

## Alternatives to Detention and Confinement

Alternatives to detention and confinement are approaches taken to prevent juveniles from being placed in either secure detention or confinement facilities when other treatment options, community-based sanctions, or residential placements are more appropriate. Secure detention facilities generally hold youths upon their entering the juvenile justice system, frequently pre-adjudication, whereas secure confinement facilities house youths who have been adjudicated and are committed to custody. Such alternatives were developed in response to research indicating that detention and confinement may do more harm than good for vulnerable juveniles (Austin, Johnson, and Weitzer 2005).

Although the point at which the alternative is provided differs, alternatives to detention and confinement serve several similar purposes. As stated by Austin, Johnson, and Weitzer (2005, 3), “alternatives to secure detention and confinement are intended to reduce crowding, cut the costs of operating juvenile detention centers, shield offenders from the stigma of institutionalization, help offenders avoid associating with youths who have more serious delinquent histories, and maintain positive ties between the juvenile and his or her family and community.” While juveniles who commit serious offenses are generally placed in detention or confinement facilities to protect the public and allow youths to receive more intensive supervision, many jurisdictions direct juveniles who commit status offenses or pose a low risk to the community to receive services through community-based programs (Austin, Johnson, and Weitzer 2005). In line with this sentiment, detention admissions have decreased 38 percent since 1992, (Annie E. Casey Foundation 2013; Austin, Johnson, and Weitzer 2005). Measures of juvenile crime have also decreased during this time frame. For example, juvenile arrest data for 2011 indicates that arrests were down 11 percent since 2010 and down 31 percent since 2002 (Puzzanchera 2013).

Alternatives to detention and confinement can be imposed by police officers, court staff, judges, or prosecutors. These community-based programs vary in their location, length, treatment, and level of supervision; however, the overall aim of keeping youth out of detention or confinement facilities is consistent regardless of program type. Further, research indicates that 25 percent of all previously detained juveniles fall deeper into the criminal justice system as adults. In an effort to avoid the challenges of getting a juvenile out of the system once he or she has entered, alternatives to detention and confinement seek to provide an alternative to placement in these facilities (Holman and Ziedenberg 2007; Lubow 2005; Austin, Johnson, and Weitzer 2005; Ryon et al. 2013)

### Theoretical Background

The trend to provide juveniles an alternative to detention and confinement follows from a similar body of research that illustrates the negative impact of these facilities on both juveniles and their communities (Holman and Ziedenberg 2007; Austin, Johnson, and Weitzer 2005; Lubow 2005). In terms of the negative impact on the community, research has shown that juveniles who are kept in the

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community recidivate less often than previously detained youths, with statistics showing that as many as 70 percent of previously detained youths are rearrested within 2 years (Austin, Johnson, and Weitzer 2005; Petrosino, Guckenburg, and Turpin-Petrosino 2010). As a result, several researchers (Andrews and Bonta 2006; Lipsey et al. 2010; Drake 2011) suggest that placing juveniles in community settings that offer appropriate rehabilitation services will serve public safety better than detention or confinement (Ryon et al. 2013).

Further, research has demonstrated that detention and confinement facilities negatively affect a child's mental state, academic aptitude, and employment prospects. Placing a juvenile in secure facilities hinders the juvenile's developmental process, leads to depression, and increases the risk of suicide or other self-harm (Holman and Ziedenberg 2007). Placed in detention or a confinement facility, the juvenile is cut off from conventional opportunities for growth, and any positive ties he or she may have had in the community are severed (JPI 2009). In addition, researchers have found that more than 40 percent of juveniles in secure facilities suffer from at least one learning disability (Holman and Ziedenberg 2007). Although most facilities provide educational services to juveniles during their stay, the education programs may not provide sufficient continuity in terms of advancing academic achievement and addressing special education needs (Livsey, Sickmund, and Sladky 2009). The facilities may not be capable of meeting the developmental and mental health needs of juveniles, rendering their transition back into the classroom even more troublesome. Finally, as a result of their period of incarceration, detained juveniles typically receive lower wages and experience greater difficulty finding employment compared with their peers (Holman and Ziedenberg 2007).

Some sources estimate that it costs on average \$88,000 per year to incarcerate each juvenile (Annie E. Casey Foundation 2011; JPI 2009); yet, more than one third of these juveniles are nonviolent status offenders (Austin, Johnson, and Weitzer 2005; JPI 2009).

