Contents

Summary and Recommendations: Tennessee Needs Additional Capacity, Oversight, and Alternatives to Detention in Its Juvenile Justice System 1

The planned construction of new facilities will likely address capacity needs for juvenile offenders in DCS custody. 1

A new juvenile detention center would meet the pre-adjudication capacity needs of communities in West Tennessee. 2

Building more oversight into the juvenile justice system could help maintain better standards of care for youth in custody. 3

Alternatives to detention can be cost-effective and reduce recidivism. 4

Analysis: Assessing Juvenile Detention Capacity in Tennessee 7

Overall, juvenile crime is down nationally and in Tennessee. 8

Juvenile courts detain some youth prior to adjudication. 13

Juvenile detention centers are the primary secure facilities for pre-adjudication detention in Tennessee. 15

The need for additional pre-adjudication detention capacity varies by grand division. 19

Post-adjudication detention is a function of the state and includes secure residential treatment facilities. 25

DCS has faced capacity shortages for secure long-term placements in recent years. 32

Fortunately, DCS and the General Assembly have taken steps to address post-adjudication capacity issues. 35

Reducing the number of youth placed in secure facilities could help reduce the need for additional capacity in the future. 40

Focusing on capacity increases alone won't necessarily improve outcomes for youth in custody or the communities in which they live. 44

References 49

Persons Contacted 53

Appendix A: Public Chapter 418, Acts of 2025 57

Appendix B: Pre- and Post-Adjudication Phases 59

Appendix C: Flow of the Juvenile Justice System 61

Appendix D: Recent Legislation Affecting the Juvenile Justice System 63

Appendix E: Juvenile Detention Center Licensed Capacity vs. Capacity Needed, by Grand Division..... 65

Appendix F: States that Offer Funding for the Construction of Juvenile Detention Centers..... 69

Appendix G: Cost of Post-Adjudication Detention 71

Summary and Recommendations: Tennessee Needs Additional Capacity, Oversight, and Alternatives to Detention in Its Juvenile Justice System

Although juvenile crime has decreased overall in Tennessee during the last decade, there has been an increase in the number of serious crimes reported. This increase in certain types of offenses for juveniles—specifically, murder, aggravated assault, motor vehicle theft, and crimes in which firearms were used—has raised concerns among state and local officials about whether there are enough facilities for housing and providing rehabilitative services to youth who have been accused or convicted of serious crimes. In response, Public Chapter 418, Acts of 2025, directed the Tennessee Advisory Commission on Intergovernmental Relations to study (1) the availability of facilities for housing juveniles who have been found guilty of crimes—"adjudicated delinquent" in the parlance of the juvenile justice system—and placed in custody of the Tennessee Department of Children's Services (DCS) or who have been detained by juvenile courts while awaiting their adjudicatory hearings and (2) whether there is a need for additional housing, detention, and treatment facilities in Tennessee (see appendix A). While currently funded projects, when completed, will likely meet capacity needs for secure post-adjudication placements, state funding is needed to build a new facility for youth detained prior to adjudication in West Tennessee. Beyond these capacity improvements, additional state oversight of secure juvenile facilities and increased funding for and use of community-based rehabilitative programing for juvenile offenders could be beneficial.

The planned construction of new facilities will likely address capacity needs for juvenile offenders in DCS custody.

Youth who have been adjudicated delinquent may, at the discretion of the juvenile judge, be committed to DCS custody. Once that occurs, DCS determines where to place the child based on the severity of the offense and the child's behavioral, medical, or other treatment needs. These placements include those at secure residential facilities, which are categorized as hardware secure or staff secure depending on their operational security. Hardware secure facilities are for youth who have committed the most serious offenses and require more security, while staff secure facilities operate with a lower level of security for youth with lower supervision needs who have a mental health diagnosis.

DCS's need for secure residential placements has exceeded in-state capacity at these facilities in recent years. Data provided to the commission by

DCS show that it typically had several dozen juvenile offenders housed in temporary placements on a daily basis from fiscal year 2022-23 through 2024-25. In its 2022 audit of DCS, the Tennessee Comptroller of the Treasury found that DCS had not anticipated or planned for "the risk of a shortage of foster homes, treatment facilities, or secure residential facilities." In the span of less than three months in 2022, 33 juvenile offenders stayed in state office buildings overnight while awaiting an appropriate secure placement.

Fortunately, DCS and the General Assembly are already taking steps to address these capacity shortages. DCS's 2023 real estate plan identified the need for one new hardware secure and two new staff secure facilities. The General Assembly has appropriated more than $333 million for these projects. Based on commission staff analysis of DCS data, the new facilities will likely resolve the need for additional post-adjudication capacity for at least the next decade.

A new juvenile detention center would meet the pre-adjudication capacity needs of communities in West Tennessee.

Youth detained by juvenile courts prior to their adjudicatory hearing are placed in a juvenile detention center (JDC)—generally, the equivalent of an adult being held in jail before trial. JDCs are intended for short-term placements, typically less than 30 days, in cases where the accused youth cannot be safely returned to their home or another home in their community while awaiting adjudication. In Tennessee, JDCs are run by local governments or private providers. Although not every county has its own facility, it is relatively common for JDCs to accept children detained by juvenile courts in other counties if space is available.

As of October 2025, there are 16 JDCs across the state, with at least three in each grand division. In general, local officials from Middle and East Tennessee did not report immediate needs for additional pre-adjudication capacity when interviewed by commission staff. Data provided by the Tennessee Administrative Office of the Courts (AOC) for fiscal years 2021-22 through 2024-25 support the conclusion that demand doesn't typically exceed licensed capacity in these regions.

But local officials in West Tennessee—in interviews with commission staff and a panel discussion at the September 2025 commission meeting—reported an acute need for additional JDC capacity to serve communities in that grand division outside of Shelby County. Although Shelby County has a 146-bed facility, officials said it has rarely had openings for children detained in other counties in recent years. Other than that facility, there are only two JDCs with a combined capacity of 11 beds in the grand division—three in Dyer County and eight in Madison County. As a result, officials

in West Tennessee said they have had to place youth at JDCs in Middle and East Tennessee. This leads to increased costs for transporting those youth to court appearances, and it increases burdens on families, making it more difficult for them to visit their children in custody in another part of the state. AOC data support the need for additional JDC capacity in West Tennessee. Based on that data, commission staff estimate an average daily need of approximately 20 to 25 beds for pre-adjudication placements for counties in West Tennessee excluding Shelby County—around double the existing capacity in the region. The commission's analysis aligns with an analysis produced for Madison County in 2021 by a consultant with the University of Tennessee's County Technical Assistance Service.

Building a new JDC in West Tennessee would address the need for pre-adjudication capacity in the region. Madison County has developed plans for a new, $70 million juvenile justice center, which, in addition to a juvenile court and clerks' offices, includes a 40-bed JDC that would serve counties in the region, replace its existing facility, and provide mental health programing and educational and other services for youth in custody. But the project lacks the funding necessary to begin construction, and local officials have said it is unlikely that local governments will be able to fund it on their own. Commission staff are unaware of any instance where Tennessee has provided state funding directly for the construction of JDCs. Of the handful of states that do provide funding to local governments for this purpose, most provide only partial funding, and a new grant program in Louisiana requires local governments to reserve a portion of the beds in facilities built using state funds for children in state custody. Conditioning state funding like Louisiana would provide a placement alternative for DCS, if needed, and help alleviate the need for pre-adjudication capacity. **Given the need for a new facility in the region, the commission recommends that the state help fund a new juvenile detention center for West Tennessee, provided that a share of beds in the facility is reserved for temporary placements for juvenile offenders in DCS custody.**

Building more oversight into the juvenile justice system could help maintain better standards of care for youth in custody.

Focusing on capacity increases alone won't necessarily improve outcomes for youth in custody or the communities in which they live. Tennessee's stated goal for its juvenile justice system is to rehabilitate and remove the taint of criminality from youth in its care. But allegations in a 2024 lawsuit against the state filed by Disability Rights Tennessee raise questions about whether conditions inside some of the facilities that house juvenile offenders are supportive of this goal. In short, the lawsuit alleges that facilities are "not providing [juvenile offenders] with legally required rehabilitation and educational services and subjecting them to violence and abuse." The

lawsuit includes examples from both government-operated and privately operated pre- and post-adjudication facilities.

Although multiple state agencies are involved in the licensing, assessment, and evaluation of pre- and post-adjudication facilities that house juvenile offenders, there appear to be opportunities to enhance their oversight. For example, the Tennessee Commission on Children and Youth (TCCY) monitors these facilities for compliance with federal requirements. While it has an ombudsman responsible for investigating claims against DCS and other detention providers, it has no enforcement authority beyond documenting complaints and violations.

DCS licenses privately operated pre- and post-adjudication facilities, but it does not have licensing authority for government-operated JDCs. Government-operated JDCs are subject to the same state and federal requirements as privately operated JDCs, and they annually submit the same paperwork to DCS that a private facility would for licensing, but instead of a license, DCS issues an approval to operate, which it has no legal mechanism to suspend or revoke. This complicates DCS's ability to hold government-operated JDCs accountable for violations of state and federal requirements. While the state can take noncompliant government-operated JDCs to court, this is rarely done.

Building more oversight into the juvenile justice system could help ensure that the quality of care juvenile offenders receive is supportive of the state's goal of rehabilitation. Staff with DCS's Office of Child Welfare Licensing have said that in addition to licensing government-operated JDCs, authorizing DCS to levy financial penalties is an alternative that could encourage facility operators to comply with state and federal requirements. Approximately 13 other states authorize financial penalties against noncompliant JDCs. **The commission recommends that the General Assembly**

- **require JDCs operated by local governments to be licensed by DCS and**
- **authorize TCCY and/or DCS to levy financial penalties on pre- and post-adjudication facilities that violate state or federal requirements.**

Alternatives to detention can be cost-effective and reduce recidivism.

National research in recent decades has found that incarceration is not always an effective deterrent for juvenile offenders and, in some cases, may increase a youth's likelihood of reoffending. In particular, juvenile offenders who have been incarcerated are more likely to be incarcerated as adults than other juvenile offenders. In contrast, researchers have found

that many programs focused on providing community-based rehabilitative services consistently produce better results than incarceration for most youth.

Since fiscal year 2018-19, the General Assembly has funded Juvenile Justice Reform (JJR) grants to support evidence-based, outcomes-oriented programs that provide treatment for juvenile offenders outside of secure residential facilities—recurring funding was increased to $5.8 million per year for fiscal year 2024-25. The JJR grants are administered by the Tennessee Department of Mental Health and Substance Abuse Services, which has awarded grants to providers in 91 counties and served more than 7,000 youth.

While an exact comparison to incarceration cannot be made with data currently available, JJR-funded programs have promising recidivism rates and are cost-effective compared to placing children in JDCs or DCS custody. In fiscal year 2024-25, at their six-month follow-up, participants in JJR-funded programs had a recidivism rate of 7%, with 99% of youth able to remain in their homes. In comparison, 12% of youth in DCS custody in fiscal year 2022-23 reentered custody within 12 months. While the average pre-adjudication detention stay costs local governments anywhere from $200 to more than $450 per child per day, and post-adjudication secure placements cost the state $187 to $1,409 per child per day, JJR programs' average daily cost is estimated to be $43.65 per child per day.

Whether a juvenile offender is diverted to a community-based program or placed in a JDC or DCS custody is largely at the discretion of the juvenile court. Commission staff found no statewide evidence of juvenile judges systematically incarcerating youth who would otherwise be good candidates for community-based programs. But there have been well-publicized instances of this occurring in individual counties in recent decades—most notably Rutherford County, in 2021, settled a class-action lawsuit for approximately $11 million after its juvenile judge was found to be detaining children using an internal decision-making process that was deemed unlawful and inept at properly determining which youth are best suited for detainment.

Other juvenile judges have found it beneficial to use formal juvenile detention risk assessments to guide their decision making on which youth to detain based on each offender's individual risk to the community. Data show that formal risk assessments have been effective in lessening subjective or inappropriate decisions to place children in locked facilities, controlling total admissions to secure detention, and ultimately decreasing the associated costs and liabilities placed on local governments. Importantly, these assessments do not negate a judge's expertise, because judges can override the recommendation of the assessment if they believe there are extenuating circumstances that require detainment.

Because, for many juvenile offenders, community-based rehabilitative programing is likely to be more appropriate and effective than incarceration, increasing access to and use of these programs could be beneficial to youth in the justice system and the communities in which they live. **The commission recommends**

- **the General Assembly further increase recurring funding for the Juvenile Justice Reform grant program and recommends that**
- **juvenile courts that don't already use formal detention risk assessments consider using them to guide their decisions about detaining children prior to adjudication.**

Analysis: Assessing Juvenile Detention Capacity in Tennessee

Rhetoric and public policy surrounding the juvenile justice system has shifted over time based on crime rates, communities' needs, and best practices. Throughout the 1990s, almost every state, including Tennessee,[1] passed laws making it easier to try youth as adults.[2] The number of children detained in adult facilities peaked in the 2000s and was followed by stories of abuse and maltreatment of children in detention facilities.[3] By the 2010s, trends in legislation[4] across the country focused on reducing the number of youth tried as adults, the number of youth held in adult facilities, and the number of youth detained at all.[5] Tennessee was among the states that made significant changes to its juvenile justice system, passing the Juvenile Justice Reform Act of 2018, which among other things narrowed the list of offenses for which children are eligible for detention and required that post-adjudication treatment programing last for a maximum of six months.[6] The push for juvenile justice reform also led to the creation of a state-funded grant program for providers offering evidence-based community programing to juvenile offenders who might otherwise be incarcerated.[7]

Although juvenile crime rates have decreased in general over the last decade in Tennessee, increases in some categories of serious crimes—like murder and firearm possession—continue to raise concerns. In particular, some stakeholders worry that the need for secure facilities for housing juvenile offenders exceeds current capacity. For example, in September 2024, the City of Germantown sent Representative Reedy a letter describing city leaders' concerns with "overwhelming capacity issues" at juvenile detention facilities throughout West Tennessee and expressing a need for an additional juvenile detention facility in the region. In response to these concerns, Public Chapter 418, Acts of 2025, directed the Tennessee Advisory Commission on Intergovernmental Relations to study (1) the availability of facilities for housing juveniles who have been found guilty of crimes—"adjudicated delinquent" in the parlance of the juvenile justice system—and placed in custody of the Tennessee Department of Children's Services (DCS) or who have been detained by juvenile courts while awaiting their adjudicatory hearings and (2) whether there is a need for additional housing, detention, and treatment facilities in Tennessee (see appendix A). The juvenile justice system includes two main phases,

[1] Torbet et al. 1996.
[2] Ryan and Schiraldi 2025.
[3] Ibid.
[4] Pew.org 2023.
[5] Ryan and Schiraldi 2025.
[6] Public Chapter 1052, Acts of 2018.
[7] Tamburin 2019; and testimony at commission meeting by Matt Yancey, deputy commissioner of behavioral health programs, Tennessee Department of Mental Health and Substance Abuse Services, September 18, 2025.

pre-adjudication—effectively the pre-trial phase, which is mostly overseen by local governments—and post-adjudication—after the case has been resolved, which is mostly overseen by the state (see appendices B and C).

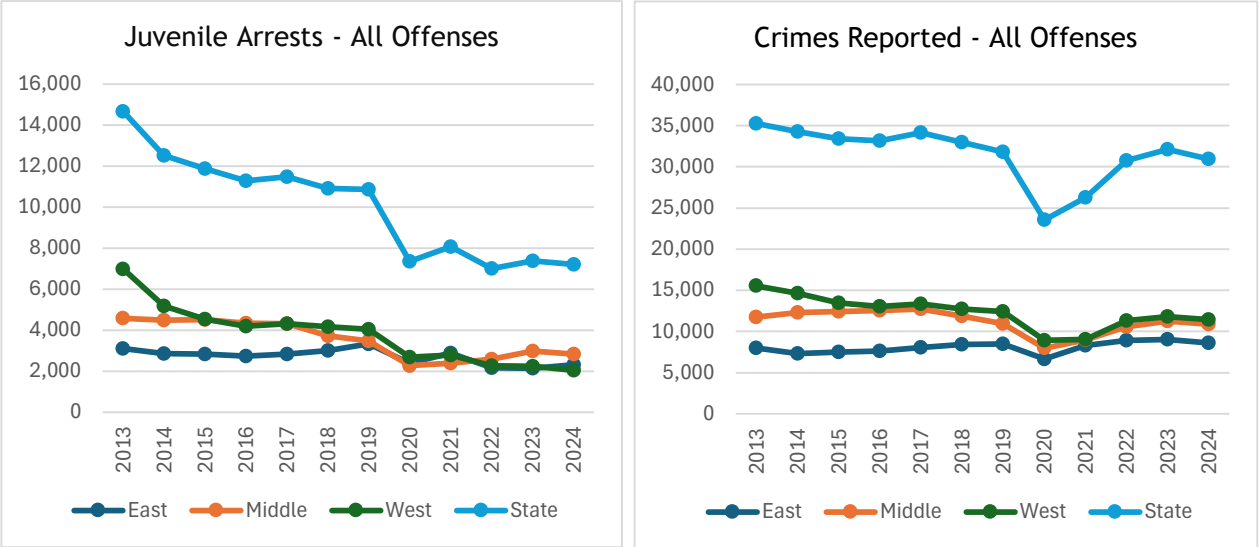
Overall, juvenile crime is down nationally and in Tennessee.

Juvenile crime has been trending in the right direction for the last two decades. The estimated number of youth arrests for violent crimes peaked in the early 1990s and has declined since the mid-2000s.[8] Data from the Federal Bureau of Investigation's National Incident-Based Reporting System (NIBRS) show that, overall, there has been a decrease in juvenile crime nationwide.[9]

Data from the Tennessee Bureau of Investigation's Tennessee Incident-Based Reporting System (TIBRS) tell a similar story, showing that both the number of reported offenses committed by juveniles and the number of juvenile arrests have decreased overall during the last decade.[10] Crimes reported includes all alleged crimes that are reported to police, making it a broader category than arrests, which includes only those cases where individuals have been taken into custody.[11] Although reports of juvenile crime do show an increase from 2020 to 2023, this appears to be influenced by the COVID-19 pandemic, with a large fall-off in crimes reported in 2020. The number of juvenile crimes reported for 2023 and 2024, though greater than the numbers reported during the pandemic, are still below 2013 levels and in line with the overall downward trend. See figure 1.

[8] United States Department of Justice, Office of Justice Programs 2020.
[9] Lantz and Knapp 2024.
[10] The dip in 2020 is greatly influenced by the COVID-19 pandemic, when, research suggests, both fewer crimes and subsequent arrests were taking place.
[11] Interview with Dakota Norris, CJIS supervisor, state program manager, Tennessee Bureau of Investigation, December 15, 2025.

Figure 1. Juvenile Arrests and Crimes Reported



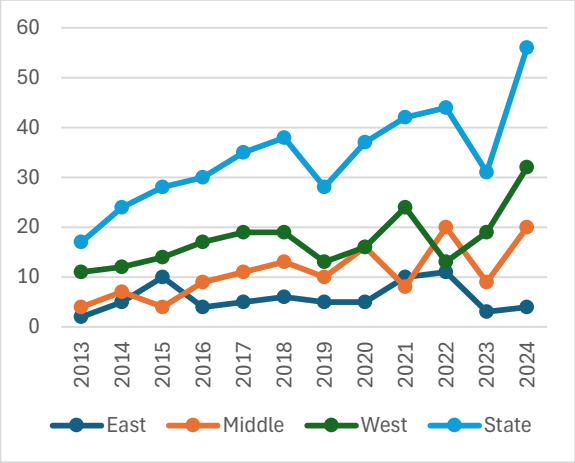
Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

There has been an increase in juvenile crime for some of the more serious types of offenses.

Despite the overall downward trend in juvenile crime, communities in Tennessee have seen increases in some categories of serious offenses in recent years. Multiple stakeholders interviewed by commission staff reported this trend,[12] and it is supported by data in TIBRS. In particular, the numbers of juvenile crimes reported for murder, aggravated assault, motor vehicle theft, and crimes in which firearms were used have all increased since 2013. Reports of murder increased 80.6% from 2023 (31 murders reported) to 2024 (56 murders reported). Reports of aggravated assaults have increased overall since 2013, though they decreased by 4.6% from 2023 to 2024. Similarly, reports of motor vehicle thefts and crimes reported in which the type of weapon used was a firearm have increased since 2013 by 133% and 76.7%, respectively, but decreased from 2023 to 2024. See figures 2, 3, 4, and 5.

