



THE ANNIE E. CASEY FOUNDATION

**CHANGING COURSE IN YOUTH DETENTION:  
REVERSING WIDENING  
GAPS BY RACE AND PLACE**

JULY 2023

The Annie E. Casey Foundation is a private philanthropy that creates a brighter future for the nation's children and youth by developing solutions to strengthen families, build paths to economic opportunity and transform struggling communities into safer and healthier places to live, work and grow.

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# EXECUTIVE SUMMARY

The Annie E. Casey Foundation has found large and widening gaps in youth detention by race and place in its [three-year analysis](#) of the effects of the coronavirus pandemic on juvenile justice systems. When it comes to the odds of being detained, young people in the United States live in different worlds, depending on their race and the region and jurisdiction where they reside. The disproportionate use of [detention](#) for Black youth — already distressingly high before the pandemic — has increased. Also, over that three-year period, where youth lived mattered to a greater extent to their odds of being detained than it did before.

The data from [Casey's monthly survey](#) offer an unparalleled glimpse into what's been happening in juvenile justice systems around the country over the past three years. Nationwide, youth detention [fell sharply](#) at the start of the COVID-19 pandemic; largely [held](#) at that low level for a year; and then [steadily returned](#) to its pre-pandemic level. After falling by as much as 30% in the first few months of the pandemic, the number of youth held in [juvenile detention](#) in survey sites on January 1, 2023 (3,436 young people), rose to almost exactly the level reported on January 1, 2020 (3,410 young people) — and was rapidly increasing.

Beneath the surface of that simple story, the Foundation observed significant and concerning changes, especially for Black youth:

- **Black youth were almost 10 times more likely to be detained than their white peers on January 1, 2023.** Prior to the pandemic, Black youth were detained at more than six times the rate of white youth.
- **The overall population has returned to its old level — and for Black youth surpassed it.** Even though the rate of admissions to detention centers is still much lower for Black, Hispanic and white youth than it was before the pandemic, the population has rebounded — and even surpassed its pre-pandemic level for Black youth. Why? Because the young people in detention, especially Black youth, are staying there longer. Since the early days of the pandemic, a protracted slowdown in the pace of releasing youth from detention has kept the detained

population higher than it should be — more than 70% higher as of January 1, 2023, than it would have been if releases kept pace with their pandemic-era highs.

- **Local differences in the use of detention across states and localities have increased dramatically.** Jurisdictions that had similar patterns of detention use at the start of 2020 adopted vastly different patterns over the course of the pandemic. When comparing the third of sites with the biggest increases in detention over the past three years with the sites with the biggest decreases, the data showed one group had slashed its use of detention by almost 30% while the other had a 60% increase.
- **Survey jurisdictions in the Midwest, which already had higher rates of detention than those in other regions before the pandemic, have had the largest increases since then.** Using the [U.S. Census Bureau's definitions of Midwest, Northeast, South and West](#), a comparison of trends by region shows that survey sites in the Midwest had a detention rate 60% higher than those in other regions in January 2020. Three years later, that gap had grown to 80%. Racial and ethnic disparities were highest in the Northeast before the pandemic and increased even more than other regions, mostly due to a severe slowdown in the pace of releases for Black youth.

The surge in the use of youth detention in many parts of the country and the huge and growing racial disparities everywhere are crises that **demand action now.**



These findings are a cause for alarm about the well-being of thousands of young people. In addition to being an ineffective response to crime (e.g., one peer-reviewed study concluded that pretrial juvenile detention [increases the odds of felony recidivism by 33%](#)), detention poses concrete dangers to young people. Even a short stay in detention is associated with [serious harm](#) to young people’s mental and physical well-being; to their education and employment prospects; and to their risk of further justice system involvement. All these dangers become more acute when detention centers lack enough well-trained staff. And yet we see the number of young people in detention growing rapidly at a moment when many youth detention centers are struggling with staff shortages. Just when systems’ capacity to manage detention centers safely is already stretched to the limit, the systems’ gatekeepers are driving their detained populations — disproportionately Black — higher.

Context matters, and it must be acknowledged that the survey has been conducted during a tumultuous three-year period: the deadly and disruptive COVID-19 pandemic; nationwide racial justice protests; waves of highly contentious school closures and reopenings; the erosion of public trust in institutions; guns saturating many communities; and increasing levels of mental health distress, especially for young people. Against that backdrop, it would be easy to assume that the growth in youth detention is just one more symptom of a society under stress — a regrettable, but inevitable, sign of the times.

But higher detention populations are not inevitable — and the evidence for this is in the findings themselves. [A third](#) of the jurisdictions we’ve [studied](#) have sustained and deepened reductions in detention by almost 30% below their pre-pandemic levels. Their continuing success over the past three years affirms that substantial reforms remain possible even in challenging times, when the reforms are pursued with sustained urgency and attention.

The [recommendations](#) at the end of this document highlight actions that juvenile justice systems can take — and many are taking — to align policies and practices to ensure young people are detained only as a last resort and no longer than necessary. These actions could improve safety and opportunity in our communities, fairness and efficacy in our justice system, and prospects for a brighter future for our children.

When it comes to the odds of being detained, **young people in the United States live in different worlds**, depending on their race and the region and jurisdiction where they reside.

# CHARTS AND FINDINGS

In the sections that follow, charts, findings and recommendations are grouped to emphasize disaggregated data:

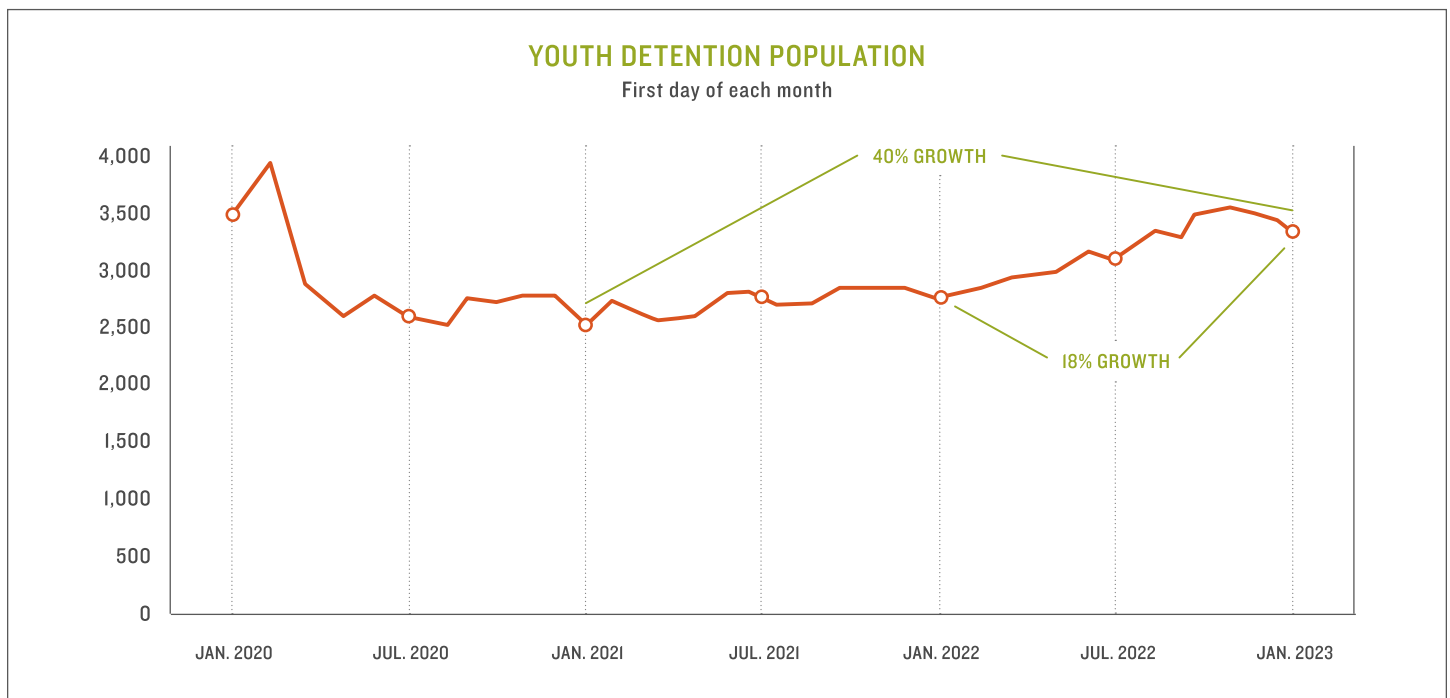
1. OVERALL TRENDS
2. TRENDS BY RACE AND ETHNICITY
  - a. Black-white disparities
  - b. Latino-white disparities
3. TRENDS BY PLACE
  - a. By jurisdiction
  - b. By region
4. THE INTERACTION OF REGION AND RACE
5. CALL TO ACTION FOR YOUTH JUSTICE LEADERS

## OVERALL TRENDS

After a rapid decline when the COVID-19 pandemic hit in the spring of 2020, the youth detention population began rising in spring 2021 and has returned to its pre-pandemic level as of January 2023.

When the pandemic began in March 2020, the youth detention population in survey sites plunged from an average of 3,579 from January to March 2020, to just 2,587 in May 2020 — a drop of almost 30% in just nine weeks. Through the school closings and racial reckoning of the next 12 months, the population stayed close to that low level through May 2021. But the population has grown 33% since then (40% since January 2021) and 18% since the start of 2022. On January 1, 2023, there were 3,436 young people in detention in survey sites — slightly higher than the January 1, 2020, population of 3,410.