Given that research has indicated that formal system processing may not always be the most effective means to reduce delinquency, the importance of accurately assessing the risks of juveniles through risk assessment tools has been highlighted by researchers (Petrosino, Guckenburg, and Turpin-Petrosino 2010; Wilson and Hoge 2012; Lipsey et al. 2010). Proponents of alternatives to detention also stress the importance of effective risk assessments, as such assessments can help redirect some government funds to community-based interventions (Wilson and Hoge 2012; Lipsey et al. 2010); for it is believed that such interventions are potentially less expensive, may reduce juveniles' odds of recidivating, and could reduce overcrowding in detention centers (JPI 2009; Austin, Johnson, and Weitzer 2005).

In 1992, in response to research indicating the negative effects of detention on both juveniles and their communities, the Annie E. Casey Foundation initiated the Juvenile Detention Alternatives Initiative (JDAI) [Bonnie et al. 2013]. This initiative—which emphasizes the importance of collaboration among state agencies, governmental organizations, and community organizations—was designed to demonstrate that secure detention would not be the only response to juvenile delinquency. Overall, the basic objectives of JDAI were to reduce the use of detention for nonviolent juveniles, minimize rearrest and failure-to-appear rates, ensure appropriate conditions in secure facilities, and ensure that public expenditures are used in manners that promote sustainability of successful reforms (Lubow 2005). Moreover, through community-based alternatives to detention, these juveniles can remain in their home community and maintain ties to families and schools (Lubow 2005; Austin, Johnson, and Weitzer 2005). Before the launch of JDAI, numerous facilities across the country did not have enough beds for their residents, generating environments that were not conducive to protecting resident safety or preventing recidivism.

## Alternatives to Detention and Confinement: Types

There are various types of alternatives to detention and alternatives to confinement. Overlap between the various types exists, as several can be used as either detention or confinement alternatives. The following are examples of some alternatives to detention, confinement, or both.

*Home confinement, or house arrest*, is a community-based program designed to restrict the activities of offenders in the community, which can be used both pre- and post-adjudication. With home confinement, offenders live at home, attend school or work (or both), and fulfill other necessary responsibilities; however, they are closely monitored (electronically, or through frequent contact with staff, or both) to ensure that they comply with the conditions that the court has set. Offenders must maintain this strict schedule, leaving their residences only for essential activities, for varying lengths of time depending on the case.

An example of this type of alternative is an electronic monitoring program implemented in Florida. In this program, the offender wears a tamper-resistant bracelet and carries a tracking device that is able to calculate the offender's position and transmits the data to a monitoring center. However, it is important to understand that research on the use of electronic monitoring with juveniles is limited. For example, although the evaluation of this program included juveniles, the vast majority of program participants were adults (Bales et al. 2010).

*Day (or evening) treatment* (also referred to as day or evening reporting centers) is a highly structured, nonresidential, community-based alternative that provides intensive supervision to the offender. It can be used both pre- and post-adjudication. Offenders are required to report to the treatment facility on a daily basis at specified times (either during the day or in the evening) for a certain number of days each week (generally at least 5 days a week) but are allowed to return home at night.

An example of this type of alternative is the AMIkids Community-Based Day Treatment Services. AMIkids Community-Based Day Treatment Services offers a variety of community-based, experiential treatment interventions for at-risk and delinquent youths that are designed to reduce recidivism and be cost effective. During the day, youths receive intervention services and attend school at the day treatment center in an academic setting. At night, youths return home, which fosters family involvement in the treatment process. Day treatment programs are designed to serve delinquent youths in a nonresidential setting and to improve youths' academic achievement, vocational achievement, and school attendance while also striving to reduce problem behaviors (Winokur Early et al. 2010).

*Shelter care* is an alternative that offers nonsecure residential care for youths who need short-term placement (that is, for 1 to 30 days) outside the home. Shelter care is an option for juveniles who require more supervision than nonresidential options, as well as for youths who need placement because no parent or family member can provide a residence; thus it can be used both pre- and post-adjudication. Juveniles have a daily schedule of structured educational and recreational activities (see the Model Programs Guide literature review on Shelter Care).

*Group Homes* are community-based, long-term alternative facilities where juveniles are allowed extensive contact with the community. Juveniles in group homes can attend school, hold a job in the community, or do both. Each group home serves anywhere from 5 to 15 juveniles, who are placed in the home through a court order or through public welfare agencies. Group homes are less restrictive than juvenile detention centers, and are generally staff-secured rather than locked facilities (see the Model Programs Guide literature review on Group Homes).

An example of this type of alternative is the Methodist Home for Children’s Value-Based Therapeutic Environment (VBTE) Model. The VBTE Model is a nonpunitive treatment model that concentrates on teaching juvenile justice-involved youth about prosocial behaviors as alternatives to antisocial behaviors. The VBTE Model is used in juvenile group homes operated by the Methodist Home for Children (MHC) in North Carolina, which provides residential services for youths involved in the juvenile justice system who are referred for treatment through the state’s Department of Juvenile Justice and Delinquency Prevention. The MHC VBTE Model has five treatment components provided to youth in the group homes: service planning, a skills curriculum, learning theory, motivation systems, and therapeutic-focused interactions. Youths are taught that their behavior should reflect six important values: respect, responsibility, spirituality, compassion, empowerment, and honesty (Strom et al. 2010).

