in response to the projected increase in capacity. The new facilities will be located in Mat-Su, Kenai, and Ketchikan.

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<sup>1</sup>Division of Family and Youth Services, *Master Plan for Youth Facilities*, February 1997:I-1.

## **Methods of Planning for Future Bedspace**

NCCD prepared 10-year projections for detention beds, secure treatment beds, nonsecure residential beds, foster care, and probation supervision. The projections were based on historical admission data, average length of stay, and projected changes in the juvenile population. The data on admissions and average length of stay were used to calculate average number of beds utilized and bed utilization rates.

The NCCD report projected a total bedspace capacity in 1996 of 166 and would be 316 by 2005. There was a need for 74 detention beds in 1996, rising to 122 by 2006. The projected need for treatment beds was 147 in 1996 and 186 beds by 2006.

DFYS used these data as the basis of its own projections for the statewide future capacity space in developing the *Master Plan for Youth Facilities*. The projections were lower than the NCCD estimates, and included the impact of community needs, priorities, and funding. For example, NCCD predicted the need for 282 beds in 1998; DFYS estimated total statewide capacity to be 221—shortfall of 61 beds. By the year 2005, however, there is only an 8-bed difference between the two agencies predictions.

The *Master Plan* contains the following four options for resolving the future needs of the Division. Each option lists the pros and cons of pursuing each alternative:

- (1) Status Quo - no increase in funding for programs or facilities.
- (2) Facility-Based System - based on facilities with limited programs.
- (3) Program Based System - based on maintaining the existing facilities at current capacity, but developing programs and alternatives to detention/treatment facilities.
- (4) Facility and Program-Based System - based on a combination of the facility and program-based options.

The fourth option was recommended in the *Master Plan*. It provides for funds for facilities to grow to needed capacity and provides funds to set up and operate intensive intervention and diversion programs designed to keep juveniles out of the system. This option also develops and uses alternative methods for secure detention and treatment facilities.

### **Treatment beds**

The *Master Plan* calls for a total of 20 new treatment beds to be added by 2006. DFYS plans to add 20 beds to the Johnson Youth Center in Juneau by FY 1998. The existing nine beds at the closed (for treatment) Nome facility will be reactivated by FY 2003. An additional ten new beds can be added if intervention programs do not reduce the population levels as expected by FY 2005.

### **Detention beds**

Most of the increased need for juvenile facility bedspace is for detention beds. Alaska plans to add 53 new detention beds by FY 2005. Nearly half of these beds will be in the facilities planned by Mat-Su, Kenai, and

Ketchikan. The facility at Mat-Su will house 15 juvenile detainees, and the ones at Kenai and Ketchikan will each house 4 detainees. The remainder of the new beds will be added to the McLaughlin Youth Center in Anchorage.

# California

| <b>Statistical Snapshot:</b>                                  |            | <b>State</b>   |
|---|------------|----------------|
| <b>California</b>   |            | <b>Ranking</b> |
| Total resident population                                     | 32,268,000 | 1              |
| Percent of population under age 18                            | 28%        | 9              |
| Projected change in under-18 population between 1996 and 2010 | 21%        |                |
| Violent crimes (1995) per 100,000 population                  | 966        | 6              |
| Adult inmates per 100,000 adults in the population            | 466        | 11             |
| Residents in metropolitan areas                               | 97%        | 2              |
| Percent of adults living below poverty level                  | 17%        | 8              |
| Median household income                                       | \$37,009   | 12             |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

Increasing juvenile violence throughout the Nation in the early 1990's was accompanied by greater public and media attention on juvenile detention and correctional issues. In California, substantial increases in gang violence, with resulting increases in juvenile homicide and other serious violence arrests, caused particular concern. These increases have significantly shaped the demands for detention and youth correctional facilities at the local and State levels. Although juvenile homicide arrests have dropped in more recent years, other juvenile violence arrests are still higher than in past decades.

Juvenile arrests for violence, especially homicide, began to increase in 1989 in California. Juvenile arrests for homicide, which numbered 365 in 1987, peaked at 696 in 1991. By 1996, juvenile homicide arrests had decreased to 389 and were nearly back to the 1987 level, having decreased 25 percent from 1995 to 1996. While juvenile arrests for rape had also decreased by 1996, robbery and assault arrests remained at higher levels than in the late 1980's.

During the early 1990's, the State experienced an economic recession. Resulting reductions in revenue, coupled with local government revenue restrictions, limited public policy responses to the changing juvenile crime problem. State law expanded the types of offenses for which a juvenile could be remanded to adult court after a fitness hearing. In addition, the minimum age for remand was reduced from 16 to 14 for some offenses. A number of these changes resulted in a renewed focus on delinquency prevention, especially among at-risk youth, to prevent future crime and victimization.

At the State level, significant changes are occurring in the population of youthful offenders committed to the California Youth Authority (CYA). The Youth Authority is the State's juvenile corrections agency and was created by statute in 1941. It is the largest youth correctional agency in the nation. CYA is an independent department within the Youth and Adult Correctional Agency, a cabinet-level agency in State government.

In the past decade, higher levels of juvenile violence resulted in changing characteristics among the offenders committed to CYA. Nevertheless, the State-level juvenile correctional population is experiencing a short-term decline. This decline is due to two policy changes: (1) introduction of sliding-scale fees for the less-serious offenders counties commit to the State; and (2) limitations on the characteristics of remanded minors who are eligible to be housed in Youth Authority facilities.

### **Current Resources**

Juvenile detention facilities in California are the responsibility of county government, as are some juvenile correctional facilities. Throughout the State, most of the probation departments in the 58 counties operate detention facilities (juvenile halls). Detention facilities are used primarily for juvenile offenders awaiting adjudication and, after adjudication, awaiting placement elsewhere.

A number of the probation departments operate correctional facilities (camps and ranches) for juveniles. These facilities are for adjudicated juveniles and provide programs of education and treatment. Camps and ranches may be secure or nonsecure facilities. Counties do not have a legal mandate to operate these facilities. Courts commit the most serious young offenders, primarily juveniles, to the State for education, training, and treatment. Young offenders are committed to CYA after local options have been exhausted.

### **Detention**

In 1996, 46 of the State's 58 counties operated secure detention facilities (or juvenile halls). These 46 counties operated 49 juvenile halls with a total of 5,745 beds. Overcrowding in most juvenile halls was substantial—the average daily population in 1996 was 6,741 youth. The statewide juvenile-hall occupancy rate was 117 percent. The incarceration rate was 24.5 youth in the statewide juvenile hall for every 10,000 youth ages 12 to 17 in the State's population.

In 45 of the 49 halls, some overcrowding occurred. Overcrowding is defined as a population exceeding available beds by one youth or more on 1 or more days. Twenty-one halls experienced overcrowding at least 50 percent or more of the time. Some of the larger counties, such as Los Angeles County, have had substantial overcrowding throughout the 1990's.

Just over half (53 percent) of the juveniles in local detention on an average day were awaiting a predisposition hearing or court appearance. The remaining 47 percent were in juvenile halls for the following reasons: 13 percent committed to juvenile hall by the court, 12 percent waiting for private placement, 9 percent waiting for placement in a county probation camp, 4 percent waiting for delivery to a Youth Authority institution, 6 percent remanded to adult court, and 3 percent for other reasons.

The number of available juvenile hall beds in the last decade peaked in 1993 and has decreased each year since. From 1989 through 1993, the statewide capacity of juvenile halls increased by more than 100 beds each year, peaking at 5,882 in 1993. Decreases in 1994 and 1995 were due to damages sustained in the 1994 Northridge earthquake.

## **Corrections**

Juvenile correctional beds in California are composed of local probation camp beds and State Youth Authority beds, with juvenile commitments determined by the courts. Twenty-three counties operated 55 juvenile probation camps during 1996, for juvenile offenders placed there by the courts. These 55 local camps had a statewide aggregate of 4,469 beds. Twenty-two of these camps (with 1,713 beds) were classified as secure (having locked dormitories and/or perimeter fences).

The average daily population in juvenile probation camps in 1996 was 3,927, giving the camps a 91 percent occupancy rate. Probation departments have generally made policy choices to not overcrowd juvenile camps but to retain in juvenile halls those juveniles awaiting placement in a camp. The incarceration rate averaged 14.3 juveniles in the local camp population for every 10,000 12- to 17-year-olds in the State population. The number of local camp beds has increased in the last few years.

Other juvenile offenders are placed by the courts in group homes and foster homes throughout the State. About 1,000 juveniles are placed out-of-state by the courts. As a result of a recent death of a juvenile placed out of State, State government and counties are reassessing policies and practices related to out-of-state placement.

At the State level, CYA operates 11 youth correctional facilities and four rural conservation camps. Two additional camps are institution-based and are sited at two of the youth correctional facilities. A contract facility and a converted military installation provide limited housing also. The facilities vary in size and programs offered.

Due to an "extended jurisdiction" law that allows youthful offenders to be committed to CYA through the age of 25, the offenders in CYA facilities range in age from 12 to 25, with an average age at admission of 17. The average age of the institutional population is 19. The average length of stay in CYA facilities prior to release on parole in 1997 was 24.2 months, with an average length of stay for first commitments of 28.2 months. The most serious commitment offenses resulted in an average length of stay of 83.0 months.

As of May 31, 1998, the combined Youth Authority facilities' design capacity was 6,762, with a 1997–98 fiscal year budgeted capacity of 8,256. The actual population on May 31, 1998, was 8,069, or 187 less than budgeted capacity. This was 119 percent of design capacity.

Design capacity ranged from more than 300 to 1,200 for the individual youth correctional facilities. For the four rural conservation camps, design capacity was 80 per camp, as was budgeted capacity. Budgeted capacity for the youth correctional facilities spanned from more than 400 to 1,500 per facility. Actual population on May 31, 1998, ranged from 435 in one facility to 1,431 in the largest facility.

The Northern Youth Correctional Reception Center and Clinic in Sacramento had a May 31, 1998, population of 435, and the Southern Youth Correctional Reception Center and Clinic in Norwalk, Los Angeles County, had a population of 461. On that date, the Northern California Youth Correctional Center in Stockton had a population of 482 at the O. H. Close Youth Correctional Facility, 438 at the Karl Holton Youth Correctional Drug and Alcohol Treatment Facility, 505 at the DeWitt Nelson Youth Correctional Facility, and 841 at the N. A. Chaderjian Youth Correctional Facility. These four Stockton facilities are separate institutions in a complex but share support services.

In the Northern California foothills, the Preston Youth Correctional Facility had a population of 801 on May 31, 1998. Near the Central California coast, the population of El Paso de Robles Youth Correctional Facility comprised 805 offenders. The population of the Ventura Youth Correctional Facility, the only coeducational facility operated by the Youth Authority and the only State juvenile correctional facility housing females, was 468 males and 301 females. In Los Angeles County, the Fred C. Nelles Youth Correctional Facility in Whittier had a May 31, 1998, population of 786. In San Bernardino County, the Heman G. Stark Youth Correctional Facility (formerly the Youth Training School) had a population of 1,431. The four rural conservation camps (Ben Lomond, Mt. Bullion, Pine Grove, and Washington Ridge) had populations of 72, 80, 77, and 73 respectively. Thirteen offenders were housed in a contract facility in El Centro.

The Youth Authority's institutional populations for June 30 each year show that the population in 1997 was about the same as it was a decade earlier in 1988 but had decreased 12 percent from 1996. This sudden decrease was substantially the result of two key policy changes. One of these policy changes increased the costs to counties for committing offenders with less serious offenses to the Youth Authority. The other policy change removed remanded minors with longer institutional stays from Youth Authority facilities and placed them in California Department of Corrections institutions. Now the law limits the remanded minors who can be placed in Youth Authority institutions to those who are less than 18 years of age at the time of sentencing and who can complete the imposed sentence before age 21. Remanded minors between the ages of 14 to 17 who are sentenced to prison for terms lasting beyond age 21 may remain in Youth Authority institutions until age 18.

A decade ago, on June 30, 1988, the Youth Authority's institutional population was 8,840. By 1990 and 1991 the population was still at just over 8,000. From 1991 through 1994 the CYA population increased about 300 each year. By June 30, 1995, it had increased to 9,821. By June 30, 1996, population peaked at 10,122, which produced substantial crowding, before decreasing to 8,874 by June 30, 1997. The early 1990's increases were attributable in part to increasing youth violence arrests in the State, to increases in commitments to the State, and to longer lengths of stay in Youth Authority institutions.

## Planning for Future Bedspace

Just as local juvenile detention and correctional facilities are operated by county probation departments while State youth correctional facilities are operated by the Youth Authority, processes for planning for future bedspace differ as well. Statewide planning for future bedspace at the local level has occurred periodically, as State law has required and resources have permitted. Planning for future Youth Authority bedspace takes place annually as required by law.

The most recent statewide plan for future bedspace for local probation detention and correctional facilities was an update by CYA in 1993. This policy review and update extended the statewide needs assessments of county juvenile facilities resulting from Proposition 52 (the County Correctional Facility Capital Expenditure Bond Act of 1986) and Proposition 82 (the County Correctional Facility Capital Expenditure and Youth Facility Bond Act of 1988). These needs assessments were conducted under contract to the Youth Authority by Jay Farbstein & Associates, Inc., a California architectural firm.

The first study's purpose was to determine current and future needs for county juvenile facilities. The second study's purpose was to address the remaining fire safety, health, and life safety deficiencies in existing facilities; update population projections; determine the need for regional facilities; estimate construction and repair costs of meeting these needs and determine operating costs for new facilities. In both studies, separate projections were made for Los Angeles County.

The county juvenile facilities update in 1993, as prepared by the Youth Authority, found that as of December 31, 1992, the statewide need was 10,133 beds in juvenile halls and camps combined, and the actual existing statewide local capacity at that time was 9,534. Projections at that time indicated a statewide need for 10,788 local beds by 1995 and 12,208 beds by 2000, a 28 percent increase over the 1992 capacity. Projections were based on the average daily population for 1992 and the Department of Finance's May 1993 estimates of the State's future youth population.

At that time (December 31, 1992), the Youth Authority estimated that by 2000 the average daily population would be 6,927 in juvenile halls and 4,507 in county camps, or a total of 11,434 juveniles in county facilities. This is an increase of 20 percent over the 1992 average daily population. The need for 12,208 beds with an average daily population of 11,434 by 2000 would accommodate a management flexibility factor (to allow for population peaks and program needs) and would reallocate some juvenile hall and camp beds.

For offenders committed to the State by the courts, the Youth Authority prepares projections on its own population twice a year—in spring and fall. The Youth Authority uses these twice-a-year projections, developed by its own staff demographer, for the State's budget process. Once a year these population projections become the basis for developing an annual 5-year population management and facilities master plan. Separate projections are now made for the female population.

Based on the spring 1998 projections, the Youth Authority's institutional population is projected to decrease 262 from the December 31, 1997, population of 8,452 to 8,190 by June 30, 1998. This projection is expected to be 210 lower than the fall 1997 projection of 8,400 for June 30, 1998.

The Youth Authority's institutional population is projected to continue to drop for two more years and to begin to increase slowly during fiscal year 2000-01. The Youth Authority's population is projected to decrease to 7,910 by June 30, 1999, and to 7,830 by June 30, 2000. In four years, by June 30, 2002, the population is expected to be 7,980. The Youth Authority's female institution population is projected to increase from 303 on June 30, 1998, to 325 by June 30, 2002.

The admission rate, that is, admissions per 100,000 State population ages 12–17 years, is assumed to stabilize at 68.6, the calendar year 1997 admission rate. Future Youth Authority population increases will result from increases in the 12- to 17-year-old juvenile population in the State. Based on the earlier, higher fall 1997 projections, longer-term indications for the next decade were that the Youth Authority institutional population will “bottom out” in 2000 at 8,255 and will begin to gradually rise after 2000 to a projected population of 9,805 by June 30, 2007.

### **Methods of Planning for Future Bedspace**

Planning for future bedspace for the Youth Authority is based on the department's population projections and the development of the annual facilities master plan. The master plan assesses not only assesses the number of beds needed in the future but also the types of beds needed.

The population projections are based on methods that have been adopted by several other States. The department's demographer tracks and analyzes a large number of variables from the Youth Authority's Offender Based Information Tracking System (OBITS). The number of first admissions to the Youth Authority and the length of institutional stay are among the most significant variables tracked. Juvenile arrests in the State are not used in developing the projections partly because only about 1 in 100 juvenile arrests in California results in a Youth Authority commitment. Even among arrests for serious violent offenses fewer than 1 in 20 results in a Youth Authority commitment.

Specific assumptions are agreed to by the Youth Authority's Executive Committee before projections are developed each spring and fall. Recent assumptions regarding the major factors affecting the department's populations were related to the likely impact of recently enacted legislation and factors affecting first admissions, parole violator admissions, length of stay, and Department of Corrections cases supervised on Youth Authority parole.