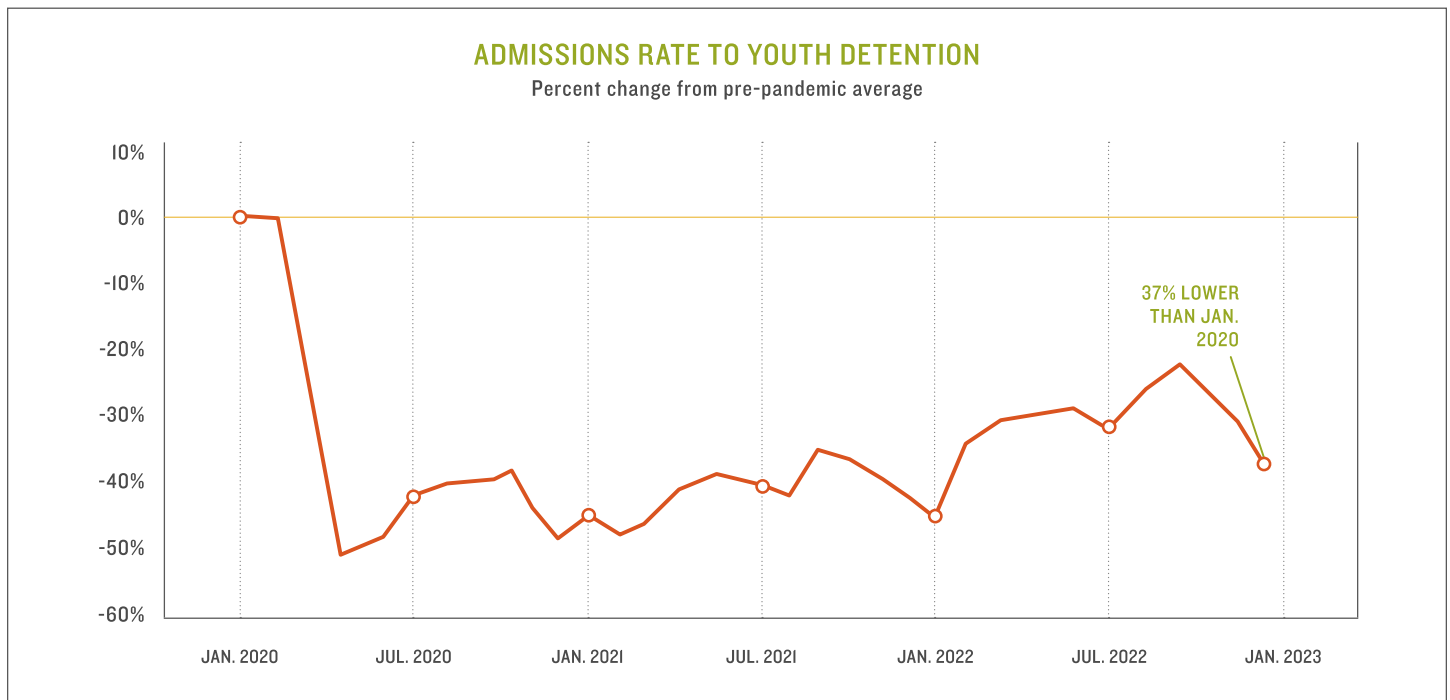
## CHART I



The rate of admissions to detention centers is still much lower than it was before the pandemic. The population has returned to its old level because young people are staying in detention longer.



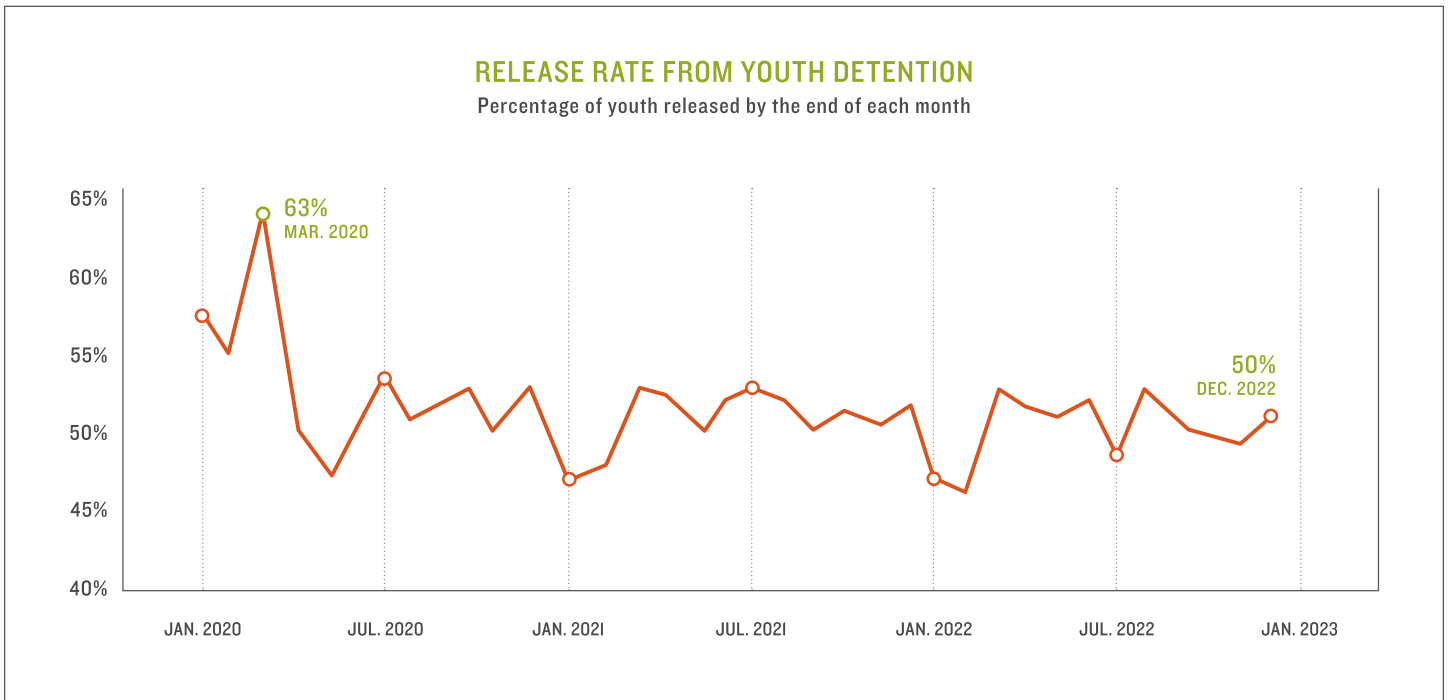
## CHART 2



The rate of admissions to detention has dropped by 37% since the beginning of 2020. Unfortunately, that reduction has coincided with a slowdown in the pace of releases. In other words, those young people who were detained in 2022 were staying longer than youth who were detained

before March 2020. The slowdown in releases has fully offset the reduction in admissions, resulting in a detained population that is roughly the same size it was before the pandemic.

## CHART 3

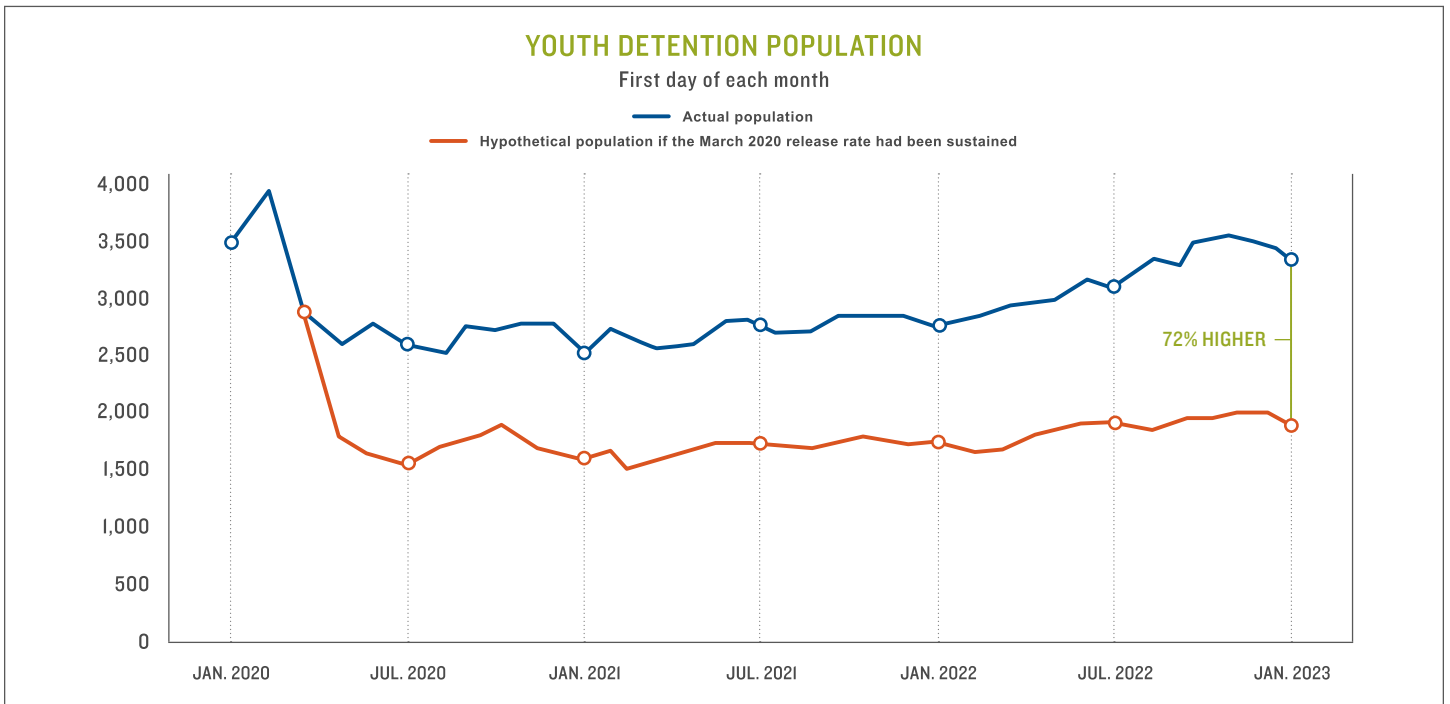


**The brisk pace of releases in March 2020 showed that the system’s decision-makers were capable of speedy case processing.**

The actual detained population on January 1, 2023, was 72% higher than it would have been if youth justice

systems had been able to maintain the March 2020 release rate in the months since then. That means roughly 2 of every 5 young people in detention centers at the start of 2023 would not have been there if youth justice systems had maintained the pace of releases that they achieved 33 months earlier.

