

# FOCUS

Research from the National Council on Crime and Delinquency

## The Declining Number of Youth in Custody in the Juvenile Justice System

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### *Introduction*

During the last decade, custody rates for youth in the US have declined significantly. This Focus describes this trend by race/ethnicity, gender, and state. Measured by arrest rates, juvenile crime, especially serious crime, has also decreased during this period, contrary to a prevalent misconception that young people pose a growing threat to society.

Unless otherwise noted, data for this report come from the Census of Juveniles in Residential Placement (CJRP) Databook of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Sickmund, Sladky, & Kang, 2008). The CJRP collects detailed information on each person under age 21 in their facility on an annual or bi-annual basis. Therefore, this database offers the most complete and recent information on juveniles in custody in the US.

#### ***OJJDP Definitions***

*Youth "In Custody" include all those that have been detained or committed.*

*Detained—held in custody pre-adjudication or awaiting post-adjudication placement*

*Committed—sent to a placement facility as ordered by the court or a diversion agreement*

*Sickmund, Sladky, & Kang, 2008*

## The 10-Year Trend

Number of Youth in Custody in US, 1997-2006

There were 92,854 youth in residential custody in the US in 2006, the most recent year for which these data are available. Despite the magnitude of this number, it in fact represents a 12% decrease in the number of youth held in custody in 1997. The decrease is 14% from a peak population in 1999 of 107,667.

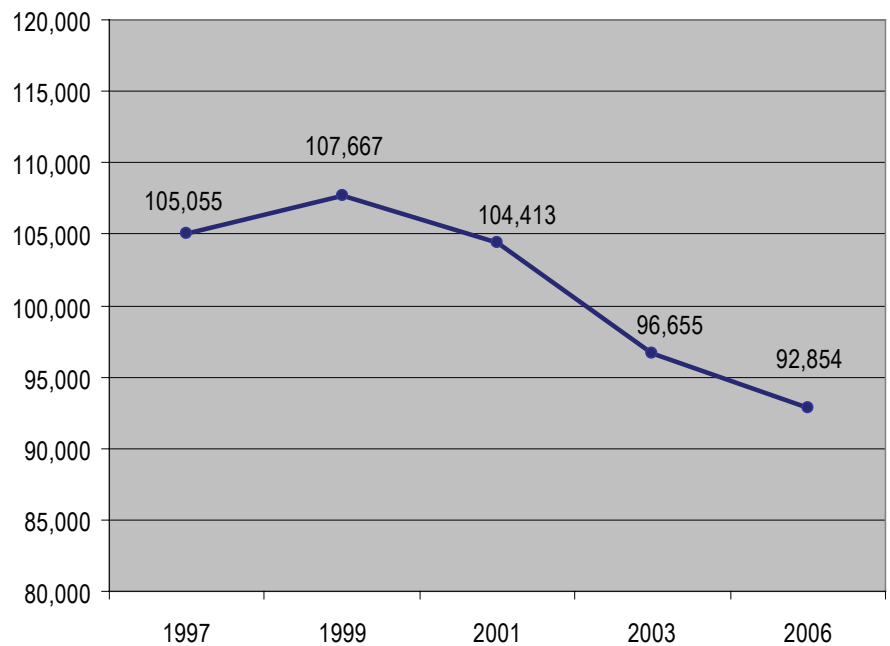
This youth custody decline consists of a modest drop in the number of youth in detention (-6%) and a larger drop in post-adjudication placements (-14%).

### Arrest Rates

The number of youth in custody has declined along with the arrest rate for youth during the period from 1997 to 2006. The total arrest rate for youth dropped nearly 28% from 9,198 to 6,632 per 100,000. This reduction included a 28% decrease in arrests for violent crime and a 47% decrease in arrests for property crimes (Puzzanchera, Adams, Snyder, & Kang, 2007; NCJJ, 2007).

The adult arrest rate per 100,000 also went down from 6,289 in 1997 to 5,362 in 2005. However, the adult custody population has consistently increased since 1985 from 744,208 to 2,245,189, an increase of 202% (BJS, 2006).

