Juvenile Justice, Delinquency
and Development

3 CE Hours

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Learning objectives

- Understand how the juvenile justice system works.
- Review theoretical perspectives related to juvenile justice, delinquency and development.
- Explore the positive and negative impact of the system on youths.
- Identify potential areas of focus to ensure proper development and treatment of youths.

Overview

The juvenile justice system has been commonly perceived as a method of dealing with delinquent youths. While historically, it has been perceived as focusing primarily on punishment for crimes committed by youths, the juvenile justice system has also provided support and services to troubled teens. The system is operated on a statewide level, with each state responsible for its related laws, processes and resources.

The first juvenile court in the United States was established in Chicago in 1899, more than 100 years ago. During the last 30 years, the juvenile justice system has experienced significant modifications. Perceptions of a juvenile crime epidemic in the early 1990s fueled public scrutiny of the system’s ability to effectively control violent juvenile offenders. As a result, many states adopted legislative changes in an effort to address and lower the amount of juvenile crimes.

A December 2011 bulletin from the National Center for Juvenile Justice published by the Office of Juvenile Justice and Delinquency Prevention presented the latest statistics on juvenile arrests. According to the 2009 data, U.S. law enforcement agencies made an estimated 1.9 million arrests of persons younger than 18 years old, 9 percent fewer than in 2008. Juvenile arrests for Violent Crime Index offenses such as murder, forcible rape, robbery and aggravated assault declined 10 percent between 2008 and 2009, reaching its lowest level since the early 1990s. Between 1994 when the Violent Crime Index arrest rates for juveniles hit a historic high and 2009, the rate fell nearly 50 percent to its lowest level since at least 1980. Additionally, arrest rates for nearly every offense category for both male and female and white and minority youths were down in 2009. (National Center for Juvenile Justice, 2011).

Obviously, there has been a significant time frame and numerous life experiences that have affected children and their level of development before any involvement in the juvenile justice system. However, the juvenile justice system and its procedures can greatly affect child development. Over time, the system has transformed from a more punitive process that focused more on simply maintaining youths in detention facilities to one that is more focused on services, rehabilitation and support. Further, many states have begun to move in the direction of including the youth’s family as part of the process in a more family-engagement approach to address the underlying issues affecting the child.

The original perspective of the juvenile justice system was grounded in a rehabilitative stance (Ferraii, 2002). Social welfare appeared to be the overarching paradigm as court systems throughout the United States stressed individualized treatment as a mechanism for combating delinquency. In response to what appeared to be a growing epidemic of juvenile crime and delinquency, a philosophical change was necessary.

By the 1960s, the U.S. court system regarded the social welfare approach as being ineffective and began instituting a series of alternative approaches to address the problem. Accountability became the central mechanism for handling delinquency. Reformers countered the assertion that juvenile offenders were too immature to understand the rationales for their delinquent acts and fully embraced the notion of accountability and community protection as their philosophical correlates (Ferraii, 2002; Craneio and Hanna, 2003; Reppucci, 1999). This approval evolved into the restorative justice movement (Ferraii; Karp and Breiin, 2001).

The focus of the movement centered on the premise that juveniles would be made accountable for committing delinquent acts. The change in philosophy focused on punishing the juveniles for their delinquent behaviors. This restorative-judicial process included a criminal trial and proceedings that were similar to the adult court system. These juvenile courts resembled scaled-down versions of adult criminal courts as opposed to a blend of justice and social service (Crawford, 2001).

While the structure of juvenile courts remain based on this foundation, within the last decade, many state and local juvenile systems have begun to shift their focus to include not only accountability for actions, but identifying and implementing programs that are designed to be helpful as opposed to just punitive.
### Terminology

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<th><strong>Adjudication:</strong></th>
<th>A judicial decision or sentencing.</th>
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<td><strong>Disposition:</strong></td>
<td>The sentencing stage of the juvenile proceedings with a purpose to provide a program of treatment, training and rehabilitation.</td>
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<td><strong>Positive youth development (PYD):</strong></td>
<td>A comprehensive way of thinking about the development of children and youths and the factors that facilitate or impede their individual growth and their achievement of key developmental stages.</td>
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<td><strong>Recidivism:</strong></td>
<td>Relapse into a previous condition or mode of behavior or relapse into criminal behavior.</td>
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<td><strong>Rehabilitation:</strong></td>
<td>The restoration of someone to a useful place in society.</td>
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<td><strong>Transformational leadership:</strong></td>
<td>A leadership approach that causes change in individuals and social systems. In its ideal form, it creates valuable and positive change in the followers with the end goal of developing followers into leaders.</td>
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### How the juvenile system works

The juvenile justice system can be a complex and confusing experience for youths and families. Let’s take a look at some general information about the process of what occurs when a youth becomes involved in the juvenile justice system:

> Young law violators generally enter the juvenile justice system through law enforcement, and each state’s processing system is unique. Case processing often varies from community to community depending on local practice and tradition.

Many situations and cases are diverted from the system by law enforcement. At arrest, a decision is made either to send the matter further into the justice system or to divert the case out of the system, often into alternative programs that can assist the youth or family with the underlying issues. Usually, law enforcement makes this decision after talking to the victim, the juvenile and the parents and after reviewing the juvenile’s prior contacts with the juvenile justice system.

### Intake and assessment

The court intake function is generally the responsibility of the juvenile probation department or the prosecutor’s office. At this point, the intake department must decide whether to dismiss the case, handle the matter informally, or request formal intervention by the juvenile court.

Typically, an intake officer will first review the facts of the case to determine whether there is sufficient evidence to prove the allegation. If there is not, the case is dismissed. If there is sufficient evidence, intake will then determine whether formal intervention is necessary. About half of all cases referred to juvenile court intake are handled informally. Most informally processed cases are dismissed.

In the other informally processed cases, the juvenile voluntarily agrees to specific conditions for a specific time period. These conditions are often outlined in a written agreement, generally called a consent decree. Conditions may include such items as victim restitution, school attendance, drug counseling or a curfew.

In most jurisdictions, a juvenile may be offered an informal disposition only if he or she admits to committing the act. A probation officer often monitors the juvenile’s compliance with the informal agreement. Consequently, this process is often referred to as informal probation (American Academy of Child and Adolescent Psychiatry Task Force on Juvenile Justice Reform, 2001).

If the youth successfully complies with the informal disposition, the case is dismissed. If, however, the juvenile fails to meet the conditions, the intake decision may be to formally prosecute the case, and the case will proceed just as it would have if the initial decision had been to refer the case for an adjudicatory hearing.

During the processing of a case, a juvenile may be held in a secure detention facility. When necessary, juvenile courts may hold delinquents in a secure detention facility if the court believes it is in the best interest of the community or the child. After an arrest, a youth is often brought to the local juvenile detention facility by law enforcement. Juvenile probation officers or detention workers review the case and decide whether the juvenile should be held pending a hearing by a judge.

In all states, a detention hearing must be held within a time period defined by statute, generally within 24 hours. At the detention hearing a judge reviews the case and determines whether continued detention is warranted. As a result of the detention hearing, the youth may be released or detention continued. In 2005, juveniles were detained in one of every five (21 percent) delinquency cases processed by the juvenile courts (Child Welfare League of America, 2011). Detention may be extended beyond the adjudicatory and dispositional hearings. In some cases, crowded juvenile facilities require that detention continue beyond adjudication until a bed becomes available in a juvenile correctional institution or treatment facility.
In many states, prosecutors are required to file certain (generally serious) cases involving juveniles in the criminal court. These are cases in which the legislature has decided the juvenile should be handled as a criminal offender. An increasing number of state legislatures have given prosecutors the discretion of filing a defined list of cases in either juvenile or adult court. In such states, both the juvenile and adult courts have original jurisdiction over cases, and the prosecutor selects the court that will handle the matter.

In response to the delinquency petition, an adjudicatory hearing is scheduled. At the adjudicatory hearing (trial), witnesses are called and the facts of the case are presented. In nearly all adjudicatory hearings, a judge makes the determination that the juvenile was responsible for the offense, although in some states, the juvenile is given the right to a jury trial. In certain situations, intake may ask the juvenile court to transfer the case to criminal court. A waiver petition is then filed when the prosecutor or intake officer believes that a case under jurisdiction of the juvenile court would be more appropriately handled in criminal court. The court decision in these matters follows a review of the facts of the case and a determination that there is probable cause to believe that the juvenile committed the act.

With this established, the court then considers whether jurisdiction over the matter should be waived and the case be transferred to criminal court. This decision is generally based on whether the juvenile is amenable to treatment in the juvenile justice system. The prosecution may argue that the juvenile has been adjudicated several times previously and that interventions ordered by the juvenile court have not kept the juvenile from committing subsequent criminal acts. The prosecutor may argue that the crime is so serious that the juvenile court is unlikely to be able to intervene for the time period necessary to rehabilitate the youth. If the judge agrees that the case should be transferred to criminal court, juvenile court jurisdiction over the matter is waived and the case is filed in criminal court. If the judge does not approve the waiver request, an adjudicatory hearing is scheduled in juvenile court.

Between the adjudication decision and the disposition hearing, an investigation report and disposition plan (or case plan) is prepared by probation staff. To prepare this plan, probation staffers develop a detailed understanding of the youth and assess available support systems and programs. To help with preparation of disposition recommendations, the court may order psychological evaluations, diagnostic tests, or a period of confinement in a diagnostic facility. Eventually, the youth is ordered by the court to obey certain guidelines as laid out in the plan, such as:
- Curfew.
- Community service hours.
- Financial restitution.
- Time served in detention.
- Participation in a residential treatment facility program.
- Counseling.
- Length of probation.

In some instances, the judge may order the youth be committed to a residential placement. Typically, this is for a specific amount of time. There are a variety of residential programs; the facility may be publicly or privately operated and may have a secure prison-like environment or a more open, even home-like setting. In many states, when the judge commits a juvenile to the state department of juvenile corrections, the department determines where the juvenile will be placed and when the juvenile will be released. In other instances, the judge controls the type and length of stay. In these situations, review hearings are held to assess the progress of the juvenile.