*Intensive supervision programs (ISPs)* are a community-based, nonresidential alternative that provides a high degree of control over offenders to ensure public safety. ISPs are used post-adjudication, and have strict conditions of compliance and high levels of contact from the probation officer or caseworker. ISPs typically use a variety of risk-control strategies (e.g., multiple weekly face-to-face contacts, evening visits, urine testing, electronic monitoring) and deliver a wide range of services to address offenders’ needs. ISPs generally fall into two categories: those that serve probationers who have been assessed as high risk and those developed specifically as alternatives to institutionalization (Austin, Johnson, and Weitzer 2005).

*Specialized foster care* is a post-adjudication, adult-mediated treatment model that recruits and trains families to offer placement and treatment for youths with histories of chronic and severe delinquency. Typically, youths are closely supervised at home, in the community, and at school. Foster care parents typically receive special training on the needs of youths involved in the juvenile justice system and have access to additional resources to address special situations. These parents provide one-on-one mentoring and consistent discipline for rule violations to the juveniles.

An example of this type of alternative is Multidimensional Treatment Foster Care (MTFC). MTFC is a behavioral treatment alternative to residential placement for youths who have problems with chronic antisocial behavior, emotional disturbance, and delinquency. There are three components of the intervention—MTFC Parents, the Family, and the Treatment Team—that work in unison to treat the youth. In the MTFC Parents component, the program places a youth in a family setting with specially trained foster parents for 6 to 9 months. In the Family component the, juvenile’s birth family receives family therapy and parent training. Finally, the Treatment Team component consists of the team that provides intensive support and consultation to the foster parents (Chamberlain and Reid 1998; Chamberlain, Leve, and DeGarmo 2007).

## Outcome Evidence

The various types of alternatives to detention and confinement yield mixed results. Evaluation outcomes for some of the example alternatives are provided below.

Winokur Early and colleagues (2010) found that youths participating in the AMIkids Community-Based Day Treatment services were significantly less likely than the control group to be adjudicated or convicted for an offense within 12 months of release. Youths who received AMIkids day treatment services were also significantly less likely to be rearrested for any offense, rearrested for a felony offense, convicted for a felony offense and subsequently committed, placed on adult probation, or sentenced to prison—compared with youths who completed residential programming.

Overall, the program evaluation by Strom and colleagues (2010) found mixed results. The VBTE Model had significant effects on new charges and convictions for person offenses, but it did not significantly affect charges and convictions for property, drug, and public order offenses. Youths who received VBTE treatment spent significantly fewer total days incarcerated than comparison youths.

The Chamberlain and Reid (1998) evaluation of MTFC found that boys participating in the MTFC program had a larger reduction in official criminal referral rates, fewer self-reported criminal activities, fewer runaways from placement, and fewer days spent in lockup than a comparative sample of boys in another community-based alternative program. Similarly, the Chamberlain, Leve, and DeGarmo (2007) evaluation of MTFC found that girls participating in the program had a significantly greater reduction in delinquency, slightly fewer criminal referrals, and significantly fewer days in lockup than a comparative sample of girls in another community-based alternative program.

Although various types of programs produce varied results, community-based alternatives to detention programs may increase public safety and are generally more cost effective than incarceration. Research over the years has indicated that the most effective programs are those administered in the community; such programs not only reduce recidivism rates but also are better equipped than detention facilities to promote positive life outcomes (JPI 2009). Further, even if a community-based program does not have a significant effect on recidivism or delinquency rates, the program would still save costs because it is usually less expensive to implement a program in the community than it is to maintain a juvenile detention facility (Austin, Johnson, and Weitzer 2005).

For more information on the programs, please click on the links below.

[AMikids Community-Based Day Treatment](#)

[Multidimensional Treatment Foster Care-Adolescents](#)

[Methodist Home for Children's Value-Based Therapeutic Environment \(VBTE\) Model](#)

## Conclusion

Although there have been increases in the use of alternatives to detention and confinement, their prevalence still varies across jurisdictions and states. There are indications that serving juveniles in the community, where they have a greater chance of receiving appropriate rehabilitation and being surrounded by prosocial others, is a less expensive and equally –if not more– effective alternative (Ryon et al. 2013). With the increasing use of alternatives to detention, the overall goal is to create and implement a juvenile justice system that has a myriad of alternatives at its disposal so that the most appropriate, yet least restrictive, sanction can be chosen for the juvenile (Austin, Johnson, and Weitzer 2005).

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