The Youth Authority's population management and facilities master plan was initiated in 1986 by legislative request and has been required by law since 1994. As required by the statute, this annual plan presents the projected population and strategies for the education, treatment, training and housing of youthful offenders. Youth Authority staff and executives develop this plan.

During the period covered by the 1998–2003 plan, the Youth Authority will not require additional bed capacity because the projected number of offenders committed to the State by the courts. However, the plan proposes four separate secure program units with a total of 300 additional single rooms for violent offenders. This is based on the increasing proportion of offenders committed to the State for violent offenses. The Youth Authority reports that the design and condition of existing facilities, activated between 1947 and 1967 and

originally intended to house incorrigible youth, status offenders, and nonserious delinquent offenders, are inadequate for today's violent offenders. The department reports that existing open dormitory space is inadequate to safely house violent offenders without endangering staff and other wards. The plan States that the proposal is a conservative request and does not meet the entire need for future program and housing space related to the changing offender population. The plan indicates that the 300 additional single occupancy secure rooms will be designed to allow for double occupancy if it becomes necessary to increase capacity in the future.

Assessing special program needs is part of the Youth Authority's process for planning for future bedspace. Within the last year the department developed a revised assessment process for mental health and substance abuse treatment needs. With the assistance of researchers from Stanford University, Youth Authority clinical staff and researchers identified several assessment instruments and developed an ongoing process for assessing these treatment needs of incoming offenders. Information from this process will be used in determining the types of treatment programs the department needs and the types of facilities and amount of bedspace required for these programs.

# Kentucky

| <b>Statistical Snapshot:</b>                                  |           | <b>State</b>   |
|---|-----------|----------------|
| <b>Kentucky</b>   |           | <b>Ranking</b> |
| Total resident population                                     | 3,908,000 | 24             |
| Percent of population under age 18                            | 25%       | 38             |
| Projected change in under-18 population between 1996 and 2010 | -5%       |                |
| Violent crimes (1995) per 100,000 population                  | 365       | 35             |
| Adult inmates per 100,000 adults in the population            | 355       | 23             |
| Residents in metropolitan areas                               | 48%       | 38             |
| Percent of adults living below poverty level                  | 15%       | 16             |
| Median household income                                       | \$29,810  | 37             |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

### Recent Trends in Juvenile Crime

According to a study done by the National Council on Crime and Delinquency (NCCD) for the State of Kentucky, demographic growth is not expected to significantly affect admissions to the Kentucky juvenile justice system.<sup>2</sup> Increases in serious crime in Kentucky were below the national average between 1991 and 1995. During this period, the number of juveniles arrested for violent crimes increased by 2 percent per year; the number of juveniles arrested for serious property crimes decreased by 5.5 percent per year. Overall, between 1991 and 1995 juvenile arrests (for any charge) declined by 20 percent. The number of juveniles housed in residential treatment facilities and group homes has been below their design capacity since 1989.

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<sup>2</sup>National Council on Crime and Delinquency, *Forecast of Future Bed Needs for Committed Juveniles*, February 1998.

## **Legislative Actions**

After a 2-year interim study by the Kentucky Legislature and with support from Governor Paul Patton, the 1996 Kentucky General Assembly passed a bill to reform juvenile justice in the State. The purpose of the bill (HB 117) was to create a Department of Juvenile Justice within the Justice Cabinet and to shift responsibilities from the Cabinet for Human Resources to a new department for the detention and treatment of juvenile offenders. HB 117 requires that the department be headed by a commissioner and that it maintain an advisory board to formulate policy and ensure compliance with provisions of the bill. The transfer of responsibilities completed during summer 1997.

The Department of Juvenile Justice (DJJ) will be responsible for the operation of juvenile facilities, and for administering programs for:

- # Prevention of juvenile crime.
- # Early intervention strategies for public offenders.
- # Service to law enforcement, victims, and the public.

The law made important changes to the juvenile justice system in Kentucky. It requires juvenile convictions to be admissible in any subsequent trial of a juvenile and makes juvenile records easier to obtain for school systems. It also permits victims to attend juvenile proceedings. Other provisions in the law affect the placement and holding of juveniles. It eased the requirements for a juvenile to be tried as an adult. Juveniles between the ages of 14 and 16 may serve up to 45 days in detention; juveniles over 16 may be confined up to 90 days. Home incarceration is an allowable disposition.

The transfer of responsibilities mandated in HB 117 resulted in the transfer of services offered to assist juveniles. The Department of Juvenile Justice will consist of approximately 781 staff positions, 1,657 juvenile holding slots and have a budget of nearly \$31.2 million. The transfer of services was completed by January 1, 1997 and included:

- # 13 treatment centers with a capacity of 455 beds and 434 staff positions.
- # 17 group homes with a capacity of 136 beds and 90 staff positions.
- # 18 day treatment centers with a capacity of 692 with 60 staff positions.
- # Funds for private child-care facilities that house approximately 274 offenders.
- # 99 community field staff positions that maintain case management responsibility in the youth's home community.
- # 78 administrative, trainers, clerical, and other support staff.

## **Current Resources**

### **Residential**

Committed juveniles are housed in State-operated facilities, State-operated group homes, and private contract facilities. The counties with the highest admissions of committed juveniles are Christian, Daviess, Fayette,

Jefferson, and Kenton. As of June 30, 1998, there are 783 long-term corrections/treatment beds and 113 mixed-use beds (provided by private child care agencies). Capacity at State-operated facilities range from 32 beds to 50 beds; group homes have a capacity of 10 beds. Private agencies' capacities vary widely.

The number of juveniles confined in residential treatment centers has increased slightly since 1990. There were approximately the same number of juveniles confined at the end of 1990 as there were in September 1997—392. By the end of 1997, there were 460 juveniles in residential treatment centers. Most offenders awaiting placement are housed in detention facilities. The average length of stay in residential treatment facilities in 1996 was between 5 and 7 months for juvenile offenders. Youthful offenders spent an average of 12 months in confinement after admission. Approximately 10 percent of admissions were youthful offenders.

## **Detention**

Detention bed space in Kentucky is not limited to secure detention facilities. Juveniles are also housed in holding facilities, intermittent holding facilities, youth alternative centers, and diversion programs. These facilities have a total of 456 beds available for juvenile detention. The average length of stay in secure detention facilities in 1996–1997 was determined by the NCCD study to be approximately 11–13 days. This is longer than other secure detention facilities in other States. However, length of stay was calculated using information from only three urban facilities—Davies, Fayette, and Jefferson Counties. According to DJJ, youth in rural areas stay in detention longer than those in urban areas.

Five secure juvenile detention facilities with a total capacity of 207 beds are located in Breathitt, Davies, Hardin, Jefferson, and Lexington/Fayette Counties. Breathitt County is the first State-operated detention center in Kentucky, with all others being owned and operated by local county government. Kentucky is in the process of assuming the ownership and operation of secure detention facilities by constructing six new facilities and taking over four of the existing facilities. As the State assumes the responsibility for detention, the small county-operated units will be closed or converted to adult status. It is the goal of the DJJ to provide pretrial detention facilities for juveniles that are located within 60 miles of each county seat in the State. By the year 2002, the agency hopes to have all juvenile offenders requiring incarceration housed in 13 State-operated secure detention centers.

Kentucky has other regional facilities for holding juveniles that are not secure detention sites. These include nine juvenile holding facilities with a total capacity of 142 beds and four intermittent holding facilities with a total capacity of 23 beds. The juvenile holding facilities are located in Big Sandy Regional Jail, Big Sandy Area Detention Center, Clark County, Franklin County, Jessamine County, Kenton County, Madison County, Mason County, and Warren County. The intermittent holding facilities are located in Boyd County, Marshall County, Montgomery County, and Woodford County.

In addition to the secure detention and holding facilities, Kentucky has detention bed space for 84 juveniles in youth alternative centers and diversion programs. There are 36 beds each in the youth alternative centers in Fayette County and Davies County. The diversion programs in Gateway and Jefferson County have space for 12 juveniles.

## **Planning for Future Bedspace**

DJJ commissioned NCCD to develop estimates of future residential juvenile and youthful offender populations across the State, and estimates of future bedspace requirements for adjudicated and preadjudicated juvenile and youthful offender populations. NCCD projected the number of committed juveniles that will be housed in State facilities between 1998 and 2007 and the number of juveniles to be confined in secure detention facilities.

## **Methods of Planning for Future Bedspace**

The population projections developed by NCCD for the State of Kentucky were derived using NCCD's Prophet Projections and Simulation software. The software simulates the movement of cases through a facility based on assumptions. The three key assumptions used to estimate future bed needs for both corrections and detention were:

- # Future volume of admissions into the system.
- # Profiles of the types of committed juveniles.
- # Lengths of stay.

## **Detention**

Future detention bed space was projected by NCCD using the following assumptions:

- # As a result of HB 117, DJJ is developing a network of 13 secure detention facilities that are within 60 miles of each county seat.
- # The profile of future detained juveniles will be similar to admitted juveniles.
- # Information about profiles and lengths of stay from Daviess, Fayette, and Jefferson Counties is representative of future statewide profile and lengths of stay. The information from these counties was used as a baseline for the future network of secure detention facilities.
- # Future admissions growth will mirror the Census demographic projections for the population aged 10–19 years of age.
- # The current average length of stay of 11–12 days will not change.
- # Ten percent of future admissions will be “sentenced” juveniles.

Based on these assumptions, NCCD predicts that the number of juveniles in detention facilities will increase by 33 percent, from 345 at the end of 1997 to an average monthly population of 459 by the year 2000. The average monthly population is projected to reach 470 juveniles by 2002 and to increase to 500 juveniles by 2007. This represents an overall increase of 45 percent.

## **Residential**

The assumptions used by NCCD for forecasting future bed space for committed offenders were:

- # There is moderate growth in future admissions—only a 1.1 percent increase per year for the next 10 years. Admissions will increase at the same rate as Census projections of the growth of the youth population.
- # The current profile of admitted juveniles will not change.
- # Recent legislation enlarged the number of potential youthful offenders by expanding the criteria for certain 16- and 17-year-old juveniles charged with a C or D felony to be prosecuted as youthful offenders in adult court. These changes in the youthful offender law will not have a significant impact on increasing admissions in State-run facilities but will increase the length of stay, thereby decreasing the number of available beds.
- # Recent legislation required courts to mandate a minimum of 2 years and a maximum of 3 years of treatment for sexual offenders, which will increase the length of stay and decrease the number of available beds.

Based on the assumptions listed above, NCCD predicted that the bed space required to house juvenile offenders in all types of facilities will increase 16 percent over the next 5 years from approximately 870 juveniles in 1997 to 1,000 juveniles in the year 2002. These projections estimated the number of admitted juveniles and those awaiting placement in facilities. By 2007, the total population is projected to be 1,056. The maximum number of juveniles in residential treatment centers is estimated to increase from 460 to 554 by 2002 and will exceed 600 juveniles in 2007. This represents a 35 percent growth in needed bed space. The number of beds in group homes and private contracts needed in the future was not projected. The placement of juveniles in these facilities is based on DJJ policy decisions and not on the assumptions used to predict the bed space for residential treatment centers.

# Louisiana

| <b>Statistical Snapshot:</b>                                  |           | <b>State</b>   |
|---|-----------|----------------|
| <b>Louisiana</b>  |           | <b>Ranking</b> |
| Total resident population                                     | 4,352,000 | 22             |
| Percent of population under age 18                            | 28%       | 6              |
| Projected change in under-18 population between 1996 and 2010 | -2%       |                |
| Violent crimes (1995) per 100,000 population                  | 1,007     | 2              |
| Adult inmates per 100,000 adults in the population            | 651       | 3              |
| Residents in metropolitan areas                               | 75%       | 21             |
| Percent of adults living below poverty level                  | 20%       | 5              |
| Median household income                                       | \$27,949  | 43             |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

The rising number of juvenile offenders and the passage of more aggressive crime laws have increased the number of placements in Louisiana’s juvenile correctional facilities. During the 1990’s, demand for juvenile residential beds in Louisiana has grown consistently. The need for secure beds has climbed the most, although the number of female, special needs, and status offenders held in nonsecure residential locations has begun to outstrip the supply of beds in these facilities as well.

In response to public concern regarding juvenile crime and the lack of available facilities in which to house youthful offenders, lawmakers have passed the following legislation to address these issues. New laws aim both to remove the most violent young offenders from the street and to decrease the pressure on the overcrowded correctional facilities that house all juveniles.

- # Legislators have expanded transfer provisions for juveniles convicted of violent crimes including murder, aggravated kidnaping, aggravated rape, aggravated battery with firearm, armed robbery with firearm, aggravated oral sexual battery, and forcible rape if the rape was committed against a child at least 2 years younger than the rapist. These laws have reduced the age from 15 to 14 at which a juvenile may be tried in adult court for these offenses—14-year-olds tried as adults may not receive a commitment that extends past their 31st birthdays.
- # A conviction for murder, aggravated rape, aggravated kidnaping, armed robbery, or treason requires commitment to a secure juvenile institution until age 21. This law specifically prohibits provisions for probation, parole, suspension of imposition or execution of sentence, modification, or furlough except for cases of armed robbery.
- # As a result of Cooperative Endeavor Agreements with the State, local units of government have recently contracted with the private sector to initiate the construction and operation of new secure corrections institutions. In the 1990s, the Louisiana Legislature funded two new institutions. One became operational in 1994 and has an existing capacity of 620 offenders. The second is scheduled to become operational in August 1998 and will house 276 offenders.
- # During the 1990's, the State budgeting process provided for expansions at existing institutions and funding for new institutions. This process has doubled the capacity of Louisiana's secure juvenile institutions. The State's secure capacity will be 2,222 upon the opening of a new institution in August 1998.

## **Current Resources**

The Office of Youth Development (OYD), part of the Corrections Services division of the Department of Public Safety and Corrections (DPSC), is responsible for juvenile corrections programs that range from secure institutions and nonsecure programs to probation and parole services. OYD oversees the majority of custody and supervision services for delinquents and status offenders, although 35 percent of juvenile probation cases in Louisiana are administered and funded by individual parishes' programs.

Planning for program development and capital projects involves every section of OYD. Its parent agency, DPSC, prioritizes OYD's requests for resources within its own needs before submitting recommendations to the Governor for inclusion in the State budget. Finally, these proposals, within the budget, await approval by the State legislature.

## **Corrections**

Four juvenile corrections centers contain Louisiana's secure bedspace. Secure bed capacity in the State has doubled since 1992 and currently stands at 1,866, with 44 temporary beds available only for the next 4 months. Pending Federal court approval, an additional 60 beds will open at the Tallulah Correctional Center for Youth. Capacities at each facility are as follows:

| <u>Juvenile Correctional Facility</u>      | <u>Capacity</u> |
|--|-----------------|
| Jetson Correctional Center for Youth       | 640             |
| Tallulah Correctional Center for Youth     | 620             |
| Swanson Correctional Center for Youth      | 426             |
| Louisiana Training Institute - Bridge City | 180             |
| <b>Total</b>                               | <b>1,866</b>    |

## **Detention**

Local government controls detention services, but the State legislature has funded the construction of at least two of these parish detention centers. The capacity for locally operated detentions centers stands at 716. At present, 40 of Louisiana's 64 parishes do not have direct access to juvenile pretrial detention. This number has decreased over the past 5 years, but the need for additional capacity at existing facilities continues to grow. Many parishes have been reluctant to fund or unable to afford new or renovated facilities. Two of the facilities opened in the past few years service five parishes each, and some areas of the State are developing additional capacity. Many of the remaining parishes will allow out-of-parish offenders into their facilities in exchange for payment by the other jurisdiction.

## **Nonsecure Facilities**

Development has proceeded more slowly for nonsecure beds than it has for secure pre- and post-dispositional secure beds. Nonsecure community programs for delinquents and status offenders were originally developed within the Department of Public Safety and Corrections as part of the State's foster care system. When OYD acquired responsibility for nonsecure delinquent and status offender programs in 1985, the residential care network basically consisted of group home beds. OYD recognized the need for and created a wider variety of nonsecure program options, including specialized foster homes, intensive in-home services, and day programs. The number of youth committed for nonsecure services in Louisiana has continued to grow since that time, and financial limitations have slowed the development of these nonresidential options and the additional bedspace they require.

OYD contracts with the private sector and local governmental units for nonsecure programs and shelter beds. Currently, 627 beds exist within the residential facilities, and 217 spots are available in day and extended day programs. Local law enforcement, courts, and OYD use the 65 total available shelter beds. No set number of these mixed-use beds are assigned to delinquents, but on May 22, 1998, 17 of the 28 beds filled by OYD direct placements were status cases, and 11 were delinquent cases.