The Juvenile Justice and Delinquency Prevention Act discourages holding status offenders in secure juvenile facilities, either for detention or placement. This policy has been labeled deinstitutionalization of status offenders. An exception to this policy occurs when the status offender violates a valid court order, such as a probation order that requires the adjudicated status offender to attend school and observe a court-ordered curfew. In such situations, the status offender may be confined in a secure detention facility.

Following release from a residential program, the youth is often expected to adhere to guidelines of a juvenile aftercare process. During this period, the juvenile is under supervision of the court or the juvenile corrections department. If the juvenile does not follow the conditions of aftercare, he or she may be recommitted to the same facility or to another facility.

The term of probation may be for a specified period of time or open-ended. Review hearings are then held periodically to monitor the juvenile’s progress and to hear reports from probation staff. After the conditions of the probation have been successfully met, the judge terminates the case.

**Status offenses: How do they differ from that of delinquency cases?**

A delinquent offense is an act committed by a juvenile for which an adult could be prosecuted in criminal court. There are, however, behaviors that are law violations only for youths of juvenile status. These “status offenses” may include such behaviors as running away from home, truancy, ungovernability, curfew violations and underage drinking. In many ways, the processing of status offense cases parallels that of delinquency cases.

Not all cases, however, consider all of these behaviors to be law violations. Many states view these behaviors as indicators that the child is in need of supervision and respond to the behavior by providing social services. This different characterization of status offenses causes them to be handled more like dependency than delinquency cases.
Juvenile delinquency: What elements are involved?

Researchers who study delinquent youths tend to focus on four basic questions:
1. What factors predict delinquency?
2. How is delinquency related to the development of other problems, including adult criminality?
3. What can we do to prevent delinquency?
4. Once a youth becomes delinquent, how can we facilitate his or her rehabilitation and reduce recidivism?

Delinquency has been shown to increase greatly within the age range of 12 to 14, peaks between 17 and 19 years, and then slowly decreases from then onwards (Farrington, 1986; Moffitt, 1993; Tittle, Ward, and Grasmick, 2003). Several studies have found that misbehavior in early adolescence precedes delinquency (Angenent, 1991; Gottfredson and Hirschi, 1990; Koops and Slot, 1998). However, a clear explanation of the increase of problem behavior, especially delinquency, in early adolescence is so far not available. While criminological theories offer several explanations for delinquency from personal, interpersonal or sociological perspectives (Akers, 1998; Gottfredson and Hirschi, 1990; Warr, 1993), a convincing answer to why delinquency becomes more prevalent during the specific period of early adolescence is still lacking.

Typically, youths who repeatedly appear before the juvenile court come from a chaotic home and neighborhood environment. Often, they have learned that the world can be unpredictable, threatening and grossly unfair. Additionally, they have not had the necessary developmental opportunity to internalize consistently benevolent, reliable and fair adult authority figures. Instead, a hostile environment that was not responsive to a child’s need for consistent and reliable care giving may have determined the person’s view of family, neighborhood and society.

While this does not diminish youths’ responsibility for learning to control their behaviors, it illustrates why it is important for the delinquency court to avoid re-enacting the role of an indifferent, unreliable, unpredictable, unfair or incompetent authority figure. Children and adolescents need limits, structure and boundaries to develop normally.

From a developmental perspective, children’s interaction with the juvenile justice system is a key opportunity for a society to convey its true values and to clearly communicate its expectations of its citizens. For youths who are just beginning to learn what they can expect from social authority, the juvenile justice system represents the social order. If children’s experiences with a societal authority, such as law enforcement or the delinquency court, seem thoughtless, impersonal or indifferent, they will experience precisely the opposite of what they need to develop.

Theoretical perspectives

To understand the impact a system has on youths, it is important for us to understand some of the theories behind juvenile delinquency as well as recidivism. The control theory and the differential association theory provided theoretical perspectives on juvenile delinquency and recidivism. Both theories established rationales for why young people engaged in deviant behaviors. In 1969, Hirschi (2002) derived his control theory. He explored various methods on how young people bond to society. This social control theory encompasses what Hirschi called the “social bond.” He addressed things that he believed kept people from committing criminal acts, such as affection and sensitivity to others, taking part in conventional society, and keeping busy.

Sutherland and Cressey (1970) based their differential association theory on the foundations by which young people respond to their environments. The differential association theory supports the belief that all behavior is learned, delinquent behavior is learned in small groups, and delinquent behavior is learned from collective and specific situational events.

In their self-control theory, Gottfredson and Hirschi (1990) define self-control as a set of mechanisms that control delinquency and analogous behaviors. A person with low self-control is not able to resist temptations on a short-term basis. Such a person may try to satisfy his needs in a conventional way but will, when necessary, easily do it in an unconventional or illegal way. Low self-control is an overarching construct that has parallels with concepts such as impulsivity, pleasure seeking, immediate need gratification, adventurousness and other deviant personality factors (Eysenck, 1996; Pratt and Cullen, 2000; Romero, Gomez-Fraguela, Luengo, and Sobral, 2003).

Gottfredson and Hirschi argued that low self-control was the primary cause of crime, delinquency and analogous behaviors. Although this proposition formed the crux of their theory, they also advanced an explanation of the development of self-control. They suggested that individual levels of self-control are determined mainly through three different parental management techniques. Specifically, parents who supervise their children, who recognize their child’s misbehavior, and who punish or correct their child’s misconduct will typically raise children who display high levels of self-control. In contrast, parents who fail to engage in these three parenting tactics will, on average, raise children with low levels of self-control.

Barlow (1991) and Grasmick, Tittle, and Bursik (1993) identified six dimensions of self-control from the set of mechanisms that are described by Gottfredson and Hirschi. The first dimension is called impulsivity. This refers to Gottfredson and Hirschi’s description of a “here-and-now orientation” in persons with low self-control.

The second dimension is described as risk seeking. This refers to the idea that some youths perceive the act of committing crimes to be risky, thrilling and exciting. The third dimension is temper. Gottfredson and Hirschi believe that a person often commits a crime for experiencing “relief of momentary irritation.” Here, Gottfredson and Hirschi suggest that a person with low self-control has a minimal tolerance for frustration.
and “little ability to respond to conflicts through verbal rather than physical means.” The fourth identified dimension is preference for simple tasks. According to Gottfredson and Hirschi, people with low self-control have a tendency to avoid complex tasks and lack enthusiasm for work or persistence to finish a task already started. The fifth dimension refers to a tendency to engage in risky behaviors. A person with low self-control engages in risky and physical activities instead of cognitive or mental activities. Finally, the last element is the tendency to behave self-centeredly instead of taking other people into account and being sensitive to their needs.

Developmental psychologists assume and find substantial development in psychosocial functioning and also in self-control, particularly during childhood and adolescence (Krueger et al., 1994; Loevinger, 1976; Westenberg, Jonckheer, Treffers, and Drewes, 1998). Developmental psychological theories explicate the mechanisms and processes by which young people change their thinking and behavior. As such, these theories may very well offer clues to understand why delinquency increases in early adolescence.

One developmental theory that may be particularly suited for this is Loevinger’s theory of psychosocial development (Loevinger, 1976), because this theory integrates many personality characteristics that are described in the theory of self-control. Furthermore, the early levels of development as described by Loevinger’s theory seem to be particularly relevant for the explanation of misbehavior and delinquency because characteristics of these early levels resemble risk factors for these kinds of behavior. In addition, the dynamic perspective of Loevinger’s theory of psychosocial development could contribute to the static perspective of Gottfredson and Hirschi’s theory of self-control. In other words, Loevinger’s theory of psychosocial development may contribute to self-control theory, because that theory is less capable of explaining developmental trends in misbehavior and delinquency.

Loevinger’s (1976) theory of psychosocial development views psychosocial development as personal growth experienced by every individual, entailing changes in impulse control, conscious preoccupations, character development and interpersonal orientation (the view on oneself, on others and the third-person view on interaction between two persons). The theory identifies nine developmental levels, each with its own unique characteristics. Three levels are most relevant to development levels of early adolescents:

- **The impulsive level (E2):** Characterized by dependency on others and in which autonomous behavior rarely occurs.
- **The self-protective level (E3):** Most prevalent in pre- and early adolescence, from age 10 to age 13, is suggested to be the period in which the steepest increase in prevalence of problem behavior occurs. Early adolescents in the self-protective level have an ability to manage things independently and they may feel indisputable.
- **The conformist level (E4):** Generally sets in around the age of 12 or 13, is unlike the self-protective level, characterized by the importance given to equality and reciprocity in relationships. Relations to others are goals that stand alone. This level involves an important shift in thoughts of the adolescent: It is a change from the relatively egocentric character of the previous level into a more prosocial attitude towards the world. However, conformist behavior is also possible towards nonconventional groups; identification occurs through detecting expressions of socially desirable behavior and criticism or rejection. The prevalence of the conformist level increases strongly during middle adolescence. (Westenberg et al., 2000)

Before reaching the impulsive level, a child enters the pre-social or symbiotic level (E1). This level develops throughout the first years after birth and is therefore not measurable. The levels after the conformist level E4 are the self-awareness level (E5), the conscientious level (E6), the individualistic level (E7), the autonomous level (E8) and the integrated level (E9) (Westenberg, Drewes, Siebelink, and Goedhart, 2000). Because transition from one level to the next is often gradual, transition levels also are identified between each level (Loevinger, 1976).

### Parental and peer involvement

Research has shown strong evidence that parents who show a combination of strong supervision and positive involvement help to protect adolescents against delinquent outcomes, including violent offending (Furstenberg et al., 1999; Gorman-Smith et al., 2000). It is important to note that these associations have been demonstrated across demographic groups, including race and socioeconomic status (Dishion and McMahon, 1998).

To explain relations between parenting behaviors and juvenile delinquency, researchers have documented important links between low parental support and youths’ involvement with deviant friends (Dishion et al., 1994; Patterson and Stouthamer-Loeb, 1984; Stoolmiller, 1994) and between peer deviance and adolescent offending, including violent outcomes (Elliott, Huizinga, and Ageton, 1985; Keenan, Loeb, Zhang, Stouthamer-Loeb, and Van Kammen, 1995; Patterson et al., 2000).