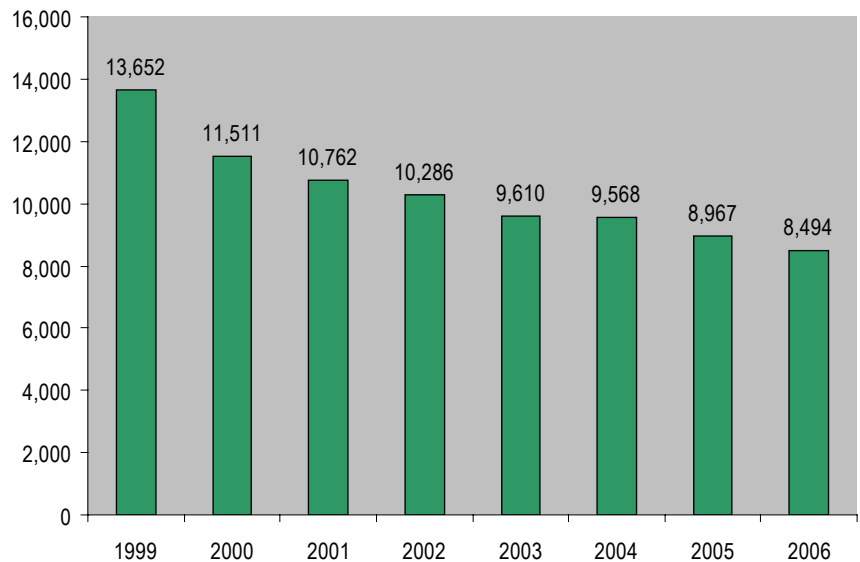
It should be noted that, in general, the youth custody population is more sensitive to changes in arrest rates and adjudication rates, as sentences for youth tend to be much shorter than those for adults. The adult prison population has grown due to longer sentences and large numbers of parole violators.



### Youth in Adult Facilities

Although there may be several reasons for the 10-year decline in youth custody, it is not due to the placement of youth in adult prisons and jails. The number of youth confined to adult jails and prisons has also been trending downward. In 1999, there were 13,652 youth in adult facilities; by 2006, this population had decreased by 38% to 8,494 (BJS, 1996, 2000).

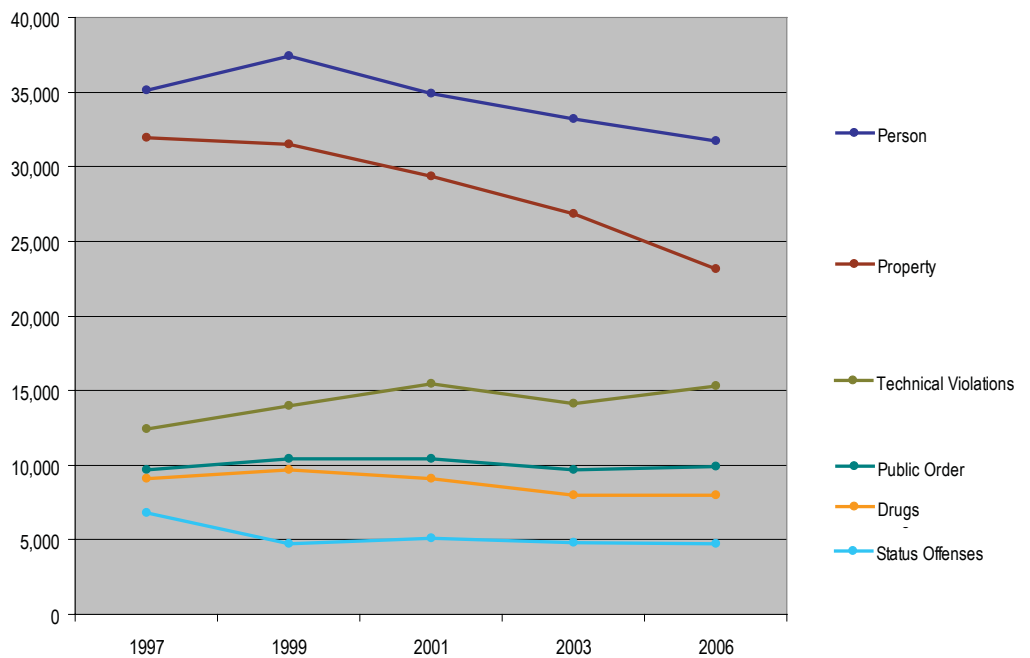
Total Number of Youth in Adult Jails and Prisons, 1999-2006



