

THE DANGERS OF DETENTION: USING RESEARCH TO PREVENT OR LIMIT JUVENILE INCARCERATION

Detention is not benign. It has significant short- and long-term effects on the case and the young person you represent. The following is a small sampling of the research you can use to prevent detention or defeat a disposition involving secure confinement, as well as to educate the courts, policymakers, and the public.

All of these sources are available online for free, and links are included. (Links do come and go, so if they do not work, Google the title, check the PJDC Resource Bank on our website, or contact PJDC.) The materials are arranged by general themes.

Detention Affects Dropping Out and Educational Attainment

Anna Aizer and Joseph J. Doyle, Jr., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges*, National Bureau of Economic Research, NBER Working Paper No. 19102 (2013), at pp. 3-6, 9, 25, http://www.mit.edu/~jjdoyle/aizer_doyle_judges_06242013.pdf

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), p. 8, http://www.justicepolicy.org/images/upload/06-11_REP_DangersOfDetention_JJ.pdf

Justice Policy Institute, *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration* (2014), pp. 28-32, <http://www.justicepolicy.org/research/8477>

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, p. 12, <http://www.aecf.org/resources/no-place-for-kids-full-report>

Detention Affects Future Employment, Even Years Down the Road

Anna Aizer and Joseph J. Doyle, Jr., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges*, National Bureau of Economic Research, NBER Working Paper No. 19102, (2013), pp. 5-8, 18-21; http://www.mit.edu/~jjdoyle/aizer_doyle_judges_06242013.pdf

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), pp. 8-9, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Justice Policy Institute, *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration* (2014), pp. 33-35, <http://www.justicepolicy.org/research/8477>

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, p. 12, <http://www.aecf.org/resources/no-place-for-kids-full-report/>

Detention Increases Recidivism and Hurts Public Safety

Anna Aizer and Joseph J. Doyle, Jr., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges*, National Bureau of Economic Research, NBER Working Paper No. 19102 (2013), pp. 21-24, http://www.mit.edu/~jjdoyle/aizer_doyle_judges_06242013.pdf

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), p. 3, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Justice Policy Institute, *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration* (2014), pp. 20-27, <http://www.justicepolicy.org/research/8477>

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, pp. 9-12, <http://www.aecf.org/resources/no-place-for-kids-full-report/>

Detention May Exacerbate or Cause Mental Illness and Trauma

Karen Abram, et al., *Suicidal Thoughts and Behaviors Among Detained Youth*, OJJDP Juvenile Justice Bulletin (July 2014), pp. 1-8, <http://www.ojjdp.gov/pubs/243891.pdf>

Sue Burrell, *Trauma and the Environment of Care in Juvenile Institutions*, National Child Traumatic Stress Network (2013), pp. 2-5, http://www.nctsn.org/sites/default/files/assets/pdfs/jj_trauma_brief_envirofocare_burrell_final.pdf

Edward Cohen and Jane Pfeifer, *Costs of Incarcerating Youth with Mental Illness*, for the Chief Probation Officers of California and California Mental Health Directors Association (2007), http://www.cdcr.ca.gov/COMIO/docs/Costs_of_Incarcerating_Youth_with_Mental_Illness.pdf

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), pp. 7-8, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, pp. 22, 24-25, <http://www.aecf.org/resources/no-place-for-kids-full-report/>.

Detention Affects the Client’s Ability to Assist in Defense of the Case, and Increases the Likelihood of Future Incarceration

Anna Aizer and Joseph J. Doyle, Jr., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges*, National Bureau of Economic Research, NBER Working Paper No. 19102 (2013), pp. 17-18, 21-23, http://www.mit.edu/~jjdoyle/aizer_doyle_judges_06242013.pdf

Christopher T. Lowenkamp, Marie Van Nostrand, & Alexander Holsinger, *Investigating the Impact of Pretrial Detention on Sentencing Outcomes*, Arnold Foundation (2013), pp. 3, 10-16 [adult research but reasoning applies to juveniles], http://www.arnoldfoundation.org/wp-content/uploads/2014/02/LJAF_Report_state-sentencing_FNL.pdf

Christopher T. Lowenkamp, Marie Van Nostrand, & Alexander Holsinger, *The Hidden Costs of Pretrial Detention*, Arnold Foundation (2013), pp. 11, 19 [adult research showing that even 2 to 3 days of detention impacts recidivism because of destabilization of person’s life], http://www.arnoldfoundation.org/wp-content/uploads/2014/02/LJAF_Report_hidden-costs_FNL.pdf