Specifically, studies have shown that the majority of crimes committed by teenagers occur in groups, and that youths’ association with deviant peers may be the best predictor of participation in future, potentially more serious forms of antisocial activity (Dishion, Andrews, and Crosby, 1995; Hawkins, Catalano, and Miller, 1992; Henry et al., 2001; Patterson et al., 2000).

Although a vast amount of literature has examined the effects that associating with antisocial friends has on delinquent involvement (Akers, 1998; Akers and Jensen, 2006; Warr, 2002), there is a rather limited amount of research that has explored the correlates to delinquent peer group formation. Much of this research has investigated the role that the social context has on adolescent contact with deviant friends. Results from this area of research have revealed that one of the most important predictors of antisocial friendship formation is proximity to delinquent peers. Adolescents who are in close
contact with antisocial youths will be more apt to befriend delinquent others (Cairns and Cairns, 1994; Warr, 2002).

Parents are often believed to have an impact on their child’s choice of peer groups, either directly through close supervision and location of residence (J. R. Harris, 1998) or indirectly through the development of socio-emotional attachment (Hirschi, 1969). Taken together, the common theme among this body of criminological research is that adolescents become involved in antisocial friendship networks mainly because of social factors.

Many researchers have argued that associating with delinquent friends, particularly those who engage in violent behavior, is the strongest proximal risk for individual antisocial outcomes. To test this theory, Henry et al. (2001) examined relations between family interactions, peer relationships and antisocial behavior among 246 boys living in inner-city Chicago neighborhoods. The researchers found that adolescents who experienced low emotional support and inconsistent discipline from their parents, compared with youths from families characterized by warm interpersonal relationships and consistent discipline, reported having more deviant friends (two years later) and being involved with more violent and nonviolent delinquent behavior (five years later).

**Neighborhood and community**

With growing interest in the effects of the impact of the neighborhood and community on adolescent development, the study of community influences on delinquency has increased rapidly across disciplines (Leventhal and Brooks-Gunn, 2004; Sampson, Morenoff, and Gannon-Rowley, 2002). Researchers have confirmed that neighborhoods characterized by structural disadvantage evidence high rates of juvenile crime and youth violence (Bursik and Grasmick, 1993; Loeb and Wikstroem, 1993; Ludwig, Duncan, and Hirschfield, 2001; Simcha-Fagan and Schwartz, 1986) and that these associations are largely explained by social processes that take place within communities (Elliott et al., 1996; Sampson and Groves, 1989; Sampson, Raudenbush, and Earls, 1997).

Although important for predicting juvenile offending, neighborhood structural and social characteristics have also been linked to processes in the family and peer group, two micro-systems hypothesized to transmit the effects of neighborhood risk to youths (Beyers, Bates, Petit, and Dodge, 2003; Brody et al., 2001; Rankin and Quane, 2002; Tolan, Gorman-Smith, and Henry, 2003). To date, more theoretical than empirical work has looked at the mediated effects of neighborhood functioning on adolescent offending, and in particular, few studies have examined how parenting behavior and deviant peer influences operate together to transmit community influences to individual outcomes.

In recent years, more studies have started to examine potential mechanisms through which community effects are transmitted to youths. These efforts have emerged largely in response to findings that neighborhood effects account for a small portion of the overall variance in individual-level adolescent outcomes (Elliott et al., 1996; Furstenberg, Cook, Eccles, Elder, and Sameroff, 1999) and with the ascendance of ecological models stressing the influence of an outer system (the neighborhood) on an inner system (the family) on youth development (Bronfenbrenner, 1979; Gorman-Smith, Tolan, and Henry, 2000).

To explain variations in juvenile offending, two frameworks for understanding neighborhood effects have received significant attention during the last few years: the relationships and ties model and the norms and collective efficacy model (Leventhal and Brooks-Gunn, 2004). The first draws heavily from family stress theories (Conger, Ge, Elder, Lorenz, and Simons, 1994; McLoyd, 1990) and suggests that the link between neighborhood disadvantage and delinquent outcomes is mediated by parenting behaviors, levels of adult supervision, and characteristics of the home environment (level of economic hardship). The second framework draws from social organization perspectives and suggests that the link between neighborhood disadvantage and delinquency is largely mediated by peer group norms and behavior.

To study the effects of community functioning on adolescent outcomes, researchers make important distinctions between neighborhood structure and neighborhood social processes. Neighborhood structure refers to sociodemographic or compositional features of communities (e.g., employment rate) and is typically measured using data collected from the U.S. Decennial Census; neighborhood social processes refers to the community’s social organization (e.g., social connections among neighbors) and is usually evaluated on the basis of residents’ perceptions of how their communities function.

Shaw and McKay (1942/1969) were the first to propose that weak neighborhood structural factors (concentrated poverty, residential mobility and racial-ethnic heterogeneity) are linked to higher rates of juvenile delinquency because they lead to social disorganization and the inability of a community structure to realize the common values of its residents while maintaining effective social controls (Sampson and Groves, 1989). Indeed, a number of social organizational factors have been linked to adolescent deviance, including neighborhood disorder (Sampson and Raudenbush, 1999), weak social connections within the neighborhood (Rountree and Warner, 1999), low levels of informal social control (the extent to which residents help each other to regulate the behavior of youths in the neighborhood (Elliott et al., 1996), and low levels of collective efficacy, which is a combination of informal social control and social connections.

Although researchers have suggested that the influence of parents and peers come together during adolescence (Petit, Bates, and Dodge, 1997), only two studies have examined how factors in these two domains jointly mediate community influences on youthful behavior. In the first, Rankin and Quane (2002) showed that higher rates of community collective efficacy were related to better parental supervision, fewer deviant peer affiliations, and lower levels of adolescent problem behavior.

As expected, the researchers of those studies found that parenting and peer group influences mediated the link between collective
 três propensidades genéticas. Adolescentes com propensões genéticas a delinquência, por exemplo, são mais propensos a buscar parceiros antisociais para atender às suas necessidades. As propensões genéticas podem ser influenciadas por fatores ambientais, mas também podem ser influenciadas por influências sociais e comportamentais.

Genetics

It should be noted that behavioral geneticists do not think that there is a gene that determines delinquency. However, behavioral geneticists take a more realistic approach and argue that personality traits such as low self-control are heavily influenced by genetic factors (J. P. Wright and Beaver, 2005). An additional explanation to the formation of antisocial peer networks has been offered by some behavioral geneticists (Cleveland, Wiebe, and Rowe, 2005; DiLalla, 2002; Scarr, 1992; Scarr and McCartney, 1983; Walsh, 2002).

According to their line of reasoning, adolescents actively seek out certain friends, such as delinquent friends, because of genetic propensities. Youths who are genetically predisposed to be impulsive, to be risk seekers and to be antisocial will tend to select peer groups that reinforce these propensities. As a result, genetic influences can partially explain why individuals sort themselves into one particular peer group over another.

An interesting study by J. P. Wright and Beaver (2005) attempted to address whether genetics plays a role in delinquency by studying twins. Wright and Beaver analyzed a sample of twins from an early childhood longitudinal study kindergarten class data to examine parental socialization effects on self-control. In their first set of analyses, they did not control for genetic influences, and the results of their models revealed that the parenting measures had statistically significant effects on measures of self-control. They then recalculated the models and controlled for genetic effects. Once genetic influences were held constant, most of the parenting measures were reduced to statistical insignificance, indicating that the relationship between parenting and self-control is accounted for by shared genetic factors. The results of this study thus suggested that genetic influences are important in the development of self-control, a contributing element to potential delinquency.

Genetic research has also examined the genetic and environmental influences on impulsivity, hyperactivity, attention deficit hyperactivity disorder and other attention deficiencies. The results of behavioral genetic studies have been quite consistent and have revealed that genetic factors account for between 50 percent and 90 percent of the variance in self-control, self-regulation and impulsivity, whereas the remaining variance is attributable to the type of home environment. (Barkley, 1997; Price, Simonoff, Waldman, Asherson, and Plomin, 2001; J. P. Wright, Beaver, DeLisi, and Vaughn, 2008). Findings from these studies stand in direct contradiction to Gottfredson and Hirschi’s (1990) claim that self-control is insulated against biogenic effects.

Lastly, it’s important to note that research has revealed that levels of self-control are influenced, in part, by the structure and functioning of the prefrontal cortex of the brain (Barkley, 1997; Beaver, Wright, and DeLisi, 2007; Cauffman, Steinberg, and Piquero, 2005; Ishikawa and Raine, 2003; Raine, 2002). The formation of the brain as well as brain functioning is due in large part to genetic influence (Pfefferbaum, Sullivan, Swan, and Carmelli, 2000; Thompson et al., 2001; Toga and Thompson, 2005). This indicates that variations in brain structure and functioning, which reflect genetic differences, could potentially translate into variations in individual levels of self-control. If this is the case, then genes may have an effect on self-control by producing variability in regions of the brain that are tied to impulse control, aggression and self-regulation (Meyer-Lindenberg et al., 2006).

There is convincing evidence that suggests that prenatal exposure to toxins, such as drugs, alcohol, nicotine and lead, interferes with normal brain development (Karr-Morse and Wiley, 1997; Sood et al., 2001; Yolton, Dietrich, Auinger, Lanphear, and Hornung, 2005). Given that levels of self-control are closely tied to the structure and functioning of the brain, any event or pathogen that may lead to neurological deficits may also reduce levels of self-control (Barkley, 1997; Beaver and Wright, 2005b; Beaver et al., 2007).

Tying back into our earlier discussion on the impact of peers on individual delinquency, studies show that most of the variance in exposure to drug-using peers was accounted for by genetic factors. Behavioral geneticists have long theorized that individuals with a genetic propensity to engage in delinquency or to use illegal substances are likely to seek out peers with these same preferences. In this case, genes are the driving force behind why some youths associate with antisocial friends.

Does the system work?

