

Youth Confinement: The Whole Pie 2019

On any given day, over 48,000 youth in the United States are confined in facilities away from home as a result of juvenile justice or criminal justice involvement. Most are held in restrictive, correctional-style facilities, and thousands are held without even having had a trial. But even these high figures represent astonishing progress: Since 2000, the number of youth in confinement has fallen by 60%, a trend that shows no sign of slowing down.

Every state makes exceptions for younger people to be prosecuted as adults in some situations or for certain offenses.

Of the 43,000 youth in juvenile facilities, more than two-thirds (69%) are 16 or older. Troublingly, more than 500 confined children are no more than 12 years old.

Black and American Indian youth are overrepresented in juvenile facilities, while white youth are underrepresented. These racial disparities are particularly pronounced among both Black boys and Black girls, and while American Indian girls make up a small part of the confined population, they are extremely overrepresented relative to their share of the total youth population. While 14% of all youth under 18 in the U.S. are Black, 42% of boys and 35% of girls in juvenile facilities are Black. And even excluding youth held in Indian country facilities, American Indians make up 3% of girls and 1.5% of boys in juvenile facilities, despite comprising less than 1% of all youth nationally.

Racial disparities are also evident in decisions to transfer youth from juvenile to adult court. In 2017, Black youth made up 35% of delinquency cases, but over half (54%) of youth judicially transferred from juvenile court to adult court. Meanwhile, white youth accounted for 44% of all delinquency cases, but made up only 31% of judicial transfers to adult court. And although the total number of youth judicially transferred in 2017 was less than half what it was in 2005, **the racial disproportionality among these transfers has actually increased over time.** Reports also show that in California, prosecutors send Hispanic youth to adult court via "direct file" at 3.4 times the rate of white youth, and that American Indian youth are 1.8 times more likely than white youth to receive an adult prison sentence.

Most youth are held in correctional-style facilities. Some facilities look a lot like prisons, some *are* prisons, and others offer youth more freedom and services. For many youth, “**residential placement**” in juvenile facilities is virtually indistinguishable from **incarceration**.

Types of facilities

Juvenile facilities in the **Census of Juveniles in Residential Placement (CJRP)** self-classify into one of nine categories, which we have divided into “correctional” facilities, which are more restrictive, and “residential-style” facilities, which may allow youths more freedom to participate in community life (school, work, etc.) and/or may provide more tailored programs or services. **The definitions for each facility type** that follow are from the **CJRP glossary**, developed by the **National Center for Juvenile Justice**.

Correctional facilities:

1. **Detention center:** A short-term facility that provides temporary care in a physically restricting environment for juveniles in custody pending court disposition and, often, for juveniles who are adjudicated delinquent and awaiting disposition or placement elsewhere, or are awaiting transfer to another jurisdiction.
2. **Long-term secure facility:** A specialized type of facility that provides strict confinement for its residents. Includes **training schools, reformatories, and juvenile correctional facilities.**
3. **Reception/diagnostic center:** A short-term facility that screens persons committed by the courts and assigns them to appropriate correctional facilities.

Residential-style facilities:

4. **Residential treatment center:** A facility that focuses on providing some type of individually planned treatment program for youth (substance abuse, sex offender, mental health, etc.) in conjunction with residential care.
5. **Group home:** A long-term facility in which residents are allowed extensive contact with the community, such as attending school or holding a job. Includes halfway houses.
6. **Ranch/wilderness camp:** A long-term residential facility for persons whose behavior does not necessitate the strict confinement of a long-term secure facility, often allowing them greater contact with the community. Includes ranches, forestry camps, wilderness or marine programs, or farms.
7. **Shelter:** A short-term facility that provides temporary care similar to that of a detention center, but in a physically unrestricting environment. Includes runaway/homeless and other types of shelters.
8. **Boot camp:** A secure facility that operates like military basic training. There is emphasis on physical activity, drills, and manual labor. Strict rules and drill instructor tactics are designed to break down youth’s resistance. Length of stay is generally longer than detention but shorter than most long-term commitments.
9. **Other:** Includes facilities such as alternative schools and independent living, etc. (In the 2017 Census, no youth were reported in facilities that self-classified as “other.”)

As of **2016**, confined youth were held in 1,772 juvenile facilities, including 662 detention centers, 131 shelters, 58 reception/diagnostic centers, 344 group homes, 30 ranch/wilderness camps, 189 long-term secure facilities (“training schools”), and 678 residential treatment centers.

Youth in **Indian country** are held in facilities operated by tribal authorities or the **Bureau of Indian Affairs**. **Most of these youth are held in facilities that only hold people 17 or younger, but some are held in facilities that hold both adults and youth.** Indian country facilities are not included in the Census of Juveniles in Residential Placement, which makes their populations difficult to compare with those of other juvenile facilities.

