

THE LINK

CONNECTING JUVENILE JUSTICE AND CHILD WELFARE

CWLA NATIONAL ADVISORY COMMITTEE ON JUVENILE JUSTICE POSITION PAPER

January 2010

We develop the kind of citizens we deserve. If a large number of our children grow up into frustration and poverty, we must expect to pay the price.

—Robert F. Kennedy

Research and practice continue to substantiate the undeniable relationship between child maltreatment and juvenile delinquency—children who experience abuse and neglect are more likely to commit delinquent acts. The child welfare and juvenile justice systems often overlap and provide services to the same population; yet, coordination and collaboration between these systems is rare.

The Juvenile Justice Division of the Child Welfare League of America (CWLA) seeks to improve the lives of children and families by increasing awareness of the connection between child maltreatment and juvenile delinquency and of the need for an integrated approach to programs and services across the child welfare and juvenile justice systems. Since 2002, the National Advisory Committee on Juvenile Justice (NACJJ) has supported CWLA in these efforts with a wide range of expertise and leadership. With shared commitment to youth and families, CWLA and NACJJ advocate for the identification and elimination of institutional flaws that result in unnecessary involvement of children in the child welfare and juvenile justice systems.

In this position paper, NACJJ recommends key elements of a service delivery system that involve both the

child welfare and juvenile justice systems. Policymakers and practitioners should be challenged to provide for the more effective delivery of services in these key elements (mental health and substance abuse, disabilities, education, disproportionality, gender-responsive programming, and community engagement) and eradicate the barriers that prevent coordination and collaboration between systems.

Mental Health and Substance Abuse

Concerns about the prevalence of youth mental health needs in the juvenile justice system are escalating. Skowrya and Coccozza (2007) report that up to 70% of youth in the juvenile justice system suffer from a mental health disorder. Many youth in the child welfare and juvenile justice systems are also victims of trauma and may suffer from anxiety disorders such as posttraumatic stress disorder (Child Welfare Committee, National Child Traumatic Stress Network, & National Children’s Alliance, 2008). However, improved functioning and reduced recidivism can be achieved with early intervention, a coordinated treatment plan, and ongoing monitoring by professionals.

Substance use and abuse is evidenced throughout the juvenile offender population. Youth involved with sub-

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DIRECTOR'S MESSAGE

Happy New Year! This is an exciting time for us at CWLA as we approach our annual national conference, Children 2010: Leading a New Era (January 24–27), and begin celebrating 90 years of serving children. Our conference will be host to many excellent presentations and activities, but we are particularly pleased that the conference includes a juvenile justice summit. The summit contains workshops to highlight juvenile justice and child welfare systems integration, systems integration achievements in several jurisdictions, and the juvenile justice systems reform effort, Models for Change, which is funded by the John D. and Catherine T. MacArthur Foundation.

The conference is also an opportunity to present the position paper of the CWLA National Advisory Committee on Juvenile Justice. Ed Kelley, the chair of the committee who is also featured in an interview in this LINK issue, introduces the workshop wherein several committee members will present the position paper. The paper highlights the key elements that must be addressed to assure that systems integration takes place to achieve improved outcomes for children involved in both the child welfare and juvenile justice systems. The draft paper is reprinted here in the LINK, and we invite your feedback both inside and outside of the conference.

Also in this issue are two items to further remind us of how hard we all continue to work to provide the best practices to reach improved outcomes for youth. One is "Research on Pathways to Desistance," a research update created for the MacArthur Foundation's Fourth Annual Models for Change National Working Conference. Pathways to Desistance is an effort that follows 1,354 juvenile offenders for seven years after their convictions. It is an intense look at sanctions and services and the resulting outcomes, providing some interesting and useful findings for policymakers and practitioners. In this research update, do not fail to note the collaboration this effort represents among the federal government, private foundations, and states. The other item is a fact sheet on the Office of Juvenile Justice and Delinquency Prevention's Model Programs Guide (MPG). This fact sheet illustrates how to use the MPG Web site to identify evidence-based delinquency prevention and intervention programs to address the challenges that face the youth we serve. I commend it to you along with one of our juvenile justice summit workshops at the national conference at which you can learn more about the MPG.

So, 2010 is filled with promise as we renew our systems integration efforts and kick off another round of exciting challenges with a celebration of the success of recent years.

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AND CHILD WELFARE

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CWLA is the nation's oldest and largest membership-based child welfare organization. We are committed to engaging people everywhere in promoting the well-being of children, youth, and their families, and protecting every child from harm.