The juvenile justice process obviously is a complex system. If it seems difficult to understand all the elements of it outlined above, it certainly must be difficult for youths to understand as first-time offenders. This leads to such questions as:

- What is the impact of being involved in such a system for youths and their families?
- Is the juvenile justice system effective and efficient?
According to many researchers and leaders, the answer to the second question would be “not really.” The Annie Casey Foundation (2011), a private charitable organization dedicated to helping build better futures for disadvantaged children in the United States, reported that national statistics indicated that within three years of release, about 75 percent of youths are rearrested and 45 to 72 percent are convicted of a new offense. They also report that in New York State, 89 percent of boys and 81 percent of girls released from state juvenile corrections institutions in the early 1990s were rearrested as adults by age 28. This is a clear indication that the concept of rehabilitation and the methods used by the juvenile justice system to improve the lives of young people are not as effective as many would like.

Leadership within the juvenile justice system is typically bureaucratic. The primary focus is on organizational corporate circles, which goes beyond the simple definition of leadership as the ability to motivate people to work in a manner that is intended to accomplish a goal. Transformational leadership extends this meaning to include a process by which individuals are transformed. Its primary focus is within the group’s values, ethics, standards and long-term goals (Northouse, 2001).

It is a process that requires charismatic and visionary leadership. Transformation begins with a shift in the organization’s mission. Simply stated, the agency must establish a vision and mission that is enduring, futuristic and strategic (Bassie, 1999). Having these essential qualities enables the organization to position itself to consistently achieve organizational effectiveness. Perhaps through such transformation, the old bureaucratic leadership standard within the juvenile justice system could be revised to result in positive outcomes for youths.

Although there has been a great deal of research on the development of serious juvenile offenders (Lipsey and Derzon, 1998; Loeber, 1996), there has been comparatively less research on what happens to these youths once they have been identified and adjudicated. Moreover, we know very little about which components of our current system for treating and rehabilitating these youths are most effective. Delinquent behavior has practical, real-world consequences, including psychological, social and financial costs. For example, providing services to a youth who has been remanded into state custody will cost taxpayers between $21,000 and $84,000 (Cohen, 1998).

The impact of a serious juvenile offender on his or her victims is harder to quantify, but estimates of financial impacts range from $62,000 to $250,000 (Cohen, 1998). If a youth is not successfully rehabilitated by the juvenile corrections system and becomes a “career criminal,” the costs to victims and taxpayers increase dramatically (Cohen, 1998).

If delinquent activity is an important component of risk for adult criminality and an important target of intervention, the question of how to best assess delinquency is unavoidable (Elliott, Dunford, and Huizinga, 1987; Farrington, 2000; Farrington, Loeber, Stouthamer-Lobe, Van Kammen, and Schmidt, 1996; Henggeler et al., 1993; Paternoster, Brane, and Farrington, 2001). One method of assessing delinquency is to gather information from juvenile court records.

However, it is generally assumed that serious delinquents are charged with only a portion of the crimes they commit, raising questions about whether official records accurately reflect actual behavioral tendencies. It is also assumed that there is a great deal of variability on how often juvenile offenders are caught and charged. The most successful offenders may be charged with only a small percentage of their actual offenses, whereas other, less successful delinquents will be charged with proportionally more offenses.

We do know that while in state custody, many of these young people receive multiple courses of treatment, often moving from one program to another over a period of several years (Altschuler, 1998; Krisberg and Howell, 1998). The tendency to send youths to several programs in succession may seem haphazard. However, the course of a particular youth’s placement history is presumably based on several treatment-relevant factors, including:
- The youth’s family circumstances.
- Current developmental needs.
- Success in previous programs.
- Perceived threat to the community.

The practice of moving a young person from program to program depending on his or her current needs has been described by the Office of Juvenile Justice and Delinquency Prevention as the “comprehensive strategy” (Krisberg and Howell, 1998). This approach is based on the principle of graduated sanctions; youths are provided with services such as treatment, supervision, skill development and opportunities for restitution in response to their level of functioning and level of threat to their community. As a youth become rehabilitated, fewer services are needed, and the level of system involvement is diminished.

The approach to treatment-rehabilitation presents a challenge to program evaluators interested in whether a particular type of treatment is effective because it is very difficult and perhaps impossible to disentangle the effects of one treatment program from those of another. In fact, the comprehensive strategy assumes that the effects of treatment-rehabilitation efforts accumulate over time. To make matters even more complicated, young people sometimes cycle through the same treatment program on two or more occasions, particularly those who have setbacks (Altschuler, 1998). This fairly recent comprehensive strategy to treatment-rehabilitation underscores the need to develop conceptual frameworks and techniques for assessing program effectiveness at the systemic level (Farmer, 2000).

If a new, more comprehensive approach to program evaluation is needed, where do we start? Computer-based records kept by most states provide a potentially valuable source of information on the course and outcome of treatment for youths in state custody. Although these records are limited in their richness, they can often provide an accurate picture of a particular youth’s day-by-day movement through the court and corrections system. Because most state systems document the services a particular youth receives, it is usually known how much time a particular youth spends in each treatment program and the sorts of services each program is expected to provide.
Leadership within juvenile justice systems is typically more concerned with management practices, structures, and policies and procedures (Burke and Litwin, 1989). The major managerial duties have been to secure the management of functions and people into specific areas of responsibility. Management should be encouraged to embrace a transformational leadership philosophy if the organization intends to change to reduce recidivism (Bass, 1985, 1990; Burns, 1978).

Transformational leadership appears as a new paradigm within academic research, and it’s possible that this kind of information could be used to evaluate the effectiveness of specific programs in reducing recidivism rates. One of the problems with using archival data to study youths in state custody is that record keepers rarely gather psychological data using psychometrically sound measures, leaving program evaluators with the difficult problem of defining risk and outcome in a way that is both psychologically and socially meaningful.

For example, computer-based records may not tell us much about the psychological functioning of a particular youth beyond his or her offenses (arrests, charges or convictions). Another problem with using computer records is that they are unlikely to reveal much, if anything, about the nature of provider-client relationships.

In order to implement improvement strategies, it is important to consider how services were delivered or the direct psychological impact of the services received. However, computer-based records of youths in custody documenting types of services received over extended periods of time may help us initiate the process of looking inside the systematic function of juvenile corrections (Krisberg and Howell, 1998).

Another way of assessing delinquent behavior is to ask youths directly about their previous illegal activities, but results of previous research designed to assess the value of self-reported delinquency in predicting adult criminal behaviors have been unclear (Elliott, Huizinga, and Morse, 1986; Farrington, 2000; Henggeler et al., 1993). There is some research that suggests that self-report data provide better estimates of actual behavior than court data (Huizinga and Elliott, 1987), but other research indicates that such data contribute little to our ability to predict adult outcomes (Farrington, 2001; Henggeler et al., 1993). It is important to remember that some seriously delinquent adolescents may feel that they have something to lose when asked to report on their previous delinquent behaviors. It seems understandable to think that delinquents might not tell researchers the complete truth when asked about their illegal activities.

In addition to the question of how to acquire information about delinquent or criminal activities, researchers also contend with the issue of how to weigh the relative seriousness of particular offenses (Parton, Hansel, and Stratton, 1991; Stylianou, 2003; Wolfgang, Figlio, Tracy, and Singer, 1985). The most widely used approach to estimating the seriousness of criminal behaviors is to solicit ratings from the general public or specific target populations, including police and court officers (Stylianou, 2003). Research on public and professional perceptions of criminal behavior indicates that some offenses are clearly regarded as more psychologically and socially costly than others.

When categorizing a particular youth’s delinquent behavior, criminologists agree that petty theft and assault with a deadly weapon should not be considered similar in their social or psychological impact (Loeber, Farrington, and Waschbusch, 1998). It’s also generally agreed that they should not be considered as equal indicators of risk for serious future criminal behavior (Monahan, 1996; Webster, Douglas, Eaves, and Hart, 1997).

Unfortunately, there are no clear existing guidelines on the weights that should be assigned to particular offenses. Law enforcement agencies and court administrators make distinctions between felonies and misdemeanors as well as among person, property, public order and technical offenses, but these differences can be difficult to use in making comparisons across methods of reporting (self-report vs. court records) and systems (juvenile vs. adult). Despite the lack of clarity on how to weigh the seriousness of particular crimes, doing so is critical to the goal of program evaluation because youths who are at greater risk are likely to receive more services for longer periods of time (Lipsey and Wilson, 1998).

Problems with the juvenile justice system

Because such a large number of U.S. citizens are minors, the juvenile justice system in the country is facing demands on resources that have not been seen before in the history of the nation. Consequently, a number of particular problems associated with the juvenile justice system have been identified over the course of the past several years. According to the United States Department of Justice (2011), by the beginning of the 21st century, one in four residents of the U.S. were under the age of 18. Therefore, providing services for this significant segment of the population necessarily is a priority. Researchers and leaders working in and assessing the juvenile justice system have identified several focus areas that are in need of attention:

- Placement options.
- Mental health services.
- Addiction treatment resources.
- Educational programming.
- Recidivism prevention resources.
- Judicial appropriateness.

Placement options

With growing numbers of minors entering the juvenile justice system each month, stretched resources have created problems associated with the proper placement of offenders. Pursuant to the laws governing juvenile justice systems in all states, when a juvenile is determined to be a juvenile offender as the result of adjudication, the court is obliged to place that minor into the least restrictive environment possible. In other words, an adjudicated juvenile offender should not be placed into a “lockdown” detention center unless there is no other appropriate placement for that child.
Serious youthful offenders who are remanded into state custody tend to spend time in several different placements, and levels of treatment and supervision vary widely (Altschuler, 1998; Gordon, Jurkovic, and Arbutnath, 1998; Lipsey, 1999; Lipsey and Wilson, 1998). For example, some programs are designed to provide youths with intensive treatment, whereas others are designed to help them make restitution. Some programs house large numbers of youths in large facilities, while others place them in foster homes or group homes in the community.

