



2010 Agenda FAIR OPPORTUNITY FOR EVERY CHILD FACT SHEET: **Juvenile Justice**

Every child needs quality learning opportunities and support in making a successful transition to adulthood in order to become productive citizens for our Commonwealth. *Status offenses* are acts defined as illegal if committed by people who are under 18 years of age, but not if committed by adults. Status offenses include truancy, running away from home, being beyond control of parents/guardians or school, possessing alcohol or purchasing tobacco. Kentucky places youth charged with status offenses in secure detention facilities at one of the highest rates in the nation. Status offenses are not a threat to public safety, therefore they should be handled with less expensive and more effective strategies than secure detention.

FACTS:

Secure detention is the most expensive placement for these minor misbehaviors. The state charges counties approximately \$94 per day to house a youth charged with a status offense in a secure detention facility, but only \$78 per day to temporarily place a youth in supervised foster care. It costs the state only \$21 per day to monitor and track youth on home detention. These less expensive options are appropriate alternatives to secure detention for children charged with status offenses.

Alternatives to secure detention are more effective. While holding youth accountable for their offenses, alternative options keep youth in the community and on track to becoming successful adults. For example, the Truancy Diversion Program (operating in 103 schools as of June 2009) worked with 4,403 youth and has been successful with 92 percent of those youth.

Secure detention pulls youth deeper into the juvenile and criminal justice system. Youth who are incarcerated are more likely to commit future offenses than youth who are supervised in a community-based setting or not detained at all. Research has found that incarceration itself is the most significant factor in increasing the odds that a youth will repeat an offending behavior.

SOLUTIONS:

- Expand successful diversion programs so that all counties are served, and increase the utilization of these programs in counties where they are already available
- Increase the use of currently available alternatives to detention during court processing, and in the sentencing of youth who have violated a valid court order
- Enact time limits on valid court orders for status offenses so valuable time and resources are not wasted picking up youth on old warrants
- Put safeguards in the system to ensure that children who need special education services to correct their behavior are receiving those interventions before involving the courts