## **Planning for Future Bedspace**

Demand at juvenile facilities primarily drives the development of bedspace. OYD performs some internal forecasting without the assistance of outside consultants, but demand for programs and beds has consistently exceeded system capacity. Based on recent trends, analysts have predicted a 4 percent growth for the next year in secure and nonsecure bedspace needs.

OYD has invested only minimal effort in developing and using long-term projection models, relying instead on short-term analysis. Projections have accounted for factors such as demographics, program changes (use of short-term beds), and overall length of stay (including the impact of law and sentencing changes). However, the size of waiting lists at juvenile facilities has had more effect upon the acquisition of resources than have official projections of need.

# MISSISSIPPI

| <b>Statistical Snapshot:</b>                                  |           | <b>State</b>   |
|---|-----------|----------------|
| <b>Mississippi</b>  |           | <b>Ranking</b> |
| Total resident population                                     | 2,731,000 | 31             |
| Percent of population under age 18                            | 28%       | 8              |
| Projected change in under-18 population between 1996 and 2010 | -1%       |                |
| Violent crimes (1995) per 100,000 population                  | 503       | 26             |
| Adult inmates per 100,000 adults in the population            | 505       | 6              |
| Residents in metropolitan areas                               | 35%       | 45             |
| Percent of adults living below poverty level                  | 24%       | 2              |
| Median household income                                       | \$26,538  | 45             |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

The Mississippi State Legislature has taken a broad approach to addressing juvenile justice issues by passing legislation that accomplished the following:

- # Established a State fund for local juvenile detention center construction.
- # Lowered the age of criminal court jurisdiction to 17 for felony charges (original jurisdiction exists for capital offenses committed by persons 13 or older).
- # Established the Mississippi National Guard Youth Challenge Program, which serves as a last chance for high school dropouts.

# In addition to funding new juvenile facility beds and local adolescent offender programs, the legislature has provided funding for more than \$1 million in repair and renovation of existing Youth Services facilities, funded five intensive parole supervision projects, allowed pilot projects using Wilderness Programs, and provided funding for a Transitional Living Facility for older males wishing to complete GED programs and begin working.

### Current Resources

Mississippi’s juvenile corrections services are provided by the Department of Human Services’ Division of Youth Services (DYS). The Institutional Programs consist of two State training schools and one maximum security unit. In the institutions, programming has been developed around a military school model with every student participating in military activities. Since implementation of the military program, a DHS analysis suggests that recidivism rates have dropped 50 percent. Escapes and student incidents have virtually been eliminated. Educational programming stresses basic literacy and special education with the GED passing rate for training school students surpassing the statewide average.

Recent capacity and actual populations show a consistent level of overcrowding in the two training schools.

| <u>Facility</u>           | <u>Capacity</u> | <u>Population</u> |
|---------------------------|-----------------|-------------------|
| Oakley Campus             | 200             | 370               |
| Columbia Campus           | 200             | 260               |
| Ironwood Maximum Security | 25              | 25                |

Overcrowding is being addressed with the assistance of legislative funding for a new 265 bed medium security facility to be located on the Oakley Campus. The facility will house 150 males and 100 females, and will include a 15-bed maximum security unit for females. The Columbia Campus, which had a population approaching 100 percent over capacity two years ago, has been the beneficiary of expanded community programs aimed at younger, minor offenders. The legislature funded eight pilot projects in the highest committing communities using a local resource-based model developed in Columbus, Mississippi called “Adolescent Offender Programs” (AOPs). These projects provide intensive supervision, alternative education programs, and family counseling to prevent the commitment of children to State facilities. With a reported success rate of 80 percent in the AOPs, populations have been significantly reduced at the Columbia Campus. This project has become a major part of Mississippi’s strategy to reduce crime and commitments to State facilities.

In addition to the AOP projects, the DHS Community Service Program provides probation, parole, and intake staff to Youth Courts in each of the State’s 82 counties. The monthly caseload for April 1998 was 6,608 clients. Additional services in which the DHS provides program staff include court volunteer programs, electronic monitoring projects, development of Risk Assessment Instruments, and pilot projects providing specialized services to families of parolees.

### Planning for Future Bedspace Needs

With the addition of 265 beds to the Oakley Campus, Youth Services will have the capacity to handle the current commitment rate as long as programming determines a child's release. Recent trends show an increase in the seriousness of offenses leading to commitment. Youth Services will need additional bed space and community programs to address the need for longer stays for more serious offenders.

# MONTANA

| <b>Statistical Snapshot:<br/>Montana</b>                      |          | <b>State<br/>Ranking</b> |
|---|----------|--------------------------|
| Total resident population                                     | 879,000  | 44                       |
| Percent of population under age 18                            | 27%      | 17                       |
| Projected change in under-18 population between 1996 and 2010 | 4%       |                          |
| Violent crimes (1995) per 100,000 population                  | 171      | 46                       |
| Adult inmates per 100,000 adults in the population            | 258      | 37                       |
| Residents in metropolitan areas                               | 24%      | 50                       |
| Percent of adults living below poverty level                  | 15%      | 14                       |
| Median household income                                       | \$27,757 | 44                       |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

Montana's juvenile corrections administrators have interpreted recent demographic and economic trends as warning of a future influx of delinquent youth into the justice system. Anticipating this, corrections officials expect to increase the space available for these juveniles in already crowded State facilities.

## Residential Placements

The number of juvenile offenders in out-of-home placements that are funded by the Montana Department of Corrections grew about 9 percent (from 380 to 414) between September 1997 and May 1998. Funding sources within the Department of Corrections pay for the costs of placement in these facilities. Placements in

public facility beds appear to have slightly increased while those in private beds have decreased slightly. This was especially true for the use of private beds in out-of-State facilities, where the number of referrals dropped from a high of 97 in September 1997 to 70 in May 1998.

### **Methods of Planning for Future Bedspace**

Montana used admissions and length-of-stay data to make projections of future bedspace needs and adjusted the data included in the analysis by the type of facility being analyzed.

### **Correctional Facilities**

For the Pine Hills Youth Correctional Facility for boys located in Miles City, projections were based on the length of stay and the number of admissions and releases for the past 2 years. Prior to this time period, the data were unreliable because of inconsistent recordkeeping and staff turnover. Projections were calculated using the assumption that bedspace could be expanded as needed.

At Pine Hills, the length of stay has been decreasing, but for the purposes of projection, it was held constant. Department projections were therefore based on the length of stay for adequate treatment rather than having the length of stay be based on facility constraints. The net gain was calculated year by year using annual admissions and length of stay days until release.

The Riverside Youth Correctional Facility for girls located in Boulder was opened in mid-1997 and has only 16 beds and no historical population data at this time. Therefore, population projections were conducted using national and State crime statistics for the female cohort ages 12 to 18. Statistically, analysts found that the size of this demographic group is decreasing slightly in Montana, but juvenile female crime data have increased dramatically. Therefore data for the national growth rate of juvenile female offenders were used in projections. The projected growth rate was determined to be two additional beds a year.

### **Noninstitutional Juvenile Bedspace Needs**

Juvenile population projection figures for Aspen Youth Alternatives Program, the Juvenile Transition Centers, and Independent Living are based on projected contract space and historical demand. For noninstitutional juvenile growth, analysts held constant the number of juveniles not in a Montana secure facility (the number of youth currently housed in out-of-home placements) and added to this number the growth of juvenile incarcerations beyond available bedspace.

# NEW HAMPSHIRE

| <b>Statistical Snapshot:<br/>New Hampshire</b>                |           | <b>State<br/>Ranking</b> |
|---|-----------|--------------------------|
| Total resident population                                     | 1,173,000 | 42                       |
| Percent of population under age 18                            | 26%       | 30                       |
| Projected change in under-18 population between 1996 and 2010 | 5%        |                          |
| Violent crimes (1995) per 100,000 population                  | 115       | 49                       |
| Adult inmates per 100,000 adults in the population            | 183       | 46                       |
| Residents in metropolitan areas                               | 60%       | 34                       |
| Percent of adults living below poverty level                  | 5%        | 50                       |
| Median household income                                       | \$39,171  | 8                        |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

During the mid-1990's, New Hampshire lawmakers began to respond to national and statewide increases in the number of youth committing violent crimes. Much of their efforts involved allocating funds for enlarging the State's correctional and detentions facilities. Recent actions by legislators at both the local and the national level that have affected New Hampshire's juvenile justice system have included the following:

- # Placement of progressively increasing number of juvenile offenders in out-of-State institutions and residential care facilities since January, 1997.
- # A State law (effective January 1996) that reduced the upper age of original juvenile court jurisdiction to 16 from 17.

- # A State legislative decision to set aside \$50,000 to study the feasibility of renovating and expanding currently available juvenile correctional facilities.
- # Actions by the State juvenile corrections agency to pursue funds to renovate and add 50 beds to an existing, medium-security facility.
- # Action by the State legislature to reserve \$1 million for the renovation of one medium security unit, adding 25 beds to the statewide total.

## **Current Resources**

An independent State agency, the Department of Youth Development Services (DYDS), manages services both for youth who are adjudicated for criminal offenses and for those who are detained awaiting disposition of their cases. DYDS oversees three main juvenile justice facilities:

- # One secure rehabilitative center for juveniles who have been adjudicated for delinquent offenses.
- # A detention center for youth awaiting disposition by the courts.
- # An alternative school for emotionally disabled students referred by the school system.

## **Corrections**

The 140-year-old Youth Development Center (YDC), the correctional facility operated by DYDS, serves youth ranging in age from 12 to 18. A 1987 court order limited the capacity of the YDC to 107 beds. As a result of this space constraint, the YDC has delayed or refused the acceptance of an average of 20 youth per year in the past decade and has had to grant "emergency releases" to about 40 juveniles over the past three years.

During 1997, 62 percent of all youth admitted to YDC met Emergency Admissions Criteria. This category encompasses juveniles adjudicated for arson, assault, criminal restraint, false fire alarm with death resulting, felonious use of a firearm, homicide, incest, kidnapping, robbery, or sexual assault. Nine in ten youth committed to the YDC in 1997 had a prior criminal history, and a majority had been in an average of two out-of-home placements prior to YDC.

## **Detention**

The 23-bed Youth Detention Services Unit (YDSU), a coeducational facility housed in the New Hampshire State Hospital in Concord, serves youth from 9 to 17 years old. Most are detained only 48 hours, but some remain for months before their cases are disposed or they are placed in the community.

The demand for space has risen with the increasing number of eligible juvenile offenders entering the justice system. The YDSU daily populations, usually between 25 and 30, routinely exceeds the facility's 23-bed

capacity. The daily population has sometimes approached 40 when more youth have met the admission criteria of assaultive offenses.

## **Residential Care Facilities**

The Health and Human Services Division of Children, Youth, and Families (separate from DYDS) administers a 10-year-old system of about 50 residential facilities that contain nearly 450 beds. These residential facilities, which include shelter care facilities with 42 beds and foster care homes with 1,100 beds, provide long-term residential and respite outlet care to children. According to the Youth Development Center, approximately 50 percent of the children occupying these beds are thought to have committed delinquent offenses, although it is not clear how many are actually adjudicated delinquent offenders.

The three shelter care facilities in New Hampshire host 42 children for up to 60 days, or an average of 725 youth per year. In response to a shortage of empty beds and the generally heavy caseload in shelter care facilities, juvenile officers turn away up to 10 youth every day, placing them instead under house arrest. A debate currently exists within the residential facility system as to whether the capacity problem will be alleviated by a new plan to add up to 20 new juvenile service officers by the year 2000 or an alternate that proposes adding an additional 60 beds.

## **Planning for Future Bedspace**

Members of the legislative, executive, and judicial branches of New Hampshire's government formed an interagency group called the Inter-branch Criminal Juvenile Justice Council or ICJJC. The ICJJC develops and presents policy recommendations to the Governor and legislative leaders for the State's use of current corrections space, future needs, and options for juvenile facilities. In this process, the ICJJC must weigh the priorities of its member institutions.

The legal cap on bedspace at YDC and YDSU is 107. However, potential admissions at these agencies exceed the available space. DYDS leadership believes that the solution to this capacity limitation lies either in renovating existing facilities or in constructing new buildings. DYDS is currently seeking Federal funds that could be used to construct a medium-security unit with 25 beds, and to renovate an existing unit that would contain 65 beds. DYDS would then move the detention unit in the alternative school it operates into the 65-bed facility. Approval for the use of these monies would come from the State legislature. In response to DYDS goals, the State legislature has set aside \$50,000 to study the feasibility of renovating or expanding the current building facilities at YDC. The study should be completed by September 1998. Additionally, the legislature has budgeted \$1 million for renovation of one of YDC's medium security units. This should add 25 beds to the facility and increase the capacity of YDC from 108 to 133.

New Hampshire district judges, seeking a way to respond to every youth's offense with a penalty of corresponding severity, have called for regional facilities where they could commit juveniles for short periods of

time, generally between 10 and 30 days. The proposed facilities could be located in renovated buildings in Keene, Manchester, Nashua, Plymouth, and Portsmouth.

### **Methods of Planning for Future Bedspace**

In planning for future bedspace allocations, New Hampshire has relied upon management consensus and political judgment rather than empirical analysis. Policy recommendations passed on to State legislators by the ICJJC represent a consensus of its members. Before the study recently commissioned by the legislature, no detailed assessments of correctional bedspace had been conducted in the State.

DYDS management has projected that an additional 60 beds are needed in shelter care, although the State maintains no data on the number of children it cannot place in shelters. Additionally, shelter care and foster care bedspace increased significantly between 1991 and 1996 and 15 percent of foster care beds remain unoccupied.

The effectiveness of other strategies for reducing demand on bedspace has not been evaluated. For example, the reduction in the upper age of jurisdiction from 17 to 16 has not significantly reduced the number of YDC commitments, and there has been an increase in the number of young offenders (over age 17) sentenced to adult corrections. In response, the State appears poised to approve legislation authorizing the construction of a new 2,000-bed adult facility.

# SOUTH CAROLINA

| <b>Statistical Snapshot:</b>                                  |           | <b>State</b>   |
|---|-----------|----------------|
| <b>South Carolina</b>   |           | <b>Ranking</b> |
| Total resident population                                     | 3,760,000 | 26             |
| Percent of population under age 18                            | 25%       | 32             |
| Projected change in under-18 population between 1996 and 2010 | 3%        |                |
| Violent crimes (1995) per 100,000 population                  | 982       | 5              |
| Adult inmates per 100,000 adults in the population            | 542       | 5              |
| Residents in metropolitan areas                               | 70%       | 24             |
| Percent of adults living below poverty level                  | 20%       | 4              |
| Median household income                                       | \$29,071  | 41             |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

The recent history of South Carolina’s juvenile justice system has been one of active expansion of institutional and alternative program beds. Increases in admissions to juvenile facilities, longer stays for the more serious offenders, and the related impact on average daily population brought about substantial levels of overcrowding in the early 1990’s. These conditions became the focus of class action litigation filed against the South Carolina Department of Juvenile Justice (DJJ) in 1991.

Settlement of the lawsuit necessitated the development of additional capacity in order to achieve “safe and reasonable” population levels at the overcrowded facilities (Willow Lane, John G. Richards, and Birchwood) in Columbia, S.C. This was accomplished through the renovation of two facilities acquired from other State agencies. The Northeast Center in Columbia (formerly Columbia Training Center) opened in July 1996 and

currently provides 175 beds for males. Greenwood Center, which houses all committed females, opened in August 1996 in Greenwood, S.C. with a rated capacity of 120 beds. DJJ also has developed alternative programs for lower risk committed offenders. Currently, these contracted wilderness camps together offer another 132 commitment beds. Further development of these programs is underway, the ultimate goal being to have approximately 400 alternative step-down beds that provide a transitional placement between secure confinement and release to the community.

Another requirement for settlement of the class action lawsuit was the closure of DJJ's Reception and Evaluation (R&E) Center, its oldest facility. R&E is a postadjudicatory, predispositional diagnostic facility which houses juveniles for up to 45 days while they undergo court-ordered evaluations. R&E also is home to the 98-bed Transition Unit, which is an intake unit for postdispositional committed juveniles undergoing classification and other processing before assignment to an institution or alternative program.

DJJ has opened two 72-bed regional facilities in its effort to phase out R&E — Midlands (Columbia) in January 1997 and Upstate (Union) in August 1997. A third 72-bed facility for the coastal areas has been funded with design work currently in progress. That facility is expected to be completed in December 1999. While the three regional evaluation centers as designed will meet current needs with respect to male evaluation capacity, evaluations of females and the transition unit function, now a part of the original R&E Center, will require accommodation elsewhere. A long-range goal in capital improvements is to add capacity at each regional facility for females. Meanwhile, the Department is considering using the Northeast Center to house females needing evaluations and to function as the transition unit.

