

Appendix I:

Estimation of the Number of Confined Youth in 2011

For the analysis of the costs of confining committed youth in secure facilities in this report, an estimate of the number of youth who have been confined at some time during that calendar year is required. That estimate captures the youth who have experienced and been affected by incarceration.

Recent censuses of youth in confinement do not provide information about the flow of youth through the country's juvenile confinement systems. According to federal *Juvenile Court Statistics*, juvenile courts placed 95,900 youth in residential facilities for delinquency offenses throughout that year. However, according to the *Census of Juveniles in Residential Placement*, which provides a one-day count of youth in confinement facilities, counts only 40,247 youth in facilities for delinquency offenses on the day of the census in 2011, the most recent year for which data are available.

Another indicator of the limitation inherent in a one-day census count is the average time in custody per youth. A 2006 analysis of the 2003 census, for example, found that the median length of stay between the time of admission and the census day for youth who had committed person-related offenses was 150 days while the median length of stay for youth committed for property offenses was 105 days.¹

OJJDP's 2011 *Census of Juveniles in Residential Placement* revealed that the median length of stay for youth who had been committed for person-related offenses and for property offenses was between 91 and 180 days.² In other words, many youth who experience confinement earlier in the year will not be around to be counted in late October, the day of the *Census* count.

ALL DELINQUENCY OFFENSES

The number of committed youth confined during 2011 used in this analysis is given by the following general formula: the number of youth committed to confinement by juvenile courts in 2011 plus the number of youth committed by the juvenile courts in 2010, who remain confined in 2011.³

Data on juvenile court placements in 2011 from *Juvenile Court Statistics* were combined with 2010 *Census of Juveniles in Residential Placement* data to enable a working estimate of the number of youth who experienced confinement sometime in 2011 to be developed. In 2011, 95,900 were placed in confinement in 2011 by the courts for delinquency offenses. In late October of 2010, the *Census* counted 46,147 youth committed for delinquency offenses in residential facilities. In October of 2011, 40,247 youth confined for

delinquency offenses were counted by the 2011 *Census*. To estimate the number of youth in residential placement on the first day of 2011, we deducted from 46,147 five-sixths of the annual decline in the number of confined youth (i.e., five-sixths of the difference between 46,147 and 40,427).⁴

The total number of committed youth who were confined at some point in 2011 was therefore estimated to be 141,064, or 3.50 times the number of committed youth in residential facilities reported in the 2011 *Census*. If the same methodology were applied to all young people confined (i.e., those who commit delinquent *and* status offenses) the total estimated flow would be equal to 146,979.

PERSON AND PROPERTY OFFENSES

The same method employed in the previous subsection was used to estimate the annual number of committed youth who experienced juvenile confinement as a result of person offenses and property offenses. Estimates of these two annual flows of youth were needed for the cost calculations in the section on the impacts of youth incarceration on reoffending since victims' costs vary with the type of offense.

For person offenses, 26,000 youth were placed in confinement in 2011 by the courts and 18,145 youth committed for person offenses were counted by the *Census* at the end of October of 2010. Application of the formula described above resulted in an estimate of total of 43,794 youth committed for person offenses that experienced confinement in 2011. That estimate was 2.73 times the total count by the 2011 *Census*.

For property offenses, we estimated the number of youth who experienced confinement sometime in 2011 to be 43,886.⁵ That's 4.21 times the total counted by the 2011 *Census*.

“YOUTH INCARCERATION” AND THE ESTIMATE: INCARCERATION, COMMITMENT, AND “THE FLOW.”

Incarcerated youth (61,423 in 2011): Youth who were reported to be in pretrial detention or committed to a confined space in 2011. This figure is a one-day snapshot of the number of youth detained or committed to a confined space in 2011.

Committed and confined youth (41,934 in 2011): Youth who are placed in a facility as part of a court-ordered disposition. This figure is a one-day snapshot of the number of youth committed to a confined space in 2011. The research shows that pretrial detention can have a negative impact on a young person’s transition to adulthood. But because the studies that look to control for the negative impact of confinement used in the report looked at confined, committed youth, we used the one-day snapshot of confined youth (41,934) to generate an estimate of the number of youth that flow through a residential setting, and we elected not to include pretrial detention in this analysis.

“The flow” (146,979 in 2011): Residential facilities house many more youth over the course of a year than are counted in a single, one-day snapshot. We estimated that 3.5 times the 41,934 committed and confined youth counted in the 2011 *Census of Juveniles in Residential Placement* were admitted to and released from facilities. That flow is an estimate of the number of committed young people who were confined at some time during 2011. The estimate was generated from data in the 2011 *Census* and *Juvenile Court Statistics*.

All the cost estimates in Sticker Shock: Calculating the Full Price Tag for Youth Incarceration are generated from “the flow” (or a specific subset of flow estimates).

Notes: Research done in Florida on pretrial, detained youth—for example – showed that when controlling for other key variables such as age, race, gender and offense severity found that detained youth faced a greater probability of having a petition filed at intake, a greater probability of having a petition filed by the States Attorney, and a greater probability of receiving formal judicial interventions. Other Florida research by the Office of State Court Administrators found that when controlling for other factors—including the severity of offense—youth who are detained are three times more likely to end up being committed to a juvenile facility than youth who are not detained Frazier, C.E. and Cochran, J.C. (1986), “Detention of Juveniles: Its Effects on Subsequent Juvenile Court Processing Decisions,” *Youth and Society* Vol. 17 No. 3 286-305. Office of State Courts Administrator, Florida Juvenile Delinquency Court Assessment. (2003) Tallahassee, FL: Office of Court Improvements. This study shows that the odds of a previously detained youth receiving commitment are 3.22 times greater than that of a youth who has never been detained.

The estimates of the number of youth who experienced confinement during the year 2011 were derived from the *Census of Juveniles in Residential Placement* and the annual publication, *Juvenile Court Statistics*. While the *Census* provides a one-day snapshot of the number of youth in confinement, our estimates capture the flow of youth through the nation’s residential facilities, which is much larger than the one-day *Census* outcome because the juvenile population “flows” through residential placement over a year-long period. This estimate is similar to other methods used. Dr. Barry Krisberg, then President of the National Council on Crime and Delinquency used the then most recent data available from surveys administered by the National Council on Juvenile Justice (NCJJ) estimate that 350,000 youth were detained in 1999. See Barry Holman and Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (Washington, DC: Justice Policy Institute, 2006). www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

¹ Sickmund, Melissa and Howard Snyder. "Juvenile Offenders and Victims: 2006 National Report." *National Center for Juvenile Justice*. March 2006.

²The *Census* website does not provide more detail about lengths of stay than is reported here.

³ The methodology used here to estimate the number of youth confined sometime during 2011 is drawn from: Levin, Marc and Derek Cohen. "Kids Doing Time for What's Not a Crime: The Over-Incarceration of Status Offenders," *Texas Public Policy Foundation Policy Perspectives*. March, 2014.

⁴ November and December of 2010 represent five-sixths of a year.

⁵ 31,900 youth who committed property offenses were placed by the courts in 2011, and 12,297 youth who committed property offenses were confined in October 2010.