## CHART 4

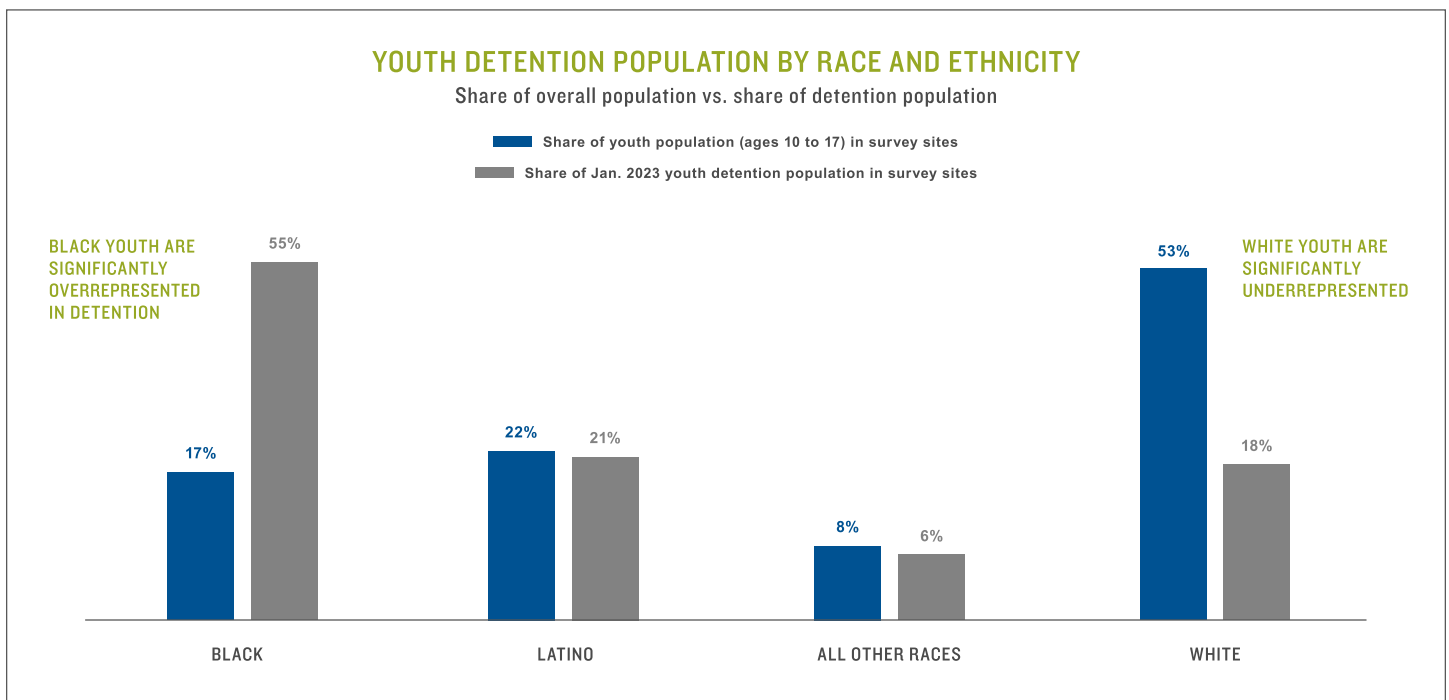


# TRENDS BY RACE AND ETHNICITY

Young people from three racial and ethnic groups — Black, Latino and white — account for the vast majority of the youth population (ages 10 to 17) both in their jurisdictions and in detention. As of January 2023, for the survey jurisdictions, young people from those three groups accounted for 92% of the youth population and 94% of the youth detention population. Compared with their percentage of the youth population, Black youth are significantly overrepresented in detention, while white youth are significantly underrepresented.



## CHART 5



Because Black, Latino and white youth account for almost all the youth detention population, this section will focus on disparities in the rate of detention between Black and Latino youth relative to white youth. Other racial and ethnic groups are represented in the survey

population. The focus on the three largest groups is not meant to imply that the experiences of other groups are less important or to suggest that disparities only exist across the three largest groups.





## BLACK-WHITE DISPARITIES

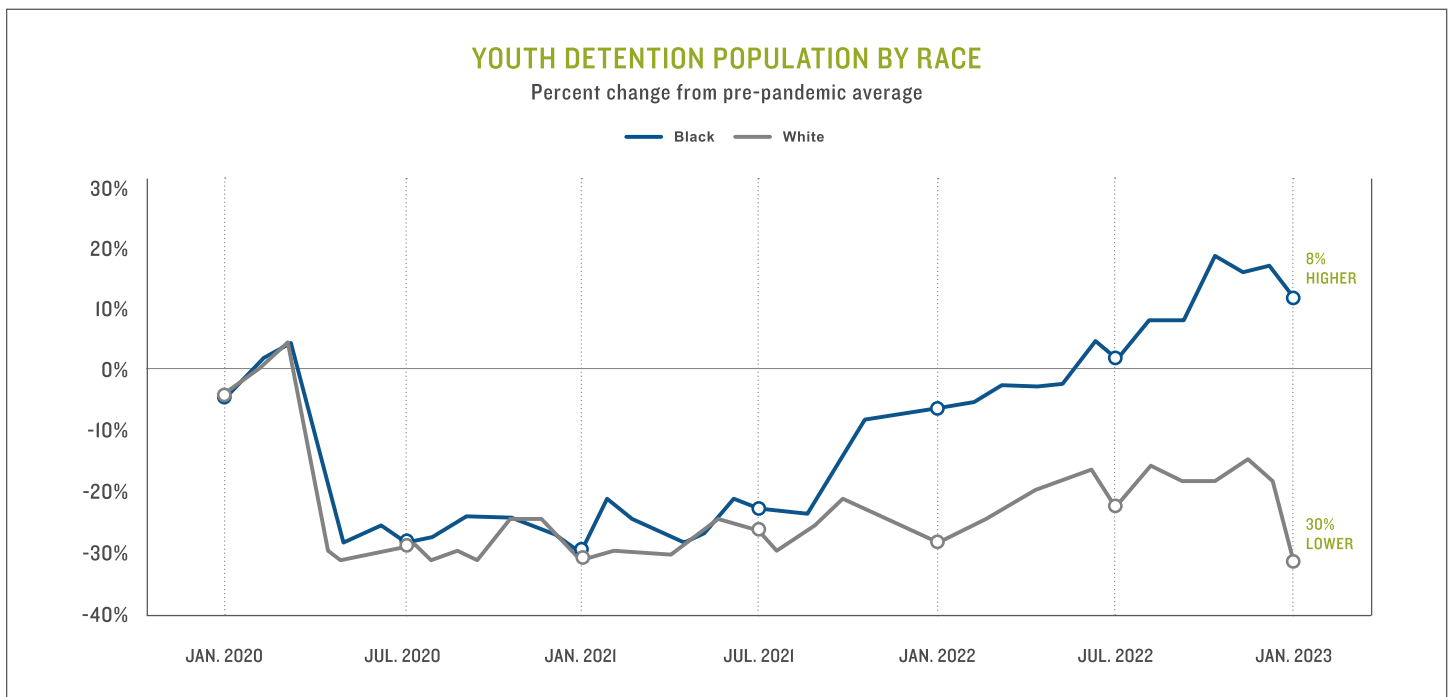
Across the survey, systems have slowed release rates disproportionately for Black youth. As a result, the growth of the overall population of Black youth in detention has accounted for most of the growth in youth detention since the pandemic began.

