Pennsylvania’s Detention Bed Crisis: An Opportunity for Change
BACKGROUND

There are limited service and placement options for youth who commit serious offenses in the community. The Pennsylvania juvenile justice system, specifically detention, continues to experience long waitlists related to workforce shortages in services, among other factors, for youth entering the system. The total number of licensed agencies in Pennsylvania for secure detention is 13, however, only 6 of these facilities offer open access to all counties, resulting in significant unmet placement needs within the system (JCJC, 2023).

Detention is a small part of the larger juvenile justice system. The purpose of detention is to provide temporary, secure, and safe custody to youth who are involved in the juvenile justice system process. In Pennsylvania, secure detention beds are used only after less restrictive alternatives have been considered and rejected. The Juvenile Act and Pennsylvania Rules of Juvenile Court Procedure authorize the secure detention of juveniles for brief periods of time and for very limited purposes. Detention services are utilized when other methods of service delivery cannot ensure community safety. A 2023 report by the Pennsylvania Juvenile Court Judges Commission (JCJC) calculated the average and median length of stay in detention placements to be 27 and 14 days, respectively, in 2022.
Community safety can be at risk when there are not enough secure detention beds to meet the needs of the number of youths entering this level of service. In a study conducted by the Juvenile Court Judges Commission (2021), between June 2021 and October 2021, a five-month period, there were at least 62 instances of juvenile probation departments making a detention request that resulted in placement alternatives to detention or the release of a juvenile due to the lack of available secure detention beds.

Among those 62 cases, there were at least 10 instances of those released youth either committing a new offense before their scheduled court hearing or failing to appear for their scheduled court hearing (JCJC, 2021). Alternatives to detention are programs that increase supervision of a youth to help prevent them from committing new law violations and make sure that the youth appear in court.
National trends show lack of access and detention bed crisis contributors include gaps in the continuum of services to meet the various levels of care, workforce shortages, and overutilization of detention services for low-level or non-violent offenses.

<table>
<thead>
<tr>
<th>STATE</th>
<th>CHALLENGES</th>
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<tr>
<td>Illinois</td>
<td>During an inspection at the Franklin County Detention Center, the Illinois Department of Juvenile Justice found extremely low staffing levels at the facility (2022, Baillie).</td>
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<td>Kentucky</td>
<td>At the time of the report there were 98 vacancies for eight juvenile detention centers across Kentucky. Kentucky determined that staffing and pay will address violence and safety concerns (Harkins, 2023).</td>
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<td>Louisiana</td>
<td>Louisiana hit capacity in their facilities and had to utilize cots to accommodate referrals (Killett, 2023).</td>
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<td>Maryland</td>
<td>Eleven workers at the Frederick County Detention Facility were injured during a youth riot due to low staffing (Moy-Santos, 2018).</td>
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<td>State</td>
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<td>Michigan</td>
<td>Wayne County officials asked legislators to support a $150 million allocation to the Department of Health and Human Services to offer enough detention beds to solve the statewide shortage (Boucher &amp; MacDonald, 2023).</td>
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<td>New York</td>
<td>Article addressed retention issues among Youth Development Specialists working in juvenile-detention facilities (Friang, 2021).</td>
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<td>North Carolina</td>
<td>There were so many vacant positions that officials were using money that would pay salaries of new employees as an incentive for current staffers to show up to their shifts (Lyons, 2022).</td>
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<td>Oklahoma</td>
<td>The only secure-care facility for youth was at a 42% staff vacancy rate (Branch, 2023).</td>
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<td>Pennsylvania</td>
<td>In order to access secure detention, 76 percent of counties were driving between 1 and 2 hours away, one way. Another 22 percent were driving up to 3 and 4 hours one way (Person, 2023).</td>
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<td>Texas</td>
<td>Staffing shortage in Texas was causing juveniles to await transfer to state facilities causing the facility to no longer accept juveniles (Natario, 2022).</td>
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<tr>
<td>Wisconsin</td>
<td>Youth at Wisconsin facilities were being confined to their rooms because there were not enough staff members to supervise them (Lehr, 2022).</td>
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The previous table shows the national struggles from lack of staff and physical options (beds) for youth everywhere. Pennsylvania recently came under the same detention bed crisis compounded by lack of staff and number of beds available for high-risk offenders in the system (Smith, 2022). Many detention facilities in Pennsylvania have closed due to a reduction in use of these services to provide community-based juvenile justice services (e.g., supervision, group homes, day reporting centers, probation).

