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Secure Juvenile Detention

In response to a doubling of juvenile arrests between 1988 and 1993, the Legislature enacted a series of measures that reflect a more aggressive response to juvenile crime. These measures expanded the authority of judges and caseworkers to place juveniles in secure detention and provide judges an intermediate option between a non-secure community placement and placement in one of the State's juvenile correctional institutions. Currently, 16 counties operate secure detention facilities that hold juveniles between the ages of 10 and 17 in a secure setting separate from adult offenders. In 1998, counties placed juveniles in these facilities on 16,937 occasions, for an average stay of 7.8 days. Secure juvenile detention facilities are funded almost exclusively by local tax revenues, and counties estimate that 1998 operating costs for these facilities were \$14.3 million.

Before the Juvenile Justice Code took effect in July 1996, secure detention facilities were used primarily to hold juveniles before court hearings relating to offenses. Since 1996, they have increasingly become a means to punish juveniles who have been adjudicated delinquent. Judges may sanction juveniles by placing them in secure detention for up to 30 days as an original disposition, and for up to 10 days for violating an earlier court order. In addition, intake- and caseworkers may place juveniles in secure detention for up to 72 hours to investigate or punish violations of court orders. Because the expanded use of secure detention is financed by local revenues, its use must be approved by county boards. Since the Juvenile Justice Code was enacted, 63 counties have chosen to allow judges, caseworkers, or both to exercise the expanded authority.

Placements in Secure Detention Have Increased

In the two-and-one-half years after the Juvenile Justice Code took effect, total placements increased 4.2 percent statewide, from 38,075 between January 1994 and July 1996 to 39,665 from July 1996 through December 1998. Outside of Milwaukee County, placements increased by 19.5 percent. Within Milwaukee County, they decreased by 25.1 percent in response to policy changes to reduce severe overcrowding. While total placements have increased, only 2 of the 16 counties with secure detention facilities — Brown and Dane — had average daily populations in excess of facility capacity in 1998.

Judges and caseworkers have used their expanded authority and significantly increased their use of secure detention after adjudication. During the period from July 1996 through December 1998, post-adjudicatory placements increased 46.6 percent over the prior two-and-one-half year period. In contrast, placements of juveniles in secure detention prior to a court hearing decreased 18.4 percent.

Increased Use of Secure Detention Has Had a Limited Effect on Recidivism

In our review of the records of 907 juveniles in four counties, data indicate that recidivism among juvenile delinquents has been and continues to be high. We defined recidivism as a new arrest or placement into secure detention within one year. Sufficient data are not available to determine recidivism statewide, and because the selection of the 907 individuals was not based on a controlled research design, but rather on the availability of data in those counties, the results from our review cannot be projected to the state as a whole. Nevertheless, in Eau Claire, Outagamie, Ozaukee, and Racine counties, the recidivism rate was 71.5 percent for juveniles prior to July 1996, and 69.7 percent after July 1996.

While limited, these data appear consistent with the beliefs of many county staff with whom we spoke, who hold that

while placement in secure detention may deter a small portion of juveniles from future criminal activity, it does not deter most juvenile offenders. Similarly, national evaluation literature suggests that placing juveniles in secure custody, such as secure detention, does not significantly reduce the likelihood of recidivism. Nevertheless, county staff and judges with whom we spoke strongly support the use of secure detention as a form of punishment, because they believe it establishes accountability for juveniles' actions and enhances public safety by temporarily removing juvenile delinquents from the community.

[full report, PDF file \(345KB\)](#)