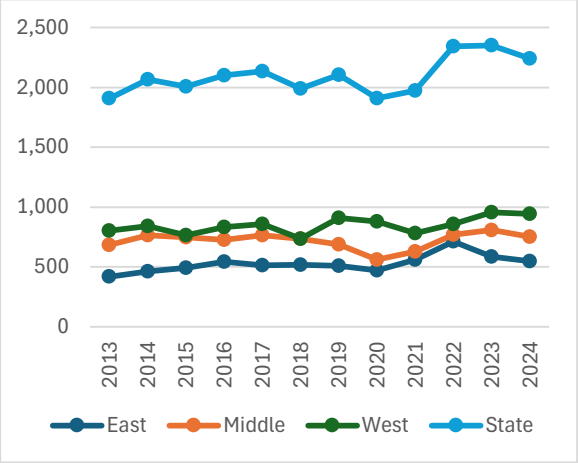
[12] Interviews with Mike Fisher, chief of police, Germantown Police Department, and Mike Palazzolo, mayor, City of Germantown, May 8, 2025; Jennifer Wade, court administrator, Davidson County Juvenile Court, May 27, 2025; D. Michael Dunavant, deputy executive director of legal services and policy, and Stephen D. Crump, executive director, Tennessee District Attorneys General Conference, June 18, 2025; and Jeff Cassidy, sheriff, Sullivan County, and Jimmy Davis, sheriff, Loudon County, August 6, 2025.

Figure 2. Crimes Reported, Murder



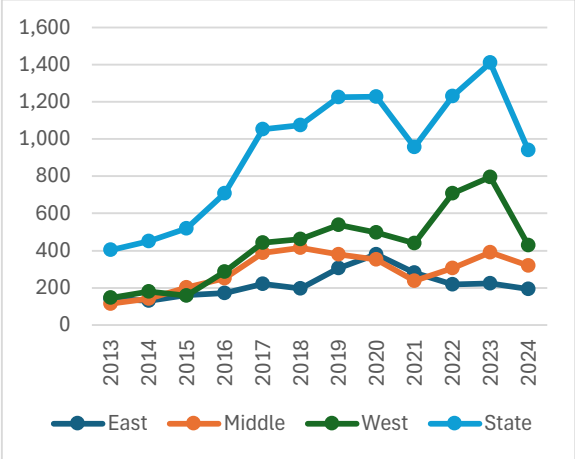
Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Figure 3. Crimes Reported, Aggravated Assault



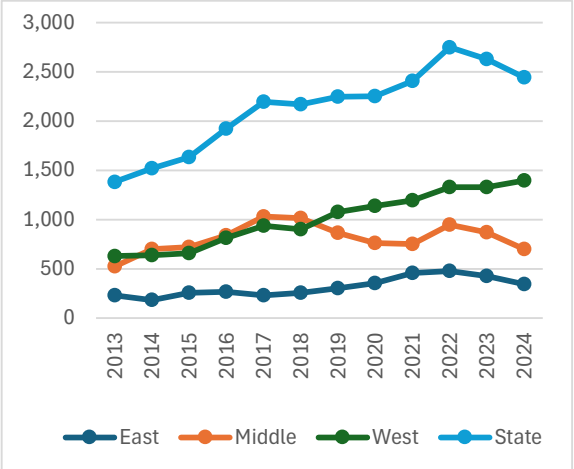
Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Figure 4. Crimes Reported, Motor Vehicle Theft



Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Figure 5. Crimes Reported, Firearm Used

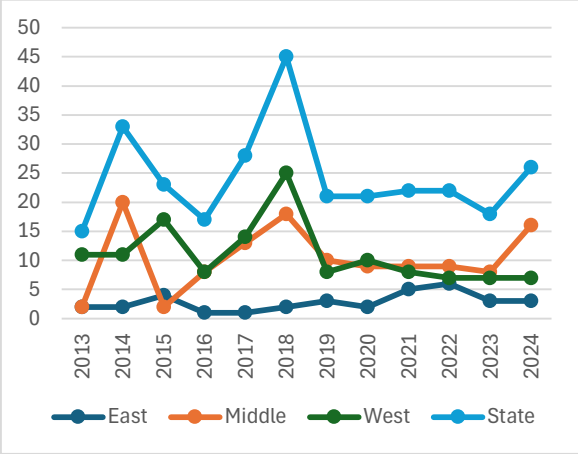


Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Arrest data in TIBRS are slightly different. Juveniles arrested for murder increased 44.4% from 2023 (18 murder arrests) to 2024 (26 murder arrests) and are up since 2013, though these numbers are still lower than the peak of 45 murder arrests in 2018. The number of juveniles arrested with firearms is also up, in general, in the years since 2013, though it decreased below 2013 levels in 2024. Similarly, arrests for motor vehicle theft spiked in the years leading up to 2019 but have since declined closer to 2013 levels. In contrast, arrests for aggravated assault decreased during the last decade

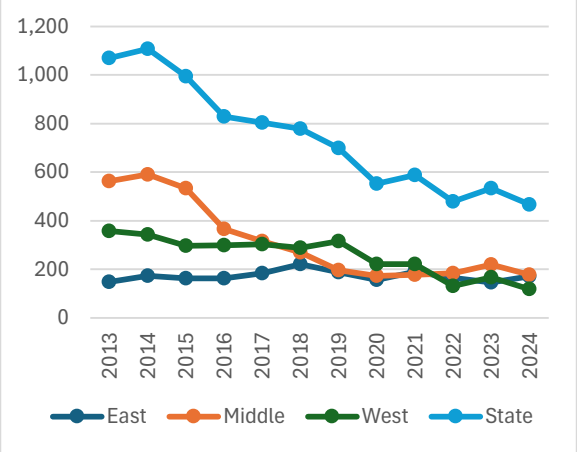
and are now approximately half of what they were in 2013. See figures 6, 7, 8, and 9.

Figure 6. Arrests, Murder



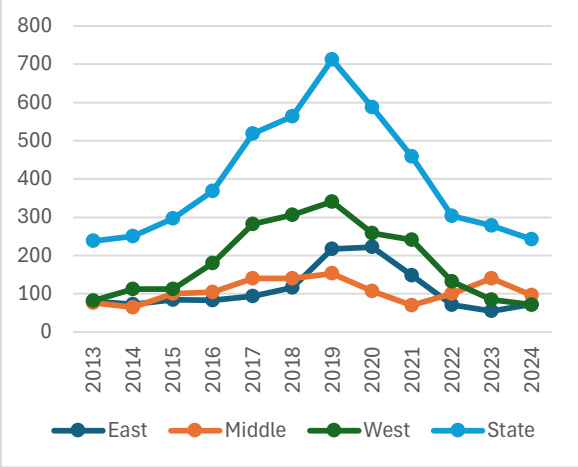
Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Figure 7. Arrests, Aggravated Assault



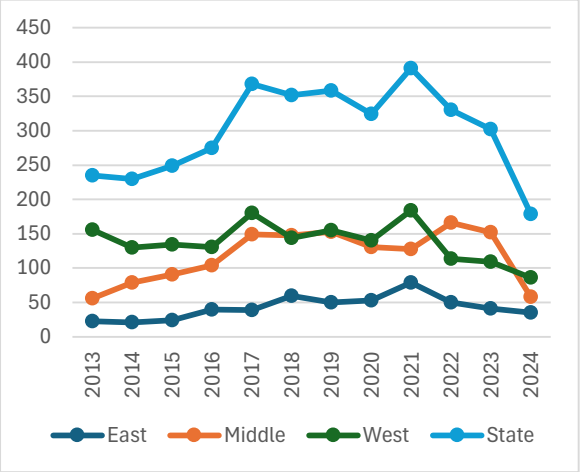
Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Figure 8. Arrests, Motor Vehicle Theft



Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Figure 9. Arrests, Firearm Used



Source: TACIR staff analysis of data from the Tennessee Incident-Based Reporting System.

Despite the decline in arrests, the increase in certain types of offenses reported for juveniles has raised concerns among state and local officials about whether there are enough facilities for housing and providing rehabilitative services to youth who have been accused or convicted

of committing a serious crime.[13] Violent crimes stick out in public consciousness,[14] and crimes of a serious or heinous nature can especially affect smaller counties or cities because of the cost and strain on local resources to detain youth for extended periods of time.[15]

Recent changes in state law, in particular blended sentencing, might affect the need for capacity in the juvenile justice system.

Beyond trends in juvenile crime, changes in state law could affect the number of youth detained in secure facilities and, therefore, future needs for capacity. In particular, Public Chapter 1007, Acts of 2024, allows youth convicted of a number of offenses listed in the Act to be given both a juvenile and an adult sentence—referred to as a blended sentence.[16] Youth given these blended sentences have their adult sentence paused and, for their juvenile sentence, are committed to DCS custody until they turn 19, at which point the juvenile judge determines whether the adult sentence is imposed or revoked depending on a handful of criteria.[17]

Because Public Chapter 1007 only became effective on January 1, 2025, its full effect on the number of youth held in secure facilities is not yet known. But juvenile judges interviewed by commission staff said they expect its effect will be noticeable.[18] For example, under state law, individuals accused of crimes for which they might be sentenced to prison have the right to a jury trial. This applies to juveniles for whom the adult portion of their blended sentence includes the possibility of being sent to prison.[19] Juvenile courts do not conduct jury trials, so a juvenile subject to the blended sentencing law who exercises their right to a jury trial would have to see that portion of their case go through adult court.[20] The wait time between arrest and trial in Tennessee's adult justice system is substantially longer

[13] Interviews with Stephanie Etheridge, juvenile court manager, and Michelle Consiglio-Young, director and counsel, Intergovernmental Affairs Division, Tennessee Administrative Office of the Courts, June 16, 2025; Rachel Jackson, juvenile court judge, Lauderdale County, July 2, 2025; Christy Little, general sessions court judge, Madison County, and T.J. King, director of juvenile court services, Madison County, July 24, 2025; and Robert Philyaw, juvenile court judge, Hamilton County, July 15, 2025.

[14] Interview with Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, July 10, 2025.

[15] Interviews with Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, July 10, 2025; and Robert Philyaw, juvenile court judge, Hamilton County, July 15, 2025.

[16] Tennessee Code Annotated, Section 37-1-102(b)(5)(C); and Saric 2024.

[17] Tennessee Code Annotated, Section 37-1-131(g).

[18] Interviews with Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, July 10, 2025; Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025; and Stephanie Etheridge, juvenile court manager, and Michelle Consiglio-Young, director and counsel, Intergovernmental Affairs Division, Tennessee Administrative Office of the Courts, June 16, 2025.

[19] Tennessee Code Annotated, Section 37-1-124.

[20] Tennessee Code Annotated, Section 37-1-124(d)(4)(A).

than the typical amount of time it takes to resolve cases in juvenile court.[21] As a result, youth who need to be detained prior to trial might have to spend a significantly longer time in juvenile detention as they await their jury trial, which some judges said could lead to an overall increase in the number of children in these facilities.[22] See appendix D for more recently passed legislation that makes changes to the juvenile justice system.

Juvenile courts detain some youth prior to adjudication.

The pre-adjudication process, from the time a youth is arrested to the time their case is adjudicated—i.e., when the case is resolved and the child is either found guilty or not guilty of the charges they face—is governed by state law, the Rules of Juvenile Practice and Procedure, and local practices and policies. If a child is arrested under suspicion of committing a delinquent act—an act that would be a crime if the child were an adult—they may be detained by the juvenile judge prior to their adjudicatory hearing if certain criteria under the law and court procedure are met. Once an order of attachment—a judicial order to take a child into custody—or probable cause determination has been made, a youth can be detained longer than 72 hours only if a detention hearing is held and the juvenile judge determines the following:

- There is probable cause that the youth committed the act they are accused of.
- The offense qualifies for continued detention under state law.
- It's in the best interest of the child and the community for the child to be detained pending further hearings.
- There is no less restrictive alternative that would be appropriate.

See table 1 for a more detailed overview of the criteria that make youth eligible for detention in a secure facility.

[21] Interview with Linda Copeland, director of youth justice, Zanira Whitfield, juvenile justice specialist, Therese Sipes, compliance monitor, Wendy Pickering, grant contract monitor, Craig Hargrow, deputy executive director, and Kylie Graves, director of data, policy, and communications, Tennessee Commission on Children and Youth, May 22, 2025.

[22] Interviews with Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, July 10, 2025; and Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025.

Table 1. What Makes a Juvenile Eligible for Detention Pre-Adjudication?

To be detained in a secure detention facility, a child must fit into one of six categories:	
Probable cause exists to believe the child has committed a delinquent offense constituting:	Crime against a person resulting in or involving the likelihood of serious injury – including rape, aggravated rape, and sexual battery – or death of the victim
	Unlawful possession of a handgun or carrying a weapon
	Burglary, aggravated burglary, especially aggravated burglary, or theft of a motor vehicle
	Threat of mass violence on school property
Probable cause exists to believe the child, while under the court's care, has committed any other delinquent offense involving:	Likelihood of serious physical injury or death
	An offense constituting a felony
	A violation of probation
Probable cause exists to believe the child has committed a delinquent offense and special circumstances warrant the child's detention.	
Probable cause exists to believe the child is an unruly child who has violated a court order or is a runaway from another jurisdiction.	
The child is an alleged escapee from a secure juvenile facility.	
The child is wanted in another jurisdiction for an offense that would be an adult felony in that jurisdiction.	

Source: Tennessee Code Annotated, Section 37-1-114(c), et. seq.

Status vs. Delinquent Offenses

Youth may be charged with status offenses, delinquent offenses, or a combination of the two, and their path through the juvenile justice system is dependent on this factor. There are two broad categories of offenses for juveniles, status offenses and delinquent offenses. Status offenses are offenses that would not be considered criminal if they were committed by an adult, like truancy or underage drinking. When youth commit status offenses, they can be required to participate in intervention programing or be placed on county or state probation. Habitual status offenders can be designated as unruly by a judge. Delinquent offenses are crimes that, if committed by an adult, would be a criminal offense, like burglary or homicide. These crimes carry more serious consequences, including eligibility for detention and commitment to DCS custody. In Tennessee, anyone under the age of 18 can be adjudicated delinquent if the delinquent offense they are alleged to have committed has been proved beyond a reasonable doubt. This decision is solely at the discretion of the juvenile court judge presiding over the case and does not involve a jury deliberation, unlike adult court.

Source: Tennessee Code Annotated, Sections 37-1-102(b)(10), 37-1-102(b)(34)(C), 37-1-131, and 37-1-132.

Juvenile detention centers are the primary secure facilities for pre-adjudication detention in Tennessee.

Youth detained in secure facilities by juvenile courts prior to their adjudicatory hearing are typically placed in a juvenile detention center (JDC)—generally, the equivalent of an adult being held in jail before trial. In general, this occurs in cases where the accused youth cannot be safely returned to their home or another home in their community while awaiting adjudication (see appendix B).[23] JDCs are intended for short-term placements, typically less than 30 days, though in fiscal year 2022-23, there were 870 youth placed in JDCs for longer stays.[24] JDCs are required to provide children with basic hygiene products and activities, along with educational services, mental health and substance abuse counseling and crisis intervention services, medical services, food services, and other programs, in compliance with state law.[25] DCS licenses privately operated JDCs and monitors all JDCs for compliance with state requirements—regardless of whether they are privately operated or government-operated.[26]

State rules and requirements mandate the required square footage that sleeping areas and common rooms in JDCs must have, including that new facilities should not be designed to accommodate more than eight youth

[23] Tennessee Rules of Juvenile Practice and Procedure 203(d)(3)); and testimony at commission meeting by Sheila Calloway, juvenile court judge, Davidson County, September 18, 2025.
[24] Tennessee Commission on Children and Youth 2024.
[25] Rules of the Tennessee Department of Children's Services Chapter 0250-04-08.
[26] All JDCs are subject to the standards and practices promulgated by DCS and must have their operations approved by the department, but not every JDC has to be licensed by DCS under the publicly administered entity exemption to licensure. See Tennessee Code Annotated, Sections 37-5-109, 37-5-510, 37-5-502, 37-5-501, and 37-5-503(3).

in one sleeping room.[27] These rules do not specify the maximum size or capacity of a facility. Instead, the number of beds located at each JDC is a decision made by local governments and comes with its own considerations. Larger facilities can be more difficult to maintain and may provide a less rehabilitative environment for youth.[28] Best practices for JDCs include ensuring that youth have accessible living spaces and adequate room and are free from overcrowding.[29] Best practices for multiple occupancy rooms include that they should not exceed 20% of the JDC's capacity and should be large enough to allow comfortable movement for in-room activities.[30]

Nationally, since 2000, the proportion of youth held in large facilities (those with a capacity greater than 100) has decreased, while the proportion held in small facilities (capacity less than 21) or medium facilities (capacity of 21 to 100) has increased.[31] As of 2022, the year for which data is most recently available, the majority of juvenile residential facilities across the country are classified as small facilities (63%).[32] Just 42 facilities across the US are classified as large facilities.[33] The data include group homes, shelters, reception and diagnostic centers, and ranches or wilderness camps, in addition to detention centers, residential treatment centers, and other long-term secure facilities. A non-exhaustive review by commission staff of the capacities of planned and recently completed detention facilities for housing juvenile offenders in other states found significant variation in size, ranging from eight-bed and 15-bed facilities planned in Missouri[34] and Vermont[35] to 72-bed and 80-bed facilities planned in Louisiana[36] and Georgia.[37] Other planned facilities include a 56-bed facility also in Georgia[38] and a 64-bed facility in Kentucky.[39] South Carolina recently opened a 47-bed facility in 2025.[40]

There are 16 JDCs currently operating in the state, with a combined licensed capacity of 635 beds as of October 2025. In Tennessee, JDCs are run by local governments or private providers. For example, the JDC located in Davidson County is operated by a private provider under a contract with the juvenile court.[41] JDCs run directly by local governments are generally

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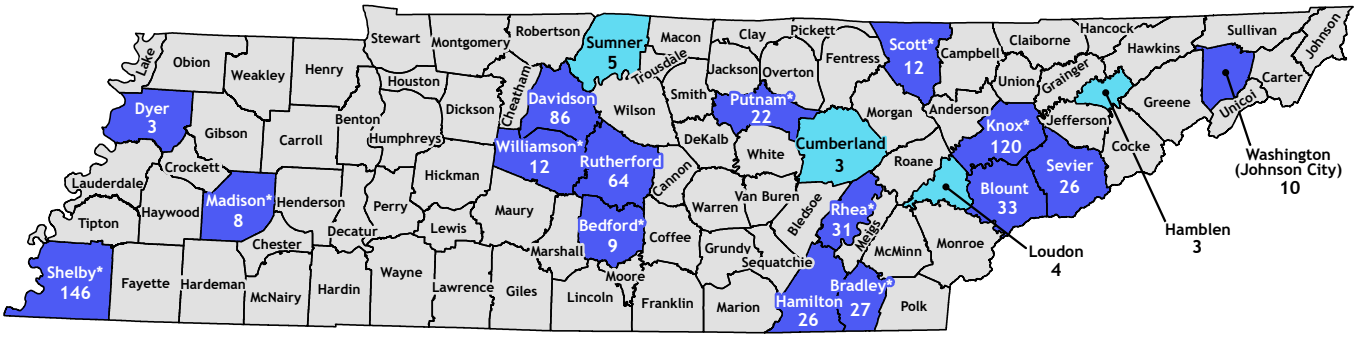
[27] Rules of the Tennessee Department of Children's Services Chapter 0250-04-08.
[28] Interview with Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025.
[29] Annie E. Casey Foundation 2024.
[30] Ibid.
[31] Hockenberry and Sladky 2024.
[32] Puzzanchera et al. 2024.
[33] Ibid.
[34] Rogers 2025.
[35] Elder-Connors 2025.
[36] O'Donoghue 2023.
[37] Choung 2025.
[38] Kleinpeter and Winters 2024.
[39] Roldan 2025.
[40] Benjamin 2024; and Ashbaugh 2025.
[41] Interview with Sheila Calloway, juvenile court judge, Davidson County Juvenile Court, July 7, 2025.

operated by the juvenile court, the sheriff's office, or a combination of the two.[42] See map 1.

There are a few additional short-term or makeshift options for pre-adjudication detention.

Other options for pre-adjudication detention include temporary holding resources (THR), and at times, adult lockup facilities and makeshift spaces within juvenile courts and law enforcement offices, but none of them are one-to-one replacements for JDCs.[43] THRs are similar to JDCs in the way they operate, and the emphasis on short-term holding, but there are some key differences between the two types of facilities. For example, youth can only be held in a THR for a maximum of 72 hours.[44] Each THR is limited to enough physical space to hold up to eight children, and at least half of the rooms in a THR must be non-secure. There are currently four THRs operating in the state, located in Cumberland, Sumner, Loudon, and Hamblen Counties, with a combined capacity of 15 beds.[45] These facilities, like JDCs, are subject to the licensing and monitoring of DCS. See map 1.

