

Juvenile Justice Initiative

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Incarcerating youth can aggravate crime and frustrate education, employment and health for young people *New report should be used as Catalyst to Reform Cook County Juvenile Temporary Detention Center*

CHICAGO — Inappropriately incarcerating youth in secure detention centers across the country can contribute to their future delinquent behavior and harm their education, employment and health, according to a new policy brief from the Justice Policy Institute today at a major national conference promoting alternatives to detention.

The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities shows that rather than promoting public safety, detention — the pretrial “jailing” of youth not yet found delinquent — may contribute to future offenses. Studies from around the country show that **incarcerated youth have higher recidivism rates than youth supervised in other kinds of settings**. A study conducted by the Wisconsin legislature found that “placement in secure detention...does not deter most juveniles,” and that in the four counties studied, 70 percent of the youth held in secure detention were arrested or returned to detention within one year of release. Another study on youth sent to a detention diversion program in San Francisco found that youth diverted from detention had *half* the recidivism rate of young people who remained in detention or in the juvenile justice system. Studies in Florida that controlled for the severity of young people’s offenses showed that detained youth are more likely to receive formal judicial intervention and be committed to state care than their peers who committed similar offenses but were not detained.

The first Juvenile Court was established in Chicago in 1899 by Jane Addams and many local citizen organizations to focus on treatment and rehabilitation, rather than punishment. “Cook County has been a leader in juvenile justice for over 100 years, and in recent years has led the nation in creating alternatives to detention,” stated Betsy Clarke, President of the Juvenile Justice Initiative. “The irony of this past leadership is that the Cook County Juvenile Temporary Detention Center remains a facility in crisis subjecting youth to abuse and unsafe conditions,” she noted. The Center is the subject of a lengthy and expensive lawsuit, requiring a team of monitors. Recent reports filed by the current court-appointed monitor cite significant interference by the detention center administration, troubling instances of abuse and unsanitary conditions. This past winter, a broad-based team of community and juvenile court professionals conducted an extensive review of the detention center to examine the health, safety and legal rights of youth in detention. The report from the team documented unacceptable conditions and set forth an extensive list of recommendations. “The JDAI reforms in Cook County are admirable and must be continued and expanded,” stated Clarke. “However, the critical

need for professional administration, improved conditions, accountability, and programming and educational opportunities for youth at the Cook County Center create an imperative crisis that must be addressed,” she said. Lucretia Bailey, President of the Chicago Council on Urban Affairs and a member of the review team of the Cook Detention Center echoes that sweeping reforms need to be done. "Taxpayers should be outraged that such an inhumane facility exists in Chicago," she said.

Illinois Utilizing JDAI But Reforms Are Needed

Illinois has a proud tradition of recognizing the difference between juveniles and adults in the criminal justice system. However, this leadership and recognition waned over the years as Illinois followed the rest of the nation in “adultifying” its juvenile justice system by emphasizing punishment and decreasing treatment. Last fall, the Illinois General Assembly passed legislation creating a new Department of Juvenile Justice to focus on treatment for juvenile offenders in confinement at the 8 youth centers in Illinois. In the past two years, Illinois has also eliminated automatic drug transfer laws to bring juvenile drug offenders back under the juvenile court, expanded juvenile’s access to expungement, and increased funding for community based services and alternatives to confinement for juveniles. Currently, the Illinois Legislature is reviewing a proposal to raise the age of juvenile court to 18, a practice consistent with 38 other states and the federal government. “Reforms like JDAI and Redeploy are a step in the right direction to keep kids out of confinement, but Illinois still has more work to do to improve the lives of children who find themselves in conflict with the law,” said Clarke.

There are currently 17 juvenile detention centers located throughout the State of Illinois. These centers receive county funding as well as state funding through the Administrative Office of the Illinois Courts, and for Cook County a state grant through the Department of Corrections. The Juvenile Detention Alternatives Initiatives (JDAI) is operating in 10 sites throughout Illinois in addition to Cook.

Background Information on Detention and JDAI

Detention is widely misapplied, according to the report by the Justice Policy Institute, a Washington, D.C.-based group that studies adult and juvenile justice policies. Although detention facilities are meant to temporarily house those youth who are likely to re-offend before their trial or who are unlikely to appear for their court date, many of the youth in this country’s 769 detention centers do not meet these criteria. **Seventy percent of youth in detention are held for nonviolent charges.** More than two-thirds are charged with property offenses, public order offenses, technical probation violations, or status offenses (like running away or breaking curfew). Youth of color are impacted disproportionately by the overuse of detention. In 2003, **African-American youth were detained at a rate 4.5 times higher than whites; and Latino youth were detained at twice the rate of whites.** In the same year, black youth were four times more likely to be incarcerated in Louisiana than whites and received longer dispositions than white youth even though there was little difference in the severity of offenses committed or in prior offense histories.

“Not only does inappropriately detaining youth cost taxpayers millions of dollars a year, but the overuse of detention generally does not make our communities any safer,” said Bart Lubow, head of JDAI (Juvenile Detention Alternatives Initiative), a project of the Annie E. Casey Foundation that works to build better futures for disadvantaged children and their families. “Across the country, jurisdictions are looking for more effective policies and practices to promote community safety and better outcomes for youth. JDAI sites have reduced adolescent detention, strengthened juvenile justice systems and saved money -- all without compromising public safety. Detention reform is a catalyst for system-wide change that is working to build better futures for communities and youth.” JDAI uses objective admissions criteria to replace subjective decisions that inappropriately place low-risk youth in custody. Core reform strategies include: collecting standardized data on the detained population to help officials monitor problems and develop solutions; establishing objective screening instruments to ensure that only high-risk youth are detained; and expanding effective alternatives that provide youth with the supervision and services they need.

JDAI reforms are transforming juvenile justice systems across the country. The average daily populations in Multnomah (Portland, Ore.) and Santa Cruz (Calif.) counties have been reduced by 65 percent, and New Jersey’s rates have fallen by 41 percent since the introduction of JDAI. By multiple measures, JDAI improved public safety in its model sites. As juvenile detention populations fell in Cook, Multnomah, Santa Cruz, and Bernalillo (N.M.) counties, juvenile arrests fell between 37 percent and 54 percent—similar to or larger than those decreases experienced in the rest of the country. JDAI sites have made progress reducing the disproportionate use of secure detention for youth of color. Santa Cruz, for example, opened a neighborhood evening center for high-risk Latino youth and reduced its average minority population in juvenile hall from 64 percent to 47 percent. With reform efforts underway in approximately 75 jurisdictions in 19 states and the District of Columbia, JDAI will be operational in those places responsible for almost 75 percent of the country’s detained population by the end of 2006.

Reducing the use of costly detention beds is saving tax dollars. Cook County will save approximately \$240 million over 20 years by avoiding construction of a detention center, and Multnomah County will redeploy more than \$12 million over a six-year period. “These savings need to be used to improve the conditions of those who are detained,” stated Clarke.

For a copy of the report *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*, visit: www.justicepolicy.org. To learn more about JDAI, visit: <http://www.aecf.org/initiatives/jdai>.

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