### Offense Type

Despite the overall decrease described above, a greater percentage of youth are confined for less serious offenses (technical violations, public order infractions, drugs, and status offenses). In absolute terms, the only offense category that increased significantly in number was technical violations.

Number of Youth in Custody by Offense Type, 1997-2006



*Technical Violations of probation or parole are acts that disobey or go against the conditions for probation or parole, such as failure to participate in a specific program, or failure to appear for drug tests or meetings.*

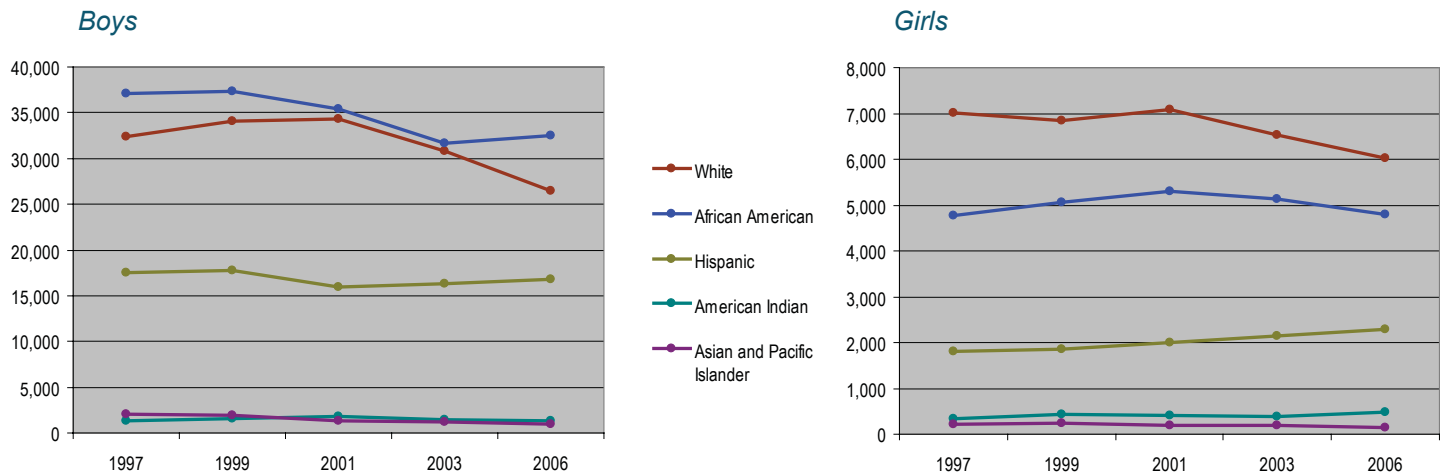
## Gender

In general, the juvenile custody rate for both males and females declined from 1997 to 2006; however, the decrease for males was much greater than that for females. The number of males in placement decreased 13% from 90,771 to 78,911; the number of girls dropped only 2% from 14,284 to 13,943. From 1975 to 1995, the number of boys in custody increased 57%; the corresponding number for girls was 2% (Smith, 1998).

## Race/Ethnicity

During the last 10 years, most racial/ethnic groups showed a decline in their custody populations. The exception was among Native Americans, who showed an increase of 13%. The largest decline occurred among Whites—18%. African Americans and Hispanics experienced smaller declines than White youth—11% and 2%, respectively. Consequently, these declines did not affect the overall disproportion among youth of color in custody. They remain consistently overrepresented in juvenile residential placements. African Americans have consistently accounted for almost 40% of the placement population, despite being less than 15% of the total youth population, and have consistently had the highest rates of placement of all groups, (US Census Bureau, 2006). (See also *And Justice for Some*, NCCD, 2007).

