

# JUVENILE DETENTION AS A DISPOSITION

## Statement of the Issue:

The purpose of juvenile detention has historically been for "the temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own or the community's protection." (Definition of Juvenile Detention, adopted by NJDA Executive Board on 10-31-90). However, use of juvenile detention by the court as a sentence has increased in recent years. This increase has been accompanied in many jurisdictions with statutory changes authorizing such use. This shift in detention use has resulted from the court's desire for additional sanctions which may be imposed on youth who violate the law or a court order.

## Nature of the Issue:

- Use of juvenile detention as a dispositional option emphasizes punishment over behavior change.
- Use of juvenile detention as a dispositional option mixes populations and may adversely affect treatment or programming.
- Use of juvenile detention as a dispositional option may aggravate overcrowding in juvenile detention centers.
- Use of juvenile detention as a dispositional option is often utilized simply because other, more preferable, alternatives are not available.
- Use of juvenile detention as a dispositional option discourages the development of more appropriate, less costly alternatives.
- Use of juvenile detention as a dispositional option may result in the negative influence of institutionalization and deny the opportunity for positive experiences in the community (i.e. school, religious activities, sports, family involvement).

## Position Statement:

In accordance with the Definition of Juvenile Detention adopted by the Executive Board of NJDA, the National Juvenile Detention Association supports the prohibition of the use of juvenile detention as a dispositional option. The NJDA supports the development of more appropriate and less costly alternatives in order to eliminate the use of juvenile detention as a disposition.

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