On January 1, 2023, the number of Black youth in detention was 8% above its average level from January

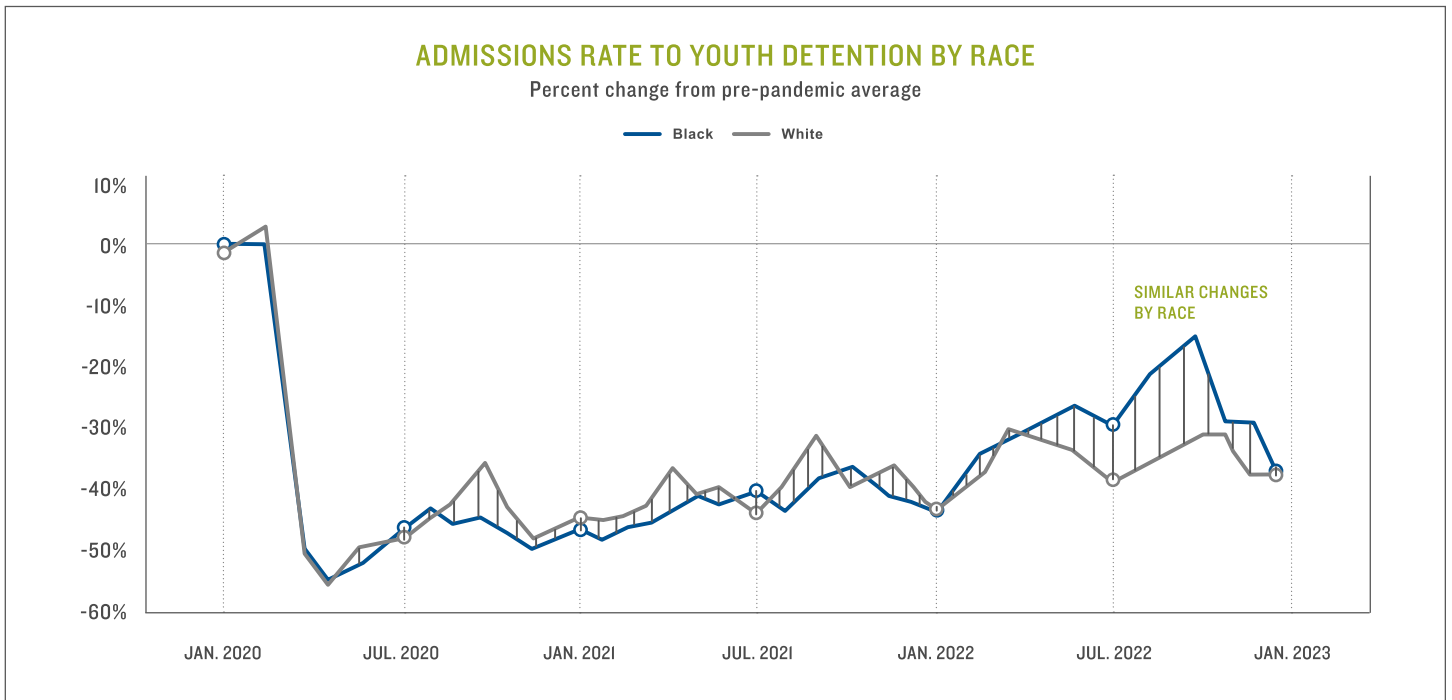
to March 2020 (before the pandemic). The number of white youth in detention was 30% lower than its pre-pandemic average.

This disparity is not due to differences in admissions trends between Black and white youth, which have been similar throughout the course of the survey. Rather, the increasing disparity is due to the release rate slowing down much more for Black youth than for white youth. The release rate also slowed more for Latino youth than for white youth, but the slowdown has affected Black youth most severely.

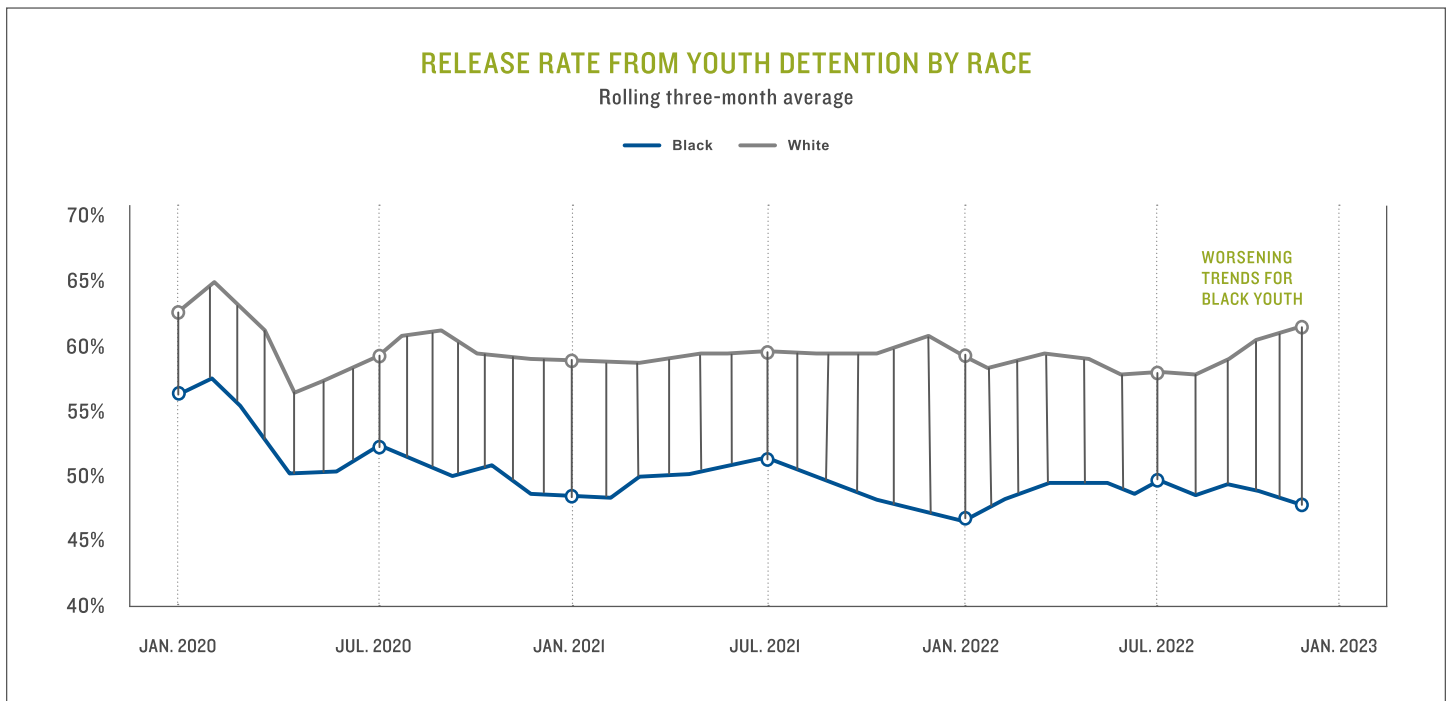
### CHART 6



## CHART 7



## CHART 8



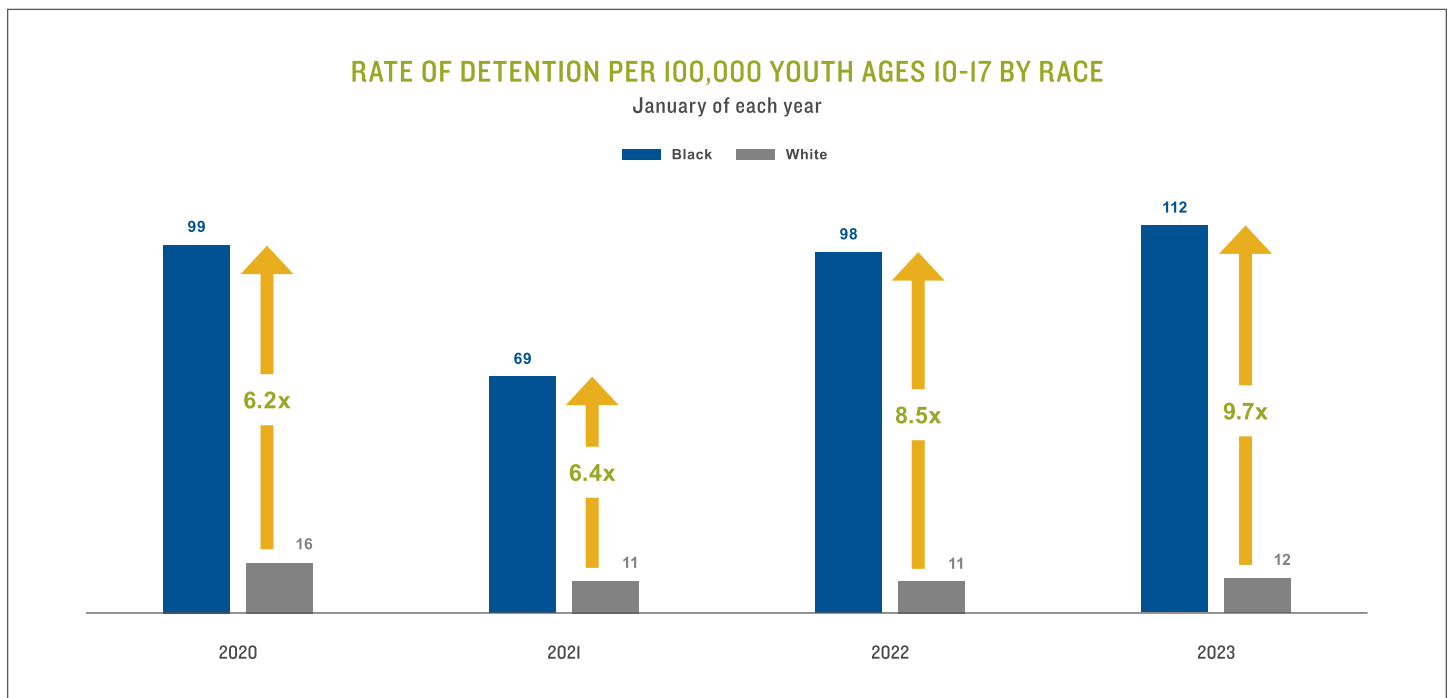


In the survey jurisdictions providing detention data disaggregated by race and ethnicity, Black youth were about six times more likely to be in detention than white youth before the pandemic. That disparity has grown when the total detained population was falling from early 2020 to early 2021 and when it was rising since early 2021. By January 2023, Black youth were nearly 10 times more likely to be in detention than white youth, an increase in that ratio of 57% in just three years.

[See the sidebar](#) for context on why differences in offense patterns don't explain disparities in detention that favor white youth.

Black youth account for about 17% of the population ages 10 to 17 in survey sites that provided disaggregated data as of January 2023. Yet Black youth accounted for 75% of the growth in youth detention in those sites from January 2021 to January 2023.