Jails are adult facilities operated by local authorities. They generally hold adults who are **detained pretrial or who have been convicted of low-level offenses**. Jails are designed for shorter-term periods of incarceration (typically under one year), and generally provide fewer services and programs. According to federal legislation (the Juvenile Justice and Delinquency Prevention Act (JJDP A) and the Prison Rape Elimination Act) (PREA), youth charged as adults should be placed in juvenile facilities unless a judge determines otherwise, and when they *are* held in adult facilities, they are supposed to be separated by sight and sound from incarcerated adults. If they come into contact with adults, it must be under direct staff supervision. Of course, states vary in terms of how strictly they comply with these standards.

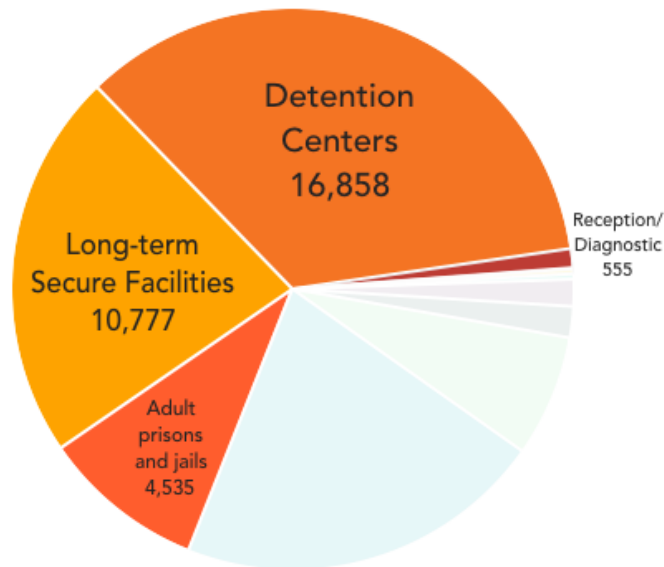
Prisons are adult facilities operated by state or federal authorities, typically holding people **with longer-term sentences**. The same federal legislation (JJDP A and PREA) applies to prisons as well as jails.

Most youth in juvenile facilities experience distinctly carceral conditions, in facilities that are:

- **Locked:** 92% of youth in juvenile facilities are in locked facilities. According to a 2018 report, 52% of long-term secure facilities, 44% of detention centers, and 43% of reception/diagnostic centers also use “mechanical restraints” like handcuffs, leg cuffs, restraining chairs, strait jackets, etc. Forty percent of long-term secure facilities and detention centers isolate youth in locked rooms for four hours or more.
- **Large:** 81% are held in facilities with more than 21 “residents.” Over half (51%) are in facilities with more than 51 residents. More than 10% are held in facilities that hold more than 200 youth.
- **Long-term:** Two-thirds (66%) of youth are held for longer than a month; about a quarter (24%) are held over 6 months; almost 4,000 youths (8%) are held for over a year.

Two-thirds of confined youth are in the most restrictive facilities

68% are held in either the juvenile justice system's versions of jails and prisons or in *actual* adult jails and prisons



Two out of every three confined youth are held in the most restrictive facilities — in the juvenile justice system's versions of jails and prisons, or in *actual* adult jails and prisons. 4,535 confined youth — **nearly 1 in 10** — are incarcerated in adult jails and prisons, where they face greater safety risks and fewer age-appropriate services are available to them.

USA pie terms explanation:

Technical violations occur when **there is no crime or arrest during the probation**, but there was a failure to follow the rules and conditions of probation. Probation can involve many different rules, including **a curfew, meeting with a probation officer, keeping a job, enrolling in school, not using or owning firearms, taking classes, undergoing drug or alcohol tests, and more.** Judges impose those conditions as part of your case. If you have failed to meet your curfew, and a curfew was imposed as a condition of probation, for example, this would be a technical violation.

A status offense is an action that is prohibited only to a certain class of people, and most often applied only to **offenses committed by minors**. In the United States, the term status offense also refers to an offense such as a **traffic violation** where motive is not a consideration in determining guilt, **underage drinking, skipping school, and violating a local curfew law.**

Public-order crime is defined by Siegel (2004) as "crime which involves acts that interfere with the operations of society and the ability of people to function efficiently", i.e., it is behaviour that has been labelled criminal because **it is contrary to shared norms**, social values, and **customs**. E. g. **Prostitution**

VIDEO:

<https://www.youtube.com/watch?v=DpxEODjPkkw>