A list of staff in CWLA service areas is available online at www.cwla.org/whowhat/serviceareas.asp.

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stances such as drugs and alcohol have an increased likelihood of entering the juvenile justice system; youth who begin substance use at an earlier age are more likely to become severe or chronic offenders (Young, Dembo, & Henderson, 2007). In spite of this, substance abuse treatment can reduce offending—particularly if families are included in treatment and intervention (Mulvey, 2009).

Education must be provided to professionals, caregivers, parents, and children about diagnoses, disabilities, medications, and behaviors so knowledge and understanding will inform decisions in these cases. Therefore, we recommend that child welfare, juvenile justice, and mental health systems collaborate to¹

- provide appropriate and effective services to youth with mental health needs and substance abuse problems;
- ensure that youth with mental health needs always have access to effective treatment;
- systematically identify the mental health needs of youth at all critical stages of child welfare and juvenile justice processing;
- divert youth with identified mental health needs into effective community-based treatment, whenever possible;
- recognize and include traumatic-stress treatment in service plans, when appropriate; and
- include families in intervention and treatment planning for substance abusing youth and youth with mental health needs.

Disabilities

Another issue of concern is the significant but often-hidden population of youth with disabilities in the child welfare and juvenile justice systems and the inadequate response to their disability-related needs. The Education for All Handicapped Children Act of 1975 (P.L. 94-142) and the Individuals with Disabilities Education Act ([IDEA] P.L. 101-476) identified specific categories of disabilities under which children may be eligible for special education and related services. As defined by IDEA, the term child with a disability means a child “with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and who, by reason thereof, needs special education and related services.” While these federal laws mandate a response within educational settings, disabilities do not begin or end at the classroom door. Often, system-involved youth with disabilities are not recognized as such outside of the

¹Mental health recommendations are based largely on Skowrya and Coccozza (2007).

classroom. Despite high estimates of the number of youth with disabilities present in these systems, the National Council on Disabilities (2003) stated that the American juvenile justice system is ill-equipped to respond to the issues and needs of youth with disabilities in their care because of a lack of awareness, resources, and training on disability-related issues (Caldwell, 2007). The child welfare and juvenile justice systems must address and proactively respond to the needs of youth with disabilities. Therefore, we recommend that child welfare and juvenile justice systems collaborate to

- identify youth with disabilities in the child welfare and juvenile justice systems and provide the appropriate response and support for youth’s individual needs;
- require all youth- and family-serving agencies to increase awareness and educate employees about youth with disabilities;
- require additional disability-related training (recognition, response, skills, etc.) for professionals who work directly with youth and families; and
- ensure all communities are able to provide support, resources, and education to the caregivers of youth with disabilities.

Education

Quality education is vital for all youth to maximize their potential to become successful members of society as they age into family roles and the workforce and become contributing members of the community. To reduce the number of youth who travel the “school to prison pipeline,” we must properly serve and assist our nation’s children in educational settings. The child welfare and juvenile justice systems need to address the education needs of youth—including those with disabilities—in educational settings. Therefore, we recommend that child welfare, juvenile justice, and education systems collaborate to

- provide quality education to all youth within child welfare and juvenile justice settings;
- support educational programs that engage families and communities;
- develop educational advocacy programs for youth in the child welfare and juvenile justice systems that are designed to maximize the potential for completion of a diploma, GED, and other education milestones;
- document and analyze the educational outcomes and progress of youth in the child welfare and juvenile justice systems;
- identify youth with disabilities in the child welfare and juvenile justice systems and provide the appropriate response and support for youth’s individual needs; and
- recruit, employ, and retain teachers who are qualified to deliver and understand instruction to meet the complex learning styles of youth in the child welfare and juvenile justice systems.

Disproportionality

Minority youth in the United States have increased contact with the juvenile justice system compared to Caucasian youth and, ultimately, are being incarcerated at rates well beyond the percentage of Caucasian youth. Disproportionality is a systemic problem that compounds and escalates as youth progress through the system. From first contact with law enforcement through every stage of the juvenile justice process, minority youth are increasingly likely to be enrolled into more restrictive interventions until they represent a majority of those confined. Federal, state, tribal, and local governments; the juvenile justice system; the community; and other child- and family-serving systems are obligated to ensure that all children, regardless of their cultural, ethnic, or racial identities, receive fair and equitable treatment and services that reflect the cultural strengths of their families. Therefore, we recommend that child welfare and juvenile justice systems, tribes, and other community-based organizations, collaborate to