## CHART 9

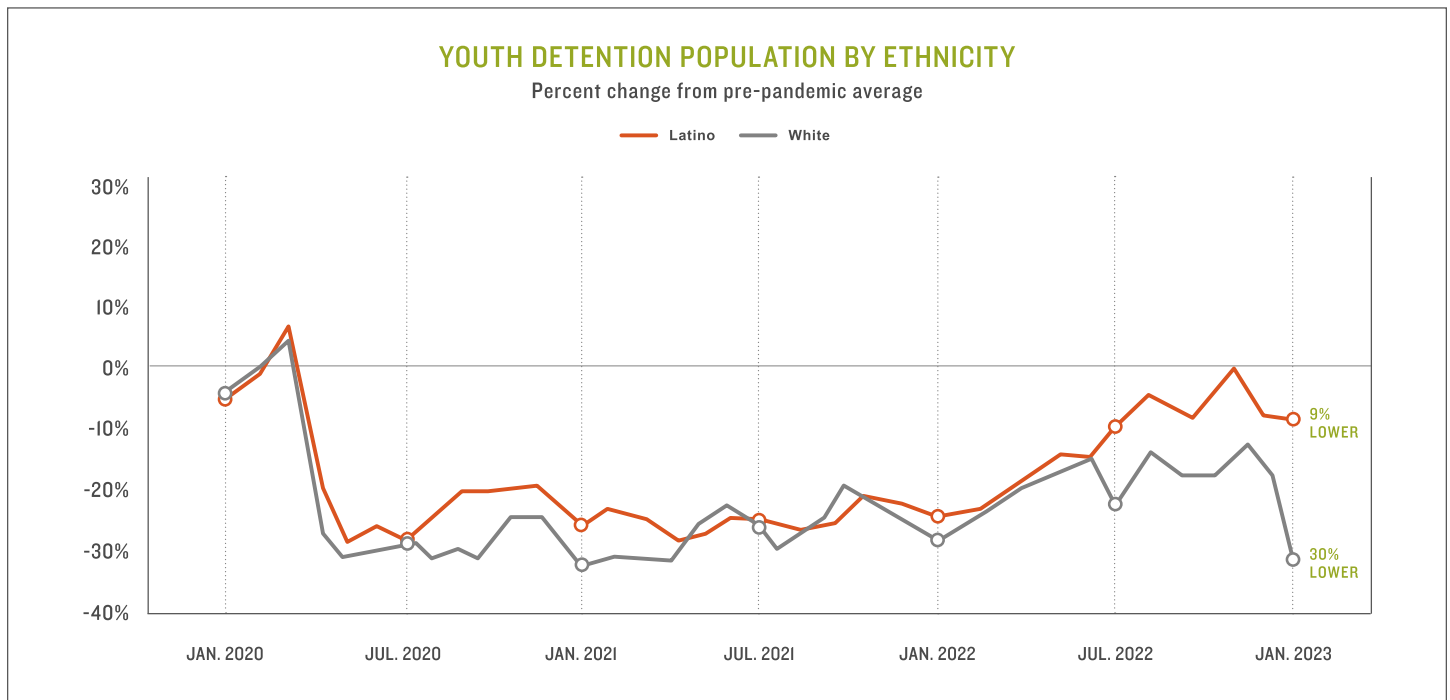


## LATINO-WHITE DISPARITIES

The disparity in the rate of detention between Latino and white youth also has widened but to a smaller degree than between Black and white youth. For most of the period from January 2020 to June 2022, trends in youth detention among Latino youth resembled those among white youth. But in the second half of 2022, a sizable gap emerged. As of January 2023, the Latino youth detention population was 9% below its level of January 2020, compared with a 30% drop among white youth.



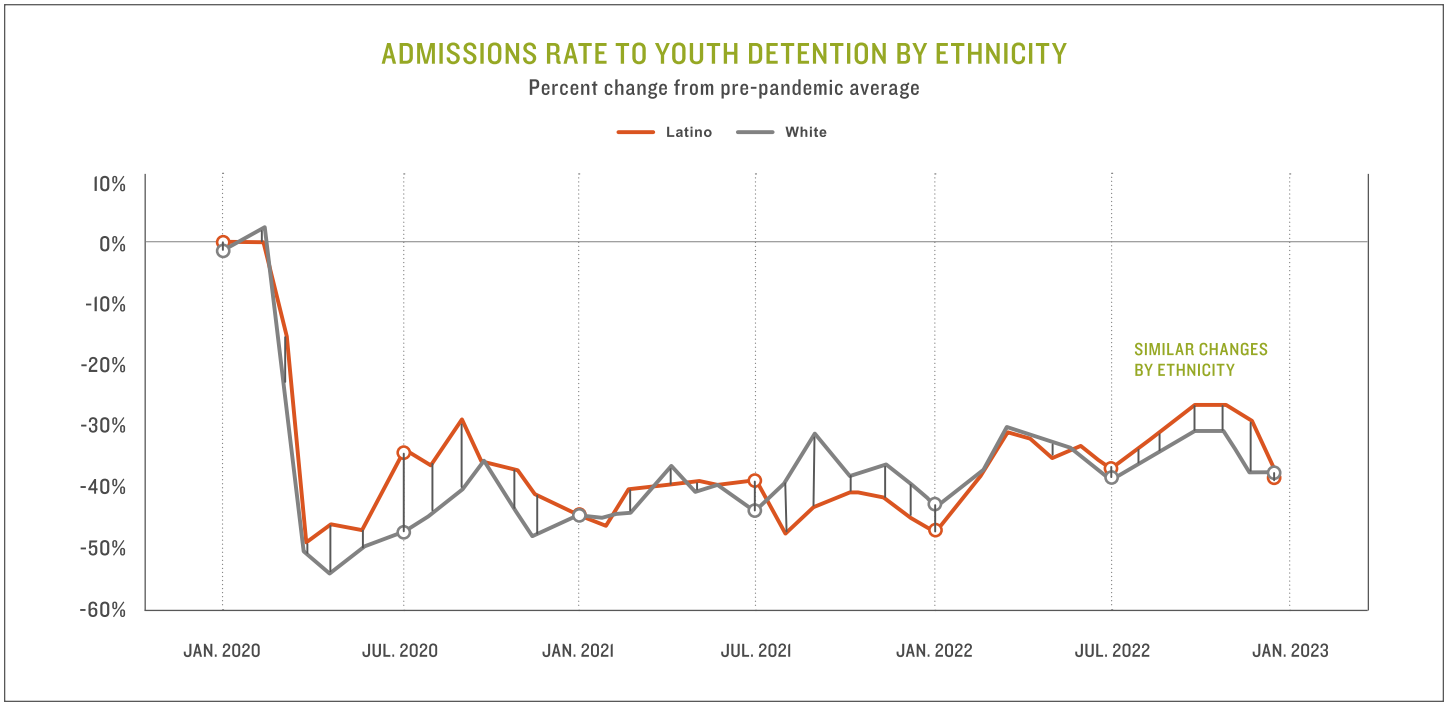
### CHART 10



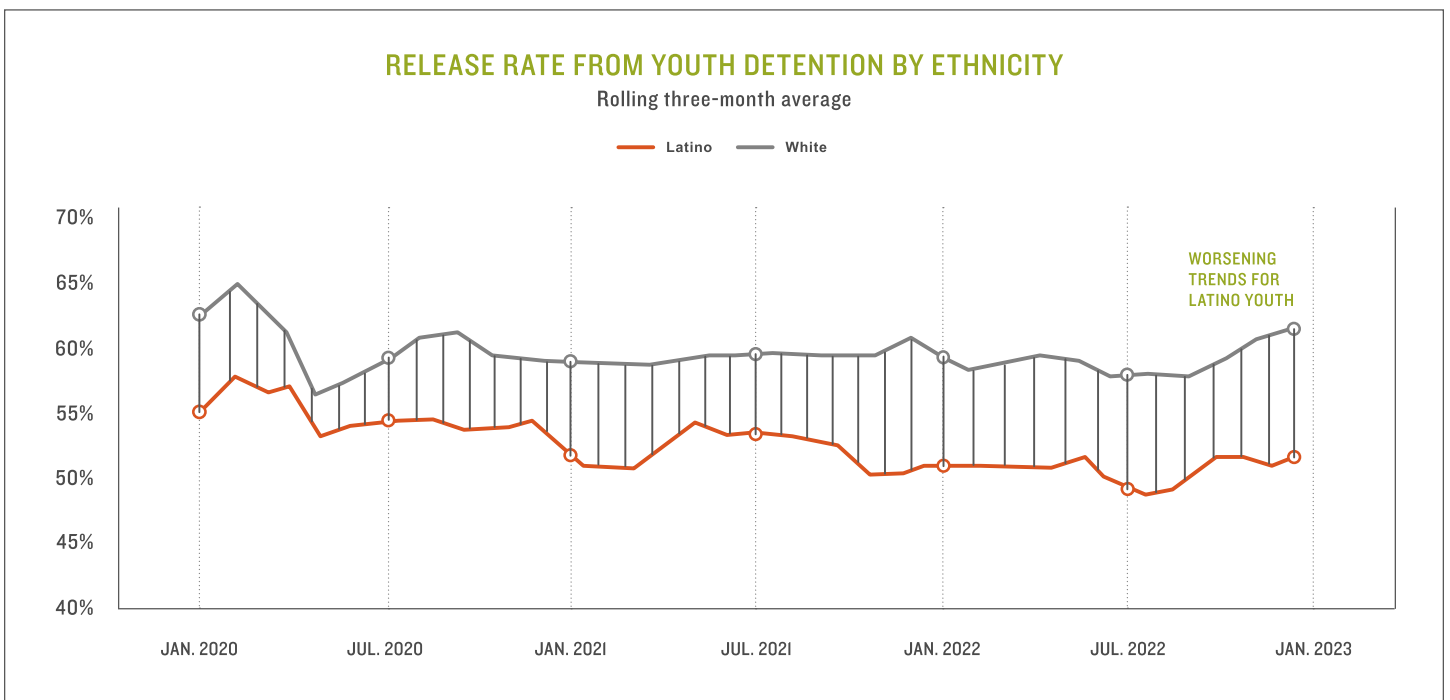
As noted above with respect to Black youth, trends in admissions for Latino and white youth have tracked each other closely. The smaller decrease in detention among

Latino youth is due almost entirely to the fact that the release rate has been slower for Latino youth than for white youth.