Map 1. Juvenile Detention Facilities and Licensed Capacity, as of October 2025



Type of Juvenile Detention Facility

- **Does not have a juvenile detention center or temporary holding resource.**
- **Has a temporary holding resource, but does not have a juvenile detention center.**
- **Has a juvenile detention center, but does not have a temporary holding resource.**

* Indicates a facility that is also contracted by DCS, as of October 2025.
** Davidson County is in the process of constructing a new JDC. The number listed reflects the existing facility's licensed capacity.
Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

[42] Rules of the Tennessee Department of Children's Services Chapter 0250-04-08.
[43] Tennessee Code Annotated, Sections 37-1-114 and 37-1-116.
[44] Rules of the Tennessee Department of Children's Services Chapter 0250-04-08.
[45] Email from Jim Layman, legislative director, Tennessee Department of Children's Services, October 30, 2025.

There are some adult lockup facilities in the state that allow juveniles to be held for a short period of time while they are awaiting their adjudicatory hearing. To comply with federal Prison Rape Elimination Act (PREA) guidelines, these facilities must have total sight and sound separation for juvenile and adult residents[46] and meet all the standards set for secure juvenile detention facilities.[47] To place a child in an adult lockup facility prior to adjudication, the court must find that a spot in a JDC is unavailable and that the case fits into one of two categories:

- the case has been transferred to adult court for criminal prosecution or
- the child is accused of a serious crime against persons, the county has a low population density, the facility is certified as providing sight and sound separation from adults, and no public authority or court-approved private agency is willing to contract for the child's placement.[48]

The time youth spend in an adult lockup facility must be shorter than 48 hours.

Tennessee law is stricter than federal guidelines and requires these facilities to ensure total separation between juvenile and adult spatial areas and program activities, as well as separate staff for juveniles and adults.[49] While adult lockup facilities contribute to the network of locations that juveniles can be held pre-trial, they are not considered the preferred or ideal solution. Representatives with the Tennessee Sheriffs' Association said that adult jails are the biggest liability in their line of work, and placing a child in that environment, with all the added precautions and requirements that it entails, can increase liability risk for the county.[50]

The daily cost of detaining youth in juvenile detention centers varies.

Detention costs in Tennessee vary from one county to another. Costs, including staffing, medical treatment, and food, range from around $200 per bed per day[51] to more than $450 per bed per day, with the higher end representing costs at the facility in Davidson County.[52] According to a 2018 report from the Annie E. Casey Foundation, the nationwide average

[46] 34 US Code, Chapter 11133(a)(12)(A).
[47] United States Department of Justice 2012.
[48] Tennessee Code Annotated, Section 37-1-116(h).
[49] Tennessee Code Annotated, Section 371116; and Rules of the Tennessee Department of Children's Services Chapter 0250-04-08-.04.
[50] Interview with Jeff Bledsoe, executive director, Tennessee Sheriffs' Association, Mike Agee, consultant, Tennessee Sheriffs' Association, Jeff Cassidy, sheriff, Sullivan County, and Jimmy Davis, sheriff, Loudon County, August 6, 2025.
[51] Email from Tausha Alexander, partner, MNA Government Relations, October 23, 2025.
[52] Testimony at commission meeting by Sheila Calloway, juvenile court judge, Davidson County, September 18, 2025.

detention stay at that time cost at least $70,000 per year for every bed occupied—approximately $190 per bed per day.[53]

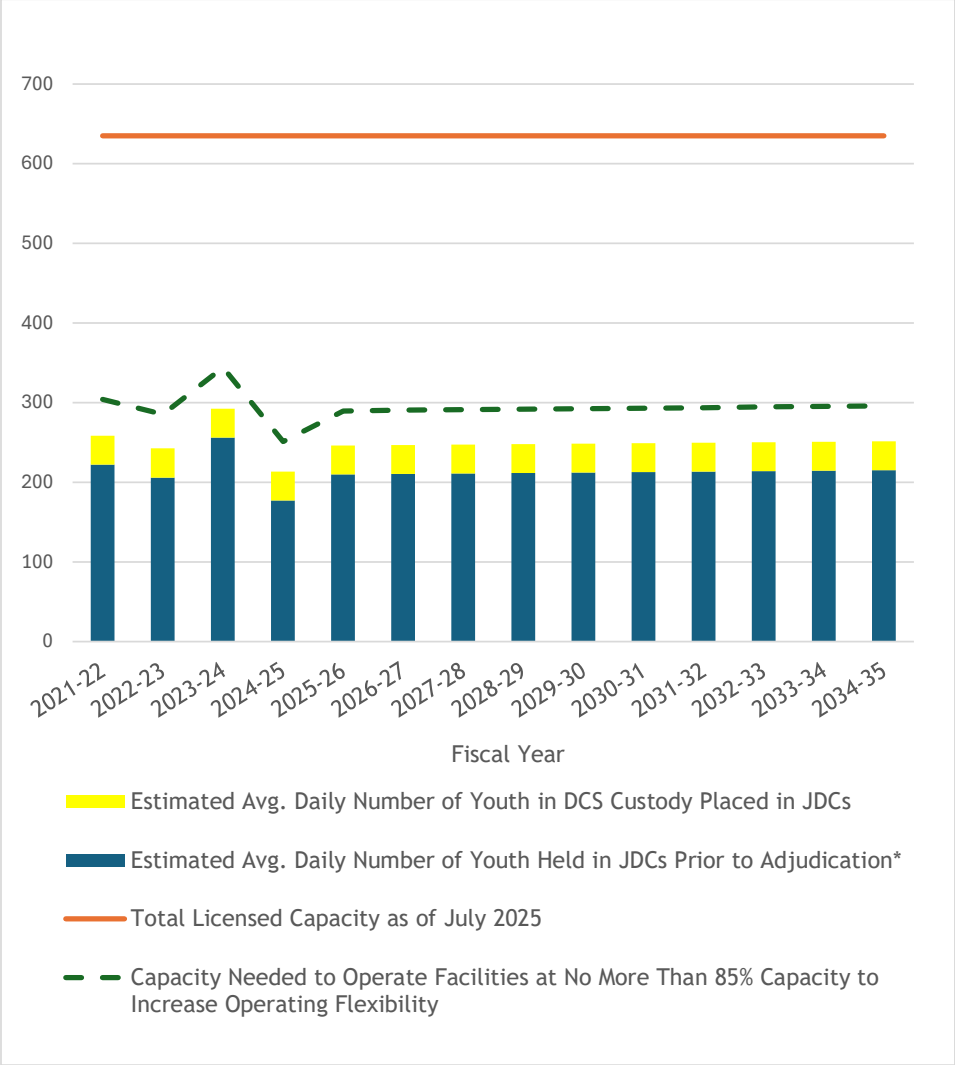
Although not every county has its own facility, it is relatively common for JDCs to accept children detained by juvenile courts in other counties if space is available. Those JDCs that do accept detained youth from other counties charge a per diem rate. These rates range from $120 per child per day to $267 per child per day[54] and are set through contracts with the county in which the child was detained. This can be a costly expense for counties. Stewart County, for example, does not have its own JDC. It has an annual juvenile detention budget of $5,000,[55] and the cost to detain a child at one of the six facilities that the county contracts with is around $225 a day.[56] That budget doesn't stretch far, covering about 22 days' worth of detention a year for the county. Other counties, like Davidson and Shelby Counties, do not accept youth outside of their own.[57]

The need for additional pre-adjudication detention capacity varies by grand division.

When looking at licensed capacity statewide, it appears that the state has enough pre-adjudication detention beds in JDCs. Even after accounting for potential temporary placements of children in DCS custody who are awaiting long-term placements at post-adjudication facilities, available licensed capacity is approximately double the estimated need statewide, based on commission staff estimates using data on pre-adjudication detentions provided by the Tennessee Administrative Office of the Courts (AOC) for fiscal years 2021-22 through 2024-25 and data on temporary placements from DCS. See figure 10.

[53] Annie E. Casey Foundation 2018.
[54] Data from the Tennessee Conference of Juvenile and Family Court Judges.
[55] Interview with Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, July 10, 2025; and testimony at commission meeting by Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, September 18, 2025.
[56] Interview with Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, July 10, 2025; and testimony at commission meeting by Andrew Brigham, general sessions court judge and juvenile court judge, Stewart County, September 18, 2025.
[57] Interviews with Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025; and D. Michael Dunavant, deputy executive director of legal services and policy, and Stephen D. Crump, executive director, Tennessee District Attorneys General Conference, June 18, 2025.

Figure 10. Juvenile Detention Center Licensed Capacity vs. Capacity Needed, Statewide



* Fiscal years 2021-22 through 2024-25 include a combination of actual data reported and estimates for non-reporting counties.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Child Welfare Licensing and data from the Tennessee Administrative Office of the Courts.

But viewing the statewide numbers alone masks the importance of having JDC capacity available locally. Beyond the cost of per-diem for housing a juvenile offender in another county's JDC, costs for these arrangements include the cost of labor from sheriffs or other parties responsible for the youths' transportation who will have to travel to and from the JDC to transport the youth for every required hearing.[58] It also increases burdens

[58] Interviews with D. Michael Dunavant, deputy executive director of legal services and policy, and Stephen D. Crump, executive director, Tennessee District Attorneys General Conference, June 18, 2025; and Joshua Parsons, assistant district attorney, 2nd Judicial District, Barry P. Staubus, district attorney, 2nd Judicial District, and Jason Lawson, district attorney, 15th Judicial District, July 10, 2025.

on the families of youth who are incarcerated, making it more difficult for them to visit their children in custody in another part of the state. For these reasons, it is also important to look at how JDC capacity compares to need in each grand division.

JDC capacity in East and Middle Tennessee is likely enough to meet local needs.

In general, local officials from Middle and East Tennessee did not report immediate needs for additional pre-adjudication capacity when interviewed by commission staff.[59] Data provided by the AOC for fiscal years 2021-22 through 2024-25 support the conclusion that demand doesn't typically exceed licensed capacity in these regions. This is the case both when major urban areas like Davidson, Knox, and Hamilton Counties are included in the analysis and when they are excluded. See appendix E.

Distinction Between Licensed and Operational Capacity

Licensed capacity doesn't necessarily equate to the number of pre-adjudication detention beds actually available statewide. Most of the JDCs in the state currently operate with fewer beds in use than their licensed capacity and are limited by factors other than physical space. A JDC might choose to operate with fewer beds than its licensed capacity to maintain efficiency and better serve the youth in detention. Davidson County's JDC, for example, is licensed to detain 86 youth at a time, but aims to stay closer to half that number to function at its best. Operating at around 80% to 85% of licensed capacity can be more effective than operating at maximum licensed capacity, because it allows for more flexibility in the facility's operation. Some JDCs in the state, however, aren't able to operate at their fully licensed potential because of issues with maintaining staff ratios or their facility's infrastructure.

Source: Interviews with Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025; Stephanie Etheridge, juvenile court manager, and Michelle Consiglio-Young, director and counsel, Intergovernmental Affairs Division, Tennessee Administrative Office of the Courts, June 16, 2025; and Frank Mix, executive director, Office of Network Development, Tennessee Department of Children's Services, June 10, 2025; and emails from Jim Hart, manager of field services and jail management consultant, University of Tennessee, County Technical Assistance Service, July 1, 2025; and Jim Layman, legislative director, Tennessee Department of Children's Services, October 30, 2025.

There is a need for more JDC capacity in West Tennessee.

In comparison to Middle and East Tennessee, there is a strain on pre-adjudication detention capacity in West Tennessee. Local officials from West Tennessee—in interviews with commission staff and during a panel discussion at the September 2025 commission meeting—reported an acute need for additional JDC capacity to serve communities in the grand division. Currently, West Tennessee has a total of three JDCs—one each in Dyer, Madison, and Shelby Counties. The McDowell Center, located in

[59] Interviews with Zachary Jace Cochran, general sessions court judge, Rhea County, July 23, 2025; Robert Philyaw, juvenile court judge, Hamilton County, July 15, 2025; and Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025.

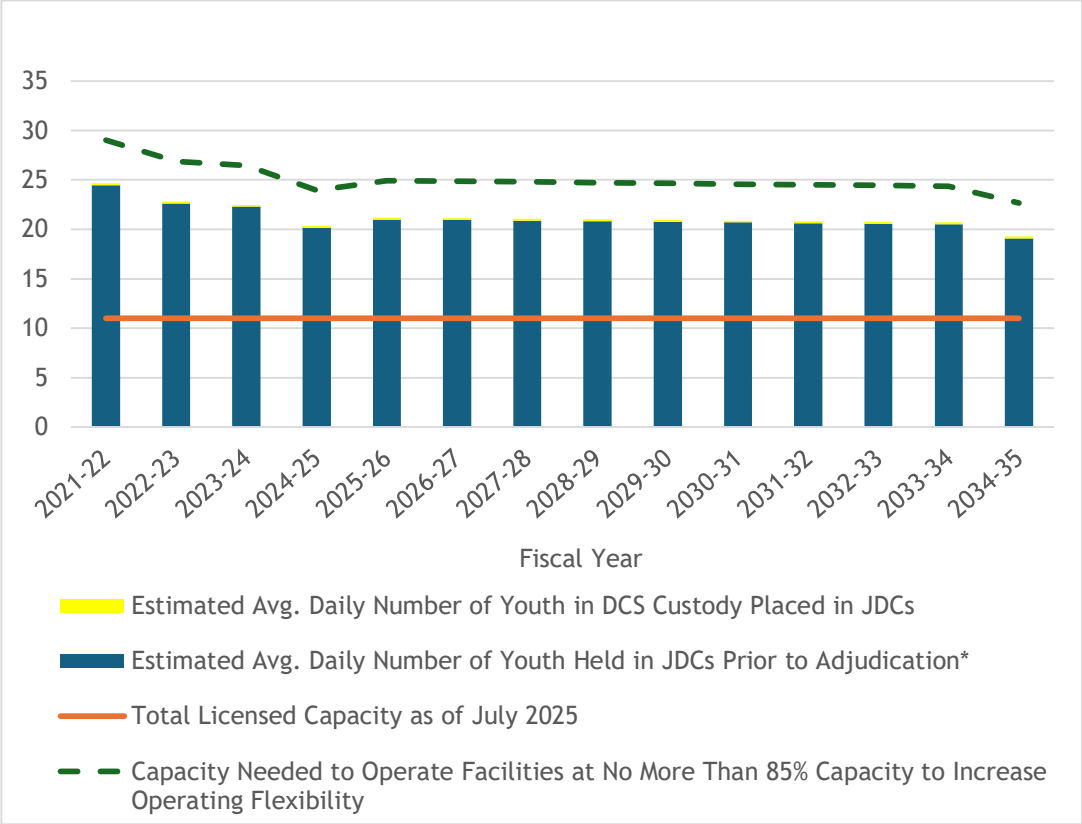
Dyer County, provides three JDC beds for the region while the Madison County JDC offers eight. The Shelby County JDC, which has 146 beds, does not contract with other counties to allow non-Shelby County youth at their facility, leaving just 11 JDC beds available for the rest of the region. Stakeholders shared that these 11 beds stay consistently full.[60]

This creates a challenge for the other 18 counties in West Tennessee that do not have their own JDC or THR to rely on. In Lauderdale County juveniles have been kept overnight at the sheriff's office because they were unable to find an available bed at a nearby JDC.[61] Other times, children have been transported across the state to areas as far away as Blount County to find a spot—a 5.5 hour drive each way. The lack of available JDC beds in West Tennessee also requires judges and other officials to make difficult decisions about who will be detained and who will be released to family or on an ankle monitor. The juvenile court judge for Madison County said that she and her staff are often left to make tough decisions early in the morning about which children they will keep in detention.[62] She said the lack of available capacity has at times resulted in her being unable to hold youth in detention who she otherwise would have wanted to detain based on the level of risk involved in their case.[63]

AOC data support the need for additional JDC capacity in West Tennessee. Based on that data, commission staff estimate an average daily need of approximately 20 to 25 beds for pre-adjudication placements for counties in West Tennessee excluding Shelby County—around double the existing capacity in the region (see figure 11). The commission's analysis aligns with an analysis produced for Madison County in 2021 by a consultant with the University of Tennessee's County Technical Assistance Service.[64]

[60] Interviews with Rachel Jackson, juvenile court judge, Lauderdale County, July 2, 2025; and Christy Little, general sessions court judge, Madison County, and T.J. King, director of juvenile court services, Madison County, July 24, 2025; and email from Tausha Alexander, partner, MNA Government Relations, December 19, 2025.
[61] Interview with Rachel Jackson, juvenile court judge, Lauderdale County, July 2, 2025.
[62] Interview with Christy Little, general sessions court judge, Madison County, and T.J. King, director of juvenile court services, Madison County, July 24, 2025.
[63] Testimony at commission meeting by Christy Little, general sessions court judge, Madison County, September 18, 2025.
[64] Email from Jim Hart, manager of field services and jail management consultant, University of Tennessee, County Technical Assistance Service, October 26, 2025.

Figure 11. Juvenile Detention Center Licensed Capacity vs. Capacity Needed, West Grand Division, Excluding Shelby County



* Fiscal years 2021-22 through 2024-25 include a combination of actual data reported and estimates for non-reporting counties.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Child Welfare Licensing and data from the Tennessee Administrative Office of the Courts.

In interviews with commission staff and during a panel at the September 2025 commission meeting, Madison County's juvenile judge said that a regional facility in West Tennessee could help with the strain on pre-trial capacity in that area, and Madison County is already in the process of designing and planning for a new, $70 million juvenile justice center that would include a 40-bed JDC that could serve this purpose and replace the county's existing JDC.[65] The preliminary site plans include a campus with the juvenile detention center, juvenile court and clerk spaces, and space for support services.[66] Madison County's juvenile judge said that the vision for support services to be provided at the facility includes mental health

[65] Interview with Christy Little, general sessions court judge, Madison County, and T.J. King, director of juvenile court services, Madison County, July 24, 2025; testimony at commission meeting by Christy Little, general sessions court judge, Madison County, September 18, 2025; and email from A.J. Massey, mayor, Madison County, July 30, 2025.

[66] Email from A.J. Massey, mayor, Madison County, July 30, 2025.

programing and educational services, among other services for youth in custody.[67] She said that a 40-bed facility would meet the region's pre-adjudication needs and still be more manageable than a larger facility, explaining that the facility would be small enough to provide attention and rehabilitative services to youth but large enough to allow for flexibility that might be needed to more easily house youth from many different backgrounds, including those who might have rival gang affiliations.[68] The main barrier for the county to complete the project is funding.[69] Madison County's mayor estimated that the county could contribute $30 million toward the facility's construction and said that some surrounding counties might also be able to assist.[70] But local officials have said it is unlikely that local governments will be able to fund it on their own, and Madison County's juvenile judge suggested the project will not be possible without state appropriations.[71]

Some states offer funding or reimbursement to local governments for the construction or operation of JDCs.

Commission staff are unaware of any instance where Tennessee has provided state funding directly for the construction of JDCs. But there are a handful of states that do provide funding to local governments for this purpose (see appendix F). In some cases, the state has simply chosen to fund one-off projects. South Carolina, for example, doesn't have any recurring programmatic funding for local governments to build JDCs, but the state recently funded renovation of a county facility so that it could be reopened.[72] Staff in Oregon reported similar examples of state funding for individual projects,[73] and in Wyoming, one local government was able to secure funding for a JDC through the state's loan and investment board, which provides funding to local governments for capital projects but is not specific to JDCs.[74]

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[67] Interview with Christy Little, general sessions court judge, Madison County, and T.J. King, director of juvenile court services, Madison County, July 24, 2025; testimony at commission meeting by Christy Little, general sessions court judge, Madison County, September 18, 2025; and email from Christy Little, general sessions court judge, Madison County, December 20, 2025.
[68] Interview with Christy Little, general sessions court judge, Madison County, December 19, 2025.
[69] Email from A.J. Massey, mayor, Madison County, July 30, 2025; interview with Christy Little, general sessions court judge, Madison County, and T.J. King, director of juvenile court services, Madison County, July 24, 2025; and testimony at commission meeting by Christy Little, general sessions court judge, Madison County, September 18, 2025.
[70] Interview with A.J. Massey, mayor, Madison County, October 1, 2025.
[71] Testimony at commission meeting by Christy Little, general sessions court judge, Madison County, September 18, 2025.
[72] Email from Michelle Foster, director of communications and public information, Office of the Director, South Carolina Department of Juvenile Justice, September 29, 2025.
[73] Email from Will Howell, communications director, Oregon Youth Authority, October 30, 2025.
[74] Interview with Allen Thompson, executive director, Wyoming Association of Sheriffs and Chiefs of Police, November 4, 2025.