Pennsylvania has initiated efforts in recognition of these capacity issues, including legislative initiatives driven by a statewide Juvenile Justice Task Force appointed by former Governor Tom Wolf to analyze the juvenile justice system and provide recommendations for change (PA Juvenile Justice Task Force, 2024). Legislative initiatives include introduction of bills that address fines and fees, placement out-of-state, age-related offenses, etc.

On a practice level, the juvenile justice system utilizes a number of evaluations and assessments to inform and assist in placement decisions. Pennsylvania created the Juvenile Justice System Enhancement Strategy (JJSES) in 2010 (JCJC, 2023). This initiative has helped to identify gaps in the system, while also targeting appropriate services and placement for youth entering the system. This strategy aims to achieve balanced and restorative justice by:

- Employing evidence-based practices, with fidelity, at every stage of the juvenile justice process;
- Collecting and analyzing the data necessary to measure the results of these efforts; and, with this knowledge,
- Striving to continuously improve the quality of decisions, services, and programs (JCJC, 2023).

Recidivism rates have substantially declined, dropping from 21 percent in 2010, before JJSES, to 11.7 percent in 2019 (JCJC, 2022).

Pennsylvania also utilizes evidence-based processes to ascertain whether detention is an appropriate service for youth entering the system through the Youth Level of Service (YLS), an evidence-based assessment, to evaluate risk of recidivism for a youth. This assessment can also help the system identify an appropriate level of service for both the youth and community safety. While placing youth in a family-like setting is a priority, institutional placements are at times necessary for youth that pose a safety risk to their community. Pennsylvania has also seen a remarkable reduction in funds, totaling nearly $200 million, along with increased use of evidence-based and community-based programs for youth (JCJC, 2023).
SCOPE OF THE PROBLEM

While Pennsylvania has made efforts to create a holistic plan for youth entering the juvenile justice system, there are still gaps in service availability, particularly in the detention field. The Juvenile Court Judges Commission (2023) analyzed the gaps in Pennsylvania secure detention beds. Through this analysis, JCJC identified the following factors as contributing to the scope of the secure detention crisis:

1. **Access to secure detention beds is down.** As of April 2023, 404 of 517 licensed beds, were staffed and operational. Challenges around recruitment and retention of staff have also been reported nationally as an issue for both secure detention and the juvenile justice system overall by the National Criminal Justice Association, (LaMartz, 2022). Frequently, detention beds are available, but admissions are denied due to lack of employees to staff those beds (JCJC 2023).

   - Front-line staff hiring and retention challenges are severe and multifaceted nationwide. Almost 90% of all corrections agencies reported moderate or severe challenges with hiring and retaining front-line facility staff, with vacancy rates as high as 30-40% (CSGJC, 2023).
   - The causes for this staffing crisis are also multifaceted and do not allow for quick or easy fixes. Causes can include emotional nature of cases and staff burnout, low starting salaries and inadequate salary increases, insufficient training and wellness supports, working conditions and changing nature of the work, generational divides, mission confusion and skill mismatches, and bureaucratic barriers (CSGJC, 2023).
   - The consequences of the staffing crisis are far-reaching, impacting all aspects of juvenile justice operations, supervision, and service delivery. The staffing crisis has had a negative impact on staff morale, service availability, consistency and quality of supervision, alignment with research and best practices, adherence to agency policy, youth and family engagement, staff and youth safety, reform implementation and sustainability, and conditions of confinement (CSGJC, 2023).

2. **Some juvenile probation departments are more impacted by the crisis than others.** Five of the thirteen detention facilities are utilized by just five counties. 57 of 67 counties must vie for beds at just six facilities in Pennsylvania (JCJC, 2023).

3. **Limited access to residential placement facilities, particularly the state-operated Youth Development Centers/Youth Forestry Camps, is further exacerbating the issue.** Many youths housed in detention are awaiting a residential placement bed to open but must remain in detention until they can be transferred (JCJC, 2023).

4. **Since December 21, 2021, the effective date of the “Interest of Justice” determination requirement of the federal Juvenile Justice and Delinquency Prevention Act reauthorization, an influx of youth historically housed in adult jails are now being held in secure juvenile detention facilities (JCJC, 2023).**

5. **The median length of stay in detention has increased, further limiting the availability of beds.** The average and median length of stay has increased, from seventeen and eleven days, respectively, in 2018 to twenty-seven and fourteen days, respectively, in 2022 (JCJC, 2023).
THE GAP IN PENNSYLVANIA

The Juvenile Court Judges Commission analyzed the gaps in Pennsylvania regarding detention beds (JCJC, 2023). Pennsylvania has a total of thirteen secure detention facilities. As shown in the image below, there are geographical gaps in the locations of the facilities.

