

## Although the “get-tough” approach is popular among the American public and policymakers alike, incarceration does not reduce crime.

*The prevalence of crime has been of great concern to policymakers for decades, with many factors being blamed and many solutions suggested. Since the 1970s’ punitive incarceration policies have found favor, and are now being replicated for juvenile offenders as well. Using state-level data on crime and juvenile residential placement (which have now become very similar in their operations to those of adult facilities), **Marika Dawkins** finds that such placements do not lead to a reduction in juvenile offending or crime. She argues that, in this light, community-based sanctions as well as greater support for families should take precedence over institutionalization.*



The debate on how to address crime has been ongoing for decades. Policymakers and proponents of incarceration often feed into the public’s sentiment by advocating a “get-tough” approach on crime. This is partly because the American public seems to support punitive measures for offenders, especially those accused of serious crimes. But such support is sometimes regarded as fickle, given the frequency with which the focus changes from increasing punitive measures to a more humanistic approach guided by rehabilitative ideals. In new research that looks closely at the effects of residential placement on juvenile crime, we find that, much like adult incarceration, the policy does not lead to a reduction in juvenile offending or crime.

In its attempts to fight crime, incarceration has been the U.S. primary policy, at least from the beginning of the 1970s when the American public begun demanding more punitive sanctions for offenders. This is based on the notion that incarceration is expected to serve as a deterrent to criminals and would-be potential offenders. As a result, the deterrence theory of **Jeremy Bentham** and **Cesare Beccaria**, which suggests that any criminal law that emphasizes clear penalties for law violation will discourage both individuals and the public from committing crimes, has helped supporters of incarceration justify the need for more punitive measures. The deterrence approach has been a goal of the criminal justice system, but not the juvenile justice system which focuses on individuals under 18 who violate the criminal law.

However, when juvenile offending increased dramatically between the mid-1980s and early 1990s, supporters of incarceration decried the rehabilitative approach of the juvenile justice system and **demand**ed that juveniles be punished in a similar manner to adults for serious offenses. Thus, the deterrence approach has also become a primary goal for the juvenile justice system as the protection of the public became the main focus for both justice systems. This marked a drastic change for a juvenile justice system whose primary goal was to rehabilitate offenders and focus on the best interest of the juvenile, but the protection of society is one that could not be ignored.



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Residential facilities were created in response to the demand for the “get-tough” approach on juvenile offenders. Although these facilities were designed to serve mainly as treatment centers for troubled juveniles, they are also regarded as a mechanism for combatting serious juvenile offenses. In addition, the actual operation of these facilities is synonymous with adult correctional facilities-jails and prisons.

The evidence suggests that the treatment of juveniles in residential placement is no different than the treatment of adults in correctional facilities. Many of the problems associated with juveniles in residential facilities are also similar to adult facilities. For example, many residential facilities are located in remote areas where visits from families, often poor, is a challenge. In addition, solitary confinement and transfers between facilities are also **common**. Individuals in both types of facilities suffer from stress, some form of mental illness, and suicidal thoughts based on the harsh and overcrowded conditions of both types of **facilities**. Given these similarities, a comparison between juvenile residential facilities and adult correctional facilities is warranted. And, although residential facilities vary greatly in their operation and mission, the placement of juveniles in residential facilities is essentially incarceration by another name.

Despite this evidence, very little research or literature exists on the effect of residential placement on juvenile delinquency. On the other hand, the literature examining the impact of incarceration on crime is well-established. Using the adult literature on incarceration and crime as a guide in addressing the effect of residential placement on juvenile delinquency, my colleague and I analyzed biennial state-level data on residential placement from the Census of Juveniles in Residential Placement (CJRP) from 1997 to 2010 and corresponding crime data from the Federal Bureau of Investigation (FBI) from 1998 to 2011, where we find that residential placement does not lead to a reduction in juvenile offending or crime. Based on the deterrence theory, these findings are unexpected. Again, comparing the findings to the ones in the adult literature where the crime reduction potential of incarceration seems suspect, especially long-term, bolster our argument that incarceration is ineffective as a crime deterrent.

Although the “get-tough” approach is popular among the American public and policymakers alike, incarceration does not deter criminality. As one **report** suggests, institutionalization must be considered as a last resort because the conditions associated with it may perpetuate law-violating behavior. The evidence suggests that individuals who are institutionalized are those already fraught with corrupting influences and social problems. In other words, these are individuals who are already at a great disadvantage in our society. So alternatives to institutionalization should take precedence over a more punitive policy.

While it is unwise to dismiss any potential crime reduction or rehabilitative effects of incarceration, it is evident that the punitive nature of institutionalization outweighs the crime reduction benefits. The criminogenic (a place or

situation likely to lead to crime) environment of incarceration only serves to [increase](#) the likelihood of future criminality, especially when the gap between the juvenile/offender and positive influences (such as parental involvement or community attachment) increases.

Finally, there is little focus on the actual causes of crime and/or delinquency, as evidenced by the emphasis on institutionalization. The focus on institutionalization should be reduced, except in cases where offenders are incorrigible and cannot be treated in the community. In other cases, community sanctions should take precedence over institutionalization. After all, offenders will eventually return to the communities that initially rejected them. Perhaps it is not a popular sentiment among the American public to support community sanctions while reserving institutionalization only for the most dangerous and incorrigible offenders, but it is a needed approach. Those with hopes of one day holding public office will not risk looking “soft” on crime by advocating community sanctions. However, it is critical that policymakers reexamine current incarceration policies and offer alternatives that actually work, and are cost-effective. Increasing spending on education, offering more support for family lives, and addressing peer influences are found to be effective in combating both delinquency and crime.

*This article is based on the paper ‘[The Impact of Residential Placement on Aggregate Delinquency: A State-Level Panel Study, 1997-2011](#)’ in *Criminal Justice Policy Review*.*

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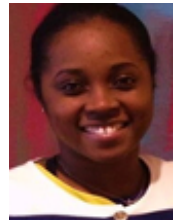
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Marika Dawkins, Ph.D., is an assistant professor of juvenile and criminal justice at the University of Texas-Pan American in Edinburg, Texas. She has published on both juvenile and criminal justice- related issues. Her research focuses on delinquency prevention, decriminalization of current illicit drugs, and the U.S.-Mexico border. Her most recent publications (coauthored) include *The impact of residential placement on aggregate delinquency: A state-level panel study, 1997-2011*, which appears in the *Criminal Justice Policy Review Journal* and *Families of law* in the *Encyclopedia of Criminology and Criminal Justice*.



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