Other states have specific funding programs for local governments to build pre-adjudication detention facilities. In New York, the state provides a 49% reimbursement to counties for approved capital expenditures for secure juvenile detention in the form of depreciation of approved capital costs and interest on bonds, notes or other necessary indebtedness. To the extent a facility will be utilized to house 16- and 17-year-old youth, 100% reimbursement may be available to eligible counties.[75] Iowa reimburses between 10% and 50% of costs for counties for allowable expenses based on their facility's percentage of the combined overall costs for all juvenile detention centers in the state, including costs for establishing, improving, operating, and maintaining facilities.[76] Although Oklahoma's detention center revolving fund hasn't received appropriations, the state also reimburses counties for 85% of the cost of housing juveniles prior to adjudication, with funding to be used for operating, renovating, and constructing JDCs.[77] Louisiana offers local governments grants to assist with building and expanding JDCs as well as adult jails.[78] As part of the program, local governments that are awarded grant funds for their projects are required to reserve 30% of the capacity of their new facilities for state use, for example to house children in state custody.[79]

Many other states do not provide funding to local governments for the construction of JDCs.[80] Commission staff also identified 15 states where pre-adjudication detention is a state responsibility, with the state operating or contracting with private providers to run pre-adjudication detention facilities. See appendix F.

Post-adjudication detention is a function of the state and includes secure residential treatment facilities.

Responsibility for post-adjudication detention rests on the state. Youth who have been adjudicated delinquent may, at the discretion of the juvenile judge, be committed to DCS custody. Once that occurs, DCS determines where to place the child based on the severity of the offense and the child's behavioral, medical, or other treatment needs. Post-adjudication placements are used to carry out DCS's mission of providing

[75] Email from John DiVito, director of legislative affairs, New York Office of Children and Family Services, October 27, 2025.
[76] Email from Alex Murphy, director of communications, External Relations, Iowa Department of Health and Human Services, September 24, 2025.
[77] Emails from Audrey Rockwell, executive project manager, Oklahoma Office of Juvenile Affairs, October 9, 2025.
[78] O'Donoghue 2025; and Chrastil 2024.
[79] O'Donoghue 2025; and Chrastil 2024.
[80] Emails from Kayla Bragg, executive director, Montana Board of Crime Control, October 19, 2025; Steve Ray, warden, Pine Hills Corrections, Montana Department of Corrections, October 21 and 22, 2025; Kayli Richards, director of communications and public information officer, North Dakota Department of Corrections and Rehabilitation, September 24, 2025; Kristi Bunkers, director of juvenile services, South Dakota Department of Corrections, September 26, 2025; and Christine Simonsmeier, juvenile court administrator, Clark County Juvenile Court, October 17, 2025.

effective services to youth while preserving community safety.[81] Children who are securely detained post-adjudication typically exhibit "significant behavioral issues and pose a significant risk to communities."[82] DCS detains these youth to ensure their participation in DCS-prescribed programing and prevent any community risks.[83] There were 632 juvenile justice youth placed in DCS custody in fiscal year 2023-24, though not all at the same time.[84]

DCS uses a network of different types of placements to house youth in its custody. These include not only less-secure, community options, such as foster homes and group homes for juvenile offenders who don't require more restrictive settings,[85] but also secure residential facilities. Aside from acute treatment programs, which can be located in specialized hospital settings for juvenile offenders with acute medical or mental health treatment needs,[86] secure residential facilities fall into two basic categories:

- hardware secure and
- staff secure.

Hardware secure facilities operate with higher levels of security.

Hardware secure facilities are generally for youth who have committed the most serious offenses and require more security.[87] Also referred to as Juvenile Justice Enhanced Safety Measures programs,[88] these facilities serve delinquent youth with multiple or aggravated felony offenses who pose a significant risk to the community.[89] They use enhanced safety measures and security features designed to physically restrict movement and activities of youth in custody, including perimeter fencing and locked doors.[90] Youth admitted to hardware secure facilities must generally be at least 13 years old, though exceptions can be made by the DCS commissioner or designee.[91]

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[81] Tennessee Department of Children's Services "Office of Juvenile Justice."
[82] Tennessee Department of Children's Services 2025.
[83] Ibid.
[84] Tennessee Department of Children's Services 2024.
[85] Interview with Michael Flanery-Gray, executive director of policy and programs, Glenn Cook, executive director of facilities management, and Linda Nieles, senior associate counsel, Office of Juvenile Justice, Tennessee Department of Children's Services, May 1, 2025; and Tennessee Department of Children's Services 2025.
[86] Interview with Michael Flanery-Gray, executive director of policy and programs, Glenn Cook, executive director of facilities management, and Linda Nieles, senior associate counsel, Office of Juvenile Justice, Tennessee Department of Children's Services, May 1, 2025; and Tennessee Department of Children's Services 2025.
[87] Interview with Michael Flanery-Gray, executive director of policy and programs, Glenn Cook, executive director of facilities management, and Linda Nieles, senior associate counsel, Office of Juvenile Justice, Tennessee Department of Children's Services, May 1, 2025; and Tennessee Department of Children's Services 2025.
[88] Tennessee Department of Children's Services 2025.
[89] Ibid.
[90] Ibid.
[91] Tennessee Department of Children's Services Policy 18.34.

The state doesn't operate any hardware secure facilities. Instead, DCS contracts with three in-state facilities operated by private providers (see table 2).[92] In total, these three facilities had the capacity to house approximately 153 juvenile offenders as of October 2025.[93] It costs the state approximately $600 per child per day (see appendix G). Hardware secure facilities served 402 youth during fiscal year 2023-24.[94] With the average program lasting six months,[95] the state spent an estimated $108,000 per child in a hardware secure facility.[96] As of September 2025, there were 147 youth in DCS custody in hardware secure placements across the state.[97] See figure 12 and map 2.

Table 2. Residential Facilities Operated as Hardware Secure

Grand Division	Facility Name	Operated by	Capacity*
East	Mountain View Academy	Wayne's Halfway House	72
Middle	Standing Tall	Wayne's Halfway House	50
	Duck River Youth Center	Wayne's Halfway House	31**
Out-of-State	Rockdale	Youth Opportunity Investment	N/A

* According to DCS, capacity numbers are not static and can fluctuate. These numbers are current as of October 2025.

** This number includes 20 beds for male youth and 11 for female youth.

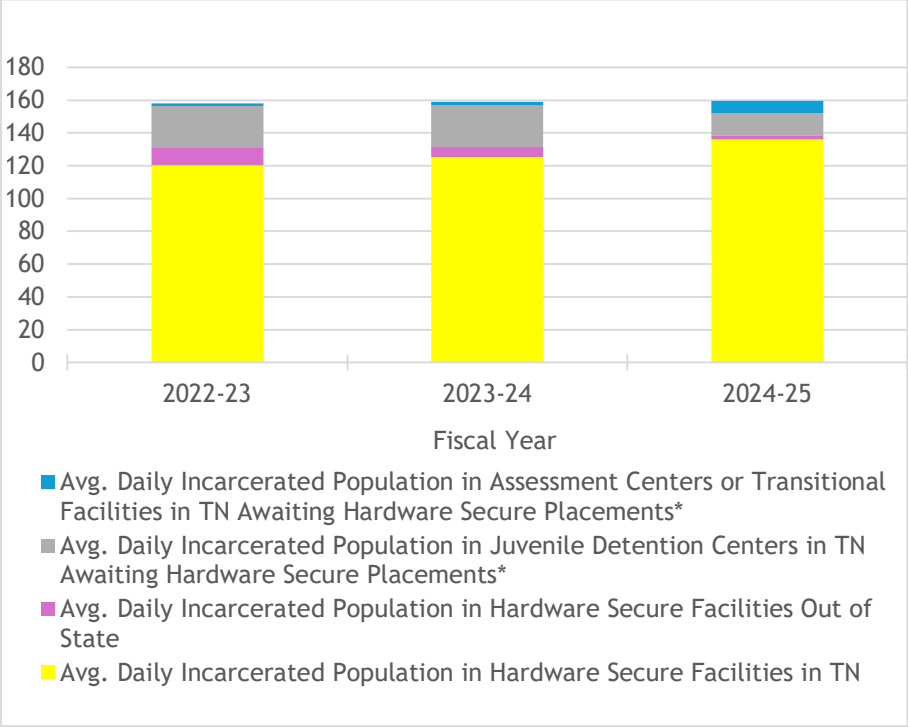
Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

DCS can also place juvenile offenders at out-of-state facilities. This requires DCS to demonstrate to the juvenile court judge involved in the case that there is not an appropriate in-state placement option available, and judges can refuse transfers out of state. If a judge declines to transfer a child despite the factors presented by DCS, and no in-state facility is currently available, that child will stay in a detention facility until they can be placed in a suitable program. DCS contracts with one out-of-state

[92] The state owns the land and buildings at two of these facilities. The third facility is owned and operated by a private provider.
[93] Email from Jim Layman, legislative director, Tennessee Department of Children's Services, October 15, 2025; and testimony at commission meeting by Jim Layman, legislative director, Tennessee Department of Children's Services, September 18, 2025.
[94] Tennessee Department of Children's Services 2024.
[95] Interview with Michael Flanery-Gray, executive director of policy and programs, Glenn Cook, executive director of facilities management, and Linda Nieles, senior associate counsel, Office of Juvenile Justice, Tennessee Department of Children's Services, May 1, 2025.
[96] TACIR staff calculation.
[97] Testimony at commission meeting by Jim Layman, legislative director, Tennessee Department of Children's Services, September 18, 2025.

hardware secure facility in Texas (see table 2), but as of September 8, 2025, the state did not have any children placed in the facility.[98] See figure 12.

Figure 12. Average Daily Juvenile Incarcerated Population Committed to DCS Custody and Placed or Awaiting Placement in Hardware Secure Facilities, by Fiscal Year



* Data provided by DCS showing placements in juvenile detention centers, assessment centers, or other transitional facilities do not show whether those youth were awaiting a staff secure or hardware secure placement. For analysis purposes, TACIR staff separated these youth into estimates of those awaiting staff secure or hardware secure placements based on the overall ratio of staff secure to hardware secure placements among juvenile offenders in DCS custody.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

In addition to these long-term hardware secure placements, DCS's network of placement options include some facilities intended to be temporary in nature that allow DCS to assess children's needs or wait for a long-term placement to be secured. The two main examples are primary assessment centers and JDCs. Primary Assessment Centers provide for the "observation and assessment of youth who may pose a moderate risk to the community

[98] Testimony at commission meeting by Jim Layman, legislative director, Tennessee Department of Children's Services, September 18, 2025; and interview with Michael Flanery-Gray, executive director of policy and programs, Glenn Cook, executive director of facilities management, and Linda Nieles, senior associate counsel, Office of Juvenile Justice, Tennessee Department of Children's Services, May 1, 2025.

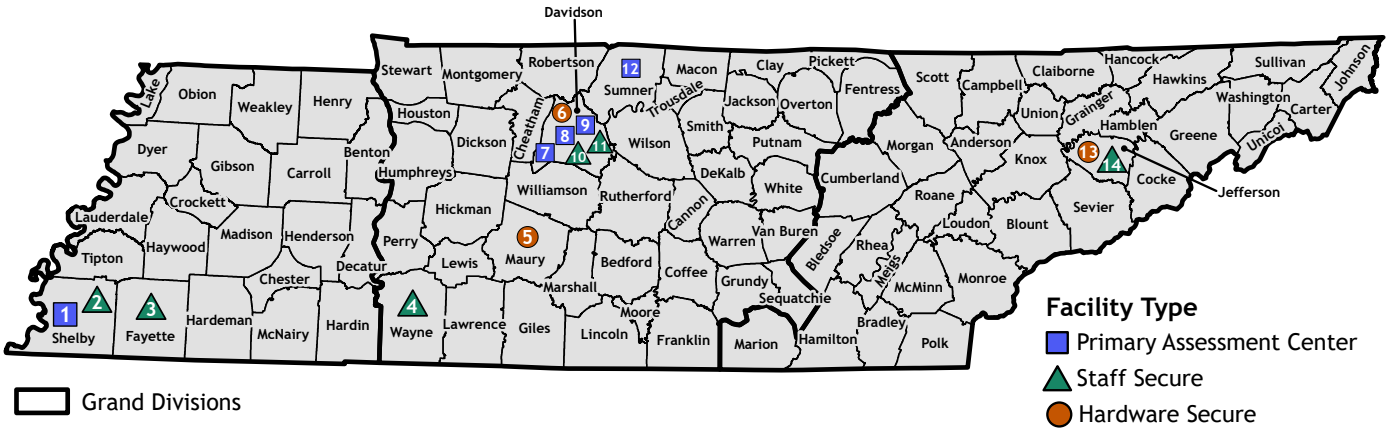
and display a wide range of behaviors."[99] DCS's contracted rate for using these centers is $615 per child per day.[100] See table 3, map 2, and appendix G.

Table 3. Primary Assessment Centers

Grand Division	Facility	Capacity
Middle	Gallatin Primary Assessment Center	4
	Two Rivers Primary Assessment Center	4
	Cumberland Primary Assessment Center	4
	Harpeth Primary Assessment Center	4
West	Bartlett Primary Assessment Center	30

Source: Data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

Map 2. Post-Adjudication Facilities and Licensed Capacity



Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

DCS also contracts with local governments to use space in JDCs to temporarily place juvenile offenders when DCS does not have a long-term placement available. DCS currently holds contracts with nine JDCs across the state (see table 4) and pays counties $187 per child per day (see appendix G).[101] When necessary, DCS will occasionally place youth in

[99] Tennessee Department of Children's Services 2025.
[100] Email from Frank Mix, executive director, Office of Network Development, Tennessee Department of Children's Services, June 12, 2025.
[101] Ibid.

their custody in JDCs the state does not contract with. In these cases, DCS pays the county a one-time rate to hold post-adjudicated youth.[102]

Table 4. DCS Contracted Juvenile Detention Centers by Grand Division

Grand Division	Facility
East	• Richard L. Bean Juvenile Service Center (Knox County) • Rhea County Juvenile Detention Center • Scott County Juvenile Detention Center • Bradley County Juvenile Detention Center
Middle	• Bedford County Juvenile Detention Center • Putnam County Juvenile Detention Center • Williamson County Juvenile Detention Center
West	• Shelby County Youth Justice and Education Center • Madison County Juvenile Detention Center

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

Staff secure facilities are for youth with lower supervision needs.

Staff secure facilities operate with a lower level of security for juvenile offenders with lower supervision needs. Also referred to as Level 3 Special Needs programs,[103] these facilities serve youth 13 years or older and are staffed to deter youth from leaving the facility. These facilities are surrounded by a perimeter fence[104] and include safety and security features that allow staff to secure rooms with lock and key.[105] Youth must have a mental health diagnosis to be admitted to one of these facilities.[106]

There is one state-operated staff secure facility in Tennessee, the John S. Wilder Youth Development Center (Wilder YDC) in Fayette County.[107] DCS contracts with five other in-state facilities operated by private providers.[108] In total, these six facilities had the capacity to house 231 juvenile offenders as of October 2025 (see table 5).[109] Wilder YDC costs the state around $1,409 per child per day to operate,[110] and under its contracts with private

[102] Email from Jim Layman, legislative director, Tennessee Department of Children's Services, October 30, 2025.
[103] Tennessee Department of Children's Services 2025.
[104] Ibid.
[105] Tennessee Department of Children's Services, Office of Juvenile Justice 2025.
[106] Tennessee Department of Children's Services 2025.
[107] In September 2023, populations and level of care were switched between Wilder and Standing Tall, making Wilder a staff secure facility and Standing Tall a hardware secure facility.
[108] Email from Michael Flanery-Gray, executive director of policy and programs, Office of Juvenile Justice, Tennessee Department of Children's Services, May 9, 2025.
[109] Testimony at commission meeting by Jim Layman, legislative director, Tennessee Department of Children's Services, September 18, 2025; and email from Jim Layman, legislative director, Tennessee Department of Children's Services, October 15, 2025.
[110] Tennessee Department of Children's Services, Office of Juvenile Justice 2025.

providers, the other staff secure facilities cost the state around $393 per child per day (see appendix G).[111] As of September 2025, there were 228 youth in DCS custody in staff secure placements across the state, 28 in Wilder YDC and the other 200 in one of the other five staff secure facilities.[112] As with juvenile offenders awaiting hardware secure placements, DCS temporarily places some youth awaiting staff secure placements in juvenile detention centers or assessment centers. See table 5, map 2, and figure 13.

Table 5. Residential Facilities Operated as Staff Secure

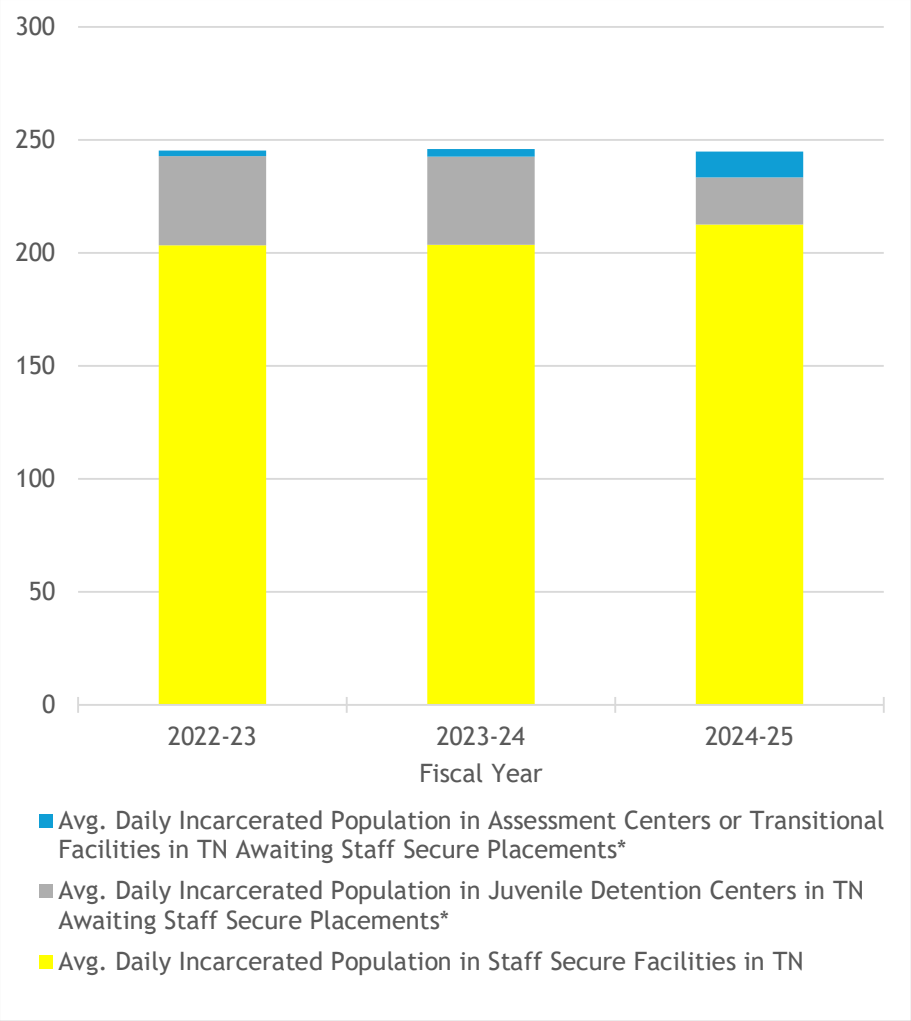
Grand Division	Facility Name	Operated by	Capacity*
East	Mountain View Academy	Wayne's Halfway House	24
Middle	Rosewood Academy	Youth Opportunity Investments	30
	Walnut Academy	Youth Opportunity Investments	30
	Hollis Academy	Wayne's Halfway House	49
West	Memphis Youth Academy	Youth Opportunity Investments	66
	Wilder Youth Development Center	State of Tennessee	32

*According to DCS, capacity numbers are not static and can fluctuate. These numbers are current as of October 2025.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

[111] Email from Frank Mix, executive director, Office of Network Development, Tennessee Department of Children's Services, June 12, 2025.
[112] Testimony at commission meeting by Jim Layman, legislative director, Tennessee Department of Children's Services, September 18, 2025.

Figure 13. Average Daily Juvenile Incarcerated Population Committed to DCS Custody and Placed or Awaiting Placement in Staff Secure Facilities, by Fiscal Year



* Data provided by DCS showing placements in juvenile detention centers, assessment centers, or other transitional facilities do not show whether those youth were awaiting a staff secure or hardware secure placement. For analysis purposes, TACIR staff separated these youth into estimates of those awaiting staff secure or hardware secure placements based on the overall ratio of staff secure to hardware secure placements among juvenile offenders in DCS custody.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

DCS has faced capacity shortages for secure long-term placements in recent years.