- develop community-based interventions to avoid unnecessary formal processing of minority youth;
- provide culturally specific services and parental involvement programs to support rapid reintegration of minority youth into home communities when appropriate;
- focus resources on the most vulnerable communities;
- recognize the roles and responsibilities of Indian Tribes in the administration of child welfare and juvenile justice as sovereign governments and fund them accordingly;
- increase the cultural competence of all personnel who work with youth by establishing higher standards and training, such as Undoing Racism training;
- require agencies to address and, if necessary, reduce disproportionality;
- review the impact of all current policies, programs, and procedures on families and children of color, and ensure that they are racially equitable and meet the needs of each community that receives services from them;
- include disproportionate minority contact reduction in agency mission and strategic plans;
- monitor progress in reducing disproportionality and disparity of treatment and outcomes;
- develop and spread cultural competence and “antiracism” tools to filter emerging policies/laws, child welfare and juvenile justice practices, child welfare related evaluation, and research projects with the intent of mitigating/eradicating the impacts of institutional racism in child serving systems; and
- advocate for federal policy and legislation that mandates states to analyze the prevalence of disproportionality in the child welfare and juvenile justice systems.

Gender-Responsive Programming

The juvenile justice system and child welfare system need to provide gender-specific programming for girls. Girls enter the juvenile justice system differently than boys, respond differently to juvenile justice placement and programming, and have different needs upon release. Research has made clear that programs for girls in delinquency systems are more effective and appropriate when they are specifically designed to meet girls’ needs. Such gender-specific programs focus on the unique characteristics of girls. Therefore, we recommend that child welfare and juvenile justice systems collaborate to implement:

- gender-specific programming for girls within child welfare and juvenile justice systems;
- gender-specific community-based diversion programs to reduce the number of out-of-home placements; and
- gender-specific aftercare programs to support the successful transitions of girls back into their home communities.

Community Engagement

Services to a child and family should be centered in the community. In addition to nurturing relationships within families, communities that provide effective services and treatment allow children to grow and thrive in positive ways. Systems within the community should strive to keep families intact. When a child must be removed from a family and community, the goal of every assessment or case meeting should be to safely reintegrate the child into the family and community as soon as possible. Therefore, we recommend that child welfare, juvenile justice, and community-based systems collaborate to

- provide community-based services that support children and families while promoting safety, responsibility, and increasing accountability;
- support programs that engage family and the community, and encourage youth to become successful members of society;
- encourage local jurisdictions to refocus on community-based solutions, removing children from their families and communities only when necessary;
- include schools, social workers, courts, probation, police, and family support agencies in treatment/service plan;
- encourage states, tribes, and local jurisdictions to make formal, accountable efforts to integrate their systems with community-based resources;
- encourage jurisdictions to make greater use of community-based approaches and programs, such as Balanced and Restorative Justice; and
- assure that policy, program development, and service delivery is appropriate for the community and driven by informed community advocacy.

Conclusion

We believe that this paper calls attention to the fact that child welfare and juvenile justice systems share many of

the same challenges and opportunities in providing services to system-involved youth. Ample evidence supports the importance of systems collaboration. Children and families involved in the child welfare and juvenile justice systems can easily be overwhelmed and confused by the different array of services and expectations. Also important is the reality that the two systems suffer under the weight of service duplication and lost opportunities to share resources and to create and support best prac-

tices designed to improve outcomes for these youth. A well-defined, accessible coordinated service delivery system is in every child and family's best interests. We hope this paper will serve as a foundation to challenge and allow CWLA, through its Child Welfare–Juvenile Justice Systems Integration Initiative, to provide continuing and enhanced leadership and resources to jurisdictions and agencies willing to make the commitment to collaborate.

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Interview with Ed Kelley, NACJJ Chair

CWLA's Juvenile Justice Division staff members interviewed Ed Kelley, President and CEO of Robert F. Kennedy Children's Action Corps and Chair of CWLA's National Advisory Committee on Juvenile Justice.

CWLA: *Ed, will you tell us about the focus of CWLA's National Advisory Committee on Juvenile Justice [NACJJ]?*

Ed Kelley (EK): When I was asked to participate in NACJJ in 2002, I was delighted to learn that CWLA was taking a serious look at the relationship between the child welfare and juvenile justice systems. At RFK Children's Action Corps, we are split between working in the two systems, almost 50–50. The reality is that there is an incredible overlap of children in the juvenile justice system who in some way were once touched by the child welfare system. To me, it was very logical that if you want to accomplish prevention and divert children out of the juvenile justice system, you do that by looking at the child welfare world.

