

Chapter 1: Introduction to the Study

The existing body of nationally recognized standards for conditions of juvenile confinement is based largely on work done in the 1960's and 1970's. However, little has been done to assess actual conditions in the light of these standards. Moreover, recent trends suggest that juvenile facilities may be under increased strain in terms of both the numbers and characteristics of confined juveniles. Following several years of decline, 1984 was a turning point. Since then, admissions to juvenile facilities have increased steadily. However, while admissions in 1990 were 17 percent greater than in 1984, the number of juvenile facilities actually decreased slightly during the same period. During this time, the population of confined juveniles increased by only 2 percent because the average length of confinement dropped.

In the 4 years from early 1987 to early 1991, the average length of stay fell 15 percent. The number of confined juveniles increased by only 3 percent; however, whereas 36 percent of juveniles confined in early 1987 were in facilities whose populations exceeded their reported capacity, by 1991 the figure was 47 percent. During this same period the percentage of confined juveniles charged with violent crimes or drug offenses rose from 28 to 38 percent.

This report presents results of a study of conditions of juvenile confinement undertaken by Abt Associates, Inc., for the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The study was funded by OJJDP in response to the 1988 amendments to the Juvenile Justice and Delinquency Act, which directed OJJDP to determine the extent to which conditions in juvenile facilities conform to nationally recognized standards and to develop appropriate recommendations for improvement.

The study is restricted to juveniles in more traditional types of confinement facilities—detention centers, reception centers, training schools, and ranches, camps, and farms—operated by State and local governments, as well as by private organizations. Detention centers hold youth for short terms in a physically restrictive environment pending juvenile court action, or following adjudication pending disposition, placement, or transfer.¹ Reception centers are short-term facilities that hold juveniles committed by courts and which do screening and assessment to assign them to appropriate facilities. Training schools are long-term facilities for adjudicated delinquents in which treatment and programming is provided in an environment that provides strict physical and staff control. Ranches, camps, and farms are long-term residential facilities for adjudicated delinquents who do not require strict confinement in a training school.

We selected these facilities because they are the largest and most secure facilities for confined youth and because advisers and expert consultants believed these facilities were more likely to have substandard conditions of confinement. As of early 1991, there were 984 of these more traditional public and private facilities, housing just under 65,000 juveniles, or 69 percent of all juveniles in custody of facilities in the United States. We excluded from the study some 2,224 shelters, halfway houses, and group homes, which house just under 30,000 juveniles. Shelters provide short-term temporary care in a physically unrestricted environment. Halfway houses and group homes are long-term, physically unrestrictive community facilities in which residents are allowed extensive access to community resources and programs. Eighty-four percent of the excluded facilities are privately operated.

¹ Children in Custody (CIC) census data suggest that a growing proportion of detention center admissions have been adjudicated. In addition, anecdotal evidence suggests that a growing number of juveniles are held in detention pending waiver to adult courts. Because such waivers are often time consuming, these juveniles often are held for many months in detention centers.

Data for the study are taken from the Children in Custody (CIC) census, a regular biennial mail survey of all juvenile facilities conducted by the U.S. Census Bureau; from a special mail survey of all included facilities; and from site visits to a representative sample of 95 facilities.

The study has four purposes:

- To collect and analyze data on conditions of confinement in public and private juvenile facilities.
- To determine the extent to which conditions are consistent with those required by nationally recognized standards for juvenile confinement facilities.
- To suggest explanations for variations in conformance to standards among facilities.
- To assist OJJDP in formulating recommendations for improving conditions of confinement.

Before these findings are presented, it is important to emphasize the report's limitations. First, we usually cannot say whether conditions have improved or worsened in recent years, because, for the most part, we did not have access to trend data. We mostly describe conditions in facilities as they were in 1991. Some trends are presented on characteristics of confined juveniles and staffing levels (using past CIC census data), but data on conditions of confinement come mainly from the 1991 CIC census, the mail survey, and site visits.

Second, this study is not a comprehensive assessment. Because we wanted to describe important conditions that most confined juveniles experience, we opted for breadth of coverage across many facilities. Given our limited resources, this meant that the scope of data collection per facility had to be narrowed. We selected topics that advisers, OJJDP, and project staff believed were most important, but some topics had to be omitted.

Third, we did not collect data on the behaviors of individual youth after they are released. Thus we cannot say whether confinement has positive or negative effects on juveniles' postrelease adjustment or behavior.

We also did not collect data on individual's needs, problems, behavior, or performance while confined. We cannot, therefore, describe confined juveniles health status or educational problems, or determine whether programs and services provided by facilities are responsive to their health or educational needs. Likewise, we cannot determine whether juveniles' health status or academic performance improves while confined.

Fourth, our main focus is on conditions that a large majority of confined juveniles experience. For virtually every one of our assessment criteria, we find that a small percent of juveniles are held in inadequate facilities. We did not find a sizable group of facilities that are inadequate in most respects; rather the data reflect the fact that most facilities perform poorly in a few areas, which differ among facilities. These limited instances of unacceptable conditions are not unimportant, but they often seem too isolated and idiosyncratic to warrant a broad policy response.

Finally, because our purpose was to assess conditions in juvenile facilities, those facilities defined the boundaries of our study. However, many conditions of juvenile confinement are affected (sometimes modestly, sometimes profoundly) by policies and practices outside the facilities, that are, hence, outside the boundaries of our research. For example, crowding is a pervasive problem that clearly affects juvenile and staff safety. Facility operators can respond in some ways to cushion the effects of crowding, but crowding is driven by the decisions of police, prosecutors, defenders, juvenile court judges, and juvenile probation services. We did not examine those officials' decisions, or the increasing numbers of juvenile offenders their decisions produce. Thus for problems whose roots lie outside facilities, we can provide only general recommendations, call problems to the attention of juvenile justice officials, policymakers, and national juvenile justice organizations, and exhort them to analyze the problems fully and seek solutions.

Chapter 2 describes the overall approach to the study. The discussion of conditions of confinement is organized around the topics that reflect important needs of confined juveniles. This chapter describes how assessment criteria were developed to describe conditions of confinement. In addition, the chapter briefly reviews the samples and data sources used in the study.

Chapter 3 presents an overall description of the types of facilities in which juveniles are confined, as well as recent trends in population.

Chapters 4 through 7 describe facilities' conformance to the assessment criteria selected for topics covered in the study and describe conditions of confinement related to these topics. These chapters describe what conformance or nonconformance means in practice, determine to what extent the conformance levels and conditions constitute serious problems that merit further attention, and present recommendations for improvements.

Chapter 4, "Meeting Basic Needs," deals with assessments and conditions of confinement related to living space; health care; food, clothing, and hygiene; and living conditions.

Chapter 5, "Order and Safety," deals with assessments and conditions of confinement related to security, suicide prevention, and inspections and emergency preparedness.

Chapter 6, "Programming," covers assessments and conditions of confinement related to education, recreation, and mental health.

Chapter 7, "Juvenile Rights," covers assessments and conditions of confinement related to juveniles' access to persons outside the facility and to limiting staff discretion.

Chapter 8 presents the results of an analysis that examines some factors related to conformance with selected assessment criteria.

Chapter 9 contains recommendations for improving conditions of juvenile confinement that cut across topic areas.

Several Appendixes are included as well. Appendix A describes assessment criteria. Appendix B describes our study of State standard setting. Appendix C contains the two primary data collection instruments, the Children in Custody census, and the mail survey developed for this study. Appendix D describes weighting procedures used in analyzing data. Appendix E contains tables showing rates at which facilities conform to assessment criteria selected for this study.