Preadjudicatory juvenile detention as a State-level issue and function is relatively new to South Carolina, formally dating from the Detention Act of 1990 (which was delayed in implementation until 1993). This State legislation formally prohibited the confinement of children in adult facilities for more than 6 hours and specified relatively narrow eligibility criteria for confinement in secure juvenile facilities. Several options were outlined in the legislation for providing a pretrial detention capacity, including development at the local level, intergovernmental agreements among local entities, and State-level involvement. To facilitate this process and provide an immediate means of complying with the new law, the legislature directed DJJ to create and operate a juvenile detention center for the use of local government. The DJJ Detention Center opened in 1993 with a capacity of 30 beds.

As of this writing, only two county-operated detention centers and a scattering of overnight holding facilities exist to supplement this centralized, State-operated juvenile detention facility. Meanwhile increases in the number of delinquency cases, coupled with amendments to the original detention act to broaden the criteria for secure detention and change the authority for detention decisions (from DJJ to law enforcement) have resulted in severe overcrowding of the DJJ facility. DJJ has received Violent Offender Truth in Sentencing (VOTIS) monies to construct a 72-bed juvenile detention facility, which will be located adjacent to Midlands Evaluation Center in Columbia, S.C. This facility should open in 1999 and is expected to reasonably accommodate current, but not future, needs.

## **State Structure**

Juvenile justice matters in South Carolina have been handled by a single, independent State agency since 1981 (formerly the Department of Youth Services, now the Department of Juvenile Justice or DJJ). State government organization in 1994 elevated DJJ to cabinet level. DJJ is responsible for all functions within the system, performing detention screenings, intake assessments, and probation supervision for the family courts; operating or contracting for placements and specialized services; and operating facilities for detention, evaluation, and longer term confinement as noted above. Local offices are maintained in 42 of South Carolina's 46 counties. The statewide organization of juvenile justice in South Carolina and DJJ's status as a cabinet agency facilitate the planning process for the development of facilities and programs. The process is direct, involving an annual submission of budget and capital improvement priorities to the Governor's Office for consideration and incorporation into an Executive Budget that is presented to the legislature.

### Current Levels of Resources

Following is a summary of corrections/detention resources under DJJ auspices as of June 30, 1998, with population figures as of June 1, 1998.

| Type/Facility                                   | Safe and Reasonable Capacity <sup>1</sup> | Population as of June 1, 1998 |
|---|---|-------------------------------|
| <b>Evaluation Centers</b>                       |   |                               |
| R&E Center <sup>2</sup>                         | 98  | 115                           |
| Midlands Evaluation                             | 72  | 69                            |
| Upstate Evaluation                              | 72  | 66                            |
| Total-Evaluation                                | 242                                       | 250                           |
| <b>Commitment Programs:</b>                     |   |                               |
| Transition (Intake) Unit <sup>3</sup>           | 98  | 114                           |
| Willow Lane                                     | 201                                       | 216                           |
| John G. Richards                                | 200                                       | 200                           |
| Birchwood                                       | 160                                       | 144                           |
| Greenwood                                       | 120                                       | 100                           |
| Northeast Center                                | 175                                       | 149                           |
| Wilderness Camps                                | 132                                       | 128                           |
| Total-Commitment Programs                       | 1,086                                     | 1,051                         |
| <b>Secure Detention:</b>                        |   |                               |
| DJJ Detention Center                            | 30  | 86                            |
| Housed in Temporary Detention Beds <sup>4</sup> |   | 15                            |

<sup>1</sup> Capacity excludes beds in special management units.

<sup>2</sup> R&E Center is scheduled to close; capacity excludes one unoccupied, unstaffed unit.

<sup>3</sup> Physically located at the R&E Center.

<sup>4</sup> These juveniles occupy beds in the special management unit at Birchwood.

## Significant Policy Factors

Juvenile crime trends in South Carolina present a mixed picture of increases in the number of cases, overall, but a decline in the past 5 year period of cases classified as violent and serious.

- # At the Family Court intake level, juvenile delinquency cases have increased in each of the past 5 years. The total increase between fiscal years 1992/93 and 1996/97 was 23 percent.
- # Those juvenile cases classified as violent and serious (acts against persons, the most serious property crimes, and drug trafficking) declined by 8 percent in the 5-year period bracketed by fiscal years 1992/93 and 1996/97.
- # From the vantage point of 10 years, substantial population increases have been felt at all levels of the juvenile justice system. Intake cases were up 55 percent, admissions to residential evaluation centers were up 67 percent, and final commitments more than doubled in number, as did the average daily population in commitment programs.

Legislative changes and actions by the Juvenile Parole Board, which is the releasing authority for indeterminately sentenced committed juveniles, have affected these trends. State law changes embodied in the Crime Bills of 1994 and 1995 included:

1. Expansion of eligibility criteria for transfer or waiver to adult court to include 14-, 15-, and 16-year-olds charged with certain felonies. These youth, if convicted and given a prison sentence, will move to adult corrections as soon as they turn 17 years of age, shortening their length of stay at DJJ. Formerly they might have been held until age 19 for transfer to adult corrections unless first released by the Juvenile Parole Board.
2. Exclusion of 16-year-olds charged with class A, B, C, and D felonies from “juvenile” status, meaning that adult court has original jurisdiction. Youth convicted and sanctioned under this new law spend less time at DJJ because they will transfer to adult corrections at age 17. Some will age into the 17th year during court processing, and will spend no time at DJJ.
3. Authorization for determinate sentences of up to 90 days for any offender including status offenders and contemnors. Since enactment, this has been a popular sentencing option, causing a sharp increase in admissions to commitment programs in 1996–1997 over the previous year (+56 percent).
4. A requirement that juveniles committed in Family Court for a statutory violent crime or aggravated assault and battery be transferred to the Department of Corrections on their 17th birthdays. Again, the effect of this requirement is shorter lengths of stay at DJJ of juveniles who otherwise might have been held until the 19th birthday.

5. At the detention level, placement of the detention decision in the hands of law enforcement (rather than DJJ), and a broadening of eligibility criteria for juvenile detention. The effect of these changes has been a steady increase since 1993–1994 in the number of juveniles detained (+86 percent).

The Juvenile Parole Board, as the releasing authority for indeterminately sentenced juveniles, promulgates parole guidelines that frame a minimum and maximum length of stay, the presumption being that juveniles will be released at some point within the range. The guidelines range from 1–3 months for minor crimes to 36–54 months for the most serious charges. Periodically, guidelines and the supporting system that categorizes crimes by severity are revisited by the Board. This has occurred at least twice in the past 5 years with the general effect of extending the length of stay for more serious offenders.

With respect to the commitment population, it should be noted that the direction of the Governor’s Juvenile Justice Task Force has been influential in the types of programs being added to accommodate increases. The Task Force has determined that a subpopulation of lower risk committed offenders will be better served in smaller, alternative residential programs that offer greater potential for rehabilitation — hence, the development of wilderness camps rather than new institutional facilities.

Since the impact of these recent legislative and policy changes is a continuing process, it is difficult to summarize the net effect. Admissions to commitment programs have increased substantially as a result of the determinate sentences; however, these sentences are limited by statute to 90 days and may be less. Offsetting the influx of determinately sentenced juveniles, at least to some extent, is the earlier exit of serious offenders who come to DJJ sentenced as adults or are Family Court commitments for violent offenses. These youth now transfer to adult corrections at age 17, instead of staying in DJJ until age 19 or release by the Parole Board. Consequently, the length of stay in custody of DJJ has decreased, and the commitment population as a whole is getting younger as the residual population of older youth incarcerated prior to legislative changes gradually declines.

For DJJ, increases in parole guidelines are having the greatest effect on the length of confinement of younger, serious offenders who will serve out their terms with the DJJ before attaining the 17th birthday. The current average daily population in commitment programs is about 9 percent higher than at this time last year.

Transfer of the authority for detention decisions from DJJ to law enforcement, the broadening of eligibility criteria for secure detention, and continuing increases in the overall volume of delinquency cases have brought the expected increase in admissions to secure detention, as noted above.

### **Planning Future Bedspace**

In 1992, DJJ contracted with the Atlanta-based architectural and planning firm, Rosser, Inc., to complete a needs assessment and master plan for South Carolina’s juvenile justice system. This document included projections of populations and bed needs for the years 1997 and 2002, expressed in terms of a best case and worst case scenario. Actual population figures in 1997 fell between the best and worst cases. To continue the

planning process, Rosser was engaged to update the projections for 2002 and carry them forward to 2007. The firm's most recent work was completed in February 1998.

**Influence on the Projection Process and Role of Consultants**

The projection process as approached by Rosser was an intellectual exercise based on collection of pertinent longitudinal and baseline data on crime and incarceration trends from DJJ's offender management system, information on trends in the age eligible population of South Carolina from the State Data Center, and consideration of key external factors (as noted in the significant policy factors section, above) that impact bed needs. The consultants also were apprised of all immediate/approved plans to add beds. Such planning has been an ongoing process in recent years, as documented above. Once data collection was complete, percentage change and linear regression methodologies were employed to generate projections and translate these figures into bed needs.

**Accuracy of Recent Projections**

As noted previously, the initial set of projections completed by Rosser, Inc., in 1993 proved to be quite accurate in relation to actual population levels in 1997. This was one of the decisive factors in rehiring the firm to do projections for 2002 and 2007.

**Available Projections**

The available projections for DJJ extend 5 and 10 years into the future and will serve as guidelines for permanent improvement planning until they are updated, perhaps in 2002. The following table summarizes the current additional bed need projections for evaluation, commitment, and detention populations in South Carolina in the years 2002 and 2007. These projections take into account planned developments in the next 2 to 3 years, including the aforementioned third regional evaluation center, additional alternative beds for the commitment population and the 72-bed detention center.

| <u>Description</u>     | <u>Year 2002</u> | <u>Year 2007</u> |
|------------------------|------------------|------------------|
| <b>Evaluation Beds</b> |                  |                  |
| Best Case              | 22               | 73               |
| Worst Case             | 141              | 194              |
| <b>Commitment Beds</b> |                  |                  |
| Base Case              | 0                | 180              |
| Worse Case             | 569              | 851              |
| <b>Detention Beds</b>  |                  |                  |
| Best Case              | 0                | 50               |
| Worst Case             | 79               | 158              |

These figures were based on linear regression projections for admissions to evaluation, commitment, and detention beds in 2002 and 2007. The admissions projections were combined with anticipated average-length-of-stay figures to produce an average daily population (ADP-[Admissions x ALOS]/365). Rosser then applied a classification and peaking factor of 1.15 or 1.25 to translate the ADP figures into bed needs. This process takes into account population peaks in excess of the average and accommodates concerns about the ability to assign youth to beds on needs rather than simply availability. Finally, factors of 0.8 and 1.2 were used to derive best case and worst case values. The resulting figures represented total bed needs in a best case/worst case format. Existing and planned bed capacities then were subtracted from total bed needs to determine additional bed needs, as displayed above. The range of additional bed needs bounded by the best and worse case scenarios is quite wide, particularly in the case of commitment beds. DJJ will use midrange figures for planning purposes until actual data allows the State to fill in the intervening years and make appropriate adjustments.

# West Virginia

| <b>Statistical Snapshot:</b>                                  |           | <b>State</b>   |
|---|-----------|----------------|
| <b>West Virginia</b>  |           | <b>Ranking</b> |
| Total resident population                                     | 1,816,000 | 35             |
| Percent of population under age 18                            | 23%       | 50             |
| Projected change in under-18 population between 1996 and 2010 | -10%      |                |
| Violent crimes (1995) per 100,000 population                  | 210       | 44             |
| Adult inmates per 100,000 adults in the population            | 163       | 47             |
| Residents in metropolitan areas                               | 42%       | 43             |
| Percent of adults living below poverty level                  | 17%       | 8              |
| Median household income                                       | \$24,880  | 50             |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

State and local authorities in West Virginia became concerned about increases in juvenile crime during the early 1990's. The agencies responsible for dealing with young offenders called for additional resources in both juvenile detention and juvenile corrections. Lawmakers responded by enacting a series of new measures that changed the legal handling of juvenile offenders, and the State began planning for the construction of several new juvenile facilities.

During the past 3 years, the West Virginia Legislature and West Virginia state courts made a number of important changes in the juvenile justice system:

- # The age of adult court transfer was lowered from 16 to 14 for certain serious or repeat offenders.
- # The "extended jurisdiction" provision for juvenile cases was increased to permit juvenile court sanctions to be imposed through age 21 (age 20 was the previous maximum).

- # The State abolished the statutory requirement that juvenile courts choose the "least restrictive alternative" in deciding on dispositions for delinquency cases.
- # When a youth is adjudicated delinquent for a criminal violation, the director of the correctional institution no longer has the discretion to release that youth. The case must return to court for review prior to any release decision.
- # The availability of an interlocutory appeal of adult transfer status was revoked.
- # The Division of Juvenile Services was created by combining two previously separate agencies that were responsible for juvenile detention and juvenile corrections.

### **Current Resources**

As of 1997, all juvenile corrections and detention facilities operated by the State of West Virginia are the responsibility of the Division of Juvenile Services (DJS). The new division is part of the Department of Military Affairs and Public Safety, one of six major departments in the State government. The Division of Juvenile Services operates eight facilities for young offenders. Three facilities are for correctional placements and five are for predisposition detention.

### **Corrections**

One correctional facility operated by DJS (The Anthony Center) is reserved for youth age 18 to 21. Thus, there are actually two correctional facilities for juvenile offenders (The West Virginia Industrial Home for Youth in Salem and the Davis Center in Blackwater Falls).

The Davis Center (Davis) is a minimum-security juvenile institution located in Blackwater Falls. With a licensed capacity of 60, the Davis facility is used for adjudicated delinquents that are at least age 16. In recent years, the juvenile population of the Davis facility has remained at or near the maximum allowable capacity.

The West Virginia Industrial Home for Youth in Salem (Salem) is a maximum-security juvenile facility for regular juvenile commitments. It accepts male juveniles ages 10 through 17 and female juveniles ages 12 through 17. The licensed capacity of the Salem facility is 124 beds. As recently as 1986, the average daily population in Salem was 60. By 1997, the average daily population remained at the maximum of 124, and some youth were spending up to 7 months on a waiting list prior to being placed in Salem.

The strained capacity of juvenile correctional facilities in the State of West Virginia has apparently prompted a surge in the use of out-of-state placements, which brings added costs and transportation problems for State agencies and untold complications for youth and their families.

### **Detention**

Five regional detention facilities are dispersed throughout the State—Southern Regional Juvenile Detention Center (Princeton), Eastern Regional Juvenile Detention Center (Martinsburg), West Central Regional Juvenile Detention Center (Parkersburg), Northern Regional Juvenile Detention Center (in Wheeling), and the Kanawha Home for Children (Dunbar). The five regional detention centers have a total licensed capacity of 70 beds. In addition to preadjudication detention for juveniles awaiting the completion of juvenile court processing, the five regional detention centers are used to secure juveniles awaiting placement after the court process.

West Virginia officials have noted significant increases in the population of the regional detention facilities (West Virginia Criminal Justice Statistical Analysis Center, *Juvenile Detention Needs Assessment*, February 1998). Between 1992 and 1995, the average number of youth in each detention facility each month grew from 16 to 24. In other words, during 1995, 50 percent more juveniles were handled by the five detention centers than were seen just three years earlier. In recent years, officials have reported instances in which local law enforcement officers dropped off juveniles at the Northern Regional Juvenile Detention Center with a cot and mattress because they knew the facility was already over-crowded. The average length of stay in detention also increased, from 19 days in 1992 to 27 days in 1995 (DJS *Three Year Strategic Plan*, 1998:9).

The growing number of youth being referred to West Virginia's regional juvenile detention centers is the result of several factors, according to the West Virginia Criminal Justice Statistical Analysis Center:

- # Statutory changes lowering the transfer age from 16 to 14 (resulting in more presumptive commitments).
- # Lack of success in moving youth out of the Salem facility rapidly.
- # Longer trial times for youth awaiting criminal court transfer.
- # Growing numbers of youth charged with serious or violent offenses. (In 1995, 24 percent of detained youth were charged with Part I violent crimes, compared with 14 percent in 1992).<sup>3</sup>

### **Planning for Future Bedspace**

In February 1997, an interdepartmental group of West Virginia officials known as the Thursday Group endorsed a series of recommendations for responding to the growing shortage of juvenile correctional, detention, and treatment resources in the State.<sup>4</sup> Their recommendations focused on West Virginia's need for a

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<sup>3</sup>Part I offenses include Violent Crime Index offenses (murder, forcible rape, robbery, aggravated assault) and Property Crime Index offenses (burglary, larceny-theft, motor vehicle theft, and arson).