## CHART II



## CHART I2

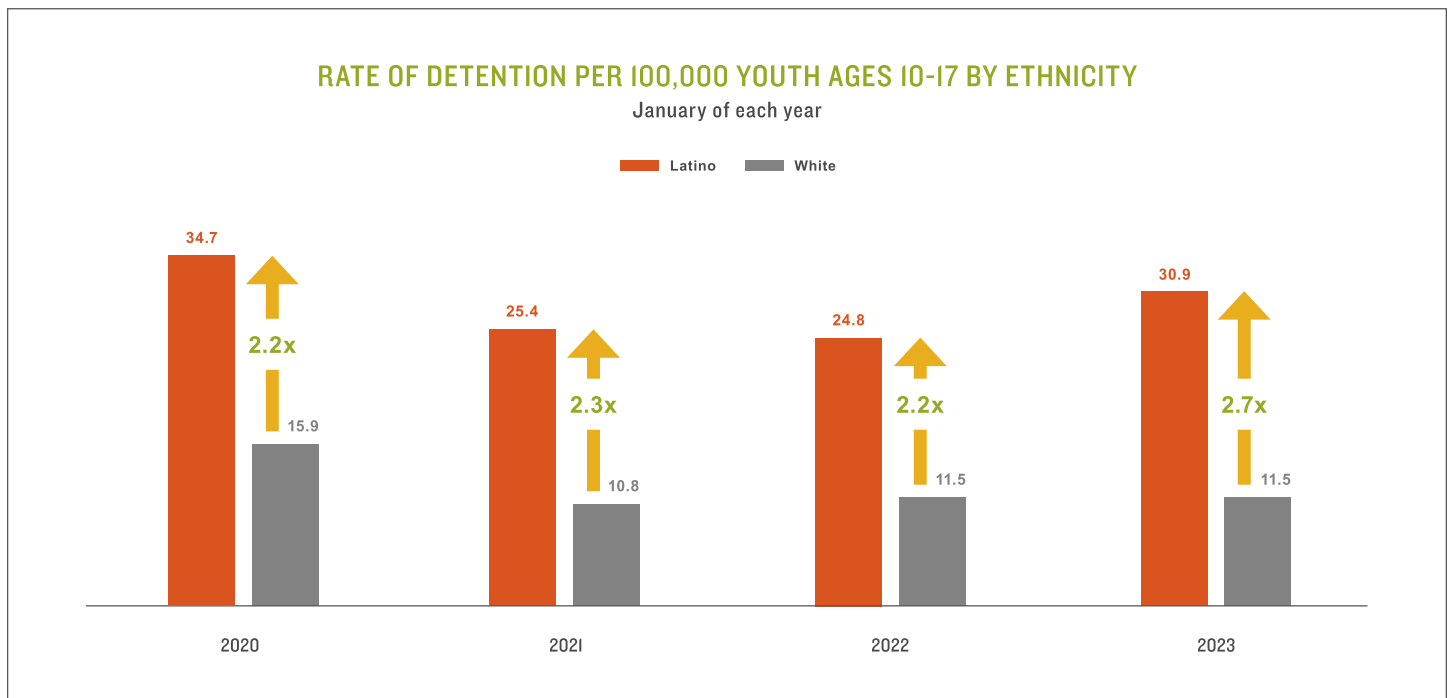




Because of these differences in release rates, the disparity in the rate of detention between Latino and white youth has widened. In January 2020, Latino youth were 2.2 times more likely to be in detention than their

white peers. Three years later, they were 2.7 times more likely to be detained. The increase in that disparity ratio occurred in six months, between June 2022 and January 2023.

### CHART 13



## TRENDS BY PLACE

**Local and regional differences in the use of detention have increased dramatically**, a reminder that most decisions about youth detention are made at the local level. The variances of local decision-making strongly influence the odds that a young person in any given community will be exposed to the harms of detention. “[Justice by geography](#)” has long been a problem in juvenile justice, but these data reveal an unanticipated divide across jurisdictions, as trends have moved in very different directions. [See the sidebar for context on why differences in offense patterns don’t explain disparities in detention by geography.](#)

## BY JURISDICTION

**Chart 14 illustrates one manifestation of the growing divide across sites.**<sup>1</sup> Just over half the sites had a higher detention population from November 2022 to January 2023 than they did in the first three months of 2020, while just under half were detaining fewer young people than before the pandemic. One might suppose the sites that were most successful in keeping their detention populations low would look very different from those that struggled. But the data tell a surprising story: Sites with the highest and lowest detention populations had virtually identical detention rates in early 2020.

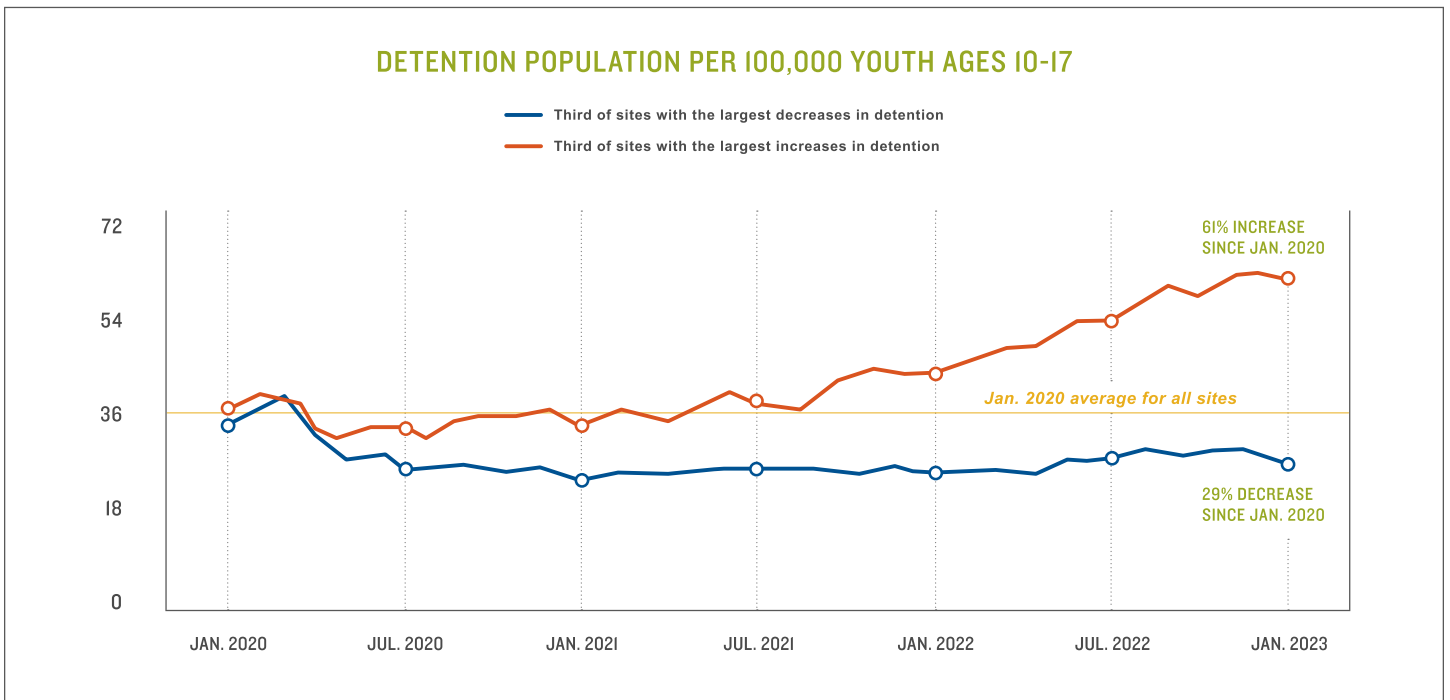
From very similar starting points, these two groups of sites began to diverge in the summer of 2020, mostly due to a sharp slowdown in the pace of releases in the

sites with the largest increases in youth in detention. The gap widened dramatically starting in late 2021, as the sites with the higher levels of detention saw an uptick in admissions and an even more severe slowdown in releases. By January 2023, those sites were detaining 61% more young people than before the pandemic. In contrast, the sites with lower levels of detention kept the rate of admissions close to pandemic-era lows and kept release rates closer to pre-pandemic levels, which led to a 29% decrease in the detention population over the same period.

What are these better-performing sites doing? [Research](#) by four national research and advocacy organizations — the Center for Children’s Law and Policy, Justice for Families, the Justice Policy Institute and the National Juvenile Justice Network — report that communities took different approaches to significantly reducing youth confinement and supporting young people at home during the pandemic. For example, in New York City, probation, law enforcement and prosecutors collaboratively developed a new screening process that allowed [young people to be assessed at the police station](#) and released to their parents more quickly after an arrest, when appropriate. The Juvenile Probation Department in Harris County, Texas — home to Houston — [created a full-time position](#) to expedite release for youth ready to return home and develop creative solutions for young people who had been in detention for a long time. And [virtual programming expansions](#) made it possible for young Maryland residents on the remote Eastern Shore to access treatment not previously available in their communities from a service provider in the western part of the state, almost 300 miles away.

