Juvenile Justice
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Chapter 6
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The philosophy is simple and appealing:
- Teach juveniles
- Provide them with the necessary skills
- Educate them to reduce recidivism
- Provide programs that occupy time in a positive and effective way

The problem has been that there is no panacea that will prevent delinquency.
What works?

Several types of delinquency prevention programs:

- Many fall under the heading of diversion
  - First time offenders deserve a second chance
- Others attempt to identify at-risk and try to intervene
- Others focus on those who have already offended.
  - Review Figure 6.1 (p.149)
The Theory of Prevention

- The theory of prevention rests on the notion that at-risk youth and those most in need of intervention can be identified.
- A second and equally important aspect is that delinquency prevention is accomplished by providing assistance and support to all juveniles even if they are not at risk.
Categories of Prevention

- Early pre-delinquent intervention and prevention.
  - Targeting pregnant mothers and children in the early formative stages of life.

- Diversion
  - First time offenders who are diverted away from formal processing into any number of service programs.
At-risk juveniles
- Shown or demonstrated early problem behaviors
- Other warning signs
- Early in the stages of delinquency

Some programs include:
- School-based
- Community-based
- Job services
- Recreational
- Focus on status offenders
Early Pre-Delinquent Intervention

- Designed for youth who come into contact with the system early in life
  - Physical development in the brain occurs by age 3
  - The programs at this level must be able to identify risk factors inherent in the development of delinquent youth
    - Some have argued that these programs are more negative than positive
    - Positive approaches emphasize opportunities for healthy social, physical, and mental development.
Project Head Start

- Started in the 1960s under President Johnson’s War on Poverty.
  - Designed to prevent academic problems among economically disadvantaged children
    - Provided a broad range of social services centered around a creative preschool curriculum.
    - There has been evidence that the quality of parenting in the first two years of a child’s life can affect their behavior for the rest of their lives.
Risk-Focused Prevention

- There is a growing trend in this direction.
- Programs attempt to correct potential problems as well as provide additional services to youth most at risk.
- These programs are found in both the juvenile and social service systems.
- Referrals typically come from schools and the police.
Many time educators are the first to see the warning signs of problems at home or with the juvenile.

The police are often the referral source for juveniles who are at risk for being victimized and becoming delinquent.

**SHIELD**
- Police contacts during the course of their duties that identify at-risk youth
  - Violent behavior
  - Substance abuse
  - Gangs

**Children at Risk (CAR)**
- Identifies high-risk youth (11 – 13)
- **CAR**
  - Integrated delivery of a broad range of services to at-risk youth and their families.
  - Fostered collaboration between the criminal justice agencies, schools, and other community organizations.
  - Provides comprehensive individualized services targeting the neighborhood, peer groups, family, and individual risk factors.
  - Participants had more involvement in social and educational activities, exhibited less anti-social behavior, committed fewer violent crimes, and used and sold fewer drugs in the year after the program ended.
Family Treatment & Intervention

- A more holistic approach that involves more than just treating the juvenile.
  - Involves the family participating in therapy as well.
  - These programs attempt to intervene early, before problems arise.
  - The premise is that the most prominent sources for interaction with juveniles are in the home and at school.
Families and Schools First - FAST

- A holistic approach that attempts to build and enhance the juvenile’s interactions with family, peers, teachers, and other members of the community.

- The goal is to promote protective factors
  - Enhance the family by strengthening the parent-child relationship
  - Prevent school failure by improving behavior and performance
  - Reduce family stress by developing and ongoing support group for parents, linking them with appropriate community resources.
Diversion

- Diversion is a general term for a wide range of programs that keep juveniles who commit crimes out of the formal juvenile justice system.
- The programs are in place to correct or prevent future and more serious problems from occurring and to prevent further involvement with the system.
- The basic theory guiding these programs is that most youth will at some point commit deviant/delinquent acts.
- Assumes that formal processing will do more harm than good.
The guiding principle of diversion is rooted in labeling theory and the belief that formal processing may perpetuate or increase the level of delinquency in some youth. This is rooted in the principle of contagion.
**Diversion Programs**

- Often take several forms
- Can be general
  - Most offenders would be eligible
- Specific
  - Certain types of offenders
- Local jurisdictional rules often regulate who is eligible
  - Court policy
  - State statute
- Most diverted juveniles are 1\(^{st}\) time offenders
Exclusions

- Violent offenses
- Sexual offenses
- Weapons offenses
- Drug offenses
- Serious property offenses
Problem areas

- **Net Widening**
  - Using diversion programs as a means to bring larger numbers of juveniles under court control instead of as an alternative to formal processing.
  - A means of handling cases that would otherwise not have been processed.
    - Passing the buck.