<sup>4</sup>Members of the Thursday Group included high-ranking officials and former officials from the Bureau for Children and Families, the Department of Corrections, the Department of Health and Rehabilitation, the West Virginia Supreme Court of Appeals, the Office of Social Services, and the Department of Military Affairs and Public Safety.

range of services and sanctions with which to handle young offenders. Among the group's recommendations were the following:

- # Phase in an additional 80 new short-term juvenile detention beds, bringing the statewide total to 150.
- # Develop a separate facility for juveniles being transferred to adult court and those awaiting placement in the Salem correctional facility.
- # Develop more juvenile programming (vocational, alcohol/substance abuse rehabilitation, educational, and life skills) to reduce the use of out-of-state placements by the DJS. There is a particularly urgent need for long-term substance abuse treatment beds.
- # Decriminalize status offenses while requiring family participation in services.
- # Maintain adequate resources for prevention programs.
- # Add new community-level caseworkers (up to double the 50 existing caseworker positions).

The recommendations of the Thursday Group were echoed by the recent *Three Year Strategic Plan* of the West Virginia Division of Juvenile Services (February, 1998). In the Strategic Plan, DJS notes that "the need for additional [detention] beds will continue to grow at the rate of 2.5 percent annually" (p. 8). This 2.5 percent projected increase was based on recent trends in juvenile arrests for Part I crimes (i.e., UCR Index offenses). The report specifies where these new beds are needed throughout the State:

- # 40 beds for adult transfers and post-dispositional repeat violent offenders in a "central location".
- # 16 beds in or near Cabell County.
- # 16 beds in the Upshur/Randolph County area.
- # 16 beds in the Fayette/Raleigh County area.
- # 14 additional beds in the West Central Regional Juvenile Detention Center.
- # 7 additional beds in the Eastern Regional Juvenile Detention Center.

### **Methods of Planning for Future Bedspace**

West Virginia has relied on two methods for projecting the future demand for juvenile corrections and detention capacity:

- # Trends in juvenile arrests, especially trends in juvenile arrests for violent crime. The percentage increase in juvenile arrests for UCR Index Offenses during the past several years was used to approximate the likely increase in future demand for juvenile corrections and detention space.

# The judgment of professional consultants who have advised the State on the conditions of its existing correctional and detention facilities. Consultants have advised DJS officials that its current facilities are smaller than what would be expected in other jurisdictions and that the state of disrepair in some facilities suggests the need for new construction.

## **Detention**

The DJS has called for an increase of 150 percent in the number of detention beds available statewide (from the current licensed capacity of 70, to a capacity of 176). This projection is taken from estimated demand figures produced by the West Virginia Criminal Justice Statistical Analysis Center (*Juvenile Detention Needs Assessment*, February 1998, Section V.).

The Statistical Analysis Center developed this estimate using the following method:

1. The average length of stay in the State's juvenile detention centers for a recent 5-year period was determined to be 23 days.
2. The number of "potential detainees" was estimated using the most recent annual number of juvenile arrests statewide for UCR Index offenses. In 1995, there were 2,603 arrests for these offenses.
3. The average length of stay (23) was multiplied by the number of "potential detainees" (2,603) and then divided by 365 to calculate the average number of "potential detainee" beds that would be needed on any given day in West Virginia (i.e., 164).
4. This number was then increased by 7.5 percent in order to arrive at an estimate for 1998 (7.5 percent was the estimated growth in UCR Index offenses between 1995 and 1998 based on prior annual increases).
5. The final result (176) was the estimated number of detention beds that would be needed in 1998.

## **Corrections**

According to reports from West Virginia's Division of Juvenile Services and the Criminal Justice Statistical Analysis Center, the State is planning on expanding the capacity of the Salem correctional facility by 158 percent (from 124 to 320 beds) sometime before the end of 1999.

The magnitude of this planned expansion was not derived by empirical analysis. The basis for the projection was administrative judgment and a consensus of officials from the DJS and the West Virginia State Legislature. The actual number of new correctional beds may be adjusted by empirical analysis in the future.

# Wisconsin

| <b>Statistical Snapshot:</b>                                  |           | <b>State</b>   |
|---|-----------|----------------|
| <b>Wisconsin</b>  |           | <b>Ranking</b> |
| Total resident population                                     | 5,170,000 | 18             |
| Percent of population under age 18                            | 26%       | 22             |
| Projected change in under-18 population between 1996 and 2010 | -3%       |                |
| Violent crimes (1995) per 100,000 population                  | 281       | 42             |
| Adult inmates per 100,000 adults in the population            | 256       | 39             |
| Residents in metropolitan areas                               | 68%       | 29             |
| Percent of adults living below poverty level                  | 9%        | 46             |
| Median household income                                       | \$40,955  | 5              |

Source: Data about adult inmates are from Gilliard, D.K. and A.J. Beck (1998). *Prison and jail inmates at midyear 1997*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. All other data are from the U.S. Bureau of the Census, *Statistical Abstract of the United States, 1997*.

## Context

Perceived increases in the amount and severity of juvenile crime in Wisconsin (as well as nationwide) led to calls for reform of the State's juvenile justice system. A series of recent changes, most significantly the creation of *Ch. 938, The Juvenile Justice Code*, affected the number and characteristics of youth entering the juvenile corrections system and the range of responses available within the system to deal with youth behavior.

Several revisions to juvenile justice law and policy have had significant effects on juvenile corrections:

- # Exclusion of 17-year-olds from juvenile court. Wisconsin reduced the upper age of original juvenile court jurisdiction from 17 to 16, so that as of 1996 all 17 year-olds are treated as adults during investigations and prosecutions for law violations. (1997 WI Act 27, Section 2423 et seq.; published July 28, 1995).

- # Lower age of delinquency. The State reduced from 12 to 10 the lowest age at which a child can be adjudicated as a delinquent. Younger delinquents are eligible to receive any disposition available to older juveniles, including commitment to a correctional facility. This may result in greater demand for staff and program resources for younger youth.
- # Creation of Serious Juvenile Offender (SJO) designation. Pertains to certain juveniles who have committed acts categorized as Class A felonies. Juvenile courts must commit SJO cases for 5 years (or up to age 25). State assumes costs for SJO commitments. In March 1997, 28 institutionalized youth were designated SJO. By March 1998, the number had grown to 86.
- # Secure detention as a disposition. County boards have the discretion to permit juvenile courts to detain youths for up to 30 days as an alternative to State correctional placement or to divert youth from correctional placement. As of 1996, 40 courts were approved to use secure detention as a disposition, although the option was not being widely used.
- # Increased use of correctional institutions for short-term sanctioning of youth in community placement. Youth who violate probation or community program rules may be incarcerated for up to 10 days without an administrative hearing. According to the Division of Juvenile Corrections, the number of youth sanctioned in this manner increased 38 percent in the past year.
- # Secure detention in correctional institutions. Under certain conditions, counties may purchase secure detention services (including short-term holds and up to 30 days of detention as a disposition) from State institutions. The number of youth that counties place in a detention unit depends on the availability of private detention centers in the area.
- # Expansion of community-based interventions. County agencies and juvenile courts have access to electronic monitoring, intensive supervision, and other program resources that are intended to reduce demand on correctional institutions whenever appropriate.

Wisconsin's average daily populations (ADP) committed to State secure juvenile correctional institutions has remained stable over the past year. In April 1998, 907.8 juveniles entered facilities, compared with 904.6 entrants in April 1997. The Department of Corrections does not anticipate significant growth in the population at juvenile justice facilities over the next biennium. Given that populations do not appear to be increasing, the Department has no plans to expand the number of State juvenile correctional beds.

## **Corrections Resources**

The Wisconsin Department of Corrections (DOC) administers all correctional institutions and community corrections. One branch of the DOC, the Division of Juvenile Corrections (DJC), oversees juvenile institutions. Counties are responsible for secure detention, although the State licenses and approves juvenile detention facilities to assure that they meet minimum physical plant and programming requirements. Currently, the State has licensed 16 secure juvenile facilities with a combined capacity of 520 beds.

Three facilities contain the majority of juvenile offenders in Wisconsin—the Ethan Allen School, Lincoln Hills School, and the Southern Oaks Girls School. In addition to these facilities, another exists in Prairie du Chien, which will be converted on July 1, 1999, from a prison for young adult offenders ages 15 to 21 into a juvenile facility serving up to 138 juveniles. According to the DJC the current juvenile correctional capacity is 726 beds.

| <u>Juvenile Correctional Beds, 1998</u>     | <u>Capacity</u> |
|---|-----------------|
| Ethan Allen School                          | 326             |
| Lincoln Hills School                        | 245             |
| Southern Oaks Girls School                  | 56              |
| Youth Leadership Training Center            | 44              |
| SPRITE                                      | 12              |
| Mendota Juvenile Treatment Center<br>(MJTC) | 43              |
| <b>Total</b>                                | <b>726</b>      |

Located in Wales, about 30 miles west of Milwaukee, Ethan Allen School (EAS) has been a correctional facility since 1959. On January 22, 1998, 432 youth resided in the institution, and another 16 committed youth were absent because of court appearances or hospitalizations. EAS has a 326-bed capacity with an additional 55 security beds.

Lincoln Hills School (LHS) in Merrill, WI, about 25 miles north of Wausau, opened in July 1970 as a boys' school, but began to include girls in the population during 1972. On January 22, 1998, 298 youth resided in the institution, with another 13 committed youth absent for court or hospitalizations. LHS has a single bed capacity of 245, and 77 security beds.

The Southern Oaks Girls School (SOGS) opened in October 1994 to accommodate girls then at LHS, and began accepting new court commitments in November of that year. On January 22, 1998, 91 youth resided in the facility, with 2 youth absent for hospitalizations. The institution has a capacity of 56, with 9 security beds. An annex facility with bedspace for 39 juveniles is currently being constructed. Rooms in the annex may have double occupancy.

### **Planning for Future Bedspace**

Within a year of the effective date of the new Juvenile Justice Code, and following an April 1996 peak of 1,035 ADP, populations at the State juvenile correctional institutions dropped by almost 100 youth, from an ADP of 984 in July 1996 to 885 in July 1997. These recent trends may represent the most dramatic impact of the new law on State juvenile correctional populations. Barring legislative action of a similar magnitude in the near future, DOC expects these correctional populations to rise and fall incrementally following the number of juveniles in the population as a whole and the rate at which juveniles are serious and chronic law violators. Population projections using a variety of basic techniques are done in-house for biennial budget requests. Most recently, for the upcoming 1999–2001 Biennial budget, the Division plans to do a straightline projection based on data about the ADP during the prior 2 years. DJC believes that growth in the population of juvenile offenders committed to correctional institutions will not be significant enough to warrant construction of more facilities in the near future.

# Findings and Conclusions

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The decision to commit an offender to a juvenile detention or corrections facility is a policy decision that can be affected by a number of factors, including the nature of the current offense, the prior record of the offender, the availability of correctional bed space, and the availability and effectiveness of other sanctions and services, including non-residential or community-based programs. Strictly speaking, the amount of bed space in the juvenile justice system is never simply a function of juvenile crime, but rather a combination of the effects of past juvenile crime trends and the aggregation of numerous choices made by policy makers and administrators. The involvement of these policy elements is partly responsible for the considerable differences between jurisdictions in current and future bed space requirements.

## Needs Assessments: Statistics Versus Heuristics

In a report on prison population projections published more than 20 years ago, the research and consulting firm, Abt Associates, raised a novel idea. Perhaps, the report suggested, projections of criminal justice populations “did not state what *would* happen in the future, but were conclusions about future conditions if specific assumptions about arrest, prosecution, sentencing and release policies were fulfilled” [emphasis original].<sup>1</sup> Today, most forecasters accept this view. The validity of a forecast rests on the reasonableness of its assumptions and the persistence of these assumptions into the future. If actual outcomes deviate from the forecast, the discrepancies are more likely to result from changes in the assumed conditions than from technical failures by the forecast. Thus, the principal goal of forecasting should be heuristical. Forecasts of correctional populations should be considered a tool in the process of justice system planning, rather than purely a statistical endeavor resulting in an absolute number on which all future decisions should be based.

Assessing space needs and projecting future requirements are policy analysis exercises that are most effective as a component of a more comprehensive planning process. The demand for juvenile detention and corrections space is a direct consequence of decisions made by legislators, police, prosecutors, public defenders, judges, and other juvenile justice officials. Forecast models should be built upon credible assumptions about these decisions, and the accuracy or credibility of the forecasts should be evaluated in light of the persistence of the assumptions on which projections are based. Forecasters cannot be held accountable for changes in assumed conditions, but they should be held accountable for identifying which assumptions changed and for explaining

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<sup>1</sup> Cited in Chaiken, Jan M. and Kenneth E. Carlson, *Review and Evaluation of the California Department of Corrections' Institution and Parole Population Projections*, Abt Associates Inc., Cambridge, MA, 1988.

how the change in assumptions led to deviations from predicted outcomes. Decisionmakers should be held accountable for helping to set the assumptions used by forecasters and for learning about the consequences of their decisions. As forecasters explain how forecasts deviate, decisionmakers have the opportunity to learn about the effects of practice and policy actions.

Predictive accuracy should be the only criterion with which policy makers assess the value of population forecasts. A well-designed system for conducting correctional projections helps to inform the policy process and to improve the credibility of the information used in management decisions. A bad projection is not necessarily one that is wrong. A bad projection arises when a forecaster cannot explain why it is wrong. Alternatively, a projection that turns out to be inaccurate may still be a good projection if analysts are able to explain which critical assumptions were violated and what impact these violations had on correctional populations.

Ultimately, forecasting should become a regular component in facility management. The twin goals of policy-relevant information and accuracy will build upon each other to create ever more useful and accurate projections. The more accurate and sensitive a projection method is, the more useful it will become. The more useful the method becomes, the more policymakers will be willing to support it with even more high-quality information. As more information becomes available, projections will become more accurate. Shortly, the projection activity itself becomes an indispensable part of planning in the juvenile justice system.

## **The Organizational Dimension in Population Projections**

The process used to generate a population projection is of critical importance to the success of the effort. Population forecasts depend on future probabilities that are derived from historical trends and patterns. In a period of rapid change, assessments of how the future will likely depart from the past must be included in the planning process. The best estimates for these departures are likely to be obtained from the people closest to the situation—decisionmakers in the justice system. The process used to identify likely departures should incorporate all relevant officials in the juvenile justice system, and they should be involved at the very beginning. There should be formal mechanisms by which these actors "sign off" on the assumptions on which a forecast is based. Finally, there should be provisions for assessing the accuracy of projections and for understanding where and why they may have gone astray.

Some states (e.g., California) form "consensus committees" to ensure that population projections involve all relevant parties. A consensus committee involves both people who produce projections as well as those who use them. They meet on a regular basis to discuss critical forecast assumptions. The committee attempts to reach agreement about forecasting assumptions and the impact of future policy and practice. The committee process fosters a more evaluable approach to forecasting, as critical assumptions are discussed openly rather than hidden within a technically complex model. Also, the agreements achieved by committees tend to reduce conflict when unpopular forecasts are produced, and in the process of reaching agreement about forecasting assumptions, decisionmakers may modify their practice and bring it into alignment with consensus assumptions.

This approach to forecasting offers an attractive alternative to population forecasts that rely exclusively on historical data about admissions and length of stay. Since projections are most useful in times of rapid change,

simple history is often an inadequate guide to the future. Anticipating departures from historical trends is essential, and the best way to develop this knowledge is soliciting the views of those who will be most involved in creating system changes.

The characteristics of the juvenile justice system may pose significant challenges to the implementation of consensus committees. First, the juvenile justice system is far more decentralized than the adult justice system. Local jurisdictions may vary considerably even within the same state. Juvenile justice officials also usually have more discretion than their counterparts in the adult system where decisions are often limited by policies such as compulsory arrest laws, sentencing guidelines, and mandatory minimums (e.g., “three strikes and you’re out”). In the juvenile justice system, evidence is sometimes subjected to less intense scrutiny and the level of proof needed is generally less than in adult criminal proceedings. In other words, individual actors in the juvenile justice system retain a wider range of discretion concerning the handling and disposition of juvenile offenders.

Second, criminal courts and adult corrections agencies often have more advanced data and information systems. While this does not hold in all jurisdictions (California and South Carolina, for example, have very good information systems), in most states this poses a significant barrier to accurate and reliable forecasting. Implementation of the consensus committee approach requires detailed and disaggregated information on current and historical custody populations. This type of detailed information can be used to simulate the effect of very specific policy changes on correctional populations. Policies that affect only a very specific sub-population, for example, can be assessed if detailed information on individuals is available.

## **Findings**

Based upon the national data analyses and state assessments presented in this report, several findings have emerged regarding the future demand for detention and corrections space:

### **Current and Future Needs**

Nationwide, juvenile detention and corrections facilities appear to be moderately crowded, although the causes of this crowding can be traced to several factors other than the volume of juvenile crime in each jurisdiction.

Most of the 10 states identified by Congress have experienced moderate to severe crowding in their juvenile detention and corrections facilities in recent years.