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), p. 5, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Detention Exposes Youth to Inadequate Conditions and Abuse

Richard A. Mendel, *Maltreatment of Youth in U.S. Juvenile Corrections Facilities: An Update*, The Annie E. Casey Foundation (2015), pp. 6-29, <http://www.aecf.org/resources/maltreatment-of-youth-in-us-juvenile-corrections-facilities/>

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, pp. 5-9, <http://www.aecf.org/resources/no-place-for-kids-full-report/>

Justice Policy Institute, *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration* (2014), pp. 28-32, <http://www.justicepolicy.org/research/8477>

Incarcerating Youth Together Who Are Getting in Trouble Has Negative Consequences

Joel Rosch, Deviant Peer Contagion: Findings from the Duke Executive Sessions on Deviant Peer Contagion, THE LINK (Child Welfare League of America, Wash., D.C.), Fall 2006, at 1, 3-5, 15-17, <http://66.227.70.18/programs/juvenilejustice/thelink2006fall.pdf>

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), p. 4, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Mary Gifford-Smith, et al., *Peer Influence in Children and Adolescents: Crossing the Bridge from Developmental to Intervention Science*, Journal of Abnormal Psychology (2005), <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2747364/>

Thomas J. Dishion and Jessica M. Tipsord, *Peer Contagion in Child and Adolescent Social and Emotional Development*, 62 Annual Review of Psychology 189 (2011), <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3523739/>

Detention Interferes With Doing What is Needed for Healthy Development

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), p. 5, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

National Academies of Science, *Reforming Juvenile Justice: A Developmental Approach* (2013), link to 4 page summary for practitioners that makes all the points: http://sites.nationalacademies.org/cs/groups/dbassesite/documents/webpage/dbasse_083506.pdf; link to the full report (400+ pages) - chapters on adolescent development, brain development, what works, and impact of lengthy incarceration, <http://www.nap.edu/catalog/14685/reforming-juvenile-justice-a-developmental-approach>

Alternatives to Detention Are More Effective in Reducing Crime

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), pp. 5, 14-16, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Justice Policy Institute, *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration* (2014), pp. 36-40, <http://www.justicepolicy.org/research/8477>.

Detention is the Most Expensive and Least Effective Option

Annie E. Casey Foundation, *Detention Reform: A Cost-Saving Approach* (Detention Reform Brief, undated), <http://www.aecf.org/m/resourceimg/aecf-DetentionReform1CostSavingApproach-2007.pdf>, and numerous other publications on this topic from <http://www.jdaihelpdesk.org>

Board of State and Community Corrections, *Average Daily Cost to House Youth in Juvenile Halls and Camps/Ranches* (2012), http://www.bscc.ca.gov/downloads/Avg_Cost_Juv_Fac.pdf

Justice Policy Institute, *The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense* (2009), http://www.justicepolicy.org/images/upload/09_05_rep_costsofconfinement_jj_ps.pdf

Justice Policy Institute, *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration* (2014), pp. 9-15, <http://www.justicepolicy.org/research/8477>

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, pp. 13-22, <http://www.aecf.org/resources/no-place-for-kids-full-report/>

Washington State Institute for Public Policy, *Benefit Costs Results* (2015), <http://www.wsipp.wa.gov/BenefitCost>

Detention and All Its Harms Are Imposed Primarily on Youth of Color

Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention; The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), pp. 12-14, http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

W. Haywood Burns Institute, see chart of racial disparities in detention, <http://data.burnsinstitute.org/decision-points/5/california#comparison=2&placement=1&racess=2,3,4,5,6&offenses=5,2,8,1,9,11,10&odc=1&dmp=1&dmp-comparison=2&dmp-decisions=5&dmp-county=-1&dmp-races=1,2,3,4,7,5,6&dmp-year=2014>, and resources, including *Adoration of the Question: Reflections on the Failure to Reduce Racial and Ethnic Disparities in the Juvenile Justice System* (2008), <http://www.burnsinstitute.org/wp-content/uploads/2013/12/Adoration-of-the-Question.pdf>

Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (2011), The Annie E. Casey Foundation, p. 23, <http://www.aecf.org/resources/no-place-for-kids-full-report/>

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