CWLA: *What has been the most satisfying experience for you as chair of NACJJ?*

EK: Working with the other NACJJ members. NACJJ is honored with a very diverse group of people who have touched both the child welfare and juvenile justice systems in different ways. That diversity, of both talent and commitment, has allowed the committee to formulate a position paper articulating the relationship between child maltreatment and juvenile delinquency. Through this paper, NACJJ has outlined areas of child welfare to examine, and hopefully affect, so that you can get into the concept of using the child welfare system to divert as many children as possible, but also being certain that the juvenile justice system is in fact a system set in treatment and not a system set in punishment.

CWLA: *What do you expect the NACJJ position paper to accomplish?*

EK: Well, first I would hope what it would do is for the membership of CWLA, if there are agencies that are working in the child welfare world, who do not have a lot of experience in the juvenile justice world, that this position paper can inform them a little bit around the relation-

ship between the two. And vice-versa, if there are some agencies that are functioning in the world of juvenile justice exclusively, whether they are state or private, they would gain some knowledge or understanding of how the child welfare system can be used to divert youth out of the juvenile justice system.

Hopefully, the paper will do two things: provide information and formulate discussion. In this paper, NACJJ has made recommendations for each area that is addressed. I see those recommendations as a call for action . . . as a way for states, systems, and private agencies to begin to formulate discussions and programs that will treat children and families differently . . . ultimately to provide better services to children in the child welfare system and make them less likely to enter the juvenile justice system.

CWLA: *What are some of the challenging issues for youth who are involved in both the child welfare and juvenile justice systems and what have you seen of these challenges in your role as Director of RFK Children's Action Corps?*

EK: I think it's really easy for children who are involved in the child welfare or juvenile justice systems to get lost in the crevices of the two systems—to fall through the cracks. There are many areas where these cracks can be filled; if we do this and not allow the child to fall through those cracks, we could make a lot of changes.

One area where this can be seen, which repeatedly jumped out at the committee while writing the position paper, is education. Truancy is a good example. There are some children who become truant; the school systems will sometimes not be able to respond and get the child back into the school quickly enough. Truancy can turn into a lot of time in the community with the wrong elements. Before you know it there is a charge, and instead of attending school, the child is in a detention center. Education, like many other areas stated in the position paper, has cracks that can be filled.

We had a young man in our system, many years ago, who turned his life around significantly; and we were part of that, but we were part of a chain of services and individuals that were able to support him. One of the things he said to me, when I asked what RFK did for him, he

said that when he left our treatment facility after two and a half years, he went on grade. When he left, he was 17 years old and went back to high school as a junior. He said had he gone back, at 17 years old, as a freshman in high school, he would have dropped out. Education throughout all of this is critically important. If we keep them engaged and give them the confidence they need to feel like they can be successfully educationally, I think we can make a major difference.

CWLA: *Apart from CWLA and NACJJ, where would you direct child serving agencies that wish to improve the future of multisystem youth?*

EK: Well, clearly the Models for Change “model” [funded by the John D. and Catherine T. MacArthur Foundation], an effort I know CWLA is a part of, is where I think a lot of this leads to . . . It’s one thing to say, “We need a continuum of services”; it’s another thing to be able to design and implement that model. The position paper naturally leads us to ask, “If we really wanted to have an inclusive system, what model would we use?” and I think that the Models for Change program, focused on system reform in juvenile justice and being implemented throughout the country, is absolutely one of the places we should look.

CWLA: *What is the direction for the committee in the coming year?*

EK: Naturally, I am looking forward to discussing this at the upcoming NACJJ meeting [in January 2010]. The committee has articulated what areas need focus in the position paper, but I think now we’ve got to be able to set some minimum standards around each of those areas and identify best practices. I expect other CWLA mem-

bers to say, “Ok, NACJJ, now can you give me some ideas and tools to implement these [the paper’s] recommendations?” I believe, through trainings [all CWLA advisory committees will conduct online training in 2010], supplemental information to the position paper, and collaborations with other CWLA advisory committees, we will be able to answer that question.

CWLA: *Thanks so much for your commitment to children and families, your leadership to NACJJ, and your time for this interview. Is there anything else you’d like to share with our readers?*

EK: When I talk about the future of children in the child welfare and juvenile justice systems, I think back to my first job, as a direct service youth worker.

CWLA: *When was this?*

EK: More years than I wish to say.

CWLA: *No problem. Please continue.*

EK: At my first meeting as a youth worker, the agency that I worked for asked the staff if we should be more involved in direct service or systems change. Well, naturally, as a direct service worker, I said, “We need to get out to the community right away and take care of the kids right in front of us!” But the reality is that we really need to do both. If you are going to take a child and take the responsibility of that child, you also have a responsibility to look at the system, to be sure the system can do everything it can—to first of all divert the child out of the juvenile justice system—but if they are part of the juvenile justice system, find ways that they can reenter and be contributing members of society.