Previous research indicates that although several specific model programs are effective for at least some delinquent youths (Borduin et al., 1995; Chamberlain, 2003; Chamberlain and Reid, 1998; Sexton and Alexander, 2000), the jury is still out on whether commonly used programs are effective in reducing recidivism and chronicity (Lipsey and Wilson, 1998). Indeed, the effectiveness of current, common approaches to rehabilitating serious and violent youthful offenders is a source of heated debate (Altschuler, 1998; Lipsey, 1999) fueled by increases in the amount and severity of youth crime and findings that some interventions designed for youths appear to have iatrogenic effects (Dishion, McCord, and Poulin, 1999).

Although the actual offense for which the juvenile is adjudicated as committing is a guiding issue, when at all reasonable, a juvenile is to be placed back into his or her home environment and provided services through community-based programs. Despite this presumptive placement option, there simply are not enough resources available to provide appropriate services to a juvenile offender serving a probationary term from the home of his or her family.

The primary goal of the juvenile justice system is reform. The objective is to provide juveniles with appropriate services to get them on a course in which they will not break the law in the future.

At the other end of the spectrum, detention facilities are overcrowded and also understaffed. There are neither enough beds nor enough supportive and therapeutic resources available in these facilities to address appropriately the needs of juvenile offenders. However, in 2008, taxpayers nationwide spent about $5 billion to confine youthful offenders in juvenile institutions. Most states spend the bulk of their juvenile justice budgets on correctional institutions and other residential placements. According to the American Correctional Association (2011), the average daily cost nationwide to incarcerate one juvenile offender in 2008 was $241. This means that the cost of the average 9- to 12-month stay of one youth is $66,000 to $88,000. This heavy investment in correctional confinement makes little sense given the powerful evidence showing that non-residential programming options deliver equal or better results for a fraction of the cost.

**Mental health services**

A major problem with the juvenile justice system is the lack of appropriate and suitable mental health services. This includes a lack of community-based services for juvenile offenders who are not in detention. Moreover, detention facilities in many instances also lack an appropriate level of suitable and sufficient mental health services for juvenile offenders.

A report from the National Center for Mental Health and Juvenile Justice found that 70 percent of youths in the juvenile justice system are afflicted with a mental health disorder, and 27 percent suffer from a disorder so severe it significantly impairs their ability to function (Cocozza and Shufelt 2006; Shufelt and Cocozza 2006). The true extent of the mental health needs of youths in the juvenile justice system is unclear because most standardized screening instruments that diagnose such disorders are not administered until youths are adjudicated and put in an out-of-home placement.

The Survey of Youth in Residential Placement found that 51 percent of youths in placement reported symptoms of depression and anxiety. In addition, when asked specific questions from the MAYSI Depressed-Anxious Scale (which determines whether a youth requires mental health treatment for these problems), 48 percent of youths scored within the “caution” or “warning” range on the scale (Sedlak and MPherson, 2010). One-fifth of youths reported two or more recent suicidal feelings, and nearly the same amount (22 percent) reported past suicide attempts, which is nearly four times the rate reported by national samples of youths in the general population. However, the survey also showed that mental health services provided to youths in custody fall short of recommended practices.

In response to the increasing population of defendants with mental illness, the popularity of mental health courts has grown in the last decade, despite little empirical evidence that these types of courts obtain successful outcomes (Steadman and Redlich 2006). In 1997, there were four mental health courts in the United States. By 2009, there were some 250 courts in operation; however, most of them are for adults (Almquist and Dodd 2009). The first juvenile mental health court was established in 2001 in Santa Clara County, Calif. Today, there are more than a dozen courts operating in California, Florida, Ohio and Washington, and several more are in development (Herman 2005).

Juvenile mental health courts are designed to use a multidisciplinary team approach to develop and monitor treatment plans and compliance as well as provide necessary treatment to youths. Team members could include district attorneys, public defenders, mental health providers, and case managers or probation officers (Cocozza and Shufelt 2006; Arredondo et al. 2001).

As concern for youths’ mental health needs grows, new efforts are being developed. In March 2012, the Substance Abuse and Mental Health Services Administration (SAMHSA) and the MacArthur Foundation announced that they are collaborating on a $1 million effort targeting the behavioral health needs of youths in contact with the juvenile justice system. The project is aimed at diverting youths with behavioral health conditions from the juvenile justice system to community-based programs and services.

Under this initiative, up to eight states will be selected competitively to participate based on their commitment to improving policies and programs for these young people. This
innovative collaborative effort integrates SAMHSA's Policy Academy mechanism, which brings together state leadership teams to learn about effective interventions and the latest research, and the MacArthur Foundation's Models for Change Action Network strategy, which supports and links teams working on similar innovations in policy and practice. These combined resources will support state efforts to develop and implement policies and programs that divert youths away from the juvenile justice system early.

**Addiction treatment resources**

Justice Department research underscores that a significant percentage of juvenile offenders break the law in the first instance either to obtain illegal drugs or while using these illicit substances. Yet another of the primary problems associated with the juvenile justice system is a lack of sufficient addiction and substance abuse treatment resources.

As is the case with mental health services, the lack of appropriate drug and alcohol abuse and addiction treatment resources is found both in association with community-based programs for juvenile offenders and within detention centers.

According to the 2011 National Center for Addiction and Substance Abuse (CASA) at Columbia University, addiction and substance use disorders affect a majority of the juvenile justice population: Four of every five young people ages 10-17 who are arrested—1.9 million of 2.4 million, or 78.4 percent—are under the influence of alcohol or drugs while committing their crimes, test positive for drugs, are arrested for committing an alcohol or drug offense, admit having substance abuse and addiction problems, or share some combination of these characteristics.

In a 2010 position statement on health care and incarcerated youths, the National Commission on Correctional Health Care states: “America’s future depends on the health of all of our children. Incarcerated youths represent an especially vulnerable population whose lives are at high risk for illness and disability. Early diagnosis and treatment is essential. The National Commission urges equality in access and funding for health care and, therefore, recommends that all youths in public and private confinement and detention facilities remain eligible for public and private health care coverage consistent with the state and local eligibility requirements.”

Only about 3.6 percent of juveniles in the justice system receive treatment services in any form. Research shows that juveniles with substance use disorders who received treatment were less likely to commit a drug-related crime in the year following admission to treatment. Incarceration presents an opportunity to engage with juveniles who typically have little contact with or access to treatment services.

**Educational programming**

Unfortunately, the educational needs of youths are assigned a lower priority than correctional needs in some institutions; resources and planning efforts may therefore be suboptimal. Only a few educational programs found in detention facilities are accredited by appropriate state or national entities that accredit schools in the general community.

Many incarcerated youths have a history of poor school attendance and poor academic performance. More than 11 percent of incarcerated youths have learning disabilities, which is much higher in urban communities. Such youths, whether in juvenile or adult facilities, are entitled to special educational services, via the Individuals with Disabilities Act and provided by teachers with appropriate credentials and expertise. However, the period of detention for incarcerated youths generally varies widely from a few days to months, which can have a significant impact on the educational needs of youths.

A majority of juvenile offenders are school dropouts or at least minors who have very poor school attendance records. This serious deficiency is discussed in a variety of reports, including Juvenile Delinquency: Prevention, Assessment, and Intervention, written by Kirk Heilbrun, Naomi E. Sevin Goldstein and Richard E. Redding in 2005.

Providing appropriate educational experiences and programming within the juvenile justice system significantly is deficient today. At best, an effort sometimes is made to ensure that an offender does obtain a GED while involved in the juvenile justice system. As is noted in Juvenile Delinquency: Prevention, Assessment, and Intervention as well as in U.S. Justice Department studies and companion reports, expanding educational availabilities within the juvenile justice system needs to be a primary focus.

Many juvenile facilities have struggled with the ability to offer and deliver quality education services to their youths. In addition, there needs to be collaboration from an external entity for their efforts to be successful, because the department that oversees the correctional institution does not oversee education.

Therefore, it is strongly recommended that an interagency agreement between the local school district and the agency that operates the juvenile detention facility be developed, and the different responsibilities of the two groups should be clearly defined in this memorandum of understanding. A number of special issues need to be dealt with in the interagency agreement, including how the program would be funded, what role correctional staff has in providing the discipline and disciplinary actions, the number of instructional hours per day and days of
the year. Basic issues, such as materials, equipment, supplies and space, need to be collaboratively worked out as well.

Clarity of reporting lines for school personnel and correctional facilities personnel in areas where there is some joint responsibility for the day-to-day management of the youths is essential. Some educational programs in detention facilities are consolidated administratively and fiscally with correctional programs. Such arrangements discourage planning and decision-making with an exclusive focus on education for detained youths. Decision-making and planning for education should not be strongly influenced by correctional goals.

Recidivism prevention resources

Simply put, recidivism is the repetition of criminal behavior. Some analyses count a re-arrest when determining recidivism, while others only count reincarceration. It is very difficult to estimate the actual recidivism rate because of great differences among tracking methods used by juvenile justice systems in each state. However, the Bureau of Justice Statistics states that 80 percent of youths under the age of 18 who were released from juvenile justice institutions in 1994 were re-arrested.

While there is a great need for services for youths involved in the juvenile justice system, there is an equally great need for these youths to be re-connected to services when they leave. Discharge planning and the process used to establish care in the community are a critical, but often neglected, part of the system.

Perhaps the most significant of all problems associated with the juvenile justice system is the high recidivism rate. Juvenile delinquency and recidivism in America are major issues being debated by federal, state and local governments. Criminologists and lawmakers appear to agree that crime prevention through education is a viable means for diminishing juvenile delinquency. Providing youths with a combination of academic and counseling services appears to be at the forefront of this approach. While varying philosophical perspectives and limited data continue to fuel the recidivism debate, the overarching question remains, “How do we reduce juvenile recidivism?”

Community members are becoming gradually more aware of this growing epidemic and its impact on communities and family lives. This issue requires the attention of both policy makers and residents given the deleterious impact of juvenile recidivism on youths and their communities.

Although the U.S. Justice Department does not maintain specific statistics on it, the agency does note that nearly all states continue to report a high percentage of juveniles re-offending after serving a term of probation or detention within the juvenile justice system. In the end, the inadequacies and problems of the juvenile justice system have created a constant cycle in which minors head in, out and back into the juvenile justice system.