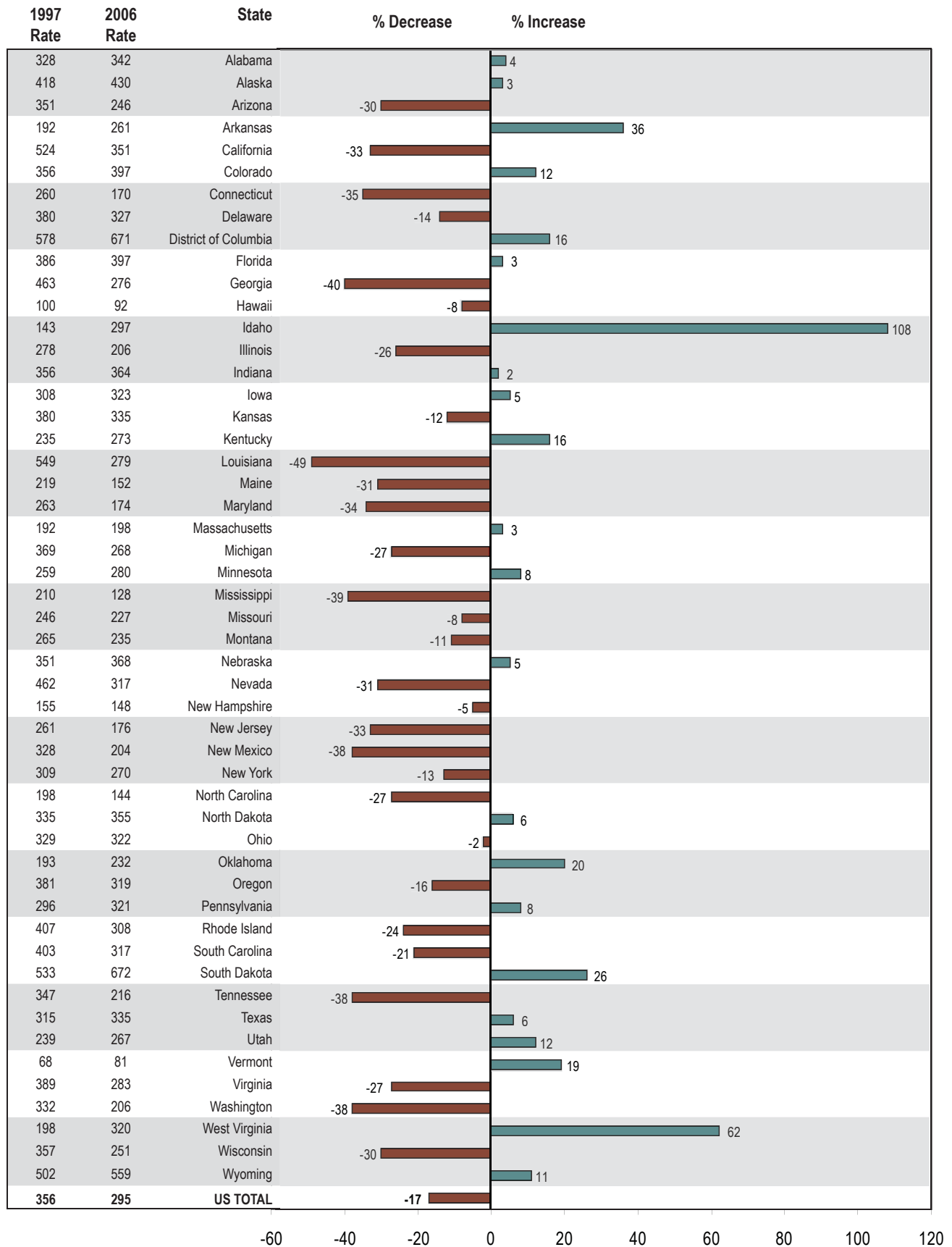
*Number of Youth in Juvenile Placement Facilities by Race/Ethnicity and Gender 1997-2006*