Research on Pathways to Desistance

This piece originally appeared as a Research Update Created for the Fourth Annual Models for Change National Working Conference, December 8–9, 2009. This reprint is permitted by Models for Change: Systems Reform in Juvenile Justice, an initiative supported by John D. and Catherine T. MacArthur Foundation.

Pathways to Desistance

A First Look at Emerging Findings

Juveniles can commit serious and sometimes violent offenses, from felony burglary to murder. Their crimes are appalling. But only a minority of these serious offenders will go on to a lifetime of repeated crime; the rest will have relatively little involvement in illegal activity. Nevertheless, they present a challenge to the juvenile justice system. And they fuel an ongoing debate among professionals and in society at large.

The sanctions applied to serious juvenile offenders vary widely from one jurisdiction to the next. Even within a given jurisdiction, different youths may receive very different sanctions for similar offenses. Some will spend time in a secure facility, where they may (or may not) receive a range of services. Some are put on probation, with or without a treatment program. Others are sentenced to community service.

How do these sanctions and services affect the trajectories of the offenders’ lives? And what measures could put them on a more positive path? Answering these questions could help us write better policy, make better use of scarce resources, and better serve both the young offenders and the communities in which they live.

That is the impetus behind Pathways to Desistance, a large, multi-site, collaborative project following 1,354 juvenile

offenders for seven years after their conviction.¹ Pathways is the most intense look to date at the outcomes of sanctions and services—feedback that is rarely available to decision-makers in the juvenile justice system.

The ongoing study already has published some important findings:

- Adolescents who become involved in serious crimes are not a particular “type” but a heterogeneous group, much like their non-offending peers. The differences among them are seldom considered by courts, nor are they translated by service providers into different types of intervention.
- Nothing in the basic psychological or social characteristics of these adolescents strongly predicts which will go on to a lifetime of crime and which will curtail their offending after court involvement.
- Longer stays in juvenile facilities do not appear to reduce offending. However, continued probation supervision and community-based services provided after a youth is released do make a difference, at least in the six months following release.
- Substance abuse is a major factor in continued criminal activity. Treating substance abuse can reduce subsequent offending.

Pathways is a unique study in the field of juvenile justice: in its goals, its subjects, its longitudinal nature, its comprehensive scope, and its findings. These and other aspects of the project are explored in more detail on the following pages.

What broad questions is Pathways exploring?

The investigators are trying to unravel what it is that reduces the severity and frequency of criminal activity among the majority of young offenders—or in any individual youth. Is there a relationship between the sanctions and services they receive and the future trajectory of their lives? Do other factors, internal or external, account for the difference? What can we learn about these adolescents that will allow the juvenile justice system to respond more effectively and prevent future criminal activity?

How could the results of the study be used?

The intent of the Pathways team is to provide policy-makers and practitioners with analyses that can guide the development of a more rational, effective, and developmentally appropriate juvenile justice system. Some findings will be relevant to decisions made at disposition, such as what kinds of placement or community-based services are most appropriate for which individuals, and for how long. Some could be used to improve institutional and community-based services, or to determine at what point in the process they should be offered. Some findings may suggest the need to involve families, schools, and other institutions in new or existing solutions.

Who are the subjects of the study?

The study has followed a sample of juveniles who committed major offenses when they were 14 to 17 years old. Their crimes were the most serious felonies that come

before the court, including murder, robbery, aggravated assault, sex offenses, and kidnapping. About 70 percent of the subjects have had one or more prior petitions to court. Nearly one-fifth were processed in the adult system.

They are an ethnically diverse group: 25 percent White, 44 percent African-American, 29 percent Hispanic, and 2 percent “other.” While the majority are male, 13 percent are female.

How is the study conducted?

Investigators interview the adolescents, their family members, and their friends at specific time points for seven years after their conviction. The team has completed about 90 percent of the interviews with the subjects—more than 25,000 in all. Sadly, a high proportion of this group (about 4 percent) died during these years, most of them victims of homicide.

What sort of information is collected?

Over seven years, Pathways has constructed the richest source of information currently available about how serious adolescent offenders mature and what happens to them as they make the transition from adolescence to early adulthood.^{2,3} The interviews cover a wide range of topics: psychological development, mental health, behavior, attitudes, family and community context, and relationships. The investigators also gather month-by-month information on significant life events such as living arrangements, employment, education, romantic relationships, and involvement with the legal and social service systems.