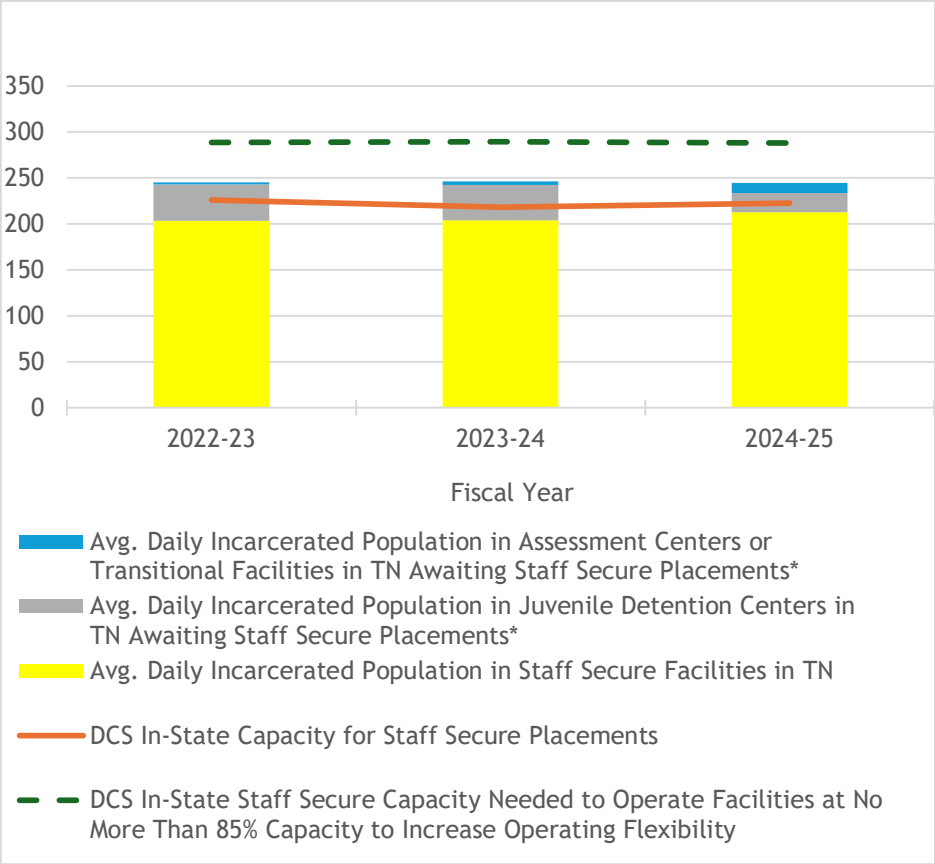
In its 2022 audit of DCS, the Tennessee Comptroller of the Treasury found that despite increasing numbers of children entering DCS custody, management had not anticipated or planned for "the risk of a shortage of

foster homes, treatment facilities, or secure residential facilities."[113] The Comptroller's audit concluded that these capacity problems were not entirely unprecedented, as DCS has had a history of using unlicensed transition homes, offices, and other makeshift spaces when it was unable to secure a placement in a long-term or temporary setting. From April 22, 2022, to July 4, 2022—a span of less than three months—33 juvenile justice children stayed in office buildings overnight, and 13 juvenile justice children stayed in transitional homes. Several of these children stayed in one of the temporary settings for a week, and one child remained in an office building for 11 nights.[114] In October of 2022, when speaking to the General Assembly, the commissioner of DCS said that all staff secure and hardware secure facilities in the state were "100% filled" and had reached maximum capacity.[115]

Data show that DCS's need for secure residential placements has exceeded in-state capacity at hardware secure and staff secure facilities in recent years. From fiscal year 2022-23 through 2024-25, DCS has averaged more youth in custody per day than long-term placements available for them and typically had several dozen juvenile offenders housed in temporary placements on a daily basis. See figures 14 and 15.

[113] Tennessee Comptroller of the Treasury 2022.
[114] Ibid.
[115] Testimony by Margie Quin, commissioner, Tennessee Department of Children's Services, during the Joint Ad Hoc Committee to Review the Adequacy of the Supervision, Investigation, and Release of Criminal Defendants, October 5, 2022.

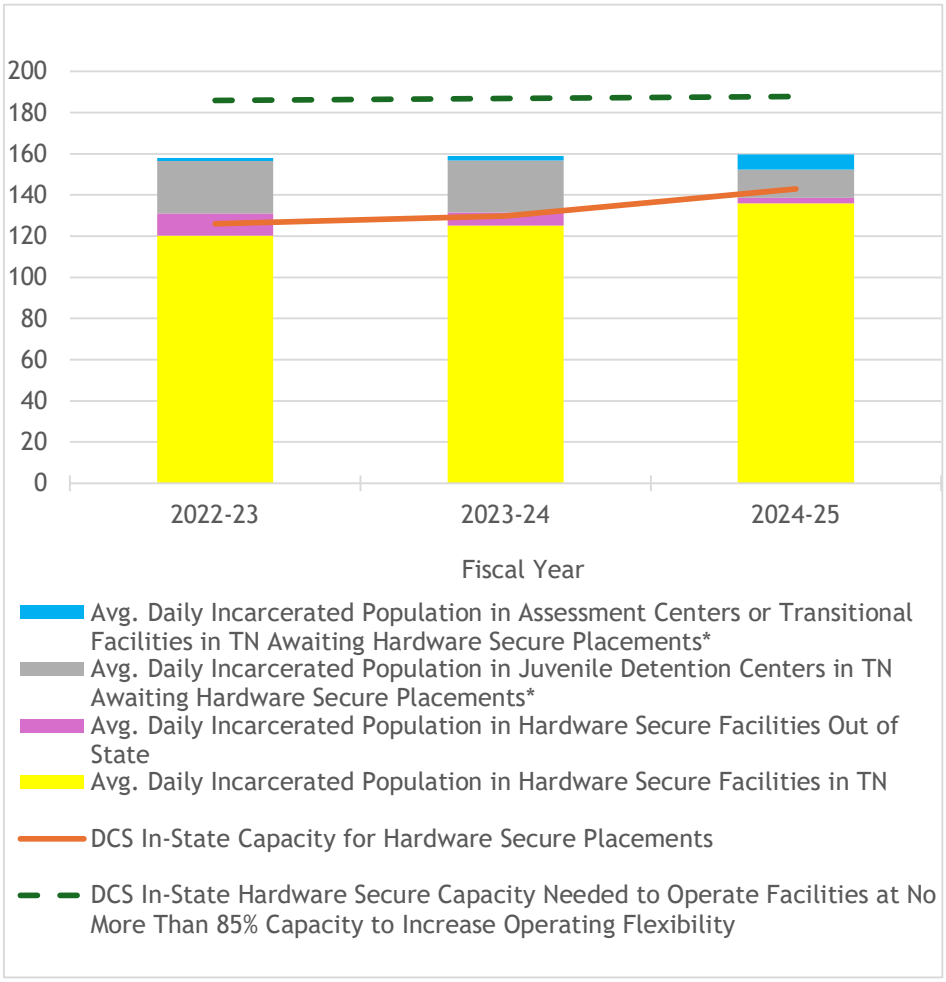
Figure 14. DCS In-State Capacity for Staff Secure Placements Compared to Actual and Estimated Need, by Fiscal Year



* Data provided by DCS showing placements in juvenile detention centers, assessment centers, or other transitional facilities do not show whether those youth were awaiting a staff secure or hardware secure placement. For analysis purposes, TACIR staff separated these youth into estimates of those awaiting staff secure or hardware secure placements based on the overall ratio of staff secure to hardware secure placements among juvenile offenders in DCS custody.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

Figure 15. DCS In-State Capacity for Hardware Secure Placements Compared to Actual and Estimated Need, by Fiscal Year



* Data provided by DCS showing placements in juvenile detention centers, assessment centers, or other transitional facilities do not show whether those youth were awaiting a staff secure or hardware secure placement. For analysis purposes, TACIR staff separated these youth into estimates of those awaiting staff secure or hardware secure placements based on the overall ratio of staff secure to hardware secure placements among juvenile offenders in DCS custody.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

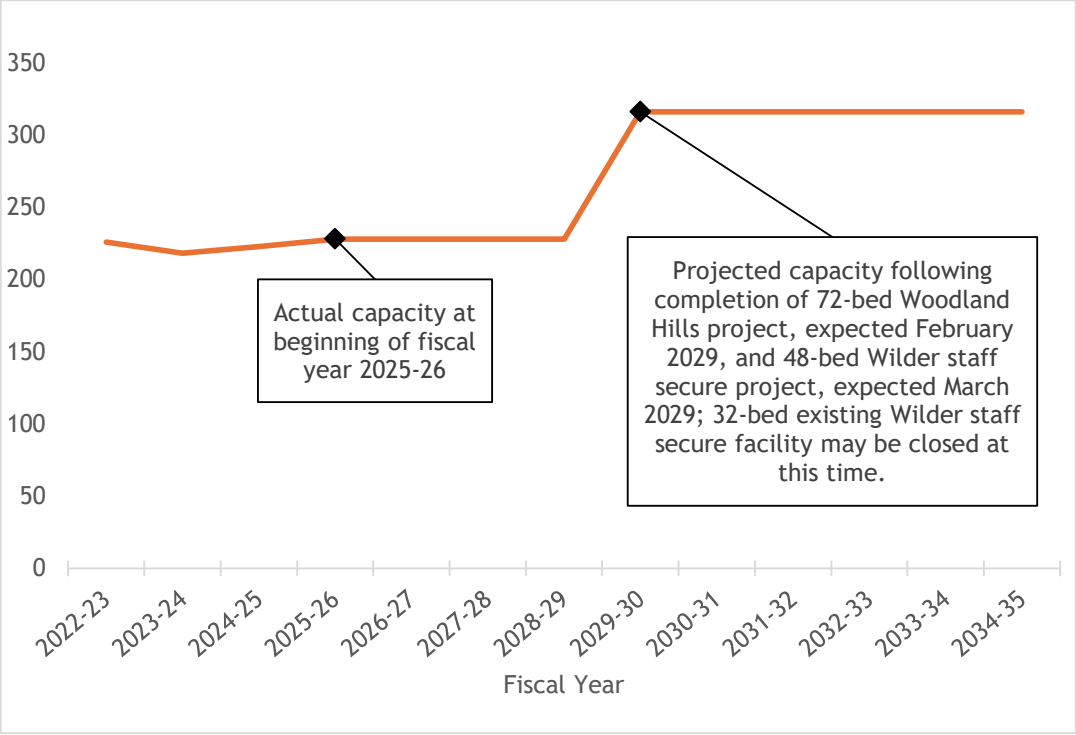
Fortunately, DCS and the General Assembly have taken steps to address post-adjudication capacity issues.

Following the growing challenges resulting from having more children in custody and the strain on current capacity, DCS adopted a real estate plan in 2023 that identified the need for additional facilities, including one new hardware secure and two new staff secure facilities:

- The plan called for the construction of a new 72-bed hardware secure facility on the property that currently houses the Wilder YDC.
- It also called for the construction of a new 48-bed staff secure facility at Wilder, with the existing 32-bed Wilder YDC to be decommissioned when the new staff secure facility is complete.
- And it called for a new 72-bed staff secure facility at DCS's Woodland Hills site in Davidson County.[116]

The General Assembly has appropriated funding for the completion of each of these projects, totaling more than $333 million.[117] In total, the projects, once complete, will increase DCS capacity by 72 hardware secure and 88 staff secure beds.[118] Based on commission staff analysis of DCS data, the new facilities will likely resolve the need for additional post-adjudication capacity for at least the next decade. Commission staff analysis is in line with findings in DCS's 2023 real estate plan. See figures 16, 17, 18, and 19.

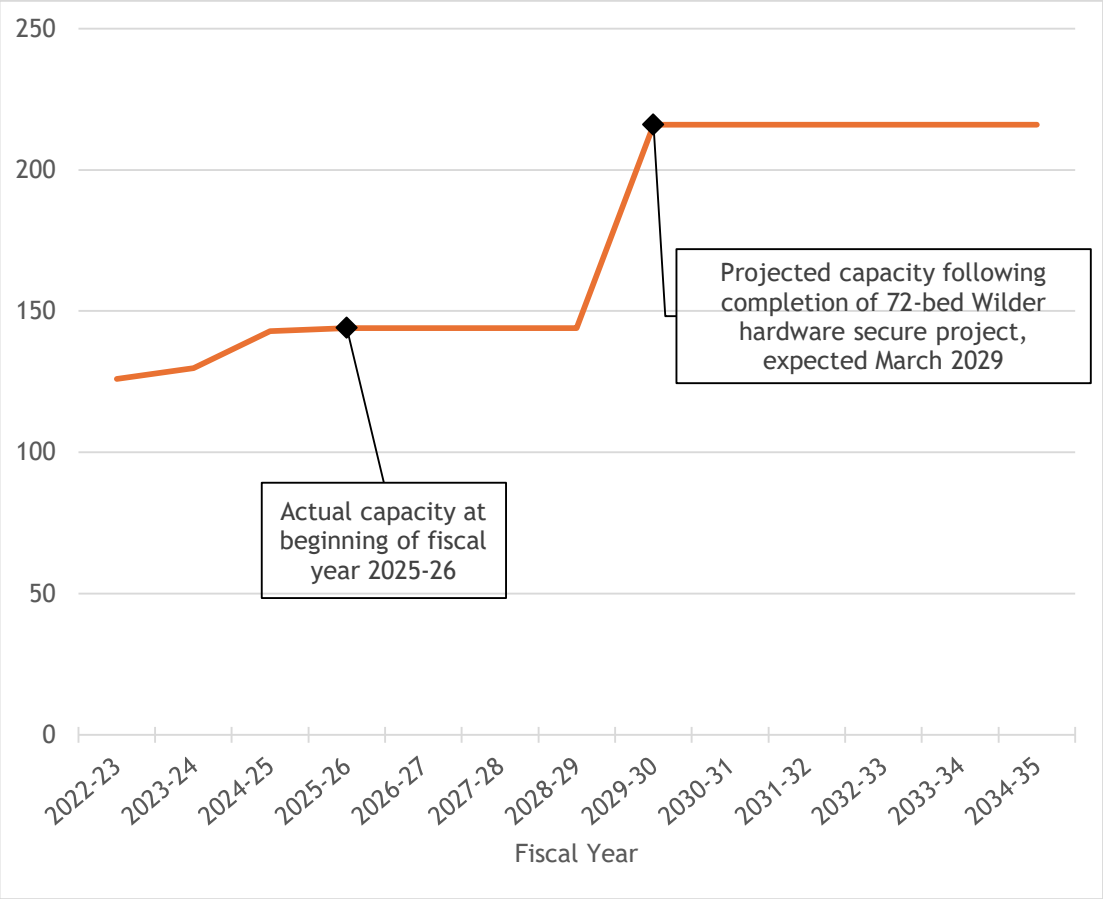
Figure 16. DCS In-State Capacity for Staff Secure Placements Including New Real Estate Projects, by Fiscal Year



Source: TACIR staff analysis based on data provided by and correspondence with Tennessee Department of Children's Services staff, appropriations acts for fiscal year 2024-25 and 2025-26, budget requests for 2024-25 and 2025-26, and 2023 DCS real estate plan.

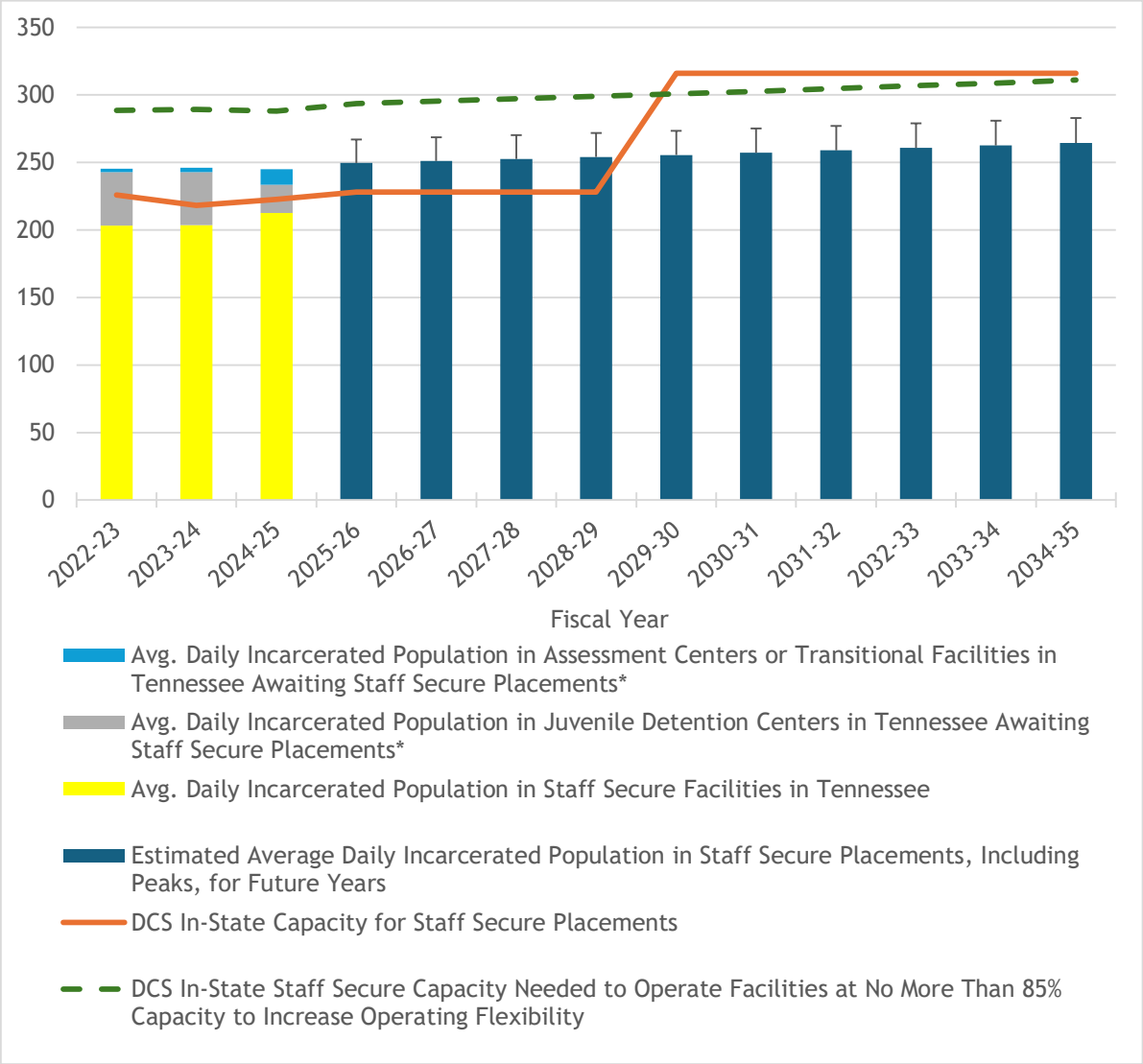
[116] Tennessee Department of Children's Services 2023; and emails from Jim Layman, legislative director, Tennessee Department of Children's Services, September 25 and December 15, 2025.
[117] Gessner 2025.
[118] The existing 32-bed Wilder YDC is planned to be decommissioned when the new staff secure facility is complete.

Figure 17. DCS In-State Capacity for Hardware Secure Placements Including New Real Estate Projects, by Fiscal Year



Source: TACIR staff analysis based on data provided by and correspondence with Tennessee Department of Children's Services staff, appropriations acts for fiscal year 2024-25 and 2025-26, budget requests for 2024-25 and 2025-26, and 2023 DCS real estate plan.