<sup>1</sup> This comparison between sites with the lowest and highest levels of detention is limited to sites with a population of youth ages 10 to 17 greater than 12,000. Because sites with very small youth populations tend to have close to zero young people in detention, trends in those sites are not comparable to larger sites. Sites included in this analysis contain more than 97% of the youth residing all survey sites, and 96% of the detained population in all survey sites as of January 2023.

## CHART 14

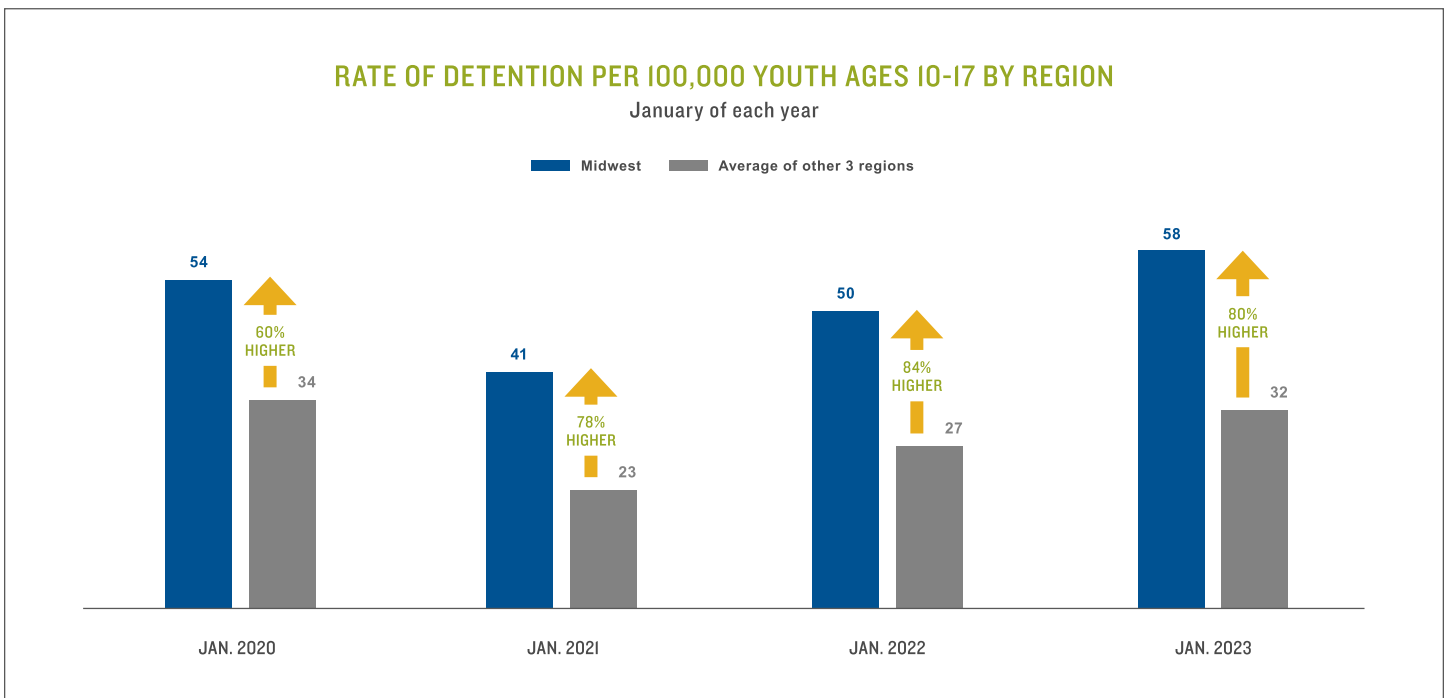


## BY REGION

Chart 15 illustrates another aspect of the expanding geographic divide across sites: the large and growing differences in detention rates by region. When we

compare trends by region, using the [U.S. Census Bureau's definitions of Midwest, Northeast, South and West](#), survey sites located in the Midwest had a detention rate 60% higher than those in other regions in January 2020. Three years later, that gap had grown to 80%.

## CHART 15





# THE INTERACTION OF REGION AND RACE

In every region, rates of detention are much higher for Black and Latino youth than for white youth. Also, disparities in the rates of detention across those racial and ethnic groups have widened over the past three years across all regions. But detention rates for youth within any given racial and ethnic group, and the size of the disparities between different racial and ethnic groups, vary widely by region. In other words, **while race affects the odds of detention everywhere, the specific way that race matters depends on place.** The interaction of these two factors — neither of which is within the control of any young person — exerts enormous influence on who gets detained and for how long. [See the sidebar for context on why differences in offense patterns don't explain disparities in detention by race or geography.](#)

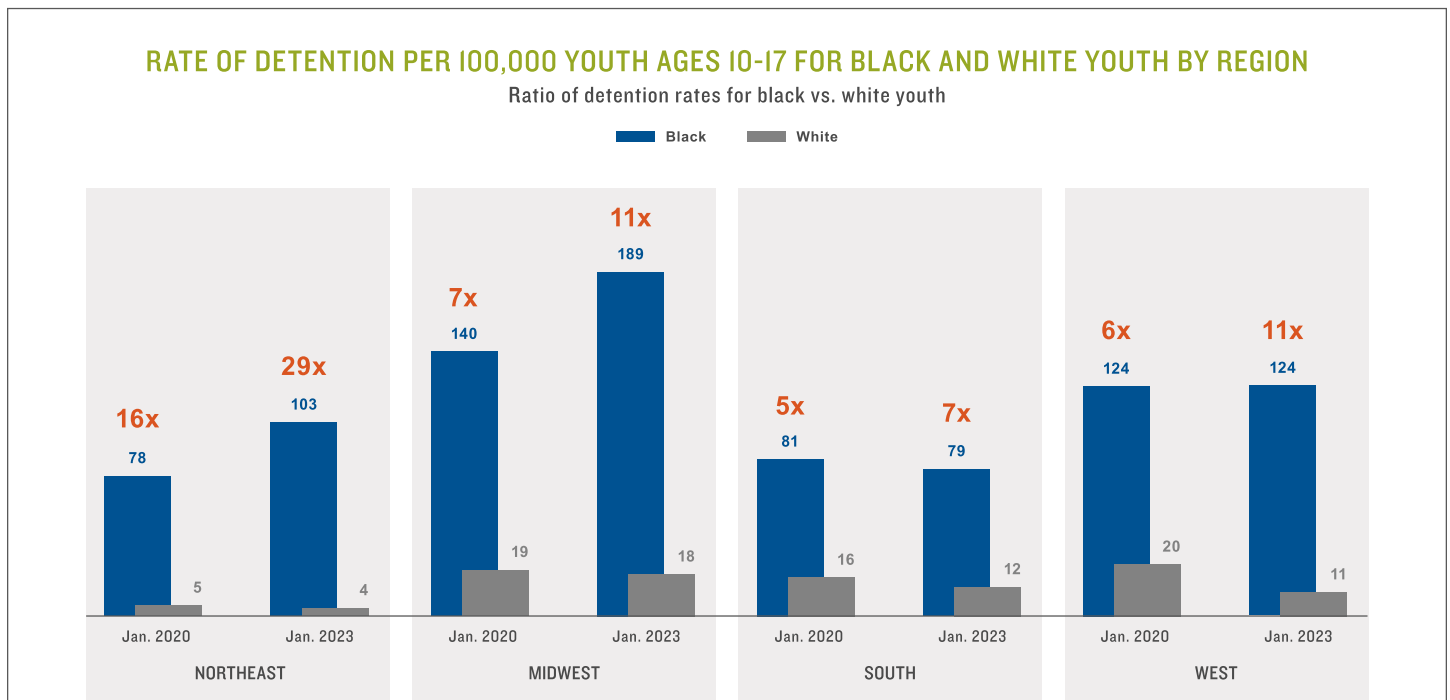
The survey reveals an interaction between place and race that has produced astonishingly large disparities in the treatment of Black and white youth.

- In sites located in the Northeast, Black youth are 29 times more likely than white youth to be in detention,

and the disparity has grown by 81% since the start of the pandemic. This was the biggest increase among the four regions and occurred in the region where that ratio was already the highest before the pandemic.

- In the Midwest, the rate of detention for Black youth shot up by 35%, while the white rate dropped slightly.
- The South had the smallest Black-white disparity of any region before the pandemic. But even there, the detention rate among Black youth has gone from five times the rate of white youth in January 2020 to seven times the rate of white youth just three years later, due to a decrease in detention among white youth.
- In the West, the Black detention rate is the same as it was in January 2020. Yet the ratio of Black-to-white detention rates nearly doubled – from 6-to-1 before the pandemic to 11-to-1 in January 2023 – because the white detention rate was cut almost in half.
- Looking across regions, a Black youth from sites reporting in the Midwest is 47 times more likely to be in detention than a white youth in the Northeast.