Using official records from the Federal Bureau of Investigation and local courts, the investigators document arrests and the sanctions and services the young offenders receive.

As of August, 2009, the working group and its collaborators had published about 30 papers and made almost 100 presentations based on these data.

Are the serious offenders markedly different from other young people?

Not necessarily. There is considerable variability among these adolescents—as there is in any group of adolescents—in their background characteristics, their family environments, and their attitudes towards the law.^{4,5,6} They appear, in many ways, very similar to other adolescents in their communities, both psychologically and socially, and they develop along similar pathways.

There is a higher incidence among these adolescents of certain risk markers, such as substance abuse, parents who offended, and being in special education. But we know from other studies that rates of offending among adolescents in general are much higher than rates of being caught or convicted; many of the adolescents in this study may be in the system largely because, unlike their peers, they were caught.

What sanctions did these adolescents receive for their offenses?

About half of the offenders were placed in juvenile or adult facilities. These ranged from jails and prisons, to

boot camps, to institutional settings that look much like a high school or college campus. Some of these were therapeutically intense settings, while others offered fewer services.

The other half received community-based sanctions or services. In some cases, this meant simply checking in with a probation officer. Others received more intensive supervision. And others received a mix of probation and services such as group sessions, substance abuse treatment, or family therapy.

Do most of them continue to commit crimes?

Despite their involvement in serious crime, these adolescents are not uniformly “bad” kids on the road to a lifetime of criminal activity. In fact, the majority reported engaging in few or no illegal activities after court involvement.

In one set of analyses, the investigators identified five distinct groups that followed different patterns of change in their illegal activity over the first 36 months of follow-up (see Figure 1).⁷

Three of these groups showed different, but relatively stable, low levels of offending. A fourth group started at a high level of offending and dropped off to a very low level. The fifth group—just 8.5 percent of the total—started at a high level of offending and continued at this high level.

In short, the vast majority of the adolescents in the study reported very limited involvement in illegal activity in the three years following their court involvement. A strikingly large proportion of those who had been offending at high levels dramatically reduced their illegal activities during the first few years of the study.

Is it possible to predict which adolescents will fall into which group?

The ability to predict future criminal activity would be of great interest to the courts where youths are adjudicated, and the study sought to answer this important question. Unfortunately, despite the detailed information collected on these adolescents, predictions were elusive.

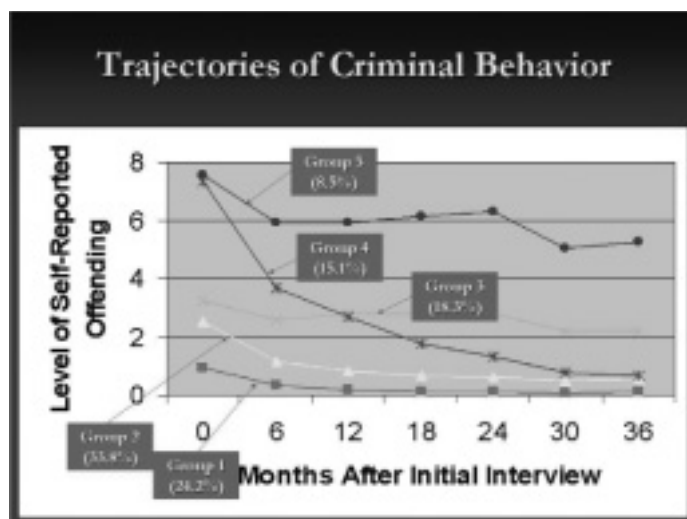


Figure 1

The initial baseline interview of Pathways gathers far more information about juveniles’ personality, behavior, history, and life circumstances than is typically available to any court. Yet the investigators found that baseline characteristics—demographics, psychosocial characteristics, attitudes, and even prior offending history—are not very useful for differentiating the “persisters” from the “desisters.” The likelihood of effectively distinguishing them at disposition is low.

Does desistance from crime match the treatment offenders receive?

It doesn’t seem to. The investigators found, to their surprise, that persisters and desisters received about the same type of treatment in the justice system: they spent, on average, the same amount of time in the same types of institutions.

Institutional placements are widely used with this group of offenders. Even those adolescents who reported very low levels of involvement in subsequent antisocial activity nevertheless spent a sizable proportion of the follow-up period (about 30 percent of this time) in institutional care. However, among these “low level” offenders, institutional placement raised the level of offending by a small, but statistically significant, amount.