## Trends in the States

From 1997 to 2006, the youth custody rate remained stable within some states while changing dramatically in others. In California, the rate decreased by 33%, while Texas and Florida increased by approximately 6% and 3%, respectively. Other states showing large decreases include Louisiana (-49%), Georgia (-40%), Mississippi (-39%), New Mexico (-38%), Washington (-38%), and Tennessee (-38%). Conversely, states showing the largest increases include Idaho (+108%), West Virginia (+62%), and Arkansas (+36%).

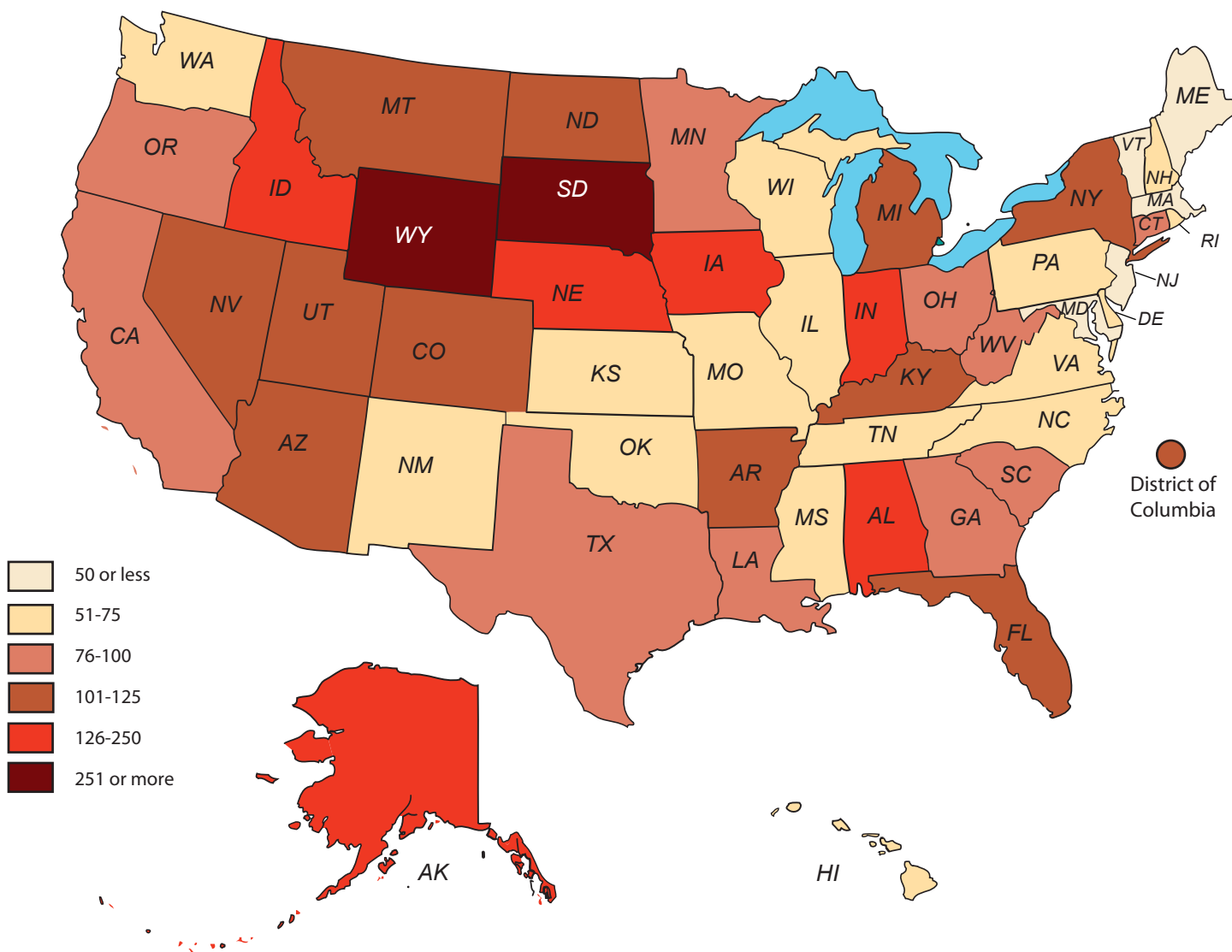
*Change in Residential Placement Rate per 100,000 Youth by State, 1997-2006*