## CHART 15

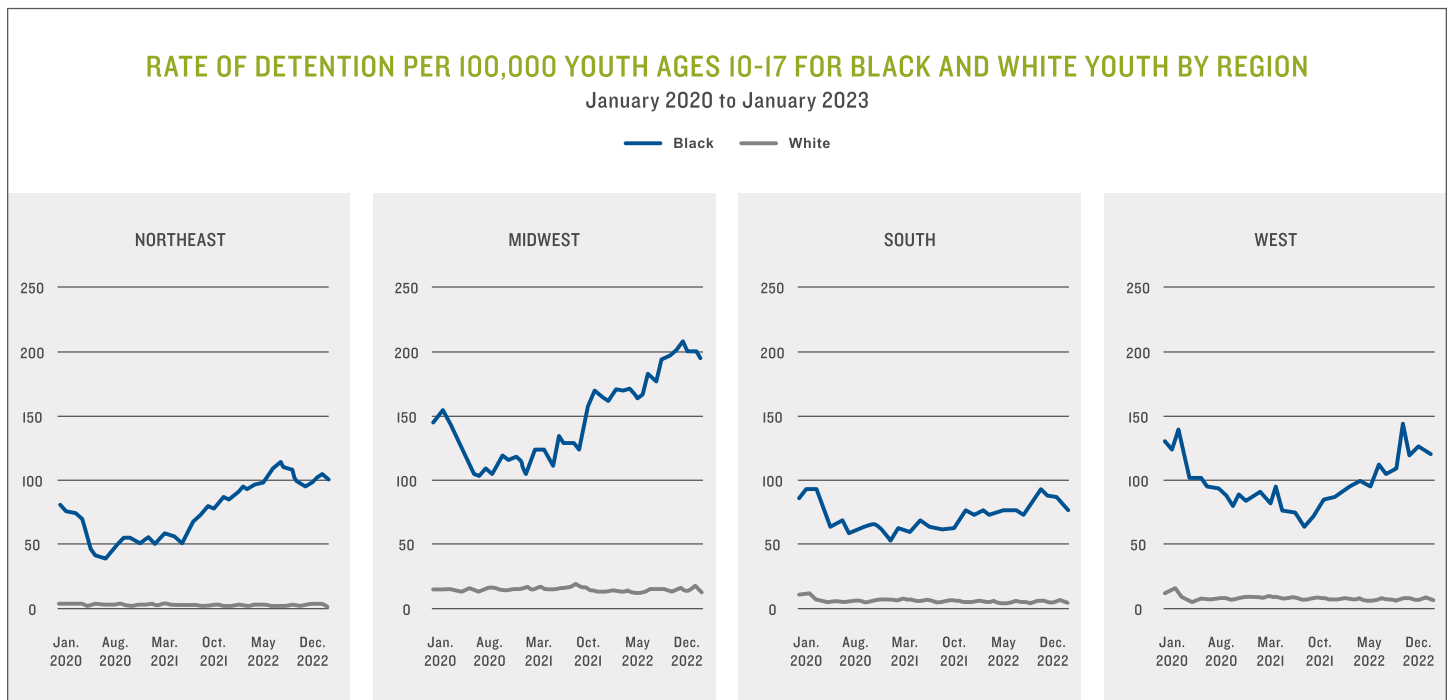


These disparities have grown, even as admissions to detention remain below pre-pandemic levels for all racial and ethnic groups. **Across all four regions, disparities between Black and white youth have grown primarily because the pace of releases has slowed significantly for Black youth.** This trend was especially pronounced in the Northeast: From January through March 2020 to October through December 2022, the average release rate for Black youth plunged from 46% to 27%. Yet during that same period, the average release rate for white youth sped up, increasing from 42% to 44%.

The result of the interaction of place and race paints a sobering picture: **When it comes to the odds of being detained, young people in the United States live in different worlds, depending on their race and the region and jurisdiction where they reside.** The chart below shows rates of detention for white and Black youth for sites in each region of the country.

- **Black youth:** Detention rates were much higher for Black youth than for white youth in every region and in every month over the past three years. But they have been much higher in the Midwest than in other regions. Rates for Black youth have risen relentlessly since 2020 in the Northeast and Midwest, while in the South and West they fell until early 2021, then rebounded through the end of 2022. As a result, the number of Black youths in detention has ranged from as low as 37 per 100,000 in the Northeast in August 2020 to as high as 207 per 100,000 in the Midwest in October 2022.
- **White youth:** Detention rates among white youth have been comparatively low and stable, especially in the Northeast where they have ranged from 3 to 6 per 100,000. Detention rates for white youth have been highest in the Midwest, ranging from 14 to 24 per 100,000. But in every region, the detention rate for white youth was lower in January 2023 than three years earlier.

## CHART 16





## DIFFERENCES IN OFFENSE PATTERNS DON'T EXPLAIN DISPARITIES IN DETENTION BY RACE OR PLACE

When analyzing these shifts in youth detention by race and place, the Casey Foundation considered whether they could be due to the prevalence or seriousness of youth offending across racial and ethnic groups and regions, rather than the decision-making of adults in the youth justice system.

Could it be, for example, that detention is increasing faster among Black youth than among white youth because the rate and severity of offending has increased faster among Black youth than among white youth? Or that detention is higher and rising faster in the Midwest because that region has seen higher and worsening rates of serious youth crime?

Unfortunately, the fine-grained data to definitively answer those questions are not yet available. This is due to [well-documented shortcomings](#) in national data on crime (including data about crimes committed by young people in the three years since January 2020) and because Casey's survey was not designed to capture that

information as there are variations across jurisdictions in how offense information is captured, categorized and validated at the point of detention admission.

But research and experience give ample cause for doubt that the widening disparities — by race and ethnicity, by locality and region — can be attributed to changes in young people's behavior. The relationship between the youth detention population and youth crime has always been ambiguous. [Rigorous studies](#) have consistently shown that non-white youth referred to juvenile courts are more likely to be detained than similarly situated white youth, even when controlling for types of offending and other factors. [National statistics](#) show that non-white youth, and especially Black youth, are more likely to be detained than white youth across every category of offending. Similarly, although [juvenile arrest rates for different types of offenses](#) vary widely across states, those differences do not correspond with or explain differences in the [detention rates](#) across those states.

We have concluded that race and place have strongly influenced the rate of youth detention since 2021, as they have in the past. Decisions about which young people to detain and for how long are made by adults in the juvenile justice system. Those decisions always have been strongly influenced by community norms and mores, as well as the availability of and equitable access to resources and opportunities in the community.

# CALL TO ACTION FOR YOUTH JUSTICE LEADERS

The data from this survey strongly suggest that the juvenile justice system has emerged from the pandemic era profoundly changed, and in ways that should leave us all deeply concerned and motivated to do better. The surge in the use of youth detention in many parts of the country and the huge and growing racial disparities everywhere are crises that demand immediate action from youth justice system leaders.

These trends are reversible if youth justice leaders heed the research and evidence of what works to help young people reach their potential — especially young people facing steep obstacles to success. Removing youth from their homes and routines and isolating them from their natural support systems make things worse, not better.

System leaders should commit to preventing the negative outcomes they foretell by taking the following actions:

- maximize diversion from formal court processing for the vast majority of cases;
- expand availability and access to detention alternatives that allow young people to remain in and return to their communities;

- expedite releases from detention for young people and accelerate the pace of case processing to at least pre-pandemic levels so that fewer young people are stuck in detention in the future;
- invest in partnerships with community-based organizations to increase public safety, promote youth development and bring healing to those who have been harmed, without resorting to legal system involvement;
- pursue all these strategies with an explicit, urgent focus on eliminating the disproportionate detention of Black youth, who have borne the brunt of the backsliding that has occurred in many places since the pandemic; and
- respond to the growing detention population and surging racial disparity crises with a level of concern that demands compassion, commitment, collaboration and creativity.

By acting with urgency and rigor, juvenile justice systems across the country can align policies and practices to ensure young people are detained only as a last resort and no longer than necessary, resulting in improved well-being for thousands of young people, their families and communities.



## ABOUT THE SURVEY

[This survey](#), conducted each month since the coronavirus pandemic began in March 2020, is aimed at assessing its effects on juvenile justice systems across the country. This analysis is based on reports from 123 jurisdictions in 33 states, representing 26% of the nation's youth population (ages 10 to 17), for which data have been submitted for 36 consecutive months from January 2020 through January 2023. For the data disaggregated by race, the analysis is based on reports from 110 jurisdictions across 29 states, containing 23% of the youth population. Juvenile justice systems both within and outside of the [Juvenile Detention Alternatives Initiative](#)<sup>®</sup> (JDAI) responded.

The data for the regional analysis come from 10 jurisdictions in the Northeast (representing 23% of the region's youth population); 65 in the Midwest (33% of the region's youth); 34 in the South (24% of the region's youth); and 14 in the West (26% of the region's youth).

Data on the youth population (ages 10 to 17) are 2020 population estimates (the most recent year available) from the National Center for Health Statistics, downloaded from the Office of Juvenile Justice and Delinquency Prevention [Statistical Briefing Book](#).

The Monthly Detention Survey represents a non-random sample of youth justice systems in the United States, and aggregates from this survey should not be regarded as national or regional estimates.

[Read more about how the survey is conducted and see previous data releases.](#)

## ACKNOWLEDGMENTS

This analysis is possible thanks to state and local juvenile justice agencies who shared their youth detention data. Participation rates exceeded our expectations and enabled robust analysis of trends over time. The Foundation appreciates the agencies' willingness to provide the field with near-real-time glimpses into the levers controlling the size of the detained population.

Without such a concerted effort, no one would have a national picture of how young people fared in the juvenile justice system during the pandemic. [National data on confinement](#) wasn't scheduled to be collected until the fall of 2021 — 18 months after the pandemic began — and likely wouldn't be reported publicly until 2023, at the earliest.

Tom Woods, a senior associate with the Foundation's Juvenile Justice Strategy Group, supervises the Monthly Youth Detention Survey project and was the lead data analyst for this project. The Foundation gratefully acknowledges the contributions of Jason Melchi and Amanda Petteruti of [Empact Solutions](#), who have built, maintained and enhanced the survey's technical infrastructure.