



What We Know about Length of Stay in Secure Facilities

PbS Data Snapshot
September 2022

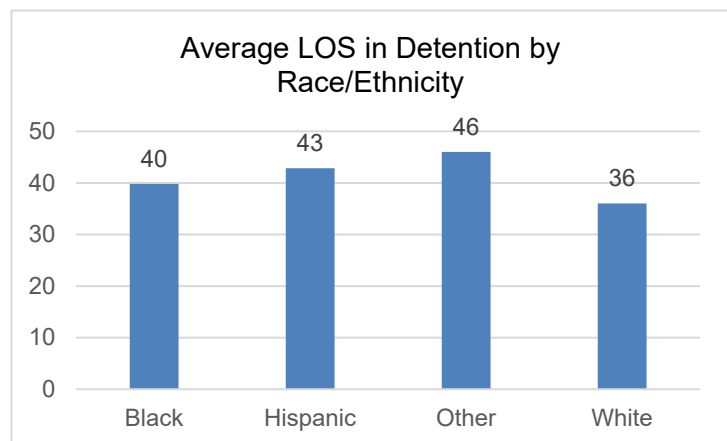
The first several months of the COVID-19 pandemic provided an unexpected boost in efforts to reduce America’s reliance on incarceration in response to juvenile offending. Collaborations across agencies resulted in a sudden, sharp decline in the number of young people in secure pre-trial detention facilities and a slower but continued reduction of populations in post-adjudication correction facilities. The reduction did not impact the disproportionate number of young people of color in facilities and the numbers of young people confined is again on the rise.

Keeping young people out of secure facilities—closing the system’s front door—is one strategy used successfully by courts, probation, attorneys and law enforcement agencies to reduce the number of young people in custody and divert them to alternative community-based services. Releasing young people expeditiously back to the community after they are placed in custody is a second strategy that varies from state to state based on agency policies and procedures. To add to understanding of release decisions, Performance-based Standards (PbS) Learning Institute, Inc. offers its national data describing the characteristics of young people confined in facilities according to their length of stay (LOS).

The information presented below is based on records of 2,291 young people who left more than 100 detention centers and correction facilities in the 32 states participating in PbS’ standards and continuous improvement program from Nov. 1, 2021 through April 30, 2022. The facilities voluntarily commit to meeting PbS’ aspirational standards for conditions, quality of life and to provide services, experiences and opportunities so young people are successful when they leave. They collect and use data to identify what is working and to continuously monitor and improve juvenile justice outcomes.

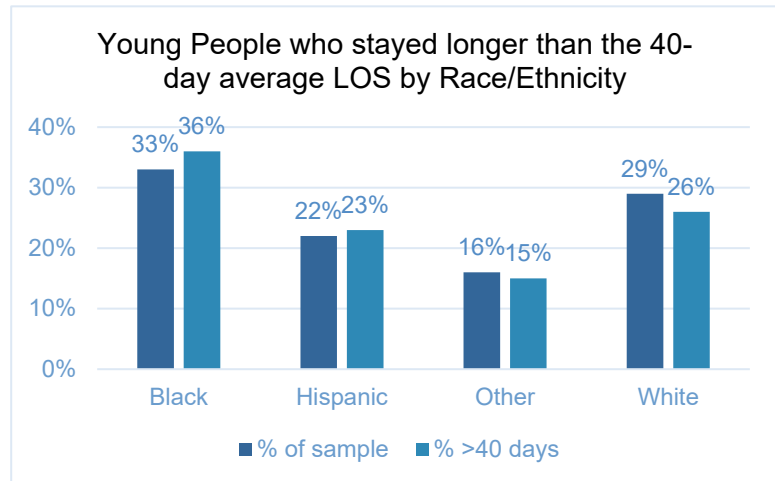
The average LOS for young people in detention centers was 40 days.

Detention centers are used for temporary and transitional confinement of detained young people awaiting their court hearing who pose a risk of fleeing or committing crime. Some states allow young people to be sent to detention after being adjudicated. Data on the nearly 939 young people who left detention centers showed an overall average LOS of 40 days, with males staying longer than females (44 days compared to 25 days). Black young people stay for an average of 40 days while Hispanic young people stay for an average of 43 days. Other non-White young people stay for an average of 46 days and White young people were confined for an average of 36 days. (“Other” includes American Indian, Alaskan Native, Asian, Native Hawaiian or Other Pacific Islanders and young people whose ethnicity was reported as Other.)



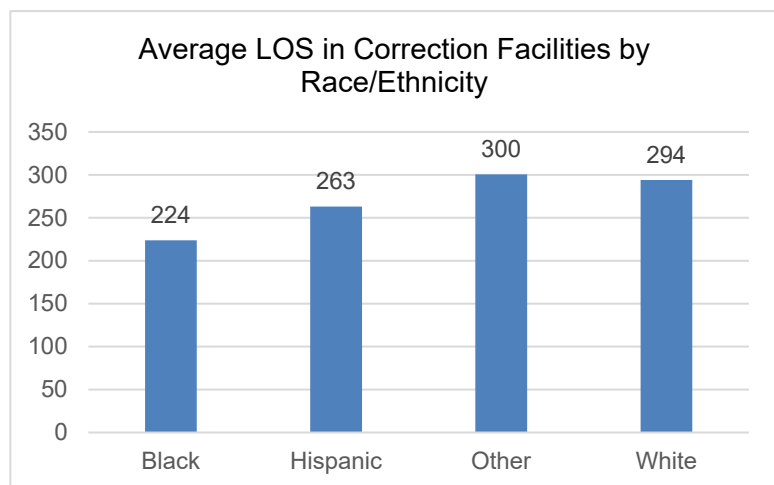
Black young people comprised 31% of young people released from detention centers and 41% of those who stayed longer than the average of 40 days.