## 2006 Custody

As of 2006, the national average custody rate was 91 per 100,000 for girls and 489 per 100,000 for boys.

### Female Custody Rates per 100,000



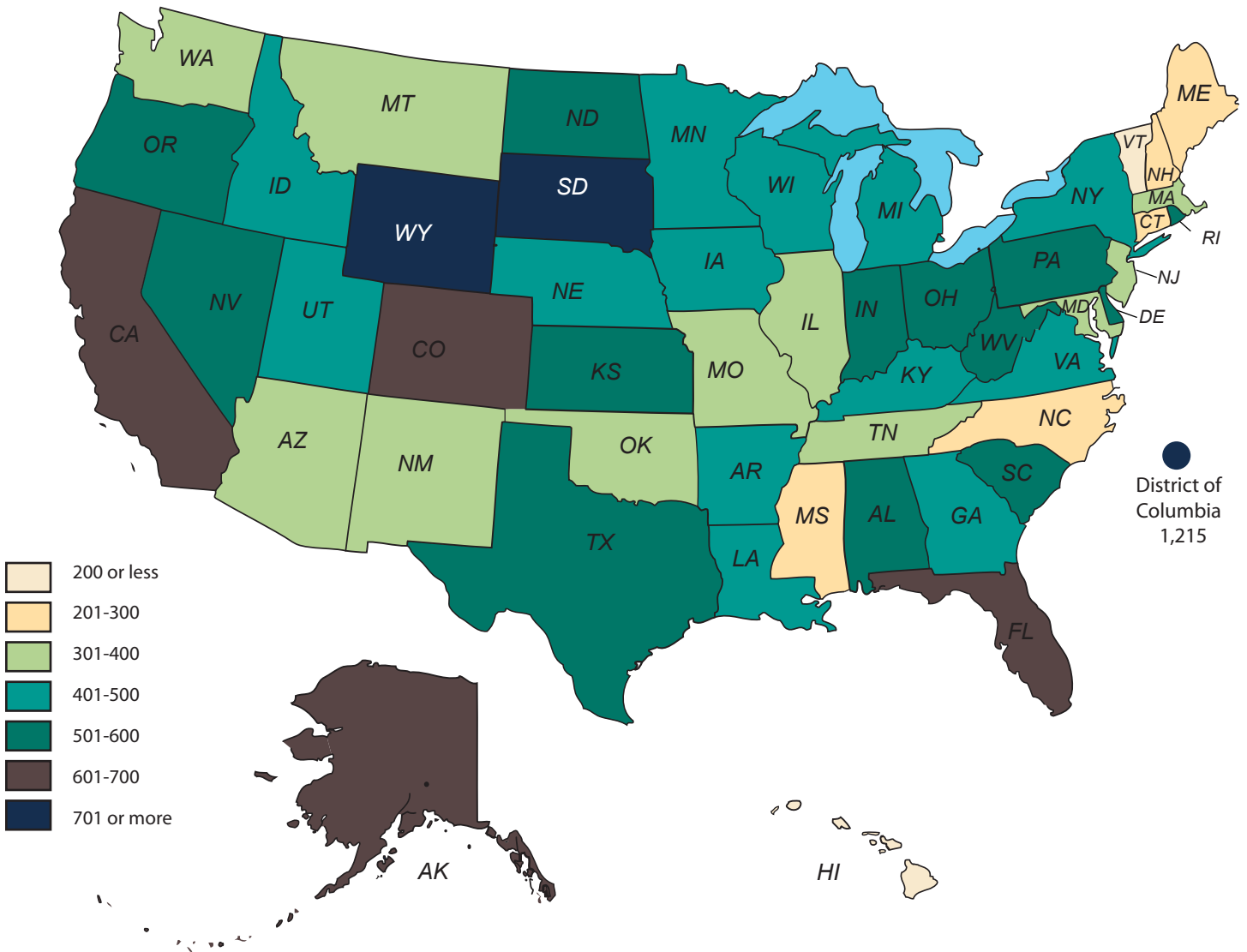
The 5 states with the highest custody rates for girls were:

South Dakota	377
Wyoming	341
Nebraska	250
Iowa	218
Alaska	183

The 5 states with the lowest rates were:

Vermont	9
Maryland	30
Maine	36
New Jersey	37
Massachusetts	48

### Male Custody Rates per 100,000



The 5 states with the highest custody rates for boys were:

District of Columbia	1,215
South Dakota	950
Wyoming	753
Colorado	669
Florida	667

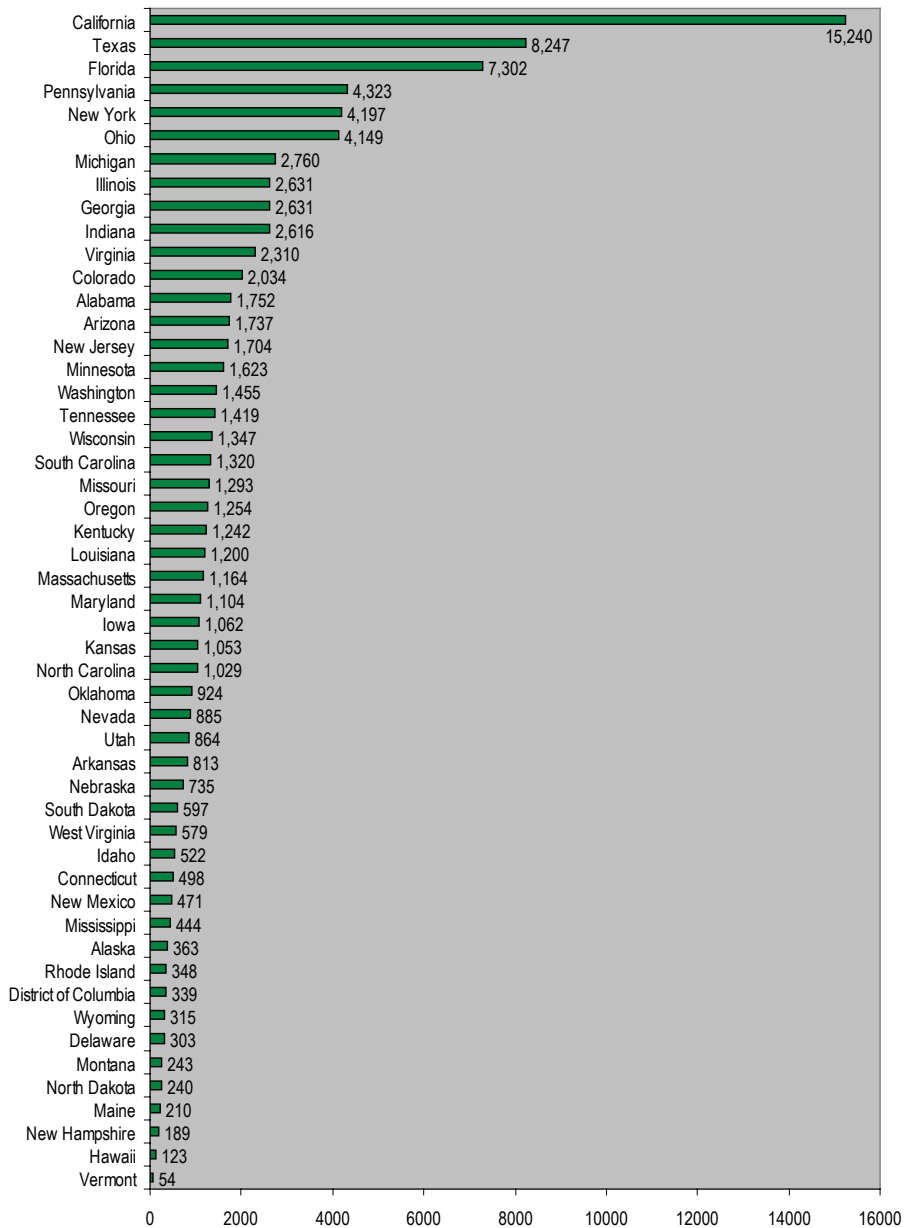
The 5 states with the lowest rates were:

Hawaii	117
Vermont	150
Mississippi	203
North Carolina	230
New Hampshire	234

Number of Youth in Custody by State, 2006

California, Texas, Florida, Pennsylvania, New York, and Ohio have the largest numbers of youth in custody, which has been the case consistently during the 10-year reporting cycle addressed in this report. Combined, these states account for almost half (48%) of all youth in custody in the nation.

The combined youth custody population of the next ten states, Michigan, Illinois, Georgia, Indiana, Virginia, Colorado, Alabama, Arizona, New Jersey, and Minnesota comprise an additional 24% of the custody population.



*The states that have high numbers of youth in custody have a significant impact upon the national numbers.*

*For example, if we exclude California from the national data, the 12% reduction in total US youth custody is only 9%.*



## Summary

Many states have made concerted efforts to reduce the number of youth in custody; some have made notable strides.

There was distinct variation in the degree and direction of rate changes among states. Although 29 states had declines, two states had large increases: Idaho (108%) and West Virginia (62%).

Although the placement rates for males declined in most states, for females, rates increased or remained constant.

Despite the reductions in the custody population, it continues to be dominated by youth of color, the placement rate for whom (with the exception of Asians) was greater than that for Whites nationally and in every state.

To determine the causes of the youth custody decline, we need additional research to examine rates more closely along with the strategies focused on decreasing the number of youth in confinement. The reduction in custody indicates some success among these strategies, but also highlights the need to develop better interventions for females and youth of color and youth taken into custody for technical violations.

## References

- Bureau of Justice Statistics. (2000). *Prison and jail inmates at midyear 2000*. Washington, DC: US Department of Justice, Office of Justice Programs. Retrieved 8/8/08 at <http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim00.pdf>
- Bureau of Justice Statistics. (2006). *Prison and jail inmates at midyear 2006*. Washington, DC: US Department of Justice, Office of Justice Programs. Retrieved 8/8/08 at <http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf>
- National Center for Juvenile Justice. (2007). Juvenile arrest rates by offense, sex, and race. Office of Juvenile Justice and Delinquency Prevention. US Department of Justice. Retrieved 6/25/08 at [http://ojjdp.ncjrs.gov/ojstatbb/crime/excel/jar\\_2006.xls](http://ojjdp.ncjrs.gov/ojstatbb/crime/excel/jar_2006.xls)
- National Council on Crime and Delinquency. (2007, January). *And justice for some: Differential treatment of youth of color in the justice system*. Oakland, CA: Author.
- Puzzanchera, C., Adams, B., Snyder, H., & Kang, W. (2007). *Easy access to FBI arrest statistics 1994-2005*. Bureau of Justice Statistics, US Department of Justice.
- Sickmund, M., Sladky, T.J., & Kang, W. (2008). *Census of juveniles in residential placement databook*. Office of Juvenile Justice and Delinquency Prevention. US Department of Justice. Retrieved 6/25/08 at <http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/>
- Smith, B. (1998). Children in custody: 20-year trends in juvenile detention, correctional, and shelter facilities. *Crime and Delinquency* 44(4), 526-543. Thousand Oaks, CA: Sage.
- US Census Bureau. (2006). *American community survey, 2006*. Washington, DC: US Department of Commerce, Economics and Statistics Administration.