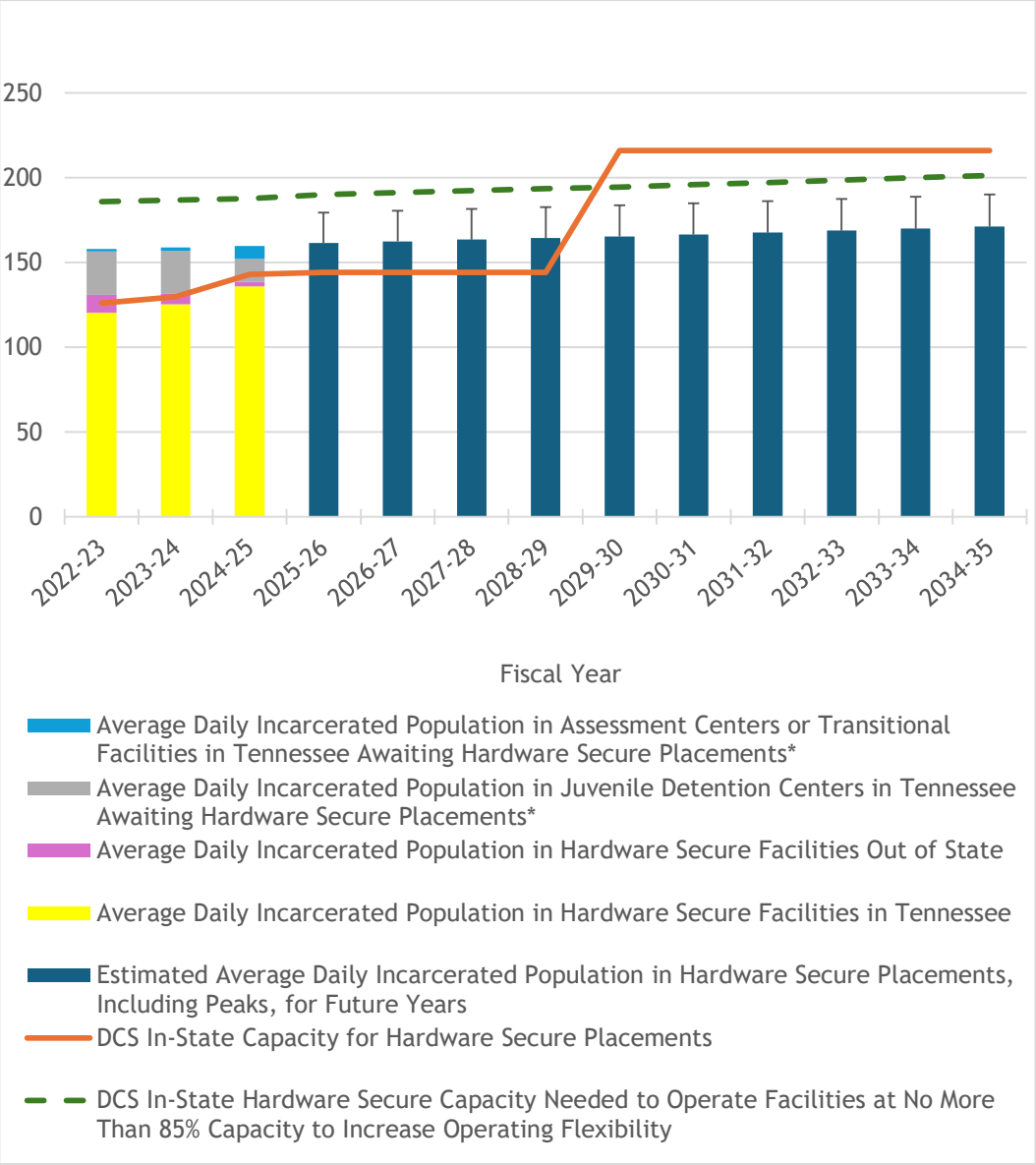
Figure 18. DCS In-State Capacity for Staff Secure Placements Compared to Actual and Estimated Need, by Fiscal Year



* Data provided by DCS showing placements in juvenile detention centers, assessment centers, or other transitional facilities do not show whether those youth were awaiting a staff secure or hardware secure placement. For analysis purposes, TACIR staff separated these youth into estimates of those awaiting staff secure or hardware secure placements based on the overall ratio of staff secure to hardware secure placements among juvenile offenders in DCS custody.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

Figure 19. DCS In-State Capacity for Hardware Secure Placements Compared to Actual and Estimated Need, by Fiscal Year



* Data provided by DCS showing placements in juvenile detention centers, assessment centers, or other transitional facilities do not show whether those youth were awaiting a staff secure or hardware secure placement. For analysis purposes, TACIR staff separated these youth into estimates of those awaiting staff secure or hardware secure placements based on the overall ratio of staff secure to hardware secure placements among juvenile offenders in DCS custody.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Juvenile Justice.

Reducing the number of youth placed in secure facilities could help reduce the need for additional capacity in the future.

Although building additional facilities is one way to address the imbalance between existing capacity and need for secure residential placements, there are other steps that the state and local officials can take. These alternatives won't offset the need for new pre- and post-adjudication facilities identified in the preceding sections of this report. But they can help slow the flow of youth into the juvenile justice system, thereby reducing some of the need for new capacity in the future. For youth for whom these alternatives to detention are appropriate—and they won't be appropriate for all juvenile offenders—they represent a potentially cost-effective option for the state and its juvenile justice system.

Alternatives to detention can be cost-effective and reduce recidivism.

For many juvenile offenders, providing them with community-based interventions shows greater reductions in recidivism and better life outcomes than institutional programs. Recidivism, or rates of reoffending, is the metric most commonly used to track the effectiveness of incarceration in both the adult and juvenile justice systems.[119] National research over the last few decades has found that incarceration is not always an effective deterrent for juvenile offenders, and in some cases, research suggests that being placed in secure facilities either pre- or post-adjudication may increase a youth's likelihood of reoffending.[120] Juvenile offenders who have been incarcerated have lower high school graduation rates and are more likely to be incarcerated as an adult than other juvenile offenders.[121] Further, detention makes it less likely that youth will be able to pursue educational opportunities after their release.[122] Youth incarceration for a period of less than one year is associated with worse general health as an adult, and more than one year of incarceration is associated with worse adult mental health and other limitations.[123]

In contrast, researchers have found that many programs focused on providing community-based rehabilitative services consistently produce better results than incarceration for most youth.[124] For example, family-focused, multidimensional therapy models, such as Multisystemic Therapy and Functional Family Therapy, employ specially trained therapists to identify and confront factors that push youth toward

[119] Justice Policy Institute 2020.
[120] Ibid.
[121] Aizer and Doyle 2015.
[122] Justus Coordinating Council "On Youth Access to Education Upon Reentry."
[123] Barnert et al. 2017.
[124] Mendel 2023.

delinquent conduct, with a heavy focus on working with family members to support youth success.[125] These types of therapies have been shown to be effective at reducing youth incarceration and crime rates.[126] Functional Family Therapy results in lower recidivism than probation or other justice system interventions.[127] Benchmark studies assessing Multisystemic Therapy programs show they reduced long-term rearrest rates by 42% on average, compared with probation, residential confinement, and other alternatives.[128] Restorative justice programs have also been shown to be effective in reducing recidivism.[129] Davidson county's juvenile court has implemented a restorative justice program in partnership with a community-based organization, the Raphah Institute. The court has successfully completed 90 cases through the program since its inception, with only two youth reoffending within the two-year period the court uses to track recidivism.[130]

In 2018 the state established Juvenile Justice Reform (JJR) grants to support evidence-based and outcomes-oriented programs across Tennessee. The JJR grant is administered by the Tennessee Department of Mental Health and Substance Abuse Services (MHSAS), which has awarded grants to providers in 91 counties. The General Assembly originally appropriated $4.5 million in recurring funds for the program beginning in fiscal year 2018-19, and based on program success and demand for services, it increased JJR funding to $5.8 million recurring for fiscal year 2024-25. The funds are used to divert youth and families from further juvenile court and DCS involvement. The goal of the program is to expand community-based services and training to provide treatment options for juvenile courts to use across the state.[131]

The JJR program has demonstrated a strong return on investment, both in terms of youth outcomes and cost effectiveness. Providers funded by JJR grants have been successful in diverting juvenile justice-involved youth from further penetration into the juvenile justice system and building important skills. In fiscal year 2024-25, youth served by a JJR-funded program saw, on average, increases in coping skills, behavior norms, and communication.[132] An exact comparison of the state's detention and JJR programs cannot be made with the data currently available, but JJR programs have an overall promising recidivism rate and are cost-effective in contrast to detention and DCS custody. In fiscal year 2024-25, at their six-

[125] Ibid.
[126] Ibid.
[127] Sexton and Turner 2010.
[128] MST Services 2022.
[129] Mendel 2023.
[130] Interview with Sheila Calloway, juvenile court judge, Davidson County, July 7, 2025.
[131] Testimony at commission meeting by Matt Yancey, deputy commissioner of behavioral health programs, Tennessee Department of Mental Health and Substance Abuse Services, September 18, 2025.
[132] Ibid.

month follow-up, participants in JJR-funded programs had a recidivism rate of 7%, and 99% of youth were able to remain in their homes.[133] In fiscal year 2022-23, 12% of youth in DCS custody reentered custody within 12 months.[134] While the average detention stay costs local governments anywhere from $200 per child per day[135] to more than $450 per child per day,[136] and post-adjudication detention can cost the state from $187 per child per day to $1,409 per child per day, JJR programs' average daily cost is estimated to be $43.65 per child per day (see appendix G).[137]

Since the JJR grant began funding program providers in 2018, over 7,000 youth have been served, regardless of their ability to pay or health insurance status.[138] With the addition of $1.3 million in recurring funding in 2024, the JJR program has been able to serve an additional 250 to 300 youth annually.[139] Still, the need for services continues to outpace current capacity. According to AOC data, there were over 20,000 referrals to juvenile court in calendar year 2024, underscoring the scale of youth involvement in the justice system.[140] Currently, multiple providers that receive JJR grants report waitlists, with about 100 youth waiting for services in the 91 counties being served.[141] Increased funding would help alleviate these waitlists by enabling providers to hire additional staff and expand service delivery.

Formal risk assessments could, where appropriate, help divert children from going deeper into the justice system.

Whether a juvenile offender is diverted to a community-based program or placed in a JDC is largely at the discretion of the juvenile court. In the pre-adjudication phase, state law sets eligibility requirements for detainment. If a child meets those minimum requirements, it is up to the judge whether the child is detained in a JDC prior to adjudication.[142] Because Tennessee does not have a unified court system, a child may face detention in one county when they wouldn't elsewhere.

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[133] Ibid.
[134] Tennessee Department of Children's Services, Office of Juvenile Justice 2025.
[135] Email from Tausha Alexander, partner, MNA Government Relations, October 23, 2025.
[136] Testimony at commission meeting by Sheila Calloway, juvenile court judge, Davidson County, September 18, 2025.
[137] Email from Elizabeth Reeve, director of juvenile justice programing, Tennessee Department of Mental Health and Substance Abuse Services, October 17, 2025.
[138] Testimony at commission meeting by Matt Yancey, deputy commissioner of behavioral health programs, Tennessee Department of Mental Health and Substance Abuse Services, September 18, 2025.
[139] Email from Elizabeth Reeve, director of juvenile justice programing, Tennessee Department of Mental Health and Substance Abuse Services, October 17, 2025.
[140] TACIR staff analysis of data from the Tennessee Administrative Office of the Courts; and email from Elizabeth Reeve, director of juvenile justice programing, Tennessee Department of Mental Health and Substance Abuse Services, October 17, 2025.
[141] Email from Elizabeth Reeve, director of juvenile justice programing, Tennessee Department of Mental Health and Substance Abuse Services, October 17, 2025.
[142] Tennessee Rules of Juvenile Practice and Procedure 203(d).

Commission staff found no statewide evidence of juvenile judges systematically incarcerating youth who would otherwise be good candidates for community-based programs. But there have been well-publicized instances of this occurring in individual counties in recent decades. Most notably, Rutherford County, in 2021, settled a class-action lawsuit based in part on its juvenile court judge's decision-making process for determining which children would be detained. That process, which a federal judge ordered Rutherford County's juvenile court to stop using, was undefined and unclear in practice and was deemed unlawful and inept at properly determining which youth were best suited for detainment. The judge overseeing the class-action lawsuit found it resulted in the unlawful detention of youth, and along with a share of wrongful arrest claims, the lawsuit led to a combined payout of $11 million, approximately $5,000 for each detainment and $1,000 for each arrest.[143]

Other juvenile judges have found it beneficial to use formal juvenile detention risk assessments—sometimes referred to as detention risk assessment tools—to help guide their decision making on which youth to detain. These formal detention risk assessments are used to evaluate each arrested minor to determine the need for secure, locked confinement and are unique to each specific community. Data show that formal risk assessments have been effective in lessening subjective or inappropriate decisions to place children in locked facilities, controlling total admissions to secure detention, and ultimately decreasing the associated costs and liabilities placed on local governments.[144] The drafting of these assessment instruments is crucial for their success and should be tailored to each community. Improper instrument design or implementation can result in unintended consequences, such as higher rates of youth placed in secure detention and overcrowding in juvenile facilities.[145]

Importantly, these formal risk assessments do not negate a judge's expertise. Judges can always override the recommendation of the assessment if they believe there are extenuating circumstances that require detention determinations opposite the risk assessment's outcomes.[146]

As a supplement to judges' professional experience and discretion, formal risk assessments provide objective tools to help determine whether individual children pose a threat to the community. Davidson County's juvenile court has successfully implemented a detention risk assessment tool to assist in its decision-making for pre-adjudication detention. The court studies a youth's juvenile court history and risk level, which is assigned by the risk assessment tool. Low risk assessments result in a parent notification and resource provision, whereas medium- and high-

[143] Robinson 2021; and Knight and Armstrong 2022.
[144] Steinhart 2006.
[145] Ibid.
[146] Ibid.

risk youth are given a court date and more resources are dedicated to handling the case.[147] The juvenile court judge for Davidson County said during a panel discussion at the September 2025 commission meeting that this tool helps to determine whether the child in front of her did something impulsive or truly poses a danger to the community unless closely supervised. This means a child who has committed a less serious offense, such as shoplifting, and who has no prior arrests can be diverted quickly to community services, whereas children facing charges for violent crimes can be held in detention.[148] In this way, formal risk assessments help judges prioritize detention for those who need it.

Focusing on capacity increases alone won't necessarily improve outcomes for youth in custody or the communities in which they live.

Building more oversight into the juvenile justice system could help maintain better standards of care for youth in custody. Tennessee's stated goal for its juvenile justice system is to rehabilitate and remove the taint of criminality from youth in its care.[149] But DCS and other departments involved in the detention of pre- and post-adjudication youth have come under scrutiny for the treatment of youth in detention facilities.

Allegations in a 2024 lawsuit against the state filed by Disability Rights Tennessee raise questions about whether conditions inside some of the facilities that house juvenile offenders are supportive of the rehabilitation of delinquent youth. The lawsuit is currently in the discovery phase and a trial date has been requested for no earlier than May 2027.[150] It alleges that facilities are "not providing [juvenile offenders] with legally required rehabilitation and educational services and subjecting them to violence and abuse"[151] and includes examples from both government-operated and privately operated pre- and post-adjudication facilities.[152] Similarly, a 2023 investigation by WPLN and ProPublica found that despite repeated violations documented by DCS at the Richard L. Bean Juvenile Service Center in Knox County, the facility had faced few formal consequences,[153] though the state and county have since stepped in to address issues at the facility.

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[147] Interview with Jennifer Wade, court administrator, Davidson County Juvenile Court, May 27, 2025.
[148] Testimony at commission meeting by Sheila Calloway, juvenile court judge, Davidson County, September 18, 2025.
[149] Tennessee Code Annotated, Section 37-1-101.
[150] Disability Rights Tennessee v. The State of Tennessee, The Tennessee Department of Children's Services, Margie Quin, and Lizzette Gonzalez Reynolds, 3:24-cv-00777, First Modified Case Management Order.
[151] Youth Law Center 2024.
[152] Disability Rights Tennessee v. The State of Tennessee, The Tennessee Department of Children's Services, Margie Quin, and Lizzette Gonzalez Reynolds, 3:24-cv-00777.
[153] Pfleger 2024.

Although multiple state agencies are involved in the licensing, assessment, and evaluation of pre- and post-adjudication facilities that house juvenile offenders, there appear to be opportunities to enhance their oversight. For example, the Tennessee Commission on Children and Youth (TCCY) receives federal funding from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to fund nonprofits or government agencies in the state that prevent, intervene in, treat, or reduce youth offending behaviors, and TCCY monitors all secure facilities that children are detained at for compliance with federal mandates. These mandates include

- deinstitutionalizing status offenders,
- removing children from adult jails,
- separating children from adult offenders, and
- reducing racial and ethnic disparities within the youth justice system.[154]

If the state is found to be noncompliant with these mandates, federal funding can be decreased.[155]

Outside of these monitoring responsibilities, TCCY also has an ombudsman responsible for investigating claims against DCS and other detention providers. But it has no enforcement authority beyond documenting complaints and violations.[156]

DCS licenses privately operated pre- and post-adjudication facilities, but it does not have licensing authority for government-operated JDCs. Government-operated JDCs are subject to the same state and federal requirements as privately operated JDCs, and they annually submit the same paperwork to DCS that a private facility would for licensing, but instead of a license, DCS issues an approval to operate.[157] Under state law, DCS does not have a legal mechanism to suspend or revoke the approval for government-operated JDCs that fail to comply with DCS requirements.[158]

This complicates DCS's ability to hold government-operated JDCs accountable for violations of state and federal requirements, because JDCs are able to operate under a previously issued approval indefinitely,

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[154] Interview with Linda Copeland, director of youth justice, Zanira Whitfield, juvenile justice specialist, Therese Sipes, compliance monitor, Wendy Pickering, grant contract monitor, Craig Hargrow, deputy executive director, and Kylie Graves, director of data, policy, and communications, Tennessee Commission on Children and Youth, May 22, 2025.
[155] Email from Therese Sipes, compliance monitor, Tennessee Commission on Children and Youth, July 1, 2025.
[156] Interview with Linda Copeland, director of youth justice, Zanira Whitfield, juvenile justice specialist, Therese Sipes, compliance monitor, Wendy Pickering, grant contract monitor, Craig Hargrow, deputy executive director, and Kylie Graves, director of data, policy, and communications, Tennessee Commission on Children and Youth, May 22, 2025.
[157] Interview with Sammi Maifair, general counsel, Tennessee Department of Children's Services, October 23, 2025.
[158] Ibid.

even without receiving a new approval to operate.[159] The state can take noncompliant government-operated JDCs to court to sue for an injunction that would stop the facility from holding youth. But this is rarely done, according to DCS staff.[160] Citing capacity constraints and logistical issues, DCS has continued to place children in government-operated facilities even when the facility is operating under an outdated approval and DCS has declined to issue new approval to it.[161]

Staff with DCS's Office of Child Welfare Licensing said in an interview with commission staff that in addition to licensing government-operated JDCs, authorizing DCS to levy financial penalties is an alternative that could encourage facility operators to comply with state and federal requirements.[162] This is a practice that some other states allow. Alabama,[163] Alaska,[164] Kansas,[165] and Vermont[166] directly authorize fines for JDCs that are noncompliant with state guidelines, and noncompliant JDCs in Maryland[167] can lose state funding. Colorado,[168] Florida,[169] Ohio,[170] and some other states[171] authorize fines in the general licensing guidelines for the department that licenses the states' JDCs. Fines vary greatly from state to state, with some as low as $50 per day and others as large as $2,500 per day. Other states' financial penalties also vary in application. Colorado scales its financial penalties, beginning with a $250 fine for the first day of noncompliance, doubling it to $500 for the second day, and then reaching $1,000 each day thereafter, up to $10,000 total. In Ohio[172] and Maryland,[173] the states withhold grant funding as the mechanism for financially penalizing facilities that remain out of compliance.

During the 114th General Assembly, Public Chapter 281, Acts of 2025, created the Tennessee Juvenile Justice Review Commission (JJRC). The JJRC is tasked with reviewing a sample of juvenile justice cases and any critical incidents involving juveniles to provide the General Assembly with

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159 Ibid.
160 Ibid.
161 Ibid.
162 Interview with Mark Anderson, director, Division of Quality Compliance, Office of Child Welfare Licensing, and Austin Wouters, executive director of quality compliance, Tennessee Department of Children's Services, May 29, 2025.
163 Alabama Code, Section 44-1-10.
164 Alaska Statutes, Section 47-32-140.
165 Kansas Statutes Annotated, Sections 65-503 and 65-526.
166 Vermont Department of Children and Families, Family Services Division 2017.
167 The State of Maryland 2025.
168 Colorado Revised Statutes, Sections 26-6-914 and 26-6-921.
169 Florida Statutes, Section 402-310.
170 Statute specifies that the state can withhold funds. Ohio Revised Code, Section 5139.34.
171 Georgia, Hawaii, Maine, Utah, and Wisconsin. Georgia Code Annotated, Sections 49-5-12 and 49-5-12.1; Hawaii Revised Statutes, Sections 346-16 and 346-17; 22 Maine Revised Statutes, Section 7701 and 22 Maine Revised Statutes, Section 7702-A; Utah Department of Health and Human Services, Division of Licensing and Background Checks, Rule 501-1; and Wisconsin Statutes Annotated, Section 48.715.
172 Ohio Revised Code, Section 5139.34.
173 The State of Maryland 2025.

findings and legislative recommendations. The JJRC will also produce a report on its findings. But it does not have authority to levy penalties, financial or otherwise, on facilities and their operators that aren't in compliance with state or federal law.

