

Juvenile Detention

Highlights

- Juvenile arrest rates and cases certified to adult courts for any crime have **declined** for the past 20 years.
- Juveniles detained in adult jails are more likely than their adult counterparts to be **sexually abused** and **commit suicide**.
- In Missouri, Black youths are 2.5 times more likely to be arrested and 4.9 times more likely to be held in detention than white youth.
- Psychological immaturity may cause many youth to make impulsive decisions without weighing long-term consequences.
- Juveniles prosecuted in adult courts may be more likely to commit future crimes sooner and more frequently than those prosecuted in juvenile court.
- Juvenile sentencing laws may have some deterrent effect, but more research is needed to understand specific factors for local communities.

Outcomes of Juveniles in Adult Jails and Prisons

Compared to juvenile detention centers, adult facilities lack a focus on rehabilitation. Additionally, juveniles are subject to several types of traumatic experiences when entering general correctional facilities, rather than those exclusive to children under age 18. According to the 2009 National Prison Rape Elimination Commission Report, juveniles in confinement are much more likely than incarcerated adults to be sexually abused, particularly when they are confined with adults.¹ A Bureau of Justice Statistics study in 2005 found that juveniles in adult jails accounted for 21% of inmate-on-inmate sexual violence, though they comprised less than 1% of the jail populations. These experiences lead to lifelong trauma and increase the chances that a juvenile will return to prison after they have served their initial sentence. Juveniles are almost twice as likely to commit suicide compared to older inmates while serving time in adult prisons. Further, upon release, delinquent youth have significantly increased mortality rates than the general population.²

Juvenile Violent Crimes are Falling Missouri and Across the U.S.

Between 1990 and 2004, there was a 208% increase in the number of youth serving time in adult jails (likely related to increased juvenile sentencing legislation); however, this number has been in decline since 1995. According to the Bureau of Justice Statistics' National Crime Victimization Survey, juveniles were involved in about 16% of serious violent crimes committed between 2007 and 2017. Since 1993, this proportion has been declining. Nationwide, the juvenile arrest rate for weapons law violations declined in recent years, falling 62% between 2006 and 2018.³ Between 2006 and 2014, violent crime arrests for juveniles in Missouri mimicked the national average, and the number of juveniles aged 10 to 17 detained for violent crimes was below the national average.⁴ Juvenile cases certified to adult court through discretionary waivers in Missouri have

This science note was prepared by MOST Policy Initiative, Inc. a nonprofit organization aimed to improve the health, sustainability, and economic growth of Missouri communities by providing objective, non-partisan information to Missouri's decision makers. For more information, contact Dr. Jenny Bratburd, Energy, Environment & Public Safety Fellow – jenny@mostpolicyinitiative.org. This document was prepared on 3/29/2021

likewise declined between 2000 and 2016. Of note, racial disparities exist in arrest rates, detention rates and sentencing of juveniles across the U.S. In Missouri, Black youths are 2.5x more likely to be arrested, 4.9x more likely to be held in detention and 3x more likely to be sentenced than white youths.⁴

Impact on Deterrence Depends on Many Factors

Deterrence depends on the juvenile's understanding of the consequences of their actions. Psychological immaturity may cause many youth to make impulsive decisions without weighing long-term consequences.¹ Further, variation in sentencing and lack of awareness of laws allowing transfer to the adult system, or perceptions of the differences between juvenile versus adult facilities may also limit the deterrent effect of trying youth as adults. Assessing differences between juveniles sentenced as adults versus as juveniles can be difficult due to selection bias and challenges to control for inherent differences for these individuals.

Analysis of the deterrent effect of juvenile sentencing laws has some mixed findings. A multi-state analysis from 1998 found significantly lower juvenile crime rates when states lowered the age at which criminal courts assumed jurisdiction from 18 to 17 in the 1990s.⁵ Another metaanalysis of studies on deterrence found the lack of an overall deterrent effect for individuals not previously involved with the criminal justice system, and lack of deterrence against recidivism.⁶ Instead, the impacts may be heterogeneous and depend on local factors.

Juveniles who are prosecuted for crimes in adult courts experience greater overall recidivism than juveniles prosecuted for the same crimes in juvenile courts. Additionally, juveniles tried in adult court recidivate sooner and more frequently.⁷ Studies have not found significant differences in recidivism rates for juveniles who go through a blended-jurisdiction sentence compared to those who only serve sentences at juvenile facilities before being released to the community.⁸ Finally, Black male youth are at the highest risk for future recidivism, highlighting confounding impacts of race and gender.⁹

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