No state contacted for this assessment reported that it had all of the resources it required for both juvenile detention and corrections.

Eight of the 10 states plan to add 10% or more to their existing corrections bedspace within the next 5 years. Seven of the 10 states plan to add 10% or more to the existing number of detention beds.

### **Obstacles to Effective State Planning**

Projecting future juvenile corrections populations is often more challenging than projecting future trends in adult

corrections.

While important, nationally available information (e.g., population data, arrest data, juvenile court data) are insufficient for projecting future juvenile detention and corrections bedspace in a manner that is most useful for policymakers and administrators.

Understanding the sources of demand for detention and corrections space requires an understanding of the laws, policies, and practices that shape each jurisdiction's juvenile justice system.

The methods currently used by states to plan for future detention and corrections space vary significantly.

More than half the states assessed for this report make either limited use, or no use of empirically-based methods to project future bedspace needs.

### **Improving State Planning**

Conceptual and methodological advances are needed before the forecasting of juvenile detention and correctional populations can begin to achieve the utility envisioned by Congress.

Even if improved methods become available, many states will require considerable assistance to incorporate new methods into their policy and planning.

Improved methods of projecting bedspace will require improved data on: 1) standard definitions of facility capacity, 2) the number of juveniles denied placement due to insufficient space, 3) the number of juveniles placed on waiting lists for later placement, and 4) the number of juveniles released early from corrections facilities in order to make room for new admissions.

There will never be a simple, statistical solution to the problem of unexpected changes in the demand for juvenile detention and corrections space.

Projections of future corrections populations are only as good as the assumptions they make about future trends in policy and practice.

A particularly effective method of improving the assumptions built into population projections is to form a committee of state and local officials to develop a consensus about the likely direction of policies and practices affecting the demand for detention and corrections resources.

Projections of future bedspace are only effective if they provide sound information that is useful for developing, implementing, and monitoring juvenile justice policy.

## **Conclusion**

Assessing the present and future needs of detention and correction space cannot be simply a statistical exercise

to determine an ideal number of beds that the juvenile justice system should fund. Such an approach requires policy makers to assume that the juvenile justice system will remain static over time. The juvenile justice system, however, is far from static. The best way to use population projections is as a method of guiding the juvenile justice system in making sound policy and practice decisions. Projections should not drive policy and budget decisions on their own. They should work in conjunction with policy debates about the type of programs a jurisdiction can or should support. They should work with the police and probation departments to determine who rightly belongs in detention and who can be placed in alternative programs. They should work with judges and prosecutors to determine which juveniles ought to be committed in long-term facilities and which should be placed in community-based programs, intensive supervision, or day-reporting programs. If used properly, projection methods can be powerful heuristic tools that serve the twin goals of making communities more secure and providing reasonable treatment programs for youth.

Assessments of need require detailed data and effective policy analysis. Without the first, it is difficult to know how much detention and corrections space currently exists, much less how much will be needed in the future. Without sound analysis of the juvenile justice system and the policies that shape the system, it is difficult to know which juveniles are likely to need space in existing facilities. If the Federal Government wishes to encourage more accurate assessments of need in juvenile detention and corrections, it must start by assisting the states in meeting these two requirements.

On May 26, 1998, OJJDP issued a solicitation titled "Assessment of Space Needs in Juvenile Detention and Corrections." Applications are due by July 15, 1998. The goal of this program is to provide an in depth analysis of the supply and demand for detention and corrections bed space nationally and to develop analytic tools to analyze future supply and demand at both the national and State levels. The tool may take the form of a specific analytic model, a data collection instrument, or other appropriate mechanism. OJJDP will fund one 2-year cooperative agreement for a total of \$700,000. At the end of these 2 years, the project will produce a research summary and a research report that describe the policy-relevant results of this effort. These products will provide more in depth discussion of the various issues raised by this report.

## Appendix A

### **Data from the "Census of Public and Private Juvenile Detention, Correction, and Shelter Facilities"**

- National and state information on juveniles in custody is drawn from OJJDP's "Census of Public and Private Juvenile Detention, Correction, and Shelter Facilities," more commonly known as the *Children in Custody* census. Since 1971, facilities have been asked to complete a census questionnaire every other year. The census includes residential detention, correctional and shelter facilities for juveniles as well as group homes for 3 or more juveniles. Excluded are facilities exclusively for drug treatment, emotionally disturbed, or maltreated children, as well as Federal facilities. The analysis also excluded facilities with fewer than 1% offenders or fewer than 50% juveniles (except for facilities operated by the California Youth Authority).
- The response rate for public facilities has always been virtually 100%, but among private facilities response rate has never reached the 100% level. For this reason, private facility population counts are believed to be somewhat of an undercount. Because it is not known what impact variations in private facility response rates from year to year have had on the data, private facility trends should be interpreted with caution. The private facility response rate was particularly low in 1987. Thus, this report includes only data for the 1989, 1991, 1993 and 1995 censuses.
- The current analysis has not included any imputation of missing data when facilities failed to report certain data. For this reason, detail in some tables does not add to totals.
- Facilities report two types of resident data — 1-day counts (odd years) and annual facility admission and release counts (prior even year). One-day counts provide a picture of the standing population; admissions and releases provide a measure of the population flow. However, admission/release data do not represent a count of the number of youth entering/exiting custody, as a youth may be admitted to and released from custody more than once during the year.
- Nationally, 1,080 public facilities were included in the 1995 Children in Custody (CIC) census. The majority of these facilities (752) reported having environments that were institutional rather than open. Slightly more than half of the institutional facilities were short-term facilities, such as detention centers, that generally hold youth prior to disposition. The remaining institutional facilities were long-term facilities, such as training schools, correctional centers, and treatment facilities. These types of facilities generally hold youth as a part of their court ordered disposition.
- For the bedspace analyses presented in this report only facilities coded as institutional were included. Facility responding to the environment items may have varied over time causing the classification of some facilities to change. Thus, some facilities may be excluded from the analysis for some years.

On February 15, 1995 nearly 22,000 youth were held in public short-term institutional facilities. Nearly 39,000 youth were held in public long-term institutional facilities on the same date. Private short-term institutional facilities held nearly 200 youth on the census reference date, while private long-term institutional facilities held nearly 2,800 youth.

Public Juvenile Corrections Beds, 1989-1995

|                       | Census Year  | Facilities | Facilities over capacity | Design capacity | Overflow population | Empty beds | Total population |
|-----------------------|--------------|------------|--------------------------|-----------------|---------------------|------------|------------------|
| <b>U.S. TOTAL</b>     |              |            |                          |                 |                     |            |                  |
| Short-Term Facilities | 1989         | 422        | 118                      | 19,915          | 2,373               | 2,952      | 19,336           |
|                       | 1991         | 439        | 145                      | 20,805          | 2,328               | 2,582      | 20,551           |
|                       | 1993         | 402        | 168                      | 20,087          | 2,771               | 1,902      | 20,956           |
|                       | 1995         | 393        | 207                      | 19,065          | 4,191               | 1,372      | 21,884           |
|                       | %chg 1989-95 | -7%        |                          | -4%             |                     |            | 13%              |
| Long-Term Facilities  | 1989         | 223        | 89                       | 25,003          | 3,733               | 1,367      | 27,369           |
|                       | 1991         | 227        | 101                      | 26,932          | 3,319               | 1,499      | 28,752           |
|                       | 1993         | 270        | 110                      | 27,865          | 4,429               | 1,403      | 30,891           |
|                       | 1995         | 359        | 160                      | 33,005          | 7,269               | 1,418      | 38,856           |
|                       | %chg 1989-95 | 61%        |                          | 32%             |                     |            | 42%              |
| <b>ALASKA</b>         |              |            |                          |                 |                     |            |                  |
| Short-Term Facilities | 1989         | 3          | 0                        | 68              | 0                   | 22         | 46               |
|                       | 1991         | 1          | 1                        | 8               | 1                   | 0          | 9                |
|                       | 1993         | 2          | 0                        | 28              | 0                   | 6          | 22               |
|                       | 1995         | 2          | 1                        | 20              | 6                   | 11         | 15               |
|                       | %chg 1989-95 | -33%       |                          | -71%            |                     |            | -67%             |
| Long-Term Facilities  | 1989         | 1          | 0                        | 146             | 0                   | 1          | 145              |
|                       | 1991         | 3          | 1                        | 206             | 7                   | 14         | 199              |
|                       | 1993         | 2          | 0                        | 210             | 0                   | 54         | 156              |
|                       | 1995         | 3          | 1                        | 210             | 6                   | 8          | 208              |
|                       | %chg 1989-95 | 200%       |                          | 44%             |                     |            | 43%              |
| <b>CALIFORNIA</b>     |              |            |                          |                 |                     |            |                  |
| Short-Term Facilities | 1989         | 48         | 16                       | 6,089           | 1,017               | 588        | 6,518            |
|                       | 1991         | 48         | 17                       | 6,240           | 989                 | 454        | 6,775            |
|                       | 1993         | 20         | 14                       | 5,914           | 762                 | 342        | 6,334            |
|                       | 1995         | 37         | 18                       | 5,317           | 813                 | 226        | 5,904            |
|                       | %chg 1989-95 | -23%       |                          | -13%            |                     |            | -9%              |
| Long-Term Facilities  | 1989         | 31         | 12                       | 6,705           | 2,336               | 101        | 8,940            |
|                       | 1991         | 30         | 14                       | 7,601           | 1,702               | 279        | 9,024            |
|                       | 1993         | 35         | 14                       | 8,488           | 1,491               | 374        | 9,605            |
|                       | 1995         | 41         | 24                       | 9,437           | 3,249               | 150        | 12,536           |
|                       | %chg 1989-95 | 32%        |                          | 41%             |                     |            | 40%              |

(see the notes at end of table)

Appendix A: Census of Public and Private Juvenile Detention, Correction, and Shelter Facilities

|                          | Census Year  | Facilities | Facilities<br>over<br>capacity | Design<br>capacity | Overflow<br>population | Empty<br>beds | Total<br>population |
|--------------------------|--------------|------------|--------------------------------|--------------------|------------------------|---------------|---------------------|
| <b>KENTUCKY</b>          |              |            |                                |                    |                        |               |                     |
| Short-Term<br>Facilities | 1989         | 2          | 1                              | 81                 | 9                      | 9             | 81                  |
|                          | 1991         | 2          | 1                              | 81                 | 4                      | 4             | 81                  |
|                          | 1993         | 2          | 1                              | 81                 | 16                     | 1             | 96                  |
|                          | 1995         | 2          | 2                              | 89                 | 34                     | 0             | 123                 |
|                          | %chg 1989-95 | 0%         |                                | 10%                |                        |               | 52%                 |
| Long-Term<br>Facilities  | 1989         | 7          | 1                              | 247                | 9                      | 24            | 232                 |
|                          | 1991         | 8          | 1                              | 274                | 8                      | 21            | 261                 |
|                          | 1993         | 12         | 1                              | 371                | 9                      | 19            | 361                 |
|                          | 1995         | 8          | 0                              | 254                | 0                      | 27            | 227                 |
|                          | %chg 1989-95 | 14%        |                                | 3%                 |                        |               | -2%                 |
| <b>LOUISIANA</b>         |              |            |                                |                    |                        |               |                     |
| Short-Term<br>Facilities | 1989         | 9          | 2                              | 383                | 11                     | 12            | 382                 |
|                          | 1991         | 10         | 2                              | 464                | 16                     | 26            | 454                 |
|                          | 1993         | 10         | 3                              | 509                | 4                      | 29            | 484                 |
|                          | 1995         | 11         | 4                              | 397                | 13                     | 13            | 397                 |
|                          | %chg 1989-95 | 22%        |                                | 4%                 |                        |               | 4%                  |
| Long-Term<br>Facilities  | 1989         | 5          | 0                              | 781                | 0                      | 127           | 654                 |
|                          | 1991         | 3          | 0                              | 720                | 0                      | 71            | 649                 |
|                          | 1993         | 3          | 0                              | 768                | 0                      | 9             | 759                 |
|                          | 1995         | 4          | 0                              | 1,124              | 0                      | 37            | 1,087               |
|                          | %chg 1989-95 | -20%       |                                | 44%                |                        |               | 66%                 |
| <b>MISSISSIPPI</b>       |              |            |                                |                    |                        |               |                     |
| Short-Term<br>Facilities | 1989         | 3          | 1                              | 62                 | 11                     | 19            | 54                  |
|                          | 1991         | 4          | 2                              | 85                 | 12                     | 19            | 78                  |
|                          | 1993         | 4          | 0                              | 85                 | 0                      | 21            | 64                  |
|                          | 1995         | 3          | 2                              | 67                 | 7                      | 2             | 72                  |
|                          | %chg 1989-95 | 0%         |                                | 8%                 |                        |               | 33%                 |
| Long-Term<br>Facilities  | 1989         | 1          | 1                              | 200                | 17                     | 0             | 217                 |
|                          | 1991         | 3          | 0                              | 425                | 0                      | 103           | 322                 |
|                          | 1993         | 3          | 2                              | 350                | 75                     | 8             | 417                 |
|                          | 1995         | 4          | 3                              | 488                | 56                     | 6             | 538                 |
|                          | %chg 1989-95 | 300%       |                                | 144%               |                        |               | 148%                |

(see the notes at end of table)

Public Juvenile Corrections Beds, 1989-1995 (continued)

|  | Census Year  | Facilities | Facilities over capacity | Design capacity | Overflow population | Empty beds | Total population |
|--|--------------|------------|--------------------------|-----------------|---------------------|------------|------------------|
| <b>MONTANA</b>                         |              |            |                          |                 |                     |            |                  |
| Short-Term Facilities                  | 1989         | 1          | 1                        | 8               | 2                   | 0          | 10               |
|  | 1991         | 0          | 0                        | 0               | 0                   | 0          | 0                |
|  | 1993         | 1          | 0                        | 4               | 0                   | 1          | 3                |
|  | 1995         | 1          | 0                        | 8               | 0                   | 1          | 7                |
|  | %chg 1989-95 | 0%         |                          | 0%              |                     |            | -30%             |
| Long-Term Facilities                   | 1989         | 1          | 1                        | 125             | 24                  | 0          | 149              |
|  | 1991         | 1          | 1                        | 125             | 28                  | 0          | 153              |
|  | 1993         | 1          | 1                        | 100             | 13                  | 0          | 113              |
|  | 1995         | 2          | 1                        | 115             | 4                   | 18         | 101              |
|  | %chg 1989-95 | 100%       |                          | -8%             |                     |            | -32%             |
| <b>NEW HAMPSHIRE</b>                   |              |            |                          |                 |                     |            |                  |
| Short-Term Facilities                  | 1989         | 1          | 1                        | 16              | 3                   | 0          | 19               |
|  | 1991         | 1          | 0                        | 23              | 0                   | 1          | 22               |
|  | 1993         | 1          | 0                        | 23              | 0                   | 6          | 17               |
|  | 1995         | 2          | 0                        | 23              | 0                   | 1          | 22               |
|  | %chg 1989-95 | 100%       |                          | 44%             |                     |            | 16%              |
| Long-Term Facilities                   | 1989         | 1          | 0                        | 107             | 0                   | 7          | 100              |
|  | 1991         | 1          | 0                        | 102             | 0                   | 16         | 86               |
|  | 1993         | 1          | 0                        | 107             | 0                   | 18         | 89               |
|  | 1995         | 1          | 0                        | 113             | 0                   | 10         | 103              |
|  | %chg 1989-95 | 0%         |                          | 6%              |                     |            | 3%               |
| <b>SOUTH CAROLINA</b>                  |              |            |                          |                 |                     |            |                  |
| Short-Term Facilities                  | 1989         | 2          | 1                        | 143             | 82                  | 16         | 209              |
|  | 1991         | 2          | 1                        | 156             | 97                  | 11         | 242              |
|  | 1993         | 2          | 2                        | 156             | 74                  | 0          | 230              |
|  | 1995         | 2          | 2                        | 50              | 26                  | 0          | 76               |
|  | %chg 1989-95 | 0%         |                          | -65%            |                     |            | -64%             |
| Long-Term Facilities                   | 1989         | 4          | 3                        | 341             | 174                 | 7          | 508              |
|  | 1991         | 4          | 4                        | 425             | 214                 | 0          | 639              |
|  | 1993         | 5          | 4                        | 347             | 390                 | 9          | 728              |
|  | 1995         | 6          | 4                        | 684             | 279                 | 15         | 948              |
|  | %chg 1989-95 | 50%        |                          | 101%            |                     |            | 87%              |
| <i>(see the notes at end of table)</i> |              |            |                          |                 |                     |            |                  |

Appendix A: Census of Public and Private Juvenile Detention, Correction, and Shelter Facilities

|                          | Census Year  | Facilities | Facilities<br>over<br>capacity | Design<br>capacity | Overflow<br>population | Empty<br>beds | Total<br>population |
|--------------------------|--------------|------------|--------------------------------|--------------------|------------------------|---------------|---------------------|
| <b>WEST VIRGINIA</b>     |              |            |                                |                    |                        |               |                     |
| Short-Term<br>Facilities | 1989         | 5          | 2                              | 73                 | 15                     | 24            | 64                  |
|                          | 1991         | 4          | 1                              | 54                 | 14                     | 12            | 56                  |
|                          | 1993         | 4          | 0                              | 54                 | 0                      | 15            | 39                  |
|                          | 1995         | 4          | 0                              | 54                 | 0                      | 15            | 39                  |
|                          | %chg 1989-95 | -20%       |                                | -26%               |                        |               | -39%                |
| Long-Term<br>Facilities  | 1989         | 2          | 0                              | 115                | 0                      | 8             | 107                 |
|                          | 1991         | 2          | 0                              | 125                | 0                      | 15            | 110                 |
|                          | 1993         | 2          | 1                              | 125                | 1                      | 9             | 117                 |
|                          | 1995         | 2          | 0                              | 130                | 0                      | 21            | 109                 |
|                          | %chg 1989-95 | 0%         |                                | 13%                |                        |               | 2%                  |
| <b>WISCONSIN</b>         |              |            |                                |                    |                        |               |                     |
| Short-Term<br>Facilities | 1989         | 2          | 1                              | 108                | 5                      | 6             | 107                 |
|                          | 1991         | 4          | 2                              | 155                | 37                     | 15            | 177                 |
|                          | 1993         | 5          | 2                              | 205                | 14                     | 14            | 205                 |
|                          | 1995         | 8          | 1                              | 304                | 11                     | 70            | 245                 |
|                          | %chg 1989-95 | 300%       |                                | 181%               |                        |               | 129%                |
| Long-Term<br>Facilities  | 1989         | 3          | 1                              | 591                | 65                     | 90            | 566                 |
|                          | 1991         | 3          | 2                              | 666                | 26                     | 4             | 688                 |
|                          | 1993         | 2          | 2                              | 528                | 234                    | 0             | 762                 |
|                          | 1995         | 4          | 3                              | 619                | 499                    | 5             | 1,113               |
|                          | %chg 1989-95 | 33%        |                                | 5%                 |                        |               | 97%                 |

Source: OJJDP, Children in custody census 1988/89, 1990/91, 1992/93, 1994/95. Analysis prepared by the National Center for Juvenile Justice.