Judicial appropriateness

Unfortunately, judges and attorneys can serve in delinquency court with essentially no training in the principles of normal or abnormal childhood development. These principles are essential if one is to fully understand the elements of normal neurobiological, psychological, social and moral development in relation to what’s going on in the child’s life as well as to make an informed decision on the recommendations of services and tasks being presented by probation officers and attorneys. Judges, prosecutors and public defenders are routinely faced with offenders of both sexes who are psychologically very different than their adult counterparts. Because of this, the negative consequences of careless sanctioning may be more enduring for a child than they might be for an adult. This topic will be explored later in this course.

Efforts of change

Most likely the biggest change to the juvenile system since 1990 has been the development and implementation of teen/ youth courts. Teen courts, which are also referred to as youth or peer courts, are programs designed to divert young, first-time offenders from formal juvenile court proceedings to an informal process that incorporates components of restorative justice to hold youths accountable for their offenses and prevent future delinquency (Stickle, Connell, Wilson, and Gottfredson, 2008).

Teen courts are much like traditional courts in that there are prosecutors and defense attorneys, offenders and victims, and judges and juries. However, young people fill these roles and, most important, determine the disposition through a wide array of sentencing options (Godwin, 2000). The principal goal of a teen court is to hold young offenders accountable for their behavior by imposing sanctions that will repair some of the harm imposed on the victim and community, and thereby reduce repeat offending (Butts, Buck, and Coggeshall, 2002). Unlike other problem-solving court models, teen court programs do not operate as a court within the judicial branch of government, but rather as part of a diversion process that works to keep youths from formal court proceedings in the juvenile justice system (Fischer, 2007).

Teen courts are spreading rapidly across the country. Today there are more than 1,150 teen/youth courts operating in 49 states and the District of Columbia. A 2005 survey by the American Youth Policy Forum estimated that between 110,000 and 125,000 youthful offenders were served in teen courts in 2004 (Pearson and Jurich, 2005). The target population of teen courts is juveniles ages 11 to 17 who have been charged with less-serious offenses and have no prior arrest records. The most typical offenses that youth courts will accept are theft, vandalism, underage drinking, disorderly conduct, assault, possession of marijuana, tobacco violations and curfew violations (Fischer, 2007). Typically, young offenders are
offered teen court as a voluntary alternative to the traditional juvenile justice system, and youths must usually admit guilt to the charge to participate in the process (Butts and Buck, 2000).

There are several basic criminological theories supporting the use of young people in the teen court process. One theory is that in court, youths will respond better to prosocial peers than to adult authority figures. This peer justice approach assumes that, similar to the way in which an association with delinquent peers is highly correlated with the onset of delinquent behavior (Loeber and Dishion, 1987), peer pressure from prosocial peers may push youths toward prosocial behavior (Butts, Buck, and Coggeshall, 2002). Another theoretical perspective views teen courts through the lens of procedural justice. Teen courts can make an impact on juvenile offenders by increasing their knowledge of the criminal justice system and influencing their perceived fairness of the system (LoGalbo and Callahan, 2001).

Teen courts are also based on elements of restorative justice, including a concentration on the harm done to the person or the community, a concentration on repairing the harm, and an emphasis on an open dialog rather than on procedure and evidence (Fischer, 2007). Based on Braithwaite’s reintegrative shaming theory (1989), teen court programs seek to provide an atmosphere in which youths can be reintegrated into the community instead of being stigmatized for their delinquency (Stickel et al., 2008).

In general, teen courts follow one of four models:
- The adult judge.
- The youth judge.
- The youth tribunal.
- Peer jury.
  (Godwin, 1998)

The most popular model, used in more than half of all teen courts, is the adult judge model, followed by the peer jury model, the youth judge model and the youth tribunal model (National Youth Court Center, 2006). The adult judge model uses youth volunteers to serve in the roles of defense attorneys, prosecuting attorneys and jurors but requires an adult volunteer to serve as judge. The youth judge model uses a similar organizational structure but uses a youth to serve in the role of judge. The youth tribunal model differs from the other models in that there are no youth jurors; youth attorneys present the case to a youth judge or judges. Finally, the peer jury model does not use youth as defense or prosecuting attorneys. Instead, it operates much like a grand jury: a case presenter introduces the facts of the case, and a panel of youthful jurors interrogates the defendant directly.

Regardless of the model used, the primary function of most teen courts is to determine a fair and appropriate disposition for a youth who has already admitted to the charge (Butts, Buck, and Coggeshall, 2002). Participating youths are subject to a wide variety of creative and innovative dispositions that the court may order. According to guiding principles, dispositions should be designed to address needs of the victim/community, be based on restorative justice principles, and promote positive youth development (Godwin, 2000). The most common disposition is community service, which is used in 99 percent of teen courts (Fischer, 2007). Other typical dispositions include paying restitution, writing formal apologies, and serving on a subsequent teen court jury. Teen courts may also order offenders to attend classes designed to improve their decision-making skills, enhance victim awareness, and deter them from future delinquent acts.

Peer pressure, which can be a risk factor for delinquency, is harnessed in youth courts to exert a powerful, positive influence over adolescent behavior (Peterson and Beres, 2008). Youths who were referred to the teen court at the Northern Illinois Council on Alcohol and Substance Abuse for a wide range of crimes and offenses and who completed their peer-imposed sentences have much to say about their experience. A newly released report from George Washington University concluded that a record 129,540 juvenile cases were referred to local youth court programs across America in just a one-year period. The report also noted that local youth court programs accepted 116,144 cases, and an impressive 111,868 cases proceeded in youth court, with 97,578 completing their peer-imposed sentence.

These numbers represent an 88 percent completion rate for youths who proceed in youth court. Probation departments typically report only 70 percent to 75 percent of youthful offenders mandated to community service successfully complete this sanction. Approximately 15 percent more youths who proceed in youth court per 100 youths referred complete the program than those referred to community service by probation. This is 15 fewer youths per 100 who need to be referred back to juvenile probation or juvenile court (Peterson, Dagelman, and Pereira, 2007). This frees up more time for probation officers and judges to allocate time for more serious cases that need their expert attention.

Although teen court diversion programs have been enormously popular in juvenile justice, there are relatively few studies that have examined the effects on program participants. Butts, Buck and Coggeshall (2002) completed the most comprehensive evaluation of teen courts by examining four different sites: Alaska, Arizona, Maryland and Missouri. The research used a quasi-experimental design to measure differences in recidivism between youths participating in teen court and youths participating in the traditional juvenile justice system.

The evaluation suggests teen courts are a promising alternative for the juvenile justice system: all four teen court sites reported relatively low recidivism rates. In two sites (Alaska and Missouri), youths participating in teen courts were significantly less likely to be re-referred to the juvenile justice system for a new offense within six months of the original offense. In the other two sites (Arizona and Maryland), the difference was statistically insignificant. Consequently, the findings indicate that in some jurisdictions teen courts may be preferable to the traditional juvenile justice system.

However, not all evaluations have found favorable results. A recent study from Stickle, Connell, Wilson, and Gottfredson (2008) used an experimental design to examine the effectiveness of a teen court diversion program in Maryland to reduce recidivism rates and improve attitudes and opinions of program participants, compared with a control group who were formally processed through the Department of Juvenile Services. The results consistently showed less-favorable outcomes for the youths who participated in teen court, compared with youths who were formally processed, including significantly more delinquent
behavior following teen court and lower values in measurements of beliefs in conventional rules.

It is suggested that the restorative justice elements of the teen court program, such as the use of peers throughout the process, may not reduce or prevent recidivism for youths who commit minor offenses for numerous reasons. For example, youths in the program may be embarrassed by peers witnessing the experience, or the program may succeed at shaming but not at reintegrating youths.

Finally, some evidence suggests that teen courts may provide other benefits for offending youths. For instance, participation in teen courts may provide a general satisfaction with the experience (McLeod, 1999; Swink, 1998; Wells, Minor, and Fox, 1998), improved attitudes toward authority (LoGalbo, 1998; Wells, Minor, and Fox, 1998), and greater knowledge of the legal system (LoGalbo, 1998; Wells, Minor, and Fox, 1998). The research so far has shown mixed results; further research is needed to fully evaluate the effectiveness of teen court programs.

The Child Welfare League of America (CWLA) Juvenile Justice Division was created in July 2000, through the generous and ongoing support of the John D. and Catherine T. MacArthur Foundation. Since then, CWLA has worked diligently to increase awareness of the connection between child maltreatment and juvenile delinquency, and the need for an integrated approach to programs and services across the child welfare and juvenile justice systems. Today, CWLA continues to help numerous jurisdictions collaborate in these two systems and achieve better outcomes for youths and families by:

- Providing consultation, training and technical assistance resources to implement systems integration and reform, and reduce juvenile delinquency and juvenile victimization.
- Collecting, analyzing and disseminating information on child welfare and juvenile justice practices and policies that promote positive youth development.
- Advocating for implementation of sound legislation, policies and procedures that positively contribute to juvenile justice system reform, programs, and practices.

Some states have already effectively used increased focus on data analysis and implementation of quality improvement strategies. The Virginia Department of Juvenile Justice (DJJ) accomplishes its vision and mission of having an integrated juvenile justice approach through the provision of an integrated approach to juvenile justice. This approach brings together current research and best practices in the field to build an effective methodology that helps understand and modify delinquent behavior; meet the needs of offenders, victims and communities; and manage activities and resources in a responsible and proactive manner.

Its framework is comprised of three components that provide 1) control of a juvenile’s liberty through secure confinement or community supervision to ensure public safety; 2) a structured system of incentives and graduated sanctions in both institutional and community settings to ensure accountability for the juvenile’s actions; and 3) a variety of services and programs that build skills and competencies (i.e., substance abuse treatment, support for academic and vocational education, anger management classes) to enable juveniles to become law-abiding members of the community upon release from DJJ’s supervision. They have implemented a set of research and consensus-based instruments at different decision points within the juvenile justice system; DJJ classifies juveniles by different levels of risk of reoffending.

These critical decision-making points include:
- The initial decision to detain.
- The assignment to various levels of community probation or parole supervision.
- The classification of committed juveniles to guide appropriate placement within the institutional setting.