The LOS in detention ranged from less than 24 hours to a maximum of 21 months. About 10% of the instances when young people were detained were for 24 hours or less and 16% were for 48 hours or less. Additionally, eight young people were confined for more than one year, only one of whom was White. Of those confined for more than one year, five were confined for criminal homicide, two for violent sexual assault and one for theft.



The average LOS for young people in correction facilities was 259 days or about 8.5 months.

Young people are sent to correction facilities following court adjudication for treatment and services to prepare them for returning home with the competencies, opportunities, supports and relationships they need to be successful citizens. The authority determining the LOS in correction facilities varies across the country but falls to four main decision-making entities: the state correction agency, the court, a parole board or a combination of the agency and the court.



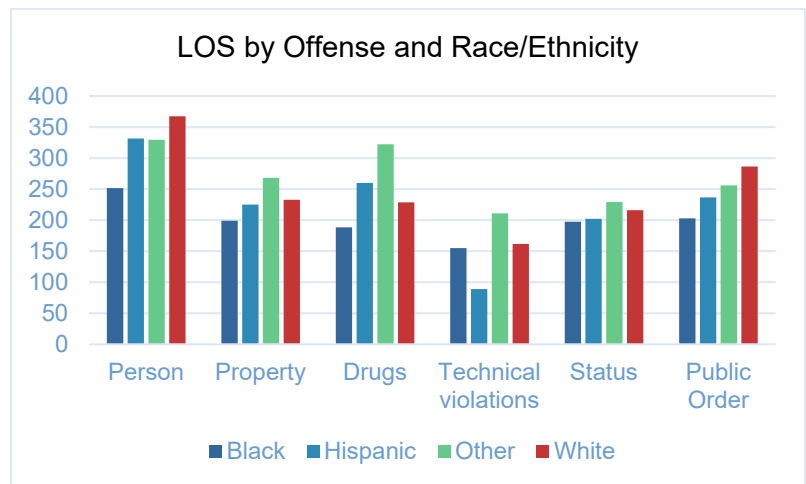
Data from 1,352 records of young people leaving correction facilities showed LOS ranging from 1 day to 2,406 days, or more than 6.5 years. Males were confined about 1.5 months longer than females, 262 days compared to 219 days. American Indian, Alaskan Native, Asian, Native Hawaiian, other Pacific Islanders and young people of other races and/or ethnicities had the longest average LOS of 300 days (10 months) and Black young people averaged the shortest of 224 days (about 7.5 months).

The average LOS calculations include data from 217 young people (about 16%) who left the facility because they were transferred to another facility of equal or greater security, such as mental health and adult facilities. Nearly half of them (47%) were Black, about 20% were Hispanic, 7% were other races

and ethnicities and 26% were White. Slightly more than half (51%) were confined for offenses against a person, 25% for property offenses and 10% for public order offenses (weapons, driving under the influence of drugs or alcohol, other public order). Their confinement in the facility before being transferred was as short as one day and 12 were transferred within the first week. Their overall average LOS was slightly lower than the whole population average (227 days) and included 39 young people who had stayed less than one month all of which impacts the overall LOS average.

In correction facilities, young people confined for status offenses stayed an average of 6.8 months and young people confined for technical violations stayed an average of about 4.3 months.

About 52% of all the young people confined had committed property, drug, status and other nonviolent offenses. (Facilities are asked to report the most serious committing offense only.) Of those, 72 were confined for technical violations of their court-approved probation or parole plan, such as failing to report to an appointment or show up for court-ordered services. One young person confined for a technical violation stayed for 22 months and the rest stayed for an average of about 4 months.



Eighty-four young people were confined for status offenses such as truancy, running away and acting out (incurrigibility). The longest stay for a young person confined for a status offense was almost 2.5 years; 17 stayed longer than the average LOS for all young people. About 38% were Black, 18% were Hispanic, 6% were Other races and ethnicities and 38% were White.

According to the most recent Census of Juveniles in Residential Placement, the biannual survey of juvenile residential facilities for court-involved young people, 36,479 young people were confined in secure facilities and community residential placements in the United States in 2019, the vast majority of whom are young people of color. PbS data sheds light on the confinement of young people to guide strategies to reduce LOS and provide a baseline from which we can improve. Our mission is to improve juvenile justice outcomes and integrate research into practice to help young people attain the education, skills, opportunities and connections they need to thrive. For more information and other PbS Data Snapshots, please visit our website: pbstandards.org.

This snapshot was written by PbS Executive Director Kim Godfrey Lovett.