- **Constitutionality**
  - Due process & Equal protection
  - A disposition without benefit of adjudication.
Diversion Effectiveness

- Most who come into contact with the system never come back into the system again.
- The research on the effectiveness of diversion is mixed.
  - A large body of research has found that diversion is successful in reducing the system’s overload and deters future recidivism.
  - The most successful involve intensive and comprehensive services.
    - Are all systems the same?
School-based Programs

- Many programs target children at a very young age.
  - School-based initiatives

- Recommendations
  - Areas with high rates of delinquency
    - Preschool education for 3-4 year olds
  - Greater involvement between counselors and teachers
  - Family involvement
  - Home visitation programs
  - Independent evaluations
Community-based Programs

- Focus on education and awareness of topics that are problematic in the community.
  - Hands without Guns is a public health and education program.
    - Why the public health approach?
  - Teaches youth about the problems of violence and guns
  - Youth who identify with this type of program is 10 times less likely to carry a gun.
Mentoring

- Began in the late 1800s when adults served as role models for children of the poor.
- 1904 the Big Brothers/Big Sisters of America was created.
  - Today it is the largest mentoring program of its kind.
  - Federation of 500+ agencies
  - The mission is to make a difference in the lives of young people through a professionally supported one-on-one relationship with a caring adult.
BBBSA Data

- Participants compared to non-participants
  - 46% less likely to initiate drug use
  - 27% less likely to initiate alcohol use
  - 52% less likely to be truant
  - More confident in school work
  - 1/3 less likely to hit someone
  - Better in academic behavior, attitudes, and performance
Job Services

- Many vocational and job-related services that are available in communities are designed specifically for delinquency prevention.

- Job Corps is the most prominent federal program in this regard.
  - Residential education program for severely disadvantaged youths age 16 – 24.
  - Prepares youth for stable, productive employment and entrance into vocational, technical, junior colleges, military, or other institutions.
- 70% of enrollees are minorities
- 80% are high school dropouts
- 30% are from families on public assistance
- Job Corps benefit youth in two ways
  - Occupying their time and letting them earn more money;
  - Teaching them a marketable skill that can benefit them for life.
Recreational Activities

- The majority of a juveniles time is unstructured and unsupervised. Some accounts place this at 50% of otherwise unproductive time.

- A variety of after-school and evening programs have been developed in an effort to productively occupy this time.

- The idea is simple:
  - Provide youth with a place to go and an activity to occupy their time during the most crime-prone times.
Teen Courts

- Originating in the 1960s with a nominal number of teen courts these programs now number in the several hundreds (675)
  - Legally binding system of diversion
  - Service relatively small numbers of cases
  - Usually handle 1st offenders or petit offenders
  - Usually juveniles 16 and under
The Benefits

- Accountability – often help to assure that the offender is accountable even if the offense would result in a sanction from the traditional JJ system.

- Timeliness – an effective court can move young offenders from arrest to sanction often in days.

- Cost savings – usually depend on youth and adult volunteers.

- Community cohesion – a well run program can affect the entire community by increasing public appreciation of the legal system.
Most juveniles referred to teen court are offered the program as a voluntary alternative to formal processing.

The courts generally follow one of four models:

- Adult judge
- Youth judge
- Youth tribunal
- Peer jury
Adult Judge

- An adult serves as the judge
  - Provides guidance on legal issues and terminology
  - Youths serve in all other roles in this model.
  - Often an adult volunteer or professional will assist.
Youth Judge

- A youth serves as the judge.
- Again youth serve in the other roles in the courtroom.
Youth Tribunal

- There is no jury in this system
- A panel of 3 youth judges, similar to an appellate court, hear cases.
Peer Jury

- Adults may argue the case
- A jury of youth decide guilt and determine the disposition.
There are several options.
- The most common is community service.
- Apology letters are often required.
- Academic essays
- Serve on future teen courts
- Participate in drug or alcohol programs
- Pay restitution
Effectiveness

- The jury is still out.
- Results of 20 years of research have been mixed.
  - Many studies were rudimentary in nature and did not provide adequate insight.
    - One report cites lower recidivism rates
    - Two other reports did not note differences between teen court participants and other juveniles who went through the formal JJ system.
Status Offenses

- There has been an increase in the enforcement of status offenses:
  - Curfew
  - Truancy
- The premise here is that these two offenses involve unsupervised and unstructured time.
  - The chronic or habitual offender is often the target.
Deinstitutionalization

- In 1974 the Juvenile Justice and Delinquency Prevention Act prevented agencies from incarcerating juveniles for prolonged periods for status offenses.
- This legislation raises a serious issue:
  - The chronic offender
    - Truants
    - Curfew violators
    - Runaways
  - Are typically the most at risk and in need of intervention.
The Police Response

- Many agencies today aggressively enforce status offenses.
- Curfew-enforcement programs work when police have a place to take violators and spend less time processing the violator and more time enforcing the curfew.
  - Support services that allow officers to return to work while full-time personnel process the offender.
  - Parents are required to pick-up their son/daughter.
What Doesn’t Work

- Scared Straight – hailed as the best way to cure delinquents.
  - Cheap and inexpensive to run
  - Quickly adopted by agencies and communities without the benefit of long-term or longitudinal evaluation.
  - Successes were grossly exaggerated.
  - The belief was that the verbal and psychological assault would deter future deviance.
  - Did not address the years of problems that preceded the visit.
What Works

- Compared to the overall criminal justice system, the juvenile justice system is very successful.
  - Most actors in the system
    - Police
    - Judges
    - Social workers
  - All agree that most who come into contact with the system do not recidivate.
- Prevention/diversion programs that work often share common qualities.
Successful programs are

- Comprehensive
- Multifaceted approach
- An aftercare component built in
- Serve smaller numbers of juveniles
- Not a single type of intervention
  - Scared Straight