Notes: When a facility reported a population in excess of its design capacity, the difference was defined as that facility's "overflow" population. Other facilities had empty beds on the day of the bi-annual census.

\* Total population is the sum of design-capacity beds and overflow beds minus the number of empty beds.

## Appendix B

### Population Data from the U.S. Census

| <b>Resident Population, Age 10 to Upper Age of Original Juvenile Court Jurisdiction</b> |            |            |            |            |            |            |            | % Change  |
|---|------------|------------|------------|------------|------------|------------|------------|-----------|
|   | 1989       | 1990       | 1991       | 1992       | 1993       | 1994       | 1995       | 1989-1995 |
| United States   | 25,288,400 | 25,611,100 | 26,073,900 | 26,687,000 | 27,273,500 | 27,760,700 | 28,239,300 | 12%       |
| Alaska  | 62,500     | 67,600     | 70,700     | 73,800     | 76,900     | 79,800     | 81,600     | 31%       |
| California  | 3,081,600  | 3,182,800  | 3,244,700  | 3,318,300  | 3,382,100  | 3,439,700  | 3,498,200  | 14%       |
| Kentucky  | 434,500    | 433,200    | 437,000    | 443,900    | 448,400    | 450,700    | 451,100    | 4%        |
| Louisiana   | 466,900    | 460,900    | 474,200    | 483,100    | 489,800    | 493,100    | 498,200    | 7%        |
| Mississippi   | 339,700    | 332,800    | 336,700    | 343,000    | 346,600    | 349,300    | 351,400    | 3%        |
| Montana   | 94,500     | 98,100     | 100,700    | 105,300    | 109,100    | 112,700    | 115,100    | 22%       |
| New Hampshire   | 114,700    | 112,600    | 115,000    | 118,700    | 122,300    | 126,100    | 130,700    | 14%       |
| South Carolina  | 354,100    | 351,900    | 356,300    | 360,500    | 364,800    | 365,500    | 366,500    | 4%        |
| West Virginia   | 216,600    | 213,100    | 212,800    | 213,000    | 212,500    | 210,900    | 206,900    | -4%       |
| Wisconsin   | 544,000    | 557,900    | 572,600    | 590,400    | 603,700    | 617,800    | 631,600    | 16%       |

**Data Source:** Resident population estimates prepared by the U.S. Bureau of the Census. The upper age of original juvenile court jurisdiction refers to the oldest age at which young offenders are initially under the legal jurisdiction of the juvenile court. In 1995, Louisiana and South Carolina set the upper age at 16 and the other states shown above set the upper age at 17. In 1996, New Hampshire and Wisconsin lowered the upper age to 16.

## Appendix C

### Juvenile Arrest Data from the Uniform Crime Reporting Program

| <b>Juvenile Arrest Rates for the United States: 1989–1995</b><br>(Arrests of Persons Under Age 18/100,000 Resident Population Age 10-17) |       |       |       |       |       |       |       |                |           |
|--|-------|-------|-------|-------|-------|-------|-------|----------------|-----------|
|  | 1989  | 1990  | 1991  | 1992  | 1993  | 1994  | 1995  | Percent Change |           |
|  |       |       |       |       |       |       |       | 1989-1995      | 1991-1995 |
| Percent Reporting  | 86%   | 78%   | 77%   | 84%   | 81%   | 80%   | 76%   |                |           |
| Delinquency  | n/a   | n/a   | 7,237 | 7,263 | 7,423 | 8,080 | 7,973 | n/a            | 10.2%     |
| Person   | n/a   | n/a   | 1,041 | 1,099 | 1,169 | 1,284 | 1,271 | n/a            | 22.1%     |
| Property   | n/a   | n/a   | 3,383 | 3,317 | 3,224 | 3,384 | 3,248 | n/a            | -4.0%     |
| Drugs  | n/a   | n/a   | 284   | 312   | 396   | 540   | 664   | n/a            | 133.6%    |
| Public Order   | n/a   | n/a   | 2,528 | 2,535 | 2,634 | 2,873 | 2,789 | n/a            | 10.3%     |
| Violent Crime Index  | 398   | 432   | 450   | 475   | 505   | 534   | 518   | 30.3%          | 15.0%     |
| Property Crime Index   | 2,565 | 2,668 | 2,622 | 2,568 | 2,479 | 2,605 | 2,517 | -1.9%          | -4.0%     |

Data Source: Percent reporting is based on FBI reported populations. Juvenile arrest rate estimates are based on data published in the *Crime in the United States* reports 1989-1995 and on population data derived from estimates developed by the U.S. Bureau of the Census. The calculation of arrest rates and the recoding of arrests into Person/Property/Drugs/Public Order offense groups is from the National Center for Juvenile Justice.

#### Note

The population served by law enforcement agencies reporting complete annual (i.e., 12 month) arrest data to the FBI's Uniform Crime Reporting Program declined between 1989 and 1995 from 86.1% to 75.6% of the U.S. population. Arrest rates are sample rates. The annual arrest rates do not control for the potential bias in the reporting sample (e.g., the reporting sample may contain a greater proportion of urban law enforcement agencies in one year than the other). It is uncertain how, or if, this change in the size and composition of the sample influences the comparability of the annual rates. The overall growth in delinquency arrests (i.e., crimes for which an adult may be arrested) was 10.2% nationally between 1989 and 1995. This figure is a combination of a small percentage decline in the high volume of property crime arrests and larger increases in person (22.1%) and drug offenses (133.6%).

## State Arrest Rate Estimates

| <b>Juvenile Arrest Rates for Selected States: 1989–1995</b>             |       |       |        |        |       |       |       |                |           |
|---|-------|-------|--------|--------|-------|-------|-------|----------------|-----------|
| (Arrests of Persons Under Age 18/100,000 Resident Population Age 10-17) |       |       |        |        |       |       |       |                |           |
|   | 1989  | 1990  | 1991   | 1992   | 1993  | 1994  | 1995  | Percent Change |           |
|   |       |       |        |        |       |       |       | 1989-1995      | 1991-1995 |
| <b>Alaska</b>   |       |       |        |        |       |       |       |                |           |
| Percent Reporting   | 95%   | 54%   | 94%    | 94%    | 95%   | 94%   | 82%   |                |           |
| Delinquency   | n/a   | n/a   | 7,676  | 7,026  | 8,408 | 8,978 | 8,580 | n/a            | 11.8%     |
| Person  | n/a   | n/a   | 510    | 649    | 914   | 1,083 | 1,093 | n/a            | 114.2%    |
| Property  | n/a   | n/a   | 4,552  | 4,081  | 4,848 | 4,680 | 4,155 | n/a            | -8.7%     |
| Drugs   | n/a   | n/a   | 143    | 157    | 166   | 383   | 507   | n/a            | 253.5%    |
| Public Order  | n/a   | n/a   | 2,470  | 2,139  | 2,479 | 2,833 | 2,825 | n/a            | 14.4%     |
| Violent Crime Index   | 182   | 232   | 196    | 205    | 343   | 386   | 393   | 116.2%         | 100.2%    |
| Property Crime Index  | 3,933 | 3,478 | 3,998  | 3,558  | 4,288 | 4,008 | 3,463 | -12.0%         | -13.4%    |
| <b>California</b>   |       |       |        |        |       |       |       |                |           |
| Percent Reporting   | 99%   | 96%   | 99%    | 99%    | 100%  | 100%  | 98%   |                |           |
| Delinquency   | n/a   | n/a   | 7,083  | 6,,967 | 7,038 | 6,873 | 6,679 | n/a            | -5.7%     |
| Person  | n/a   | n/a   | 1,257  | 1,263  | 1,262 | 1,282 | 1,231 | n/a            | -2.1%     |
| Property  | n/a   | n/a   | 3,592  | 3,536  | 3,511 | 3,187 | 2,974 | n/a            | -17.2%    |
| Drugs   | n/a   | n/a   | 393    | 441    | 522   | 664   | 691   | n/a            | 75.7%     |
| Public Order  | n/a   | n/a   | 1,840  | 1,727  | 1,743 | 1,740 | 1,783 | n/a            | -3.1%     |
| Violent Crime Index   | 556   | 649   | 642    | 636    | 625   | 642   | 621   | 11.7%          | -3.3%     |
| Property Crime Index  | 2,856 | 2,796 | 2,,769 | 2,726  | 2,575 | 2,398 | 2,283 | -20.1%         | -17.6%    |
| <b>Kentucky</b>   |       |       |        |        |       |       |       |                |           |
| Percent Reporting   | 60%   | 57%   | 92%    | 96%    | 48%   | 53%   | 33%   |                |           |
| Delinquency   | n/a   | n/a   | 4,136  | 4,883  | 6,038 | 4,565 | 8,484 | n/a            | 105.1%    |
| Person  | n/a   | n/a   | 356    | 482    | 601   | 522   | 1,092 | n/a            | 206.8%    |
| Property  | n/a   | n/a   | 2,191  | 2,521  | 3,050 | 2,226 | 4,191 | n/a            | 91.2%     |
| Drugs   | n/a   | n/a   | 123    | 192    | 292   | 345   | 722   | n/a            | 488.9%    |
| Public Order  | n/a   | n/a   | 1,466  | 1,689  | 2,094 | 1,472 | 2,480 | n/a            | 69.1%     |
| Violent Crime Index   | 62    | 200   | 248    | 333    | 451   | 323   | 723   | 1073.1%        | 190.9%    |
| Property Crime Index  | 651   | 1,170 | 1,571  | 1,768  | 2,284 | 1,654 | 3,270 | 402.6%         | 108.2%    |
| <b>Louisiana</b>  |       |       |        |        |       |       |       |                |           |
| Percent Reporting   | 70%   | 59%   | 55%    | 60%    | 60%   | 70%   | 68%   |                |           |
| Delinquency   | n/a   | n/a   | 6,568  | 6,777  | 6,639 | 7,570 | 8,808 | n/a            | 34.1%     |
| Person  | n/a   | n/a   | 1,085  | 1,262  | 1,415 | 1,313 | 1,559 | n/a            | 43.7%     |
| Property  | n/a   | n/a   | 3,019  | 3,060  | 2,827 | 3,140 | 3,470 | n/a            | 14.9%     |
| Drugs   | n/a   | n/a   | 273    | 322    | 371   | 422   | 575   | n/a            | 110.3%    |
| Public Order  | n/a   | n/a   | 2,191  | 2,132  | 2,026 | 2,696 | 3,205 | n/a            | 46.3%     |
| Violent Crime Index   | 405   | 393   | 496    | 570    | 600   | 506   | 534   | 31.8%          | 7.5%      |
| Property Crime Index  | 2,319 | 2,263 | 2,391  | 2,388  | 2,165 | 2,502 | 2,813 | 21.3%          | 17.7%     |
| <b>Mississippi</b>  |       |       |        |        |       |       |       |                |           |
| Percent Reporting   | 38%   | 41%   | 33%    | 35%    | 32%   | 30%   | 25%   |                |           |
| Delinquency   | n/a   | n/a   | 6,806  | 5,347  | 6,467 | 7,970 | 7,925 | n/a            | 16.4%     |
| Person  | n/a   | n/a   | 958    | 651    | 896   | 1,351 | 1,026 | n/a            | 7.1%      |
| Property  | n/a   | n/a   | 3,086  | 2,450  | 2,771 | 3,025 | 3,174 | n/a            | 2.9%      |
| Drugs   | n/a   | n/a   | 217    | 307    | 322   | 549   | 698   | n/a            | 221.2%    |
| Public Order  | n/a   | n/a   | 2,544  | 1,939  | 2,478 | 3,044 | 3,027 | n/a            | 19.0%     |
| Violent Crime Index   | 221   | 247   | 306    | 224    | 298   | 325   | 233   | 5.3%           | -23.9%    |
| Property Crime Index  | 2,501 | 2,282 | 2,799  | 2,240  | 2,525 | 2,702 | 2,831 | 13.2%          | 1.1%      |