This may mean that expensive institutional placements are often being used in cases where there is little need for such an investment—and where it may in fact be counterproductive. It is worth considering whether the general pattern of locking up such a large proportion of these adolescents is producing many positive results.

Given the prominent role of institutional placement in the juvenile justice system, does the Pathways study suggest any guidelines?

It offers food for thought. A key question for juvenile justice policy is whether and how long to keep juvenile offenders in facilities in order to maximize both public safety and the therapeutic benefits to the offender. The study addressed this question first by grouping subjects with very similar background characteristics and comparing those who had been placed in institutions to those given probation. They examined whether institutional placement led to any reduction in the rates of re-arrest or self-reported illegal activity, and found that both groups were equally likely or unlikely to re-offend. On these measures, at least, institutional placement appears to have no advantage to over probation.

The investigators also looked at the length of stay for those in juvenile institutional care, to see if there was any marginal gain from longer stays.⁸ Again, they found no significant benefits from a longer stay (see Figure 2).

Institutional placement is a very costly undertaking. The Pathways findings highlight the need to reconsider the costs and benefits of locking up adolescents, even those committing the most serious crimes. As part of that reconsideration, however, we need to carefully examine the effects of treatments provided in institutional care; determine which, if any, make a difference in behavior for

Rate of Re-Arrest by Months Spent in a Juvenile Institution

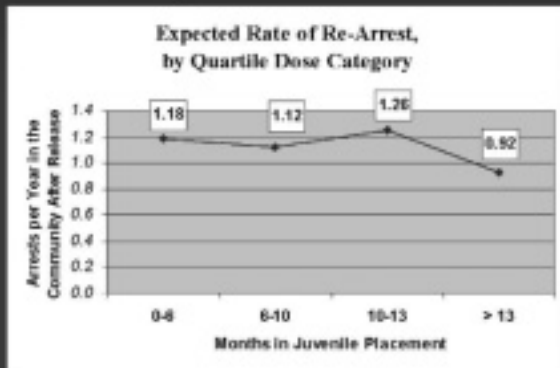


Figure 2

which offenders; and consider whether they can be offered with equal success in a community setting.

Is there anything we can learn about individual offenders that might be relevant to deciding what sanctions and services they receive?

Sanctions are often meted out on the basis of the severity of the crime and the number of prior convictions. Courts do not generally assess individual needs in depth and match them to particular services.

The Pathways study suggests that it might be feasible to do so. The study found that individual adolescent offenders differ substantially from one another on a number of relevant dimensions: parenting styles, social development, the timing of psychological development, mental health, attitudes toward the law, and the level of substance abuse. Closer consideration of these differences by the courts and service providers could lead to more tailored, more effective services.

Is substance abuse treatment a good example of the potential of tailored services?

It's one of the clearest examples. Substance use is strongly related to continued criminal activity in this group, and it makes sense to focus on this behavior for intervention. In fact, the study shows that treatment for substance use can reduce offending.

Levels of substance use and associated problems are very high in these young offenders. More than one-third qualify for a diagnosis of substance use disorder in the year prior to the baseline interview, and over 80 percent report having used drugs or alcohol during the previous six months. Moreover, the level of substance use walks in lockstep with illegal activity over the follow-up period: more substance use, more criminal offending.⁹

Adolescent offenders with substance use disorders don't always receive treatment for these problems. When they do, though, it appears to work. The investigators examined treatment-related reductions in alcohol and marijuana use, cigarette smoking, and non-drug offending

during the first year post-treatment.¹⁰ Although the study doesn't test any single, new intervention for substance use, it does provide an excellent opportunity to examine how well the standard treatments affect later adjustment. Results indicate that drug treatment significantly reduced substance use for about six months, and that this reduction was more than simply an effect of the adolescents being locked up in a controlled environment. Subsequent criminal offending also was reduced—but only when treatment included family involvement.

The bottom line: ongoing substance use treatment for serious juvenile offenders appears to pay off, but the key is including family in the intervention.

What happens to young offenders after they're released from an institution? Can services at that point make a difference?

The study indicates that aftercare services do make a difference.

Because the project collects monthly data about institutional placement, probation, and involvement in community-based services, investigators were able to examine the effects of aftercare services for the six months after a court-ordered placement (the period for such services in many locales). They looked specifically at the effects these services had on community adjustment: going to school or working, getting arrested or placed back in a facility, or self-reported illegal activity.¹¹

The intensity of community-based services for the returning offenders was generally low—supervision was more common than involvement with treatment-oriented agencies. Nevertheless, the analyses showed that when adolescents did receive supervision and were involved in community-based services, they were significantly more likely to avoid further involvement with the legal system and to attend school or work more regularly. Continued aftercare supervision and service involvement in the six months after institutional placement, as delivered in the real world, appear to have a positive effect.