In the 113th General Assembly, Senate Bill 2860 by Senator Roberts and House Bill 2647 by Representative Ragan would have authorized TCCY's ombudsman to initiate investigations into any facility that is used to detain youth in the state. TCCY's ombudsman would have been required to share their investigations' findings and recommendations in reports to DCS. Under the legislation, DCS would have been required to annually provide TCCY's ombudsman with any remedial actions taken against facilities. The bill did not pass and was, in part, a response to investigations of the Bean Center.[174]

[174] Pfleger 2024.

References

Aizer, Anna, and Joseph J. Doyle, Jr. 2015. "Juvenile Incarceration, Human Capital, and Future Crime: Evidence from Randomly Assigned Judges." *The Quarterly Journal of Economics* 130 (May): 759–803. https://doi.org/10.1093/qje/qjv003.

Annie E. Casey Foundation. 2018. "Kids Deserve Better: Why Juvenile Detention Reform Matters." Accessed November 5, 2025. https://www.aecf.org/blog/kids-deserve-better-why-juvenile-detention-reform-matters.

———. 2024. "Conditions of Youth Confinement Facility Standards and Resources." Accessed December 19, 2025. https://www.jjadvocates.org/wp-content/uploads/2024/10/ACF_JDAIReport2024-UPDATED-Oct-9-2024.pdf.

Ashbaugh, Caitlin. 2025. "Exclusive Walk Through Greenville County's Reopened Youth Detention Center." *WYFF4, S*eptember 18. https://www.wyff4.com/article/greenville-countys-reopened-youth-detention-center/67952831.

Barnert, Elizabeth S., Rebecca Dudovitz, Bergen B. Nelson, Tumaini R. Coker, Christopher Biely, Ning Li, and Paul J. Chung. 2017. "How Does Incarcerating Young People Affect Their Adult Health Outcomes?" *Pediatrics* 139(2): https://doi.org/10.1542/peds.2016-2624.

Benjamin, Terry, II. 2024. "Juvenile Detention Center to Reopen in Greenville County, Ending Trek to Columbia." *Greenville News,* December 5. https://www.greenvilleonline.com/story/news/local/2024/12/05/sc-department-of-juvenile-justice-to-open-greenville-detention-center/76798472007/?gnt-cfr=1&gca-cat=p&gca-uir=false&gca-epti=z117831p000412c0004-12u117131d00----v117831&gca-ft=215&gca-ds=sophi.

Choung, Casey. 2025. "State Juvenile Justice Department to Construct $82.7 Million Detention Facility in East Mason." *The Macon Melody,* May 19. https://maconmelody.com/state-juvenile-justice-department-to-construct-82-7-million-detention-facility-in-east-macon/.

Chrastil, Nick. 2024. "Towns Across Louisiana Clamor to Build New Juvenile Detention Centers." *The Lens, D*ecember 16. https://thelensnola.org/2024/12/16/towns-across-louisiana-clamor-to-build-new-juvenile-detention-centers/.

Elder-Connors, Liam. 2025. "Vermont Seeks New Developer for Locked Juvenile Facility." *Vermont Public,* October 27. https://www.vermontpublic.org/local-news/2025-10-27/bid-new-developer-locked-juvenile-facility.

Gessner, Tori. 2025. "DCS to Build New Juvenile Justice Facilities to Ease Bed Shortage, Improve Care." *WKRN,* July 10. https://www.wkrn.com/news/tennessee-news/dcs-to-build-new-juvenile-justice-facilities-to-ease-bed-shortage-improve-care/.

Hockenberry, Sarah, and Anthony Sladky. 2024. "Juvenile Residential Facility Census 2020: Selected Findings." https://ojjdp.ojp.gov/publications/juvenile-residential-facility-census-2020-selected-findings.pdf.

Justice Policy Institute. 2020. "Sticker Shock 2020: The Cost of Incarceration." https://justicepolicy.org/wp-content/uploads/2022/02/Sticker_Shock_2020.pdf.

Justus Coordinating Council. "On Youth Access to Education Upon Reentry." Accessed November 17, 2025. https://justuscc.org/wp-content/uploads/2024/02/JCC-Mythbusters-On-Youth-Access-to-Education-Upon-Reentry.pdf.

Kleinpeter, Brittany, and Akilah Winters. 2024. "Law Enforcement, Leaders Anticipate New Detention Center as Crime Amongst Youth Rises." *11 Alive*, March 13. https://www.11alive.com/article/news/local/gwinnett-county-new-youth-detention-center/85-5d0e7df8-d874-4db8-b394-55c14f703534.

Knight, Meribah, and Ken Armstrong. 2022. "Juvenile Detention Center That Illegally Jailed Kids Now Will Answer to an Oversight Board." *ProPublica,* June 8. https://www.propublica.org/article/tennessee-juvenile-detention-rutherford-criminal-justice.

Lantz, Brendan, and Kyle G. Knapp. 2024. "Trends in Juvenile Offending, What You Need to Know." Accessed October 29, 2025. https://counciloncj.org/trends-in-juvenile-offending-what-you-need-to-know/.

Mendel, Richard. 2023. "Effective Alternatives to Youth Incarceration." Accessed October 29, 2025. https://www.sentencingproject.org/reports/effective-alternatives-to-youth-incarceration/.

MST Services. 2022. "Multisystemic Therapy Research at a Glance, Published MST Outcome, Implementation and Benchmarking Studies." January, https://wegwijzerjeugdenveiligheid.nl/wp-content/uploads/2024/04/Research_at_a_Glance.pdf.

O'Donoghue, Julie. 2023. "New 72-Bed Juvenile Justice Facility to Open at Old Baker Site." *Louisiana Illuminator*, October 6. https://lailluminator.com/2023/10/06/juvenile-justice/.

———. 2025. "Louisiana Likely to Spend Over $93 Million on Four Youth Jails, Prisons." *Louisiana Illuminator*, February 13. https://lailluminator.com/2025/02/13/louisiana-likely-to-spend-over-93-million-on-four-youth-jails-prisons/.

Pew.org. 2023. "States Commit to Comprehensive Juvenile Legal System Reforms." Accessed November 5, 2025. https://www.pew.org/en/research-and-analysis/data-visualizations/2023/states-commit-to-comprehensive-juvenile-legal-system-reforms.

Pfleger, Paige. 2024. "Despite Outcry at Juvenile Detention Centers, Tennessee Lawmakers Fail to Pass Oversight Bill." *Tennessee Lookout*, April 26. https://tennesseelookout.com/2024/04/26/despite-outcry-at-juvenile-detention-centers-tennessee-lawmakers-fail-to-pass-oversight-bill/.

Puzzanchera, Charles, Sarah Hockenberry, Anthony Sladky, and W. Kang. 2024. "Juvenile Residential Facility Census Databook." https://ojjdp.ojp.gov/statistical-briefing-book/data-analysis-tools/jrfcdb/state-comparisons/state-by-facility-size.

Robinson, Adia. 2021. "Judge Faces Criticism Following Report That Black Children Were Illegally Jailed in Tennessee County." *ABC News*, October 14. https://abcnews.go.com/US/judge-faces-criticism-report-black-children-illegally-jailed/story?id=80536288.

Rogers, Christopher. 2025. "New Juvenile Center in Cole County Slightly Exceeds Budget, but Officials Remain Confident." *KRCG*, September 3. https://krcgtv.com/news/local/new-juvenile-center-in-cole-county-slightly-exceeds-budget-but-officials-remain-confident.

Roldan, Roberto. 2025. "Louisville Officials Want State to Fast-Track Youth Detention Center Renovations." *Louisville Public Media*, September 19. https://www.lpm.org/news/2025-09-19/louisville-officials-want-state-to-fast-track-youth-detention-center-renovations.

Ryan, Liz, and Vincent Schiraldi. 2025. "Why Are We Backsliding on Juvenile Justice?" *Governing*, July 17. https://www.governing.com/policy/why-are-we-backsliding-on-juvenile-justice.

Saric, Sofia. 2024. "'A Lot of Unknowns': Tennessee's New Blended Sentencing Law for Juvenile Offenders Goes Into Effect in New Year." *Chattanooga Times Free Press*, December 28. https://www.timesfreepress.com/news/2024/dec/28/a-lot-of-unknowns-tennessees-new-blended/.

Sexton, Thomas, and Charles W. Turner. 2010. "The Effectiveness of Functional Family Therapy for Youth with Behavioral Problems in a Community Practice Setting." *The Journal of Family Psychology* 24(3): 339-48. https.doi.0.1037/a0019406.

Steinhart, David. 2006. "Juvenile Detention Risk Assessment, A Practice Guide to Juvenile Detention Reform." Accessed November 10, 2025. https://assets.aecf.org/m/resourcedoc/aecf-juveniledetentionriskassessment1-2006.pdf.

Tamburin, Adam. 2019. "On Last Day as Governor, Bill Haslam Makes Push for Juvenile Justice Reform." *The Tennessean*, January 18. Accessed November 18, 2025. https://www.tennessean.com/story/news/crime/2019/01/18/juvenile-justice-reform-tennessee-bill-haslam/2615187002/.

Tennessee Comptroller of the Treasury. 2022. *Performance Audit Report: Department of Children's Services.* Division of State Audit, December 13. https://comptroller.tn.gov/content/dam/cot/sa/advanced-search/2022/pa22033.pdf.

Tennessee Commission on Children and Youth. 2024. *The State of the Child in Tennessee.* tn.gov/content/dam/tn/tccy/documents/stateofthechild/2024/2024StateoftheChildFinal.pdf

Tennessee Courts. 2024. "Juvenile Law Update: 2024 Legislative Session."

Tennessee Department of Children's Services. 2023. *Real Estate Plan Strategic Plan, Executive Summary Document.* https://interactive.wbir.com/pdfs/TN_DCS%20Real-Estate-Strategy_Executive-Summary-July-2023_SBC.pdf.

———. 2024. *Annual Report, State Fiscal Year July 2023-June 2024*. https://www.tn.gov/content/dam/tn/dcs/documents/about-us/FY23-24%20DCS%20Annual%20Report.pdf.

———. 2025. *Guide to Placement Principles & Types.* January, https://www.tn.gov/content/dam/tn/dcs/documents/for-providers/placement-central/Guide_Placement_Principles_Types.pdf.

———. "Office of Juvenile Justice." Accessed November 10, 2025. https://www.tn.gov/dcs/program-areas/juvenile-justice.html.

Tennessee Department of Children's Services, Office of Juvenile Justice. 2024. *Annual Report (FY23).* January, https://www.tn.gov/content/dam/tn/dcs/documents/quality_improvement/jj-reports/JJ_Annual_Report_2023.pdf.

———. 2025. *Annual Report (FY24)*. January, https://www.tn.gov/content/dam/tn/dcs/documents/quality_improvement/jj-reports/JJ_Annual_Report_2024.pdf.

The State of Maryland. 2025. "Compliance Monitoring Manual." https://gocpp.maryland.gov/wp-content/uploads/Marylands-Compliance-Monitoring-Manual-July-2025.pdf.

Torbet, Patricia, Richard Gable, Hunter Hurst IV, Imogene Montgomery, Linda Szymanski, and Douglas Thomas. 1996. "State Responses to Serious and Violent Juvenile Crime." https://www.ojp.gov/pdffiles/statresp.pdf.

United States Department of Justice. 2012. *Prison Rape Elimination Act, Juvenile Facility Standards.* May 17. https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/PREA-Juvenile-Facility-Standards.pdf.

United States Department of Justice, Office of Justice Programs. 2020. "Youth Violence Special Feature." Last modified April 11, 2024. https://www.ojp.gov/feature/youth-violence/overview#:~:text=The%20estimated%20number%20of%20youth%20arrests%20for%20violent,%28OJJDP%29%20and%20the%20National%20Institute%20of%20Justice%20%28NIJ%29.

Vermont Department for Children and Families, Family Services Division. 2017. "Licensing Regulations for Residential Treatment Programs in Vermont." Accessed November 10, 2025. https://outside.vermont.gov/dept/DCF/Shared%20Documents/FSD/Publications/RTP-Regs.pdf?_gl=1*6yy03l*_ga*MTAwOTk5MDUwLjE3NjI0NjU3NDE.*_ga_V9WQH77KLW*czE3NjI0NjU3NDEkbzEkZzEkdDE3NjI0NjU3NTIkajQ5JGwwJGgw.

Youth Law Center. 2024. "Update on Class Action Lawsuit Against the State of Tennessee." December 13. https://www.ylc.org/update-on-class-action-lawsuit-against-the-state-of-tennessee/.

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Appendix A: Public Chapter 418, Acts of 2025

State of Tennessee

PUBLIC CHAPTER NO. 418

SENATE BILL NO. 239

By Taylor

Substituted for: House Bill No. 40

By Reedy, White, Williams, Hardaway, Littleton, Davis

AN ACT to amend Tennessee Code Annotated, Title 37; Title 39 and Title 40, relative to juveniles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) The Tennessee ad visory commission on inter governmental rela tions (TACIR) shall study:

(1) The current availability of local juvenile detention centers and other facilities for the housing and treatment of juveniles detained prior to an adjudicatory hearing, and whether there is a need for additional local juvenile detention centers or other facilities for the housing and treatment of juvenile offenders detained prior to an adjudicatory hearing; and

(2) The current availability of housing and other treatment facilities for juvenile offenders who have been adjudicated delinquent and committed to the custody of the department of children's services, and whether there is a need for additional housing or other treatment facilities for those juvenile offenders.

(b) TACIR may re quest information and input f rom the department of children's services and other appropriate state and local governmental entities, as necessary, and such an entity shall comply with TACIR's request. The study must be conducted from TACIR's existing resources.

(c) On or before January 31, 2026, TACIR shall report its findings and recommendations, including any proposed legislation, to each member of the general assembly and shall provide a copy to the legislative librarian. The report may be delivered electronically.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 239

PASSED: April 21, 2025

Randy McNally

RANDY McNALLY
SPEAKER OF THE SENATE

C. Sexton

CAMERON SEXTON, *SPEAKER*
HOUSE OF REPRESENTATIVES

APPROVED this 9th **day of** May **2025**

Bill Lee

BILL LEE, *GOVERNOR*

Appendix B: Pre- and Post-Adjudication Phases

The juvenile justice system includes two main phases, pre-adjudication—mostly overseen by local governments—and post-adjudication—mostly overseen by the state. The pre-adjudication process, from the time a child is taken into custody to the time their case is adjudicated, or resolved, is governed by Tennessee Code Annotated, the Rules of Juvenile Practice and Procedure, and local practices and policies.

When a juvenile under the age of 18 is alleged to be delinquent, unruly, dependent and neglected, or to have committed a juvenile traffic offense, the county's juvenile court has jurisdiction over the proceedings. The designation of delinquent means the court has found the child guilty of an offense that, if committed by an adult, would be a criminal offense, like burglary or homicide. The designation of unruly means the court believes a child needs treatment and rehabilitation based on their habitual truancy, dangerous disobedience, committing child-only offenses, or running away.[175] The designation of dependent and neglected means the court has placed a child in state custody because of issues that make the child's family unable to properly care for them and does not preclude the child from being found guilty of a delinquent offense.[176] If the court has reasonable grounds to believe that the child fits any of these classifications, the child can be taken into custody.

Once youth are taken into custody and placed in detention, the judge decides whether it's in the best interest of all parties—based on the risk of absconding or leaving the court's jurisdiction[177]—for the youth to remain in custody. The court has 24 hours, excluding nonjudicial days, from when the youth was taken into custody to make a probable cause determination.[178] Youth cannot be held for longer than 72 hours, excluding nonjudicial days, unless the court holds a detention hearing, where it's determined whether the youth is eligible to remain in detention while they await their trial.[179] The pre-adjudication phase ends with an adjudicatory hearing, which can have one of a few outcomes. The case can be dismissed and the youth sent back home, the youth is adjudicated dependent or neglected and placed in DCS custody, or the child is adjudicated delinquent—essentially found responsible for the crime they are alleged to have committed—and a dispositional hearing is held.[180]

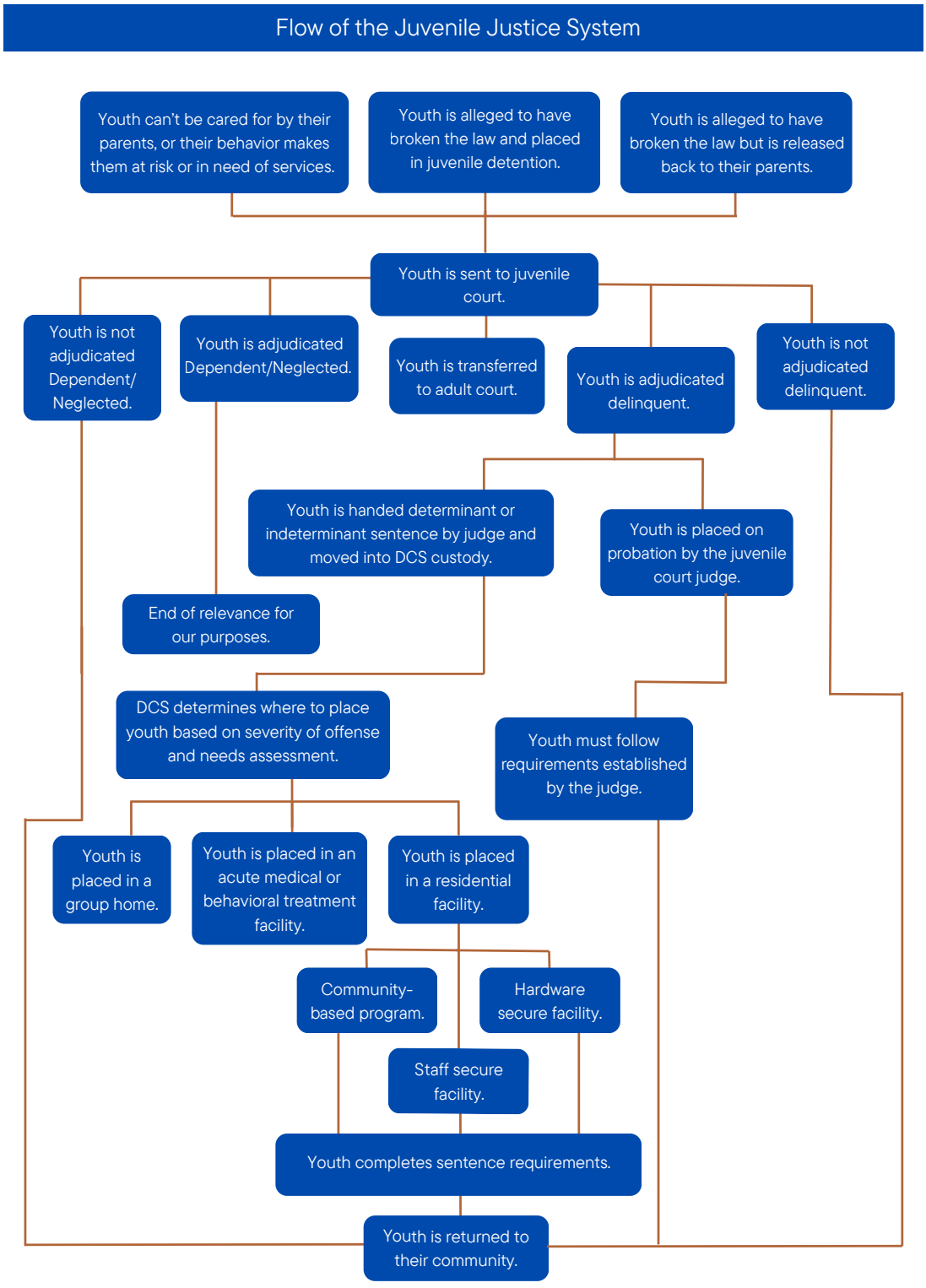
A key difference between the juvenile and adult justice systems is sentencing. Per state law, juvenile courts may impose indeterminate or determinant sentences on juveniles adjudicated delinquent. An indeterminate sentence involves a child being committed to DCS custody for treatment and rehabilitation for an indefinite period, up to age 19.[181] A determinate sentence, in comparison, consists of a child being committed to DCS custody for treatment and rehabilitation for a set period, up to age 19, and is only applicable under certain circumstances.[182] The length of the commitment cannot be greater than the sentence for an adult convicted of the same crime.[183] The post-adjudication process, from the time a child is convicted to their exit from state

[175] Tennessee Code Annotated, Section 37-5-103 (15).
[176] Tennessee Code Annotated, Section 37-1-102 (b)(13).
[177] Tennessee Rules of Juvenile Practice and Procedure 203(d)(3)).
[178] Tennessee Rules of Juvenile Practice and Procedure 203(b).
[179] Tennessee Rules of Juvenile Practice and Procedure 203(b) and 203(d).
[180] Tennessee Rules of Juvenile Practice and Procedure 210(c) and 210(d).
[181] Tennessee Code Annotated, Section 37-1-137(a)(1)(A).
[182] Youth can only be given a determinate sentence if they are adjudicated delinquent for first or second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated sexual battery, kidnapping, especially aggravated kidnapping, aggravated robbery, especially aggravated robbery, aggravated arson, aggravated burglary, especially aggravated burglary, commission of an act of terrorism, carjacking, or violations of Tennessee Code Annotated, Sections 39-17-417(b),(i) or (j), or an attempt to commit such offenses. Youth that have been previously adjudicated delinquent of three felony offenses arising out of separate criminal episodes and at least one of which has resulted in institutional commitment to DCS or is within six months of the child's 18th birthday at the time of their adjudication, are also eligible for determinate sentencing.
[183] Tennessee Code Annotated, Section 37-1-137(a)(1)(B).

custody, is governed by Tennessee Code Annotated and DCS's internal rules. A child that has completed their treatment and fulfilled the requirements of their sentencing is not released until granted permission by both the DCS Commissioner and juvenile court.[184]

[184] Tennessee Department of Children's Services, Office of Juvenile Justice 2025.

