

10.11: Juvenile Institutions

Just as the juvenile court has different practices, so too does the correctional side of the juvenile justice system. Since the aim of the juvenile justice system is rehabilitation, the treatment of youth is somewhat different than the treatment of adults. For example, justice-involved youth can be sent to detention centers, group homes, boot or wilderness camps, residential treatment centers, long-term secure facilities, or other institutions.

Detention: In the first stages of the justice system, the court must decide if it will detain the youth. If a youth is detained, he/she is sent to a detention center, which is a short-term, secure facility. These are comparable to adult jails. Youth are often kept in detention facilities while waiting for disposition or transfer to another location. The average length of stay is 2-3 weeks. Factors that increase the likelihood of detention include prior offenses, age at first offense and current age, and the severity of the current offense. Research also suggests that race, gender, and socioeconomic status also play a role in deciding whether to detain a youth.

Group Homes: Group homes are long-term facilities where youth are allowed and encouraged to have extensive contact with the community. Youth attend regular school, hold jobs, take public transportation, etc. In many group homes, youth learn independent living skills that prepare them for living on their own. These are similar to adult halfway houses.

Boot Camps and Wilderness Camps: Boot Camps are secure facilities that operate like military basic training. They focus on drills, manual labor, and physical activity. They are often punitive and overly strict. Despite popular opinion, research shows that these are ineffective for preventing future delinquency. The length of stay is generally for several weeks. On the other hand, ranch/wilderness camps are actually prosocial and preventative. These are long term residential facilities that are non-restrictive and are for youth who not require confinement. These include forestry camps and wilderness programs.

Residential Treatment Centers: RTCs are long term facilities that focus on individual treatment. They include positive peer culture, behavior modification programming, and helping youth develop healthy coping mechanisms. Many have specific targeted populations, such as kids with histories of substance abuse or issues with mental health. They are often considered medium security, and the average stay is often six months to a year.

Long-term Secure Facilities: Long term facilities are strict secure confinement. These include training schools, reformatories, and juvenile correctional facilities. These facilities are often reserved for youth who have committed serious offenses. They are similar to adult prisons but operate under a different philosophy. For example, incarcerated youth are still required to attend school, which is within the facility.

Disproportionate Minority Contact: Considerable research on disproportionate minority contact has been conducted over the past three decades. **Disproportionate minority contact (DMC)** “occurs when the proportion of youth of color who pass through the juvenile justice system exceeds the proportion of youth of color in the general population.” ^[1] It can be assessed at every stage of the juvenile justice system, from arrest to adjudication. Research shows minority youth are over-represented in arrests, sentencing, waiver, and secure placement. States receiving federal grant money are required to address DMC “regardless of whether those disparities were motivated by intentional discrimination or justified by ‘legitimate’ agency interests.” ^[2]

In the News: The Prison Pipeline

6-year-old Zachery Christy, a first grader in Newark Delaware, was suspended for 45 days for bringing a spork to school. The camping utensil, which contains a spoon, fork, knife, and bottle opener was a gift for Cubs Scouts. The first grader brought the camping utensil to school although the “dangerous weapon” violated zero tolerance rules at the school.

“Spurred in part by the Columbine and Virginia Tech shootings, many school districts around the country adopted zero-tolerance policies on the possession of weapons on school grounds. More recently, there has been growing debate over whether the policies have gone too far.” ^[3]

Zero Tolerance policies are strict adherence to regulations and bans to prevent undesirable behaviors. The idea behind them is to promote student safety and to be fair and consistent with all children. The idea behind them is to promote a one size fits all approach, so as to treat all children equally, however, research suggests that minority youth are unfairly targeted by such practices, which counters the purposes of them.

However, Zero Tolerance policies contribute to the school to prison pipeline. Children who interact with law enforcement at earlier ages are more likely to end up in the criminal justice system.

What was thought to remove discretion from school administrators in issues of discipline, actually results in African American students being more likely to be suspended or expelled than other students for the same offenses? Additionally, the suspension or expulsion from school severs ties and harms the relationship youth have with school, making it harder for the youth to return and engage.

For Zachary and his spork, it's more than breaking his attachment to school and his teachers. He fears being teased by the other students. If his parents choose not to home school him, he must spend the next 45 days in the district's reform school.

An in-depth look at zero tolerance policies.

sites.duke.edu/education303final/an-in-depth-look-at-zero-tolerance-policies-and-racial-biases/

[4]

Conclusion

The juvenile court has its own philosophy, the court system, and correctional institutions that differ from the adult criminal justice system. The major difference between the juvenile justice system and the adult system is its focus on rehabilitation. The juvenile justice system uses private, informal hearings, and individualized justice to act in the best interest of the delinquent youth.

The past century has witnessed a marked change in the way the law deals with youth. From the inception of the juvenile justice system in 1899 to the ruling of *Mongomery v Louisiana* in 2016, the pendulum of juvenile justice swings from a *parens patriae* model of protection of youth to juvenile waiver, fear of youth crime, and punishment, back to incorporating brain research in assessing rehabilitation. The juvenile justice system was designed to treat juveniles differently from adults and take their unique needs and circumstances into consideration. Youth are malleable and can change their trajectories with the right treatment and intervention at the right time.

1. Short, J., & Sharp, C. (2005). *Disproportionate minority contact in the juvenile justice system*. Washington, DC: Child Welfare League of America. ↩
2. (Johnson, 2007, p. 374). ↩
3. (Urbina, 2009, para 4). ↩
4. Urbina, I. (2009, Oct. 1). It's a fork, it's a spoon, it's a....weapon? The New York Times.
<https://www.nytimes.com/2009/10/12/education/12discipline.html>↩

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