- There are no secure detention facilities located in the Northeast Region.
- Though there is at least one facility in each of the North Central, South Central East, and South Central West Regions, not all of those facilities are open to all the counties in that region. For example, The Lancaster Youth Intervention Center is only open to referrals from Lancaster County, but there are 8 counties in that region.
This table shows the projected needs, operational capacity, licensed capacity and building capacity of each region. Again, the Northeast region has a projected need of 22 beds, with 0 operational, licensed, and building capacity. Overall, the operational capacity is lower than licensed capacity, indicating a challenge with recruitment and retention to staff the beds available.

(Source: JCJC, 2023)

This image map shows the availability of beds vs. the need for beds by region. In five of the seven regions, the need for beds is higher than the available beds. It is important to note again that not all detention facilities are open to all counties or regions. So, while beds may be available, it does not mean they are accessible.

(Source: JCJC, 2023)
PCCYFS conducted a review of potential solutions, including a study of initiatives that have been proposed in other states. As mentioned earlier, the challenges that result in the current detention bed crisis are multifaceted and complex; there is no single solution to the problem. However, PCCYFS proposes the following solutions as necessary and important steps to help alleviate the detention bed capacity challenges faced in Pennsylvania.

1. **Reducing the population of youth utilizing detention services by supporting a full juvenile justice service continuum**
   - Supporting a full juvenile justice continuum from prevention to detention allows for youth to be placed in the setting most appropriate for them. This can also reduce waitlists at all levels for treatment. When less restrictive services are not an option, inaccessible, or cannot ensure community safety, detention services are an alternative.
   - Example: Ohio focused on community collaboration for special programming to reduce reliance on detention including day treatment reporting, advocacy and mentoring services, Family Functional Therapy, Multi-Systemic Therapy, Family Navigator Program, and Probation Services (Lucas County Juvenile Court, 2019).

2. **Change infrastructure and increase funding**
   - Promote resources and funds to change detention environments to shift towards a network of smaller, therapeutic, regional secure detention. As shown in the gap analysis maps above, there are not enough secure detention sites across Pennsylvania to serve all local needs. Regional sites also offer greater accessibility to family members. Further, smaller environments can provide for a more therapeutic environment and promote recruitment and retention of staff. Pennsylvania can also realign the training expectations so that residential and detention services training are in alignment.
   - Funding should also be consistent for facilities, meaning that currently many organizations are paid only when a bed is filled, which has implications for staffing and the workforce. Organizations should be able to maintain a staff regardless of whether every bed is filled in order to maintain consistency and quality, which is most important for the children and youth they serve. This would include reviewing and changing Act 148 to increase state participation rates to support the current juvenile justice system.
   - Example: California passed legislation to redirect funding and budget to create infrastructure for each county to have a designated facility for youth placements (Rosales, 2021).
Virginia has shifted their focus to reliance of a network of small, secure programs that are “home-like” for serious offenders with generally fewer than 20 youth per facility (JLARC, 2021).

3 Address the workforce shortage

By offering pay increases, smaller youth to staff ratios, and reformed onboarding training, there is an opportunity to recruit and retain highly qualified staff to work with this population of youth. Highly qualified staff are trained often through their chosen profession (Human Services, Social Work, Counseling, Psychology, Criminal Justice, etc.) to understand how to work effectively with youth populations, including an understanding of trauma and methods to address different mental and behavioral health needs.

Example: Michigan has created a new contract for service providers with financial incentives including paying for maximum beds available vs only the ones being occupied (Hertel, 2022). By paying for the maximum beds available, facilities are able to pay for the staff needed to cover all beds.

Texas is implementing immediate interventions including pay increases and buddy system that focus on reducing youth population in detention services and addressing workforce shortage issues (TJJD, 2022).
CONCLUSION

As in any system, there is always room for improvement and growth. By implementing these recommendations, Pennsylvania can improve services to youth entering the juvenile justice system as the system was envisioned to do. However, there must be consideration for broader change and innovation to execute each process; a single part of the system cannot succeed without others. Similarly, supporting the detention bed crisis requires reform across multiple gaps. While there continues to be challenges within detention services for youth in the juvenile justice system, Pennsylvania has continued to improve the quality of services for the benefit of these youth.

REFERENCES