In addition to matching the most intensive resources to those juveniles with the highest risk, DJJ recognizes that successful responses to juvenile crime require tailored, individualized responses to the needs of juveniles, families and communities. The presence of specific risk factors are assessed and addressed to increase the likelihood of successful outcomes. Issues implicated in juvenile offending include gang involvement, substance abuse, anger management, truancy and other school-related problems. The application of appropriate social control and sanctioning strategies, such as electronic monitoring, urine drug testing and various levels of supervision, are also matched to the juvenile’s individualized circumstances. Incentives such as early release from supervision, extended curfew, donated movie tickets and recreational outings with volunteers are used to reward success and improve the chances of long-term behavior change.

Additionally, the Juvenile Justice System Improvement Project (JJSIP) was recently created and is designed to help states improve outcomes for juvenile offenders by better translating knowledge on “what works” into everyday practice and policy.

The JJSIP takes the vast amount of knowledge gained through Dr. Mark Lipsey’s meta-analysis of effective juvenile justice programs and embeds it within the Office of Juvenile Justice and Delinquency Prevention’s comprehensive strategy for serious, violent, and chronic juvenile offenders as developed by Dr. James C. Howell and John Wilson. In doing so, the JJSIP provides a framework for improving juvenile justice practice throughout the entire juvenile justice continuum. The JJSIP will train jurisdictions on how to implement such a process without undermining their current service delivery model. The program has the potential to support a groundbreaking shift in how juvenile justice systems are operated and how those systems both achieve and are held accountable for accomplishing their mission. The four states that have been selected to participate in this process are Florida, Connecticut, Arizona and Pennsylvania.

### Addressing use of residential facilities to house youths

Standards for juvenile detention and confinement facilities vary across jurisdictions. Most state corrections agencies have issued standards. They may also vary according to duration of detention and confinement. However, a single set of national standards has yet to be adopted. Standards that incorporate developmental considerations would be ideal as opposed to
those that are generally applied to facilities designed for adults. Additionally, access to a broad range of human services in juvenile facilities is also essential to ensure that the needs of youths and families are being met.

In the late 1990s, various states began to realize the impact the use of detention and residential facilities was having on outcomes for youths as well as the financial impact on their programs and budgets. The result was a more focused effort to reduce the number of children being placed in such settings and on-going assessment of what they were being used for (comparing severity of crimes among residents).

Between 1997 and 2007, the percent of U.S. youths confined in residential facilities declined 24 percent, while the percent incarcerated in long-term secure care correctional institutions plummeted 41 percent. Despite the reduced use of incarceration, juvenile crime rates fell across the board from 1997 to 2007, including a 27 percent drop in juvenile arrests for serious violent crimes (Annie Casey Foundation, 2011).

Overall, several states showed significant improvements in both financial and child well-being outcomes. Below are several examples of outcomes and findings achieved through reduction efforts:

- States that decreased juvenile confinement rates most sharply (40 percent or more) saw a greater decline in juvenile violent crime arrest rates than states that increased their youth confinement rates or decreased them more modestly (less than 40 percent).
- In California, the population in state youth corrections facilities has declined 85 percent since 1996. Yet California’s juvenile crime rates have declined substantially during this period of rapid de-incarceration. In 2009, California’s juvenile arrest rate for violent crimes fell to its lowest level since 1970.
- Florida’s Redirection Program provides evidence-based, family-focused treatment as an alternative to residential placements for less-serious youth offenders. Redirection participants are significantly less likely than comparable youths placed in residential facilities to be arrested for a new crime, convicted of a new felony, or sentenced to an adult prison. From 2004 to 2008, the Redirection Program saved $41.6 million through reduced program costs and lower spending to prosecute and punish subsequent crimes.
- The Washington State Institute for Public Policy has estimated that placing one young person in multidimensional treatment foster care, where troubled and delinquent youths live with specially trained foster families while their parents receive counseling and parent training, saves $96,000 in reduced costs to victims and the criminal justice system.

The Annie Casey Foundation also suggests that states should place serious and chronic youth offenders into small, humane and treatment-oriented facilities, such as those operated by Missouri’s Division of Youth Services (DYS), as opposed to the continued use of secured detention and residential facilities. Missouri has divided the state into five regions and built a continuum of programs in each. The secure-care facilities house just 30-36 young people. Youths are placed in small groups that participate in education, treatment, meals and recreation. DYS staff engages the families to help devise successful reentry plans and assigns a single case manager to oversee each youth from commitment through release and aftercare, providing extensive supervision and support in the critical reentry period. Research has already shown that this has resulted in Missouri achieving far lower reoffending/recidivism rates than other states.

### Focus on youth development

Childhood is an intense period of rapid development culminating in the tasks of identity formation and social integration. Other than infancy, no stage in human development results in such rapid dramatic change as adolescence. To complicate matters further, the teen years are also characterized by a struggle for autonomy from adults upon whom these youths must still depend. These changes are accompanied by rapid neurobiological concomitants, which are reflected in cognitive, emotional and abstract reasoning as well as moral changes in development.

Additionally, children and youths develop at varying rates. Within the juvenile population, there are enormous differences between, for example, a 12-year-old and a 17-year-old. Further, there are vast differences in the emotional development of children of the same chronological age (i.e. among 13-year-old boys). There is also evidence that earlier maturing girls and later-maturing boys tend to have more problems than adolescents with average ages of onset of puberty. For example, the Institute of Medicine reports that early maturing females appear to be at increased risk for victimization, especially sexual assault, which may contribute to their greater likelihood of problem behaviors compared to girls who mature physically later. (Arredondo, D., 2003).

The concepts underlying positive youth development are beginning to have an impact on how policymakers, practitioners and community members think about adolescent development and the methods of encouraging youths to achieve healthy transitions to adulthood. Despite the growing acceptance of these goals by some sectors in the social services system, juvenile justice programs are largely focused on the traditional goals of law enforcement, such as detection, suppression, supervision and punishment.

The vast majority of youthful offenders are not dangerous. Just as children have a developmental need to test limits, they have an equally important need to experience predictable structure and boundaries. A balance between punishment and permissiveness, both provided in a timely manner, are essential for effectively intervening with youths who have fallen to the legal system.

From a child development perspective, the predictability and consistency of adult attention and responsiveness is often what is most important. If a child learns that his social environment will respond inconsistently, he is much more likely to continue a behavior in the hopes that he will “get away with it this time.” For example, if a child is caught sniffing glue after breaking into a neighbor’s house while truant from school and “nothing really happens,” he is more likely to persist in those behaviors and perhaps escalate the seriousness of his substance abuse, truancy and delinquency.
One reason for this is that children require attention the way they require food and sleep. Attention is necessary for brain development. The notion of an attention requirement or demand is relatively unrecognized in Western psychology, although it has been known for some time in the psychologies of central Asia. Such behavior has its correlates in brain development inasmuch as the developing child requires interaction of other humans to develop the capacity to recognize facial cues and the nuances of social situations.

As teenagers become more attention-deprived, they will become less and less discriminate toward how they go about getting the attention that they need. This is the root in much of attention-seeking behavior in normal adolescents, and accounts for some of their more peculiar behavior.

Children tend to seek both positive and negative attention to meet their needs. If no attention is forthcoming, they will escalate their demands. There is a lack of clarity and significant differences of opinion about the proper role of the delinquency system. The historical polarization of advocates of punishment and those who advocate rehabilitation is, for the most part, irrational. As any parent can testify, successfully raising a child requires at least some consequences (punishment) in response to dangerous, antisocial or otherwise inappropriate behaviors. Complications arise when punishment that is intended to discourage misbehavior is confused with retribution. Further complications develop when punishment is applied thoughtlessly, unfairly and disproportionately to youths in a manner that does not foster positive development.

To be effective in promoting positive development and extinguishing negative behaviors, the juvenile justice system may need to adopt the same consciousness of developmental appropriateness. As a general rule: the younger the child, the shorter the duration but the greater the frequency of monitoring. For example, in residential treatment, a youth is not asked to stay in control forever. Experience has taught that “one day at a time” works much better. Similarly, however, frequent reviews give the child support and an excuse to say “no” to peer pressure. Another example is reviews of compliance with court orders. It is unreasonable to come down on a child six months after she has stopped complying with an order. Given the lapse of time, the original offense, the rationale for the court orders, and the warning and admonitions delivered by the judge have long since faded from the child’s memory. It is important to remember that the judge has a record to review; the child does not.

Positive youth development (PYD)

Positive youth development (PYD) is a comprehensive way of thinking about the development of children and youths and the factors that facilitate or impede their individual growth and their achievement of key developmental stages. The array of concepts known as PYD emerged from several decades of research on adolescent development. The PYD framework is an alternative to viewing adolescent development through the lens of problems and deficits.

The deficit-based approach dominated developmental theory and social policy during much of the 20th century. The second decade of life was seen primarily as a period of risk and turmoil. Professionals were expected to identify the problems affecting individual adolescents and to manage those problems in professionalized, therapeutic settings. Because adolescents were seen as irresponsible and immature, it followed that they were unable to participate fully in society. They could be the objects of social policy but not participants in social institutions.

In recent decades, a number of factors combined to erode the dominance of the deficit-based perspective. Researchers began to challenge conventional assumptions about how human development occurs. Studies revealed that most children and youths manage to thrive and develop even in the presence of multiple environmental stresses. Michael Rutter and others began to use the term “resiliency” to describe the qualities that support healthy development in the face of adversity. Researchers began to investigate methods of increasing resiliency. Social programs started to incorporate such methods in their work with children and adolescents.

Developmental specialists often analyze human development in ways that emphasized interaction between youths and adults across a wide range of social worlds, not only families but also schools, workplaces and communities. Over time, a new generation of organizers and advocates began to insist that adolescents are not objects to be acted upon, but self-directed, independent individuals who may deserve special consideration and care but who merit the same dignity and autonomy accorded other members of the community. In short, communities need their youths as much as youths need their communities.

These developments transformed into the perspective now known as positive youth development. The concepts of PYD suggest that most young people can develop and flourish if they are connected to the right mix of social resources. The PYD perspective recognizes that some youths grow up in circumstances that do not adequately prepare them for the transition from childhood to adulthood. It also recognizes that some youths behave in ways that cause serious problems for themselves and their communities.