These results highlight the importance of investing resources in community-based aftercare programs. Though institutional care in general seems to have a limited impact on later criminal activity, establishing a wider array of sanctions and services might well produce more positive outcomes.

Where does the Pathways project go from here?

The findings presented here are just a first look at the potential of the Pathways study. Much work is yet to be done on the dynamic nature of these adolescents' lives, the factors that promote positive adjustment during late adolescence and early adulthood, and the effectiveness of the juvenile justice system.

The investigators believe that the greatest potential lies in examining the diversity of the subjects—the differences in their backgrounds, personalities, development, attitudes, and responses—and how those differences relate to various interventions and outcomes. If serious offenders were

a homogeneous group, it would make sense to simply link sanctions to the severity of the crime and hope for a uniform reduction in future offending. But given their diversity, there may be other ways to group young offenders and apply interventions that produce better results, for them and for society.

Another promising line of inquiry appears to be identifying the positive life events that occurred during the follow-up period. Preliminary results suggest adolescents who are better integrated into the community by a stable living situation and more routine lives, by school or employment, or by a positive romantic relationship are less likely to be involved in illegal activity. Whether there is a causal relationship remains to be tested.

The Pathways project is doing more than answering specific questions. It is creating a huge database—a research infrastructure—that will be freely accessible to researchers outside the project. With continuing progress, in policy and in research, we can have a fairer, more effective, and more cost-effective juvenile justice system.

Notes

1. The study grew out of the efforts of the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. It is funded by the John D. and Catherine T. MacArthur Foundation, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Institute of Justice (NIJ), the Robert Wood Johnson Foundation, the William Penn Foundation, the William T. Grant Foundation, the Pennsylvania Commission on Crime and Delinquency, the Arizona Juvenile Justice Commission, and the National Institute on Drug Abuse. A multidisciplinary working group of investigators have collaborated on the study since its inception and continue to analyze data and publish findings. In alphabetical order, they are Robert Brame, Ph.D., Elizabeth Cauffman, Ph.D., Laurie Chassin, Ph.D., Jeffrey Fagan, Ph.D., George Knight, Ph.D., Edward Mulvey, Ph.D., Sandra Losoya, Ph.D., Alex Piquero, Ph.D., Carol Schubert, M.P.H., and Laurence Steinberg, Ph.D.
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The Office of Juvenile Justice and Delinquency Prevention *Model Programs Guide*

Introduction to the MPG Web Site

The Office of Juvenile Justice and Delinquency Prevention's (OJJDP's) *Model Programs Guide (MPG)* is a searchable Web site containing information on evidence-based delinquency prevention and intervention programs. The MPG presents programs as part of a continuum of youth



services, covering the full range of youth problem behavior. It is an easy-to-use tool that offers a database of scientifically proven programs that address a range of issues, including substance

abuse, mental health, and education programs. All MPG programs must demonstrate a statistically significant decline in delinquency or delinquency-related risk and protective factors. Practitioners, researchers, and community groups can use the database to locate evidence-based approaches that fit their particular needs. All practitioners in juvenile justice, regardless of their funding sources, will find this technical assistance tool a valuable resource.

Organization of the MPG

The MPG contains the most-recent research reviews on various types of programs as well as a searchable database of more than 200 prevention and intervention programs. The prevention section includes programs in numerous program types (e.g., after-school, mentoring, parent training, truancy prevention). The intervention section is organized into four sanctions levels: immediate sanctions, intermediate sanctions, residential care, and reentry. Sanctions strategies range from youth courts, Balanced and Restorative Justice programs, and wraparound services to detention alternatives, day treatment, and reentry courts.



Searching for Programs

The MPG can be searched by continuum phase (prevention, immediate sanctions, intermediate sanctions, residential, and reentry); age group (early childhood,



preschool, school age, adolescent); ethnicity (Hispanic, Native American, African American, Asian American, white, other); gender; problem area (behavioral, learning disability,

mental disorder, pregnancy, substance abuse, truancy, family); offender groups (drug, felony, first time, gang involved, misdemeanor, prostitution, violent, sex, status, very young); target settings (rural, suburban, and urban); and program type. New programs that meet the strict evaluation criteria are continually added.



MPG Web Sites

<http://www.ojjdp.ncjrs.org/programs/mpg.html>
<http://www2.dsgonline.com/mpg/>

For more information on the OJJDP *Model Programs Guide*, contact

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