

# Confinement of Juvenile Offenders

## Highlights of Report 14-01

February 13, 2014

### The Average Daily Custody of Confined Juvenile Offenders Has Decreased

The data included in recent national reports that drew conclusions about Idaho's youth confinement rate was erroneous. We learned that the average daily custody of juvenile offenders committed to state custody has decreased from its high in 2000. Further, the data available on the average daily custody of locally detained juvenile offenders shows that the number of youth in detention has decreased from its high in 2008.

### Juvenile Rule 19 of the Idaho Supreme Court Outlines Commitment Criteria

A juvenile offender must meet certain criteria to be considered for commitment to state custody. After determining if the offender meets the Rule 19 criteria, a judge makes the decision about whether commitment is the best option available to promote offender accountability, competency development, and community protection. A lack of appropriate, community-based programming is one of the criteria.

### Diversion Programs Vary by County

One method used to limit youth contact with the juvenile justice system is to divert youth into a community-based program. Counties have set up diversion programs that differ from one another in design and eligibility. This inconsistency raises questions about whether enough of the appropriate youth are diverted.

### Recommendations

Our recommendations to the juvenile justice system largely involve the collection, tracking, and reporting of additional information, specifically about detention, Rule 19 criteria, and diversion.

#### Average Daily Count of Juvenile Offenders

490 committed offenders in 2000  
337 offenders in 2012

260 detained offenders in 2008  
184 offenders in 2012

### Considerations for Policymakers

Our report offers four considerations for policymakers:

Specify those circumstances or factors that should be included as commitment criteria, especially if circumstances or factors policymakers believe to be important are not currently included in Rule 19.

Clarify how juvenile offenders released from state custody should receive supervised probation. Upon release, offenders must meet certain probationary terms, but stakeholders disagree about those terms because statute lacks clarity.

Prioritize which types of cases should be eligible for diversion to ensure those factors are taken into account when deciding whether to divert a case.

Direct state efforts toward prevention and early intervention. National literature discusses managing juvenile offenders in the least restrictive environment, thereby allowing the juvenile justice system to focus on high-risk offenders that pose public safety risks.

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