continued

| <b>Juvenile Arrest Rates for Selected States: 1989–1995 (continued)</b> |       |       |        |        |        |        |        |                |           |
|---|-------|-------|--------|--------|--------|--------|--------|----------------|-----------|
| (Arrests of Persons Under Age 18/100,000 Resident Population Age 10-17) |       |       |        |        |        |        |        |                |           |
|   | 1989  | 1990  | 1991   | 1992   | 1993   | 1994   | 1995   | Percent Change |           |
|   |       |       |        |        |        |        |        | 1989-1995      | 1991-1995 |
| <b>Montana</b>  |       |       |        |        |        |        |        |                |           |
| Percent Reporting   | 28%   | 78%   | 73%    | 90%    | 45%    | 0%     | 0%     |                |           |
| Delinquency   | n/a   | n/a   | 7,496  | 8,322  | 4,644  | n/a    | n/a    | n/a            | n/a       |
| Person  | n/a   | n/a   | 541    | 598    | 284    | n/a    | n/a    | n/a            | n/a       |
| Property  | n/a   | n/a   | 3,942  | 4,147  | 1,960  | n/a    | n/a    | n/a            | n/a       |
| Drugs   | n/a   | n/a   | 38     | 48     | 80     | n/a    | n/a    | n/a            | n/a       |
| Public Order  | n/a   | n/a   | 2,975  | 3,528  | 2,320  | n/a    | n/a    | n/a            | n/a       |
| Violent Crime Index   | 32    | 65    | 103    | 93     | 67     | n/a    | n/a    | n/a            | n/a       |
| Property Crime Index  | 2,056 | 2,542 | 3,116  | 3,233  | 1,423  | n/a    | n/a    | n/a            | n/a       |
| <b>New Hampshire</b>  |       |       |        |        |        |        |        |                |           |
| Percent Reporting   | 82%   | 0%    | 79%    | 81%    | 66%    | 63%    | 0%     |                |           |
| Delinquency   | n/a   | n/a   | 5,301  | 5,288  | 5,724  | 6,400  | n/a    | n/a            | n/a       |
| Person  | n/a   | n/a   | 371    | 455    | 652    | 772    | n/a    | n/a            | n/a       |
| Property  | n/a   | n/a   | 2,330  | 2,414  | 2,475  | 2,581  | n/a    | n/a            | n/a       |
| Drugs   | n/a   | n/a   | 125    | 146    | 274    | 449    | n/a    | n/a            | n/a       |
| Public Order  | n/a   | n/a   | 2,474  | 2,273  | 2,323  | 2,598  | n/a    | n/a            | n/a       |
| Violent Crime Index   | 53    | n/a   | 65     | 100    | 139    | 105    | n/a    | n/a            | n/a       |
| Property Crime Index  | 1,630 | n/a   | 1,817  | 1,766  | 1,892  | 1,942  | n/a    | n/a            | n/a       |
| <b>South Carolina</b>   |       |       |        |        |        |        |        |                |           |
| Percent Reporting   | 97%   | 96%   | 0%     | 96%    | 98%    | 100%   | 96%    |                |           |
| Delinquency   | n/a   | n/a   | n/a    | 2,354  | 4,780  | 5,901  | 6,172  | n/a            | n/a       |
| Person  | n/a   | n/a   | n/a    | 495    | 1,041  | 1,158  | 1,211  | n/a            | n/a       |
| Property  | n/a   | n/a   | n/a    | 810    | 2,253  | 2,475  | 2,572  | n/a            | n/a       |
| Drugs   | n/a   | n/a   | n/a    | 24     | 56     | 492    | 635    | n/a            | n/a       |
| Public Order  | n/a   | n/a   | n/a    | 1,025  | 1,430  | 1,776  | 1,754  | n/a            | n/a       |
| Violent Crime Index   | 202   | 241   | n/a    | 201    | 370    | 384    | 400    | 98.0%          | n/a       |
| Property Crime Index  | 1,710 | 1,872 | n/a    | 624    | 1,871  | 1,812  | 1,981  | 15.8%          | n/a       |
| <b>West Virginia</b>  |       |       |        |        |        |        |        |                |           |
| Percent Reporting   | 99%   | 87%   | 99%    | 100%   | 100%   | 100%   | 100%   |                |           |
| Delinquency   | n/a   | n/a   | 2,739  | 2,526  | 2,565  | 2,703  | 3,118  | n/a            | 13.8%     |
| Person  | n/a   | n/a   | 267    | 280    | 302    | 330    | 422    | n/a            | 58.2%     |
| Property  | n/a   | n/a   | 1,506  | 1,357  | 1,350  | 1,372  | 1,426  | n/a            | -5.3%     |
| Drugs   | n/a   | n/a   | 67     | 64     | 81     | 146    | 181    | n/a            | 171.3%    |
| Public Order  | n/a   | n/a   | 900    | 825    | 833    | 855    | 1,089  | n/a            | 21.1%     |
| Violent Crime Index   | 71    | 74    | 73     | 78     | 68     | 71     | 88     | 24.6%          | 20.0%     |
| Property Crime Index  | 1,101 | 1,216 | 1,220  | 1,111  | 1,086  | 1,131  | 1,149  | 4.4%           | -5.8%     |
| <b>Wisconsin</b>  |       |       |        |        |        |        |        |                |           |
| Percent Reporting   | 98%   | 100%  | 99%    | 98%    | 99%    | 98%    | 99%    |                |           |
| Delinquency   | n/a   | n/a   | 15,188 | 16,093 | 16,936 | 18,650 | 18,717 | n/a            | 23.2%     |
| Person  | n/a   | n/a   | 1,185  | 1,310  | 1,338  | 1,503  | 1,362  | n/a            | 14.9%     |
| Property  | n/a   | n/a   | 6,194  | 6,373  | 6,280  | 6,414  | 6,187  | n/a            | -0.1%     |
| Drugs   | n/a   | n/a   | 167    | 199    | 305    | 509    | 706    | n/a            | 323.6%    |
| Public Order  | n/a   | n/a   | 7,642  | 8,212  | 9,014  | 10,224 | 10,462 | n/a            | 36.9%     |
| Violent Crime Index   | 260   | 305   | 345    | 376    | 385    | 463    | 411    | 58.2%          | 19.0%     |
| Property Crime Index  | 4,737 | 4,849 | 4,953  | 4,980  | 4,885  | 4,908  | 4,785  | 1.0%           | -3.4%     |

Note: Percent reporting is based on FBI reported populations. Juvenile arrest rate estimates are based on data published in the *Crime in the United States* reports 1989-1995 and on population data derived from estimates developed by the U.S. Bureau of the Census. Table prepared by the National Center for Juvenile Justice.

## State Changes in Juvenile Arrests

| Change in the Number of Juvenile Arrests: 1992–1996 |                           |                     |         |                    |                      |          |               |                     |
|---|---------------------------|---------------------|---------|--------------------|----------------------|----------|---------------|---------------------|
|   | Percent Reporting in 1996 | Violent Crime Index | Robbery | Aggravated Assault | Property Crime Index | Burglary | Larceny theft | Motor vehicle theft |
| <b>United States</b>                                | 66%                       | 2.8                 | 6.9     | 1.7                | 1.7                  | -6.5     | 8.7           | -20.5               |
| Alaska  | 87%                       | 77.5                | 100.0   | 79.8               | -8.8                 | 28.4     | -14.7         | -27.5               |
| California  | 97%                       | 2.6                 | 7.0     | 2.8                | -12.0                | -10.5    | -4.7          | -33.7               |
| Kentucky  | 19%                       | n/a                 | n/a     | n/a                | n/a                  | n/a      | n/a           | n/a                 |
| Louisiana   | 44%                       | -24.0               | -15.7   | -29.6              | 12.7                 | 5.4      | 19.0          | -30.7               |
| Mississippi   | 15%                       | n/a                 | n/a     | n/a                | n/a                  | n/a      | n/a           | n/a                 |
| Montana   | 0%                        | n/a                 | n/a     | n/a                | n/a                  | n/a      | n/a           | n/a                 |
| New Hampshire                                       | 64%                       | -5.6                | 38.9    | -32.6              | 30.9                 | 6.0      | 37.7          | 23.1                |
| South Carolina                                      | 96%                       | 97.1                | 226.4   | 91.0               | 150.8                | 115.5    | 184.1         | 38.3                |
| West Virginia                                       | 100%                      | -9.0                | -9.6    | -3.4               | 5.5                  | -8.9     | 11.8          | 5.3                 |
| Wisconsin   | 96%                       | 4.2                 | -9.3    | 13.7               | -2.4                 | -2.4     | -0.4          | -15.1               |

Data Source: The FBI report *Crime Index Arrest Trends 1992-1996*. Percent changes use data only from agencies that reported for all 12 months in both 1992 and 1996.

- Between 1992 and 1996 the number of juvenile arrests for a Violent Crime Index offense increased 2.8%. Juvenile arrests for the high volume violent offense of robbery increased 6.9%, while aggravated assaults arrests increased 1.7%. The other two crimes in the Violent Crime Index showed declines in the numbers of juvenile arrests, with forcible rape arrests decreasing 6.6% and juvenile arrests for murder dropping 18.4% between 1992 and 1996. (Changes in these latter two offense categories were not presented in this table due to the relatively small number of arrests in most of these States and the resulting large annual fluctuations in percent changes.)
- Juvenile arrests for Property Crime Index offenses in the U.S. also increased only marginally between 1992 and 1996 (1.7%). All of the increase was due to an increase in larceny-thefts. The number of juvenile arrests declined for both burglary (6.5%) and motor vehicle theft (20.5%).
- Only a few agencies in Kentucky and Mississippi reported their arrest data to the FBI in 1992 and 1996; therefore, the validity of the estimated changes in these States' juvenile arrests are highly questionable.
- Alaska and South Carolina experienced the large increases in their juvenile Violent Crime Index arrests in between 1992 and 1996. However, even with these increases, their juvenile Violent Crime Index arrest rates are still below the national average.

Appendix D

**Data on Court Cases from the National Juvenile Court Data Archive**

**Trends in the Number of Juvenile Court Cases Detained, by Referral Offense: 1989–1995**

| Offense at Referral | 1989    | 1990    | 1991    | 1992    | 1993    | 1994    | 1995    | % Change 1989-1995 |
|---------------------|---------|---------|---------|---------|---------|---------|---------|--------------------|
| Person              | 54,900  | 67,700  | 69,800  | 73,900  | 76,900  | 83,900  | 84,900  | 55%                |
| Property            | 124,500 | 146,800 | 145,400 | 144,200 | 140,200 | 140,700 | 132,300 | 6%                 |
| Drugs               | 28,200  | 26,900  | 23,900  | 25,100  | 27,800  | 35,200  | 38,600  | 37%                |
| Public Order        | 54,800  | 61,300  | 54,800  | 56,700  | 65,000  | 70,500  | 64,900  | 18%                |
| Total               | 262,400 | 302,700 | 293,900 | 299,900 | 309,900 | 330,200 | 320,800 | 22%                |

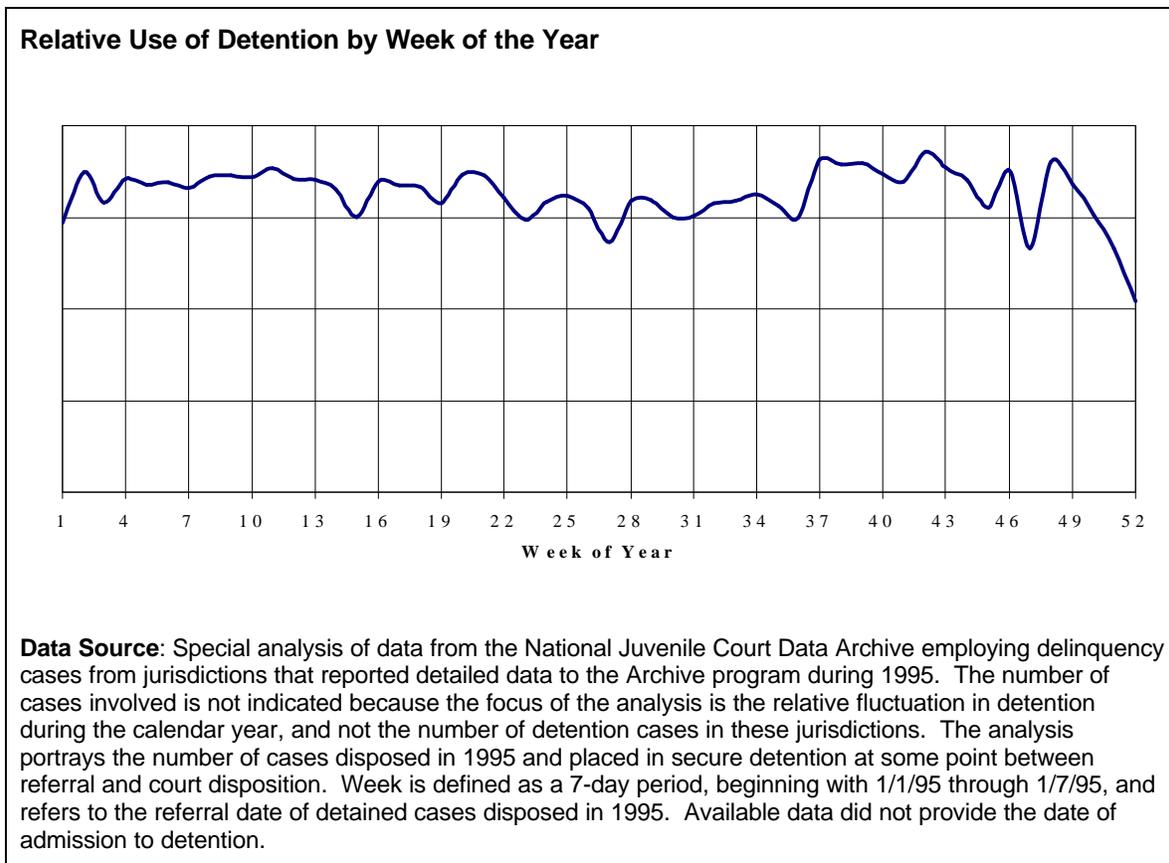
Source: *Juvenile Court Statistics 1995*. Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. National estimates of juvenile court cases disposed in 1995 that involved the use of detention between referral and disposition.  
 Note: Percent change was calculated using unrounded case counts.

**Trends in the Number of Formally-Ordered Out-of-Home Placements, by Referral Offense: 1989–1995**

| Offense at Referral | 1989    | 1990    | 1991    | 1992    | 1993    | 1994    | 1995    | % Change 1989-1995 |
|---------------------|---------|---------|---------|---------|---------|---------|---------|--------------------|
| Person              | 23,400  | 26,600  | 29,100  | 31,200  | 34,300  | 37,500  | 39,400  | 68%                |
| Property            | 62,200  | 65,600  | 67,000  | 69,500  | 70,600  | 73,000  | 73,500  | 18%                |
| Drugs               | 11,300  | 10,200  | 9,400   | 9,600   | 10,800  | 14,400  | 15,500  | 37%                |
| Public Order        | 29,100  | 29,300  | 26,500  | 28,500  | 32,500  | 35,600  | 37,800  | 30%                |
| Total               | 126,000 | 131,600 | 132,000 | 138,700 | 148,200 | 160,500 | 166,100 | 32%                |

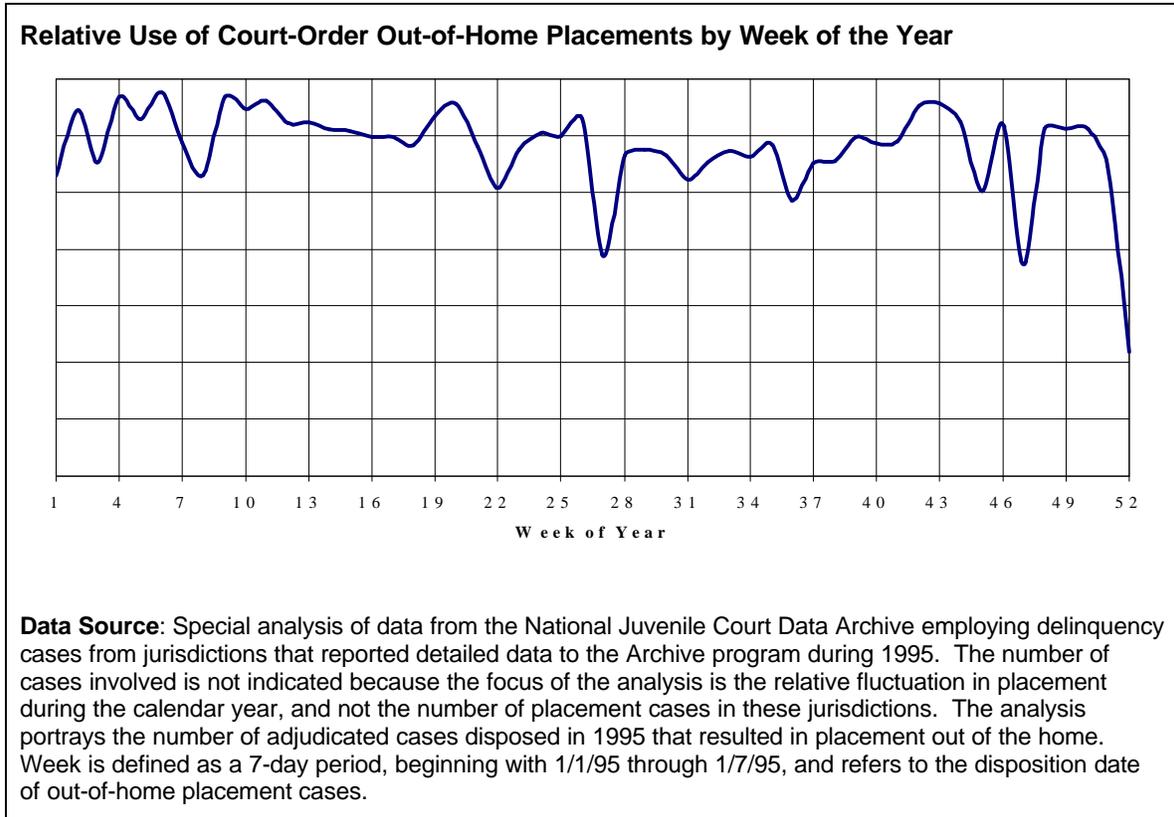
**Data Source:** *Juvenile Court Statistics 1995*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. Counts are national estimates of juvenile court cases disposed in 1995 in which the youth was placed out of the home.  
 Note: Percent change was calculated using unrounded case counts.

## Seasonal Variations in the Use of Detention



- There appears to be little systematic variation in the use of secure detention during the year.
- The two relative low points (i.e., Week 27 and Week 47) correspond with holiday periods (i.e., July 4th and Thanksgiving).
- The decline at the end of the year may be related to the holiday period or may reflect under-reporting of statistical records at the end of a reporting period.

## Seasonal Variations in the Use of Court-Order Out-of-Home Placements



- The use of out-of-home placements appears to be somewhat more frequent during the first five months of the year than during the summer months.
- The two relative low points (i.e., Week 27 and Week 47) correspond with holiday periods (i.e., July 4th and Thanksgiving).
- The decline at the end of the year may be related to the holiday period or may reflect under-reporting of statistical records at the end of a reporting period.

## *Appendix E*

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