Appendix C: Flow of the Juvenile Justice System



Source: TACIR staff analysis of Tennessee Code Annotated, Sections 37-1-102, 37-1-113, 37-1-114, 37-1-115, 37-1-116, 37-1-124, 37-1-129, 37-1-130, 37-1-131, 37-1-132, and 37-1-137; and Tennessee Department of Children's Services 2025.

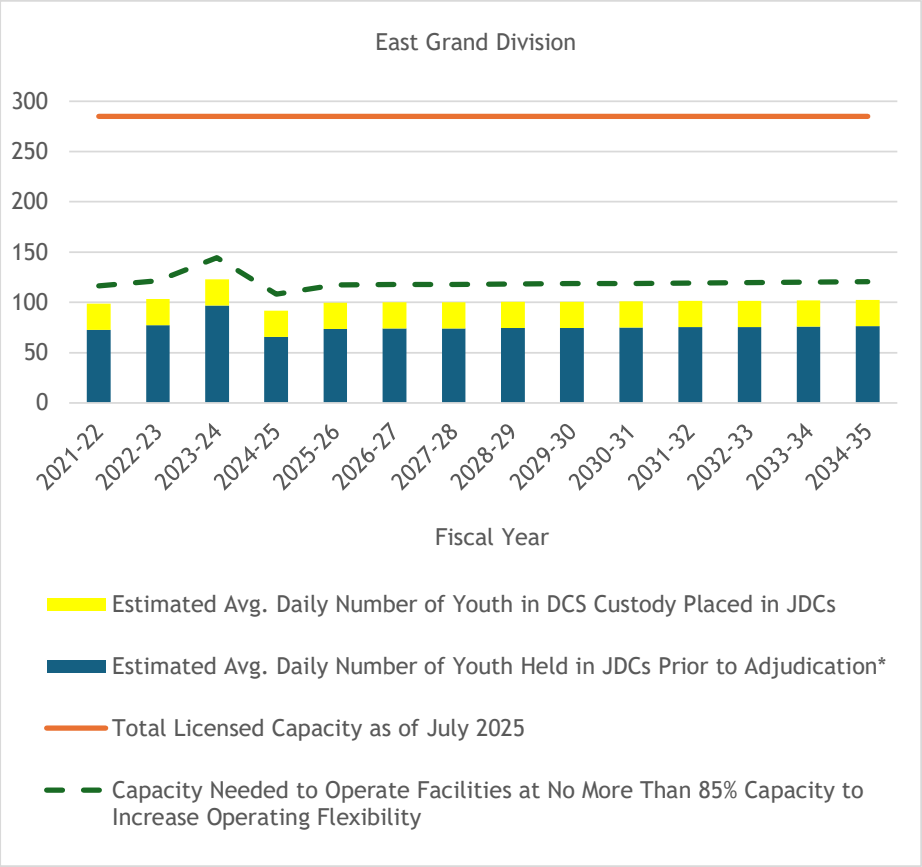
Appendix D: Recent Legislation Affecting the Juvenile Justice System

Topic	Public Chapter	Legislative Changes	Changes to T.C.A.
Proposed Discharge of Child Committed to DCS	PC611 (Acts of 2024)	Requires DCS Commissioner to notify the committing court at least 15 days prior to the proposed discharge of a delinquent child who was committed to the custody of DCS for an indefinite time.	T.C.A. § 37-1-137
Organized Retail Crime/Theft of a Firearm	PC635 (Acts of 2024)	Allows a juvenile court to transfer a child 15 years of age or older to be tried as an adult in criminal court for the offense of organized retail crime, theft of a firearm, or an attempt to commit such offense.	T.C.A. § 37-1-134
Threat to Commit Mass Violence at School	PC727 (Acts of 2024)	For juvenile found to have made a threat to commit mass violence on school property or at a school-related activity, requires juvenile court to include in disposition the suspension of juvenile's driving privileges or ability to obtain a driver's license for a period of one year.	T.C.A. § 39-16-517
	PC887 (Acts of 2024)	Increases penalty for threatening to commit mass violence on school property or at a school-related activity from a Class A misdemeanor to a Class E felony.	T.C.A. § 39-16-517
Bullying/Cyberbullying	PC797 (Acts of 2024)	Defines bullying and cyberbullying. Requires law enforcement officer who has knowledge that a minor is the victim of bullying or cyberbullying to make a written report and provide the minor's parents with notice of the incident. Intentionally engaging in cyberbullying is a delinquent act.	T.C.A. § 39-17-308

Topic	Public Chapter	Legislative Changes	Changes to T.C.A.
Reporting of Students Adjudicated Delinquent	PC721 (Acts of 2024)	Increases from a Class C misdemeanor to a Class B misdemeanor the penalty for a student's parent, guardian, or legal custodian for failing to report an adjudication that the student committed certain delinquent acts to the student's school principal or the principal's designee. Specifies that a school principal shall ask in writing a student's parent, guardian, or legal custodian whether the student has been adjudicated delinquent for certain offenses, including rape, robbery, kidnapping, or aggravated assault.	T.C.A. § 49-6-3051
Parent Accountability Act	PC943 (Acts of 2024)	Permits juvenile courts to assess a fine against a child who is found to be delinquent for a second or subsequent delinquent act to be paid by the child's parent or legal guardian who had custody of the child at the time of the offense. Permits court to identify whether a restorative justice program addressing loss resulting from a delinquent act or community service work is available and may be utilized appropriately in the place of financial restitution to ensure that the order of disposition is reasonable and, where applicable, prioritizes restitution to the victim.	T.C.A. § 37-1-131

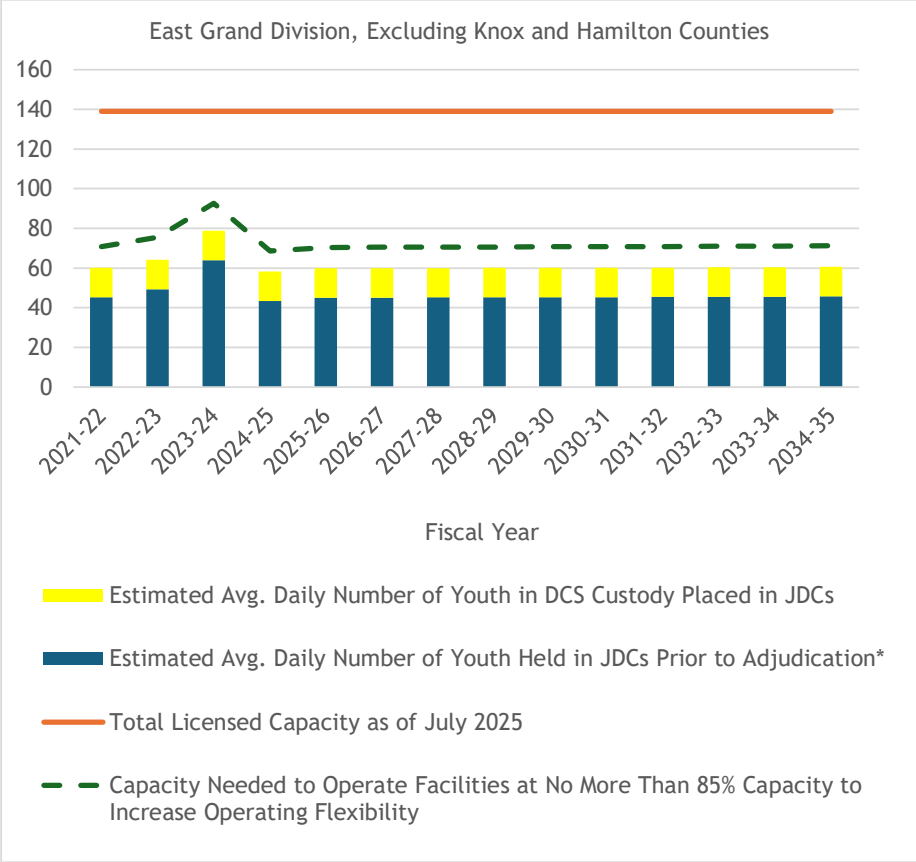
Source: Tennessee Courts 2024.

Appendix E: Juvenile Detention Center Licensed Capacity vs. Capacity Needed, by Grand Division



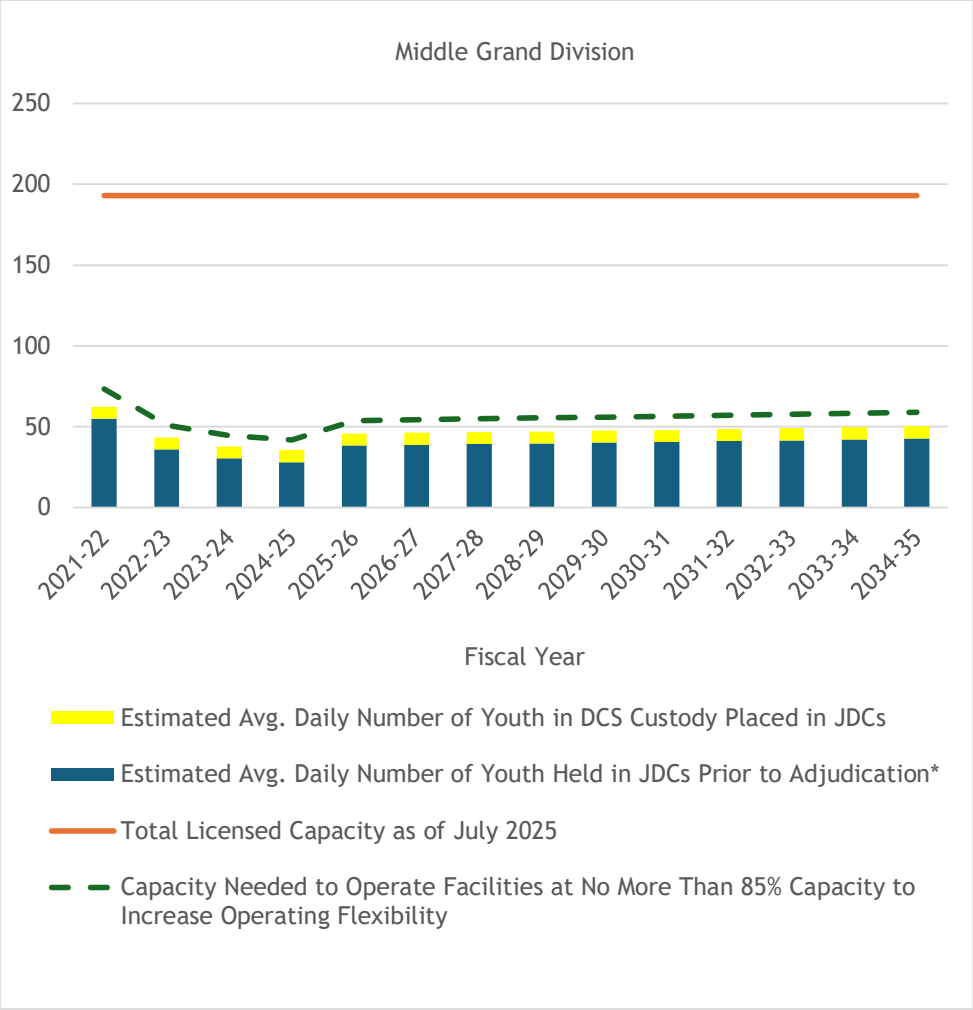
* Fiscal years 2021-22 through 2024-25 include a combination of actual data reported and estimates for non-reporting counties.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Child Welfare Licensing and data from the Tennessee Administrative Office of the Courts.



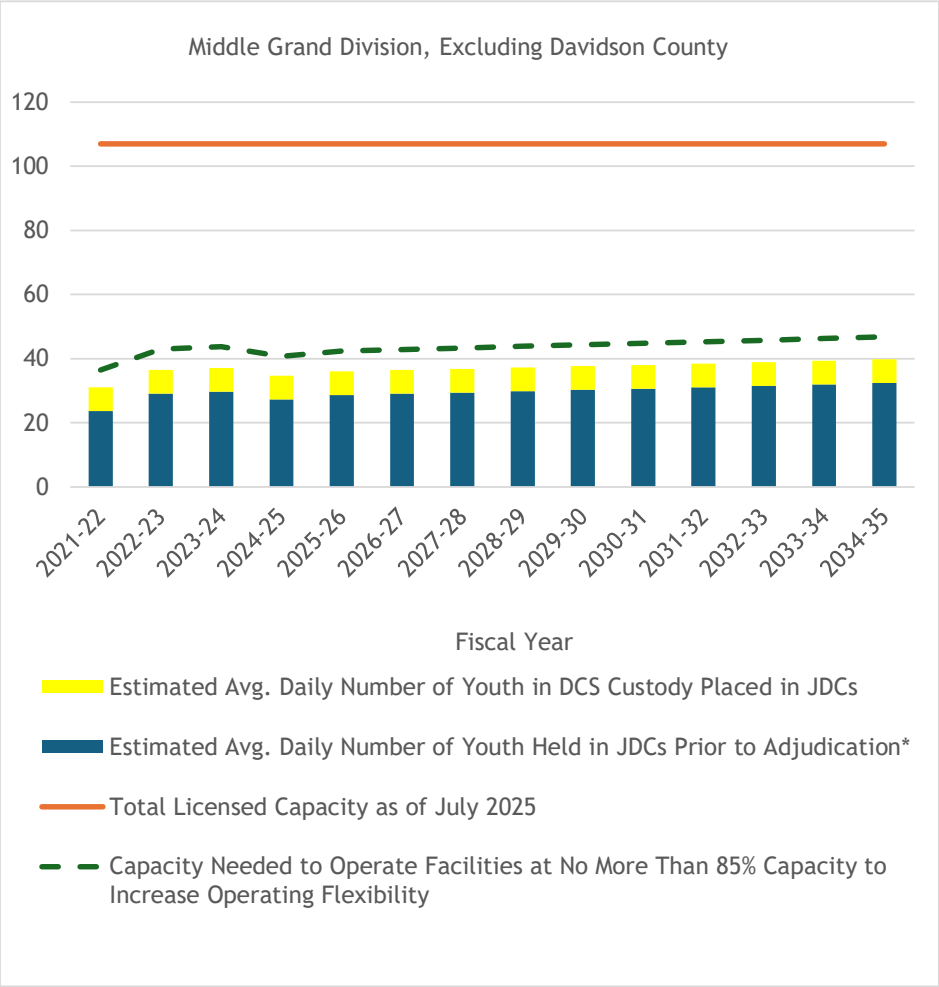
* Fiscal years 2021-22 through 2024-25 include a combination of actual data reported and estimates for non-reporting counties.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Child Welfare Licensing and data from the Tennessee Administrative Office of the Courts.



* Fiscal years 2021-22 through 2024-25 include a combination of actual data reported and estimates for non-reporting counties.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Child Welfare Licensing and data from the Tennessee Administrative Office of the Courts.



* Fiscal years 2021-22 through 2024-25 include a combination of actual data reported and estimates for non-reporting counties.

Source: TACIR staff analysis of data from the Tennessee Department of Children's Services, Office of Child Welfare Licensing and data from the Tennessee Administrative Office of the Courts.

Appendix F: States that Offer Funding for the Construction of Juvenile Detention Centers

		Does the state provide funding to local governments for building juvenile detention centers for holding youth prior to adjudication?	
		Yes	No
What level of government operates juvenile detention centers for holding youth prior to adjudication?	Local	FL, IA, LA, NY, OK, OR*, PA^, WY[#] (8)	**TN**, AL, AR, CA, ID[@], IL, IN, KS[$], MI, MO, MS, MT, ND, NE, NM, NV, SD, TX, VA[&], WA**, WI^^ (21)
	Both Local and State	SC[##] (1)	CO, NC, NJ (3)
	State		AK, CT, DE, GA, HI, KY, MA, MD, ME, MN, NH, RI, UT, VT[@@], WV (15)

Note: Arizona and Ohio are not shown in the table because TACIR staff were unable to obtain complete information for them.

* In Oregon, the state doesn't have any recurring funding for local governments to build juvenile detention centers, but it has funded construction on a project-by-project basis.

^ In Pennsylvania, although construction costs and purchases of land and buildings are not eligible for direct reimbursement from the state, counties can be reimbursed indirectly: For counties using mortgaged real estate, rent can be reimbursed by the state until the mortgage is paid off.

\# In Wyoming, the state doesn't have any recurring funding specifically for local governments to build juvenile detention centers, but the State Loan and Investment Board provides funding to local governments for infrastructure and capital projects and has funded at least one juvenile detention center.

@ In Idaho, state funding is available for planning and design but not construction.

$ In Kansas, the state has provided funding to local governments in the past to build juvenile detention centers but has not done so since roughly 2017.

& In Virginia, the state has a mechanism in place to provide funding to local governments to build juvenile detention centers but has not appropriated any funding to it.

** In Washington, the state has authorized two local sales tax options for funding the construction of juvenile detention centers and jails that local governments can adopt.

^^ In Wisconsin, the state has provided one-time grants to local governments in the past to build juvenile detention centers, but no grants are currently available.

In South Carolina, the state doesn't have any recurring funding for local governments to build juvenile detention centers, but the state has recently funded the renovation of a county detention facility so it could be reopened.

@@ In Vermont, the state hasn't funded construction of any local juvenile detention centers, but it has recently used state funding to renovate a state building for a private provider so the building could be used as a detention center. The facility is operated by a private provider under contract with the state.

Source: Emails and interviews with staff from other states, and TACIR staff review of state websites and laws.

Appendix G: Cost of Post-Adjudication Detention

Provider	Facilities	Goods or Services Description	Cost (per child per day)
Wayne's Halfway House	Hollis Academy Mountain View Academy	Level 3 Continuum Enhanced Special Needs Juvenile Justice	$392.97
	Standing Tall Music City Mountain View Academy Duck River Youth Center	Special Needs Juvenile Justice Enhanced Safety Measures	$601.43
Youth Opportunity Investments	Walnut Academy Rosewood Academy Memphis Youth Academy	Level 3 Continuum Enhanced Special Needs Juvenile Justice	$392.97
	None at this time.	Special Needs Juvenile Justice Enhanced Safety Measures	$601.43
	Gallatin Primary Assessment Center Harpeth Primary Assessment Center Cumberland Primary Assessment Center Two Rivers Primary Assessment Center Bartlett Primary Assessment Center	Enhanced Primary Assessment Center	$615.00
State-operated Facility	Wilder Youth Development Center	Level 3 Continuum Enhanced Special Needs Juvenile Justice	$1,408.81
Contracted County Detention Centers	Williamson County Juvenile Detention Center Madison County Juvenile Detention Center Putnam County Juvenile Detention Center Scott County Juvenile Detention Center Shelby County Youth Justice and Education Center Richard L. Bean Juvenile Service Center/Knox County Juvenile Detention Center Rhea County Juvenile Detention Center Bradley County Juvenile Detention Center Bedford County Juvenile Detention Center	Detention Services	$186.94

Source: Email from Frank Mix, executive director, Office of Network Development, Tennessee Department of Children's Services, June 12, 2025; email from Mark Anderson, director, Division of Quality Compliance, Office of Child Welfare Licensing, Tennessee Department of Children's Services, June 5, 2025; and Tennessee Department of Children's Services, Office of Juvenile Justice 2024.