Community youth development (CYD)

Several frameworks have been used to describe the processes of youth development, the outcomes of development, and the programs and organizations that provide opportunities for development. Some frameworks, such as the community youth development (CYD) concept described by Francisco Villarruel and his colleagues, emphasize the role of communities in providing positive development opportunities to all youths. The CYD framework concentrates on youths’ participation in community institutions. Its direct target is the community instead of individual young people. Other frameworks focus on enhancing developmental opportunities and resources for particular youths or subgroups of young people.
Menu of 40 developmental assets

Perhaps the most well-known PYD framework is the Search Institute’s menu of 40 developmental assets. The 40 assets include factors that encourage youths to avoid harmful behavior and that engage them in activities that promote positive development and emphasize interactions between individuals within varying contexts, such as family, school and community. As young people navigate and manage these interactions, they begin to acquire what the framework calls the five C’s:

- Competence.
- Character.
- Connection.
- Confidence.
- Caring/compassion.

Overall, the PYD frameworks share three basic assumptions:

1. **Focus on strengths and assets rather than deficits and problems.**
   Keeping youths away from drugs, criminal activity, premature sexual behavior and other risks does not by itself prepare youths for a productive future. PYD frameworks emphasize building youths’ assets or the skills and competencies that will allow them to take on new roles as they transition from childhood to adulthood.

2. **Strengths and assets are usually acquired through positive relationships, especially with prosocial and caring adults.**
   Relationships and interactions between youths and trusted adults are one of the key mechanisms through which healthy development occurs. Trusted adults include parents and family members, but also teachers, neighbors, local business owners and members of the community. Relationships with prosocial peers can also facilitate development, but positive relationships with adults are the primary focus of PYD.

3. **The development and acquisition of youth assets occurs in multiple contexts and environments.**
   Unlike older views of adolescent development that placed almost exclusive emphasis on the family, PYD sees youth development opportunities in all of the worlds that adolescents inhabit. Schools, workplaces, community organizations, social programs and neighborhoods are all part of a youth’s natural environment and all offer opportunities.

School attendance and performance are important to child development. If specific goals such as school attendance and performance have been set, progress towards those goals should be monitored frequently to make sure the child is on track. To be fair and effective with young people, the juvenile justice system must strive to meet the needs of individual youths at different stages of maturation and not allow itself to be based on a fixed timetable determined by convenience or customary practice. In general, this means that the juvenile justice system is susceptible to more frequent reviews and ideally, each child should have one judge. In practice, this would mandate a less frequent rotation of judges. While this would have an impact on the court system as well as time commitments of attorneys, probation officers or other case related professionals, such a change might result in positive results for each youth. (Arredondo, D., 2003)

Although often difficult to achieve, the youth must accept personal responsibility for his delinquent behaviors. This corresponds to the developmental goal of encouraging children to control their impulses, to consider the impact of their behaviors on others, and to accept responsibility for their own mistakes while not blaming them on others or on circumstances.

For a youth who has not yet become desensitized to the threat or imposition of detention, the initial impact of incarceration will be profound. At the same time, the impact of this sanction diminishes dramatically over time as the child becomes desensitized. At a certain point, the child “gives up” as his identity changes to that of a chronic delinquent. Sooner or later, most children give in to what others expect of them.

Youths may begin to identify with some of the more delinquent peers in detention. For most teenagers, losing their privileges on a Friday and a Saturday night is sufficient to get their attention and to serve as an effective sanction. However, months of detention are often counterproductive and can have seriously undesirable side effects, such as gang recruitment. Judges often report hearing from parents that “My child never even thought of doing that until he was locked up with those other children.”

From a developmental point of view, prolonged detention is also problematic because the child is undergoing developmentally important phases of life in institutional settings with the demands particular to that setting. Consequently, the child is adapting to incarceration and an institution, not to the community from which she came and to which she will return. It is imperative that the juvenile justice decision-maker understands that virtually every effective evidence-based intervention for delinquency occurs in the home and community.

The most effective sanctions are those that address the personal, familial and societal variables that are essential to healthy child development (Arredondo, D., 2003). These sanctions are community-based whenever possible. Almost all effective evidence-based practices that have been identified have been noted to occur in the community and the home. These ideal sanctions almost invariably help the low- to moderate-level offender develop increased personal competence and connectedness to prosocial elements of a larger community. Additionally, the immediate community perceives these sanctions as measured and fair. Effective sanctions provide supervision, encouragement and support along with clear, firm and timely consequences for delinquent behavior.

Some of the characteristics of effective sanctions include:

- **Sanctions should be based on the offender and not the offense.** There should be notable sensitivity to the developmental stage of the offender. Further, youths are dealt with in the context of their connectedness with others, such as parents, siblings, peers and extended family. Contact with the offender must be frequent and reliable, and opportunities for the child to externalize responsibility for his or her actions are minimized.

- **Sanctions should focus on strengthening existing strengths, competence, and self-control.** In this approach, the individual youth’s strengths are identified and mobilized, there is recognition of the child’s efforts, and the child receives encouragement for them. The multiple aspects of a
juvenile’s life should be acknowledged as well, because they may have effects on education, peer relations, vocational preparedness and prosocial community relatedness.

- Whenever possible, sanctions should be community-based rather than institutional. They build on relationships with the child’s family and community. Immediate and extended family and community members should be used as allies whenever possible. There should also be a high level of exposure to positive peer environments, and genuine opportunities to contribute to family, school or a prosocial community are provided whenever possible.

- Sanctions should be realistic. While incentives are important, the incentives to succeed need to be attainable. Clear expectations are necessary, and monitoring must be set at a developmentally appropriate frequency. There also needs to be a developmentally appropriate provision of latitude for mistakes.

- Sanctions create respect for the court and its processes. There is an implicit and explicit expectation of respect for the court as well as explicit respect for each youth and her family, culture and community. Humiliation or shaming should not be used as a means of motivation, and respect for the child needs to be displayed by all parties.

- Whenever possible, a sanction puts a human face on the court process. The judge should relate to each child personally and send the message that “the system cares” is explicit from all parties. The youth should be encouraged to meet the victims of his criminal acts whenever practical and appropriate. The youth needs to display empathy and an apology to his or her victims. Individualized restitution should be an explicit expectation.

Conclusion

The juvenile justice system is a complex process and experience. It has many elements that affect its levels of success and outcomes for youths. Additionally, youths themselves have many elements of their personal lives that affect their development, potential links to delinquent behavior, and genetic and personal characteristics. Within juvenile justice, we see a system that has historically placed greater emphasis on crime, punishment and rehabilitation. However, the system is evolving to incorporate the importance of youth development into its functions and resources.

Researchers and leaders in the field of juvenile justice and child welfare have recently started focusing on several key areas to improve effectiveness. These include placement options, mental health services, addiction treatment resources, educational programming, recidivism prevention resources, and judicial appropriateness.

Delinquency and its contributing factors have been long debated by researchers, with the primary factors seen as parental involvement, peer relations, neighborhood and community involvement, and genetics. There is substantial evidence to support that these factors contribute to the potential for delinquency, not only individually, but also in the way they cross over and impact one another.

Communities across the United States have done much in the past decade to improve the juvenile justice response for serious and violent offenders, detained offenders and those with mental health and substance abuse problems. Still, many of these programs miss a large portion of all youthful offenders. The juvenile justice system has yet to develop a compelling, theoretically informed framework for service delivery in typical or average cases. One resolution of this problem might be to structure the efforts of juvenile justice agencies around the goals of positive youth development.

A systematic program of innovation and evaluation is needed to determine whether such a strategy is feasible and whether it will improve the well-being of communities. Child welfare agencies have begun to research additional options for services and structure within the juvenile system. Implementation of innovative ideas, such as teen/peer courts, combined with the use of data analysis to continue to identify alternatives is reassuring that the system is not comfortable with simply doing the same things it’s always done. With such national collaborations and entities as the Child Welfare League of America and the Annie Casey Foundation providing continual focus and challenges to states, their systems and leaders, perhaps the positive evolution of juvenile justice will continue.

References

1. A relapse into a previous condition or mode of behavior or relapse into criminal behavior is called:
   a. Rehabilitation.
   b. Recidivism.
   c. Adjudication.
   d. Restitution.

2. If a juvenile voluntarily agrees to specific conditions for a specific time period, these conditions are often outlined in a written agreement, generally called a:
   a. Predisposition report.
   b. Supervision summary.
   c. Self-assessment.
   d. Consent decree.

3. What is the hearing called when witnesses are called and the facts of the case are presented?
   a. Shelter.
   b. Disposition.
   c. Adjudicatory.
   d. Permanency.

4. Which act discourages holding status offenders in secure juvenile facilities, either for detention or placement?
   c. Quality Improvement of Juvenile Justice.

5. Barlow (1991) and Grasmick, Tittle and Bursik (1993) identified six dimensions of:
   a. Delinquency.
   b. Mental health needs.
   c. Self-control.
   d. Development.

6. Which combination of actions or items has been shown by research to help protect adolescents against delinquent outcomes?
   a. Strong supervision and positive involvement.
   b. Incentives and rewards.
   c. Tolerance and education.
   d. Strong enforcement and follow-through.

7. Juvenile detention and confinement facilities:
   a. Must adhere to a single set of national standards.
   b. Have no national standards to meet.
   c. May follow state standards that conflict with national standards.
   d. Must follow whichever standard is more rigid.

8. The Washington State Institute for Public Policy has estimated that $96,000 in reduced costs to victims and the criminal justice system results from placing one young person in:
   a. Juvenile detention facilities.
   b. Developmental disability homes.
   c. Multidimensional treatment foster care.
   d. Other states.

9. Which variables that are essential to healthy child development also are the areas in which sanctions should be addressed to be most effective?
   a. Educational.
   b. Personal, familial and societal.
   c. Environmental.
   d. Psychological.

10. Whenever possible, sanctions should be:
   a. Community-based.
   b. Virtual-based.
   c. Peer-based.
   d. Functional.